

**THE CITY OF KEY WEST  
PLANNING BOARD  
Staff Report**



**To:** Chairman and Planning Board members

**From:** Kevin Bond, AICP, LEED Green Associate, Planner II

**Through:** Donald Leland Craig, AICP, Planning Director

**Meeting Date:** March 13, 2014

**Agenda Item:** **Major Development Plan, Conditional Use and Landscape Waivers - 533 Eaton Street (RE # 00004130-000000, AK # 1004294)** - A request for major development plan, conditional use and landscape waiver approvals for the adaptive reuse of a former Scottish Rite Masonic club/lodge into new art studio classrooms, offices and exhibition spaces on property located within the Historic Neighborhood Commercial – Truman/Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2., 108-517, 122-62 and 122-808 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

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**Request:** Major development plan, conditional use and landscape waiver approvals for the proposed adaptive reuse of a former Scottish Rite Masonic club/lodge building into new art studio classrooms, offices and exhibition spaces.

**Applicant:** Trepanier & Associates, Inc.

**Property Owner:** The Studios of Key West, Inc.

**Location:** 533 Eaton Street (RE # 00004130-000000, AK # 1004294)

**Zoning:** Historic Neighborhood Commercial – Truman/Simonton (HNC-1)

**Background:**

The Studios of Key West, Inc. bought the former Scottish Rite/Masonic Lodge property at 533 Eaton Street in October 2013 with the intention of renovating the historic, three-story building to become its new location, including artist workspaces, offices, classrooms, exhibition spaces and an auditorium. The Studios of Key West would move from its current location in the Old Armory building located at 600 White Street, which is owned by the State of Florida. In order to allow the proposed development, several development approvals would be necessary.

- Major Development Plan review is required due to the reconstruction of more than 2,500 square feet of gross floor area, pursuant to Section 108-91.A.2.(b) of the Land Development

Regulations (LDRs) of the Code of Ordinances (the “Code”) of the City of Key West (the “City”).

- Conditional use review is required for “community centers, clubs and lodges” and for “cultural and civic activities” within the HNC-1 Zoning District, pursuant to City Code Section 122-808.
- The Applicant is also requesting waivers to all landscaping requirements, pursuant to City Code Section 108-517.

Concurrent with the Major Development Plan/Conditional Use application, the Studios of Key West also applied for a height variance for a new roof terrace, an easement to maintain existing roof overhangs and an alcohol sales special exception to sell beer, wine and liquor for on-site consumption. Those applications are being reviewed separately.



### **Proposed Development:**

The Studios of Key West proposes to adaptively reuse the existing historic building, which is a three-story, 15,836-square-foot, Art Deco-style structure built circa 1950 as a Scottish Rite Temple. The building has three floors with a partial, unfinished mezzanine level between the second and third floors. The 5,184-square-foot property is located at the western corner of Eaton and Simonton Streets, and has nearly 100% building coverage.

- The first floor would become a lobby, reception area, exhibition and event space.
- The second floor would become a 205-seat auditorium with adjoining lobby, lounge and bar space.
- The mezzanine level between the second and third floors would continue to be mechanical and storage space, although a 513-square-foot section would be removed to be open to the second floor below, and a 387-square-foot storage attic section would be added. This attic section would be required to have a floor-to-ceiling height less than seven (7) feet so it would not increase the nonconforming floor area ratio of the property.
- The third floor would become artist studios, classrooms and office space.

- A new roof garden is proposed with a 465-square-foot elevator/stairway penthouse, which necessitates a height variance, and a terrace with benches. The remaining two-thirds of the roof would become a green roof.
- Total proposed floor area would be 15,788 square feet, a net decrease of 48 square feet.
- Streetscape enhancements along Eaton Street may be installed at a future phase of development, including street trees, benches and bicycle racks.

**Surrounding Zoning and Uses:**

All surrounding properties are located within the HNC-1 Zoning District. Surrounding uses include residential, retail, office, transient residential uses, church and surface parking. Zoning districts within 300 feet of the property are HNC-1, Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1) and Historic Medium Density Residential (HMDR). Uses within 300 feet of the property include single-family residential, multifamily residential, retail, office, restaurant, parking lot, hotel, church, funeral home, federal government and vacant land.

**Process**

Development Review Committee:	January 23, 2014
Planning Board Meeting:	March 13, 2014
HARC:	March 25, 2014
City Commission/Board of Adjustment:	April 1, 2014

**Evaluation for Compliance with the Land Development Regulations (LDRs) and Comprehensive Plan**

City Code Section 108-91.A.2.(b) requires the reconstruction of nonresidential floor area equal to or greater than 2,500 square feet to be reviewed as a Major Development Plan. City Code Section 108-196(a) states “after reviewing a major development plan or a minor development plan for a property and staff recommendations therefor, the Planning Board shall act by resolution to approve, approve with conditions, or disapprove it based on specific development review criteria contained in the [LDRs] and the intent of the [LDRs] and comprehensive plan.” The Planning Board’s decision on a Major Development Plan in the historic district is advisory to the City Commission.

City Code Section 108-198 states that the City Commission shall approve with or without conditions or disapprove the development plan based on specific development review criteria contained in the LDRs and based on the intent of the LDR’s and Comprehensive Plan. The City Commission may attach to its approval of a development plan any reasonable conditions, limitations or requirements that are found necessary, in its judgment, to effectuate the purpose of this article and carry out the spirit and purpose of the comprehensive plan and the LDR’s. Any condition shall be made a written record and affixed to the development plan as approved. If the City Commission disapproves a development plan, the reasons shall be stated in writing.

Planning staff, as required by Chapter 108 of the City LDRs, has reviewed the following for compliance with the City's LDRs and Comprehensive Plan as summarized in the following table.

Project Data Summary				
Dimensional Requirement	Required/ Allowed	Existing	Proposed	Change
Zoning District	HNC-1			
Flood Zone	X			
Site size	5,185 SF; 0.12 acres			
Maximum density	16 dwelling units per acre	0 units	0 units	None
Maximum floor area ratio	1.0	3.05	3.04; nonconforming	-0.01
Maximum height	35 feet	47'-5"	55'-3"	+7'-10"; 20'-3" higher than maximum allowed; owner has applied for variance
Maximum building coverage	50%	96.3%	96.3%; nonconforming	None
Maximum impervious surface	60%	99%	99%; nonconforming	None
Minimum lot size	4,000 SF	5,185 SF	5,185 SF	None
Minimum lot width	40 feet	49.86 feet; 58.00 feet	49.86 feet; 58.00 feet	None
Minimum lot depth	90 feet	96.00 feet; 50.00 feet	96.00 feet; 50.00 feet	None
Minimum front setback (Eaton St)	5 feet	0 feet; -3 feet roof overhang	0 feet; -3 feet roof overhang; nonconforming	None; owner has applied for easement
Minimum side setback (SW side)	5 feet	0 feet	0 feet; nonconforming	None
Minimum rear setback (NW side)	15 feet	0 feet	0 feet; nonconforming	None
Minimum street side setback (Simonton St)	7.5 feet	0 feet; -3 feet roof overhang	0 feet; -3 feet roof overhang; nonconforming	None; owner has applied for easement
Minimum vehicular parking	None per Sec. 108-573	0 spaces	0 spaces; nonconforming	None
Minimum handicap parking	None per Sec. 108-573	0 spaces	0 spaces; nonconforming	None
Minimum bicycle parking	None per Sec. 108-573	0 spaces	0 spaces; nonconforming	None
Minimum open space	20%	0%	0%	None
Landscaping	Code Ch 108, Arts V & VI	None	None	Waivers requested
Consumption area or number of seats		None	None	None

### **Concurrency Facilities and Other Utilities or Services (City Code Section 108-233)**

Comprehensive Plan Objective 9-1.5 directs the City to ensure that public facilities and services needed to support development are available concurrent with the impacts of new development. The analysis considers potable water, sanitary sewer, solid waste, drainage, vehicle trip generation and recreation. Code Section 94-36 requires a concurrency review determination to be made concerning the proposed development. The applicant provided a concurrency analysis as part of the Major Development Plan application. Staff reviewed the provided concurrency analysis following the criteria in Code Section 94-36 and determines that public facilities are expected to accommodate the proposed development at the adopted level of service (LOS) standards. This portion of the report shall serve as the required written determination of compliance.

#### **1. Potable water supply**

The potable water LOS standard for nonresidential uses is 650 gallons per acre per day, pursuant to City Code Section 94-68. Both the land area and floor area of the property would remain the same. Utilizing this LOS standard, potable water demand is estimated as follows:

Based on total acres of land area:  $650 \text{ gal/acre/day} \times 0.12 \text{ acres} = 78 \text{ gal/day}$

Based on total acres of floor area:  $650 \text{ gal/acre/day} \times 0.36 \text{ acres} = 234 \text{ gal/day}$

Therefore, the adopted potable water LOS standard is anticipated to be adequate to serve the proposed development. The property is currently serviced with potable water by the Florida Keys Aqueduct Authority (FKAA), which has been notified of the upcoming development and has available capacity to service the proposed development with the existing infrastructure currently in place.

It should be noted that the proposed renovation would likely reduce actual potable water consumption of the property through the use of updated bathroom fixtures with lower flow needs.

#### **2. Wastewater management**

The sanitary sewer LOS standard for nonresidential uses is 660 gallons per acre per day, pursuant to City Code Section 94-67. Both the land area and floor area of the property would remain the same. Utilizing this LOS standard, sanitary sewer capacity demand is estimated as follows:

Based on total acres of land area:  $660 \text{ gal/acre/day} \times 0.12 \text{ acres} = 79.2 \text{ gal/day}$

Based on total acres of floor area:  $660 \text{ gal/acre/day} \times 0.36 \text{ acres} = 237.6 \text{ gal/day}$

Therefore, the adopted sanitary sewer capacity LOS standard is anticipated to be adequate to serve the proposed development.

### **3. Water quality**

The property is served by the City's central sewer system and a stormwater management plan is not required because there would be no increase in impervious surface area. A green roof is being considered for approximately two-thirds of the existing roof area. Therefore, no adverse impacts to water quality are anticipated.

### **4. Stormwater management / drainage**

The stormwater management or drainage LOS standard pursuant to City Code Section 94-69 is: i) post-development runoff shall not exceed predevelopment runoff for a 25-year storm event, up to and including an event with a 24-hour duration; ii) onsite treatment of the first one inch of rainfall must be provided to meet water quality standards; and iii) storm water facilities must be designed so as to not degrade any receiving water body.

A stormwater management plan is not required because there would be no increase in impervious surface area. A green roof is being considered for approximately two-thirds of the existing roof area. Therefore, no adverse impacts to stormwater management or drainage facilities are anticipated.

### **5. Solid waste**

The solid waste LOS standard for nonresidential uses is 6.37 pounds per capita per day, pursuant to City Code Section 94-71. The Applicant states both the existing and proposed development has one employee. Utilizing this LOS standard, the demand for solid waste collection and disposal capacity is estimated as follows:

Existing development:  $6.37 \text{ lb/capita/day} \times 1 \text{ employee} = 6.37 \text{ lbs/day}$

Proposed development:  $6.37 \text{ lb/capita/day} \times 1 \text{ employee} = 6.37 \text{ lbs/day}$

According to the City's General Services Division, the contract with Waste Management (WM) accounts for a 20 year "window" for waste processing at the Wheelabrator Waste to Energy site. There are other facilities in South Florida also owned by WM for continued use into the future. Therefore, the adopted solid waste LOS standard is anticipated to be adequate to serve the proposed development.

### **6. Roadways**

The roadway LOS standard is set forth in City Code Section 94-72. According to the 2013 Comprehensive Plan Data and Analysis, Eaton Street is a minor arterial with a minimum LOS of D. As of 2011, Eaton Street was operating at a LOS of D. Simonton Street is a collector with a minimum LOS of D. As of 2011, Simonton Street was operating at a LOS of D.

The proposed development involves the renovation of an existing building and a change of use. Staff requested a traffic analysis including a parking demand study. A full traffic analysis was not submitted, as of the writing of this report. However, a memo with "anticipatory findings" was submitted indicating it is unlikely that the study intersection would degrade below the adopted LOS as a result of the proposed development. It is expected that vehicle trip generation

would “be low and consistent with their current operations which are generally characterized by a substantial amount of pedestrian traffic.

#### **7. Recreation**

The recreation LOS standard is five acres of recreation and open space per 1,000 permanent residents pursuant to City Code Section 94-70. The proposed development is nonresidential in nature and therefore would have no impact on the adopted recreation LOS standard.

#### **8. Fire Protection**

The Fire Department requested a detailed life safety plan. Staff recommends that, as a condition of approval, any and all necessary life safety elements shall be in place prior to issuance of a Certificate of Occupancy.

#### **9. Reclaimed water system**

No reclaimed water system is proposed, although a green roof is being considered for approximately two-thirds of the existing roof area.

#### **10. Other public facilities**

Based on comments received from the DRC members, and based on the Applicant’s concurrency analysis, all public facilities would be expected to accommodate the proposed development at the adopted LOS standards.

#### **Appearance, design and compatibility (City Code Section 108-234)**

The development plan shall satisfy criteria established in:

##### **City Code Chapter 102 (historic preservation)**

The property is located within the historic district and the building is a contributing structure. Therefore, the proposed development would need to obtain a Certificate of Appropriateness from the Historic Architectural Review Commission (HARC) for proposed exterior work and alterations prior to issuance of building permits.

##### **Articles III (site plan), IV (traffic impacts) and V (open space, screening and buffers) of City Code Chapter 108 (planning and development)**

The proposed site plan is analyzed in greater detail below. Traffic impacts were found to be in compliance in the concurrency determination above. The existing open space provided is nonconforming and the Applicant is requested waivers to all buffer and landscaping requirements.

##### **City Code Section 108-956 (potable water and wastewater)**

Potable water and wastewater were found to be in compliance in the concurrency determination above.

##### **Article II (archaeological resources) of City Code Chapter 110 (resource protection)**

There are no known archaeological resources on the property. If any archeological resources are discovered during construction, the Applicant would be required to comply with this article of the LDRs.

**Site location and character of use (City Code Section 108-235)**

The submitted development plan has been reviewed for compliance with all applicable performance criteria set forth in Code Chapter 94 (concurrency management), Code Chapter 102 (historic preservation), Code Chapter 106 (performance standards), Articles I and III through IX of Code Chapter 108 (planning and development), Code Chapter 110 (resource protection) and Code Chapter 114 (signs). The property is located one block east of the commercial corridor along Duval Street. Adjacent uses within 300 feet of the property are mixed and include single-family residential, multifamily residential, retail, office, restaurant, parking lot, hotel, church, funeral home, federal government and vacant land. The project's impact on archaeological and historic resources is being coordinated through the DRC and would be reviewed through a Certificate of Appropriateness. No subdivision of land is proposed.

**Appearance of site and structures (City Code Section 108-236)**

The Applicant submitted a development plan that generally exhibits harmonious overall design characteristics in compliance with the performance standards stipulated in Code Sections 108-278 through 108-288, as analyzed below.

**Site plan (City Code Section 108-237)**

The Applicant submitted a site plan pursuant to City Code Section 108-237, which is analyzed in greater detail below.

**Architectural drawings (City Code Section 108-238)**

The Applicant submitted architectural drawings prepared by a professional architect registered in Florida pursuant to City Code Section 108-238. The proposed development involves a total renovation of the interior of the building, refurbishing the building exterior and creating a new roof garden terrace, which would involve extending the elevator and two stairways to the roof.

**Site amenities (City Code Section 108-239)**

A new terrace and green roof are proposed for the roof level. Currently, the roof is not accessible to the public. Other site amenities, such as bicycle racks, benches and tree planters on the sidewalk, may be added at a future phase of development. Such amenities do not require development plan approval.

**Site survey (City Code Section 108-240)**

The Applicant submitted a site survey pursuant to City Code Section 108-240. The survey needed to be revised to indicate the crown of road elevation, which is used to measure building height. This information was to be provided by the Applicant prior to the Planning Board hearing.

**Soil survey (City Code Section 108-241)**

Not applicable for the proposed development.

**Environmentally sensitive areas (City Code Section 108-242)**

No environmentally sensitive areas are located on or near the property, which is located within the X flood zone.



**Land clearing, excavation and fill, tree protection, landscaping and irrigation plan (City Code Section 108-243)**

As the existing building occupies the entire property and there is no existing open space, no land clearing, excavation or fill is proposed. There are no existing trees to protect. No landscaping is proposed. However, a green roof is being considered and street trees may be added at a future phase of development. The Applicant has requested waivers to all landscape requirements.

**On-site and off-site parking and vehicular, bicycle, and pedestrian circulation (City Code Section 108-244)**

There are no existing or proposed driveways, and no existing or proposed off-street parking or loading. The property is located within the pedestrian-oriented area pursuant to Code Section 108-573, and the proposed development involves a change of use with no increase in total floor area. Therefore, no off-street parking is required. The Applicant states that overall potential parking demand is being reduced by 13.1 spaces. On-street and off-site parking spaces and loading zones are available in the surrounding area. The Applicant is attempting to secure an off-site parking agreement with a surrounding property owner for shared use of a parking lot. The property is served by City bus routes that run along both Eaton and Simonton Streets, and there are bus stops for all City bus routes within two blocks of the property.

**Housing (City Code Section 108-245)**

There are no existing or proposed residential dwelling units on the property. The proposed development is nonresidential in nature and therefore should have no detrimental effect on hurricane evacuation.

**Economic resources (City Code Section 108-246)**

No information about estimated ad valorem taxes or construction expenditures was provided by the Applicant. The Applicant's concurrency analysis assumed one permanent employee for the proposed uses.

**Special considerations (City Code Section 108-247)**

- (a) The relationship of the proposed development to the City's land use plans, objectives and policies is being evaluated as part of this analysis. The relationship of the proposed development to public facilities was evaluated above and no conflicts were identified.
- (b) The project located within the historic district, the X flood zone and the pedestrian-oriented area pursuant to Code Section 108-573.
- (c) No unincorporated portions of the county would be impacted by the proposed development.
- (d) The project does not front a shoreline, so shoreline access would not be impeded.
- (e) No special facilities are proposed to accommodate bus ridership, although several bus routes run along Eaton and Simonton Streets. The property is served by bus stops for all bus routes within two blocks.
- (f) A green roof is being considered, which may reduce stormwater runoff into the City's stormwater system. The project would be required to meet all applicable energy and water efficiency requirements of the Florida Building Code.
- (g) The existing building is not elevated, so there is no area between the bottom floor and grade.
- (h) There are no existing or proposed recreation facilities.
- (i) Coordination with applicable agencies is being facilitated through the DRC.

(j) No wetlands or submerged land would be impacted.

**Construction management plan and inspection schedule (City Code Section 108-248)**

The Applicant states that the proposed development is single-phase, construction would progress as required by City Code and as funding allows, and construction would commence as soon as possible.

**Truman Waterfront Port facilities (City Code Section 108-249)**

Not applicable.

**Site plan (City Code Chapter 108, Article III)**

The City shall not approve a site plan unless a finding is made that such site plan conforms to all applicable sections of the LDRs, pursuant to City Code Section 108-276, as analyzed below.

**Site location and character of use (City Code Section 108-277)**

The proposed development involves the adaptive reuse of an existing historic building that would help ensure its continued preservation and occupation by an established non-profit cultural organization. The proposed uses are conditional uses within the HNC-1 Zoning District.

**Appearance of site and structures (City Code Section 108-278)**

Most of the proposed development involves interior renovations. Some exterior work would be done to rehabilitate the first floor storefronts and building façade, but the overall external appearance of the site would remain the same. A rooftop elevator and stairway would be added to provide access to the proposed roof terrace and green roof, and is subject to obtaining a height variance. The rooftop elevator and stairway enclosure would be setback from the building façade and should not be visible from street level directly below. The existing rear exterior fire escape stairs would be extended to the roof level to provide a secondary egress.

**Location and screening of mechanical equipment, utility hardware and waste storage areas (City Code Section 108-279)**

The proposed site plan on sheet C1 indicates fenced trash bins under the rear fire escape and electric service mounted to the rear building façade near Simonton Street. The proposed roof garden floor plan on sheet A5 indicates rooftop air conditioning unit compressors, which should not be visible from street level below due to being setback from the street-facing building facades and due to being located at the top of the three-story building.

**Front-end loaded refuse container location requirements (City Code Section 108-280)**

None proposed.

**Roll-off compactor container location requirements (City Code Section 108-281)**

None proposed.

**Utility lines (City Code Section 108-282)**

The Applicant states that existing utilities would be utilized.

**Commercial and manufacturing activities conducted in enclosed buildings (City Code Section 108-283)**

All commercial activities would be conducted within the enclosed building, and no outdoor storage or display is proposed. Due to the nonconforming FAR, commercial activities on the proposed roof garden would be prohibited.

**Exterior lighting (City Code Section 108-284)**

Although no plans for exterior lighting were submitted, the Applicant states that all proposed lighting would comply with City Code Section 108-284.

**Signs (City Code Section 108-285)**

The plans do not indicate any signs. A building permit and a certificate of appropriateness would be required for the installation of any signs, which must comply with City Code Chapter 114 and the Historic Architectural Guidelines.

**Pedestrian sidewalks (City Code Section 108-286)**

The property is served by existing City sidewalks.

**Loading docks (City Code Section 108-287)**

No loading docks required because the property is located within the pedestrian-oriented area pursuant to Code Section 108-573 and no increase in total floor area is proposed. The property is served by existing on-street loading zones.

**Storage areas (City Code Section 108-288)**

No exterior storage areas are proposed. The proposed site plan on sheet C1 indicates fenced trash bins under the rear fire escape. The fencing must be opaque and high enough to completely screen the trash bins.

**Land clearing, excavation or fill (City Code Section 108-289)**

No land clearing, excavation or fill is proposed.

**Landscaping (Code Chapter 108, Article VI)**

A landscape plan is required as part of development plan review, pursuant to City Code Section 108-411. The Applicant is requesting waivers to all required landscaping, pursuant to City Code Section 108-517, as outlined in the table below.

<b>Landscaping Waiver Summary</b>				
<b>Landscaping Type</b>	<b>Minimum Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Change/Waiver</b>
Land use buffer (Sec. 108-347)	Depends on impact of proposed use	None	None	Waiver requested
Minimum landscaping requirement (Sec. 108-412)	20%	0%	0%	Waiver requested
Street frontage (Sec. 108-413)	Less than 0.5 acre site area = 10' wide, 40 plant units per 100 linear feet	None	None	Waiver requested

<b>Landscaping Waiver Summary</b>				
<b>Landscaping Type</b>	<b>Minimum Required</b>	<b>Existing</b>	<b>Proposed</b>	<b>Change/Waiver</b>
Interior parking areas (Sec. 108-414)	20% of total parking area; minimum 6' dim, 60 SF & 1 shade tree per landscape area; 1 tree per 100 SF of landscape area; interior landscape strips between rows and every 10 spaces	None	None	Not applicable
Perimeter parking landscaping (Sec. 108-415)	Building sites 20,000 SF or less: 5.0 feet width	None	None	Not applicable
Nonvehicular use areas (Sec. 108-416)	Site with less than 30% nonvehicular open space (NOS): 4 trees / 2,000 SF NOS	None	None	Waiver requested

Given that the property was developed prior to the adoption of the LDRs and is a contributing structure within the historic district, staff recommends approval of the requested landscape waivers. A green roof is being considered for approximately two-thirds of the roof area, and street trees may be added at a future phase of development.

**Off-street parking and loading (Code Chapter 108, Article VII)**

The property is located within the pedestrian-oriented area pursuant to Code Section 108-573, and the proposed development involves a change from one commercial use to another commercial use with no increase in total floor area. Therefore, no off-street parking is required. The Applicant states that overall potential parking demand is being reduced by 13.1 spaces. On-street and off-site parking spaces and loading zones are available in the surrounding area. The Applicant is attempting to secure an off-site parking agreement with a surrounding property owner for shared use of a parking lot.

**Stormwater and surface water management (Code Chapter 108, Article VIII)**

No changes are proposed to the existing stormwater and surface water management systems. However, a green roof is being considered for approximately two-thirds of the roof area, which could be designed to contain some stormwater runoff.

**Utilities (Code Chapter 108, Article IX)**

Access to potable water, access to wastewater disposal systems and conservation of potable water supply were analyzed in the above concurrency management determination and were found in compliance.

**Art in Public Places (City Code Section 2-487)**

This proposed development, being a Major Development Plan, qualifies for the City’s Art in Public Places (AIPP) program, pursuant to City Code Section 2-487. The AIPP program requires 1% of construction costs to be set-aside for the acquisition, commission and installation of artwork on the subject property. Alternatively, developers may opt to pay an in-lieu fee equal to

1% of the construction costs instead of having on-site artwork. The program applies to new construction projects exceeding \$500,000 and renovation projects exceeding \$100,000. The estimated construction cost for the proposed development is \$1,000,000. Therefore, a full public art plan would be required to be approved by the AIPP Board prior to building permit issuance.

**CRITERIA FOR CONDITIONAL USE REVIEW AND APPROVAL:**

Pursuant to City Code Section 122-62(c), applications for a conditional use shall clearly demonstrate the following:

- (1) *Land use compatibility.* The applicant has demonstrated that the proposed conditional uses within the HNC-1 Zoning District, including its proposed scale and intensity, traffic-generating characteristics and off-site impacts are compatible and harmonious with adjacent land uses and would 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 site and building would be adequate to accommodate the proposed scale and intensity of the requested conditional uses. The property was developed prior to the adopted LDRs and is nonconforming in many respects. The building is a contributing structure within the historic district and the proposed use helps ensure its preservation. It would be impossible for the site to accommodate all required screening, buffers, landscaping, open space and off-street parking of the LDRs without severely altering the historic building. Other urban design amenities are being contemplated, such as street trees, benches and bicycle racks.
- (3) *Proper use of mitigative techniques.* The main potential adverse impacts of the proposed conditional uses would be traffic and parking. To demonstrate that the proposed conditional uses would not create adverse impacts, the Applicant submitted a traffic analysis showing that vehicle trip generation would “be low and consistent with their current operations which are generally characterized by a substantial amount of pedestrian traffic.” The Applicant is also seeking an agreement with parking lot owners in the immediate vicinity in order to provide additional parking, especially for larger events.
- (4) *Hazardous waste.* The Applicant states that no hazardous waste would be generated and no hazardous materials would be used.
- (5) *Compliance with applicable laws and ordinances.* The City cannot require permits from other governmental agencies as a condition of its development approval. However, staff recommends other conditions of approval below.
- (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.* Not applicable.

- b. *Residential development.* Not applicable.
- c. *Commercial or mixed use development.* The proposed conditional uses are commercial and have been reviewed for land use compatibility based on compliance with all applicable portions of the LDRs. The proposed adaptive reuse of the existing historic building would help reactivate and revitalize the corner of Eaton and Simonton Streets. The development is not adjacent to U.S. 1, and potential traffic impacts were evaluated in the traffic analysis.
- d. *Development within or adjacent to historic district.* The proposed development is located within the historic district and is designed to reinforce the district's appearance, historic attributes and amenities. The project would also be reviewed by HARC for appropriateness prior to the City Commission hearing for this Major Development Plan and Conditional Use application.
- 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.

## **RECOMMENDATION**

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends to the Planning Board that the request for Major Development Plan, Conditional Use and Landscape Waivers be **APPROVED WITH CONDITIONS** as follows:

### **General conditions:**

1. This approval shall not become effective until the concurrent applications for height variance and easement are approved and effective.
2. The roof shall not be used for any commercial activities, but may serve as an accessory use.
3. The new storage attic on the second floor mezzanine shall have a floor-to-ceiling height less than seven (7) feet so as not to increase the nonconforming floor area ratio of the property.
4. The proposed trash bin area shall be screened pursuant to Code Section 108-279. If front-end loaded dumpsters are used, they shall comply with Code Section 108-280.
5. Any new exterior lighting shall be designed to "Dark Sky" lighting standards and comply with City Code Section 108-284.
6. All signs shall comply with City Code Chapter 114 and Historic Architectural Guidelines.

**Conditions prior to issuance of a building permit:**

7. Approval of a Public Art Plan shall be obtained from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee.

**Conditions prior to issuance of a Certificate of Occupancy:**

8. On-site artwork shall be installed and inspected by the City pursuant to Section 2-487.
9. The portion of the existing mezzanine level shall be modified or demolished, as indicated on the floor plans, so that portion of the mezzanine shall not be including in the gross floor area or floor area ratio of the property.
10. The owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on an annual basis upon reasonable notice to determine compliance with the above conditions.

# **Draft Resolution**



**PLANNING BOARD  
RESOLUTION NO. 2014-**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING MAJOR DEVELOPMENT PLAN, CONDITIONAL USE AND LANDSCAPE WAIVER APPROVALS PURSUANT TO SECTIONS 108-91.A.2., 108-517, 122-62 AND 122-808 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR THE ADAPTIVE REUSE OF A FORMER SCOTTISH RITE MASONIC CLUB/LODGE BUILDING INTO NEW ART STUDIO CLASSROOMS, OFFICES AND EXHIBITION SPACES ON PROPERTY LOCATED AT 533 EATON STREET (RE # 00004130-000000, AK # 1004294) IN THE HISTORIC NEIGHBORHOOD COMMERCIAL – TRUMAN/SIMONTON (HNC-1) ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Section 108-91 of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) provides that within the Historic District, a Major Development Plan is required for the addition or reconstruction of equal to or greater than 2,500 square feet of gross floor area; and

**WHEREAS**, the applicant proposes to use the property for new art studio classrooms, offices and exhibition spaces, which are considered cultural and civic activities and are conditional uses within the Historic Neighborhood Commercial – Truman/Simonton (HNC-1) Zoning District pursuant to Code Section 122-808(3); and

**WHEREAS**, the applicant has requested waivers to the City’s landscaping requirements pursuant to City Code Section 108-517; and

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

**WHEREAS**, Code Sections 108-196(a) and 122-62(a) require the Planning Board to review and approve, approve with conditions or deny the proposed Major Development Plan and Conditional Use in an advisory capacity to the City Commission; and

**WHEREAS**, Code Section 108-517(a) requires the Planning Board to consider the landscape waiver request and render the final action; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on March 13, 2014; and

**WHEREAS**, the granting of a Major Development Plan, Conditional Use and Landscape Waiver application is consistent with the criteria of the Code of Ordinances; and

**WHEREAS**, the Planning Board finds that the granting of a Major Development Plan, Conditional Use and Landscape Waiver application is in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

**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.** The Major Development Plan, Conditional Use and Landscape Waiver for the adaptive reuse of a former Scottish Rite Masonic club/lodge into new art studio classrooms, offices and exhibition spaces on property located at 533 Eaton Street (RE # 00004130-000000, AK # 1004294) in the HNC-1 Zoning District pursuant to Sections 108-91.A.2., 108-517, 122-62 and 122-808 of the Land Development Regulations of the Code of Ordinances of the City of Key West,

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

Florida, as shown in the attached plans dated March 4, 2014, is hereby approved with the following conditions:

**General conditions:**

1. This approval shall not become effective until the concurrent applications for height variance and easement are approved and effective.
2. The roof shall not be used for any commercial activities, but may serve as an accessory use.
3. The new storage attic on the second floor mezzanine shall have a floor-to-ceiling height less than seven (7) feet so as not to increase the nonconforming floor area ratio of the property.
4. The proposed trash bin area shall be screened pursuant to Code Section 108-279. If front-end loaded dumpsters are used, they shall comply with Code Section 108-280.
5. Any new exterior lighting shall be designed to “Dark Sky” lighting standards and comply with City Code Section 108-284.
6. All signs shall comply with City Code Chapter 114 and Historic Architectural Guidelines.

**Conditions prior to issuance of a building permit:**

7. Approval of a Public Art Plan shall be obtained from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee.

**Conditions prior to issuance of a Certificate of Occupancy:**

8. On-site artwork shall be installed and inspected by the City pursuant to Section 2-487.

9. The portion of the existing mezzanine level shall be modified or demolished, as indicated on the floor plans, so that portion of the mezzanine shall not be including in the gross floor area or floor area ratio of the property.

10. The owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1. The City Code Compliance shall inspect the property on an annual basis upon reasonable notice to determine compliance with the above conditions.

**Section 3.** Full, complete and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

**Section 4.** This Major Development Plan, Conditional Use and Landscape Waiver application approval by the Planning Board does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of the applicant's assertion of legal authority respecting the property.

**Section 5.** 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 Board.

**Section 6.** 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 shall be rendered to the Florida Department of Economic

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

Opportunity. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for 45 days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the 45-day review period, the DEO can appeal the permit or development order to the Florida Land and Water 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 regularly scheduled meeting held this \_\_\_\_ day of \_\_\_\_\_, 2014.

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

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Richard Klitenick, Planning Board Chairman

Date

**Attest:**

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Donald Leland Craig, AICP, Planning Director

Date

**Filed with the Clerk:**

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Cheryl Smith, City Clerk

Date

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

# **Application**

**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**3140 Flagler Avenue, 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 X \_\_\_\_\_

No \_\_\_\_\_

Please print or type:

- 1) Site Address 533 Eaton Street, Key West, Fl 33040
- 2) Name of Applicant Trepanier & Associates, Inc.
- 3) Applicant is: Owner \_\_\_\_\_ Authorized Representative X \_\_\_\_\_  
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant 402 Appelrouth Lane  
Key West, Fl 33040
- 5) Applicant's Phone # 305-293-8983 Email patrick@owentrepanier.com
- 6) **Email Address:** patrick@owentrepanier.com
- 7) Name of Owner, if different than above The Studios of Key West
- 8) Address of Owner 600 White Street, Key West, Fl 33040
- 9) Owner Phone # 305-393-5920 Email jed@tskw.org
- 10) Zoning District of Parcel HNC-1 RE# 00004130-000000
- 11) Is Subject Property located within the Historic District? Yes X No \_\_\_\_\_  
If Yes: Date of approval Pending HARC approval # Pending  
OR: Date of meeting TBD
- 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). The Studios of Key West seeks to renovate the interior non-residential floor area of the existing Masonic lodge at 533 Eaton Street. The existing historic structure will be adaptively reused to become the Studios' new home. The Studios is a nonprofit Florida corporation that brings world class artists to Key West and connects them with local audiences and artists. The Studios provides artist workspace, classrooms, museum quality exhibition space, and auditorium space for concerts, exhibitions, lectures, performances and workshops. The following documentation provides specific details of the proposed adaptive reuse and analyses compliance with the KW LDRs.

**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**3140 Flagler Avenue, Key West, FL 33040**  
**(305) 809-3720**



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 X No \_\_\_\_\_

If Yes, describe and attach relevant documents.

Access easement with adjacent property owner

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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.

**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.**



# Project Analysis

## Studios of Key West



### Summary:

This project seeks to renovate the interior non-residential floor area of the existing Masonic Lodge at 533 Eaton Street to become the home of the Studios of Key West. The Studios is a nonprofit Florida corporation that brings world class artists to Key West and connects them with local audiences and artists. The Studios provides artist workspaces, classrooms, museum quality exhibition space, and an auditorium for concerts, exhibitions, lectures, performances and workshops.

### Analysis:

The following is an analysis of the proposed project including development plan and conditional use approval criteria.

Existing development is depicted in attached surveys and plans, including:

- Name of Development
- Name of Owner/ Developer
- Scale
- North arrow
- Preparation and revision dates
- Location/ street address
- Size of site
- Buildings
- Structures
- Parking
- FEMA flood zones
- Topography
- Easements
- Utility locations
- Existing vegetation
- Existing storm water
- Adjacent land uses
- Adjacent buildings
- Adjacent driveways

Proposed development is depicted in attached plans prepared by licensed engineers, including:

- Buildings
- Setbacks
- Parking
- Driveway dimensions and material
- Utility locations
- Garbage and recycling
- Signs
- Lighting
- Project Statistics
- Building Elevations
- Height of buildings
- Finished floor elevations
- Height of existing and proposed grades
- Drainage plan
- Landscape Plan

### Title block (Sec. 108-227)

Name of development: The Studios of Key West, Inc.  
Owner/developer: The Studios of Key West, Inc.  
Scale: 1/8":1'  
Preparation and revision dates: As noted on plans  
Location: 533 Eaton Street

**Key persons and entities (Sec. 108-228)** involved in this project are as follows:

Owner: The Studios of Key West, Inc.  
Authorized Agent: Trepanier & Associates, Inc.  
Architect: Michael Miller Architects, Inc.  
Surveyor: Frederick H. Hildebrandt, Inc.  
Landscape Architect: NA - No Changes Proposed  
Legal and Equitable Owners: The Studios of Key West, Inc.

### Project Description (Sec. 108-229):

As mentioned above, this project seeks to renovate the interior non-residential floor area of the existing Masonic Lodge at 533 Eaton Street to become the home of the Studios of Key West.

533 Eaton Street has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use. The existing use will change from the current use of community centers, clubs and lodges to the proposed use of cultural and civic activities.

The site has the following characteristics:

Site Data	Permitted	Existing	Proposed	Compliance
Zoning	HNC-1	HNC-1	No Change	Complies
Max Density	1.9 units	0 units	No Change	Complies
FAR	1.0	2.79	2.67	Complies*
Max Height	35 ft.	48 ft.	53 ft.	Variance Requested
Open Space: Commercial	20%	0%	No Change	Complies*
Max Building Coverage	50%	96.3%	No Change	Complies*
Impervious Surface	60%	100%	No Change	Complies*
Min Lot Size	4,000 sq. ft.	5,185 sq. ft.	No Change	Complies
Setbacks: Front	5 ft.	0 ft.	No Change	Complies*
Street Side	7.5 ft.	0 ft.	No Change	Complies*
Side	5 ft.	0 ft.	No Change	Complies*
Rear	5 ft.	0 ft.	No Change	Complies*

\* Existing non-conformity pursuant Sec. 122-27

### Other Project Information (Sec. 108-230):110.71.9

1. Construction is proposed to progress steadily based on Key West LDRs, building codes, and funding.
2. The target date for commencement shall follow entitlement approvals as quickly as possible.
3. Expected date of completion is within 2 years of commencement.
4. The proposed development plan is contained herewith.
5. This application proposes to renovate the existing non-residential floor area as detailed below and depicted on the plans.

Use	Floor Area (sq. ft.)			Parking Impact (spaces)			
	Existing	Proposed	Change	Rqmt	Existing	Proposed	Change
Office	766.0	730.0	(36.0)	1sp/300sf	2.6	2.4	(0.1)
Consumption Area	2,726.0	534.0	(2,192.0)	1sp/45sq	60.6	11.9	(48.7)
Auditorium (190 seats existing, 200 proposed)	2,726.0	2,332.0	(394.0)	1sp/5seats	38.0	40.0	2.0
Retail	2,864.0	140.0	(2,724.0)	1sp/300sf	9.5	0.5	(9.1)
Supportive Uses (bathrooms, kitchens, utility areas, lobby, back-of-house areas)	5,132.0	6,077.0	945.0	NA	0	0	0
Artist Studios	0	1,523.0	1,523.0	1sp/150sf	0	10.2	10.2
Exhibition Areas	0	2,340.0	2,340.0	1sp/150sf	0	15.6	15.6
Class rooms	0	1,116.0	1,116.0	1sp/150sf	0	7.4	7.4
Roof Top	0	1,448.0	1,448.0	1sp/150sf	0	9.7	9.7
Non-Floor Area (Stairways & Elevators)	(1,152.0)	(2,420.0)	(1,268.0)	NA	0	0	0
Total	14,214.0	13,820.0	(394.0)		110.7	96.6	(13.1)

6. Project is not a planned unit development.
7. The project will comply with federal flood insurance regulations.
8. This project is not located in an environmentally sensitive area.

### Residential Developments (Sec. 108-231):

NA - No residential development proposed.

**Intergovernmental Coordination (Sec. 108-232):**

Coordination will occur through the Development Review Process of the City of Key West and all applicable Regional, State and Federal Agencies.

**Schedule of Approval Process:**

The following development approval schedule and process is anticipated:

Step	Date
1. Submit Applications	01/08/14*
2. Development Review Committee (DRC) Meeting	01/17/13
3. Historical Architecture Review Committee (HARC)	TBD
4. Planning Board Meeting	02/02/14
5. City Commission Meeting	03/18/14
6. Florida Department of Economic Opportunity Appeal Period (45 days)	05/02/14

\* Alternative submission date granted by Director of Community Development Services

**Concurrency Facilities and Other Utilities or Services (Sec. 108-233):**

1. Based on the City of Key West adopted level of service the potable water demand is not anticipated to change at the end of this single-phase development plan (pursuant to Sec. 94-68, the potable water LOS for nonresidential development is 650 gal/acre/day).

Potable water demand is estimated to be 201.5 gal/day.

As demonstrated in the Concurrency Analysis below the supply system can provide adequate water for the proposed development, and there are no system improvements required to maintain the adopted level of service. The project team is coordinating with the FCAA and the City of Key Wests Fire Department to determine that the water pressure and flow will be adequate for fire protection for the proposed type of construction.

2. Based on the City of Key West adopted level of service the wastewater demand is not anticipated to change at the end of this single-phase development plan (pursuant to Sec. 94-68, the wastewater LOS for nonresidential development at 660 gal/day/acre).

The wastewater flow is anticipated to be 204.6 gal/day

As demonstrated in the Concurrency Analysis below no change is required in the capacity of the treatment and transmission facilities of wastewater. No system improvements are required to maintain the adopted level of service.

3. No adverse impacts to the quality of receiving waters are anticipated before, during or after construction.
4. No changes to the existing storm water management situation is proposed or required; however, if necessary such a plan will be submitted at the request of DRC or as otherwise required by the Planning Director.
5. Solid waste (i.e. construction debris) generated by the project will be handled by a licensed waste hauler.
6. Potential Trip Generation: Please see the traffic analysis

7. The City of Key West's adopted level of service for recreational infrastructure is not affected by commercial development.
8. Fire hydrant locations, if necessary, will be determined as per DRC direction or as otherwise required by the Fire Department.
9. Reclaimed water use is not anticipated.
10. As demonstrated by the attached Concurrency Analysis, there will be no adverse effects on public facilities.

**Appearance, design, and compatibility (Section 108-234):**

This development plan satisfies criteria established in Chapter 102; Articles III, IV and V of Chapter 108; Section 108-956; and Article II of Chapter 110 of the Key West City Code in the following manner:

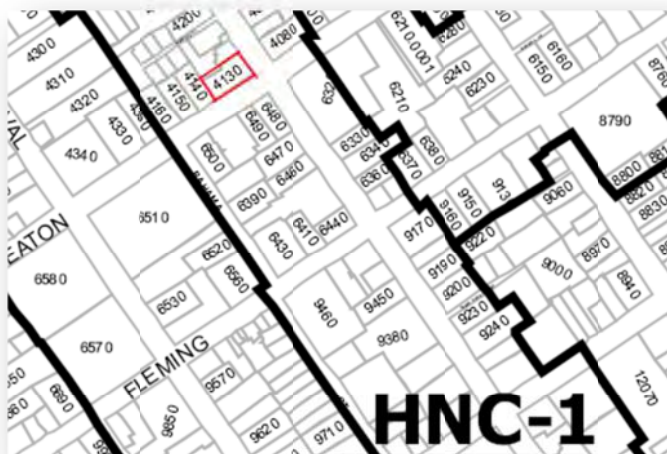
- Chapter 102 – This property is located within the Historic District and will go through all appropriate HARC approvals as necessary.
- Articles III, IV and V of Chapter 108 – As demonstrated by the site plan, trip generation analysis, and the site data calculations, the project complies with the requirements of the Articles.
- Chapter 110 – As demonstrated in this application, the proposed development complies with the resource protection requirements of Chapter 110.

**Site Location and Character of Use (Section 108-235):**

(a) *Compliance.* This development plan complies with the requirements set forth in the Key West City Code as they pertain to Concurrency Management, Outdoor Displays and Nuisances, Resource Protection, Signs, and Articles I and III to IX of Chapter 108 of the Key West City Code.

(b) *Vicinity Map.*

(b) *Land Use Compatibility.* The project site is located in the Historic Neighborhood Commercial (HNC-1) zoning district. The historic neighborhood commercial district—Truman/Simonton (HNC-1) consists of Simonton, Truman Avenue, and White Street South Corridors. The HNC-1 district is located along major segments of Simonton Street, from Caroline South to United Street; Truman Avenue, from Simonton Street northeast to White Street; and White Street, from Truman Avenue south to United Street; and generally includes larger scale commercial uses oriented toward the motoring public. This project calls for a conditional use to be granted for the interior renovation of the Masonic lodge to be converted to the Studios of Key West for a cultural and civic use.



(d) *Historic and archeological resource protection.* The site located within the Historic District. Any archeological resources will be protected as required.

(e) *Subdivision of Land.* No subdivisions are anticipated.

**Appearance of Site and Structures** (Sec. 108-236):

Attached site plan complies with Sections 108-278 through 108-288 of the Key West City Code. (See below.)

**Site Plan** (Sec. 108-237):

Site plan of proposed development drawn consistently with Sec. 108-237 is attached.

**Architectural Drawings** (Sec. 108-238):

All architecture or engineering designs were prepared and sealed by a professional architect or engineer registered in the state pursuant to F.S. Ch. 471 and 481, respectively, consistent with the provisions of this Section.

**Site Amenities** (Sec 108-239):

The attached site plan includes existing and proposed amenities which are required to comply with appearance, design and compatibility regulations outlined in chapter 102; articles III, IV and V of this chapter; section 108-956; and article II of chapter 110.

**Site Survey** (Sec 108-240):

Survey of the site is attached.

**Soil Survey** (Sec 108-241):

Soil surveys are not anticipated as part of this project.

**Environmentally Sensitive Areas** (Sec. 108-242):

No Environmentally sensitive areas exist on this site.

**Land clearing, excavation and fill, tree protection, landscaping and irrigation plan** (Sec. 108-243):

No land clearing, filling or landscaping is proposed.

**On-site and off-site parking and vehicular, bicycle, and pedestrian circulation** (Sec. 108-244):

No changes to on-site parking and vehicular, bicycle, or pedestrian circulation is proposed or required, pursuant to Sec. 108-573. Notwithstanding, the renovation and reuse of the building will result in an overall reduction in potential parking demand of 13.1 spaces<sup>1</sup>.

**Housing** (Sec 108-245):

This project includes no residential development and therefore shall have no impact on hurricane evacuation.

**Economic Resources** (Sec 108-246):

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<sup>1</sup> Please see Other Project Information section above

Trepanier & Associates, Inc. has contacted the Monroe County Property Appraiser's office to seek assistance in estimating the average ad valorem tax yield from the proposed project.

**Special Considerations (Sec 108-247):**

The proposal complies with the goals, objectives and policies of the comprehensive plan and as demonstrated by this and the concurrency analysis there are no conflicts with the existing public facilities, such as wastewater treatment and transportation.

This project complies with all City land use plans, objectives and policies.

**Construction Management Plan and Inspection Schedule (Sec 108-248):**

The proposed development is single-phase. Construction is proposed to progress steadily based on Key West LDRs, building codes, and funding. Construction is expected to commence as soon as possible.

**Truman Waterfront Port Facilities (Sec 108-249):**

This project is not located at the Truman Waterfront Port

**SITE PLAN**

**Scope (Sec 108-276):**

This site plan conforms to all applicable sections of land development regulations.

**Site Location and Character of Use (Sec. 108-277):**

As depicted, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use. All uses in this district are considered conditional. The infrastructure and site plan improvements are designed to mitigate potential adverse impacts of the proposed use.

**Appearance of Site and Structures (Sec. 108-278):**

This applications development plan exhibits harmonious overall design characteristics in compliance with the performance standards stipulated in sections 108-278 through 108-288.

**Location and screening of mechanical equipment, utility hardware and waste storage areas (Section 108-279):**

All mechanical equipment and utility hardware will be appropriately screened. All waste storage areas will be screened from adjacent properties.

**Front-end loaded refuse container requirements (Sec. 108-280):**

No Changes to the waste removal system are proposed.

**Roll-off Compactor Container location requirements (Sec. 108-281):**

No Changes proposed.

**Utility lines (Section 108-282):**

Existing utilities shall be utilized.

**Commercial and manufacturing activities conducted in enclosed buildings (Section 108-283):**

All commercial-retail activities will take place within an enclosed building. No outdoor storage or display is proposed.

**Exterior Lighting (Section 108-284):**

All proposed lighting shall be shielded and lighting sources shall be arranged to eliminate glare from roadways and streets and shall direct light away from properties lying outside the district. Shielding of lighting elements shall be accomplished by using directional fixtures or opaque shades.

**Signs (Section 108-285):**

Proposed signage will be harmonious with the design theme of the project, will be aesthetically pleasing and reinforce good principles and practices of design.

**Pedestrian sidewalks (Section 108-286):**

No new sidewalks are proposed.

**Loading docks (Section 108-287):**

No loading docks are required or proposed.

**Storage Areas (Section 108-288):**

No outdoor storage areas are proposed.

**Land Clearing, Excavation, and Fill (Sec 108-289):**

There is no land clearing proposed.

**Open Space, Screening, Buffers and Landscaping (Article V and VI) of Chapter 108:**

The project proposes no changes to the existing site. The application seeks a modification to the open space, screening, buffers and landscaping requirements of Sec. 108.

**Request for Modification (Sec. 108-517):**

This application/request for modification to the standards of this ordinance is hereby filed with the city planning office and shall be considered by the planning board after reviewing recommendations of the city planner or designated staff. The planning board shall render the final action.

This request is to waive landscape requirements of Sec. 108 as to protect and preserve the integrity of this historic structure.

**Off-street parking and loading (Article VII):**

No changes to on-site parking and vehicular, bicycle, or pedestrian circulation is proposed or required, pursuant to Sec. 108-573. Notwithstanding, the renovation and reuse of the building will result in an overall reduction in potential parking demand of 13.1 spaces<sup>2</sup>.

**Storm water and Surface Water Management (Article VIII):**

No changes are proposed to the existing storm water management system.

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<sup>2</sup> Please see Other Project Information section above

**Flood Hazard Areas (Division 4 - Sections 108-821 through 108-927):**

The proposed project is located in the X flood zone.

**Utilities (Article IX):**

See Concurrency Analysis below.

**CONDITIONAL USE CRITERIA:**

**Purpose and intent:**

As stated above, this project seeks to renovate the interior non-residential floor area of the existing Masonic lodge at 533 Eaton Street to become the home of the Studios of Key West. The Studios is a nonprofit Florida corporation that brings world class artists to Key West and connects them with local audiences and artists. The Studios provides artist workspaces, classrooms, museum quality exhibition space, and an auditorium for concerts, exhibitions, lectures, performances and workshops.

The site is of sufficient size to accommodate the proposed use within the context of the existing historic structure and its existing compliance with the Code. Improvements are designed to mitigate potential adverse impacts of the proposed use.

**Specific criteria for approval (Sec 122-62):**

**Characteristics and use described:**

(1) Scale and intensity:

- a. Floor area ratio: 2.74 existing, 2.67 proposed
- b. Traffic generation: please see attached traffic study
- c. Square feet of enclosed building for each specific use:

Use	Floor Area (sq. ft.)		
	Existing	Proposed	Change
Office	766.0	730.0	(36.0)
Consumption Area	2,726.0	534.0	(2,192.0)
Auditorium (190 seats existing, 200 proposed)	2,726.0	2,332.0	(394.0)
Retail	2,864.0	140.0	(2,724.0)
Supportive Uses (bathrooms, kitchens, utility areas, lobby, back-of-house areas)	5,132.0	6,077.0	945.0
Artist Studios	0	1,523.0	1,523.0
Exhibition Areas	0	2,340.0	2,340.0
Class rooms	0	1,116.0	1,116.0
Roof Top	0	1,448.0	1,448.0
Non-Floor Area (Stairways & Elevators)	(1,152.0)	(2,420.0)	(1,268.0)
Total	14,214.0	13,820.0	(394.0)

- d. The proposed employment is 1.0 FTE after construction.
- e. There are no proposed service vehicles.
- f. As stated above, no changes to on-site parking and vehicular, bicycle, or pedestrian circulation is proposed or required, pursuant to Sec. 108-573. Notwithstanding, the renovation and reuse of the building will result in an overall reduction in potential parking demand of 13.1 spaces<sup>3</sup>.

(2) There are no on- or off-site improvement needs generated by the proposed use.

<sup>3</sup> Please see Other Project Information section above



- (3) The following mitigative techniques and amenities are proposed:
- a. Existing open space is 0%. There is no opportunity, on site, to create additional open space without demolishing historic structure. However, a rooftop garden is proposed to break up the rooftop and create new green area.
  - b. Setbacks from adjacent properties: This property is a zero lot line property.
  - c. Screening and buffers – The project proposes no changes to the existing site. The application seeks a modification to the open space, screening, buffers and landscaping requirements of Sec. 108.d. There are no landscape berms proposed or required.
  - e. No excessive smoke, odor, noise, and other will be generated by the proposed use.

**Criteria for review and approval:**

- (1) Land use compatibility: As stated above, the project site is located in the Historic Neighborhood Commercial (HNC-1) zoning district. The historic neighborhood commercial district—Truman/Simonton (HNC-1) consists of Simonton, Truman Avenue, and White Street South Corridors. The HNC-1 district is located along major segments of Simonton Street, from Caroline South to United Street; Truman Avenue, from Simonton Street northeast to White Street; and White Street, from Truman Avenue south to United Street; and generally includes larger scale commercial uses oriented toward the motoring public.
- (2) Sufficient site size, adequate site specifications, and infrastructure: As mentioned above, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use. All uses in this district are considered conditional. The infrastructure and site plan improvements are designed to mitigate potential adverse impacts of the proposed use.
- (3) Proper use of mitigative techniques: No adverse impacts to adjacent land uses are anticipated. The community character is a mix of larger-scale cultural, civic, recreational, social, and worship activities, guesthouses, apartments and single family residences. The community infrastructure will not be burdened by this project.
- (4) Hazardous waste: The proposed use will not produce any hazardous waste or use hazardous materials in its operation.
- (5) Compliance with applicable laws and ordinances: All applicable permits required from agencies other than the City of Key West will be obtained.

**CONCURRENCY ANALYSIS:**

The City's Comprehensive Plan Objective 9-1.5 directs the City to ensure that facilities and services needed to support development are available concurrent with the impacts of new development.

The following specific issues are analyzed:

1. Potable Water & Sanitary Sewer
2. Recreation (for residential development only)
3. Solid Waste
4. Drainage

## 5. Roads/Trip Generation

The following concurrency analysis reflects the anticipated impacts resulting from the proposed project.

**Potable Water & Sanitary Sewer** “Planned improvements in potable water and/or wastewater systems required to establish and/or maintain adopted water and wastewater levels of service. System improvements and proposed funding resources required for implementing any improvements required to establish and/or maintain adopted potable water and wastewater system level of service standards<sup>4</sup>.”

Potable Water Sec. 94-68 sets the level of service for nonresidential potable water at 650 gal/acre/day.

- i) Existing capacity required based on site size: 78 gal/day

The total capacity required for nonresidential use on .12 acres is:

$$650 \text{ gal/acres/day} \times .12 \text{ acres} = 78 \text{ gal/day}$$

- ii) Proposed capacity required based on site size: 78 gal/day

The total capacity required for nonresidential use on .12 acres is:

$$650 \text{ gal/acres/day} \times .12 \text{ acres} = 78 \text{ gal/day}$$

- iii) Existing capacity required based on floor area: 208 gal/day

The total capacity required for nonresidential use on 0.32 acres is:

$$650 \text{ gal/acres/day} \times 0.32 \text{ acres} = 208 \text{ gal/day}$$

- iv) Proposed capacity required based on floor area: 201.5 gal/day

The total capacity required for nonresidential use 0.31 acres is:

$$650 \text{ gal/acres/day} \times 0.31 \text{ acres} = 201.5 \text{ gal/day}$$

Based on the concurrency management calculation prescribed in the Comprehensive Plan, there is no or minimal increase in the proposed capacity required by Key West Comprehensive Plan LOS standards; the Florida Keys Aqueduct Authority has the capacity to supply adequate service to this property, as demonstrated below.

### FKAA Supply Capacity:

The Florida Keys Aqueduct Authority (“FKAA”) has adequate supply capacity to serve the potential development. FKAA has constructed facilities on the mainland in Florida City to expand water supply for the Florida Keys. This permitted and constructed improvement enables FKAA to provide over 23 MGD, which will

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<sup>4</sup> The City of Key West’s Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

provide sufficient capacity through 2022<sup>5</sup>. Operational in 2011, the recent expansion of the R.O. plant will provide 6.0 MGD, which combined with the 17.0 MGD permitted withdrawal from the Biscayne Aquifer, increased available water supply to 23 MGD for the Florida Keys.

*Expanded Florida City R.O. Plant.* The Department of Health issued Permit # 150092-007-wc/04 (Exhibit I) on November 14, 2006 to allow for the construction of an expanded reverse osmosis (R.O.) water plant in Florida City. The expanded water plant is designed to treat blended Floridian Aquifer water as an alternative water source to the Biscayne Aquifer. The permit design capacity of the expanded R.O. plant is 6 MGD.

*Revised Water Use Permit.* The SFWMD issued revised Water Use Permit (WUP) #13-00005-W (Exhibit II) on March 26, 2008, which recognizes the additional blended Floridian Aquifer capacity that will be provided by the expanded R.O. plant. Interim Water Use Allocations in the WUP permit provide FKAA with an allocation of 17.00 MGD (dry season) and 17.79 GPD (wet season) which may be withdrawn from the Biscayne Aquifer and allows FKAA to utilize the Stock Island and Marathon Reverse Osmosis plants for any demands exceeding the interim withdrawal limit, pending completion of the R.O. plant in Florida City. The Stock Island and Marathon R.O. plants have a combined capacity of 3.0 MGD providing an interim WUP water supply of 20.0 MGD during the dry season if needed. Once operational in 2010, the R.O. plant will provide an additional 6.0 MGD, which when combined with the 17.0 MGD permitted withdrawal from the Biscayne Aquifer, will increase available water supply to 23 MGD for the Florida Keys.

The interim allocation of 20 MGD (7,300 MG/year) through 2010 and 23 MGD after 2010 provides ample water supply to support the adopted amendment and allocated growth well beyond 10 years. The "Monroe County 2007 Annual Public Facilities Report" documents historic water use in the Florida Keys. Water demand has fluctuated significantly on an annual basis, however when evaluated over a ten-year period, the data shows an increase in water demand of more than 1 billion gallons over the last 10 years with an annual average increase of approximately 104 MG/year. This increase in demand can be shown in the following calculation:

$$\begin{aligned} 1996 \text{ annual water demand} &= 5,272 \text{ MG /year} \\ 2006 \text{ annual water demand} &= 6,310 \text{ MG /year} \\ \text{Average Annual Increase} &= (6,310 \text{ MG} - 5,272 \text{ MG}) / 10 = 103.8 \text{ MG /year} \end{aligned}$$

Based on the average annual increase of 103.8 MG per year, the interim allocation would be sufficient for an additional 9.5 years of growth beyond 2006 or through 2015 until demand reaches the interim permitted withdrawal of 20 MGD (7,300 MG/year). Since completion of the Florida City facilities, the 23 MGD allocation is available to support yet another 9.5 years of growth. Based on these findings, sufficient permitted water supply is available to meet the needs of the Florida Keys through 2024.

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<sup>5</sup> Excerpt from Analysis by Kenneth B. Metcalf, AICP, (Greenberg Traurig, P.A.), August 22, 2008.

*Improvements Schedule/Status.* Condition 30 of the WUP provides the R.O. plant and the associated Floridian deep wells that will provide 23 MGD of capacity through 2024:

- DEP Underground Injection and Control permit was obtained on May 21, 2008.
- Construction contracts were required within 180 days or by November 21, 2008;
- Testing is required within one year and 30 days from issuance of the permit or by June 21, 2009.
- The R.O. plant construction was completed in January, 2010.

**Sanitary Sewer** Sec. 94-67 sets the level of service for nonresidential sanitary sewer at 660 gal/acre/day.

- i) Existing capacity required based on site size: 79.2 gal/day

The total capacity required for nonresidential use on 0.12 acres is:

$$660 \text{ gal/acres/day} \times 0.12 \text{ acres} = 79.2 \text{ gal/day}$$

- ii) Proposed capacity required based on site size: 3,049 gal/day

The total capacity required for nonresidential use on 0.12 acres is:

$$660 \text{ gal/acres/day} \times 0.12 \text{ acres} = 79.2 \text{ gal/day}$$

- iii) Existing capacity required based on floor area:

The total capacity required for nonresidential use on 0.32 acres is:

$$660 \text{ gal/acres/day} \times 0.32 \text{ acres} = 211.2 \text{ gal/day}$$

- iv) Proposed capacity required based on floor area: 142.5 gal/day

The total capacity required for nonresidential use on 0.31 acres is:

$$660 \text{ gal/acres/day} \times 0.31 \text{ acres} = 204.6 \text{ gal/day}$$

The current wastewater treatment plant has the potential treatment capacity of 10 million gallons per day. Only 4.8 million gallons per day of capacity are currently utilized<sup>6</sup>. The current plant has the capacity to service this project's projected needs.

**Recreation** There is no residential development proposed therefore this project will have no impact on the demand on the City's adopted level of service for recreation.

**Solid Waste** "Projected demand generated by the development on the solid waste disposal system and assurances that the City's adopted level of service for solid waste disposal shall not be adversely impacted<sup>7</sup>."

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<sup>6</sup> Per September 3, 2010 memo from Greg Smith, project Manager for CH2M Hill OMI (Exhibit III)

<sup>7</sup> The City of Key West's Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues.

Sec. 94-71 sets the level of service for nonresidential solid waste disposal at 6.37 lb/capita/day.

- i) Existing capacity required: 6.37 lbs/day

The total capacity required for the nonresidential use of 1 employee is:

$$6.37 \text{ lb/capita/day} \times 1 \text{ employee} = 6.37 \text{ lbs/day}$$

- ii) Proposed capacity required: 6.37 lbs/day

The total capacity required for the nonresidential use of 1 employee is:

$$6.37 \text{ lb./capita/day} \times 1 \text{ employees} = 6.37 \text{ lbs/day}$$

Waste Management has more than enough capacity to handle the solid waste disposal<sup>8</sup>.

**Drainage** “Conceptual plan for accommodating storm water run-off and demonstrated evidence that the proposed drainage improvements shall accommodate storm water run-off without adversely impacting natural systems or the City’s adopted level of service for storm drainage<sup>9</sup>”

No change to the existing storm water/drainage system is proposed.

#### **Roads/Trip Generation.**

Please see attached analysis

#### **Exhibits**

**Exhibit I** – Department of Health Permit #150092-007-wc/04

**Exhibit II** – Water Use Permit (WUP) #13-00005-W

**Exhibit III** – September 3, 2010 Wastewater Memo

**Exhibit IV** – Map of the City of Key West’s Existing Recreation Services

**Exhibit V** – January 25, 2010 Solid Waste Memo

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<sup>8</sup> Per January 25, 2010 memo from Jay Gewin, City of Key West (Exhibit V)

<sup>9</sup> The City of Key West’s Comprehensive Plan Policy 9-1.5.1: Resolving Concurrency Issues

# **Exhibit I**

**Department of Health Permit #150092-007-wc/04**



Jeb Bush  
Governor

M. Rony Francis, M.D., M.S.P.H., Ph.D.  
Secretary

Lillian Rivera, RN, MSN, Administrator

**PERMITTEE:**

Florida Keys Aqueduct Authority (FKAA)  
C/o Ray M. Shimokubo  
PO BOX 1239, Kennedy Drive  
Key West, Florida 33041-1239

PERMIT No: 150092-007-WC/04  
DATE OF ISSUE: November 14, 2006  
EXPIRATION DATE: November 13, 2011  
COUNTY: MIAMI-DADE COUNTY  
LAT./LONG.: 25°26'25" N / 80°30'33" W  
SECTION/TOWNSHIP/RANGE:  
PROJECT: Reverse Osmosis (RO) Expansion  
Facility, 6.0 MGD Permeate production with  
blending options at FKAA J.Robert Dean WTP  
Florida City, Dade County

This permit is issued under the provisions of Chapter 403, Florida Statutes, and Florida Administrative Code Rule 62-4, 62-550, 62-555 & 62-560. The above named permittee is hereby authorized to perform the work shown on the application, technical specifications approved drawing(s), plans, and other documents attached hereto or on file with the Department and made a part hereof and specifically described as follows:

**TO CONSTRUCT:** A Reverse Osmosis, (RO) treatment facility with a permeate capacity of up to 6 Million Gallons per Day, (MGD) produced from Phase I, consisting of three (3) 1.5 MGD trains or Phase II, consisting of an additional 1.5 MGD or four (4) 1.5 MGD trains. The RO facility will be fully integrated with the existing lime softening plant.

There will be the option of bypassing a limited amount of pretreated Floridan aquifer water and blending it with RU permeate thus adding alkalinity to the product water and increasing the overall plant "net" recovery. The RO system product water (degasified permeate/blended permeate) will be combined (blended) with existing lime softening plant product and a limited amount of cartridge-filtered Biscayne Aquifer RO bypass water. The blended product water will receive chemical addition and be transferred to existing finished water storage facilities and pumped to distribution with existing high service pumps.

The water treatment plant construction permit application is for 6 MGD RO permeate capacity plus up to 3 MGD cartridge filtered Biscayne Aquifer blend flow and up to 0.576 MGD (400 gpm) pretreated Floridan Aquifer feed water bypass (which blends with RO permeate), and up to 0.7 MGD Floridan Aquifer water which blends with the existing lime softening facility influent Biscayne Aquifer water. The full operation of all the above described facility units could raise the Possible Facility Output Capacity to greater than 23.8 MGD existing permissible, plus 6.0 MGD covered under this permit application.

**No other facilities or new wells are part of this permit.**

**TO SERVE:** The Florida Keys Water Distribution System, Monroe County, Florida.



Samir Elmir, M.S., P.E., DEE, Division Director  
Miami-Dade County Health Department  
Environmental Health and Engineering  
1725 N. W. 167<sup>th</sup> Street, Miami, Florida 33056  
Tel: (305) 623-3500 Fax: (305) 623-3502  
Email: Samir\_elmir@doh.state.fl.us  
Website: www.dadehealth.org

"A"

**GENERAL CONDITIONS:**

1. The terms, conditions, requirements, limitations and restrictions set forth in this permit, are "permit conditions" and are binding and enforceable pursuant to Sections 403.141, 403.727, or 403.859 through 403.861, F.S. The permittee is placed on notice that the Department will review this permit periodically and may initiate enforcement action for any violation of these conditions.
2. This permit is valid only for the specific processes and operations applied for and indicated in the approved drawings or exhibits. Any unauthorized deviation from the approved drawings, exhibits, specifications, or conditions of this permit may constitute grounds for revocation and enforcement action by the Department.
3. As provided in subsections 403.087(6) and 403.722(5), F.S., the issuance of this permit does not convey any vested rights or any exclusive privileges. Neither does it authorize any injury to public or private property or any invasion of personal rights, nor any infringement of federal, state, or local laws or regulations. This permit is not a waiver of or approval of any other Department permit that may be required for other aspects of the total project which are not addressed in this permit.
4. This permit conveys no title to land or water, does not constitute State recognition or acknowledgment of title, and does not constitute authority for the use of submerged lands unless herein provided and the necessary title or leasehold interests have been obtained from the State. Only the Trustees of the Internal Improvement Trust Fund may express State opinion as to title.
5. This permit does not relieve the permittee from liability for harm or injury to human health or welfare, animal, or plant life, or property caused by the construction or operation of this permitted source, or from penalties therefore; nor does it allow the permittee to cause pollution in contravention of Florida Statutes and Department rules, unless specifically authorized by an order from the Department.
6. The permittee shall properly operate and maintain the facility and systems of treatment and control (and related appurtenances) that are installed and used by the permittee to achieve compliance with the conditions of this permit, are required by Department rules. This provision includes the operation of backup or auxiliary facilities or similar systems when necessary to achieve compliance with the conditions of the permit and when required by Department rules.
7. The permittee, by accepting this permit, specifically agrees to allow authorized Department personnel, upon presentation of credentials or other documents as may be required by law and at reasonable times, access to the premises where the permitted activity is located or conducted to:
  - (a) Have access to and copy any records that must be kept under conditions of the permit;
  - (b) Inspect the facility, equipment, practices, or operations regulated or required under this permit; and



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- (c) Sample or monitor any substances or parameters at any location reasonably necessary to assure compliance with this permit or Department rules.

Reasonable time may depend on the nature of the concern being investigated.

8. If, for any reason, the permittee does not comply with or will be unable to comply with any condition or limitation specified in this permit, the permittee shall immediately provide the Department with the following information:

- (a) A description of and cause of noncompliance; and
- (b) The period of noncompliance, including dates and times; or, if not corrected, the anticipated time the noncompliance is expected to continue, and steps being taken to reduce, eliminate, and prevent recurrence if the noncompliance. The permittee shall be responsible for any and all damages which may result and may be subject to enforcement action by the Department for penalties or for revocation of this permit.

9. In accepting this permit, the permittee understands and agrees that all records, notes, monitoring data and other information relating to the construction or operation of this permitted source which are submitted to the Department may be used by the Department as evidence in any enforcement case involving the permitted source arising under the Florida Statutes or Department rules, except where such use is prescribed by Section 403.111 and 403.73, F.S. Such evidence shall only be used to the extent it is consistent with the Florida Rules of Civil Procedure and appropriate evidentiary rules.

10. The permittee agrees to comply with changes in Department rules and Florida Statutes after a reasonable time for compliance; provided, however, the permittee does not waive any other rights granted by Florida Statutes or Department rules.

11. This permit is transferable only upon Department approval in accordance with Rule 62-4.120 and 62-30.300, F.A.C., as applicable. The permittee shall be liable for any non-compliance of the permitted activity until the transfer is approved by the Department.

12. This permit or a copy thereof shall be kept at the work site of the permitted activity.

13. This permit also constitutes:

- (X) Determination of Best Available Control Technology (BACT)
- ( ) Determination of Prevention of Significant Deterioration (PSD)
- ( ) Certification of compliance with state Water Quality Standards (Section 401, PL 92-500)
- ( ) Compliance with New Source Performance Standards

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14. When requested by the Department, the permittee shall within a reasonable time furnish any information required by law, which is needed to determine compliance with the permit. If the permittee becomes aware the relevant facts were not submitted or were incorrect in the permit application or in any report to the Department, such facts or information shall be corrected promptly.

**SPECIFIC CONDITIONS:**

1. The applicant is responsible for retaining the engineer of record in the application for supervision of the construction of this project and upon completion, the engineer shall inspect for complete conformity to the plans and specifications as approved.

2. All concrete coatings/admixtures, liners, grouts, hoses, tubings, and protective paints and coatings shall be listed by the National Sanitation Foundation as acceptable for contact with potable water.

3. Bacteriological points depicted on the plans may be modified with Department consent to meet convenient locations where taps would be inserted in the Main for Fire, Metering, Air Release or other connections but not less than 900 foot intervals for new mains. "Additionally, each part or system module shall be Bacteriologically cleared with 2 consecutive days of sampling before being placed in service as well as the final stream going to storage and subsequent service.

4. The Applicant or his designee shall notify The Department at the local DOH office of the start of the study/construction for purposes of allowing Department Personnel to observe the actual process.

5. The owner or permittee is advised that approval is given to the functional aspects of this project on the basis of representation, and data furnished to this division. There may be County, Municipal or other Local Regulations to be complied with by the owner or permittee prior to construction of the facilities represented by the plans referred to above.

6. This construction permit is issued with the understanding that pipe material and appurtenances used in this installation will be in accordance with the latest applicable AWWA & NSF Standards for public water supplies.

7. The applicant Public Water System as a condition of this permit is hereby advised they shall revert to (2) two-six Month periods of standard monitoring for Lead and Copper upon issuance of Clearance to put the facilities into service. If no Lead or Copper exceedance occurs within the 2-6 Month periods, the System may return to annual monitoring.


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8. Prior to placing a system into service, the applicant shall submit to the Department, if requested, one set of record drawings of the completed project with completed form DEP 62.555.910(9) [Certification of Construction Completion and Request for a Letter of Clearance to Place a Public Drinking water facility into Service] signed by the engineer of record. Drawings are to be at the same scale and in the same sequence as those submitted and approved for permit. Deviations from the original permitted drawings are to be highlighted and/or noted for the Department's review. Include with the DEP form the bacteriological clearance data, pressure test results and backflow inspection certification (if applicable).

Issued this 30<sup>th</sup> day of November 2006

STATE OF FLORIDA  
DEPARTMENT OF HEALTH

  
Samir Elmir, M.S., P.E., DEE,  
Division Director

# **Exhibit II**

**Water Use Permit (WUP) #13-00005-W**



FORM #0299  
Rev. 5/83

**SOUTH FLORIDA WATER MANAGEMENT DISTRICT  
WATER USE PERMIT NO. RE-ISSUE 13-00005-W  
( NON - ASSIGNABLE )**

**Date Issued:** 13-MAR-2008

**Expiration Date:** March 13, 2028

**Authorizing:** THE CONTINUATION OF AN EXISTING USE OF GROUND WATER FROM THE BISCAYNE AQUIFER AND FLORIDAN AQUIFER SYSTEM FOR PUBLIC WATER SUPPLY USE WITH AN ANNUAL ALLOCATION OF 8750.84 MILLION GALLONS.

**Located In:** Miami-Dade County, S26/T57S/R38E

**Issued To:** FLORIDA KEYS AQUEDUCT AUTHORITY FKA  
(FLORIDA KEYS AQUEDUCT AUTHORITY)  
1100 KENNEDY DR  
KEY WEST. FL 33401

This Permit is issued pursuant to Application No.050329-23 , dated March 29, 2005, for the Use of Water as specified above and subject to the Special Conditions set forth below. Permittee agrees to hold and save the South Florida Water Management District and its successors harmless from any and all damages, claims or liabilities which may arise by reason of the construction, maintenance or use of activities authorized by this permit. Said application, including all plan and specifications attached thereto, is by reference made a part hereof.

Upon written notice to the permittee, this permit may be temporarily modified, or restricted under a Declaration of Water Shortage or a Declaration of Emergency due to Water Shortage in accordance with provisions of Chapter 373, Fla. Statutes, and applicable rules and regulations of the South Florida Water Management District.

This Permit may be permanently or temporarily revoked, in whole or in part, for the violation of the conditions of the permit or for the violation of any provision of the Water Resources Act and regulations thereunder.

This Permit does not convey to the permittee any property rights nor any privileges other than those specified herein, nor relieve the permittee from complying with any law, regulation, or requirement affecting the rights of other bodies or agencies.

**Limiting Conditions are as follows:**

SEE PAGES 2 - 7 OF 7 ( 35 LIMITING CONDITIONS).

South Florida Water Management  
District, by its Governing Board

On March 13, 2008  
By [Signature]  
Deputy Clerk

**LIMITING CONDITIONS**

1. This permit shall expire on March 13, 2028.
2. Application for a permit modification may be made at any time.
3. Water use classification:

Public water supply

4. Source classification is:

Ground Water from:  
Biscayne Aquifer  
Floridan Aquifer System

5. Annual allocation shall not exceed 8751 MG.

Maximum monthly allocation shall not exceed 809.0088 MG.

The following limitations to annual withdrawals from specific sources are stipulated:  
Biscayne Aquifer-: 6,492 MG.

6. Pursuant to Rule 40E-1.6105, F.A.C., Notification of Transfer of Interest in Real Property, within 30 days of any transfer of interest or control of the real property at which any permitted facility, system, consumptive use, or activity is located, the permittee must notify the District, in writing, of the transfer giving the name and address of the new owner or person in control and providing a copy of the instrument effectuating the transfer, as set forth in Rule 40E-1.6107, F.A.C.

Pursuant to Rule 40E-1.6107 (4), until transfer is approved by the District, the permittee shall be liable for compliance with the permit. The permittee transferring the permit shall remain liable for all actions that are required as well as all violations of the permit which occurred prior to the transfer of the permit.

Failure to comply with this or any other condition of this permit constitutes a violation and pursuant to Rule 40E-1.609, Suspension, Revocation and Modification of Permits, the District may suspend or revoke the permit.

This Permit is issued to:

Florida Keys Aqueduct Authority  
1100 Kennedy Drive  
Key West, Florida 33401

7. Withdrawal facilities:

Ground Water - Existing:

- 2 - 24" X 60' X 2000 GPM Wells Cased To 35 Feet
- 3 - 24" X 56' X 2000 GPM Wells Cased To 36 Feet
- 1 - 20" X 60' X 2100 GPM Well Cased To 20 Feet
- 2 - 24" X 57' X 2000 GPM Wells Cased To 37 Feet
- 1 - 24" X 60' X 1400 GPM Well Cased To 24 Feet
- 1 - 20" X 1300' X 2000 GPM Well Cased To 880 Feet
- 1 - 24" X 60' X 1400 GPM Well Cased To 20 Feet

Ground Water - Proposed:

4 - 17" X 1300' X 2000 GPM Wells Cased To 880 Feet

8. Permittee shall mitigate interference with existing legal uses that was caused in whole or in part by the permittee's withdrawals, consistent with the approved mitigation plan. As necessary to offset the interference, mitigation will include pumpage reduction, replacement of the impacted individual's equipment, relocation of wells, change in withdrawal source, or other means.  
  
Interference to an existing legal use is defined as an impact that occurs under hydrologic conditions equal to or less severe than a 1 in 10 year drought event that results in the:
  - (1) Inability to withdraw water consistent with provisions of the permit, such as when remedial structural or operational actions not materially authorized by existing permits must be taken to address the interference; or
  - (2) Change in the quality of water pursuant to primary State Drinking Water Standards to the extent that the water can no longer be used for its authorized purpose, or such change is imminent.
9. Permittee shall mitigate harm to existing off-site land uses caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm caused by withdrawals, as determined through reference to the conditions for permit issuance, includes:
  - (1) Significant reduction in water levels on the property to the extent that the designed function of the water body and related surface water management improvements are damaged, not including aesthetic values. The designed function of a water body is identified in the original permit or other governmental authorization issued for the construction of the water body. In cases where a permit was not required, the designed function shall be determined based on the purpose for the original construction of the water body (e.g. fill for construction, mining, drainage canal, etc.)
  - (2) Damage to agriculture, including damage resulting from reduction in soil moisture resulting from consumptive use; or
  - (3) Land collapse or subsidence caused by reduction in water levels associated with consumptive use.
10. Permittee shall mitigate harm to the natural resources caused by the permittee's withdrawals, as determined through reference to the conditions for permit issuance. When harm occurs, or is imminent, the District will require the permittee to modify withdrawal rates or mitigate the harm. Harm, as determined through reference to the conditions for permit issuance includes:
  - (1) Reduction in ground or surface water levels that results in harmful lateral movement of the fresh water/salt water interface,
  - (2) Reduction in water levels that harm the hydroperiod of wetlands,
  - (3) Significant reduction in water levels or hydroperiod in a naturally occurring water body such as a lake or pond,
  - (4) Harmful movement of contaminants in violation of state water quality standards, or
  - (5) Harm to the natural system including damage to habitat for rare or endangered species.
11. If any condition of the permit is violated, the permit shall be subject to review and possible modification, enforcement action, or revocation.

12. Authorized representatives of the District shall be permitted to enter, inspect, and observe the permitted system to determine compliance with special conditions.
13. The Permittee is advised that this permit does not relieve any person from the requirement to obtain all necessary federal, state, local and special district authorizations.
14. The permit does not convey any property right to the Permittee, nor any rights and privileges other than those specified in the Permit and Chapter 40E-2, Florida Administrative Code.
15. Permittee shall submit all data as required by the implementation schedule for each of the limiting conditions to: S.F.W.M.D., Supervising Hydrogeologist - Post-Permit Compliance, Water Use Regulation Dept. (4320), P.O. Box 24680, West Palm Beach, FL 33416-4680.
16. In the event of a declared water shortage, water withdrawal reductions will be ordered by the District in accordance with the Water Shortage Plan, Chapter 40E-21, F.A.C. The Permittee is advised that during a water shortage, pumpage reports shall be submitted as required by Chapter 40E-21, F.A.C.
17. Prior to the use of any proposed water withdrawal facility authorized under this permit, unless otherwise specified, the Permittee shall equip each facility with a District-approved operating water use accounting system and submit a report of calibration to the District, pursuant to Section 4.1, Basis of Review for Water Use Permit Applications.

In addition, the Permittee shall submit a report of recalibration for the water use accounting system for each water withdrawal facility (existing and proposed) authorized under this permit every five years from each previous calibration, continuing at five-year increments.

18. Monthly withdrawals for each withdrawal facility shall be submitted to the District quarterly. The water accounting method and means of calibration shall be stated on each report.
19. The Permittee shall notify the District within 30 days of any change in service area boundary. If the Permittee will not serve a new demand within the service area for which the annual allocation was calculated, the annual allocation may then be subject to modification and reduction.
20. Permittee shall implement the following wellfield operating plan:  
The Biscayne Aquifer wellfield shall be operated according to the restrictions outlined in Limiting Conditions 5, 25, 26, and 27 of this permit. Upon completion and operation of the Reverse Osmosis system, pursuant to the schedule outlined in Limiting Condition 30, the Floridan Aquifer wellfield will be operated to provide the balance of the demands beyond those restrictions.
21. Permittee shall determine unaccounted-for distribution system losses. Losses shall be determined for the entire distribution system on a monthly basis. Permittee shall define the manner in which unaccounted-for losses are calculated. Data collection shall begin within six months of Permit issuance. Loss reporting shall be submitted to the District on a yearly basis from the date of Permit issuance.
22. Permittee shall maintain an accurate flow meter at the intake of the water treatment plant for the purpose of measuring daily inflow of water.
23. The Permittee shall continue to submit monitoring data in accordance with the approved saline water intrusion monitoring program for this project.
24. The Water Conservation Plan required by Section 2.6.1 of the Basis of Review for Water Use Permit Applications within the South Florida Water Management District, must be implemented in accordance with the approved implementation schedule.
25. In addition to the allocation specified in Limiting Condition 5, the permittee may apply a Special Event Peaking Factor Ratio of 1.3:1 to compensate for temporary increased demand during seasonal and Special Events up to a maximum daily withdrawal of 33.57 MG. The source limitations imposed by



Limiting Conditions 5 and 26 apply to the Special Event Peaking Factor Ratio. The permittee must notify the District in writing no less than 24 hours prior to applying this Special Event Peaking Factor Ratio and must specify the proposed duration of the use of the Special Event Peaking Factor Ratio. The use of the Special Event Peaking Factor Ratio shall be noted on the monthly pumpage reports.

26. In addition to the allocations specified in Limiting Conditions 5 and 25, during the dry season (December 1 to April 30), FCAA shall limit their average day withdrawals from the Biscayne Aquifer to 17 MGD, calculated on a monthly basis. The remaining dry season demands shall be provided by the reverse osmosis system. During the remainder of the year from May 1 to November 30, the withdrawals from the Biscayne Aquifer shall be limited to the Base Condition water use for the Biscayne Aquifer of 6,492 MGY, or an average day of 17.79 MGD. Demands in excess of these volumes shall be provided by the Floridan Aquifer System wells and the emergency desalination facilities.
27. Prior to the availability of the Floridan Aquifer reverse osmosis system, dry season demand in excess of the Biscayne Aquifer pumpage limitations specified in Limiting Condition 26 shall be obtained from emergency sources pursuant to Limiting Condition 29.
28. In addition to the monthly reporting required in Limiting Condition 18, and prior to the operation of the Reverse Osmosis system, on the 15th day of each month during and immediately following the dry season extending from December 1 to April 30, FCAA shall file a written report with the District ("mid-month report") evaluating the following: 1) the daily pumpage to date during the last 30 days; and 2) any daily pumpage distribution for the remainder of the dry season as necessary to comply with the 17 MGD Biscayne Aquifer average dry season limitation. Such report shall also identify any remedial actions necessary to ensure compliance that through the remainder of the dry season the applicable Biscayne Aquifer pumpage limitations described above will be met. This report shall replace the other reports required by the Consent Agreement (including the June 15 post-dry season report and the February 15th mid-dry season additional demand report). Such mid-month report shall be evaluated by District staff and revised by the District as necessary to achieve compliance with the above. Upon completion and operation of the Reverse Osmosis system, pursuant to the schedule outlined in Limiting Condition 30, this report requirement shall cease and the monthly Biscayne Aquifer withdrawals shall be reported as required by Limiting Condition 18 of this permit.
29. In order to reduce the potential for violating the 17 MGD Biscayne Aquifer average monthly withdrawal limitation during the dry season, FCAA must to the greatest extent practical utilize the emergency desalination facilities FCAA owns and operates at Stock Island and Marathon, which are potentially capable of treating saline water at rates up to 3.0 MGD. The FCAA shall use these two emergency desalination facilities as an alternative source of water in order to assist in limiting its dry season Biscayne Aquifer withdrawals. The FCAA's ability to use, and extent of use, of these emergency desalination facilities shall be subject to not causing (i) significant adverse affects to FCAA's water treatment or distribution system; or (ii) a violation of any applicable primary or secondary drinking water standards.
30. The permittee shall adhere to the following schedule for the construction and operation of the Floridan Aquifer System reverse osmosis wellfield and treatment facility:  
  
Florida Keys Aqueduct Authority - Schedule for Construction and Operation of Floridan Aquifer Production Well, Floridan Aquifer Reverse Osmosis Treatment Facility, and Demineralized Concentrate Disposal Well  
  
--Reverse osmosis water treatment plant expansion  
Award Contract - September 30, 2007  
Complete Construction - December 31, 2009

--Deep Injection Well

Obtain FDEP Permit - March 31, 2008

Award Contract - 152 days after receiving FDEP Underground Injection Control Permit

Complete Drilling and Testing - 1 year and 30 days after receiving FDEP Underground Injection Control Permit

--Complete reverse osmosis water treatment plant system

Begin and Stabilize Operation - 2 years and 60 days after receiving FDEP Underground Injection Control Permit

31.

In the event that a milestone specified in the alternative water supply schedule and plan contained in Limiting Condition 30 is going to be missed, the permittee shall notify the Executive Director of the District in writing explaining the nature of the delay, actions taken to bring the project back on schedule and an assessment of the impact the delay would have on the rates of withdrawals from the Everglades water bodies and associated canals as defined in District CUP rules. The District will evaluate the situation and take actions as appropriate which could include: a) granting an extension of time to complete the project (if the delay is minor and doesn't affect the Everglades Waterbodies or otherwise violates permit conditions), b) take enforcement actions including consent orders and penalties, c) modify allocations contained in this permit from the Biscayne Aquifer including capping withdrawal rates until the alternative water supply project(s) are completed (in cases where the delay would result in violations of permit conditions) or d) working with the Department of Community Affairs to limit increase demands for water until the alternative water supply project is completed. In addition, Permittee shall make to the District payment of funds as identified below for non-compliance with any timeline for development of the Floridan Aquifer System production and treatment system as provided in Limiting Condition 30, as follows:

A. Reverse Osmosis Plant construction and operation timelines in Limiting Condition 30

-- Award Contract - \$2,000.00 per week

-- Complete Construction - \$2,000.00 per week

B. Floridan Deep Injection Well(s) Construction and Operation

-- Award Contract - \$2,000.00 per week

-- Complete drilling and Testing - \$2,000.00 per week

-- Complete reverse Osmosis Water Treatment Plant System - \$2,000.00 per week

-- Begin and Stabilize Operation - \$2,000.00 per week

32. Prior to any application to renew or modify this permit, the Permittee shall evaluate long term water supply alternatives and submit a long term water supply plan to the District. Within one year of permit issuance, the Permittee shall submit to the District an outline of the proposed plan. The assessment should include consideration of saline intrusion, wellfield protection, plans for compliance with applicable wellfield protection ordinances, expected frequencies and plans to cope with water shortages or well field failures, and conservation measures to reduce overall stresses on the aquifer.
33. For uses with an annual allocation greater than 10 MGD and a permit duration of 20 years, every five years from the date of permit issuance, the permittee shall submit a water use compliance report for review and approval by District Staff, which addresses the following:

1. The results of a water conservation audit that documents the efficiency of water use on the project site using data produced from an onsite evaluation conducted. In the event that the audit indicates additional water conservation is appropriate or the per capita use rate authorized in the permit is exceeded, the permittee shall propose and implement specific actions to reduce the water use to acceptable levels within timeframes proposed by the permittee and approved by the District.
2. A comparison of the permitted allocation and the allocation that would apply to the project based on current District allocation rules and updated population and per capita use rates. In the event the permit allocation is greater than the allocation provided for under District rule, the permittee shall apply for a letter modification to reduce the allocation consistent with District rules and the updated population and per capita use rates to the extent they are considered by the District to be indicative of long term trends in the population and per capita use rates over the permit duration. In the event that the permit allocation is less than allowable under District rule, the permittee shall apply for a modification of the permit to increase the allocation if the permittee intends to utilize an additional allocation, or modify its operation to comply with the existing conditions of the permit.
34. If at any time there is an indication that the well casing, valves, or controls leak or have become inoperative, repairs or replacement shall be made to restore the system to an operating condition. Failure to make such repairs shall be cause for filling and abandoning the well, in accordance with procedures outlined in Chapters 40E-3 and 40E-30, Florida Administrative Code.
35. It has been determined that this project relies, in part, on the waters from the Central and Southern Florida Project, and as such is considered to be an indirect withdrawal from an MFL water body under recovery (Everglades). The 2005-2006 Lower East Coast Water Supply Plan Update (February, 2007), which is the recovery plan for the Everglades, incorporates a series of water resource development projects and operational changes that are to be completed over the duration of the permit and beyond. If the recovery plan is modified and it is determined that this project is inconsistent with the approved recovery plan, the permittee shall be required to modify the permit consistent with the provisions of Chapter 373, Florida Statutes.

# **Exhibit III**

## **September 3, 2010 Wastewater Memo**

## Mehdi Benkhatar

---

**To:** Jay Gewin  
**Subject:** RE: Wastewater Capacity for the City of Key West

---

**From:** Jay Gewin [mailto:jgewin@keywestcity.com]  
**Sent:** Friday, September 03, 2010 8:27 AM  
**To:** Mehdi Benkhatar  
**Cc:** Owen Trepanier  
**Subject:** RE: Wastewater Capacity for the City of Key West

The City of Key West transports its wastewater to its state of the art wastewater treatment facility located on Fleming Key. The facility is permitted to treat 10 million gallons per day (mgd), and currently the average daily influent flow is 4.8 mgd. This average daily flow can go much higher during heavy rain and flood events, up to the capacity of the plant a few times during the year.

The Wastewater Treatment Plant is of course, the final destination for wastewater after it passes through the City's collection system. The capacity of the collection system varies at different locations on the island, as the wastewater passes through a series of lift stations on its way to the Treatment Plant.

*Jay Gewin  
Utilities Manager  
City of Key West  
305-809-3902*

---

**From:** Mehdi Benkhatar [mailto:mehdi@owentrepanier.com]  
**Sent:** Thursday, September 02, 2010 4:17 PM  
**To:** Jay Gewin  
**Cc:** Owen Trepanier  
**Subject:** Wastewater Capacity for the City of Key West

Good afternoon Jay,

The City is asking Trepanier & Associates for information regarding the Key West's wastewater capacity. Would you be able to provide me a short memo similar to the one below explaining the current wastewater capacity situation?

Thanks very much,

***Mehdi Benkhatar***  
***Planner/Development Specialist***  
***Trepanier & Associates, Inc.***  
***305-293-8983***

---

**From:** Jay Gewin [mailto:jgewin@keywestcity.com]  
**Sent:** Monday, January 25, 2010 4:53 PM  
**To:** Mehdi Benkhatar  
**Cc:** Owen Trepanier  
**Subject:** RE: Solid Waste Capacity for the City of Key West

# **Exhibit IV**

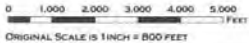
## **Map of the City of Key West's Existing Recreation Services**

# The City of Key West's Recreation Facilities



**LEGEND**

-  Tennis Courts
-  Racquetball/Handball Courts
-  Basketball Courts
-  Softball/Baseball Diamond
-  Swimming Pool
-  Golf Courses
-  Boat Ramps
-  Football/Soccer Fields
-  Bocce Courts



# **Exhibit V**

**January, 2010 Solid Waste Memo**



## Mehdi Benkhatar

---

**Subject:** FW: Solid Waste Capacity for the City of Key West

---

**From:** Jay Gewin [mailto:jgewin@keywestcity.com]  
**Sent:** Monday, January 25, 2010 4:53 PM  
**To:** Mehdi Benkhatar  
**Cc:** Owen Trepanier  
**Subject:** RE: Solid Waste Capacity for the City of Key West

The City of Key West ships its solid waste to one of two waste-to-energy facilities on the mainland, that are shared by other municipalities. Those facilities are capable of receiving 2,500 tons per day, and currently they are only receiving about 70% of that capacity. Our contractor, Waste Management, has informed us that we are in no danger of surpassing our capacity.

Primarily due to ROGO limitations, lack of buildable space, and economic factors; the population of Key West has stayed flat in recent years compared to the rest of Florida. Therefore we have not had to plan for continued growth in solid waste as other high-growth areas of Florida had in better economic times. We currently are generating approximately 45,000 tons of solid waste per year. In better economic times, that figure was closer to 50,000 or slightly higher. In the future, the City plans on increasing its rate of recycling which should lessen the amount of solid waste generated. Our recyclables are shipped to a single-stream recycle facility also located on the mainland.

*Jay Gewin  
Utilities Manager  
City of Key West  
305-809-3902*

# Verification

City of Key West  
Planning Department



Verification Form

(Where Authorized Representative is an entity)

I, Owen Trepanier, in my capacity as President  
*(print name)* *(print position; president, managing member)*

of Trepanier & Associates, Inc.  
*(print name of entity serving as Authorized Representative)*

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:

533 Eaton Street  
*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.

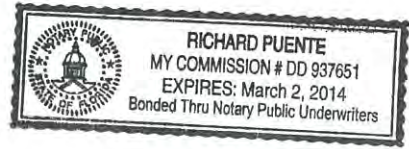
[Signature], President - Trepanier & Associates, Inc.  
*Signature of Authorized Representative*

Subscribed and sworn to (or affirmed) before me on this Jan 2, 2014 by  
*date*  
Trepanier & Associates, Inc.  
*Name of Authorized Representative*

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

[Signature]  
*Notary's Signature and Seal*

Richard Puente  
*Name of Acknowledger typed, printed or stamped*



DD 937651  
*Commission Number, if any*

# **Authorization**

City of Key West  
Planning Department



Authorization Form  
(Where Owner is a Business Entity)

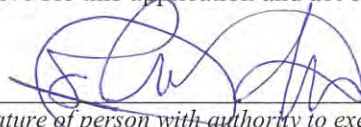
Please complete this form if someone other than the owner is representing the property owner in this matter.

I, JOHN E. DODDS as  
*Please Print Name of person with authority to execute documents on behalf of entity*

EXECUTIVE DIRECTOR of THE STUDIOS OF KEY WEST  
*Name of office (President, Managing Member) Name of owner from deed*

authorize Trepanier and Associates, INC.  
*Please Print Name of Representative*

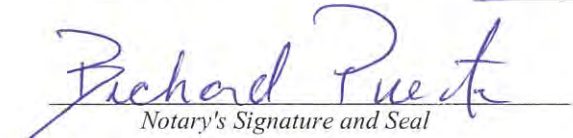
to be the representative for this application and act on my/our behalf before the City of Key West.

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

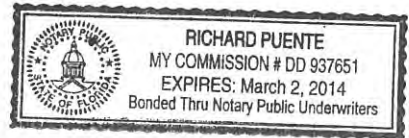
Subscribed and sworn to (or affirmed) before me on this Jan 2, 2014 by  
*date*

\_\_\_\_\_  
*Name of Authorized Representative*

He/She is personally known to me or has presented FL DR LIC D320-465-68-366-0 as identification.

  
*Notary's Signature and Seal*

Richard Puente  
*Name of Acknowledger typed, printed or stamped*



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

## Detail by Entity Name

### Florida Non Profit Corporation

THE STUDIOS OF KEY WEST, INC.

### Filing Information

<b>Document Number</b>	N06000006886
<b>FEI/EIN Number</b>	205116495
<b>Date Filed</b>	06/26/2006
<b>State</b>	FL
<b>Status</b>	ACTIVE
<b>Last Event</b>	CANCEL ADM DISS/REV
<b>Event Date Filed</b>	10/06/2009
<b>Event Effective Date</b>	NONE

### Principal Address

600 WHITE STREET  
KEY WEST, FL 33040

Changed: 01/17/2007

### Mailing Address

600 WHITE STREET  
KEY WEST, FL 33040

Changed: 01/17/2007

### Registered Agent Name & Address

DODDS, JED  
600 WHITE STREET  
KEY WEST, FL 33040

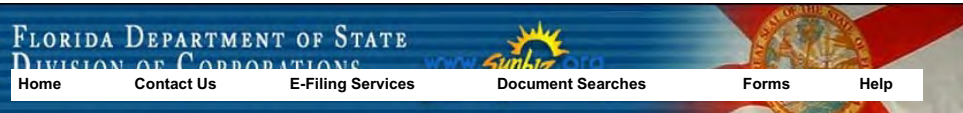
Name Changed: 06/11/2013

### Officer/Director Detail

#### **Name & Address**

Title ST

MCMANNIS, SANDRA



## Detail by Entity Name

### Florida Profit Corporation

OWEN TREPANIER & ASSOCIATES, INC.

### Filing Information

**Document Number** P04000126065  
**FEI/EIN Number** 432060722  
**Date Filed** 08/30/2004  
**State** FL  
**Status** ACTIVE

### Principal Address

402 APPELROUTH LANE  
 KEY WEST, FL 33040

Changed: 04/29/2010

### Mailing Address

P.O. BOX 2155  
 KEY WEST, FL 33045

Changed: 04/27/2005

### Registered Agent Name & Address

PUENTE, RICHARD MR.  
 1024 THOMAS STREET  
 KEY WEST, FL 33040

Name Changed: 04/23/2012

Address Changed: 04/29/2010

### Officer/Director Detail

#### **Name & Address**

Title PRES

TREPANIER, OWEN JMR.  
 1024 THOMAS STREET  
 KEY WEST, FL 33040

Title VP

PUENTE, RICHARD MR.  
 1024 THOMAS STREET  
 KEY WEST, FL 33040

### Annual Reports

Report Year	Filed Date
2011	04/27/2011
2012	04/23/2012
2013	04/29/2013

### Document Images

<a href="#">04/29/2013 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/23/2012 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/27/2011 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/29/2010 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/28/2009 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/29/2008 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/26/2007 -- ANNUAL REPORT</a>	View image in PDF format
<a href="#">04/27/2006 -- ANNUAL REPORT</a>	View image in PDF format

## Title T

TROXEL, FRED  
P.O BOX 430180  
BIG PINE KEY, FL 33043

## Title VP

SHELBY, KERRY  
1611 VON PHISTER STREET  
KEY WEST, FL 33040

## Title P

WARE, ROSI  
1400 OLIVIA STREET  
KEY WEST, FL 33040

**Annual Reports**

<b>Report Year</b>	<b>Filed Date</b>
2011	01/26/2011
2012	02/08/2012
2013	04/21/2013

**Document Images**[04/21/2013 -- ANNUAL REPORT](#)[View image in PDF format](#)[02/08/2012 -- ANNUAL REPORT](#)[View image in PDF format](#)[01/26/2011 -- ANNUAL REPORT](#)[View image in PDF format](#)[01/07/2010 -- ANNUAL REPORT](#)[View image in PDF format](#)[10/06/2009 -- REINSTATEMENT](#)[View image in PDF format](#)[02/11/2008 -- ANNUAL REPORT](#)[View image in PDF format](#)[01/17/2007 -- ANNUAL REPORT](#)[View image in PDF format](#)[06/26/2006 -- Domestic Non-Profit](#)[View image in PDF format](#)



**Deed**

Prepared by and return to:  
Gregory D. Davila, Esq.  
Law Office of Gregory D. Davila, P.A.  
1111 12th Street Suite 310  
Key West, FL 33040

Doc# 1956079 10/31/2013 4:14PM  
Filed & Recorded in Official Records of  
MONROE COUNTY AMY HEAVILIN

File Number: 13-00595

10/31/2013 4:14PM  
DEED DOC STAMP CL: Krys \$15,400.00

Consideration: \$2,200,000.00

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 31st day of October, 2013 between **Scottish Rite Temple Association of Key West, Florida, Inc., a Florida non-profit corporation** whose post office address is **PO Box 1247, Key West, FL 33041**, grantor, and **The Studios of Key West, Inc., a Florida non-profit corporation** whose post office address is **600 White Street, Key West, FL 33040**, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in **Monroe County, Florida** to-wit:

**That certain parcel of land lying and being in the County of Monroe and the State of Florida. more particularly described as follows:**

**On the Island of Key West and known on William A. Whitehead's map of said Island delineated in February A.D. 1829. as a part of lot One (1) in Square Twenty-Four (24). commencing at the corner of Simonton and Eaton Streets and running thence along Eaton Street in a southwesterly direction Ninety-six (96) feet thence at right angles in a Northwesterly direction Fifty (50) feet; thence at right angles in a Northeasterly direction Ninety-Six(96) feet to Simonton Street; thence at right angles in a Southeasterly direction and along Simonton Street Fifty (50) feet to the place of beginning.**

**and**

**COMMENCING at the Northwest corner of Simonton and Eaton Streets, run in a Northwesterly direction along the Westerly right of way line of Simonton Street for a distance of Fifty (50) feet to a Point of Beginning; thence continue in a Northwesterly direction along said Westerly right of way line of Simonton Street for a distance of Eight (8) feet; thence at right angles in a Southwesterly direction for a distance of Fifty (50) feet; thence at right angles in a Southeasterly direction for a distance of Eight (8) feet; thence at right angles in a Northeasterly direction for a distance of Fifty (50) feet back to the Point of Beginning.**

**Parcel Identification Number: 00004130-000000**

**Subject to taxes for 2013 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.**

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2012**.

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

Signed, sealed and delivered in our presence:

Scottish Rite Temple Association of Key West, Florida, Inc.,  
a Florida non-profit corporation

By: Michael Maribona  
Michael Maribona, Director

Gregory D. Davila  
Witness Name: Gregory D. Davila

Charles Whatts  
Witness Name: Charles Whatts

(Corporate Seal)

State of Florida  
County of Monroe

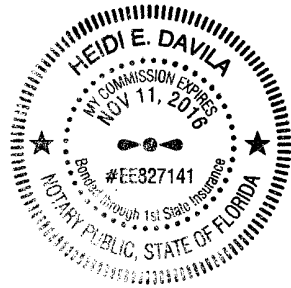
The foregoing instrument was subscribed, sworn to and acknowledged before me this ~~31st~~<sup>30th</sup> day of October, 2013 by Michael Maribona, Director of Scottish Rite Temple Association of Key West, Florida, Inc., a Florida non-profit corporation, on behalf of the corporation. He/she  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]

Heidi E. Davila  
Notary Public

Printed Name: HEIDI E. DAVILA

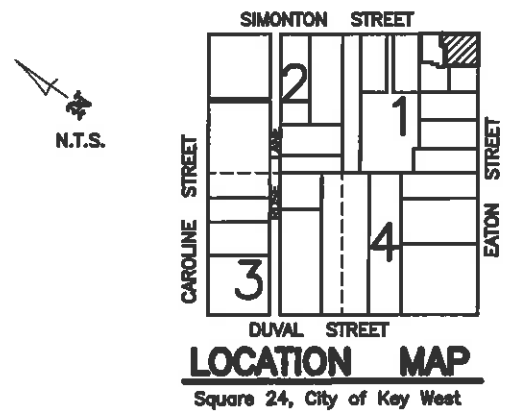
My Commission Expires: Nov 11, 2016



Doc# 1956079  
Bk# 2656 Pg# 2006

MONROE COUNTY  
OFFICIAL RECORDS

# Survey



**LEGAL DESCRIPTION:**

Parcel "A", O.R G-4, Page 189  
 On the Island of Key West, and known on William A. Whitehead's map of said Island, delineated in February, A.D. 1829 as a part of Lot One (1), in Square Twenty-four (24), Commencing at the corner of Simonton and Eaton Streets, and running thence along Eaton Street in a Southwesterly direction Ninety-six (96) feet; thence at right angles in a Northwesterly direction Fifty (50) feet; thence at right angles in a Northeasterly direction Ninety-six (96) feet to Simonton Street; thence at right angles in a Southeasterly direction and along Simonton Street Fifty (50) feet to the place of beginning.

**AND**

Parcel "B", O.R 831, Page 2487  
 On the Island of Key West, Florida, and known on William A. Whitehead's map, delineated in February, A.D. 1829 as a part of Lot One (1), in Square Twenty-four (24), and more particularly described by metes and bounds as follows:  
 Commencing at the Northwest corner of Simonton and Eaton Streets run in a Northwesterly direction along the Westerly right of way of Simonton Street for a distance of Fifty (50) feet to a point of Beginning; thence continue in a Northwesterly direction along the Westerly right of way line of Simonton Street for a distance of Eight (8) feet; thence at right angles in a Southwesterly direction for a distance of Fifty (50) feet; thence at right angles in a Southeasterly direction for a distance of Eight (8) feet; thence at right angles in a Northeasterly direction for a distance of Fifty (50) feet back to the point of Beginning.

**SURVEYOR'S NOTES:**

North arrow based on assumed median  
 Reference bearing, R/W Simonton Street  
 3.4 denotes existing elevation  
 Elevations based on N.G.V.D. 1929 Datum  
 Bench Mark No.: Basic Elevation: 14.324

**Monumentation:**

- ⊙ = set 1/2" Iron Pipe, P.L.S. No. 2749
- = Found 1/2" Iron Bar, P.L.S. No. 1587
- ▲ = Found P.K. Nail, P.L.S. No. 2749
- △ = Set P.K. Nail, P.L.S. No. 2749

**Abbreviations:**

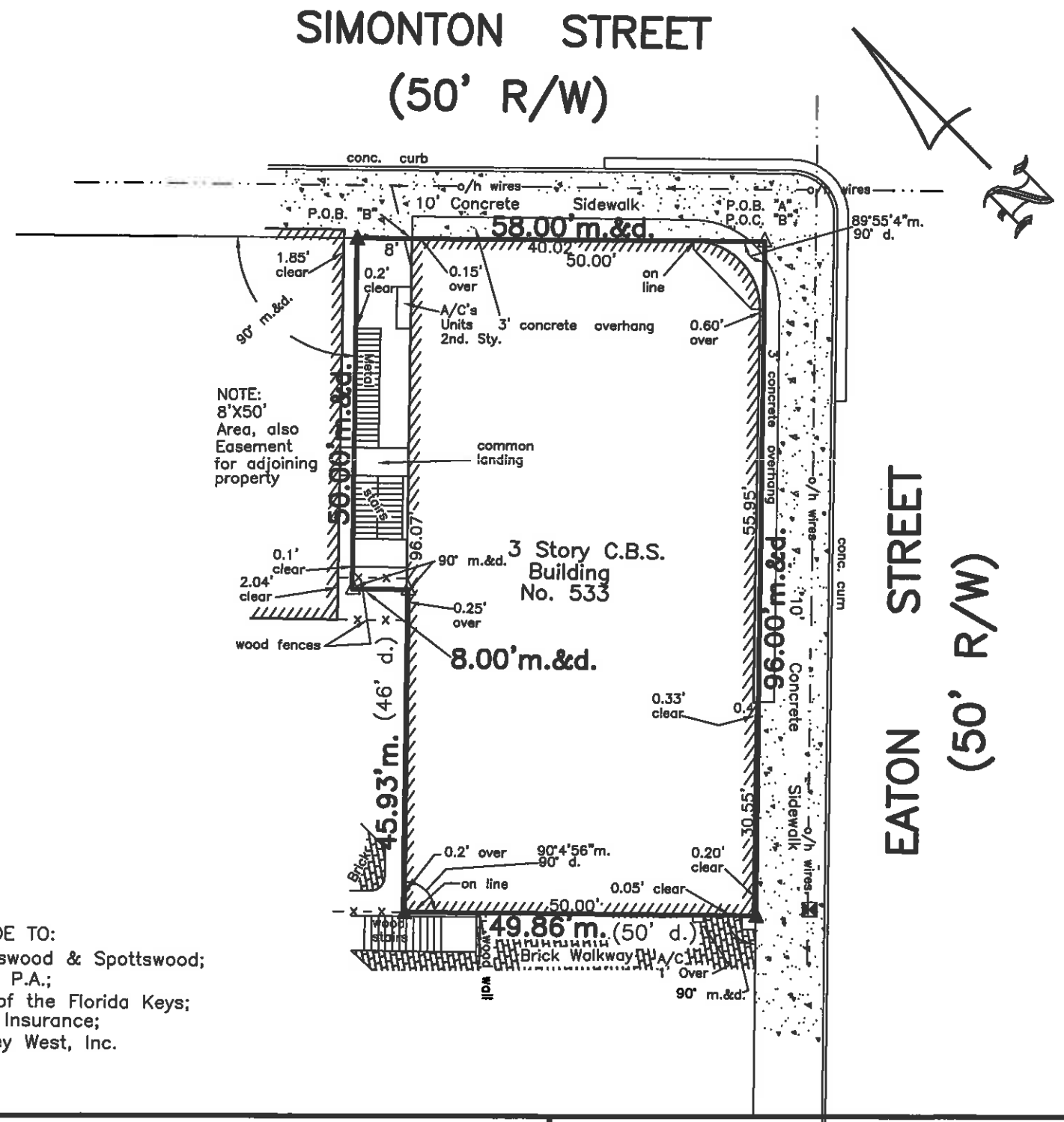
- |                    |                       |                                  |
|--------------------|-----------------------|----------------------------------|
| Sty. = Story       | N.T.S. = Not to Scale | P.O.C. = Point of Commence       |
| R/W = Right-of-Way | ⊕ = Centerline        | P.O.B. = Point of Beginning      |
| fd. = Found        | Elev. = Elevation     | Bal. = Balcony                   |
| p. = Plat          | B.M. = Bench Mark     | C.B.S. = Concrete Block Stucco   |
| m. = Measured      | conc. = concrete      | cov'd. = Covered                 |
| o/h = Overhead     | I.P. = Iron Pipe      | F.F.L. = Finish Floor Elevation  |
| wd. = Wood         | I.B. = Iron Bar       | Field Work performed on: 4/15/13 |
|                    | A/C = Air Conditioner |                                  |

**CERTIFICATION:**

I HEREBY CERTIFY that the attached BOUNDARY SURVEY is true and correct to the best of my knowledge and belief; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 5J-17, Florida Statute Section 472.027, and the American land Title Association, and that there are no visible encroachments unless shown hereon.

FREDERICK H. HILDEBRANDT  
 Professional Land Surveyor & Mapper No. 2749  
 Professional Engineer No. 36810  
 State of Florida

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE



**CERTIFICATION MADE TO:**  
 Spottswood, Spottswood & Spottswood;  
 Gregory D. Davlia, P.A.;  
 First State Bank of the Florida Keys;  
 Old Republic Title Insurance;  
 The Studios of Key West, Inc.

The Studios of Key West, Inc. 533 Eaton Street, Key West, Fl. 33040			
BOUNDARY SURVEY		Dwn No.: 13-203	
Scale: 1"=20'	Ref. 210-70	Flood panel No. 1516 K	Dwn. By: F.H.H.
Date: 4/24/13		Flood Zone: X	Flood Elev. —
REVISIONS AND/OR ADDITIONS			
10/17/13: Corrected certs., survey not updated			
f/datafred/dwa/keywest/block 24/533 Eaton			

**ISLAND SURVEYING INC.**  
 ENGINEERS PLANNERS SURVEYORS

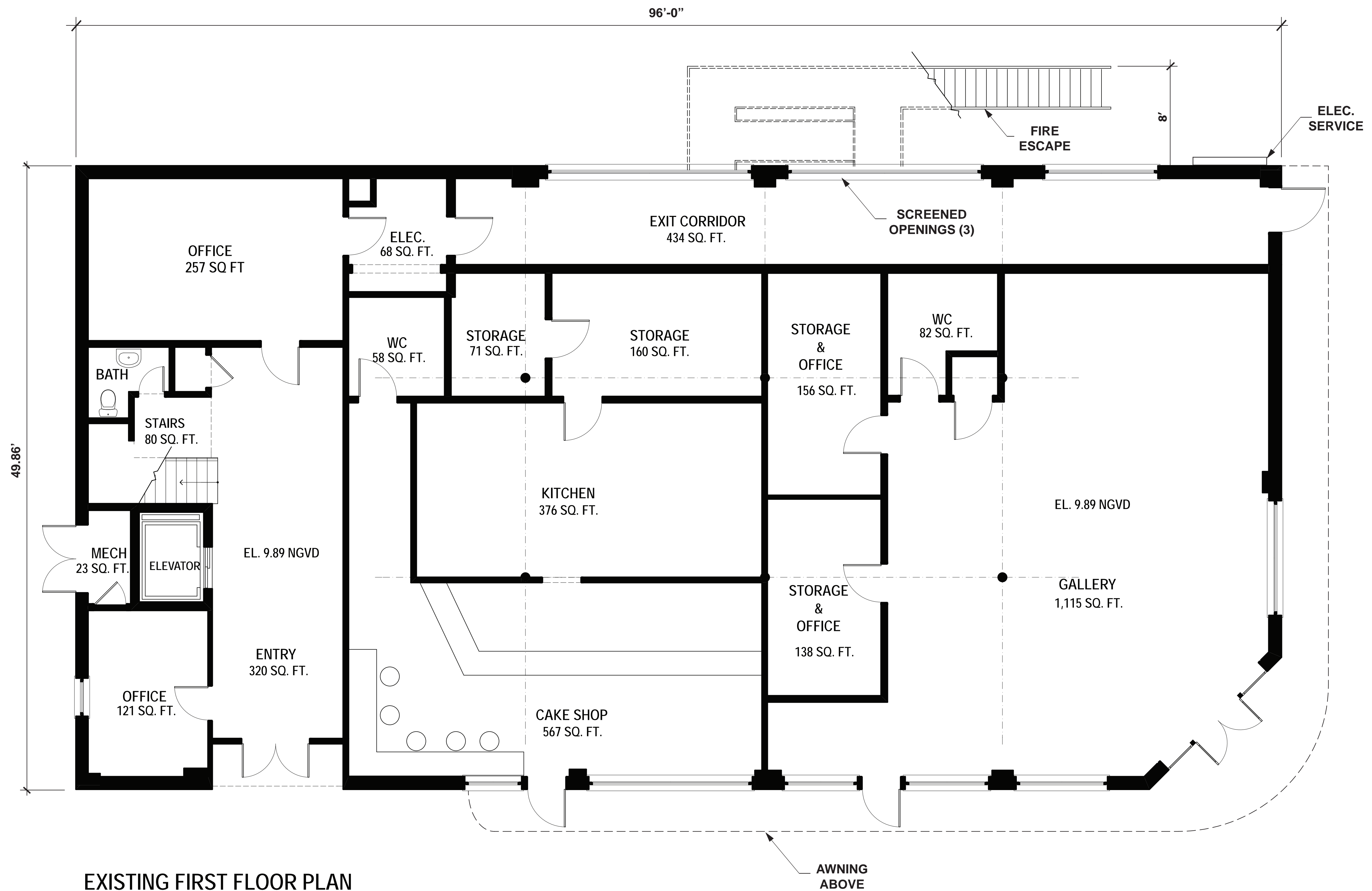
3152 Northside Drive  
 Suite 201  
 Key West, Fl. 33040

(305) 293-0466  
 Fax. (305) 293-0237  
 fhildeb1@bellsouth.net  
 L.B. No. 7700

# Site Plans







**EXISTING FIRST FLOOR PLAN**  
SCALE 1/4" = 1'-0"

4, 638 GROSS SQUARE FEET

NOTE: ROOM AREAS ARE NET SF.

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**THE STUDIOS  
OF KEY WEST**

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DATE: 12 / 30 / 13

SCALE: AS NOTED

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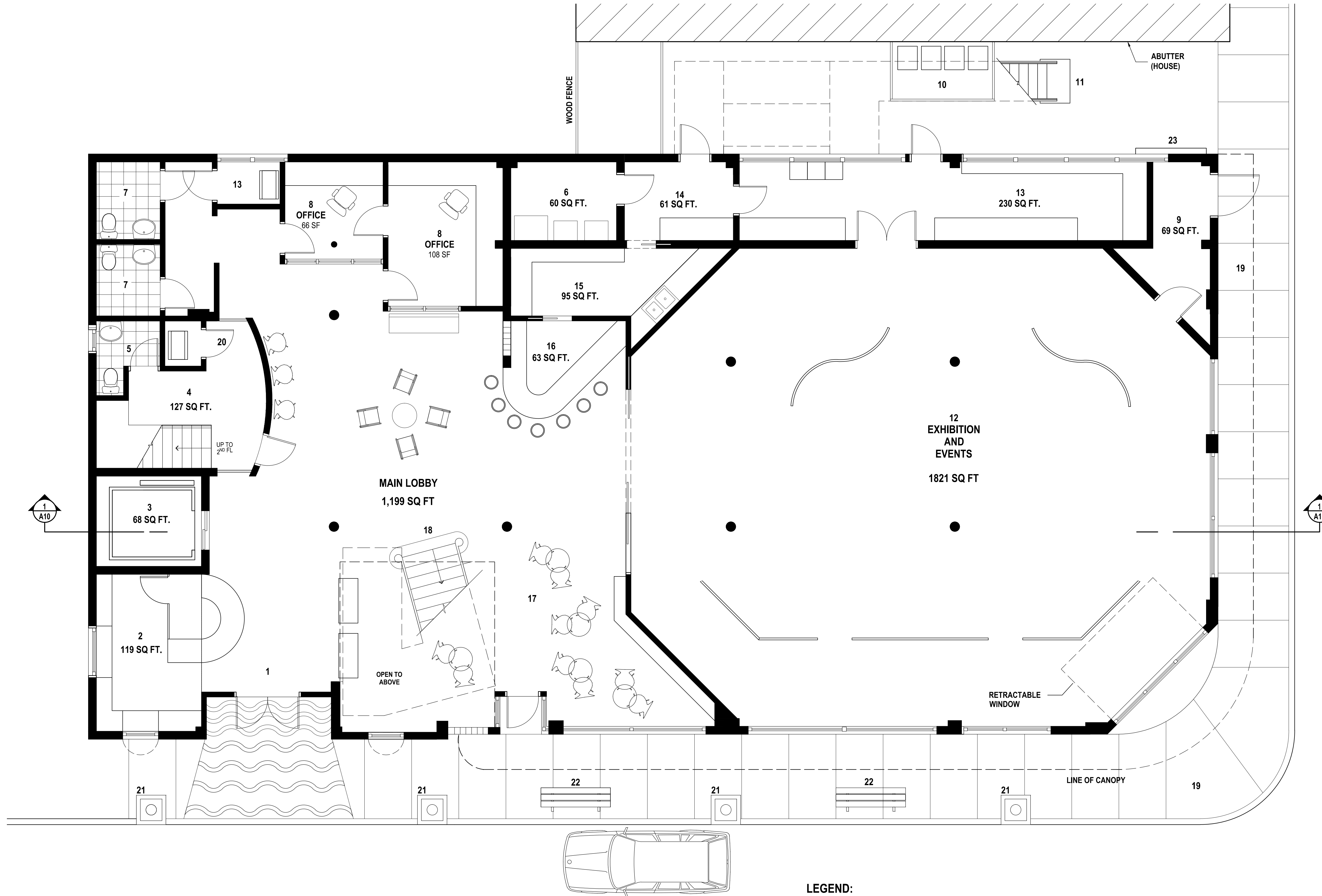
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PROJECT NO: 1306

**EXISTING FIRST  
FLOOR PLAN**

**EX1**





**FIRST FLOOR PLAN**  
SCALE 1/4" = 1'-0"

4,638 GROSS SQUARE FEET

**LEGEND:**

- |                                  |                     |                          |                          |                    |
|----------------------------------|---------------------|--------------------------|--------------------------|--------------------|
| 1 ENTRANCE                       | 6 ELECTRICAL CLOSET | 11 FIRE ESCAPE (UP)      | 15 CATERING KITCHEN      | 20 JANITORS CLOSET |
| 2 RECEPTION BOX OFFICE AND GIFTS | 7 BATHROOMS         | 12 EXHIBITION AND EVENTS | 16 BAR                   | 21 PLANTER         |
| 3 ELEVATOR                       | 8 OFFICE            | 13 STORAGE               | 17 BAR SEATING           | 22 BENCHES         |
| 4 EGRESS STAIR                   | 9 FIRE EXIT         | 14 OFFICE                | 18 STAIR TO 2ND FL LOBBY | 23 ELEC SERVICES   |
| 5 BATHROOM                       | 10 TRASH BINS       |                          | 19 SIDEWALK              |                    |

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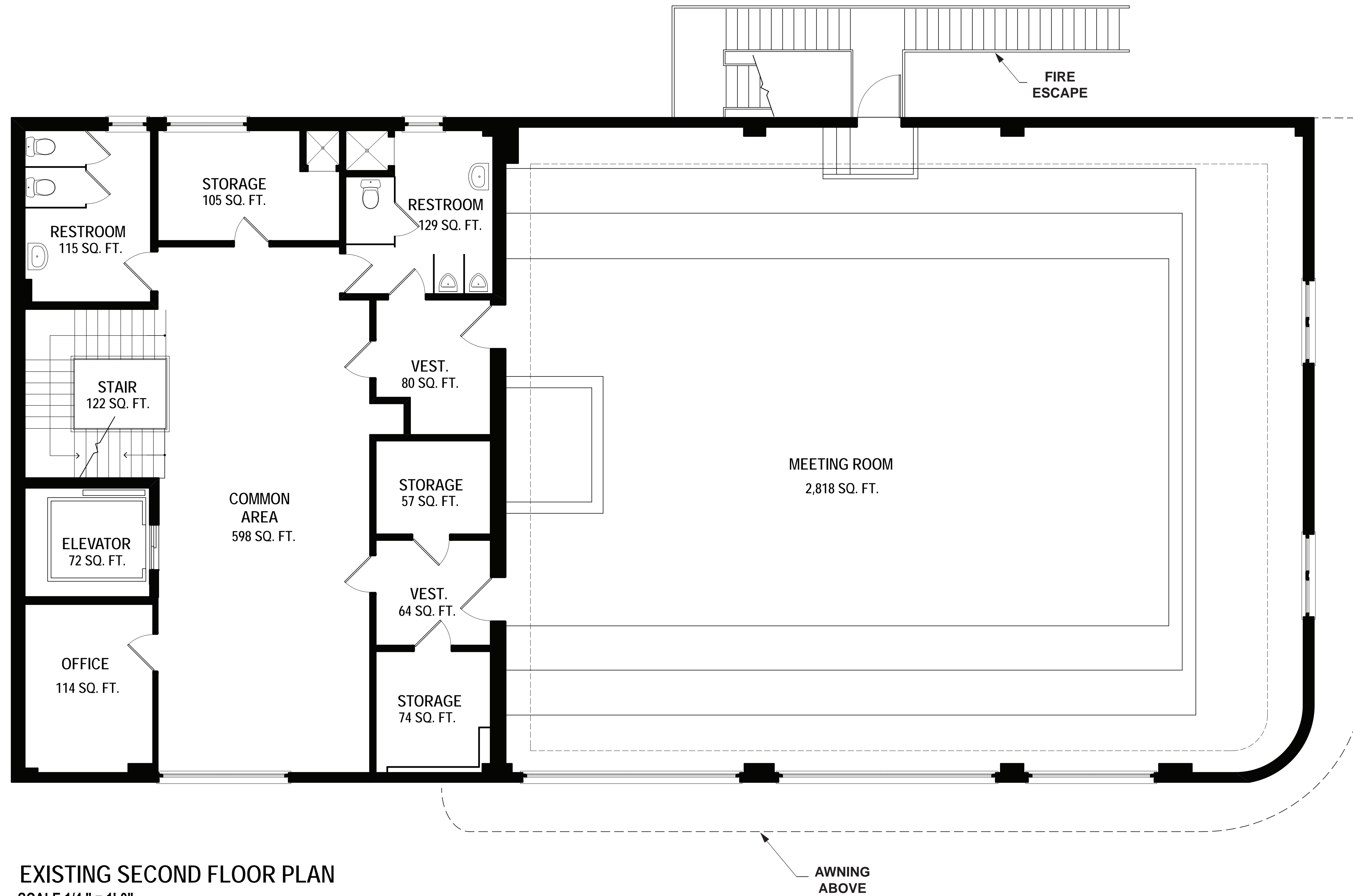
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**PROPOSED FIRST FLOOR PLAN**

**A1**



**EXISTING SECOND FLOOR PLAN**  
SCALE 1/4" = 1'-0"

4, 713 GROSS SQUARE FEET

NOTE: ROOM AREAS ARE NET SF.

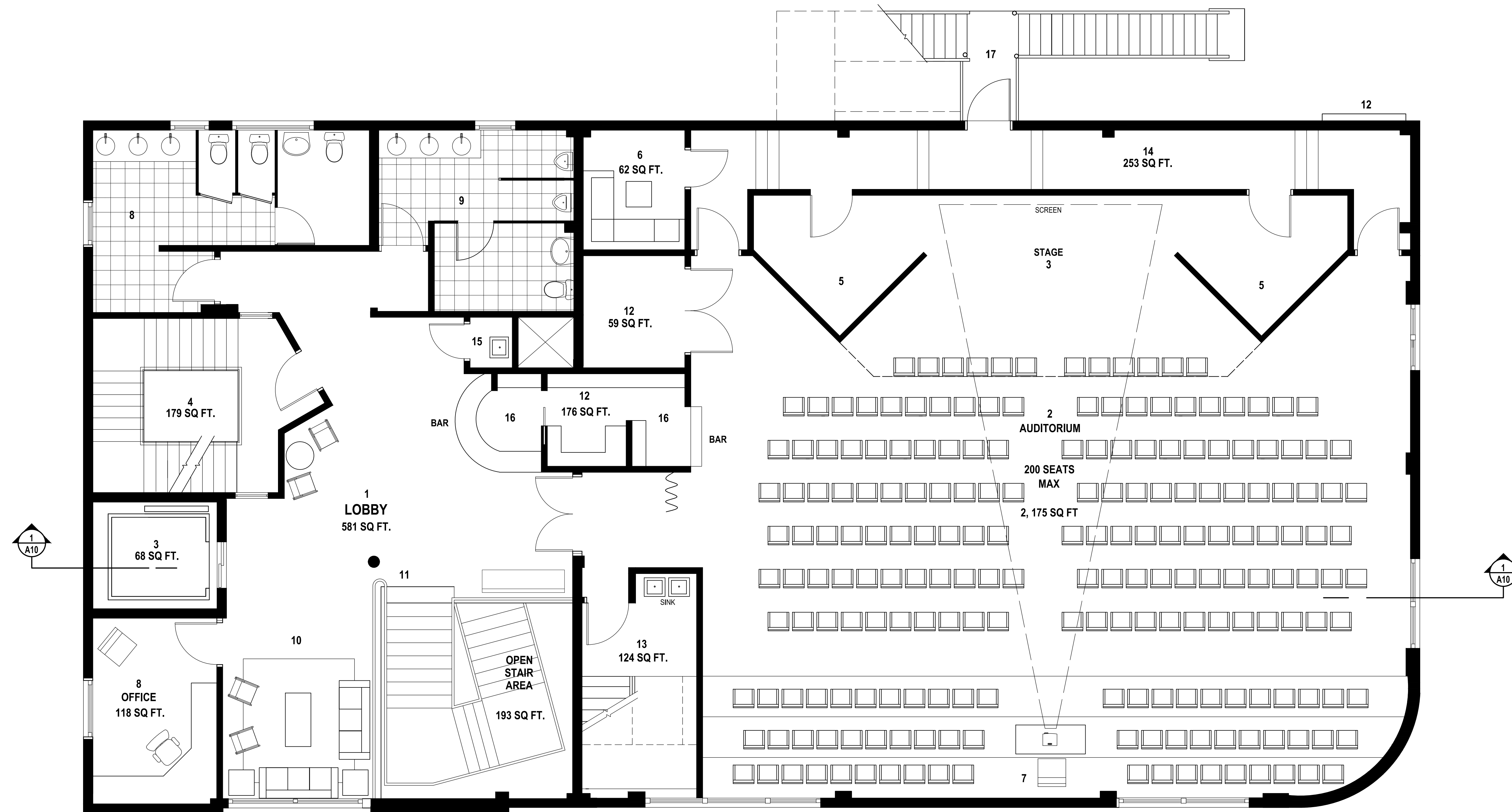
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**EXISTING SECOND  
FLOOR PLAN**

**EX2**

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**SECOND FLOOR PLAN**  
SCALE 1/4" = 1'-0"

4,713 GROSS SQUARE FEET

**LEGEND:**

- |                |                    |  |                    |
|----------------|--------------------|--|--------------------|
| 1 LOBBY        | 7 CONTROL PANEL    | 11 STAIR TO FIRST FLOOR LOBBY            | 14 EGRESS CORRIDOR |
| 2 AUDITORIUM   | 8 WOMEN'S BATHROOM | 12 STORAGE BAR                           | 15 JANITORS CLOSET |
| 3 STAGE        | 9 MEN'S BATHROOM   | 13 SINKS AND ACCESS TO MEZZANINE STORAGE | 16 BAR             |
| 4 EGRESS STAIR | 10 LOUNGE SEATING  |  | 17 FIRE ESCAPE     |
| 5 SIDE STAGE   |                    |  |                    |
| 6 GREEN ROOM   |                    |  |                    |

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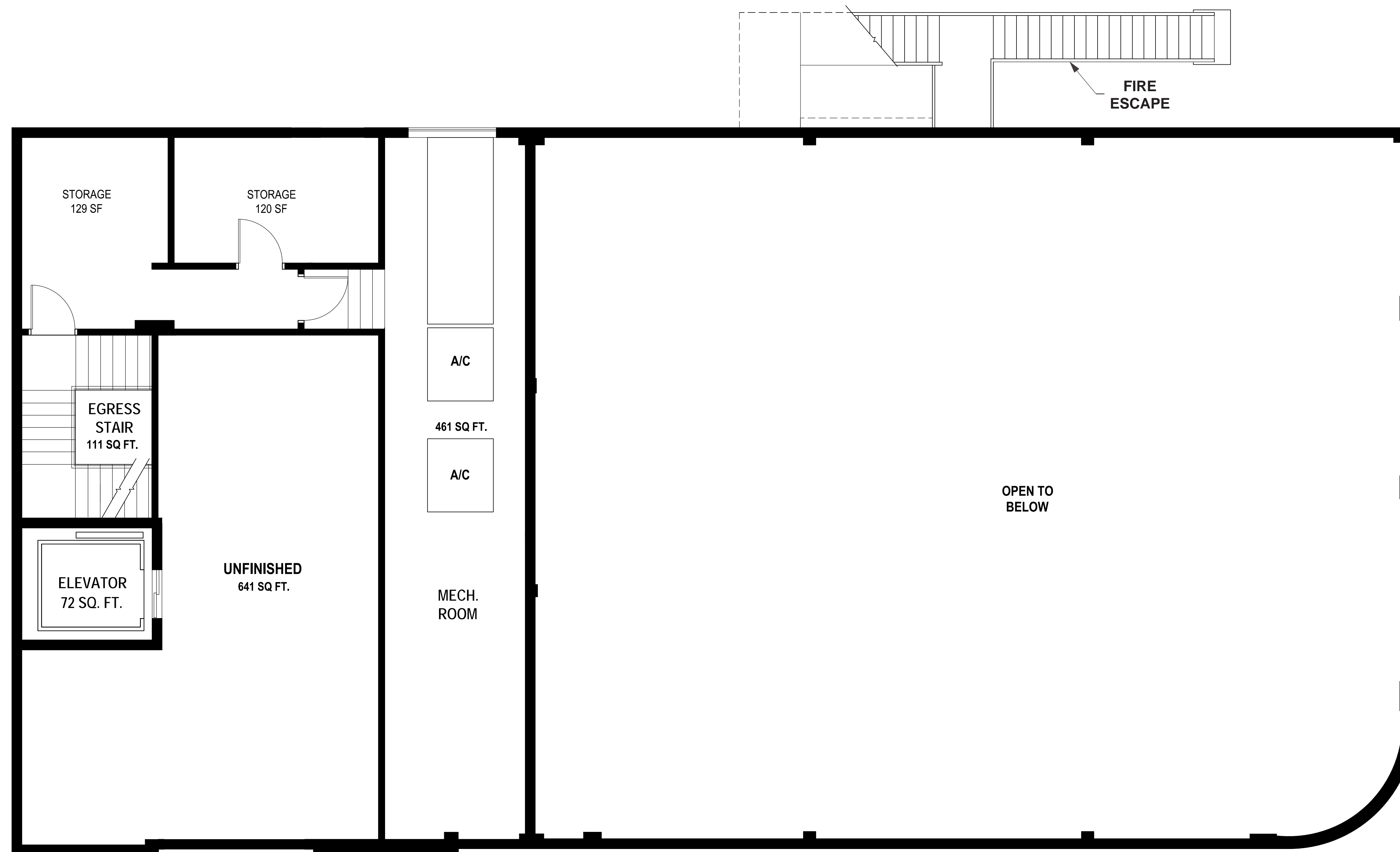
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**PROPOSED SECOND  
FLOOR PLAN**

**A2**



**EXISTING SECOND FLOOR MEZZANINE PLAN**

SCALE 1/4" = 1'-0"

1, 772 GROSS SQUARE FEET

NOTE: ROOM AREAS ARE NET SF.

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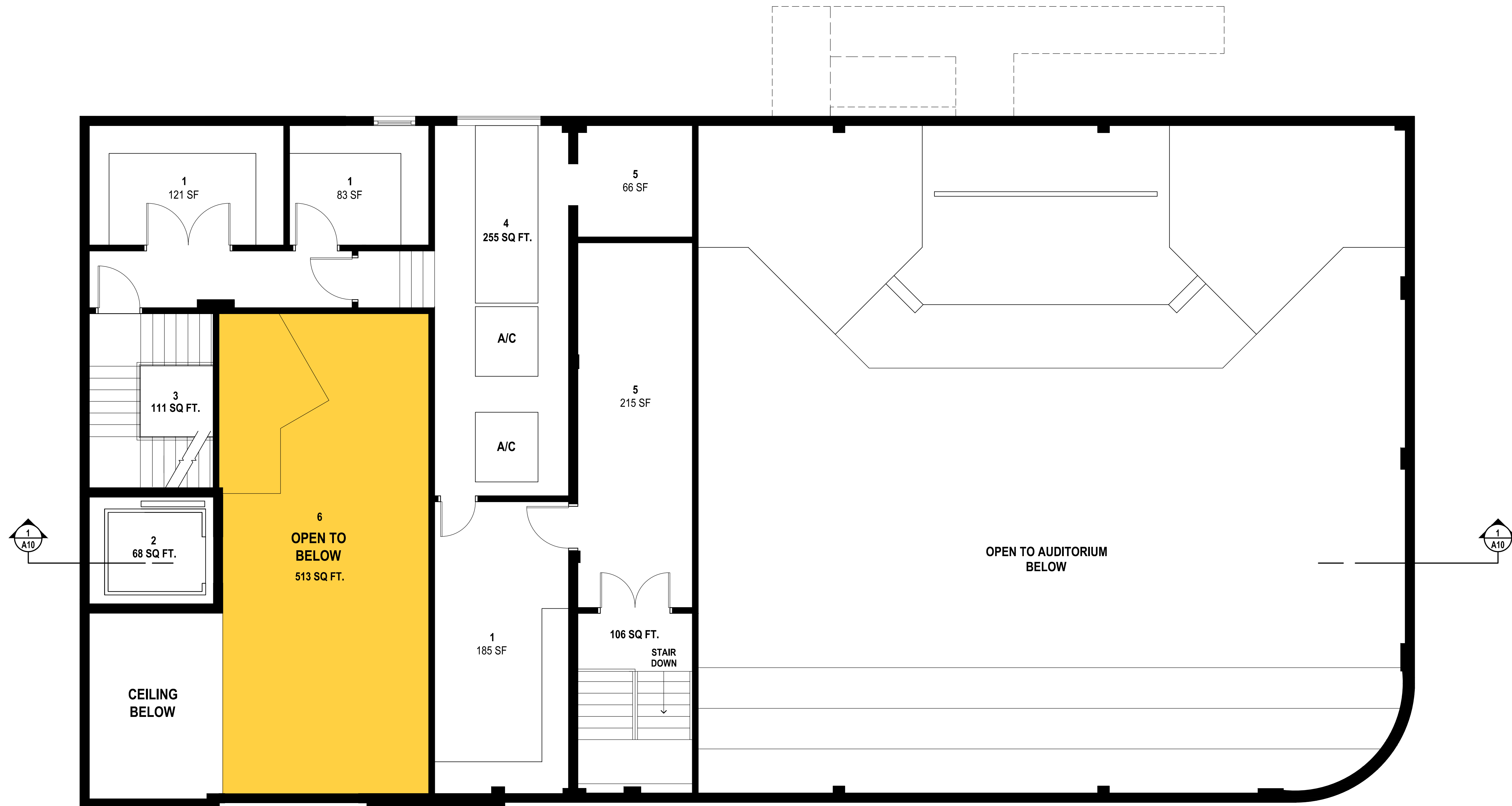
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**EXISTING  
SECOND FLOOR  
MEZZANINE PLAN**

**EX3**



**SECOND FLOOR MEZZANINE PLAN**  
SCALE 1/4" = 1'-0"

2,195 GROSS SQUARE FEET

513 SQ FT ADDED TO FLOOR AREA

**LEGEND:**

- 1 STORAGE
- 2 ELEVATOR
- 3 EGRESS STAIR
- 4 MECHANICAL ROOM
- 5 UNFINISHED STORAGE/MECH ATTIC (CLEAR HEIGHT = 6'-8")

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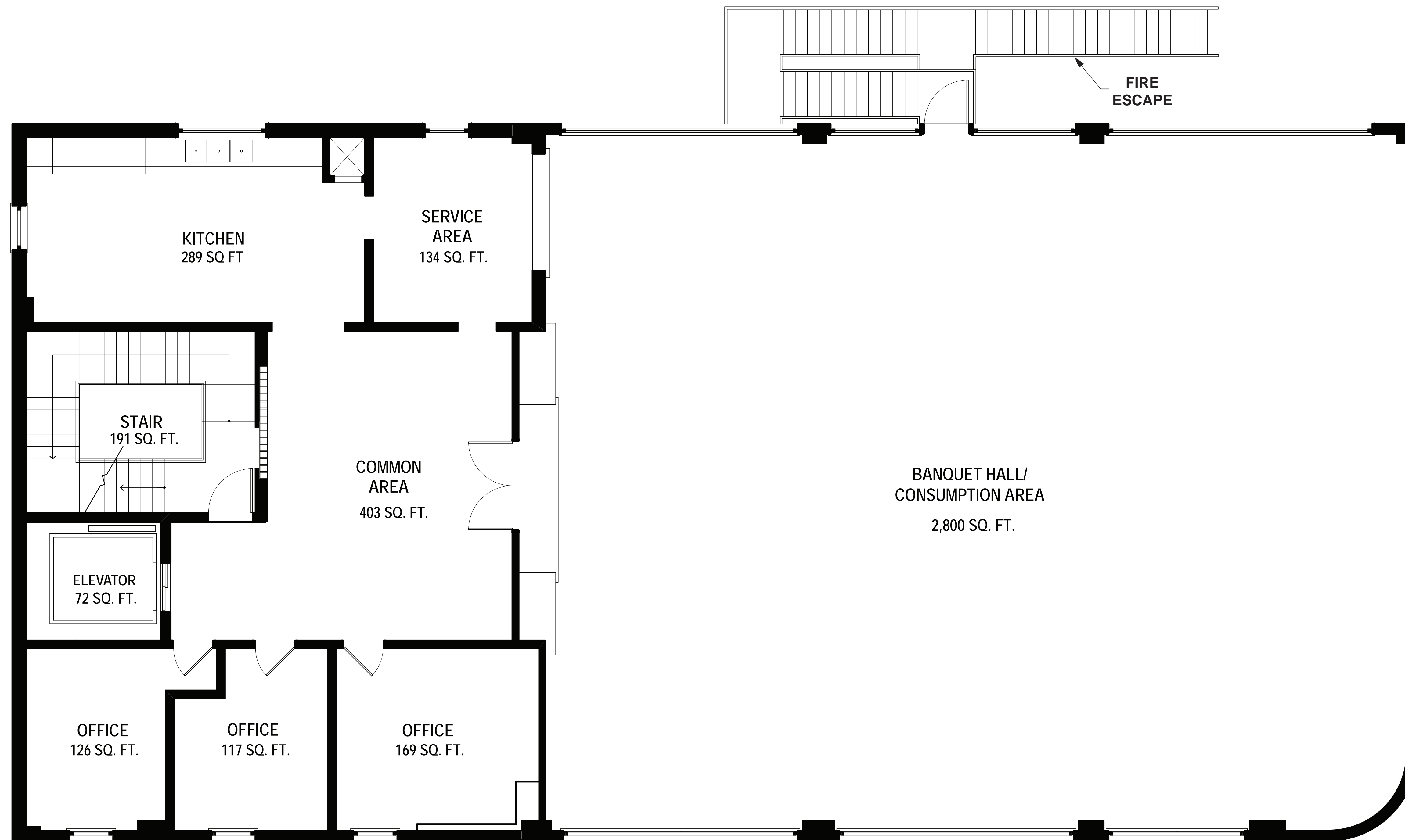
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**SECOND FLOOR  
MEZZANINE PLAN**

**A3**



**EXISTING THIRD FLOOR PLAN**  
 SCALE 1/4" = 1'-0"

4, 713 GROSS SQUARE FEET

NOTE: ROOM AREAS ARE NET SF.

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**EXISTING THIRD  
 FLOOR PLAN**

**EX4**





**THIRD FLOOR PLAN**  
SCALE 1/4" = 1'-0"

4,713 GROSS SQUARE FEET

**LEGEND:**

- |                  |                           |                      |                     |
|------------------|---------------------------|----------------------|---------------------|
| 1 LOUNGE         | 6 WOMEN'S BATHROOM        | 10 STUDIO CLASSROOM  | 14 FIRE ESCAPE      |
| 2 KITCHENETTE    | 7 MEETING ROOM            | 11 CORRIDOR/ GALLERY | 15 JANITOR'S CLOSET |
| 3 ELEVATOR       | 8 OFFICE                  | 12 GALLERY           |                     |
| 4 EGRESS STAIR   | 9 CLASSROOM AND MEDIA LAB | 13 STUDIO STORAGE    |                     |
| 5 MEN'S BATHROOM |                           |                      |                     |

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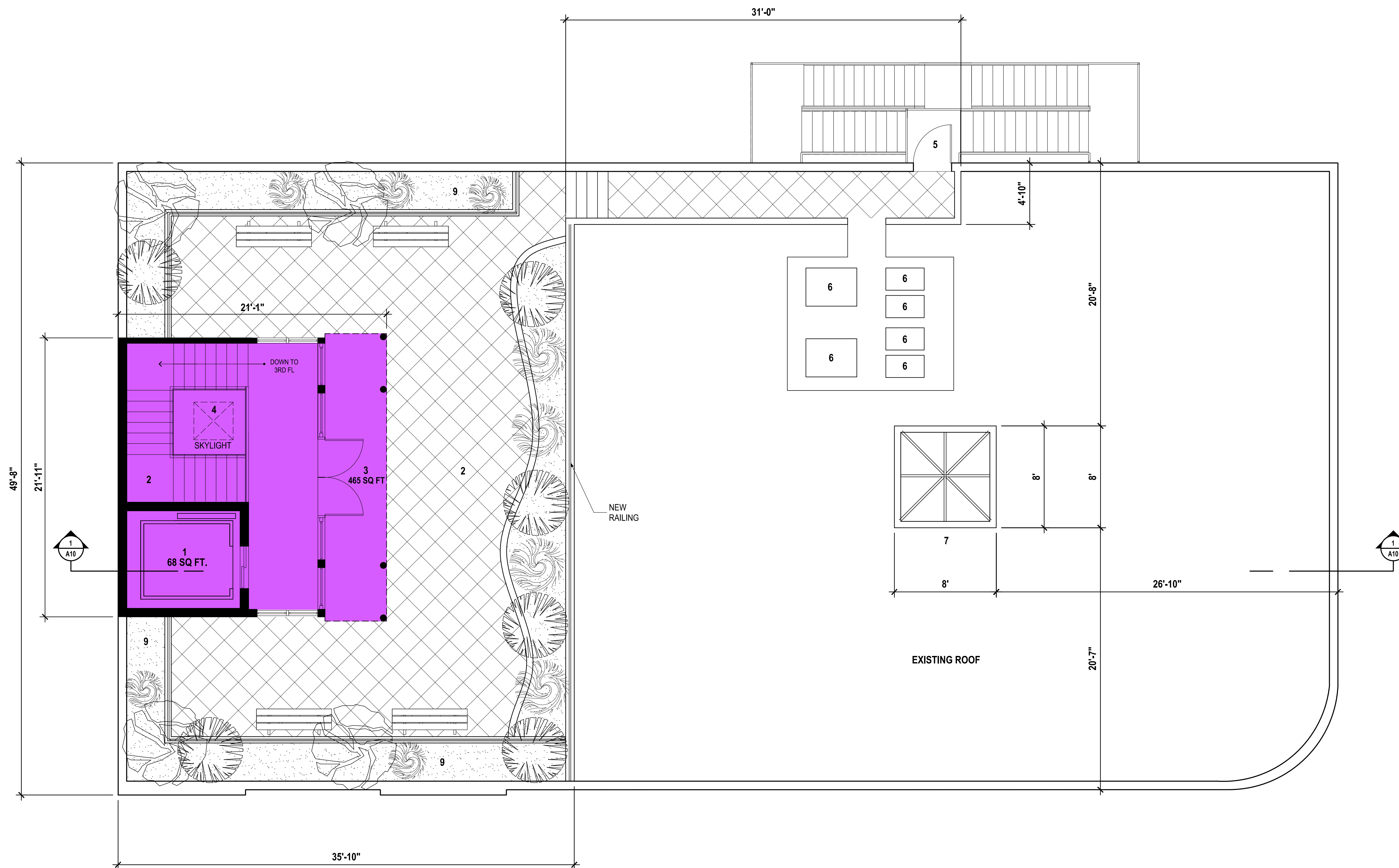
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**PROPOSED THIRD  
FLOOR PLAN**

**A4**



**ROOF GARDEN FLOOR PLAN**  
SCALE 1/4" = 1'-0"

465 GROSS SQUARE FEET

465 SQ FT ADDED TO FLOOR AREA

**LEGEND:**

- 1 ELEVATOR
- 2 TERRACE
- 3 PORCH
- 4 EGRESS STAIR
- 5 FIRE ESCAPE

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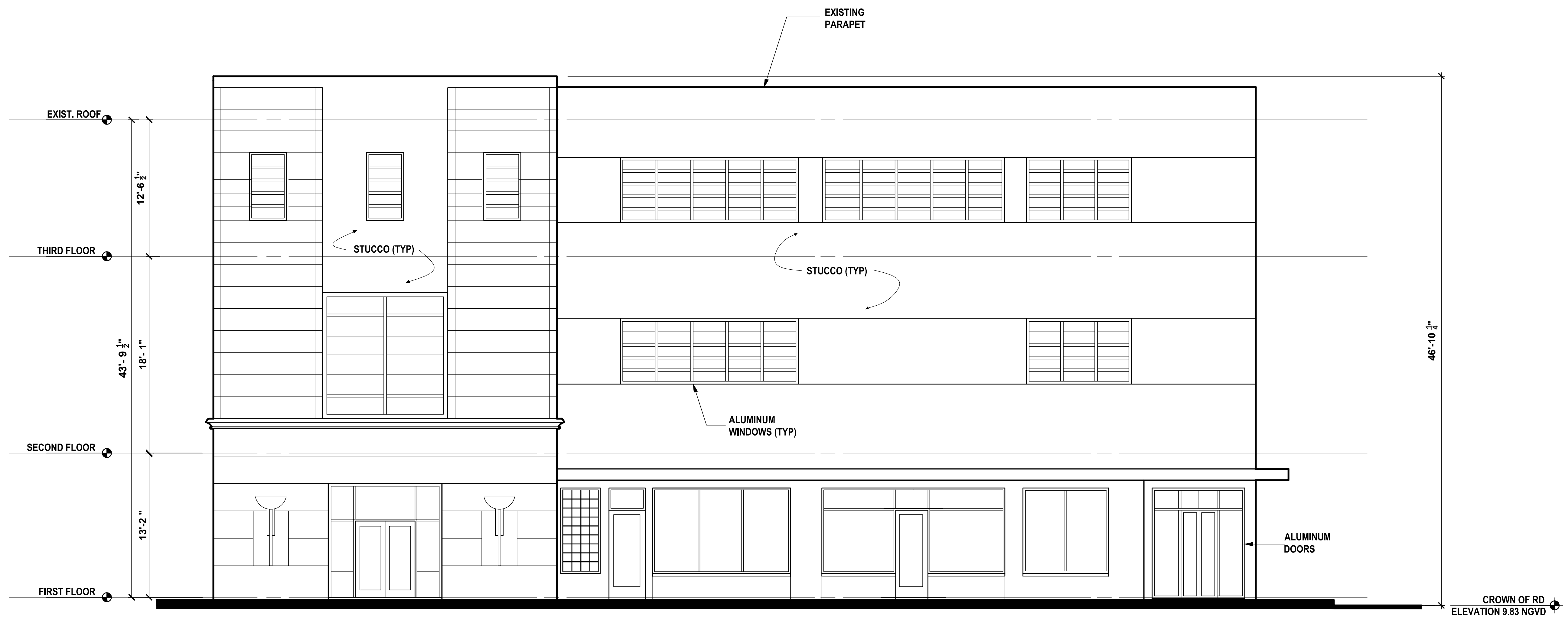
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**PROPOSED  
ROOF GARDEN  
FLOOR PLAN**

**A5**





**EXISTING SOUTH ELEVATION**  
 SCALE 3/16" = 1'-0"

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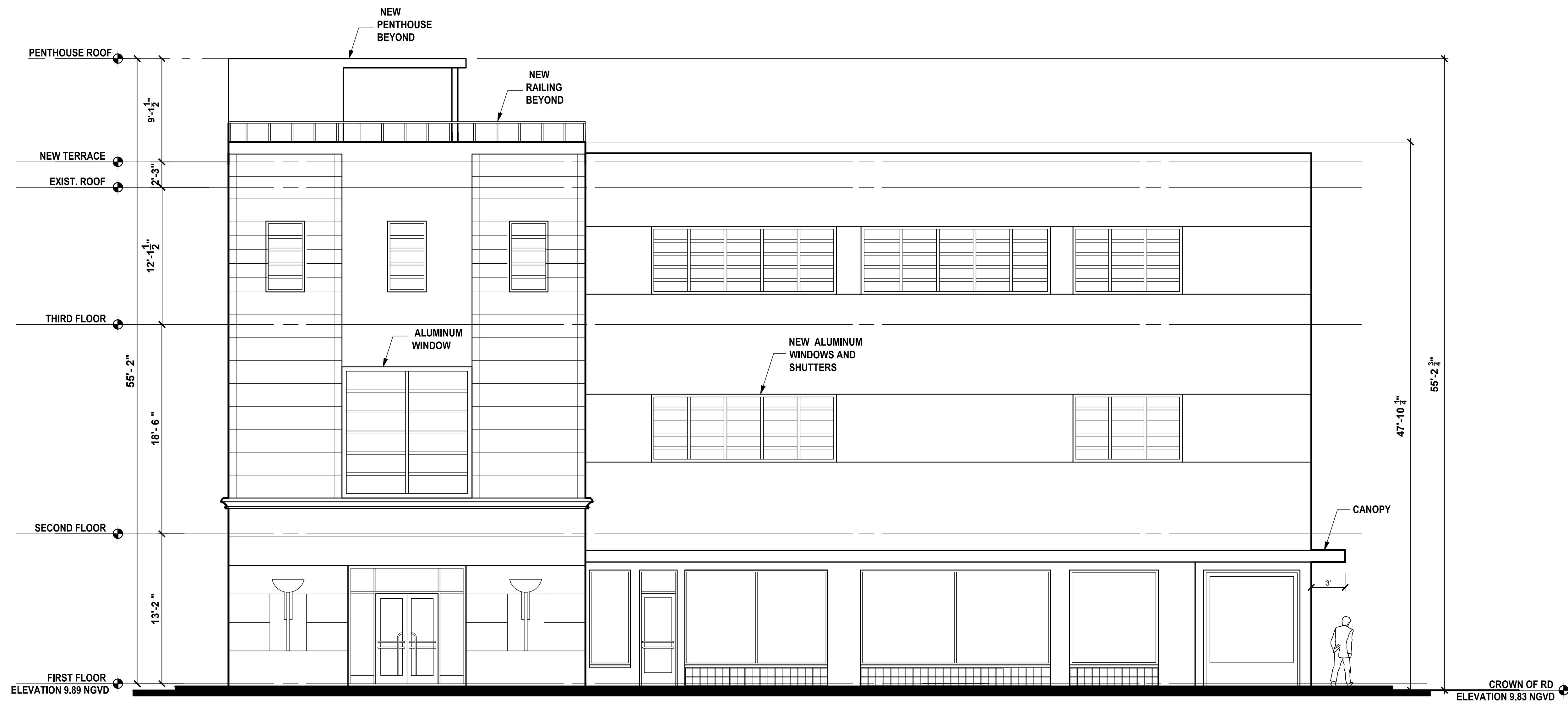
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**EXISTING SOUTH  
 ELEVATION**

**EX5**

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**SOUTH ELEVATION**  
SCALE 3/16" = 1'-0"

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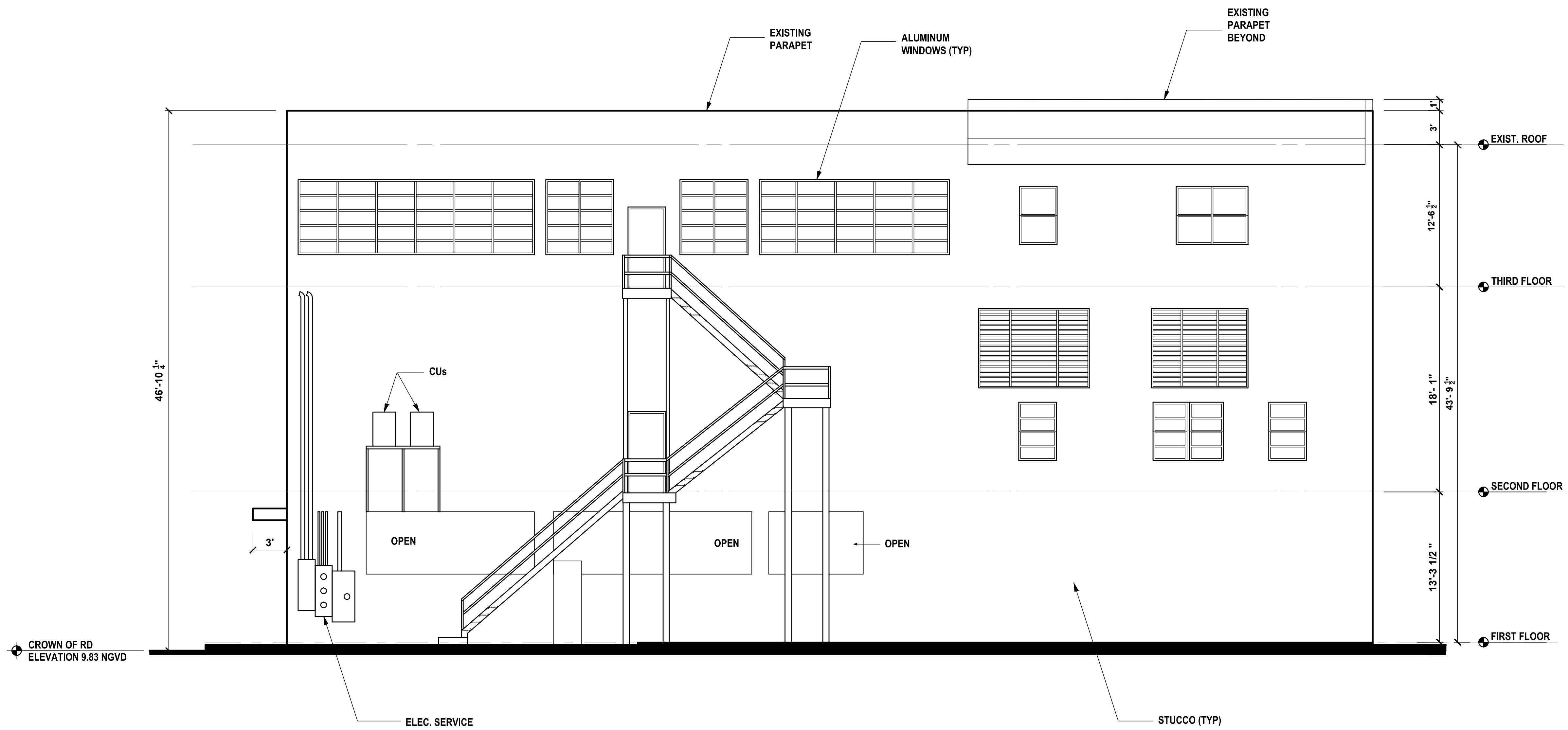
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**PROPOSED SOUTH  
ELEVATION**

**A6**



**EXISTING NORTH ELEVATION**  
SCALE 3/16" = 1'-0"

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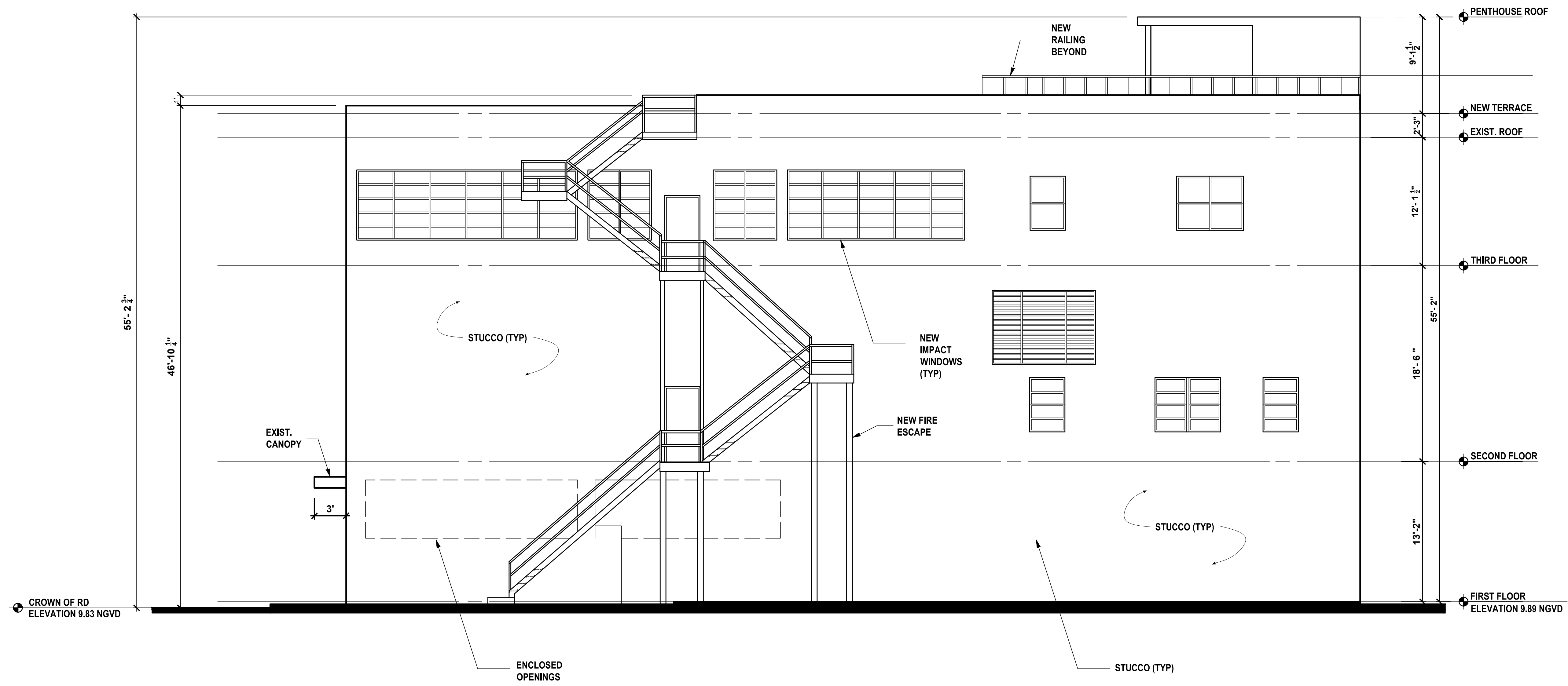
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**EXISTING NORTH  
ELEVATION**

**EX6**



**NORTH ELEVATION**  
SCALE 3/16" = 1'-0"

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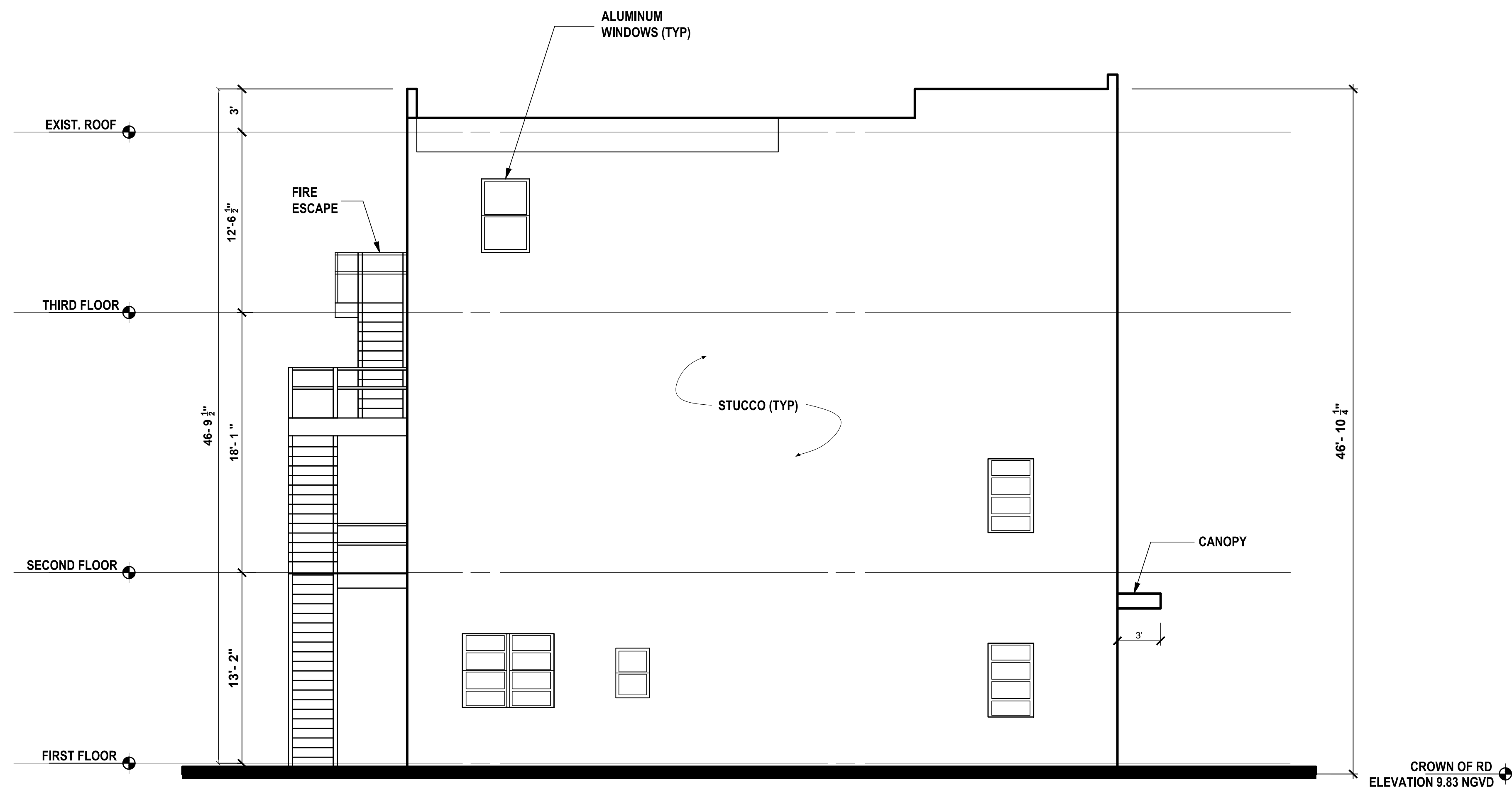
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**PROPOSED NORTH  
ELEVATION**

**A7**

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**EXISTING WEST ELEVATION**  
SCALE 3/16" = 1'-0"

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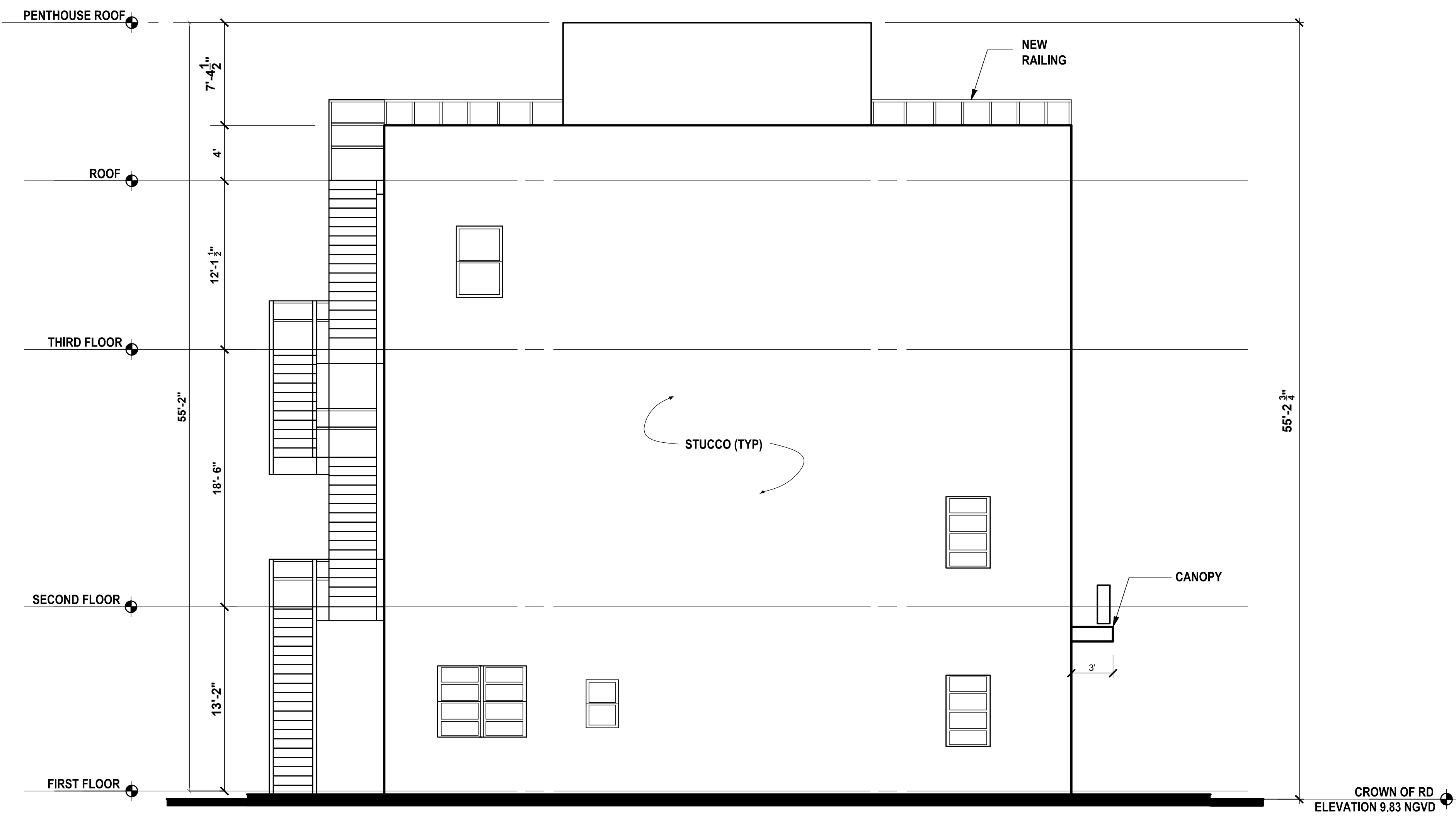
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**EXISTING WEST  
ELEVATION**

**EX8**



**WEST ELEVATION**  
 SCALE 3/16" = 1'-0"

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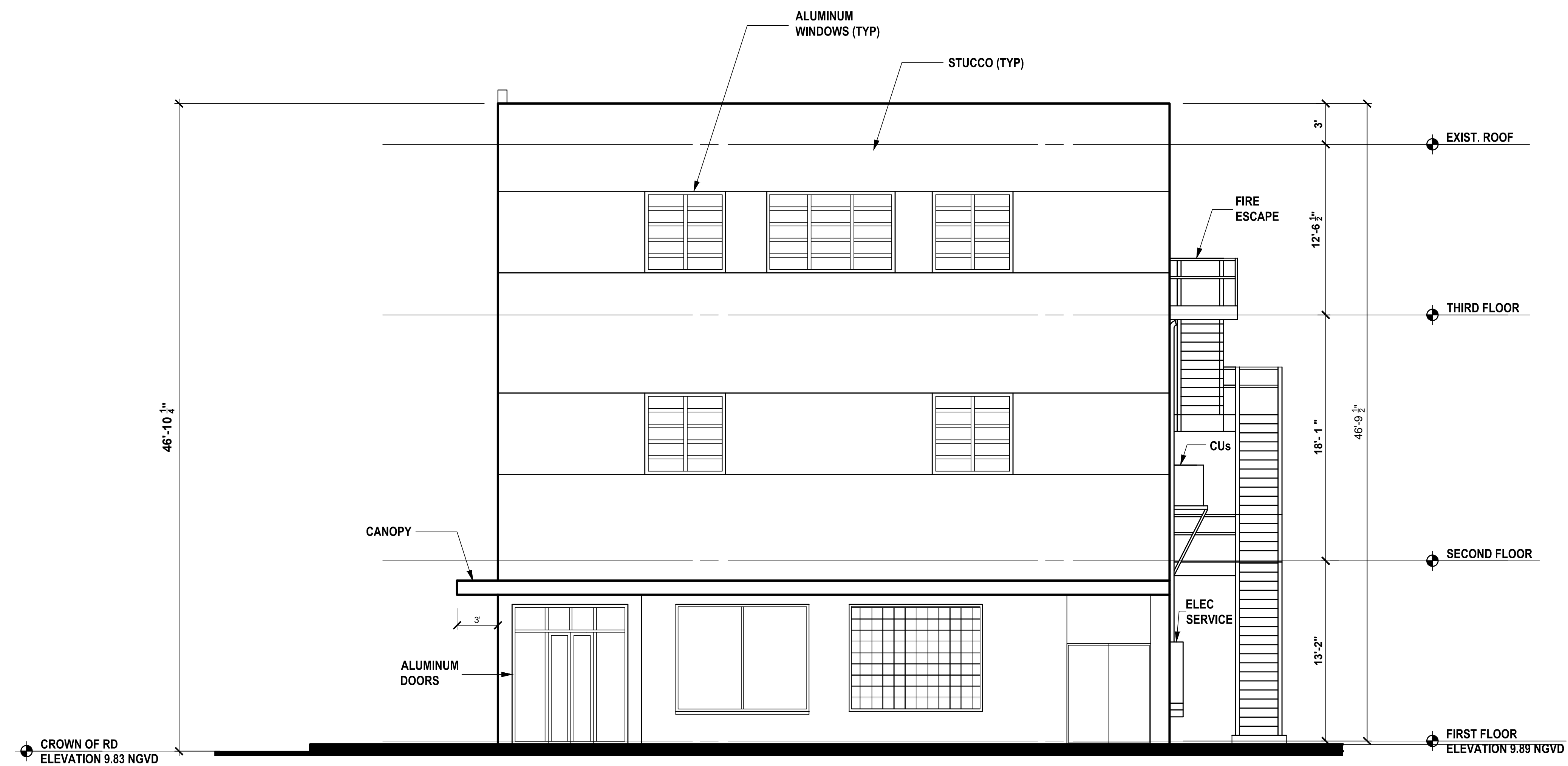
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**PROPOSED WEST  
 ELEVATION**

**A8**



**EXISTING EAST ELEVATION**  
 SCALE 3/16" = 1'-0"

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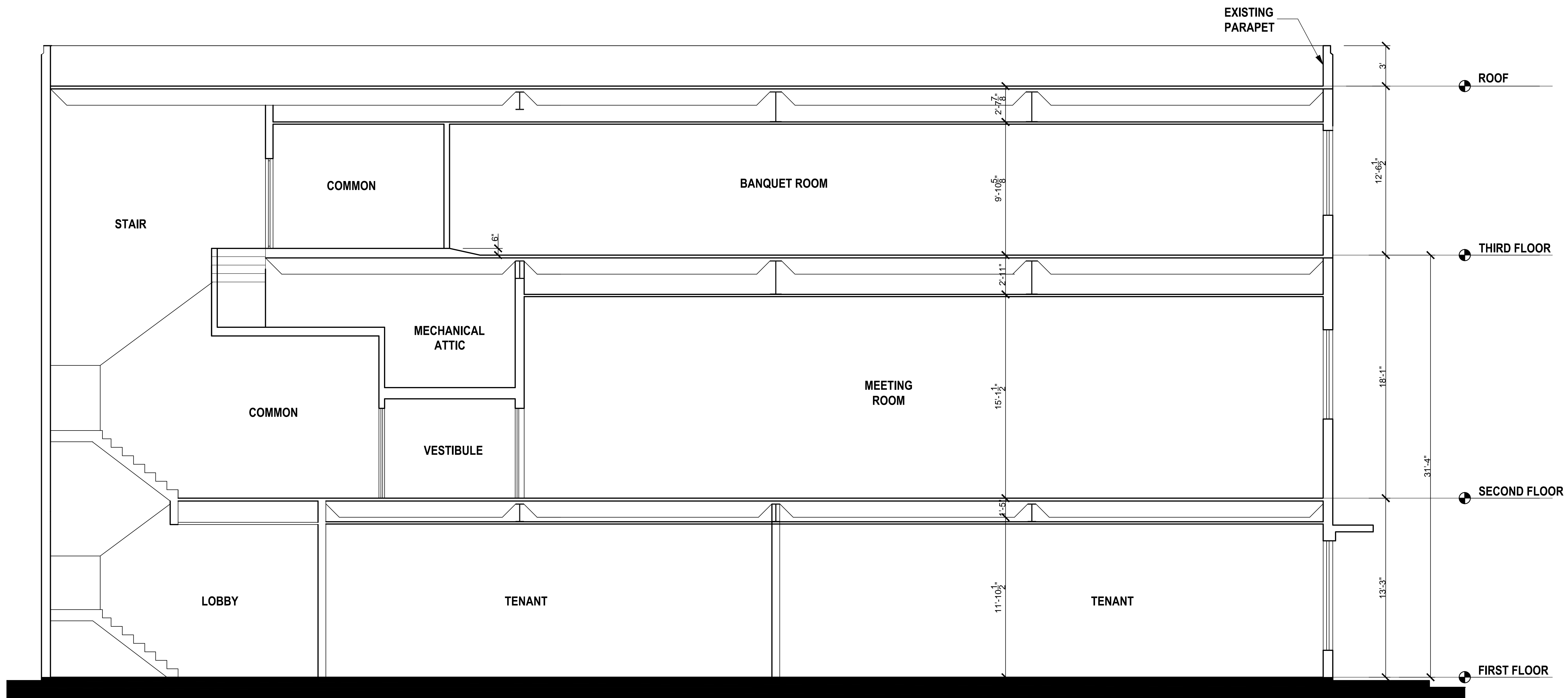
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**EXISTING EAST  
 ELEVATION**

**EX7**







**EXISTING BUILDING SECTION**  
SCALE 1/4" = 1'-0"

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F9J4G98.3' i\$ (1%

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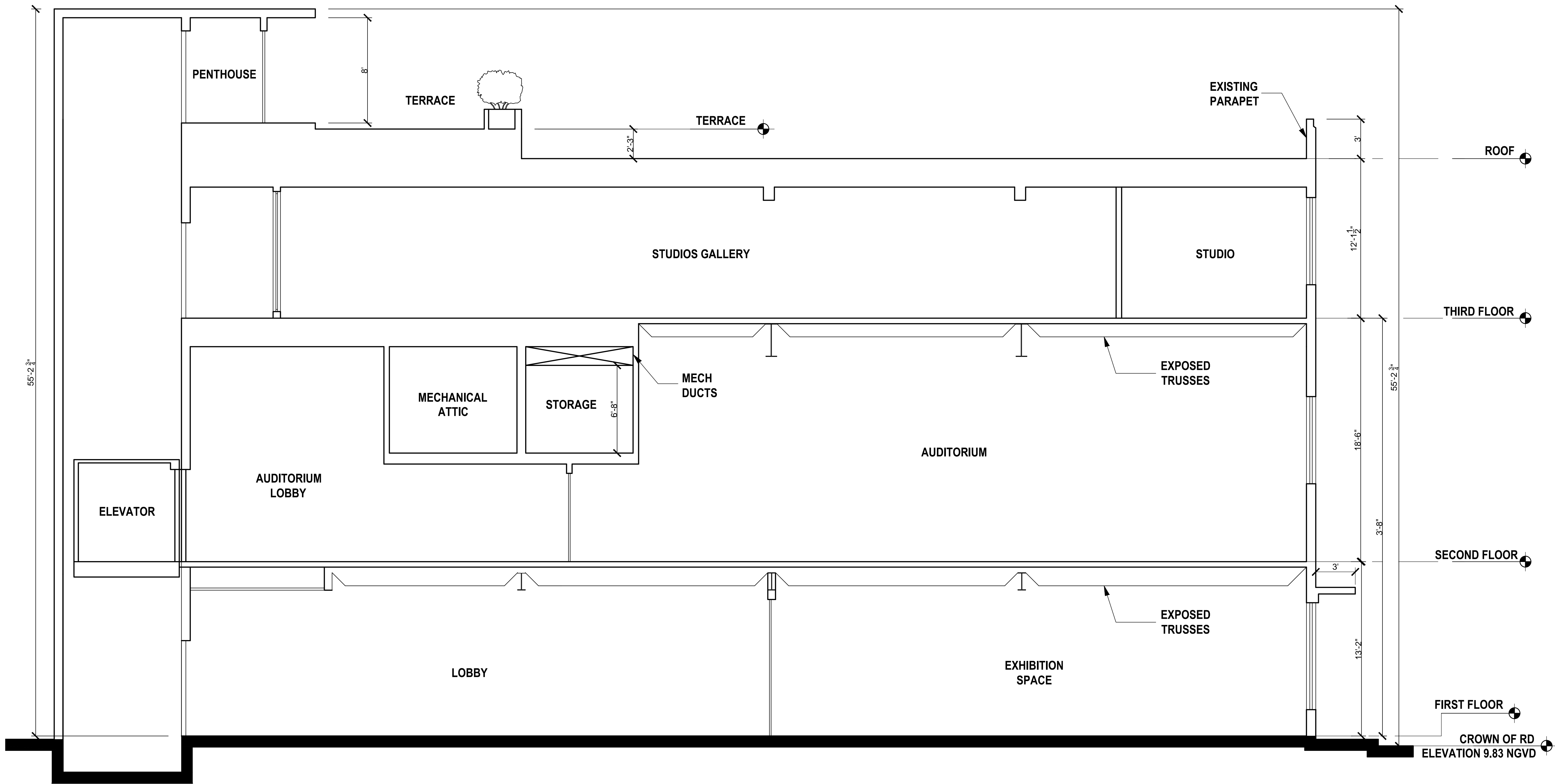
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**EXISTING  
BUILDING SECTION**

**EX9**



**PROPOSED BUILDING SECTION**  
 SCALE 1/4" = 1'-0"

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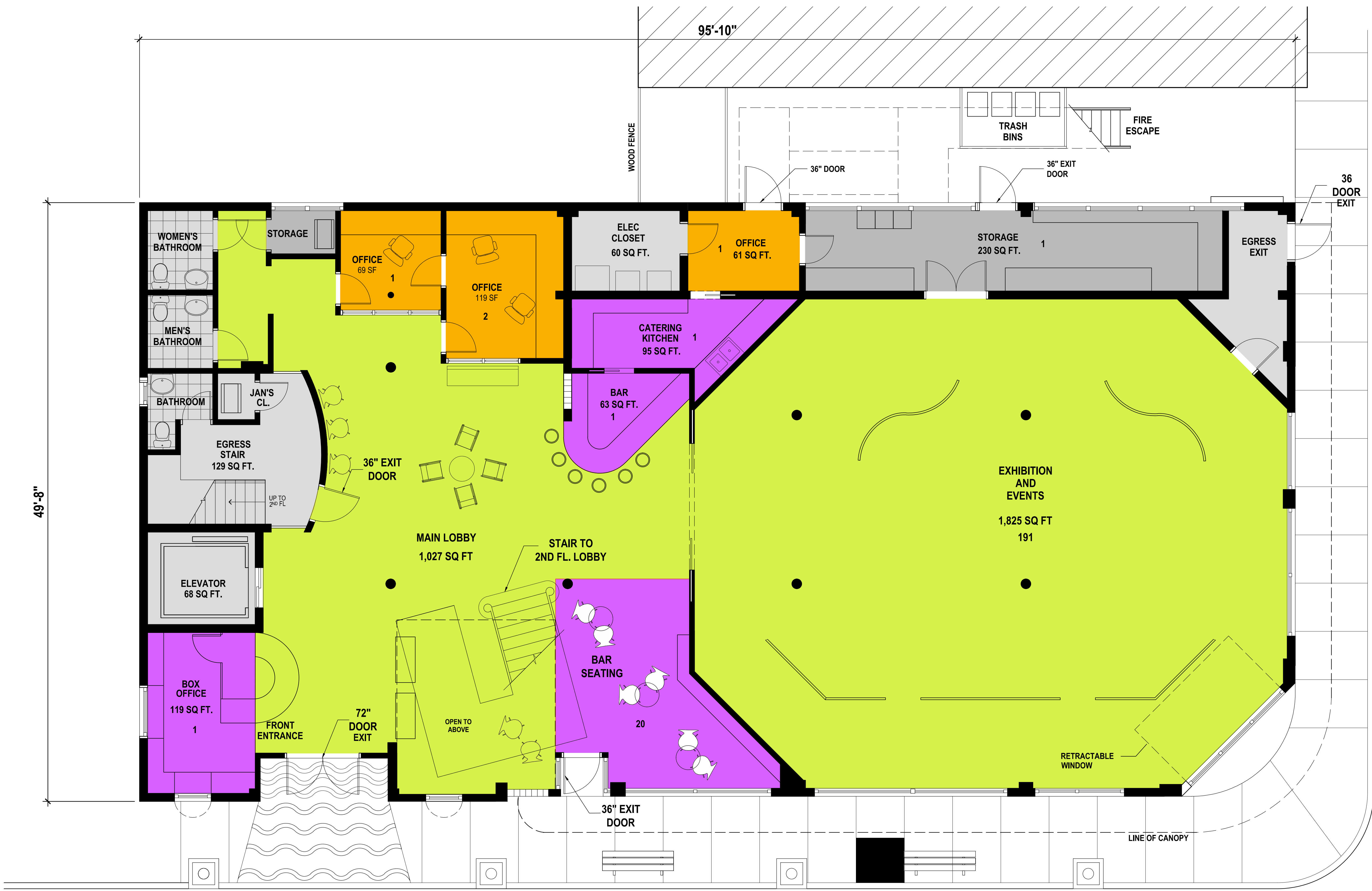
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**PROPOSED BUILDING SECTION**

**A10**

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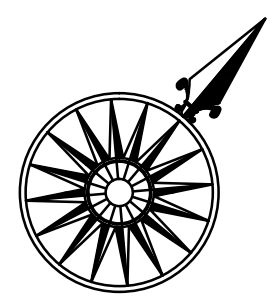
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**PROPOSED USE & OCCUPANCY FIRST FLOOR PLAN**

**USE & OCCUPANCY FIRST FLOOR PLAN**  
SCALE 1/4" = 1'-0"



TOTAL NET SF FLOOR AREA = 4,284 SQ FT  
TOTAL OCCUPANCY = 217

- CLASS A-3 ASSEMBLY EXHIBITION HALLS**  
2,852 SQ FT  
191 OCCUPANTS
- CLASS B OFFICES**  
249 SQ FT  
5 OCCUPANTS
- CLASS S-1 STORAGE**  
249 SQ FT  
1 OCCUPANT
- CLASS M MERCANTILE**  
501 SQ FT  
20 OCCUPANTS
- CLASS U UTILITY**  
433 SQ FT

**U01**

7:dmfj\hw 68% A]W U" A] YI' S FW ]WVW fY-bWHA YXYg[[ b of UbridUtricZ]hUbx# or the drawings on this sheet may not be used without written permission of Michael Miller, Architect.



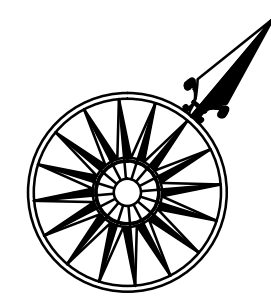




**USE & OCCUPANCY SECOND FLOOR MEZZANINE PLAN**

SCALE 1/4" = 1'-0"

TOTAL NET SF FLOOR AREA = 1,325 SQ FT  
 TOTAL OCCUPANCY = 2



- CLASS S-1 STORAGE**  
 591 SQ FT  
 1 OCCUPANT
- CLASS U UTILITY**  
 533 SQ FT
- CLASS S-2 STORAGE**  
 201 SQ FT  
 1 OCCUPANT

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**PROPOSED USE & OCCUPANCY SECOND FLOOR MEZZANINE PLAN**

**U03**

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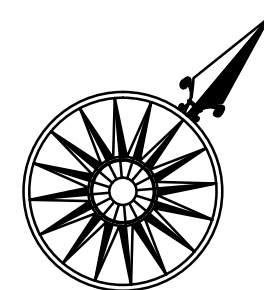


49'-8"

95'-10"

**USE & OCCUPANCY THIRD FLOOR PLAN**

SCALE 1/4" = 1'-0"



TOTAL NET SF FLOOR AREA = 4,170 SQ FT  
TOTAL OCCUPANCY = 127

**CLASS B OFFICES**  
806 SQ FT / 7 OCCUPANTS

**CLASS A-3 ASSEMBLY EXHIBITION HALL**  
910 SQ FT / 60 OCCUPANTS

**CLASS S-2 STORAGE**  
67 SQ FT / 1 OCCUPANT

**CLASS F-2 FACTORY LOW-HAZARD**  
849 SQ FT / 4 OCCUPANTS

**CLASS A-2 UNCONCENTRATED TABLES AND CHAIRS**  
1,171 SQ FT / 55 OCCUPANTS

**CLASS U UTILITY**  
367 SQ FT

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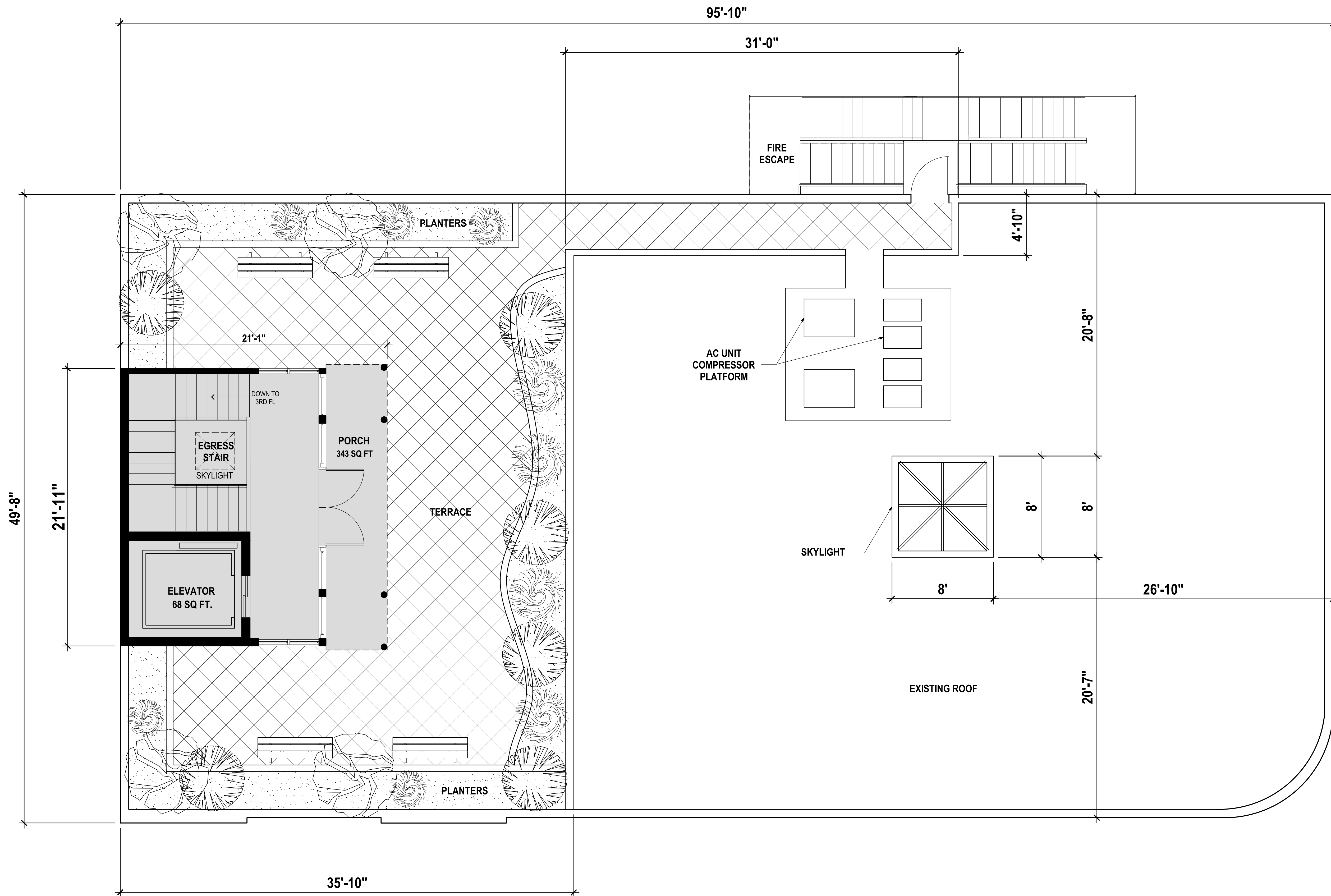
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PROJECT NO: 1306

**PROPOSED USE & OCCUPANCY THIRD FLOOR PLAN**

**U04**

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**USE & OCCUPANCY ROOF GARDEN FLOOR PLAN**

SCALE 1/4" = 1'-0"

TOTAL NET SF FLOOR AREA = 411 SQ FT  
 TOTAL OCCUPANCY = 0

CLASS U  
 UTILITY  
 411 SQ FT

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**PROPOSED  
 USE & OCCUPANCY  
 ROOF GARDEN  
 FLOOR PLAN**

**U05**

**DRC**  
**Minutes & Comments**



# Minutes of the Development Review Committee

Approved February 27, 2014

Planning Director, Don Craig called the Development Review Committee Meeting of January 23, 2014, to order at 10:04am at Old City Hall in the antechamber at 510 Greene Street, Key West.

## ROLL CALL

**Present were:** Planning Director, Don Craig, Fire Department Jason Barroso, Engineering Services, Elizabeth Ignaffo, Building Official, Ron Wampler, Urban Forestry Manager, Karen DeMaria and HARC Planner, Enid Torregrosa

**Not present were:** Recreation Director, Greg Veliz, Police Department, Steve Torrence, Sustainability Coordinator, Alison Higgins and Art in Public Places, Dick Moody

**Comments provided by:** Keys Energy and Sustainability Coordinator, Alison Higgins

**Also in attendance was Planning Department staff:** Kevin Bond, Brendon Cunningham, and Stacy Gibson

## PLEDGE OF ALLEGIANCE

## APPROVAL OF AGENDA

Motion to approve the agenda was made by Ms. Enid Torregrosa and seconded by Ms. Karen DeMaria.

## APPROVAL OF MINUTES

Motion to approve the December 20, 2013 minutes was postponed until next meeting, February 27, 2014.

## DISCUSSION ITEMS

### New Business

1. **Major Development Plan & Conditional Use – 533 Eaton Street (RE # 00004130-000000; AK # 1004294)** - A request for major development plan and conditional use approval for the adaptive reuse of a former Scottish Rite Masonic club/lodge into new art studio classrooms, offices and exhibition spaces on property located within the Historic Neighborhood Commercial District – Truman/Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2., 122-62 and 122-808 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Bond gave members an overview of the major development plan and conditional use request.

The applicant, Owen Trepanier, Trepanier & Associates and the Architect, Michael Miller gave members an overview of the major development plan and conditional use request.

# Minutes of the Development Review Committee

## Approved February 27, 2014

### **DRC Member Comments:**

### **ART IN PUBLIC PLACES:**

No comments.

### **URBAN FORESTRY MANAGER:**

Ms. DeMaria stated that regarding the landscape waiver, this is a redevelopment of an existing property. Anything with the street has to be coordinated with herself and Engineering, Karen Olsen, due to line of sight issues and utility issues. She wants to see part of the development plan that states there will be some sort of plantings whether it is right there on the street or nearby to compensate for not planting onsite which can't be done, due to space.

### **POLICE DEPARTMENT:**

No comments.

### **HARC PLANNER:**

Ms. Torregrosa disclosed that she has had meetings with the applicant. She stated to Mr. Trepanier that in his application it states that the drawings are done by an Engineer but needs to be changed to an Architect. She asked if the 2<sup>nd</sup> and 3<sup>rd</sup> floor windows are going to be awning windows. She also requested that the packet contain section drawings in regards to the 2<sup>nd</sup> and 3<sup>rd</sup> floor.

### **PLANNING DIRECTOR:**

Mr. Craig requested the applicant have a conversation immediately with the Building Official regarding the rooftop garden being habitable space. He stated that the location of the proposed benches is in the City's right of way and would require a submittal of a revocable license application.

### **ENGINEERING:**

Please include space within the fenced trash storage area for recyclable materials. Site plans propose landscape improvements on the right-of-way. Please be advised ADA access route shall meet the requirements of Florida Building Code: Accessibility.

### **FIRE DEPARTMENT:**

Mr. Barroso had concerns with life safety issues and would like to see a very detailed life safety plan.

### **BUILDING OFFICIAL:**

Mr. Wampler stated that his main concern was an outside egress. Building code requires (2) stairways.

### **SUSTAINABILITY COORDINATOR:**

No comments.

### **KEYS ENERGY**

# Minutes of the Development Review Committee

Approved February 27, 2014

KEYS have reviewed the application and will need a project review form and a full set of plans to ensure adequate power for the applicant and surrounding customers.

2. **Variance – 533 Eaton Street (RE # 00004130-000000, AK # 1004294)** – A request for variance to maximum height in order to accommodate non-habitable hardware and utility structures as part of the adaptive reuse of a former Scottish Rite Masonic club/lodge into new art studio classrooms, offices and exhibition spaces on property located within the Historic Neighborhood Commercial District – Truman/Simonton (HNC-1) Zoning District pursuant to Sections 90-395, 122-810(3) and 122-1149 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Bond gave members an overview of the variance request.

The applicant, Owen Trepanier, Trepanier & Associates and the Architect, Michael Miller gave members an overview of the variance request.

## **DRC Member Comments:**

### **ART IN PUBLIC PLACES:**

No comments.

### **URBAN FORESTRY MANAGER:**

No comments.

### **POLICE DEPARTMENT:**

No comments.

### **HARC PLANNER:**

No comments.

### **PLANNING DIRECTOR:**

No comments.

### **ENGINEERING:**

Please include space within the fenced trash storage area for recyclable materials. Site plans propose landscape improvements on the right-of-way. Please be advised ADA access route shall meet the requirements of Florida Building Code: Accessibility.

### **FIRE DEPARTMENT:**

No comments.

### **BUILDING OFFICIAL:**

No comments.

### **SUSTAINABILITY COORDINATOR:**

No comments.

# **Traffic Impact Analysis**

# **KBP CONSULTING, INC.**

February 26, 2014

Mr. Owen Trepanier  
President  
Trepanier & Associates, Inc.  
402 Appelrouth Lane  
Key West, Florida 33045

**Re: The Studios of Key West – Key West, Florida  
Traffic Impact Analysis – Anticipatory Findings**

Dear Owen:

The Studios of Key West is currently located at 600 White Street in Key West, Monroe County, Florida. The subject site is within the southwest quadrant of the intersection at White Street and Southard Street. The subject facility hosts art exhibits, performances and concerts, offers art classes, and provides residencies / studios for area artists.

The Studios of Key West is planning to relocate to 533 Eaton Street which is the current location of the Scottish Rite Masonic Center. There are also unrelated retail uses on the first floor of this building. This facility is within the northwest quadrant of the intersection at Eaton Street and Simonton Street and is generally twice the size of the current facility occupied by The Studios of Key West. The purpose of this correspondence is to document the methodology to be employed for a traffic impact analysis for this project and the likely results of this analysis (i.e. “anticipatory findings”).

## **Traffic Impact Analysis Methodology**

We will execute each of the customary elements of a traffic impact analysis for this project. In summary, these will include:

- Trip generation analyses for the existing uses (i.e. masonic lodge and retail uses) and the proposed uses (i.e. art studio).
- Data collection at nearby intersections likely to be impacted by the project.
- Trip distribution and assignment of new project trips to the surrounding roadway network.
- Adjustment of traffic volumes to reflect average peak season conditions and those of the buildout year for the occupancy of the subject site.
- Intersection capacity analyses of the study intersections in accordance with Highway Capacity Manual (HCM) procedures.
- If warranted and appropriate, we will make recommendations concerning any transportation related improvements necessary to mitigate project impacts.

The results of these analyses will be summarized in a technical report (including detailed appendices) for submittal to the City of Key West for their review and independent analysis.

# **KBP CONSULTING, INC.**

## **Anticipatory Findings of the Traffic Impact Analysis**

The project team is currently in the process of obtaining field data at the study intersections and has previously gathered information regarding the trip generation characteristics of The Studios of Key West at their current location on White Street. Based upon the trip generation information for the existing Studios site, the likely increase in traffic attributed to the expanded facilities at the new location, and the elimination of those vehicle trips associated with the existing uses at the proposed location, it is unlikely that the levels of service (LOS) for the study intersections will degrade as a result of this project.

In summary, we expect that the vehicle trip generation of The Studios of Key West will be low and consistent with their current operations which are generally characterized by a substantial amount of pedestrian traffic. Furthermore, we expect that the nearby intersections and the surrounding roadway network will continue to function in an adequate manner with the Studios of Key West located at the 533 Eaton Street site.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

**KBP CONSULTING, INC.**



Karl B. Peterson, P.E.  
Florida Registration Number 49897  
Engineering Business Number 29939

# **Property Appraiser Information**



**Scott P. Russell, CFA**  
**Property Appraiser**  
**Monroe County, Florida**

Key West (305) 292-3420  
 Marathon (305) 289-2550  
 Plantation Key (305) 852-7130

Website tested on IE8, IE9, & Firefox.  
 Requires Adobe Flash 10.3 or higher

## Property Record Card -

**Maps are now launching the new map application version.**

Alternate Key: **1004294** Parcel ID: **00004130-000000**

### Ownership Details

**Mailing Address:**  
 THE STUDIOS OF KEY WEST INC  
 600 WHITE ST  
 KEY WEST, FL 33040-7153

### Property Details

**PC Code:** 77 - CLUBS, LODGES (PC/LIST)  
**Millage Group:** 10KW  
**Affordable Housing:** No  
**Section-Township-Range:** 06-68-25  
**Property Location:** 533 EATON ST KEY WEST  
**Legal Description:** KW PT LOT 1 SQR 24 G47-189/90 OR2656-2005/06

**Click Map Image to open interactive viewer**



### Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	50	96	5,200.00 SF

### Building Summary



Number of Buildings: 1  
 Number of Commercial Buildings: 1  
 Total Living Area: 13631  
 Year Built: 1958

### Building 1 Details

<b>Building Type</b>	<b>Condition</b> F	<b>Quality Grade</b> 450
<b>Effective Age</b> 25	<b>Perimeter</b> 864	<b>Depreciation %</b> 33
<b>Year Built</b> 1958	<b>Special Arch</b> 0	<b>Grnd Floor Area</b> 13,631
<b>Functional Obs</b> 0	<b>Economic Obs</b> 0	

**Inclusions:**

<b>Roof Type</b>	<b>Roof Cover</b>	<b>Foundation</b>
Heat 1	Heat 2	Bedrooms 0
Heat Src 1	Heat Src 2	

**Extra Features:**

2 Fix Bath	0	Vacuum	0
3 Fix Bath	0	Garbage Disposal	0
4 Fix Bath	0	Compactor	0
5 Fix Bath	0	Security	0
6 Fix Bath	0	Intercom	0
7 Fix Bath	0	Fireplaces	0
Extra Fix	17	Dishwasher	0



**Sections:**

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
1	FLA		1	1990					4,240
2	SBF		1	1990					455
3	FLA		1	1990					4,696
4	FLA		1	1990					4,695

**Interior Finish:**

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	1081	CLUBS/LDG/HALLS B	26	N	Y
	1082	1 STY STORE-B	74	N	Y
	1084	CLUBS/LDG/HALLS B	100	N	Y
	1085	CLUBS/LDG/HALLS B	100	N	Y

## Exterior Wall:

Interior Finish Nbr	Type	Area %
338	C.B.S.	100

## Appraiser Notes

2004-01-20 -SCOTTISH RITE TEMPLE'S LOWER LEVEL FOR RENT FOR \$26,400./-SKI

TPP 8528647 - KEYS OFFICE EQUIPMENT

2012-02-15 CITY OF KW FEB 8,2012 ASSIGNMENT OF 533 EATON ST AS PRIMARY ADDRESS WITH UNIT #S. SEE ATTACHMENT.DKRAUSE

## Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
1 08-0018	01/24/2008	02/01/2008	2,400	Commercial	INSTALL 25 LF OF NON STRUCTURAL WALL WITH FRENCH DOOR AND DRY WALL
1 13-1993	05/01/2013		100	Commercial	EXTEND PERMIT #07-1671 FOR FINAL INSPECTION. CHANGE OUT OF TWO 2 TEN TON CONDENSER.
1 13-1992	05/01/2013		100	Commercial	EXTEND PERMIT #97-625 FOR FINAL INSPECTION. CHANGE OUT OF TWO 10-TON AIR HANDLERS.
1 13-1991	05/01/2013		100	Commercial	EXTEND PERMIT #02-1519 FOR FINAL INSPECTION. CHANGE OUT OF A 10-TON CONDENSER UNIT.
10-1640	05/20/2010		7,200	Commercial	RELOCATE EXISTING MAIN SERVICE FROM WOODEN POLE ON EATON TO NEW SERVICE ON SIMONTON.
10-1304	04/28/2010		6,450	Commercial	REMOVE AND REPLACE RUST AREAS ON STEEL STAIRWAY DECKS.
09-3282	10/13/2009		6,500	Commercial	INSTALL 10SQS ROOFING.
07-3636	07/26/2007		1,150	Commercial	REPLACE 2 DOORS.
1 B94-3855	11/01/1994	12/01/1994	3,600		INTERIOR RENOVATIONS
1 A95-0698	03/01/1995	11/01/1995	600	Commercial	3 SQS ROOFING
1 M95-2952	09/01/1995	11/01/1995	16,000	Commercial	REPLACE/REPAIR 4/5 TON AC
1 E953032	09/01/1995	11/01/1995	1,000	Commercial	2/5 HP CONDENSERS
1 97-0625	03/01/1997	07/01/1997	10,000	Commercial	CHANGEOUT 2-10 TON AC
1 00-0932	04/19/2000	07/17/2000	2,200	Commercial	NEW DOORS
1 01-0294	01/23/2001	10/11/2001	3,000	Commercial	REPLACE STOREFRONT GLASS
1 02-1519	06/13/2002	08/19/2002	4,500	Commercial	CHANGE 10-TON COND.
1 03-0949	03/18/2003	08/12/2004	7,000	Commercial	REPLACE SEWER LINE
1 03-1207	04/08/2003	08/12/2004	12,800	Commercial	INTERIOR RENOVATIONS
1 03-2545	07/22/2003	08/12/2004	7,000	Commercial	A/C SYSTEM
1 03-3129	09/08/2003	08/12/2004	1,500	Commercial	PAINT EXTERIOR
1 03-4142	12/08/2003	08/12/2004	2,000	Commercial	FLOORING TILE & DROP CEILING
1 07-1671	04/05/2007	04/05/2007	9,600	Commercial	CHANGE OUT TWO TEN TON CONDENSERS UNITS

## Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2013	1,748,181	0	763,645	2,511,826	2,511,826	1,934,106	577,720
2012	1,748,181	0	763,645	2,511,826	2,511,826	1,934,106	577,720
2011	1,748,181	0	848,494	2,596,675	2,596,675	1,999,440	597,235

2010	1,838,995	0	532,792	2,371,787	2,371,787	1,826,276	545,511
2009	1,838,995	0	611,000	2,449,995	2,449,995	1,886,496	563,499
2008	1,929,810	0	676,000	2,605,810	2,605,810	2,006,474	599,336
2007	1,297,749	0	676,000	1,973,749	1,973,749	1,519,787	453,962
2006	1,297,749	0	520,000	1,817,749	1,817,749	1,399,667	418,082
2005	1,243,078	0	468,000	1,711,078	1,711,078	1,317,530	393,548
2004	1,166,470	0	338,000	1,504,470	1,504,470	1,158,442	346,028
2003	1,166,470	0	208,000	1,374,470	1,374,470	1,058,342	316,128
2002	1,166,470	0	208,000	1,374,470	1,374,470	1,058,342	316,128
2001	919,153	0	208,000	1,127,153	1,127,153	867,908	259,245
2000	956,416	0	140,400	1,096,816	1,096,816	844,548	252,268
1999	956,416	0	140,400	1,096,816	1,096,816	844,548	252,268
1998	639,100	0	140,400	779,500	779,500	600,215	179,285
1997	639,100	0	130,000	769,100	769,100	592,207	176,893
1996	581,001	0	130,000	711,001	711,001	547,470	163,531
1995	581,001	0	130,000	711,001	711,001	547,470	163,531
1994	581,001	0	130,000	711,001	711,001	547,470	163,531
1993	581,001	0	130,000	711,001	711,001	547,470	163,531
1992	581,001	0	130,000	711,001	711,001	547,470	163,531
1991	581,001	0	130,000	711,001	711,001	547,470	163,531
1990	592,029	0	110,500	702,529	702,529	540,947	161,582
1989	552,657	0	109,200	661,857	661,857	509,629	152,228
1988	512,508	2,546	98,800	613,854	613,854	497,221	116,633
1987	504,620	2,575	51,450	558,645	558,645	452,502	106,143
1986	490,182	7,700	50,400	548,282	548,282	444,108	104,174
1985	480,860	7,700	43,200	531,760	531,760	430,725	101,035
1984	474,594	7,700	43,200	525,494	525,494	425,650	99,844
1983	474,594	7,700	21,372	503,666	503,666	407,969	95,697
1982	409,253	7,700	21,372	438,325	438,325	438,325	0

## Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
10/30/2013	2656 / 2005	2,200,000	WD .....	17 .....

This page has been visited 136,432 times.

Monroe County Monroe County Property Appraiser  
Scott P. Russell, CFA  
P.O. Box 1176 Key West, FL 33041-1176

**Public Notices**  
**(radius map & mailing list)**

# Public Meeting Notice

The Key West Planning Board will hold a public hearing **at 6:00 p.m., March 6, 2014 at Old City Hall, 510 Greene Street**, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

**Major Development Plan, Conditional Use, Landscape Waiver, & Alcohol Sales Special Exception – 533 Eaton Street (RE# 00004130-000000; AK# 1004294)** – Requests for a major development plan, conditional use, and a waiver to landscape requirements, as part of the adaptive reuse of a former Scottish Rite Masonic club/lodge into new art studio classrooms, offices and exhibition space, and a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, school, cemetery or funeral home for property located within the HNC-1 Zoning District per Section 108-91.A.2, 108-517, 122-62, 122-808, and 18-28(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at [www.keywestcity.com](http://www.keywestcity.com).

**THIS NOTICE CAN NOT BE REMOVED FROM THE SITE UNTIL AFTER PLANNING BOARD DETERMINATION**

## YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

**Request:** **Major Development Plan, Conditional Use, Landscape Waiver, & Alcohol Sales Special Exception – 533 Eaton Street (RE# 00004130-000000; AK# 1004294)** – Requests for a major development plan, conditional use, and a waiver to landscape requirements, as part of the adaptive reuse of a former Scottish Rite Masonic club/lodge into new art studio classrooms, offices and exhibition space, and a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, school, cemetery or funeral home for property located within the HNC-1 Zoning District per Section 108-91.A.2, 108-517, 122-62, 122-808, and 18-28(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**Applicant:** **Trepanier & Associates, Inc.** **Owner: The Studios of Key West**

**Project Location:** **Major Development Plan, Conditional Use, Landscape Waiver, & Alcohol Sales Special Exception – 533 Eaton Street (RE# 00004130-000000; AK# 1004294)**

**Date of Hearing:** **Thursday, March 13, 2014** **Time of Hearing: 6:00 PM**

**Location of Hearing:** Old City Hall, 510 Greene, City Commission Chambers

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. Packets can be viewed online, the week of the meeting, at [www.keywestcity.com](http://www.keywestcity.com). Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email to Stacy L. Gibson at [sgibson@keywestcity.com](mailto:sgibson@keywestcity.com).

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

## YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

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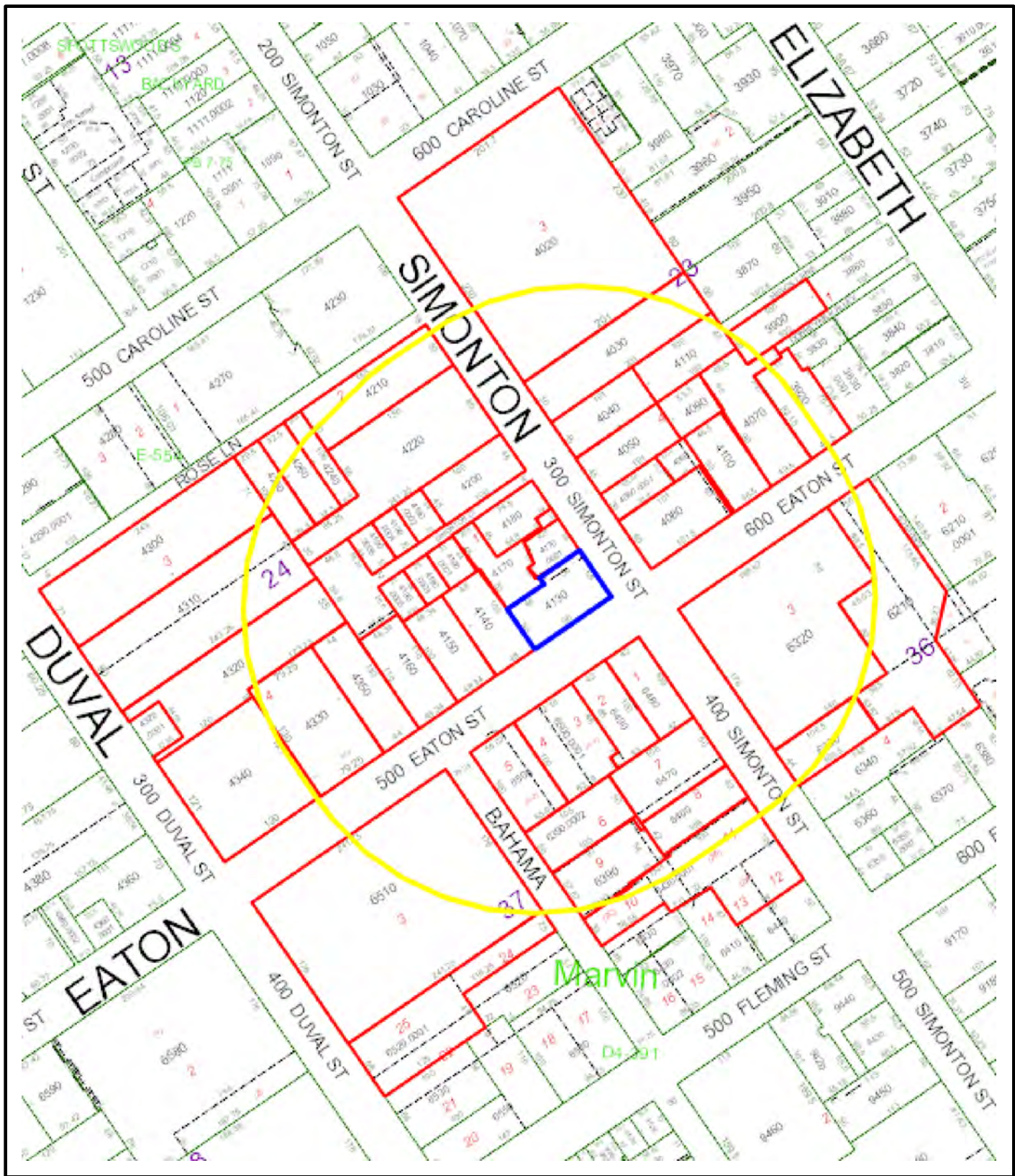
**Location of Hearing:** Old City Hall, 510 Greene, City Commission Chambers

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. Packets can be viewed online, the week of the meeting, at [www.keywestcity.com](http://www.keywestcity.com). Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

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# Monroe County, Florida

Printed: Feb 28, 2014

**533 Eaton**



DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
DADE LODGE NO 14 FREE AND ACCEPTED MASONS	PO BOX 608		KEY WEST	FL	33041-0608	
DELAUNE ROBERT L	520 WILLIAM ST		KEY WEST	FL	33040-6856	
CONCH SHELL PROPERTIES INC	905 VONPHISTER ST		KEY WEST	FL	33040-4747	
PILOT HOUSE LLC	414 SIMONTON ST		KEY WEST	FL	33040-6815	
BAHAMA 415 LLC	2919 26TH ST W		BRADENTON	FL	34205-3737	
YATES DONALD AND KATHRYN	611 EATON ST		KEY WEST	FL	33040-6802	
SIMONTON COURT MANAGEMENT CO	324 SIMONTON ST		KEY WEST	FL	33040-6869	
COOPER LAND TRUST 12/26/1990	7705 NW 48TH ST STE 110		DORAL	FL	33166-5454	
WEAVER W TIMOTHY	526 ROSE LN		KEY WEST	FL	33040-6810	
MOLONEY SUE CLAY	PO BOX 50		KEY WEST	FL	33041-0050	
BCP LLC	1409 SUN TER		KEY WEST	FL	33040-4081	
WONG SONG ENTERPRISES INC	PO BOX 4870		KEY WEST	FL	33041-4870	
INTER-OCEAN HOLDINGS LLC	600 FLEMING ST		KEY WEST	FL	33040-6826	
DAVIDSON JUDITH H	PO BOX 4210		KEY WEST	FL	33041-4210	
WORTH MARY ANN L/E	314 SIMONTON ST		KEY WEST	FL	33040-6813	
FAVELLI GEORGEANN MARION LIVING TRUST 1/19/06	1523 PATRICIA ST		KEY WEST	FL	33040-5034	
SBM LLC	66 WESTWIND RD		LOUISVILLE	KY	40207-1521	
FELLING MICHAEL	11199 OVERSEAS HWY		MARATHON	FL	33050-3460	
ELKINS ROBERT B AND KADY CRIST	7779 STURGEON BAY DR		HARBOR SPRING MI		49740-9649	
NILES FAMILY LIVING TRUST 10/28/2002	4768 CAPE MAY AVE		SAN DIEGO	CA	92107-2226	
KEY WEST WOMANS CLUB	319 DUVAL ST		KEY WEST	FL	33040-6687	
TEMPEL DENISON	613 EATON ST		KEY WEST	FL	33040-6802	
328 SIMONTON STREET LLC	205 ELIZABETH ST UNIT 1		KEY WEST	FL	33040-6612	
KEPHART LYNN H	414 SIMONTON ST		KEY WEST	FL	33040	
TAP ALL POTENTIAL 512-524 EATON LLC	425 CAROLINE ST		KEY WEST	FL	33040-6502	
ST PAULS CHURCH	401 DUVAL ST		KEY WEST	FL	33040-6550	
THORESEN ERLING T REVOCABLE TRUST 6/13/2013	3235 MARY ST		MIAMI	FL	33133-5234	
GRIFFINS NEST LLC	12687 SUMMERWOOD DR		FORT MYERS	FL	33908-6805	
FLORIDA KEYS FUNERAL SERVICES LLC	418 SIMONTON ST		KEY WEST	FL	33040-6815	
DAVIDSON JUDITH H	PO BOX 4210		KEY WEST	FL	33041-4210	
5 HIGGS LANE LLC	3 HIGGS LN		KEY WEST	FL	33040-6808	
CARLOUGH WILLIAM ARTHUR REV TR AGREE 9/26/2003	417 SIMONTON ST		KEY WEST	FL	33040-6814	
CORLEY LUCY CLAY MOLONEY	66 WESTWIND RD		LOUISVILLE	KY	40207	
MOLONEY SUSAN	326 SIMONTON ST		KEY WEST	FL	33040-6869	



<b>NAME</b>	<b>ADDRESS</b>	<b>UNIT</b>	<b>CITY</b>	<b>STATE</b>	<b>ZIP</b>	<b>COUNTRY</b>
CARRIAGE TRADE LIVING TRUST 10/22/2009	529 EATON ST		KEY WEST	FL	33040-6801	
FAR NIENTE LLC	1920 N CLARK ST APT 17P		CHICAGO	IL	60614-5401	
RAPPAPORT ROBERT	1107 KEY PLZ PMB 330		KEY WEST	FL	33040-4086	
THE STUDIOS OF KEY WEST INC	600 WHITE ST		KEY WEST	FL	33040-7153	
WHITE J LARRY	685 E LONG LAKE RD		BLOOMFIELD HIL MI		48304-2443	
FIRST UNITED METHODIST CHURCH	PO BOX 669		KEY WEST	FL	33041-0669	
ARTIST HOUSE LLC	534 EATON ST		KEY WEST	FL	33040-6881	
333 SIMONTON ST LLC	18 ETTINGER RD		WESTON	VT	05161-6500	