

Attachment i:

Additional Documentation:

Certificate of Occupancy

Prior Approvals

Zoning Verification Analysis

Property Appraisal

Zoning Analysis

Innkeeper's Association 2006 Survey

Additional Utility Information

CITY OF KEY WEST
OFFICE OF THE BUILDING DEPARTMENT
CERTIFICATE OF OCCUPANCY

OWNER: HELEN ELIAS & JACK ELIAS

PERMIT # B-91003219
B-91000069

THIS IS TO CERTIFY that the building located at 325 DIVAL ST.
for which permit has heretofore been issued, has been completed according to
plans and specifications filed in the office of the CITY OF KEY WEST
BUILDING DEPARTMENT, and that the proposed use of the building, to wit, as a
COMMERCIAL RENOVATIONS, complies with all the building and health laws and
(SIX (6) APARTMENTS ONLY)
ordinances of the CITY OF KEY WEST, and is approved for this use.

ALLOWABLE FLOOR LOAD PER SQUARE FOOT	MAXIMUM NUMBER OF PERSONS FOR EACH FLOOR
1ST FLOOR	
2ND FLOOR	
3RD FLOOR	

DATED THIS 3rd DAY OF MAY ~~MAY~~ APRIL, 19 92

CERTIFICATE NUMBER C- 649

Wicemanium
BUILDING INSPECTOR

James C. Elwood for
MECHANICAL INSPECTOR

Bob Milona
FIRE MARSHALL

T. Gagan
PLUMBING INSPECTOR

James C. Elwood for
ELECTRICAL INSPECTOR

Wicemanium
HARC INSPECTOR

C.O. #649
4-3-92CERTIFICATE OF OCCUPANCY
CHECK OFF LISTADDRESS OF PROPERTY: 325 Duval St

	VERIFIED OR PERMIT #
NUMBER OF UNITS ✓	<u>6</u>
COMMERCIAL/RESIDENTIAL GARBAGE PAID	<u>3001-0915-014 (6)</u>
BUILDING PERMIT ✓	<u>B-91003219</u> <u>B-91000069</u>
ROOFING PERMIT	<u>NA</u>
ELECTRICAL PERMIT ✓	<u>92-000574</u> <u>92-000063</u>
PLUMBING PERMIT ✓	<u>P-92000071</u>
MECHANICAL PERMIT ✓	<u>M-92000595</u>
LANDSCAPING PERMIT	<u>NA</u>
SWIMMING POOL PERMIT	<u>NA</u>
SEWER CONNECTION FEES ✓	<u>Pd 1-8-92</u>
SOLID WASTE IMPACT FEES ✓	<u>Pd-1-8-92</u>
SEWER IMPACT FEES ✓	<u>Pd " "</u>
TRAFFIC IMPACT FEES ✓	<u>Pd " "</u>
ENERGY CODE REPORT	
ELEVATION CERTIFICATE	<u>EXIST.</u>
HARC COMPLIANCE	<u>OK</u>
TREE PERMIT	<u>NA</u>
FCAA METER #	<u>NA</u>
SEWER ACCOUNT #	<u>1003-0270-010 Pd</u> <u>5001-0280-019-</u>

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 9/14/00

Parcel Number 0000-4320-000000-

Property Address 325 DUVAL ST 1
KEY WEST FL 33040

Subdivision Name

Legal Description

Property Zoning HIGH DENSITY, RES/COMM

Owner FAVELLI GEORGE ANN

Contractor KAWA CONSTRUCTION
305 294-8146

Application number 98-00003624 000 000

Description of Work NEW TWO FAMILY

Construction type

Occupancy type N/A

Flood Zone N/A

Special conditions

NEW TWO-STORY STRUCTURE CONTAINING TWO TRANSIENT UNITS AND
LAUNDRY/STORAGE, OFFICE, SPA/EXERCISE ROOM. (MAIN STRUCTURE
REDUCED BY TWO UNITS.) INCLUDES ELECTRICAL, MECHANICAL,
PLUMBING, ROOFING, AND POOL.

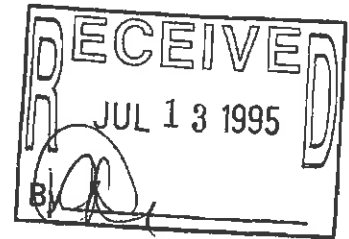
Approved

Patricia Harding
Building Official

VOID UNLESS SIGNED BY BUILDING OFFICIAL

Alex Vega
City Fire Marshall Approval

RESOLUTION NO. 95-249



A RESOLUTION GRANTING A VARIANCE TO HP-2, COMMERCIAL HISTORIC PRESERVATION DISTRICT, UNDER CHAPTER 35 OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA PERMITTING A VARIANCE TO ALLOW LOT DEPTH OF 37.05' (100' REQUIRED), 1,634 SQUARE FEET (4,000 S.F. REQUIRED), ZERO FEET LEFT SIDE SETBACK (2.5' REQUIRED), ZERO FEET RIGHT SIDE SETBACK (2.5' REQUIRED), ZERO FEET REAR SETBACK (10' REQUIRED) AND 100% LOT COVERAGE (50% PERMITTED) FOR PROPOSED PARCEL "A"; AND, A 2' FRONT SETBACK (5' REQUIRED) FOR PROPOSED PARCEL "B", TO ALLOW SUBDIVISION OF THE EXISTING LOT AT 325 DUVAL STREET INTO TWO (2) LOTS SHOWN AS PROPOSED PARCEL "A" AND PROPOSED PARCEL "B" ON THE ATTACHED PRELIMINARY SKETCH PLAT, ON THE FOLLOWING DESCRIBED PROPERTY: ON THE ISLAND OF KEY WEST AND KNOWN ON WM. A. WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY, A.D., 1829, AS A PART OF LOT 4, IN SQUARE 24 AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT A POINT ON DUVAL STREET DISTANT 121.00 FEET FROM THE CORNER OF DUVAL AND EATON STREETS, RUNNING THENCE ALONG DUVAL STREET IN A NORTHWESTERLY DIRECTION 9.00 FEET; THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION 120.00 FEET; THENCE AT RIGHT ANGLES IN A SOUTHEASTERLY DIRECTION 9.00 FEET; THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION 120 FEET TO THE POINT OF BEGINNING.
; ALSO KNOWN AS 325 DUVAL STREET, KEY WEST, MONROE COUNTY, FLORIDA.

WHEREAS, special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the subject district; and

WHEREAS, literal interpretation of the provisions of the Zoning Ordinance of the City of Key West would deprive the owner of the subject property of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance.

WHEREAS, the special conditions and circumstances do not result from the actions of the applicant.

WHEREAS, the granting of the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to other land, structures or buildings in the same district, now therefore,

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

Section 1. THAT A VARIANCE TO:

**HP-2, COMMERCIAL HISTORIC PRESERVATION DISTRICT,
PERMITTING A VARIANCE TO:**

ALLOW LOT DEPTH OF 37.05' (100' REQUIRED), 1,634 SQUARE FEET (4,000 S.F. REQUIRED), ZERO FEET LEFT SIDE SETBACK (2.5' REQUIRED), ZERO FEET RIGHT SIDE SETBACK (2.5' REQUIRED), ZERO FEET REAR SETBACK (10' REQUIRED) AND 100% LOT COVERAGE (50% PERMITTED) FOR PROPOSED PARCEL "A"; AND, A 2' FRONT SETBACK (5' REQUIRED) FOR PROPOSED PARCEL "B", TO ALLOW SUBDIVISION OF THE EXISTING LOT AT 325 DUVAL STREET INTO TWO (2) LOTS SHOWN AS PROPOSED PARCEL "A" AND PROPOSED PARCEL "B" ON THE ATTACHED PRELIMINARY SKETCH PLAT,

BE ON THE FOLLOWING DESCRIBED PROPERTY:

ON THE ISLAND OF KEY WEST AND KNOWN ON WM. A. WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY, A.D., 1829, AS A PART OF LOT 4, IN SQUARE 24 AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT A POINT ON DUVAL STREET DISTANT 121.00 FEET FROM THE CORNER OF DUVAL AND EATON STREETS, RUNNING THENCE ALONG DUVAL STREET IN A NORTHWESTERLY DIRECTION 9.00 FEET; THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION 120.00 FEET; THENCE AT RIGHT ANGLES IN A SOUTHEASTERLY DIRECTION 9.00 FEET; THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION 120 FEET TO THE POINT OF BEGINNING.

; ALSO KNOWN AS 325 DUVAL STREET, KEY WEST, MONROE COUNTY, FLORIDA.

Section 2. It is an essential 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 12 months after the date hereof. It is an essential condition of this variance that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of said 12-month period.

Section 3. Failure to submit full and complete application for permits for new construction for which this variance is wholly or partly necessary, or 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.

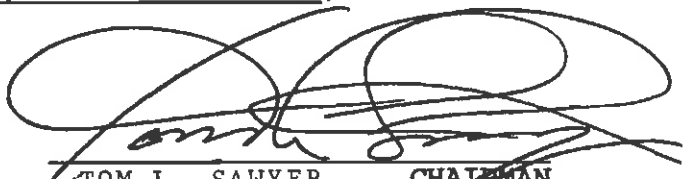
Section 4. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 5. This 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.

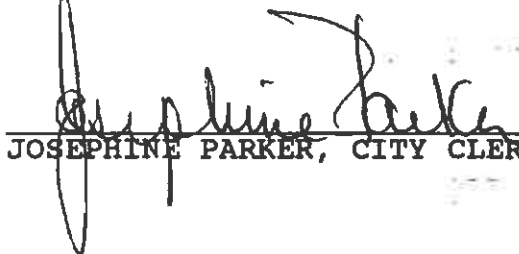
Read and passed on first reading at a regular meeting held this 6th day of July, 1995.

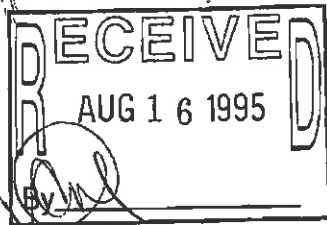
Authenticated by the presiding officer and Clerk of the Board on 11th day of July, 1995.

Filed with the Clerk on July 11, 1995.


TOM L. SAWYER, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:


JOSEPHINE PARKER, CITY CLERK



RESOLUTION NO. 95-290
325 Duval Street

A RESOLUTION OF THE CITY OF KEY WEST, FLORIDA, APPROVING AND AUTHORIZING THE EXECUTION OF THE PLAT OF THE FOLLOWING DESCRIBED PROPERTY:

"ON THE ISLAND OF KEY WEST AND KNOWN ON WM. A. WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY, A.D. 1829, AS A PART OF LOT 4, IN SQUARE 26 AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT A POINT ON DUVAL STREET DISTANT 130 FEET FROM THE CORNER OF DUVAL AND EATON STREETS, RUNNING THENCE ALONG DUVAL STREET IN A NORTHWESTERLY DIRECTION 55 FEET; THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION 241 FEET AND 3 INCHES; THENCE AT RIGHT ANGLES IN A SOUTHEASTERLY DIRECTION 55 FEET; THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION 241 FEET AND 3 INCHES TO THE POINT OF BEGINNING. SAID LANDS LYING, SITUATE AND BEING IN MONROE COUNTY, FLORIDA"; AND "ON THE ISLAND OF KEY WEST AND KNOWN ON WM. A. WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY, A.D., 1829, AS A PART OF LOT 4, IN SQUARE 24 AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT A POINT ON DUVAL STREET DISTANT 121.00 FEET FROM THE CORNER OF DUVAL AND EATON STREETS, RUNNING THENCE ALONG DUVAL STREET IN A NORTHWESTERLY DIRECTION 9.00 FEET; THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION 120.00 FEET; THENCE AT RIGHT ANGLES IN A SOUTHEASTERLY DIRECTION 9.00 FEET; THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION 120 FEET TO THE POINT OF BEGINNING.";

ALSO KNOWN AS 325 DUVAL STREET, KEY WEST, MONROE COUNTY, FLORIDA (REAL ESTATE PARCEL NUMBER 432); THE FOREGOING PLAT NOW BEING SUBDIVIDED INTO PARCELS "A" AND "B" WITH THE FOLLOWING NEW LEGAL

DESCRIPTIONS: PARCEL "A" DESCRIBED AS "ONE THE ISLAND OF KEY WEST AND KNOWN ON WM. A WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY, A.D. 1829, AS PART OF LOT 4 IN SQUARE 24 AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGIN AT A POINT ON DUVAL STREET DISTANCE 121 FEET FROM THE CORNER OF DUVAL AND EATON STREETS, AND RUNNING THENCE ALONG DUVAL STREET IN A NORTHWESTERLY DIRECTION 6.90 FEET; THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION 37.05 FEET; THENCE AT RIGHT ANGLES IN A NORTHWESTERLY DIRECTION 44.10 FEET; THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION 37.05 FEET; THENCE AT RIGHT ANGLES IN A NORTHWESTERLY DIRECTION FOR A DISTANCE OF 13.00 FEET; THENCE AT RIGHT ANGLES AND IN A NORTHEASTERLY DIRECTION FOR A DISTANCE OF 241.25 FEET; THENCE AT RIGHT ANGLES AND IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 55.00 FEET; THENCE AT RIGHT ANGLES AND IN A SOUTHWESTERLY DIRECTION FOR A DISTANCE OF 121.25 FEET; THENCE AT RIGHT ANGLES AND IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 9.00 FEET; THENCE AT RIGHT ANGLES AND IN A SOUTHWESTERLY DIRECTION FOR A DISTANCE OF 120.00 FEET BACK TO THE POINT OF BEGINNING"; ALSO KNOWN AS 327 DUVAL STREET; AND PARCEL "B" BEING DESCRIBED AS: "ON THE ISLAND OF KEY WEST AND KNOWN ON WM. A. WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY, A.D. 1829, AS PART OF LOT 4 IN SQUARE 24 AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGIN AT A POINT ON DUVAL STREET DISTANCE 127.90 FEET FROM THE CORNER OF DUVAL AND EATON STREETS, AND RUNNING THENCE ALONG DUVAL STREET IN A NORTHWESTERLY DIRECTION 44.10 FEET; THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION 37.05 FEET; THENCE AT RIGHT ANGLES IN A SOUTHEASTERLY DIRECTION 44.10 FEET; THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION 37.05 FEET BACK TO THE POINT OF BEGINNING" ALSO KNOWN AS 325 DUVAL STREET; PROVIDING

AN EFFECTIVE DATE.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Key West, Florida that the attached Plat for the following described property:

"ON THE ISLAND OF KEY WEST AND KNOWN ON WM. A. WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY, A.D. 1829, AS A PART OF LOT 4, IN SQUARE 26 AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT A POINT ON DUVAL STREET DISTANT 130 FEET FROM THE CORNER OF DUVAL AND EATON STREETS, RUNNING THENCE ALONG DUVAL STREET IN A NORTHWESTERLY DIRECTION 55 FEET; THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION 241 FEET AND 3 INCHES; THENCE AT RIGHT ANGLES IN A SOUTHEASTERLY DIRECTION 55 FEET; THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION 241 FEET AND 3 INCHES TO THE POINT OF BEGINNING. SAID LANDS LYING, SITUATE AND BEING IN MONROE COUNTY, FLORIDA"; AND

ON THE ISLAND OF KEY WEST AND KNOWN ON WM. A. WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY, A.D., 1829, AS A PART OF LOT 4, IN SQUARE 24 AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: ON THE ISLAND OF KEY WEST AND KNOWN ON WM. A. WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY, A.D., 1829, AS A PART OF LOT 4, IN SQUARE 24 AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: COMMENCING AT A POINT ON DUVAL STREET DISTANT 121.00 FEET FROM THE CORNER OF DUVAL AND EATON STREETS, RUNNING THENCE ALONG DUVAL STREET IN A NORTHWESTERLY DIRECTION 9.00 FEET; THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION 120.00 FEET; THENCE AT RIGHT ANGLES IN A SOUTHEASTERLY DIRECTION 9.00 FEET; THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION 120 FEET TO THE POINT OF BEGINNING;

; ALSO KNOWN AS 325 DUVAL STREET, KEY WEST, MONROE COUNTY, FLORIDA (REAL ESTATE PARCEL NUMBER 432); ALSO KNOWN AS 325 DUVAL STREET, KEY WEST, MONROE COUNTY, FLORIDA (REAL ESTATE PARCEL NUMBER 432); THE FOREGOING PLAT NOW BEING SUBDIVIDED INTO PARCELS "A" AND "B" WITH THE FOLLOWING NEW LEGAL DESCRIPTIONS: PARCEL "A" DESCRIBED AS "ONE THE ISLAND OF KEY WEST AND KNOWN ON WM. A WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY, A.D. 1829, AS PART OF LOT 4 IN SQUARE 24 AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGIN AT A POINT ON DUVAL STREET DISTANCE 121 FEET FROM THE CORNER OF DUVAL AND EATON STREETS, AND RUNNING THENCE ALONG DUVAL STREET IN A NORTHWESTERLY DIRECTION 6.90 FEET; THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION 37.05 FEET; THENCE AT RIGHT ANGLES IN A NORTHWESTERLY DIRECTION 44.10 FEET; THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION 37.05 FEET; THENCE AT RIGHT ANGLES IN A NORTHWESTERLY DIRECTION FOR A DISTANCE OF 13.00 FEET; THENCE AT RIGHT ANGLES AND IN A NORTHEASTERLY DIRECTION FOR A DISTANCE OF 241.25 FEET; THENCE AT RIGHT ANGLES AND IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 55.00 FEET; THENCE AT RIGHT ANGLES AND IN A SOUTHWESTERLY DIRECTION FOR A DISTANCE OF 121.25 FEET; THENCE AT RIGHT ANGLES AND IN A SOUTHEASTERLY DIRECTION FOR A DISTANCE OF 9.00 FEET; THENCE AT RIGHT ANGLES AND IN A SOUTHWESTERLY DIRECTION FOR A DISTANCE OF 120.00 FEET BACK TO THE POINT OF BEGINNING"; ALSO KNOWN AS 327 DUVAL STREET; AND PARCEL "B" BEING DESCRIBED AS: "ON THE ISLAND OF KEY WEST AND KNOWN ON WM. A. WHITEHEAD'S MAP OF SAID ISLAND DELINEATED IN FEBRUARY, A.D. 1829, AS PART OF LOT 4 IN SQUARE 24 AND DESCRIBED BY METES AND BOUNDS AS FOLLOWS: BEGIN AT A POINT ON DUVAL STREET DISTANCE

127.90 FEET FROM THE CORNER OF DUVAL AND EATON STREETS, AND RUNNING
THENCE ALONG DUVAL STREET IN A NORTHWESTERLY DIRECTION 44.10 FEET;
THENCE AT RIGHT ANGLES IN A NORTHEASTERLY DIRECTION 37.05 FEET;
THENCE AT RIGHT ANGLES IN A SOUTHEASTERLY DIRECTION 44.10 FEET;
THENCE AT RIGHT ANGLES IN A SOUTHWESTERLY DIRECTION 37.05 FEET BACK
TO THE POINT OF BEGINNING" ALSO KNOWN AS 325 DUVAL STREET; is
hereby approved. The City Manager is hereby authorized to execute
said Plat on behalf of the City of Key West, and the City Clerk is
hereby authorized to attest to his signature and affix the Seal of
the City thereto.

Section 2. 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 1st day of August, 1995.

*

Filed with the Clerk on August 2, 1995.


TOM L. SAWYER, MAYOR

ATTEST:


JOSEPHINE PARKER, CITY CLERK

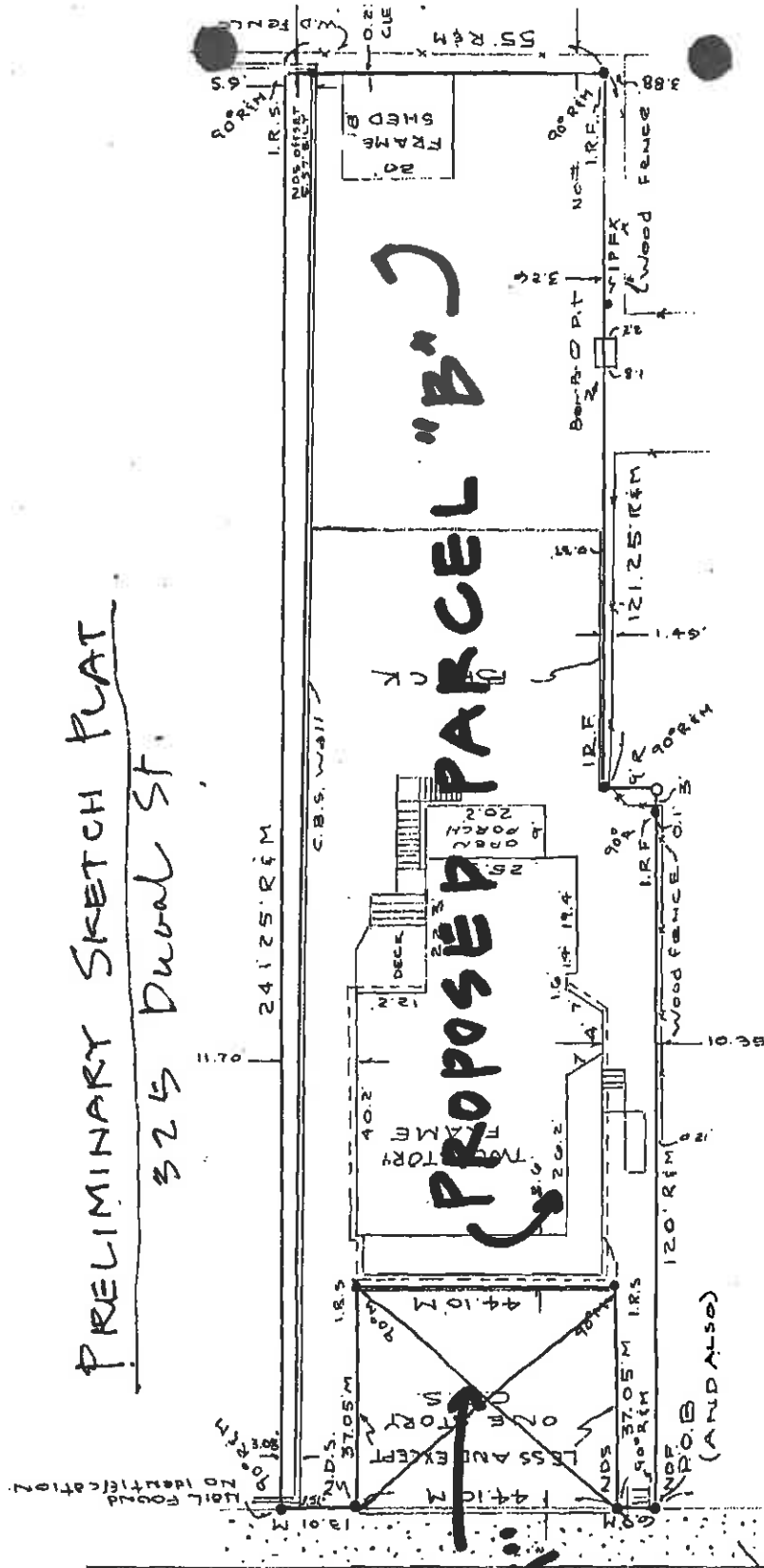
*Authenticated by the presiding officer and Clerk of the
Commission on August 1, 1995.

325 Duval St.

325 Duval St

PROPOSED -
PARCEL "A"

PROPOSED PARCEL "B"



SURVEYOR'S NOTES:

- (1) Flood Insurance Rate Map Zone is: X; Community Panel 120168 1716 G dated 11/4/92.
- (2) This survey was prepared without benefit of a title search or abstract examination and is based entirely upon facts provided by either of the parties or an agent representing either of the parties.
- (3) The legal description shown hereon was furnished to the undersigned.
- (4) Under ground foundations and utilities, trees and ornamental shrubs were not located.
- (5) This survey is not valid unless embossed with a raised seal.
- (6) The address of the subject property is: 325 Duval Street, Key West, FL 33040
- (7) Field work for this project was completed on 3/30/95.
- (8) Field notes for this project can be found in P&TS field book KW18K15.
- (9) Ownership of fences and wall near property lines have not been determined.

EATON STREET (50)

RESOLUTION NO. 97-369

VARIANCE: 325 DUVAL STREET

A RESOLUTION GRANTING A VARIANCE TO HP-2, COMMERCIAL HISTORIC PRESERVATION DISTRICT UNDER CHAPTER 35 OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA PERMITTING A VARIANCE TO ALLOW: A 3' REARYARD SETBACK (10' REQUIRED) FOR THE CONSTRUCTION OF A TWO-STORY OFFICE & TRANSIENT ESTABLISHMENT AT THE REAR OF THE PROPERTY; PROVIDING ADDITIONAL CONDITIONS.

REAL ESTATE PARCEL #432, ALSO KNOWN AS 325 DUVAL STREET KEY WEST, MONROE COUNTY, FLORIDA

WHEREAS, special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the subject district; and

WHEREAS, literal interpretation of the provisions of the Zoning Ordinance of the City of Key West would deprive the owner of the subject property of rights commonly enjoyed by other properties in the same district under the terms of the Zoning Ordinance.

WHEREAS, the special conditions and circumstances do not result from the actions of the applicant.

WHEREAS, the granting of the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to other land, structures or buildings in the same district.

WHEREAS, the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum

variance that will make possible the reasonable use of the land, building, or structure.

WHEREAS, the granting of the variance will be in harmony with the general purpose and intent of the zoning provisions, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; now therefore,

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

Section 1. That a variance to: **HP-2, Commercial Historic Preservation District**, under Chapter 35 of the Code of Ordinances of the City of Key West, Florida, permitting a variance to allow: **A 3' REARYARD SETBACK (10' REQUIRED) FOR THE CONSTRUCTION OF A TWO-STORY OFFICE & TRANSIENT ESTABLISHMENT AT THE REAR OF THE PROPERTY; PROVIDING ADDITIONAL CONDITIONS.**

REAL ESTATE PARCEL #432, ALSO KNOWN AS 325 DUVAL STREET KEY WEST, MONROE COUNTY, FLORIDA

Section 2. It is an essential 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 12 months after the date hereof. It is an essential

condition of this variance that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of said 12-month period.

Section 3. Failure to submit full and complete application for permits for new construction for which this variance is wholly or partly necessary, or 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 also conditioned upon the following conditions (which shall also be subject to the approval of the Historic Architectural Review Commission):

All windows facing the rear of the property, facing Simonton Court Guesthouse property, shall have Bahama type fixed louvre shutters, which shall remain on such windows at all times. The color of the building shall be white and the shutters shall be painted forest green and shall remain painted in those colors.

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 September, 1997.

Authenticated by the presiding officer and Clerk of the Board , on 11th day of September, 1997.

Filed with the Clerk on September 12, 1997.


DENNIS J. WARDLOW, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:


JOSEPHINE PARKER, CITY CLERK

RESOLUTION NO. 99-148

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING PURSUANT TO SECTION 4-18.4 OF THE LAND DEVELOPMENT REGULATIONS THE MAJOR DEVELOPMENT LOCATED AT 325 DUVAL STREET; PROVING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Planning Board has reviewed and approved the development plan;

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

Section 1: That the major development located at 325 Duval Street is hereby approved conditioned upon the applicant fulfilling the conditions of Planning Staff set forth in the attached memorandum of April 19, 1999.

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

Passed and adopted by the City Commission at a meeting held this 4TH day of MAY, 1999.

Authenticated by the presiding officer and Clerk of the Commission on MAY 6, 1999.

Filed with the Clerk MAY 6, 1999.

STATE OF FLORIDA
COUNTY OF MONROE
CITY OF KEY WEST

Shelia K. Mullins
This copy is a true copy of the original on file in this office.
SHEILIA K. MULLINS, MAYOR

Witness my hand and official seal this 4 day of June, 1999

ATTEST:

Cheryl Smith
CITY CLERK

Cheryl Smith
City Clerk

By

Cheryl Smith

MEMORANDUM

To: Key West City Commission
From: Ty Symroski, City Planner
Date: April 19, 1999

RE: EXECUTIVE SUMMARY: 325 Duval (Georgia Favelli)

THE ISSUE:

The applicant proposes to improve the existing guesthouse by increasing the size of the units, improving the landscaping, and provide onsite amenities including a spa, pool, courtyard, and onsite laundry/storage.

OPTIONS:

- 1) Approve the project as proposed.
- 2) Approve the Project as proposed but with the conditions recommended by the Planning Staff:
 - a) The spa/workout room be used only by residents of the guesthouse and not be available in a retail manner.
 - b) This site is limited at the time of this approval to 6 transient units.
 - c) The above conditions and the resolution # approving this development be recorded in the land records of the County Clerk applicable to this property.
- 3) Deny the Project.

ADVANTAGES & DISADVANTAGES:

- 1) Approve the project as proposed.
 - a) Advantage: Very simple resolution
 - b) Disadvantage: Would not clearly articulate the unique aspects of this project.
- 2) Approve the project as proposed but with the conditions
 - a) Advantage: Clearly articulates the understandings in the proposal
 - b) Disadvantage: None
- 3) Deny the project;
 - a) Advantage: none
 - b) Disadvantage: Denies an improvement to property.

FISCAL IMPACT:

If approved, the project will add to the tax roll with little increased demand for services.

RECOMMENDATIONS:

Approve the Project as proposed but with the conditions recommended by the Planning Staff:

- a) The spa/workout room be used only by residents of the guesthouse and not be available in a retail manner.
- b) This site is limited at the time of this approval to 6 transient units.
- c) The above conditions and the resolution # approving this development be recorded in the land records of the County Clerk applicable to this property.

MEMORANDUM

To: Key West City Commission

From: Ty Symroski, City Planner

Date: April 20, 1999

RE: 325 Duval (Georgia Favelli)

THE PROJECT: Approval of a major development at 325 Duval Street for the construction of a courtyard; swimming pool; new landscaping; and a two story building with a footprint of 2,640 sq. ft. The new building will be in the rear of the property and contain a laundry/storage room, private office, spa/exercise room for guests and two transient units relocated from the existing transient building in the front part of the property. The existing building will be remodeled to reduce the number of units.

LOCATION: 325 Duval Street, RE# 432

PLANS BEING REVIEWED

PLANS	DATED	PLANS	DATED
Site	4/14/99	South Elevation	4/14/99
Landscaping	"	East Elevation	"
First Floor	"	Existing 1 st Floor	Undated
Second Floor	"	First Floor	"
West Elevation	"	Existing 2 nd Floor	"
North Elevation	"	2 nd Floor	"

PREVIOUS CITY ACTIONS

DATE	ACTION
	HARC approval (#H-8-97-2350)
09/12/97	Variance for rear yard approved 97-367
08/5/98	Variance for rear yard extended 98-306
10/28/97	Site Plan application received by Planning
12/18/97	Planning Board tabled
02/19/98	Planning Board Approval w/ conditions
	Variance for height requested
10/19/98	Comments on height variance application
	Height variance denied
02/22/99	Applicant discusses possible site plan revisions with the City Planner
03/09/99	Applicant submits revised site plans
04/11/99	Applicant submits revised plans after discussions with the Fire Marshall's office, Landscape Coordinator, and City Planner

DEVELOPMENT REVIEW COMMITTEE RECOMMENDATIONS

The Development Review Committee did not exist at the time of review. However, the project has been coordinated with the individual members.

PLANNING BOARD RECOMMENDATIONS

Approval with the conditions that a landscape plan be submitted, the column and parking plan be submitted, modify the handicap access to be off of Duval St., there b stripes on sidewalk and a convex mirror and coordinate with public works and engineering on developing a pedestrian warning system.

PLANNING STAFF ANALYSIS & RECOMMENDATIONS

The scale of the project has been reduced since the Planning Board approval and no commercial use is now proposed. The applicant has complied with the Planning Board recommendations.

The Planning Staff recommends approval with the following conditions. (The plans comply with these conditions. It is the Staff's recommendation that they be clearly included in the action by the City Commission)

1. The spa/workout room be used only by residents of the guesthouse and not be available in a retail manner.
2. This site is limited at the time of this approval to 6 transient units.
3. The above conditions and the resolution # approving this development be recorded in the land records of the County Clerk applicable to this property.



STATE OF FLORIDA
DEPARTMENT OF COMMUNITY AFFAIRS

"Helping Floridians create safe, vibrant, sustainable communities"

JEB BUSH
Governor

STEVEN M. SEIBERT
Secretary

Phone: (305) 289-2402

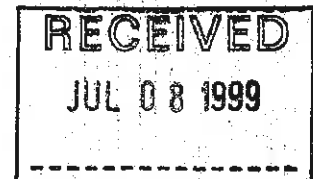
Date: June 22, 1999

Address: Georgia Favelli
1523 Patricia Street
Key West, FL 33040

RE: Resolution: # 99-148

Issued to: Georgia Favelli

For: Major Development Application and Site Plan Approval for 325 Duval Street.
Construction of a New Two Unit Transient Structure, with Four Transient
Units Remaining In The Existing Main Building On Site. Two Transient Units For New
Building Transferred From Main Building, For a Total of Six Transient Units on Site.



The Department Field Office has received your request for a letter stating that the Department will not appeal the above resolution.

The Department will not appeal this resolution pursuant to Section 380.07, Florida Statutes. While the Department will not appeal this development order under its statutory authority, the development order is still subject to the local administrative appeal provisions of City of Key West Code. Accordingly, please provide the City of Key West Building Department with a copy of this letter in order to determine when you may begin construction.

This letter is not intended to constitute, and shall not be construed as constituting, a verification of compliance with the City of Key West 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 issued by the City of Key West.

Sincerely,

Michael R. Des Parte
Planning Manager

2555 SHUMARD OAK BOULEVARD • TALLAHASSEE, FLORIDA 32399-2100
Phone: (850) 488-8466/Suncom 278-8466 FAX: (850) 921-0781/Suncom 291-0781
Internet address: <http://www.state.fl.us/comaff/>



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

August 27, 2010

VIA U.S. MAIL and ELECTRONIC MAIL

Georgia Favelli
1523 Patricia Street
Key West, Florida 33040

**RE: 325 Duval Street
Real Estate (RE) Number 00004320-000000
Zoning Verification Analysis**

Dear Ms. Favelli,

The purpose of this letter is to respond to your November 19, 2009, request that the Planning Department outline established rights on property at 325 Duval Street. This request specifically relates to the possibility that when residential units are converted into transient residential units, that the Equivalent Single Family Value (ESFU) of the unit should remain on the property, and be permitted to be applied as additional units on the site.

As you may be aware, the City's Building Permit Allocation System (BPAS) breaks down structural unit types by ESFU. Residential units allocated as part of the BPAS receive a 1.0 ESFU, while transient units receive a 0.58 ESFU. Based on information reviewed, there is sufficient evidence to support the legal establishment of the six residential units on-site prior to the implementation of the BPAS (see Attachments A, B, C, D, E, and F). The Planning Department also acknowledges that the six residential units were converted into transient units in 1991, which created an excess of 2.52 ESFU on the site. To address your question pertaining to rights associated with the excess ESFU, Building and Planning Department files were researched to determine whether there was any information documenting how the remaining equivalencies could be used. Despite these efforts, the Planning Department was not able to find any documentation addressing how the remaining ESFU on the site was to be used. As a result, the Department deferred to information cited in City Commission Resolution 99-148 (Attachment G), as well as the Comprehensive Plan and Land Development Regulations for interpretation.

In 1999, the City Commission passed Resolution 99-148, which conditionally granted major development plan approval to improve the existing guesthouse at 325 Duval Street. The approval allowed an increase in the size of the units, landscaping improvements, and amenities (including a spa, pool, courtyard, and laundry/storage facility). Three conditions were associated with the approval; one of which specified that the site was limited at the time of the approval to having six transient units.

When reviewing the Comprehensive Plan and Land Development Regulations to determine how the excess ESFU can be used on the property, the Department reviewed density regulations to identify if it was possible to add more units on the site. However, no additional density can be added, pursuant to the density regulations established in Policy 1-2.3.3 of the Comprehensive Plan. The maximum density allowed in the

Historic Residential Commercial Core Duval Street Gulfside (HRCC-1) zoning district is 22 dwelling units per acre. According to information submitted to the Planning Department, the site is 12,715 square feet, and therefore the allowed density on the site would be six units, which is exactly the number of units established on the site today. To clarify, when calculating density and intensity on a site, the Department cannot fractionalize density in the same manner as units are fractionalized in the BPAS. In this specific instance, the density requirements would only permit six units to be allowed on the site, regardless of their ESFU. Further, Section 90-394 of the Land Development Regulations restricts exceptions to density requirements. As such no variances can be granted to increase density or intensity on a site.

When reviewing this application, it was considered by the Department as to whether the remaining unit equivalencies could be transferred to an off-site location. At this time, there is no mechanism in the Comprehensive Plan or Land Development Regulations that would allow transfer of the excess ESFU from one site to another. Based on information that has been reviewed to date, the Planning Department has outlined the following as options for application of the excess ESFU remaining on the site:

- There is enough ESFU to convert the units back into residential units if you chose to do so; or
- The excess ESFU can remain on the site; or
- The excess ESFU can be transferred to the City, as established under Section Three of the BPAS Ordinance, approved by DCA Final Order DCA09-OR-251.

Please do not hesitate to contact me with any questions or comments.

Sincerely,



Ashley Monnier
Planner II
City of Key West Planning Department

Attachments:

- Attachment A: Application
- Attachment B: Deed
- Attachment C: FKAA Documentation
- Attachment D: Keys Energy Documentation
- Attachment E: Sewer Account Documentation
- Attachment F: Property Record Card
- Attachment G: Major Development Plan Approval

Xc: Amy Kimball-Murley, AICP, Planning Director
GEO Files

K:\Geo Projects\Duval St\325\Zoning Analysis\Draft letter 325 Duval.DOC



APPRAISAL CO.

OF KEY WEST

3229 Flagler Avenue, Suite #101
Key West, Florida 33040
Telephone: (305) 296-4568
Fax: (305) 296-0493

Website: fla-keysappraisals.com
Email: jim@fla-keysappraisals.com

September 23, 2009

Ms. Marissa Friebus, Manager
BB&T
2713 Forest Hills Road
Wilson, North Carolina 27893

Subject: Appraisal Report:
Casa 325
325 Duval Street
Key West, Florida 33040
Our File No.: 321-09

Borrower: Georgeann Favelli

Dear Ms. Friebus:

We have performed a summary appraisal report and estimate of the "*As Is*" *Market Value of the Total Assets of the Business (MVTAB)* also known as the *Market Value of the Going-Concern* of the Casa 325, 325 Duval Street, Monroe County, Key West, Florida, as of August 16, 2009, based on its licensing of six transient units, as recognized by the City of Key West Licensing Department.

The property consists of an irregular interior site, which fronts approximately 6.9 feet and 13 feet along the easterly side of Duval Street, extending 241.25 feet easterly in depth. The site contains 12,715 square feet. The subject property is located directly to the west (behind) a retail store which directly fronts Duval Street, however, is not part of the analysis herein. Site dimensions were taken from the survey provided by the owner which was performed by Phillips & Trice Surveying, Inc., dated 03/30/95.

The subject property and is improved with a two and one-half story wood frame structure containing a total gross building area of 3,628 square feet plus a utility/shed which encompasses approximately 180 square feet which is located at the westernmost side of the site. In addition, the subject property includes a two story wood-frame structure which contains approximately 2,655 square feet of gross building area at the easterly portion of the site. According to the Monroe County Property Appraisers office, the front building was constructed in 1933, while the rear building was constructed in 2000.

Hence, we have evaluated the subject property, based in its current licensing for six transient units. Furthermore, the owner of the subject property has a kiosk located on the Duval Street sidewalk.



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Hence, we have evaluated the subject property, based in its current licensing for six transient units. Furthermore, the owner of the subject property has a kiosk located on the Duval Street sidewalk.

The subject complex is in the tourist district in downtown Key West, known as "Old Town" and also within the Historic Preservation District. The subject property is located directly behind a retail store which has direct frontage on Duval Street, the main street, through the downtown shopping area. Truman Avenue, U.S. Highway, also known as the Overseas Highway is the only highway into Key West and the Florida Keys is located about six blocks southerly from the subject property.

A Going-Concern is an established and operating business having an indefinite future life. The Going-Concern Value considers all the tangible and intangible assets, necessary for the continued operation of the subject property. The Going-Concern Value considers the value of the furniture, fixtures and equipment, as well as an intangible value for the business operation and goodwill. The Going Concern Value considers all the tangible and intangible assets, necessary for the continued operation of the six-unit transient facility.

Market Value is defined as the most probable price in cash (or its equivalency) for which the appraised property will sell in a competitive market under all conditions requisite to a fair sale. Market Value assumes a normal or reasonable time for exposure on the open market. Market Value of the Total Assets of the Business (MVTAB) is the market value of all of the intangible assets of a business as if sold in aggregate as a going-concern.

The Uniform Standards of Professional Practice (USPAP) requires that the values of real estate, personal property, trade fixtures, and intangibles be allocated to their separate components when they are significant to the overall value conclusion. In the case at hand, we have reported our opinion of the market value of the total assets of the business (market value of the going-concern) and the furniture, fixtures, and equipment (tangible business assets other than real property). The intangible business assets of the subject property are not considered to be significant to the overall value conclusions and have not been separately reported.

Based on our site visit, walk through of the building improvements, market data, research and analysis, it is our opinion that the "*As Is*" *Market Value of the Total Assets of the Business (MVTAB)* also known as the *Market Value of the Going-Concern of the Fee Simple Interest*, commonly known as, Casa 325, 325 Duval Street, Key West, Florida, subject to definitions, assumptions and limiting conditions, as of September 4, 2009 is:

TWO MILLION EIGHT HUNDRED FIFTY THOUSAND DOLLARS
(\$ 2,850,000)

The Market Value considers the intangible business assets, as well as furnishings, fixtures and equipment necessary for the continued operation of a guest house facility. The estimated contributory value of the furniture, fixtures and equipment was estimated at \$60,000 (rounded) and is included in the Market Value estimate herein.

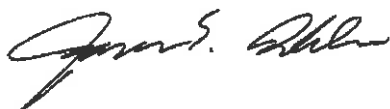
Ms. Marissa Friebus, Manager
BB&T
September 23, 2009
Page 3

This is a summary appraisal report which is intended to comply with the reporting requirements set forth under Standard Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice for a summary appraisal report. As such, it might not include full discussions of the data, reasoning, and analyses that were used in the appraisal process to develop the appraiser's opinion of value. Supporting documentation concerning the data, reasoning, and analyses is retained in the appraiser's file. The information contained in this report is specific to the needs of the client and for the intended use stated in this report.

This confidential report is prepared for the sole use of and benefits of Ms. Marissa Friebus, Manager, BB&T, and is based, in part, upon documents, writings, and information owned and possessed by the client BB&T, 2713 Forest Hills Road, Wilson, North Carolina 27893. This report is provided for informational purposes only to third parties authorized to receive it. The appraiser-client relationship is with Ms. Marissa Friebus, Manager, BB&T, 2713 Forest Hills Road, Wilson, North Carolina 27893, as the client. This report should not be used for any purpose other than to understand the information available to the Bank concerning this property. Appraisal Company of Key West assumes no responsibility if this report is used in any other manner.

If you have any questions regarding this appraisal report, please feel free to contact us. Thank you for giving us the opportunity to provide this service for you. This transmittal letter must remain attached to the report, which contains 103 pages including related exhibits, in order for the value opinion set forth to be considered valid.

Respectfully submitted,

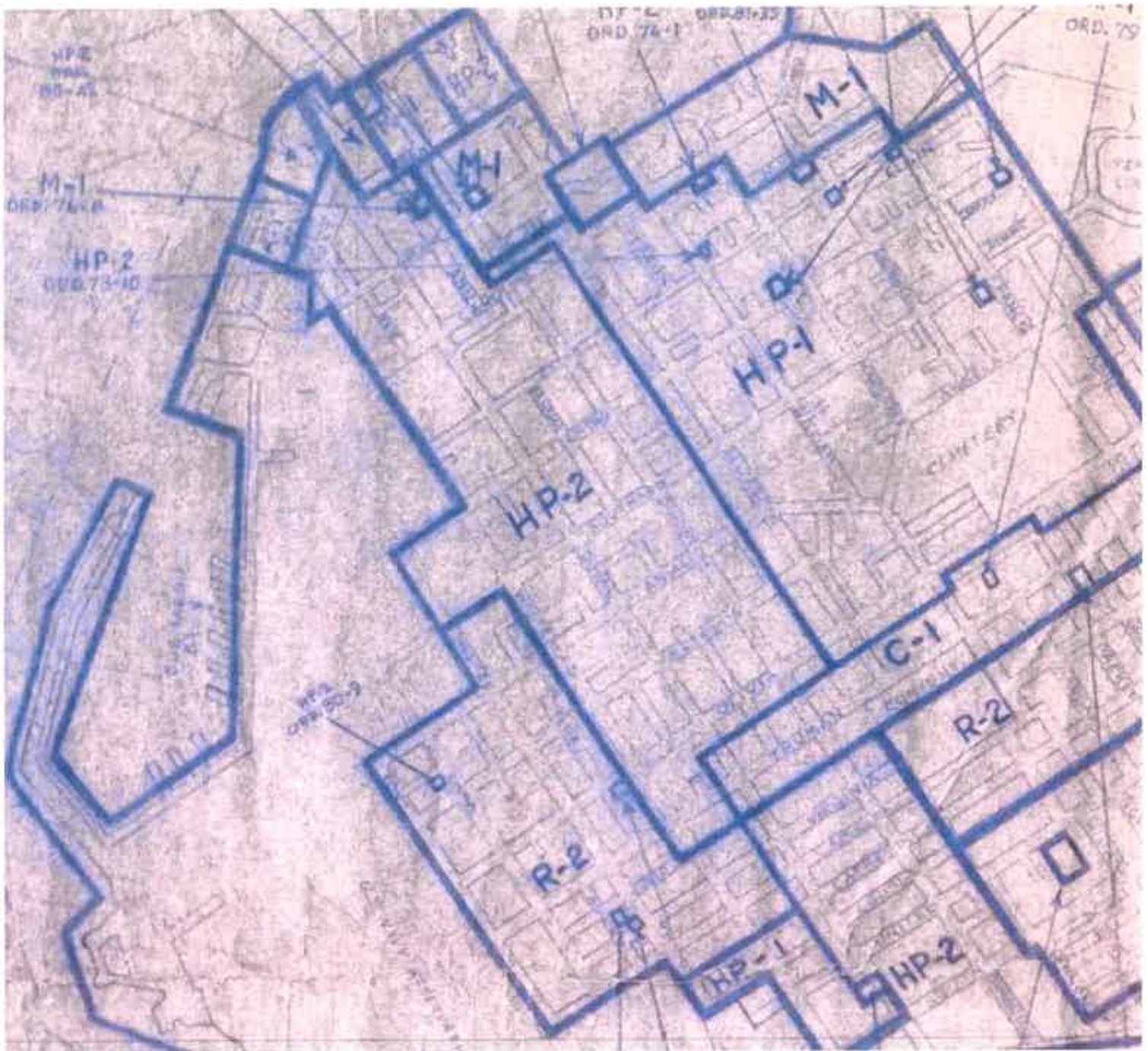


James Wilson, President
State-Certified General Real Estate Appraiser
Certification No. RZ 0002164



Maria V. Wilson
State-Certified General Real Estate Appraiser
Certification No. RZ 0002686

Report Attached:



1974 Zoning Map

ORDINANCE NO. 86-15

AN ORDINANCE AMENDING APPENDIX A -- ZONING -- OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; AMENDING SECTION VII 5(f) PROVIDING FOR MAXIMUM DENSITY; AMENDING SECTION VII 5(j) PROVIDING FOR MAXIMUM BUILDING HEIGHT; AMENDING SECTION VII 8(b)5 PROVIDING FOR TRANSIENT LIVING ACCOMODATIONS; AMENDING SECTION VII 8(f) PROVIDING FOR MINIMUM LOT AREA; AMENDING SECTION VII 8A(f) PROVIDING FOR MAXIMUM DENSITY; AMENDING VII SECTION 9(b) 5 PROVIDING FOR TRANSIENT LIVING ACCOMODATIONS; AMENDING SECTION VII 9(d)6 PROVIDING FOR SINGLE FAMILY AND MULTIFAMILY RESIDENTIAL; AMENDING SECTION VII 9(f)(1) PROVIDING FOR SQUARE FOOTAGE AND RATIO OF GROSS FLOOR AREA TO LOT AREA; AMENDING SECTION VII 10(b)4 PROVIDING FOR TRANSIENT LIVING ACCOMODATIONS; AMENDING SECTION VII 10(d)9 PROVIDING FOR SINGLE FAMILY AND MULTIFAMILY RESIDENTIAL; AMENDING SECTION VII 10 (f) PROVIDING FOR MINIMUM LOT AREA; AMENDING VII 13(a)(1)a. DELETING BUNGALOW COURTS AS PERMITTED USE; AMENDING SECTION VII 13(a)(4)a.(1) PROVIDING FOR MINIMUM LOT SIZE; AMENDING SECTION VII 13(a)(4)a.(4) PROVIDING FOR MAXIMUM BUILDING HEIGHT; AMENDING SECTION VII 13(a)(4)a.(5) PROVIDING FOR MAXIMUM DENSITY ; AMENDING SECTION VII 15(4) PROVIDING FOR DENSITY LIMITATION; AMENDING SECTION IX(1)(b) ADDING RESIDENTIAL DWELLING UNIT; AMENDING SECTION IX(1)(c), OFF-STREET PARKING WAIVER; AMENDING SECTION XXIV (44) PROVIDING DEFINITION; REPEALING ALL CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City Commission passed an ordinance creating a committee named the Zoning Evaluation Committee to study the Zoning matters of the City of Key West, and;

WHEREAS, the Zoning Evaluation Committee has reviewed the Code and requests the following changes to be included in the Code of Ordinances of the City of Key West;

NOW THEREFORE BE IT ENACTED by the City Commission of the City of Key West, Florida

Section 1. That the following amendments to Ordinance 69-29, as amended, in the Code of Ordinances of the City of Key West Appendix A - Zoning be amended as follows: (deletions are ~~struck through~~; additions are underlined):

"VII. Schedule of district regulations adopted.

- a. No sign shall exceed 8 square feet in area for each 1/4 acre in the lot or tract; and
 - b. No one sign shall exceed 32 square feet in area.
4. A nonilluminated sign not exceeding 6 square feet in area used to identify a building containing multiple-family dwellings.

All signs shall be set back at least 12 feet distant from all property and right-of-way lines. (Ord. No. 83-48, ss. 1,12-5-83)

* * * *

(8) HP-2 Commercial Historic Preservation District.

- (a) Intent: The provisions of this district are intended to protect and enhance the character of the commercial historic areas of the City of Key West.
- (b) Principal uses and structures. ~~Same as for HP-1 and in addition;~~
 1. Single-family dwellings.
 2. Public and semipublic parks, playgrounds, playfields and recreation facilities.
 3. Boat piers or slips for the docking or privately owned and used watercraft of any sort.
 4. Two-family dwellings.
 5. Multi-family structures not to exceed 22 dwelling units per acre.
 6. Professional offices, studios, clinics, laboratories, general offices, business schools, and similar uses.
 7. Bank and financial institutions.
 8. Antique, souvenir, gift, or other shops related to the historic character of the City of Key West.
 9. Personal service establishments, such as beauty and barber shops, laundry and dry cleaning pickup stations, tailor shops, florist shops, and similar uses.
 10. ~~Hotels, motels, and guest cottages~~ Transient living accommodations (hotels, motels, guest houses and cottages) not to exceed 30 habitable units per acre.
 11. Retail stores, sales and display rooms except automotive uses including establishment in which retail goods are sold upon premises.
 12. Eating and drinking establishments excluding drive-ins and establishments specializing in the preparation of foods not be consumed within the main structure.
 13. Commercial recreation, such as theaters, bowling alleys and similar uses except drive-in theaters.
- (c) Accessory uses and structures. Customary accessory uses of one or more of the principal uses clearly incidental to the principal use in keeping with the historic character of the zone.
- (d) Special exception permissible by board of adjustment.
 1. Any use found by the board of adjustment to be appropriate and compatible with the historic character of the district.

AN ORDINANCE AMENDING SECTION 35.07(8), (8A), (9), (10), (13), AND (15) OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING THAT TRANSIENT LIVING ACCOMMODATIONS UNIT DENSITY BE AMENDED TO SIMILAR RESIDENTIAL UNIT DENSITY FOR THE RESPECTIVE ZONES WHICH ALLOW TRANSIENT LIVING ACCOMMODATIONS; PROVIDING AN EFFECTIVE DATE.

WHEREAS, Continuing development of transient housing is causing an imbalance between residential and transient housing needs, and

WHEREAS, Continuing development of transient housing is causing increased demands for unavailable affordable residential housing, NOW THEREFORE,

BE IT ENACTED by the City Commission of the City of Key West, Florida as follows:

Section 1. Section 35.07 of the Key West Code is hereby amended to read as follows (deleted portions are ~~struck through~~; added portions are underlined):

Section 35.07 Schedule of District Regulations Adopted

* * * *

(8) HP-2 Commercial historic preservation district. (b)10. Transient living accommodations (hotels, motels, guest houses and cottages) not to exceed ~~thirty (30)~~ twenty-two (22) habitable units per acre.

* * * *

(8A) HP-3 Light commercial historic preservation. (d)6. Guest houses or other transient living accommodations not to exceed sixteen (16) habitable units per acre.

* * * *

(9) C-1 Neighborhood commercial district. (b)5. Transient living accommodations (hotels, motels, guest houses and cottages) not to exceed ~~thirty (30)~~ sixteen (16) habitable units per acre.

* * * *

(10) C-2 General commercial parkway district. (b)14. Transient living accommodations (hotels, motels, guest houses and cottages) not to exceed ~~thirty (30)~~ sixteen (16) habitable units per acre.

* * * *

(12) D-24 Large hotel, motel and multiple-family district.

(15) PD Planned development. (d) Density limitation. A planned development shall not contain more than an average of sixteen (16) residential dwelling units per acre for that area utilized for residential structures, and not more than an average of ~~thirty (30)~~ sixteen (16) transient living accommodation habitable units per acre for that area utilized for transient living accommodations.

* * * *

Section 2. This ordinance shall not apply to the replacement of any existing facility, any facility for which a building permit has been issued, nor to any project for which a substantially complete development application has been filed with the City and is pending on January 17, 1989.


Section 3. All Ordinances or parts of Ordinances of said City in conflict with the provisions of this Ordinance are hereby superseded to the extent of such conflict.

Section 3. If any section, sentence, clause, or phrase of this ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, said holding shall in no way affect the validity of the remaining portion of this ordinance.

Section 4. This ordinance 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 17th day of January, 1989.

Read and passed on final reading at a regular meeting held this 6 day of March, 1989.


RICHARD HEYMAN, MAYOR

ATTEST:


JOSEPHINE PARKER, CITY CLERK

Innkeepers Association 2006 Survey

Innkeeper Analysis

Inn Name	Real Estate Number	Alternate Key	Number of Licensed Units	Number of Unlicensed Units	Total Units	Land Use District	Units per Acre LDR	Parcel Acreage	Allowed Density	% Over (Under)
ABAGO INN	27290	1028061	1	2	3	HMDR	16	0.0382	0.6112	4
ALBURY COURT	5160	1005347	22	0	22	HMDR	16	0.1446	2.3136	9
ALEXANDER PALMS COURT	38240	1038989	9	3	12	HNC-2	16	0.1377	2.2032	5
ALEXANDER'S GUESTHOUSE	6960	1007218	15	2	17	HMDR	16	0.1217	1.9472	8
AMBROSIA HOUSE	6380	1006602	5	3	8	HMDR	16	0.1073	1.7168	4
AMBROSIA HOUSE, INC	9130	1009393	11	0	11	HMDR	16	0.3715	5.944	11
ANDREW'S INN	17890	1018350	5	1	6	HRCC-3	22	0.1770	3.894	1
ANDREW'S INN	17650	1018121	2	1	3	HRCC-3	22	0.0683	1.5026	2
ANGELINA GUESTHOUSE	13190	1013587	13	0	13	HMDR	16	0.2070	3.312	3
ARTIST HOUSE	6490	1006726	6	0	6	HNC-1	16	0.0996	1.5936	3
ATLANTIS HOUSE*	59140	1059609	1	1	2	SF-1	8	0.1584	1.2672	1
AUTHOR'S GUESTHOUSE	22800	1023591	9	4	13	HMDR	16	0.1980	3.168	4
AVALON BED & BRKFST	36010	1036871	10	9	19	HCT	22	0.1698	3.7356	5
BANYAN TREE RESORT*	4550	8659458				HRO		0.0934		
BANYAN TREE RESORT*	4570	8708904				HRO		0.0379		
BANYAN TREE RESORT*	4530	8709803				HRO		0.1501		
BANYAN TREE RESORT*	4540	8730977				HRO		0.0619		
BANYAN TREE RESORT*	4560	8750421				HRO		0.0617		
BANYAN TREE RESORT*	4570	8753861				HRO		0.1898		
BANYAN TREE RESORT*	4580	8766289				HRO		0.0619		
BANYAN TREE RESORT*	4500	8730985	24	14	38	HRO	16	0.2616	14.6928	25
BIG RUBY'S	10020	1010308	2	0	2	HRO		combined		
BIG RUBY'S	10020	1010308	6	0	6	HRO		0.2700		
BIG RUBY'S	9990	1010260	9	0	9	HRO	16	0.1839	7.2624	23
BLUE PARROT INN	18410	1018902	9	2	11	HNC-1	16	0.1803	2.8848	38
BLUE SKIES INN	38020	1038776	6	0	6	HCT	22	0.1331	2.9282	20
BUDGET KEY WEST	2440	1002534	17	0	17	HMDR	16	0.0995	1.592	106
CARIBBEAN HOUSE	14410	1014800	10	0	10	HMDR	16	0.0654	1.0464	95
CASA 325 (FAVELLI)	4320	1004499	6	6	12	HRCC-1	22	0.2941	6.4702	18
CASA BLANCA* (KEHOE)	17850	1018309	13	7	20	HRCC-3	22	0.1976	4.3472	46
CENTER COURT	17570	1018040	1	1	2	HRCC-3		0.0460		
CENTER COURT	17820	1018279	1	1	2	HRCC-3		0.1143		
CENTER CT.(VAN STEELANDT)	17570	1018040	3	1	4	HRCC-3	22	0.0460	4.5386	17

Modified 8/18/2006



JAN 15 '92

Florida Keys Aqueduct Authority

Post Office Box 1239
1100 Kennedy Drive
Key West, Florida 33041-1239
Telephone (305) 296-2454

J. Robert Dean, Chairman
Key West

Edward Toppino, Sr.
Vice-Chairman
Key West

Thomas R. McDonald
Secretary/Treasurer
Tavernier

Albert O. Appell
Marathon

Robert R. Padron
Key West

John T. Doughtry
Executive Director

January 10, 1992

Mr. Dwight Frank
102 Barbados Lane
Sugarloaf Key, Florida 33042

RE: 325 Duval Street (6 Units)
Account #02365

Dear Mr. Frank:

This confirms our preliminary review of the above project. You are advised of the FKAA's requirements that must be fulfilled in order to provide water to the development. They are as follows:

1. New installation fees are due, in advance of construction, as follows:

System Development Fees (6 x \$2,000)	\$12,000.00
Tapping Fee (5 x \$420)	2,100.00
Deposit (6 x \$75)	450.00
Service Charge (5 x \$15)	<u>75.00</u>

SUB TOTAL **\$14,625.00**

LESS SYSTEM DEVELOPMENT FEE CREDIT **2,000.00**
FOR ACCOUNT #02365

TOTAL **\$12,625.00**

2. The existing open well must be eliminated or else a Reduced Pressure Zone (RPZ) will be required. Contact Mark Palmer at this office for well elimination requirements.

A commitment to serve this development with water cannot be made until all of the City of Key West Planning and Zoning requirements and those of the State of Florida and the FKAA have been fully met. When such commitment is made, it shall be conditioned upon the availability of water pursuant to the requirements of Federal, State and Local Agencies.

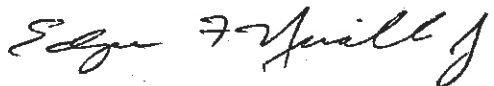
Mr. Dwight Frank
January 10, 1992
Page 2

We appreciate having the opportunity of reviewing this project, and hope that the exchange of information will assist you with your planning. This letter constitutes evidence of preliminary coordination with this utility and is valid for one year from the date of this letter. If you have not fulfilled all requirements within that period of time, the FKAA requirements on the subject development will be reviewed and may be modified.

If you need any additional information, please contact me personally.

Sincerely,

FLORIDA KEYS AQUEDUCT AUTHORITY



Edgar F. Nicolle, Jr.
Engineering Technician

EFN/pm

cc: City of Key West Planning and Zoning Department
Key West Customer Service Office
Harry Bethel, Policy Administration
Mark Palmer, Senior Water Quality Control Technician
Helen Elias, 5515 Dogwood Way, Lauderhill, Florida

J/XREF FCN CM LINE == SEQUENCE S

ACCOUNT CROSS REFERENCE

ACCOUNT NUMBER CUSTOMER NAME

SERVICE ADDRESS OR MISC ID

1 1003 0269 01 3 MORDECHAI ARAZI 325 DUVAL ST # #6
 2 1003 0270 01 0 MORDECHAI ARAZI 325 DUVAL ST # #1
 3 1003 0271 01 8 MORDECHAI ARAZI 325 DUVAL ST # #5
 4 1003 0272 01 6 MORDECHAI ARAZI 325 DUVAL ST # 4
 5 1003 0273 01 4 MORDECHAI ARAZI 325 DUVAL ST # 3
 6 1003 0274 01 2 MORDECHAI ARAZI 325 DUVAL ST # #2
 7 3001 0915 01 4 MORDECHAI ARAZI 325 DUVAL ST
 8 * 3001 0925 01 3 JACK M & HELEN ELIAS 325 DUVAL ST # 333
 9 5001 0280 01 9 GEORGIA FAVELLI 325 DUVAL ST
 10 B 1003 0275 01 0 SOUTHERN CROSS HOTEL 326 DUVAL ST

WRAP | SCROLL | | Echo OFF | CR | 16MAY95 | 09:36:40
 J/AREC FCN CM ACCT NO 1003 0269 01 3 BILL MO/YR ==/== ACCOUNTS RECEIVABLE

NAME/ADDR MORDECHAI ARAZI 325 DUVAL ST # #6
 STAT 01 BILL TYPE ACT BILL DATE 04/17/95 DUE DATE 05/14/95 LAST PAID 05/11/95
 CHARGES 52.10 PAYMENTS 52.10 BALANCE 0.00
 C U R R E N T R E C O R D
 SVC BILL CONS RATE DESC AGE/DATE AMT BILLED AMT PAID ITEM BAL
 S01 22 S100 SEWER 1 41795 26.43 26.43 0.00
 G01 G100 SOLID 1 41795 25.67 25.67 0.00

WRAP | SCROLL | | Echo OFF | CR | 16MAY95 | 09:40:50

J/AREC FCN CM ACCT NO 1003 0270 01 0 BILL MO/YR ==/== ACCOUNTS RECEIVABLE

NAME/ADDR MORDECHAI ARAZI 325 DUVAL ST # #1
 STAT 01 BILL TYPE ACT BILL DATE 04/17/95 DUE DATE 05/14/95 LAST PAID 05/03/95
 CHARGES 54.01 PAYMENTS 54.01 BALANCE 0.00
 C U R R E N T R E C O R D
 SVC BILL CONS RATE DESC AGE/DATE AMT BILLED AMT PAID ITEM BAL
 S01 27 S100 SEWER 1 41795 28.34 28.34 0.00
 G01 G100 SOLID 1 41795 25.67 25.67 0.00

J/AREC FCN CM ACCT NO 1003 0274 01 2 BILL MO/YR ==/== ACCOUNTS RECEIVABLE

NAME/ADDR MORDECHAI ARAZI 325 DUVAL ST # #2
STAT 01 BILL TYPE ACT BILL DATE 04/17/95 DUE DATE 05/14/95 LAST PAID 05/15/95
CHARGES 49.88 PAYMENTS 49.88 BALANCE 0.00
C U R R E N T R E C O R D
SVC BILL CONS RATE DESC AGE/DATE AMT BILLED AMT PAID ITEM BAL
S01 17 S100 SEWER 1 41795 24.21 24.21 0.00
G01 G100 SOLID 1 41795 25.67 25.67 0.00

WRAP | SCROLL | | Echo OFF | CR | 16MAY95 | 09:45:55

J/AREC FCN CM ACCT NO 3001 0915 01 4 BILL MO/YR ==/== ACCOUNTS RECEIVABLE

NAME/ADDR MORDECHAI ARAZI 325 DUVAL ST
STAT 01 BILL TYPE ACT BILL DATE 03/15/94 DUE DATE 04/15/94 LAST PAID 09/13/93
CHARGES 0.00 PAYMENTS 0.00 BALANCE 0.00
C U R R E N T R E C O R D
SVC BILL CONS RATE DESC AGE/DATE AMT BILLED AMT PAID ITEM BAL
R01 R100 SOLID 1 31594 0.00 0.00 0.00

WRAP | SCROLL | | Echo OFF | CR | 16MAY95 | 09:46:22

J/AREC FCN CM ACCT NO 1003 0271 01 8 BILL MO/YR ==/== ACCOUNTS RECEIVABLE

NAME/ADDR MORDECHAI ARAZI 325 DUVAL ST # #5
STAT 01 BILL TYPE ACT BILL DATE 04/17/95 DUE DATE 05/14/95 LAST PAID 05/04/95
CHARGES 49.56 PAYMENTS 49.56 BALANCE 0.00
C U R R E N T R E C O R D
SVC BILL CONS RATE DESC AGE/DATE AMT BILLED AMT PAID ITEM BAL
S01 16 S100 SEWER 1 41795 23.89 23.89 0.00
G01 G100 SOLID 1 41795 25.67 25.67 0.00

WRAP | SCROLL | | Echo OFF | CR | 16MAY95 | 09:43:49

J/AREC FCN CM ACCT NO 1003 0272 01 6 BILL MO/YR ==/== ACCOUNTS RECEIVABLE

NAME/ADDR MORDECHAI ARAZI 325 DUVAL ST # 4
STAT 01 BILL TYPE ACT BILL DATE 04/17/95 DUE DATE 05/14/95 LAST PAID 05/12/95
CHARGES 47.34 PAYMENTS 47.34 BALANCE 0.00
C U R R E N T R E C O R D
SVC BILL CONS RATE DESC AGE/DATE AMT BILLED AMT PAID ITEM BAL
S01 10 S100 SEWER 1 41795 21.67 21.67 0.00
G01 G100 SOLID 1 41795 25.67 25.67 0.00

WRAP | SCROLL | | Echo OFF | CR | 16MAY95 | 09:44:14

J/AREC FCN CM ACCT NO 1003 0273 01 4 BILL MO/YR ==/== ACCOUNTS RECEIVABLE

NAME/ADDR MORDECHAI ARAZI 325 DUVAL ST # 3
STAT 01 BILL TYPE ACT BILL DATE 04/17/95 DUE DATE 05/14/95 LAST PAID 04/05/95
CHARGES 119.83 PAYMENTS 0.00 BALANCE 119.83
C U R R E N T R E C O R D
SVC BILL CONS RATE DESC AGE/DATE AMT BILLED AMT PAID ITEM BAL
S01 22 S100 SEWER 1 41795 26.43 0.00 26.43
G01 G100 SOLID 1 41795 25.67 0.00 25.67