File #: 2019-163

Owner’s Name: The Downer Family Trust

Applicant: A2O Architects

Agent: Michael B. Ingram & Aileen Osborn

Type of Application: Administrative Variance

Key: Racoon Key

RE #: 00135370.000000
Additional Information added to File 2019-163
End of Additional File 2019-163
Administrative Variance

An application must be deemed complete and in compliance with the Monroe County Code by the Staff prior to the item being scheduled for review.

Administrative Variance Application Fee: $1,250.00

In addition to the application fee, the following fees also apply:
- Surrounding Property Owner Notification: $3.00 for each property owner required to be noticed
- A signed Affidavit is required with this application

Date of Application: 6/3/19

Applicant / Agent Authorized to Act for Property Owner: (Agents must provide notarized authorization from all property owners.)

Applicant (Name of Person, Business or Organization)

Name of Person Submitting this Application

Mailing Address (Street, City, State and Zip Code)

Work Phone Home Phone Cell Phone Email Address

Property Owner / Petitioner: (Business/Corp must include documents showing who has legal authorized to sign.)

(Name/Entity) Contact Person

Mailing Address (Street, City, State and Zip Code)

Work Phone Home Phone Cell Phone Email Address

Legal Description of Property: (If in metes and bounds, attach legal description on separate sheet.)

Block Lot Subdivision Key
001 100000 000000 116950

Real Estate (RE) Number Alternate Key Number

Street Address (Street, City, State & Zip Code) Approximate Mile Marker
Pursuant to Section 102-186(b) of the Monroe County Land Development Code (LDC), the Director of Planning & Environmental Resources is authorized to grant the following variances:

1. Reduction of front or rear yard non-shoreline setback requirements, as provided in LDC Chapter 131, by up to ten (10) feet; and reduction of non-shoreline side yard setback requirements, as provided in LDC Chapter 131, by up to five (5) feet;
2. Reduction in the off-street parking requirements in LDC Chapter 114, Article III, by no more than 20%;
3. Reduction in the bufferyard width requirements for Class C, D, E, and F district boundaries, major streets, and scenic corridors in LDC Chapter 114, Article III, by no more than 10%;
4. Reduction in the total area of landscaping required for off-street parking and loading in LDC Chapter 114, Article III, by no more than 10%; and
5. Reduction in the loading/unloading space dimensional requirements in LDC Chapter 114, Article III.

Provide the standards required by the land development regulations: __________

(i.e., front yard setback of 25 feet, 100 off-street parking spaces, etc.)

Provide requested variance: __________

(i.e., reduction of 5 ft for a front yard setback of 20 feet; reduction to 90 off-street parking spaces, etc.)

All of the following standards must be met in order to receive variance approval. Please describe how each standard will be met (as it relates to the property):

1. The applicant shall demonstrate a showing of good and sufficient cause for granting the variance:
   
   __________

   NOISE IS POSITIONED TO MEET SETBACKS & AVOID NEIGHBORING VENUES.

   DESIGN SOLUTION: TO RESPECT SCALE OF NEIGHBORING STRUCTURES

   BY MAKING NEW RESIDENCE SINGLE STORY MEETING

   FENNA HEIGHT REQUIREMENTS. THIS ALLOWS GREATER OPEN

   SKY LOOKING NORTH & END OF ROAD.

2. Failure to grant the variance would result in exceptional hardship to the applicant:

   __________

   VARIANCE IS CAUSED BY INABILITY TO MOVE COVERED AREA

   & STILL AFFORD UTILIZATION FOR COVERED PARKING. TWO

   STORY SOLUTION WOULD REQUIRE GREATER BUILDING AREA

   & RESULT IN NOT RESPECTING SCALE OF NEIGHBORS!

   NEIGHBORS.

Exceptional hardship means a burden on a property owner that substantially differs in kind or magnitude from the burden imposed on other similarly situated property owners in the same land use district as a result of adoption of the regulations.
3. Granting the variance will not result in increased public expenses, create a threat to public health and safety, create a public nuisance or cause fraud or victimization of the public:

   **VARIANCE IS MINIMUM WHILE MEETING ALL CODE REQUIREMENTS**
   **NO IMPACT ON ADOUTING OF PUBLIC LAND.**

4. Property has unique or peculiar circumstances, which apply to this property, but which do not apply to other properties in the same zoning district:

   **PROPERTY IS SURROUNDED ON 3 SIDES BY CANAL & OPEN WATER. SHORELINE SETBACKS ARE MET.**

5. Granting the variance will not give the applicant any special privilege denied other properties in the immediate neighborhood in terms of the provisions of the code or established development patterns:

   **EXISTING PROPERTIES EXHIBIT SIMILAR OR GREATER CONDITIONS**

6. Granting the variance is not based on disabilities, handicaps or health of the applicant or members of his family:

   **NO SPECIAL NEEDS ARE CLAIMED N.A**

7. Granting the variance is not based on the domestic difficulties of the applicant or his family:

   **NO CONDITIONS AS ABOVE. N.A.**

8. The variance is the minimum necessary to provide relief to the applicant:

   **NO OTHER VARIANCE IS REQUESTED.**
All of the following items must be included in order to have a complete application submission:
(Please check the box as each required item is attached to the application.)

☐ Complete administrative variance application (unaltered and unbound)
☐ Correct fee (check or money order payable to Monroe County Planning & Environmental Resources)
☐ Proof of ownership (i.e., Warranty Deed)
☐ Current Property Record Card(s) from the Monroe County Property Appraiser
☐ Location map
☐ Photograph(s) of site from adjacent roadway(s)
☐ Boundary Survey, prepared by a Florida registered surveyor-three (3) sets (at a minimum, survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage by land use district; and total acreage by habitat)
☐ Site Plan, prepared by a Florida registered architect, engineer or landscape architect-three (3) sets (drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale). At a minimum, the site plan should include the following:
  ☐ Date, north point and graphic scale
  ☐ Boundary lines of site, including all property lines and mean high-water line
  ☐ Land use district of site and any adjacent land use districts
  ☐ Locations and dimensions of all existing and proposed structures and drives
  ☐ Type of ground cover (i.e. concrete, asphalt, grass, rock)
  ☐ Adjacent roadways
  ☐ Setbacks as required by the land development regulations
  ☐ Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones
☐ Typed name and address mailing labels of all property owners within a 600-foot radius of the property. This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 600-foot radius, each unit owner must be included.

If applicable, the following items must be included in order to have a complete application submission:

☒ Notarized Agent Authorization Letter

Is there a pending code enforcement proceeding involving all or a portion of this property?
☐ Yes  ☐ No  Code Case file #________________________ Describe the enforcement proceedings and if this application is being submitted to correct the violation: ______________________________________________________________

If deemed necessary to complete a full review of the application, the Planning & Environmental Resources Department reserves the right to request additional information.

If for any reason the administrative variance application requires review and consideration by the Monroe County Planning Commission, additional fees, mailing labels and copies of all plans shall be required prior to item being scheduled for commission review.

* * * * * * * * * * *
Pursuant to LDC Section 102-186 (i), the applicant shall post the property of the proposed variance with a waterproof sign at least four (4) square feet in front surface area, which is so lettered as to be easily visible from all public streets and public ways abutting the property. The property shall remain posted for no less than thirty (30) calendar days beginning within five (5) working days of the date that the application is deemed to be in compliance by the Planning Director. For your convenience, the Department will provide you with a sample of the sign.

The applicant/owner hereby acknowledges and agrees that any staff discussions or negotiations about conditions of approval are preliminary only, and are not final, nor are they the specific conditions or demands required to gain approval of the application, unless the conditions or demands are actually included in writing in the final development order or the final denial determination or order.

By signing this application, the owner of the subject property authorizes the Monroe County Planning & Environmental Resources staff to conduct all necessary site visits and inspections on the subject property.

I, the Applicant, certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant: [Signature] Date: [Date]

STATE OF Florida

COUNTY OF Monroe

Sworn to and subscribed before me this 30th day of August, 2019,

by [Name], who is personally known to me OR produced [Type of ID Produced] as identification.

Signature of Notary Public, State of Florida

Print, Type or Stamp Commissioned Name of Notary Public

Send complete application package to:

Monroe County Planning & Environmental Resources Department
Marathon Government Center
2798 Overseas Highway, Suite 400
Marathon, Florida 33050

Last Revised 7/19/2017
AGENT AUTHORIZATION FORM

Date of Authorization: 8/30/19

I hereby authorize Michael J. Downer on behalf of Downer Family Trust to be listed as authorized agent representing Downer Family Trust for the application submission of Review, Permit, Variance Applications RE: 24 Allamanda Terrace for the property described as: (if in metes and bounds, attach legal description on separate sheet)

Lot Block Subdivision Key (Island) Key (Island)
24 Allamanda Terrace, Key West, FL 33040

Authorized Agent Contact Information:

Mailing Address (Street, City, State & Zip Code)
305. Tel. FL 33040
Email Address
architectuser@gmail.com

This authorization becomes effective on the date this affidavit is notarized and shall remain in effect until terminated by the undersigned. This authorization acts as a durable power of attorney for all purposes stated. The undersigned understands the risks and liabilities involved in the granting of this agency and accepts full responsibility for any and all actions of the agent named herein related to the processing of the services requested, application(s) and/or the acquisition of approvals/permits for the aforementioned applicant. The applicant(s) hereby indemnifies and holds harmless Monroe County, its officers, agents and employees for any damage to applicant caused by its agent or arising from this agency authorization.

Note: Agents must provide a notarized authorization from ALL current property owners.

Signature of Property Owner: Michael Downer

Printed Name of Property Owner: Michael J. Downer on behalf of Downer Family Trust

STATE OF Florida COUNTY OF Monroe

Sworn to and subscribed before me this 30th day of August 2019, by Michael Downer, who is personally known to me OR produced Driver License as identification.

Signature of Notary Public: Jesenia Valero

My commission expires: July 13, 2020

Last Revised October 2016
24 ALLAMANDA TER.
KEY WEST, FL 33040
RESIDENTIAL DEVELOPMENT
RE: 00135370-000000
ADMINISTRATIVE VARIANCE

SCOPE OF WORK
RESIDENTIAL CONSTRUCTION ON PREVIOUSLY DEVELOPED LAND. PROPOSED CONSTRUCTION SHALL CONFORM TO SITE COVER AREAS AND OPEN SPACE REQUIREMENTS. AREA OF SITE TO BE SUBJECT TO MINIMUM SITE WIND LOADS.

ADMINISTRATIVE VARIANCE IS REQUESTED TO THE FRONT YARD SETBACK FOR THE GARAGE ROOF CORNER.

GRANTING THIS VARIANCE WILL ACCOMMODATE A ONE STORY STRUCTURE, MAINTAINING NEIGHBORHOOD SCALE, CHARACTER AND OPEN WATER VIEWS. RELIEVE HARSHSHIP OF THE VE 1 AND 2 FLOOD ZONES AND ACCOMMODATE OFF STREET COVERED PARKING.

CODE INFORMATION
APPLICABLE CODE
FLORIDA BUILDING CODE 8TH EDITION 2017, WITH ALL AMENDMENTS.
FLORIDA BUILDING CODE 2017 WITH ALL AMENDMENTS.
CODE OF ORDINANCES MONROE COUNTY, FLORIDA.
ASCE 7-10 WIND LOADS
USE AND OCCUPANCY Classification:
PERMANENT SUNBELT RESIDENTIAL - 3

FINAL FEDERAL EMERGENCY MANAGEMENT AGENCY
FLOOD ZONE AE & VE 1 VEWS

DESIGN CRITERIA
WIND EXPOSURE: D
FLOOR LOAD: 40 PSF LL, 20 PSF DL
ROOF LOAD: 40 PSF LL, 15 PSF DL
SEISMIC LOAD: 0

DRAWING INDEX
GENERAL
COVER SCOPES, INDEX AND SURVEY COPY
ARCHITECTURAL
PLAN 1: EXISTING SITE PLAN AND DATA
PLAN 2: PROPOSED SITE PLAN AND DATA

SUBMISSIONS
8/22/2019 - REQUEST FOR PRE-APPLICATION CONFERENCE
8/30/2019 - ADMINISTRATIVE VARIANCE