

Background:

The property is legally nonconforming regarding impervious surface and front and side-yard setback requirements. The property is located within the historic district. The plans for the renovation of the structure will exceed 66% of the current value. The Monroe County Property Appraiser has the structures valued at \$56,011. The estimated cost of the renovations will be in excess of \$175,000. As such, the structure is subject to Section 122-28(b), which requires an application for all necessary variances to legal non-conformities.

Request:

The existing structure is in poor condition and the applicant proposes to renovate the structure. To do so, per Section 122-28(b), the applicant is requesting variances to existing impervious surface ratio and front and side-yard setback requirements since the cost of the proposed renovations exceeds 66% of the assessed value as proscribed in the code.

	Allowed/Required	Existing	Proposed
Building Coverage	50%	28.8%	50%
Impervious Surface	60%	71.5%	69%
Front	10'	4' 8"	Same
Right Side	5'	10'	Same
Left Side	5'	4' 5"	Same
Rear	20'	20'	Same

Process:

HARC: #11-01-0106

February 8 & 22, 2011

Development Review Committee Meeting:

April 28, 2011

Planning Board Meeting:

June 29, 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 within the historic districts have legal non-conforming coverages and setbacks. This particular structure and property does not meet all of the dimensional requirements outlined in Section 122-630. As such, special conditions do not exist that are not 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 owner purchased the property in its current configuration. The applicant proposes a renovation project in excess of 66% of the structure's current assessed value. The scope of the project drives the cost and is a condition 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 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.**

While the code limits the improvements that can be made to the site without seeking variances, we have no evidence that the applicant would be deprived of reasonable use of the land and the existing structure without the specific renovations proposed

- 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 existing structure.

- 6. Not injurious to the public welfare. 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.**

The restoration of this contributing structure does not appear injurious to the public welfare. In fact, the restoration of this structure will be an asset to the community and its historic character.

- 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**. However, should the Planning Board choose to approve this request, staff recommends the following condition:

That the applicant install and actively maintain the proposed swales shown on the plans for stormwater management purposes.

**Draft
Resolution**

RESOLUTION NO- 2011-

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE RENOVATION AND CONSTRUCTION OF A NON-CONFORMING STRUCTURE WHICH EXCEEDS 66% OF THE VALUE OF THE EXISTING STRUCTURE BY GRANTING VARIANCES TO THE IMPERVIOUS SURFACE RATIO AND FRONT AND SIDE YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 711 BAKERS LANE (RE#00011880-000000), PURSUANT TO SECTION 122-630 (4) b. and (6) a. & b. UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-28(b) of the Code of Ordinances provides that if voluntary reconstruction of a non-conforming residential structure exceeds 66% of the appraised value, variances are required; and

WHEREAS, Section 122-630 (4) b. and (6) a. & b. of the Code of Ordinances provides that the maximum impervious surface ratio is 60% and the minimum front yard setback is 10 feet and the minimum side-yard building setback is 5 feet in the HHDR zoning; and

WHEREAS, the applicant requested a variance to the impervious surface ratio and the front and side-yard setbacks to allow improvements to a non-conforming, historically contributing, residential structure which exceeds 66% of the value of that structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on

June 29, 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

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 variances 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 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 variances granted are the minimum variances that will make possible the reasonable use of the land, building or structure; and

_____ Chairman

_____ Planning Director

WHEREAS, the Planning Board finds that the granting of the variances 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 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 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 variances for a non-conforming contributing building listed in the historic

_____ Chairman
_____ Planning Director

architectural survey for impervious surface ratio and front and side yard setback requirements, for a renovation project in the Historic High Density Residential (HHDR) zoning district for property located at 711 Bakers lane (RE # 00011880-000000), per Section 122-28 (b) and Section 122-630 (4) b. and (6) a. & b., of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, is hereby granted as shown on the attached plan set dated February 11, 2011.

Section 3. It is a condition of this variance approval 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 approval, 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 approval 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 approval, which the variance approval shall be of no

force or effect.

Section 5. This variance approval 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 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 scheduled meeting held this 29th day of June, 2011.

_____ Chairman
_____ Planning Director

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

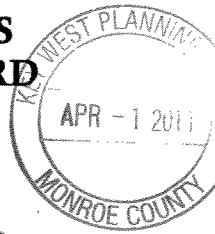
_____ Chairman

_____ Planning Director



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 711 BAKERS LANE, KEY WEST, FL.
2. Name of Applicant BENDER & ASSOCIATES ARCHITECTS / BERT BENDER
3. Applicant is: Owner _____ Authorized Representative (attached Authorization Form must be completed)
4. Address of Applicant BENDER & ASSOCIATES ARCHITECTS
410 ANGELA ST., KEY WEST, FL. 33040
5. Phone # of Applicant 305.296.1347 Mobile# N/A Fax# 305.296.2727
6. E-Mail Address BLBENDER@BELLSOUTH.NET
7. Name of Owner, if different than above NATIONAL REALTY / BRIAN ANTONI
8. Address of Owner NATIONAL REALTY TRUST
1500 EUCLID AVE., MIAMI BEACH, FL. 33139
9. Phone Number of Owner 305.491.2541 Fax# N/A
10. Email Address BRIANANTONI@AOL.COM
11. Zoning District of Parcel HHDR RE# 11880
12. Description of Proposed Construction, Development, and Use
REMOVAL OF NON HISTORIC ADDITIONS, RENOVATION OF EXISTING HISTORIC RESIDENCE, CONSTRUCTION NEW ADDITIONS TO THE EXISTING HISTORIC HOME FOR USE AS A RESIDENCE

13. Required information: (application will not move forward until all information is provided)

	Required	Existing	Requested
Front Setback	10'	4'-8"	4'-8"
Side Setback	5'	4'-5"	4'-5"
Side Setback	5'	> 5'	5' NOT APPLICABLE
Rear Setback	20'	> 20'	20' N/A
Building Coverage	50%	28.8%	50% N/A
Open Space Requirements	N/A	N/A	N/A
Impervious Surface	60%	71.5%	69%

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. Attach minutes of the meeting.

Date 2/22/2011 HARC # H10-01-334

15. Are there any easements, deed restrictions, or other encumbrances attached to the subject property? Yes No 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

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
_____	<u>CB</u>	Copy of the most recent recorded deed showing ownership and a legal description of the subject property
_____	<u>CB</u>	Application Fee (to be determined according to fee schedule)
_____	<u>CB</u>	Site Plan (existing and proposed) as specified on Variance Application Information Sheet
_____	<u>CB</u>	Floor Plans of existing and proposed development (8.5 x 11)
_____	<u>CB</u>	Copy of the most recent survey of the subject property
_____	<u>CB</u>	Elevation drawings as measured from crown of road
_____	<u>CB</u>	Stormwater management plan
_____	<u>CB</u>	HARC Approval (if applicable)
_____	<u>CB</u>	Notarized Verification Form
_____	<u>CB</u>	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.

THIS STRUCTURE IS A SMALL SCALE CONTRIBUTING RESOURCE, OF A TYPE WHICH IS RAPIDLY DISAPPEARING OR BEING ENLARGED. THIS VARIANCE WILL ALLOW THIS NOW UNIQUE SCALE TO BE RETAINED

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

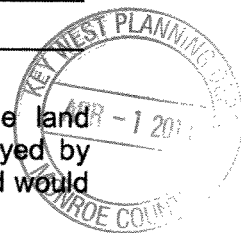
THE STRUCTURE WAS CONSTRUCTED IN THE 19TH CENTURY, BEFORE THE CURRENT ZONING REGULATIONS WERE CREATED AND LONG BEFORE THE CURRENT OWNERS ACQUIRED THE PROPERTY

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

THE SUBJECT OF THIS VARIANCE, A HISTORIC STRUCTURE, IN VIOLATION OF FRONT SETBACKS IS COMMON THROUGHOUT THE DISTRICT. SPECIAL PRIVILEGES ARE NOT CONFERRED

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.

CITY REGULATIONS ARE IN CONFLICT: HARC RULES DO NOT ALLOW DEMOLITION OF THE HISTORIC STRUCTURE. THE LDR "66% RULE" REQUIRES DEMOLITION IN ORDER TO MEET SETBACKS. FURTHER TO THIS CONFLICT IS THAT HARC RULES DO NOT ALLOW RELOCATION FROM IT'S HISTORIC CONFIGURATION. LITERAL INTERPRETATION WOULD RESULT IN A CODE VIOLATION AND FINES THRU THE SPECIAL MAGISTRATE, RESULTING IN YEARS OF LITIGATION. THIS CONSTITUTES AN UNNECESSARY AND UNDUE HARDSHIP ON THE OWNER.



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.

THE REQUESTED VARIANCE ARE THE MINIMUM NECESSARY, AS THEY CURRENTLY EXIST.

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.

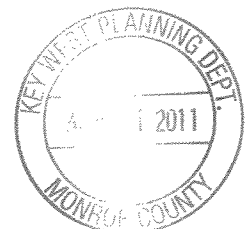
THIS VARIANCE WILL BE IN HARMONY WITH THE INTENT OF THE LDRs AS IT PRESERVES A SIGNIFICANT HISTORIC STRUCTURE

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.

THIS APPLICATION DOES NOT REFERENCE OR RELY ON NONCONFORMING USES OF OTHER PROPERTIES,

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

City of Key West
Planning Department



Verification Form
(Where Authorized Representative is an individual)

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

711 BAKERS LANE

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 Authorized Representative

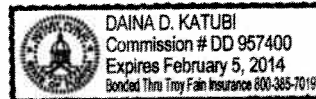
Subscribed and sworn to (or affirmed) before me on this 9th day of June 2011 by
date

BERT BENDER
Name of Authorized Representative



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

Commission Number, if any

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an individual)

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

711 BAKERS LANE

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.

A handwritten signature in cursive script, appearing to read "David Salay".

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 9th day of June 2011 by

DAVID SALAY

Name of Authorized Representative

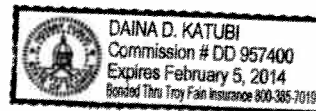


He/~~She~~ is personally known to me or has presented _____ as identification.

A handwritten signature in cursive script, appearing to read "Daina D. Katubi".

Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped



Commission Number, if any

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an entity)

I, Brian Antoni, in my capacity as General Partner
(print name) *(print position; president, managing member)*
of National Realty Limited
(print name of entity serving as Authorized Representative)

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

711 BAKERS LANE, KEY WEST, FL 33040
Street Address of subject property

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

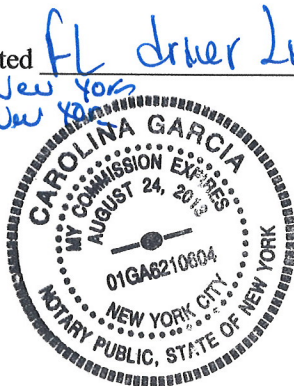
Brian Antoni
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 6/27/11 by
Brian Antoni *date*
Name of Authorized Representative

He/She is personally known to me or has presented FL driver license as identification.
STATE OF New York
County of New York
[Signature]
Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Commission Number, if any



RECEIVED
June 28, 2011
KW Planning Dpt

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an entity)

I, Brian Antoni, in my capacity as General Partner / President
(print name) *(print position; president, managing member)*
of People's House Inc.
(print name of entity serving as Authorized Representative)

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

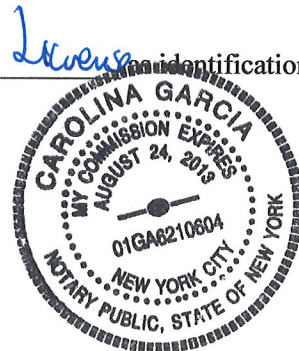
711 BAKER'S LANE, Key West, Florida 33040
Street Address of subject property

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

Brian Antoni
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 6/27/11 by
Brian Antoni *date*
Name of Authorized Representative

He/She is personally known to me or has presented FL driver license identification.
State of New York
County of New York
[Signature]
Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped

Commission Number, if any



RECEIVED
June 28, 2011
KW Planning Dpt



Authorization Form

**City of Key West
Planning Department**



Authorization Form
(Where Owner is a Business Entity)

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

I, Brian Antoni as
Please Print Name of person with authority to execute documents on behalf of entity

General Partner / President of Peoples House Inc.
Name of office (President, Managing Member) Name of owner from deed

authorize David Salay, Bert Bender, Lew Oliver
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

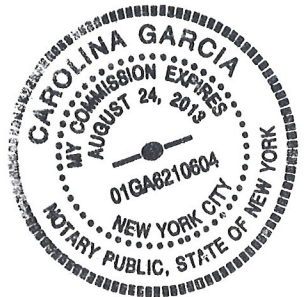
[Signature]
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this 6/24/11 by
date

Name of Authorized Representative

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

[Signature] County of New York, State of New York
Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped

Commission Number, if any

 **RECEIVED**
June 28, 2011
KW Planning Dpt

**City of Key West
Planning Department**



Authorization Form
(Where Owner is a Business Entity)

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

I, Brian Antoni as
Please Print Name of person with authority to execute documents on behalf of entity

General Partner of National Realty Ltd.
Name of office (President, Managing Member) Name of owner from deed

authorize David Salay, Bert Bender, Lew Oliver
Please Print Name of Representative

to be the representative for this application and act on my/our behalf before the City of Key West.

[Signature]
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this 6/21/11 by
date

Brian Antoni
Name of Authorized Representative

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

[Signature]
Notary's Signature and Seal



State of New York
County of New York

Name of Acknowledger typed, printed or stamped

Commission Number, if any



RECEIVED
June 28, 2011
KW Planning Dpt

PARTNERSHIP AGREEMENT

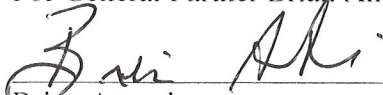
OF GENERAL PARTNERS

BRIAN ANTONI AND PEOPLE'S HOUSE, INC.

DOING BUSINESS AS "NATIONAL REALTY, LTD."

1. The undersigned general partners have agreed to engage in partnership for various purposes, including, but not limited to, owning real property in the state of Florida.
2. The general partners have registered a Florida Fictitious name "National Realty, Ltd." as a DBA for the partnership to operate under in Florida.
3. This Agreement is a restatement of various earlier written and verbal agreement between the general partners.
4. The general partners agree that this Agreement may be relied upon by 3rd parties in their dealings with the partnership, including applications for government permits and approvals, including but not limited to properties in Key West Florida.

For General Partner Brian Antoni:



Brian Antoni

June 27, 2011

Date

For General Partner People's House, Inc., a Delaware corporation.:

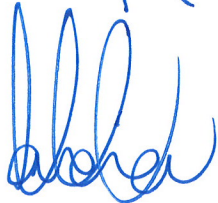


Brian Antoni, President

6/27/11

Date

State of New York
County of New York





RECEIVED

June 28, 2011

KW Planning Dpt

Deed

Prepared by and return to:
Cristie DeJesus Perez
Paralegal
Quiñones & Oliver, P.L.
11549 Lake Underhill Road
Orlando, FL 32825
407-249-5050
File Number: 2010-0046

04/20/2010 3:57PM
DEED DOC STAMP CL: TRINA \$2,590.00

Doc# 1786211
Bk# 2462 Pg# 366

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Warranty Deed

This Warranty Deed made this 12th day of April, 2010 between Alden Kirby Congdon, a single man whose post office address is 715 Bakers Lane, Key West, FL 33040, grantor, and National Realty Ltd., a general partnership whose post office address is 1500 Euclid Avenue, Miami Beach, FL 33139, 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:

On the Island of Key West and being known as a Part of Lot 3, of Square 59, according to William A. Whitehead's Map delineated in February. A. D. 1829, but better described by metes and bounds as follows:

Commencing at the corner of Southard and Elizabeth Streets and running thence in a Southeasterly direction along the Northeasterly side of Elizabeth Street a distance of 201 feet; thence at right angles and in a Northeasterly direction a distance of 155 feet to a point or place of beginning; thence at right angles in a Northwesterly direction a distance of 96 feet; thence at right angles and in a Northeasterly direction a distance of 45 feet; thence at right angles and in a Southeasterly direction a distance of 96 feet; thence at right angles and in a Southwesterly direction a distance of 45 feet and back to the point or place of beginning. TOGETHER with the improvements situate thereon.

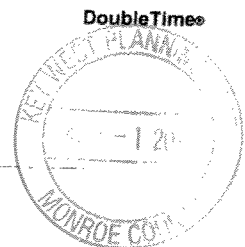
Parcel Identification Number: 0001188000000066825

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, 2009.

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:

Alan Epstein
Witness Print Name: Alan Epstein

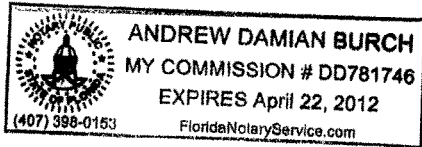
Martha Robinson
Witness Print Name: Martha Robinson

Alden Kirby Congdon (Seal)
Alden Kirby Congdon

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 12th day of April, 2010 by Alden Kirby Congdon, who [X] is personally known or [] has produced a driver's license as identification.

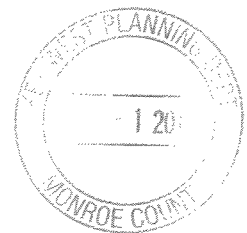
[Notary Seal]



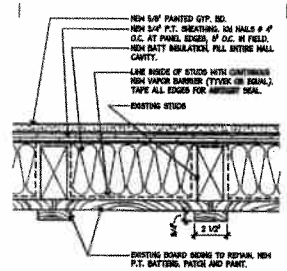
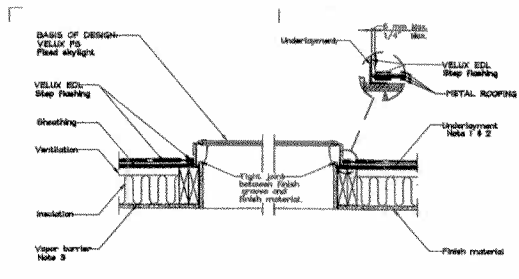
Andrew Damian Burch
Notary Public

Printed Name: Andrew Damian Burch

My Commission Expires: 4/22/12



Site Plans



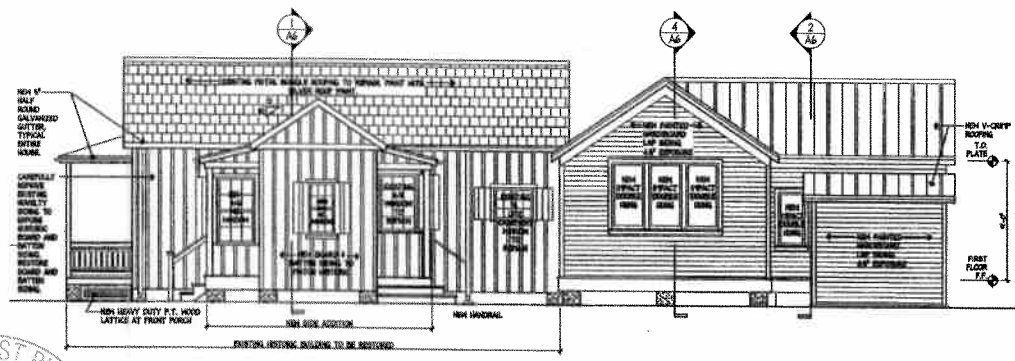
6 NEW SKYLIGHT
SCALE: 1/2"=1'-0"

7 HALL PLAN- EXISTING BUILDING
SCALE: 3/4"=1'-0"

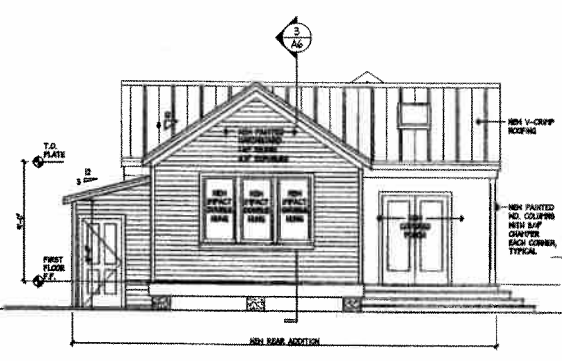
6
SCALE: 1"=1'-0"

5A
SCALE: 1/4"=1'-0"

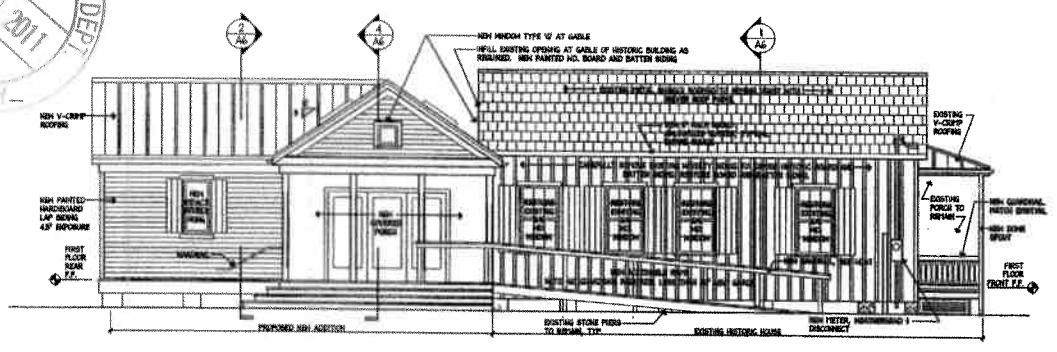
5
SCALE: 1/2"=1'-0"



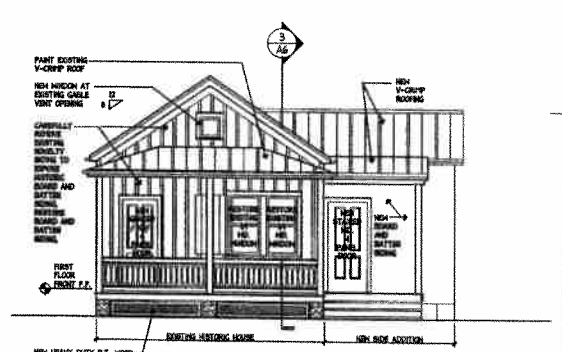
4 SIDE (EAST) EXTERIOR ELEVATION
SCALE: 1/4"=1'-0"



3 REAR (NORTH) EXTERIOR ELEVATION
SCALE: 1/4"=1'-0"



2 SIDE (WEST) EXTERIOR ELEVATION
SCALE: 1/4"=1'-0"



1 FRONT (SOUTH) EXTERIOR ELEVATION
SCALE: 1/4"=1'-0"

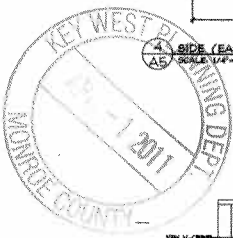
ANTONI RESIDENCE
711 BAKERS LANE
KEY WEST, FLORIDA

410 Angelo Street
Key West, Florida 33904
Telephone (305) 286-1517
Facsimile (305) 286-7571
Florida Status A00002822

Bender & Associates
ARCHITECTS
P.C.

Project # 108
EXTERIOR ELEVATIONS
Date 5/1/12

A5
5 OF 12





Prior Approvals



FILE COPY

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

September 21, 2010

Arch. David Salay
Bender and Associates Architects
410 Angela Street
Key West, Florida 33040

RE: REMOVE CONTEMPORARY REAR ADDITION FROM ONE STORY
WOOD FRAME RESIDENCE. RESTORE HISTORIC FRONT PORTION OF
HOUSE. NEW BATHROOM AND PORCH ADDITION AT REAR OF HOUSE.
NEW ENTRY AND CARPORT AT SIDE OF HOUSE
FOR: 711 BAKERS LANE - HARC APPLICATION # H10-01-334
KEY WEST HISTORIC DISTRICT


Dear Architect Salay:

This letter is to notify you that the Key West Historic Architecture Review Commission **approved** the first reading for demolition for the above mentioned project on the public hearing held on Tuesday, September 14, 2010. The Commission decision was based on the documents submitted and your presentation.

Because this project includes a demolition request a second reading will take place on September 28, 2010 at Old City Hall. Should you have any questions, please do not hesitate to contact me at your convenience.

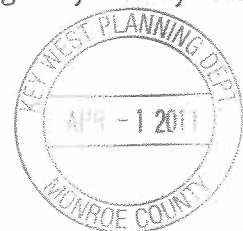
On behalf of the Historic Architectural Review Commission of our City, thank you for your interest in the preservation of Key West historic heritage.

Sincerely:


Enid Torregrosa, MSHP
Historic Preservation Planner
City Of Key West
3140 Flagler Avenue
Key West, Florida 33040

305.809.3973

etorregr@keywestcity.com





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

February 15, 2011

Arch. Bert Bender
Bender and Associates Architects
410 Angela Street
Key West, Florida 33040

RE: MODIFICATION TO PREVIOUSLY APPROVED PLANS (H10-01-334)
FOR DEMOLITION OF BACK ADDITION AND REPLACEMENT
FOR: #711 BAKERS LANE - HARC APPLICATION # H11-01-106
KEY WEST HISTORIC DISTRICT

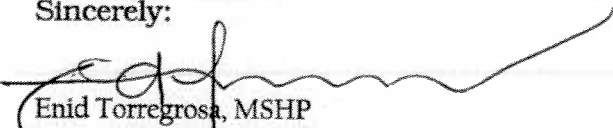
Dear Architect Bender:

This letter is to notify you that the Key West Historic Architecture Review Commission **approved** the proposed design and first reading for demolition for the above mentioned project on the public hearing held on Tuesday, February 8, 2011.

Because this project includes a demolition request a second reading will take place on February 22, 2011 at Old City Hall. 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



- 7 Modification to previously approved plans (H10-01-334) for demolition of back addition and replacement- **#711 Bakers Lane- Applicant Bender and Associates Architects (H11-01-106)**

The house located on 711 Bakers Lane is listed as a contributing resource and was built c 1920. The contributing house is a one story frame vernacular structure. The house has been altered with attached additions on the back and side. By observing a photograph taken circa 1965 and Sanborn maps from 1948 and 1962 it is evident that the original front facade was altered and a new entry was added to the east side. On September 28, 2010 the Commission approved the *demolition of contemporary rear addition from one story wood frame residence and restoration of the historic front portion of the house, new bathroom and porch addition at rear of house.*

The proposed revisions to the previously approved design include, among other things, the demolition of a non historic frame structure that is attached to the back of the historic house. The plans also proposes the construction of a new one story addition on the back of the house and changes to the facades of the previously approved back additions. A storage for bicycles that was also approved has been moved far back. The new plans include the restoration of the historic portion of the house as was approved in the original application.

Staff understands that the Code of Ordinances as well as the Historic Architectural Guidelines should be reviewed for this application. The Code, under Sec. 102-218, establishes the criteria for demolitions to be used by the Historic Architectural Review Commission when reviewing a Certificate of Appropriateness. According to the Code Sec. 102-218 establishes the following;

(a) *The historic architectural review commission shall issue a certificate of appropriateness for an application for demolition:*

(1) *If the subject of the application is a contributing or historic building or structure, then it should not be demolished unless its condition is irrevocably compromised by extreme deterioration or it does not meet any of the criteria of section 102-125(1) through (9).*

(2) *For a contributing historic or noncontributing building or structure, a complete construction plan for the site is approved by the historic architectural review commission.*

(b) *The historic architectural review commission shall not issue permits that would result in:*

(1) *Removing buildings or structures that is important in defining the overall historic character of a district or neighborhood so that the character is diminished;*

ANTONI
HARC STAFF RECOMMEND.
2/1/11. (APPROVED)



- (2) *Removing historic buildings or structures and thus destroying the historic relationship between buildings or structures and open space; and*
- (3) *Removing an historic building or structure in a complex; or removing a building facade; or removing a significant later addition that is important in defining the historic character of a site or the surrounding district or neighborhood.*
- (4) *Removing buildings or structures that would otherwise qualify as contributing, as set forth in section 102-62(3).*
- (c) *Nothing in this section is intended to alter the authority of the Building Official to condemn for demolition dangerous buildings, as provided in chapter 14 of the Code of Ordinances.*

(Ord. No. 97-10, § 1(3-10.3(E) (2) (c)), 7-3-1997; Ord. No. 06-14, § 12, 8-1-2006)

The Code also establishes, under Sec. 102-1, Definitions, that a historic building or structure is;

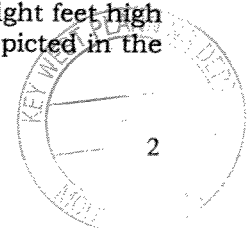
any building or structure which, in whole or in any structural part, was built 50 or more years prior to the current date, and which is located in the historic zoning districts of the city or has been designated as a historic building and/or structure.

It is staff understanding that the structure that is proposed to be demolished is not historic, nor it can be considered to be listed as contributing structure on a near future. By reviewing the 1962 and 1948 Sanborn maps there is information that supports the theory that the proposed structure to be demolish is not historic. The non historic attached structure is not significant to the historic house or to the surrounding urban context.

It is staff understanding that the proposed demolition of the non historic attached addition can be considered by the commission pursuant the Code of Ordinance Section 102-218- Demolitions in the historic district. This application will require a second reading for demolition.

Design Review

The proposed new design incorporates a one story structure attached to the side of a new approved addition. The proposed addition will be one story and will be lower than the historic house. The addition will have hardi plank siding and metal v-crimp panels as the roof finish material. The new addition will also have 1 over 1 double hung impact resistant windows and single light doors. As mentioned before the new plans propose the approved bicycle storage to be relocated and attached to the side of the back approved addition. A new ramp as well as an eight feet high roll gate that will be built between 709 and 711 Bakers Lane are depicted in the



site plans. The eight foot gate is located outside of the property line but according to the Property Appraisers records the owner owns 709 Bakers Lane. The historic house will be restored including, among others, the removal of non historic novelty siding that was installed over board and batten and all existing 6 over 6 wood windows.

The Historic Architectural Guidelines can be apply to review the proposed new design, particularly guidelines for Additions, Alterations and New Construction (pages 36-38);

Additions, alterations and new construction:

(1) A structure shall not be altered and/or expanded in such a manner that its essential character defining features are disguised or concealed- Staff understands that the proposed one story addition will not conceal any character defining features of the existing structure. The proposed addition will be lower in height than the historic house.

(2)- Additions and alterations may be reviewed more liberally on non-contributing buildings, which lack architectural distinction. The main house is listed as contributing.

(3) Addition design should be compatible with the characteristics of the original structure, neighboring buildings and streetscapes- The proposed design is compatible in its footprint form, roof form and materials found in the surrounding historic buildings.

(4)- Additions should be constructed with a scale, height and mass that is appropriate to the original building and its neighbors- The back new proposed addition that will be attached to a new structure is less than half of the footprint of the main house and approximately 2'-6" lower in height than the main house. The surrounding neighboring structures are one story high.

(5)- Additions should be attached to less publicly visible secondary elevations of an historic structure- The proposed addition will be located behind the existing historic house and the roof as well as part of the front façade will be visible from the right of way.

(8)-New additions should be designed and constructed to be clearly differentiated from the historical so that character defining features are not changed, obscured, damaged or destroyed- The new design does not mimics

existing architectural elements found in the historic house. The proposed design incorporates the restoration of the house by removing wood siding in order to expose historic board and batten. The new design will have different textures than the historic house.

Key West's historic district's tightly spaced blocks contain a wide variety of architectural styles, which relate well to each other. The relationships between the buildings create much of the character of the district. Their height, detailing, mass roof forms, and landscaping all contribute to its visual harmony. It is important that new construction harmonize with the existing historical building stock and streetscapes.

1. **Siting** - *New construction must conform to all current city easement, setback and building requirements. No existing building shall be relocated and no new structure shall be placed closer to the sidewalk, street or visible alley, than the distance of pre-existing historic structures. Areas reserved for parks or open space must be retained.*

According to the submitted plans the existing house is a non conforming structure. The proposed attached addition will conform to actual zoning requirements for this particular historic district HHDR;

Front yard- 10 ft
Street side- 5 ft
Side- 5 ft
Rear- 20 ft
Maximum height- 30 ft

Because the proposed eight foot gates on the west side are located outside of the property line staff understands that this architectural element should not be considered on this application. Nevertheless a variance for the eight feet gates may be required unless there is a unity of title for both properties; the LDR and the Historic Architectural Guidelines allows maximum of six foot fence within the setbacks.

It is staffs belief that the proposed attached addition as well as the modifications to the previously approved plans are consistent with the guidelines. The proposed rehabilitation to the historic house is in compliance with the guidelines.



- 2 Modification to previously approved plans (H10-01-334) for demolition of back addition and replacement- **#711 Bakers Lane- Applicant Bender and Associates Architects (H11-01-106)**

The house located on 711 Bakers Lane is listed as a contributing resource and was built c 1920. The contributing house is a one story frame vernacular structure. The house has been altered with attached additions on the back and side. By observing a photograph taken circa 1965 and Sanborn maps from 1948 and 1962 it is evident that the original front facade was altered and a new entry was added to the east side. On September 28, 2010 the Commission approved the *demolition of contemporary rear addition from one story wood frame residence and restoration of the historic front portion of the house, new bathroom and porch addition at rear of house*. On February 8, 2011 the Commission approved the first reading for demolition for this request and the proposed design. The applicant has submitted three revisions to the design for consideration; three new impact double hung windows on the east elevation of the new addition instead of two windows, a new window at the gable of the west elevation of the new proposed addition, and a four feet tall wood picket fence on the front yard. This review is for a second reading.

Staff understands that the Code of Ordinances as well as the Historic Architectural Guidelines should be reviewed for this application. The Code, under Sec. 102-218, establishes the criteria for demolitions to be used by the Historic Architectural Review Commission when reviewing a Certificate of Appropriateness. According to the Code Sec. 102-218 establishes the following;

(a) *The historic architectural review commission shall issue a certificate of appropriateness for an application for demolition:*

(1) *If the subject of the application is a contributing or historic building or structure, then it should not be demolished unless its condition is irrevocably compromised by extreme deterioration or it does not meet any of the criteria of section 102-125(1) through (9).*

(2) *For a contributing historic or noncontributing building or structure, a complete construction plan for the site is approved by the historic architectural review commission.*

(b) *The historic architectural review commission shall not issue permits that would result in:*

(1) *Removing buildings or structures that is important in defining the overall historic character of a district or neighborhood so that the character is diminished;*

(2) *Removing historic buildings or structures and thus destroying the historic relationship between buildings or structures and open space; and*

APPROVED 2/22/11.



(3) *Removing an historic building or structure in a complex; or removing a building facade; or removing a significant later addition that is important in defining the historic character of a site or the surrounding district or neighborhood.*

(4) *Removing buildings or structures that would otherwise qualify as contributing, as set forth in section 102-62(3).*

(c) *Nothing in this section is intended to alter the authority of the Building Official to condemn for demolition dangerous buildings, as provided in chapter 14 of the Code of Ordinances.*

(Ord. No. 97-10, § 1(3-10.3(E) (2) (c)), 7-3-1997; Ord. No. 06-14, § 12, 8-1-2006)

The Code also establishes, under Sec. 102-1, Definitions, that a historic building or structure is;

any building or structure which, in whole or in any structural part, was built 50 or more years prior to the current date, and which is located in the historic zoning districts of the city or has been designated as a historic building and/or structure.

It is staff understanding that the structure that is proposed to be demolished is not historic, nor it can be considered to be listed as contributing structure on a near future. By reviewing the 1962 and 1948 Sanborn maps there is information that supports the theory that the proposed structure to be demolish is not historic. The non historic attached structure is not significant to the historic house or to the surrounding urban context.

It is staff understanding that the proposed demolition of the non historic attached addition can be considered by the commission pursuant the Code of Ordinance Section 102-218- Demolitions in the historic district.

Revisions to approved design

The new plans include minor changes to the east and west façade of the proposed back addition. The minor changes involve windows openings that will not have any effect on the historic part of the house. A new four feet tall picket fence with a gate will be installed on the front yard and approximately 9 feet setback from the property line.

It is staffs belief that the proposed modifications to the previously approved plans are consistent with the guidelines. The proposed rehabilitation to the historic house is in compliance with the guidelines as well as with the Secretary of the Interior's Standards and Guidelines for Rehabilitation.



7. Request for demolition on back, new additions, and restoration- #711 Bakers Lane- Applicant Bender and Associates Architects, David Salay (H10-01-334)

Remove contemporary addition from one story wood frame residence. Restore historic front portion of house. New bathroom and porch at rear of house. New entry and carport at side of house.

The house located on 711 Bakers Lane is listed as a contributing resource and was built c 1920. The contributing house is a one story frame vernacular structure. The house has been altered with attached additions on the back and side. By observing a photograph taken circa 1965 and Sanborn maps from 1948 and 1962 it is evident that the original front entrance to the house was removed and a new entry was added to the east side.

The proposed new design includes, among other things, the demolition of non historic structures that have been attached to the side and back of the historic house. The plans also proposes the construction of two new one story additions on the back of the house, a new carport and new entry on the side of the house and the restoration of the front portion of the historic home. A storage for bicycles is also proposed in the plans.

Staff understands that the Code of Ordinances as well as the Historic Architectural Guidelines should be reviewed for this application. The Code, under Sec. 102-218, establishes the criteria for demolitions to be used by the Historic Architectural Review Commission when reviewing a Certificate of Appropriateness. According to the Code Sec. 102-218 establishes the following;

(a) The historic architectural review commission shall issue a certificate of appropriateness for an application for demolition:

(1) If the subject of the application is a contributing or historic building or structure, then it should not be demolished unless its condition is irrevocably compromised by extreme deterioration or it does not meet any of the criteria of section 102-125(1) through (9).

(2) For a contributing historic or noncontributing building or structure, a complete construction plan for the site is approved by the historic architectural review commission.

(b) The historic architectural review commission shall not issue permits that would result in:

(1) Removing buildings or structures that are important in defining the overall historic character of a district or neighborhood so that the character is diminished;



- (2) Removing historic buildings or structures and thus destroying the historic relationship between buildings or structures and open space; and
- (3) Removing an historic building or structure in a complex; or removing a building facade; or removing a significant later addition that is important in defining the historic character of a site or the surrounding district or neighborhood.
- (4) Removing buildings or structures that would otherwise qualify as contributing, as set forth in section 102-62(3).
- (c) Nothing in this section is intended to alter the authority of the Building Official to condemn for demolition dangerous buildings, as provided in chapter 14 of the Code of Ordinances.

(Ord. No. 97-10, § 1(3-10.3(E) (2) (c)), 7-3-1997; Ord. No. 06-14, § 12, 8-1-2006)

The Code also establishes, under Sec. 102-1, Definitions, that a historic building or structure is;

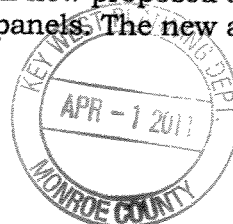
any building or structure which, in whole or in any structural part, was built 50 or more years prior to the current date, and which is located in the historic zoning districts of the city or has been designated as a historic building and/or structure.

It is staff understanding that the structures that are proposed to be demolished are not historic, nor they can be considered to be listed as contributing on a near future. By reviewing the 1962 and 1948 Sanborn maps there is information that supports the theory that the proposed structures for demolition are not historic. These non historic structures are not significant to the historic house or to the surrounding urban context.

It is staff understanding that the proposed demolition of the non historic structures can be considered by the commission pursuant the Code of Ordinance Section 102-218- Demolitions in the historic district. This application will require a second reading for demolition.

Design Review

The proposed new design incorporates one addition attached to the back of the historic house and a second addition attached to a non historic part of the house. Both proposed additions will be one story and will be lower than the historic house. For the main entrance, which is actually located on the east side of the historic portion of the house, the plans include a new gable roof flanked by two lower shed roofs. A new entryway will be facing Bakers Lane. The design also incorporates a carport, with a 10'-0" setback from the front right of way. All new proposed additions will have hardi plank siding and metal v-crimp panels. The new additions will



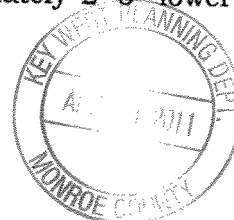
also have 6 over 6 wood windows and single light doors. The new entry will have a four panel wood door.

The plans also include the restoration of the front part of the house. The house has no door on the front porch, contrary to traditional main facades and to the Sanborn Maps. The plans incorporate a new wood door on the front porch, in the same location that the 1962 and 1948 Sanborn Maps indicate. The plans also specify the removal of non historic novelty siding that was installed over board and batten siding and the restoration of the historic fabric. Existing 6 over 6 windows will remain.

The Historic Architectural Guidelines can be apply to review the proposed new design, particularly guidelines for Additions, Alterations and New Construction (pages 36-38);

Additions, alterations and new construction:

- (1) A structure shall not be altered and/or expanded in such a manner that its essential character defining features are disguised or concealed- Staff understands that the proposed one story additions will not conceal any character defining features of the existing structure. The proposed two additions will be lower in height than the historic house.
- (2)- Additions and alterations may be reviewed more liberally on non-contributing buildings, which lack architectural distinction. The main house is listed as contributing.
- (3) Addition design should be compatible with the characteristics of the original structure, neighboring buildings and streetscapes- The proposed design is compatible in its footprint form, roof form and materials found in the surrounding historic buildings.
- (4)- Additions should be constructed with a scale, height and mass that is appropriate to the original building and its neighbors- The back new proposed addition that will be attached to the historic house is less than half of the footprint of the main house and approximately 2'-6" lower than the height of the main house. The proposed new addition attached to the back of a non historic structure will be less than one third of the footprint of the main house and approximately 2'-6" lower than the height of the main house. A third addition, that will serve as an entryway will be approximately 2' 6" lower than the



main house. The surrounding neighboring structures are one story high.

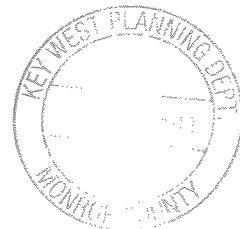
- (5)- Additions should be attached to less publicly visible secondary elevations of an historic structure- The proposed additions that will be attached to the historic house will be on the back and side elevations. The side attached new entryway will be visible from the right of way.
- (8)-New additions should be designed and constructed to be clearly differentiated from the historical so that character defining features are not changed, obscured, damaged or destroyed- The new design does not mimics existing architectural elements found in the historic house. The proposed design incorporates the restoration of the house by removing wood siding in order to expose historic board and batten. The new design will have different textures than the historic house.

Key West's historic district's tightly spaced blocks contain a wide variety of architectural styles, which relate well to each other. The relationships between the buildings create much of the character of the district. Their height, detailing, mass roof forms, and landscaping all contribute to its visual harmony. It is important that new construction harmonize with the existing historical building stock and streetscapes.

1. **Siting** - New construction must conform to all current city easement, setback and building requirements. No existing building shall be relocated and no new structure shall be placed closer to the sidewalk, street or visible alley, than the distance of pre-existing historic structures. Areas reserved for parks or open space must be retained.

According to the submitted plans the existing house is a non conforming structure. The proposed attached additions will conform to actual zoning requirements for this particular historic district HHDR;

- Front yard- 10 ft
- Street side- 5 ft
- Side- 5 ft
- Rear- 20 ft
- Maximum height- 30 ft



A proposed shed for bicycles will probably require variance for side setbacks.

2. **Elevation of finished floor above grade** - Applications for buildings with the first finished floor above the minimum height

necessary to comply with federal flood regulations will not be approved unless the applicant demonstrates that such elevation does not interfere with the essential form and integrity of properties in the neighborhood. In situations wherein parking is proposed below the first finished floor, HARC shall consider how visible the parking is from the public right-of-way; whether the parking area is enclosed or otherwise concealed by walls, louvers, lattice, landscaping or other features; and whether fill and/or berms are used to minimize the gap between the first finished floor and the crown of the nearest road.

This will not be the case.

3. **Height** – must not exceed two and a half stories. There must be a sympathetic relationship of height between new buildings and existing adjacent structures of the neighborhood. New buildings must be compatible with historic floor elevations. The height of all new construction shall be based upon the height of existing structures within the vicinity.

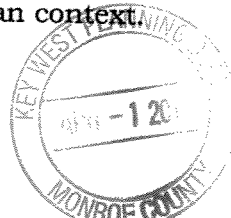
The proposed new additions will be one story structures and will be lower than the main house. The existing adjacent buildings are one story height. The main house on the site, which is listed as contributing, is a one story structure.

4. **Proportion, scale and mass** – massing, scale and proportion shall be similar to that of existing historical buildings in the historical zone. No new construction shall be enlarged so that its proportions are out of scale with its surroundings. No new construction shall be more than two and a half stories. No structure shall outsize the majority of structures in the streetscape or historic zone.

The scale and massing of the proposed additions will be in keeping with the historic house and the surrounding buildings. The proposed attached additions will not obscure character defining features the historic house possesses. The proposed addition will not outsize the main house or surrounding structures.

5. **Compatibility** – Design must be compatible with Key West architectural characteristics in the historical zones. All new construction must be in keeping with the historic character in terms of size, scale, design, materials, color and texture.

The proposed design of the attached additions is in keeping with existing historic architecture found in Old Town. The proposed size and scale are well balanced with the existing historic house. The materials and textures proposed are traditional to the historic urban context.



6. **Building Detail** – All new buildings shall incorporate a level of detail that assures compatibility with the surrounding historic context. New construction shall not precisely mimic the details of historic buildings but should have features that are compatible with the lines of historic architecture.

The new proposed additions will incorporate traditional forms, textures and materials found in the surrounding buildings. The design is traditional in character and does not mimic any particular detail found in the historic house.

7. **Relationship of materials** – Materials used on new construction shall be of similar color, dimension, texture, and appearance as historic fabrics. The predominant exterior finish in historic zones is wood weatherboard, clapboard, drop siding, or board and batten. Exceptions for the use of composite materials may be permissible. Roofing is primarily sheet metal or metal shingles. New construction shall establish a relationship with existing historic structures by utilizing similar finishes and metals.

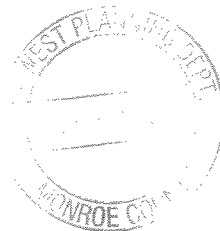
The proposed new construction materials for the addition are compatible with existing materials found in the surrounding buildings. The proposed materials will differentiate the new additions from the historic house.

Staff also understands that the guidelines for Outbuildings: Carports, gazebos, garages, sheds, shelters and accessory structures can be review for this particular application (pages 40-41);

- (5) *The construction of new accessory buildings such as garages or carports which are highly visible from the public right of way are not appropriate in the historic district.*

The plans include a carport that is set back ten feet from the right of way. This carport will be a frame structure covered with a side gable roof. It will be rectangular in footprint 18'-0" depth by 11'-0" wide and approximately 12'-6" height. There is no evidence in the Sanborn maps that a garage or carport existed in this location.

It is staffs believe that the proposed attached additions are consistent with the guidelines. Staff also understands that the proposed carport will be highly visible from the lane, therefore and according to the guidelines will be inappropriate. The proposed renovations to the historic house are in compliance with the guidelines.



Property Appraiser Information

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

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

Property Record View

Alternate Key: 1012203 Parcel ID: 00011880-000000

Ownership Details

Mailing Address:
 NATIONAL REALTY LTD
 1500 EUCLID AVE
 MIAMI BEACH, FL 33139-3506

Property Details

PC Code: 01 - SINGLE FAMILY
 Millage Group: 10KW
 Affordable Housing: No
 Section-Township-Range: 06-68-25
 Property Location: 711 BAKERS LN KEY WEST
 Legal Description: SQR 59 PT LT 3 KEY WEST OR224-479/480 OR404-533/534 OR2462-346/65WILL OR2462-366/67

[Show Parcel Map](#)

Land Details

Land Use Code	Frontage	Depth	Land Area
01LN - SFR LANE	45	99	4,320.00 SF

Building Summary

Number of Buildings: 1
 Number of Commercial Buildings: 0
 Total Living Area: 1059
 Year Built: 1938

Building 1 Details

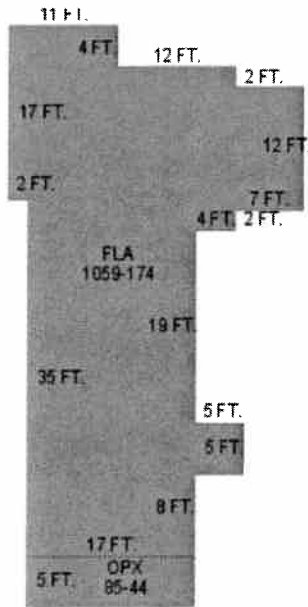
Building Type <u>R1</u>	Condition <u>A</u>	Quality Grade 450
Effective Age 82	Perimeter 174	Depreciation % 74
Year Built 1938	Special Arch 0	Grnd Floor Area 1,059
Functional Obs 0	Economic Obs 0	

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

Roof Type GABLE/HIP	Roof Cover METAL	Foundation WD CONC PADS
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	OPX	12:ABOVE AVERAGE WOOD	1	1990	N N	0.00	0.00	85
2	FLA	12:ABOVE AVERAGE WOOD	1	1990	N N	0.00	0.00	1,059

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT2:BRICK PATIO	1,000 SF	0	0	1959	1960	2	50

2	PT2:BRICK PATIO	280 SF	0	0	1979	1980	2	50
3	FN2:FENCES	138 SF	23	6	1983	1984	2	30

Appraiser Notes

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	56,011	4,033	447,387	507,431	507,431	0	507,431
2009	109,253	4,075	537,326	650,654	650,654	0	650,654
2008	100,719	4,117	619,245	724,081	724,081	0	724,081
2007	169,225	4,159	779,625	953,009	953,009	0	953,009
2006	247,287	4,201	423,225	649,984	649,984	0	649,984
2005	247,287	4,243	338,580	590,110	590,110	0	590,110
2004	135,470	4,285	316,305	456,060	456,060	0	456,060
2003	130,452	4,327	169,290	304,069	304,069	0	304,069
2002	142,184	4,369	124,740	271,293	271,293	0	271,293
2001	111,663	4,426	124,740	240,829	240,829	0	240,829
2000	111,663	4,170	91,328	207,161	207,161	0	207,161
1999	91,191	3,452	91,328	185,972	185,972	0	185,972
1998	80,025	3,068	91,328	174,421	174,421	0	174,421
1997	72,581	2,822	82,418	157,821	157,821	0	157,821
1996	50,248	1,978	82,418	134,644	134,644	0	134,644
1995	45,782	1,825	82,418	130,025	130,025	0	130,025
1994	40,943	1,654	82,418	125,016	125,016	0	125,016
1993	40,943	1,674	82,418	125,035	125,035	0	125,035
1992	40,943	1,694	82,418	125,055	125,055	0	125,055
1991	40,943	1,716	82,418	125,077	125,077	0	125,077
1990	29,427	2,164	63,484	95,075	95,075	0	95,075
1989	26,752	1,967	62,370	91,089	91,089	0	91,089
1988	21,775	1,967	62,370	86,112	86,112	0	86,112
1987	21,505	1,967	35,440	58,912	58,912	0	58,912
1986	21,613	1,967	34,482	58,062	58,062	0	58,062
1985	20,953	1,967	18,132	41,052	41,052	0	41,052
1984	19,468	1,967	18,132	39,567	39,567	0	39,567

1983	19,468	1,967	18,132	39,567	39,567	0	39,567
1982	19,858	1,967	15,370	37,195	37,195	0	37,195

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
4/12/2010	2462 / 366	370,000	<u>WD</u>	<u>37</u>

This page has been visited 567 times.

Monroe County Property Appraiser
 Ervin A. Higgs, 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., June 29, 2011 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:

Variations - 711 Bakers Lane (RE# 00011880-000000) - A request for variances as required when renovation exceeds 66% of the assessed value per Section 122-28 (b) of the Land Development Regulations of the Code of Ordinances 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 on the following requests:

Request: **Variances - 711 Bakers Lane (RE# 00011880-000000) - A request for variances as required when renovation exceeds 66% of the assessed value per Section 122-28 (b) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Applicant:	Bender & Associates Architects	Owner:	National Realty, Ltd
Project Location:	711 Bakers Lane	Date of Hearing:	Wednesday, June 29, 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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711 Bakers Ln

- Legend
- theBuffer
 - theBufferTarget
 - Real Estate Number
 - Parcel Lot Text
 - Block Text
 - Hooks/Leads
 - Lot Lines
 - Easements
 - Road Centerlines
 - Water Names
 - Parcels
 - Shoreline
 - Section Lines



PALMIS

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 relied on for any other purpose.

531 ELIZABETH STREET LLC
15 LATHAM ST
SAG HARBOR, NY 11963

631 SOUTHARD LLC
800 BOYLSTON ST STE 3600
BOSTON, MA 02199-3600

709 WINDSOR LANE LLC
525 CAROLINE ST
KEY WEST, FL 33040

714 BAKERS LANE LLC
525 CAROLINE ST
KEY WEST, FL 33040

730 SOUTHARD TRUST 11/29/2010
40 SHAWMUT RD
CANTON, MA 02021-1409

732 LOVE LANE LLC
1828 COVE POINT RD
ANNAPOLIS, MD 21401

914 FRANCES LLC
912 GEORGIA ST
KEY WEST, FL 33040

AKERS ROGER W
HCR 62 BOX 42
RATON, NM 87740

AMBROSE MARILYN S REV TR 1996
10/23/1996
22 MORGAN RD
MEREDITH, NH 03253-6728

AMMONS STEVEN
102 DOGWOOD DR
MYRTLE BEACH, SC 29575

ANDREFSKY HELEN
719 BAKERS LN
KEY WEST, FL 33040

BEDGOOD DOUGLAS
733 LOVE LN
KEY WEST, FL 33040

BENDER BERT L DEC TR 11/22/1999
619 ELIZABETH ST
KEY WEST, FL 33040

BETANCOURT MARIA A L/E
721 SOUTHARD ST
KEY WEST, FL 33040

BLACKWELL CAROLYN A
PO BOX 4125
KEY WEST, FL 33041-4125

BLAIR JOEL M JR TRST 7/25/85
607 ELIZABETH ST
KEY WEST, FL 33040

BLAIS MARIE CLAIRE
PO BOX 890
KEY WEST, FL 33041

BRAY THOMAS P AND REBECCA G
135 ALLVIEW RD
WESTERVILLE, OH 43081

CASH CAROLYN S
2620 FOGARTY AVE
KEY WEST, FL 33040

COLLINS COURTNEY PAIGE
526 WILLIAM ST
KEY WEST, FL 33040

CONGDON ALDEN KIRBY
715 BAKERS LANE
KEY WEST, FL 33040

CROCKETT DIANE A
405 FLEMING ST
KEY WEST, FL 33040

CURRY HOLLIS K L/E
614 ELIZABETH ST
KEY WEST, FL 33040

DAJULD3 LLC
1340 POTOMAC SCHOOL RD
MCLEAN, VA 22101-2331

DAYKIN JUDITH ELLEN
723 WINDSOR LN
KEY WEST, FL 33040

DECKER ROBERT J
600 ELIZABETH ST
KEY WEST, FL 33040

DEMSHAR FRED A
1750 N CRILLY CT
CHICAGO, IL 60614-5791

DENEAU DANIEL J REV TR 10/28/2009
PO BOX 5190
HANOVER, NH 03755-5190

DICKSON STEPHEN M AND JANICE E
1103 N HIGHLAND AVE NE
ATLANTA, GA 30306-3435

EGNATZ BENJAMIN D
620 ELIZABETH ST
KEY WEST, FL 33040

FARRAR ARTHUR CURTIS JR AND
ANNA S JT REV TR
200 NORTHSIDE DR
DOUGLAS, GA 31533

GOSPEL CHAPEL
720 SOUTHARD ST
KEY WEST, FL 33040-6878

GREENE TIMOTHY O
PO BOX 5284
KEY WEST, FL 33045-5284

GROSKY JEFFREY L
526 WILLIAM ST
KEY WEST, FL 33040

GUNN JOHN ALLEN LLOYD
713 SOUTHARD ST
KEY WEST, FL 33040

HANES ELIZABETH C REVOCABLE
LIVING TR DTD 7/16/04
607 WILLIAM ST
KEY WEST, FL 33040

HINKLE JANET B REV TR AGR OF
2006 10/11/2006
121 N MONROE ST APT PH4
TALLAHASSEE, FL 32301-1587

HOOPER RANDY BROOKS
4629 18TH AVE
MERIDIAN, MS 39305-2775

ISHERWOOD JANICE L
704 EATON ST
KEY WEST, FL 33040

KERR JOHN B AND ANA DELLIA
626 ELIZABETH STREET
KEY WEST, FL 33040

KEYS KATIE HOLDINGS LLC
622 FLEMING ST
KEY WEST, FL 33040

KOENIG FRANK R
703 WINDSOR LN
KEY WEST, FL 33040

KOLO THEODORE JR
PO BOX 297
KEY WEST, FL 33041-0297

KRINSKY SAMUEL
612 ELIZABETH STREET
KEY WEST, FL 33040

LAZARUS ANTHONY N
628 ELIZABETH ST
KEY WEST, FL 33040

LEIBY ROBERT A JR
737 LOVE LN
KEY WEST, FL 33040

MACLEOD MICHAEL F REV TRUST
AGREE RSTD 8/12/09
1155 23RD ST NW
WASHINGTON, DC 20037

MCGONIGLE MARK J
717 SOUTHARD ST
KEY WEST, FL 33040-6877

MCMANUS SCOTT ALAN
705 BAYVIEW RD
MIDDLETOWN, DE 19709

MDS HOLDINGS-FLORIDA LLC
P O BOX 5324
MADISON, WI 53705-0324

MEIER DAVID SCOTT
17398 EAST DOLPHIN
SUGARLOAF KEY, FL 33042

MESKER SUSAN P TRUST 1/23/2010
512 WILLIAM ST
KEY WEST, FL 33040

MILLER ROBERT J
1104 SOUTH ST
KEY WEST, FL 33040

MOFFITT DONALD A
3063 HERITAGE LANDING RD
WILLIAMSBURG, VA 23185

MOLBACK MARK REV LIV TR
11/22/2010
1202 11TH ST
KEY WEST, FL 33040

MOODY LIZABETH A
708 SOUTHARD ST
KEY WEST, FL 33040

MOUNTS SAMUEL E ESTATE
PO BOX 1704
LAKELAND, FL 33802-1704

MUNCE MARIE REV TR 5/26/2004
350 NW LAKEWOOD BLVD
LEES SUMMIT, MO 64064-1137

MURRAY JAMES H
760 HARBOR BEND RD
MEMPHIS, TN 38103

NATIONAL REALTY LTD
1500 EUCLID AVE
MIAMI BEACH, FL 33139-3506

NEWMAN ROBERT J JR AND TINA G
615 ELIZABETH STREET
KEY WEST, FL 33040

NICHOLS PAUL
4305 BONNELL VISTA COVE
AUSTIN, TX 78731

NOVAK WILLIAM
230 OLD FARM RD
BEDMINSTER, NJ 07921-2555

O'CONNOR WILLIAM F AND
PATRICIA A
627 ELIZABETH ST
KEY WEST, FL 33040

OMALLEY JOHN W AND JENNIFER P
16901 MEETING HOUSE RD
FISHERVILLE, KY 40023-8707

PADNOS DOUGLAS AND NANCY
702 PARK AVE
HOLLAND, MI 49423

PEREZ ROSEMARY
P O BOX 1069
OCOEE, FL 34761

PHILLIPS MICHAEL J
718 SOUTHARD ST
KEY WEST, FL 33040-6878

POLLMAN ROBERT P SR AND
NOREEN M
628 WILLIAM ST
KEY WEST, FL 33040

POTTER JOHN CHARLES
705 WINDSOR LN
KEY WEST, FL 33040-6445

REYNOLDS RICHARD R TRUST
721 WINDSOR LANE
KEY WEST, FL 33040

RING JOHN REV TRUST
PO BOX 5190
HANOVER, NH 03755

ROBBINS STEPHEN A AND KARIN B
17 MAYFAIR ST
S BURLINGTON, VT 05403-6613

SCHONECK JOHN
2 AMARYLLIS DR
KEY WEST, FL 33040-6204

SEROPIAN ARA AND GAYLE ROMITO
104 BLOSSOM HILL DR
LANCASTER, PA 17601-3200

SHEDIAC RAWY
714A SOUTHARD ST
KEY WEST, FL 33040

SKLAR EILEEN
605 LOVE LN
KEY WEST, FL 33040

SPIEGLAN CHESTER E AND HELEN
623 ELIZABETH ST
KEY WEST, FL 33040-6874

STAUCH JANETTE S AND RAYMOND
E
611 WILLIAM ST
KEY WEST, FL 33040

STENTZEL JAMES H AND
CATHERINE F
526 WILLIAM ST
KEY WEST, FL 33040

TEENEY BRIAN EDWARD
723 SOUTHARD ST
KEY WEST, FL 33040-6877

TENNEY PHILIP
629 WILLIAM STREET
KEY WEST, FL 33040

TRIPPE STEPHEN MITCHELL REV TR
1/17/1997
623 WILLIAM ST
KEY WEST, FL 33040

TRUMAN REVOCABLE TRUST
2/21/1992
460 CAVALIER CT
LOS ALTOS HILLS, CA 94022

UMPHREY BRIAN C & JANET B
R R1
MACTIER ONTARIO POC 1H0
CANADA

VALDES ANNIE C
2604 SEIDENBERG AVE
KEY WEST, FL 33040

VENTI EDWARD G & MAUREEN T
TRACY (WIFE)
231 SPRUCE DRIVE-PO BOX 158
JACKSON, NH 03846

WAJDA MICHAEL
625 WILLIAMS ST
KEY WEST, FL 33040

WATTS MYRA JUDITH CIARDI
71 STANLEY AVE
DAYTON, NJ 08810

WEISS ROBIN S
626 WILLIAM STREET
KEY WEST, FL 33040

WILLIS TERESA
330 JULIA ST
KEY WEST, FL 33040

WILSON HARRY THOMAS III REV
TRUST 9/28/2009
719 WINDSOR LN
KEY WEST, FL 33040

WOODRUFF THOMAS S
620 SOUTHARD STREET
KEY WEST, FL 33040

YOUNG RICHARD C AND DEBORAH
L
98 WILLIAM ST
NEWPORT, RI 02840