

Application

SPOTTSWOOD, SPOTTSWOOD, SPOTTSWOOD & STERLING, PLLC
ATTORNEYS AND COUNSELORS AT LAW
500 FLEMING STREET
KEY WEST, FLORIDA 33040

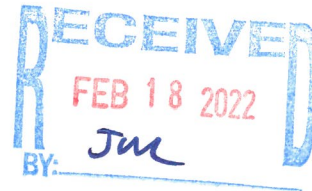
JOHN M. SPOTTSWOOD, JR.
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RICHARD J. McCHESNEY

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OF COUNSEL:

JOHN M. SPOTTSWOOD (1920 – 1975)
ROBERT A. SPOTTSWOOD of Counsel
WILLIAM B. SPOTTSWOOD of Counsel
WILLIAM B. SPOTTSWOOD, JR. of Counsel

February 16, 2022



VIA HAND DELIVERY AND
ELECTRONIC MAIL

Katie Halloran, Planning Director
City of Key West Planning Department
1300 White Street
Key West, Florida 33040

RE: Variance – 1010-1012 Olivia Street, Key West, Florida 33040

Dear Ms. Halloran,

Please allow this letter and supporting documentation to serve as my client's, Nature's Boundary, LLC ("Applicant"), application for variances at 1010-1012 Olivia Street, Key West, Florida 33040 (the "Property") located in the Historic High Density Residential ("HHDR") Zoning District. This variance request is made pursuant to Code Sec. 122-630(6)a and 122-630(6)c; front and rear yard requirements and Sec. 122-630(4)a, building coverage.

By way of background, the two structures on the Property were condemned by the City of Key West on December 10, 2019. Unfortunately, both historic structures are unstable and beyond repair. Because they are identical in style, these modest "Eyebrow" structures are termed "sister houses". Both are two-story frame structures situated on the lot with noncomplying setbacks to the front, side, and rear yards. The proposed replacement will be a two-story structure situated on the lot with a footprint very similar to the original structures, but with improvements to front and side setbacks. Although improved, due to the small nature of the lot, the proposed site plan will require variances to the front and rear setback.

This application also requests a variance to building coverage. In order to comply with pending FEMA base flood level requirements, 446 sq. ft. of the pool and pool decking located in the rear yard are raised above thirty (30) inches and are therefore considered building coverage. If

the structure was built at current flood elevation there would be no need for a building coverage variance.

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.
 - a. The Property is located within historic old town, across from the cemetery and built at a time when small frame cottages were erected close together on the same lot as family compounds. As such, the homes were constructed very close together on a smaller than the average lot size. The current structures do not meet current front, side and rear setbacks. The small lot size makes it difficult to design adequate livable space by today's standards. The historic nature of the property creates special conditions that make it difficult to construct a residence meeting all the land development requirements. The applicant is proposing to replace the historic structures in their original siting with improvements made to the front and side setbacks where allowed.
2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.
 - a. The Applicant did not create the existing layout of the property. The Applicant is mindful of the historic context of the surrounding area and making improvements where possible.
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, buildings or structures in the same zoning district.
 - a. Special privileges are not conferred. The granting of the variance requested will not confer any special privileges upon the Applicant. The design and siting of the house is representative of what existed previously as well as being sensitive to the surrounding historic fabric.
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.
 - a. The hardship faced by the Applicant is the replacement of a nonconforming historic structure on a legal nonconforming lot. This lot is below the minimum lot size required by the LDRs with a 30 ft. requirement in total front/rear setbacks on a lot with a depth of 58 feet. Additionally, the pending change in the flood maps requires higher elevation for accessory uses and in turn increases building coverage.

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.
 - a. The variance requested is the minimum variance that will make possible the continued use of the land, building, or structure. The proposed variance would allow the replacement of a historic structure on a small lot on a small lane in the heart of the historic district maintaining the layout of the historic neighborhood.
6. Not injurious to the public welfare. That granting of the variance 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.
 - a. The granting of the variance does not appear to be injurious to the area involved or detrimental to the public interest. In fact, it will allow for the rebuilding of a safe structure and remove a current public health & safety problem. The new residential structure will be HARC approved and designed to be sympathetic and compatible to the surrounding historic neighborhood.
7. Existing nonconforming uses of other property shall not be considered as the basis for approval. That no other nonconforming uses 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.
 - a. The Applicant did not consider other nonconforming uses of other property in developing this application.

If you should have any questions, comments, or concerns, please do not hesitate to contact me.

Sincerely,



Richard J. McChesney, Esq.

For the Firm

Enc.

Application for Variance

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040 • 305-809-3764 • www.cityofkeywest-fl.gov

Application Fee: \$2,625.25 / After-the-Fact: \$4,830.25

(includes \$310.00 advertising/noticing fee and \$110.25 fire review fee)

Please complete this application and attach all required documents. This will help staff process your request quickly and obtain necessary information without delay. If you have any questions, please call 305-809-3764.

PROPERTY DESCRIPTION:

Site Address: 1010-1012 Olivia Street

Zoning District: HHDR - Historic High Density Residential

Real Estate (RE) #: 00020850-000100

Property located within the Historic District? ☒ Yes ☐ No

APPLICANT: ☐ Owner ☒ Authorized Representative

Name: Spottswood, Spottswood, Spottswood & Sterling/Richard McChesney Mailing Address: 500 Fleming Street

City: Key West State: FL Zip: 33040

Home/Mobile Phone: _____ Office: 305-294-9556 Fax: _____

Email: Richard@spottswoodlaw.com

PROPERTY OWNER: (if different than above)

Name: Nature's Boundary, LLC Mailing Address: 11741 Road 191

City: Oakwood State: Ohio Zip: 45873

Home/Mobile Phone: _____ Office: _____ Fax: _____

Email: chericooper@live.com

Description of Proposed Construction, Development, and Use:

Redevelopment of a lot that houses two condemned dwelling units. Proposal is to replace the two 2-story units with one 2-story single-family residence within a similar footprint of the existing. The addition of a pool and deck in the rear yard is also part of this redevelopment.

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

Variance to building coverage per Sec. 122-630(4)a.: from the required 50% to 57.9% or 296 sf (Due to deck elevated to meet FEMA requirements)

Variance to front setback per Sec. 122-630(6)a - from the required 10 ft to 9 ft - 2 1/2 in (current structure is over front property line)

Variance to rear setback per Sec. 122-630(6)c - from the required 20 ft to 7ft - 2 in

Are there any easements, deed restrictions or other encumbrances attached to the property? ☐ Yes ☒ No

If yes, please describe and attach relevant documents: _____

Will any work be within the dripline (canopy) of any tree on or off the property?
If yes, provide date of landscape approval, and attach a copy of such approval.

☐ Yes ☒ No

Is this variance request for habitable space pursuant to Section 122-1078?

☐ Yes ☒ No

Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R. *provide square footages and percentages.*

Site Data Table				
	Code Requirement	Existing	Proposed	Variance Request
Zoning				
Flood Zone				
Size of Site				
Height				
Front Setback				
Side Setback				
Side Setback		See attached site data table		
Street Side Setback				
Rear Setback				
F.A.R				
Building Coverage				
Impervious Surface				
Parking				
Handicap Parking				
Bicycle Parking				
Open Space/ Landscaping				
Number and type of units				
Consumption Area or Number of seats				

This application is reviewed pursuant to Section 90-391 through 90-397 of the City of Key West Land Development Regulations (LDRs). The City's LDRs can be found in the Code of Ordinances online at http://www.municode.com/Library/FL/Key_West under Subpart B.

*Please note, variances are reviewed as quasi-judicial hearings, and it is improper for the owner or applicant to speak to a Planning Board member or City Commissioner about the hearing.

Standards for Considering Variances

Before any variance may be granted, the Planning Board and/or Board of Adjustment must find all of the following requirements are met: Please print your responses.

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.

See attached cover letter

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

See attached cover letter

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.

See attached cover letter

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.

See attached cover letter

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.

See attached cover letter

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.

See attached cover letter

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.

See attached cover letter

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

- That the standards established in Section 90-395 have been met by the applicant for a variance.
- That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors. Please describe how you have addressed the "good neighbor policy."

REQUIRED SUBMITTALS: *All* of the materials listed below must be submitted in order to have a complete application. Applications will not be processed until all materials are provided. Please submit one (1) paper copy of the materials to the Planning Department and one (1) electronic version in PDF format.

- ✓ Correct application fee, made payable to "City of Key West."
- ✓ Pre-application meeting form
- ✓ Notarized verification form signed by property owner or authorized representative.
- ✓ Notarized authorization form signed by property owner, if applicant is not the owner.
- ✓ Copy of recorded warranty deed
- ✓ Monroe County Property record card
- ✓ Signed and sealed survey (Survey must be within 10 years from submittal of this application)
- ✓ Sign and sealed site plan (sign and sealed by an Engineer or Architect)
- ✓ Floor plans
- ✓ Any additional supplemental information necessary to render a determination related to the variance request
Photos

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, Cheri Cooper as
Please Print Name of person with authority to execute documents on behalf of entity

Authorized Member of Nature's Boundary
Name of office (President, Managing Member) *Name of owner from deed*
authorize Spottswood, Spottswood, Spottswood & Sterling/Richard McChesney
Please Print Name of Representative

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

Cheri Cooper
Signature of person with authority to execute documents on behalf of entity owner

Subscribed and sworn to (or affirmed) before me on this 2-15-2022
Date

by Cheri Cooper
Name of person with authority to execute documents on behalf of entity owner

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

Michelle Orona
Notary's Signature and Seal

Michelle Orona
Name of Acknowledger typed, printed or stamped



MICHELLE ORONA
Notary Public, State of Ohio
My Commission Expires
February 8, 2023

Commission Number, if any

Ukg'Rnc p

SITE DATA

1010-1012 OLIVIA STREET
RE# 00020850-000100

ITEM	EXISTING	REQ. PER LDR	PROPOSED	REMARK
DISTRICT	HHDR	HHDR	HHDR	NO CHANGE
SITE AREA	3,734 sq FT	4,000 SQ. FT.	-	
LOT SIZE	SEE SURVEY	40' X 90' (MIN)	-	
IMPERVIOUS	1,780.5 sq FT (47.7%)	60% MAX 2,240.4 sq FT	2,163 sq FT 57.9%	CONFORMS
OPEN SPACE	1,953.5 sq FT (52.3% OPEN)	35% MIN 1,306.9 sq FT	1,385 sq FT 37%	CONFORMS
BUILDING COV.	1,627 sq FT (43.6%)	50% MAX 1,867 sq FT	2,163 sq FT 57.9%	7.9% VARIANCE 296 SF
ACCESSORY STRUCTURE REAR YARD COV.	143 sq FT (11%)	30% MAX COV. 387 sq FT MAX.	Pool 111 sq FT (8.6%)	CONFORMS

STRUCTURE SETBACKS

FRONT SETBACK	0'-2" OVER EX. PROP. LINE	10'	9 1/2"	VARIANCE 9'-2 1/2"
REAR SETBACK	10'-1"	20'	7'-2"	VARIANCE 12'-10"
SIDE STREET SETBACK	15'-4"	7'-6"	10'-8"	CONFORMS
SOUTH SIDE SETBACK	0'-11"	5'	5'-10"	CONFORMS
BUILDING HEIGHT ACCESSORY STRUCTURE	+/- 19'-8"	30'	+/- 27'-3"	CONFORMS

NOTE: POOL & POOL DECK RAISED HIGHER DUE TO FUTURE FLOOD LEVEL REQUIREMENTS FOR THE HOUSE. BOTH ARE HIGHER THAN 30' AND BECOMES BUILDING COVERAGE, 446 SF

FEMA MAP FLOOD ZONE:
X (Ngvd1929)

SITE LOCATION MAP:



FUTURE FEMA MAP FLOOD ZONE: AE 9 (NAVD 1988)



GENERAL NOTES:

- DO NOT SCALE ANY DRAWING.
- WRITTEN DIMENSIONS HAVE PRECEDENCE OVER SCALED DIMENSIONS. LARGER SCALE DETAILS HAVE PRECEDENCE OVER SMALLER SCALE DETAILS. ANY DISCREPANCIES ARE TO REPORTED TO ARCHITECT PRIOR TO CONSTRUCTION.
- CONSULT THE ARCHITECT IN THE EVENT ANY ITEM OF WORK NECESSARY FOR THE PROPER COMPLETION OF THE PROJECT IS NOT SPECIFICALLY COVERED IN THE DRAWINGS.
- ALL WORK SHALL BE OF SUPERIOR QUALITY PERFORMED IN A MANNER CONSISTENT WITH INDUSTRY STANDARDS. ALL BUILDING CODE REQUIREMENTS AND IN A PROFESSIONAL MANNER BY MECHANICS SKILLED AND LICENSED IN THEIR RESPECTIVE TRADES.
- ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE APPLIED, INSTALLED, ERECTED AND CONNECTED IN ACCORDANCE WITH MANUFACTURER'S DIRECTIONS AND RECOMMENDATIONS.
- ANY DISCREPANCIES BETWEEN DRAWINGS, LOCAL CODES, BUILDING INSPECTOR REQUIREMENTS AND/OR EXISTING CONDITIONS SHALL BE REFERRED TO THE ARCHITECT FOR RESOLUTION. ALL DIMENSIONS AND CONDITIONS OF EACH TRADE ARE TO BE VERIFIED PRIOR TO COMMENCEMENT OF CONSTRUCTION OR THE WORK OF EACH SPECIFIC TRADE.
- ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF MUNICIPAL, LOCAL, FEDERAL AND STATE LAWS, AS WELL AS ANY OTHER GOVERNING REQUIREMENTS, AND CONVENTIONAL GUIDELINES, WHETHER OR NOT SPECIFIED ON THE DRAWINGS.
- ALL DAMAGED AND DEFECTIVE MATERIAL AND WORKMANSHIP IN CONNECTION WITH THE WORK SHALL BE REMOVED, REPLACED, AND RECTIFIED.
- ALL LEGALLY REQUIRED APPROVALS AND PERMITS NECESSARY FOR THE EXECUTION AND COMPLETION OF THE WORK SHALL BE OBTAINED.
- ALL TIE-INS AND UTILITY SERVICES ARE TO BE COORDINATED WITH THE RESPECTIVE UTILITY COMPANY.
- ALL CONSTRUCTION DEBRIS SHALL BE REMOVED PRIOR TO THE COMPLETION OF THE PROJECT.
- ALL EXISTING TREES, SHRUBS, VEGETATION, AND LANDSCAPE ELEMENTS OR FEATURES ADJACENT TO AND IN THE VICINITY OF THE BUILDING AND STAGING AREAS SHALL BE PROTECTED DURING THE ENTIRE PERIOD OF CONSTRUCTION.
- ANY REVISIONS MUST BE APPROVED BY: ARCHITECT PRIOR TO TO CONSTRUCTION.
- ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND ENGINEER. DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE FOR USE ON THIS PROJECT ONLY AND USE OR REPRODUCTION OF A PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S AND ENGINEER'S WRITTEN PERMISSION THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SEALED AND SIGNED BY THE ARCHITECT/ENGINEER.

DESIGN NOTES:

THE NEW STRUCTURE IS
DESIGNED TO MEET THE FOLLOWING:
FBC 2020 - RESIDENTIAL (FBC-R)
A.S.C.E. 24-14 REGULATIONS
PER FBC 07/ASCE 07-10
EXPOSURE 'D'
CONSTRUCTION TYPE VB
LIVE LOAD 40 PSF
WIND LOAD 180 M.P.H.
SEE STRUCTURAL DRAWINGS, SHEET S-1

VARIANCE APPROVAL: -
HARC APPLICATION#: -

SQUARE FOOT TABLE



A NEW RESIDENCE AT
1010-1012 OLIVIA STREET
KEY WEST, FL 33040

DRAWING SCHEDULE:

T1.1 C1.0	TITLE, SITE DATA & PROJECT INFO SURVEY
EX1.1 EX1.2	EXISTING FLOOR PLAN & SITE PLAN EXISTING ELEVATIONS
A1.0 A1.1 A3.1	ARCHITECTURAL SITE PLAN PROPOSED 1ST & 2ND FLOOR PLAN PROPOSED ELEVATIONS

ABBREVIATION LEGEND:

ADJ.	= ADJUSTABLE
A.F.F.	= ABOVE FINISH FLOOR
ALUM.	= ALUMINUM
ARCH.	= ARCHITECTURAL
BALC.	= BALCONY
BD.	= BOARD
B.O.	= BOTTOM OF...
C.I.P.	= CAST IN PLACE
C.J.	= CONTROL JOINT
CL.	= CLOSET
CL.	= CENTERLINE
CONC.	= CONCRETE
COORD.	= COORDINATE
C.O.R.	= CROWN OF ROAD
D.	= DRYER
DIM.	= DIMENSION
DN.	= DOWN
DW.	= DISHWASHER
DWG.	= DRAWING
ELECT.	= ELECTRICAL
ELEV.	= ELEVATOR
E.P.	= ELECTRICAL PANEL
EQ.	= EQUAL
EX.	= EXISTING
E.J.	= EXPANSION JOINT
F.F.E.	= FINISH FLOOR ELEVATION
FIN.	= FINISH
FREZ.	= FREEZER
GYP. BD.	= GYPSUM WALL BOARD
HORZ.	= HORIZONTAL
HR.	= HOUR
MAX.	= MAXIMUM
MECH.	= MECHANICAL
MIC.	= MICROWAVE OVEN
MIN.	= MINIMUM
M.R.	= MOISTURE RESISTANT
N.A.	= NOT APPLICABLE
N.I.C.	= NOT IN CONTRACT
O.H.	= OPPOSITE HAND
PT.	= PAINTED
P.T.	= PRESSURE TREATED
R.A.	= RETURN AIR
REF.	= REFERENCE
REFR.	= REFRIGERATOR
REQ.	= REQUIRED
SCHED.	= SCHEDULE
S.F.	= SQUARE FOOT
SIM.	= SIMILAR
STOR.	= STORAGE
STRUCT.	= STRUCTURAL
SQ.	= SQUARE
TL.	= TILE
T.O.	= TOP OF...
TYP.	= TYPICAL
U.C.	= UNDER COUNTER
U.N.O.	= UNLESS NOTED OTHERWISE
VERT.	= VERTICAL
V.I.F.	= VERIFY IN FIELD
W.	= WASHER
W/	= WITH
WD.	= WOOD
W.H.	= WATER HEATER

SCOPE OF WORK:

EXISTING STRUCTURES TO BE DEMOLISHED AND
NEW SINGLE FAMILY RESIDENCE TO BE BUILT.



T.S. NEAL
ARCHITECT INC.

22974 OVERSEAS HWY
CUDJOE KEY, FL
33042

305-340-8857
251-422-9547

FOR REVIEW
ONLY,
NOT FOR
CONSTRUCTION

A NEW RESIDENCE AT
1010-1012 OLIVIA STREET
KEY WEST, FL 33040

DRAWING TITLE:
TITLE & SITE DATA & PROJECT
INFORMATION

DRAWN: TSN / EDSA
CHECKED:
DATE: 11-15-2021

REVISION # DATE

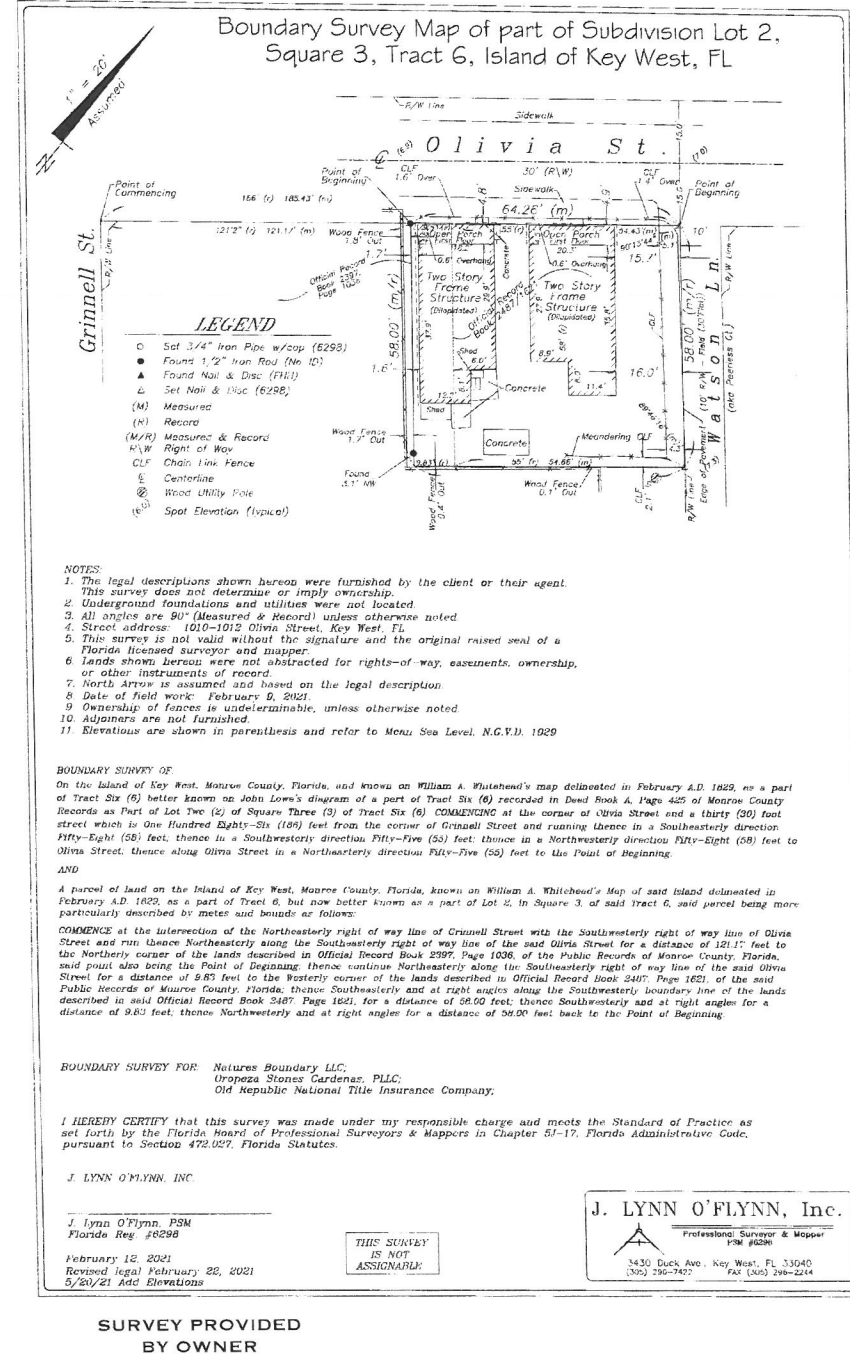
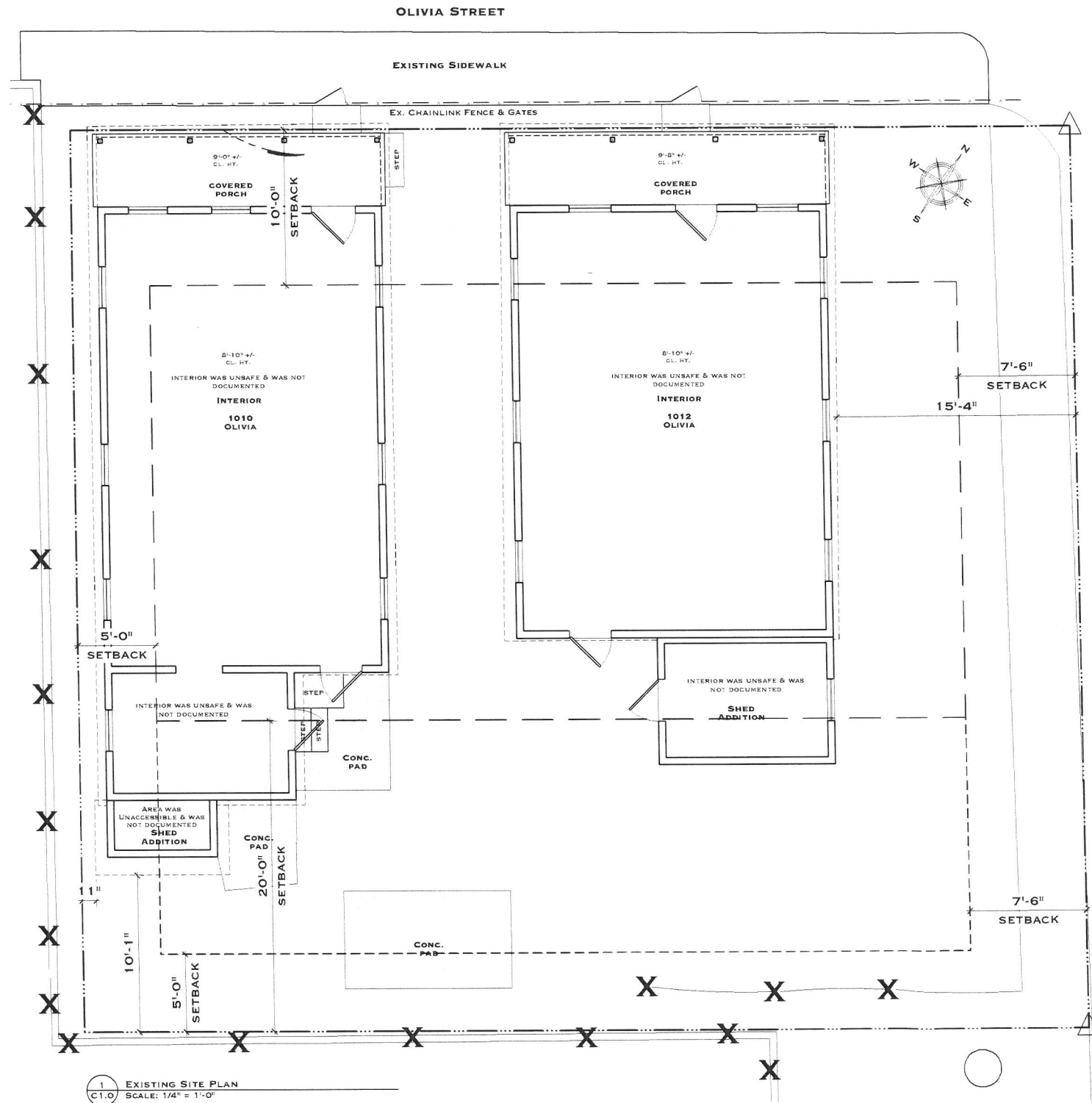
T1.1

SHEET #



T.S. NEAL ARCHITECTS INC.

TIMOTHY SETH NEAL FLA. REGISTRATION # AR97505



T.S. NEAL
ARCHITECT INC.

22974 OVERSEAS HWY
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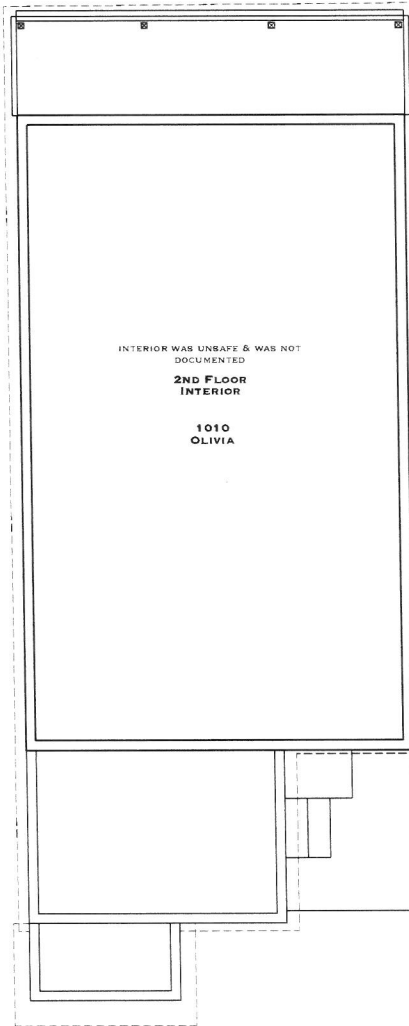
DRAWING TITLE:
EXISTING SITE PLAN
& SURVEY

DRAWN: TSN / EDSA
CHECKED:
DATE: 11-15-2021

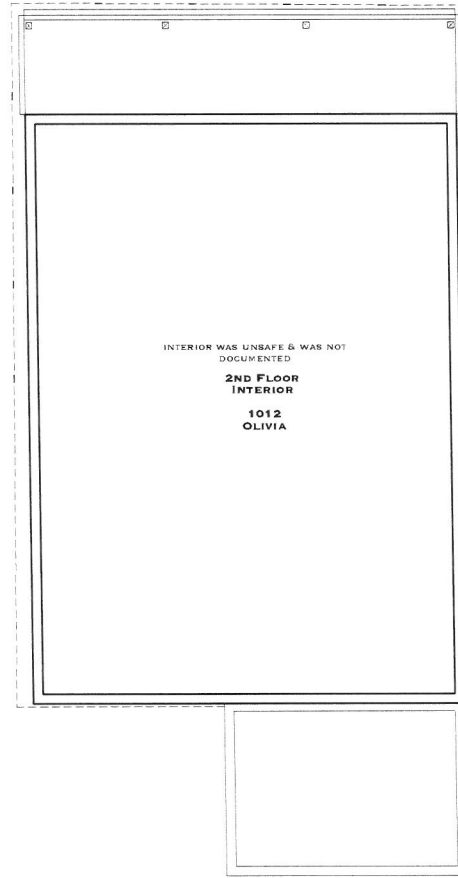
REVISION # DATE

C1.0
SHEET #

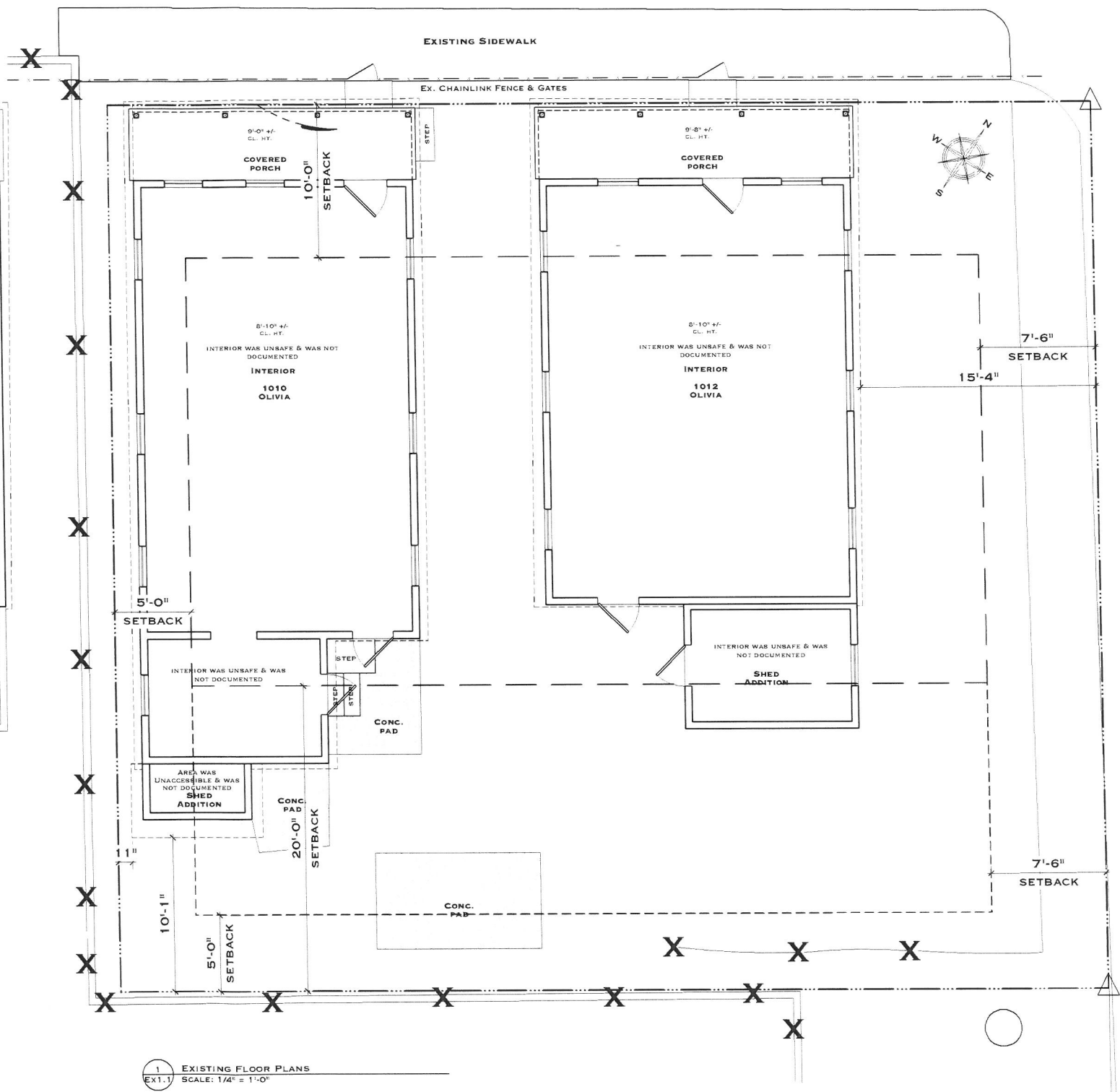
TSN
T.S. NEAL ARCHITECT INC.



2 EXISTING 2ND FLOOR PLANS
EX1.1 SCALE: 1/4" = 1'-0"



2ND FLOOR INTERIOR
1012 OLIVIA



1 EXISTING FLOOR PLANS
EX1.1 SCALE: 1/4" = 1'-0"

T.S. NEAL ARCHITECT INC.
22974 OVERSEAS HWY
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305-340-8857
251-422-9547

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A NEW RESIDENCE AT
1010-1012 OLIVIA STREET
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DRAWING TITLE:
EXISTING FLOOR PLANS

DRAWN: TSN / EDSA
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DATE: 11-15-2021

REVISION #	DATE

Ex1.1
SHEET #

TSN
T. S. NEAL ARCHITECTS INC.



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DRAWING TITLE:
EXISTING ELEVATIONS

DRAWN: TSN / EDSA
CHECKED:
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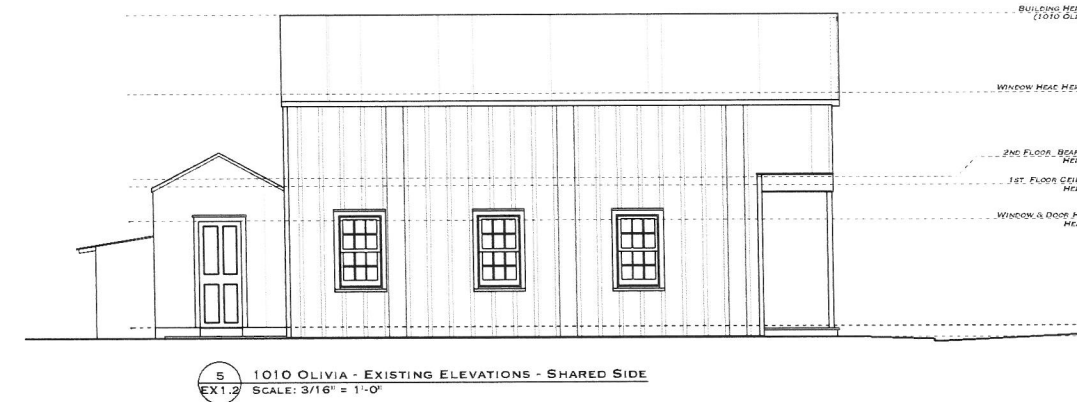
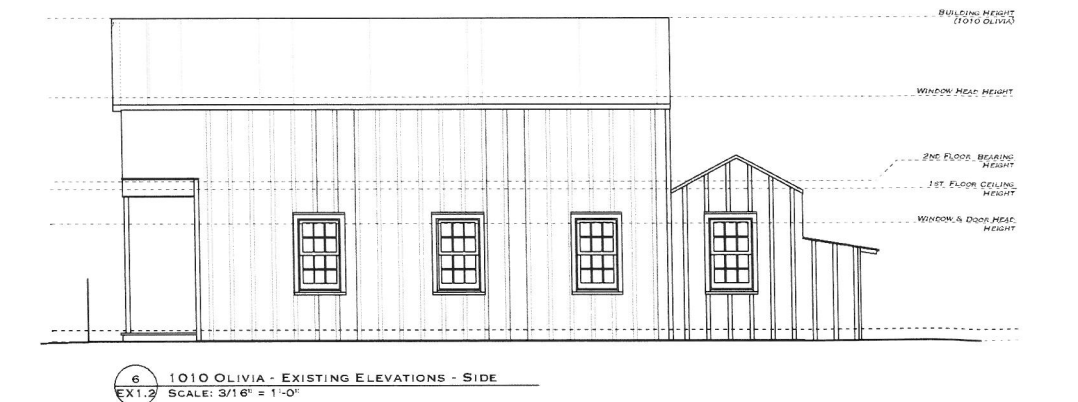
REVISION # DATE

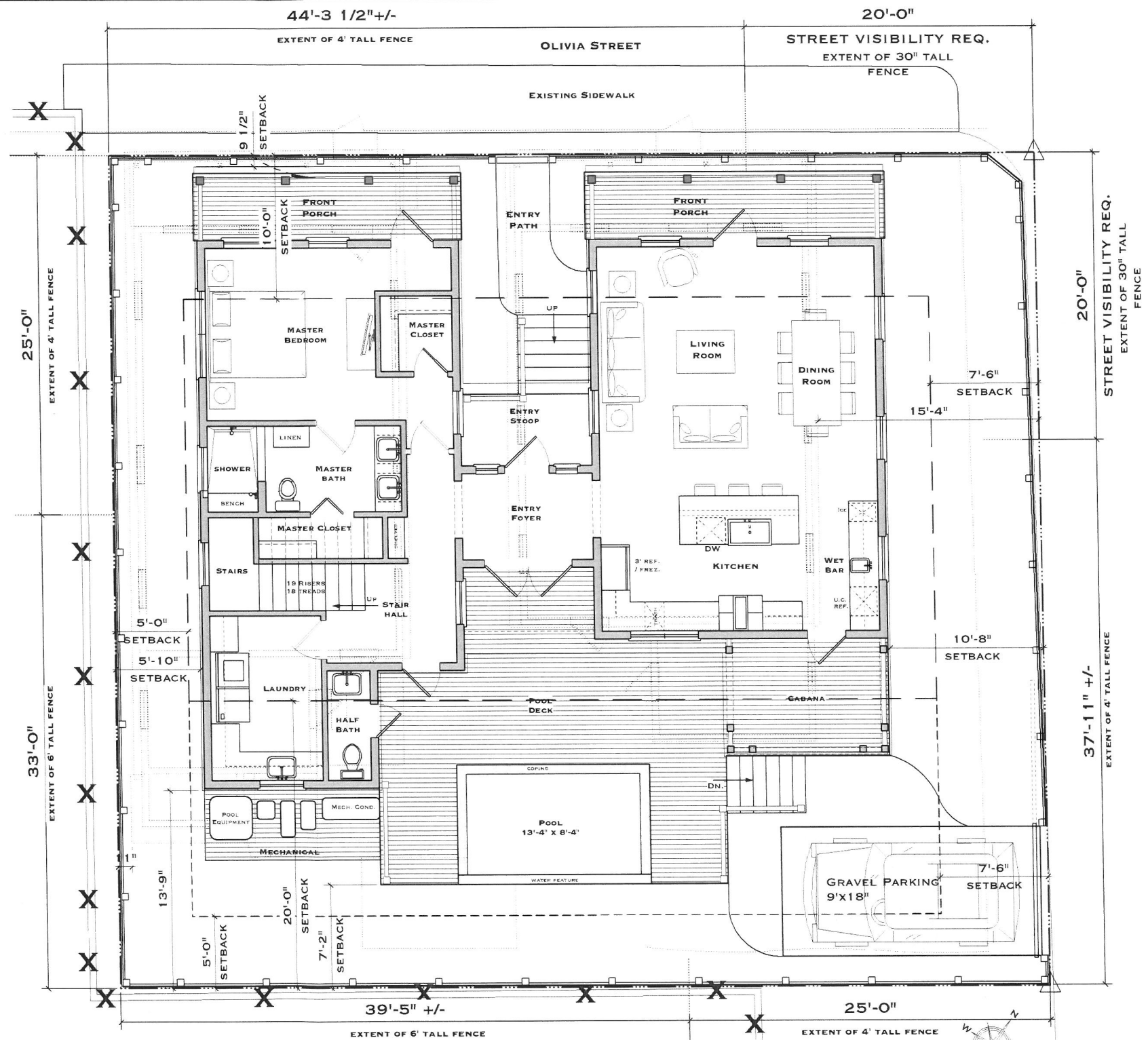
EX1.2

SHEET #



T.S. NEAL ARCHITECTS, INC.





3 ARCHITECTURAL SITE PLAN
A1.0 SCALE: 1/4" = 1'-0"

T.S. NEAL
ARCHITECT INC.
22974 OVERSEAS HWY
CUDJOE KEY, FL
33042
305-340-8857
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A NEW RESIDENCE AT
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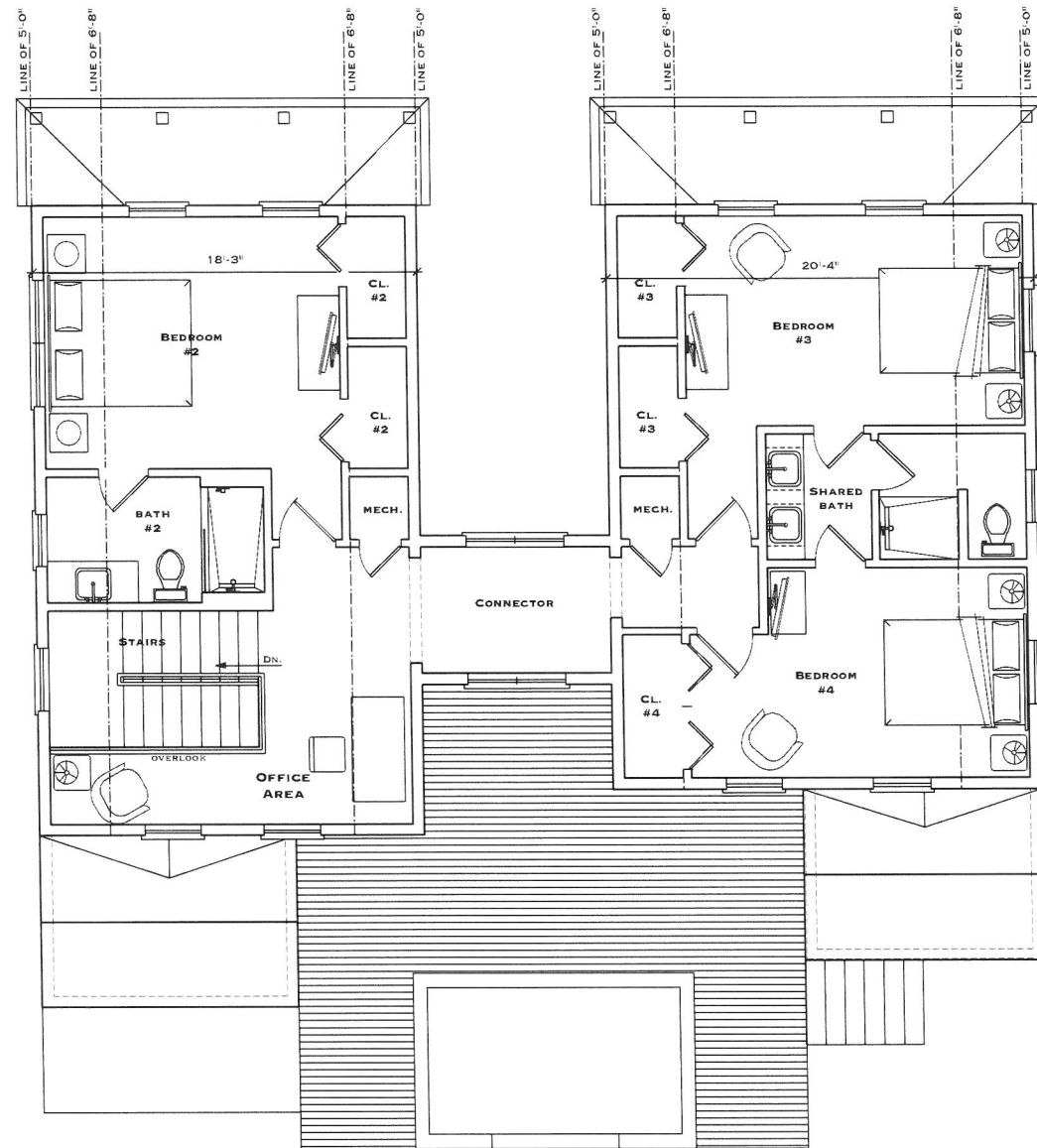
DRAWING TITLE:
ARCHITECTURAL SITE PLAN

DRAWN: TSN / EDSA
CHECKED:
DATE: 11-15-2021

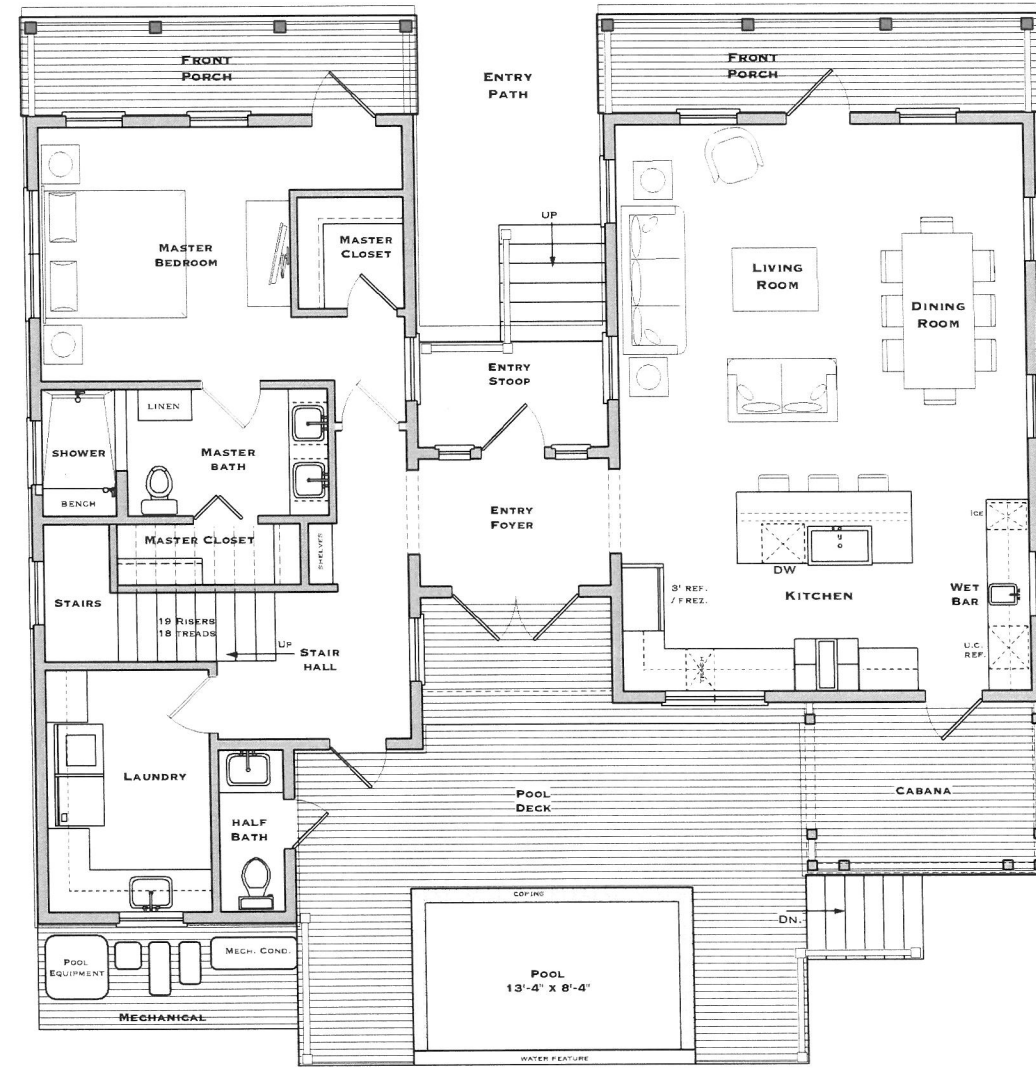
REVISION #	DATE

C1.0
SHEET #

TSN
T. S. NEAL ARCHITECTS, INC.



2 SECOND FLOOR PLAN
A1.1 SCALE: 1/4" = 1'-0"



1 FIRST FLOOR PLAN
A1.1 SCALE: 1/4" = 1'-0"



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ARCHITECT INC.
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CUDJOE KEY, FL
33042
305-340-8857
251-422-9547

FOR REVIEW
ONLY.
NOT FOR
CONSTRUCTION

A NEW RESIDENCE AT
1010-1012 OLIVIA STREET
KEY WEST, FL 33040

DRAWING TITLE:
FIRST & SECOND FLOOR PLAN

DRAWN: TSN / EDSA
CHECKED:
DATE: 11-15-2021

REVISION #	DATE

A1.1
SHEET #



T.S. NEAL ARCHITECTS INC.



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CONSTRUCTION

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KEY WEST, FL 33040

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CHECKED:
DATE: 11-15-2021

REVISION #	DATE
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A3.1

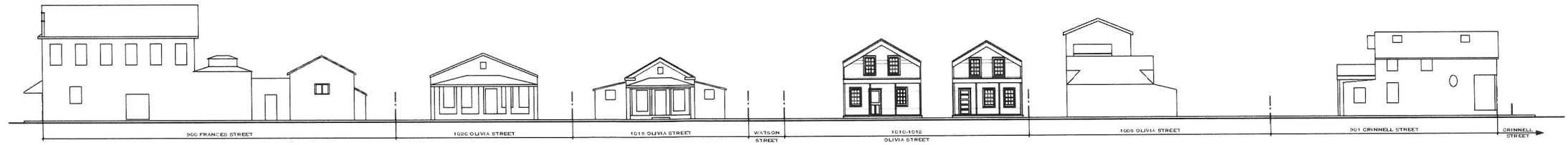
SHEET #



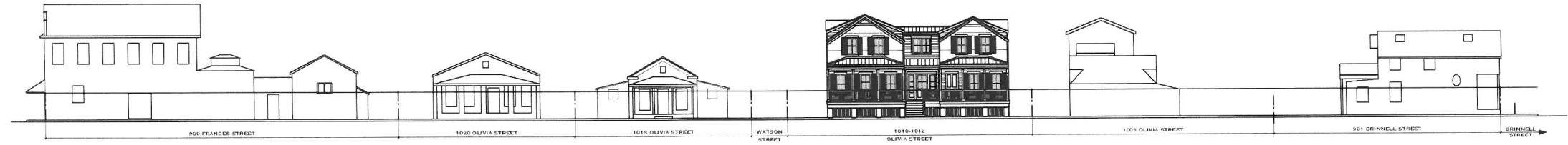
T S NEAL ARCHITECTS INC.



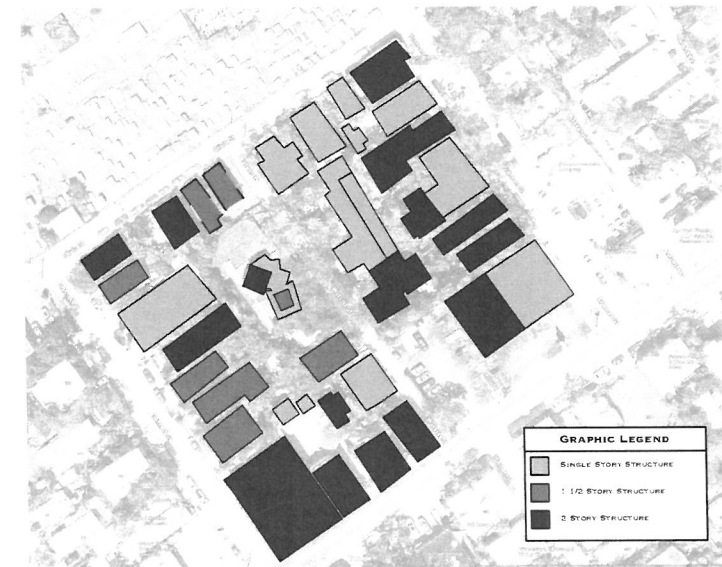
TIMOTHY SETH NEAL FLA. REGISTRATION # AR97505



OLIVIA STREET - CURRENT



OLIVIA STREET - PROPOSED ABOVE FUTURE FLOOD



T.S. NEAL
ARCHITECT INC.

22974 OVERSEAS HWY
CUDJOE KEY, FL
33042

305-340-8857
251-422-9547

FOR REVIEW
ONLY.
NOT FOR
CONSTRUCTION

A NEW RESIDENCE AT
1010-1012 OLIVIA STREET
KEY WEST, FL 33040

DRAWING TITLE:
STREET SCAPE

DRAWN: TSN / EDSA
CHECKED:
DATE: 11-15-2021

REVISION # DATE

A3.2

SHEET #



T.S. NEAL ARCHITECTS INC.

SITE DATA**1010-1012 OLIVIA STREET****RE# 00020850-000100**

ITEM	EXISTING	REQ. PER LDR	PROPOSED	REMARK
DISTRICT	HHDR	HHDR	HHDR	NO CHANGE
SITE AREA	3,734 SQ FT	4,000 SQ. FT.	-	
LOT SIZE	SEE SURVEY	40' X 90' (MIN)	-	
IMPERVIOUS	1,780.5 SQ FT (47.7%)	60% MAX 2,240.4 SQ FT	2,163 SQ FT 57.9%	CONFORMS
OPEN SPACE	1,953.5 SQ FT (52.3% OPEN)	35% MIN 1,306.9 SQ FT	1,385 SQ FT 37%	CONFORMS
BUILDING COV.	1,627 SQ FT (43.6%)	50% MAX 1,867 SQ FT	2,163 SQ FT 57.9%	7.9% VARIANCE 296 SF
ACCESSORY STRUCTURE REAR YARD COV.	143 SQ FT (11%)	30% MAX COV. 387 SQ FT MAX.	POOL 111 SQ FT (8.6%)	CONFORMS

STRUCTURE SETBACKS

FRONT SETBACK	0'-2" OVER EX. PROP. LINE	10'	9 1/2'	VARIANCE 9'-2 1/2"
REAR SETBACK	10'-1"	20'	7'-2"	VARIANCE 12'-10"
SIDE STREET SETBACK	15'-4"	7'-6"	10'-8"	CONFORMS
SOUTH SIDE SETBACK	0'-11"	5'	5'-10"	CONFORMS
BUILDING HEIGHT ACCESSORY STRUCTURE	+/- 19'-8"	30'	+/- 27'-3"	CONFORMS

NOTE: POOL & POOL DECK RAISED HIGHER DUE TO FUTURE FLOOD LEVEL REQUIREMENTS FOR THE HOUSE. BOTH ARE HIGHER THAN 30" AND BECOMES BUILDING COVERAGE, 446 SF



1010-1012 Olivia Street



1010 Olivia Street



1012 Olivia Street



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
NATURE'S BOUNDARY, LLC

Filing Information

Document Number	L15000213343
FEI/EIN Number	81-1784957
Date Filed	12/28/2015
State	FL
Status	ACTIVE
Last Event	LC STMNT OF RA/RO CHG
Event Date Filed	12/27/2021
Event Effective Date	11/29/2016

Principal Address

11741 ROAD 191
OAKWOOD, OH 45873

Mailing Address

11741 ROAD 191
OAKWOOD, OH 45873

Registered Agent Name & Address

NEWMAN, JENNIFER
626 CAROLINE ST
KEY WEST, FL 33040

Name Changed: 12/27/2021

Address Changed: 12/27/2021

Authorized Person(s) Detail

Name & Address

Title AMBR

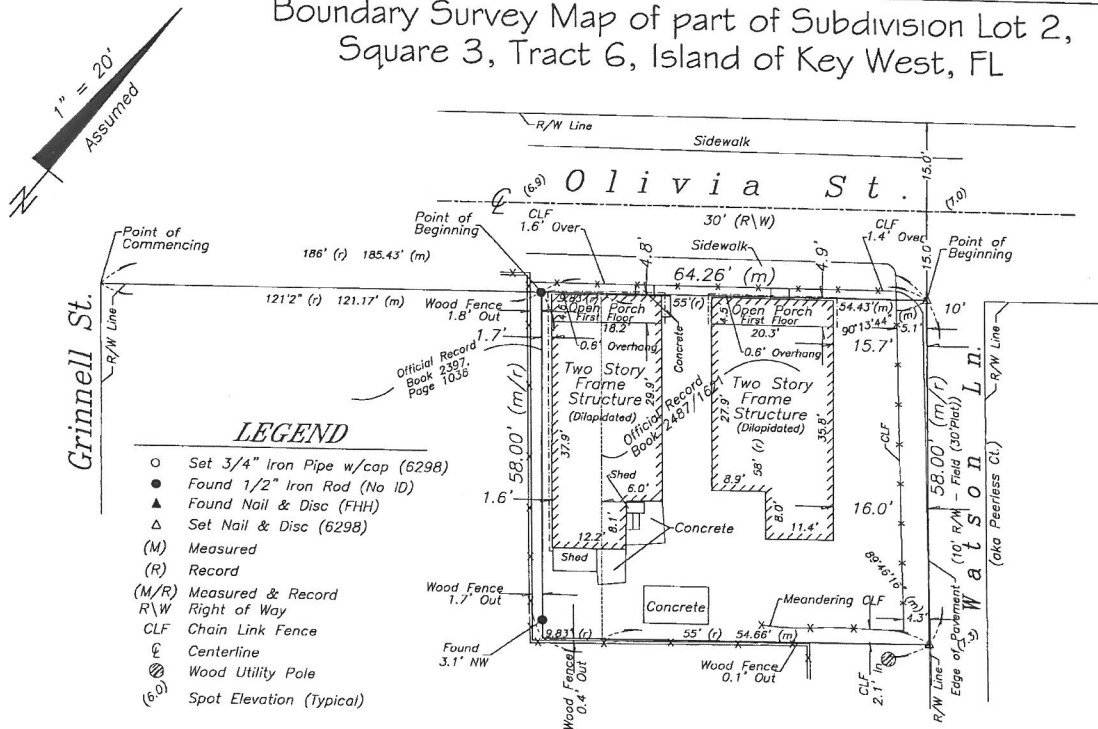
COOPER, CHERI
11741 ROAD 191
OAKWOOD, OH 45873

Annual Reports

Report Year	Filed Date
-------------	------------

Boundary Survey

Boundary Survey Map of part of Subdivision Lot 2, Square 3, Tract 6, Island of Key West, FL



NOTES:

- The legal descriptions shown hereon were furnished by the client or their agent. This survey does not determine or imply ownership.
- Underground foundations and utilities were not located.
- All angles are 90° (Measured & Record) unless otherwise noted.
- Street address: 1010-1012 Olivia Street, Key West, FL.
- This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
- North Arrow is assumed and based on the legal description.
- Date of field work: February 9, 2021.
- Ownership of fences is undeterminable, unless otherwise noted.
- Adjoiners are not furnished.
- Elevations are shown in parenthesis and refer to Mean Sea Level, N.G.V.D. 1929

BOUNDARY SURVEY OF:

On the Island of Key West, Monroe County, Florida, and known on William A. Whitehead's map delineated in February A.D. 1829, as a part of Tract Six (6) better known as John Lowe's diagram of a part of Tract Six (6) recorded in Deed Book A, Page 425 of Monroe County Records as Part of Lot Two (2) of Square Three (3) of Tract Six (6). COMMENCING at the corner of Olivia Street and a thirty (30) foot street which is One Hundred Eighty-Six (186) feet from the corner of Grinnell Street and running thence in a Southeasterly direction Fifty-Eight (58) feet; thence in a Southwesterly direction Fifty-Five (55) feet; thence in a Northwesterly direction Fifty-Eight (58) feet to Olivia Street; thence along Olivia Street in a Northeasterly direction Fifty-Five (55) feet to the Point of Beginning.

AND

A parcel of land on the Island of Key West, Monroe County, Florida, known on William A. Whitehead's Map of said Island delineated in February A.D. 1829, as a part of Tract 6, but now better known as a part of Lot 2, in Square 3, of said Tract 6, said parcel being more particularly described by metes and bounds as follows:

COMMENCE at the intersection of the Northeasterly right of way line of Grinnell Street with the Southwesterly right of way line of Olivia Street and run thence Northeasterly along the Southeasterly right of way line of the said Olivia Street for a distance of 121.17 feet to the Northerly corner of the lands described in Official Record Book 2397, Page 1036, of the Public Records of Monroe County, Florida, said point also being the Point of Beginning; thence continue Northeasterly along the Southeasterly right of way line of the said Olivia Street for a distance of 9.83 feet to the Westerly corner of the lands described in Official Record Book 2487, Page 1621, of the said Public Records of Monroe County, Florida; thence Southeasterly and at right angles along the Southwesterly boundary line of the lands described in said Official Record Book 2487, Page 1621, for a distance of 58.00 feet; thence Southwesterly and at right angles for a distance of 9.83 feet; thence Northwesterly and at right angles for a distance of 58.00 feet back to the Point of Beginning.

BOUNDARY SURVEY FOR: Natures Boundary LLC;
Oropeza Stones Cardenas, PLLC;
Old Republic National Title Insurance Company;

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

J. LYNN O'FLYNN, INC.

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

February 12, 2021
Revised legal February 22, 2021
5/20/21 Add Elevations

THIS SURVEY
IS NOT
ASSIGNABLE

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

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

Verification Form



**City of Key West
Planning Department
Verification Form**
(Where Applicant is an entity)

I, Richard McChesney, in my capacity as Member
(print name) (print position; president, managing member)
of Spottswood, Spottswood, Spottswood & Sterling
(print name of entity)

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:

1010-1012 Olivia Street

Street address of subject property

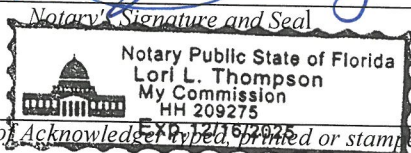
I, the undersigned, declare under penalty of perjury under the laws of the State of Florida that I am the Authorized Representative of the property involved in this application; that the information on all plans, drawings and sketches attached hereto and all the statements and answers contained herein are in all respects true and correct.

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.

Richard McChesney
Signature of Applicant

Subscribed and sworn to (or affirmed) before me on this 2/15/22 by
Richard McChesney
Name of Applicant date

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



Name of Acknowledger typed, printed or stamped

Commission Number, if any

Deed

Doc # 2307751 Blk# 3080 Pg# 1481 Recorded 3/10/2021 at 11:01 AM Pages 2
Filed and Recorded in Official Records of MONROE COUNTY KEVIN MADOK
REC: \$18.50 Deed Doc Stamp \$6,650.00

Prepared by and return to:
Gregory S. Oropeza, Esq.
Attorney at Law
Oropeza Stones Cardenas, PLLC
221 Simonton Street
Key West, FL 33040
305-294-0252
File Number: 21-136
Consideration: \$950,000.00

Parcel Identification No. 00020850-000000

[Space Above This Line For Recording Data]

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

This Indenture made this 1st day of March, 2021 between Joseph K. Kiely and Kellie P. Kiely, husband and wife whose post office address is 911 Watson Street, Key West, FL 33040 of the County of Monroe, State of Florida, grantor*, and Nature's Boundary, LLC, a Florida limited liability company whose post office address is 11741 Road 191, Oakwood, OH 45873 of the County of Paulding, State of Ohio, grantee*,

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, Monroe County, Florida, and known on William A. Whitehead's map delineated in February A.D. 1829, as a part of Tract Six (6) better known on John Lowe's diagram of a part of Tract Six (6) recorded in Deed Book A, Page 425 of Monroe County Records as Part of Lot Two (2) of Square Three (3) of Tract Six (6). COMMENCING at the corner of Olivia Street and a thirty (30) foot street which is One Hundred Eighty-Six (186) feet from the corner of Grinnell Street and running thence in a Southeasterly direction Fifty-Eight (58) feet; thence in a Southwesterly direction Fifty-Five (55) feet; thence in a Northwesterly direction Fifty-Eight (58) feet to Olivia Street; thence along Olivia Street in a Northeasterly direction Fifty-Five (55) feet to the Point of Beginning.

AND

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DoubleTime®

Doc. # 2307751 Page Number: 2 of 2

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

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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:

Witness Name: _____

Witness Name: _____

Witness Name: _____

Witness Name: _____

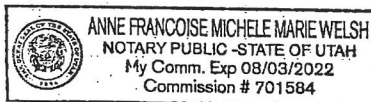
Joseph K. Kiely

Kellie P. Kiely

State of UTAH
County of Kane

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 23rd day of February, 2021 by Joseph K. Keily and Kellie P. Keily, husband and wife, who ☐ is personally known or ☒ has produced driver's licenses as identification.

[Notary Seal]



Anne Francoise Michele Marie Welsh
Notary Public

Printed Name: _____

My Commission Expires: 08/03/2022

Property Record Card

Disclaimer

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

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00020850-000100
 Account# 9104626
 Property ID 9104626
 Millage Group 10KW
 Location 1010 OLIVIA St, KEY WEST
 Address
 Legal KW PT LOT 2 SQR 3 TR 6 PP-271 WW-147 E1-149 OR261-279 OR315-542 OR452-1
 Description OR455-617 OR566-761 OR654-249 OR1294-1930 OR1294-1931 OR1407-1178
 OR2464-1043 OR2464-1045 OR2487-1621 OR2554-1629 OR2627-1073 OR2653-1964 OR2691-729 OR2691-730 OR3080-1481
 (Note: Not to be used on legal documents.)
 Neighborhood 6103
 Property MULTI-FAMILY DUPLEX (0802)
 Class
 Subdivision
 Sec/Twp/Rng 05/68/25
 Affordable No
 Housing



Owner

NATURE'S BOUNDARY LLC
 11741 Road 191
 Oakwood OH 45873

Valuation

	2021
+ Market Improvement Value	\$38,104
+ Market Misc Value	\$437
+ Market Land Value	\$504,309
= Just Market Value	\$542,850
= Total Assessed Value	\$542,850
- School Exempt Value	\$0
= School Taxable Value	\$542,850

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
MULTI RES DRY (080D)	3,773.00	Square Foot	0	0

Buildings

Building ID 64636
 Style 2 STORY ELEV FOUNDATION
 Building Type S.F.R. - R1 / R1
 Gross Sq Ft 1694
 Finished Sq Ft 742
 Stories 1 Floor
 Condition POOR
 Perimeter 118
 Functional Obs 0
 Economic Obs 0
 Depreciation % 85
 Interior Walls NONE

Exterior Walls WD FRAME
 Year Built 1903
 EffectiveYearBuilt 1928
 Foundation WD CONC PADS
 Roof Type GABLE/HIP
 Roof Coverage METAL
 Flooring Type PLYWD/PR BD
 Heating Type NONE
 Bedrooms
 Full Bathrooms 1
 Half Bathrooms 0
 Grade 450
 Number of Fire Pl 0

Code	Description	Sketch Area	Finished Area	Perimeter
FHS	FINISH HALF ST	847	0	128
FLA	FLOOR LIV AREA	742	742	118
OPF	OP PRCH FIN LL	105	0	52
TOTAL		1,694	742	298

Building ID 64637
Style 2 STORY ELEV FOUNDATION
Building Type S.F.R. - R1 / R1
Gross Sq Ft 1532
Finished Sq Ft 636
Stories 1 Floor
Condition AVERAGE
Perimeter 112
Functional Obs 0
Economic Obs 0
Depreciation % 90
Interior Walls WALL BD/WD WAL

Exterior Walls B & B
Year Built 1923
EffectiveYearBuilt 1923
Foundation WD CONC PADS
Roof Type GABLE/HIP
Roof Coverage METAL
Flooring Type PLYWD/PR BD
Heating Type NONE
Bedrooms
Full Bathrooms 1
Half Bathrooms 0
Grade 450
Number of Fire PI 0

Code	Description	Sketch Area	Finished Area	Perimeter
FHS	FINISH HALF ST	726	0	0
FLA	FLOOR LIV AREA	636	636	0
OPU	OP PR UNFIN LL	48	0	0
OPF	OP PRCH FIN LL	90	0	0
SBU	UTIL UNFIN BLK	32	0	0
TOTAL		1,532	636	0

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
CH LINK FENCE	1959	1960	1	492 SF	1

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
3/1/2021	\$950,000	Warranty Deed	2307751	3080	1481	01 - Qualified	Improved

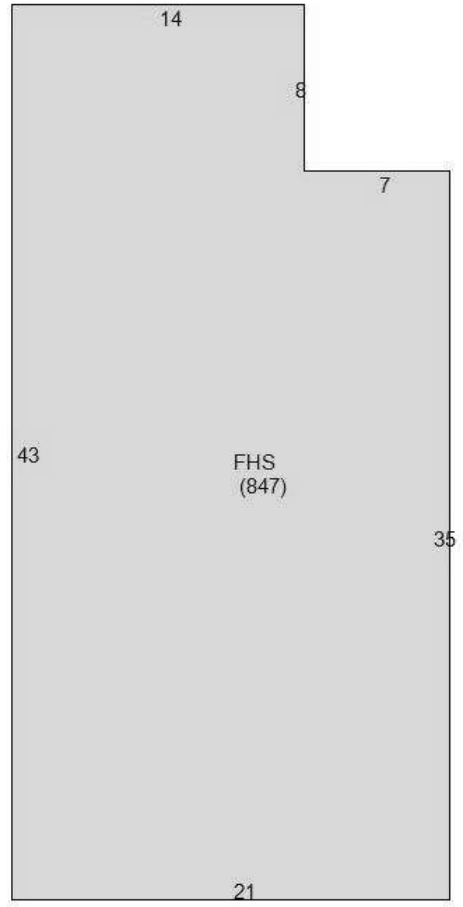
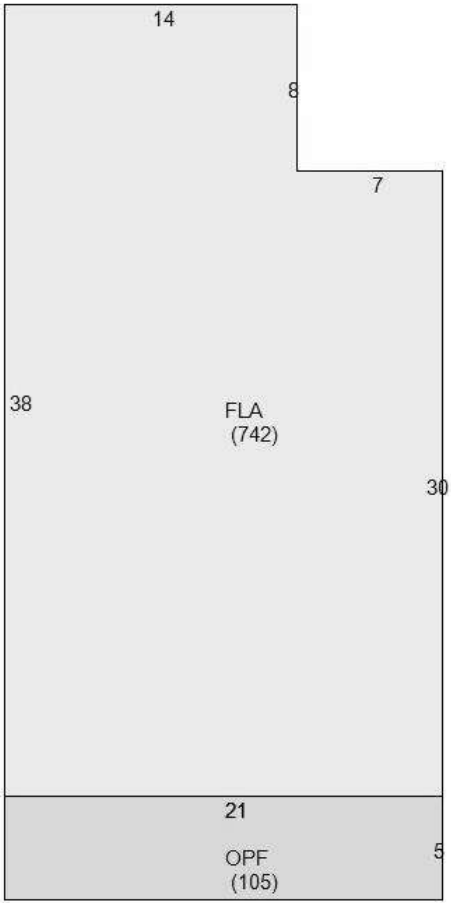
Permits

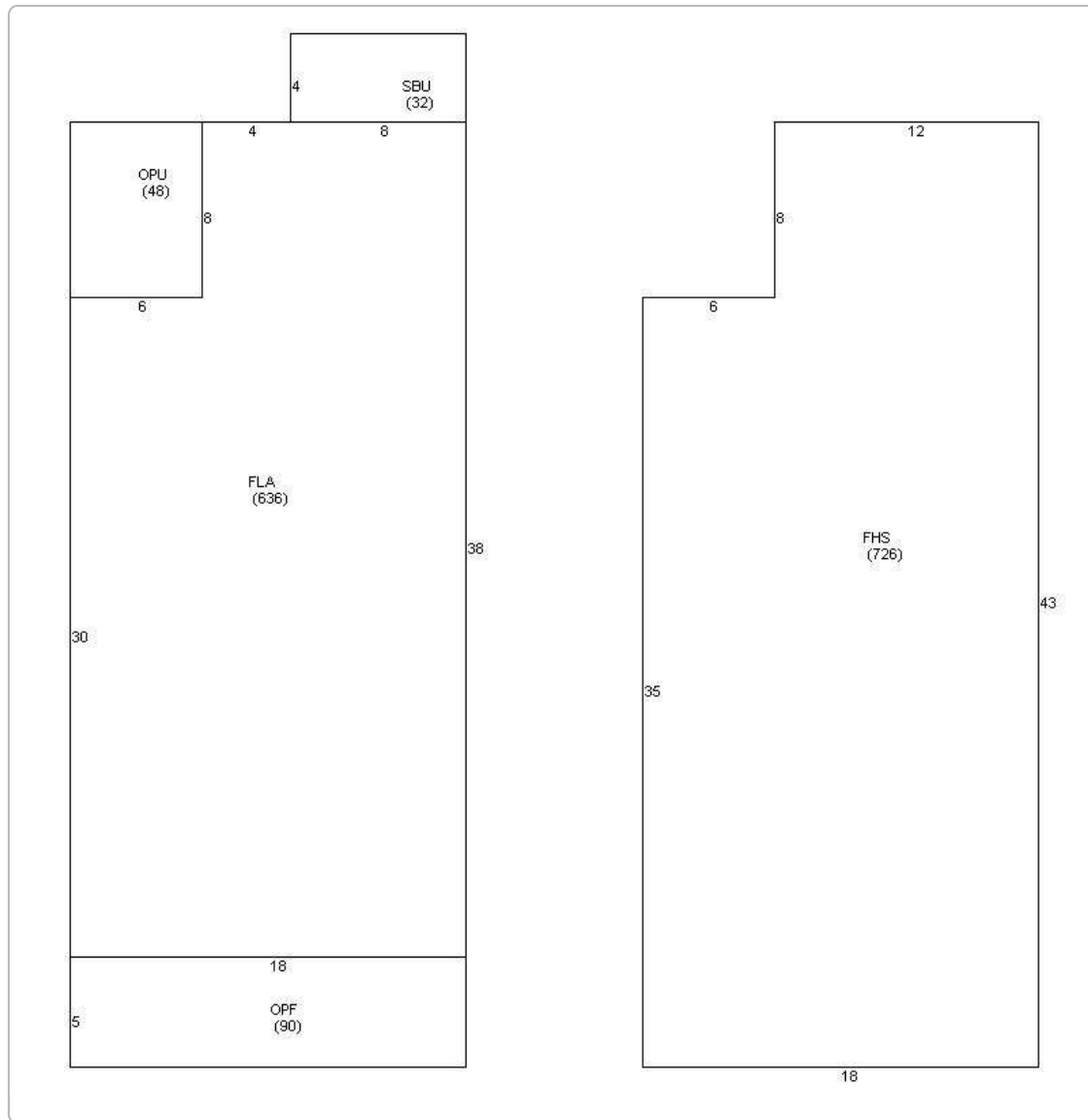
Number ↕	Date Issued ↕	Date Completed ↕	Amount ↕	Permit Type ↕	Notes ↕
E953063	9/1/1995	12/1/1995	\$1,000	Residential	100 AMP SUBFEED FOR 1010 OLIVIA STREET

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)





Photos



Map



TRIM Notice

2021 TRIM Notice (PDF)

2021 Notices Only

No data available for the following modules: Exemptions.

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

[User Privacy Policy](#),
[GDPR Privacy Notice](#)

Last Data Upload: 3/9/2022, 2:56:46 AM

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Version 2.3.178