

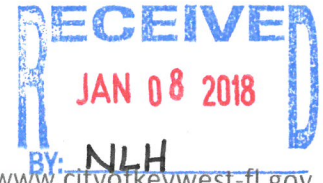
Application



Application For Variance

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040 • 305-809-3720 • www.cityofkeywest-fl.gov



Application Fee: \$1,150.00 / After-the-Fact: \$2,150.00
(includes \$100.00 advertising/noticing fee and \$50.00 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 305-809-3720.

PROPERTY DESCRIPTION:

Site Address: 629 ANGELAST, Cottage B
Zoning District: _____ Real Estate (RE) #: _____
Property located within the Historic District? ☒ Yes ☐ No

APPLICANT: ☒ Owner ☐ Authorized Representative

Name: ROBERT FERNANDEZ
Mailing Address: 1320 6th ST.
City: KEY WEST, FL State: FL Zip: 33040
Home/Mobile Phone: 850 980 4444 Office: _____ Fax: 850 562 0282
Email: RF@TALSTAR.COM

PROPERTY OWNER: (if different than above)

Name: ROBERT FERNANDEZ + FAMILY TRUST
Mailing Address: SAME
City: _____ State: _____ Zip: _____
Home/Mobile Phone: _____ Office: _____ Fax: _____
Email: _____

Description of Proposed Construction, Development, and Use: REBUILT COTTAGE B
DESTROYED BY IRMA
OWNER SEEKS TO REBUILD ORIGINAL FOOTPRINT

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

HISTORIC FENCES ENCROACH 1'-2" NORTH & 21'-8" SOUTH
LOT COVERAGE + BUILDING COVERAGE + OPEN SPACE
IMPERVIOUS SOILS + DRI

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

If yes, please describe and attach relevant documents: _____

City of Key West • Application for Variance

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	Shaded X			
Size of Site	5293			
Height	23'-6"			
Front Setback		82.67	80.67	
Side Setback		2.13'	5'-0"	
Side Setback		4.87	5'-0"	
Street Side Setback		NA	NA	
Rear Setback		41'-0"	39'-0"	
F.A.R				
Building Coverage		3536	3160	
Impervious Surface		4193	4108	
Parking		6	6	
Handicap Parking		1	1	
Bicycle Parking		0	3	
Open Space/ Landscaping		1099	1155	
Number and type of units		4	4	
Consumption Area or Number of seats		NA	NA	

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:

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.

Pre Existing Structures created over
50% Lot Coverage

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

Home was destroyed by Hurricane Irma.
Banyan Tree fell

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.

Owners seek permission to build back
similar size footprint & height - No
additional entitlements sought.

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.

Preexisting Hardship: House destroyed
by storm - "Act of God"

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.

Building walls are inside 5' Setback line
2 Fences require Minimum Variance -

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.

Roof overhangs will shade building and
harmonize with neighborhood context
Concessions by owner mitigate impact of new home.

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.




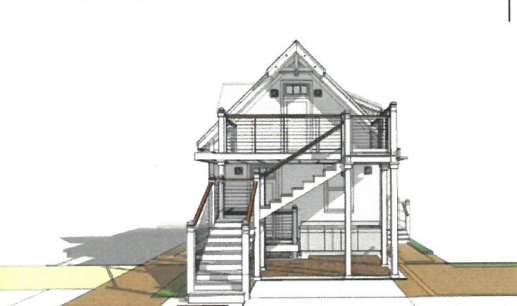



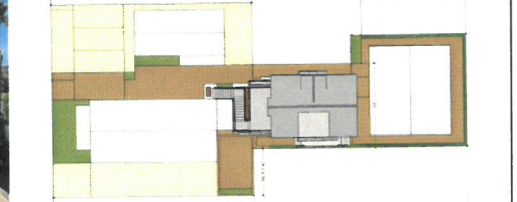
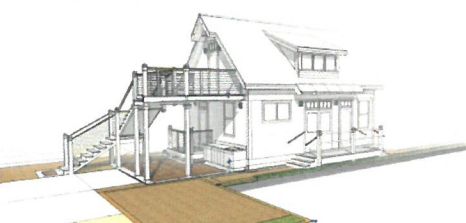


All development occurs on owners lot
Variances are for encroachment on
Setbacks only - No off-site development

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 following must be submitted in order to have a complete application. Please submit one paper copy and one electronic copy of all materials.

- ☒ Correct application fee. Check may be payable to "City of Key West."
- ☒ Notarized verification form signed by property owner or the authorized representative.
- ☒ Notarized authorization form signed by property owner, if applicant is not the owner.
- ☒ Copy of recorded warranty deed
- ☒ Property record card
- ☒ Signed and sealed survey
- ☒ Site plan (plans MUST be signed and sealed by an Engineer or Architect)
- ☒ Floor plans
- ☐ Stormwater management plan

			
Banyan Tree Falls on House	Crushed Roof & North Wall	South Wall After Storm	New House is Similar in Size & Height to Original View of House & Porch from Angela Street Side
			
Remove Carport at Porch	Remove Porch & Decks	The Site is now Cleared	Site Plan shows new Cottage in Center
		 Floor Plan	
Removing Carport roof Creates Open Area	New Eaves on N & S Sides Require Variances	560SF Single Family Home for 3-4 People	

620 Angela Street - Key West Home Destroyed by Hurricane Irma - Owners are Requesting Variances to Rebuild

620 Angela Street Zoning Variance Request	Zoning Variance Meeting April 19 th 6PM
<p>Dear Neighbors, You Recently got a Key West Zoning Postcard</p> <p>The Fernandez Family Cottage was Completely Destroyed during Hurricane Irma When a Large Tree fell on the Home.</p> <p>We are seeking to rebuild the Cottage in a similar size and location, with 3 Bedrooms & 3 Baths. The walls of the 20'x28' Cottage have the required 5' Setback from the Property Line.</p> <p>The Roof Eaves project into this setback and need 2 Variances: 1) North Eave Projects 1'-2" 2) South Eave Projects 2'-8"</p> <p>A Building Coverage Variance (>50%) is also required to replace the old Cottage under Current Building Coverage Requirements.</p> <p>Open Space: Owners will Demo Carport roof & decks at rear of home & replace them with a New Porch inside the 5' Setback.</p>	
Please Stop by the property & see our recovery progress & Give us a call if you want to talk or have any questions about our Plans	Robert Fernandez, Owner: 850 - 980 - 4444 Chris Liddle, Architect: 305 - 797 - 4162

CHRIS LIDDLE ARCHITECT

Historic Preservation & Regeneration
305 797 4162 cliddlekw@yahoo.com

Melissa Paul-Leto Senior Planner Analyst
City of Key West Planning Dept.

Re: 620 Angela Hurricane Destroyed Home
Re- Building & Site Conditions

4/9/18

Dear Melissa,

The Fernandez Family lost their family home at 620 Angela Street when a Banyan Tree fell on it during Hurricane Irma, completely crushing the house. The family wishes to rebuild the Cottage in a configuration very similar to the original structure.

We have worked with Planning Staff to rebuild the structure in the most conforming configuration that can be reasonably achieved, and to make needed concessions to improve conformance, and create reasonable compliance with current regulations.

Please allow us to describe in detail the prevailing hardships & necessity of relief behind our Variance Requests and how we plan to address them, and minimize our impact.

Owners Request for Variances to rebuild home

Required to Build Back under Existing Non-Conforming Site Conditions

Variances Sought to Rebuild Home: Minimum Relief

1. Side Yard Setback: (North) Replace Eave Projects 1-2" into setback area , Dormer Above is Inside 5' Setback Line
2. Side Yard Setback: (South) Replace Eave Projects 2-8" into setback area , Dormer Above is Inside 5' Setback Drip Line at Eave Projects 1'-2"
3. Building Coverage: Pre-Existing Structures on the Site are over required % Variance is sought here, See Remediation

Reasons for Variance: The complete destruction of the Cottage during Hurricane Irma is cited as the prevailing hardship, for this variance request.

1. This hardship is **not self- imposed**. Home was destroyed by an " Act of God"
2. Rebuilding the home is a **basic solution to the hardship** of losing the home
3. Rebuilding the **Pre Existing structure** with historic eaves requires variance to **conform with current regulations** & HARC Design Guidelines
4. **2 Eaves require 2 Setback Variances** to be rebuilt projecting into the 5' Setback
5. **Building Coverage** this variance request is to allow **Replacing Pre Existing**
6. Owners do not seek additional entitlements & will rebuild a similar footprint & height
7. The Variances requested are the **minimum feasible relief** for the owners.

Owners Concessions: Minimize Impact to minimize the need for Variances

- A. Move New Structure to keep walls inside 5' Setback Line, treat as new construction
- B. Removing Carports & Rebuilding Stair & Deck Coverage in new conforming location
- C. Removing Roofs in Setback Area to compensate for New Eaves in Setback Area.
- D. Removing 500SF of Concrete Paving to Improve Impervious Surfaces & Site Drainage

The following concessions have been negotiated to relieve non-forming aspects of the pre-existing structures on the site and are a condition of the variances.

Planning Concessions to Re-build a more conforming structure on the site

- Reposition the Home so that Walls are inside the 5' setback line.
- Provide 5' NFPA Fire access, and clear Accessible walkways on all side
- Remove Carports, Roofs & Decks to compensate for new stairs & decks
- Remove 500SF of Concrete Paving to Improve Drainage & Impervious Surface %

Rebuilding the Cottage with overhangs similar to the original requires variances for the two projections. The original overhangs prior to hurricane were below regulatory concern. New Construction of original roofs requires 2 variances. We are able to reposition the replacement structure in a more conforming location with walls inside the 5' property setback line.

We believe this is a textbook case for the granting of variance relief on the property.

Variance Requests Eaves:

Replace Building roofs with eave overhangs similar to original
Side Yard North 1'-2" roof (build-back) projects into 5' setback; Over Rear Wall &
Side Yard North 2'-8" roof (build-back) projects into 5' setback; Shades South Wall

Variance Requests Site: Pre-Existing & Proposed Site Conditions do not meet new prescribed Building Coverage Requirements.

Rebuilding the new as a Replica of the Original Structure requires variances to allow rebuilding a similar footprint on the site. Allowing the pre-existing lot coverage to continue requires variances to allow a build-back of the original house on a non-conforming lot. The owner has med concession to limit the impact of the situation.

New dormers are added help to distinguish new from old & better utilize attic space. The design of the new structure is a compatible replica, rather than an exact copy. It is not intended create a false sense of history but seeks to complement adjacent homes.

Remediation: Measures have been taken to reduce Site Coverage & impervious soils & improve drainage they are documented on Site G3. Primarily, the removal of the Carport on 620 Angela to reduce roofed are & lot coverage & the removal of concrete paving to improve drainage will create move open space for residents.

Even with these measures we are not able to achieve proscribed coverage areas. Our request is to obtain variances sufficient to relieve the non-conformance which cannot be achieved without further removing existing structures. We believe the measures taken are sufficient to insure that the replacement cottage does not increase non-conformance but seeks to remediate it.

Impervious Surface & Drainage: Pre-Existing Paving on the Site was over required 50% Proposed Site Plan is compliant (See Remediation Plans) See Plans & Details depicting the Variances sought for roof Eaves within the 5' setback

To Date, Plans have been reviewed by Staff Analysts & Zoning compliance measures have been instituted. We now believe we are properly documented to request the necessary variances to build back the New Post- Hurricane Structure in its preferred configuration.

Thanks for your help on our rebuilding project.
Sincerely,

Chris Liddle, Project Architect

Robert Fernandez & Family Owners
620 Angela St. - Compound
Key West, FL 33040

CHRIS LIDDLE ARCHITECT

Historic Preservation & Regeneration
305 797 4162 cliddlekw@yahoo.com

Robert Fernandez & Family Owners: 620 & 622 Angela
620 Angela St. – Compound Cottage B in Rear
Key West, FL 33040

SITE DATA TABLE				4/13/18
Project Address: 620 Angela St. Key West FL			Replace: Rear Cottage B	
Item:	Code Requirement	Existing (SF or %)	Proposed (SF or %)	Variance Request
Subject 620B, Parcel 3				
Flood Zone	Shaded-X Zone			FEMA - OK
Zoning	HDMR			
Site Area (Parcels 1&3)		5293	5293	
Roof Height at Ridge	40'	@23'-6"	23'-6"	See H7
Building Setbacks				
Side Setback at Eave (N)		2.13'	3'-10"	Variance
Side Setback at Eave (S)		4.87'	2'-4"	Variance
Street Setback at Eave (W)		80.67'	64'-10"	@ Steps (30")
Rear Setback at Eave (E)	Move	41'	39'-0"	
Building Site	(Parcels 1&3)	5293	5293	
620 Angela (Parcel 1)	Floor Areas	1017	1017	
620 B Angela (Parcel 3)		542.9	560	
620 C Angela (Parcel 3)		860	860	
Carport/Porch /Sheds/Eaves	(56sf less)	1099	1043	
Total Building Coverage	3175	3536	3403	Variance (228SF)
Site Area Coverage %		69%	64%	Improved 5%
Site Area Coverage + Deck	3230SF w Deck	NA	61%	
Total Open/ Landscape	+200SF	1755	1955	Improved
Open Space Requirements	35%	30%	39%	OK > 35%
Impervious Surface		3660	3160	
Impervious Surface %		69%	59%	
Parking Requirements		6	6	
Parking: Street	0	3	3	
Bicycle/ Scooter Parking	Add 3 Racks	1	4	

Planning & Zoning Notes**Variance Concessions – Remediate Areas of Non Conformance**

Qualifying Hardship: Home Lost in Hurricane	Rebuild Home	Similar Size	Pre Existing Non- Conforming	Variances Sought
Variance Concession Remove Carport to Improve Open Space (Parcel 1- Main House)	Exchange for “new” Deck & Stair Coverage	Remove 376SF	Replace 320SF	Reduce Overall Coverage by 56SF
Variance Concession Remove Carport & House Roofs in 5’ Setback Area Concession for Rebuilding	Remove Roof Coverages in Setback Area House/Carport	Remove 158SF Overhang In setback	Replace 110SF In Setback	Offsetting Coverage Reduce by 48SF
Concession: Site Coverage (Additional as Required)	Remove 102 SF Carport Roof	Reduce Paving by 500SF	Improve Pervious	5% New Open Area
Concessions: Lockout Rules	No Lockouts	Wet Bar Rule	1 Kitchen	1 Laundry
Total Number of Units	620 Angela	4	4	No Change
Total Number of Units	620B Angela	1	1	No Change
Note: Compound Includes 620 A 620 B, 620 C, 622 Angela, Parcels 1, 2 & 3 See G1, G2, G3 Owners Request: Build-Back of Pre-Existing Home, Destroyed by Hurricane Irma Rebuild of Pre-Existing House on Non-Conforming Building Parcel Requires Several Variances for Pre-Existing Site Conditions. Remediation as Shown.				

Planning & Zoning Notes:

Site Conditions: See 620 Angela G1, G2, G3

General

1. No Change to Occupancy or Use
2. Re-Use Existing Single Family Entitlements, Rogo Exempt
3. Request Rebuild Approval for new Structure, Similar Envelope
4. No Additional Units or ROGOS created, No New Lockouts Created
5. Small Increase in Building Coverage or Footprint, Concessions Made
6. Tax Map Envelope, Pre-Existing Roof Height & Building Footprint (Foundation)
7. Main Structure 620 Angela may be a Non-contributing Structure, seek disposition

Dormers & Rooflines (G1 & G2)

8. 2 Dormers fall within Allowable Development Envelope, Conforming
9. Entire Roof & Dormers Below Max Height
10. No Issues w East & West Roof Eaves, Inside 5’ Setback Lines
11. Main Roof: North & South Roof Eaves will project into 5’ Setback area by 1’-2” (G2)
12. Eave At Laundry Deck 2’-8” will Project 2’-8” into 5’ Setback area (G2) for 16’

Variances

13. **Variance Request:** Two (2) Non-Conforming Eaves projecting into 5' Setback

Variances Request Overhangs in Setback Area: (G1 & G2):

North: 1'-2" Eave Variance

South: 2'-8" Eave Variance

14. **Variances Requested:** Pre-existing Non-conforming Site Coverage

15. **Variance Requested:** Impervious Surface & Lot Coverage- Close to Threshold

Concessions: Move Exterior Building Walls inside 5'-0" Setback in Conforming Location

1. (No Variance Required for walls) (G1 & G2)
2. New Building Coverage Less than Pre-Existing Coverage with concessions (G3)
3. Concessions: Remove Eaves at Carport in 5' Setback Removed to allow similar SF Build-back of Cottage Eaves using Variances - Required (G3)
4. New Documentation on Pre-Existing Stair & Eave Coverage, Height & Scale (H8)

Amenities: Basic Resident Accommodations Provided

1. **Parking:** No Change 6 Spots Off-Street (G1&G2)
2. **Bikes:** Add 3 Lockup Racks
3. **Trash & Recycle:** Add Fenced Trash & Recycle area for All Tenants
4. **Mail:** Add Mailboxes & Package Dock-Box
5. **Open Space:** New Covered Porch & Open Deck with View (G1, G2, G3)
6. **Common Amenities:** Common Kitchen Area & Common Laundry Area (G2)
7. **Landscaping:** New Open Areas, Green Spaces, Plantings & Container Gardening

Conditions of Use Agreement: Employ Anti-Lockout Provisions for Group Home

1. Group Home: 3 Bedroom Home for 3-4 Persons with Shared Cooking & Laundry
2. Maintain Current License. No Transient License or Occupancy is proposed
3. One Lease: 3-4 People Common Areas Master-Keyed Keypad Locks for Access
4. No Kitchens = No Apts, <8' Mini-Bars in Common Rooms, Conforms to Code
5. Utilities: One Electrical Service, One FKAA, Water & Sewer Hookup, Shared Internet
6. Legal: One Lease, Maximum 3-4 Residents on one (1) lease, One Deposit

CHRIS LIDDLE ARCHITECT

Key West and the Florida Keys
305 797 4162 cliddlekw@yahoo.com

620 Angela House Pre-Existing Condition Photos

PHOTOS – 620 B Angela House: After Hurricane Irma



Banyan Tree after Storm



South Wall Crushed by Storm



Damage View from SE Corner



Tree On North Cottage Wall

Storm Damaged Porches & Roofs



Rear of Main Structure



Damaged Porches & Roofs



620 B Site after Demo & 620 C Rear



622 Angela After Storm



Adjacent Cottage to North



Cottage from SE

PHOTOS 620 B Angela House: View after Storm



620 B Stair to Upper Level & Damaged Porches



620 B Gable End Wall After Damaged Roof is Removed
Note: 12/12 Pitch & 2' Knee wall at Upper Level Loft 14' Ht.

PHOTOS- 620B Angela House: View after Partial Demolition



Tree on North Side Wall



Interior of Cottage & Loft Area



Adjacent Cottage Lifted by Banyan Tree Root Ball

PHOTOS - Angela House: Storm Damage & Adjacent Structures



Site After Demolition & Clearing of Major Hurricane Debris



Site After Demolition Towards Whitmarsh Lane

PHOTOS- 620 B Angela Rear Lot Cleared



South towards Whitmarsh



North towards Elizabeth



North Adjacent on Angela



Corner of Angela & Elizabeth Streets



Corner of Angela & Whitmarsh



Adjacent on Whitmarsh Lane



Cottage on Whitmarsh Lane



2 Story Home on Whitmarsh Lane



View Along Whitmarsh Lane



View From Whitmarsh Lane

PHOTOS- Adjacent Structures on Whitmarsh Lane



SW Across from 620 Angela



West Across from 620 Angela



West Across from 620 Angela



West Across from 622 Angela

Angela Street Homes near Subject Property



Corner of Angela & Elizabeth SE



Corner of Angela & Elizabeth SW



Nearby House on Elizabeth St



Adjacent House on Elizabeth St

Angela & Elizabeth Neighborhood Houses on Elizabeth Street