

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



To: Chairman and Planning Board Members

From: Brendon Cunningham, Senior Planner

Through: Donald Leland Craig, AICP, Planning Director

Meeting Date: May 23, 2013

Agenda Item: **Variance Extension - 19 Hilton Haven Drive (RE# 00002180-000000, AK# 1002291)** - A request for a 3rd extension of an approved variance for impervious surface regulations in the MDR zoning district per Planning Board Resolution 2011-028 of the City of Key West Planning Board.

Request: To allow the third extension of a variance for impervious surface coverage.

Applicant: William P. Horn, Architect P.A

Property Owner: Jeffrey Rann

Location: 19 Hilton Haven Drive, RE# 00002180-000000, AK#1002291

Zoning: MDR (Medium Density Residential) District



Background:

In June of 2008, per Resolution 08-174, a variance to impervious surface coverage was approved by the Board of Adjustment for construction of a new single-family home. The variance acknowledged the burden of the private road, Hilton Haven Drive, which bisects the property and creates the majority of the impervious surface coverage. If the road was not included, the project would meet the code requirement for maximum allowed impervious surface coverage.

The original variance approval required that all permits necessary for new construction (for any use and occupancy) be submitted in their entirety within 24 months after the approval of the variance. The approval also required that no application or reapplication for new construction be made after expiration of the 24-month period without the applicant obtaining an extension (in which it is incumbent upon the applicant to demonstrate that no changes of circumstances to the property or its underlying zoning district have occurred).

Due to economic reasons, the owner would like to extend the previously granted variance for another period of two years, and proceed with the construction approved and extended through Planning Board Resolutions 2009-022 and 2011-028. The applicant’s request to extend the variance approval was received in a timely manner, as the existing expiration date based on the previous DCA determination (now DEO) is on June 25, 2013.

Request:

The applicant is requesting an extension to Planning Board Resolution 2011-028, which extended the original variance approval (Board of Adjustment Resolution 08-174) allowing 65.5% impervious surface coverage on the site. The impervious surface requirements in the MDR zoning district are broken down as follows:

MDR Zoning District	Required	Existing	Requested
Impervious Surface	50% (5,378 s.f)	38.9% (4,186 s.f)	65.5% (7, 044 s.f)

Process:

Planning Board Meeting:	May 23, 2013
Planning Board Meeting:	June 29, 2011
Planning Board Meeting:	June 18, 2009
Development Review Committee Meeting:	April 22, 2009
Board of Adjustment:	June 4, 2008

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

A stormwater plan was submitted and approved by the Engineering Director as part of Planning Board Resolution 2009-022. No other utilities or services are required as part of this extension request.

Factors for review of the extension include the following:

- The request was made on a timely basis.**
The applicant submitted a request for a variance extension on March 7, 2013, which is prior to the expiration of the previously approved variance.

2. **No changes of circumstance to the property or its underlying zoning district have occurred.**

Conditions associated with the original variance appear to be unchanged.

RECOMMENDATION:

The Planning Department, based on the criteria established in the Comprehensive Plan and Land Development Regulations, recommends that Planning Board Resolution 2011-028 be **extended** for a period of 24 months.

Draft Resolution

RESOLUTION NUMBER 2013-

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW AN EXTENSION OF APPROVED VARIANCE FOR IMPERVIOUS SURFACE REGULATIONS IN THE MEDIUM DENSITY RESIDENTIAL (MDR) ZONING DISTRICT PER PLANNING BOARD RESOLUTION 2011-028 FOR PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE#00002180-000000), KEY WEST FLORIDA, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Planning Board Resolutions 2009-022 and 2011-028 extended Board of Adjustment Resolution 08-174; approving an impervious surface coverage variance for the subject property; and

WHEREAS, Board of Adjustment Resolution 08-174 allowed an extension if the applicant demonstrated that no change of circumstances to the property or its underlying zoning has occurred; and

WHEREAS, the applicant requested a 24 month extension from the effective date of the variance extension; and

WHEREAS, the applicant has demonstrated that no change of circumstances to the property or its underlying zoning has occurred; and

_____ Vice-Chairman

_____ Planning Director

WHEREAS, the applicant submitted a timely request for extension and demonstrated that there are no changes to circumstances regarding the original variance approval; and

WHEREAS, the granting of the variance extension will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare;

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

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

Section 2. That the variance extension granted by Planning Board Resolution 2009-022, to **IMPERVIOUS SURFACE COVERAGE** in the **MDR, Medium Density Residential Zoning District**, under the Code of Ordinances of the City of Key West, Florida, is hereby extended for an additional period of 24 months **FOR THE PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE# 00002180-000000)**, SEE ATTACHED PLANS dated 6/01/09, with the following conditions:

Section 3. It is a condition of this variance that full, complete, and final application for all

_____ Vice-Chairman

_____ Planning Director

permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 24 months.

Section 4. This variance extension does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 4. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 5. 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 will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 9J-1, F.A.C., this permit 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 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.

_____ Vice-Chairman

_____ Planning Director

Read and passed on first reading at a special meeting held this 23rd day of May, 2013.

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

Richard Klitenick, Chairman
Key West Planning Board

Date

Attest:

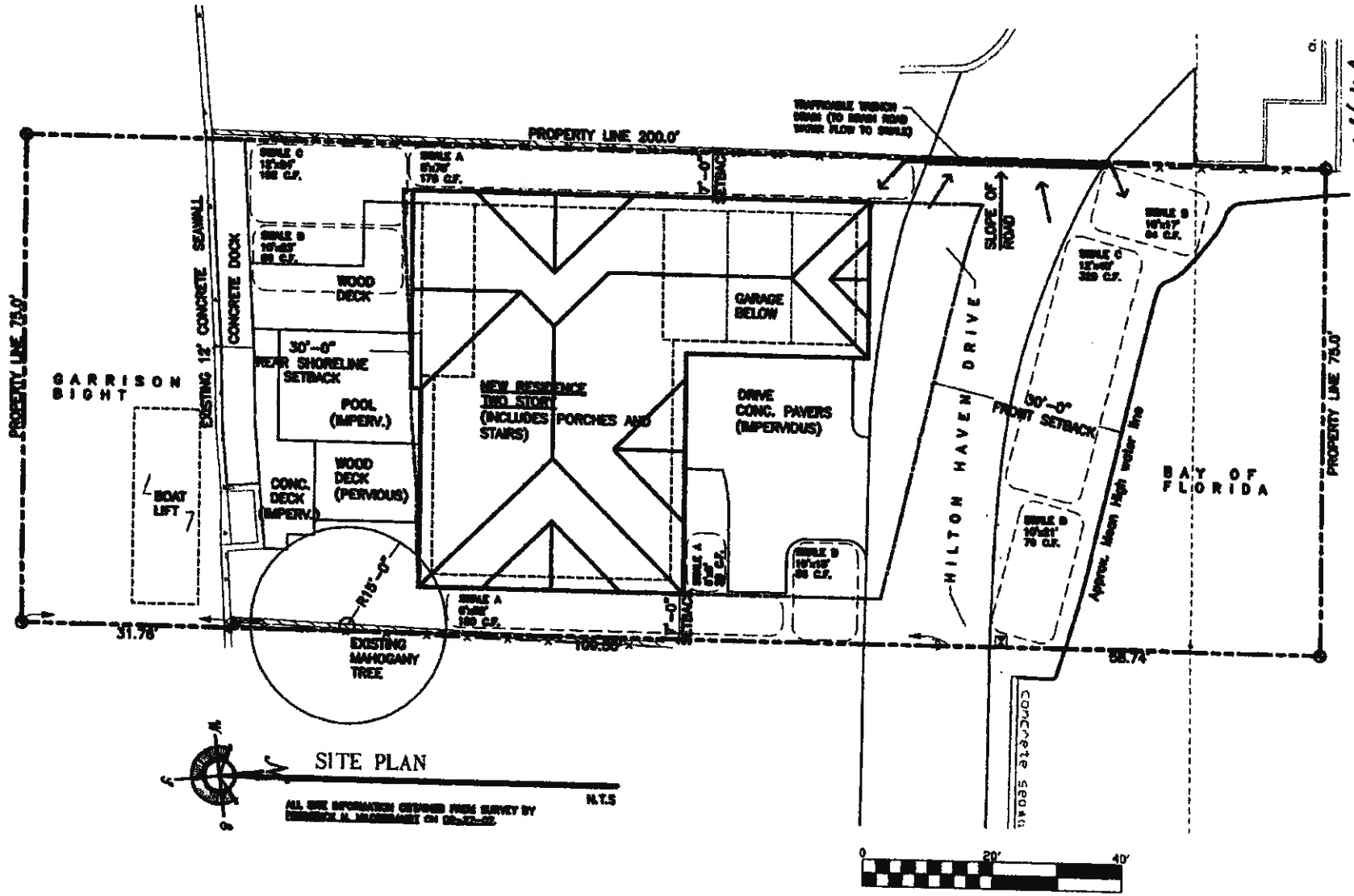
Donald Leland Craig, AICP
Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date



*XLGM
TAR*



SITE PLAN

ALL SITE INFORMATION OBTAINED FROM SURVEY BY
BRUNICK & JOHNSON INC. ON 06-22-09 N.T.S.



**WILLIAM P. HORN
 ARCHITECT, P.A.**

LICENCE NO.
 11 0903040
 TEL: (305) 296-8302
 FAX: (305) 296-1033

**NEW RESIDENCE
 19 HILTON HAVEN DRIVE
 ALY WEST, FLORIDA**

PROJECT: 0A01
 DATE: 06-01-09
 REV. 1



STORMWATER DATA

IMPERVIOUS AREAS

EXISTING ASPHALT ROAD	:	1868.00 S.F.
EXISTING SEAWALL	:	129.00 S.F.
NEW CONC. DOCK	:	264.00 S.F.
NEW CONC. A/C PAD	:	18.00 S.F.
NEW POOL	:	370.00 S.F.
NEW CONC. BACK DECK	:	454.00 S.F.
NEW HOUSE W/ OVERHANGS	:	3216.00 S.F.
NEW CONC. PAVERS DRIVE	:	927.00 S.F.

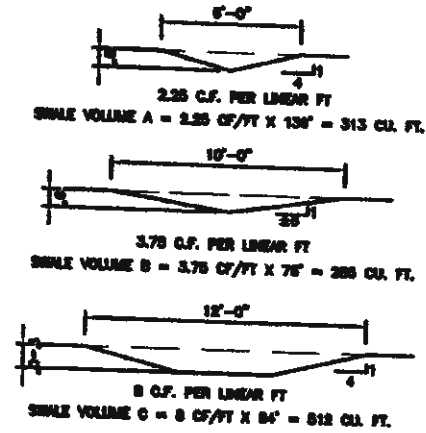
TOTAL IMPERVIOUS : 7044.00 S.F.

7,044 S.F. IMPERVIOUS / 10,755 S.F. LOT = 65.5% IMPERVIOUS COVERAGE

10,755 S.F. x 0.156 x 65.5% = 1099 C.F. SWALE

SWALE A = 313 C.F.
 SWALE B = 285 C.F.
 SWALE C = 512 C.F.

SWALE TOTAL 1110 C.F.



SWALE PROFILE

SCALE: N.T.S

WILLIAM P. HORN
 ARCHITECT, P.A.

LICENCE NO.
 AA 0010040
 TEL (305) 296-8302
 FAX (305) 296-1033

NEW RESIDENCE
 19 HILTON HAVEN DRIVE
 K11 WEST, FLORIDA

PROJECT
 0801

DATE
 06-01-09
 REV. Δ



*Allen
FWL*

SITE DATA	
ZONING	: MDR (MEDIUM DENSITY RESIDENTIAL)
FLOOD ZONE	: AE +9
LOT AREA	: 10,785 SQ. FT. (0.246 ACRES) (UPLAND)
MIN. LOT SIZE	: 0.5 ACRE
MAX. LOT COVERAGE	: 3,784 S.F. (35%)
EXISTING LOT COVERAGE	: 1,824 S.F. (15.0%)
PROPOSED LOT COVERAGE	: 3,739 S.F. (34.7%)
MAX. IMPERVIOUS SURFACE	: 5,378 S.F. (50%)
EXISTING IMPERVIOUS SURFACE	: 4,188 S.F. (38.0%)
PROPOSED IMPERVIOUS SURFACE	: 7,044 S.F. (65.5%)
MAX. HEIGHT	: 35 FEET
PROPOSED HEIGHT	: 34'-9" MAX.
SETBACKS:	
FRONT	: 30'-20'
SIDE	: 7'
REAR	: 30'
ST. SIDE	: 10'

PROPOSED IMPERVIOUS SURFACE CALCS:	
	7,044 S.F. (65.5%)
EXISTING ASPHALT ROAD	: 1888.00 S.F.
EXISTING SEAWALL	: 129.00 S.F.
NEW CONC. DOCK	: 284.00 S.F.
NEW CONC. A/C PAD	: 18.00 S.F.
NEW POOL	: 370.00 S.F.
NEW CONC. BACK DECK	: 454.00 S.F.
NEW HOUSE W/ OVERHANGS	: 3218.00 S.F.
NEW CONC. PAVERS DRIVE	: 927.00 S.F.
	<hr/>
	: 7044.00 S.F. (65%)

BUILDING DATA	
1ST. FLOOR	: 600 S.F. GARAGE
	2,108 S.F. INTERIOR AND COVERED AREAS
2ND. FLOOR	: 2,708 S.F. INTERIOR AND COVERED AREAS
OVERHANGS	: 508 S.F.

WILLIAM P. HORN
ARCHITECT, P.A.

LICENCE NO.
VA 000040
FLLC051 296-8302
FAX 1309 296-1039

NEW RESIDENCE
19 HILTON HAVEN DRIVE
KEY WEST, FLORIDA

PROJECT
0801

DATE
06-01-09
REV. 



Extension Request

777 Ranch

P.O. Box 610
Hondo, Texas 78861
850-426-3476
www.777ranch.com



14th May, 2013.

CITY OF KEY WEST PLANNING DEPARTMENT:

I would like to apply for another two year variance extension to the building clause.

The extension will allow me to fully recover from the recession as my business's are Tourism based, we have been hit extremely hard over the last few years , with the World economic recession.

Therefore I had not been able to budget the necessary funds to complete this project as I had hoped.

I will commit to the re-development of 19 Hilton Haven , during the next variance extension period if it is so granted.

Yours sincerely


J.L. Rann



WILLIAM P. HORN ARCHITECT, P.A.

License No. AA 0003040

915 EATON STREET, KEY WEST, FLORIDA 33040

PHONE: 305-296-8302 FAX: 305-296-1033

Date: 3/7/13

**To: Planning Department
Nicole Malo
City of Key West
Engineering/Port**



**Re: Rann Residence
19 Hilton Haven
Key West, Florida
Variance Extension**

Dear Nicole,

The owner of the property needs to extend the variance approval another two years for economic reasons and based on the criteria of the original resolution 08-174 and the previous extension resolution numbers 2009-022 and 2011-028. The variance seems to be good until July 2013. Please let me know if there is anything else you need.

**Sincerely
WILLIAM P. HORN ARCHITECT, P.A.**



**William P. Horn,
Principal**

Verification Form

City of Key West
Planning Department



Verification Form
(Where Owner is the applicant)

I, William P. Horn, 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:

19 HILTON HAVEN DR., KEY WEST, FL.
Street address of subject property

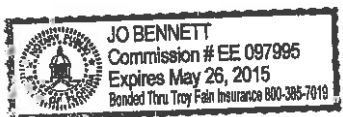
All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

[Signature]
Signature of Owner

Subscribed and sworn to (or affirmed) before me on this May 14, 2013 by
William Horn
Name of Owner

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

[Signature]
Notary's Signature and Seal



To Bennett
Name of Acknowledger typed, printed or stamped

EE 097995
Commission Number, if any

Verification Form

Please note, variances are quasi-judicial hearings and it is improper to speak to a City Commissioner about the variance outside of the hearing.

This form should be completed by the applicant. Where appropriate, please indicate whether applicant is the owner or a legal representative. If a legal representative, please have the owner(s) complete the following page, "Authorization Form."

I, William P. Horn, being duly sworn, depose and say
Name(s) of Applicant(s)

that: I am (check one) the Owner Owner's Legal Representative
for the property identified as the subject matter of this application:

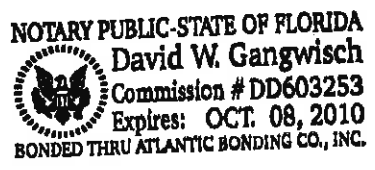
19 Hilton Haven Drive
Street Address and Commonly Used Name if any

All of the answers to the above questions, drawings, plans and any other attached data which make up this application, are true and correct to the best of my knowledge and belief and that if not true or correct, are grounds for revocation of any action reliant on said information.

[Signature] Signature of Owner/Legal Representative _____ Signature of Joint/Co-owner

Subscribed and sworn to (or affirmed) before me on 28th April, 2008 (date) by
William P. Horn (name). He/She is personally known to me or has
presented _____ as identification.

[Signature]
Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped

Title or Rank _____ Commission Number, if any

APR 28 2008

Authorization Form

Apr 04 08 11:59a

WILLIAM P. HORN

305-296-1033

p.3

Authorization Form

Please note, variances are quasi-judicial hearings and it is improper to speak to a City Commissioner about the variance outside of the hearing.

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

I, WAYNE MILLER, ROBERT SCERRATO, MARILOU HOWELL authorize
Please Print Name(s) of Owner(s)

WILLIAM P. HORN
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the Board of Adjustment. 19 HILTON HAVEN DR.

+ Wayne Miller Signature of Owner Robert Scerrato, Marilou Howell Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on 4-7-08 (date) by
Wayne Miller, Robert Scerrato, Marilou Howell
Please Print Name of Affiant

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

[Signature]
Notary's Signature and Seal



APR 28 2008

Name of Acknowledger printed or stamped

Title or Rank

Commission Number, if any

Deed

Doc# 1888883 06/11/2008 10:56AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

Prepared by and return to:
John M. Spottswood, Jr.
Attorney at Law
Spottswood, Spottswood & Spottswood
500 Fleming Street
Key West, FL 33040
305-294-9536
File Number: 08-82-JB

06/11/2008 10:56AM
DEED DOC STAMP CL: PN \$8,225.00

Doc# 1888883
Skn 2386 Pgn 2437

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 10th day of June, 2008 between Wayne Miller, a married man and Robert Scerrato and Marliou Howell, his wife whose post office address is 18 Hilton Haven Drive, Key West, FL 33040, grantor, and Jeffrey Rana, a married man whose post office address is 1824 Fingler Avenue, P. O. Box 177, Key West, FL 33040, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum 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:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Parcel Identification Number: 00002180-000000

Subject to taxes for 2008 and subsequent years; survey, covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

The property herein conveyed does NOT constitute the Homestead property of the Grantor, as defined under the Florida Constitution.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2007.

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:

Mary E. Laro
Witness Name: Mary E. Laro

Wayne Miller (Seal)
Wayne Miller

Jeffrey M. Stedry
Witness Name: Jeffrey M. Stedry

Witness as to Robert Scerrato and Marliou Howell:

Robert Scerrato (Seal)
Robert Scerrato

Anna L. Ayers
Witness Name: Anna L. Ayers

Witness as to Robert Scerrato and Marliou Howell:

Michael Headrison
Witness Name: Michael Headrison

Marliou Howell
Marliou Howell

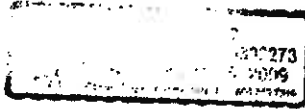
Witness Name: _____

State of Florida
County of Monroe

Deed 1896833
Bk# 2365 Pg# 2438

The foregoing instrument was acknowledged before me this 10th day of June, 2008 by Wayne Miller, who are personally known or have produced a driver's license as identification.

[Notary Seal]



Mary E Turo
Notary Public

Printed Name: Mary E. Turo

My Commission Expires: _____

State of New Jersey
County of MONMOUTH

The foregoing instrument was acknowledged before me this 10th day of June, 2008 by Robert Scerrato and Marilou Howell, who are personally known or have produced a driver's license as identification.

[Notary Seal]

[Signature]
Notary Public

Printed Name: _____

My Commission Expires: _____

AGE 11 AYERS
A Notary Public of New Jersey
My Commission Expires Feb 2011

Exhibit A

Doland Parcel

Deed 1688993
Bk# 2385 Pg# 2438

The Westerly 15 feet of Tract 18 and all of Tract 19, of Hilton Haven Section No. 2, according to the Plat thereof, as recorded in Plat Book 2, at page 138, of the Public Records of Monroe County, Florida

Exhibit B

Submerged Parcel

Doc# 1888883
Bk# 2365 Pg# 2446

A parcel of submerged land in the Bay of Florida in Section 33, Township 67 South, Range 25 East, Monroe County, Florida, more particularly described as follows:

From the intersection of the northwesterly R/W of Roosevelt Boulevard and the northerly boundary of Hilton Haven, Section No. 2, according to the plat thereof as recorded in Plat Book 2, at Page 138, Public Records of Monroe County, Florida, thence westerly along said northerly boundary of Hilton Haven, Section No. 2, 1320.35 feet, more or less, to the NE Corner of the West 15 feet of Tract 18 of said Hilton Haven Section No. 2 to the P.O.B. Thence continue westerly along said northerly boundary 75 feet, more or less, to the NW Corner of Tract 19 of said Hilton Haven Section No. 2; thence at right angles in a northerly direction 414.86 feet; thence at right angles in an easterly direction 75 feet; thence at right angles in a southerly direction 414.86 feet to the P.O.B.

Less:

A parcel of land on the Island of Key West, Monroe County, Florida lying northerly of and adjacent to Tract 19 of "AMENDED PLAT OF HILTON HAVEN, SECTION NO 2" said plat recorded in Plat Book 2, Page 138 of the Public Records of Monroe County, Florida and being more particularly described as follows:

COMMENCE at the intersection of the Northwesterly right-of-way of North Roosevelt Boulevard and the Northerly property line of "AMENDED PLAT OF HILTON HAVEN, SECTION NO. 1"; thence Westerly along the aforementioned Northerly property line and the Northerly property line of "AMENDED PLAT OF HILTON HAVEN, SECTION NO. 2", for 1395.35 feet to the Northwest corner of Tract 19 and the Point of Beginning of the parcel of land hereinafter described; thence run Northerly at a right angle for 223.7 feet, more or less, to a point on the Easterly edge of an existing concrete deck as located by PHILLIPS AND TRICE SURVEYING, INC. on November 29, 1993, and shown on PHILLIPS

AND TRICE SURVEYING, INC.'S drawing for David H. Axtell dated December 1, 1993; thence run Southerly along the Easterly outside edge of said existing concrete deck the following two courses: thence along a line deflected 162°18'03" to the right, 4.34 feet more or less; thence along a line deflected 15°03'58" to the right, 70.98 feet more or less, to a point, said point being the intersection of the Southeasterly corner of said concrete deck with an existing rip rap seawall; thence continue Southerly along the Easterly outside edge of said rip rap seawall the following three courses: thence along a line deflected 7°33'25" to the left, 30.23 feet, more or less; thence along a line deflected 7°21'02" to the right, 10.31 feet, more or less; thence along a line deflected 24°29'08" to the right, 17.14 feet more or less, to a point, said point being the Northeasterly corner of an existing concrete deck; thence continue Southerly along the Easterly edge of said existing concrete deck along a line deflected 18°18'30" to the left, 70.70 feet, more or less, to the Southeasterly corner of said existing concrete deck; thence continue Southerly along a line deflected 3°02'16" to the left, 22.09 feet more or less, back to the Point of Beginning. Containing 795 square feet more or less.

M/A:357196:1

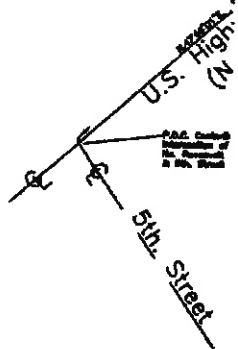
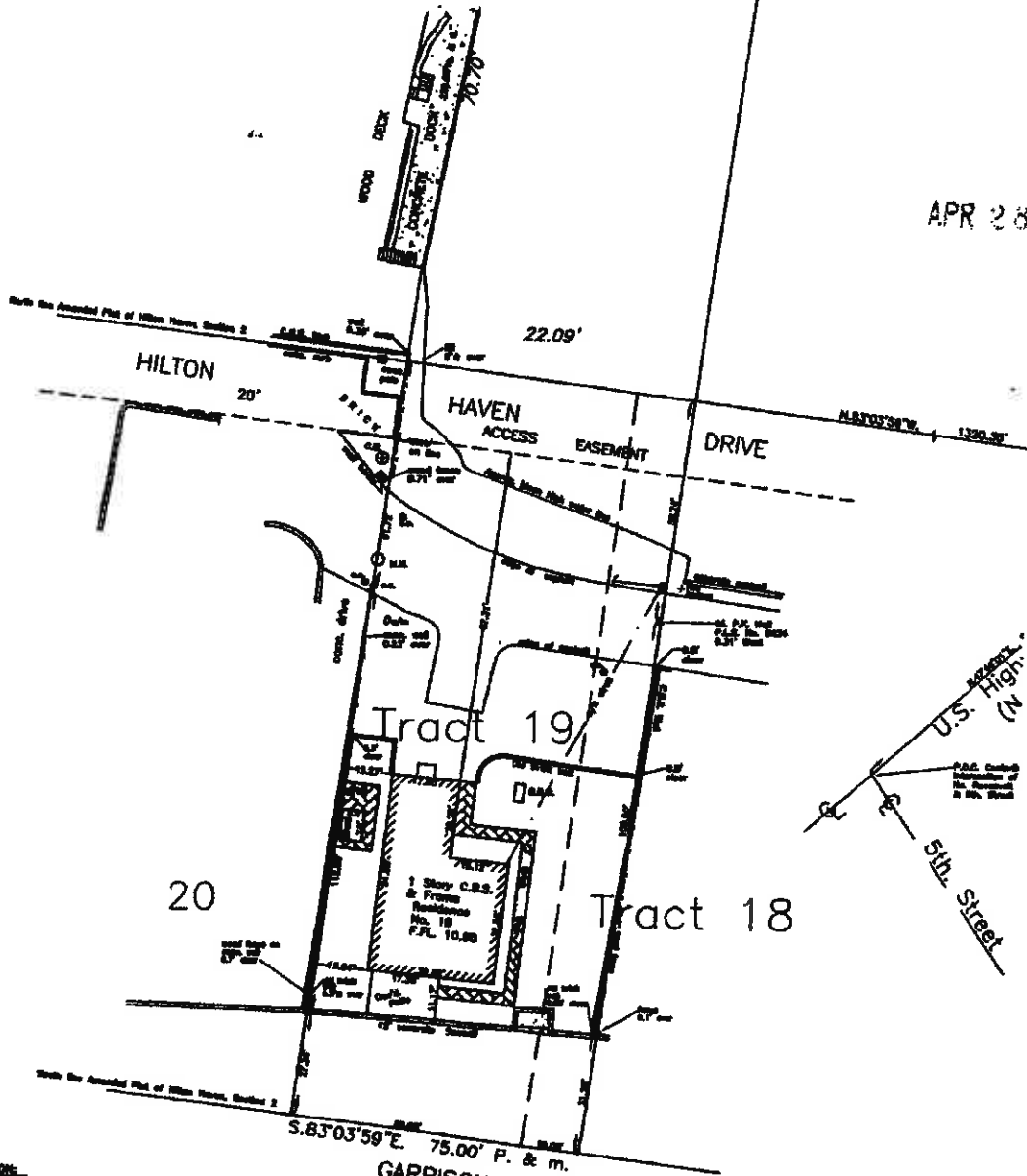
NONROE COUNTY
OFFICIAL RECORDS

Survey



BAY OF FLORIDA

APR 28 2008



CERTIFICATION:

I HEREBY CERTIFY that the attached BOUNDARY SURVEY is true and correct to the best of my knowledge and belief; that I made the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 61G17-8, Florida Statute Section 472.027, and the American Land Title Association, and that there are no visible encroachments unless shown herein.

FREDERICK H. HILDEBRANDT
 Professional Land Surveyor & Mapper No. 2748
 Professional Engineer No. 38610
 State of Florida

NOT VALID UNLESS EMPLOYED WITH BOUNDARY SEAL & SIGNATURE

MONROE COUNTY
OFFICIAL RECORDS

FILE # 1295514
BK# 1778 PG# 133

RCD APR 19 2002 11:28AM
DANNY L. KOLHAGE, CLERK

24 - - -

EASEMENT AGREEMENT

THIS AGREEMENT is made this 18th day of November, 1998 between Norma L. Roberts (hereinafter "Grantor") and the City of Key West, Florida (hereinafter "The City") and/or the Florida Keys Aqueduct Authority (hereinafter "Aqueduct").

WITNESSETH

In consideration of the mutual promises contained herein, Grantor does grant, sell and convey, unto The City and/or Aqueduct an easement under the following terms and conditions:

1. Grantor hereby agrees to grant an easement to The City and/or Aqueduct for the following described property: road footprint as depicted on the attached plat map at RE#2180.
2. The City, Aqueduct, their successors and assigns shall have the right to construct, install, alter, operate, relocate, repair, replace, improve, remove, inspect, and maintain a sewer collection system and/or transmission line and water transmission and distribution facilities across property as set forth in the map attached and made a part hereof as Exhibit "A". It is expressly understood that this Easement Agreement will be honored with the City and/or the Aqueduct, should either the City or the Aqueduct choose not to go forward with the project stated herein.
3. The City and/or Aqueduct shall have the right to enter and depart under, over, across and upon such property as necessary to the proper use of all rights granted herein, upon the conditions that The City and/or Aqueduct shall:
 - (a) Not unreasonably interfere with the Grantor's use of its property;
 - (b) Indemnify and hold harmless Grantor from any and all liability arising from the negligent use of the easement by The City and/or Aqueduct, its agents, or employees; and
 - (c) Adhere to the following terms:
 - 1) The City shall have the right to install and maintain the main sewer line.
 - 2) The Aqueduct shall have the right to install and maintain the water transmission and distribution facilities.

APR 19 2002

- 3) The City and/or Aqueduct will restore the fill under the pavement and will insure proper compaction to DOT standards to prevent future settling.
 - 4) The City and/or Aqueduct will restore any damages from construction to existing conditions.
 - 5) The City and/or Aqueduct will resurface/repave the entrance road immediately after the service is installed.
 - 6) There will be no cost to the Grantor for the services described in paragraph (c)(1-5) above.
- (d) Grantor shall bear the cost of any relocation or modification of said facilities when the change is necessitated by Grantor's requirements.
 - (e) Grantor shall furnish and maintain the easement area free of and clear from any obstruction and shall not construct, place, or allow the placing or construction of any obstruction which would interfere with: (I) The City's and/or Aqueduct's safe or proper installation, operation, maintenance, inspection, or removal of the sewer collection system and/or transmission lines and water transmission and distribution facilities and all the appurtenances thereto located in the easement or (II) any other right granted to The City and/or Aqueduct. Grantor shall have the right to make any other use of the easement area which does not interfere with The City's and/or Aqueduct's rights.
 - (f) It is understood that no funds are available for the purchase of easements. It is herein agreed that the parties recognize the mutual benefit of the sewer project to Hilton Haven residents and the citizens of Key West. However, by acceptance of this easement, the City/Aqueduct agree that should the City/Aqueduct decide to pay for easements, all easement Grantors will be compensated on the same basis. It is expressly understood that this section does not apply to the purchase of land and/or easement for the pump station.
 - (g) All covenants, stipulations, terms, conditions, and provisions of this agreement shall extend to and be made binding upon respective successors and assigns of The City and/or Aqueduct and Grantor. It is intended that this agreement shall be recorded and be binding upon future owners of the above described property.
 - (h) The Grantor does hereby warrant good and marketable title for the above described property and that it has full power of authority to grant this easement.
-

APR 18 1987

The parties acknowledge and agree that The City shall own and maintain the sewer line and the Aqueduct shall own and maintain the water transmission and distribution facilities and all appurtenances thereto which are located in this easement.

IN WITNESS WHEREOF, the parties have executed this Easement Agreement at the date first written above.

STATE OF FLORIDA)
COUNTY OF MONROE) SS

Executed in the presence of:

NORMA L ROBERTS Norma L. Roberts
Printed Name

The foregoing instrument was acknowledged before me this 18th day of November 1998 by Norma L. Roberts, who is personally known to me ~~as~~ who produced as identification

(SEAL)

My Commission expires: December 16, 2001 April Vargas-Bell
Notary Public Printed Name: APRIL VARGAS-BELL



This document prepared by E. David Fernandez, Utilities Director for the City of Key West

APR 24 2008

Planning Board Resolution 2011-028

RESOLUTION NUMBER 2011- 028

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW AN EXTENSION OF APPROVED VARIANCE FOR IMPERVIOUS SURFACE REGULATIONS IN THE MEDIUM DENSITY RESIDENTIAL (MDR) ZONING DISTRICT PER PLANNING BOARD RESOLUTION 2009-022 FOR PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE#00002180-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Planning Board Resolution 2009-022 extended Board of Adjustment Resolution 08-174; approving an impervious surface coverage variance for the subject property; and

WHEREAS, Board of Adjustment Resolution 08-174 allowed an extension if the applicant demonstrated that no change of circumstances to the property or its underlying zoning has occurred; and

WHEREAS, the applicant requested a 24 month extension from the effective date of the variance extension; and

WHEREAS, the applicant has demonstrated that no change of circumstances to the property or its underlying zoning has occurred; and

WHEREAS, the applicant submitted a timely request for extension and demonstrated that

 Vice-Chairman
 Planning Director

there are no changes to circumstances regarding the original variance approval; and

WHEREAS, the granting of the variance extension will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare;

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

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

Section 2. That the variance extension granted by Planning Board Resolution 2009-022, to **IMPERVIOUS SURFACE COVERAGE** in the **MDR, Medium Density Residential Zoning District**, under the Code of Ordinances of the City of Key West, Florida, is hereby extended for an additional period of 24 months **FOR THE PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE# 00002180-000000)**, SEE ATTACHED PLANS dated 6/01/09, with the following conditions:

Section 3. It is a condition of this variance that full, complete, and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 24 months.

 Vice-Chairman
 Planning Director

Section 4. This variance extension does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

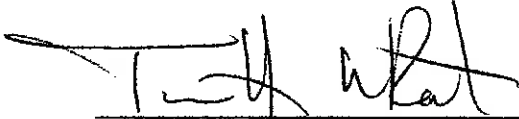
Section 4. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 5. 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 will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit 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.

 Vice-Chairman
 Planning Director

Read and passed on first reading at a special meeting held this 29th day of June, 2011.

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

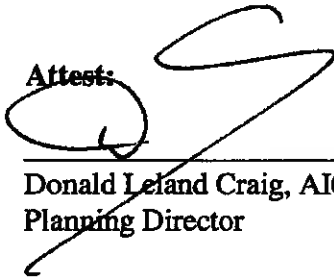


Timothy Root, Vice-Chairman
Key West Planning Board

7/11/11

Date

Attest:

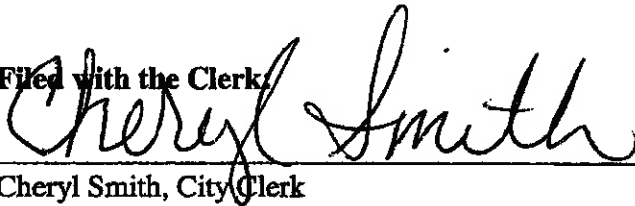


Donald Leland Craig, AICP
Planning Director

7/11/11

Date

Filed with the Clerk:

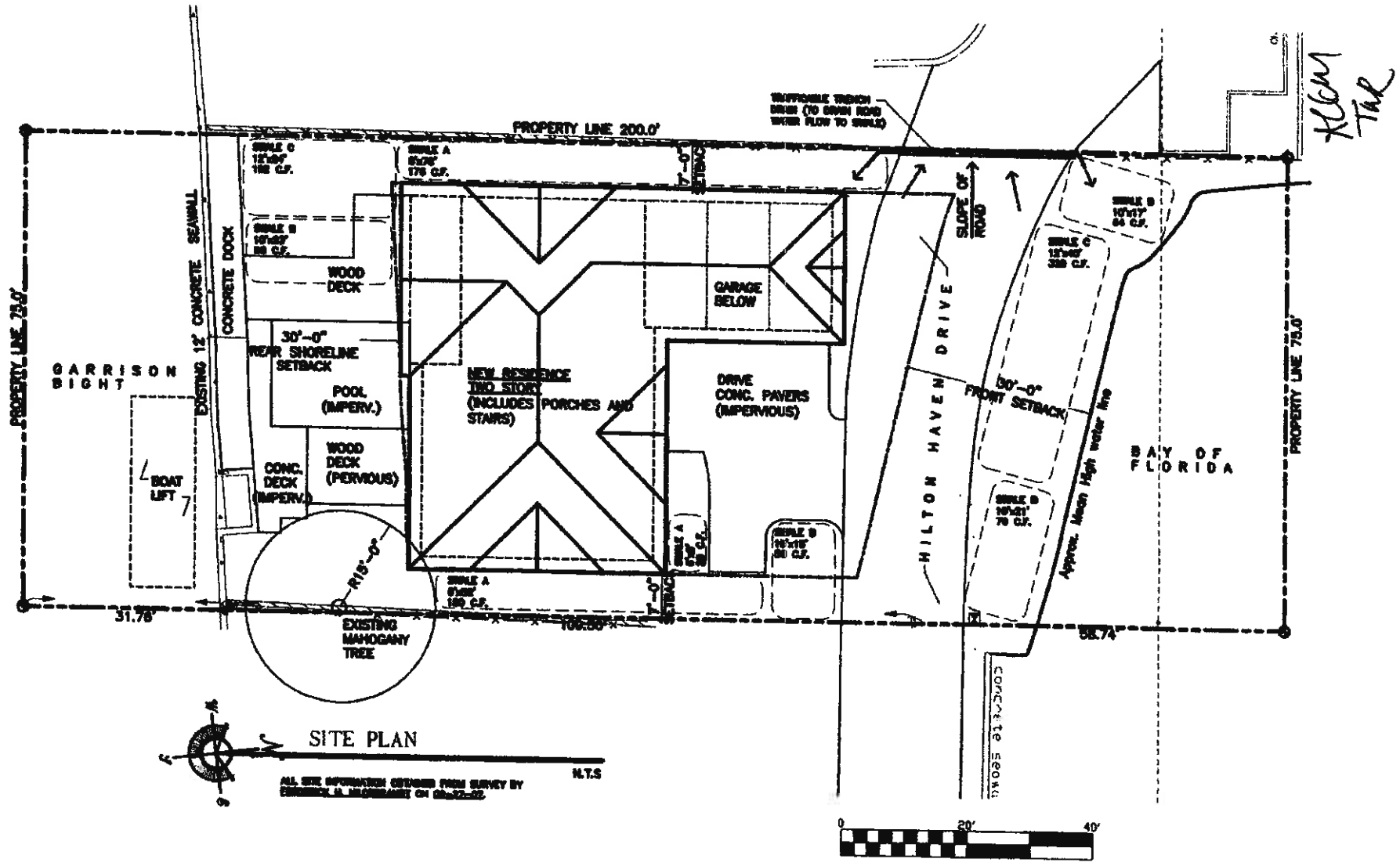


Cheryl Smith, City Clerk

7-11-11

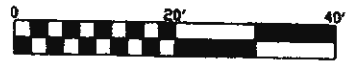
Date

 Vice-Chairman
 Planning Director



SITE PLAN

ALL SITE INFORMATION OBTAINED FROM SURVEY BY
 CERRITOS & ASSOCIATES ON 06-22-09 N.T.S.



WILLIAM P. HORN
 ARCHITECT, P.A.

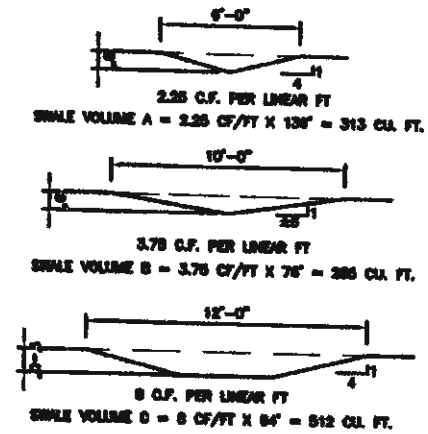
LICENCE NO
 VV 0003040
 TEL: (805) 296-8302
 FAX: (805) 296-1033

NEW RESIDENCE
19 HILTON HAVEN DRIVE
 ALY WEST, FLORIDA

PROJECT 0601
DATE 06-01-09
REV.



STORMWATER DATA	
IMPERVIOUS AREAS	
EXISTING ASPHALT ROAD	: 1666.00 S.F.
EXISTING SEAWALL	: 129.00 S.F.
NEW CONC. DOCK	: 284.00 S.F.
NEW CONC. A/C PAD	: 18.00 S.F.
NEW POOL	: 370.00 S.F.
NEW CONC. BACK DECK	: 454.00 S.F.
NEW HOUSE W/ OVERHANGS	: 3216.00 S.F.
NEW CONC. PAVERS DRIVE	: 927.00 S.F.
TOTAL IMPERVIOUS	: 7044.00 S.F.
7,044 S.F. IMPERVIOUS / 10,755 S.F. LOT = 65.5% IMPERVIOUS COVERAGE	
10,755 S.F. x 0.158 x 65.5% = 1099 C.F. SWALE	
SWALE A =	313 C.F.
SWALE B =	285 C.F.
SWALE C =	512 C.F.
SWALE TOTAL	1110 C.F.



SWALE PROFILE

SCALE: N.T.S

WILLIAM P. HORN
ARCHITECT, P.A.

LICENCE NO.
AA 0008140
TEL (305) 296-6302
FAX (305) 296-1033

NEW RESIDENCE
19 HILTON HAVEN DRIVE
KLEWEE, FLORIDA

PROJECT
0801

DATE
06-01-09
REV.



*Allen
FWL*

SITE DATA	
ZONING	: MDR (MEDIUM DENSITY RESIDENTIAL)
FLOOD ZONE	: AE +9
LOT AREA	: 10,755 SQ. FT. (0.248 ACRES) (UPLAND)
MIN. LOT SIZE	: 0.5 ACRE
MAX. LOT COVERAGE	: 3,784 S.F. (35%)
EXISTING LOT COVERAGE	: 1,824 S.F. (15.0%)
PROPOSED LOT COVERAGE	: 3,739 S.F. (34.7%)
MAX. IMPERVIOUS SURFACE	: 5,378 S.F. (50%)
EXISTING IMPERVIOUS SURFACE	: 4,186 S.F. (38.9%)
PROPOSED IMPERVIOUS SURFACE	: 7,044 S.F. (65.5%)
MAX. HEIGHT	: 35 FEET
PROPOSED HEIGHT	: 34'-9" MAX.
SETBACKS:	
FRONT :	30'-20'
SIDE :	7'
REAR :	30'
ST. SIDE :	10'


PROPOSED IMPERVIOUS SURFACE CALCS.:	
	7,044 S.F. (65.5%)
EXISTING ASPHALT ROAD	: 1888.00 S.F.
EXISTING SEAWALL	: 128.00 S.F.
NEW CONC. DOCK	: 284.00 S.F.
NEW CONC. A/C PAD	: 18.00 S.F.
NEW POOL	: 370.00 S.F.
NEW CONC. BACK DECK	: 454.00 S.F.
NEW HOUSE W/ OVERHANGS	: 3218.00 S.F.
NEW CONC. PAVERS DRIVE	: 927.00 S.F.
	<hr/>
	: 7044.00 S.F. (65%)

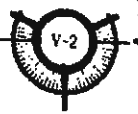
BUILDING DATA	
1ST. FLOOR	: 600 S.F. GARAGE
	2,108 S.F. INTERIOR AND COVERED AREAS
2ND. FLOOR	: 2,708 S.F. INTERIOR AND COVERED AREAS
OVERHANGS	: 508 S.F.

WILLIAM P. HORN
ARCHITECT, P.A.

LICENCE NO.
VA 0003040
TLL0303 296-8302
FAX 0303 296-1033

NEW RESIDENCE
19 HILTON HAVEN DRIVE
KEY WEST, FLORIDA

PROJECT 0801
DATE 06-01-09
REV. 



Please do not hesitate to contact me with any questions that you may have.

*Ashley Monnier
Planner II
City of Key West Planning Department
3140 Flagler Avenue
Key West, Florida 33040
Phone: (305) 809-3725
Fax: (305) 809-3978*

Planning Board Resolution 2009-022



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

August 3, 2009

Mrs. Amy Kimball-Murley, AICP
akimball@keywestcity.com
owen@owentrepanier.com
City of Key West Planning Director
P.O. Box 1409
Key West, Florida 33041



Re: **Res # 2009-022 19 Hilton Haven**
Res. # 20090702 BPAS 416 Green
Res. 2009-023 804 Caroline

The Area of Critical State Concern program has received and reviewed the above referenced permit in accordance with Section 380.07, Florida Statutes.

The Department will not appeal the proposed development or development order as issued. However, please note that the above referenced permit it is still subject to the local administrative appeal provisions.

This letter is not intended to constitute, and shall not be construed as constituting, a verification of compliance with the Comprehensive plan and Land Development Regulations, and shall not be relied upon as a precedent or a waiver of rights regarding any other development order or other growth management laws or statutes.

If additional information is needed, please call Rebecca Jetton @ (850) 922-1766, if additional information is needed.

Sincerely,

Rebecca Jetton, Administrator
Areas of Critical State Concern

RJ/kj



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

July 6, 2009

VIA ELECTRONIC MAIL

Ms. Rebecca Jetton
Areas of Critical State Concern
Bureau of State Planning
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

RE: City of Key West - 19 Hilton Haven
Rendering of Resolution Number 2009 - 022

Dear Ms. Jetton:

Per the Memorandum of Understanding between the Department and City dated November 4, 2001, please find the attached approval for variance extension for property located at 19 Hilton Haven per City of Key West Planning Board Resolution 2009 - 022.

Please call me with any questions or comments at (305) 809-3728.

Sincerely,

A handwritten signature in black ink, appearing to read "Amy Kimball-Murley".

Amy Kimball-Murley, AICP
Planning Director

Attachment

Electronic Copy: Mayte Santamaria, DCA
Cheri Smith, City Clerk
John Woodson, Building Department
Carolyn Walker, Licensing
Enid Torregrosa, HARC Planner
Jim Young, Code Supervisor
Applicant
DCA Rendering File
Geo File

RESOLUTION NUMBER 2009- 022

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW A ONE-YEAR EXTENSION FROM THE EFFECTIVE DATE OF THE ORIGINAL VARIANCE GRANTED IN RESOLUTION NUMBER 08-174 FOR PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE#00002180-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Resolution 08-174 approving an impervious surface coverage variance for the property was approved by the City of Key West Board of Adjustment on June 5, 2008; and

WHEREAS, that variance allowed an extension if the applicant demonstrated that no change of circumstances to the property or its underlying zoning has occurred; and

WHEREAS, the applicant requested a 12 month extension from the effective date of the original variance; and

WHEREAS, the applicant submitted a new site plan, that did not change the nature of the variance, in response to tree protection needs; and

WHEREAS, the applicant has demonstrated that no change of circumstances to the property or its underlying zoning has occurred; and

WHEREAS, the applicant submitted a timely request for extension and demonstrated that there are no changes to circumstances regarding the original variance approval; and

WHEREAS, the granting of the variance extension will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare;

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

Section 1. That the variance granted by the Board of Adjustment in Resolution No. 08-174, to **IMPERVIOUS SURFACE COVERAGE** in the **MDR, Medium Density Residential Zoning District**, under the Code of Ordinances of the City of Key West, Florida, are hereby extended for an additional period of one-year until July 16, 2011 **FOR THE PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE# 00002180-000000)**, SEE ATTACHED PLANS dated 6/01/09, with the following conditions:

Section 2. It is a condition of this variance that full, complete, and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety by July 16, 2011.

Section 3. This variance extension does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 4. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

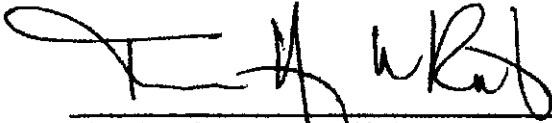
Section 5. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit 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 regular meeting held this 18th day of June, 2009.

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

Page 3
Resolution Number 2009-022

TR Vice Chairman
ALM Planning Director



Timothy W. Root, Vice Chairman
Key West Planning Board

June 24, 2009

Date

Attests

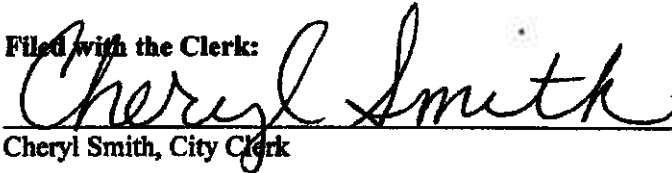


Amy Kimball-Murley, AICP
Planning Director

June 24, 2009

Date

Filed with the Clerk:



Cheryl Smith, City Clerk

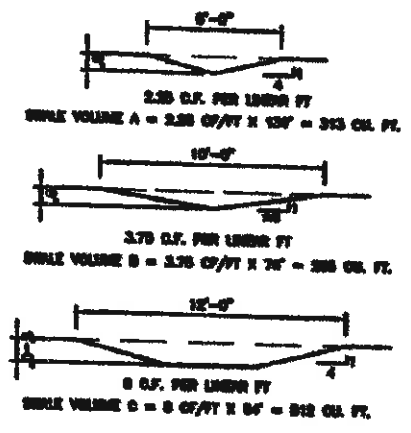
6-26-09

Date

_____ Vice Chairman

_____ Planning Director

STORMWATER DATA	
IMPERVIOUS AREAS	
EXISTING ASPHALT ROAD	: 1888.00 S.F.
EXISTING SEAPALL	: 129.00 S.F.
NEW CONC. DOCK	: 294.00 S.F.
NEW CONC. A/C PAD	: 18.00 S.F.
NEW POOL	: 370.00 S.F.
NEW CONC. BACK DECK	: 484.00 S.F.
NEW HOUSE W/ OVERHANGS	: 3218.00 S.F.
NEW CONC. PAVERS DRIVE	: 927.00 S.F.
TOTAL IMPERVIOUS	: 7044.00 S.F.
7,044 S.F. IMPERVIOUS / 10,788 S.F. LOT = 65.5% IMPERVIOUS COVERAGE	
10,788 S.F. x 0.156 x 65.5% = 1089 C.F. SWALE	
SWALE A =	313 C.F.
SWALE B =	285 C.F.
SWALE C =	512 C.F.
SWALE TOTAL	1110 C.F.



SWALE PROFILE
SCALE: N.T.S

WILLIAM P. HORN
ARCHITECT, P.A.

LICENSE NO.
A1 000340
TELEPHONE 296-6302
FAX (205) 296-1033

NEW RESIDENCE
19 HILTON HAVEN DRIVE
NLY WEST, FLORIDA

PROJECT: 0801
DATE: 06-01-00
REV:



*Allen
FWL*

SITE DATA	
ZONING	: MDR (MEDIUM DENSITY RESIDENTIAL)
FLOOD ZONE	: AE +9
LOT AREA	: 10,785 SQ. FT. (0.248 ACRES) (UPLAND)
MIN. LOT SIZE	: 0.6 ACRE
MAX. LOT COVERAGE	: 3,784 S.F. (35%)
EXISTING LOT COVERAGE	: 1,624 S.F. (15.0%)
PROPOSED LOT COVERAGE	: 3,730 S.F. (34.7%)
MAX. IMPERVIOUS SURFACE	: 5,378 S.F. (50%)
EXISTING IMPERVIOUS SURFACE	: 4,188 S.F. (38.8%)
PROPOSED IMPERVIOUS SURFACE	: 7,044 S.F. (65.3%)
MAX. HEIGHT	: 35 FEET
PROPOSED HEIGHT	: 34'-9" MAX.
SETBACKS:	
FRONT	: 30'-20'
SIDE	: 7'
REAR	: 30'
ST. SIDE	: 10'

PROPOSED IMPERVIOUS SURFACE CALCS:		7,044 S.F. (65.3%)
EXISTING ASPHALT ROAD	:	1886.00 S.F.
EXISTING SERNALL	:	129.00 S.F.
NEW CONC. DOCK	:	284.00 S.F.
NEW CONC. A/C PAD	:	18.00 S.F.
NEW POOL	:	370.00 S.F.
NEW CONC. BACK DECK	:	454.00 S.F.
NEW HOUSE W/ OVERHANGS	:	3216.00 S.F.
NEW CONC. PAVERS DRIVE	:	927.00 S.F.
	:	<hr/>
	:	7044.00 S.F. (65.3%)

BUILDING DATA		
1ST. FLOOR	:	600 S.F. GARAGE
	:	2,108 S.F. INTERIOR AND COVERED AREAS
2ND. FLOOR	:	2,708 S.F. INTERIOR AND COVERED AREAS
OVERHANGS	:	508 S.F.

WILLIAM P. HORN
ARCHITECT, P.A.

LICENSE NO.
14 0000040
TLLONG 290-R302
FAX (305) 296-1033

NEW RESIDENCE
19 HILTON HAVEN DRIVE
KEY WEST, FLORIDA

PROJECT: 0801
DATE: 06-01-09
REV. 



William P. Horn



City of Key West Landscape Department

MEMO

TO: Amy Kimball-Murley, Planning Director

FROM: Cynthia Domenech-Coogle, Urban Forestry Program Manager

DATE: May 12, 2009

RE: 19 Hilton Haven Drive

Recommendation: Tree Commission approval required for transplanting Plumeria tree. Swales shall be relocated. Deck shall be above ground in area surrounding Mahogany tree.

I have inspected and reviewed plans for tree conflict resolution regarding above said property. Growing on the above said property is a large and especially protected Mahogany tree at the Southeast corner of rear yard. Proposed construction will not impact root system and limbs of Mahogany tree if dwelling is built upon columns and remains at the proposed maximum 15' from Mahogany trunk. Swales shall be relocated. Grade changes will not be permitted in area surrounding Mahogany tree, i.e. bricking or concrete slabs.

**Board of Adjustment Resolution
08-174**



STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. FELHAM
Secretary

July 16, 2008

Mrs. Amy Kimball-Murley, AICP
City of Key West Planning Director
P.O. Box 1409
Key West, Florida 33041

Re: Resolution # 08-174

Dear Mrs. Kimball-Murley:

The Department of Community Affairs - Area of Critical State Concern Program has received your request for a letter stating whether we will appeal the above resolutions. The Department will not appeal these resolutions pursuant to Section 380.07, Florida Statutes.

The Department will not appeal resolution 08-174 for a variances to the maximum imperious coverage. The Department does not support approval of variances that allow more than fifty percent imperious coverage without a requirement for a storm water treatment system.

This letter is not intended to constitute, and shall not be construed as constituting, a verification of compliance with the Comprehensive Plan and Land Development Regulations, and shall not be relied upon as a precedent or a waiver of rights regarding any other development order.

Sincerely,

Rebecca Jetton, Administrator
Florida Keys Area of Critical State Concern

RJ/kj

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32309-2100
850-488-8466 (p) • 850-921-0781 (f) • Website: www.dca.state.fl.us

• COMMUNITY PLANNING 850-488-2358 (p) 850-488-3308 (f) •
• HOUSING AND COMMUNITY DEVELOPMENT 850-488-7908 (p) 850-522-5623 (f) •

RESOLUTION NO. 08-174

VARIANCE: 19 Hilton Haven Drive

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT TO ALLOW THE CONSTRUCTION OF A SINGLE FAMILY HOUSE BY GRANTING A VARIANCE TO IMPERVIOUS SURFACE REGULATIONS FOR PROPERTY IN THE MDR, MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT, UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE# 00002180-000000)

WHEREAS, the Board of Adjustment finds 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 district; and

WHEREAS, the Board of Adjustment finds that the special conditions do not result from the action or negligence of the applicant; and

WHEREAS, the Board of Adjustment finds 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; and

WHEREAS, the Board of Adjustment finds 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; and

WHEREAS, the Board of Adjustment finds that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and

WHEREAS, the Board of Adjustment finds that the grant 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; and

WHEREAS, the Board of Adjustment finds that 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; and

WHEREAS, the Board of Adjustment 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 Board of Adjustment of the City of Key West, Florida:

Section 1. That variances to **IMPERVIOUS SURFACE** regulations in the **MDR, MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT**, under the Code of Ordinances of the City of Key West, Florida, are hereby granted as follows to: **SECTION 122-270b(1), OF 15.5%, FROM THE 50% REQUIRED TO THE 65.5% PROPOSED. THE PURPOSE OF THE REQUEST IS TO ALLOW THE CONSTRUCTION OF A NEW HOUSEFOR PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE# 00002180-000000)**

Section 2. It is a condition of this variance that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this variance is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this variance, shall be submitted in its entirety within two years after the date hereof; and further, that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of the two-year period

without the applicant obtaining an extension from the Board of Adjustment and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

Section 3. The failure to submit a full and complete application for permits for new construction for which this variance is wholly or partly necessary, or the failure to complete new construction for use and occupancy pursuant to this variance in accordance with the terms of a City building permit issued upon timely application as described in Section 2 hereof, shall immediately operate to terminate this variance, which variance shall be of no force or effect.

Section 4. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 5. This variance is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty

five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in the development order; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit or development order until the appeal is resolved by agreement or order.


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.

Read and passed on first reading at a regular meeting held this 4th day of June, 2008.

Authenticated by the presiding officer and Clerk of the Board on 5th day of June, 2008.

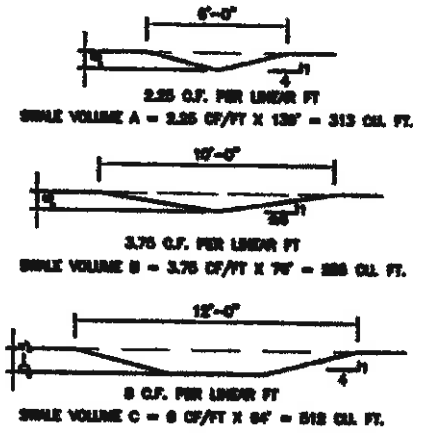
Filed with the Clerk on June 5, 2008.


MORGAN MCPHERSON, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:

CHERYL SMITH, CITY CLERK

STORMWATER DATA

IMPERVIOUS AREAS	
EXISTING ASPHALT ROAD	: 1888.00 S.F.
EXISTING SEAWALL	: 129.00 S.F.
NEW CONC. DOCK	: 284.00 S.F.
NEW CONC. A/C PAD	: 18.00 S.F.
NEW POOL	: 370.00 S.F.
NEW CONC. BACK DECK	: 454.00 S.F.
NEW HOUSE W/ OVERHANGS	: 3218.00 S.F.
NEW CONC. PAVERS DRIVE	: 827.00 S.F.
TOTAL IMPERVIOUS	: 7044.00 S.F.
7,044 S.F. IMPERVIOUS / 10,755 S.F. LOT = 65.5% IMPERVIOUS COVERAGE	
10,755 S.F. x 0.156 x 65.5% = 1099 C.F. SWALE	
SWALE A =	313 C.F.
SWALE B =	285 C.F.
SWALE C =	512 C.F.
SWALE TOTAL	1110 C.F.



SWALE PROFILE

SCALE: N.T.S

WILLIAM P. HORN
ARCHITECT, P.A.

LICENCE NO.
AA 0903040
TEL: (305) 296-8302
FAX: (305) 296-1033

NEW RESIDENCE
19 HILTON HAVEN DRIVE
KLY WEST, FLORIDA

PROJECT: 0801
DATE: 06-01-09
REV.



SITE DATA

ZONING : MDR (MEDIUM DENSITY RESIDENTIAL)
FLOOD ZONE : AE +0
LOT AREA : 10,766 SQ. FT. (0.246 ACRES) (UPLAND)
MIN. LOT SIZE : 0.5 ACRE
MAX. LOT COVERAGE : 3,784 S.F. (35%)
EXISTING LOT COVERAGE : 1,824 S.F. (15.0%)
PROPOSED LOT COVERAGE : 3,738 S.F. (34.7%)
MAX. IMPERVIOUS SURFACE : 5,378 S.F. (50%)
EXISTING IMPERVIOUS SURFACE : 4,188 S.F. (38.9%)
PROPOSED IMPERVIOUS SURFACE : 7,044 S.F. (65.5%)
MAX. HEIGHT : 35 FEET
PROPOSED HEIGHT : 34'-9" MAX.
SETBACKS:
FRONT : 30'-20'
SIDE : 7'
REAR : 30'
ST. SIDE : 10'

PROPOSED IMPERVIOUS SURFACE CALCS: 7,044 S.F. (65.5%)

EXISTING ASPHALT ROAD	:	1888.00 S.F.
EXISTING SEAWALL	:	129.00 S.F.
NEW CONC. DOCK	:	284.00 S.F.
NEW CONC. A/C PAD	:	18.00 S.F.
NEW POOL	:	370.00 S.F.
NEW CONC. BACK DECK	:	484.00 S.F.
NEW HOUSE W/ OVERHANGS	:	3218.00 S.F.
NEW CONC. PAVERS DRIVE	:	927.00 S.F.
	:	<hr/>
	:	7044.00 S.F. (65%)

BUILDING DATA

1ST. FLOOR : 600 S.F. GARAGE
 2,108 S.F. INTERIOR AND COVERED AREAS
2ND. FLOOR : 2,708 S.F. INTERIOR AND COVERED AREAS
OVERHANGS : 508 S.F.

WILLIAM P. HORN
ARCHITECT, P.A.

LICENCE NO.
 AA 0003040
 TEL: (904) 296-8302
 FAX: (904) 296-1033

NEW RESIDENCE
19 HILTON HAVEN DRIVE
 KEY WEST, FLORIDA

PROJECT 0801
DATE 06-01-09
REV. 



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 1.0.

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

Alternate Key: 1002291 Parcel ID: 00002180-000000

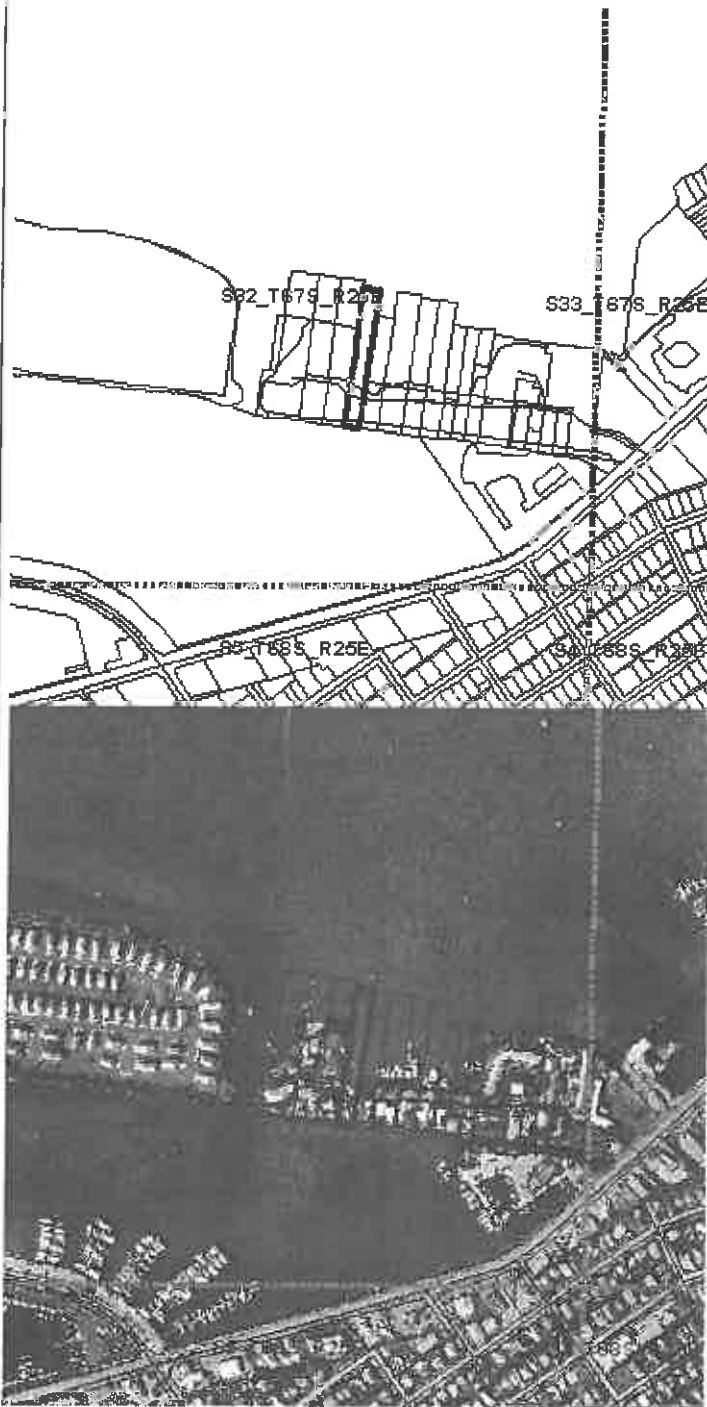
Ownership Details

Mailing Address:
RANN JEFFREY
1200 4TH ST
KEY WEST, FL 33040-3763

Property Details

PC Code: 01 - SINGLE FAMILY
Millage Group: 10KW
Affordable Housing: No
Section-Township-Range: 32-67-25
Property Location: 19 HILTON HAVEN DR KEY WEST
Subdivision: Amended Plat of Hilton Haven Section No 2
Legal Description: AMENDED PLAT OF HILTON HAVEN SEC 2 A SUBDIVISION ON THE ISLAND OF KEY WEST FLA PB2-138 THE WLY 15 FT OF TR 18 AND ALL OF TR 19 AND KW PT SEC 33 TWP 67S RNG 25E N SIDE OF HILTON HAVEN SUB .69 AC II DEED NO 20830 OR12-375/376 OR79-399 OR1033-2330 (U/R D/C ON FILE)JB OR1042-1949 D/C OR1332-1287/1303-E(RES NO 94-484) OR1646-2159/60Q/C OR1665-1379/80L/E OR2224-2212D/C OR2279-2080/83 OR2365-2437/41

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
000X - ENVIRONMENTALLY SENS			0.69 AC
000E - EASEMENT			1.00 LT
010W - RES WATERFRONT	75	180	9,570.00 SF
000X - ENVIRONMENTALLY SENS	0	0	0.07 AC

Building Summary

Number of Buildings: 1
 Number of Commercial Buildings: 0
 Total Living Area: 1384
 Year Built: 1954

Building 1 Details

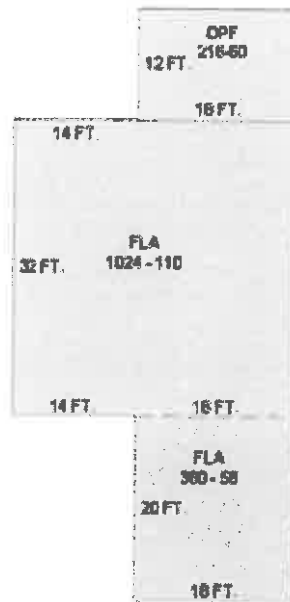
Building Type <u>R1</u>	Condition <u>A</u>	Quality Grade 500
Effective Age 28	Perimeter 168	Depreciation % 34
Year Built 1954	Special Arch 0	Grnd Floor Area 1,384
Functional Obs 0	Economic Obs 0	

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

Roof Type GABLE/HIP	Roof Cover METAL	Foundation CONCR FTR
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	FLA	5:C.B.S.	1	1993	N N	0.00	0.00	1,024
2	OPF	5:C.B.S.	1	1993	N N	0.00	0.00	216

3	FLA	1:WD FRAME/COMPOSITE	1	1963	N	N	0.00	0.00	360
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Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	200 SF	0	0	1976	1977	5	30
2	BL:BOAT LIFT	1 UT	0	0	2009	2010	4	20
3	PT2:BRICK PATIO	266 SF	0	0	1976	1977	3	50
4	UB3:LC UTIL BLDG	80 SF	0	0	1976	1977	1	30
5	UB3:LC UTIL BLDG	48 SF	0	0	1984	1985	1	30
6	AC2:WALL AIR COND	2 UT	0	0	1964	1965	1	20
7	AC2:WALL AIR COND	2 UT	0	0	1964	1965	2	20
8	SW2:SEAWALL	150 SF	75	2	2003	2004	5	60
9	BL2:BOAT LIFT	1 UT	0	0	2011	2012	2	20
10	DK4:WOOD DOCKS	480 SF	0	0	2011	2012	3	40

Appraiser Notes

ADJ SQFT FROM 10288 TO 9570 PER OR2365-2437 AND GIS.

2007-04-06 - ROAD WAS CONVERTED TO EASEMENT LAND LINE. - JEN

2004-04-26 - LAND INCLUDES SHORELINE,ROAD SOME BAY BOTTOM ACROSS THE ROAD AND CANAL BEHIND THE HOUSE.

AK 1002011 (RE 0001910-000000) IS NOW COMBINED WITH THIS PARCEL DONE FOR ASSESSMENT PURPOSES FOR THE 2011 TAX ROLL (4/18/2011 SCJ)

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
08-4041	11/06/2008	07/13/2009	15,000	Residential	INSTALL BOAT LIFT: INSTALLATION OF PORTABLE BOT ON ELEVATOR LIFT.
11-0343	02/22/2011	12/29/2011	80,000	Residential	PLACE 42 CY OF BORDER FILL TO CONSTRUCT 564 SF OF RIP RAP REVEMENT. CONSTRUCT 480 SF OF PILE SUPPORTED DOCK STRUCTURE. INSTALL ELEVATOR BOAT LIFT.
1 98-4063	01/22/1999	11/09/1999	3,220	Residential	ROOF
2 98-4059	02/10/1999	11/09/1999	11,620	Residential	REPAIR AND REPAINT
3 99-2487	07/19/1999	11/09/1999	1,200	Residential	SEWER LINE
4 03-0227	01/27/2003	12/02/2003	35,127	Residential	REPAIR SEAWALL

Parcel Value History

Certified Roll Values.

View Taxes for this Parcel.

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2012	108,440	45,561	642,054	796,055	796,055	0	796,055
2011	110,279	32,321	868,360	1,010,960	814,884	0	1,010,960
2010	110,059	23,201	607,515	740,775	740,775	0	740,775
2009	122,968	13,441	756,470	892,879	892,879	0	892,879
2008	113,409	11,719	957,057	1,082,185	1,082,185	0	1,082,185
2007	119,438	7,754	1,022,857	1,150,049	1,150,049	0	1,150,049
2006	245,161	6,693	882,450	1,134,304	223,043	26,000	197,043
2005	245,161	6,806	588,500	840,467	223,937	26,000	197,937
2004	105,110	6,980	411,570	523,660	217,415	26,000	191,415
2003	82,021	5,886	308,656	396,563	211,154	26,000	185,154
2002	52,033	6,002	273,378	331,413	206,206	26,000	180,206
2001	47,475	6,176	177,697	231,348	202,959	26,000	176,959
2000	62,667	5,039	129,342	197,048	197,048	26,000	171,048
1999	58,869	4,816	129,342	193,027	193,027	26,000	167,027
1998	56,970	3,963	129,342	190,276	190,276	26,000	164,276
1997	50,052	3,585	155,210	208,848	208,848	26,000	182,848
1996	50,052	3,652	155,210	208,914	208,914	26,000	182,914
1995	50,052	3,754	155,210	209,016	209,016	25,500	183,516
1994	44,762	3,468	155,210	203,441	203,441	25,500	177,941
1993	39,524	2,198	155,210	196,932	196,932	25,500	171,432
1992	39,524	2,198	155,210	196,932	196,932	25,500	171,432
1991	39,524	2,198	155,210	196,932	196,932	25,500	171,432
1990	39,524	2,198	151,682	193,404	193,404	25,500	167,904
1989	35,931	1,998	148,155	186,084	186,084	25,500	160,584
1988	30,675	1,998	94,068	126,741	126,741	25,000	101,741
1987	30,379	1,998	74,088	106,465	106,465	25,000	81,465
1986	30,540	1,998	70,308	102,846	102,846	25,000	77,846
1985	29,536	1,998	37,585	69,119	69,119	25,000	44,119
1984	27,599	1,998	37,585	67,182	67,182	25,000	42,182
1983	27,599	1,998	37,585	67,182	67,182	25,000	42,182
1982	28,197	1,998	37,585	67,780	67,780	25,000	42,780

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
6/10/2008	2365 / 2437	1,175,000	WD	Q
2/22/2007	2279 / 2077	1,014,700	WD	Q

This page has been visited 38,652 times.

Monroe County Monroe County Property Appraiser
Scott P. Russell, CFA
P.O. Box 1176 Key West, FL 33041-1176

Public Notices
(radius map & mailing list)

Public Meeting Notice

The Key West Planning Board will hold a public hearing at 6:00 p.m., May 23, 2013 at Old City Hall, 510 Greene Street, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Variance Extension - 19 Hilton Haven Drive (RE# 00002180-000000, AK# 1002291) - A request for a 3rd extension of an approved variance for impervious surface regulations in the MDR zoning district per Planning Board Resolution 2011-028 of the City of Key West.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at www.keywestcity.com.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

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

Variance Extension - 19 Hilton Haven Drive - A request for a 3rd extension of approved variance for impervious surface regulations in the MDR zoning district per Planning Board Resolution 2011-028 of the City of Key West.

Applicant: William P. Horn, P.A. **Owner:** Jeffrey Rann
Project Location: 19 Hilton Haven Drive (RE# 00002180-000000, AK# 1002291)
Date of Hearing: Thursday, May 23, 2013 **Time of Hearing:** 6:00 PM
Location of Hearing: Old City Hall, 510 Greene, City Commission Chambers

Interested parties may appear at the public hearing and be heard with respect to the applications. Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email to Katrina Cool at kcool@keywestcity.com.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

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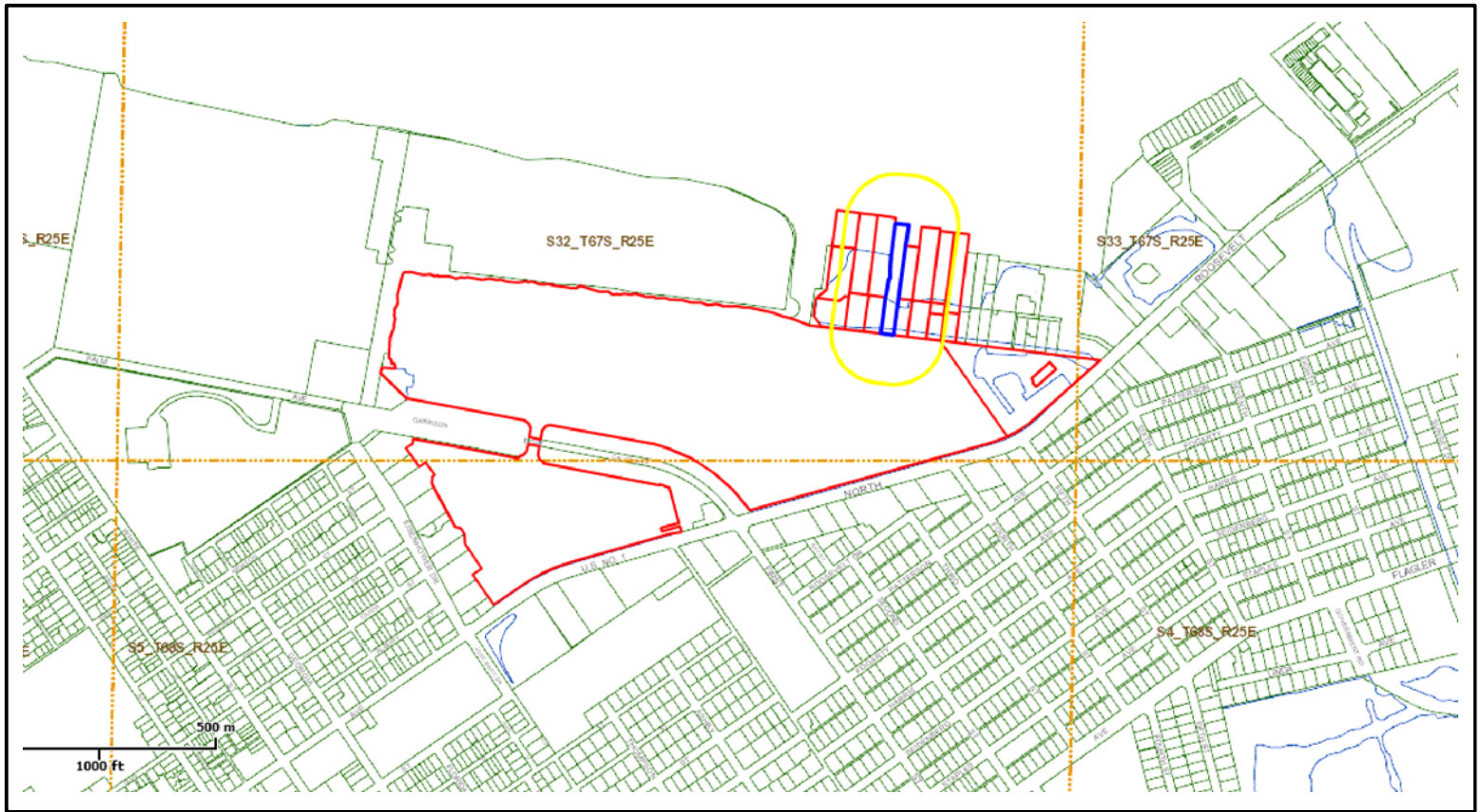
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19 Hilton Haven

MCPA GIS Public Portal

Printed: May 02, 2013

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



NAME	ADDRESS	UNIT	CITY	STATE	ZIP
1 WILLIAMS ROY FRANCIS	1212 GOLD MEADOW BLVD		VALRICO	FL	33594-7297
2 BAY VILLAS CONDOMINIUM	30 HILTON HAVEN DR		KEY WEST	FL	33040
3 GRACE GREGORY P LIVING TRUST 10/22/2011	30 HILTON HAVEN RD APT 2B		KEY WEST	FL	33040-3868
4 ROSSI MARK	24 HILTON HAVEN DR		KEY WEST	FL	33040
5 ONDERDONK GARY R AND DIANE M	513 FLEMING ST	UNIT 1	KEY WEST	FL	33040
6 WITWER GEORGE O AND DOROTHY LEE BOOTH (H/W)	20 HILTON HAVEN DR		KEY WEST	FL	33040
7 HALYARD A CONDOMINIUM THE	30 HILTON HAVEN DR		KEY WEST	FL	33040
8 BIGA DONALD P AND PATRICIA S	32 HILTON HAVEN RD APT 3		KEY WEST	FL	33040-3869
9 OAKES I LLC	15 HILTON HAVEN DRIVE		KEY WEST	FL	33040
10 ARNOLD WILLIAM JR AND DULCINEA MCCOY	25 HILTON HAVEN DR		KEY WEST	FL	33040
11 HERNDON DORIS J	30 HILTON HAVEN RD APT 2A		KEY WEST	FL	33040-3868
12 HYATT ALICE M	30 HILTON HAVEN RD APT 3		KEY WEST	FL	33040-3868
13 ARNOLD WILLIAM JR AND DULCINEA MCCOY	25 HILTON HAVEN RD		KEY WEST	FL	33040-3833
14 MILLER WAYNE	18 HILTON HAVEN DR		KEY WEST	FL	33040
15 KIDD JEFFREY AND MELISSA D	1 NIGHTINGALE WOODS		FAIRPORT	NY	14450-9425
16 RANN JEFFREY	1200 4TH ST		KEY WEST	FL	33040-3763
17 CONFIDENTIAL DATA F.S. 119.07	30 HILTON HAVEN DR		KEY WEST	FL	33040-3868
18 SCHMIEGEL JOHN	1303 BISCAYA DR		SURFSIDE	FL	33154-3317
19 ECHO JESUS ALEX AND MARIA M FERNANDEZ	5705 SW 131ST TER		MIAMI	FL	33156-7261
20 CLARK WALLACE E AND SARA C	4C MERION DR		EUFULA	AL	36027
21 SMITH WAYNE LARUE	1413 GRINNELL ST		KEY WEST	FL	33040
22 HOWELL MARILOU	13-A HILTON HAVEN DR		KEY WEST	FL	33040
23 WILLIAMS SETH AND LINDA	4964 E 114TH PL		TULSA	OK	74137-8001
24 GROSSCUP WILLIAM R REV TR	13 HILTON HAVEN DRIVE		KEY WEST	FL	33040
25 HALLORAN GEORGE R AND MARCIA E	16 HILTON HAVEN RD APT B		KEY WEST	FL	33040-3827
26 ONG JAMES N	34 FLORAL AVE		KEY WEST	FL	33040
27 ROWE JOSEPH C JR	2026 GOV THOMAS BLADEN WAY APT 301		ANNAPOLIS	MD	21401-6398
28 NO MORE INC	22 HILTON HAVEN DRIVE		KEY WEST	FL	33040
29 HALL RANDALL L REV TR 2/1/2006	32 HILTON HAVEN RD APT 1		KEY WEST	FL	33040-3869
30 SINHA SANJIV	32 HILTON HAVEN RD APT 6		KEY WEST	FL	33040-3869
31 HALLORAN GEORGE R AND MARCIA E	16-B HILTON HAVEN DRIVE		KEY WEST	FL	33040
32 VISCONTI FAMILY LIMITED PARTNERSHIP	2928 WELLINGTON CIR	STE 201	TALLAHASSEE	FL	32309