

Application

**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

Please print or type a response to the following:

1. Site Address 319 AMELIA
2. Name of Applicant THOMAS E. POPE
3. Applicant is: Owner _____ Authorized Representative X
(attached Authorization Form must be completed)
4. Address of Applicant PO BOX 5567 KEY WEST, FL 33045
5. Phone # of Applicant 296-3611 Mobile# _____ Fax# 294-2923
6. E-Mail Address TEPOPEPA@AOL.COM
7. Name of Owner, if different than above _____
8. Address of Owner DAVID + MARIA BOOTLE
9. Phone Number of Owner _____ Fax# _____
10. Email Address _____
11. Zoning District of Parcel HMDR RE# 00026130-000000
12. Description of Proposed Construction, Development, and Use
Remove and replace non conforming front porch, Renovate non-conforming historic cottage, remove non-conforming rear additions and replace with new addition that will conform to side and rear setbacks.
13. Required information: (application will not move forward until all information is provided)

| | Required | Existing | Requested |
|-------------------------|----------|----------|-----------|
| Front Setback | 10' | 1'-0" | 1'-0" |
| Side Setback | 5' | 3'-0" | 3'-0" |
| Side Setback | 5' | 4'-1" | 4'-1" |
| Rear Setback | 15' | | |
| Building Coverage | 40% | 52.7% | 50.9% |
| Open Space Requirements | | | |
| Impervious Surface | 60% | 55.8% | 51.9% |

60%? will need.



14. Is Subject Property located within the Historic District? Yes X No
If Yes, indicate date of HARC approval as well as the HARC Approval Number. Attach minutes of the meeting.

Date 11/23/2010 HARC # H10-01-646

15. Are there any easements, deed restrictions or other encumbrances attached to the subject property? Yes No X If Yes, please describe and attach relevant documents. _____

16. Will the work be within the dripline (canopy) of any tree on or off the property?
YES NO X
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 |
|-----------------------|-------------------|---|
| _____ | _____ | Copy of the most recent recorded deed showing ownership and a legal description of the subject property |
| _____ | _____ | Application Fee (to be determined according to fee schedule) |
| _____ | _____ | Site Plan (existing and proposed) as specified on Variance Application Information Sheet |
| _____ | _____ | Floor Plans of existing and proposed development (8.5 x 11) |
| _____ | _____ | Copy of the most recent survey of the subject property |
| _____ | _____ | Elevation drawings as measured from crown of road |
| _____ | _____ | Stormwater management plan |
| _____ | _____ | HARC Approval (if applicable) |
| _____ | _____ | 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:

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

The existing historic house and addition do not
currently comply with the setbacks and lot coverage.

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

All conditions are existing and the applicant will be
improving lot coverage percentage from 52.7% to
50.9%

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

Since all the current noncomplying setbacks and
lot coverage requirements are existing conditions
and will not be increased there will not be special
privileges granted by approving this variance.

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 existing non historic additions require substantial
reconstruction and are currently non conforming.
To rebuild them in their current location will maintain
more non conformity than the proposed plan.



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

By relocating the nonhistoric addition the
proposed plan reduces the nonconformities.

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.

By restoring the existing historic house the
property will be in harmony with the general
intent of the LDR's.

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

The existing conditions on site are the reason
for this variance.

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

- That the standards established in subsection (a) have been met by the applicant for a variance.
- That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors.



Verification Form

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, THOMAS E. POPE, being duly sworn, depose and say
Name(s) of Applicant(s)

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

319 AMELIA

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.

Thomas Pope
Signature of Owner/Legal Representative

Signature of Joint/Co-owner

Subscribed and sworn to (or affirmed) before me on 11/30/2010 (date) by
Thomas Pope (name). He/She is personally known to me or has
presented _____ as identification.

M. Holly Booton
Notary's Signature and Seal



M. HOLLY BOOTON
MY COMMISSION # DD 939156
EXPIRES: December 26, 2013
Bonded Thru Budget Notary Services

Name of Acknowledger typed, printed or stamped

Title or Rank _____ Commission Number (if any)



Authorization Form

Authorization 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.

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

I, DAVID + MARIA BOOTLE authorize

Please Print Name(s) of Owner(s)

THOMAS E. POPE

Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the Planning Board.


Signature of Owner

Maria Bootle
Signature of Joint/Co-owner if applicable

Subscribed and sworn to (or affirmed) before me on 11/30/2010 (date) by

David Bootle + Maria Booton

Please Print Name of Affiant

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

M. Holly Booton
Notary's Signature and Seal



M. HOLLY BOOTON
MY COMMISSION # DD 939156
EXPIRES: December 26, 2013
Bonded Thru Budget Notary Services

M. Holly Booton

Name of Acknowledger printed or stamped

Title or Rank

DD 939156

Commission Number (if any)



Deed

Return to:
Name: THE CLOSING DEPARTMENT
Address: 3432 DUCK AVENUE
KEY WEST, FL. 33040

This Instrument Prepared by: DEBORAH CONDELLA
Address: 3432 DUCK AVENUE
KEY WEST, FL. 33040

Doc# 1791737 05/28/2010 4:00PM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

05/28/2010 4:00PM
DEED DOC STAMP CL: TRINA \$1,400.00

\$200,000.00

Warranty Deed

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto; the use of the singular shall include the plural, and the plural the singular; the use of any gender shall include all genders; and, if used, the term "note" shall include all the notes herein described if more than one

Made this 10th day of MAY A. D. 2010,

Between, **JOYCE A. KORESSEL, a single woman** Doc# 1791737
Bk# 2468 Pg# 287

Whose address is 3938 Stonyrun Drive, Louisville, KY 40220
the County of , in the State of Kentucky, party of the first part, and

DAVE W. BOOTLE and MARIA BOOTLE, husband and wife

Whose address is 211 Grant Street, Olyphant, PA 18447
the County of , in the State of Pennsylvania, party of the second part,

Witnesseth, that the said party of the first part, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS AND OTHER GOOD AND VALUABLE CONSIDERATION ----- Dollars to him in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said party of the second part his heirs and assigns forever, the following described land, situate lying and being in the County of Monroe State of Florida, to wit:

Part of Lot Thirteen (13), Square Number Two (2) of Tract Ten (10) according to a diagram of said Tract Ten (10) by E. C. Howe recorded in Monroe County, Florida, Records.

Commencing at a point on Amelia Street Two Hundred and Twenty-Seven (227) feet distant from the corner of Thomas and Amelia Streets and running thence along Amelia Street in a Northeasterly direction Twenty-four (24) feet and three (3) inches; thence at right angles in a Northwesterly direction Seventy-nine (79) feet and seven (7) inches; thence at right angles in a Southwesterly direction Twenty-four (24) feet and three (3) inches; thence at right angles in a Southeasterly direction Seventy-nine (79) feet and seven (7) inches to the Point of Beginning.

SUBJECT TO taxes for the year 2010 and subsequent years.

SUBJECT TO easements, restrictions and reservations of record, but this reference thereto shall not operate to reimpose same.

Parcel Identification Number: 00026130-000000

Alternate Key Number: 1026905

Property Address: 319 Amelia Street, Key West, FL 33040

And the said party of the first part 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, the said party of the first part has hereunto set his hand and seal the day and year first above written.

Signed, Sealed and Delivered in Our Presence:

Witnesses:

#1

Printed Name Kevin Sullivan

Joyce A. Koresal L.S.
JOYCE A. KORESSAL

#2

Printed Name Katrina James

State of Kentucky

County of Jefferson

The foregoing instrument was acknowledged before me this 25th day of May 2010, by JOYCE A. KORESSEL, who is/are personally known to me or who has/have produced Ky driver's lic. as identification and who did (did not) take an oath.

Christine Blum

NOTARY PUBLIC
STAMP OR SEAL:

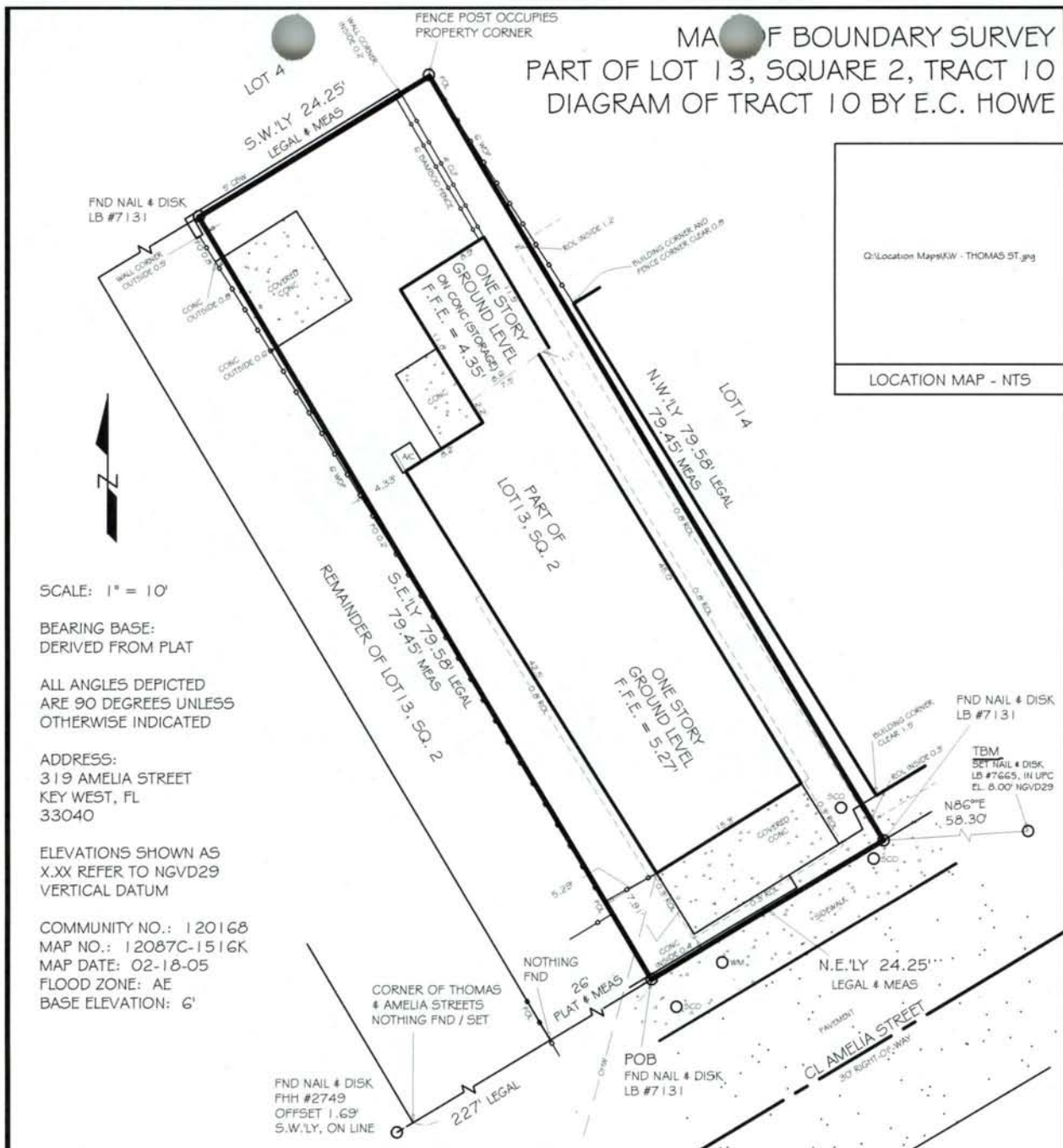
CD-3534

MONROE COUNTY
OFFICIAL RECORDS



Survey

MAP OF BOUNDARY SURVEY PART OF LOT 13, SQUARE 2, TRACT 10 DIAGRAM OF TRACT 10 BY E.C. HOWE



LEGAL DESCRIPTION -

Part of Lot Thirteen (13), Square Number Two (2) of Tract Ten (10) according to diagram of said Tract ten (10) by E.C. Howe recorded in Monroe County, Florida, Records.

Commencing at a point on Amelia Street Two Hundred and Twenty-seven (227) feet distant from the corner of Thomas and Amelia Streets and running thence along Amelia Street in a Northeasterly direction Twenty-four (24) feet and three (3) inches; thence at right angles in a Northwesterly direction Seventy-nine (79) feet and seven (7) inches; thence at right angles in a Southwesterly direction Twenty-four (24) feet and three (3) inches; thence at right angles in a Southeasterly direction Seventy-nine (79) feet and seven (7) inches to the Point of Beginning.

CERTIFIED TO -

DAVE W. BOOTLE & MARIA BOOTLE

NOTE: FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE. THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.

| | | |
|--|---|---|
| BFF = BACK FLOW PREVENTER BO = BLOW OUT C & G = 2" CONCRETE CURB & GUTTER CB = CONCRETE BLOCK CBR = CONCRETE BLOCK WALL CI = CURB INLET CL = CENTERLINE CLP = CHIMNEY PILE CM = CONCRETE MONUMENT CONC = CONCRETE CS = CONCRETE SLAB COV = COVERED D = DELTA ANGLE DEASE = DRAINAGE EASEMENT EN = ENCLOSURE ELEV = ELEVATION FEE = FINISHED FLOOR ELEVATION FI = FIRE HYDRANT F = FENCE FO = FENCE ON LINE G = GRATE INLET | GW = GUT WIRE HBS = HOSE BOX IR = IRON ROD L = LINE LENGTH LS = LANDSCAPING MB = MAILBOX MEAS = MEASURED MFWL = MEAN HIGH WATER LINE MFLP = METAL FENCE NAVD = NORTH AMERICAN VERTICAL DATUM (1885) NGVD = NATIONAL GEODETIC VERTICAL DATUM (1929) NTS = NOT TO SCALE OWH = OVERHEAD WIRE PC = POINT OF CURVE PM = PARKING METER PCC = POINT OF COMPOUND CURVE PCT = PERMANENT CONTROL POINT PK = PARKER SALON NAIL POB = POINT OF BEGINNING PI = POINT OF INTERSECTION POL = POINT OF COMMENCEMENT PRC = POINT OF REVERSE CURVE | PRM = PERMANENT REFERENCE MONUMENT PT = POINT OF TANGENT R = RADIUS ROL = ROOF OVERHANG LINE ROW = RIGHT OF WAY ROWL = RIGHT OF WAY LINE SCD = SANITARY CLEAN-OUT SNV = SPREADER CONTROL VALVE SV = SEWER VALVE TBM = TEMPORARY BENCHMARK TOS = TOP OF BANK TOS = TOP OF SLOPE TS = TRAFFIC SIGN TYP = TYPICAL UEL = UTILITY EASEMENT UPC = CONCRETE UTILITY POLE UFW = WOOD UTILITY POLE VBS = VIDEO BOX WD = WOOD DECK WOP = WOOD FENCE WL = WOOD LANDING WM = WATER METER WRACK LINE = LINE OF DEBRIS ON SHORE WV = WATER VALVE |
|--|---|---|

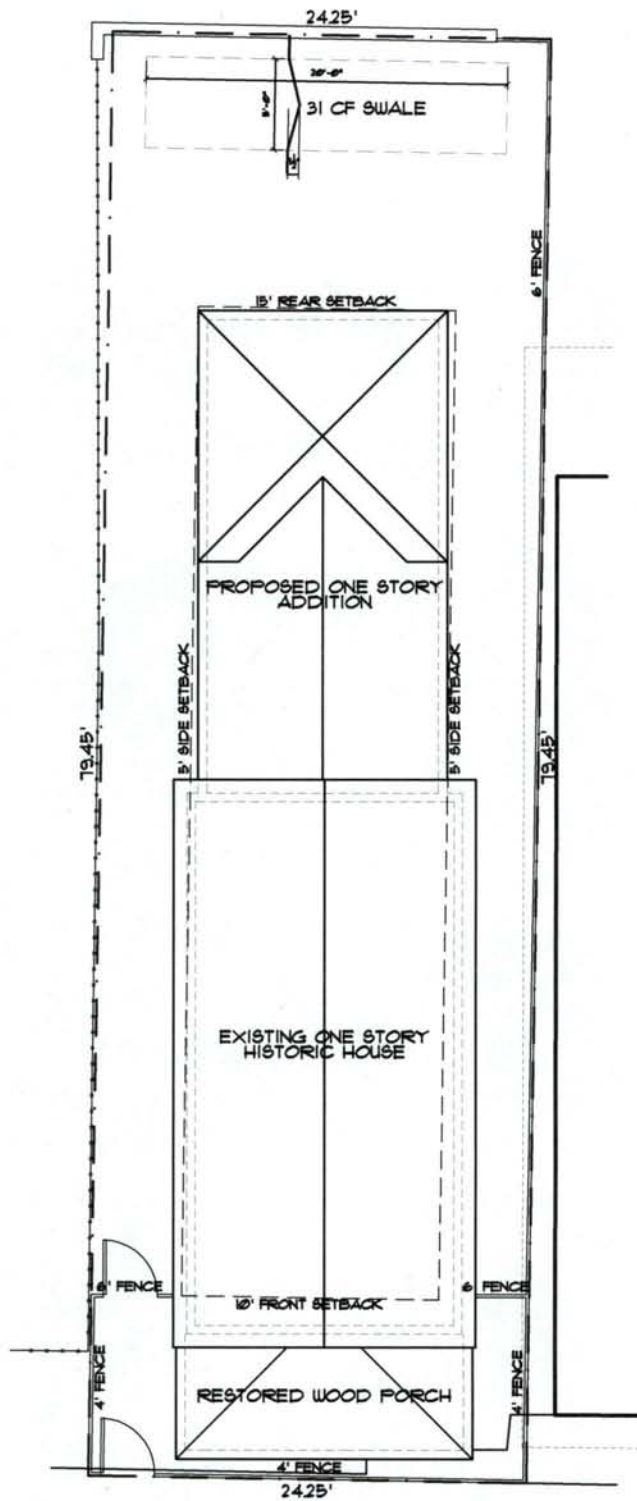
NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE, PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR HIATUS.

| | | |
|--|--|--|
| SCALE: 1" = 10' FIELD WORK DATE: 09/14/10 REVISION DATE: -/- SHEET: 1 OF 1 DRAWN BY: JM CHECKED BY: RW INVOICE #: 10091301 | I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THIS SURVEY, WHEN SCHEDULE B HAS BEEN PROVIDED MEETS THE PROVISIONS OF FLORIDA ENDORSEMENT FORM 9, SUBPARAGRAPH 1 (B) 1 (SETBACKS), 1 (D) 3 (ENCROACHMENTS), & 1 (D) 4 (EAS). SIGNED: <i>Joe Robert White</i> JOE ROBERT WHITE, LS 6688, PROFESSIONAL SURVEYOR AND MAPPER | NOT VALID WITHOUT THE SIGNATURE AND THE RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER |
|--|--|--|

REECE & WHITE
LAND SURVEYING, INC.
 PROFESSIONAL SURVEYOR AND MAPPER, LB 7846
 30364 QUAIL ROOST TRAIL, BIG PINE KEY, FL 33043
 OFFICE (305) 872-1348
 FAX (305) 872-5622



Site Plans

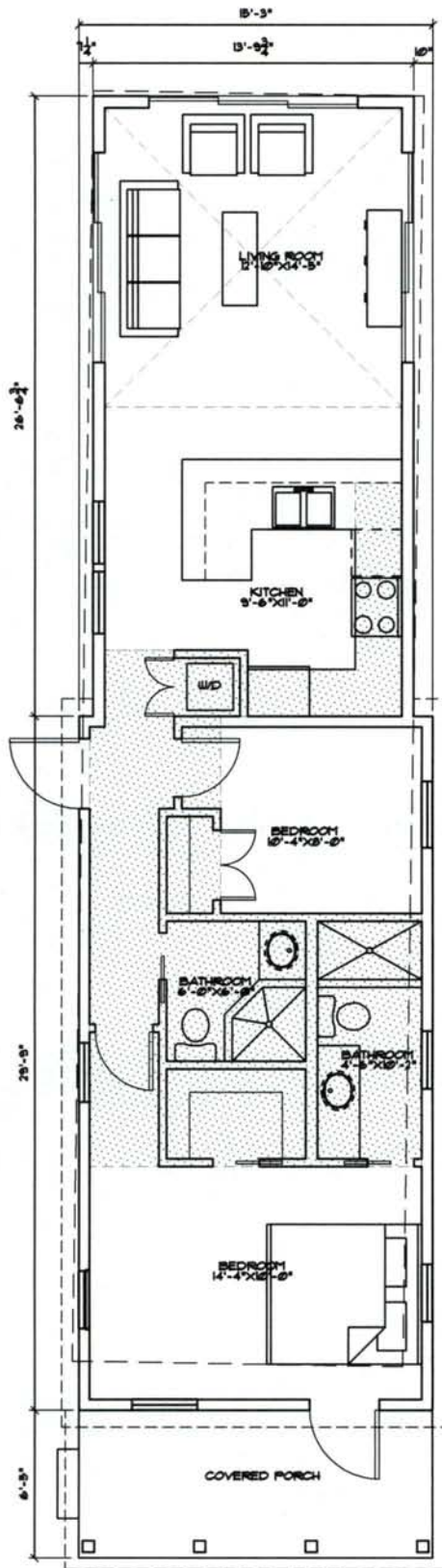


AMELIA STREET
30' RIGHT-OF-WAY

Site Plan

3/32" = 1' - 0"

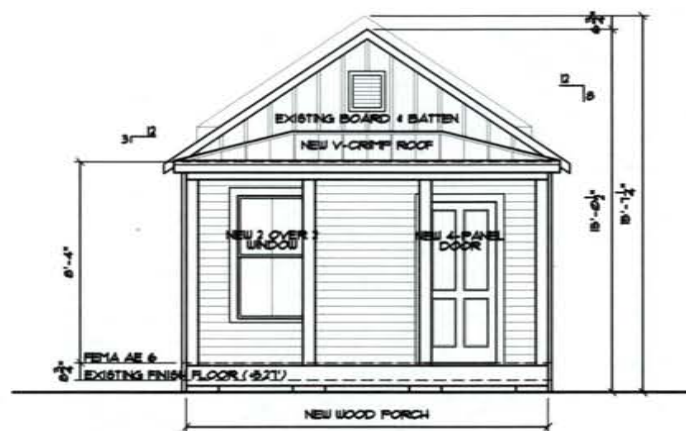




Floor Plan

1/8" = 1' - 0"





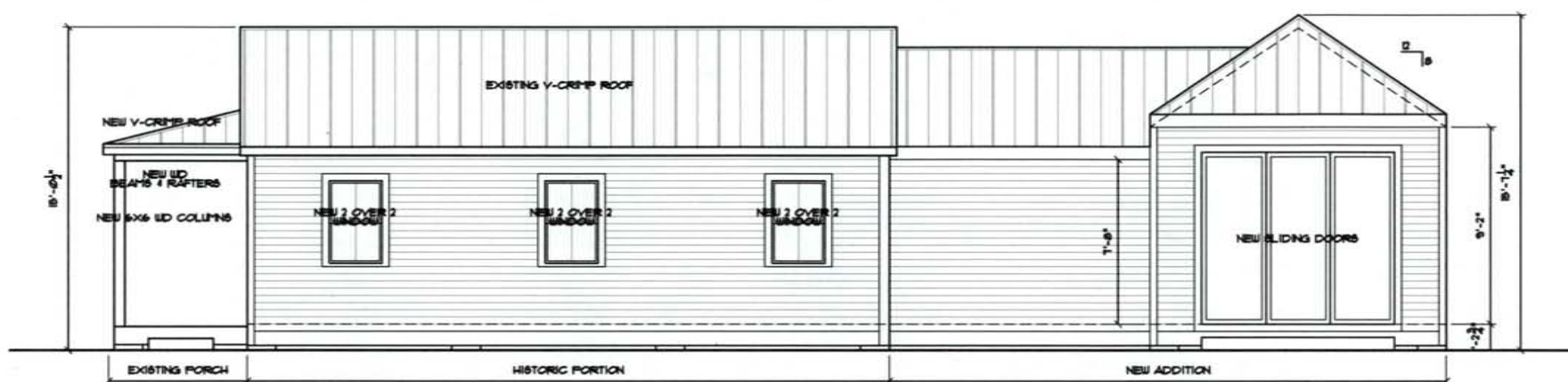
Front Elevation

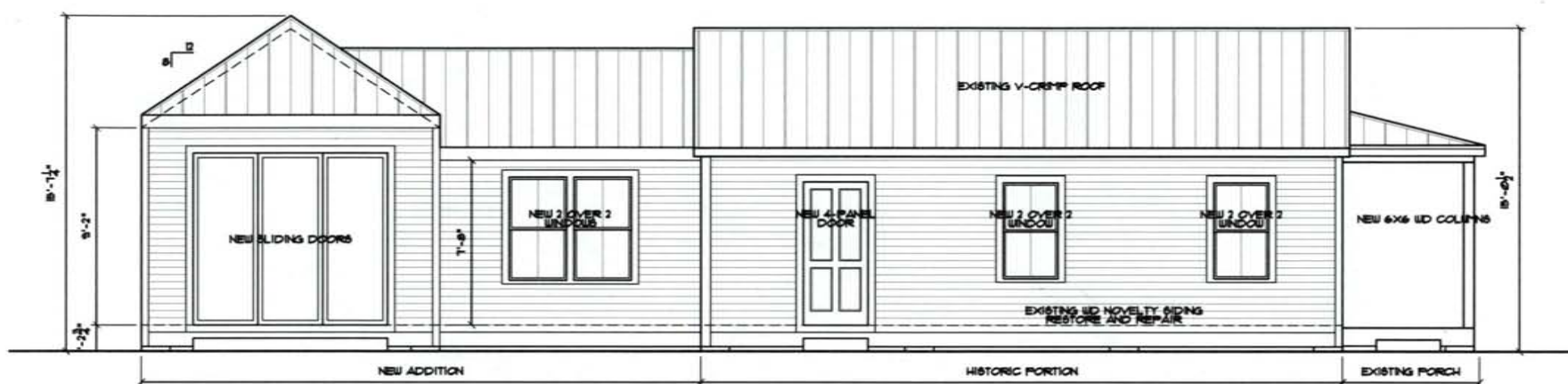
1/8" = 1' - 0"



Rear Elevation

1/8" = 1' - 0"


$$1/8'' = 1' - 0''$$



Left Side Elevation

$\frac{1}{8}'' = 1' - 0''$