THE CITY OF KEY WEST PLANNING BOARD Staff Report



To:

Chairman and Planning Board Members

From:

Brendon Cunningham

Through:

Donald Leland Craig, AICP, Interim Planning Director

Meeting Date:

January 25, 2011

Agenda Item:

An application for a variance to the building coverage requirement in the Historic Neighborhood Commercial (HNC-2) zoning district for property located at 630 Eaton Street (RE#00006290-000000), per Section 122-840 (4) a. as required in the Land Development Regulations of the Code of Ordinances of the City of Key West,

Florida.

Request:

To consider an application for a variance to building coverage to construct a room addition and exterior stair for an existing non-conforming, contributing structure listed in the historic

architectural survey.

Applicant:

Arnaud Girard d'Albissin.

Property Owner:

Arnaud Girard d'Albissin

Location:

630 Eaton Street, RE# 00006290-000000

Zoning:

Historic Neighborhood Commercial (HNC-2) zoning district



Background:

The building is a two-storey frame apartment building listed as a contributing structure. The owner is renovating the building and as part of the renovation, the owner would like to add a small addition to the main structure. The proposed addition will become part of the master bedroom upon completion of the renovations.

Request:

The property is legally nonconforming to building coverage requirements in the HNC-2 zoning district. According to the plans for the addition the building footprint will increase by approximately one percent. In order to do this, the applicant is requesting a variance to Section 122-840 (4) a. of the Land Development Regulations.

	Allowed/Required	Existing	Proposed
Building Coverage	40%	45.4%	46.4%

Process:

HARC

September 28, 2010

H#10-01-478

Development Review Committee Meeting:

Planning Board Meeting:

October 28, 2010 January 25, 2011

Analysis - Evaluation for Compliance With The Land Development Regulations:

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

1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, building or structure involved and which are not applicable to other land, buildings or structures in the same zoning district.

Numerous properties in the City's historic districts have legal non-conforming coverages and setbacks. This particular structure and property like many others, does not meet all of the dimensional requirements outlined in Section 122-840. As such, special conditions do not exist that are applicable to other land, buildings or structures.

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

The applicant proposes the construction of an addition to the existing building that will exceed the allowed building coverage. Thus, the condition is created by the applicant.

3. Special privileges not conferred. That granting the variance requested will not confer upon the applicant any special privileges denied by the Land

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Development Regulations to other lands, structures or structures in the same zoning district.

Granting the variance request will confer upon the applicant special privileges provisionally denied to other lands, buildings or structures in the same zoning district.

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 states that the need to accommodate an elderly relative is the hardship. However, one of the other apartments in the building could be used for that purpose.

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

The variance requested is the minimum variance needed to make reasonable use of the land and building.

6. Not injurious to the public welfare. That the granting of the variance/s 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.

The variance needed for the construction of the addition does not appear to be injurious to the public welfare.

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

This request is not based on existing conditions on surrounding properties.

The Planning Board shall make factual findings regarding the following:

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

The applicant does not meet all of the standards established by the City Code of Ordinances for a variance request.

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

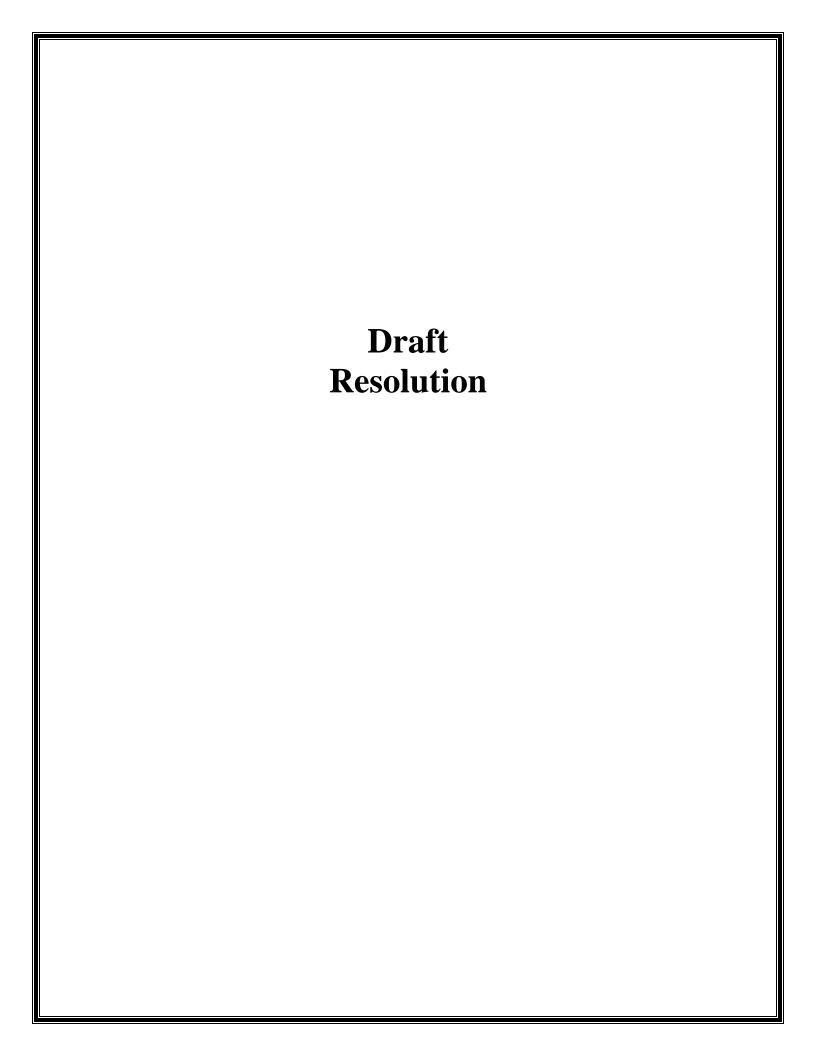
The Planning Department has not received any public input to date.

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

The applicant intends to make improvements to drainage through best management practices.

RECOMMENDATION:

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



RESOLUTION NO- 2011-

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE CONSTRUCTION OF A ROOM ADDITION AND STAIRCASE BY GRANTING A VARIANCE TO BUILDING COVERAGE REQUIREMENTS FOR PROPERTY LOCATED AT 630 EATON STREET (RE#00006290-000000), PURSUANT TO SECTION 122-840 (4) UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 122-840 (4) a. of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 40%; and

WHEREAS, the applicant requested a variance to increase building coverage to allow improvements including a room addition and exterior staircase for a non-conforming, historically contributing residential structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on January 25, 2011; and

WHEREAS, the Planning Board 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

Page 1 of 5 Resolution Number 2011-

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***************************************	Interim	Planning	Directo

WHEREAS, the Planning Board finds that the special conditions do not result from the

action or negligence of the applicant; and

WHEREAS, the Planning Board 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 Planning Board finds that the 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 Planning Board 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 Planning Board finds that the granting of the variance will be in harmony

with the general intent and purpose of the Land Development Regulations and that such variance will

not be injurious to the area involved or otherwise detrimental to the public interest or welfare; and

WHEREAS, the Planning Board finds that no non-conforming use of neighboring lands,

structures, or buildings in the same district, and no permitted use of lands, structures or buildings in

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_____Chairman

_ Interim Planning Director

other districts shall be considered grounds for the issuance of any variance; 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. That the variance for a non-conforming contributing building, listed in the historic

architectural survey, for increased building coverage for a project in the Historic Neighborhood

Commercial (HNC-2) zoning district for property located at 630 Eaton Street (RE # 00006290-

000000), per Section 122-840 (4) a. of the Land Development Regulations of the Code of

Ordinances of the City of Key West, Florida, as shown on the attached plan set dated October 25,

2010.

Section 3. 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

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_____Chairman

__ Interim Planning Director

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 Planning Board and demonstrating that no

change of circumstances to the property or its underlying zoning has occurred.

Section 4. 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 3 hereof, shall immediately

operate to terminate this variance, which variances shall be of no force or effect.

Section 5. 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 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.

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

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Chairman

____ Interim Planning Director

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 this approval; 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 until the appeal is resolved by agreement or order.

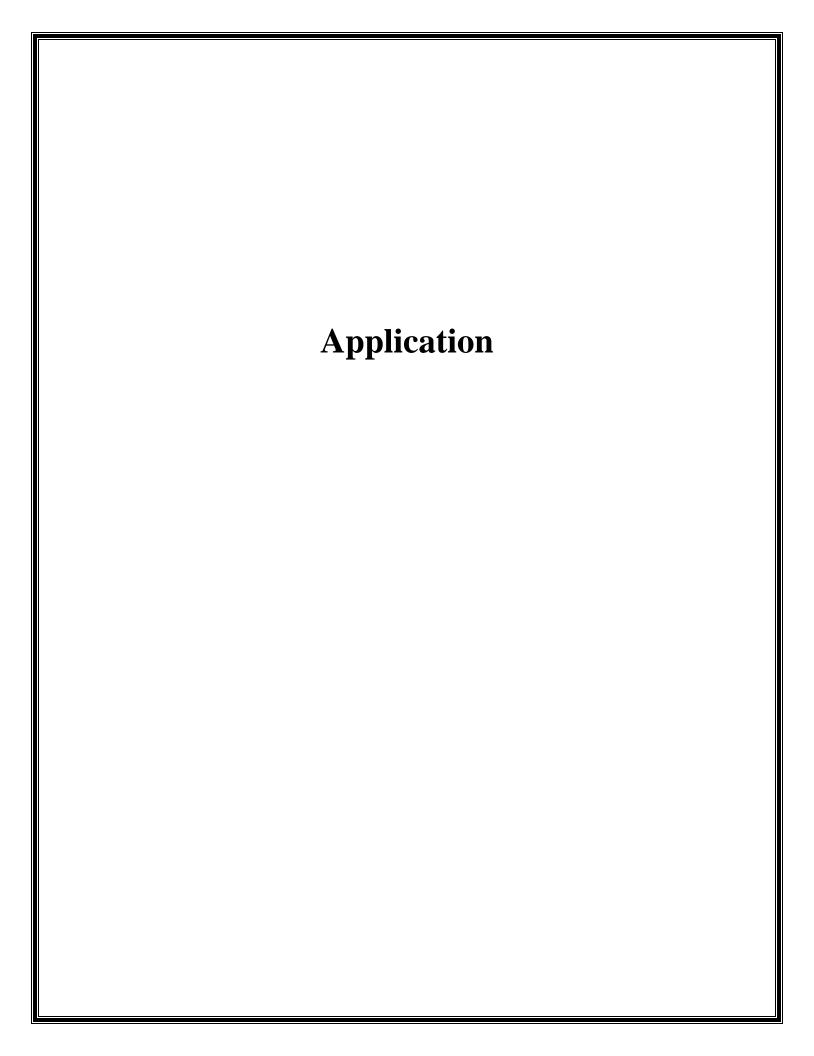
Read and passed on first reading at a special meeting held this 25th day of January, 2011.

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

Richard Klitenick, Chairman Key West Planning Board	Date
Attest:	
Donald Leland Craig, AICP Interim Planning Director Filed with the Clerk:	Date
Cheryl Smith, City Clerk	Date

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Interim	Planning	Directo



VARIANCES ARE QUASI-JUDICIAL HEARINGS AND IT IS IMPROPER TO SPEAK TO A PLANNING BOARD AND/OR BOARD OF ADJUSTMENT MEMBER ABOUT THE VARIANCE OUTSIDE THE HEARING

Variance Application

City of Key West Planning Department

Pleas	e print or type a r	response to the following:	:		
1.	Site Address _{	630 Eaton Stree	et		
2.	Name of Applic	ant Arnaud Gi	RARD d'ALBISS	5/1	
3.	Applicant is:		thorized Representative		
4.	Address of App	atta) Iicant <u>1214 Newto</u>	ached Authorization Form	n must be completed)	
		Key West	FL 33040		
5.	Phone # of App	licant <u>296 - 1816</u>	Mobile#_ <u>731-729</u>	9 Fax# 296-1816 (coll	first
6.					
7.		r, if different than above			
8.	Address of Owr	ner		***************************************	

9.	Phone Number	of Owner	Fax#		
10.	Email Address	· · · · · · · · · · · · · · · · · · ·		Manustania del del como con con con con con con con con con co	
11.	Zoning District of	of Parcel <u>#NC-2</u>	RE# <u>00006</u> 2	290-000000	
12.	Description	of Proposed Co	onstruction, Develop	ment, and Use	
Co.	NSTRUCTION	1 OF HEXAGONA	ADDITION, A	PPROX 132 SiF.	
AT	REAR OF E	XISTING STRUC	TURE. ONE ST	DRY WITH	
		G ABOVE			
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13.	Required inform	ation: (application will no	t move forward until all i	nformation is provided)	
		Required	Existing	Requested	
Front	Setback	10,0'	2.5'	2,5 XC	
Side S	ietback	7.5'	3.0'	3,0 NC	
Side S	etback	5.0'	5.0'	5.0 NC	

Page 1 of 4

Rear Setback

Building Coverage
Open Space
Requirements
Impervious Surface

14.	Is Subject Property located within the Historic District? Yes No If Yes, indicate date of HARC approval as well as the HARC Approval Number minutes of the meeting.	. Attach
	Date HARC # Capplication	n pending
15.	Are there any easements, deed restrictions or other encumbrances attaches subject property? Yes No If Yes, please describe and attach documents	
16.	Will the 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.	

Check List (to be completed by Planning Staff and Applicant at time of submittal)

Applicant Initials	Staff Initials	The following must be included with this application
	6	Copy of the most recent recorded deed showing ownership and a legal description of the subject property
	-4	Application Fee (to be determined according to fee schedule)
AUR-11-11-11-11-11-11-11-11-11-11-11-11-11	(d)	Site Plan (existing and proposed) as specified on Variance Application Information Sheet
	(b_	Floor Plans of existing and proposed development (8.5 x 11)
	<u></u>	Copy of the most recent survey of the subject property
	(b)	Elevation drawings as measured from crown of road
		Stormwater management plan
	<u>(b)</u>	HARC Approval (if applicable)
7444	<u> </u>	Notarized Verification Form
		A PDF or compatible electronic copy of the complete application on a compact disk

Please note that all architecture or engineering designs must be prepared and sealed by a professional architect or engineer registered in the state pursuant to F.S. chs. 471 and 481, respectively. Two signed and sealed copies will be required at time of submittal.

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:

 Existence of special 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 owner is performing an extensive historic renovation of this 7-unit mult-family dwelling. The building was constructed in the mid-1800's (estimate). Plans are for owner and family to move into Apartment #1 on the first floor. It has recently been decided by the family that the owner's mother-in-law who is recovering from a mild stroke (82 years of age) will be moving in with the family. The owner is seeking a variance on building coverage requirements so that a 132 SF addition could be built to partially compensate for the loss of square footage in the home which will now be used as the mother-in-law's bedroom area (showing as music/study on plans).

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

The owner is attempting to maintain the level of existing workforce housing made available to the community by this property, while at the same time, being able to also accommodate his entire family (of four) with the addition of his elderly mother-in-law. In addition to the management of the apartment house, the owner and his wife each own a small business licensed in Key West, both of which require home-office space.

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

The property is in the HNC-2 zoning district, and is one of very few properties in Old Town which contains such a sizeable yard area (4229 sf.) As most of the historic buildings in the HNC-2 zoning district are non-conforming and exceed, by far, the building coverage outlined in the current code, it can not be said that the owner would be receiving any "special privilege" over and above those enjoyed by neighbors in the same zoning district.

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 the same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.

The property owner maintains the following goal for the future use of this property:

To move into the building with his family, elderly parent, and to accommodate office space requirements in his home, while retaining the six other apartments available for workforce/retiree housing. (The home he lives in now with his family will then become a unit of rental housing, so that no loss of available housing for the community will result from this owners' proposed renovation and use of this multi-dwelling building.

Without this variance, the owner will not be able to maintain this goal, which will aide in fulfilling the housing needs of the community as well as this particular family.

5. Only minimum variance(s) granted. That the variance(s) granted is/are the minimum variances(s) that will make possible the reasonable use of the land, building or structure.

The additional space will be used as an office area and is the minimum space required to function as such.

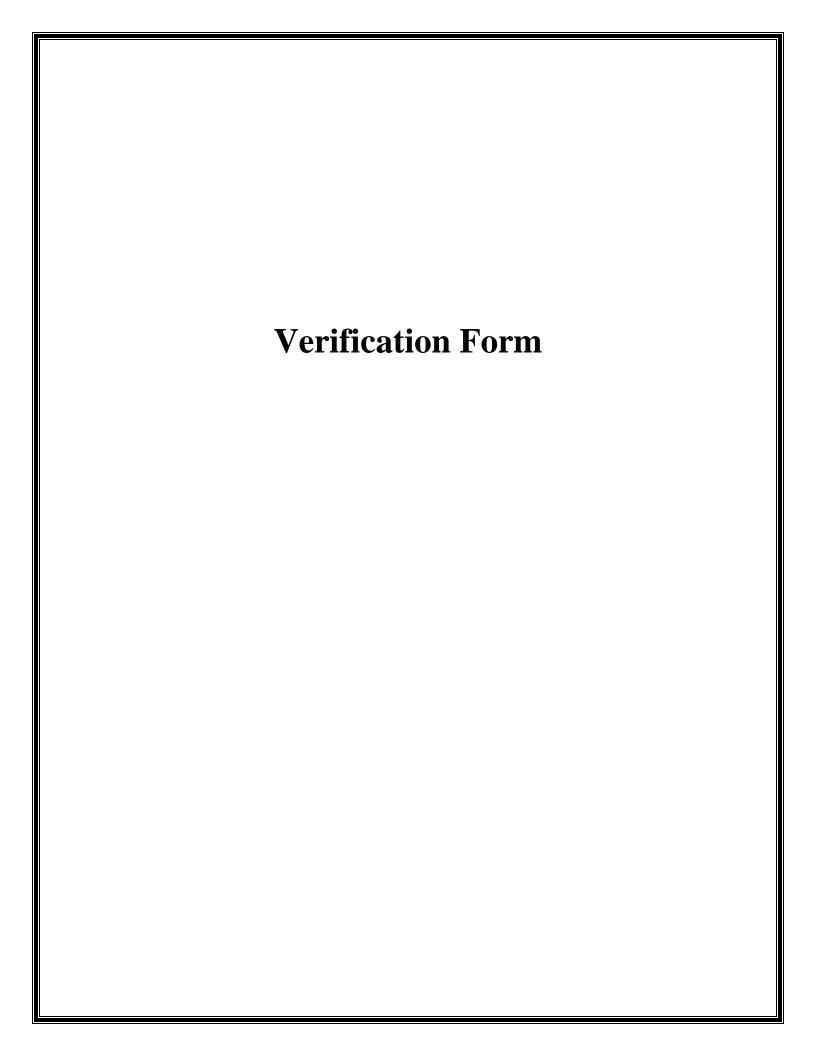
6. Not injurious to the public welfare. That granting of the variance(s) will be in harmony with the general intent and purpose of the land development regulations and that such variances will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.

This minor increase in building coverage at the back of the building will not be, in any way, injurious to the public welfare.

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

Understood. The variance is not being requested *because* neighboring properties enjoy greater building coverage, but rather, *because* the restriction on building coverage in the LDR's has created a hardship for the owner in his attempt to meet the needs of his family, his and his wife's small businesses, as well as his desire to continue providing workforce/retiree housing on the property, at the existing level.



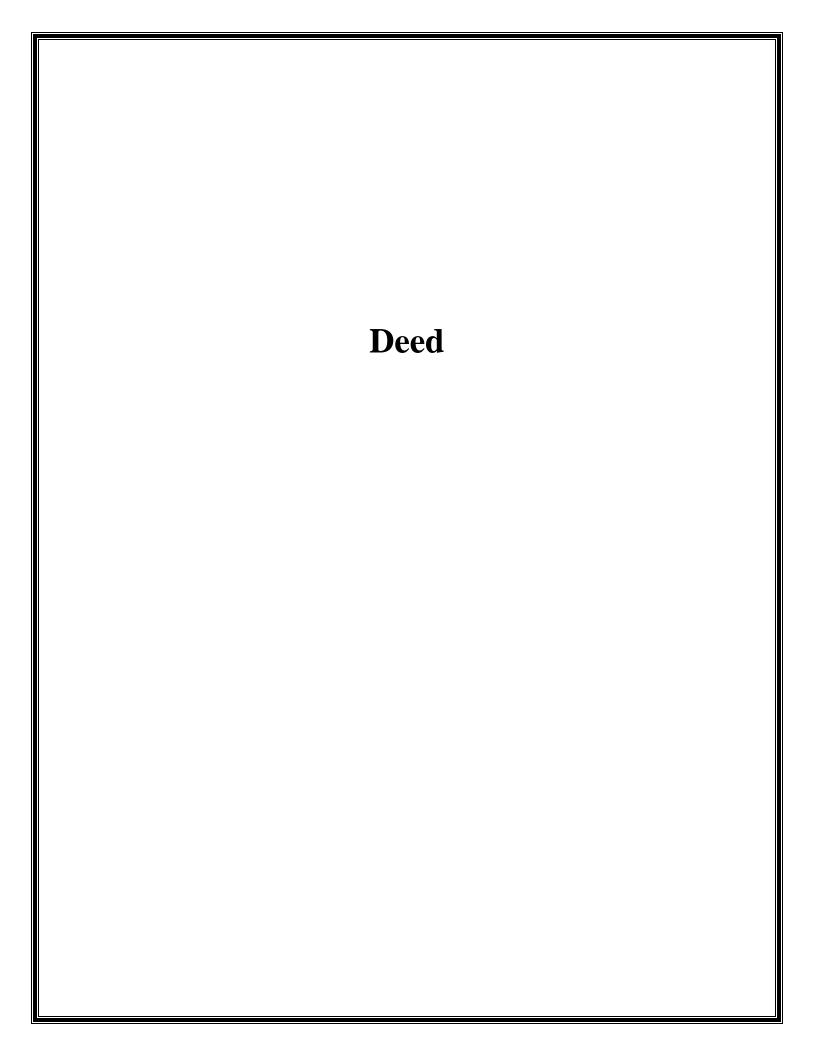


Verification Form

Please note, variances are quasi-judicial hearings and it is improper to speak to a Planning Board or Board of Adjustment Member 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, Arnaud GIRARD d'ALBISSIN, being duly sworn, depose and say Name(s) of Applicant(s)
that: I am (check one) theOwnerOwner's Legal Representative for the property identified as the subject matter of this application:
1214 Newton St., Key West, FL 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 of Owner/Legal Representative Signature of Joint/Co-owner
Subscribed and sworn to (or affirmed) before me on 10 - 4-10 (date) by
Arnaud Girard D'Albittin (name). He/She is personally known to me or has
presented FI DL# G663-007-57-162-0 as identificat ion.
Notary's Signature and Seal CARLENE COWART Commission # DD 863203 Expires February 22, 2013 Bonded Thru Troy Fain Insurance 809-385-7019
<u>Sarlene Cowart</u> Name of Acknowledger typed, printed or stamped
Ov. Review admistrator Title or Rank DO 863203 Commission Number (if any)



THIS UMENT WAS PREPARED BY AND RETURN TO: Gregory S. Oropeza, Esq.
FELDMAN KOENIG HIGHSMITH
& VAN LOON, P.A.
3158 Northside Drive
Key West, Florida 33040

Folio Number: Grantee(s) S.S. #(s): Docum 1727633 01/21/2009 11:22AM Filed & Recorded in Official Records of MONROE COUNTY DANNY L. KOLHAGE

01/21/2009 11:22AM DEED DOC STAMP CL: TRI

EEU DOC STAMP CL: TRINA \$7,000.00

Doc# 1727633 Bk# 2397 Pg# 106

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

1,000,000

THIS INDENTURE, made this 15th day of January, 2009, between ROBERT T. FELDMAN, AS PERSONAL REPRESENTATIVE OF THE ESTATE OF ROBERT W. TOWNSHEND, Grantors, and ARNAUD GIRARD d'ALBISSIN, Grantee:

("Grantor" and "Grantee" are used for singular or plural, as context requires)

WITNESSETH, that said Grantor, for and in consideration of the sum of \$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 lot, piece or parcel of land, situate, lying and being in the County of Monroe, State of Florida, to wit:

On the Island of Key West, and being a part of Lot 2, Square 36, according to William A. Whitehead's map of said Island, delineated in February, A.D. 1829, described by metes and bounds as follows: COMMENCING at the corner of Eaton and Elizabeth Streets and running thence along Eaton Street in a Southwesterly direction 81 feet; thence at right angles in a Southeasterly direction 60 feet; thence at right angles in a Northeasterly direction 6 feet; thence at right angles in a Southeasterly direction 40 feet, 6 inches; thence at right angles in a Northeasterly direction 75 feet to Elizabeth Street; thence at right angles in a Northeasterly direction along Elizabeth Street 100 feet, 6 inches to the Point or Place of Beginning.

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

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first written above.

ROBERT T. FELDMAN, AS P.R. OF THE ESTATE OR ROBERT W. TOWNSHEND

Witness Signature

Witness Signature

Witness Signature

Printed Name

STATE OF FLORIDA COUNTY OF MONROE

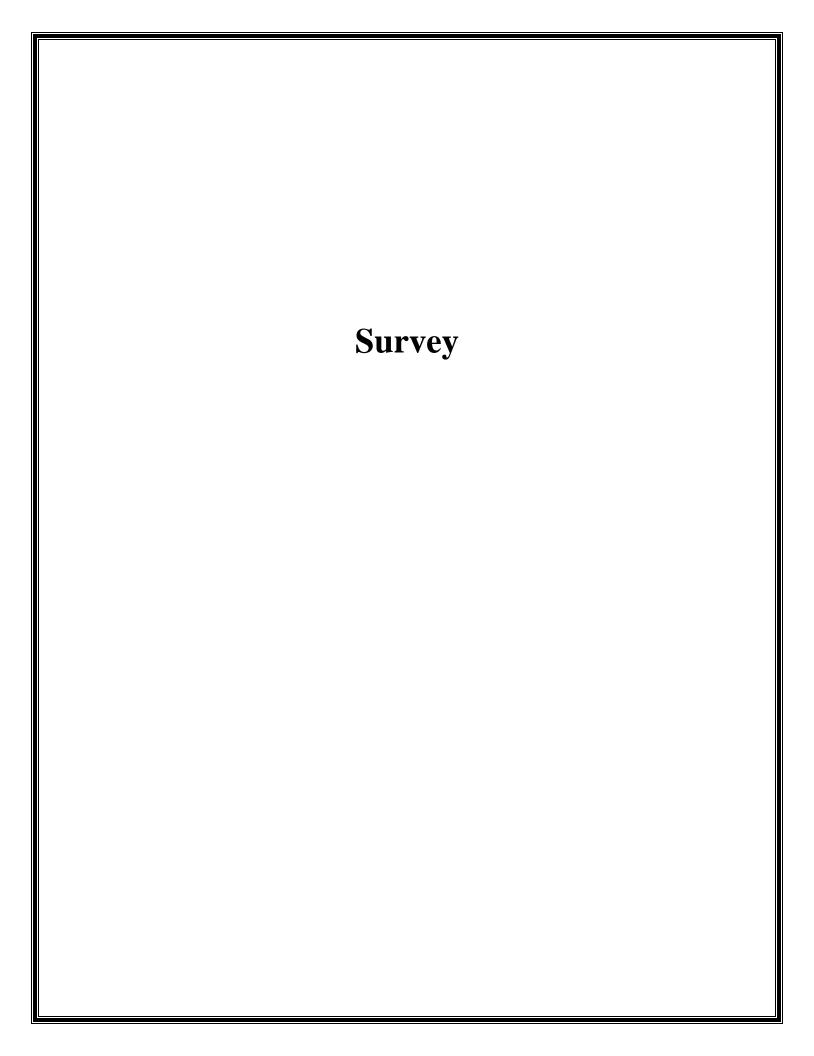
On this 15th day of January, 2009, before me personally came ROBERT T. FELDMAN AS PERSONAL REPRESENTATIVE OF THE ESTATE OF ROBERT W. TOWNSHEND, who is personally known to me (yes) (no) or who has produced _______ as identification to me, and who acknowledged execution of the foregoing instrument.

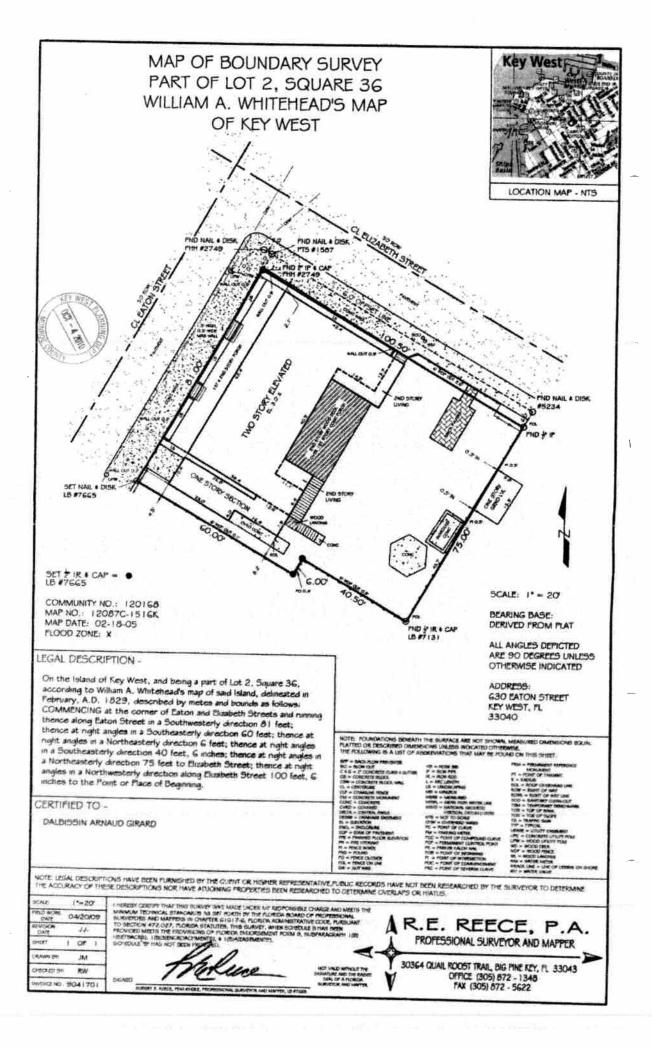
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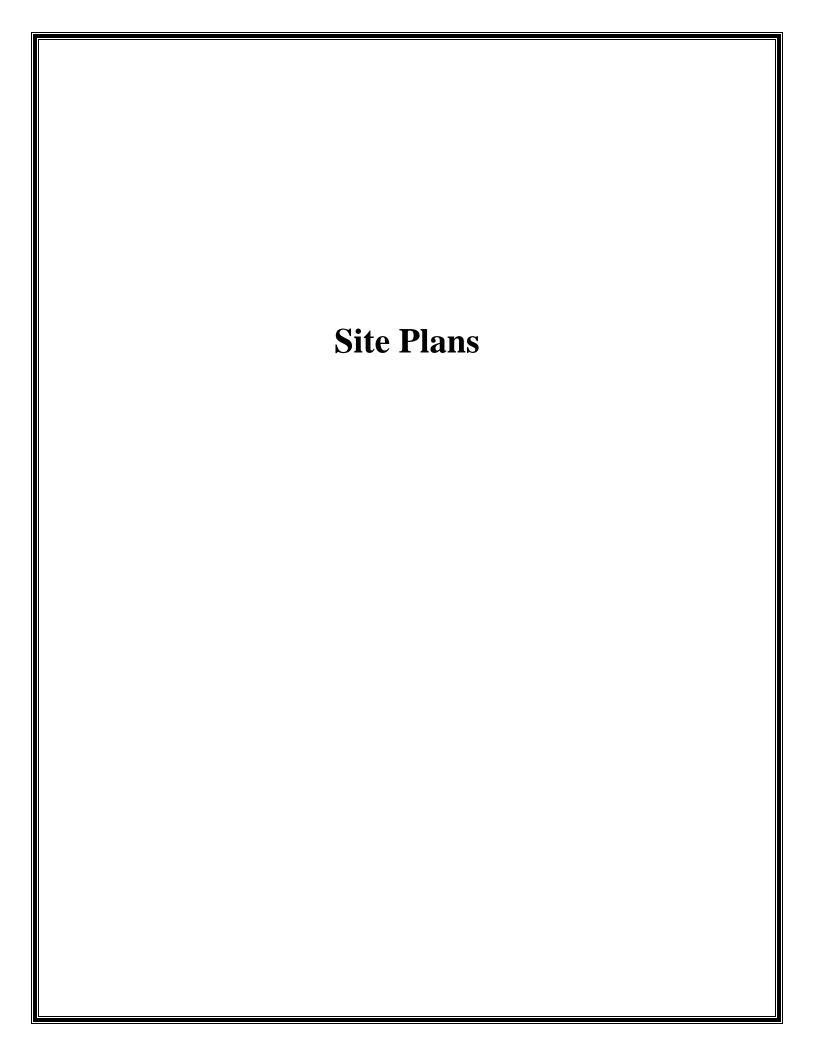
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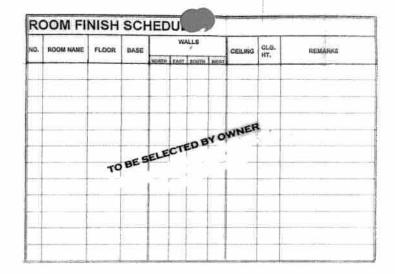
DEANNA P. ESQUINALDO
MY COMMISSION # DD 583004
EXPIRES: October 10, 2010
Soroled Thru Notery Public Underwriture

MONROE COUNTY OFFICIAL RECORDS



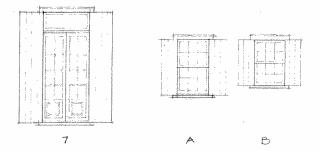






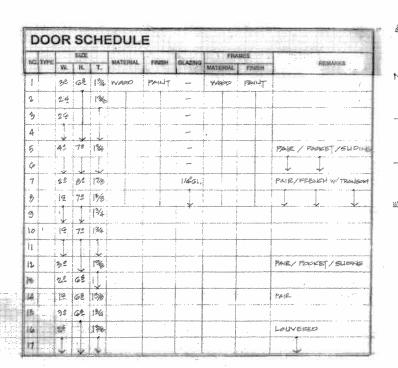
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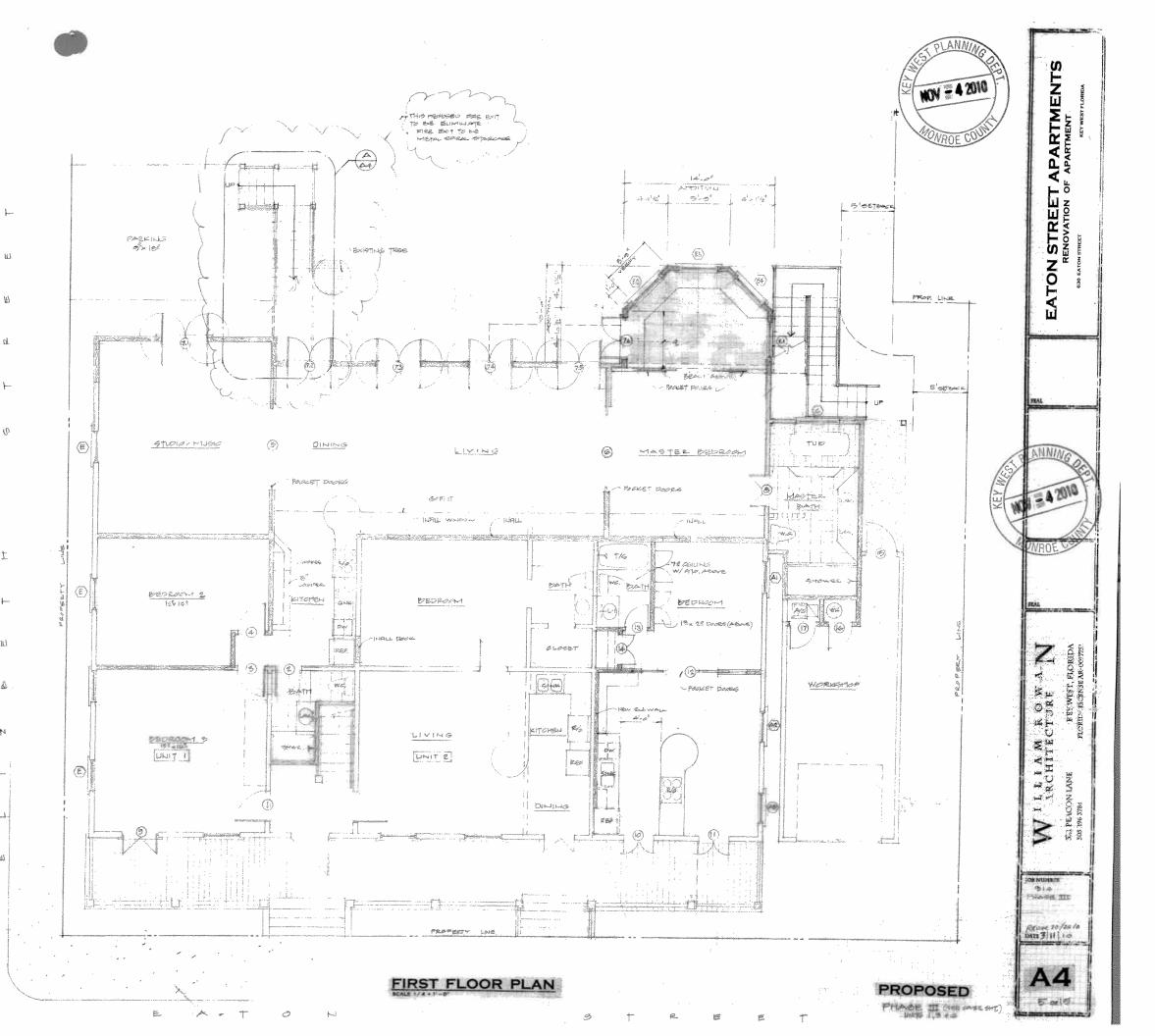
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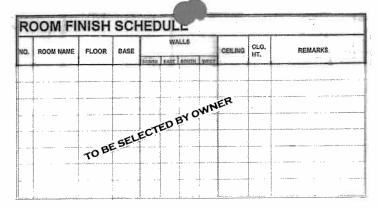


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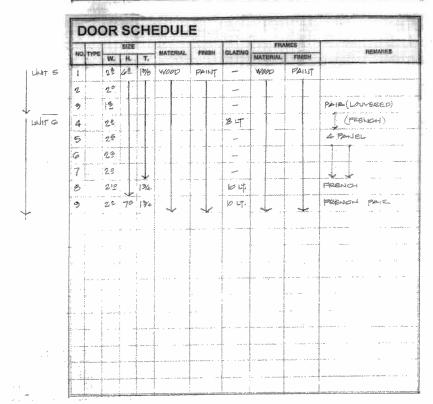
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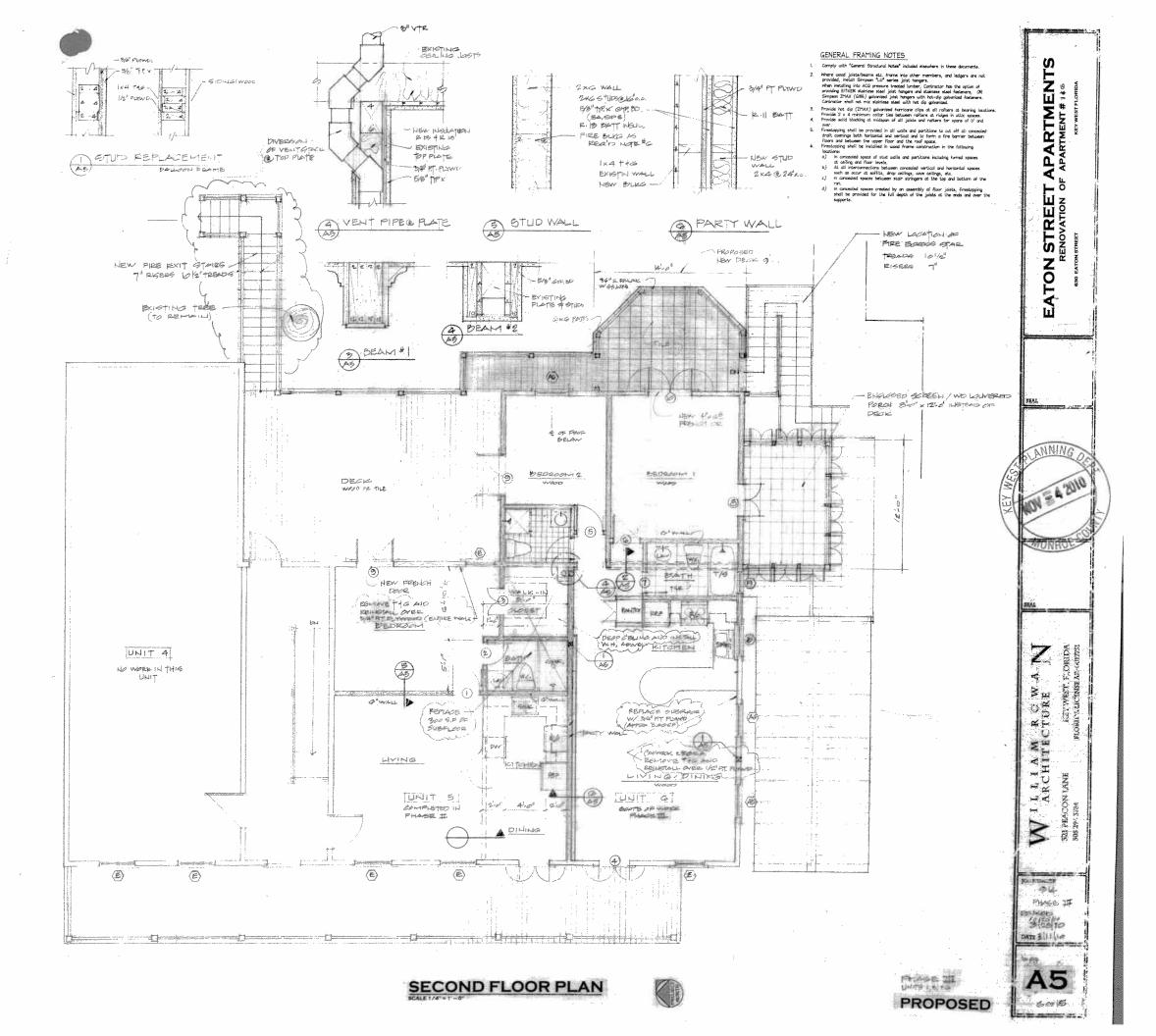


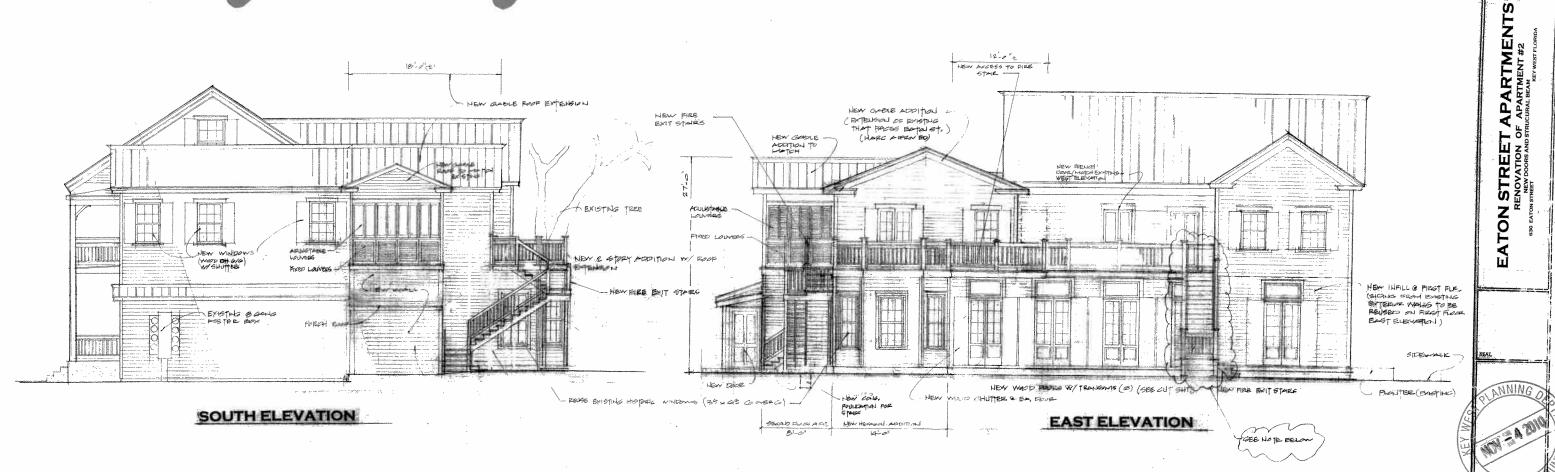




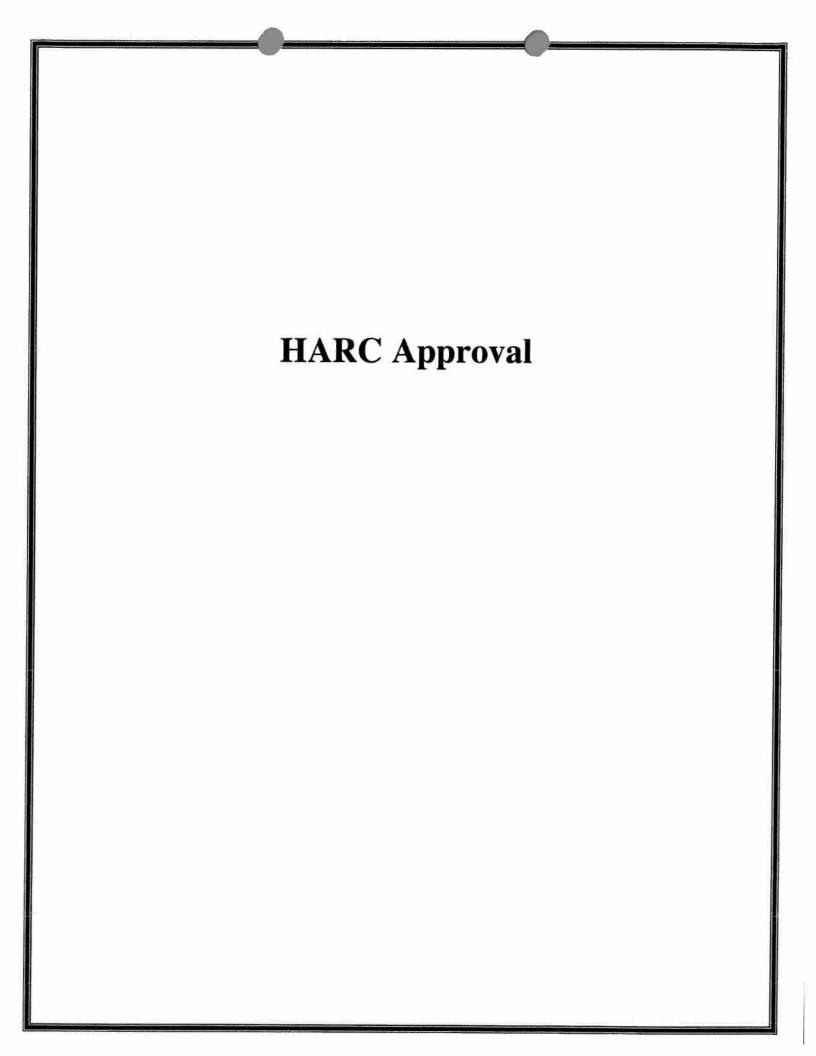
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City Of Key West Planning Department 3140 Flagler Avenue Key West, Florida 33040

October 18, 2010

Arch. William Rowan 321 Peacon Lane Key West, Florida 33040

RE: CONSTRUCT HEXAGONAL ADDITION APPROXIMATELY 132 SQUARE FEET AT REAR OF EXISTING STRUCTURE. ONE STORY WITH DECK/ RAILING ABOVE

FOR: 630 EATON STREET - HARC APPLICATION # H10-01-478

KEY WEST HISTORIC DISTRICT

Dear Architect Rowan:

This letter is to notify you that the Key West Historic Architecture Review Commission approved with condition the application for the above mentioned project on the public hearing held on Tuesday, October 12, 2010. The commission requested that you coordinate with the landscape department to make sure that the proposed addition will not compromise the root system of an existing old tree.

You may now apply for the necessary permits. Should you have any questions, please do not hesitate to contact me at your convenience.

On behalf of the Historic Architectural Review Commission of our City, thank you for your interest in the preservation of Key West historic heritage.

Sincerely:

Enid Torregrosa, MSHP

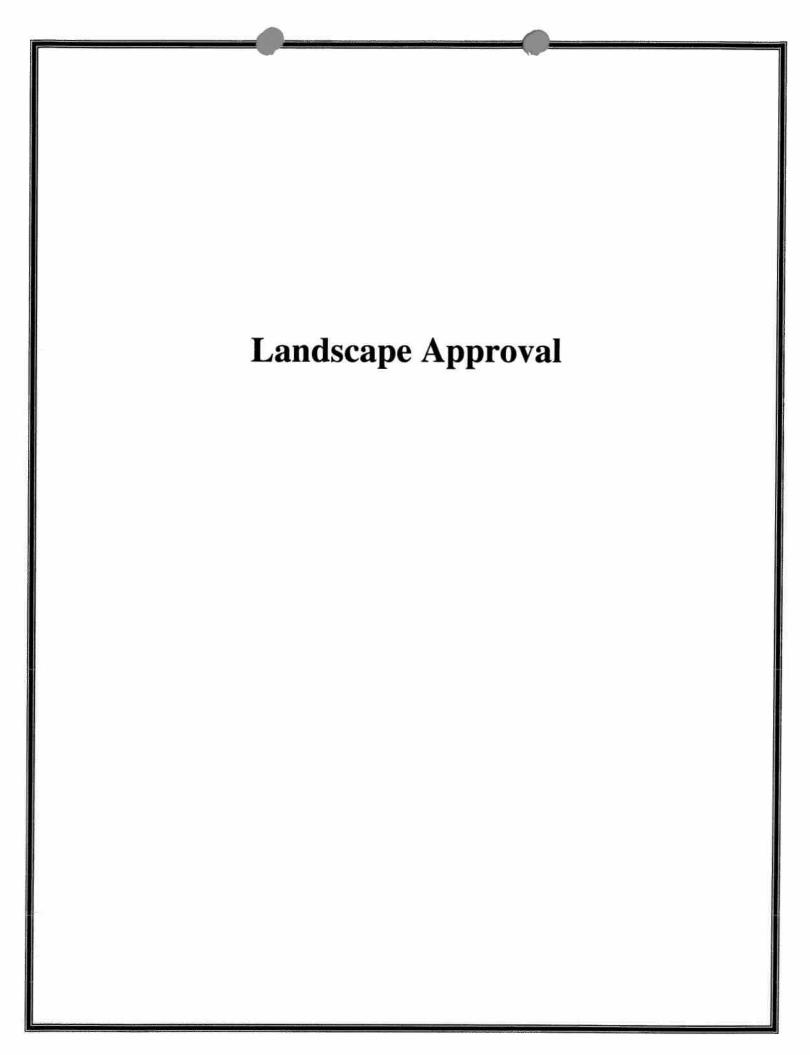
Historic Preservation Planner

City Of Key West 3140 Flagler Avenue

Key West, Florida 33040

305.809.3973

etorregr@keywestcity.com





MEMO

TO: Amy Kimball-Murley Planning Director

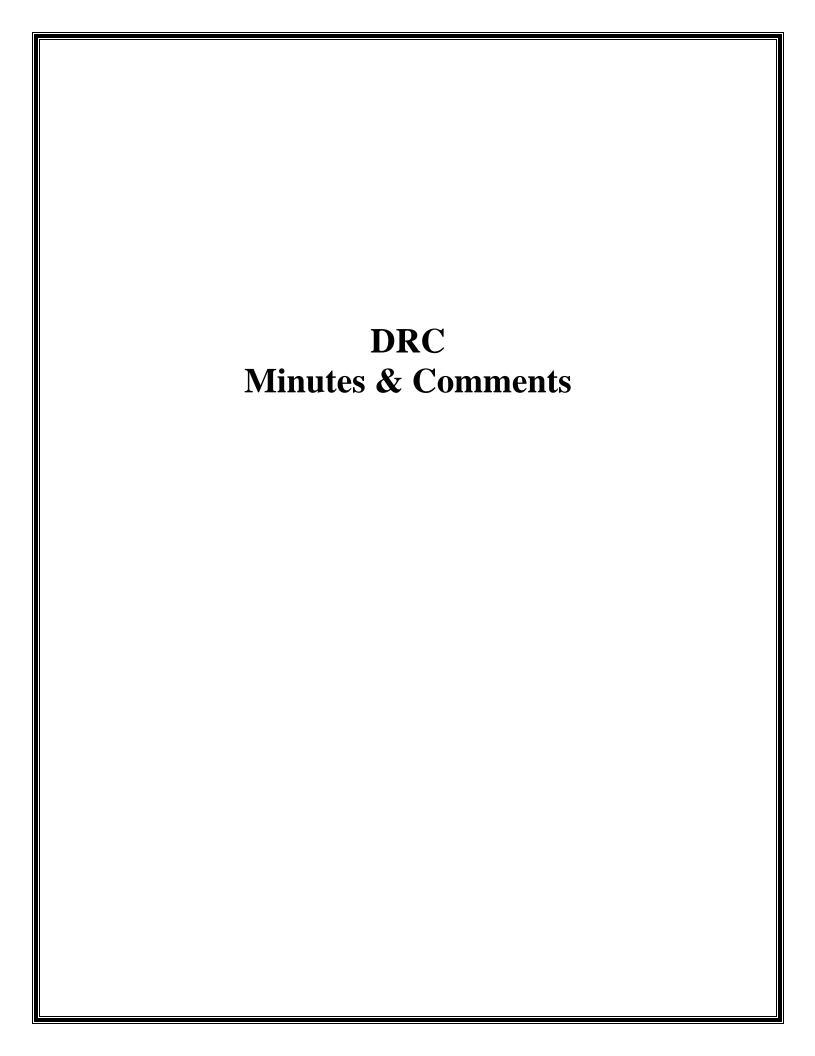
FROM: Cynthia Domenech-Coogle

Urban Forestry Program Mgr.

DATE: October 22, 2010

SUBJECT: 630 Eaton Street – Variance Request for Building Coverage Requirements

After inspection of the above described property and submitted application it appears that only tree protection barriers need to be placed on the immediately adjacent trees in the construction zone to protect the trees trunk and root zone. Refer to Sec.108-447, 448 and Sec. 110-366. There are no tree removals requested.



Florida Keys Aqueduct Authority, The site is presently being served by FKAA location # 002670 which is a 5/8" service the site has a 12" water main located on Whitehead street which seems capable of handling this project. A complete set of plans will be required for review to determine meter requirements and system development charges.

Keys Energy, the Customer will need to provide KEYS a project review form this will ensure adequate service for the customer and surrounding customers.

Mr. Averette had no comments.

Ms. Ignaffo stated that the project may require fire protection system, a grease interceptor, as well as space for trash and recycling.

Mrs. Nicklaus stated that they did not have any ADA accessibility on the site.

Mehdi Behnketar stated they are working towards accessibility

Mrs. Torregrosa stated that any signage on the new business will require HARC approval. She added that the downspouts need to meet the requirements.

b. Lot Split - 1010 Varela Street (RE# 00032590-000000) and 1009 Watson Street, Rear (RE#000333-000200)- A lot split request to return the two properties to their original platted configurations in the HMDR zoning district per Sections 118-3, 118-169 & 118-256 through 118-260 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Ashley Monnier presented the project. She stated that the lot split must come into compliance with the Subdivision Regulations and the Land Development Regulations as well as the platting and recording requirements.

Ginny Stones the applicants representative reviewed the project.

No public comments.

Mr. Averette asked for clarification on where the easement was located and what size it was. Ms. Stones stated that it was a 3ft easement. Mr. Averette asked if there was a fence on the easement, Ms. Stones stated that there was a fence. Mr. Averette suggested Ms. Stones further coordinate with the Fire Department.

Ms. Ignaffo stated that there needs to be space for sanitary.

Ms. Stones stated that there are two single existing platted lots where there was a shift of 12 feet from the rear property line.

Mrs. Nicklaus asked Ms. Stones if the address has changed, Ms. Stones stated that it has not.

Enid Torregrosa had no comments

C. Variance - 630 Eaton Street (RE# 00006290-000000) - A variance request to building coverage requirements in the HNC-2 zoning district per Section 122-840 (4.)(a.) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

Brendon Cunningham presented the project.

Willaim Rowan represented the project. He stated that they proposed a hexagonal addition.

Arnold Girard the property owner stated that there was 7 affordable apartments.

No public comment.

Mr. Averette, Ms. Ignaffo, Mrs. Nicklaus had not comments.

Mrs. Torregrosa stated that the project had been approved by HARC with a condition that the root system of the trees be protected.

d. Variances - 328 Truman Avenue (RE# 00025490-000000) - An application for Variances to building coverage, impervious surface ratio and side-yard setback requirements to accommodate the addition of an exterior staircase for emergency egress in the Historic Medium Density Residential zoning district per Section 122-600 (4) a. & b. and (6) b. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Brendon Cunningham presented the project. He stated that there was a life safety issue concerning the need for another exit.

Michael Ingram represented the project.

No public comment.

Mr. Averette stated that the means of egress for the second floor meet the requirements.

Ms. Ignaffo and Ms. Nicklaus had no comments

e. Conditional Use - 540 Greene Street (RE # 00001160-000000) - A Conditional Use application for a bar and lounge in the HRCC-1 zoning district per Section 122-688 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

Nicole Malo presented the project. She stated that the application needed the following: verification and authorization forms, a legible survey, clearly dimensioned floor plans, clarification as to whether outdoor consumption area is proposed or removal of the outdoor tables from the site plan, a site data table, and clarification of, impervious surface, open space calculations, floor area ration consistency, and building coverage. She stated that if the applicant was willing, bicycle parking would inhance the application. She noted that conflicting information was found throughout the application and in the Concurrency Management Report. Additionally, the applicants parking analysis appears to reflect parts of the code inconsistent with the request, the property is located in the pedestrian oriented area and parking may not be required based on that ordinance. This should be reflected in the application.

Ownen Trepanier stated he would work on providing the requested information

Public comment:

The recording secretary Patrick Wright read the following into the record:

Keys Energy, The customer will need to provide KEYS with a project review form; this will ensure adequate service for the customer and surrounding customers.

Florida Keys Aqueduct Authority



Engineering Department

1100 Kennedy Drive, Key West, Florida 33040 Telephone (305)296-2454 Fax (305)295-2223

MEMORANDUM

TO: Carlene Cowart, Administrative Coordinator

FROM: Marnie Walterson-Distribution Design Specialist

DATE: October 27, 2010

SUBJECT: Development Review Committee Meeting

A representative of the FKAA will not be able to attend the DRC meeting scheduled for October 28, 2010. Comments on the projects are as follows:

Discussion Items

Conditional Use - 803 Whitehead Street (RE# 00017050-000000) – This site is presently being served by FKAA Location #002670 which is a 5/8" service. The site has a 12" water main located on Whitehead Street, which seems capable of serving this project. A complete set of plans will be required for review to determine meter requirements and System Development Charges.

Variances - 328 Truman Avenue (**RE# 00025490-000000**) - The FKAA has no objections for an application for variances to building coverage, impervious surface ratio and side-yard setback requirements to accommodate the addition of an exterior staircase for emergency egress in the Historic Medium Density Residential zoning district per Section 122-600 (4) a. & b. and (6) b. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

Variance - 630 Eaton Street (RE# 00006290-000000) - The FKAA has no objections for an application for a variance request to building coverage requirements in the HNC-2 zoning district per Section 122-840 (4.)(a.) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

Conditional Use - 540 Greene Street (RE # 00001160-000000) This site is presently being served by FKAA Location #006013 which is a 5/8" service. The site has an 8" water main located on Greene Street, which seems capable of serving this project. A complete set of plans will be required for review to determine meter requirements and System Development Charges.

Major Development Plan - Mallory Square (RE # 00072082-001100, and 00072082-001400, and 0072082-003700) - This site is presently being served by a 5/8" service. The site has an 8" water main located on Wall Street, which seems capable of serving this project. A complete set of plans will be required for review to determine meter requirements and System Development Charges.



(305) 295-1000 1001 James Street PO Box 6100 Key West, FL 33040-6100 www.KeysEnergy.com

UTILITY BOARD 0 F THE CITY O F KEY WEST

October 25, 2010

Mrs. Amy Kimball-Murley, AICP City of Key West PO Box 1409 Key West, Florida 33040

RE:

DEVELOPMENT REVIEW COMMITTEE

KEYS ENERGY SERVICES COMMENTS MEETING OF OCTOBER 28, 2010

Dear Mrs. Kimball-Murley:

Keys Energy Services (KEYS) received the Development Review Committee Agenda for OCTOBER 28, 2010. KEYS has reviewed the items that will be discussed at the City's Development Review Committee meeting.

Below are KEYS' comments:

1. LOCATION: Conditional Use - 803 Whitehead Street

> KEYS has no objection. The customer will need to provide KEYS with a Project COMMENT:

> > Review form; this will ensure adequate service for the customer and sounding

customers.

Variance - 328 Truman Ave 2. LOCATION: COMMENT:

KEYS has no objection.

LOCATION: Variance - 630 Eaton Street 3. COMMENT: KEYS has no objection

4. LOCATION: Conditional Use - 540 Greene Street

> KEYS has no objection. The customer will need to provide KEYS with a Project COMMENT:

> > Review form; this will ensure adequate service for the customer and sounding

customers.

5. LOCATION: Mallory Square Major Development Plan

> COMMENT: The customer will need to provide KEYS with a full set of plans and a Project

> > Review form. The available voltage at this location is single phase 120/240 high

voltage underground.

LOCATION: Variance - Mallory Square 6.

> COMMENT: KEYS has no objections.

Thank you for giving KEYS the opportunity to participate in the City's review process. If you have any questions, please call me at 295-1055.

Sincerely:

Matthew Alkonso

Matthew Alfonso

Matthew Alfonso Supervisor of Engineering Matthew.Alfonso@KeysEnergy.com

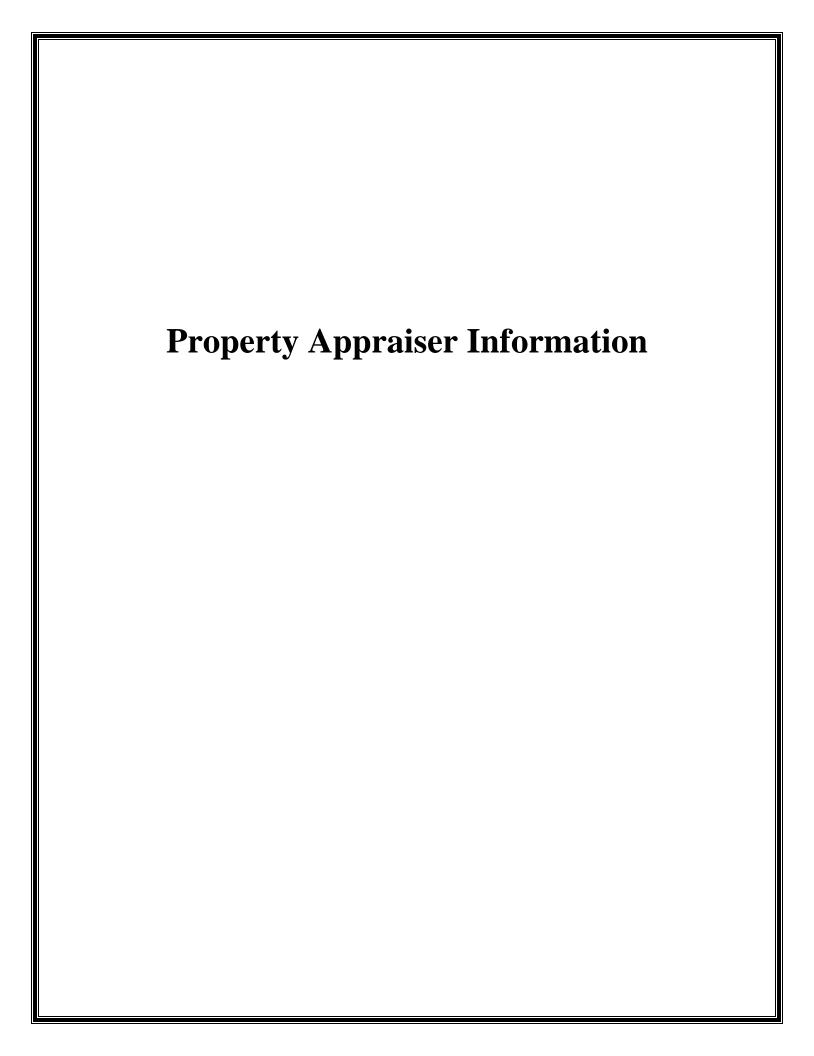
L. Tejeda, General Manager & CEO

J. Wetzler, Asst. General Manager & CFO

D. Finigan, Director of Engineering/Control Center

A. Tejeda, Director of Customer Service

File: PLI-132



Ervin A. Higgs, CFA **Property Appraiser** Monroe County, Florida

office (305) 292-3420 fax (305) 292-3501

Property Record View

Alternate Key: 1006513 Parcel ID: 00006290-000000

Ownership Details

Mailing Address:

DALBISSIN ARNAUD GIRARD 1214 NEWTON ST KEYWEST, FL 33040

Property Details

PC Code: 08 - MULTI FAMILY LESS THAN 10UNITS

Millage Group: 10KW Affordable No Housing:

Section-Township-

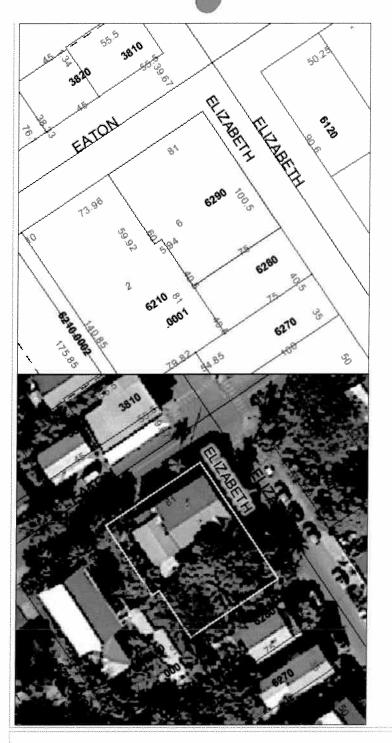
Range: 06-68-25

Property Location: 630 EATON ST KEY WEST

Legal Description: KW PT LOT 2 SQR 36 OR283-567/68 OR527-7 OR837-721/722 OR907-1001 OR1074-844Q/C (PROB44-07-

CP-018-K) OR2272-2265ORDER OR2358-1627(ORDER) OR2397-106P/R

Parcel Map

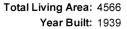


Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	0	0	7,898.00 SF

Building Summary

Number of Buildings: 1
Number of Commercial Buildings: 0



Building 1 Details

Building Type R8
Effective Age 19
Year Built 1939

Functional Obs 0

Condition G
Perimeter 550
Special Arch 0
Economic Obs 0

Quality Grade 600 Depreciation % 27 Grnd Floor Area 4,566

Inclusions:

R8 includes 8 3-fixture baths and 8 kitchens.

Roof Type GABLE/HIP Heat 1 NONE

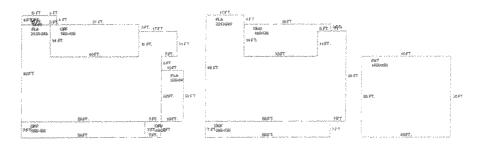
Heat Src 1 NONE

Roof Cover METAL Heat 2 NONE Heat Src 2 NONE Foundation WD CONC PADS Bedrooms 7

Extra Features:

2 Fix Bath 0
3 Fix Bath 0
4 Fix Bath 0
5 Fix Bath 0
6 Fix Bath 0
7 Fix Bath 0
Extra Fix 0

Vacuum 0
Garbage Disposal 0
Compactor 0
Security 0
Intercom 0
Fireplaces 0
Dishwasher 0



Sections:

AND A CANADA A STREET	Nbr	Туре	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
*****	1	OPF	12:ABOVE AVERAGE WOOD	1	1991	N	N	0.00	0.00	392

2	OPU	12:ABOVE AVERAGE WOOD	1	1991	N	N	0.00	0.00	49
3	FLA	12:ABOVE AVERAGE WOOD	1	1991	N	N	0.00	0.00	2,133
4	OPF	12:ABOVE AVERAGE WOOD	1	1991	N	N	0.00	0.00	560
5	OPF	12:ABOVE AVERAGE WOOD	1	1991	N	N	0.00	0.00	64
6	FLA	12:ABOVE AVERAGE WOOD	1	1991	N	N	0.00	0.00	2,213
7	OUU	12:ABOVE AVERAGE WOOD	1	1991	N	N	0.00	0.00	480
8	OUF	12:ABOVE AVERAGE WOOD	1	1991	N	N	0.00	0.00	392
9	FAT	12:ABOVE AVERAGE WOOD	1	1991	N	N	0.00	0.00	1,400
10	FLA	12:ABOVE AVERAGE WOOD	1	1991	N	N	0.00	0.00	220

Misc Improvement Details

Nbr	Туре	# Units	Length	Width	Year Built	Roll Year	Grade	Life
2	PT3:PATIO	190 SF	0	0	1969	1970	1	50
3	PT2:BRICK PATIO	146 SF	0	0	1972	1973	2	50
4	FN2:FENCES	172 SF	43	4	1969	1970	2	30
5	RW2:RETAINING WALL	234 SF	117	2	1969	1970	3	50
6	PT2:BRICK PATIO	90 SF	15	6	1984	1985	4	50

Appraiser Notes

622-630 EATON ST 8 METERS TPP8529686- RENTALS

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount Description	Notes
The state of the s	10-0975	04/26/2010		75,000	DEMOLISH WALLS OF BACK BEDROOM REMOVE COLUMNS & SIDING ON BACK PORCH, RELO EXISTING FIRE STAIRS, INSTALL 6 SETS OFDOORS, BUILD MASTER BEDROOM AT FORMER LOCATION OF GARAGE KITCHEN, TILE ,FLOOR, 4110SF DRYWALL 5/8 FIREWALL GREADE WALL & CEILINGS WOOD FLOORS AS PER HARC
And the second s	10-0972	04/26/2010	uustamenkilaastus tuudella esikön käää käää käää käää käää käää käää k	1,000	INTERIOR DEMO PERMIT APT 3 ONLY. REMOVE OLD DRYWALL AND FLOORING, REMOVE NON STRUCTURAL PARTITION WALL AND TG BOARDS

	10-0977	04/20/2010		3,000		COVER WALL WITH WOOD AND DRYWALL 270SF, INSULATE CONSTRUCT 2X4 WALL BETWEEN APT5 AND 6 210SF REPLACE SUBFLOOR, ADD FLOORING 9300SF, REMOVE TG AND RE INSTALL OVER PLYWOOD
	10-0973	04/26/2010		15,000		DEMO KITCHEN & RELO, NEW COUNTER MOVE DIVIDER WALL BACK, SLIDING DOORS, ENLARGE BATHROOM, BUILD STORAGE REPLACE FLOORS, INSTALL NEW HURRICANE SHUTTERS, REPLACE WINDOWS, REPAIR 2 FRONT DOUBLE DOORS & SHUTTERS & BUILD BATHROOM CLOSET.
	10-0974	04/27/2010		4,000		REWIRE APT 3
	10-1062	05/17/2010		5,000		RELO EXISTING KITCH, INSTALL NEW KITCH SINK, ADD D/W, LINE FOR REFRIGERATOR ICEMAKER, RELO BATHROOM, INSTALL OF NEW SINK, SHOWER, TOILET, CHANGE GARAGE KITCHEN TO BATHROOM FOR UNIT #1,INSTALL NEW SHOWER,TUB,SINK,TOILET,RELO W/H
and the state of t	10-1061	05/17/2010	uice annual se com annual se c	5,000		RELO EXISTING KITCHEN FROM BACK TO FRONT OF APARTMENT, INSTALL KITCH SINK, LINE FOR FRIDGE ICEMAKER AT NEW LOCALE, ENLARGE EXISTING BATHROOM, INSTALL NEW SHOWER, SINK, TOILET,
	10-1651	05/21/2010		100		REMOVE BROKEN METAL CONDUIT BEING SURFACE MOUNTED ON BLDG AND FEEDING EXISTING UPSTAIRS #7, PROVIDE NEW 1 1/4 CONDUIT AND ELECTRICAL FEED FOR UNIT #7 RUNNING IT INSIDE OF WALLS
	10-0373	03/15/2010		15,000		ADDITION OF NEW 13R FIRE SPRINKLER SYSTEM
 	10-1363	05/06/2010		2,000		REFURBISH EXISTING BRICK DRIVEWAY
	10-0977	04/27/2010	Andread and the second	3,000		DEMO BACK BEDROOM (WALL&ROOF) AND ENLARGING 162FT, ERECTING 2ND BEDROOM ON BACK DECK 121SF, RELO BATHROOM, CRYWALL, ERECT DECK OFF BEDROOM#1 INSTALL ONE WINDOW EACH BR
1	0001933	08/29/2000	10/11/2001	2,500	Residential	REPLACE STAIRS AT REAR
1	0002968	09/20/2000	10/11/2001	6,500	Residential	REPAIR PORCHES
1	0003676	11/20/2000	10/11/2001	3,000	Residential	CONSTRUCT 40SF UPSTAIRS
1	0003239	10/06/2000	10/11/2001	850	Residential	ROOF REPAIRS
1	0102833	08/14/2001	10/11/2001	6,000	Residential	PAINTING EXTERIOR
	02-2432	09/08/2002	10/28/2002	7,220		ROOFING
	09-1317	05/14/2009		2,000		INSTALL NEW SVC 400AMP
	09-3596	10/22/2009		5,000		APT #6 REPAIR BROKEN SEWER LINE-REMOVE OLD SINK,TOILET,SHOWER-R&R PIPES-REINSTALL NEWREMOVE EXISTING KITCHEN SINK REPLACE W NEW-
	09-4264	12/16/2009		5,000		APT#5 INTERIOR REHAB SEE 09-3596
	09-3562	11/30/2009		20,000		APT#5 DEMO KITCHEN ,BATHROOM,NEW FLOOR 242sf,CEILING DRYWALL, WALL DRYWALL-INSTALL NEW BATHROOM- RENOVATE KITCHEN W/CABINETS,CLOSETSAPT#6 DEMO KITCHEN WALL, BATHROOM, NEW WOOD FLOOR,RENOVATE KITCHEN, BUILD CLOSETS
	09-3593	12/01/2009		4,000		WIRE LIVING ROOM, KITCHEN AND PROVIDE STUB OUTS FOR 2 FUTURE BATHROOMS #6 ONLY
	09-4327	12/21/2009	mentra and annual mentra del a	5,500		INSTALL 1 NEW INTERIOR 100 A PANEL & CONNECT NEW SVC SWITCHES & FIXTURES AND 2 WINDOW UNIT AC'S, SMOKE DETECTORS, LIGHTS AS PER FIRE DEPT.
	10-0388	02/05/2010		3,000		FRONT DOOR-RPLC WINDOW, REPLC WINDOW WITH FRENCH DOOR. SHUTTERS FOR ALL WINDOWS AND DOORS WOOD PANEL
*****						1 / 17 Thu ku

10-0387 02/0	05/2010 3,0	000	REPLACE 3 SIDE WINDOWS WITH ORIGINAL WOODEN TRUE DIVIDED LIGHT DOUBLE SASH, ON FRONT WINDOW WOOD SLAT SIDE LOUVER
09-1330 05/1	19/2009 2,8	300	REPLACE 5 FIXTURES, WH, KITCHEN SINK, DW,LAV AND TOILET
09-0986 05/1	19/2009 10,	000	REVISION-NEW FRENCH DOOR TO MATCH EXISTING ON FRONT OF HSE.REMOVE MIDDLE STEPS AND RELO TO PLAN, REMOVE 151SF OF WALL BETWEEN LR AND KITCHEN-INSTALL NEW TRIPLE 2X12 BEAM TO CARRY LOAD OF DEMOED WALL, REFRAME KITCHEN FLR.
08-2421 07/2	23/2008 1,0	000	REPLACE 2 PORCH COLUMNS 8X8 WITH SAME
09-0986 04/1	13/2009 10,0		RED TAGGED-REHAB WINDOWSADD EXT WOOD SCREEN DOO -REPLACE 553.5SF OF DRYWALL-REMOVE LINOLEUM REPLACE WWOOD FLOOR, REPLACE MOULDING ,BUILD SHELVES PAINT INTERIOR-REMOVE DROP CEILING IN KITCHEN

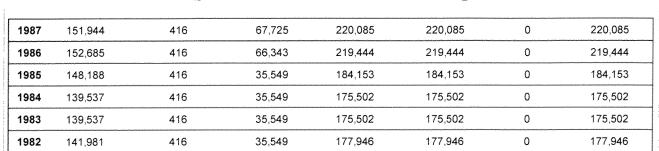
Parcel Value History

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
2010	524,997	2,450	171,684	699,131	699,131	0	699,131
2009	592,304	2,468	505,713	986,487	986,487	0	986,487
2008	677,289	2,487	789,800	1,469,576	1,469,576	0	1,469,576
2007	844,076	2,506	1,303,170	2,149,752	2,149,752	0	2,149,752
2006	1,194,140	2,525	750,310	1,946,975	1,946,975	0	1,946,975
2005	1,119,829	2,544	631,840	1,754,213	1,754,213	0	1,754,213
2004	863,870	2,563	473,880	1,340,313	1,340,313	0	1,340,313
2003	831,875	2,582	276,430	1,110,887	1,110,887	0	1,110,887
2002	781,929	2,623	276,430	1,060,982	1,060,982	0	1,060,982
2001	458,546	2,341	276,430	737,317	737,317	0	737,317
2000	438,990	2,368	167,833	609,191	609,191	0	609,191
1999	414,602	2,326	167,833	584,761	584,761	0	584,761
1998	338,056	1,896	167,833	507,785	507,785	0	507,785
1997	304,250	1,768	152,037	458,055	458,055	0	458,055
1996	217,322	1,374	152,037	370,733	370,733	0	370,733
1995	198,004	1,296	152,037	351,338	351,338	0	351,338
1994	177,077	1,198	152,037	330,312	330,312	0	330,312
1993	177,077	1,239	152,037	330,353	330,353	0	330,353
1992	216,034	1,275	152,037	369,346	369,346	0	369,346
1991	229,614	458	152,037	382,109	382,109	0	382,109
1990	193,277	458	152,037	345,771	345,771	0	345,771
1989	175,706	416	150,062	326,184	326,184	0	326,184
1988	153,923	416	150,062	304,401	304,401	0	304,401





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
1/15/2009	2397 / 106	1,000,000	WD	02
3/1/1984	907 / 1001	235,000	WD	Q
8/1/1981	837 / 721	250,000	WD	Q
2/1/1973	527 / 7	65,000	00	Q

This page has been visited 34,615 times.

Monroe County Property Appraiser Ervin A. Higgs, CFA P.O. Box 1176 Key West, FL 33041-1176

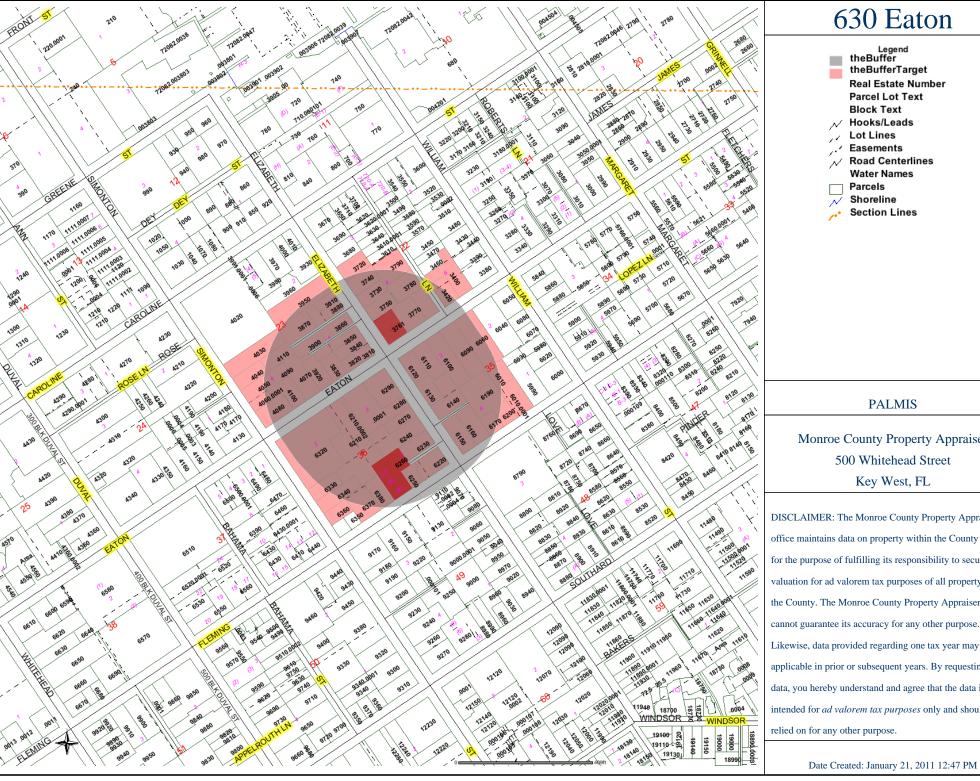
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	Public Notices radius map & mailin	Public Notices radius map & mailing list)

The Key West Planning Board will hold a public hearing <u>at 6:00 p.m., January 25, 2010, at Old City Hall, 510 Greene Street</u>, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Variance – 630 Eaton Street (RE# 00006290-000000) To the building coverage requirement in the HNC-2 zoning district per Section 122-840 (4)a as required in the Land Development Regulations 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.



theBufferTarget Real Estate Number Parcel Lot Text **Road Centerlines**

Monroe County Property Appraiser 500 Whitehead Street Key West, FL

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

YOU ARE THIN 300 FEET OF THE SUBJECT ROPERTY

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

Request: Variance - 630 Eaton Street (RE# 00006290-000000) To the building coverage requirement in the HNC-2 zoning district per

Section 122-840 (4)a as required in the Land Development Regulations of the City of Key West.

Applicant: Arnaud Girard D'Albissin

Project Location: 630 Eaton Street Date of Hearing: Tuesday, January 25, 2011

Time of Hearing: 6:00 PM Location of Hearing: Old City Hall – City Commission Chambers, 510 Greene St

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. 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. Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas.

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409, by FAX (305) 809-3978 or by email ccowart@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: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the ADA Coordinator at 305-809-3951 between the hours of 8:00 a.m. and 5:00 p.m., or information on access available to individuals with disabilities. To request materials in accessible format, a sign language interpreter or other assistance (5 days advance notice required), please call 305-809-1000 for assistance.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

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Interested parties may appear at the public hearing(s) and be heard with respect to the applications. 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. Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas.

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409, by FAX (305) 809-3978 or by email ccowart@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: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the ADA Coordinator at 305-809-3951 between the hours of 8:00 a.m. and 5:00 p.m., or information on access available to individuals with disabilities. To request materials in accessible format, a sign language interpreter or other assistance (5 days advance notice required), please call 305-809-1000 for assistance.

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