

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



To: Chairman and Planning Board Members

Through: Thaddeus Cohen, Planning Director

From: Melissa Paul-Leto, Planner Analyst

Meeting Date: January 21, 2016

Agenda Item: **Variance- 805-807 Truman Avenue / 921 Windsor Lane (RE# 00020110-000000; AK# 1020851)** – A request for variances to lot size, lot width and noncomplying lot requirements in order to create 3 single lots located within the Historic Neighborhood Commercial (HNC-1) Zoning District pursuant to Sections 122-810(5), 122-810(5)(a)(b), and 122-31, of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Request: The property owners seeks variances to minimum lot requirements for the subdivision of land in order to allow separate fee-simple ownership of the three single-family lots.

Applicant: Trepanier & Associates, Inc.

Owner: Wiemer I Limited Family Partnership a Texas limited partnership

Location: 805-807 Truman Avenue / 921 Windsor Lane (RE# 00020110-000000; AK# 1020851)

Zoning: Historic Neighborhood Commercial (HNC-1) Zoning District



Background and Request:

The subject property is located at the corner of Windsor Lane and Truman Avenue within the HNC-1 Zoning District. The applicant is proposing to construct a third residential structure on the existing lot that currently occupies two residential contributing structures. The requesting variances are to minimum lot sizes, including lot widths and lot depths for all three parcels as part of the proposed development.

Relevant HNC-1 Zoning District Dimensional Requirements: Code Section 122-810				
Dimensional Requirement	Required/ Allowed	Existing	Proposed	Change / Variance Required?
Flood Zone	X	X	X	None
Maximum Density	16 du/acre Total site: 3.3 units	2 units	No change	None
Minimum lot size: Parcel A (805 Truman) Parcel B (807 Truman) Parcel C (921 Windsor)	4,000 square feet	8,276.2 Square feet	2,598.6 square feet 2,638.6 square feet 3,039.0 square feet	Variations requested for all three lots
Lot width: Parcel A (805 Truman) Parcel B (807 Truman) Parcel C (921 Windsor)	40 feet	71.67 feet: rear 87 feet: front	47.01 feet (805 Truman) 38.52 (807 Truman) 35 feet (921 Windsor)	Variations requested for all three lots
Lot Depth: Parcel A (805 Truman) Parcel B (807 Truman) Parcel C (921 Windsor)	100 feet	66.21 feet	55.25 feet (805 Truman) 66.21 feet (807 Truman) 71.67 feet (921 Windsor)	Variations requested for all three lots
Minimum front setback	5 feet	Parcel A: 4.5 feet Parcel B: 5 feet Parcel C: 5 feet	Parcel A: No change Parcel B: No change Parcel C: No change	Parcel A: Existing nonconformity Parcel B: Complies Parcel C: Complies
Minimum right side setback	5 feet	Parcel A: 5 feet Parcel B: 5 feet Parcel C: 5 feet	Parcel A: No change Parcel B: No change Parcel C: No change	Parcel A: Complies Parcel B: Complies Parcel C: Complies
Minimum left side setback	Parcel A: Street setback is 7.5 feet Parcel B: left side 5 feet Parcel C: left side 5 feet	Parcel A: 7.5 feet Parcel B: left side 5 feet Parcel C: left side 5 feet	Parcel A: no change Parcel B: no change Parcel C: no change	Parcel A: Complies Parcel B: Complies Parcel C: Complies
Minimum Rear setback	15 feet	Parcel A: 15 feet Parcel B: 15 feet Parcel C: 15 feet	Parcel A: no change Parcel B: no change Parcel C: no change	Parcel A: Complies Parcel B: Complies Parcel C: Complies
Maximum building coverage: Parcel A (805 Truman) Parcel B (807 Truman)	Total: 50% (4,138.1 SF) 50% (1,299 SF) 50% (1,319 SF)	Total: 22% 1,872 SF	Parcel A: 31% (812 SF) Parcel B: 40% (1,060 SF)	Parcel A: Complies Parcel B: Complies

Parcel C (921 Windsor)	50% (1,519 SF)		Parcel C: 50% (1,519 SF)	Parcel C: Complies
Maximum impervious surface: Parcel A (805 Truman) Parcel B (807 Truman) Parcel C (921 Windsor)	60% (1,558 SF) 60% (1,582 SF) 60% (1,823 SF)	60% (4,965.7 SF)	43% (1,140 SF)_(805 Truman) 50% (1,315 SF)_(807 Truman) No Change (921 Windsor)	Complies Complies Complies
Minimum open space: Parcel A (805 Truman) Parcel B (807 Truman) Parcel C (921 Windsor)	Total: 2,896.67 SF Parcel A: 35% (909 SF) Parcel B: 35% (923 SF) Parcel C: 35% (1,063 SF)	70% (5,821.2 SF)	Parcel A: 56% (1,458 SF) Parcel B: 50% (1,323 SF) Parcel C: No change	Complies Complies Complies
No. & type of units: Parcel A: 805 Truman Parcel B: 807 Truman Parcel C: 921 Windsor	Parcel A: 1 non-transient unit Parcel B: 1 non-transient unit Parcel C: Vacant	Parcel A: 1 non-transient unit Parcel B: 1 non-transient unit Parcel C: Vacant	Parcel A: No change Parcel B: No change Parcel C: No change	Complies Complies Complies
Parking: Parcel A: 805 Truman Parcel B: 807 Truman Parcel C: 921 Windsor	Parcel A: 1 space Parcel B: 1 space Parcel C: 1 space	Parcel A: 1 space Parcel B: 1 space Parcel C: vacant	Parcel A: No change Parcel B: No change Parcel C: No change	Complies Complies Complies
Height: Parcel A: 805 Truman Parcel B: 807 Truman Parcel C: 921 Windsor	Parcel A: 30 feet Parcel B: 30 feet Parcel C: 30 feet	Parcel A: 30 feet Parcel B: 30 feet Parcel C: 30 feet	Parcel A: No change Parcel B: No change Parcel C: No change	Complies Complies Complies

Process:

Planning Board Meeting:

January 21, 2016

Local Appeal Period:

30 days

DEO Review Period:

Up to 45 days

Analysis – Evaluation for Compliance with The Land Development Regulations:

The criteria for evaluating a variance are listed in Section 90-395 of the City Code. The Planning Board before granting a variance must find all of the following:

- 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 property is located within the Historic Neighborhood Commercial Zoning District, the two existing residences are contributing structures. The two structures have been located on this single parcel, in the existing configuration since 1912 as seen on the 1912 Sanborn map. Currently the lot is conforming in size. However, the proposed request to create three parcels from one is creating nonconformities in lot size, it is difficult for staff to find good and sufficient cause that the proposed development cannot be designed in compliance with the minimum dimensional requirements. Therefore special conditions or circumstances do not exist. NOT IN COMPLIANCE.

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

The existing conditions are created by the applicant. The applicant is proposing a third residential structure where there is currently ample lot size for the existing two residential structures. NOT IN COMPLIANCE.

3. ***Special privileges not conferred. That granting the variance requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district.***

Sections 108-810(5), 108-810(5) (a) and 108-810(5) (b) of the Land Development Regulations state the required minimum lot size, minimum lot width and minimum lot depth requirements. Therefore, granting a variance to these dimensional regulations would confer special privileges upon the applicant. NOT IN COMPLIANCE.

4. ***Hardship conditions exist. That literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.***

It is staff's opinion that compliance with the land development regulations is not a hardship. The decision of the homeowner to develop the lot in this manner does not create a hardship. The denial of the requested variance would not deprive the applicant of rights commonly enjoyed by other properties in the HNC-1 Zoning District. Therefore, hardship conditions do not exist. NOT IN COMPLIANCE.

5. ***Only minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.***

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

6. ***Not injurious to the public welfare. That the granting of the variance will be in harmony with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.***

Due to not being in compliance with all of the standards for considering variances, the granting of the requested variances would be injurious to the area involved and otherwise detrimental to the public interest. NOT IN COMPLIANCE.

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

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

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

It does not appear that the requested variance will trigger any public facility capacity issues.

The Planning Board shall make factual findings regarding the following:

That the standards established by Section 90-395 of the City Code have been met by the applicant for a variance.

The standards established by Section 90-395 of the City Code have not been fully met by the applicant for the variance requested.

That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors.

The Planning Department has not received any public comment both for and against the requested variance.

RECOMMENDATION:

Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for variances be **denied**.



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: 805 - 807 Truman Avenue and 921 Windsor Lane

Zoning District: HNC-1 Real Estate (RE) #: **RE# 00020110-000000**

Property located within the Historic District? Yes No

APPLICANT: Owner Authorized Representative

Name: Trepanier & Associates, Inc.

Mailing Address: 1421 First Street

City: Key West State: Florida Zip: 33040

Home/Mobile Phone: _____ Office: 305-293-8983 Fax: _____

Email: lori@owentrepanier.com

PROPERTY OWNER: (if different than above)

Name: Wiemer I Limited Family Partnership a Texas limited partnership

Mailing Address: 5705 Archer Court

City: Dallas State: Texas Zip: 75252

Home/Mobile Phone: _____ Office: _____ Fax: _____

Email: mywatk@aol.com

Description of Proposed Construction, Development, and Use: _____

This property owner seeks variances to minimum lot requirements for the subdivision of land in order to allow separate fee-simple ownership of the three single-family lots. Specifically:

Sec. 122-810(5) minimum lot size

Sec. 122-810(5)(a) minimum lot width

Sec. 122-810(5)(b) minimum lot length

Sec. 122-31 Noncomplying lots or building sites of record

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

If yes, please describe and attach relevant documents: _____

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 conv 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	HNC-1			
Flood Zone	X			
Size of Site				
Height				
Front Setback				
Side Setback				
Side Setback				
Street Side Setback				
Rear Setback				
F.A.R				
Building Coverage				
Impervious Surface				
Parking				
Handicap Parking				
Bicycle Parking				
Open Space/ Landscaping				
Number and type of units				
Consumption Area or Number of seats				

Please See Attached Site Data Table

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 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.

Special conditions exist which are peculiar to the land. The existing two structures have been located on this single parcel in the same configuration as seen on the 1912 Sanborn map and are currently listed as contributing structures to the old town historic district. The proposed lot size, lot width and lot length are not uncommon to historic residential neighborhoods in the City. The proposed subdivision to allow fee simple ownership will not impact the historic structures.

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

Prior to the current ownership, this parcel was owned by the same family since 1922. In 2005, this large parcel was purchased by the current owners with two established residential units and ample vacant space to the rear of the property to accommodate a third residential structure. The zoning lot was created prior to the ownership by the current owners and prior to adoption of the current land development regulations.

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.

No special privilege will be conferred. Owner seeks only to allow the fee-simple ownership of each single family residence and the third buildable lot. The proposed lot size, lot width and lot length will allow development that is consistent and sympathetic to the historic streetscape along Windsor Lane and neighboring Olivia Street.

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.

Without the grant of variances, fee-simple ownership of the individual single family lots is not possible.

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 variances requested are the minimal needed to provide adequate living space for the three single family residences. The proposed lot dimensions are not uncommon for residential parcels in the HNC-1 district and are particularly characteristic for its bordering HHDR zoning district.

City of Key West • Application for Variance

6. Not injurious to the public welfare. That granting of the variance(s) will be in harmony with the general intent and purpose of the land development regulations and that such variances will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.

Granting of the variances to allow subdivision will not be injurious to the public welfare, result in increased density, intensity, or building right. Individual home ownership will be promoted by grant of this variance. The subdivision furthers the goals and preserves the character of the historic district by maintaining its historic fabric and allowing for appropriate infill housing consistent with the historic development of the neighborhood

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.

This application does not rely on other nonconforming lots and structures as justification.

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

NA Site plan (plans MUST be signed and sealed by an Engineer or Architect)

NA Floor plans

NA Stormwater management plan

List and describe specific variance(s) being requested:

1. Sec. 122-1407. - Division of Land.
Variance to Sec. 122-1407 to permit the subdivision of land as described below.
2. Sec. 122-31. - Noncomplying lots or building sites of record.
Variance to Sec. 122-31 to permit the subdivision of land as described below.

Parcel "A", a/k/a 805 Truman Avenue:

1. Section 122-810(5). - Minimum Lot Size
Variance to Sec. 122-810(5) of 1,402 square feet from the 4,000 square feet minimum lot size required to the 2,598 square feet proposed.
1. Section 122-810(5)(b). - Minimum Lot Length
Variance to Sec. 122-810(5)(b) of 44.75 feet of the required 100' required to the proposed 55.25 feet.

Proposed Parcel "B", a/k/a 807 Truman Avenue

2. Section 122-810(5). - Minimum Lot Size
Variance to Sec. 122-810(5) of 1,361.4 square feet from the required 4,000 square feet required to the proposed 2,638.6 square feet.
3. Section 122-810(5)(a). - Minimum Lot Width
Variance to Sec. 122-810(5)(a) of 1.48 feet from the required 40' to the proposed 38.52 feet.
4. Section 122-810(5)(b). - Minimum Lot Length
Variance to Sec. 122-810(5)(b) of 33.8 feet from the required 100' to the proposed 66.21 feet.

Proposed Parcel "C", a/k/a 921 Windsor lane

5. Section 122-810(5). - Minimum Lot Size
Variance to Sec. 122-810(5) of 961 square feet from the minimum 4,000 square feet required to the proposed 3,039.0 square feet.
6. Section 122-810(5)(b). - Minimum Lot Length
Variance to Sec. 122-810(5)(b) of 28.33 feet of 100' required to the proposed 71.67 feet.

SITE DATA TABLE 805-807 Truman Avenue & 921 Windsor Lane

Site Data	Permitted/ Required	Existing	Proposed	Compliance
Zoning	HNC-1	No Change	No Change	Complies
Flood Zone	X	No Change	No Change	Complies
Max. Density	16 du/acre	2 units	No Change	Complies
Project Site Size:				
Parcel A (805 Truman)	4,000 sq. ft.	--	2,598.6 sq. ft.	Variance
Parcel B (807 Truman)	4,000 sq. ft.	--	2,638.6 sq. ft.	Variance
Parcel C (921 Windsor)	4,000 sq. ft.	--	3,039.0 sq. ft.	Variance
Lot Width:				
Parcel A (805 Truman)	40 ft.	--	47.01 ft.	Complies
Parcel B (807 Truman)	40 ft.	--	38.52 ft.	Variance
Parcel C (921 Windsor)	40 ft.	--	35 ft.	Variance
Lot Depth:				
Parcel A (805 Truman)	100 ft.	--	55.25 ft.	Variance
Parcel B (807 Truman)	100 ft.	--	66.21 ft.	Variance
Parcel C (921 Windsor)	100 ft.	--	71.67 ft.	Variance
Building Coverage:				
Parcel A (805 Truman)	50% (1,299 sq. ft.)	--	31% (812 sq. ft.)	Complies
Parcel B (807 Truman)	50% (1,319 sq. ft.)	--	40% (1060 sq. ft.)	Complies
Parcel C (921 Windsor)	50% (1,519 sq. ft.)	--	No Change	Complies
Impervious Surface:				
Parcel A (805 Truman)	60% (1,558 sq. ft.)	--	43% (1,140 sq. ft.)	Complies
Parcel B (807 Truman)	60% (1,582 sq. ft.)	--	50% (1,315 sq. ft.)	Complies
Parcel C (921 Windsor)	60% (1,823 sq. ft.)	--	No Change	Complies
Open Space:				
Parcel A (805 Truman)	35% (909 sq. ft.)	--	56% (1,458 sq. ft.)	Complies
Parcel B (807 Truman)	35% (923 sq. ft.)	--	50% (1,323 sq. ft.)	Complies
Parcel C (921 Windsor)	35% (1,063 sq. ft.)	--	No Change	Complies
Setbacks:				
Parcel A (805 Truman)				
Front	5 ft.	4.5 ft.	No Change	Complies*
Rear	15 ft.	15 ft.	No Change	Complies
Right Side	5 ft.	5 ft.	No Change	Complies
Street Side	7.5 ft.	7.5 ft.	No Change	Complies
Parcel B (807 Truman)				
Front	5 ft.	5 ft.	No Change	Complies
Rear	15 ft.	15 ft.	No Change	Complies
Right Side	5 ft.	5 ft.	No Change	Complies
Left Side	5 ft.	5 ft.	No Change	Complies*
Parcel C (921 Windsor)				
Front	5 ft.	5 ft.	No Change	Complies
Rear	15 ft.	15 ft.	No Change	Complies
Right Side	5 ft.	5 ft.	No Change	Complies
Left Side	5 ft.	5 ft.	No Change	Complies
No. & type of units:				
Parcel A (805 Truman)	1 non-trans unit	1 non-trans unit	No Change	Complies
Parcel B (807 Truman)	1 non-trans unit	1 non-trans unit	No Change	Complies
Parcel C (921 Windsor)	--	Vacant	No Change	Complies
Parking:				
Parcel A (805 Truman)	1 space	1 space	No Change	Complies

Parcel B (807 Truman)	1 space	1 space	No Change	Complies
Parcel C (921 Windsor)	1 space	--	No Change	Complies
F.A.R.:				
Parcel A (805 Truman)	1.0	0.0	No Change	Complies
Parcel B (807 Truman)	1.0	0.0	No Change	Complies
Parcel C (921 Windsor)	1.0	0.0	No Change	Complies
Height:				
Parcel A (805 Truman)	30 ft.	≤ 30 ft.	No Change	Complies
Parcel B (807 Truman)	30 ft.	≤ 30 ft.	No Change	Complies
Parcel C (921 Windsor)	30 ft.	≤ 30 ft.	No Change	Complies
Consumption Area:				
Parcel A (805 Truman)	--	0 sq. ft.	No Change	Complies
Parcel B (807 Truman)	--	0 sq. ft.	No Change	Complies
Parcel C (921 Windsor)	--	0 sq. ft.	No Change	Complies

*Existing non-conformity under Article II.- Nonconformities, Sec. 122

10/19/2015

Mr. Thaddeus Cohen, Director
City of Key West Planning Department
3140 Flagler Avenue
Key West, FL 33040

Re: Variance for RE# 00020110-000000

805 Truman Avenue
807 Truman Avenue
921 Windsor Lane

TREPANIER



& ASSOCIATES INC

LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Dear Director Cohen:

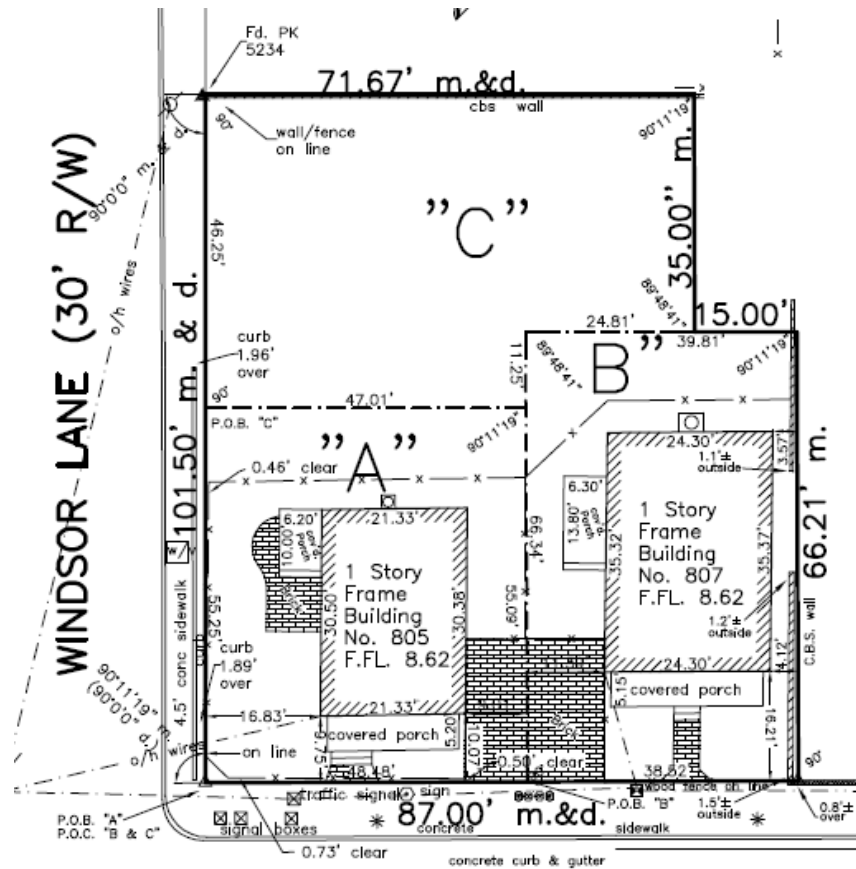
Please accept the attached revised application for variances to permit subdivision of the above referenced property. This revision includes the elimination of the variance request for the rear yard setback for Parcel "A" as requested by the Fire Marshal. As part of this revised application, please find a revised survey to reflect the current request and updated site data.

This revised application includes the remaining variances originally requested for lot size, lot depth, lot width and noncomplying lot, specifically Secs. 122-810(5), 122-810(5)(a)(b), and 122-31.

Thank you for your time and consideration.

Sincerely,

Lori Thompson



TRUMAN AVENUE
(50' R/W)

Verification

Special Director Minutes

K. C. WIEMER, INC.

On this 1st day of October, 2014 the Directors of **K. C. WIEMER, INC.** held a special meeting to elect the officers of the corporation, due to the death of its President, Klaus C. Wiemer.

RESOLVED, the **President** shall now be **STELLA M. WIEMER**, the **Secretary/Treasurer** shall be **MONICA WIEMER**. These officers shall serve and remain in office until newly elected officers are elected.

FURTHER RESOLVED, that **MONICA WIEMER** shall have the authorization to act on behalf of the Corporation and the Wiemer I Family Limited Partnership of which the Corporation is the General Partner in the following matters:

To handle any and all matters pertaining to the Florida real estate held in the name of the Wiemer I Family Limited Partnership, including but not limited to the zoning, rezoning, survey, partition, division, re-platting, rents and rentals, leases, and sales of any of the real properties.

Approved:


Stella M. Wiemer, Director


Monica Wiemer, Director

Authorization

City of Key West
Planning Department



Authorization Form
(Where Owner is a Business Entity)

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

I, Monica Wiemer as
Please Print Name of person with authority to execute documents on behalf of entity

Agent of Wiemer I Family Limited Partnership
Name of office (President, Managing Member) *Name of owner from deed*

authorize Trepanier & Associates 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.

Monica Wiemer
Signature of person with authority to execute documents on behalf on entity owner

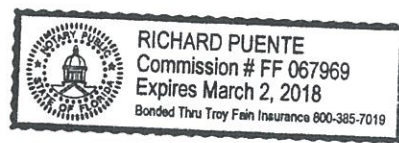
Subscribed and sworn to (or affirmed) before me on this January 13 2015
Date

by Ms. Monica Wiemer
Name of person with authority to execute documents on behalf on entity owner

He/She is personally known to me or has presented FL DR. LIC W560-559-66-608-0 as identification.

Richard Puente
Notary's Signature and Seal

Richard Puente
Name of Acknowledger typed, printed or stamped



FF 067969
Commission Number, if any

Deed

Doc# 1544894 10/04/2005 3:02PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

This Instrument Prepared by and Return to:
JOHN M. SPOTTSWOOD, JR.
SPOTTSWOOD, SPOTTSWOOD & SPOTTSWOOD
500 FLEMING STREET
Key West, FL 33040

10/04/2005 3:02PM
DEED DOC STAMP CL: RS \$10,850.00

Parcel ID Number: 00020110-000000

Doc# 1544894
Bk# 2156 Pg# 498

Warranty Deed

This Indenture, Made this 30th day of September, 2005 A.D., Between
HUNTER NILO HARDEN, a married man

of the County of Monroe, State of Florida, grantor, and

WIEMER I FAMILY LIMITED PARTNERSHIP, a Texas limited partnership

whose address is: 5705 Archer Court, Dallas, TX

of the County of, State of Texas, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of MONROE State of Florida to wit:

On the Island of Key West, in the County of Monroe and State of Florida; Part of Tract Five (5) on William A. Whitehead's map of the City of Key West: Commencing at a point on Windsor Lane One hundred and one (101) feet six (6) inches from the corner of Division Street and Windsor Lane, and running along Windsor Lane to Division Street One hundred and one (101) feet Six (6) inches; thence along Division Street in a N.E.'ly direction Eighty-seven (87) feet, and extending back at right angles One hundred and one (101) feet six (6) inches; being part of land conveyed to David Walton by George D. Allen, Collector of Revenue by deed recorded in Deed Book "J" pages 680-681 of Monroe County Records.

Subject to conditions, limitations, restrictions and easements of record and taxes for the year 2005 and subsequent years.

The property herein conveyed DOES NOT constitute the Homestead property of the Grantor, as defined under the Florida Constitution. The Grantor's HOMESTEAD address is 1065 Boca Chica Road, Key West, FL 33040.

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

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

Signed, sealed and delivered in our presence:

Sarah L. Vega
Printed Name: SARAH L. VEGA
Witness

Hunter N. Harden
HUNTER NILO HARDEN (Seal)
P.O. Address: 1065 Boca Chica Road, Key West, FL 33040

Jenny M. Sterling
Printed Name: Jenny M. Sterling
Witness

MONROE COUNTY
OFFICIAL RECORDS

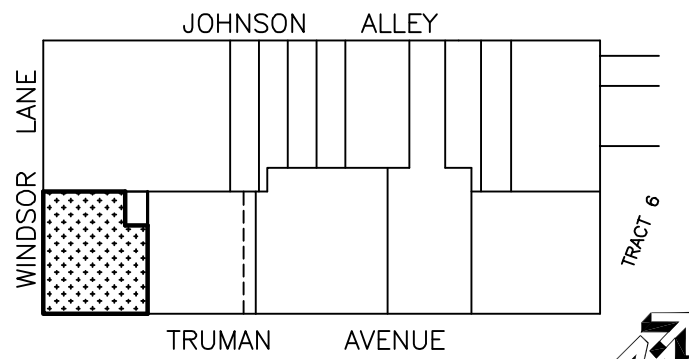
STATE OF Florida
COUNTY OF Monroe

The foregoing instrument was acknowledged before me this 30th day of September, 2005 by
HUNTER NILO HARDEN, a married man

he is personally known to me or he has produced his Florida driver's license identification

Sarah L. Vega
Printed Name: Sarah L. Vega
Notary Public
My Commission Expires: November 14, 2005

Survey



LOCATION MAP
Part of Tract 5, City of Key West

	Parcel A	Parcel B	Parcel C
Gross Area	2598.6 s.f.	2638.6 s.f.	3039.0 s.f.
Bldg. Area	649.5 s.f.	859.0 s.f.	0
Cov'd. Porches	162.4 s.f.	201.8 s.f.	
Brick	328.2 s.f.	254.6 s.f.	

Overhangs on buildings range from, 8" to 16" dim, ties to buildings

SURVEYOR'S NOTES:
North arrow based on assumed median
Reference Bearing: R/W Truman Avenue
3.4 denotes existing elevation
Elevations based on N.G.V.D. 1929 Datum
Bench Mark No.: D-121 Elevation: 3.91
All angles are 90°00'00" unless otherwise described.
Survey performed without benefit of Title search on said or surrounding properties.

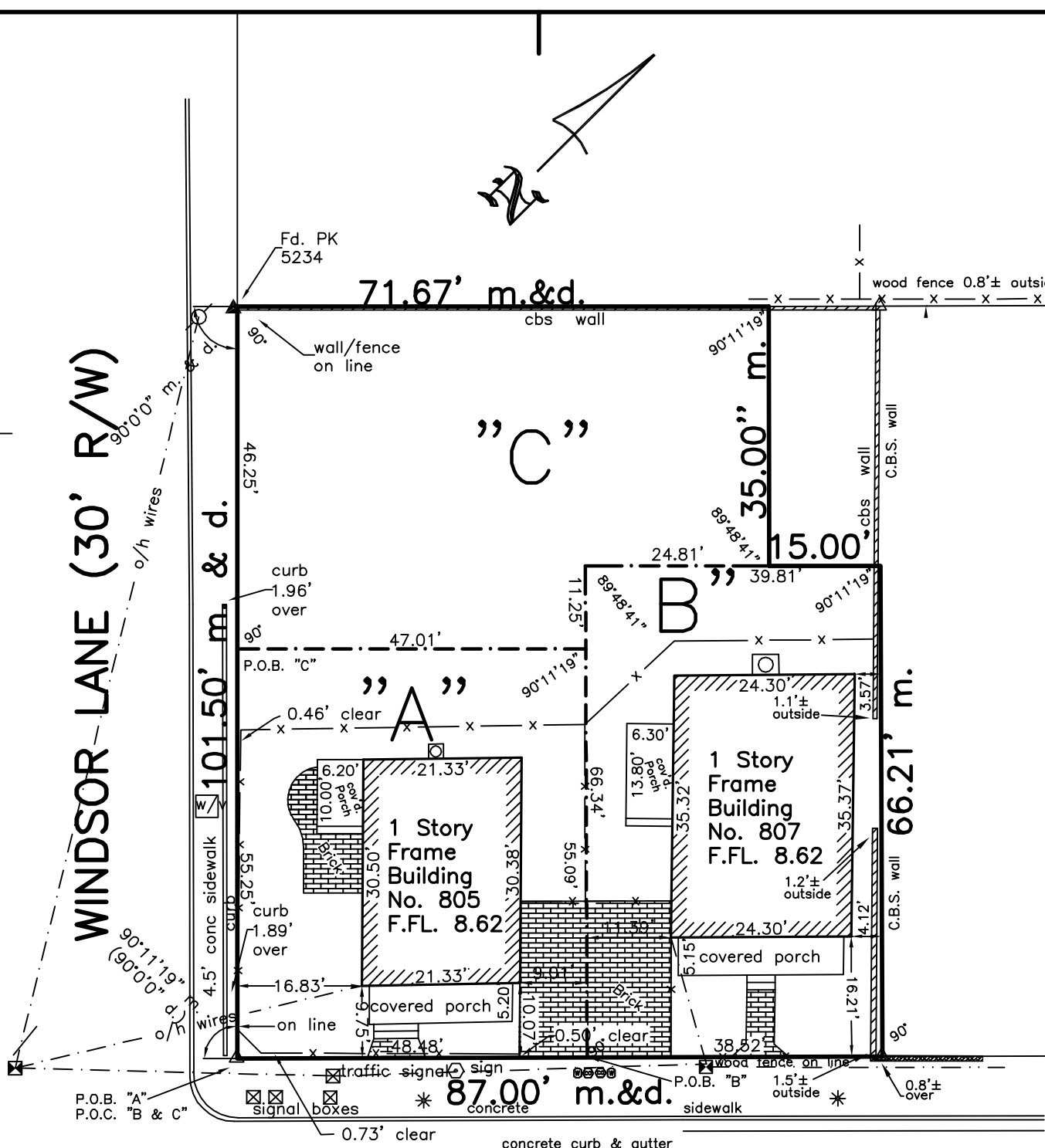
MONUMENTATION:
▲ = Found P.K. Nail
△ = Set P.K. Nail, P.L.S. No. 2749
⊙ = Set 1/2" I.B., P.L.S. No. 2749
● = Found 1/2" iron pipe
Field work performed on 5/11/15

LEGEND

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

SYMBOLS

☒	Concrete Utility Pole	☼	Street Light
⊕	Fire Hydrant	⊙	Wood Utility Pole
⊗	Sanitary Sewer Clean Out	⊕	Water Meter



Parcel "A" Legal Description:
Prepared by undersigned:
A parcel of land located in the City of Key West, Monroe County, Florida and being a part of Tract 5 on William A. Whitehead's Map of the City of Key West, delineated in February 1829, and being more particularly described as follows:
Begin at the intersection of the Northwesterly Right-of-Way line of Truman Avenue and the Northeastery Right-of-Way line of Windsor Lane; thence in a Northeastery direction along the said Northeastery right-of-Way line of Windsor Lane a distance of 55.25 feet; thence at a right angle and in a Northeastery direction for 47.01 feet; thence at an angle to the left of 90°11'19" and in a Southeastery direction for 55.09 feet to the said Northeastery Right-of-Way Line of Truman Avenue; thence at a right angle and in a Southwestery direction along the said Northwesterly Right-of-Way line of Truman Avenue for 48.48 feet to the Point of Beginning.
Containing 2,598.6 square feet, more or less.

Parcel "B" Legal Description:
Prepared by undersigned:
A parcel of land located in the City of Key West, Monroe County, Florida and being a part of Tract 5 on William A. Whitehead's Map of the City of Key West, delineated in February 1829, and being more particularly described as follows:
Commence at the intersection of the Northwesterly Right-of-Way line of Truman Avenue and the Northeastery Right-of-Way line of Windsor Lane; thence in a Northeastery direction along the said Northwesterly Right-of-Way line of Truman Avenue for 48.48 feet to the Point of Beginning; thence at a right angle and in a Northwesterly direction for 66.34 feet; thence at an angle to the left of 89°48'41" and Northeastery direction for 39.81 feet; thence at an angle to the left of 90°11'19" and in a Southeastery direction for 66.21 feet to the said Northwesterly Right-of-Way line of Truman Avenue; thence at a right angle and in a Southwestery direction along the said Northwesterly Right-of-Way line of Truman Avenue for 38.52 feet to the Point of Beginning.
Containing 2,638.6 square feet, more or less.

Parcel "C" Legal Description:
Prepared by undersigned:
A parcel of land located in the City of Key West, Monroe County, Florida and being a part of Tract 5 on William A. Whitehead's Map of the City of Key West, delineated in February 1829, and being more particularly described as follows:
Commence at the intersection of the Northwesterly Right-of-Way line of Truman Avenue and the Northeastery Right-of-Way line of Windsor Lane; thence in a Northwesterly direction along the said Northeastery right-of-Way line of Windsor Lane a distance of 55.25 feet to the Point of Beginning; thence continue in a Northwesterly direction along the said Northeastery Right-of-Way Line of Windsor Lane for 46.25 feet; thence at a right angle and in a Northeastery direction for 71.67 feet; thence at an angle to the left of 90°11'19" and in a Southeastery direction for 35.00 feet; thence at an angle to the left of 89°48'41" and in a Southwestery direction for 24.81 feet; thence at an angle to the right of 89°48'41" and in a Southwestery direction for 47.01 feet to the said Northeastery Right-of-Way Line of Windsor Lane and the Point of Beginning.
Containing 3,039.0 square feet, more or less.

TRUMAN AVENUE
(50' R/W)

Wiemer I. Family Limited Partnership 805-809 Truman Avenue, Key West, Florida 33040			
Proposed Plat		Dwn No.: 15-286	
Scale: 1"=20'	Ref. 218-71 file	Flood panel No. 1516 K	Dwn. By: F.H.H.
Date: 5/15/15		Flood Zone: X	Flood Elev. -
REVISIONS AND/OR ADDITIONS			
7/1/15: 3 Parcels, areas			
9/29/15: Revise lots, legal descriptions			
10/2/15: Correct areas			
fred/dwq/keywest/block79/809truman			

ISLAND SURVEYING INC.
ENGINEERS PLANNERS SURVEYORS

3152 Northside Drive
Suite 201
Key West, Fl. 33040

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

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

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

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE

Additional Information

Detail by Entity Name

Foreign Limited Partnership

WIEMER I FAMILY LIMITED PARTNERSHIP

Filing Information

Document Number	B95000000281
FEI/EIN Number	752589519
Date Filed	08/02/1995
State	TX
Status	ACTIVE
Last Event	CONTRIBUTION CHANGE
Event Date Filed	12/30/1996
Event Effective Date	NONE

Principal Address

5705 ARCHER COURT
DALLAS, TX 75252

Changed: 02/19/1996

Mailing Address

5705 ARCHER COURT
DALLAS, TX 75252

Changed: 02/19/1996

Registered Agent Name & Address

WIEMER, MONICA
809 TRUMAN AVE.
KEY WEST, FL 33040

General Partner Detail

Name & Address

K.C. WIEMER, INC.
5705 ARCHER CT
DALLAS, TX 75252

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.

Alternate Key: 1020851 Parcel ID: 00020110-000000

Ownership Details

Mailing Address:

WIEMER I FAMILY LTD PARTNERSHIP
5705 ARCHER CT
DALLAS, TX 75252-4972

Property Details

PC Code: 08 - MULTI FAMILY LESS THAN 10UNITS

Millage Group: 10KW

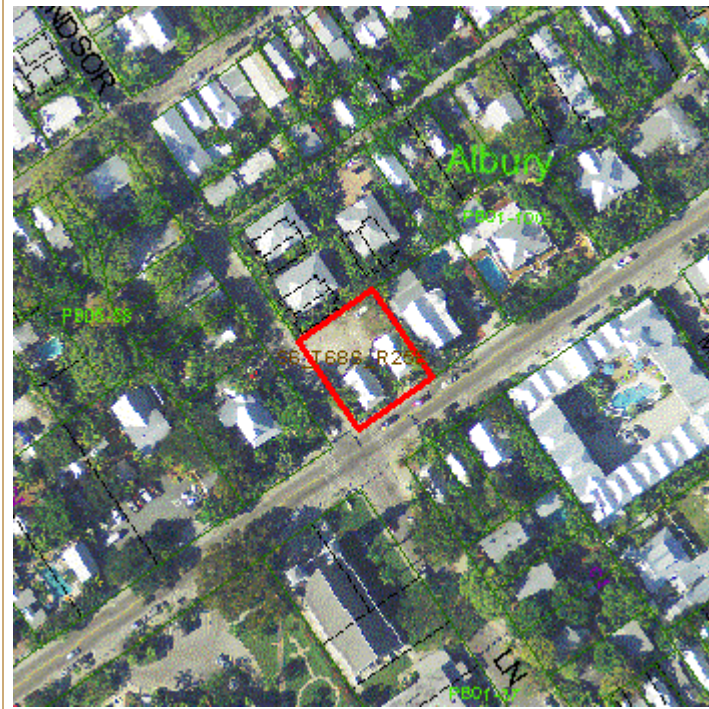
Affordable Housing: No

Section-Township-Range: 06-68-25

Property Location: 805 TRUMAN AVE KEY WEST
807 TRUMAN AVE KEY WEST
921 WINDSOR LN KEY WEST

Legal Description: KW PT OF TR 5 S-97 (ORDER OF CHANCERY BK E-216) OR924-852 OR927-1779/C OR927-1780/AFF OR934-2138/39 OR1025-1398/99R/S OR1686-868D/C OR2156-498

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	87	102	8,831.00 SF

Building Summary

Number of Buildings: 2
Number of Commercial Buildings: 0
Total Living Area: 1560
Year Built: 1928

Building 1 Details

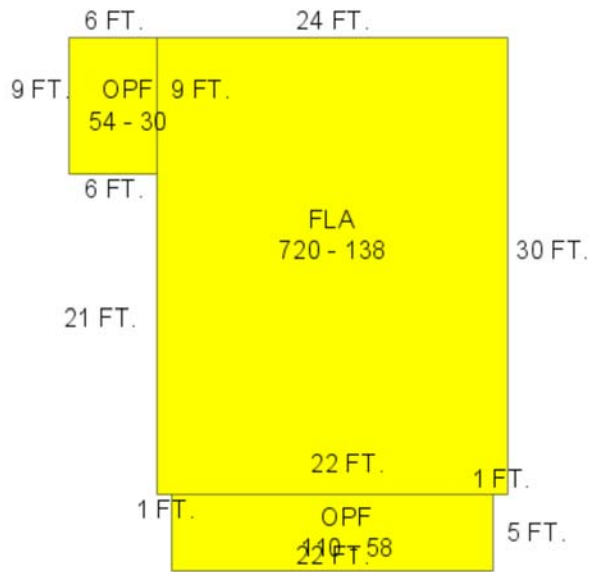
Building Type R1	Condition G	Quality Grade 450
Effective Age 11	Perimeter 138	Depreciation % 10
Year Built 1928	Special Arch 0	Grnd Floor Area 720
Functional Obs 0	Economic Obs 0	

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

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

Extra Features:

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	OPF		1	2007		0.00	0.00	110
2	FLA	12:ABOVE AVERAGE WOOD	1	2007	N Y			720
3	OPF		1	2007				54

Building 2 Details

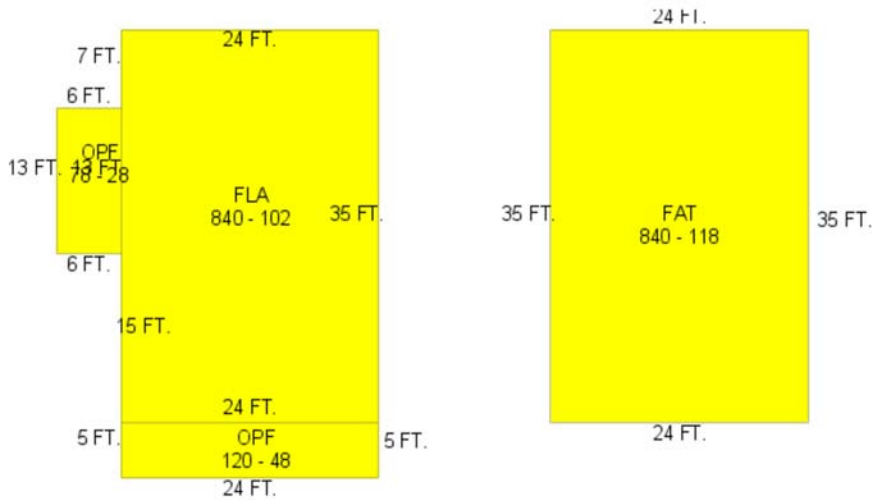
Building Type R1 **Condition** G **Quality Grade** 450
Effective Age 11 **Perimeter** 102 **Depreciation %** 10
Year Built 1929 **Special Arch** 0 **Grnd Floor Area** 840
Functional Obs 0 **Economic Obs** 0

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

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

Extra Features:

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	<u>OPF</u>		1	2007				78
2	<u>OPF</u>		1	2007		0.00	0.00	120
3	<u>FLA</u>	12:ABOVE AVERAGE WOOD	1	2007	N Y			840
4	<u>FAT</u>	12:ABOVE AVERAGE WOOD	1	2007	N Y			840

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
-----	------	---------	--------	-------	------------	-----------	-------	------

1	FN2:FENCES	684 SF	114	6	2007	2008	2	30
2	FN2:FENCES	54 SF	18	3	2007	2008	2	30
3	FN2:FENCES	356 SF	89	4	2007	2008	2	30
4	PT2:BRICK PATIO	440 SF	22	20	2007	2008	2	50
5	PT2:BRICK PATIO	56 SF	8	7	2007	2008	2	50
6	PT2:BRICK PATIO	36 SF	9	4	2007	2008	2	50

Appraiser Notes

PER 3/14/2007 LETTER FROM CITY ENGINEERING DEPT THE NEW RESIDENCE TO BE CONSTRUCTED WILL BE ASSIGNED THE PHYSICAL ADDRESS OF 921 WINDSOR LANE

BLDG 1 - 805 TRUMAN, BLDG 2 - 807 TRUMAN.

2006-12-20 - BUILDINGS ARE IN POOR CONDITION; NOW UNDERGOING MAJOR RENOVATIONS. CHANGED EFF YEAR TO 1928 FOR 2007 ROLL. - JEN

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
2 06-5108	10/05/2006	08/22/2007	75,000	Residential	RENOVATE EXISTING SFR (805 TRUMAN AVE)
3 06-5109	10/05/2006	08/22/2007	84,000	Residential	RENOVATE EXISTING SFR (807 TRUMAN AVE)
4 06-6413	11/30/2006	12/20/2006	700	Residential	INSTALLATION OF 100 AMP TEMPORARY ELECTRICAL SEVICE
5 07-1540	04/10/2007	08/22/2007	3,200	Residential	INTERIOR RENOVATION FOR 805 TRUMAN AVE
6 07-1543	04/11/2007	08/22/2007	9,000	Residential	ROUGH & SET NEW PLUMING FOR 80 UMAN AVE
7 07-1544	04/10/2007	08/22/2007	10,000	Residential	COMPLETE ELECTRIC FOR 60SF SFR FOR 805 TRUMAN AVE
1 06-0210	01/12/2006	09/27/2006	600	Residential	INSTALL TEMP SERVICE
8 07-5110	10/05/2006	08/22/2007	2,500	Residential	REPLACE 1 SQS ROOFING FOR 805 TRUMAN
9 07-1097	03/06/2007	03/10/2008	11,400	Residential	INSTALL 81'x6' PRIVACY FENCE
10 07-1541	04/10/2007	08/22/2007	5,400	Residential	INSTALL ONE 2-TON A/C
11 07-1853	04/17/2007	08/22/2007	1,000	Residential	REPLACE EXISTING SEWER & WATER SERVICE
12 07-2055	05/04/2007	08/22/2007	100	Residential	PERMIT REVISION
13 07-3599	07/23/2007	08/23/2007	1,500	Residential	INSTALL WOOD SKIRT LATTICE AROUND BOTTOM OF HOUSE
14 07-3795	08/01/2007	08/22/2007	425	Residential	INSTALL TWO HURRICANE PANELS ON TWO DOORS
15 07-4065	08/23/2007	08/22/2007	2,000	Residential	A.T.F. PERMIT INSTALL 100LF WHITE GUTTER & DOWN SPOUT
16 07-4063	08/23/2007	08/22/2007	2,000	Residential	A.T.F. PERMIT INSTALL 165 SQ.FT. BRICK PAVERS ON SANDBED AT FRONT

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2014	207,319	6,575	367,050	580,944	488,636	0	580,944
2013	209,572	6,769	341,442	557,783	444,215	0	557,783

2012	211,826	7,001	185,005	403,832	403,832	0	403,832
2011	211,826	7,197	256,121	475,144	443,961	0	475,144
2010	214,079	7,391	182,131	403,601	403,601	0	403,601
2009	237,728	7,625	545,336	790,689	790,689	0	790,689
2008	218,368	7,819	883,100	1,109,287	1,109,287	0	1,109,287
2007	117,350	0	1,457,115	1,574,465	1,574,465	0	1,574,465
2006	658,120	115	671,156	1,329,391	1,329,391	0	1,329,391
2005	212,340	115	494,536	706,991	706,991	0	706,991
2004	141,561	115	423,888	565,564	565,564	0	565,564
2003	212,341	115	185,451	397,908	397,908	0	397,908
2002	181,257	115	185,451	366,823	366,823	0	366,823
2001	142,589	115	185,451	328,155	328,155	0	328,155
2000	142,589	151	150,127	292,867	292,867	0	292,867
1999	115,602	131	150,127	265,860	265,860	0	265,860
1998	112,782	128	150,127	263,037	263,037	0	263,037
1997	107,143	122	132,465	239,730	239,730	0	239,730
1996	69,361	79	132,465	201,905	201,905	0	201,905
1995	69,361	79	132,465	201,905	201,905	0	201,905
1994	62,030	70	132,465	194,566	194,566	0	194,566
1993	62,163	0	132,465	194,628	194,628	0	194,628
1992	62,163	0	132,465	194,628	194,628	0	194,628
1991	62,163	0	132,465	194,628	194,628	0	194,628
1990	41,848	0	108,180	150,028	150,028	0	150,028
1989	34,586	0	105,972	140,558	140,558	0	140,558
1988	30,213	0	97,141	127,354	127,354	0	127,354
1987	29,835	0	63,583	93,418	93,418	0	93,418
1986	30,001	0	63,583	93,584	93,584	0	93,584
1985	29,083	0	39,933	69,016	69,016	0	69,016
1984	27,167	0	39,933	67,100	67,100	0	67,100
1983	27,167	0	39,933	67,100	67,100	0	67,100
1982	27,700	0	37,271	64,971	64,971	0	64,971

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
9/30/2005	2156 / 498	1,550,000	WD	Q

This page has been visited 21,452 times.

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