

**Key West Planning Board Meeting Agenda**  
**June 18, 2009 – 6:00 p.m.**  
**City Commission Chamber**  
**Old City Hall, 510 Greene Street**



The Key West Planning Board will hold a public hearing on **Thursday, June 18, 2009 at 6:00 p.m.**, in the City Commission Chambers of Old City Hall located at 510 Greene Street.

- 1. Roll Call**
- 2. Approval of Agenda**
- 3. Approval of Minutes**
  - a. Planning Board Meeting Minutes – May 21, 2009**
- 4. Items for Public Hearing**
  - a. Old Business**
    - 1. Variance Extension - 19 Hilton Haven Drive (RE# 00002180-000000) –** Extension of approved variance for impervious surface regulations in the Medium Density Residential (MDR) zoning district per Section 122-270 (4) b of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.
  - b. New Business**
    - 1. Conditional Use – 4 & 6 Charles St., 213 & 217 Telegraph Lane (RE Numbers 00001410-000000, 00001430-000000, and 00001440-000000) –** An application for Conditional Use approval for a bar and lounge in the HRCC-1 zoning district per Section 122-688 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida
    - 2. Outdoor Display – 804 Caroline Street (RE 00003200-000000) –** An application for Exception for Outdoor Merchandise Display, to allow the display of home and garden items and associated merchandise in the HNC-2 zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.
    - 3. Transient License Transfer - from 415 Julia Street (RE 00027290-000000) to 918-920 Center Street (RE 00017830-000000) –** Transient License Transfer from 415 Julia Street located in the Historic Medium Density District (HMDR) to 918-920 Center Street located in the Historic Residential Commercial Core (HRCC-3) zoning district per Sections 122-1338 and 122-1339 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.
    - 4. Transient License Transfer - from 409 William Street (RE#00005880-000000) to 519 Duval Street (RE#00009690-000000) & 522 Bahama Street (RE#0000740-000000) -** Transient License Transfer from 409 William Street in the Historic Medium Density Residential (HMDR) zoning district to 519 Duval Street & 522 Bahama Street in the HRCC-1 Historic Residential Commercial Core zoning district, for the purpose of using two new residential units as transient rentals.
- 5. Planner's Report**
- 6. Adjournment**

Interested parties may appear at the public hearing(s) and be heard with respect to the proposed items. Copies of the applications are 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.

Anyone who may wish to appeal any decision made by the Planning Board at this meeting will need to ensure that a verbatim record of the proceeding is made which includes the testimony and evidence which the appeal will be based. Florida Statute 286.0105.

ADA Assistance: Anyone needing special assistance at the Planning Board hearing due to disability should contact the City of Key West at (305) 809-3720 at least two days prior thereto.

Please note that one or more City Commission members may be present at this meeting.

Please Publish on Sunday, June 7, 2009  
Please Return an Affidavit of Publication to:  
City of Key West Planning Department  
PO Box 1409  
Key West, Florida 33040

**Key West Planning Board Meeting Agenda**  
**June 18, 2009 – 6:00 p.m.**  
**City Commission Chamber**  
**Old City Hall, 510 Greene Street**



**Item 3.a.**

**Planning Board Meeting Minutes –May 21, 2009**

**Minutes of the Key West Planning Board**  
**May 21, 2009** **DRAFT**

Chairman Richard Klitenick called the Key West Planning Board Meeting of May 21, 2009 to order at 6:00 pm at Old City Hall, in the antechamber at 510 Greene Street, Key West.

**ITEM 1. ROLL CALL**

**Present were:** Chairman Richard Klitenick; Vice-Chairman, Tim Root; Members, Barry Barroso, James Gilleran, Edward Gartenmayer and Gregory Oropeza.

**Excused absence:** Michael Browning

**Also in attendance were:** Planning Director, Amy Kimball-Murley; Chief Assistant City Attorney, Larry Erskine; Alan Averette, Lt. Fire Inspector; John Woodson, Building Official; HARC Planner, Enid Torregrosa; and Key West Planning Department staff, Rodney Corriveau, Ashley Monnier and Carlene Cowart.

**ITEM 2. APPROVAL OF AGENDA**

Mr. Klitenick recused himself from approving the change in the agenda since his client is the owner of 19 Hilton Haven Drive. The gavel was then passed to Mr. Root.

Mrs. Kimball-Murley stated that the applicant for 19 Hilton Haven Drive has requested the item be tabled to the June 18, 2009 Planning Board meeting.

A motion to approve the agenda and table Item 4a3 until the June 18, 2009 Planning Board meeting was made by Mr. Barroso and seconded by Mr. Gilleran.

Motion carried by unanimous voice vote. Mr. Klitenick abstained from voting.

SO ORDERED.

**ITEM 3. APPROVAL OF MINUTES**

**a. Planning Board Meeting Minutes – April 16, 2009**

A motion to approve the April 16, 2009 Planning Board Meeting minutes was made by Mr. Gartenmayer and seconded by Mr. Oropeza.

Motion carried by unanimous voice vote.

SO ORDERED.

**ITEM 4. ITEMS FOR PUBLIC HEARING**

**a. NEW BUSINESS**

- 1. Variance - 1411 Eliza Street (RE# 00034240-000000) - Variances to building coverage percentage, variances to side yard setbacks, and street-side setback**

**Minutes of the Key West Planning Board**  
**May 21, 2009**

**DRAFT**

**requirements for property in the Historic Medium Density Residential (HMDR) Zoning District per Section 122-600 (4) a, 122-600 (6) b, and 122-600 (6) d of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Mrs. Kimball-Murley stated that 70 notices were mailed to property owners within 300' radius; 0 were returned and 10 comments were received.

Mrs. Kimball-Murley then read into the record comments from the following:

- John McKenzie and Melinda Janous, 1400 Virginia Street
- Patrick and Rosalinda Rahe, 1320 Eliza Street
- Maxine Wheelan, 1413 Eliza Street
- Linda Drake and David Stansfield, 1319 Eliza Street
- Shirley Tiffany, 1119 Florida Street
- Susan Overton, 1430 Eliza Street
- Doug and Jean Gregory, 1109 Georgia Street
- James Din Allen, 1400 Catherine Street
- Gretchen Brown
- Ray Allen Schoneck, Jr

Mrs. Kimball-Murley gave an overview of the variance application. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for variance be denied.

The Applicant, Stephan Wischerth, thanked staff for all of their help with the application process.

Board members reviewed and discussed the variance application with the applicant and staff. Mr. Barroso asked the applicant for clarification on the utility room. The applicant stated that the utility room existed on site. Mr. Klitenick verified the utility room was on the site survey.

A motion to approve the variance application was made by Mr. Gilleran and seconded by Mr. Gartenmayer.

Motion carried by unanimous voice vote.

SO ORDERED.

2. **Variance - 326 Amelia (RE# 00026210-000000) - Variances for rear yard setbacks in the Historic Medium Density Residential (HMDR) zoning district per Section 122-600 (6) c of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

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Mrs. Kimball-Murley stated that 89 notices were mailed to property owners within 300' radius; 6 were returned and 2 comments were received.

Mrs. Kimball-Murley then read into the record comments from the following:

- Ehring William Edward, 1102 Whitehead Street
- Deborah Jane Warner, 1114 Whitehead Street

Mrs. Kimball-Murley gave an overview of the variance application for construction of a modular home to replace a single-family home destroyed by Hurricane Wilma. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for variance be denied.

The owners, Commissioner Clayton Lopez and Mrs. Pam Lopez, as well as the applicant, Chris Fogarty, were available for questions.

The following member of the public spoke on the matter:

- Jim Evans, 1114 Whitehead Street

Board members reviewed and discussed the variance application with the applicant and staff.

Mr. Klitenick asked staff if the variance was required due to the choice of material of the modular home. Mrs. Kimball-Murley stated that modular home combined with the rear-yard setback necessitated the variance.

Mr. Barroso clarified that even though the modular home is longer, the total square footage appears to be the same. Mrs. Kimball-Murley concurred.

A motion to approve the variance application was made by Mr. Gartenmayer and seconded by Mr. Root.

Motion carried by unanimous voice vote.

SO ORDERED.

- 3. Variance Extension - 19 Hilton Haven Drive (RE# 00002180-000000) – Extension of approved variances for impervious surface regulations in the Medium Density Residential (MDR) zoning district per Section 122-270 (4) b of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

This item has been postponed to the June 18, 2009 Planning Board meeting.

- 4. Conditional Use - 417 Southard Street (RE# 00010040-000000) - Conditional Use application for the proposed rental of 5 motorcycles, 15 scooters, 10 bicycles and 2**

**Minutes of the Key West Planning Board**  
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**DRAFT**

**electric cars in the Historic Residential Commercial Core (HRCC-1) zoning district per Section 122-688 (17) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Mrs. Kimball-Murley stated that 66 notices were mailed to property owners within 300' radius; 0 were returned and 10 comments were received.

Mrs. Kimball-Murley then read into the record comments from the following:

- Gerald R. Mosher, Marmoe LLC, 607 Duval Street
- Gary Kelley, Moe's Barber Shop, 609 Duval Street
- John Vagnoni, Green Parrot Bar, 601 Whitehead Street
- David W. Freeman, Porter-Allen Company, 513 Southard Street
- Scott Morris, Meteor Smokehouse, 404 Southard Street
- B G Carter, Independent Mortgage & Finance, 600 Whitehead Street
- Stella Glander, Scooter Rental Project, 534 ½ Duval Street
- Owen Trepanier, Trepanier & Associates, 402 Appelrouth Lane
- Ana Sanig, Kino Sandals, Inc, 424 Southard Street
- Richard Wunsch, 614 Whitehead Street

Mrs. Kimball-Murley gave an overview of the conditional use application. Mrs. Kimball-Murley noted that the applicant has removed vehicles from the City's right-of-way. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends conditional approval as follows:

- Storage of vehicle inventory on the City Right-of-Way is strictly prohibited without an easement agreement between the applicant and the City.
- All transactions for, and storage of, bicycles, scooters, motorcycles and electric cars shall occur in the portion of the building within the HRCC-1 zoning district.
- Parking of electric cars at Clinton Square is prohibited.

The applicant, Victor Mills, was available for questions.

Board members reviewed and discussed the conditional use application with the applicant and staff.

Mr. Klitenick asked staff for clarification of the City's position on how separate zoning districts on a single parcel are addressed. Mr. Root asked that a single Future Land Use Classification and Zoning District be considered for the site when the Comprehensive Plan is updated.

Mr. Barroso asked applicant where training will be held. Mr. Mills stated that training will be held on the right-of-way. Mr. Barroso asked Mr. Mills to confirm his intention to operate the use in accordance with the conditions and Mr. Mills confirmed this.

A motion to approve the conditional use application with the conditions requested by staff was made by Mr. Root and seconded by Mr. Barroso.

Motion carried by unanimous voice vote.

SO ORDERED.

**ITEM 5. PLANNER'S REPORT**

**a. Update on Approach to Monitoring and Enforcement of Conditions**

Mrs. Kimball-Murley gave members an overview of a meeting she held with Jim Gilleran, Larry Erskine, Jim Young, and Carolyn Walker regarding monitoring and enforcement of conditions. The group was in agreement of the following:

- Monitoring and enforcement should be through ordinance modification
- Issue a regulatory permit to the applicant
- Annual inspection by Code Enforcement
- Modest fee will be charged to the applicant
- Enforcement outside of annual inspection will be reported to the City Manager
- Conditional Use approval shall be revoked by the City Manager upon findings and order by the special magistrate per Section 2-641 of the Code of Ordinances or by a determination of a court of competent jurisdiction per Section 122-63(f), that any condition of this approval has been violated

Members discussed the recommendations. Staff will move forward and draft an ordinance for members to review.

**b. Update on Ordinances**

Mrs. Kimball-Murley gave members an update on the following ordinances:

- Single Family District Ordinance was passed by the City Commission and received DCA determination on May 1, 2009.
- Modification to HARC guidelines was passed by the City Commission and received DCA determination on May 1, 2009.
- BPAS Amendment Ordinance passed the City Commission with slight changes and we are still waiting for the DCA order.

Mr. Klitenick asked staff if there had been any criteria established for allocating units that have been identified as available in the City. Mrs. Kimball-Murley stated that in order to meet our comprehensive plan policy, 30% of the units need to be allocated for affordable housing.

**c. Update on CRA Plan Updates**

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Mrs. Kimball-Murley informed members that CRA plan updates will be ready for member review in about 3 months. The last plan for Bahama Village was updated 11 years ago, and 12-13 years ago for the Caroline Street Corridor.

**ITEM 6. ADJOURNMENT**

A motion to adjourn was made by Mr. Barroso and seconded by Mr. Root.

Motion was carried by unanimous voice vote.

SO ORDERED.

Meeting adjourned at 7:25 pm.

**Submitted by,**  
**Carlene Cowart**  
**Administrative Coordinator**  
**Planning Department**

**Key West Planning Board Meeting Agenda**  
**June 18, 2009 – 6:00 p.m.**  
**City Commission Chamber**  
**Old City Hall, 510 Greene Street**



**Item 4.a.1.**

**19 Hilton Haven –**

**Variance Extension - 19 Hilton Haven Drive (RE# 00002180-000000)** – Extension of approved variance for impervious surface regulations in the Medium Density Residential (MDR) zoning district per Section 122-270 (4) b of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

# **Staff Report**

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



**To:** Chairman and Planning Board Members  
**From:** Nicole Malo  
**Through:** Amy Kimball-Murley, AICP, Planning Director  
**Meeting Date:** June 18, 2009

**Agenda Item:** Extension of an approved variance to the City Land Development Regulations for Section 122-270 (4) b for maximum impervious surface regulations in the Medium Density Residential (MDR) Zoning District for 19 Hilton Haven Drive, of the City of Key West, Florida (RE # 00002180-000000)

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**Request:** To allow a one-year extension of a variance for impervious surface coverage

**Applicant:** William P. Horn, Architect P.A

**Property Owner:** Jeffery Rann

**Location:** 19 Hilton Haven Drive  
RE# 00002180-000000

**Zoning:** MDR (Medium Density Residential) District



**Background:** In June of 2008, per Resolution 08-174, a variance to impervious surface coverage was approved by the Board of Adjustment for construction of a new single-family home. The variance acknowledged the burden of the private road, Hilton Haven Drive, which bisects the property and creates the majority of the impervious surface coverage. If the road was not included the project would meet the code requirement for maximum allowed impervious surface coverage.

The original variance conditions require that all permits necessary for new construction (for any use and occupancy) be submitted in their entirety within 24 months after the approval of the variance. It is also conditioned in the variance that no application or reapplication for new construction be made after expiration of the 24-month period without the applicant obtaining an extension. The condition further states that it is incumbent upon the applicant to demonstrate that no changes of circumstances to the property or its underlying zoning district have occurred if an extension is requested.

The subject property changed ownership in 2008. The current owner would like to extend the previously granted variance and proceed with the proposed construction. However, the owner does not believe that it is not it financially possible to begin construction within the next year, and therefore has applied for an extension a year before the variance expires. The date of the DCA determination of consistency for the existing variance was July 16, 2008. The applicant’s request to extend the variance approval date one year from the existing expiration date as established by the DCA determination which results in a new expiration date of July 16, 2011.

It was discovered, in this extension process, that there is a protected tree on the construction site. The Urban Forestry Program Manager determined that the proposed site plan would have to be modified to accommodate the tree. In response to the request, the applicant modified the site plan by relocating a swale on the east side of the property and relocating the driveway from the east to the west side of the property. The proposed changes will not affect the nature of the variance. The impervious surface coverage calculations will remain the same.

**Request:** The applicant is requesting an extension of the previously approved variance to permit to allow 65.5% impervious surface coverage from the 50% maximum coverage required, as follows:

	<b>Required</b>	<b>Existing</b>	<b>Requested</b>
Building Coverage	35%		
Impervious Surface	50% (5,378 s.f)	38.9% (4,186 s.f)	65.5% (7, 044 s.f)

**Process:**  
**Development Review Committee Meeting:**  
**Planning Board Meeting:**

April 22, 2009  
 June 18, 2009

**Concurrency Facilities and Other Utilities or Service (Section 108-233):**

A stormwater plan has been submitted and approved by the Engineering Director. No other utilities or services are required.

**Factors for review of the extension include the following:**

**1. The request was made on a timely basis.**

The applicant submitted a request for a variance extension one year and three months prior to the expiration of the previously approved variance.

**2. No changes of circumstance to the property or its underlying zoning district have occurred.**

Conditions associated with the original variance appear to be unchanged. However, there is a landscape approval issue which will have to be resolved prior to the issuance of building permits.

**RECOMMENDATION:**

The Planning Department, based on the criteria established in the original approving resolution recommends the request for a one-year extension, for a new expiration date of July 16, 2011, to a previously allowed variance be **approved** .

# **Resolution**

RESOLUTION NUMBER 2009- \_\_\_\_

**A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW A ONE-YEAR EXTENSION FROM THE EFFECTIVE DATE OF THE ORIGINAL VARIANCE GRANTED IN RESOLUTION NUMBER 08-174 FOR PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE#00002180-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Resolution 08-174 approving an impervious surface coverage variance for the property was approved by the City of Key West Board of Adjustment on June 4, 2009; and

**WHEREAS**, that variance allowed an extension if the applicant demonstrated that no change of circumstances to the property or its underlying zoning has occurred; and

**WHEREAS**, the applicant requested a 12 month extension from the effective date of the original variance; and

**WHEREAS**, the applicant submitted a new site plan, that did not change the nature of the variance, in response to tree protection needs; and

**WHEREAS**, the applicant has demonstrated that no change of circumstances to the property or its underlying zoning has occurred; and

\_\_\_\_\_ Chairman

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

**WHEREAS**, the applicant submitted a timely request for extension and demonstrated that there are no changes to circumstances regarding the original variance approval; and

**WHEREAS**, the granting of the variance extension 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;

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

**Section 1.** That the variance granted by the Board of Adjustment in Resolution No. 08-174, to **IMPERVIOUS SURFACE COVERAGE** in the **MDR, Medium Density Residential Zoning District**, under the Code of Ordinances of the City of Key West, Florida, are hereby extended for an additional period of one-year until July 16, 2011 **FOR THE PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE# 00002180-000000)**, SEE ATTACHED PLANS, with the following conditions:

**Section 2.** It is a condition of this variance that full, complete, and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety by July 16, 2011,

**Page 2**  
**Resolution Number \_\_\_\_\_**

\_\_\_\_\_ Chairman

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

**Section 3.** This variance extension 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.

Read and passed on first reading at a regular meeting held this 18th day of June, 2009.

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

**Page 3**  
**Resolution Number \_\_\_\_\_**

\_\_\_\_\_ Chairman

\_\_\_\_\_ 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

DRAFT

\_\_\_\_\_ Chairman

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

# **Applicant Request**



**Deed**

Doc# 1698993 06/11/2008 10:56AM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

Prepared by and return to:  
John M. Spottswood, Jr.  
Attorney at Law  
Spottswood, Spottswood & Spottswood  
500 Fleming Street  
Key West, FL 33040  
305-294-9556  
File Number: 08-82-JB

06/11/2008 10:56AM  
DEED DOC STAMP CL: PU \$8,225.00

Doc# 1698993  
Bk# 2365 P# 2437

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 10th day of June, 2008 between **Wayne Miller, a married man and Robert Scerrato and Marilou Howell, his wife** whose post office address is 18 Hilton Haven Drive, Key West, FL 33040, grantor, and **Jeffrey Rann, a married man** whose post office address is 1824 Flagler Avenue, P. O. Box 177, Key West, FL 33040, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Monroe County, Florida** to-wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.**

**Parcel Identification Number: 00002180-000000**

Subject to taxes for 2008 and subsequent years; survey, covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

The property herein conveyed does NOT constitute the Homestead property of the Grantor, as defined under the Florida Constitution.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2007**.

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

Signed, sealed and delivered in our presence:

Mary E. Russo  
Witness Name: **Mary E. Russo**

Wayne Miller  
Wayne Miller (Seal)

Jenny M. Sterling  
Witness Name: **Jenny M. Sterling**

Witness as to Robert Scerrato and Marilou Howell:

Robert Scerrato  
Robert Scerrato (Seal)

Witness Name: Ann H. Ayers  
Witness as to Robert Scerrato and Marilou Howell

Witness Name: Michael Henderson

Ann H. Ayers  
Witness Name: Ann H. Ayers

Marilou Howell  
Marilou Howell

Witness Name: \_\_\_\_\_

State of Florida  
County of Monroe

Doc# 1698993  
Bk# 2365 Pg# 2438

The foregoing instrument was acknowledged before me this 10th day of June, 2008 by Wayne Miller, who  are personally known or  have produced a driver's license as identification.

[Notary Seal]

*Mary E. Turso*

Notary Public

**MARY E. TURSO**

Printed Name:



My Commission Expires:

State of New Jersey  
County of MONROE

The foregoing instrument was acknowledged before me this 10th day of June, 2008 by Robert Scerrato and Marilou Howell, who  are personally known or  have produced a driver's license as identification.

[Notary Seal]

*Mary E. Turso*

Notary Public

Printed Name:

My Commission Expires:

AGE 41 YEARS

A Notary Public of New Jersey  
My Commission Expires 7/05/2011

Exhibit A

Upland Parcel

Doc# 1698993  
Bk# 2365 Pg# 2439

The Westerly 15 feet of Tract 18 and all of Tract 19, of Hilton Haven Section No. 2, according to the Plat thereof, as recorded in Plat Book 2, at page 138, of the Public Records of Monroe County, Florida

Exhibit B

Submerged Parcel

Doc# 1698993  
Bk# 2365 Pg# 2440

A parcel of submerged land in the Bay of Florida in Section 33, Township 67 South, Range 25 East, Monroe County, Florida, more particularly described as follows:

From the intersection of the northwesterly R/W of Roosevelt Boulevard and the northerly boundary of Hilton Haven, Section No. 2, according to the plat thereof as recorded in Plat Book 2, at Page 138, Public Records of Monroe County, Florida, thence westerly along said northerly boundary of Hilton Haven, Section No. 2, 1320.35 feet, more or less, to the NE Corner of the West 15 feet of Tract 18 of said Hilton Haven Section No. 2 to the P.O.B. Thence continue westerly along said northerly boundary 75 feet, more or less, to the NW Corner of Tract 19 of said Hilton Haven Section No. 2; thence at right angles in a northerly direction 414.86 feet; thence at right angles in an easterly direction 75 feet; thence at right angles in a southerly direction 414.86 feet to the P.O.B.

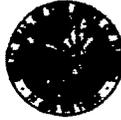
Less:

A parcel of land on the Island of Key West, Monroe County, Florida lying northerly of and adjacent to Tract 19 of "AMENDED PLAT OF HILTON HAVEN, SECTION NO 2" said plat recorded in Plat Book 2, Page 138 of the Public Records of Monroe County, Florida and being more particularly described as follows:

COMMENCE at the intersection of the Northwesterly right-of-way of North Roosevelt Boulevard and the Northerly property line of "AMENDED PLAT OF HILTON HAVEN, SECTION NO. 1"; thence Westerly along the aforementioned Northerly property line and the Northerly property line of "AMENDED PLAT OF HILTON HAVEN, SECTION NO. 2", for 1395.35 feet to the Northwest corner of Tract 19 and the Point of Beginning of the parcel of land hereinafter described; thence run Northerly at a right angle for 223.7 feet, more or less, to a point on the Easterly edge of an existing concrete deck as located by PHILLIPS AND TRICE SURVEYING, INC. on November 29, 1993, and shown on PHILLIPS

AND TRICE SURVEYING, INC.'S drawing for David H. Axtell dated December 1, 1993; thence run Southerly along the Easterly outside edge of said existing concrete deck the following two courses: thence along a line deflected 162°18'03" to the right, 4.34 feet more or less; thence along a line deflected 15°03'58" to the right, 70.98 feet more or less, to a point, said point being the intersection of the Southeasterly corner of said concrete deck with an existing rip rap seawall; thence continue Southerly along the Easterly outside edge of said rip rap seawall the following three courses: thence along a line deflected 7°33'25" to the left, 30.23 feet, more or less; thence along a line deflected 7°21'02" to the right, 10.31 feet, more or less; thence along a line deflected 24°29'08" to the right, 17.14 feet more or less, to a point, said point being the Northeasterly corner of an existing concrete deck; thence continue Southerly along the Easterly edge of said existing concrete deck along a line deflected 18°18'30" to the left, 70.70 feet, more or less, to the Southeasterly corner of said existing concrete deck; thence continue Southerly along a line deflected 3°02'16" to the left, 22.09 feet more or less, back to the Point of Beginning. Containing 795 square feet more or less.

# **Previous Approval**



STATE OF FLORIDA

**DEPARTMENT OF COMMUNITY AFFAIRS**

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

CHARLIE CRIST  
Governor

THOMAS G. PELHAM  
Secretary

July 16, 2008

Mrs. Amy Kimball-Murley, AICP  
City of Key West Planning Director  
P.O. Box 1409  
Key West, Florida 33041

**Re: Resolution # 08-174**

Dear Mrs. Kimball-Murley:

The Department of Community Affairs - Area of Critical State Concern Program has received your request for a letter stating whether we will appeal the above resolutions. The Department will not appeal these resolutions pursuant to Section 380.07, Florida Statutes.

The Department will not appeal resolution 08-174 for a variances to the maximum imperious coverage. The Department does not support approval of variances that allow more than fifty percent imperious coverage without a requirement for a storm water treatment system.

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.

Sincerely,

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](http://www.dca.state.fl.us)

• COMMUNITY PLANNING 850-488-2356 (p) 850-488-3309 (f) •  
• HOUSING AND COMMUNITY DEVELOPMENT 850-488-7956 (p) 850-622-5823 (f) •

RESOLUTION NO. 08-174

VARIANCE: 19 Hilton Haven Drive

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT TO ALLOW THE CONSTRUCTION OF A SINGLE FAMILY HOUSE BY GRANTING A VARIANCE TO IMPERVIOUS SURFACE REGULATIONS FOR PROPERTY IN THE MDR, MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT, UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE# 00002180-000000)

**WHEREAS,** the Board of Adjustment finds that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures or buildings in the same district; and

**WHEREAS,** the Board of Adjustment finds that the special conditions do not result from the action or negligence of the applicant; and

**WHEREAS,** the Board of Adjustment finds that granting the variance requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district; and

**WHEREAS,** the Board of Adjustment finds that literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant; and

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

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

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

**WHEREAS,** the Board of Adjustment finds that the applicant has demonstrated a "good neighbor policy" by contacting or making a

reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those neighbors.

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

**Section 1.** That variances to **IMPERVIOUS SURFACE** regulations in the **MDR, MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT**, under the Code of Ordinances of the City of Key West, Florida, are hereby granted as follows to: **SECTION 122-270b(1), OF 15.5%, FROM THE 50% REQUIRED TO THE 65.5% PROPOSED. THE PURPOSE OF THE REQUEST IS TO ALLOW THE CONSTRUCTION OF A NEW HOUSEFOR PROPERTY LOCATED AT 19 HILTON HAVEN DRIVE (RE# 00002180-000000)**

**Section 2.** It is a condition of this variance that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this variance is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this variance, shall be submitted in its entirety within two years after the date hereof; and further, that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of the two-year period

without the applicant obtaining an extension from the Board of Adjustment and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

**Section 3.** The failure to submit a full and complete application for permits for new construction for which this variance is wholly or partly necessary, or the failure to complete new construction for use and occupancy pursuant to this variance in accordance with the terms of a City building permit issued upon timely application as described in Section 2 hereof, shall immediately operate to terminate this variance, which variance shall be of no force or effect.

**Section 4.** This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

**Section 5.** This variance is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty

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

**Section 6.** This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 4th day of June, 2008.

Authenticated by the presiding officer and Clerk of the Board on 5th day of June, 2008.

Filed with the Clerk on June 5, 2008.

  
MORGAN MCPHERSON, CHAIRMAN  
BOARD OF ADJUSTMENT

ATTEST:

  
CHERYL SMITH, CITY CLERK

## **Previously Approved Plans**

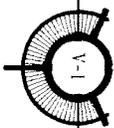
WILLIAM P. HORN  
ARCHITECT, P.A.

LICENCE NO.  
AA 0025940  
TEL: (305) 296-8302  
FAX: (305) 296-1033

N.E.W. RESIDENCE  
19 HILTON HAVEN DRIVE  
KEY WEST, FLORIDA

PROJECT  
0801

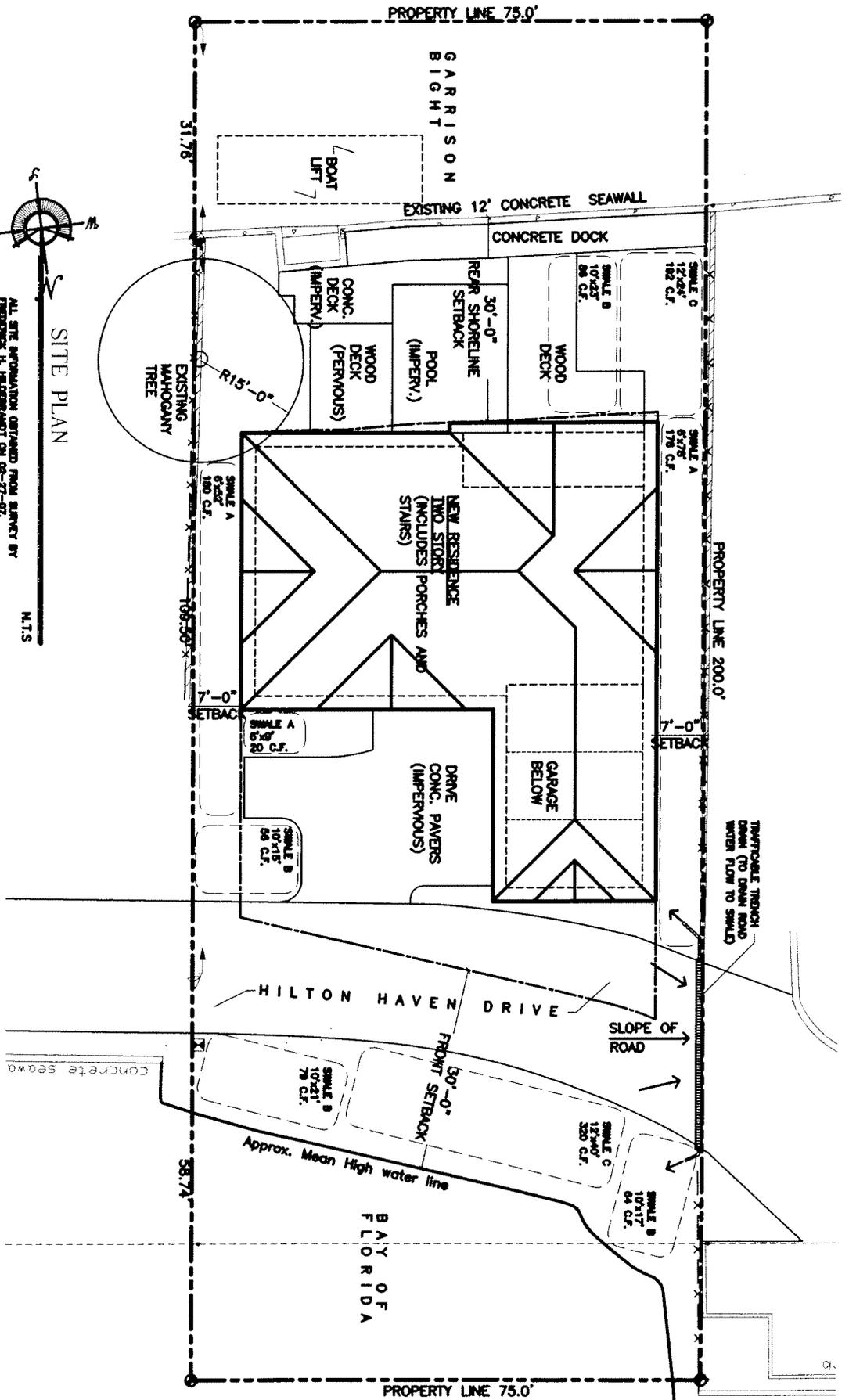
DATE  
06-01-09  
REV



ALL SITE INFORMATION OBTAINED FROM SURVEY BY  
ENGINEER R. HILDEBRANDT ON 02-27-07.

SITE PLAN

N.T.S.



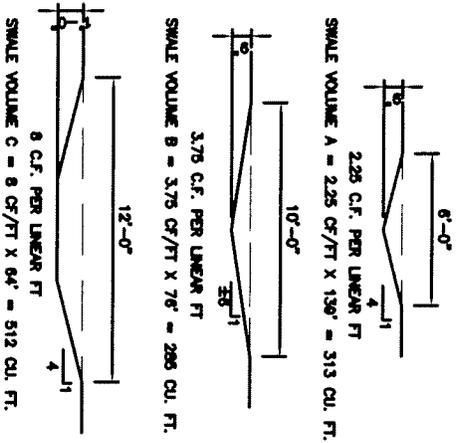
# STORMWATER DATA

IMPERVIOUS AREAS	
EXISTING ASPHALT ROAD	1688.00 S.F.
EXISTING SEAWALL	129.00 S.F.
NEW CONC. DOCK	264.00 S.F.
NEW CONC. M/C PAD	18.00 S.F.
NEW POOL	370.00 S.F.
NEW CONC. BACK DECK	454.00 S.F.
NEW HOUSE W/ OVERHANGS	3216.00 S.F.
NEW CONC. PAVERS DRIVE	927.00 S.F.
<b>TOTAL IMPERVIOUS</b>	<b>7044.00 S.F.</b>
7,044 S.F. IMPERVIOUS / 10,755 S.F. LOT = 65.5% IMPERVIOUS COVERAGE	
10,755 S.F. x 0.156 x 65.5% = 1099 C.F. SWALE	
SWALE A =	313 C.F.
SWALE B =	285 C.F.
SWALE C =	512 C.F.
<b>SWALE TOTAL</b>	<b>1110 C.F.</b>

WILLIAM P. HORN  
ARCHITECT, P.A.

LICENCE NO.  
A.A.0003940  
TEL.(305) 296-8302  
FAX (305) 296-1033

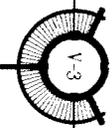
NEW RESIDENCE  
19 HILTON HAVEN DRIVE  
KEY WEST, FLORIDA



## SWALE PROFILE

SCALE: N.T.S

PROJECT 0801  
DATE 06-01-09  
REV



SITE DATA

ZONING : MDR (MEDIUM DENSITY RESIDENTIAL)  
 FLOOD ZONE : AE +9  
 LOT AREA : 10,755 SQ. FT. (0.246 ACRES) (UPLAND)  
 MIN. LOT SIZE : 0.5 ACRE  
 MAX. LOT COVERAGE : 3,764 S.F. ( 35% )  
 EXISTING LOT COVERAGE : 1,624 S.F. ( 15.0% )  
 PROPOSED LOT COVERAGE : 3,739 S.F. ( 34.7% )  
 MAX. IMPERVIOUS SURFACE: 5,378 S.F. ( 50% )  
 EXISTING IMPERVIOUS SURFACE : 4,186 S.F. ( 38.9% )  
 PROPOSED IMPERVIOUS SURFACE : 7,044 S.F. ( 65.5% )  
 MAX. HEIGHT : 35 FEET  
 PROPOSED HEIGHT : 34'-9" MAX.  
 SETBACKS:  
 FRONT : 30'-20"  
 SIDE : 7'  
 REAR : 30'  
 ST. SIDE : 10'

PROPOSED IMPERVIOUS SURFACE CALCS.: 7,044 S.F. ( 65.5% )

EXISTING ASPHALT ROAD	: 1666.00 S.F.
EXISTING SEAWALL	: 129.00 S.F.
NEW CONC. DOCK	: 264.00 S.F.
NEW CONC. A/C PAD	: 18.00 S.F.
NEW POOL	: 370.00 S.F.
NEW CONC. BACK DECK	: 454.00 S.F.
NEW HOUSE W/ OVERHANGS	: 3216.00 S.F.
NEW CONC. PAVERS DRIVE	: 927.00 S.F.
	: <b>7044.00 S.F. ( 65% )</b>

BUILDING DATA

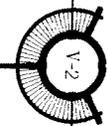
1ST. FLOOR	:	600 S.F.	GARAGE
	:	2,108 S.F.	INTERIOR AND COVERED AREAS
2ND. FLOOR	:	2,708 S.F.	INTERIOR AND COVERED AREAS
OVERHANGS	:	508 S.F.	

WILLIAM P. HORN  
 ARCHITECT, P.A.

LICENSE NO.  
 AA 0093040  
 TEL (305) 296-6302  
 FAX (305) 296-1033

NEW RESIDENCE  
 19 HILTON HAVEN DRIVE  
 KEY WEST, FLORIDA

PROJECT 0801 DATE 06-01-09  
 REV 



# **Landscaping Approval**



**City of Key West Landscape Department**

**MEMO**

**TO:** Amy Kimball-Murley, Planning Director

**FROM:** Cynthia Domenech-Coogle, Urban Forestry Program Manager

**DATE:** May 12, 2009

**RE:** 19 Hilton Haven Drive

**Recommendation:** Tree Commission approval required for transplanting Plumeria tree. Swales shall be relocated. Deck shall be above ground in area surrounding Mahogany tree.

I have inspected and reviewed plans for tree conflict resolution regarding above said property. Growing on the above said property is a large and especially protected Mahogany tree at the Southeast corner of rear yard. Proposed construction will not impact root system and limbs of Mahogany tree if dwelling is built upon columns and remains at the proposed maximum 15' from Mahogany trunk. Swales shall be relocated. Grade changes will not be permitted in area surrounding Mahogany tree, i.e. bricking or concrete slabs.



# **DRC Minutes**



## Minutes of the Development Review Committee

### Meeting of April 23, 2009

Amy Kimball-Murley, Planning Director, convened a meeting of the Development Review Committee of the City of Key West at 2:05 pm, April 23, 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  
John Woodson, Building Official  
John Wilkins, ADA Coordinator

Mike Davila, Fire Marshall  
Cynthia Coogle, Landscape Coordinator  
Enid Torregrosa, HARC

##### Planning Staff:

Brendon Cunningham  
Nicole Malo

Ashley Monnier  
Carlene Cowart

##### Comments received from:

Ed Nicolle, FKA  
Gary Bowman, General Services

Dale Finigan, City Electric

##### Others present were:

William Horn, 915 Eaton  
Manny Garcia, 1831 Harris  
Chris Fogarty, 326 Amelia

Sarah Davis, 402 Appelrouth  
Victor Mills, 417 Southard  
Owen Trepanier, 402 Appelrouth

#### 2. Approval of Agenda

Three additional items were added to the agenda:

- 19 Hilton Haven – Extension to an Impervious Surface Variance
- 207 Petronia – Conditional Use application
- 326 Amelia – Rear yard Variance

Motion to approve the amended Agenda was made by Mr. Wilkins and seconded by Mr. Woodson.

Motion carried by unanimous voice vote.

#### 3. Approval of Minutes

##### a. March 26, 2009

Motion to approve the Minutes from the March 26, 2009 DRC Meeting was made by Mr. Woodson and seconded by Mr. Wilkins.

#### 4. New Business

- a. **Conditional Use - 417 Southard Street (RE# 00010040-000000) - Conditional Use application for the proposed rental of five motorcycles, 15 scooters, 10 bicycles and two electric cars in the Historic Residential Commercial Core (HRCC-1) zoning district per**

**Section 122-688 (17) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Victor Mills, reviewed the Conditional Use request with committee members. Mr. Mills verified that an ADA bike was purchased as requested during the last DRC meeting. He also noted that the building is located within two different zoning districts..

Committee members reviewed the application and made the following recommendations:

1. Applicant will voluntarily remove mopeds and other vehicles from the City's right-of-way.
2. Applicant will preserve the Mahogany tree located on the property.
3. Applicant will not change the business signage.
4. Applicant will meet with Gary Bowman to discuss management of hazardous materials and stormwater.
5. Applicant will meet with Planning staff to discuss if an easement request will be necessary.
6. All moped and electric car rental operations must be located within the HRCC-1 zoned area of the property.

**b. After-the-Fact Variances – 1831 Harris Avenue (RE 00049510-000000) – An After-the-Fact Variance for a side yard setback in the Single Family zoning district per Section 122-238 (6) a. (2) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Manny Garcia, reviewed the After-the-Fact Variance request with committee members.

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

1. Applicant will coordinate with Fire Marshall's office. Fire Marshall is not recommending approval due to life safety concerns. The improvement to the home is encroaching on the rear-yard setback.
2. Applicant will follow-up with Planning staff on accessory unit.
3. Applicant will meet with Gary Bowman regarding size of swales and stormwater treatment.
4. Applicant will inform Cynthia Coogle if Poinciana tree is still on the premises. If the tree has been removed, the applicant may require an after-the-fact tree permit.

**c. Pre-Application Conference - 818 Fleming Street (RE – 00008290-000000) - Review plans for a proposed sundeck to be built over top of one historic and one non historic building.**

The applicant, Owen Trepanier, reviewed the proposed sundeck request with committee members. Applicant stated that they received HARC approval for the design.

Committee members reviewed and discussed the site plan and made the following recommendations:

1. Applicant will provide revised site plans to Fire Marshall and Building Department.
2. Applicant will need to maintain 5' setback for life safety reasons.
3. Applicant will need to remove dead palm located in the alley.
4. Applicant will need to fill the area around the palm planter with rock or soil. Step off is a safety issue.
5. Applicant will clarify if air conditioning unit is located on city property.
6. Mrs. Coogle will determine if the applicant's request will change landscape requirements.

7. Applicant will need to provide a full set of plans to FKAA for the proposed work on the first and second floors to determine if any water using fixtures are added to the project.
8. Members recommended that applicant meet good neighbor policy.
9. Mr. Wilkins praised applicant for their creative attempt to restore a historic structure.

**d. Variance Extension - 19 Hilton Haven Drive (RE 00002180-000000) – Extension of approved variances for impervious surface regulations in the Medium Density Residential (MDR) zoning district per Section 122-270 (4) b of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Nicole Malo reviewed the variance extension request with committee members. Ms. Malo stated that if the extension was granted, the time period would extend from July 16, 2008.

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

1. Applicant will submit landscape site plan to Ms. Coogle and Planning staff for review.
2. Ms. Coogle will do a site visit; concerned with swales in tree area.

**e. Conditional Use - 207 Petronia Street (RE 00013740-000000) – Conditional Use Application for a restaurant in the Historic Neighborhood Commercial (HNC-3) zoning district per Section 122-62 (specific criteria for approval) and 122-868(9) (restaurants are a conditionally allowed use) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Owen Trepanier, reviewed the Conditional Use request with committee members. Mr. Trepanier stated that the laundrymat is going out-of-business. The owner would like to replace the laundrymat with a coffee shop. Handicap bathrooms already exist. Applicant has already met with Fire inspectors regarding sprinkler system.

Committee members reviewed and discussed the site plan and made the following recommendations:

1. Applicant will seek HARC approval prior to replacing signage, windows, doors and painting exterior.
2. Ms. Coogle will perform a site visit.
3. Mr. Wilkins will perform a site visit to evaluate sidewalk accessibility to the front door as well as view the handicap bathroom.
4. Applicant will need to have a hood system properly installed for the stove as well as a grease trap.
5. Location will need smoke detectors, exit signs and emergency lighting.
6. Applicant will need to submit a change of use application.
7. Applicant will return to DRC with more detailed plans

**f. Variances- 326 Amelia (RE 00026210-000000)- Variances for rear yard setbacks in the Historic Medium Density Residential (HMDR) zoning district per Section 122-600 (6) c of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Chris Fogarty, reviewed the variance request with committee members.

Committee members reviewed and discussed the site plan and made the following recommendations:

1. Applicant will ensure that the Gumbo Limbo tree is protected during construction.
2. Mrs. Coogle will do site visit and check the swales.
3. Applicant's next step is to go to HARC for approval.

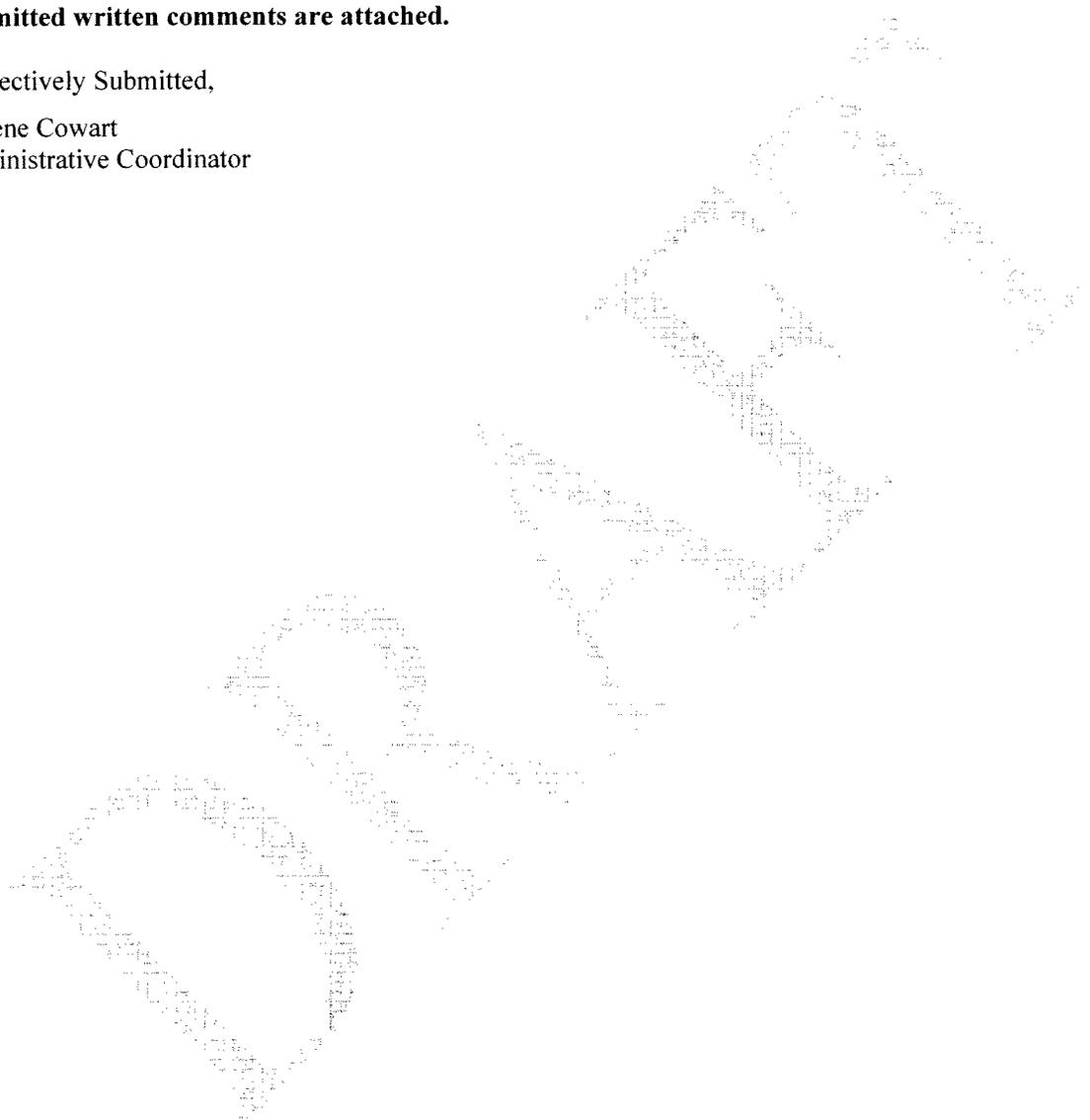
**5. Adjournment**

Meeting adjourned at 4:00 pm.

**Submitted written comments are attached.**

Respectively Submitted,

Carlene Cowart  
Administrative Coordinator



# **Property Appraisers Report**

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

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

**Attention: We will be upgrading our Internet connection starting 5pm on 4/20/2009. There maybe disruptions in service 4/21 & 4/22.**

## Property Record View

Alternate Key: 1002291 Parcel ID: 00002180-000000

### Ownership Details

**Mailing Address:**  
RANN JEFFREY  
1824 FLAGLER AVE  
PO BOX 177  
KEY WEST, FL 33040

### Property Details

**PC Code:** 01 - SINGLE FAMILY  
**Millage Group:** 10KW  
**Affordable Housing:** No  
**Section-Township-Range:** 32-67-25  
**Property Location:** 19 HILTON HAVEN DR KEY WEST  
**Subdivision:** Amended Plat of Hilton Haven Section No 2  
**Legal Description:** AMENDED PLAT OF HILTON HAVEN SEC 2 A SUBDIVISION ON THE ISLAND OF KEY WEST FLA PB2-138 THE WLY 15 FT OF TR 18 & ALL OF TR 19 OR12-375/376 OR1033-2330 (U/R D/C ON FILE)JB OR1332-1287/1303-E(RES NO 94-484) OR1646-2159/60Q/C OR1665-1379/80L/E OR2224-2212D/C OR2365-2437/41

### Parcel Map



0

### Building 1 Details

### Misc Improvement Details

### Appraiser Notes

### Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
1	98-4063	01/22/1999	11/09/1999	3,220 Residential	ROOF
2	98-4059	02/10/1999	11/09/1999	11,620 Residential	REPAIR AND REPAINT
3	99-2487	07/19/1999	11/09/1999	1,200 Residential	SEWER LINE
4	03-0227	01/27/2003	12/02/2003	35,127 Residential	REPAIR SEAWALL
	08-4041	11/06/2008		15,000 Residential	INSTALL BOAT LIFT: INSTALLATION OF PORTABLE BOT ON ELEVATOR LIFT.

### 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	113,409	11,719	957,057	1,082,185	1,082,185	0	1,082,185
2007	119,438	7,754	1,022,857	1,150,049	1,150,049	0	1,150,049
2006	245,161	6,693	882,450	1,134,304	223,043	26,000	197,043
2005	245,161	6,806	588,500	840,467	223,937	26,000	197,937
2004	105,110	6,980	411,570	523,660	217,415	26,000	191,415
2003	82,021	5,886	308,656	396,563	211,154	26,000	185,154
2002	52,033	6,002	273,378	331,413	206,206	26,000	180,206
2001	47,475	6,176	177,697	231,348	202,959	26,000	176,959
2000	62,667	5,039	129,342	197,048	197,048	26,000	171,048
1999	58,869	4,816	129,342	193,027	193,027	26,000	167,027
1998	56,970	3,963	129,342	190,276	190,276	26,000	164,276
1997	50,052	3,585	155,210	208,848	208,848	26,000	182,848

1996	50,052	3,652	155,210	208,914	208,914	26,000	182,914
1995	50,052	3,754	155,210	209,016	209,016	25,500	183,516
1994	44,762	3,468	155,210	203,441	203,441	25,500	177,941
1993	39,524	2,198	155,210	196,932	196,932	25,500	171,432
1992	39,524	2,198	155,210	196,932	196,932	25,500	171,432
1991	39,524	2,198	155,210	196,932	196,932	25,500	171,432
1990	39,524	2,198	151,682	193,404	193,404	25,500	167,904
1989	35,931	1,998	148,155	186,084	186,084	25,500	160,584
1988	30,675	1,998	94,068	126,741	126,741	25,000	101,741
1987	30,379	1,998	74,088	106,465	106,465	25,000	81,465
1986	30,540	1,998	70,308	102,846	102,846	25,000	77,846
1985	29,536	1,998	37,585	69,119	69,119	25,000	44,119
1984	27,599	1,998	37,585	67,182	67,182	25,000	42,182
1983	27,599	1,998	37,585	67,182	67,182	25,000	42,182
1982	28,197	1,998	37,585	67,780	67,780	25,000	42,780

### 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
6/10/2008	2365 / 2437	1,175,000	WD	Q
2/22/2007	2279 / 2077	1,014,700	WD	Q

This page has been visited 180,076 times.

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

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

# Public Meeting Notice

The Key West Planning Board will hold a public hearing **at 6:00 p.m., May 21, 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:

**Variance Extension - 19 Hilton Haven Drive (RE# 00002180-000000)** – Extension of approved variances for impervious surface regulations in the Medium Density Residential (MDR) zoning district per Section 122-270 (4) b of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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

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

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

- Request:** **Variance Extension - 19 Hilton Haven Drive (RE# 00002180-000000)** – Extension of approved variances for impervious surface regulations in the Medium Density Residential (MDR) zoning district per Section 122-270 (4) b of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.
- Applicant/Owner:** Jeffery Rann
- Project Location:** 19 Hilton Haven
- Date of Hearing:** Thursday, May 21, 2009
- Time of Hearing:** 6:00 PM
- Location of Hearing:** Old City Hall – City Commission Chambers  
510 Greene Street

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

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

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

- Request:** **Variance Extension - 19 Hilton Haven Drive (RE# 00002180-000000)** – Extension of approved variances for impervious surface regulations in the Medium Density Residential (MDR) zoning district per Section 122-270 (4) b of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.
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- Location of Hearing:** Old City Hall – City Commission Chambers  
510 Greene Street

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

ARNOLD WILLIAM JR AND  
DULCINEA MC COY  
25 HILTON HAVEN DR  
KEY WEST, FL 33040

BIGA DONALD P AND PATRICIA S  
32 HILTON HAVEN DR  
KEY WEST, FL 33040

CLARK WALLACE E AND SARA C  
32 HILTON HAVEN DR  
KEY WEST, FL 33040

CONFIDENTIAL DATA F.S. 119.07

ECHO JESUS ALEX & MARIA M  
FERNANDEZ (H/W)  
5705 SW 131ST TER  
PINECREST, FL 33156

GAUTHIER HARVEY E  
1124 DUVAL ST  
KEY WEST, FL 33040

GRACE GREGORY P AND SUSAN M  
325 BROADWAY  
LIBERTYVILLE, IL 60048

GROSSCUP WILLIAM R REV TR  
13 HILTON HAVEN DRIVE  
KEY WEST, FL 33040

HALL RANDALL L REV TR 2/1/2006  
1195 ELKHORN DR  
BLACKLICK, OH 43004

HALLORAN GEORGE R AND  
MARCIA E  
16-B HILTON HAVEN DR  
KEY WEST, FL 33040

HERNDON DORIS J  
30 HILTON HAVEN RD  
KEY WEST, FL 33040

HOWELL MARILOU  
13-A HILTON HAVEN DR  
KEY WEST, FL 33040

HYATT ALICE M  
30 HILTON HAVEN DR  
KEY WEST, FL 33040

MCCABE LYN REV TR AGR 6/14/2002  
14 HILTON HAVEN  
KEY WEST, FL 33040

MILLER WAYNE  
18 HILTON HAVEN RD  
KEY WEST, FL 33040-3833

NO MORE INC  
22 HILTON HAVEN DRIVE  
KEY WEST, FL 33040

OAKES I LLC  
15 HILTON HAVEN DRIVE  
KEY WEST, FL 33040

ONDERDONK GARY R AND DIANE M  
513 FLEMING ST  
KEY WEST, FL 33040

ONG JAMES N  
34 FLORAL AVE  
KEY WEST, FL 33040

RANN JEFFREY  
1824 FLAGLER AVE  
KEY WEST, FL 33040

ROSSI MARK  
24 HILTON HAVEN DR  
KEY WEST, FL 33040

SINHA SANJIV  
32 HILTON HAVEN DR  
KEY WEST, FL 33040

SMITH WAYNE LARUE  
1413 GRINNELL ST  
KEY WEST, FL 33040

VAN DERVEER RICHARD A &  
FRANCES S  
1476 COLBEE BENTON RD  
GRAYSLAKE, IL 60030-3526

VISCONTI FAMILY LIMITED  
PARTNERSHIP  
2928 WELLINGTON CIRCLE STE 201  
TALLAHASSEE, FL 32309

WILLIAMS ROY FRANCIS  
1212 GOLD MEADOW BLVD  
VALRICO, FL 33594-7297

WITWER GEORGE O AND DOROTHY  
LEE BOOTH (H/W)  
20 HILTON HAVEN DR  
KEY WEST, FL 33040

YATES THOMAS T III TR (T T YATES  
III LIV TR) &  
9871 WARREN PARKWAY  
TWINSBURG, OH 44087

CITY OF KEY WEST FLA  
P O BOX 1409  
KEY WEST, FL 33041

GROSSCUP WILLIAM R REV TR  
13 HILTON HAVEN DRIVE  
KEY WEST, FL 33040

MILLER WAYNE  
19 HILTON HAVEN DR  
KEY WEST, FL 33040

MILLER WAYNE  
18 HILTON HAVEN RD  
KEY WEST, FL 33040-3833

MILLER WAYNE  
19 HILTON HAVEN DR  
KEY WEST, FL 33040

MCCABE LYN REV TR AGREE DTD  
6/14/02  
14 HILTON HAVEN  
KEY WEST, FL 33040

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LEE BOOTH (H/W)  
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KEY WEST, FL 33040

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E  
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KEY WEST, FL 33040

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KEY WEST, FL 33040

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HALL RANDALL L 2/1/2006  
REVOCABLE TRUST  
620 REINDEER LN  
GAHANNA, OH 43230

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1476 COLBEE BENTON RD  
GRAYSLAKE, IL 60030-3526

CLARK WALLACE E & SARA C  
32 HILTON HAVEN DR #4  
KEY WEST, FL 33040

ONDERDONK GARY R & DIANE M &  
P O BOX 237  
SYRACUSE, NY 13214

SINHA SANJIV  
32 HILTON HAVEN DR #6  
KEY WEST, FL 33040

ARNOLD WILLIAM JR AND  
DULCINEA MC COY  
25 HILTON HAVEN DR  
KEY WEST, FL 33040

CITY OF KEY WEST  
P O BOX 1409  
KEY WEST, FL 33040

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34 FLORAL AVE  
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KEY WEST, FL 33040

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13-A HILTON HAVEN DR  
KEY WEST, FL 33040

YATES THOMAS T III TR (T T YATES  
III LIV TR) &  
9871 WARREN PARKWAY  
TWINSBURG, OH 44087

**Key West Planning Board Meeting Agenda**  
**June 18, 2009 – 6:00 p.m.**  
**City Commission Chamber**  
**Old City Hall, 510 Greene Street**



**Item 4.b.1.**

**4 & 6 Charles / 213 & 217 Telegraph –**

**Conditional Use – 4 & 6 Charles St., 213 & 217 Telegraph Lane (RE Numbers 00001410-000000, 00001430-000000, and 00001440-000000) – An application for Conditional Use approval for a bar and lounge in the HRCC-1 zoning district per Section 122-688 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

# **Staff Report**

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



**To:** Chairman and Planning Board Members

**From:** Ashley Monnier *am*

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

**Meeting Date:** June 18, 2009

**Agenda Item:** An application for Conditional Use approval for a bar and lounge in the HRCC-1 zoning district per Section 122-688 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida (RE # 00001410-000000; RE# 00001430-000000; and RE# 00001440-000000).

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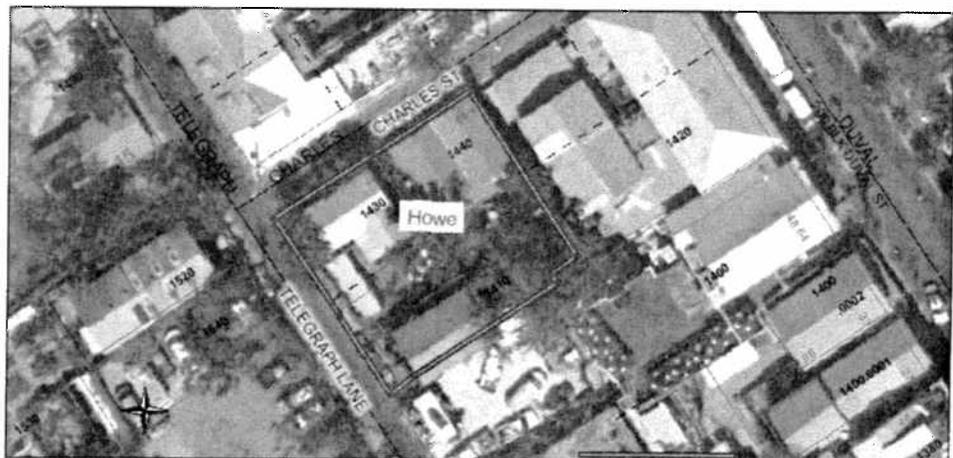
**Request:** To allow a pre-existing restaurant (formerly The Naked Lunch) to become a bar and lounge.

**Applicant:** Owen Trepanier, Trepanier & Associates

**Property Owner:** Peter Brawn, Managing Member of 4&6 Charles Street, LLC.

**Location:** 4 & 6 Charles St  
RE# 00001410-000000, RE# 00001430-000000, RE# 00001440-000000

**Zoning:** Historic Residential Commercial Core/Duval Street Gulfside District (HRCC-1)



**Background:**

The property and the building is the former site of the Naked Lunch restaurant, which included approximately 5,000 square feet of consumption area and 266 associated licensed seats, and six licensed, non-transient residential units. The site is zoned Historic Residential Commercial Core, (HRCC-1), which allows a restaurant as a permitted use.

In general, restaurants are a less intense use, with less impact than lounges and bars, and the City's code reflects this by allowing restaurants as permitted uses, and bars and lounges as conditional uses in the City's more intense commercial districts. The north end of Duval Street and surrounding areas serve as the City's "intensely vibrant tourist commercial entertainment center" and are zoned HRCC-1, a district which is "characterized by specialty shops, sidewalk-oriented restaurants, lounges and bars with inviting live entertainment..." (Section 122-686). Even in this district, bars and lounges are only allowed conditionally as a more intense use with related issues such as noise and longer hours of operation. According to the Department of Business and Professional Regulation, the pre-existing restaurant on the site obtained a 5COP license, permitting the sale and consumption of beer, wine, and liquor on the premises.

**Request:**

The property owner is requesting a bar and lounge conditional use on the property. Live entertainment is also being proposed. The applicant is proposing 4,870 square feet of consumption area, including both 2,141 square feet of indoor use, and 2,729 square feet of outdoor use. The proposed consumption area is a two percent decrease from the pre-existing restaurant's consumption area. The number of seats and or associated patrons who can use the facility related to a bar and lounge use is established by fire code limitations, as opposed to City licensing restrictions. The exterior footprint of the building will not be altered or expanded. The only interior change being proposed is the replacement of the kitchen area with commercial retail. No new floor area ratio is being added. The applicant intends to use the building's existing infrastructure for the bar and lounge. No new structural changes are proposed, except to relocate the existing stage on the site to another location to address noise control. Because 2,729 square feet of the total 4,870 square feet of consumption area is outdoors, the applicant conducted a noise study to determine how to reduce and minimize noise impacts. In addition, the site plan package includes an exterior lighting plan to better illuminate Charles Street and Telegraph Lane, and a sidewalk repair/replacement plan for Charles Street. These plans have been provided in part to mitigate safety and noise impact concerns raised by staff at the DRC meeting.

The site currently contains six licensed, non-transient multifamily residential units. The applicant is proposing to use these units for employee housing, and no changes to the residential units on the site are proposed.

Because the applicant proposes to sell alcohol, and provide live or recorded amplified music, a City Entertainment License will be required, per Section 18.57 of the City Code of Ordinances. This license is subject to revocation if noise violations occur.

**Surrounding Zoning and Uses:**

**North:** HRCC-1, night clubs, lounges, and bars

**South:** HRO, office buildings

**East:** HRCC-1, retail, restaurants

**West:** HRO, Single family residential, parking lot

**Uses Permitted in the HRCC-1**

**Zoning District Per Section 122-687, Code of Ordinances:**

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 Per Section, 122-688 Code of Ordinances:**

1. Group homes with seven to fourteen 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 11 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

**Process:**

<b>Development Review Committee Meeting:</b>	May 28, 2009
<b>HARC Meeting:</b>	N/A
<b>Tree Commission Meeting:</b>	N/A
<b>Planning Board Meeting:</b>	June 18, 2009

**Conditional Use Review:**

Code Sec.122-62 (a) provides, in part, that “a conditional use shall be permitted upon a finding by the Planning Board that the proposed use, application, and, if applicable, development plan comply with the criteria specified in this section, including specific conditions established by the Planning Board and or the City Commission during review of the respective application in order to ensure compliance with the Comprehensive Plan and Land Development Regulations. The same section also specifies that “A conditional use shall be denied if the City determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public’s interest.”

**Conditional Use Criteria Per Code Sec. 122-62:**

(a) **Findings:** The Planning Board may find that the application meets the Code purpose of ensuring that “a conditional use shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity”. The following criteria form the basis for a finding of compliance.

The property is zoned HRCC-1, which is generally intended to accommodate the City’s more intense commercial districts. The proposed conversion from restaurant to bar may represent an increase in intensity from the former restaurant use. Community impact concerns most likely relate to noise and the public safety in the vicinity. The applicant proposes to address noise, safety, lighting, and security. In the immediate vicinity, there are similar land uses, such as bars, lounges, and night clubs. As a result, the site may adequately accommodate the proposed use without generating more adverse impacts on neighboring properties than already exist.

(b) **Characteristics of use described:**

The existing building previously operated as a restaurant. The applicant is proposing a bar and lounge use on the site. More than half of the proposed consumption area is outdoors and in an open-air setting.

1) **Scale and intensity**

a. **Floor Area Ratio:**

No changes are being proposed to floor area ratio with this conditional use application. The existing floor area ratio on the site is 0.54.

b. **Traffic Generation:**

According to the Institute of Transportation Engineers Trip Generation Manual, 7<sup>th</sup> Edition, the proposed conditional use could potentially reduce trips by at least 7.49 trips per 1,000 square feet for peak traffic hour at the site.

**c. Square feet of enclosed building for each specific use:**

The proposed consumption area for the site is 4,870 square feet with 2,141 square feet of consumption area indoors and 2,729 square feet outdoors.

**d. Proposed Employment**

There will be approximately eight employees working on the site.

**e. Proposed number of service vehicles:**

The applicant is expecting there to be a maximum of two service vehicles to be at the site. These service vehicles would make deliveries on Telegraph Street.

**f. Off-street parking:**

The proposed site is within the historic commercial pedestrian-oriented area, pursuant to Section 108-573 (c) of the City Code. This section provides that no additional off-street parking shall be required within the historic commercial pedestrian-oriented area if a commercial structure is the subject of a change of commercial use, as long as additional floor area is not added.

**2) On or off site improvements required and not listed in subsection (b)(1)**

**a. Utilities:**

No changes in utilities are expected as a result of the proposed conditional use. Additionally, Keys Energy Services and Florida Keys Aqueduct Authority have no objections to the proposed conditional use. Potable water

**b. Public facilities:**

No improvements are required to ensure compliance with concurrency management, as provided in Chapter 94 of the City Code. There are no expected changes regarding level of service for potable water, sanitary sewer, or drainage. Additionally, it is anticipated that the proposed change in use would not have an adverse impact on roadway capacity or trip generation, but is estimated to cause a reduction in traffic volume.

**c. Roadway or signal improvements:**

N/A

**d. Accessory structures or facilities:**

N/A

**e. Other unique facilities/structures proposed as part of on-site improvements:**

N/A

**3) On-site amenities proposed to enhance the site and planned improvements.**

The applicant is proposing a lighting plan in an effort to address public safety concerns. As of the date of this report, HARC approval has not been granted for the lighting plan. Additionally, the applicant is proposing to install security cameras around the site in an effort to prevent crime.

Also to help enhance the site, the applicants have proposed a sidewalk replacement/repair plan along Charles Street, to meet City standards to the corner approach.

**a. Open space:**

No modifications to open space are being proposed.

**b. Setbacks from adjacent properties:**

No changes are being proposed to increase or decrease site setbacks.

**c. Screening and buffers:**

Existing on the site is a fence that screens the outdoor consumption area. Additionally, the applicants are proposing to screen the existing garbage and recycling location.

**d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites:**

N/A

**e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts:**

The applicant has consulted a local sound expert, who assisted with creating a Noise Reduction Plan. The applicant has submitted these plans as part of the site plan, and intends to use this plan to mitigate noise. Components of the plan include relocating the existing stage so that it is positioned towards an on-site structure instead of neighboring properties, the position of speaker types and components on the site, and the proposed layout of the sound system on the site. At the staff's request, the applicant is conducting additional off-site noise studies which are expected to be presented at the public hearing.

**c) Criteria for conditional use review and approval: Applications for a conditional use review shall clearly demonstrate the following.**

**1) Land use compatibility:**

Surrounding the proposed site for the bar and lounge are other properties whose principal uses are bars and lounges and adult entertainment establishments. Immediately adjacent to the property is a bar/lounge/night club. The proposed bar and lounge may increase intensity from the former restaurant use. Adjacent land uses include night clubs, lounges, and bars, a parking lot, commercial retail, restaurant uses, and offices. However a single family residential home is located within close proximity

of the proposed site. The applicant is performing noise impact measurements from this residence, as well as other residences in the nearby vicinity. This information is expected to be available by the public hearing date.

**2) Sufficient site size, adequate site specifications and infrastructure to accommodate the proposed use:**

The size and shape of the site are adequate to accommodate the proposed scale and intensity of the conditional use requested. No proposed changes to access or internal circulation are being proposed. The applicant is proposing to enhance urban design by repairing the sidewalk along Charles Street. The applicant will be coordinating with the Director of General Services and Engineering, along with the City's ADA Coordinator to ensure that the sidewalk meets ADA standards. The applicant is also proposing street repair on Charles Street per City standards. This will also involve coordination with the Director of General Services and Engineering. Additionally, the applicant is proposing to install lighting on buildings adjacent to Charles Street and Telegraph Lane. The exterior footprint of the building will not be expanded. The applicant intends to use the existing infrastructure on the site.

**3) Proper use of mitigative techniques:**

The applicants have consulted a sound expert, who made recommendations how to control the sound on the site. The sound expert recommended that all speakers be lowered so they can be directed downwards and toward structures to control sound onsite. Also, he suggested including small speakers around the bars to form a rectangular sound control area onsite that will limit noise from traveling to surrounding properties. It was also recommended that the stage on the premises be moved to another location on the site, which will direct sound towards another structure on the site instead of surrounding properties. The recommendations are included as part of the project plans, and thus constitute commitments from the applicant. Other mitigative measures taken by the applicant include the reparation of the sidewalk and roadway on Charles Street, the installation of lighting on buildings adjacent to Charles Street and Telegraph Lane, the installation of security cameras on the site, the implementation of a sound reduction plan, and the installation of screening to keep garbage bins and recycling out of the public view.

**4) Hazardous waste:**

N/A

**5) Compliance with applicable laws and ordinances:**

The applicant will comply with all applicable laws and regulations as a condition of approval. The applicant has specifically maintained that City Noise Ordinances will be strictly followed per Section 26-191.

**6) Additional criteria applicable to specific land uses. Applicants shall demonstrate the proposed conditional use satisfies the following criteria:**

**a. Land uses within a conservation area:**

N/A

**b. Residential development:**

N/A

**c. Commercial or mixed use development:**

Commercial development proposed as a conditional use shall be reviewed for land use compatibility based on compliance pertaining to zoning district regulations and land use compatibility. The applicant is not proposing changes that will affect the lot yard and bulk regulations of the HRCC-1 zoning district, as they are not expanding the footprint of the structure. The applicant is proposing to use the existing structure which was a former restaurant, and use it as a bar and lounge. The applicant does propose to change the structure's appearance through the removal of non-historic exterior awnings. This proposed change will require coordination with the City's H.A.R.C. planner. The proposed changes to the sidewalks will improve pedestrian access or circulation. The proposed roadway repair will improve vehicular access and circulation. Off-street parking is not anticipated to be affected by the proposed change in use.

**d. Development within or adjacent to historic districts:**

The proposed site is within the City's historic district, however, no new development is being proposed on the site. As of the date of this report, HARC approval is not required for the proposed conditional use application.

**e. Public Facilities or institutional development:**

N/A

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

N/A

**g. Adult entertainment establishments:**

N/A

**Concurrency Facilities and Other Utilities or Service (Section 108-233):**

Concurrency management has been previously addressed in this report. The proposed site is in compliance with Chapter 94 of the City Code of Ordinances.

**RECOMMENDATION:**

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends the request for conditional use be approved.

# **Resolution**

RESOLUTION NUMBER \_\_\_\_\_

**A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING CONDITIONAL USE APPROVAL FOR PROPERTY LOCATED AT 4&6 CHARLES STREET/217 TELEGRAPH LANE (RE# 00001410-000000; 00001430-000000; 00001440-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the subject property is located in the Historic Residential Commercial Core/Duval Street Gulfside District (HRCC-1); and

**WHEREAS**, Section 122-61 of the City Code of Ordinances allows applicants to request conditional use approvals; and

**WHEREAS**, Section 122-688 (9) of the City Code of Ordinances allows bars and lounges as conditional uses in the HRCC-1 zoning district ; and

**WHEREAS**, the proposal would permit the existing building to change from a pre-existing restaurant to a bar and lounge, in areas designated as 'consumption area' in the site plan; and

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

\_\_\_\_\_ Chairman

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

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on June 18, 2009; and

**WHEREAS**, the granting of the conditional use 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;

**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 122-688 (9), under the Code of Ordinances of the City of Key West, Florida to allow a bar and lounge, is hereby approved for property located at 4 & 6 Charles Street/217 Telegraph Lane (RE#00001410-000000; 00001440-000000; 00001440-000000), as shown in the attached plans dated June 3, 2009.

**Section 3.** This Conditional Use approval does not constitute a finding as to ownership or

**Page 2**  
**Resolution Number \_\_\_\_\_**

\_\_\_\_\_ Chairman

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

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

\_\_\_\_\_ Chairman

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

Read and passed on first reading at a regular meeting held this 18th day of June 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

**Page 4**  
**Resolution Number \_\_\_\_\_**

\_\_\_\_\_ Chairman

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

# Application

**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 4 & 6 Charles St., 217 Telegraph Lane
- 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  
Key West, FL 33040
- 5) Applicant's Phone # 293-8983 Fax \_\_\_\_\_
- 6) Name of Owner, if different than above 4 & 6 Charles Street LLC
- 7) Address of Owner 1413 South Street, Key West FL 33040
- 8) Owner Phone # 305-712-0070 Fax \_\_\_\_\_
- 9) Zoning District of Parcel HRCC-1 RE# 00001410-000000, 00001430-000000, 00001440-000000
- 10) Is Subject Property located within the Historic District? Yes X No \_\_\_\_\_  
If Yes: Date of approval \_\_\_\_\_ HARC # N/A  
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)

Maintain bar use and eliminate restaurant from existing restaurant/bar. No other changes proposed.

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## 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; See Attached Survey
  - 2) Buildings, structures, and parking; See Attached Site Plan
  - 3) FEMA Flood Zones; See Attached Survey
  - 4) Topography; See Attached Survey
  - 5) Easements; and See Attached Survey
  - 6) Location of Utility Lines (sewer, water, electric, cable, and phone) adjacent and extending into the site.
- B) Existing size, type and location of trees, hedges, and other features.
- C) Existing stormwater retention areas and drainage flows
- D) A sketch showing adjacent land uses, buildings, and driveways. See Attached Survey

### 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 See Attached Survey
  - 2) Setbacks See Attached Survey
  - 3) Parking: See Attached Survey/Site Plan
    - a. Number, location and size of automobile and bicycle spaces
    - b. Handicapped spaces
    - c. Curbs or wheel stops around landscaping
    - d. Type of pavement
  - 4) Driveway dimensions and material See Attached Survey
  - 5) Location of Utility Lines (sewer, water, electric, cable, and phone) adjacent and extending into the site.
  - 6) Signs See Attached Site Plan
  - 7) Project Statistics:
    - a. Zoning See Attached Survey
    - b. Size of site See Attached Site Plan
    - c. Number of units See Attached Site Plan
    - d. If non-residential, floor area & proposed floor area ratio See Attached Site Plan
    - e. Consumption area of restaurants & bars See Attached Site Plan
    - f. Open space area and open space ratio See Attached Site Plan
    - g. Impermeable surface area and impermeable surface ratio See Attached Site Plan
    - h. Number of automobile and bicycle spaces required and proposed See Attached Site Plan
- B) Building Elevations See Attached Floor Plan
- 1) Drawings of the building from each direction
  - 2) Height of building
  - 3) Finished floor elevations and bottom of first horizontal structure
  - 4) Height of existing and proposed grades
- C) Drainage Plan: Existing & Proposed with retention areas and calculations
- D) Landscape Plan: Size, type, location and number of plants to be removed, kept, and installed. See Site Plan

### 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.

There will be no change to the physical property or structures. The previous use was a restaurant/bar which was not financially feasible, and the conditional use is to remove the restaurant aspect of the site and maintain a bar. The site is well situated. It surrounded with compatible uses such as bars, restaurants and parking lots.

## CONDITIONAL USE CRITERIA

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

The purpose of this article is to ensure that a conditional use shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity. This article sets forth provisions and criteria for consideration of conditional uses on specific sites. Conditional uses shall be permitted only upon a finding that the proposed use satisfies this article.

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

- (a) Findings. Please see below
- (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; No Change - Existing .58, Proposed .58
    - b. Traffic generation: According to the Institute of Transportation Engineers Trip Generation Manual, 7<sup>th</sup> Edition there will be a trip reduction of at least 7.49 trips per 1,000 sq. ft. for peak traffic hour at the site as a result of this Conditional Use Approval.

Trip Generation <sup>1</sup>	Use	ITE Code	Weekday Eve.	Saturday	Sunday
Existing	Restaurant	931	7.49 trips	10.82 trips	8.38 trips
	Bar	936	15.49 trips	15.49 trips <sup>2</sup>	15.49 trips <sup>2</sup>
	<b>Total</b>		<b>26.98 trips</b>	<b>26.31 trips</b>	<b>23.87 trips</b>
Proposed	Bar	936	15.49 trips	15.49 trips <sup>2</sup>	15.49 trips <sup>2</sup>
	<b>Total</b>		<b>15.49 trips</b>	<b>15.49 trips<sup>2</sup></b>	<b>15.49 trips<sup>2</sup></b>

- c. Square feet of enclosed building for each specific use; See Attached Floor Plan/Survey
  - d. Proposed employment; Not Available
  - e. Proposed number and type of service vehicles; No service vehicles are required for the conditional use
  - f. Off-street parking needs. N/A
- (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; No improvement needs generated by conditional use – this change will result in a reduction of impacts.
    - b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94; No improvement needs generated by conditional use – this change will result in a reduction of impacts.
    - c. Roadway or signalization improvements, or other similar improvements; N/A – this change will result in a reduction of impacts.
    - d. Accessory structures or facilities; No improvement needs generated by conditional use – this change will result in a reduction of impacts.
    - e. Other unique facilities/structures proposed as part of site improvements. No improvement needs generated by conditional use – this change will result in a reduction of impacts.
  - (3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
    - a. Open space; Existing Open Space will be maintained
    - b. Setbacks from adjacent properties; Existing setbacks will be maintained
    - c. Screening and buffers; No improvement needs generated by conditional use
    - d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; No improvement needs generated by conditional use

<sup>1</sup> Peak Hour

<sup>2</sup> No ITE studies for Bars on Saturday or Sunday. We used the weekday numbers as a result.

e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts. No improvement needs generated by conditional use – this change will result in a reduction of impacts.

(c) Criteria for conditional use review and approval. Applications for a conditional use shall clearly demonstrate 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 property is in the High intensity tourist area (HRCC-1) where bars are encouraged to be located, there are bars located throughout this zoning district, and are located next to the property on three sides. There will be no increase in traffic generation.

(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 size, use, and site specifications are adequate to accommodate a bar as demonstrated by the prior more intense use of the property as a restaurant/bar.

(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 conditional use will reduce impacts to traffic, sewer, water, and electrical demands. It will also create employment in the City of Key West, which is desperately needed to curb rising unemployment trends.

(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 wellfields, aquifer recharge areas, or other conservation resources.

No Hazardous Waste will be generated by the conditional use, and prior hazardous waste generation (oils and greases) will be eliminated.

(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.

All laws and ordinances will be followed.

(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.

N/A

- 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.

N/A

- 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.

The property is in the HRCC-1, there are bars located throughout this zoning district, and are located next to the property on three sides. There are housing units located on the property which will be occupied by staff.

- 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.

There will be no new development, the conditional use maintains existing circumstances on the property.

- 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.

N/A

- 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.

N/A

- g. Adult entertainment establishments. The criteria for adult entertainment establishments are as provided in division 12 of article V of this chapter.

N/A



Issue	Permitted/ Required	Existing	Proposed	Compliance
Zoning	HRCC-1			
Site Size	6,403 SF			
Floor Area Ratio	1.0	0.54%	0.54%	Complies (Grandfathered)
Building Coverage	50%	58% (3,695sf)	58% (3,695sf)	Complies (Grandfathered)
Impervious Surface	70%	98.5% (6,323sf)	96.2% (6,156.5sf)	Complies (Improvement)
Landscaping	10%	1.5%	1.5%	Complies (Grandfathered)
Front	0 ft.	1.5 ft. over	1.5 ft. over	Complies (Grandfathered)
Right Side	2.5 ft.	1.3 ft. over	1.3 ft. over	Complies (Grandfathered)
Left Side	2.5 ft.	2.5 ft.	2.5 ft.	Complies (Grandfathered)
Rear	10 ft.	3.6 ft. over	3.6 ft. over	Complies (Grandfathered)

\* Existing parking is not up to code and cannot be distinguished how many spaces are present.



# 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  X  No \_\_\_\_\_ If Yes, describe and attach relevant documents.  Ingress and egress easement  
 (Please see attached legal description) \_\_\_\_\_
- 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.**

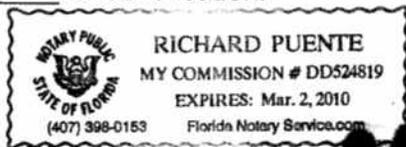
**Verification**

I,  Daniel R. Strosnider  (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.

[Signature]   
 Signature of Applicant

Subscribed and sworn to (or affirmed) before me on  May 1, 2009  (date) by  Daniel Strosnider  (name of affiant, deponent or other signer). He/She is  personally known to me or has presented \_\_\_\_\_  as identification.

[Signature]   
 Notary's Signature and Seal



Richard Puente  Name of Acknowledger typed, printed or stamped

Notary  Title or Rank  DD524819  Commission Number



3. Hire or discharge (with or without cause) employees including, but not limited to, attorneys, accountants, and domestics;
4. Deposit to, withdraw from, or draw checks or drafts upon, any and all savings or checking accounts, money market funds, or any other type of account in my name or in the name of one of my companies; and to open any new accounts in my name or in the name of one of my companies, in any bank or financial institution, or with any insurance or brokerage firm; and to endorse my name to any and all negotiable instruments;
5. Pay any and all bills, accounts, claims, and demands now or hereafter payable by me or payable on behalf of one of my companies;
6. Receive and endorse for deposit in any account, any payments that I receive from any branch or department of the United States or other government, including without limitation, Social Security payments, Veterans Administration payments or grants, Medicare or Medicaid payments, and tax refunds;
7. Receive and open my mail, change my mailing address, and otherwise represent me in any matter concerning the U.S. Postal Service;
8. Manage all assets and properties belonging to me, or in which I have any interest, and to expend whatever funds my Attorney-in-Fact deems proper for the preservation, maintenance, or improvement of those assets or properties;
9. Compromise, arbitrate, or otherwise adjust claims in favor of or against me or any assets or entity in which I have an interest, and to agree to any rescission or modification of any contract or agreement;
10. Participate in any type of liquidation or reorganization of any enterprise on my behalf or on behalf of one of my companies;
12. Exercise all rights and options, or empower another to exercise those rights and options, concerning sole proprietorships, general or limited partnerships, joint ventures, business trusts, land trusts, limited liability companies, and other domestic and foreign forms of organizations;
13. Buy, sell, exchange, lease, convey, and grant options with respect to any real or personal property, and to negotiate for and to enter into contracts and agreements of every nature, concerning real or personal property, including homestead or exempt property. Any such contract, agreement, or lease will be valid and binding for its full term even if it extends beyond my lifetime or the duration of this power of attorney;
14. Transact all business, make, execute and acknowledge all contracts, orders, deeds, bills of sale, assurances, promissory notes, mortgages, and other instruments of any nature which may be requisite or proper to effectuate any



matter or things pertaining to or belonging to me, or one of my companies;

15. Terminate any charge or credit account;
16. Enter into any safe deposit box for which I am a lessee and add or remove items;
17. Demand, obtain, review, and release to others, documents protected by attorney-client privilege, or any similar privilege;

All powers and authorities hereby granted may be exercised by my said Attorney-in-Fact acting alone without the joinder of any other person. The Attorney-in-Fact named herein shall not be obligated to furnish a bond or other security. Any authority granted to my Attorney-in-Fact herein shall be limited so as to be taxed on my income, and from causing my estate to be subject to a general power of appointment by my Attorney-in-Fact, as that term is defined in Section 2401 of the Internal Revenue Code.

I hereby ratify and confirm all that my Attorney-in-Fact, or his/her successors, shall lawfully do or cause to be done by virtue of this power of attorney, and the rights, powers and authority granted herein.

I hereby authorize my Attorney-in-Fact to hold harmless, any third party, or his/her successors and assigns who accepts and acts under this power of attorney against any and all claims, liabilities, demands, losses, damages, and/or actions; and to indemnify any third party, or his/her successors and assigns, against any claims, liabilities, demands, losses, damages, and/or actions which said third party, may sustain or incur in connection with his/her reliance upon the authority represented in this power of attorney.

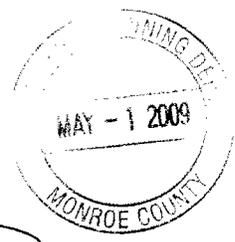
THIS POWER OF ATTORNEY IS NOT AFFECTED BY SUBSEQUENT INCAPACITY OF THE PRINCIPAL, EXCEPT AS PROVIDED IN SECTION.709.08 FLORIDA STATUTES.

This power of attorney, and the powers herein granted may be revoked only by: (i) my death, or (ii) an instrument in writing, duly executed and acknowledged by me. It is my intention that any person or any firm, corporation, joint venture, association, or other legal entity of any kind or character dealing with my said Attorney-in-Fact shall be entitled to rely on the provisions of this paragraph in determining whether or not this power of attorney has been revoked, and I hereby represent to those dealing with my said Attorney-in-Fact, that they are, in fact, entitled to rely upon the terms and provisions of this paragraph in determining whether this power of attorney has been revoked.

IN WITNESS WHEREOF, I have hereunto set my hand this 9<sup>th</sup> day of MARCH, 2009.

Signed, sealed and delivered in the presence of:





Elizabeth A. Hendey  
Signature of Witness  
Elizabeth A. Hendey  
Printed Name of Witness

PRINCIPAL:  
Peter N. Brawn  
PETER N. BRAWN

Cindy Sawyer  
Signature of Witness  
Cindy Sawyer  
Printed Name of Witness

SIGNATURE OF ATTORNEY-IN-FACT:  
Robert E. Kelly, Jr.  
ROBERT E. KELLY, JR.

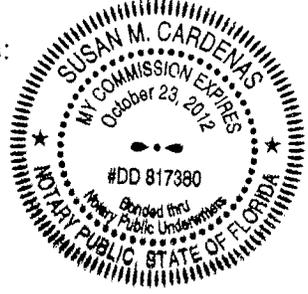
STATE OF FLORIDA:  
COUNTY OF MONROE:

**I HEREBY CERTIFY** that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, PETER N. BRAWN, who is personally known to me to be the individual described in and who executed the foregoing instrument, or who produced \_\_\_\_\_, as identification, and he acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

**WITNESS** my hand and official seal at Key West, County of Monroe, and State of Florida, this 9th day of March, 2009.

Susan M. Cardenas Susan M. Cardenas  
Printed Name of Notary NOTARY PUBLIC

My Commission Expires:





# **Authorization Form**



**Deed**

Doc# 1735375 03/24/2009 9:50AM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE



This Instrument Prepared by & return to:  
Name: Renee Tompkins, an employee of  
Ward & Meyers, L.L.C.  
Address: 3201 Flagler Avenue, Suite 506  
Key West, FL 33040

03/24/2009 9:50AM  
DEED DOC STAMP CL: TRINA \$0.70

Parcel I.D.#: 00001440-000000

Grantees S.S.#: 532-46-5654  
Grantor S.S.#: 532-46-5654

Doc# 1735375  
Bk# 2405 Pg# 791

SPACE ABOVE THIS LINE FOR PROCESSING DATA SPACE ABOVE THIS LINE FOR RECORDING DATA

**THIS QUIT CLAIM DEED** Made this 9th Day of March, A.D. 2009, by, Peter Nelson Brawn hereinafter called the Grantor, to 4 & 6 Charles Street, L.L.C. whose post office address is 525 Caroline Street, Key West, FL 33040, hereinafter called the grantee:

*(Wherever used herein the terms "grantor" and "grantees" include all the parties to this instrument, singular and plural, the legal representatives and assigns of individuals, and the successors deed assigns of corporations, wherever the context so admits or requires.)*

**Witnesseth:** That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the Grantee forever, all the right, title, interest, claim and demand which the said Grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in the **County of Monroe, State of Florida**, to-wit:

KW SUB 6 PT LOT 2 SQR 15 OR124-508/09 OR503-759 OR777-98/99 OR794-696/97  
OR865-923/24 OR894-2145/46 Q/C OR901-1221/22 Q/C OR908-150 OR909-1993/94  
OR916-1819/20 OR945-965

**SUBJECT TO TAXES FOR THE YEAR 2009 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.**

**To Have and to Hold** the same with all singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity to the only proper use, benefit and behoof of the said Grantee forever.

And the grantor hereby covenants with said grantees that he is lawfully seized of said land in fee simple; that he has good right and lawful authority to sell and convey said land, and hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2008.

In Witness Whereof, the said grantor has signed and sealed these presents, the day and year first above written.

Signed, sealed and delivered in the presence of:

[Signature]  
Witness Signature (As to first Grantor)

JOHN J. KELLY JR.  
Printed Name

[Signature]  
Witness Signature (As to first Grantor)

Laura Hansley  
Printed Name

[Signature]  
Witness Signature (As to first Grantor)

JESSICA M. POPOVICE  
Printed Name

[Signature] L.S.  
Peter Nelson Brawn  
Address:  
525 Caroline Street  
Key West, FL 33040

Doc# 1735375  
Bk# 2405 Pg# 792



STATE OF FLORIDA  
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 9th day of March 2009, by Peter Nelson Brawn who is known to me. FL LICENSE # 3650-674-48-255-0

[Signature]  
Signature of Acknowledger  
My commission expires \_\_\_\_\_



MONROE COUNTY  
OFFICIAL RECORDS



Prepared by & Return to  
Southernmost Title, Inc.  
605 United Street, Suite B  
Key West, FL 33040

02/23/2009 1:34PM  
DEED DOC STAMP CL: TRINA \$7,700.00

Parcel ID Number: 00001410-000000/00001430-000000/00001440-000000

Doc# 1731885  
Bk# 2401 Pg# 435

#1,100,000.00

# Warranty Deed

This Indenture, Made this 20th day of February, 2009 A.D. Between WADE FERREL, a single man of the County of MONROE, State of FLORIDA, grantor, and PETER N. BRAUN, a single man whose address is: 525 CAROLINE STREET, 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:  
PARCEL A

On the Island of Key West and is part of Lot 2 of Square 15, according to Whitehead's Map of 1829; but now better known and described as part of Lot 7, according to the subdivision of said Lot 2 made by Chas. Howe, Sr., diagram of which is recorded in Book E, Page 690, Monroe County, Florida Records and having a front on Charles Street of 13 feet, 5 1/2 inches and a front on New Street, formerly called William Street, of 40 feet, 3 inches.  
AND ALSO

All that certain piece of land in the City of Key West consisting of 5 feet front and 19 feet, 10 inches deep in Lot 1 of Square 15, according to aforesaid Whitehead's map, said lot being situated on New Street, formerly William Street and adjoins the aforescribed premises.  
AND ALSO

On the Island of Key West, and known on the map or plan of said City as delineated by W. A. Whitehead in February, 1829, as Part of lot 2 in Square 15, and which is more fully described in a Diagram made by Charles Howe, Sr., and recorded in Book E, on Page 690, of Monroe County Records as Part of Lot 7 on said Diagram, and having a front on Charles Street of 31 feet and a depth of 40 feet, 3 inches.  
AND ALSO

TOGETHER WITH an easement for ingress and egress and to allow for parking over the 3 1/2 feet immediately east of the easterly boundary described above, fronting on Charles Street with a depth of 29.8 feet.

## PARCEL B

On the Island of Key West and is a part of Lot 2 of Square 15, according to the map of Whitehead in 1829, but better described in a diagram of said Lot 2 made by Chas. Howe, Sr., recorded in Book E, Page 690, Monroe County, Florida Public Records and is known on said diagram as Lot No. 6 being 44 feet and 5 inches on Charles Street, and having a depth of 40 feet and 3 inches, being rectangular in shape, on the southeasterly side of Charles Street. SUBJECT to the existing encroachment of the sidewalk along Charles Street, and RESERVING an easement for ingress and egress over the westerly 3 and 1/2 feet fronting on Charles Street with a depth of 29.8 feet for the benefit of the property immediately to the west of the above described property more particularly described as follows: On the Island of Key West, and known on the map or plan of said City as delineated by W. A. Whitehead in February, 1829, as Part of Lot 2 in Square 15, and which is more fully described in a Diagram made by Charles Howe, Sr., and recorded in Book E, Page 690, of Monroe County Records as Part of Lot 7 on said Diagram, and having a front on Charles Street of 31 feet and a depth of 40 feet, 3 inches.

## PARCEL C

On the Island of Key West, known on William A. Whitehead's map of said Island, delineated in February, 1829, as a part of Lot 1, in Square 15, the land being describe by metes and bounds as follows:

COMMENCING at a point on the Northeasterly side of New Street where the dividing line between said Lot 1 and Lot 2 in said Square 15 intersects said New Street from said point runthence along the Northeasterly side of New Street in a Southeasterly direction 41.5 feet, thence at right angles in a Northeasterly direction 78.33', thence at right angles in a Southwesterly direction 4.5', thence at right angles in a Northeasterly direction 10.5', thence at right angles in a Northwesterly direction 37', thence at right angles in a Southwesterly direction along said dividing line between Lots 1 and 2 88'10" out to New Street to the point of beginning.



EXCEPTING

On the Island of Key West and known on William A. Whitehead's map, delineated in February, A.D. 1839, as part of Lot One (1), in Square Fifteen (15) described by metes and bounds as follows:

COMMENCING at a point on the Northeasterly side of Telegraph Lane (formerly known as New Street or William Street), distant Forty (4) feet Three (3) inches from the corner of the intersection of Telegraph Lane and Charles Street and running thence along the Northeasterly side of Telegraph Lane in a Southeasterly direction Five (5) feet; thence at right angles in a Northeasterly direction Nineteen (19) feet, Ten (10) inches, thence at right angles in a Northwesterly direction Five (5) feet, thence at right angles in a Southwesterly direction Nineteen (19) feet, Ten (10) inches to the Point of Place of Beginning.

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 his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

*[Signature]*  
Printed Name: ANNIE D. DICKERSON III  
Witness

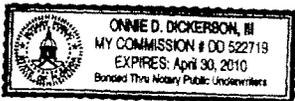
*[Signature]* (Seal)  
WADE FERREL  
P.O. Address 3406 RIVIERA DRIVE, KEY WEST, FL 33840

*[Signature]*  
Printed Name: CHARLES E. LEE  
Witness

Doc# 1731685  
Bk# 2401 Pg# 436

STATE OF FLORIDA  
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 20th day of February, 2009 by WADE FERREL he is personally known to me or he has produced his state driver's license as identification.



*[Signature]*  
Printed Name: \_\_\_\_\_  
Notary Public  
My Commission Expires: / /

MONROE COUNTY  
OFFICIAL RECORDS

# Site Pictures





NEW WEST BLADE  
MAY - 1 2009  
MONROE CO. LA



WEST PLANNING DEPT.  
MAY - 2009  
MONROE COUNTY



KEY WEST PLANNING DEPT  
MAY - 1 2009  
MONROE COUNTY

# **Concurrency Analysis**

# MEMORANDUM



TREPANIER



& ASSOCIATES INC  
LAND USE PLANNING  
DEVELOPMENT CONSULTANTS

**Date:** 05/04/2009  
**To:** Mrs. Amy Kimball-Murley, AICP, Planning Director  
**From:** Sarah Davis, Planner  
**CC:** Mr. Owen Trepanier  
**Re:** **Concurrency Analysis**  
**4 & 6 Charles Street and 217 Telegraph Lane**

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. Drainage
4. Roads/Trip Generation

The following concurrency analysis reflects the proposed bar to be located at 4 Charles Street. Currently this parcel contains a bar, a restaurant and six residential units. Because the six residential units are not affected by this proposed development, for the purposes of this concurrency report they will be seen as a constant and thus not included in the existing or proposed calculations. Since this project is nonresidential, the parcel's area of 6,403 square feet or 0.146992 acres will be used 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:

- i) The total capacity required for the current **0.146992 acre** parcel is:

$$650 \text{ gal/acre/day} \times 0.146992 \text{ acres} = 95.5 \text{ gal/day}$$

- ii) The total capacity required for the proposed project on **0.146992 acres** is:

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

$$650 \text{ gal/acre/day} \times 0.146992 \text{ acres} = 95.5 \text{ gal/day}$$

The size of the lot is unchanged and therefore the amount of potable water used is not being increased or decreased.

FCAA 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 FCAA 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 Water Use Allocations in the WUP permit provide FCAA 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 FCAA 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:

$$1996 \text{ annual water demand} = 5,272 \text{ MG /year}$$

$$2006 \text{ annual water demand} = 6,310 \text{ MG /year}$$

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

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;

- i) the total capacity required for the current **0.146992 acre** parcel is:

660 gal/acre/day x 0.146992 acres = 97 gal/day

- ii) the total capacity required for the proposed project on **0.146992 acres** is:

660 gal/acre/day x 0.146992 acres = 97 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.

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

i) the total capacity required for the current **16 employees** is:

$$6.37 \text{ lb/capita/day} \times 16 \text{ people} = 101.92 \text{ lb/day}$$

ii) the total capacity required for the proposed **10 employees** is:

$$6.37 \text{ lb/capita/day} \times 10 \text{ people} = 63.7 \text{ lb/day}$$

Due to the elimination of the kitchen area and thus the kitchen staff, the number of employees and thus their solid waste disposal will be decreased by 38.22 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.**

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.** 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.**

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.**

**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

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

<sup>5</sup> Ibid.

signalization, proposed methods for controlling access and egress, and other similar improvements<sup>6</sup>.”

For the purposes of calculating traffic generation we used the Institute of Transportation Engineer’s 7th Edition Trip Generation Volumes. There will be a trip reduction of at least 7.49 trips per 1,000 sq. ft. for peak traffic hour at the site as result of this Conditional Use Approval.

**Existing:**

<b>Land Use</b>	<b>Weekday Trips</b>	<b>Saturday Trips</b>	<b>Sunday Trips</b>
Restaurant (931)	7.49	10.82	8.38
Bar (936)	15.49	15.49	15.49
<b>Total Trips for current parcel</b>	<b>22.98 Trips</b>	<b>26.31 Trips</b>	<b>23.87 Trips</b>

**Proposed:**

<b>Land Use</b>	<b>Weekday Trips</b>	<b>Saturday Trips</b>	<b>Sunday Trips</b>
Bar (936)	15.49	15.49	15.49
<b>Total Trips for proposed uses</b>	<b>15.49 Trips</b>	<b>15.49 Trips</b>	<b>15.49 Trips</b>

As the table above explains, there is a 7.49 trip decrease in traffic generation due to the change in use. This project is located on Charles Street and Telegraph Lane. Neither of these roads are 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

**Exhibits**

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

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

***Exhibit III*** – Map of the City of Key West's Existing Recreation Services

# **Exhibit I**

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



Jeb Bush  
Governor

M. Rony François, 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 RU 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., D.E.E., 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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PERMIT ISSUE DATE: November 14, 2006

- (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:**

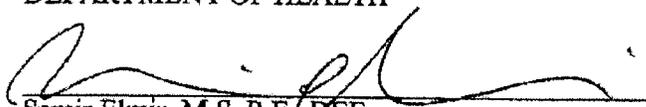
1. The applicant is responsible for retaining the engineer of record in the application for supervision of the construction of this project and upon completion, the engineer shall inspect for complete conformity to the plans and specifications as approved.
2. All concrete coatings/admixtures, liners, 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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PERMIT ISSUE DATE: November 14, 2006

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./D.E.E.,  
Division Director

# **Exhibit II**

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



**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 MGD, 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 affects 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

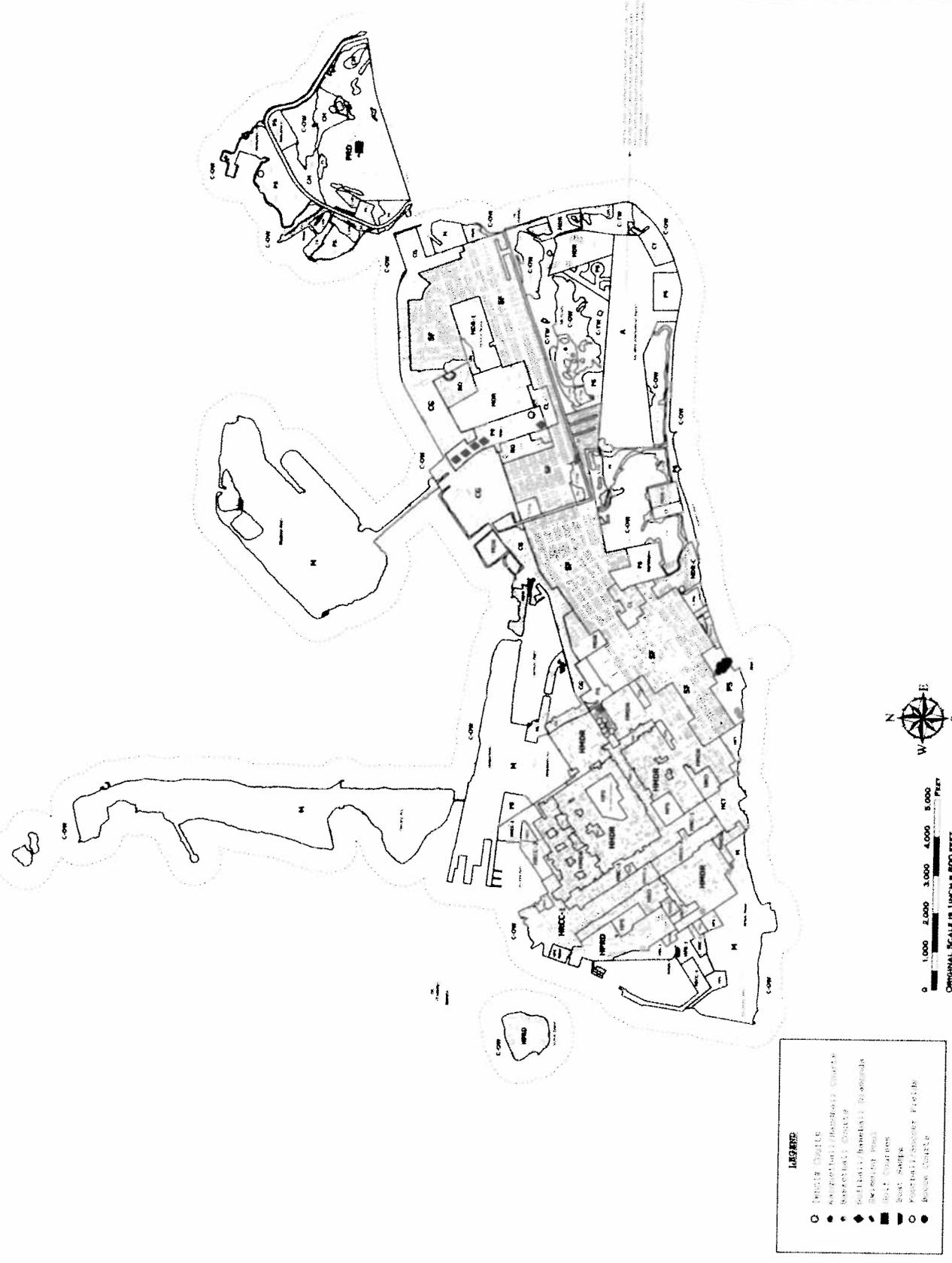
32. Prior to any application to renew or modify this permit, the Permittee shall evaluate long term water supply alternatives and submit a long term water supply plan to the District. Within one year of permit issuance, the Permittee shall submit to the District an outline of the proposed plan. The assessment 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.

# **Exhibit III**

## **Map of the City of Key West's Existing Recreation Services**

# The City of Key West's Recreation Facilities



**DRC Minutes**

**Minutes of the Development Review Committee**  
**Meeting of May 28, 2009**

Amy Kimball-Murley, Planning Director, convened a meeting of the Development Review Committee of the City of Key West at 2:10 pm, May 28, 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

Alan Averette, Lt. Fire Inspector  
Cynthia Coogle, Landscape Coordinator  
Diane Nicklaus, HARC & Building Department

**Planning Staff:**

Brendon Cunningham  
Nicole Malo  
Carlene Cowart

Ashley Monnier  
Rodney Corriveau

**Comments received from:**

Ed Nicolle, FKAA

Matthew Alfonso, Keys Energy

**Others present were:**

Ty Symroski, 2328 Staples Avenue  
Joanne Alexander, 555 College Road  
Naomi Van Steelandt, 1402 Newton  
Ginny Stones, 221 Simonton Street  
Carlos Rojas, 540 White Street  
David Floerke, 1413 South Street

Theresa Artuso, 6200 Whiskey Circle  
George Hermanson, 950 Encore Way  
Bill O'Connor, 627 Elizabeth Street  
Dan Strosnider, 402 Applerouth  
Robert Kelly, 1413 South Street  
Owen Trepanier, 402 Applerouth

**2. Approval of Agenda**

Item 4h and 4i were moved after item 4b.

Motion to approve the amended Agenda was made by Mr. Averette and seconded by Mr. Wilkins.

Motion carried by unanimous voice vote.

**3. Approval of Minutes**

**a. April 23, 2009**

Motion to approve the Minutes from the April 23, 2009 DRC Meeting was made by Mr. Averette and seconded by Ms. Malo.

**4. New Business**

- a. Transient License Transfer - from 415 Julia Street (RE 00027290-000000) to 918-920 Center Street (RE 00017830-000000) – Transient License Transfer from 415 Julia Street located in the Historic Medium Density District (HMDR) to 918-920 Center Street located in the Historic Residential Commercial Core (HRCC-3) zoning district per Sections 122-1338 and**

**122-1339 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Naomi Van Steelandt, reviewed the transient license transfer request with committee members. She indicated that this is the first of an anticipated series of requests to license all the units on the site for transient uses.

Committee members reviewed the application. Members had no objections to the request. FKAA had no objections to the transfer of a transient license as long as there are no additional units added.

- b. Transient License Transfer – 524 Eaton Street (RE 00006500-000000 and 00006500-000100) – An application for transfer of four (4) transient units in the HNC-1 zoning district per Section 122-1338 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Ginny Stones, reviewed the transient license transfer request with committee members.

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

1. Planning Director will need to revoke a previous administrative interpretation on density rounding.
2. Applicant will provide an existing site plan.
3. Applicant will provide an existing survey showing drainage and stormwater.
4. Owner has agreed to meet ADA guidelines.
5. FKAA had no objections to the transfer of a transient license as long as there are no additional units added.
6. Unity of title will be required.

- c. Major Development Plan – 524 Eaton Street (RE 00006500-000100) – An application for Major Development Plan to construct five transient units by reducing existing office space from 10,000 square feet to 5,000 square feet and adding an additional floor to the existing building in the HNC-1 zoning district per Section 108-91(A).(2).(a.) and (b.) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Ginny Stones was present representing the applicant. She discussed different uses on the site will function independently.

Committee members reviewed and discussed the site plan and made the following recommendations:

1. Applicant will need to obtain a unity of title in order to obtain the proposed density for the application.
2. Applicant will provide an existing site plan.
3. Applicant will provide an existing survey showing drainage and stormwater.
4. Applicant will provide site plans that indicate parking location (commercial vs residential and how parking is allocated).
5. Entire location will need to be sprinkled for fire protection.
6. Applicant has agreed to make the location ADA accessible.
7. A variance application will be required for the expansion of the non-conforming setback, which will be triggered by the third story and elevator.
8. The applicant will submit information to clarify the existing unit is a legal unit.

9. Applicant will need to coordinate with the Director of General Services and Engineering in order to establish addresses for the proposed residential units if approved.
  10. A complete set of plans will need to be submitted to FKAA for review to determine meter requirements and system development charges.
  11. A complete set of plans will need to be submitted to Keys Energy with a Project Review Form.
  12. Members discussed possible offsite parking provisions.
  13. Tree Commission approval will not be necessary.
- d. **Conditional Use – 629 Duval Street (RE 00012440-000100)** – A conditional use application for the rental of 24 electric cars in the Historic Residential Commercial Core (HRCC-1) zoning district per Sections 122-61, 122-62 and 122-688(17) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

Applicant was not present.

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

1. Applicant will need to coordinate with the HARC Planner to clarify if the applicant will be putting in a booth or a structure.
  2. Location will be fully paved as currently designed.
  3. Parking requirements need to be addressed.
  4. Countertop needs to meet ADA guidelines.
  5. Landscape Coordinator stated she would prefer to see a pervious surface vs an impervious surface.
  6. Trees will also need to be protected by curbing and wheel stops.
  7. Members are concerned about the heavy traffic impact.
- e. **Outdoor Display – 804 Caroline Street (RE 00003200-000000)** – An application for Exception for Outdoor Merchandise Display, to allow the display of home and garden items and associated merchandise in the HNC-2 zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

The applicant, Patricia O'Connor, reviewed the outdoor display request with committee members.

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

1. Applicant will need to indicate dimensions of outdoor display on the site plan.
  2. Applicant will keep the display on the front porch and maintain a clearance of at least 36”.
  3. Members urged applicant to meet the good neighbor policy.
- f. **Change of a Nonconforming Use – 3100 Flagler Ave (RE 00069090-000000)** – An Application for Change in Nonconforming Use in the Limited Commercial (CL) zoning district per Section 122-32 (e) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

The applicant, Carlos Rojas, reviewed the change in nonconforming use request with committee members. Mr. Rojas will revise the site plans and remove the veterinary clinic from the application. He also clarified that customer parking will be located on the Flagler side and self storage will be accessible from the rear. Mr. Rojas has requested that the application move forward to the July 16, 2009 Planning Board meeting, in order for him to have enough time to coordinate with neighbors.

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

1. Applicant will meet ADA guidelines and add ADA upgrades (i.e., accessible latches on 5% of the units). Applicant stated that he converted a parking space into ADA van parking.
2. Applicant will need to indicate maximum egress routes on the site plan.
3. Applicant will update the traffic analysis to reflect the revised square footage.
4. Fire Department requested that the applicant consider opening up a third door.
5. Applicant will need to maintain landscaping per Code requirement.
6. Landscape Coordinator stated that not more than 25% of the landscape can be palms. She urged that the applicant take a look at different species and that 70% of the landscaping needs to be new.

- g. Conditional Use – 4 & 6 Charles St., 213 & 217 Telegraph Lane (RE Numbers 00001410-000000, 00001430-000000, and 00001440-000000 ) – An application for Conditional Use approval for a bar and lounge in the HRCC-1 zoning district per Section 122-688 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

The applicants, Owen Trepanier and Dan Strosnider with Trepanier & Associates, reviewed the conditional use request with committee members.

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

1. Applicant will need to indicate the trash area on the site plan.
2. Sidewalk needs to be a minimum of 36" in width. If the sidewalk is replaced, 20% of any renovation needs to meet ADA guidelines.
3. Members suggested that lighting be considered due to the width of the sidewalk and that bushes be cleared, possibly replaced. Other measures to increase safety and potentially reduce crime were encouraged.
4. Members also suggested that the owner maintain easy access for law enforcement on Telegraph Lane.
5. Applicant will coordinate with the ADA Coordinator on having gas lamps placed on Charles Street.
6. Members urged applicant to meet the good neighbor policy. Members suggested that applicant obtain a noise monitor and gauge readings.

- h. Conditional Use – 512 Greene street (RE 00001170-000000) – A Conditional Use for a bar in the Historic Residential Commercial Core (HRCC-1) zoning district per Section 122-688 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

The applicants, Owen Trepanier and Dan Strosnider with Trepanier & Associates, reviewed the conditional use request with committee members. Applicant stated that the pavement will be removed and landscape and swales and created for pervious surface.

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

1. Applicant will need to seek HARC approval.
2. Applicant will submit new site plans detailing elevations and ramp per HARC requests.
3. Applicant will make parking lot and sidewalk ADA compliant. Construction plans will need ADA upgrades. Ideally the applicant will create a bigger entrance from Ann Street.
4. Applicant will clarify on site plan the location of bike racks and scooter parking as well as correct the number of parking spaces on site plan.
5. Applicant will provide trip generation.

6. Applicant will need to increase slight floor area ratio.
  7. Applicant will provide square footage on single family home.
  8. Staff will coordinate with Applicant on the status of the residential unit on site.
  9. Applicant will need to have an experienced licensed landscape architect handle landscaping per the code.
  10. Applicant will preserve champion trees.
  11. Applicant will need to go to Tree Commission.
  12. Applicant will provide Landscape Coordinator counts for new installations.
  13. Applicant will barricade all trees, and provide dimensions of planters in parking lot. Planter areas need to be curved.
  14. Applicant will provide site plans of existing and proposed landscaping.
  15. If bricks are added, bricks cannot change grade.
  16. Staff recommends inserting hedges to create a buffer between residential and commercial.
  17. Members urged applicant to meet the good neighbor policy.
- i. **Major Development Plan and Conditional Use – 5555 College Road (RE 00072080-001400) – A Major Development Plan and Conditional Use Application within the commercial general (CG) zoning designation for the installation of stacked boat racks at Sunset Marina per Section 108-31 and Section 122-61 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Ty Symroski, reviewed the major development plan and conditional use request with committee members.

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

1. Applicant meets ADA requirements, including 34" high counter.
2. Applicant will need to provide count of native and non-native landscaping.
3. Applicant originally added vegetation to lagoon bank; however, it did not work as planned. Applicant has since redesigned the landscaping.
4. Applicant will submit a copy of the environmental permits from Army Corps of Engineers, FDEP and the Fish Finder Agreement to staff.
5. Once DEP issues a letter to the applicant, they will meet stormwater criteria.
6. Applicant will provide parking bumpers on the columns directly under the racks and maintain vertical clearance for safety.
7. Applicant will provide staff with date on information on the additional \$60,000 in escrow.
8. Applicant will provide staff a copy of the deed restriction on the 4 units approved in 2003.
9. Applicant will provide staff a copy of the Army Corps of Engineers letter dated July 29, 2008 stating they do not need the culvert.
10. Applicant will need to call Sunshine One before digging for locations of underground facilities.

## 5. Adjournment

Meeting adjourned at 5:00 pm.

**Submitted written comments are attached.**

Respectively Submitted,

Carlene Cowart  
Administrative Coordinator

**Florida Keys Aqueduct Authority**  
**Key West, Florida**  
***MEMORANDUM***

**To:** Amy Kimball-Murley AICP, Planning Director  
**From:** Marnie Thrift-Distribution Design Specialist  
**Subject:** Development Review Committee Meeting May 28, 2009  
**Date:** May 13, 2009

A representative of the FKAA will not be able to attend the DRC meeting scheduled for May 28, 2009. Comments on the project are as follows:

- a. **Transient License Transfer - from 415 Julia Street (RE 00027290-000000) to 918-920 Center Street (RE 00017830-000000)** – The FKAA has no objections to the transfer of a transient license as long as there are no additional units added.
- b. **Transient License Transfer – 524 Eaton Street (RE 00006500-000000 and 00006500-000100)** – The FKAA has no objections to the transfer of a transient license as long as there are no additional units added.
- c. **Outdoor Display – 804 Caroline Street (RE 00003200-000000)** –The FKAA has no objection to the display of home and garden items and associated merchandise.
- d. **Change of a Nonconforming Use – 3100 Flagler Ave (RE 00069090-000000)**  
The FKAA has no objection to the change of use for the referenced property. A complete set of plans will be required to determine meter requirements and System Development Charges.
- e. **Conditional Use – 4 & 6 Charles St., 213 & 217 Telegraph Lane (RE Numbers 00001410-000000, 00001430-000000, and 00001440-000000)** – The FKAA has no objection to the conditional use. A complete set of plans will be required to determine meter requirements and System Development Charges.
- f. **Conditional Use – 512 Greene Street (RE 00001170-000000)** – The FKAA has no objection to the conditional use. A complete set of plans will be required to determine meter requirements and System Development Charges.
- g. **Major Development Plan and Conditional Use – 5555 College Road (RE 00072080-001400)** – The FKAA has no objection to the installation of stacked boat racks at Sunset Marina. There is 10” water main located on College Road and it appears adequate to serve this project.

- h. Major Development Plan – 524 Eaton Street (RE 00006500-000100) –** This site is presently being served by FCAA Location #'s 1170-003337 and 1030-048729 which are 5/8" services. The site has a 4" water main located on Eaton Street and a 2" water main on Bahama Street, which seem capable of serving this project. A complete set of plans will be required for review to determine meter requirements and System Development Charges.
- i. Conditional Use – 629 Duval Street (RE 00012440-000100) –**The FCAA has no objections to the conditional use application for the rental of 24 electric cars.

CC: Irma Boveda, Customer Service Manager KW



(305) 295-1000  
1001 James Street  
PO Box 6100  
Key West, FL 33040-6100  
[www.KeysEnergy.com](http://www.KeysEnergy.com)

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UTILITY BOARD OF THE CITY OF KEY WEST

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May 28, 2009

Mrs. Amy Kimball-Murley, AICP  
City of Key West  
PO Box 1409  
Key West, Florida 33040

RE: DEVELOPMENT REVIEW COMMITTEE  
KEYS ENERGY SERVICES COMMENTS MEETING OF May 28, 2009

Dear Mrs. Kimball-Murley:

Keys Energy Services (KEYS) received the Development Review Committee Agenda for May 28, 2009. KEYS has reviewed the items that will be discussed at the City's Development Review Committee meeting.

Below are KEYS' comments:

1. LOCATION: 415 Julia Street transfer License 918-920 Center Street  
COMMENT: KEYS has no objections.
2. LOCATION: 524 Eaton Street  
COMMENT: KEYS has no objections.
3. LOCATION: 804 Caroline Street  
COMMENT: KEYS has no objections.
4. LOCATION: 3100 Flagler Ave  
COMMENT: KEYS has no objections.
5. LOCATION: 4 & 6 Charles Street and 213-217 Telegraph Lane  
COMMENT: KEYS has no objections.
6. LOCATION: 512 Greene Street  
COMMENT: KEYS has no objections.
7. LOCATION: 5555 College Rd.  
COMMENT: KEYS has no objections. Customer will need to call for Sunshine One Call before digging for locations of underground facilities.
8. LOCATION: 524 Eaton Street  
COMMENT: Customer will need to submit a full set of plans with a Project Review Form
- 9, LOCATION: 629 Duval Street  
COMMENT: KEYS has no objections

Thank you for giving KEYS the opportunity to participate in the City's review process. If you have any questions, please call me at 295-1055.

Sincerely,

*Matthew Alfonso*

Matthew Alfonso  
Supervisor of Engineering  
[Matthew.Alfonso@KeysEnergy.com](mailto:Matthew.Alfonso@KeysEnergy.com)

c:

L. Tejada, General Manager & CEO  
J. Wetzler, Asst. General Manager & CFO  
D. Finigan, Director of Engineering/Control Center  
A. Tejada, Director of Customer Service  
File: PLI-132



# **Property Appraiser**

# Monroe County Property Record Card (133)

Alternate Key: 1001465 Roll Year 2009  
 Effective Date: 4/24/2009 8:07:09 AM Run: 04/24/2009 08:07 AM

4 AND 6 CHARLES STREET LLC

525 CAROLINE ST  
 KEY WEST FL 33040

Parcel 00001440-000000-06-68-25 Nbhd 32020  
 Alt Key 1001465 Mill Group 10KW  
 Affordable Housing No PC 2100  
 FEIMA Injunction  
 Inspect Date Next Review  
 Business Name  
 Physical Addr 6 CHARLES ST, KEY WEST  
 4 CHARLES ST, KEY WEST

## Associated Names

Name DBA

4 AND 6 CHARLES STREET LLC,

Role  
 Owner

## Legal Description

KV SUB 6 PT LOT 2 SQR 15 OR124-508/09 OR503-759 OR777-98/99 OR794-696/97 OR865-923/24OR894-2145/46Q/C OR901-1221/22Q/C OR908-150 OR909-1993/94 OR916-1819/20  
 OR945-965 OR2401-435/36 OR2405-791/92

## Land Data 1.

Line ID	Use	Front	Depth	Notes	# Units	Type	SOH %	Rate	Depth	Loc	Shp	Phys	Class	ROGO	Class Value	Just Value	
154	100D	44	40	No	1,788.00	SF	0.00	1.00	1.00	1.00	1.00	0.55				N	

Total Just Value





# Monroe County Property Record Card (133)

Alternate Key: 1001465

Roll Year 2009

Effective Date: 4/24/2009 8:07:09 AM

Run: 04/24/2009 08:07:AM

Interior Finish		Exterior Finish												
Sec Nbr	Int Nbr	Description	Area %	Sprinkler	A/C	Total RCN	Ext Nbr	Wall Type	Roll Year	Grade	Life	Area %	Wall Rate	RCN
180653	547	RESTAURANT & CAFETERIA	100.00	N	Y		177	AB AVE WOOD SIDING	2003	2	30	100.00		
180654	548		100.00	N	N									
180655	549	APARTMENTS	100.00	N	Y									
180656	550		100.00	N	N									
180657	551		100.00	N	N									
180658	552		100.00	N	N									

## Miscellaneous Improvements

Nbr	Impr Type	# Units	Type	SOH %	Length	Width	Year Built	Roll Year	Grade	Life	RCN	Depr Value
1	FN2:FENCES	320	SF	0.00	40	8	1988	2003	2	30		Total Depreciated Value

## Appraiser Notes

TPP8511426-RENTALS

## Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	M943373	Oct 1 1994 12:00AM	Dec 1 1994 12:00AM	3,300		3 TON AC
	B942164	Jun 1 1994 12:00AM	Dec 1 1994 12:00AM	2,800		REPAIR/SUPPORT FLOOR JOIS
	B954319	Dec 1 1995 12:00AM	Dec 1 1996 12:00AM	3,200		PLUMBING
	9902172	Jun 23 1999 12:00AM	Oct 25 1999 12:00AM	6,400		HOOD AND FAN
	9902589	Jul 22 1999 12:00AM	Oct 25 1999 12:00AM	2,200		FIRE SYSTEM
	0101829	May 2 2001 12:00AM	Nov 21 2001 12:00AM	3,600	Commercial	12 SQS V-CRIMP
	02/2960	Oct 30 2002 12:00AM	Jul 31 2003 12:00AM	25,000		RENOVATE SFR
	03-0038	Jan 8 2003 12:00AM	Jul 31 2003 12:00AM	2,000		RED TAG INSTALL A/C
	02-2879	Dec 31 2002 12:00AM	Jul 31 2003 12:00AM	25,000		RENOVATED EXISTING FLA
	03-0655	Mar 10 2003 12:00AM	Jul 31 2003 12:00AM	150		CONNECT ELECT, COOLERS
	03-1122	Apr 8 2003 12:00AM	Jul 31 2003 12:00AM	3,000		INTERIOR WORK TILE
	03-2468	Jul 14 2003 12:00AM	Jul 31 2003 12:00AM	500		FIXTURE UP TO CODE
	03-2844	Aug 14 2003 12:00AM	Sep 14 2003 12:00AM	2,500		REPLACE FENCE

# Monroe County Property Record Card (133)

Alternate Key: 1001465

Roll Year 2009

Effective Date: 4/24/2009 8:07:09 AM

Run: 04/24/2009 08:07 AM

## Value History

Tax Year	Val Meth	Just Land	Class Land	Building	Misc	Just	Assessed Value	Exempt	Sr Ex	Tax Value
2008F	C	135,198	0	293,827	448	429,473	429,473	0	N	429,473
2007F	C	261,038	0	225,113	336	486,487	486,487	0	N	486,487
2006F	C	152,235	0	225,113	361	377,709	377,709	0	N	377,709
2005F	C	107,460	0	230,409	395	338,264	338,264	0	N	338,264
2004F	O	107,460		230,397	420	309,511	309,511	0	N	309,511
2003F	O	46,566		209,678	501	309,511	309,511	0		309,511
2002F	O	46,566		209,678	539	309,511	309,511	0		309,511
2001F	O	46,566		197,734	567	305,780	305,780	0		305,780
2000F	O	44,775		197,734	221	297,884	297,884	0		297,884
1999F	O	44,775		176,717	235	297,884	297,884	0		297,884
1998F	O	44,775		118,087	246	220,449	220,449	0		220,449
1997F	O	41,193		118,087	256	220,449	220,449	0		220,449
1996F	O	41,193		107,352	270	204,930	204,930	0		204,930
1995F	O	41,193		107,352	281	204,930	204,930	0		204,930
1994F	O	41,193		105,316	291	204,930	204,930	0		204,930
1993F	I	41,193		65,319	730	192,623	192,623	0		192,623
1992F	I	41,193		65,319	754	192,623	192,623	0		192,623
1991F	I	41,193		65,319	777	192,623	192,623	0		192,623
1990F	I	38,507		71,646	668	192,623	192,623	0		192,623
1989F	I	37,611		71,646	337	219,168	219,168	0		219,168
1988F	C	32,238		67,856	173	100,267	100,267	0		100,267
1987F	C	21,492		71,686	261	93,439	93,439	0		93,439
1986F	C	21,492		72,077	261	93,830	93,830	0		93,830
1985F	C	19,343		70,572	261	90,176	90,176	0		90,176
1984F	C	19,343		66,103	261	85,707	85,707	0		85,707
1983F	C	9,450		0	261	9,711	9,711	0		9,711
1982F	C	6,444		48,436	261	55,141	55,141	0		55,141

# Monroe County Property Record Card (133)

Alternate Key: 1001465

Roll Year 2009

Effective Date: 4/24/2009 8:07:09 AM

Run: 04/24/2009 08:07:AM

## Sales History

Book	Page	Sale Date	Instrument	Transfer Code	Q/U	Vacant	Sale Price
865	923	10/1/1982	Warranty Deed	1	M	I	191,500
916	1819	7/1/1984	Warranty Deed	0	M	I	1
945	965	6/1/1985	Warranty Deed	0	Q	I	80,000
2401	435	2/20/2009	Warranty Deed	0	05	I	1,100,000

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

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

## Property Record View

Alternate Key: 1001457 Parcel ID: 00001430-000000

### Ownership Details

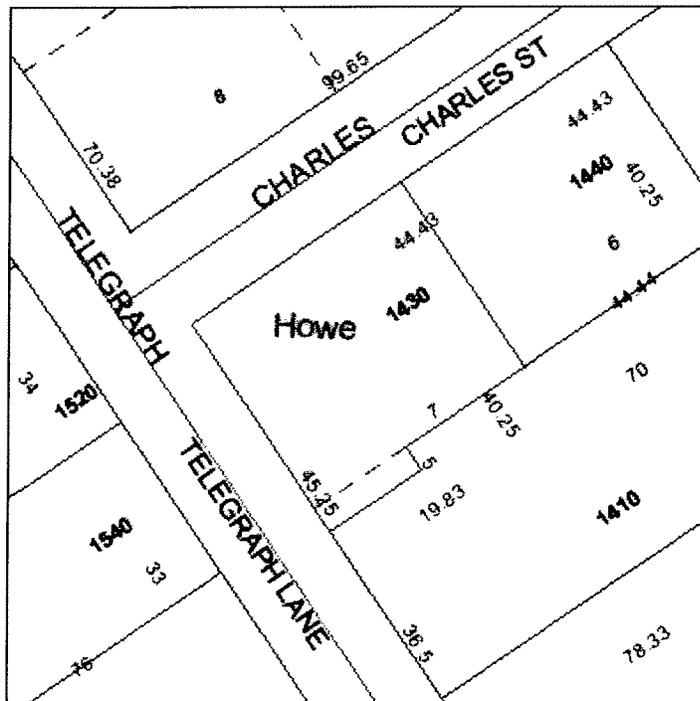
Mailing Address:  
213 TELEGRAPH LANE LLC

525 CAROLINE ST  
KEY WEST, FL 33040

### Property Details

PC Code: 12 - STORE/OFF/RES OR COMBINATION  
Millage Group: 10KW  
Affordable Housing: No  
Section-Township-Range: 06-68-25  
Property Location: 213 TELEGRAPH LN KEY WEST  
Legal Description: KW SUB 7 PT LOTS 1 AND 2 SQR 15 OR124-508/09 OR503-759 OR777-98/99 OR794-696/97 OR865-923/924 OR894-2145/46Q/C OR901-1221/22Q/C OR908-150 OR909-1993/94 OR916-1819/20 OR950-1355/56 OR1004-984/85 OR2401-435/36 OR2405-787/88

### Parcel Map





### Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	0	0	1,889.00 SF

### Building Summary

**Number of Buildings:** 1  
**Number of Commercial Buildings:** 1  
**Total Living Area:** 1588  
**Year Built:** 1943

### Building 1 Details

**Building Type**  
**Effective Age** 17  
**Year Built** 1943  
**Functional Obs** 0

**Condition A**  
**Perimeter** 258  
**Special Arch** 0  
**Economic Obs** 0

**Quality Grade** 450  
**Depreciation %** 23  
**Grnd Floor Area** 1,588

**Inclusions:**

**Roof Type**  
**Heat 1**  
**Heat Src 1**

**Roof Cover**  
**Heat 2**  
**Heat Src 2**

**Foundation**  
**Bedrooms** 0

**Extra Features:**

**2 Fix Bath** 0  
**3 Fix Bath** 2  
**4 Fix Bath** 0  
**5 Fix Bath** 0  
**6 Fix Bath** 0  
**7 Fix Bath** 0  
**Extra Fix** 15

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

**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
0	FLA		1	1990				790
1	PDO		1	1990				284
2	FLA		1	1990				798
3	OUF		1	1990				64
5	PDO		1	2003				380
6	OUF		1	1990				60
7	OOU		1	1990				24

**Misc Improvement Details**

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN3:WROUGHT IRON	108 SF	27	4	1987	1988	3	60
2	PT2:BRICK PATIO	203 SF	0	0	1987	1988	2	50
3	FN2:FENCES	450 SF	0	0	1988	1989	2	30
4	FN2:FENCES	48 SF	12	4	2003	2004	2	30
5	FN2:FENCES	60 SF	10	6	2003	2004	2	30

**Appraiser Notes**

TPP8686650-RENTALS

**Building Permits**

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	99-1940	06/23/1999	11/24/1999	3,600		3600
	02-1648	10/29/2002	07/23/2003	800		6' FENCE
	02-3090	12/30/2002	07/23/2003	500		REBUILD STAIRS
	03-2648	08/01/2003	09/01/2003	300		ELECTRIC WK.
	03-2164	06/19/2003	07/21/2003	8,000		INSTALL 3 NEW AWNINGS

**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	226,307	2,723	143,124	372,154	372,154	0	372,154
2007	162,656	2,777	276,342	441,775	441,775	0	441,775
2006	166,723	2,890	161,160	330,773	330,773	0	330,773
2005	172,822	3,026	113,760	289,608	289,608	0	289,608
2004	172,810	3,128	113,760	250,748	250,748	0	250,748

2003	165,052	2,853	49,296	250,748	250,748	0	250,748
2002	165,052	2,972	49,296	238,808	238,808	0	238,808
2001	157,928	3,062	49,296	235,930	235,930	0	235,930
2000	157,928	1,329	47,400	229,838	229,838	0	229,838
1999	157,950	1,376	47,400	229,838	229,838	0	229,838
1998	105,300	1,411	47,400	170,092	170,092	0	170,092
1997	105,300	1,453	43,608	170,092	170,092	0	170,092
1996	95,727	1,500	43,608	174,070	174,070	0	174,070
1995	95,727	1,535	43,608	174,070	174,070	0	174,070
1994	95,727	1,577	43,608	174,070	174,070	0	174,070
1993	95,727	1,625	43,608	147,511	147,511	0	147,511
1992	95,727	1,660	43,608	147,511	147,511	0	147,511
1991	95,727	1,701	43,608	147,511	147,511	0	147,511
1990	65,813	6,006	40,764	147,511	147,511	0	147,511
1989	65,813	6,176	39,816	139,306	139,306	0	139,306
1988	61,683	4,705	25,416	91,804	91,804	0	91,804
1987	48,892	4,314	16,944	70,150	70,150	0	70,150
1986	49,167	4,325	16,944	70,436	70,436	0	70,436
1985	47,630	4,338	15,250	67,218	67,218	0	67,218
1984	44,443	4,003	15,250	63,696	63,696	25,000	38,696
1983	44,443	4,003	6,510	54,956	54,956	25,000	29,956
1982	45,339	4,003	4,439	53,781	53,781	0	53,781

## 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
2/20/2009	2401 / 435	1,100,000	WD	05
2/1/1987	1004 / 984	135,000	WD	M
7/1/1985	950 / 1355	80,000	WD	M
7/1/1984	916 / 1819	154,000	WD	M
10/1/1982	865 / 923	45	WD	M

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



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

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

## Property Record View

Alternate Key: 1001465 Parcel ID: 00001440-000000

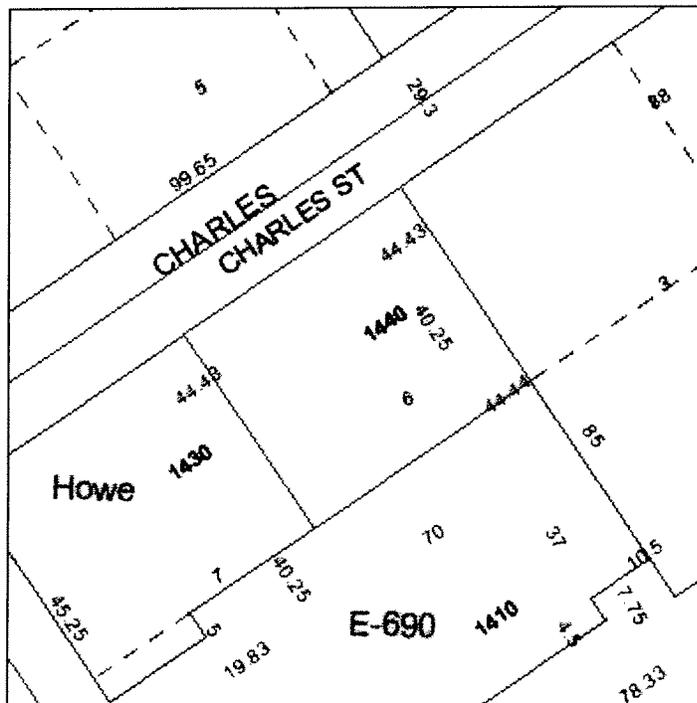
### Ownership Details

**Mailing Address:**  
4 AND 6 CHARLES STREET LLC  
  
525 CAROLINE ST  
KEY WEST, FL 33040

### Property Details

**PC Code:** 21 - RESTAURANTS & CAFETERIAS  
**Millage Group:** 10KW  
**Affordable Housing:** No  
**Section-Township-Range:** 06-68-25  
**Property Location:** 6 CHARLES ST KEY WEST  
**Location:** 4 CHARLES ST KEY WEST  
**Legal Description:** KW SUB 6 PT LOT 2 SQR 15 OR124-508/09 OR503-759 OR777-98/99 OR794-696/97 OR865-923/24OR894-2145/46Q/C OR901-1221/22Q/C OR908-150 OR909-1993/94 OR916-1819/20 OR945-965 OR2401-435/36 OR2405-791/92

### Parcel Map





**Land Details**

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	44	40	1,788.00 SF

**Building Summary**

Number of Buildings: 1  
 Number of Commercial Buildings: 1  
 Total Living Area: 2060  
 Year Built: 1933

**Building 1 Details**

Building Type  
 Effective Age 15  
 Year Built 1933  
 Functional Obs 0

Condition E  
 Perimeter 268  
 Special Arch 0  
 Economic Obs 0

Quality Grade 450  
 Depreciation % 20  
 Grnd Floor Area 2,060

**Inclusions:**

Roof Type  
 Heat 1  
 Heat Src 1

Roof Cover  
 Heat 2  
 Heat Src 2

Foundation  
 Bedrooms 0

**Extra Features:**

2 Fix Bath 0  
 3 Fix Bath 3  
 4 Fix Bath 0  
 5 Fix Bath 0  
 6 Fix Bath 0  
 7 Fix Bath 0  
 Extra Fix 24

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

**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1993					1,110
2	OPF		1	1993					190
3	FLA		1	1993					950
4	OUF		1	1993					190
5	FAT		1	1993					1,140
6	PDO		1	1993					280

**Misc Improvement Details**

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	320 SF	40	8	1988	2003	2	30

**Appraiser Notes**

TPP8511426-RENTALS

**Building Permits**

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	M943373	10/01/1994	12/01/1994	3,300		3 TON AC
	B942164	06/01/1994	12/01/1994	2,800		REPAIR/SUPPORT FLOOR JOIS
	B954319	12/01/1995	12/01/1996	3,200		PLUMBING
	9902172	06/23/1999	10/25/1999	6,400		HOOD AND FAN
	9902589	07/22/1999	10/25/1999	2,200		FIRE SYSTEM
1	0101829	05/02/2001	11/21/2001	3,600	Commercial	12 SQS V-CRIMP
	02/2960	10/30/2002	07/31/2003	25,000		RENOVATE SFR
	03-0038	01/08/2003	07/31/2003	2,000		RED TAG INSTALL A/C
	02-2879	12/31/2002	07/31/2003	25,000		RENOVATED EXISTING FLA
	03-0655	03/10/2003	07/31/2003	150		CONNECT ELECT,COOLERS
	03-1122	04/08/2003	07/31/2003	3,000		INTERIOR WORK TILE
	03-2468	07/14/2003	07/31/2003	500		FIXTURE UP TO CODE
	03-2844	08/14/2003	09/14/2003	2,500		REPLACE FENCE

**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	293,827	448	135,198	429,473	429,473	0	429,473
2007	225,113	336	261,038	486,487	486,487	0	486,487

2006	225,113	361	152,235	377,709	377,709	0	377,709
2005	230,409	395	107,460	338,264	338,264	0	338,264
2004	230,397	420	107,460	309,511	309,511	0	309,511
2003	209,678	501	46,566	309,511	309,511	0	309,511
2002	209,678	539	46,566	309,511	309,511	0	309,511
2001	197,734	567	46,566	305,780	305,780	0	305,780
2000	197,734	221	44,775	297,884	297,884	0	297,884
1999	176,717	235	44,775	297,884	297,884	0	297,884
1998	118,087	246	44,775	220,449	220,449	0	220,449
1997	118,087	256	41,193	220,449	220,449	0	220,449
1996	107,352	270	41,193	204,930	204,930	0	204,930
1995	107,352	281	41,193	204,930	204,930	0	204,930
1994	105,316	291	41,193	204,930	204,930	0	204,930
1993	65,319	730	41,193	192,623	192,623	0	192,623
1992	65,319	754	41,193	192,623	192,623	0	192,623
1991	65,319	777	41,193	192,623	192,623	0	192,623
1990	71,646	668	38,507	192,623	192,623	0	192,623
1989	71,646	337	37,611	219,168	219,168	0	219,168
1988	67,856	173	32,238	100,267	100,267	0	100,267
1987	71,686	261	21,492	93,439	93,439	0	93,439
1986	72,077	261	21,492	93,830	93,830	0	93,830
1985	70,572	261	19,343	90,176	90,176	0	90,176
1984	66,103	261	19,343	85,707	85,707	0	85,707
1983	0	261	9,450	9,711	9,711	0	9,711
1982	48,436	261	6,444	55,141	55,141	0	55,141

### 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
2/20/2009	2401 / 435	1,100,000	WD	05
6/1/1985	945 / 965	80,000	WD	Q
7/1/1984	916 / 1819	1	WD	M
10/1/1982	865 / 923	191,500	WD	M

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



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

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

## Property Record View

Alternate Key: 1001431 Parcel ID: 00001410-000000

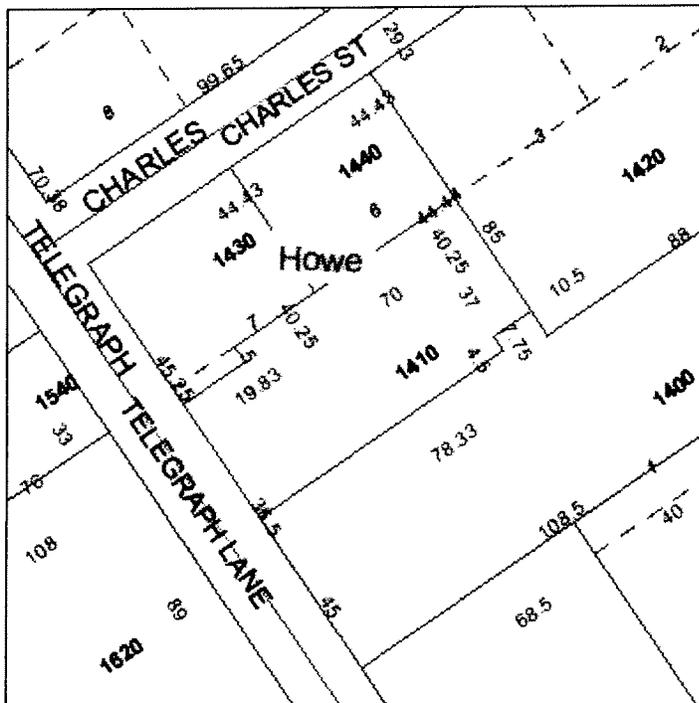
### Ownership Details

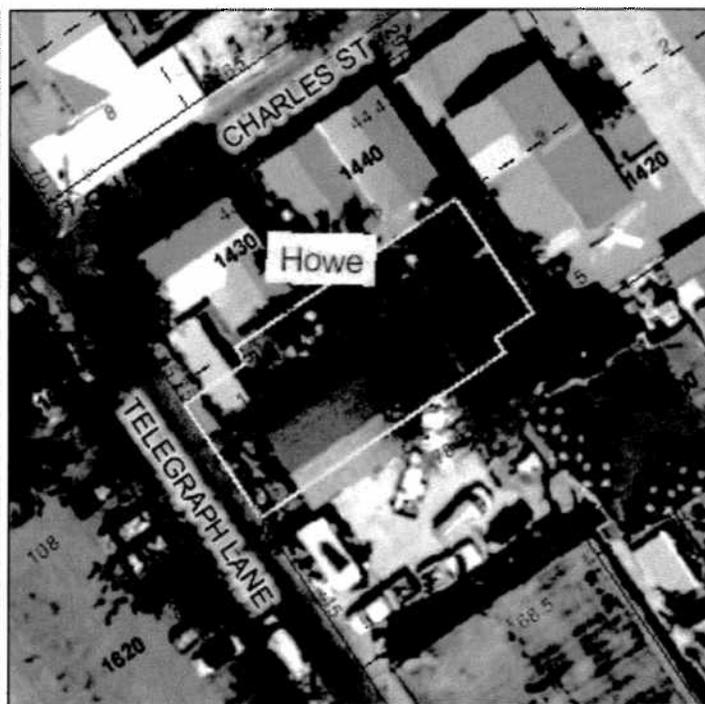
**Mailing Address:**  
217 TELEGRAPH LANE LLC  
  
525 CAROLINE ST  
KEY WEST, FL 33040

### Property Details

**PC Code:** 12 - STORE/OFF/RES OR COMBINATION  
**Millage Group:** 10KW  
**Affordable Housing:** No  
**Section-Township-Range:** 06-68-25  
**Property Location:** 217 TELEGRAPH LN KEY WEST  
**Legal Description:** KW PT LOT 1 SQR 15 OR126-516/17 OR445-447/48 OR859-1951 OR894-2144Q/C OR901-1223Q/C OR908-149 OR909-1992 OR945-1669/70CTOR1017-2249/50Q/C OR1020-361/62 OR1020-632/33Q/C OR2401-435/36 OR2405-789/90

### Parcel Map





### Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	45	70	3,540.00 SF

### Building Summary

Number of Buildings: 1  
 Number of Commercial Buildings: 1  
 Total Living Area: 1380  
 Year Built: 1938

### Building 1 Details

Building Type  
 Effective Age 17  
 Year Built 1938  
 Functional Obs 0

Condition A  
 Perimeter 212  
 Special Arch 0  
 Economic Obs 0

Quality Grade 450  
 Depreciation % 23  
 Grnd Floor Area 1,380

**Inclusions:**

Roof Type  
 Heat 1  
 Heat Src 1

Roof Cover  
 Heat 2  
 Heat Src 2

Foundation  
 Bedrooms 0

**Extra Features:**

2 Fix Bath 0  
 3 Fix Bath 2  
 4 Fix Bath 0  
 5 Fix Bath 0  
 6 Fix Bath 0  
 7 Fix Bath 0  
 Extra Fix 16

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

**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
0	FLA		1	1990				690
2	OPF		1	1990				115
4	OUF		1	1990				115
5	FLA		1	1990				690
6	OUF		1	1990				76
7	FAT		1	1990				805
8	PDO		1	1990				1,678
10	PDE		1	1990				1,177

**Misc Improvement Details**

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN3:WROUGHT IRON	156 SF	39	4	1987	1988	3	60
2	FN2:FENCES	1,164 SF	194	6	1989	1990	5	30
3	TK2:TIKI	420 SF	28	15	1992	1993	5	40
4	FN2:FENCES	148 SF	37	4	2002	2003	2	30
5	FN2:FENCES	264 SF	33	8	2003	2004	4	30
6	FN2:FENCES	112 SF	28	4	2003	2004	2	30
7	FN2:FENCES	240 SF	40	6	2003	2004	2	30

**Appraiser Notes**

TPP8805811-RENTALS

**Building Permits**

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	B954027	11/01/1995	11/01/1996	9,000		RENOVATIONS
	E954123	11/01/1995	11/01/1996	2,000		ELECTRICAL
	9901873	07/08/1999	11/24/1999	5,600		ROOF
	02-1651	11/01/2002	12/09/2002	500		PICKET FENCE 29'X4'
	02-3090	11/26/2002	12/30/2004	7,500		REBUILD STAIRS
	03-0042	01/08/2003	12/30/2004	2,000		WALK IN-COOLER
	02-2440	09/09/2002	12/09/2002	3,500		INTERIOR REPAIR
	02-1817	07/02/2002	12/09/2002	4,700		INTERIOR PAINT
	02-1649	10/29/2002	12/09/2002	800		FENCE
	03-0038	01/08/2003	07/31/2004	2,000		2 TON A/C

**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	286,018	13,537	486,689	516,385	516,385	0	516,385
2007	211,946	14,163	516,830	742,938	742,938	0	742,938
2006	217,244	14,982	301,410	533,636	533,636	0	533,636
2005	225,192	15,660	212,760	305,148	305,148	0	305,148
2004	265,150	16,348	212,760	305,148	305,148	0	305,148
2003	189,065	13,253	141,840	305,148	305,148	0	305,148
2002	189,065	13,309	141,840	305,148	305,148	0	305,148
2001	181,942	13,803	141,840	301,470	301,470	0	301,470
2000	181,942	5,752	134,748	293,686	293,686	0	293,686
1999	202,893	5,931	134,748	293,686	293,686	0	293,686
1998	135,261	6,135	134,748	217,342	217,342	0	217,342
1997	135,261	6,344	127,656	217,342	217,342	0	217,342
1996	122,966	6,559	127,656	191,240	191,240	0	191,240
1995	122,966	6,728	127,656	191,240	191,240	0	191,240
1994	122,966	6,972	127,656	191,240	191,240	0	191,240
1993	121,859	3,624	127,656	191,240	191,240	0	191,240
1992	121,859	3,722	127,656	191,240	191,240	0	191,240
1991	121,859	3,860	127,656	191,240	191,240	0	191,240
1990	69,526	94	99,288	191,240	191,240	0	191,240
1989	69,526	97	95,742	165,365	165,365	0	165,365
1988	26,913	70	85,991	112,974	112,974	0	112,974
1987	43,511	0	42,552	86,063	86,063	0	86,063
1986	43,728	0	53,100	96,828	96,828	0	96,828
1985	42,550	0	47,790	90,340	90,340	0	90,340
1984	40,121	0	47,790	87,911	87,911	0	87,911
1983	40,121	0	14,037	54,158	54,158	0	54,158
1982	39,849	0	14,037	53,886	53,886	0	53,886

### 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.

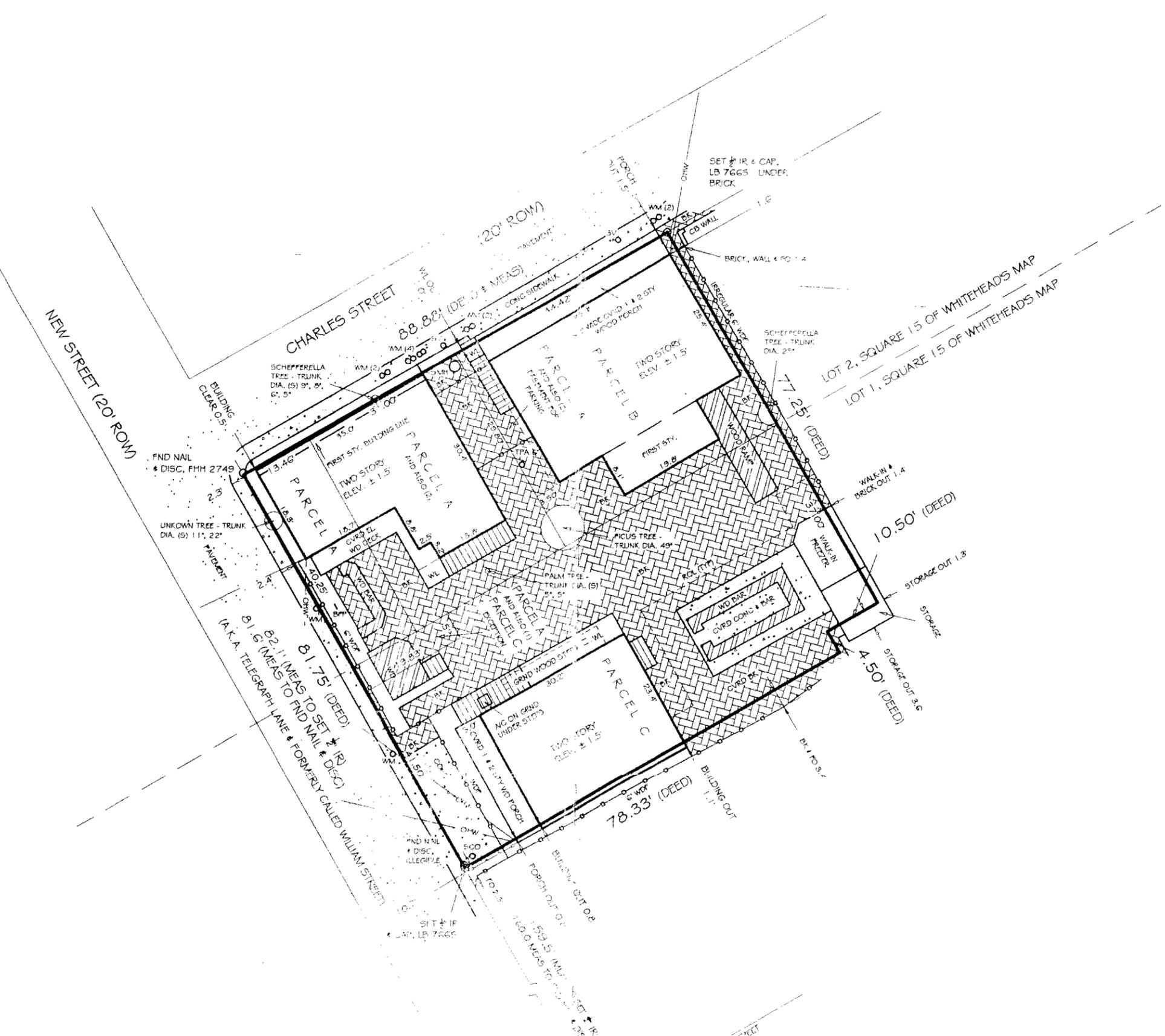
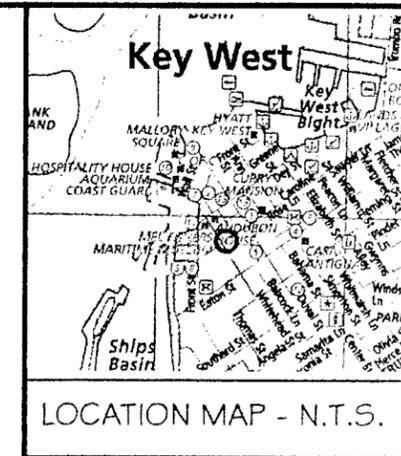
Sale Date	Official Records Book/Page	Price	Instrument	Qualification
2/20/2009	2401 / 435	1,100,000	WD	05
7/1/1987	1020 / 361	80,000	WD	U
7/1/1982	859 / 1951	70,000	WD	Q

This page has been visited 61,728 times.

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



# Survey



SCALE: 1" = 20'

BEARING BASE:  
DERIVED FROM  
LEGAL DESCRIPTION

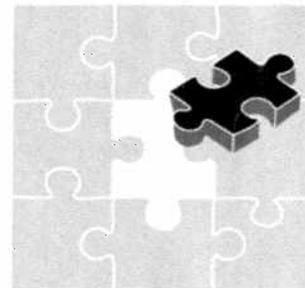
ALL ANGLES DEPICTED  
ARE 90 DEGREES UNLESS  
OTHERWISE INDICATED



# **Consumption Plan**

# MEMORANDUM

TREPANIER



**& ASSOCIATES INC**  
LAND USE PLANNING  
DEVELOPMENT CONSULTANTS



**Date:** 6/1/2009  
**To:** Ashley Monnier  
**From:** Dan Strosnider  
**CC:** Owen Trepanier  
**Re:** **Charles & Telegraph Project**

---

Ashely,

As you requested, the proposed consumption area for the site is 4,870 SF with 2,141 SF indoor and 2,729 SF outdoor. There will be approximately eight employees and two service vehicles expected to ever be at the site. We have consulted with a sound expert who has advised steps that can be taken to minimize noise. (Please see attached Sound Reduction Plan)

# MEMORANDUM

TREPANIER



**& ASSOCIATES INC**  
LAND USE PLANNING  
DEVELOPMENT CONSULTANTS

**Date:** 5/8/2009  
**To:** Ashley Monnier  
**From:** Dan Strosnider  
**CC:** Owen Trepanier  
**Re:** **Charles Street – Consumption Plan**



Ashley,

Please find attached the Consumption Area Plan. We are proposing a 2% decrease in Consumption Area on the property (Please see calculations below). If you have any questions regarding the plan please let me know.

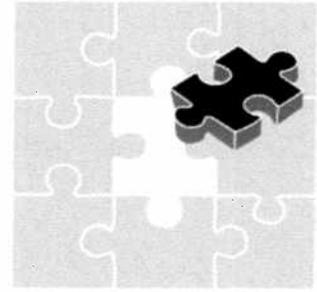
Consumption Area	Square Footage	Percentage
Existing	5,000 SF	78%
Proposed	4,870 SF	76%

# Site Plans

# MEMORANDUM



TREPANIER



**TREPANIER & ASSOCIATES INC**  
LAND USE PLANNING  
DEVELOPMENT CONSULTANTS

**Date:** 6/3/2009  
**To:** Ashley Monnier  
**From:** Dan Strosnider  
**CC:** Owen Trepanier, Amy Kimball-Murley AICP, Dave Floerke  
**Re:** **Charles/Telegraph Plans**

Ashley,

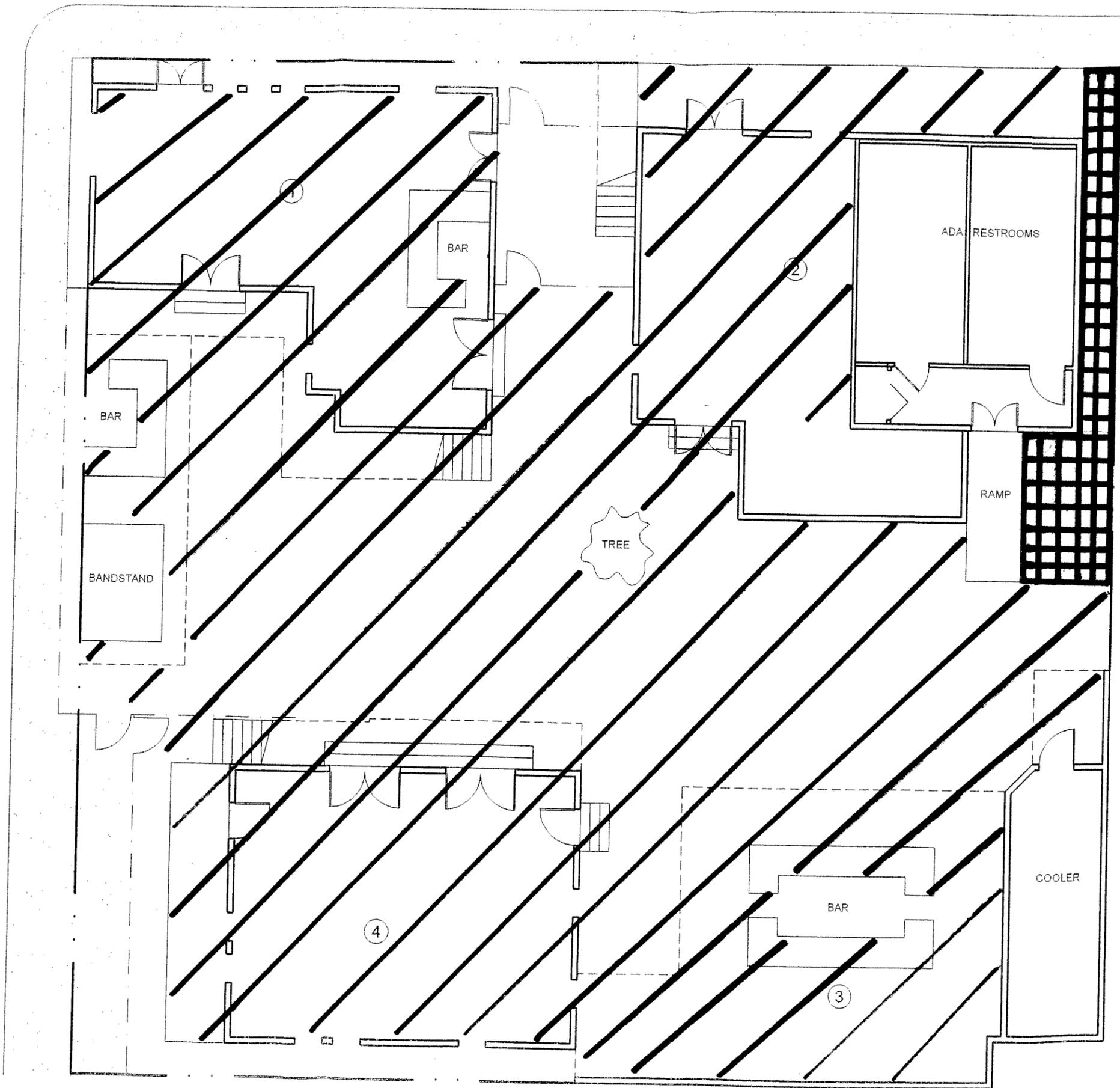
We are proposing multiple improvements for Charles Street and Telegraph Lane. I have detailed these tasks below.

<b>Task</b>	<b>Submitted Plan</b>	<b>Plan #</b>
Repair sidewalk and make street repairs	Sidewalk/Street Repair Plan	1
✓ Install lighting on buildings adjacent to Charles and Telegraph	Lighting/Security Plan	2
✓ Install security cameras	Lighting/Security Plan	2
✓ Remove non-historic exterior awnings	Lighting/Security Plan	2
Implement sound reduction plan	Sound Reduction Plan	3
Install screening to keep garbage out of public view	Garbage/Recycling Plan	4
Identify and locate designated recycling area	Garbage/Recycling Plan	4



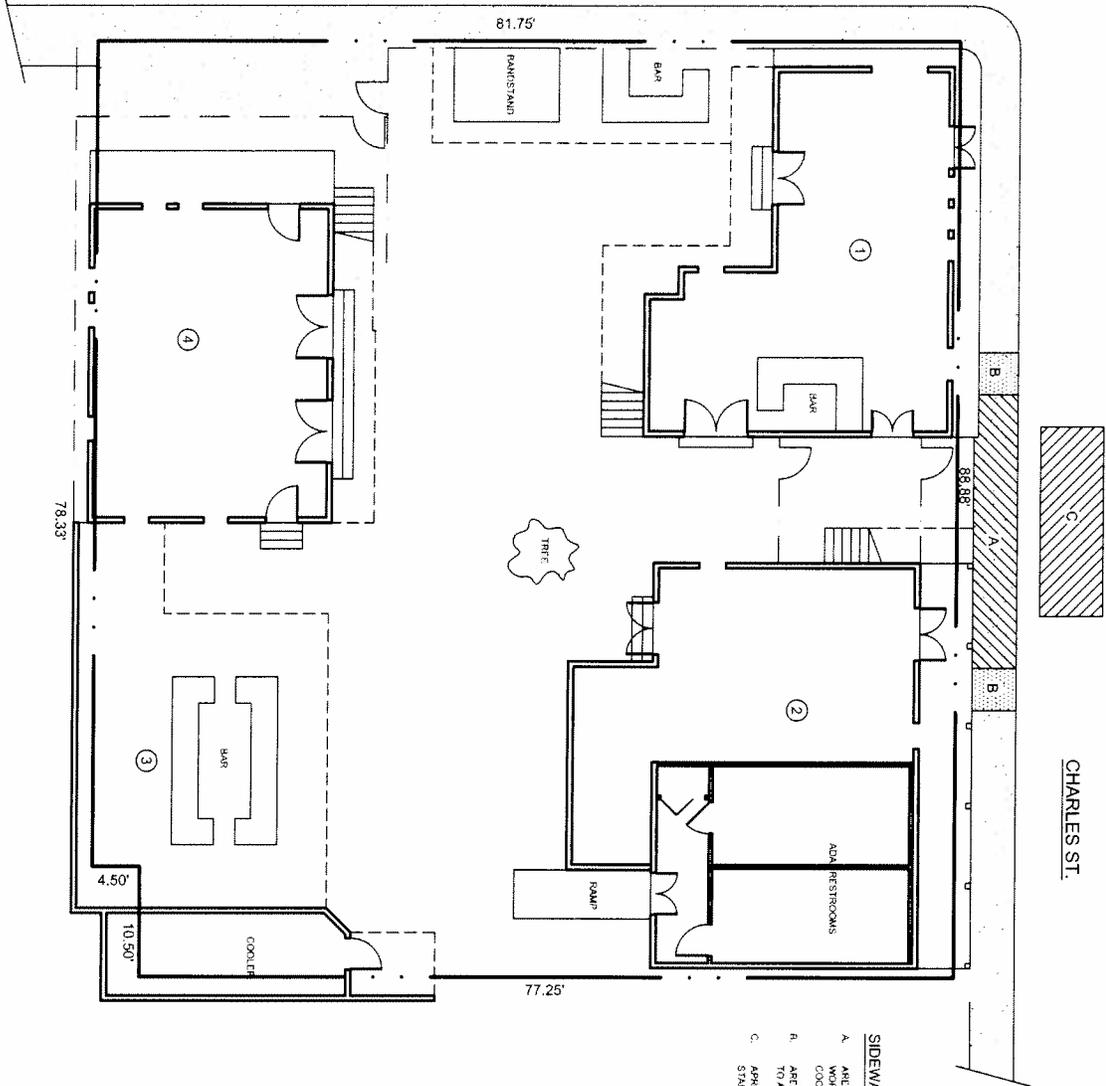
# Consumption Area Plan

-  — Consumption Area
-  — Proposed reduction in Consumption Area



TELEGRAPH LANE

PROPOSED SIDEWALK AND STREET REPAIR PLAN  
NOT TO SCALE



- SIDEWALK AND STREET REPAIR LEGEND**
- A. AREA OF SIDEWALK TO BE REPAIRED TO ADA STANDARDS. WORK TO BE COORDINATED WITH CITY ENGINEER AND ADA COORDINATOR
  - B. AREA OF SIDEWALK TRANSITION FROM EXISTING SIDEWALK TO ADA SIDEWALK
  - C. APPROXIMATE AREA OF STREET REPAIR PER CITY STANDARDS - COORDINATE WITH CITY ENGINEER

CHARLES ST.



DATE OF ISSUE:  
6 / 3 / 09

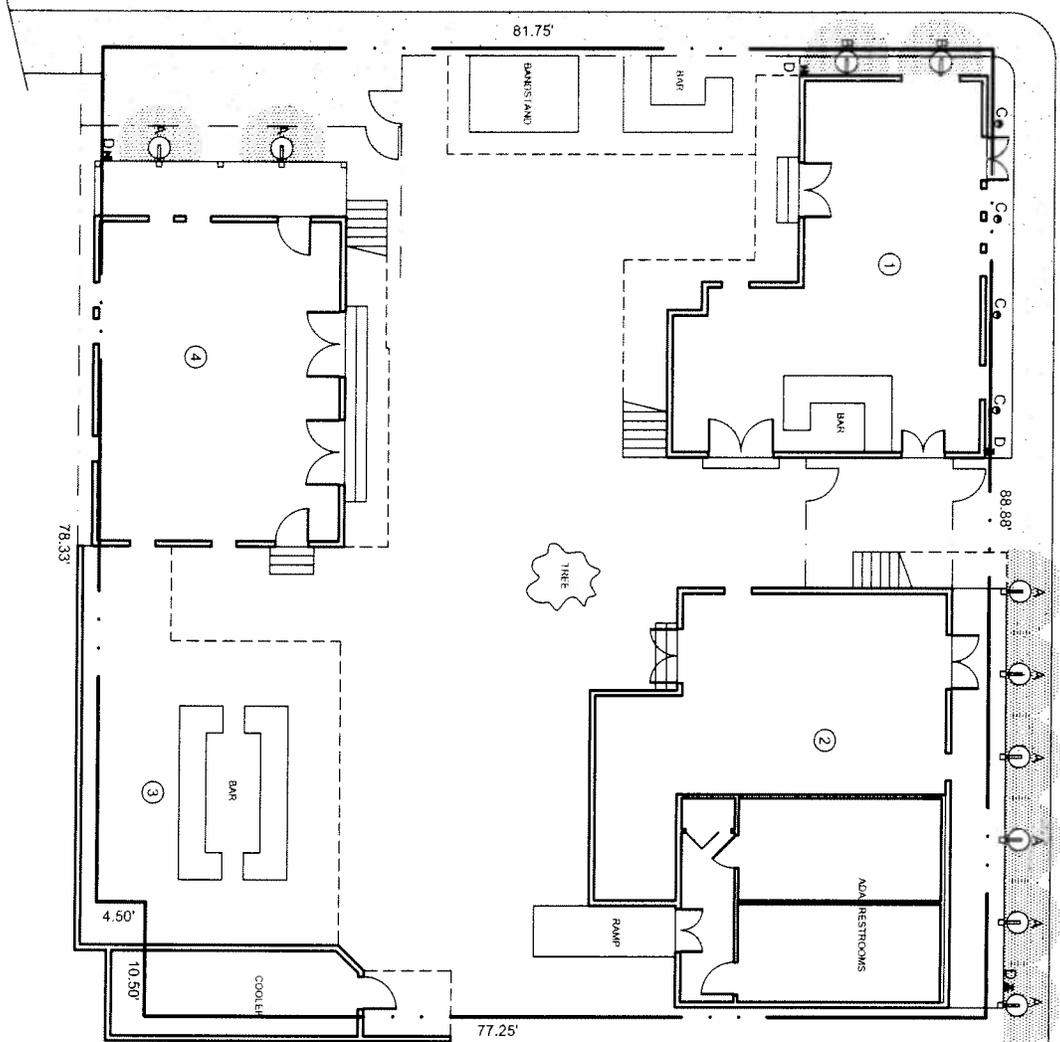
	<p><b>DAVID KNOLL</b> ARCHITECT KEY WEST, FL (305) 115 8611</p>	<p>PROPOSED EXTERIOR LIGHTING FOR: <b>4 CHARLES STREET</b> KEY WEST, FLORIDA</p>
--	---	--

Plan # 1

TELEGRAPH LANE

CHARLES ST.

PROPOSED LIGHTING, SIGNAGE AND SECURITY PLAN  
NOT TO SCALE

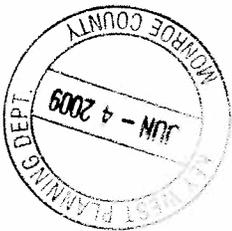


FIXTURE SCHEDULE

- A. HISTORIC LUMINAIRE WITH HORIZONTAL BRACKET PROTECTED FROM EXISTING 6x6 BUILDING COLUMNS WITH 150W HALOGEN BULB - BOTTOM OF FIXTURE TO BE NO LOWER THAN 8'-0" ABOVE SIDEWALK.
- B. HISTORIC LUMINAIRE WITH HORIZONTAL BRACKET PROTECTED FROM EXISTING BUILDING FACE WITH 100W HALOGEN BULB - BOTTOM OF FIXTURE TO BE NO LOWER THAN 8'-0" ABOVE SIDEWALK.
- C. CONVENTIONAL SHIELDED LANDSCAPE DIRECTIONAL LIGHT FIXTURE WITH 150W HALOGEN BULB - FIXTURE TO BE MOUNTED ON GRACE.
- D. SURVEILLANCE CAMERA MOUNTED ON BUILDING AT APPROXIMATELY 22'-0" ABOVE GRADE.

SIGNAGE

SIGNAGE WILL CONFORM TO THE MARINE DESIGN GUIDELINES AND WILL BE DESIGNED AND SUBMITTED TO MARINE BY OTHERS.



DATE OF ISSUE:  
6 / 3 / 09

DAVID KNOLL  
ARCHITECT  
KEY WEST, FL (305) 115 8611

PROPOSED EXTERIOR LIGHTING FOR:  
**4 CHARLES STREET**  
KEY WEST, FLORIDA

Plant #2

PRODUCT OVERVIEW | PROJECT QUOTER | ABOUT US | BECOME A REP | CONTACT US | DESIGN A LIGHTPOLE | ACCOUNT LOGIN



SEARCH: enter keywords

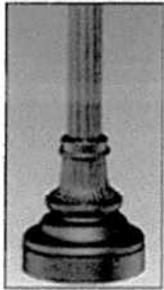
FIND



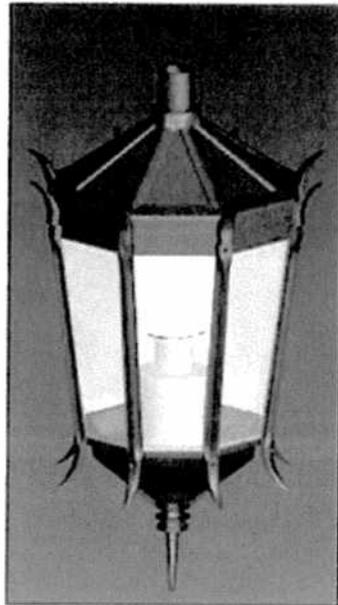
### Product Overview

## H.I.D Luminaires

- HOME
- PRODUCT OVERVIEW**
- GET A QUOTE
- POWDER COAT PAINT SERVICES
- PLASTIC ROTATIONAL MOLDING
- ABOUT US
- CONTACT US
- BECOME A REP
- FAQ
- PROJECT GALLERY



Niland - 18 5



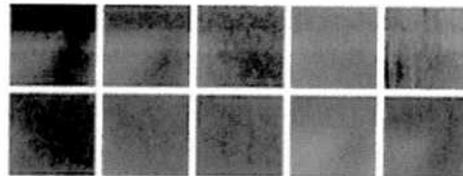
MOD-NIL-A-BOR

**Downloads:**

- DWG Autocad File
- Adobe Acrobat PDF

**Options:**

- Qty: 1
- Ballast: Incandescent (Inc)
- Wattage: 50
- MOD-NIL-A-BOR: MT
- Type: Type III
- Color: Textured Black (TB)



ADD TO PROJECT

1 customer

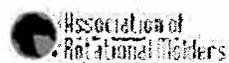
**JOIN OUR FREE MAIL NEWSLETTER**

your e-mail:  OK

- NILAND REP LOGIN >>>
- CUSTOMER LOGIN >>>

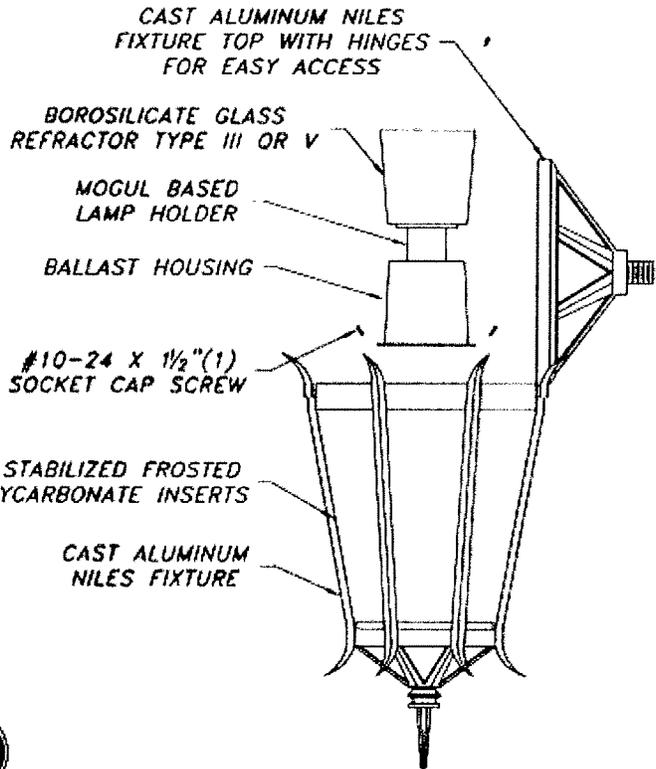
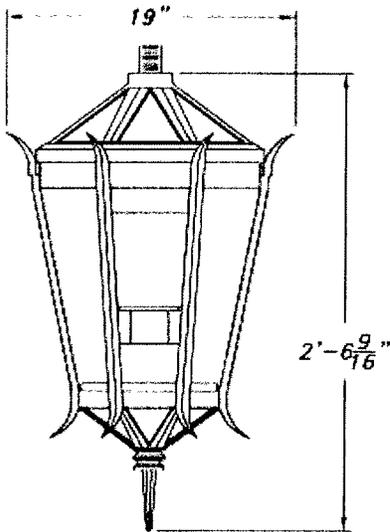
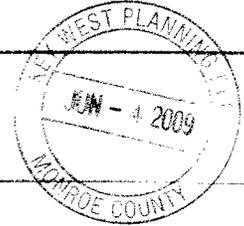
PRODUCT OVERVIEW | PROJECT QUOTER | ABOUT US | BECOME A REP | CONTACT US | DESIGN A LIGHTPOLE | ACCOUNT LOGIN

E-mail us at: [info@nilandco.com](mailto:info@nilandco.com)  
 Call or fax us toll free: 800-648-9013 | fax: 888-779-3065  
 170 N. Clark St. El Paso, Texas 79905  
 ©2005 Niland Company - Designed by Stanton Street™



# MODIFIED NILES SERIES

## MOD-NIL-A-BOR



E.P.A. - 2.09 SQ. FT.

SCALE: 1" = 1'-0"

SCALE: 1" = 1'-0"

EXAMPLE		MOD-NIL-A-BOR-				
MOD-NIL-A-BOR-MV-150-208-III-TB		Ballast	Watts	Volts	Refractor	Color
BALLAST	WATTS	VOLTS		REFRACTOR	COLOR (POWDER COATED)	
INC. <input type="checkbox"/>	50 <input type="checkbox"/> 150 <input type="checkbox"/>	120 <input type="checkbox"/>	277 <input type="checkbox"/>	TYPE III <input type="checkbox"/>	(TH) TEXTURED BLACK <input type="checkbox"/>	(GG) GLOSS GREEN <input type="checkbox"/>
HPS <input type="checkbox"/>	70 <input type="checkbox"/> 175 <input type="checkbox"/>	208 <input type="checkbox"/>	277 <input type="checkbox"/>	TYPE V <input type="checkbox"/>	(TG) TEXTURED FOREST GREEN <input type="checkbox"/>	(GR) GLOSS BRONZE <input type="checkbox"/>
MH <input type="checkbox"/>	100 <input type="checkbox"/> 250 <input type="checkbox"/>	240 <input type="checkbox"/>	480 <input type="checkbox"/>		(TR) TEXTURED BRONZE <input type="checkbox"/>	(VG) HAND BRUSHED VERDI GRYS <input type="checkbox"/>
MV <input type="checkbox"/>					(GB) GLOSS BLACK <input type="checkbox"/>	CUSTOM <input type="checkbox"/>

### LUMINAIRE SPECIFICATIONS

#### HOUSING

The post top shall be core cast aluminum. Aluminum shall be certified as pure #356 alloy, free of any porosity, foreign materials or cosmetic blemishes. Castings shall be uniform wall thickness with no warping or mold shifting. Minimum wall thickness shall be 1/16". Electrical components are mounted to the fixture and ballast canister. The ballast canister shall be mounted in the post top with three stainless steel screws. The optional refractor shall be molded of borosilicate glass or an upgraded globe with external refractor designed for either a type III or type V light distribution pattern.

#### ELECTRICAL

All electrical components and materials shall be UL-recognized and wired by a certified UL technician. All Niland ballasts are high power factor rated for 30°C/20°F starting. Medium and Mogul base sockets are 500V rated. The electrical assembly is provided with quick disconnects for servicing. Fixture shall be UL certified for wet locations.

#### MOUNTING

Fixture shall be mounted to tenon with stainless steel allen head set screws (3 @ 120°)

#### RE LAMPING

The fixture is removed by loosening 4 stainless steel screws around globe

#### FINISH

Fixture finish shall consist of degreasing, phosphate acid etching with 140° F deionized water, rinsed, oven dry off and top coated with a thermoset TGIC super polyester powder coat finish designed not to chalk or fade for many years. All Niland Company powders must pass a minimum 3000 hour salt spray test for corrosion resistance.

#### CERTIFICATION

The fixture shall be UL-listed for wet location use, and all HID listings.

#### WARRANTY

Fixture shall be warranted to be free of defects for five years. Ballast components shall carry the ballast manufacturers limited warranty of two years.

#### PHOTOMETRICS

Complete photometric data for all fixtures is available in IES-formatted 3.5 discs. A certified independent laboratory performs all testing. Call the Niland Company directly for more information.



# Niland Company

NILAND COMPANY • PH (915) 779-1405 • FAX (915) 779-7678 • E-MAIL INFO@NILANDCO.COM  
 320 N. Clark Street, Ft. Worth, TX 79905 • PH 800-648-9013 • FAX 800-729-3065 • WEB PAGE HTTP://www.nilandco.com

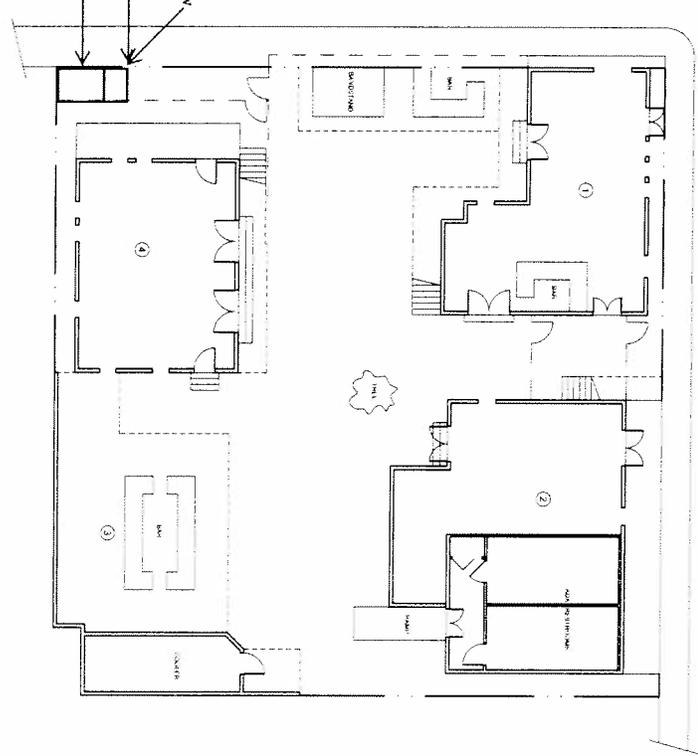
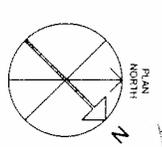


*Garbage/Recycling Plan*  
 AS-BUILT PLANS FOR:

**4 CHARLES STREET**  
 KEY WEST, FLORIDA

Garbage will be maintained in current (5' x 9') location with the addition of a designated recycling area.

Screening will block bins from street view  
 Proposed Recycling Area  
 Existing/Proposed Garbage Area



AS-BUILT SITE PLAN



NO.	REVISIONS	DATE

DATE OF ISSUE:  
 4 / 30 / 09

SHEET

1

of 3 sheets

DAVID KNOLL

A R C H I T E C T

KEY WEST, FL. (305) 115-8611

AS-BUILT PLANS FOR:

4 CHARLES STREET

KEY WEST, FLORIDA

Plan # 2

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

**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 – 4 & 6 Charles St., 213 & 217 Telegraph Lane (RE Numbers 00001410-000000, 00001430-000000, and 00001440-000000 ) – An application for Conditional Use approval for a bar and lounge in the HRCC-1 zoning district per Section 122-688 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida
- Applicant/Owner:** Trepanier & Associates
- Project Location:** 4 & 6 Charles Street and 213 & 217 Telegraph Lane
- Date of Hearing:** Thursday, June 18, 2009
- Time of Hearing:** 6:00 PM
- Location of Hearing:** Old City Hall – City Commission Chambers  
510 Greene Street

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

105 WHITEHEAD STREET CORP  
209 DUVAL STREET  
KEY WEST, FL 33040

126 DUVAL COMPANY  
423 FRONT ST  
KEY WEST, FL 33040

130 DUVAL STREET INC  
19707 TURNBERRY WAY  
AVENTURA, FL 33180-2502

135 DUVAL COMPANY  
423 FRONT STREET  
KEY WEST, FL 33040

206 DUVAL LLC  
212 TELEGRAPH LN  
KEY WEST, FL 33040

208 DUVAL LLC  
208 DUVAL ST  
KEY WEST, FL 33040

210 DUVAL STREET LLC  
P O BOX 2068  
KEY WEST, FL 33045

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

212 TELEGRAPH LLC  
P O BOX 1527  
KEY WEST, FL 33040

213 TELEGRAPH LANE LLC  
525 CAROLINE ST  
KEY WEST, FL 33040

217 TELEGRAPH LANE LLC  
525 CAROLINE ST  
KEY WEST, FL 33040

221 DUVAL STREET LLC  
7705 SE 34TH ST  
MERCER ISLAND, WA 98040

301 WHITEHEAD STREET LLC  
301 WHITEHEAD ST  
KEY WEST, FL 33040

4 AND 6 CHARLES STREET LLC  
525 CAROLINE ST  
KEY WEST, FL 33040

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

BAHAMA MAMA OF KEY WEST LLC  
18381 LONG LAKE DR  
BOCA RATON, FL 33496

BLACKWELL CAROLYN A  
PO BOX 4125  
KEY WEST, FL 33041

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

CAROLINE STREET DEVELOPMENT  
CORP  
BLDG ONE SUITE 300 - 1000 MARKET  
ST  
PORTSMOUTH, NH 03801

EMANUEL EYAL  
1016 18TH TERRACE  
KEY WEST, FL 33040

EMANUEL JOY  
3200 RIVIERA DR  
KEY WEST, FL 33040-4662

FALCON 200 INC  
1505 17TH AVE S  
NASHVILLE, TN 37212

FERREL WADE  
PO BOX 4623  
KEY WEST, FL 33041

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

FULLER MICHAEL G SR  
210 OLD ACWORTH RD  
DALLAS, GA 30132

GRAHAM BOB AKA ROBERT W  
205 TELEGRAPH LN  
KEY WEST, FL 33040

GREENE STREET CONDOS LLC  
301 WHITEHEAD ST  
KEY WEST, FL 33040

GRIFFITH RICHARD P LIV TR DTD 8-  
29-05  
717 FLEMING STREET  
KEY WEST, FL 33040

JOHNSON RICHARD MD  
38 PORTSIDE DR  
FT LAUDERDALE, FL 33316-3008

JRB PROPERTIES OF KEY WEST LLC  
1620 W OAKLAND PARK BLVD  
FT LAUDERDALE, FL 33311

KEYS PRODUCTIONS INC  
202 DUVAL STREET  
KEY WEST, FL 33040

LAURAMAR I LIMITED  
PARTNERSHIP  
1425 WHITE ST  
KEY WEST, FL 33040

MEL FISHER MARITIME HERITAGE  
SOCIETY INC THE  
200 GREENE STREET  
KEY WEST, FL 33040

MITCHELL WOLFSON FOUNDATION  
INC  
9400 S DADELAND BLVD SUITE 100  
MIAMI, FL 33156

MONTANARI ROBERT AND  
ROSEMARY  
6202 N OCEAN BLVD  
MYRTLE BEACH, SC 29572

NEW IDEAS INC  
1512 ROOSEVELT BLVD  
KEY WEST, FL 33040

PFAHL FAMILY LLC  
301 DUVAL ST  
KEY WEST, FL 33040

PORTER FAMILY LIMITED  
PARTNERSHIP  
410 CAROLINE ST  
KEY WEST, FL 33040

RAMLO DEVELOPMENT  
CORPORATION  
209 DUVAL STREET  
KEY WEST, FL 33040

RAMOS MATIDE GENEROSA REV  
TRUST 05/25/2007  
9999 SW 87TH CT  
MIAMI, FL 33176-2905

RUPP WILLIAM R TR DTD 10/3/91  
675 THIRD AVE  
NEW YORK, NY 10017

SK LAND COMPANY  
500 FLEMING STREET  
KEY WEST, FL 33040

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

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

SMITH DAVID A AND CAROLYN A  
135 MARCELLA ROAD  
HAMPTON, VA 23666

STEELE JESSICA  
3729 CINDY AVENUE  
KEY WEST, FL 33040

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

TREVETT CHRISTOPHER AND  
CYNTHIA  
709 FRANCES ST  
KEY WEST, FL 33040

WALKER JOYCE M  
566 SYLVAN DR  
WINTER PARK, FL 32789

# 213-217 Telegraph

- Legend**
- the Buffer
  - the Buffer Target
  - 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.

Date Created: May 30, 2009 12:30 PM



# 4 & 6 Charles

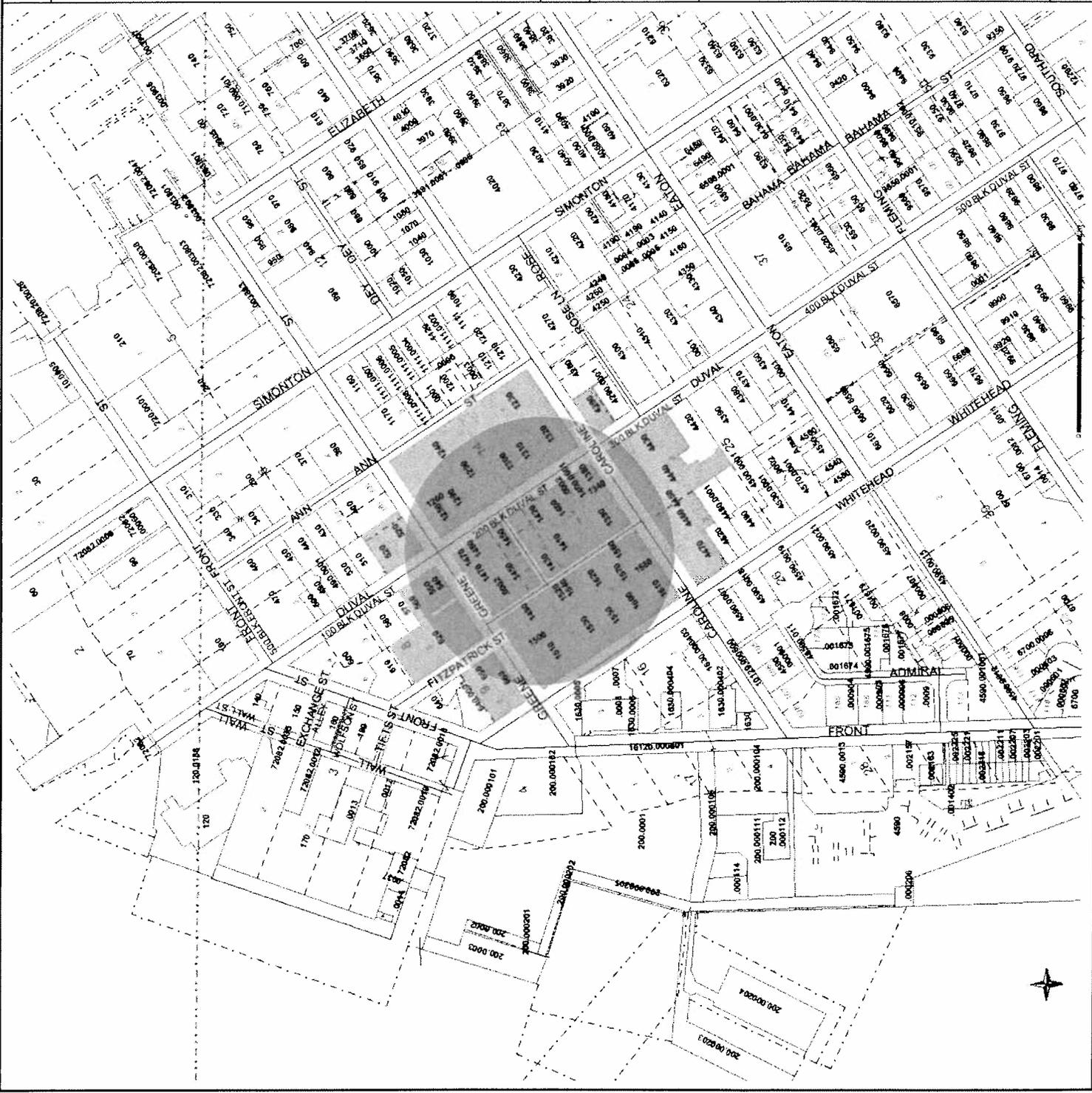
- Legend
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  - the Buffer Target
  - Real Estate Number
  - Parcel Lot Text
  - Block Text
  - Hooks/Leads
  - Lot Lines
  - Easements
  - Road Centerlines
  - Water Names
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Date Created: May 30, 2009 12:27 PM



## **Previous Licensing**

## Ashley Monnier

---

**From:** Carolyn Walker  
**Sent:** Wednesday, June 03, 2009 1:03 PM  
**To:** Ashley Monnier  
**Subject:** Charles Street licenses

Ashley, I included Telegraph Lane in case that is part of the project.

Carolyn

+...1...+...2...+...3...+...4...+...5...+...6...+...7...+..

This document is a business tax receipt.

Holder must meet all City zoning and use provisions.

P.O. Box 1409, Key West, Florida 33040 (305)809-3955

Business name . : FERREL, WADE Ctl nbr . : 4350

Location addr . : 4 CHARLES ST B

Lic Nbr/Class . : 09 00004353 RENTAL-NON-TRANSIENT RESIDENTIAL

Issue date . : 6/03/09 Expiration date . : 9/30/09

Lic Fee . . . . : 38.00

Penalty . . . . : .00

Total . . . . : 38.00

Comments . . . : 2 NONTRANSIENT RENTAL UNITS (INCL 4 & 6 CHARLES)

This document must be prominently displayed.

FERREL, WADE

POB 4623

KEY WEST FL 33040

WADE FERREL, OWNER

This document is a business tax receipt.

Holder must meet all City zoning and use provisions.

P.O. Box 1409, Key West, Florida 33040 (305)809-3955

Business name . : FERREL WADE Ctl nbr . :

Location addr . : 217 TELEGRAPH LN A

Lic Nbr/Class . : 09 00002068 RENTAL-NON-TRANSIENT RESIDENTIAL

Issue date . : 6/03/09 Expiration date . : 9/30/09

Lic Fee . . . . : 38.00

Penalty . . . . : .00

Total . . . . : 38.00

Comments . . . : 2 NON-TRANSIENT RESIDENTIAL RENTAL UNITS

This document must be prominently displayed.

FERREL WADE

POB 4623

KEY WEST FL 33040

FERREL WADE

This document is a business tax receipt.

Holder must meet all City zoning and use provisions.

P.O. Box 1409, Key West, Florida 33040 (305)809-3955

Business name . : FERRELL WADE Ctl nbr . : 2057

Location addr . : 213 TELEGRAPH LN

Lic Nbr/Class . : 09 00002067 RENTAL-NON-TRANSIENT RESIDENTIAL

Issue date . : 6/03/09 Expiration date . : 9/30/09

Lic Fee . . . . : 38.00

Penalty . . . . : .00

Total . . . . : 38.00

Comments . . . : 2 NON-TRANSIENT RESIDENTIAL RENTAL UNITS

This document must be prominently displayed.

FERRELL WADE  
POB 4623  
KEY WEST FL 33040



FERRELL WADE



Type information, press Enter.

Last activity:

Business control . . . . . 13071

Updated: 03/13/09 by KEYWCAW

Business name & address

Mailing address

NAKED LUNCH  
6 CHARLES ST A  
KEY WEST FL 33040

POB 4623  
KEY WEST FL 33041

License number . . . . . : 05 00016147

Appl, issue, expir . . . . . 93004 93004 93005

License status (F4) . . . . . IN INACTIVE

Classification (F4) . . . . . 04F FOOD SERVICE ACTIVITIES 121 & OVER SEATS

Exemption (F4) . . . . .  
License comments . . . . . 266 SEATS (INCLUDES 4 CHARLES AND 217 TELEGRAPH)

License restrictions . . . . .

Gross receipts . . . . .

Reprint this license . N Y=Yes, N=No

Additional charges . . N Y=Yes, N=No

Extra requirements . . N \* Y=Yes, N=No

Miscellaneous . . N Y=Yes, N=No

Sub codes . . . . N Y=Yes, N=No

More...

F3=Exit F5=Code description  
F10=Business maintenance

F9=Applicant/Qualifier  
F12=Cancel

F24=More keys

Division of  
Alcoholic Beverages  
& Tobacco/  
Dept. of Business &  
Professional Reg.  
- SCOP license  
5402888  
(305) 470-6787

**Entertainment License  
Code Requirements**

**"HEALTH WARNING"**

DRINKING DISTILLED SPIRITS, BEER (INCLUDING NON-ALCOHOLIC), COOLERS, WINE AND OTHER ALCOHOLIC BEVERAGES DURING PREGNANCY MAY INCREASE THE RISK OF PERMANENT BIRTH DEFECTS.

In the alternative, a health warning sign provided by the Florida Keys Health Start Coalition may be used.

(b) The above-described sign shall be legibly printed on cardboard or other similar material with at minimum one-half-inch block style letters.

(c) A violation of this section may be prosecuted in the same manner as a second degree misdemeanor pursuant to F.S. § 125.60 or as a code violation under F.S. ch. 162 or through any other lawfully available method. Enforcement proceedings before the code enforcement Special Magistrate shall subject the violator to fines and penalties pursuant to chapter 2, article VI, division 2 of the Code of Ordinances. Criminal prosecution, pursuant to F.S. § 125.60, shall subject a person to fines not to exceed \$500.00 or to imprisonment in the county jail not to exceed 60 days or both such fine and imprisonment. Each day of a continuing violation shall constitute a separate offense subject to the penalties set forth herein. (Ord. No. 07-10, § 2, 8-7-2007)

**Secs. 18-30—18-55. Reserved.**

**DIVISION 2. ENTERTAINMENT LICENSE**

**Sec. 18-56. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Soundproof* means any physical arrangement or configuration of a building that is sufficient to prevent the sound of live entertainment or amplified sound from constituting unreasonable noise

or disturbing noise, as provided in division 3 of article II of chapter 6 and article IV of chapter 26. (Code 1986, § 103.05(b))

**Cross reference**—Definitions generally, § 1-2.

**Sec. 18-57. Required; application; fee; term; exemption.**

(a) An establishment selling alcoholic beverages and desiring to provide live or recorded amplified music for the entertainment of its customers shall obtain an entertainment license from the city.

(b) An application for an entertainment license shall be made to the city manager in the name of the business establishment.

(c) The annual fee shall be \$150.00.

(d) This license is renewable on an annual basis on or before each October 1. A late penalty of \$25.00 shall be assessed for a license payment made after October 1.

(e) An establishment is exempted from the requirements of this section if it soundproofs its building, as defined in section 18-56, or if the amplified recorded sound derives exclusively from either a jukebox, a radio (but not a boom box), or a digital music system supplied to the premises by a cable television company under the franchise of the city.

(Code 1986, § 103.05(a))

**Sec. 18-58. Denial; violations.**

(a) No person is entitled to an entertainment license who has failed to comply with the requirements of a business tax receipt pursuant to article IV of chapter 66.

(b) A misrepresentation in the application for an entertainment license, as well as any other violation of the terms and conditions of this division shall upon conviction be punishable in accordance with section 1-15.

(Code 1986, § 103.05(c); Res. No. 06-292, § 1, 9-6-2006)

**Sec. 18-59. Mediation regarding complaints of noise.**

The city manager shall conduct a mediation between the holder of an entertainment license and any person complaining of noise at such establishment if:

- (1) The establishment or its owner or any employee thereof has been found in violation or pleads no contest to a violation of the sound control provisions in division 3 of article II of chapter 6 and article IV of chapter 26 at least one time within a two-year period; or
- (2) The establishment is the subject of chronic noise complaints within any 30-day period. For the purpose of this subsection, the term "chronic" shall mean that the city manager initially has received a complaint of unreasonable noise or disturbing noise at a location from more than one person, and similar noise complaints continue after an investigating officer has issued either a citation or a warning. Submission to mediation shall be a requirement of the holding of an entertainment license. Upon issuance of the entertainment license, the licensing division shall provide the holder with a written notice of its responsibilities under this subsection. The city manager shall provide notice and opportunity to be heard by the parties at mediation, and shall issue final recommendations. The mediation is nonbinding.

(Code 1986, § 103.05(d))

**Sec. 18-60. Revocation or suspension.**

(a) If a license holder is found in violation or pleads no contest to a violation of division 3 of article II of chapter 6 and article IV of chapter 26 two times within any annual period and the noise violations are music related, the city manager may determine whether to revoke or suspend for a period of time the license holder's entertainment license. Before reaching a decision, the city manager shall:

- (1) Afford the license holder notice of the hearing and a reasonable opportunity to be heard;

- (2) Consider the license holder's record of noise violations;
- (3) Consider the seriousness and recurrence of the violation;
- (4) Consider the degree of disturbance on persons or neighboring property owners; and
- (5) Evaluate the license holder's record in mediation under section 18-59.

(b) The city manager's decision to revoke or suspend an entertainment license shall be issued in writing and shall inform the license holder of the right to appeal the decision to the city commission. A written appeal must be filed with the city clerk within ten days of the receipt of the decision. An appeal shall not stay the city manager's decision unless the city manager's decision calls for a stay upon appeal. If a license is revoked or suspended and the establishment continues to provide live or recorded amplified music without a license, the city attorney is authorized to apply for an injunction from the circuit court.

(Code 1986, § 103.05(e); Ord. No. 08-05, § 3, 5-20-2008)

**Secs. 18-61—18-85. Reserved.**

**DIVISION 3. OPEN CONTAINERS**

**Sec. 18-86. Definitions.**

The following words, terms and phrases, when used in this division, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Alcoholic beverage* means any beverage containing more than one percent alcohol by weight, as determined in accordance with F.S. § 561.01(4)(b).

*Beverage law* means F.S. chs. 561—565.

*Commercial establishment parking lot* means any private or public area appurtenant to commercial establishments used by the public for parking for, and pedestrian access to, commercial establishments, including drives, parking areas, and sidewalks and walkways appurtenant thereto.

**Key West Planning Board Meeting Agenda**  
**June 18, 2009 – 6:00 p.m.**  
**City Commission Chamber**  
**Old City Hall, 510 Greene Street**



**Item 4.b.2.**

**804 Caroline –**

**Outdoor Display – 804 Caroline Street (RE 00003200-000000)** – An application for Exception for Outdoor Merchandise Display, to allow the display of home and garden items and associated merchandise in the HNC-2 zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

# **Staff Report**

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



**To:** Chairman and Planning Board Members

**From:** Ashley M. Monnier *AMM*

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

**Meeting Date:** June 18, 2009

**Agenda Item:** An application for Exception for Outdoor Merchandise Display, to allow the display of home and garden items in the HNC-2 zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

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**Request:** The applicant is requesting an Exception for Outdoor Merchandise Display to allow the display of home and garden items on the front porch of their business.

**Applicant:** Patricia O'Connor

**Property Owner:** James & Karen Disdier

**Location:** 804 Caroline  
RE# 00003200-000000

**Zoning:** Historic Neighborhood Commercial District  
HNC-2



## **BACKGROUND**

The applicant is the business owner of Key Accents, Home & Garden at 804 Caroline Street. The types of merchandise currently being sold at the site include interior and exterior décor items. The structure on the site has an attached porch that serves as an entranceway to the business. The applicant is seeking to display merchandise in an approximately 6'x15' area on the porch. The applicants are requesting the time of the exception to be for the maximum allowed, or for sixty (60) months.

## **REQUEST**

The applicant is requesting an Exception for Outdoor Merchandise Display to allow the display of home and garden merchandise on the front porch of their business, specifically on one 72" table, and one 40" table. .

## **ANALYSIS-EVALUATION- COMPLIANCE WITH CITY OF KEY WEST LAND DEVELOPMENT REGULATIONS**

The outdoor display of merchandise in the historic zoning districts of the city is prohibited unless an exception is granted by the Planning Board, as provided in Section 106-52 of the City Code. Pursuant to Section 106-51 of the City Code, merchandise shall mean any good or product or sample or likeness of any good or product offered for sale by a business. The prohibitions of Section 106-51 shall not be applied to certain types of merchandise, including plant sales.

**(1) Factors favoring the exception are as follows:**

- a. **The location of the proposed exception, while outdoors, is an interior courtyard of a building or buildings, or is a space specifically designed and permitted for use by outdoor merchants.**

The proposed Exception is not located in an interior courtyard, but is located within a covered porch on the exterior entranceway of the business structure. The applicant is requesting to display home and garden items on the two tables within the covered porch.

- b. **The exception (for either the type of merchandise or the type of display) is compatible or in visual harmony with the character of the neighborhood).**

The Exception for the type of merchandise and the type of display is compatible with the character of the neighborhood. The nature of the type of merchandise to be displayed is in keeping with items you might see passing by in a residential neighborhood.

- c. **The exception's visual incongruity with the historic character of the neighborhood is reduced by substantial setback from public places and rights-of-way.**

Although the porch is visible from the public right-of-way, it is not located in the public right-of-way. The proposed display of merchandise would be located eleven (11) feet from the street and six (6) feet from the sidewalk.

**(2) Factors disfavoring the exception are as follows:**

- a. Architecture contributing to the historical fabric or visual character of the neighborhood is obscured by the exception.**

The Exception would not obscure the architecture contributing to the historical fabric or the visual character of the neighborhood.

- b. The location of the proposed exception abuts, with minimal setback, a street of the historic district, thus the exception is visible from heavily used public places and rights-of-way.**

The location of the porch where the merchandise is proposed to be displayed on is legally nonconforming to front yard setbacks. The minimum front yard setback in the HNC-2 zoning district is ten (10) feet, but the porch is located six (6) feet from the sidewalk. The applicant is not proposing to expand this nonconforming aspect of the site, but rather asks for an Exception to display merchandise on two tables within the porch.

- c. The exception presents a hazard to public safety.**

The Fire Marshall has determined that the proposed Exception does not present a hazard to public safety, so long as 36" of access way is maintained as shown on the plan.

- (3) Exceptions to section 106-51 granted by the Planning Board shall be for a term of no more than 60 consecutive months and may be granted subject to terms and conditions specified by the board in order to protect the architectural heritage and visual character of the district. Applications for exceptions shall be accompanied by a nonrefundable fee of \$100.00 to cover the costs to the city of processing the application and investigating the applicant.**

The applicant has requested an Exception for a maximum amount of time of sixty (60) consecutive months.

- (4) Exceptions to Section 106-51 may be revoked by the Planning Board after notice and hearing on grounds that:**

- a. The applicant has failed to comply with terms and conditions specified pursuant to the grant of an exception in this section;**

- b. The exception was granted pursuant to mistaken or misleading information; or**
- c. The exception is not compatible or in visual harmony, with development of the neighborhood occurring subsequent to grant of the exception.**

If the Exception for an Outdoor Display is approved by the Planning Board, and if at any time during the display of merchandise the applicant is out of compliance with any conditions of approval, the approval can be revoked by the Planning Board under Section 106-52 (4) of the City Code.

- (5) The City Manager or the Planning Board upon written petition by any city resident may cause issuance of a notice of hearing on revocation of an exception, which notice shall be issued by the City Clerk.**

If the Exception for outdoor merchandise display is approved, the Planning Department will work with the City Manager or the Planning Board on any concerns brought forth by residents.

#### **RECOMMENDATION**

The Planning Department, based on criteria by the City Code, recommends the request for Exception to the Outdoor Merchandise Display be approved per the proposed plan.

# Resolution

RESOLUTION NUMBER \_\_\_\_\_

**A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING AN EXCEPTION FOR OUTDOOR MERCHANDISE DISPLAY FOR PROPERTY LOCATED AT 804 CAROLINE STREET (RE# 00003200-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the subject property is located in the Historic Neighborhood Commercial District (HNC-1); and

**WHEREAS**, Section 106-51 of the City Code of Ordinances imposes certain conditions on the display of merchandise where visible from any public place, right-of-way, street or sidewalk; and

**WHEREAS**, Section 106-52 of the City Code of Ordinances provides that exceptions to the general prohibition may be granted upon application to the Planning Board; and

**WHEREAS**, the Planning Board has considered the following factors favoring the Exception;

- a. The Exception is compatible or in visual harmony with the character of the neighborhood visible at the locations (public places and rights-of-way) from which the Exception can be seen;
- b. The Exception's visual incongruity with the historic character of the neighborhood

\_\_\_\_\_ Chairman

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

is reduced by substantial setback from public places and rights-of-way;

- c. Public use of public locations from which the Exception can be seen is primarily made to gain access to the applicant's business;

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

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

**Section 2.** That an Exception for Outdoor Display, under the Code of Ordinances of the City of Key West, Florida, is hereby granted as follows: allowing the outdoor display of home and garden décor in the front porch for property located at 804 Caroline Street (RE# 00003200-000000), see attached plans dated June 4, 2009.

**Section 3.** That the Exception shall not extend beyond 60 months and shall automatically expire 60 months from the date of this resolution.

**Section 4.** Exceptions to 106-51 may be revoked by the Planning Board after notice and hearing on grounds:

- a. The applicant has failed to comply with terms and conditions specified pursuant to the grant of an Exception in this section.
- b. The Exception was granted pursuant to mistaken or misleading information; or
- c. The Exception is not compatible, or in visual harmony, with development of the neighborhood occurring subsequent to grant of the Exception.

**Page 2**  
**Resolution Number \_\_\_\_\_**

\_\_\_\_\_ Chairman

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

**Section 5.** The City Manager or the Planning Board, upon any written petition by any city resident, may cause issuance of a notice of hearing on revocation of an Exception, which notice shall be issued by the City Clerk.

**Section 6.** This Exception for Outdoor Display 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 7.** 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 8.** This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed on first reading at a regular meeting held this 18<sup>th</sup> day of June, 2009.

**Page 3**  
**Resolution Number \_\_\_\_\_**

\_\_\_\_\_ Chairman

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

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

**Page 4**  
**Resolution Number \_\_\_\_\_**

\_\_\_\_\_ Chairman

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

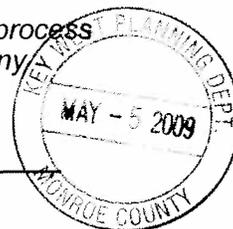
# Application

Application for Exception for Outdoor Merchandise Display  
City of Key West Planning Department  
605-A Simonton Street, Key West, FL 33040  
(305) 292-8229



(Pursuant to Section 106-51 & 52 City of Key West Land Development Regulations)

Please fill out this application as completely as possible. This will help our staff to process your request quickly and obtain necessary information without delay. If you have any questions please call 305.292.8229 to schedule an appointment with a Planner.



Applicants Name PATRICIA O'CONNOR

Address of Proposed Display 804 CAROLINE STREET

RE# of Property \_\_\_\_\_

Business Name KEY ACCENTS, HOME & GARDEN

Business Address 804 CAROLINE STREET

Applicants Mailing Address 627 ELIZABETH ST.

Telephone 305-766-0457 Fax # \_\_\_\_\_

Name of Property Owner JAMES L. & KAREN L. DISDIER

Mailing Address P.O. Box 6521, KEY WEST, FL 33041

Telephone \_\_\_\_\_ Fax # \_\_\_\_\_

This application is for: (check those which apply)

Advertising       Display only       Conducting business

Located in or on:

- a porch, patio, or other attached portion of an adjacent permanent structure.
- an arcade, gazebo, or other temporary structure.
- a cart or movable booth. (Must have received or obtained HARC approval)
- a portable table, rack, or other non-permanent equipment.

OCONNOR627@GMAIL.COM

305)  
766-0457  
Bill  
O'Connor

Application for Exception for Outdoor Merchandise Display  
City of Key West Planning Department  
605-A Simonton Street, Key West, FL 33040  
(305) 292-8229



Describe the Specific Merchandise to be Displayed and Business Conducted.

POUCH TO BE USED TO DISPLAY GARDEN ITEMS,  
SELECT STORE ITEMS FOR HOME DISPLAY-  
TO ALSO DISPLAY OTHER ITEMS SOLD IN STORE

Describe the Structure and Equipment used in the Display in Detail, Including any Seating.

POUCH HAS TWO WHITE ROCKING CHAIRS AND  
TWO OUTDOOR TABLES FOR ITEMS TO BE  
DISPLAYED ON

How far is the display from the street? 11- FEET

How far is the display from the sidewalk? 6- FEET

Length of time exception will be needed (no more than 60 months) 60- MONTHS

YOU MUST DO THE FOLLOWING BEFORE YOUR APPLICATION IS COMPLETE:

1. PROVIDE FEE OF ~~\$400.00~~. MAKE CHECKS OUT TO CITY OF KEY WEST.
2. ATTACH A PHOTOGRAPH AND SKETCH OF LOCATION ON PROPERTY.
3. RETURN APPLICATION AND REQUESTED ITEMS TO CITY OF KEY WEST PLANNING DEPARTMENT AT 605-A SIMONTON ST., KEY WEST, FL 33040

The information furnished above is true and accurate to the best of my knowledge.

Signature Patty O'Connor Date 5/5/09

STAFF COMMENTS: (BOA MEETING DATE \_\_\_\_\_)

# **DRC Minutes**

**Minutes of the Development Review Committee**  
**Meeting of May 28, 2009**

Amy Kimball-Murley, Planning Director, convened a meeting of the Development Review Committee of the City of Key West at 2:10 pm, May 28, 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

Alan Averette, Lt. Fire Inspector  
Cynthia Coogle, Landscape Coordinator  
Diane Nicklaus, HARC & Building Department

**Planning Staff:**

Brendon Cunningham  
Nicole Malo  
Carlene Cowart

Ashley Monnier  
Rodney Corriveau

**Comments received from:**

Ed Nicolle, FCAA

Matthew Alfonso, Keys Energy

**Others present were:**

Ty Symroski, 2328 Staples Avenue  
Joanne Alexander, 555 College Road  
Naomi Van Steelandt, 1402 Newton  
Ginny Stones, 221 Simonton Street  
Carlos Rojas, 540 White Street  
David Floerke, 1413 South Street

Theresa Artuso, 6200 Whiskey Circle  
George Hermanson, 950 Encore Way  
Bill O'Connor, 627 Elizabeth Street  
Dan Strosnider, 402 Applerouth  
Robert Kelly, 1413 South Street  
Owen Trepanier, 402 Applerouth

**2. Approval of Agenda**

Item 4h and 4i were moved after item 4b.

Motion to approve the amended Agenda was made by Mr. Averette and seconded by Mr. Wilkins.

Motion carried by unanimous voice vote.

**3. Approval of Minutes**

**a. April 23, 2009**

Motion to approve the Minutes from the April 23, 2009 DRC Meeting was made by Mr. Averette and seconded by Ms. Malo.

**4. New Business**

- a. Transient License Transfer - from 415 Julia Street (RE 00027290-000000) to 918-920 Center Street (RE 00017830-000000) – Transient License Transfer from 415 Julia Street located in the Historic Medium Density District (HMDR) to 918-920 Center Street located in the Historic Residential Commercial Core (HRCC-3) zoning district per Sections 122-1338 and**

**122-1339 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Naomi Van Steelandt, reviewed the transient license transfer request with committee members. She indicated that this is the first of an anticipated series of requests to license all the units on the site for transient uses.

Committee members reviewed the application. Members had no objections to the request. FKAA had no objections to the transfer of a transient license as long as there are no additional units added.

- b. **Transient License Transfer – 524 Eaton Street (RE 00006500-000000 and 00006500-000100) – An application for transfer of four (4) transient units in the HNC-1 zoning district per Section 122-1338 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Ginny Stones, reviewed the transient license transfer request with committee members.

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

1. Planning Director will need to revoke a previous administrative interpretation on density rounding.
2. Applicant will provide an existing site plan.
3. Applicant will provide an existing survey showing drainage and stormwater.
4. Owner has agreed to meet ADA guidelines.
5. FKAA had no objections to the transfer of a transient license as long as there are no additional units added.
6. Unity of title will be required.

- c. **Major Development Plan – 524 Eaton Street (RE 00006500-000100) – An application for Major Development Plan to construct five transient units by reducing existing office space from 10,000 square feet to 5,000 square feet and adding an additional floor to the existing building in the HNC-1 zoning district per Section 108-91(A).(2).(a.) and (b.) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Ginny Stones was present representing the applicant. She discussed different uses on the site will function independently.

Committee members reviewed and discussed the site plan and made the following recommendations:

1. Applicant will need to obtain a unity of title in order to obtain the proposed density for the application.
2. Applicant will provide an existing site plan.
3. Applicant will provide an existing survey showing drainage and stormwater.
4. Applicant will provide site plans that indicate parking location (commercial vs residential and how parking is allocated).
5. Entire location will need to be sprinkled for fire protection.
6. Applicant has agreed to make the location ADA accessible.
7. A variance application will be required for the expansion of the non-conforming setback, which will be triggered by the third story and elevator.
8. The applicant will submit information to clarify the existing unit is a legal unit.

9. Applicant will need to coordinate with the Director of General Services and Engineering in order to establish addresses for the proposed residential units if approved.
  10. A complete set of plans will need to be submitted to FCAA for review to determine meter requirements and system development charges.
  11. A complete set of plans will need to be submitted to Keys Energy with a Project Review Form.
  12. Members discussed possible offsite parking provisions.
  13. Tree Commission approval will not be necessary.
- d. **Conditional Use – 629 Duval Street (RE 00012440-000100)** – A conditional use application for the rental of 24 electric cars in the Historic Residential Commercial Core (HRCC-1) zoning district per Sections 122-61, 122-62 and 122-688(17) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

Applicant was not present.

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

1. Applicant will need to coordinate with the HARC Planner to clarify if the applicant will be putting in a booth or a structure.
  2. Location will be fully paved as currently designed.
  3. Parking requirements need to be addressed.
  4. Countertop needs to meet ADA guidelines.
  5. Landscape Coordinator stated she would prefer to see a pervious surface vs an impervious surface.
  6. Trees will also need to be protected by curbing and wheel stops.
  7. Members are concerned about the heavy traffic impact.
- e. **Outdoor Display – 804 Caroline Street (RE 00003200-000000)** – An application for Exception for Outdoor Merchandise Display, to allow the display of home and garden items and associated merchandise in the HNC-2 zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

The applicant, Patricia O'Connor, reviewed the outdoor display request with committee members.

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

1. Applicant will need to indicate dimensions of outdoor display on the site plan.
  2. Applicant will keep the display on the front porch and maintain a clearance of at least 36".
  3. Members urged applicant to meet the good neighbor policy.
- f. **Change of a Nonconforming Use – 3100 Flagler Ave (RE 00069090-000000)** – An Application for Change in Nonconforming Use in the Limited Commercial (CL) zoning district per Section 122-32 (e) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

The applicant, Carlos Rojas, reviewed the change in nonconforming use request with committee members. Mr. Rojas will revise the site plans and remove the veterinary clinic from the application. He also clarified that customer parking will be located on the Flagler side and self storage will be accessible from the rear. Mr. Rojas has requested that the application move forward to the July 16, 2009 Planning Board meeting, in order for him to have enough time to coordinate with neighbors.

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

1. Applicant will meet ADA guidelines and add ADA upgrades (i.e., accessible latches on 5% of the units). Applicant stated that he converted a parking space into ADA van parking.
2. Applicant will need to indicate maximum egress routes on the site plan.
3. Applicant will update the traffic analysis to reflect the revised square footage.
4. Fire Department requested that the applicant consider opening up a third door.
5. Applicant will need to maintain landscaping per Code requirement.
6. Landscape Coordinator stated that not more than 25% of the landscape can be palms. She urged that the applicant take a look at different species and that 70% of the landscaping needs to be new.

- g. Conditional Use – 4 & 6 Charles St., 213 & 217 Telegraph Lane (RE Numbers 00001410-000000, 00001430-000000, and 00001440-000000 ) – An application for Conditional Use approval for a bar and lounge in the HRCC-1 zoning district per Section 122-688 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

The applicants, Owen Trepanier and Dan Strosnider with Trepanier & Associates, reviewed the conditional use request with committee members.

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

1. Applicant will need to indicate the trash area on the site plan.
2. Sidewalk needs to be a minimum of 36" in width. If the sidewalk is replaced, 20% of any renovation needs to meet ADA guidelines.
3. Members suggested that lighting be considered due to the width of the sidewalk and that bushes be cleared, possibly replaced. Other measures to increase safety and potentially reduce crime were encouraged.
4. Members also suggested that the owner maintain easy access for law enforcement on Telegraph Lane.
5. Applicant will coordinate with the ADA Coordinator on having gas lamps placed on Charles Street.
6. Members urged applicant to meet the good neighbor policy. Members suggested that applicant obtain a noise monitor and gauge readings.

- h. Conditional Use – 512 Greene street (RE 00001170-000000) – A Conditional Use for a bar in the Historic Residential Commercial Core (HRCC-1) zoning district per Section 122-688 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

The applicants, Owen Trepanier and Dan Strosnider with Trepanier & Associates, reviewed the conditional use request with committee members. Applicant stated that the pavement will be removed and landscape and swales and created for pervious surface.

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

1. Applicant will need to seek HARC approval.
2. Applicant will submit new site plans detailing elevations and ramp per HARC requests.
3. Applicant will make parking lot and sidewalk ADA compliant. Construction plans will need ADA upgrades. Ideally the applicant will create a bigger entrance from Ann Street.
4. Applicant will clarify on site plan the location of bike racks and scooter parking as well as correct the number of parking spaces on site plan.
5. Applicant will provide trip generation.

6. Applicant will need to increase slight floor area ratio.
7. Applicant will provide square footage on single family home.
8. Staff will coordinate with Applicant on the status of the residential unit on site.
9. Applicant will need to have an experienced licensed landscape architect handle landscaping per the code.
10. Applicant will preserve champion trees.
11. Applicant will need to go to Tree Commission.
12. Applicant will provide Landscape Coordinator counts for new installations.
13. Applicant will barricade all trees, and provide dimensions of planters in parking lot. Planter areas need to be curved.
14. Applicant will provide site plans of existing and proposed landscaping.
15. If bricks are added, bricks cannot change grade.
16. Staff recommends inserting hedges to create a buffer between residential and commercial.
17. Members urged applicant to meet the good neighbor policy.

**i. Major Development Plan and Conditional Use – 5555 College Road (RE 00072080-001400) – A Major Development Plan and Conditional Use Application within the commercial general (CG) zoning designation for the installation of stacked boat racks at Sunset Marina per Section 108-31 and Section 122-61 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The applicant, Ty Symroski, reviewed the major development plan and conditional use request with committee members.

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

1. Applicant meets ADA requirements, including 34” high counter.
2. Applicant will need to provide count of native and non-native landscaping.
3. Applicant originally added vegetation to lagoon bank; however, it did not work as planned. Applicant has since redesigned the landscaping.
4. Applicant will submit a copy of the environmental permits from Army Corps of Engineers, FDEP and the Fish Finder Agreement to staff.
5. Once DEP issues a letter to the applicant, they will meet stormwater criteria.
6. Applicant will provide parking bumpers on the columns directly under the racks and maintain vertical clearance for safety.
7. Applicant will provide staff with date on information on the additional \$60,000 in escrow.
8. Applicant will provide staff a copy of the deed restriction on the 4 units approved in 2003.
9. Applicant will provide staff a copy of the Army Corps of Engineers letter dated July 29, 2008 stating they do not need the culvert.
10. Applicant will need to call Sunshine One before digging for locations of underground facilities.

## **5. Adjournment**

Meeting adjourned at 5:00 pm.

**Submitted written comments are attached.**

Respectively Submitted,

Carlene Cowart  
Administrative Coordinator

**Florida Keys Aqueduct Authority**  
**Key West, Florida**  
**MEMORANDUM**

**To:** Amy Kimball-Murley AICP, Planning Director  
**From:** Marnie Thrift-Distribution Design Specialist  
**Subject:** Development Review Committee Meeting May 28, 2009  
**Date:** May 13, 2009

A representative of the FKAA will not be able to attend the DRC meeting scheduled for May 28, 2009. Comments on the project are as follows:

- a. **Transient License Transfer - from 415 Julia Street (RE 00027290-000000) to 918-920 Center Street (RE 00017830-000000)** – The FKAA has no objections to the transfer of a transient license as long as there are no additional units added.
- b. **Transient License Transfer – 524 Eaton Street (RE 00006500-000000 and 00006500-000100)** – The FKAA has no objections to the transfer of a transient license as long as there are no additional units added.
- c. **Outdoor Display – 804 Caroline Street (RE 00003200-000000)** –The FKAA has no objection to the display of home and garden items and associated merchandise.
- d. **Change of a Nonconforming Use – 3100 Flagler Ave (RE 00069090-000000)**  
The FKAA has no objection to the change of use for the referenced property. A complete set of plans will be required to determine meter requirements and System Development Charges.
- e. **Conditional Use – 4 & 6 Charles St., 213 & 217 Telegraph Lane (RE Numbers 00001410-000000, 00001430-000000, and 00001440-000000)** – The FKAA has no objection to the conditional use. A complete set of plans will be required to determine meter requirements and System Development Charges.
- f. **Conditional Use – 512 Greene Street (RE 00001170-000000)** – The FKAA has no objection to the conditional use. A complete set of plans will be required to determine meter requirements and System Development Charges.
- g. **Major Development Plan and Conditional Use – 5555 College Road (RE 00072080-001400)** – The FKAA has no objection to the installation of stacked boat racks at Sunset Marina. There is 10” water main located on College Road and it appears adequate to serve this project.

- 
- h. Major Development Plan – 524 Eaton Street (RE 00006500-000100) –** This site is presently being served by FKAA Location #'s 1170-003337 and 1030-048729 which are 5/8" services. The site has a 4" water main located on Eaton Street and a 2" water main on Bahama Street, which seem capable of serving this project. A complete set of plans will be required for review to determine meter requirements and System Development Charges.
  - i. Conditional Use – 629 Duval Street (RE 00012440-000100) –**The FKAA has no objections to the conditional use application for the rental of 24 electric cars.

CC: Irma Boveda, Customer Service Manager KW



(305) 295-1000  
1001 James Street  
PO Box 6100  
Key West, FL 33040-6100  
[www.KeysEnergy.com](http://www.KeysEnergy.com)

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UTILITY BOARD OF THE CITY OF KEY WEST

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May 28, 2009

Mrs. Amy Kimball-Murley, AICP  
City of Key West  
PO Box 1409  
Key West, Florida 33040

RE: DEVELOPMENT REVIEW COMMITTEE  
KEYS ENERGY SERVICES COMMENTS MEETING OF May 28, 2009

Dear Mrs. Kimball-Murley:

Keys Energy Services (KEYS) received the Development Review Committee Agenda for May 28, 2009. KEYS has reviewed the items that will be discussed at the City's Development Review Committee meeting.

Below are KEYS' comments:

1. LOCATION: 415 Julia Street transfer License 918-920 Center Street  
COMMENT: KEYS has no objections.
2. LOCATION: 524 Eaton Street  
COMMENT: KEYS has no objections.
3. LOCATION: 804 Caroline Street  
COMMENT: KEYS has no objections.
4. LOCATION: 3100 Flagler Ave  
COMMENT: KEYS has no objections.
5. LOCATION: 4 & 6 Charles Street and 213-217 Telegraph Lane  
COMMENT: KEYS has no objections.
6. LOCATION: 512 Greene Street  
COMMENT: KEYS has no objections.
7. LOCATION: 5555 College Rd.  
COMMENT: KEYS has no objections. Customer will need to call for Sunshine One Call before digging for locations of underground facilities.
8. LOCATION: 524 Eaton Street  
COMMENT: Customer will need to submit a full set of plans with a Project Review Form
- 9, LOCATION: 629 Duval Street  
COMMENT: KEYS has no objections

Thank you for giving KEYS the opportunity to participate in the City's review process. If you have any questions, please call me at 295-1055.

Sincerely,

*Matthew Alfonso*

Matthew Alfonso  
Supervisor of Engineering  
[Matthew.Alfonso@KeysEnergy.com](mailto:Matthew.Alfonso@KeysEnergy.com)

c:

L. Tejeda, General Manager & CEO  
J. Wetzler, Asst. General Manager & CFO  
D. Finigan, Director of Engineering/Control Center  
A. Tejeda, Director of Customer Service  
File: PLI-132

**Site Plan / Picture**

KEY WEST PLANNING DEPT  
JUN - 4 2009  
MONROE COUNTY



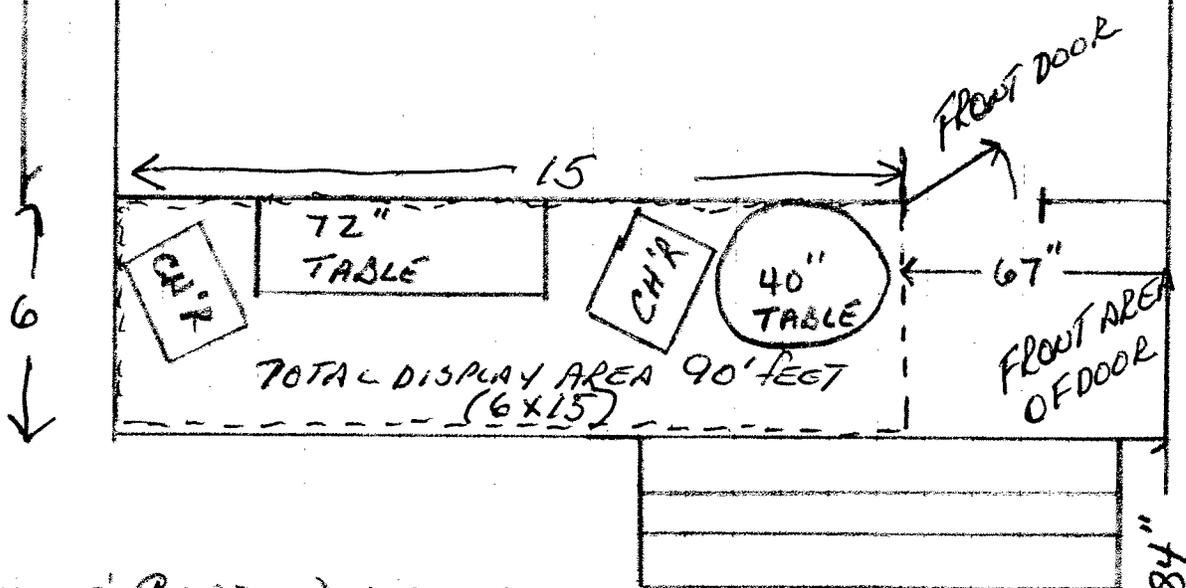
**Site Plans**



804 CAROLINE ST.  
KEY ACCENTS, NOME & GARDEN

30'

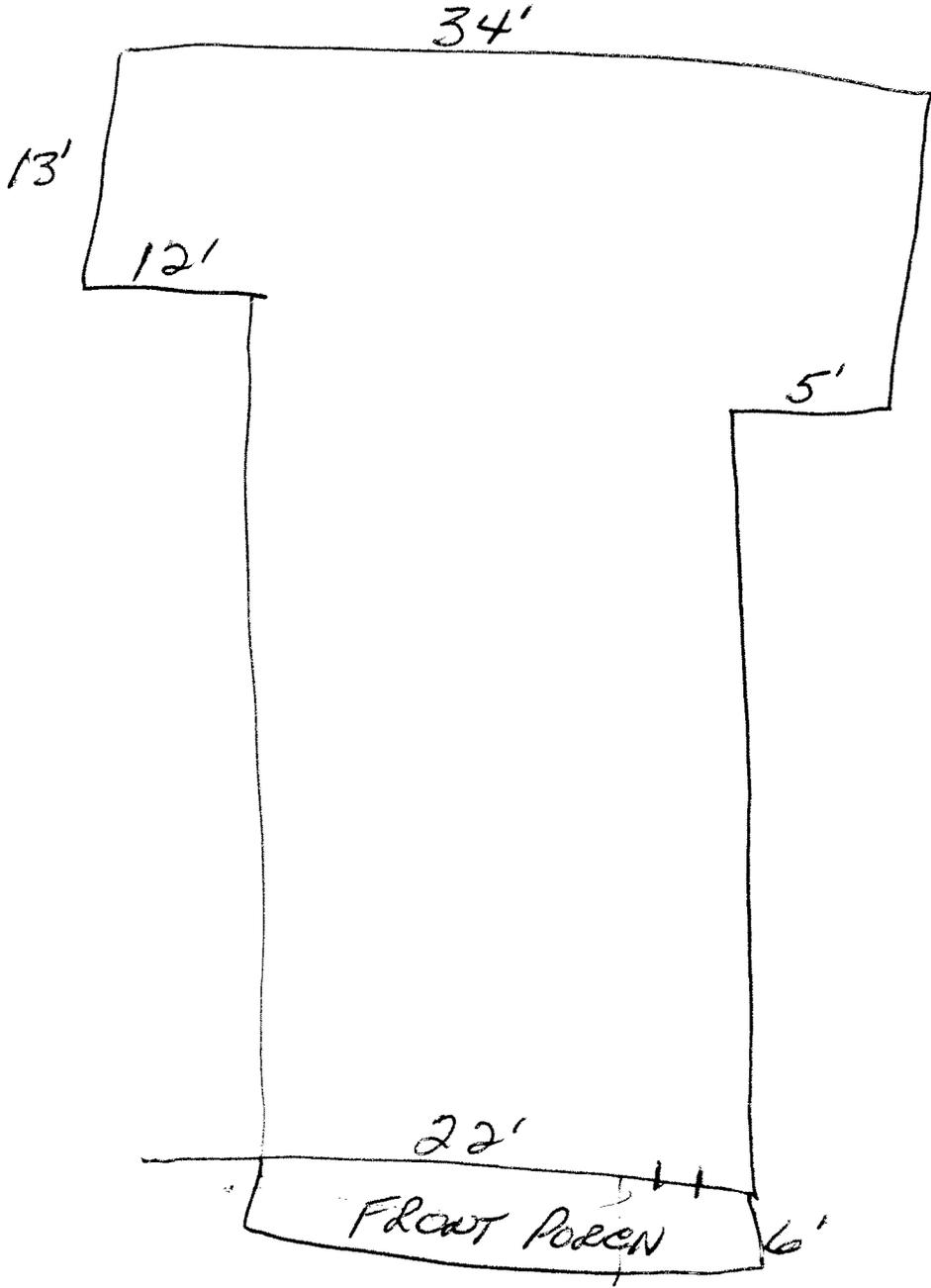
25'



NOME & GARDEN ITEMS  
DISPLAYED ON 2-TABLES

CITY SIDEWALK

804 CAROLINE STREET



STREET -



# **Property Appraiser**

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

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

## Property Record View

Alternate Key: 1003336 Parcel ID: 00003200-000000

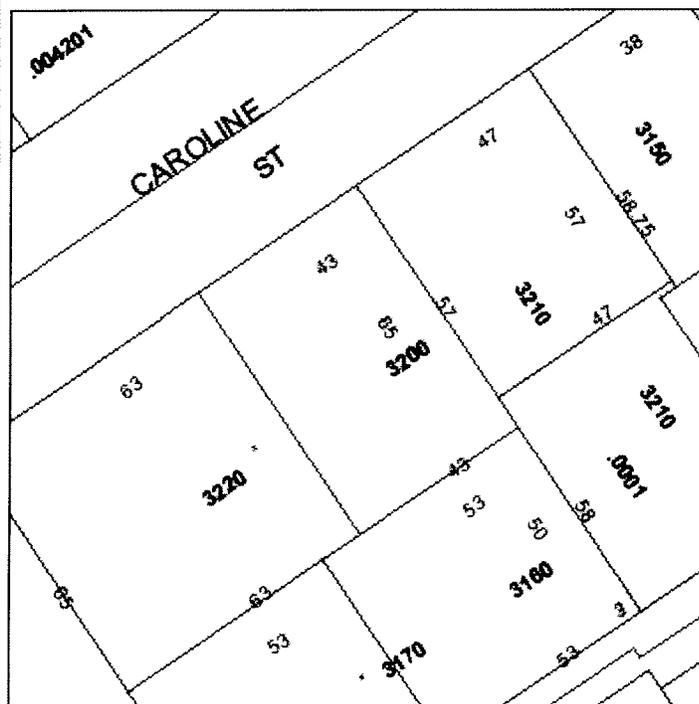
### Ownership Details

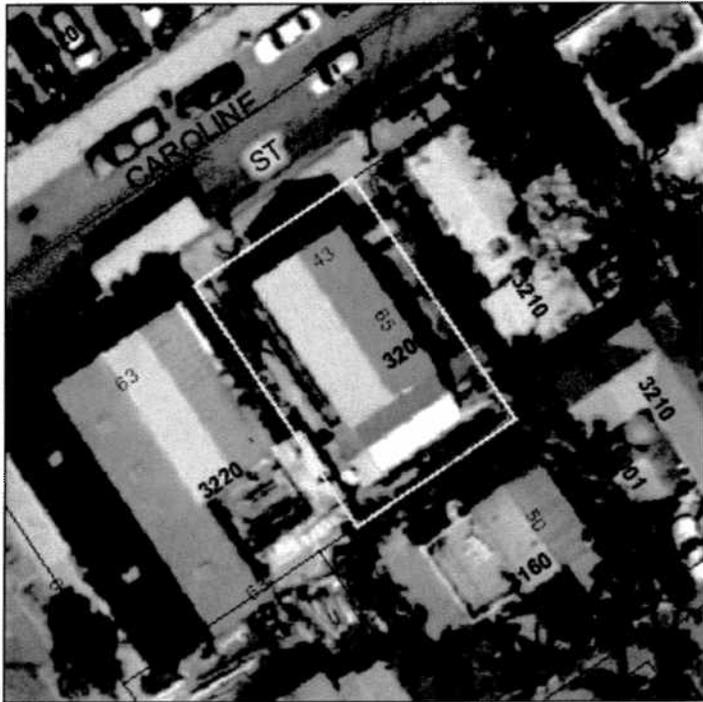
**Mailing Address:**  
DISDIER JAMES L AND KAREN L  
P O BOX 6521  
KEY WEST, FL 33041-6521

### Property Details

**PC Code:** 12 - STORE/OFF/RES OR COMBINATION  
**Millage Group:** 12KW  
**Affordable Housing:** No  
**Section-Township-Range:** 06-68-25  
**Property Location:** 804 CAROLINE ST KEY WEST  
**Legal Description:** KW PT LOT 3 SQR 21 T-330 OR679-344/46 OR681-503/05 OR1179-2367ORD PROB# 91-183-CP-15 OR824-514D/C OR930-1961/62L/E OR1138-1792/93PET PROB #90-145-CP-10 OR1277-298/99 OR1277-300/02 OR1277-305/06 OR1277-307/10

### Parcel Map





### Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	43	65	2,795.00 SF

### Building Summary

Number of Buildings: 1  
 Number of Commercial Buildings: 1  
 Total Living Area: 2201  
 Year Built: 1920

### Building 1 Details

Building Type  
 Effective Age 15  
 Year Built 1920  
 Functional Obs 0

Condition E  
 Perimeter 302  
 Special Arch 0  
 Economic Obs 0

Quality Grade 400  
 Depreciation % 20  
 Grnd Floor Area 2,201

**Inclusions:**

Roof Type  
 Heat 1  
 Heat Src 1

Roof Cover  
 Heat 2  
 Heat Src 2

Foundation  
 Bedrooms 0

**Extra Features:**

2 Fix Bath 0  
 3 Fix Bath 1  
 4 Fix Bath 0  
 5 Fix Bath 0  
 6 Fix Bath 0  
 7 Fix Bath 0  
 Extra Fix 11

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

**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	FLA		1	1993				1,211
2	OPX		1	1993				132
3	OPF		1	1993				35
4	OPU		1	1993				72
5	FLA		1	1993				990
6	OUU		1	1993				30
7	OPX		1	1993				132

**Misc Improvement Details**

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT3:PATIO	15 SF	0	0	1944	1945	1	50
2	PT3:PATIO	192 SF	0	0	1993	1994	2	50
3	UB2:UTILITY BLDG	35 SF	7	5	1995	1996	3	50
4	PT2:BRICK PATIO	156 SF	0	0	1995	1996	2	50

**Appraiser Notes**

804 CAROLINE STREET-COMMERCIAL + 2 APTS TPP 8685106 - DAVID DARIN LLC (HAIR SALON & DAY SPA)

**Building Permits**

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
1	B933048	10/01/1993	12/01/1993	1,000	Commercial	RENOVATIONS
	B933123	11/01/1993	12/01/1993	49,000		RENOVATIONS
	M933391	11/01/1993	12/01/1993	3,600		1-4TON A/C W/7 DROPS
1	9602082	05/01/1996	07/01/1996	300	Commercial	RENOVATIONS
	9602387	06/01/1996	07/01/1996	500		RENOVATIONS
1	9900289	01/25/1999	08/16/1999	2,200	Commercial	REPAIRS TO ROOF
1	9900647	04/05/1999	08/16/1999	3,000	Commercial	REPAIRS TO SIDING
	9902877	09/13/1999	07/12/2000	2,000		REPLACE 35SF STRUCTURE
	0103270	10/18/2001	01/09/2002	55,000		RENOVATIONS/REMODELING

**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	281,830	2,563	517,075	801,468	801,468	0	801,468
2007	203,587	2,523	517,075	723,185	723,185	0	723,185

2006	203,587	2,587	265,525	471,699	471,699	0	471,699
2005	208,378	2,652	209,625	420,655	420,655	0	420,655
2004	208,368	2,718	167,700	320,019	320,019	0	320,019
2003	208,368	2,784	64,285	320,019	320,019	0	320,019
2002	208,368	2,849	64,285	320,019	320,019	0	320,019
2001	209,738	2,914	64,285	272,742	272,742	0	272,742
2000	209,738	1,151	58,695	272,742	272,742	0	272,742
1999	209,738	1,177	59,394	272,742	272,742	0	272,742
1998	139,826	1,203	59,394	272,742	272,742	0	272,742
1997	139,826	1,228	53,804	272,742	272,742	0	272,742
1996	105,387	474	53,804	159,665	159,665	0	159,665
1995	105,387	483	53,804	159,674	159,674	0	159,674
1994	105,387	13	53,804	159,204	159,204	0	159,204
1993	52,745	0	47,515	105,535	105,535	0	105,535
1992	52,745	0	47,515	105,535	105,535	0	105,535
1991	52,745	0	55,250	113,270	113,270	0	113,270
1990	47,376	0	45,500	97,614	97,614	25,500	72,114
1989	39,585	0	44,688	84,273	84,273	25,500	58,773
1988	34,375	0	40,625	75,000	75,000	25,500	49,500
1987	33,953	0	24,213	58,166	58,166	25,500	32,666
1986	34,143	0	23,400	57,543	57,543	25,500	32,043
1985	33,071	0	13,293	46,364	46,364	25,500	20,864
1984	30,701	0	13,293	43,994	43,994	14,518	29,476
1983	30,701	0	13,293	43,994	43,994	14,518	29,476
1982	31,372	0	13,293	44,665	44,665	25,000	19,665

**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
10/1/1993	1277 / 0307	250,000	WD	U

This page has been visited 56,636 times.

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

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

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

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

- Request:** **Outdoor Display – 804 Caroline Street (RE 00003200-000000)** – An application for Exception for Outdoor Merchandise Display, to allow the display of home and garden items and associated merchandise in the HNC-2 zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida
- Applicant/Owner:** Patricia O'Connor - Key Accents, Home & Garden
- Project Location:** 804 Caroline Street
- Date of Hearing:** Thursday, June 18, 2009
- Time of Hearing:** 6:00 PM
- Location of Hearing:** Old City Hall – City Commission Chambers  
510 Greene Street

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. A copy of the corresponding applications is available from the City of Key West Planning Department located at 604 Simonton Street, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm. Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409, by FAX (305) 809-3739 or by email [ccowart@keywestcity.com](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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1993 SUSAN MCCALL TRUST  
22431 GILMORE RD  
WEST HILLS, CA 91307-3707

830 CAROLINE LLC  
830 CAROLINE ST  
KEY WEST, FL 33040

ALDEN JOHN F III & PAULETTE  
BATES (H/W)  
4900 WASHBURN AVE S  
MINNEAPOLIS, MN 55410

ANDERSON JACK K AND LILIANE  
PO BOX 1944  
KEY WEST, FL 33041-1944

BAERT JOSEPH S  
818 SAWYER LN  
KEY WEST, FL 33040

BENDER WILLIAM D AND RHONDA  
H  
315 PEACON LN  
KEY WEST, FL 33040

BERUBE LILLIAN  
320 MARGARET ST  
KEY WEST, FL 33040

BLUMENTHAL JAMES G AND STACY  
4350 EAST WEST HWY  
BETHESDA, MD 20814

BOWERS BARBARA  
320 WILLIAM ST  
KEY WEST, FL 33040

BRINGLE STEVEN A AND JUDY M  
912 GEORGIA ST  
KEY WEST, FL 33040

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

CATES LINDA MARIE & CATES  
JAMES T/C (B/Q)  
309 WILLIAM ST  
KEY WEST, FL 33040

CIARDI MARGARET F TRUST 2006  
11/17/2006  
145 COMMERCIAL ST  
BOSTON, MA 02109

CLARKE KALO & PEDERSON KIM  
(H/W)  
29 FRONT ST #2  
MARBLEHEAD, MA 01945

CONKLE WILLIAM H JR ESTATE &  
823 EATON STREET  
KEY WEST, FL 33040

DELMASTRO DANIEL A AND  
JOANNE E  
96 COLTON RD  
GLASTONBURY, CT 06033

DISDIER JAMES L AND KAREN L  
P O BOX 6521  
KEY WEST, FL 33041-6521

EYNON LAWRENCE E MD & BECK  
DONALD S R/S  
550 LIBERTY HILL  
CINCINNATI, OH 45210

FALCONE ANTHONY V  
823 EATON STREET  
KEY WEST, FL 33040

FINSTAD JANE SMART  
307 PEACON LN  
KEY WEST, FL 33040

GALLETTA PROPERTY GROUP LLC  
5431 A1A SOUTH  
ST AUGUSTINE, FL 32080

GARMAN JOHN L JR & ROBERTA H  
547 CHEESE SPRING ROAD  
NEW CANAAN, CT 06840

GARRIDO HUMBERTO J AND  
OFELIA E  
818 CAROLINE ST  
KEY WEST, FL 33040

GILBERTSON DAVID L &  
17 ARNOLD PLACE  
NEW BEDFORD, MA 02740

HARDING HILARY J  
311 PEACON LN  
KEY WEST, FL 33040

HATFIELD MICHAEL AND DEBORAH  
2235 SOTA WAY  
SEBASTOPOL, CA 95472-9047

HECK RONALD K & HECK THERESE  
&  
2570 PINE LAKE ROAD  
ORCHARD LAKE, MI 48324

HOLDER JOHN B  
322 MARGARET ST  
KEY WEST, FL 33040

JELLCLE INVESTORS INC  
5 KIMBERLY TER  
LYNNFIELD, MA 01940

KENT CHRISTOPHER & KATHRYN M  
718 SOUTH UNION STREET  
ALEXANDRIA, VA 22314

KRUMEL CHARLES B  
\*3 KEY HAVEN TERRACE  
KEY WEST, FL 33040

LANGLEY MARK H  
310 MARGARET ST  
KEY WEST, FL 33040

LEWIS JAMES P  
61 ACCORD PARK DR  
NORWELL, MA 02061

LOCKWOOD DARIN A AND REBECCA  
L  
201 WEST SIDE DR  
REHOBUTH BEACH, DE 19971

M & M REALTY LLC  
55 RIVER FRONT DR  
MANCHESTER, NH 03102-3261

MCCALL SUSAN 1993 TR  
22431 GILMORE ST  
WEST HILLS, CA 91307

MCSWEEN MICHAEL F AND NANCY  
1422 HARMONY ST  
NEW ORLEANS, LA 70115

MCVICKER DAN AND SUSAN  
5344 N STANFORD  
NASHVILLE, TN 37215

MELLONCAMP KEVIN W LIV TR DTD  
3/24/2004  
324 WILLIAM ST  
KEY WEST, FL 33040

MENTONIS GEORGE J AND PATRICIA  
A  
346 BEACH 144TH ST  
NEPONIST, NY 11694

MIKE LORI A  
22431 GILMORE ST  
WEST HILLS, CA 91307

MILLER ALLEN K REVOCABLE  
LIVING TRUST  
806 CAROLINE ST  
KEY WEST, FL 33040

MIXTER ROGER C AND SUZANNE M  
F  
3630 WEST LE MONT BLVD  
MEQUON, WI 53092

MONAHAN JOAN T REV LIVING  
TRUST 08/15/1991  
439 MALAGA AVE  
CORAL GABLES, FL 33134

O'LOUGHLIN KEVIN F & DIANE  
48 LUFKIN LN  
BRISTOL, CT 06010

OTT TIMOTHY AND DEBORAH  
25 WEST 10TH ROAD  
BROAD CHANNEL, NY 11693

PAPACCIO JAMES P AND ANN MARIE  
309 PROSPECT AVE  
NEPTUNE TOWNSHIP, NJ 07753

PATYS JANET & GAGE JONATHAN E  
1818 MIDDLETOWN  
NORTHFORD, CT 06472

PHELPS LORRAINE  
32 KEY HAVE DR  
KEY WEST, FL 33040

PRUETT RANDY & CYNTHIA C  
2383 NICOLE DR  
SHREVEPORT, LA 71107

RED DOOR GALERY INC  
812 CAROLINE ST  
KEY WEST, FL 33040

ROWAN WILLIAM L  
321 PEACON LN  
KEY WEST, FL 33040

SPARACIO MARY  
813 EATON ST  
KEY WEST, FL 33040

SPENCER ROBERT E AND JERRY L  
724 CAROLINE ST  
KEY WEST, FL 33040

VIRGIN RICHARD W JR REV TR  
11/7/1997  
6510 MANASOTA KEY  
ENGLEWOOD, FL 34223

WEITHAS LOUISE TRUST DTD 4/23/05  
317 PEACON LN  
KEY WEST, FL 33040

WRUBLE BRIAN F  
318 W 78TH ST  
NEW YORK, NY 10024-6503

# 804 Caroline

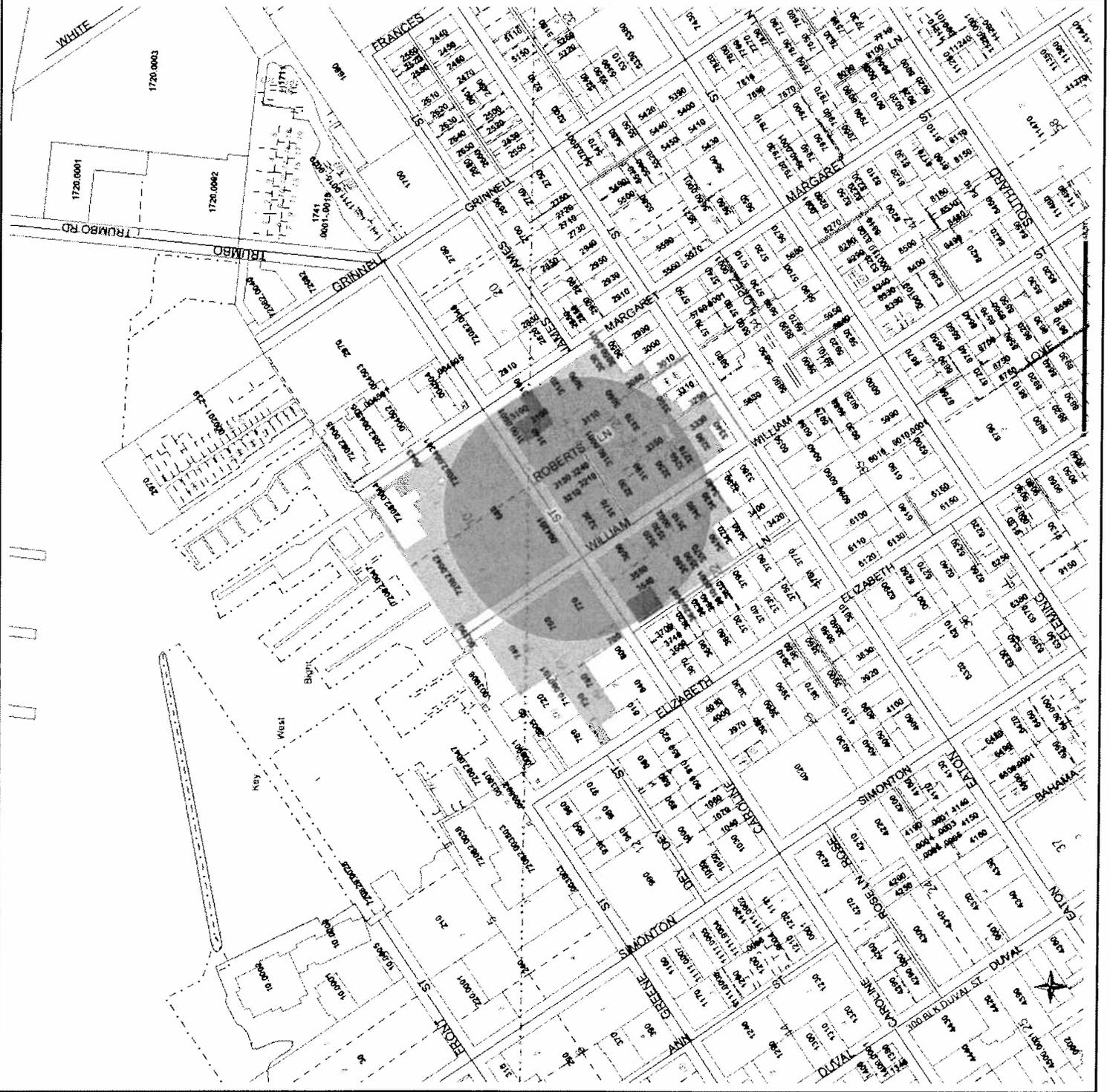
- Legend**
- the Buffer
  - the Buffer Target
  - Real Estate Number
  - Parcel Lot Text
  - Block Text
  - Hooks/Leads
  - Lot Lines
  - Easements
  - Road Centerlines
  - Water Names
  - Parcels
  - Shoreline
  - Section Lines

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.

Date Created: May 30, 2009 12:35 PM



**Key West Planning Board Meeting Agenda**  
**June 18, 2009 – 6:00 p.m.**  
**City Commission Chamber**  
**Old City Hall, 510 Greene Street**



## **Item 4.b.3.**

**415 Julia to 918-920 Center – Transient License Transfer - from 415 Julia Street (RE 00027290-000000) to 918-920 Center Street (RE 00017830-000000) – Transient License Transfer from 415 Julia Street located in the Historic Medium Density District (HMDR) to 918-920 Center Street located in the Historic Residential Commercial Core (HRCC-3) zoning district per Sections 122-1338 and 122-1339 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

**THE CITY OF KEY WEST  
PLANNING DEPARTMENT  
STAFF REPORT**



**To:** Planning Board  
**From:** Brendon Cunningham   
**Through:** Amy Kimball-Murley, AICP, Planning Director  
**Meeting Date:** June 18, 2009  
**Subject:** **Transient License Transfer from 415 Julia Street RE# 00027290-000000 to 918 – 920 Center Street RE# 00017830-000000**

---

SITE DATA

**Sender Site**

License Owner: Christopher A. Pare  
Agent: Same  
Location: 415 Julia Street  
Zoning: Historic Medium Density Residential (HMDR)  
Existing Use: Single Family Residential with one guest bedroom unit  
Proposed Use: Single Family Residential

**Receiver Site**

Owner: Center Court – Historic Inn & Cottages, LLC  
Agent: Naomi Van Steelandt  
Location: 918 – 920 Center Street  
Zoning: Historic Residential Commercial Core Duval Street Oceanside (HRCC-3)  
Existing Use: Residential, currently under renovation  
Proposed Use: Transient rental guest bedroom unit as part of the neighboring Center Court Historic Inn

BACKGROUND

The sender site is located in a zoning district that does not permit transient rental. The owner is returning the property to a single family house. The receiver site is in a zoning district that permits this use. The owner is renovating the buildings on the property for the expansion of the existing neighboring guesthouse business.

RELEVANT CODE SECTIONS

The purpose of the ordinance outlined in Section 122-1336 is to:

- Provide for the transfer of existing transient units and transient licenses in order to reduce non-complying density, structures and uses;
- Remove legal nonconforming transient uses from zoning districts that now prohibit them;

- Encourage permanent residential housing by relocating transient licenses;
- Provide for the conversion of transient units to single-family dwellings by the transfer of units;
- Allow for redevelopment without increasing the population requiring evacuation during emergencies or increasing other public services;
- Protect environmentally sensitive lands; and
- Encourage redevelopment under the Building Permit Allocation System (BPAS) that limits the allowable number of residential and transient units.

Section 122-1340 specifically notes that consistency with the purpose of the ordinance can form the basis for Planning Board action on the application. This report reviews the application under each of the provisions of the Purpose and determines whether the provisions are applicable and whether the applicant has demonstrated consistency.

Section 122-1339(a) states that a business tax receipt for transient use of a unit may itself be transferred from an area where transient uses are prohibited to a receiver site without the accompanying transfer of the unit. In addition, licenses may be transferred from the HNC-1 and HNC-3 zoning districts. A transfer of a license under this section does not allow a loss of affordable housing at the receiver site.

Section 122-1339(b) states that where a license alone is transferred, the Planning Board shall consider whether the receiver site is suitable for transient use in the zoning district, shall consider the relative size of the unit from which the license is transferred, and shall consider the room configuration of both sites to maintain approximately the same or less net number of occupants.

Per Section 122-1340, the Planning Board will receive comments from the DRC and the recommendation of the planning department and may deny an application on the grounds of inconsistency with the purpose of the ordinance or a violation of the specific provisions of the ordinance. When approving an application, the Planning Board may impose conditions, including but not limited to: physical modifications and the filing of deed restrictions, in order to assure the continuation of permanent residential housing, the preservation of community character and that the transfer advances the purposes of this division. The decision of the Planning Board shall be final.

### ANALYSIS

The sender site is a property for which this ordinance was written so as to eliminate nonconformities. The receiver site is a property that can support transient rental uses. However, the application states that there are four units on the receiver site. This would indicate that there will need to be future transfers to fully convert the property to complete transient use. The applicant stated at the Development Review Committee meeting that this was the first of two transfer applications to bring the property to full transient use. The sender site is comprised of a bedroom and bathroom with a combined area of approximately 200 square feet. The receiver site is also comprised of a bedroom and bathroom with a small kitchenette with a combined area of approximately 220 square feet.

**TABLES**

<b>Criteria</b>	<b>Proposal</b>	<b>Complies Yes or No</b>
<b>Sender Site</b>		
Has transient licenses from City	License #09 00021119 Control #1169	Yes
The units are lawful & have been counted in BPAS	N/A, license transfer only	
Remaining # of rooms to remain the same / does not increase BPAS count	The transfer does not increase the BPAS count	Yes
Final use conforms with LDRs	The transfer will return the use back to the original residence	Yes
Development review process required for proposed construction / redevelopment	N/A, this is part of a renovation project	Yes
<b>Receiver Site</b>		
Transient use is allowed or the use is residential	Transient use is allowed in the HRCC-3 zoning district	Yes
Complies with density	Existing legal nonconforming density of 4 units	Yes
The transient units retain BPAS (ROGO) equivalency	N/A, license transfer only	
New construction is not located in the "V" zone	N/A	
Homeowners or Condo Assoc. has approved	N/A	
<b>General</b>		
BPAS equivalency is maintained between sender and receiver sites and throughout the properties	Only the license is being transferred	Yes
Transient license equivalency is maintained between sender and receiver sites and throughout the properties	The room to be used transiently is approximately the same size as the sender	Yes
Complies with general intent	Meets intent of Sections 122-1338 & 122-1339	Yes

**RECOMMENDATION**

The Planning Department recommends approval of the transient license transfer

# Resolution

**RESOLUTION NUMBER 2009-XXX**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A TRANSIENT BUSINESS TAX RECEIPT TRANSFER FROM PROPERTY LOCATED AT 415 JULIA STREET (RE# 00027290-000000) TO PROPERTY LOCATED AT 918-920 CENTER STREET, KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Sections 122-1336 through 122-1339 of the Code of Ordinances provide for the transfer of transient units and business tax receipts; and

**WHEREAS**, Section 122-1339 (a) of the Code of Ordinances allows a transient business tax receipt to be transferred from an area where transient uses are prohibited to a receiver site without the accompanying transfer of the unit; and

**WHEREAS**, Section 122-1339 (b) requires that the planning board consider the relative size of the unit from which the license is transferred and the room configuration of both sites to maintain approximately the same or less net number of occupants; and

**WHEREAS**, the transient use at the sender site is a legal non-conforming use and a permitted use at the receiving site; and

**WHEREAS**, both sender and receiver sites are of the same relative size; 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 transfer of a transient business tax receipt, pursuant to Section 122-1339 of

the Code of Ordinances of the City of Key West, Florida, is hereby granted as follows: ALLOWING A TRANSFER OF A TRANSIENT BUSINESS TAX RECEIPT FROM PROPERTY LOCATED AT 415 JULIA STREET (RE#00027290-000000) TO PROPERTY LOCATED AT 918-920 CENTER STREET (RE#000178390-000000), SEE ATTACHED PLANS.

**Section 3.** Full, complete, and final application for all licenses and permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

**Section 4.** This transfer of a transient business tax receipt 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 5.** 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 6.** 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

**Page 2**  
**Resolution Number \_\_\_\_\_**

\_\_\_\_\_ Chairman

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

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

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

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

---

Richard Klitenick, Chairman  
Key West Planning Board

Date

**Attest:**

---

Amy Kimball-Murley, AICP  
Planning Director

Date

**Filed with the Clerk:**

---

Cheryl Smith, City Clerk

Date

**Page 3**  
**Resolution Number \_\_\_\_\_**

\_\_\_\_\_ Chairman

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

# **Application Form**



City of Key West Planning Department  
P. O. Box 1409, Key West, FL 33041-1409  
305. 292. 8229

**Application for Transfer of Transient Units and / or Licenses**

Please complete this application in its entirety accompanied by a check for \$2,000.00 made out to the City of Key West. **Deliver the original and 17 copies** to the Planning Department at 605-A Simonton Street. It is suggested that a pre-application discussion be scheduled as well as an appointment to deliver the application. Due to the complexity and individuality of each transaction, the Planning Department may need additional information prior to processing.

This application is for a transaction involving a transfer from one location (sender site) to another (receiver site). If there is an additional site at either end of the transfer process, this requires another application.

The owner(s) of both the sender site and receiver site are the applicants and must sign the application. Corporations and partnerships must sign as legally required. If another person is acting as the agent or authorized representative of the owner, supporting documentation must be provided as indicated.

The application process for a Transient Transfer is:  
Development Review Committee (DRC)  
Planning Board

After going to the DRC and **before** going to the Planning Board we will need an **ADDITIONAL 18 complete sets of the application**

**A. Fill in the following information.**

**Sender Site**

**Receiver Site**

Name(s) of Owner(s):

Christopher A Pond

Name(s) of Owner(s):

CENTER COURT - HISTORIC Inn & Cottages LLC

Name of Agent or Person to Contact:

AS Above

Name of Agent or Person to Contact:

NAOMI VAN STEELANDT

Address:

415 Julia St

Address:

915 CENTER ST.

Telephone

305 393 4827

Telephone

(305) 304-8010

Fax

N/A

Fax

(305) 294-4104

Address of Site

415 Julia St

Address of Site

918-920 CENTER ST.

RE#

ALT. Key 1028061

RE#

000 17830-000000

000 27290-000000

ORIGINAL



**For Sender Site:**

"Local name" of property Duval Quarters Zoning district HMDR  
Legal description 415 Julia Street - see attached deed.

Current use: Private Home (single family)

Number of existing transient units: one

Size of site 197 sq.ft. Number of existing city transient rental licenses: 1

What is being removed from the sender site? one transient license

What are your plans for the sender site? spawn bedroom

**For Receiver Site:**

"Local name" of property CENTER COURT-HISTORIC INN Cottages Zoning district HRCC-3

Legal description 918-920 CENTER ST-

See ATTACHED DEED

Current use UNDER RENOVATION

Size of site: 228 sq.ft. Number of existing city transient rental licenses: 0

Number of existing transient and/or residential units: 4

Existing non-residential floor area 0

What will be transferred to the receiver site? 1 TRANSIENT License

What are your plans for the receiver site? TO rent ON A TRANSIENT BASIS AS PART OF CENTER COURT-HISTORIC INN which is ADJACENT TO 918-920 CENTER,

**Sender Site**



**Sender Site: Current Owner Information**

**FOR INDIVIDUALS**

1. NAME Christopher A Pavle 2. NAME N/A  
 ADDRESS 415 Seika St ADDRESS N/A  
 TELEPHONE(1) 305 393 4827 TELEPHONE(1) N/A  
 (2) \_\_\_\_\_ (2) \_\_\_\_\_  
 FAX N/A FAX N/A

**FOR CORPORATIONS**

A. CORPORATE NAME N/A  
 B. STATE/COUNTRY OF INCORPORATION \_\_\_\_\_  
 C. REGISTERED TO DO BUSINESS IN THE STATE OF FLORIDA  YES  NO  
 D. NAMES OF OFFICERS AND DESIGNATIONS  
 \_\_\_\_\_  
 \_\_\_\_\_

**FOR PARTNERSHIPS**

A. NAME OF PARTNERSHIP: N/A  
 B. STATE OF REGISTRATION: \_\_\_\_\_  
 C. GENERAL PARTNER WITH AUTHORITY TO BIND PARTNERSHIP:  
 \_\_\_\_\_

**FOR CORPORATIONS AND PARTNERSHIPS**

NAME AND ADDRESS OF PERSON "IN HOUSE" TO CONTACT:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 TELEPHONE(S) \_\_\_\_\_ FAX \_\_\_\_\_



# **Sender Site Verification**

ORIGINAL



Signature Page and Verification Form for Sender Site

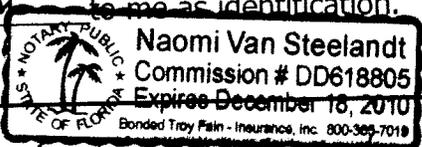
I (We) Christopher A Pare  
owner(s) or authorized agent of the owner(s) of the real property located at  
415 Julia St in the City of Key  
West, Florida, RE# \_\_\_\_\_ state that all of the  
information contained in this application and all of the answers to the above

questions are true and correct to the best of my knowledge and belief.  
Signature Christopher A Pare Date: 9 Apr 09  
Christopher A Pare designation

Signature \_\_\_\_\_ Date: \_\_\_\_\_  
print name \_\_\_\_\_ designation \_\_\_\_\_

Subscribed and sworn to or affirmed before me on April 9, 2009  
CHRISTOPHER A. PARE, personally known to me or  
presenting personally known to me as identification.

Naomi Van Steelandt  
Notary Public Signature, Seal



Name printed NAOMI VAN STEELANDT Title Notary  
Commission, Date DD618805, 12/18/10

**Sender Site  
Authorization**



**Agency Authorization Form for Owner of Sender Site**

Please complete this form if someone other than the property owner(s) is acting on behalf of the owner(s) for purposes of processing this application.

(I / We), \_\_\_\_\_, owner(s) of  
property located at \_\_\_\_\_, Key West,  
Florida, RE# \_\_\_\_\_, hereby authorize

\_\_\_\_\_ of \_\_\_\_\_,  
to represent me/us and act as agent in all matters regarding the processing of  
this application for the transfer of transient units and/or licenses.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Type or Print Name

Date \_\_\_\_\_

N/A

Subscribed and sworn to (or affirmed) before me on \_\_\_\_\_ (date)  
by \_\_\_\_\_, personally known to me or presenting  
\_\_\_\_\_ as identification.

Notary Public Signature and Seal

\_\_\_\_\_  
Printed Name of Notary

Commission Number, State, and Expiration \_\_\_\_\_

**Sender Site  
Survey**



SCALE: 1" = 10'

BEARING BASE:  
DERIVED FROM  
LEGAL DESCRIPTION

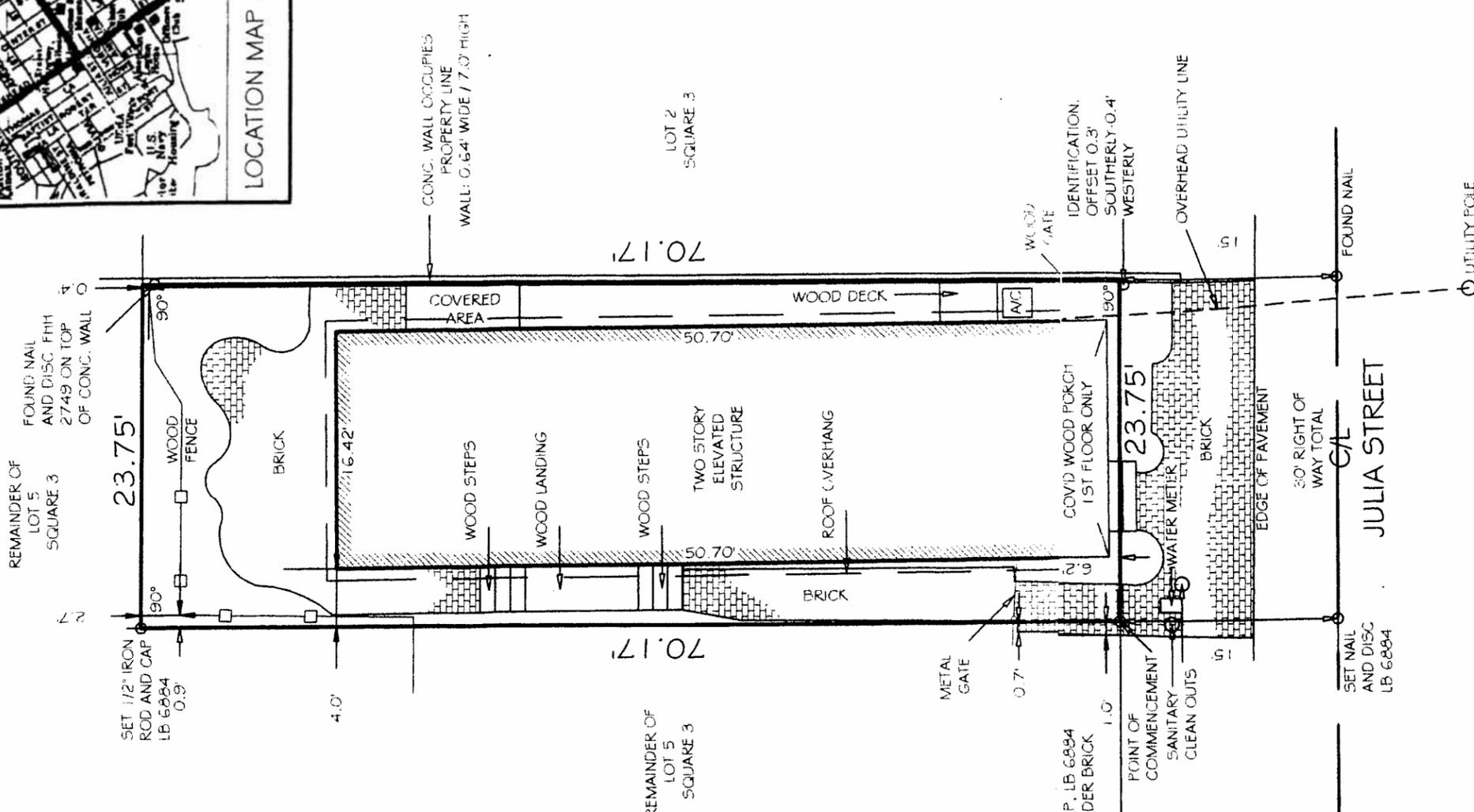
ALL ANGLES DEPICTED  
ARE 90 DEGREES UNLESS  
OTHERWISE INDICATED

ADDRESS:  
415 JULIA STREET  
KEY WEST, FLORIDA

FIRM INFORMATION:  
COMMUNITY NO. 120168  
MAP NO: 12087G-1516K  
MAP DATE: 02-18-05  
FLOOD ZONE: X  
BASE ELEVATION: N/A

TOP  
INTERSECTION  
OF THE  
NORTHERLY  
RIGHT OF WAY  
LINE OF JULIA  
STREET AND  
WHITEHEAD  
STREET

LOCATION MAP - N.T.S.



CERTIFIED TO -  
CHRISTOPHER PARE  
FRONT INVESTMENT & LOAN, its successors and/or assigns  
SOUTHERNMOST TITLE INC.  
UNITED GENERAL TITLE INSURANCE CO.

LEGAL DESCRIPTION -

ON THE ISLAND OF KEY WEST, BEING A PART OF TRACT ELEVEN (11), ACCORDING TO WILLIAM A. WHITEHEAD'S MAP OR PLAN OF SAID ISLAND, DELINEATED IN FEBRUARY, A.D. 1929, BUT BETTER KNOWN AS A PART OF LOT FIVE (5) ACCORDING TO A SUBDIVISION MADE BY BEVERLY B. BROWNE RECORDED IN MONROE COUNTY DEED RECORD BOOK "J", PAGE 671, OF LOT THREE (3) IN SQUARE THREE (3) OF TRACT ELEVEN (11) ACCORDING TO C. W. TIFT'S MAP OR PLAN OF SAID TRACT AND THE ISLAND OF KEY WEST DRAWN IN JULY 1874, SAID PART OF LOT FIVE (5) BEING BOUNDED AS FOLLOWS: COMMENCING AT A POINT ON JULIA STREET ONE HUNDRED AND SEVENTY-FOUR (174) FEET NORTHEASTERLY FROM THE CORNER OF JULIA AND WHITEHEAD STREETS AND RUNNING THENCE ALONG JULIA STREET IN A NORTHEASTERLY DIRECTION TWENTY-THREE FEET AND NINE (9) INCHES; THENCE AT RIGHT ANGLES IN A NORTHWESTERLY DIRECTION SEVENTY (70) FEET AND TWO (2) INCHES; THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION TWENTY-THREE (23) FEET AND NINE (9) INCHES; THENCE AT RIGHT ANGLES IN A SOUTHEASTERLY DIRECTION SEVENTY (70) FEET AND TWO (2) INCHES TO THE POINT OF BEGINNING ON JULIA STREET.

Table with 4 columns: SCALE, FIELD WORK DATE, REVISION DATE, SHEET, DRAWN BY, CHECKED BY, INVOICE NO.

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THIS SURVEY, WHEN SCHEDULE B HAS BEEN PROVIDED MEETS THE PROVISIONS OF FLORIDA ENDORSEMENT FORM 9, SUBPARAGRAPH (B) (1) (SETBACKS), (B) (ENCROACHMENTS), & 1-5 (ENCROACHMENTS). SCHEDULE "B" HAS NOT BEEN PROVIDED.

SIGNED: [Signature]

R.E. REECE, P.A.  
PROFESSIONAL SURVEYOR AND MAPPER  
30364 QUAIL ROOST TRAIL, BIG PINE KEY, FL 33043  
OFFICE (305) 872 - 1348  
FAX (305) 872 - 5622

NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/her REPRESENTATIVE. PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR HIATUS.

FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL FLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.

- DELTA = CENTRAL ANGLE
ASPH = ASPHALT
A = ARC LENGTH
CL = CENTRELINE
CM = CONCRETE MOUND/MENT
CONC = CONCRETE
CVRD = COVERED
DRAIN = DRAINAGE EASEMENT
EL = ELEVATION
ENCL = ENCLOSURE
EOP = EDGE OF PAVEMENT
FF = FINISHED FLOOR
FI = FENCE INSIDE
FO = FENCE ON LINE
FOL = FENCE ON LINE

**Sender Site  
Site Plan**



415 Julia Street  
 Key West, Florida  
 David P. Symonds  
 D. P. Symonds Const.  
 1107 Key Plaza, Ste. 158  
 Key West, Fl.  
 305-304-6566  
 SQ. FT.: 197  
 4/19/09

SCALE: 1" = 5' 0"



METAL GATE

CAP, LB 6884 UNDER BRICK

POINT OF COMMENCEMENT

SANITARY CLEAN OUTS

23.75'

WATER METER

BRICK

EDGE OF PAVEMENT

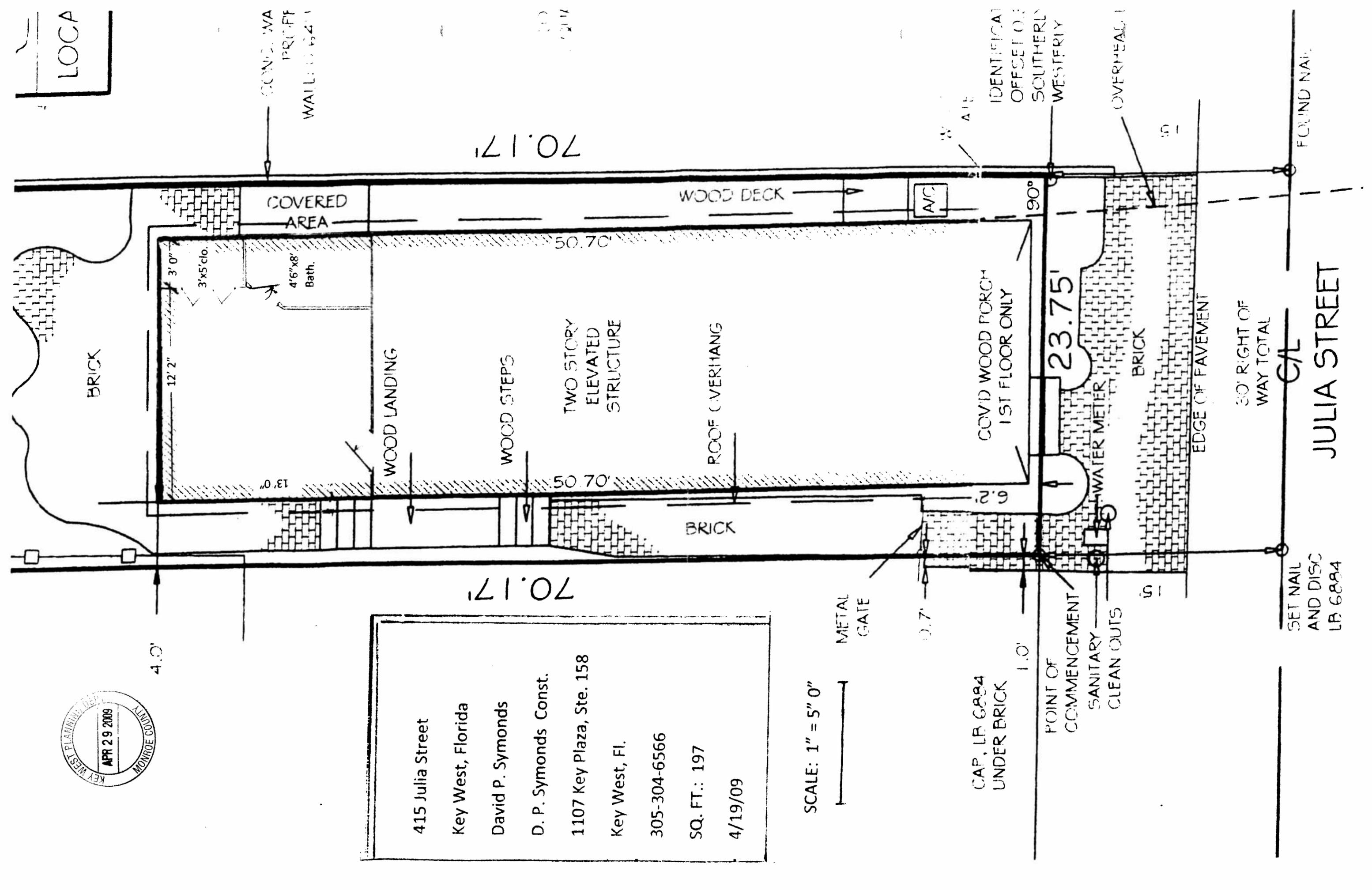
30' RIGHT OF WAY TOTAL

C/L

SET NAIL AND DISC LB 6884

JULIA STREET

FOUND NAIL



LOCA

CONCRETE WALL: 6" x 8"

70.17'

COVERED AREA

WOOD DECK

AVC

COVID WOOD PORCH 1ST FLOOR ONLY

OVERHEAD

IDENTICAL OFFSET FOR SOUTHERN WESTERLY

BRICK

12' 2"

3' 0"

3' x 5' clo.

4' 6" x 8" Bath.

WOOD LANDING

WOOD STEPS

TWO STORY ELEVATED STRUCTURE

ROOF OVERHANG

13' 0"

50.70'

50.70'

BRICK

90°

4.0'

70.17'

0.7'

1.0'

1.5'

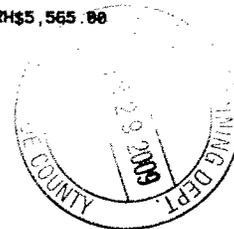
**Sender Site  
Warranty Deed**

This Document Prepared By and Return to:  
Thomas J. DiDato, P.A.  
Attorney-at-Law  
302 Southard St, Suite 106  
Key West, FL 33040  
(305) 293-4684



**Southernmost**  
Title, Inc.  
526 Southard Street  
Key West, FL 33040  
(305) 293-4673

11/01/2006 9:33AM  
DEED DOC STAMP CL: JENNIFERH\$5,565.00



Parcel ID Number: 00027290-000000

Doc# 1610538  
Bk# 2248 Pg# 1633

# Warranty Deed

This Indenture, Made this 31st day of October, 2006 A.D., Between J. GEORGE FONTANA, a single man

of the County of MONROE, State of Florida, grantor, and CHRISTOPHER PARE, a single man

whose address is: 415 JULIA STREET, 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:

On the Island of Key West, being a part of Tract Eleven (11), according to William A Whitehead's Map or Plan of said Island, delineated in February, A.D. 1829, but better known as a part of Lot Five (5) according to a Subdivision made by Beverly B. Browne recorded in Monroe County Deed Record Book "J", Page 671, of Lot Three (3), in Square Three (3), of Tract Eleven (11) according to C.W. Tift's Map or Plan of said Tract and the Island of Key West drawn in July 1874, saidd part of Lot Five (5) being bounded as follows:

COMMENCING at a point on Julia Street One Hundred and Seventy-four (174) feet Northeasterly from the corner of Julia and Whitehead Streets and running thence along Julia Street in a Northeasterly direction Twenty-three feet and Nine (9) inches; thence at right angles in a Northwesterly direction Seventy (70) feet and Two (2) inches; thence at right angles in a Southwesterly direction Twenty-three (23) feet and Nine (9) inches; thence at right angles in a Southeasterly direction Seventy (70) feet and Two (2) inches to the Point of Beginning on Julia Street.

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 his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Mabry L. Binnicker  
Printed Name: Mabry L. Binnicker  
Witness

J. George Fontana (Seal)  
J. GEORGE FONTANA  
P.O. Address: 3930 S. ROOSEVELT BLVD, #E-108, KEY WEST, FL 33040

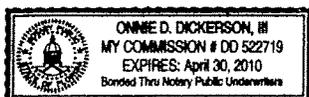
Annie D. Dickerson III  
Printed Name: Annie D. Dickerson, III  
Witness

MONROE COUNTY  
OFFICIAL RECORDS

STATE OF FLORIDA  
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this 31st day of October, 2006 by J. GEORGE FONTANA

he is personally known to me or he has produced his state driver's license as identification.



Annie D. Dickerson III  
Printed Name: \_\_\_\_\_  
Notary Public  
My Commission Expires: \_\_\_\_\_

# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

This document is a business tax receipt.  
Holder must meet all City zoning and use provisions.  
P.O. Box 1409, Key West, Florida 33040 (305)809-3955

Business name . . : DUVAL QUARTERS INC Ctl nbr . . : 1169  
Location addr . . : 415 JULIA ST  
Lic Nbr/Class . . : 09 00021119 RENTAL-GUESTHOUSE/BED & BREAKFAST  
Issue date . . . : 4/07/09 Expiration date . . : 9/30/09  
Lic Fee . . . . . : 15.00  
Penalty . . . . . : 7.50  
Total . . . . . : 22.50  
Comments . . . . : ONE TRANSIENT ROOM PLUS ONE

Order # 21119  
Date: 4/07/09 53 Receipt no: 50116  
2005 21119  
OR LIC OCCUPATIONAL 1 \$22.50  
VM VISA/MASTERC \$22.50  
Total tendered \$22.50  
Total Paid \$22.50

This document must be prominently displayed.

DUVAL QUARTERS INC  
415 JULIA ST  
KEY WEST FL 33040

Trans date: 4/07/09 Time: 15:13:54  
CHRISTOPHER PARE

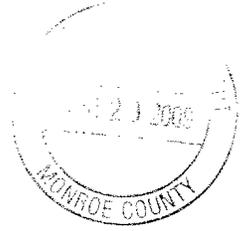




# **Receiver Site**



# RECEIVER SITE



**Receiver Site: Current Owner Information**

**FOR INDIVIDUALS**

1. NAME \_\_\_\_\_ 2. NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ ADDRESS \_\_\_\_\_  
 TELEPHONE(1) \_\_\_\_\_ TELEPHONE(1) \_\_\_\_\_  
 (2) \_\_\_\_\_ (2) \_\_\_\_\_  
 FAX \_\_\_\_\_ FAX \_\_\_\_\_

**FOR CORPORATIONS**

A. CORPORATE NAME CENTER COURT-HISTORIC INN & Cottages, LLC  
 B. STATE/COUNTRY OF INCORPORATION FLORIDA  
 C. REGISTERED TO DO BUSINESS IN THE STATE OF FLORIDA  YES  NO  
 D. NAMES OF OFFICERS AND DESIGNATIONS  
NAOMI VAN STEELANDT, MANAGER

**FOR PARTNERSHIPS**

A. NAME OF PARTNERSHIP: \_\_\_\_\_  
 B. STATE OF REGISTRATION: \_\_\_\_\_  
 C. GENERAL PARTNER WITH AUTHORITY TO BIND PARTNERSHIP:  
 \_\_\_\_\_

**FOR CORPORATIONS AND PARTNERSHIPS**

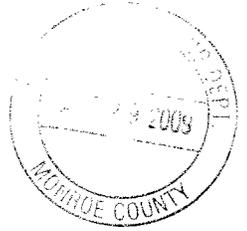
NAME AND ADDRESS OF PERSON "IN HOUSE" TO CONTACT:

NAOMI VAN STEELANDT  
 TELEPHONE(S) 305-304-8010 FAX 305-294-4104

**Receiver Site  
Verification**

ORIGINAL

Signature Page and Verification Form for Receiver Site



I (We) NAOMI VAN STEELANDT

owner(s) or authorized agent of the owner(s) of the real property located at 918-920 CENTER ST. in the City of Key

West, Florida, RE# 000 17830-00000 state that all of the

information contained in this application and all of the answers to the above questions are true and correct to the best of my(our) knowledge and belief.

Signature Naomi Van Steelandt Date: 4/28/09

NAOMI VAN STEELANDT, MANAGER  
print name designation

Signature \_\_\_\_\_ Date: \_\_\_\_\_

print name

designation

Subscribed and sworn to or affirmed before me on 4/28/09 by Naomi Van Steelandt, personally known to me or

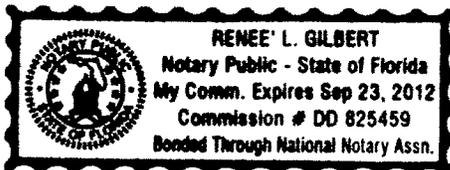
presenting MA to me as identification.

Renee L Gilbert

Notary Public Signature, Seal

Name printed Renee L. Gilbert Title NOTARY

Commission, Date \_\_\_\_\_



**Receiver Site  
Authorization**



**Agency Authorization Form for Owner of Receiver Site**

Please complete this form if someone other than the property owner(s) is acting on behalf of the owner(s) for purposes of processing this application.

(I / We), \_\_\_\_\_, owner(s) of  
print name of owner  
property located at \_\_\_\_\_, Key West,  
address  
Florida, RE# \_\_\_\_\_, hereby authorize  
\_\_\_\_\_, of \_\_\_\_\_,  
print name of agent address  
to represent me/us and act as agent in all matters regarding the processing of  
this application for the transfer of transient units and/or licenses.

\_\_\_\_\_  
Signature

N/A

\_\_\_\_\_  
Type or Print Name

\_\_\_\_\_  
Date

Subscribed and sworn to (or affirmed) before me on \_\_\_\_\_ (date)  
by \_\_\_\_\_, personally known to me or presenting  
\_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public Signature and Seal

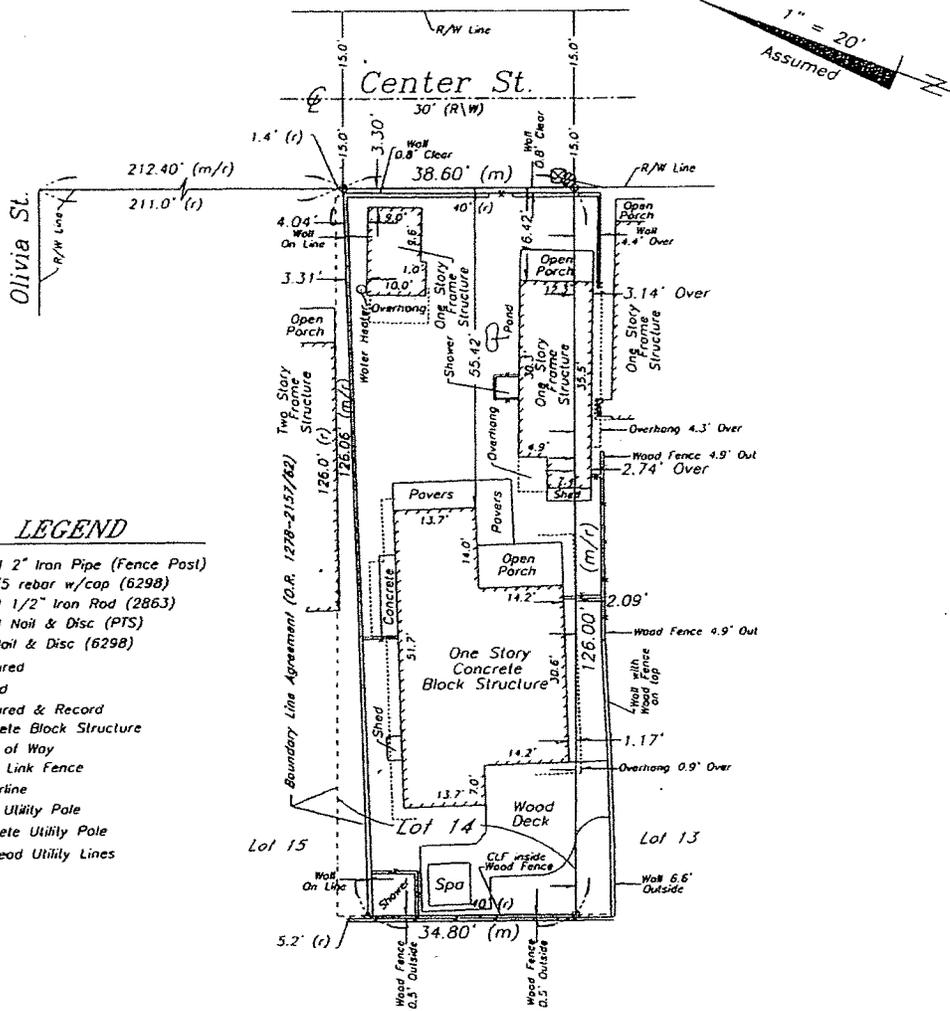
\_\_\_\_\_  
Printed Name of Notary

\_\_\_\_\_  
Commission Number, State, and Expiration

**Receiver Site  
Survey**

EXHIBIT C

Boundary Survey Map of part of Block 8 as recorded in Deed Book "E", Page 245, Island of Key West



LEGEND

- ⊙ Found 2" Iron Pipe (Fence Post)
- Set #5 rebar w/cap (6298)
- Found 1/2" Iron Rod (2863)
- ▲ Found Nail & Disc (PTS)
- △ Set Nail & Disc (6298)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- C.B.S. Concrete Block Structure
- R\W Right of Way
- CLF Chain Link Fence
- E Centerline
- ⊙ Wood Utility Pole
- ⊠ Concrete Utility Pole
- P- Overhead Utility Lines



NOTE:  
This Survey Map is not full and complete without the attached Survey Report.

Sheet One of Two Sheets

J. LYNN O'FLYNN, Inc.

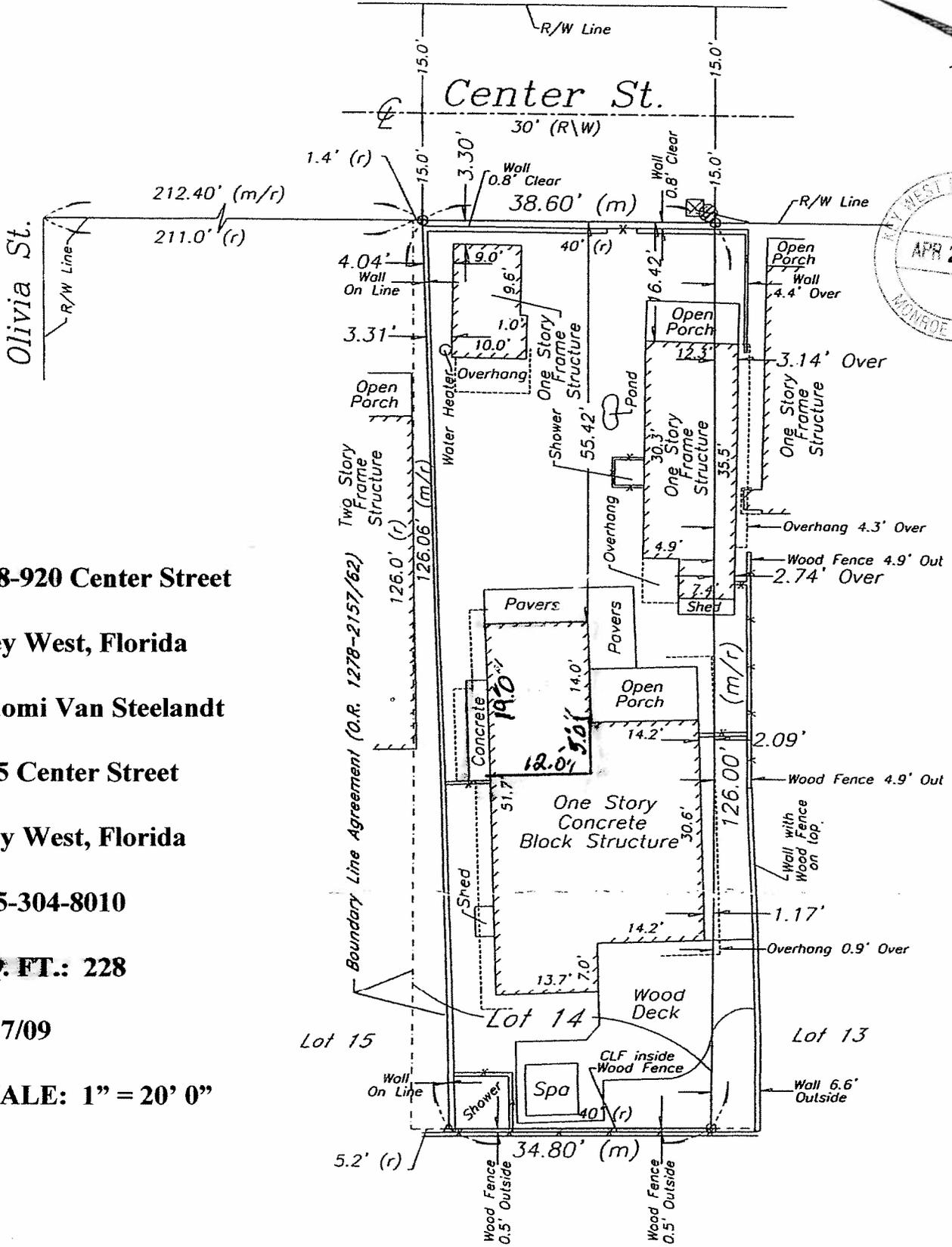


Professional Surveyor & Mapper  
PSM #8288

3430 Duck Ave., Key West, FL 33040  
(305) 296-7422 FAX (305) 298-2244

Boundary Survey Map of part of Block 8 as recorded in Deed Book "E", Page 245, Island of Key West

1" = 20'  
Assumed



918-920 Center Street

Key West, Florida

Naomi Van Steelandt

915 Center Street

Key West, Florida

305-304-8010

SQ. FT.: 228

4/27/09

SCALE: 1" = 20' 0"

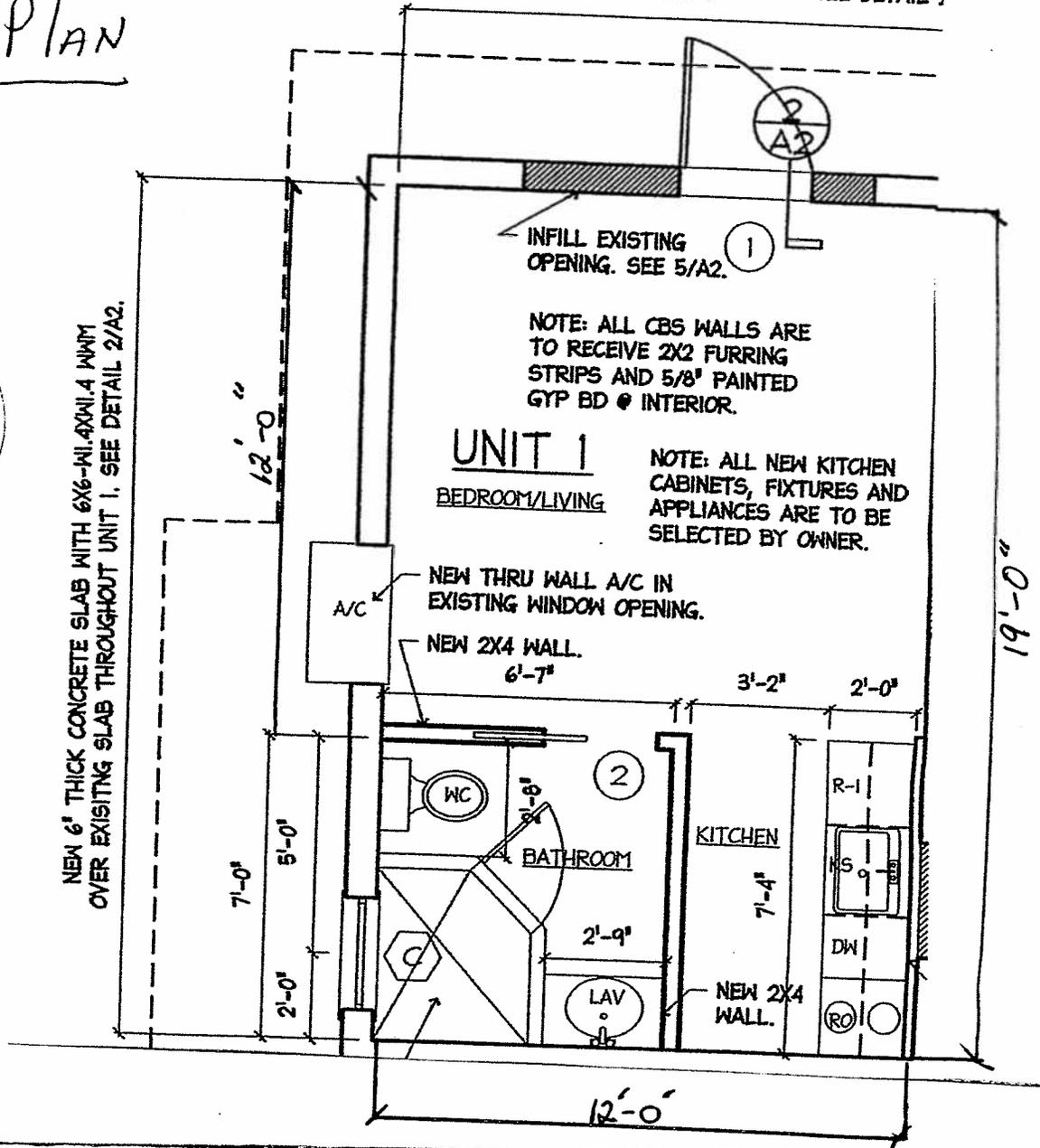
**Receiver Site  
Site Plan**

# FLOOR PLAN

NEW 6" THICK CONCRETE SLAB WITH 6X6-WI.4XWI.4 WD OVER EXISTING SLAB THROUGHOUT UNIT 1. SEE DETAIL 1.



NEW 6" THICK CONCRETE SLAB WITH 6X6-WI.4XWI.4 WD OVER EXISTING SLAB THROUGHOUT UNIT 1. SEE DETAIL 2/A2.



A2

Date: 10/31/08

Project No:

0822

Bender & Associates  
ARCHITECTS

p.a.

**Receiver Site  
Warranty Deed**

This document prepared by and return to:  
Sterling Title Agency, Inc.  
621 N.W. 53rd Street, Suite 420  
Boca Raton, Florida 33487

Doc# 1704155 07/17/2008 2:15PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

Our File #A08-00083

07/17/2008 2:15PM  
DEED DOC STAMP CL: JD \$4,725.00

Doc# 1704155  
BK# 2372 Pg# 258

**PERSONAL REPRESENTATIVE'S DEED**

This Indenture, is made this 13<sup>th</sup> day of June 2008, by and between Benjamin M. Gottlieb, as Personal Representative of Estate of J. Gilmour Sherman, deceased, grantor, whose Post Office Address is 621 N.W. 53rd St, Suite 420, Boca Raton, FL 33487 and Center Court - Historic Inn & Cottages, L.C., a Florida limited liability company whose address is 915 Center Street, Key West, Florida 33040 of the County of MONROE, State of Florida, Grantees.

**Witnesseth:** Grantor(s), pursuant to the terms of decedents Will and in consideration of the sum of One Dollar (\$1.00) paid to Grantor(s) by Grantee(s) receipt of which is acknowledged, grants, bargains and sells to Grantee(s) and Grantee's heirs and assigns forever, the real property in MONROE, County, Florida, described as:

**SEE "EXHIBIT A" ATTACHED HERETO AND MADE A PART HEREOF**

Together with all and singular the tenements, hereditaments, and appurtenances belonging or in anywise appertaining to the real property.

To Have And To Hold the same to Grantee(s), and Grantee(s), heirs and assigns, in fee simple forever.

And Grantor(s) do covenant to and with the Grantee(s) and Grantee's heirs and assigns, that in all things preliminary to and in and about this conveyance, the terms of decedents Will and the laws of the State of Florida have been followed and complied with in all respects.

In Witness Whereof, the undersigned, as personal representative of the estate of said decedent, has executed this instrument under seal on the date aforesaid.

Signed, sealed and delivered in our presence:



Ross P. Beckerman  
Witness

Estate of J. Gilmore Sherman

Ross P. Beckerman  
Witness Name Printed

Benjamin M. Gottlieb  
Benjamin M. Gottlieb, Personal Representative

[Signature]  
Witness

DANNY L. KOLHAGE  
Witness Name Printed

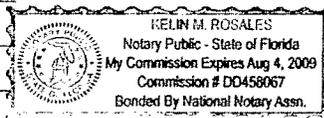
STATE OF: Florida  
COUNTY OF: Monroe

I hereby certify that the foregoing instrument was acknowledged before me on 13<sup>th</sup> day of June 2008, Benjamin M. Gottlieb, as Personal Representative of Estate of J. Gilmour Sherman, deceased who is personally known to me or has produced [Signature] as identification, and who did/did not take an oath.

Notary

Printed Name: \_\_\_\_\_

My commission expires: \_\_\_\_\_



# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

This document is a business tax receipt.  
Holder must meet all City zoning and use provisions.  
P.O. Box 1409, Key West, Florida 33040 (305)809-3955

Business name . . : HISTORIC INN & COTTAGES LC                    Ctl nbr . . :        1956  
Location addr . . : 918 CENTER ST  
Lic Nbr/Class . . : 09 00022839    RENTAL-NON-TRANSIENT RESIDENTIAL  
Issue date . . . : 9/10/08      Expiration date . . : 9/30/09  
Lic Fee . . . . . :            76.00  
Penalty . . . . . :            .00  
Total . . . . . :            76.00  
Comments . . . . : 4 NONTRANSIENT RENTAL UNITS



This document must be prominently displayed.

HISTORIC INN & COTTAGES LC  
915 CENTER ST  
KEY WEST FL 33040

Oper: KEYWDWN            Type: OC    Drawer: 1  
Date: 9/11/08 51        Receipt no: 112384  
NAOMI ~~2009~~ N ~~22839~~ LANDT  
OR LIC OCCUPATIONAL 1        \$76.00  
Trans number:                    2240209  
CK CHECK                            299        \$83.60  
Trans date: 9/11/08            Time: 11:25:45

This document prepared by and return to  
Sterling Title Agency, Inc.  
621 N.W. 53rd Street, Suite 420  
Boca Raton, Florida 33487

Doc# 1704155  
Bk# 2372 Pg# 259

Our File #A08-00083



**EXHIBIT A**

**On the Island of Key West, and known on Simonton and Wall's Addition as part of Lot 4, Square 8, Tract 4, but more particularly described as Subdivision 14, of E.O. Gwynn's Disgram of said Lot 4, Square 8, Tract 4, recorded in Deed Book H, Page 669, of the Public Records of Monroe County, Florida, said Subdivision 14 having a front on Center Street continued of 40 feet and extending back from said Street 126 feet.**

**Less and excepting therefrom a parcel of land on the Island of Key West, Monroe County, Florida, being a PART OF Block 8 of Simonton and Wall's Addition as recorded in Deed Book "B", Page 245, of the Public Records of said Monroe County and being more particularly described as follows: COMMENCE at the point of intersection of the SE'ly right-of-way line (ROWL) of Olivia Street and SW'ly ROWL of Center Street; thence run SE'ly along said SW'ly ROWL, a distance of 211.00 feet to the Point of the Beginning; thence continue SE'ly along said SW'ly ROWL, 1.4 feet to a point on the NW'ly face of an existing concrete block wall; thence run SW'ly along said concrete block wall along a line deflected 88 degrees 13'56" to the right, a distance of 126.06 feet; thence run NW'ly along a line deflected 91 degrees 46'04" to the right, for a distance of 5.2 feet; thence run NE'ly and at right angles, for a distance of 126.0 feet back to the Point of Beginning.**

**MONROE COUNTY  
OFFICIAL RECORDS**



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 Entity Na

No Events     
 No Name History     

## Detail by Entity Name

### Florida Limited Liability Company

CENTER COURT - HISTORIC INN & COTTAGES, LC

### Filing Information

**Document Number** L02000030826  
**FEI/EIN Number** 550810293  
**Date Filed** 11/18/2002  
**State** FL  
**Status** ACTIVE



### Principal Address

915 CENTER STREET  
KEY WEST FL 33040

### Mailing Address

915 CENTER STREET  
KEY WEST FL 33040

### Registered Agent Name & Address

VAN STEELANDT, NAOMI R  
 915 CENTER STREET  
 KEY WEST FL 33040 US

Name Changed: 01/05/2006

### Manager/Member Detail

#### **Name & Address**

Title MGRM  
  
 VAN STEELANDT, NAOMI R  
 915 CENTER STREET  
 KEY WEST FL 33040

### Annual Reports

#### **Report Year Filed Date**

2007      01/09/2007  
 2008      01/08/2008

2009 01/12/2009

**Document Images**

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[02/26/2003 -- LIMITED LIABILITY CORPORATION](#)

[View image in PDF format](#)

[11/18/2002 -- Florida Limited Liability](#)

[View image in PDF format](#)

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

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Entity Na

**No Events**

**No Name History**

St

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# **Property Appraiser**





### Exemptions

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

### Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	24	70	1,666.00 SF

### Building Summary

Number of Buildings: 1  
 Number of Commercial Buildings: 1  
 Total Living Area: 1808  
 Year Built: 1979

### Building 1 Details

Building Type  
 Effective Age 11  
 Year Built 1979  
 Functional Obs 0

Condition A  
 Perimeter 264  
 Special Arch 0  
 Economic Obs 0

Quality Grade 500  
 Depreciation % 13  
 Grnd Floor Area 1,808

**Inclusions:**

Roof Type GABLE/HIP  
 Heat 1 NONE

Roof Cover ASPHALT SHINGL  
 Heat 2 NONE

Foundation WD CONC PADS  
 Bedrooms 2

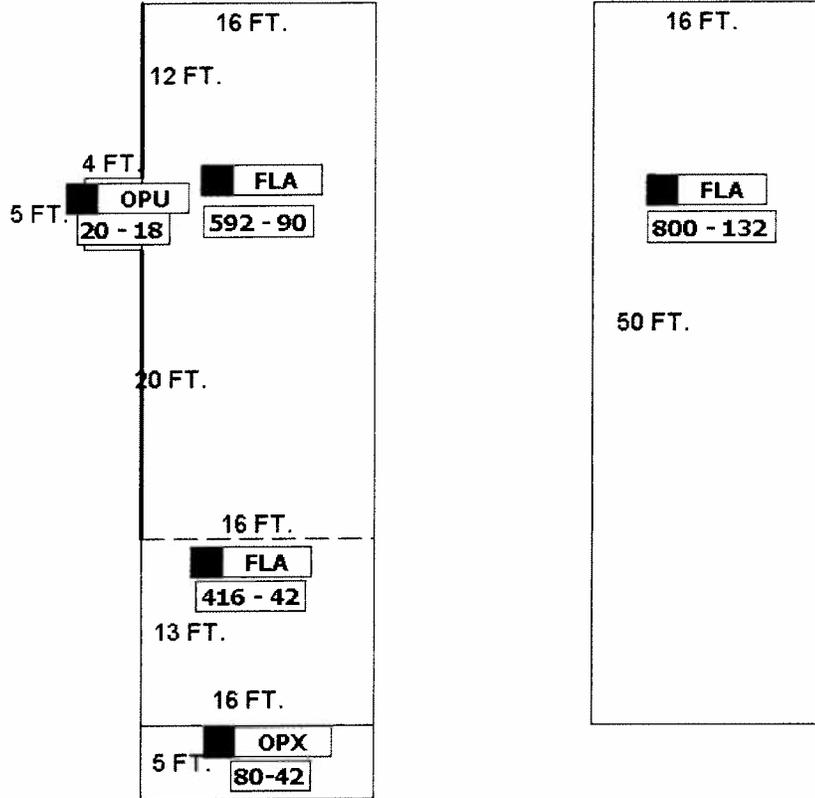
Heat Src 1 NONE

Heat Src 2 NONE

Extra Features:

2 Fix Bath 0  
 3 Fix Bath 2  
 4 Fix Bath 0  
 5 Fix Bath 0  
 6 Fix Bath 0  
 7 Fix Bath 0  
 Extra Fix 1

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		2	1988			0.00	0.00	416
2	OPX		1	1988			0.00	0.00	80
3	FLA		1	1988			0.00	0.00	592
4	FLA		1	1988			0.00	0.00	800
5	OPU		1	2000					20

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	AC2:WALL AIR COND	3 UT	0	0	1979	1980	2	20
2	FN2:FENCES	564 SF	94	6	1981	1982	2	30
3	PT2:BRICK PATIO	255 SF	0	0	2000	2001	2	50

## Appraiser Notes

CO#0631 DATED 3/6/92 USE CHANGE COMM.ONE TRANSIENT ROOM
TPP - 8913419
2002-01-09 (041) 1 TRANSIENT ROOM & 1 NON - TRANS OWNERS UNIT

## Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	03-1665	05/19/2003	10/07/2004	11,700		RENOV BATH
	9601045	03/01/1996	11/01/1996	3,000		MECHANICAL
	9601107	03/01/1996	11/01/1996	400		ELECTRIC
	9601299	03/01/1996	11/01/1996	400		RENOVATIONS
	9601300	03/01/1996	11/01/1996	175		SGN
	9703750	11/01/1997	12/01/1997	3,000		PAINT
	0200282	02/04/2002	09/09/2002	5,591		NEW V-CRIMP ROOF

## 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	340,060	3,035	208,250	679,986	679,986	25,000	654,986
2007	290,972	3,073	191,590	679,986	679,986	0	679,986
2006	246,374	1,390	149,940	743,271	575,942	25,000	550,942
2005	251,849	1,390	124,950	648,507	506,524	25,000	481,524
2004	170,407	1,390	129,948	518,070	332,596	25,000	307,596
2003	170,407	1,390	53,312	268,987	154,009	25,000	129,009
2002	80,316	1,390	53,312	256,178	149,228	25,000	124,228
2001	80,316	1,390	53,312	256,178	147,604	25,000	122,604
2000	80,658	893	27,906	256,178	144,648	25,000	119,648
1999	80,658	915	27,906	256,178	142,057	25,000	117,057
1998	80,658	945	27,906	174,791	125,897	25,000	100,897
1997	77,610	967	24,574	142,440	118,496	25,000	93,496
1996	74,040	988	23,324	115,608	110,962	25,000	85,962
1995	74,040	1,018	23,324	115,645	108,771	25,000	83,771
1994	74,040	1,040	23,324	105,912	105,912	25,000	80,912
1993	74,040	1,062	23,324	105,936	105,936	25,000	80,936
1992	74,040	1,091	23,324	105,968	105,968	25,000	80,968

1991	74,040	1,188	23,324	106,075	106,075	25,000	81,075
1990	63,351	1,285	20,409	91,509	91,509	25,000	66,509
1989	77,589	1,389	19,992	98,970	98,970	25,000	73,970
1988	43,944	782	16,660	61,386	61,386	25,000	36,386
1987	43,398	811	8,851	53,060	53,060	25,000	28,060
1986	43,643	850	8,497	52,990	52,990	25,000	27,990
1985	42,306	879	8,457	51,642	51,642	25,000	26,642
1984	39,445	909	8,457	48,811	48,811	25,000	23,811
1983	39,445	948	5,382	45,775	45,775	25,000	20,775
1982	40,244	0	4,384	44,628	44,628	25,000	19,628

## 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
10/31/2006	2248 / 1633	795,000	<u>WD</u>	<u>Q</u>
12/1/1990	1154 / 995	10,000	<u>WD</u>	<u>H</u>
12/1/1988	1076 / 151	125,000	<u>WD</u>	<u>Q</u>
11/1/1978	786 / 713C	5,000	00	<u>Q</u>

This page has been visited 53,032 times.

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

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

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

---

## Property Record View

Alternate Key: 1018287 Parcel ID: 00017830-000000

### Ownership Details

**Mailing Address:**

CENTER COURT HISTORIC INN AND COTTAGES LC  
915 CENTER ST  
KEYWEST, FL 33040

### Property Details

PC Code: 08 - MULTIFAMILY LESS THAN 10UNITS

Millage Group: 10KW

Affordable Housing: No

Section-

Township- 06-68-25

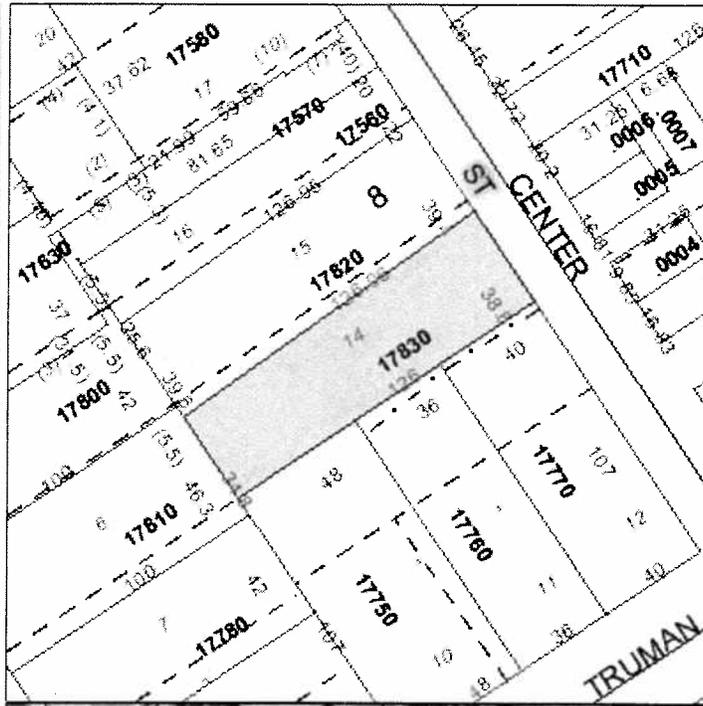
Range:

Property 918 CENTER ST KEYWEST

Location: 920 CENTER ST KEYWEST

Legal KW PT LOT 4 SQR 8 TR 4 J1-179 CO JUDGE'S DOCKET 9-54 CO JUDGE'S DOCKET 10-151 CO JUDGE'S  
Description: DOCKET 11-44 CO JUDGE'S DOCKET 73-261 OR749-299 OR825-2054 OR1004-940/950 OR1021-1069/70  
OR2372-258/59 OR2372-237D/C OR2372-240/48E OR2372-249/57E

### Parcel Map



### Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	39	126	4,624.00 SF

### Building Summary

Number of Buildings: 3  
 Number of Commercial Buildings: 0

Total Living Area: 1665  
Year Built: 1953

### Building 1 Details

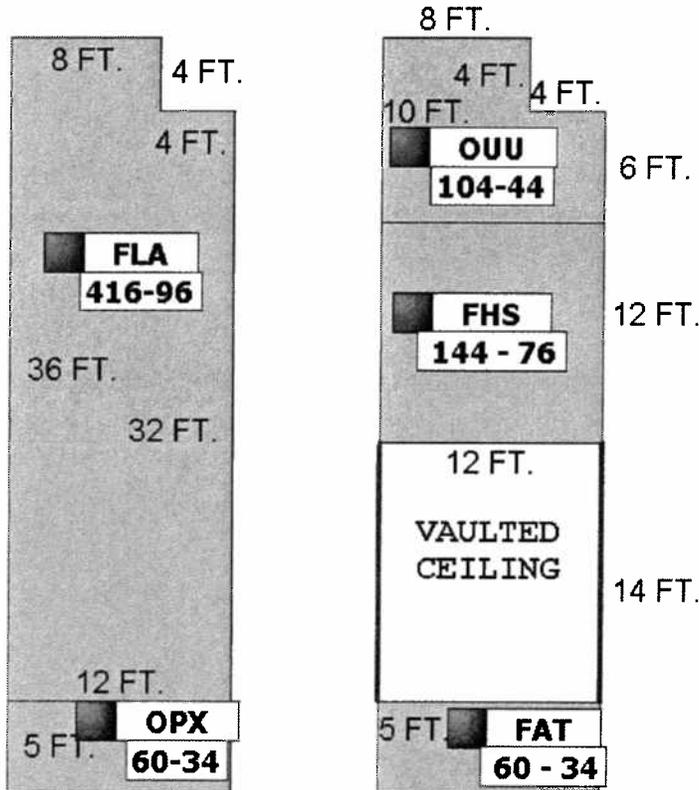
Building Type <u>R1</u>	Condition <u>A</u>	Quality Grade 450
Effective Age 15	Perimeter 96	Depreciation % 17
Year Built 1953	Special Arch 0	Gnd Floor Area 416
Functional Obs 0	Economic Obs 0	

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

Roof Type GABLE/HIP	Roof Cover METAL	Foundation WD CONC PADS
Heat 1 NONE	Heat 2 NONE	Bedrooms 2
Heat Src 1 NONE	Heat Src 2 NONE	

**Extra Features:**

2 Fix Bath 0	Vacuum 0
3 Fix Bath 0	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 1	Dishwasher 0



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	<u>FLA</u>	2:B & B	1	1993	N	N	0.00	0.00	416
2	<u>OPX</u>		1	1993	N	N	0.00	0.00	60

3	<u>FHS</u>	2:B & B	1	1993	N	N	0.00	0.00	144
4	<u>FAT</u>	2:B & B	1	1993	N	N	0.00	0.00	60
5	<u>OUU</u>		1	1993	N	N	0.00	0.00	104

## Building 2 Details

**Building Type** R2  
**Effective Age** 15  
**Year Built** 1963  
**Functional Obs** 0

**Condition** A  
**Perimeter** 156  
**Special Arch** 0  
**Economic Obs** 0

**Quality Grade** 500  
**Depreciation %** 17  
**Grnd Floor Area** 1,083

**Inclusions:** R2 includes 2 3-fixture baths and 2 kitchens.

**Roof Type** GABLE/HP  
**Heat 1** NONE  
**Heat Src 1** NONE

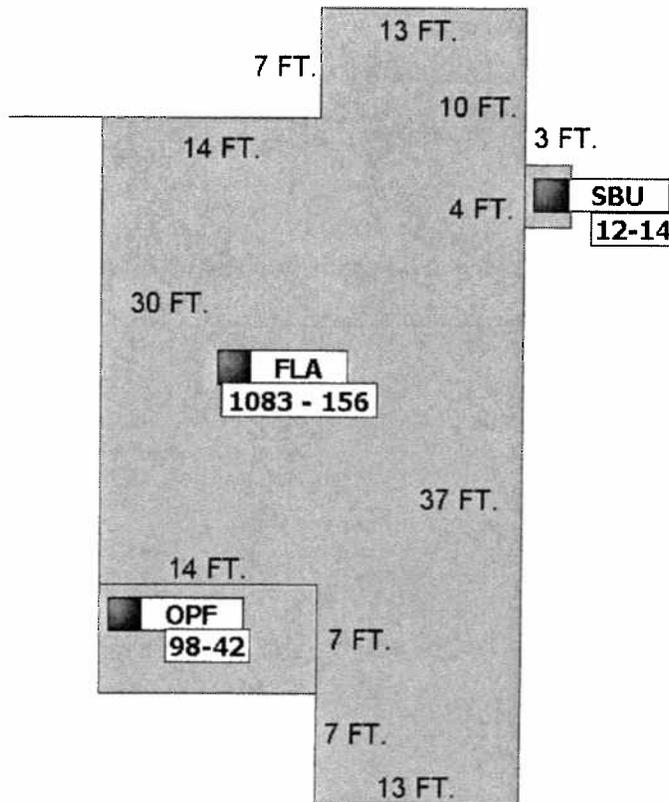
**Roof Cover** ASPHALT SHINGL  
**Heat 2** NONE  
**Heat Src 2** NONE

**Foundation** WD CONC PADS  
**Bedrooms** 2

**Extra Features:**

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

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



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA	5:C.B.S.	1	1993	N	N	0.00	0.00	1,083
2	OPF		1	1993			0.00	0.00	98
4	SBU	1:WD FRAME	1	1993	N	N	0.00	0.00	12

### Building 3 Details

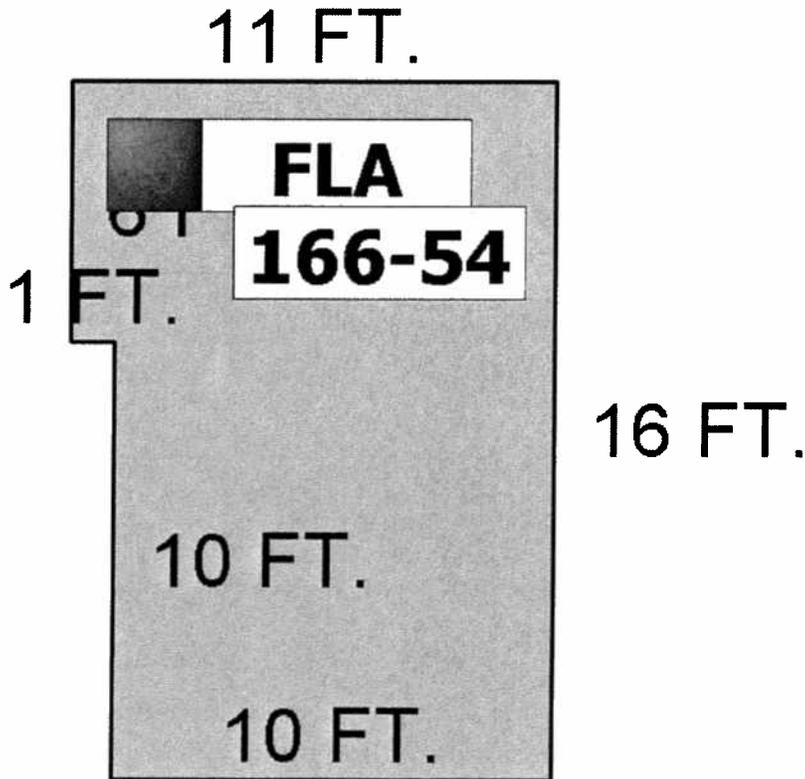
<b>Building Type</b> <u>R1</u>	<b>Condition</b> <u>A</u>	<b>Quality Grade</b> 350
<b>Effective Age</b> 15	<b>Perimeter</b> 54	<b>Depreciation %</b> 17
<b>Year Built</b> 1986	<b>Special Arch</b> 0	<b>Grnd Floor Area</b> 166
<b>Functional Obs</b> 0	<b>Economic Obs</b> 0	

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

<b>Roof Type</b> FLAT OR SHED	<b>Roof Cover</b> METAL	<b>Foundation</b> WD CONC PADS
<b>Heat 1</b> NONE	<b>Heat 2</b> NONE	<b>Bedrooms</b> 1
<b>Heat Src 1</b> NONE	<b>Heat Src 2</b> NONE	

**Extra Features:**

2 Fix Bath	0	Vacuum	0
3 Fix Bath	0	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	0	Dishwasher	0



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	FLA	1:WD FRAME	1	1986	N N	0.00	0.00	166

### Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	870 SF	0	0	1969	1970	5	30
2	AC2:WALL AIR COND	1 UT	0	0	1994	1995	1	20
3	PT5:TILE PATIO	87 SF	0	0	1994	1995	1	50
4	WF2:WATER FEATURE	0 UT	0	0	2000	2001	1	20

### Appraiser Notes

2003-05-28 - HOMESTEAD 49% OWNER LIVES IN 823-SQ OF BLDG.#2 / BLDGS. 1 , 2 & 260 SQ. OF #3 RENTABLE. WMC TPP AK-8512716.

### Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
07-4189	09/06/2007	02/28/2008	2,400	Residential	UPGRADE EXIST NG ELEC AL SERVICE NEW 10 AMP
01-2207	06/07/2001	11/21/2001	1,000	Residential	2 SQS V-CRMP
03-3473	10/01/2003	07/28/2004	2,335	Residential	ROOFING REPAIR
03-3881	11/10/2003	07/28/2004	1,700	Residential	ROOFING
05-3093	07/26/2005	10/17/2005	10,500	Residential	METAL ROOFING

### Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2008	221,629	4,627	462,400	688,656	688,656	0	688,656
2007	317,333	4,683	762,960	1,084,976	1,084,976	0	1,084,976
2006	549,864	4,757	439,280	993,901	697,105	25,000	672,105
2005	299,635	4,832	393,040	697,507	540,404	25,000	515,404
2004	194,136	4,908	323,680	522,724	445,886	25,000	420,886
2003	252,377	4,983	101,728	359,088	359,088	25,000	334,088
2002	226,819	4,227	101,728	332,774	332,774	0	332,774
2001	196,296	5,481	101,728	303,505	303,505	0	303,505

2000	193,094	8,267	78,608	279,969	279,969	0	279,969
1999	165,167	7,270	78,608	251,045	251,045	0	251,045
1998	161,752	7,036	78,608	247,396	247,396	0	247,396
1997	157,605	7,001	69,360	233,967	233,967	0	233,967
1996	97,171	4,651	69,360	171,182	171,182	0	171,182
1995	97,171	4,767	69,360	171,299	171,299	0	171,299
1994	86,901	4,348	69,360	160,609	160,609	0	160,609
1993	107,004	2,441	75,600	185,045	185,045	0	185,045
1992	107,004	2,505	75,600	185,108	185,108	0	185,108
1991	107,004	2,569	75,600	185,172	185,172	0	185,172
1990	115,631	2,632	64,260	182,523	182,523	0	182,523
1989	105,119	2,451	63,000	170,570	170,570	0	170,570
1988	95,733	2,269	50,400	148,402	148,402	0	148,402
1987	86,267	2,321	34,650	123,238	123,238	0	123,238
1986	86,758	2,373	33,264	122,395	122,395	0	122,395
1985	83,774	2,425	32,736	118,935	118,935	0	118,935
1984	78,836	2,477	32,736	114,049	114,049	0	114,049
1983	78,836	2,529	14,263	95,628	95,628	0	95,628
1982	80,236	2,581	14,263	97,080	97,080	0	97,080

## 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
6/13/2008	2372 / 258	675,000	<u>WD</u>	<u>Z</u>
7/1/1987	1021 / 1069	200,000	<u>WD</u>	<u>Q</u>
2/1/1987	1004 / 940	1	<u>WD</u>	<u>M</u>
1/1/1981	825 / 2054	150,000	<u>WD</u>	<u>Q</u>
12/1/1977	749 / 299	38,000	00	<u>Q</u>

This page has been visited 263,280 times.

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

# **Public Notices**

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

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

- Request:** **Transient License Transfer - from 415 Julia Street (RE 00027290-000000) to 918-920 Center Street (RE 00017830-000000)** – Transient License Transfer from 415 Julia Street located in the Historic Medium Density District (HMDR) to 918-920 Center Street located in the Historic Residential Commercial Core (HRCC-3) zoning district per Sections 122-1338 and 122-1339 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida
- Applicant/Owner:** Christopher Pare & Naomi Van Steelandt
- Project Location:** 415 Julia Street to 918-920 Center Street
- Date of Hearing:** Thursday, June 18, 2009
- Time of Hearing:** 6:00 PM
- Location of Hearing:** Old City Hall – City Commission Chambers  
510 Greene Street

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. A copy of the corresponding applications is available from the City of Key West Planning Department located at 604 Simonton Street, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm. Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409, by FAX (305) 809-3739 or by email [ccowart@keywestcity.com](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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1016 DUVAL LLC  
P O BOX 6568  
KEY WEST, FL 33041

1023 WHITEHEAD LLC  
20 DRIFTWOOD DR  
KEY WEST, FL 33040

1103/1105 WHITEHEAD STREET L L C  
419 AMELIA ST  
KEY WEST, FL 33040

419 TRUMAN AVENUE, A  
CONDOMINIUM

AB ERCA  
BALDERSVAGEN  
GISLAVED, S-332 35

ALESSI DEREK J  
9404 MERIUL LN  
CLEARANCE CENTER, NY 14032

ALVARIDO ORLANDO  
1010 WHITEHEAD ST  
KEY WEST, FL 33040

ANCHORS AWEIGH CLUB INC  
404 VIRGINIA ST  
KEY WEST, FL 33040

APPEL MILTON LLC T/C  
4815 SOUTH SUNSET BLVD  
TAMPA, FL 33629

APPEL MILTON TRUSTEE  
926 DUVAL ST  
KEY WEST, FL 33040

AST BRUNO & GUNDUZ DAGDELEN  
1756 N SEDGWICK  
CHICAGO, IL 60614

AZUAJE-SMITH FABIOLA M & SMITH  
JASON R GUARDIANS  
1801 VENETIA ST  
KEY WEST, FL 33040

B & R ENTERPRISES OF KEY WEST,  
INC  
1075 DUVAL ST  
KEY WEST, FL 33040

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

BAIN CECIL WILSON  
326 TRUMAN AVE  
KEY WEST, FL 33040

BANKS LENORA  
414 JULIA ST  
KEY WEST, FL 33040

BEBBINGTON ENID H/W  
3 CHARNWOOD AVE  
CLONSILLA VILLAGE, DUBLIN 15

BELFER JILL ADRIANE SHADDOW  
1075 DUVAL ST  
KEY WEST, FL 33040

BITON YORAM & COURTNEY  
3714 FLAGLER AVE  
KEY WEST, FL 33040

BOMBARO AUSTIN J  
230 GLASSBORO RD  
WOODBURY HTS, NJ 08097

BOMBARO PETER A JR AND CAROLE  
A  
1075 DUVAL ST  
KEY WEST, FL 33040

BRUCCOLERI DOMINICK AND  
ELIZABETH H  
56 GREEN WAY WEST  
NEW HYDE PARK, NY 11040

BURTON ROBERT LEE DEC OF  
TRUST DTD 3/4/98  
1616 ATLANTIC BLVD  
KEY WEST, FL 33040

C10 LLC  
1601 BAHAMA DR  
KEY WEST, FL 33040

C-23 LLC  
1075 DUVAL ST #C-23  
KEY WEST, FL 33040

CAD PRODUCTIVITY INC  
PO BOX 281195  
NASHVILLE, TN 37228-8502

CALABRO DANIEL J  
PO BOX 3017  
SHELTER ISLAND HGTS, NY 11965-  
3017

CALLARMAN KURT AND TAMMY  
REV TR DTD 2/24/96  
20013 TAMIAMI AVE  
TAMPA, FL 33647

CAMPBELL NANCY & GODDARD  
DARRELL LEE  
1075 DUVAL STREET-#15  
KEY WEST, FL 33040

CAREY DONALD G & ADELL F  
419 VIRGINIA STREET  
KEY WEST, FL 33040

CASH-STUART JOANN  
360 NW 112TH TERRACE  
MIAMI, FL 33168

CASTLEBERRY LARRY G &  
JACQUELINE LACRONE (WIFE)  
1904 MEREDITH RD  
VIRGINIA BEACH, VA 23455-2627

CAWLEY THOMAS P DEC OF TRUST  
03/06/2007  
2601 SOUTH ROOSEVELT BLVD  
KEY WEST, FL 33040

CENTER RESORT PROPERTIES LLC  
P O BOX 4655  
BOULDER, CO 80306

CLARK MATHEW JR  
1017 WHITEHEAD ST  
KEY WEST, FL 33040

CLARK NANCY J  
1019 WHITEHEAD ST  
KEY WEST, FL 33040

COLES WENDY L REV TRUST  
02/11/2003  
1007 WHITEHEAD ST  
KEY WEST, FL 33040

~~CUBAN CLUB CONDOMINIUM THE~~

DARNELL DOUGLAS W TR &  
LESSITER BARBARA E TR T/C  
P O BOX 123  
MOUNT PLEASANT, MI 48804-0123

DOUGLAS HOUSE INC  
419 AMELIA ST  
KEY WEST, FL 33040

DUBOVICK JAMES THOMAS AND  
BROOK KATHA  
P O BOX 916 CASES L M EXT  
CUTCHOGUE, NY 11935

DUKE NATALIA  
1075 DUVAL ST  
KEY WEST, FL 33040

DUVAL SQUARE R22 LLC  
303 OCEAN AVE  
AVON, NJ 07717

ELLIOTT URSULA WELTERS  
222 ENEAS LN  
KEY WEST, FL 33040

EYE EYE EYE INC  
5 CAPT FERGUSON LN  
SAVANNAH, GA 31411

FINE ROBERTA S  
1075 DUVAL ST  
KEY WEST, FL 33040

FIRST STATE BANK OF THE FL KEYS  
25 SE SECOND AVE  
MIAMI, FL 33131-1538

FISHER JAMES B JR AND MARY L  
3414 PRAIRIE TRL  
JOHNSBURG, IL 60050

FRANGIPANI LLC  
600 ELIZABETH ST  
KEY WEST, FL 33040

FRANKE LOUI G TRUST AGREEMENT  
05/28/04  
4140 BONITA AVE  
MIAMI, FL 33133

FRENCH ROBERT C  
1028 WHITEHEAD ST  
KEY WEST, FL 33040

GADONNIEX JOHN J SR & RUTH I  
2 CROWN HILL ROAD  
WAPPINGERS FALLS, NY 12590

GARCIA MANUEL E  
515 WHITEHEAD ST  
KEY WEST, FL 33040

GONZALEZ JOSE A & ANA J  
2519 LINDA AVE  
KEY WEST, FL 33040

GORMAN LURA  
1012 WHITEHEAD ST  
KEY WEST, FL 33040

GREETINGS FROM KEY WEST INC  
1075 DUVAL STREET UNIT C-21  
KEY WEST, FL 33040

GUERIN REYBURN B TRUSTEE  
ESTATE  
1694 MARKHAM GLEN CIRCLE  
LONGWOOD, FL 32779-7011

HANSEN LELAND W & LOIS R  
TRUSTEES  
N31 W5060 LANDMARK DR  
CEDARBURG, WI 53012

HASKINS DORA MARTINEZ  
TRUSTEE  
4056 PHOENICIAN WAY  
WINTER HAVEN, FL 33884

HAVANA SQUARE HOLDINGS INC  
1075 DUVAL ST  
KEY WEST, FL 33040

HENRY S HAMILTON JR AGENCY INC  
1075 DUVAL ST #C-22  
KEY WEST, FL 33040

HO FENG-JER AND CHEN SHUANG  
FENG  
13620 FRONT BEACH RD  
PANAMA CITY BEACH, FL 32413

HYDE ALTHEA RAE  
125 CHESTNUT  
HADDONFIELD, NJ 08033

INGRAM MICHAEL  
1001 WHITEHEAD ST  
KEY WEST, FL 33040

ISLAND HOTEL PROP III LLC  
2116 SEIDENBERG AVE  
KEY WEST, FL 33040

JAMES NORICE Z  
414 VIRGINIA ST  
KEY WEST, FL 33040

KEDLER ROBERT  
PO BOX 10  
DAYTON, OH 45405

KEITH JUNE C AND JOHN MICHAEL  
411 TRUMAN AVE  
KEY WEST, FL 33040

KENNEDY PETER C AND LORI D  
29W715 HAWTHORNE LN  
WEST CHICAGO, IL 60185

KEY WEST VACATION RENTALS &  
PROPERTY  
915 CENTER ST  
KEY WEST, FL 33040

KOHEN JOY EMANUEL AND  
SHLOMO  
3200 RIVIERA DR  
KEY WEST, FL 33040

KW HOSPITALITY LLC  
1007 SIMONTON ST  
KEY WEST, FL 33040

KW2R LLC  
323 QUAKER HILL RD  
PAWLING, NY 12564

LABIAK JOHN T AND NANCY L  
2310 W ARTHUR AVE  
CHICAGO, IL 60645

LACRONE RICHARD E & ERIN G  
3153 GARVERS FERRY RD  
APOLLO, PA 15613

LEE DAVID D  
1075 DUVAL STREET #R-13  
KEY WEST, FL 33040

LEE EDWARD N  
1719 HUDSON MILL CIR  
HAMILTON, GA 31811

LEGGETT SAMUEL D  
216 ENEAS LN  
KEY WEST, FL 33040

LEMKAU HENRY L JR  
1430 SW 12TH COURT  
FT LAUDERDALE, FL 33312

MARKIEWICZ DANIEL AND  
ELEANOR M  
36-11 205 ST  
BAYSIDE, NY 11361

MC INTOSH SYLVIA L/E  
4213 SW 20TH ST  
HOLLYWOOD, FL 33023

MC KENZIE WILLIAM  
925 WHITEHEAD ST  
KEY WEST, FL 33040

MCCOY JOHN C JR  
215 ENEAS LN  
KEY WEST, FL 33040

MENDOLA CHARLES & BIQUETTE  
2601 S ROOSEVELT BLVD #210-A  
KEY WEST, FL 33040

MENDOLA CHARLES J & BIQUETTE  
925 DUVAL STREET  
KEY WEST, FL 33040

MONROE COUNTY  
500 WHITEHEAD ST  
KEY WEST, FL 33040

MURRAY JAMES H  
760 HARBOR BEND RD #106  
MEMPHIS, TN 38103-0888

MUSSER BARBARA L &  
RT 3 MAGEE DRIVE  
LEONARDTOWN, MD 20650

NEW YORK STYLE PIZZA  
RESTAURANT INC  
1000 DUVAL STREET  
KEY WEST, FL 33040

NEWMAN CHURCH  
410 TRUMAN AVE  
KEY WEST, FL 33040

OLD KEYSTONE CHURCH INC  
330 JULIA ST  
KEY WEST, FL 33040

ORION BANK  
PO BOX 500098  
MARATHON, FL 33050-0098

PARE CHRISTOPHER  
415 JULIA ST  
KEY WEST, FL 33040

PEARSON CHARLES N L/E  
322 JULIA ST  
KEY WEST, FL 33040

PIENCZKOWSKI ANTHONY  
20 SAPHIRE DR  
KEY WEST, FL 33040

PITTFIELD JOSEPH & HEDY  
BREAKFIELD (H/W)  
3691 MORRIE DRIVE  
SAN JOSE, CA 95127

POLAKOFF PHILLIP MARC AND  
LORIANN VIRGINIA  
802 FAR HILLS DRIVE  
NEW FREEDOM, PA 17349

PORTERFIELD ZULEMA MARY  
220 ENEAS LN  
KEY WEST, FL 33040

REILLY ROBERT  
1535 FIFTH ST  
KEY WEST, FL 33040

RETTIG RICHARD L REVOCABLE  
LIVING TRUST DATED  
P O BOX 6044  
KEY WEST, FL 33041

RHOADES SHIRREL AND DIANE  
914 GRINNELL ST  
KEY WEST, FL 33040

RI CS2 LLC  
P O BOX 460069  
ESCONDIDO, CA 92046-0069

RICHIE MORETTI KEY WEST LLC  
7104 BLEDSOE AVE  
ORLANDO, FL 32810

ROBERTS MERCEDES L/E  
416 JULIA STREET  
KEY WEST, FL 33040

RUSSIN JOHN & LINDA HAMLIN  
(H/W)  
2734 POLK STREET  
HOLLYWOOD, FL 33020

SALINERO DENNIS N  
356 BOCA CHICA RD  
KEY WEST, FL 33040

SANDRIE R M  
P O BOX 420216  
SUMMERLAND KEY, FL 33042

SARFF GERALD  
3430 GALT OCEAN DR  
FT LAUDERDALE, FL 33308-7050

SAVAGE KW PROPERTIES INC  
P O BOX 547  
PAHOA, HI 96778

SCHUPP MARK A & CATHERINE M  
10141 SPIRITOAK LN  
CINCINNATI, OH 45252

SHEA KEVIN M  
413 JULIA ST  
KEY WEST, FL 33040-3150

SHULTZ DAVID L &  
204 ST CHARLES WAY #G  
YORK, PA 17402

SLINGBAUM JOEL AND LISA A  
421 VIRGINIA ST  
KEY WEST, FL 33040

SMITH AGNES L L/E  
410 JULIA ST  
KEY WEST, FL 33040

SMITH IAN L TRUSTEE  
417 DEVONSHIRE ROAD  
TOWER LAKES, IL 60010

SMITH THOMAS E & DEBORAH L  
8300 YANKEE STREET  
DAYTON, OH 45458

SQUARE ONE RESTAURANT INC  
1075 DUVAL ST UNIT C-12  
KEY WEST, FL 33040

STEWART JESSEE ENTERPRISES LLC  
1107 KEY PLAZA  
KEY WEST, FL 33040

STONE SUSAN CD  
1025 WHITHEAD ST  
KEY WEST, FL 33040

SWANSON JAMES H TRUST UTD  
5/9/97  
229 QUAY SIDE CIR  
MAITLAND, FL 32751

TAYLOR DAVID S  
409 VIRGINIA ST REAR  
KEY WEST, FL 33040

THOMPSON BENJAMIN LEROY  
412 JULIA ST  
KEY WEST, FL 33040

THOMPSON CECELIA  
455 SW 5 AVE  
FT LAUDERDALE, FL 33315-1019

TRUVAL VILLAGE INC  
117 KEY HAVEN ROAD  
KEY WEST, FL 33040

TYNES MILDRED S  
409 JULIA ST  
KEY WEST, FL 33040

U S BANK NATIONAL ASSOCIATION  
7105 CORPORATE DR  
PLANO, TX 75024

UNION LODGE NBR 47 F AND A M OF  
KEY WEST FL  
328 TRUMAN AVE  
KEY WEST, FL 33040

VAN DYKE IDALENE E C ESTATE  
313 AMELIA ST  
KEY WEST, FL 33040

VOGEL CLAUDE AND MARYLENE G  
1306 VILLA MILL ALLEY  
KEY WEST, FL 03340

WAAGE JUNE K  
P O BOX 676341  
RANCHO SANTA FE, CA 92067

WADA KIYOTO  
1075 DUVAL ST  
KEY WEST, FL 33040

WASSYLENKO PETER MARIO  
1305 NEWTON STREET  
KEY WEST, FL 33040

~~WHITEHEAD STREET  
CONDOMINIUM~~

WILLIAMS RYAN  
3625 MORNING MEADOW LN  
ORANGE PARK, FL 32073

WILLIS TIMBER LIMITED  
2416 WINTHROP AVENUE  
TALLAHASSEE, FL 32312

WILSON DAVID C TRUST DTD  
12/18/08  
1075 DUVAL ST  
KEY WEST, FL 33040

419 TRUMAN AVENUE, A  
CONDOMINIUM

511 OLIVIA STREET LLC  
1001 VON PHISTER ST  
KEY WEST, FL 33040

523 TRUMAN AVE LLC  
523 TRUMAN AVE  
KEY WEST, FL 33040

530 TRUMAN AVE LLC  
PO BOX 974  
KEY WEST, FL 33040

901 DUVAL STREET INC  
526 DUVAL ST  
KEY WEST, FL 33040

913 DUVAL ST LLC  
913 DUVAL ST  
KEY WEST, FL 33040

926 SIMONTON STREET LLC  
926 SIMONTON ST  
KEY WEST, FL 33040

ADELL RAY & ESTELLE  
16 LONG ACRE DRIVE  
HUNTINGTON, NY 11743

ALCOBER ELDA  
380 MOUNTAIN RD  
UNION CITY, NJ 07087

APPEL MILTON LLC T/C  
4815 SOUTH SUNSET BLVD  
TAMPA, FL 33629

APPEL MILTON TRUSTEE  
926 DUVAL ST  
KEY WEST, FL 33040

BANSHEE LLC  
915 DUVAL ST  
KEY WEST, FL 33040

BERNREUTER BOB J AND IRIS  
529 TRUMAN AVE  
KEY WEST, FL 33040

BERNREUTER JOHN DENHAM AND  
JOAN  
920 SIMONTON ST  
KEY WEST, FL 33040

BRAWN PETER N  
525 CAROLINE ST  
KEY WEST, FL 33040

BREE WILLIAM E  
123 SO KICKAPOO ST  
LINCOLN, IL 62656

CABANAS GEORGE  
904C SIMONTON ST  
KEY WEST, FL 33040

CABANAS JUANITA C  
1111 SUNSET DR  
CORAL GABLES, FL 33143

CARTER RICHARD EVERETT &  
STEFANI ANN  
725 NEWPORT PLACE  
ANN ARBOR, MI 48103

CASH-STUART JOANN  
360 NW 112TH TERRACE  
MIAMI, FL 33168

CENTER COURT HISTORIC INN AND  
COTTAGES LC  
915 CENTER ST  
KEY WEST, FL 33040

CLUB DUVAL INC  
3200 RIVIERA DR  
KEY WEST, FL 33040

COWARD NANCY REVOCABLE  
TRUST  
1316 LAIRD ST  
KEY WEST, FL 33040

COWARD THOMAS REV TR DTD 5-19-  
00  
1316 LAIRD ST  
KEY WEST, FL 33040

D'AMBROSIO WAYNE & POORE RITA  
M R/S  
6203 GENTLE LANE  
ALEXANDRIA, VA 22310

DENNIS P. SAVIANO TR DTD 05/18/93  
11498 HEATHERWOOD CT  
UTICA, MI 48315

DION RENTAL PROPERTIES LLC  
638 UNITED ST  
KEY WEST, FL 33040

DOYLE - BUCKBEE LLC  
427 MAIN ST  
LYNFIELD, MA 01940

ELLIOTT URSULA WELTERS  
222 ENEAS LN  
KEY WEST, FL 33040

FERNANDEZ BENJAMIN J JR  
21041 1ST AVE  
KEY WEST, FL 33040

FLUKERS CERETTA  
917 CENTER ST  
KEY WEST, FL 33040

FRIEDMAN ILAN  
333 FLEMING ST  
KEY WEST, FL 33040

GARDNER PAUL W & DIANA L  
126 SPOONBILL POINT CT  
ST AUGUSTINE, FL 32080-5393

GAVIN STEPHEN E  
412 PINNACLE WAY  
LUDLOW, KY 41016

GAY AND LESBIAN COMMUNITY  
CENTER OF KEY WEST INC  
513 TRUMAN AVE  
KEY WEST, FL 33040-3140

GUNTHER MARY  
11614 TESCORDER DRIVE  
ST LOUIS, MO 63128

HARTER WALTER J AND ROBYN  
20393 COCKERHILL RD  
PURCELLVILLE, VA 20132

HOISINGTON KATHRYN A  
524 OLIVIA ST  
KEY WEST, FL 33040

ISLAND HOTEL PROP III LLC  
2116 SEIDENBERG AVE  
KEY WEST, FL 33040

ISLAND HOTEL PROPERTIES II LLC  
512 TRUMAN AVE  
KEY WEST, FL 33040

KEENAN TERANCE E AND GWEN L  
5008 BRILL POINT RD  
TALLAHASSEE, FL 32312

KEHOE GERARD F  
900 DUVAL STREET  
KEY WEST, FL 33040

LORDITCH JOSEPH L  
2818 TERN DR #15  
OCEAN CITY, MD 21842

MACKENZIE PAMELA JOAN  
TRUSTEE  
P O BOX 1232  
KEY WEST, FL 33041-1232

MARTINS ON DUVAL LLC  
1126 GRINNELL ST  
KEY WEST, FL 33040

MATHIES DELORES  
522 OLIVIA ST  
KEY WEST, FL 33040

MCCOY JOHN C JR  
215 ENEAS LN  
KEY WEST, FL 33040

MENDOLA CHARLES & BIQUETTE  
2601 S ROOSEVELT BLVD #210-A  
KEY WEST, FL 33040

MENDOLA CHARLES J & BIQUETTE  
925 DUVAL STREET  
KEY WEST, FL 33040

MIKE MARYANNA  
909 CENTER ST FRONT  
KEY WEST, FL 33040

MORTENSEN BENT & LISE LOTTE  
921 CENTER ST #4  
KEY WEST, FL 33040

NEW YORK STYLE PIZZA  
RESTAURANT INC  
1000 DUVAL STREET  
KEY WEST, FL 33040

NIELSEN JENS M AND INGER M  
921 CENTER ST  
KEY WEST, FL 33040

OLD TOWN LAUNDRY LLC  
1001 VON PHISTER ST  
KEY WEST, FL 33040

O'NEIL BRIAN S & SUZANNE  
P O BOX 199  
TAVERNIER, FL 33070

PERAZA ALFREDO  
921 CENTER ST  
KEY WEST, FL 33040

RICHIE MORETTI KEY WEST LLC  
7104 BLEDSOE AVE  
ORLANDO, FL 32810

RUBE LEZLIE L  
101 CRESCENT DR  
POTTSBORO, TX 75076

SARFF GERALD  
3430 GALT OCEAN DR  
FT LAUDERDALE, FL 33308-7050

SPAGNOLO PHILIP JR  
136 WAVERLY PLACE SUITE 5B  
NEW YORK, NY 10014-6822

STEWART JESSEE ENTERPRISES LLC  
1107 KEY PLAZA  
KEY WEST, FL 33040

STUART DAVID SULLINS  
907 CENTER ST  
KEY WEST, FL 33040

TEETS JOHN AMD AND REINST  
TRUST 01/2/2008 T/C  
827 CENTER ST  
KEY WEST, FL 33040

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

TODD ROBERT A & MARY JANE  
1304 ELIZA STREET  
KEY WEST, FL 33040-3424

TRANSITIRE INC  
1419 REYNOLDS ST  
KEY WEST, FL 33040

TRUVAL VILLAGE INC  
117 KEY HAVEN ROAD  
KEY WEST, FL 33040

VAN STEELANDT NAOMI  
916 CENTER ST  
KEY WEST, FL 33040

VAN STEELANDT NAOMI R  
916 CENTER STREET  
KEY WEST, FL 33040

WHALEN BERNARD  
2050 CHEROKEE RD  
MACOMB, IL 61455

# 415 Julia

- 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.

Date Created: May 30, 2009 12:41 PM



**Key West Planning Board Meeting Agenda**  
**June 18, 2009 – 6:00 p.m.**  
**City Commission Chamber**  
**Old City Hall, 510 Greene Street**



## **Item 4.b.4.**

**409 William to 519 Duval & 522 Bahama – Transient License Transfer - from 409 William Street (RE#00005880-000000) to 519 Duval Street (RE#00009690-000000) & 522 Bahama Street (RE#0000740-000000) - Transient License Transfer from 409 William Street in the Historic Medium Density Residential (HMDR) zoning district to 519 Duval Street & 522 Bahama Street in the HRCC-1 Historic Residential Commercial Core zoning district, for the purpose of using two new residential units as transient rentals.**

**Staff Report  
Transient License Transfer  
From  
409 William Street  
To  
519 Duval Street  
&  
522 Bahama Street**

**THE CITY OF KEY WEST  
PLANNING DEPARTMENT  
STAFF REPORT**



**To:** Planning Board  
**From:** Brendon Cunningham   
**Through:** Amy Kimball-Murley, AICP, Planning Director  
**Meeting Date:** June 18, 2009  
**Subject:** **Transient License Transfer from 409 William Street RE# 00005880-000000 to 519 Duval Street 00009690-000000 & 522 Bahama Street RE#00009740-000000**

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SITE DATA

**Sender Site**

License Owner: MD Investments LLC  
Agent: Eric deBoer  
Location: 409 William Street  
Zoning: Historic Medium Density Residential (HMDR)  
Existing Use: Single Family Residential with six unassigned transient licenses  
Proposed Use: Single Family Residential

**Receiver Site**

Owner: 519 Duval LLC  
Agent: Mark Phillips  
Location: 519 Duval Street & 522 Bahama Street  
Zoning: Historic Residential Commercial Core Duval Street Gulfside (HRCC-1)  
Existing Use: Two single family residential units and one commercial unit  
Proposed Use: Transient rental use of the two residential units and continued use of the commercial unit

BACKGROUND

The sender site is located in a zoning district (HMDR) that does not permit transient residential rentals. The owner has returned the property to a single family residential use. The receiver site is in a zoning district (HRCC-1) that permits this transient use. The owner recently constructed the buildings on the property as two residential units and a first floor commercial space facing onto Duval Street containing an art gallery.

RELEVANT CODE SECTIONS

The purpose of the ordinance outlined in Section 122-1336 is to:

- Provide for the transfer of existing transient residential units and transient licenses in order to reduce non-complying density, structures and uses;
- Remove legal nonconforming transient residential uses from zoning districts that now prohibit them;
- Encourage permanent residential housing by relocating transient licenses;
- Provide for the conversion of transient units to single-family dwellings by the transfer of units;
- Allow for redevelopment without increasing the population requiring evacuation during emergencies or increasing other public services;
- Protect environmentally sensitive lands; and
- Encourage redevelopment under the Building Permit Allocation System (BPAS) that limits the allowable number of permanent residential and transient residential units.

Section 122-1339(a) states that a business tax receipt for transient use of a unit may itself be transferred from an area where transient uses are prohibited to a receiver site without the accompanying transfer of the unit. In addition, licenses may be transferred from the HNC-1 and HNC-3 zoning districts. A transfer of a license under this section does not allow a loss of affordable housing at the receiver site.

Section 122-1339(b) states that where a license alone is transferred, the Planning Board shall consider whether the receiver site is suitable for transient use in the zoning district, shall consider the relative size of the unit from which the license is transferred, and shall consider the room configuration of both sites to maintain approximately the same or less net number of occupants.

Section 122-1340 specifically notes that consistency with the purpose of the ordinance can form the basis for Planning Board action on the application. This report reviews the application under each of the provisions of the Purpose and determines whether the provisions are applicable and whether the applicant has demonstrated consistency.

Per Section 122-1340, the Planning Board will receive comments from the DRC and the recommendation of the Planning Department and may deny an application on the grounds of inconsistency with the purpose of the ordinance or a violation of the specific provisions of the ordinance. When approving an application, the Planning Board may impose conditions, including but not limited to: physical modifications and the filing of deed restrictions, in order to assure the continuation of permanent residential housing, the preservation of community character and a finding that the transfer advances the purposes of this division. The decision of the Planning Board shall be final.

### ANALYSIS

The sender site is a property for which this ordinance was written so as to eliminate nonconforming uses. The receiver site is a property that can support transient rental uses. The sender site was previously a six bedroom and bath guesthouse that was converted back into a single family house. The property owner has continued paying for transient residential licensing for the six bedrooms but has received a certificate of occupancy for a single family house and thus can no longer exercise the legal non-conforming use as a guesthouse. The receiver site is comprised of two buildings with three bedrooms and bathrooms each. To maintain equivalency,

all six transient residential licenses from the sender site will need to be transferred: three to 519 Duval Street (RE#00009690-000000) and three to 522 Bahama Street (RE#00009740-000000).

TABLES

<b>Criteria</b>	<b>Proposal</b>	<b>Complies Yes or No</b>
<b>Sender Site</b>		
Has transient residential rental licenses from City	License #09 00016275 Control #4250	Yes
The units are lawful & have been counted in BPAS	N/A, license transfer only	
Remaining # of rooms to remain the same / does not increase BPAS count	The transfer does not increase the BPAS count	Yes
Final use conforms with LDRs	The transfer will return the use back to the original non-transient residence	Yes
Development review process required for proposed construction / redevelopment	N/A, this is part of a completed renovation project	
<b>Receiver Site</b>		
Transient use is allowed or the use is residential	Transient use is allowed in the HRCC-1 zoning district	Yes
Complies with density	Existing legal density of 2 residential dwelling units	Yes
The transient units retain BPAS (ROGO) equivalency	N/A, license transfer only	
New construction is not located in the "V" zone	N/A	
Homeowners or Condo Assoc. has approved	N/A	
<b>General</b>		
BPAS equivalency is maintained between sender and receiver sites and throughout the properties	Only the licenses are being transferred	Yes
Transient license equivalency is maintained between sender and receiver sites and throughout the properties	The number of bedrooms to be used at the receiver site are approximately the same size as the sender	Yes
Complies with general intent	Meets intent of Sections 122-1338 & 122-1339	Yes

**RECOMMENDATION**

The Planning Department recommends **approval** of the transient residential license transfer for six bedrooms, three to 519 Duval Street (RE#00009690-000000) and three to 522 Bahama Street (RE#00009740-000000).



# **Resolution**

**RESOLUTION NUMBER 2009-XXX**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A TRANSIENT RESIDENTIAL BUSINESS TAX RECEIPT TRANSFER FROM PROPERTY LOCATED AT 409 WILLIAM STREET (RE# 00005880-000000) TO PROPERTY LOCATED AT 519 DUVAL STREET (RE#00009690-000000) & 522 BAHAMA STREET (RE#00009740-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Sections 122-1336 through 122-1339 of the Code of Ordinances provide for the transfer of transient residential units and related transient business tax receipts; and

**WHEREAS**, Section 122-1339 (a) of the Code of Ordinances allows a transient business tax receipt to be transferred from an area where transient residential uses are prohibited to a receiver site allowing that use without the accompanying transfer of the residential unit; and

**WHEREAS**, Section 122-1339 (b) requires that the planning board consider the relative size of the unit from which the license is transferred and the room configuration of both sites to maintain approximately the same or less net number of occupants; and

**WHEREAS**, the transient residential use at the sender site is a legal non-conforming use and a permitted use at the receiving site; and

**WHEREAS**, both sender and receiver sites are of the same relative size; 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.

**Page 1**  
**Resolution Number \_\_\_\_\_**

\_\_\_\_\_ Chairman

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

**Section 2.** That a transfer of a transient residential business tax receipt, pursuant to Section 122-1339 of the Code of Ordinances of the City of Key West, Florida, is hereby granted as follows: ALLOWING A TRANSFER OF SIX TRANSIENT RESIDENTIAL BUSINESS TAX RECEIPTS FROM PROPERTY LOCATED AT 409 WILLIAM STREET (RE#00005880-000000) TO PROPERTY LOCATED AT 519 DUVAL STREET (RE#00009690-000000) & 522 BAHAMA STREET (RE#00009740-000000), SEE ATTACHED PLANS.

**Section 3.** Full, complete, and final application for all licenses and permits required for which this resolution is wholly or partly necessary, shall be submitted in their entirety within 12 months after the date hereof.

**Section 4.** This transfer of a transient residential business tax receipt 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 5.** 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 6.** This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit to the

Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

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

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

\_\_\_\_\_  
Richard Klitenick, Chairman  
Key West Planning Board

\_\_\_\_\_  
Date

**Attest:**

\_\_\_\_\_  
Amy Kimball-Murley, AICP  
Planning Director

\_\_\_\_\_  
Date

**Filed with the Clerk:**

\_\_\_\_\_  
Cheryl Smith, City Clerk

\_\_\_\_\_  
Date

**Page 3**  
**Resolution Number \_\_\_\_\_**

\_\_\_\_\_  
Chairman

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

# **Application Form**

City of Key West Planning Department  
P. O. Box 1409, Key West, FL 33041-1409  
305. 292. 8229



**Application for Transfer of Transient Units and / or Licenses**

Please complete this application in its entirety accompanied by a check for \$2,000.00 made out to the City of Key West. **Deliver the original and 17 copies** to the Planning Department at 605-A Simonton Street. It is suggested that a pre-application discussion be scheduled as well as an appointment to deliver the application. Due to the complexity and individuality of each transaction, the Planning Department may need additional information prior to processing.

This application is for a transaction involving a transfer from one location (sender site) to another (receiver site). If there is an additional site at either end of the transfer process, this requires another application.

The owner(s) of both the sender site and receiver site are the applicants and must sign the application. Corporations and partnerships must sign as legally required. If another person is acting as the agent or authorized representative of the owner, supporting documentation must be provided as indicated.

The application process for a Transient Transfer is:  
Development Review Committee (DRC)  
Planning Board

After going to the DRC and **before** going to the Planning Board we will need an **ADDITIONAL 18 complete sets of the application**

**A. Fill in the following information.**

**Sender Site**

**Receiver Site**

Name(s) of Owner(s):

Name(s) of Owner(s):

MD Investments LLC

519 Duval LLC

Name of Agent or Person to Contact:

Name of Agent or Person to Contact:

Erik deBoer

MARK Phillips

Address: 1109 Eaton St.  
Key West, FL 33040

Address: 809 Fleming St  
REAR, Cottage

Telephone 305-294-5900

Telephone 305-304-2929

Fax 305-294-7181

Fax 305-292-3153

Cell 304-5757  
Address of Site  
409 William St.

Address of Site  
522 Bahama St. + 519 Duval #201

RE# 00005880 - 000006

RE# \_\_\_\_\_



**For Sender Site:**

"Local name" of property 409 William St. Zoning district HMDR

Legal description see attached warranty deed.

Current use: 6-unit guesthouse

Number of existing transient units: 6

Size of site 41 1/2' x 100 1/2' Number of existing city transient rental licenses: 6

What is being removed from the sender site? ~~6~~ 4-6 transient rental licenses

What are your plans for the sender site? Converted to single-family home in 2007.

**For Receiver Site:**

"Local name" of property 519 Duval + 522 Bahama  
~~409 William St.~~ Zoning district HRC1

Legal description ~~see attached warranty deed.~~

SEE Attached exhibit A

Current use 2 residential units

Size of site: \_\_\_\_\_ Number of existing city transient rental licenses: \_\_\_\_\_

Number of existing transient and/or residential units: 2

Existing non-residential floor area \_\_\_\_\_

What will be transferred to the receiver site? \_\_\_\_\_

What are your plans for the receiver site? \_\_\_\_\_



**Sender Site: Current Owner Information**

**FOR INDIVIDUALS**

1. NAME \_\_\_\_\_ 2. NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ ADDRESS \_\_\_\_\_  
 TELEPHONE(1) \_\_\_\_\_ TELEPHONE(1) \_\_\_\_\_  
 (2) \_\_\_\_\_ (2) \_\_\_\_\_  
 FAX \_\_\_\_\_ FAX \_\_\_\_\_

**FOR CORPORATIONS**

A. CORPORATE NAME MD Investments LLC  
 B. STATE/COUNTRY OF INCORPORATION Monroe  
 C. REGISTERED TO DO BUSINESS IN THE STATE OF FLORIDA  YES  NO  
 D. NAMES OF OFFICERS AND DESIGNATIONS  
Erik deBoer, Manager \_\_\_\_\_  
Richard Monkey, Manager \_\_\_\_\_

**FOR PARTNERSHIPS**

A. NAME OF PARTNERSHIP: \_\_\_\_\_  
 B. STATE OF REGISTRATION: \_\_\_\_\_  
 C. GENERAL PARTNER WITH AUTHORITY TO BIND PARTNERSHIP:  
 \_\_\_\_\_

**FOR CORPORATIONS AND PARTNERSHIPS**

NAME AND ADDRESS OF PERSON "IN HOUSE" TO CONTACT:

Erik deBoer \_\_\_\_\_

TELEPHONE(S) 305-304-5757 FAX 305-294-7181



**Receiver Site: Current Owner Information**

**FOR INDIVIDUALS**

1. NAME \_\_\_\_\_ 2. NAME \_\_\_\_\_  
 ADDRESS \_\_\_\_\_ ADDRESS \_\_\_\_\_  
 TELEPHONE(1) \_\_\_\_\_ TELEPHONE(1) \_\_\_\_\_  
 (2) \_\_\_\_\_ (2) \_\_\_\_\_  
 FAX \_\_\_\_\_ FAX \_\_\_\_\_

**FOR CORPORATIONS**

A. CORPORATE NAME \_\_\_\_\_  
 B. STATE/COUNTRY OF INCORPORATION \_\_\_\_\_  
 C. REGISTERED TO DO BUSINESS IN THE STATE OF FLORIDA  YES  NO  
 D. NAMES OF OFFICERS AND DESIGNATIONS  
 \_\_\_\_\_  
 \_\_\_\_\_

**FOR PARTNERSHIPS**

A. NAME OF PARTNERSHIP: 519 Duval LLC  
 B. STATE OF REGISTRATION: FL  
 C. GENERAL PARTNER WITH AUTHORITY TO BIND PARTNERSHIP:  
Mark Phillips

**FOR CORPORATIONS AND PARTNERSHIPS**

NAME AND ADDRESS OF PERSON "IN HOUSE" TO CONTACT:  
Mark Phillips  
 TELEPHONE(S) 305-304-2929 FAX 305-292-3153

# **Authorization Form**

Agency Authorization Form for Owner of Sender Site

NA



Please complete this form if someone other than the property owner(s) is acting on behalf of the owner(s) for purposes of processing this application.

(I / We), MD Investments LLC, owner(s) of  
property located at ~~8000~~ 409 William St., Key West,  
Florida, RE# 0000 5880 00000, hereby authorize

Eric DeBoer, of 1411 Pine St.,  
print name of agent address

to represent me/us and act as agent in all matters regarding the processing of this application for the transfer of transient units and/or licenses.

Erik de Boer  
Signature

Erik de Boer  
Type or Print Name

Date 5/28/09

Subscribed and sworn to (or affirmed) before me on 5/28/09 (date)

by Erik de Boer, personally known to me or presenting

FL ID as identification.

Notary Public Signature and Seal

[Signature]



Printed Name of Notary \_\_\_\_\_

Commission Number, State, and Expiration \_\_\_\_\_



# **Verification Form**

Signature Page and Verification Form for Sender Site



I (We) Erik deBoer

owner(s) or authorized agent of the owner(s) of the real property located at 409 William St. in the City of Key

West, Florida, RE# 5880 000000 state that all of the

information contained in this application and all of the answers to the above

questions are true and correct to the best of my knowledge and belief.

Signature Erik deBoer Date: 5/22/09

Erik deBoer  
print name

Manager  
designation

Signature \_\_\_\_\_ Date: \_\_\_\_\_

print name

designation

Subscribed and sworn to or affirmed before me on 5/22/09 by Erik de Boer, personally known to me or presenting \_\_\_\_\_ to me as identification.

Notary Public Signature, Seal

Name printed Maria E Garcia Title \_\_\_\_\_

Commission, Date 6/25/2013



**Signature Page and Verification Form for Receiver Site**

I (We) Mark Phillips

owner(s) or authorized agent of the owner(s) of the real property located at  
519 Duval & 522 BAHAMA in the City of Key

West, Florida, RE# \_\_\_\_\_ state that all of the  
information contained in this application and all of the answers to the above

questions are true and correct to the best of my(our) knowledge and belief.

Signature *M. Phillips* Date: 3-9-9

Mark Phillips MEMBER  
print name designation

Signature \_\_\_\_\_ Date: \_\_\_\_\_

\_\_\_\_\_  
print name designation

Subscribed and sworn to or affirmed before me on 3/9/09 by  
Mark Phillips, personally known to me or

presenting \_\_\_\_\_ to me as identification.

\_\_\_\_\_  
Notary Public Signature, Seal

Name printed \_\_\_\_\_ Title \_\_\_\_\_

Commission, Date \_\_\_\_\_

 John R. Allison, III  
COMMISSION #DD790558  
EXPIRES: JULY 19, 2012  
www.AARONNOTARY.com



# **Deed Sender Site**

409 William St.

THIS INSTRUMENT PREPARED BY:  
JOHN M. SPOTTSWOOD  
Spottswood, Spottswood & Spottswood  
500 Fleming Street  
Key West, FL 33040

Doc# 1521673 06/13/2005 8:28AM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

DEED DOC STAMP CL: FP \$14,000.00

Parcel ID Number: 00005880-000000

Doc# 1521673  
BKN 2122 Pg# 1584



# Warranty Deed

This Indenture, Made this 1st day of June, 2005 A.D. Between  
WHISPERS GUESTHOUSE, LLC, a Florida limited liability company

of the County of Monroe, State of Florida, grantor, and  
M-D INVESTMENTS, LLC, a Florida limited liability company

whose address is: 1109 Eaton Street, 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 GRANTEES heirs, successors and assigns forever, the following described land, situate,  
lying and being in the County of Monroe, State of Florida to wit:

On the Island of Key West and known on the map or plan of said Island delineated in February, A.D. 1829, as part of Lot Three (3) in Square Thirty-four (34): Commencing at a point on William Street, distant from the corner of Eaton Street Eighty-eight (88) feet, and running along William Street in a Southeasterly direction Forty-one (41) feet and Six inches; thence at right angles in a Northeasterly direction One Hundred (100) feet and Six inches (6) inches; thence at right angles in a Northwesterly direction Forty-one (41) feet and Six (6) inches; thence at right angles in a Southwesterly direction One Hundred (100) feet and Six (6) inches to the Point of Beginning on William Street.

Subject to conditions, limitations, restrictions and easements of record and taxes for the year 2005 and subsequent years.

MONROE COUNTY  
OFFICIAL RECORDS

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:

WHISPERS GUESTHOUSE, LLC, a Florida limited liability company

*[Signature]*  
Printed Name: ERIC N. HUGHES

By: *[Signature]* (Seal)

SUSAN JINBO, MANAGER  
P.O. Address: 818 CARSTENS LANE, Key West, FL 33040

Witness

*[Signature]*  
Printed Name: *[Signature]*

By: *[Signature]* (Seal)

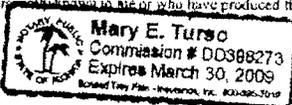
CRAIG JINBO, MANAGER  
P.O. Address: 818 CARSTENS LANE, Key West, FL 33040

Witness

STATE OF Florida  
COUNTY OF Monroe

The foregoing instrument was acknowledged before me this 1st day of June, 2005 by  
SUSAN JINBO, MANAGER and CRAIG JINBO, MANAGER of WHISPERS GUESTHOUSE, LLC, a Florida limited liability company

who are persons whose names are or who have produced their Florida driver's license as identification.



*[Signature]*  
Printed Name:  
Notary Public  
My Commission Expires:

**Deed Receiver Site**

THIS INSTRUMENT WAS PREPARED BY AND RETURN TO:  
Robert E. Highsmith, Esq.  
FELDMAN KOENIG & HIGHSMITH, P.A.  
3158 Northside Drive  
Key West, Florida 33040

Doc# 1558561 12/28/2005 1:33PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

12/28/2005 1:33PM  
DEED DOC STAMP CL: SG \$14,000.00

Folio Number:  
Grantee(s) S.S. #(s):

SPACE ABOVE THIS LINE FOR RECORDING DATA

WARRANTY DEED

THIS INDENTURE, made this 22 day of December, 2005, between MARK T. PHILLIPS and BROOKS WHITNEY-PHILLIPS, Husband and Wife, Grantor, whose post office address is 809 Fleming Street, Key West, Florida 33040 of the County of Monroe, and 519 DUVAL, LLC, a Florida Limited Liability Company, whose post office address is also 809 Fleming Street, Key West, Florida 33040, Grantee:

("Grantor" and "Grantee" are used for singular or plural, as context requires)

WITNESSETH, that said Grantor, for and in consideration of the sum of \$10.00 and other good and valuable considerations to said Grantor in hand paid by said Grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said Grantee, and Grantee's heirs and assigns forever, the following described lot, piece or parcel of land, situate, lying and being in the County of Monroe, State of Florida, to wit:

SEE ATTACHED EXHIBIT "A"

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

THIS DEED HAS BEEN PREPARED WITHOUT THE BENEFIT OF TITLE SEARCH OR EXAMINATION.

THE PROPERTY BEING CONVEYED HEREIN IS NOT THE HOMESTEAD OF THE GRANTOR.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first written above

*[Handwritten Signature]*

Witness Signature  
Melissa Malgrat  
Printed Name

Witness Signature  
DANNY L. KOLHAGE  
Printed Name

*[Handwritten Signature]*

Witness Signature  
Melissa Malgrat  
Printed Name

Witness Signature  
DANNY L. KOLHAGE  
Printed Name

*[Handwritten Signature]*

MARK T. PHILLIPS

*[Handwritten Signature]*  
BROOKS WHITNEY-PHILLIPS

Doc# 1558561  
Bk# 2176 Pg# 1310

STATE OF FLORIDA )  
                                  )  
COUNTY OF MONROE )

On this 22 day of December, 2005, before me personally came MARK T. PHILLIPS and BROOKS WHITNEY-PHILLIPS, who are personally known to me (yes) (no) or who have produced \_\_\_\_\_ as identification to me, and who acknowledged execution of the foregoing instrument.



*[Handwritten Signature]*  
Notary Public, State of Florida  
Name: Melissa Malgrat  
(Print Name)  
My Commission Expires:

EXHIBIT A

On the Island of Key West and known on William A. Whitehead's map of said Island delineated in February 1829, as a Part of Lot Four (4) in Square Fifty (50), described by metes and bounds as follows: Commencing at a point on Duval Street distant One Hundred Seventy-five (175) feet and Six (6) inches Northwesterly from the corner of Southard and Duval Streets and run thence along Duval Street in a Northwesterly direction Twenty-seven (27) feet and Six (6) inches; thence at right angles in a Northeasterly direction One Hundred Thirteen (113) feet; thence at right angles in a Southeasterly direction Twenty-seven (27) feet and Six (6) inches; thence at right angles in a Southwesterly direction One Hundred Thirteen (113) feet out to a point of beginning on Duval Street. and

Commencing at a point on the Southwest side of Bahama Street One Hundred Seventy-five (175) feet and Six (6) inches from the corner of Bahama Street and Southard Street and extending Northwesterly Twenty-nine (29) feet and Three (3) inches; thence at right angles in a Southwesterly direction One Hundred Thirteen (113) feet; thence at right angles in a Southeasterly direction Twenty-nine (29) feet and Three (3) inches; thence at right angles in a Northeasterly direction One Hundred Thirteen (113) feet to the point of beginning.



Doc# 1558561  
Bk# 2176 Pg# 1311

MONROE COUNTY  
OFFICIAL RECORDS

# **License Sender Site**



# CITY OF KEY WEST, FLORIDA

## Business Tax Receipt

This document is a business tax receipt.  
Holder must keep all City printing and use provided.  
P.O. Box 1409, Key West, Florida 33010 (305)302-1955

Business name : WHISPERS GUESTHOUSE LLC      Cell nbr : 4250  
 Location addr : UNASSIGNED - TRANSIENT  
 City/State/Zip : 03 00015275      RES/TAL-GUESTHOUSE/REG & BREAKFAST  
 Issue date : 7/14/08      Expiration date : 9/30/09  
 Lic Fee : 109.00  
 Penalty : .00  
 Total : 109.00  
 Comments : 6 GUESTROOMS AND 1 CONTRANSIENT RENTAL UNIT

This document must be prominently displayed.

WHISPERS GUESTHOUSE LLC  
 C/O ERIC DERBER  
 1109 EATON ST  
 KEY WEST FL 33010

Oper: KEYWDMN      Type: 06      Drawer: 1  
 Date: 7/15/08      SI      Receipt no: 93900  
 WHISPERS GUESTHOUSE LLC  
 OR LIC OCCUPATIONAL 1      \$109.00  
 Trans number: 221893  
 OK CHECK      663      \$109.00  
 Trans date: 7/15/08      Time: 10:55:26

C E R T I F I C A T E   O F   O C C U P A N C Y

P E R M A N E N T



Issue Date . . . . . 9/20/07

Parcel Number . . . . . 0000-5880-0000000- -

Property Address . . . . . 409 WILLIAM ST  
KEY WEST FL 33040

Subdivision Name . . . . .

Legal Description . . . . . KW PT LOT 3 SQR 34  
OR511-363 OR584-395 OR774-1756  
OR908-1276/77 OR943-430/31

Property Zoning . . . . . MEDIUM DENSITY RES

Owner . . . . . MD INVESTMENTS LLC

Contractor . . . . . HARRIS/KJOS CONSTRUCTION INC.  
305 797-1495

Application number . . . . . 05-00003011 000 000

Description of Work . . . . . RENOVATION, ADDITION, CONVERSION: RESIDENTIAL

Construction type . . . . .

Occupancy type . . . . .

Flood Zone . . . . . X ZONE

Special conditions . . . . .  
Convert guesthouse into single family home including  
electrical, plumbing, mechanical, and roofing.

Approved . . . . . John Woodson  
Building Official

VOID UNLESS SIGNED BY BUILDING OFFICIAL

Michael Davis  
City Fire Marshall Approval

# **License Receiver Site**



**STATE OF FLORIDA**  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

**DIVISION OF HOTELS AND RESTAURANTS**  
**1940 NORTH MONROE STREET**  
**NORTHWOOD CENTRE**  
**TALLAHASSEE FL 32399-1015**

850-487-1395

**MARK PHILLIPS**  
**TATE CONDO ASSOCS**  
**809 FLEMING STREET, REAR**  
**KEY WEST FL 33040**

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto [www.myfloridalicense.com](http://www.myfloridalicense.com). There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!

AC# 4219439

STATE OF FLORIDA  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

DWE5403304 01/14/09 000000000

**SINGLE RESORT DWELLING (2007)**  
**519 DUVAL LLC**  
**TATE CONDO ASSOCS**

IS LICENSED under the provisions of Ch. 509 FS.  
 Expiration date: OCT 1, 2009 L09011400315

DETACH HERE

IC# 4219439

**STATE OF FLORIDA**  
**DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**  
**DIVISION OF HOTELS AND RESTAURANTS**

SEQ# L09011400315

DATE	BATCH NUMBER	LICENSE NBR	NBR: OF UNITS: 2
01/14/2009	000000000	DWE5403304	

The SINGLE RESORT DWELLING (2007)  
 Named below IS LICENSED . . . . . NON-  
 Under the provisions of Chapter 509 FS. . . . .  
 Expiration date: OCT 1, 2009 . . . . . TRANSFERABLE .

519 DUVAL LLC  
 TATE CONDO ASSOCS  
 522 BAHAMA ST  
 KEY WEST FL 33040

CHARLIE CRIST  
 GOVERNOR

CHARLES W. DRAGO  
 SECRETARY

DISPLAY AS REQUIRED BY LAW

# Business License Transfer Application

City of Key West  
 City Hall Annex  
 POB 1409  
 Key West, FL 33041  
 (305) 809-3955 fax (305) 809-3978

Date applied \_\_\_\_\_  
 Change of location  
 Change of ownership

License # \_\_\_\_\_  
 Fee \$ \_\_\_\_\_

Type of License and Category: Business Tax Receipt for Transient Rentals

Business Name: 519 Duval, LLC

New Owner: 519 Duval, LLC

Previous Owner: PK Management, Inc.

New Address: 519 Duval Street / 522 Bahama St

Previous Address: 2801 N. Roosevelt Blvd.

Mailing Address: 809 Fleming R Phone: 305-304-2929

Key West FL 33040 SS # / EIN #: 20-3946127

- Bill of Sale
- Sales Tax Number 3118 Flagler Ave 292-6735
- Lease or deed
- Corporate registration
- State inspection / license 305-470-6900 (Dep Ag) 850-487-1395 #3, #1 (DBPR)
- Local occupational license from home base
- Liability / Worker's comp
- Fire inspector 292-8179
- Grease trap inspection 809-3955
- Fictitious name registration
- Proof of commercial garbage (Waste Mgmt 296-8297)

DWE540330A  
 If change of location, previous use of property: Transient  
519 Duval, LLC  
Mark Phillips Applicant name (printed) [Signature] Applicant Signature 1/12/09 Date

State of Florida County of Monroe

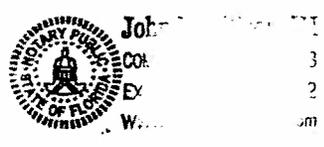
The foregoing instrument was acknowledged before me this 12 day of Jan, 2009, by Mark Phillips

Notary Public, State of Florida (SEAL)

Personally known or produced i.d. [Signature]  
 John F. [Signature], III  
 COMM. # 90558  
 EXPIRES 2012  
 WWW.FLORIDANOTARY.COM

Licensed in accordance with Chapter 66, Key West Code of Ordinances

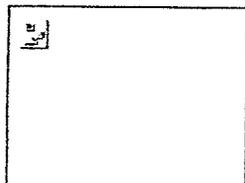
\_\_\_\_\_ Approved \_\_\_\_\_ Denied (reason)  
 Licensing Official \_\_\_\_\_ Date \_\_\_\_\_



Subj: 519 DUVAL ST. & 522 BAHAMA ST.  
Date: 12/23/2008 4:39:41 P.M. Eastern Standard Time  
From:  
To:

**KEY WEST FIRE DEPARTMENT  
FIRE MARSHAL'S OFFICE**

---



This is to verify that the property known as: **TRANSIENT RENTAL**

Located at the address listed: **519 DUVAL ST. & 522 BAHAMA ST.**

Were inspected by this office on the following date **12/23/2008**

By the following Fire Inspector: **ALAN AVERETTE**

At the time of the said inspection, all areas concerning life safety were found to be in compliance with all Life Safety (NFPA) codes as required by this office and the City of Key West.

Please do not hesitate to contact this office if you have any questions or if I may be of any further assistance.

*ALAN AVERETTE*, Lt. Fire Inspector

Key West Fire Department  
1600 N. Roosevelt Boulevard  
Key West, Florida 33040  
305-292-8179 Office  
305-292-8284 Fax  
l blanco@keywestcity.com

*Serving the Southernmost City*

# PROTECTION PLUS

12/22/2008

519 Duval LLC  
519 Duval Street  
Key West, FL 33040

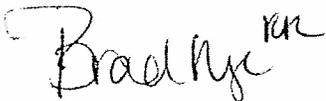
Please be advised that the property listed below has been inspected and certified to be in compliance with NFPA 10 standards for Portable Fire Extinguishers:

519 Duval LLC  
519 Duval Street  
Key West, FL 33040

All extinguishers were inspected and any necessary service was performed on:

12/22/2008

Protection Plus is a Florida State Licensed Fire Equipment Dealer. Our License Number is: 77102200012006. If you need any additional documentation, feel free to call at any time.



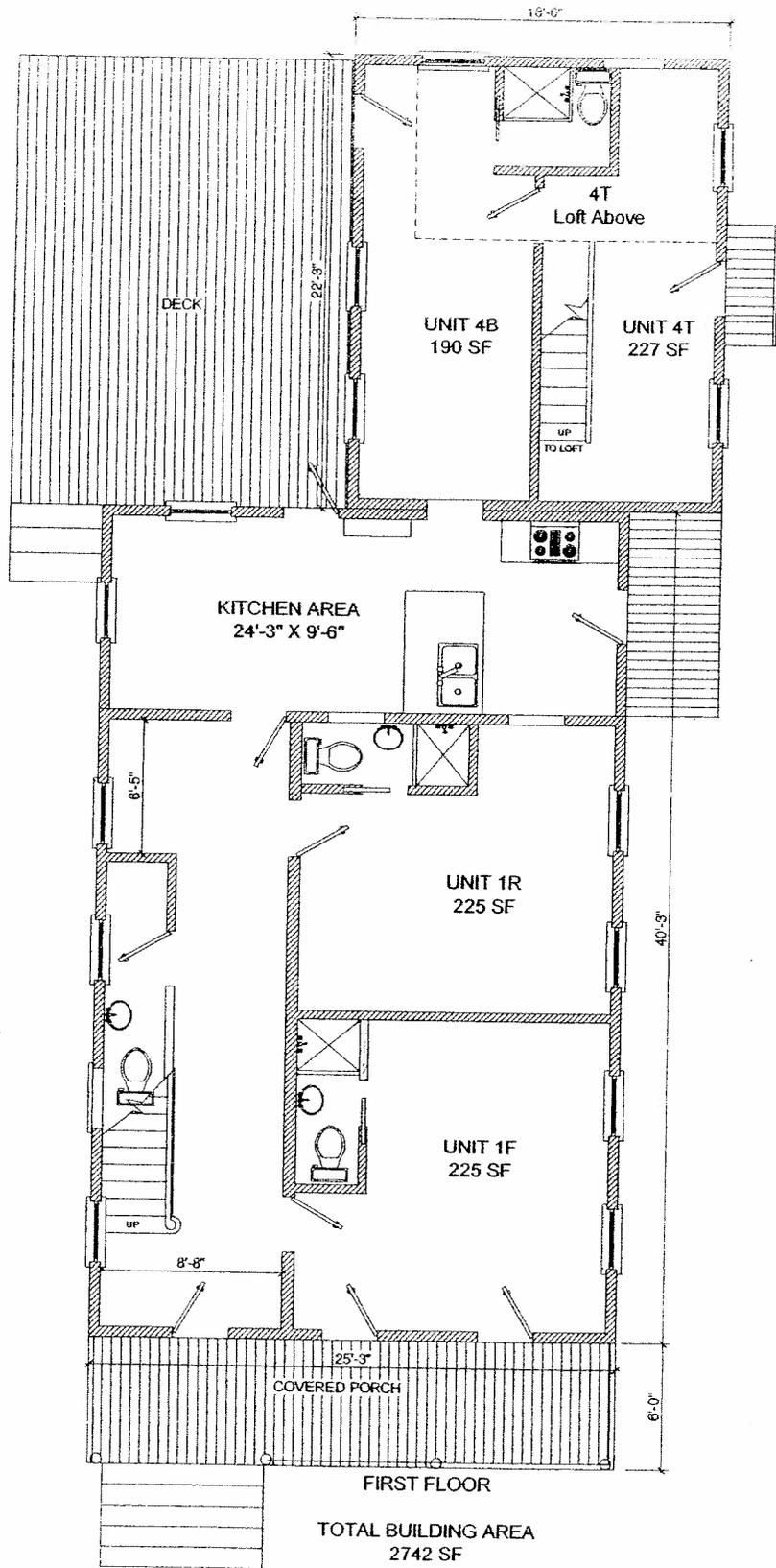
Brad Nye  
PROTECTION+PLUS

305 295.8862 Voice  
305 295.2797 Fax

[www.protectionplus.com](http://www.protectionplus.com)

5450 MacDonald Avenue #5  
Key West, Florida 33040-5906

# **Plans Sender Site**



Drawing accuracy is +/- 3 inches but measurements and building layout are not warranted and must be verified



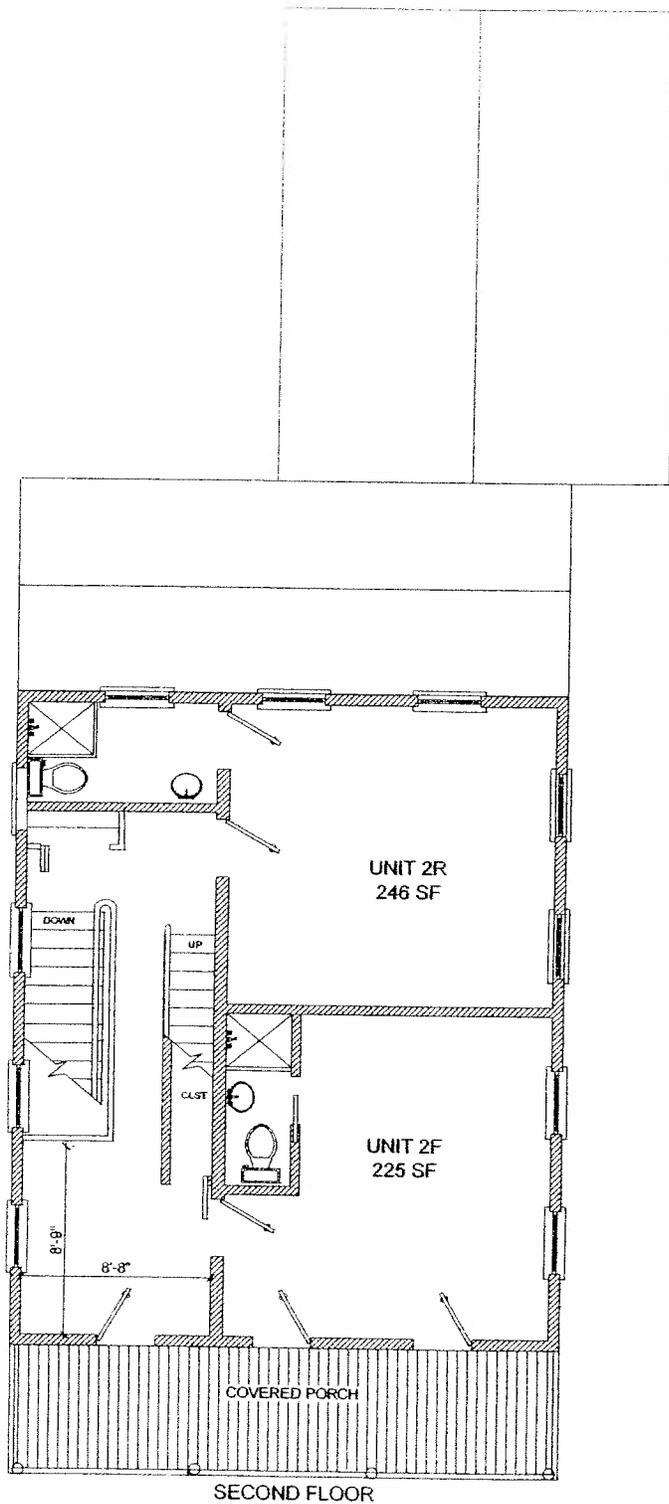
Bascom Grooms Real Estate

**Whispers Bed and Breakfast**  
Key West, FL

Bascom Grooms  
305-295-7511

Drawn by  
Dimensions Plus  
305-294-8914

Page 1 of 3



Drawing accuracy is +/- 3 inches but measurements and building layout are not warranted and must be verified



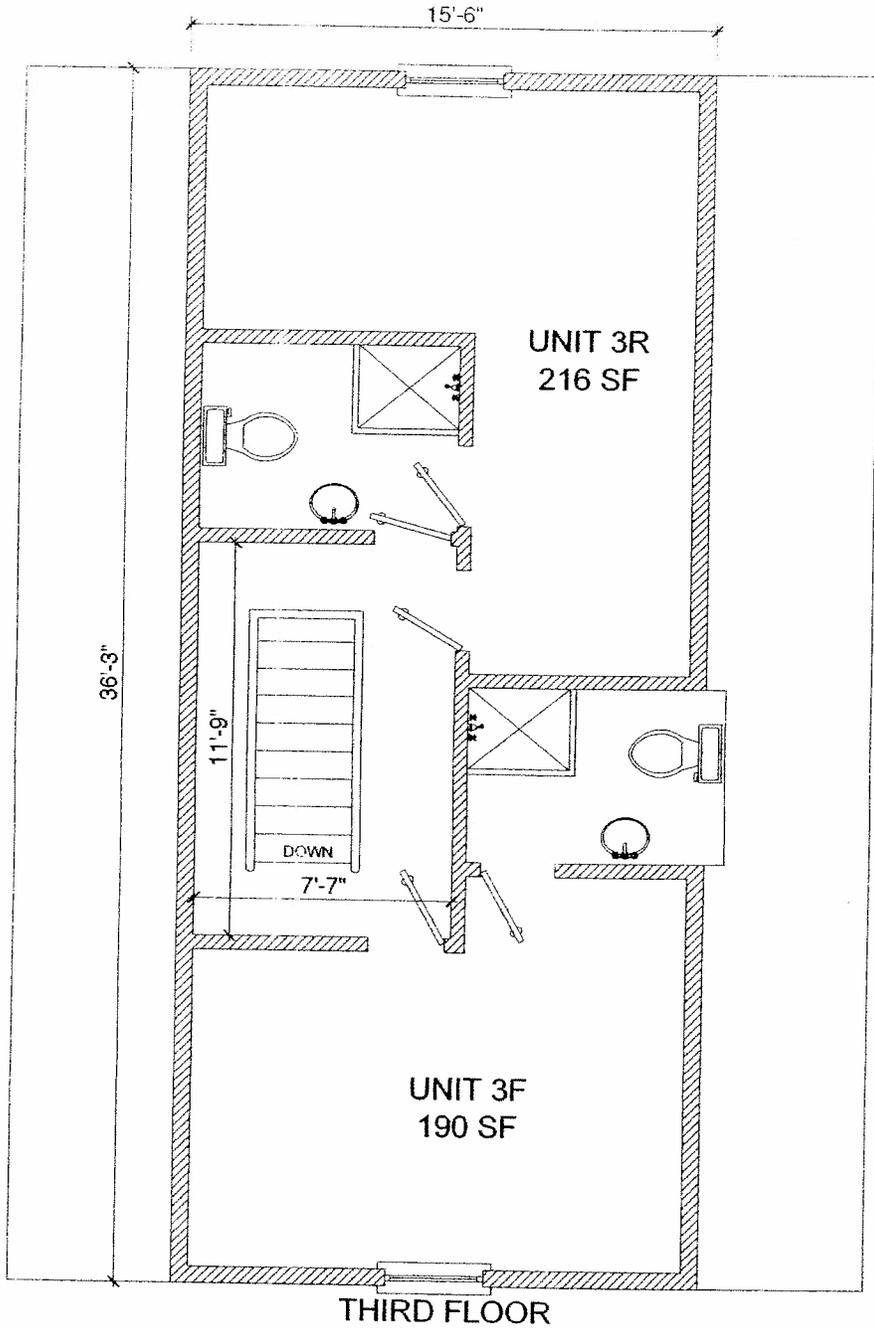
Bascom Grooms Real Estate

**Whispers Bed and Breakfast**  
Key West, FL

Bascom Grooms  
305-295-7511

Drawn by  
Dimensions Plus  
305-294-8914

Page 2 of 3



Drawing accuracy is +/- 3 inches but measurements and building layout are not warranted and must be verified



Bascom Grooms Real Estate

**Whispers Bed and Breakfast**  
Key West, FL

Bascom Grooms  
305-295-7511

Drawn by  
Dimensions Plus  
305-294-8914

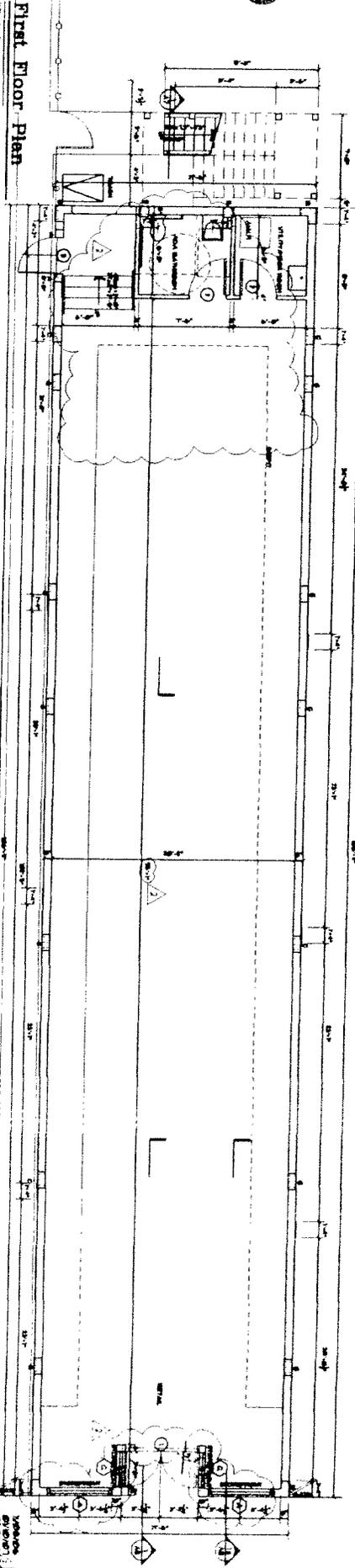
Page 3 of 3



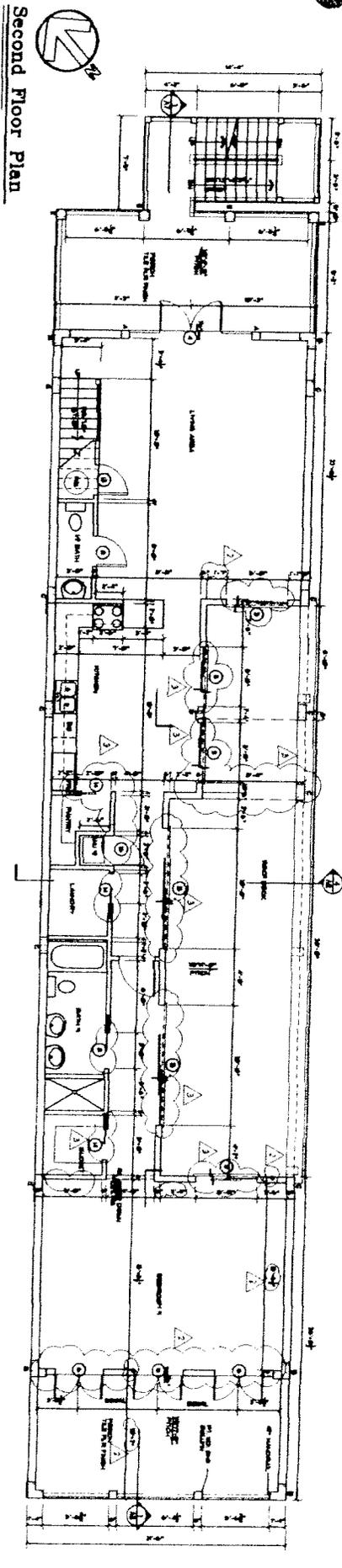
**Plans Receiver Site**



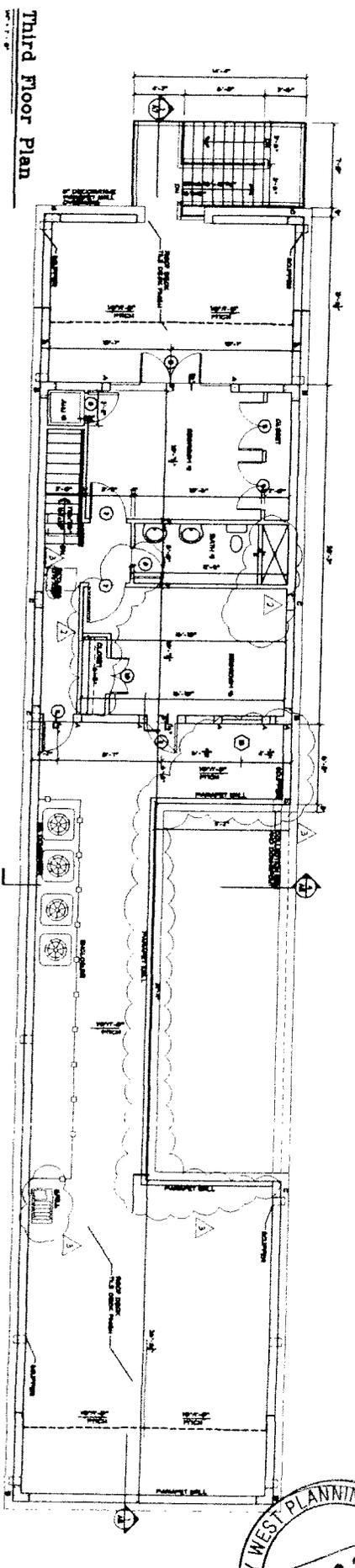
First Floor Plan



Second Floor Plan



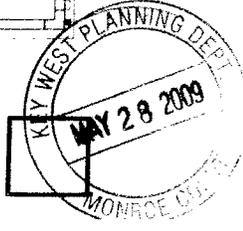
Third Floor Plan



A1

THOMAS E. POPE, P.A. ARCHITECT  
7009 Shrimp Road, Key West FL (305) 296 3811

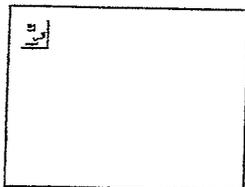
519 Duval  
519 Duval Street Key West, FL



Subj: 519 DUVAL ST. & 522 BAHAMA ST.  
Date: 12/23/2008 4:39:41 P.M. Eastern Standard Time  
From:  
To:



**KEY WEST FIRE DEPARTMENT  
FIRE MARSHAL'S OFFICE**



This is to verify that the property known as: **TRANSIENT RENTAL**

Located at the address listed: **519 DUVAL ST. & 522 BAHAMA ST.**

Were inspected by this office on the following date **12/23/2008**

By the following Fire Inspector: **ALAN AVERETTE**

At the time of the said inspection, all areas concerning life safety were found to be in compliance with all Life Safety (NFPA) codes as required by this office and the City of Key West.

Please do not hesitate to contact this office if you have any questions or if I may be of any further assistance.

*ALAN AVERETTE*, Lt. Fire Inspector

Key West Fire Department  
1600 N. Roosevelt Boulevard  
Key West, Florida 33040  
305-292-8179 Office  
305-292-8284 Fax  
alblanco@keywestcity.com

*Serving the Southernmost City*

# PROTECTION PLUS

12/22/2008

519 Duval LLC  
519 Duval Street  
Key West, FL 33040



Please be advised that the property listed below has been inspected and certified to be in compliance with NFPA 10 standards for Portable Fire Extinguishers:

519 Duval LLC  
519 Duval Street  
Key West, FL 33040

All extinguishers were inspected and any necessary service was performed on:

12/22/2008

Protection Plus is a Florida State Licensed Fire Equipment Dealer. Our License Number is: 77102200012006. If you need any additional documentation, feel free to call at any time.

A handwritten signature in black ink that reads "Brad Nye" with a stylized flourish at the end.

Brad Nye  
PROTECTION+PLUS

305 295.8862 Voice  
305 295.2797 Fax

[www.protectionplus.com](http://www.protectionplus.com)

5450 MacDonald Avenue #5  
Key West, Florida 33040-5906



STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION

DIVISION OF HOTELS AND RESTAURANTS  
1940 NORTH MONROE STREET  
NORTHWOOD CENTRE  
TALLAHASSEE FL 32399-1015

850-487-1395

MARK PHILLIPS  
TATE CONDO ASSOCS  
809 FLEMING STREET, REAR  
KEY WEST FL 33040



Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto [www.myfloridalicense.com](http://www.myfloridalicense.com). There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!

STATE OF FLORIDA AC# 4219439  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DWE5403304 01/14/09 000000000  
SINGLE RESORT DWELLING (2007)  
519 DUVAL LLC  
TATE CONDO ASSOCS  
IS LICENSED under the provisions of Ch. 509 FS.  
Expiration date: OCT 1, 2009 L09011400315

DETACH HERE

C# 4219439

STATE OF FLORIDA  
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION  
DIVISION OF HOTELS AND RESTAURANTS  
SEQ# L09011400315

DATE	BATCH NUMBER	LICENSE NBR	NBR OF UNITS
01/14/2009	000000000	DWE5403304	2

The SINGLE RESORT DWELLING (2007)  
Named below IS LICENSED  
Under the provisions of Chapter 509, FS.  
Expiration date: OCT 1, 2009

519 DUVAL LLC  
TATE CONDO ASSOCS  
522 BAHAMA ST  
KEY WEST FL 33040

CHARLIE CRIST GOVERNOR  
CHARLES W. DRAGO SECRETARY

NON-TRANSFERABLE

DISPLAY AS REQUIRED BY LAW

**Property Appraiser Report  
Sender Site**

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

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

## Property Record View

Alternate Key: 1006106 Parcel ID: 00005880-000000

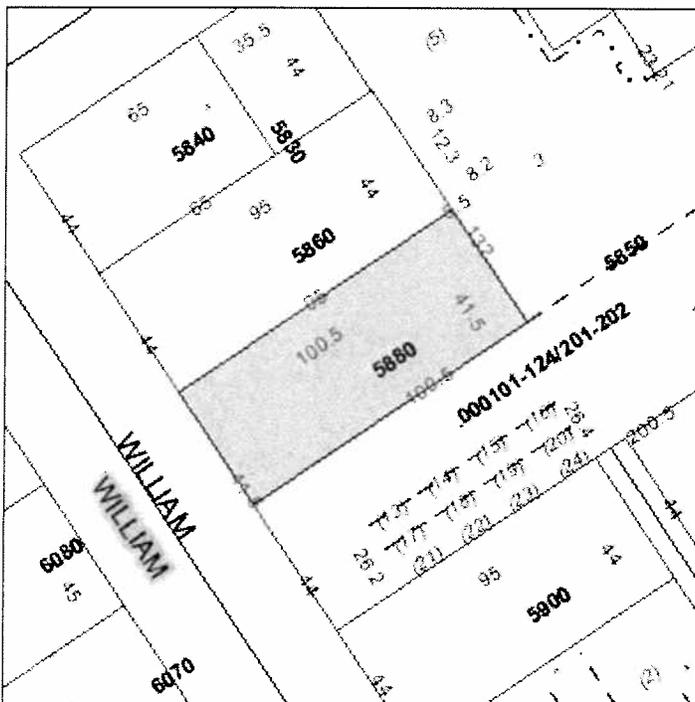
### Ownership Details

**Mailing Address:**  
M-D INVESTMENTS LLC  
1109 EATON ST  
KEYWEST, FL 33040

### Property Details

PC Code: 01 - SINGLE FAMILY  
Millage Group: 10KW  
Affordable Housing: No  
Section-Township-Range: 06-68-25  
Property Location: 409 WILLIAM ST KEYWEST  
Legal Description: KW PT LOT 3 SQR 34 OR323-71/73 OR511-363 OR584-395 OR774-1756 OR908-1276/77 OR943-430/31 OR1067-75 OR1246-436/37 OR1926-212 OR2122-1564

### Parcel Map





### Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	42	101	4,422.00 SF

### Building Summary

**Number of Buildings:** 1  
**Number of Commercial Buildings:** 0  
**Total Living Area:** 2146  
**Year Built:** 1908

### Building 1 Details

<b>Building Type</b> <u>R1</u>	<b>Condition</b> <u>A</u>	<b>Quality Grade</b> 650
<b>Effective Age</b> 5	<b>Perimeter</b> 294	<b>Depreciation %</b> 4
<b>Year Built</b> 1908	<b>Special Arch</b> 0	<b>Grnd Floor Area</b> 2,146
<b>Functional Obs</b> 0	<b>Economic Obs</b> 0	

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

<b>Roof Type</b> GABLE/HP	<b>Roof Cover</b> METAL	<b>Foundation</b>
<b>Heat</b> 1	<b>Heat</b> 2	<b>Bedrooms</b> 4
<b>Heat Src</b> 1	<b>Heat Src</b> 2	

**Extra Features:**

<b>2 Fix Bath</b> 1	<b>Vacuum</b> 0
<b>3 Fix Bath</b> 2	<b>Garbage Disposal</b> 0
<b>4 Fix Bath</b> 0	<b>Compactor</b> 0
<b>5 Fix Bath</b> 0	<b>Security</b> 0
<b>6 Fix Bath</b> 0	<b>Intercom</b> 0

7 Fix Bath 0  
 Extra Fix 0

Fireplaces 0  
 Dishwasher 0

[Building Sketch Image](#)

**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
0	FHS	12:ABOVE AVERAGE WOOD	1	1908	Y			900
1	OPX		1	1908				150
2	FLA	12:ABOVE AVERAGE WOOD	1	1908	N Y			1,396
3	OPX		1	1908				150
4	FLA	12:ABOVE AVERAGE WOOD	1	1908	N Y			750

**Misc Improvement Details**

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
0	PO3:RES POOL GNIT	350 SF	0	0	2007	2008	4	40
0	FN2:FENCES	672 SF	112	6	2007	2008	2	30
0	WF2:WATER FEATURE	1 UT	0	0	2007	2008	1	20
0	RW2:RETAINING WALL	66 SF	33	2	2007	2008	3	50
1	FN2:FENCES	312 SF	78	4	1984	1985	2	30
2	PT2:BRCK PATIO	330 SF	33	10	1979	1980	2	50
3	WD2:WOOD DECK	510 SF	0	0	2007	2008	2	40

**Appraiser Notes**

GIDEON LOWE HOUSE CIRCA 1866
TPP - 8502737
2 TRANSIENT UNITS FROM 409 WILLIAM ST (AK1006106) A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD APPROVING APPLICATION FOR TRANSFER OF TWO TRANSIENT LICENSES TO 727-731 WADDELL ST (AK1038377).
2003-31-01 (SKI) 6 TRANSIENT ROOMS & 1 NON-TRANS UNIT
3003-06-17 ASKING \$1,600,000 AS OF 0-17-03 IN THE CITZEN
2007-10-30 MLS \$2,895,000 4/4 RESTORED WITH POOL AND ENHANCED WITH STATE OF THE ART AMENITIES AND PROVIDES TWO OFF STREET PARKING. TJO

**Building Permits**

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
6-4705	06/14/2007	09/20/2007	500		INSTALL SECURITY 1 DOOR 4 MOTION
06-2655	05/01/2006	09/20/2007	15,000	Residential	INSTALL NEW 4 TON A/C SYSTEM & TWO 2 TON A/C SYSTEMS.

06-2786	05/04/2006	09/20/2007	15,000	Residential	INSTALL PLUMBING.	
06-2845	05/08/2006	09/20/2007	20,000	Residential	ELECTRICAL RENOVATIONS.	
06-3052	05/19/2006	09/20/2007	15,971	Residential	INSTALL COOLEY C-3 PVC GUTTERS & 300 SF METAL SHINGLES.	
06-5078	09/01/2006	09/20/2007	1,500	Residential	REVISION TO PERMIT 06-2786 - RELOCATE PLUMBING & FIXTURES.	
06-2655	09/01/2006	09/20/2007	500	Residential	REVISION TO PERMIT 06-2655 - RELOCATE A/C & DUCTWORK.	
06-5080	09/01/2006	09/20/2007	5,000	Residential	REVISION TO PERMIT 06-2845 - ADD RECESSED LIGHTS & UPGRADE SERVICE.	
06-5069	09/11/2006	09/20/2007	4,000	Residential	PLUMBING FOR SWIMMING POOL	
06-5068	09/11/2006	09/20/2007	22,000	Residential	BUILD A INGROUND CONCRETE POOL 28'x12' (10,000GLS) WITH WATERFALLS	
4	05-3011	09/01/2005	09/20/2007	250,000	Residential	CONVERT GUEST HOUSE IN A SFR
3	B941960	06/01/1994	11/01/1994	11,200	Residential	INTERIOR PARTITIONS
2	9902916	09/28/1999	10/19/1999	20,000	Residential	FIRE SPRINKLER SYSTEM
1	03-3870	11/07/2003	12/31/2003	15,000	Residential	ROOFING

## Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2008	388,303	39,172	614,658	1,042,133	1,042,133	0	1,042,133
2007	478,823	4,467	773,850	1,257,140	1,257,140	0	1,257,140
2006	624,557	4,658	420,090	1,049,305	1,049,305	0	1,049,305
2005	379,229	4,885	331,650	1,773,284	1,773,284	0	1,773,284
2004	379,219	5,076	265,320	1,175,852	1,175,852	0	1,175,852
2003	329,046	5,302	146,300	1,175,852	1,175,852	0	1,175,852
2002	329,046	5,506	146,300	1,119,859	1,119,859	0	1,119,859
2001	329,046	5,750	146,300	805,262	805,262	0	805,262
2000	321,482	1,841	88,825	805,262	805,262	0	805,262
1999	356,517	1,916	88,825	805,262	805,262	0	805,262
1998	238,102	1,981	88,825	710,743	710,743	0	710,743
1997	238,102	2,056	80,465	478,064	478,064	0	478,064
1996	216,456	2,119	80,465	449,191	449,191	0	449,191
1995	216,456	2,194	80,465	395,490	395,490	0	395,490
1994	216,456	2,258	80,465	394,913	394,913	0	394,913
1993	216,456	2,332	80,465	362,848	362,848	25,000	337,848
1992	216,456	2,397	80,465	362,848	362,848	25,000	337,848
1991	216,456	2,471	80,465	362,848	362,848	25,000	337,848

1990	196,891	2,535	80,465	362,848	362,848	25,000	337,848
1989	196,891	2,610	79,420	326,051	326,051	25,000	301,051
1988	144,973	0	79,420	317,585	317,585	0	317,585
1987	81,116	0	36,124	253,730	253,730	0	253,730
1986	81,533	0	34,911	116,444	116,444	0	116,444
1985	79,102	0	17,835	96,937	96,937	0	96,937
1984	73,983	0	17,835	91,818	91,818	0	91,818
1983	73,983	0	17,835	91,818	91,818	25,000	66,818
1982	75,446	0	17,835	93,281	93,281	25,000	68,281

### 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
6/1/2005	2122 / 1564	2,000,000	<u>WD</u>	<u>Q</u>
8/27/2003	1926 / 0212	1,300,000	<u>WD</u>	<u>Q</u>
2/1/1993	1246 / 436	675,000	<u>WD</u>	<u>U</u>
9/1/1988	1067 / 75	385,000	<u>WD</u>	<u>Q</u>
5/1/1985	943 / 430	316,000	<u>WD</u>	<u>Q</u>
4/1/1984	908 / 1276	215,000	<u>WD</u>	<u>U</u>
11/1/1978	774 / 1756	40,000	00	<u>Q</u>

This page has been visited 26,305 times.

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

**Property Appraiser Report  
Receiver Site**

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

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

## Property Record View

Alternate Key: 1010006 Parcel ID: 00009740-000000

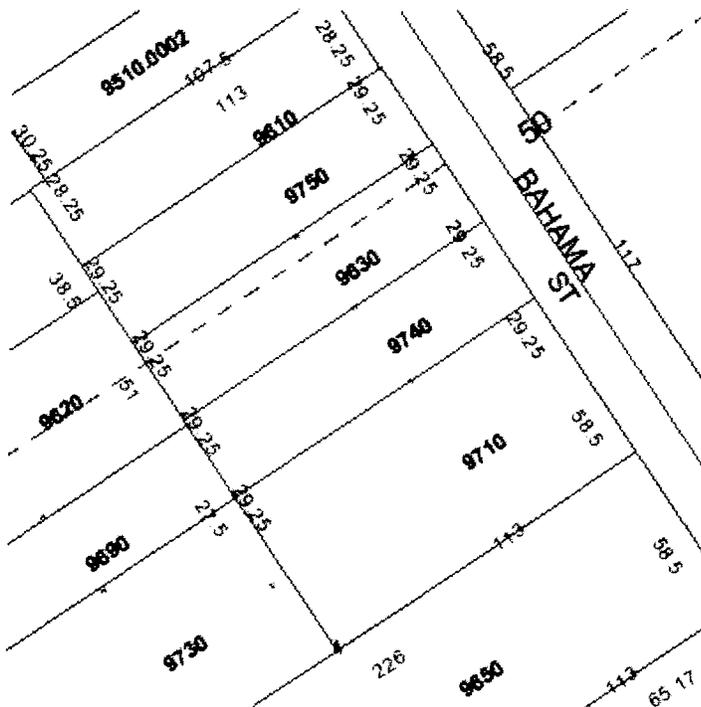
### Ownership Details

Mailing Address:  
519 DUVAL LLC  
809 FLEMING ST  
KEY WEST, FL 33040

### Property Details

PC Code: 01 - SINGLE FAMILY  
Millage Group: 10KW  
Affordable Housing: No  
Section-Township-Range: 06-68-25  
Property Location: 522 BAHAMA ST KEY WEST  
Legal Description: KW PT LOT 4 SQR 50 G9-501 H1-461 OR435-264 OR828-1698/1699 OR830-2238-2239C OR832-311C OR2069-1004/1005 OR2176-1310/11

### Parcel Map





### Land Details

Land Use Code	Frontage	Depth	Land Area
010D - RESIDENTIAL DRY	29	113	3,305.00 SF

### Building Summary

Number of Buildings: 1  
 Number of Commercial Buildings: 0  
 Total Living Area: 1869  
 Year Built: 2008

### Building 1 Details

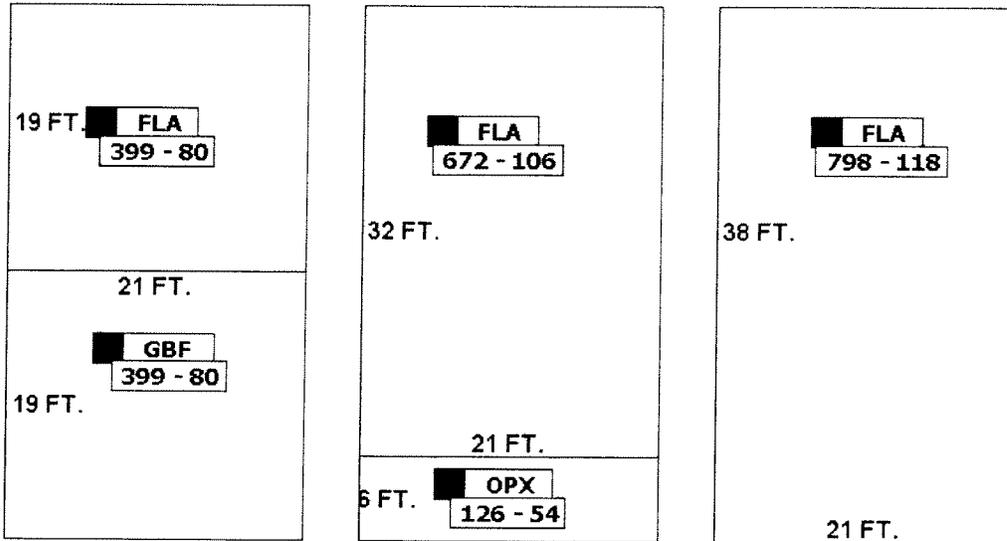
Building Type <u>R1</u> Effective Age 0 Year Built 2008 Functional Obs 0	Condition <u>E</u> Perimeter 304 Special Arch 0 Economic Obs 0	Quality Grade 550 Depreciation % 0 Grnd Floor Area 1,869
<b>Inclusions:</b> R1 includes 1 3-fixture bath and 1 kitchen. Roof Type GABLE Heat 1 Heat Src 1	Roof Cover METAL Heat 2 Heat Src 2	<b>Foundation</b> Bedrooms 3
<b>Extra Features:</b> 2 Fix Bath 0 3 Fix Bath 3 4 Fix Bath 0 5 Fix Bath 0 6 Fix Bath 0		Vacuum 0 Garbage Disposal 0 Compactor 0 Security 1 Intercom 0

7 Fix Bath 0

Extra Fix 0

Fireplaces 0

Dishwasher 0



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
0	FLA	10:CUSTOM	1	2008		Y			399
0	FLA	10:CUSTOM	1	2008		Y			672
0	FLA	10:CUSTOM	1	2008		Y			798
0	GBF	10:CUSTOM	1	2008					399
0	OPX		1	2008					126

**Misc Improvement Details**

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
0	FN2:FENCES	678 SF	113	6	2008	2009	5	30
0	WD2:WOOD DECK	210 SF	0	0	2008	2009	2	40
0	PO4:RES POOL	98 SF	14	7	2008	2009	5	50
0	WF2:WATER FEATURE	1 UT	0	0	2008	2009	2	20

**Appraiser Notes**

2009-03-10 MLS \$6.3 MIL INCREDIBLE MIXED USE PROPERTY ON HIGHLY SOUGHT AFTER BLOCK OF DUVAL STREET.

UNIQUE OPPORTUNITY TO OWN A STUNNING 2400 SQFT COMMERCIAL SPACE FRONTING FAMOUS DUVAL STREET & 2 EXQUISITELY FURNISHED & NEWLY CONSTRUCTED LUXURY TRANSIENT PROPERTIES, EACH 2200 SQFT & 2 PRIVATE POOLS, RUNNING THROUGH THE ENTIRE BLOCK TO BAHAMA STREET WHERE YOU WILL FIND PARKING & A 2-CAR GARAGE.

2006-12-19 BEING USED AS PART OF IMPROVEMENT ON 519 DUVAL - AK1009954.DKRAUSE

2007-03-21 BEING LISTED FOR \$2,295,000. PRECONSTRUCTION FOR 3/4 LUXURY PENTHOUSE APARYMENT. FROM THE KW CITIZEN-SKI

### Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
07-5154	01/08/2008	12/30/2008	0		BUILD POOL 7X14 + WF 8'H + ELECTRIC
3 07-5153	01/08/2008	12/30/2008	15,000	Residential	PIPE IN PUMP, FILTER & HEATER FOR POOL, INSTALL WIRING FOR POOL PUMP, HEATER & LIGHT
1 06-5441	10/26/2006	12/30/2008	18,000	Residential	FOOTINGS & FOUNDATION ONLY
2 06-5532	01/22/2007	12/30/2008	225,000	Residential	BUILD NEW SFR 2011 SF

### 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	0	0	429,650	429,650	429,650	0	429,650
2007	0	0	429,650	429,650	429,650	0	429,650
2006	0	0	313,975	313,975	313,975	0	313,975
2005	0	0	280,925	280,925	280,925	0	280,925
2004	0	0	214,825	214,825	214,825	0	214,825
2003	0	0	99,150	99,150	99,150	0	99,150
2002	0	0	99,150	99,150	99,150	0	99,150
2001	0	0	99,150	99,150	99,150	0	99,150
2000	0	0	82,625	82,625	82,625	0	82,625
1999	0	0	82,625	82,625	82,625	0	82,625
1998	0	0	82,625	82,625	82,625	0	82,625
1997	0	0	76,015	76,015	76,015	0	76,015
1996	0	0	76,015	76,015	76,015	0	76,015
1995	0	0	76,015	76,015	76,015	0	76,015
1994	0	0	76,015	76,015	76,015	0	76,015
1993	0	0	76,015	76,015	76,015	0	76,015
1992	0	0	76,015	76,015	76,015	0	76,015
1991	0	0	76,015	76,015	76,015	0	76,015
1990	0	0	70,231	70,231	70,231	0	70,231

1989	0	0	69,405	69,405	69,405	0	69,405
1988	0	0	59,490	59,490	59,490	0	59,490
1987	0	0	28,340	28,340	28,340	0	28,340
1986	0	0	27,762	27,762	27,762	0	27,762
1985	0	0	29,745	29,745	29,745	0	29,745
1984	0	0	29,745	29,745	29,745	0	29,745
1983	0	0	13,403	13,403	13,403	0	13,403
1982	0	0	13,403	13,403	13,403	0	13,403

## 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
12/22/2005	2176 / 1310	1	WD	M
12/22/2004	2069 / 1004	1	WD	M
4/1/1981	828 / 1698	40	WD	M

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





### Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	28	113	3,108.00 SF

### Building Summary

Number of Buildings: 0  
 Number of Commercial Buildings: 0  
 Total Living Area: 0  
 Year Built: 0

### Appraiser Notes

<p>2009-03-10 MLS \$6.3 MIL INCREDIBLE MIXED USE PROPERTY ON HIGHLY SOUGHT AFTER BLOCK OF DUVAL STREET. UNIQUE OPPORTUNITY TO OWN A STUNNING 2400 SQFT COMMERCIAL SPACE FRONTING FAMOUS DUVAL STREET &amp; 2 EXQUISITELY FURNISHED &amp; NEWLY CONSTRUCTED LUXURY TRANSIENT PROPERTIES, EACH 2200 SQFT &amp; 2 PRIVATE POOLS, RUNNING THROUGH THE ENTIRE BLOCK TO BAHAMA STREET WHERE YOU WILL FIND PARKING &amp; A 2-CAR GARAGE.</p>
<p>2004-05-25 -THERE IS NO BUILDING ON THE PROPERTY ONLY A TIKI WHICH IS BEING USED AS SALES AREA FOR SANDWICHES ART, BOOKS ETC.</p>
<p>2006-06-14 KEY WEST SEAFOOD RESTAURANT NOW VACANT</p>
<p>CITY OF KEY WEST ENGINEERING DEPARTMENT'S LETTER OF SEPT 13, 2006 ASSIGNED THE PHYSICAL ADDRESS OF THIS PROPERTY AS FOLLOWS: 519 DUVAL ST UNIT 1 (DOWNSTAIRS/COMMERCIAL UNIT) AND 519 DUVAL ST UNIT 201 (UPSTAIRS/RESIDENTIAL UNIT)</p>
<p>2006-11-08 BLDG DEMO'D NEW CONSTRUCTION HAS BEGUN. DKRAUSE</p>
<p>2006-12-19 MLS OFFERING \$2,495,000 DUVAL ST PENTHOUSE RESIDENCE, HIGH END APPLIANCES,WOOD FLRS, GRANITE COUNTERTOPS,HIGH IMPACT DOORS/WINDOWS,SOUND PROOFING REFLECTIVE ACOUSTIC PANELING. 1ST FLOOR WILL BE RETAIL. DKRAUSE</p>

## Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
1 B95-4239	12/01/1995	08/01/1996	300	Commercial	REPAIRS
2 E95-4370	12/01/1995	08/01/1996	685	Commercial	ELECTRICAL
3 96-3600	09/01/1996	11/01/1996	2,500	Commercial	RENOVATIONS
4 97-0141	01/01/1997	12/01/1997	3,000	Commercial	RENOVATIONS
5 97-1525	06/01/1997	12/01/1997	1,990	Commercial	SIGNS & REPAIRS
6 97-3303	09/01/1997	12/01/1997	1	Commercial	IMPACT FEE
7 97-3340	10/01/1997	12/01/1997	700	Commercial	PLUMBING
8 97-3364	10/01/1997	12/01/1997	20,000	Commercial	INSTALL CENTRAL AIR
9 97-3472	10/01/1997	12/01/1997	400	Commercial	SCREEN ENCLOSURE FOODCART
10 97-3485	10/01/1997	12/01/1997	300	Commercial	INSTALL BATHROOM SWITCH
12 06-6617	01/19/2007		6,000	Commercial	TEMPORARY ELECTRIC AND HOOK UP TWO A/C MOTORS
11 06-3475	06/09/2006	11/08/2006	8,000	Commercial	DEMO & CLEAR LOT (NO TREES REMOVED)

## 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	0	0	808,080	808,080	808,080	0	808,080
2007	0	0	808,080	808,080	808,080	0	808,080
2006	92,522	5,225	279,720	374,030	374,030	0	374,030
2005	92,522	5,225	233,100	374,030	374,030	0	374,030
2004	0	7,900	195,804	374,030	374,030	0	374,030
2003	0	16,278	192,696	374,030	374,030	0	374,030
2002	0	16,759	192,696	374,030	374,030	0	374,030
2001	0	17,419	192,696	252,199	252,199	0	252,199
2000	0	8,869	161,616	252,199	252,199	0	252,199
1999	0	9,199	161,616	252,199	252,199	0	252,199
1998	0	9,435	161,616	138,032	138,032	0	138,032
1997	0	9,766	155,400	138,032	138,032	0	138,032
1996	0	741	155,400	138,032	138,032	0	138,032
1995	0	763	155,400	138,032	138,032	0	138,032
1994	0	785	155,400	138,032	138,032	0	138,032
1993	0	807	155,400	138,032	138,032	0	138,032
1992	0	828	155,400	138,032	138,032	0	138,032
1991	0	850	155,400	138,032	138,032	0	138,032

1990	0	0	106,332	106,332	106,332	0	106,332
1989	0	0	105,672	105,672	105,672	0	105,672
1988	0	0	89,510	89,510	89,510	0	89,510
1987	0	0	47,591	47,591	47,591	0	47,591
1986	0	0	46,620	46,620	46,620	0	46,620
1985	0	0	33,566	33,566	33,566	0	33,566
1984	0	0	33,566	33,566	33,566	0	33,566
1983	0	0	21,863	21,863	21,863	0	21,863
1982	0	0	21,863	21,863	21,863	0	21,863

## Parcel Sales History

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Sale Date	Official Records Book/Page	Price	Instrument	Qualification
12/22/2005	2176 / 1310	2,000,000	WD	M
12/22/2004	2069 / 1004	2,000,000	WD	M
4/1/1981	828 / 1698	72,500	WD	U

This page has been visited 123,991 times.

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

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

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

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

- Request:** Transient License Transfer - from 409 William Street (RE#00005880-000000) to 519 Duval Street (RE#00009690-000000) & 522 Bahama Street (RE#0000740-000000) - Transient License Transfer from 409 William Street in the Historic Medium Density Residential (HMDR) zoning district to 519 Duval Street & 522 Bahama Street in the HRCC-1 Historic Residential Commercial Core zoning district, for the purpose of using two new residential units as transient rentals.
- Applicant/Owner:** Mark Phillips & Eric DeBoer
- Project Location:** 409 William, 519 Duval & 522 Bahama
- Date of Hearing:** Thursday, June 18, 2009
- Time of Hearing:** 6:00 PM
- Location of Hearing:** Old City Hall – City Commission Chambers  
510 Greene Street

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

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

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

- Request:** Transient License Transfer - from 409 William Street (RE#00005880-000000) to 519 Duval Street (RE#00009690-000000) & 522 Bahama Street (RE#0000740-000000) - Transient License Transfer from 409 William Street in the Historic Medium Density Residential (HMDR) zoning district to 519 Duval Street & 522 Bahama Street in the HRCC-1 Historic Residential Commercial Core zoning district, for the purpose of using two new residential units as transient rentals.
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# 409 William

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

PALMIS

Mouroe 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 4, 2009 9:49 AM



# 519 Duval

- Legend
- the Buffer
- the Target
- 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

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Date Created: June 4, 2009 9:52 AM



# 522 Bahama

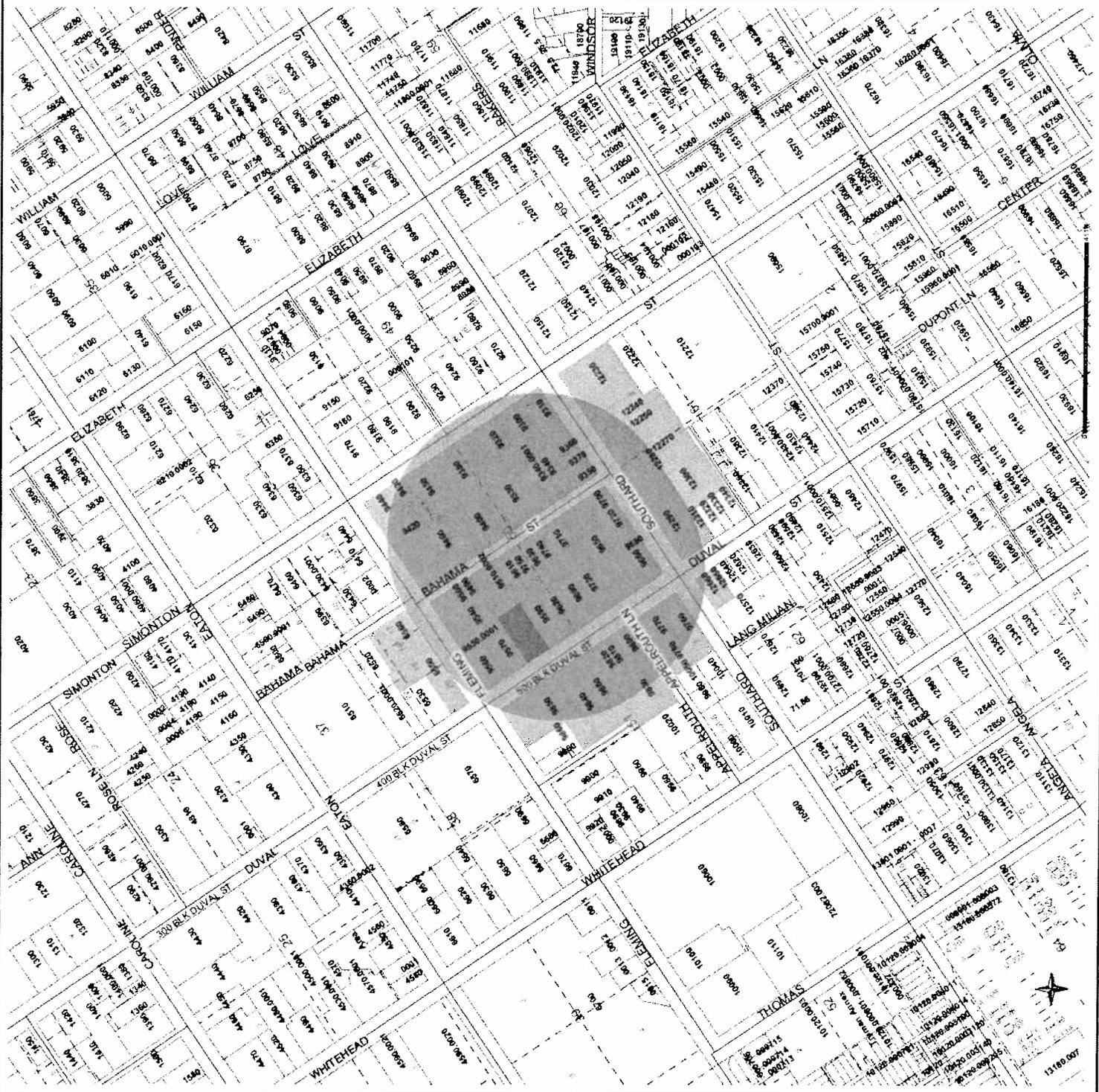
- Legend**
- the Buffer
  - the Buffer Target
  - Real Estate Number
  - Parcel Lot Text
  - Block Text
  - Hooks/Leads
  - Lot Lines
  - Easements
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  - Parcels
  - Shoreline
  - Section Lines

PALMIS

Monroe County Property Appraiser  
500 Whitehead Street  
Key West, FL

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Date Created: June 4, 2009 9:56 AM



230 EAST 7TH ST ASSOCIATES  
526 DUVAL ST  
KEY WEST, FL 33040

37 COURT INVESTMENTS INC  
909 16TH TERR  
KEY WEST, FL 33040

519 DUVAL LLC  
809 FLEMING ST  
KEY WEST, FL 33040

600 DUVAL STREET LC  
115 WHITEHEAD ST  
KEY WEST, FL 33040

604 DUVAL LTD PARTNERSHIP  
6970 FABIANO CR  
BOYTON BEACH, FL 33437

812 FLEMING STREET NUMBER 2 LLC  
1128 OLIVIA ST  
KEY WEST, FL 33040

812 NO. 6 FLEMING STREET LLC  
1717 GEORGE ST  
KEY WEST, FL 33040

ADOLPHUS-WARFIELD INC  
513 SOUTHARD STREET  
KEY WEST, FL 33040

ALLEN JOSEPH B JR  
813 WADDELL AVENUE  
KEY WEST, FL 33040

ALTMAN SCOTT F  
1460 E BAY POINT RD  
BAYSIDE, WI 53217

APPLE TREE HOLDINGS OF KEY  
WEST LLC  
512 SIMONTON ST  
KEY WEST, FL 33040

BANKS LYNN P  
800 FLEMING ST  
KEY WEST, FL 33040

BARNETT BANK OF JACKSONVILLE  
N A  
101 N TRYON ST  
CHARLOTTE, NC 28255

BERMAN BONNIE H  
3340 GRANT ST  
HOLLYWOOD, FL 33021

BIRMINGHAM LIZ  
414 WILLIAM ST  
KEY WEST, FL 33040

BLOOM RICHARD  
730 FLEMING ST  
KEY WEST, FL 33040

BLUMENTHAL JAMES G AND STACY  
4350 EAST WEST HWY  
BETHESDA, MD 20814

BORER ALBERT L  
738 NE 3RD AVE  
FT LAUDERDALE, FL 33304

BOYER BRIAN K LIVING TRUST  
2358 RIVERSIDE AVE  
JACKSONVILLE, FL 32204

BOYLE ALICE CHERYL  
236 11TH AVE N.E.  
ST PETERSBURG, FL 33701

BRANN MELINDA  
814 FLEMING ST  
KEY WEST, FL 33040

BROWN MARTIN E AND EVELYN G  
5620 PICKNEY AVE  
MYRTLE BEACH, SC 29577

CARDENAS ROBERT H JR AND  
DEBORAH S  
917 EATON ST  
KEY WEST, FL 33040

CARR JOE ALAN & REAMS CLAUDE  
E JR R/S  
P O BOX 6404  
KEY WEST, FL 33041

CHAVES VICTOR J  
826 EATON ST  
KEY WEST, FL 33040

CHENG YUK  
3327 RIVIERA DR  
KEY WEST, FL 33040

CHODZIN MICHAEL S  
1704 LAIRD ST  
KEY WEST, FL 33040

CORNEAL DAVID B & SANDRA Y  
411 WILLIAM ST  
KEY WEST, FL 33040

CSS OF THE KEYS INC  
724 EATON STREET  
KEY WEST, FL 33040

CUTLER CLIFFORD C  
827 FLEMING ST  
KEY WEST, FL 33040

DALTON PETER O  
1401 KINSLEY AVE  
ORANGE PARK, FL 32073

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

DICKSTEIN ERIC  
1211 MARGARET ST  
KEY WEST, FL 33040

DYESS WILBUR L  
603 ANGELA ST  
KEY WEST, FL 33040

EBERHARDT DIANE LOUISE  
TRUSTEE  
10 COLUMBINE LN  
RIVERWOODS, IL 60015

EPSTEIN RICHARD & JILL  
223 BEACON ST  
BOSTON, MA 0

EYNON LAWRENCE E MD & BECK  
DONALD S R/S  
550 LIBERTY HILL  
CINCINNATI, OH 45210

EZMIRLY D SHIRLEE REV INTER  
VIVOS TR  
532 FLEMING ST  
KEY WEST, FL 33040

FALCONE ANTHONY V  
823 EATON ST  
KEY WEST, FL 33040

FAUSTO'S FOOD PALACE INC  
522 FLEMING STREET  
KEY WEST, FL 33040

FERNANDEZ DIANE F TRUSTEE  
347 WEST 57TH STREET APT 39A  
NEW YORK, NY 0

FLORA AND FLIPP ON FLEMING INC  
811 FLEMING ST  
KEY WEST, FL 33040

FREEMAN PROPERTIES INC  
513 SOUTHARD STREET  
KEY WEST, FL 33040

FREEMAN SHIRLEY VAN METER  
724 EATON STREET  
KEY WEST, FL 0

GAEDICKE-RHOADES CINDY M REV  
LIV TR 8/8/2008  
1008 SEMINARY ST  
KEY WEST, FL 33040

GAMBLE RONALD A & DOROTHY  
LEE TR'S  
1101 FAIRVIEW RD  
SYLVA, NC 28779

GARMAN JOHN L JR & ROBERTA H  
547 CHEESE SPRING ROAD  
NEW CANAAN, CT 0

GODOY HECTOR EDUARDO  
529 BAHAMA ST  
KEY WEST, FL 33040

GRIFFITH RICHARD LIV TR 8/27/95  
717 FLEMING ST  
KEY WEST, FL 33040

GROSE WILLIAM  
P O BOX 1132  
KEY WEST, FL 33040

HARDEN GREGORY JOSEPH  
524 BAHAMA ST  
KEY WEST, FL 33040

HARTWELL JOHN G FAMILY TRUST  
01/03/90  
1017 ANGELA ST  
KEY WEST, FL 33040

HARVERSON INC  
409 APPELROUTH LANE  
KEY WEST, FL 33040

HATZENBUHLER FERN K  
1436 WATSONS PL  
LAWRENCEVILLE, GA 30043

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

HERNANDEZ ANGELA  
515 BAHAMA ST  
KEY WEST, FL 33040

HOBART RESORTS INC  
823 FLEMING ST  
KEY WEST, FL 33040

HOBARTS RESORTS INC  
2600 DOUGLAS RD  
CORAL GABLES, FL 33134

HONEYCUTT BRUCE M AND  
CARMEN F  
2410 ANDERSON DR  
RALEIGH, NC 27608

HOULIHAN F ROBERT  
95 SELWYN ST  
ROSLINDALE, MA 0

HURD GEORGE  
PO BOX 1453  
KEY WEST, FL 33041

INSITE KEY WEST (WILLIAMS) LLC  
1400 16TH ST  
OAK BROOK, IL 0

IRWIN MICHAEL SCOTT  
1014 SEMINARY ST  
KEY WEST, FL 33040

IRWIN MICHAEL SCOTT REV LIV TR  
8/8/2008  
1008 SEMINARY ST  
KEY WEST, FL 33040

JENKINS F REGINALD III L/E  
825 EATON ST  
KEY WEST, FL 33040

JONES DAN MICHAEL  
1111 12TH ST  
KEY WEST, FL 33040

KAINAN JULIAN  
1020 18TH ST  
KEY WEST, FL 33040

KEELEY KEVIN R  
4015 BAYSHORE BLVD  
TAMPA, FL 33611

KEMP PATRICIA ANNE AND JAMES E  
PO BOX 159  
EDWARDS, CO 81632

KEY WEST OFFICE MANAGEMENT  
INC  
501 SOUTHARD ST  
KEY WEST, FL 33040

KEY WEST PROFESSIONAL OFFICES  
INC  
422 FLEMING ST  
KEY WEST, FL 33040

KNIBILT CORPORATION INC & SKII  
INC  
500 FLEMING STREET  
KEY WEST, FL 33040

KO STEVE B  
7705 SE 34TH ST  
MERCER ISLAND, WA 98040

KRUMEL CHARLES B  
3 KEY HAVEN TERRACE  
KEY WEST, FL 33040

KUNZLER PETER AND RHODA  
829 EATON ST  
KEY WEST, FL 33040

KUSH CHRISTOPHER  
3111 MILITARY RD NW  
WASHINGTON, DC 20015

LANE LEONARD B JR QUAL PER RES  
TRUST  
510 E NASA BLVD  
MELBOURNE, FL 32901

LANGTON LORI  
817 EATON ST  
KEY WEST, FL 33040

LAPPKE CARL E & ANN E  
800 OCEAN ROAD  
PT PLEASANT BEACH, NJ 0

LEACH ARTHUR AND MARJORIE S  
1 MADELINE PL  
GLEN COVE, NY 11542

LEONARD LAURANCE A AND  
KATHRYN  
1756 SEVERN FOREST DR  
ANNAPOLIS, MD 21401

LEWINSKY FRANK ESTATE  
205 CASTLETOWN PL  
JAMESTOWN, NC 27282

LILLY HILL LLC  
19 LWRIDGE HEIGHTS  
LUDLOW, VT 0

LOCKWOOD DARIN A AND REBECCA  
L  
201 WEST SIDE DR  
REHOBUTH BEACH, DE 19971

LOPEZ ROBERT T & MARGOT  
1512 SOUTH ROOSEVELT BLVD  
KEY WEST, FL 33040

LOWE ROBERTA B  
P O BOX 268  
KEY WEST, FL 33041

MAJOR JOHN AND JUDITH  
72 VINTAGE RD  
TYRON, NC 28782

MARINICK ROBERT AND KATHRYN  
26 STURBRIDGE LANE  
WAYNE, PA 0

MARIO CHRISTOPHER B  
20 GREENHOUSE DR  
PRINCETON, NJ 0

MARMOE LLC  
1701 ASHBY ST  
KEY WEST, FL 33040

MATCHETT MARY ANNE L/E  
522 SIMONTON ST  
KEY WEST, FL 33040

MATHEWS DEVELOPMENT  
COMPANY INC  
3320 W HIGHWAY C-30-A  
SANTA ROSA BEACH, FL 32459

MCCALL ROBERT E III AND KATHY  
S  
800 FLEMING ST  
KEY WEST, FL 33040

MCCHESNEY KEVIN AND LAURA  
520 SOUTHARD ST  
KEY WEST, FL 33040

MCCHESNEY LAURA AND KEVIN  
526 SOUTHARD ST  
KEY WEST, FL 33040

M-D INVESTMENTS LLC  
1109 EATON ST  
KEY WEST, FL 33040

MELLONCAMP KEVIN W LIV TR DTD  
3/24/2004  
324 WILLIAM ST  
KEY WEST, FL 33040

MENTONIS GEORGE J AND PATRICIA  
A  
346 BEACH 144TH ST  
NEPONIST, NY 11694

MILLS VICTOR H JR & CYNTHIA A  
16 CALLE DOS  
KEY WEST, FL 0

MOLONEY SUSAN  
320 SIMONTON ST  
KEY WEST, FL 33040

MONSON WARREN A AND SUSAN M  
806 FLEMING ST  
KEY WEST, FL 33040

MORGAN GERALD & SENIA SAMUEL  
P R/S  
3825 DUCK AVENUE  
KEY WEST, FL 33040

MULBERG LTD  
566 SYLVAN DRIVE  
WINTER PARK, FL 32789

MUSCA JOHN  
2650 AIRPORT RD SOUTH  
NAPLES, FL 34112

NADBORNE BRADFORD L AND  
MICHELE MARIE  
713 EATON ST  
KEY WEST, FL 33040

NAVY KWEST FEDERAL CREDIT  
UNION  
P O BOX 1898  
KEY WEST, FL 0

NEWHOUSE PAULA LOUISE ESTATE  
1312 REYNOLDS ST  
KEY WEST, FL 33040

NYSTROM FRANCES H  
3417 RIVIERA DRIVE  
KEY WEST, FL 33040

OBRIEN MICHAEL R  
817 EATON ST  
KEY WEST, FL 33040

OLD KEY WEST HOTELS INC  
411 WILLIAM ST  
KEY WEST, FL 33040

OLD KRESS BUILDING COMPANY  
INC  
424-A FLEMING STREET  
KEY WEST, FL 33040

OLD TOWN KEY WEST  
PO BOX 1237  
KEY WEST, FL 33040

ONDERDONK GARY R AND DIANE M  
513 FLEMING ST  
KEY WEST, FL 33040

P A KEMP LLC  
PO BOX 159  
EDWARDS, CO 81632

PARKER-RILEY GROUP LC  
PO BOX 489  
COLD SPRING HARBOR, NY 11724

PETER HALMOS AND SONS INC  
5725 CORPORATE WAY  
WEST PALM BEACH, FL 33407

PHILLIPS JANE B  
8 BAYVIEW PARK  
NORTHPORT, ME 0

PHILLIPS LEWIS PHILIPPE SKAIFE  
50 BRUCE AVENUE  
WESTMOUNT, QUEBEC 0

PHILLIPS MARK & BROOKS  
809 FLEMING ST REAR  
KEY WEST, FL 33040

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

POPULAR HOUSE INC THE  
415 WILLIAM ST  
KEY WEST, FL 33040

RAMONA'S SHIRT PUT-ON LC  
524 SOUTHARD STREET  
KEY WEST, FL 33040

REPUBLIC OF CUBA  
7300 NW 35TH TERRACE  
MIAMI, FL 33122

ROCKWELL PROPERTY INC  
818 FLEMING ST  
KEY WEST, FL 33040

ROMO ALBINA C  
810 FLEMING ST  
KEY WEST, FL 33040

ROMOCO INC  
3340 N ROOSEVELT BLVD SUITE #6  
KEY WEST, FL 33040

RYLANDER STELLA A  
P O BOX 126 (BUSINESS)  
SUMMERLAND KEY, FL 33042

SANGER JAMES R  
7288 KINNIKINNICK DRIVE  
ROSCOE, IL 61073

SCHONECK MILDRED I TRUSTEE  
561 NAVAJO DRIVE  
CUDJOE KEY, FL 0

SEASHELL INVESTMENTS LLC  
P O BOX 98  
RACINE, WI 53401

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

SHEA JOSEPH JR  
PO BOX 4644  
KEY WEST, FL 33041

SIRECI THOMAS J JR & MARCIA A  
1128 FLAGLER AVE  
KEY WEST, FL 33040

SKOMP CYNTHIA L LIVING TR  
03/13/2007  
1713 JAMAICA DRIVE  
KEY WEST, FL 33040

SOUTHERN BELL TEL AND TEL CO  
675 W PEACHTREE ST  
ATLANTA, GA 30308

SOUTHERNMOST CHURCH OF GOD  
IN CHRIST INC  
P O BOX 1452  
KEY WEST, FL 0

SPARACIO MARY  
813 EATON ST  
KEY WEST, FL 33040

SPOTTSWOOD PARTNERS LTD  
500 FLEMING STREET  
KEY WEST, FL 33040

SSRAFFERTY LLC  
PO BOX 1007  
KEY WEST, FL 33040

STAHL JOYCE E REVOCABLE TRUST  
DTD 5/30/03  
727 EATON ST  
KEY WEST, FL 33040

STAIR FAMILY CHILD EXEMPT  
TRUST 4/24/02  
1107 KEY PLAZA #296  
KEY WEST, FL 0

STOTT DAVID  
26 THE PROMENADE PEACEHAVEN  
EAST SUSSEX, UK 0

STROMBUS CORPORATION  
1073 BUTTONWOOD DRIVE  
SUGARLOAF KEY, FL 33042

TAFT ROBERT W  
53 E 66TH STREET  
NEW YORK, NY 10021

TANDA LLC  
P O BOX 1321  
KEY WEST, FL 33041

TANNER PARTNERS LLLP  
516 FLEMING ST  
KEY WEST, FL 33040

TARRANTINO JOANNE  
1002 WASHINGTON ST  
KEY WEST, FL 33040

THAYER EDGAR L  
5458 S EVERETT AVE  
CHICAGO, IL 60615

TRUBEY JEANNE D INTERVIVOS REV  
TR AGR 8/30/1989  
801 FLEMING ST  
KEY WEST, FL 33040

VERGE WILLIAM G  
329 PEACON LN  
KEY WEST, FL 33040

VEY PETER L  
814 FLEMING ST  
KEY WEST, FL 33040

VIERS ROBERT TIMOTHY & BEETS  
MARY JANICE (WIFE)  
99351 MC LEAN STREET  
BIG PINE KEY, FL 0

WALGREEN CO  
200 WILMOT RD  
DEERFIELD, IL 60015

WHITNEY BROOKS  
809 FLEMING STREET REAR  
KEY WEST, FL 33040

WOLKOWSKY DAVID W TRUSTEE  
P O BOX 1429  
KEY WEST, FL 33041

WRUBLE BRIAN F  
318 W 78TH ST  
NEW YORK, NY 0

YENTSCH CHARLES S AND CLARICE  
M  
504 BAHAMA ST  
KEY WEST, FL 33040

YOUNG GARY A REVOCABLE  
TRUST DTD 11/10/2004  
P O BOX 4302  
KEY WEST, FL 33041