



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

October 28, 2009

VIA U.S. MAIL and ELECTRONIC MAIL

Mrs. Elsa De Graffenreid
1517 Dennis Street,
Key West, Florida 33040

RE: 1517 Dennis Street
Real Estate (RE) Number 00063360-000000 and 00063410-000000
Building Permit Allocation Determination

Dear Mrs. De Graffenreid,

The purpose of this letter is to respond to your July 28, 2009, request for a determination regarding whether three Building Permit Allocation System units are lawfully established at the mixed use structure at 1517 Dennis Street. The Planning Department has reviewed available information and has determined that there are no lawfully established dwelling units associated with this address at Real Estate Number 00063360-000000 and 00063410-000000 relative to the Building Permit Allocation System.

The address 1517 Dennis Street consists of two parcels and each parcel has a free standing structure. Both parcels have historically been owned by one family. To distinguish between the two buildings and parcels, the structure on parcel RE# 00063360-000000 will be known as (A) and the structure on parcel RE# 00063410-000000 will be known as (B). The structure on parcel (A), was built in 1957 and classified as a warehouse in the 70's and currently serves as a single family home according to Property Appraisers Records. The structure on parcel (B), was constructed later, around 1981, and old building permit records indicate the structure served as a storage unit for the businesses licensed at parcel (A). According to Property Appraisers Records parcel (B) is currently classified as an office building.



Parcel (A)- RE Number -00063360-000000



Parcel (B)- RE Number 00063410-000000

Mr. Raymond J. Capas
Building Permit Allocation Determination
October 28, 2009
Page 2

The owner's request for a lawful unit determination relative to the Building Permit Allocation System is for parcel (B). However, because the two parcels historically share one address, due to the original use for the structure on parcel (B) as an accessory commercial storage unit for businesses located at parcel (A), and because a portion of the structure from parcel (B) currently sits within the property line of parcel (A), both parcels are addressed in this document.

The relevant records pertaining to the determination concerning lawful residential use of parcel (B) are described below and provided as attachments. Old licensing records, City directories, utility bills, and Building Permits for 1517 Dennis Street trace the presence of numerous commercial businesses from the 1970's until the present time, however the majority of the historical documentation regarding the two parcels does not decipher between the uses on parcel (A) and parcel (B) (although parcel (B) is intermittently referred to as "Rear"). Therefore, these collective sources help distinguish each of the buildings uses.

No records have been found that indicate there have been any lawfully established residential uses on parcel (B). Building permits and licensing records show that the structure on parcel (B) was permitted in 1981 and used as a storage facility until 1991 when a Certificate of Occupancy was approved for a portion of the structure to be used as a day care.

Numerous businesses are listed at 1517 Dennis Street in the Polk City Directory since at least 1970. According to licensing records around 1990 four companies including a roofing company, an insurance company, a plumbing company, and an armored car business, were licensed at 1517 Dennis Street. Building permits show these companies shared the structure on parcel (A) and used the structure at the rear of parcel (B) as a storage facility.

Additionally, a 1991 building permit application for a 17' x 30' foot front addition to the structure on parcel (B) describes the structure as an existing commercial storage building. Attached are the permits for the original structure dated February 2, 1981 with site plans also describing the building as being used for commercial storage.

Due to a lapse of licensing and additional building permits it is difficult to determine when the rear structure on parcel (B) reached its existing form and when it began to incorporate residential use. City Polk Directory listings for 1517 Dennis Street as far back as 1970 record only commercial listings until 2001 when three residential listings appear, indicated as "New" listings. Multiple residential listings and one commercial listing remain in the Directory from 2001 until now. Currently, there are two active commercial licenses and one residential garbage account established in 1987 for both parcels listed as 1517 Dennis Street.

A site visit, conducted on parcel (B) only, revealed the rear structure currently has three residential units and a commercial office space. Each unit has a private entrance. One unit is a one bedroom, one unit is a two bedroom, and one unit is a three bedroom living space. The commercial space has two offices and a large reception room. It appears as though the current configuration of the structure has occurred over time. Aerial photos of Key West depict distinct rooftop colors and materials and appear to substantiate that the building was constructed piecemeal.

This determination is based on the following information, as obtained by various providers:

- Monroe County Property Appraiser's Record Cards:
Parcel A
 - 1974 describes a warehouse
 - 2009 describes a single family home
Parcel B
 - 1974 describes a vacant lot
 - 2009 describes a one-story office building
- Aerial photographs from the property appraiser's office (Parcel (B)):
 - 1975 reveals an empty lot
 - 1981 reveals the existence of the original 20' x 50' storage structure
 - 1994 and 1998 images show gradual additions
- Building permits (Parcel (B)):
 - 1981 permits issued for the original structure, of 20' x 40-50', as commercial storage
 - 1991 permits issued for a 17' x 30' front addition to be used for commercial storage. Permit façade drawings are comparable to attached photo of the current structure, 2009.
- City licensing records (both parcels) on and about April 1, 1990, document four (4) commercial businesses including;
 - Taylor's Roofing
 - Keys Armored
 - Franks Plumbing
 - Insurance World

Additional businesses recorded at 1517 Dennis Street include:

- 1986, Yo-Yo's Roofing and Sheet Metal Co. and Key's Drain Cleaners
- 1994-1996 Jesus Gonzales Communications and Beepers, replaced Insurance world

New Use:

- 1991, Baby World of Key West, Inc. (changed to Tribble Learning Center, Inc in 1993)
- 1994, Cabo Window Company. Joint use with Day Care
- Polk City Directory entries (both parcels (A) and (B)) on or about April 1, 1990 document only commercial listings.
 - 1970-2001 listings indicate continuous commercial presence
 - 2001-2008 listings indicate commercial presence and rotating residents
- City services records (both parcels) show one (1) residential garbage account since 1987
- Keys Electric Service records (both parcels) have no records on and about April 1, 1990.

Mr. Raymond J. Capas
Building Permit Allocation Determination
October 28, 2009
Page 4

- 1991 a commercial account opens at 1517 Dennis St. "Rear"
- 1994 a residential account opens at 1517 Dennis Street
- BPAS Audit has no records of existing or recovered units
- A site visit from the Planning Department confirmed an office space, three small lock out units with bathrooms and kitchens, and an attached elevated storage shed, that are compiled to create the "rear" structure. Within the building fixtures appear to be an assortment of designs from differing time periods, the configuration of units is unusual, and units have uneven elevations. It is difficult to substantiate the age of the structure based on a site visit.

In summary, this letter documents that there is no substantial evidence that indicates three single family residential units existed on RE# 00063410-000000 (parcel (B)) and 00063360-000000 (parcel (A)), 1517 Dennis Street, that are exempt from the Building Permit Allocation System.

Please note that it may be possible to legalize two of the three units on parcel (B) using the procedures below, as follows:

- Unify the title to achieve unit density
- Obtain after the fact building permits
- Request affordable housing allocations

Please do not hesitate to call me with any questions or comments.

Sincerely,

Nicole Malo
Planner

Attachments

Xc:

Amy Kimball-Murley, AICP, Planning Director
Carolyn Walker, Licensing Official
GEO Files







