RESOLUTION NO. 09-207

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING A ONE-YEAR EXTENSION OF THE MAJOR DEVELOPMENT PLAN APPROVAL FOR THE PROJECT LOCATED AT 119-135 SIMONTON STREET; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission approved a Major Development Plan for 119-135 Simonton Street in Resolution No. 08-131;

WHEREAS, the applicant seeks a one year extension of the approval pursuant to City Code 108-203(b);

NOW, THEREFORE, IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That a one-year extension of the major development plan approval is hereby authorized.

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 4th day of August, 2009.

Authenticated by the presiding officer and Clerk of the Commission on August 5, 2009.

Filed with the Clerk August 5, 2009.

MORGAN McPHERSON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK

Executive Summary

EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

From: Nicole Malo, Planner

Through: Amy Kimball-Murley, Planning Director, AICP

Meeting Date: August 4, 2009

Agenda Item: An extension of an approved Major Development Plan for a 20-unit residential development for an additional 12 months per Section 108-203(b) of the Code of Ordinances for property located at 119-135 Simonton Street, of the City of Key West, Florida (Real Estate Number 00000240-000000)

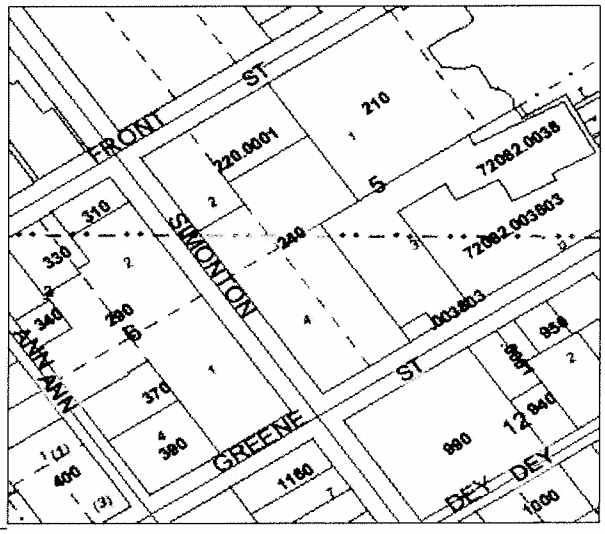
ACTION STATEMENT:

Request: City Commission authorization to grant a one year extension to an approved Major Development Plan.

Location: 119 – 135 Simonton Street (RE# 00000240-000000)

Applicant: Trepanier and Associates Inc.

Zoning: HRCC-1 (Historic Residential Commercial Core, Gulf side)



BACKGROUND

The City's Land Development Regulations allow the City Commission to grant extensions of development approvals if the applicant submits a petition for such extension prior to the development plan's expiration, and demonstrates reasonable cause for the extension. More than one extension request can be granted however, after the first extension any subsequent extensions must be fully noticed.

On June 25, 2008, the City Commission approved a Major Development Plan to redevelop a former lumber yard and paid public parking lot as 20, two-bedroom, non-transient residential units via Resolution 2008-131. The proposed units are 2-1/2 stories high over parking with two parking spaces per unit. The 20 non-transient units derive from previously approved Building Permit Allocation System (BPAS) unit transfers.

The applicant's stated reasonable cause for the extension is as follows:

"The current economic crisis and freezing of the credit markets has resulted in significant delays thereby creating a force majeure for this project. The project is close to overcoming these market-driven challenges and fully expects to be under construction by August 25, 2010".

City Commission Resolution Number 2008-131 incorporates one condition recommended by the Planning Board and four additional conditions adopted by the City Commission. The extension, if granted, will maintain the original conditions and necessary building permits will not be issued until all required conditions are met.

Previous City Actions:

July 24, 2007	HARC approval (H07-06-29-851)
March 4, 2008	Planning Board approval (per Resolution 2008-003)
June 25, 2008	City Commission approval (per Resolution 2008-131)

The City's Land Development Regulations set forth criteria for the contents of a Development Extension. The relevant criteria are as follows:

Sec. 108-203. Expiration, transferability and extension.

(b) If the property receiving development plan approval shall be sold, transferred, leased, or the ownership thereof changes in any way whatsoever, the development plan approval shall be transferable. A development plan approval may be extended only one time for 12 months by a favorable vote by the body that granted the original approval, if the applicant submits a petition for such extension prior to the development plan's expiration and demonstrates reasonable cause for the extension. The burden of proof in justifying reasonable cause shall rest with the applicant. Subsequent extension may be

Options / Advantages / Disadvantages:

Option 1. Approval of an **extension to a Major Development Plan that was approved with conditions,** to develop a twenty-unit, two bedroom residential development.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action would provide the developers an extension to an action designed consistent with the City's Strategic Plan, Vision and Mission at the time of approval.
2. **Financial Impact:** There is no direct financial impact to the city itself.

Option 2. Deny application

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action is not inconsistent with the City's Strategic Plan, Vision, and Mission at the time of approval.

2. **Financial Impact:** There is no direct financial impact to the city itself.

RECOMMENDATION: Option 1

The Planning Department recommends **approval** of a 12-month extension to the approved Major Development Plan.

EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

From: Amy Kimball-Murley, Planning Director

Date: July 28, 2009

RE: Building Permit Allocation System
Zoning in Progress Extension

ACTION STATEMENT

Request: Extension of Zoning in Progress for Building Permit Allocation System (also known as Rate of Growth Ordinance or "ROGO")

Location: Citywide

BACKGROUND

The purpose of this request is to extend the Zoning-in-Progress for the Building Permit Allocation System Ordinance for an additional 180-days.

The Building Permit Allocation System (BPAS) Ordinance, commonly known as the Rate of Growth Ordinance, or "ROGO", was originally adopted in response to the City's 1993 Comprehensive Plan and associated stipulated settlement agreement between the City and the Florida Department of Community Affairs in 1996. The purpose of the BPAS is to ensure that residential growth, including transient growth, does not exceed the hurricane evacuation capacity of the roadways in the Florida Keys.

In response to a Writ of Mandamus pertaining to the Southernmost House properties, the City began revisions to the Building Permit Allocation System Ordinance as part of Zoning in Progress efforts. A new Building Permit Allocation System Ordinance has been adopted, the Department of Community Affairs has issued an order pertaining to the draft ordinance, and the 21-day appeal period to the order is now running and will conclude on August 7, 2009, after the single City Commission meeting in August. In the event of an appeal, the new ordinance will be stayed until appeal-related issues are resolved. If the ordinance is not appealed, all but two aspects of the ordinance will go into effect. However, these issues require resolution in order to ensure full implementation of the ordinance. Further, the City has determined that a clearer process for allocation of units by use (in addition to structure type) should be addressed through Land Development Regulation revisions and initiated such revisions on July 11, 2009. Therefore, both in order to protect the City during the period of a potential appeal and in order to accomplish necessary revisions to the Code to ensure that a process for allocation units by use (and in particular reserving units for beneficial use), extension of the zoning in progress is recommended.

RECOMMENDATIONS

Options / Advantages / Disadvantages:

Option 1. Approve the resolution.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action would provide enhanced services and attractions geared toward tourism, consistent with the mission and vision of the city.
2. **Financial Impact:** There is no direct financial impact to the city itself.

Option 2. Do not approve the resolution.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action would not provide enhanced services and attractions geared toward tourism, consistent with the mission and vision of the city.
2. **Financial Impact:** There could be significant financial impact to the city itself.

STAFF RECOMMENDATION

Option 1, **Approval of the resolution**

K:\LDR Amendments\CC Exec Summary 072809 - ZIP Extension-rev.doc

EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

From: Nicole Malo, Planner

Through: Amy Kimball-Murley, Planning Director, AICP

Meeting Date: July 7, 2009

Agenda Item: An extension of an approved Major Development Plan for a 20-unit residential development for an additional 12 months per Section 108-203(b) of the Code of Ordinances for property located at 119-135 Simonton Street, of the City of Key West, Florida (Real Estate Number 00000240-000000)

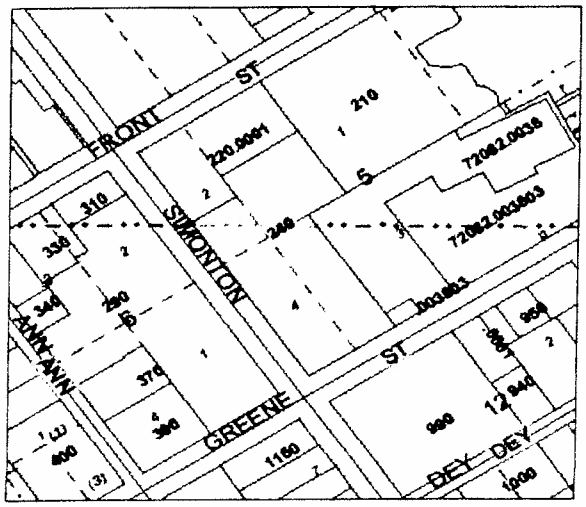
ACTION STATEMENT:

Request: City Commission authorization to grant a one year extension to an approved Major Development Plan.

Location: 119 – 135 Simonton Street (RE# 00000240-000000)

Applicant: Trepanier and Associates Inc.

Zoning: HRCC-1 (Historic Residential Commercial Core, Gulf side)



BACKGROUND

The City's Land Development Regulations allow the City Commission to grant extensions of development approvals if the applicant submits a petition for such extension prior to the development plan's expiration, and demonstrates reasonable cause for the extension. More than one extension request can be granted however, after the first extension any subsequent extensions must be fully noticed.

On March 4, 2008, the City Commission approved a Major Development Plan to redevelop a former lumber yard and paid public parking lot as 20, two-bedroom, non-transient residential units via Resolution 2008-131. The proposed units are 2-1/2 stories high over parking with two parking spaces per unit. The 20 non-transient units derive from previously approved Building Permit Allocation System (BPAS) unit transfers.

The applicant's stated reasonable cause for the extension is as follows:

"The current economic crisis and freezing of the credit markets has resulted in significant delays thereby creating a force majeure for this project. The project is close to overcoming these market-driven challenges and fully expects to be under construction by August 25, 2010".

City Commission Resolution Number 2008-131 incorporates one condition recommended by the Planning Board and four additional conditions adopted by the City Commission. The extension, if granted, will maintain the original conditions and necessary building permits will not be issued until all required conditions are met.

Previous City Actions:

July 24, 2007	HARC approval (H07-06-29-851)
January 17, 2008	Planning Board approval (per Resolution 2008-003)
June 25, 2008	City Commission approval (per Resolution 2008-131)

The City's Land Development Regulations set forth criteria for the contents of a Development Extension. The relevant criteria are as follows:

Sec. 108-203. Expiration, transferability and extension.
(b) If the property receiving development plan approval shall be sold, transferred, leased, or the ownership thereof changes in any way whatsoever, the development plan approval shall be transferable. A development plan approval may be extended only one time for 12 months by a favorable vote by the body that granted the original approval, if the applicant submits a petition for such extension prior to the development plan's expiration and demonstrates reasonable cause for the extension. The burden of proof in justifying reasonable cause shall rest with the applicant. Subsequent extension may be granted but shall be fully noticed in accordance with division 2 of article VIII of chapter 90(Ord. No. 05-04, § 34, 1-19-2005).

Options / Advantages / Disadvantages:

Option 1. Approval of an **extension to a Major Development Plan that was approved with conditions,** to develop a twenty-unit, two bedroom residential development.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action would provide the developers an extension to an action designed consistent with the City's Strategic Plan, Vision and Mission at the time of approval.
2. **Financial Impact:** There is no direct financial impact to the city itself.

Option 2. Deny application

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action is not inconsistent with the City's Strategic Plan, Vision, and Mission at the time of approval.

2. **Financial Impact:** There is no direct financial impact to the city itself.

RECOMMENDATION: Option 1

The Planning Department recommends **approval** of a 12-month extension to the approved Major Development Plan.

Applicant Request

MEMORANDUM

MONROE COUNTY

TREPANIER
& ASSOCIATES INC
LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Date: 5/18/2009

To: Ms. Amy Kimball-Murley, AICP, Planning Director

From: Dan Strosnider

CC: Mr. Richard Jones
Ms. Ginny Stones, Esq.
Mr. Owen Trepanier

Re: **Development Plan Approval Extension Petition**
119-135 Simonton Street, Res. No. 08-131

Please consider this letter our petition to extend Res. No. 08-131, a Major Development Plan Approval at 119-135 Simonton Street.

Res. #	Approval Date	Rendering Date	DCA Waiver Date	Expiration Date
08-131	06/25/08	08/11/09	09/25/08	09/25/09

The current economic crisis and freezing of the credit markets has resulted in significant delays, thereby creating a force majeure for this project. The project is close to overcoming these market-driven challenges and fully expects to be under construction by August 25, 2010.

There have been no changes in the district that the property is located which would impact such an extension.

The property has the rights to ROGO allocations resulting from the following approvals:

Res. No.	Sender Site	Number of Units
2007-007	2801 N. Roosevelt Blvd.	12.00
2007-008	716-718 South Street	4.00
2007-009	710 Caroline Street	2.00
2007-011	916 Fleming Street	1.16
2007-012	916 Fleming Street	1.16
	Total	**20.32**

Thank you for your assistance.

Please don't hesitate to contact me if you have any questions or need additional information.

402 Appelrouth Lane • P.O. Box 2155 • Key West, FL • 33045-2155
Phone: 305-293-8983 • Fax: 305-293-8748 • Email: mail@owentrepanier.com

Previous Approvals

Carlene Cowart

From: Mayte.Santamaria@dca.state.fl.us
Sent: Monday, July 27, 2009 9:10 AM
To: Carlene Cowart; Amy Kimball-Murley
Cc: Rebecca.Jetton@dca.state.fl.us
Subject: Resolution 2008-131

I check our files for Resolution 2008-131 (119-135 Simonton Street) and this file is marked as default.
A waiver letter was not issued as the 45 days expired and the Department did not appeal the development order.

Mayte'

Ada Mayte Santamaria
Community Planner
DCA, Areas of Critical State Concern
Tel: 850.488.4725, Fax: 850.488.3309
mayte.santamaria@dca.state.fl.us

We are committed to maintaining the highest level of service and we value your feedback. Please complete our Customer Service Survey by visiting http://www.dca.state.fl.us/CustomerServiceSurvey/. However, if you require direct assistance or a response, please visit http://www.dca.state.fl.us/contactus/.

Affordable, quality health insurance coverage is now available for any uninsured Floridians ages 19-64. To learn more, visit www.CoverFloridaHealthCare.com.

Florida has a broad public records law and all correspondence, including email addresses, may be subject to disclosure.

THE CITY OF KEY WEST
Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

August 11, 2008

VIA ELECTRONIC MAIL

Ms. Rebecca Jetton
Areas of Critical State Concern
Bureau of State Planning
Florida Department of Community Affairs
2555 Shumard Oak Boulevard
Tallahassee, Florida 32399-2100

RE: City of Key West
Rendering of City Commission Resolution 2008-131
119-135 Simonton Street

Dear Ms. Jetton:

Per the Memorandum of Understanding between the Department and City dated December 4, 2001, please find the attached Major Development Plan and Conditional Use Approval for 119-135 Simonton Street per City of Key West City Commission Resolution 2008-131.

Please call me with any questions or comments at (305) 809-3728.

Sincerely,

Amy Kimball-Murley, AICP
Planning Director

Attachment

Electronic Copy: Mayte Santamaria, DCA
Cheri Smith, City Clerk
John Woodson, Building Department
Applicant
DCA Rendering File
Geo File

K:\DCA\2008 Rendering Letters to DCA\081108-akm-rj-ccresol08-131.doc

RESOLUTION NO. 08-131

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING THE ATTACHED MAJOR DEVELOPMENT PLAN FOR 119-135 SIMONTON STREET; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, pursuant to Section 108-198, the City Commission shall review and act upon Major Development Plan proposals; and

WHEREAS, at its meeting of January 17, 2008, the Key West Planning Board recommend approval with one condition; and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the attached Major Development Plan for 119-135 Simonton Street is hereby approved.

Section 2: That the condition recommended by the Key West Planning Board, specifically that "The applicant shall revise the site plan to include the location of the open space as well as the open space ratio calculations," is hereby approved and adopted.

Section 3: That this Resolution is conditioned upon the following: 1) a $15,000.00 per unit contribution to the Affordable

Housing Trust Fund, 2) that condominium documents or prospectus materials contain a disclaimer/disclosure regarding the property's location in the historic entertainment district pertaining to noise, 3) materials used in construction of this project incorporate soundproofing measures using the standards set by the Federal Aviation Administration and 4) there will be no transient licenses or use of said licenses at this location.

Section 4: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the City Commission at a meeting held this 6th day of May, 2008.

Authenticated by the presiding officer and Clerk of the Commission on June 25, 2008.

Filed with the Clerk June 25, 2008.

MORGAN McPHERSON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK

PLANNING BOARD RESOLUTION
No. 2008-003

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD PURSUANT TO SECTION 108-196 and 122-63 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, APPROVING A MAJOR DEVELOPMENT PLAN APPLICATION FOR A 20 UNIT-RESIDENTIAL DEVELOPMENT AT PROPERTY ADDRESSED AS 119 – 135 SIMONTON STREET (RE# 00000240-000000 KW PART OF LOTS 1, 2, 3, AND ALL OF LOT 4 SQUARE 5; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, an Application for a Major Development Plan was originally filed 1 August 2007 by Trepanier & Associates, Inc., authorized agent for the owner of the property, located in the Historic Residential Commercial Core (HRCC-1) zoning district; and

WHEREAS, the proposal for a 20 unit residential development; and

WHEREAS, plans received 1 August 2007, were considered at the 9 August 2007 Development Review Committee meeting; and

WHEREAS, after public notice, the application for a Major Development Plan approval for plans submitted on 1 August 2007 was tabled by the applicant at the regularly scheduled Planning Board Meeting of 15 November 2007; and

WHEREAS, the application was considered and approved by the Planning Board at the regularly scheduled meeting of 17 January 2008

WHEREAS, for that meeting, there were 39 notices sent with 0 responses received; and

WHEREAS, at that meeting, Staff presented the report, dated 15 November 2007; and

WHEREAS, the Board heard Staff recommend approval with conditions; and

WHEREAS, the applicant stated they accepted the conditions; and

WHEREAS, a motion was made at the 17 January 2008 meeting to approve the application based on the recommendation by the Planning Department. The motion to approve the application was by a 3-1 roll call vote.

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

Section 1. That the Planning Board recommends the City Commission grant conditional approval of the application for the Major Development Plan with the following conditions:

The applicant shall revise the site plan to include the location of the required open space as well as the open space ratio calculations.

Section 2. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the Acting Chairman of the Planning Board and the Planning Director.

Passed at a meeting held 17 January 2008

Authenticated by the Chair of the Planning Board and the Interim Planning Director.

Richard Klitenick, Chairman — MARCH 4, 2008 — Date
Key West Planning Board

Attest:

Amy Kimball-Murley, AICP, Interim Planning Director — March 4, 2008 — Date

Filed with the Clerk

Cheryl Smith, City Clerk — 3-4-08 — Date

EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

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

From: Brendon Cunningham

Date: 13 February 2008

Meeting: 4 March 2008

RE: A **Major Development Plan** Application for property located at 119 – 135 Simonton Street (RE# 00000240-000000)

ACTION STATEMENT:

Request: Approval of a **Major Development Plan** Application

Location: 119 – 135 Simonton Street (RE# 00000240-000000)

Zoning: HRCC-1 (Historic Residential Commercial Core) zoning district

BACKGROUND:

Previous City Actions:

HARC approval #:	H07-06-29-851
Development Review Committee Meeting:	9 August 2007
Planning Board:	17 January 2008

Planning Staff Analysis:

The applicant is proposing a Major Development Plan to redevelop a former lumber yard and paid public parking lot as 20, two-bedroom, non-transient residential units. The proposed units are 2-1/2 stories over parking with two parking spaces per unit. The 20 non-transient units derive from previously approved transient and non-transient unit transfers. As a result, the applicant is not increasing the net number of dwelling units in the city with this proposal but rather shifting Building Permit allocations (commonly referred to as ROGO allocations) from other locations in the city.

This request is consistent with the provision of quality, professional services to all City customers and with serving customers in the most cost effective way. The Planning Board found the application complied with the city's land development regulations and comprehensive plan as outlined in the attached Planning Board Resolution and Planning Department Staff Report, if conditions of approval are provided.

Options / Advantages / Disadvantages:

Option 1. Approval of a major development plan and conditional use application to allow for the construction of a residential development without conditions.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action would provide additional residential dwelling units in the Historic Residential Commercial Core zoning district, consistent with the mission and vision of the city.
2. **Financial Impact:** There is no direct financial impact to the city itself.

Option 2. Approval of a major development plan and conditional use application to allow for the construction of a residential development with conditions.

1. **Consistency with the City's Strategic Plan, Vision and Mission:** This action would provide additional residential dwelling units in the Historic Residential Commercial Core zoning district, consistent with the mission and vision of the city.
2. **Financial Impact:** There is no direct financial impact to the city itself.

Option 3. Deny application

1. **Consistency with the City's Strategic Plan, Vision and Mission:** Not consistent.
2. **Financial Impact:** There is no direct financial impact to the city itself.

RECOMMENDATION: Option 2

Planning Staff and the Planning Board recommend approval of a major development plan application to allow for the development of a 20 unit residential development with the following condition:

The applicant shall revise the site plan to include the location of the open space as well as the open space ratio calculations.

Planning Staff further recommends that any necessary buildings permits shall not be issued until all required conditions are met.

THE CITY OF KEY WEST
PLANNING BOARD
Staff Report

To:	Chairman and Planning Board members
From:	Planning Department
Meeting Date:	17 January 2008 15 November 2007 (Tabled) 18 October 2007 (Tabled)
Agenda Item:	**A Major Development Plan** for a 20-unit residential development within the Historic District for property located at 119-135 Simonton Street (RE# 00000240-000000).

Request:	A Major Development Plan for a 20-unit residential development within the HRCC-1 zoning district for property located at 119-135 Simonton Street (RE#00000240-000000).
Applicant:	Owen Trepanier, Trepanier & Associates, Inc.
Owner:	Key West '07 LLC
Address/s:	119-135 Simonton Street
Legal Description:	RE#00000240-000000, KW part Lots 1, 2, 3 and all of Lot 4, Square 5
Zoning:	HRCC-1 (Historic Residential Commercial Core-1) Zoning District

Surrounding Zoning and Land Uses

North:	HRCC-1 - Commercial uses
South:	HRCC-1 - Commercial and residential uses
East:	HRCC-2 - Commercial uses
West:	HRCC-1 - Commercial and residential uses

Permitted Uses in HRCC-1 Zoning District:

(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 and medium intensity less than or equal to 5,000 square feet as provided in division 11 of article V of this chapter.
(7) Commercial retail high intensity less than or equal to 2,500 square feet as provided in division 11 of article V of this chapter.
(8) Hotels, motels, and transient lodging.

(9) Medical services.
(10) Parking lots and facilities.
(11) Restaurants, excluding drive-through.
(12) Veterinary medical services without outside kennels.
(13) Adult entertainment establishments (see section 122-1533).

Conditional Uses in HRCC-1 Zoning District:
(1) Group homes with seven to 14 residents as provided in section 122-1246.
(2) Cultural and civic activities.
(3) Community centers, clubs, and lodges.
(4) Educational institutions and day care.
(5) Nursing homes, rest homes and convalescent homes.
(6) Parks and recreation, active and passive.
(7) Protective services.
(8) Public and private utilities.
(9) Bars and lounges, including those associated with adult entertainment establishments.
(10) Boat sales and service.
(11) Commercial amusement, except adult entertainment establishments.
(12) Commercial low and medium intensity greater than 5,000 square feet as provided in division II of article V of this chapter.
(13) Commercial retail high intensity greater than 2,500 square feet as provided in division 11 of article V of this chapter.
(14) Funeral homes.
(15) Light industrial.
(16) Marinas.
(17) Small recreational power-driven equipment rentals.

Existing Conditions
The property operated for many years as a lumber yard. It is currently operating as a paid public parking lot.

Proposed Development
A Major Development Plan to redevelop a former lumber yard and paid public parking lot as a twenty, two-bedroom, non-transient residential units. The proposed units are 2-1/2 stories over parking with two parking spaces per unit.

Previous City Actions
2007 - HARC Approval - Number H07-06-29-851
2007 - Planning Board – Transient unit and transient license transfers (20 – 1.0 ROGO equivalent units and 3 transient licenses)

Process

Development Review Committee Meeting	August 2007
Planning Board Meeting:	18 October 2007
Tree Commission Meeting:	15 October 2007 (Permit #5083)
City Commission Meeting:	Not Yet Scheduled

Evaluation for Compliance with the Land Development Regulations (LDRs) and Comprehensive Plan

Section 108-91 (2)(a) of the City of Key West LDRs requires any proposed residential development within the historic district, with more than four dwellings submit an application for a major development plan. Section 108-196(a) of the LDRs (review by planning board) states "after reviewing a major development plan or a minor development plan for a property and staff recommendations, the planning board shall act by resolution to approve, approve with conditions, or disapprove it based on specific development review criteria contained in the land development regulations and the intent of the land development regulations and comprehensive plan....The planning board's decision on a major development plan or a minor development plan for a property in the historic district shall be advisory to the city commission.

Section 108-198 states "a development plan shall be reviewed by the city commission either in its final approval capacity or its appellate capacity, as provided in section 108-196(b). The city commission shall approve with or without conditions or disapprove the development plan based on specific development review criteria contained in the land development regulations and based on the intent of the land development regulations and comprehensive plan. The city commission may attach to its approval of a development plan any reasonable conditions, limitations or requirements that are found necessary, in its judgment, to effectuate the purpose of this article and carry out the spirit and purpose of the comprehensive plan and the land development regulations. Any condition shall be made a written record and affixed to the development plan as approved. If the city commission disapproves a development plan, the reasons shall be stated in writing".

Planning staff, as required by Chapter 108 of the City of Key West LDRs has reviewed the following for compliance with the city's LDRs and comprehensive plan.

Project Data			
		Permitted/Required	**Proposed**
Zoning	HRCC-1		
Lot Area	52,385 SF		
Density	22 units/acre	26	20
Building coverage	50% (maximum)	26,192.5 SF	20,235 SF (38.6%)
Impervious	70% (maximum)	36,669.5 SF	38,765 SF (73.6%)
Open Space	20% (minimum)	10,477 SF	Not Shown
Height	35' plus 5' for pitched roof	35' plus 5'	35' plus 5' (40')
Parking	1 space/unit	20 spaces	44 spaces
Flood Zone	AE 7	7' finished floor	8' 6" finished floor

The site plan, architectural drawings, site amenities, and survey submitted as part of this application meet the submittal requirements of Section 108-237, 108-238, 108-239, and 108-240 of the LDRs. Sections 108-241 through 108-243, Section 108-249, and Chapter 108, Articles X and XI are not applicable to this application.

Concurrency facilities and other utilities or service (Section 108-233)

Potable Water Supply

The applicant has not provided the projected average daily potable water demands for this development. The Florida Keys Aqueduct Authority received the application packet, but did not provide comments on this proposal for the August DRC meeting.

It is estimated that each occupant will use approximately fifty gallons of potable water per day. Because these were existing units within the city and have been transferred to this site, there should be no increase in potable water consumption.

Wastewater

The applicant has not provided the projected average daily wastewater demands for this development. The Utilities Department received the application packet; there were no comments concerning wastewater at the August DRC meeting.

Because these were existing units within the city and have been transferred to this site, there should be no increase in wastewater demands.

Stormwater

The applicant submitted a conceptual drainage plan. The revised drainage plan, dated October 29, 2007, indicates an impervious surface ratio of 69.7% which is less than the maximum 70% impervious surface ration permitted by Section 122-690(4)(a).

The city engineer, at the August DRC, meeting stated that the proposed swale volumes would need to be evaluated to ensure they provided the required retention due to the amount of landscaping within the swales.

All final stormwater drainage plans must be approved prior to the issuance of building permits.

Solid Waste

The applicant has not provided the projected average daily solid waste demands for this development. The Utilities Department received the application packet; there were no comments concerning solid waste at the August DRC meeting.

Neither the application nor the site plan indicates the location of the solid waste containers. All refuse and waste storage areas are required to be screened from adjacent properties and public ways. If a front-end loaded container is used, it shall meet all the requirements of Section 108-279 through 108-281 of the LDRs.

Because these were existing units within the city and have been transferred to this site, there should be no increase in solid waste demands.

Roadways/Traffic generation

This site is located on the corner of Simonton Street and Greene Street. The driveway on Simonton Street is shown as an ingress and egress. The driveway on Greene Street is shown as exit only from the site.

The applicant states that based on the Institute of Transportation Engineers (ITE) *Trip Generation, 7th Edition,* the proposed development will generate approximately 117 average daily trips (ADT) during the week and between 97 - 113 ADT during the weekend.

Fire Protection

Three of the dwellings transferred to this site have transient licenses. The fire marshal stated at the August DRC meeting that because of the transient use the units would be required to be sprinkled.

Other public facilities

Keys Energy Services sent the following comments to the August DRC. "KEYS has reviewed the plans submitted to the DRC. KEYS is requiring high voltage underground service to this new development, per KEYS Underground Line Extension Policy. The available voltage is 120/208 3 phase or 120/240 single phase. Overhead service will not be adequate for this project. The customer will need to provide KEYS with a full set of plans and a Project Review Form."

Appearance, design and compatibility (Section 108-234)

Compliance with Chapter 102; Articles 111, IV and V

The applicant has received HARC approval (H07-06-29-851) for the design of the structures at the 24 July 2007 HARC meeting.

Compliance with Section 108-956

Section 108-956 discusses the requirements for domestic water and wastewater. These issues have been discussed in the previous section of the report. These were existing units within the city and have been transferred to this site, there should be no increase in domestic water or wastewater demands.

Chapter 110; Article II

Should any archeologically significant resources be discovered during the development of the site, the applicant shall be required to comply with this article of the LDRs.

Site location and character of use (Section 108-235)

As previously discussed in this report, the site is located in the HRCC-1 zoning district which permits residential use as-of-right.

Appearance of site and structures (Section 108-236)

This section also requires review for compliance with the performance standards stipulated in Section 108-278 through 108-288.

Appearance of site and structures (Section 108-278)

The applicant has received HARC approval (H07-06-29-851) for the design of the structures at the 24 July 2007 HARC meeting. HARC has determined that the site and structures are harmonious with the surrounding area and create an overall pleasing environment. The building materials for the dwellings and other structures indicated on the drawings are appropriate for this type of residential development and are in keeping with the overall character of the historic district.

The site plan has been laid out in a manner that permits safe and adequate vehicular and pedestrian circulation. There are adequate internal and external pedestrian walkways. The locations of the driveways for this development minimizes the impacts onto the surrounding road systems by reduce the number of existing driveways and improving the sidewalks surrounding the development.

The application does not include information on lighting for the proposed development; therefore staff is unable to evaluate the lighting plan at this time.

Location and screening of mechanical equipment, utility hardware and waste storage areas (Section 108-279)
The drawings indicate that the mechanical equipment will be placed on the roof tops and will be screened by decorative materials. Neither the application nor the site plan indicates the location of the solid waste containers. All refuse and waste storage areas are required to be screened from adjacent properties and public ways. If a front-end loaded container is used, it shall meet all the requirements of Section 108-279 through 108-281 of the LDRs.

Utility lines (Section 108-282)
KEYS requires the power lines be placed underground for this development.

Commercial and manufacturing activities conducted in enclosed buildings (Section 108-283)
Not applicable to this development.

Exterior Lighting (Section 108-284)
The application does not include information on lighting for the proposed development; therefore staff is unable to evaluate the lighting plan at this time.

Signs (Section 108-285)
The site plan indicates the locations of the signs for the residential development. The proposed locations comply with the LDRs. A separate permit will be required for the installation of the signs and the signs will be required to comply with Chapter 114 "Signs" of the LDRs.

Pedestrian sidewalks (Section 108-286)
The site plan indicates adequate pedestrian walkways. At the DRC meeting, the city engineer requested that when the excess existing driveways were removed they be replaced with sidewalks, thus providing additional pedestrian walkways.

Loading docks (Section 108-287)
Not applicable to this development.

Storage Areas (Section 108-288)
The site plan does not indicate any storage areas. Should there be any storage areas provided the development must comply with this code section.

On-site and off-site parking and vehicular, bicycle, and pedestrian circulation (Section 108-244)

As discussed in a previous section of this report the proposed development has exceeded the parking requirements. The site plan indicates adequate bicycle parking. The site plan has been laid out in a manner that permits safe and adequate vehicular and pedestrian circulation. There are adequate internal and external pedestrian walkways. The locations of the driveways for this development minimizes the impacts onto the surrounding road systems by reduce the number of existing driveways and improving the sidewalks surrounding the development.

Housing (Section 108-245)

The proposed development is a twenty unit two-bedroom, townhouse style construction. The application does not discuss the form of ownership, tenancy, or sales/rental prices. The proposed development does not impact hurricane evacuation as the units previously existed on other sites and have been considered in the hurricane evacuation model.

Economic resources (Section 108-246)

The application did not provide an estimated average ad valorem tax yield from the proposed project or the average annual construction expenditure by type. Estimating a sales price between $800,000 and $1,500,000 the ad valorem taxes would range from $7500 to $13,800 per year.

Special Conditions (Section 108-247)

The application as submitted complies with the intent of the LDRs and the city's comprehensive plan, with the exception of the impervious surface ratio. The proposed development is not within any special zoning districts, adjacent to the airport or in proximately to waste treatment or disposal areas.

Construction management plan and inspection schedule (Section 108-248)

The applicant has not submitted a construction management plan or inspection schedule. The application materials indicate that a building permit will be submitted after approvals have been obtained and the development is intended to be constructed in one phase. Inspections will be performed as required by the Florida Building Code and the Key West building department.

Open Space, screening and buffers and landscaping (Article V and VI)

The applicant has not provided the open space ratio proposed for this development.

The applicant has provided landscape plans indicating the proposed landscaping installation. Section 108-347(b) of the code requires a Bufferyard "D" along the interior property lines. Section 108-413 requires a landscaped buffer a minimum of 30 feet in width along the rights-of-way. Section 108-415 requires parking lot landscaping. A minimum of 70% of the plant material shall be native plant materials as defined by the code.

The applicant has submitted a comprehensive landscape plan that is scheduled to be reviewed by the Tree Commission on 15 October 2007 for compliance with all requirements of this article.

Off-street parking and loading (Article VII)

As discussed in a previous section of this report the proposed development has exceeded the parking requirements. The parking spaces, aisles and ingress/egress to the site meet or exceed the minimum dimensional requirements of the LDRs. The site plan indicates adequate bicycle

parking has been provided. The site plan has been designed in such a manner that permits safe and adequate vehicular and pedestrian circulation. There are adequate internal and external pedestrian walkways. The locations of the driveways for this development minimize the impacts onto the surrounding road systems by reducing the number of existing driveways and improving the sidewalks surrounding the development.

Stormwater and surface water management (Article VIII)
The applicant submitted a conceptual drainage plan. The drainage plan indicates an impervious surface ratio of 69.7% which is less than the maximum 70% permitted by Section122-690(4)(a).

The city engineer, at the August DRC, meeting stated that the proposed swale volumes would need to be evaluated to ensure they provided the required retention due to the amount of landscaping within the swales.

All final stormwater drainage plans must be approved prior to the issuance of building permits.

Flood Hazard Areas (Division 4 - Sections 108-821 - 108-927)
The proposed development is located in the AE-7 feet flood zone. This requires the top of the first finished floor to be 7 feet above mean sea level. The elevation drawings submitted as part of this application indicate the top of the first finished floor is 8.5 feet above mean sea level.

Utilities (Article IX)
Potable Water Supply
The applicant has not provided the projected average daily potable water demands for this development. The Florida Keys Aqueduct Authority received the application packet, but did not provide comments on this proposal for the August DRC meeting.

It is estimated that each occupant will use approximately fifty gallons of potable water per day. Because these were existing units within the city and have been transferred to this site, there should be no increase in potable water consumption.

The application will install water conservation devices, such as low-flow plumbing fixtures, as required by the Florida Building Code.

Wastewater
The applicant has not provided the projected average daily wastewater demands for this development. The Utilities Department received the application packet; there were no comments concerning wastewater at the August DRC meeting.

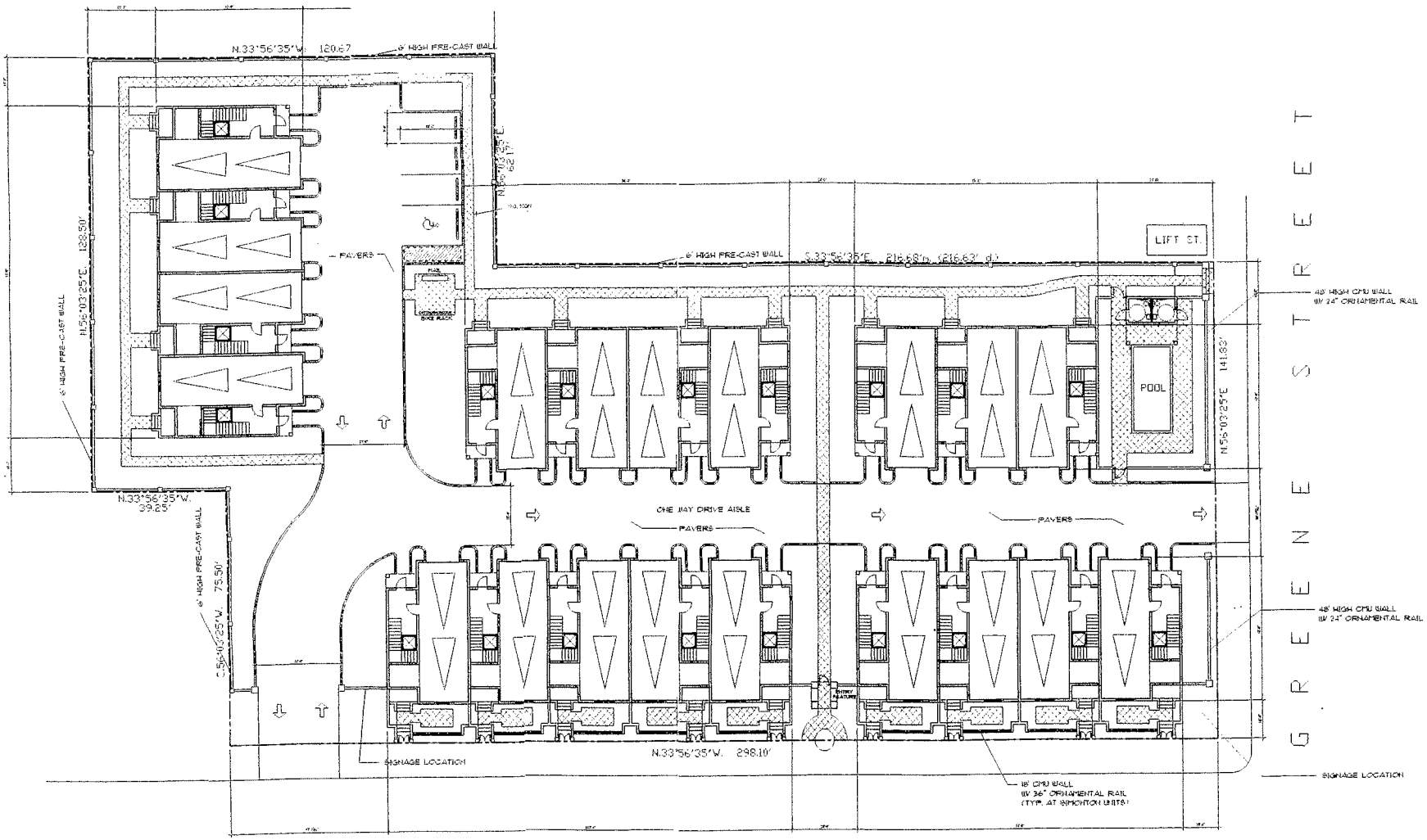
Because these were existing units within the city and have been transferred to this site, there should be no increase in wastewater demands.

RECOMMENDATION

The Planning Department recommends that the Planning Board forward a recommendation of **conditional approval** to the City Commission. The conditions are as follows:

1. The applicant shall revise the site plan to include the location of the open space as well as the open space ratio calculations.

Previously Approved Plans



1 SITE PLAN
SCALE: 1/16" = 1'-0"

PROJECT DATA

ZONING:	NRCC-1		
	SQUARE FEET	ACRES	PERCENTAGE
TOTAL SITE:	52,389 SF.	1.202 ACRES	100 %
WATER AREA:	N/A	N/A	
DEDICATED RIGHT OF WAY:	N/A	N/A	
LAND AREA:	52,389 SF	1.202 ACRES	100 %
BLDG COVERAGE (INCLUDES ROOF OVERHANG AND POOLHOUSE)	20,239 SF	.464 ACRES	39%
IMPERVIOUS	38,524 SF	.815 ACRES	69%

BUILDING DATA

BLDG. HEIGHT	35' - 0" BETH EXTRA 5' FOR PITCHED ROOF TO 40'-0" MEASURED FROM CROWN OF ROAD TO TOP OF ROOF
# OF STORIES	2 1/2 STORIES ABOVE PARKING
TOTAL NUMBER OF DWELLING UNITS	20
DWELLING UNITS PER ACRE	16.3 UNITS / ACRE

PARKING:

REQUIRED:
1 PER UNIT = 20 SPACES
PROVIDED:
2 PER UNIT (GARAGE) + 4 SURFACE = 44 SPACES

REQUIRED SETBACKS: PROVIDED SETBACKS

JMWA
ARCHITEC
RICHARD C. JONES
STEVEN E. MYOTT
JAMES E. WILLIAMS
RODOLFO ACEVEDO
ROBERT E. VAUGHN
949 CLINT MOORE ROAD
BOCA RATON, FLORIDA 33
TEL 561 997 9997
FAX 561 997 1818
2479 SW DOUGLAS VILLEA
PORT ST. LUCIE, FL 34
TEL 772 879 9978
FAX 561 879 9845
WWW.JMWA.NET

119-135 SIMONTON
KEY WEST, FLORIDA

RICHARD JONES CONSTRUCTION
DELRAY BEACH, FLORIDA

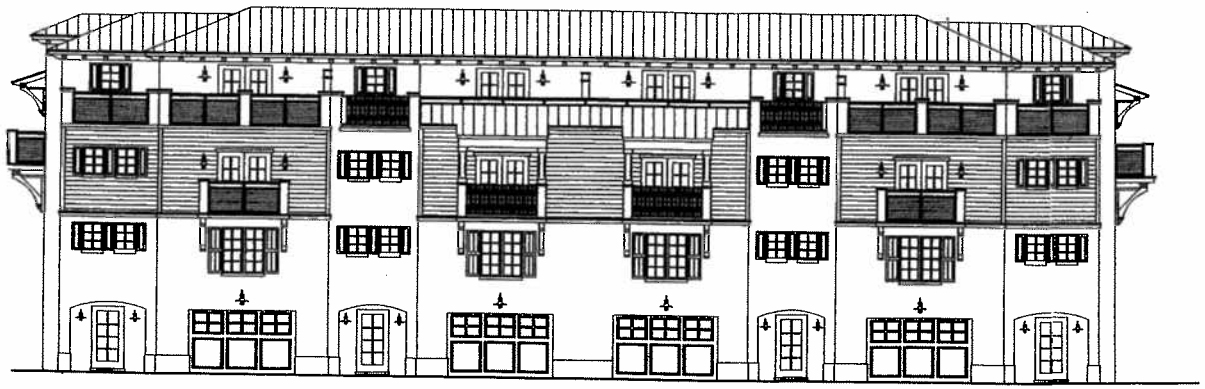
FLORIDA LICENS
JUL 26 2007
AAC002193 IB000

PROJECT NO. ##
DESIGNED BY:
DRAWN BY:
CHECKED BY:

SUBMITTALS:
PROJECT MILESTONE ##.##

SITE PLAN

1 SIMONTON STREET ELEVATION (ALTERANTE 1)
SCALE: 3/16" = 1'-0"



2 REAR ELEVATION
SCALE: 3/16" = 1'-0"

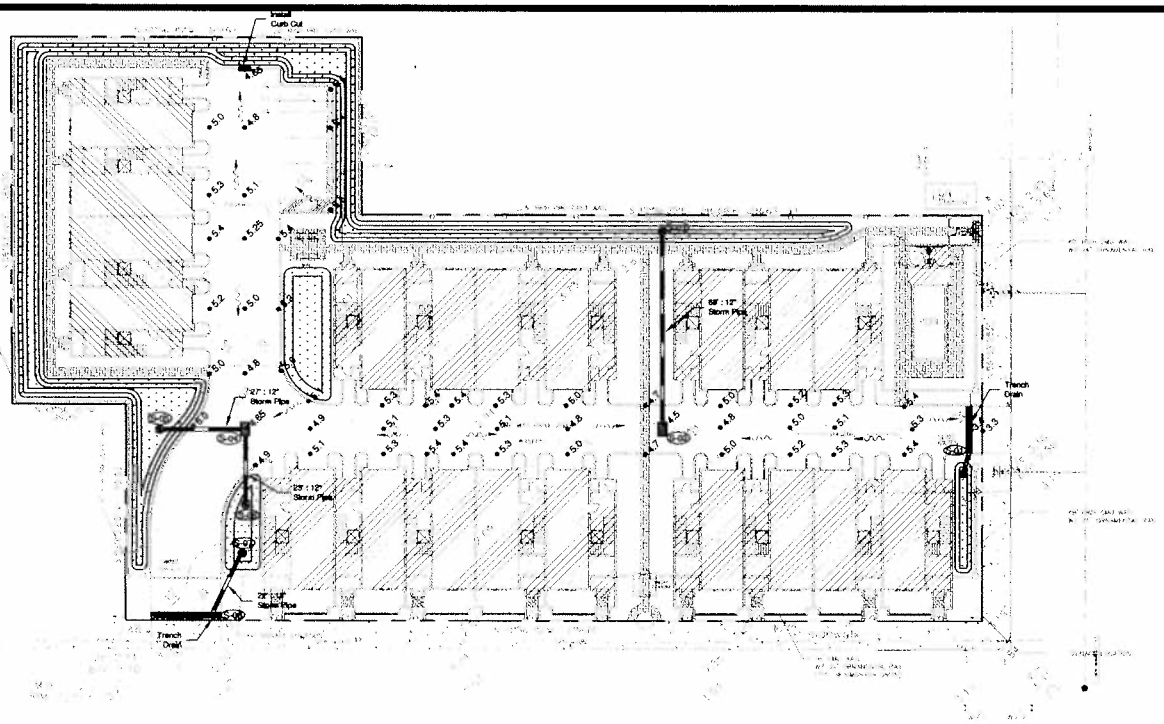
ARCHI
RICHARD C. J
STEVEN R. M
JAMES R. WIL
RODOLFO ALE
ROBERT B. VO

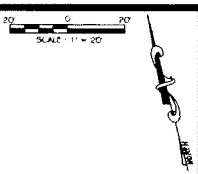
119-135 SIMONTON
KEY WEST, FLORIDA

FLORIDA

AAC002163
PROJECT NO.
DESIGNED BY:
DRAWN BY:
CHECKED BY:
SUBMITTALS:

REVISIONS:





NOTES:

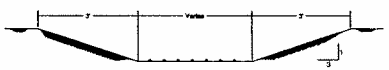
For Review Purposes Only

Any Lanscaping To Be Planted in Retention Areas Is To Be Approved By The City Of Key West.

Dry Retention Volume Provided = .991ac-in = 3,596.129cf

LEGEND

- Pavement
- Pavers
- Roof Line
- Dry Retention Area
- Storm Pipe
- Drain Inlet
- Trench Drain
- Nyloplast Drain Inlet
- Existing Elevation



Typical Dry Retention Section

135 SIMONTON ST.
Drainage Calculations

Water Quality - Predevelopment

Project Area	1.20	ac	52,400 sf
Pervious Area	0.34	ac	14,880 sf
Impervious Area	0.87	ac	37,723 sf
% Impervious	71.98%		
Rainfall for 25yr/24hr event (P)	9	in	
Rainfall for 25yr/3day event (P)	12.23	in	
Depth to Water Table	4	ft	
Predeveloped Available Storage	6.36	in	
Soil Storage (S)	2.29	in	
Qpre = (P - 0.2S)^2 / (P + 0.8S)	9.86	in	

Water Quantity - Postdevelopment

Project Area	1.20	ac	52,400 sf
Pervious Area	0.36	ac	15,655 sf
Impervious Area	0.84	ac	36,547 sf
% Impervious	69.7%		
Rainfall for 25yr/24hr event (P)	9	in	
Rainfall for 25yr/3day event (P)	12.23	in	
Depth to Water Table	4	ft	
Developed Available Storage	6.16	in	
Soil Storage (S)	2.46	in	
Qpost = (P - 0.2S)^2 / (P + 0.8S)	9.69	in	
Runoff Volume from 25 year/ 3day storm event	11.06 ac-in		

Postdevelopment - Predevelopment

Qpost - Qpre	-0.16	in
Volume = QA	-0.20	ac-in

Water Quality

Project Area	1.20	ac	52402.66 sf
Surface Water	0.00	ac	0.00
Roof Area	0.48	ac	20981.00 sf
Pavement/Walkways/Pools	0.36	ac	15655.84 sf
Pervious area	0.36	ac	15655.84 sf
Site area for Water Quality (Total area- (water surface + roof areas))	0.73	ac	31711.66 sf
Impervious area for water Quality (Site area for Water Quality - Pervious area)	0.36	ac	15655.84 sf
% Impervious	0.50		
A) One inch of runoff from project area	1.20	ac-in	
B) 2.5 inches times percent impervious (2.5 x percent impervious x area - surface water)	1.80	ac-in	

Water Quantity Vs Water Quality

	-0.20	< 1.80
50 % reduction due to retention	0.76 ac-in	2,729 cf

KEY WEST OFFICE
1010 Eaton Street, Suite 4-210
Key West, Florida 33040
TEL: (305) 293-8983 FAX: (305) 293-8748
James Perez
Florida P.E. No. 61482
Florida Certificate of Authorization No. 28670

PEREZ ENGINEERING & DEVELOPMENT, INC
CIVIL ENGINEERING - REGULATORY PERMITTING - CONSTRUCTION MANAGEMENT
3050 Fite Circle, Suite 215
Sacramento, California 95827
TEL: (916) 361-8384 FAX: (916) 361-2574

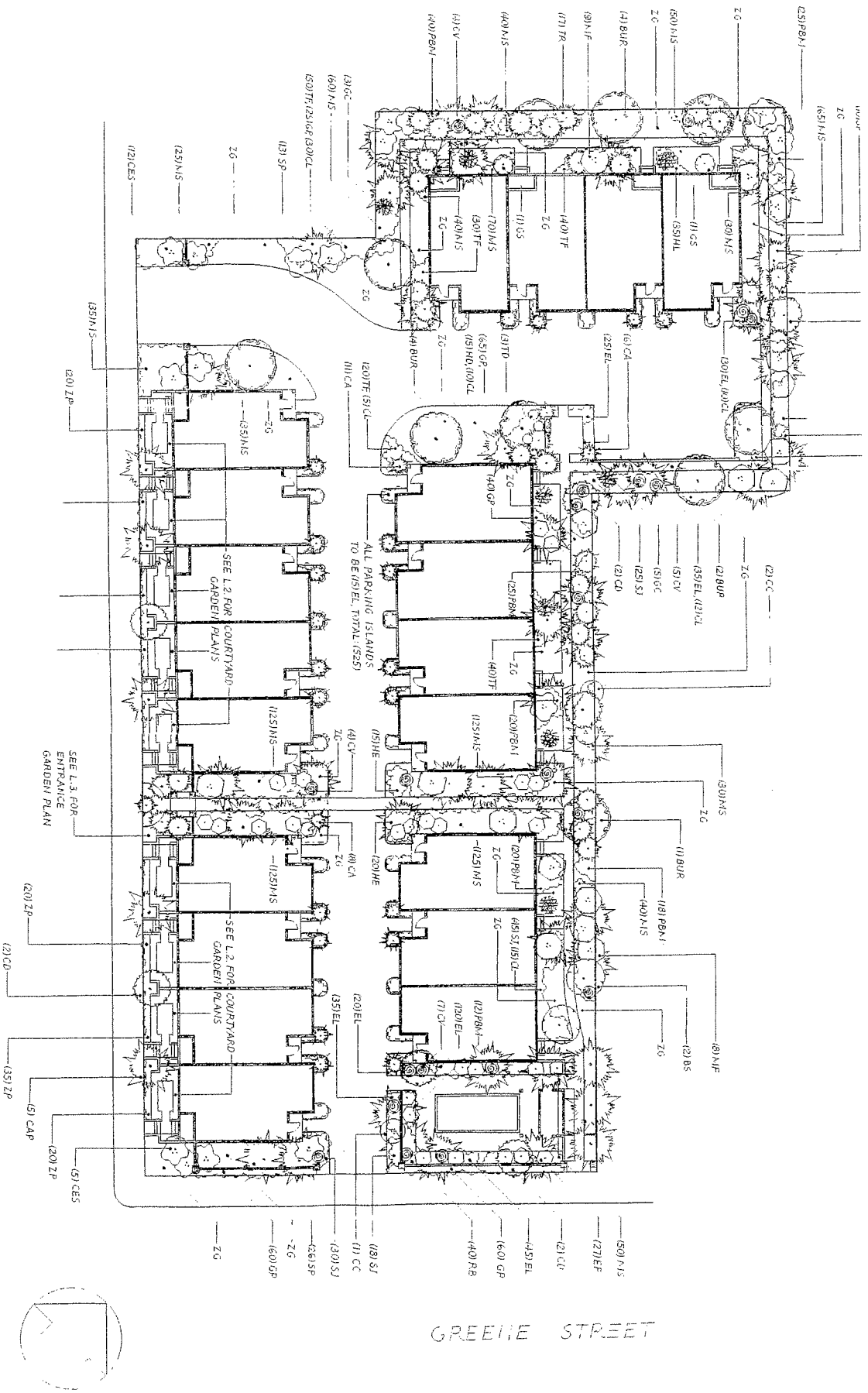
ALLEN E. PEREZ, P.E.
Florida P.E. NO. 61482
October 26, 2007

REVISIONS: ORIGINAL:
1. 2. 3. 4. 5. 6.

119-135 Simonton Street
Key West, FL
Conceptual Drainage Plan

Richard Jones Construction

JOB NO. 071029
DRAWN KFD
DESIGNED
CHECKED CB
QC AEP
SHEET C-1



CARL P. GILLEY THRINAX, INC LANDSCAPE DESIGN

PRELIMINARY LANDSCAPE PLAN - JULY 2007

119-135 SIMONTON

Public Notices
(mailings, posting & radius map)

121 DUVAL COMPANY
423 FRONT STREET
KEY WEST, FL 33040

135 DUVAL COMPANY
423 FRONT STREET
KEY WEST, FL 33040

200 ELIZABETH STREET LLC
32 EAST 39TH ST
NEW YORK, NY 10016

211 DUVAL COMPANY
423 FRONT STREET (2ND FLOOR)
KEY WEST, FL 33040

221 SIMONTON LLC
221 SIMONTON STREET
KEY WEST, FL 33040

223 ANN STREET LLC
525 CAROLINE ST
KEY WEST, FL 33040

511 GREENE STREET LLC
219 SIMONTON ST
KEY WEST, FL 33040

512 GREENE STREET LLC
525 CAROLINE ST
KEY WEST, FL 33040

512 PARTNERS LP
512 FRONT ST
KEY WEST, FL 33040

525 CAROLINE STREET LLC
525 CAROLINE ST
KEY WEST, FL 33040

616 GREEN STREET LLC
616 GREENE ST
KEY WEST, FL 33040

AMSTERDAM EDITH REV TR 3/14/94
511 CAROLINE ST
KEY WEST, FL 33040

ANN STREET LLC
4750 CAMP ROOSEVELT DR
CHESAPEAKE BEACH, MD 20732

ANN STREET PROPERTIES LLC
512 FRONT ST
KEY WEST, FL 33040

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

BARRY WILLIAM MCLEAN
618 DEY ST
KEY WEST, FL 33040

BAYHAVEN ENTERPRISES L C
700 FRONT STREET
KEY WEST, FL 33040

BDM LLC
PO BOX 6500
KEY WEST, FL 33041

BOARD OF TRUSTEES OF THE
FUND OF THE STATE OF FLORIDA
TALLAHASSEE, FL 32399

BOTTLING COURT PARTNERS
506 FLEMING ST
KEY WEST, FL 33040

BRAWN PETER N
525 CAROLINE ST
KEY WEST, FL 33040

CARLSON DOREEN V TRUSTEE
219 R ANN ST
KEY WEST, FL 33040

CAROLINE STREET PARTNERS LLC
1115 MARBELLA PLAZA DR
TAMPA, FL 33619

CONCH TOUR TRAIN INC
PO BOX 1237
KEY WEST, FL 0

CYPRESS HOUSE INC
601 CAROLINE ST
KEY WEST, FL 33040

DEFERRARI RONALD H REV TR
U/T/A 8/9/97
P O BOX 6688
OZONA, FL 34660

DEPOO AGNES H L/E
P O BOX 1234
KEY WEST, FL 33041

DONOVAN BRIAN K
615 CAROLINE ST
KEY WEST, FL 33040

FOSTER WILLIAM AND BARBARA
504 S LAKE DRIVE
LANTANA, FL 33462

G AND S KEY WEST LLC
20 AZALEA DR
KEY WEST, FL 33040

GALLEON CONDOMINIUM ASSOC INC
617 FRONT STREET
KEY WEST, FL 33040

GOLD HEIDI B
630 DEY ST
KEY WEST, FL 33040

GROSSCUP WILLIAM R CAPT
13 HILTON HAVEN
KEY WEST, FL 33040

HAYES PAUL N
1075 DUVAL ST
KEY WEST, FL 33040

HENDRY TIFFANY & COLLIGAN KIP (HUSBAND)
159 WAMPHASSUC ROAD
STONING, CT 0

HISTORIC TOURS OF AMERICA INC
201 FRONT ST SUITE 224
KEY WEST, FL 33040

HUNTER BRUCE
1075 DUVAL ST
KEY WEST, FL 33040

HURST LEIGH G & ANNE HAHN (H/W)
2072 LUSTERS GATE RD
BLACKSBURG, VA 24060

HYATT EQUITIES LLC
P O BOX 2196
CHICAGO, IL 0

KAPLAN RAYMOND S AND D LYNN
18 RUTLEDGE AVENUE
CHARLESTON, SC 29401

KEY WEST 07 LLC
190 CONGRESS PARK DR
DELRAY, FL 33445

KEY WEST HAND PRINT FABRICS LTD
201 FRONT ST
KEY WEST, FL 33040

KEY WEST MJM INVESTMENTS INC
P O BOX 403353
MIAMI BEACH, FL 33140

LA MER ENTERPRISES INC
20201 E COUNTRY CLUB DR
AVENTURA, FL 0

MAJOR PATRICIA T
P O BOX 14
KEY WEST, FL 33040

MASTENBROEK HENK & LETSCHERT TRUDO
1510 S TUTTLE AVENUE
SARASOTA, FL 34239

MURPHY SHARI S REV TR DTD 9/25/2001
550 PALMER AVE
WINTER PARK, FL 32789

NOE SASHA
1067 OLD ALBANY POST RD
GARRISON, NY 10524

PIACIBELLO FRANK AND GEORGEANN B
1523 PATRICIA STREET
KEY WEST, FL 33040

PIER HOUSE JOINT VENTURE
25425 CENTER RIDGE RD
CLEVELAND, OH 44145

PIER HOUSE JOINT VENTURE ET AL
ONE DUVAL ST
KEY WEST, FL 33040

RAMLO CONSTRUCTION CORPORATION
209 DUVAL STREET
KEY WEST, FL 33040

RANDAZZO DOLORES
16423 92ND ST
HOWARD BEACH, NY 11414

SCHULTZ KENNETH H AND ANGEL-SCHULTZ DEBORAH L H/W
219 SIMONTON ST
KEY WEST, FL 33040

SKOKO GEORGE JOHN
618 GREENE ST
KEY WEST, FL 33040

SLOPPY JOE'S ENTERPRISES INC
201 DUVAL ST
KEY WEST, FL 33040

SLOPPY JOE'S ENTERPRISES, INC
101 ANN ST
KEY WEST, FL 33040

SPOTTSWOOD PARTNER II LTD
506 FLEMING ST
KEY WEST, FL 33040

STILL CATHERINE
EAST LAKE SHORE
BIGFORK, MT 59911

STOERBACK MICHELLE
1 WICKS LAND HEAD OF HARBOR
ST JAMES, NY 11780

SUNSET PLAZA INC
P O BOX 8850
CORAL SPRINGS, FL 33075

SUNSET VENTURES LLC
P O BOX 520A
VILLANOVA, PA 19085

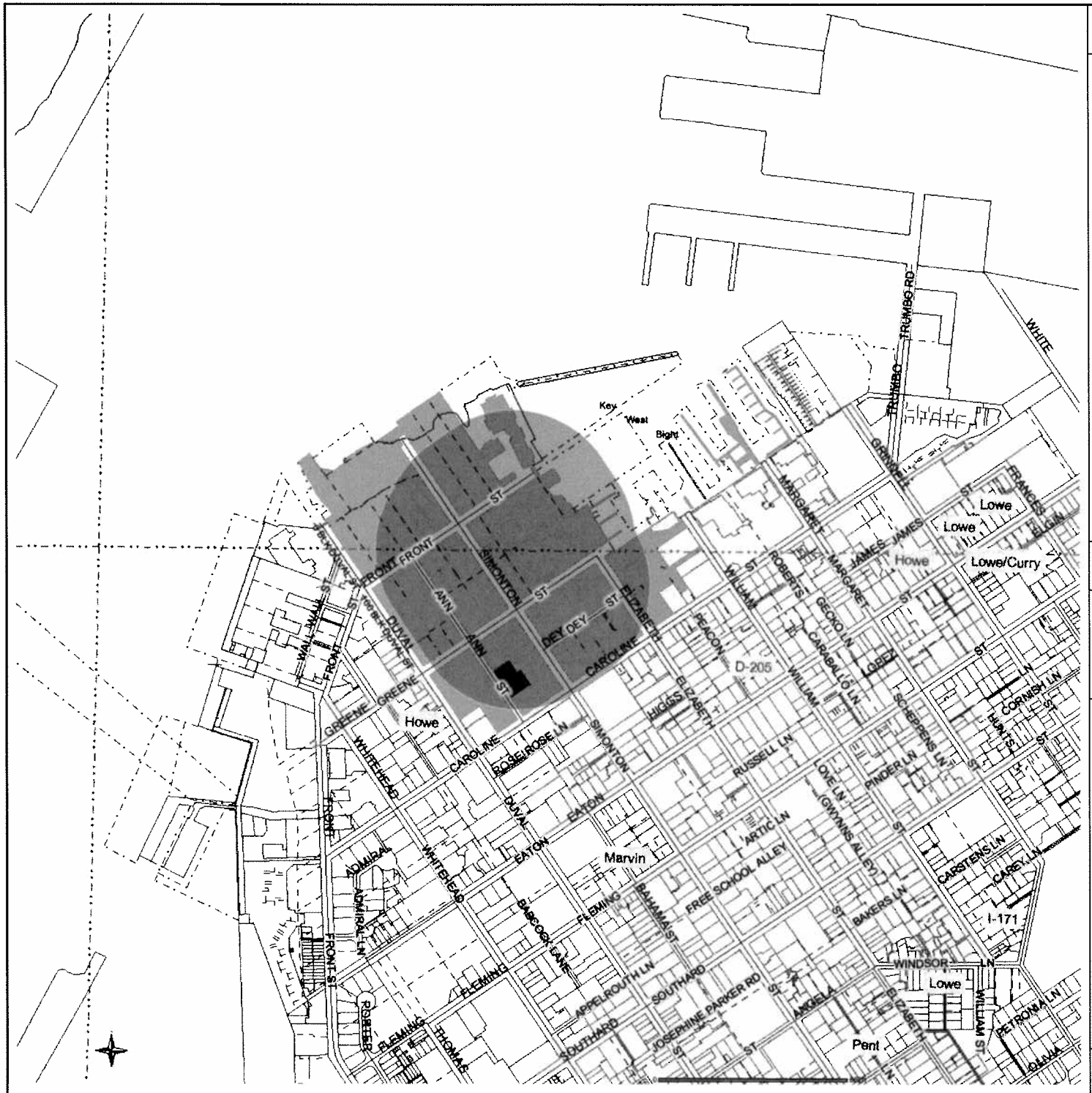
TEMECULA ENTERPRISES LLC
6223 SIMON LN
HUDSON, OH 44236

TIKAL REAL ESTATE HOLDING II LLC
P O BOX 1778
KEY WEST, FL 33041

US FOODS INC
PO BOX 691598
ORLANDO, FL 0

WELF LEONARDO A
219 ELIZABETH STREET
KEY WEST, FL 33040

119-135 Simonton



Legend

- theBuffer
- theBufferTarget
- Hooks/Leads
- Lot Lines
- Easements
- Road Centerlines
- Water Names
- Parcels
- Shoreline
- Section Lines

PALMIS

Monroe County Property Appraiser
500 Whitehead Street
Key West, FL

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for *ad valorem tax purposes* only and should not be relied on for any other purpose.

Date Created: June 16, 2009 11:19 AM

119-135 Simonton

STATE OF FLORIDA

DEPARTMENT OF COMMUNITY AFFAIRS

"Dedicated to making Florida a better place to call home"

CHARLIE CRIST
Governor

THOMAS G. PELHAM
Secretary

September 16, 2009

Mrs. Amy Kimball-Murley, AICP
akimball@keywestcity.com
owen@owentrepanier.com
City of Key West Planning Director
P.O. Box 1409
Key West, Florida 33041

Re: Res 09-207

The Area of Critical State Concern program has received and reviewed the above referenced permit in accordance with Section 380.07, Florida Statutes. The permit would authorize approval for a one year extension of a major development plan which will result in the redevelopment of 20 non transient units and a parking lot. The Department will not appeal the proposed development or development order as issued.

This letter is not intended to constitute, and shall not be construed as constituting, a verification of compliance with the Comprehensive Plan and Land Development Regulations, and shall not be relied upon as a precedent or a waiver of rights regarding any other development order or other growth management laws or statutes.

If additional information is needed, please call Rebecca Jetton @ (850) 922-1766.

Sincerely,

R Jetton

Rebecca Jetton, Administrator
Florida Keys Area of Critical State Concern

RJ/kj

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FL 32399-2100
850-488-8466 (p) • 850-921-0781 (f) • Website: www.dca.state.fl.us
• COMMUNITY PLANNING 850-488-2358 (p) 850-488-3309 (f) • FLORIDA COMMUNITIES TRUST 850-922-2207 (p) 850-921-1747 (f) •
• HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-922-5623 (f) •