



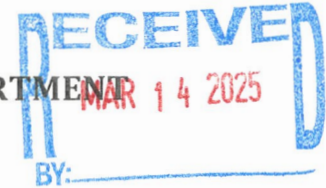
# DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT

Address: 1300 White Street • Key West, Florida 33040

Phone: 305-809-3764

Website: [www.cityofkeywest-fl.gov](http://www.cityofkeywest-fl.gov)



Fees listed below include a \$358.87 advertising/noticing fee and a \$127.63 fire review fee where applicable. Any Major or Minor Development Plan returned to the Planning Board after initial approval will require a new application fee equivalent to one-half of the current fee schedule

Development Plan and Conditional Use application fee schedule

Development Plan	
Minor Development Plan	
Within Historic District Total Application Fee	\$ 3,932.46
Outside Historic District Total Application Fee	\$ 3,166.69
Conditional Use Total Application Fee	\$ 1,403.91
Extension Total Application Fee	\$ 1,124.64
Major Development Plan Total Application Fee	\$ 5,208.74
Conditional Use Total Application Fee	\$ 1,403.91
Extension Total Application Fee	\$ 1,124.64
Administrative Modification Fee	\$ 926.10
Minor Modification Fee	\$ 1,765.38
Major Modification Fee	\$ 2,981.18
Conditional Use (not part of a development plan) Total Application Fee	\$ 3,677.20
Extension (not part of a development plan) Total Application Fee	\$ 1,124.64
Revision or Addition (not part of a development plan) Fee	\$ 2,801.75

**Applications will not be accepted unless complete**

Development Plan

Major \_\_\_\_\_

Minor \_\_\_\_\_

Conditional Use

\_\_\_X\_\_\_

Historic District

Yes \_\_\_X\_\_\_

No \_\_\_\_\_

Please print or type:

- 1) Site Address: 601 FLEMING St, KEY WEST, FLORIDA
- 2) Name of Applicant: Oropeza Stones & Cardenas, PLLC
- 3) Applicant is:  
Property Owner: \_\_\_\_\_  
Authorized Representative: X  
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant: 221 Simonton St. Key West, Florida 33040
- 5) Applicant's Phone #: (305)-294-0252 Email: audrey@oropezastonescardenas.com
- 6) **Email Address:** audrey@oropezastonescardenas.com
- 7) Name of Owner, if different than above: ROOSTER SOUL, LLC, a Florida limited liability company
- 8) Address of Owner: 1622 Stevens Ave, Orlando FL 32806

- 9) Owner Phone # 305-587-8022 Email: Fkwinc@comcast.net
- 10) Zoning District of Parcel: HNC-1 RE# 00006350-000000
- 11) Is Subject Property located within the Historic District? Yes x No         
 If Yes: Date of approval Unknown  
 HARC approval # Unknown  
 OR: Date of meeting Unknown
- 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).  
Interior remodel of existing structure into proposed coffee shop with two new bathrooms.
- 13) Has subject Property received any variance(s)? Yes        No X  
 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 X  
 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.

### **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 (Survey must be within 10 years from submittal date of this application) 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.

- 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.
- (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 hospitalbeds; 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 sitting 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.

## **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 complies 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
- (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-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.

## CONDITIONAL USE CRITERIA

601 Fleming Street; Parcel ID No. 00006350-000000

### **Title Block:**

- |                               |                                     |
|-------------------------------|-------------------------------------|
| a. Name of Development:       | Baby's Coffee                       |
| b. Name of Owner:             | C & D PROPERTIES OF KEY WEST I, LLC |
| c. Name of Tenant/Operator:   | ROOSTER SOUL, LLC                   |
| d. Name of Applicant:         | Oropeza Stones & Cardenas, PLLC     |
| e. Scale:                     | 1" = 10'                            |
| f. North Arrow:               | As identified on the site plan      |
| g. Preparation/Revision Date: | February 6, 2025                    |

### **Identification of Key Persons:**

- |                              |                                     |
|------------------------------|-------------------------------------|
| a. Owners:                   | C & D PROPERTIES OF KEY WEST I, LLC |
| b. Owner's Authorized Agent: | Oropeza, Stones & Cardenas, PLLC    |
| c. Engineer:                 | Nautilus Drafting & Design Services |
| d. Architect:                | Nautilus Drafting & Design Services |
| e. Surveyor:                 | REECE & ASSOCIATES                  |

**Project Description:** The proposed project is to complete an interior remodel of the existing structure into the proposed coffee shop and add in two new bathrooms.

### **Other Project Information:**

- a. Proposed Phases of Development and Target Dates:
  - i. Single Phase
- b. Expected Date of Completion – On or before 12 months from Conditional Use Approval.

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

- (a) The proposed site has been used for Commercial use for Fifty (50) plus years and is in a Commercial Corridor.



(b) Characteristics of use described.

(1) Scale and intensity of the proposed conditional use as measured by the following:

- a. Floor area ratio – See site data table.
- b. Traffic generation – The proposed conditional use is situated within the Historic Pedestrian-Oriented Zone, as the area will be designated for pedestrian use only, the Applicant believes a that a traffic study is not applicable.
- c. Square feet of enclosed building for each specific use – See site data table.
- d. Proposed employment – 2 to 5 employees at any given time.
- e. Proposed number and type of service vehicles – None.
- f. Off-street parking needs – None. The Proposed conditional use is within the historic commercial pedestrian -oriented area and no additional or expanded floor area is created, thus under Section 108-573(c) of the City of Key West Code of Ordinances no additional off-street parking shall be required.

(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 – Current utility service is adequate to support the proposed relocation of licenses.
- b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94 – No upgrades to public facilities are anticipated as a result of the proposed development.
- c. Roadway or signalization improvements, or other similar improvements – No upgrades to roadways or signalization are anticipated as a result of the proposed development.
- d. Accessory structures or facilities – None.
- e. Other unique facilities/structures proposed as part of site improvements – None known at this time.

(3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:

- a. Open space – No change.
- b. Setbacks from adjacent properties – No change.

- c. Screening and buffers – No change.
- d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites – No change.
- e. Mitigative techniques for abating smoke, odor, noise and other noxious impacts – The proposed conditional use is not anticipated to produce impactful smoke, odor, noise, or other noxious impacts. The coffee roaster is equipped with a built-in air filtration system, which eliminates any potential smoke or odors from roasting. Additionally, the coffee shop operations will generate minimal scent associated with brewing coffee, and no cooking processes that produce strong odors will take place on-site. As such, the development is expected to have negligible environmental impacts related to smoke, odor, and noise. is not anticipated to produce any smoke, odor, noise or noxious impacts.

(c) Criteria for conditional use review and approval.

(1) Land use compatibility – The conditional use shall not adversely impact land use activities in the immediate vicinity and is compatible with the surrounding property. The property is located in a commercial corridor of Key West with restaurants, and shops on two sides, several guesthouses, a hotel a funeral home and restaurant across the street and grocery store adjacent.

(2) Sufficient site size, adequate site specifications and infrastructure to accommodate the proposed use – The size and shape of the site are more than adequate to accommodate the proposed scale and intensity of the conditional use requested.

(3) Proper use of mitigative techniques – Adverse impacts will not affect surrounding properties.

(4) Hazardous waste – No hazardous waste will be generated or used on the Property. There shall be no fuel or products stored on site.

(5) Compliance with applicable laws and ordinances – All applicable federal, state, county and city laws shall be complied with for the proposed relocation of licenses.

(6) Additional criteria applicable to specific land uses.

- a. Land uses within a conservation area – Not applicable.
- b. Residential development – Not applicable.
- c. Commercial or mixed use development. -- Not applicable as no new development is proposed.

- d. Development within or adjacent to historic district – Not applicable renovations are interior only.
- e. Public facilities or institutional development – Not applicable.
- f. Commercial structures, uses and related activities within tidal waters – Not applicable.
- g. Adult entertainment establishments – Not applicable.

**Exhibit A**  
**Authorization Form**



**City of Key West  
Planning Department**

**Authorization Form**  
(Where Owner is a Business Entity)

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

I, Carolyn A. Blackwell as  
*Please Print Name of person with authority to execute documents on behalf of entity*

Manager of C & D PROPERTIES OF KEY WEST I, LLC  
*Name of office (President, Managing Member)* *Name of owner from deed*

authorize Oropeza Stones & Cardenas, PLLC.  
*Please Print Name of Representative*

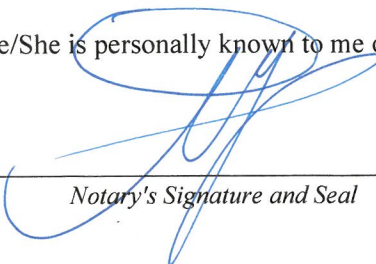
to be the representative for this application and act on my/our behalf before the City of Key West.

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

Subscribed and sworn to (or affirmed) before me on this February 11, 2025  
*Date*

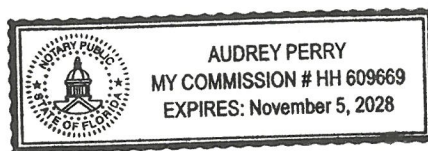
by Carolyn A. Blackwell  
*Name of person with authority to execute documents on behalf of entity owner*

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*





**Exhibit B**

**Deed**

This instrument prepared by:  
Karleen A. Grant, Esq.  
1033 Flagler Avenue  
Key West, Florida 33040

Parcel I.D. No: See Ex. A

Doc# 1872292 02/29/2012 11:26AM  
Filed & Recorded in Official Records of  
MONROE COUNTY DANNY L. KOLHAGE

02/29/2012 11:26AM  
DEED DOC STAMP CL: DS

\$0.70

Doc# 1872292  
Bk# 2557 Pg# 1725

(Space reserved for recording)

## QUIT CLAIM DEED

### THIS INDENTURE

Wherever used herein, the term "party" shall include the heirs, personal representatives, successors and/or assigns of the respective parties hereto; the use of the singular numbers shall include the plural, and the plural, the singular, the use of any gender; and, if used, the term "note" shall include all the notes herein described if more than one.

Made this 30 day of December, 2011

**CAROLYN A. BLACKWELL, a single woman, and DIANE A. CROCKETT, a married woman,** whose addresses are, respectively, 21 Cypress Avenue, and 3320 Riviera Drive, Key West, Monroe County, Florida 33040, party of the first part, and **C & D PROPERTIES OF KEY WEST I, LLC, a Wyoming Limited Liability Company** which has an address of P.O. BOX 4125, Key West, Monroe County, Florida 33041, party of the second part.

### WITNESSETH

That the said party of the first part, for and in consideration of **Ten and No/100 (\$10.00) Dollars**, and other good and valuable consideration, in hand paid by the said party of the second part, the receipt whereof is hereby acknowledged, has remised, released and quitclaimed, and by these presents does remise, release and quitclaim unto the said party of the second part all the right, title, interest, claim and demand which the said party of the first part has in and to the following described lots, pieces or parcels of land, situate lying and being in the County of Monroe, State of Florida, to wit:

**SEE EXHIBIT "A" ATTACHED HERETO AND  
INCORPORATED HEREIN BY REFERENCE**

The purpose of this deed is to vest the entire ownership in the above-referenced properties to the Grantee.

This property is not the Homestead of Grantors, nor does it abut their constitutional homesteads which are located at the addresses shown above.

**This document was prepared without benefit of title search or abstract examination and is based solely on facts provided by either of the parties or his agent.**

**TO HAVE AND TO HOLD** the same, together with all and singular the appurtenances thereunto

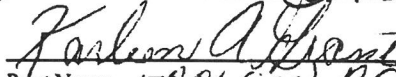
belonging or in anywise appertaining, and all the estate, right, title, interest and claim whatsoever of the said party of the first part, either in law or equity, to the only proper use, benefit and behoof of the said party of the second part.

In Witness Whereof, the said party of the first part have hereunto set their hand and seal the day and year first above written.

WITNESSES:

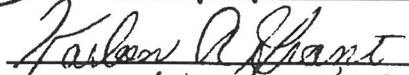
  
Print Name: DAWN THORNBURGH

  
CAROLYN A. BLACKWELL

  
Print Name: KARLEEN A. GRANT

  
Print Name: DAWN THORNBURGH

  
DIANE A. CROCKETT

  
Print Name: KARLEEN A. GRANT

Doc# 1872292  
Bk# 2557 Pg# 1726


STATE OF FLORIDA )  
COUNTY OF MONROE )

The foregoing Quit Claim Deed was acknowledged before me this 30 day of December, 2011, by CAROLYN A. BLACKWELL, who is personally known to me or produced \_\_\_\_\_ as identification.

My Commission Expires:



KARLEEN A. GRANT  
MY COMMISSION # DD 976810  
EXPIRES: April 29, 2014  
Bonded Thru Budget Notary Service

  
NOTARY PUBLIC - State of Florida  
KARLEEN A. GRANT  
Print Name

STATE OF FLORIDA )  
COUNTY OF MONROE )

The foregoing Quit Claim Deed was acknowledged before me this 30 day of December, 2011, by DIANE A. CROCKETT, who is personally known to me or produced \_\_\_\_\_ as identification.

My Commission Expires:



KARLEEN A. GRANT  
MY COMMISSION # DD 976810  
EXPIRES: April 29, 2014  
Bonded Thru Budget Notary Service

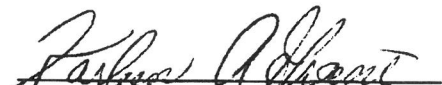
  
NOTARY PUBLIC - State of Florida  
KARLEEN A. GRANT

Exhibit "A"

**On the Island of Key West, and known on William A. Whitehead's map of said Island, delineated in February, A.D., 1829, as part of Lot 3 in Square Fifteen (15).**

**COMMENCING at a point Sixty-One (61) feet from the corner of Greene and New Streets, and running thence along Greene Street in a Southwesterly direction Thirty-Four (34) feet; thence at right angles in a Southeasterly direction One Hundred and Thirty Four (134) feet; thence at right angles in a Northeasterly direction Thirty-Four (34) feet; thence at right angles in a Northeasterly direction thirty-four (34) feet; thence at right angles in a Northwesterly direction One hundred and Thirty Four (134) feet to the Place of Beginning.**

Commonly known as 408 Greene Street  
Alt Key: 1001554

Doc# 1872292  
Bk# 2557 Pg# 1727

AND

**In the City of Key West, situated at the corner of Whitehead and Fleming Streets, being Part of Lot Four (4) in Square Thirty Eight (38) according to the Map or Plan of said City by Wm. A Whitehead, delineated in February 1928. Said piece of land having a front on Whitehead Street of Fifty-Two (52) feet and a front on Fleming Street of Sixty-Five (65) feet and Eleven (11) inches, more or less.**

Commonly known as 405 Fleming Street  
Alt. Key: 1006904

AND

**(Old Sears Roebuck store) On the Island of Key West, Monroe County, Florida, and known on Wm. A. Whitehead's Map of said Island delineated in February, A.D. 1829, as a part of Lot Four (4) in Square Thirty-Six (36).**

**Commencing at the corner of Simonton and Fleming Streets and running thence along the Northeast side of Simonton Street in a Northwesterly direction 45 feet; thence at right angles in a Northeasterly direction 80 feet; thence at right angles in a Southeasterly direction 45 feet out to Fleming Street; thence at right angles along the line of Fleming Street in a Southwesterly direction 80 feet to the Place of Beginning. Together with building and improvements thereon.**

LESS:

**On the Island of Key West, Monroe County, Florida, and known on William A. Whitehead's Map of said Island, delineated in February, A.D. 1829, as a part of Lot Four in Square Thirty-Six. Commencing on Fleming Street distant Forty-three feet from the corner of Simonton and Fleming Streets thence Thirty-six feet and 21 inches in a Northeast direction, thence in a Northwesterly direction Forty-five feet, thence in a Southwesterly direction Thirty-six feet and 21 inches, thence along a common wall Southeasterly Forty-five feet to the point of beginning.**

Commonly known as 601 Fleming Street  
Alt. Key: 1006572

**Exhibit C**  
**Survey**



2700 KENNEDY RD PLANNED IN HIGH WINDS PL COND  
 RE: 00000000000000  
 Zoning: HW-1  
 SECTION/TOWN/SUBDIVISION: 00-44-25  
 LOCAL DECISION DATE: MAY LOT 4 SOW. 30.01A.1174  
 OCCUPANCY: A-2  
 TYPE OF CONSTRUCTION: VB  
 FLOOR DATE: 01-01-00  
 FLOOR PLAN: 000000000000  
 1.0000 FLOOR X  
 1.0000 2.0000 CONSTRUCTION 5.0000 ASD 4.0000 24-14

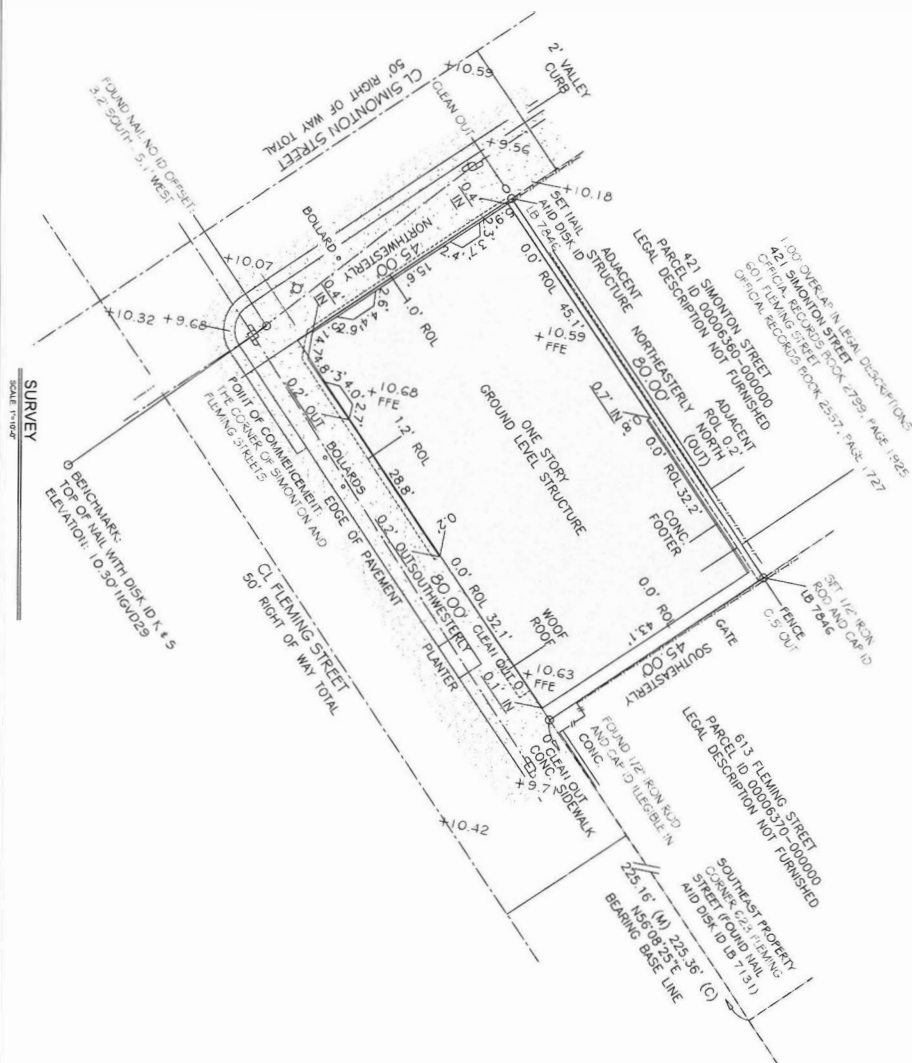
[illegible]

SHEET C16-1 - SURVEY  
SHEET A-1 - DEMOLITION AND PROPOSED FLOOR PLAN  
SHEET L5-1 - LIFE SAFETY PLAN

- IN THEORETICAL WORLD OF IDEAS THIS IS TRUE BUT INTO PRACTICE IT COULD BE A CHALLENGE
- 2 NEW BA METHODS

[illegible]

Case No.	Patient's Name	Gender	Age		Date of Birth	Date of Admission	Date of Discharge	Length of Stay (days)	ICU Stay (days)	Mortality (%)	Morbidity (%)	Complications	Follow-up (months)	Overall Status
			At Admission	At Discharge										
1	Mr. A	Male	45	52	1978-01-15	2023-03-10	2023-03-15	5	3	0	10	None	12	Good
2	Ms. B	Female	38	35	1985-07-22	2023-04-05	2023-04-10	5	2	0	5	None	6	Good
3	Mr. C	Male	55	58	1968-09-10	2023-05-01	2023-05-08	7	4	0	15	None	8	Good
4	Ms. D	Female	42	40	1981-03-05	2023-06-12	2023-06-18	6	3	0	10	None	9	Good
5	Mr. E	Male	60	62	1963-11-20	2023-07-03	2023-07-10	7	5	0	20	None	10	Good
6	Ms. F	Female	35	33	1988-02-18	2023-08-01	2023-08-05	4	2	0	5	None	7	Good
7	Mr. G	Male	50	51	1973-06-07	2023-09-15	2023-09-20	5	3	0	10	None	11	Good
8	Ms. H	Female	40	38	1983-04-25	2023-10-02	2023-10-07	5	2	0	5	None	8	Good
9	Mr. I	Male	58	59	1965-08-12	2023-11-01	2023-11-06	5	3	0	10	None	10	Good
10	Ms. J	Female	32	30	1991-01-03	2023-12-10	2023-12-15	5	2	0	5	None	7	Good



**SURVEY**  
SCALE 1"=10'-0"

Date: 2.6.2025

**SURVEY AND  
SITE DATA**

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**CS-1**

Top

Revision

AS NOTED	Author's File No.
----------	-------------------

COMMERCIAL  
REMODEL PLAN

601 FLEMING ST.  
KEY WEST, FLORIDA



**Exhibit D**  
**Plans**

SITE DATA

SITE ADDRESS: 601 FLEMING ST, KEY WEST, FLORIDA  
RE: 00008359-000000  
ZONING: HNC-1  
SECTION/TOWNSHIP/RANGE: 06-68-25  
LEGAL DESCRIPTION: KW PT LOT 4 SQR 36 G12-131/36  
OCCUPANCY: A-2  
TYPE OF CONSTRUCTION: VB  
F.I.R.M.: DATE: 02-18-05  
FIRM PANEL: 12087C1516K  
FLOOD ZONE: X  
FLOOD ZONE CONSTRUCTION STANDARD: ASCE 24-14

DESIGN DATA

THE WORK DEPICTED HEREIN WAS DESIGNED TO MEET THE REQUIREMENTS OF THE 8TH ADDITION OF THE FLORIDA RESIDENTIAL BUILDING CODE AND THE LATEST (2023) EDITIONS OF THE FLORIDA MODEL ENERGY CODE, FIRE CODE, LIFE SAFETY CODE AND THE NATIONAL ELECTRIC CODE.

THE FOLLOWING LOADINGS WERE USED:  
DESIGN LOADS: ASCE 7-22  
WIND LOAD: 180 mph; 3 sec gust  
-EXPOSURE C  
-ROOF LIVE LOAD 20 PSF  
-DEAD LOAD 15 PSF  
-FLOOR LL 40 PSF  
-DECK LL 60 PSF  
SOIL BEARING CAPACITY ASSUMED 2000LBS PER SQ.FT. RISK CAT 2, OPEN  
FEMA FLOOD DESIGN PER ASCE 24-14

INDEX OF DRAWINGS

SHEET CS-1 - SURVEY  
SHEET A-1- DEMOLITION AND PROPOSED FLOOR PLAN  
SHEET LS-1 - LIFE SAFETY PLAN

SCOPE OF WORK

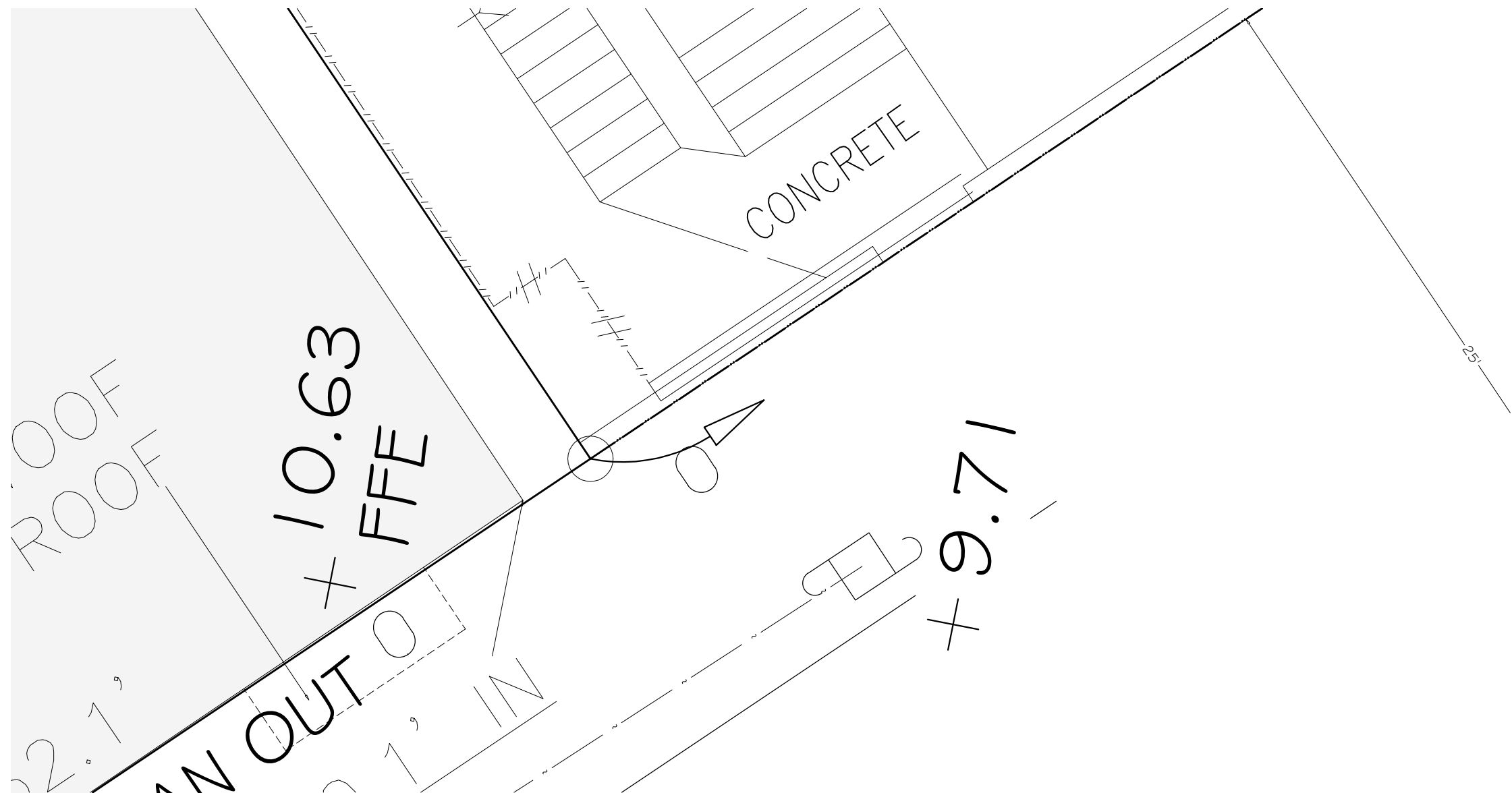
- INTERIOR REMODEL OF EXISTING STRUCTURE INTO PROPOSED COFFEE SHOP
- 2 NEW BATHROOMS

GENERAL NOTES

- THESE PLANS ARE FOR THE CONSTRUCTION AT THE LOCATION SO DESIGNATED HEREIN.
- THE CONTRACTOR SHALL PROVIDE ALL MATERIAL, LABOR, EQUIPMENT AND SUPERVISION NECESSARY TO PROVIDE THE WORK COMPLETE AND READY FOR USE.
- THERE SHALL BE NO DEVIATION FROM THESE PLANS WITHOUT PRIOR APPROVAL FROM THE ENGINEER OF RECORD.
- THE CONTRACTOR SHALL VISIT THE SITE AND BECOME FAMILIAR WITH EXISTING CONDITIONS BEFORE BID. CHECK AND VERIFY ALL DIMENSIONS AND CONDITIONS OF THE WORK SITE AND REPORT ANY DISCREPANCIES, DIFFERENCES OR CONDITIONS THAT ARE UNSATISFACTORY OR UNSAFE.
- NOTIFY THE ENGINEER OF RECORD IMMEDIATELY OF ANY DISCREPANCIES, DIFFERENCES, UNSATISFACTORY OR UNSAFE CONDITIONS. ANY MODIFICATIONS OR CHANGES MADE WITHOUT PRIOR WRITTEN APPROVAL FROM THE OWNER AND ENGINEER OF RECORD SHALL NOT BE ALLOWED. ANY REWORK, RESTORATION OR OTHER IMPACT AS A RESULT OF NOT OBTAINING SUCH PRIOR APPROVAL WILL BE MADE BY THE CONTRACTOR WITHOUT ADDITIONAL COST OR COMPENSATION FROM THE OWNER.
- THE CONTRACTOR SHALL PROVIDE FOR THE SAFETY, PREVENTION OF INJURY OR OTHER LOSS AT THE JOB TO ALL PERSONS EMPLOYED IN THE WORK, PERSONS VISITING THE WORK AND THE GENERAL PUBLIC. THE CONTRACTOR SHALL ALSO BE RESPONSIBLE FOR THE PREVENTION OF DAMAGE, DUE TO THE WORK, TO MATERIALS OR EQUIPMENT AND OTHER PROPERTY AT THE SITE OR ADJACENT THERETO.
- NO RESEARCH AS TO THE PRESENCE OF UNDERGROUND UTILITIES HAS BEEN INCLUDED ON OR PERFORMED FOR THIS PROJECT. CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING SUNSHINE UTILITY LOCATE SERVICE PRIOR TO ANY CONSTRUCTION WITHIN ANY PUBLIC RIGHT-OF-WAY OR OTHER AREAS WHERE UNDERGROUND UTILITIES MAY BE PRESENT (I.E. IN AND AROUND UTILITY EASEMENTS, ETC.).
- THE GENERAL CONTRACTOR SHALL PROVIDE AN ON-SITE DUMPSTER IN A LOCATION COORDINATED WITH THE OWNER FOR THE DISPOSAL OF REMOVED MATERIAL AND CONSTRUCTION DEBRIS. THE DUMPSTER SHALL BE EMPTIED AT APPROPRIATE INTERVALS TO PREVENT OVERFLOW AND UNSIGHTLY CONDITIONS.
- THE CONTRACTOR SHALL PERFORM ALL WORK IN STRICT CONFORMANCE WITH THE PLANS, 2023 FLORIDA BUILDING CODE, LOCAL CODES AND ORDINANCES, MANUFACTURER RECOMMENDATIONS AND ACCEPTABLE TRADE PRACTICES. ANY CONFLICT BETWEEN THESE REQUIREMENTS AND THE MOST STRINGENT REQUIREMENTS SHALL GOVERN THE WORK.
- SHOP DRAWINGS OF ALL PREFABRICATED STRUCTURAL FLOOR AND ROOF SYSTEMS AND MECHANICAL SYSTEMS SHALL BEAR THE SEAL OF A FLORIDA PROFESSIONAL ENGINEER AS REQUIRED BY THE 2023 FLORIDA BUILDING CODE AND SHALL BE SUBMITTED TO THE ENGINEER OF RECORD BY THE CONTRACTOR FOR APPROVAL PRIOR TO FABRICATION AND INSTALLATION.
- THE CONTRACTOR SHALL NOT SCALE DRAWINGS. ANY INFORMATION THAT THE CONTRACTOR CANNOT OBTAIN FROM DIMENSIONS, DETAIL OR SCHEDULE SHALL BE OBTAINED FROM THE ENGINEER OF RECORD.
- THE CONTRACTOR SHALL COORDINATE THE WORK OF ALL TRADES TO PREVENT ANY CONFLICTS.
- THE CONTRACTOR SHALL FURNISH ALL SUBCONTRACTORS WITH A COMPLETE SET OF PLANS. ALL CHANGES SHALL BE NOTED ON THE DRAWINGS AND (2) COMPLETE AS-BUILT SETS SHALL BE DELIVERED TO THE OWNER AFTER COMPLETION OF WORK.

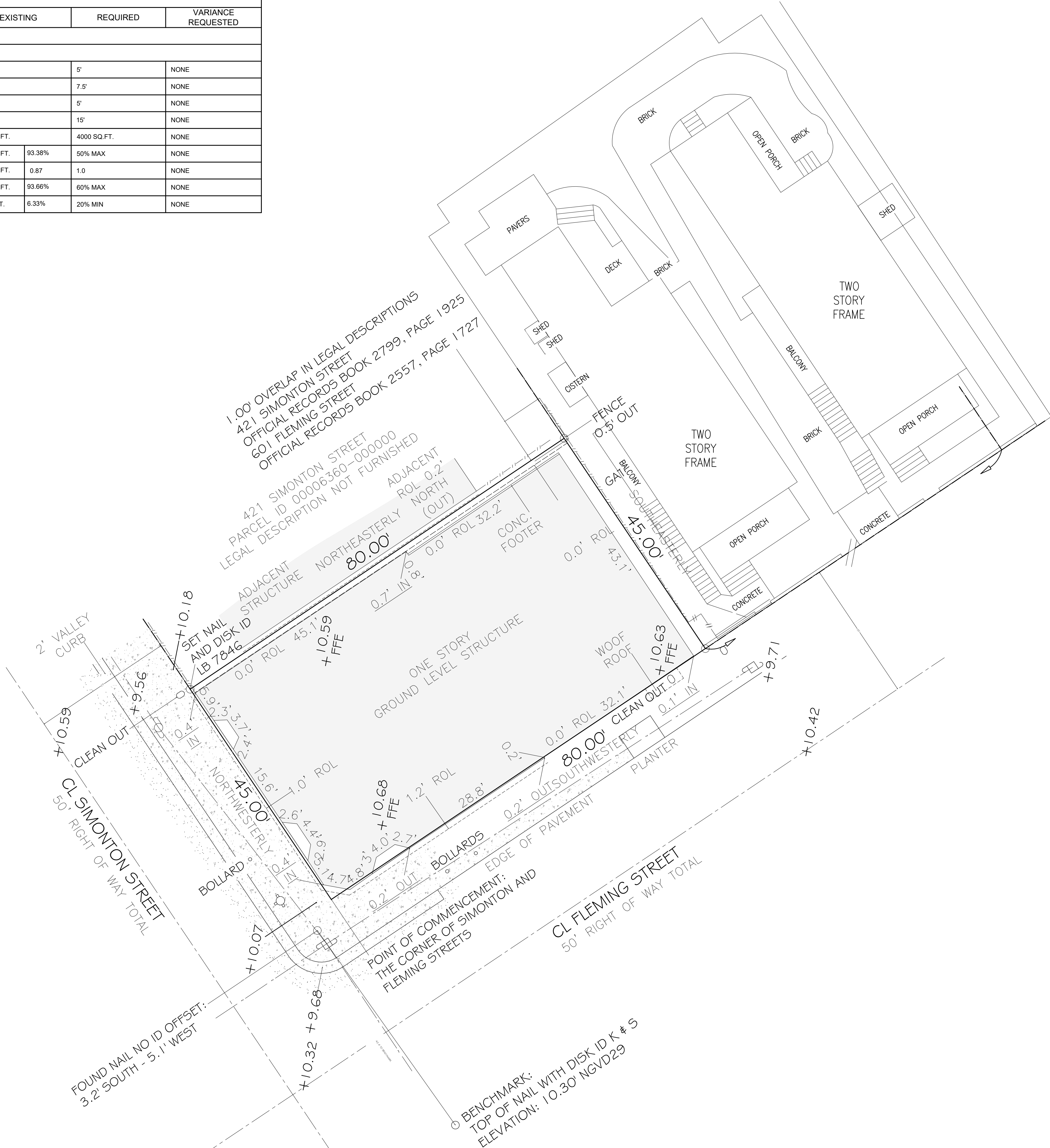
PROJECT DATA

	PROPOSED	EXISTING	REQUIRED	VARIANCE REQUESTED
RE NO.				
SETBACKS:				
FRONT	NO CHANGE	0'	5'	NONE
STREET SIDE	NO CHANGE	0'	7.5'	NONE
SIDE	NO CHANGE	2'-4"	5'	NONE
REAR	NO CHANGE	1'-0"	15'	NONE
LOT SIZE	NO CHANGE	3,600 SQ.FT.	4000 SQ.FT.	NONE
BUILDING COVERAGE	NO CHANGE	3,362 SQ.FT.	93.38%	50% MAX
FLOOR AREA	NO CHANGE	3,157 SQ.FT.	0.87	1.0
IMPERVIOUS AREA	NO CHANGE	3,372 SQ.FT.	99.66%	60% MAX
OPEN SPACE	NO CHANGE	228 SQ.FT.	6.33%	20% MIN



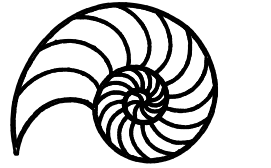
ZOOMED IN TRASH AREA

SCALE: 1/4"=1'-0"



SURVEY

SCALE: 1"=10'-0"



NAUTILUS  
DRAFTING & DESIGN  
SERVICES

CONTACT INFO:  
JONATHAN TAVAREZ  
EMAIL:  
NAUTILUSDRAFTING@GMAIL.COM  
CELLPHONE:  
305-906-1530

COMMERCIAL  
REMODEL PLAN

601 FLEMING ST.  
KEY WEST, FLORIDA

Drawn By: JMT

Project No. Scale:  
AS NOTED

AutoCad File No.

Revisions:

Title:

SURVEY AND  
SITE DATA

Sheet Number:

CS-1

Date: 6.2.2025



LIFE SAFETY NOTES:

- BUILDING CODES: 2023 FLORIDA BUILDING CODE, NFPA 101 AND NFPA 10
- BUILDING FLOOR AREA: FLOOR 3,157 SF
- OCCUPANCY: ASSEMBLY GROUP A-2
- FIRE PROTECTION: SMOKE ALARMS THROUGHOUT
- EGRESS LIMIT: COMMON PATH LESS THAN 100 FT; CORRIDOR MIN WIDTH 42 INCHES
- EXIT WIDTH CAPACITY: 0.2 INCHES/PERSON; ASSUMED OCCUPANT LOAD 14 PERSONS = 2.8 INCHES

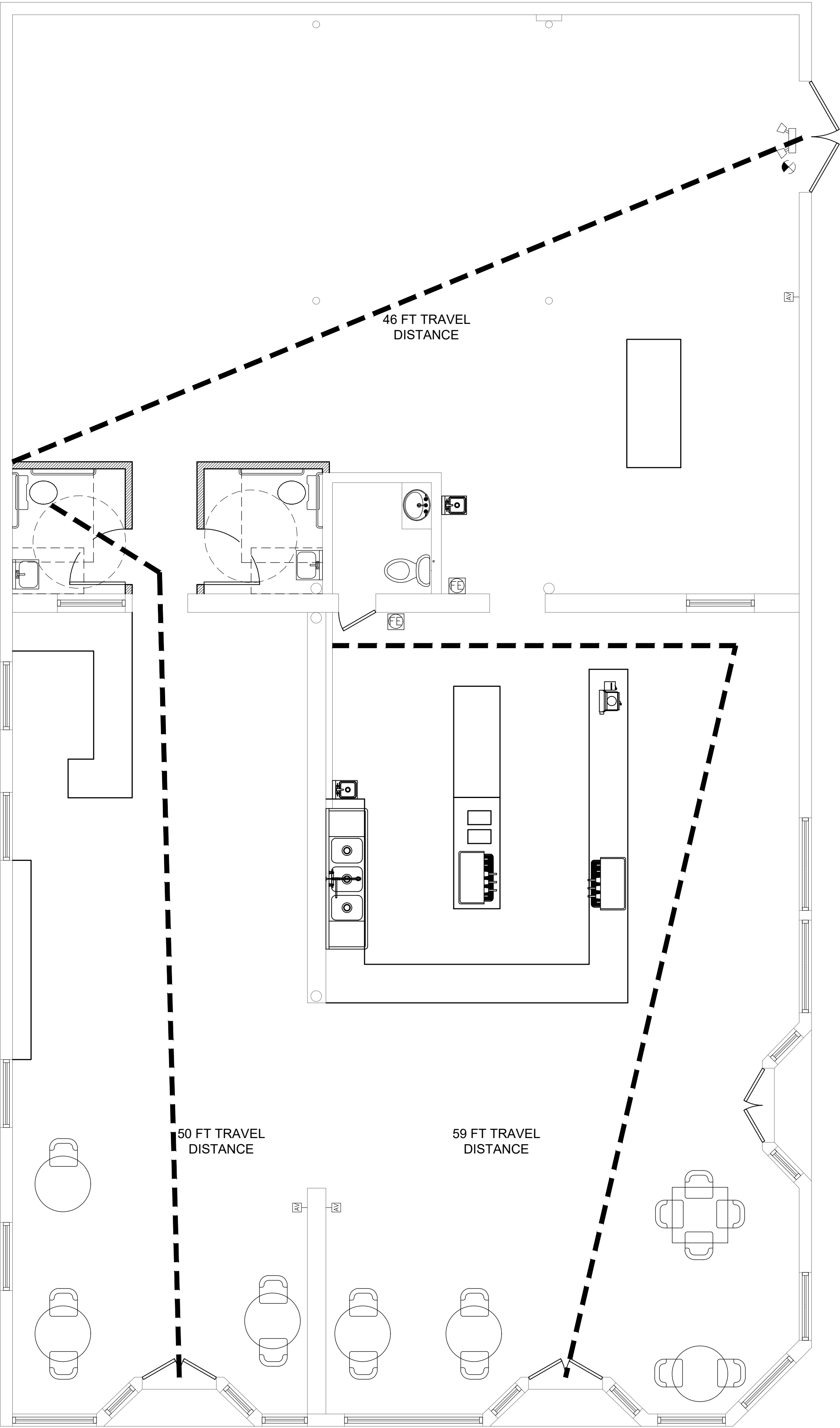
OCCUPANCY CLASSIFICATIONS:  
ASSEMBLY GROUP A-2 = 3,157 SQ.FT.

OCCUPANT LOAD  
ASSEMBLY GROUP A-2 (CUSTOMER AREA) = 1,972 SQ.FT. / 15 = 131.46 PERSONS  
ASSEMBLY GROUP A-2 (ROASTING ROOM, BARISTA AREA, STORAGE) = 1,185 SQ.FT. / 200 = 5.925 PERSONS

1. EACH LAYER OF TYPE X DRYWALL SHALL BE TAPED AND JOINTS SHALL BE OFFSET.  
2. ALL PENETRATIONS SHALL BE SEALED WITH AN APPROVED FIRE CAULK OR FIRE COLLAR.  
3. SMOKE DETECTORS AND FIRE EXTINGUISHERS.

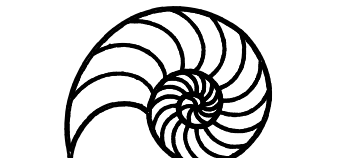
LIFE SAFETY  
SYMBOL KEY

- EMERGENCY LIGHT
- EXIT SIGN
- SMOKE DETECTOR
- AUDIO/VISUAL ALARM
- HEAT DETECTOR
- FIRE EXTINGUISHER



LIFE SAFETY PLAN

SCALE: 1/4"=1'-0"



NAUTILUS  
DRAFTING & DESIGN  
SERVICES

CONTACT INFO:  
JONATHAN TAVAREZ  
EMAIL:  
NAUTILUSDRAFTING@GMAIL.COM  
CELLPHONE:  
305-906-1530

COMMERCIAL  
REMODEL PLAN

601 FLEMING ST.  
KEY WEST, FLORIDA

Drawn By: JMT

Project No. Scale:  
AS NOTED

AutoCad File No.

Revisions:

Title:

LIFE SAFETY  
PLAN

Sheet Number:

LS-1

Date: 6.2.2025



**Exhibit E**  
**Verification Form**



**City of Key West  
Planning Department  
Verification Form**  
(Where Applicant is an entity)

I, Audrey M. Perry, in my capacity as Associate Attorney  
(print name) (print position; president, managing member)  
of Oropeza, Stones & Cardenas, PLLC.  
(print name of entity)

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:

601 Fleming Street, Key West Florida 33040

*Street address of subject property*

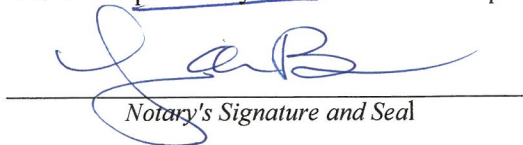
I, the undersigned, declare under penalty of perjury under the laws of the State of Florida that I am the Authorized Representative of the property involved in this application; that the information on all plans, drawings and sketches attached hereto and all the statements and answers contained herein are in all respects true and correct.

In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

  
\_\_\_\_\_  
*Signature of Applicant*

Subscribed and sworn to (or affirmed) before me on this 3/5/25 by  
\_\_\_\_\_  
*Audrey M. Perry*  
Name of Applicant

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*



**LAURA V. BESSON**  
Commission # HH 497845  
Expires April 26, 2028

# **Pre-Application Meeting**

# Pre-Application Meeting Notes

City of Key West, Florida • Planning Department • 1300 White Street •  
Key West, Florida 33040 • 305-809-3764 • [www.cityofkeywest-fl.gov](http://www.cityofkeywest-fl.gov)

Meeting Date: 10/2/24 Zoning District: HNC-1

Address/Location: 601, 605 Fleming Street

Request: Lobster Shop in former Retail store

Type of Application: Conditional Use

Attendees: Ben Caynon, Greg Oropeza, Jenna Blackwell  
Audrey

## Notes:

Applicants will apply for a conditional use  
for a lobster shop (Restaurant) in the HNC-1 District  
at a former Retail Antiques store.

Parking, Development plan Review also discussed.