

May 15, 2017

Patrick Wright, Planning Director  
City of Key West  
1300 White Street  
Key West, FL 33040



**RE: Bottle Cap Bar/Lounge  
1128 Simonton Street – RE# 00027600-000000  
Conditional Use Amendment Application**

TREPANIER



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

Dear Mr. Wright:

The attached application is to amend a Conditional Use approval (Reso. 2007-022) for the above referenced property, commonly known as the Bottle Cap Bar/lounge. The intent of our request is to renovate the existing mixed use structure which currently includes a bar/lounge and deli on the first floor and four (4) non-transient residential units on the second floor. Our proposed plan is to reduce the existing bar/lounge from 2,490 sq. ft. to 540 sq. ft. The remaining 1,585 sq. ft. will be converted to restaurant space.

There are no proposed changes to the second floor (4) residential units. All proposed work will be confined to the interior of the first floor. The property falls within the historic commercial pedestrian-oriented area, therefore, no changes to current parking are proposed; the existing three (3) on-site parking spaces will remain.

Thank you in advance for your consideration. Please do not hesitate to contact our office if you have any questions.

Best Regards,

A handwritten signature in black ink, appearing to read "Lori Thompson".

Lori Thompson  
Project Manager

**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**3140 Flagler Avenue, Key West, FL 33040**  
**(305) 809-3720**



**Development Plan & Conditional Use Application**

**Applications will not be accepted unless complete**

Development Plan

Major \_\_\_\_\_

Minor \_\_\_\_\_

Conditional Use

X

Historic District

Yes X

No \_\_\_\_\_

Please print or type:

- 1) Site Address 1128 Simonton Street
- 2) Name of Applicant Owen Trepanier & Associates, Inc.
- 3) Applicant is: Owner \_\_\_\_\_ Authorized Representative X  
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant 1421 1st Street Key West, FL 33040
- 5) Applicant's Phone # 305-292-8983 Email Lori@owentrepanier.com
- 6) Email Address: Lori@owentrepanier.com
- 7) Name of Owner, if different than above Catherine Simonton Corp.
- 8) Address of Owner 1128 Simonton St
- 9) Owner Phone # \_\_\_\_\_ Email \_\_\_\_\_
- 10) Zoning District of Parcel HNC-1 RE# 00027600-000000
- 11) Is Subject Property located within the Historic District? Yes X No \_\_\_\_\_  
If Yes: Date of approval \_\_\_\_\_ HARC approval # \_\_\_\_\_  
OR: Date of meeting \_\_\_\_\_
- 12) 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).

This application is to amend a Conditional Use approval (Reso. 2007-022) in order to renovate an existing Mixed Use Structure with a bar/lounge and deli on the first floor and four (4) non-transient residential units on the second floor. The intent is to reduce the 2,490 sq. ft. of existing bar/lounge to 540 sq. ft. The remaining 1,585 sq. ft. will be converted to restaurant space. No proposed changes to the second floor (4) residential units. All proposed work will be confined to the interior of the first floor. The existing three (3) parking spaces will remain.

**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**3140 Flagler Avenue, Key West, FL 33040**  
**(305) 809-3720**



13) Has subject Property received any variance(s)? Yes \_\_\_\_\_ No  \_\_\_\_\_  
If Yes: Date of approval \_\_\_\_\_ Resolution # \_\_\_\_\_

Attach resolution(s).

14) Are there any easements, deed restrictions or other encumbrances on the subject property?  
Yes \_\_\_\_\_ No  \_\_\_\_\_

If Yes, describe and attach relevant documents.

\_\_\_\_\_  
\_\_\_\_\_

- A. For both *Conditional Uses* and *Development Plans*, provide the information requested from the attached **Conditional Use and Development Plan** sheet.
- B. For *Conditional Uses* only, also include the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122-61 and 122-62 of the Land Development Regulations (see attached copy of criteria).
- C. For *Major Development Plans* only, also provide the **Development Plan Submission Materials** required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the Planning Staff.
- D. For both *Conditional Uses* and *Development Plans*, one set of plans **MUST** be signed & sealed by an Engineer or Architect.

**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.**

**City of Key West  
Planning Department**



**Authorization Form**  
*(Where Owner is a Business Entity)*

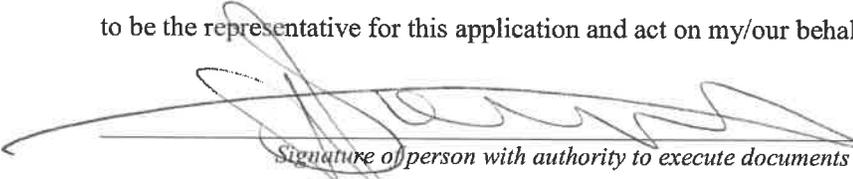
Please complete this form if someone other than the owner is representing the property owner in this matter.

I, Carolyn J Sullivan as  
*Please Print Name of person with authority to execute documents on behalf of entity*

Managing Member of Catherine Simonton Corporation  
*Name of office (President, Managing Member)* *Name of owner from deed*

authorize Trepanier & Associates, Inc.  
*Please Print Name of Representative*

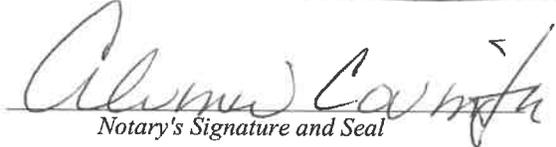
to be the representative for this application and act on my/our behalf before the City of Key West.

  
*Signature of person with authority to execute documents on behalf on entity owner*

Subscribed and sworn to (or affirmed) before me on this 5-19-17  
*Date*

by Carolyn J Sullivan  
*Name of person with authority to execute documents on behalf on entity owner*

He/She is personally known to me or has presented FL DL as identification.

  
*Notary's Signature and Seal*

Alvina Covington  
*Name of Acknowledger typed, printed or stamped*



**Alvina Covington**  
COMMISSION #FF913801  
EXPIRES: August 27, 2019  
WWW.AARONNOTARY.COM

FF913801  
*Commission Number, if any*

**City of Key West  
Planning Department**



**Verification Form**

*(Where Authorized Representative is an entity)*

I, Owen Trepanier, in my capacity as President  
*(print name)* *(print position; president, managing member)*  
of Owen Trepanier  
*(print name of entity serving as Authorized Representative)*

being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

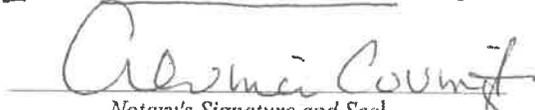
1128 Simonton Street  
*Street Address of subject property*

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

  
*Signature of Authorized Representative*

Subscribed and sworn to (or affirmed) before me on this 17th April 2017 by  
*date*  
OWEN TREPANIER  
*Name of Authorized Representative*

He/She is personally known to me or has presented \_\_\_\_\_ as identification.

  
*Notary's Signature and Seal*

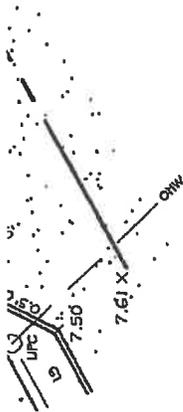
Alvinia Covington  
*Name of Acknowledger typed, printed or stamped*



**Alvinia Covington**  
COMMISSION #FF913801  
EXPIRES: August 27, 2019  
WWW.AARONNOTARY.COM

FF913801  
*Commission Number, if any*





REVISION 07-16-07: NORTH CORNER IS AN OFFSET - JM

**LEGAL DESCRIPTION -**

On the Island of Key West, and in Subdivision One (1), Square Five (5), of Tract Eleven (11), according to Benjamin Bethel's Subdivision of part of said Tract Eleven (11), commencing at the corner of Simonton and Catherine Streets and running along Catherine Street in a Southwesterly direction One Hundred (100) feet; thence in a Northwesterly direction 51.33 feet; thence in a Northeasterly direction One Hundred (100) feet; thence in a Southeasterly direction 51.33 feet back to the Point of Beginning.

**CERTIFIED TO -**

FELDMAN, KOENIG & HIGHSMITH, P.A.  
 CHICAGO TITLE INSURANCE COMPANY  
 MARINE BANK OF THE FLORIDA KEYS, its successors and/or assigns  
 HUB CAP, CORP.

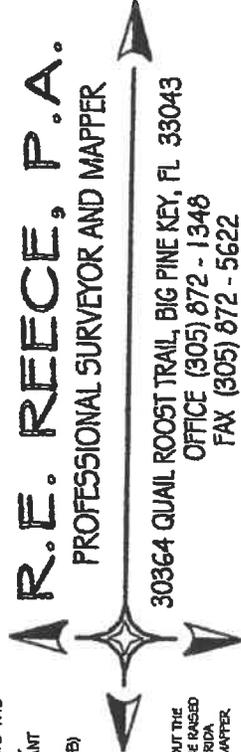
NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE, PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR HIATUS.

SCALE:	1" = 20'
FIELD WORK DATE	05/29/07
REVISION DATE	07/16/07
SHEET	1 OF 1
DRAWN BY:	JM
CHECKED BY:	RR
INVOICE NO.:	7041608

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 61G 17-6, 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 1 (B) 1 (SETBACKS), 1 (B) 3 (ENCROACHMENTS), & 1 (B) 4 (EASEMENTS), SCHEDULE "B" HAS NOT BEEN PROVIDED.

SIGNED   
 ROBERT E. REECE, F.S.M. #5036, PROFESSIONAL SURVEYOR AND MAPPER, LB #2004

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



SCALE: 1" = 20'

BEARING BASE: DERIVED FROM PLAT

ALL ANGLES DEPICTED ARE 90 DEGREES UNLESS OTHERWISE INDICATED

ADDRESS:  
 1128 SIMONTON STREET  
 KEY WEST, FL  
 33040

ELEVATIONS SHOWN AS ± X.XX' REFER TO NGVD 1929 VERTICAL DATUM ABOVE / BELOW SEA LEVEL

COMMUNITY NO.: 125129  
 MAP NO.: 12087C-1516K  
 MAP DATE: 02-18-05  
 FLOOD ZONE: "ZONE X"  
 BASE ELEVATION: N/A

NOTE: FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.

THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.

- BFP = BACK FLOW PREVENTER
- CL = CENTERLINE
- CH = CHARLINS FENCE
- CM = CONCRETE MONUMENT
- CONG = CONCRETE
- CURD = COVERED
- DELTA = CENTRAL ANGLE
- DEASE = DRAINAGE EASEMENT
- EL = ELEVATION
- ENCL = ENCLOSURE
- ENCR = ENCROACHMENT
- EDP = EDGE OF PAVEMENT
- FPE = FINISHED FLOOR ELEVATION
- FI = FIRE HYDRANT
- FND = FOUND
- FO = FENCE OUTSIDE
- FOL = FENCE ON LINE
- GW = GUY WIRE
- IP = IRON PIPE
- IR = IRON ROD
- L = ARC LENGTH
- LA = LANSCHIPPING
- MB = MILD STEEL
- NGVD = NATIONAL GEODETIC VERTICAL DATUM (1929)
- NYS = NOT SURVEYED
- CHW = OVERHEAD WIRES
- PC = POINT OF CURVE
- PM = PARKING METES
- PCC = POINT OF COMPOUND CURVE
- PK = PERMANENT CONTROL POINT
- PK = PARKER SALON HAIL
- PL = PROPERTY LINE
- POB = POINT OF BEGINNING
- PO = POINT OF INTERSECTION
- POC = POINT OF COMMENCEMENT
- PRC = POINT OF REVERSE CURVE MONUMENT
- PRM = PERMANENT REFERENCE MONUMENT
- PT = POINT OF TANGENT
- R = RADIUS
- RES = RESIDENCE
- RCL = ROOF OVERHANG LINE
- ROWA = RIGHT OF WAY
- ROWB = RIGHT OF WAY LINE
- SCD = SANITARY CLEAN-OUT
- TBM = TEMPORARY BENCHMARK
- TS = TRAFFIC SIGN
- TTYPAL = TYPICAL
- URBASE = UTILITY EASEMENT
- URC = CONCRETE UTILITY POLE
- WPT = WOOD UTILITY POLE
- WM = WATER METER
- WV = WATER VALVE

FLORIDA DEPARTMENT OF STATE  
DIVISION OF CORPORATIONS[Home](#)[Contact Us](#)[E-Filing Services](#)[Document Searches](#)[Forms](#)[Help](#)

## Detail by Entity Name

### Florida Profit Corporation

CATHERINE SIMONTON CORPORATION

### Filing Information

<b>Document Number</b>	P05000002185
<b>FEI/EIN Number</b>	651238589
<b>Date Filed</b>	01/05/2005
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

1128 SIMONTON STREET  
BOTTLECAP  
KEY WEST, FL 33040

Changed: 04/27/2011

### Mailing Address

1128 SIMONTON STREET  
BOTTLECAP  
KEY WEST, FL 33040

Changed: 04/27/2011

### Registered Agent Name & Address

FARRELLY, GREGORY G  
C/O CATALFOMO & FARRELLY  
506 LOUISA STREET  
KEY WEST, FL 33040

Address Changed: 03/02/2006

### Officer/Director Detail

#### **Name & Address**

Title PST

VITALE, CARMELO  
1128 SIMONTON STREET

[Copyright ©](#) and [Privacy Policies](#)

State of Florida, Department of State

Title SEC

SULLIVAN, CAROLYN J  
1128 SIMONTON STREET  
KEY WEST, FL 33040

### Annual Reports

Report Year	Filed Date
2012	04/11/2012
2013	04/17/2013
2014	01/13/2014

### Document Images

<a href="#">01/13/2014 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/17/2013 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/11/2012 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/27/2011 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/29/2010 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/22/2009 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">01/30/2008 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">01/30/2007 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">03/02/2006 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">01/05/2005 -- Domestic Profit</a>	View image in PDF format

Return to: (Enclose self addressed stamped envelope)

Name: STONES & CARDENAS  
221 Simonton Street  
Key West, FL 33040  
(305) 294-0252

Doc# 1516677 05/17/2005 1:56PM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

This Instrument Prepared By:

STONES & CARDENAS  
221 Simonton Street  
Key West, FL 33040  
(305) 294-0252

Doc# 1516677  
Bk# 2114 Pg# 1281

---

**"CORRECTIVE"  
WARRANTY DEED**

**This Corrective Warranty Deed is being recorded to correct the legal description contained in that certain Warranty Deed recorded at Official Records Book 1095, Page 2282, of the Public Records of Monroe County, Florida.**

**THIS INDENTURE** made this 17 day of May, 2005, by and between HUBCAP CORP. a Florida corporation, whose address is 1128 Simonton Street, Key West, FL 33040, as Grantor, and CATHERINE SIMONTON CORPORATION, a Florida corporation, whose address is c/o Catalfomo & Farrelly, 506 Louisa Street, Key West, FL 33040, as Grantee.

**WITNESSETH:** that said Grantor, for and in consideration of the sum of Ten and 00/100 Dollars (\$10.00) and other good and valuable consideration to said Grantor, in hand paid, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said Grantee, and Grantee's successors, heirs, and assigns forever, the following described property, situate lying and being in the County of Monroe, State of Florida, to-wit:

ON THE ISLAND OF KEY WEST, AND IN SUBDIVISION ONE (1), SQUARE FIVE (5), OF TRACT ELEVEN (11), ACCORDING TO BENJAMIN BETHEL'S SUBDIVISION OF PART OF SAID TRACT ELEVEN (11), COMMENCING AT THE CORNER OF SIMONTON AND CATHERINE STREETS AND RUNNING ALONG CATHERINE STREET IN A SOUTHWESTERLY DIRECTION ONE HUNDRED (100) FEET; THENCE IN A NORTHWESTERLY DIRECTION 51.33 FEET; THENCE IN A NORTHEASTERLY DIRECTION ONE HUNDRED (100) FEET; THENCE IN A SOUTHEASTERLY DIRECTION 51.33 FEET BACK TO THE POINT OF BEGINNING.

Parcel Identification Number: 00027600-000000

SUBJECT TO: Taxes for the year 2005 and subsequent years.

SUBJECT TO: Conditions, limitations, reservations and easements of record.

**TOGETHER** with all tenements, hereditaments and appurtenances, with every privilege, right, title, interest and estate, reversion, remainder and easement thereunto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD** the same in fee simple forever.

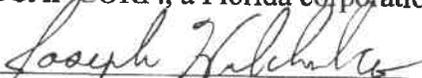
AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of the said property; that it is free of all encumbrances except as above stated; that Grantor has good right and lawful authority to sell the same; and that the Grantee shall have quiet enjoyment thereof. The said Grantor hereby fully warrants the title to said property, and will defend the same against the lawful claims of all persons whomsoever.

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:

  
Witness Name: Susan M. Cardenas

HUBCAP CORP., a Florida corporation

By:   
JOSEPH HUBCHENKO, President

  
Witness Name: ERIN H. NEVINS

(Corporate Seal)

STATE OF FLORIDA:  
COUNTY OF MONROE:

The foregoing instrument was acknowledged before me this 17th day of May, 2005 by Joseph Hubchenko, President of Hubcap Corporation, a Florida corporation, on behalf of the corporation. He/she  is personally known to me or  has produced a driver's license as identification.

  
Notary Public

[Notary Seal]



Notary Name: Susan M. Cardenas

Commission Expires: 10.23.08

MONROE COUNTY  
OFFICIAL RECORDS



**Summary**

Parcel ID 00027600-000000  
 Account # 1028380  
 Millage Group 10KW  
 Location Address 1128 SIMONTON ST, KEY WEST  
 Legal Description KW PT LOT 1 SQR 5 TR 11 G48-60/61 OR571-79 OR1175-716/717 OR2095-2282/83 OR2114-1281/82C  
 (Note: Not to be used on legal documents)  
 Neighborhood 32080  
 Property Class STORE COMBO (1200)  
 Subdivision  
 Sec/Twp/Rng 06/68/25  
 Affordable No  
 Housing



**Owner**

CATHERINE SIMONTON CORPORATION  
 1128 SIMONTON ST STE 5  
 KEY WEST FL 33040-3181

**Valuation**

	2016	2015	2014	2013
+ Market Improvement Value	\$906,051	\$953,119	\$953,119	\$1,000,186
+ Market Misc Value	\$1,518	\$1,320	\$1,200	\$1,200
+ Market Land Value	\$342,691	\$302,375	\$302,375	\$302,375
= Just Market Value	\$1,250,260	\$1,256,814	\$1,256,694	\$1,303,761
= Total Assessed Value	\$1,250,260	\$1,256,814	\$1,256,694	\$1,303,761
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$1,250,260	\$1,256,814	\$1,256,694	\$1,303,761

**Land**

Land Use	Number of Units	Unit Type	Frontage	Depth
COMMERCIAL DRY (100D)	5,133.00	Square Foot	51.33	100

**Commercial Buildings**

Style APTS-B / 03B  
 Gross Sq Ft 8,766  
 Finished Sq Ft 7,468  
 Perimeter 0  
 Stories 3  
 Interior Walls  
 Exterior Walls C.B.S.  
 Quality 400 (400)  
 Roof Type  
 Roof Material  
 Exterior Wall1 C.B.S.  
 Exterior Wall2  
 Foundation  
 Interior Finish  
 Ground Floor Area  
 Floor Cover  
 Full Bathrooms 0  
 Half Bathrooms 0  
 Heating Type  
 Year Built 1983  
 Year Remodeled 0  
 Effective Year Built 1998  
 Condition AVERAGE

**Yard Items**

Description	Year Built	Roll Year	Quantity	Units	Grade
ASPHALT PAVING	1983	1984	1	1500 SF	2

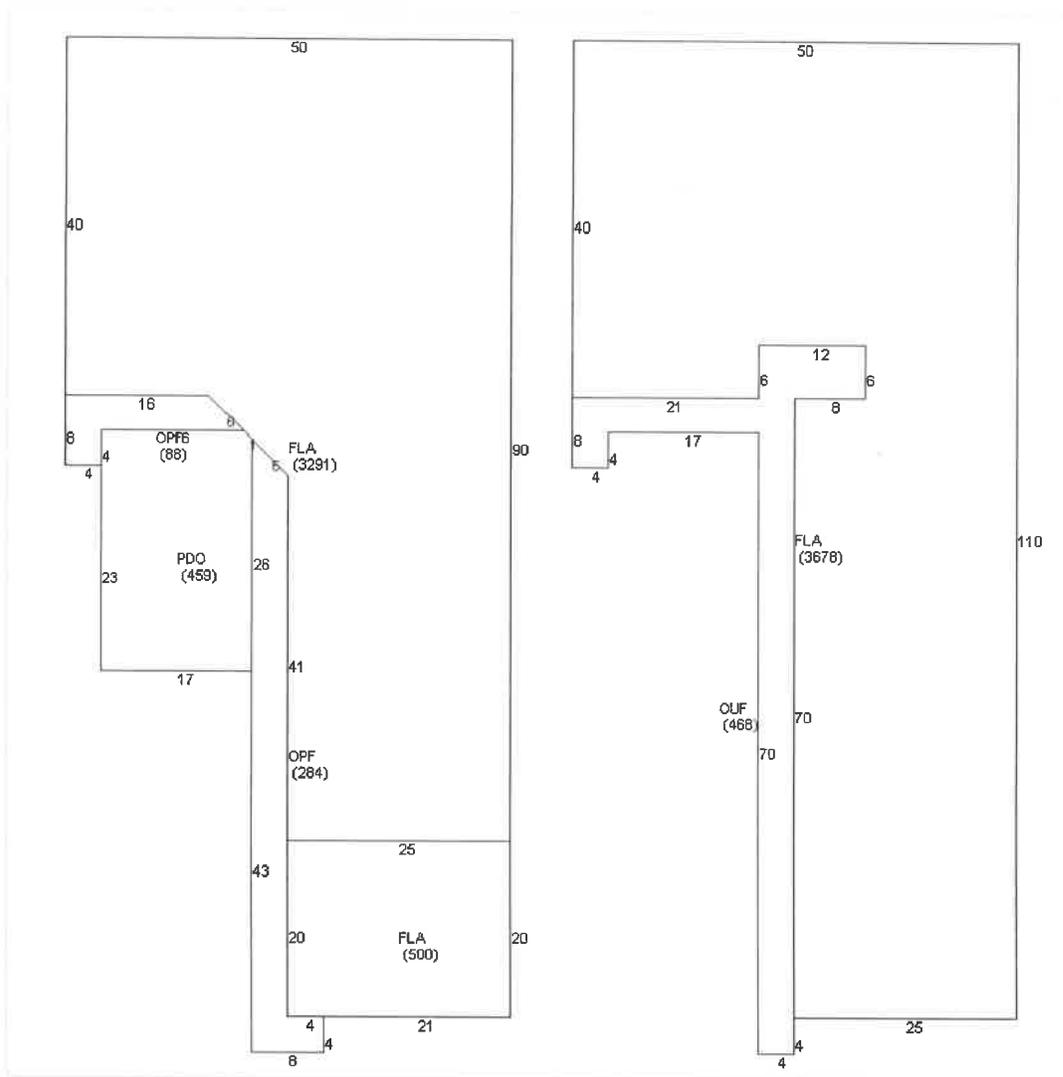
**Sales**

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
3/15/2005	\$2,270,000	Warranty Deed		2095	2282	Q - Qualified	Improved
7/1/1991	\$1,200,000	Warranty Deed		1175	716	M - Unqualified	Improved
2/1/1974	\$90,000	Conversion Code		571	79	Q - Qualified	Improved

**Permits**

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
10-0125	1/17/2010		\$400		ENCLOSE EXISTING RAILING WITH FRAMING AND STUCCO. 60SF.
07-4819	10/25/2007		\$979		ADD APPROX. 275SF TO EXTERIOR AWNING MATERIAL TO MATCH EXISTING AWNING AT BLDG FRONT AT RIGHT SIDE OF THE PROPERTY.
07-4791	10/22/2007	10/30/2007	\$400	Commercial	INSTALL SECURITY ALARM SYSTEM
07-4410	9/24/2007		\$8,300		ROUGH AND TRIM: 3 COMPARTMENT SINK, 1 MOP SINK, 1 HAND SINK, 1 SALAD SINK, 1 HEATER AND 1 FLOOR DRAIN, FLOW RESTRECTOR AND VENT.
07-4334	9/14/2007		\$1,200		INSTALL FOUR LIGHTS, FOUR OUTLETS AND 4 SWITCHES AS PER DRAWINGS.
07-3664	8/17/2007		\$43,000		BUILD INSIDE NEW SPACE ADDING WALLS, COUNTER, PASS THROUGH SERVICE WINDOW, ADD 349SF TILE TO DELI AND COORIDOR.
07-0763	3/30/2007		\$28,000		REMOVE WROUGHT RAILING ON UPPER DECK STAIRS AND CLOSE IN WITH 1/2 WALL AND STUCCO.
06-0083	1/10/2006	8/10/2006	\$3,500	Commercial	INSTALL NEW HARDWOOD FLOOR IN BAR AREA
05-3636	8/24/2005	12/31/2005	\$1,500	Commercial	RELOCATE OUTLETS & SWITCHES & ROUGHT IN BATHROOM
02-3115	11/20/2002	12/8/2005	\$2,000	Commercial	SIDING
9802630	9/8/1998	12/8/2005	\$4,000	Commercial	INTERIOR RENOVATIONS

**Sketches (click to enlarge)**



Photos



No data available for the following modules: Buildings, Mobile Home Buildings, Exemptions.

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

Last Data Upload: 4/27/2017 1:58:29 AM



# 1128 Simonton Street

Amendment to a Conditional Use (Res. No. 2007-022)



1128 Simonton Street (RE No. 00027600-000000)

TREPANIER



& ASSOCIATES INC  
LAND USE PLANNING  
DEVELOPMENT CONSULTANTS

## Conditional Use Approval Criteria Analysis (Secs. 122-61 to 122-65)

### Project Description:

This application is to amend a Conditional Use approval (Reso. 2007-022) in order to renovate an existing Mixed Use Structure with a bar/lounge and deli on the first floor and four (4) non-transient residential units on the second floor. The intent is to reduce the 2,490 sq. ft. of existing bar/lounge to 540 sq. ft. The remaining 1,585 sq. ft. will be converted to restaurant space. No proposed changes to the second floor (4) residential units. All proposed work will be confined to the interior of the first floor. The existing three (3) parking spaces will remain.

### Identification of Key Persons:

Name of development:	1128 Simonton Street
Developer:	Catherine Simonton Corporation
Scale:	As noted on Plans
Preparation and revision dates:	As noted on plans
Location:	1128 Simonton Street, Key West, FL
Owner:	Catherine Simonton Corporation
Architect/ Engineer:	Will Shepler, Architect
Surveyor:	Reece Surveying
Legal and Equitable Owners:	Catherine Simonton Corporation <ul style="list-style-type: none"><li>• Carolyn Sullivan</li><li>• Carmelo Vitale</li></ul>

**Solutions Statement:**

This application is to amend a Conditional Use approval (Reso. 2007-022) in order to renovate an existing Mixed Use Structure with a bar/lounge and deli on the first floor and four (4) non-transient residential units on the second floor. The intent is to reduce the 2,490 sq. ft. of existing bar/lounge to 540 sq. ft. The remaining 1,585 sq. ft. will be converted to restaurant space. No proposed changes to the second floor (4) residential units. All proposed work will be confined to the interior of the first floor. The existing three (3) parking spaces will remain.

**Description of Proposed Development and Use:**

First floor interior renovations of a two story mixed used structure to convert a portion of the existing bar/lounge square footage to restaurant space.

Site Data Table	Permitted/ Required	Existing	Proposed	Compliance
Zoning	--	HNC-1	No Change	Complies
Flood Zone	--	X-Zone	No Change	Complies
Size of Site (sq. ft.)	4,000	5,133	No Change	Complies
Height	35 ft.	<35 ft.	No Change	Complies
Front Setback	5 ft.	0 ft.	No Change	Complies
Side Setback:	5 ft.	4 ft.	No Change	Complies
Street Side Setback:	7.5 ft.	2 ft.	No Change	Complies
Rear Setback	15 ft.	5 ft.	No Change	Complies
Density	1.88 units	4 units	No Change	Complies
F.A.R.	0.63	0.63	No change	Complies
Building Coverage (sq. ft.)	(2,567) 50%	(3,892) 75%	No Change	Complies
Impervious Surface (sq. ft.)	(3,079) 60%	(4,979) 97%	No Change	Complies
Parking	3	3	No Change	Complies*
Handicap Parking	1	1	No Change	Complies
Bicycle/ Scooter parking	4	4	No Change	Complies*
Open Space/ Landscaping (sq. ft.)	(1,539) 30%	(154) 3%	No Change	Complies
Number & Type of Units		4 residential	No Change	Complies
Consumption Area (sq. ft.)	--	2,925	2,125	Complies

\* Pursuant to Sec. 108-573. – Special provisions within historic commercial pedestrian-oriented area.

**Other Project Information:**

1. The target date for commencement shall follow entitlement approvals as quickly as possible.
2. Expected date of completion is within 1 year of commencement.
3. The proposed site plan is contained herewith.
4. This application proposes to renovate bar/lounge square footage into restaurant space as depicted on the plans.

5. Project is not a planned unit development.
6. The project is located within the X flood zone.
7. This project is not located in an environmentally sensitive area.

**Intergovernmental Coordination:**

Coordination will occur through the building plan review process.

**Schedule and Process:**

The review process for conditional use will be pursuant to Sec. 122-63

- 05/15/17.....Submission Deadline
- 06/29/17.....Development Review Committee
- 07/20/17.....Planning Board
- 10 Days.....Planning Board Appeal Period
- 45 Days.....Department of Economic Opportunity Appeal Period

**SEC. 122-62. - SPECIFIC CRITERIA FOR CONDITIONAL USE APPROVAL**

**Characteristics of proposed use:**

**Floor area ratio:**

This conditional use proposes no change in floor area ratio.

**Trip generation:**

Trip Generation	Week Day		Saturday		Sunday	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
Retail-Deli - ITE 814 (11.34 Trips/ 1k sq. ft.)	13.30	13.30	12.60	12.60	6.13	6.13
Restaurant - ITE 933 (Trips/ 1k sq. ft.)	0.00	142.57	0.00	149.56	0.00	72.16
Bar/Lounge – ITE 936 (Trips/1k sq. ft.)	28.70	6.12	28.70	6.12	28.70	6.12
Apartment – ITE 220 (Trips/ unit)	26.88	26.88	25.56	25.56	23.44	23.44
<b>Total</b>	<b>68.88</b>	<b>188.87</b>	<b>38.16</b>	<b>187.72</b>	<b>29.57</b>	<b>101.73</b>

Use and Area		Sq. Ft./ Units
Existing	Bar-Lounge	2,490
	Quality Restaurant	0
	Retail-Deli	300
	Residential	4
Proposed	Bar-Lounge	540
	Quality Restaurant	1,585
	Retail-Deli	300
	Residential	4

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

Use	Existing	Proposed
Residential	3,250 sq. ft.	3,250 sq. ft.
Bar/Lounge	2,925 sq. ft.	540 sq. ft.
Deli	300 sq. ft.	300 sq. ft.
Restaurant	0	2,385 sq. ft.
Total:	6,475 sq. ft.	6,475 sq. ft.

**Proposed employment<sup>1</sup>:**

Existing employees: The property currently employs a total of 8 employees for the existing use as a bar/lounge.

Estimated employees: Estimated number of employees for restaurant use:  
5.3 employee/ 1k sq. ft. = 11.26 restaurant employees

Estimated number of employees for bar/lounge use:  
5 employee/ 1k sq. ft. = 2.7 bar employees

**Proposed number and type of service vehicles:**

Currently there are food delivery trucks that service the two restaurants on the adjacent block as well as the deli on this property. It is anticipated that service to this restaurant will become part of the existing wholesale deliveries. The loading zone used for these deliveries is located along the eastern right-of-way of this site. Alcohol venders currently deliver for the bar/restaurant use and is not anticipated to change.

**Off-street parking needs:**

No changes in off-street parking are proposed. This property falls within the historic commercial pedestrian-orientated area where no off-street parking is required per Sec. 108-573(c).

**On- or off-site improvement needs generated by the proposed conditional use.**

- a. Utilities - See concurrency analysis as part of this report.
- b. Public facilities - See concurrency analysis as part of this report.
- c. Roadway or signalization improvements – No impact is anticipated.
- d. Accessory structures or facilities – No exterior work is proposed.
- e. Other unique facilities/structures proposed as part of site improvements – No exterior work is proposed.

<sup>1</sup> Pursuant to The APA Planner's Estimating Guide 2004

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

- a. Open space – No changes are proposed.
- b. Setbacks - No changes are proposed.
- c. Screening and buffers - No changes are proposed.
- d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites - No changes are proposed. Adjacent properties are a parking lot and residential apartments under common ownership.
- e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts – The stove vent will be ducted above the roofline and directed away from residential units.

**Criteria for Conditional Use Review and Approval:**

**Land Use Compatibility:**

The proposed project is to convert 1,585 sq. ft. of bar/lounge to restaurant space. Restaurants are permitted as a conditional use within the HNC-1 zoning district. A conditional use was granted per Resolution 2007-022 to convert 300 sq. ft. of retail space to deli. This amendment to that conditional use approval requires no variances and will bring this property into conformity with zoning and it's surrounding uses.

**Adjacent Land Use Table:**

Boundary	Land Use
1128 Simonton (Subject Property)	Mixed Use
Northern boundary	Multi-family
Southern boundary	Commercial - Restaurant across street
Eastern boundary	Commercial – Bank across street
Western boundary	County-Owned Parking Lot

**Site Size:**

1128 Simonton Street is located on the corner of Simonton and Catherine Streets. The site is 5,133 sq. ft. and has sufficient and adequate infrastructure to accommodate the proposed use. There are no proposed changes that will affect the site size.

**Mitigative techniques:**

The vent hood will be ducted to terminate above the roof and directed away from the residential units.

**Hazardous waste:**

The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation.

**Compliance with applicable laws and ordinances:**

This conditional use shall comply 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.

**Additional criteria applicable to specific land uses:**

- Land uses within a conservation area - The proposed project is not located in a conservation area.
- Mixed Use Development – This mixed-use redevelopment is consistent and compliant 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.
- This property is located within the historic district and will seek HARC approval as required.

**ANALYSIS: EVALUATION FOR COMPLIANCE WITH THE LDRs**

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

**The anticipated public facility impacts of the proposed development:**

The following concurrency analysis demonstrates that all anticipated development impacts to public facilities can be accommodated within current capacities.

**The ability of existing facilities to accommodate the proposed development at the adopted level of service standards:**

The following concurrency analysis demonstrates that all anticipated development impacts to existing facilities can be accommodated within current capacities and adopted levels of service.

---

**Any existing facility deficiencies that will need to be corrected prior to the completion of the proposed development:**

There are no existing facility deficiencies that will need to be corrected prior to completion of the proposed development.

**The facility improvements or additions necessary to accommodate the impact of the proposed development at the adopted level of service standards and the entities responsible for the design and installation of all required facility improvements or additions:**

There are no facility improvements or additions necessary to accommodate the impact of the proposed development at the adopted level of service standards.

**The date such facility improvements or additions will need to be completed:**

NA – No improvements required.

**Fire Protection:**

Key West Fire Department coordination shall be per DRC. No objections are known to exist at this time.

**Site Location and Character of Use (Section 108-235):**

(a) Compliance. This development plan complies with the requirements set forth in the Key West City Code as they pertain to Concurrency Management, Outdoor Displays and Nuisances, Resource Protection, Signs, and Articles I and III to IX of Chapter 108 of the Key West City Code.

(b) Vicinity Map.



(c) Land Use Compatibility. The project site is located in the Historic Neighborhood Commercial (HNC-1) zoning district. The historic neighborhood commercial district—Truman/Simonton (HNC-1) consists of Simonton, Truman Avenue, and White Street South Corridors. The HNC-1 district is located along major segments of Simonton Street, from Caroline South to United Street; Truman Avenue, from Simonton Street northeast to White Street; and White Street, from Truman Avenue south to United Street; and generally, includes larger scale commercial uses oriented toward the motoring public. Based on the surrounding zoning and existing mixed land uses, the proposed conditional use is compatible with neighboring properties.

Square feet of enclosed building for each specific use:

Use	Existing	Proposed
Residential	3,250 sq. ft.	3,250 sq. ft.
Bar/Lounge	2,925 sq. ft.	540 sq. ft.
Deli	300 sq. ft.	300 sq. ft.
Restaurant	0	2,385 sq. ft.
Total:	6,475 sq. ft.	6,475 sq. ft.

(d) Historic and archeological resource protection. The site is located within the Historic District. Any archeological resources will be protected as required.

(e) Subdivision of Land. No subdivisions are anticipated.

**Location and screening of mechanical equipment, utility hardware and waste storage areas:**

Waste storage is housed on the adjacent property under the same ownership. There is ample space to increase the number of recycle and trash bins to accommodate the additional waste created by restaurant use.

**Utility lines:**

No changes proposed.

**Commercial and manufacturing activities conducted in enclosed buildings:**

No expansion of outside use is anticipated.

**Exterior Lighting:**

Appropriate dark-sky exterior lighting will be incorporated into the design.

**Signs:**

No new signage is proposed at this time, however, any future proposed signage will be harmonious with the design theme of the project, will be aesthetically pleasing and reinforce good principles and practices of design as well as comply with HARC guidelines.

**Pedestrian sidewalks:**

No changes proposed.

**Loading docks:**

No changes proposed. A designated loading/unloading parking space is located along Simonton Street right-of-way at the front of the property.

**Storage Areas:**

No exterior storage areas are proposed.

**On-Site and Off-Site Parking and Vehicular, Bicycle, and Pedestrian Circulation:**

Pursuant to Sec. 108-573(c) "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 from one type of commercial use to another type of commercial use, so long as no additional or expanded floor area is created."

Parking	Automobile			Bicycle		
	Req'd	Existing	Proposed	Req'd	Existing	Proposed
Total	3	3	3	0	0	0

**Housing:**

No changes are proposed for the existing permanent residential housing units on the second floor.

**Economic resources:**

No significant changes are anticipated.

**Special Conditions:**

The proposal complies with the goals, objectives and policies of the comprehensive plan and as demonstrated by the concurrency analysis there are no conflicts with the existing public facilities, such as wastewater treatment and transportation.

The project is located within the HNC-1 District and complies with the intent of the plan.

There is no impact on the unincorporated portion of the county.

**Construction Management Plan and Inspection Schedule:**

Construction shall comply with Sec. 108-248.

**Open Space, Screening, Buffers and Landscaping:**

No exterior work is proposed. Interior renovations only as depicted on plans.

**Stormwater and Surface Water Management:**

Existing stormwater as approved per Planning Board Resolution 2007-022.

**Flood Hazard Areas:**

Project is located in the X Flood zone.

**Utilities:**

No changes proposed.

**CONCURRENCY ANALYSIS:**

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. Recreation (for residential development only)
  3. Solid Waste
  4. Drainage
  5. Roads/Trip Generation
-

The following concurrency analysis reflects the anticipated impacts resulting from the proposed conversion of existing commercial floor area to retail use.

**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>2</sup>:"

Potable Water Sec. 94-68 sets the level of service for residential potable water at 93 gal/ capita/day and nonresidential at 650 gal/acre/day.

- i) The total nonresidential capacity required for the existing **0.117 acre** parcel is:

$$650 \text{ gal/acre/day} \times 0.117 \text{ acre} = \mathbf{76.5 \text{ gal/day}}$$

- ii) The total nonresidential capacity required for the proposed **0.117 acre** parcel is:

$$650 \text{ gal/acre/day} \times 0.117 \text{ acre} = \mathbf{76.5 \text{ gal/day}}$$

- iii) The total residential capacity required for the existing **(2.63 x 4 units)<sup>3</sup>** is:

$$93 \text{ gal/capita/day} \times 10.52 \text{ capita} = \mathbf{978.3 \text{ gal/day}}$$

- iv) The total residential capacity required for the proposed **(2.63 x 4 units)** is:

$$93 \text{ gal/capita/day} \times 10.52 \text{ capita} = \mathbf{978.3 \text{ gal/day}}$$

Based on the concurrency management calculation prescribed in the Comprehensive Plan, there is a minimal 372.0 gal/day increase in the proposed capacity required by Key West Comprehensive Plan LOS standards; the Florida Keys Aqueduct Authority has the capacity to supply adequate service to this property, as demonstrated below.

**FKAA Supply Capacity:**

The Florida Keys Aqueduct Authority ("FKAA") has adequate supply capacity to serve the potential development. FKAA has constructed facilities on the mainland in Florida City to expand water supply for the Florida Keys. This permitted and constructed improvement enables FKAA to provide over 23

<sup>2</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

<sup>3</sup> For the purposes of LOS, "capita" was calculated as *proposed units x persons/household* using the 2009-2013 US Census Data - 2.63 persons per household

MGD, which will provide sufficient capacity through 2022<sup>4</sup>. Operational in 2011, the recent expansion of the R.O. plant will provide 6.0 MGD, which combined with the 17.0 MGD permitted withdrawal from the Biscayne Aquifer, increased 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 is 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 annual water demand = 5,272 MG /year

2006 annual water demand = 6,310 MG /year

Average Annual Increase =  $(6,310 \text{ MG} - 5,272 \text{ MG}) / 10 = 103.8 \text{ MG /year}$

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

---

<sup>4</sup> Excerpt from Analysis by Kenneth B. Metcalf, AICP, (Greenberg Traurig, P.A.), August 22, 2008.

withdrawal of 20 MGD (7,300 MG/year). Since completion of the Florida City facilities, the 23 MGD allocation is 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 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 was completed in January, 2010.

**Sanitary Sewer** Sec. 94-67 sets the level of service for residential sanitary sewer at 100 gal/capita/day and nonresidential sanitary sewer at 660 gal/acre/day.

- i) the total nonresidential capacity required for the current **0.117 acre** parcel is:

$$660\text{gal/acre/day} \times 0.117 \text{ acres} = \mathbf{77.2 \text{ gal/day}}$$

- ii) the total nonresidential capacity required for the proposed project on **0.117 acre** parcel is:

$$660 \text{ gal/acre/day} \times 0.117 \text{ acres} = \mathbf{77.2 \text{ gal/day}}$$

- iii) the total residential capacity required for the current **(2.63 x 4 units)<sup>5</sup>** is:

$$100\text{gal/acre/day} \times 10.52 \text{ capita} = \mathbf{123.9 \text{ gal/day}}$$

- iv) the total residential capacity required for the proposed **(2.63 x 4 units)** is:

$$100\text{gal/acre/day} \times 10.52 \text{ capita} = \mathbf{123.9 \text{ gal/day}}$$

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

---

<sup>5</sup> For the purposes of LOS, "capita" was calculated as *proposed units x persons/household* using the 2009-2013 US Census Data - 2.63 persons per household

currently utilized<sup>6</sup>. The current plant has the capacity to service this project's projected needs.

**Recreation** "In cases where residential development is proposed, information shall be submitted describing plans for accommodating recreational demands generated by the development, including demonstrated evidence that the City's adopted level of service for recreation shall not be adversely impacted<sup>7</sup>:"

The recreational requirements of the community will not be impacted in any appreciable manner with the addition of four affordable apartments.

**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>8</sup>:"

Sec. 94-71 sets the level of service for residential solid waste disposal (1994-2010) at 2.66 lb/capita/day and nonresidential solid waste disposal at 6.37 lb/capita/day.

- i) the total capacity required for the existing **8 employees**<sup>9</sup> is:  
 $6.37 \text{ lbs/capita/day} \times 8 \text{ employees} = \mathbf{50.96 \text{ lbs/day}}$
- ii) the total capacity required for the estimated **16 employees**<sup>10</sup> is:  
 $6.37 \text{ lbs/capita/day} \times 16 \text{ employees} = \mathbf{101.9 \text{ lbs/day}}$
- iii) the total capacity required for the existing residential units (**2.63 x 4**)<sup>11</sup> is:  
 $2.66 \text{ lbs/capita/day} \times 10.52 \text{ capita} = \mathbf{27.9 \text{ lbs/day}}$
- iv) the total capacity required for the proposed residential units (**2.63 x 4**) is:  
 $2.66 \text{ lbs/capita/day} \times 10.52 \text{ capita} = \mathbf{27.9 \text{ lbs/day}}$

Based on the City's LOS standards there will be a projected reduction in solid waste generation on the site. Waste Management has more than enough capacity to handle the projected load

<sup>6</sup> Per September 3, 2010 memo from Greg Smith, project Manager for CH2M Hill OMI (Exhibit III)

<sup>7</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

<sup>8</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

<sup>9</sup> Actual Employees on site

<sup>10</sup> Pursuant to The APA Planner's Estimating Guide 2004

<sup>11</sup> For the purposes of LOS, "capita" was calculated as *proposed units x persons/household* using the 2009-2013 US Census Data - 2.63 persons per household

**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>12</sup>"

This site currently meets the minimum requirements through best management practices.

**Roads/Trip Generation** - "Estimated trips for the peak hour generated by the proposed land use(s) together with anticipated on- and off-site improvements necessitated to accommodate the traffic impacts generated by the development including, additional R/W, roadway improvements, additional paved laneage, traffic signalization, proposed methods for controlling access and egress, and other similar improvements<sup>13</sup>:"

Peak Hour Trip Generation	Week Day		Saturday		Sunday	
	Existing	Proposed	Existing	Proposed	Existing	Proposed
Retail-Deli - ITE 814 (Trips/ 1k sq. ft.)	13.30	13.30	12.60	12.60	6.13	6.13
Restaurant - ITE 93 (Trips/ 1k sq. ft.)		142.57		149.56		72.16
Bar/Lounge – ITE 936 (Trips/1k sq. ft.)	28.70	6.12	28.70 <sup>14</sup>	6.12 <sup>15</sup>	28.70 <sup>16</sup>	6.12 <sup>17</sup>
Apartment – ITE 220 (Trips/ unit)	26.88	26.88	25.56	25.56	23.44	23.44
<b>Total</b>	<b>68.88</b>	<b>188.87</b>	<b>38.16</b>	<b>187.72</b>	<b>29.57</b>	<b>101.73</b>

## **Exhibits**

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

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

***Exhibit III*** – September 3, 2010 Wastewater Memo

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

***Exhibit V*** – January 25, 2010 Solid Waste Memo

<sup>12</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues

<sup>13</sup> Ibid

<sup>14</sup> No ITE Data provided for weekends, therefore, data for weekdays was used

<sup>15</sup> Ibid

<sup>16</sup> Ibid

<sup>17</sup> Ibid

**PLANNING BOARD RESOLUTION**  
**No. 2007-022**

**A RESOLUTION OF THE CITY OF KEY WEST  
PLANNING BOARD PURSUANT TO SECTION 122-63,  
LAND DEVELOPMENT REGULATIONS, OF THE CODE  
OF ORDINANCES OF THE CITY OF KEY WEST,  
APPROVING WITH CONDITIONS A PROPOSAL FOR A  
CONDITIONAL USE ON THE PARCEL at 1128  
SIMONTON STREET, LEGALLY DESCRIBED AS RE#  
00027600-000000; PROVIDING FOR AN EFFECTIVE  
DATE.**

**WHEREAS**, an Application for a Conditional Use approval was filed on 30 April 2007, by Trepanier and Associates Inc. to allow the conversion of 300 square feet of an existing liquor store space into a take out Deli located in the Historic Neighborhood Commercial (HNC-1) zoning district; and

**WHEREAS**, Restaurants are Conditional Uses in the HNC-1 zoning district; and

**WHEREAS**, the applicant's proposal was submitted for the 10 May 2007 Development Review Committee meeting; and

**WHEREAS**, revised data was received reflecting the DRC comments; and

**WHEREAS**, the proposal was considered by the Key West Planning Board at its Regular Meeting of 21 June 2007; and

**WHEREAS**, at the 21 June 2007 meeting, Gail Kenson, AICP, Planning Director, read into the record that for this project 60 notices were sent and received 0 do not object response and 0 comment; and

**WHEREAS**, a motion was made at the 21 June 2007 meeting to conditionally approve the application based on the recommendation by the Planning Department. The motion to conditionally approve the application (5-0) by roll call vote;

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

**Section 1.** That the Planning Board **CONDITIONALLY APPROVES** the Application for the Conditional Use Plan for the parcel at 1128 Simonton Street, (RE#00027600-000000) with the following conditions:

1. The commercial portion of the property shall be ADA compliant.
2. The applicant shall install stated sound attenuation.
3. The applicant must obtain all required building permits prior to renovation.

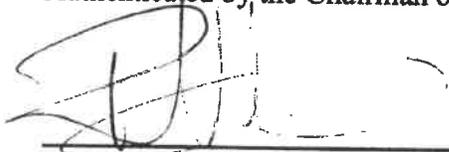


4. The applicant must obtain all required Federal, State, and City licenses.

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

Passed at a meeting held this 21st day of June 2007.

Authenticated by the Chairman of the Planning Board and the City Planner.



Richard Klitenick, Chairman  
Key West Planning Board

JUNE 26, 2007

Date

Attest:



Gail E. Kenson, AICP  
Planning Director

26 June 07

Date

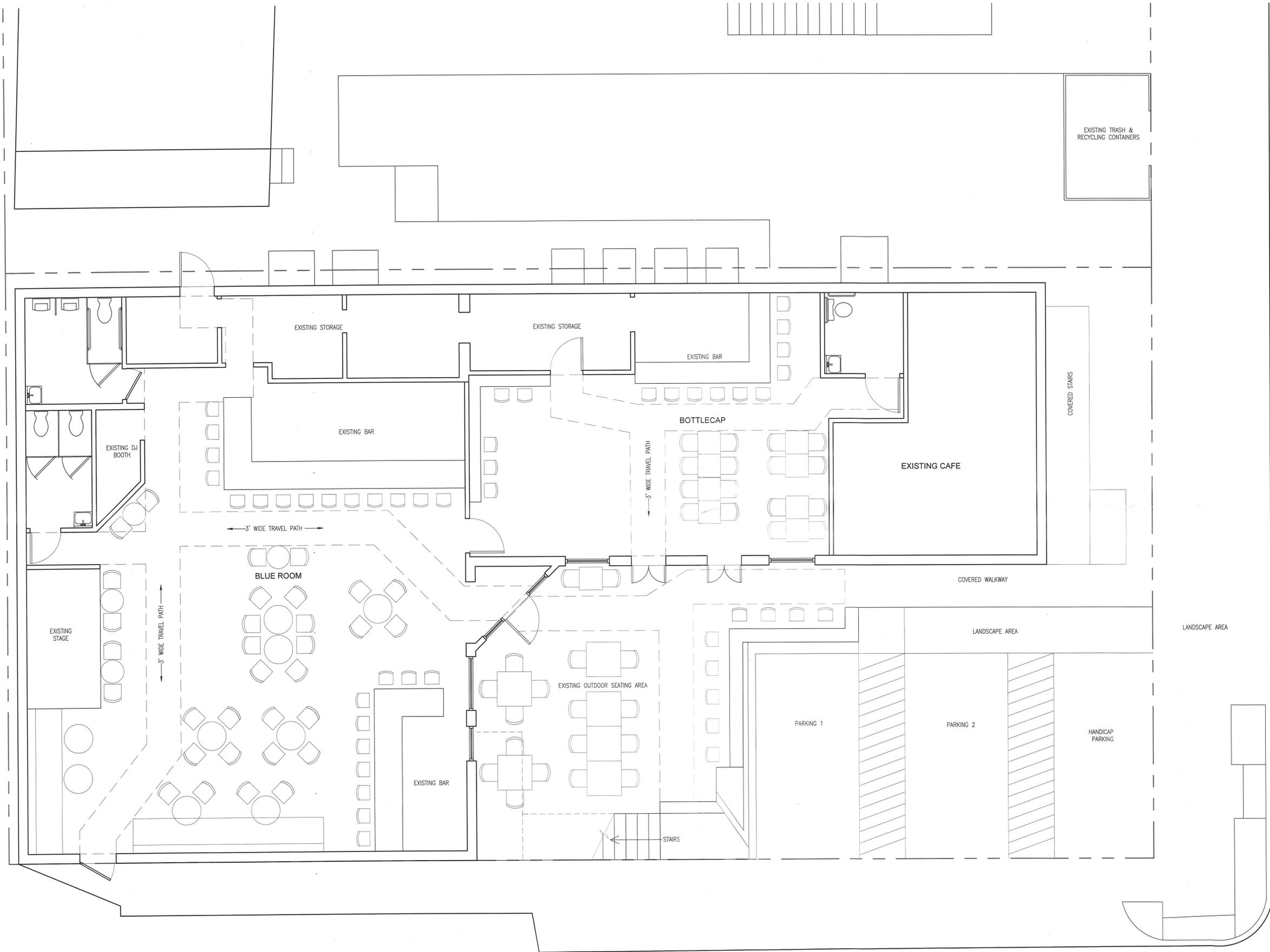
Filed with the Clerk



Cheryl Smith, City Clerk

6-27-07

Date



Consultants:

Submissions / Revisions:  
PLANNING SUBMISSION: 4.14.17


**1128 SIMONTON STREET**  
KEY WEST, FL  
**MIXED USE BUILDING RENOVATION**

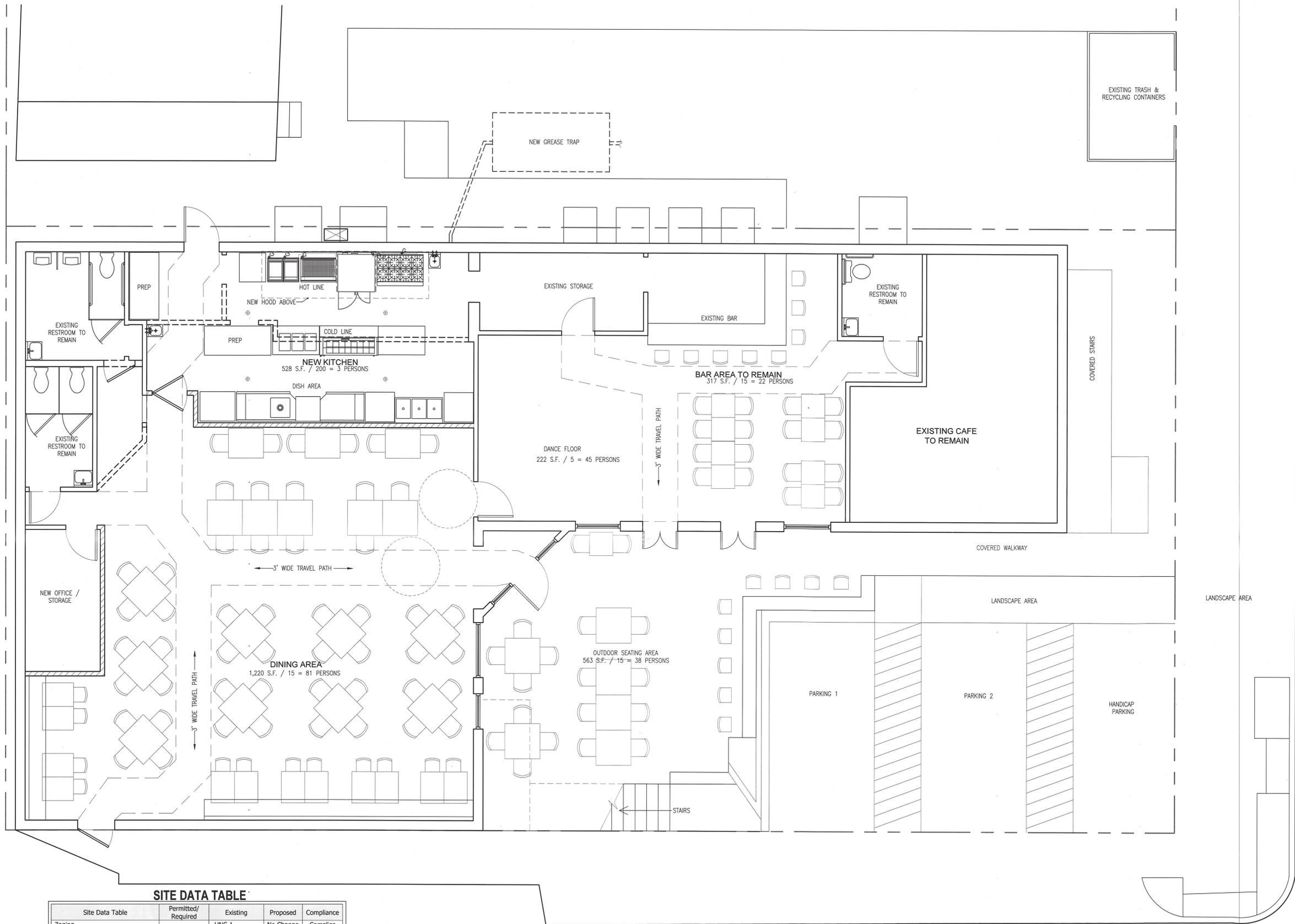
Drawing Size: 24x36 | Project #: 17018

Title:  
**EXISTING SITE / FLOOR PLAN**

Sheet Number:  
**AE-2.1**

Date: - APRIL 14, 2017  
©2017 by William Shepler Architect

**1**  
A2.1 **EXISTING FLOOR PLAN - SITE PLAN**  
SCALE: 1/4"=1'-0"



**SITE DATA TABLE**

Site Data Table	Permitted/Required	Existing	Proposed	Compliance
Zoning	--	HNC-1	No Change	Complies
Flood Zone	--	X-Zone	No Change	Complies
Size of Site (sq. ft.)	4,000	5,133	No Change	Complies
Height	35 ft.	<35 ft.	No Change	Complies
Front Setback	5 ft.	0 ft.	No Change	Complies
Side Setback:	5 ft.	4 ft.	No Change	Complies
Street Side Setback:	7.5 ft.	2 ft.	No Change	Complies
Rear Setback	15 ft.	5 ft.	No Change	Complies
Density	1.88 units	4 units	No Change	Complies
F.A.R.	0.63	0.63	No change	Complies
Building Coverage (sq. ft.)	(2,566.5) 50%	(3,892) 75%	No Change	Complies
Impervious Surface (sq. ft.)	(3,079) 60%	(4,979) 97%	No Change	Complies
Parking	3	3	No Change	Complies*
Handicap Parking	1	1	No Change	Complies
Bicycle/ Scooter parking	4	4	No Change	Complies*
Open Space/ Landscaping (sq. ft.)	(1,539) 30%	(154) 3%	No Change	Complies
Number & Type of Units	--	4 residential	No Change	Complies
Consumption Area (sq. ft.)	--	2,925	2,125	Complies

\* Sec. 108-573. - Special provisions within historic commercial pedestrian-oriented area.

1  
A2.1

**FIRST FLOOR PLAN - SITE PLAN**

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



Consultants:

Submissions / Revisions:

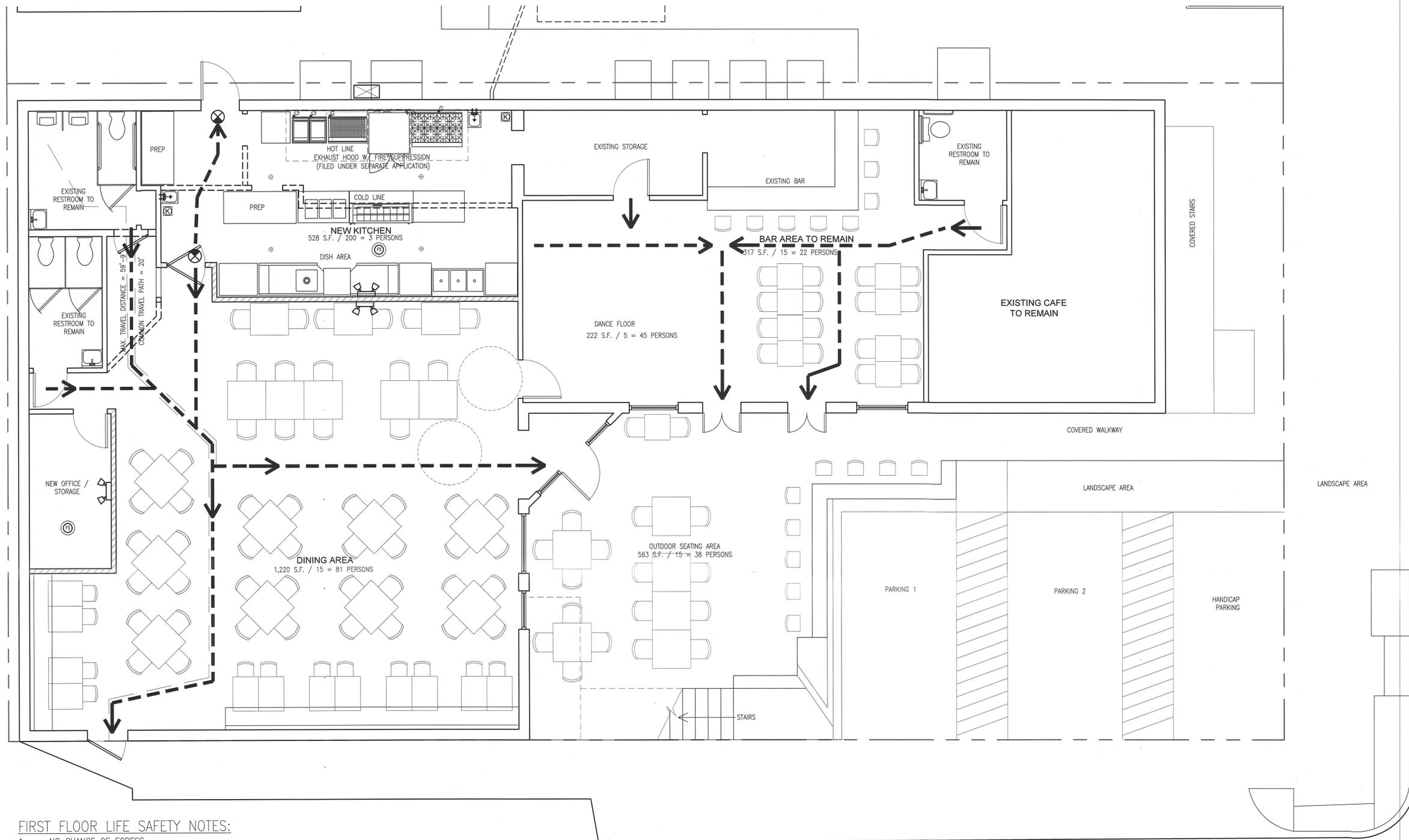
PLANNING	SUBMISSION	DATE
		4.14.17

**1128 SIMONTON STREET**  
KEY WEST, FL  
**MIXED USE BUILDING RENOVATION**

Drawing Size: 24x36  
Project #: 17018

**PROPOSED SITE / FLOOR PLAN**

Sheet Number:  
**A-2.1**



**FIRST FLOOR LIFE SAFETY NOTES:**

1. NO CHANGE OF EGRESS
2. UPGRADE EXISTING FIRE ALARM SYSTEMS AS REQUIRED TO MEET CURRENT CODE.
3. UPGRADE EXISTING FIRE DETECTION SYSTEMS AS REQUIRED TO MEET CURRENT CODE (HEAT DETECTORS AT KITCHEN AS REQUIRED).
4. UPGRADE EXISTING EMERGENCY LIGHTING AS REQUIRED TO MEET CURRENT CODE
5. ALL BUILDING ELEMENTS ARE EXISTING UNLESS SHOWN AS NEW ON PLANS

**1**  
LS1 **LIFE SAFETY PLAN**  
SCALE: 1/4"=1'-0"

**SYMBOL KEY**

- EMERGENCY LIGHTING - BATTERY PACK W/ CHARGER
- EXIT SIGN - ILLUMINATED
- FIRE STROBE - CEILING MOUNTED
- PORTABLE MULTI USE A-C-B FIRE EXTINGUISHER, PROVIDE MAINT. SCHED. AS REQ'D BY CODE (TYP.)
- PORTABLE CLASS "K" FIRE EXTINGUISHER AT KITCHEN AREAS, PROVIDE MAINT. SCHED. AS REQ'D BY CODE (TYP.)

PROPOSED RESTAURANT OCCUPANCY LOAD:

INDOOR DINING SEATS:	81
INDOOR BAR SEATS:	22
OUTSIDE DINING SEATS:	38
DANCE FLOOR:	45
KITCHEN:	3
OTHER STAFF:	6
TOTAL:	195

INTERIOR OCCUPANCY LOAD = 157

**FIRST FLOOR - OCCUPANCY & EGRESS CALCULATIONS**

USE AND OCCUPANCY CLASSIFICATION: ASSEMBLY (A-2)

CONSTRUCTION CLASSIFICATION: III (exterior walls are of noncombustible materials and the interior building elements are of any material permitted by this code, fire-retardant-treated wood framing complying with section 2303.2 shall be permitted within exterior wall assemblies of a 2-hour rating or less.) & V

INTERIOR OCCUPANT LOAD: 148 RESTAURANT & BAR, + 9 EMPLOYEES = 157 TOTAL

EGRESS WIDTH REQUIRED:  
.2 X 78.5 = 15.7', 44" MIN. EGRESS WIDTH REQ'D., (DOORS MIN. 32" CLEAR),

STAIR EGRESS WIDTH REQUIRED:  
.3 X 78.5 = 23.6', 44" MIN. EGRESS WIDTH REQ'D., (DOORS MIN. 32" CLEAR),

MIN. NUMBER OF EXITS REQUIRED: 2 (1-500 PERSONS /STORY)

ACCESSIBLE ROUTE WIDTH REQUIRED: 36" (DOORS MIN. 32" CLEAR)

TABLE 1016.1 EXIT ACCESS TRAVEL DISTANCE:  
MAX. EGRESS TRAVEL DISTANCE WITHOUT SPRINKLER SYSTEM = 200 FT.  
PROPOSED MAX. TRAVEL DISTANCE = 59 FT. 9 IN.

Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.

**wsa**  
william shepler & associates  
architecture

201 Front Street, Suite 203  
Key West, FL 33040  
Tel: 305-735-3131  
Email: will@wshepler.com

Seal:

Consultants:

Submissions / Revisions:

PLANNING SUBMISSION:	4.14.17

**1128 SIMONTON STREET**  
KEY WEST, FL  
**MIXED USE BUILDING RENOVATION**

Drawing Size: 24x36 | Project #: 17016

Title:  
**PROPOSED LIFE SAFETY PLAN**

Sheet Number:  
**LS-1**

Date: - APRIL 14, 2017  
©2017 by William Shepler Architect