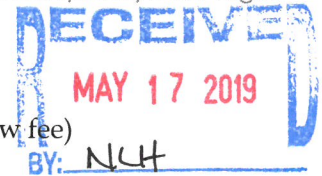




Application - Change of Nonconforming Use

City of Key West, Florida • Planning Department

1300 White Street • Key West, Florida 33040 • 305-809-3720 • www.cityofkeywest-fl.gov



Application Fee: \$1,150.00

(includes \$100.00 advertising/noticing fee and \$50.00 fire review fee)

Please complete this application and attach all required documents. This will help staff process your request quickly and obtain necessary information without delay. If you have any questions, please call 305-809-3720.

PROPERTY DESCRIPTION:

Site Address: 409 CAROLINE ST

Real Estate (RE) #: 00001580-000000 & 00001570-000000

Alternate Key: 1001635 & 1001627

Zoning District: _____

Total Land Area (sq ft): _____

Property located within the Historic District?

Yes No

APPLICANT:

Owner

Authorized Representative

Name: TREPANIER & ASSOCIATES, INC

Mailing Address: 1421 FIRST STREET UNIT 101

City: KEY WEST

State: FL

Zip: 33040

Home/Mobile Phone: NA

Office: 305-293-8983

Fax: 305-293-8748

Email: OWEN@OWENTREPANIER.COM

PROPERTY OWNER: (if different than above)

Name: LKT SERVICES & COMPANIES, LLC

Mailing Address: 199 N TRANQUIL PATH

City: SPRING

State: TX

Zip: 77380

Home/Mobile Phone: NA

Office: C/O305-293-8983

Fax: C/O305-293-8748

Email: C/O OWEN@OWENTREPANIER.COM

Are there any easements, deed restrictions or other encumbrances attached to the property? Yes No

If yes, please describe and attach relevant documents: _____

Description of existing use and proposed use. If there is more than one use please describe each use:

Existing uses are a seat bar/lounge (Hank's Hair of the Dog Saloon) and a restaurant (Garbo's Grille). Both uses share a total

of 49 seats. The proposal is to convert the 330 sq. ft. of indoor bar/lounge use to restaurant use. The bar will become an

accessory use to the restaurant. A proposal for additional seats within existing consumption area is also part of this request

as per the attached proposed site plan.

Pursuant to Section 122-32(e) of the Municipal Code, a nonconforming use of a building or structure may be changed to another nonconforming use if the Planning Board finds: (1) that the new use is equally or more appropriate to the zoning district; and (2) the change of use would not intensify the use of the premises by increasing the need for parking facilities; increasing vehicular traffic to the neighborhood; increasing noise, dust, fumes or other environmental hazards; or by having an adverse impact on drainage. Please explain how the change complies with this standard (use a separate sheet of paper if necessary):

Please see attached project analysis

REQUIRED SUBMITTALS: All of the following must be submitted in order to have a complete application. Please submit one paper copy and one electronic copy of all materials.

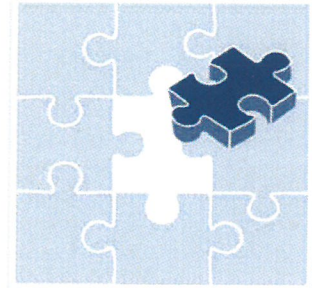
- Correct application fee. Check may be payable to "City of Key West."
- Notarized verification form signed by property owner or the authorized representative.
- Notarized authorization form signed by property owner, if applicant is not the owner.
- Copy of recorded warranty deed
- Property record card
- Signed and sealed survey
- Site and Elevation plan (plans MUST be signed and sealed by an Engineer or Architect prior to Planning Board hearing)
- Floor plans
- Stormwater management plan

Change of Non-Conforming Use

Hank's Hair of the Dog Saloon and Garbo's Restaurant
409 Caroline Street – RE#00001580-000000



TREPANIER



& ASSOCIATES INC

LAND USE PLANNING
DEVELOPMENT CONSULTANTS

Trepanier & Associates, Inc., on behalf of the property owner, requests a Change of Nonconforming Use for the referenced property located in the Historic Residential Office ("HRO") zoning district.

This property has two principal nonconforming uses: a bar/lounge with 9 seats in 330 sq. ft. of consumption area; and a restaurant with 40 seats in 2,021 sq. ft. of consumption area.

This application seeks to eliminate the bar/lounge use and combine that consumption area into the adjacent restaurant. Alcohol service will become accessory to the restaurant use (the bar's 2COP license will be abandoned in lieu of an SRX license). The restaurant will not have more than 156 seats.

Pursuant to Section 122-32(e), a nonconforming use of a building or structure may be changed to another nonconforming use if the Planning Board finds:

- (1) That the new use is equally or more appropriate to the zoning district; and
- (2) The change of the use would not intensify the use of the premises by increasing the need for parking facilities; increasing vehicular traffic to the neighborhood; increasing noise, dust, fumes or other environmental hazards; or by having an adverse impact on drainage.

This analysis demonstrates that eliminating a stand-alone bar located within the pedestrian oriented area makes the property more appropriate to the zoning district

and does not increase the need for parking facilities, increase vehicular traffic, noise, dust, fumes or other environmental hazards, nor has an adverse impact on drainage.

Ownership Disclosure

Agent: Trepanier and Associates, Inc.
1421 1st Street, Unit 101, Key West, FL 33040
305-293-8983
Lori@owentrepanier.com

Applicant: LKT Services & Companies, LLC
Linda Turek, AMBR
199 N. Tranquil Path Drive, The Woodlands, TX 77380

Existing and Proposed Use:

The property has been operating as a bar/ lounge with an intermittent food service since 1997. This proposal is to eliminate the stand-alone bar/lounge use and increase the number of seats within the existing consumption area.

Background:

The majority of properties currently zoned HRO under the Historic Commercial future land use category were previously zoned HP-2 under the pre-1986 Comprehensive Zoning Regulations.

Eating and drinking establishments were permitted in the HP-2 zoning district until the 1997 code became effective, at which time the uses on the site became grandfathered nonconformities.

Comprehensive Plan / Future Land Use:

- Pre-1986: HP-2
- Current: Historic Commercial ("HC")

Zoning District:

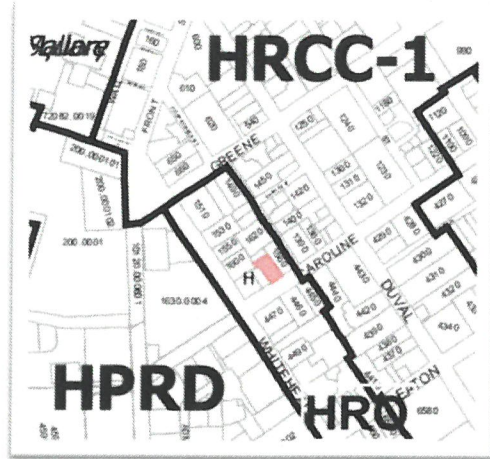
- Pre-1986: HP-2
- Current: HRO

The intent of the Historic Residential/Office (HRO) zoning district was established to implement comprehensive plan policies for areas designated "Historic Commercial" on the future land use map.



Sec. 122-927. Permitted Uses.

1. Single-family and two-family residential dwellings.
2. Group homes with less than or equal to six residents as provided in section 1 22-1246.
3. Multiple-family residential dwellings.
4. Places of worship.
5. Business and professional offices.
6. Parking lots and facilities.
7. Medical services.
8. Veterinary medical services, without outside kennels.
9. Commercial retail low and medium intensity less than or equal to 5,000 square feet, as provided in division 11 of article V of this chapter, within the Appelrouth Business Corridor.
10. Commercial retail high intensity less than or equal to 2,500 square feet, as provided in division 11 of article V of this chapter, within the Appelrouth Business Corridor.
11. Hotels, motels, and transient lodging within the Appelrouth Business Corridor.
12. Restaurants, excluding drive-through, within the appelrouth Business Corridor.



Justification

(1) The new use is equally or more appropriate to the zoning district.

OBJECTIVE 1-1.1: FUTURE LAND USE MAP. The Future Land Use Map depicts the City's vision for its current and future development through the provision and location of specific future land use districts. All development and redevelopment in the City shall be in accordance with the Map, as it may be amended from time to time.

- The proposed change promotes orderly land use transition by consolidating existing legal, nonconforming uses; thereby more accurately reflecting those uses permitted under the map designations with a less intensive and less intrusive impact on the general neighborhood.

Policy 1-1.5.1: Reinforce and Enhance the City's Community Appearance. Major attributes shall be preserved through application of design review standards and management of signs, landscaping, open space, tree protection, and other urban design amenities. Special emphasis shall be placed on preserving and/or improving the character of major natural and man-made corridors, including the waterfront shoreline, scenic views of the waterfront and tidal waters, wetlands, major drainage corridors, and major transportation corridors which serve as a focal point for the motoring public.

- The proposed change recognizes and consolidates existing operating commercial uses that will now operate in a less intensive and less impactful manner to the neighborhood. As a result, it will positively impact properties along Caroline Street, which serves as a dense, walkable, pedestrian-oriented, mixed use environment. Additionally, the proposed change better reflects the intent of the residential/office HRO zoning district in which it is located.

The proposed change will be consistent with historic and existing uses accommodating limited and existing neighborhood commercial use along portions of a major pedestrian and vehicular thoroughfare.

Chapter 1A - Historic Preservation Element

Policy 1A-1.2.4: Land Use Compatibility

The City shall identify and through its Building Code enforcement of amended Land Development Regulations and code enforcement program, shall pursue the reduction and incremental elimination of inconsistent land uses in the Historic District. Adjacent land uses in the Historic District shall be compatible.

- The proposed change eliminates the more intensive and intrusive nonconforming standalone bar/lounge use, therefore improving compatibility of property with the adjacent land uses with the Future Land Use Map and Land Development Regulations

(2) the change of the use would not intensify the use of the premises by increasing the need for parking facilities; increasing vehicular traffic to the neighborhood; increasing noise, dust, fumes or other environmental hazards; or by having an adverse impact on drainage.

- The proposal contained herein is more appropriate to the HRO zoning district and will not intensify the use but will rather decrease the intensity of the property. Furthermore, it is not anticipated that additional parking needs will be generated. Noise impacts from incorporating an existing bar into a restaurant may be lessened (by better controlling consumption activities), and finally, no adverse impacts regarding dust, fumes, environmental issues, or drainage are anticipated with the proposal.

Traffic/Parking:

Per section 108-573(c) No additional off-street parking shall be required within the historic commercial pedestrian-oriented area if a commercial structure is the subject of a change from one type of commercial use to another type of commercial use, so long as no additional or expanded floor area is created.

Therefore, this application complies to with the above referenced code section as no additional floor area is being created by this proposal nor has any nonresidential floor area been created after January 1, 1998 and converted to another use requiring more parking. The consumption area of 330 sq. ft. within the existing bar will remain the same, however, the use of that space will convert from the more intensive bar use to the less intensive restaurant space.

A traffic study was completed by KBP Consulting, Inc. which concluded that the change in the proposed use will result in a slight trip generation reduction. See full report in Attachment B.

“Trip Generation Analysis

The trip generation for this project was determined utilizing the trip generation rates and

equations contained in the Institute of Transportation Engineer’s (ITE) *Trip Generation Manual (10th Edition)*. According to the subject ITE manual, the most appropriate land use categories for the subject land uses are Land Use #925 – Drinking Place and Land Use #931 – Quality Restaurant. The trip generation rates used to determine the vehicle trips associated with this analysis are presented below.

Drinking Place – ITE Land Use #925

θ PM Peak Hour (4:00 – 6:00): $T = 11.36 (X)$ (66% in / 34% out)

where T = number of trips and X = 1,000 square feet of gross floor area

θ PM Peak Hour (of Generator) $T = 15.53 (X)$ (68% in / 32% out)

Quality Restaurant – ITE Land Use #931

θ PM Peak Hour (4:00 – 6:00): $T = 7.80 (X)$ (67% in / 33% out)

where T = number of trips and X = 1,000 square feet of gross floor area

θ PM Peak Hour (of Generator): $T = 8.28 (X)$ (61% in / 39% out)

The PM peak hour between 4:00 and 6:00 is defined as the 60-minute period with the highest number of vehicle trips. The PM peak hour of the generator is defined as the 60-minute period between 12:00 PM and 12:00 AM with the highest number of vehicle trips. Table 1 on the following page summarizes the trip generation characteristics associated with the area in question (i.e. 581 square feet) at the 409 Caroline Street site in the City of Key West, Florida.”

- The proposal is in conformance with the procedures for requesting a change of nonconforming use per the Land Development Regulations. The approval of this request will not require changes to the LDRs or spur the need for variances, as demonstrated in the table below.

Dimensional Requirements Comparison	Sec. 122-930 HRO	Effects of Change
Site size (square feet)	5,331	No Change
Maximum density (du/acre)	16	No Change
Maximum floor area ratio	1.0	No Change
Consumption Area (square feet)	2,351	No Change
Maximum height (feet)	30	No Change
Maximum lot coverage:		
Maximum building coverage	50%	No Change
Maximum impervious surface ratio	60%	No Change
Minimum lot size (square feet)	5,000	No Change
Minimum lot width (feet)	50	No Change
Minimum lot depth (feet)	100	No Change
Minimum setbacks (feet):		
Front	5	No Change
Side	5	No Change
Rear	10	No Change
Street side	5	No Change

- The nonconforming stand-alone bar would become accessory to and incorporated within the restaurant. This reorganization and reduction of a nonconforming land use will improve compatibility with the Future Land Use Map and Land Development Regulations by eliminating the stand-alone bar. Furthermore, the proposed change will have no impact on hurricane evacuation plans or other laws, ordinances or administrative rules regulating land and water resource management.
- Moreover, compatibility is addressed via Policy 1-1.2.1, Policy 1-1.2.2 and Policy 1-1.9.5. These Policies address existing instances of commercial abutting residential throughout the City. Therefore, the proposal will serve to increase compatibility within the existing regulatory framework in the Land Development Regulations by making the stand-alone bar accessory and ancillary to the restaurant. This reorganization would not only apply as a land use, but also organizationally as a business entity. Consumption activities can be better handled when a bar is accessory to a restaurant rather than standing alone, as only a bar. This arrangement will potentially reduce negative impacts to the neighborhood.
- The current configuration and the proposed configuration of the property is non-conforming, as illustrated below by the Permitted Uses and Conditional Uses tables. Since the current use is recognized, and grandfathered by the City, the proposal requested herein seeks to lessen the impacts of the nonconformity on the adjacent neighbors. Furthermore, the proposed change is consistent with the existing intent of the HRO zoning designation through permitted and

conditional uses, as both tables do not have provisions for such uses because they are non-conforming.

Permitted and Conditional Use Table:

Use	HRO Zoning Compliance	Proposed Change of Use
Bar/Lounge	Existing non-conformity	Prohibited
Restaurant	Existing non-conformity	No Change
Single-family residential	Permitted by right	No Change
two-family residential	Permitted by right	No Change
Group home >6	Permitted by right	No Change
Multi-family residential	Permitted by right	No Change
Business office	Permitted by right	No Change
Places of worship	Permitted by right	No Change
Parking facilities	Permitted by right	No Change
Medical facilities	Permitted by right	No Change
Veterinarian	Permitted by right	No Change
Commercial retail low & med ≤ 5,000 sf	Prohibited	No Change
Commercial retail high ≤ 2,500 sf	Prohibited	No Change
Transient lodging	Prohibited	No Change
Group homes (7-14)	Conditional Use	No Change
Cultural & civic activities	Conditional Use	No Change
Community centers, clubs	Conditional Use	No Change
Educational Institutions & day care	Conditional Use	No Change
Nursing homes	Conditional Use	No Change
Parks & recreation	Conditional Use	No Change
Protective services	Conditional Use	No Change
Public & private utilities	Conditional Use	No Change
Funeral homes	Conditional Use	No Change
Commercial low >5,000 sf	Prohibited	No Change
Commercial retail high > 2,500 sf	Prohibited	No Change
Small recreation power-driven equip. rentals	Prohibited	No Change

Policy 2-1.1.1 - Transportation

Policy 2-1.1.3 effectively eliminates the transportation concurrency requirement in favor of a prioritization of safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, and mixed-use development).

Policy 2-1.1.3: Dense Urban Land Area

- The City of Key West is a substantially developed dense urban land area and is thereby exempted from transportation concurrency requirements for roadways. The City recognizes that its development characteristics make substantive expansion of capacity of the roadway system prohibitive. The City will therefore prioritize improving the safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism,

mixed-use development) as its primary strategies for addressing current and projected transportation needs.

- The proposed change recognizes the development characteristics of Old Town as a historically mixed-use area that relies on sustainable support mechanisms for permanent and seasonal residents. By recognizing existing vintage neighborhood-oriented cafes and restaurants that are supportive of residents and visitors alike in a dense, walkable, pedestrian-oriented, mixed use environment, this proposal for a Change of Non-conforming Use better compliments the neighborhood.

Chapter 4 – Public Facilities Element

Policy 4-1.1.2 - Consistency with adopted infrastructure minimum levels of service standards

- The change proposes to eliminate the stand-alone bar as a land use and incorporate it into the existing restaurant operationally and as a land use. No additional impact on surrounding properties or infrastructure is currently anticipated. Consumption area remains the same; the increase in seats only allows the standing patrons a place to sit and decreases the amount of waiting and wandering customers.

Based on the LOS evaluation criteria, the impacts of the proposed changes are generally summarized as follows:

- The proposed change is not expected to alter demand on the surrounding transportation system
- The proposed change is not expected to alter demand for Potable Water
- The proposed change is not expected to alter Wastewater supply
- The proposed change is not expected to alter Solid Waste supply
- The proposed change is not expected to alter Stormwater LOS.
- The proposed change is not expected to alter Recreation LOS.

Policy 4-1.1.2.C – Potable Water

- Based on the City of Key West adopted level of service plan pursuant to Policy 4-1.1.2.C, the potable water LOS for nonresidential development is 100 gal/capita/day. The proposed change will not affect site size or nonresidential floor area¹, therefore, it is not expected to alter demand for potable water or result in excess capacity on this public facility.

Designation	LOS	Daily Capacity	Gal/day
-------------	-----	----------------	---------

¹ For the purposes of this analysis, total (indoor and outside) consumption area was used as floor area.

Existing	Bar/restaurant	100 gal/capita ² /day	$100 \times (2,351/1000 \times 1.5833 = 3.72)$	372.23
Proposed	Restaurant	100 gal/capita ³ /day	$100 \times (2,351/1000 \times 1.5833 = 3.72)$	372.23
Change in Potable Water Capacity				0

Therefore, the proposal is consistent with the concurrency management program of Objective 9-1.5. At this time, no system improvements are anticipated as a result of the proposed changes

Policy 4-1.1.2. A - Sanitary Sewage

- Based on the City of Key West adopted level of service plan pursuant to Policy 4-1.1.2. A, the sanitary sewer LOS for nonresidential development is 660 gal/capita/day. The proposed change will not affect site size or nonresidential floor area, therefore, it is not expected to alter the level of service or result in excess capacity on this public facility.

Therefore, the proposal is consistent with the concurrency management program of Objective 9-1.5. At this time, no system improvements are anticipated as a result of the proposed changes.

Designation		LOS	Daily Capacity	Gal/day
Existing	Bar/restaurant	660 gal/acre/day	$660 \times 0.12 = 3.72$	80.77
Proposed	Restaurant	660 gal/acre/day	$660 \times 0.12 = 3.72$	80.77
Change in Potable Water Capacity				0

Policy 4-1.1.2.D - Solid Waste

- Based on the City of Key West adopted level of service plan pursuant to Policy 4-1.1.2.D, the solid waste LOS for nonresidential development is 6.37 lbs/capita/day and based on the number of employees. The proposed change is not expected to increase employee number, thereby it is not expected to alter

² Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood Retail. Floor area used

³ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood Retail. Floor area used

demand for solid waste and it is not expected that the proposal will result in excess capacity on this public facility.

Therefore, based on the analysis below, the proposal is consistent with the concurrency management program of Objective 9-1.5. Specific concurrency applications in accordance with Section 94-32 may be required for specific future development plans. No Plans are proposed as part of this application. At this time, no system improvements are anticipated as a result of the proposed changes.

Designation		LOS	Daily Capacity	Gal/day
Existing	Bar/restaurant	6.37 lbsl/capita ⁴ /day	6.37 (2,351 ⁵ /1000 x 1.5833 = 3.72)	23.69
Proposed	Restaurant	6.37 lbsl/capita ⁶ /day	6.37 (2,351 ⁷ /1000 x 1.5833 = 3.72)	23.69
Change in Potable Water Capacity				0

Policy 4-1.1.2. E - Drainage

- Stormwater concurrency will be insured as part of any future development orders in accordance with Chapter 94.
- No changes in the physical site are planned at this time, however, any future changes to the site shall conform to stormwater requirements.

Similar necessary facilities and services-

- No level of service currently exists in Comprehensive Plan for similar or necessary facilities, but the proposed change will not have an adverse effect on availability of other services.

⁴ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood Retail. Floor area used

⁵ For the purposes of this analysis, total (indoor and outside) consumption area was used as floor area.

⁶ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 1.5833 persons per 1,000 sf of Neighborhood Retail. Floor area used

⁷ For the purposes of this analysis, total (indoor and outside) consumption area was used as floor area.

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, Linda Turek as
Please Print Name of person with authority to execute documents on behalf of entity

President of LKT Services & Companies, LLC
Name of office (President, Managing Member) *Name of owner from deed*

authorize Linda Turek
Please Print Name of Representative

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

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

Subscribed and sworn to (or affirmed) before me on this 4th JAN 2018
Date

by Linda Turek
Name of person with authority to execute documents on behalf on entity owner

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

Alvina Covington
Notary's Signature and Seal

ALVINA COVINGTON
Name of Acknowledger typed, printed or stamped

FF913801
Commission Number, if any



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

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an Entity)

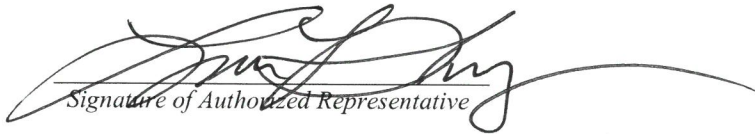
I, Lori Thompson, in my capacity as Project Manager
(print name) *(print position; president, managing member)*
of Trepanier & Associates, Inc.
(print name of entity serving as Authorized Representative)

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

409 Caroline street

Street Address of subject property

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

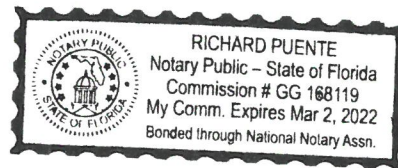

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 5/17/2019 by
Lori Thompson
Name of Authorized Representative
date

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


Notary's Signature and Seal

Richard Puente
Name of Acknowledger typed, printed or stamped



66168119

Commission Number, if any

Doc# 2196674 12/03/2018 3:28PM
Filed & Recorded in Official Records of
MONROE COUNTY KEVIN MADOK

PREPARED BY AND RETURN TO:
RICHARD M. KLITENICK
RICHARD M. KLITENICK, P.A.
1009 SIMONTON STREET
KEY WEST, FL 33040
305-292-4101
FILE NUMBER: RE18-080
RECORDING PAID: \$18.50
DOC STAMPS PAID: \$11,025.00

12/03/2018 3:28PM
DEED DOC STAMP CL: Brit \$11,025.00

Doc# 2196674
Bk# 2938 Pg# 1881

[Space above this line for Recording Data]

WARRANTY DEED

THIS WARRANTY DEED is made on this 30 day of November, 2018, between CHRISTOPHER TREVETT, an un remarried widower, whose address is 709 Frances Street, Key West, FL 33040 (hereinafter referred to as 'Grantor'), and LKT SERVICES & COMPANIES, LLC, a Florida limited liability company, whose corporate address is 199 N. Tranquil Path, The Woodlands, TX 77380 (hereinafter referred to as "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 ONE MILLION FIVE HUNDRED SEVENTY-FIVE THOUSAND & 00/100^{ths} DOLLARS (\$1,575,000.00) and other good and valuable consideration 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, with the street address of 409 Caroline Street, Key West, FL 33040, more particularly described as:

A PARCEL OF LAND ON THE ISLAND OF KEY WEST, MONROE COUNTY, FLORIDA AND A PART OF LOT FOUR (4), IN SQUARE FIFTEEN (15) OF WILLIAM A. WHITEHEAD'S MAP OF SAID CITY DELINEATED IN 1829, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE SOUTHWESTERLY RIGHT-OF-WAY LINE OF TELEGRAPH LANE (FORMERLY KNOWN AS NEW STREET) AND THE NORTHWESTERLY RIGHT-OF-WAY LINE OF CAROLINE STREET AND RUN THENCE IN A SOUTHWESTERLY DIRECTION ALONG THE SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF CAROLINE STREET FOR 53.68 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE IN A SOUTHWESTERLY DIRECTION ALONG THE SAID NORTHWESTERLY RIGHT-OF-WAY LINE OF CAROLINE STREET FOR 44.32 FEET TO THE SOUTHERLY CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 996 AT PAGE 2317, AS RECORDED IN THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; THENCE NORTHWESTERLY AND AT RIGHT ANGLES ALONG THE SOUTHWESTERLY BOUNDARY LINE OF THE LANDS DESCRIBED IN SAID OFFICIAL RECORD BOOK 996 AT PAGE 2317 FOR A DISTANCE OF 70.00 FEET; THENCE SOUTHWESTERLY AND AT RIGHT ANGLES FOR A DISTANCE OF 10.00 FEET; THENCE NORTHWESTERLY AND AT RIGHT ANGLES FOR A DISTANCE OF 40.66 FEET TO THE SOUTHWESTERLY CORNER OF THE LANDS DESCRIBED IN OFFICIAL RECORD BOOK 2488 AT PAGE 2102 OF THE SAID PUBLIC RECORDS; THENCE NORTHEASTERLY WITH A DEFLECTION ANGLE OF 89°40'26" TO THE RIGHT AND ALONG A CONCRETE BLOCK WALL AND CHAIN LINK FENCE, AND THE SOUTHEASTERLY BOUNDARY LINE OF THE LANDS DESCRIBED IN SAID OFFICIAL RECORD BOOK 2488 AT PAGE 2102 FOR A DISTANCE OF 54.52 FEET; THENCE SOUTHEASTERLY WITH A DEFLECTION ANGLE OF 90°25'22" TO THE RIGHT AND ALONG A CHAIN LINK FENCE, AND ALONG THE SOUTHWESTERLY BOUNDARY LINE OF THE LANDS DESCRIBED IN SAID OFFICIAL RECORD BOOK 2488 AT PAGE 2102 FOR A DISTANCE OF 110.97 FEET BACK TO THE POINT OF BEGINNING.

PARCEL IDENTIFICATION NUMBER: 00001570-000000; ALTERNATE KEY ("AK") NUMBER: 1001627
AND
PARCEL IDENTIFICATION NUMBER: 00001580-000000; ALTERNATE KEY ("AK") NUMBER: 1001635

SUBJECT TO CONDITIONS AND RESTRICTIONS OF RECORD, IF ANY, BUT THIS DECLARATION SHALL NOT OPERATE TO RE-IMPOSE THE SAME.

SUBJECT TO: TAXES FOR THE YEAR 2019 AND SUBSEQUENT YEARS.

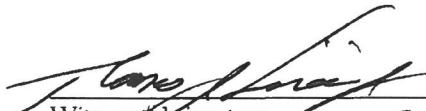
Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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

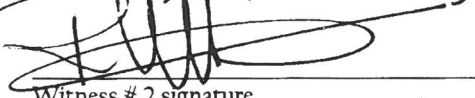
And the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018, and those items listed above.

In Witness Whereof, Grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:


Witness #1 signature
Print name: THOMAS J. SILECI SR.

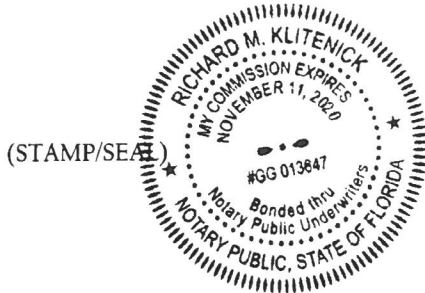

CHRISTOPHER TREVETT

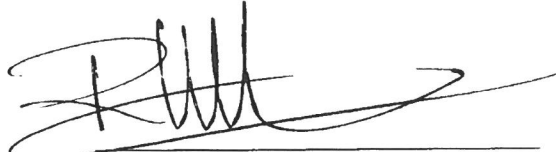

Witness #2 signature
Print name: RICHARD M KLITENICK

STATE OF FLORIDA
COUNTY OF MONROE

I HEREBY CERTIFY that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgements, CHRISTOPHER TREVETT, who is personally known to me to be the same person who is the named Grantor in the foregoing Warranty Deed, ~~and~~ who produced FL DR LICENSE as identification, and he acknowledged to me that he executed the same freely and voluntarily for the purposes therein expressed.

WITNESS my hand and Official Seal at Key West, Monroe County, Florida on this 20 day of November, 2018.




Notary Public-State of Florida
Commission Expires: 11/11/2020

qPublic.net™ Monroe County, FL

Disclaimer

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

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

Summary

Parcel ID 00001580-000000
Account# 1001635
Property ID 1001635
Millage Group 10KW
Location 409 CAROLINE St, KEY WEST
Address
Legal KW SUB 1 PT LOT 4 SQR-15 G35-319/321
Description G35-322/23 G52-160/61 OR781-854/59 77-272
 OR825-1104 OR825-1110/16 OR825-1117
 OR922-1059/60 OR996-2317/18
 OR2205-1047/48REL OR2489-2132/45F/J
 OR2938-1885AFF OR2938-1881
 (Note: Not to be used on legal documents.)
Neighborhood 32020
Property Class RESTAURANT (2100)
Subdivision
Sec/Twp/Rng 06/68/25
Affordable No
Housing



Owner

LKT SERVICES & COMPANIES LLC
 199 N Tranquil Path
 Spring TX 77380

Valuation

	2018	2017	2016	2015
+ Market Improvement Value	\$123,456	\$123,456	\$122,273	\$122,273
+ Market Misc Value	\$20,221	\$20,808	\$21,983	\$19,622
+ Market Land Value	\$788,340	\$630,672	\$629,711	\$629,711
= Just Market Value	\$932,017	\$774,936	\$773,967	\$771,606
= Total Assessed Value	\$852,430	\$774,936	\$773,967	\$771,606
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$932,017	\$774,936	\$773,967	\$771,606

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
COMMERCIAL DRY (100D)	5,331.00	Square Foot	47.42	82

Commercial Buildings

Style RESTRNT/CAFETR-B- / 21B
Gross Sq Ft 1,057

Finished Sq Ft	871
Perimeter	288
Stories	2
Interior Walls	
Exterior Walls	REIN CONCRETE with 41% AB AVE WOOD SIDING
Quality	450 ()
Roof Type	GABLE/HIP
Roof Material	METAL
Exterior Wall1	REIN CONCRETE
Exterior Wall2	AB AVE WOOD SIDING
Foundation	
Interior Finish	
Ground Floor Area	
Floor Cover	
Full Bathrooms	2
Half Bathrooms	0
Heating Type	
Year Built	1923
Year Remodeled	
Effective Year Built	2002
Condition	

Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	871	871	176
OPU	OP PR UNFIN LL	81	0	60
OPF	OP PRCH FIN LL	105	0	52
TOTAL		1,057	871	288

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
WATER FEATURE	1999	2000	1	1 UT	1
BRICK PATIO	1999	2000	1	3095 SF	2
WOOD DECK	1999	2000	1	432 SF	2
FENCES	2018	2019	1	600 SF	5

Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page
11/30/2018	\$1,575,000	Warranty Deed	2196674	2938	1881
12/1/1986	\$159,000	Warranty Deed		996	2317

Permits

Number	Date Issued	Date Completed	Amount	Permit Type
18-1550	12/18/2018	2/16/2019	\$3,600	Commercial
02-0892	5/9/2002	8/24/2002	\$500	Commercial
0002984	10/3/2000	12/19/2000	\$20,000	Commercial
0002932	9/19/2000	12/19/2000	\$2,000	Commercial
9801739	10/20/1998	2/17/2000	\$10,000	Commercial
9702786	10/1/1997	12/1/1997	\$30,000	Commercial
9701662	5/1/1997	12/1/1997	\$200	Commercial

View Tax Info

[View Taxes for this Parcel](#)

Sketches (click to enlarge)

Map



TRIM

20

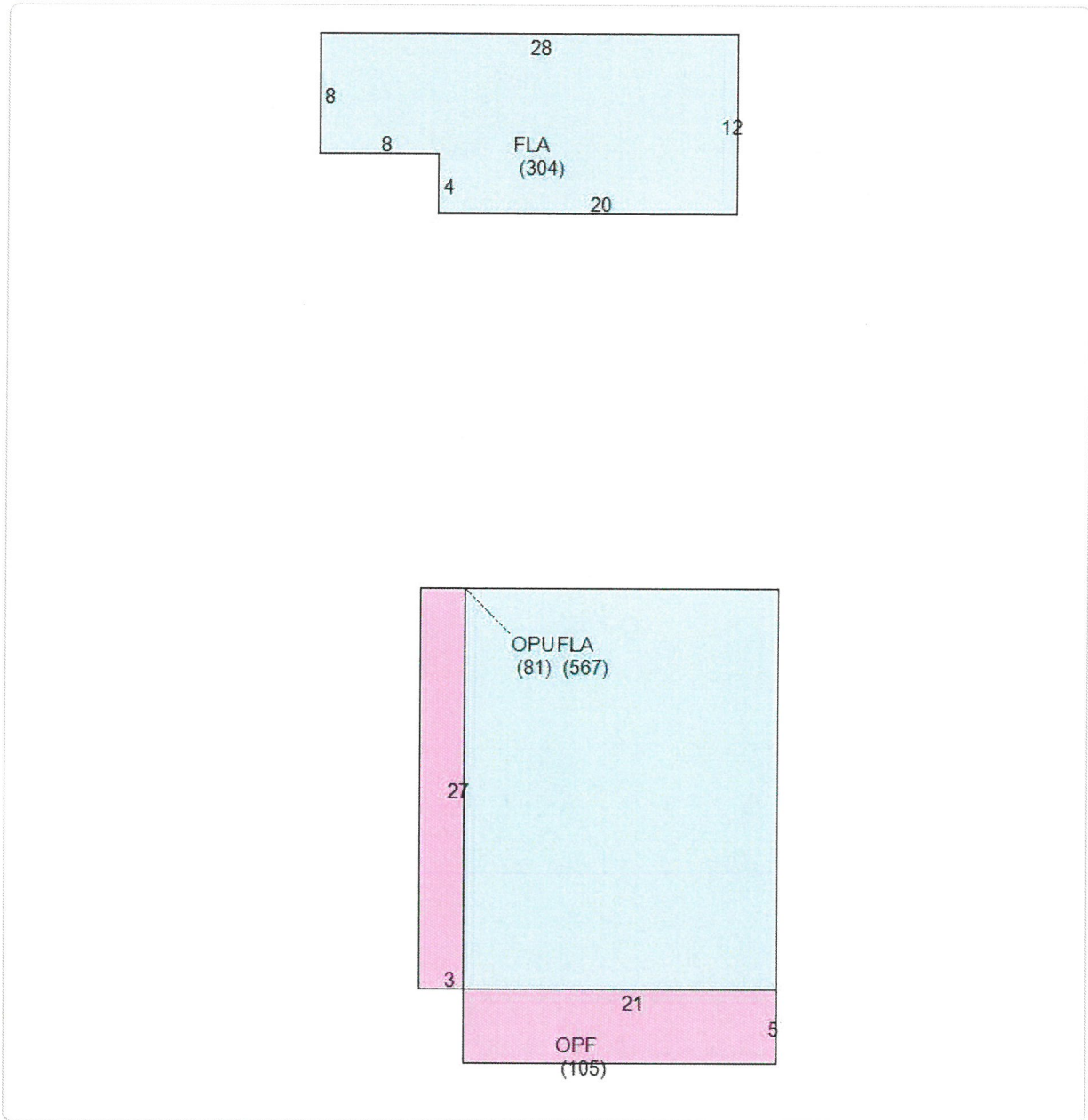
No data available for this property. Viewings, Exemptions.

The Monroe County Property Appraiser's office provides information on property within the County solely for the purpose of determining property tax. This information is not intended for any other purpose. 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

Developed by
 Schneider
 GEOSPATIAL

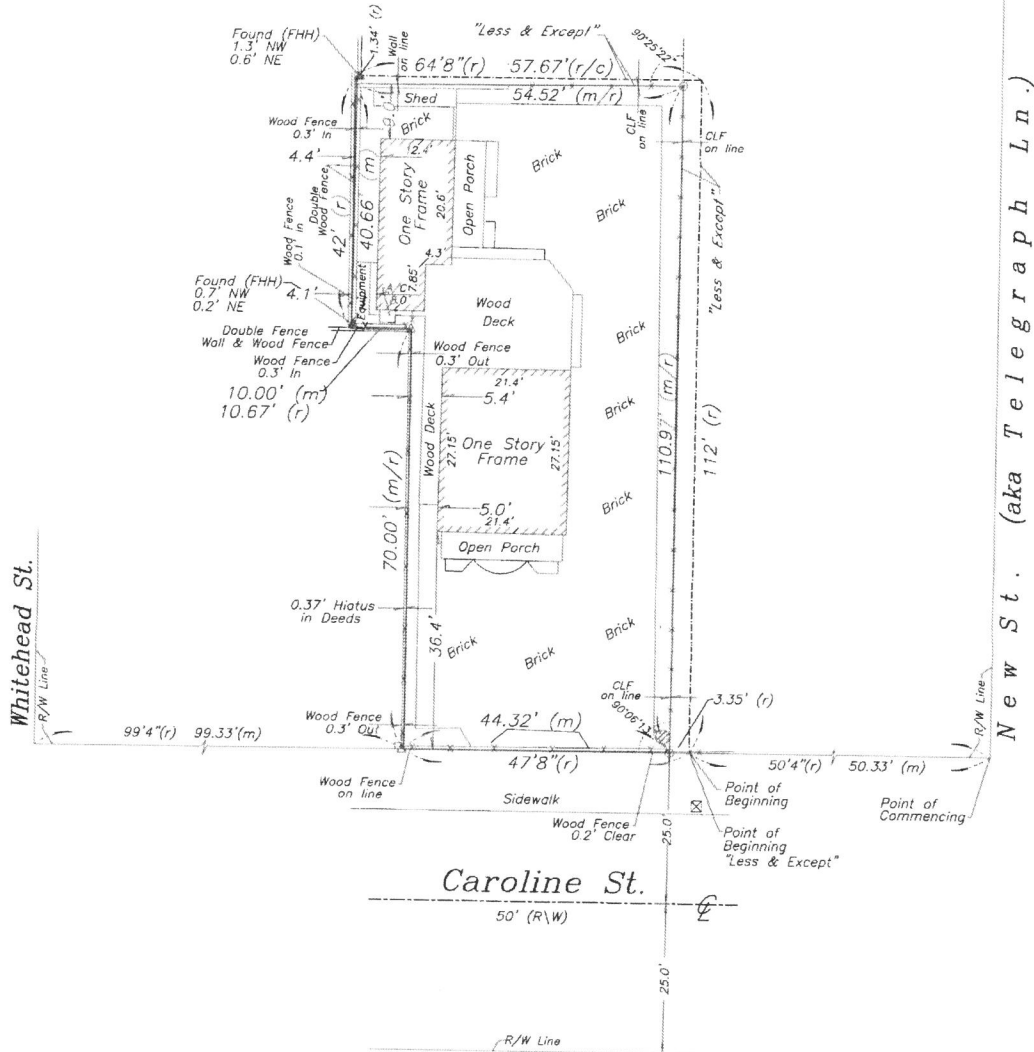
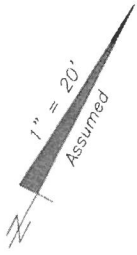
Last Data Upload: 4/9/2019, 5:29:02 AM

Version 2.2.11



Photos

Boundary Survey Map of Part of Lot 4, Square 15 Island of Key West



LEGEND

- ⊙ Found 2" Iron Pipe (CLF Post)
- Set 3/4" Iron Pipe w/cap (6298)
- Found 1/2" Iron Rod (No ID)
- ▲ Found Nail & Disc (5234)(LB7700)
- △ Set Nail & Disc (6298)
- (C) Calculated
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- C.B.S. Concrete Block Structure
- R\W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊗ Wood Utility Pole
- ⊠ Concrete Utility Pole
- P- Overhead Utility Lines

NOTE:
This Survey Map is not
full and complete without
the attached Survey Report.

Sheet One of Two Sheets

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244

Boundary Survey Report of Part of Lot 4, Square 15 Island of Key West

NOTES:

1. The legal description shown hereon was furnished by the client or their agent. This survey does not determine or imply ownership.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 409 Caroline Street, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. Date of field work: November 14, 2018
9. Ownership of fences is undeterminable, unless otherwise noted.
10. Adjoiners are not furnished.

BOUNDARY SURVEY OF: On the Island of Key West and known on William A. Whitehead's map, delineated in February, A.D., 1829, as Part of Lot Four (4) in Square Fifteen (15):
COMMENCING at a point on Caroline Street Fifty (50) feet and Four (4) inches from the corner of New and Caroline Streets and running thence in a Southwesterly direction along Caroline Street Forty-seven (47) feet and Eight (8) inches; thence at right angles in a Northwesterly direction Seventy (70) feet; thence at right angles in a Southwesterly direction Ten (10) feet and Eight (8) inches; thence at right angles in a Northwesterly direction Forty-two (42) feet; thence at right angles in a Northeasterly direction Sixty-four (64) feet and Eight (8) inches; thence at right angles in a Southeasterly direction One Hundred and Twelve (112) feet to the Point of Beginning.

"LESS"

On the Island of Key West, Monroe County, Florida and a part of Lot Four (4), in Square Fifteen (15) of William A. Whitehead's Map of said city delineated in 1829, and being more particularly described by metes and bounds as follows:
Commencing at the intersection of the Southwesterly right-of-way line of Telegraph Lane (formerly known as New Street) and the Northwesterly right-of-way line of Caroline Street; thence in a Southwesterly direction along the said Northwesterly right-of-way line of Caroline Street for 50.33 feet to the Point of Beginning; thence continue in a Southwesterly direction along the said Northwesterly right-of-way line of Caroline Street for 3.35 feet; thence at a deflection angle of 90°06'13" to the right and in a Northwesterly direction along a chain link fence for 110.97 feet; thence at a deflection angle to the left of 90°25'22" and in a Southwesterly direction and along a chain link fence and a concrete block wall for 54.52 feet; thence at a right angle and in a Northwesterly direction for 1.34 feet; thence at a right angle and in a Northeasterly direction for 57.67 feet; thence at a right angle and in a Southeasterly direction for 112.00 feet to the said Northwesterly right-of-way line of Caroline Street and the Point of Beginning.

BOUNDARY SURVEY FOR: LKT Services & Companies, LLC, a Florida limited liability company;
Richard M. Klitenick, P.A.;
Oropeza, Stones & Cardenas, PLLC;
Old Republic National Title Insurance Company;

I HEREBY CERTIFY that this survey was made under my responsible charge and meets the Standard of Practice as set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes.

J. LYNN O'FLYNN, INC.

J. Lynn O'Flynn, PSM
Florida Reg. #6298

THIS SURVEY
IS NOT
ASSIGNABLE

November 20, 2018

Sheet Two of Two Sheets

J. LYNN O'FLYNN, Inc.

Professional Surveyor & Mapper
PSM #6298

3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244