

**PLANNING BOARD RESOLUTION
2011-025**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD
GRANTING VARIANCES TO IMPERVIOUS SURFACE
RATIO IN THE HPS ZONING DISTRICT PER SECTION 122-
960(4)b. OPEN SPACE REQUIREMENTS PER SECTION 108-
346(b), AND COASTAL CONSTRUCTION CONTROL LINE
SETBACK REQUIREMENTS PER SECTION 122-1148(2) FOR
PROPERTY LOCATED AT MALLORY SQUARE (RE#
00072082-001100, 00072082-001400 and 0072082-003700),
UNDER THE CODE OF ORDINANCES OF THE CITY OF
KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE
DATE.**

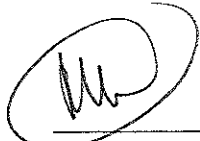
WHEREAS, Code Section 90-391 allows applicants to request variances from the Planning Board; and

WHEREAS, Section 122-960 (4)b. of the Code of Ordinances provides that the maximum dimensional requirements for impervious surface ratio in the HPS zoning district is 50%; and

WHEREAS, the applicant requested a variance to impervious surface ratio to allow redevelopment of proposed leasehold portions of Mallory Square; and

WHEREAS, Section 108 -346(b) of the Code of Ordinances provides that minimum open space requirements for a commercial property are 20%; and

WHEREAS, the applicant requested a variance to open space requirements to allow redevelopment of proposed leasehold portions of Mallory Square; and


Chairman
 Planning Director

WHEREAS, Section 122-1148(2) of the Code of Ordinances provides that the maximum dimensional requirements for the Coastal Control Line setback requirements at Mallory Square is 30 feet; and

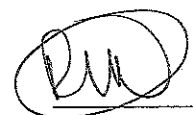
WHEREAS, the applicant requested a variance to Coastal Control Line setback requirements to allow redevelopment of proposed leasehold portions of Mallory Square; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on June 16, 2011; and

WHEREAS, the Planning Board finds that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures or buildings in the same district; and

WHEREAS, the Planning Board finds that the special conditions do not result from the action or negligence of the applicant; and

WHEREAS, the Planning Board finds that granting the variance requested will not confer upon the applicant any special privileges denied by the Land Development Regulations to other lands, buildings or structures in the same zoning district; and



Chairman



Planning Director

WHEREAS, the Planning Board finds that the literal interpretation of the provisions of the Land Development Regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant; and

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

WHEREAS, the Planning Board finds that the granting of the variance will be in harmony with the general intent and purpose of the Land Development Regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare; and

WHEREAS, the Planning Board finds that no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of any variance; and

WHEREAS, the Planning Board finds that the applicant has demonstrated a "good neighbor policy" by contacting or making a reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those neighbors;

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

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

Section 2. That the variances for impervious surface ratio requirements in the HPS zoning district per Section 122-960(4)b., open space requirements per Section 108-346(b), and Coastal Construction Control Line requirements for the redevelopment of a restaurant located in Mallory Square per Section 122-1148(2), of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida (RE# 00072082-001100, 00072082-001400 and 0072082-003700), as shown on the attached plan set revised June 3, 2010 and date stamped June 6, 2011, with the following condition:

1. That the application for a Major Development Plan with conditions is approved.

Section 3. It is a condition of this variance that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this variance is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this variance, shall be submitted in its entirety within two years after the date hereof; and further, that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of the two-year period without the applicant obtaining an extension from the Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

 Chairman
 Planning Director

Section 4. The failure to submit a full and complete application for permits for new construction for which this variance is wholly or partly necessary, or the failure to complete new construction for use and occupancy pursuant to this variance in accordance with the terms of a City building permit issued upon timely application as described in Section 3 hereof, shall immediately operate to terminate this variance, which variances shall be of no force or effect.

Section 5. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 6. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 7. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water

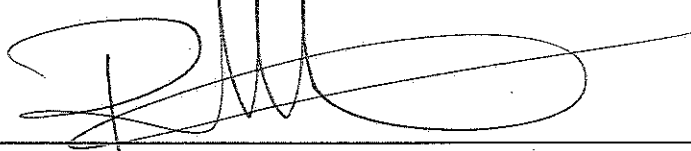

Chairman

Planning Director

Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed on first reading at a meeting held this 16th day of June, 2011.

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



Richard Klitenick, Chairman
Key West Planning Board

6/20/2011

Date

Attest:

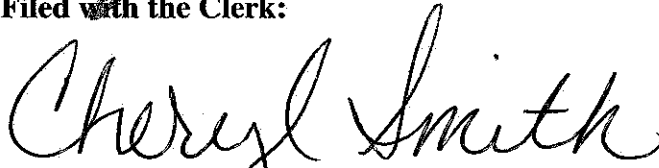


Donald L. Craig, AICP
Planning Director

6.17.11

Date

Filed with the Clerk:



Cheryl Smith, City Clerk

6-21-11

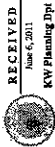
Date



Chairman



Planning Director



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June 6, 2011
KW Planning Dpt

WILLIAM P. HORN
ARCHITECT P.A.

315 EASTON ST.
KEY WEST,
FLORIDA
33900

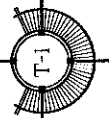
TEL: 305.296.5302
FAX: 305.296.1181
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A-100000000

Seabreeze
PAUL K. SEABREE P.E.
P.E. DESIGN
2727 ORANGE BOULEVARD
SUITE 100
FORT MYERS, FLORIDA
33901

MALLORY
SQUARE
RESTAURANT
VALLEYVIEW
KEY WEST, FLORIDA

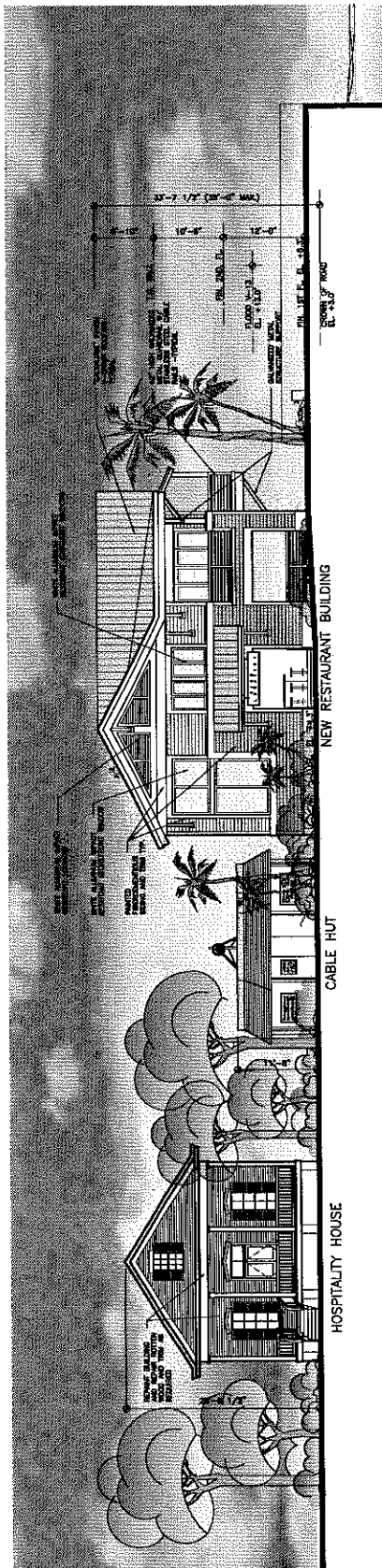
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06-11-11 HARC REV.
09-08-11 HARC REV.
05-25-11 PL. BD. REV.
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MALLORY SQUARE RESTAURANT

KEY WEST, FLORIDA



NEW RESTAURANT BUILDING

CABLE HUT

HOSPITALITY HOUSE

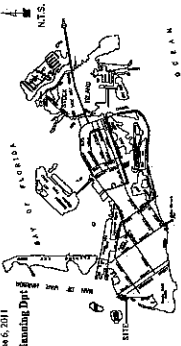
KEY PERSONNEL

ARCHITECT: WILLIAM P. HORN ARCHITECT P.A. 315 EASTON ST. KEY WEST, FL 33900 TEL: (305) 296-5302	ENGINEERING: PAUL K. SEABREE, P.E. SEABREE ENGINEERING, INC. 2727 ORANGE BOULEVARD SUITE 100 FORT MYERS, FL 33901 TEL: (888) 888-8888	LANDSCAPE CONSULTANT: SEABREE ENGINEERING, INC. 2727 ORANGE BOULEVARD SUITE 100 FORT MYERS, FL 33901 TEL: (888) 888-8888
LAND-USE PLANNING: DAVID TREMPER & ASSOCIATES, INC. P.O. BOX 245 KEY WEST, FL 33900 TEL: (305) 296-1181	CIVIL ENGINEERING: DAVID TREMPER & ASSOCIATES, INC. P.O. BOX 245 KEY WEST, FL 33900 TEL: (305) 296-1181	SURVEYOR: SEABREE ENGINEERING, INC. 2727 ORANGE BOULEVARD SUITE 100 FORT MYERS, FL 33901 TEL: (888) 888-8888
OWNER: MALLORY SQUARE CORPORATION 200 BAYVIEW KEY WEST, FL 33900 TEL: (305) 296-1181		

SHEET No.	DESCRIPTION
T-1	COVER SHEET
A-1	PROPOSED SITE PLAN 1"=30'-0"
A-1.1	PROPOSED SITE PLAN 1/8"=1'-0"
A-2	FIRST FLOOR PLAN 1/8"=1'-0"
A-3	SECOND FLOOR PLAN 1/8"=1'-0"
A-4	ELEVATIONS
A-5	ELEVATIONS
L-1.0	EXISTING TREE DESCRIPTION PLAN
L-2.0	PLANTING PLAN
L-2.1	PLANTING NOTES & DETAILS
C-1	DRAINAGE PLAN
SL-1	SURVEY
EX-1	EXISTING SITE PLAN 1"=30'-0"
EX-1.1	EXISTING SITE PLAN 1/8"=1'-0"
EX-2	EXISTING FIRST FLOOR PLAN 1/8"=1'-0"
D-1	DEMOLITION PLAN 1/8"=1'-0"
A-10	SITE PLAN- LANDSCAPE SQ. FOOTAGE
A-15	SITE PLAN- LOT COVERAGE SQ. FOOTAGE
A-20	CONSTRUCTION AREA SITE PLAN- FLOOR
EX-20	CONSTRUCTION AREA EXISTING

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

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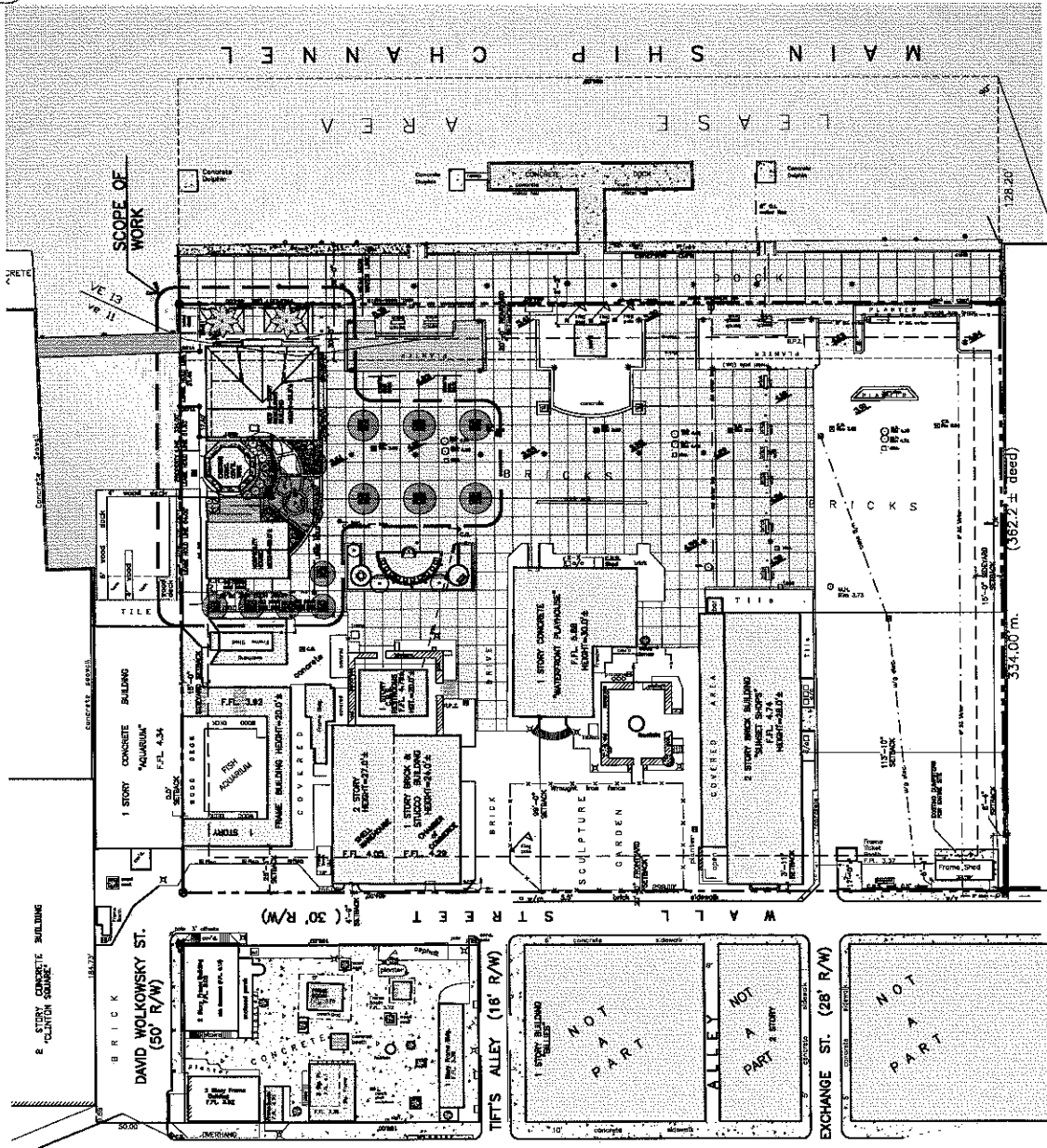
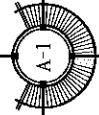
LOCATION MAP City of Key West & Stock Island

SITE DATA

SITE AREA: 15,400 S.F. (1.35 ACRES)	REQUIRED: 25.0' (NOT IN LEASE AREA)
LAND USE: MRS. (PUBLIC SERVICES INC. RECREATION & OPEN SPACES)	PROPOSED: 25.0' (NOT IN LEASE AREA)
FLOOD ZONE: V-15/1-1/2-13, AL 44'6"	REQUIRED: 15.0' (IN LEASE AREA)
SETBACKS	EXISTING: 15.0' (IN LEASE AREA)
FRONT SETBACK: REQUIRED = 25.0'	PROPOSED: 15.0' (IN LEASE AREA)
SIDE SETBACK: REQUIRED = 15.0'	PROPOSED: 15.0' (IN LEASE AREA)
REAR SETBACK: REQUIRED = 15.0'	PROPOSED: 15.0' (IN LEASE AREA)
COASTAL COMB. CONTROL LINE: REQUIRED = 25.0'	PROPOSED: 15.0' (IN LEASE AREA)
PAR: ALLOWABLE: 1.0 MAX (1.0 MAX S.F.)	PROPOSED: 15.0' (IN LEASE AREA)
HEIGHT: REQUIRED: 25.0' (MAXIMUM HEIGHT)	PROPOSED: 15.0' (IN LEASE AREA)
LOT COVERAGE AREA: REQUIRED: 25.0' (MAXIMUM LOT AREA)	PROPOSED: 15.0' (IN LEASE AREA)
IMPROVEMENTS AREA: REQUIRED: 25.0' (MAXIMUM IMPROVEMENTS AREA)	PROPOSED: 15.0' (IN LEASE AREA)
LANDSCAPE AREA: REQUIRED: 25.0' (MAXIMUM LANDSCAPE AREA)	PROPOSED: 15.0' (IN LEASE AREA)
PARKING: IN PARKING WAYNE ZONE	PROPOSED: 15.0' (IN LEASE AREA)
CONSUMPTION AREA: REQUIRED: 25.0' (MAXIMUM CONSUMPTION AREA)	PROPOSED: 15.0' (IN LEASE AREA)
CONSUMPTION AREA: REQUIRED: 25.0' (MAXIMUM CONSUMPTION AREA)	PROPOSED: 15.0' (IN LEASE AREA)

BUILDING DATA

EXISTING BUILDING DATA	
1ST FLOOR ENCLOSED	1,500 S.F.
2ND FLOOR ENCLOSED	300 S.F.
TOTAL EXISTING ENCLOSED	1,800 S.F.
PROPOSED BUILDING DATA	
1ST FLOOR ENCLOSED	1,500 S.F.
2ND FLOOR ENCLOSED	300 S.F.
TOTAL PROPOSED ENCLOSED	1,800 S.F.



PROPOSED SITE PLAN
ALL SITE INFORMATION OBTAINED FROM SURVEY
BY ISLAND SURVEYING INC. ON 1/28/10
SCALE: 1"=20'-0"

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

WILLIAM P. BORN
ARCHITECT, P.A.

915 E. 10th St.
KEY WEST,
FLORIDA
33640

TEL: (305) 866-8888
FAX: (305) 866-1022

LICENSE NO.
A-10000000

PAUL R. SHERIDAN, P.E.
P.E. CERTIFIED

2750 N. MIAMI BLVD.
SUITE 200
MIAMI, FLORIDA 33136
TEL: (305) 575-1000
FAX: (305) 575-1001
CA 000000

MALLORY
SQUARE
RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

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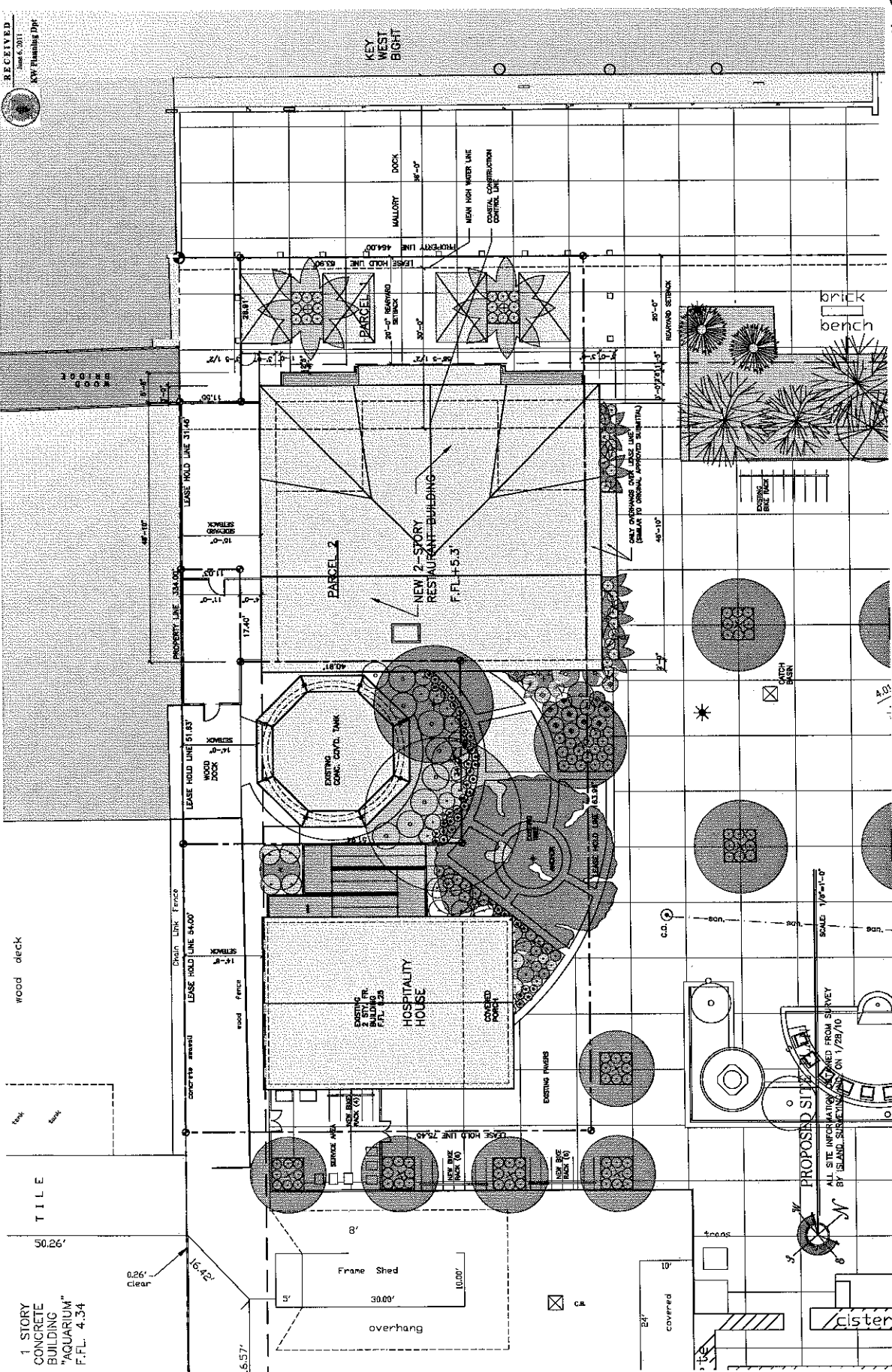
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11-06-10 P.L. BD.

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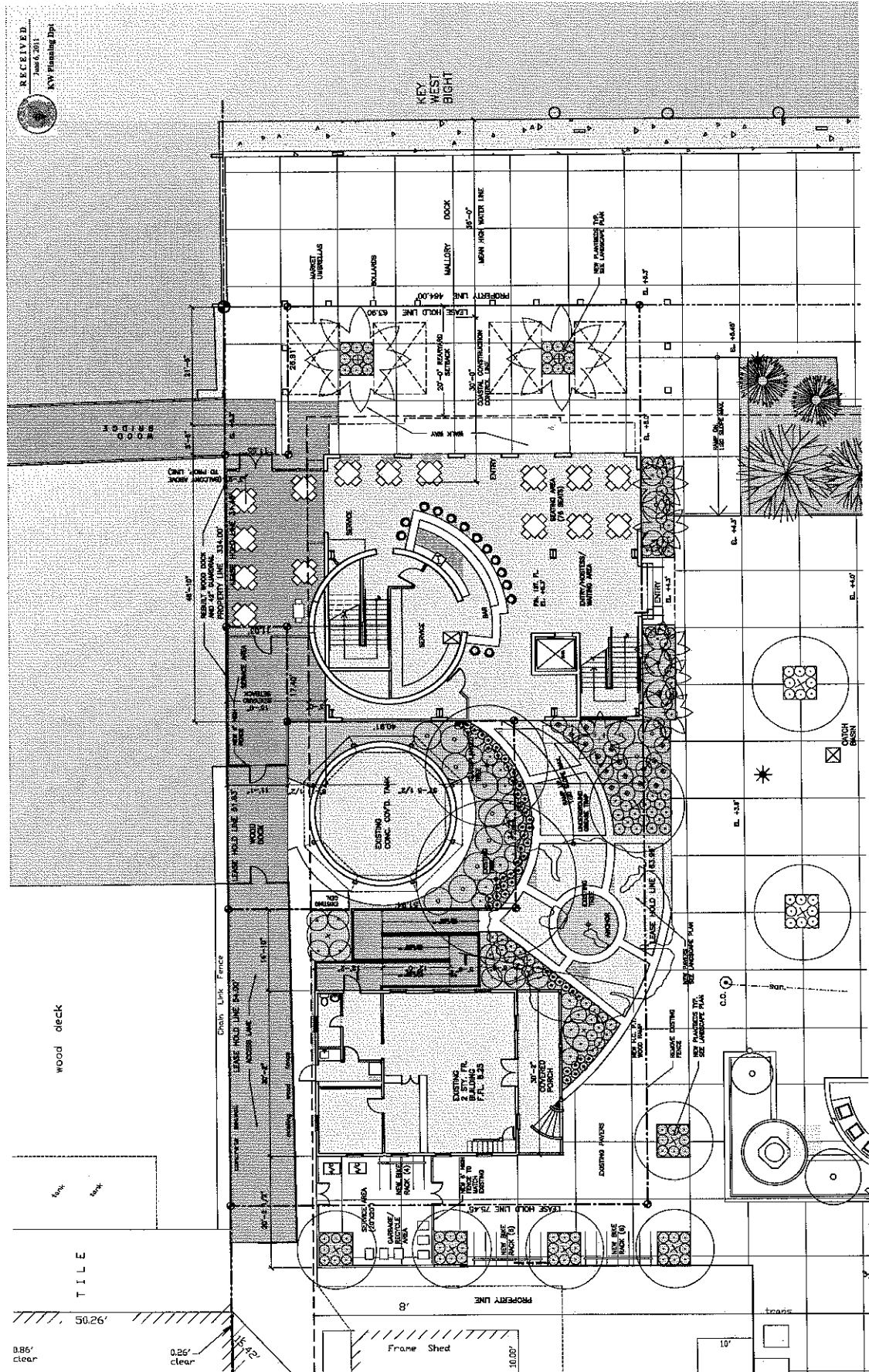
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Key West Planning Dept.



MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

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KW Planning Dpt

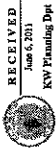


PROPOSED FIRST FLOOR PLAN

DATE 1/27-1'-0"

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

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KSW Planning Dept

WILLIAM P. HORN
ARCHITECT, P.A.

315 EAST 10TH ST.
KEY WEST,
FLORIDA
34090

TEL: (305) 286-8822

FAX: (305) 296-1150

LICENSE NO.
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PA. CERT.

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MALLORY
SQUARE
RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

SEAL

DATE

08-03-10 HARC

08-31-10 HARC REV.

10-01-10 DRC

11-05-10 FL BD

REVISIONS

03-11-11 HARC REV.

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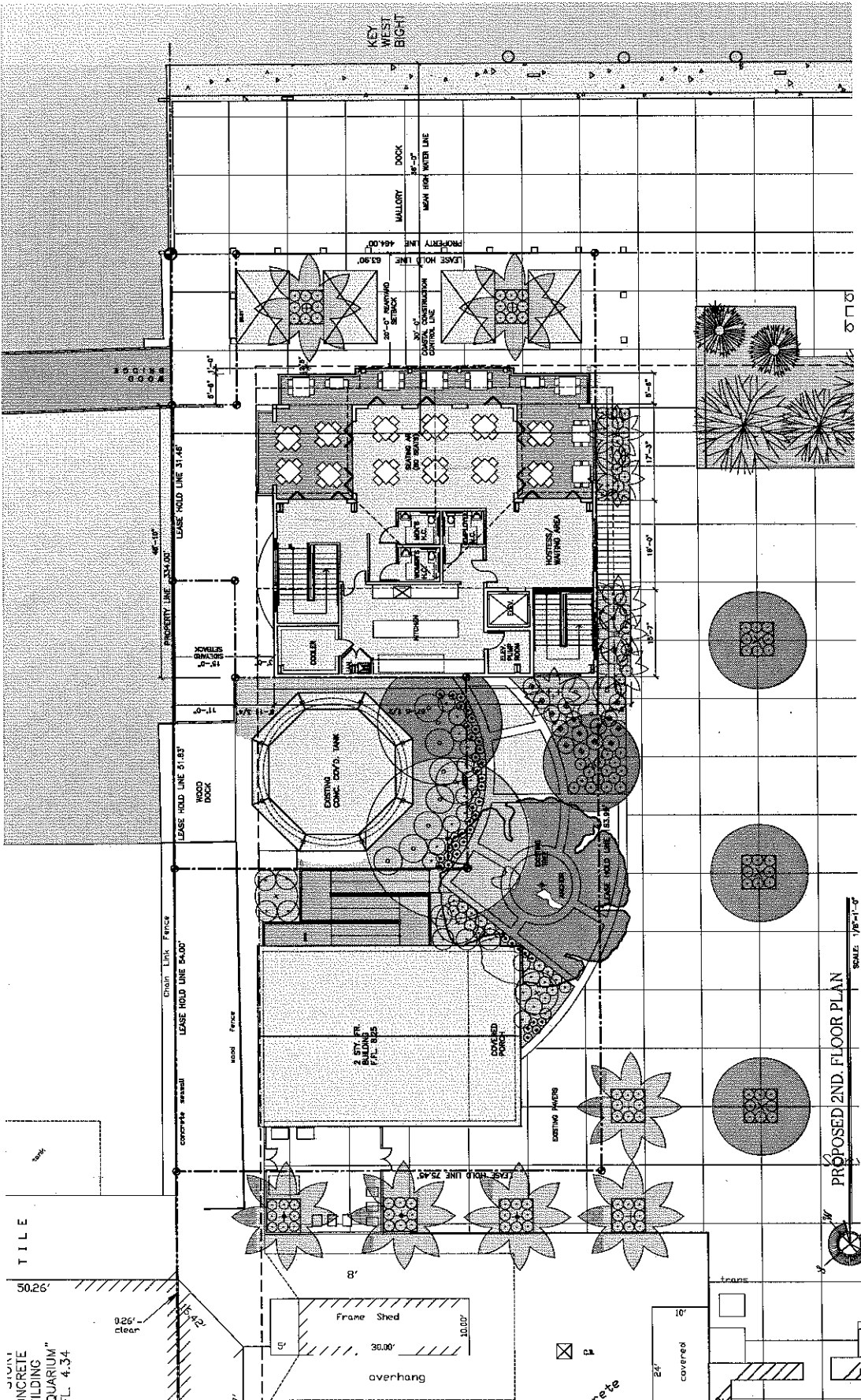
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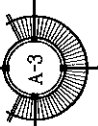
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03-11-11 HARC REV.



PROPOSED 2ND FLOOR PLAN
SCALE: 1/8"=1'-0"

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA



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KW Planning Dept

WILLIAM P. HORN
ARCHITECT, P.A.

916 EASTON ST.
KEY WEST,
FLORIDA
33640

TEL: 305-266-4402
FAX: 305-266-1080

LICENSING NO.
14176

Seal

PAUL R. SCHMIDT, P.E.
CORPORATE REGISTERED
PROFESSIONAL ENGINEER
STATE OF FLORIDA
CA 10000

MALLORY
SQUARE
RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

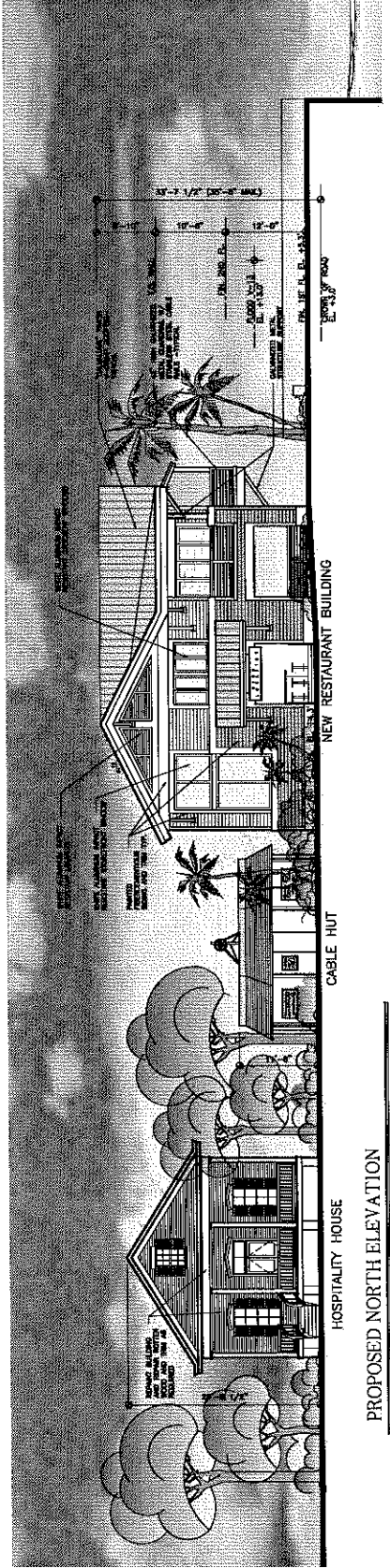
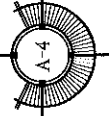
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10-01-10 DRC
11-05-10 PL BD.

REVISIONS
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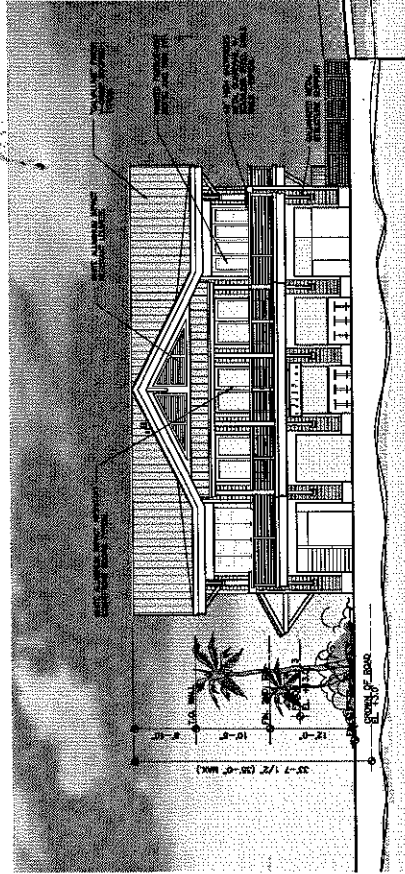
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PROJECT
NUMBER
1006



PROPOSED NORTH ELEVATION

SCALE 1/8"=1'-0"



PROPOSED WEST ELEVATION

SCALE 1/8"=1'-0"

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

Handwritten signature or initials.

RECEIVED
June 6, 2011
KW Planning Dpt

WILLIAM P. HORN
ARCHITECT, P.A.

915 PATTON ST.
KEY WEST,
FLORIDA
33549

TEL: 1908 284-8812
FAX: 1908 284-1031

DATE: 03/13/2017
TIME: 08:53:01

SeaTech Inc.
DAVE R. SCHNEIDER

P.J. CHONG
 CITICORP BOUTEVARD
 SUGARLOAF, GEORGIA
 30080-0000
 C.A. 0000

MALLORY
SQUARE
RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

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11-05-10	PL BD

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& PL BD. REV.
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1986

NAME

PROJECT
NUMBER
1005



MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

PROPOSED SOUTH ELEVATION

SCALE: 1/8"=1'-0"

PROPOSED EAST ELEVATION

SCALE: 1/8"=1'-0"

06

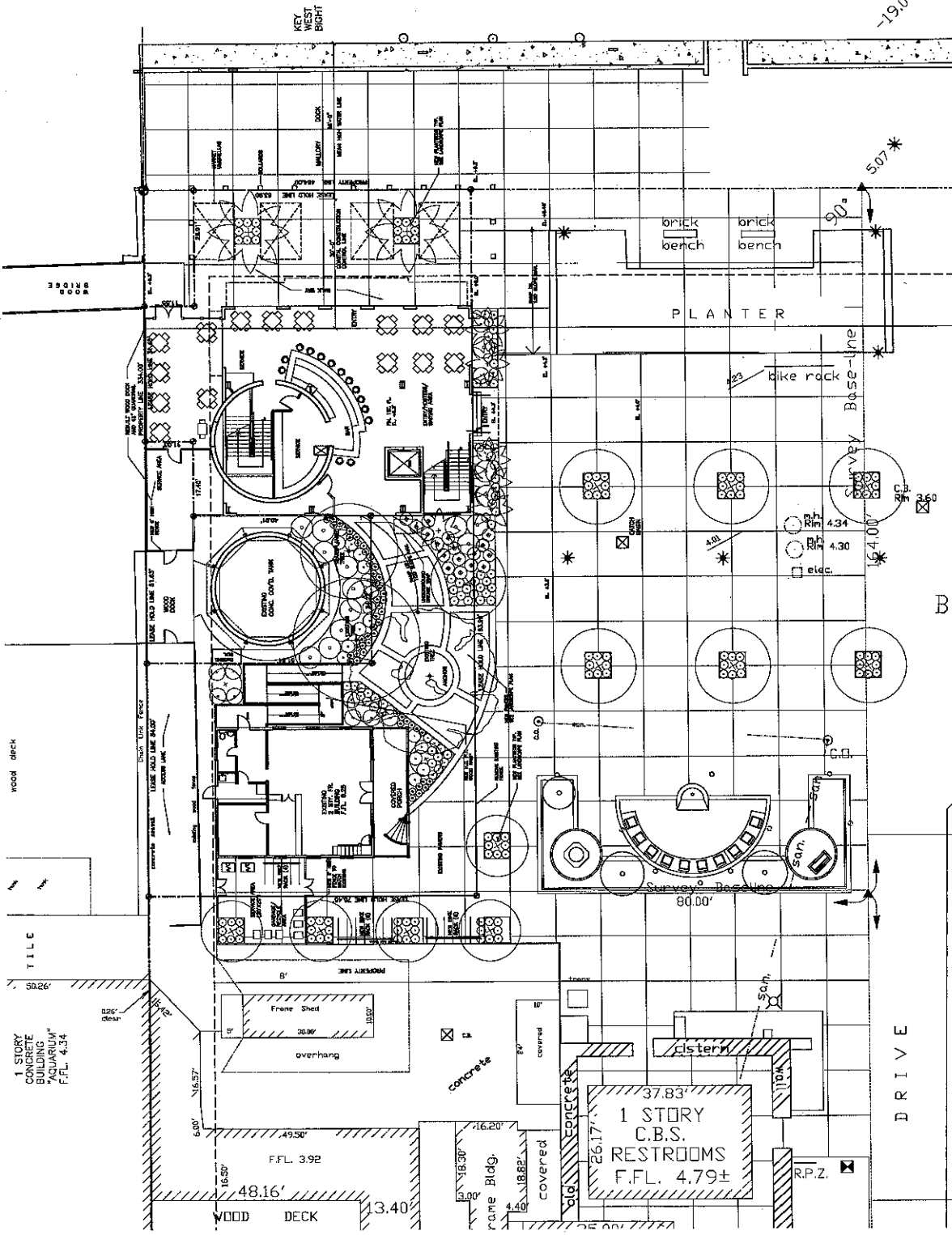
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8.54
2.00

Concrete
Dolphin

8.50
12.00
8.50

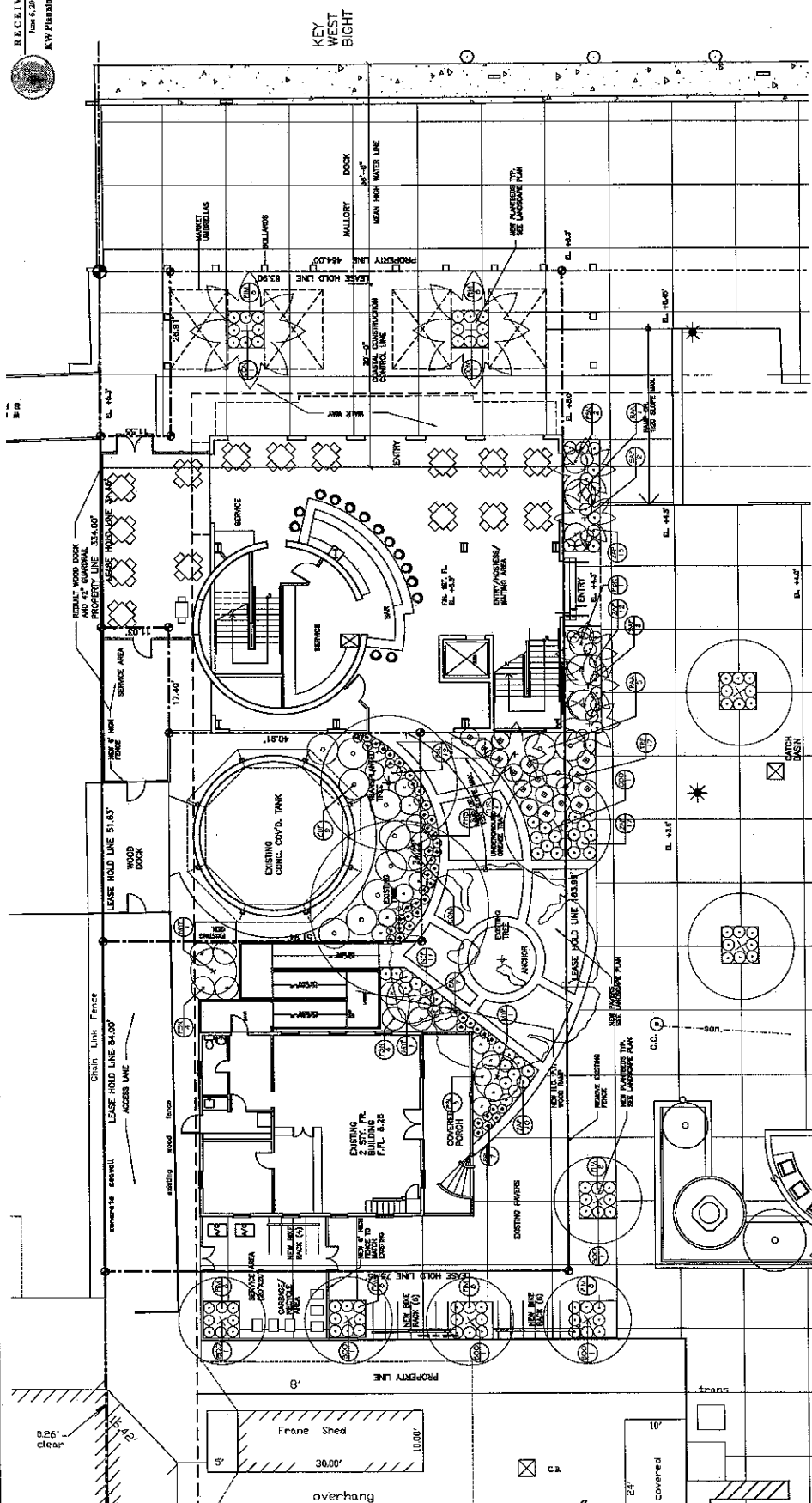


LANDSCAPE PLAN

SCALE: 0150'

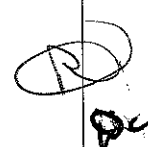
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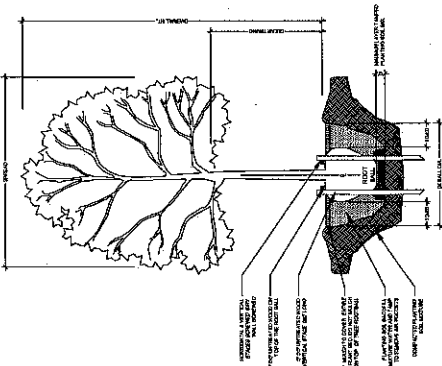
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KW Planning Dpt

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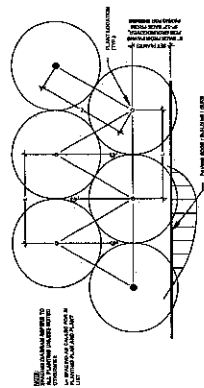
PLANTING PLAN

SCALE: 100' DIST

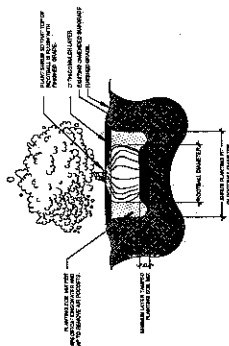




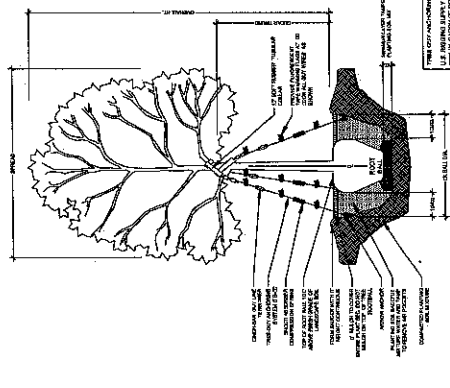
7 TREE PLANTING DETAIL ON SITE
SCALE: N.T.S.



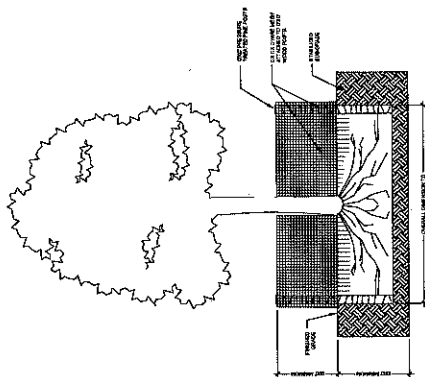
8 SHRUB PLANTING DETAIL
1-77 SCALE: N.T.S.



5 SHRUB PLANTING DETAIL



6 TREE TRANSPLANTING DETAIL OFFSITE
SCALE: N.T.S.



3 TREE PROTECTION DETAIL
SCALE: N.T.S.

- [illegible]

4 TREE PROTECTION NOTES

- [illegible]

1 TREE TRANSPLANTING NOTES

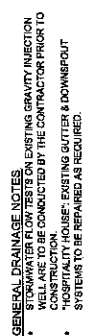
- [illegible]

WRITING NOTES

- [illegible]

2 GENERAL PLANTING NOTES

- 17-
QUAL: N1.0.







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33400

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FAX: 305.296.4323

LICENSING NO.
11-100000

WILLIAM P. HORN
ARCHITECT, P.A.

222 GRAND AVENUE
SUITE 200
KEY WEST, FLORIDA
33400

MALLORY
SQUARE
RESTAURANT

KEY WEST, FLORIDA

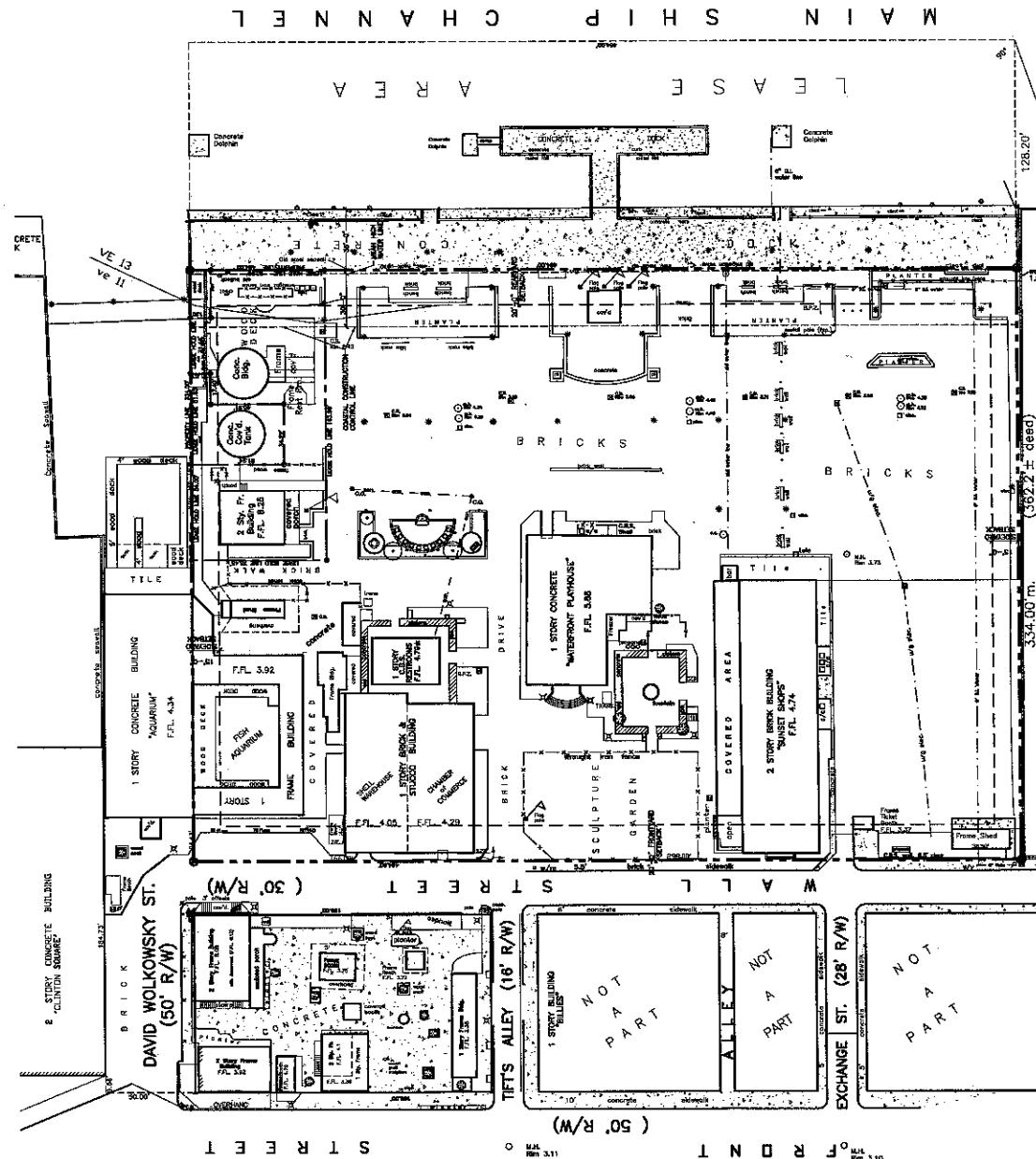
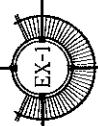
SEAL

DATE
08-08-10
08-08-10
08-08-10
10-01-10
11-05-10
PL. BD.

REVISIONS
08-11-11
08-09-11
08-20-11
PL. BD. REV.
PL. BD. REV.
PL. BD. REV.

DRAWN BY
BNA

PROJECT
NUMBER
1006



EXISTING SITE PLAN
ALL SITE INFORMATION OBTAINED FROM SURVEY
BY ISLAND SURVEYING, INC. ON 1/28/10
SCALE: 1"=30'-0"

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

Handwritten signature/initials.

1006
PROJECT NUMBER

Qc

A black and white micrograph showing a single cell. The cell is roughly circular with a thick, dark outer boundary. Inside, there is a large, dark, irregularly shaped nucleus. Within the nucleus, a smaller, even darker, and more compact nucleolus is visible. The cytoplasm of the cell is filled with a granular texture.

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FAX 1303 237 1103

ON 3/26/2017

SeafTech Inc.

PAUL R. SEMMESOP.E.
P.E. (1992)
100 CRANE BOULEVARD
BAYLOR TEXAS FLORIDA
33517-0000
CA, 0000

**MALLORY
SQUARE
RESTAURANT**

SEAL

DATE	
06-03-10	
08-09-10	HARC.
08-31-10	HARC REV.
10-01-10	DRC
11-05-10	PL. BD.

REVISIONS
03-11-11 HARC REV.
& PL. BD. REV.
05-09-11 HARC REV.
05-20-11 PL. BD. REV.

BY NANCY B.

FMA

PROJECT

NUMBER

D-1

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

DEMOLITION PLAN

SCALE 1/8"=1'-0"

Qc

WILLIAM P. HORN
ARCHITECT, P.A.

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FAX: (315) 291-1034

000000 YV
LICENSE NO.

Seafisheries NZ

PAUL R. SEMMES JR.
P.R. OFFICE
111 CRANE BOULEVARD
SUGARLAND, TEXAS 75088

**MALLORY
SQUARE
RESTAURANT**
MALLORY DOCK
KEY WEST, FLORIDA

SEAL

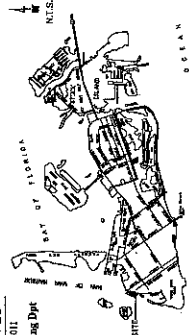
DATE _____

REVISIONS
03-11-11 HARC REV.
05-08-11 HARC REV.
05-20-11 PL. BD. REV.
& PL. BD. REV.

DRAWN BY
FAC

PROJECT
NUMBER
1066

A-12



LOCATION : MAP

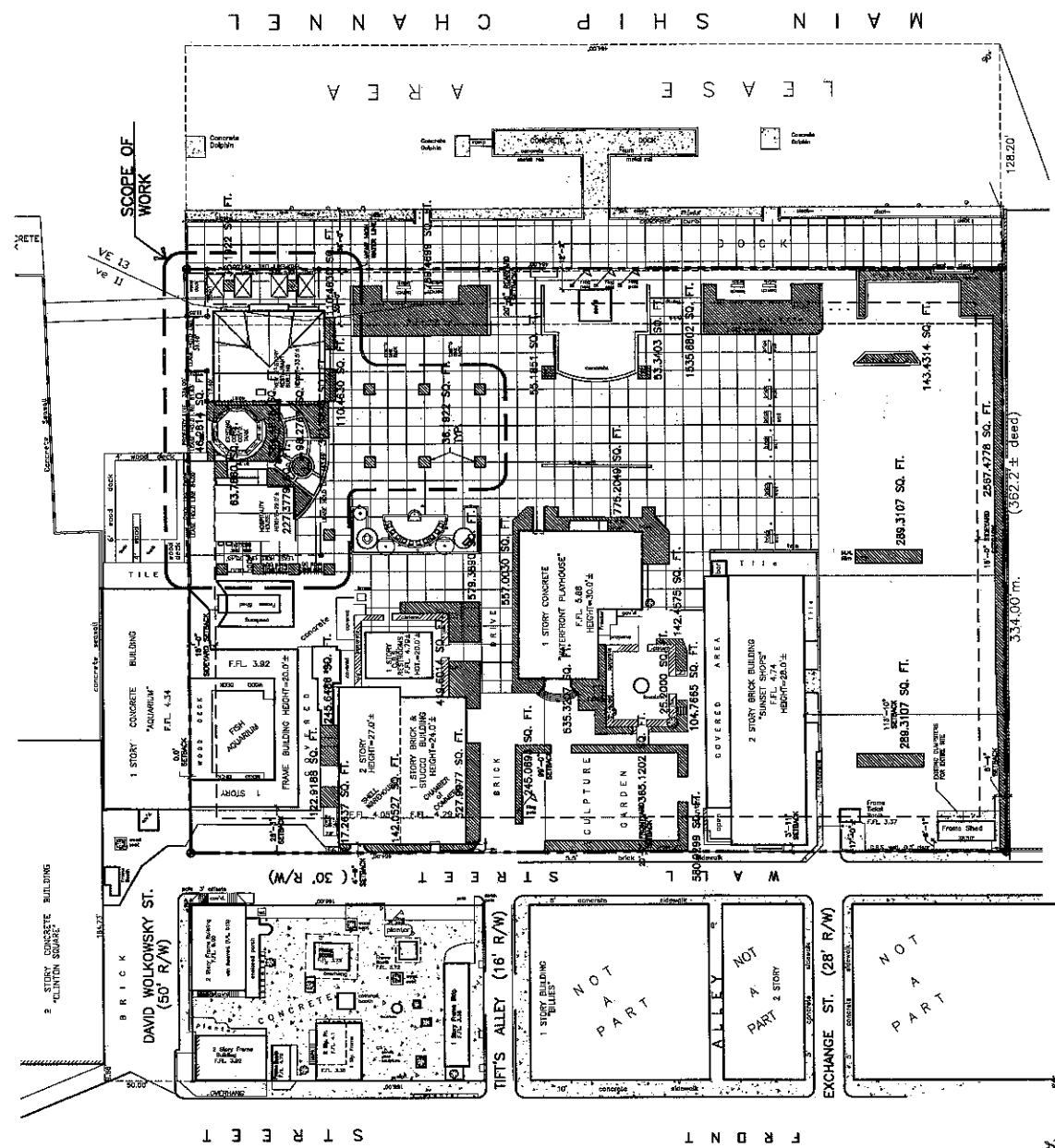
City of Key West &
Stock Island

SITE DATA

[illegible]

LOADING DATA

TYPING BUILDING DATA	
1ST FLOOR COVERED	1,160 S.F.
1ST FLOOR UNCOVERED	306 S.F.
1ST FLOOR WOOD DECK AREA	498 S.F.
TOTAL EXISTING COVERED	1,366 S.F.
PROPOSED BUILDING DATA	
1ST FLOOR COVERED	2,848 S.F.
1ST FLOOR UNCOVERED	1,881 S.F.
TOTAL PROPOSED COVERED	4,733 S.F.



PROPOSED SITE PLAN - LANDSCAPE SQ. FOOTAGE BREAK DOWN

ALL SITE INFORMATION OBTAINED FROM SURVEY
BY ISLAND SURVEYING INC. ON 1/28/10

SCALE: 1"=30'-0"

MALLORY SQUARE RESTAURANT
MALLORY DOCK
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SUITE 1004 CLEVELAND
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**MALLORY
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RESTAURANT**
MALLORY DOCK
KEY WEST, FLORIDA

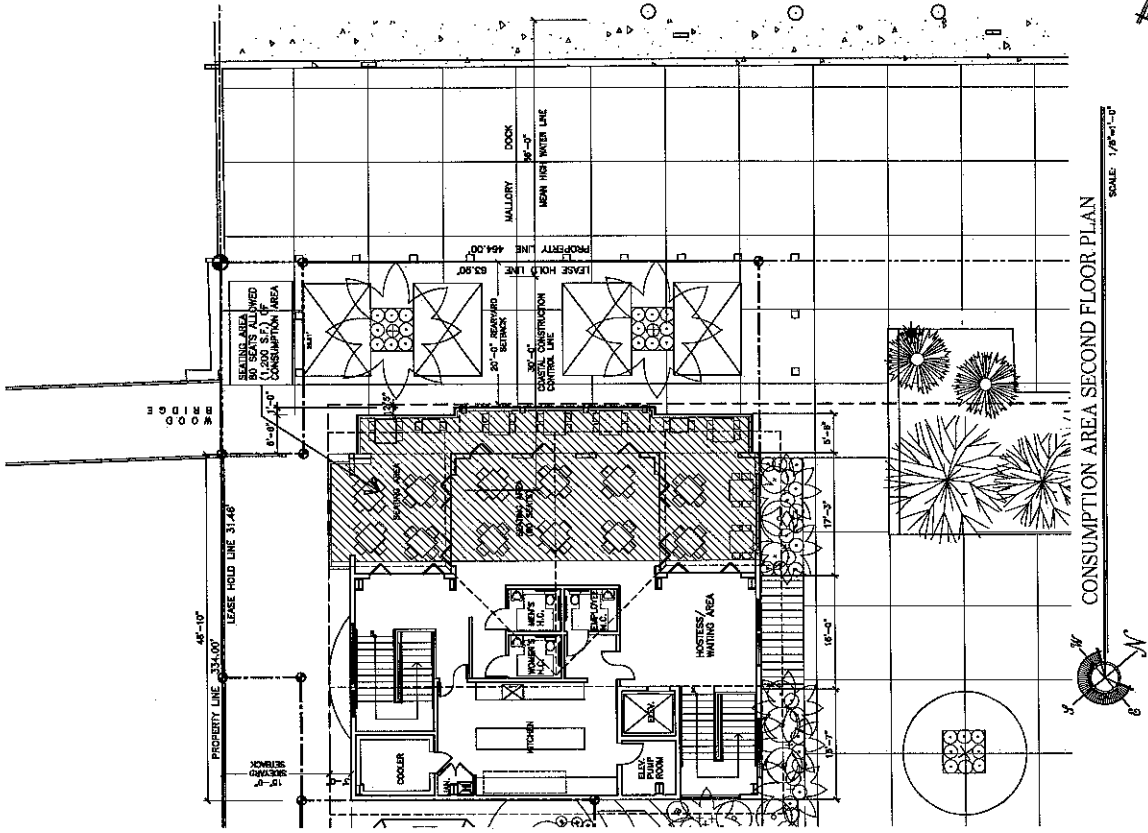
1435

DATE	REVISIONS
06-03-10	03-11-11 HARC REV
08-09-10 HARC	& PL. BD. REV.
09-31-10 HARC REV.	05-09-11 HARC REV.
10-01-10 DRC	05-20-11 PL. BD. REV.
11-05-10 PL. BD.	

DRAWN BY
FMS

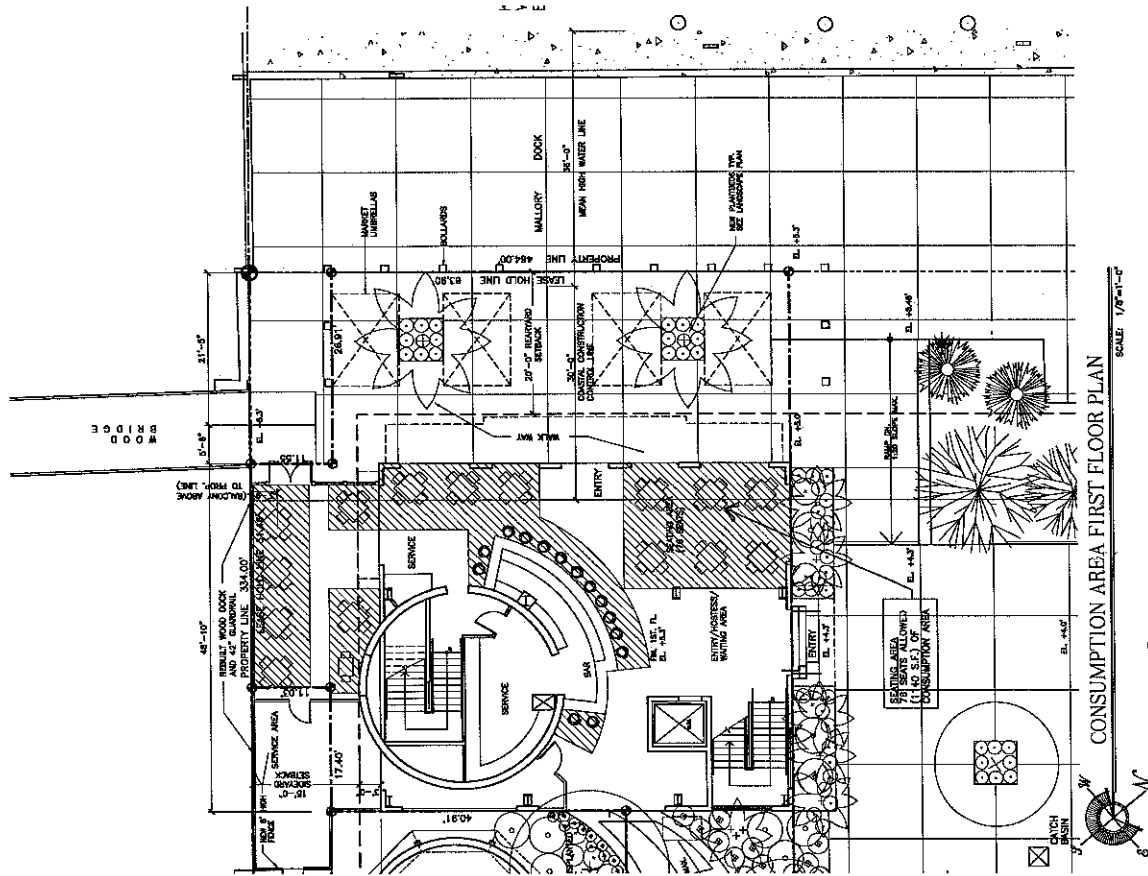
**PROJECT
NUMBER**
1006

A-2a



CONSUMPTION AREA SECOND FLOOR PLAN

SCALE: 1/8"=1'-0"



CONSUMPTION AREA FIRST FLOOR PLAN

7

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

OC



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LICENSURE NO.
A1700000

PAUL A. BRANDES, P.E.

REGISTERED PROFESSIONAL
ENGINEER
STATE OF FLORIDA
EXPIRATION DATE
01/01/2011

MALLORY
SQUARE
RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

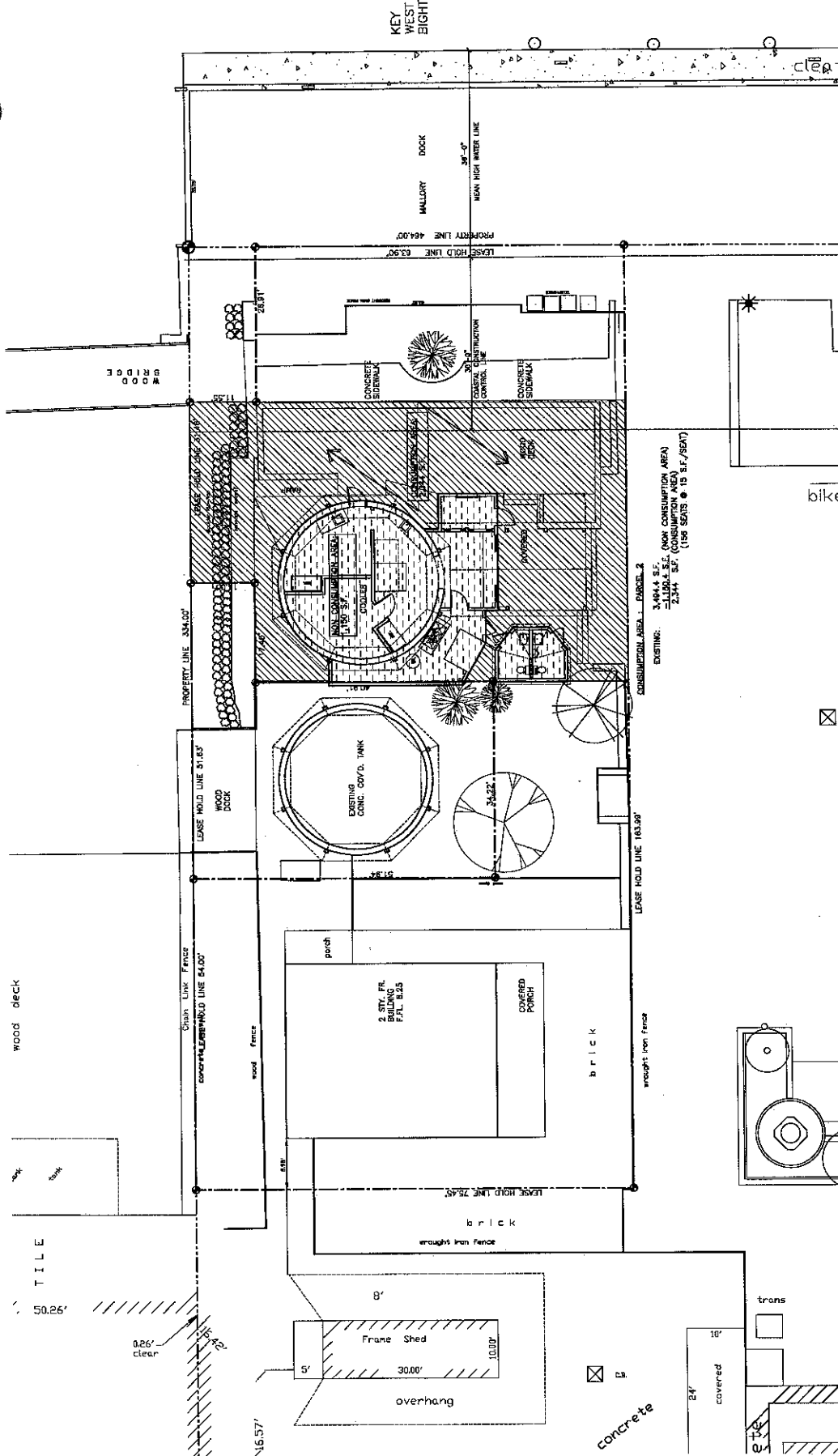
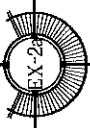
SEAL

DATE
08-08-10 HARC
08-31-10 HARC REV.
10-01-10 DMC
11-05-10 PL. BD.

REVISIONS
09-11-11 HARC REV.
09-08-11 HARC REV.
09-29-11 PL. BD. REV.

DRAWN BY
EMA

PROJECT
NUMBER
1005



EXISTING FLOOR PLAN CONSUMPTION AREA
SCALE 1/8"=1'-0"

MALLORY SQUARE RESTAURANT
MALLORY DOCK
KEY WEST, FLORIDA

QC