

# Application

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**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
City of Key West Planning Department  
1300 White Street, Key West, FL 33040  
(305) 809-3720



**Development Plan & Conditional Use Application**

**Applications will not be accepted unless complete**

Development Plan

Major   
Minor

Conditional Use

Historic District

Yes   
No

Please print or type:

- 00010000-000000  
A
- 1) Site Address 529 Whitehead Street
  - 2) Name of Applicant Michelle Gattuso
  - 3) Applicant is: Owner  Authorized Representative   
(attached Authorization and Verification Forms must be completed)
  - 4) Address of Applicant PO Box 682  
Key West, FL 33041
  - 5) Applicant's Phone # 561.598.0452 Email info@nextotyoga.com
  - 6) Email Address: As above
  - 7) Name of Owner, if different than above Assaf Azoulay
  - 8) Address of Owner 32 Hilton Haven Rd, Apt 6, Key West, FL 33040
  - 9) Owner Phone # 305.879.4959 Email \_\_\_\_\_
  - 10) Zoning District of Parcel HRO RE# 1010278
  - 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).

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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13) Has subject Property received any variance(s)? Yes  No

If Yes: Date of approval \_\_\_\_\_ Resolution # \_\_\_\_\_

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.

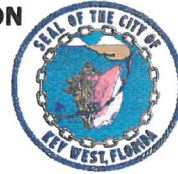
\_\_\_\_\_  
\_\_\_\_\_

- 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.**

## DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

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### 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 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.



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- 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.

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- (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 siting 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.



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**CONDITIONAL USE CRITERIA**

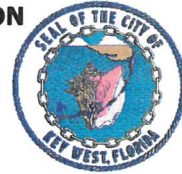
**Sec. 122-61. Purpose and intent.**

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.

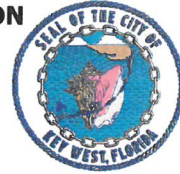
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- (c) Criteria for conditional use review and approval. Applications for a conditional use shall clearly demonstrate the following:
- (1) Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale 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-



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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.

## **Description and Proposed Use of 529 Whitehead Street, Key West, FL 33040**

**Prepared by:  
Michelle Gattuso  
P.O. Box 682  
Key West, FL 33041  
561.598.0452  
[info@nexthotyoga.com](mailto:info@nexthotyoga.com)**

529 Whitehead Street has been a pottery studio and retail store for the past five years. Prior to that, it sat vacant for five years. The most recent tenant applied for Conditional Use in 2012 on the basis of revitalizing the property to benefit the local community through pottery lessons, demonstrations, workshops and camps.

My intention for the property is as a hot yoga studio where yoga and other fitness classes are taught to adults. I am also certified as a children's yoga teacher and intend to develop a children's program as well. Listed below is my strategic plan to develop the studio into a community staple, which I believe falls under Section 122-928 of the conditional uses for the Historic Residential Office District.

- Develop and provide a program and instruction for special needs students, beginning in 2018. (I have already been approached by the educator for this endeavor.)
- Offer once-monthly donation classes benefitting local charities within the Florida Keys. We already held a Thanksgiving a Day donation class, which benefitted the Florida Keys SPCA. Plans are in place for a donation-only class at the end of December 2017 to benefit the Sister Season Fund.
- Provide work/exchange opportunities for those who are not financially able to contribute for classes but want to maintain their yoga practice. This is a place of practice that generates health, positivity and well-being. The students spread those sentiments into the community, which in turn has a positive result on a public level.
- Invite expert practitioners in their field (specific yoga type) to provide special instruction outside of the normal curriculum offered by the studio.

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

**1. Existing Conditions**

**A.) Survey:** Included.

**B.) Existing size, type and location of trees, hedges and other features:**  
N/A. Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio.

**C.) Existing stormwater retention areas and drainage flows:** N/A.  
Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio. The amendment does not include and exterior renovations or modifications.

**D.) Sketch showing adjacent land uses, buildings and driveways:** See attached previous drawing and amended drawing. Neither is to scale.

**2. Proposed Development:**

**A.) Items 1-8:** N/A. Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio. The amendment does not include and exterior renovations or modifications.

**9a.) Zoning:** Located in the Historic Residential Office District (HRO).

**9b.) Size of Site:** 529 Whitehead St is located on a 37' x 65' lot. Please see attached survey.

**9c.) Number of Units:** N/A

**9d.) Floor Area & Proposed Floor Area Ratio:** The interior square footage is approximately 720 SF. Three quarters of the rear space (522 SF) will be used as the yoga studio where classes are held. The front quarter (198 SF) will be used as a reception area where students are greeted, pay, wait for class to begin, engage with each other, and store their belongings during class times.

**9e.) Consumption Area of Restaurants & Bars:** N/A

**9f.) Open Space Area and Open Space Ratio:** N/A

**9g.) Impermeable Surface Area and Impermeable Surface Ratio:** N/A

**9h.) Number of Automobile and Bicycle Spaces Required and Proposed:** Currently there are two spaces at the rear of the property with access via Appelrouth Lane. There are two parking spaces associated with the space, which is adequate on-site parking for the studio as most students arrive via alternative transportation. There is a city-installed bike rack two doors up from 529 Whitehead Street. The proprietor bikes to work as do many of the students, so it may be necessary to install another bike rack in front of 529 Whitehead Street, where the City sees fit. 529 Whitehead is also a stop on the free shuttle City Loop, and the proprietor has noted this on advertisements for the studio.

**B.) Building Elevations:**

**Items 1-4, C & D:** N/A. Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio. The amendment does not include and exterior renovations or modifications.

**3. Solutions Statement:**

This endeavour will be a self-contained hot yoga studio with minimum impact on the surrounding businesses, traffic and quality of life for the neighbors. In fact, we expect the quality of life to improve for our neighbors and visitors alike. The studio is heated by energy efficient ceramic radiant heat panels. They use 1% energy and have been inspected and approved by the KWFD. Waste disposal is a minimum. There are no toxic chemicals or other toxicities associated with the hot yoga studio.

**Development Plan Submission Materials**

**Sec. 108-227 Title Block –** N/A. Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio. The amendment does not include and exterior renovations or modifications.

**Sec. 108-228 Identification of Key Persons**

**1. Owner:** Assaf Azoulay

32 Hilton Haven Rd, Apt 6, Key West, FL 33040

**2. Owner's Authorized Agent:** Michelle Gattuso (for this amendment application only). Please see attached authorization forms.

**3. Engineer & Architect:** N/A

**4. Surveyor:** Survey completed by Island Surveying Inc., 3152 Northside Drive, Ste 201, Key West, FL 33040

**5-7:** Items N/A

**Sec. 108-229 Project Description**

**1. Zoning:** Historical Residential Office District (HRO)

**2. Project Site Size:** N/A. Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio. The amendment does not include and exterior renovations or modifications.

**3. Legal Description:** KW PT LOT 4 SQR 51 G39-176/77 OR825-328D/C OR833-1064D/C OR833-2178/79WILL CASE81-186-CP-12 OR971-642/45 OR1523-45/49 OR2049-1009T/C OR2155-918/19 OR2453-1806/07

**4. Building Size:** The total building occupies both 529 and 531 Whitehead St. The size of the building is 37' wide x 40' long. 529 Whitehead St. is 18.9' wide x 40' long, for an approximate square footage of 720.

**5. Floor Area Ratio:** Three quarters of the rear space (522 SF) will be used as the yoga studio where classes are held. The front quarter (198 SF) will be used as



a reception area where students are greeted, pay, wait for class to begin, engage with each other, and store their belongings during class times.

**6-9. Items N/A** Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio. The amendment does not include and exterior renovations or modifications.

**10. Parking Spaces:** Currently this is adequate on-site parking as the proprietor does not own a car and rides a bicycle to work.

**11-13 Items N/A** Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio. The amendment does not include and exterior renovations or modifications.

### **Sec. 108-230 Other project information.**

**1. Proposed stages or phases of development or operation and facility utilization:** N/A. Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio and is already in operation.

**2. Target Dates for Each Phase:** N/A. Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio and is already in operation.

**3. Expected Date of Completion:** N/A. Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio and is already in operation.

**4. Proposed development plan for the site:** N/A. Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio and is already in operation.

**5. Written description of characteristics:** The proposed use does not include any exterior renovations or modifications. The interior space is to be used for a hot yoga studio and reception area. The focus for the space will be teaching yoga and other fitness classes.

**6-8 Items N/A** Application is an amendment to a previously approved Conditional Use application.

**Sec. 108-231 Residential Developments:** Items N/a

**Sec. 108-232 Intergovernmental Coordination** Items N/A

## **Conditional Use Criteria**

### **Sec. 122-62 Specific Criteria for Approval**

- A. Findings:** The Planning Board may find that the application meets the Code purpose of ensuring 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.”

**B. Characteristics of Use Described**

**1a. Floor Area Ratio:** Three quarters of the rear space (522 SF) will be used as the yoga studio where classes are held. The front quarter (198 SF) will be used

as a reception area where students are greeted, pay, wait for class to begin, engage with each other, and store their belongings during class times.

**1b. Traffic Generation:** I estimate the majority of the traffic to be walk-up foot traffic or bicycles. The entry to the Reception area is accessible via 529 Whitehead Street.

**1c. Square Feet of Enclosed Building:** 529 Whitehead St is approximately 720 SF.

**1d. Proposed Employment:** All teachers aside from proprietor will be contractors.

**1e & f. Proposed number and type of service vehicles and off street parking needs:** There are two parking spaces associated with the space, which is adequate on-site parking for the studio as most students arrive via alternative transportation.

### **Sec. 122-62 B-2**

**2a. Utilities:** The building has been properly wired by Southcoast Electric to service 6 ceramic radiant heat panels, which are energy efficient, and use 1% electricity. They have been inspected and approved by the KWFD.

**2b. Public Facilities:** N/A

**2c. Roadway or signalization improvements:** N/A

**2d. Accessory structures or facilities:** N/A. Application is an amendment to previously approved Conditional Use application as the use of the space has changed from a pottery studio to a hot yoga studio and is already in operation.

**2e. Other unique facilities:** N/A

### **Sec. 122-62 B-3**

**3a. Open Space:** N/A

**3b. Setbacks from adjacent properties:** N/A

**3c. Screening and buffers:** N/A

**3d. Landscaped berms:** N/A

### **Sec. 122-62 Criteria for conditional use review and approval:**

**C1. Land use compatibility:** The conditional use of a yoga studio under its proposed scale shall not adversely impact land use activities in the immediate vicinity.

**C2. Sufficient site size, adequate specifications, and infrastructure to accommodate the proposed use:** The size and shape of the site are adequate to accommodate the proposed scale and intensity of the amended conditional use requested.

**C3. Proper use of the mitigative techniques:** N/A

**C4. Hazardous Waste:** N/A

**C5. Compliance with applicable laws and ordinances:** The applicant will comply with all applicable laws and regulations as a condition of approval.

**C6. Additional criteria applicable to specific land uses:**

**a. Land uses within a conservation area:** N/A; this site is not located within a conservation area.

**b. Residential development:** N/A; no residential development is proposed.

**c. Commercial or mixed-use development:** N/A

**d. Development within an historic district:** Although it is not a new development, this application for amendment to the approved Conditional Use falls within an historic district (HRO).

**e. Public facilities or institutional development:** N/A; no public facility or institutional development is being proposed.

**f. Commercial structures, uses and related activities within tidal waters:** N/A; this site is not located within tidal waters.

**g. Adult entertainment establishments:** N/A; this is not an adult entertainment establishment.

# **Fire Coordination**





**KEY WEST FIRE DEPARTMENT  
FIRE MARSHAL'S OFFICE**

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This is to verify that the property Located at the address listed.

**529 Whitehead St. Key West, FL 33040.**

Was inspected by this office on the following date: **10/31/2017**

By the following Fire Inspector: **W. Jones**

At the time of the said inspection, all areas concerning life safety were found to be in compliance with all Life Safety 101 (NFPA) codes as required by this office and the City of Key West.

Please do not hesitate to contact this office if you have any questions or if I may be of any further assistance.

*Alan Averett, Fire Marshal*

Key West Fire Department  
1600 N. Roosevelt Boulevard  
Key West, Florida 33040  
305-809-3933 Office  
305-292-8284 Fax

[Aaverett@cityofkeywest-fl.gov](mailto:Aaverett@cityofkeywest-fl.gov)

***Serving the Southernmost City***

# **Additional Information**

**Key West, Florida Code of Ordinances**  
**Land Development Regulations**  
**Chapter 122 - ZONING**

**Sec. 122-926. - Intent.**

The historic residential/office district (HRO) is established to implement comprehensive plan policies for areas designated "HRO" on the future land use map. The HRO district shall accommodate business and professional offices as well as residential structures. Cultural and civic activities are allowed anywhere in the district and those same uses with accessory/associated commercial sales are allowed on Whitehead Street between Greene Street and Southard Street. Customary accessory uses and community facilities may also be located within the HRO district. The HRO district shall not accommodate new transient lodging or guesthouses. In addition, the HRO district shall expressly exclude general retail sales, warehousing, and outdoor storage. In order to manage the impacts of future development on transportation and public facilities, the city shall limit the intensity of development within the HRO district to activities generating no more than 50 trips per 1,000 square feet of gross leasable floor area per day. (

• **Sec. 122-927. - Uses permitted.**

Uses permitted in the historic residential/office district (HRO) are as follows:

- (1) Single-family and two-family residential dwellings.
- (2) Group homes with less than or equal to six residents as provided in [section 122-1246](#).
- (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.

(O) **Sec. 122-928. - Conditional uses.**

Conditional uses in the historic residential/office district (HRO) are as follows:

- (1) Group homes with seven to 14 residents as provided in [section 122-1246](#).
- (2) Cultural and civic activities with or without associated/accessory commercial sales on Whitehead Street from Greene Street to Southard Street.
- (3) Community center, clubs and lodges.
- (4) Educational institutions and day care.
- (5) Nursing homes, rest and convalescent homes.
- (6) Parks and recreation, active and passive.
- (7) Protective services.
- (8) Public and private utilities.

**Key West, Florida Code of Ordinances  
Land Development Regulations  
Chapter 122 – ZONING**

(9) Funeral homes.

**Sec. 122-929. - Prohibited uses.**

In the historic residential/office district (HRO), all uses not specifically or provisionally provided for in this division are prohibited.

(Ord. No. 97-10, § 1(2-5.5.6(D)), 7-3-1997)

• **Sec. 122-930. - Dimensional requirements.**

The dimensional requirements in the historic residential/office district (HRO) are as follows; however, construction may be limited by proportion, scale and mass considerations as expressed through the historic architectural review commission design guidelines:

- (1) Maximum density: 16 dwelling units per acre (16 du/acre).
- (2) Maximum floor area ratio: 1.0. Refer to [section 122-926](#) for additional restrictions that regulate the square footage of gross leasable floor area based on trip generation within the HRO districts.
- (3) Maximum height: 30 feet.
- (4) Maximum lot coverage:
  - a. Maximum building coverage: 50 percent.
  - b. Impervious surface ratio: 60 percent.
- (5) Minimum lot size: 5,000 square feet.
  - a. Minimum lot width: 50 feet.
  - b. Minimum lot depth: 100 feet.
- (6) Minimum setbacks:
  - a. Front: 5 feet.
  - b. Side: 5 feet.
  - c. Rear: 10 feet.
  - d. Street side: 5 feet.

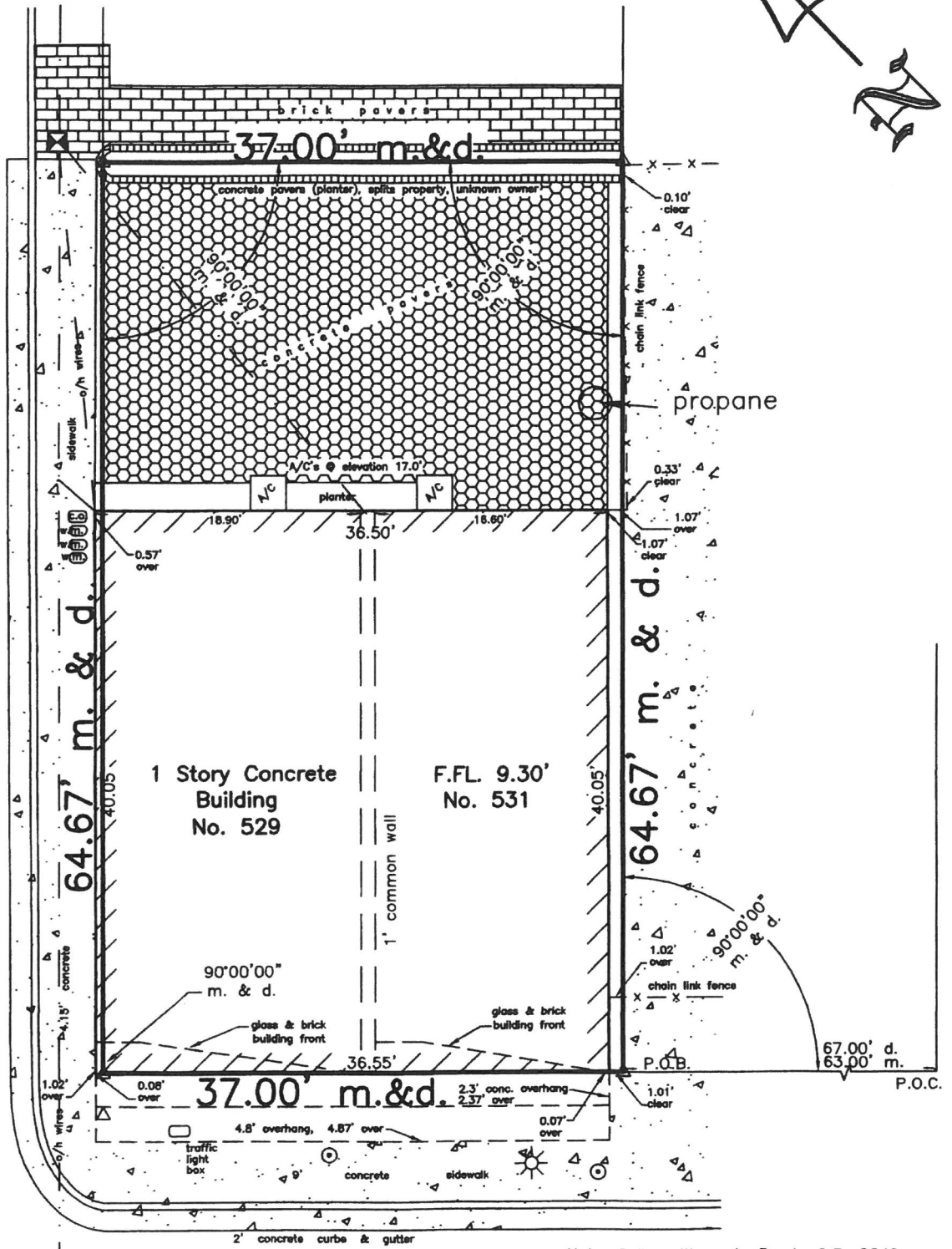
(Ord. No. 97-10, § 1(2-5.5.6(E)), 7-3-1997; Ord. No. 10-04, § 14, 1-5-2010)

• **Secs. 122-931—122-955. - Reserved.**



# Survey

APPLEROUTH LANE (A.K.A. Smith Lane)  
(26' R/W)



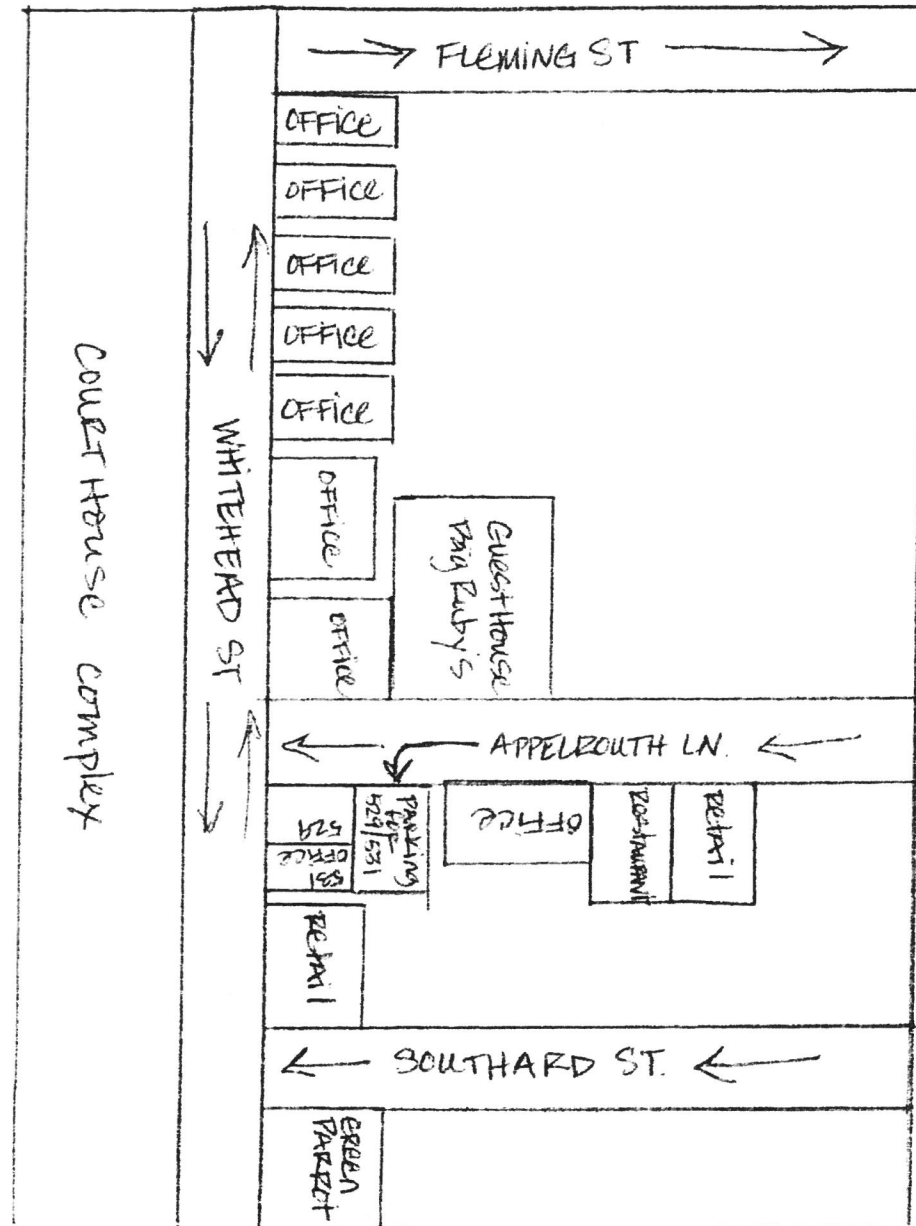
WHITEHEAD STREET  
(50' R/W)

Note: Sellers Warranty Deed O.R. 2049 page 100 depicts a distances of 67 feet from Southard Street to the P.O.B. Adjoining properties legal description, O.R. 2034, Page 1759 depicts a distance of 63 feet from the P.O.B. back to Southard Street.

# Site Plans

Required Plans and Related Materials  
for Both a Conditional Use and Minor/Major Development Plan  
1D.) Sketch showing adjacent land uses, buildings and driveways:

NOT DRAWN TO SCALE



APPELROUTH LANE

EXIT

STUDIO

DOOR TO COMMON HALL

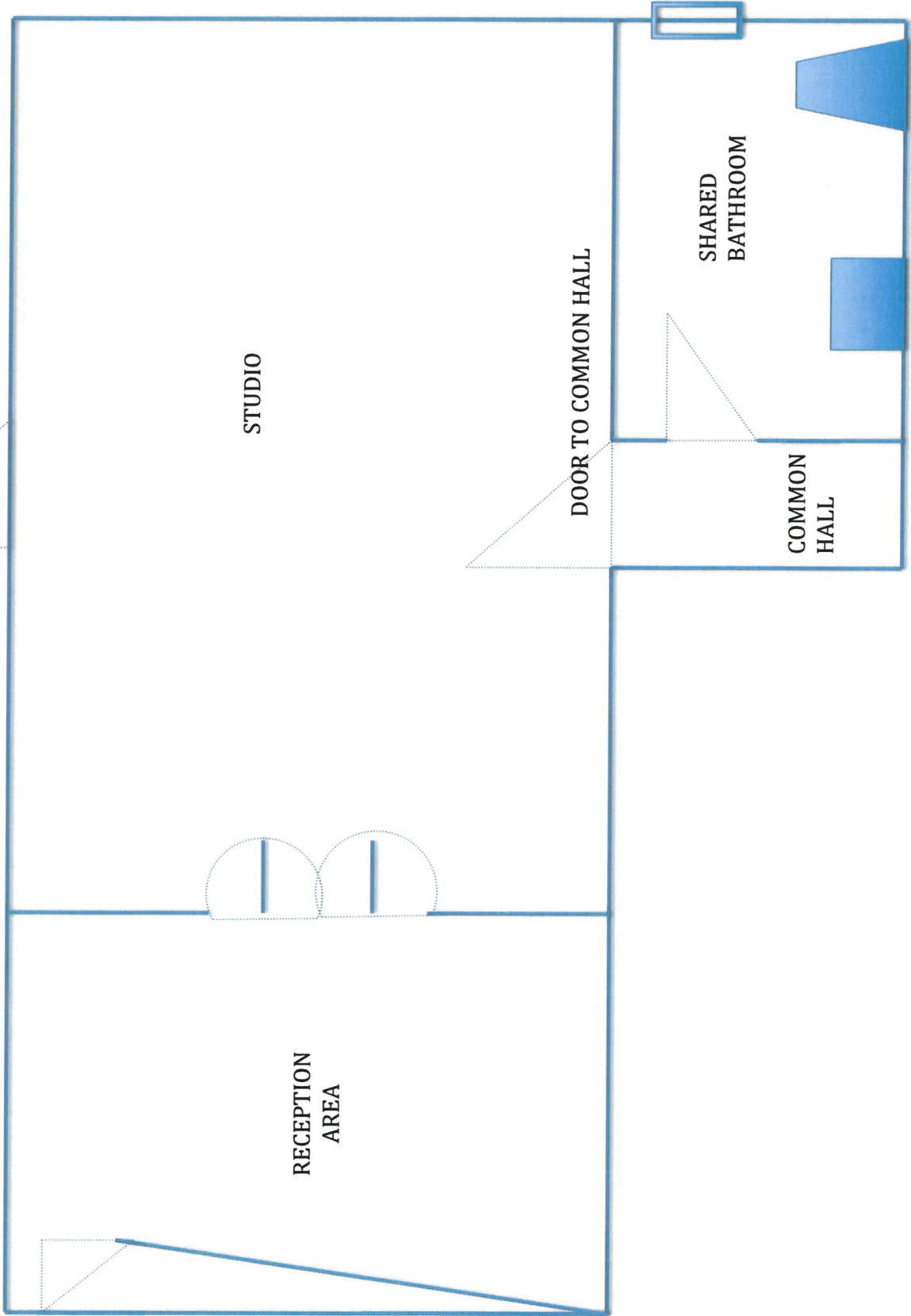
SHARED BATHROOM

COMMON HALL

RECEPTION AREA

WHITEHEAD STREET

YOGA STUDIO FLOORPLAN - 529 WHITEHEAD STREET, KEY WEST, FLORIDA



# **Authorization**

**City of Key West  
Planning Department**



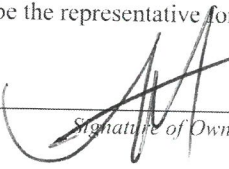
**Authorization Form**  
*(Individual or Joint Owner)*

Please complete this form if someone other than the owner is representing the property owner in this matter.

I, **Assaf Azoulay** \_\_\_\_\_ authorize  
*Please Print Name(s) of Owner(s) as appears on the deed*

**Michelle Gattuso** \_\_\_\_\_  
*Please Print Name of Representative*

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

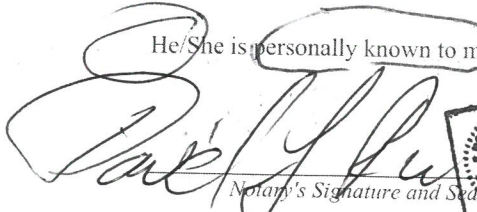
  
\_\_\_\_\_  
*Signature of Owner*

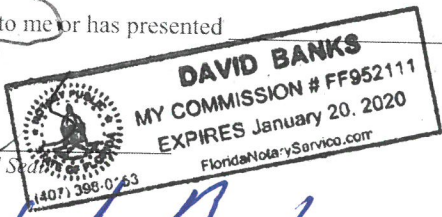
\_\_\_\_\_  
*Signature of Joint/Co-owner if applicable*

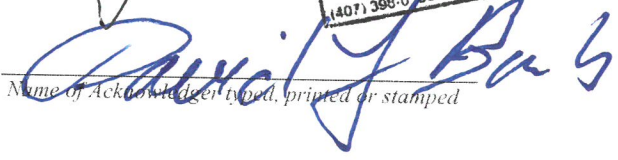
Subscribed and sworn to (or affirmed) before me on this 12/4/17  
*Date*

by **Assaf Azoulay** \_\_\_\_\_  
*Name of Owner*

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

  
\_\_\_\_\_  
*Notary's Signature and Seal*



  
\_\_\_\_\_  
*Name of Acknowledger typed, printed or stamped*

\_\_\_\_\_  
*Commission Number, if any*



# Verification

**City of Key West  
Planning Department**



**Verification Form**

*(Where Authorized Representative is an Individual)*

I, Michelle Gattuso, 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:

**529 Whitehead Street, Key West, FL 33040**

*Street address of subject property*

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

A handwritten signature in blue ink, appearing to read "Michelle Anne Gattuso".

*Signature of Authorized Representative*

Subscribed and sworn to (or affirmed) before me on this Dec 14, 2017 by

Michelle Anne Gattuso

*date*

*Name of Authorized Representative*

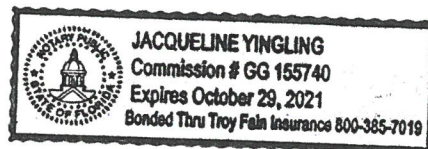
He/She is personally known to me or has presented D.L. as identification.

A handwritten signature in blue ink, appearing to read "Jacqueline Yingling".

*Notary's Signature and Seal*

Jacqueline Yingling

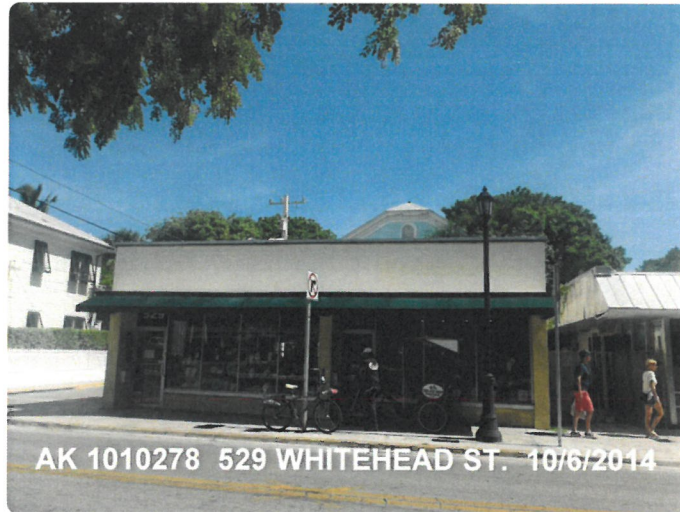
*Name of Acknowledger typed, printed or stamped*



*Commission Number, if any*

# **Property Appraiser Information**

**Summary**



**Parcel ID** 00010000-000000  
**Account #** 1010278  
**Property ID** 1010278  
**Millage Group** All  
**Location** 529 WHITEHEAD ST , KEY WEST  
**Address**  
**Legal** KW PT LOT 4 SQR 51 G39-176/77 OR825-328D/C OR833-1064D/C  
**Description** OR833-2178/79WILL CASE81-186-CP-12 OR971-642/45 OR1523-45/49 OR2049-1009T/C OR2155-918/19 OR2453-1806/07 OR2694-2491/92  
 (Note: Not to be used on legal documents)  
**Neighborhood** 32020  
**Property** STORE (1100)  
**Class**  
**Subdivision**  
**Sec/Twp/Rng** 06/68/25  
**Affordable** No  
**Housing**

**Owner**

531 WHITEHEAD STREET LLC  
 32 HILTON HAVEN RD APT6  
 KEY WEST FL 33040

**Valuation**

	2017	2016	2015	2014
+ Market Improvement Value	\$105,981	\$115,522	\$120,694	\$137,612
+ Market Misc Value	\$5,136	\$5,383	\$4,788	\$4,450
+ Market Land Value	\$444,141	\$444,639	\$444,639	\$430,744
= Just Market Value	\$555,258	\$565,544	\$570,121	\$572,806
= Total Assessed Value	\$555,258	\$565,544	\$570,121	\$531,176
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$555,258	\$565,544	\$570,121	\$572,806

**Land**

Land Use	Number of Units	Unit Type	Frontage	Depth
COMMERCIAL DRY (100D)	2,393.00	Square Foot	37	64.7

**Commercial Buildings**

Style	1 STORY STORES / 11C
Gross Sq Ft	1,440
Finished Sq Ft	1,440
Perimeter	0
Stories	1
Interior Walls	
Exterior Walls	C.B.S.
Quality	400 ()
Roof Type	
Roof Material	
Exterior Wall1	C.B.S.
Exterior Wall2	
Foundation	
Interior Finish	
Ground Floor Area	
Floor Cover	
Full Bathrooms	2
Half Bathrooms	0
Heating Type	
Year Built	1958
Year Remodeled	0
Effective Year Built	1990
Condition	AVERAGE

**Yard Items**

Description	Year Built	Roll Year	Quantity	Units	Grade
WALL AIR COND	1989	1990	1	1 UT	1
TILE PATIO	2007	2013	1	750 SF	1

**Sales**

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
7/18/2014	\$455,000	Warranty Deed		2694	2491	01 - Qualified	Improved
2/19/2010	\$325,000	Warranty Deed		2453	1806	01 - Qualified	Improved
9/30/2004	\$380,000	Warranty Deed		2049	1009	K - Unqualified	Improved

**Permits**

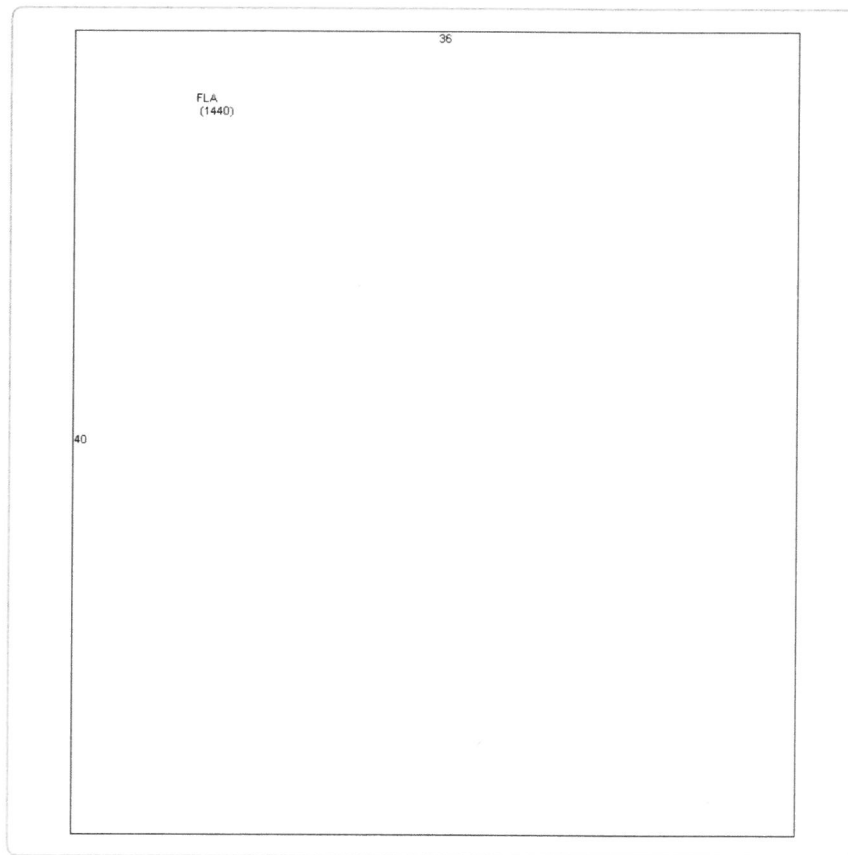
Number	Date Issued	Date Completed	Amount	Permit Type	Notes
◆	◆	◆	◆	◆	◆

Number ◆	Date Issued ◆	Date Completed ◆	Amount ◆	Permit Type ◆	Notes ◆
13-1625	10/22/2013		\$850	Commercial	INSTALL NEW CONCRETE SLAB FOR TANK. ERECT NEW PICKET FENCE 48" HIGH AROUND NEW CONCRETE SLAB.
13-4421	10/15/2013		\$719	Commercial	INSTALL SECURITY ALARM. INSTALL SMOKE/HEAT AND CARBON MONOXIDE DETECTOR.
13-0442	2/5/2013		\$1,500	Commercial	2 PULL STATIONS, 1 DUCT DETECTOR, 5 STROBE LIGHTS, AND 5 SPEAKER/STROBES
13-0351	2/1/2013		\$35,000	Commercial	INSTALL 480V 3PH PANEL, 3 PH PANEL BOARD, NEW LIGHTING FIXTURES
13-0296	1/28/2013		\$30,000	Commercial	LOWER DRAIN AND CONNECT TO TAP, NEW CONSTRUCTION TO 3 BATHS, 3 LAVS, 1 HAND SINK, 1 WATER COOLER
12-3789	10/18/2012	12/31/2012	\$1,300	Commercial	INSTALL 3 SIGNS IN FRONT AND SIDE OF BUILDING
12-3266	9/17/2012	12/31/2012	\$225	Commercial	INSTALL WIRELESS SECURITY SYSTEM WITH TWO (2) CONTACTS AND TWO (2) MOTION DETECTORS
12-2016	6/12/2012	12/31/2012	\$6,000	Commercial	REMOVE EXT. PARTITION WALLS, REFRAME FRONT PARTITION WALL TO INCORPORATE NEW DOOR SYSTEM, NEW TRIM.
07-3685	8/16/2007		\$6,080	Commercial	PAINT EXTERIOR OF BUILDING,INSTALL 750SF PAVERS
07-0126	2/14/2007		\$8,500	Commercial	INSTALL NEW ELECTRIC FOR 2ND A/C.NEW PANEL
07-0696	2/14/2007		\$1,500	Commercial	REPLACE THE EXISTING SEWER LINE
07-0125	1/31/2007		\$5,500	Commercial	MOVE EXISTING BAYH & CONVERT TO NEW ADA BATH.ADD SINK IN BREAK ROOM

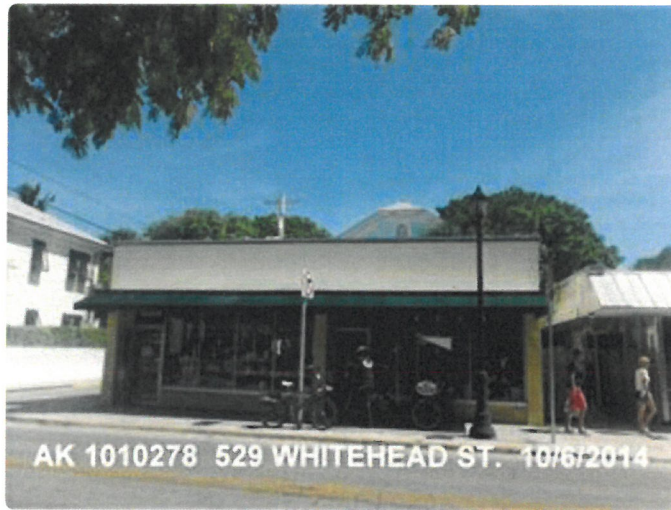


Number ⌵	Date Issued ⌵	Date Completed ⌵	Amount ⌵	Permit Type ⌵	Notes ⌵
07-0123	1/30/2007		\$31,516	Commercial	RENOVATION TO EXIATING OFFICE INTERIOR WORK
06-6152	11/14/2006		\$10,250	Commercial	INSTALL 16 SQS OF COOLEY C-3 WHITE ROOFING
05-4635	10/17/2005	12/22/2005	\$50,000	Commercial	REPLACE 150LF CONCRETE TIE BEAM & PARAPET WALK & PAINT EXTERIOR
04-2730	8/19/2004	11/18/2004	\$9,000	Commercial	REROOF FLAT ROOF
99-4043	12/30/1999	8/16/2000	\$2,700	Commercial	HURRICANE PANELS
99-0445	2/4/1999	12/4/1999	\$6,300	Commercial	NEW BUILTUP ROOF
99-0417	2/3/1999	12/4/1999	\$9,400	Commercial	EXTERIOR STUCCO REPAIRS

**Sketches (click to enlarge)**



Photos



Map



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

Last Data Upload: 11/28/2017 3:04:10 AM



Schneider

**Developed  
by  
The  
Schneider  
Corporation**

PREPARED 12/01/17, 13:46:16  
City of Key West

PAYMENTS DUE INVOICE  
PROGRAM PZ821L

PROJECT NUMBER: 17-02000054 MINOR DEVIATION - 529 WHITEHEAD STREET

FEE DESCRIPTION	AMOUNT DUE
MINOR MOD TO DEVELOPMENT PLAN	500.00
TOTAL DUE	500.00

Please present this invoice to the cashier with full payment.

(305) 809-3957  
CITY-KEY WEST (GENERAL)  
1305 WHITE ST  
KEY WEST, FL 33040

12/01/2017 14:33:38  
MID: XXXXXXXXXXXX617 TID: XXXX036

CREDIT CARD  
VISA SALE

Card # XXXXXXXXXXXX9453  
SEQ #: 6  
Batch #: 191  
INVOICE 6  
CLERK 0004  
Approval Code: 00164D  
Entry Method: Manual  
Mode: Online

SALE AMOUNT \$500.00

I agree to pay above total amount  
according to card issuer agreement.  
(Merchant agreement if Credit Voucher)

X \_\_\_\_\_

MERCHANT COPY

Oper: KEYWGRC Type: BP Drawer: 1  
Date: 12/01/17 58 Receipt no: 3779

2017 2000054  
PZ PLANNING & ZONING  
1.00 \$500.00  
Trans number: 3119922  
VM VISA/MASTERC \$500.00

Trans date: 12/01/17 Time: 14:32:39