

## Jenny Metz

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**From:** Donna Phillips  
**Sent:** Thursday, August 18, 2022 8:01 AM  
**To:** Jordan Mannix-Lachner; Jenny Metz  
**Subject:** FW: [EXTERNAL] Windsor Lane Variance  
**Attachments:** Unity of Title.pdf; Sec.\_122\_28.\_\_\_Replacement\_or\_reconstruction..docx

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**From:** Owen Trepanier <owen@owentrepanier.com>  
**Sent:** Wednesday, August 17, 2022 7:26 PM  
**To:** myraciardi4@gmail.com  
**Cc:** Trapani, Kevin <ktrapani@redwoodsgroup.com>; Trapani, Jennifer <jtrapani@redwoodsgroup.com>; Zoe Porter <zoe.porter@cityofkeywest-fl.gov>; Donna Phillips <donna.phillips@cityofkeywest-fl.gov>; Keri O'Brien <kobrien@cityofkeywest-fl.gov>; Katie P. Halloran <katie.halloran@cityofkeywest-fl.gov>; richard@spottswoodlaw.com; David Pouliot <Dave@constructionkeywest.com>; Thomas Francis-Siburg <thomas@owentrepanier.com>; Sam Conch House <sam@conchhouse.com>  
**Subject:** [EXTERNAL] Windsor Lane Variance

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Hi Ms. Ciardi,

Thank you for speaking with me about the proposed variance. As we discussed, I'm sending you the Unity of Title for 701 and the "Build-back Code" for property such as this that are "involuntarily destroyed" and I highlighted the pertinent verbiage. [I need to apologize, when we were talking I cited the wrong section the correct one is 122-28.]

In summary, if this building were built back in its previous 3-D footprint, then no variances would be required. In our case we are building back, essentially, in the 2-D footprint. I say "essentially" because is not the exact footprint; we are detaching this property from the adjacent 705 Windsor Lane property, removing all encroachments, we're creating a hip roof where a gable and flat roof previously existed, and we're addressing the Fire Marshal's and the Building Official's concerns with a host of life-safety improvements. I would not have normally expected such improvements to trigger variances, but that is the way the code was interpreted in this case.

I appreciate your perspective that you shared with me (which I agree with) that the build-back code (along with the vast majority of the entire code), as currently written, should be reconsidered/ updated/ revised/ etc. to among other things, make life-safety considerations a formal priority. Though, as a matter of practice and state law, the Key West Fire Marshal's and Building Official's offices have expansive authority to require the consideration and inclusion of life-safety features, and they both are very committed to the pursuit of such. In this case, by working with the Fire Marshal's and the Building Official's offices, the property owners are doing the following:

- Cement construction;
- Cement board eaves and fascia;
- Metal roof
- Fire sprinklers;
- Egress windows; and
- Reconstruction of the pathway to Windsor Lane to maximize life-safety access given the spatial constraints.

Again, I appreciate your willingness to discuss your concerns and I enjoyed our conversation. As I mentioned, if you would like to visit the property, I would be happy to show it to you. And if not, I hope you can stop by either during or after construction to see the improvements first hand.

If I can ever assist you with regard to land use planning, please don't hesitate to call.

Thanks again.

Owen Trepanier

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**Trepanier & Associates, Inc.**

Land Planners & Development Consultants

305-293-8983

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## Sec. 122-28. Replacement or reconstruction.

- (a) *Applicability.* This section applies both to voluntary reconstruction or replacement of dwelling units and involuntary reconstruction or replacement of dwelling units. Nothing in this section is intended to supersede applicable Federal Emergency Management Agency requirements for elevation in flood zones.
- (b) *Dwelling units (residential).* Residential dwelling units may be replaced at their existing nonconforming density, location and three-dimensional building envelope. Dwelling units involuntarily destroyed do not require variances to be reconstructed or replaced. If a voluntary reconstruction or replacement occurs and if the dwelling units exist or existed in a noncomplying building or structure, the reconstruction or replacement that increases the nonconformity of the building or structure shall require a variance granted by the planning board. In a voluntary reconstruction of a structure on a corner lot, the property owner must apply to the planning board for all necessary setback variances. All noncomplying accessory structures to the principal building or structure (e.g., a shed, pool, fence, etc., but not including a condominium clubhouse) shall also require a variance in order to be enlarged, reconstructed or replaced, either voluntarily or involuntarily. If a proposed reconstruction or replacement would not otherwise require a variance but would add a new building or structure to the site to accommodate allowed density, a variance shall be required for the additional building or structure. A residential building in which one or more units hold a residential transient use business tax receipt shall be deemed residential for the purposes of this section. Variances which would increase density or intensity beyond that maximum allowed on the particular property or lot by the land development regulations shall be prohibited.
- (c) *Dwelling units (transient).* Transient dwelling units may be replaced at their existing nonconforming density so long as the reconstruction or replacement complies with all zoning district regulations, review procedures and performance criteria contained in the land development regulations. No variances shall be granted to accommodate such reconstruction or replacement; provided, however, that a variance may be granted to setbacks only if existing setback regulations would create undue hardship.
- (d) *Properties without dwelling units.* For a proposed reconstruction or replacement of a property without dwelling units, where that property is either a nonconforming use or a noncomplying building or structure, (i) if the property is involuntarily destroyed, reconstruction or replacement does not require a variance; and (ii) if voluntarily destroyed to the extent that reconstruction or replacement would exceed 50 percent of the property's appraised or assessed value, the applicant must apply to the planning board for a variance.
- (e) *Mixed use properties.* If a property contains both a dwelling unit and a commercial use, its reconstruction or replacement shall be governed, separately, under each applicable subsection set forth in this section.
- (f) *Historic district.* Notwithstanding any other subsection contained in this section, if a noncomplying building or structure is a contributing building or structure according to the historic architectural review commission (HARC) and it is involuntarily destroyed, such building or structure may be reconstructed or replaced without a variance so long as it is to be rebuilt in the three-dimensional footprint of the original building and built in the historic vernacular as approved by the historic architectural review commission.
- (g) *Miscellaneous.* With respect to subsections (a) through (f) of this section, the development review committee and the planning board, in evaluating petitions for variance, shall balance the need to protect life and property with the need to preserve the economic base of the community. Under no circumstances shall a voluntarily or involuntarily destroyed nonconforming use or noncomplying building or structure be replaced to a degree or level that increases or expands the prior existing nonconforming use or noncomplying building or structure.

(Ord. No. 00-10, § 5, 6-6-2000; Res. No. 06-292, § 1, 9-6-2006; Ord. No. 08-04, § 24, 5-20-2008; Ord. No. 13-18, § 3, 10-16-2013)



Doc # 2312345 Bk# 3087 Pg# 682 Recorded 4/7/2021 at 10:18 AM Pages 3  
Filed and Recorded in Official Records of MONROE COUNTY KEVIN MADOK  
REC: \$27.00

PREPARED BY AND RETURN TO:  
Richard J. McChesney, Esq.  
Attorney At Law  
Spottswood, Spottswood, Spottswood  
& Sterling PLLC  
500 Fleming Street  
Key West, FL 33040  
305-294-9556

### UNITY OF TITLE

WHEREAS, KEVIN A. TRAPANI and JENNIFER A. TRAPANI, husband and wife, are the owners of the property located in Key West, Monroe County, Florida, and described as:

A tract of land in a part of Lot 4, Square 59, according to William A. Whitehead's map of the Island of Key West, Florida, dated February A.D. 1829 and being more particularly described by metes and bounds as follows:

Commencing at the intersection of the Northeasterly corner of the right of way of Elizabeth Street and the Northerly line of the right of way of Windsor Lane; thence bear North 33 degrees 30 minutes West along the East side of Elizabeth Street, 50 feet to the Point of Beginning of the tract of land hereinafter described; thence continue North 33 degrees 30 minutes West along the East side of Elizabeth Street 25.65 feet; thence bear North 56 Degrees 30 minutes East 99.08 feet; thence bear Southeasterly along a cyclone fence 26.0 feet to the Northwesterly face of a concrete block building; thence bear Southwesterly along the Northwesterly face of said building, 25.50 feet to the Northwest corner of said building and old wood fence; thence continue bearing Southwesterly and along said old wood fence 72.50 feet, more or less, back to the Point of Beginning.

RE # 00011920-000000

Also known as: 627 Elizabeth Street, Key West, Florida 33040

and,

WHEREAS, KEVIN A. TRAPANI and JENNIFER A. TRAPANI, husband and wife, are the owners of the property located in Key West, Monroe County, Florida, and described as:

ON THE ISLAND OF KEY WEST, AND KNOWN ON WILLIAM A. WHITEHEAD'S MAP, DELINEATED IN FEBRUARY, 1829, AS PART OF TRACT 5 AND A PART OF LOT 4 OF SQUARE 59, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF WINDSOR LANE AND THE EASTERLY RIGHT OF WAY OF ELIZABETH STREET, AND RUNNING THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF WINDSOR LANE, ON THE ASSUMED BEARING N 90 DEGREES 00'00"E, A DISTANCE OF 46 FEET 10 INCHES, MORE OR LESS, TO A POINT WHERE AN EXISTING BRICK WALL INTERSECTS SAID NORTHERLY RIGHT OF WAY LINE, TO THE POINT OF BEGINNING; THENCE N 09 DEGREES 25'25"W, FOR A DISTANCE OF 54.59 FEET; THENCE N 12 DEGREES 29'42"W, FOR A DISTANCE OF 28.66 FEET; THENCE N 58 DEGREES 42'16"E, FOR A DISTANCE OF 32.27 FEET; THENCE S 12 DEGREES 49'03"E, FOR A DISTANCE OF 11.25 FEET; THENCE S 35 DEGREES 40'43"W, FOR A DISTANCE OF 2.26 FEET; THENCE S 12 DEGREES

23'46"E, FOR A DISTANCE OF 11.78 FEET; THENCE S 79 DEGREES 20'02"W, FOR A DISTANCE OF 2.20 FEET; THENCE S 10 DEGREES 39'58"E, FOR A DISTANCE OF 24.54 FEET; THENCE S 63 DEGREES 24'26"W, FOR A DISTANCE OF 10.63 FEET; THENCE S 39 DEGREES 15'20"W, FOR A DISTANCE OF 17.35 FEET; THENCE S 09 DEGREES 25'40"E, FOR A DISTANCE OF 32.41 FEET; THENCE N 90 DEGREES 00'00"W, FOR A DISTANCE OF 4.04 FEET BACK TO THE POINT OF BEGINNING.

SUBJECT TO THE FOLLOWING EASEMENT OF INGRESS AND EGRESS FOR 705 (REAR RIGHT) WINDSOR LANE, MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS: ON THE ISLAND OF KEY WEST AND KNOWN ON WILLIAM A. WHITEHEAD'S MAP, DELINEATED IN FEBRUARY 1829, AS A PART OF TRACT 5 AND A PART OF LOT 4 OF SQUARE 59, MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT THE INTERSECTION OF THE NORTHERLY RIGHT OF WAY LINE OF WINDSOR LANE AND THE EASTERLY RIGHT OF WAY OF ELIZABETH STREET, AND RUNNING THENCE ALONG THE NORTHERLY RIGHT OF WAY LINE OF WINDSOR LANE, ON THE ASSUMED BEARING N 90 DEGREES 00'00"E, FOR A DISTANCE OF 46 FEET 10 INCHES, MORE OR LESS TO A POINT WHERE AN EXISTING BRICK WALL INTERSECTS SAID NORTHERLY RIGHT OF WAY LINE, TO THE POINT OF BEGINNING; THENCE N 09 DEGREES 25'25"W, FOR A DISTANCE OF 54.59 FEET; THENCE N 59 DEGREES 10'43"E, FOR A DISTANCE OF 18.20 FEET; THENCE N 30 DEGREES 49'17"W, FOR A DISTANCE OF 9.80 FEET; THENCE N 59 DEGREES 10'43"E, FOR A DISTANCE OF 7.70 FEET; THENCE N 30 DEGREES 49'17"W, FOR A DISTANCE OF 2.80 FEET; THENCE N 59 DEGREES 10'43"E, FOR A DISTANCE OF 8.74 FEET; THENCE S 12 DEGREES 23'46"E, FOR A DISTANCE OF 8.28 FEET; THENCE S 79 DEGREES 20'02"W, FOR A DISTANCE OF 2.20 FEET; THENCE S 10 DEGREES 39'58"E, FOR A DISTANCE OF 24.54 FEET; THENCE S 63 DEGREES 24'26"W, FOR A DISTANCE OF 10.63 FEET; THENCE S 39 DEGREES 15'20"W, FOR A DISTANCE OF 17.35 FEET; THENCE S 09 DEGREES 25'40"E, FOR A DISTANCE OF 32.41 FEET; THENCE N 90 DEGREES 00'00"W, FOR A DISTANCE OF 4.04 FEET BACK TO THE POINT OF BEGINNING.

Re # 00018700-000100

Also known as: 701 Windsor Lane, Key West, Florida 33040

WHEREAS, the undersigned recognizes and acknowledges that the herein described properties shall be considered as one plot and parcel of land; and

WHEREAS, the undersigned hereby executes this written document to effect the above stated purpose.

NOW, THEREFORE, in consideration of other goods and valuable considerations, the undersigned hereby agrees to the following:

1. That the two parcels of property referred to herein above shall be considered as one plot and parcel of land, and that no portion of said plot and parcel of land shall be sold, transferred, devised or assigned separately, except in its entirety as one plot or parcel of land.
2. The undersigned further agree that this condition, restriction, and limitation shall be deemed a covenant running with the land and shall remain in full force and effect and shall be binding upon the undersigned, their heirs, and assigns in perpetuity.

Doc. # 2312345 Page Number: 3 of 3

3. The undersigned further agree that this Unity of Title shall be recorded in the Public Records of Monroe County.

SIGNED, SEALED, EXECUTED and acknowledged on this 6<sup>th</sup> day of April, 2021

Witnesses as to both:

Richard McChesney  
Printed Name: Richard McChesney  
Monica Hornyak  
Printed Name: Monica Hornyak

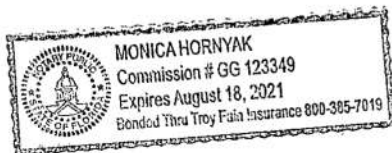
Kevin A. Trapani  
KEVIN A. TRAPANI

Richard McChesney  
Printed Name: Richard McChesney  
Monica Hornyak  
Printed Name: Monica Hornyak

Jennifer A. Trapani  
JENNIFER A. TRAPANI

STATE OF FLORIDA )  
COUNTY OF MONROE )

Subscribed and acknowledged before me by means of ☒ physical presence or ☐ online notarization on this 6<sup>th</sup> day of April 2021, by Kevin A. Trapani and Jennifer A. Trapani, who are personally known to me or who have produced NC Drivers Licenses (type of identification) as identification and who did not take an oath.



Monica Hornyak  
Notary Public State of Florida  
My Commission Expires:  
My Commission Number is:

## Jenny Metz

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**From:** Donna Phillips  
**Sent:** Thursday, August 18, 2022 9:49 AM  
**To:** Jordan Mannix-Lachner; Jenny Metz  
**Subject:** FW: [EXTERNAL] Re: Windsor Lane Variance

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**From:** Trapani, Kevin <ktrapani@redwoodsgroup.com>  
**Sent:** Thursday, August 18, 2022 9:30 AM  
**To:** Owen Trepanier <owen@owentrepanier.com>; myraciardi4@gmail.com  
**Cc:** Trapani, Jennifer <jtrapani@redwoodsgroup.com>; Zoe Porter <zoe.porter@cityofkeywest-fl.gov>; Donna Phillips <donna.phillips@cityofkeywest-fl.gov>; Keri O'Brien <kobrien@cityofkeywest-fl.gov>; Katie P. Halloran <katie.halloran@cityofkeywest-fl.gov>; richard@spottswoodlaw.com; David Pouliot <Dave@constructionkeywest.com>; Thomas Francis-Siburg <thomas@owentrepanier.com>; Sam Conch House <sam@conchhouse.com>  
**Subject:** [EXTERNAL] Re: Windsor Lane Variance

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Good morning, Myra. Thanks for sharing your concerns - which are ours as well - about life safety at the 703 Windsor house. As Owen has shared with you, the home is owned by my 75-year old mother in law and her safety is our primary motivation in the rebuilding of the home.

I hope Owen adequately addressed your concerns in your conversation, summarized below, and I hope you can now comfortably support the project. As you now know, we complied with all relevant requirements and processes in the renovation of the 701 Windsor house, we acquired the 703 house fairly and at a cost substantially above the market value and we will again meet all the appropriate requirements for this project.

My wife, Jennifer, my mother in law, Lynn and I look forward to meeting and getting to know you when we're in Key West in the months ahead and, again, we appreciate your concerns about the project.

Thanks!

Sent from my mobile device

Kevin A. Trapani  
Co-Founder, CEO & President  
The Redwoods Group  
(919)462-9731 (office)  
(919)931-6316 (mobile)

---

**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Sent:** Wednesday, August 17, 2022 7:25:54 PM  
**To:** [myraciardi4@gmail.com](mailto:myraciardi4@gmail.com) <[myraciardi4@gmail.com](mailto:myraciardi4@gmail.com)>  
**Cc:** Trapani, Kevin <[ktrapani@redwoodsgroup.com](mailto:ktrapani@redwoodsgroup.com)>; Trapani, Jennifer <[jtrapani@redwoodsgroup.com](mailto:jtrapani@redwoodsgroup.com)>; Zoe Porter <[zoe.porter@cityofkeywest-fl.gov](mailto:zoe.porter@cityofkeywest-fl.gov)>; Donna Phillips <[donna.phillips@cityofkeywest-fl.gov](mailto:donna.phillips@cityofkeywest-fl.gov)>; Keri O'Brien <[kobrien@cityofkeywest-fl.gov](mailto:kobrien@cityofkeywest-fl.gov)>; [katie.halloran@cityofkeywest-fl.gov](mailto:katie.halloran@cityofkeywest-fl.gov) <[katie.halloran@cityofkeywest-fl.gov](mailto:katie.halloran@cityofkeywest-fl.gov)>; [richard@spottswoodlaw.com](mailto:richard@spottswoodlaw.com) <[richard@spottswoodlaw.com](mailto:richard@spottswoodlaw.com)>; David Pouliot <[Dave@constructionkeywest.com](mailto:Dave@constructionkeywest.com)>; Thomas Francis-Siburg <[thomas@owentrepanier.com](mailto:thomas@owentrepanier.com)>; Sam Holland Jr ([sam@conchhouse.com](mailto:sam@conchhouse.com)) <[sam@conchhouse.com](mailto:sam@conchhouse.com)>  
**Subject:** Windsor Lane Variance



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Hi Ms. Ciardi,

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In summary, if this building were built back in its previous 3-D footprint, then no variances would be required. In our case we are building back, essentially, in the 2-D footprint. I say "essentially" because is not the exact footprint; we are detaching this property from the adjacent 705 Windsor Lane property, removing all encroachments, we're creating a hip roof where a gable and flat roof previously existed, and we're addressing the Fire Marshal's and the Building Official's concerns with a host of life-safety improvements. I would not have normally expected such improvements to trigger variances, but that is the way the code was interpreted in this case.

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- Reconstruction of the pathway to Windsor Lane to maximize life-safety access given the spatial constraints.

Again, I appreciate your willingness to discuss your concerns and I enjoyed our conversation. As I mentioned, if you would like to visit the property, I would be happy to show it to you. And if not, I hope you can stop by either during or after construction to see the improvements first hand.

If I can ever assist you with regard to land use planning, please don't hesitate to call.

Thanks again.

Owen Trepanier

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**Trepanier & Associates, Inc.**

Land Planners & Development Consultants

305-293-8983

**From:** [Donna Phillips](#)  
**To:** [Jordan Mannix-Lachner](#); [Jenny Metz](#)  
**Subject:** FW: [EXTERNAL] Re: Windsor Lane Variance  
**Date:** Thursday, August 18, 2022 2:09:59 PM

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**From:** Trapani, Kevin <ktrapani@redwoodsgroup.com>  
**Sent:** Thursday, August 18, 2022 1:39 PM  
**To:** Myra Ciardi <myraciardi4@gmail.com>  
**Cc:** Owen Trepanier <owen@owentrepanier.com>; Trapani, Jennifer <jtrapani@redwoodsgroup.com>; Zoe Porter <zoe.porter@cityofkeywest-fl.gov>; Donna Phillips <donna.phillips@cityofkeywest-fl.gov>; Keri O'Brien <kobrien@cityofkeywest-fl.gov>; Katie P. Halloran <katie.halloran@cityofkeywest-fl.gov>; richard@spottswoodlaw.com; David Pouliot <Dave@constructionkeywest.com>; Thomas Francis-Siburg <thomas@owentrepanier.com>; Sam Conch House <sam@conchhouse.com>  
**Subject:** [EXTERNAL] Re: Windsor Lane Variance

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Hi, Myra-

Thanks for continuing to share your concerns. I think I can address a few of them.

First, while we are on the HARC schedule, it's always been understood that we would be withdrawn from that agenda if we don't receive planning approval today. There is no presumption of approval on anyone's part, except that the appropriate authorities (Fire Marshal, Building Official, etc.) have indicated their support for the project, if we meet their requirements.

For emergency response purposes, we have been in close touch with the fire marshal and they required both that we nigh the titles and that we maintain a recognition of the old addresses to avoid confusion in the event of an emergency response - as you suggest.

We are also working through several means to make the gate and entry passage accessible.

Finally, the building will be wood framed with a metal roof and hardiboard siding, which makes it "fire resistive". I'm sorry for any confusion about that.

I can appreciate your concerns about density, but I hope you'll view our plans to build a safe, energy efficient new structure in the space to be a significant improvement to the property and the neighborhood.

Thanks again for continuing the e-dialogue with us!

Sent from my mobile device

Kevin A. Trapani  
Co-Founder, CEO & President  
The Redwoods Group  
(919)462-9731 (office)  
(919)931-6316 (mobile)

---

**From:** Myra Ciardi <[myraciardi4@gmail.com](mailto:myraciardi4@gmail.com)>

**Sent:** Thursday, August 18, 2022 1:01:58 PM

**To:** Trapani, Kevin <[ktrapani@redwoodsgroup.com](mailto:ktrapani@redwoodsgroup.com)>

**Cc:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>; Trapani, Jennifer <[jtrapani@redwoodsgroup.com](mailto:jtrapani@redwoodsgroup.com)>; Zoe Porter <[zoe.porter@cityofkeywest-fl.gov](mailto:zoe.porter@cityofkeywest-fl.gov)>; Donna Phillips <[donna.phillips@cityofkeywest-fl.gov](mailto:donna.phillips@cityofkeywest-fl.gov)>; Keri O'Brien <[kobrien@cityofkeywest-fl.gov](mailto:kobrien@cityofkeywest-fl.gov)>; [katie.halloran@cityofkeywest-fl.gov](mailto:katie.halloran@cityofkeywest-fl.gov) <[katie.halloran@cityofkeywest-fl.gov](mailto:katie.halloran@cityofkeywest-fl.gov)>; [richard@spottswoodlaw.com](mailto:richard@spottswoodlaw.com) <[richard@spottswoodlaw.com](mailto:richard@spottswoodlaw.com)>; David Pouliot <[Dave@constructionkeywest.com](mailto:Dave@constructionkeywest.com)>; Thomas Francis-Siburg <[thomas@owentrepanier.com](mailto:thomas@owentrepanier.com)>; Sam Holland Jr (<[sam@conchhouse.com](mailto:sam@conchhouse.com)>) <[sam@conchhouse.com](mailto:sam@conchhouse.com)>

**Subject:** Re: Windsor Lane Variance

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Greetings all:

I see that 703 Windsor is on the HARC schedule for next week. Is that presumptive scheduling as in it is already assumed that all variances will be granted? The notice states a wood frame structure to be built. My discussion with Owen indicated a concrete house or does that mean only concrete components?

Also if 703 Windsor is to be incorporated into 627 Elizabeth and will no longer be an address how will that be handled going forward as the only access to the property is from Windsor Ln.?

Hypothetically (and God forbid) an emergency call comes in from 627 Elizabeth=theres a problem in the rear house. Oh ok 627 Elizabeth- we'll be right there. Oh but you can only access the property from Windsor Ln. It used to be 703 Windsor but that doesn't exist anymore.....

For sure contractors will be occupying several parking spaces on Windsor for the duration of demolition and construction (months) but this is an Elizabeth St, address.

I understand the footprint of 703 is "grandfathered" but in my opinion that is nonsense. There is no historical integrity to the property. The structure was haphazardly placed when it was built 70+ years ago and this is an opportunity to bring it to current standards with appropriate setbacks and appropriate square footage since the structure has to be demolished.

I get that this is most likely a foregone conclusion.

Thank you for your responses to my concerns.

On Thu, Aug 18, 2022 at 9:33 AM Trapani, Kevin <[ktrapani@redwoodsgroup.com](mailto:ktrapani@redwoodsgroup.com)> wrote:

Good morning, Myra. Thanks for sharing your concerns - which are ours as well - about life safety at the 703 Windsor house. As Owen has shared with you, the home is owned by my 75-year old mother in law and her safety is our primary motivation in the rebuilding of the home.

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Thanks!

Sent from my mobile device

Kevin A. Trapani  
Co-Founder, CEO & President  
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(919)462-9731 (office)  
(919)931-6316 (mobile)

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**From:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>

**Sent:** Wednesday, August 17, 2022 7:25:54 PM

**To:** [myraciardi4@gmail.com](mailto:myraciardi4@gmail.com) <[myraciardi4@gmail.com](mailto:myraciardi4@gmail.com)>

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**Subject:** Windsor Lane Variance

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Hi Ms. Ciardi,

Thank you for speaking with me about the proposed variance. As we discussed, I'm sending you the Unity of Title for 701 and the "Build-back Code" for property such as this that are "involuntarily destroyed" and I highlighted the pertinent verbiage. [I need to apologize, when we were talking I cited the wrong section the correct one is 122-28.]

In summary, if this building were built back in its previous 3-D footprint, then no variances would be required. In our case we are building back, essentially, in the 2-D footprint. I say "essentially" because is not the exact footprint; we are detaching this property from the adjacent 705 Windsor Lane property, removing all encroachments, we're creating a hip roof where a gable and flat roof previously existed, and we're addressing the Fire Marshal's and the Building Official's concerns with a host of life-safety improvements. I would not have normally expected such improvements to trigger variances, but that is the way the code was interpreted in this case.

I appreciate your perspective that you shared with me (which I agree with) that the build-back code (along with the vast majority of the entire code), as currently written, should be reconsidered/ updated/ revised/ etc. to among other things, make life-safety considerations a formal priority. Though, as a matter of practice and state law, the Key West Fire Marshal's and Building Official's offices have expansive authority to require the consideration and inclusion of life-safety features, and they both are very committed to the pursuit of such. In this case, by working with the Fire Marshal's and the Building Official's offices, the property owners are doing the following:

- Cement construction;
- Cement board eaves and fascia;
- Metal roof
- Fire sprinklers;
- Egress windows; and
- Reconstruction of the pathway to Windsor Lane to maximize life-safety access given the spatial constraints.

Again, I appreciate your willingness to discuss your concerns and I enjoyed our conversation. As I mentioned, if you would like to visit the property, I would be happy to show it to you. And if not, I hope you can stop by either during or after construction to see the improvements first hand.

If I can ever assist you with regard to land use planning, please don't hesitate to call.

Thanks again.

Owen Trepanier

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**Trepanier & Associates, Inc.**

Land Planners & Development Consultants

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