



Historic Architectural Review Commission Staff Report for Item 12

To: Chairman Haven Burkee and Historic Architectural Review
Commission Members

From: Enid Torregrosa-Silva, MSHP
Historic Preservation Planner

Meeting Date: September 24, 2024

Applicant: Irina Bakala

Application Number: OUT2024-0003

Address: 1075 Duval Street Unit C-7 & 8

Description of Work:

New outdoor display for a metal rooster.

Site Facts:

The business under review is in the Duval Square complex and faces Duval Street. The complex was built in 1989, and the building is not listed in the City's Historic Architectural Survey. The building facing Duval Street is elevated and it is setback from the street approximately 5'-9". The retail shop, Funky Chicken, has been in the location since 2022.



New outdoor display.

About the site

A frame building was built on the site during the 1910's as the Elks Lodge. By the 1920's, when La Concha Hotel was built, the Key West Library needed a new place as they were located on the site where the new hotel was built. The Elks building became the Key West Library in early 1930. In 1959 the current library building was inaugurated. The Catholic church purchased the Duval Street site in the late 1940's and used the historic building as the St. Mary Parish House and later as headquarters for the National Catholic Charities Society. In December 1984 a fire destroyed the historic building. The current multi-use building was built in 1987.

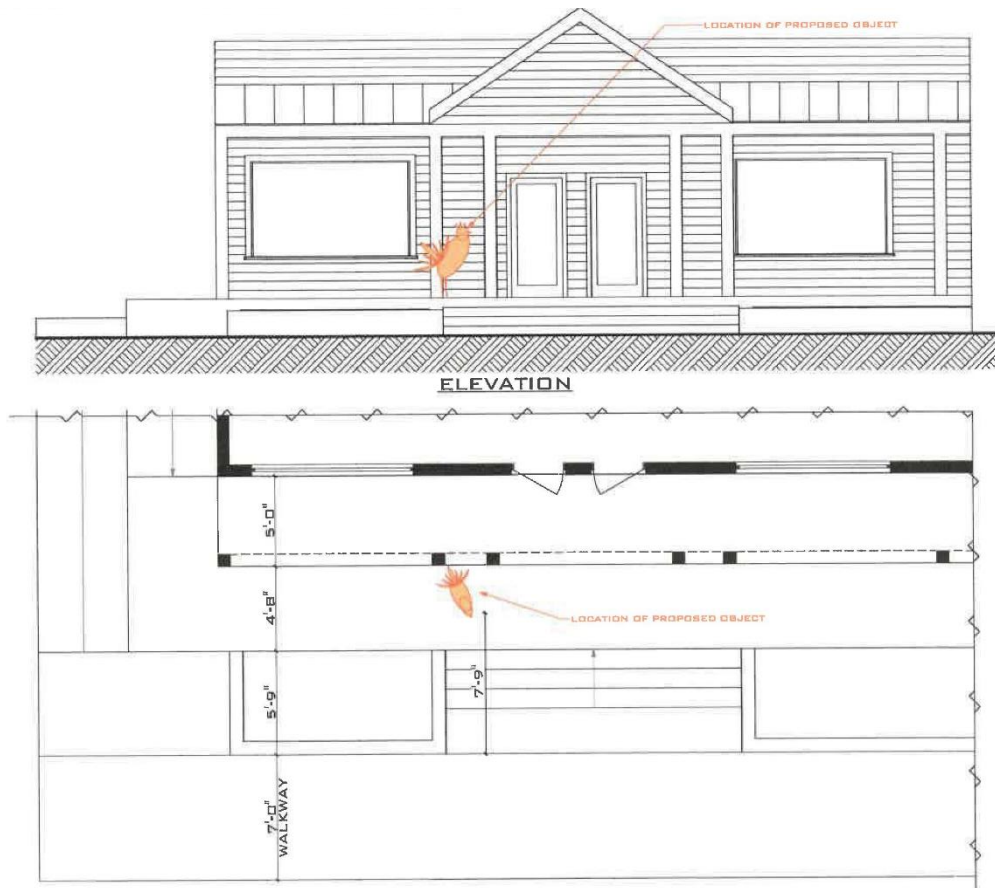
Ordinance Cited on Review:

- Section 106-52- Exceptions of the Land Development Regulations.

Staff Analysis:

The Certificate of Appropriateness under review is a request for a sixty-month exception outdoor display. The outdoor display will consist of one large scale metal rooster that is sold at the store.

The display will be installed in front of two columns and approximately 7'-9" setback from the Duval Street sidewalk. The Board of Directors of the Duval Square Condominium Association approved the outdoor display.



Elevation and site plan with location of display.

Section 106-52 (1) and (2) establishes the criteria to review an exception for outdoor display.

Sec. 106-52. - Exceptions.

Exceptions to section 106-51 may be granted by the historic architectural review commission. The criteria to consider an application shall be:

(1) Factors favoring the exception are as follows:

- a. The location of the proposed exception, while outdoors, is an interior courtyard of a building or buildings, or is a space or area specifically designed and permitted for use by outdoor merchants.

The outdoor display will be installed in a common area of the mixed-use complex.

- b. The exception (for either the type of merchandise or the type of display) is compatible or in visual harmony with the character of the neighborhood.

The merchandise to be displayed has a low visual impact in the area. The merchandise, although associated with the name of the store, will have no adverse effect on the building or surrounding neighborhood.

- c. The exception's visual incongruity with the historic character of the neighborhood is reduced by substantial setback from public places and rights-of-way.

The merchandise is of small scale in relation to the building and architectural components and will be setback from the sidewalk approximately 7'-9". The display will not jeopardize the character of the urban context.

(2) Factors disfavoring the exception are as follows:

- a. Architecture that contributes to the historical fabric or visual character of the neighborhood is obscured by the exception.

The building where the merchandise will be displayed is not historic. The location of the merchandise display will not obscure any character defining architectural features of the building.

- b. The location of the proposed exception abuts, with minimal setback, a street of the historic district, thus the exception is visible from heavily used public places and rights-of-way.

This will not be the case. The building in question is elevated above the Duval Street sidewalk and the display will be approximately 7'-9" from the property line.

- c. The exception presents a hazard to public safety.

This will not be the case. There is open area to walk through the common areas in front of the business.

(3) Exceptions to section 106-51 granted by the historic architectural review commission shall be for a term of no more than 60 consecutive months and may be granted subject to terms and conditions specified by the commission in order to protect the architectural heritage and visual character of the historic district. Applications for exceptions and revisions shall be accompanied by a nonrefundable fee as determined by city commission resolution, to cover the costs to the city of processing the application, the pre application meeting with staff, staff report and yearly inspections of the site by the HARC inspector. Renewal or extensions of an outdoor display

exception may be approved by the historic preservation planner, if there are no material changes to the outdoor display previously approved by the historic architectural review commission.

In conclusion, staff opine that this request for exception to outdoor display can be considered by the Commission. Staff finds that the proposed merchandise that is part of the application meet the favoring criteria for the exception. Staff recommend approval of the outdoor display, as submitted with an extended time of 60 months.

APPLICATION



Application for Exception to Outdoor Merchandise Display

City Of Key West

1300 White Street
Key West, Florida 33040

| | | |
|---|-----------------|--------------------------------------|
| OUTDOOR DISPLAY # <i>Out 2024-0003</i> | PREVIOUS # | INITIALS & DATE <i>TK 9/10/24</i> |
| FLOOD ZONE | ZONING DISTRICT | |

The filing of this application does not ensure approval as submitted. Certain proposed work may require Commission review. I hereby certify that the proposed work is authorized by the owner of record and that the work shall conform to all applicable Land Development Regulations and laws of this jurisdiction. There will be a **HARC FINAL inspection** required under this Application.

| | | |
|------------------------------|---|---|
| ADDRESS OF PROPOSED PROJECT: | <i>1075 Duval St CT-8, Key West, FL 33040</i> | |
| NAME ON DEED: | <i>Arthur & IRINA BAKALA, Elena & Serge Mashnikov</i> | PHONE NUMBER: <i>305-304-9122</i> |
| OWNER'S MAILING ADDRESS: | <i>370 Pearlman Ter Key West, FL 33040</i> | EMAIL: <i>teimychiccasales@gmail.com</i> |
| APPLICANT'S NAME: | <i>Irina Bakala</i> | PHONE NUMBER: |
| APPLICANT'S ADDRESS: | <i>1114 17th St, Key West, FL</i> | EMAIL: |
| BUSINESS ADDRESS: | <i>1075 Duval St CT-8, Key West, FL 33040</i> | |
| APPLICANT'S SIGNATURE: | <i>Irina Bakala</i> | DATE: <i>09/09/2024</i> |

Is this application for:

- new outdoor display request.
- revision to an existing outdoor display.
- extension to existing approved outdoor display.

Located in or on:

- a porch, patio, or other attached portion of an adjacent permanent structure.
- an arcade, gazebo, or other temporary structure.
- a cart or movable booth.
- a portable table, rack, or other non-permanent equipment.

Describe the specific merchandise to be displayed and business conducted.

Large Metal Rooster non permanent & removable at the end of the day

Describe the structure and equipment used in the display in detail, including any seating.

How far is the display from the street? 16
How far is the display from the sidewalk? 10
Length of time exception will be needed (no more than 60 months) 60 months

PLEASE PROVIDE THE FOLLOWING TO COMPLETE YOUR APPLICATION:

1. **Pre application** meeting with HARC staff to review the proposal and determine fee is required before submittal of application.
2. **Photographs** of the existing area and proposed display
3. A **site sketch** with dimensions showing general layout and location of the display relative to visibility from the public right-of-way. **This cannot be substituted with photographs.**
4. Copy of the **Warranty Deed**
5. Completed **Authorization** and **Verification** forms as necessary.
6. Boundary **Survey of Property (Must be within 10 years of date of this Application)**
7. **Property Appraisers** information (www.mcpafl.org)

DETERMINATION:

Approved _____ Approved with Conditions _____

Requires Commission Approval _____ Commission Denied _____

Commission Conditions or Reasons for Denial _____

HARC PLANNER SIGNATURE AND DATE

HARC CHAIRMAN SIGNATURE AND DATE

Prepared by and return to:
Gregory S. Oropeza, Esq.
Attorney at Law
Oropeza Stones Cardenas, PLLC
221 Simonton Street
Key West, FL 33040
305-294-0252
File Number: 22-450
Will Call No.: \$ 1,125,000 -

[Space Above This Line For Recording Data]

Special Warranty Deed

This Special Warranty Deed made this 30th day of June, 2022 between First Horizon Bank , as successor-by-merger to IberiaBank whose post office address is 165 Madison Avenue, Memphis, TN 38103, grantor, and 1075 Duval Street C7-8, LLC, a Florida limited liability company whose post office address is 3710 Pearlman Terrace, Key West, FL 33040, 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 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:

Unit Nos. C-7 and C8, Phase II, DUVAL SQUARE, A CONDOMINIUM, as recorded in Declaration of Condominium in Official Records Book 1005, Pages 1085 thru 1206; and Amendment to Declaration recorded in Official Records 1061, Page 1209; and Amendment to Declaration of Condominium Adding Phase Two and Three recorded in Official Records Book 1067, Page 81, as recorded in the Public Records of Monroe County, Florida; and an undivided interest in the common elements as contained in said Declaration of Condominium.

Parcel Identification Number: 00027090-000111

and

Parcel Identification Number: 00027090-000110

Subject to taxes for 2022 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 claiming by, through or under grantors.

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

**DUVAL SQUARE CONDOMINIUM ASSOCIATION
1075 Duval Street C-24
Key West, FL 33040**

**Irina Bakala
3710 Pearlman Terrace
Key West, FL 33040**

RE: Exterior Merchandise Display at Units C7-8, 1075 Duval Street, Key West, FL 33040

Dear Irina,

As agreed during the February 22nd, 2024 Board of Directors Meeting, this letter is being sent to you on behalf of the Board of Directors of the Duval Square Condominium Association (DSCA) having recently reviewed the proposed merchandise display at your property as documented via photo below – specifically large imitation rooster left of centre.

In accordance with Article 37 (F) of the Association Declarations, this letter documents the approval by the Board of Directors of your merchandise display as proposed.

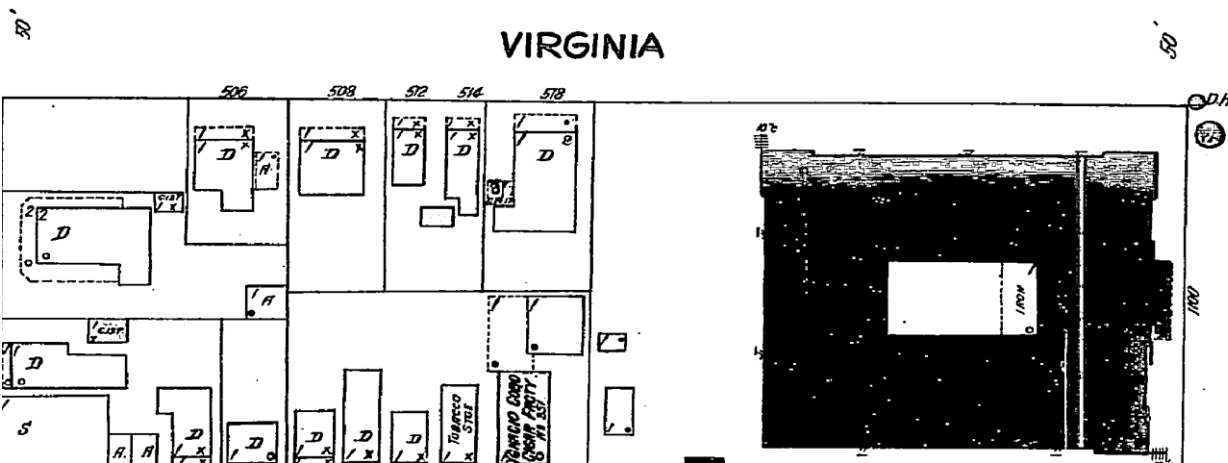
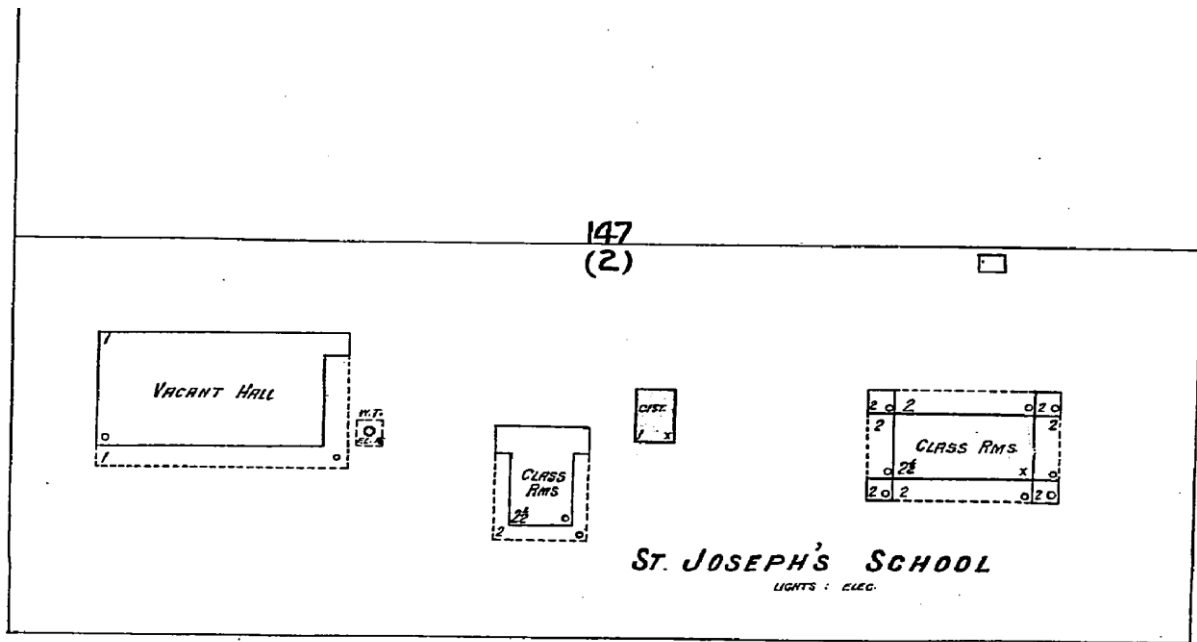
This document will be posted on the Association's website as an official record.

If any change is planned for your so recorded merchandise display, it is recommended that HARC approval is secured prior to re-submission for Board approval.

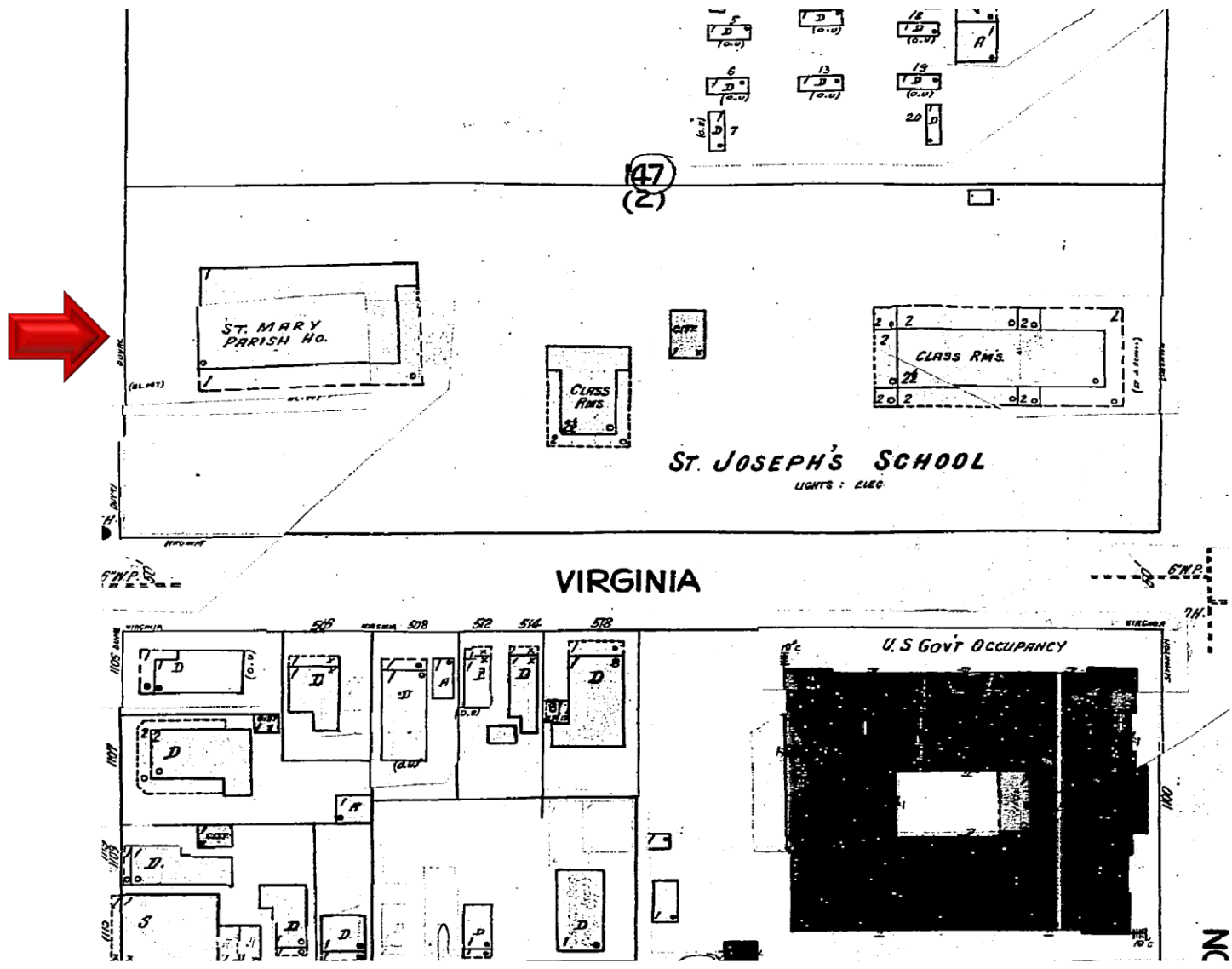
Sincerely,

**The Board of Directors
Duval Square Condominium Association**

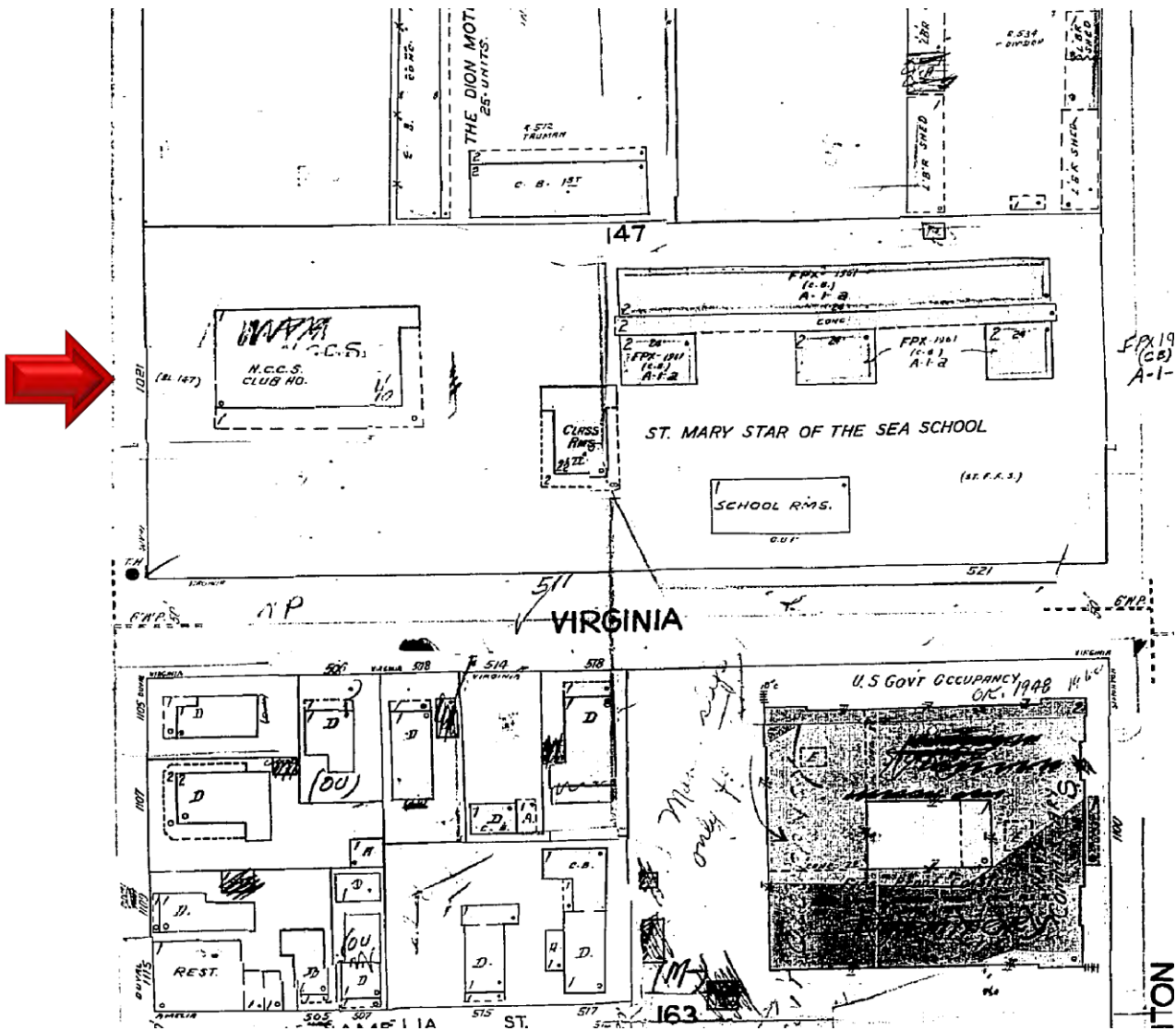
SANBORN MAPS



1926 Sanborn map



1948 Sanborn map



1962 Sanborn map

PROJECT PHOTOS



Key West Library at 1021 Duval Street circa 1940. Monroe County Library.



1021 Duval Street National Catholic Charities Society Hall circa 1950. Monroe County Library.



Fire destruction of buildings at 1021 Duval Street in December 1984. Monroe County Library.



IBERIA BANK

OPEN BANK

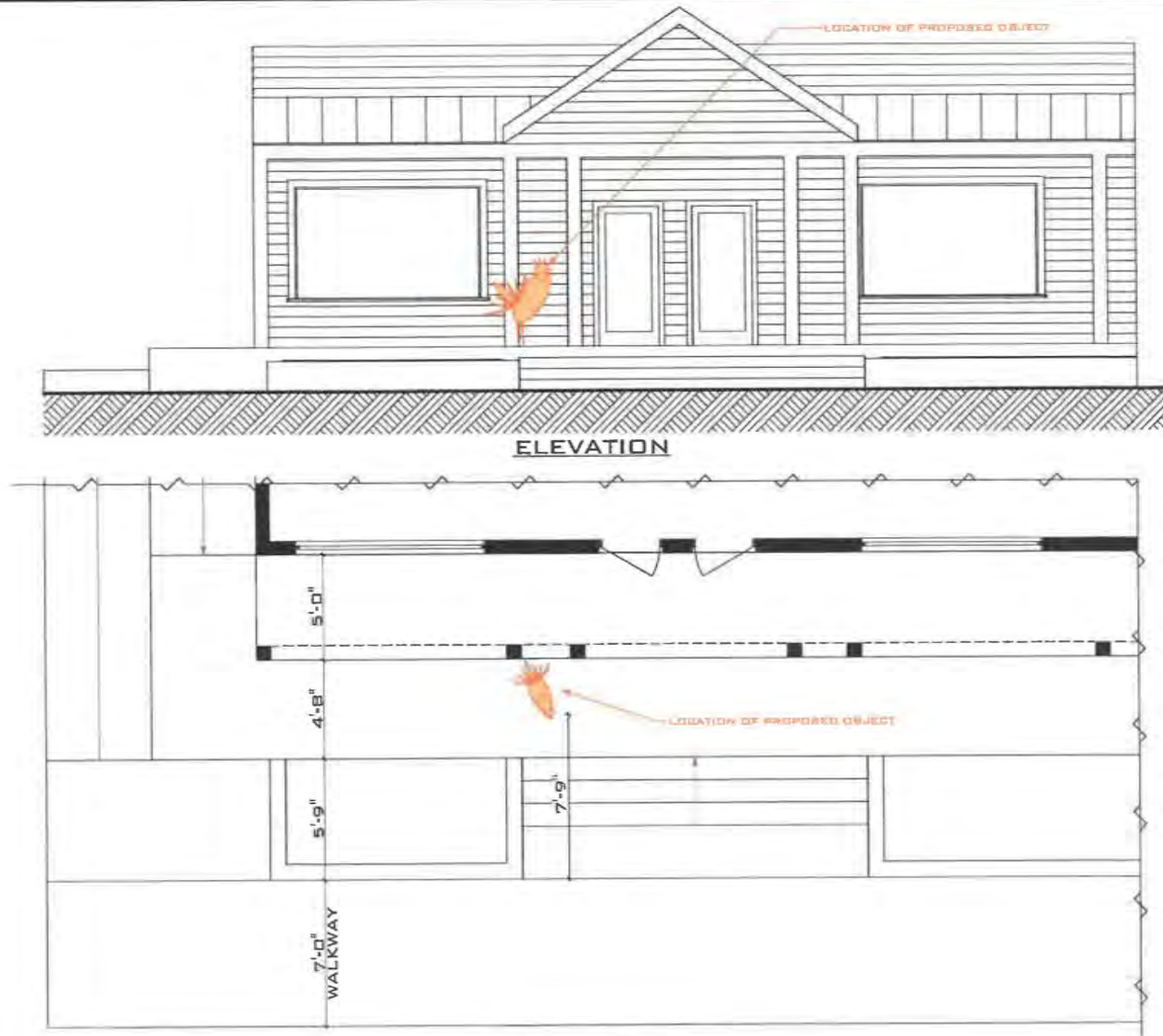
IBERIA BANK

IBERIA BANK

PROPOSED OUTDOOR DISPLAY

FUNKY CHICKEN STORE

SITE SKETCH



SITE SKETCH
3/16" = 1'-0"

FUNKY CHICKEN
RESORT WEAR & GIFTS



NOTICING

Public Meeting Notice

The Historic Architectural Review Commission will hold a public meeting at **5:00 p.m. September 24, 2024, at City Hall, 1300 White Street**, Key West, Florida. The purpose of the hearing will be to consider a request for:

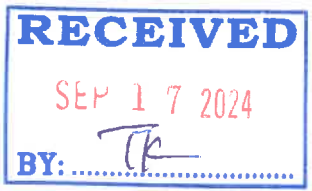
NEW OUTDOOR DISPLAY FOR A METAL ROOSTER 1075 DUVAL STREET UNITS C7-8

Applicant – Irina Bakala Application #OUT2024-0003

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 1300 White Street, call 305-809-3973 or visit our website at www.cityofkeywest-fl.gov.

THIS NOTICE CAN NOT BE REMOVED FROM THE SITE UNTIL HARC FINAL DETERMINATION

ADA ASSISTANCE: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 800-955-8771 or 800-955-8770 (Voice) or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.



HARC POSTING AFFIDAVIT

STATE OF FLORIDA:
COUNTY OF MONROE:

BEFORE ME, the undersigned authority, personally appeared Irina Bakala, who, first being duly sworn, on oath, depose and says that the following statements are true and correct to the best of his/her knowledge and belief:

- 1. That a legal notice for Public Notice of Hearing of the Historic Architectural Review Commission (HARC) was placed on the following address:
1075 Duval St C7-8, Key West, FL 33040 on the 17 day of September, 2024.

This legal notice(s) contained an area of at least 8.5"x11".

The property was posted to notice a public hearing before the Key West Historic Architectural Review Commission to be held on 24th of September, 2024.

The legal notice(s) is/are clearly visible from the public street adjacent to the property.

The Certificate of Appropriateness number for this legal notice is _____.

- 2. A photograph of that legal notice posted in the property is attached hereto.

Signed Name of Affiant:

Irina Bakala
Date: 09/17/2024
Address: 1114 17th St
City: Key West
State, Zip: FL, 33040

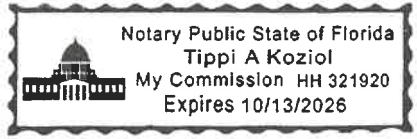
The forgoing instrument was acknowledged before me on this 17 day of September, 2024

By (Print name of Affiant) Irina Bakala who is personally known to me or has produced _____ as identification and who did take an oath.

NOTARY PUBLIC

Sign Name: Tippi A Koziol
 Print Name: Tippi A. Koziol

Notary Public - State of Florida (seal)
 My Commission Expires: 10/13/2026





Public Meeting Notice

ONEILL

ONEILL

OPEN

PROPERTY APPRAISER INFORMATION

Monroe County, FL

PROPERTY RECORD CARD

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 00027090-000110
 Account# 8755147
 Property ID 8755147
 Millage Group 10KW
 Location Address 1075 DUVAL St 7C, KEY WEST
 Legal Description UNIT C-7 DUVAL SQUARE PHASE TWO A CONDOMINIUM OR1079-770 OR1298-1932 OR1779/1491CERT/MERG OR2515-541/43 OR2515-557/58 OR3184-2374
 (Note: Not to be used on legal documents.)
 Neighborhood 8193
 Property Class RETAIL-CONDO (1104)
 Subdivision
 Sec/Twp/Rng 06/68/25
 Affordable No
 Housing

Owner

[1075 DUVAL STREET C7-8 LLC](#)
 3710 Pearlman Ter
 Key West FL 33040

Valuation

| | 2024 Certified Values | 2023 Certified Values | 2022 Certified Values | 2021 Certified Values |
|----------------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| + Market Improvement Value | \$606,288 | \$491,226 | \$491,226 | \$371,822 |
| + Market Misc Value | \$0 | \$0 | \$0 | \$0 |
| + Market Land Value | \$0 | \$0 | \$0 | \$0 |
| = Just Market Value | \$606,288 | \$491,226 | \$491,226 | \$371,822 |
| = Total Assessed Value | \$540,348 | \$491,226 | \$266,812 | \$242,557 |
| - School Exempt Value | \$0 | \$0 | \$0 | \$0 |
| = School Taxable Value | \$606,288 | \$491,226 | \$491,226 | \$371,822 |

Historical Assessments

| Year | Land Value | Building Value | Yard Item Value | Just (Market) Value | Assessed Value | Exempt Value | Taxable Value | Maximum Portability |
|------|------------|----------------|-----------------|---------------------|----------------|--------------|---------------|---------------------|
| 2023 | \$0 | \$491,226 | \$0 | \$491,226 | \$491,226 | \$0 | \$491,226 | \$0 |
| 2022 | \$0 | \$491,226 | \$0 | \$491,226 | \$266,812 | \$0 | \$491,226 | \$0 |
| 2021 | \$0 | \$371,822 | \$0 | \$371,822 | \$242,557 | \$0 | \$371,822 | \$0 |
| 2020 | \$0 | \$371,822 | \$0 | \$371,822 | \$220,507 | \$0 | \$371,822 | \$0 |
| 2019 | \$0 | \$200,461 | \$0 | \$200,461 | \$200,461 | \$0 | \$200,461 | \$0 |
| 2018 | \$0 | \$200,461 | \$0 | \$200,461 | \$200,461 | \$0 | \$200,461 | \$0 |

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

Buildings

| | | | |
|-----------------------|-------------|---------------------------|------|
| Building ID | 57177 | Exterior Walls | |
| Style | | Year Built | 1987 |
| Building Type | CN_2 / CN_2 | EffectiveYearBuilt | 1987 |
| Building Name | | Foundation | |
| Gross Sq Ft | 733 | Roof Type | |
| Finished Sq Ft | 733 | Roof Coverage | |
| Stories | | Flooring Type | |
| Condition | AVERAGE | Heating Type | |
| Perimeter | 0 | Bedrooms | 1 |
| Functional Obs | 0 | Full Bathrooms | 0 |
| Economic Obs | 0 | Half Bathrooms | 0 |
| Depreciation % | 0 | Grade | |
| Interior Walls | | Number of Fire Pl | 0 |

| Code | Description | Sketch Area | Finished Area | Perimeter |
|--------------|----------------|-------------|---------------|-----------|
| FLA | FLOOR LIV AREA | 733 | 733 | 0 |
| TOTAL | | 733 | 733 | 0 |

Sales

| Sale Date | Sale Price | Instrument | Instrument Number | Deed Book | Deed Page | Sale Qualification | Vacant or Improved | Grantor | Grantee |
|-----------|-------------|-----------------|-------------------|-----------|-----------|--------------------|--------------------|---------|---------|
| 6/30/2022 | \$1,125,000 | Warranty Deed | 2384175 | 3184 | 2374 | 05 - Qualified | Improved | | |
| 4/8/2011 | \$675,900 | Warranty Deed | | 2515 | 557 | 12 - Unqualified | Improved | | |
| 3/18/2011 | \$100 | Quit Claim Deed | | 2515 | 541 | 11 - Unqualified | Improved | | |
| 3/1/1994 | \$1 | Warranty Deed | | 1298 | 1932 | M - Unqualified | Improved | | |
| 1/1/1989 | \$1 | Warranty Deed | | 1079 | 770 | M - Unqualified | Improved | | |

Permits

| Number | Date Issued | Date Completed | Amount | Permit Type | Notes |
|--------------|-------------|----------------|----------|-------------|--|
| 22-2721 | 9/16/2022 | | \$0 | Commercial | |
| 22-2187 | 8/8/2022 | 8/31/2022 | \$22,900 | Commercial | Supply and Install +/-1,100 sq.ft. of vinyl plank flooring 2) Supply and Install 1 storefront window, per NOA, restore interior and exterior trim 3) Infill one wall opening with CMU, restore exterior siding and interior drywall finish. 4) Restore existing drop ceiling to match existing grid. 5) Patch drywall +/- 20 sq.ft. and repaint the interior 6) Install +/- 384 sq.ft. of slot wall, owner provided reused panels over existing surfaces. 7) Install dividing partition inside of fitting room +/- 46 sq.ft. |
| 22-1947 | 7/14/2022 | 8/31/2022 | \$2,120 | Commercial | Remove approx. 330 SF of carpet flooring, Remove promptly 70 LF of the non-structural wall, & Remove the built-in cabinet, removal of approx. 80 SF of drywall. |
| 20-1638 | 5/27/2020 | 6/15/2020 | \$0 | Commercial | REMOVE AND REPLACE DAMAGE 225 A PANEL DUE TO A LEAK ON SWIMMING POOL |
| BLD2018-1179 | 11/19/2018 | 7/9/2019 | \$4,000 | Commercial | TO ROUGH NEW SHOWER VALVE INSTALL SHOWER LINER INSTALL TOILET INSTALL HAND SINK. |
| BLD2018-1180 | 11/16/2018 | 7/9/2019 | \$5,800 | Commercial | DEMO FLOOR AND WALL TILE RETILE ALL FLOOR AND WALLS INSTALL DUCTWORK ON WALLS |
| 18-00000309 | 3/28/2018 | 9/14/2018 | \$1,690 | Commercial | RELOCATING EXISTING CONDENSING UNIT NOC EXEMPT. |
| 97-00001885 | 6/13/1997 | | \$2,500 | | REPLACE WATER DAMAGED DRYWALL & REPLACE WALLPAPER 450 SF ADD 60' CROWN MOULDING |
| B 015460 | 4/19/1989 | | \$0 | | CERTIFICATE OF OCCUPANCY |
| B 015460 | 3/14/1989 | | \$58,000 | | FINISH INTERIOR SUITABLE FOR BANK |

View Tax Info

[View Taxes for this Parcel](#)

Map



TRIM Notice

[2024 TRIM Notice \(PDF\)](#)

No data available for the following modules: Land, Yard Items, Sketches (click to enlarge), Photos.

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[User Privacy Policy](#) | [GDPR Privacy Notice](#)
Last Data Upload: 9/19/2024, 9:28:42 AM

[Contact Us](#)

