

# **Staff Report**

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



**To:** Chairman and Planning Board Members

**From:** Brendon Cunningham, Senior Planner

**Through:** Donald Leland Craig, AICP, Planning Director

**Meeting Date:** May 15, 2014

**Agenda Item:** **Variances – 1314 Newton Street (RE# 00023000-000000, AK# 1023795)** - A request for a variance for detached habitable space to construct a guest suite for use as a satellite bedroom in the HMDR zoning district per Section 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

**Request:** The applicant is requesting a variance for detached habitable space to construct a structure for use as a guest suite / satellite bedroom.

**Applicant:** Adele V. Stones

**Property Owner:** Heather Carruthers and Colleen Fitzsimmons

**Location:** 1314 Newton Street (RE# 00023000-000000, AK# 1023795)

**Zoning:** Historic Medium Density Residential (HMDR) Zoning District

**Background:**

The property is comprised of a single-family house. The granting of this variance would provide the applicant with additional living space to accommodate guests and extended family.



<b>Relevant HMDR Zoning District Dimensional Requirements: Section 122-238</b>			
<b>Requirements</b>	<b>Zoning Regulations</b>	<b>Existing Conditions</b>	<b>Proposed Changes</b>
Building Coverage	40%	35%	39%
Impervious Surface	60%	57%	59%
Side Setback	5'	NA	5'
Rear Setback	5'	NA	5'

**Process:**

**Development Review Committee Meeting:**

March 27, 2014

**Planning Board Meeting:**

May 15, 2014

**HARC:**

May 27, 2014 Tentative

**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.**

Special conditions or circumstances do not exist. However, this is not a variance request to dimensional requirements and therefore does not necessarily require variance review.

- 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 is created by the applicant through the nature of the design.

- 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.**

Allowing the new construction, as proposed, would confer special privileges upon the applicant.

- 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 is not deprived of rights commonly enjoyed by other properties without the variance approval.

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 the minimum variance that will make possible the continued use of the land, building, or structure. However, the applicant has reasonable use of the property without to the new construction.

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.**

The granting of the variances does not appear to be injurious to the area involved or detrimental to the public interest.

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 conforming or nonconforming 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.

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

Based on comments received at the DRC, 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:**

1. **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 granting of variances.

2. **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 applicant has been in contact with adjacent property owners.

**RECOMMENDATION:**

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

1. The detached habitable space shall not have cooking facilities nor be held out for rent and that there is a deed restriction put in place to that end.
2. That the setback areas are maintained in perpetuity for life safety access and no utilities or structures be erected in the area.
3. That a certificate of appropriateness is obtained from HARC.

# **Draft Resolution**

**PLANNING BOARD  
RESOLUTION No. 2014-**

**A RESOLUTION OF THE CITY OF KEY WEST  
PLANNING BOARD FOR VARIANCE  
APPROVAL FOR DETACHED HABITABLE  
SPACE FOR PROPERTY LOCATED AT 1314  
NEWTON STREET (RE#00023000-000000, AK  
1023795) IN THE HISTORIC MEDIUM  
DENSITY RESIDENTIAL ZONING DISTRICT,  
PER SECTION 122-1078 OF THE LAND  
DEVELOPMENT REGULATIONS OF THE  
CODE OF ORDINANCES OF THE CITY OF  
KEY WEST.**

**WHEREAS**, Section 122-1078 of the Code of Ordinances requires that all habitable space shall be accessible from the interior of exterior walls; and

**WHEREAS**, the applicant requested a variance to construct a structure for use as a satellite bedroom; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on May 15, 2014; and

**WHEREAS**, the Planning Board finds that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

land, structures or buildings in the same district; and

**WHEREAS**, the Planning Board finds that the special conditions do not result from the action or negligence of the applicant; and

**WHEREAS**, the Planning Board finds 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; and

**WHEREAS**, the Planning Board finds 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; and

**WHEREAS**, the Planning Board finds that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and

**WHEREAS**, the Planning Board finds that the granting of the variance will be in harmony with the general intent and purpose of the land development regulations and that such a variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare; and

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director



**WHEREAS**, the Planning Board finds that 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 any variances; and

**WHEREAS**, the Planning Board 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 variances application, and by addressing the objections expressed by those neighbors;

**NOW, THEREFORE, BE IT RESOLVED** by the Planning Board of the City of Key West, Florida:

**Section 1.** That the above recitals are incorporated by reference as if fully set forth herein.

**Section 2.** An approval by resolution of the Key West Planning Board for a variance to allow the construction of detached habitable space for use as a satellite bedroom per plans dated February 23, 2014, on property located at 1314 Newton Street (RE# 00023000-000000, AK 1023795) in the HMDR zoning district per Section 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West with the following conditions:

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Planning Director

1. The detached habitable space shall not have cooking facilities nor be held out for rent and that there is a deed restriction put in place to that end.
2. That the setback areas are maintained in perpetuity for life safety access and no utilities or structures be erected in the area.
3. That a certificate of appropriateness is obtained from HARC.

**Section 3.** It is a condition of this variance that full, complete, and final application for all conditions of this approval for any use and occupancy for which this variance is wholly or partly necessary, shall be submitted in their entirety within two years after the date hereof; and further, that no application or shall be made after expiration of the two-year period without the applicant obtaining an extension from the Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

**Section 4.** The failure to fully and completely apply the conditions of approval for permits for use and occupancy pursuant to this variance in accordance with the terms of the as described in Section 3 hereof, shall immediately operate to terminate this variance, which variances shall be of no force or effect.

**Section 5.** 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 6.** 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.

**Section 7.** This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, 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 for 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 this approval; 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 until the appeal is resolved by agreement or order.

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

Read and passed on first reading at a regularly scheduled meeting held this 15th day of May, 2014.

Authenticated by the Chairman of the Planning Board and the Planning Director;

\_\_\_\_\_  
Richard Klitinick, Planning Board Chairman

\_\_\_\_\_  
Date

**Attest:**

\_\_\_\_\_  
Donald Leland Craig, AICP, Planning Director

\_\_\_\_\_  
Date

**Filed with the Clerk:**

\_\_\_\_\_  
Cheryl Smith, City Clerk

\_\_\_\_\_  
Date

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

# Application

STONES & CARDENAS

ATTORNEYS AT LAW

221 SIMONTON STREET, KEY WEST, FL 33040  
TELEPHONE (305) 294-0252 FAX (305) 292-5442  
WWW.STONESCARDENAS.COM

ADELE VIRGINIA STONES, P.A.

SUSAN M. CARDENAS, P.A.

March 4, 2014

Donald L. Craig, Planning Director  
City of Key West  
3140 Flagler Avenue  
Key West, FL 33040

RE: 1314 Newton Street, Key West, Florida / Variance Application

Dear Mr. Craig:

Please accept the enclosed variance application and fee for processing and placement on the next scheduled DRC Meeting (March 27, 2014). I was delayed in submitting the application by 5:00 p.m. yesterday due to medical travel to Miami. Your consideration of this request is greatly appreciated.

Sincerely Yours,



Adele V. Stones  
AVS/cms  
Enclosure as stated



# 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: 1314 Newton Street, Key West, Florida

Zoning District: HMDR Real Estate (RE) #: 00023000-000000

Property located within the Historic District?  Yes  No

**APPLICANT:**  Owner  Authorized Representative

Name: Adele V. Stones, Stones & Cardenas

Mailing Address: 221 Simonton Street

City: Key West State: FL Zip: 33040

Home/Mobile Phone: \_\_\_\_\_ Office: (305) 294-0252 Fax: (305) 292-5442

Email: ginny@keyslaw.net

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

Name: Heather Carruthers and Colleen Fitzsimmons

Mailing Address: 1314 Newton Street

City: Key West State: FL Zip: 33040

Home/Mobile Phone: (305) 509-2122 Office: (305) 295-0996 Fax: \_\_\_\_\_

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

**Description of Proposed Construction, Development, and Use:** Construction of a 198 square foot/detached bedroom/bathroom (guest suite) 2nd story, with ground floor outdoor wet bar and grill

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

Variance from requirement of Code Section 122-1078 to allow detached habitable space located in rear yard of single family residence, specifically a bedroom and 1/2 bath for visiting family and friends. No commercial rental use proposed..

**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	HMDR			
Flood Zone	X			
Size of Site	5,229			
Height (proposed structure)	30'	20'11"		
Front Setback	10	10	10	
Side Setback	5	10'	10'	
Side Setback	5	10'	5	
Street Side Setback				
Rear Setback (accessory)	5	15	5	
F.A.R	N/A	N/A	N/A	
Building Coverage	40% (2091 sf)	35.1% (1835 sf)	39% (2033 sf)	
Impervious Surface	60% (3137)	57% (2992)	59% (3088)	
Parking				
Handicap Parking				
Bicycle Parking				
Open Space/ Landscaping				
Number and type of units	2 BPAS	1	1	
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.

In order to maintain all of the conforming setbacks for the principal structure, the only location for the addition of a bedroom/bath is as an accessory structure constituting detached habitable space. This property was previously granted a variance (expired) to construct a second single family home in the rear setback (see Resolution 04-386 attached)

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

The setback, height and other regulations applicable to the principal structure were in place at the time of purchase (2013) . To maintain conformity with the dimensional requirements, the variance for deatched habitable space is requested.

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.

The construction of a detached bedroom suite of less than 200 square feet reflects a typical guestroom configuration commonly found in the HMDR for homes constructed and/or renovated prior to 1997.

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 property is permitted as of right to construct two (2) legal residences as a result of the redevelopment of a duplex building originally on site. Owner cannot locate a second principal structure on site without the grant of setback variances. By maintaining one legal residence there results in a less intense development on site.

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.

The proposed habitable space is only 198 square foot to provide a modest bedroom and half bath.

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.

Detached habitable space poses no detriment to public health, safety, or welfare and creates fewer impacts than a second single family residence co-located on site.

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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.

The existence of other nonconformities throughout the HMDR is not the basis for this application.

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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

# Verification

Verification Form

Please note, variances are quasi-judicial hearings and it is improper to speak to a City Commissioner about the variance outside of the hearing.

This form should be completed by the applicant. Where appropriate, please indicate whether applicant is the owner or a legal representative. If a legal representative, please have the owner(s) complete the following page, "Authorization Form."

I, Adele V. Stones, being duly sworn, depose and say Name(s) of Applicant(s)

that: I am (check one) the Owner x Owner's Legal Representative for the property identified as the subject matter of this application:

1314 Newton Street, Key West, Florida Street Address and Commonly Used Name if any

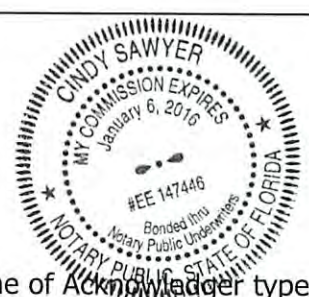
All of the answers to the above questions, drawings, plans and any other attached data which make up this application, are true and correct to the best of my knowledge and belief and that if not true or correct, are grounds for revocation of any action reliant on said information.

Adele V. Stones Signature of Owner/Legal Representative FBN#331880

Signature of Joint/Co-owner

Subscribed and sworn to (or affirmed) before me on March 4, 2014 (date) by Adele V. Stones (name). He/She is personally known to me or has presented personally known as identification.

Cindy Sawyer Notary's Signature and Seal Cindy Sawyer



Name of Acknowledger typed, printed or stamped Title or Rank Commission Number, if any

**Deed**

Prepared by and return to:  
Susan Mary Cardenas  
Attorney at Law  
Stones & Cardenas  
221 Simonton Street  
Key West, FL 33040  
305-294-0252  
File Number: 13-239-Loeffler

Doc# 1957398 11/13/2013 1:22PM  
Filed & Recorded in Official Records of  
MONROE COUNTY AMY HEAVILIN

11/13/2013 1:22PM  
DEED DOC STAMP CL: Krys \$12,565.00

[Space Above This Line For Recording Data]

## Warranty Deed

This Warranty Deed made this 12<sup>th</sup> day of November, 2013 between Robert D. Loeffler and Gloria R. Loeffler, husband and wife whose post office address is 412 Sunset Key Drive, Key West, FL 33040, grantor, and Heather A. Carruthers and Coleen T. Fitzsimmons, a married couple, as joint tenants with right of survivorship whose post office address is 1314 Newton Street, Key West, FL 33040, 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:

Lot Seven (7), Square Four (4) of JAMES A. WADDELL'S SUBDIVISION of a part of Tract Seven (7), Island of Key West, commencing at a point on Newton Street which is one-hundred and forty-seven (147) feet, three (3) inches from the corner of Georgia an Newton Streets and running thence in a northeasterly direction along the line of Newton Street forty-nine (49) feet, one (1) inch; thence at right angles in a Southeasterly direction eighty-eight (88) feet, six (6) inches; thence at right angles in a Southwesterly direction forty-nine (49) feet, one (1) inch; thence at right angles in a Northwesterly direction eighty-eight (88) feet, six (6) inches out to Point of Beginning on Newton Street.

ALSO

Doc# 1957398  
Bk# 2658 Pg# 597

A part of Lot Nine (9) in Square Four (4) of JAMES A. WADDELL'S SUBDIVISION of a part of Tract Seven (7) on the Island of Key West. Commencing at a point on Newton Street distant one hundred and ninety-six (196) feet, four (4) inches from the corner of Georgia Street and running thence along Newton Street in a Northeasterly direction ten (10) feet; thence at right angles in a Southeasterly direction eighty-eight (88) feet, six (6) inches; thence at right angles in a Southwesterly direction ten (10) feet; thence at right angles in a Northwesterly direction eighty-eight (88) feet, six (6) inches back to the Place of Beginning.

Parcel Identification Number: 00023000-000000

Subject to taxes for 2013 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

**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:

Susan M. Caldera  
Witness Name: Susan M. Caldera  
Mary E. Turso  
Witness Name: Mary E. Turso

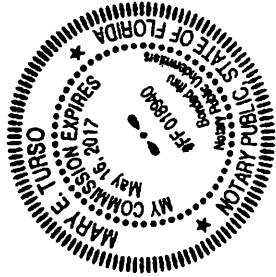
Robert D. Loeffler (Seal)  
Robert D. Loeffler

Doc# 1957398  
Bk# 2658 Pg# 598

State of Florida  
County of Monroe

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of November, 2013 by Robert D. Loeffler, who  are personally known or  have produced a driver's license as identification.

[Notary Seal]



Mary E. Turso  
Notary Public

Printed Name: Mary E. Turso

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

Signed, sealed and delivered in our presence:

~~Witness Name: Susan M. Cardenas~~  
Witness Name: Mary E. Turso  
Mary E. Turso

~~Gloria R. Loeffler~~  
Gloria R. Loeffler

State of Florida  
County of Monroe

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of November, 2013 by Gloria R. Loeffler, who  are personally known or  have produced a driver's license as identification.

Mary E. Turso  
Mary E. Turso  
Notary Public

[Notary Seal]



Printed Name:  
My Commission Expires:



# Survey

# MAP OF BOUNDARY SURVEY

BEARING BASE:  
ALL BEARINGS ARE BASED  
ON N45°00'00"E ASSUMED  
ALONG THE CENTERLINE OF  
NEWTON STREET.

ALL ANGLES DEPICTED  
ARE 90 DEGREES UNLESS  
OTHERWISE INDICATED

ALL UNITS ARE SHOWN IN  
U.S. SURVEY FEET

ADDRESS:  
1314 NEWTON STREET  
KEY WEST, FL 33040

COMMUNITY NO.: 12016B  
MAP NO.: 12067C-1516K  
MAP DATE: 02-18-05  
FLOOD ZONE: AE  
BASE ELEVATION: 6

## LEGEND

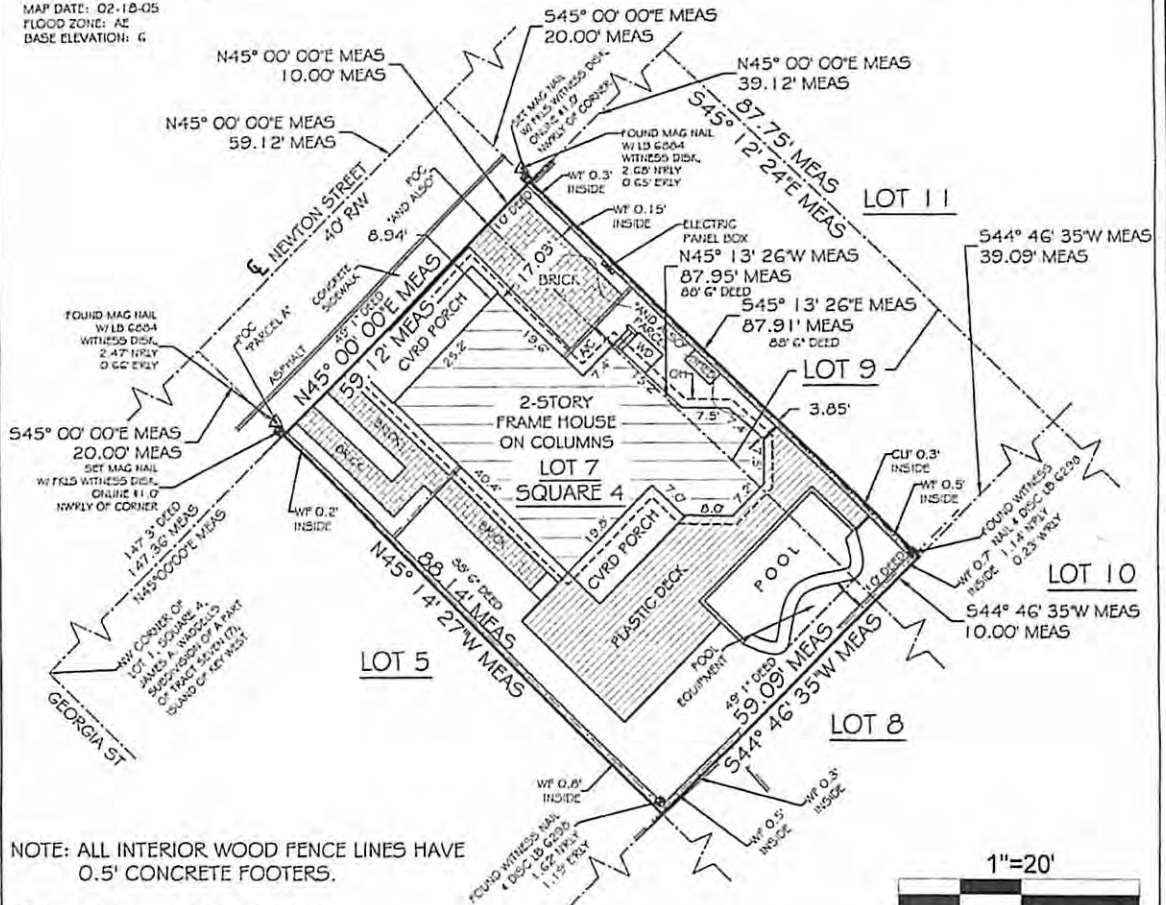
- WATER METER
- MAILBOX
- WOOD POWER POLE
- CONCRETE POWER POLE



ASSUMED

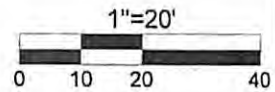


LOCATION MAP - NTS  
SEC. 05-T685-R25E



NOTE: ALL INTERIOR WOOD FENCE LINES HAVE  
0.5' CONCRETE FOOTERS.

TOTAL AREA = 5,202.56 SQFT±



THIS SURVEY MAP (SHEET 1 OF 2) IS NOT COMPLETE  
AND VALID WITHOUT THE ATTACHED SURVEY REPORT  
(SHEET 2 OF 2)

CERTIFIED TO -

Heather A. Garruthers and Coleen T. Fitzsimmons  
Stones & Gardens  
Chicago Title Insurance Company

NOTE: FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL  
PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.

THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.

- |                                   |                               |                                  |
|-----------------------------------|-------------------------------|----------------------------------|
| BFP = BACKFLOW PREVENTER          | CLV = CURB VEEP               | PEC = POINT OF COMMENCEMENT      |
| BO = BLOW OUT                     | HO = HOPE DIB                 | PEC = POINT OF EVIDENCE CURVE    |
| C 4 G = 4" CONCRETE CURB & GUTTER | IP = IRON PIPE                | PERM = PERMANENT REFERENCE       |
| CB = CONCRETE BLOCK               | IR = IRON ROD                 | MONUM = MONUMENT                 |
| CMW = CONCRETE BLOCK WALL         | L = ARC LENGTH                | PT = POINT OF TANGENT            |
| CL = CENTERLINE                   | LS = LASCULATING              | R = RADII                        |
| CP = CONCRETE POWER POLE          | M = MANHOLE                   | R/W = RIGHT OF WAY LINE          |
| CPM = CONCRETE MONUMENT           | MFAS = MEASURED               | SDSD = SANITARY SINKER CLEAN-OUT |
| CPWC = CONCRETE                   | MF = METAL FENCE              | SW = SIDE WALK                   |
| CPWC = CONCRETE POWER POLE        | MHWL = MEAN HIGH WATER LINE   | TS = TEMPORARY BENCHMARK         |
| CV = COVERED                      | NOVD = NATIONAL GEODETIC      | TOP = TOP OF BULK                |
| CVL = CENTRAL ANGLE               | VD = VERTICAL DATUM (1928)    | TS = TOP OF SLOPE                |
| DE = DRAINAGE EASEMENT            | W = WIND                      | TS = TRAFFIC SIGN                |
| EL = ELEVATION                    | DR = REEF OVERHANG            | TY = TYPICAL                     |
| ENCL = ENCLOSURE                  | CHW = CHOKED WIND             | UN = UNREACHABLE                 |
| EP = EDGE OF PAVEMENT             | PC = POINT OF CURVE           | UL = UTILITY EASEMENT            |
| FF = FINISHED FLOOR ELEVATION     | PM = POINT OF INTERSECTION    | WB = WOOD BENCH                  |
| FP = FIRE PLUMB                   | PP = POINT OF PERMANENT CLUMP | WM = WOOD WALK                   |
| FS = FENCE INSIDE                 | PP = PAPER HALLON BALK        | WP = WOOD FENCE                  |
| FO = FENCE OUTSIDE                | PP = PERMANENT CONTROL POINT  | WS = WOOD LANDING                |
| FO = FENCE ON LINE                | PP = POINT OF BEGINNING       | WM = WATER METER                 |
|                                   | PP = POINT OF BEGINNING       | WP = WOOD POWER POLE             |
|                                   | PP = POINT OF INTERSECTION    | WRWL = LINE OF DEPTH ON SHORE    |
|                                   |                               | WV = WATER WALK                  |

NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE. PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR INALIENS. ADDITIONS OR DELETIONS TO SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY. THE BOLD LINE SHOWN HEREON REPRESENTS THE SURVEYOR'S OPINION OF THE DEED LINES. THE MEAN HIGH WATER LINE WAS NOT DETERMINED FOR THIS SURVEY. THE APPARENT MEAN HIGH WATER LINE IS SHOWN FOR REFERENCE ONLY.

SCALE:	1" = 20'
FIELD WORK DATE:	10/15/2013
REVISION DATE:	02/18/2005
SHEET:	1 OF 2
DRAWN BY:	MPB
CHECKED BY:	
INVOICE NO.:	

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 33-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND COMPLIES WITH CHAPTER 177, PART II FLORIDA STATUTES.

SIGNED:

ERIC A. ISAACS, FSM #6763, PROFESSIONAL SURVEYOR AND MAPPER, LDF 7647



**FLORIDA KEYS  
LAND SURVEYING**  
19960 OVERSEAS HIGHWAY  
SUGARLOAF KEY, FL 33042  
PHONE: (305) 394-3690  
FAX: (305) 509-7373  
EMAIL: FKLScmail@gmail.com

NOT VALID WITHOUT THE  
SIGNATURE AND THE RAISED  
SEAL OF A FLORIDA  
SURVEYOR AND MAPPER.

# REPORT OF BOUNDARY SURVEY



LOCATION MAP - NTS  
SEC. 05-T685-R25E

## LEGAL DESCRIPTION -

### \*PARCEL A\*

Lot Seven (7) in Square Four (4) of James A. Waddell's subdivision of a part of Tract Seven (7), Island of Key West, Commencing at a point on Newton Street which is One Hundred and Forty-Seven (147) feet, Three (3) inches from the corner of Georgia and Newton Streets and running thence in Northeasterly direction along the line of Newton Street Forty-nine (49) feet, One (1) inch; thence at right angles in a Southeasterly direction Eighty-eight (88) feet, Six (6) inches; thence at right angles in a Southwesterly direction Forty-nine (49) feet, One (1) inch; thence at right angles in a Northwesterly direction Eighty-eight (88) feet, Six (6) inches out to the Point of Beginning on Newton Street.

### \*AND ALSO\*

A part of Lot Nine (9) in Square Four (4) of James A. Waddell's subdivision of a part of Tract Seven (7), Island of Key West, Commencing at a point on Newton Street which is One Hundred and Ninety-six (196) feet, Four (4) inches from the corner of Georgia and Newton Streets and running thence along the line of Newton Street in a Northeasterly direction Ten (10) feet; thence at right angles in a Southeasterly direction Eighty-eight (88) feet, Six (6) inches; thence at right angles in a Southwesterly direction Ten (10) feet; thence at right angles in a Northwesterly direction Eighty-eight (88) feet, Six (6) inches back to the Point of Beginning.

THIS SURVEY REPORT (SHEET 2 OF 2) IS NOT COMPLETE AND VALID WITHOUT THE ATTACHED SURVEY MAP (SHEET 1 OF 2)

### CERTIFIED TO -

Heather A. Carruthers and Coleen T. Fitzsimmons  
Stones & Cardenas  
Chicago Title Insurance Company

NOTE: FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE. THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.

BPP = BACKFLOW PREVENTER BQ = BLOW OUT C & G = 2" CONCRETE CURB & GUTTER CD = CONCRETE DECK CFW = CONCRETE BLOCK WALL CL = CENTERLINE CDF = CONCRETE FENCE CM = CONCRETE MONUMENT CONC = CONCRETE CPF = CONCRETE POWER POLE COVER = COVERED CDA = CENTRAL ANGLE DRAIN = DRAINAGE FACEMENT EL = ELEVATION ENCL = ENCLOSURE EP = EDGE OF PAVEMENT FF = FINISHED FLOOR ELEVATION FFI = FENCE INTERIOR FI = FENCE INSIDE FID = FENCE INSIDE FO = FENCE OUTSIDE FOL = FENCE ON LINE	GUN = GUN WIRE HD = HOSE END IP = IRON PIPE IR = IRON ROD L = ARC LENGTH LS = LANDSCAPING MD = MASONRY MSAO = MASONRY MFL = MEAN HIGH WATER LINE NAD = NATIONAL ADJUSTED NTS = NOT TO SCALE OPI = OIL PIPE OWR = OVERHEAD WIRE PC = POINT OF CURVE PM = PARKING METER PCL = PERMANENT CENTER POINT PFR = PARKER FALCON BALL PFB = POINT OF BEGINNING PI = POINT OF INTERSECTION	POC = POINT OF COMMENCEMENT POC = POINT OF REVERSE CURVE PRM = PERMANENT REFERENCE MONUMENT PT = POINT OF TANGENT R = RADIUS R/W = RIGHT OF WAY LINE SDOO = SANITARY DOWER CLEAN OUT SW = SIDE WALK TMA = TEMPORARY SDOO WALK TOD = TOP OF DRAIN TOS = TOP OF SLOPE TS = TRAFFIC SIGN TYP = TYPICAL U/L = UNDESIRABLE UE = UTILITY EASEMENT WD = WOOD DECK WF = WOOD FENCE WL = WOOD LANDING WM = WOOD METER WPP = WOOD POWER POLE WML = WOOD LINE - LINE OF DENIAL ON BENCH WY = WATER WALK
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SCALE:	1" = 20'
FIELD WORK DATE:	10/15/2013
REVISION DATE:	XXXX/XXXX
SHEET:	2 OF 2
DRAWN BY:	MFB
CHECKED BY:	-----
INVOICE NO.:	-----

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 33-17.03, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND COMPLIES WITH CHAPTER 177, PART II FLORIDA STATUTES.

SIGNED:

ERIC A. ISAACS, PSM #6783, PROFESSIONAL SURVEYOR AND MAPPER, LSW 7647

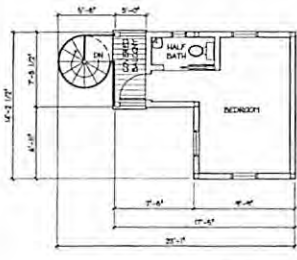
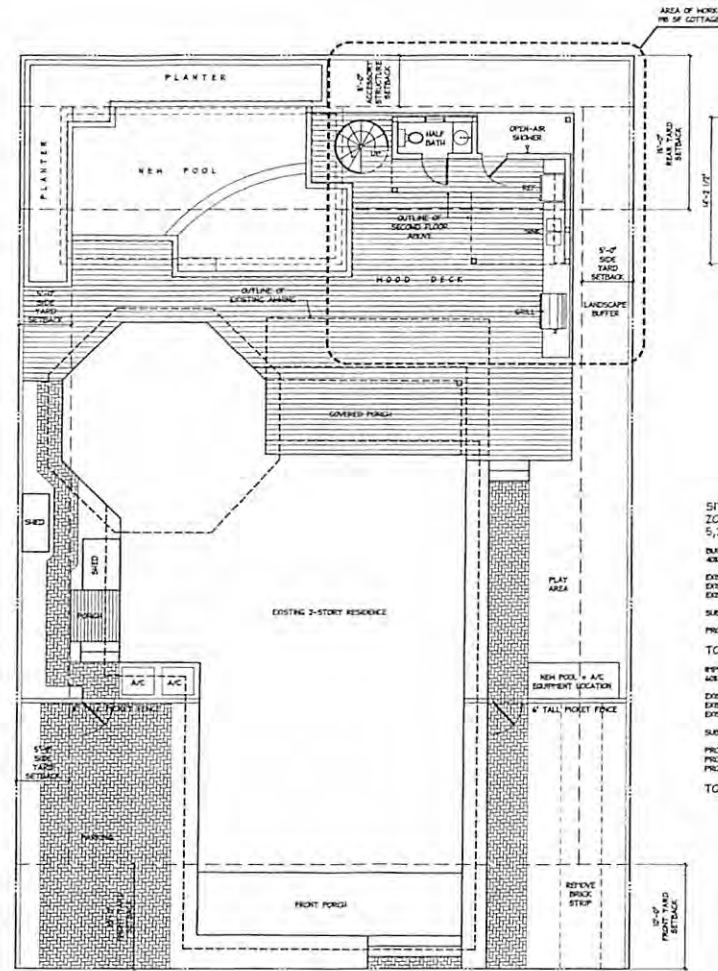
NOT VALID WITHOUT THE SIGNATURE AND THE RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER



## FLORIDA KEYS LAND SURVEYING

19960 OVERSEAS HIGHWAY  
SUGARLOAF KEY, FL 33042  
PHONE: (305) 394-3690  
FAX: (305) 509-7375  
EMAIL: FKL5mail@gmail.com

# Site Plans



SECOND FLOOR PLAN  
3/16"=1'-0"

SITE DATA  
ZONE H-2DR  
5,229 SF LOT AREA

BUILDING COVERAGE	ACE ALLOWED = 7.0% SF
EXISTING MAIN RESIDENCE	1,702 SF
EXISTING SHED	14 SF
EXISTING ANNEX	24 SF
SUBTOTAL EXISTING BUILDING COVERAGE	1,740 SF (3.3%)
PROPOSED GUEST COTTAGE	188 SF
TOTAL PROPOSED BUILDING COVERAGE	2,033 SF (3.9%)
IMPERVIOUS SURFACE RATIO	ACE ALLOWED = 3.07 SF
EXISTING BUILDING COVERAGE	1,686 SF
EXISTING POOL + EQUIPMENT	424 SF
EXISTING BRICK PAVERS + A/C PAD	703 SF
SUBTOTAL EXISTING IMPERVIOUS SURFACE	2,813 SF (53.8%)
PROPOSED BUILDING COVERAGE INCREASE	188 SF
PROPOSED POOL + EQUIPMENT	UNCHANGED
PROPOSED BRICK PAVEMENT REDUCTION	-422 SF
TOTAL PROPOSED IMPERVIOUS SURFACE	3,068 SF (59%)

NEWTON STREET

SITE PLAN  
3/16"=1'-0"



Improvements to  
**1314 NEWTON STREET**  
Key West, FL 33040

1901 S. Roosevelt Blvd. #205W  
Key West, Florida 33040  
305.923.9670  
matratttonarchitect@gmail.com

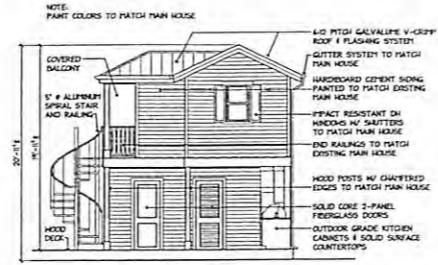
*matrattton*  
ARCHITECTURE

Date 2.23.14  
Project # 1401

**A-1**



VIEW FROM STREET  
3/16"=1'-0"



NORTH ELEVATION (FRONT)  
3/16"=1'-0"



EAST ELEVATION (SIDE)  
3/16"=1'-0"



WEST ELEVATION (SIDE)  
3/16"=1'-0"



SOUTH ELEVATION (REAR)  
3/16"=1'-0"

NOTE:  
PAINT COLORS TO MATCH MAIN HOUSE

- 4" X 12" GALVALUME V-CREPP ROOF & FLASHING SYSTEM
- GUTTER SYSTEM TO MATCH MAIN HOUSE
- HANDSOWN GEMENT SIKING PAINTED TO MATCH EXISTING MAIN HOUSE
- SPRACE RESISTANT ON HINDING W/ SHUTTERS TO MATCH MAIN HOUSE
- END RAILINGS TO MATCH EXISTING MAIN HOUSE
- HOOD POSTS W/ CHAFFERED EDGES TO MATCH MAIN HOUSE
- SOLID CORE 2-PANEL FIBERGLASS DOORS
- OUTDOOR GRADE KITCHEN CABINETS & SOLID SURFACE COUNTERTOPS

NOTE:  
SPIRAL STAIR AND RAILING OPTIED FOR CLARITY

Improvements to  
**1314 NEWTON STREET**  
Key West, FL 33040

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1901 S. Roosevelt Blvd. #205W  
Key West, Florida 33040  
305.923.9670  
mstrattonarchitect@gmail.com

---

Date 2.23.14  
Project # 1401

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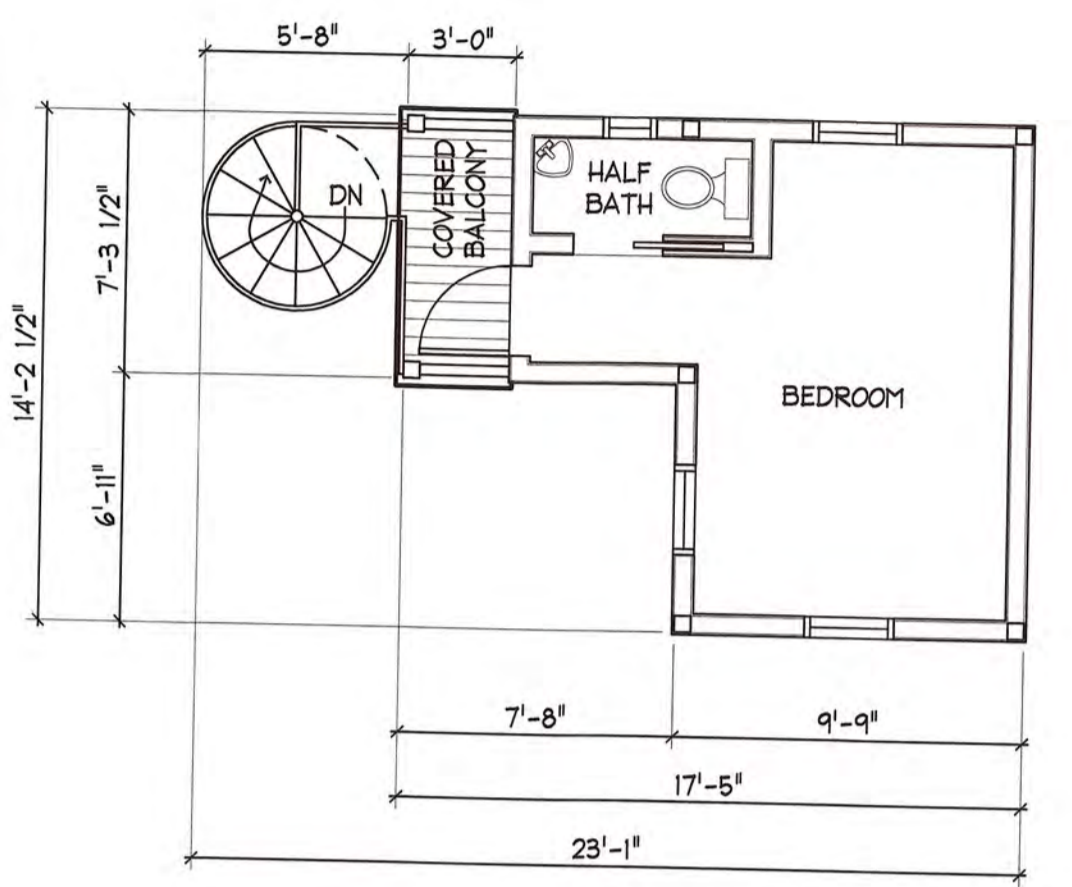
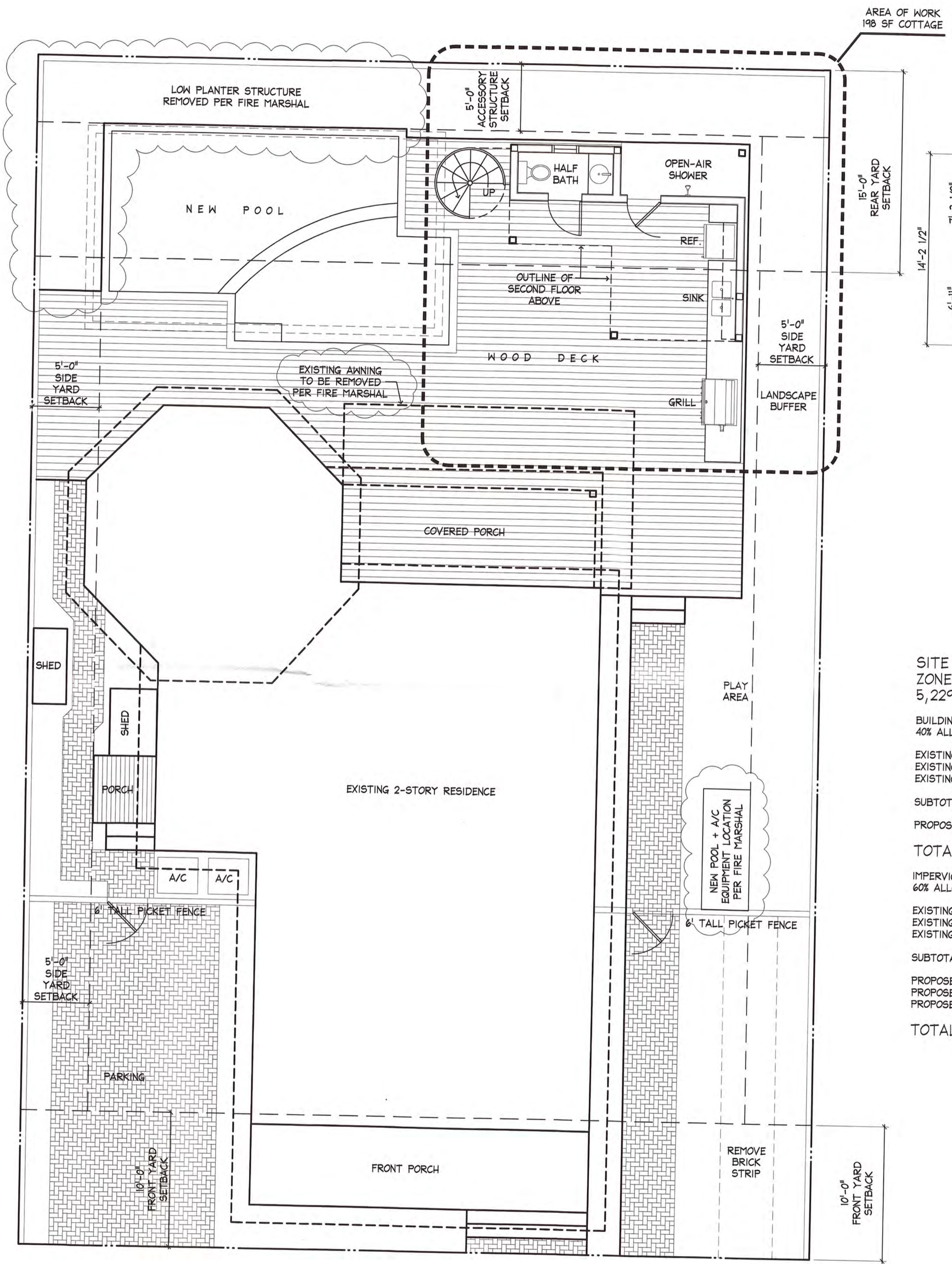
A-2

# **Revised Site Plans**



REVISIONS PER  
FIRE MARSHAL  
COMMENTS  
5/1/14

Improvements to  
**1314 NEWTON STREET**  
Key West, FL 33040



SECOND FLOOR PLAN  
3/16"=1'-0"

SITE DATA  
ZONE HMDR  
5,229 SF LOT AREA

BUILDING COVERAGE  
40% ALLOWED = 2,091 SF

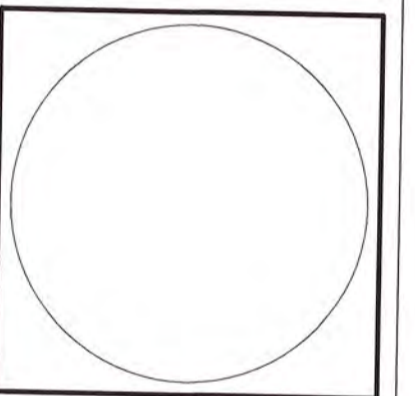
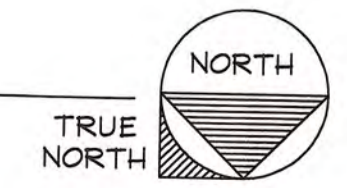
EXISTING MAIN RESIDENCE	1,702 SF
EXISTING SHED	14 SF
EXISTING AWNING	119 SF
SUBTOTAL EXISTING BUILDING COVERAGE 1,835 SF (35.1%)	
PROPOSED GUEST COTTAGE	198 SF
TOTAL PROPOSED BUILDING COVERAGE 2,033 SF (39%)	

IMPERVIOUS SURFACE RATIO  
60% ALLOWED = 3,137 SF

EXISTING BUILDING COVERAGE	1,835 SF
EXISTING POOL + EQUIPMENT	404 SF
EXISTING BRICK PAVERS + A/C PAD	753 SF
SUBTOTAL EXISTING IMPERVIOUS SURFACE 2,992 SF (57.2%)	
PROPOSED BUILDING COVERAGE INCREASE	198 SF
PROPOSED POOL + EQUIPMENT	UNCHANGED
PROPOSED BRICK PAVER REDUCTION	-102 SF
TOTAL PROPOSED IMPERVIOUS SURFACE 3,088 SF (59%)	

NEWTON STREET

SITE PLAN  
3/16"=1'-0"



1901 S. Roosevelt Blvd. #205W  
Key West, Florida 33040  
305.923.9670  
mstrattonarchitect@gmail.com



Date 2.23.14  
Project # 1401

A-1



**City Commission  
Resolution**

RESOLUTION NO. 04-386

VARIANCE: 1314 NEWTON STREET

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT TO ALLOW THE CONVERSION OF AN UPSTAIRS/DOWNSTAIRS DUPLEX INTO A SINGLE-FAMILY HOME WITH A NEW REAR ADDITION, AND BUILD A TWO-STORY COTTAGE WITHIN THE REAR SETBACK BY GRANTING A VARIANCE TO THE REAR SETBACK REGULATIONS FOR PROPERTY IN THE HMDR, HISTORIC MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT, UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING CONDITIONS. FOR PROPERTY LOCATED AT 1314 NEWTON STREET, KEY WEST, FLORIDA (RE# 00023000-000000)

WHEREAS, the Board of Adjustment finds 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 district; and

WHEREAS, the Board of Adjustment finds that the special conditions do not result from the action or negligence of the applicant; and

WHEREAS, the Board of Adjustment finds 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; and

**WHEREAS,** the Board of Adjustment finds 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; and

**WHEREAS,** the Board of Adjustment finds that the variance granted 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 the grant 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; and

**WHEREAS,** the Board of Adjustment finds that 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; 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.** That a variance to **REAR SETBACK** regulations in the **HMDR, HISTORIC MEDIUM DENSITY RESIDENTIAL Zoning District**, under the Code of Ordinances of the City of Key West, Florida, is hereby granted as follows to: **SECTION 122-600(6)(c), OF 10 FEET, FROM THE 15 FEET MINIMUM REAR SETBACK REQUIRED TO THE 5 FEET PROPOSED, FOR A DISTANCE OF 20 FEET, COMMENCING 5 FEET FROM THE RIGHT SIDE PROPERTY LINE; PROVIDING CONDITIONS. THE PURPOSE OF THE REQUEST IS TO ALLOW THE CONVERSION OF AN UPSTAIRS/DOWNSTAIRS DUPLEX INTO A SINGLE-FAMILY HOME WITH A NEW REAR ADDITION, AND BUILD A TWO-STORY COTTAGE WITHIN THE REAR SETBACK FOR PROPERTY LOCATED AT 1314 NEWTON STREET, KEY WEST, FLORIDA (RE# 00023000-000000).**

**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.** The grant of variances is conditioned upon the owner fulfilling the following:

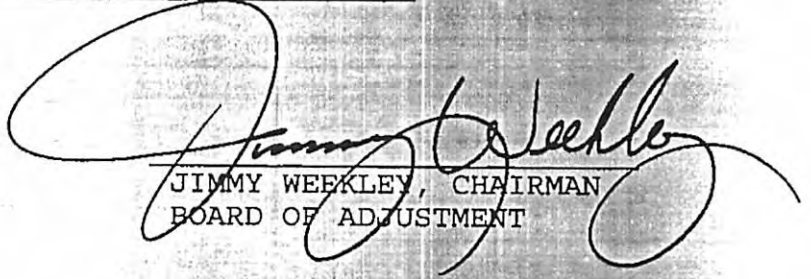
1. The structure to be built shall be that shown on the revised plans received on Sept. 21, 2004, by the Planning Department and approved by HARC;
2. The entire property shall be brought into compliance with on-site stormwater retention requirements.
3. No windows shall be installed on the side of the two-story cottage facing 1309 Petronia Street.
4. No balcony shall be installed on the two-story cottage.
5. Mature plantings shall be installed along the property line of 1314 Newton Street and 1309 Petronia Street, plantings to be approved by the owner of 1309 Petronia Street.
6. The pool equipment and air conditioning equipment shall be baffled.

Section 6. 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 8th day of December, 2004.

Authenticated by the presiding officer and Clerk of the Board on 9th day of December, 2004.

Filed with the Clerk on December 9, 2004.



JIMMY WEEKLEY, CHAIRMAN  
BOARD OF ADJUSTMENT

ATTEST:



CHERYL SMITH, CITY CLERK

**DRC**  
**Minutes & Comments**



## Minutes of the Development Review Committee

Approved April 24, 2014

### **URBAN FORESTRY MANAGER:**

Ms. DeMaria stated there is an existing, open tree removal permit for this property for the removal of a coconut palm. The tree has been removed but the file is still open because a replacement has not been verified as being planted. Property owner should discuss this issue with the Urban Forester. She stated nice plant palette on the landscape plan. She asked, what are the existing trees on the property? She would like to remind property owners of the requirement to protect any trees near and within the project area during construction/demolition. Trees located within the work area that may need to be removed or trimmed may require permits from the Tree Commission.

### **POLICE DEPARTMENT:**

Mr. Torrence has concerns regarding parking.

### **HARC PLANNER:**

Ms. Torregrosa stated the building is not in HARC. She suggested that the packet should have a demolition plan.

### **PLANNING DIRECTOR:**

Mr. Craig stated that the 7 units are new units and are subject to the new BPAS ordinance. Mr. Craig stated to look at that the one parking space underneath the building, one to the south, not sure it meets the requirements of access.

### **ENGINEERING:**

Ms. Ignaffo stated that based on the total number of units, please provide a solid waste generation quantity and resulting volume, number and type of waste containers, indicate dimensions for the storage area, and show how the containers will be located within the storage area. Please indicate how the solid waste & recycling storage area will be screened from the public. Please provide scooter parking areas, showing where they will be located within the site. Please provide a parking area lighting plan, noting lighting shall be provided for bicycle parking areas. Please show the propane tank location, or indicate propane tank will be removed.

### **FIRE DEPARTMENT:**

Mr. Barroso requests a meeting with the applicant to review the site plans and setback variances. At this time there are life safety concerns that will need to be worked thru. Life safety plan will be required and full size plans for review will need to be available for the meeting. There will be additional comments once this information has been received and will need to be done prior to the next scheduled planning board meeting.

7. **Variance – 1314 Newton Street (RE # 00023000-000000, AK # 1023795) – A request for a variance for detached habitable space on property located within the HMDR zoning district to Sections 90-395 and 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

**Mr. Bond gave members an overview of the variance request.**

## Minutes of the Development Review Committee

Approved April 24, 2014

The applicant, Ms. Ginny Stones, of Stones & Cardenas, gave members an overview of the variance request.

### **DRC Member Comments:**

### **ART IN PUBLIC PLACES:**

No comments.

### **URBAN FORESTRY MANAGER:**

Ms. DeMaria would like to remind property owners of the requirement to protect any trees near and within the project area during construction/demolition. Trees located within the work area that may need to be removed or trimmed may require permits from the Tree Commission.

### **POLICE DEPARTMENT:**

No comments.

### **HARC PLANNER:**

Ms. Torregrosa stated the application showed that the property does not require HARC. The property is in HARC; submit a corrected page of the application.

### **PLANNING DIRECTOR:**

Mr. Craig had concerns regarding the application for detached habitable space. Due to the heightened scrutiny recently applied to the City, regarding detached habitable spaces, by the Department of Economic Opportunity; Mr. Craig wants to make absolutely sure there is no kitchen facility. The applicant stated there was not.

### **ENGINEERING:**

Ms. Ignaffo stated to please construct gutters and downspouts on the structure roof, on the side along the property line. Applicant needs to direct downspout back onto property and into swale and landscape buffer areas.

### **FIRE DEPARTMENT:**

Mr. Barroso requests a meeting with the applicant to review the site plans and setback variances. At this time there are life safety concerns that will need to be worked thru. There will be additional comments once this information has been received and will need to be done prior to administrative approval.

8. **Minor Development Plan – 2400-2440 North Roosevelt Boulevard (RE # 00065220-000000; AK # 1067849, RE # 00065220-000100; AK # 1063835)** – A request for minor development plan approval for the phased reconstruction of 7 existing guest rooms, existing public restrooms and add 5 parking spaces to meet ADA requirements on property located within the CG zoning district – pursuant to Section 108-91.B.1.a. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Cunningham gave members an overview of the minor development plan request.

# **Property Appraiser Information**



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

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

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

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

**Alternate Key: 1023795 Parcel ID: 00023000-000000**

**Ownership Details**

**Mailing Address:**  
CARRUTHERS HEATHER A  
1314 NEWTON ST  
KEY WEST, FL 33040-7026

**All Owners:**  
CARRUTHERS HEATHER A, FITZSIMMONS COLEEN T R/S

**Property Details**

**PC Code:** 01 - SINGLE FAMILY  
**Millage Group:** 10KW  
**Affordable Housing:** No  
**Section-Township-Range:** 05-68-25  
**Property Location:** 1314 NEWTON ST KEY WEST  
**Legal Description:** KW WADDELLS SUBDIVISION PB1-28 PT LOT 9 ALL LOT 7 SQR 4 TR 7 G9-103 OR621-843 OR2021-733/734 OR2136-2397/99 OR2311-1224/25 OR2658-597/99R/S

Click Map Image to open interactive viewer



**Land Details**

Land Use Code	Frontage	Depth	Land Area
01SD - RES SUPERIOR DRY	59	89	5,229.00 SF

**Building Summary**

Number of Buildings: 1  
 Number of Commercial Buildings: 0

Total Living Area: 2922  
Year Built: 1938

### Building 1 Details

Building Type R1  
Effective Age 7  
Year Built 1938  
Functional Obs 0

Condition G  
Perimeter 354  
Special Arch 0  
Economic Obs 0

Quality Grade 600  
Depreciation % 5  
Grnd Floor Area 2,922

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

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

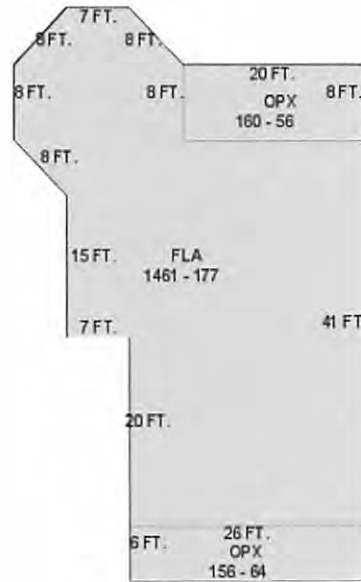
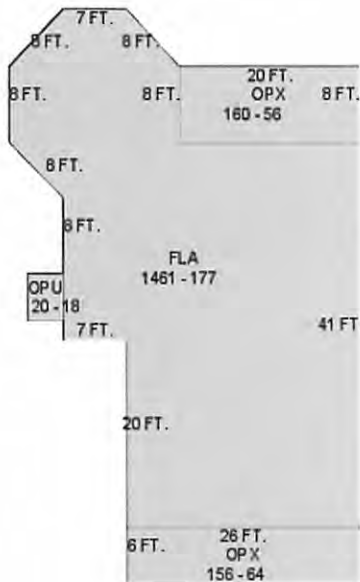
Roof Cover METAL  
Heat 2 NONE  
Heat Src 2 NONE

Foundation WD CONC PADS  
Bedrooms 3

Extra Features:

2 Fix Bath 1  
3 Fix Bath 2  
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	OPU		1	2005				20
2	OPX		1	2011				156
3	OPX		1	2005				156
4	OPX		1	2005				160
5	OPX		1	2005				160

7	FLA	12:ABOVE AVERAGE WOOD	1	2005	Y	1,461
8	FLA	12:ABOVE AVERAGE WOOD	1	2005	Y	1,461

**Misc Improvement Details**

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	1,176 SF	196	6	2005	2006	2	30
2	PT2:BRICK PATIO	111 SF	37	3	2005	2006	2	50
3	PT2:BRICK PATIO	92 SF	23	4	2005	2006	2	50
4	PT2:BRICK PATIO	208 SF	52	4	2005	2006	4	50
5	PT2:BRICK PATIO	300 SF	25	12	2005	2006	4	50
6	PO4:RES POOL	310 SF	0	0	2005	2006	4	50
7	WF2:WATER FEATURE	1 UT	25	6	2005	2006	2	20
8	WD2:WOOD DECK	990 SF	0	0	2005	2006	3	40

**Appraiser Notes**

ADJ LAND FROM 5222 TO 5229SF PER OR2311-1224.

2005-08-19 BEING OFFERED FOR \$2,999,999. 3BD/3.BA -SKI FROM THE REALTORS WEEELY.

2007-10-31 SALE IS IN QUESTION-SALE AK 1023795 WHERE GRANTOR IS GARY/DEBORAH BURCHFIELD GRANTEE IS ROBERT/GLORIA LOEFFLER. SALE OF AK 1023582 GRANTOR ROBERT/GLORIA LOEFFLER GRANTEE GARY/DEBORAH BURCHFIELD. REFER TO . DEEDS FILED ON SAME DAY 07/31/07 WITHIN MINUTES OF EACH OTHER.POSSIBLE EXCHANGE.DKRAUSE

10/14/04: GUTTED, COMPLETE RENOVATION, INCOMPLETE ON JAN. 1, 2005 - BKC

**Building Permits**

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
11 07-5535	01/04/2008	01/30/2008	1,800	Residential	INSTALL FRAME & AWNING OVER NON-PERMEABLE POOL DECK IN REAR OF HOME
10-3836	12/02/2010	07/13/2011	9,000	Residential	REPLACE EXISTING 2ND STORY PORCH DECK, FRAMING, AND POSTS WITH NEW AS PER PLANS.
11-0887	03/31/2011	07/13/2011	15,000		NEW SOLID WOOD WINDOW SHUTTERS, 21 LOCATIONS
1 B954156	11/01/1995	12/01/1995	1,600	Residential	REPAIR 1ST FLOOR PORCH
2 9900710	03/03/1999	11/15/1999	5,400	Residential	REPAIRS TO FASCIA
3 04-1769	06/01/2004	11/19/2005	5,000	Residential	DEMO 2400SF INTERIOR&REAR ADDITION
4 04-1977	06/17/2004	11/19/2005	2,400	Residential	BUILD FENCE 300'
5 04-2044	06/23/2004	11/19/2005	18,000	Residential	ROOF, WINDOWS, SIDING
6 04-2274	07/13/2004	11/19/2005	8,500	Residential	JOISTS, SUB-FLOOR
8 04-2978	09/15/2004	11/19/2005	55,276	Residential	300SF ADDITION
9 04-3366	11/04/2004	11/19/2005	31,500	Residential	POOL & WF
7 04-2224	07/13/2004	11/19/2005	8,500	Residential	REPLACE 30 PIERS WITH NEW WOOD FLR
10 04-3824	01/07/2005	11/19/2005	10,000	Residential	CONSTRUCT FOUNDATIONS FOR DECK AND COTTAGE

## 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
2013	449,850	50,268	717,442	1,217,560	955,299	25,000	930,299
2012	454,536	51,836	632,341	1,138,713	939,330	25,000	914,330
2011	454,536	53,541	710,626	1,218,703	908,415	25,000	883,415
2010	459,222	55,149	380,619	894,990	894,990	25,000	869,990
2009	509,789	56,855	578,541	1,145,185	1,145,185	25,000	1,120,185
2008	506,082	58,421	758,205	1,322,708	1,322,708	25,000	1,297,708
2007	549,977	39,674	861,630	1,451,281	1,451,281	0	1,451,281
2006	418,298	40,823	522,200	981,321	981,321	0	981,321
2005	503,372	1,683	365,540	870,595	870,595	0	870,595
2004	338,738	1,737	310,709	651,184	397,554	30,000	367,554
2003	387,351	1,792	161,882	551,025	352,294	30,000	322,294
2002	255,085	1,851	138,383	395,319	282,637	25,000	257,637
2001	217,874	1,906	138,383	358,163	264,886	25,000	239,886
2000	217,874	2,929	99,218	320,021	245,255	25,000	220,255
1999	190,459	2,662	99,218	292,340	230,522	25,000	205,522
1998	134,526	2,057	99,218	235,801	204,559	25,000	179,559
1997	109,573	1,750	88,774	200,097	187,483	25,000	162,483
1996	87,524	1,507	88,774	177,805	174,943	25,000	149,943
1995	82,811	909	88,774	172,494	169,982	25,000	144,982
1994	74,059	836	88,774	163,669	163,669	25,000	138,669
1993	74,059	859	88,774	163,692	163,692	25,000	138,692
1992	90,352	883	88,774	180,009	180,009	25,000	155,009
1991	90,352	906	93,996	185,254	185,254	25,000	160,254
1990	104,425	930	79,636	184,991	184,991	25,000	159,991
1989	94,932	866	78,330	174,128	174,128	25,000	149,128
1988	69,750	0	60,053	129,803	129,803	25,000	104,803
1987	68,885	0	35,771	104,656	104,656	25,000	79,656
1986	69,271	0	34,465	103,736	103,736	25,000	78,736
1985	67,040	0	20,741	87,781	87,781	25,000	62,781
1984	62,092	0	20,741	82,833	82,833	25,000	57,833
1983	62,092	0	20,741	82,833	82,833	25,000	57,833
1982	63,507	0	20,741	84,248	84,248	25,000	59,248

## 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
11/8/2013	2658 / 597	1,795,000	WD	02
7/24/2007	2311 / 1224	2,675,000	WD	O
6/9/2004	2021 / 0733	960,000	WD	Q
2/1/1975	621 / 843	23,000	00	Q

This page has been visited 75,376 times.

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

**Public Notices**  
**(radius map & mailing list)**

# Public Meeting Notice

The Key West Planning Board will hold a public hearing **at 6:00 p.m., May 15, 2014 at Old City Hall, 510 Greene Street**, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

**Variance – 1314 Newton Street (RE # 00023000-000000, AK # 1023795)** – A request for a variance for detached habitable space on property located within the HMDR zoning district to Sections 90-395 and 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at [www.keywestcity.com](http://www.keywestcity.com).

**THIS NOTICE CAN NOT BE REMOVED FROM THE SITE UNTIL AFTER PLANNING BOARD DETERMINATION.**

**YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY**

The City of Key West Planning Board will be holding a Public Hearing:

**Variance – 1314 Newton Street (RE # 00023000-000000, AK # 1023795) – A request for a variance for detached habitable space on property located within the HMDR zoning district to Sections 90-395 and 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

**Applicant:** Adele V. Stones, Stones & Cardenas **Owner:** Heather Carruthers and Colleen Fitzsimmons

**Project Location:** 1314 Newton Street (RE # 00023000-000000, AK # 1023795)

**Date of Hearing:** Thursday, May 15, 2014 **Time of Hearing:** 6:00 PM

**Location of Hearing:** Old City Hall, 510 Greene, City Commission Chambers

Interested parties may appear at the public hearing and be heard with respect to the applications. Packets can be viewed online, the Friday before the meeting at [www.keywestcity.com](http://www.keywestcity.com). Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

**Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email to Stacy Gibson at [sgibson@keywestcity.com](mailto:sgibson@keywestcity.com) .**

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

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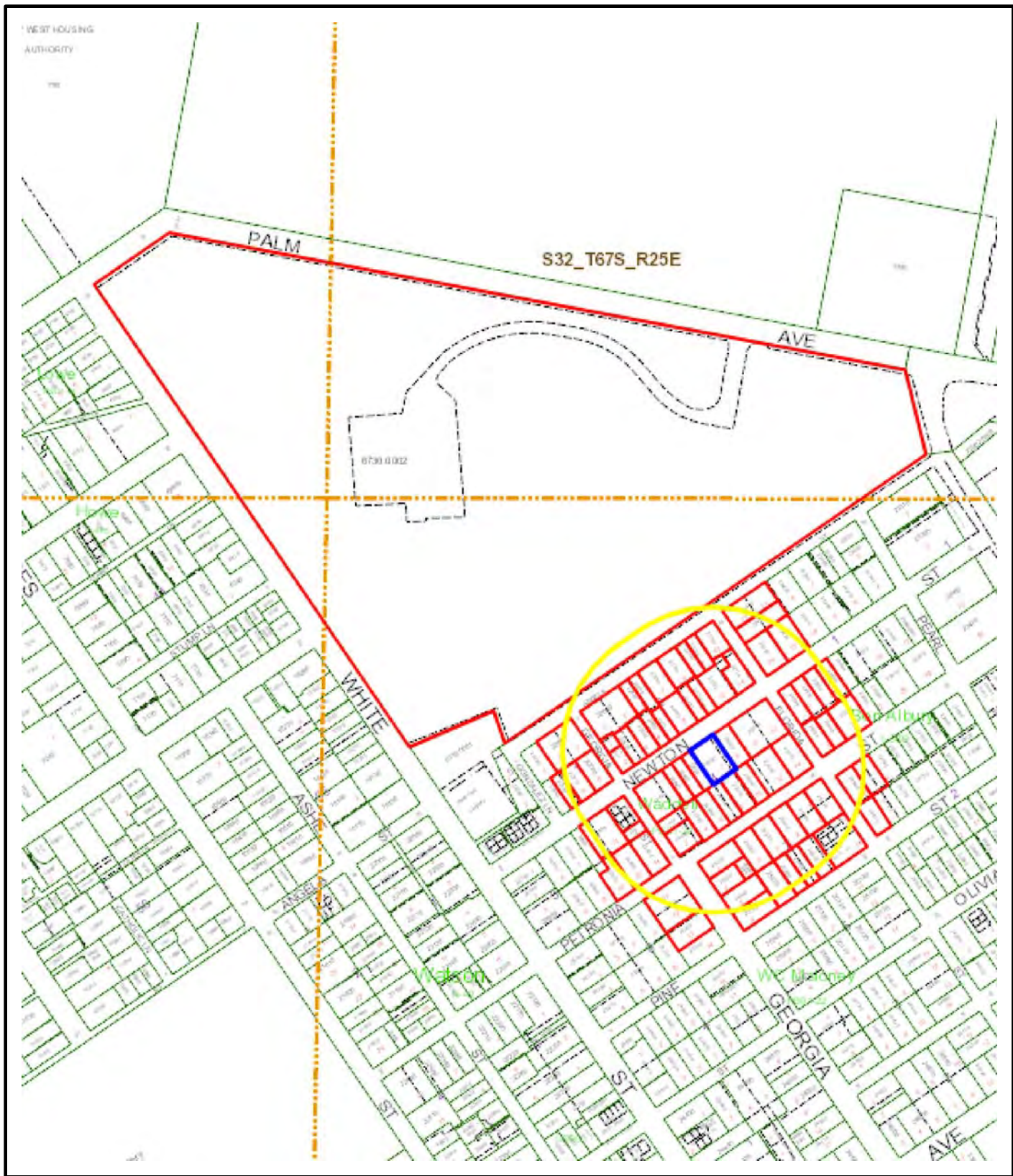
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# Monroe County, Florida

Printed: May 01, 2014

**1314 Newton**

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
OLEKSAK MARGARET	420 GULF BLVD		INDIAN ROCKS B	FL	33785	
MCELROY GERALD P	1319 NEWTON ST		KEY WEST	FL	33040-7025	
PARK CHARLES I JR DEC TRUST 3/22/1999	1300 NEWTON ST		KEY WEST	FL	33040	
COIRA STANLEY MD TRUST AGR 4/23/2001	4140 BONITA AVE		MIAMI	FL	33133-6339	
HENDERSON JOHN E AND NANCY P	809 OAK TER		POINT PLEASANT	NJ	8742	
GRAY DONALD D	1405 NEWTON ST		KEY WEST	FL	33040-7027	
PAPKE GARY T AND PATRICIA J	431 LEGGATT ST		GRAND HAVEN	MI	49417-1721	
CARRUTHERS HEATHER A	1314 NEWTON ST		KEY WEST	FL	33040-7026	
BUNGEROTH MARC R K	1404 NEWTON ST		KEY WEST	FL	33040	
DAY EDNA L L/E	1300 ANGELA ST		KEY WEST	FL	33040-7006	
WASSYLENKO PETER M	1305 NEWTON ST		KEY WEST	FL	33040-7025	
STUBBLEFIELD JOY L	D-7 10TH AVE		KEY WEST	FL	33040	
ENDERBY RALPH T	257 NW 87TH TERR		CORAL SPRINGS	FL	33071	
KENDRICK PETER J	1313 PETRONIA ST		KEY WEST	FL	33040	
GARRISON WILMA A	1317 PETRONIA ST		KEY WEST	FL	33040	
BAUER ANDREA W	1400 NEWTON ST		KEY WEST	FL	33040	
NEFF BRUCE G	1310 PETRONIA ST		KEY WEST	FL	33040	
CALLEJA JOHN AND ALICE	1404 PETRONIA ST		KEY WEST	FL	33040-7237	
DAMBROSIO JOSEPH M AND NELLA	1301 NEWTON ST		KEY WEST	FL	33040-7025	
IRVINE ANN S	1221 PETRONIA ST		KEY WEST	FL	33040-7232	
GIBBS PROPERTIES INC	1655 N ATLANTIC AVE		NEW SMYRNA BE	FL	32169-2103	
DEWALD JOHN H REV TR 8/13/2010	1223 PETRONIA ST		KEY WEST	FL	33040-7232	
FOSTER RICHARD J	226 POND ST UNIT 7		NATICK	MA	01760-4376	
VALDEZ JOSE R	2604 SEIDENBERG AVE		KEY WEST	FL	33040	
CREECH GRAHAM AND REBECCA	1314 PETRONIA ST		KEY WEST	FL	33040-7235	
KIELSGARD MARK D	13627 BENNET POND CT		CHANTILLY	VA	20151-2347	
THORPE PHILLIP A AND JANE KANG	1307 PETRONIA ST		KEY WEST	FL	33040-7234	
NEWTON STREET CONDOMINIUM	1220 NEWTON ST		KEY WEST	FL	33040	
KING KENNETH MARSHALL	1216 ANGELA ST		KEY WEST	FL	33040	
HOWE STEPHANIE	914 PACKER ST APT 2		KEY WEST	FL	33040-6435	
ROHRSCHEIDER JANE	1306 ANGELA ST		KEY WEST	FL	33040	
LUNDBERG DARLENE A	8939 POLK AVE		JACKSONVILLE	FL	32208-2346	
WHITMAN DOUGLAS F REVOCABLE TRUST 7/6/2001	1317 NEWTON ST		KEY WEST	FL	33040-7025	
COVELL BARBARA J AND LARRY C	406 FOX HOLLOW LN		ANNAPOLIS	MD	21403-1657	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
BAUMANN BRUCE E AND REBECCA A	1219 NEWTON ST		KEY WEST	FL	33040-7053	
GOBLE ROBERT T AND CAMILLA JANE	159 RUDDER CT		LEXINGTON	SC	29072	
MCSHERRY DAVID DUKE	1407 PETRONIA ST		KEY WEST	FL	33040	
PEARY COURT HOLDINGS LP	2828 CORAL WAY STE 303		CORAL GABLES	FL	33145-3214	
GINGRAS GARY E T/C	1321 NEWTON ST		KEY WEST	FL	33040-7025	
BAKER ROBERT STEVEN REVOCABLE TRUST	620 SW RIVERLAND CT		FT WHITE	FL	32038	
JACOBSON JEROME	3247 COUNTY ROUTE 15		PULASKI	NY	13142-2260	
BUNDE JOEL	817 GEORGIA ST		KEY WEST	FL	33040-7215	
GINGRAS GARY E	1321 NEWTON ST		KEY WEST	FL	33040-7025	
MADIEDO PATRICIA M	1075 DUVAL ST UNIT 180		KEY WEST	FL	33040-3188	
MEADOWS CONDOMINIUM THE	806 FLORIDA ST		KEY WEST	FL	33040	
UNITARIAN UNIVERSALIST FELLOWSHIP OF KEY WEST IN	801 GEORGIA ST		KEY WEST	FL	33040	
PREYSLER JULIO JOSE IGLESIAS	3127 SHERIDAN AVE		MIAMI BEACH	FL	33140-3945	
ALTOBELLO VIRGINIA E	721 GEORGIA ST		KEY WEST	FL	33040-7013	
FEDERAL NATIONAL MORTGAGE ASSOCIATION	3900 WISCONSIN AVE NW		WASHINGTON	DC	20016-2892	
WALLIN JOAN C	3705 POINCIANA ST		BIG PINE KEY	FL	33043-6118	
LARSEN HELEN B L/E	1315 PETRONIA ST		KEY WEST	FL	33040	
FLYNN NANCY QUAL PERSONAL RESIDENCE TRUST 2/6/2	1405 PETRONIA ST		KEY WEST	FL	33040-7236	
FIVEHOUSE DERENCE AND TAMARA	723 MCMULLAN AVE UNIT 303		EDENTON	NC	27932-2093	
ALONSO KARLA	1220 NEWTON ST APT 4		KEY WEST	FL	33040-7038	
SUJAK DANIEL T AND SANDRA L	631 NORCROSS DR		BATAVIA	IL	60510-8605	
HILLS JOY WILLIAMS	1425 E MAGEE RD		TUCSON	AZ	85718	
W.I.R.E.D. IN KEY WEST LLC	1320 PINE ST		KEY WEST	FL	33040-7243	
WRIGHT CRAIG L LIVING TRUST 8/4/2005	PO BOX 688		WAINSCOTT	NY	11975-0688	
AULL KEVIN J AND MELISSA K	711 GEORGIA ST		KEY WEST	FL	33040-7002	
SHEEDY ROBERT M	1220 NEWTON ST	UNIT 5	KEY WEST	FL	33040	
BANANA DREAM LLC	555 NORTHFIELD RD		WARWICK	MA	01378-9353	
THOMAS DARLENE	62 SEASIDE NORTH CT		KEY WEST	FL	33040	
LEVIN ARTHUR M	1318 ANGELA ST		KEY WEST	FL	33040	
DUNN LEE H AND THARON S	P O BOX 1846		NANTUCKET	MA	2554	
SONGER MARK E AND LOIS P	1310 NEWTON ST		KEY WEST	FL	33040	
APPLEGATE DAVID L AND CONSTANCE E	2743 S 975 E		ZIONSVILLE	IN	46077-9426	
MATTSON WILLIAM LOWELL	PO BOX 4873		KEY WEST	FL	33041-4873	
HOLMES RONALD	7953 FORD RIDGE RD		NINEVEH	IN	46164	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
LOPEZ LENORA O N	1309 PINE ST		KEY WEST	FL	33040-7242	
PEET STEPHEN D	1313 PINE ST		KEY WEST	FL	33040	
KWRH LLC	1309 NEWTON ST		KEY WEST	FL	33040-7025	
CASAS DIANA G L/E	1315 NEWTON ST		KEY WEST	FL	33040-7025	
LAMARCA JOSEPH L III	2821 COLANTHE AVE		LAS VEGAS	NV	89102	
CHRISTATOS MICHAEL AND LESLIE A	1324 NEWTON ST		KEY WEST	FL	33040	
VAN STEELANDT NAOMI RUTH DEC OF TRUST 11/19/2007	1402 NEWTON ST		KEY WEST	FL	33040-7028	
SHEFFLER BARBARA K	2501 CHAGRIN RIVER RD		CHAGRIN FALLS	OH	44022-6602	
COOK KAREN M	703 FLORIDA ST		KEY WEST	FL	33040-7016	
DRAVES JODY LYNNE	1401 PINE ST		KEY WEST	FL	33040-7244	
KANG JANE C	1307 PETRONIA ST		KEY WEST	FL	33040-7234	
BEHRENS J DOUGLAS AND LINDA	16235 HUTCHINS MILL RD		MONKTON	MD	21111	
CHATMAN ANTHONY W AND CYNTHIA L	800 GEORGIA ST		KEY WEST	FL	33040	
DUNN DAVID ALAN	1316 PETRONIA ST		KEY WEST	FL	33040	
FRIEND KELLY J	1220 NEWTON ST APT 1		KEY WEST	FL	33040-7038	
HSBC BANK NA	2691 E OAKLAND PARK BLVD	STE 303	FORT LAUDERDA	FL	33306	