

Application



Application For Variance

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040 • 305-809-3720 • www.cityofkeywest-fl.gov

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: 3 LOPEZ LANE

Zoning District: HMDR Real Estate (RE) #: _____

Property located within the Historic District? ☒ Yes ☐ No

APPLICANT: ☐ Owner ☒ Authorized Representative

Name: WILLIAM ROWAN

Mailing Address: 321 PEACOCK LN.

City: KEY WEST State: FLORIDA Zip: 33040

Home/Mobile Phone: 305-394-4773 Office: _____ Fax: _____

Email: wrowan@gmail.com

PROPERTY OWNER: (if different than above)

Name: MARK & BROOKS PHIPPS

Mailing Address: 809 FLEMING

City: KEY WEST State: FLORIDA Zip: 33040

Home/Mobile Phone: 305 Office: _____ Fax: _____

Email: _____

Description of Proposed Construction, Development, and Use: CONSTRUCT A COVERED
STRUCTURE ONE STORY WITH FLAT ROOF. THE DIMENSIONS ARE
10 X 12 W/ A 4 X 6 COVERED EXTENSION TO DWELING

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

BUILDING COVERAGE - ADDITION OF 144 S.F. TO PROPERTY'S
BUILDING COVERAGE

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

If yes, please describe and attach relevant documents: _____

RECEIVED
DEC 03 2018
BY: McM

Will any work be within the dripline (canopy) of any tree on or off the property?

☐ Yes ☒ No

If yes, provide date of landscape approval, and attach a copy of such approval.

Is this variance request for habitable space pursuant to Section 122-1078?

☐ Yes ☐ No

Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R. provide square footages and percentages.

| Site Data Table MAIN STRUCTURE | | | | |
|-------------------------------------|------------------|------------|------------|------------------|
| | Code Requirement | Existing | Proposed | Variance Request |
| Zoning | HMDR | | | |
| Flood Zone | AE-C | | | |
| Size of Site | 2639 SF. | | | |
| Height | 30' | 19.5' | N.C. | NO |
| Front Setback | 10' | 3.5' | N.C. | NO |
| Side Setback | 5' | 2.75' | N.C. | NO |
| Side Setback | — | — | — | — |
| Street Side Setback | — | — | — | — |
| Rear Setback | 15' | 9.0' | N.C. | NO |
| F.A.R. | — | — | — | — |
| Building Coverage | 1062 / 40% | 988 / 37% | 1113 / 42% | YES |
| Impervious Surface | 1593 / 60% | 1326 / 50% | 1361 / 51% | NO |
| Parking | — | — | — | — |
| Handicap Parking | — | — | — | — |
| Bicycle Parking | — | — | — | — |
| Open Space/ Landscaping | 929 / 35% | 500 / 19% | 735 / 27% | NO |
| Number and type of units | | | | |
| Consumption Area or Number of seats | — | — | — | — |

This application is reviewed pursuant to Section 90-391 through 90-397 of the City of Key West Land Development Regulations (LDRs). The City's LDRs can be found in the Code of Ordinances online at http://www.municode.com/Library/FL/Key_West 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.

THE PROPERTY IS A SMALL FLAG LOT (44% OF STANDARD HMDR (6000SF))
WITH MULTIPLE STRUCTURES THAT HAVE MAXIMIZED THE PROPERTY'S
BUILDING COVERAGE.

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

THE CONDITIONS ARE NOT CREATED BY OWNER BUT WERE
EXISTING PRIOR TO THE LDR'S BEING IMPLEMENTED

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

THE GRANTING OF THIS VARIANCE (BUILDING COVERAGE)
WOULD ALLOW FOR A COVERED OUTDOOR SPACE THAT
DOES NOT EXISTING AT THE MOMENT.

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

THE ONLY HARDSHIP IS THAT OF THE PROPERTY'S SMALL
SIZE WHICH REGULATES THE BUILDING COVERAGE RATIO
OF 40%

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 ONLY VARIANCE WE ARE SEEKING IS TO ADD A COVERED
OPEN AIR STRUCTURE OF APPROXIMATELY 144 SF FOR USE IN THE
COMMON AREA.

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 PROJECT WILL NOT BE INJURIOUS TO THE PUBLIC
INTEREST OR WELFARE.

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

THE GROUNDS FOR THIS VARIANCE HAVE A UNIQUE
APPLICATION TO THIS PROPERTY ALONE.

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

- That the standards established in Section 90-395 have been met by the applicant for a variance.
- That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors. Please describe how you have addressed the "good neighbor policy."

REQUIRED SUBMITTALS: All of the following must be submitted in order to have a complete application. Please submit one paper copy and one electronic copy of all materials.

- ☒ Correct application fee. Check may be payable to "City of Key West."
- ☒ Notarized verification form signed by property owner or the authorized representative.
- ☒ Notarized authorization form signed by property owner, if applicant is not the owner.
- ☒ Copy of recorded warranty deed
- ☒ Property record card
- ☒ Signed and sealed survey
- ☒ Site plan (plans MUST be signed and sealed by an Engineer or Architect)
- ☒ Floor plans
- ☐ Stormwater management plan

Warranty Deed

Prepared by and return to:
Diane Tolbert Covan
Attorney at Law
Diane T. Covan, Esq.
1901 Fogarty Avenue Suite 1
Key West, FL 33040
305-293-1118
File Number: 04-02 RE
Will Call No.:

RCD Jan 23 2004 02:44PM
DANNY L KOLHAGE, CLERK

DEED DOC STAMPS 4340.00
01/23/2004 DEP CLK

Parcel Identification No. 00005690000100010101

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 21 day of January, 2004 between Michael Bullock and Sandy Pape, husband and wife whose post office address is 3718 Flagler Avenue, Key West, FL 33040 of the County of Monroe, State of Florida, grantor*, and Mark Phillips and Brooks Phillips, husband and wife whose post office address is 809 Fleming Street, Rear, Key West, FL 33040 of the County of Monroe, State of Florida, grantee*,

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

On the Island of Key West and known on William A. Whitehead's map of said Island delineated in February 1829, A.D. as a part of Lot One (1), in Square Thirty-four (34). Commencing at a point on the NW'ly side of an Alleyway Eight feet and eight inches wide running in from Margaret Street which point is One Hundred and Fifty-six (156) feet from said Margaret Street, and runs thence in a SW'ly direction Forty-five (45) feet; thence at right angles in a SE'ly direction Fifty-eight (58) feet eight (8) inches; thence at right angles in a NE'ly direction Forty-five (45) feet, thence at right angles in a NW'ly direction Fifty-eight (58) feet and eight (8) inches to the place of beginning.

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

Subject to a Purchase Money Mortgage in the amount of \$20,000 from Grantee to Grantor which Grantor agrees to subordinate by written subordination agreement if such subordination is required by another lender as a condition of a mortgage to Grantee in the future.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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

Signed, sealed and delivered in our presence:

Witness Name: Diane T. Covan

Witness Name: P. J. Reynolds

Witness Name: Diane T. Covan

Witness Name: P. J. Reynolds

(Seal)
Michael Bullock

(Seal)
Sandy Pape

The foregoing instrument was acknowledged before me this 21 day of January, 2004, by Michael Bullock and Sandy Pape, who have produced Florida Driver's Licenses as identification.



Diane Tolbert Covan
Commission # DD078044
Expires Dec. 12, 2005
Bonded Thru
Atlantic Bonding Co., Inc.

(Signature)
Notary Public

Printed Name: Diane Tolbert Covan

My Commission Expires: 12-12-2005

MONROE COUNTY
OFFICIAL RECORDS

DoubleTime®

Verification Form

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an Individual)

I, WILLIAM ROWAN, 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:

3 LOPEZ LANE

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 of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this _____ by _____
date

WILLIAM ROWAN

Name of Authorized Representative

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

Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Commission Number, if any

Authorization Form

City of Key West
Planning Department



Authorization Form
(Individual or Joint Owner)

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

I, Mark Phillips & Brook Phillips authorize
Please Print Name(s) of Owner(s) as appears on the deed

William Rowan
Please Print Name of Representative

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

[Signature]
Signature of Owner

[Signature]
Signature of Joint/Co-owner if applicable

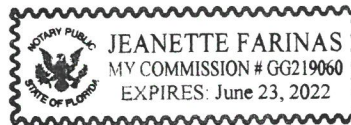
Subscribed and sworn to (or affirmed) before me on this 11/29/18
Date

by Mark Phillips and Brook Phillips
Name of Owner

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

[Signature]
Notary's Signature and Seal

Jeanette Farinas
Name of Acknowledger typed, printed or stamped



GG219060
Commission Number, if any

Site Plans

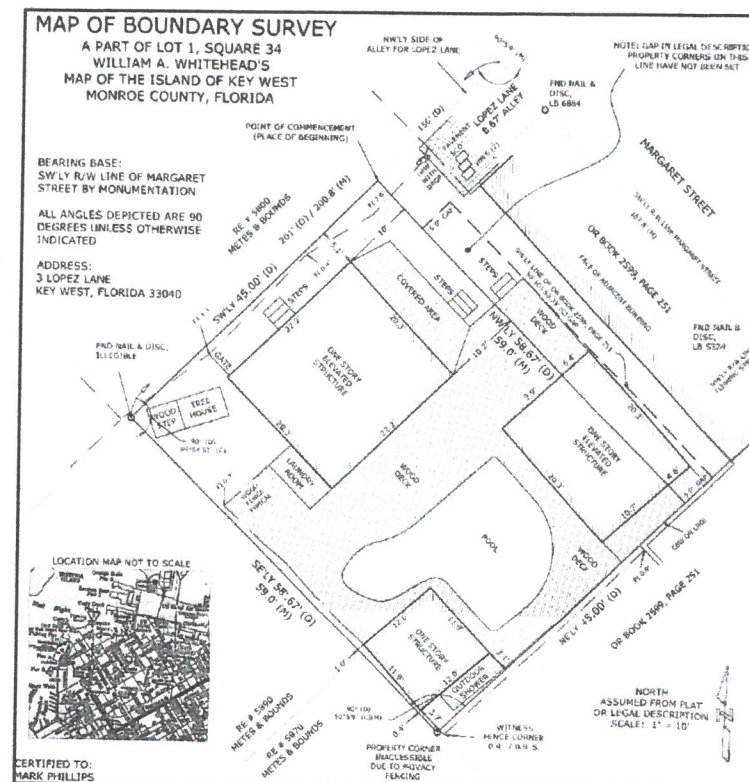
RESIDENTIAL UPGRADES
PHILLIPS RESIDENCE
#3 LOPEZ LN. KEY WEST, FLORIDA 33040



VIEW OF COTTAGE #1



FRONT VIEW OF COTTAGE #1



SURVEY



PROPOSED AREA OF CONSTRUCTION SITE LOCATION

| SHEET INDEX | |
|-------------|-------------------------------------|
| NO. | DESCRIPTION |
| 1 | SITE PLAN, SURVEY, SITE DATA, NOTES |
| 2 | PROPOSED FLOOR PLAN |
| 3 | EXISTING ELEVATIONS |
| 4 | EXISTING ELEVATIONS |

GENERAL NOTES

All work shall comply with the 2017 6th edition Florida Building Code, latest edition, and all applicable laws, codes and ordinances of the city, county, and the state of Florida. In the city of Key West, applicable Codes forming the basis of this design and compliance requirements for the contractor include:

BUILDING: Florida Building Code, 2017
ELECTRICAL: National Electrical Code, 2017
PLUMBING: Florida Building Code (Plumbing), 2017
MECHANICAL: Florida Building Code (Mech.), 2017
GAS: LP Gas Code, 2017 edition (NFPA 58)

This project is designed in accordance with A.S.C.E. 7-16 to resist wind loads of 180 mph (gusts) (Exposure C)

| PROJECT DATA | #4 LOPEZ LANE | | FLOOD: AE-G | | ZONE: HMDR | | VARIANCE |
|-------------------|-----------------|---------------|-------------------|--|------------|--|----------|
| | PROPOSED | EXISTING | ALLOWED | | | | |
| RE NO | 00005690-000100 | | | | | | |
| SETBACKS: | | | | | | | |
| FRONT | 35' | 35' | 10' | | | | NO |
| SIDE | 2.75' | 2.75' | 5' | | | | NO |
| SIDE | 358' | 358' | 5' | | | | NO |
| REAR | 35' | 35' | 15' | | | | NO |
| LOT SIZE | 2,655 S.F. | 2,655 S.F. | 6,000 S.F. MIN. | | | | NO |
| BUILDING COVERAGE | 1,113 S.F. 42% | 988 S.F. 37% | 1062 S.F. 40% | | | | YES |
| BUILDING HEIGHT | 18.5' | 18.5' | 30' | | | | NO |
| IMPERVIOUS AREA | 1361 S.F. 51% | 1326 S.F. 50% | 1593 S.F. 60% | | | | NO |
| OPEN SPACE | 795 S.F. 27% | 500 S.F. 19% | 929 S.F. MIN. 35% | | | | NO |

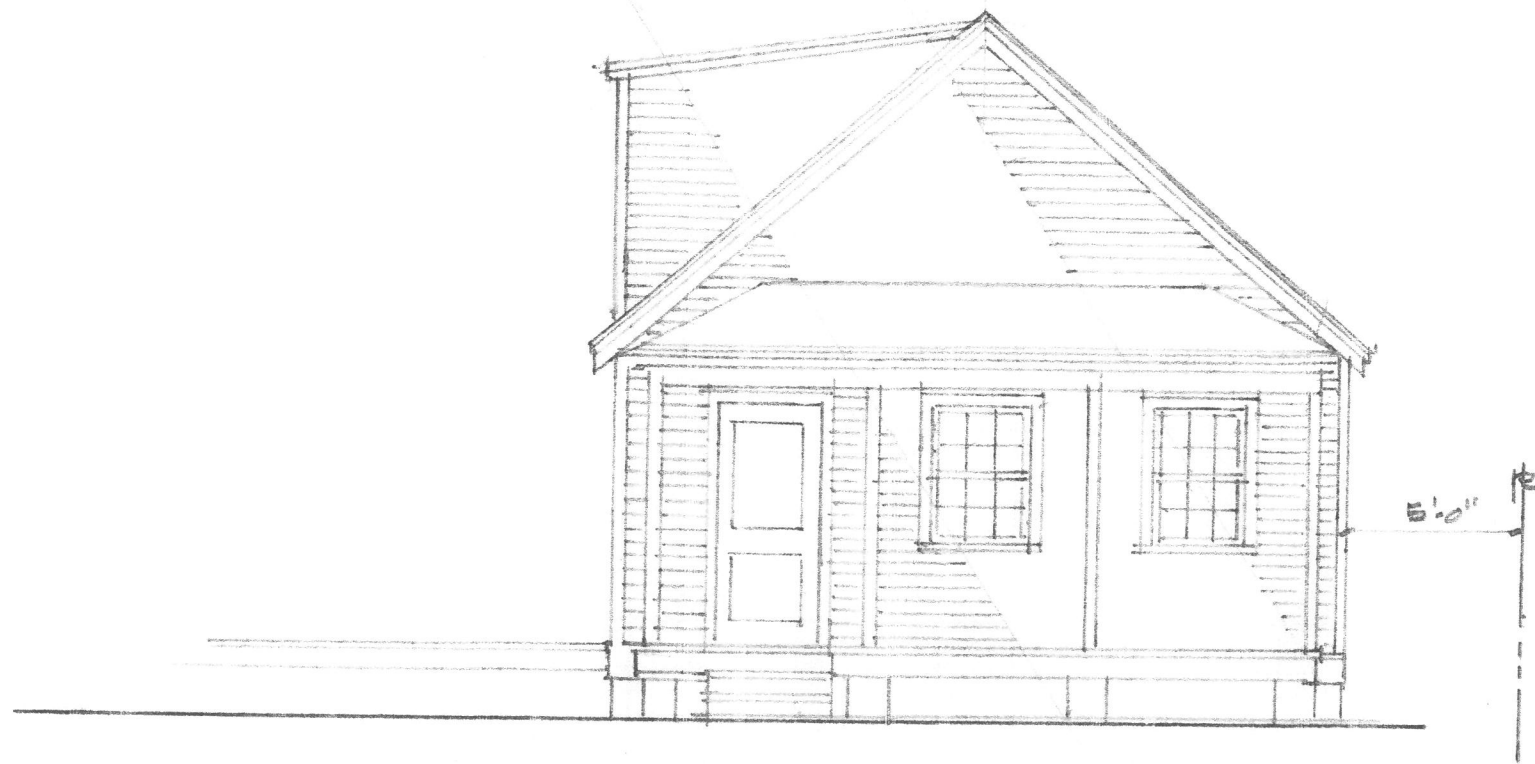
RESIDENTIAL UPGRADES
PHILLIPS RESIDENCE
#3 LOPEZ LN. KEY WEST, FLORIDA 33040

WILLIAM ROWAN
ARCHITECTURE
KEY WEST, FLORIDA
FLORIDA LICENSE AR-001751

PROJECT NO.

DATE: 11-30-2018

1
1 OF 4



NORTH ELEVATION

SCALE 3/16"



EAST ELEVATION

SCALE 3/16"

EXISTING

RESIDENTIAL UPGRADES
PHILLIPS RESIDENCE
#3 LOPEZ LN. KEY WEST, FLORIDA 33040

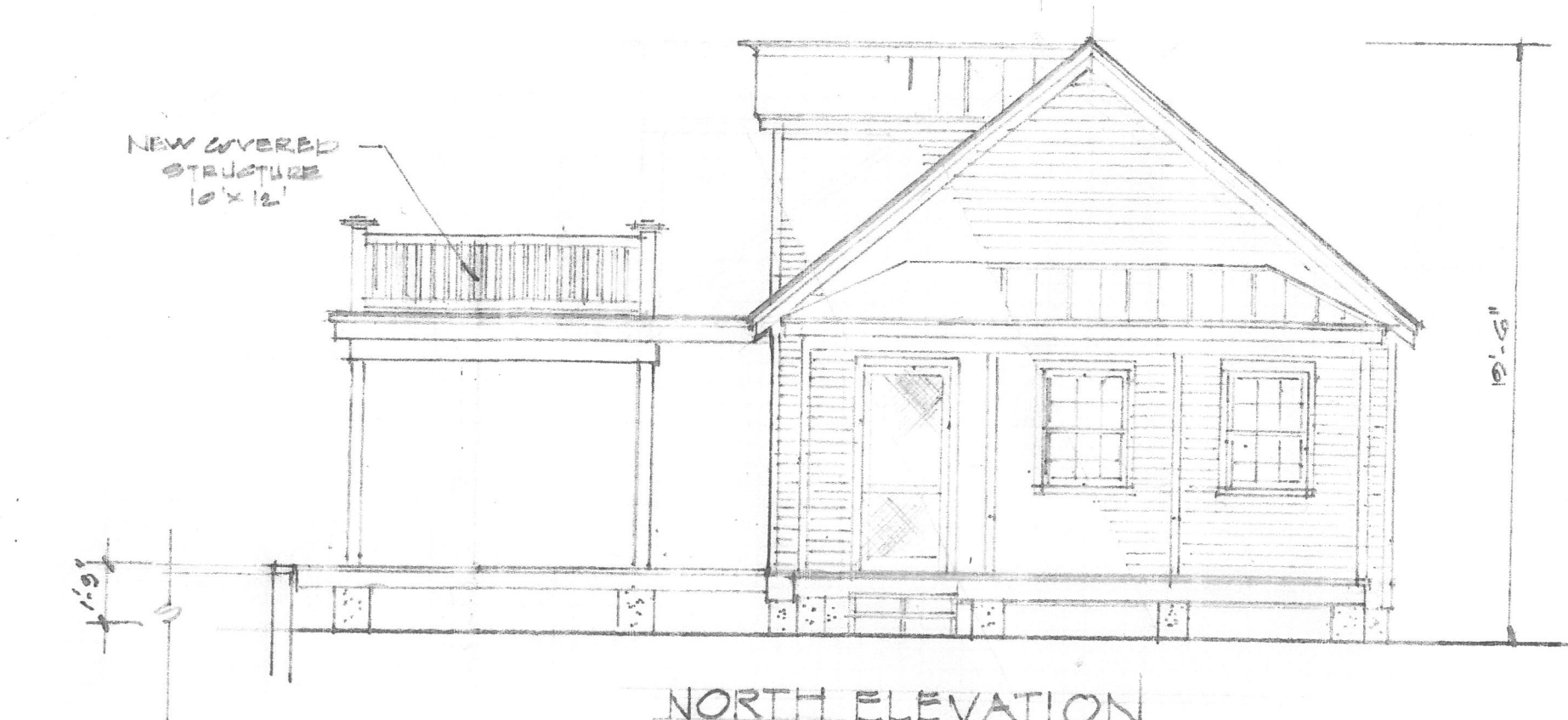
WILLIAM ROWA N
ARCHITECTURE
321 PEACOCK LANE
305 296 3784
KEY WEST, FLORIDA
FLORIDA LICENSE A6401751

PROJECT NO.

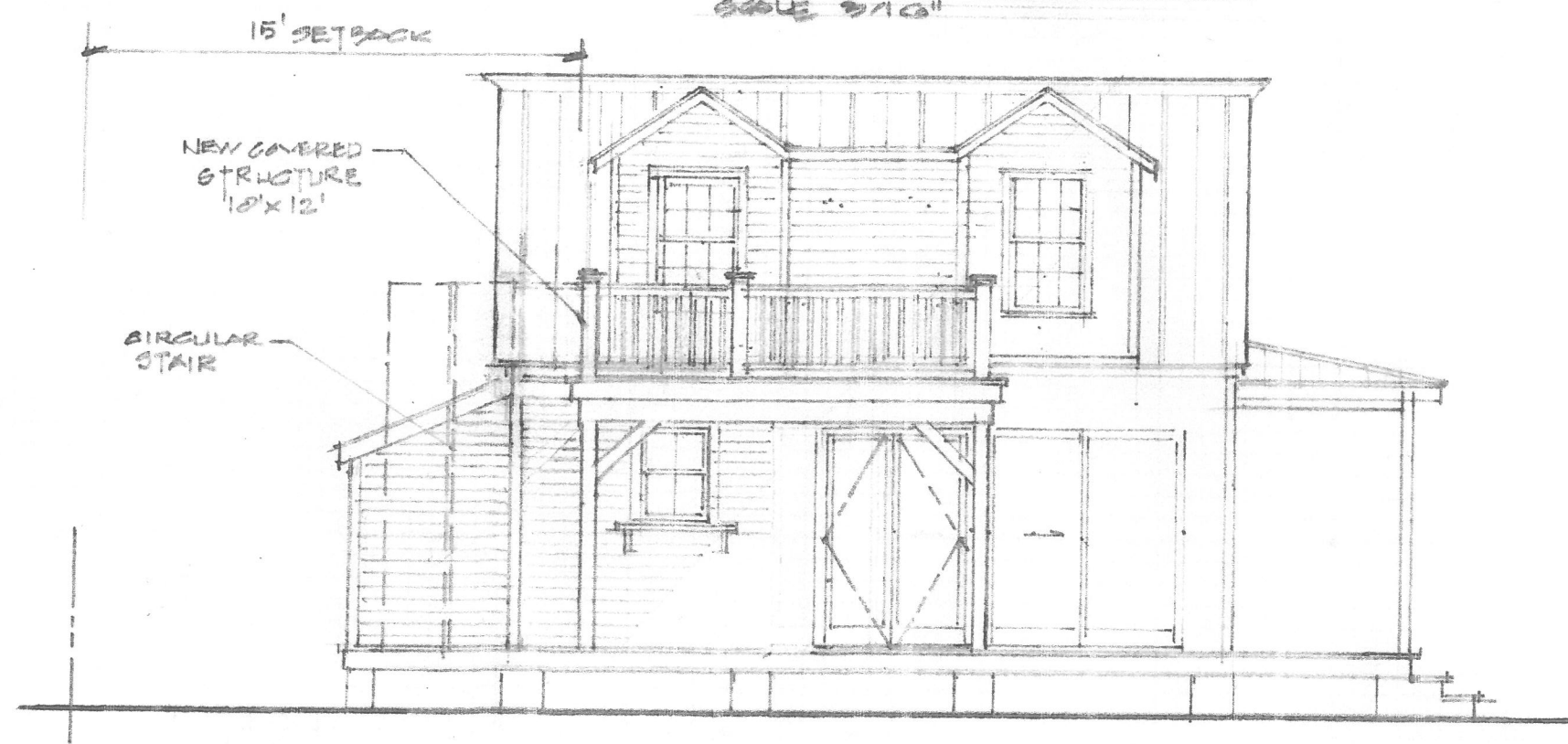
DATE: 11-30-2018

3

3 OF 4



NORTH ELEVATION
SCALE 3/16"



EAST ELEVATION
SCALE 3/16"

PROPOSED OPTION A

RESIDENTIAL UPGRADES
PHILLIPS RESIDENCE
#3 LOPEZ LN. KEY WEST, FLORIDA 33040

WILLIAM ROWAN
ARCHITECTURE
321 PEACOCK LANE
305 296 3784
KEY WEST, FLORIDA
FLORIDA LICENSE AB-001751

PROJECT NO:

DATE: 11-30-2018

Site Visit

3 Lopez Lane, Key West, Florida 33040
SITE VISIT



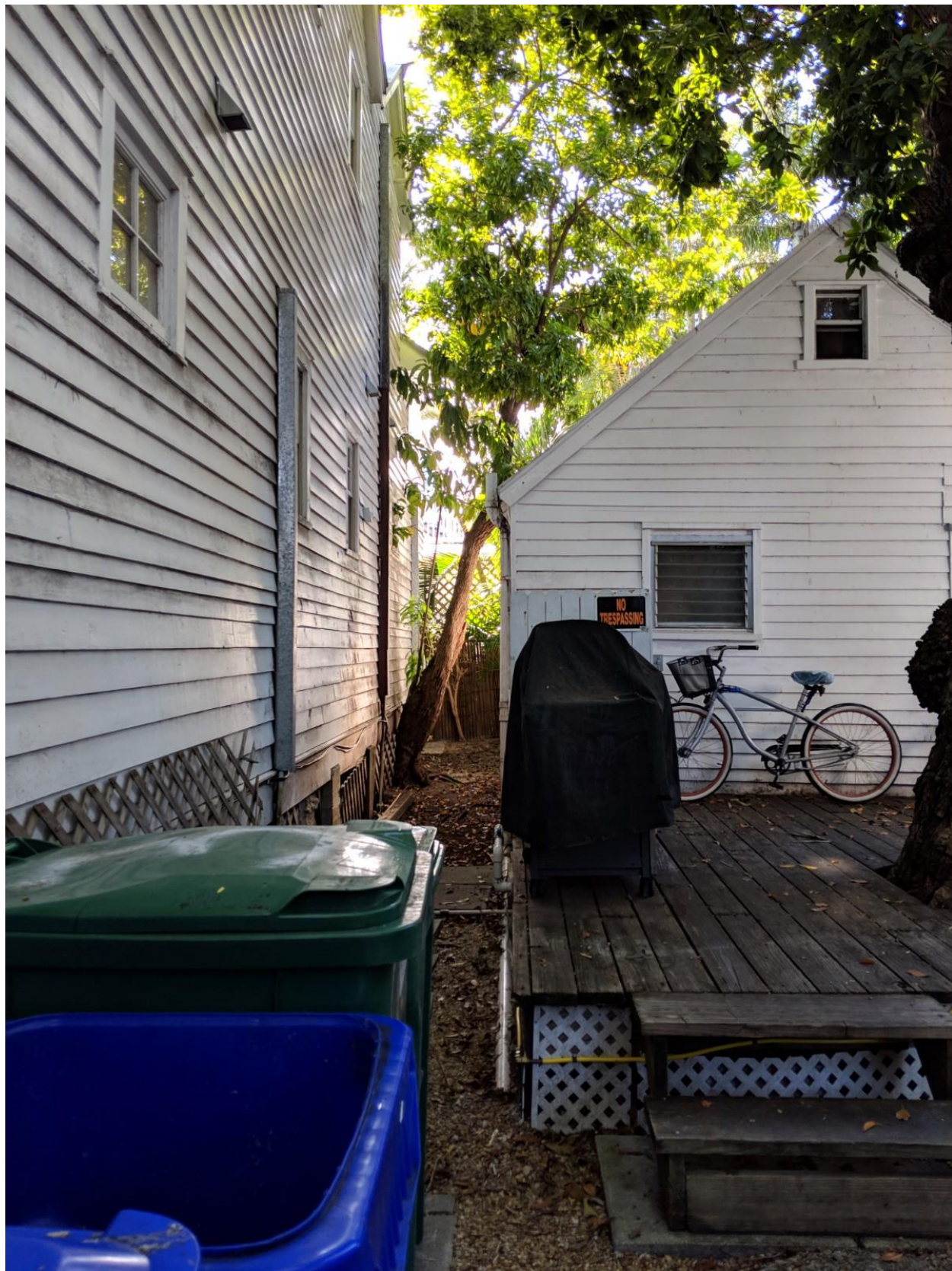
3 Lopez Lane, Key West, Florida 33040
SITE VISIT



3 Lopez Lane, Key West, Florida 33040
SITE VISIT



3 Lopez Lane, Key West, Florida 33040
SITE VISIT



3 Lopez Lane, Key West, Florida 33040
SITE VISIT



3 Lopez Lane, Key West, Florida 33040
SITE VISIT



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SITE VISIT



3 Lopez Lane, Key West, Florida 33040
SITE VISIT



3 Lopez Lane, Key West, Florida 33040
SITE VISIT



Additional Information



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.

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00005690-000100
Account # 1005894
Property ID 1005894
Millage Group 10KW
Location 3 LOPEZ Ln, KEY WEST
Address
Legal KW PT LOT 1 SQR 34 OR609-133 OR617-259 OR650-142 OR650-147/48 OR991-833/34 OR991-835/36Q/C OR1373-1067/1068 OR1373-1069/70Q/C OR1396-915/917Q/C OR1911-17/18Q/C OR1969-2374(LG)
Description (Note: Not to be used on legal documents)
Neighborhood 6108
Property Class SINGLE FAMILY RESID (0100)
Subdivision
Sec/Twp/Rng 06/68/25
Affordable No
Housing



Owner

PHILLIPS BROOKS
 809 Fleming St
 Key West FL 33040

PHILLIPS MARK
 809 Fleming St
 Key West FL 33040

Valuation

| | 2018 | 2017 | 2016 | 2015 |
|----------------------------|-----------|-----------|-----------|-----------|
| + Market Improvement Value | \$152,896 | \$152,896 | \$126,148 | \$123,090 |
| + Market Misc Value | \$15,118 | \$15,118 | \$15,117 | \$12,664 |
| + Market Land Value | \$402,289 | \$402,289 | \$485,844 | \$435,897 |
| = Just Market Value | \$570,303 | \$570,303 | \$627,109 | \$571,651 |
| = Total Assessed Value | \$570,303 | \$570,303 | \$599,447 | \$544,952 |
| - School Exempt Value | \$0 | \$0 | \$0 | \$0 |
| = School Taxable Value | \$570,303 | \$570,303 | \$627,109 | \$571,651 |

Land

| Land Use | Number of Units | Unit Type | Frontage | Depth |
|-----------------|-----------------|-------------|----------|-------|
| SFR LANE (01LN) | 2,639.00 | Square Foot | 45 | 58 |

Buildings

| | | | | |
|-----------------------|--------------------|---------------------------|--------------------------------------|------------------|
| Building ID | 358 | Exterior Walls | ABOVE AVERAGE WOOD with 33% WD FRAME | |
| Style | | Year Built | 1933 | |
| Building Type | S.F.R. - R1 / R1 | EffectiveYearBuilt | 1989 | |
| Gross Sq Ft | 1879 | Foundation | WD CONC PADS | |
| Finished Sq Ft | 994 | Roof Type | GABLE/HIP | |
| Stories | 3 Floor | Roof Coverage | MIN/PAINT CONC | |
| Condition | AVERAGE | Flooring Type | CONC S/B GRND | |
| Perimeter | 222 | Heating Type | NONE with 0% NONE | |
| Functional Obs | 0 | Bedrooms | 1 | |
| Economic Obs | 0 | Full Bathrooms | 2 | |
| Depreciation % | 34 | Half Bathrooms | 0 | |
| Interior Walls | WALL BD/WD WAL | Grade | 550 | |
| | | Number of Fire Pl | 0 | |
| Code | Description | Sketch Area | Finished Area | Perimeter |
| FHS | FINISH HALF ST | 460 | 0 | 86 |
| FLA | FLOOR LIV AREA | 994 | 994 | 222 |

| Code | Description | Sketch Area | Finished Area | Perimeter |
|--------------|----------------|--------------|---------------|------------|
| OPU | OP PR UNFIN LL | 291 | 0 | 112 |
| OPF | OP PRCH FIN LL | 102 | 0 | 46 |
| SBF | UTIL FIN BLK | 32 | 0 | 24 |
| TOTAL | | 1,879 | 994 | 490 |

Yard Items

| Description | Year Built | Roll Year | Quantity | Units | Grade |
|---------------|------------|-----------|----------|--------|-------|
| UTILITY BLDG | 1942 | 1943 | 1 | 96 SF | 1 |
| RES POOL | 1975 | 1976 | 1 | 287 SF | 4 |
| WOOD DECK | 1975 | 1976 | 1 | 325 SF | 1 |
| WALL AIR COND | 1983 | 1984 | 1 | 1 UT | 1 |
| FENCES | 1996 | 1997 | 1 | 80 SF | 2 |

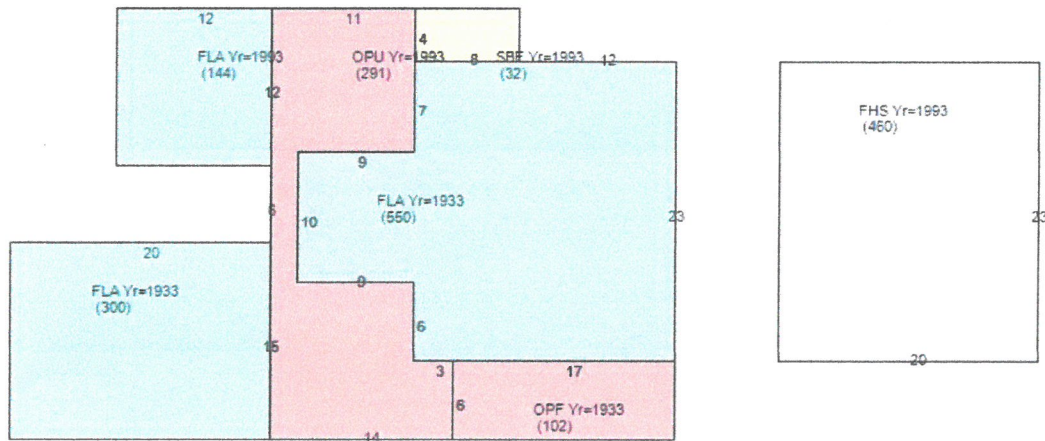
Sales

| Sale Date | Sale Price | Instrument | Instrument Number | Deed Book | Deed Page | Sale Qualification | Vacant or Improved |
|-----------|------------|-----------------|-------------------|-----------|-----------|--------------------|--------------------|
| 1/21/2004 | \$620,000 | Warranty Deed | | 1969 | 2374 | Q - Qualified | Improved |
| 9/1/1995 | \$1 | Warranty Deed | | 1373 | 1067 | M - Unqualified | Improved |
| 10/1/1986 | \$1 | Warranty Deed | | 991 | 833 | M - Unqualified | Improved |
| 2/1/1969 | \$4,800 | Conversion Code | | 650 | 147 | Q - Qualified | Improved |

Permits

| Number ◆ | Date Issued ◆ | Date Completed ◆ | Amount ◆ | Permit Type ◆ | Notes ◆ |
|------------|---------------|------------------|----------|---------------|---------------------------------|
| 0800002187 | 6/17/2008 | 6/17/2008 | \$1,500 | Commercial | REPLACE DAMAGED 200 AMP SERVICE |
| 9601925 | 5/1/1996 | 12/1/1997 | \$225 | Commercial | FENCE |

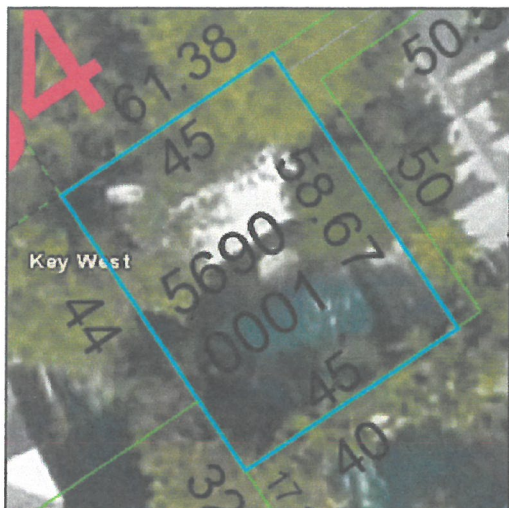
Sketches (click to enlarge)



Photos



Map



TRIM Notice

[Trim Notice](#)

2018 Notices Only

No data available for the following modules: Commercial Buildings, Mobile Home Buildings, Exemptions.

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