PLANNING BOARD
RESOLUTION No. 2013-14

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD FOR AN AFTER-THE-FACT VARIANCE APPROVAL FOR SIDE-YARD SETBACK REQUIREMENTS FOR A SHED ON A PROPERTY LOCATED AT 2413 LINDA AVENUE (RE#00064180-000000) IN THE SINGLE FAMILY RESIDENTIAL ZONING DISTRICT, PER SECTION 122-238 (6) a. 2 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.

WHEREAS, Section 122-238 (6) A. 2.of the Code of Ordinances provides that the minimum allowed side-yard setback shall be 5 feet; and

WHEREAS, the applicant requested a variance to the proposed to the side-yard setback to 2.5 feet; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on February 28, 2013; 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

RMK Chairman

Planning Director

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

_____ Chairman

_____ Planning Director

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 any variance; and

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. An approval by resolution of the Key West Planning Board for an after-the-fact variance per plans received December 26, 2012, on property located at 2413 Linda Avenue (RE# 00064180-000000) in the SF zoning district per Section 122-238 (6) a. 2. of the Land Development Regulations of the Code of Ordinances of the City of Key West with the following conditions:

- Per the Fire Department's request, the 2.5' space between the shed and property line be clear of any obstruction; and
- Per the Building Department's request, install flood vents; and
- Remove all electrical except for one outlet and one light fixture.

PWK Chairman

BC Planning Director

Section 3. It is a condition of this variance that full, complete, and final application for all conditions of this approval for any use and occupancy for which this variance is wholly or partly necessary, shall be submitted in their entirety within two years after the date hereof; and further, that no application or 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 fully and completely apply the conditions of approval for permits for use and occupancy pursuant to these variance in accordance with the terms as described in Section 3 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.

RWK Chairman

Planning Director

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 or development order will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DEO can appeal the permit or development order 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 regularly scheduled meeting held this 28th day of February, 2013.

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

3/15/13

Richard Klitenick
Planning Board Chairman

Date

Attest:

_____ Chairman

_____ Planning Director

3-1-13.

Donald Leland Craig, AICP, Planning Director — Date

Filed with the Clerk:

Cheryl Smith — 3-15-2013

Cheryl Smith, City Clerk — Date

_____ Chairman

_____ Planning Director

VARIANCE APPLICATION
NEW SHED CONSTRUCTION

2413 LINDA AVENUE
KEY WEST, FLORIDA

DECEMBER, 2012

Index of Drawings

A1 SURVEY, LOCATION MAP AND SPECIFICATIONS
A2 ELEVATIONS AND FLOOR PLAN

Prepared By

ANNALISE MANNIX. P.E.
3739 Paula Avenue
Key West, Florida 33040

305-797-0463
FLORIDA REG. P.E. #57533

KEY WEST PLANNING DEPT
DEC 26 2012
MONROE COUNTY

I HEREBY CERTIFY THAT THE PORTION OF THIS TECHNICAL SUBMISSION DESCRIBED BELOW WAS PREPARED BY ME OR UNDER MY DIRECT PERSONAL SUPERVISION.
I AM A DULY LICENSED ENGINEER UNDER THE LAWS OF THE STATE OF FLORIDA.

SIGNATURE: _____

NAME: ANNALISE MANNIX

DATE: _____

LICENSE RENEWAL DATE: 02/28/2013

PAGES OR DIVISIONS COVERED BY THIS CERTIFICATION: CS, A1, A2

ANNALISE MANNIX ENGINEERING AND CONSULTING, LLC
3739 Paula Avenue
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Tel: 305-797-0463
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FLORIDA REG. P.E. #57533

Seal:

LICENSE EXPIRES FEBRUARY 28, 2013

Revisions:

VARIANCE APPLICATION
NEW SHED CONSTRUCTION
2413 Linda Avenue
Key West, Florida

Title: COVER SHEET

Sheet Number: CS

Date: 12 December 2012

PWK

WOOD AND FRAMING SPECIFICATIONS

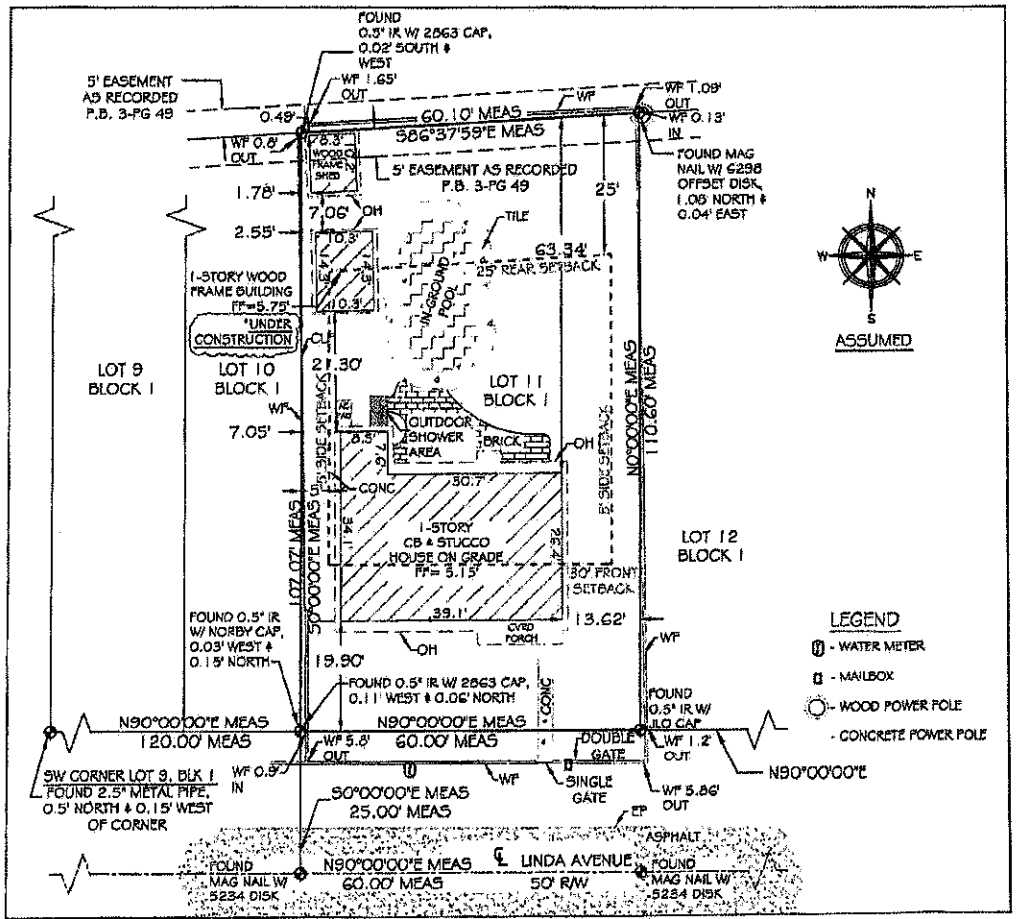
1. EXCEPT WHERE NOTED OTHERWISE, ALL FRAMING LUMBER SHALL BE SOUTHERN PINE NO. 2 DENSE, AS GRADED BY THE SOUTHERN PINE INSPECTION BUREAU
2. HOLES BORED IN BEARING WALL STUDS SHALL NOT EXCEED ONE-THIRD OF STUD.
3. PROVIDE BLOCKING BETWEEN ALL JOISTS 2 X 6 OR GREATER AT INTERVALS NOT TO EXCEED 8 FEET.
4. PROVIDE SOLID BLOCKING AT MID HEIGHT ON CENTER BETWEEN STUDS.
5. ALL STUD BEARING WALLS SHALL BE PROVIDED WITH 2 CONTINOUS TOP PLATES AND CONTINOUS BOTTOM PLATES WITH A MINIMUM OF ONE ROW OF HORIZONTAL BRIDGING AT MID-HEIGHT OF WALL UNLESS NOTED OTHERWISE. SPLICES OF TOP PLATE SHALL OCCUR OVER STUD. SPLICES SHALL BE STAGGERED A MIN. OF FOUR FEET.
6. ALL LINTEL'S OVER ALL FRAMED OPENINGS SHALL BE AS SHOWN BELOW, UNLESS NOTED OTHERWISE.
   2-2X8 FOR OPENINGS UP TO 3'-4"
   2-2X8 FOR OPENINGS 3'-6"- 5'-6"
   2-2X10 FOR OPENINGS 5'-9"- 8'-6"
   2-2X12 FOR OPENINGS 8'-7" -12'-6"
7. FIRE STOPPING SHALL BE PROVIDED IN ALL WALLS AND PARTITIONS TO SEAL ALL CONCEALED DRAFT OPENINGS BOTH HORIZONTAL AND VERTICAL.
8. FIRE STOPPING SHALL BE INSTALLED IN WOOD FRAME CONSTRUCTION IN THE FOLLOWING LOCATIONS:
   A) IN CONCEALED SPACE OF STUDWALLS AND PARTITIONS INCLUDING FURRED SPACES AT CEILING AND FLOOR LEVELS.
   B) AT ALL INTERCONNECTIONS BETWEEN CONCEALED VERTICAL AND HORIZONTAL SPACES SUCH AS OCCUR AT SOFFITS, DROP CEILINGS, COVE CEILINGS, ETC.
   C) IN CONCEALED SPACES CREATED BY AN ASSEMBLY OF FLOOR JOISTS, FIRESTOPPINGS SHALL BE PROVIDED THE FULL DEPTH OF THE JOISTS AT THE ENDS AND OVER THE SUPPORTS.
9. FIRESTOPPING SHALL CONSIST OF TWO (2) INCH NOMINAL LUMBER, OR TWO (2) THICKNESS OF ONE (1) INCH NOMINAL LUMBER WITH BROKEN LAP JOINTS, OR ONE (1) THICKNESS OF THREE-FOURTHS (3/4) INCH PLYWOOD WITH JOINTS BACKED BY THREE-FOURTHS (3/4) INCH PLYWOOD, OR OTHER APPROVED MATERIALS.
10. ALL TIMBER CONSTRUCTION SHALL CONFORM TO A.I.T.C. LATEST REVISION (PB-1503).

ELECTRICAL SPECIFICATIONS

1. ALL ELECTRICAL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST NATIONAL ELECTRICAL CODE AND ALL LOCAL CODES AND ORDINANCES.
2. THE ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE FULL COORDINATION OF HIS WORK WITH THAT OF OTHER CONTRACTORS.
3. IT SHALL BE UNDERSTOOD THAT ALL WORK PERFORMED, SHALL BE DONE BY A LICENSED ELECTRICAL CONTRACTOR AND IN A FIRST CLASS WORKMANLIKE MANNER.
4. ALL ELECTRICAL WORK AND MATERIAL SHALL BE GUARANTEED FOR A PERIOD OF ONE YEAR FROM THE DATE OF CERTIFICATE OF OCCUPANCY.
5. ALL PANELS SHALL HAVE TYPEWRITTEN DIRECTORIES INDICATING ALL CIRCUITS.
6. LIGHTING FIXTURES INCLUDING LAMPS SHALL BE PROVIDED AND INSTALLED BY THE ELECTRICAL CONTRACTOR.
7. THE ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ADEQUATE CIRCUITRY AND BREAKER SIZES WHICH ARE REQUIRED BY THIS CONTRACT.
8. THE CONTRACTOR SHALL FURNISH AND INSTALL APPROVED HARD-WIRED SMOKE DETECTORS IN ACCORDANCE WITH THE REQUIREMENTS OF THE F.L.A. BUILDING CODE.
9. ALL BATHROOM RECEPTACLES SHALL HAVE GROUND FAULT PROTECTION.
10. ALL KITCHEN RECEPTACLES SHALL HAVE GROUND FAULT PROTECTION.
11. ELECTRICIAN SHALL INSTALL NEW 70 CFM EXHAUST FANS IN EXISTING BATHROOMS CONNECTED TO LIGHT SWITCH.
12. ELECTRICIAN SHALL COORDINATE WITH GENERAL CONTRACTOR AND KEYS ENERGY SERVICE.
13. BALANCE ALL LEADS IN ACCORDANCE WITH GOOD CONSTRUCTION PRACTICE.
14. GROUND SERVICE PER NATIONAL ELECTRIC CODE 250-81-C.
15. WIRE AND CABLE SHALL BE COPPER AND MINIMUM #12 SIZE.

GENERAL NOTES

1. A COMPLETE COPY OF THE DRAWINGS AND SPECIFICATIONS SHALL BE KEPT IN A NEAT, PRESERVED, AND READILY ACCESSIBLE LOCATION ON THE JOB SITE AT ALL TIMES DURING THE COURSE OF THE PROJECT.
2. THE DRAWINGS AND SPECIFICATIONS ARE TO BE USED TOGETHER. CONTRACTORS AND WORKERS SHALL CONSULT EACH WHEN QUESTIONS CONCERNING THE WORK ARISES.
3. ALL WORK SHALL BE DONE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND NATIONAL BUILDING AND LIFE SAFETY CODES. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS SHALL BE FAMILIAR WITH THESE CODES AND SHALL BUILD ACCORDINGLY.
4. WHERE A CONFLICT OR AMBIGUITY EXISTS BETWEEN A CONTRACTOR'S UNDERSTANDING OF A CODE AND THE DRAWINGS AND SPECIFICATIONS, IT IS THE CONTRACTOR'S RESPONSIBILITY TO CEASE WORK ON THE ITEM IN QUESTION AND NOTIFY THE ENGINEER IN A MANNER THAT WILL ALLOW A TIMELY RESOLUTION
5. IN GENERAL NOMINAL DIMENSIONS ARE NOTED FOR STANDARD LUMBER SIZES BUT ACTUAL SIZES ARE GIVEN WHERE LUMBER IS TO BE MILLED TO A NONSTANDARD DIMENSION.
6. DRAWINGS SHALL NOT BE SCALED WITHOUT PERMISSION OF THE ENGINEER WHERE ERRORS OR INCONSISTENCIES EXIST REGARDING DIMENSIONS ON THE DRAWINGS, THE GENERAL CONTRACTOR SHALL NOTIFY THE ENGINEER FOR A RESOLUTION BEFORE PROCEEDING WITH THE WORK IN QUESTION.
7. "V.I.F." MEANS THAT IT IS THE GENERAL CONTRACTOR'S RESPONSIBILITY TO MEASURE OR OTHERWISE CONFIRM A SITE CONDITION THAT CANNOT BE ACCURATELY DETERMINED BEFORE CONSTRUCTION BEGINS, AND TO NOTIFY THE ENGINEER IF IT DIFFERS FROM WHAT IS ON THE DRAWINGS BEFORE PROCEEDING WITH THE AFFECTED WORK.
8. CONTRACTOR SHALL COORDINATE & VERIFY WINDOW DIMENSIONING REQUIREMENTS WITH SELECTED MANUFACTURER PRIOR TO INSTALLATION.
9. CONTRACTOR SHALL COORDINATE & VERIFY ELECTRICAL & PLUMBING REQUIREMENTS.
10. CONTRACTOR IS RESPONSIBLE TO KEEP A NEAT, SAFE WORK SITE DAILY.
11. ALL CHANGES MUST BE APPROVED BY ENGINEER OR INCREASED COSTS FROM CHANGES WILL NOT BE PAID.
12. CONCRETE SHALL CONFORM TO ACI 318, ACI 318 AND FLA BUILDING CODE.
13. ALL WORK SHALL MEET ASCE 7-10 AND FBC 2010.



LEGEND

- WATER METER
- MAILBOX
- WOOD POWER POLE
- CONCRETE POWER POLE

1 COPY OF SURVEY BY FLORIDA KEYS SURVEYING
SCALE: 1" = 20'

2 LOCATION MAP
SCALE: NOT TO SCALE

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Seal:

LICENSE EXPIRES FEBRUARY 28, 2013

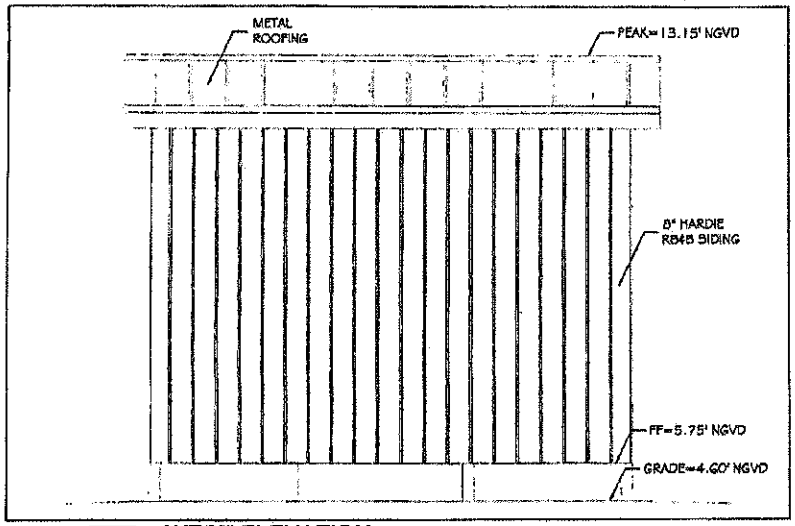
Revisions:

VARIANCE APPLICATION
NEW SHED CONSTRUCTION
2413 Linda Avenue
Key West, Florida

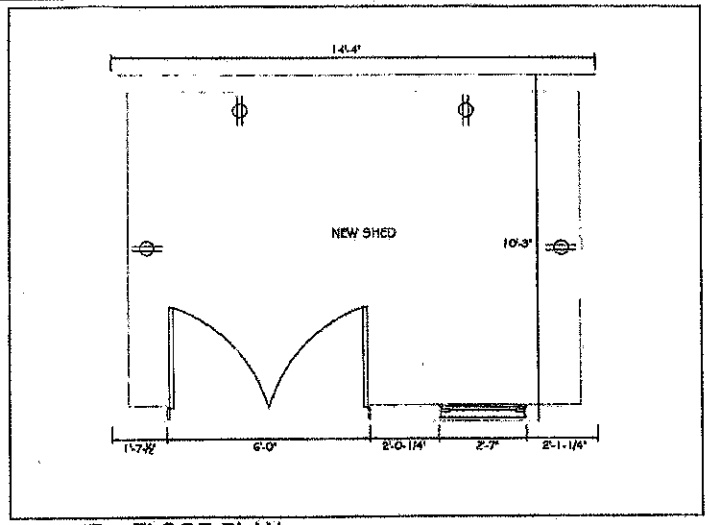
Title: SURVEY, LOCATION MAP AND SPECIFICATIONS

Sheet Number: A1

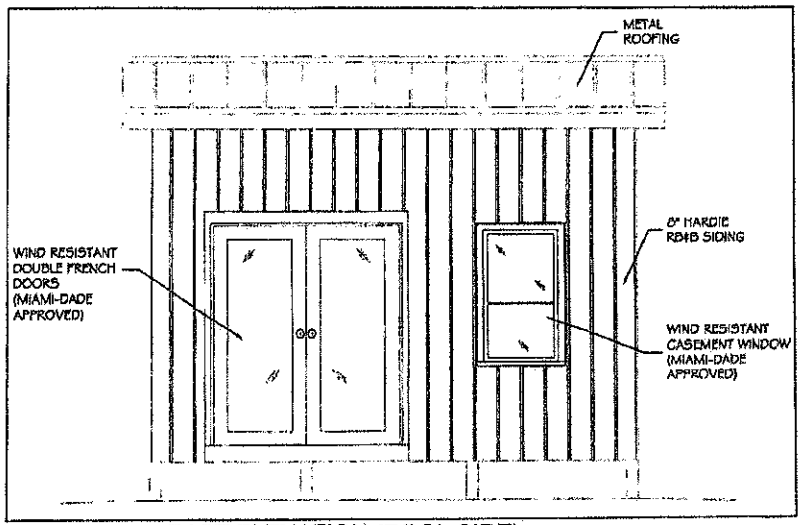
Date: 12 December 2012



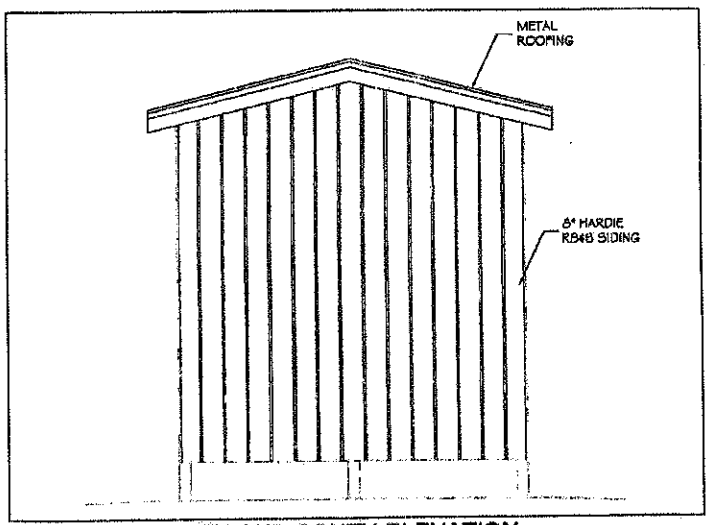
2 WEST ELEVATION
SCALE: 1/4" = 1'



4 FLOOR PLAN
SCALE: 1/4" = 1'



1 EAST ELEVATION (POOL SIDE)
SCALE: 1/4" = 1'



3 NORTH AND SOUTH ELEVATION
SCALE: 1/4" = 1'

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VARIANCE APPLICATION
NEW SHED CONSTRUCTION
2413 Linda Avenue
Key West, Florida

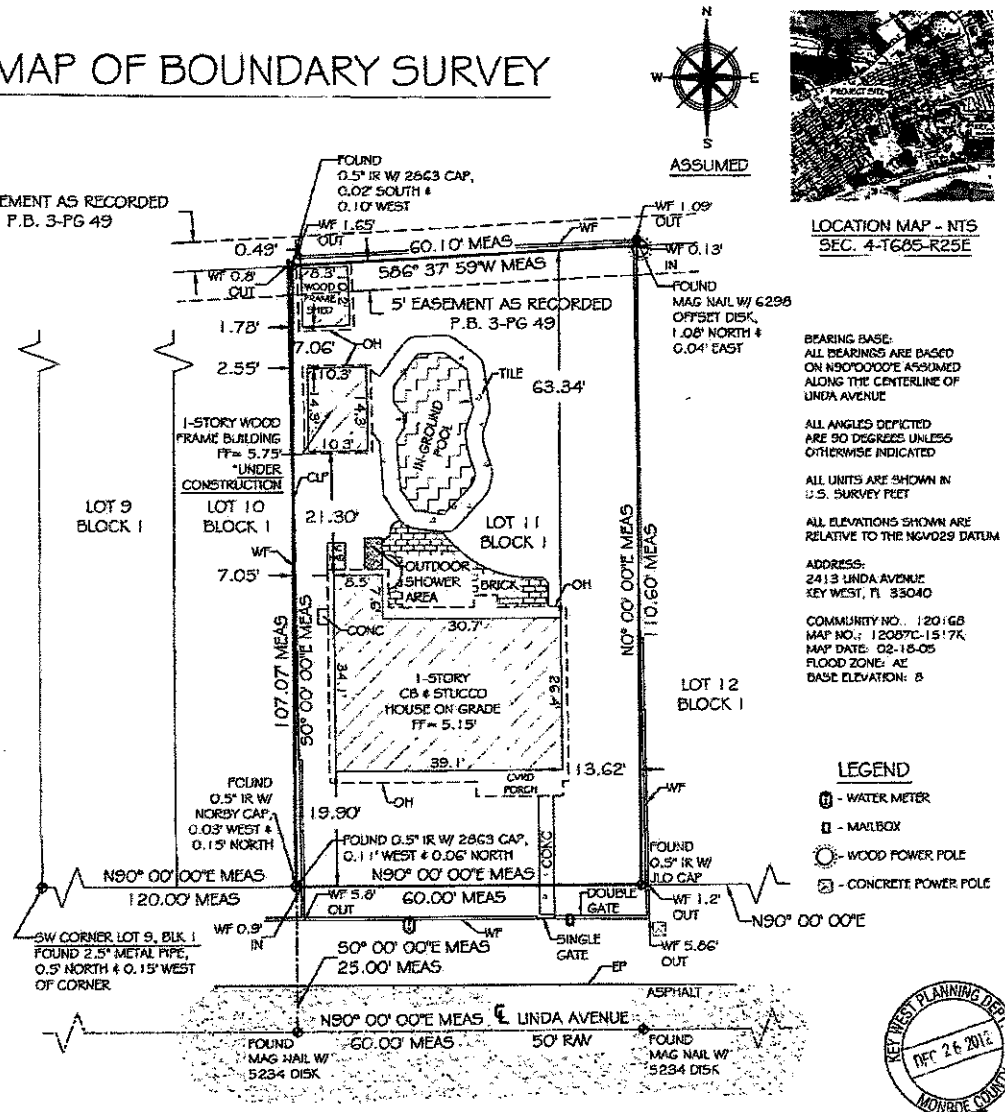
Title:
ELEVATIONS AND FLOOR PLAN

Sheet Number:
A2

Date: 12 December 2012

RMK

MAP OF BOUNDARY SURVEY



FOUND
MAG NAIL W/ 6298
OFFSET DISK,
1.08' NORTH &
0.04' EAST

BEARING BASE:
ALL BEARINGS ARE BASED ON N90°00'00"E ASSUMED ALONG THE CENTERLINE OF LINDA AVENUE

ALL ANGLES DEPICTED ARE 90 DEGREES UNLESS OTHERWISE INDICATED

ALL UNITS ARE SHOWN IN U.S. SURVEY FEET

ALL ELEVATIONS SHOWN ARE RELATIVE TO THE NGVD29 DATUM

ADDRESS:
2413 LINDA AVENUE
KEY WEST, FL 33040

COMMUNITY NO.: 120168
MAP NO.: 12087C-1517K
MAP DATE: 02-18-05
FLOOD ZONE: AE
BASE ELEVATION: 8

LEGEND

- WATER METER
- MAILBOX
- WOOD POWER POLE
- CONCRETE POWER POLE

KEY WEST PLANNING DEPT
DEC 26 2012
MONROE COUNTY

TOTAL AREA = 6,530.10 SQFT±

LEGAL DESCRIPTION -

Lot Eleven (11), Block One (1), of KEY ESTATES Recorded in Plat Book 3, Page 49, Monroe County, Florida, Public Records.

CERTIFIED TO -

Beverly Jacobsen

NOTE: FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.
THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.

BFP = BACK-FLOW PREVENTER
BO = BLOW OUT
C & G = 2' CONCRETE CURB & GUTTER
CB = CONCRETE BLOCK
CBW = CONCRETE BLOCK WALL
CL = CENTERLINE
CLF = CHAINLINK FENCE
CM = CONCRETE MONUMENT
CONC = CONCRETE
CPP = CONCRETE POWER POLE
CVRD = COVERED
DELTA = CENTRAL ANGLE
DE&UE = DRAINAGE EASEMENT
EL = ELEVATION
ENCL = ENCLOSURE
EP = EDGE OF PAVEMENT
FF = FINISHED FLOOR ELEVATION
FH = FIRE HYDRANT
FI = FENCE INSIDE
FND = FOUND
FO = FENCE OUTSIDE
FOL = FENCE ON LINE
GUY = GUY WIRE
HR = HOSE BIB
IP = IRON PIPE
IR = IRON ROD
L = ARC LENGTH
LS = LANDSCAPING
MB = MAILBOX
M/MS = MEASURED
MF = METAL FENCE
MHWL = MEAN HIGH WATER LINE
NGVD = NATIONAL GEODETIC VERTICAL DATUM (1929)
NTS = NOT TO SCALE
OH = ROOF OVERHANG
OHW = OVERHEAD WIRES
PC = POINT OF CURVE
PM = PARKING METER
PCC = POINT OF COMPOUND CURVE
POP = PERMANENT CONTROL POINT
PK = PARKER KALON NAIL
POB = POINT OF BEGINNING
PI = POINT OF INTERSECTION
POC = POINT OF COMMENCEMENT
PRC = POINT OF REVERSE CURVE
PRM = PERMANENT REFERENCE MONUMENT
PT = POINT OF TANGENT
R = RADIUS
R/W = RIGHT OF WAY LINE
SSCO = SANITARY SEWER CLEAN-OUT
SW = SIDE WALK
TBM = TEMPORARY BENCHMARK
TOB = TOP OF BANK
TOS = TOE OF SLOPE
TS = TRAFFIC SIGN
TYP = TYPICAL
UNL = UNREADABLE
UE = UTILITY EASEMENT
WD = WOOD DECK
WF = WOOD FENCE
WL = WOOD LANDING
WM = WATER METER
WPP = WOOD POWER POLE
WRACK LINE = LINE OF DEBRIS ON SHORE
WV = WATER VALVE

NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE. PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR HIATUS. ADDITIONS OR DELETIONS TO SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY. THE BOLD LINE SHOWN HEREON REPRESENTS THE SURVEYOR'S OPINION OF THE DEED LINES. THE MEAN HIGH WATER LINE WAS NOT DETERMINED FOR THIS SURVEY. THE APPARENT MEAN HIGH WATER LINE IS SHOWN FOR REFERENCE ONLY.

SCALE:	1"=20'
FIELD WORK DATE:	10/26/2012
REVISION DATE:	XX/XX/XXXX
SHEET	1 OF 1
DRAWN BY:	EAI
CHECKED BY:	---
INVOICE NO.:	———

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17.05, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND COMPLIES WITH CHAPTER 177, PART II FLORIDA STATUTES.

SIGNED

ERIC A. ISAACS, PSM #6783, PROFESSIONAL SURVEYOR AND MAPPER, LB# 7847

NOT VALID WITHOUT THE SIGNATURE AND THE RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER

FLORIDA KEYS
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PHONE: (305) 394-3690
FAX: (305) 509-7373
EMAIL: FKLSemail@Gmail.com

RMK