

Application



Application for Development Plan & Conditional Use

City of Key West, Florida • Planning Department
1300 White Street • Key West, Florida 33040 • 305-809-3764 • www.cityofkeywest-fl.gov

Development Plan & Conditional Use Application Fee schedule

(Fees listed include the \$210.00 advertising/noticing fee and the \$105.00 fire review fee)

Development Plan

Minor:	
Within Historic District	\$ 3,150.00
Outside Historic District	\$ 2,520.00
Conditional Use	\$ 1,470.00
Extension	\$ 840.00
Major:	\$ 4,200.00
Conditional Use	\$ 1,470.00
Extension	\$ 840.00
Minor Deviation	\$ 840.00
Major Deviation	\$ 1,470.00
Conditional Use (not part of a development plan)	\$ 2,940.00
Extension (not part of a development plan)	\$ 840.00

Applications will not be accepted unless complete

<u>Development Plan</u>	<u>Conditional Use</u>	<u>Historic District</u>
Major _____	<u>X</u> _____	Yes <u>X</u> _____
Minor _____		No _____

Please print or type:

- 1) Site Address: 1220 Simonton Street, Key West, FL 33040
- 2) Name of Applicant: Trepanier & Associates, Inc.
- 3) Applicant is:
Property Owner: _____
Authorized Representative: X _____
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant: 1421 First Street
Key West, FL 33040
- 5) Applicant's Phone #: 305-293-8983 Email: thomas@owentrepanier.com
- 6) **Email Address:** thomas@owentrepanier.com
- 7) Name of Owner, if different than above: Casa Marina - 1220 Simonton Street, LLC
- 8) Address of Owner: 6000 Executive Blvd., 700, Rockville, MD 20852
- 9) Owner Phone #: c/o 305-293-8983 Email: c/o thomas@owentrepanier.com

- 10) Zoning District of Parcel: HNC-1 RE# 00028730-000000
- 11) Is Subject Property located within the Historic District? Yes No If Yes: Date of approval _____
 HARC approval # _____ OR: Date of meeting _____
- 12) Description of Proposed Development and Use. Please be specific, list existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc. If there is more than one use, describe in detail the nature of each use (Give concise description here and use a separate sheet if necessary).
- This application is a request for a conditional use approval in order to place a scooter rental service for 12 electric kick scooters at 1220 Simonton Street, known as "H2O Suites".
- 13) Has subject Property received any variance(s)? Yes No If Yes: Date of approval 03/03/2015 Resolution # 15-093
 Attach resolution(s).
- 14) Are there any easements, deed restrictions or other encumbrances on the subject property? Yes No
 If Yes, describe and attach relevant documents.

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

Please note, development plan and conditional use approvals are quasi-judicial hearings and it is improper to speak to a Planning Board member or City Commissioner about the project outside of the hearing.

Required Plans and Related Materials for both a Conditional Use and Minor/Major Development Plan

- I. **Existing Conditions.**
- A) Recent Survey of the site by a licensed Surveyor (Survey must be within 10 years from submittal date of this application) showing all dimensions including distances from property lines, and including:
- 1) Size of site;
 - 2) Buildings, structures, and parking;
 - 3) FEMA Flood Zone;

- 4) Topography;
 - 5) Easements; and
 - 6) Location of Utility Lines (sewer, water, electric, cable) adjacent and extending into the site.
- B) Existing size, type and location of trees, hedges, and other features.
- C) Existing stormwater retention areas and drainage flows.
- D) A sketch showing adjacent land uses, buildings, and driveways.
- II. **Proposed Development:** Plans at 11" X 17" (10,000 Sq. ft. or less); 24" X 36" if site is over 10,000 sq. ft.
- A) Site Plan to scale of with north arrow and dimensions by a licensed architect or engineer.
 - 1) Buildings
 - 2) Setbacks
 - 3) Parking:
 - a. Number, location and size of automobile and bicycle spaces
 - b. Handicapped spaces
 - c. Curbs or wheel stops around landscaping
 - d. Type of pavement
 - 4) Driveway dimensions and material
 - 5) Location of Utility Lines (sewer, water, electric, cable) adjacent and extending into the site.
 - 6) Location of garbage and recycling
 - 7) Signs
 - 8) Lighting
 - 8) Project Statistics:
 - a. Zoning
 - b. Size of site
 - c. Number of units (or units and Licenses)
 - d. If non-residential, floor area & proposed floor area ratio
 - e. Consumption area of restaurants & bars
 - f. Open space area and open space ratio
 - g. Impermeable surface area and impermeable surface ratio
 - h. Number of automobile and bicycle spaces required and proposed
 - B) Building Elevations
 - 1) Drawings of all building from every direction. If the project is in the Historic District, please submit HARC approved site plans.
 - 2) Height of building.
 - 3) Finished floor elevations and bottom of first horizontal structure
 - 4) Height of existing and proposed grades
 - C) Drainage Plan: Existing & Proposed retention areas and calculations approved by the City Engineer. See one of the attached commercial and residential use Stormwater Retention Forms.
 - D) Landscape Plan: Size, type, location and number of plants to be removed, kept, and installed. The plan must be approved by the City Landscape Coordinator through a letter of approval. If the project is a Major Development Plan a landscape design prepared by a licensed Landscape Architect is required per Section 108-511(b) of the Land Development Regulations.

- III. **Solutions Statement.** Aspects of the design that address community issues including but not limited to water pollution from stormwater runoff, potable water conservation, waste disposal, recycling, energy conservation, affordable housing, and impacts on neighbors such as lighting, noise, traffic and parking.

Development Plan Submission Materials

Sec. 108-226. Scope.

A development plan, for the purposes of this division, shall include but not necessarily be limited to the requirements in this division. With the exception of sections 108-227 through 108-229, the city planner may waive or modify requirements, information and specific performance criteria for development plan review after rendering a finding in writing that such requirements:

- (1) Are not necessary prior to development plan approval in order to protect the public interest or adjacent properties;
- (2) Bear no relationship to the proposed project or its impacts; and
- (3) Are found to be impractical based on the characteristics of the use, including the proposed scale, density/intensity, and anticipated impacts on the environment, public facilities and adjacent land uses.

Sec. 108-227. Title block.

The development plan shall contain the following pertaining to the title block:

- (1) Name of development.
- (2) Name of owner/developer.
- (3) Scale.
- (4) North arrow.
- (5) Preparation and revision date.
- (6) Location/street address of development.

Sec. 108-228. Identification of key persons.

The development plan shall contain the following pertaining to identification of key persons:

- (1) Owner.
- (2) Owner's authorized agent.
- (3) Engineer and architect.
- (4) Surveyor.
- (5) Landscape architect and/or environmental consultant.
- (6) Others involved in the application.
- (7) A verified statement showing each and every individual person having a legal and/or equitable ownership interest in the subject property, except publicly held corporations whose stock is traded on a nationally recognized stock exchange, in which case the names and addresses of the corporation and principal executive officers together with any majority stockholders will be sufficient.

Sec. 108-229. Project description.

Project description should be included on the site plan sheet. The development plan shall contain the following pertaining to the project description:

- (1) Zoning (include any special districts).
- (2) Project site size (acreage and/or square footage).
- (3) Legal description.
- (4) Building size.
- (5) Floor area ratio permitted and proposed.
- (6) Lot coverage permitted and proposed.
- (7) Impervious surface.
- (8) Pervious surface.
- (9) Landscape areas.

- (10) Parking spaces permitted and proposed.
- (11) Delineation of location of existing and proposed structures.
- (12) Existing and proposed development type denoted by land use including density/intensity.
- (13) Setbacks.

Sec. 108-230. Other project information.

A general outline of the proposed development shall include the following criteria where applicable:

- (1) Proposed stages or phases of development or operation and facility utilization.
- (2) Target dates for each phase.
- (3) Expected date of completion.
- (4) Proposed development plan for the site.
- (5) A written description of characteristics of the proposed development (i.e., number and type of residential units; floor area by land use; number of tourist accommodations units; seating or parking capacities; number of hospital beds; any proposed outside facilities or areas to be used for storage, display, outside sales, waste disposal or similar use; and any other proposed uses).
- (6) For planned unit developments, indicate design techniques (i.e., clustering, zero lot line, or other techniques) used to reduce public facility costs, reduce disturbance of natural resources, and preserve scenic quality of the site.
- (7) Buildings and sitting specifications which shall be utilized to reduce damage potential and to comply with federal flood insurance regulations.
- (8) Protection against encroachment together with proposed mitigation measures to be employed within environmentally sensitive areas.

Sec. 108-231. Residential developments.

- (a) If the development includes residential units, the following characteristics shall be discussed in the written description:
 - (1) A breakdown of the proposed residential units by number of bedrooms;
 - (2) Tenure (i.e., owner-occupied or rental); and
 - (3) Structure type, such as single-family, duplex, multiple-family, mobile home.
- (b) Refer to division 10 of article V of chapter 122 for information and legal instruments needed to satisfy the city's affordable housing requirements.

Sec. 108-232. Intergovernmental coordination.

The development plan shall contain the following pertaining to intergovernmental coordination:

- (1) Provide proof of coordination with applicable local, regional, state and federal agencies, including but not limited to the following agencies that will be involved in the project:
 - a. South Florida Regional Planning Council (SFRPC).
 - b. City electric system (CES).
 - c. State department of environmental protection (DEP).
 - d. Army Corps of Engineers (ACOE).
 - e. South Florida Water Management District (SFWMD).
 - f. State department of transportation (DOT).
 - g. State department of community affairs (DCA).
 - h. Florida Keys Aqueduct Authority (FKAA).
 - i. State fish and wildlife conservation commission (F&GC).
 - j. The county.
- (2) Provide evidence that any necessary permit, lease or other permission from applicable local, regional, state and federal agencies has been obtained for any activity that will impact wetland communities or submerged land.
- (3) When intergovernmental coordination efforts are incomplete, the applicant shall provide evidence of good faith efforts towards resolving intergovernmental coordination issues.

CONDITIONAL USE CRITERIA

Sec. 122-61. Purpose and intent.

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

Sec. 122-62. Specific criteria for approval.

- (a) Findings. A conditional use shall be permitted upon a finding by the planning board that the proposed use, application and, if applicable, development plan comply with the criteria specified in this section, including specific conditions established by the planning board and or the city commission during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to sections 108-165 and 108-166, the city commission shall render the final determination pursuant to section 122-63. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described in subsection (c) of this section and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.
- (b) Characteristics of use described. The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:
 - (1) Scale and intensity of the proposed conditional use as measured by the following:
 - a. Floor area ratio;
 - b. Traffic generation;
 - c. Square feet of enclosed building for each specific use;
 - d. Proposed employment;
 - e. Proposed number and type of service vehicles; and
 - f. Off-street parking needs.
 - (2) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection (b)(1) of this section including the following:
 - a. Utilities;
 - b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94;
 - c. Roadway or signalization improvements, or other similar improvements;
 - d. Accessory structures or facilities; and
 - e. Other unique facilities/structures proposed as part of site improvements.
 - (3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
 - a. Open space;
 - b. Setbacks from adjacent properties;
 - c. Screening and buffers;
 - d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
 - e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.

- (c) Criteria for conditional use review and approval. Applications for a conditional use shall clearly demonstrate the following:
- (1) Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
 - (2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure (i.e., refer to chapter 94 to ensure concurrency management requirements are met) and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
 - (3) Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
 - (4) Hazardous waste. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
 - (5) Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.
 - (6) Additional criteria applicable to specific land uses. Applicants for conditional use approval shall demonstrate that the proposed conditional use satisfies the following specific criteria designed to ensure against potential adverse impacts which may be associated with the proposed land use:
 - a. Land uses within a conservation area. Land uses in conservation areas shall be reviewed with emphasis on compliance with section 108-1 and articles III, IV, V, VII and VIII of chapter 110 pertaining to environmental protection, especially compliance with criteria, including land use compatibility and mitigative measures related to wetland preservation, coastal resource impact analysis and shoreline protection, protection of marine life and fisheries, protection of flora and fauna, and floodplain protection. The size, scale and design of structures located within a conservation area shall be restricted in order to prevent and/or minimize adverse impacts on natural resources. Similarly, public uses should only be approved within a wetland or coastal high hazard area V zone when alternative upland locations are not feasible on an upland site outside the V zone.
 - b. Residential development. Residential development proposed as a conditional use shall be reviewed for land use compatibility based on compliance with divisions 2 through 14 of article IV and divisions 2 and 3 of article V of this chapter pertaining to zoning district regulations, including size and dimension regulations impacting setbacks, lot coverage, height, mass of building, building coverage, and open space criteria. Land use compatibility also shall be measured by appearance, design, and land use compatibility criteria established in chapter 102; articles III, IV and V of chapter 108; section 108-956; and article II of chapter 110; especially protection of historic resources; subdivision of land; access, internal circulation, and off-street parking; as well as possible required mitigative measures such as landscaping and site design amenities.
 - c. Commercial or mixed-use development. Commercial or mixed use development proposed as a conditional use shall be reviewed for land use compatibility based on compliance with divisions 2 through 14 of article IV and divisions 2 and 3 of article V of this chapter pertaining to zoning district regulations, including size and dimension regulations impacting floor area ratio, setbacks, lot coverage, height, mass of buildings, building coverage, and open space criteria. Land use compatibility also shall be measured by appearance,

design, and land use compatibility criteria established in chapter 102; articles I, II, IV and V of chapter 108; section 108-956; and article II of chapter 110; especially protection of historic resources; subdivision of land; access, pedestrian access and circulation; internal vehicular circulation together with access and egress to the site, and off-street parking; as well as possible required mitigative measures such as landscaping, buffering, and other site design amenities. Where commercial or mixed use development is proposed as a conditional use adjacent to U.S. 1, the development shall be required to provide mitigative measures to avoid potential adverse impacts to traffic flow along the U.S. 1 corridor, including but not limited to restrictions on access from and egress to U.S. 1, providing for signalization, acceleration and deceleration lanes, and/or other appropriate mitigative measures.

- d. Development within or adjacent to historic district. All development proposed as a conditional use within or adjacent to the historic district shall be reviewed based on applicable criteria stated in this section for residential, commercial, or mixed use development and shall also comply with appearance and design guidelines for historic structures and contributing structures and/or shall be required to provide special mitigative site and structural appearance and design attributes or amenities that reinforce the appearance, historic attributes, and amenities of structures within the historic district.
- e. Public facilities or institutional development. Public facilities or other institutional development proposed as a conditional use shall be reviewed based on land use compatibility and design criteria established for commercial and mixed-use development. In addition, the city shall analyze the proposed site location and design attributes relative to other available sites and the comparative merits of the proposed site, considering professionally accepted principles and standards for the design and location of similar community facilities and public infrastructure. The city shall also consider compliance with relevant comprehensive plan assessments of community facility and infrastructure needs and location impacts relative to service area deficiencies or improvement needs.
- f. Commercial structures uses and related activities within tidal waters. The criteria for commercial structures, uses and related activities within tidal waters are as provided in section 122-1186.
- g. Adult entertainment establishments. The criteria for adult entertainment establishments are as provided in division 12 of article V of this chapter.



Conditional Use

Chapter 122, Article III, Sections 122-61 and 122-62

H2O Suites
 1220 Simonton Street, Key West, Florida
 (RE# 00028730-000000)



Executive Summary:

This application is a request for a conditional use approval to add a rental service for 12 electric kick scooters (e-kick scooters) at 1220 Simonton Street, known locally as "H2O Suites".

Background and Solution Statement:

1220 Simonton Street received City Commission approval (Res. 15-091) for a Major Development Plan and Landscape Modification/Waiver and Res. (15-093) for a variance to building height regulations to redevelop the property. The proposed project seeks conditional use approval for to operate a rental service for 12 e-kick scooters as an amenity to its guests.

- No new or converted floor area is proposed.
- A variance application accompanies this conditional use application.

Key persons and entities (Sec. 108-228) involved in this project are as follows:

Owner:	Casa Marina - 1220 Simonton Street, LLC
Entity Owner:	Marc Meisel & Joel Meisel
Authorized Agent:	Trepanier & Associates, Inc.
Architect:	T.S. Neal Architects, Inc.
Traffic Engineer:	KBP Consulting, Inc.

Project Description (Sec. 108-229):

This application is a request for a conditional use approval to locate 12 e-kick scooters and their docking station at the 1220 Simonton Street property known as H2O Suites.

Table 1: Existing and Proposed Conditions

Use	Existing	Proposed
Residential Units	22 trans & 1 nontrans	No Change
E-Kick Scooter Rentals	0	12
Auto Parking	12 spaces	No Change
Bicycle Parking	10 Spaces	No Change
Landscaping	4,649 sq. ft. (22.3%)	4,629 sq. ft. (22.2%)
Open Space	4,649 sq. ft. (22.3%)	4,629 sq. ft. (22.2%)
Building Coverage	10,045 sq. ft. (48.2%)	10,084 sq. ft. (48.4%)
Impervious Surfaces	11,687 sq. ft. (56.1%)	11,727 sq. ft. (56.3%)

Sec. 122-62. – Specific criteria for approval:

(a) Findings.

A conditional use shall be permitted upon a finding by the planning board that the proposed use, application and, if applicable, development plan complies with the criteria specified in this section, including specific conditions established by the planning board and or the city commission during review of the respective application in order to ensure compliance with the comprehensive plan and the land development regulations.

(b) Characteristics of use:

(1) Scale and intensity

a. Floor area ratio

Existing: 0.0 (residential intensity is measured through density)
 Permitted: 1.0
 Proposed: No Change

b. Traffic generation: The scooters to be rented are electric-assisted standing foot-powered scooters. These e-kick scooters operate consistent with bicycles along pathways and routes designated for bicycle use. As such, they do not occupy or consume roadway capacity.

c. Enclosed building square footage: No changes proposed

d. Proposed Employment: No changes proposed

e. Proposed Service Vehicles: No changes proposed

f. Off-street parking: Sec. 108-572 requires 1 auto space per 3 scooter rentals or 1 auto space per 200 sq. ft. of associated floor area, whichever is greater, and 10-percent the auto requirement for bicycle/scooter spaces. The proposed conditional

use results in a requirement of 4 new auto spaces and 0.4 new bicycle / scooter spaces. The existing hotel resort has a requirement for 9 bicycle spaces, the proposed scooter rentals creates a required 9.4 bicycle spaces for the property. 2 of the 10 bicycle spaces are proposed to be relocated, 1 elsewhere onsite and 1 on the gravel sidewalk on the Louisa Street ROW, as permitted within the historic district.

However, it is important to note that the current Land Development Regulations are inconsistent with the Comprehensive Plan specifically regarding the multi-modal transportation and bike-pedestrian goals. The LDRs strive to bring auto parking into compliance with its requirements, whereas the Comprehensive Plan strives to minimize reliance on autos and encourage alternative forms of transportation. The LDRs include parking requirements for scooters with the assumption that scooters are a novelty entertainment rather than a transportation alternative in a multimodal transportation system.

Use		Req'd Auto Spaces		Req'd Bicycle/ Scooter Spaces	
Scooter Rentals	12	1 per 3 rentals	4 spaces	10% of auto	0.4 spaces

(2) On- or off-site improvement needs

- a. Utilities - Concurrency Facilities and Other Utilities or Services: Proposed 12-scooter rental service.
 - Potable water LOS: No change anticipated
 - Wastewater LOS: No change anticipated
 - Solid waste LOS: No change anticipated
 - Recyclable waste LOS: No change anticipated
 - Stormwater LOS: No change anticipated
 - Recreation LOS: No change anticipated
 - No new construction is proposed that will affect water pressure and flow for fire protection.
 - No adverse impacts to the quality of receiving waters are anticipated.
- b. Public facilities – N/A; No change in Public facilities LOS will result from this conditional use.
- c. Roadway or signalization improvements – N/A; No roadway or signalization improvements are required or proposed.
- d. Accessory structures or facilities – N/A; No accessory structures or facilities are required or proposed.
- e. Other unique facilities/structures proposed as part of site improvements – N/A; No other unique facilities/structures proposed as part of site improvements are required or proposed.

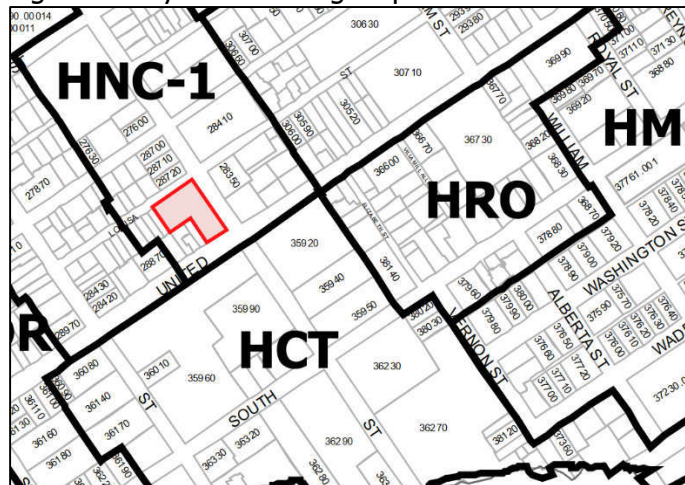
(3) On-site amenities proposed to enhance site and planned improvements

- a. Open space – The existing and proposed open spaces comply with requirements.
- b. Setbacks – No change to setbacks are proposed. The proposed scooter docking station will comply with all setback requirements.
- c. Screening and buffers – No changes to existing screening and buffers are proposed.
- d. Landscaped berms proposed to mitigate against impacts to adjacent sites – No changes to existing landscaped berms are proposed.
- e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts - This project proposes no use which would induce smoke, odor, noise or other noxious impacts.

(c) Criteria for conditional use review and approval:

- (1) Land use compatibility. – The project site is located in the Historic Neighborhood Commercial District–Truman/Simonton (HNC-1). The HNC-1 consists of Simonton, Truman Avenue, and White Street South Corridors. The HNC-1 district is located along major segments of Simonton Street, from Caroline South to United Street; Truman Avenue, from Simonton Street northeast to White Street; and White Street, from Truman Avenue south to United Street; and generally includes larger scale commercial uses oriented toward the motoring public.

Figure 2. Key West Zoning Map



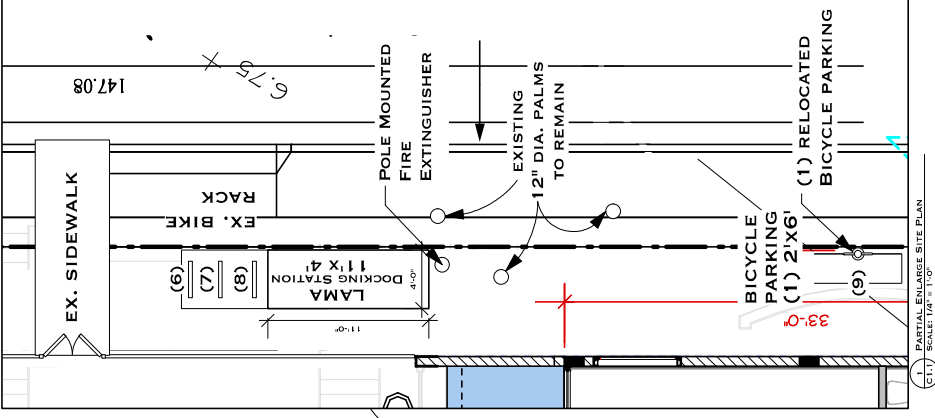
- (2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. – The site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use of the 12-scooter rental docking station. No other changes are proposed.
- (3) Proper use of mitigative techniques. – No adverse impacts to adjacent land uses are anticipated. The community character is a mix of hotels, motels, tourist-

oriented commercial, and neighborhood commercial services and their accessory uses.

- (4) Hazardous Waste. - The proposed uses will not produce any hazardous waste or use hazardous materials in its operation.
- (5) Compliance with applicable laws and ordinances. - All applicable permits required from agencies other than the City of Key West will be obtained.
- (6) Additional criteria applicable to specific land uses. –
 - a. Land uses within a conservation area. – The proposed use is not located in a conservation area.
 - b. Residential development. –
No changes are proposed to the existing 22 rooms of transient residential use at the motel nor the 1 nontransient residential use nor any renovations are proposed to the existing motel buildings.
 - c. Commercial or mixed use development. – No new floor area is proposed as part of this project.
 - d. Development within or adjacent to historic district. – The proposed is located in the Historic Neighborhood Commercial–Truman/Simonton District (HNC-1).
 - e. Public facilities or institutional development. – The proposed use is not a public facility or institutional development.
 - f. Commercial structures, uses and related activities within tidal waters. – The proposed use is not located within tidal waters nor includes any activities within tidal waters.
 - g. Adult entertainment establishments. – The proposed use is not an adult entertainment establishment.

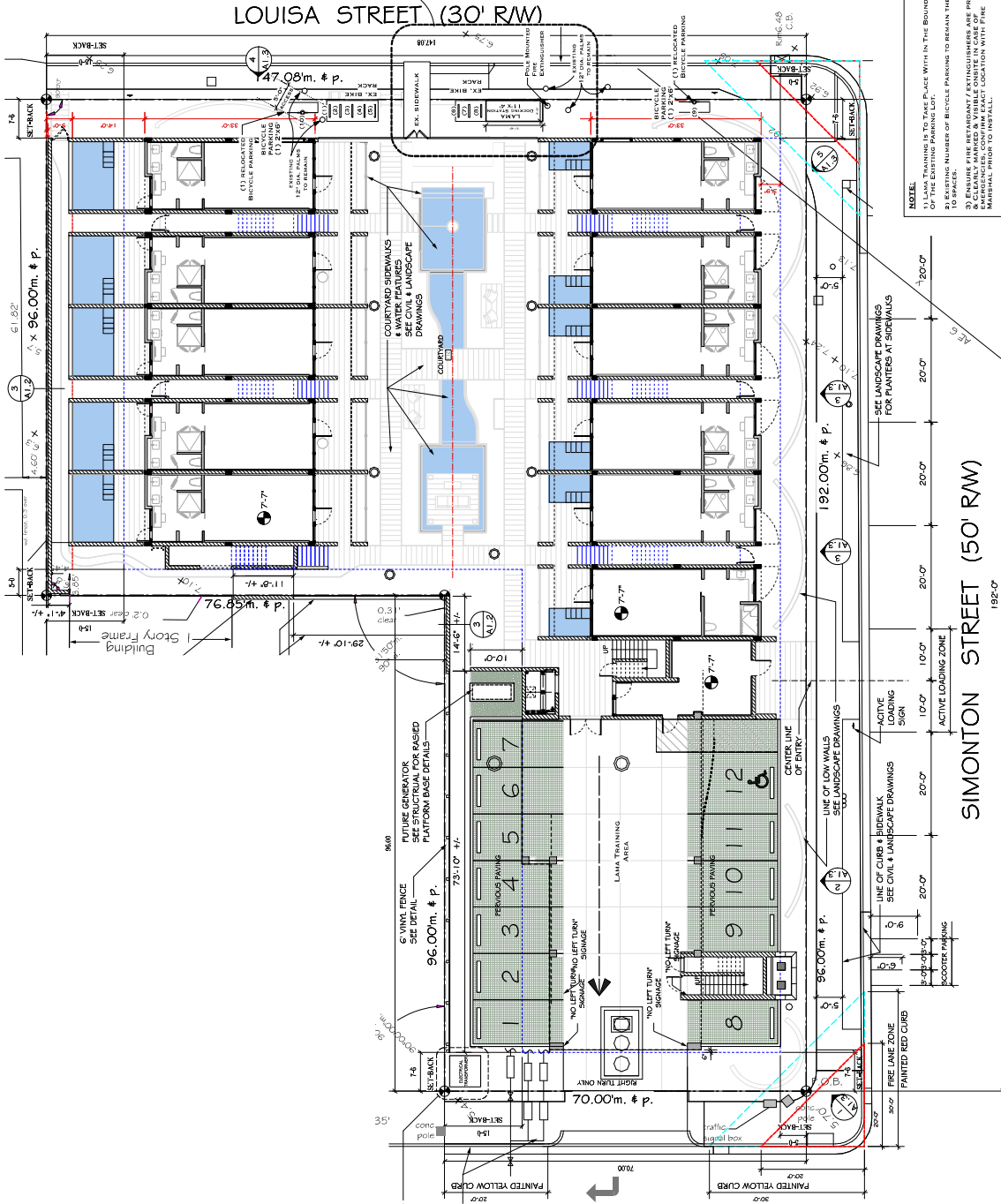


REVISION #	DATE



PROPOSED SCOOTER RACK LOCATION ON LOUISA STREET

TIMOTHY SETH NEAL FLA. REGISTRATION # AB97505



NOTE:
 1) ALL PLANTING TO BE PLACED WITHIN THE BOUNDARIES OF THE EXISTING PARKING SPACES.
 2) EXISTING NUMBER OF BICYCLE PARKING TO REMAIN THE SAME AS TO SPACES.
 3) PLANTING ARE NOT TO BE PLACED IN FRONT OF FIRE EXTINGUISHERS. CONFIRM EXACT LOCATION WITH FIRE DEPARTMENT.
 4) NO VEGETATION WILL BE IMPACTED BY NEW WORK & WILL BE MAINTAINED TO PREVENT OVERGROWTH.

C1.1 ARCHITECTURAL SITE PLAN
 SCALE: 1" = 10' FT

KBP CONSULTING, INC.

April 8, 2021

Mr. Thomas Francis-Siburg, MSW, MURP, AICP
Planner / Development Specialist
Trepanier & Associates, Inc.
1421 First Street
Key West, Florida 33040-3648

**Re: H2O Suites Hotel – Key West, Florida
Traffic Statement for Electric Kick Scooters**

Dear Thomas:

The H2O Suites Hotel is an existing lodging facility located in the western quadrant of the intersection at Simonton Street and United Street in Key West, Monroe County, Florida. More specifically, the subject site is located at 1212 Simonton Street. The proposed project seeks approval for the existing resort hotel to provide up to 12 electric kick scooter rentals (e-Kick Scooters) onsite as an amenity for their guests. The purpose of this traffic statement is to document the anticipated traffic impacts associated with the proposed electric kick scooters.

Location of Proposed Use

According to the preliminary plans the docking station for the proposed electric kick scooters will be located along the northwest side of the site. This location is presented in Attachment A to this memorandum. Bicycle racks are currently located in this area and they accessed directly from Louisa Street. It is anticipated that access for the electric kick scooters will be consistent with this condition.

Trip Generation

Concerning the electric kick scooters, it is estimated that most of these scooters at this location will be rented on a daily basis. That is, they will be rented in the morning or early afternoon and returned that same day. As such, these vehicles will typically result in one (1) exiting trip and one (1) entering trip per day. However, kick scooters operate consistent with bicycles along pathways and routes designated for bicycle use. As such, they do not occupy or consume roadway capacity. Based upon these operational characteristics, no further traffic analyses are warranted for this proposed use.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

KBP CONSULTING, INC.



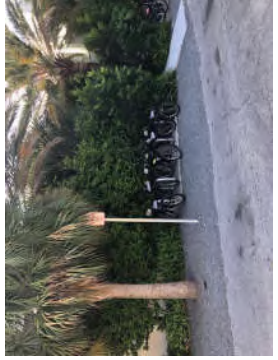
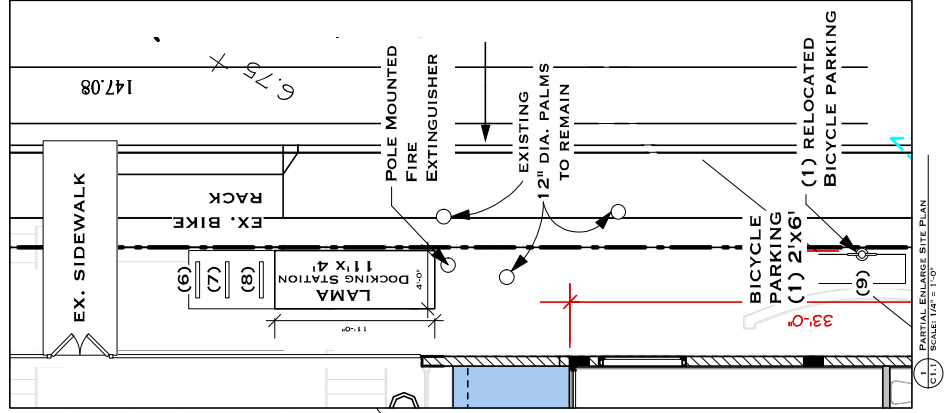
Karl B. Peterson, P.E.
Senior Transportation Engineer

Attachment A

**Site Plan with Proposed Electric Kick Scooter
Docking Station Location**

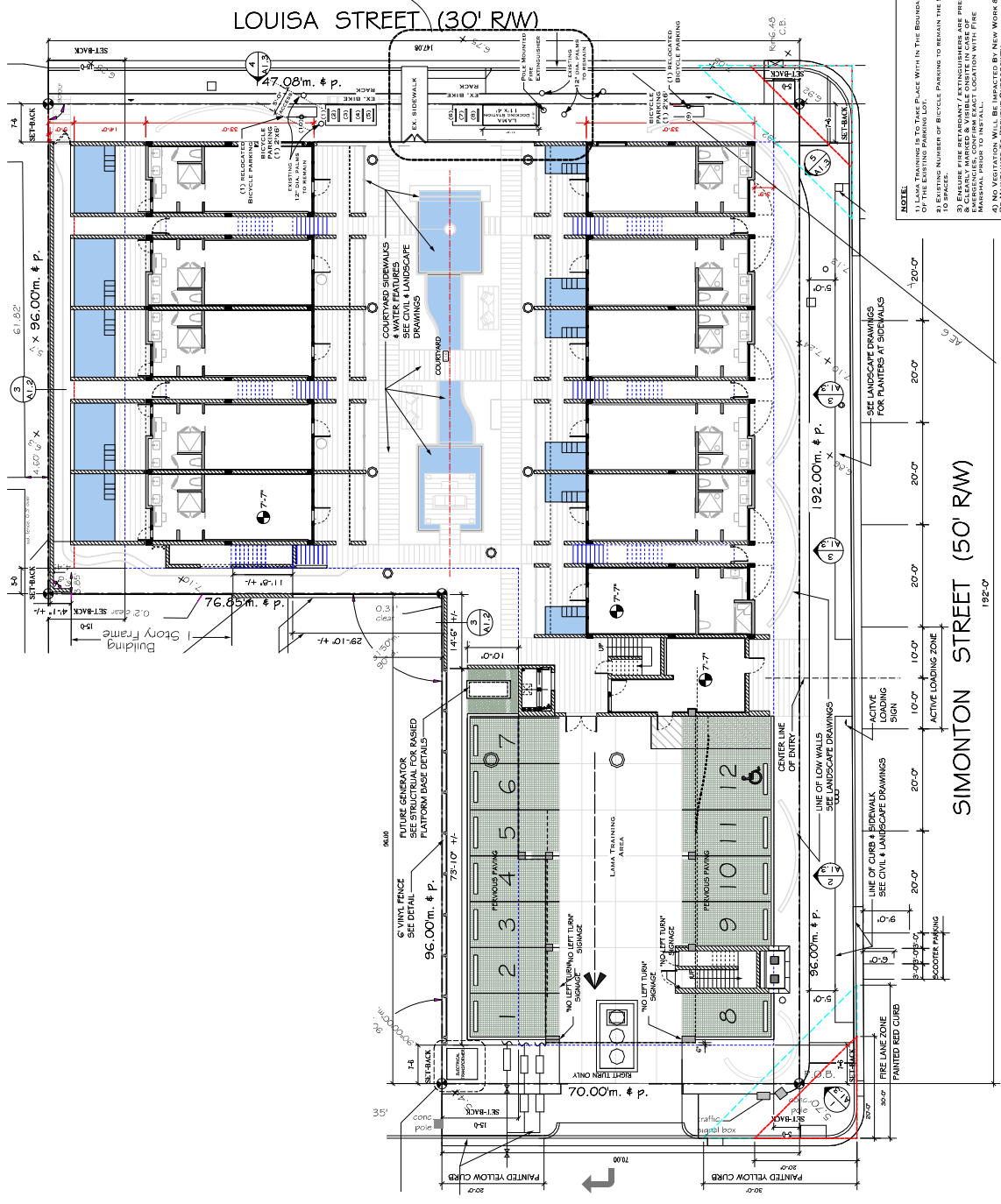


REVISION #	DATE



PROPOSED SCOOTER RACK LOCATION
ON LOUISA STREET

TIMOTHY SETH NEAL FLA. REGISTRATION # AR97505



NOTES:
1) TRAINING IN THE SPACE WITH IN THE BOUNDARIES OF THE EXISTING PARKING LOT
2) EXISTING NUMBER OF BICYCLE PARKING TO REMAIN THE SAME AS TO SPACES.
3) THE NUMBER OF BICYCLE PARKING TO REMAIN THE SAME AS TO SPACES.
4) CLEARLY MARKED A VISIBLE CHAIR IN CASE OF EMERGENCY SHOULD TO NOT ALL.
5) NO VEGETATION WILL BE IMPACTED BY NEW WORK & WILL BE MAINTAINED TO PREVENT OVERGROWTH

ARCHITECTURAL SITE PLAN
SCALE: 1" = 10'

RESOLUTION NO. 15-091

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING MAJOR DEVELOPMENT PLAN AND LANDSCAPE MODIFICATION / WAIVER APPROVALS PURSUANT TO SECTIONS 108-91.A.2.(A) AND 108-517 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR THE REDEVELOPMENT OF A 22 ROOM MOTEL AND ONE NON-TRANSIENT RESIDENTIAL UNIT AND FOR THE REDUCTION OF REQUIRED LANDSCAPING ASSOCIATED WITH THE PROPOSED HOTEL REDEVELOPMENT ON PROPERTY LOCATED AT 1212, 1220 & 1222 SIMONTON STREET (RE # 00028730-000000, 00028750-000000; AK # 1029513, 1029530) IN THE HISTORIC NEIGHBORHOOD COMMERCIAL - TRUMAN / SIMONTON (HNC-1) ZONING DISTRICT; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 108-91.A.2.(a) of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that within the Historic District, a Major Development Plan is required for the reconstruction of five or more transient residential units; and

WHEREAS, the proposed use of the property is a continuation of the existing conforming hotel/motel/transient lodging use, within the Historic Neighborhood Commercial - Truman / Simonton (HNC-1) Zoning District; and

WHEREAS, the applicant has requested modifications or waivers to the City's landscaping requirements pursuant to City Code Section 108-517; and

WHEREAS, Code Sections 108-196(a) and 122-62(a) require the Planning Board to review and approve, approve with conditions or deny the proposed Major Development Plan in an advisory capacity to the City Commission; and

WHEREAS, Code Section 108-517(a) requires the Planning Board to consider the landscape modification / waiver request and render the final action; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on October 16, 2014, resulting in Planning Board Resolution No. 2014-70 advising approval with conditions to the City Commission; and

WHEREAS, the granting of the Major Development Plan and Landscape Modification / Waiver application is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the Planning Board determined that the granting of the Major Development Plan and Landscape Modification / Waiver is in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

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

WHEREAS, the granting of the Major Development Plan will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

NOW THEREFORE BE IT RESOLVED by the City Commission 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 City Commission grants approval of the application for Major Development Plan and Landscape Modification / Waiver for the redevelopment of a 22-unit motel on property located at 1212, 1220 & 1222 Simonton Street (RE # 00028730-000000, 00028750-000000; AK # 1029513, 1029530) in the Historic Neighborhood Commercial - Truman / Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2.(a) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans, with the conditions provided in Planning Board Resolution No. 2014-70, and specified as follows:

General conditions:

1. The proposed development shall be consistent with the plans signed and sealed February 18, 2015 by Peter M.

Pike, Architect, the civil plans dated January 26, 2015 by Allen E. Perez, P.E., and the landscape plans dated January 21, 2015 by Tyler Nielsen, Landscape Architect.

2. Although subject to a separate City approval, the City shall not bear any of the costs of the proposed sidewalk and any landscaping improvements within City right-of-way. Any work on City right-of-way will require coordination with both the City Engineering Department and Urban Forester.

3. During all phases of demolition and construction, temporary fencing and erosion barriers shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.

4. This approval shall not become effective until the concurrent application for height variance is approved and effective.

5. No sound from amplified or live music may cross any property line adjacent to non-transient residential use.

Conditions prior to issuance of a building permit:

6. Approval of a Public Art Plan shall be obtained from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee.

7. The property owner shall comply will all ADA requirements.

Conditions prior to issuance of a Certificate of Occupancy:

8. On-site artwork shall be installed and inspected by the City pursuant to Code Section 2-487.

9. The property owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on an annual basis upon reasonable notice to determine compliance with the above conditions.

Conditions subject to a Conditional Approval Permit, and subject to an associated annual inspection:

10. The rooftop pool and bar shall be for use of hotel guests only and shall not be open to the general public.

Section 3. Full, complete, and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

Section 4. This Major Development Plan and Landscape Modification / Waiver does not constitute a finding as to ownership or right to possession of the property, and assumes, without

finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 5. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 6. This Resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 73C, F.A.C., this permit 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 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.

Passed and adopted by the City Commission at a meeting held this 3rd day of March, 2015.

Authenticated by the presiding officer and Clerk of the Commission on March 4, 2015.


Filed with the Clerk March 4, 2015.

Mayor Craig Cates	<u>Yes</u>
Vice Mayor Mark Rossi	<u>Yes</u>
Commissioner Teri Johnston	<u>No</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>
Commissioner Tony Yaniz	<u>Yes</u>



CRAIG CATES, MAYOR

ATTEST:



CHERYL SMITH, CITY CLERK



EXECUTIVE SUMMARY

To: Jim Scholl, City Manager

Through: Kevin Bond, AICP, LEED Green Associate, Acting Planning Director

From: Carlene Smith, LEED Green Associate, Planner II

Meeting Date: March 3, 2015

RE: **Major Development Plan & Landscape Modifications / Waivers – 1212, 1220 & 1222 Simonton Street (RE # 00028730-000000, 00028750-000000; AK # 1029513, 1029530) – A request for major development plan approval and landscape modifications / waivers for the redevelopment of a 22-room motel and one non-transient dwelling unit on property located within the Historic Neighborhood Commercial – Truman / Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2.(a) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

ACTION STATEMENT:

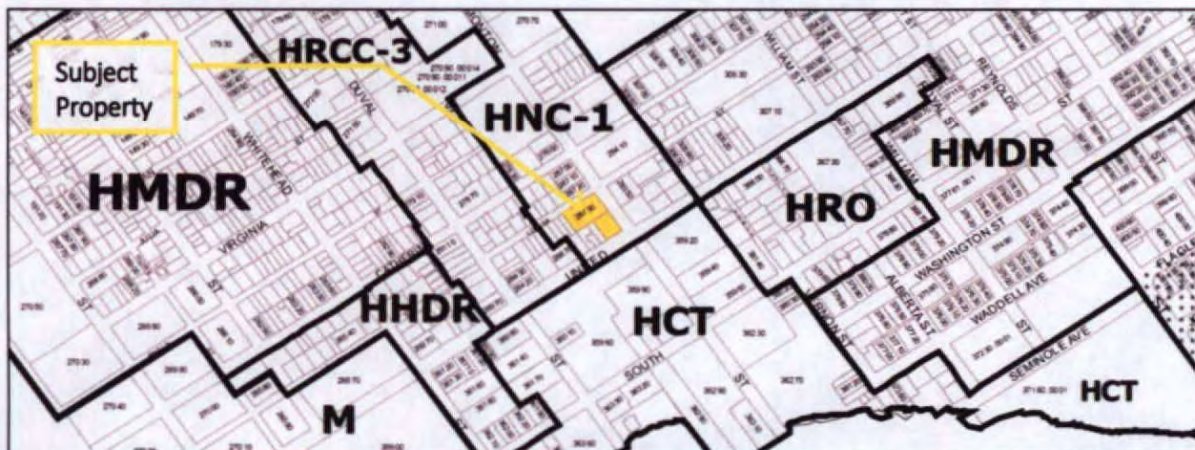
Request: Major development plan approval and landscape modifications / waivers for the demolition of the existing Spindrift Motel and an existing mixed-use commercial / residential building and the construction of a new 22-room hotel with one non-transient apartment.

Applicant: Trepanier & Associates, Inc.

Property Owners: Casa Marina – 1220 Simonton Street, LLC

Location: 1212, 1220 & 1222 Simonton Street
(RE # 00028730-000000, 00028750-000000; AK # 1029513, 1029530)

Zoning: Historic Neighborhood Commercial – Truman / Simonton (HNC-1)



BACKGROUND:

The subject property, located in the 1200 block of Simonton Street between Louisa and United Streets within the HNC-1 Zoning District, consists of two separate parcels under the same ownership. The property at 1212 Simonton Street is the 22-room Spindrift Motel. The property at 1220-1222 Simonton Street is a two-story mixed-use building with commercial uses on the first floor and one non-transient residential unit on the second floor. The first floor tenants include a hair salon, a dentist’s office and a former burrito restaurant. According to the 2011 Key West Historic Resources Survey, the Spindrift Motel building is a contributing structure within the historic district. However, on January 27, 2015, HARC approved a certificate of no contributing value for the structure. The other existing buildings are non-contributing.

The proposed development would demolish all existing buildings and the commercial uses at 1220-1222 Simonton Street would cease, to be replaced by a new 22-room hotel and one non-transient apartment. The new hotel features several pool areas, including a rooftop pool, deck and bar area. Several existing building encroachments and setback nonconformities would be eliminated and the overall property would be brought further into compliance with the City’s Land Development Regulations.

In order to allow the proposed development, several development approvals would be necessary or are requested by the applicant:

- Major Development Plan review is required due to the reconstruction of five or more residential units, pursuant to Section 108-91.A.2.(a) of the Land Development Regulations (LDRs) of the Code of Ordinances (the “Code”) of the City of Key West (the “City”);
- Modifications or waivers to reduce landscaping requirements pursuant to City Code Section 108-517; and
- Height variance for non-habitable space in order to construct an elevator shaft on the second floor roof deck.

City Actions:

Development Review Committee (DRC):	June 26, 2014
Preliminary Tree Commission:	September 9, 2014
Planning Board:	October 16, 2014 (PB Res No. 2014-70)
HARC (Demolition & Design):	January 27, 2015
Final Tree Commission:	February 10, 2015
City Commission:	March 3, 2015
Board of Adjustment (Height Variance):	March 3, 2015

PLANNING STAFF ANALYSIS:

Development Plan Review

City Code Section 108-91.A.2.(a) requires the construction of five (5) or more permanent and transient residential units within the historic district to be reviewed as a Major Development Plan. Planning staff and the Planning Board, as required by Chapter 108 of the City LDRs, reviewed the request for compliance with the City’s LDRs and Comprehensive Plan as detailed in the attached Planning Board staff report. On October 16, 2014, the Planning Board reviewed

the request and staff recommendations, pursuant to City Code Section 108-196(a), and passed Resolution No. 2014-70 advising approval with conditions to the City Commission.

City Code Section 108-198 states that the City Commission shall approve with or without conditions or disapprove the development plan based on specific development review criteria contained in the LDRs and based on the intent of the LDR's and Comprehensive Plan. The City Commission may attach to its approval of a development plan any reasonable conditions, limitations or requirements that are found necessary, in its judgment, to effectuate the purpose of this article and carry out the spirit and purpose of the comprehensive plan and the LDR's. Any condition shall be made a written record and affixed to the development plan as approved. If the City Commission disapproves a development plan, the reasons shall be stated in writing.

It should be noted that Planning Board Resolution No. 2014-70 required several conditions to be satisfied prior to the City Commission hearing (see conditions #4-6). Subsequent to the Planning Board approval, all conditions have been satisfied. Any outstanding issues are reflected in the staff recommendations below. The resulting set of revised plans is attached.

Options / Advantages / Disadvantages:

Option 1. Approve the request with conditions (listed below) as advised by the Planning Board in Resolution No. 2014-70, and additional conditions recommended by staff:

Consistency with the City's Strategic Plan, Vision and Mission: Granting the request would be consistent with Economy and Environment goals of the Strategic Plan.

Financial Impact: The City would collect building permit, licensing and impact fees during subsequent phases of development. There would be no cost to the City for granting the request.

Option 2. Deny the request based on findings that the proposed development does not comply with the criteria established by the Comprehensive Plan and the Land Development Regulations.

Consistency with the City's Strategic Plan, Vision and Mission: Denial of the requested easement would not be inconsistent with the Strategic Plan.

Financial Impact: There would be no cost to the City for denying the request.

RECOMMENDATION: Option 1.

Staff and the Planning Board, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends **Option 1** to the City Commission approving the request with conditions as outlined below:

General conditions:

1. The proposed development shall be consistent with the plans signed and sealed February 18, 2015 by Peter M. Pike, Architect, the civil plans dated January 26, 2015 by Allen E. Perez, P.E., and the landscape plans dated January 21, 2015 by Tyler Nielsen, Landscape Architect.

2. Although subject to a separate City approval, the City shall not bear any of the costs of the proposed sidewalk and any landscaping improvements within City right-of-way. Any work on City right-of-way will require coordination with both the City Engineering Department and Urban Forester.
3. During all phases of demolition and construction, temporary fencing and erosion barriers shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.
4. This approval shall not become effective until the concurrent application for height variance is approved and effective.
5. No sound from amplified or live music may cross any property line adjacent to non-transient residential use.

Conditions prior to issuance of a building permit:

6. Approval of a Public Art Plan shall be obtained from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee.
7. The property owner shall comply with all ADA requirements.

Conditions prior to issuance of a Certificate of Occupancy:

8. On-site artwork shall be installed and inspected by the City pursuant to Code Section 2-487.
9. The property owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on an annual basis upon reasonable notice to determine compliance with the above conditions.

Conditions subject to a Conditional Approval Permit, and subject to an associated annual inspection:

10. The rooftop pool and bar shall be for use of hotel guests only and shall not be open to the general public. The rooftop pool and bar shall be closed between sunset and sunrise each day.

**PLANNING BOARD
RESOLUTION NO. 2014-70**

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING MAJOR DEVELOPMENT PLAN AND LANDSCAPE MODIFICATION / WAIVER APPROVALS PURSUANT TO SECTIONS 108-91.A.2.(A) AND 108-517 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR THE RECONSTRUCTION OF A 22-ROOM HOTEL AND ONE NON-TRANSIENT DWELLING UNIT AND FOR THE REDUCTION AND/OR WAIVER OF REQUIRED LANDSCAPING ON PROPERTY LOCATED AT 1212, 1220 & 1222 SIMONTON STREET (RE # 00028730-000000, 00028750-000000; AK # 1029513, 1029530) WITHIN THE HISTORIC NEIGHBORHOOD COMMERCIAL – TRUMAN / SIMONTON (HNC-1) ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE


WHEREAS, Section 108-91 of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) provides that within the Historic District, a Major Development Plan is required for the reconstruction of five or more residential units; and


WHEREAS, modifications and waivers to reduce the City’s landscaping requirements are requested or required pursuant to City Code Section 108-517; and

WHEREAS, Code Sections 108-196(a) and 122-62(a) require the Planning Board to review and approve, approve with conditions or deny the proposed Major Development Plan in an advisory capacity to the City Commission; and

WHEREAS, Code Section 108-517(a) requires the Planning Board to consider the landscape modification / waiver request and render the final action; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on

 Vice-Chairman

 Planning Director

October 16, 2014; and

WHEREAS, the granting of a Major Development Plan and Landscape Modification / Waiver application is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the Planning Board finds that the granting of a Major Development Plan and Landscape Modification / Waiver application is in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.



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

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

Section 2. The Major Development Plan and Landscape Modification / Waiver for the reconstruction of a 22-room motel and one non-transient dwelling unit on property located at 1212, 1220 & 1222 Simonton Street (RE # 00028730-000000, 00028750-000000; AK # 1029513, 1029530) in the Historic Neighborhood Commercial – Truman / Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2.(a) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans, is hereby approved with the following conditions:

General conditions:

1. The proposed development shall be consistent with the plans dated September 18, 2014 by Peter M. Pike, Architect, the civil plans dated May 30, 2014 by Allen E. Perez,

 Vice-Chairman
 Planning Director

P.E., and the landscape plans dated August 20, 2014 by Tyler Nielsen, Landscape Architect; notwithstanding the revisions requested and recommended by staff.

2. Although subject to a separate City approval, the City shall not bear any of the costs of the proposed sidewalk and any landscaping improvements within City right-of-way.

3. During all phases of demolition and construction, temporary fencing and erosion barriers shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.

Conditions prior to the City Commission hearing:

4. The applicant shall address all of staff's and the DRC's concerns as outlined in the October 16, 2014 staff letter and the June 26, 2014 DRC minutes.

5. The applicant shall submit an irrigation plan pursuant to City Code Section 108-243(d).

6. The applicant shall submit an outdoor lighting plan pursuant to City Code Section 108-284.

7. The architectural, civil and landscaping plans shall be revised and corrected in order to eliminate any and all inconsistencies between the plans to the satisfaction of the City Planner.

Conditions prior to issuance of a building permit:

8. Approval of a Public Art Plan shall be obtained from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee.

Conditions prior to issuance of a Certificate of Occupancy:

9. On-site artwork shall be installed and inspected by the City pursuant to Code Section 2-487.

10. The property owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on an annual basis upon reasonable notice to determine compliance with the above conditions.

Conditions subject to a Conditional Approval Permit, and subject to an associated annual inspection:

11. The rooftop pool and bar shall be for use of registered hotel guests only and shall not be open to the general public.

12. No sound from amplified or live music may cross any adjacent residential property line.

13. Any sale of alcohol shall be charged to a hotel room. No cash service.

14. No advertising of a public-access bar shall be allowed.

15. All outdoor lighting shall meet Dark Sky standards and guidelines.

16. A minimum of nine (9) off-street bicycle parking spaces shall be installed and maintained.

Section 3. Full, complete and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

Section 4. This Major Development Plan and Landscape Modification / Waiver

WJL Vice-Chairman

OC Planning Director

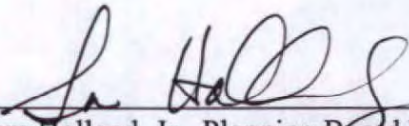
application approval by the Planning Board does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of the applicant's assertion of legal authority respecting the property.

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 Board.

Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order shall be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for 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 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.

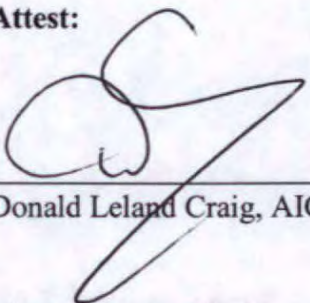
Read and passed on first reading at a regularly scheduled meeting held this 16th day of October, 2014.

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



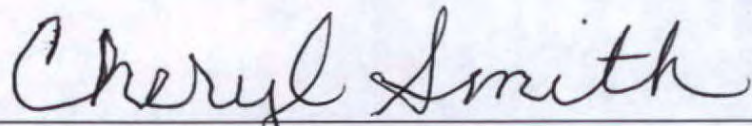
Sam Holland, Jr., Planning Board Vice-Chairman
10-24-14
Date

Attest:





Donald Leland Craig, AICP, Planning Director
10 23 14
Date

Filed with the Clerk:



Cheryl Smith, City Clerk
10-23-14
Date

 Vice-Chairman

 Planning Director

RESOLUTION NO. 15-093

VARIANCE: 1212, 1220 and 1222 SIMONTON STREET
RE #00028730-000000 AND #00028750-000,
AK #1029513 AND 1029530

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT APPROVING A NON-HABITABLE SPACE VARIANCE TO BUILDING HEIGHT REGULATIONS FOR PROPERTY IN THE HNC-1, HISTORIC NEIGHBORHOOD COMMERCIAL DISTRICT - TRUMAN/SIMONTON ZONING DISTRICT, UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR PROPERTY LOCATED AT 1212, 1220 AND 1222 SIMONTON STREET (RE #00028730-000000 AND #00028750-000, AK #1029513 AND 1029530) TO CONSTRUCT AN ELEVATOR SHAFT ON THE SECOND FLOOR ROOF DECK ON A PROPOSED HOTEL PROJECT; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Key West Board of Adjustment (the "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 lands, structures or buildings in the same district; and

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

WHEREAS, the 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 or undue hardship on the applicant; and

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

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

WHEREAS, the Board finds that the applicant cannot make reasonable use of the land, building or structure without the grant of the instant variance; and

WHEREAS, the Board of Adjustment finds that the applicant has satisfied the conditions of Key West Code of Ordinances section 90-395 and likewise met the requirements established by Code section 90-274.

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

Section 1: That a non-habitable space variance to building height regulations from the 35 feet maximum building height allowed in the HNC-1 zoning district (28 feet inches existing), under the Code of Ordinances of the City of Key West, Florida section 122-810(3) to the proposed 40 feet 2 inches maximum building height is hereby approved.

Section 2: That this approval is conditioned upon:

(1) This approval shall not become effective until the concurrent application for major development plan and landscape modifications / waivers are approved and effective.

(2) This height variance shall only be for the nonhabitable elevator shaft at a height of 40 feet 2 inches. Any future increase of height beyond this 3D building envelope would require a new height variance application.

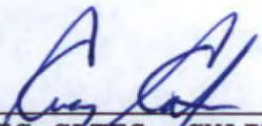
Section 3: This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Board.

Passed and adopted by the Board of Adjustment at a meeting held this 3rd day of March, 2015.

Authenticated by the Presiding Officer and Clerk of the Board on 4th day of March, 2015.

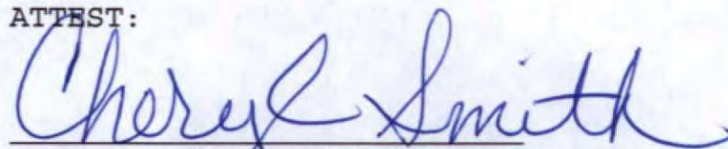
Filed with the Clerk on March 4, 2015.

Chairman Craig Cates	<u>Yes</u>
Commissioner Teri Johnston	<u>Yes</u>
Commissioner Clayton Lopez	<u>Yes</u>
Commissioner Mark Rossi	<u>Yes</u>
Commissioner Billy Wardlow	<u>Yes</u>
Commissioner Jimmy Weekley	<u>Yes</u>
Commissioner Tony Yaniz	<u>Yes</u>



CRAIG CATES, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:



CHERYL L. SMITH, CITY CLERK

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



To: Chairman and Board of Adjustment Members
Through: Jim Scholl, City Manager
From: Carlene Smith, LEED Green Associate, Planner II
Meeting Date: March 3, 2015

Agenda Item: **Height Variance – 1212, 1220 & 1222 Simonton Street (RE # 00028730-000000, 00028750-000000; AK # 1029513, 1029530) – A request for variance to height for non-habitable space in order to construct an elevator shaft on the second floor roof deck on a proposed hotel project on property located within the Historic Neighborhood Commercial - Truman / Simonton (HNC-1) Zoning District pursuant to Sections 90-395 and 122-810 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Request: To consider a height variance of 5 feet 2 inches to an overall height of 40 feet 2 inches for non-habitable space in order to construct an elevator shaft on the second floor roof deck.

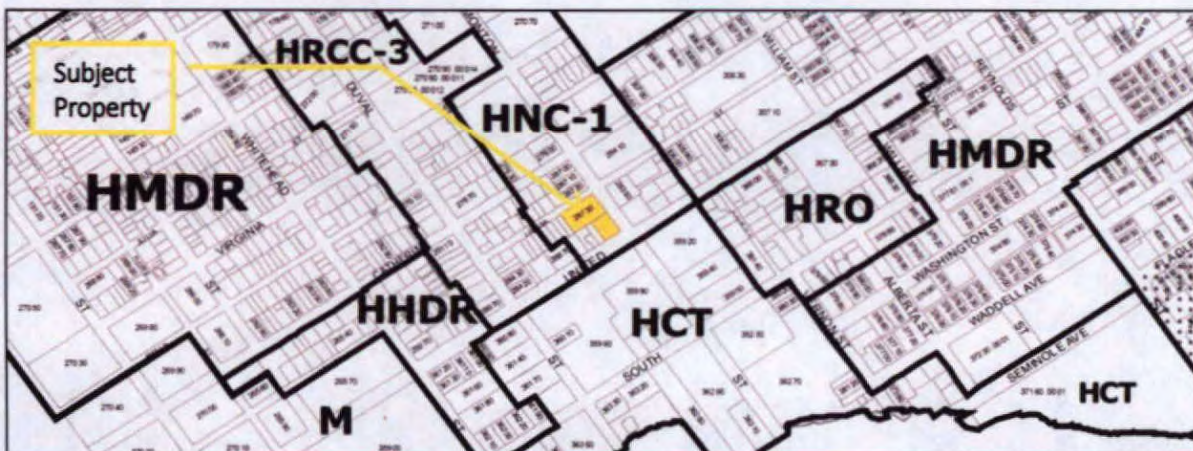
Applicant: Trepanier & Associates, Inc.

Property Owners: Casa Marina – 1220 Simonton Street, LLC

Location: 1212, 1220 & 1222 Simonton Street

(RE # 00028730-000000, 00028750-000000; AK # 1029513, 1029530)

Zoning: Historic Neighborhood Commercial – Truman / Simonton (HNC-1)



Background:

The request for a height variance is associated with an application for major development plan and landscape modifications / waivers for the demolition of the existing Spindrift Motel and an existing mixed-use commercial / residential building and the construction of a new 22-room hotel with one non-transient apartment.

The proposed development would demolish all existing buildings and the commercial uses at 1220-1222 Simonton Street would cease, to be replaced by a new 22-room hotel and one non-transient apartment. The new hotel features several pool areas, including a rooftop pool, deck and bar area. Several existing building encroachments and setback nonconformities would be eliminated and the overall property would be brought further into compliance with the City's Land Development Regulations.

Request:

A height variance for non-habitable space is requested to accommodate the proposed construction of an elevator shaft on the second floor roof deck. The elevator would allow ADA access to the second floor amenities. Total height would be 40 feet 2 inches from crown of road. The elevator shaft is the only portion of the building requesting to exceed height limit.

The City Charter Section 1.05 allows that variances to height regulations for non-habitable purposes be granted by the Board of Adjustment. The full provision is provided as follows:

City Charter Section 1.05, Height Restriction:

- (a) Building height restrictions in the City's Land Development Regulations and building code in effect as of the adoption of this charter section are subject to change only upon approval of a majority of the qualified electors casting ballots at a general municipal election.
- (b) If the Board of Adjustment approves a height variance for habitable building space, this approval shall be submitted to the voters for ratification in the next regularly scheduled election. Board of Adjustment approval shall not become effective until voter ratification.

Board of Adjustment height variances for non-habitable purposes, including, but not limited to, radio towers, antennae and spires, shall be final and not be subject to referendum [Emphasis added.] Board of Adjustment height variances for build back of involuntarily destroyed structures which are nonconforming in their height shall also be final and not subject to referendum.

The following table summarizes the relevant project data:

Project Data				
	Required/ Allowed	Existing	Proposed	Variance Request
Zoning	HNC-1			
Maximum Height	35 feet	28 feet	40 feet 2 inches	5 feet 2 inches

City Actions:

Development Review Committee (DRC):	January 22, 2015
Board of Adjustment:	March 3, 2015

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 Board of Adjustment 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 proposed development would demolish all existing buildings. Therefore, there would be no existing special conditions and/or circumstances peculiar to this property.

NOT IN COMPLIANCE

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

The applicant's proposed placement of the amenities on the rooftop triggers the need for ADA accessibility and therefore the height variance request for the elevator shaft.

NOT IN COMPLIANCE

- 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.**

Although the proposed placement of the rooftop pool and bar is strategically placed furthest away from residential use on Louisa Street, the height variance to construct an elevator shaft on the second floor roof deck would confer special privileges upon the applicant.

NOT IN COMPLIANCE.

- 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.**

If the height variance for the proposed elevation is denied, the applicant would not be deprived of rights commonly enjoyed by other properties in the HNC-1 zoning district. Although the proposed placement of the rooftop pool and bar is strategically placed furthest away from residential use on Louisa Street, the pool and bar can be centrally placed between the two structures eliminating the need for the elevator. Therefore, hardship conditions do not exist.

NOT IN COMPLIANCE.

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.**

The applicant would have reasonable use of the land and building without the variance. However, it is the minimum necessary to accommodate the request.

NOT IN COMPLIANCE.

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 applicant's proposed placement of the rooftop pool and bar is strategically placed furthest away from residential use on Louisa Street therefore preserving the integrity of the neighborhood by considerably limiting the noise. Therefore, it does not appear that granting of the variance will be injurious to the area involved or otherwise detrimental to the public interest or welfare.

IN COMPLIANCE.

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.**

Existing non-conforming uses of other properties, use of neighboring lands, structures, or buildings in the same district, or other zoning districts, are not the basis for this request.

IN COMPLIANCE.

Pursuant to Code Section 90-395(b), the Board of Adjustment 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.**

The applicant meets some, but does not meet all the standards established by the City Code for a variance.

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 Planning Department has not received any public comment for the variance request as of the date of this report.

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends the request for variance be **DENIED**.

However, if the Board of Adjustment chooses to approve the variance application, the Planning Department recommends the following conditions:

1. This approval shall not become effective until the concurrent application for major development plan and landscape modifications / waivers are approved and effective.
2. This height variance shall only be for the nonhabitable elevator shaft at a height of 40 feet 2 inches. Any future increase of height beyond this 3D building envelope would require a new height variance application.

Verification Form



**City of Key West
Planning Department
Verification Form**
(Where Applicant is an entity)

I, Thomas Francis-Siburg, in my capacity as Associate
(print name) (print position; president, managing member)

of Owen Trepanier & Associates, Inc.
(print name of entity)

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:

1220 Simonton Street, Key West, FL 33040 (RE# 00028730-000000)

Street address of subject property

I, the undersigned, declare under penalty of perjury under the laws of the State of Florida that I am the Authorized Representative of the property involved in this application; that the information on all plans, drawings and sketches attached hereto and all the statements and answers contained herein are in all respects true and correct.

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.

Thomas Francis-Siburg
Signature of Applicant

Subscribed and sworn to (or affirmed) before me on this April 06, 2021 by
date

Thomas Francis-Siburg
Name of Applicant

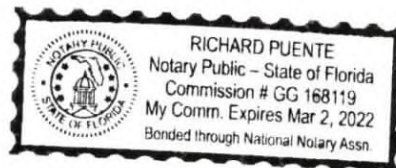
He/She is personally known to me or has presented _____ as identification.

Richard Puente
Notary's Signature and Seal

Richard Puente
Name of Acknowledger typed, printed or stamped

GG 168119

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, Marc Meisel as
Please Print Name of person with authority to execute documents on behalf of entity

Manager of Casa Marina - 1220 Simonton Street, LLC
Name of office (President, Managing Member) Name of owner from deed

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

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

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

Subscribed and sworn to (or affirmed) before me on this 3-25-2021
Date

by MARC MEISEL
Name of person with authority to execute documents on behalf of entity owner

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

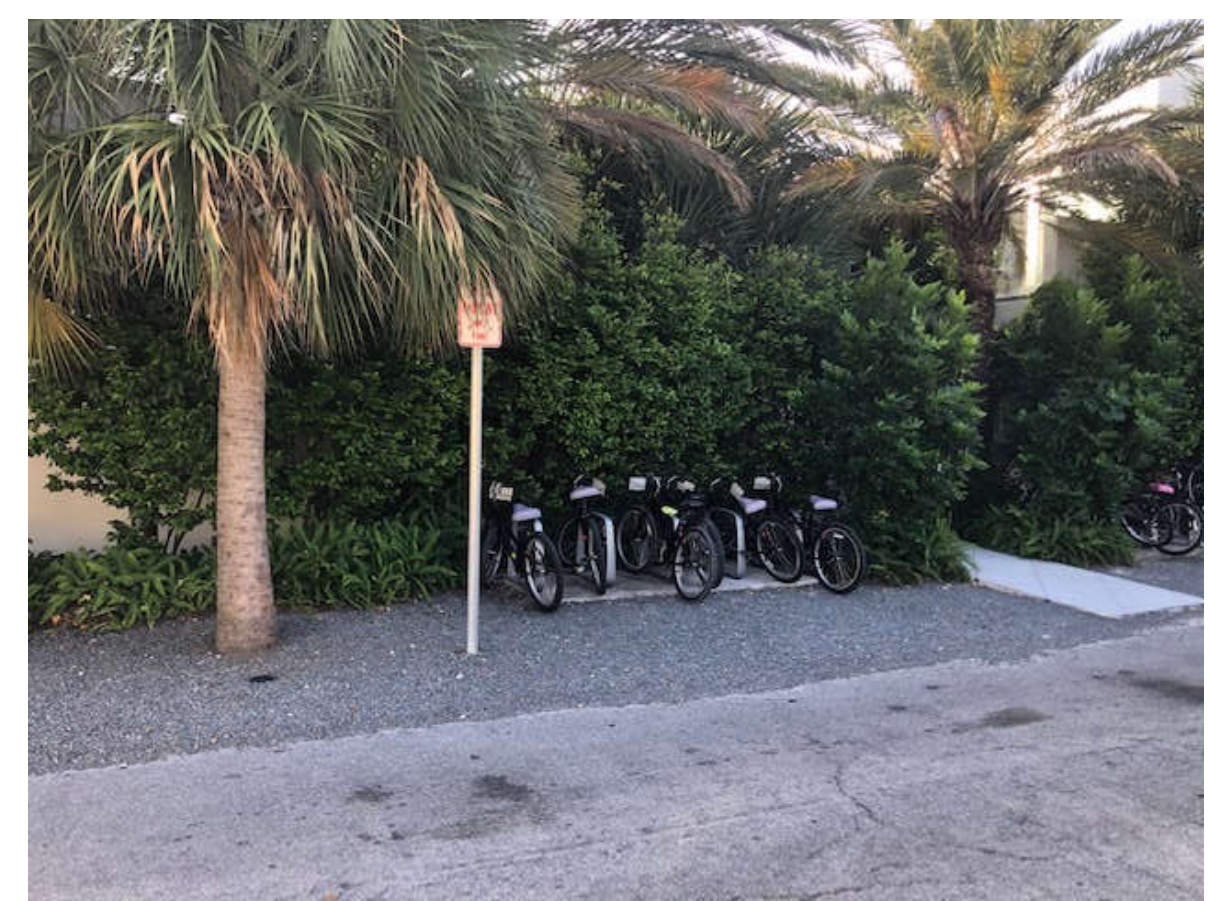
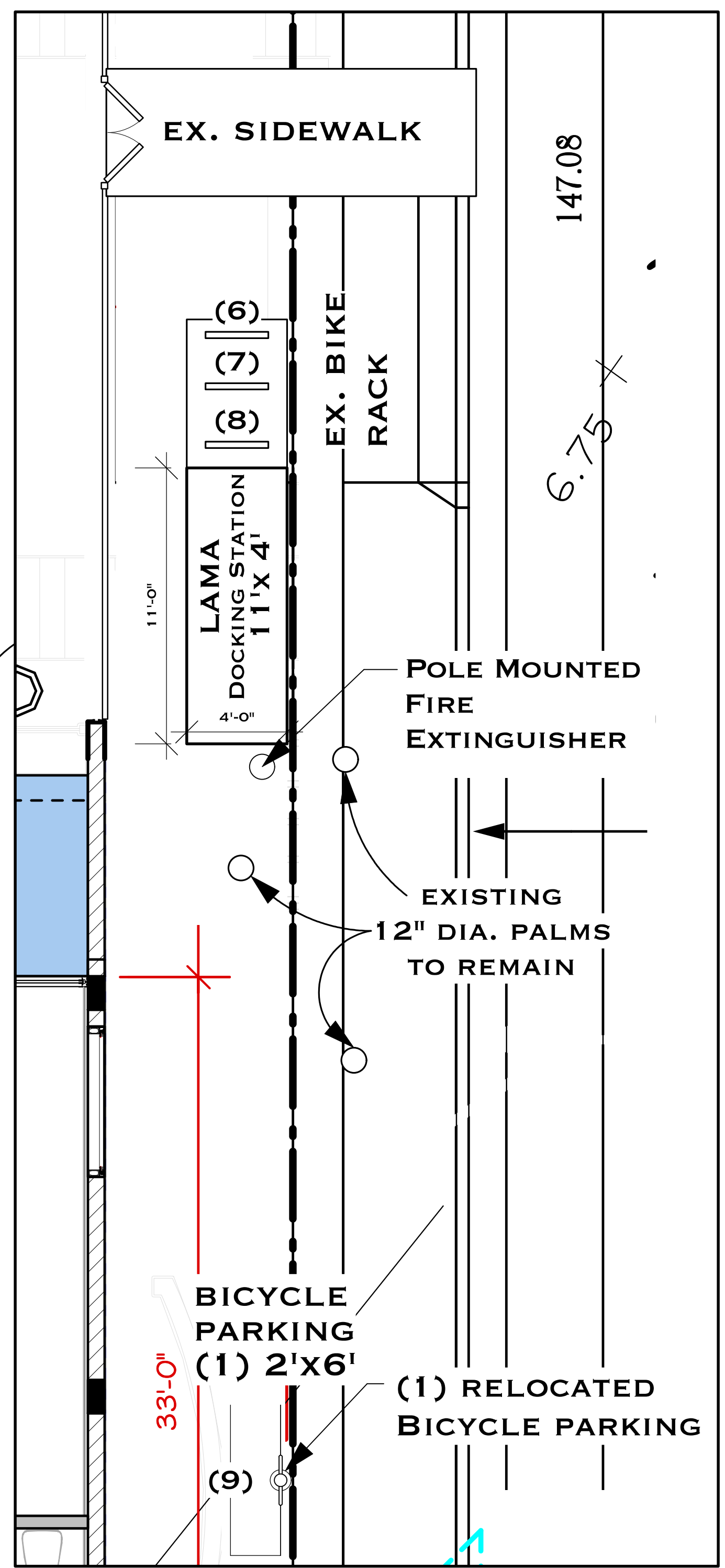
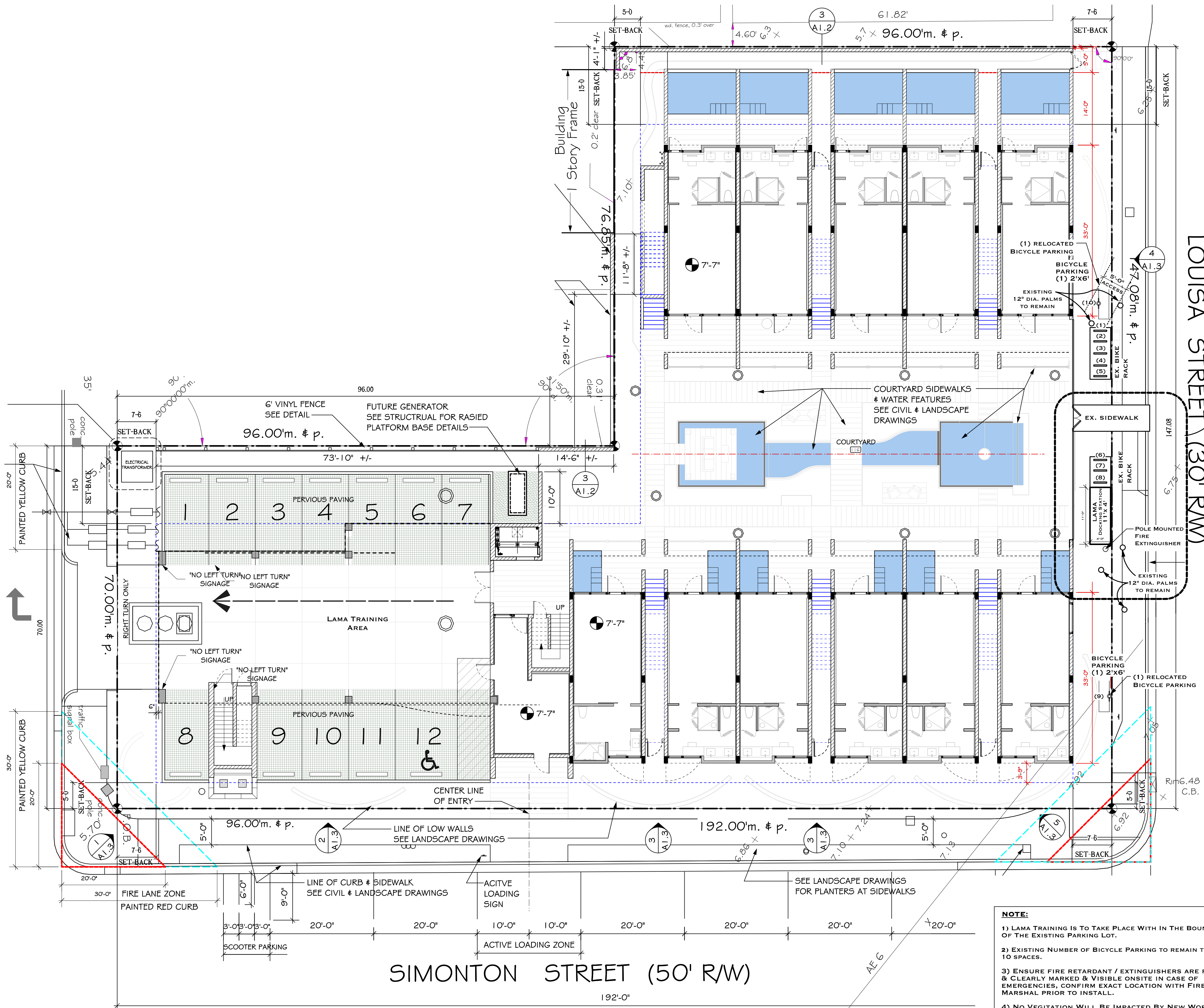
[Signature]
Notary's Signature and Seal

Jerome J Stezar
Name of Acknowledger typed, printed or stamped



COMMISSION EXPIRES 5-19-2023
Commission Number, if any

Boundary Survey



PROPOSED SCOOTER RACK LOCATION ON LOUISA STREET

- NOTE:**
- 1) LAMA TRAINING IS TO TAKE PLACE WITH IN THE BOUNDARIES OF THE EXISTING PARKING LOT.
 - 2) EXISTING NUMBER OF BICYCLE PARKING TO REMAIN THE SAME @ 10 SPACES.
 - 3) ENSURE FIRE RETARDANT / EXTINGUISHERS ARE PRESENT & CLEARLY MARKED & VISIBLE ONSITE IN CASE OF EMERGENCIES, CONFIRM EXACT LOCATION WITH FIRE MARSHAL PRIOR TO INSTALL.
 - 4) NO VEGETATION WILL BE IMPACTED BY NEW WORK & WILL BE MAINTAINED TO PREVENT OVERGROWTH

1 ARCHITECTURAL SITE PLAN
C1.1 SCALE: 1" = 10 FT

1 PARTIAL ENLARGE SITE PLAN
C1.1 SCALE: 1/4" = 1'-0"

T.S. NEAL
ARCHITECT INC.
22974 OVERSEAS HWY
CUDJOE KEY, FL
33042
305-340-8857
251-422-9547



H2O SUITES HOTEL
1212 SIMONTON ST
KEY WEST, FL 33040

DRAWING TITLE:
ARCHITECTURAL SITE PLAN &
PARTIAL ENLARGED PLAN

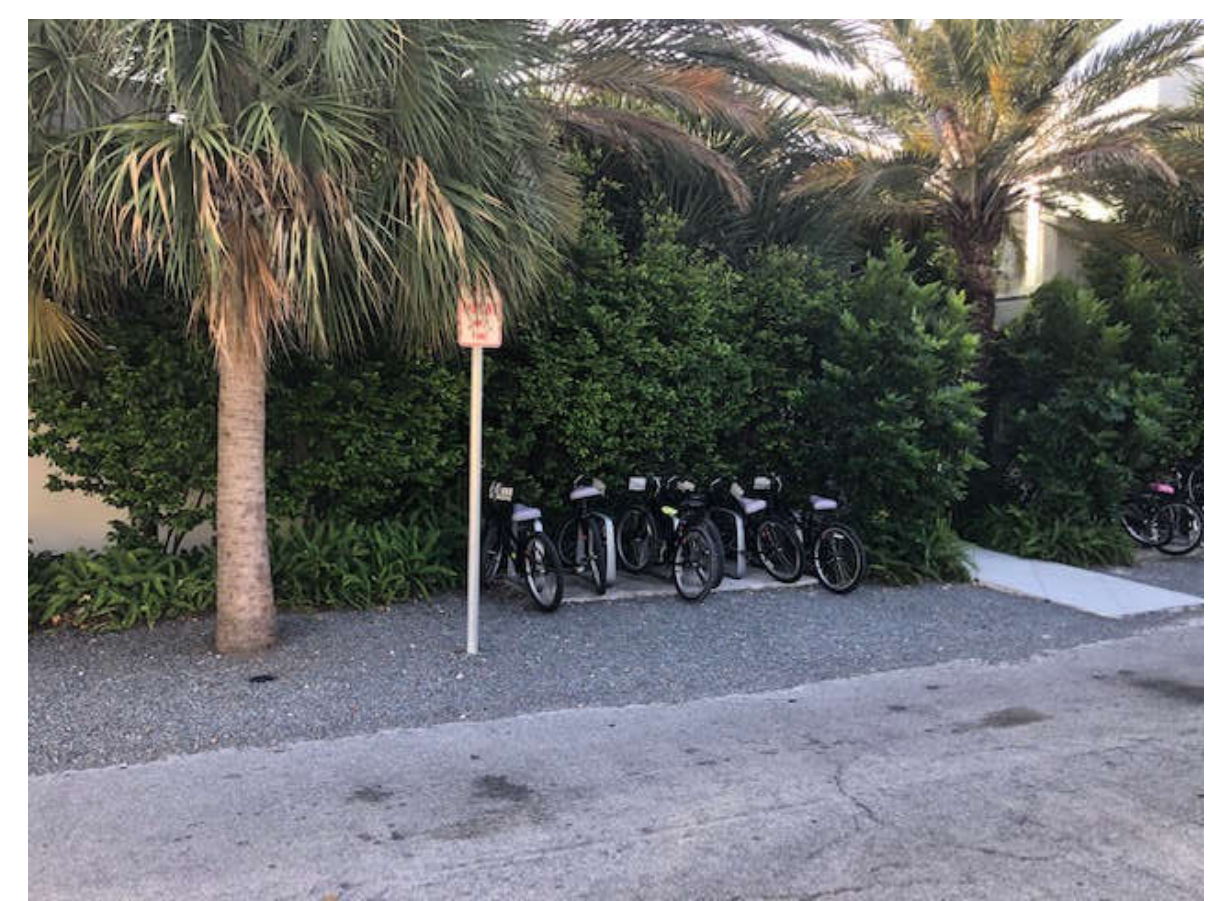
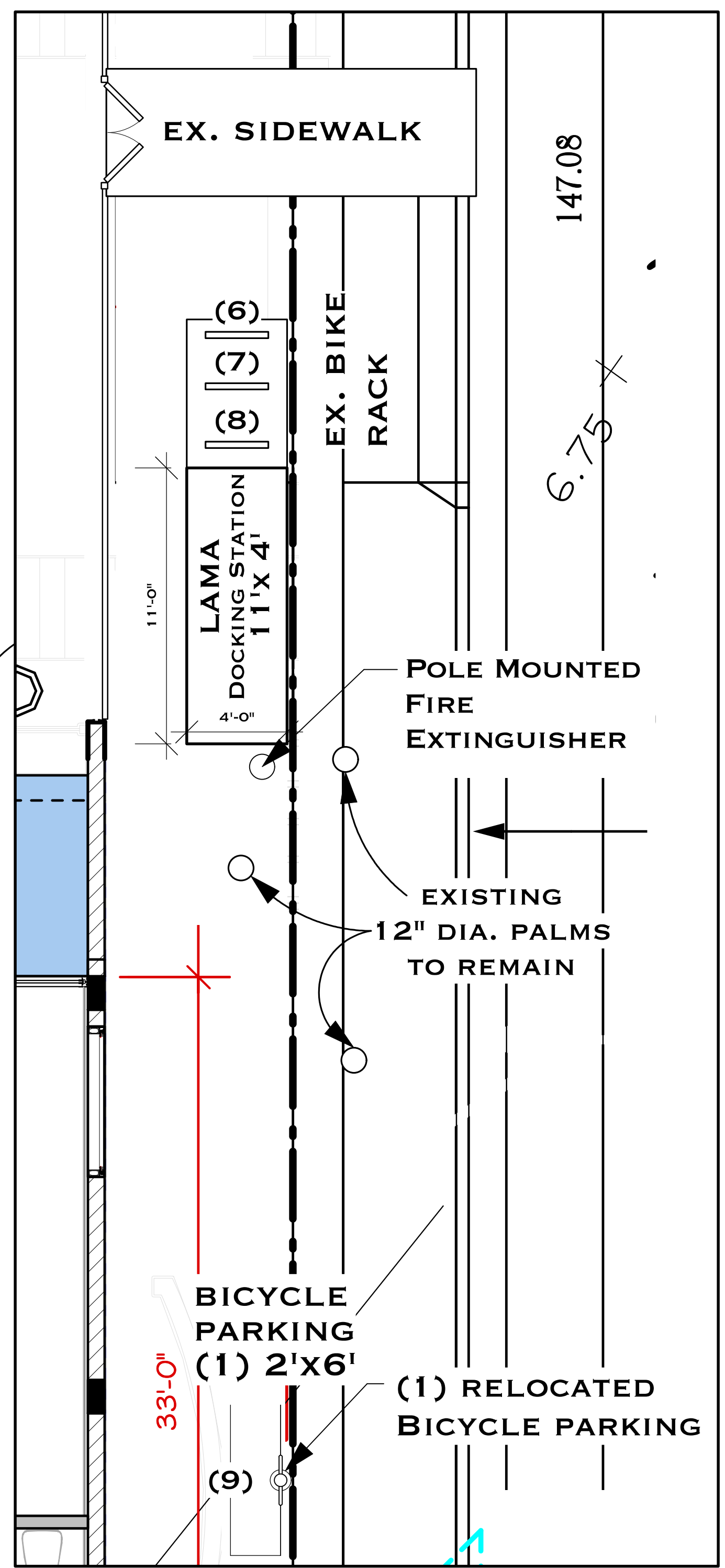
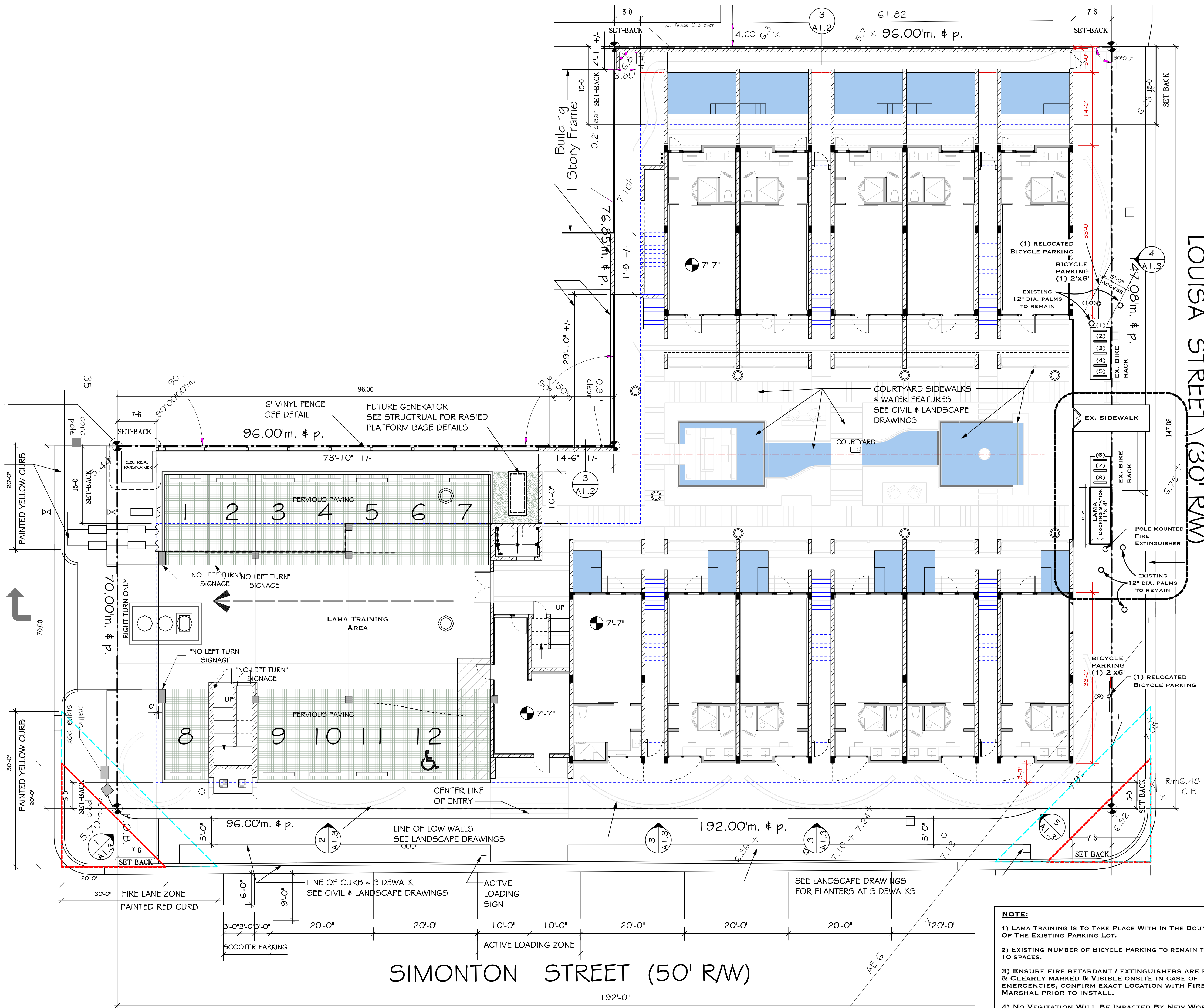
DRAWN: TSN / EDSA
CHECKED: TSN
DATE: 08-03-2021

REVISION # DATE

C1.1
SHEET #

T.S. NEAL ARCHITECTS, INC.

Ukg' Rnc p



PROPOSED SCOOTER RACK LOCATION ON LOUISA STREET

- NOTE:**
- 1) LAMA TRAINING IS TO TAKE PLACE WITH IN THE BOUNDARIES OF THE EXISTING PARKING LOT.
 - 2) EXISTING NUMBER OF BICYCLE PARKING TO REMAIN THE SAME @ 10 SPACES.
 - 3) ENSURE FIRE RETARDANT / EXTINGUISHERS ARE PRESENT & CLEARLY MARKED & VISIBLE ONSITE IN CASE OF EMERGENCIES, CONFIRM EXACT LOCATION WITH FIRE MARSHAL PRIOR TO INSTALL.
 - 4) NO VEGETATION WILL BE IMPACTED BY NEW WORK & WILL BE MAINTAINED TO PREVENT OVERGROWTH

1 ARCHITECTURAL SITE PLAN
C1.1 SCALE: 1" = 10 FT

1 PARTIAL ENLARGE SITE PLAN
C1.1 SCALE: 1/4" = 1'-0"

T.S. NEAL
ARCHITECT INC.
22974 OVERSEAS HWY
CUDJOE KEY, FL
33042
305-340-8857
251-422-9547



H2O SUITES HOTEL
1212 SIMONTON ST
KEY WEST, FL 33040

DRAWING TITLE:
ARCHITECTURAL SITE PLAN &
PARTIAL ENLARGED PLAN

DRAWN: TSN / EDSA
CHECKED: TSN
DATE: 08-03-2021

REVISION # DATE

C1.1
SHEET #

T.S. NEAL ARCHITECTS, INC.

TIMOTHY SETH NEAL FLA. REGISTRATION # AR97505

Deed

* This deed is being re-recorded to include the legal description * 1, 685, 000 a

Doc# 1994928 08/20/2014 1:59PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN *

Doc# 1992403 07/30/2014 3:25PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

Prepared by and return to:
JOHN M. SPOTTSWOOD, JR.
Attorney at Law
Spottswood, Spottswood & Spottswood
500 Fleming Street
Key West, FL 33040
305-294-9556
File Number: 14-134-EJ
Will Call No.:

07/30/2014 3:25PM
DEED DOC STAMP CL: Krys \$11,795.00

Doc# 1994928
Bk# 2699 Pg# 1715 *

Doc# 1992403
Bk# 2696 Pg# 1439

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 8th day of July, 2014 between Rivet Enterprises, Inc., a Florida corporation whose post office address is 17188 Flying Fish Lane, Summerland Key, FL 33042, grantor, and Casa Marina - 1220 Simonton Street, LLC, a Florida limited liability company whose post office address is 6000 Executive Blvd., Rockville, MD 20852, grantee:

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

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

See Attached Exhibit "A"

Parcel Identification Number: 00028750-000000
Alt Key # 1029530

Subject to taxes for 2014 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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


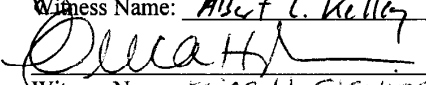
To Have and to Hold, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2013.

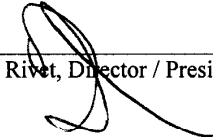
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.



Signed, sealed and delivered in our presence:


Witness Name: Albert L. Kelley

Witness Name: Erica H. Sterling

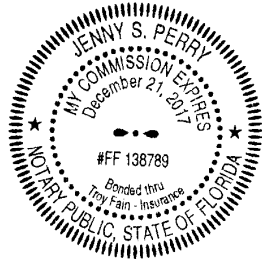
Rivet Enterprises, Inc., a Florida corporation

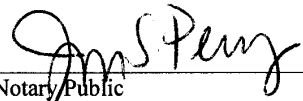
By: 
Bradley A Rivet, Director / President

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 8th day of July, 2014 by Bradley A Rivet of Rivet Enterprises, Inc., a Florida corporation, on behalf of said firm. He/she is personally known or has produced a driver's license as identification.

[Notary Seal]




Notary Public

Printed Name: _____

My Commission Expires: _____

EXHIBIT "A"

On the Island of Key West and known on Wm. A. Whitehead's map delineated in February, 1829 as part of Tract 11, but better known according to D.T. Sweeney's Subdivision of Lots 1, 2, 3, and 4, in Square 8, of Tract 11, recorded in Book "L" Deeds, Page 215, Monroe County, Records as part of Lots 25 and 26 described by metes and bounds as follows: Commencing at the Westerly corner of Simonton and United Streets, and running thence Northwesterly along the Southwesterly side of Simonton Street 96 feet; thence at right angles in a Southwesterly direction 70 feet; thence at right angles in a Southeasterly direction 96 feet to United Street; thence at right angles in a Northeasterly direction along the Northeasterly side of United Street 70 feet to the Point of Beginning.

Doc# 1994928
Bk# 2699 Pg# 1717



**MONROE COUNTY
OFFICIAL RECORDS**



Doc# 1996660 09/05/2014 2:29PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

09/05/2014 2:29PM
DEED DOC STAMP CL: Krys \$45,237.50

Prepared by and return to:

Spottswood, Spottswood & Spottswood
500 Fleming Street
Key West, FL 33040
305-294-9556
File Number: 13-559-EJ
Will Call No.:

Doc# 1996660
Bk# 2701 Pg# 1900

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed made this 3rd day of September, 2014 between Harborside Motel & Marina Inc., a Florida corporation whose post office address is 903 Eisenhower Drive, Key West, FL 33040, grantor, and Casa Marina - 1220 Simonton Street, LLC a Florida limited liability company whose post office address is 6000 Executive Blvd., Rockville, MD 20852, grantee:

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

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

See Attached Exhibit "A"

Parcel Identification Number: 00028730-000000

Subject to taxes for 2014 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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

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

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2013.

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

Signed, sealed and delivered in our presence:

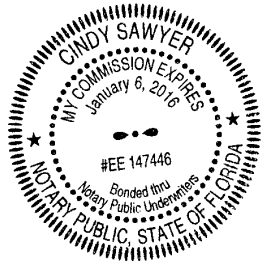
Alia V Stone
Witness Name: _____
Cindy Sawyer
Witness Name: _____

Harborside Motel & Marina Inc., a Florida corporation
By: Andreas Kwoke
Andreas Kwoke, President

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 3rd day of September, 2014 by Andreas Kwoke, President of Harborside Motel & Marina, Inc., a Florida corporation, who is personally known or has produced a driver's license as identification.

[Notary Seal]



Cindy Sawyer
Notary Public

Printed Name: _____

My Commission Expires: _____

EXHIBIT "A"

**Doc# 1996660
Bk# 2701 Pg# 1902**

1212 Simonton Street

PARCEL 1:

On the Island of Key West and in part of Tract Eleven (11) according to W. A. Whitehead's Map of said Island delineated in February, 1829, better known according to D. T. Sweeney's Subdivision of Lots One (1), Two (2), Three (3) and Four (4) of Square Eight (8) of Tract Eleven (11), recorded in Book 'L' Deeds, Page 215, of Monroe County Records, as Lots Twenty-Three (23) and Twenty-Seven (27).

PARCEL 2:

On the Island of Key West and known on Wm. A. Whitehead's Map, delineated in February, 1829, as part of Tract Eleven (11), but better known according to D. T. Sweeney's subdivision of Lots One (1), Two (2), Three (3) and Four (4) in Square Eight (8) of Tract Eleven (11), recorded in Book 'L' Deeds, Page 215, Monroe county Records, as Lot Twenty-Four (24), having a front on Simonton Street of 48 feet and extending back at right angles with Simonton Street 100 feet.

**MONROE COUNTY
OFFICIAL RECORDS**



[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Search by Entity Name](#) /

Detail by Entity Name

Florida Limited Liability Company
CASA MARINA - 1220 SIMONTON STREET, LLC

Filing Information

Document Number L14000105683
FEI/EIN Number 47-1255025
Date Filed 07/02/2014
Effective Date 07/02/2014
State FL
Status ACTIVE

Principal Address

6000 EXECUTIVE BLVD.
700
ROCKVILLE, MD 20852

Mailing Address

6000 EXECUTIVE BLVD.
700
ROCKVILLE, MD 20852

Registered Agent Name & Address

HUGHES-STERLING, ERICA N
500 FLEMING STREET
KEY WEST, FL 33040

Authorized Person(s) Detail

Name & Address

Title MGR

MEISEL, JOEL S
6000 EXECUTIVE BLVD, SUITE 700
ROCKVILLE, MD 20852

Annual Reports

Report Year	Filed Date
2019	02/07/2019
2020	01/13/2020
2021	01/29/2021

Document Images

01/29/2021 -- ANNUAL REPORT	View image in PDF format
01/13/2020 -- ANNUAL REPORT	View image in PDF format
02/07/2019 -- ANNUAL REPORT	View image in PDF format
01/11/2018 -- ANNUAL REPORT	View image in PDF format
01/09/2017 -- ANNUAL REPORT	View image in PDF format
04/18/2016 -- ANNUAL REPORT	View image in PDF format
01/20/2015 -- ANNUAL REPORT	View image in PDF format
07/02/2014 -- Florida Limited Liability	View image in PDF format

Property Record Card

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.

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00028730-000000
Account# 1029513
Property ID 1029513
Millage Group 10KW
Location 1220 SIMONTON St, KEY WEST
Address
Legal KW LTS 23 24 AND 27 AND PT LTS 25 AND 26 SQR 8 TR 11 G42-193/94 G43-414/15
Description G48-112/13 OR290-455/56 OR359-6/7 OR532-556 OR667-532 OR680-587/89 OR770-386/88 OR811-22/24 OR864-1949/50 OR898-132 OR937-2154 OR1010-2043/44 OR1424-1542 OR2696-1439/40 OR2699/1715/17 OR2701-1900/01
(Note: Not to be used on legal documents.)
Neighborhood 32080
Property Class HOTEL/MOTEL (3900)
Subdivision
Sec/Twp/Rng 06/68/25
Affordable No
Housing



Owner

CASA MARINA - 1220 SIMONTON STREET LLC
 6000 Executive Blvd
 Rockville MD 20852

	2020	2019	2018	2017
+ Market Improvement Value	\$3,281,734	\$3,350,103	\$3,044,064	\$1,427,306
+ Market Misc Value	\$228,697	\$234,802	\$206,707	\$158,590
+ Market Land Value	\$6,950,592	\$2,290,536	\$2,230,100	\$1,585,895
= Just Market Value	\$10,461,023	\$5,875,441	\$5,480,871	\$3,171,791
= Total Assessed Value	\$6,462,985	\$5,875,441	\$5,480,871	\$1,690,448
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$10,461,023	\$5,875,441	\$5,480,871	\$3,171,791

Land Use	Number of Units	Unit Type	Frontage	Depth
(3900)	14,120.00	Square Foot	96	147.08
(3900)	3,360.00	Square Foot	48	70
(3900)	3,360.00	Square Foot	48	70

Commercial Buildings

Style HOTEL/MOTEL B / 39B
Gross Sq Ft 14,382
Finished Sq Ft 9,294
Perimeter 2,482
Stories 2
Interior Walls DRYWALL
Exterior Walls C.B.S.
Quality 550 ()
Roof Type PRESTRESS CONC
Roof Material
Exterior Wall1 C.B.S.
Exterior Wall2
Foundation CONCRETE SLAB
Interior Finish DRYWALL
Ground Floor Area
Floor Cover CERM/CLAY TILE
Full Bathrooms 25
Half Bathrooms 0
Heating Type FCD/AIR DUCTED
Year Built 2017
Year Remodeled
Effective Year Built 2017
Condition

Code	Description	Sketch Area	Finished Area	Perimeter
CPF	COVERED PARKING FIN	2,310	0	202

OPX	EXC OPEN PORCH	1,692	0	620
FLA	FLOOR LIV AREA	9,294	9,294	1,104
OPF	OP PRCH FIN LL	84	0	114
OUF	OP PRCH FIN UL	672	0	338
SBF	UTIL FIN BLK	330	0	104
TOTAL		14,382	9,294	2,482

Style HOTEL/MOTEL B / 39B
Gross Sq Ft 7,300
Finished Sq Ft 4,950
Perimeter 1,534
Stories 2
Interior Walls DRYWALL
Exterior Walls C.B.S.
Quality 550 ()
Roof Type REINFORC CONC
Roof Material
Exterior Wall1 C.B.S.
Exterior Wall2
Foundation CONCRETE SLAB
Interior Finish DRYWALL
Ground Floor Area
Floor Cover CERM/CLAY TILE
Full Bathrooms 10
Half Bathrooms 0
Heating Type FCD/AIR DUCTED
Year Built 2017
Year Remodeled
Effective Year Built 2017
Condition

Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	1,450	0	466
FLA	FLOOR LIV AREA	4,950	4,950	696
OPF	OP PRCH FIN LL	450	0	186
OUF	OP PRCH FIN UL	450	0	186
TOTAL		7,300	4,950	1,534

Description	Year Built	Roll Year	Quantity	Units	Grade
WATER FEATURE	2017	2018	1	1 UT	3
WATER FEATURE	2017	2018	1	1 UT	5
CUSTOM PATIO	2017	2018	1	2600 SF	2
CUSTOM POOL	2017	2018	1	450 SF	4
COMM POOL	2017	2018	5	44 SF	4
COMM POOL	2017	2018	5	88 SF	4

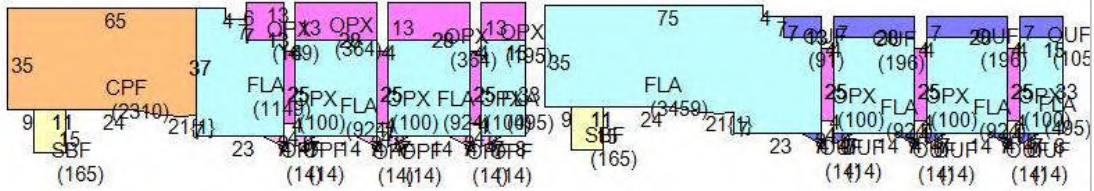
Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
9/3/2014	\$6,462,500	Warranty Deed		2701	1900	30 - Unqualified	Improved
5/1/1987	\$1,325,000	Warranty Deed		1010	2043	U - Unqualified	Improved

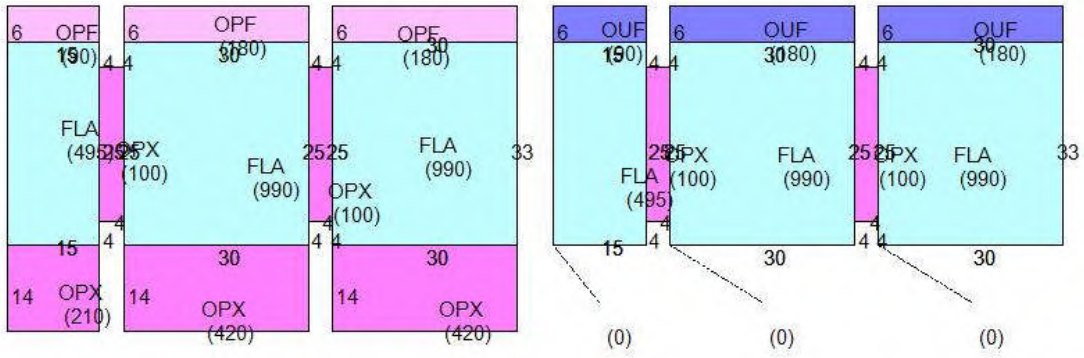
Number	Date Issued	Date Completed	Amount	Permit Type	Notes
16-2791	7/25/2016	12/28/2016	\$44,000	Commercial	Construction of new courtyard water fountain. Includes water fountain shell.
15-2345	7/1/2016	12/22/2016	\$441,500	Commercial	REVISION #1 MODIFY THE LENGTH OF 6 SMALL PLUNGE POOLS BY 3' TO ALLOW CONCRETE BENCH TO BE INSTALLED.
16-0047	2/10/2016	12/28/2016	\$76,000	Commercial	INSTALL NEW A/C SYSTEMS, DUCT, INSULATE, COPPER PIPING INCLUDING A VRF SYSTEM.
15-4982	1/20/2016	12/19/2016	\$84,950	Commercial	NEW CONSTRUCTION OF 22 UNIT HOTEL
15-4036	10/1/2015	12/6/2016	\$350,000	Commercial	COMPLETE ELECTRICAL WIRING AND INSTALLATION.
15-1978	8/25/2015	8/24/2017	\$3,729,045	Commercial	CONSTRUCTION OF A NEW 22 UNIT BOUTIQUE HOTEL APPROX. 18,984 SF. WITH ROOFTOP POOL.
15-2345	8/19/2015	12/22/2016	\$420,000	Commercial	CONSTRUCTION OF NEW 9200 GALLON POOL AS WELL AS 11 "PRIVATE" 3000 GALLON PLUNGE POOLS
15-00001742	7/6/2015	12/6/2016	\$22,000	Commercial	SITE WALLS AND FENCING. APPROXIMATELY 220' WOOD FENCE. HARC #15-01-994-HSA-06/30/15-ET
15-00001743	6/23/2015	5/20/2017	\$55,000	Commercial	INSTALL NEW UNDERGROUND UTILITIES INCLUDING FIRE, WATER, SEWER, STORM DRAINAGE BACKFLOW DEVICES, INJECTION WELL, METERS, FDC, ETC. (NOC REQUIRED). HARC #14-01-0947-HBA-1/27/15- MILLER. ONLY FOR UTILITES, SEWER, DRAINAGE, METERS. NOT FOR ANY FENCES OR ARCHITECTURAL ELEMENTS. (KP)**
15-00002129	6/5/2015	12/22/2016	\$42,000	Commercial	INSTALLATION OF UNDERGROUND PORTION OF FIRE SPRINKLER SYSTEM. 1-BACKFLOW DEVICE, 1-FDC, 3-SUPPLY RISERS.. N.O.C. REQUIRED. GH
15-0719	3/25/2015	5/29/2015	\$75,000		STRUCTURAL DEMO AND REMOVAL OF 4 CBS STRUCTURES; SITE WALLS, CITY SIDEWALK, POOL, ETC....
15-0719	3/25/2015	5/29/2015	\$75,000		STRUCTURAL DEMO AND REMOVAL OF CBS STRUCTURE, SITE WALLS, CITY SIDEWALK POOL ETC

14-3363	7/11/2014	7/24/2014	\$100	Commercial	REMOVAL OF EXISTING A/C EQUIPMENT ONLY. *N/O/C EXEMP
10-2904	9/3/2010		\$2,300	Commercial	REMOVE FALSE PICKETS ON PARAPHET WALL APPROX 42LF BY 3-6" H. PATCH CRACKS IN STUCCO AND PAINT TO MATCH ORIGINAL COLOR.
10-1819	6/2/2010		\$7,200	Commercial	REPLACE/INSTALL 12 SQS. WHITE M/B RUBBER ROLL ROOFING
	4/20/2010	7/12/2010	\$2,429	Commercial	REPLASTER POOL
10-1246	4/20/2010		\$2,429	Commercial	REPLASTER COMMERCIAL SWIMMING POOL 79LF
08-3602	9/25/2008		\$1,800		INSTALL NEW 200 AMP SERVICE TO REPLACE EXISTING 100 AMP PANEL.
08-2514	7/17/2008		\$150		INSTALL NEW DISCONNECT & WIRE TO NEW COMPRESSOR.
08-1661	5/14/2008		\$250		APPLICATION OF WHITE LETTERING AND BLACK BACKGROUND NAME: BAD BOY BURRITO CAFE.
08-1097	4/14/2008		\$2,400	Commercial	INSTALL 5 V-CRIMP METAL ROOF OVER SMALL STORAGE ROOM.
08-464	2/21/2008		\$500		HOOK UP 3-BAY SINK AND GREASE TRAP.
07-1293	3/16/2007		\$12,800	Commercial	INSTALL 27 SQS OF V-CRIMP ROOFING
06-6571	12/7/2006		\$4,800	Commercial	7 SQS OF V-CRIMP ROOFING
03-0946	3/20/2003	10/2/2003	\$20,000		REPLACE WALL
03-0595	2/27/2003	10/2/2003	\$2,200		DEMO BLOCK
03-0450	2/13/2003	10/2/2003	\$500		GREASE TRAP
0200363	2/14/2002	10/3/2002	\$10,000		REMOVE/REPLACE ROOF
99-3251	10/22/1999	11/18/1999	\$14,250	Commercial	NEW POOL PUMP PACKAGE
99-2972	8/20/1999	11/18/1999	\$1,500	Commercial	ELECTRICAL
99-2335	7/9/1999	11/18/1999	\$14,500	Commercial	INSTALL EMERG GENERATOR
99-1686	5/25/1999	11/18/1999	\$150	Commercial	SIGN MAINTENANCE
98-1253	4/22/1998	12/31/1998	\$3,500	Commercial	PAINT EXTERIOR
97-4246	12/19/1997	12/31/1997	\$2,000	Commercial	REPLACE ROOF
9603733	9/1/1996	12/1/1997	\$500		PAINTING
96-2005	5/1/1996	8/1/1996	\$27,160	Commercial	ELECTRIC
96-1783	4/1/1996	8/1/1996	\$400	Commercial	PAINTING
96-1792	4/1/1996	8/1/1996	\$1,600	Commercial	RENOVATIONS
B95-1605	5/1/1995	12/1/1995	\$1,000	Commercial	REPAIRS
B944006	12/1/1994	6/1/1995	\$1,100		CARPORT 20 X 10

[View Taxes for this Parcel](#)

Sketches (click to enlarge)







2020 TRIM Notice (PDF)

2020 Notices Only

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

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

[User Privacy Policy](#)
[GDPR Privacy Notice](#)

[Last Data Upload: 2/26/2021, 3:44:26 AM](#)

Developed by
 Schneider
GEOSPATIAL

[Version 2.3.108](#)