

**VARIANCES ARE QUASI-JUDICIAL HEARINGS AND IT IS
IMPROPER TO SPEAK TO A PLANNING BOARD AND/OR BOARD
OF ADJUSTMENT MEMBER ABOUT THE VARIANCE
OUTSIDE THE HEARING**

Variance Application

City of Key West
Planning Department

Please print or type a response to the following:

1. Site Address 616 VIRGINIA STREET
2. Name of Applicant MICHAEL B. INGRAM, ARCH - MBI-K2M
3. Applicant is: Owner _____ Authorized Representative (attached Authorization Form must be completed)
4. Address of Applicant 1001 WHITEHEAD ST #101
KEY WEST, FL. 33040
5. Phone # of Applicant 292.7722 Mobile# 581-3744 Fax# 292-2162
6. E-Mail Address MINGRAM@MBI-K2M.COM.
7. Name of Owner, if different than above GLENN STEVENSON
8. Address of Owner 616 VIRGINIA ST.
KEY WEST, FL. 33040
9. Phone Number of Owner _____ Fax# _____
10. Email Address _____
11. Zoning District of Parcel HNC-1 RE# 2756
12. Description of Proposed Construction, Development, and _____



13. Required information: (application will not move forward until all information is provided)

| | Required | Existing | Requested |
|-------------------------|----------|----------------|----------------|
| Front Setback | 5'-0" | 12'-0" | 5'-0" |
| Side Setback (W) | 5'-0" | 6'-7" TO 0'-0" | 3'-6" TO 0'-0" |
| Side Setback (E) | 5'-0" | 13'-0" | 3'-6" |
| Rear Setback | 15'-0" | 0'-0" | 0'-0" |
| Building Coverage | 50% MAX | 28% | 42% |
| Open Space Requirements | 40% MIN | 72% | 58% |
| Impervious Surface | 60% MAX | 45% | 59.6% |

14. Is Subject Property located within the Historic District? Yes No
 If Yes, indicate date of HARC approval as well as the HARC Approval Number. Attach minutes of the meeting.

Date 3/8/11 HARC # H11-01-250

15. Are there any easements, deed restrictions or other encumbrances attached to the subject property? Yes No If Yes, please describe and attach relevant documents.

16. Will the 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.

Check List

(to be completed by Planning Staff and Applicant at time of submittal)

| Applicant Initials | Staff Initials | The following must be included with this application |
|-----------------------|-------------------|---|
| <u>MB</u> | <u>s</u> | Copy of the most recent recorded deed showing ownership and a legal description of the subject property |
| <u>MB</u> | _____ | Application Fee (to be determined according to fee schedule) |
| <u>MB</u> | _____ | Site Plan (existing and proposed) as specified on Variance Application Information Sheet |
| <u>MB</u> | _____ | Floor Plans of existing and proposed development (8.5 x 11) |
| <u>MB</u> | _____ | Copy of the most recent survey of the subject property |
| <u>MB</u> | _____ | Elevation drawings as measured from crown of road |
| <u>MB</u> | _____ | Stormwater management plan |
| <u>MB</u> | _____ | HARC Approval (if applicable) |
| <u>MB</u> | _____ | Notarized Verification Form |
| _____ | _____ | A PDF or compatible electronic copy of the complete application on a compact disk |



Please note that all architecture or engineering designs must be prepared and sealed by a professional architect or engineer registered in the state pursuant to F.S. chs. 471 and 481, respectively. Two signed and sealed copies will be required at time of submittal.

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.

INCIDENTAL DEMOLITION OF HISTORIC HOUSE & NON-HISTORIC ADDITION IS BEING CAUSED BY SIGNIFICANT 100⁺ YEAR OLD SPANISH LIME TREE & ROOT SYSTEM. AGE & SIZE OF TREE ARE UNIQUE TO AREA & CANNOT BE RELOCATED OR REPLACED IN KIND. LITERAL ENFORCEMENT OF LDR'S (SEC 90-391) WILL RESULT IN UNNECESSARY HARDSHIP TO THE PROPERTY OWNER.

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

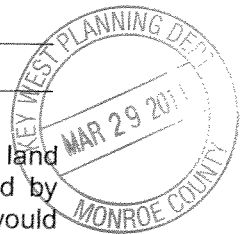
PROPERTY OWNER PURCHASED HOUSE & ADDITIONS IN OCT, 2002. GROWTH OF TREE/ROOT SYSTEM HAS CREATED CIRCUMSTANCE & IS NOT DO TO ACTION OF APPLICANT.

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.

UNIQUE CIRCUMSTANCE EXISTS WHICH SUPPORTS GRANTING OF VARIANCE REQUESTS. THIS PARCEL IS THE ONLY AREA 'LOT' TO WHICH CRITERIA MIGHT BE APPLIED.

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.

LITERAL INTERPRETATION WOULD CONFLICT WITH PRESERVATION OF ORIG. HOUSE & HISTORIC TREE. SUCH PRESERVATION, WITHOUT VARIANCES, WOULD DEPRIVE OWNER OF UTILIZATION OF PROPERTY AS ALLOWED BY LDR. & WILL SUBVERT INTENT OF REGULATIONS TO PRESERVE HISTORIC STRUCTURES & UNIQUE BOTANICAL RESOURCE.



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.

EXISTING CONDITIONS/PROPOSED VARIANCES ARE ABSOLUTE MINIMUM:

- MINOR RELOCATION OF HISTORIC STRUCTURE

- RESIDENTIAL USE OF PROPERTY W/HARC GUIDELINES (APP. H11-01-250) APPROVED

- PRESERVATION OF HISTORIC 'CHAMPION' TREE

DENIAL WILL DEPRIVE APPLICANT OF UTILIZATION OF PROPERTY ALLOWED BY CODE.

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.

ENDORSEMENT OF PROPOSAL REC'D FROM: TREE COMMISSION, HARC,

FIRE DEPARTMENT AS APPROPRIATE TO FURTHER THE PUBLIC GOOD &

IS NOT INJURIOUS TO THE PUBLIC WELFARE BY BEING APPROPRIATE.

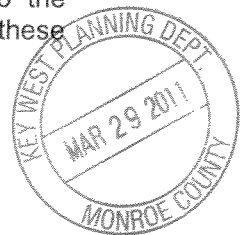
7. Existing nonconforming uses of other property shall not be considered as the basis for approval. That no other nonconforming use of neighboring lands, structures, or buildings in the same district, and that no other permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

'HARDSHIP' IS ESTABLISHED BY THE UNIQUE SET OF CONDITIONS
CREATED & NOT CAUSED BY THE APPLICANT. SUCH CONDITIONS
ARE UNIQUE TO THE PROPERTY. GRANTING OF THE VARIANCES IS

BASED ON THIS PROPERTY/CONDITION ALONE. THERE IS NO
RELIANCE ON OTHER NON-CONFORMING USES ON OTHER PROPERTIES,
OF ACTIONS WHICH MAY BE INFERRED TO BE ENABLING. (SEC 90-394)

The Planning Board and/or Board of Adjustment shall make factual findings regarding the following:

- That the standards established in subsection (a) 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.



City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an individual)

I, MICHAEL B. INGRAM, 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:

616 VIRGINIA STREET KEY WEST, FL.
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.

Michael Ingram
Signature of Authorized Representative

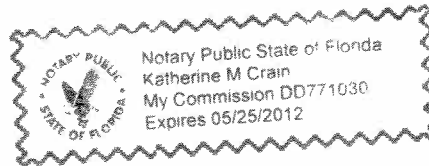
Subscribed and sworn to (or affirmed) before me on this MARCH 19, 2011 by
date

Name of Authorized Representative

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

Katherine M Crain
Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped



Commission Number, if any



**City of Key West
Planning Department**



Authorization Form
(Individual Owner)

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

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

MICHAEL B. INGRANI / MBI/KEM ARCHITECTURE INC.
Please Print Name of Representative

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

G. Stevenson
Signature of Owner

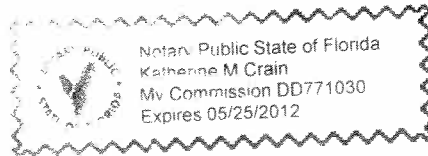
Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on this MARCH 23, 2011 by
date

Name of Authorized Representative

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

Katherine M Crain
Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped

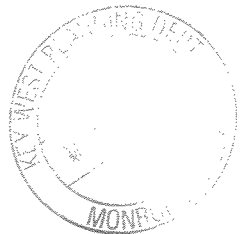
Commission Number, if any



Schedule A

On the island of Key West and being a part of Tract 11, according to Wm. A. Whitehead's map of said Island, but better described as part of Lot 2 Square 4 of Said Tract 11, according to C. W. Tift's map or plan of the Island of Key West, delineated in July 1874, said part of Lot 2, comprising Subdivisions Numbered 9 and 10, more fully described by metes and bounds as follows: BEGINNING at a point on the Southeasterly side of Virginia Street, which point is distant 195.75 feet Northeasterly from the corner of Virginia and Simonton Streets; thence run Northeasterly along said Virginia Street for a distance of 52.25 feet; thence run Southeasterly and perpendicular to said Virginia Street for a distance of 84.17 feet; thence run Southwesterly and parallel with said Virginia Street for a distance of 52.25 feet; thence run Northwesterly and perpendicular to said Virginia Street for a distance of 84.17 feet back to the Point of Beginning.

MONROE COUNTY
OFFICIAL RECORDS





616 Virginia Street



616 Virginia Street

