



## THE CITY OF KEY WEST

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

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April 21, 2015

Wilhelmina Marrero  
318 Truman Avenue  
Key West, FL 33040

**RE: Beneficial Use Allocation, 317 Virginia Street (RE#00025880-000000, AK# 1026646)**

Dear Ms. Marrero,

This letter is in response to your request for a beneficial use allocation for property located at 317 Virginia Street. The subject property is a vacant lot located within the Historic Medium Density Residential (HMDR) zoning district. Pursuant to Section 108-999, neither provisions of the Comprehensive Plan nor the Land Development Regulations shall deprive a property owner of all reasonable economic use of a parcel of real property which is a lot or parcel of record as of the date of adoption of the Comprehensive Plan.

The minimum lot size in the HMDR zoning district is 4,000 square feet. The lot size of 317 Virginia Street is 2,195 square feet. Per Section 122-31(a) in any district in which single-family dwellings are allowed, a single-family dwelling and customary accessory buildings may be erected on any legal nonconforming single lot that is in existence on January 1, 1994, and that is in different ownership from the adjoining property. This subsection shall apply even though such lot fails to meet the requirements for area, depth or width, provided that all other zoning requirements shall apply.

In accordance with Code of Ordinance Sections 108-999 and 122-31(a), the Planning Department hereby grants a building permit allocation for property located at 317 Virginia Street. The allocation will be for a 1.0 full Building Permit Allocation System unit for the purpose of constructing a permanent single-family dwelling on a single family lot. This is necessary as the property has been vacant since the original single family home was destroyed by fire in 1969 according to Monroe County property Appraiser records, and was not included in the 2010 hurricane evacuation modeling. The granting of this allocation shall be valid until such time that the owner chooses to obtain building permits, so long that no changes are made to the configuration or size of the lot or parcel that affect the conditions in which the beneficial use allocation is granted.

This action is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). This permit or development order will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective until forty five (45) days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in the development order; that within the forty five (45) day review period the DEO can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit or development order until the appeal is resolved by agreement or order.

317 Virginia Street  
Beneficial Use

Please contact me directly should you have any questions. Thank you.

Respectfully,

A handwritten signature in black ink, appearing to read 'Patrick Wright', written over a horizontal line.

Patrick Wright  
Planner II

Attachment: Application

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