

RESOLUTION NO. 89-290

A RESOLUTION ALLOWING A VARIANCE TO HP-1, RESIDENTIAL HISTORIC PRESERVATION DISTRICT, UNDER CHAPTER 35 OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA ALLOWING A VARIANCE TO CONVERT AN EXISTING CARPORT TO HABITABLE AREA WITH 2-FOOT EXISTING REAR SETBACK (20-FOOT REQUIRED), ON THE FOLLOWING DESCRIBED PROPERTY: ON THE ISLAND OF KEY WEST AND IS LOT 11 AND THE SOUTHWEST 1/2 OF LOT 9, ACCORDING TO D.T. SWEENEY'S DIAGRAM OF SQUARE 9 IN TRACT 11, AS RECORDED IN DEED BOOK "L" AT PAGE 564 OF MONROE COUNTY, FLORIDA, PUBLIC RECORDS AND IS MORE PARTICULARLY DESCRIBED AS FOLLOWS: FROM THE INTERSECTION OF THE NORTHEAST LINE OF WHITEHEAD STREET AND THE NORTHWEST LINE OF UNITED STREET GO NORTHEASTERLY ALONG THE SAID NORTHWEST LINE OF UNITED STREET A DISTANCE OF 100 FEET TO A POINT WHICH IS THE POINT OF BEGINNING; THENCE NORTHWESTERLY AT AN ANGLE TO THE LEFT OF 90 DEGREES A DISTANCE OF 84 FEET TO A POINT; THENCE NORTHEASTERLY AT AN ANGLE TO THE RIGHT OF 90 DEGREES A DISTANCE OF 49 FEET TO A POINT; THENCE NORTHWESTERLY AT AN ANGLE TO THE LEFT OF 90 DEGREES A DISTANCE OF NO (0) FEET 2 INCHES TO A POINT; THENCE NORTHEASTERLY AT AN ANGLE TO THE RIGHT OF 90 DEGREES A DISTANCE OF 24 FEET, 4-1/2 INCHES TO A POINT; THENCE SOUTHEASTERLY AT AN ANGLE TO THE RIGHT OF 90 DEGREES A DISTANCE OF 84 FEET 2 INCHES TO A POINT IN THE SAID NORTHWEST LINE OF UNITED STREET; THENCE SOUTHWESTERLY AT AN ANGLE TO THE RIGHT OF 90 DEGREES ALONG THE SAID NORTHWEST LINE OF UNITED STREET A DISTANCE OF 73 FEET, 4-1/2 INCHES TO THE POINT OF BEGINNING; ALSO KNOWN AS 415, UNITED STREET, KEY WEST, MONROE COUNTY, FLORIDA.

WHEREAS, special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the subject district; and

WHEREAS, literal interpretation of the provisions of the Zoning Ordinance of the City of Key West would deprive the owner of the subject property of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance.

WHEREAS, the special exceptions and circumstances do not result from the actions of the applicant.

WHEREAS, the granting of the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to other land, structures or buildings in the same district, now therefore,

BE IT RESOLVED by the City Commission of the City of Key West,

Florida:

Section 1. That a variance to convert an existing carport to habitable area with 2-foot existing rear setback (20-foot required), to HP-1, Residential Historic Preservation District, under Chapter 35 of the Code of Ordinances of the City of Key West, Florida be on the following described property:

On the Island of Key West and is Lot 11 and the Southwest 1/2 of Lot 9, according to D.T. Sweeney's Diagram of Square 9 in Tract 11, as recorded in Deed Book "L" at Page 564 of Monroe County, Florida, Public Records and is more particularly described as follows: From the intersection of the Northeast line of Whitehead Street and the Northwest line of United Street go Northeasterly along the said Northwest line of United Street a distance of 100 feet to a point which is the point of beginning; thence Northwesterly at an angle to the left of 90 degrees a distance of 84 feet to a point; thence Northeasterly at an angle to the right of 90 degrees a distance of 49 feet to a point; thence Northwesterly at an angle to the left of 90 degrees a distance of no (0) feet 2 inches to a point; thence Northeasterly at an angle to the right of 90 degrees a distance of 24 feet, 4-1/2 inches to a point; thence Southeasterly at an angle to the right of 90 degrees a distance of 84 feet 2 inches to a point in the said Northwest line of United Street; thence Southwesterly at an angle to the right of 90 degrees along the said Northwest line of United Street a distance of 73 feet, 4-1/2 inches to the point of beginning; also known as 415 United Street, Key West, Monroe County, Florida.

Section 2. It is an essential condition of this variance 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, shall be submitted in its entirety within 12 months after the date hereof. It is an essential condition of this variance that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of said 12-month period.

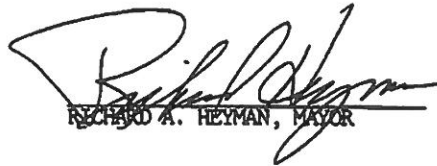
Section 3. Failure to submit full and complete application for permits for new construction for which this variance is wholly or partly necessary, or Failure to complete new construction for use and occupancy pursuant to this variance in accordance with the terms of a City building permit issued upon timely application as described in

Section 2 hereof, shall immediately operate to terminate this variance, which variance shall be of no force or effect.

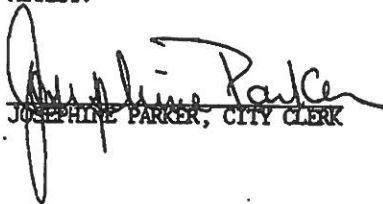
Section 4. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 5. 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.

Read and passed on first reading at a regular meeting held this 12th day of July, 1989.


RICHARD A. HEYMAN, MAYOR

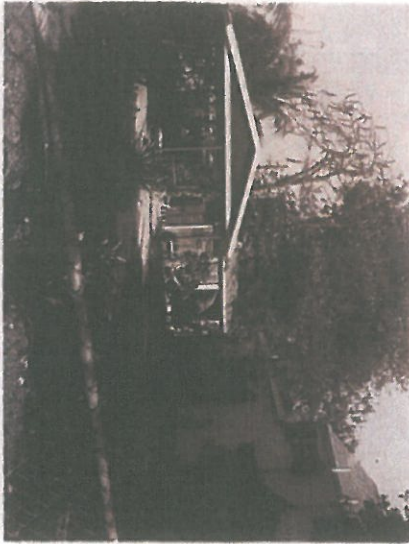
ATTEST:


JOSEPHINE PARKER, CITY CLERK

KT
SUB 11
PT LOT 4
OR506-481-482
SQR 9
TR 11
OR673-710

PC-01

LAND COMPUTATIONS						
QUAN - TYPE - DESC.	SIZE - AREA	UNIT PRICE	O F	C F	PRICE PER FRONT FOOT	VALUE
	49x84	60	.94		56.40	2760
	49x84	75	.14		70.50	3404
TOTAL						3764

[illegible]

MAF 2049

1890-1891
1891-1892
1892-1893

4/5 - United

REAL PROPERTY RECORD CARD

MONROE COUNTY, FLORIDA

AT 1030023

VALUATION TOTALS

[illegible]

— NOTES —

SEE Pg: 2981 FOR "76"
SALE PRICE

7-19-91 Deleted mail
now combined with
RE 2991 for accession
purpose. Box for
1991 Day Roll
L.G.

