

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



To: Chairman and Planning Board Members

From: Ginny Haller, Planner

Through: Donald Leland Craig, AICP, Planning Director

Meeting Date: September 20, 2012

Agenda Item: **Parking Variance – 825 Duval Street (RE# 00016830-000000) – A** variance in the HRCC-3 zoning district requesting the waiver of parking requirements for 9 automobile spaces required for new commercial floor area as per Section 108-572 (9), and allow only 8 spaces; waiving 1 space for bicycle substitution as per Section 108-574 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Request: To allow the Le Petit Paris restaurant to substitute 1 bicycle space for 1 parking space in order to expand commercial floor area to include new outdoor consumption area which requires parking variance approval.

Applicant: Robert M. Konopka

Property Owner: Dion Rental Properties LLC

Location: 825 Duval Street (RE# 00016830-000000)

Zoning: Historic Neighborhood Commercial Core (HRCC-3) zoning district



Background:

This property was the Lemon Point Deli for several years on the corner of Duval and Olivia Streets. The Deli was licensed for 10 indoor seats and is now closed. Before the Deli, the property was a grocery store. Currently, there are 9 existing parking spaces for the 3 units of commercial space on the property; the new restaurant, Le Petit Paris, will occupy unit 2. The proposed increase in outdoor consumption area is for approximately 418 square feet which is equivalent to the same amount of new floor area.

As the area exists, the automobiles pull into from and back out onto Olivia Street. It is important to note that because the addition of outdoor seating generates additional consumption area, the special off-street parking provisions within the historic commercial pedestrian-oriented area do not apply (Code Section 108-573).

Request:

The applicant is requesting to waive 9 required parking spaces and allow only 8 parking spaces by waiving 1 of the spaces for a bicycle rack. After the DRC, a Preliminary Parking Area Plan (see backup material) was developed by the City's Engineering Department that shows 3 modified parking areas including one ADA accessible parking space and a bicycle parking area. In response, the applicant then submitted a site plan with the modified parking areas and dimensions that meet the requirement of Chapter 108 Article VII Off-Street Parking and Loading according to City Engineering (see backup). Also, a Right-of-Way Permit will be required to construct the curb-cut along Olivia Street.

The request for substitution of bicycle parking spaces is distinct from other types of variances typically heard by the Planning Board. The Planning Board may grant such a variance upon a finding that such additional bicycle parking would be beneficial, and satisfy the specific conditions of Sections 90-394 and 90-395. Hardship conditions shall not be a mandatory condition of obtaining the bicycle substitution waiver. If the Planning Board determines the requested bicycle parking is compliant with the criteria, then the Board shall require that the bicycle rack be located within 100 feet of the subject site. The location listed on the site plan dated September 5, 2012 shows that the bicycle rack complies with this requirement. In determining the appropriate substitution, four bicycle parking spaces shall be equivalent to one motorized vehicle parking space. All such approved bicycle parking spaces shall satisfy pavement, maintenance, and construction specifications of subdivision II of Division 2 of Article VII of Chapter 108 as well as bicycle parking, design, lighting, and security criteria of Section 108-643 of the Land Development Regulations.

Process:

Development Review Committee Meeting:
HARC Meeting:
Planning Board Meeting:

August 23, 2012
Not Applicable
September 20, 2012

Analysis – Evaluation for Compliance With The Land Development Regulations:

The criteria for evaluating a variance are listed in Section 90-395 of the City Code. The Planning Board before granting a variance must find all of the following:

- 1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.**

The property is located within the HRCC-3 zoning district, which is a corridor that serves as a center for arts, crafts, gifts, designer goods, restaurants, and tourist accommodations. The property has 9 existing off-street parking spaces, and the physical land constraints of the property are not conducive for the addition of the required parking for the proposed expansion of the outdoor consumption area. However, this physical limitation is not a condition exclusively unique to Le Petit Paris, but is applicable to other properties within the same zoning district. Therefore, the conditions prompting the request for 9 spaces to be varied do not demonstrate existence of special conditions.

- 2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.**

The demand to meet parking requirements results from the applicant's request to expand the outdoor consumption area.

- 3. Special privileges not conferred. That granting the variance requested will not confer upon the applicant any special privileges denied by the Land Development Regulations to other lands, buildings or structures in the same zoning district.**

With exception to the 1 space requested under the City's bicycle substitution provision, granting of the variance to waive 9 parking spaces and allowing only 8 spaces would confer upon the applicant special privileges denied by the Land Development Regulations to other lands, buildings, or structures in the same zoning district.

- 4. Hardship conditions exist. That literal interpretation of the provisions of the Land Development Regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.**

With exception to the 1 space requested under the City's bicycle substitution provision, hardship conditions do not exist to support the granting of the variance to waive the additional 9 parking spaces and allowing only 8 spaces; and the applicant would not be deprived of rights commonly enjoyed by other properties in the HRCC-3 zoning district.

5. **Only minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

Granting variance approval of the 1 space requested utilizing bicycle substitution is the minimum variance granted. However, the request to waive 9 off-street spaces and allowing only 8 is not the minimum variance that will make possible reasonable use of the land, building, or structure.

6. **Not injurious to the public welfare. That the granting of the variance will be in harmony with the general intent and purpose of the Land Development Regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.**

The request to waive off-street parking spaces on the parking area along Olivia Street could be injurious to the public welfare since the automobiles back out over the sidewalk and onto the street; however, this situation has existed for many years. The applicant made improvements by creating three parking areas comprising one ADA Accessible parking space, five standard vehicle parking spaces, two compact vehicle parking spaces, and a bicycle parking area. Also, the plans show a new curb-cut, with a 3-foot wide sidewalk and two landscape bulb-outs to be constructed along Olivia Street.

7. **Existing nonconforming uses of other property not the basis for approval. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.**

The existing nonconforming uses of other property are not the basis for approval. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

The Planning Board shall make factual findings regarding the following:

1. **That the standards established by Section 90-395 of the City Code have been met by the applicant for a variance.**

With exception to the 1 parking space requested under the City's bicycle substitution provision, the standards established by Section 90-395 of the City Code have not been met by the applicant for a variance to the 9 off-street parking spaces and allowing only 8 requested to be varied.

2. **That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors.**

The department has not been notified of any neighborhood objections to date.

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends that the request for variance to waive nine with only eight off-street parking spaces be **denied**.

However, should the Planning Board approve the request for variance to waive the 9 off-street parking spaces and allow only 8; the Planning Department recommends the following conditions:

1. The size of the outdoor consumption area be limited to not more than 418 square feet (19' X 22'), and limited to not more than 30 seats, for a total of 45 seats, inside and out;
2. Applicant must apply for a landscape buffer waiver per Sections 108.413 and 108.517 of the Code of Ordinances, and the request for the waiver must be accompanied by a landscape plan prepared by a licensed landscape architect for the areas marked "No Parking Area," and "Concrete Curbed Area" on the site plan dated August 17, 2012;
3. Any fence, barrier, lighting, and signage for the outdoor area shall be approved by HARC;
4. The access route should be 4.5 feet (not 3.0 feet) with a drive apron of 30 inches (24 inch + 6 inch curb);
5. The ADA parking space can be reduced in size (10 feet) to allow for garbage can totes at edge of property.

**Draft
Resolution**

**PLANNING BOARD
RESOLUTION No. 2012-**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD
GRANTING A PARKING VARIANCE ON PROPERTY
LOCATED AT 825 DUVAL STREET (RE# 00016830-000000)
IN THE HISTORIC NEIGHBORHOOD COMMERCIAL
CORE ZONING DISTRICT, ALLOWING THE WAIVER OF
PARKING REQUIREMENTS FOR 9 AUTOMOBILE SPACES
REQUIRED FOR NEW COMMERCIAL FLOOR AREA AS
PER SECTION 108-572 (9), AND ALLOWING ONLY 8
SPACES; WAIVING 1 SPACE FOR BICYCLE
SUBSTITUTION AS PER SECTION 108-574 OF THE OF THE
LAND DEVELOPMENT REGULATIONS OF THE CITY OF
KEY WEST, FLORIDA.**

WHEREAS, Section 108-572(9) of the Land Development Regulations provides that restaurants within the City must provide 1 off-street parking space per 45 square feet of serving and/or consumption area; and

WHEREAS, the subject property is located in the HRCC-3 zoning district, which is within the historic commercial pedestrian-oriented area pursuant to Land Development Regulation Section 108-573; and

WHEREAS, the applicant is increasing consumption and floor area on the site, which pursuant to Section 108-573(c)(1) requires that off-street parking regulations apply; and

WHEREAS, the applicant has requested to waive 9 off-street automobile parking spaces and

allow only 8 spaces as a result of a variance to expand the outdoor seating in an existing restaurant by means of adding 418 square feet of outdoor consumption area, and limited to not more than 30 seats for a total of 45 seats, inside and outside; and

WHEREAS, Section 108-574 of the Land Development Regulations provides that an applicant may file a request for a variance to substitute additional bicycle parking; and

WHEREAS, the applicant has requested to utilize bicycle substation, as provided for in Section 108-574 of the Land Development Regulations, and has proposed 4 bicycle spaces as an equivalency for 1 automobile parking space; and

WHEREAS, Section 108-574 of the Land Development Regulations provides that hardship conditions shall not be a mandatory condition of obtaining a variance to substitute additional bicycle parking ; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on September 27, 2012; and

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

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

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

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

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

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

WHEREAS, the Planning Board finds that no nonconforming use of neighboring lands,

structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of any variance; and

WHEREAS the Planning Board finds that the standards established in Section 90-395(a) have been met by the applicant for a variance; and

WHEREAS, the Planning Board finds that the applicant has demonstrated a “good neighbor policy” by contacting or making a reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those neighbors;

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

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

Section 2. That the application for a parking variance be conditionally approved, per Sections 108-572(9) and 108-574 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as follows: to vary the parking requirements for 9 automobile spaces required for new commercial floor area, and allow only 8 spaces; waiving 1 space for bicycle substitution, (RE# 00016830-000000), see attached plans with the following conditions:

1. The size of the outdoor consumption area be limited to not more than 418 square feet (19' X 22'), and limited to not more than 30 seats, for a total of 45 seats, inside and out;

2. Applicant must apply for a landscape buffer waiver per Sections 108.413 and 108.517 of the Code of Ordinances, and the request for the waiver must be accompanied by a landscape plan prepared by a licensed landscape architect for the areas marked "No Parking Area," and "Concrete Curbed Area" on the site plan dated August 17, 2012;
3. Any fence, barrier, lighting, and signage for the outdoor area shall be approved by HARC;
4. The access route should be 4.5 feet (not 3.0 feet) with a drive apron of 30 inches (24 inch + 6 inch curb);
5. The ADA parking space can be reduced in size (10 feet) to allow for garbage can totes at edge of property.

Section 3. It is a condition of these variance that full, complete, and final application for all conditions of this approval for any use and occupancy for which this variance is wholly or partly necessary, shall be submitted in their entirety within two years after the date hereof; and further, that no application or shall be made after expiration of the two-year period without the applicant obtaining an extension from the Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

Section 4. The failure to fully and completely apply the conditions of approval for permits for use and occupancy pursuant to this variance in accordance with the terms as described in Section 3 hereof, shall immediately operate to terminate this variance, which variance shall be of no force or effect.

Section 5. 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 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.

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

Read and passed on first reading at a regularly scheduled meeting held this 20th day of September 2012.

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

Richard Klitenick
Planning Board Chairman

_____ Date

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Resolution Number 2012-

_____ Chairman

_____ Planning Director

Attest:

Donald Leland Craig, AICP, Planning Director

_____ Date

Filed with the Clerk:

Cheryl Smith, City Clerk

_____ Date

_____ Chairman

_____ Planning Director

Application

Variance Application
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



Variance Application

Please completely fill out this application and attach all necessary documents. This will help our staff to process your request quickly and obtain necessary information without delay. If you have any questions please call 305-809-3720 to schedule an appointment with a Planner.

Please print or type a response to the following:

1. Site Address 825 Duval St.
2. Name of Applicant Robert M Konopka c/o Le Petit Paris LLC
3. Applicant is: Owner _____ Authorized Representative ✓
4. Address of Applicant 1010 Virginia St., Key West, Fl. 33040
5. Phone # of Applicant _____ Mobile# _____
6. E-Mail Address cerlowkeypl@aol.com
7. Name of Owner, if different than above Dion Rental Properties LLC
8. Address of Owner 638 United St. Key West, Fl. 33040
9. Phone # of Owner _____
10. Email Address _____
11. Zoning District of Parcel HRCC-3 RE# 00016830-000000
12. Description of Proposed Construction, Development, and Use
Restaurant. Property currently has 15 indoor seats.
Proposed development is Requesting for 30 outdoor
Seats.
13. List and describe the specific variance(s) being requested:
Parking Variance for 7 Spaces.



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14. Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R provide square footages and percentages.

Site Data Table				
	Code Requirement	Existing	Proposed	Variance Request
Zoning	HRCC-3			
Flood Zone				
Size of Site	10,603 sq ft			
Height		21'		
Front Setback		0		
Side Setback		0		
Side Setback		27'		
Street Side Setback		27'		
Rear Setback		0'		
F.A.R		62%		
Building Coverage		629/sq ft		
Impervious Surface		0'		
Parking		9	67	57
Handicap Parking		0	11	1
Bicycle Parking		4		1
Open Space/ Landscaping		0		
Number and type of units		3-Commercial		
Consumption Area or Number of seats		Indoor 15 Seats	Outdoor 20 Seats	

15. Is Subject Property located within the Historic District? Yes X No _____
 If Yes, attach HARC approval and approved site plans

N/A

Meeting Date _____ HARC Approval # _____



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16. Are there any easements, deed restrictions or other encumbrances attached to the subject property? Yes _____ No X If Yes, please describe and attach relevant documents

N/A

17. Will the work be within the dripline (canopy) of any tree on or off the property?
YES _____ NO X

If yes, provide date of landscape approval, and attach a copy of such approval.

N/A

This application is pursuant to Section 106-51 & 52 City of Key West Land Development Regulations.

If the applicant would like additional information, electronic version of the City's Code of Ordinances can be found either through www.keywestcity.com, Planning Department archives or at www.municode.com. Once there, search Online Library/Florida/Key West/Chapter 122.

***Please note, variance approvals are quasi-judicial hearings, and it is improper for the owner or signatory to speak to a Planning Board member or City Commissioner about the hearing.**



Variance Application
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



Standards for Considering Variances

Before any variance may be granted, the Planning Board and/or Board of Adjustment must find all of the following requirements are met:

1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.

Property is in a "Parking Waiver Zone".

2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.

These special conditions are not a result from any action by the applicant.

3. Special privileges not conferred. That granting the variance(s) requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district.

Granting the variance will not confer upon the property any special privileges. Property is in HRCC-3 & Parking Waiver Zone.



Variance Application
City of Key West Planning Department
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(305) 809-3720



4. Hardship conditions exist. That literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.

Hardship conditions do not exist simply because the property is located in a "Parking Waiver Zone".

5. Only minimum variance(s) granted. That the variance(s) granted is/are the minimum variance(s) that will make possible the reasonable use of the land, building or structure.

The parking waiver variance is the minimum needed to make it possible for the use of seating area.

6. Not injurious to the public welfare. That granting of the variance(s) will be in harmony with the general intent and purpose of the land development regulations and that such variances will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.

The granting of this variance will be in harmony with the general intent and will not be detrimental to the public.



Variance Application
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



7. Existing nonconforming uses of other property shall not be considered as the basis for approval. That no other nonconforming use of neighboring lands, structures, or buildings in the same district, and that no other permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

Existing Nonconforming uses of other property
will not be the consideration of this variance
application.

The Planning Board and/or Board of Adjustment shall make factual findings regarding the following:

- That the standards established in subsection (a) have been met by the applicant for a variance.
- That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors. Please describe how you have addressed the "good neighbor policy."



Verification Form

City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an entity)

I, ROBERT KONOPKA, in my capacity as owner managing member
(print name) (print position; president, managing member)
of Le Petit Paris LLC
(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:

825 Duval St KEY WEST FL 33040
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.

Robert Konopka
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 9/12/12 by
Robert Konopka
Name of Authorized Representative

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

Carissa D Almanza
Notary's Signature and Seal

Carissa D Almanza
Name of Acknowledger typed, printed or stamped



CARISSA D. ALMANZA
NOTARY PUBLIC
STATE OF FLORIDA
Comm# EE078421
Expires 3/28/2015

EE078421

Commission Number, if any

Authorization Form

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, ROBERT KONOPKA as
Please Print Name of person with authority to execute documents on behalf of entity

C/owner managing member of LePetitParis LLC (lease holder)
Name of office (President, Managing Member) Name of owner from deed

authorize Barry Barroso
Please Print Name of Representative

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

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

Subscribed and sworn to (or affirmed) before me on this 9/12/12 by
date

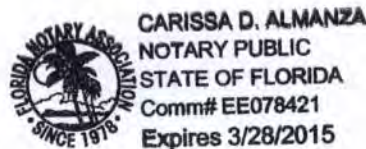
Robert Konopka
Name of Authorized Representative

☒ He/She is personally known to me or has presented _____ as identification.

Carissa D Almanza
Notary's Signature and Seal

Carissa D. Almanza
Name of Acknowledger typed, printed or stamped

EE078421
Commission Number, if any



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, Suzanne D. BANKS as
Please Print Name of person with authority to execute documents on behalf of entity

LARRY DEAN CORP
CEO / Vice President - Sec. of Don Rental Properties LLC
Name of office (President, Managing Member) *Name of owner from deed*

authorize Robert M. Konoeka
Please Print Name of Representative

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

Suzanne D. Banks
Signature of person with authority to execute documents on behalf of entity owner

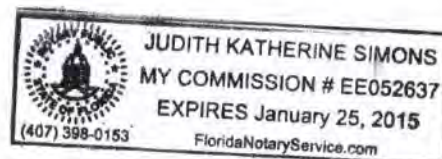
Subscribed and sworn to (or affirmed) before me on this 7/30/12 by
date

Suzanne D. BANKS
Name of Authorized Representative

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

Judith Katherine Simons
Notary's Signature and Seal

Judith Katherine Simons
Name of Acknowledger typed, printed or stamped



EE052637
Commission Number, if any


* outside seating

Deed

This instrument was prepared by and is to
be returned to:

RCD Jul 29 2003 03:14PM
DANNY L KOLHAGE, CLERK

Paul Rampell, Esquire
50 Coconut Row, Suite 220
Palm Beach, Florida 33480

DEED DOC STAMPS 0.70
07/29/2003  DEP CLK

Alternate Key Number:
1017221
Grantee's Tax Identification Number:

WARRANTY DEED

THIS WARRANTY DEED is made as of July 21, 2003, between Lawrence R. Dion and Florence L. Dion, husband and wife, whose mailing address is 1615 Atlantic Boulevard, Key West, Florida 33040 ("Grantor"), and Dion Rental Properties, LLC, a Florida limited liability company, whose mailing address is 638 United Street, Key West, Florida 33040 ("Grantee").

WITNESSETH: Grantor, for and in consideration of Ten Dollar (\$10.00), and other good and valuable consideration to Grantor in hand paid by Grantee, the receipt and sufficiency of which is hereby acknowledged, has granted, bargained, and sold to Grantee, and Grantee's successors and assigns forever, certain real property located in Monroe County, Florida, described as follows:

See Exhibit "A" attached hereto and made a part hereof.

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

Subject to all conditions, covenants, limitations, restrictions, reservations, and easements listed in any title insurance policy that Grantor received at Grantor's acquisition of the subject property, if any, which are not reimposed hereby; taxes for the year 2003 and subsequent years; and zoning and/or restrictions and prohibitions imposed by any governmental or quasi-governmental authorities.

To have and to hold the same in fee simple forever.

Grantor hereby covenants with Grantee that Grantor is lawfully seized of said land in fee simple; that Grantor has good and lawful authority to sell and convey said land; and that Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.



IN WITNESS WHEREOF, Grantor has signed and sealed these presents as of the day and year first above written.

Signed, sealed, and delivered in our presence:

Witnesses:

James R. Holyfield
Print Name: JAMES R. HOLYFIELD

David J. Thomas
Print Name: DAVID J. THOMAS

James R. Holyfield
Print Name: JAMES R. HOLYFIELD

David J. Thomas
Print Name: DAVID J. THOMAS

Grantor:

Lawrence R. Dion [seal]
Lawrence R. Dion

Grantor Address:
1615 Atlantic Boulevard
Key West, Florida 33040

Lawrence R. Dion [seal]
Florence L. Dion, by her attorney-in-fact,
Lawrence R. Dion

Grantor Address:
1615 Atlantic Boulevard
Key West, Florida 33040

State of Florida

County of MONROE

The foregoing instrument was sworn to and subscribed before me this 14 day of May, 2003, by Lawrence R. Dion, both individually and as attorney-in-fact for Florence L. Dion, who (✓) is personally known to me, or () has produced _____ as identification.

[notary seal]



Paul Rampell
Notary Public, State of Florida
Print Name: PAUL RAMPPELL
My commission expires: 8/25/05



EXHIBIT "A"

(Rental 1017221)

FILE #1385924
BK#1913 PG#1700

On the Island of Key West and known as Part of Lot 4, Square 5, of Tract 4, Simonton and Well's Addition to the City of Key West, according to Plat thereof recorded in Deed Book E, Page 245, of the Public Records of Monroe County, Florida.
Beginning at the corner of Duval and Olivia Streets and running thence in a Northwesterly direction along Duval Street 94 feet, 8 inches; thence at right angles in a Northeasterly direction 81 feet; thence at right angles in a Southeasterly direction 94 feet, 8 inches, to Olivia Street; thence at right angles in a Southwesterly direction along Olivia Street 81 feet to place of beginning.

MONROE COUNTY
OFFICIAL RECORDS



Larry Dion Corporation
Post Office Box 1209
Key West, FL 33041
Phone(305)296-2000 FAX (305)296-0635

7/30/12

Please see listed below a breakdown of the corporate structure to show the relationship and ownership between the following governing entities:

Dion Partnership, LTD. is the managing member of Dion Rental Properties LLC.

Larry Dion Corporation is general partner of Dion Partnership, LTD.

Suzanne D. Banks is the Vice President & Secretary of Larry Dion Corporation.

Sincerely,

Suzanne D. BanksVP

Larry Dion Corporation



Survey

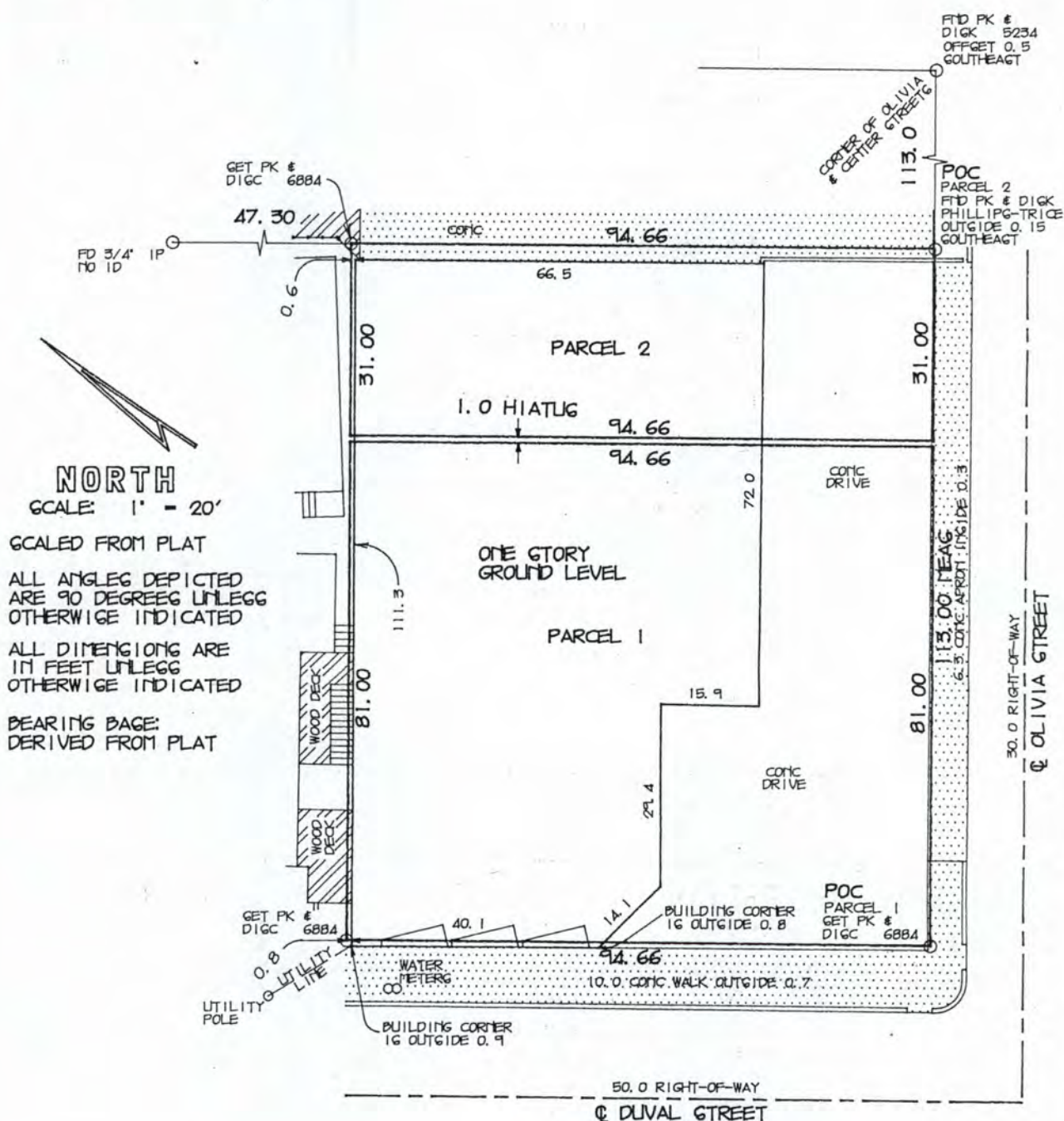
ADDRESS:
825 DUVAL STREET
KEY WEST, FL
33040



LOCATION MAP

NTS

FTID PK #
DIGK 5234
OFFGET 0.5
SOUTHEAST



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

PAGE 2 OF 2

CERTIFIED TO:

LAWRENCE R. DION and FLORENCE L. DION,
husband and wife
FIRST STATE BANK OF THE FLORIDA KEYS,
its successors and/or assigns
CHICAGO TITLE INSURANCE COMPANY
SPOTTSWOOD, SPOTTSWOOD AND SPOTTSWOOD

LEGAL DESCRIPTION

SFF PAGE 1

SCALE 1" = 20'	A = CENTRAL ANGLE ASPH = ASPHALT CALC = CALCULATED CL = CENTER LINE CM = CONCRETE MONUMENT CONC = CONCRETE	CVRD = COVERED DEASE = DRAINAGE EASEMENT EL = ELEVATION ENCL = ENCLOSED ENCR = ENCROACHMENT FND = FOUND	FF = FINISHED FLOOR IP = IRON PIPE IRR = IRON ROD L = ARC LENGTH MEAS = MEASURED NGVD = NATIONAL GEODETIC VERTICAL DATUM (1929)	OS = OFFSET PC = POINT OF CURVE PCC = POINT OF COMPOUND CURVE PCP = PERMANENT CONTROL POINT PK = PARKER KALON NAIL PL = PROPERTY LINE	POB = POINT OF BEGINNING POC = POINT OF COMMENCEMENT PRC = POINT OF REVERSE CURVE PRM = PERMANENT REFERENCE MONUMENT PT = POINT OF TANGENT R = RADIUS	RES = RESIDENCE TYP = TYPICAL UEASE = UTILITY EASEMENT
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BOUNDARY SURVEY

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THIS SURVEY, WHEN SCHEDULE B HAS BEEN PROVIDED MEETS THE PROVISIONS OF FLORIDA ENDORSEMENT FORM 9, SUBPARAGRAPH 1(B)1 (SETBACKS), 1(B)3(ENCROACHMENTS), & 1(B)4(EASEMENTS). SCHEDULE "B" HAS NOT BEEN PROVIDED.

SIGNED 
ROBERT E. REECE, PSM #5632
REGISTERED PROFESSIONAL SURVEYOR AND MAPPER

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

ROBERT E. REECE, P.A.
PROFESSIONAL SURVEYOR
AND MAPPER
30677 OVERSEAS HIGHWAY
BIG PINE KEY, FL 33043

A detailed street map of the Williamsport, Pennsylvania area. The map shows a grid of streets including William St, Elizabeth St, and others. A red dot is placed on the map, indicating the location of the Williamsport Correctional Institution. The map also shows various landmarks and buildings, including the Williamsport Correctional Institution, the Williamsport Correctional Institution, and the Williamsport Correctional Institution.

LEGAL DESCRIPTION:

PARCEL 1

Beginning at the corner of Duval and Olivia Streets and running thence in a NW'ly direction along Duval Street 94.66 feet; thence at right angles in a NE'ly direction 81 feet; thence at right angles in a SE'ly direction 94.66 feet, to Olivia Street; thence at right angles in a SW'ly direction along Olivia Street 81 feet to place of beginning.

AND ALSO:

PARCEL 2

Commencing at a point on the Northwest side of Olivia Street, distant 113 feet from the corner of Olivia and Center Streets and running thence along Olivia Street in a Southwesterly direction 31 feet; thence at right angles in a Northwesterly direction 94.66 feet; thence at right angles in a Northeasterly direction 31 feet; thence at right angles in a Southeasterly direction 94.66 feet, back to the point of beginning.

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 MATTERS.

PAGE 1 OF 2

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husband and wife
FIRST STATE BANK OF THE FLORIDA KEYS,
its successors and/or assigns
CHICAGO TITLE INSURANCE COMPANY
SPOTTSWOOD. SPOTTSWOOD AND SPOTTSWOOD

LEGAL DESCRIPTION

SEE ABOVE

SCALE
N/A

A = CENTRAL ANGLE
ASPH = ASPHALT
CALC = CALCULATED
C_L = CENTER LINE
CM = CONCRETE MONUMENT
CONC = CONCRETE

CVRD = COVERED
 DEASE = DRAINAGE EASEMENT
 EL = ELEVATION
 ENCL = ENCLOSED
 ENCR = ENCROACHMENT
 FND = FOUND

FF = FINISHED FLOOR
IP = IRON PIPE
IR = IRON ROD
L = ARC LENGTH
MEAS = MEASURED
NGVD = NATIONAL GEODETTIC
VERTICAL DATUM / 1929

OS=OFFSET
PC = POINT OF CURVE
PCC = POINT OF COMPOUND CURVE
PCP = PERMANENT CONTROL POINT
PK = PARKER KALON NAIL
PL = PROPERTY LINE

POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PRC = POINT OF REVERSE CURVE
PRM = PERMANENT REFERENCE MONUMENT
PT = POINT OF TANGENT
R = RADIUS

RES = RESIDENCE
TYP = TYPICAL
UEASE = UTILITY EASEMENT

DATE FIELD
WORK
N/A

DRAWN
BY
n/A

Checked
by
W/A

INVOICE NO.
0102602

SIGNED

ROBERT E. REECE, PSM #5632
REGISTERED PROFESSIONAL SURVEYOR AND MAPPER

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

ROBERT E. REECE, P.A.
PROFESSIONAL SURVEYOR
AND MAPPER
30677 OVERSEAS HIGHWAY
BIG PINE KEY, FL 33043

Site Plans

3.00

 FID PK #
 DIGK 5234
 OFFSET 0.15
 SOUTHEAST


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

PAGE 2 OF 2

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 SPOTTSWOOD, SPOTTSWOOD AND SPOTTSWOOD

LEGAL DESCRIPTION

SEE PAGE 1

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 PROFESSIONAL SURVEYOR
 AND MAPPER
 30677 OVERSEAS HIGHWAY
 BIG PINE KEY, FL 33043

INVOICE NO.

0102602

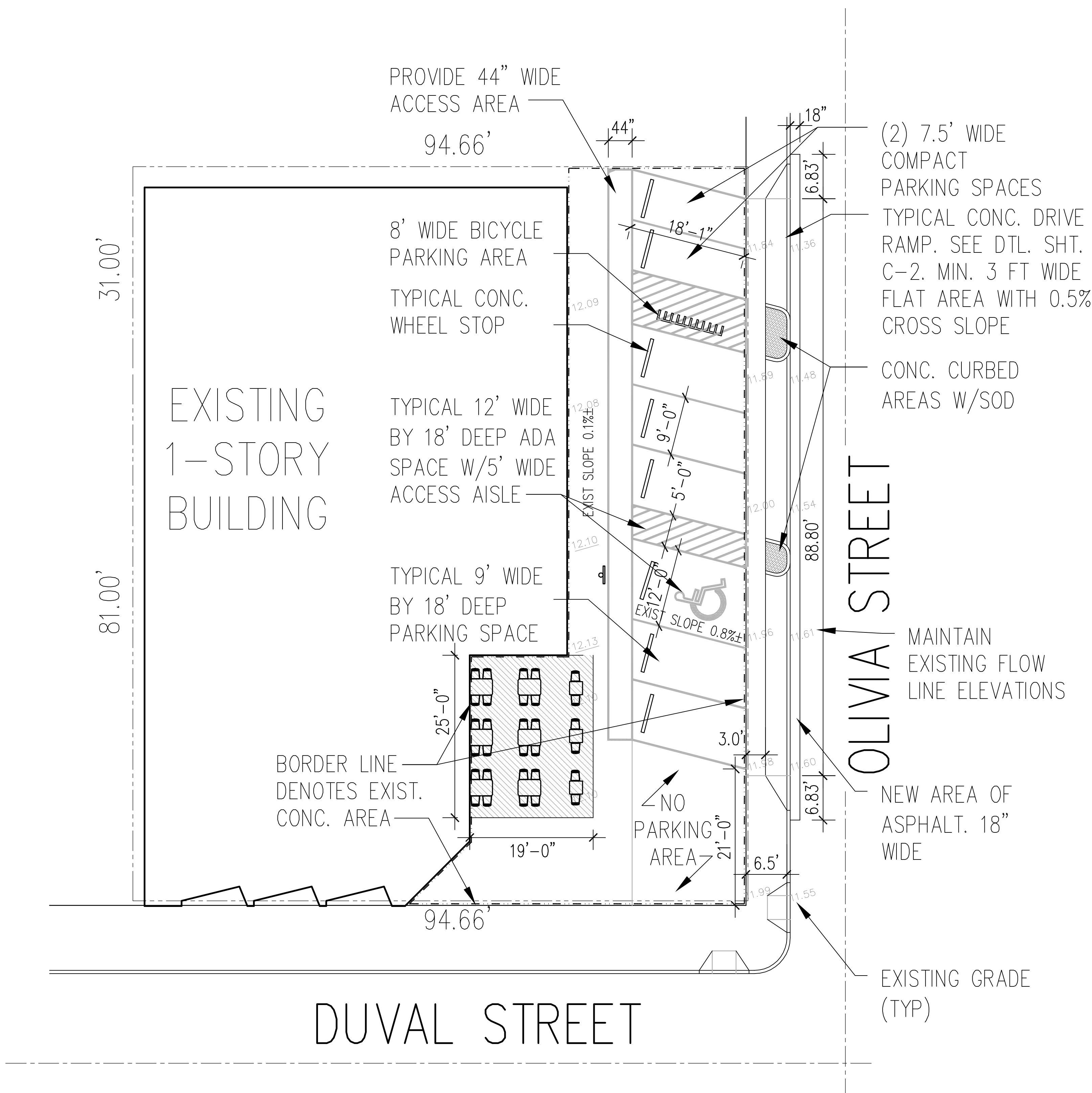
 DRAWN BY
 JM

 CHECKED BY
 RR




GENERAL NOTES:

1. OUTDOOR LIGHTING FOR PARKING AREA IS EXISTING
2. CONTRACTOR SHALL USE EXISTING ELEVATIONS FOR NEW CONCRETE WORK FOR FLOW LINES IN OLIVIA STREET AND BACK OF SIDEWALK. ALL EXISTING ELEVATIONS COMPLY WITH ADA SLOPE REQUIREMENTS.
3. EXISTING ELEVATIONS BASED ON SEWER MANHOLE LOCATED IN THE INTERSECTION OF OLIVIA AND DUVAL.



LEGEND	
11.99	EXISTING ELEVATION

1

C-1

SITE PLAN

SCALE: 1"= 10'-0"

Meridian Engineering LLC
201 Front Street, Suite 210
Key West, Florida 33040
AUTHORIZATION #29401
ph:305-293-3263 fax:293-4899

Seal:

NOT VALID FOR CONSTRUCTION UNLESS
SIGNED AND SEALED BY THIS BLOCK
RICHARD J. MILELLI
PE #58315

General Notes:

LA PETITE
PARIS
825 DUVAL STREET
KEY WEST, FLORIDA

Drawn By: PCS	Checked By: RJM
Project No.	Scale:
AutoCad File No.	

Revisions:

Title:

SITE PLAN

Sheet Number:

C-1

Date: AUG17, 2012

**Existing
Site Photo**

825 Duval Street









DRC
Minutes & Comments

Minutes of the Development Review Committee

August 23, 2012 DRAFT

Mr. Craig informed the applicant that the table is not approved as consumption area and menu board is considered signage.

Keys Energy had no comment.

2. Variance - 825 Duval Street, (RE# 00016830-000000) - A request to waive parking requirements for 7 automobile spaces in the HRCC-3 zoning district per Section 108-572 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Ms. Haller gave members an overview of the conditional use request (outdoor seating for 30 seats).

The applicant's representative, Mr. Barry Barroso, gave members an overview of the request. Mr. Barroso stated that the property has three tenants.

Mr. Craig requested a dimensioned site plan from the applicant. He then stated there will be no backing-up onto Olivia Street and stated that the applicant must either bring the site into compliance or withdraw their request. Mr. Craig then stated that the Planning Department will not allow a dangerous situation to continue.

Mrs. Nicklaus stated that the number of ADA spaces are based on the number of spaces for occupants and if the occupancy is over 50, more ADA spaces required will be required.

Ms. Ignaffo stated that it appears that vehicles would be backing out onto a crosswalk. She then stated that additional spaces must be within ADA design. She requested a summary and parking site plan that prohibits parking 30 feet from curb and 20 feet from crosswalk and a ROW permit for new curb cuts.

Mr. Jason Barroso had no comment.

Mrs. Torregrosa stated that any exterior change will require HARC approval.

Mr. Williams stated per code 108.413 that the landscaping shall be required between the private property and public roadway.

Ms. Higgins inquired about the installation of bike racks. The applicant stated that the owner would like to add bike racks.

Ms. Haller stated the curb on the corner of Olivia Street and Duval Street will have to be addressed.

Keys Energy had no comment.

3. Variance - 1304 Truman Avenue (RE# 00033890-000000) - A request for a rear-yard setback requirements in the HPS zoning district per Section 122-960 (6) c. of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Mr. Cunningham gave members an overview of the setback request.

The applicant's representative, Mr. Burke Haven with Bender & Associates, gave an overview of the request.

Ms. Higgins had no comment.

Mr. Williams inquired if there is going to be any tree removal. The applicant stated there will be no tree removal; however, there will be an additional landscape buffer.



Virginia Haller <vhaller@keywestcity.com>

Olivia Street

1 message

Karen Olson <kolson@keywestcity.com>

Tue, Sep 18, 2012 at 8:32 AM

To: Virginia Haller <ghaller@keywestcity.com>

Cc: Don Craig <dcraig@keywestcity.com>

Ginny -

After review of the proposed site plan I have the following comments.

1. The access route should be 4.5' (not 3.0') with a drive apron of 30" (24" + 6" curb).
2. The HC parking space can be reduced in size (10.0') to allow for garbage can totes at edge of property.
3. It would be my recommendation that the 2 planter areas receive more than just sod to create a visual for the cars backing out.
4. The no parking area needs to be developed in a manner to not allow vehicles to park there.

Please let me know if you have any question.

Thanks

--

Karen M Olson

Special Projects Designer

City of Key West

Engineering Services

305-809-3963 (t)

305-809-3790 (f)



THE CITY OF KEY WEST

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

TO: Ginny Haller, Planner I
Barry Barroso, Jr.
Richard Milelli, P.E.

CC: Doug Bradshaw, Senior Project Manager
Karen Olson, Special Projects Designer
Diane Nicklaus, ADA & ROW Coordinator

FROM: Elizabeth Ignoffo, E.I., Permit Engineer

DATE: September 6, 2012

SUBJECT: **Variance Application – 825 Duval Street
Conceptual Site Plan Review and Comments**

The Conceptual Site Plan, dated September 5, 2012, showing renovation of the existing parking area located at 825 Duval Street, was reviewed.

The Conceptual Site Parking Plan creates three parking areas comprising one (1) ADA Accessible parking space, five (5) standard vehicle parking spaces, two (2) compact vehicle parking spaces, and includes a bicycle parking area. The plan shows a new curb-cut, with 3-foot wide sidewalk and two landscape bulb-outs to be constructed along Olivia Street.

The parking area improvements proposed on the Conceptual Site Plan for 825 Duval Street meet the requirements of City of Key West Code of Ordinances, Chapter 108 Article VII Off-Street Parking and Loading.

It should be noted that a Right-of-Way Permit will be required to construct the curb-cut along Olivia Street.

At this time, the city does not have plans to replace and construct new sidewalks on this block of Olivia Street. The applicant will be required to shoulder the costs for installation of the curb-cut, new sidewalk, and roadway restoration, and perform the construction in accordance with Florida Department of Transportation design guidelines and specifications.

Property Appraiser Information

Karl D. Borglum
Property Appraiser
Monroe County, Florida

3.-12

Key West (305) 292-3420
Marathon (305) 289-2550
Plantation Key (305) 852-7130

Property Record Card -
Map portion under construction.

Website tested on
Internet Explorer.
Requires Adobe Flash
10.3 or higher

Alternate Key: 1017230 Parcel ID: 00016830-000000

Ownership Details

Mailing Address:
DION RENTAL PROPERTIES LLC
638 UNITED ST
KEY WEST, FL 33040

Property Details

PC Code: 11 - STORES ONE STORY
Millage Group: 10KW
Affordable Housing: No
Section-Township-Range: 06-68-25
Property Location: 825 DUVAL ST KEY WEST
Legal Description: KW PT LT 4 SQR 5 TR 4 G65-317 OR175-151-152 OR1913-1695/97 OR1913-1698/1700 OR2471-2244D/C OR2471-2250/54





Show Parcel Map that can launch map - Must have Adobe Flash Player 10.3 or higher

Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	95	112	10,603.00 SF

Building Summary

Number of Buildings: 1
 Number of Commercial Buildings: 1
 Total Living Area: 6486
 Year Built: 1958

Building 1 Details

Building Type
 Effective Age 17
 Year Built 1958
 Functional Obs 0

Condition A
 Perimeter 348
 Special Arch 0
 Economic Obs 0

Quality Grade 400
 Depreciation % 23
 Grnd Floor Area 6,486

Inclusions:

Roof Type
 Heat 1
 Heat Src 1

Roof Cover
 Heat 2
 Heat Src 2

Foundation
 Bedrooms 0

Extra Features:

2 Fix Bath 0
 3 Fix Bath 1
 4 Fix Bath 0
 5 Fix Bath 0
 6 Fix Bath 0
 7 Fix Bath 0
 Extra Fix 6

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





Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1993					6,486

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	3033	1 STY STORE-B	52	N	Y
	3034	SERVICE SHOPS-B-	16	N	Y
	3035	WAREHOUSE/MARINA C	32	N	Y

Exterior Wall:

Interior Finish Nbr	Type	Area %
793	C.B.S.	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT3:PATIO	3,967 SF	0	0	1957	1958	2	50

Appraiser Notes

GLASS REUNIONS PETITION KW 181-1997

14-1 CHNAGED VALUE FROM \$1824305



Public Notices
(radius map & mailing list)

Public Meeting Notice

The Key West Planning Board will hold a public hearing at 6:00 p.m., September 20, 2012 at Old City Hall, 510 Greene Street, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Parking Variance - 825 Duval Street (RE# 00016830-000000) - A variance in the HRCC-3 zoning district requesting the waiver of parking requirements for 9 automobile spaces required for new commercial floor area as per Section 108-572(9), and allow only 8 spaces; waiving 1 space for bicycle substitution as per Section 108-574 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at www.keywestcity.com.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

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

Request: **Parking Variance - 825 Duval Street (RE# 00016830-000000)** - A variance in the HRCC-3 zoning district requesting the waiver of parking requirements for 9 automobile spaces required for new commercial floor area as per Section 108-572(9), and allow only 8 spaces; waiving 1 space for bicycle substitution as per Section 108-574 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Applicant:	Robert M. Konopka c/o Le Petit Paris LLC	Owner:	Dion Rental Properties, LLC
Project Location:	825 Duval	Date of Hearing:	Thursday, September 20, 2012
Time of Hearing:	6:00 PM	Location of Hearing:	Old City Hall, 510 Greene City Commission Chambers

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email to Carlene Smith at cesmith@keywestcity.com .

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

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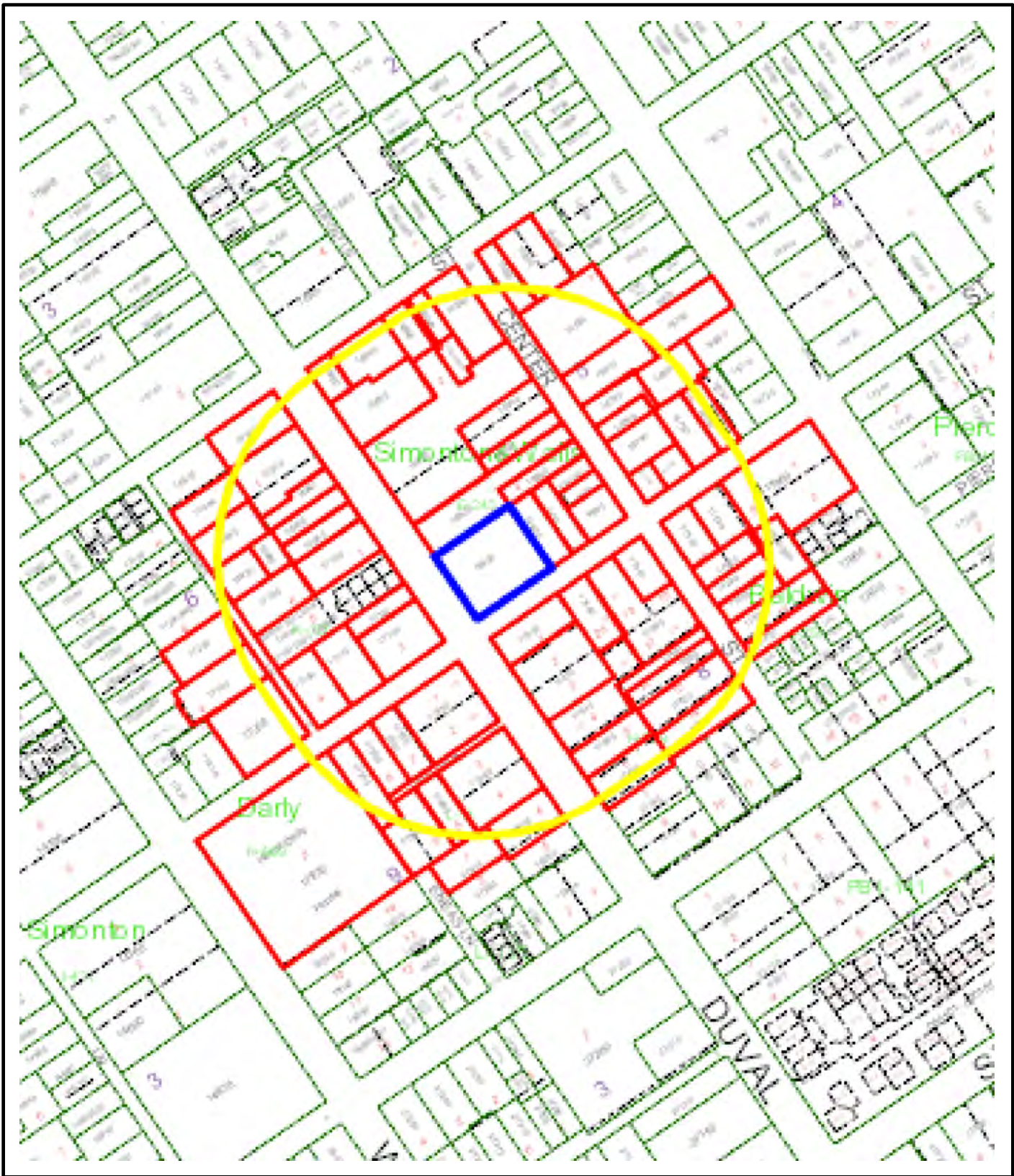
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Monroe County, Florida

825 Duval

Printed: Sep 07, 2012

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



NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
1 911 CENTER STREET LLC	223 ROCKY HILL RD		PLYMOUTH	MA	02360-5517	
2 913 DUVAL ST LLC	913 DUVAL ST		KEY WEST	FL	33040	
3 CENTER COURT - HISTORIC INN & COTTAGES LC	1402 NEWTON ST		KEY WEST	FL	33040-7028	
4 KEHOE GERALD F AND ELIZABETH J	66 BAY DR		KEY WEST	FL	33040-6115	
5 GOLDSTEIN WALTER LIVING TRUST 1990 DTD 11/29/1990	815 DUVAL ST		KEY WEST	FL	33040-7405	
6 NEWMAN-MARINE KEY WEST LLC	3408 N WASHINGTON RD		FORT WAYNE	IN	46802-4905	
7 SEPULVEDA ZAIRA	P O BOX 1614		KEY WEST	FL	33041	
8 SAINT PETER'S EPISCOPAL CHURCH OF KW FL INC	800 CENTER ST		KEY WEST	FL	33040	
9 WOO PATRICIA ERNST REV LIV TRUST AMD 02/27/09	1919 HICKORY ST		ST LOUIS	MO	63104	
10 CABANAS JUANITA C	1111 SUNSET DR		CORAL GABLES	FL	33143	
11 GARDNER PAUL W AND DIANA L	126 SPOONBILL POINT CT		ST AUGUSTINE	FL	32080-5393	
12 903 DUVAL LLC	PO BOX 1486		KEY WEST	FL	33041-1486	
13 ALCOBER ELDA	380 MOUNTAIN RD APT 812		UNION CITY	NJ	07087-7305	
14 TYNES KENNETH L	13312 ARCTURUS AVE		GARDENA	CA	90249-1624	
15 WHALEN BERNARD	2050 CHEROKEE RD		MACOMB	IL	61455	
16 KW LLC	PO BOX 21182		SARASOTA	FL	34276-4182	
17 NESS STEVEN ELLIOTT	524 OLIVIA ST		KEY WEST	FL	33040-7471	
18 DIXON CHARLES AND CLEARE GEORGE	256 AUMOE RD		KAILUA	HI	96734	
19 ELLIOTT URSULA WELTERS	222 ENEAS LN		KEY WEST	FL	33040	
20 MENDOLA CHARLES AND BIQUETTE	2601 S ROOSEVELT BLVD	APT 210A	KEY WEST	FL	33040	
21 HEPBURN EMILY B ESTATE	821 SHAVERS LN		KEY WEST	FL	33040	
22 MARTINS ON DUVAL LLC	917 DUVAL ST		KEY WEST	FL	33040-7407	
23 TODD ROBERT A AND MARY JANE	1304 ELIZA ST		KEY WEST	FL	33040-3424	
24 DION RENTAL PROPERTIES LLC	PO BOX 1209		KEY WEST	FL	33041	
25 511 OLIVIA STREET LLC	517 TRUMAN AVE		KEY WEST	FL	33040-3173	
26 BANSHEE LLC	915 DUVAL ST		KEY WEST	FL	33040-7407	
27 ORTEGA EVELYN A LIV TR 10/30/2008	1418 ROSE ST		KEY WEST	FL	33040	
28 ORTEGA EVELYN A LIV TR 10/30/08	1418 ROSE ST		KEY WEST	FL	33040	
29 KAMRADT RICHARD	815 DUVAL ST		KEY WEST	FL	33040-7405	
30 STUART DAVID SULLINS III TRUST 05/06/2009	3756 LAKE ST		FORT MYERS	FL	33901-7935	
31 MCMILLIN KAY ANN	1007 VON PHIOSTER ST		KEY WEST	FL	33040	
32 CLARK ARTHUR ROY AND FRANKIE MAE	821 CENTER ST		KEY WEST	FL	33040	
33 907 WHITEHEAD STREET CORP	907 WHITEHEAD ST		KEY WEST	FL	33040	
34 O'NEIL BRIAN S AND SUZANNE	PO BOX 199		TAVERNIER	FL	33070	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
35 BAUMLER THOMAS AND MARUEEN	19856 E UNION DR		AURORA	CO	80015	
36 GEORGIA/CAROLINA I & D LLC	1215 VARELA ST		KEY WEST	FL	33040	
37 TEETS JOHN AMD AND REINST TRUST 01/2/2008 T/C	827 CENTER ST		KEY WEST	FL	33040	
38 LAWSON LESTER AND HERTISCINE FAMILY TR	2731 WRIGHT AVE		PINOLE	CA	94564-1075	
39 CONDON LINDA KIEL	817 CENTER ST		KEY WEST	FL	33040	
40 MALSIN ELAINE 2006 REV TRUST 09/18/2006	522 PETRONIA ST		KEY WEST	FL	33040	
41 LORDITCH JOSEPH L	2818 TERN DR	UNIT 15	OCEAN CITY	MD	21842	
42 SPAGNOLO PHILIP JR	136 WAVERLY PL	STE 5B	NEW YORK	NY	10014-6822	
43 CLARKE CAMILLA	11215 SW 138TH ST		MIAMI	FL	33176	
44 GOSSWEILER PATRICK	816 DUVAL ST		KEY WEST	FL	33040	
45 CABANAS GEORGE	904C SIMONTON ST		KEY WEST	FL	33040	
46 901 DUVAL STREET INC	301 LINCOLN ROAD		MIAMI BEACH	FL	33139	
47 CENTER COURT HISTORIC INN AND COTTAGES LC	915 CENTER ST		KEY WEST	FL	33040-7436	
48 OCEAN BLUE COMMERCIAL HOLDINGS	824 DUVAL ST		KEY WEST	FL	33040-7406	
49 TRANSITIRE INC	1419 REYNOLDS ST		KEY WEST	FL	33040	
50 PLA STEPHEN E ESTATE	415 OLIVIA ST		KEY WEST	FL	33040	
51 SAWYER ELVIRA V	818 SHAVERS LN		KEY WEST	FL	33040	
52 CLARKE OSSIE MAE	416 OLIVIA ST		KEY WEST	FL	33040	
53 COWARD NANCY REVOCABLE TRUST	1316 LAIRD ST		KEY WEST	FL	33040	
54 KNOWLES PATRICIA A AND STEVE JR	813 SHAVERS LN		KEY WEST	FL	33040	
55 GARCIA GREGORIO AND ISABEL	820 SIMONTON ST		KEY WEST	FL	33040	
56 FLUKERS CERETTA	917 CENTER ST		KEY WEST	FL	33040-7436	
57 MYAING RAMON T AND MARTHA E	20315 ROSETHORN AVE		GAITHERSBURG	MD	20882	
58 CONCH INVESTORS III LLC	12087 LONDON DR		MIRA LOMA	CA	91752-4004	
59 KEY WEST HOSPITALITY INS LLC	913 DUVAL ST		KEY WEST	FL	33040	
60 MATHIES DELORES	522 OLIVIA ST		KEY WEST	FL	33040	
61 APPEL MILTON LLC T/C	6844 BELMONT SHORE DR		DELRAY BEACH	FL	33446	
62 BEAVER DENNIS A LIVING TRUST DTD 6/6/03	1207 WHITEHEAD ST		KEY WEST	FL	33040	
63 CLEMENS KAREN	225-227 PETRONIA ST		KEY WEST	FL	33040	
64 CABANAS GEORGE JR	526 OLIVIA ST		KEY WEST	FL	33040-7471	
65 MAISON SUR DUVAL CONDOMINIUM	824-826 DUVAL ST		KEY WEST	FL	33040	
66 TIKAL REAL ESTATE HOLDING II LLC	PO BOX 1778		KEY WEST	FL	33041-1778	
67 COWARD THOMAS REV TR DTD 5-19-00	1316 LAIRD ST		KEY WEST	FL	33040	
68 801 BOURBON INC	728 DUVAL ST		KEY WEST	FL	33040-7400	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
69 GARCIA MANUEL E AND ANITA	30 EVERGREEN AVE		KEY WEST	FL	33040	