

**PLANNING BOARD  
RESOLUTION No. 2012-58**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR A VARIANCE APPROVAL FOR FRONT YARD AND STREET SIDE SETBACK, LANDSCAPE BUFFER, LANDSCAPE WAIVER AND PARKING WAIVER FROM THE REQUIRED TWO SPACES (ONE PARKING, ONE ADA) TO ONE ADA ACCESSIBLE PARKING SPACE ON PROPERTY LOCATED AT 701 PASSEOVER LANE IN THE HPS ZONING DISTRICT AS PER SECTIONS 122-960(6)A, 122-960(6)D, 108-346(B), AND 108-572(3) OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.**

**WHEREAS**, the subject property is located in the Historic Public and Semipublic Services (HPS) zoning districts; and

**WHEREAS**, Section 90-391 allows an applicant to request a variance if the literal enforcement of the LDR's will cause unnecessary hardship; and

**WHEREAS**, 122-960(6)a of the Code of Ordinances provides that the minimum front setback is to be 20 feet in the HPS zoning district; the applicant requested a variance of 19.1 foot to the existing 8.75 foot; and

**WHEREAS**, Section 122-960(6)d of the Code of Ordinances provides that the minimum street side setback is to be 10 feet in the HPS zoning district; the applicant requested 6.1 feet to the existing 5.83 feet existing; and

  
Chairman

  
Planning Director

**WHEREAS**, Section 108-346(b) of the Code of Ordinances provides that the minimum open space be 20 percent; the applicant requested 20%; and

**WHEREAS**, the applicant requested a parking variance from the required two spaces (one parking, one ADA) to one ADA accessible parking space; and

**WHEREAS**, the Planning Board finds that the existing conditions of the Sexton's House pre-dates the dimensional requirements of the current LDRs, and therefore is legally non-conforming to some dimensional requirements in the HPS zoning district. The applicant is proposing to demolish the building and replace it with a new Sexton's House that lessens the existing nonconformities. The HPS zoning district is unique in that the surrounding zoning districts allow greater density and height; and

**WHEREAS**, the Planning Board finds that the Sexton's House has been located at the entrance of the Key West Cemetery on the corner of Passover Lane and Angela Street for at least fifty years and pre-dates the dimensional requirements of the current LDRs, and therefore is legally non-conforming to some dimensional requirements in the HPS zoning district. The applicant is proposing to demolish the building and replace it with a new one and a half story building to include the Sexton's office, bereavement room, archival space, ADA restroom and storage. The special condition for this project is the proximity of existing and historic gravesites within inches of the existing and proposed building; and



Chairman



Planning Director

**WHEREAS**, the Planning Board finds that it is the applicant's request to expand the existing non-conformity creating the need for the variance and waiver requests. Therefore, this is a condition created by the applicant. However, there is no other feasible location due to the existing gravesites. A public facility cannot be built below the 100 year flood zone requirements, therefore the proposed building will be constructed to 6.87 feet which exceeds the regulations for the AE 6 flood zone; and

**WHEREAS**, the Planning Board finds that the cemetery is unique within the City. The need to locate the Sexton's Office at this location is unwaiverable; and

**WHEREAS**, the Planning Board finds that if the variances for the proposed reconstruction are denied, the applicant would not be deprived of reasonable use of the land and the existing structure. However, hardship for this project is created by the proximity of existing and historic gravesites within inches of the existing and proposed building; and

**WHEREAS**, the Planning Board finds that the variances requested are the minimum necessary to carry out the redevelopment of the Sexton's House in the Cemetery within the historic district; and

**WHEREAS**, the Planning Board finds that it does not appear that granting the variances will be injurious to the area involved or otherwise detrimental to the public interest or welfare. In fact,



Chairman



Planning Director

granting the variances will be in the public interest and welfare by providing sufficient room for the Key West Cemetery archives and family room to take care of loved ones while making arrangements; and

**WHEREAS**, the Planning Board finds that existing nonconforming uses of other properties, use of neighboring lands, structures, or buildings in the same district, or other zoning districts, are not the basis for this approval; and

**WHEREAS**, the nonconformities on the site prevent the applicant from meeting minimum standards for landscaping along the right-of-way as specified by Section 108-413 of the LDRs. The Code requires that sites that are more than an acre require a width of landscaping of 30 linear feet adjacent to the right-of-way. In addition, existing gravesites on the site prevent the applicant from meeting the minimum standards for perimeter landscaper requirements as specified by Section 108-415 of the LDRs; and

**WHEREAS**, the criteria for evaluating a landscape waiver are listed in Section 108-517(b) of the LDRs. The planning board may approve or grant the waiver or modification only if it determines that the waivers or modifications are not contrary to the intent of the subdivision and that a literal enforcement of the standards of this subdivision would be impracticable; and

**WHEREAS**, conditions to be completed:

1. That a Certificate of Elevation be provided to confirm that the structure meets FEMA base flood elevation requirements;
2. The rare Sausage tree next to the existing Sexton's House not be removed, unless it is specified in writing, certified by the City Engineer, concurring with the City Urban Forestry Manager that the tree would prevent the construction of the proposed building. ✓



**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on December 20, 2012; and

**WHEREAS**, the Planning Board finds that the applicant has demonstrated a "good neighbor policy" by contacting or making a reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those neighbors;

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

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

**Section 2.** An approval by resolution of the Key West Planning Board for variances to allow the redevelopment of the Sexton's House on the property located at 701 Passover Lane (RE#

  
Chairman  
  
Planning Director

0020620-000000) in the HPS zoning districts per Section 90-391, 122-960(6)a, 122-960(6)d, 108-346(b, and 108-572(3)) of the Land Development Regulations of the Code of Ordinances of the City of Key West per the plan set dated November 6, 2012.

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

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

**Section 5.** These variances and landscape waiver do 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.

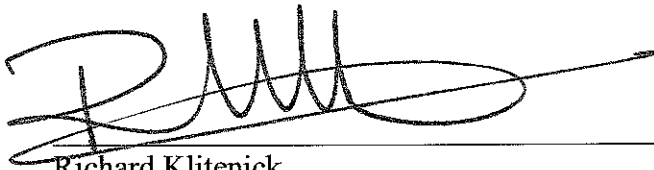
  
Chairman

  
Planning Director

**Section 7.** This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DEO can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed on first reading at a regularly scheduled meeting held this 20th day of December, 2012.

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

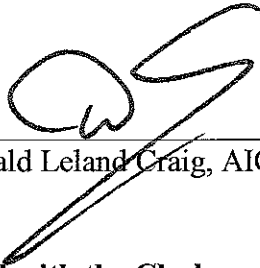


Richard Klitenick  
Key West Planning Board Chairman

12/31/2012  
Date

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

**Attest:**

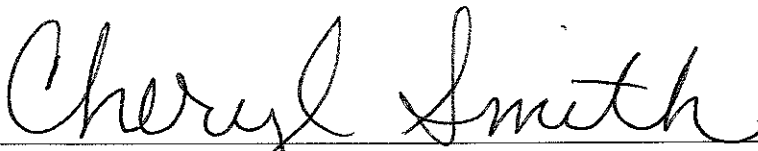


Donald Leland Craig, AICP, Planning Director

12/26/12

Date

**Filed with the Clerk:**




Cheryl Smith, City Clerk

1-2-13

Date



Chairman

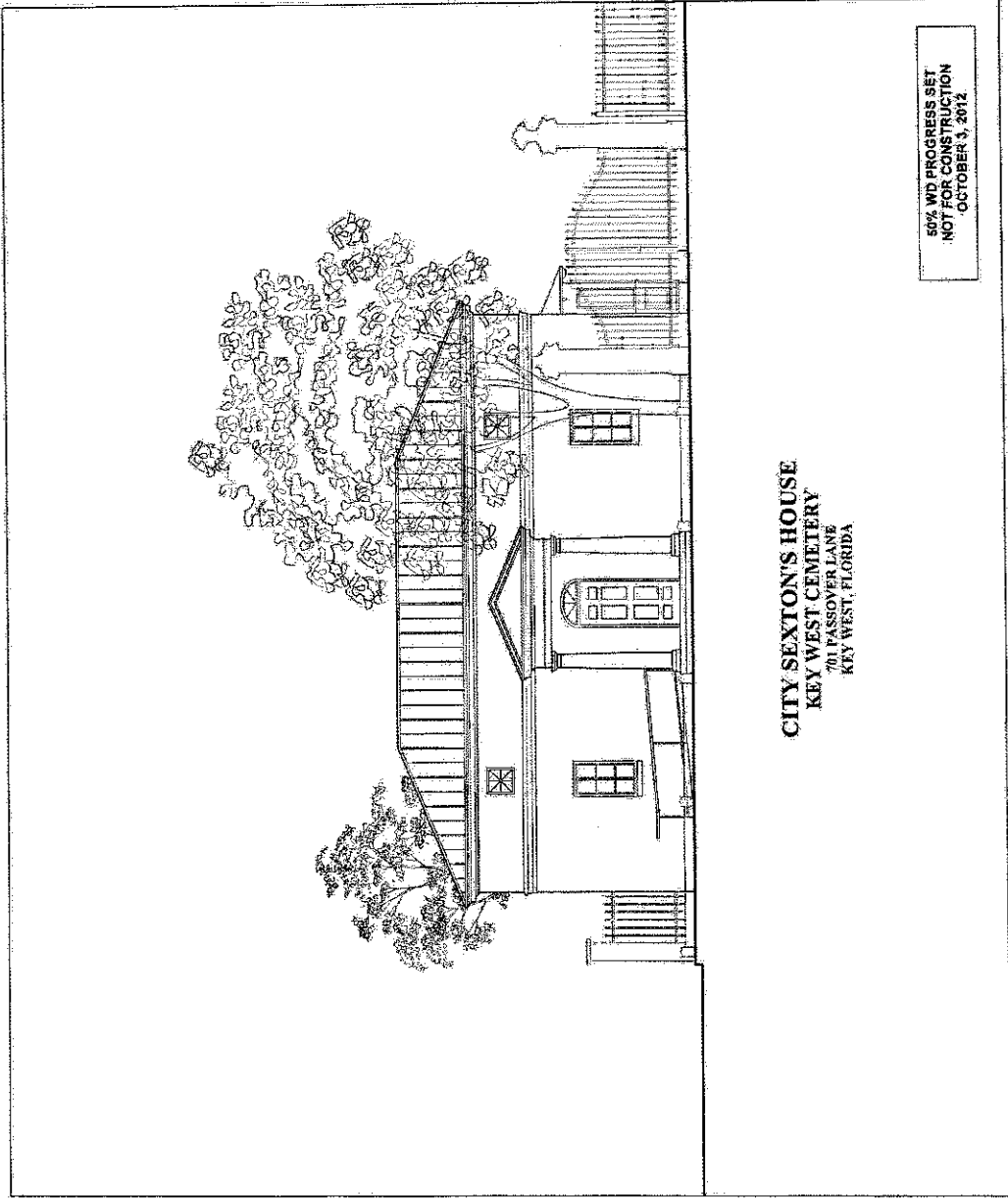


Planning Director



INDEX OF DRAWINGS

SHEET NUMBER	TITLE
	COVER SHEET
C1	SITE PLAN, SITE DATA AND SITE DETAILS
A1	FIRST FLOOR AND ATTIC PLAN
A2	REFLECTED CEILING PLANS
A3	SCHEDULES AND DETAILS
A4	ROOF PLAN AND EXTERIOR DETAILS
A5	EXTERIOR ELEVATIONS
A6	BUILDING SECTIONS
A7	WALL SECTIONS AND DETAILS
A8	DETAILED BATHROOM PLANS AND ELEVATIONS
A9	INTERIOR ELEVATIONS AND INTERIOR DETAILS
S1	FOUNDATION PLAN AND ATTIC FRAMING PLAN
S2	ROOF FRAMING PLAN AND STRUCTURAL DETAILS
S3	STRUCTURAL DETAILS
M1	HVAC PLAN AND DETAILS
E1	ELECTRICAL POWER PLANS AND PANEL SCHEDULE AND RISER DIAGRAM
E2	ELECTRICAL LIGHTING PLANS AND DETAILS
P1	PLUMBING PLAN AND ISOMETRICS



**CITY SEXTON'S HOUSE**  
 KEY WEST CEMETERY  
 701 PASSOVER LANE  
 KEY WEST, FLORIDA

50% WD PROGRESS SET  
 NOT FOR CONSTRUCTION  
 -OCTOBER 3, 2012

**MICHAEL MILLER • ARCHITECT**

517 DUNAL STREET  
 KEY WEST, FLORIDA  
 (305) 854-7807  
 info@millerarch.com

OC RUK

**NOTES:**

1. All dimensions are given in feet and inches.
2. All dimensions are given in feet and inches.
3. All dimensions are given in feet and inches.
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**MICHAEL MILLER ARCHITECT**  
 701 PASSOVER LANE  
 KEY WEST, FLORIDA

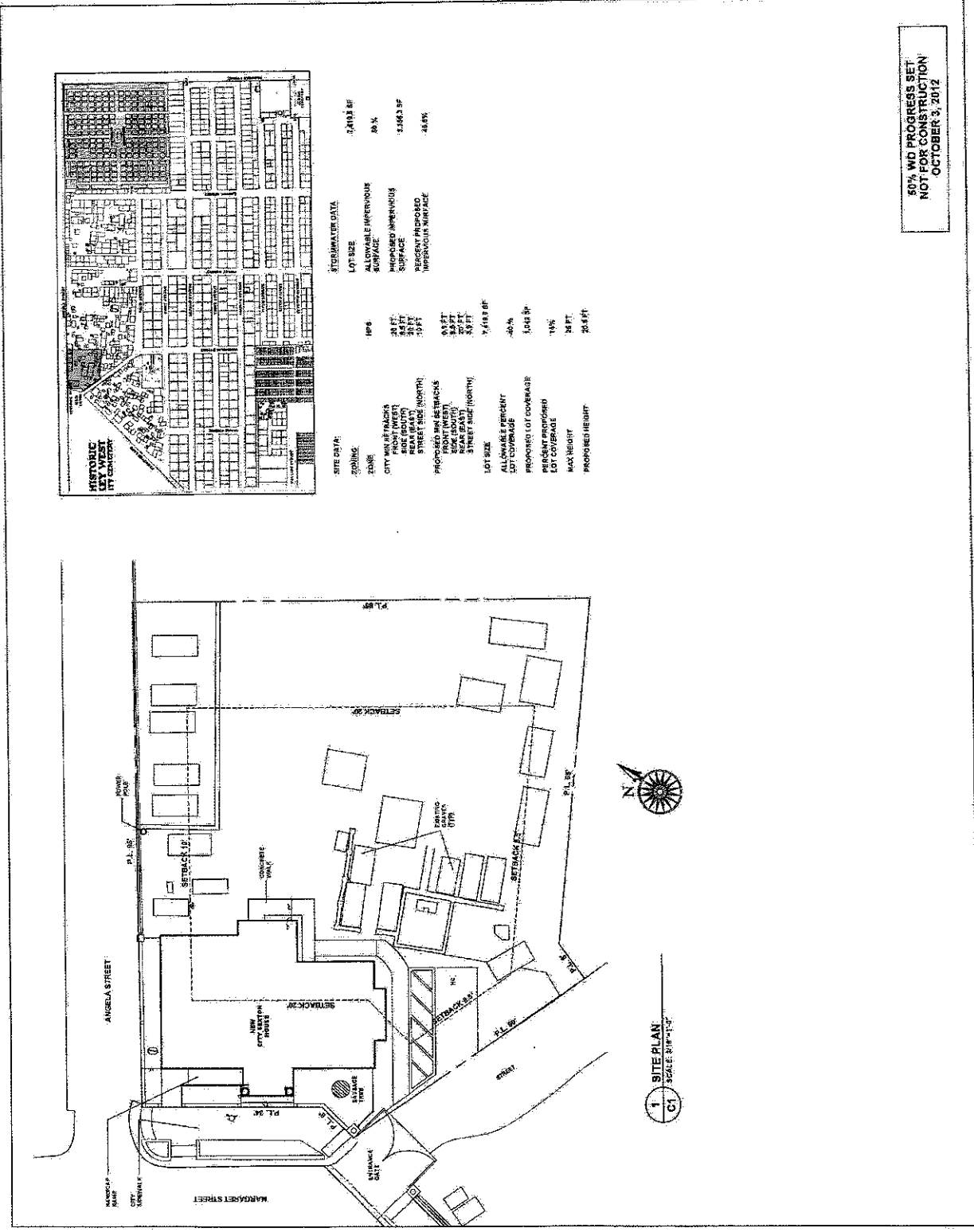
**CITY SEXTON'S HOUSE  
 KEY WEST CEMETERY**

KEY WEST, FLORIDA  
 701 PASSOVER LANE  
 KEY WEST, FLORIDA

**SITE PLAN, SITE DATA  
 AND SITE DETAILS**

**C1**

50% WD PROGRESS SET  
 NOT FOR CONSTRUCTION  
 OCTOBER 3, 2012



OC *[Handwritten signature]*



**NOTES:**

1. All work shall be in accordance with the City of Key West, Florida, Building Code, and all applicable codes and regulations.
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3. All work shall be in accordance with the City of Key West, Florida, Building Code, and all applicable codes and regulations.
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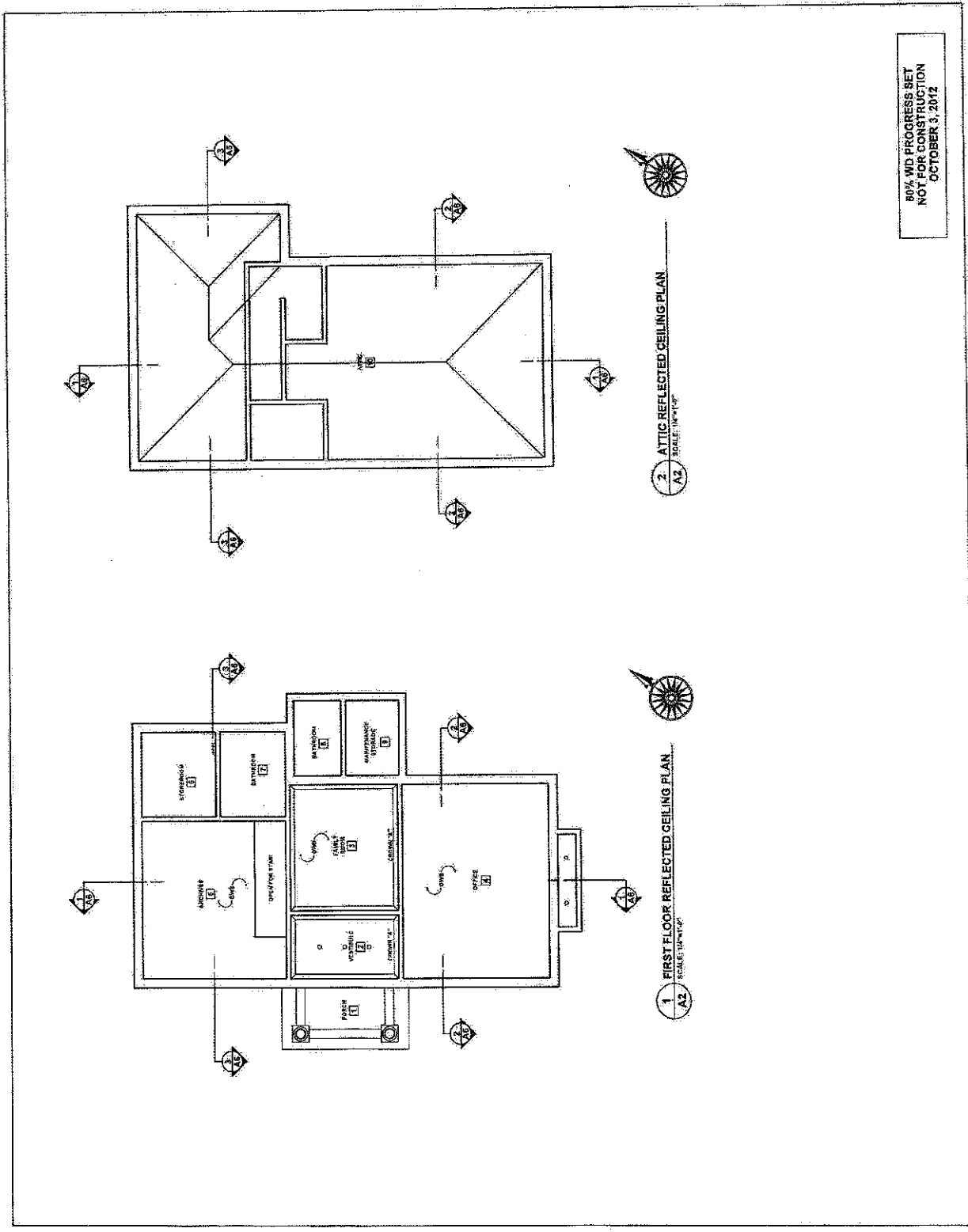
**MICHAEL MILLER - ARCHITECT**  
 701 PASSOURELLE LANE  
 KEY WEST, FLORIDA

**CITY SEXTON'S HOUSE**  
 KEY WEST CEMETERY

701 PASSOURELLE LANE  
 KEY WEST, FLORIDA

**REFLECTED  
 CEILING PLAN**

**A2**



*Handwritten signature: RUK*

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**GENERAL NOTES:**

1. Coordinate all dimensions with the building footprint.
2. All dimensions are in feet and inches.
3. No dimension is to be smaller than 1/8" for any dimension.
4. All dimensions are to be finished unless otherwise noted.
5. All dimensions are to be taken from the exterior face of the wall unless otherwise noted.
6. All dimensions are to be taken from the centerline of the wall unless otherwise noted.
7. All dimensions are to be taken from the finished floor unless otherwise noted.
8. All dimensions are to be taken from the finished ceiling unless otherwise noted.
9. All dimensions are to be taken from the finished grade unless otherwise noted.
10. All dimensions are to be taken from the finished basement unless otherwise noted.
11. All dimensions are to be taken from the finished slab on grade unless otherwise noted.
12. All dimensions are to be taken from the finished roof unless otherwise noted.
13. All dimensions are to be taken from the finished exterior finish unless otherwise noted.
14. All dimensions are to be taken from the finished interior finish unless otherwise noted.
15. All dimensions are to be taken from the finished paint unless otherwise noted.
16. All dimensions are to be taken from the finished tile unless otherwise noted.
17. All dimensions are to be taken from the finished carpet unless otherwise noted.
18. All dimensions are to be taken from the finished wood floor unless otherwise noted.
19. All dimensions are to be taken from the finished concrete floor unless otherwise noted.
20. All dimensions are to be taken from the finished concrete ceiling unless otherwise noted.
21. All dimensions are to be taken from the finished concrete wall unless otherwise noted.
22. All dimensions are to be taken from the finished concrete floor slab unless otherwise noted.
23. All dimensions are to be taken from the finished concrete roof slab unless otherwise noted.
24. All dimensions are to be taken from the finished concrete foundation unless otherwise noted.
25. All dimensions are to be taken from the finished concrete footing unless otherwise noted.
26. All dimensions are to be taken from the finished concrete pier unless otherwise noted.
27. All dimensions are to be taken from the finished concrete column unless otherwise noted.
28. All dimensions are to be taken from the finished concrete beam unless otherwise noted.
29. All dimensions are to be taken from the finished concrete slab on edge unless otherwise noted.
30. All dimensions are to be taken from the finished concrete curb unless otherwise noted.
31. All dimensions are to be taken from the finished concrete curb and gable end unless otherwise noted.
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**MICHAEL MILLER ARCHITECT**  
 701 PASSOVER LANE  
 KEY WEST, FLORIDA

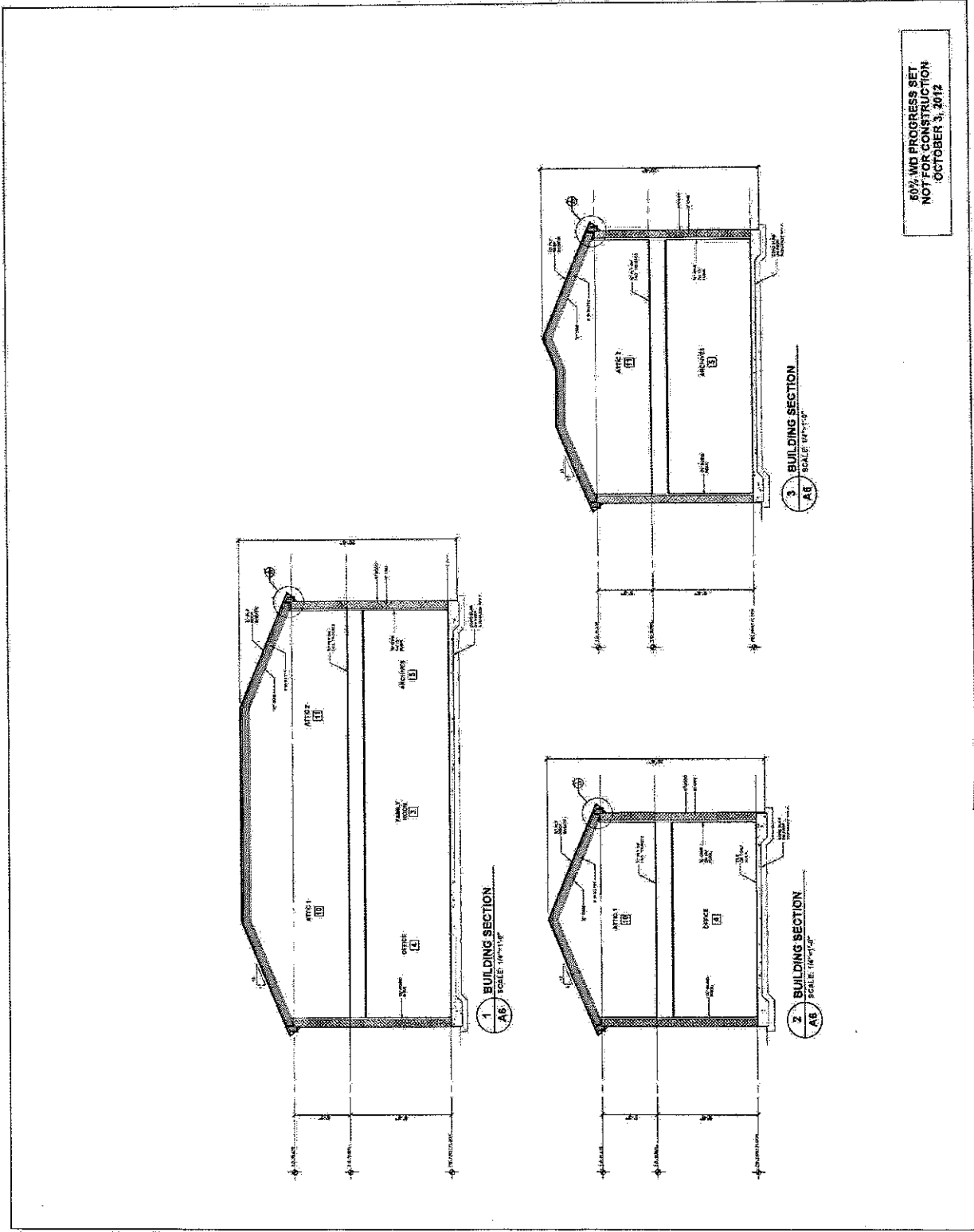
**CITY SEXTON'S HOUSE**  
 KEY WEST CEMETERY  
 701 PASSOVER LANE  
 KEY WEST, FLORIDA

DATE: 10/15/12
SCALE: 1/4" = 1'-0"
PROJECT NO: 101
DESIGNED BY: MM
DRAWN BY: MM
CHECKED BY: MM
PROJECT NO: 101

**BUILDING SECTIONS**

**A6**

50% WD PROGRESS SET  
 NOT FOR CONSTRUCTION  
 OCTOBER 3, 2012



*Handwritten signature: R. Rusk*



- SECRETARY**
1. Check for conditions at existing window.
  2. Remove old window and install new window.
  3. Reinstall old window in new opening.
  4. All work shall be done in accordance with the City of Key West, Florida Building Code.
  5. All work shall be done in accordance with the City of Key West, Florida Building Code.
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**MICHAEL MILLER ARCHITECT**  
 1000 N. MIAMI AVENUE  
 SUITE 100  
 MIAMI, FLORIDA 33136  
 TEL: 305.375.1111  
 FAX: 305.375.1112  
 WWW.MILLERARCHITECT.COM

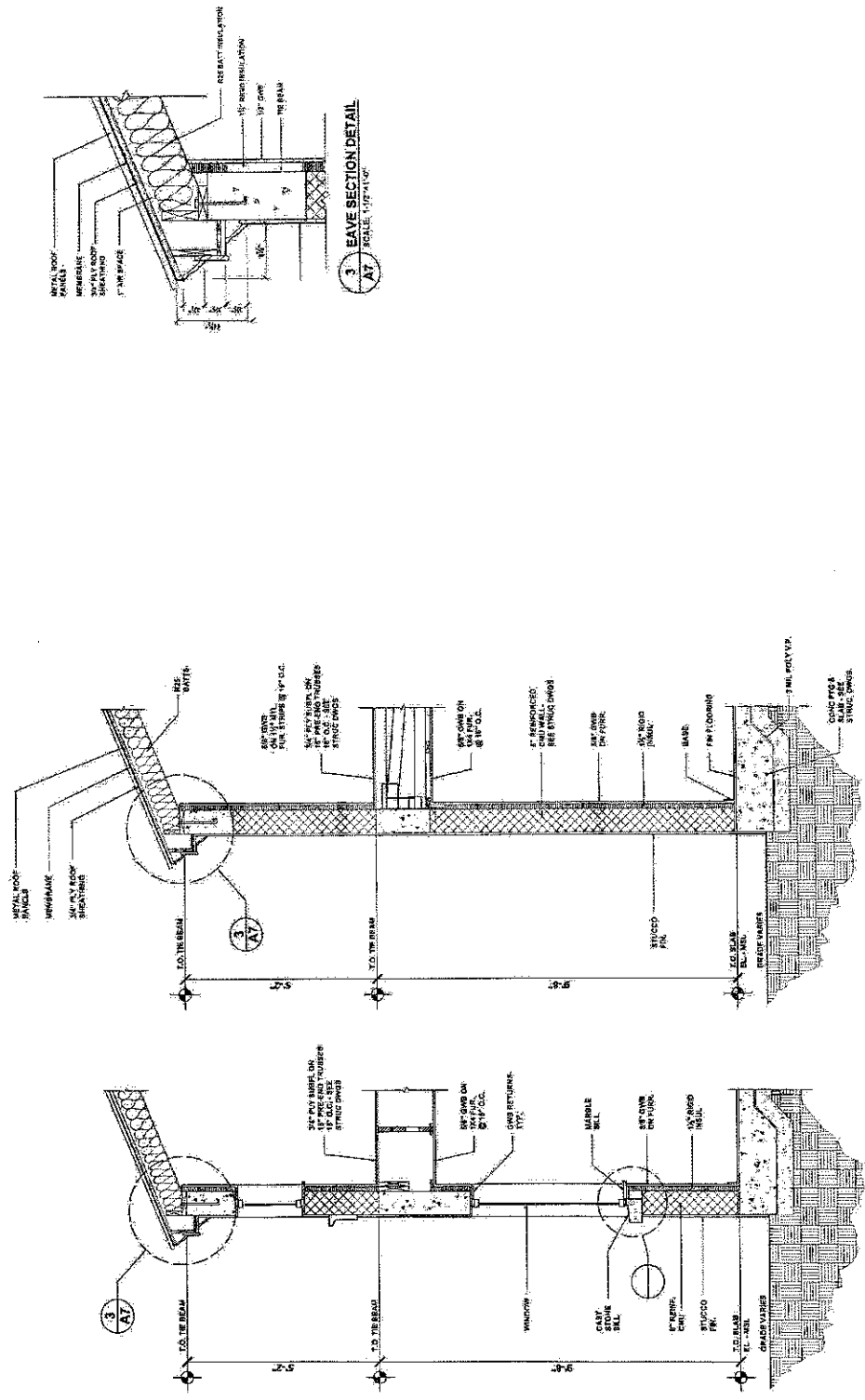
**CITY SEXTON'S HOUSE**  
 KEY WEST CEMETERY  
 1000 N. MIAMI AVENUE  
 SUITE 100  
 MIAMI, FLORIDA 33136

SCALE: 1/4" = 1'-0"
DATE: 10/03/12
PROJECT: 12-0000
DATE: 10/03/12
DESIGNER: M.M.
ARCHITECT: M.M.

**WALL SECTIONS AND DETAILS**

**A7**

50% WD PROGRESS SET  
 NOT FOR CONSTRUCTION  
 OCTOBER 3, 2012



2 WALL SECTION  
 SCALE: 3/4" = 1'-0"

1 WALL SECTION  
 SCALE: 3/4" = 1'-0"

*OC Kutz*

**REVISIONS:**

1. Revised per comments from the City of Key West.
2. Revised per comments from the City of Key West.
3. No changes to the scope of the project.
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100. No changes to the scope of the project.

**MICHAEL MILLER ARCHITECT**  
 1000 N. MIAMI AVENUE  
 SUITE 1000  
 MIAMI, FL 33132  
 (305) 371-1111  
 www.michaelmillerarchitect.com

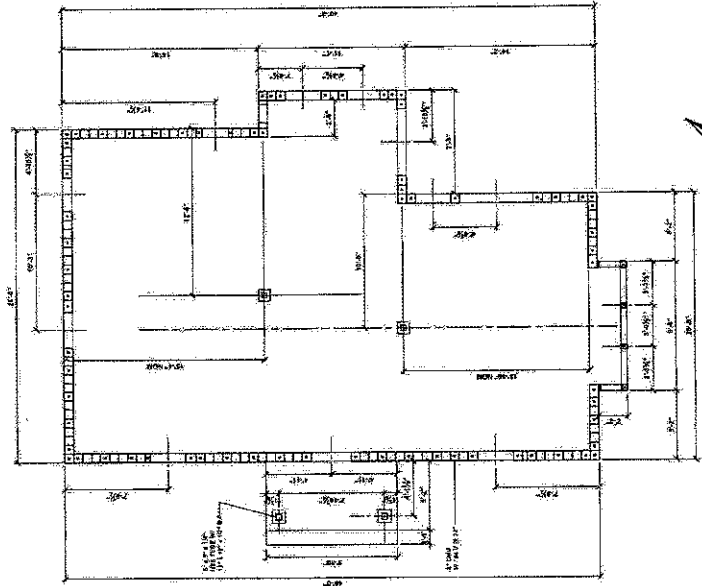
**CITY SEXTON'S HOUSE**  
 KEY WEST CEMETERY  
 701 PASSOVER LANE  
 KEY WEST, FLORIDA

DATE: 08/14/12  
 DRAWN BY: JMM  
 CHECKED BY: JMM  
 PROJECT NO.: 12-001  
 SHEET NO.: 011

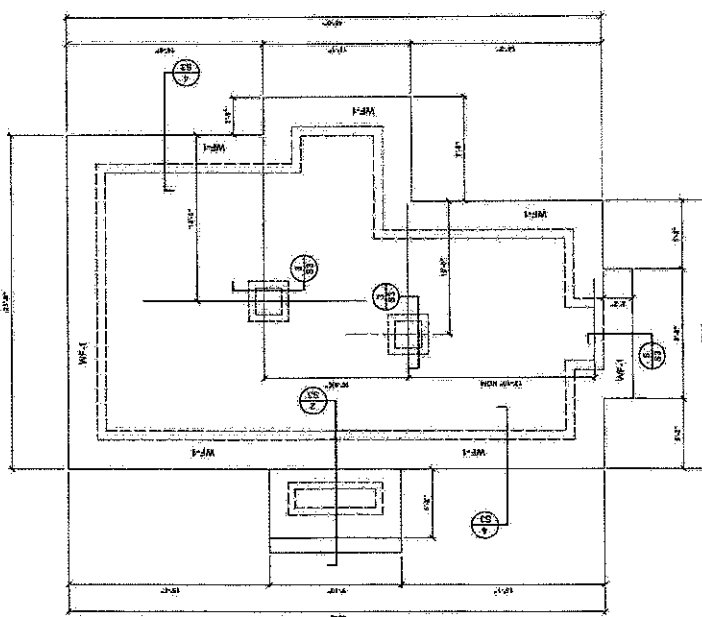
**FOUNDATION PLAN  
 REINFORCEMENT PLAN  
 AND  
 STRUCTURAL DETAILS**

**S1**

50% WD PROGRESS SET  
 NOT FOR CONSTRUCTION  
 OCTOBER 3, 2012



**2. CONCRETE REINFORCEMENT PLAN**  
 SCALE: 1/4" = 1'-0"



**1. FOUNDATION PLAN**  
 SCALE: 1/4" = 1'-0"

*Handwritten signature: R. R. R.*



**GENERAL NOTES:**

1. Provide and install drainage with 1/4" slope towards the exterior wall and 1/8" slope towards the interior wall.
2. All work shall be in accordance with the applicable code books for the jurisdiction in which the work is to be performed.
3. All work shall be in accordance with the applicable code books for the jurisdiction in which the work is to be performed.
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9. All work shall be in accordance with the applicable code books for the jurisdiction in which the work is to be performed.
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**MICHAEL MILLER - ARCHITECT**  
 701 PASSOVER LANE  
 KEY WEST, FLORIDA

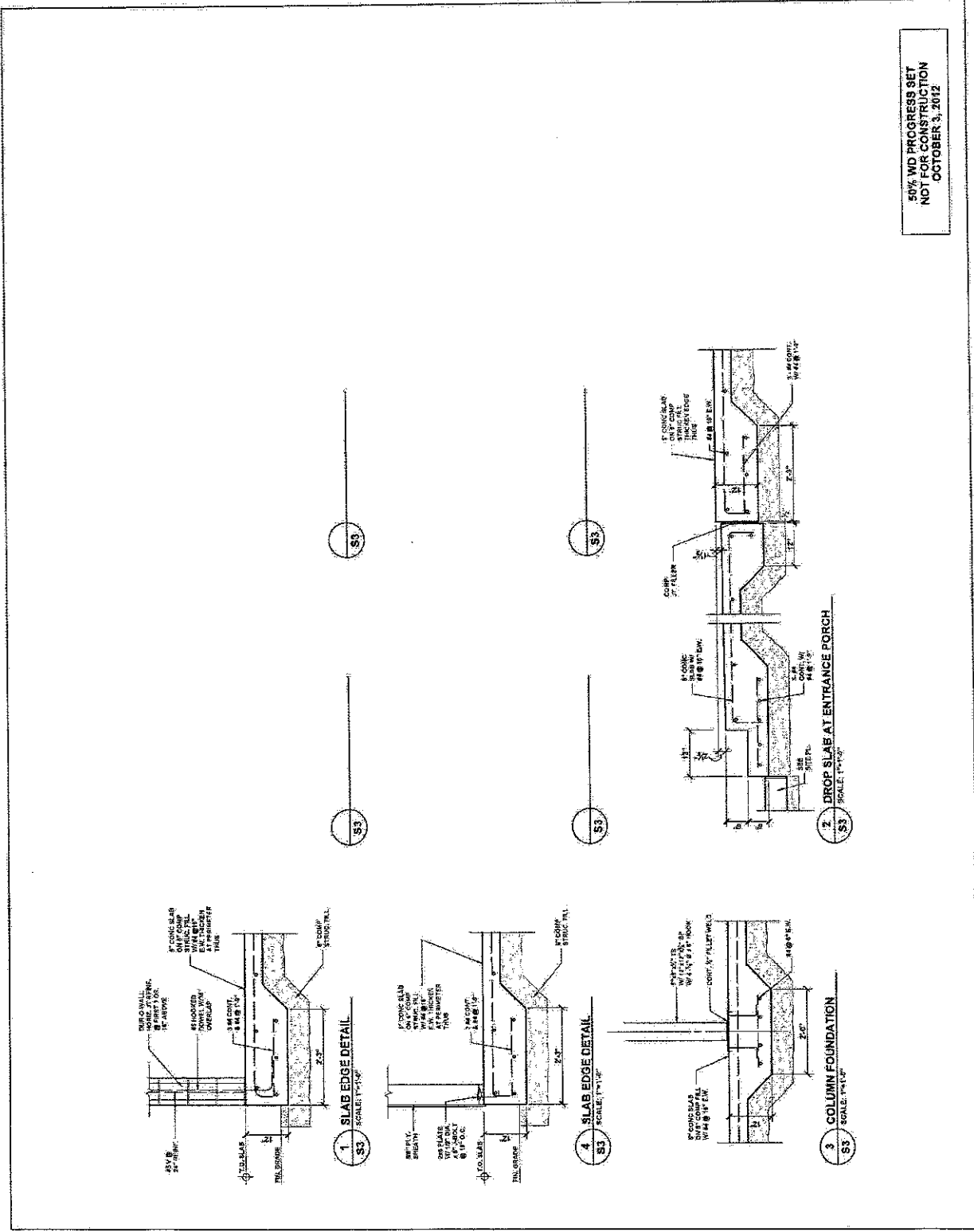
**CITY SEXTON'S HOUSE  
 KEY WEST CEMETERY**

DATE: 10/10/12
PROJECT: S3
SCALE: 1/4" = 1'-0"
PROJECT: S3
PROJECT: S3

**STRUCTURAL DETAILS**

**S3**

50% WD PROGRESS SET  
 NOT FOR CONSTRUCTION  
 OCTOBER 3, 2012



OK RUM

**GENERAL NOTES:**

1. Check for and correct any errors in this drawing. The contractor shall be responsible for the accuracy of the information provided on this drawing.
2. No field notes or other information shall be used to supplement the information shown on this drawing.
3. All work shall be done in accordance with the applicable code, rules and regulations of the local, state and federal authorities.
4. All work shall be done in accordance with the applicable code, rules and regulations of the local, state and federal authorities.
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**MICHAEL MILLER ARCHITECT**  
 1000 N. W. 10th Ave.  
 Suite 100  
 Ft. Lauderdale, FL 33304  
 Phone: 754.561.1111  
 Fax: 754.561.1112

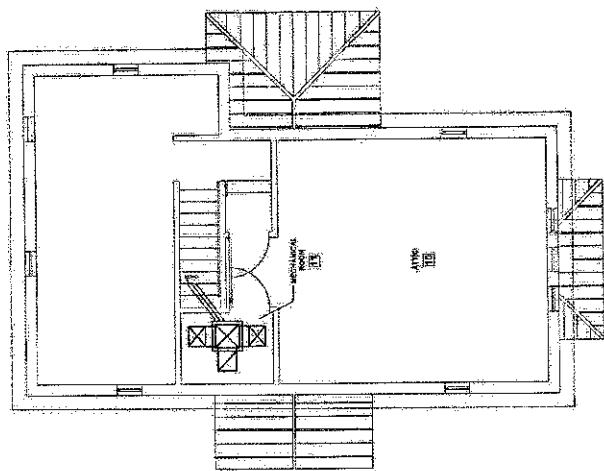
**CITY SEXTON'S HOUSE**  
 KEY WEST CEMETERY  
 783 PASADENA LANE  
 KEY WEST, FLORIDA

DATE: 10/03/12  
 DRAWN BY: MML  
 CHECKED BY: MML  
 PROJECT NO.: 12-0003  
 PROJECT NAME: CITY SEXTON'S HOUSE

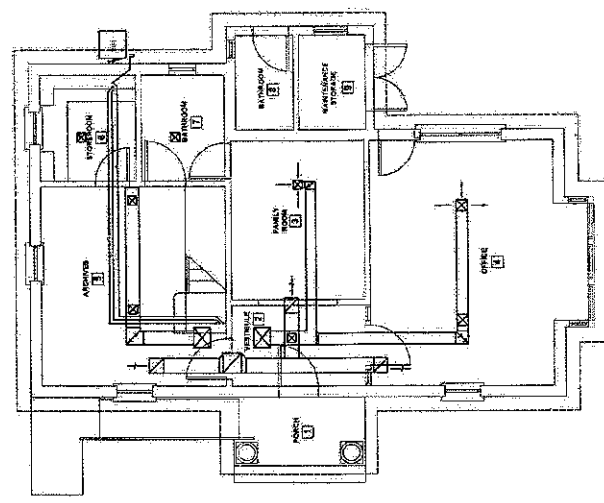
**HVAC PLAN AND DETAILS**

**M1**

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 OCTOBER 3, 2012



**2 ATTIC HVAC PLAN**  
 SCALE: 1/4" = 1'-0"



**1 FIRST FLOOR HVAC PLAN**  
 SCALE: 1/4" = 1'-0"

*Handwritten signature/initials*

**NOTES:**

1. Electrical and mechanical items are to be installed in accordance with the applicable code requirements.
2. All electrical work shall be in accordance with the applicable code requirements.
3. All electrical work shall be in accordance with the applicable code requirements.
4. All electrical work shall be in accordance with the applicable code requirements.
5. All electrical work shall be in accordance with the applicable code requirements.
6. All electrical work shall be in accordance with the applicable code requirements.
7. All electrical work shall be in accordance with the applicable code requirements.
8. All electrical work shall be in accordance with the applicable code requirements.
9. All electrical work shall be in accordance with the applicable code requirements.
10. All electrical work shall be in accordance with the applicable code requirements.

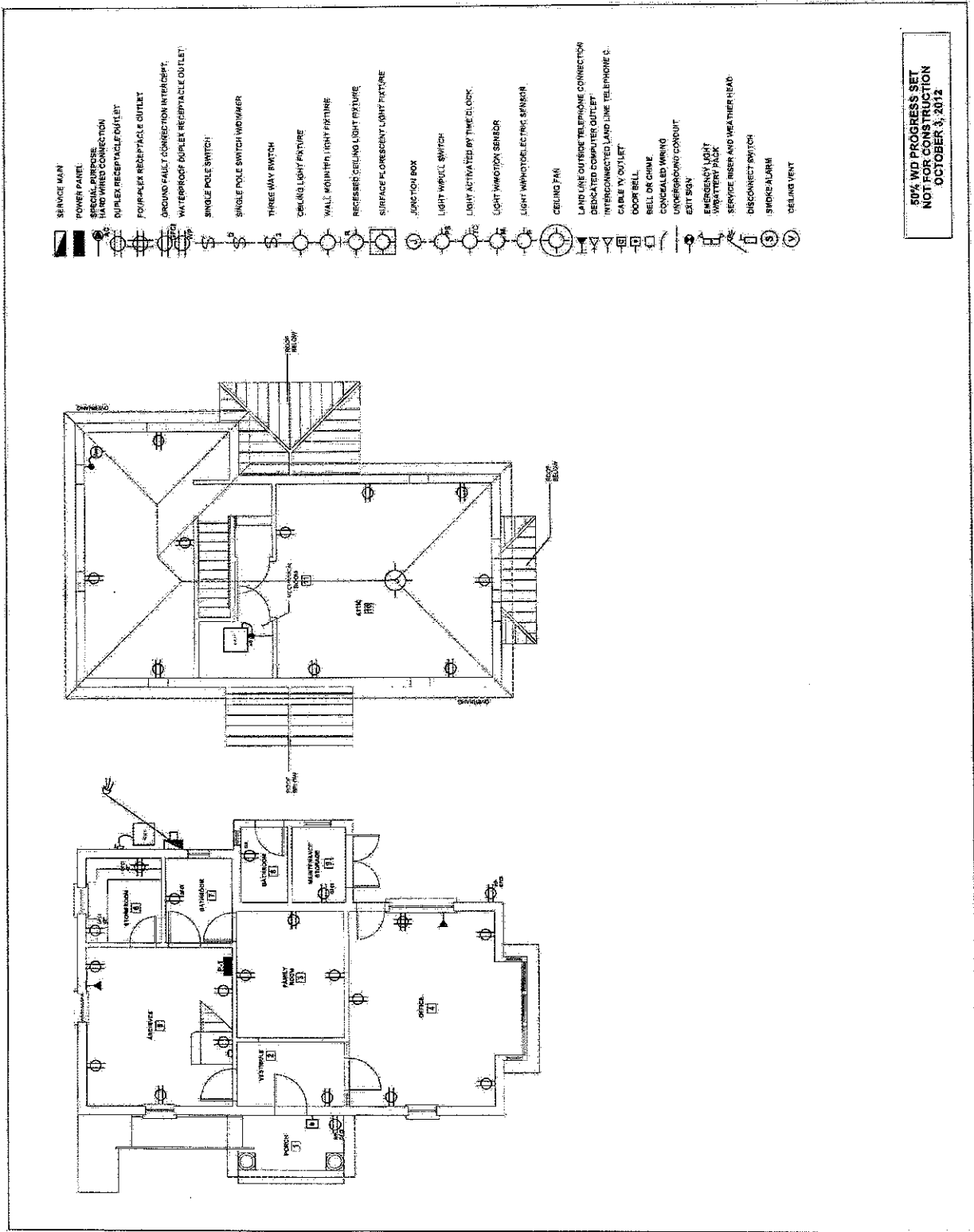
**MOHAMED MILLER ARCHITECT**  
 1415 SOUTH BAY  
 MIAMI, FLORIDA 33134  
 (305) 371-1111

**CITY SEXTON'S HOUSE**  
 KEY WEST GEMETRY  
 701 PLASSER LANE  
 KEY WEST, FLORIDA

DATE: 10/10/12  
 NAME: E. J. JONES  
 PROJECT NO.: 12-001  
 DRAWN BY: J. JONES  
 PROJECT NO.: 12-001

**ELECTRICAL PLANS  
 PANEL SCHEDULE  
 AND RISER DIAGRAMS**

**E1**



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 FOR CONSTRUCTION  
 OCTOBER 3, 2012

*EJ*  
*MJK*

**SHEET NOTES:**

1. Review and specifications as to lighting fixture and fixture schedule for any other conditions concerning the above and refer to the drawings.
2. No changes to the schedule shall be made by the user without the written approval of the architect.
3. All work shall be done in accordance with the applicable code, and all materials shall be of the highest quality and shall be approved by the architect.
4. Where a fixture is not shown in the schedule, the user shall select a fixture of the same type and quality as the fixture shown in the schedule.
5. The user shall be responsible for the selection of the fixture and shall provide the fixture schedule to the architect for approval.
6. The user shall be responsible for the selection of the fixture and shall provide the fixture schedule to the architect for approval.
7. The user shall be responsible for the selection of the fixture and shall provide the fixture schedule to the architect for approval.
8. The user shall be responsible for the selection of the fixture and shall provide the fixture schedule to the architect for approval.
9. The user shall be responsible for the selection of the fixture and shall provide the fixture schedule to the architect for approval.
10. The user shall be responsible for the selection of the fixture and shall provide the fixture schedule to the architect for approval.

**MICHAEL MILLER ARCHITECT**  
 101 PASSAIC LANE  
 KEY WEST, FLORIDA

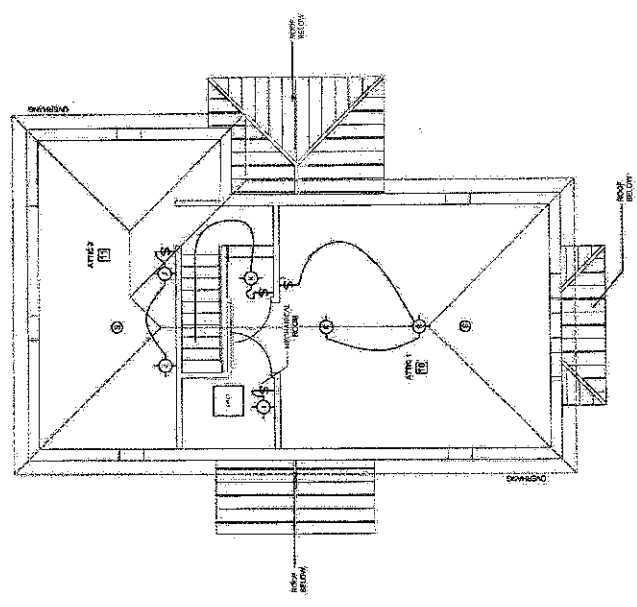
**CITY SEXTON'S HOUSE**  
 KEY WEST CEMETERY  
 101 PASSAIC LANE  
 KEY WEST, FLORIDA

DATE: 10/03/12  
 DRAWING NO.: 12-0000  
 SHEET NO.: 01  
 PROJECT NO.: 12-0000

**ELECTRICAL LIGHTING PLANS**

**E2**

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**LIGHT FIXTURE SCHEDULE**

MK	FIXTURE TYPE	REF/CATALOG NO.	LAMP	REMARKS
A	HANGING LANTERN			
B	RECESSED DOWN LIGHT			
C	RECESSED SPOT LIGHT			
D	SURFACE FLUORESCENT			
E	SURFACE FLUORESCENT			
F	RECESSED DOWN LIGHT			
G	SECURITY LIGHT			
H	SURFACE FIXTURE			
I	WALL MOUNT FLUORESCENT			
J	WALL MOUNT FLUORESCENT			
K	STRIP FLUORESCENT			

*DC CLK*

**REFERENCE:**

1. Plans and specifications shall be in accordance with the Florida Building Code, Chapter 6, Part 9, and the Florida Plumbing Code, Chapter 6, Part 9.
2. All dimensions shall be indicated on the drawings or in the schedule unless otherwise noted.
3. All work shall be in accordance with the Florida Building Code, Chapter 6, Part 9, and the Florida Plumbing Code, Chapter 6, Part 9.

4. All work shall be in accordance with the Florida Building Code, Chapter 6, Part 9, and the Florida Plumbing Code, Chapter 6, Part 9.

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10. All work shall be in accordance with the Florida Building Code, Chapter 6, Part 9, and the Florida Plumbing Code, Chapter 6, Part 9.

11. All work shall be in accordance with the Florida Building Code, Chapter 6, Part 9, and the Florida Plumbing Code, Chapter 6, Part 9.

12. All work shall be in accordance with the Florida Building Code, Chapter 6, Part 9, and the Florida Plumbing Code, Chapter 6, Part 9.

**MICHAEL MILLER - ARCHITECT**  
 3110 W. 15th Ave.  
 Suite 200  
 Fort Lauderdale, FL 33304

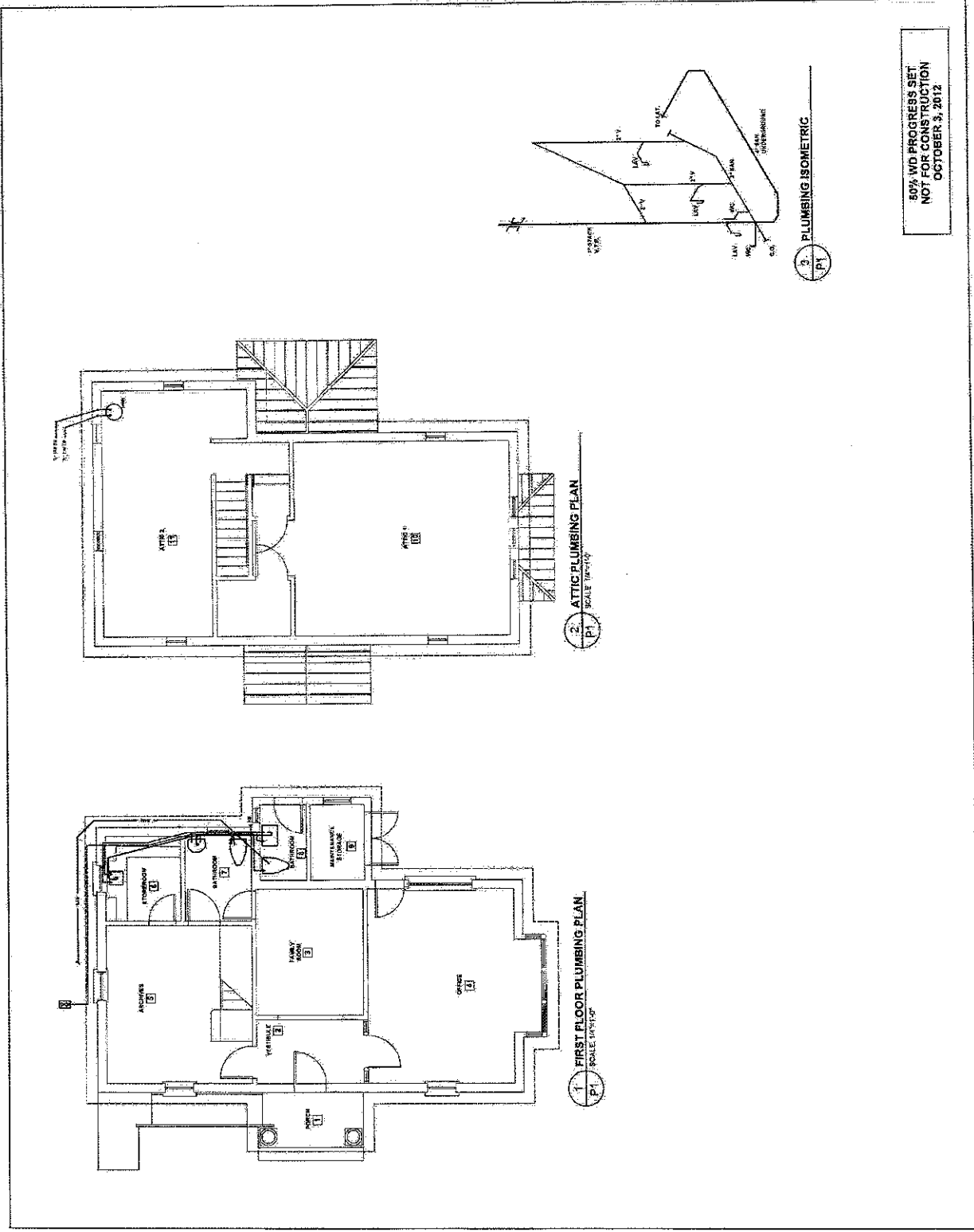
**CITY SEXTON'S HOUSE**  
 KEY WEST CEMETERY  
 771 PASSOVER LANE  
 KEY WEST, FLORIDA

DATE: 08/14/12
BY: JMM
PROJECT NO: 12-0001
REVISION: 01

**PLUMBING PLANS  
AND ISOMETRIC**

**P1**

NOTED: ALL WORK SHALL BE IN ACCORDANCE WITH THE FLORIDA BUILDING CODE, CHAPTER 6, PART 9, AND THE FLORIDA PLUMBING CODE, CHAPTER 6, PART 9.



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OK KUK