

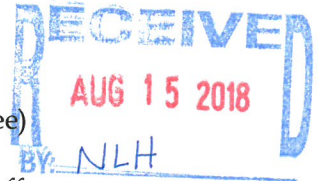
# **Application**



# Application For Variance

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040-4602 • 305-809-3723 • 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: 622 Mickens Lane  
Zoning District: HRO Real Estate (RE) #: 9062725  
Property located within the Historic District?  Yes  No

### APPLICANT: Owner Authorized Representative

Name: SAMUEL VOGAN  
Mailing 706 Catherine St Address:  
City: Key West State: FL Zip: 33040  
Home/Mobile Phone: 810 990 9408 Office: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: Samvogon.J35@yahoo.com

### PROPERTY OWNER: (if different than above)

Name: \_\_\_\_\_  
Mailing \_\_\_\_\_ Address:  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Home/Mobile Phone: \_\_\_\_\_ Office: \_\_\_\_\_ Fax: \_\_\_\_\_  
Email: \_\_\_\_\_

Description of Proposed Construction, Development, and Use: New Construction  
conventional wood framed, owner occupied, single family residence

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

Reduce the off street parking requirements for a single family residence in the HRO zoning district as per sec. 108-527 from (1) space to (0) space

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 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				
	Code Requirement	Existing	Proposed	Variance Request
Zoning	HRO			
Flood Zone	X			
Size of Site	2,475 S.F.			
Height	30 FT		18'-0"	NO
Front Setback	5 FT		5 FT	NO
Side Setback	5 FT		5 FT	NO
Side Setback	5 FT		5 FT	NO
Street Side Setback	-		-	-
Rear Setback	10 FT		19 FT	NO
F.A.R.	-		-	-
Building Coverage	50% - 1,238 S.F.		45% - 1,122 S.F.	NO
Impervious Surface	60% - 1,485 S.F.		59% - 1,479 S.F.	NO
Parking	(1) SPACE		(0) SPACE	YES
Handicap Parking	-		-	-
Bicycle Parking	-		-	-
Open Space/ Landscaping	20% - 495 S.F.		40% - 990 S.F.	NO
Number and type of units	(1) SINGLE FAM		(1) SINGLE FAM	NO
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](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 PROPOSED BUILDING IS A "BUILD-BACK" ON A NON-CONFORMING NARROW SITE IN AN HISTORIC DISTRICT CHARACTERIZED BY LONG & NARROW, ONE STORY BUILDINGS WITH CLOSE PROXIMITY TO THE STREET.

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

THE LOT EXISTED PRIOR TO ADOPTION OF THE EXISTING OFF-STREET PARKING REQUIREMENT. THE REQUESTED VARIANCE DOES NOT RESULT FROM THE ACTIONS OR NEGLIGENCE OF THE APPLICANT. THE VARIANCE WILL ALLOW FOR A BUILDING CONSISTANT WITH THE APPEARANCE AND PLACEMENT OF ADJACENT HISTORIC BUILDINGS

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 PROPERTY IS UNIQUE DUE TO ITS SIZE AND LOCATION. GRANTING A VARIANCE WILL ALLOW FOR A BUILDING WHICH IS CONSISTANT WITH THE HISTORIC BUILDINGS IN THE AREA.

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 APPLICANT IS OBLIGATED TO CONSTRUCT A NEW OWNER OCCUPIED RESIDENCE THAT IS HISTORICALLY SYMPATHETIC IN SIZE, CHARACTER APPEARANCE, PROPORTION AND SITE POSITIONING WITH ADJACENT HISTORIC STRUCTURES.

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.

REDUCED OFF STREET PARKING FROM (1) SPACE TO (0) SPACE.



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.

THE VARIANCE WILL ALLOW THE NEW BUILDING TO BE CONSISTANT WITH EXISTING ADJACENT BUILDINGS AND WILL HAVE A SPACE FOR AN ELECTRIC VEHICLE.

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 PROPERTY IS UNIQUE AND OTHER PROPERTIES HAVE NOT BEEN CONSIDERED.

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:  
Onnie D. Dickerson, III  
Southernmost Title, Inc.  
1508 Johnson Street  
Key West, FL 33040

For the issuance of title insurance, file #: 1807001

[ Space Above This Line For Recording Data ]

### WARRANTY DEED

This Warranty Deed made **August 28, 2018** between:

**Grantor:** Charles Butler and Veronica Butler, husband and wife

mailing 209 Julia Street  
address: Key West, FL 33040

**Grantee:** Samuel W. Vogan and Silvina Vogan, husband and wife

mailing 706 Catherine Street  
address: Key West, FL 33040

Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual and either sex, and shall include heirs, legal representatives, successors and assigns of the same.

#### WITNESSETH:

That the Grantor, for and in consideration of the sum of Ten and No/100 dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in County of Monroe, and State of Florida, to-wit:

In the City of Key West and known upon the Map or plan of said City delineated by William A. Whitehead in February, AD. 1829 as part of Lot 4 in Square 63 and is bounded as follows: Beginning at a Point 50 feet from the Northern Line of said Lot 4 and also 90 feet from the Western Line of said Lot on Thomas Street, thence running Southerly parallel with said Western Line on Thomas Street 27.5 feet; thence Easterly parallel with the aforementioned Northern Line of the said Lot 4, 90 feet, making a parallelogram of 90 feet by 27.5 feet, all lying and being in Monroe County, Florida.

**SUBJECT TO** taxes accruing subsequent to December 31, 2018.

**SUBJECT TO** covenants, restrictions and easements of record, if any: however, this reference thereto shall not operate to reimpose same.

**TOGETHER** with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

**TO HAVE AND TO HOLD**, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

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:

X [Signature]  
Witness Name: LUCY L. MARSH

[Signature]  
Charles Butler  
[Signature]  
Veronica Butler

X [Signature]  
Witness Name: ONNIE D. DICKERSON III

STATE OF FLORIDA  
COUNTY OF MONROE

This instrument was sworn to and acknowledged before me on August 28, 2018 by Charles Butler and Veronica Butler, who produced a driver's license as identification.

X [Signature]  
(Notary Seal)



ONNIE D DICKERSON III  
Commission # GG 203620  
Expires April 30, 2022  
Bonded thru Budget Notary Services

# **Property Record Card**



**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 00013130-000100  
 Account # 9062725  
 Property ID 9062725  
 Millage Group 11KW  
 Location Address 622 MICKENS Ln , KEY WEST  
 Legal Description KW PT LOT 4 SQR 63 OR1902-2259/60  
 (Note: Not to be used on legal documents)  
 Neighborhood 6021  
 Property Class VACANT RES (0000)  
 Subdivision  
 Sec/Twp/Rng 06/68/25  
 Affordable Housing No



**Owner**

BUTLER CHARLES AND VERONICA  
 209 JULIA ST  
 KEY WEST FL 33040

**Valuation**

	2017	2016	2015	2014
+ Market Improvement Value	\$0	\$0	\$0	\$0
+ Market Misc Value	\$0	\$0	\$0	\$0
+ Market Land Value	\$133,737	\$118,335	\$107,511	\$97,529
= Just Market Value	\$133,737	\$118,335	\$107,511	\$97,529
= Total Assessed Value	\$64,438	\$58,580	\$53,255	\$48,414
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$133,737	\$118,335	\$107,511	\$97,529

**Land**

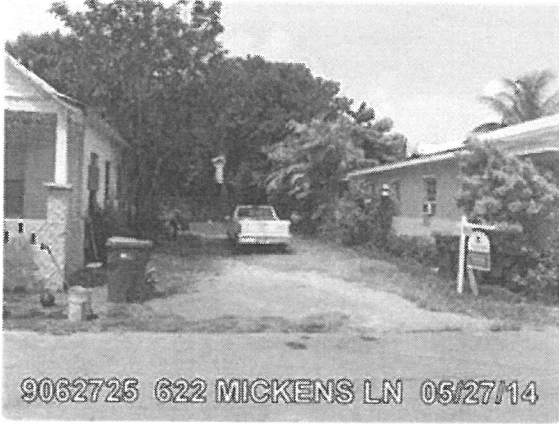
Land Use	Number of Units	Unit Type	Frontage	Depth
RESIDENTIAL DRY UNPERMITTED (01DM)	2,475.00	Square Foot	27.5	90

**Permits**

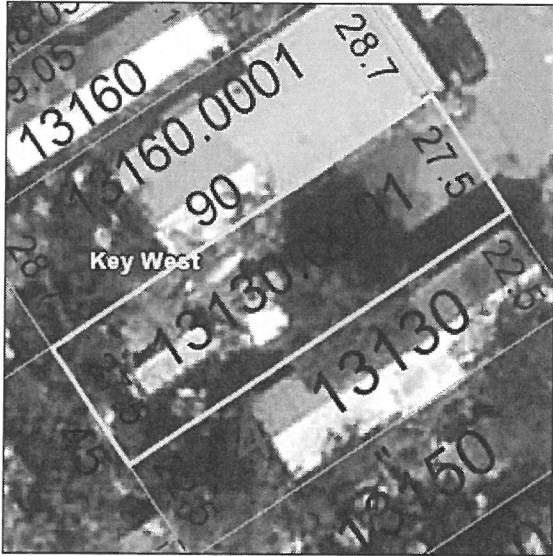
Number	Date Issued	Date Completed	Amount	Permit Type	Notes
03-3239	9/26/2003		\$135,000		EXPIRED 9/17/05 NEW SFR
03-0222	1/28/2003	5/8/2003	\$2,500		DEMO SFR

**Photos**





Map



No data available for the following modules: Buildings, Commercial Buildings, Mobile Home Buildings, Yard Items, Exemptions, Sales, Sketches (click to enlarge).

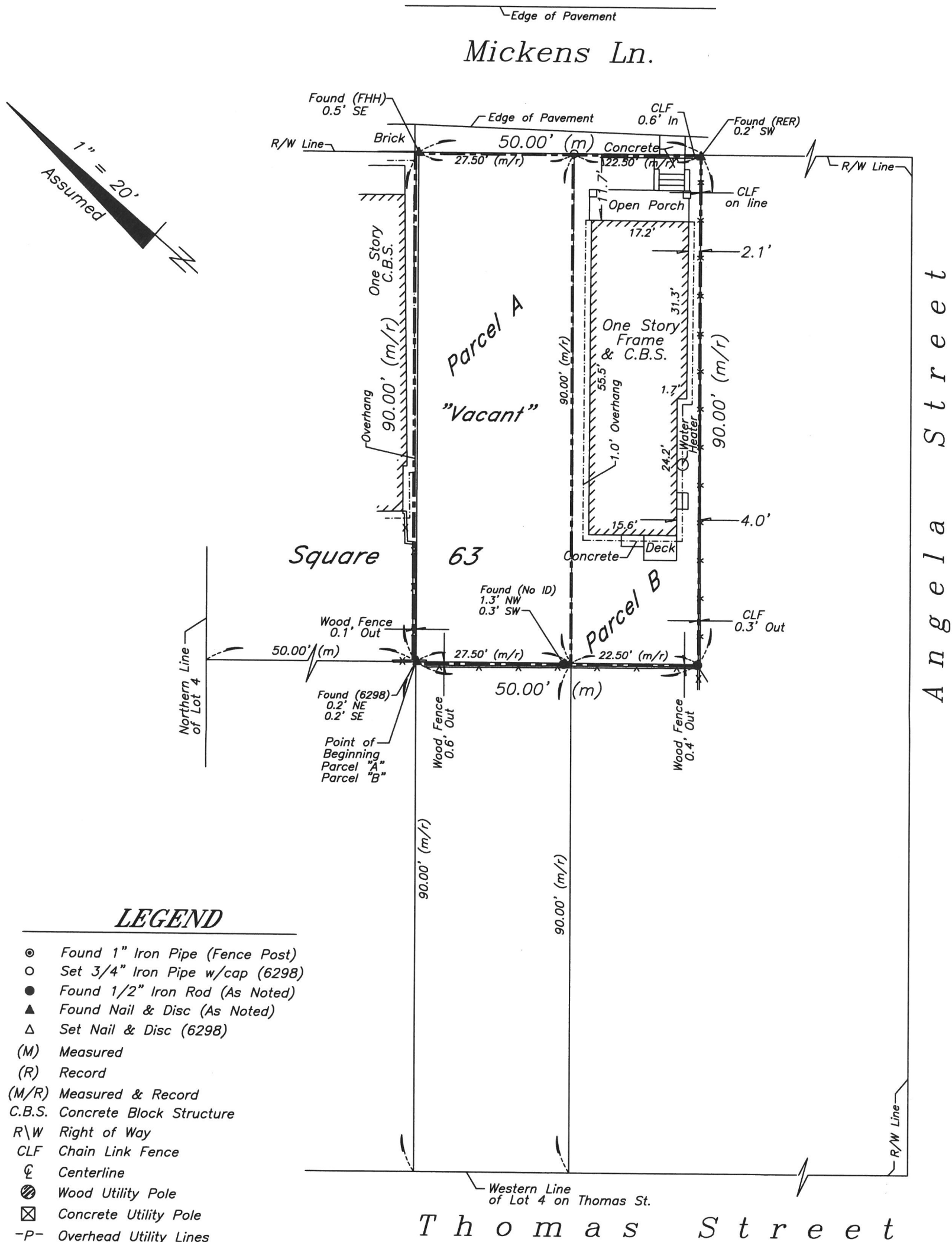
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Developed by  
 Schneider  
GEOSPATIAL

Last Data Upload: 8/3/2018, 2:11:30 AM

# Survey

Boundary Survey Map of part of Lot 4, Square 63  
Island of Key West, FL



**LEGEND**

- ⊙ Found 1" Iron Pipe (Fence Post)
- Set 3/4" Iron Pipe w/cap (6298)
- Found 1/2" Iron Rod (As Noted)
- ▲ Found Nail & Disc (As Noted)
- △ Set Nail & Disc (6298)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- C.B.S. Concrete Block Structure
- R\W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊗ Wood Utility Pole
- ⊠ Concrete Utility Pole
- P- Overhead Utility Lines

NOTE:  
This Survey Map is not  
full and complete without  
the attached Survey Report.

Sheet One of Two Sheets

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



Professional Surveyor & Mapper  
PSM #6298

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

Boundary Survey Report of part of Lot 4, Square 63  
Island of Key West, FL

**NOTES:**

1. The legal description shown hereon was furnished by the client or their agent. This survey does not determine or imply ownership.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 622-624 Mickens Lane, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. Date of field work: September 18, 2015.
9. Ownership of fences is undeterminable, unless otherwise noted.
10. Adjoiners are not furnished.
11. The Survey Report is not full and complete without the attached Survey Map.

**BOUNDARY SURVEY OF:**

**Parcel A**

In the City of Key West and known upon the Map or Plan of said City, delineated by William A. Whitehead in February A.D. 1829 as part of Lot Four (4) in Square Sixty-three (63) and is bounded as follows:

Beginning at a point Fifty (50) feet from the Northern line of said Lot Four (4) and also Ninety (90) feet from the Western line of said Lot on Thomas Street, thence running Southerly parallel with said Western line on Thomas Street Twenty-seven and a half (27.5) feet; thence Easterly parallel with the aforementioned Northern line of the said Lot Four (4), Ninety (90) feet, making a parallelogram of Ninety (90) feet by Twenty-seven and a half (27.5) feet.

**Parcel B**

In the City of Key West and known upon the map or plan of said city, delineated by William A. Whitehead in February A.D. 1829 as part of Lot Four (4) in Square Sixty-three (63) and is bounded as follows, to-wit: Beginning at a point Fifty (50) feet from the Northern line of said Lot Four (4) and also Ninety (90) feet from the Western line of said lot on Thomas Street, thence running Southerly parallel with said Western Line on Thomas Street Fifty (50) feet; thence Easterly parallel with the aforementioned Northern line of the said Lot Four (4), Ninety (90) feet, making a parallelogram of Ninety (90) feet by Fifty (50).

**LESS AND EXCEPT**

In the City of Key West and known upon the Map or Plan of said City, delineated by William A. Whitehead in February A.D. 1829 as part of Lot Four (4) in Square Sixty-three (63) and is bounded as follows:

Beginning at a point Fifty (50) feet from the Northern line of said Lot Four (4) and also Ninety (90) feet from the Western line of said Lot on Thomas Street, thence running Southerly parallel with said Western line on Thomas Street Twenty-seven and a half (27.5) feet; thence Easterly parallel with the aforementioned Northern line of the said Lot Four (4), Ninety (90) feet, making a parallelogram of Ninety (90) feet by Twenty-seven and a half (27.5) feet.

**BOUNDARY SURVEY FOR:** Charles Butler and Veronica Butler;  
Alfridina Butler;

I HEREBY CERTIFY that this survey was made under my responsible charge and meets the Standard of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

J. LYNN O'FLYNN, INC.

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

September 29, 2015

THIS SURVEY  
IS NOT  
ASSIGNABLE

Sheet Two of Two Sheets

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

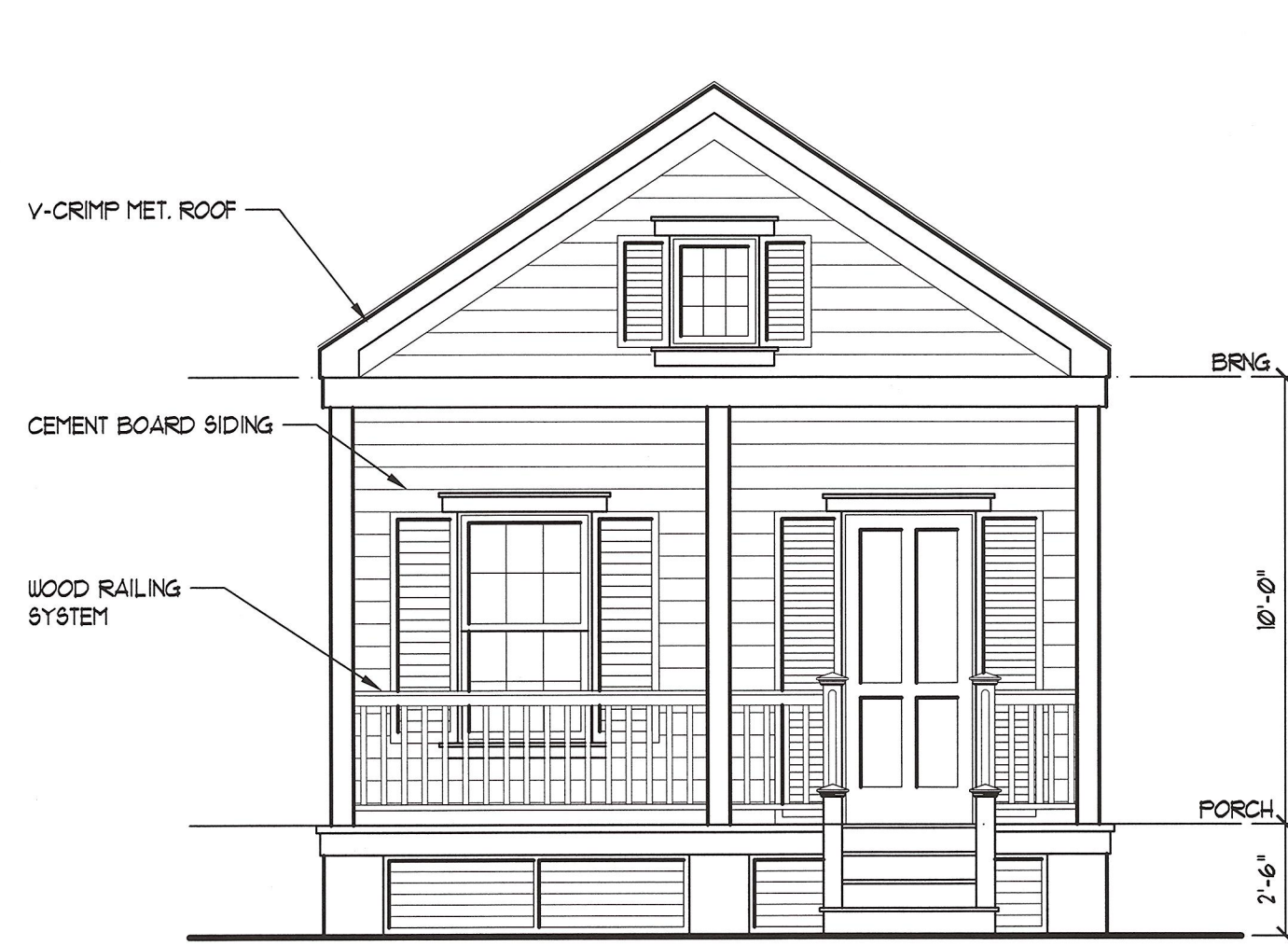


Professional Surveyor & Mapper  
PSM #6298

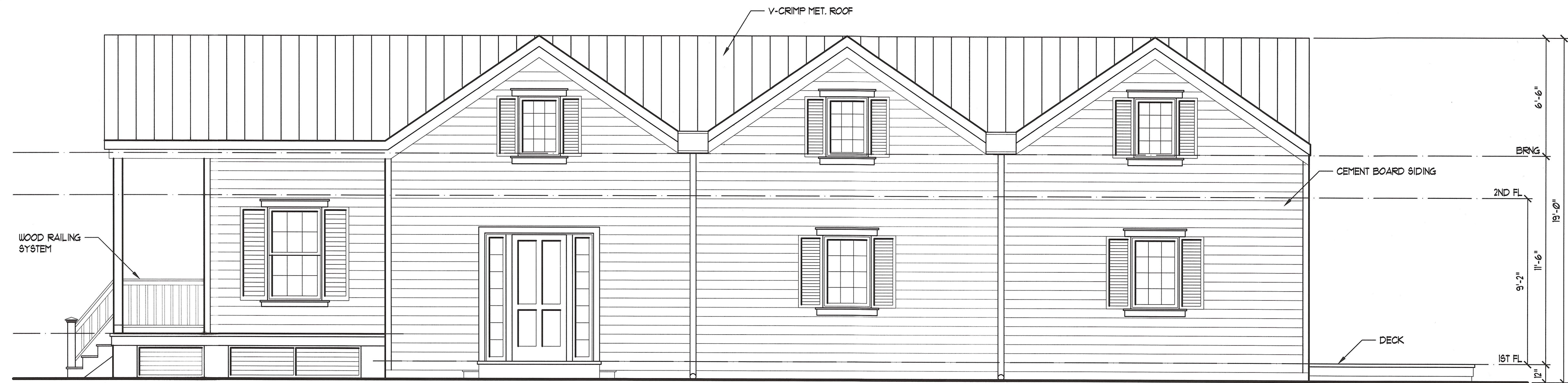
3430 Duck Ave., Key West, FL 33040  
(305) 296-7422 FAX (305) 296-2244

# **Proposed Plans**

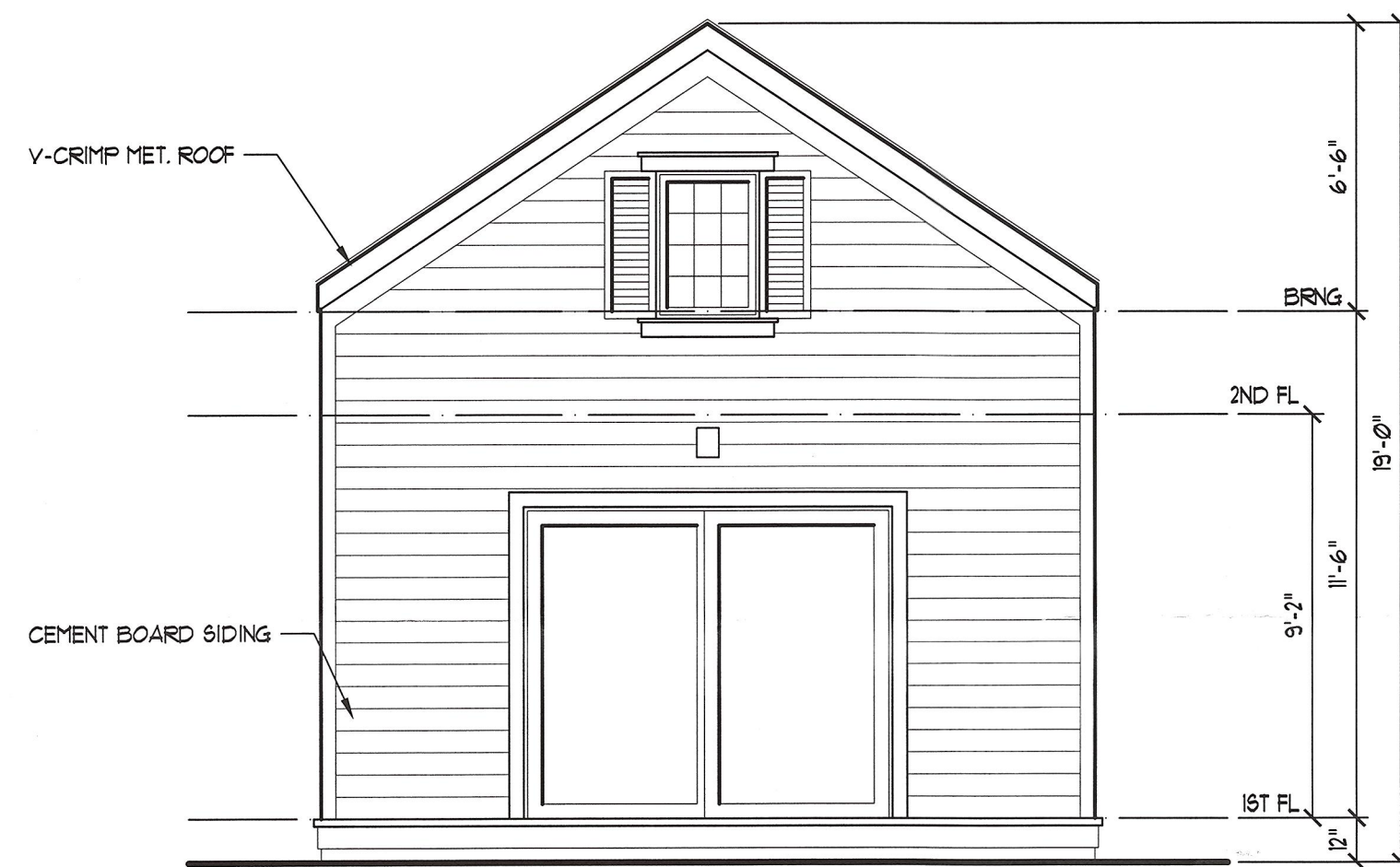




**FRONT ELEVATION**  
1/4" = 1'-0"



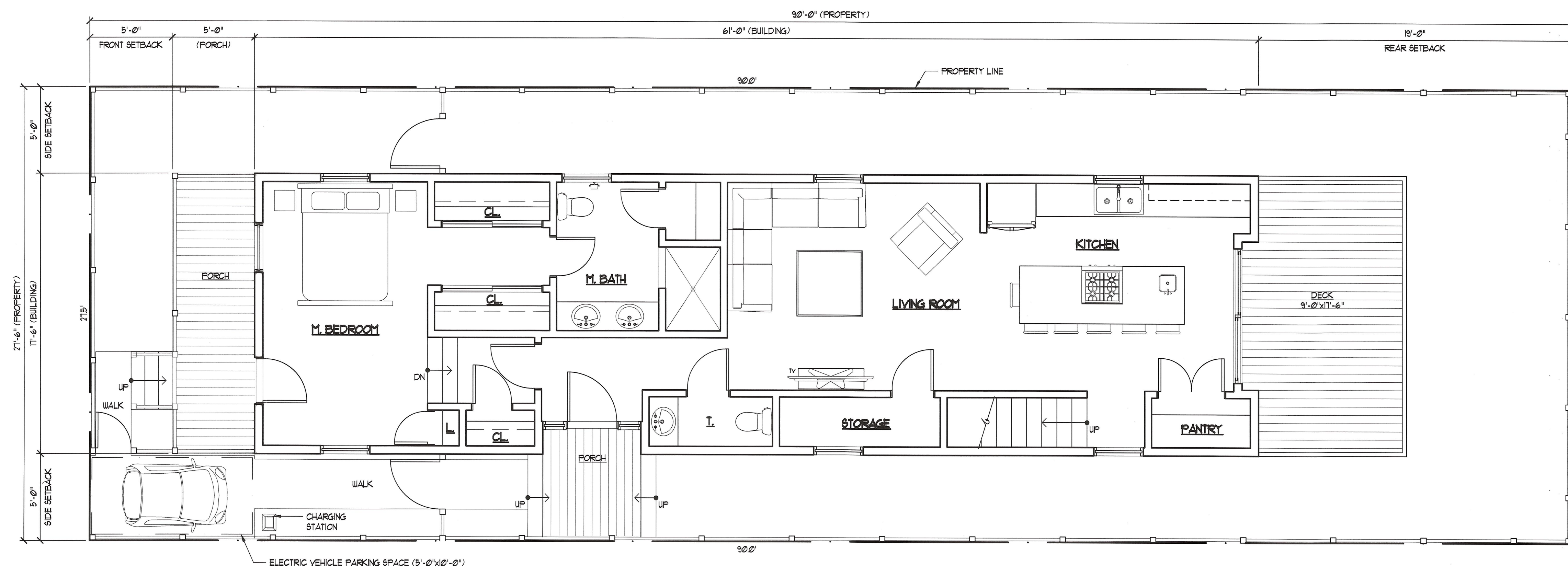
**NORTH ELEVATION**  
1/4" = 1'-0"



**REAR ELEVATION**  
1/4" = 1'-0"



**SECOND FLOOR PLAN**  
1/4" = 1'-0"



**FIRST FLOOR PLAN / SITE PLAN**  
1/4" = 1'-0"

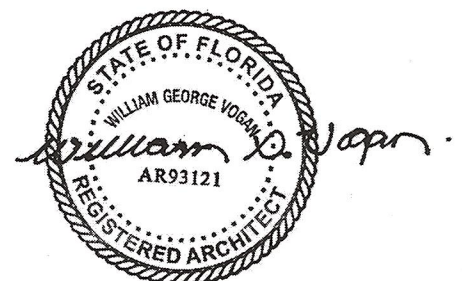
DO NOT SCALE FROM DRAWINGS

**WA**  
WILLIAM VOGAN  
associates  
ARCHITECTS • PLANNERS

P.O. Box 610823  
413 Bard Street  
Port Huron, MI  
48061-0823

T: (810) 985-3511  
F: (810) 985-4699

ARCHITECTURAL SEAL:



CLIENT:

MR & MRS  
SAMUEL VOGAN

PROJECT:

NEW  
RESIDENCE

622 MICKENS LN  
KEY WEST, FL 33040

ISSUE:

8-13-18 VARIANCE SUBMITTAL

DRAWN BY: EGW

CHECKED BY: WV

APPROVED BY: WV

PROJECT NO. 1807

TITLE:

FLOOR PLANS,  
SITE PLAN &  
EXTERIOR  
ELEVATIONS

NUMBER:

**PA1.1**

08-10-18



# Verification Form

City of Key West  
Planning Department



Verification Form  
(Where Owner is the applicant)

I, Samuel Gane, being duly sworn, depose and say that I am the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

622 Mickens Ln Key West FL 33040  
*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.

Samuel Gane  
*Signature of Owner*

Subscribed and sworn to (or affirmed) before me on this 8/29/18 by  
*date*

Samuel Gane  
*Name of Owner*

He/She is personally known to me or has presented FLDL-V250-799-78-191-9 as identification.

Natalie L. Hill  
*Notary's Signature and Seal*

Natalie L. Hill  
*Name of Acknowledger typed, printed or stamped*



051262  
*Commission Number, if any*