

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



**To:** Chairman and Planning Board Members

**From:** Ginny Haller, Planner

**Through:** Donald L. Craig, AICP, Planning Director

**Meeting Date:** June 20, 2013

**Agenda Item:** **Variations – 317 Catherine Street (RE# 00026330-000000, AK # 1027120)** – A request for variations to rear yard setback, building coverage requirements and detached habitable space for pool house, pool and deck in the HMDR zoning district per Section 90-391, Section 122-600(6)c, 122-600(4)a, and 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

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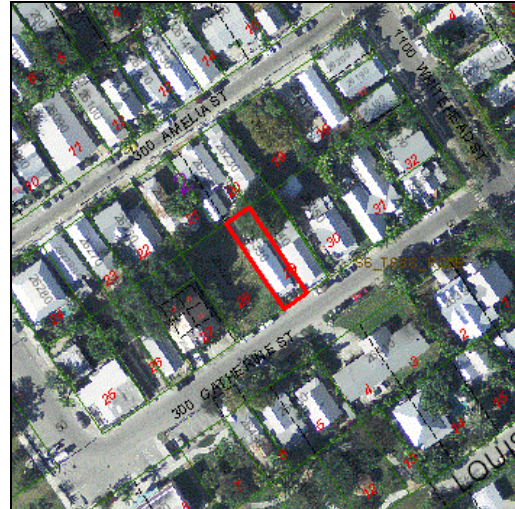
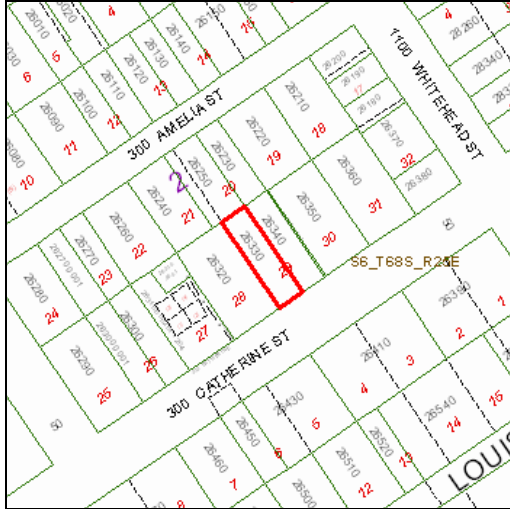
**Request:** This proposal was continued from the April 18 meeting to give the applicant time to discuss the project with a neighbor. In a letter dated May 10, 2013, the neighbor, James Beaver, stated he has no objection to the variance with the conditions. This proposal was continued to the June 20, 2013. The request is to consider variations associated with the addition of a pool house, pool and deck that exceed allowed rear yard setback, building coverage, and detached habitable space regulations.

**Applicant:** William P. Horn, Architect

**Property Owner:** Thomas A. Devol

**Location:** 317 Catherine Street (RE# 00026330-000000; AK# 1027120)

**Zoning:** Historic Medium Density Residential – HMDR



**Background & Request:**

The existing house is a contributing structure in the Historic District. The parcel does not conform to the lot size dimensional regulations of the HMDR zoning district. The nonconforming lot width is 25.12 feet, which is smaller than the 40 feet required; and the lot size is a total area of 2,376 square feet, which is smaller than the 4,000 square feet required. The proposed construction of the pool house, pool and deck is to be located at the rear of the property. Additionally, the use of the accessory structure (pool house) as detached habitable space requires a variance as “all habitable space shall be accessible from the interior of exterior walls” meaning from within the main structure.

The table below provides site data calculations as proposed by the applicant:

<b>Project Data</b>				
	<b>Required/ Allowed</b>	<b>Existing</b>	<b>Proposed</b>	<b>Variance Request</b>
<b>Zoning</b>	HMDR			
<b>Size of Site</b>	4,000 s.f.	2,376 s.f		
<b>Height</b>			—	
<b>Front Setback</b>	10'	9'2"	—	
<b>Side Setback SW</b>	5'	3'9"	—	
<b>Side Setback NE</b>	5'	4'3"	—	
<b>Rear Setback</b>	15'	29'11"	5'	<b>10' Variance</b>
<b>Building Coverage</b>	40% (950 s.f.)	37% (881 s.f.)	45.4% (1080 s.f.)	<b>5.4% (130 s.f.)</b>
<b>Impervious Surface</b>	60% (1,426 s.f.)	52.6% (1,250 s.f.)	60% (1,426 s.f.)	
<b>Open Space</b>	35% (832 s.f.)	47.3% (1,126 s.f.)	35.6% (828 s.f.)	

**Process:**

**Development Review Committee Meeting:  
Planning Board**

January 24, 2013  
April 18, 2013

**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 nonconforming lot width and size are existing conditions. Although, special conditions exist that are peculiar to the history of the land involved, it is the applicant's decision to add the pool house, pool, and deck to the rear of the property.

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

Although the existing conditions and circumstances of the dimensions of the lot do not result from the action or negligence of the owners, the proposed addition of the pool house, pool and deck is the result of the applicant's request. The decision to make additions to the property is creating the need for the variances, which are conditions created by the applicant.

- 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.**

Granting the variance request will confer upon the applicant special privileges provisionally denied to other lands, buildings or structures in the same zoning district.

- 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.**

If the variances for the proposed addition of the pool house, pool, deck and habitable space are denied, the applicant would not be deprived of reasonable use of the land and the existing structure. Therefore, hardship conditions do not exist.

- 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 variances requested are the minimum variances that will make possible the continued use of the land, building, or structure. The applicant made changes after the DRC meeting to minimize the number of variances requested. However, the applicant has reasonable use of the property prior 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 variance to habitable space, 10' rear setback and 5.4% building coverage variances does not appear injurious to the public welfare.

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 district, 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 variances 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 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.**

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

**RECOMMENDATION:**

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends the request for the variances associated with the addition of a pool house, pool and deck be **denied**.

However, should the Planning Board approve the request for variances; the Planning Department recommends the following conditions:

1. The pool house structure shall not be rented as complete, independent living quarters and shall not include a kitchen;
2. The root system of the existing tree on the property is protected during construction;
3. That no windows of the proposed addition face the property at 316 Amelia Street.

# **Draft Resolution**

**PLANNING BOARD  
RESOLUTION No. 2013-**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR VARIANCE TO A REAR YARD SETBACK OF 10 FEET; BUILDING COVERAGE OF 5.4%; AND DETACHED HABITABLE SPACE FOR A POOL HOUSE, POOL AND DECK FOR PROPERTY LOCATED AT 317 CATHERINE STREET (RE#00026330-000000; AK#1027120) IN THE HMDR ZONING DISTRICT PER SECTION 90-391, SECTION 122-600(6), 122-600(4)a; AND 122-1078. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.**

**WHEREAS**, Section 122-600(6) c of the Code of Ordinances provides that the rear yard setback in the HMDR zoning district is 15 feet; and

**WHEREAS**, the existing rear yard setback of the pool area is 29' 11"; and

**WHEREAS**, the applicant requested a variance to rear yard setback requirements to allow for a pool house, pool and deck; and

**WHEREAS**, Section 122-600(4) a of the Code of Ordinances provides that the maximum building coverage in the HMDR zoning district is 40 %; and

**WHEREAS**, the existing building coverage is 37%; and

**WHEREAS**, the applicant requested a variance to minimum building coverage requirements to allow for a pool house, pool and deck; and

\_\_\_\_\_ Chairman

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

**WHEREAS**, the applicant requested a variance to detached habitable space requirements to allow for a pool house, pool and deck; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on June 20, 2013, and

**WHEREAS**, the Planning Board finds that the subject property is nonconforming in lot width and size, and are existing conditions. Although, special conditions exist that are peculiar to the history of the land involved, it is the applicant's decision to add the pool house, pool, and deck to the rear of the property; and

**WHEREAS**, the Planning Board finds that although the existing conditions and circumstances of the dimensions of the lot do not result from the action or negligence of the owners, the proposed addition of the pool house, pool and deck is the result of the applicant's request. The decision to make additions to the property is creating the need for the variances, which are conditions created by the applicant; and

**WHEREAS**, the Planning Board finds that granting the variance request will confer upon the applicant special privileges provisionally denied to other lands, buildings or structures in the same zoning district; and

**WHEREAS**, the Planning Board finds that if the variances for the proposed addition of the pool house, pool, deck and habitable space are denied, the applicant would not be deprived of reasonable use of the land and the existing structure. Therefore, hardship conditions do not exist; 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 that the applicant made changes after the DRC meeting to minimize the number of variances requested. However, the applicant has reasonable use of the property prior to the new construction; and

**WHEREAS**, the Planning Board finds that the granting of the variances will not be detrimental to the public interest;

**WHEREAS**, the Planning Board finds that the request is not based on existing conditions on the surrounding properties; and

**WHEREAS**, the Planning Board finds that the Planning Department has received no comments about this proposal; and

**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.** That the request for variances for a rear yard setback of 10 feet, building coverage of 5.4%, and detached habitable space is granted for property located at 317 Catherine Street (RE# 00026330-000000; AK# 1027120) in the HMDR zoning district per section 90-391, sections 122-600(6)c, 122-600(4)a, and 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West, as shown on the attached plan date stamped April 5, 2013 with the following condition of approval:

\_\_\_\_\_ Chairman

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

1. The pool house structure shall not be rented as complete, independent living quarters and shall not include a kitchen;
2. The root system of the existing tree on the property is protected during construction;
3. That no windows of the proposed addition face the property at 316 Amelia Street.

**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 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 and as described in Section 3 hereof, shall immediately operate to terminate this variance, which variance 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 Community Affairs. 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 DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA 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 20th day of June, 2013.

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

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Richard Klitenick, Chairman  
Key West Planning Board

Date

**Attest:**

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Donald Leland Craig, AICP, Planning Director

Date

**Filed with the Clerk:**

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Cheryl Smith, City Clerk

Date

\_\_\_\_\_ Chairman

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

# Application

Variance Application  
City of Key West Planning Department  
3140 Flagler Avenue, Key West, FL 33040  
(305) 809-3720



Variance Application

Please completely fill out this application and attach all necessary documents. This will help our staff to process your request quickly and obtain necessary information without delay. If you have any questions please call 305-809-3720 to schedule an appointment with a Planner.

Please print or type a response to the following:



1. Site Address 317 CATHERINE ST.
2. Name of Applicant WILLIAM P. HORN ARCHITECT, P.A.
3. Applicant is: Owner \_\_\_\_\_ Authorized Representative
4. Address of Applicant 915 EATON ST.  
KEY WEST, FL. 33040
5. Phone # of Applicant 305-296-8302 Mobile# \_\_\_\_\_
6. E-Mail Address WPHORN@AOL.COM
7. Name of Owner, if different than above THOMAS A. DEVOL
8. Address of Owner 317 CATHERINE ST.  
KEY WEST, FL 33040
9. Phone # of Owner 941-350-4022
10. Email Address BUY@NIFTYKNICKS.COM
11. Zoning District of Parcel HMDR RE# \_\_\_\_\_
12. Description of Proposed Construction, Development, and Use  
ADDITION OF SMALL POOL HOUSE, POOL & DECK  
TO REAR YARD
13. List and describe the specific variance(s) being requested:  
ASKING FOR A REAR YARD SETBACK OF 5' (15' REQ'D.)  
AND A LOT COVERAGE VARIANCE OF 45.4% (40% MAX.)

Variance Application  
 City of Key West Planning Department  
 3140 Flagler Avenue, Key West, FL 33040  
 (305) 809-3720



14. 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	H/MOFL			
Flood Zone	AE + 7.0'			
Size of Site	2,376 SF			
Height				
Front Setback	10'	9'-2"	9'-2"	
Side Setback SW	5'	3'-9"	3'-9"	
Side Setback NE	5'	4'-3"	4'-3"	
Street Side Setback				
Rear Setback	15'	29'-11"	5'-0"	485
F.A.R				
Building Coverage	40%, 950 SF	37%, 881	45.4%, 1080	485
Impervious Surface	60%, 1,426 SF	52.6%, 1,250	60%, 1,426	
Parking				
Handicap Parking				
Bicycle Parking				
Open Space/ Landscaping	35% 832 SF.	47.3% 1,126 SF.	35.6% 848 SF.	
Number and type of units	1-RESIDENCE			
Consumption Area or Number of seats				

15. Is Subject Property located within the Historic District? Yes  No   
 If Yes, attach HARC approval and approved site plans

Meeting Date \_\_\_\_\_ HARC Approval # \_\_\_\_\_

HARC IS AFTER VARIANCE NOW



Variance Application  
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(305) 809-3720



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.

OUR EXISTING LOTS SIZE AND WIDTH ARE SO SMALL THAT THE HMDL REGULATIONS CREATE A HARDSHIP CONDITION THAT RESULTS IN US NEEDING VARIANCES TO DO LESS THAN WHAT OTHER PROPERTIES CAN DO WITHOUT VARIANCES.

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.

WE HAVE MADE AN EFFORT TO MINIMIZE THE NEW BUILDING, POOL AND DECK. WE KEPT THE REQUESTED VARIANCES AS SMALL AS POSSIBLE (LOT COVERAGE IS FOR 183 SF., IMPERVIOUS AREA IS FOR 75 SF. AND OPEN SPACE IS FOR 67 SF.).

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.

THIS PROPOSED PROJECT WILL NOT BE INJURIOUS TO THE PUBLIC WELFARE



Variance Application  
City of Key West Planning Department  
3140 Flagler Avenue, Key West, FL 33040  
(305) 809-3720



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.

OTHER NON CONFORMING USES OF OTHER PROPERTIES  
ARE NOT THE BASIS OF THIS VARIANCE REQUEST.

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**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. Please describe how you have addressed the "good neighbor policy."

# Verification

City of Key West  
Planning Department



Verification Form

(Where Authorized Representative is an individual)

I, WILLIAM P. HORN, 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:

317 CATHERINE ST., 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.

[Signature]  
*Signature of Authorized Representative*

Subscribed and sworn to (or affirmed) before me on this April 15, 2013 by William P. Horn  
*Name of Authorized Representative*

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

[Signature]  
*Notary's Signature and Seal*



Jo Bennett  
*Name of Acknowledger typed, printed or stamped*

EE 097995  
May 26, 2015  
*Commission Number, if any*

# **Authorization**



**Deed**

307 2012

Doc# 1810017 10/26/2010 2:13PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

Prepared by and return to:  
Susan Mary Cardenas  
Stones & Cardenas  
221 Simonton Street  
Key West, FL 33040  
File Number: 10-264 Beaver

10/20/2010 2:13PM  
OKED DOC STAMP CL: TRINA \$2,103.00

Doc# 1810017  
Bk# 2489 Pg# 578

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### Warranty Deed

This Warranty Deed made this 22nd day of October, 2010 between James M. Beaver, a single man and Melkya O. Beaver, a single woman whose post office address is P. O. Box 2560, Key West, FL 33041-2560, grantor, and Thomas A. DeVol, a single man whose post office address is 3839 Glen Oaks Manor Drive, Sarasota, FL 34232, grantee;

(Whoever 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 as part of Tract 10 according to William A. Whitehead's Map of Key West, of 1829, but better known as part of Lot 29, of Square 2 in said Tract 10 and being the SW 1/2 of said Lot 29; commencing 175 feet and 10 1/2 inches from the corner of Whitehead and Catherine Streets and running thence SW'y on Catherine Street 25 feet and 1 1/2 inches; thence NW'y a distance of 94 feet and 7 inches; thence NE'y a distance of 25 feet and 1 1/2 ; thence SE'y a distance of 94 feet and 7 inches to the point of beginning on Catherine Street.

Parcel Identification Number: 00026330-000000

Subject to taxes for 2010 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

THE PROPERTY CONVEYED HEREIN IS NEITHER THE DOMICILE NOR THE HOMESTEAD OF THE GRANTOR HEREIN, NOR GRANTOR'S SPOUSE, NOR ANY OF GRANTOR'S IMMEDIATE HOUSEHOLD, AS DEFINED BY THE LAWS OF THE STATE OF FLORIDA. GRANTOR RESIDES AT THE ADDRESS SHOWN ABOVE.

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, 2009.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.



DoubleTime

Doc# 1810917  
Bk# 2489 Pg# 579

Signed, sealed and delivered in our presence:

Witness Name: Michael Kennedy  
Betsy Ridge  
 Witness Name: Betsy Ridge  
Betsy Ridge  
 Witness Name: Betsy Ridge  
Michael Kennedy  
 Witness Name: Michael Kennedy

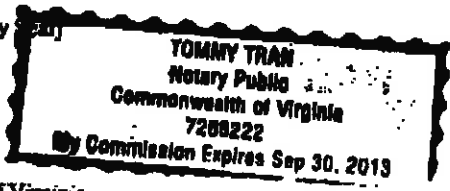
James M. Beaver (Seal)  
 James M. Beaver

Meicya O. Beaver (Seal)  
 Meicya O. Beaver

State of Virginia  
County of Alexandria

The foregoing instrument was acknowledged before me this 22nd day of October, 2010 by James M. Beaver, who  is personally known or  has produced a driver's license as identification.

[Notary Seal]

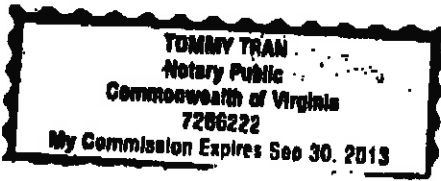


Tommy Tran  
 Notary Public  
 Printed Name: Tommy Tran  
 My Commission Expires: Sep. 30 2013

State of Virginia  
County of Fairfax

The foregoing instrument was acknowledged before me this 22nd day of October, 2010 by Meicya O. Beaver, who  is personally known or  has produced a driver's license as identification.

[Notary Seal]



Tommy Tran  
 Notary Public  
 Printed Name: Tommy Tran  
 My Commission Expires: Sep. 30 2013



Prepared by and return to:  
Thomas A. DeVol  
3839 Glen Oaks Manor Drive  
Sarasota, FL 34232

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# Quit Claim Deed

CONSIDERATION IS:  
\$139,050.00

This Quit Claim Deed made this 29 day of December, 2010 between Thomas A. DeVol, a single man whose post office address is 3839 Glen Oaks Manor Drive, Sarasota, FL 34232, grantor, and Thomas A. DeVol, a single man and Jeffrey O'Berry, a single man, as joint tenants with right of survivorship whose post office address is 3839 Glen Oaks Manor Drive, Sarasota, FL 34232, grantees:

(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 TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to said grantor in hand paid by said grantees, the receipt whereof is hereby acknowledged, does hereby remise, release, and quitclaim to the said grantees, and grantor's heirs and assigns forever, all the right, title, interest, claim and demand which grantor has in and to the following described land, situate, lying and being in Monroe County, Florida to-wit:

On the Island of Key West and known as part of Tract 10 according to William A. Whitehead's Map of Key West, of 1829, but better known as part of Lot 29, of Square 2 in said Tract 10 and being the SW 1/2 of said Lot 29; commencing 175 feet and 10 1/2 inches from the corner of Whitehead and Catherine Streets and running thence SW'ly on Catherine Street 25 feet and 1 1/2 inches; thence NW'ly a distance of 94 feet and 7 inches; thence NE'ly a distance of 25 feet and 1 1/2 ; thence SE'ly a distance of 94 feet and 7 inches to the point of beginning on Catherine Street.

Parcel Identification Number: 00026330-000000

To Have and to Hold, the same together with all and singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of grantors, either in law or equity, for the use, benefit and profit of the said grantees forever.

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:

[Signature]

Witness Name: Nick Dueso

[Signature]

Witness Name: Winter Hoang

[Signature]

THOMAS A. DEVOL

(Seal)

\_\_\_\_\_ (Seal)

STATE OF FLORIDA  
COUNTY OF Monroe

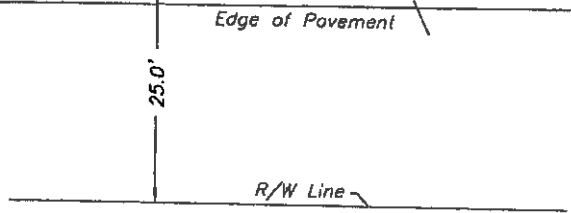
The foregoing instrument was acknowledged before me this 29 day of December, 2010 by THOMAS A. DEVOL,  
who is personally known to me or has produced a Fl. Dr. License as identification.



Patricia Gallagher  
Notary Public  
Printed Name: Patricia A. Gallagher  
My Commission Expires: 06/01/11

# Survey





**NOTES:**

1. The legal description shown hereon was furnished by the client or their agent.
2. Underground foundations and utilities were not located.
3. All angles are 90 (Measured & Record) unless otherwise noted.
4. Street address: 317 Catherine Street, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. Date of field work: October 4, 2010.
9. Ownership of fences is undeterminable, unless otherwise noted.
10. Adjoiners are not furnished.

**BOUNDARY SURVEY OF:** On the Island of Key West and known as part of Tract 10 according to William A. Whitehead's Map of Key West, of 1829, but better known as part of Lot 29; commencing 175 feet and 10 1/2 inches from the corner of Whitehead and Catherine Streets and running thence SW'y on Catherine Street 25 feet and 1 1/2 inches; thence NW'y a distance of 94 feet and 7 inches; thence NE'y a distance of 25 feet and 1 1/2 inches; thence SE'y a distance of 94 feet and 7 inches to the Point of Beginning on Catherine Street.

**BOUNDARY SURVEY FOR:** Thomas A. DeVol and Jeffrey Kent O'Berry;  
 Centennial Bank;  
 Stones & Cardenas;  
 Old Republic National Title Insurance Company;


J. LYNN O'FLYNN, INC.

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

October 5, 2010

THIS SURVEY  
 IS NOT  
 ASSIGNABLE

**J. LYNN O'FLYNN, Inc.**



Professional Surveyor & Mapper  
 PSM #6298

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

# Site Plans

WILLIAM P. HORN  
ARCHITECT, P.A.

915 EATON ST.  
KEY WEST,  
FLORIDA  
33040

TEL: (305) 296-8302  
FAX (305) 296-1033

LICENSE NO.  
AA 0003040

ADDITION AND  
NEW POOL  
317 CATHERINE ST.  
KEY WEST, FL.

SEAL

THESE DRAWINGS MAY  
NOT BE REPRODUCED  
WITHOUT WRITTEN  
AUTHORIZATION BY  
WILLIAM P. HORN

DATE  
11-01-12  
12-28-12 DRC  
02-12-13 PL.BD.

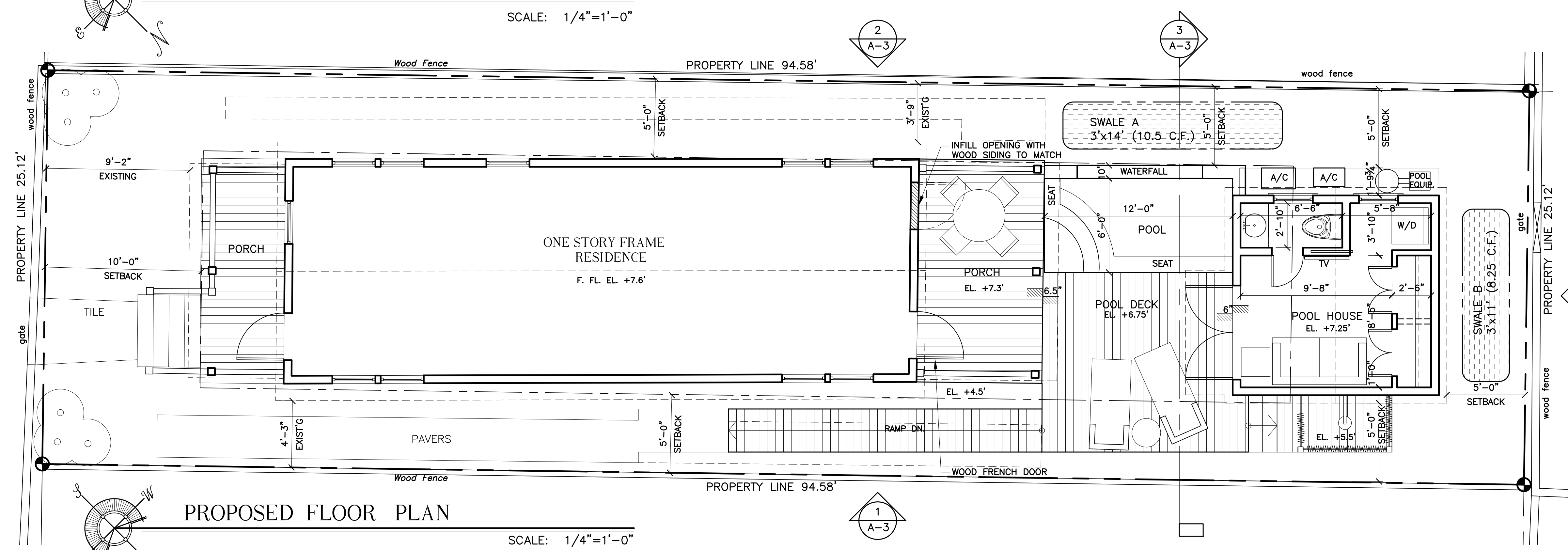
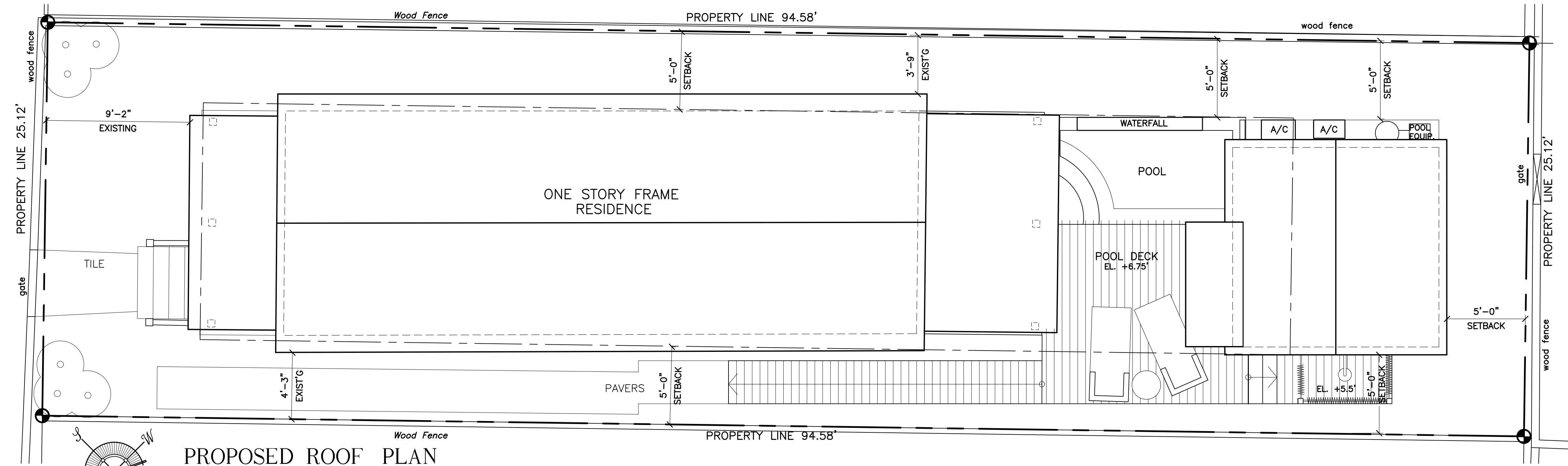
REVISIONS  
03-27-13 PL. BD. REV.

DRAWN BY  
EMA

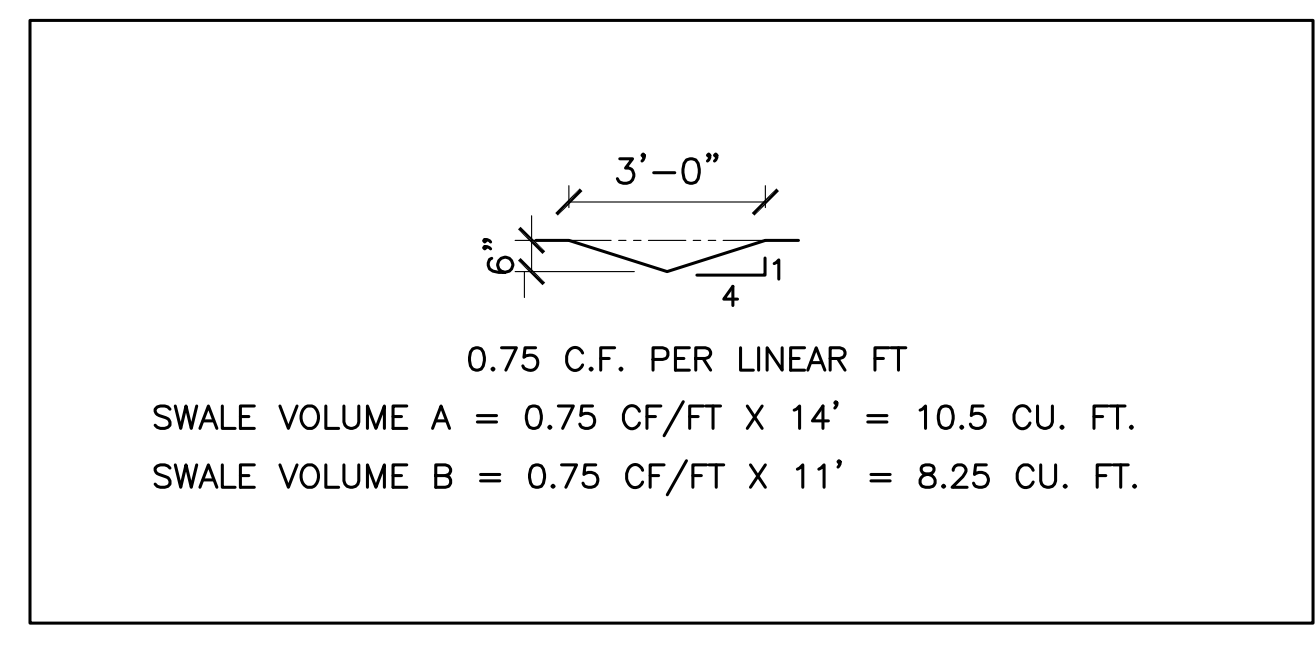
PROJECT  
NUMBER  
1224

Catherine St.

Catherine St.



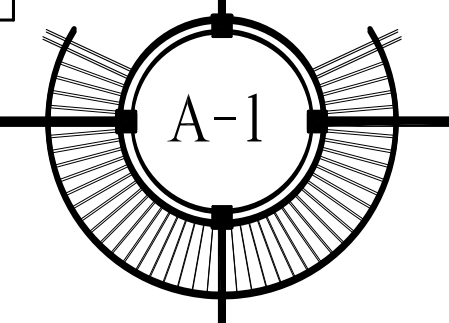
STORMWATER DATA-NEW POOL HOUSE	
SITE AREA=	2,376 S.F.
NEW IMPERVIOUS AREA =	176 S.F.
176 S.F. IMPERVIOUS / 2,376 S.F. LOT = 7.40% IMPERVIOUS COVERAGE	
2,376 S.F. x 0.104 x 7.40% = 18.2 C.F. (REQUIRED SWALE VOLUME)	
SWALE A =	10.5 CU. FT.
SWALE B =	8.25 CU. FT.
SWALE TOTAL =	18.75 CU. FT. (SWALE VOLUME PROVIDE)

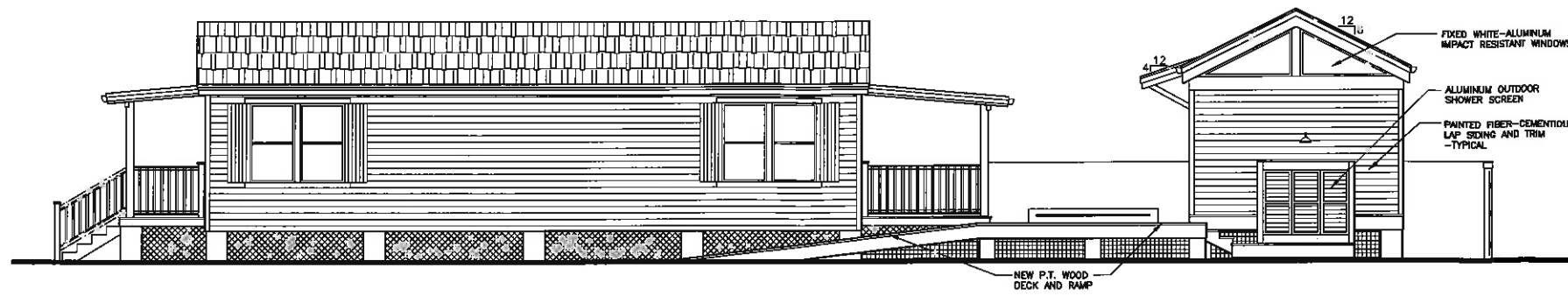


SWALE PROFILE

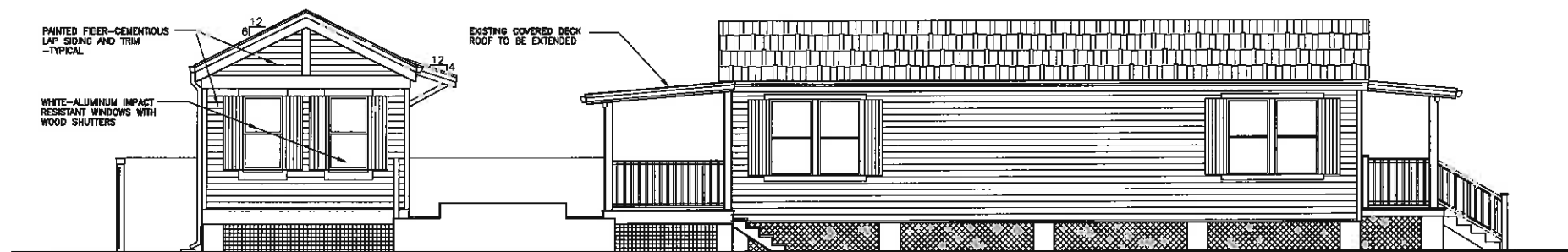
SITE DATA		BUILDING DATA	
SITE AREA: 2,376 S.F.	LAND USE: HMDR	LOT COVERAGE AREA:	EXISTING BUILDINGS:
FLOOD ZONE: AE +7.0'	SETBACKS:	REQUIRED: 950 S.F. (40% MAX.)	MAIN BUILDING:
FRONT SETBACK:	REQUIRED = 10'-0"	EXISTING: 881 S.F. (37%)	INTERIOR SQ.FT.: 577 S.F.
SIDE SETBACK:	EXISTING = 9'-2"	PROPOSED: 1,093 S.F. (46%)	COVERED SQ.FT. 191 S.F.
REAR SETBACK:	PROPOSED = 9'-2"	IMPERVIOUS AREA:	
	REQUIRED = 5'-0"	REQUIRED: 1,426 S.F. (60% MAX.)	
	EXISTING = 3'-9"/4'-3"	EXISTING: 1,250 S.F. (52.6%)	
	PROPOSED = 3'-9"/4'-3"	PROPOSED: 1,426 S.F. (60%)	
	REQUIRED = 15'-0"	LANDSCAPE AREA:	
	EXISTING = 29'-11"	REQUIRED: 475 S.F. (20% MIN.)	
	PROPOSED = 5'-0"	EXISTING: 1,126 S.F. (47.3%)	
		PROPOSED: 861 S.F. (36.2%)	
		OPEN SPACE AREA:	
		REQUIRED: 832 S.F. (35% MIN.)	
		EXISTING: 1,126 S.F. (47.3%)	
		PROPOSED: 861 S.F. (36.2%)	

ADDITION AND NEW POOL  
317 CATHERINE STREET  
KEY WEST, FLORIDA

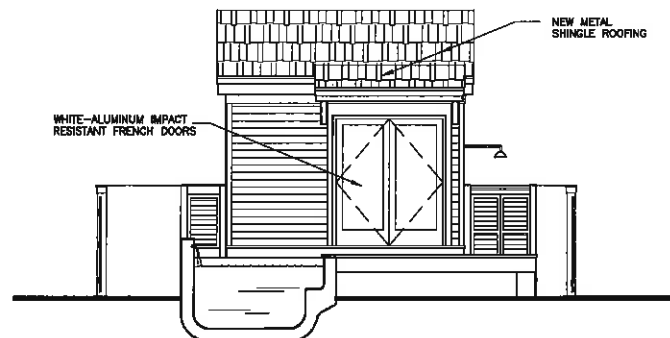




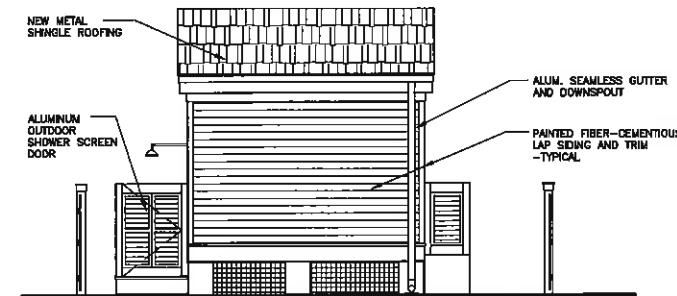
1  
A-2  
PROPOSED SIDE ELEVATION  
SCALE: 1/4"=1'-0"



2  
A-2  
PROPOSED SIDE ELEVATION  
SCALE: 1/4"=1'-0"



3  
A-2  
PROPOSED INNER ELEVATION  
SCALE: 1/4"=1'-0"



4  
A-2  
PROPOSED BACK ELEVATION  
SCALE: 1/4"=1'-0"

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AA 20582-C

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KEY WEST, FL

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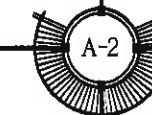
DATE  
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REVISIONS

DRAWN BY  
EMA

PROJECT  
NUMBER  
1224

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317 CATHERINE STREET  
KEY WEST, FLORIDA





# Site Photos

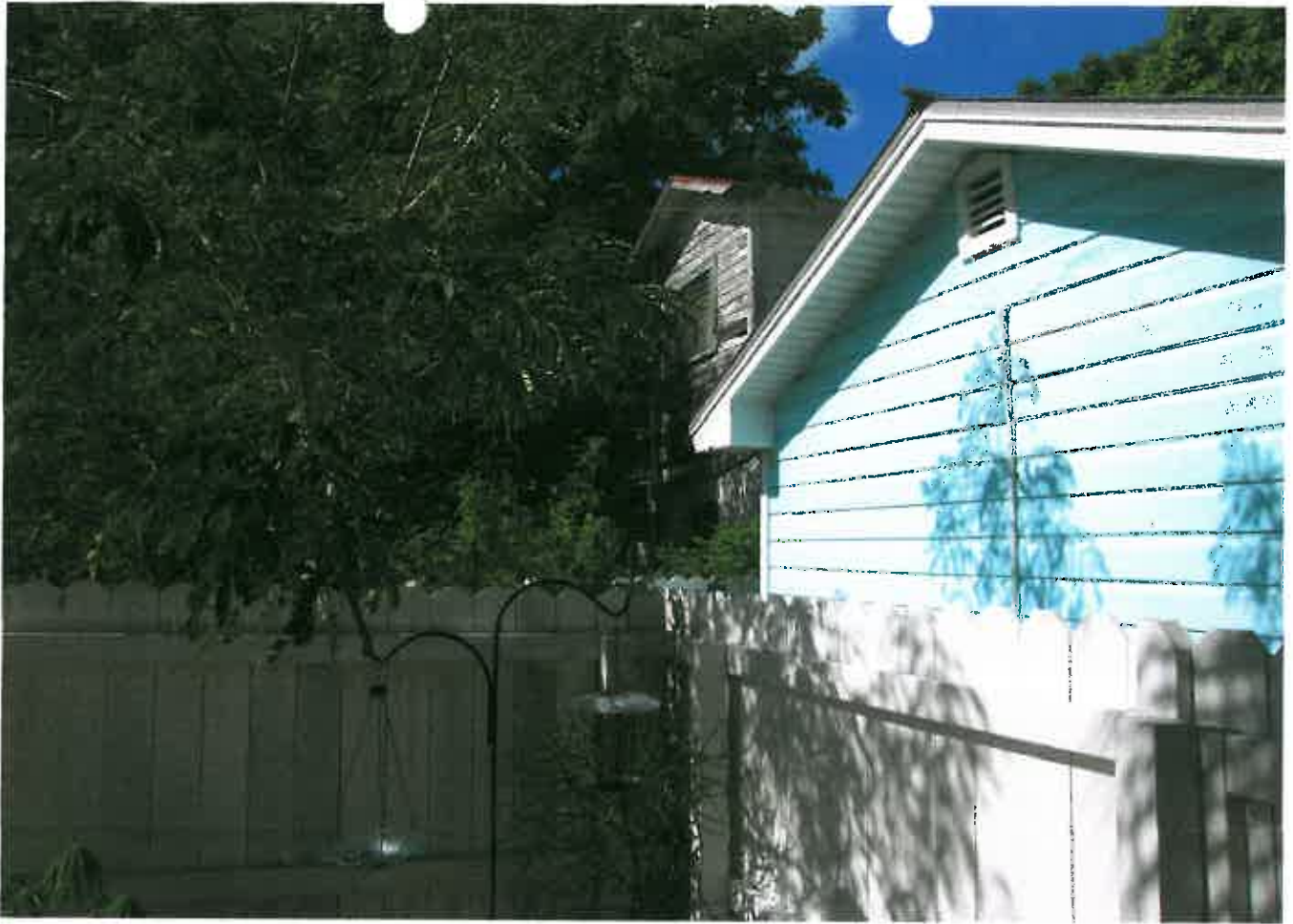


317 CATHERINE ST.





317 CATHERINE ST.



317 CATHERINE ST.





317 CATHERINE ST.

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

## Minutes of the Development Review Committee

January 24, 2013

Approved March 28, 2013

Mr. Craig requested the applicant amend site plans to show parking plan, 5 handicap parking spaces and landscaping. He then requested that the applicant coordinate with the Engineering Department.

Keys Energy requested bucket truck access to the rear of property. Keys has high voltage that needs to be maintained.

FKAA has no objections.

(Mr. Woodson will provide written comments to Planner).

4. **Variances – 317 Catherine Street (RE#00026330-000000) – A request for side and rear yard setbacks, building coverage, impervious surface, and open space in the HMDR zoning district per Section 90-391, Section 122-600(6)b, 122-600(6)c, 122-600(4)a, 122-600(4)b, and of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Ms. Haller gave members an overview of the Variances request.

The applicant, Bill Horn, Bill Horn Architects, gave members an overview of the request.

Mr. Barroso the southwest setback asking for 5 foot setback for fire and safety issues.

Mr. Woodson had no comments.

Mrs. Torregrosa stated that the building is listed as altered but contributing. The proposed new structure on the back is in keeping with the new construction guidelines in terms of mass, scale and proportions. By creating a detached addition the mass, scale and footprint of the historic house is preserved.

Mrs. Ignaffo requested that the applicant Direct roof downspouts into landscape and swale areas.

Ms. Nicklaus had no comments.

Mr. Craig inquired if the applicant could the applicant move habitable space closer to house and pool toward rear of house. He then stated that the applicant must adhere to the Fire Department's regulations.

Keys Energy had no objections.

FKAA has no objections.

5. **Special Exception Request – 519 Fleming Street (RE#00006560-000000) – A request for a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, cemetery, and/or funeral home for property located within the HRCC-1 zoning district, pursuant to Section 18-28(b)(2) of the Code of Ordinances of the City of Key West.**

Ms. Haller gave members an overview of the Special Exception Request easement request.

The applicant, Mark Gambuzza, gave an overview of the request.

Mr. Barroso requested site plans and occupancy information.

Mr. Woodson had no comments.

# **Property Appraiser Information**



# Karl D. Borglum Property Appraiser Monroe County, Florida

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

## Property Record Card - Map portion under construction.

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

**Alternate Key: 1027120 Parcel ID: 00026330-000000**

### Ownership Details

**Mailing Address:**

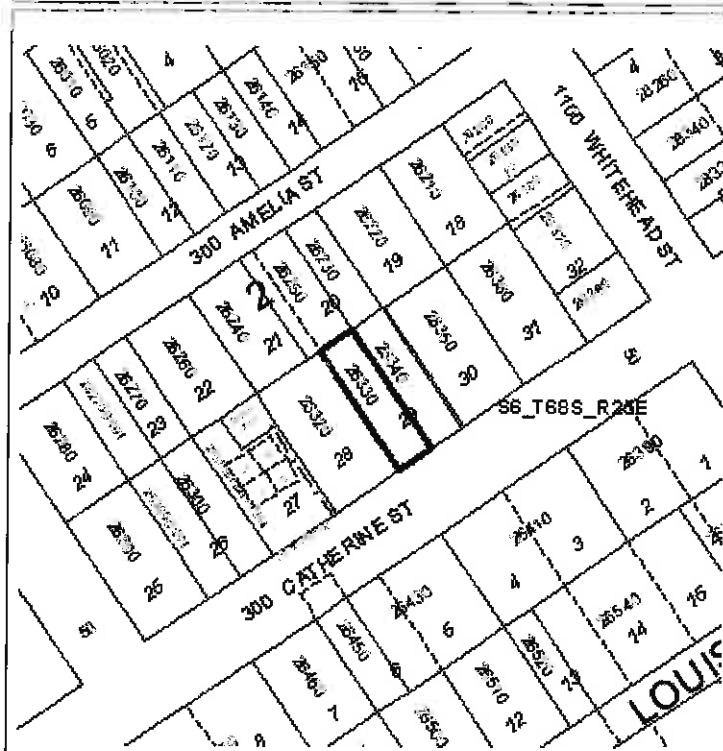
DEVOL THOMAS A  
3839 GLEN OAKS MANOR DR  
SARASOTA, FL 34232-1033

**All Owners:**

DEVOL THOMAS A, OBERRY JEFFREY R/S

### Property Details

**PC Code:** 01 - SINGLE FAMILY  
**Millage Group:** 11KW  
**Affordable Housing:** No  
**Section-Township-Range:** 06-68-25  
**Property Location:** 317 CATHERINE ST KEY WEST  
**Subdivision:** Tracts 10 and 15  
**Legal Description:** KW PB1-25-40 THE SW1/2 OF LOT 29 SQR 2 TR 10 OR50-498/99 OR635-428/31 OR2252-256R/S OR2489-578/79 OR2512-924/25





Show Parcel Map that can launch map - Must have Adobe Flash Player 10 3 or higher

### Land Details

Land Use Code	Frontage	Depth	Land Area
01SD - RES SMALL LOT DRY	25	95	2,376.00 SF

### Building Summary

**Number of Buildings:** 1  
**Number of Commercial Buildings:** 0  
**Total Living Area:** 560  
**Year Built:** 1923

### Building 1 Details

<b>Building Type</b> R1	<b>Condition</b> E	<b>Quality Grade</b> 450
<b>Effective Age</b> 10	<b>Perimeter</b> 108	<b>Depreciation %</b> 8
<b>Year Built</b> 1923	<b>Special Arch</b> 0	<b>Grnd Floor Area</b> 560
<b>Functional Obs</b> 0	<b>Economic Obs</b> 0	

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

<b>Roof Type</b> GABLE/HIP	<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:**

<b>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



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
0	OPX		1	2008				112
1	FLA	12:ABOVE AVERAGE WOOD	1	1989	N Y	0.00	0.00	560
2	OPF		1	2008	N N	0.00	0.00	84

**Misc Improvement Details**

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
0	FN2:FENCES	100 SF	25	4	2008	2009	2	30
1	FN2:FENCES	1,014 SF	169	6	2008	2009	2	30

**Appraiser Notes**

2010-02-10 MLS \$379,000 1/1 PRICED BELOW RECENT APPRAISAL. COMPLETE RENOVATION IN 2009 WITH HIGH END FINISHES THROUGHOUT. QUALITY DOWN TO EVERY DETAIL INCLUDING THE UNUSUAL ONYX TILED BATH. GRANITE COUNTERS AND STAINLESS APPLIANCES. HARDWOOD FLOORS. PICTURE PERFECT WHITE PICKET FENCING WITH BOTH A FRONT AND BACK PORCH OFF BEDROOM. LOTS OF CABINETS AND STORAGE. NEW CENTRAL AIR CONDITIONING. CAN BE PURCHASED WITH ADJACENT HOUSE IN BACK TO FORM A PRIVATE KEY WEST COMPOUND THAT SPANS A CITY BLOCK. ADJACENT HOME CONSISTS OF TWO SEPARATE HOUSES FRONTING AMELIA ST. APPROVED PLANS ON FILE WITH CITY OF KEY WEST TO ADD 2ND STORY ADDITION & BACK PORCH ENCLOSURE. SELLER OFFERS PRICE REDUCTION FOR COMBINED PURCHASE OF 316 AMELIA ST & 317 CATHERINE. CALL NOW!

**Building Permits**

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
2	08-0120	01/22/2008	11/13/2008	24,500 Residential	REPAIR SUB-FLOOR 400SF, INSTALL HARDWOOD FLOOR 260SF, REPLACE 2X4 WALL STUDS, REMOVE OLD METAL SHINGLES WITH NEW 1X6 SUB-FLOOR 100 SF. INSTALL NEW METAL SHINGLES 26 GAVALUME
8-286	03/19/2008	11/13/2008	7,000		OWNER BUILD-ELECTRICAL INSTALL NEW 200 AMP BREAKER BOX INSTALL NEW ELECTRIC AT LIVING RM, KITCHEN, BATHROOM & BEDROOM 540SF
8-611	03/05/2008	11/13/2008	2,100		PERMIT UPGRADE REMOVE CAST IRON SEWER LATERAL INSTALL NEW PVC LATERAL
8-702	03/26/2008	11/13/2008	3,000		INSTALL ONE 2 TON SPLIT 6 OPENINGS
8-535	03/06/2008	11/13/2008	25,000		DEMO EXISTING PLUMBING
8-630	03/07/2008	11/13/2008	11,530		INSTALL 8 NEW WINDOW 2 IMPACT SLIDING GLASS DOORS
8-673	03/19/2008	11/13/2008	28,500		STOP WORK ORDER***RENOVATION TO INCLUDE FRAMING SUB FLOOR, ROOF TRUSSES ,EXTERIOR SIDING AND KITCHEN
8-286	02/11/2008	11/13/2008	7,000		OWNER BLDER INSTALL 500SF OF NOVELTY WOOD SIDING TO MATCH EXISTING AT SIDES AND REAR
09-2222	08/05/2009	02/10/2010	2,000		212lf WOOD PICKET FENCE TOTAL 6X169 , 20lf OF 4ft H, 23X4 ON FRONT PLUS GATE.
09-1660	08/06/2009	02/10/2010	8,750		ATTACH TO BACK OF HOUSE 14'X6, ROOF OVER PORCH
10-3221	09/30/2010	09/30/2010	1,200		***ATF*** INSTALLL APPROX 117sf OF METAL SHINGLES AT FRONT & BACK PORCHES
1	99-4024	12/23/2000	07/13/2000	600 Residential	REPLACE PICKET FENCE

### 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
2012	83,211	3,509	125,652	212,372	212,372	0	212,372
2011	83,211	3,627	114,767	201,605	201,605	0	201,605
2010	84,105	3,783	126,597	214,485	214,485	0	214,485
2009	93,297	2,345	168,796	264,438	264,438	0	264,438
2008	29,143	256	249,203	278,602	278,602	0	278,602
2007	62,039	270	279,896	342,205	342,205	0	342,205
2006	259,183	280	201,620	461,083	461,083	0	461,083
2005	228,606	291	166,040	394,937	394,937	0	394,937
2004	132,433	305	161,296	294,034	294,034	0	294,034
2003	95,646	315	56,928	152,889	152,889	0	152,889
2002	67,437	326	41,510	109,273	109,273	0	109,273
2001	58,445	340	37,952	96,737	96,737	0	96,737
2000	58,445	159	30,836	89,440	89,440	0	89,440
1999	43,954	143	30,836	74,933	74,933	0	74,933
1998	35,962	124	30,836	66,922	66,922	0	66,922

1997	35,962	133	26,092	62,187	62,187	0	62,187
1996	21,977	86	26,092	48,155	48,155	0	48,155
1995	24,574	101	26,092	50,767	50,767	0	50,767
1994	21,977	96	26,092	48,165	48,165	0	48,165
1993	22,044	100	26,092	48,236	48,236	0	48,236
1992	22,044	104	26,092	48,241	48,241	0	48,241
1991	22,044	110	26,092	48,246	48,246	0	48,246
1990	19,192	114	20,755	40,061	40,061	0	40,061
1989	13,450	0	20,162	33,612	33,612	0	33,612
1988	11,823	0	16,604	28,427	28,427	0	28,427
1987	11,679	0	13,876	25,555	25,555	0	25,555
1986	11,744	0	12,809	24,553	24,553	0	24,553
1985	11,403	0	7,638	19,041	19,041	0	19,041
1984	10,703	0	7,638	18,341	18,341	0	18,341
1983	10,703	0	7,638	18,341	18,341	0	18,341
1982	10,893	0	5,664	16,557	16,557	0	16,557

### 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
12/29/2010	2512 / 924	139,050	QC .....	11 .....
10/22/2010	2489 / 578	309,000	WD .....	02 .....
11/10/2006	2252 / 256	385,000	WD .....	Q .....

This page has been visited 28,901 times.

Monroe County Property Appraiser  
Karl D. Borglum  
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., June 20, 2013 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:

**Variations – 317 Catherine Street (RE# 00026330-000000, AK# 1027120) – A request for variations to rear yard setback, building coverage requirements and detached habitable space for pool house, pool and deck in the HMDR zoning district per Section 90-391, Section 122-600(6)c, 122-600(4)a, and 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

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).

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

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

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**Applicant:** William P. Horn Architect, P.A. **Owner:** Thomas A. Devol  
**Project Location:** 317 Catherine  
**Date of Hearing:** Thursday, June 20, 2013 **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 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 Katrina Cool at [kcool@keywestcity.com](mailto:kcool@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 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

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

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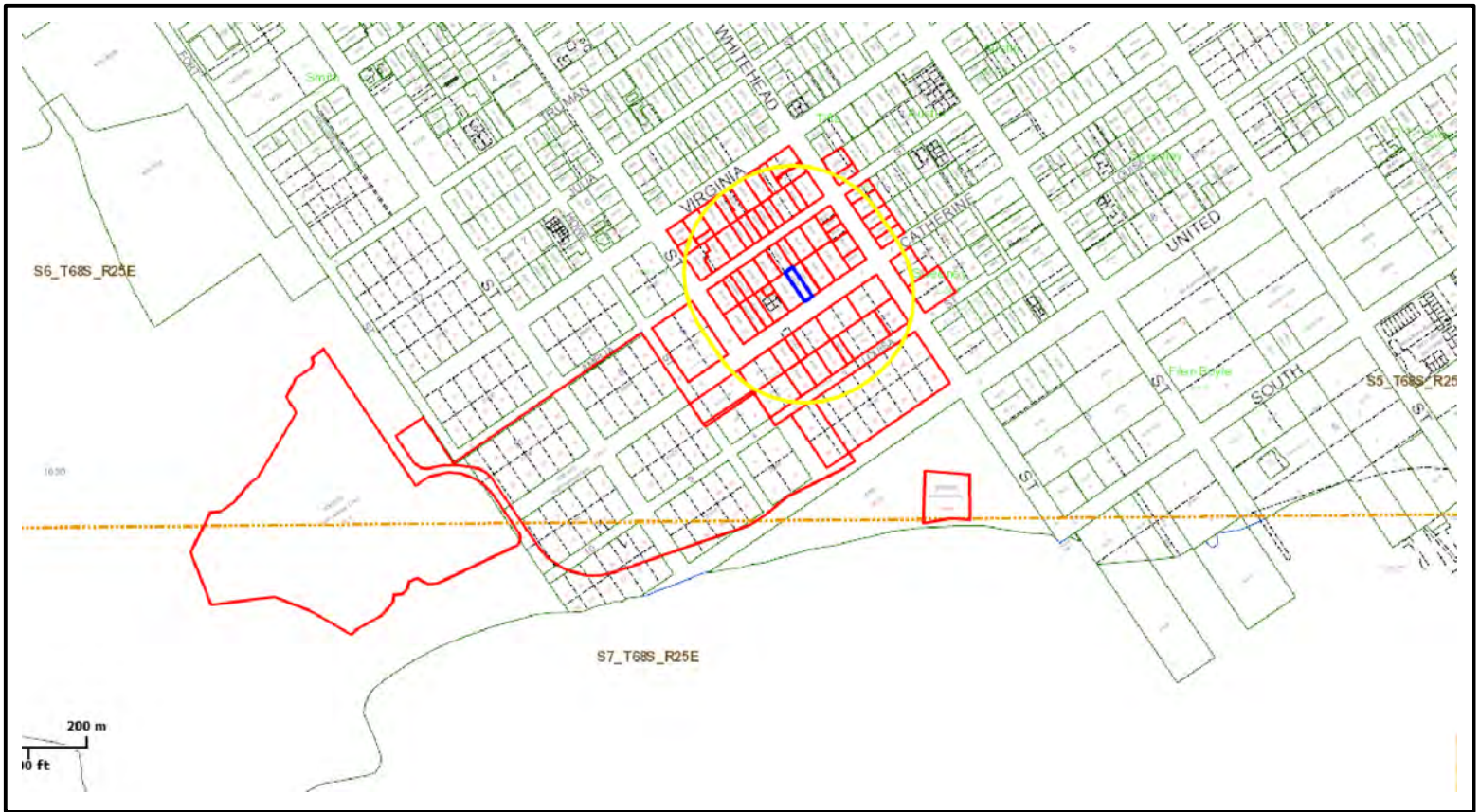
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# Monroe County, Florida

## 317 Catherine

Printed: Apr 03, 2013

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
1 ROBB GEORGE E	PO BOX 610280		BAYSIDE	NY	11361	
2 KACZMAREK JAMES G AND LYNN M	4822 LAKE SHORE RD		HAMBURG	NY	14075	
3 SOUTHEAST HOUSING LLC	10 CAMPUS BLVD		NEWTON SQUAR PA		19073	
4 ELLER THOMAS F	30 HIGH POINT RD		PERRYVILLE	MD	21903	
5 GREINER BYRON	2 BEECH TREE LN		ASHEVILLE	NC	28804	
6 SCHMAUSSER JOCHEN AND DIANA	3535 MICHIGAN ST		LAKE MARY	FL	32746	
7 1103/1105 WHITEHEAD STREET L L C	419 AMELIA ST		KEY WEST	FL	33040	
8 313 CATHERINE A CONDOMINIUM	313 CATHERINE ST		KEY WEST	FL	33040	
9 ADAMS PAMELA ELIZABETH	313 CATHERINE ST	APT 2	KEY WEST	FL	33040	
10 ADAMS WILLIAM P AND KAREN T	1124 WHITEHEAD ST		KEY WEST	FL	33040	
11 AVERYT WILLIAM F JR	312 VIRGINIA ST		KEY WEST	FL	33040	
12 AYRES ANDREA T/C	1121 WHITEHEAD ST		KEY WEST	FL	33040	
13 BEAVER DENNIS LIVING TRUST 6/6/2003	1207 WHITEHEAD ST		KEY WEST	FL	33040	
14 BOOTLE DAVE W AND MARIA	319 AMELIA ST		KEY WEST	FL	33040	
15 BURCHETT ROBERT G AND JANE E	8 AMARYLLIS DRIVE		KEY WEST	FL	33040	
16 CAREY GEORGE A JR ESTATE	419 VIRGINIA ST		KEY WEST	FL	33040	
17 CASTILLO DIANE T	318 AMELIA ST		KEY WEST	FL	33040	
18 CLARK JOSEPH GRECO LIV TR 4/28/2005	310 AMELIA ST		KEY WEST	FL	33040	
19 CONFIDENTIAL DATA F.S. 119.07	321 AMELIA ST		KEY WEST	FL	33040	
20 CORAL CITY ELKS LODGE 610 & CORAL CITY TEMPLE 4	1107 OR 1109 WHITEHEAD ST		KEY WEST	FL	33040	
21 DEGRAEF JOHAN P	1119 WHITEHEAD ST		KEY WEST	FL	33040	
22 DIAZ RUBEN	313 CATHERINE ST	APT 1	KEY WEST	FL	33040	
23 EHRING WILLIAM EDWARD	1102 WHITEHEAD ST		KEY WEST	FL	33040	
24 GREENE-MINGO BEVERLY	311 AMELIA ST		KEY WEST	FL	33040	
25 HAMILTON JAMES D	319 CATHERINE ST		KEY WEST	FL	33040	
26 HAMILTON JAMES D AND EVA M	321 CATHERINE ST		KEY WEST	FL	33040	
27 JAMES DOLORES N	314 CATHERINE ST		KEY WEST	FL	33040	
28 JOHNSON BRENDA LOUISE	29 6TH AVE		KEY WEST	FL	33040	
29 KAVANAUGH EMMETT P	1117 WHITEHEAD ST		KEY WEST	FL	33040	
30 KNOWLES EDWIN JR AND MARIE E	ROBERT GABRIEL APTS	APT 1-E	KEY WEST	FL	33040	
31 KNOWLES VERLENE ESTATE	324 VIRGINIA ST		KEY WEST	FL	33040	
32 KRAUSE HANS F P	1023 JOHNSON ST		KEY WEST	FL	33040	
33 KRUER WAYNE R	1105 THOMAS ST		KEY WEST	FL	33040	
34 LOPEZ CLAYTON L AND PALMA LOUISE H/W	326 AMELIA ST		KEY WEST	FL	33040	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
35 LOPEZ ROSE ESTATE	326 AMELIA ST		KEY WEST	FL	33040	
36 MCGEOUGH SEAN AND JODI BEVERLY	314 VIRGINIA ST		KEY WEST	FL	33040	
37 MONROE COUNTY COMP PLAN LAND AUTHORITY	1200 TRUMAN AVE STE 207		KEY WEST	FL	33040	
38 MOORE DEBORAH	1114 WHITEHEAD ST		KEY WEST	FL	33040	
39 PAPAS HIDEAWAY GUEST HOUSE LLC	309 LOUISA ST		KEY WEST	FL	33040	
40 RAHMING OTIS T ESTATE	910 THOMAS ST		KEY WEST	FL	33040	
41 REGER MELODYE	100 BAY DR		KEY WEST	FL	33040	
42 SCHMIDT THERON G AND LORRAINE HECKMAN (WIFE)	315 AMELIA ST		KEY WEST	FL	33040	
43 SKALENAIDO ZBIGNIEW	317 AMELIA ST		KEY WEST	FL	33040	
44 SNYDER DOUGLAS S AND BRITTANY P	1118 WHITEHEAD ST		KEY WEST	FL	33040	
45 TEATE CONSTANCE S	325 AMELIA ST		KEY WEST	FL	33040	
46 THURSTON GRIFFITH JR	1526 LAIRD ST		KEY WEST	FL	33040	
47 WHITT BERT LIVING TRUST 6/6/2003	1207 WHITEHEAD ST		KEY WEST	FL	33040	
48 WITHERS BARBARA ANN	310 CATHERINE ST UNIT 1		KEY WEST	FL	33040	
49 ZAPATA LUZ M	326 VIRGINIA ST		KEY WEST	FL	33040	
50 CRESPO DANILO A AND BARBARA B	PO BOX 4031		KEY WEST	FL	33041	
51 EABLES PATRICIA A	PO BOX 299		KEY WEST	FL	33041	
52 HABBERSTAD STEPHEN D IRRE TRUST 8/1/2010	PO BOX 869		KEY WEST	FL	33041	
53 GLASER WILLIAM D	118 CARIBBEAN DR		SUMMERLAND KI	FL	33042	
54 RUSSELL EDWARD JAMES	16540 OLD STATE RD		SUGARLOAF KEY	FL	33042	
55 GRABIABREWSKI LLC	30554 18TH LN		BIG PINE KEY	FL	33043	
56 BEAVER JAMES M	PO BOX 2560		KEY WEST	FL	33045	
57 ALBURY SAMUEL ESTATE	729 NW 43RD ST		MIAMI	FL	33127	
58 NOLLEY ARLEAN	10720 NW 21ST CT		SUNRISE	FL	33322	
59 NOLLEY ARLEAN L/E	10720 NW 21ST CT		SUNRISE	FL	33322	
60 DEVOL THOMAS A	3839 GLEN OAKS MANOR DR		SARASOTA	FL	34232	
61 MARSH DAVID AND CATHY	854 HENN HYDE RD NE		WARREN	OH	44484	
62 GALLAGHER PATRICIA TRUST 10/23/2000	700 KESSLER BOULEVARD WEST DR		INDIANAPOLIS	IN	46228	
63 SIMMONS GLENDA D	310 HILLCREST AVE		SOMERSET	NJ	08873	

# **Public Comment**

**From:** [Barbara Withers](#)  
**To:** [kcool@keywestcity.com](mailto:kcool@keywestcity.com)  
**Subject:** 317 Catherine St  
**Date:** Saturday, June 15, 2013 9:53:08 PM

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Re: Request for Variance.

We live across the street at 310 Catherine St and have no problem with The City granting the variance to Tom Devol. Please grant their request.

Than you, Barbara Withers and Tamma Wells.

Sent from my iPhone



Ms. Berjois,

we have been made aware the our neighbor Mr. Jeff O'Brian plans to build a pool/pool house at his property 317 Catherine St, Key West 33040

We just wanted to let you know, that we have no objections to his plans.

Best Regards

Jochen and Diana Schmausser

owners 319 Catherine St, Key West 33040

JAMES M. BEAVER

PO Box 2560  
Key West, Florida 33045

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Phone 305-296-7719 OFFICE  
Fax 305-296-8507 FAX  
Cell 305-797-0360 CELL  
Email soldynbeaver@hotmail.com

DATE: May 10, 2013

City Planning Department  
Ms. Karen de Berjeois  
3132 Flagler Ave.  
Key West, FL 33040

RE: 317 Catherine Street

Dear Ms. de Bergeois:

I own the property directly behind 317 Catherine, at 316 Amelia St. I was the owner who sold 317 Catherine to the present owners and am very familiar with the property.

I have met with the present owners and have no objection to their variance requests so long as they follow thru with plans to not interfere with the present root system of the large tree adjacent to their lot by digging foundation footers that could potentially weaken and destabilize the tree by removing part of it's root system. If the tree is destabilized, it could topple and destroy several houses adjacent to it.

Further, the owners have pledged not to build their proposed structure with windows facing my property so as to ensure our mutual privacies. I would like to see that pledge incorporated in their proposed plans.

Many Thanks

James M Beaver  
Property owner  
316 Amelia Street



date

project

page

1  
2 Name: Janet Hamilton

3 Address: 321 Catherine ST.

4 date: 4-17-13

5  
6 Re: 317 Catherine ST variances

7 rear setback, building coverage,  
8 and detached habitable space.

9 To whom it may concern:  
10 Planning Board:

11 As a near neighbor to 317  
12 Catherine ST, I totally support  
13 the above referenced variances.

14 Thank you

15 Janet Hamilton  
16  
17

task list:

