



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: \$2,415.00 / After-the-Fact: \$4,515.00

(includes \$210.00 advertising/noticing fee and \$105.00 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 305-809-3764.

PROPERTY DESCRIPTION:				
Site Address: 408 Greene Street				
Zoning District: HRO				
Real Estate (RE) #: 00001500-000000				
Property located within the Historic District.	⊠Yes	□No		
APPLICANT: □Owner ☑Auth Name: Spottswood Law on behalf of Carlos Ce	orized Represo spedes Maili	entative ng Address: ¹	500 Fleming Street	
City: Key West	State: FZip: 3		Home/Mobile	Phone:
,	Office: 305-		Fax:	
Email: c/o Richard@spottswoodlaw.com				
PROPERTY OWNER: (if different than above) Name: C and D Properties of Key West City: Key West	Maili State:Zip: _Office:_C/O_3	33040	405 #102 Fleming Street Home/Mobile 91Fax:	Phone:
Email: c/o Richard@spottswoodlaw.com	<u> </u>			
Description of proposed development, construction and use: Approximately 1,000 sq. ft. of backyard space and other small group (6-12 people) events pr				
List and describe the specific variance(s) being request Code Sec.108-572(3): Request is a variance for 3.3 (4) to be used for small gatherings such as yoga classes. And, A variance request from Code Sec. 108-573(c)(1) to all	parking space Retail space i	equirement i	s 1 space/300.	oor area
Are there any easements, deed restrictions or other er If yes, please describe and attach relevant documents:				⊠No

Will any work be within the dripline (canopy) of any tree on or off the property?	□Yes	⊠No
If yes, provide date of landscape approval, and attach a copy of such approval.		
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 N Table					
Code Requirement		Existing	Proposed	Variance Request	
Zoning	HRO				
Flood Zone	AE 6				
Size of Site	4,556 sf				
Height	30.0 ft		No change		
Front Setback	5.0 ft	5.0 ft			
Side Setback	5.0 ft	.6 ft			
Side Setback	5.0 ft	2.6 ft	No change		
Street Side Setback	5.0 ft	NA	No change		
Rear Setback	10.0 ft	4.8 ft	No change		
F.A.R	1,907 sf		2,907 sf		
Building Coverage	50% (2,278 sf)	1,241 sf	No change		
Impervious Surface	60% (2,733.6 sf)	3,573 sf	No change		
Parking	1 sp/300 sf	0	0	3 vehicle spaces	
Handicap Parking	NA	0	0		
Bicycle Parking	35% veh spaces	0	1		
Open Space/ Landscaping	20 %	21%	No change		
Number and type of units	Commercial	NA	No change		
Consumption Area or Number of seats	60		No change		

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.

	"See attached letter"
	See attached 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 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 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 letter"
	Only minimum variance(s) granted. That the variance(s) granted is/are the minimum variance(s) that will make de Sec,108-572(3): Request is for 6.6 (7) parking spaces for 1.000 sf of outdoor floor area to be used for small assembly/gatherings se ନ୍ୟା/ପର୍ଣ୍ଣେ ଓ ଓ ମତ୍ୟ ସ୍ଥିତ (୧୯) ନ ନ୍ୟୁନ୍ତ କ୍ରମ୍ୟୁର୍ମ୍ଣ କ୍ରମ୍ୟୁନ୍ତ ବ୍ୟୁକ୍ତ ructure.

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 letter"
Type text here
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 letter"
The Planning Board and/or Board of Adjustment shall make factual findings regarding the following:

6. Not injurious to the public welfare. That granting of the variance(s) will be in harmony with the general intent

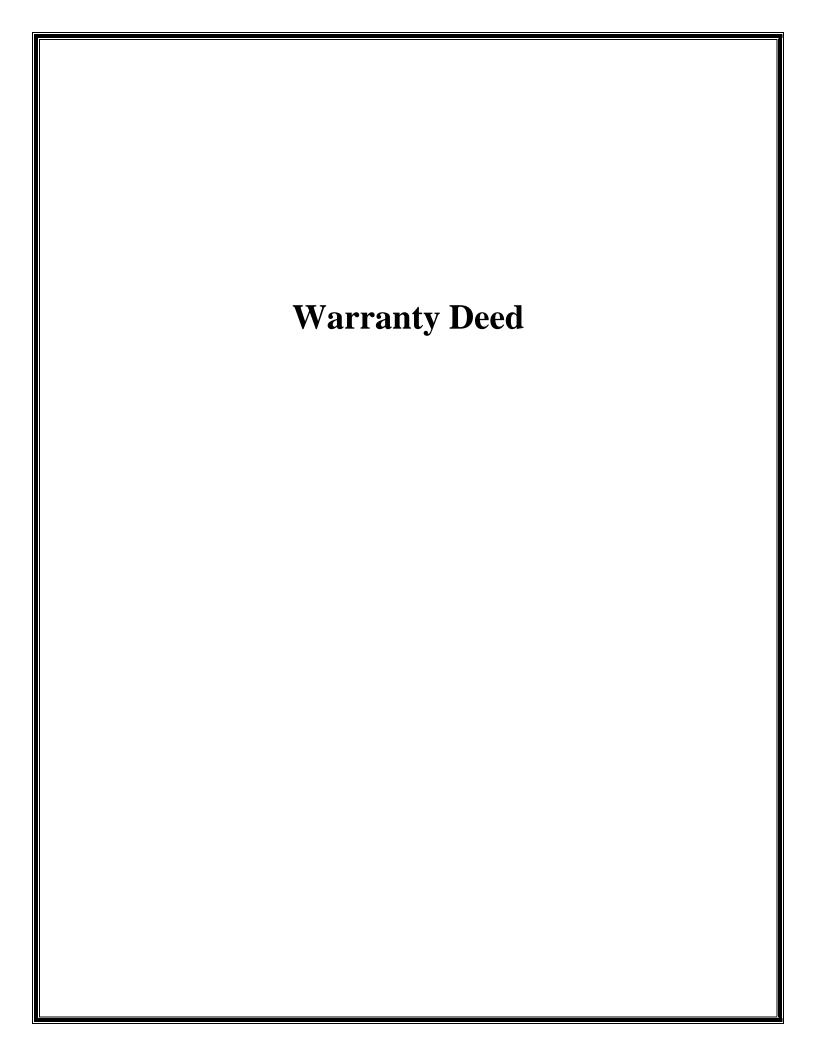
- That the standards established in Section 90-395 have been met by the applicant for a variance.
- That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections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

Code Sec.108-572(3): Request is for 6.6 (7) parking spaces for 1,000 sf of outdoor floor area to be used for small assembly/gatherings blyCode Sec. 108-573(c)(1) for the addition of floor area Ass

Assembly area 1 space/150 sf of floor area = 6.6 spaces

Planr	ing 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 thisapplication)
	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.

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



This instrument prepared by: Karleen A. Grant, Esq. 1033 Flagler Avenue Key West, Florida 33040

Parcel J.D. No: See Ex. A

Doc# 1872292 02/29/2012 11:26AM Filed & Recorded in Official Records of MONROE COUNTY DANNY L. KOLHAGE

02/29/2012 11:26AM DEED DOC STAMP CL: DS

\$0.70

Doc# 1872292 Bk# 2557 Pg# 1725

(Space reserved for recording)

QUIT CLAIM DEED

THIS INDENTURE

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto; the use of the singular numbers shall include the plural, and the plural, the singular, the use of any gender; and, if used, the term "note" shall include all the notes herein described if more than one.

Made this \ \ \ \ day of December, 2011

CAROLYN A. BLACKWELL, a single woman, and DIANE A. CROCKETT, a married woman, whose addresses are, respectively, 21 Cypress Avenue, and 3320 Riviera Drive, Key West, Monroe County, Florida 33040, party of the first part, and C & D PROPERTIES OF KEY WEST I, LLC, a Wyoming Limited Liability Company which has an address of P.O. BOX 4125, Key West, Monroe County, Florida 33041, party of the second part.

WITNESSETH

That the said party of the first part, for and in consideration of Ten and No/100 (\$10.00) Dollars, and other good and valuable consideration, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title, interest, claim and demand which the said party of the first part has in and to the following described lots, pieces or parcels of land, situate lying and being in the County of Monroe, State of Florida, to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND INCORPORATED HEREIN BY REFERENCE

The purpose of this deed is to vest the entire ownership in the above-referenced properties to the Grantee.

This property is not the Homestead of Grantors, nor does it abut their constitutional homesteads which are located at the addresses shown above.

This document was prepared without benefit of title search or abstract examination and is based solely on facts provided by either of the parties or his agent.

TO HAVE AND TO HOLD the same, together with all and singular the appurtenances thereunto

(TDD)C:\KAG\CLIENTS\ARTMAN.FAM\QCD11

belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part.

In Witness Whereof, the said party of the first part have hereunto set their hand and seal the day and year first above written.

WITNESSES:	
Emi Name: DAWN THOPNBURGH	CAROLAN A. BLACKWELL
Print Name: 17 ARLECT A GRANT	
Print Name: DAWN 14 DOWN DWEHD	Quane a Crockett
Print Name: ABRICEN A GERNI	
	Doc# 1872292
STATE OF FLORIDA)	Bk# 2557 Pg# 1726
) COUNTY OF MONROE	
,	20
The foregoing Quit Claim Deed was acknot CAROLYN A. BLACKWELL, who is personally as identi	whedged before me this day of December, 2011, by known to me or produced fication.
My Commission Expires: KAPLEEN A. GRAN WY COMMISSION P. DD 97:- \$ 1 C EXPIRES: April 29, 201-4 Bonded Thus Budget Natury Surve.	NOTARY PUBLIC - State of Florida LACCEN A GRANT Print Name
STATE OF FLORIDA)	
COUNTY OF MONROE)	
The foregoing Quit Claim Deed was acknown DIANE A. CROCKETT, who is personally known as identification	
My Commission Expires: KAPLEEN A GRANT MY COMMISSION & DO \$75510 EXPIRES: April 29, 2014	NOTARY PUBLIC - State of Florida

2

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Exhibit "A"

On the Island of Key West, and known on William A. Whitehead's map of said Island, delineated in February, A.D., 1829, as part of Lot 3 in Square Fifteen (15).

COMMENCING at a point Sixty-One (61) feet form the corner of Greene and New Streets, and running thence along Greene Street in a Southwesterly direction Thirty-Four (34) feet; thence at right angles in a Southeasterly direction One Hundred and Thirty Four 134) feet; thence at right angles in a Northeasterly direction Thirty-Four (34) feet; thence at right angles in a Northeasterly direction thirty-four (34) feet; thence at right angles in a Northwesterly direction One hundred and Thirty Four (134) feet to the Place of Beginning.

Commonly known as 408 Greene Street

Alt Key: 1001554

Doc# 1872292 Bk# 2557 Pg# 1727

AND

In the City of Key West, situated at the corner of Whitehead and Fleming Streets, being Part of Lot Four (4) in Square Thirty Eight (38) according to the Map or Plan of said City by Wm. A Whitehead, delineated in February 1928. Said piece of land having a front on Whitehead Street of Fifty-Two (52) feet and a front on Fleming Street of Sixty-Five (65) feet and Eleven (11) inches, more or less.

Commonly known as 405 Fleming Street Alt. Key: 1006904

AND

(Old Sears Roebuck store) On the Island of Key West, Monroe County, Florida, and known on Wm. A. Whitehead's Map of said Island delineated in February, A.D. 1829, as a part of Lot Four (4) in Square Thirty-Six (36).

Commencing at the corner of Simonton and Fleming Streets and running thence along the Northeast side of Simonton Street in a Northwesterly direction 45 feet; thence at right angles in a Northeasterly direction 80 feet; thence at right angles in a Southeasterly direction 45 feet out to Fleming Street; thence at right angles along the line of Fleming Street in a Southwesterly direction 80 feet to the Place of Beginning. Together with building and improvements thereon.

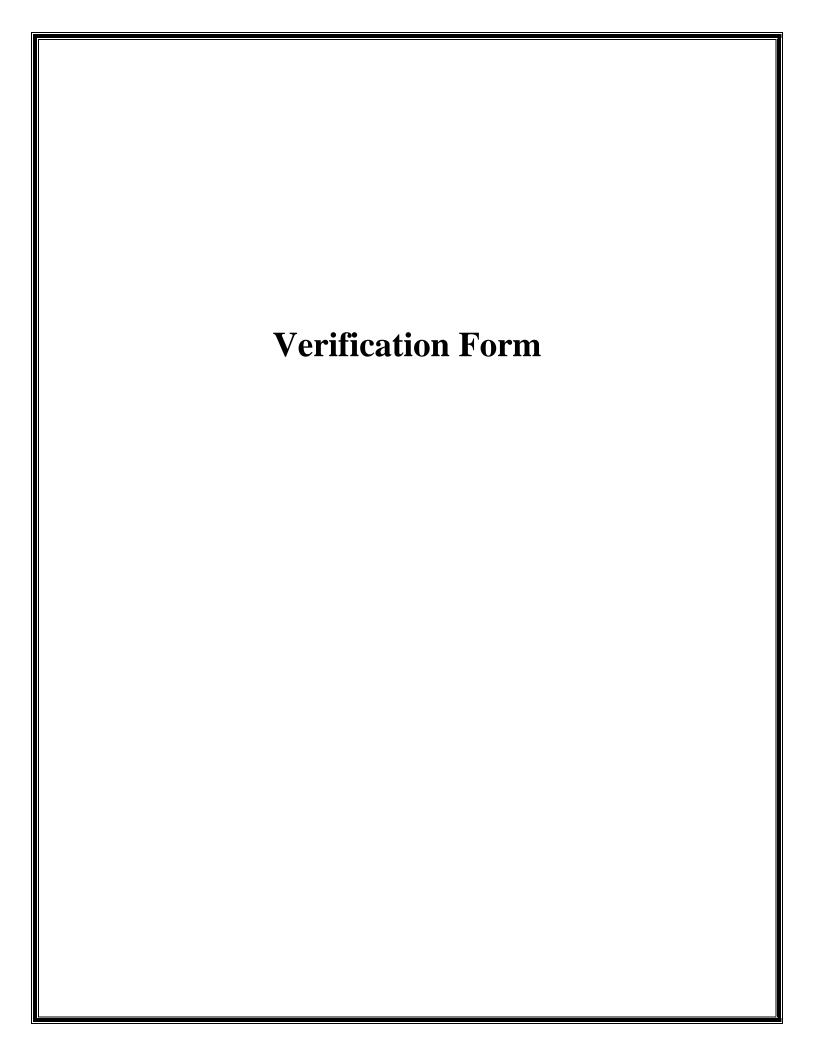
LESS:

On the Island of Key West, Monroe County, Florida, and known on William A. Whitehead's Map of said Island, delineated in February, A.D. 1829, as a part of Lot Four in Square Thirty-Six. Commencing on Fleming Street distant Forty-three feet from the corner of Simonton and Fleming Streets thence Thirty-six feet and 21 inches in a Northeast direction, thence in a Northwesterly direction Forty-five feet, thence in a Southwesterly direction Thirty-six feet and 21 inches, thence along a common wall Southeasterly Fortyfive feet to the point of beginning.

Commonly known as 601 Fleming Street Alt. Key: 1006572

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MONROE COUNTY





Commission Number, if any

City of Key West Planning Department Verification Form

(Where Authorized Representative is an individual)

I, Richard M Chesney, being duly sworn, depo	se and say that I am the Authorized
Representative of the Owner (as appears on the deed), for the subject matter of this application:	the following property identified as
408 GREENE ST Street address of subject p	
Street address of subject p	property
I, the undersigned, declare under penalty of perjury under information on all plans, drawings and sketches attached h contained herein are in all respects true and correct.	
In the event the City or the Planning Department relies on to be untrue or incorrect, any action or approval based or revocation.	
Signature of Authorized Representative	
Subscribed and sworn to (or affirmed) before me on this	July 13, 2021 by
Name of Authorized Representative	date
He/She is personally known to me or has presented	as identification.
Notary's Signature and Seal	
rotary a signate o and sout	MONICA HORNYAK Commission # GG 123349 Expires August 18, 2021 Bonded Thru Troy Fain Insurance 800-385-7019
Name of Acknowledger typed, printed or stamped	A CHARLES AND

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,Blackwell as Please Print Name of person with authority to execute documents on behalf of entity
Managing Member of CaD Properties of Key West
authorize 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.
Signature of person with authority to execute documents on behalf on entity owner
Subscribed and sworn to (or affirmed) before me on this
by Carolyn Blackwell Name of person with authority to execute documents on behalf on entity owner .
He/She is personally known to me or has presented as identification.
Notary's Signature and Seal
Name of Acknowledger typed, printed or stamped
MONICA HORNYAK Commission # GG 123349 Expires August 18, 2021 Bonded Thru Tray Fain Insurance 800-385-7010

City of Key West Planning Department



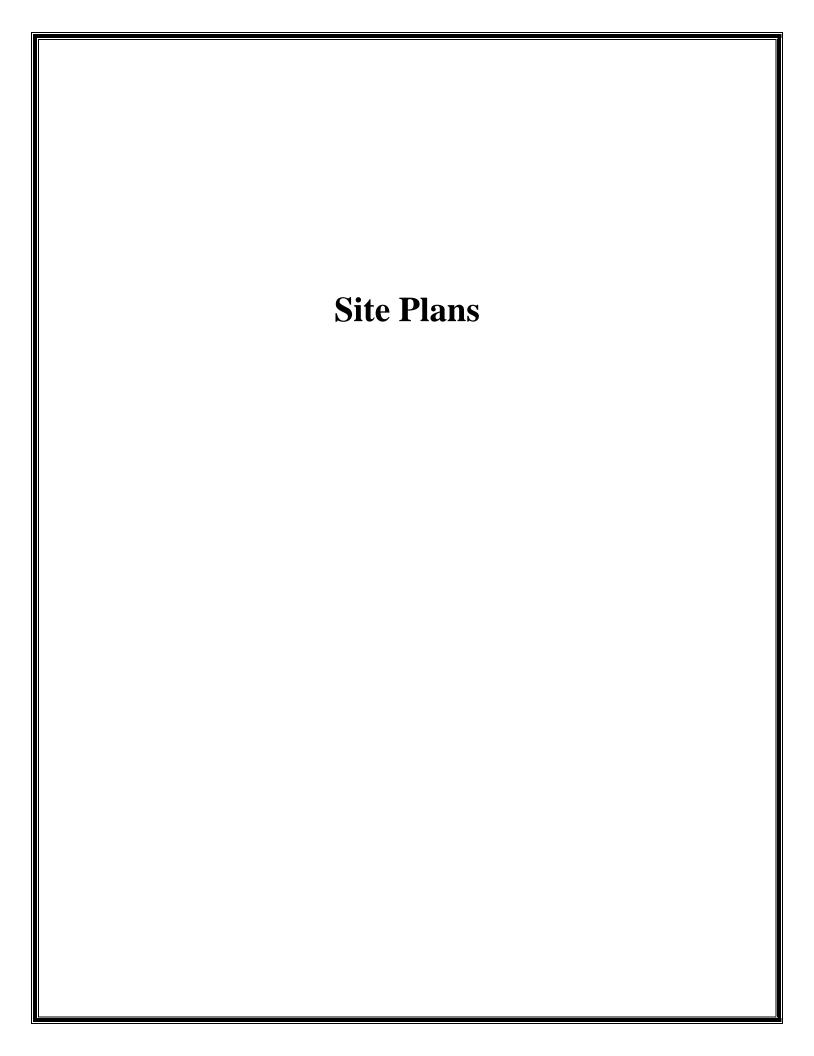
Authorization Form

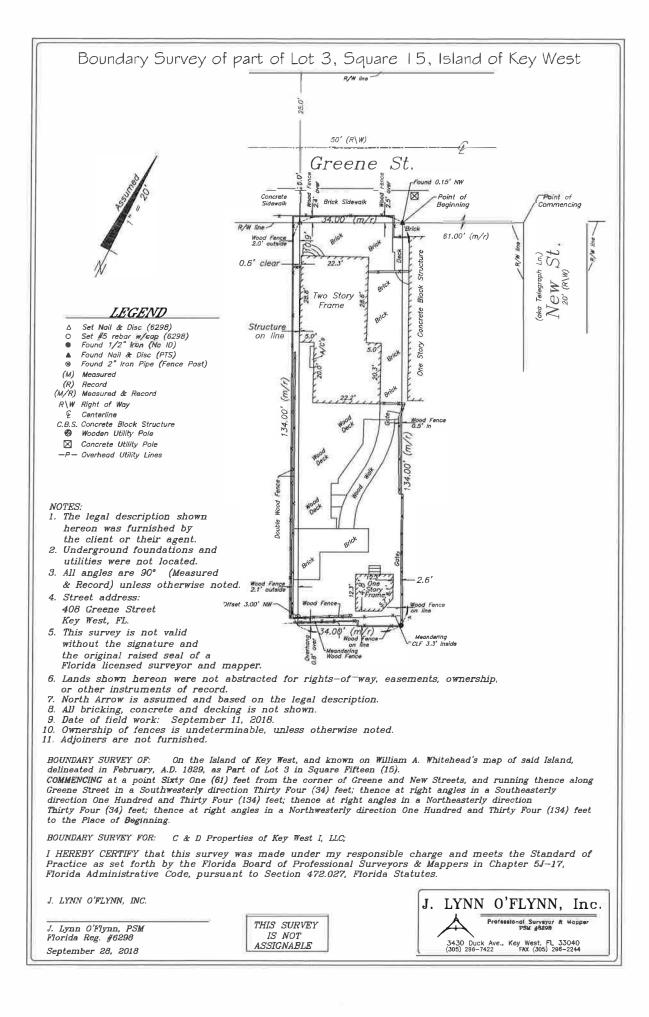
(Where Owner is a Business Entity)

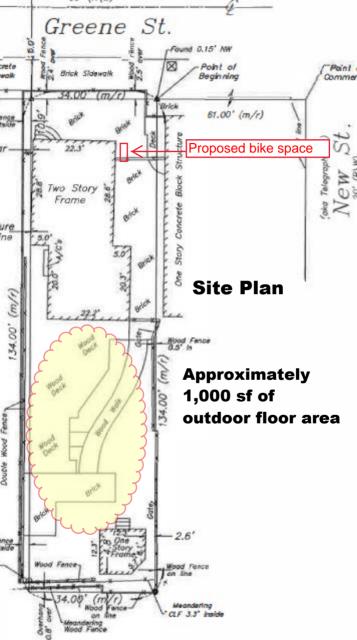
Please complete this form if someone other than the owner is representing the property owner in this matter.

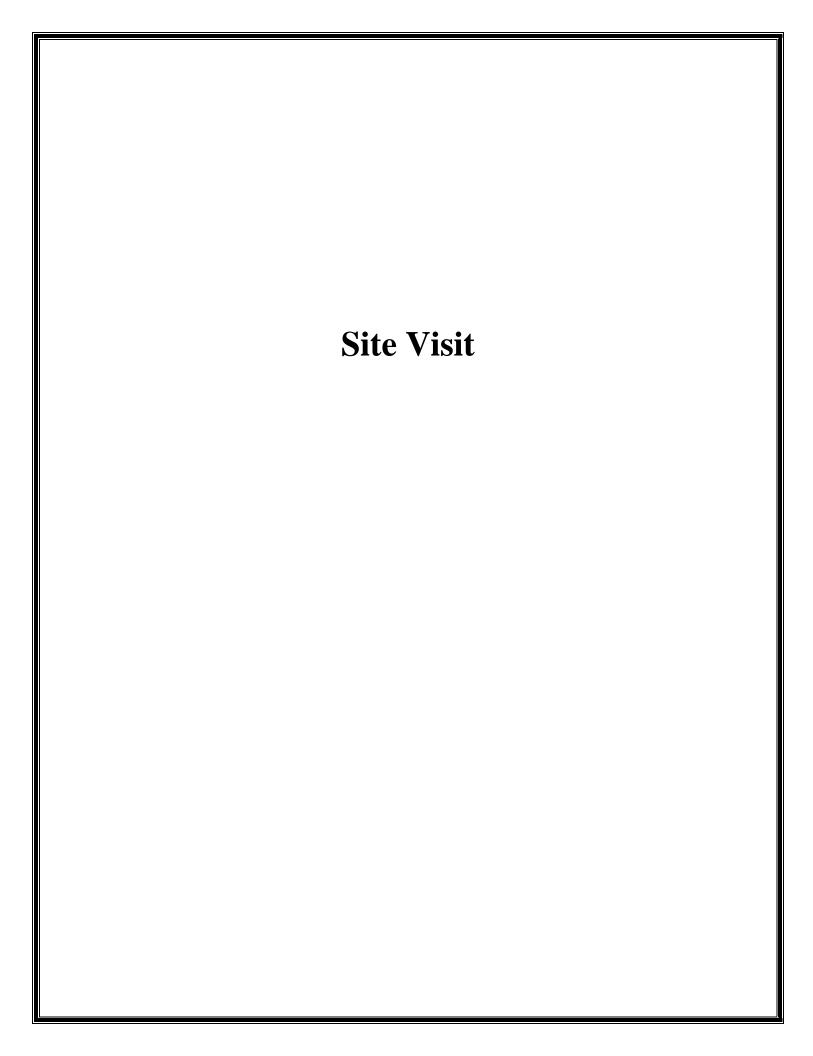
I. Carlos M. Cespedes	as
Please Print Name of person with author	ity to execute documents on behalf of entity
Authorized Member	of Key West Med Spa
Name of office (President, Managing Member)	Name of owner from deed
authorize Richard J. Mcchesney - Spottswood, S	Spottswood, Spottswood & Sterling
Please Print Nam	e of Representative
to be the representative for this application and act o	n my/our behalf before the City of Key West.
Signature of person with authority to exe	ecute documents on behalf on entity owner
Subscribed and sworn to (or affirmed) before me on Type text here by Carlos M. Cessed = s	Date
by Carlos M. Cesped s Name of person with authority to execut	ute documents on behalf on entity owner
He/She is personally known to me or has presented	
Name of Acknowledger typed, printed or stamped	MONICA HORNYAK Commission # GG 123349 Expires August 18, 2021 Bonded Thru Troy Fain Insurance 800-385-7019

Commission Number, if any

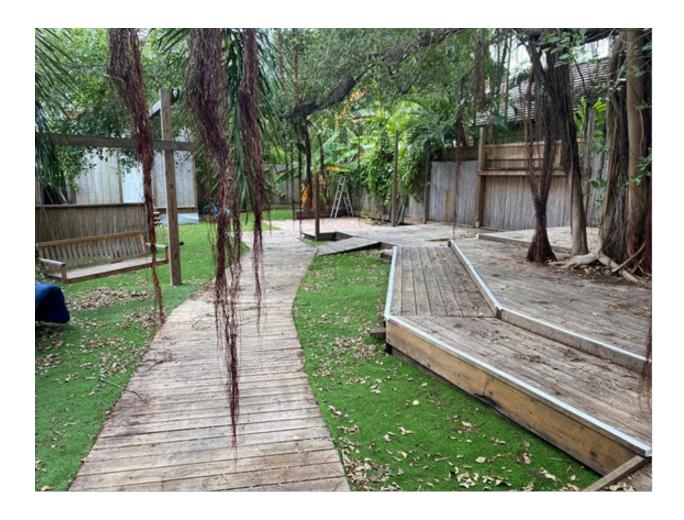


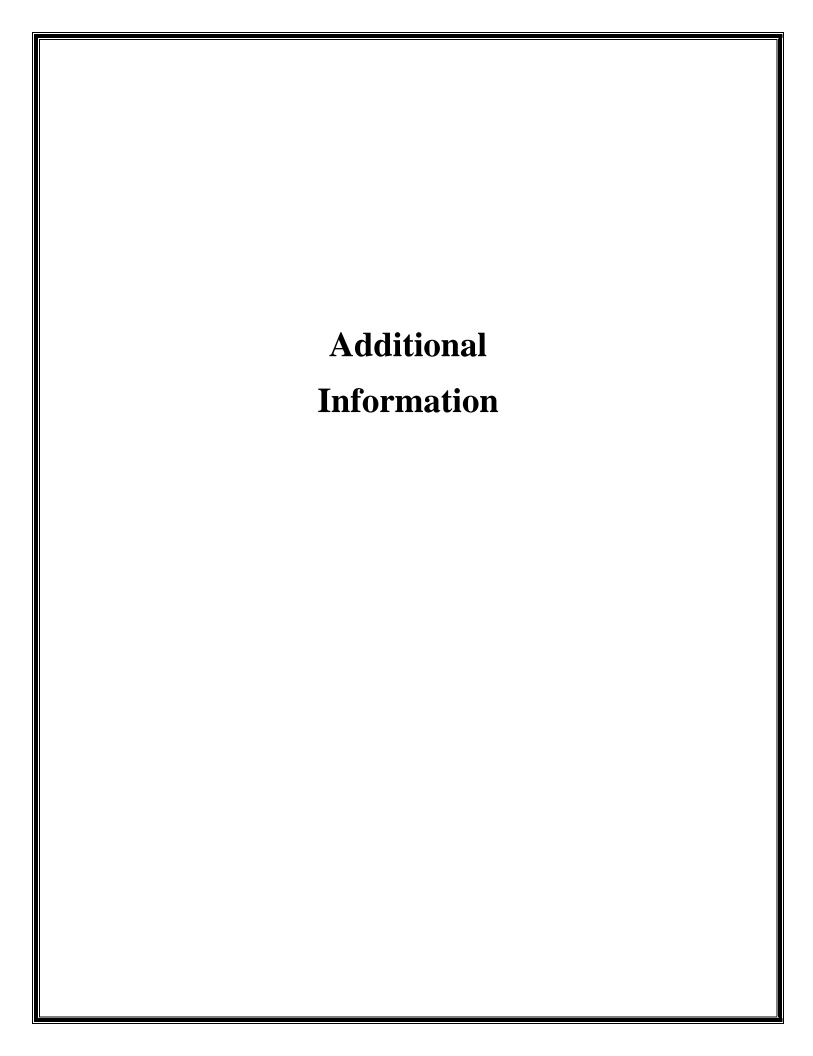






408 Greene Street backyard







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 00001500-000000
Account# 1001554
Property ID 1001554
Millage Group 10KW

Location Address 408 GREENE St, KEY WEST

Legal Description KW PT LOT 3 SQR 15 H3-187 OR1029-497 OR1209-2477/79 OR2557-1725/27

(Note: Not to be used on legal documents.)

Neighborhood 32020

Property Class STORE COMBO (1200)

Subdivision
Sec/Twp/Rng 06/68/25
Affordable Housing No



Owner

C AND D PROPERTIES OF KEY WEST ILLC

PO Box 4125 Key West FL 33041

Valuation

	2020	2019	2018	2017
+ Market Improvement Value	\$129,795	\$135,057	\$125,624	\$125,624
+ Market Misc Value	\$318	\$318	\$318	\$318
+ Market Land Value	\$1,086,606	\$1,008,926	\$920,312	\$736,250
= Just Market Value	\$1,216,719	\$1,144,301	\$1,046,254	\$862,192
= Total Assessed Value	\$1,147,577	\$1,043,252	\$948,411	\$862,192
- School Exempt Value	\$O	\$0	\$0	\$0
= School Taxable Value	\$1,216,719	\$1,144,301	\$1,046,254	\$862,192

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(1200)	4,556.00	Square Foot	34	134

Commercial Buildings

Style 1 STY STORE-B / 11B

 Gross Sq Ft
 1,907

 Finished Sq Ft
 1,078

 Perimiter
 480

 Stories
 2

Interior Walls

Exterior Walls AB AVE WOOD SIDING

Quality 400 () Roof Type

Roof Material

Exterior Wall 1 AB AVE WOOD SIDING

Exterior Wall2
Foundation
Interior Finish
Ground Floor Area
Floor Cover
Full Bathrooms
Half Bathrooms
Heating Type
Year Built
1933
Year Remodeled

Effective Year Built 1999

Condition				
Code	Description	Sketch Area	Finished Area	Perimeter
DUF	FIN DET UTILIT	126	0	50
FHS	FINISH HALF ST	319	0	80
FLA	FLOOR LIV AREA	1,078	1,078	186
OPF	OP PRCH FIN LL	96	0	40
OUF	OP PRCH FIN UL	20	0	18
PTO	PATIO	268	0	106
TOTAL		1,907	1,078	480

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
FENCES	1999	2000	1	180 SF	2

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
12/30/2011	\$100	Quit Claim Deed		2557	1725	11 - Unqualified	Improved

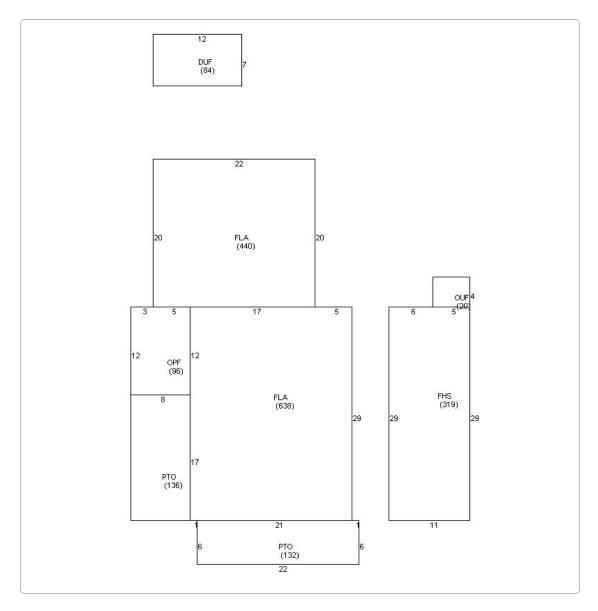
Permits

Number ≑	Date Issued	Date Completed	Amount	Permit Type \$	Notes ≑
BLD2020- 1809	7/9/2020	8/4/2020	\$18,950	Commercial	REROOF WITH 5V CRIMP METAL ROOFING AND NEW UNDERLAYMENT. WE WILL MATCH EXACTLY THE EXISTING 5V CRIMP METAL ROOF IN LIKE, QUALITY AND KIND.
16- 00004469	11/28/2016	11/28/2018	\$13,986	Commercial	INSTALL (2) MINI SPLIT SYSTEMS AND (1) DUAL ZONE 24,000 BTU WITH SINGLE WITH FRESH AIR. ELEC. BY OTHERS. NOC REQUIRED. **HARC INSPECTION REQUIRED**
13-4727	11/19/2013		\$5,600	Commercial	REPAIR 1/2 X 6 SIDING, INSTALL 2 ONE LITE WOOD FRENCH DOORS, REMOVE LATTICE AND PLYWOOD, ADD ON, INSTALL 6' 6-8 FRENCH DOOR IN REAR OF BLDG.
13-4198	10/10/2013		\$2,100	Commercial	COMPLETE ELECTRICAL INSTALLATION OF POWER SUPPLY FOR 2 TON MITSUBISHI UNIT, ONE 3 TON CENTRAL A/C UNIT, GFCI OUTLETS BYA/C CONDENSING UNIT AND AIR CURTAIN.
04-0199	2/4/2004	10/6/2004	\$36,784		20' X 22' ADDITION AS PER PLANS
03-2755	8/13/2003	12/31/2003	\$500		MOVE AWNING FROM 407 DUVA
9703660	11/1/1997	11/1/1997	\$1,300		SIGN
9701420	5/1/1997	7/1/1997	\$1,200		REPLACE 350 SF SIDING
9700540	3/1/1997	7/1/1997	\$315		INSTALL FRONT DOOR
9602023	5/1/1996	8/1/1996	\$150		ELECTRICAL

View Tax Info

View Taxes for this Parcel

Sketches (click to enlarge)



Photos





Map



TRIM Notice

2020 TRIM Notice (PDF)

2020 Notices Only

 $\textbf{No data available for the following modules:} \ \textbf{Buildings}, \ \textbf{Mobile Home Buildings}, \ \textbf{Exemptions}.$

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GDPR Privacy Notice

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Version 2.3.129