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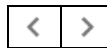


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COMPOSE

1200-1212 White Street

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Linda Wheeler

Apr 1 (7 days ago) ☆



to Kevin, Don, Larry, me ▾

Monday March 31, 2014

RE: 1200-1200 White Street (conditional use and parking variance)

**(Copy to Ms. Gibson for inclusion in the record as public comment)**

Dear Mr. Bond and Mr. Craig,

I want to thank Kevin very much for his prompt response to my e-mail, and also for his time today on the telephone discussing the parking requirements at this project. I believe we established the following:

1. Mr. Mills has approximately 4,800 sf of existing commercial property at 1200-1212 White Street.
2. The existing commercial property formerly housed a bakery, a retail tile store, and a small "no-seat" coffee shop. The bakery was a non-conforming use which has been abandoned pursuant to Section 122-30.
3. The off-street parking requirements for Mr. Mills proposed uses (permitted and conditional) are 18 vehicles and 5 bike spaces.
4. Applicable ordinances are: Section 108-573 (c) (*No additional off-street parking shall be required if a commercial structure is the subject of a change from one type of commercial use to another commercial use "so long as no additional or expanded floor area is created"*); Section 108-575(5) (*Whenever a building or use is enlarged, in floor area, seating capacity, "or in any other manner creating a need for greater number of parking spaces than that existing" then any parking deficiency shall be brought into conformity concurrently with the enlargement or change of use.*); Section 108-573 (c) (2) (*Off-street parking regulations shall apply to any nonresidential floor area created after January 1, 1998, "and converted to another use requiring more parking".*)
5. Changing the use of the former retail tile store (1 space per 300sf) to another retail sales space (1 space per 300sf), or to professional office space (1 space per 300sf) would not increase the parking demand, and Mr. Mills would not be required to cure any parking deficiencies (or obtain any variance) at this existing commercial property for those permitted-by-right uses.
6. Changing the use of the former non-conforming bakery space (1 space per 300sf) (or 1 space per 45sf for consumption area) to retail sales space under 2500 sf (1 space per 300sf) or to professional office space (1 space per 300sf) would not increase parking demand, and Mr. Mills would not be required to cure any parking deficiencies (or obtain any variance) at this existing commercial property for those permitted-by-right uses.
7. Mr. Mills' proposal to use of the former retail tile store and no-seat coffee shop for a 15-seat restaurant (conditional-use) enlarges the floor area and increases the seating capacity (0 seats to 15 seats).
8. Mr. Mills' proposal to use the former bakery space for a retail sale space greater than 2500 sf (conditional-use) enlarges the floor area.
9. Introduction of one or both of these proposed conditional uses by the applicant "create a need for a greater number of parking spaces than that existing" and requires that the applicant's parking deficiencies "be brought into conformity concurrently with the enlargement or change of use."
10. Mr. Mills' would need (-0-) no parking variance if he were to use the commercial property solely for the permitted-by-right uses of retail sales space (under 2500sf) and/or professional office spaces (of unlimited floor area).
11. Conversely, a 15-space\* parking variance is necessary to accommodate Mr. Mills' proposed permitted-by-right and conditional-uses at this existing commercial property. (\* 18-spaces required minus 3 existing off-street spaces)

Would you please confirm the above facts and conclusions? (I acknowledge that Kevin has stated that he did not wish to confirm these discussions in writing, but it seems less than transparent for the planning department to not make this analysis for the planning board (particularly since this was a topic of much discussion and confusion at the last board hearing on 3/20/14), or to refuse to provide the public with this information when so

Linda Wheeler

lwheeleraal@earthlink.net



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requested.

Again, thank you for your time and continued assistance in these matters and I look forward to your response.

Best Regards, Linda Wheeler

-- Linda B. Wheeler, Esq. Attorney at Law 1213 White Street Key West, FL 33040 Tel. (305) 294-0683 Fax (305) 296-2155 MOBILE (305) 509-2145 email: [lwheeleraal@earthlink.net](mailto:lwheeleraal@earthlink.net)

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DETERMINATIONS



- JO Bennett
- Brendon Cunningha
- Carlene Smith
- Cheri Smith
- Don Craig
- Kevin Bond
- Larry Erskine
- Nicole Malo
- Nicole Malo
- Richard Klitenick

Fwd: Victor mills

Inbox x



Cheri Smith

City of Key West



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Cheri Smith

10:57 AM (13 minutes ago)



to me

For the Planning Board.  
Sincerely,  
Cheri Smith, MMC, CPM  
City Clerk  
City of Key West  
[305-809-3835](tel:305-809-3835)  
[csmith@keywestcity.com](mailto:csmith@keywestcity.com)

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----- Forwarded message -----

From: **Sullivan, Greg** <[gsulliva@wm.com](mailto:gsulliva@wm.com)>  
Date: Wed, Apr 16, 2014 at 5:52 PM  
Subject: Victor mills  
To: Cheryl Smith <[csmith@keywestcity.com](mailto:csmith@keywestcity.com)>

Cherri. I am not able to attend the planning meeting this week. Michelle maxwell and I have a home 1212 Cathrine and am in support of victors project. Please forward this letter of support to the board. Thank you.

Sent from my iPhone

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April 16, 2014

To: Planning Board, Key West

Re: Development plan, 1200 block of White Street

My primary residence, at 1215 Varela Street, shares a property line with 1212 White Street, which is presently used as a parking lot, zoned HNC-1. The owner, Victor Mills, has been a most considerate neighbor, at no time disturbing the quiet enjoyment of my home in any way.

I understand that he wishes to complete renovation of his commercial buildings adjacent the parking lot in the 1200 block of White Street, to be rented as a flower shop, a small restaurant, and a motor scooter dealership / rental agency. I have no objection to any of these end uses.

The improvements Mr. Mills has already made, after so many years of this property languishing in disrepair, has contributed to the overall improvement of the White Street commercial corridor and I feel the completion of his project will represent a significant upgrade to the neighborhood.

Sincerely,

Jane M. Lowe  
1215 Varela St.  
Key West, FL 33040

4-17-2014

To Whom It May Concern,

I support the idea of a bakery/  
restuarant opening in our neighborhood.

We live at 1118 Catherine St and I look  
forward to having more dining options within  
walking distance.

Sincerely,

Christine Farnes

1118 Catherine St.