

**Key West Planning Board Special Meeting Agenda**  
**July 30, 2009 – 6:00 p.m.**  
**City Commission Chamber**  
**Old City Hall, 510 Greene Street**



**Item 4.b.1.**

**207 Petronia –**

**Conditional Use - 207 Petronia Street (RE 00013740-000000) -** An application for a Conditional Use Permit to operate a restaurant in the Historic Residential Commercial Core (HNC-3) zoning district per Section 122-868 (9) 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:** The Chairman and Members of the Planning Board

**From:** Brendon Cunningham

**Through:** Amy Kimball-Murley, AICP, Planning Director

**Meeting Date:** July 30, 2009

**Application:** **Conditional Use 207 Petronia Street (RE# 00013740-000000)**  
An application for a Conditional Use Approval to operate a restaurant in the Historic Neighborhood Commercial (HNC-3) zoning district per Section 122-868 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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**APPLICATION DATA**

**Property Owner:** Florida Keys Development Board, LLC; c/o Eric Dickstein

**Applicant/Agent:** Trepanier & Associates, Inc.

**Address:** 207 Petronia Street - RE# 00013740-000000

**Zoning:** Historic Neighborhood Commercial (HNC-3) Zoning District



## **REQUEST**

The applicant is requesting a Conditional Use approval to convert a laundry into a restaurant/coffee shop with retail and catering service. A restaurant/coffee shop use is permitted as a conditional use in the HNC-3 zoning district. This project may be phased over time to include an outdoor dining are. However, this application addresses Phase I only and any future phases will be the subject of a separate application. The square footage associated with this application would allow up to 38 seats; however, 25 seats are proposed and due to ADA circulation needs more seats might be difficult to accomdate.

The restaurant will have 573 square feet of consumption area inside the existing commercial space and approximately 25 seats mixed between table and counter seating.

## **BACKGROUND**

The subject property is located on Petronia Street between Emma Street and Baptist/Chapman Lanes. The building was built in 1997 for a restaurant and laundry on the first floor and apartments on the second floor. The restaurant and laundry uses have operated continuously since the building was built. Santiago's Bodega, existing and adjacent to the proposed coffee shop, is a specialty restaurant featuring a "Tapas" style menu geared toward lunch and dinner. The proposed project replacing the laundry is expected to serve a different market than the adjacent restaurant. In order to facilitate initiation of the new restaurant, the applicant proposes to develop the project in two phases. Phase one, the subject of this application, will consist of interior conversion of commercial space to allow 573 square feet of consumption area. Future phases may include outdoor dining and structural improvements; however, those future phases will be addressed by new applications at a later date.

## **SURROUNDING LAND USES**

In general, the surrounding neighborhood is a mixture of commercial and residential properties. The adjacent land uses are:

North: single family house  
South: multifamily apartment building  
East: single family house  
West: convenience store

## **PERMITTED USES, HNC-3**

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Group homes with less than or equal to six residents as provided in section 122-1246.
- (4) Places of worship.
- (5) Business and professional offices.
- (6) Commercial retail low intensity less than or equal to 2,500 square feet.
- (7) Hotels, motels, and transient lodging.
- (8) Medical services.
- (9) Parking lots and facilities.

(10) Veterinary medical services, without outside kennels.

**CONDITIONAL USES, HNC-3**

- (1) Group homes with seven to 14 residents as provided in section 122-1246.
- (2) Cultural and civic activities.
- (3) Educational institutions and day care.
- (4) Nursing homes, rest homes and convalescent homes.
- (5) Parks and recreation, active and passive.
- (6) Protective services.
- (7) Public and private utilities.
- (8) Commercial retail low intensity greater than 2,500 square feet to less than or equal to 5,000 square feet.
- (9) Restaurants, excluding drive-through.

**ANALYSIS-EVALUATION- COMPLIANCE WITH CITY OF KEY WEST LDRs**

According to Sections 122-61 (c) to 122-62 of the City of Key West Code of Ordinances, a conditional use of a building or structure may be permitted if the Planning Board finds that the application clearly demonstrates the following:

(1) *Land use compatibility.* The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.

The current use of the subject space is a coin laundry. The applicant would like to convert the laundry to a restaurant use to provide a small scale coffee shop. The applicant has provided a concurrency analysis that addresses impacts to the subject property and the surrounding community (attached).

(2) *Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use.* The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure (i.e., refer to Chapter 94 to ensure concurrency management requirements are met) and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.

The original development application for this property addressed these issues, and requested and received variances to lot coverage and parking. The property is within the Historic Commercial Pedestrian-Oriented Area and this application is for a change in commercial use inside a commercial space built in 1997, which does not require additional parking. Further, since this is an interior renovation only, existing exterior conditions shall remain.

(3) *Proper use of mitigative techniques.* The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.

The applicant does not propose to expand the building itself but rather change the use of the portion of commercial space that is presently used for a laundry. The site plan will not change as a result of this application.

(4) *Hazardous waste.* The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact well fields, aquifer recharge areas, or other conservation resources.

Not Applicable; the restaurant operation will not generate hazardous waste.

(5) *Compliance with applicable laws and ordinances.* A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.

The applicant will need to apply for building permits to start renovations, a Certificate of Occupancy to occupy the space and a business license to operate. Any additional applicable requirements need to be addressed with the County and State.

(6) *Additional criteria applicable to specific land uses.* Applicants for conditional use approval shall demonstrate that the proposed conditional use satisfies the following specific criteria designed to ensure against potential adverse impacts which may be associated with the proposed land use:

a. *Land uses within a conservation area.* Land uses in conservation areas shall be reviewed with emphasis on compliance with section 108-1 and articles III, IV, V, VII and VIII of chapter 110 pertaining to environmental protection, especially compliance with criteria, including land use compatibility and mitigative measures related to wetland preservation, coastal resource impact analysis and shoreline protection, protection of marine life and fisheries, protection of flora and fauna, and floodplain protection. The size, scale and design of structures located within a conservation area shall be restricted in order to prevent and/or minimize adverse impacts on natural resources. Similarly, public uses should only be approved within a wetland or coastal

high hazard area V zone when alternative upland locations are not feasible on an upland site outside the V zone.

Not Applicable, the property is not located within a conservation area and is located in a FEMA designated AE 6 zone.

b. *Residential development.* Residential development proposed as a conditional use shall be reviewed for land use compatibility based on compliance with divisions 2 through 14 of article IV and divisions 2 and 3 of article V of this chapter pertaining to zoning district regulations, including size and dimension regulations impacting setbacks, lot coverage, height, mass of building, building coverage, and open space criteria. Land use compatibility also shall be measured by appearance, design, and land use compatibility criteria established in chapter 102; articles III, IV and V of chapter 108; section 108-956; and article II of chapter 110; especially protection of historic resources; subdivision of land; access, internal circulation, and off-street parking; as well as possible required mitigative measures such as landscaping and site design amenities.

Not Applicable; the residential component of the property already exists.

c. *Commercial or mixed use development.* Commercial or mixed use development proposed as a conditional use shall be reviewed for land use compatibility based on compliance with divisions 2 through 14 of article IV and divisions 2 and 3 of article V of this chapter pertaining to zoning district regulations, including size and dimension regulations impacting floor area ratio, setbacks, lot coverage, height, mass of buildings, building coverage, and open space criteria. Land use compatibility also shall be measured by appearance, design, and land use compatibility criteria established in chapter 102; articles I, II, IV and V of chapter 108; section 108-956; and article II of chapter 110; especially protection of historic resources; subdivision of land; access, pedestrian access and circulation; internal vehicular circulation together with access and egress to the site, and off-street parking; as well as possible required mitigative measures such as landscaping, buffering, and other site design amenities. Where commercial or mixed use development is proposed as a conditional use adjacent to U.S. 1, the development shall be required to provide mitigative measures to avoid potential adverse impacts to traffic flow along the U.S. 1 corridor, including but not limited to restrictions on access from and egress to U.S. 1, providing for signalization, acceleration and deceleration lanes, and/or other appropriate mitigative measures.

This is an existing mixed use commercial and residential property. Access to the commercial space is via two paved walkways from the City sidewalk and street. There are no other ingress/egress points relevant to this application. Per Section 108-573© of the Code, no additional off-street parking is required for a change in use in the historic commercial pedestrian-oriented area when the structure was built before 1998. No onsite parking is provided by the existing development.

d. *Development within or adjacent to historic district.* All development proposed as a conditional use within or adjacent to the historic district shall be reviewed based on applicable criteria stated in this section for residential, commercial, or mixed use development and shall

also comply with appearance and design guidelines for historic structures and contributing structures and/or shall be required to provide special mitigative site and structural appearance and design attributes or amenities that reinforce the appearance, historic attributes, and amenities of structures within the historic district.

Any exterior modifications are subject to HARC approval. At this time all activity will take place inside the building.

e. *Public facilities or institutional development.* Public facilities or other institutional development proposed as a conditional use shall be reviewed based on land use compatibility and design criteria established for commercial and mixed use development. In addition, the city shall analyze the proposed site location and design attributes relative to other available sites and the comparative merits of the proposed site, considering professionally accepted principles and standards for the design and location of similar community facilities and public infrastructure. The city shall also consider compliance with relevant comprehensive plan assessments of community facility and infrastructure needs and location impacts relative to service area deficiencies or improvement needs.

Not Applicable

f. *Commercial structures, uses and related activities within tidal waters.*

The criteria for commercial structures, uses and related activities within tidal waters are as provided in section 122-1186.

Not Applicable

## **RECOMMENDATION**

The Planning Department, based on criteria outlined in Section 122-62 of the City of Key West Code of Ordinances, recommends approval of the 573 square foot Phase I restaurant use.

# **Resolution**

**PLANNING BOARD RESOLUTION  
NUMBER 2009-xyz**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A CONDITIONAL USE PERMIT TO OPERATE A RESTAURANT WITH 573 SQUARE FEET OF CONSUMPTION AREA AT PROPERTY LOCATED AT 207 PETRONIA STREET, COMMONLY KNOWN AS HONDA KEY WEST (RE#00013740-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the subject property is located in The Historic Neighborhood Commercial (HNC-3) zoning district; and

**WHEREAS**, the property currently operates as a coin laundry business; and

**WHEREAS**, Code Section 122-868(9) restaurants as a conditional use within the HNC-3 zoning district; and

**WHEREAS**, the applicant filed a conditional use application to allow a restaurant within an existing commercial space; and

**WHEREAS**, the consumption area will total 573 square feet within the existing commercial space; and

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

**WHEREAS**, Sections 122-61 and 122-62 outline the criteria for reviewing a Conditional Use application; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on July 30, 2009; and

**WHEREAS**, approval of the Conditional Use application will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

**WHEREAS**, the approval of the conditional use application is consistent with the criteria in the Code; and

**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 a Conditional Use application, per Section 122-868 (9), under the Code of Ordinances of the City of Key West, Florida, is hereby approved for property located at 207 Petronia Street (RE#00013740-000000), as shown in the attached application dated June 2, 2009.

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

**Section 3.** This Conditional Use approval 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 4.** 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 5.** 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.

**Section 6.** It is a requirement of this conditional use that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this conditional use is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this conditional, shall be submitted in its entirety within twelve months after the date hereof; and further, that no application or reapplication for new construction for which the conditional use is wholly or partly necessary shall be made after expiration of the twelve month period without the applicant obtaining an extension from the

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

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

\_\_\_\_\_  
Chairman  
\_\_\_\_\_  
Planning Director

# Application

# MEMORANDUM

TREPANIER



& ASSOCIATES INC  
LAND USE PLANNING  
DEVELOPMENT CONSULTANTS

**Date:** 07/22/09  
**To:** Mr. Brendon Cunningham, Sr. Planner II  
**From:** Owen Trepanier  
**CC:**  
**Re:** **207 Petronia – Phasing Plan**

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Thank you for your assistance through this project.

The following is the revised phasing plan for the Petronia Street coffee shop.

## **In General:**

We are proposing a two-phase project. Phase I will renovate the interior and make minimal alterations to the exterior of the building (improvements to ADA accessibility and fenestration) in order to allow the existing laundry mat to convert to a neighborhood coffee shop. Phase II will include changes to the site resulting in improved storm water management, increased landscaping, an alteration of the exterior stair location, and the creation of a sidewalk-oriented seating area.

## **Project Phasing:**

### Phase I:

Convert laundry mat to coffee shop with retail and catering service. Improve ADA accessibility and fenestration. No Changes to existing site plan.

Time Frame: Commence immediately upon approval

### Phase II:

Improve storm water retention, increase landscaping, alter location of exterior stairs, and create a sidewalk-oriented seating area. We understand the creation of new consumption area triggers requirements of Sec. 108-571 and that we will be required to comply the requirements or seek an appropriate variance.

Time Frame: Commence within 2 years of approval

**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
City of Key West Planning Department  
604 Simonton Street, Key West, FL 33040  
(305 -809-3720)



**Development Plan & Conditional Use Application**

**(Applications will not be accepted until they are complete)**

Development Plan

Major \_\_\_\_\_

Minor \_\_\_\_\_

Conditional Use

X \_\_\_\_\_

Historic District

Yes X \_\_\_\_\_

No \_\_\_\_\_

Please print or type and call the Planning Department if you have any questions.

- 1) Site Address: 207 Petronia Street
- 2) Name of Applicant: Trepanier & Associates, Inc.
- 3) Applicant is: Owner \_\_\_\_\_ Authorized Representative X  
(attached Authorization Form must be completed)
- 4) Address of Applicant: 402 Appelrouth Lane, P.O. Box 2155, Key West, FL 33045-2155
- 5) Applicant's Phone #: 305-293-8983 Fax: 305-293-8748
- 6) Name of Owner, if different than above: Florida Keys Development Board, LLC.; C/o Eric Dickstein
- 7) Address of Owner 1211 Margaret Street, Key West, FL 33040
- 8) Owner Phone # 923-3993 Fax 294-6438
- 9) Zoning District of Parcel: HNC-3 RE#: 00013740-000000
- 10) Is Subject Property located within the Historic District? Yes X No \_\_\_\_\_  
If Yes: Date of approval NA - No exterior changes proposed HARC # NA  
OR: Date of workshop \_\_\_\_\_ Date of expected approval \_\_\_\_\_
- 11) Description of Proposed Development and Use. Please be specific. List existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc . If there is more than one use, describe in detail the nature of each use. (Give concise description here and use a separate sheet if necessary)

Convert laundry mat to coffee shop with retail and catering service.

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**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**604 Simonton Street, Key West, FL 33040**  
**(305 -809-3720)**



- 12) Has subject Property received any variance(s)? Yes \_\_\_\_\_ No X  
 If Yes: Date of approval \_\_\_\_\_ Resolution # \_\_\_\_\_  
 Attach resolution(s).
- 13) Are there any easements, deed restrictions or other encumbrances on the subject property?  
 Yes \_\_\_\_\_ No X If Yes, describe and attach relevant documents.
- 
- 14) A. For *Conditional Uses and Development Plans*, provide the information requested on the attached **Conditional Use and Development Plan** sheet.  
 B. For *Conditional Uses*, include also the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122.61 and 122.62 of the Land Development Regulations (copy attached).  
 C. For *Major Development Plans*, provide also the additional information requested on the **Development Plan Submission Materials** (Sections 108.226 through 108.232 of the Land Development Regulations, copy attached) and other information as determined by the Planning Staff.

**Please note, development plan and conditional use approvals are quasi-judicial hearings and it is improper to speak to a Planning Board member or City Commissioner about the project outside of the hearing.**

**Verification**

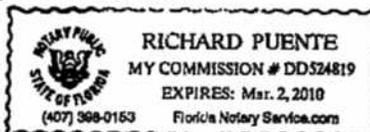
I, Owen Trepanier (please print), being duly sworn, depose and say  
 Name of Applicant

that I am (check one) the owner \_\_\_\_\_ / owner(s) legal representative X of the property which is the subject matter of this application. All of the answers to the above questions, drawings, plans and any other attached data to 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.

Owen Trepanier  
 Signature of Applicant

Subscribed and sworn to (or affirmed) before me on 6-2-09 (date) by Owen Trepanier (name of affiant, deponent or other signer). He/She is personally known to me or has presented \_\_\_\_\_ as identification.

Richard Puente  
 Notary's Signature and Seal

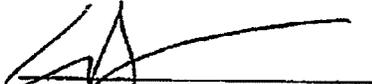


Richard Puente Name of Acknowledger typed, printed or stamped

Notary Title or Rank DD524819 Commission Number

**Letter of Authorization**

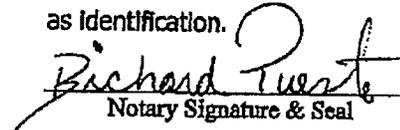
I, Mr. Eric Dickstein, authorize Trepanier & Associates, Inc., to be the representative for this application and act on my/our behalf.

  
Mr. Eric Dickstein

Subscribed and sworn to (or affirmed) before me on May 6, 2008 (date) by  
ERIC DICKSTEIN

Please print name

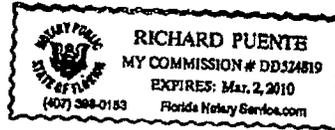
He/She is personally known to me or has presented DRIVERS LICENSE  
as identification.

  
Notary Signature & Seal My commission expires 3-2-2010  
date

Richard Puente Name of Acknowledger printed or stamped

Notary Title or Rank

DDS24819 Commission Number, if any



**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**604 Simonton Street, Key West, FL 33040**  
**(305) 809-3720**



**Required Plans and Related Materials**

**I. Existing Conditions.**

- A. Recent Survey of the site by a licensed Surveyor showing all dimensions including distances from property lines with:
- 1) Size of site: 4,820.58 SF
  - 2) Buildings, structures, and parking: Please see attached plans.
  - 3) FEMA Flood Zones: Please see attached plans.
  - 4) Topography: Please see attached plans.
  - 5) Easements: Please see attached plans.
  - 6) Location of Utility Lines (sewer, water, electric, cable, and phone) adjacent and extending into the site: Please see attached plans.
- B) Existing size, type and location of trees, hedges, and other features: Please see attached plans.
- C) Existing stormwater retention areas and drainage flows: Please see attached plans.
- D) A sketch showing adjacent land uses, buildings, and driveways: Please see attached plans.

**II. Proposed Development:** Plans at 11" X 17" (10,000 Sq. ft. or less); 24" X 36" if site is over 10,000 sq. ft.

- A) Site Plan to scale with North arrow and dimensions by a licensed architect or engineer.
- 1) Buildings: Please see attached plans.
  - 2) Setbacks: Please see attached plans.
  - 3) Parking: Please see attached plans. Property is located in the Parking Waiver Zone. No change proposed in Phase I. ~~Phase II will require a parking variance or bicycle substitution equivalent to 4.3 spaces.\*~~
    - a. Number, location and size of automobile and bicycle spaces: Currently there are two parking spaces used by the residential units in the evening and deliveries during the day.
    - b. Handicapped spaces: 0 required, 0 existing, 0 proposed
    - c. Curbs or wheel stops around landscaping: NA
    - d. Type of pavement: Gravel drive existing – no changes proposed
  - 4) Driveway dimensions and material: Two residential spaces (9x18) existing; gravel.
  - 5) Location of Utility Lines (sewer, water, electric, cable, and phone) adjacent and extending into the site: Please see attached plans.
  - 6) Signs: Not yet determined, will seek HARC approval as required
  - 7) Project Statistics:
    - a. Zoning: HNC-3
    - b. Size of site: 4,820.58 SF
    - c. Number of units: 2 residential units currently recognized by the City
    - d. If non-residential, floor area & proposed floor area ratio: 1,800 sq. ft. (.37)
    - e. Consumption area of restaurants & bars: 730 sq. ft. new consumption area proposed. 535 sq. ft. as part of Phase I and 195 sq. ft. as part of Phase II\*
    - f. Open space area and open space ratio: No change proposed or required
    - g. Impermeable surface area and impermeable surface ratio: No change proposed or required. If phase II requires and alterations, we will seek all necessary approvals prior to commencement.

\*Note: Withdrawn as part of this application

**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
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h. Number of automobile and bicycle spaces required and proposed: No change proposed or required for Phase I. Phase II will require a parking variance or bicycle substitution equivalent to 4.3 spaces.\*

**B) Building Elevations**

- 1) Drawings of the building from each direction: Minimal changes to doors and windows proposed, please see attached photos and plans.
- 2) Height of building: < 30 ft. - No change proposed or required
- 3) Finished floor elevations and bottom of first horizontal structure: No change proposed or required
- 4) Height of existing and proposed grades: No change proposed or required

**C) Drainage Plan:** Existing & Proposed with retention areas and calculations: No change proposed or required as part of Phase I. Phase II will require a storm water management plan. Approval of such plan will be obtained prior to commencement of Phase II.\*

**D) Landscape Plan:** Size, type, location and number of plants to be removed, kept, and installed. : No change proposed or required as part of Phase I. Phase II will require a landscape plan. Approval of such plan will be obtained prior to commencement of Phase II.\*

**III. Solutions Statement.** Aspects of the design that address community issues including but not limited to water pollution from stormwater runoff, potable water conservation, waste disposal, energy conservation, affordable housing, and impacts on neighbors such as lighting, noise, traffic and parking.

This neighborhood commercially zoned property is currently mixed use consisting of residential, restaurant and a laundry mat. The laundry mat is going out of business and the applicant seeks to convert the space to a coffee shop with retail and catering service. The shop will serve the local residents and area visitors. Patrons are expected to travel to and from the shop in the same manner as is already experienced by this building and adjacent businesses - foot and bike traffic, and pass-through trips. The existing restaurant on the property experiences primarily pedestrian, bicycle, and taxi traffic. In an effort to further reduce trips to the coffee shop, delivery service will be made available.

Opening this operation provides the opportunity to start from scratch with all eco friendly products and energy saving techniques.

Energy efficient fixtures and appliances:

- A tank-less or condensate water heater.
- Gas stoves and burners
- Efficient on counter appliances
- Efficient freezers and refrigerators
- Light timers
- Florescent and LED lighting
- Water saving fixtures

Corn-based, recycled and wood products such as:

- Dishware and cups for in house service
- Corn based cold take out cups
- Corn based hot take out cups
- Corn based lids for takeout cups
- Recycled paper coffee sleeves
- Corn based foam take-out containers
- Corn based bags
- Wooden stirring sticks
- Environmentally friendly cleaners

\*Note: Withdrawn as part of this application

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**CONDITIONAL USE CRITERIA**

**Sec. 122-61. Purpose and intent.**

This coffee shop will be adequately accommodated on the proposed site without generating adverse impacts on properties and land uses within the immediate vicinity. The surrounding area is predominantly residential; however the site is located within the neighborhood commercial zoning. The use is compatible with the surrounding land uses.

**Sec. 122-62. Specific criteria for approval.**

(a) Findings. This proposed conditional use shall comply with all specific conditions established by the planning board during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. This conditional use meets the criteria provided in this section and is not adverse to the public's interest as described below. This application for a conditional use describes how the specific land use characteristics proposed meets the criteria described in subsection (c) of this section and include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.

(b) Characteristics of use described. The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:

(1) Scale and intensity of the proposed conditional use as measured by the following:

a. Floor area ratio: 1,800 sq. ft. (.37)

b. Traffic generation: The Institute of Traffic Engineers Trip Generation Manual 7<sup>th</sup> edition does not specifically study laundry mats or coffee shops, however, after careful consideration of various studies, we found two trip generation studies that have relevance for this project:

1. San Francisco International Airport/ Round Table studied trip generation for laundry mats<sup>1</sup>; and
2. Technical Committee of the Colorado-Wyoming Section of ITE studied coffee shops<sup>2</sup>

Land Use	Average Daily Trips (per 1,000 sq. ft.)
Laundry Mat	42
Coffee Shop	60
<b>Net Change</b>	<b>18 trips per day</b>

c. Square feet of enclosed building for each specific use: 1,800 sq. ft. Residential – No change proposed, 1,800 sq. ft. commercial

d. Proposed employment: Existing 2 FTE; Proposed 4 FTE

e. Proposed number and type of service vehicles: Scooter deliveries, normal deliveries (4-6 deliveries per week)

f. Off-street parking needs: Property is located in the parking waiver zone; no change proposed or required for Phase I. Phase II will require a parking variance or bicycle substitution equivalent to 4-3 spaces.\*

<sup>1</sup> Study available at <http://www.sforoundtable.org/pdf/BigWave/7TrafficAnalysis.pdf>

<sup>2</sup> Study available at <http://www.cowyite.org/technical/CoffeePaper.pdf>

\*Note: Withdrawn as part of this application

**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**604 Simonton Street, Key West, FL 33040**  
**(305) 809-3720**



- (2) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection (b)(1) of this section including the following:
- a. Utilities: None anticipated
  - b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94: No concurrency-related improvements required as demonstrated by the attached Concurrency Management Analysis
  - c. Roadway or signalization improvements, or other similar improvements: No change proposed or required
  - d. Accessory structures or facilities: No change proposed or required
  - e. Other unique facilities/structures proposed as part of site improvements: NA
- (3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
- a. Open space: No change proposed or required for Phase I or Phase II\*
  - b. Setbacks from adjacent properties: No change proposed or required for either phase.
  - c. Screening and buffers: No change proposed or required for Phase I. ~~DRG comments indicate buffering will be required and therefore address prior to the commencement of Phase II\*~~
  - d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites: No change proposed or required
  - e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts: building will be vented through the rear as required by code.
- (c) Criteria for conditional use review and approval. Applications for a conditional use shall clearly demonstrate the following:
- (1) Land use compatibility: The adjacent space has been a restaurant for years and has proven to be compatible with the surrounding land uses. The area is a mixed use area with neighborhood oriented commercial. This shop will add to the small scale neighborhood commercial services available to the people in the area, which will include coffee shop, neighborhood retail (including beer & wine) and catering service.
  - (2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use: The site has sufficient size, adequate site specifications, and infrastructure to accommodate the proposed use s demonstrated by the attached plans.
  - (3) Proper use of mitigative techniques: This coffee shop will vent out the rear of the property above the existing 2-story building. Many of the adjacent structures are single story thus the venting will occur significantly overhead
  - (4) Hazardous waste: No hazardous waste will be associated with the project.
  - (5) Compliance with applicable laws and ordinances: This conditional use will comply with all applicable requirements.
  - (6) Additional criteria applicable to specific land uses. Applicants for conditional use approval shall demonstrate that the proposed conditional use satisfies the following specific criteria designed to ensure against potential adverse impacts which may be associated with the proposed land use:
    - a. Land uses within a conservation area: NA – not located in a conservation area.
    - b. Residential development: No change to the existing residential proposed. This use will serve the nearby neighborhood residential and is a compatible use.

**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
City of Key West Planning Department  
604 Simonton Street, Key West, FL 33040  
(305) 809-3720



- c. Commercial or mixed use development: This coffee shop will add to the small scale neighborhood commercial services available to the people in the area. It is a compatible use.
- d. Development within or adjacent to historic district: No changes to the structure are proposed at this time.
- e. Public facilities or institutional development: NA no public facilities or institutional development proposed.
- f. Commercial structures, uses and related activities within tidal waters: No commercial structures, uses or related activities are proposed within tidal waters
- g. Adult entertainment establishments: NA – no adult entertainment proposed



# **Verification Form**

**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**604 Simonton Street, Key West, FL 33040**  
**(305 -809-3720)**



12) Has subject Property received any variance(s)? Yes \_\_\_\_\_ No  X

If Yes: Date of approval \_\_\_\_\_ Resolution # \_\_\_\_\_

Attach resolution(s).

13) Are there any easements, deed restrictions or other encumbrances on the subject property?

Yes \_\_\_\_\_ No  X If Yes, describe and attach relevant documents.



- 14) A. For *Conditional Uses and Development Plans*, provide the information requested on the attached **Conditional Use and Development Plan** sheet.  
 B. For *Conditional Uses*, include also the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122.61 and 122.62 of the Land Development Regulations (copy attached).  
 C. For *Major Development Plans*, provide also the additional information requested on the **Development Plan Submission Materials** (Sections 108.226 through 108.232 of the Land Development Regulations, copy attached) and other information as determined by the Planning Staff.

**Please note, development plan and conditional use approvals are quasi-judicial hearings and it is improper to speak to a Planning Board member or City Commissioner about the project outside of the hearing.**

**Verification**

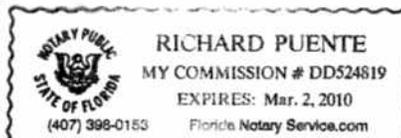
I, Owen Trepanier (please print), being duly sworn, depose and say  
 Name of Applicant

that I am (check one) the owner \_\_\_\_\_ / owner(s) legal representative  X of the property which is the subject matter of this application. All of the answers to the above questions, drawings, plans and any other attached data to 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.

Owen Trepanier  
 Signature of Applicant

Subscribed and sworn to (or affirmed) before me on 6-2-09 (date) by Owen Trepanier (name of affiant, deponent or other signer). He/She is personally known to me or has presented \_\_\_\_\_ as identification.

Richard Puente  
 Notary's Signature and Seal



Richard Puente Name of Acknowledger typed, printed or stamped

Notary Title or Rank DD524819 Commission Number



# **Authorization Form**



**Letter of Authorization**

I, Mr. Eric Dickstein, authorize Trepanier & Associates, Inc., to be the representative for this application and act on my/our behalf.

[Signature]  
Mr. Eric Dickstein

Subscribed and sworn to (or affirmed) before me on May 6, 2008 (date) by

ERIC DICKSTEIN

Please print name

He/She is personally known to me or has presented DRIVERS LICENSE

as identification.

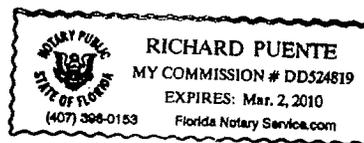
Richard Puente  
Notary Signature & Seal

My commission expires 3-2-2010 date

Richard Puente Name of Acknowledger printed or stamped

Notary Title or Rank

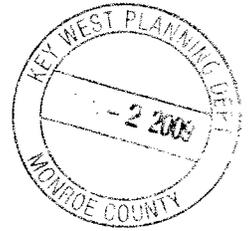
DD524819 Commission Number, if any



# Warranty Deed

This Document Prepared By and Return to:  
Thomas J. DiDato, P.A.  
302 Southard Street, Suite 104  
Key West, Florida 33040

DEED DOC STAMP CL: FP \$9,975.00



Parcel ID Number: 00013740-000000

Doc# 1511061  
Bk# 2106 Pg# 1443

# Warranty Deed

This Indenture, Made this 19th day of April, 2005 A.D. Between  
AGH PROPERTY INVESTMENTS, INC., a corporation existing under the laws  
of the State of Florida  
of the County of MONROE, State of Florida, grantor, and  
FLORIDA KEYS DEVELOPMENT BOARD, LLC, a corporation existing under the  
laws of the State of Florida  
whose address is: 4 LOPEZ LANE, KEY WEST, FL 33040

of the County of MONROE, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of  
-----TEN DOLLARS (\$10)----- DOLLARS,  
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has  
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,  
lying and being in the County of MONROE, State of Florida to wit:

In the City of Key West, Lot 26, Square 2, Tract 3, and more  
particularly described metes and bounds as being on the corner of  
Petronia and Emma Streets and having a frontage on Emma Street of  
Fifty-four (54) feet and on Petronia Street of Ninety-eight (98) feet  
per that deed recorded in Deed Book "PP" at Page 274, of the Public  
Records of Monroe County, Florida, and being rectangular in shape.

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set its hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

AGH PROPERTY INVESTMENTS, INC.

Thomas J. DiDato  
Printed Name: Thomas J. DiDato  
Witness

By: [Signature] (Seal)  
ROBERT S. BEYER, DIRECTOR  
P.O. Address: 805 UNITED STREET, KEY WEST, FL 33040

[Signature]  
Printed Name: Mark M. Beck  
Witness

(Corporate Seal)

STATE OF FLORIDA  
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 18th day of April, 2005 by  
ROBERT S. BEYER, DIRECTOR of AGH PROPERTY INVESTMENTS, INC., a Florida  
Corporation, on behalf of the corporation  
he is personally known to me or he has produced his Florida driver's license as identification

Thomas J. DiDato  
My Commission DD261677  
Expires October 26 2007

Thomas J. DiDato  
Printed Name: \_\_\_\_\_  
Notary Public MONROE COUNTY  
My Commission Expires OFFICIAL RECORDS

# FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS



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## Detail by Entity Name

### Florida Limited Liability Company

FLORIDA KEYS DEVELOPMENT BOARD, LLC

### Filing Information

**Document Number** L05000037259  
**FEI/EIN Number** 743148139  
**Date Filed** 04/15/2005  
**State** FL  
**Status** ACTIVE



### Principal Address

1211 MARGARET STREET  
KEY WEST FL 33040

Changed 09/01/2008

### Mailing Address

1211 MARGARET STREET  
KEY WEST FL 33040

Changed 09/01/2008

### Registered Agent Name & Address

DICKSTEIN, ERIC R  
1211 MARGARET STREET  
KEY WEST FL 33040 US

Address Changed: 09/01/2008

### Manager/Member Detail

#### Name & Address

Title MGRM

DICKSTEIN, ERIC R  
1211 MARGARET STREET  
KEY WEST FL 33040 US

Title MGR

GELNOVATCH, WALTER

714 ANASTASIA AVE  
CORAL GABLES FL 33134 US



### Annual Reports

**Report Year Filed Date**

2007	04/30/2007
2008	09/01/2008
2009	04/30/2009

### Document Images

- |   |  |
|---|--|
| 04/30/2009 -- ANNUAL REPORT             | <a href="#">View image in PDF format</a> |
| 09/01/2008 -- ANNUAL REPORT             | <a href="#">View image in PDF format</a> |
| 04/30/2007 -- ANNUAL REPORT             | <a href="#">View image in PDF format</a> |
| 08/03/2006 -- ANNUAL REPORT             | <a href="#">View image in PDF format</a> |
| 04/15/2005 -- Florida Limited Liability | <a href="#">View image in PDF format</a> |

**Note:** This is not official record. See documents if question or conflict.

<a href="#">Previous on List</a>	<a href="#">Next on List</a>	<a href="#">Return To List</a>	Entity Na
<b>No Events</b>	<b>No Name History</b>		<input type="button" value="St"/>

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# Survey

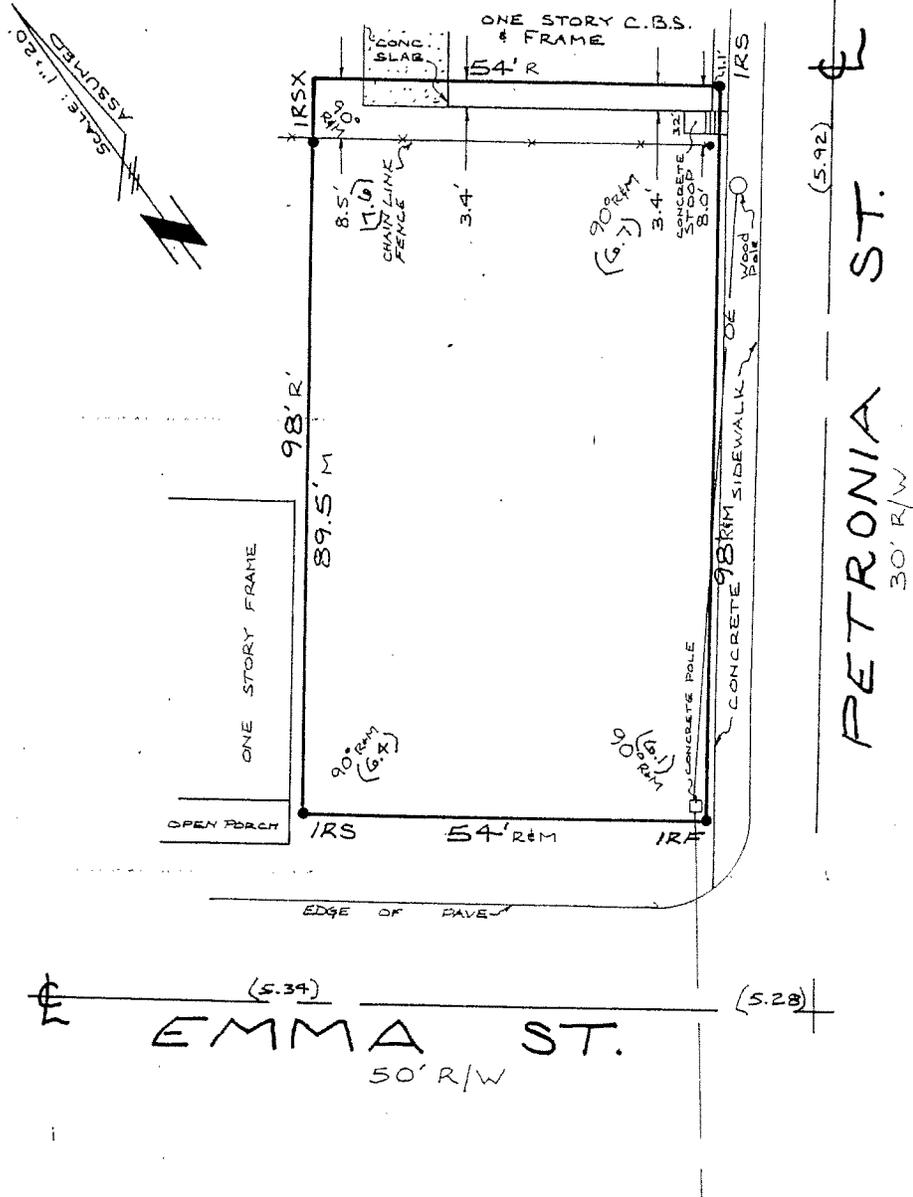


# PHILLIPS & TRICE SURVEYING, INC.

Professional Land Surveyors  
1204 Simonton Street  
Key West, Florida 33040  
(305) 294-4747

JACK M. PHILLIPS, P.L.S.  
FLORIDA CERTIFICATE NO. 1410

JOE M. TRICE, P.L.S.  
FLORIDA CERTIFICATE NO. 2110



SHEET ONE OF TWO

\* SEE THE OTHER SIDE OF THIS SHEET FOR ABBREVIATIONS & SYMBOLS



SURVEYOR'S NOTES:

- (1) Flood Insurance Rate Map: Community No: 120168, Panel No: 1716  
Suffix: G, Date: November 4, 1992, Zone: X.
- (2) This survey was prepared without benefit of a title search nor abstract  
examination and it is based entirely upon facts provided by either of the  
parties or an agent alleging to represent either of the parties.
- (3) This survey is not assignable, unless otherwise noted, and must be  
embossed with the undersigned surveyor's raised seal to be valid.
- (4) The legal description shown hereon was furnished this surveyor.
- (5) Under ground foundations and utilities, trees and ornamental shrubs  
were not located.
- (6) The address of the subject property is: 207 Petronia ST., Key West, FL.
- (7) Field work for this project was completed on February 27, 1996.
- (8) Field notes for this project can be found in P&TS field book IDK.
- (9) The ownership of fences and/or walls near property lines, if any, are  
unknown.
- (10) Ground elevations, if any, are shown in parentheses and refer to Mean Sea  
Level NGVD (1929).

BOUNDARY SURVEY OF: In the City of Key West, Lot 26, Square 2, Tract  
3, and more particularly described by metes and bounds as being on the corner of  
Petronia and Emma Streets and having a frontage on Emma Street of Fifty-four  
(54) feet and on Petronia Street of Ninety-eight (98) feet per that deed recorded in  
Deed Book "PP" at Page 274, of the Public Records of Monroe County, Florida,  
and being rectangular in shape.

BOUNDARY SURVEY FOR: Fargo of Key West, Inc.

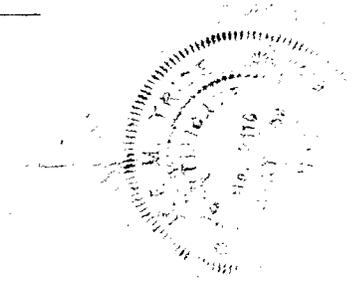
I HEREBY CERTIFY to Fargo of Key West, Inc. that the survey delineated  
hereon complies with the minimum technical standards as set forth by the Florida  
Board of Land Surveyors, pursuant to Section 472.027, Florida Statutes and  
Chapter 61G17-6.003 of the Florida Administrative Code and that there are no  
encroachments, above ground, other than those shown hereon if any. Also  
certified to First State Bank of the Keys.

PHILLIPS & TRICE SURVEYING, INC.

  
\_\_\_\_\_  
Joe M. Trice, Professional Land Surveyor  
Florida Registration Certificate No. 2110

Signature date: 3-15-96

SHEET 2 OF 2 SHEETS



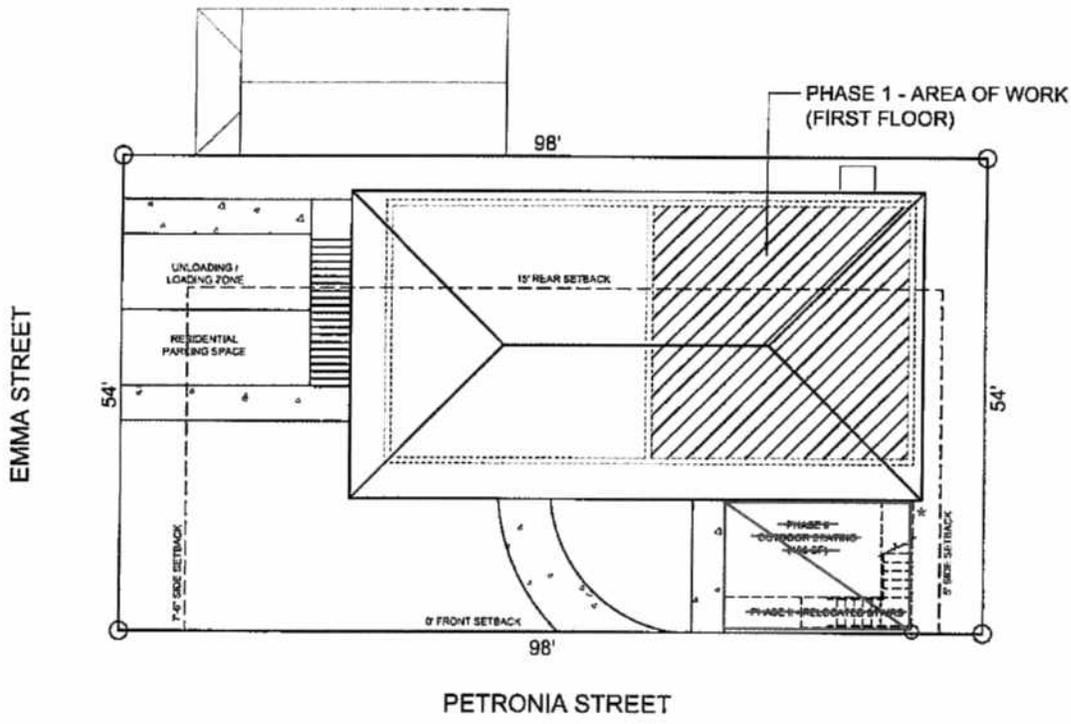
# Site Plan

# FLORIDA BUILDING CONSULTANTS, INC.

402 APPELROUTH LANE, SUITE 1-F  
KEY WEST, FLORIDA  
C.A.#26045

SHEET: 1 OF 4  
DATE: 07-09-09  
BY: EKM  
JOB # \_\_\_\_\_

JOB TITLE: \_\_\_\_\_ 207 PETRONIA STREET  
\_\_\_\_\_ PROPOSED SITE PLAN  
\_\_\_\_\_



### PROJECT PHASING SCHEDULE

PHASE I: CONVERT LAUNDRY MAT TO COFFEE SHOP WITH RETAIL AND CATERING SERVICE. NO CHANGES TO EXISTING SITE PLAN

PHASE II: RECONSTRUCT AND MOVE STAIRS AND ADD 195 SQ. FT. OF NEW SIDEWALK-ORIENTED SEATING AREA. PRIOR TO COMMENCEMENT OF PHASE II WORK, ALL PHASE II RELATED APPROVALS MUST BE OBTAINED, INCLUDING BUT NOT LIMITED TO: STORM WATER, LANDSCAPING, AND ALL REQUIRED VARIANCES.



PROPOSED SITE PLAN

SCALE: 1"=20'-0"

PAUL R. SEMMES, P.E.  
#44137 DATE: \_\_\_\_\_

\*Note: Withdrawn as part of this application

# FLORIDA BUILDING CONSULTANTS, INC.

402 APPELROUTH LANE, SUITE 1-F  
 KEY WEST, FLORIDA  
 C.A.#26045

SHEET: 2 OF 4  
 DATE: 07-09-09  
 BY: EKM  
 JOB # \_\_\_\_\_

JOB TITLE: \_\_\_\_\_ 207 PETRONIA STREET \_\_\_\_\_

## SITE DATA TABLE

SITE DATA TABLE				
	EXISTING CONDITIONS	ALLOWABLE CONDITIONS	PROPOSED CONDITIONS PHASE I	PROPOSED CONDITIONS PHASE II *
DISTRICT	HNC-3	HNC-3	HNC-3	
LOT SIZE	5292 SF	5292 SF	5292 SF	<del>5292 SF</del>
BUILDING AREA	2457 SF	2116.8 sf	2457 SF	<del>2457 SF</del>
BUILDING COVERAGE %	46.4%	40%	46.4%	<del>46.4%</del>
IMPERVIOUS COVERAGE	2909 SF	3175.2 SF	2909 SF	<del>3064 SF</del>
IMPERVIOUS COVERAGE %	55%	60%	55%	<del>56.2%</del>
BUILDING HEIGHT	<30'-0"	30'-0"	<30'-0"	<del>&lt;30'-0"</del>
FRONT SETBACK	SEE SITE PLAN	0'-0"	NO CHANGE	<del>NO CHANGE</del>
SIDE SETBACK	SEE SITE PLAN	5'-0"	NO CHANGE	<del>NO CHANGE</del>
STREET SIDE SETBACK	SEE SITE PLAN	7'-6"	NO CHANGE	<del>NO CHANGE</del>
REAR SETBACK	SEE SITE PLAN	15'-0"	NO CHANGE	<del>NO CHANGE</del>

PAUL R. SEMMES, P.E.  
 #44137 DATE: \_\_\_\_\_

\*Note: Withdrawn as part of this application



# **Existing Floor Plan**

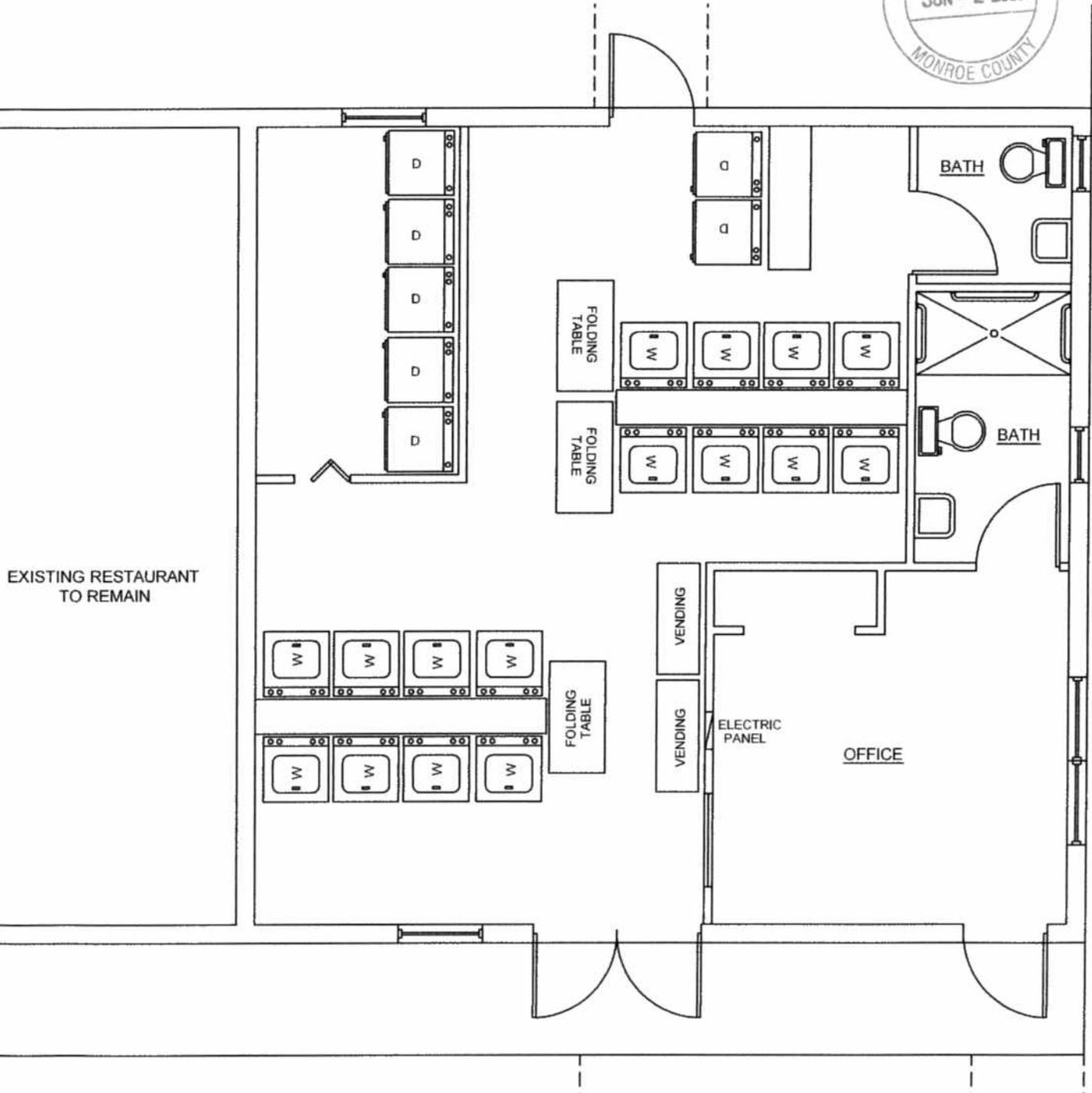
# FLORIDA BUILDING CONSULTANTS, INC.

402 APPELROUTH LANE, SUITE 1-F  
KEY WEST, FLORIDA  
C.A.#26045

SHEET: 1 OF 2  
DATE: 06-01-09  
BY: EKM  
JOB # \_\_\_\_\_

JOB TITLE: \_\_\_\_\_ 207 PETRONIA STREET

## EXISTING FLOOR PLAN



## EXISTING FLOOR PLAN

PAUL R. SEMMES, P.E.  
#44137 DATE: \_\_\_\_\_

SCALE: 1/4"=1'-0"

# **Proposed Floor Plan**

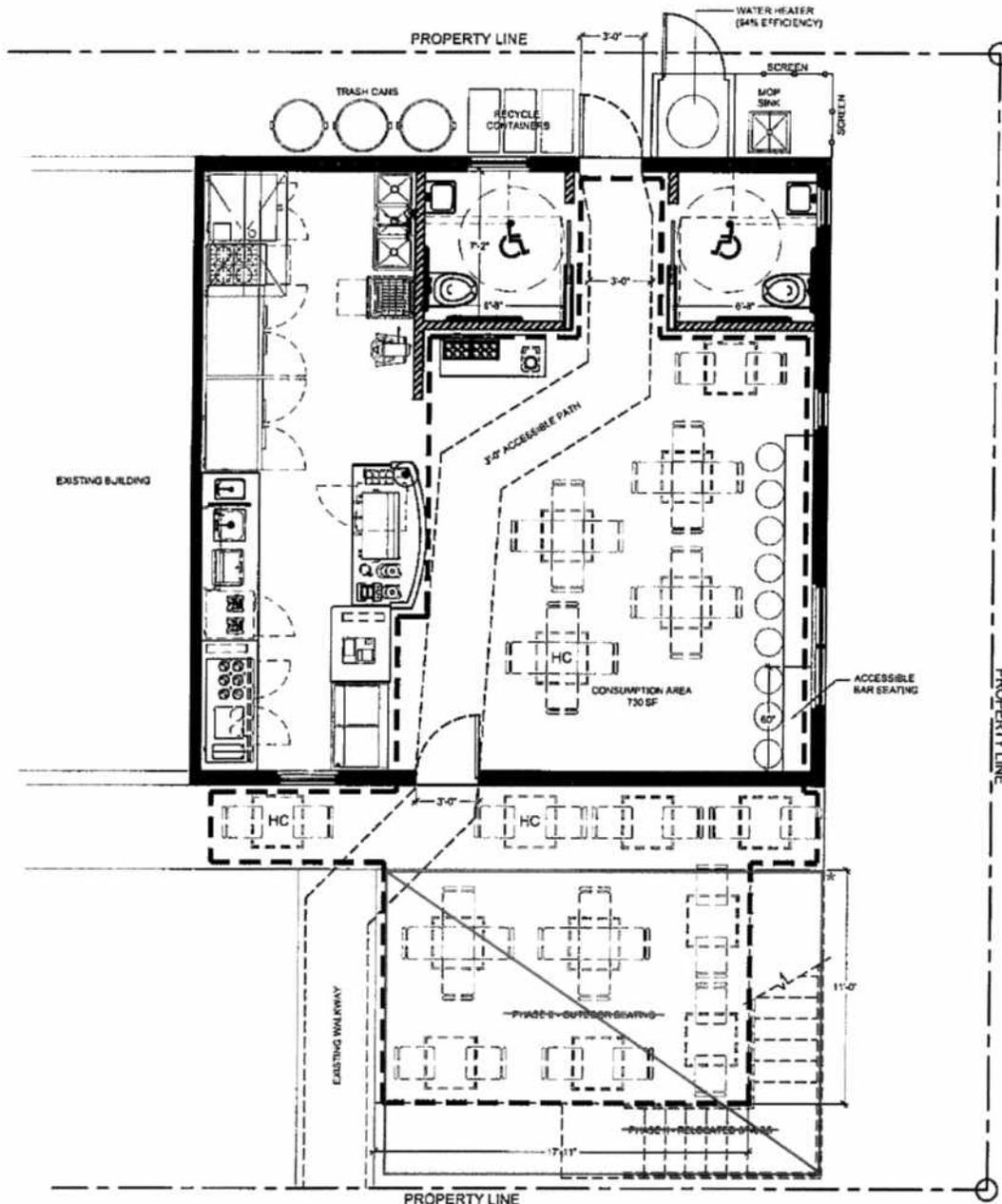
# FLORIDA BUILDING CONSULTANTS, INC.

402 APPELROUTH LANE, SUITE 1-F  
KEY WEST, FLORIDA  
C.A.#26045

SHEET: 4 OF 4  
DATE: 07-09-09  
BY: EKM  
JOB # \_\_\_\_\_

JOB TITLE: 207 PETRONIA STREET

## PROPOSED FLOOR PLAN



## PROPOSED FLOOR PLAN

SCALE: 1/8"=1'-0"

PAUL R. SEMMES, P.E.  
#44137 DATE: \_\_\_\_\_

\*Note: Withdrawn as part of this application

# **Concurrency Management**

# MEMORANDUM

**Date:** 07/13/2009  
**To:** Mr. Brendon Cunningham, Sr. Planner  
**From:** Sarah Davis, Planner  
**CC:** Mr. Owen Trepanier  
**Re:** **Concurrency Analysis**  
**207 Petronia Street**



The City's Comprehensive Plan Objective 9-1.5 directs the City to ensure that facilities and services needed to support development are available concurrent with the impacts of new development.

The following specific issues are outlined:

1. Potable Water & Sanitary Sewer
2. Solid Waste
3. Storm Water Drainage
4. Roads/Trip Generation

The following concurrency analysis reflects the proposed coffee shop to be located at 207 Petronia Street. Currently this parcel contains a 1,800 sq. ft. of commercial floor area and two city-recognized residential units. The applicant is not altering the residential units nor increasing square footage. The only change to convert 900 sq. ft. of existing 1,800 sq. ft. of commercial floor area from a coin operated laundry mat to a coffee shop. ~~The project is phased and will include a small consumption area (195 sq. ft.) increase in the second phase.\*~~ Therefore this analysis uses 1,995 sq. ft. (0.046 acres) to determine service levels.

- 1. Potable Water & Sanitary Sewer** "Planned improvements in potable water and/or wastewater systems required to establish and/or maintain adopted water and wastewater levels of service. System improvements and proposed funding resources required for implementing any improvements required to establish and/or maintain adopted potable water and wastewater system level of service standards<sup>1</sup>:"

**Potable Water.** Sec. 94-68 sets the level of service for nonresidential potable water at 650 gal/acre/day. Utilizing this level of service standard:

<sup>1</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

**PHASE I -**

- i) The total capacity required for the current **0.041 acre** of commercial floor area is:

$$650 \text{ gal/acre/day} \times 0.041322 \text{ acres} = 26.9 \text{ gal/day}$$

- ii) The total capacity required for the proposed project on **0.041 acres** is:

$$650 \text{ gal/acre/day} \times 0.041322 \text{ acres} = 26.9 \text{ gal/day}$$

The size of the commercial floor area is unchanged in Phase I and therefore, according to the analysis methods prescribed by the Key West Comprehensive Plan the amount of potable water used is unchanged.

~~**PHASE II -**~~

- ~~iii) The total capacity required for the current **0.041 acre** of commercial floor area is:~~

~~$$650 \text{ gal/acre/day} \times 0.041322 \text{ acres} = 26.9 \text{ gal/day}$$~~

- ~~iv) The total capacity required for the proposed project on **0.046 acres** is:~~

~~$$650 \text{ gal/acre/day} \times 0.045798 \text{ acres} = 29.8 \text{ gal/day}$$~~

~~The size of the commercial floor area is increase 195 sq. ft. in Phase II and therefore, according to the analysis methods prescribed by the Key West Comprehensive Plan the amount of potable water used is increased by 2.9 gal/day.\*~~

FKAA has obtained all necessary permits and is in the process of constructing facilities on the mainland in Florida City to expand water supply for the Florida Keys. This permitted and under construction improvement will enable FKAA to provide over 23 MGD by July 2010, which will provide sufficient capacity through 2022<sup>2</sup>. Once operational in 2010, a permitted expansion of the R.O. plant will provide 6.0 MGD, which combined with the 17.0 MGD permitted withdrawal from the Biscayne Aquifer, will increase available water supply to 23 MGD for the Florida Keys.

*Expanded Florida City R.O. Plant.* The Department of Health issued Permit # 150092-007-wc/04 (Exhibit I) on November 14, 2006 to allow for the construction of an expanded reverse osmosis (R.O.) water plant in Florida City. The expanded water plant will be designed to treat blended Floridian Aquifer water as an alternative water source to the Biscayne Aquifer. The permit design capacity of the expanded R.O. plant is 6 MGD.

*Revised Water Use Permit.* The SFWMD issued revised Water Use Permit (WUP) #13-00005-W (Exhibit II) on March 26, 2008, which recognizes the additional blended Floridian Aquifer capacity that will be provided by the expanded R.O. plant. Interim

<sup>2</sup> Excerpt from Analysis by Kenneth B. Metcalf, AICP, (Greenberg Traurig, P.A.), August 22, 2008.

\*Note: Phase II is not part of this application

Water Use Allocations in the WUP permit provide FKAA with an allocation of 17.00 MGD (dry season) and 17.79 GPD (wet season) which may be withdrawn from the Biscayne Aquifer and allows FKAA to utilize the Stock Island and Marathon Reverse Osmosis plants for any demands exceeding the interim withdrawal limit, pending completion of the R.O. plant in Florida City. The Stock Island and Marathon R.O. plants have a combined capacity of 3.0 MGD providing an interim WUP water supply of 20.0 MGD during the dry season if needed. Once operational in 2010, the R.O. plant will provide an additional 6.0 MGD, which when combined with the 17.0 MGD permitted withdrawal from the Biscayne Aquifer, will increase available water supply to 23 MGD for the Florida Keys.

**The interim allocation of 20 MGD (7,300 MG/year) through 2010 and 23 MGD after 2010 provides ample water supply to support the adopted amendment and allocated growth well beyond 10 years.** The "Monroe County 2007 Annual Public Facilities Report" documents historic water use in the Florida Keys. Water demand has fluctuated significantly on an annual basis, however when evaluated over a ten-year period, the data shows an increase in water demand of more than 1 billion gallons over the last 10 years with an annual average increase of approximately 104 MG/year. This increase in demand can be shown in the following calculation:

1996 annual water demand = 5,272 MG /year

2006 annual water demand = 6,310 MG /year

Average Annual Increase = (6,310 MG - 5,272MG)/ 10 = 103.8 MG /year

Based on the average annual increase of 103.8 MG per year, the interim allocation would be sufficient for an additional 9.5 years of growth beyond 2006 or through 2015 until demand reaches the interim permitted withdrawal of 20 MGD (7,300 MG/year). Upon completion of the Florida City facilities, the 23 MGD allocation would be available to support yet another 9.5 years of growth. Based on these findings, sufficient permitted water supply is available to meet the needs of the Florida Keys through 2024.

*Improvements Schedule/Status.* Condition 30 of the WUP provides the following time schedule for construction of the R.O. plant and the associated Floridian deep wells that will provide 23 MGD of capacity through 2024:

- DEP Underground Injection and Control permit was obtained on May 21, 2008.
- Construction contracts were required within 180 days or by November 21, 2008;
- Testing is required within one year and 30 days from issuance of the permit or by June 21, 2009.
- The R.O. plant construction is scheduled for completion by December 31, 2009 and the R.O. plant will be operational no later than 2 years and 60 days from the issuance of the DEP permit or by July 21, 2010.

**Sanitary Sewer**

Sec. 94-67 sets the level of service for nonresidential sanitary sewer at 660 gal/acre/day.

Utilizing this level of service standard;

**PHASE I -**

- i) the total capacity required for the current **0.041 acres** of commercial floor area is:

$$660 \text{ gal/acre/day} \times 0.041322 \text{ acres} = 27.3 \text{ gal/day}$$

- ii) the total capacity required for the proposed project on **0.041 acres** is:

$$660 \text{ gal/acre/day} \times 0.041322 \text{ acres} = 27.3 \text{ gal/day}$$

The size of the commercial floor area is unchanged and therefore, according to the analysis methods prescribed by the Key West Comprehensive Plan the amount of wastewater treatment required is unchanged.

~~**PHASE II -**~~

- ~~iii) the total capacity required for the current **0.041 acres** of commercial floor area is:~~

~~$$660 \text{ gal/acre/day} \times 0.041322 \text{ acres} = 27.3 \text{ gal/day}$$~~

- ~~iv) the total capacity required for the proposed project on **0.046 acres** is:~~

~~$$660 \text{ gal/acre/day} \times 0.045798 \text{ acres} = 30.2 \text{ gal/day}$$~~

~~The size of the commercial floor area is increased by 195 sq. ft. in Phase II and therefore, according to the analysis methods prescribed by the Key West Comprehensive Plan the amount of wastewater treatment required is increased by 2.9 gal/day.\*~~

The current wastewater treatment plant has the potential treatment capacity of 10 million gallons per day. Only 4.8 million gallons per day of capacity are currently utilized. The current plant has more than enough capacity to continue to supply service to this project's needs.

- 2. Solid Waste-** "Projected demand generated by the development on the solid waste disposal system and assurances that the City's adopted level of service for solid waste disposal shall not be adversely impacted<sup>3</sup>."

<sup>3</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

\*Note: Phase II is not part of this application

Sec. 94-71 sets the level of service for nonresidential solid waste disposal (1994-2010) at 6.37 lb/capita/day.<sup>4</sup>

**PHASE I & II -**

i) the total capacity required for the current **2 employees** is:

$$6.37 \text{ lb/capita/day} \times 2 \text{ people} = 12.74 \text{ lb/day}$$

ii) the total capacity required for the proposed **4 employees** is:

$$6.37 \text{ lb/capita/day} \times 4 \text{ people} = 25.48 \text{ lb/day}$$

Due to the increase in the number of employees, according to the analysis methods prescribed by the Key West Comprehensive Plan, solid waste disposal will be increased by 12.74 lb/day.

**3. Drainage** - "Conceptual plan for accommodating storm water run-off and demonstrated evidence that the proposed drainage improvements shall accommodate storm water run-off without adversely impacting natural systems or the City's adopted level of service for storm drainage<sup>5</sup>:"

A. Post-development run-off shall not exceed the pre-development run-off rate for a 25-year storm event, up to and including an event with 24 hour duration. **No changes will be made to impervious surface area during Phase I. Phase II will incorporate the submitted storm water management system as depicted on the plans and will utilize best management practices.\***

B. Storm water treatment and disposal facilities shall be designed to meet the design and performance standards established in Chapter 17-25, Section 25.025, FAC, with treatment of the run-off from the first one inch of rainfall on-site to meet the water quality standards required by Chapter 17-302, Section 17-302.500, FAC. **No changes will be made to impervious surface area during Phase I. Phase II will incorporate the submitted storm water management system as depicted on the plans and will utilize best management practices.\*** Storm water facilities which directly discharge into Outstanding Florida Waters ("OFW") shall provide an additional treatment pursuant to Section 17-25.025 (9), FAC. The first inch of runoff from the site will be treated on site. A 50% credit on the runoff amount will be taken if dry retention systems are used. **No direct discharge into OFW will occur during Phase I or Phase II.\***

C. Storm water facilities must be designed so as to not degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 17-302, FAC. **No direct discharge into a water body will occur during Phase I or Phase II.\***

<sup>4</sup> For these calculations, we chose to use the number of employees to represent the "capita."

<sup>5</sup> Ibid.

**4. Roads/Trip Generation-** "Estimated trips for the peak hour generated by the proposed land use(s) together with anticipated on- and off-site improvements necessitated to accommodate the traffic impacts generated by the development including, additional R/W, roadway improvements, additional paved laneage, traffic signalization, proposed methods for controlling access and egress, and other similar improvements<sup>6</sup>:"

For the purposes of calculating traffic generation The Institute of Traffic Engineers Trip Generation Manual 7<sup>th</sup> edition does not specifically study laundry mats or coffee shops, however, after careful consideration of various studies, we found two trip generation studies that have relevance for this project:

1. San Francisco International Airport/ Round Table studied trip generation for laundry mats<sup>7</sup>; and
2. Technical Committee of the Colorado-Wyoming Section of ITE studied coffee shops<sup>8</sup>

<b>Land Use</b>	<b>Average Daily Trips (per 1,000 sq. ft.)</b>
Laundry Mat	42
Coffee Shop	60
<b>Net Change</b>	<b>18 trips per day</b>

As the table above explains, there is an 18-trip increase in traffic generation due to the change in use. This project is located near the corner of Petronia Street and Emma Street. Neither of these roads is constrained according to City of Key West Code Section 94-72. There will not be on-site parking and therefore, vehicular traffic will not increase on site. All requirements including proposed methods for controlling ingress, egress, and providing onsite bicycle and scooter parking are met and reflected in the site plans for the proposed project.

<sup>6</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues

<sup>7</sup> Study available at <http://www.sforoundtable.org/pdf/BigWave/7TrafficAnalysis.pdf>

<sup>8</sup> Study available at <http://www.cowoyite.org/technical/CoffeePaper.pdf>

**Exhibits**

***Exhibit I*** – Department of Health Permit #150092-007-wc/04

***Exhibit II*** – Water Use Permit (WUP) #13-00005-W

# **Exhibit I**

**Department of Health Permit #150092-007-wc/04**



Jeb Bush  
Governor

M. Rony Françnis, M.D., M.S.P.H., Ph.D.  
Secretary

Lillian Rivera, RN, MSN, Administrator

**PERMITTEE:**

Florida Keys Aqueduct Authority (FKAA)  
C/o Ray M. Shimokubo  
PO BOX 1239, Kennedy Drive  
Key West, Florida 33041-1239

PERMIT No: 150092-007-WC/04  
DATE OF ISSUE: November 14, 2006  
EXPIRATION DATE: November 13, 2011  
COUNTY: MIAMI-DADE COUNTY  
LAT./LONG.: 25°26'25" N / 80°30'33" W  
SECTION/TOWNSHIP/RANGE:  
PROJECT: Reverse Osmosis (RO) Expansion  
Facility, 6.0 MGD Permeate production with  
blending options at FKAA J.Robert Dean WTP  
Florida City, Dade County

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 62-4, 62-550, 62-555 & 62-560. The above named permittee is hereby authorized to perform the work shown on the application, technical specifications approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

**TO CONSTRUCT:** A Reverse Osmosis, (RO) treatment facility with a permeate capacity of up to 6 Million Gallons per Day, (MGD) produced from Phase I, consisting of three (3) 1.5 MGD trains or Phase II, consisting of an additional 1.5 MGD or four (4) 1.5 MGD trains. The RO facility will be fully integrated with the existing lime softening plant.

There will be the option of bypassing a limited amount of pretreated Floridan aquifer water and blending it with RO permeate thus adding alkalinity to the product water and increasing the overall plant "net" recovery. The RO system product water (degasified permeate/blended permeate) will be combined (blended) with existing lime softening plant product and a limited amount of cartridge-filtered Biscayne Aquifer RO bypass water. The blended product water will receive chemical addition and be transferred to existing finished water storage facilities and pumped to distribution with existing high service pumps.

The water treatment plant construction permit application is for 6 MGD RO permeate capacity plus up to 3 MGD cartridge filtered Biscayne Aquifer blend flow and up to 0.576 MGD (400 gpm) pretreated Floridan Aquifer feed water bypass (which blends with RO permeate), and up to 0.7 MGD Floridan Aquifer water which blends with the existing lime softening facility influent Biscayne Aquifer water. The full operation of all the above described facility units could raise the Possible Facility Output Capacity to greater than 23.8 MGD existing permissible, plus 6.0 MGD covered under this permit application.

**No other facilities or new wells are part of this permit.**

**TO SERVE:** The Florida Keys Water Distribution System, Monroe County, Florida.



Samir Elmir, M.S., P.E., DEE, Division Director  
Miami-Dade County Health Department  
Environmental Health and Engineering  
1725 N. W. 167<sup>th</sup> Street, Miami, Florida 33056  
Tel: (305) 623-3500 Fax: (305) 623-3502  
Email: Samir\_elmir@doh.state.fl.us  
Website: www.dadehealth.org

"A"

PERMIT NO: 150092-007-WC/04  
PERMIT ISSUE DATE: November 14, 2006

**GENERAL CONDITIONS:**

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
  - (a) Have access to and copy any records that must be kept under conditions of the permit;
  - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and

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- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence if the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-30.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- (X) Determination of Best Available Control Technology (BACT)
- ( ) Determination of Prevention of Significant Deterioration (PSD)
- ( ) Certification of compliance with state Water Quality Standards (Section 401, PL 92-500)
- ( ) Compliance with New Source Performance Standards

PERMIT NO: 150092-007-WC/04  
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14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

**SPECIFIC CONDITIONS:**

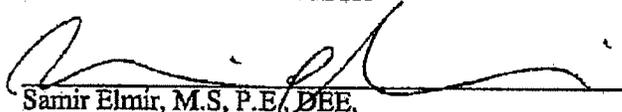
1. The applicant is responsible for retaining the engineer of record in the application for supervision of the construction of this project and upon completion, the engineer shall inspect for complete conformity to the plans and specifications as approved.
2. All concrete coatings/admixtures, liners, grouts, hoses, tubings, and protective paints and coatings shall be listed by the National Sanitation Foundation as acceptable for contact with potable water.
3. Bacteriological points depicted on the plans may be modified with Department consent to meet convenient locations where taps would be inserted in the Main for Fire, Metering, Air Release or other connections but not less than 900 foot intervals for new mains. "Additionally, each part or system module shall be Bacteriologically cleared with 2 consecutive days of sampling before being placed in service as well as the final stream going to storage and subsequent service.
4. The Applicant or his designee shall notify The Department at the local DOH office of the start of the study/construction for purposes of allowing Department Personnel to observe the actual process.
5. The owner or permittee is advised that approval is given to the functional aspects of this project on the basis of representation, and data furnished to this division. There may be County, Municipal or other Local Regulations to be complied with by the owner or permittee prior to construction of the facilities represented by the plans referred to above.
6. This construction permit is issued with the understanding that pipe material and appurtenances used in this installation will be in accordance with the latest applicable AWWA & NSF Standards for public water supplies.
7. The applicant Public Water System as a condition of this permit is hereby advised they shall revert to (2) two-six Month periods of standard monitoring for Lead and Copper upon issuance of Clearance to put the facilities into service. If no Lead or Copper exceedance occurs within the 2-6 Month periods, the System may return to annual monitoring.

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8. Prior to placing a system into service, the applicant shall submit to the Department, if requested, one set of record drawings of the completed project with completed form DEP 62.555.910(9) [Certification of Construction Completion and Request for a Letter of Clearance to Place a Public Drinking water facility into Service] signed by the engineer of record. Drawings are to be at the same scale and in the same sequence as those submitted and approved for permit. Deviations from the original permitted drawings are to be highlighted and/or noted for the Department's review. Include with the DEP form the bacteriological clearance data, pressure test results and backflow inspection certification (if applicable).

Issued this 30<sup>th</sup> day of November 2006

STATE OF FLORIDA  
DEPARTMENT OF HEALTH

  
Samir Elmir, M.S., P.E., DEE,  
Division Director

## **Exhibit II**

**Water Use Permit (WUP) #13-00005-W**



FORM #0289  
Rev. 5/83

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
WATER USE PERMIT NO. RE-ISSUE 13-00005-W  
( NON - ASSIGNABLE )**

**Date Issued:** 13-MAR-2008

**Expiration Date:** March 13, 2028

**Authorizing:** THE CONTINUATION OF AN EXISTING USE OF GROUND WATER FROM THE BISCAYNE AQUIFER AND FLORIDAN AQUIFER SYSTEM FOR PUBLIC WATER SUPPLY USE WITH AN ANNUAL ALLOCATION OF 8750.84 MILLION GALLONS.

**Located In:** Miami-Dade County, S26/T57S/R38E

**Issued To:** FLORIDA KEYS AQUEDUCT AUTHORITY FKA  
(FLORIDA KEYS AQUEDUCT AUTHORITY)  
1100 KENNEDY DR  
KEY WEST. FL 33401

This Permit is issued pursuant to Application No.050329-23 , dated March 29, 2005, for the Use of Water as specified above and subject to the Special Conditions set forth below. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, maintenance or use of activities authorized by this permit. Said application, including all plan and specifications attached thereto, is by reference made a part hereof.

Upon written notice to the permittee, this permit may be temporarily modified, or restricted under a Declaration of Water Shortage or a Declaration of Emergency due to Water Shortage in accordance with provisions of Chapter 373, Fla. Statutes, and applicable rules and regulations of the South Florida Water Management District.

This Permit may be permanently or temporarily revoked, in whole or in part, for the violation of the conditions of the permit or for the violation of any provision of the Water Resources Act and regulations thereunder.

This Permit does not convey to the permittee any property rights nor any privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation, or requirement affecting the rights of other bodies or agencies.

**Limiting Conditions are as follows:**

SEE PAGES 2 - 7 OF 7 ( 35 LIMITING CONDITIONS).

South Florida Water Management  
District, by its Governing Board

On March 13, 2008  
By [Signature]  
Deputy Clerk

**LIMITING CONDITIONS**

1. This permit shall expire on March 13, 2028.
2. Application for a permit modification may be made at any time.
3. Water use classification:

Public water supply

4. Source classification is:

Ground Water from:  
Biscayne Aquifer  
Floridan Aquifer System

5. Annual allocation shall not exceed 8751 MG.

Maximum monthly allocation shall not exceed 809.0088 MG.

The following limitations to annual withdrawals from specific sources are stipulated:  
Biscayne Aquifer-: 6,492 MG:

6. Pursuant to Rule 40E-1.6105, F.A.C., Notification of Transfer of Interest in Real Property, within 30 days of any transfer of interest or control of the real property at which any permitted facility, system, consumptive use, or activity is located, the permittee must notify the District, in writing, of the transfer giving the name and address of the new owner or person in control and providing a copy of the instrument effectuating the transfer, as set forth in Rule 40E-1.6107, F.A.C.

Pursuant to Rule 40E-1.6107 (4), until transfer is approved by the District, the permittee shall be liable for compliance with the permit. The permittee transferring the permit shall remain liable for all actions that are required as well as all violations of the permit which occurred prior to the transfer of the permit.

Failure to comply with this or any other condition of this permit constitutes a violation and pursuant to Rule 40E-1.609, Suspension, Revocation and Modification of Permits, the District may suspend or revoke the permit.

This Permit is issued to:

Florida Keys Aqueduct Authority  
1100 Kennedy Drive  
Key West, Florida 33401

7. Withdrawal facilities:

Ground Water - Existing:

- 2 - 24" X 60' X 2000 GPM Wells Cased To 35 Feet
- 3 - 24" X 56' X 2000 GPM Wells Cased To 36 Feet
- 1 - 20" X 60' X 2100 GPM Well Cased To 20 Feet
- 2 - 24" X 57' X 2000 GPM Wells Cased To 37 Feet
- 1 - 24" X 60' X 1400 GPM Well Cased To 24 Feet
- 1 - 20" X 1300' X 2000 GPM Well Cased To 880 Feet
- 1 - 24" X 60' X 1400 GPM Well Cased To 20 Feet

Ground Water - Proposed:

4 - 17" X 1300' X 2000 GPM Wells Cased To 880 Feet

8. Permittee shall mitigate interference with existing legal uses that was caused in whole or in part by the permittee's withdrawals, consistent with the approved mitigation plan. As necessary to offset the interference, mitigation will include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means.  
  
Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1 in 10 year drought event that results in the:
  - (1) Inability to withdraw water consistent with provisions of the permit, such as when remedial structural or operational actions not materially authorized by existing permits must be taken to address the interference; or
  - (2) Change in the quality of water pursuant to primary State Drinking Water Standards to the extent that the water can no longer be used for its authorized purpose, or such change is imminent.
9. Permittee shall mitigate harm to existing off-site land uses caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm caused by withdrawals, as determined through reference to the conditions for permit issuance, includes:
  - (1) Significant reduction in water levels on the property to the extent that the designed function of the water body and related surface water management improvements are damaged, not including aesthetic values. The designed function of a water body is identified in the original permit or other governmental authorization issued for the construction of the water body. In cases where a permit was not required, the designed function shall be determined based on the purpose for the original construction of the water body (e.g. fill for construction, mining, drainage canal, etc.)
  - (2) Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or
  - (3) Land collapse or subsidence caused by reduction in water levels associated with consumptive use.
10. Permittee shall mitigate harm to the natural resources caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to the conditions for permit issuance includes:
  - (1) Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/salt water interface,
  - (2) Reduction in water levels that harm the hydroperiod of wetlands,
  - (3) Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond,
  - (4) Harmful movement of contaminants in violation of state water quality standards, or
  - (5) Harm to the natural system including damage to habitat for rare or endangered species.
11. If any condition of the permit is violated, the permit shall be subject to review and possible modification, enforcement action, or revocation.

12. Authorized representatives of the District shall be permitted to enter, inspect, and observe the permitted system to determine compliance with special conditions.
13. The Permittee is advised that this permit does not relieve any person from the requirement to obtain all necessary federal, state, local and special district authorizations.
14. The permit does not convey any property right to the Permittee, nor any rights and privileges other than those specified in the Permit and Chapter 40E-2, Florida Administrative Code.
15. Permittee shall submit all data as required by the implementation schedule for each of the limiting conditions to: S.F.W.M.D., Supervising Hydrogeologist - Post-Permit Compliance, Water Use Regulation Dept. (4320), P.O. Box 24680, West Palm Beach, FL 33416-4680.
16. In the event of a declared water shortage, water withdrawal reductions will be ordered by the District in accordance with the Water Shortage Plan, Chapter 40E-21, F.A.C. The Permittee is advised that during a water shortage, pumpage reports shall be submitted as required by Chapter 40E-21, F.A.C.
17. Prior to the use of any proposed water withdrawal facility authorized under this permit, unless otherwise specified, the Permittee shall equip each facility with a District-approved operating water use accounting system and submit a report of calibration to the District, pursuant to Section 4.1, Basis of Review for Water Use Permit Applications.  
  
In addition, the Permittee shall submit a report of recalibration for the water use accounting system for each water withdrawal facility (existing and proposed) authorized under this permit every five years from each previous calibration, continuing at five-year increments.
18. Monthly withdrawals for each withdrawal facility shall be submitted to the District quarterly. The water accounting method and means of calibration shall be stated on each report.
19. The Permittee shall notify the District within 30 days of any change in service area boundary. If the Permittee will not serve a new demand within the service area for which the annual allocation was calculated, the annual allocation may then be subject to modification and reduction.
20. Permittee shall implement the following wellfield operating plan:  
The Biscayne Aquifer wellfield shall be operated according to the restrictions outlined in Limiting Conditions 5, 25, 26, and 27 of this permit. Upon completion and operation of the Reverse Osmosis system, pursuant to the schedule outlined in Limiting Condition 30, the Floridan Aquifer wellfield will be operated to provide the balance of the demands beyond those restrictions.
21. Permittee shall determine unaccounted-for distribution system losses. Losses shall be determined for the entire distribution system on a monthly basis. Permittee shall define the manner in which unaccounted-for losses are calculated. Data collection shall begin within six months of Permit issuance. Loss reporting shall be submitted to the District on a yearly basis from the date of Permit issuance.
22. Permittee shall maintain an accurate flow meter at the intake of the water treatment plant for the purpose of measuring daily inflow of water.
23. The Permittee shall continue to submit monitoring data in accordance with the approved saline water intrusion monitoring program for this project.
24. The Water Conservation Plan required by Section 2.6.1 of the Basis of Review for Water Use Permit Applications within the South Florida Water Management District, must be implemented in accordance with the approved implementation schedule.
25. In addition to the allocation specified in Limiting Condition 5, the permittee may apply a Special Event Peaking Factor Ratio of 1.3:1 to compensate for temporary increased demand during seasonal and Special Events up to a maximum daily withdrawal of 33.57 MG. The source limitations imposed by

Limiting Conditions 5 and 26 apply to the Special Event Peaking Factor Ratio. The permittee must notify the District in writing no less than 24 hours prior to applying this Special Event Peaking Factor Ratio and must specify the proposed duration of the use of the Special Event Peaking Factor Ratio. The use of the Special Event Peaking Factor Ratio shall be noted on the monthly pumpage reports.

26.

In addition to the allocations specified in Limiting Conditions 5 and 25, during the dry season (December 1 to April 30), FCAA shall limit their average day withdrawals from the Biscayne Aquifer to 17 MGD, calculated on a monthly basis. The remaining dry season demands shall be provided by the reverse osmosis system. During the remainder of the year from May 1 to November 30, the withdrawals from the Biscayne Aquifer shall be limited to the Base Condition water use for the Biscayne Aquifer of 6,492 MGY, or an average day of 17.79 MGD. Demands in excess of these volumes shall be provided by the Floridan Aquifer System wells and the emergency desalination facilities.

27.

Prior to the availability of the Floridan Aquifer reverse osmosis system, dry season demand in excess of the Biscayne Aquifer pumpage limitations specified in Limiting Condition 26 shall be obtained from emergency sources pursuant to Limiting Condition 29.

28.

In addition to the monthly reporting required in Limiting Condition 18, and prior to the operation of the Reverse Osmosis system, on the 15th day of each month during and immediately following the dry season extending from December 1 to April 30, FCAA shall file a written report with the District ("mid-month report") evaluating the following: 1) the daily pumpage to date during the last 30 days; and 2) any daily pumpage distribution for the remainder of the dry season as necessary to comply with the 17 MGD Biscayne Aquifer average dry season limitation. Such report shall also identify any remedial actions necessary to ensure compliance that through the remainder of the dry season the applicable Biscayne Aquifer pumpage limitations described above will be met. This report shall replace the other reports required by the Consent Agreement (including the June 15 post-dry season report and the February 15th mid-dry season additional demand report). Such mid-month report shall be evaluated by District staff and revised by the District as necessary to achieve compliance with the above. Upon completion and operation of the Reverse Osmosis system, pursuant to the schedule outlined in Limiting Condition 30, this report requirement shall cease and the monthly Biscayne Aquifer withdrawals shall be reported as required by Limiting Condition 18 of this permit.

29.

In order to reduce the potential for violating the 17 MGD Biscayne Aquifer average monthly withdrawal limitation during the dry season, FCAA must to the greatest extent practical utilize the emergency desalination facilities FCAA owns and operates at Stock Island and Marathon, which are potentially capable of treating saline water at rates up to 3.0 MGD. The FCAA shall use these two emergency desalination facilities as an alternative source of water in order to assist in limiting its dry season Biscayne Aquifer withdrawals. The FCAA's ability to use, and extent of use, of these emergency desalination facilities shall be subject to not causing (i) significant adverse effects to FCAA's water treatment or distribution system; or (ii) a violation of any applicable primary or secondary drinking water standards.

30.

The permittee shall adhere to the following schedule for the construction and operation of the Floridan Aquifer System reverse osmosis wellfield and treatment facility:

Florida Keys Aqueduct Authority - Schedule for Construction and Operation of Floridan Aquifer Production Well, Floridan Aquifer Reverse Osmosis Treatment Facility, and Demineralized Concentrate Disposal Well

--Reverse osmosis water treatment plant expansion  
Award Contract - September 30, 2007  
Complete Construction - December 31, 2009

--Deep Injection Well  
Obtain FDEP Permit - March 31, 2008  
Award Contract - 152 days after receiving FDEP Underground Injection Control Permit  
Complete Drilling and Testing - 1 year and 30 days after receiving FDEP Underground Injection Control Permit

--Complete reverse osmosis water treatment plant system  
Begin and Stabilize Operation - 2 years and 60 days after receiving FDEP Underground Injection Control Permit

31.

In the event that a milestone specified in the alternative water supply schedule and plan contained in Limiting Condition 30 is going to be missed, the permittee shall notify the Executive Director of the District in writing explaining the nature of the delay, actions taken to bring the project back on schedule and an assessment of the impact the delay would have on the rates of withdrawals from the Everglades water bodies and associated canals as defined in District CUP rules. The District will evaluate the situation and take actions as appropriate which could include: a) granting an extension of time to complete the project (if the delay is minor and doesn't affect the Everglades Waterbodies or otherwise violates permit conditions), b) take enforcement actions including consent orders and penalties, c) modify allocations contained in this permit from the Biscayne Aquifer including capping withdrawal rates until the alternative water supply project(s) are completed (in cases where the delay would result in violations of permit conditions) or d) working with the Department of Community Affairs to limit increase demands for water until the alternative water supply project is completed. In addition, Permittee shall make to the District payment of funds as identified below for non-compliance with any timeline for development of the Floridan Aquifer System production and treatment system as provided in Limiting Condition 30, as follows:

A. Reverse Osmosis Plant construction and operation timelines in Limiting Condition 30

-- Award Contract - \$2,000.00 per week

-- Complete Construction - \$2,000.00 per week

B. Floridan Deep Injection Well(s) Construction and Operation

-- Award Contract - \$2,000.00 per week

-- Complete drilling and Testing - \$2,000.00 per week

-- Complete reverse Osmosis Water Treatment Plant System - \$2,000.00 per week

-- Begin and Stabilize Operation - \$2,000.00 per week

32. Prior to any application to renew or modify this permit, the Permittee shall evaluate long term water supply alternatives and submit a long term water supply plan to the District. Within one year of permit issuance, the Permittee shall submit to the District an outline of the proposed plan. The assessment should include consideration of saline intrusion, wellfield protection, plans for compliance with applicable wellfield protection ordinances, expected frequencies and plans to cope with water shortages or well field failures, and conservation measures to reduce overall stresses on the aquifer.
33. For uses with an annual allocation greater than 10 MGD and a permit duration of 20 years, every five years from the date of permit issuance, the permittee shall submit a water use compliance report for review and approval by District Staff, which addresses the following:

1. The results of a water conservation audit that documents the efficiency of water use on the project site using data produced from an onsite evaluation conducted. In the event that the audit indicates additional water conservation is appropriate or the per capita use rate authorized in the permit is exceeded, the permittee shall propose and implement specific actions to reduce the water use to acceptable levels within timeframes proposed by the permittee and approved by the District.
2. A comparison of the permitted allocation and the allocation that would apply to the project based on current District allocation rules and updated population and per capita use rates. In the event the permit allocation is greater than the allocation provided for under District rule, the permittee shall apply for a letter modification to reduce the allocation consistent with District rules and the updated population and per capita use rates to the extent they are considered by the District to be indicative of long term trends in the population and per capita use rates over the permit duration. In the event that the permit allocation is less than allowable under District rule, the permittee shall apply for a modification of the permit to increase the allocation if the permittee intends to utilize an additional allocation, or modify its operation to comply with the existing conditions of the permit.
34. If at any time there is an indication that the well casing, valves, or controls leak or have become inoperative, repairs or replacement shall be made to restore the system to an operating condition. Failure to make such repairs shall be cause for filling and abandoning the well, in accordance with procedures outlined in Chapters 40E-3 and 40E-30, Florida Administrative Code.
35. It has been determined that this project relies, in part, on the waters from the Central and Southern Florida Project, and as such is considered to be an indirect withdrawal from an MFL water body under recovery (Everglades). The 2005-2006 Lower East Coast Water Supply Plan Update (February, 2007), which is the recovery plan for the Everglades, incorporates a series of water resource development projects and operational changes that are to be completed over the duration of the permit and beyond. If the recovery plan is modified and it is determined that this project is inconsistent with the approved recovery plan, the permittee shall be required to modify the permit consistent with the provisions of Chapter 373, Florida Statutes.

# **Development Review Committee Minutes**

## Minutes of the Development Review Committee

Meeting of June 25, 2009

Amy Kimball-Murley, Planning Director, convened a meeting of the Development Review Committee of the City of Key West at 2:05 pm, June 25, 2009. The meeting was held in the First Floor Conference Room at City Hall, 525 Angela Street, Key West, Florida.

### 1. Roll Call

#### Present for the Roll Call were:

Amy Kimball-Murley, Planning Director  
Gary Bowman, General Services  
John Wilkins, ADA Coordinator  
Enid Torregrosa, HARC Planner

Mike Davila, Fire Marshal  
Cynthia Coogle, Landscape Coordinator  
Diane Nicklaus, Building Department

#### Planning Staff:

Brendon Cunningham  
Nicole Malo  
Carlene Cowart

Ashley Monnier  
Rodney Corriveau

#### Comments received from:

Matthew Alfonso, Keys Energy

#### Others present were:

Owen Trepanier, 402 Appplerouth  
Sarah Davis, 402 Appplerouth  
Matthew Piekarski, 2816 Fogarty Ave  
Liliane Anderson, 800 Caroline  
Rick Richter, 104 Palmetto

Dan Strosnider, 402 Appplerouth  
Amy Piekarski, 2816 Fogarty Ave  
Jack Anderson, 800 Caroline  
Maria Smith, 1424 Vernoma

### 2. Approval of Agenda

No changes were made to the agenda.

### 3. Approval of Minutes

#### a. May 28, 2009

Motion to approve the Minutes from the May 28, 2009 DRC Meeting was made by Mr. Cunningham and seconded by Mr. Wilkins.

### 4. New Business

- a. **Conditional Use - 207 Petronia Street (RE# 00013740-000000) - An application for a Conditional Use Permit to operate a restaurant in the Historic Residential Commercial Core (HNC-3) zoning district per Section 122-868 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Owen Trepanier with Trepanier & Associates, reviewed the conditional use application with committee members. Mr. Trepanier stated that some windows will be converted and doors will be moved. Also, the stairs will be relocated, which are not shown on the site plans provided prior to the meeting.

Committee members reviewed and discussed the request with the applicant and made the following recommendations:

1. Applicant will provide a new site plan demonstrating the relocation of the stairs, the property lines and setbacks, location of the trash and recycling containers and show loading and unloading zone.
  2. Applicant is urged to seek grants from the Bahama Village Redevelopment Advisory Board.
  3. Applicant is urged to create a landscape plan that incorporates a pedestrian realm.
  4. Applicant will need to define current parking spaces as commercial or residential. If the parking spaces are commercial, then a handicap parking spot will be required.
  5. Applicant will replace the bathroom door with a pocket door.
  6. Applicant will ensure that 5% of the exterior and interior seating is ADA accessible.
  7. Applicant was made aware that additional seating area may trigger additional parking.
  8. Applicant will ensure that they maintain a 36" ADA pathway through out the restaurant.
  9. Applicant will ensure that all customer areas including condiment areas are 34" in height.
  10. Applicant will provide ADA ramp access form right-of-way.
  11. Applicant will seek HARC approval on exterior changes and signage.
  12. Applicant will provide buffers between commercial and residential.
  13. Applicant will provide Tree Commission existing and proposed landscape plan and seek approval.
  14. Staff is urged to communicate with applicant on landscaping issues to avoid last minute changes.
  15. Applicant will provide new storm water plans.
  16. Applicant is urged to indicate how they will conserve water and energy.
  17. Applicant will incorporate administrative interpretation of bars and restaurants; 51% revenue, 49% alcohol.
- b. **Minor Development Plan and Conditional Use - 3401 Northside Drive (RE#00065570-000100) - Minor Development Plan and Conditional Use for property located in the Single Family Residential (SF) zoning district for the purpose of expanding an existing teaching/medical facility per Sections 108-91 (B)1.(b) and 122-236(2) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

**AND**

- c. **Variances - 3401 Northside Drive (RE#00065570-000100) - Variances for property located in the Single Family Residential (SF) zoning district for the purpose of expanding an existing teaching/medical facility per Section 122-238 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Owen Trepanier with Trepanier and Associates, reviewed the minor development plan and conditional use and the variance application with committee members.

Committee members reviewed and discussed the application and made the following recommendations:

1. Applicant was informed that 10% of parking will need to be designated handicap parking.
2. Applicant will reconsider parking layout.

**Public Notices**  
**(mailings, posting & radius map)**

# Public Meeting Notice

The Key West City Commission will hold a public hearing **at 6:00 p.m., July 30, 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:

**Conditional Use - 207 Petronia Street (RE 00013740-000000)** - An application for a Conditional Use Permit to operate a restaurant in the Historic Residential Commercial Core (HNC-3) zoning district per Section 122-868 (9) 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, call 809-3720 or visit our website at **[www.keywestcity.com](http://www.keywestcity.com)** .

# 207 Petronia

- Legend**
- theBuffer
  - theBufferTarget
  - Real Estate Number
  - Parcel Lot 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.



**YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY**

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

**Request:** **Conditional Use - 207 Petronia Street (RE 00013740-000000)** - An application for a Conditional Use Permit to operate a restaurant in the Historic Residential Commercial Core (HNC-3) zoning district per Section 122-868 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**Applicant/Owner:** Trepanier & Associates, Inc. **Project Location:** 207 Petronia Street

**Date of Hearing:** Thursday, July 30, 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 application 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. **Packets can be viewed online at [www.keywestcity.com](http://www.keywestcity.com). Click on Department, select Planning, then Planning Board Agenda Packets. Please note that staff reports may not be available for review until the week of the meeting.**

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](mailto: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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REILLY KEITH  
101 PETRONIA ST  
KEY WEST, FL 33040

BARROSO REAL ESTATE  
DEVELOPMENT LLC  
1014 WHITE ST  
KEY WEST, FL 33040

DRAKE KAREN A  
102 ANGELA ST  
KEY WEST, FL 33040

RYDMAN STEVEN  
1075 DUVAL ST  
KEY WEST, FL 33040

KEENAN MICHAEL E AND NOLA M  
1075 DUVAL ST C-21  
KEY WEST, FL 33040

TREGO PHILIP M  
1108 DUVAL ST  
KEY WEST, FL 33040

CLAPP CHARLES AND CHRISTINA  
114 ANGELA ST  
KEY WEST, FL 33040

CAVALCANTE JOSE APARECIDO  
11819 HATCHER CIR  
ORLANDO, FL 32824

ENTRUST NEW DIRECTION IRA INC  
FBO CHARLES POLLEY  
12025 CREEKBEND DR  
RESTON, VA 020194

FLORIDA KEYS DEVELOPMENT  
BOARD LLC  
1211 MARGARET ST  
KEY WEST, FL 33040

HOUSING AUTHORITY OF THE CITY  
1400 KENNEDY DRIVE  
KEY WEST, FL 33040

GORDON VICKI L  
1406 LEON ST  
KEY WEST, FL 33040

HERNANDEZ DIANE B  
1416 SE 12TH ST  
DEERFIELD BEACH, FL 33441

JENKINS LOUISA  
1715 TOWNSEND BLVD  
JACKSONVILLE, FL 32211

THEEDE ANDREW M  
1717 SOUTH ST  
KEY WEST, FL 33040

APPEL DANIEL  
1800 ATLANTIC BLVD  
KEY WEST, FL 33040

HARKOW JAYE FREDRICA  
2 BAPTIST LANE  
KEY WEST, FL 33040

TURK JOHN AND LINDA K  
202 ANGELA ST  
KEY WEST, FL 0

MYERS POOCHIE  
208 ANGELA ST  
KEY WEST, FL 33040

RUESCH ERNEST W AND CAROLYN  
A  
212 ANGELA ST  
KEY WEST, FL 33040

CHAPMAN JAMES MATHEW  
213 PETRONIA ST  
KEY WEST, FL 33040

MONROE LUCRETIA A  
2204 FOGARTY AVE  
KEY WEST, FL 33040

PRAZEN RUDY  
225 PETRONIA ST  
KEY WEST, FL 33040

JORDAN BARBARA  
2251 NW 188TH TER  
MIAMI, FL 33056

WEST INDIES LLC  
226 PETRONIA ST  
KEY WEST, FL 33040

JOHNSON LEONARD  
26 6TH AVE  
KEY WEST, FL 33040

FUNGERI SILVIO A  
2601 RACoon RUN  
ORLANDO, FL 32837

WILLIAMS JON M  
2721 13TH ST  
WASHINGTON, DC 20009

BAHAMA CONCH COMMUNITY  
LAND TRUST OF KEY WEST INC  
305 JULIA ST  
KEY WEST, FL 33040

MOORE CAREY A AND PATRICIA E  
35 W BROADWAY  
GETTYSBURG, PA 17325

VITA SARA M  
4 BAPTIST LN  
KEY WEST, FL 33040

DICKSTEIN ERIC R  
4 LOPEZ LN  
KEY WEST, FL 33040

MCEVOY KENNETH AND LINDA L  
4 MULBERRY LN  
DENVER, NJ 0

CREATIVE CHOICE MANAGEMENT  
4243 NORTHLAKE BLVD  
PALM BEACH GARDENS, FL 33410

WILLINGHAM CHARLES  
434 BILL KENNEDY WAY SE  
ATLANTA, GA 0

SOUTHERNMOST INVESTMENTS LLC  
44 KEY HAVEN RD  
KEY WEST, FL 33040

BI STATE REALTY LIMITED LLC  
444 NORTH MAIN ST  
HUBBARD, OH 44425

JONES ALISA B T/C  
4996 PANOLA MILL DR  
LITHONIA, GA 30038

BARON DORIS BARBARA AND  
MOZINO THEODORE J  
5100 STATE ROAD  
DREXEL HILL, PA 1902620194

SANCHEZ ELLEN WELTERS ESTATE  
515 WHITEHEAD ST  
KEY WEST, FL 33040

WALSH SALLY ANN  
5380 CHEMIN DE VIE  
ATLANTA, GA 30342

MCINTOSH JULIA  
6081 W CALUMET RD  
MILWAUKEE, WI 53223

MCDERMOTT MICHAEL T  
6207 WINNEBAGO RD  
BETHESDA, MD 20816

GLASER LYNN  
704 CHAPMAN LANE  
KEY WEST, FL 33040

MINGO CLIFFORD AND YOLANDA  
708 EMMA STREET  
KEY WEST, FL 33040

CLOSS ALISTAIR C  
710 CHAPMAN LN  
KEY WEST, FL 33040

BROWN MARLYN E  
711 CHAPMAN LANE  
KEY WEST, FL 33040

WILLIAMS VOREECE S  
712 CHAPMAN LN  
KEY WEST, FL 33040

THOMAS TIMOTHY E AND NAOMI S  
713 CHAPMAN LN  
KEY WEST, FL 33040

CLYNE PATRICIA  
713 EMMA ST  
KEY WEST, FL 33040

M & M REALTY LLC  
716 A EMMA ST  
KEY WEST, FL 33040

ROGERS DANNY AND SHIELA M  
716 EMMA ST  
KEY WEST, FL 33040

HALL MITCHELL C SR AND JUANITA  
717 CHAPMAN LN  
KEY WEST, FL 33040

DIXON GLORIA  
718 CHAPMAN LN  
KEY WEST, FL 33040

GUTHRIE SANDRA L  
718 EMMA ST  
KEY WEST, FL 33040

CATHEY TERESA A  
718 THOMAS ST  
KEY WEST, FL 33040

CAREY IRVING J AND EDNA L  
ESTATES  
720 THOMAS ST  
KEY WEST, FL 33040

CURTIS JERRY T/C  
724 THOMAS ST  
KEY WEST, FL 33040

COX OTHA P DEC OF TRUS 07/07/2000  
725 BILTMORE CT  
CORAL GABLES, FL 33134

MAJOR CHARLIE MAE CAMBRIDGE  
AND CHARLES L W/H  
728 EMMA ST  
KEY WEST, FL 33040

MAJOR CHARLIE MAE CAMBRIDGE  
728 EMMA ST  
KEY WEST, FL 33040

MARTINI JOHN M  
812 GALVESTON LN  
KEY WEST, FL 33040

ROSE MARCI L  
818 WHITE ST  
KEY WEST, FL 33040

WHITEHEAD LOUISE  
824 BAPTIST LANE  
KEY WEST, FL 33040

CHAVIS DONNA  
827 EMMA ST  
KEY WEST, FL 33040

TERRY MYRNA  
9135 HEMSWORTH WAY  
SACRAMENTO, CA 95829

JENNINGS ERIC BENVENUE AND  
BENVENUE PAM (WIFE)  
966 NORTH ORMEWOOD PARK DR  
ATLANTA, GA 30316

MINGO GWENUEL W AND CYNTHIA  
E  
P O BOX 13119  
GAINESVILLE, FL 32604

CUSHMAN VICTOR L  
P O BOX 1551  
KEY WEST, FL 020194

KW PROPERTIES LLC  
P O BOX 189  
NAPLES, FL 0

EMPLOYER'S SERVICE COMPANY OF  
P O BOX 271  
BIG PINE KEY, FL 0

GAMBERT RICHARD AND JULIA  
P O BOX 365  
CALIFON, NJ 0

BAHAMA GARDENS LTD  
P O BOX 460426  
FT LAUDERDALE, FL 33346

TRUSTEES AMERICAN LEGION NBR  
168  
P O BOX 903  
KEY WEST, FL 33040

KW PROPERTIES LLC  
PO BOX 189  
NAPLES, FL 0

MOORE JOHN A AND SUZY JO  
PO BOX 6641  
KEY WEST, FL 33041



THE CITY OF KEY WEST  
Planning Department  
POST OFFICE BOX 1409  
604 Simonton Street  
KEY WEST, FLORIDA 33041-1409

EMPLOYER'S SERVICE COMPANY OF  
P O BOX 271  
BIG PINE KEY, FL 33043

*Public Meeting  
Notice*



THE CITY OF KEY WEST  
Planning Department  
POST OFFICE BOX 1409  
604 Simonton Street  
KEY WEST, FLORIDA 33041-1409

MINGO GWENUEL W AND CYNTHIA  
E  
P O BOX 13119  
GAINESVILLE, FL 32604

*Public Meeting  
Notice*



THE CITY OF KEY WEST  
Planning Department  
POST OFFICE BOX 1409  
604 Simonton Street  
KEY WEST, FLORIDA 33041-1409

CUSHMAN VICTOR L  
P O BOX 1551  
KEY WEST, FL 33041-1551

*Public Meeting  
Notice*



THE CITY OF KEY WEST  
Planning Department  
POST OFFICE BOX 1409  
604 Simonton Street  
KEY WEST, FLORIDA 33041-1409

GAMBERT RICHARD AND JULIA  
P O BOX 365  
CALIFON, NJ 07830

*Public Meeting  
Notice*



THE CITY OF KEY WEST  
Planning Department  
POST OFFICE BOX 1409  
604 Simonton Street  
KEY WEST, FLORIDA 33041-1409

DICKSTEIN ERIC R  
4 LOPEZ LN  
KEY WEST, FL 33040

*Public Meeting  
Notice*



THE CITY OF KEY WEST  
Planning Department  
POST OFFICE BOX 1409  
604 Simonton Street  
KEY WEST, FLORIDA 33041-1409

WILLINGHAM CHARLES  
434 BILL KENNEDY WAY SE  
ATLANTA, GA 30316

*Public Meeting  
Notice*



THE CITY OF KEY WEST  
Planning Department  
POST OFFICE BOX 1409  
604 Simonton Street  
KEY WEST, FLORIDA 33041-1409

MCEVOY KENNETH AND LINDA L  
4 MULBERRY LN  
DENVER, NJ 07834

*Public Meeting  
Notice*



THE CITY OF KEY WEST  
Planning Department  
POST OFFICE BOX 1409  
604 Simonton Street  
KEY WEST, FLORIDA 33041-1409

SOUTHERNMOST INVESTMENTS LLC  
44 KEY HAVEN RD  
KEY WEST, FL 33040

*Public Meeting  
Notice*

# **Property Appraiser Information**

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

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

---

## Property Record View

Alternate Key: 1014125 Parcel ID: 00013740-000000

### Ownership Details

**Mailing Address:**

FLORIDA KEYS DEVELOPMENT BOARD LLC  
C/O DICKSTEIN ERIC  
1211 MARGARET ST  
KEY WEST, FL 33040

### Property Details

**PC Code:** 12 - STORE/OFF/RES OR COMBINATION

**Millage Group:** 11KW

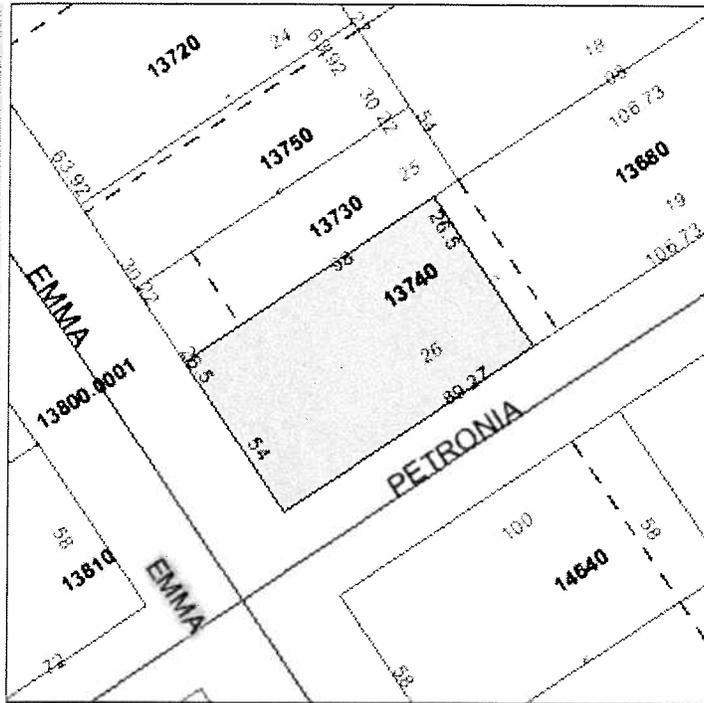
**Affordable Housing:** No

**Section-Township-  
Range:** 06-68-25

**Property Location:** 207 PETRONIA ST KEY WEST

**Legal Description:** KW PT LOT 26 SQR 2 TR 3 PP-274 OR1262-401/02T/D OR1279-786/88F/J OR1316-1452/53  
OR1550-1454/62(AGREE) OR1550-1466/72Q/C OR1862-504 OR2106-1443

### Parcel Map



### Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	54	89	4,820.58 SF

### Building Summary

Number of Buildings: 1  
 Number of Commercial Buildings: 1

Total Living Area: 3600  
Year Built: 1997

### Building 1 Details

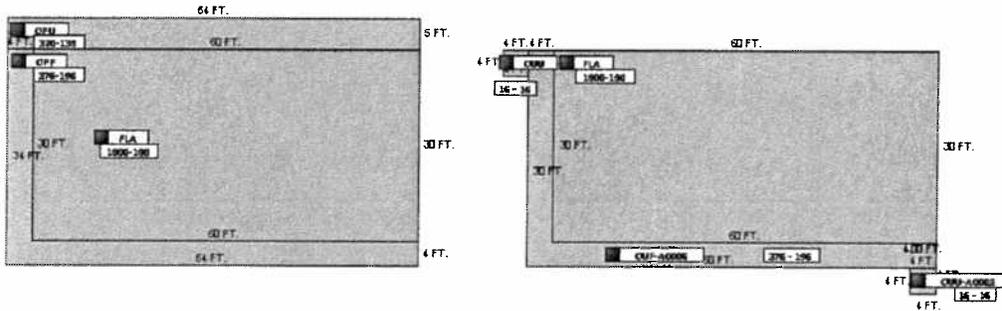
Building Type	Condition <u>E</u>	Quality Grade 400
Effective Age 8	Perimeter 360	Depreciation % 10
Year Built 1997	Special Arch 0	Grnd Floor Area 3,600
Functional Obs 0	Economic Obs 0	

**Inclusions:**

Roof Type	Roof Cover	Foundation
Heat 1	Heat 2	Bedrooms 0
Heat Src 1	Heat Src 2	

**Extra Features:**

2 Fix Bath	0	Vacuum	0
3 Fix Bath	3	Garbage Disposal	0
4 Fix Bath	0	Compactor	0
5 Fix Bath	0	Security	0
6 Fix Bath	0	Intercom	0
7 Fix Bath	0	Fireplaces	0
Extra Fix	27	Dishwasher	0



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1997					1,800
2	OPF		1	1997					376

3	<u>OPU</u>	1	1997	320
4	<u>FLA</u>	1	1997	1,800
5	<u>OUU</u>	1	1997	16
6	<u>OUU</u>	1	1997	16
7	<u>OUF</u>	1	2004	376

### Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT3:PATIO	446 SF	0	0	1996	1997	2	50

### Appraiser Notes

1/1/98 - UPSTAIRS FINISHED AS 3 APTS, CO'ED FOR 2 APTS DOWNSTAIRS NOT FINISHED, WILL BE RESTAURANT/LAUNDRY.
11/3/98 -DOWNSTAIRS COMPLETED AS A RESTAURANT /LAUNDRAMAT /OFFICE ABICO ISLE CAFE - MAYTAG LAUNDRAMAT.
TPP8928198 9004238
2004 10- 19: APARTMENTS UPSTAIRS; LAUNDRAMAT AND "SANTIAGO'S BODEGA" RESTAURANT DOWNSTAIRS - BKC
2006-12-20-BEING LISTED FOR \$1,880,000.CONDO CONVERSION (3-2/1'S TRANSIENT LICENSE AVAILABLE-SKI

### Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
1	9704799	03/01/1997	10/01/1997	175,000	Commercial	NEW 2 STORY COMM/APTS
1	9704799	05/01/1997	10/01/1997	1	Commercial	PLUMBING
	9704799	05/01/1997	10/01/1997	1		ELECTRICAL
	9704799	05/01/1997	10/01/1997	1		22 SQS V-CRIMP ROOF
	9704799	05/01/1997	10/01/1997	1		ELECTRICAL
	9704799	06/01/1997	10/01/1997	1		CENTRAL AC
	9704799	06/01/1997	10/01/1997	1		PLUMBING
1	9700798	01/26/1998	01/01/1999	4,775	Commercial	LAUNDRAMAT & OFFICE SPACE
1	9700798	02/27/1998	01/01/1999	4,775	Commercial	INSTALL WASHERS & HEATER
1	9700798	03/09/1998	01/01/1999	4,775	Commercial	ELECTRICAL
1	9703700	04/27/1998	01/01/1999	10,000	Commercial	RESTUARANT FRONT BLDG
1	9801427	05/11/1998	01/01/1999	2,500	Commercial	OUTLETS/SWITCHES ETC.
1	9802295	07/21/1998	01/01/1999	2,500	Commercial	INSTALL ONE HOOD ONLY
1	9802431	08/05/1998	01/01/1999	1,970	Commercial	HOOD FIRE SYSTEM
1	9703700	10/21/1998	01/01/1999	10,000	Commercial	INSTALL FIXTURES ETC
1	9802852	10/22/1998	01/01/1999	1	Commercial	SIGNS
1	9700798	01/25/1998	04/09/1998	4,775	Commercial	CONS LAUNDRAMAT/OFF SPACE

1	9703700	04/22/1998	11/03/1998	10,000	Commercial	RESTAURANT IN FRONT
1	9801427	05/05/1998	11/03/1998	2,500	Commercial	ELECTRICAL
1	9802295	07/21/1998	11/03/1998	2,500	Commercial	INSTALL HOOD
1	9802431	08/04/1998	11/03/1998	1,970	Commercial	FIRE SUPPRESSION SYSTEM
1	9802852	10/22/1998	11/03/1998	1	Commercial	SIGNS
	03-3276	11/21/2003	10/19/2004	12,000		NEW ROOF OVERHANG, R&R RAILINGS
	04-1815	06/03/2004	10/19/2004	3,500		ROOFING-METAL & RUBBER

### 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	553,795	2,783	602,573	1,159,151	1,159,151	0	1,159,151
2007	382,013	2,854	554,367	939,234	939,234	0	939,234
2006	390,318	2,926	409,749	1,161,475	1,161,475	0	1,161,475
2005	390,318	2,997	337,441	730,756	730,756	0	730,756
2004	372,339	3,068	327,799	616,250	616,250	0	616,250
2003	375,598	3,140	115,694	494,432	494,432	0	494,432
2002	350,305	3,211	84,360	437,876	437,876	0	437,876
2001	350,305	3,283	84,360	437,948	437,948	0	437,948
2000	350,305	1,048	57,847	409,200	409,200	0	409,200
1999	350,305	1,070	57,847	409,222	409,222	0	409,222
1998	199,924	1,093	63,504	264,521	264,521	0	264,521
1997	0	0	52,920	52,920	52,920	0	52,920
1996	0	0	52,920	52,920	52,920	0	52,920
1995	0	0	52,920	52,920	52,920	0	52,920
1994	0	0	52,920	52,920	52,920	0	52,920
1993	0	0	52,920	52,920	52,920	0	52,920
1992	0	0	52,920	52,920	52,920	0	52,920
1991	0	0	52,920	52,920	52,920	0	52,920
1990	0	0	42,336	42,336	42,336	0	42,336
1989	0	0	41,013	41,013	41,013	0	41,013
1988	0	0	30,429	30,429	30,429	0	30,429
1987	0	0	17,199	17,199	17,199	0	17,199
1986	0	0	15,876	15,876	15,876	0	15,876
1985	0	0	16,352	16,352	16,352	0	16,352
1984	0	0	16,352	16,352	16,352	0	16,352
1983	0	0	16,352	16,352	16,352	0	16,352

1982	0	0	12,754	12,754	12,754	0	12,754
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## 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
4/19/2005	2106 / 1443	1,425,000	<u>WD</u>	<u>Q</u>
2/25/2003	1862 / 0504	725,000	<u>WD</u>	<u>Q</u>
7/1/1994	1316 / 1452	53,000	<u>WD</u>	<u>Q</u>
5/1/1993	1262 / 401	10,600	<u>TD</u>	<u>J</u>

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