

**THE CITY OF KEY WEST
PLANNING BOARD
Staff Report**



To: Chairman and Planning Board Members

From: Thaddeus Cohen, Planning Director

Meeting Date: February 18, 2016

Agenda Item: **Variance – 622-624 Mickens Lane (RE # 00013130-000100; AK # 9062725, RE # 00013130-000000; AK # 1013528) – A request for a variance to minimum lot size and side setback requirements to allow the two properties to be recognized as two separate parcels located within the Historic Residential / Office (HRO) Zoning District pursuant to Sections 122-930(5) and 122-930(6)b., of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Request: Variance approval to minimum lot size and side setback requirements to allow the two properties to be recognized as two separate parcels.

Applicant: Trepanier & Associates, Inc.

Property Owner: Charles and Veronica Butler, and Alfridina Butler

Location: 622-624 Mickens Lane (RE # 00013130-000100; AK # 9062725, RE # 00013130-000000; AK # 1013528)

Zoning: Historic Residential/Office (HRO) Zoning District



Background:

On November 7, 2002 the Board of Adjustment approved the subdivision of the existing parcel on which one house would become affordable by restrictive covenant and a second new home would replace a structure for which demolition was approved by granting variances to lot size, lot width, building setback and off-street parking regulations. The BOA allocated an affordable unit with the understanding that the current market rate unit at 624 Mickens Lane would be located at 622 Mickens Lane and the new BPAS affordable unit allocation would be housed at 624 Mickens Lane.

On June 25, 2003 the property was subdivided and recorded in the public records of Monroe County (BK#1902, PG#2259). The previous structure on Parcel “A” was demolished and on September 26, 2003, permits were issued for a new market rate Single Family Residence. The new parcel was then assigned the 622 Mickens Lane address.

On February 4, 2004, the property owner received a variance extension for a period of one year via Board of Adjustment Resolution 04-063; during which time the property was the subject of an ownership dispute which was then dismissed.

Although the subdivision took place, the deed restriction (affordable) was not placed on the existing home at 624 Mickens Lane and the new market rate home was not built at 622 Mickens Lane, rendering the subdivision approval void. The parcels have since changed ownership; one parcel is owned by Charles and Veronica Butler and the other by Alfridina Butler.

During discussions with the Planning Department over the past several months, staff informed the property owners and their representative that they would need to either undo the subdivision or seek variance approvals that were previously received to include deed restricting (affordable) the unit at 624 Mickens Lane. The property owners and their representative declined to pursue the deed restriction.

Relevant HRO Zoning District Dimensional Requirements: Code Section 122-926				
Dimensional Requirement	Required/ Allowed	Existing	Proposed	Change / Variance Required?
Flood Zone	X	X	No change	None
Maximum density	16 dwelling units per acre	Parcel A: 0 Parcel B: 1 SFR	No change No change	None None
Maximum floor area ratio	1.00	None	None	N/A
Maximum height	30 feet	Parcel A: vacant Parcel B: 30 feet	No change No change	None None
Maximum building coverage	50%	Parcel A: 0% (vacant) Parcel B: 49% (1,006 sq ft)	No change No change	None None
Maximum impervious surface	60%	Parcel A: 6% (162 sq ft) Parcel B: 54% (1,094 sq ft)	No change No change	None None
Minimum lot size	5,000 SF	Parcel A: 2,475 sq ft (622 Mickens Lane) Parcel B: 2,025 sq ft (624 Mickens Lane)	Parcel A: 2,475.0 SF Parcel B: 2,025.0 SF	Variances requested

Minimum lot width	50 feet	50 feet	Parcel A: 27.5 feet Parcel B: 22.5 feet	Variance requested
Minimum lot depth	100 feet	90 feet	90 feet	No change
Minimum front setback	5 feet	Parcel A: 5 feet Parcel B: 5 feet	No change No change	None None
Minimum side setback (L)	5 feet	Parcel A: 5 feet Parcel B: 1.1 feet	No change No change	None Parcel B: existing nonconformity
Minimum rear setback	10 feet	Parcel A: 10 feet Parcel B: 10 feet	No change No change	None None
Minimum side setback (R)	5 feet	Parcel A: 5 feet Parcel B: 2.2 feet	No change No change	Parcel B: Variance requested Between Parcel A & Parcel B
Parking	1/unit	Parcel A: 0 Parcel B: 1	No change No change	Parcel A: Variance Required
Open Space	35%	Parcel A: 100% (vacant) Parcel B: 46% (930 sq ft)	No change No change	None None

Process:

Planning Board Meeting:

February 18, 2016

January 21, 2016 (postponed)

Local Appeal Period:

30 days

DEO Review Period:

up to 45 days

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, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.*

This property was granted a variance to allow subdivision pursuant to Resolution No. 02-348 and the variance request was extended by one year. However, the owner was unable to complete the construction on time.

BOA Resolution 02-348 allowed for the subdivision of an already substandard size lot with the agreement that the existing home at 624 Mickens Lane would be deed restricted (affordable). That being said, the prior approval created special conditions that exist today which are peculiar to 622-624 Mickens Lane.

IN COMPLIANCE.

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

The applicant was unable to raise enough funds for the proposed construction due to Hurricane Wilma and the owner's financial hardship that followed. However, the existing nonconformities were created at the request of the prior owner, Robert F. Butler, with the condition to make the residence at 624 Mickens Lane affordable. Although the lots are now owned by the family of Mr. Butler, asking for the same variance approval granted in the prior request without fulfilling the previous request in Resolution No. 02-348 or creating a unity of title are conditions created by the current applicant.

NOT IN COMPLIANCE.

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, buildings or structures in the same zoning district.***

Special privileges were conferred during the original subdivision approval, since the prior approval allowed for the subdivision of an already substandard size lot. However, the Board of Adjustment agreed to the request with the condition that 624 Mickens Lane would be deed restricted (affordable).

NOT IN COMPLIANCE.

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 applicant has stated hardship conditions in regards to Hurricane Wilma effecting the finances needed to subdivide and construct a single family residence. However, denial of the requested variance would not deprive the Applicant of rights commonly enjoyed by other properties in the HRO Zoning District since a unity of title can be completed increasing the lot size.

NOT IN COMPLIANCE.

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.***

Several variances including a parking variance will be required in order to finalize the subdivision approval of an already substandard size lot. Therefore, the variances requested in this application are not the minimum required in order to make possible the reasonable use of the land, building, or structure since a parking variance is not included in this request since there is currently a moratorium on parking variances.

NOT IN COMPLIANCE.

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.***

Due to not being in compliance with all of the standards for considering variances, the granting of the requested variances would be injurious to the area involved and otherwise detrimental to the public interest.

NOT IN COMPLIANCE.

7. *Existing nonconforming uses of other property not the basis for approval. 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.*

Existing non-conforming uses of other properties, use of neighboring lands, structures, or buildings in the same district, or other zoning districts, are not the basis for this request.

IN COMPLIANCE.

Concurrency Facilities and Other Utilities or Service (Section 108-233):

Based on comments received by DRC members, it does not appear that the requested variance will trigger any public facility capacity issues.

The Planning Board shall make factual findings regarding the following:

That the standards established by Section 90-395 of the City Code have been met by the applicant for a variance.

The standards established by Section 90-395 of the City Code have not been fully met by the applicant for the variances requested.

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.

As of the date of this report the Planning Department has received one public comment in opposition of the variance request.

RECOMMENDATION:

Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for variance be **denied**. However, if the Planning Board approves this request, staff recommends the following conditions:

Conditions required to be completed within thirty days:

1. The property owner must deed restrict (affordable) the home at 624 Mickens Lane (Parcel B).

Conditions required to be completed within six months:

2. The property owner must seek and receive approval of a parking variance for 622 Mickens Lane (Parcel A).

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: 622-624 Mickens Lane

Zoning District: HRO Real Estate (RE) #: 00013130-000000 & 13130-000100

Property located within the Historic District? Yes No

APPLICANT: Owner Authorized Representative

Name: Trepanier & Associates, Inc.

Mailing Address: 1421 First Street

City: Key West State: Florida Zip: 33040

Home/Mobile Phone: _____ Office: 305-293-8983 Fax: _____

Email: lori@owentrepanier.com

PROPERTY OWNER: (if different than above)

Name: Charles and Veronica Butler, and Alfridina Butler

Mailing Address: 209 Julia Street

City: Key West State: Florida Zip: 33040

Home/Mobile Phone: 305-431-6134 Office: _____ Fax: _____

Email: _____

Description of Proposed Construction, Development, and Use: _____

No new construction proposed at this time. Existing SFR at 624 Mickens and vacant lot at 622 Mickens Lane.

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

Please see attached.

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

If yes, please describe and attach relevant documents: _____

This property received variances to subdivide in 2002.

City of Key West • Application for Variance

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				
Flood Zone				
Size of Site				
Height				
Front Setback				
Side Setback (right)				
Side Setback (left)				
Street Side Setback				
Rear Setback				
F.A.R				
Building Coverage				
Impervious Surface				
Parking				
Handicap Parking				
Bicycle Parking				
Open Space/ Landscaping				
Number and type of units				
Consumption Area or Number of seats				

Please see attached

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.

622-624 Mickens Lane

Site Data Table	Code Requirement	Existing	Proposed	Variance Request
Zoning	HRO	HRO	No Change	None
Flood Zone	X	X	No Change	None
Site Size	5,000 sq. ft.	Parcel A: 2,475 sq. ft.	No Change	Yes
		Parcel B: 2,025 sq. ft.	No Change	Yes
Height	≤30 ft.	Parcel A: vacant	No Change	None
		Parcel B: ≤30 ft.	No Change	None
Front Setback	5 ft.	Parcel A: 5 ft.	No Change	None
		Parcel B: 5 ft.	No Change	None
Side Setback (L)	5 ft.	Parcel A: 5 ft.	No Change	None
		Parcel B: 1.1 ft.	No Change	None*
Side Setback (R)	5 ft.	Parcel A: 5 ft.	No Change	None
		Parcel B: 3.0 ft.	No Change	Yes
Street Side	NA	Parcel B: NA	NA	None
		Parcel A: NA	NA	None
Rear Setback	10 ft.	Parcel A: 10 ft.	No Change	None
		Parcel B: 10 ft.	No Change	None
F.A.R.	1.0	Parcel A: 0	No Change	None
		Parcel B: 0	No Change	None
Building Coverage	≤50%	Parcel A: 0% (vacant)	No Change	None
		Parcel B: 49% (1,006 sq. ft.)	No Change	None
Impervious Surface	≤60%	Parcel A: 6% (162 sq. ft.)	No Change	None
		Parcel B: 54% (1,094 sq. ft.)	No Change	None
Parking	1/unit	Parcel A: 1	No Change	None
		Parcel B: 0	No Change	None
Handicap Parking	NA	Parcel A: NA	No Change	None
		Parcel B: NA	No Change	None
Bicycle Parking	NA	Parcel A: NA	No Change	None
		Parcel B: NA	No Change	None
Open Space	≥35%	Parcel A: 100% (vacant)	No Change	None
		Parcel B: 46% (930 sq. ft.)	No Change	None
Landscaping	≥20%	Parcel A: NA	No Change	None
		Parcel B: NA	No Change	None
No. & type of units	16 du/acre	Parcel A: 0	No Change	None
		Parcel B: 1 SFR	No Change	None
Consumption Area	NA	NA	NA	NA

*Existing non-conformity under Article II.- Nonconformities, Sec. 122

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.

See Attached

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

See Attached

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.

See Attached

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.

See Attached

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.

See Attached

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.

See Attached

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.

See Attached

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

N/A Site plan (plans MUST be signed and sealed by an Engineer or Architect)

N/A Floor plans

N/A Stormwater management plan

No new Construction proposed

Standards for Considering Variances

1. The existence of special conditions and circumstances do exist that are peculiar to the land and structure involved in this application which are not applicable to other land and structures in the same zoning district.

This property was granted a variance to allow subdivision pursuant to Resolution 02-348. At the time, there was no BPAS or ROGO system in place for the property owner to be allocated a market-rate residential unit. Therefore a solution was proposed by the planning department to transfer the existing market-rate ROGO-exempt unit represented by the remaining single family home (on Parcel "B") to Parcel "A" and then assign an affordable ROGO unit (which were available at the time) to the home on Parcel "B".

The property owners then began to pursue their project. The property was subdivided through metes and bounds description on June 25, 2003 and recorded in the public records of Monroe County (BK#1902, PG#2259). The previous structure on Parcel "A" was demo'd and on 09/26/03 permits for a new market-rate SFR were issued. Resolution 04-063 extended the variance approval for one year while the property was the subject of an ownership dispute and lawsuit ultimately dismissed on 11/05/05. The subsequent effects of hurricane Wilma and the financial impact of the global economic recession prevented the property owners from completing the proposed project.

2. The conditions have not been created by the applicants.
The applicant moved forward in good faith but events, which were out of their control, prevented the completion of the work in a timely manner.
3. Special privileges are not conferred. Granting this variance 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 will be conferred. This variance will simply allow the property owners to accomplish their family's goals under today's regulations. Additionally, the proposed configuration will allow the lots to be developed in a manner that is consistent and sympathetic to the existing historic configurations of other similar lots in the HRO district.
4. Hardship conditions exist.

As described above, this property was granted variances to allow subdivision; however, events beyond the control of the applicant (described in this application) prevented them from constructing a single family home with fee simple ownership.

5. Only minimum variances are requested.

The requested lot size reflects the pre-existing configuration prior to the approved demolition of the second structure.

The 1912 Sanborn map shows 4 structures originally on this site. Multiple dwelling units on adjacent lots which are now subdivided in fee simple ownership reflect the historical development of this neighborhood. The 1966 historic property record card shows the footprint of two structures remaining on the site with one photo reflecting the structure that is present today. Two dwelling units have existed on the 50'x90' parcel for decades.

6. The granting of these variances will not be injurious to the public welfare.

The granting of these variances 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.

The granting of these variances will not be injurious to the public welfare, in fact they will further the goals of the Comprehensive Plan with regard to the preservation of permanent housing stock per policy 1-1.10.3; as well as preserving the historic use of the site and the rhythm of the neighborhood's historic fabric.

This is a residential infill project, and fee simple ownership is a superior alternative to any other form for two detached single family residences. The subdivision of this parcel conforms to the intent of the zoning district by preserving the residential character and historic quality of the Old Town residential community. The allowance of small residences in close proximity is characteristic of the community and its historic culture. To deny that heritage to continue would be injurious to the area and detrimental to the public interest. These variances will allow the replacement of a SFR with fee simple ownership in an area in need of residential housing stock. Without a variance to lot size, lot width and building setback, a second SFR cannot be built and neither parcel can be held fee simple due to conditions that existed prior to the current ownership of the property.

7. Existing nonconforming uses of other properties are not considered as the basis for approval.

Existing nonconforming lot size and setbacks of adjacent properties and neighboring areas are not the basis of the requested approval.

12/19 PB

10/06/2015

RECEIVED

TREPANIER

OCT 06 2015

CITY OF KEY WEST
PLANNING DEPT.

Mr. Thaddeus Cohen, Director
City of Key West Planning Department
3140 Flagler Avenue
Key West, FL 33040



Owen Trepanier & Associates Inc.
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Re: **Variance - 622-624 Mickens Lane**
RE# 00013130-000100 and 00013130-000000

Dear Mr. Cohen:

Attached please find a variance application for the above referenced property. Our request for variances will allow these two properties to be recognized by the City as two separate parcels allowing for fee simple ownership. The configuration of the parcels is reflective of the historical development patterns and character of the community.

Variance Request:

This request seeks variances to recognize the lot reconfiguration depicted to the right.

Variances to recognize Parcel "A" (622 Mickens Ln):

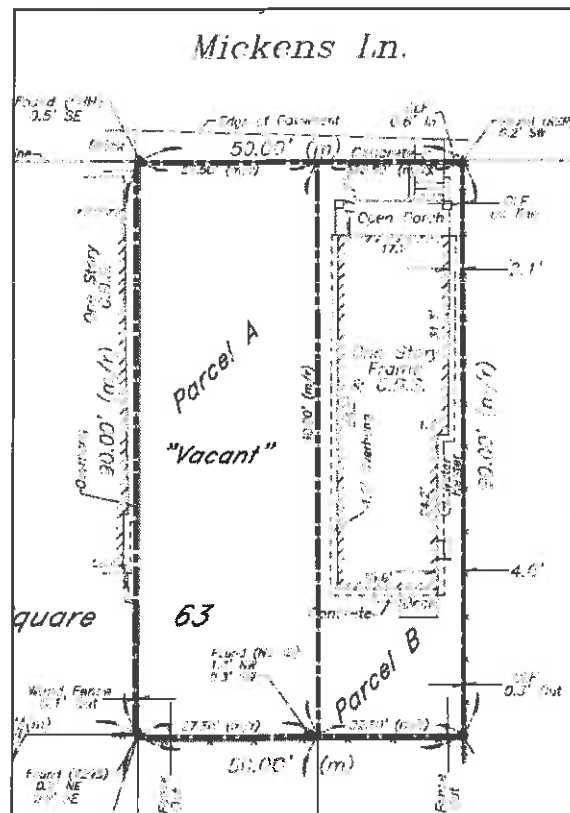
1. Sec. 122-930(5), Minimum Lot Size
5,000.0 sq. ft. required
2,475.0 sq. ft. proposed
2. Sec. 122-930(5)a, Minimum Lot Width
50.0 ft. required
27.5 ft. proposed

Variances to recognize Parcel "B" (624 Mickens Ln):

1. Sec. 122-930(5), Minimum Lot Size
5,000.0 sq. ft. required
2,025.0 sq. ft. proposed
2. Sec. 122-930(5)a, Minimum Lot Width
50.0 ft. required
22.5 ft. proposed
3. Sec. 122-930(6)b, Minimum Side Setback
5.0 ft. required
3.0 ft. proposed

Variance to the strict adherence to the sub-division requirements under Chapter 118:

Sections 118-2 through 118-523



Historical Context:

Platted by William A. Whitehead in February, 1829, Mickens Lane, along with such comparative lanes as Terry and Chapman, are representative of the historic neighborhoods in Key West with distinctive "Conch" homes characteristic of the time period. Comprised of narrow lots (widths of less than 30') with dwelling units sitting in close proximity to one another, these lanes exemplify the historic worker housing stock of the city. As evidenced by the 1912 Sanborn map¹, many of these lots were originally platted as larger sites and developed as multi-unit family compounds. Over time, most of these type parcels were subdivided to allow for simple transfer of the individual dwelling units.

Much more presently, when the subdivision was originally granted, there was no BPAS or ROGO system in place for the property owner to be allocated a market-rate residential unit. Therefore a solution was proposed by the planning department to transfer the existing market-rate ROGO-exempt unit represented by the remaining single family home (on Parcel "B") to Parcel "A" and then assign an affordable ROGO unit (which were available at the time) to the home on Parcel "B".

The property owners began to pursue the construction of the new home, but as a result of events out of their control (as outlined below) they were unable to complete the project in a timely manner.

Now that there is a BPAS system in place and market-rate units available, the owners seek to right to enter the normal BPAS process to obtain a market-rate ROGO unit for parcel "A".

Timeline:

- 11/08/02 – Res. No. 02-348 grants variances to permit subdivision as depicted on the attached survey
- 05/08/03 – Demolition permit issued for the previous structure on Parcel "A"
- 06/25/03 – Lots subdivided pursuant to Res. No. 02-348
- 09/26/03 – Building Permit for market-rate single family home issued for Parcel "A"
- 02/04/04 – Res. No. 02-348 extended for one year as a result of the lawsuit over ownership
- 11/05/05 – Ownership lawsuit dismissed by the 3rd DCA.
- 11/24/05 – Hurricane Wilma
- 01/24/06 – Permit for market-rate single family home expired
- 12/01/07 – Global Economic Recession
- 08/21/15 – Property owner requests a change to Res. No. 02-348 to allow the property to enter BPAS for a market-rate unit.
- 06/02/15 – Planning Department denies request and further denies the property owner access to the variance process without a change in ownership
- 06/12/15 – Appeal of the Planning Director's decision filed with the City Clerk

¹ Exhibit A

06/19/15 – Planning Department changes position and allows the property owner access to the variance process without a change in ownership

07/27/15 – Property owner withdraws appeal

10/01/15 – Property owner files new variance application to recognize subdivision

Conclusion:

We respectfully request the City approve the listed variances as they comply with the Standards for Considering Variances as cited on the attached application. There are special conditions that exist that have not been created by the applicant. Privileges will not be conferred. This request is based on hardship and only the minimum variances are requested. The granting of the variance will not be injurious or detrimental to the public welfare nor were existing nonconforming uses of other properties considered as a basis for this request.

Thank you in advance for your consideration in this matter. Please do not hesitate to contact me if you have any questions or need additional information.

Best Regards,



Lori Thompson

Exhibit "A"



Key West, Monroe County, Florida, 1912 Sanborn, Page 14

Verification

City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an entity)

I, Owen Trepanier, in my capacity as President
(print name) (print position; president, managing member)
of Trepanier & Associates, Inc
(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:

622 & 624 Mickens Lane
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 10 October 2016 by
date
Owen Trepanier
Name of Authorized Representative

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

[Signature]
Notary's Signature and Seal

Alvina Covington
Name of Acknowledger
COMMISSION: AF0013901
EXPIRES: August 27, 2018
WWW.AARONNOTARY.COM
913801
Commission Number, if any

Authorization

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, Charles and Veronica Butler authorize
Please Print Name(s) of Owner(s) as appears on the deed

Trepanier & Associates Inc.
Please Print Name of Representative

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

[Signature]
Signature of Owner

[Signature]
Signature of Joint Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on this 9-21-2015
Date

by Charles and Veronica Butler
Name of Owner

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

[Signature]
Notary's Signature and Seal

Alvina Covington
Name of Acknowledger typed, printed or stamped

FF913801
Commission Number, if any



Alvina Covington
COMMISSION #FF913801
EXPIRES: August 27, 2018
WWW.AARONNOTARY.COM

**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, Alfridina E Butler authorize
Please Print Name(s) of Owner(s) as appears on the deed

Trepanier & Associates Inc.
Please Print Name of Representative

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

Alfridina E Butler
Signature of Owner

Signature of Joint Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on this 9-21-2015
Date

by Alfridina E Butler
Name of Owner

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

Alvina Covington
Notary's Signature and Seal

Alvina Covington
Name of Acknowledger typed, printed or stamped



Alvina Covington
COMMISSION #FF913801
EXPIRES: August 27, 2018
WWW.AARONOTARY.COM

FF913801
Commission Number, if any

Deed

622 Mickens

MONROE COUNTY
OFFICIAL RECORDS

FILE #1379490
BK#1902 PG#2259

RCD Jun 26 2003 01:54PM
DANNY L KOLHAGE, CLERK

THIS INSTRUMENT WAS PREPARED BY AND RETURN TO:
Robert E. Highsmith, Esq.
FELDMAN KOENIG & HIGHSMITH, P.A.
3158 Northside Drive
Key West, Florida 33040

Folio Number:
Grantee(s) S.S. #(s):

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

DEED DOC STAMPS 0.70
06/26/2003 10 DEP CLR

THIS INDENTURE, made this 25th day of June, 2003, between VERA BUTLER, an unmarried widow, by and through her undersigned attorney-in-fact, ROBERT F. BUTLER, and ROBERT FRANKLIN BUTLER, a Married Man, Grantor, and CHARLES BUTLER AND VERONICA BUTLER, Husband and Wife, whose post office address is 209 Julia Street, Key West, Florida 33040, Grantee:

("Grantor" and "Grantee" are used for singular or plural, as context requires)

WITNESSETH, that said Grantor, for and in consideration of the sum of \$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 lot, piece or parcel of land, situate, lying and being in the County of Monroe, State of Florida, to wit:

In the City of Key West and known upon the map or plan of said City delineated by William A. Whitehead in February, A.D. 1829 as part of Lot Four (4) in Square Sixty-three (63) and is bounded as follows: Beginning at a point fifty (50) feet from the northern line of said Lot Four (4) and also ninety (90) feet from the western line of said Lot on Thomas Street, thence running southerly parallel with said western line on Thomas Street twenty-seven and a half (27.5) feet; thence easterly parallel with the aforementioned northern line of the said Lot Four (4), ninety (90) feet, making a parallelogram of ninety (90) feet by twenty-seven and a half (27.5) feet.

AND GRANTOR does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

THE PROPERTY BEING CONVEYED HEREIN IS A PORTION OF THAT PROPERTY CONVEYED TO ROBERT FRANKLIN BUTLER VIA QUIT CLAIM DEED DATED OCTOBER 7, 1997 FROM VERA BUTLER, WHEREIN VERA BUTLER RETAINED A LIFE ESTATE. SAID QUIT CLAIM DEED WAS RECORDED IN OFFICIAL RECORDS BOOK 1480 AT PAGE 1934 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA. THIS DEED IS INTENDED TO CONVEY A FEE SIMPLE INTEREST IN THE PROPERTY TO THE GRANTEE WITHOUT ANY RETAINED LIFE ESTATE INTERESTS.

THIS DEED HAS BEEN PREPARED WITHOUT THE BENEFIT OF TITLE SEARCH OR EXAMINATION.

THE PROPERTY BEING CONVEYED HEREIN IS NOT THE HOMESTEAD OF THE GRANTOR.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first written above.

Jodi Sinker
Witness Signature
JODI SINKER
Printed Name

Dona Rosado
Witness Signature
DONA ROSADO
Printed Name

Jodi Sinker
Witness Signature
JODI SINKER
Printed Name

Dona Rosado
Witness Signature
DONA ROSADO
Printed Name

Vera Butler by Robert Butler
VERA BUTLER, by Robert F. Butler,
Her Attorney-in-Fact

Robert F. Butler
ROBERT FRANKLIN BUTLER

FILE # 1379490
BK# 1902 PG# 2260

STATE OF FLORIDA)
)
COUNTY OF MONROE)

On this 5th day of June, 2003, before me personally came **ROBERT FRANKLIN BUTLER**,
Individually and as Attorney-in-Fact for Vera Butler, who is personally known to me (yes) (no) or who has
produced _____ as identification to me, and who acknowledged execution of the foregoing
instrument.

Jodi Singer
Notary Public, State of Florida
Name: JODI SINGER
(Print Name)

My Commission Expires:



Jodi Singer
MY COMMISSION # DD182758 EXPIRES
February 9, 2007
BONDED THROUGH TROY FARM INSURANCE, INC.

MONROE COUNTY
OFFICIAL RECORDS

THIS INSTRUMENT WAS PREPARED BY AND RETURN TO:
Robert E. Highsmith, Esq.
FELDMAN KOENIG HIGHSMITH & VAN LOON, P.A.
3158 Northside Drive
Key West, Florida 33040

Doc# 1761235 10/01/2009 3:36PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

Doc# 1761235
Bk# 2434 Pg# 316

Folio Number:

**PERSONAL REPRESENTATIVE'S RELEASE AND
CERTIFICATE OF DISTRIBUTION OF REAL PROPERTY
(Single Individual Personal Representative)**

The undersigned, ALFRIDINA E. BUTLER, whose post office address is 209 Julia Street, Key West, Florida 33040, as personal representative of the estate of ROBERT F. BUTLER, SR., deceased, hereby acknowledges that title to the real property located in Monroe County, Florida owned by the decedent at the time of death, described as follows:

SEE ATTACHED EXHIBIT "A"

Property Appraiser's Parcel Identification Number 00013130 (the "Property"), vested in ALFRIDINA E. BUTLER, whose post office address is 209 Julia Street, Key West, FL 33040 (the "Beneficiary" or "Beneficiaries") by operation of law as of the date of the decedent's death pursuant to Florida law as will more fully appear from the probate proceedings in the Circuit Court for Monroe County, Florida, Probate Division, in File No. 44-2009-CP-86-K, subject to the rights of the Personal Representative under Sections 733.607 and 733.608 of the Florida Probate Code to:

1. take possession or otherwise exercise control over the Property; and
2. to use, sell, encumber or otherwise exercise control over the Property:
 - a. for the payment of devises, family allowance, elective share, estate and inheritance taxes, claims, charges, and expenses of administration and obligations of the decedent's estate,
 - b. to enforce contribution and equalize advancement, or
 - c. for distribution.

Having determined that the Property is not needed for any of the foregoing purposes, except distribution, and that the Property should be released and distributed to the Beneficiary or Beneficiaries, the personal representative hereby releases the Property from all rights and powers

of the personal representative and acknowledges that the Property is vested in ALFRIDINA E. BUTLER free of all rights of the personal representative.

IN WITNESS WHEREOF, the undersigned, as personal representative of the estate of the decedent, has executed this instrument on Sept 2nd, 2009.

[Signature]
Witness Signature

Beth Pellicier
Printed Name

[Signature]
Witness Signature

Deanna P. Esquinata
Printed Name

Alfridina E. Butler
ALFRIDINA E. BUTLER

As Personal Representative of the Estate of
Robert F. Butler, Sr.

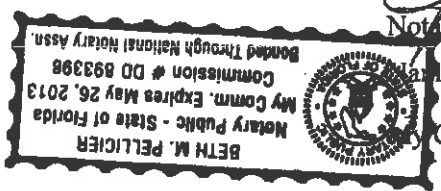
STATE OF FLORIDA)
)
COUNTY OF MONROE)

On this 2nd day of September, 2009, before me personally came ALFRIDINA E. BUTLER, who is personally known to me (yes) (no) or who has produced _____ as identification to me, and who acknowledged execution of the foregoing instrument.

[Signature]
Notary Public, State of Florida

Name: Beth Pellicier
(Print Name)

Commission Expires:



Doc# 1761235
Bk# 2434 Pg# 318

EXHIBIT "A"

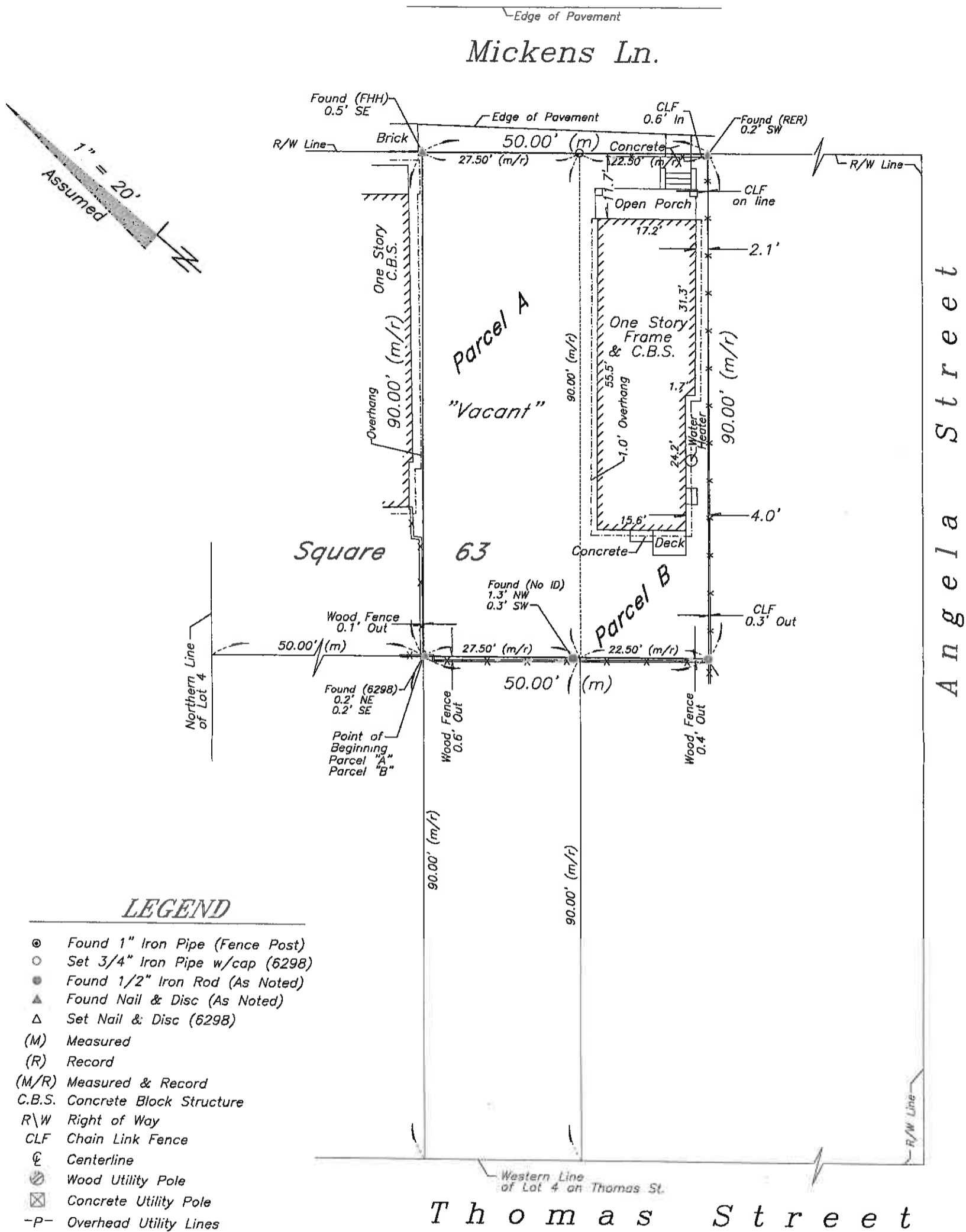
In the City of Key West and known upon the Map or Plan of said City, delineated by William A. Whitehead in February A.D. 1829 as Part of Lot Four (4) in Square Sixty-Three (63) and is bounded as follows, to-wit: Beginning at a point Fifty (50) feet from the Northern line of said Lot Four (4) and also Ninety (90) feet from the Western line of said lot on Thomas Street, thence running Southerly parallel with said Western line on Thomas Street (50) feet; thence Easterly parallel with the aforementioned Northern line of the said Lot Four (4), Ninety (90) feet, making a parallelogram of Ninety (90) feet by Fifty (50).

LESS AND EXCEPT

In the City of Key West and known upon the map or plan of said City delineated by William A. Whitehead in February, A.D. 1829 as part of Lot Four (4) in Square Sixty-three (63) and is bounded as follows: Beginning at a point fifty (50) feet from the northern line of said Lot Four (4) and also ninety (90) feet from the western line of said Lot on Thomas Street, thence running southerly parallel with said western line on Thomas Street twenty-seven and a half (27.5) feet; thence easterly parallel with the aforementioned northern line of the said Lot Four (4), ninety (90) feet, making a parallelogram of ninety (90) feet by twenty-seven and a half (27.5) feet.

Survey

Boundary Survey Map of part of Lot 4, Square 63 Island of Key West, FL



LEGEND

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

Sheet One of Two Sheets

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

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

NOTE:
This Survey Map is not full and complete without the attached Survey Report.

Boundary Survey Report of part of Lot 4, Square 63
Island of Key West, FL

NOTES:

1. The legal description shown hereon was furnished by the client or their agent. This survey does not determine or imply ownership.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 622-624 Mickens Lane, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. Date of field work: September 18, 2015.
9. Ownership of fences is undeterminable, unless otherwise noted.
10. Adjoiners are not furnished.
11. The Survey Report is not full and complete without the attached Survey Map.

BOUNDARY SURVEY OF:

Parcel A

In the City of Key West and known upon the Map or Plan of said City, delineated by William A. Whitehead in February A.D. 1829 as part of Lot Four (4) in Square Sixty-three (63) and is bounded as follows:

Beginning at a point Fifty (50) feet from the Northern line of said Lot Four (4) and also Ninety (90) feet from the Western line of said Lot on Thomas Street, thence running Southerly parallel with said Western line on Thomas Street Twenty-seven and a half (27.5) feet; thence Easterly parallel with the aforementioned Northern line of the said Lot Four (4), Ninety (90) feet, making a parallelogram of Ninety (90) feet by Twenty-seven and a half (27.5) feet.

Parcel B

In the City of Key West and known upon the map or plan of said city, delineated by William A. Whitehead in February A.D. 1829 as part of Lot Four (4) in Square Sixty-three (63) and is bounded as follows, to-wit: Beginning at a point Fifty (50) feet from the Northern line of said Lot Four (4) and also Ninety (90) feet from the Western line of said lot on Thomas Street, thence running Southerly parallel with said Western Line on Thomas Street Fifty (50) feet; thence Easterly parallel with the aforementioned Northern line of the said Lot Four (4), Ninety (90) feet, making a parallelogram of Ninety (90) feet by Fifty (50).

LESS AND EXCEPT

In the City of Key West and known upon the Map or Plan of said City, delineated by William A. Whitehead in February A.D. 1829 as part of Lot Four (4) in Square Sixty-three (63) and is bounded as follows:

Beginning at a point Fifty (50) feet from the Northern line of said Lot Four (4) and also Ninety (90) feet from the Western line of said Lot on Thomas Street, thence running Southerly parallel with said Western line on Thomas Street Twenty-seven and a half (27.5) feet; thence Easterly parallel with the aforementioned Northern line of the said Lot Four (4), Ninety (90) feet, making a parallelogram of Ninety (90) feet by Twenty-seven and a half (27.5) feet.

BOUNDARY SURVEY FOR: Charles Butler and Veronica Butler;
Alfridina Butler;

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

J. LYNN O'FLYNN, INC.


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

September 29, 2015

THIS SURVEY
IS NOT
ASSIGNABLE

Sheet Two of Two Sheets

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

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

Prior Approvals

RESOLUTION NO. 02-348

VARIANCE: 624 MICKENS LANE

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT TO ALLOW THE SUBDIVISION OF AN EXISTING PARCEL ON WHICH ONE HOUSE WILL BECOME AFFORDABLE BY RESTRICTIVE COVENANT AND A SECOND NEW HOME WILL REPLACE A STRUCTURE FOR WHICH DEMOLITION HAS BEEN APPROVED BY GRANTING VARIANCES TO THE LOT SIZE, LOT WIDTH, BUILDING SETBACK AND OFF-STREET PARKING REGULATIONS FOR PROPERTY IN THE HRO, HISTORIC RESIDENTIAL/OFFICE ZONING DISTRICT, UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA. FOR PROPERTY LOCATED AT 624 MICKENS LANE, KEY WEST, FLORIDA (RE# 00013130-000000).

WHEREAS, the Board of Adjustment finds that a literal enforcement of the land development regulations will involve or result in an unnecessary hardship to the applicant with reference to the applicant's property; and

WHEREAS, the Board of Adjustment finds that circumstances peculiar to the land or its structure(s) are the basis for the hardship and such hardship is not created by the applicant; and

WHEREAS, the Board of Adjustment finds that 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; and

WHEREAS, the Board of Adjustment finds that a variance would be in harmony with the general purpose and intent of the land development regulations, and would not be injurious to the neighborhood or otherwise detrimental to the public welfare; 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. A variance to LOT SIZE, LOT WIDTH, BUILDING SETBACK AND OFF-STREET PARKING regulations in the HRO, HISTORIC RESIDENTIAL/OFFICE Zoning District, under the Code of Ordinances of the City of Key West, Florida, is hereby granted as follows: PARCEL "A" TO: SECTION 122-930(5) OF 2,525 SQUARE FEET, FROM THE 5,000 SQUARE FEET MINIMUM LOT SIZE REQUIRED TO THE 2,475 SQUARE FEET PROPOSED (4,500 SQUARE FEET EXISTING); TO 122-930(5)(a) OF 22.5 FEET, FROM THE 50 FEET MINIMUM LOT WIDTH REQUIRED TO THE 27.5 FEET

PROPOSED; 122-930(6)(b) OF 2 FEET FROM THE 5 FEET MINIMUM SIDE SETBACK REQUIRED TO THE 3 FEET PROPOSED (FROM THE NEW INTERIOR LOT LINE); AND FOR PARCEL "B" TO: SECTION 122-930(5) OF 2,975 SQUARE FEET, FROM THE 5,000 SQUARE FEET MINIMUM LOT SIZE TO THE 2,025 SQUARE FEET PROPOSED (4,500 SQUARE FEET EXISTING); TO 122-930(5)(a) OF 27.5 FEET, FROM THE 50 FEET MINIMUM LOT WIDTH REQUIRED TO THE 22.5 FEET PROPOSED; AND A VARIANCE TO SECTION 108-572, OFF-STREET PARKING REQUIREMENTS, FOR SINGLE-FAMILY USE, OF 1 MOTORIZED VEHICLE PARKING SPACE, FROM THE 1 SPACE REQUIRED TO THE ZERO SPACES PROPOSED. THE PURPOSE OF THE REQUEST IS TO ALLOW THE SUBDIVISION OF AN EXISTING PARCEL ON WHICH ONE HOUSE WILL BECOME AFFORDABLE BY RESTRICTIVE COVENANT AND A SECOND NEW HOME WILL REPLACE A STRUCTURE FOR WHICH DEMOLITION HAS BEEN APPROVED FOR PROPERTY LOCATED AT 624 MICKENS LANE, KEY WEST, FLORIDA (RE# 00013130-000000).

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 12 months 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 12-month 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.

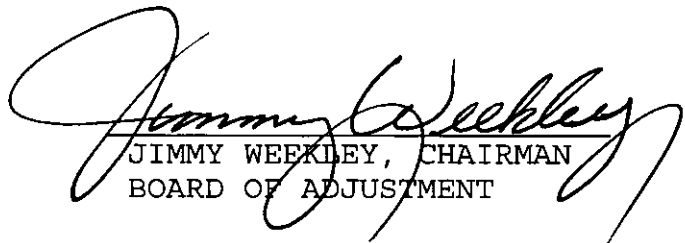
Section 4. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

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.

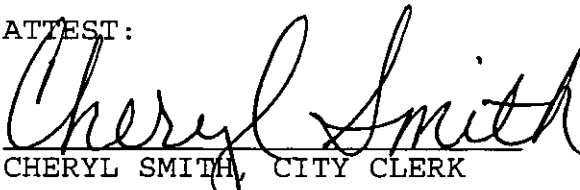
Read and passed on first reading at a regular meeting held this 7th day of November, 2002.

Authenticated by the presiding officer and Clerk of the Board on 8th day of November, 2002.

Filed with the Clerk on November 8, 2002.


JIMMY WEEKLEY, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:


CHERYL SMITH, CITY CLERK

Additional Information



THE CITY OF KEY WEST

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

June 2, 2015

Kevin Sullivan, AICP
Trepanier & Associates
500 Fleming Street
Key West, Florida 33040

RE: Determination Letter
622-624 Mickens Lane, Key West, Florida 33040
(RE # 00013130-000100; AK# 9062725 and RE # 00013130-000000; AK # 1013528)

Dear Mr. Sullivan:

The following letter is written in response to a request for modification of conditions of Board of Adjustment Resolution 02-348.

On November 7, 2002 the Board of Adjustment approved the subdivision of the existing parcel on which one house would become affordable by restrictive covenant and a second new home would replace a structure for which demolition was approved by granting variances to lot size, lot width, building setback and off-street parking regulations. The property was subdivided on June 25, 2003. The new parcel was then assigned the 622 Mickens Lane address. On February 4, 2004, the property owner received a variance extension for a period of one year via Board of Adjustment Resolution 04-063.

Although the subdivision took place, the deed restriction was not placed on the existing home at 624 Mickens Lane and the new market rate home was not built at 622 Mickens Lane.

The entirety of the documentation provided by you and that acquired by the Planning Department acknowledges that not all conditions outlined in Board of Adjustment Resolution 02-348 were met prior to the expiration of the variance extension. Therefore, the property will need to complete a unity of title for parcels at 622 and 624 Mickens Lane. The property owner can then reapply for a subdivision waiver. Please note that if a subdivision waiver is approved, the Planning Department will recommend as a condition of approval that one of the lots become affordable by restrictive covenant. The property owner would then need to apply for an affordable BPAS Allocation.

Anyone who may wish to appeal any administrative decision may do so in accordance with Section 90-431 of the Land Development Regulations. Please do not hesitate to contact me at 305-809-3722 with any questions or comments that you may have.

Respectfully,

Carlene Smith, LEED Green Associate
Planner II

Attachments:

- 1 BOA Resolutions 02-348 & 04-063
- 2 Photos, Existing and Proposed Surveys

Key to the Caribbean – average yearly temperature 77 ° Fahrenheit.

June 2, 2015
622-624 Mickens Lane

Exhibit A

- 3 Robert Butler Affidavit, August 5, 2002
- 4 Warranty Deed
- 5 Applicant Request

cc: Commissioner Clayton Lopez
Thaddeus Cohen, Planning Director
Ron Wampler, Building Official
Larry Erskine, Chief Assistant City Attorney
Carolyn Walker, Licensing Official
Michael Turner, Utilities Collection Manager
Scott Russell, C.F.A., Monroe County Property Appraiser

RESOLUTION NO. 02-348

VARIANCE: 624 MICKENS LANE

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT TO ALLOW THE SUBDIVISION OF AN EXISTING PARCEL ON WHICH ONE HOUSE WILL BECOME AFFORDABLE BY RESTRICTIVE COVENANT AND A SECOND NEW HOME WILL REPLACE A STRUCTURE FOR WHICH DEMOLITION HAS BEEN APPROVED BY GRANTING VARIANCES TO THE LOT SIZE, LOT WIDTH, BUILDING SETBACK AND OFF-STREET PARKING REGULATIONS FOR PROPERTY IN THE HRO, HISTORIC RESIDENTIAL/OFFICE ZONING DISTRICT, UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA. FOR PROPERTY LOCATED AT 624 MICKENS LANE, KEY WEST, FLORIDA (RE# 00013130-000000).

WHEREAS, the Board of Adjustment finds that a literal enforcement of the land development regulations will involve or result in an unnecessary hardship to the applicant with reference to the applicant's property; and

WHEREAS, the Board of Adjustment finds that circumstances peculiar to the land or its structure(s) are the basis for the hardship and such hardship is not created by the applicant; and

WHEREAS, the Board of Adjustment finds that 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; and

WHEREAS, the Board of Adjustment finds that a variance would be in harmony with the general purpose and intent of the land development regulations, and would not be injurious to the neighborhood or otherwise detrimental to the public welfare; 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. A variance to LOT SIZE, LOT WIDTH, BUILDING SETBACK AND OFF-STREET PARKING regulations in the HRO, HISTORIC RESIDENTIAL/OFFICE Zoning District, under the Code of Ordinances of the City of Key West, Florida, is hereby granted as follows: PARCEL "A" TO: SECTION 122-930(5) OF 2,525 SQUARE FEET, FROM THE 5,000 SQUARE FEET MINIMUM LOT SIZE REQUIRED TO THE 2,475 SQUARE FEET PROPOSED (4,500 SQUARE FEET EXISTING); TO 122-930(5)(a) OF 22.5 FEET, FROM THE 50 FEET MINIMUM LOT WIDTH REQUIRED TO THE 27.5 FEET

PROPOSED; 122-930(6)(b) OF 2 FEET FROM THE 5 FEET MINIMUM SIDE SETBACK REQUIRED TO THE 3 FEET PROPOSED (FROM THE NEW INTERIOR LOT LINE); AND FOR PARCEL "B" TO: SECTION 122-930(5) OF 2,975 SQUARE FEET, FROM THE 5,000 SQUARE FEET MINIMUM LOT SIZE TO THE 2,025 SQUARE FEET PROPOSED (4,500 SQUARE FEET EXISTING); TO 122-930(5)(a) OF 27.5 FEET, FROM THE 50 FEET MINIMUM LOT WIDTH REQUIRED TO THE 22.5 FEET PROPOSED; AND A VARIANCE TO SECTION 108-572, OFF-STREET PARKING REQUIREMENTS, FOR SINGLE-FAMILY USE, OF 1 MOTORIZED VEHICLE PARKING SPACE, FROM THE 1 SPACE REQUIRED TO THE ZERO SPACES PROPOSED. THE PURPOSE OF THE REQUEST IS TO ALLOW THE SUBDIVISION OF AN EXISTING PARCEL ON WHICH ONE HOUSE WILL BECOME AFFORDABLE BY RESTRICTIVE COVENANT AND A SECOND NEW HOME WILL REPLACE A STRUCTURE FOR WHICH DEMOLITION HAS BEEN APPROVED FOR PROPERTY LOCATED AT 624 MICKENS LANE, KEY WEST, FLORIDA (RE# 00013130-000000).

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 12 months 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 12-month 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.

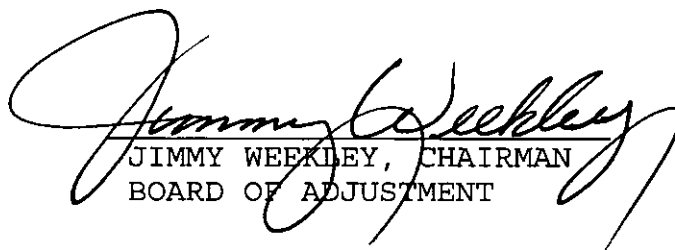
Section 4. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

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.

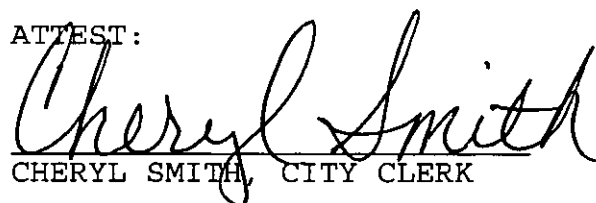
Read and passed on first reading at a regular meeting held this 7th day of November, 2002.

Authenticated by the presiding officer and Clerk of the Board on 8th day of November, 2002.

Filed with the Clerk on November 8, 2002.


JIMMY WEEKLEY, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:


CHERYL SMITH, CITY CLERK

RESOLUTION NO. 04-063

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, EXTENDING THE VARIANCE GRANTED TO THE PROPERTY LOCATED AT 624 MICKENS LANE IN RESOLUTION NO. 02-348 FOR A PERIOD OF ONE YEAR; PROVIDING A CONDITION; PROVIDING FOR AN EFFECTIVE DATE

BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1. That the variance granted in Resolution No. 02-348 is hereby extended for one year.

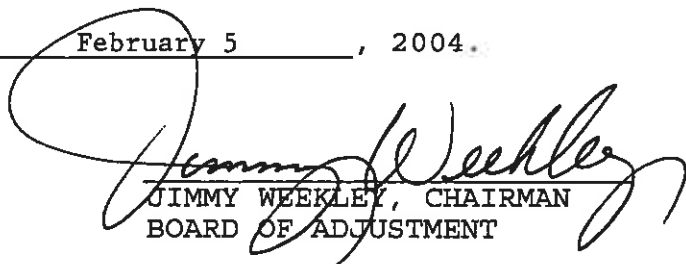
Section 2. That in the event the applicants lose the case of In Re the Guardianship of Vera Butler, regarding an allegation that the application for variance was illegal, then the variance granted in Resolution No. 02-348 shall terminate.

Section 3. That 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 Board.

Passed and adopted by the Board of Adjustment at a meeting held this 4th day of February, 2004.

Authenticated by the Presiding Officer and Clerk of the Board on 4th day of February, 2004.

Filed with the Clerk on February 5, 2004.


JIMMY WEEKLEY, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:

CHERYL SMITH, CITY CLERK



Existing Building to be converted to affordable housing



Appox. location of proposed property Sub-division

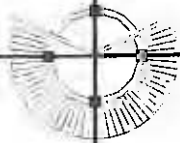


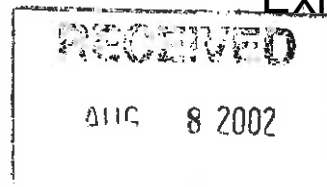
Existing Building to be removed for new residence

624 MICKENS LANE

William P. Horn Architect, P.A.

Key West, FL





August 5, 2002

TO WHOM IT MAY CONCERN:

I ROBERT F. BUTLER AGREE TO MAKE THE RESIDENCE AT
624 MICKENS LANE AFFORDABLE HOUSING.

ROBERT F. BUTLER

Robert Butler

*State of FL
County of Monroe*

Personally appeared Robert Butler of 624 Mickens Lane, Key West, FL on August 6, 2002 sworn before me on

August 6, 2002 A.D.

*Raynor K Knowles,
Notary Public*



THIS INSTRUMENT WAS PREPARED BY AND RETURN TO:
Robert E. Highsmith, Esq.
FELDMAN KOENIG & HIGHSMITH, P.A.
3158 Northside Drive
Key West, Florida 33040

MONROE COUNTY
OFFICIAL RECORDS

Exhibit A

FILE # 1 3 7 9 4 9 0
BK # 1 9 0 2 PG # 2 2 5 9

RCD Jun 26 2003 01:54PM
DANNY L KOLHAGE, CLERK

Folio Number:
Grantee(s) S.S. #(s):

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

DEED DOC STAMPS 0.70
06/26/2003 FD DEP CLK

THIS INDENTURE, made this 25th day of June, 2003, between **VERA BUTLER**, an unmarried widow, by and through her undersigned attorney-in-fact, **ROBERT F. BUTLER**, and **ROBERT FRANKLIN BUTLER**, a Married Man, Grantor, and **CHARLES BUTLER AND VERONICA BUTLER**, Husband and Wife, whose post office address is 209 Julia Street, Key West, Florida 33040, Grantee:

("Grantor" and "Grantee" are used for singular or plural, as context requires)

WITNESSETH, that said Grantor, for and in consideration of the sum of \$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 lot, piece or parcel of land, situate, lying and being in the County of Monroe, State of Florida, to wit:

In the City of Key West and known upon the map or plan of said City delineated by William A. Whitehead in February, A.D. 1829 as part of Lot Four (4) in Square Sixty-three (63) and is bounded as follows: Beginning at a point fifty (50) feet from the northern line of said Lot Four (4) and also ninety (90) feet from the western line of said Lot on Thomas Street, thence running southerly parallel with said western line on Thomas Street twenty-seven and a half (27.5) feet; thence easterly parallel with the aforementioned northern line of the said Lot Four (4), ninety (90) feet, making a parallelogram of ninety (90) feet by twenty-seven and a half (27.5) feet.

AND GRANTOR does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever.

THE PROPERTY BEING CONVEYED HEREIN IS A PORTION OF THAT PROPERTY CONVEYED TO ROBERT FRANKLIN BUTLER VIA QUIT CLAIM DEED DATED OCTOBER 7, 1997 FROM VERA BUTLER, WHEREIN VERA BUTLER RETAINED A LIFE ESTATE. SAID QUIT CLAIM DEED WAS RECORDED IN OFFICIAL RECORDS BOOK 1480 AT PAGE 1934 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA. THIS DEED IS INTENDED TO CONVEY A FEE SIMPLE INTEREST IN THE PROPERTY TO THE GRANTEE WITHOUT ANY RETAINED LIFE ESTATE INTERESTS.

THIS DEED HAS BEEN PREPARED WITHOUT THE BENEFIT OF TITLE SEARCH OR EXAMINATION.

THE PROPERTY BEING CONVEYED HEREIN IS NOT THE HOMESTEAD OF THE GRANTOR.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first written above.

Jodi Sinker
Witness Signature

JODI SINKER
Printed Name

Dona Rosado
Witness Signature

DONA ROSADO
Printed Name

Jodi Sinker
Witness Signature

JODI SINKER
Printed Name

Dona Rosado
Witness Signature

DONA ROSADO
Printed Name

Vera Butler by Robert Butler
VERA BUTLER, by Robert F. Butler,
Her Attorney-in-Fact

Robert Butler
ROBERT FRANKLIN BUTLER

April 21, 2015

Carlene Smith, Planner II
City of Key West
3140 Flagler Avenue
Key West, FL 33040

**RE: Change to Approval Conditions – Res. 02-348
624 Mickens Lane**



Dear Carlene:

Specific request: To modify conditions of Resolution 02-348 in order to remove the requirement that an affordable restrictive covenant be placed on one of the homes.

624 Mickens Lane received a variance approval¹ to subdivide the property on 11/08/02. On 06/25/03 the property was subdivided through a metes and bounds legal description and the filing of a warranty deed in the Clerk's Records².

At the time of the variance approval, there were no market-rate units available because the ROGO system had expired and there was no system in effect at that time. One of the approval conditions of the variance was that an existing structure would be demolished and an existing single-family home located on the property would be deed restricted as affordable. The City would then allocate an affordable unit to the existing home and that home's ROGO-exemption would be used to build the new market-rate home.

The intent of the property owner, Mr. Robert Butler, was to transfer the newly subdivided property to his son and daughter-in-law, Charles and Veronica Butler, who intended to build a new market-rate home. Hurricane Wilma and the great recession intervened and the new home was never built. In the meantime the Butlers made other living arrangements.

Given the changed market conditions and the recent creation of PBAS, the condition requiring the deed restriction of the property is no longer viable for the Butlers and we therefore seek a modification to the conditions of approval.

We understand that the elimination of the condition would require that the property enter into BPAS for a future allocation in the same manner as any other property owner.

Permitting history:

- The variance request was to "permit subdivision of an existing parcel on which one house will become affordable by restrictive covenant and a second new home will replace a structure for which demolition has been approved"³.
- The variance was approved by the board of Adjustment on 11/8/2002 with the condition that the existing structure, currently on parcel 00013130-000000 be deed restricted as affordable housing⁴.

¹ Exhibit A: Resolution 02-348

² Warranty Deed, OR1902-2259

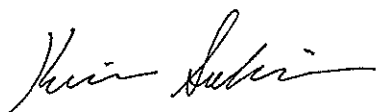
³ Exhibit B: Planning Dept memorandum- 9/24/2002

⁴ Exhibit A: Resolution 02-348

- A demolition permit⁵ was issued on 1/27/2003 for removal of a non-residential structure on the northern half of parcel 00013130-000000; according to the Monroe County Property Appraiser, demolition work was completed by 5/8/2003.
- A second single family residence remains on parcel 00013130-000000 today.
- The new lot, parcel 00013130-000100 was created by Warranty Deed⁶ 6/26/2003 and was on the 2004 tax roll.
- A permit application for a new single family residence on parcel 00013130-000100 was issued on 9/26/2003 and was cancelled on 1/24/2006⁷.
- No deed restriction has been placed on either property and a second single family residence has yet to be constructed on parcel 00013130-000100.

Thank you in advance for your consideration.

Best Regards,



Kevin Sullivan, AICP

⁵ Permit #03-0222

⁶ Warranty Deed, OR1902-2259

⁷ Permit #03-3239

RESOLUTION NO. 02-348.

VARIANCE: 624 MICKENS LANE

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT TO ALLOW THE SUBDIVISION OF AN EXISTING PARCEL ON WHICH ONE HOUSE WILL BECOME AFFORDABLE BY RESTRICTIVE COVENANT AND A SECOND NEW HOME WILL REPLACE A STRUCTURE FOR WHICH DEMOLITION HAS BEEN APPROVED BY GRANTING VARIANCES TO THE LOT SIZE, LOT WIDTH, BUILDING SETBACK AND OFF-STREET PARKING REGULATIONS FOR PROPERTY IN THE HISTORIC RESIDENTIAL/OFFICE DISTRICT, UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR PROPERTY LOCATED AT 624 MICKENS LANE, KEY WEST, FLORIDA (REF. 00-000000).

WHEREAS, the Board of Adjustment finds that a literal enforcement of the land use regulations will involve or result in an unnecessary hardship to the applicant with reference to the applicant's proposed use of the property;

WHEREAS, the Board of Adjustment finds that circumstances peculiar to the land or its structure(s) are the basis for the hardship and such hardship is not created by the applicant; and

WHEREAS, the Board of Adjustment finds that 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; and

WHEREAS, the Board of Adjustment finds that a variance would be in harmony with the general purpose and intent of the land development regulations, and would not be injurious to the neighborhood or otherwise detrimental to the public welfare; and

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

NOW, THEREFORE, BE IT ORDERED by the Board of Adjustment of the City of Key West,

Section 122-930(5) of the Code of Ordinances of the City of Key West, Florida, is hereby granted as follows: PARCEL "A" TO: SECTION 122-930(5) OF 2,525 SQUARE FEET, FROM THE 5,000 SQUARE FEET MINIMUM LOT SIZE REQUIRED TO THE 2,475 SQUARE FEET PROPOSED (4,500 SQUARE FEET EXISTING); TO 122-930(5)(a) OF 22.5 FEET, FROM THE 50 FEET MINIMUM LOT WIDTH REQUIRED TO THE 27.5 FEET

PROPOSED; 122-930(6)(b) OF 2 FEET FROM THE 5 FEET MINIMUM SIDE
 SETBACK REQUIRED TO THE 3 FEET PROPOSED (FROM THE NEW INTERIOR LOT
 LINE); AND FOR PARCEL "B" TO: SECTION 122-930(5) OF 2,975 SQUARE
 FEET, FROM THE 5,000 SQUARE FEET MINIMUM LOT SIZE TO THE 2,025
 SQUARE FEET PROPOSED (4,500 SQUARE FEET EXISTING); TO 122-930(5)(a)
 OF 27.5 FEET, FROM THE 50 FEET MINIMUM LOT WIDTH REQUIRED TO THE
 22.5 FEET PROPOSED; AND A VARIANCE TO SECTION 122-572, OFF-STREET
 PARKING REQUIREMENTS, FOR SINGLE-FAMILY USE, FROM THE ONE PERMITTED
 PARKING SPACE, FROM THE 1 SPACE TO THE ZERO SPACES
 PROPOSED. THE PURPOSE OF THE VARIANCE IS TO ALLOW THE SUBDIVISION
 OF AN EXISTING PARCEL ON WHICH A HOME WILL BECOME AFFORDABLE BY
 RESTRICTIVE COVENANT AND A HOME WILL REPLACE A STRUCTURE
 FOR WHICH DEMOLITION IS APPROVED FOR PROPERTY LOCATED AT 624
 MICKENS LANE, KEY WEST, FLORIDA (RE# 00013130-000000).

Section 2. 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 12 months 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 12-month 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 a failure to complete new construction for use and occupancy pursuant to this variance in accordance with the terms of a building permit issued upon timely application as defined in Section 2 hereof, shall immediately operate to terminate this variance, which variance shall be of no force.

Section A 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.

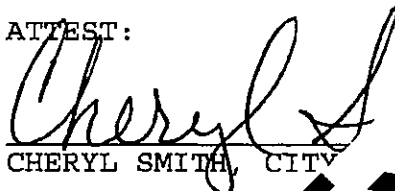
Section 5. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 7th day of November, 2002.

Authenticated by the presiding officer and Clerk of the Board on 8th day of November, 2002.

Filed with the Clerk on _____ No. _____, 2002.

ATTEST:


CHERYL SMITH, CITY

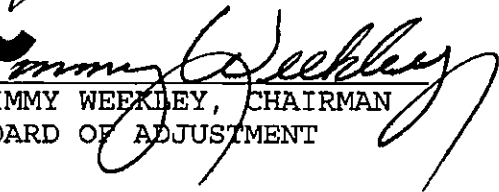

JIMMY WEEKLEY, CHAIRMAN
BOARD OF ADJUSTMENT

EXHIBIT A

**CITY OF KEY WEST
PLANNING DEPARTMENT
MEMORANDUM**

To: Ms. Cheryl Smith, City Clerk
From: Wendy Tucker, Development Review Administrator
Date: September 24, 2002
Re: **Variance Application for 624 Mickens Lane
BOA Meeting of November 7, 2002**

REQUEST

Address: 624 Mickens Lane RE #: 00013130-000000

Zoning: HRO (Historic Residential/Office District)

Purpose: **Permit subdivision of an existing parcel on which one house will become affordable by restrictive covenant and a second new home will replace a structure for which demolition has been approved.** This will require variances for lot dimension and area, and for one vehicle parking space.

Technical

Description: Variances to Sec. 122-930, Dimensional Requirements of the HRO District:
Parcel "A":
 Subsection (5), Minimum Lot Size, of 2,525 square feet, from the 5,000 square feet required (4,500 square feet existing) to the 2,475 square feet proposed;
 Subsection (5.a.), Minimum Lot Width, of 22.5 feet, from the 50 feet required to the 27.5 feet proposed;
 Subsection (6.b.), Minimum Side Setback (from the new interior lot line) of 2 feet, from the 5 feet required to the 3 feet proposed;
Parcel "B":
 Subsection (5), Minimum Lot Size, of 2,975 square feet, from the 5,000 square feet required (4,500 square feet existing) to the 2,025 square feet proposed;
 Subsection (5.a.), Minimum Lot Width, of 27.5 feet, from the 50 feet required to the 22.5 feet proposed; and

A variance to Sec. 108-572, Off-Street Parking Requirements for Single-Family Use, of 1 motorized vehicle parking space, from the 1 space required to the zero space proposed.

ANALYSIS

This request for variances to permit subdivision would ultimately

allow two members of the same family to each occupy their own residence on their own parcel of record. On what is now a single real estate parcel, one house is already occupied by a family member, and a second house would be built, replacing a badly deteriorated structure. The Historic Architectural Review Commission has agreed to demolition with a replacement one-and-a-half story house.

The family has agreed to an affordability restrictive covenant for the existing house. The architect's letter appropriately sets forth the goals of this application. In the future, the second house would have separate utilities.

Establishment of the new subdivision line would require approval of one new interior side yard setback variance of 2 feet. Also an off-street parking variance for one space would be needed for the replacement home, and that request follows a recommendation from HARC.

Approval of this request would resolve owner/family hardship in establishing a replacement structure in harmony with the Historic District, and also assure an affordable housing unit.

RECOMMENDATION

The Planning Department has not received input from the public or the Fire Inspector, however based on a site visit and discussions with the applicant we recommend approval of the requested variances.

THIS INSTRUMENT WAS PREPARED BY AND RETURN TO:
Robert E. Highsmith, Esq.
FELDMAN KOENIG & HIGHSMITH, P.A.
3158 Northside Drive
Key West, Florida 33040

MONROE COUNTY
OFFICIAL RECORDS

Exhibit A

FILE # 1 3 7 9 4 9 0
BK # 1 9 0 2 PG # 2 2 5 9

RCD Jun 26 2003 01:54PM
DANNY L KOLHAGE, CLERK

Folio Number:
Grantee(s) S.S. #(s):

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

DEED DOC STAMPS 0.70
06/26/2003 10 DEP CLK

THIS INDENTURE, made this 25th day of June, 2003, between **VERA BUTLER**, an unmarried widow, by and through her undersigned attorney-in-fact, **ROBERT F. BUTLER**, and **ROBERT FRANKLIN BUTLER**, a Married Man, Grantor, and **CHARLES BUTLER AND VERONICA BUTLER**, Husband and Wife, whose post office address is 209 Julia Street, Key West, Florida 33040, Grantee:

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IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first written above.

Jodi Sinker
Witness Signature

JODI SINKER
Printed Name

Dona Rosado
Witness Signature

DONA ROSADO
Printed Name

Jodi Sinker
Witness Signature

JODI SINKER
Printed Name

Dona Rosado
Witness Signature

DONA ROSADO
Printed Name

Vera Butler by Robert Butler
VERA BUTLER, by Robert F. Butler,
Her Attorney-in-Fact

Robert Butler
ROBERT FRANKLIN BUTLER

STATE OF FLORIDA)
)
COUNTY OF MONROE)

On this 25th day of June, 2003, before me personally came **ROBERT FRANKLIN BUTLER**,
Individually and as Attorney-in-Fact for Vera Butler, who is personally known to me (yes) (no) or who has
produced _____ as identification to me, and who acknowledged execution of the foregoing
instrument.

Jodi Singer
Notary Public, State of Florida
Name: JODI SINGER
(Print Name)

My Commission Expires:



MONROE COUNTY
OFFICIAL RECORDS

RE #/PARCEL #/TAX ID etc 0001-3130-000000- - Previous utility acct # 1013528.00

ADDRESS/
 SUBDIVISION/
 LOCATION ID NBR

LEGAL/
 PLAT/BOOK/PAGE

ZONING/
 ZONING VARIANCE
 FIRE ZONE

624 MICKENS LN
 ERROR
 11355

KW PT LOT 4 SQR 63
 318

G27- HRO

HISTORIC RES/OFFICE
 ERROR
 ERROR

BP MISC DESCRIPTION Res. 04-063 extends res 02-348 2/12/04 APPL Y PERMIT Y C.O. Y

APPLICATION APPLICATION DATE/
 APPLICATION TYPE

STATUS DATE/
 STATUS DESC

PROPERTY OWNER/
 CCNTRACTOR

01 00000487 1/29/01
 PLUMBING ONLY

6/18/09
 COMPLETED

BUTLER VERA S
 ROBERTS PLUMBING CONTRACTORS

** PERMIT: PL 00 PLUMBING PERMIT
 STATUS: CLOSED
 DATE: 6/18/09

ISSUE DATE: 1/29/01 FEE ASSESSED: 30.00 FEE PAID: 30.00
 ISSUE NBR: 0100000487 PERMIT VALUE: 0

*** INSPECTION: SL1 0001 SEWER LINE INSPECTION
 STATUS: INSPECTION COMPLETED REQUEST DATE: 2/05/01 BY: KW
 DATE: 2/06/01 INSPECTOR: *ERROR* RESULTS:APPROVED DATE 2/06/01

APPLICATION APPLICATION DATE/
 APPLICATION TYPE

STATUS DATE/
 STATUS DESC

PROPERTY OWNER/
 CONTRACTOR

03 00000222 1/23/03
 DEMOLITION - NONRESIDENTIAL STRUCTURE

1/27/03
 APPROVED

BUTLER VERA S

* STRUCTURE: 000 000 STATUS: APPROVED STATUS DATE: 1/27/03 C.O. DATE:

** PERMIT: DEMO 00 DEMOLITION OF BUILDINGS
 STATUS: PERMIT PRINTED
 DATE: 1/28/03

ISSUE DATE: 1/27/03 FEE ASSESSED: 20.00 FEE PAID: 20.00
 ISSUE NBR: 0300000222 PERMIT VALUE: 2500

APPLICATION APPLICATION DATE/
 APPLICATION TYPE

STATUS DATE/
 STATUS DESC

PROPERTY OWNER/
 CONTRACTOR

03 00003239 9/10/03
 NEW SINGLE FAMILY

1/24/06
 CANCELLED

BUTLER CHARLES AND VERONICA
 ANDREWS, STEWART

* STRUCTURE: 000 000 STATUS: APPROVED STATUS DATE: 9/26/03 C.O. DATE:
 CODES: CONSTRUCTION TYPE TYPE6 ALL FRAME (WOOD)
 OCCUPANCY TYPE R RESIDENTIAL
 FLOOD ZONE AE AE ZONE

OTHER STRUCTURE INFORMATION:
 SQUARE FOOTAGE-ACTUAL 1586.00
 NUMBER OF UNITS 1.00

** PERMIT: EL 00 ELECTRICAL PERMIT
 STATUS: PERMIT REVOKED
 DATE: 6/09/04

ISSUE DATE: 9/26/03 FEE ASSESSED: .00 FEE PAID: .00
 ISSUE NBR: 0300003239 PERMIT VALUE: 12500

Property Appraiser Information



Land Details

Land Use Code	Frontage	Depth	Land Area
M10D - RESIDENTIAL DRY	28	90	2,475.00 SF

Appraiser Notes

2014-06-13 MLS \$250,000 RARE FIND. ALREADY CLEARED LOT IN BAHAMA VILLAGE SECTION OF OLD TOWN KEY WEST. NO DEMO NEEDED. LOCATED IN MUCH DESIRABLE X500 FLOOD ZONE. JUST 1.5 BLOCKS FROM DUVAL ST, 1 BLOCK FROM TRUMAN ANNEX AND 1 BLOCK FROM BLUE HEAVEN, BESUME MUCHO & THE LA CREPERIE AS WELL AS CLOSE TO FORT ZACHARY TAYLOR STATE PARK (WITH A BEACH). LOT IS ZONED HRO & LOCATED IN THE HISTORIC DISTRICT SO NEW CONSTRUCTION WOULD FALL UNDER HARC AS WELL AS ZONING / BUILDING DEP. GUIDELINES. PREVIOUSLY HAD BUILDING PERMIT APPROVED FOR 1,300 + SQ FT SINGLE FAMILY RESIDENCE. THAT BUILDING PERMIT AS EXPIRED. HOWEVER, CITY OF KW PLANNING DEPT HAS STATED THIS LOT CURRENTLY HAS ONE AFFORDABLE ROGO ALLOCATION. VACANT LOT SO IT'S EASY TO SHOW. PLEASE DO NOT DISTURB NEIGHBORS

2014-04-16 CITY OF KEY WEST, BOA RES 02-348, THIS PARCEL HAS ONE DESIGNATED AFFORDABLE BPAS/ROGO ALLOCATION. DKRAUSE

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
03-0222	01/28/2003	05/08/2003	2,500		DEMO SFR
03-3239	09/26/2003		135,000		EXPIRED 9/17/05 NEW SFR

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	0	0	97,529	97,529	48,414	0	97,529

2013	0	0	100,030	100,030	44,013	0	100,030
2012	0	0	40,012	40,012	40,012	0	40,012
2011	0	0	40,004	40,004	40,004	0	40,004
2010	0	0	43,983	43,983	43,983	0	43,983
2009	0	0	104,958	104,958	104,958	0	104,958
2008	0	0	152,640	152,640	152,640	0	152,640
2007	0	0	292,050	292,050	292,050	0	292,050
2006	0	0	210,375	210,375	210,375	0	210,375
2005	0	0	173,250	173,250	173,250	0	173,250
2004	0	0	168,300	168,300	168,300	0	168,300

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.

There are no sales to display for this parcel.

This page has been visited 177,435 times.

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



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

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

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

The Offices of the Property Appraiser will be closed Friday the 3rd for Independence Day.

Property Record Card -

Maps are now launching the new map application version.

Alternate Key: 1013528 Parcel ID: 00013130-000000

Ownership Details

Mailing Address:
BUTLER ALFRIDINA E
209 JULIA ST
KEY WEST, FL 33040-7552

Property Details

PC Code: 01 - SINGLE FAMILY
Millage Group: 11KW
Affordable Housing: No
Section-Township-Range: 06-63-25
Property Location: 624 MICKENS LN KEY WEST
Legal Description: KW PT LOT 4 SQR 63 G27-318 OR1480-1934/35L/E OR2013-53D/C OR2413-1617/25WILL/PROB(PET-44-09-CP-86-K) CR2415-1371/77ORD OR2415-1378OATH OR2434-316/18P/R OR2435-159ORD

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
01SD - RES SUPERIOR DRY	23	90	2,025.00 SF

Building Summary

Number of Buildings: 1
Number of Commercial Buildings: 0
Total Living Area: 948
Year Built: 1933

Building 1 Details

Building Type R1	Condition A	Quality Grade 450
Effective Age 26	Perimeter 146	Depreciation % 32
Year Built 1933	Special Arch 0	Grnd Floor Area 948
Functional Obs 0	Economic Obs 0	

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

Roof Type GABLE/HIP
Heat 1 NONE
Heat Src 1 NONE

Roof Cover METAL
Heat 2 NONE
Heat Src 2 NONE

Foundation WD CONC PADS
Bedrooms 2

Extra Features:

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

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	FLA	12:ABOVE AVERAGE WOOD	1	1932	N N	0.00	0.00	772
2	OPF		1	1932	N N	0.00	0.00	108

3	FLD	4:CONC BLOCK	1	1974	N	N	0.00	0.00	176
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Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
2	PT3:PATIO	110 SF	0	0	1969	1970	1	50
3	CL2:CH LINK FENCE	510 SF	0	0	1959	1960	1	30

Appraiser Notes

PART OF PROPERTY GIVEN TO SON SEE OR1902-2259/60. THIS PARCEL HAS BEEN SPLIT OUT FOR THE 2004 TAX ROLL, SIZE HAS BEEN ADJUSTED TO 22.5' X 90'. L.G.

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	84,196	621	264,794	349,611	238,899	0	349,611
2013	85,434	621	228,782	314,837	217,181	0	314,837
2012	86,673	621	110,144	197,438	197,438	0	197,438
2011	86,673	621	100,593	187,887	187,887	0	187,887
2010	87,911	621	111,118	199,650	199,650	0	199,650
2009	97,966	621	148,157	246,744	246,744	0	246,744
2008	87,158	621	231,665	319,444	319,444	0	319,444
2007	101,821	582	334,125	436,528	436,528	0	436,528
2006	275,634	582	172,125	448,341	448,341	0	448,341
2005	194,519	582	141,750	336,851	336,851	0	336,851
2004	132,304	582	137,700	270,586	116,940	25,500	91,440
2003	67,377	582	111,144	179,103	114,760	25,500	89,260
2002	116,175	582	81,043	197,800	112,071	25,500	86,571
2001	88,444	906	74,096	163,446	110,307	25,500	84,807

2000	88,444	1,225	60,203	149,872	105,067	25,500	79,567
1999	64,810	1,047	60,203	126,060	97,734	25,500	72,234
1998	53,026	864	60,203	114,093	93,899	25,500	68,399
1997	53,026	873	50,941	104,840	90,641	25,500	65,141
1996	32,405	539	50,941	83,885	83,885	25,500	58,385
1995	36,235	333	50,941	87,509	85,473	25,500	59,973
1994	31,391	304	50,941	82,635	82,635	25,500	57,135
1993	29,525	165	50,941	80,631	80,631	25,500	55,131
1992	29,525	165	50,941	80,631	80,631	25,500	55,131
1991	29,525	165	50,941	80,631	80,631	25,500	55,131
1990	27,851	165	40,521	68,537	68,537	25,500	43,037
1989	25,145	150	39,364	64,659	64,659	25,500	39,159
1988	20,711	150	32,417	53,278	53,278	25,500	27,778
1987	20,450	150	18,061	38,661	38,661	25,500	13,161
1986	20,563	150	16,672	37,385	37,385	25,500	11,885
1985	19,958	150	11,700	31,808	31,808	25,500	6,308
1984	18,747	150	11,700	30,597	30,597	25,500	5,097
1983	18,747	150	11,700	30,597	30,597	25,500	5,097
1982	19,076	150	9,945	29,171	29,171	25,500	3,671

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.

There are no sales to display for this parcel.

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Monroe County Property Appraiser
 Scott P. Russell, CFA
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