

Key West Planning Board Meeting Agenda
April 16, 2009 – 6:00 p.m.
City Commission Chamber
Old City Hall, 510 Greene Street



Item 4.a.2.

721 Love Lane –

After-the-Fact variances to setback requirements for in-ground pool requirements per Section 122-1185 and to impervious surface requirements in the Historic High Density Residential zoning district per Section 122-630 (4) (b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**THE CITY OF KEY WEST
PLANNING BOARD
Staff Report**



To: Chairman and Planning Board Members

From: Amy Kimball-Murley, AICP, Planning Director

Meeting Date: April 16, 2009

Agenda Item: **721 Love Lane (RE 00008780-000000)** – After-the-Fact variances to setback requirements for in-ground pool requirements per Section 122-1185 and to impervious surface requirements in the Historic High Density Residential zoning district per Section 122-630 (4) (b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Request: To allow after-the-fact variances for a pool and related mechanical equipment, and for impervious surface requirements, for a single family home purchased after the unpermitted improvements were constructed

Applicant: Lewis M. Weinstein and Patricia M. Lenny

Property Owner: Lewis M. Weinstein and Patricia M. Lenny

Location: 721 Love Lane
RE# 00008780-000000

Zoning: Historic High Density Residential (HHDR) Zoning District



Background: Unpermitted construction of a swimming pool on this property occurred at some point between 1999 (when a survey was submitted to the Building Department for unrelated improvements) and 2004 when the current home owner purchased the property (see survey dated January 15, 2004). The unpermitted improvement, together with other existing impervious surfaces on the site, resulted in an impervious surface coverage of approximately 73%, instead of the permitted maximum of 60%. This request for variances is intended to enable the homeowner to obtain after-the-fact building permits for the pool and resolve Code Compliance concerns on the site.

The property is located at the northerly terminus of Love Lane as it is accessed from Southard Street. Due to the typical lot configurations and unusual site access patterns in this area, the practical front yard of the site is almost non-existent and is focused on the approximately nine foot width of Love Lane where it terminates at the lot line. Therefore, although the requested setback variances to the in-ground pool requirements pertain to both front and side yards, functionally the pool is not in an area facing a street or other public realm.

Request: A summary of the requested variances follows:

	Required	Existing	Requested
Front	5' (in-ground pools)	Approximately 2'	3'
Side	5' (in-ground pools)	Approximately 2'	3'
Side	N/A		
Rear	N/A		
Building Coverage	N/A		
Impervious Surface	60%	Approximately 73%	73%

The City Engineer reviewed this request and determined that no additional stormwater management on site is required. The Fire Marshal reviewed and approved the request. The HARC Planner is processing the required after-the-fact approvals and expects to administer them at the staff level.

Analysis – Evaluation for Compliance With The Land Development Regulations:

The criteria for evaluating a variance are listed in Section 90-395 of the City Code. The Planning Board, before granting a variance, must find all of the following:

- 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.**

The small size of the subject site is typical in the historic districts of Key West. However, the parcel's location at the end of a narrow lane within a parcel with almost no functional front yard in relationship to the street ending is more unusual. Also, this particular land owner purchased the site with the existing unpermitted improvements. While the pool construction is not a special

condition or circumstance related to the land, structure or building, per se, the circumstances have resulted in a situation which can only be resolved through an after-the-fact variance or demolition of a significant onsite improvement.

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

The conditions addressed in this variance request were created by prior landowners, not the applicant.

- 3. Special privileges not conferred. That granting the variance 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.**

The granting of this variance will confer a privilege to the applicant that is not allowed under the land development regulations to other lands, buildings or structures in the same zoning district.

- 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.**

The applicant has reasonable use of the property without the pool on the site. However, the pool and associated equipment were constructed prior to the purchase of the property by the current owner.

- 5. Only minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

This is the minimum variance request possible to address existing conditions.

- 6. Not injurious to the public welfare. That the granting of the variance will be in harmony with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.**

The proposal does not appear injurious to the public welfare. The pool and associated equipment, as well as the existing onsite impervious surfaces, have been in existence for at least five years and the Planning Department is not aware of any negative impacts associated with the pool.

- 7. Existing nonconforming uses of other property not the basis for approval. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.**

The applicant is not basing this request on existing conditions on surrounding properties.

The Planning Board shall make factual findings regarding the following:

1. **That the standards established by Section 90-395 of the City Code have been met by the applicant for a variance.**

The applicant has met many, but not all of the standards established in the City Code.

2. **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.**

The Planning Department has received positive public input regarding the request as of the date of the report.

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends the request for variance be **denied**.

K:\Geo Projects\Love Ln\721\041609-staff report-variance-721 Love Lane.doc

Resolution

RESOLUTION NUMBER 2009-0XX

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW AN AFTER-THE-FACT VARIANCE TO IN-GROUND YARD SETBACKS PER SECTION 122-1185 AND IMPERVIOUS SURFACE RATIO REQUIREMENTS PER SECTION 122-630(4)(B) FOR A SWIMMING POOL AND ASSOCIATED MECHANICAL EQUIPMENT ON PROPERTY LOCATED AT 721 LOVE LANE PER SECTION 90-274 AND 90-395 OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA (RE# 00008780-000000)

WHEREAS, Section 90-391 of the Code of Ordinances allows applicants to request variances to provisions of the land development regulations; and

WHEREAS, the applicant requested after-the-fact variances for an in-ground swimming pool and associated mechanical equipment; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on April 16, 2009; and

WHEREAS, the Planning Board finds 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 district; and

WHEREAS, the Planning Board finds that the special conditions do not result from the

Page 1
Resolution Number _____

_____ Chairman

_____ Planning Director

action or negligence of the applicant; and

WHEREAS, the Planning Board finds that granting the variance 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; and

WHEREAS, the Planning Board finds 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; and

WHEREAS, the Planning Board finds that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and

WHEREAS, the Planning Board finds that the grant of the variance will be in harmony with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare; and

WHEREAS, the Planning Board finds that no nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance; and

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Resolution Number _____

_____ Chairman

_____ Planning Director

WHEREAS, the Planning Board finds that the applicant has demonstrated a “good neighbor policy” by contacting or making a reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those neighbors;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. That an after-the-fact variance to setback requirements for an in-ground pool per Section 122-1185(3) and to impervious surface ratio requirements per Section 122-630(4)(b), under the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, is hereby granted for property located at 721 Love Lane (RE# 00008780-000000), as shown on the attached survey dated January 15, 2004.

Section 3. It is a 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 two years after the date hereof; and further, that no application or reapplication for new construction for which

Page 3
Resolution Number _____

_____ Chairman

_____ Planning Director

the variance is wholly or partly necessary shall be made after expiration of the two-year period without the applicant obtaining an extension from the Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

Section 4. The failure to submit a full and complete application for permits for new construction for which this variance is wholly or partly necessary, or the 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 5. 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 6. 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.

Section 7. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit is not effective for forty five (45) days after it has been properly

rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed on first reading at a regular meeting held this _____ day of _____, 2009.

Authenticated by the Chairman of the Planning Board and the Planning Director.

Richard Klitenick, Chairman
Key West Planning Board

Date

Attest:

Amy Kimball-Murley, AICP
Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date



Application Form

VARIANCES ARE QUASI-JUDICIAL HEARINGS AND IT IS IMPROPER TO SPEAK TO A CITY COMMISSIONER ABOUT THE VARIANCE OUTSIDE OF THE HEARING.

Variance Application

City of Key West
Planning Department

MAR 20 2008

Please note, variances are quasi-judicial hearings and it is improper to speak to a City Commissioner about the variance outside of the hearing.

Please print or type a response to the following:

1. Site Address 721 Love Lane
2. Name of Applicant Lewis M. Weinstein & Patricia M. Lenny
3. Applicant is: Owner Authorized Representative _____
(attached Authorization Form must be completed)
4. Address of Applicant 721 Love Lane
Key West, FL 33040
5. Phone # of Applicant 305-295-6306 Mobile# _____ Fax# same
6. Name of Owner, if different than above _____
7. Address of Owner _____
8. Phone Number of Owner _____ Fax# _____
9. Zoning District of Parcel _____ RE# 00008780-000000
10. Description of Proposed Construction, Development, and Use
pool & pool equipment

11. Description of Variances Being Requested:

Standard Allowed/Required	Standard Requested	Existing Condition
<u>pool 5' side yard setback</u>	<u>5' side yard setback</u>	<u>5' 3"</u>
<u>pool equip 5' "</u>	<u>5' "</u>	<u>2'</u>
<u>lot coverage</u>		

12. Is Subject Property located within the Historic District? Yes No
If Yes, indicate date of HARC approval as well as the HARC Approval Number. Attach minutes of the meeting.

Date _____ HARC # _____

13. Are there any easements, deed restrictions or other encumbrances attached to the subject property? Yes No If Yes, please describe and attach relevant documents. _____

14. Will the 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.

The following must be included with this application:

- _____ Copy of a recorded deed showing ownership and a legal description of the subject property
- _____ Site Plan as specified on Variance Application Information Sheet
- _____ Survey
- _____ Elevation drawings
- _____ Application Fee (to be determined according to fee schedule)
- _____ Notarized Verification Form
- _____ Notarized Authorization Form (if applicable)
- _____ Floor Plans of existing and proposed development

08/27/2007 10:10:10

MAR 20 2008

CITY OF WEST
PLANNING DEPT.

STANDARDS FOR CONSIDERING VARIANCES

Before any variance may be granted, the board of adjustment must find all of the following:

(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.

My wife and I purchased this property on Jan 30, 2004, with the pool in place, as shown on the attached site plan.

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

Same as #1

(3) Special privileges not conferred. That granting The variance 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.

none

(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.

The condition existed when we bought the property. We had no knowledge that all permits and variances had not been obtained.

(5) Only minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

Yes

MAR 20 2008

(6) Not injurious to the public welfare. That the grant of the variance will be in harmony with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.

No injury to public welfare

(7) Existing nonconforming uses of other property not the basis for approval. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

No existing nonconforming uses are the basis for approval.

(b) The board of adjustment shall make factual findings regarding the following:

- (1) That the standards established in subsection (a) have been met by the applicant for a variance.
- (2) 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.

RECEIVED

MAR 20 2008

CITY OF WEST
PLANNING DEPT.



Verification Form

Verification Form

Please note, variances are quasi-judicial hearings and it is improper to speak to a City Commissioner about the variance outside of the hearing.

This form should be completed by the applicant. Where appropriate, please indicate whether applicant is the owner or a legal representative. If a legal representative, please have the owner(s) complete the following page, "Authorization Form."

I, Lewis M Weinstein & Patricia M. Lenny being duly sworn, depose and say Name(s) of Applicant(s)

that: I am (check one) the [X] Owner [] Owner's Legal Representative for the property identified as the subject matter of this application:

721 Love Lane, Key West, FL 33040 Street Address and Commonly Used Name if any

All of the answers to the above questions, drawings, plans and any other attached data which make up this application, are true and correct to the best of my knowledge and belief and that if not true or correct, are grounds for revocation of any action reliant on said information.

[Signature] Signature of Owner/Legal Representative

[Signature] Signature of Joint/Co-owner

Subscribed and sworn to (or affirmed) before me on March 22, 2008 (date) by Lewis M. Weinstein and Patricia M. Lenny (name). He/She is personally known to me or has

presented _____ as identification.

[Signature] Notary's Signature and Seal

Marissa J Costello Name of Acknowledger typed, printed or stamped Attorney at Law State of New Jersey Title or Rank _____ Commission Number, if any

MAR 22 2008

Deed

Prepared by
Patricia Haas, an employee of
First American Title Insurance Company
2409 North Roosevelt Boulevard
Key West, Florida 33040
(305) 296-2967

RECORDED

MAR 20 2008

CLERK OF THE COUNTY OF
KEY WEST
FLORIDA

Return to: Grantee

File No.: 1064-410320

WARRANTY DEED

This indenture made on **January 30, 2004** A.D., by

Gerald J. Kostelny, a married man

whose address is: **18 Woodgate Drive, Burr Ridge, IL 60527**
hereinafter called the "grantor", to

Lewis M. Weinstein and Patricia M. Lenny, husband and wife

whose address is: **30 West 63rd Street, Apartment 31 N., New York City, NY 10023**
hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **Monroe** County, **Florida**, to-wit:

ON THE ISLAND OF KEY WEST AND KNOWN ON WM. A. WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY A.D., 1829, AS A PART OF LOT TWO (2) IN SQUARE FORTY-EIGHT (48). COMMENCING AT THE SOUTHWEST CORNER OF FLEMING AND WILLIAM STREETS, PROCEED IN A SOUTHWESTERLY DIRECTION ON THE NORTH PROPERTY LINE OF SQUARE 48 AND PARALLEL TO THE CENTER LINE OF FLEMING STREET FOR A DISTANCE OF TWO HUNDRED ONE (201) FEET; THENCE AT RIGHT ANGLES IN A SOUTHEASTERLY DIRECTION, ALONG THE DIVIDING LINE OF LOTS 2 AND 3 OF SAID SQUARE 48 A DISTANCE OF ONE HUNDRED SEVENTY-ONE (171) FEET TO THE POINT OF BEGINNING; CONTINUE THENCE IN A SOUTHEASTERLY DIRECTION ALONG SAID DIVIDING LINE A DISTANCE OF FIFTY-FIVE (55) FEET; THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION THIRTY-THREE (33) FEET AND SIX (6) INCHES; THENCE AT RIGHT ANGLES IN A NORTHWESTERLY DIRECTION FIFTY-FIVE (55) FEET; THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION THIRTY-THREE (33) FEET AND SIX (6) INCHES TO THE POINT OF BEGINNING.

AND ALSO

PARCEL 1:

A PARCEL OF LAND BEING A PART OF LOT 2 IN SQUARE 48 IN THE CITY OF KEY WEST, ACCORDING TO WILLIAM A. WHITEHEAD'S MAP OF SAID CITY DELINEATED IN FEBRUARY 1829; SAID PARCEL BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SE'LY RIGHT-OF-WAY-LINE (ROWL) OF FLEMING STREET WITH THE SW'LY ROWL OF WILLIAM STREET AND RUN THENCE SW'LY AND ALONG THE ROWL OF THE SAID FLEMING STREET FOR A DISTANCE OF 201 FEET; THENCE AT RIGHT ANGLES AND IN A SE'LY DIRECTION FOR A DISTANCE OF 171 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND BEING DESCRIBED HEREIN, THENCE NE'LY AND AT RIGHT ANGLES FOR A DISTANCE OF 33.5 FEET; THENCE NW'LY AND AT RIGHT ANGLES FOR A DISTANCE OF 6.4 FEET TO A FENCE, THENCE SW'LY AND AT RIGHT ANGLES AND ALONG SAID FENCE FOR A DISTANCE OF 33.5 FEET; THENCE AT RIGHT ANGLES FOR A DISTANCE OF 6.4 FEET BACK TO THE POINT OF BEGINNING.

AND ALSO

PARCEL 2:

A PARCEL OF LAND BEING A PART OF LOT 3 IN SQUARE 48 IN THE CITY OF KEY WEST, ACCORDING TO WILLIAM A. WHITEHEAD'S MAP OF THE SAID CITY DELINEATED IN FEBRUARY 1829; SAID PARCEL BEING DESCRIBED AS FOLLOWS: COMMENCE AT THE INTERSECTION OF THE SE'LY RIGHT-OF-WAY-LINE (ROWL) OF FLEMING STREET WITH THE SW'LY ROWL OF WILLIAM STREET AND RUN THENCE SW'LY ALONG THE ROWL OF THE SAID FLEMING STREET FOR A DISTANCE OF 201 FEET; THENCE AT RIGHT ANGLES AND IN A SE'LY DIRECTION FOR A DISTANCE OF 164.6 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND BEING DESCRIBED HEREIN; THENCE SW'LY AND AT RIGHT ANGLES FOR A DISTANCE OF 5.4 FEET; THENCE SE'LY AND AT RIGHT ANGLES FOR A DISTANCE OF 6.4 FEET; THENCE NE'LY AND AT RIGHT ANGLES FOR A DISTANCE OF 5.4 FEET; THENCE NW'LY AND AT RIGHT ANGLES FOR A DISTANCE OF 6.4 FEET BACK TO THE POINT OF BEGINNING.

AND ALSO

PARCEL 3:

ON THE ISLAND OF KEY WEST, MONROE COUNTY, FLORIDA, AND BEING PART OF LOT TWO, SQUARE FORTY-EIGHT ACCORDING TO WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN 1829 COMMENCING AT A POINT ON FLEMING STREET AT THE DIVIDING LINE BETWEEN LOTS TWO AND THREE; THENCE SOUTHERLY ALONG THE SAID LINE 171 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN DESCRIBED; THENCE CONTINUE ON THE SAME COURSE 15 FEET; THENCE AT A RIGHT ANGLE WESTERLY 5.42 FEET; THENCE AT A RIGHT ANGLE NORTHERLY 15 FEET; THENCE AT A RIGHT ANGLE 5.42 FEET BACK TO THE POINT OF BEGINNING.

AND ALSO

PARCEL 4:

SITUATED IN THE CITY OF KEY WEST, FLORIDA COUNTY OF MONROE, KNOWN AND DESIGNATED ON THE MAP OR PLAN OF SAID CITY AS DELINEATED BY WILLIAM A. WHITEHEAD IN FEBRUARY 1829, COMMENCING ONE HUNDRED NINETY-FIVE FEET SIX INCHES (195'6") FROM ELIZABETH STREET, ON THE DIVIDING LINE OF ORIGINAL LOTS THREE (3) AND FOUR (4) IN SQUARE FORTY-EIGHT (48), AND RUNNING THEREON NORTH 50° EAST FIVE FEET FIVE INCHES (5'5"); THENCE AT A RIGHT ANGLE RUN NORTH 40° WEST FORTY (40) FEET; THENCE AT RIGHT ANGLES RUN SOUTH 50° WEST FIVE FEET FIVE INCHES (5'5"); THENCE AT RIGHT ANGLES RUN SOUTH 40° EAST FORTY (40) FEET BACK TO THE PLACE OF BEGINNING.

THE PROPERTY DESCRIBED ABOVE DOES NOT NOW NOR HAS IT EVER CONSTITUTED THE HOMESTEAD OF THE GRANTOR WHO RESIDES AT ~~1603 W. SIXTEENTH STREET, OAK BROOK, IL 60523.~~
18 Woodgate Drive, Burr Ridge, IL 60537

Parcel Identification Number: **AK 1009041**

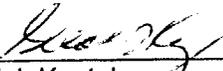
Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

To Have and to Hold, the same in fee simple forever.

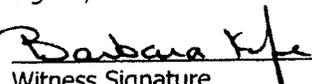
And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances except taxes accruing subsequent to December 31st of 2003.

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.



Gerald J. Kostelny

Signed, sealed and delivered in our presence:



Witness Signature

Print Name: Barbara Keefe



Witness Signature

Print Name: LARISSA A. Addison

State of ~~Florida~~ Illinois
County of ~~Monroe~~ DuPage

The Foregoing Instrument Was Acknowledged before me on **January 30, 2004**, by **Gerald J. Kostelny, a married man** who is/are personally known to me or who has/have produced a valid driver's license as identification.



Tania Patton
NOTARY PUBLIC

Tania Patton
Notary Print Name
My Commission Expires: 8-2-2005

Fire Review

Carlene Cowart

From: Mary Anderson
Sent: Friday, April 03, 2009 11:02 AM
To: Carlene Cowart; Amy Kimball-Murley
Subject: KW Planning Board - April,2009
Attachments: image002.png; oledata.mso



**OFFICE OF THE FIRE MARSHAL
MEMORANDUM**

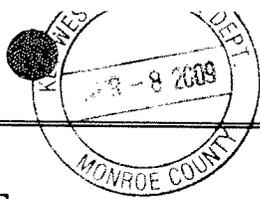
DATE: 04/03/09
TO: Amy Kimball-Murley
FROM: Alan Averette, Fire Inspector
SUBJECT: Key West Planning Board – April, 2009 - Summary

✚ 721 Love Lane – No objections.



HARC
Approval & Minutes

HISTORIC ARCHITECTURAL REVIEW APPLICATION



CITY OF KEY WEST
BUILDING DEPARTMENT
CERTIFICATE OF APPROPRIATENESS

APPLICATION # _____

OWNER'S NAME: Lewis M. Weinstein & Patricia M. Lehmy DATE: 4/8/09

OWNER'S ADDRESS: 721 Love Lane PHONE #: 295-6306

APPLICANT'S NAME: Lewis M. Weinstein PHONE #: 295-6306

APPLICANT'S ADDRESS: 721 Love Lane

ADDRESS OF CONSTRUCTION: 721 Love Lane # OF UNITS: 1

THERE WILL BE A FINAL INSPECTION REQUIRED UNDER THIS PERMIT

DETAILED DESCRIPTION OF WORK: No work at this time; all work was completed before current owner first saw and then purchased the property.

Chapter 837.06 F.S.-False Official Statements - Whoever knowingly makes a false statement in writing with the intent to mislead a public servant in the performance of his or her official duty shall be guilty of a misdemeanor of the second degree punishable as provided for in s. 775.082 or 775.083

This application for Certificate of Appropriateness must precede applications for building permits, right of way permits, variances, and development review approvals. Applications must meet or exceed the requirements outlined by the Secretary of the Interior's Standards for Rehabilitation and Key West's Historic Architectural Guidelines.

Once completed, the application shall be reviewed by staff for completeness and either approved or scheduled for presentation to the Historic Architectural Review Commission at the next available meeting. The applicant must be present at this meeting. The filing of this application does not ensure approval as submitted.

Applications that do not possess the required Submittals will be considered incomplete and will not be reviewed for approval.

Date: 4/8/09
Applicant's Signature: [Signature]

Required Submittals

	TWO SETS OF SCALED DRAWINGS OF FLOOR PLAN, SITE PLAN AND EXTERIOR ELEVATIONS (for new buildings and additions)
	TREE REMOVAL PERMIT (if applicable)
	PHOTOGRAPHS OF EXISTING BUILDING (repairs, rehabs, or expansions)
	PHOTOGRAPHS OF ADJACENT BUILDINGS (new buildings and additions)
	ILLUSTRATIONS OF MANUFACTURED PRODUCTS TO BE USED SUCH AS SHUTTERS, DOORS, WINDOWS, PAINT COLOR CHIPS, AND AWNING FABRIC SAMPLES

Staff Use Only

Date: _____

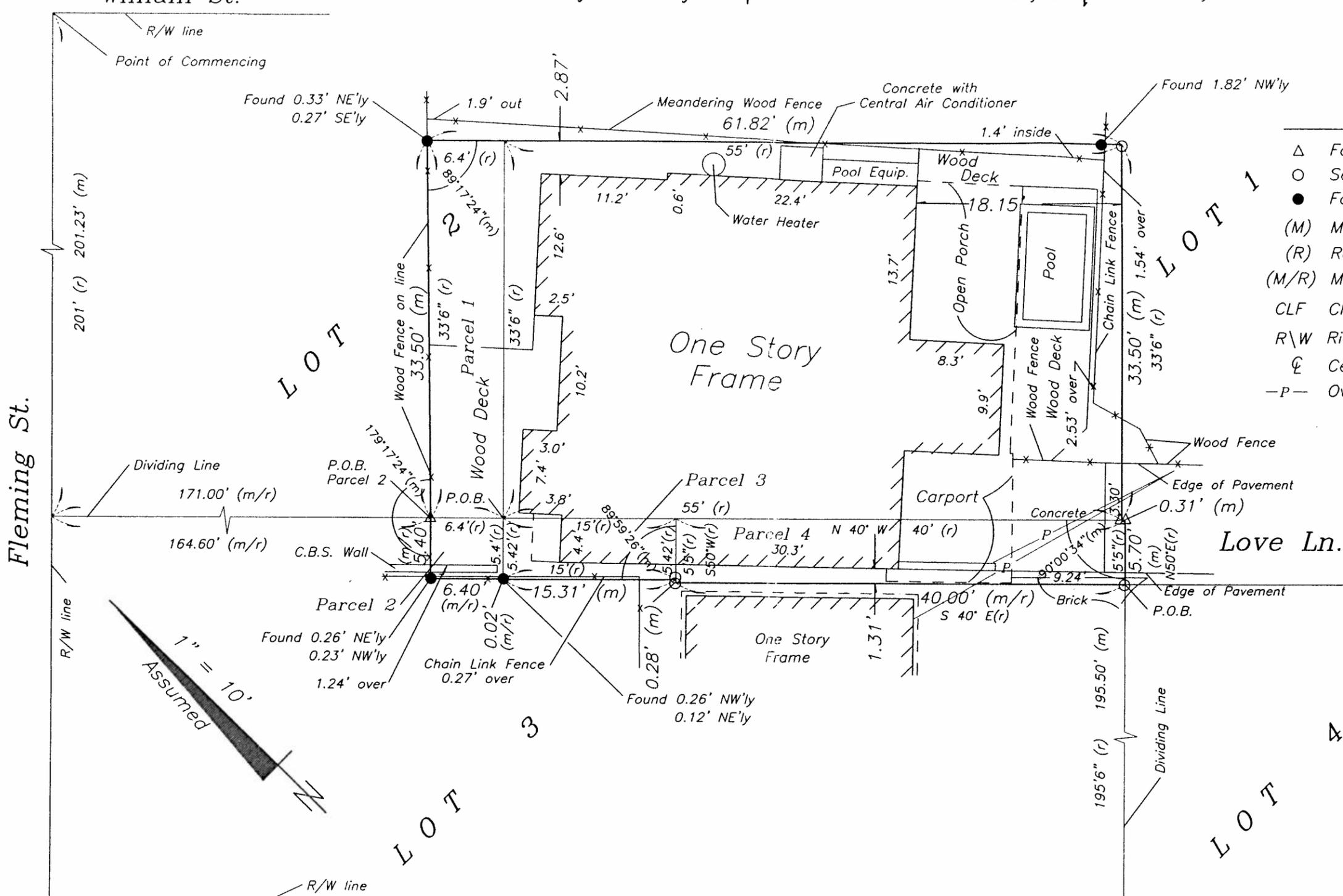
Staff Approval: _____

Fee Due: \$ _____



Site Plans

Boundary Survey of part of Lots 2 and 3, Square 48, Island of Key West



- ### LEGEND
- △ Found Nail & Disc (LB 7131)
 - Set #5 rebar w/cap (LB 7131)
 - Found 1/2" Iron Rod (PTS)
 - (M) Measured
 - (R) Record
 - (M/R) Measured & Record
 - CLF Chain Link Fence
 - R/W Right of Way
 - ⊕ Centerline
 - P- Overhead Utility Lines

MAR 20 2008

Elizabeth St.

Sheet One of Three Sheets

NORBY & O'FLYNN
Surveying, Inc.

Professional Land Surveyors
LB No. 7131

3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 293-9924

NOTES:

1. The legal descriptions shown hereon were furnished by the client or their agent.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 721 Love Lane., Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. Error of closure exceeds one part in 10,000.
9. Date of field work: January 9, 2004.
10. This Survey Report is not full and complete without the attached Survey Map.
11. Ownership of fences are undeterminable unless otherwise noted.
12. Adjoiners are not furnished.

BOUNDARY SURVEY OF: On the Island of Key West and known on Wm. A. Whitehead's map of said Island delineated in February, A.D., 1829, as a part of Lot Two (2) in Square Forty-eight (48). COMMENCING at the Southwest corner of Fleming and William Streets, proceed in a Southwesterly direction on the north property line of Square 48 and parallel to the center line of Fleming Street for a distance of two hundred one (201) feet; thence at right angles in a Southeasterly direction, along the dividing line of Lots 2 and 3 of said Square 48 a distance of one hundred seventy-one (171) feet to the point of beginning; continue thence in a Southeasterly direction along said dividing line a distance of fifty-five (55) feet; thence at right angles in a Northeasterly direction thirty-three (33) feet and six (6) inches; thence at right angles in a Northwesterly direction fifty-five (55) feet; thence at right angles in a Southwesterly direction thirty-three (33) feet and six (6) inches to the point of beginning.

AND ALSO

Parcel 1:

A parcel of land being a part of Lot 2 in Square 48 in the City of Key West, according to William A. Whitehead's Map of said City delineated in February 1829; said parcel being described as follows: COMMENCE at the intersection of the SE'y right-of-way-line (ROWL) of Fleming Street with the SW'y ROWL of William Street and run thence SW'y and along the ROWL of the said Fleming Street for a distance of 201 feet; thence at right angles and in a SE'y direction for a distance of 171 feet to the POINT OF BEGINNING of the parcel of land being described herein; thence NE'y and at right angles for a distance of 33.5 feet; thence NW'y and at right angles for a distance of 6.4 feet to a fence; thence SW'y and at right angles and along said fence for a distance of 33.5 feet; thence at right angles for a distance of 6.4 feet back to the POINT OF BEGINNING.

Parcel 2:

A parcel of land being a part of Lot 3 in Square 48 in the City of Key West, according to William A. Whitehead's Map of the said City delineated in February 1829; said parcel being described as follows: COMMENCE at the intersection of the SE'y right-of-way-line (ROWL) of Fleming Street with the SW'y ROWL of William Street and run thence SW'y along the ROWL of the said Fleming Street for a distance of 201 feet; thence at right angles and in a SE'y direction for a distance of 164.6 feet to the POINT OF BEGINNING of the parcel of land being described herein; thence SW'y and at right angles for a distance of 5.4 feet; thence SE'y and at right angles for a distance of 6.4 feet; thence NE'y and at right angles for a distance of 5.4 feet; thence NW'y and at right angles for a distance of 6.4 feet back to the POINT OF BEGINNING.

Sheet Two of Three Sheets

NORBY & O'FLYNN
Surveying, Inc.



Professional Land Surveyors
LB No. 7131

3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 293-9924

AND ALSO

Parcel 3:

On the Island of Key West, Monroe County, Florida, and being part of Lot Two, Square Forty-Eight according to Whitehead's Map of said Island delineated in 1829 commencing at a point on Fleming Street at the dividing line between Lots Two and Three; thence Southerly along the said line 171 feet to the Point of Beginning of the parcel of land herein described; thence continue on the same course 15 feet; thence at a right angle Westerly 5.42 feet; thence at a right angle Northerly 15 feet; thence at a right angle 5.42 feet back to the Point of Beginning.

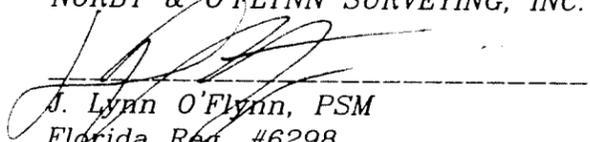
AND ALSO

Parcel 4:

Situated in the City of Key West, Florida County of Monroe, known and designated on the map or plan of said City as delineated by William A. Whitehead in February 1829, commencing One Hundred Ninety-five Feet six Inches (195'6") from Elizabeth Street, on the dividing line of original Lots Three (3) and Four (4) in Square Forty-Eight (48), and running thereon North 50° East Five Feet Five Inches (5'5"); thence at a right angles run North 40° West Forty (40) feet; thence at right angles run South 50° West Five Feet Five Inches (5'5"); thence at right angles run South 40° East Forty (40) feet back to the Place of Beginning.

BOUNDARY SURVEY FOR: Lewis M. Weinstein and Patricia M. Lenny;
Wells Fargo Home Mortgage;
First American Title Insurance Company;

NORBY & O'FLYNN SURVEYING, INC.


J. Lynn O'Flynn, PSM
Florida Reg. #6298

January 15, 2004

Sheet Three of Three Sheets

NORBY & O'FLYNN
Surveying, Inc.
Professional Land Surveyors
LB No. 7131
3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 293-9924



Property Appraiser Information

MONROE COUNTY PROPERTY APPRAISER

PROPERTY INFORMATION FOR:

Alternate Key: 1009041
RE Number: 00008780-000000

Property Details

OWNER OF RECORD

WEINSTEIN LEWIS M
721 LOVE LN
KEY WEST FL 33040

PHYSICAL LOCATION

721 LOVE LN KEY WEST

LEGAL DESCRIPTION

KW PT LOT 2 SQR 48 & PT VACATED LOVE LANE
OR538-564 OR538-567 OR659-206/207 OR659-208/209
OR659-210 OR828-2321 OR1211-2287/89(RES NO 92-88)
OR1211-2290/92-C OR1448-220/227(RES NO 9

SECTION, TOWNSHIP, RANGE

06 - 68 - 25

AFFORDABLE HOUSING No

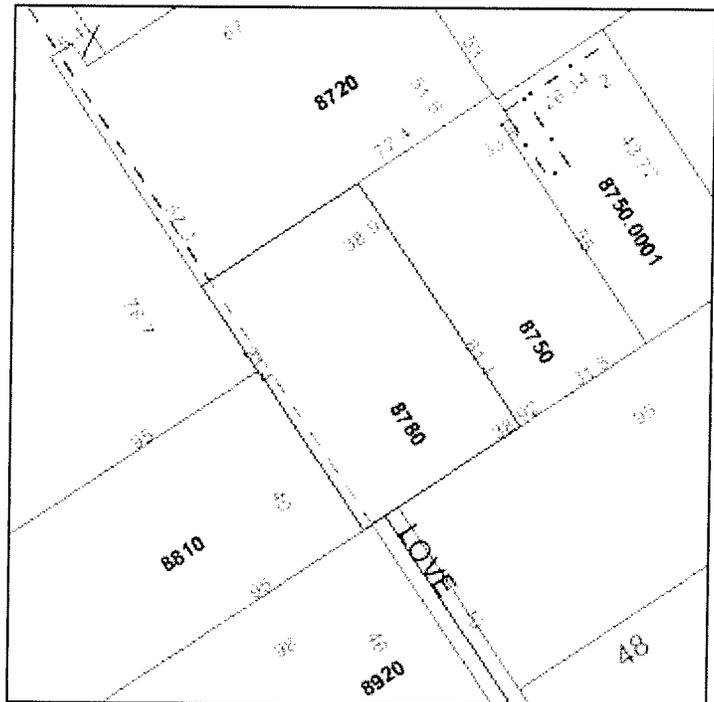
MILLAGE GROUP

10KW

PC CODE

SINGLE FAMILY

PROPERTY MAP



All Owners

WEINSTEIN LEWIS M
LENNY PATRICIA M (H/W)

Land Details

<u>LAND USE CODE</u>	<u>FRONTAGE</u>	<u>DEPTH</u>	<u>LAND AREA</u>
SFR LANE	38.9	61.4	2389.5 SF

Summary of Buildings

<u>NUMBER OF BUILDINGS</u>	<u>TOTAL LIVING AREA</u>
1	1014
<u>NUMBER OF COMMERCIAL BUILDINGS</u>	<u>YEAR BUILT</u>
0	1938

Building Characteristics Building No 1

BUILDING TYPE	R1	CONDITION	A	QUALITY GRADE	550	EFFECTIVE AGE	8
PERIMETER	142	DEPRECIATION %	7	YEAR BUILT	1938	SPECIAL ARCH	0
GRND FLOOR AREA	1014	FUNCTIONAL OBS	0	ECONOMIC OBS	0		
INCLUSIONS:	R1 includes 1 3-fixture bath and 1 kitchen.						
ROOF TYPE	GABLE/HIP	ROOF COVER	METAL	HEAT 1	FCD/AIR DUCTED	HEAT 2	NONE

FOUNDATION	WD CONC PADS	BEDROOMS	2	HEAT SRC 1	ELECTRIC	HEAT SRC 2	NONE
EXTRA FEATURES:							
2 FIX BATH	0	4 FIX BATH	0	6 FIX BATH	0	EXTRA FIX	0
VACUUM	0	SECURITY	0	GARBAGE DISPOSAL	0		
3 FIX BATH	0	5 FIX BATH	0	7 FIX BATH	0	DISHWASHER	0
INTERCOM	0	FIREPLACES	0	COMPACTOR	0		

Sections

TYPE	NBR	EXTERIOR WALL TYPE	# STORIES	YEAR BUILT	ATTIC	A/C	BASEMENT %	FINISHED BASEMENT %	AREA
FLA	1	12:ABOVE AVERAGE WOOD	1	1992	N	Y	0	0	1014
SBU	2	12:ABOVE AVERAGE WOOD	1	1992	N	N	0	0	80
GBU	3	12:ABOVE AVERAGE WOOD	1	1992	N	N	0	0	88
OPX	4		1	1992			0	0	184
PTO	5		1	1992			0	0	178
OUU	7		1	1992			0	0	144
FAT	8	12:ABOVE AVERAGE WOOD	1	1992	N	Y	0	0	432
OPF	9		1	1992					238

Miscellaneous Improvements

NBR	IMPR TYPE	# UNITS	TYPE	LENGTH	WIDTH	YEAR BUILT	ROLL YEAR	GRADE	LIFE
1	FN2:FENCES	318	SF	53	6	1975	1976	2	30
2	AC2:WALL AIR COND	1	UT	0	0	1981	1982	3	20
3	PO4:RES POOL	54	SF	9	6	2003	2004	5	50

Parcel Value History

TAX ROLL YEAR	BUILDING	MISCELLANEOUS IMPROVEMENTS	LAND	JUST	EXEMPTIONS (NOT INCLUDING SENIORS)	TAXABLE
2007	219,079	4,492	318,998	542,569	25,000	517,569
2006	617,738	4,573	227,003	849,314	25,000	682,360
2005	500,501	4,654	181,602	686,757	25,000	661,757
2004	216,555	4,735	169,655	390,945	0	390,945
2003	169,122	685	83,972	253,779	0	253,779
2002	149,091	685	71,393	221,169	0	221,169
2001	129,854	685	71,393	201,932	0	201,932
2000	129,854	1,094	42,521	173,468	0	173,468
1999	125,480	1,033	42,521	169,034	0	169,034
1998	98,416	810	42,521	141,747	0	141,747
1997	69,309	729	33,778	103,816	0	103,816
1996	51,982	547	33,635	86,164	0	86,164
1995	47,361	498	33,635	81,494	25,000	53,499
1994	42,356	446	33,635	76,436	25,000	51,436
1993	42,356	493	33,635	76,483	25,000	51,483
1992	44,814	543	33,635	78,992	25,000	53,992
1991	44,814	591	33,635	79,040	25,000	54,040
1990	31,626	838	28,106	60,570	25,000	35,570
1989	28,751	762	27,645	57,158	25,000	32,158
1988	25,427	762	27,645	53,834	25,000	28,834
1987	25,118	762	17,048	42,928	25,000	17,928
1986	25,255	762	16,587	42,604	25,000	17,604
1985	24,538	762	7,611	32,911	0	32,911
1984	23,084	762	7,611	31,457	25,000	6,457
1983	23,084	762	7,611	31,457	25,000	6,457
1982	23,473	762	6,452	30,687	0	30,687

Parcel Sales History

NOTE - OUR RECORDS ARE TYPICALLY TWO TO THREE MONTHS BEHIND FROM THE DATE OF SALE. IF A RECENT SALE DOES NOT SHOW UP PLEASE GIVE OUR OFFICE TIME TO PROCESS IT.

<u>SALE DATE</u>	<u>OFFICIAL RECORDS BOOK/PAGE</u>	<u>PRICE</u>	<u>INSTRUMENT</u>
01/2004	1971/2145	846,000	<u>WD</u>
08/2003	1917/2126	469,000	<u>WD</u>
12/1997	1489/0556	12,500	<u>QC</u>
04/1981	828/2321	50,000	<u>WD</u>
02/1976	659/210	35,000	<u>00</u>

Ervin A. Higgs, CFA
Property Appraiser
Monroe County, Florida

office (305) 292-3420
 fax (305) 292-3501

Due to technical difficulties, the GIS/Maps functionality of our website may app

Property Record View

Alternate Key: 1009041 Parcel ID: 00008780-000000

Ownership Details

Mailing Address:
 WEINSTEIN LEWIS M
 721 LOVE LN
 KEY WEST, FL 33040

All Owners:
 WEINSTEIN LEWIS M, LENNY PATRICIA M (H/W)

Property Details

PC Code: 01 - SINGLE FAMILY
Millage Group: 10KW
Affordable Housing: No
Section-Township-Range: 06-68-25
Property Location: 721 LOVE LN KEY WEST
Legal Description: KW PT LOT 2 SQR 48 & PT VACATED LOVE LANE OR538-564 OR538-567 OR659-206/207 OR659-208/209 OR659-210 OR828-2321 OR1211-2287/89(RES NO 92-88) OR1211-2290/92-C OR1448-220/227(RES NO 97-110) OR1489-556/558Q/C OR1556-1466Q/C OR1737-71 OR1737-72/73 OR1737-74 OR1917-2126/2128 OR1971-2145/48(LG)

Exemptions

Exemption	Amount
44 - ADDL HOMESTEAD	25,000.00
39 - 25000 HOMESTEAD	25,000.00

Land Details

Land Use Code	Frontage	Depth	Land Area
01LN - SFR LANE	39	61	2,389.50 SF

Building Summary

Number of Buildings: 1
Number of Commercial Buildings: 0
Total Living Area: 1014
Year Built: 1938

Building 1 Details

Building Type R1
 Effective Age 9
 Year Built 1938
 Functional Obs 0

Condition A
 Perimeter 142
 Special Arch 0
 Economic Obs 0

Quality Grade 550
 Depreciation % 9
 Grnd Floor Area 1,014

Inclusions: R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type GABLE/HIP
 Heat 1 FCD/AIR DUCTED
 Heat Src 1 ELECTRIC

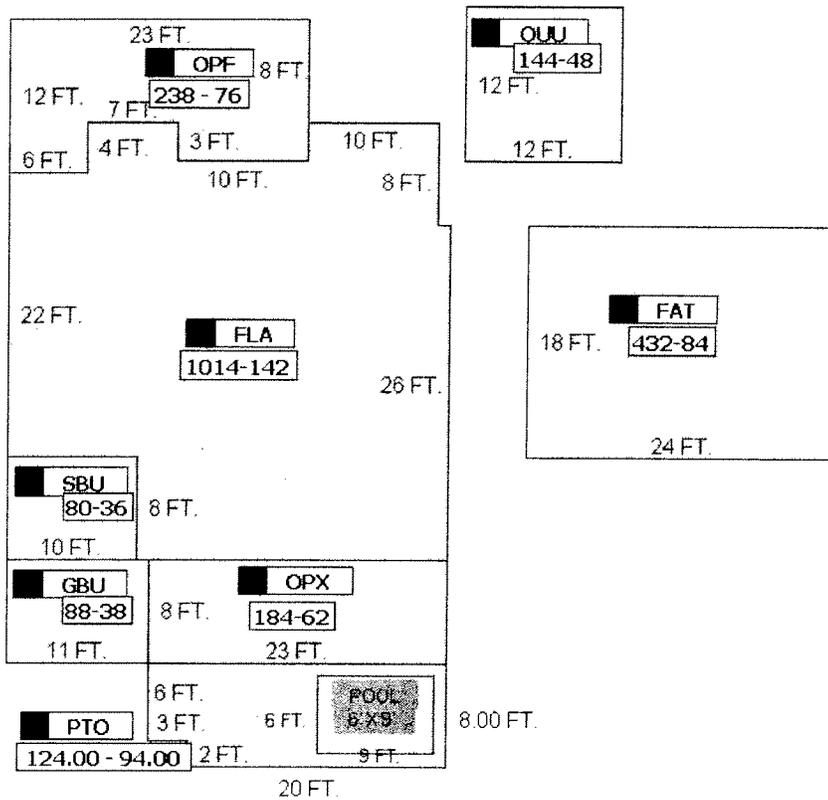
Roof Cover METAL
 Heat 2 NONE
 Heat Src 2 NONE

Foundation WD CONC PADS
 Bedrooms 2

Extra Features:

2 Fix Bath 0
 3 Fix Bath 0
 4 Fix Bath 0
 5 Fix Bath 0
 6 Fix Bath 0
 7 Fix Bath 0
 Extra Fix 0

Vacuum 0
 Garbage Disposal 0
 Compactor 0
 Security 0
 Intercom 0
 Fireplaces 0
 Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	<u>FLA</u>	12:ABOVE AVERAGE WOOD	1	1992	N Y	0.00	0.00	1,014
2	<u>SBU</u>	12:ABOVE AVERAGE WOOD	1	1992	N N	0.00	0.00	80
3	<u>GBU</u>	12:ABOVE AVERAGE WOOD	1	1992	N N	0.00	0.00	88
4	<u>OPX</u>		1	1992		0.00	0.00	184
5	<u>PTO</u>		1	1992		0.00	0.00	178
7	<u>OOU</u>		1	1992		0.00	0.00	144

8	FAT	12:ABOVE AVERAGE WOOD	1	1992	N	Y	0.00	0.00	432
9	OPF		1	1992					238

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	318 SF	53	6	1975	1976	2	30
2	AC2:WALL AIR COND	1 UT	0	0	1981	1982	3	20
3	PO4:RES POOL	54 SF	9	6	2003	2004	5	50

Appraiser Notes

2003-12-12 - FOUND POOL, A/C, FAT, OPX. WMC

1997-12-01 - OR1489-556/558 SALE OF \$12,500 IS FOR A 6.4'X 38.9' STRIP OF LAND. LG

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
E952249	07/01/1995	10/01/1995	400	Residential	1-200 AMP SERVICE
9701231	04/01/1997	11/01/1997	390	Residential	ROOF
9901206	04/29/1999	12/21/1999	1,000	Residential	MOVE FACADE OF GARAGE
9902075	06/17/1999	12/21/1999	100	Residential	MOVE WEATHERHEAD BACK
03-0184	01/17/2003	12/31/2004	1,800	Residential	REPLACE SEWER LATERAL
06-0681	02/06/2006	08/18/2006	3,600		INSTALL 7 SQRS OF 5/8 PLY OVER EXISTING DECK ROOF
06-0475	01/26/2006	08/18/2006	5,850	Residential	INSTALL V-CRIMP ROOFING

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2008	154,820	5,715	418,163	578,698	558,846	25,000	533,846
2007	219,079	4,492	318,998	542,569	542,569	25,000	517,569
2006	617,738	4,573	227,003	849,314	707,360	25,000	682,360
2005	500,501	4,654	181,602	686,757	686,757	25,000	661,757
2004	216,555	4,735	169,655	390,945	390,945	0	390,945
2003	169,122	685	83,972	253,779	253,779	0	253,779
2002	149,091	685	71,393	221,169	221,169	0	221,169
2001	129,854	685	71,393	201,932	201,932	0	201,932

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1986	25,255	762	16,587	42,604	42,604	25,000	17,604
1985	24,538	762	7,611	32,911	32,911	0	32,911
1984	23,084	762	7,611	31,457	31,457	25,000	6,457
1983	23,084	762	7,611	31,457	31,457	25,000	6,457
1982	23,473	762	6,452	30,687	30,687	0	30,687

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
1/30/2004	1971 / 2145	846,000	WD	Q
8/1/2003	1917 / 2126	469,000	WD	Q
12/1/1997	1489 / 0556	12,500	QC	O
4/1/1981	828 / 2321	50,000	WD	Q
2/1/1976	659 / 210	35,000	00	Q

This page has been visited 17,643 times.

Monroe County Property Appraiser
Ervin A. Higgs, CFA
P.O. Box 1176
Key West, FL 33041-1176

Public Notices
(mailings, posting & radius map)

Public Meeting Notice

The Key West Planning Board will hold a public hearing **at 6:00 p.m., April 16, 2009, at Old City Hall, 510 Greene Street**, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Variances – 721 Love Lane (RE 00008780-00000) – After-the-Fact variances to setback requirements for in-ground pool requirements per Section 122-1185 and to impervious surface requirements in the Historic High Density Residential zoning district per Section 122-630 (4) (b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 604 Simonton Street or call 809-3720.

- Legend
- the Buffer
- the Buffer Target
- Real Estate Number
- Parcel Lot Text
- Dimension Text
- Block Text
- Hooks/Leads
- Lot Lines
- Easements
- Road Centerlines
- Water Names
- Parcels
- Shoreline
- Section Lines

PALMIS

Monroe County Property Appraiser
 500 Whitehead Street
 Key West, FL

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.

Date Created: April 2, 2009 7:51 PM



Parcel ID	Area
18990.0002	18990.0002
18990.0003	18990.0003
19000.0004	19000.0004
19000.0005	19000.0005
19000.0006	19000.0006
19000.0007	19000.0007
19000.0008	19000.0008
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19000.0043	19000.0043
19000.0044	19000.0044
19000.0045	19000.0045
19000.0046	19000.0046
19000.0047	19000.0047
19000.0048	19000.0048
19000.0049	19000.0049
19000.0050	19000.0050

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

- Request:** **Variations – 721 Love Lane (RE 00008780-00000)** – After-the-Fact variations to setback requirements for in-ground pool requirements per Section 122-1185 and to impervious surface requirements in the Historic High Density Residential zoning district per Section 122-630 (4) (b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.
- Applicant/Owner:** Lewis Weinstein & Patricia Lenny
- Project Location:** 721 Love Lane
- Date of Hearing:** Thursday, April 16, 2009
- Time of Hearing:** 6:00 PM
- Location of Hearing:** Old City Hall – City Commission Chambers
510 Greene Street

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. A copy of the corresponding applications is available from the City of Key West Planning Department located at 604 Simonton Street, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm. Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409, by FAX (305) 809-3739 or by email ccowart@keywestcity.com.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: Anyone needing special assistance at the Planning Board hearing due to disability should contact the City of Key West at 305.809.3831 at least two days prior thereto.

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SHARPE ROBERT F & MARIA R
11 EDWARD CT
MOUNT KISCO, NY 10549

MCMANUS JAMES M
87 SUMMER ST
HINGHAM, MA 02043

PHILLIPS LEWIS PHILIPPE SKAIFE
50 BRUCE AVENUE
WESTMOUNT, QUEBEC H3Z 2E2

MESKER SUSAN P
512 WILLIAM ST
KEY WEST, FL 33040

MONSON WARREN A & SUSAN M
806 FLEMING STREET
KEY WEST, FL 33040

CONGREGATIONAL CHURCH
527 WILLIAM STREET
KEY WEST, FL 33040

UMPHREY BRIAN C & JANET B
R R1
MACTIER, ONTARIO P0C 1H0

BONIFACIO FRANK A
1752 BLAKE ST
DENVER, CO 80202-1226

WEEKLEY JAMES F SR AND SUSAN
T
519 ELIZABETH ST
KEY WEST, FL 33040

CROCKETT DIANE A
405 FLEMING ST
KEY WEST, FL 33040

BLACKWELL CAROLYN A & DIANE
A CROCKETT
PO BOX 4125
KEY WEST, FL 33040

SOUTHERNMOST CHURCH OF GOD
IN CHRIST INC
P O BOX 1452
KEY WEST, FL 33041-1452

~~CROCKETT DIANE M &
405 FLEMING STREET
KEY WEST, FL 33040~~

MONROE COUNTY FLORIDA
500 WHITEHEAD STREET
KEY WEST, FL 33040

WOLFSON CHARLIE L
506 ELIZABETH ST
KEY WEST, FL 33040

ALBURY RICHARD C
2232 NOLAN DR
CARROLLTON, TX 75006-7750

531 ELIZABETH STREET LLC
531 ELIZABETH ST
KEY WEST, FL 33040

AMMONS STEVEN
4707 SOUTH OCEAN BLVD
MYRTLE BEACH, SC 29575

732 LOVE LANE LLC
1828 COVE POINT RD
ANNAPOLIS, MD 21401

GREENE TIMOTHY O
1311 VILLA MILL ALLEY
KEY WEST, FL 33040

ALFANDRE NICOLE TRUSTEE IRR
DEC OF TR 10/25/1995
PO BOX 2069
RESTON, VA 20195-0069

WILSON DONALD R JR 2002 TRUST
10 S RIVERSIDE PLZ 2100
CHICAGO, IL 60606

HATZENBUHLER FERN K
1436 WATSONS PL
LAWRENCEVILLE, GA 30043

WORKMAN WILLIAM AND LANE
722 LOVE LANE
KEY WEST, FL 33040

PHILLIPS MICHAEL J
718 SOUTHARD ST
KEY WEST, FL 33040

CONGREGATIONAL CHURCH
527 WILLIAM ST
KEY WEST, FL 33040

NEWBERRY JOHNNY AND PEGGY
603 SOUTHARD ST
KEY WEST, FL 33040

HAYS BARBARA ANN
522 WILLIAM ST
KEY WEST, FL 33040

~~MONROE COUNTY FLORIDA
500 WHITEHEAD STREET
KEY WEST, FL 33040~~

FARKAS LEE B
101 NE 2ND ST
OCALA, FL 34470

MESKER SUSAN P
512 WILLIAM ST
KEY WEST, FL 33040

LUBERGER LYNN
7 FAIRVIEW AVE
RIDGEFIELD, CT ~~6877~~ 06877

WEEKLEY ANA
517 ELIZABETH ST
KEY WEST, FL 33040

O'HAIRE MICHAEL & SHIRLEY S
3111 CARDINAL DRIVE
VERO BEACH, FL 32963

VINCENT GILBERT T & ELINOR J
67 LAKE ST
COOPERSTOWN, NY 13326

BLOOM RICHARD
730 FLEMING ST
KEY WEST, FL 33040

LINDQUIST KARL R AND CAROL K
712 LOVE LANE
KEY WEST, FL 33040

SKOGLUND MICHAEL J
522 ELIZABETH STREET
KEY WEST, FL 33040

TAYLOR CLARA L
PO BOX 22
KEY WEST, FL 33041

DELAUNE ROBERT L AND
SULAMITA R
520 WILLIAM STREET
KEY WEST, FL 33040

MESKER SUSAN P
512 WILLIAM ST
KEY WEST, FL 33040

REICHTER JOSEPH EDWARD TRUST
DATED 06/25/2002
1107 KEY PLAZA
KEY WEST, FL 33040

GOSPEL CHAPEL
1400 REYNOLDS ST
KEY WEST, FL 33040

BLACKWELL CAROLYN MARIE &
CROCKETT DIANE MAY
PO BOX 4125
KEY WEST, FL 33040

BETANCOURT MARIA A L/E
721 SOUTHARD ST
KEY WEST, FL 33040

MILLER ROBERT J &
1104 SOUTH ST
KEY WEST, FL 33040

JAMESON DIANE
PO BOX 809
KEY WEST, FL 33041-0809

DEAL WAMU 2006 AR13
7255 BAYMEADOWS WAY
JACKSONVILLE, FL 32256

ISHERWOOD JANICE L
704 EATON ST
KEY WEST, FL 33040

LAWRENCE H MOODY III
PO BOX 227
KEY WEST, FL 33041-0227

AKERS ROGER W & HENNING
SANDRA J
HCR 62 BOX 42
RATON, NM 87740

STEVENS JANIS J
724 LOVE LANE
KEY WEST, FL 33040

WEINSTEIN LEWIS M
721 LOVE LN
KEY WEST, FL 33040

MUNCE REALTY LLC
1281 N MARTWAY DR
OLATHE, KS 66061

MESKER SUSAN P
512 WILLIAM ST
KEY WEST, FL 33040

GUNN JOHN ALLEN LLOYD
713 SOUTHARD ST
KEY WEST, FL 33040

FORRESTER NANCY
518 ELIZABETH STREET
KEY WEST, FL 33040

SOLDANO JOSEPH AND ELSA MARIE
510 ELIZABETH ST
KEY WEST, FL 33040

ETHIER JAMES B REV LIVING TRUST
DTD 9/16/2004
821 WOODLAND CT
KNOXVILLE, TN 37919

BEDGOOD DOUGLAS
733 LOVE LN
KEY WEST, FL 33040

MESKER SUSAN P
512 WILLIAM ST
KEY WEST, FL 33040

KEY WEST LITERARY SEMINAR INC
718 LOVE LANE
KEY WEST, FL 33040

MESKER SUSAN P
512 WILLIAM ST
KEY WEST, FL 33040

BOREL JOAN S
1089 OCEAN DRIVE
SUMMERLAND KEY, FL 33042

RUSSO RONALD A AND BARBARA J
626-B FLEMING STREET
KEY WEST, FL 33040

KOENIG WILLIAM E & GLORIA
55 FRANCISCO AVENUE
LITTLE FALLS, NJ 7424

07424

FESSLER RICHARD E
724 FLEMING STREET
KEY WEST, FL 33040

KEYS KATIE HOLDINGS LLC
622 FLEMING ST
KEY WEST, FL 33040

AMROSE ROBERT P
22 MORGAN RD
MEREDITH, NH 3253

03253

SANGER JAMES R
7288 KINNIKINNICK DRIVE
ROSCOE, IL 61073

EPSTEIN RICHARD & JILL
223 BEACON ST
BOSTON, MA 2116 02116

GROSE WILLIAM
P O BOX 1132
KEY WEST, FL 33040

MCCALL ROBERT E III & KATHY S
800 FLEMING STREET APT 1B
KEY WEST, FL 33040

LAPPKE CARL E & ANN E
800 OCEAN ROAD
PT PLEASANT BEACH, NJ 8742 08742

BANKS LYNN P
800 FLEMING ST
KEY WEST, FL 33040

EBERHARDT DIANE LOUISE
TRUSTEE
10 COLUMBINE LN
RIVERWOODS, IL 60015

ROBBINS STEPHEN A & KARIN B &
17 MAYFAIR ST
S BURLINGTON, VT 05403-6613

TAYLOR CLARA
PO BOX 22
KEY WEST, FL 33041

MARINICK ROBERT AND KATHRYN
26 STURBRIDGE LANE
WAYNE, PA 19087-5800

SEASHELL INVESTMENTS LLC
P O BOX 98
RACINE, WI 53401

DICKERMAN SIDNEY
300 EAST 62ND ST
NEW YORK, NY 10021

LEIBY ROBERT A JR
737 LOVE LN
KEY WEST, FL 33040

SHEDIAC RAWY
714 A SOUTHARD ST
KEY WEST, FL 33040

MEIER DAVID SCOTT
17398 EAST DOLPHIN
SUGARLOAF KEY, FL 33042

COLLINS COURTNEY PAIGE
526 WILLIAM ST
KEY WEST, FL 33040

GROSKY JEFFREY L
526 WILLIAM ST
KEY WEST, FL 33040

STENTZEL JAMES H AND
CATHERINE F
526 WILLIAM ST
KEY WEST, FL 33040

KEY WEST LITERARY SEMINAR INC
718 LOVE LANE
KEY WEST, FL 33040

POLATZ JOHN J AND SUSAN E
719 FLEMING ST
KEY WEST, FL 33040

WILLIS TERESA
330 JULIA ST
KEY WEST, FL 33040



MOODY LIZABETH A
708 SOUTHARD ST
KEY WEST, FL 33040

MCMANUS SCOTT ALAN
705 BAYVIEW RD
MIDDLETOWN, DE 19709



ZINTSMaster MATTHEW W AND
WENDY L
44 CORAL WAY
KEY WEST, FL 33040



Public Comment

Dear neighbor,

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Thank you very much for your help in this matter.

Lew and Pat



I SUPPORT THE REQUESTED ZONING VARIANCE AND URGE THAT IT BE ISSUED.

NAME Jessie P. Moeher ADDRESS 727 Love Ln DATE 4/5/09

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

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- Project Location:** 721 Love Lane
- Date of Hearing:** Thursday, April 16, 2009
- Time of Hearing:** 6:00 PM
- Location of Hearing:** Old City Hall – City Commission Chambers
510 Greene Street

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Lew and Pat



I SUPPORT THE REQUESTED ZONING VARIANCE AND URGE THAT IT BE ISSUED.

NAME William D. Workman ADDRESS 722 Love Lane DATE 4/05/2009
Key West FL 33040

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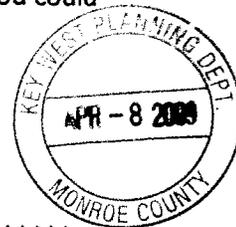
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Lew and Pat



I SUPPORT THE REQUESTED ZONING VARIANCE AND URGE THAT IT BE ISSUED.

NAME Brian Murphy ADDRESS 729 Love Lane DATE Apr 5 2009

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Lew and Pat



I SUPPORT THE REQUESTED ZONING VARIANCE AND URGE THAT IT BE ISSUED.

NAME Pat Robbins ADDRESS 730 Love Lane DATE 4/8/09
Key West, FL 32040

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Lew and Pat



I SUPPORT THE REQUESTED ZONING VARIANCE AND URGE THAT IT BE ISSUED.

NAME Robert W. Lenny ADDRESS 737 Love Ln DATE 4/5/09

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Lew and Pat



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NAME Moody Lawrence ADDRESS 717 Southard DATE 4/5/09

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Lew and Pat



I SUPPORT THE REQUESTED ZONING VARIANCE AND URGE THAT IT BE ISSUED.

NAME R Shediac ADDRESS 714 Southard DATE 4/5/09
Key West

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Lew and Pat



I SUPPORT THE REQUESTED ZONING VARIANCE AND URGE THAT IT BE ISSUED.

NAME Robert Lindquist ADDRESS 712 Love Lane Key West DATE 4/5/09

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- Location of Hearing:** Old City Hall – City Commission Chambers
510 Greene Street

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. A copy of the corresponding applications is available from the City of Key West Planning Department located at 604 Simonton Street, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm. Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409, by FAX (305) 809-3739 or by email ccowart@keywestcity.com.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: Anyone needing special assistance at the Planning Board hearing due to disability should contact the City of Key West at 305.809.3831 at least two days prior thereto.

Dear neighbor,

Printed below is the post card being sent by the City of Key West in connection with a zoning variance being sought for 721 Love Lane. This variance is not related to any new construction. It has to do with the pool which was installed at our home before we ever saw or purchased the property. We were notified by the City of the failure of the prior owner to secure a zoning variance 49 months after we had moved into our house, based on an anonymous complaint.

Pat and I hope that you will not object to this variance. If we don't get a variance, we will have to dig up the pool, at considerable expense and reduction of our home value. If you can attend the meeting and speak in favor of the variance, that would be terrific. If you can't attend the meeting, perhaps you could sign where indicated below to indicate your view that the variance should be granted.

Thank you very much for your help in this matter.

Lew and Pat



I SUPPORT THE REQUESTED ZONING VARIANCE AND URGE THAT IT BE ISSUED.

NAME James H. Stentzel ADDRESS 526 William St. Apt. 1 DATE April 5, 2009

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

- Request:** Variances – 721 Love Lane (RE 00008780-00000) – After-the-Fact variances to setback requirements for in-ground pool requirements per Section 122-1185 and to impervious surface requirements in the Historic High Density Residential zoning district per Section 122-630 (4) (b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.
- Applicant/Owner:** Lewis Weinstein & Patricia Lenny
- Project Location:** 721 Love Lane
- Date of Hearing:** Thursday, April 16, 2009
- Time of Hearing:** 6:00 PM
- Location of Hearing:** Old City Hall – City Commission Chambers
510 Greene Street

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