

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



**To:** Chairman and Planning Board Members

**Through:** Thaddeus Cohen, Planning Director

**From:** Melissa Paul-Leto, Planner Analyst

**Meeting Date:** September 17, 2015

**Agenda Item:** **830 Johnson Lane ( RE # 00020260-000000; AK # 1021008 ), 832 Johnson Lane ( RE # 00020270-000000; AK # 1021016 )** – a request for a variance to the minimum rear yard setback in order to construct an addition on the rear structure as well as install new decking and landscaping within the proposed parcel combination of the two properties located within the Historic High Density Residential (HHDR) Zoning District pursuant to Sections 90-395, 122-630 (4)a, (4)b, (6)c., of the Land Development Regulations of the code of Ordinances of the City of Key West, Florida.

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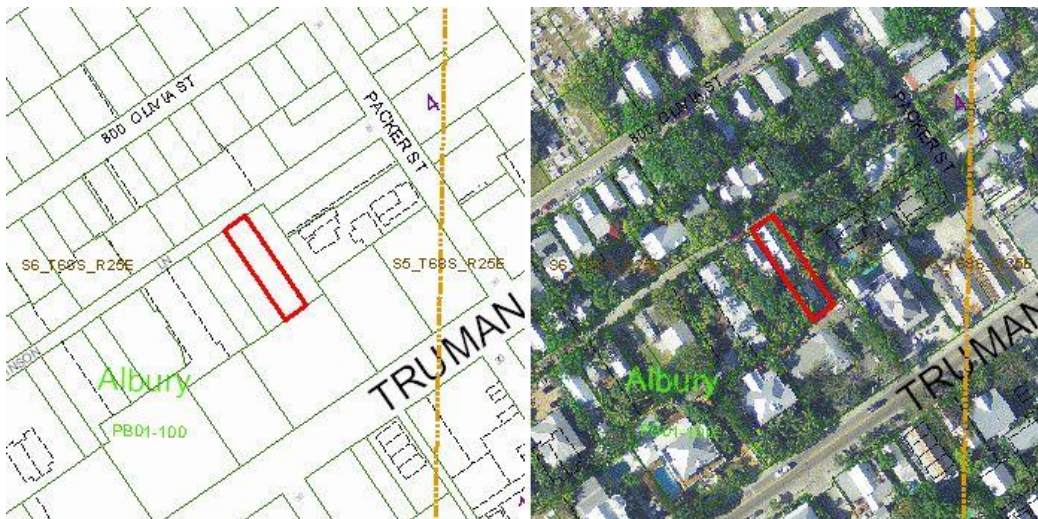
**Request:** The applicant is proposing to construct an addition on the rear structure as well as install new decking and landscaping.

**Applicant:** Smith Oropeza Hawks, P.L.

**Property Owner:** CBG Property Management LLC, a Florida limited liability company

**Location:** 830 Johnson Lane (RE # 00020260-000000; AK # 1021008), 832 Johnson Lane ( RE # 00020270-000000; AK # 1021016 )

**Zoning:** Historic High Density Residential (HHDR) Zoning District



830 Johnson Lane



832 Johnson Lane

**Background:**

The two existing non-conforming parcels are combining to one single lot, through a unity of title. The applicant seeks to expand the deck area and landscaping as well as construct an addition to the existing structure located at the rear of the property. The need for the variance is triggered due to the placement of the additional structure into the rear setback.

<b>Relevant HHDR Zoning District Dimensional Requirements: Code Section 122-630</b>				
<b>Dimensional Requirement</b>	<b>Required/ Allowed</b>	<b>Existing</b>	<b>Proposed</b>	<b>Change / Variance Required?</b>
Maximum height	30 feet	16 feet	23 feet 6 inches	In compliance
Minimum lot size	4,000 sf	5,800 square feet	5,800 square feet	In compliance
Maximum density	22 dwelling units per acre	3 du / 0.13 ac= 22.5	3 du / 0.13 ac= 22.5	In compliance
Maximum floor area ratio	1.0	0	No change	n/a
Maximum building coverage	50%	1,886 square feet	2,303 square feet	In compliance
Maximum impervious surface	60%	32.9% (1,907 sf)	48.4% (2,807 sf)	In compliance
Minimum front setback	10 feet	10 feet	10 feet	In compliance
Minimum side setback	5 feet	5 feet	5 feet	In compliance
Minimum side setback	5 feet	5 feet	5 feet	In compliance
Minimum rear setback	20 feet	20 feet	5 feet	<b>Requesting Variance -15 feet</b>
Open Space/ Landscaping	35%	52.6% (3,055 sf)	37.9% (2,198 sf)	In compliance

**Process:**

<b>Development Review Committee Meeting:</b>	April 23, 2015
<b>Planning Board Meeting:</b>	September 17, 2015
<b>Local Appeal Period:</b>	30 days
<b>DEO Review Period:</b>	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.*

The decision to place the addition into the rear setback is the applicant's choice. Dimensionally, there is adequate square footage to create the addition in a way that would conform to rear setback requirements. Therefore, it does not generate the existence of special conditions or circumstances.

NOT 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 condition for the variance request is created through the actions of the applicant placing the addition directly into the rear setback.

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.*

Section 122-630(6)c., of the Land Development Regulations requires a 20 foot rear setback in the Historic High Density Residential (HHDR) Zoning District. Therefore, allowing the setback request for the additional structure would confer special privileges upon the applicant.

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 enough land area on the combined lots to construct the addition without the need for a variance approval. Therefore, denial of the requested variance would not deprive the applicant of rights commonly enjoyed by other properties in the HHDR Zoning District. Therefore, hardship conditions do not exist.

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.***

The variance requested is not the minimum required that will make possible the reasonable use of the land, building, or structure. However, they are the minimum necessary to accommodate the request.

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):**

It does not appear that the requested variance will trigger any public facility or utility service 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.*

The Planning Department has not received any public comment for the variance request as of the date of this report.

Pursuant to Code Section 90-392, in granting such application the Planning Board must make specific affirmative findings respecting each of the matters specified in Code Section 90-394.

*The planning board shall not grant a variance to permit a use not permitted by right or as a conditional use in the zoning district involved or any use expressly or by implication prohibited by the terms of the ordinance in the zoning district.*

No use not permitted by right or as a conditional use in the zoning district involved or any use expressly or by implication prohibited by the terms of the ordinance in the zoning district would be permitted.

*No nonconforming use of neighboring lands, structures, or buildings in the same zoning district and no permitted use of lands, structures, or buildings in other zoning districts shall be considered grounds for the authorization of a variance.*

No such grounds were considered.

*No variance shall be granted that increases or has the effect of increasing density or intensity of a use beyond that permitted by the comprehensive plan or these LDRs.*

No density or intensity of a use would be increased beyond that permitted by the comprehensive plan or these LDRs.

**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**.

# **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

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**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: 830/832 Johnson Lane, Key West, Florida 33040

Zoning District: HHDR Real Estate (RE) #: 00020260-000000; 00020270-000000

Property located within the Historic District?  Yes  No

**APPLICANT:**  Owner  Authorized Representative

Name: Smith Oropeza Hawks, P.L.

Mailing Address: 138 Simonton Street

City: Key West State: Florida Zip: 33040

Home/Mobile Phone: \_\_\_\_\_ Office: (305) 296-7227 Fax: (305) 296-8448

Email: greg@smithoropeza.com

**PROPERTY OWNER: (if different than above)**

Name: CBG Property Management LLC, a Florida limited liability company

Mailing Address: 124 Harbor View Lane

City: Largo State: Florida Zip: 33770

Home/Mobile Phone: \_\_\_\_\_ Office: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

**Description of Proposed Construction, Development, and Use:** Applicant seeks to unify title of both properties.

The Applicant proposes to construct an addition on the rear structure as well as install new decking and landscaping.

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

Rear yard setback, impervious surface ratio and building coverage ratio variance.

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

If yes, please describe and attach relevant documents: \_\_\_\_\_

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	HHDR			
Flood Zone	X			
Size of Site	5,800 sq. ft.			
Height	30'	16'	24'	NA
Front Setback	10'	8.62'	8.62'	NA
Side Setback	5'	4.24'	4.24'	NA
Side Setback	5'	4.34'	4.34'	NA
Street Side Setback	NA			
Rear Setback	20'	20'	5'	15'
F.A.R	NA			
Building Coverage	50%	32.9%	42.2%	7.8%
Impervious Surface	60%	32.9%	47.6%	12.4%
Parking				
Handicap Parking				
Bicycle Parking				
Open Space/ Landscaping				
Number and type of units	22 Du/Acre	3	3	NA
Consumption Area or Number of seats				

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](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.

Please see attached letter.

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

Please see attached letter.

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- 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.

Please see attached letter.

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- 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.

Please see attached letter.

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- 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.

Please see attached letter.

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City of Key West • Application for Variance

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.

Please see attached letter.

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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.

Please see attached letter.

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**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

VIA ELECTRONIC MAIL KBond@cityofkeywest-fl.gov

June 22, 2015

Kevin Bond, LEED, Senior Planner  
City of Key West Planning Department  
3140 Flagler Avenue  
Key West, Florida 33040

RE: REVISED - Rear Yard Set-back Variance – 830-832 Johnson Lane, Key West, Florida 33040:

Dear Mr. Bond,

Please allow this letter and supporting documentation to serve as my client's, CBG PROPERTY MANAGEMENT, LLC, a Florida limited liability company ("Applicant") *revised* application for a variance to the rear yard set-back 830-832 Johnson Lane, Key West, Florida 33040 ("Property") located in the Historic High Density Residential ("HHDR") District. By way of background, the Applicant purchased both properties in the early parts of 2010, and seeks to unify the title to create one single lot with one parcel identification number. Currently, both lots are 28% smaller than the minimum lot size allowed for the district. As part of combining the properties, the Applicant seeks to improve the landscaping and decking and construct an addition to the existing structure located at the rear of the Property. Although a variance is being requested, the proposed unity of title shall bring the lot into compliance with the minimum lot size requirements established in the Land Development Regulations. In support thereof, the Applicant states as follows with respect to the criteria for granting the variance.

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.
  - a. The parcels of land are extremely undersized in regards to the dimensional requirements in the HHDR District. The historically platted lot size is 2,900 sq. ft. The HHDR District contemplates a minimum lot size of 4,000 sq. ft. making the parcels 28% undersized for the district. These parcels are existing non-conformities that result from the parcels being platted well before the codification of the land development regulations.
2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.

- a. The Applicant obtained the parcels in the current non-conforming state. The Applicant did not create the conditions that currently exist, but the Applicant is proposing to conform to the HHDR District lot size regulations by combining both parcels. The combining of the lots will allow for a substantial reduction in the non-conforming impervious surface ratio and building coverage ratio.
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.
  - a. Allowing the parcel combination and addition to the existing structure would not confer special privileges upon the Applicant. Similar variances have been granted to similarly situated properties in the past several months.
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 exists in that the Applicant will be required to obtain a variance for almost any project contemplated on the Property due to the small lot size. The requested variance will allow the Applicant to make reasonable use of the rear structure.
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.
  - a. The variance requested is the minimum variance that will make possible the continued use of the land, building, or structure. The combination of the properties and the granting of this variance will bring the Property into compliance with the minimum lot size of the district and will greatly reduce the non-conforming impervious surface ratio and building coverage ratio.
6. Not injurious to the public welfare. That granting of the variance 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.
  - a. The granting of the variance is in no way injurious to the area involved or detrimental to the public interest. The rear yard set-back request will mimic the existing structure on the Property. A minimum of five feet shall surround the proposed structure

located at the rear of the Property. This distance shall provide ample access in the event of life-safety issues.

7. Existing nonconforming uses of other property shall not be considered as the basis for approval. That no other nonconforming uses 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.
  - a. The Applicant did not consider other nonconforming uses of other property in developing this application.

If you should have any questions, comments, or concerns, please do not hesitate to contact me.

Sincerely,



Gregory S. Oropeza, Esq.  
For the Firm

Enc.

# Verification

**City of Key West  
Planning Department**



**Verification Form**  
*(Where Authorized Representative is an entity)*

I, Gregory Oropeza, in my capacity as Partner  
*(print name)* *(print position; president, managing member)*

of Smith Oropeza Hawks, P.L.  
*(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:

830-832 Johnson Lane, Key West, Florida 33040

*Street Address of subject property*

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

*Gregory Oropeza*

*Signature of Authorized Representative*

Subscribed and sworn to (or affirmed) before me on this 03/26/15 by  
*date*

Gregory Oropeza

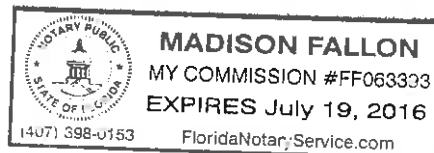
*Name of Authorized Representative*

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

*Madison Fallon*

*Notary's Signature and Seal*

\_\_\_\_\_  
*Name of Acknowledger typed, printed or stamped*



\_\_\_\_\_  
*Commission Number, if any*

# **Authorization**



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, Christine Gagnon as  
*Please Print Name of person with authority to execute documents on behalf of entity*

Managing Member of CBG Property Management, LLC  
*Name of office (President, Managing Member)* *Name of owner from deed*

authorize Smith Oropeza Hawks, P.L.  
*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 of person with authority to execute documents on behalf on entity owner*

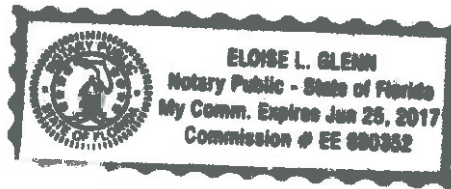
Subscribed and sworn to (or affirmed) before me on this February 19, 2015  
*Date*

by Christine Gagnon  
*Name of person with authority to execute documents on behalf on entity owner*

He/She is personally known to me or has presented FL DL # G-255-112-63-730-0 as identification.

*Notary's Signature and Seal*

Eloise L. Glenn  
*Name of Acknowledger typed, printed or stamped*



EE 880352  
*Commission Number, if any*

**Deed**

10/20/2014 3:54PM  
DEED DOC STAMP CL: MT \$2,975.00

Doc# 2001927  
Bk# 2708 Pg# 145

Prepared by and return to:  
Gregory S. Oropeza, Esq.  
Attorney at Law  
Smith | Oropeza, P.L.  
138-142 Simonton Street  
Key West, FL 33040  
305-296-7227  
File Number: 2014-172  
Will Call No.:

1425.00

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 17th day of October, 2014 between Sarah Clark Curry, pursuant to that certain Order signed by the Honorable Peary Fowler a copy of which is attached hereto and incorporated herein as Exhibit A, whose post office address is C/O Hugh J. Morgan, Esq., 309 Whitehead Street, Key West, FL 33040, grantor, and CGB Property Management, LLC, a Florida limited liability company whose post office address is 124 Harbor View Lane, Largo, FL 33770, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Monroe County, Florida to-wit:

**On the Island of Key West, and known on William A. Whitehead's map of said Island delineated in February, A. D. 1829, as Part of Tract Five (5), better known as the N. E. half of Lot Eight (8) of Eugene R. Albury's Subdivision of part of Tract Five (5), according to the Plat thereof recorded in Plat Book 1, Page 100, Monroe County Florida Records. Said lot having a frontage of Twenty-Five (25) feet and a depth of One Hundred and Sixteen (116) feet.**

**Less and Except:**

**On the Island of Key West, Monroe County, Florida, and being a part of Lot 8, of Tract 5, of Eugene R. Albury's Subdivision of Johnsons Lane, according to the Plat thereof, as recorded in Plat Book 1, at Page 100 of the Public Records of Monroe County, Florida and being more particularly described as follows:**

**Commence at the intersection of the Northeasterly right-of-way line of Windsor Lane and the Southeasterly line of Johnson Lane; thence in a Northeasterly direction along said Southeasterly right-of-way line of Johnson Lane for 439 feet to the Point of Beginning; thence continue in a Northeasterly direction along the said Southeasterly right-of-way line of Johnson Lane for 2.30 feet; thence at a right angle in a Southeasterly direction for 116 feet; thence at a right angle in a Southwesterly direction for 2.30 feet; thence at a right angle in a Northwesterly direction for 116 feet to the said Southeasterly right-of-way line of Johnson Lane and the Point of Beginning. Containing 200 square feet.**

**Parcel Identification Number:**

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

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

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2013**.

**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: ROBERT CINTRON  
Alexa Morgan  
Witness Name: Alexa Morgan

Sarah Clark Curry (Seal)  
Sarah Clark Curry

State of Florida  
County of Monroe

The foregoing instrument was acknowledged before me this 17th day of October, 2014 by Sarah Clark Curry, who  is personally known or  has produced a driver's license as identification.

[Notary Seal]

Gregory Oropeza  
Notary Public

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



IN THE CIRCUIT COURT OF THE SIXTEENTH JUDICIAL CIRCUIT  
IN AND FOR MONROE COUNTY, FLORIDA

SARAH CLARKE CURRY, Descendant of  
Vera Gardner Clarke, deceased,

Plaintiff,

v.

CIVIL DIVISION

File No.2007-CA-1209-K

HONORABLE PEARY FOWLER

BENJAMIN F. GARDNER, JR., JAMES GARDNER, GENEVA GARDNER CRAWFORD, LARRY GARDNER and HARRY GARDNER, CHARLINE GARDNER WRIGHT, as descendants of Benjamin Gardner, Sr., deceased; WILLAM H. GARDNER, III, DARNELL GARDNER, ELLA MAE GARDNER, and HELEN HAYES GARDNER CAREY, as descendants of William H. Gardner, Jr., deceased; JOSEPH E. CLARKE (a/k/a Norman E. Clarke, Jr.), CHARLES DANIEL CLARKE, GEORGIANNA CLARKE PHILLIPS, CARL BENNETT CLARKE, MARGARET CLARKE HARLEY, LARRY GLEN CLARKE, ROXIE CLARKE STRANGE, as descendants of Vera Gardner Clarke, deceased; HARRY JOYNES III, and WILLIAM KEITH JOYNES, as heirs of Ella Clarke Joynes, deceased; RUDELL WILLIAMS JOYNES, as beneficiary of Harry L. Joynes, Jr., deceased; and DEVIN JAMES MATSON, as heir of Gloria Jean Matson, deceased; and ANTHONY GARDNER, as heir of James Gardner, deceased: and all the unknown heirs, devisees, grantees, Assigns, creditors, trustees or other parties claiming by, through, under or against any and all persons being or claiming any right, title or interest in the property,

Defendants.

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**ORDER**

THIS CAUSE, came before the Court on September 9, 2014 for Final Hearing on Plaintiff's Petition to Approve Contract for Sale of Real Property and Authorization to Sell Real Property, the Court having considered sworn testimony, reviewed the file, considered the evidence, and being fully advised, hereby finds as follows:

1. The real property ("the Property") that is subject of this action is situated at 832 Johnson Lane, Key West, Monroe County, Florida and is more particularly described as follows:

*On the Island of Key West, and known on William A. Whitehead's map of said Island delineated in February, A.D. 1829, as Part of Tract Five (5), better known as the N.E. half of Lot Eight (8) of Eugene R. Albury's Subdivision of part of Tract Five (5), according to plat thereof, recorded in Plat Book 1, page 100, Monroe County Florida Records. Said lot having a frontage of Twenty-five (25) feet and a depth of One hundred and sixteen (116) feet, reference being had to deed recorded in Deed Book H-1 Page 568.*

2. The Final Hearing of this cause came on to be heard on October 2, 2012. The court denied the Petition for Partition at that time due to the disagreement amongst the family members as to the market value of the property. The following testimony was taken at said hearing and is found by the court to be true.

a. Sara Clarke Curry, the plaintiff, testified that she is a member of the family having an undivided interest in the property and that the percentages of ownership as shown below are accurate.

b. William Gardner III, the son of William H. Gardner, Jr. and Marion Helen Ewing Gardner testified that his parents had 4 children, Darnell, Ella Mae Gardner, Helen Hayes Cary and himself. They are each entitled to 1/16 interest. Further, that percentage of ownership shown below was accurate for other family members but that his brother Darnell had passed away. He testified that his brother Darnell was never married, had no children and died intestate. Their parents had also passed away, therefore Darnell's 1/16 share passes to he and his two sisters in equal shares. In accordance with his testimony the shares were so adjusted and are shown below. William Gardner III and Darnell Garner lived on the subject property during the period of time municipal liens were levied against the property.

c. In accordance with the evidence presented to the court, the court finds that the parties shown below are the sole rightful heirs of the deceased, Vera Clarke Curry and as such are vested in a fee simple undivided interest in the subject property in accordance with their respective interests as shown below.

3. At the hearing on the instant Petition conducted on September 9, 2014 the Plaintiff Sarah Clarke Curry testified that the family members were now in accord with the terms of the sale of the subject property. Special Master Calvin J. Allen, Esq. appeared before the court and acknowledged that he approves the terms of the Sales Contract. The terms are as follows: Carey, Helen Hayes, Vera Clarke Estate (Sellers) and CBG Property Management, LLC

(Buyers) to sell the subject property for the sum of \$425,000.00 (contract attached to the Petition.) In addition, buyers will contribute up to \$5,000.00 for closing costs.

4. The court further finds that Plaintiff Sarah Clarke Curry is the proper party to sign the Deed and all other documents on behalf of all said fee simple owners to effectuate the sale to the buyers, CBG Property Management, LLC.

**ACCORDINGLY IT IS HEREBY ORDERED AND ADJUDGED:**

A. In accordance with the evidence presented to the court, the parties shown below are the sole rightful heirs of the deceased, Vera Clarke Curry and as such are vested in a fee simple undivided interest in the subject property described in Paragraph 1. in accordance with their respective interests as shown below. In accordance therewith Calvin Allen, Esq. having consented to and having been appointed Special Master shall facilitate the private sale of the property herein, determine plaintiff's reasonable attorney fees and costs and distribute the net proceeds of the sale among Plaintiff and Defendants in accordance with the percentages that follow:

Helen Hayes Carey	1/12	.0833	8.33
Carl Bennett Clarke	1/40	.0250	2.50 %
Charles Daniel Clarke	1/40	.0250	2.50 %
Joseph Enoch Clarke (A/k/a Norman E. Clarke, Jr.)	1/40	.0250	2.50 %
Larry Glen Clarke	1/40	.0250	2.50 %
Geneva Gardner Crawford	1/24	.0417	4.17 %
Sarah Clarke Curry	1/40	.0250	2.50 %
Anthony Gardner	1/4	.2500	25.00 %
Benjamin F. Gardner, Jr.	1/24	.0417	4.17 %
Ella Mae Gardner	1/12	.0833	8.33 %
Harry Gardner	1/24	.0417	4.17 %
James Gardner	1/24	.0417	4.17 %
Larry Gardner	1/24	.0417	4.17 %
William Gardner III	1/12	.0832	8.32 %
Margaret Clarke Harley	1/40	.0250	2.50 %
Harry L. Joynes III.	1/160	.00625	.625 %

William Keith Joynes	1/160	.00625	.625 %
Rudell Williams Joynes	1/80	.0125	1.25 %
Devin James Matson	1/40	.0250	2.50 %
Georgiana Clarke Phillips	1/40	.0250	2.50 %
Roxie Clarke Strange	1/40	.0250	2.50 %
Charline Gardner Wright	1/24	.0417	<u>4.17 %</u>
	<b>Total</b>		<b>100.00 %</b>

B. Sarah Clarke Curry is appointed by the court to have full authority to sign the Deed and all relative documents on behalf of the fee simple owners shown above to effectuate the sale of the subject property in accordance with this Order.

C. Plaintiff is hereby awarded reasonable attorney's fees and costs incurred in this action. Payment of those fees and costs shall be payable from the gross proceeds of sale, with each party bearing its proportional share of the attorney's fees and costs. Entitlement and amount of Plaintiff's reasonable attorney's fees and costs shall be determined by the Special Master at an evidentiary hearing followed by a recommendation to the court for review and approval.

D. In as much as William Gardner III and Darnell Garner lived on the subject property during the period of time municipal liens were levied against the property, one half of the payment of any monies owed for municipal liens on the subject property shall be paid prior to closing of title from the share of William H. Gardner III and one half by Helen Hayes Gardner Carey, Ella Mae Gardner and William Gardner, III in proportion to their shares in as much Darnell Gardner would have been liable for one half had he survived and therefore his liability attaches to his asset.

E. Payment of reasonable fees and costs of the Special Master shall be paid from the gross proceeds of the sale subject to review and approval of the court.

F. All reasonable and necessary costs such as closing costs effectuating the sale of the property for which the Plaintiff is responsible shall be paid from the gross proceeds of the sale.



G. Prior to the distribution, the Special Master shall provide a final accounting of all costs, attorney fees and expenses as well as proposed distribution, to the court for approval.

DONE and ORDERED in Chambers on this 7 day of October, 2014.

  
HONORABLE PEARY FOWLER  
Acting Circuit Judge

Copies Furnished to:  
Hugh J. Morgan, Esq.  
Helen Hayes Carey  
Carl Bennett Clarke  
Charles Daniel Clarke  
Joseph Enoch Clarke  
(A/k/a Norman E. Clarke, Jr.)  
Larry Glen Clarke  
Geneva Gardner Crawford  
Sarah Clarke Curry  
Anthony Gardner  
Benjamin F. Gardner, Jr.  
Darnell Gardner  
Ella Mae Gardner  
Harry Gardner  
James Gardner  
Larry Gardner  
William Gardner III  
Margaret Clarke Harley  
Harry L. Joynes III.  
William Keith Joynes  
Rudell Williams Joynes  
Devin James Matson  
Georgiana Clarke Phillips  
Roxie Clarke Strange  
Charline Gardner Wright

Doc# 1786122 04/20/2010 1:19PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

Prepared by and Return to:  
Colleen A. Carson, Esq.  
BASKIN FLEECE  
Attorneys at law  
13577 Feather Sound Dr. Suite 550  
Clearwater, Florida 33762

04/20/2010 1:19PM  
DEED DOC STAMP CL: TRINA \$6,204.10

Property Appraisers Parcel  
Identification (Folio)  
Number: 00020260-000000

Doc# 1786122  
Bk# 2482 P# 145

Space Above This Line for  
Processing Data

Space Above This Line for Recording

**QUIT CLAIM DEED**

THIS QUIT CLAIM DEED, executed this 12 day of March, 2010, by CHRISTINE L. GAGNON, as Grantor, first Party, whose address is: 124 Harbor View Lane, Largo, FL 33770, to CBG PROPERTY MANAGEMENT, LLC, a Florida Limited Liability Company, Grantee, Second Party, whose address is: 124 Harbor View Lane, Largo, FL 33770, with full power and authority either to protect, to conserve, to lease and to sell, to convey, to encumber, and to otherwise manage and dispose of the real property herein described:

GRANTOR, in consideration of the sum of \$10.00 and other valuable consideration, the receipt of which is hereby acknowledged, does hereby remise, release and quit-claim unto the GRANTEE forever, all the right, title, interest, claim and demand that the GRANTOR has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of MONROE, State of Florida, and more particularly described as:

See Attached Exhibit "A".

Commonly referred to as: 830 Johnson Lane, Key West, FL 3340

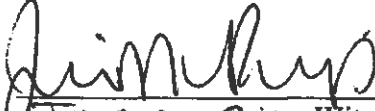
This property is not now nor has it ever been the homestead of Grantor.

TO HAVE AND TO HOLD the above-described real estate in fee simple, together with all of the restrictions, easements, rights, privileges, and appurtenances thereto belonging and all of the estate, title, interest, and claim, either at law or in equity, of Grantor of, in, to or out of such real property.

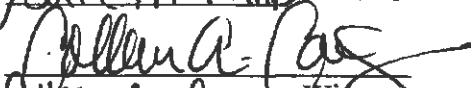
  
C.L.G.

IN WITNESS WHEREOF, the GRANTOR has signed and sealed this Quit-Claim Deed on the date first written above.

Signed, sealed and delivered in presence of:

  
Julie M. Philp Witness

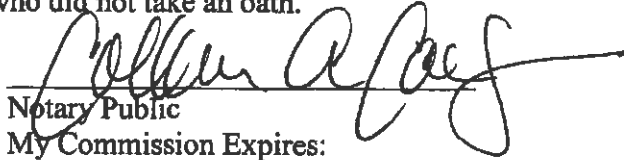
  
CHRISTINE L. GAGNON, Individually

  
Colleen A. Carson Witness

STATE OF FLORIDA  
COUNTY OF PINELLAS

The foregoing instrument was acknowledged before me this 12 day of March, 2010, by CHRISTINE L. GAGNON, who are personally known to me \_\_\_\_\_ or who have produced \_\_\_\_\_ as identification, and who did not take an oath.



  
Notary Public  
My Commission Expires:

*This instrument has been prepared solely from the information given by the parties hereto. There are no express or implied guarantees as to marketability of title, accuracy of the description or quantity of land described, as no examination of title to the property was requested or conducted. The preparer has not been requested to provide, nor has the preparer provided, advice on the tax, legal or non-legal consequences that may arise as a result of the conveyance or verified the accuracy of the amount of consideration stated to have been paid in connection with the conveyance or upon which documentary stamp taxes may have been calculated.*

  
C.L.G.

Exhibit "A"

The Southwest ½ of Lot 8 in part of Tract 5 of EUGENE R. ALBURY'S SUBDIVISION OF JOHNSON'S LANE, as shown in Plat Book 1, at Page 100, Monroe County, Florida, Records; the half lot Referred to herein having a front on Johnson Lane of Twenty Five feet (25') with a depth of One Hundred Sixteen Feet (116') on both lines; reference being had to Deed recorded in Book H-2 at Page 99 of the Public Records of Monroe County, Florida.

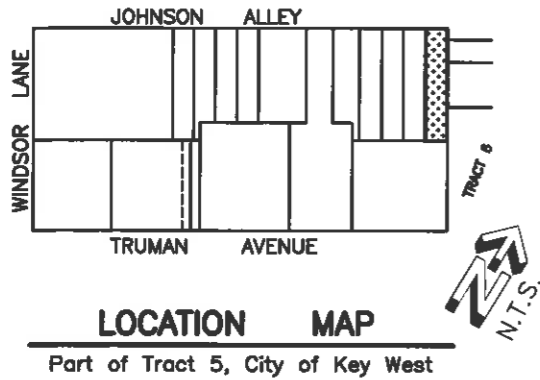
AND

On the Island of Key West, Monroe County, Florida, and being a part of Lot 8 of Tract 5, of EUGENE R. ALBURY'S SUBDIVISION OF JOHNSON LANE, according to the Plat thereof, as recorded in Plat Book 1, at Page 100, of the Public Records of Monroe County, Florida; and being more particularly described as follows:

COMMENCING at the intersection of the Northeasterly right-of-way line of Windsor Lane and the Southeasterly line of Johnson Lane; thence in a Northeasterly direction along said Southeasterly right-of-way line of Johnson Lane for 439.00 feet to the Point of Beginning; thence continue in Northeasterly direction along the said Southeasterly right-of-way of Johnson Lane for 2.30 feet; thence at a right angle and in a Southeasterly direction for 116.00 feet; thence at a right angle and in a Southwesterly direction for 2.30 feet; thence at a right angle and in a Northwesterly direction for 116.00 feet to the said Southeasterly right-of-way line of Johnson Lane and the Point of Beginning.

  
C.L.G.

# Survey

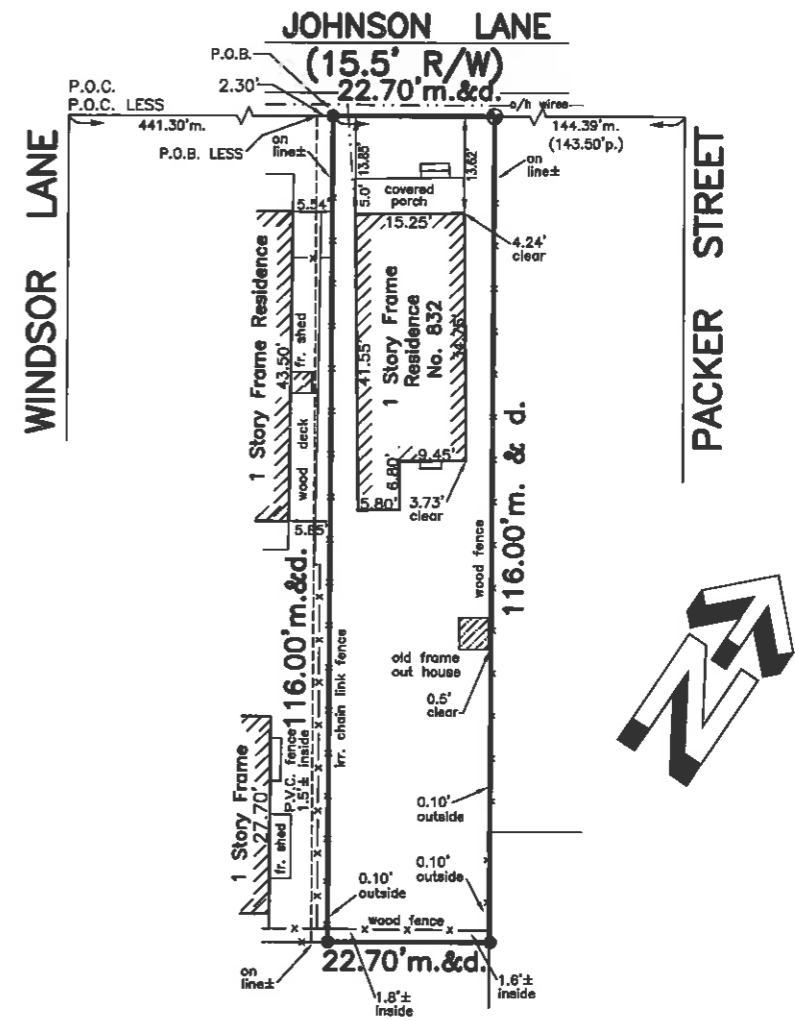


**LEGEND**

A/C	Air Conditioner	LB	Licensed Business Number
BAL	Balcony	M	Measured
BM	Bench Mark	N.T.S.	Not To Scale
CB	Catch Basin	O.R.	Official Records
CL	Center Line	OH	Over Head
CO	Clean Out	P	Plat
CONC	Concrete	PB	Plat Book
C.B.S.	Concrete Block Stucco	P.O.B.	Point Of Beginning
CUP	Concrete Utility Pole	P.O.C.	Point Of Commence
COV'D	Covered	R/W	Right Of Way
D	Deed	SIB	Set Iron Bar
ELEV	Elevation	SIP	Set Iron Pipe
F.F.L.	Finished Floor Elevation	SPK	Set Nail And Disc
FD	Found	STY	Story
FIB	Found Iron Bar	UP	Utility Pole
FIP	Found Iron Pipe	WM	Water Meter
INV	Invert	WV	Water Valve
IRR	Irregular		

**SYMBOLS**

	Concrete Utility Pole		Street Light
	Fire Hydrant		Wood Utility Pole
	Sanitary Sewer Clean Out		Water Meter



**LEGAL DESCRIPTION:**

On the Island of Key West, and known on William A. Whitehead's map of said Island delineated in February, A.D. 1829 as Part of Tract Five (5), better known as the Northwest half of Lot Eight (8) of Eugene R. Albury's Subdivision of part of Tract Five (5), according to the Plat thereof, recorded in Plat Book 1 at Page 100. Monroe County Florida records. Said lot having a frontage of Twenty-five (25) feet and a depth of One hundred and sixteen (116) feet, reference being had to deed recorded in Plat Book N-1, Page 566.

Less (Quit-Claim Deed, OR 1253, Page 821):

On the Island of Key West, Monroe County, Florida, and being a part of Lot 8, of Tract 5, of Eugene R. Albury's Subdivision of Johnsons Lane, according to the Plat thereof, as recorded in Plat Book 1 at Page 100 of the Public Records of Monroe County, Florida and being more particularly described as follows:

Commence at the intersection of the Northeasterly right-of-way line of Windsor Lane and the Southeasterly line of Johnson Lane; thence in a Northeasterly direction along said Southeasterly right-of-way line of Johnson Lane for 4.39 feet to the Point of Beginning; thence continue in a Northeasterly direction along the said Southeasterly right-of-way line of Johnson Lane for 2.30 feet; thence at a right angle in a Southeasterly direction for 116 feet; thence at a right angle in a Southwesterly direction for 2.30 feet; thence at a right angle in a Northwesterly direction for a 116 feet to the said Southeasterly right-of-way line of Johnson Lane and the Point of Beginning. Containing 200 square feet.

**SURVEYOR'S NOTES:**

North arrow based on assumed median  
Reference Bearing: R/W Johnson Lane  
3.4 denotes existing elevation  
Elevations based on N.G.V.D. 1929 Datum  
Bench Mark No.: D-121 Elevation: 3.914  
All angles are 90°00'00" unless otherwise described. Survey performed without benefit of title search for said and surrounding property's.

**MONUMENTATION:**

- ▲ = Found P.K. Nail
- △ = Set P.K. Nail, P.L.S. No. 2749
- ⊙ = Set 1/2" I.B., P.L.S. No. 2749
- = Found 1/2" iron pipe/bar

Field Work performed on: 9/9/14

**CERTIFICATION:**

I HEREBY CERTIFY that the attached **BOUNDARY SURVEY** is true and correct to the best of my knowledge and belief; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 5J-17 Florida Statute Section 472.027, and the American Land Title Association, and that there are no visible encroachments unless shown hereon.

**FREDERICK H. HILDEBRANDT**  
Professional Land Surveyor & Mapper No. 2749  
Professional Engineer No. 36810  
State of Florida

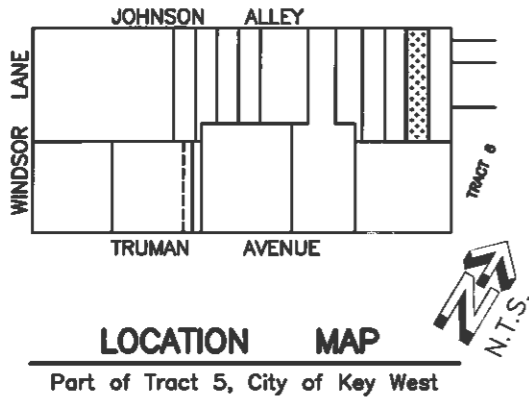
NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE

CBG Property Management, LLC 832 Johnson Lane, Key West, Fl. 33040			
<b>BOUNDARY SURVEY</b>		Dwg. No. 14-366B	
Scale 1"= 20'	Ref. 216-17 file	Flood Panel No. 1516 K	Dwn. By F.H.H.
Date: 9/19/14		Flood Zone AE	Flood Elev. 7'
REVISIONS AND/OR ADDITIONS			
File:fred\dwg\keywest\block79\830-832johnson			

**ISLAND SURVEYING INC.**  
ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive  
Suite 201  
Key West, Fl. 33040

(305) 293-0466  
Fax: (305) 293-0237  
fhildeb1@bellsouth.net  
L.B. No. 7700

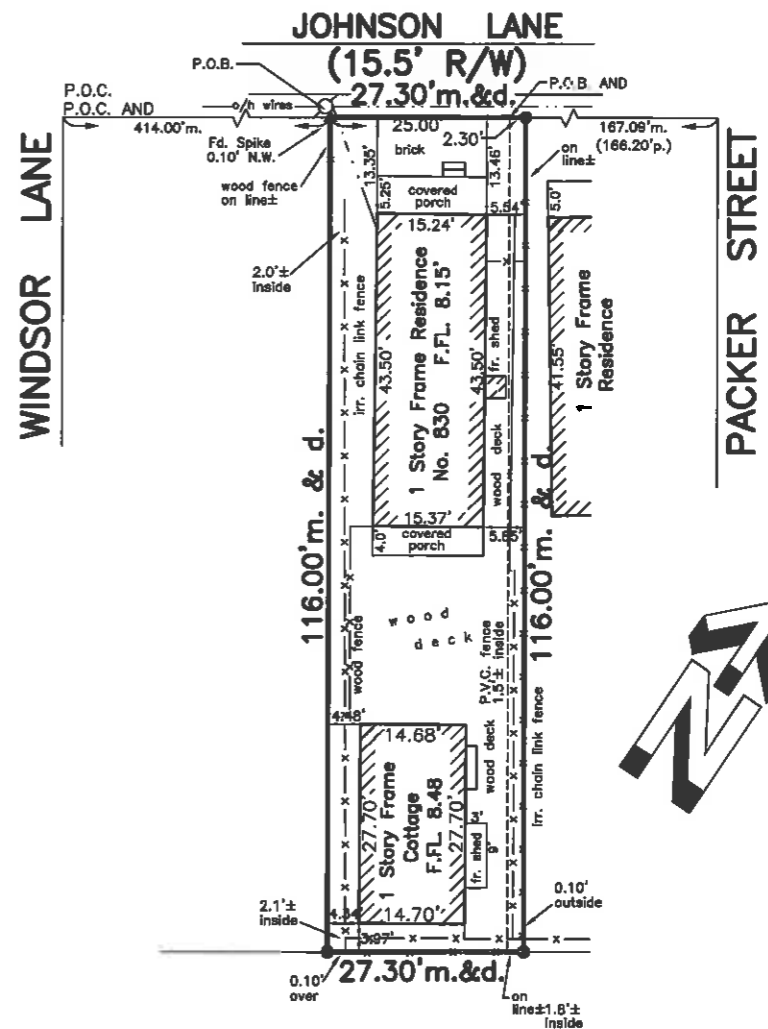


**LEGEND**

A/C	Air Conditioner	LB	Licensed Business Number
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BM	Bench Mark	M	Measured
CB	Catch Basin	N.T.S.	Not To Scale
CL	Center Line	O.R.	Official Records
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C.B.S.	Concrete Block Stucco	PB	Plat Book
CUP	Concrete Utility Pole	P.O.B.	Point Of Beginning
COVD	Covered	P.O.C.	Point Of Commence
D	Deed	R/W	Right Of Way
ELEV	Elevation	SIB	Set Iron Bar
F.F.L.	Finished Floor Elevation	SIP	Set Iron Pipe
FD	Found	SPK	Set Nail And Disc
FIB	Found Iron Bar	STY	Story
FIP	Found Iron Pipe	UP	Utility Pole
INV	Invert	WM	Water Meter
IRR	Irregular	WV	Water Valve

**SYMBOLS**

	Concrete Utility Pole		Street Light
	Fire Hydrant		Wood Utility Pole
	Sanitary Sewer Clean Out		Water Meter



**LEGAL DESCRIPTION:**

The Southwest one half of Lot 8 in part of Tract 5 of Eugene R. Albury's Subdivision of Johnson's Lane as shown in Plat Book 1 on Page 100, Monroe County, Florida Records; the half lot referred to herein having a front on Johnson Lane of Twenty Five Feet (25') with a depth of One Hundred Sixteen Feet (116') on both lines; reference being had to Deed, recorded in Book OH-2, at Page 99, Records of Monroe County, Florida.

And:

On the Island of Key West, Monroe County, Florida, and being a part of Lot 8, of Tract 5, of Eugene R. Albury's Subdivision of Johnsons Lane, according to the Plat thereof, as recorded in Plat Book 1 at Page 100 of the Public Records of Monroe County, Florida and being more particularly described as follows:

Commence at the intersection of the Northeasterly right-of-way line of Windsor Lane and the Southeasterly line of Johnson Lane; thence in a Northeasterly direction along said Southeasterly right-of-way line of Johnson Lane for 439 feet to the Point of Beginning; thence continue in a Northeasterly direction along the said Southeasterly right-of-way line of Johnson Lane for 2.30 feet; thence at a right angle in a Southeasterly direction for 116 feet; thence at a right angle in a Southwesterly direction for 2.30 feet; thence at a right angle in a Northwesterly direction for a 116 feet to the said Southeasterly right-of-way line of Johnson Lane and the Point of Beginning. Containing 200 square feet.

**SURVEYOR'S NOTES:**

North arrow based on assumed median  
 Reference Bearing: R/W Johnson Lane  
 3.4 denotes existing elevation  
 Elevations based on N.G.V.D. 1929 Datum  
 Bench Mark No.: D-121 Elevation: 3.914  
 All angles are 90°00'00" unless otherwise described. Survey performed without benefit of title search for said and surrounding property's.

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- ▲ = Found P.K. Nail
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- ⊙ = Set 1/2" I.B., P.L.S. No. 2749
- = Found 1/2" iron pipe/bar

Field Work performed on: 9/9/14

**CERTIFICATION:**

I HEREBY CERTIFY that the attached **BOUNDARY SURVEY** is true and correct to the best of my knowledge and belief; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 5J-17 Florida Statute Section 472.027, and the American Land Title Association, and that there are no visible encroachments unless shown hereon.

FREDERICK H. HILDEBRANDT  
 Professional Land Surveyor & Mapper No. 2749  
 Professional Engineer No. 36810  
 State of Florida

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE

CBG Property Management, LLC 830 Johnson Lane, Key West, Fl. 33040				
BOUNDARY SURVEY		Dwg. No. 14-366A		
Scale 1"= 20'	Ref. 216-17 file	Flood Panel No. 1516 K	Dwn. By F.M.H.	ISLAND SURVEYING INC. ENGINEERS PLANNERS SURVEYORS 3152 Northside Drive Suite 201 Key West, Fl. 33040 (305) 293-0466 Fax. (305) 293-0237 fhildeb1@bellsouth.net L.B. No. 7700
Date: 9/19/14		Flood Zone AE	Flood Elev. 7'	
REVISIONS AND/OR ADDITIONS				
File:fred\dwg\keywest\block79\830-832johnson				

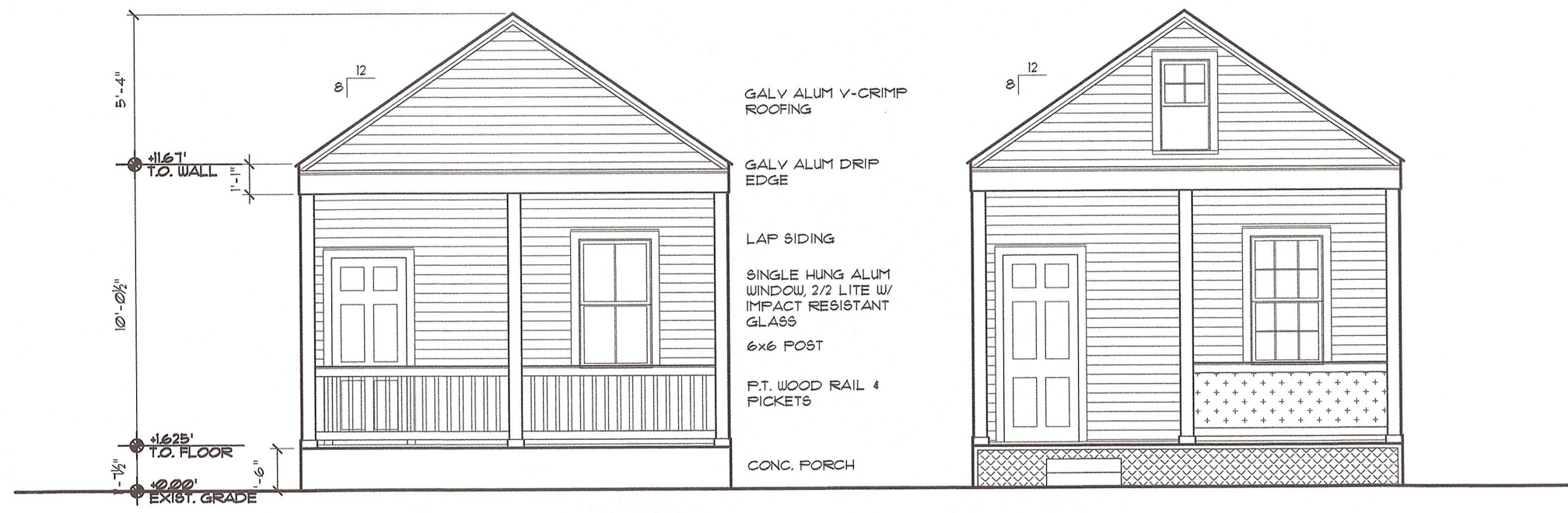
# Site Plan





Rear Cottage Front Elevation

3/16" = 1' - 0"



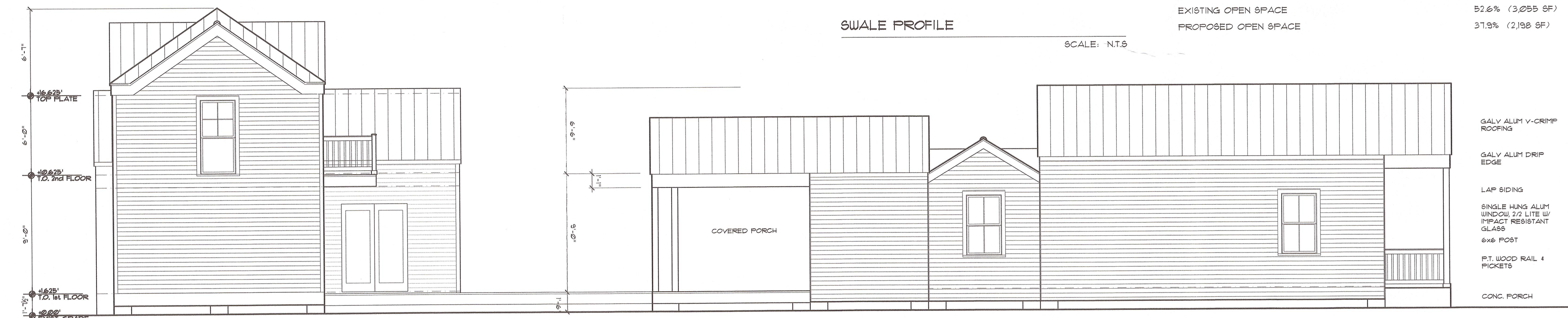
Street Elevation

3/16" = 1' - 0"



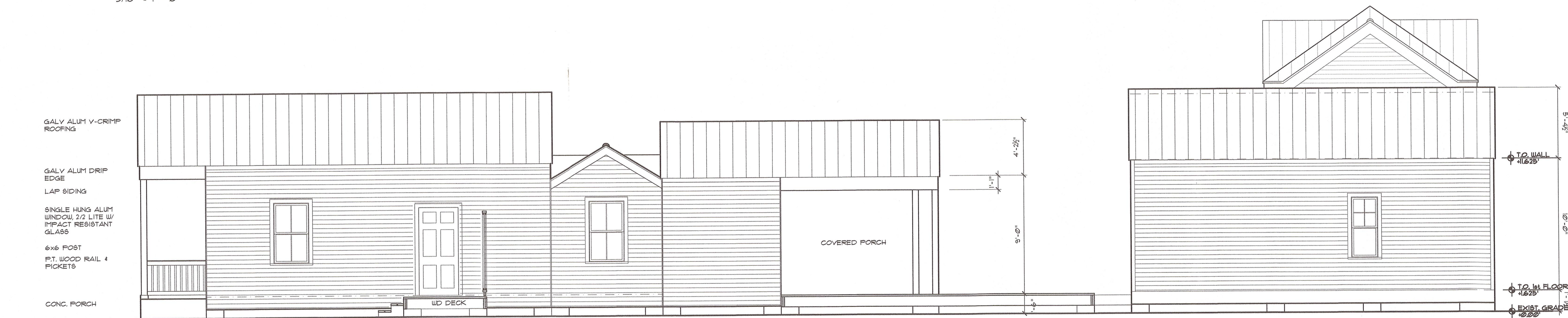
Rear Cottage Rear Elevation

3/16" = 1' - 0"



Side Elevation

3/16" = 1' - 0"



Side Elevation

3/16" = 1' - 0"

DRAINAGE CALCULATIONS

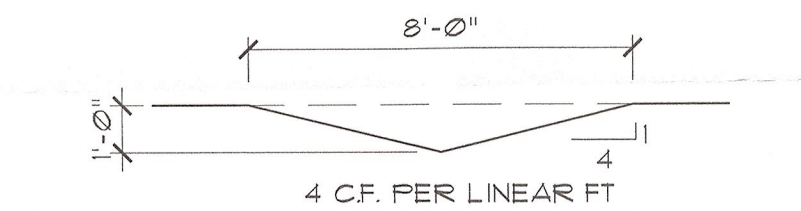
LOT AREA	5,800 #	5,800 #
IMPERVIOUS AREA	EXISTING	PROPOSED
HOUSES & PORCHES	1886 SF	2303 SF
PARKING	125 SF	411 SF
SPA	0 SF	81 SF
TOTAL AREA	1901 SF	2801 SF
% IMPERVIOUS AREA	32.1 %	48.4 %

SWALE CALCULATIONS

ADDITIONAL DISTURBED AREA	2801 - 1901 = 900 SF
% ADDITIONAL DISTURBED AREA	15.6 %

SWALE VOLUME:  
 LESS THAN 40% IMPERVIOUS COVERAGE  
 306 SF DISTURBED AREA / 12 = 16 CF  
 SWALE PROVIDED = 20 CF

NOTE: ROOF RUNOFF WILL BE DIRECTED TO ON SITE RETENTION AREAS THROUGH GUTTERS, DOWNSPOUTS AND LEADERS



SWALE PROFILE

SCALE: N.T.S

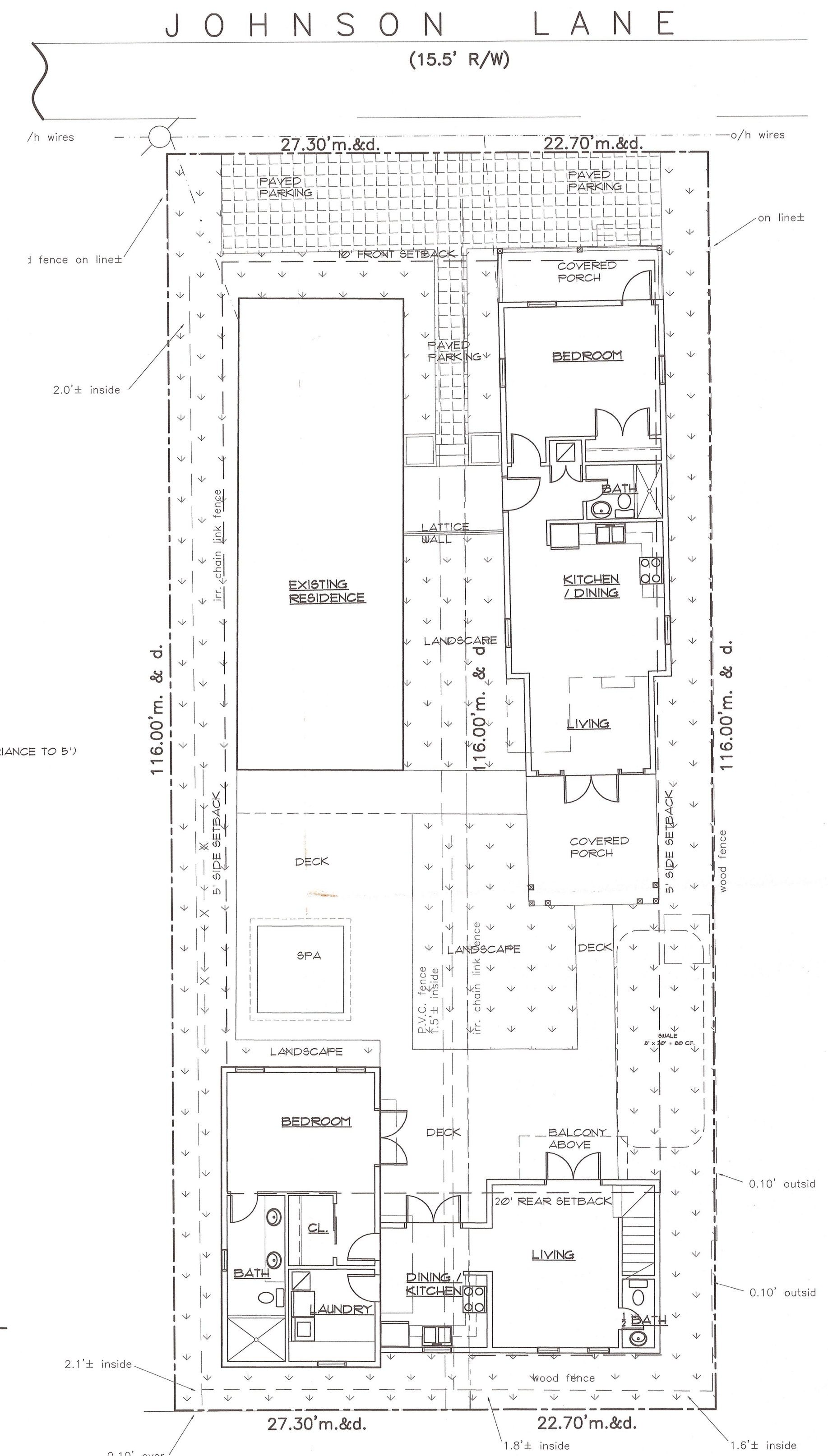
SITE ANALYSIS

ZONING	HHDR
SITE AREA	5800# (0.133 AC)
FLOOD ZONE	X
MAX LOT COVERAGE	50% (2900 SF)
EXISTING LOT COVERAGE	32.9% (1901 SF)
PROPOSED LOT COVERAGE	39.1% (2303 SF)
HOUSES & PORCHES	2303 SF

MAX HEIGHT	30'
PROPOSED HEIGHT	23'-6" +/-
SETBACKS	
FRONT	10'
REAR	20' (REQUESTING VARIANCE TO 5')
SIDE	5'
STREET SIDE	5'

MAX IMPERVIOUS SURFACE	60% (3,480 SF)
EXISTING IMPERVIOUS SURFACE	32.9% (1,901 SF)
PROPOSED IMPERVIOUS SURFACE	48.4% (2,801 SF)
HOUSES & PORCHES	2303 SF
PARKING	411 SF
SPA	81 SF

MIN. OPEN SPACE	35% (2,030 SF)
EXISTING OPEN SPACE	52.6% (3,055 SF)
PROPOSED OPEN SPACE	31.9% (2,198 SF)



Site Plan

1/8" = 1' - 0"

Gagnon Residence

Key West, FL

830 - 832 Johnson Lane

THOMAS E. POPE, P.A. ARCHITECT

610 White Street, Key West FL

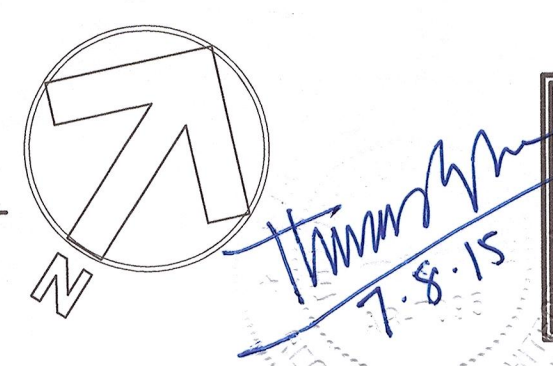
TEPopePA@aol.com

(305) 296 3611

date: 2/22/15  
 revision:

sheet:

A1



# **Property Appraiser**



**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.**

**Alternate Key: 1021015 Parcel ID: 00020270-000000**

### Ownership Details

**Mailing Address:**  
CGB PROPERTY MANAGEMENT LLC  
124 HARBOR VIEW LN  
BELLEAIR BLUFFS, FL 33770-2605

### Property Details

**PC Code:** 01 - SINGLE FAMILY  
**Millage Group:** 10KW  
**Affordable Housing:** No  
**Section-Township-Range:** 06-88-25  
**Property Location:** 832 JOHNSON LN KEY WEST  
**Legal Description:** KWE EUGENE R ALBURY SUB PB1-100 PT LOT 8 OF TR 5 E2-355 OR915-1348AFF OR1811-1852/53ORD OR1827-2130/31ORD OR1911-677/78ORD OR1924-239/40ORD OR1977-447AFF/OWNERSHIP OR1977-448D/C OR2708-145/51

**Click Map Image to open interactive viewer**



### Land Details

Land Use Code	Frontage	Depth	Land Area
01LN - SFR LANE	25	116	2,633.00 SF

### Building Summary

Number of Buildings: 1  
 Number of Commercial Buildings: 0  
 Total Living Area: 579  
 Year Built: 1923

### Building 1 Details

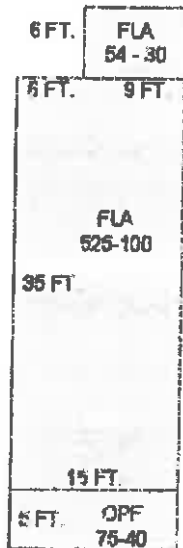
Building Type <u>R1</u>	Condition <u>A</u>	Quality Grade 450
Effective Age 64	Perimeter 130	Depreciation % 57
Year Built 1923	Special Arch 0	Grnd Floor Area 579
Functional Obs 0	Economic Obs 0	

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

Roof Type GABLE/HIP	Roof Cover METAL	Foundation WD CONC PADS
Heat 1 NONE	Heat 2 NONE	Bedrooms 1
Heat Src 1 NONE	Heat Src 2 NONE	

Extra Features:

2 Fix Bath 0	Vacuum 0
3 Fix Bath 0	Garbage Disposal 0
4 Fix Bath 0	Compactor 0
5 Fix Bath 0	Security 0
6 Fix Bath 0	Intercom 0
7 Fix Bath 0	Fireplaces 0
Extra Fix 0	Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
-----	------	----------	-----------	------------	-----------	------------	---------------------	------

0	FLA	1:WD FRAME/COMPOSITE	1	1922					54
1	FLA	1:WD FRAME/COMPOSITE	1	1922	N	N	0.00	0.00	525
2	OFF	12:ABOVE AVERAGE WOOD	1	1922	N	N	0.00	0.00	75

### Appraiser Notes

2014-05-26 MLS \$550,000 1/1 THIS COZY HOME IS LOCATED IN A WONDERFUL NEIGHBORHOOD WITH IN WALKING DISTANCE OF GALLERIES, RESTAURANTS, SCHOOLS, AND CHURCHES. PROPERTY HAS GREAT POTENTIAL AND IS A MUST SEE

### 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	55,440	0	362,529	417,969	417,055	25,000	392,056
2013	56,244	0	340,558	396,802	396,801	24,800	372,002
2012	56,244	0	372,262	428,506	417,845	25,000	401,361
2011	57,047	0	324,270	381,317	381,316	23,832	357,485
2010	57,850	0	345,516	403,366	402,987	25,000	377,987
2009	78,645	0	409,501	488,146	475,377	25,000	450,377
2008	72,327	0	460,775	533,102	514,438	25,000	489,438
2007	105,953	0	351,506	457,459	447,153	25,000	422,153
2006	230,591	0	250,135	480,726	466,197	25,000	441,197
2005	183,008	0	226,438	409,446	402,786	25,000	377,786
2004	150,311	0	197,475	347,786	347,786	25,000	322,786
2003	102,485	0	57,399	159,884	159,884	0	159,884
2002	97,066	0	57,399	154,465	78,192	26,000	52,192
2001	82,947	0	57,399	140,346	78,961	26,000	50,961
2000	65,241	0	44,761	110,002	74,720	26,000	48,720
1999	54,830	0	44,761	99,591	72,756	26,000	46,756
1998	50,897	0	44,761	95,658	71,611	26,000	45,611
1997	46,270	0	39,495	85,765	70,414	25,000	45,414
1996	31,232	0	39,495	70,727	68,364	25,000	43,364
1995	28,456	0	39,495	67,951	66,697	25,000	41,697
1994	25,449	0	39,495	64,944	64,944	25,000	39,944
1993	25,534	0	39,495	65,029	65,029	25,000	40,029
1992	25,534	0	47,250	72,784	72,784	25,000	47,784
1991	25,534	0	47,250	72,784	72,784	25,000	47,784
1990	15,390	0	33,863	49,253	49,253	25,000	24,253

1989	12,719	0	33,075	45,794	45,794	25,000	20,794
1988	11,183	0	25,988	37,171	37,171	25,000	12,171
1987	11,044	0	16,330	27,374	27,374	25,000	2,374
1986	11,106	0	16,330	27,436	27,436	25,000	2,436
1985	10,783	0	11,340	22,123	22,123	22,123	0
1984	10,127	0	11,340	21,467	21,467	0	21,467
1983	10,127	0	11,340	21,467	21,467	0	21,467
1982	10,305	0	8,852	19,157	19,157	0	19,157

### 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
10/17/2014	2708 / 145	425,000	<u>WD</u>	<u>30</u>

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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

**Property Record Card -  
Maps are now launching the new map application version.**

**Alternate Key: 1021008 Parcel ID: 00020260-000000**

### Ownership Details

**Mailing Address:**  
CBG PROPERTY MANAGEMENT LLC  
124 HARBOR VIEW LN  
BELLEAIR BLUFFS, FL 33770-2605

### Property Details

**PC Code:** 08 - MULTI FAMILY LESS THAN 10UNITS  
**Millage Group:** 10KW  
**Affordable Housing:** No  
**Section-Township-Range:** 06-68-25  
**Property Location:** 830 JOHNSON LN KEY WEST  
**Legal Description:** TR5 PT LT 8 KW EUGENE R ALBURY SUB PB 1-100 G12-121 CO JUDGES DOCKET78-127 OR785-1046  
**Description:** OR995-436 OR997-2264 OR1030-675R/S OR1151-982/983 OR1253-821 OR1253-822/823 OR1491-2325/26 OR1741-437/439R/S OR2107-310/11 OR2462-145/A7

**Click Map Image to open interactive viewer**





**Land Details**

Land Use Code	Frontage	Depth	Land Area
01LN - SFR LANE	25	116	3,167.00 SF

## Building Summary

Number of Buildings: 2  
 Number of Commercial Buildings: 0  
 Total Living Area: 900  
 Year Built: 1938

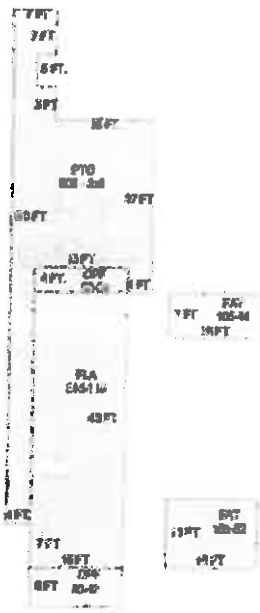
## Building 1 Details

Building Type <b>R1</b>	Condition <b>A</b>	Quality Grade <b>450</b>
Effective Age <b>19</b>	Perimeter <b>116</b>	Depreciation % <b>26</b>
Year Built <b>1938</b>	Special Arch <b>0</b>	Grnd Floor Area <b>645</b>
Functional Obs <b>0</b>	Economic Obs <b>0</b>	

Inclusions: R1 includes 1 3-fixture bath and 1 kitchen.  
 Roof Type **GABLE/HIP**      Roof Cover **METAL**      Foundation **WD CONC PADS**  
 Heat 1 **NONE**      Heat 2 **NONE**      Bedrooms **2**  
 Heat Src 1 **NONE**      Heat Src 2 **NONE**

Extra Features:

2 Fix Bath <b>0</b>	Vacuum <b>0</b>
3 Fix Bath <b>0</b>	Garbage Disposal <b>0</b>
4 Fix Bath <b>0</b>	Compactor <b>0</b>
5 Fix Bath <b>0</b>	Security <b>0</b>
6 Fix Bath <b>0</b>	Intercom <b>0</b>
7 Fix Bath <b>0</b>	Fireplaces <b>0</b>
Extra Fix <b>0</b>	Dishwasher <b>0</b>



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
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0	<u>FAT</u>	12:ABOVE AVERAGE WOOD	1	1989					105
0	<u>FAT</u>	12:ABOVE AVERAGE WOOD	1	1989					165
1	<u>OPF</u>		1	1989	N	N	0.00	0.00	90
2	<u>FLA</u>	12:ABOVE AVERAGE WOOD	1	1989	N	N	0.00	0.00	645
3	<u>OPF</u>		1	1989	N	N	0.00	0.00	60
4	<u>PTO</u>		1	1989	N	N	0.00	0.00	809

### Building 2 Details

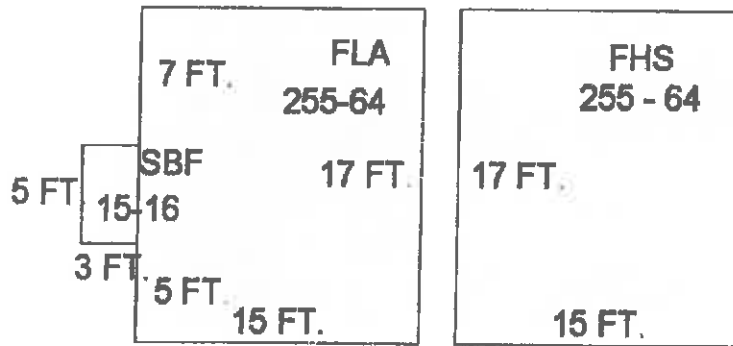
<b>Building Type</b> R1	<b>Condition</b> A	<b>Quality Grade</b> 450
<b>Effective Age</b> 18	<b>Perimeter</b> 64	<b>Depreciation %</b> 24
<b>Year Built</b> 1990	<b>Special Arch</b> 0	<b>Grnd Floor Area</b> 255
<b>Functional Obs</b> 0	<b>Economic Obs</b> 0	

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

<b>Roof Type</b> IRR/CUSTOM	<b>Roof Cover</b> METAL	<b>Foundation</b> CONC BLOCK
<b>Heat 1</b> NONE	<b>Heat 2</b> NONE	<b>Bedrooms</b> 2
<b>Heat Src 1</b> NONE	<b>Heat Src 2</b> NONE	

**Extra Features:**

2 Fix Bath	0	Vacuum	0
3 Fix Bath	0	Garbage Disposal	0
4 Fix Bath	0	Compactor	0
5 Fix Bath	0	Security	0
6 Fix Bath	0	Intercom	0
7 Fix Bath	0	Fireplaces	0
Extra Fix	0	Dishwasher	0



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
0	FHS	10:CUSTOM/HARDIE BD	1	1989					255
1	FLA	10:CUSTOM/HARDIE BD	1	1989	N	N	0.00	0.00	255
2	SBF		1	1989	N	N	0.00	0.00	15

**Misc Improvement Details**

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	276 SF	46	6	1988	1989	2	30
4	CL2:CH LINK FENCE	464 SF	116	4	2004	2005	1	30
5	AC2:WALL AIR COND	2 UT	0	0	1994	1995	2	20
6	PT2:BRICK PATIO	300 SF	25	12	2003	2004	2	50

**Building Permits**

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	A851086	04/01/1995	10/01/1995	4,950	Residential	PAINT HOUSE & COTTAGE
	03-654	03/07/2003	12/05/2003	1,000	Residential	BRICK PAVERS
	04-0485	02/23/2004	10/06/2004	2,499	Residential	REPLACE FENCE
1	05-2043	06/01/2005	11/09/2005	3,500	Residential	INTERIOR DEMO
	06-3463	06/08/2006	08/15/2006	800	Residential	RELOCATE EXISTING KITCHEN SINK ONLY

**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	122,227	3,154	220,570	345,951	290,219	0	345,951
2013	124,232	3,224	197,526	324,982	263,836	0	324,982
2012	129,557	3,301	106,993	239,851	239,851	0	239,851
2011	130,559	3,371	148,144	282,074	282,074	0	282,074
2010	219,309	7,952	136,822	363,883	363,883	0	363,883
2009	247,285	8,191	286,908	542,384	542,384	0	542,384
2008	229,566	8,423	316,700	554,689	554,689	0	554,689
2007	309,576	7,262	522,555	839,393	839,393	0	839,393
2006	500,295	7,512	300,865	808,672	808,672	0	808,672
2005	532,207	7,764	237,525	777,496	777,496	25,000	752,496
2004	302,619	7,551	221,690	531,860	531,860	0	531,860
2003	306,810	5,662	69,041	381,513	381,513	0	381,513
2002	310,319	5,836	69,041	385,196	385,196	0	385,196
2001	265,182	6,000	69,041	340,223	340,223	0	340,223
2000	264,341	7,800	53,839	325,980	300,695	25,000	275,695
1999	222,159	6,736	53,839	282,734	282,734	25,000	257,734
1998	214,392	6,406	53,839	274,638	274,638	0	274,638
1997	194,902	5,968	47,505	248,375	248,375	0	248,375
1996	125,294	4,128	47,505	176,927	176,927	0	176,927
1995	114,156	3,633	47,505	165,295	165,295	0	165,295
1994	102,091	3,329	47,505	152,925	152,925	0	152,925
1993	102,091	3,411	47,505	153,007	153,007	0	153,007
1992	124,552	3,489	47,250	175,291	175,291	0	175,291
1991	124,552	3,568	47,250	175,370	175,370	0	175,370
1990	149,928	3,650	33,075	186,653	186,653	0	186,653
1989	78,363	195	33,075	111,633	111,633	0	111,633
1988	72,090	142	25,988	98,220	98,220	0	98,220
1987	48,241	148	17,010	65,399	65,399	0	65,399
1986	31,298	94	17,010	48,402	48,402	0	48,402
1985	30,382	98	11,340	41,820	41,820	0	41,820
1984	28,450	102	11,340	39,892	39,892	0	39,892
1983	28,450	105	11,340	39,895	39,895	0	39,895
1982	28,977	110	8,852	37,939	37,939	0	37,939

**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
3/12/2010	2462 / 145	886,300	<u>QC</u>	<u>30</u>
4/14/2005	2107 / 310	950,000	<u>WD</u>	<u>Q</u>
11/7/2001	1741 / 0437	357,500	<u>WD</u>	<u>Q</u>
12/1/1997	1491 / 2325	85,000	<u>QC</u>	<u>H</u>
4/1/1993	1253 / 822	205,000	<u>WD</u>	<u>Q</u>
10/1/1987	1030 / 875	130,000	<u>WD</u>	<u>Q</u>
12/1/1986	997 / 2264	84,000	<u>WD</u>	<u>Q</u>
2/1/1979	785 / 1046	45,000	00	<u>Q</u>

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