

# **Application**

# MEMORANDUM

**Date:** September 4, 2020  
**To:** Mr. Roy Bishop, City of Key West, Planning Department  
**From:** Thomas Francis-Siburg  
**CC:** Mr. Owen Trepanier  
**Re:** **Revised Site Data Calculations**

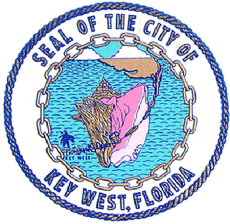


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As a result of your email dated 8/26/20, we became aware of some minor discrepancies between the site data as submitted as part of the Conditional Use analysis write-up and the site plans. After review, we believe we have identified and corrected the discrepancies, some of which are from using the dimension of the lot from record versus the measured site area an adjacent neighbor's fence sits nearly 2.5 feet into the lot and runs the full length of the property.

Attached to this memo is the complete revised submission package which reflects the corrected site data. The revisions made are limited to the following items.

1. Site data table found on page 3 of 12 of the conditional use analysis write-up
2. Site data table found on page T1.1 of the proposed site plan
3. Flood height exception measurements found on pages A3.1, A3.2, and A4.1 of the proposed site plan
4. Site data table, dry retention swale calculations, and proposed location found of pages 1 and 3 of 3 of the proposed lot mitigation plan



# Application for Development Plan & Conditional Use

City of Key West, Florida • Planning Department

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## Development Plan & Conditional Use Application Fee schedule

(Fees listed include the \$200.00 advertising/noticing fee and the \$100.00 fire review fee)

Development Plan	
Minor:	
Within Historic District	\$ 3,000.00
Outside Historic District	\$ 2,400.00
Conditional Use	\$ 1,400.00
Extension	\$ 800.00
Major:	\$ 4,000.00
Conditional Use	\$ 1,400.00
Extension	\$ 800.00
Minor Deviation	\$ 800.00
Major Deviation	\$ 1,400.00
Conditional Use (not part of a development plan)	\$ 2,800.00
Extension (not part of a development plan)	\$ 800.00

### **Applications will not be accepted unless complete**

Development Plan

Major \_\_\_\_\_

Minor \_\_\_\_\_

Conditional Use

  X  

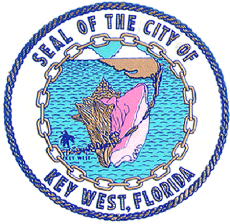
Historic District

Yes \_\_\_\_\_

No   X  

Please print or type:

- 1) Site Address: 1610-1612 Dennis Street, Key West
- 2) Name of Applicant: Thomas D. Francis-Siburg
- 3) Applicant is:  
Property Owner: \_\_\_\_\_  
Authorized Representative:   X    
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant: 1421 First Street  
Key West, FL 33040
- 5) Applicant's Phone #: 305-293-8983 Email: thomas@owentrepanier.com
- 6) **Email Address:** thomas@owentrepanier.com
- 7) Name of Owner, if different than above: Nicholas OBea, LLC
- 8) Address of Owner: c/o 1421 First Street, Key West, FL 33040
- 9) Owner Phone #: c/o 305-293-8983 Email: c/o thomas@owentrepanier.com



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- 10) Zoning District of Parcel: SF - Single Family RE# 00062960-000000
- 11) Is Subject Property located within the Historic District? Yes \_\_\_\_\_ No  \_\_\_\_\_  
If Yes: Date of approval \_\_\_\_\_  
HARC approval # \_\_\_\_\_  
OR: Date of meeting \_\_\_\_\_
- 12) Description of Proposed Development and Use. Please be specific, list existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc. If there is more than one use, describe in detail the nature of each use (Give concise description here and use a separate sheet if necessary).  
The property is currently a legal non-complying duplex with legal nonconforming impervious surface ratio and setbacks. We propose being approved for a conditional use permit in order to rebuild a duplex in a fully conforming manner, removing all nonconformities.
- 13) Has subject Property received any variance(s)? Yes \_\_\_\_\_ No  \_\_\_\_\_  
If Yes: Date of approval \_\_\_\_\_ Resolution # \_\_\_\_\_  
Attach resolution(s).
- 14) Are there any easements, deed restrictions or other encumbrances on the subject property?  
Yes \_\_\_\_\_ No  \_\_\_\_\_  
If Yes, describe and attach relevant documents.  
\_\_\_\_\_  
\_\_\_\_\_
- A. For both *Conditional Uses* and *Development Plans*, provide the information requested from the attached **Conditional Use and Development Plan** sheet.
- B. For *Conditional Uses* only, also include the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122-61 and 122-62 of the Land Development Regulations (see attached copy of criteria).
- C. For *Major Development Plans* only, also provide the **Development Plan Submission Materials** required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the Planning Staff.
- D. For both *Conditional Uses* and *Development Plans*, one set of plans **MUST** be signed & sealed by an Engineer or Architect.

**Please note, development plan and conditional use approvals are quasi-judicial hearings and it is improper to speak to a Planning Board member or City Commissioner about the project outside of the hearing.**





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## Required Plans and Related Materials for both a Conditional Use and Minor/Major Development Plan

### I. Existing Conditions.

- A) Recent Survey of the site by a licensed Surveyor (Survey must be within 10 years from submittal date of this application) showing all dimensions including distances from property lines, and including:
- 1) Size of site;
  - 2) Buildings, structures, and parking;
  - 3) FEMA Flood Zone;
  - 4) Topography;
  - 5) Easements; and
  - 6) Location of Utility Lines (sewer, water, electric, cable) adjacent and extending into the site.
- B) Existing size, type and location of trees, hedges, and other features.
- C) Existing stormwater retention areas and drainage flows.
- D) A sketch showing adjacent land uses, buildings, and driveways.

### II. Proposed Development: Plans at 11" X 17" (10,000 Sq. ft. or less); 24" X 36" if site is over 10,000 sq. ft.

- A) Site Plan to scale of with north arrow and dimensions by a licensed architect or engineer.
- 1) Buildings
  - 2) Setbacks
  - 3) Parking:
    - a. Number, location and size of automobile and bicycle spaces
    - b. Handicapped spaces
    - c. Curbs or wheel stops around landscaping
    - d. Type of pavement
  - 4) Driveway dimensions and material
  - 5) Location of Utility Lines (sewer, water, electric, cable) adjacent and extending into the site.
  - 6) Location of garbage and recycling
  - 7) Signs
  - 8) Lighting
  - 8) Project Statistics:
    - a. Zoning
    - b. Size of site
    - c. Number of units (or units and Licenses)
    - d. If non-residential, floor area & proposed floor area ratio
    - e. Consumption area of restaurants & bars
    - f. Open space area and open space ratio
    - g. Impermeable surface area and impermeable surface ratio
    - h. Number of automobile and bicycle spaces required and proposed
- B) Building Elevations
- 1) Drawings of all building from every direction. If the project is in the Historic District please submit HARC approved site plans.
  - 2) Height of building.
  - 3) Finished floor elevations and bottom of first horizontal structure
  - 4) Height of existing and proposed grades
- C) Drainage Plan: Existing & Proposed retention areas and calculations approved by the City Engineer. See one of the attached commercial and residential use Stormwater Retention Forms.
- D) Landscape Plan: Size, type, location and number of plants to be removed, kept, and installed. The plan must be approved by the City Landscape Coordinator through a letter of approval. If the project is a Major Development Plan a landscape design prepared by a licensed Landscape Architect is required per Section 108-511(b) of the Land Development Regulations.



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III. **Solutions Statement.** Aspects of the design that address community issues including but not limited to water pollution from stormwater runoff, potable water conservation, waste disposal, recycling, energy conservation, affordable housing, and impacts on neighbors such as lighting, noise, traffic and parking.

## Development Plan Submission Materials

### Sec. 108-226. Scope.

A development plan, for the purposes of this division, shall include but not necessarily be limited to the requirements in this division. With the exception of sections 108-227 through 108-229, the city planner may waive or modify requirements, information and specific performance criteria for development plan review after rendering a finding in writing that such requirements:

- (1) Are not necessary prior to development plan approval in order to protect the public interest or adjacent properties;
- (2) Bear no relationship to the proposed project or its impacts; and
- (3) Are found to be impractical based on the characteristics of the use, including the proposed scale, density/intensity, and anticipated impacts on the environment, public facilities and adjacent land uses.

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

The development plan shall contain the following pertaining to the title block:

- (1) Name of development.
- (2) Name of owner/developer.
- (3) Scale.
- (4) North arrow.
- (5) Preparation and revision date.
- (6) Location/street address of development.

### Sec. 108-228. Identification of key persons.

The development plan shall contain the following pertaining to identification of key persons:

- (1) Owner.
- (2) Owner's authorized agent.
- (3) Engineer and architect.
- (4) Surveyor.
- (5) Landscape architect and/or environmental consultant.
- (6) Others involved in the application.
- (7) A verified statement showing each and every individual person having a legal and/or equitable ownership interest in the subject property, except publicly held corporations whose stock is traded on a nationally recognized stock exchange, in which case the names and addresses of the corporation and principal executive officers together with any majority stockholders will be sufficient.

### Sec. 108-229. Project description.

Project description should be included on the site plan sheet. The development plan shall contain the following pertaining to the project description:

- (1) Zoning (include any special districts).
- (2) Project site size (acreage and/or square footage).
- (3) Legal description.
- (4) Building size.
- (5) Floor area ratio permitted and proposed.
- (6) Lot coverage permitted and proposed.
- (7) Impervious surface.
- (8) Pervious surface.
- (9) Landscape areas.





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- (10) Parking spaces permitted and proposed.
- (11) Delineation of location of existing and proposed structures.
- (12) Existing and proposed development type denoted by land use including density/intensity.
- (13) Setbacks.

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

A general outline of the proposed development shall include the following criteria where applicable:

- (1) Proposed stages or phases of development or operation and facility utilization.
- (2) Target dates for each phase.
- (3) Expected date of completion.
- (4) Proposed development plan for the site.
- (5) A written description of characteristics of the proposed development (i.e., number and type of residential units; floor area by land use; number of tourist accommodations units; seating or parking capacities; number of hospital beds; any proposed outside facilities or areas to be used for storage, display, outside sales, waste disposal or similar use; and any other proposed uses).
- (6) For planned unit developments, indicate design techniques (i.e., clustering, zero lot line, or other techniques) used to reduce public facility costs, reduce disturbance of natural resources, and preserve scenic quality of the site.
- (7) Buildings and sitting specifications which shall be utilized to reduce damage potential and to comply with federal flood insurance regulations.
- (8) Protection against encroachment together with proposed mitigation measures to be employed within environmentally sensitive areas.

## **Sec. 108-231. Residential developments.**

- (a) If the development includes residential units, the following characteristics shall be discussed in the written description:
  - (1) A breakdown of the proposed residential units by number of bedrooms;
  - (2) Tenure (i.e., owner-occupied or rental); and
  - (3) Structure type, such as single-family, duplex, multiple-family, mobile home.
- (b) Refer to division 10 of article V of chapter 122 for information and legal instruments needed to satisfy the city's affordable housing requirements.

## **Sec. 108-232. Intergovernmental coordination.**

The development plan shall contain the following pertaining to intergovernmental coordination:

- (1) Provide proof of coordination with applicable local, regional, state and federal agencies, including but not limited to the following agencies that will be involved in the project:
  - a. South Florida Regional Planning Council (SFRPC).
  - b. City electric system (CES).
  - c. State department of environmental protection (DEP).
  - d. Army Corps of Engineers (ACOE).
  - e. South Florida Water Management District (SFWMD).
  - f. State department of transportation (DOT).
  - g. State department of community affairs (DCA).
  - h. Florida Keys Aqueduct Authority (FKAA).
  - i. State fish and wildlife conservation commission (F&GC).
  - j. The county.
- (2) Provide evidence that any necessary permit, lease or other permission from applicable local, regional, state and federal agencies has been obtained for any activity that will impact wetland communities or submerged land.
- (3) When intergovernmental coordination efforts are incomplete, the applicant shall provide evidence of good faith efforts towards resolving intergovernmental coordination issues.



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## CONDITIONAL USE CRITERIA

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

The purpose of this article is to ensure that a conditional use shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity. This article sets forth provisions and criteria for consideration of conditional uses on specific sites. Conditional uses shall be permitted only upon a finding that the proposed use satisfies this article.

### Sec. 122-62. Specific criteria for approval.

- (a) Findings. A conditional use shall be permitted upon a finding by the planning board that the proposed use, application and, if applicable, development plan comply with the criteria specified in this section, including specific conditions established by the planning board and or the city commission during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to sections 108-165 and 108-166, the city commission shall render the final determination pursuant to section 122-63. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described in subsection (c) of this section and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.
- (b) Characteristics of use described. The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:
- (1) Scale and intensity of the proposed conditional use as measured by the following:
    - a. Floor area ratio;
    - b. Traffic generation;
    - c. Square feet of enclosed building for each specific use;
    - d. Proposed employment;
    - e. Proposed number and type of service vehicles; and
    - f. Off-street parking needs.
  - (2) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection (b)(1) of this section including the following:
    - a. Utilities;
    - b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94;
    - c. Roadway or signalization improvements, or other similar improvements;
    - d. Accessory structures or facilities; and
    - e. Other unique facilities/structures proposed as part of site improvements.
  - (3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
    - a. Open space;
    - b. Setbacks from adjacent properties;
    - c. Screening and buffers;
    - d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
    - e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts.





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- (c) Criteria for conditional use review and approval. Applications for a conditional use shall clearly demonstrate the following:
- (1) Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
  - (2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure (i.e., refer to chapter 94 to ensure concurrency management requirements are met) and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
  - (3) Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
  - (4) Hazardous waste. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
  - (5) Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.
  - (6) Additional criteria applicable to specific land uses. Applicants for conditional use approval shall demonstrate that the proposed conditional use satisfies the following specific criteria designed to ensure against potential adverse impacts which may be associated with the proposed land use:
    - a. Land uses within a conservation area. Land uses in conservation areas shall be reviewed with emphasis on compliance with section 108-1 and articles III, IV, V, VII and VIII of chapter 110 pertaining to environmental protection, especially compliance with criteria, including land use compatibility and mitigative measures related to wetland preservation, coastal resource impact analysis and shoreline protection, protection of marine life and fisheries, protection of flora and fauna, and floodplain protection. The size, scale and design of structures located within a conservation area shall be restricted in order to prevent and/or minimize adverse impacts on natural resources. Similarly, public uses should only be approved within a wetland or coastal high hazard area V zone when alternative upland locations are not feasible on an upland site outside the V zone.





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- b. Residential development. Residential development proposed as a conditional use shall be reviewed for land use compatibility based on compliance with divisions 2 through 14 of article IV and divisions 2 and 3 of article V of this chapter pertaining to zoning district regulations, including size and dimension regulations impacting setbacks, lot coverage, height, mass of building, building coverage, and open space criteria. Land use compatibility also shall be measured by appearance, design, and land use compatibility criteria established in chapter 102; articles III, IV and V of chapter 108; section 108-956; and article II of chapter 110; especially protection of historic resources; subdivision of land; access, internal circulation, and off-street parking; as well as possible required mitigative measures such as landscaping and site design amenities.
- c. Commercial or mixed-use development. Commercial or mixed use development proposed as a conditional use shall be reviewed for land use compatibility based on compliance with divisions 2 through 14 of article IV and divisions 2 and 3 of article V of this chapter pertaining to zoning district regulations, including size and dimension regulations impacting floor area ratio, setbacks, lot coverage, height, mass of buildings, building coverage, and open space criteria. Land use compatibility also shall be measured by appearance, design, and land use compatibility criteria established in chapter 102; articles I, II, IV and V of chapter 108; section 108-956; and article II of chapter 110; especially protection of historic resources; subdivision of land; access, pedestrian access and circulation; internal vehicular circulation together with access and egress to the site, and off-street parking; as well as possible required mitigative measures such as landscaping, buffering, and other site design amenities. Where commercial or mixed use development is proposed as a conditional use adjacent to U.S. 1, the development shall be required to provide mitigative measures to avoid potential adverse impacts to traffic flow along the U.S. 1 corridor, including but not limited to restrictions on access from and egress to U.S. 1, providing for signalization, acceleration and deceleration lanes, and/or other appropriate mitigative measures.
- d. Development within or adjacent to historic district. All development proposed as a conditional use within or adjacent to the historic district shall be reviewed based on applicable criteria stated in this section for residential, commercial, or mixed use development and shall also comply with appearance and design guidelines for historic structures and contributing structures and/or shall be required to provide special mitigative site and structural appearance and design attributes or amenities that reinforce the appearance, historic attributes, and amenities of structures within the historic district.
- e. Public facilities or institutional development. Public facilities or other institutional development proposed as a conditional use shall be reviewed based on land use compatibility and design criteria established for commercial and mixed-use development. In addition, the city shall analyze the proposed site location and design attributes relative to other available sites and the comparative merits of the proposed site, considering professionally accepted principles and standards for the design and location of similar community facilities and public infrastructure. The city shall also consider compliance with relevant comprehensive plan assessments of community facility and infrastructure needs and location impacts relative to service area deficiencies or improvement needs.
- f. Commercial structures, uses and related activities within tidal waters. The criteria for commercial structures, uses and related activities within tidal waters are as provided in section 122-1186.
- g. Adult entertainment establishments. The criteria for adult entertainment establishments are as provided in division 12 of article V of this chapter.



# Conditional Use

Chapter 122, Article III, Sections 122-61 and 122-62

1610-1612 Dennis Street, Key West, Florida  
(RE# 00062960-000000)

## Executive Summary:

This application is a request for a conditional use approval in order to build a fully complying duplex at 1610-1612 Dennis Street.

The existing property is a legal nonconforming duplex with noncomplying impervious surface ratios, open space and landscape ratios, and yard setbacks. The application proposes to be permitted a conditional use approval in order to rebuild a duplex with a conditional use approval and in a fully complying manner.



## Background:

1610-1612 Dennis Street has been the site of a duplex for over 60 years. Monroe County Property Appraiser lists the existing duplex as being built in 1958.<sup>1</sup> As seen highlighted in red in figure 2 below, in 1985, 1610-1612 Dennis Street and neighboring lots were zoned as R-2 (One, Two- and Multiple-Family Dwelling District), pursuant to Ord. 78-21 and 79-14. The existing use as a duplex was established prior to the conditional use approval requirements of Article III of Chapter 122 of the Land Development Regulations.

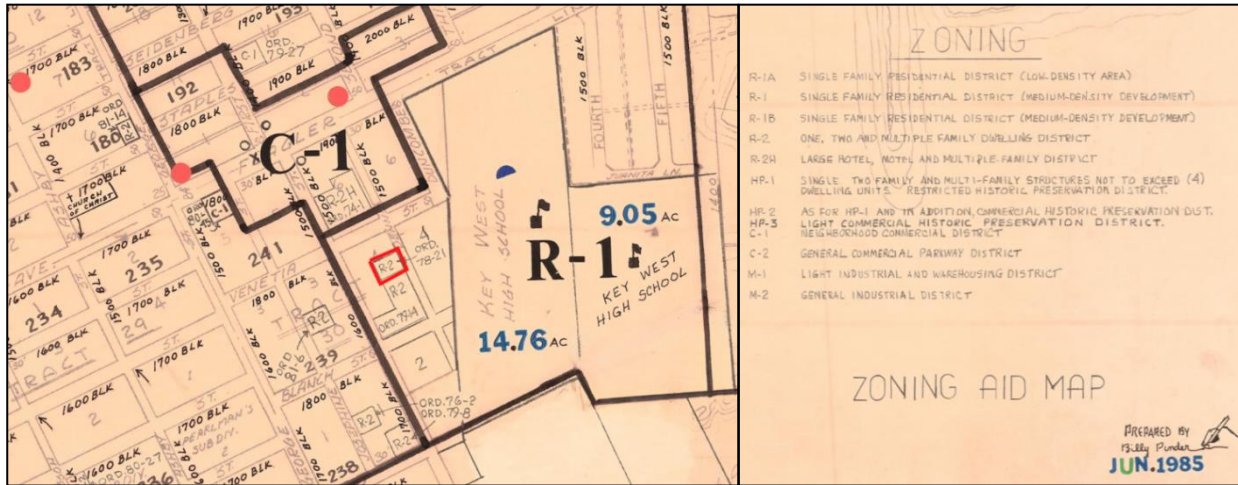
Today, the site is zoned Single-Family Residential District (SF) and duplexes are a permitted conditional use. Pursuant to Sec. 122-28<sup>i</sup> the existing duplex dwelling is permitted to be replaced at its existing use and density as a single-story duplex with noncomplying impervious surface, open space, and landscape ratios and yard setbacks. The City affirmed this with a zoning verification letter dated 10/25/2019.<sup>2</sup> However, we propose building a two-story duplex that fully complies with land development regulation requirements.

<sup>1</sup> Exhibit A – Property Card

<sup>2</sup> Exhibit B – Zoning Verification Letter



Figure 2. 1985 Key West Zoning Map – 1610-1612 Dennis Street



The City determined that to replace the noncomplying single-story duplex with a fully complying two-story duplex requires the approval of a conditional use to permit said complying duplex on the property. The City finds that the property never went through a conditional use approval process, because the existing duplex predates current land development regulations. Since the existing duplex predates the conditional use approval requirements of the land development regulations, the City recognizes the existing duplex to be a legal nonconforming structure. Therefore, to replace the existing single-story duplex that does not comply with land development regulations regarding yard setbacks and impervious surface, open space, and landscape ratio requirements with a two-story duplex that fully complies with land development regulations has been determined to require a conditional use approval.<sup>3</sup>

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

Owner:	Nick OBea, LLC
Entity Owner:	Nick O’Bea
Legal Representative:	Chris Mancini, Esquire
Authorized Agent:	Trepanier & Associates, Inc.
Architect:	T.S. Neal Architects, Inc.
Surveyor:	Florida Keys Land Surveying

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

The project seeks a conditional use approval in order to rebuild a duplex in a fully complying manner at 1610-1612 Dennis Street with flood-resistant development.

<sup>3</sup> Exhibit C – Email correspondences with City determining approval process



**Table 1: Site Data for 1610-1612 Dennis Street**

Site Data	Permitted/ Required	Existing	Proposed	Compliance
Zoning	SF			No Change
Historical Zoning, 1985	R-2 (Ord. 78-21)			NA
FEMA		AE-8	AE-8	No Change
Site Size	Min. 6,000 sq. ft.	4,621 sq. ft.	4,621 sq. ft.	No Change
Building Year Built	-	1958	New	NA
Density	8 du/acre (.9 units)	2 du	2 du	No Change
Floor Area	NA	NA	NA	No Change
Floor Elevation	-	5.0 ft.	11.3 ft.	NA
Building Height	40 ft. <sup>ii</sup>	15.1 ft.	35.0 ft.	Complies
Building Coverage	35%	37.7% (1,745 sq. ft.)	34.1% (1,557 sq. ft.)	Complies
Impervious Surface	50%	92.8% (4,290 sq. ft.)	40.9% (1,890 sq. ft.)	Complies
Open Space	35% (1,694 sq. ft.)	7.2% (331 sq. ft.)	58.9% (2,720 sq. ft.)	Complies
Landscape	20% (968 sq. ft.)	7.2% (331 sq. ft.)	58.9% (2,720 sq. ft.)	Complies
Front Setback	20 ft.	19.75 ft.	>20 ft.	Complies
Rear Setback	25 ft.	22.50 ft.	>25 ft.	Complies
SE Side Setback	5 ft.	2.23 ft.	>5 ft.	Complies
NW Side Setback	5 ft.	0.38 ft.	>5 ft.	Complies
Auto Parking	1 per du	4	4	Complies

**Sec. 122-62. – Specific criteria for approval:**

**(a) Findings.**

A conditional use shall be permitted upon a finding by the planning board that the proposed use, application and, if applicable, development plan complies with the criteria specified in this section, including specific conditions established by the planning board and or the city commission during review of the respective application in order to ensure compliance with the comprehensive plan and the land development regulations.

**(b) Characteristics of use:**

**(1) Scale and intensity**

**a. Floor area ratio:**

Permitted: NA

Proposed: NA

**b. Traffic generation:**

Permitting this conditional use will result in no change to trip generation.

Trip Generation	Multiplier	Peak A.M. Hour Weekday		Peak P.M. Hour Weekday		Peak Hour Saturday		Peak Hour Sunday	
		Existing	Proposed	Existing	Proposed	Existing	Proposed	Existing	Proposed
Residential (ITE 220)	2 units	2 x 0.75	2 x 0.75	2 x 1.01	2 x 1.01	2 x 0.94	2 x 0.94	2 x 0.86	2 x 0.86

**c. Enclosed building square footage: 1,350 sq. ft.**

**d. NA**

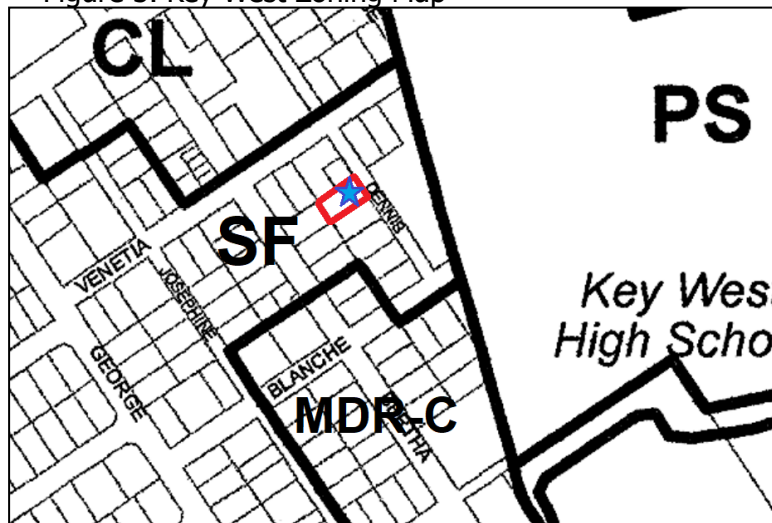
- e. NA
  - f. Off-street parking: Sec. 108-572. requires 2 auto spaces per unit for multi-family dwellings. This results in 4 auto spaces. Currently there are 4 auto spaces. The proposal maintains 4 auto spaces: 2 auto spaces are proposed under the duplex and 2 in the front yard.
- (2) On- or off-site improvement needs
- a. Utilities - Concurrency Facilities and Other Utilities or Services:
    - The level of services ("LOS") analysis concludes that no change in utility use will result from this conditional use.
    - Supply of parking follows the demand of the Land Development Regulations Section 108-572. No change in parking will result from this conditional use.
    - No change in potable water demand will result from this conditional use.
    - No change in wastewater flow will result from this conditional use.
    - No change in Recyclable waste LOS will result from this conditional use.
    - No change in Solid waste LOS will result from this conditional use.
    - No change in Stormwater LOS will result from this conditional use.
    - No change to Recreation LOS will result from this conditional use.
    - No new construction is proposed that will affect water pressure and flow for fire protection.
    - No adverse impacts to the quality of receiving waters are anticipated.
  - b. Public facilities – No change in Public facilities LOS will result from this conditional use.
  - c. Roadway or signalization improvements – NA; No roadway or signalization improvements are required or proposed.
  - d. Accessory structures or facilities – NA; No accessory structures or facilities are required or proposed.
  - e. Other unique facilities/structures proposed as part of site improvements – NA; No other unique facilities/structures proposed as part of site improvements are required or proposed.
- (3) On-site amenities proposed to enhance site and planned improvements
- a. Open space – Open space will become complying, increasing from 7.7% to 58.8%. This is accomplished because the existing noncomplying impervious surface will be brought into compliance.
  - b. Setbacks – Setbacks will be brought into compliance. Existing noncomplying rear and both side setbacks exist.

- c. Screening and buffers - No exterior changes to the site are proposed other than the reduction of impervious surface, and thus increasing open space.
- d. Landscaped berms proposed to mitigate against impacts to adjacent sites - Berms are not proposed.
- e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts - This project proposes no use which would induce smoke, odor, noise or other noxious impacts.

**(c) Criteria for conditional use review and approval:**

- (1) Land use compatibility. – As mentioned above, the project site is located in the Single-Family Residential District (SF). The intent of the SF zoning district is to implement comprehensive plan policies for areas designated "SF" on the comprehensive plan future land use map. The SF district is designed to accommodate single-family permanent residential development and may also include one accessory attached or detached unit per principal dwelling unit. Two-family residential dwellings (duplexes) are a permitted conditional use in this area of the single-family residential district outside.<sup>4</sup>

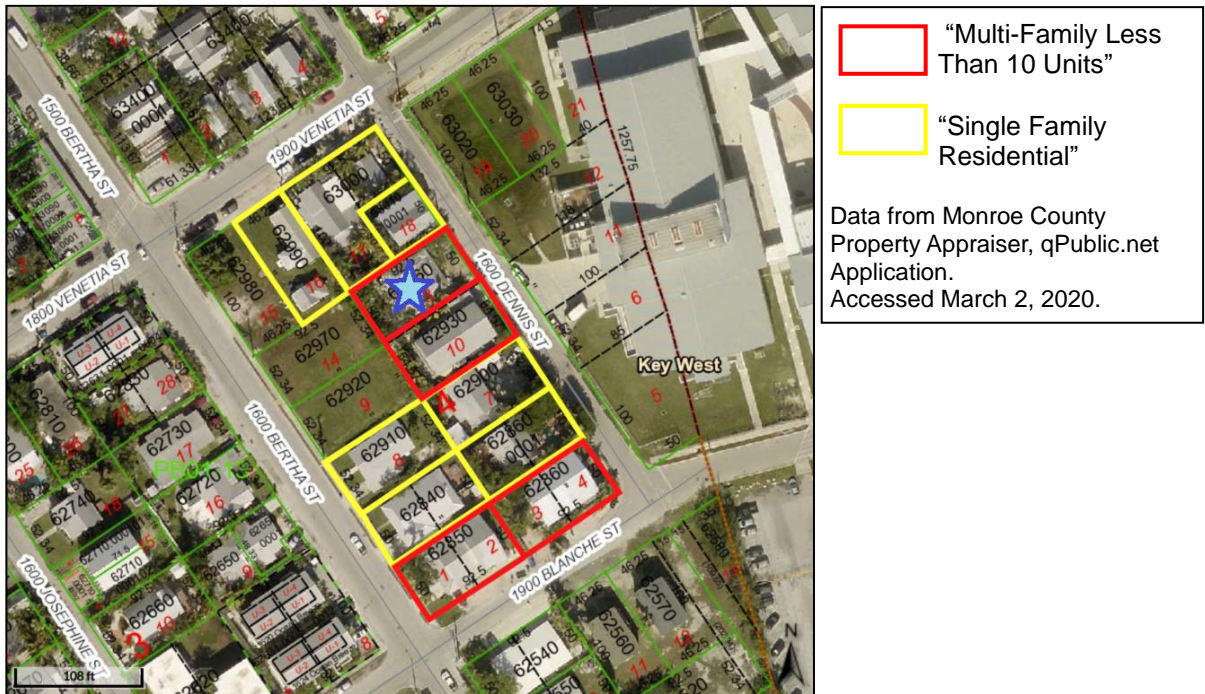
Figure 3. Key West Zoning Map



According to the Monroe County Property Appraiser, within the vicinity of 1610-1612 Dennis Street, the surrounding property is a mix of single-family residences and multi-family dwellings with less than 10 units (see Figure 4 below).

<sup>4</sup> Duplexes are not permitted in two areas within the Single-Family Residential District. These include the area in the Venetian Subdivision located south of the Riviera Canal and the area bounded on the north by Flagler Drive, on the south by Casa Marina Court, on the east by White Street and on the west by Reynolds Street.

Figure 4. Vicinity Map of 1610-1612 Dennis Street



- (2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. – As mentioned above, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use. Site data table is included. The site is proposed to remain the use as a duplex, the only change is being recognized as a duplex permitted through a conditional use approval versus a duplex permitted as a legal nonconforming use.
- (3) Proper use of mitigative techniques. – No adverse impacts to adjacent land uses are anticipated. The community character is a mix of single-family and multi-family homes.
- (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.
- (6) Additional criteria applicable to specific land uses. –
  - a. Land uses within a conservation area. – The proposed use is not located in a conservation area.
  - b. Residential development. – The proposed use is a residential development in compliance with Subdivision III (Single-Family Residential District) of Division 3 of Article IV of Chapter

122 and Divisions II (Uses) and III (Area Requirements) of Article V of Chapter 122.

The proposed land use is compatible with Articles III (Site Plan), IV (Traffic Impacts), and V (Open Space, Screening and Buffers) of Chapter 108 and Sec. 108-956 (Potable water and wastewater). Compatibility with Chapter 102 (Historic Preservation) and Article II (Archaeological Resources) of Chapter 110 is not applicable as the site does not contain historic resources.

- c. Commercial or mixed use development. – The proposed use is not a commercial or mixed use development.
- d. Development within or adjacent to historic district. – The proposed use is not in or adjacent to a historic district.
- e. Public facilities or institutional development. – The proposed use is not a public facility or institutional development.
- f. Commercial structures, uses and related activities within tidal waters. – The proposed use is not located within tidal waters nor includes any activities within tidal waters.
- g. Adult entertainment establishments. – The proposed use is not an adult entertainment establishment.

**CONCURRENCY ANALYSIS:**

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

The City’s Comprehensive Plan 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 outlined:

- 1. Roads/Trip Generation
- 2. Potable Water
- 3. Sanitary Sewer
- 4. Solid Waste
- 5. Recyclables
- 6. Drainage

The following concurrency analysis reflects the proposed change from residential to civic & cultural activity.

**Policy 2-1.1.1- Transportation**

Policy 2-1.1.3: Dense Urban Land Area. The City of Key West is a substantially developed dense urban land area and is thereby exempted from transportation concurrency requirements for roadways. The City recognizes that its development characteristics make substantive expansion of capacity of the roadway system prohibitive. The City will therefore prioritize improving the safety and function of existing

roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, mixed-use development) as its primary strategies for addressing current and projected transportation needs.

Policy 2-1.1.3 effectively eliminates the transportation concurrency requirement in favor of a prioritization of safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, mixed-use development. Notwithstanding, trip generation is laid out above in Sec. 122-62(b).

**Policy 4-1.1.2.C – Potable Water**

Based on the City of Key West adopted level of service the potable water demand is anticipated to decrease with conditional use approval (pursuant to Policy 4-1.1.2.C, the potable water LOS for residential uses is 100 gallons/capita/day).

The potable water level of service will remain at **526 gal/day**.

Summary Response: According to the assumptions in the comprehensive plan, the potable water flow will **not change**.

Designation	LOS	Daily Capacity	Gal/day
Existing – Two-Family Residential	100gal/capita/day	2 du x (100 gal /ppl /day) 100 x 2.63 ppl <sup>5</sup>	526 gal
Proposed – Two-Family Residential	100gal/capita/day	2 du x (100 gal /ppl /day) 100 x 2.63 ppl	526 gal

The Aqueduct Authority has the capacity to supply adequate service to this property, as demonstrated below.

Potable water to the City of Key West is provided by the Florida Keys Aqueduct Authority (FKAA). The FKAA has the capacity to provide 23 million gallons per day to Monroe County as a result of: The South Florida Water Management District’s issuance of Water Use Permit #13-0005, which allocates 17 million gallons per day in the dry season; 17.79 million gallons per day which can be withdrawn from the Biscayne Aquifer; and six million gallons per day provided by a reverse osmosis treatment plant in Florida City. As documented above, the City is meeting its Level of Service Standard for Potable Water. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development during short and long-range planning periods, so the current capacity should remain adequate. Ongoing capital improvements will be necessary to maintain and improve standards and service delivery.

**Policy 4-1.1.2.A- Sanitary Sewage**

Based on the City of Key West adopted level of service the sanitary sewer demand is anticipated to increase with conditional use approval (pursuant to Policy 4-1.1.2.A, the

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<sup>5</sup> For the purposes of LOS, “capita” was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household



sanitary sewer LOS for residential development is 100 gal/capita/day and 90 gal/capita/day for seasonal residents).

The sanitary sewer flow will remain at **526 gal/day**

Summary Response: According to the assumptions in the comprehensive plan, the sanitary sewage demand will **not change**.

Designation	LOS	Daily Capacity	Gal/day
Proposed Residential	100 gal/acre/day	2 du x (100 gal /ppl /day) 100 x 2.63 ppl <sup>6</sup>	526 gal
Existing Residential	100 gal/acre/day	2 du x (100 gal /ppl /day) 100 x 2.63 ppl	526 gal

The City contracts out the operation of the Richard A. Heyman Environmental Pollution Control Facility, its wastewater treatment plant (Plant), and the associated collection system to Operations Management International, Inc. (OMI). The Plant currently has the capacity to treat 10 million gallons per day, exceeding the capacity required to achieve the existing Level of Service Standard by approximately seven million gallons per day. Actual daily flow is 4.5 million gallons per day. This is a reduction from eight (8) million gallons per day due to a 67 million dollars capital improvement to the City’s wastewater treatment during the past short-term planning period, including \$56 million for collection system rehabilitation.

As documented above, the City is exceeding its Level of Service Standard for Wastewater. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development, during the short and long-range planning periods, so the current capacity should remain adequate. Ongoing capital improvements and continuing conservation efforts will continue to maintain and improve service delivery.<sup>7</sup>

**Policy 4-1.1.2.D- Solid Waste**

Based on the City of Key West adopted level of service the solid waste demand is anticipated to increase with conditional use approval (pursuant to Policy 4-1.1.2.D, the solid waste LOS for residential development is 2.66 lbs/capita/day).

The solid waste generation is will remain at **13.99 lbs/day**.

Summary Response: According to the assumptions in the comprehensive plan, the solid waste generation will **not change**.

Designation	LOS	Daily Capacity	Lbs/day
Proposed Residential	2.66 lbs/capita/day	2 du x 2.66 lbs x 2.63 ppl <sup>8</sup>	13.99 lbs
Existing Residential	2.66 lbs/capita/day	2 du x 2.66 lbs x 2.63 ppl	13.99 lbs

<sup>6</sup> For the purposes of LOS, “capita” was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household

<sup>7</sup> City of Key West Comprehensive Plan Data and Analysis, Pg. A-16

<sup>8</sup> For the purposes of LOS, “capita” was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household

The City currently contracts with Waste Management of Florida, Inc. to collect, transfer and dispose of solid waste and residential recyclables. Commercial recyclables and other non-franchised collection services such as construction and demolition debris and yard waste are available on the open market to all licensed haulers. The City owns and operates a solid waste transfer station on Rockland Key that received 45,402.10 tons of solid waste for disposal and 3,607 tons of recyclables in 2009/10. Waste Management disposes of the solid waste collected in Monroe County, including the City of Key West, at its Central Sanitary Landfill in Broward County. In 2009 Waste Management Inc. reported a reserve capacity of 17 years at this facility. There is therefore an estimated reserve capacity of 15 years as of the date of this report.

As documented above, the City is meeting its Level of Service Standard for solid waste. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development, during the short and long-range planning periods, and the current capacity should remain adequate. Ongoing capital improvements will be necessary to improve standards and service delivery.<sup>9</sup>

**Policy 4-1.1.2. D- Recyclable Waste Generation Level of Service**

Based on the City of Key West adopted level of service the recyclable waste demand is anticipated to decrease with conditional use approval (pursuant to Policy 4-1.1.2. D, the recyclable waste LOS for residential development is 0.50 lbs/capita/day).

The recyclable waste impact will remain at **2.63 lbs/day**.

Summary Response: According to the assumptions in the comprehensive plan, the recyclable waste generation will **not change**.

Designation	LOS	Daily Capacity	Lbs/day
Proposed Residential	0.5 lbs/capita/day	2 du x 0.5 lbs x 2.63 ppl <sup>10</sup>	2.63 lbs
Existing Residential	0.5 lbs/capita/day	2 du x 0.5 lbs x 2.63 ppl	2.63 lbs

**Policy 4-1.1.2. E- Drainage Facilities Level of Service**

The project is exempt from storm water management permitting requirements in accordance with Section 108-716(3), "Any maintenance, alteration, renewal, repair, use or improvement of an existing structure or the construction of any structure or modification thereto which does not create impervious surface exceeding 500 square feet. This shall not exempt the applicant from retaining the first one inch of rainfall on site as required by F.A.C. 17-25".

Existing Level of Service Standard

<sup>9</sup> City of Key West Comprehensive Plan Data and Analysis, Pg. A-17

<sup>10</sup> For the purposes of LOS, "capita" was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household



The City currently contracts with Waste Management of Florida, Inc. to collect, transfer and dispose of solid waste and residential recyclables. Commercial recyclables and other non-franchised collection services such as construction and demolition debris and yard waste are available on the open market to all licensed haulers. The City owns and operates a solid waste transfer station on Rockland Key that received 45,402.10 tons of solid waste for disposal and 3,607 tons of recyclables in 2009/10. Waste Management disposes of the solid waste collected in Monroe County, including the City of Key West, at its Central Sanitary Landfill in Broward County. In 2009 Waste Management Inc. reported a reserve capacity of 17 years at this facility. There is therefore an estimated reserve capacity of 15 years as of the date of this report.

As documented above, the City is meeting its Level of Service Standard for solid waste. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development, during the short and long-range planning periods, and the current capacity should remain adequate. Ongoing capital improvements will be necessary to improve standards and service delivery.<sup>9</sup>

**Policy 4-1.1.2. D- Recyclable Waste Generation Level of Service**

Based on the City of Key West adopted level of service the recyclable waste demand is anticipated to decrease with conditional use approval (pursuant to Policy 4-1.1.2. D, the recyclable waste LOS for residential development is 0.50 lbs/capita/day).

The recyclable waste impact will remain at **2.63 lbs/day**.

Summary Response: According to the assumptions in the comprehensive plan, the recyclable waste generation will **not change**.

Designation	LOS	Daily Capacity	Lbs/day
Proposed Residential	0.5 lbs/capita/day	2 du x 0.5 lbs x 2.63 ppl <sup>10</sup>	2.63 lbs
Existing Residential	0.5 lbs/capita/day	2 du x 0.5 lbs x 2.63 ppl	2.63 lbs

**Policy 4-1.1.2. E- Drainage Facilities Level of Service**

The project is exempt from storm water management permitting requirements in accordance with Section 108-716(3), "Any maintenance, alteration, renewal, repair, use or improvement of an existing structure or the construction of any structure or modification thereto which does not create impervious surface exceeding 500 square feet. This shall not exempt the applicant from retaining the first one inch of rainfall on site as required by F.A.C. 17-25".

Existing Level of Service Standard

<sup>9</sup> City of Key West Comprehensive Plan Data and Analysis, Pg. A-17

<sup>10</sup> For the purposes of LOS, "capita" was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household

1. Post development runoff shall not exceed the pre-development runoff rate for a 25-year storm event, up to and including an event with a 24-hour duration.
2. Storm water treatment and disposal facilities shall be designed to meet the design and performance standards established in Chapter 62-25 Section 25.025, Florida Administrative Code, with treatment of the runoff from the first one inch of rainfall on-site to meet the water quality standards required by Chapter 62-302, Florida Administrative Code. Storm water facilities which directly discharge into "Outstanding Florida Waters" (OFW) shall provide an additional treatment pursuant to Section 62-25.025 (9), Florida Administrative Code.
3. Storm water facilities must be designed so as to not degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 62-302 Florida Administrative Code.

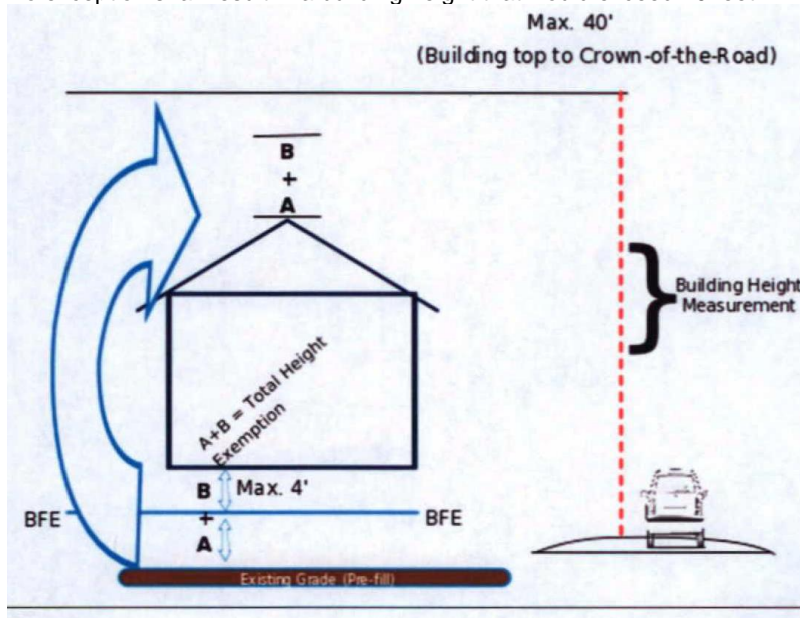
Endnotes

i Sec. 122-28 Replacement or reconstruction.

- b. *Dwelling units (residential)*. Residential dwelling units may be replaced at their existing nonconforming density, location and three-dimensional building envelope. Dwelling units involuntarily destroyed do not require variances to be reconstructed or replaced. If a voluntary reconstruction or replacement occurs and if the dwelling units exist or existed in a noncomplying building or structure, the reconstruction or replacement that increases the nonconformity of the building or structure shall require a variance granted by the planning board. In a voluntary reconstruction of a structure on a corner lot, the property owner must apply to the planning board for all necessary setback variances. All noncomplying accessory structures to the principal building or structure (e.g., a shed, pool, fence, etc., but not including a condominium clubhouse) shall also require a variance in order to be enlarged, reconstructed or replaced, either voluntarily or involuntarily. If a proposed reconstruction or replacement would not otherwise require a variance but would add a new building or structure to the site to accommodate allowed density, a variance shall be required for the additional building or structure. A residential building in which one or more units hold a residential transient use business tax receipt shall be deemed residential for the purposes of this section. Variances which would increase density or intensity beyond that maximum allowed on the particular property or lot by the land development regulations shall be prohibited.

ii Sec. 122-1149. Height.

- (d) Flood Protection Building Height Exception: An exception to the building height regulations as referenced in subsection (b) above, may be permitted in cases where a building is raised above ground to meet or exceed FEMA established base flood elevation levels under the following conditions:
  1. Only the equivalent measure of distance from the existing ground level, prior to infill, to the required base flood elevation of the building, and up to a maximum of four (4) feet above the base flood elevation, may exceed the building height regulations.
  2. No exception shall result in a building height that would exceed 40 feet.



# **Warranty Deed**

Doc# 2150258 01/08/2018 8:49AM  
Filed & Recorded in Official Records of  
MONROE COUNTY KEVIN MADOK

01/08/2018 8:49AM  
DEED DOC STAMP CL: MT \$2,275.00

Doc# 2150258  
Blk# 2386 Pgm 797

Prepared by and return to:  
Gregory S. Oropeza, Esq.  
Attorney at Law  
Oropeza Stones Cardenas, PLLC  
221 Simonton Street  
Key West, FL 33040  
305-294-0252  
File Number: 17-636  
Consideration: \$325,000.00

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 4th day of January, 2018 between JEA Real Estate, LLC, a Florida limited liability company whose post office address is 13613 62nd Ct., West Palm Beach, FL 33412, grantor, and Nicholas OBea, LLC a Florida limited liability company whose post office address is 200 76th Street, Apt. 47, Miami Beach, FL 33141, 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:

**On the Island of Key West and known on William A. Whitehead's Map of said Island, delineated in February, A.D. 1829 as Part of Tract 30, but now better known and described as the Northwesterly 50 feet of Lot 13, of Square 4, Tract 30, according to W.D. Cash's diagram of said Tract 30, recorded in Plat Book 1, Page 13, Public Records of Monroe County, Florida.**

**Parcel Identification Number: 00062960-000000**

**Subject to taxes for 2018 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, 2017**.

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

DoubleTime®

Doc# 2150258  
Ekt# 2386 Pg# 798

Signed, sealed and delivered in our presence:

David A. Raese  
Witness Name: DAVID A. RAESE

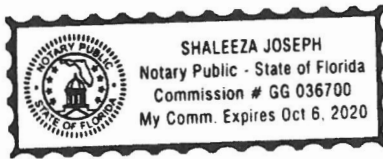
Adam Hodge  
Witness Name: Adam Hodge

JEA Real Estate, LLC, a Florida limited liability company  
By: Jan E. Hodge  
Jan E. Hodge, Manager

State of Florida  
County of Palm Beach

The foregoing instrument was acknowledged before me this 3 day of January, 2018 by Jan E. Hodge, Manager of JEA Real Estate, LLC, a Florida limited liability company, on behalf of the limited liability company. He/she  is personally known to me or  has produced a driver's license as identification.

[Notary Seal]



Shaleeza Joseph  
Notary Public  
Printed Name: Shaleeza Joseph  
My Commission Expires: 10/6/20

# **Verification Form**

City of Key West  
Planning Department



Verification Form

(Where Authorized Representative is an entity)

I, Thomas Francis-Siburg, in my capacity as Planner / Development Specialist  
*(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:

1610-1612 Dennis Street, Key West, FL 33040 (RE# 00062960-000000)  
*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.

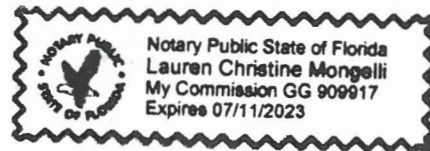
[Signature]  
*Signature of Authorized Representative*

Subscribed and sworn to (or affirmed) before me on this 6/12/2020 by  
*date*

Thomas Francis-Siburg  
*Name of Authorized Representative*

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

[Signature]  
*Notary's Signature and Seal*



Lauren Mongelli  
*Name of Acknowledger typed, printed or stamped*

GG909917  
*Commission Number, if any*



# **Authorization Form**

**City of Key West  
Planning Department**



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

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

I, Nicholas O'Bea as  
*Please Print Name of person with authority to execute documents on behalf of entity*

Manager of Nicholas Obea LLC  
*Name of office (President, Managing Member)* *Name of owner from deed*

authorize Trepanier & 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.

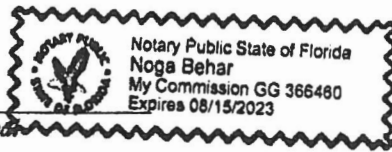
*Signature of person with authority to execute documents on behalf on entity owner*

Subscribed and sworn to (or affirmed) before me on this \_\_\_\_\_  
*Date*

by Nicholas O'Bea  
*Name of person with authority to execute documents on behalf on entity owner*

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

*Notary's Signature and Seal*



Noga Behar  
*Name of Acknowledger typed, printed or stamped*

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

# Site Plans






REVISION #	DATE
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## MAP OF BOUNDARY SURVEY

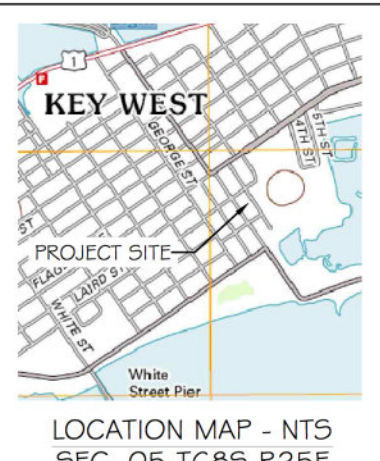
**BEARING BASE:**  
 ALL BEARINGS ARE BASED ON 530° 19' 05" E ASSUMED ALONG THE CENTERLINE OF DENNIS STREET.

**ALL ANGLES DEPICTED ARE 90 DEGREES UNLESS OTHERWISE INDICATED.**


**ALL UNITS ARE SHOWN IN U.S. SURVEY FEET**

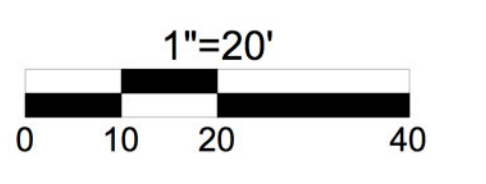
**ADDRESS:**  
 1610-1612 DENNIS STREET  
 KEY WEST, FL 33040

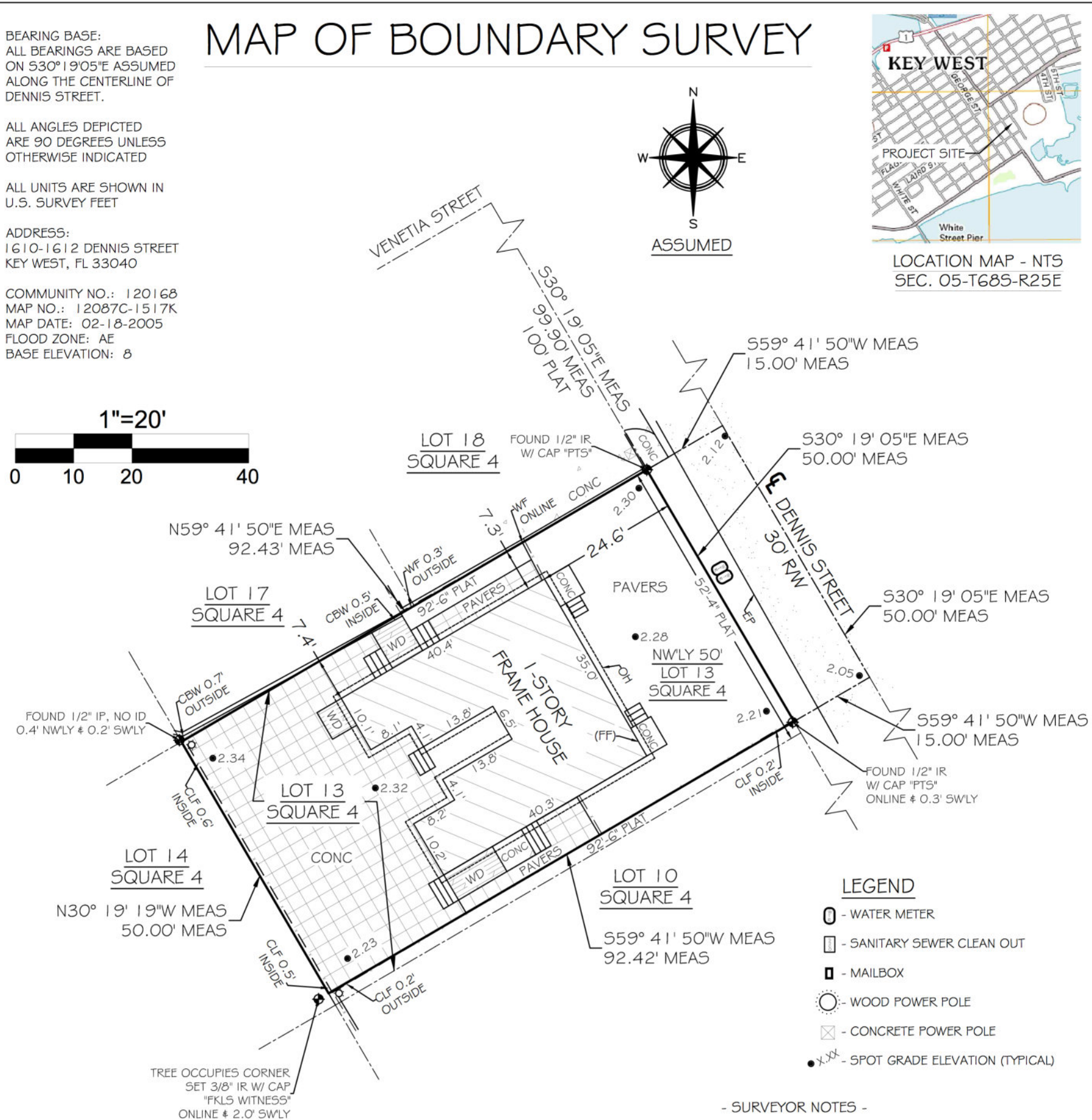
**COMMUNITY NO.:** 120168  
**MAP NO.:** 12067C-1517K  
**MAP DATE:** 02-18-2005  
**FLOOD ZONE:** AE  
**BASE ELEVATION:** 8



LOCATION MAP - NTS  
 SEC. 05-T685-R25E

  
 ASSUMED





**LEGEND**

- WATER METER
- SANITARY SEWER CLEAN OUT
- MAILBOX
- WOOD POWER POLE
- CONCRETE POWER POLE
- SPOT GRADE ELEVATION (TYPICAL)

- SURVEYOR NOTES -

- ELEVATIONS SHOWN HEREON ARE IN FEET AND BASED ON THE NATIONAL GEODETIC VERTICAL DATUM OF 1929 (NGVD 1929), AND ARE CERTIFIED TO +/- 0.10.
- BENCHMARK DESCRIPTION: NATIONAL GEODETIC SURVEY BENCHMARK DESIGNATION TD 1211, F.I.D. ADJ2020, ELEVATION=3.911 (NGVD 1929).
- THE FINISH FLOOR ELEVATION (FF) = 5.0' (NGVD 1929) AND WAS TAKEN AT THE DOOR THRESHOLD IN THE LOCATION INDICATED ON THE SURVEY, NO INTERIOR FLOOR ELEVATIONS WERE MEASURED OR VERIFIED.

**TOTAL AREA = 4,621.23 SQFT±**

**LEGAL DESCRIPTION -**

On the Island of Key West and known on William A. Whitehead's Map of said Island, delineated in February, A.D. 1829 as Part of Tract 30, but now better known and described as the Northwestern 50 feet of Lot 13, of Square 4, Tract 30, according to W.D. Cash's diagram of said Tract 30, recorded in Plat Book 1, Page 13, Public Records of Monroe County, Florida.

**CERTIFIED TO -**  
 NICHOLAS OBEA, LLC;

NOTE: FOUNDATIONS BENEATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE.


THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET.


BFF = BACK-FLOW PREVENTER BO = BORN OUT C & G = 2" CONCRETE CURB & GUTTER CB = CONCRETE BLOCK CBW = CONCRETE BLOCK WALL CL = CENTERLINE CLP = CHALKLINE FENCE CM = CONCRETE MONUMENT CONC = CONCRETE COP = CONCRETE POWER POLE COV = COVERED DELTA = CENTRAL ANGLE SEAS = STRAIGHT EASEMENT EL = ELEVATION ENCL = ENCLOSURE EP = EDGE OF PAVEMENT FF = FINISHED FLOOR ELEVATION FI = FIRE HYDRANT FL = FENCE LINE FND = FOUND FO = FENCE OUTSIDE FOA = FENCE ON LINE	GUY = GUY WIRE HB = HOSE BOX IF = IRON PIPE IR = IRON ROD LA = ARC LENGTH LB = LANDSCAPING MD = MAILBOX MEAS = MEASURED MP = METAL FENCE MPA = METAL POST AND RAIL MPT = METAL POST NGVD = NATIONAL GEODETIC VERTICAL DATUM (1929) OR = ROOF OVERHANG OVA = OVERPASS ARCHES PC = POINT OF CURVE PMA = PARKING METER POC = POINT OF COMMENCEMENT CURVE POF = POINT OF BEGINNING POFB = POINT OF BEGINNING POFB = POINT OF BEGINNING POFB = POINT OF BEGINNING	PCC = POINT OF COMMENCEMENT POC = POINT OF CURVE PRM = PERMANENT REFERENCE MONUMENT PT = POINT OF TANGENT RW = RIGHT OF WAY LINE S&CO = SANITARY SEWER CLEAN OUT SW = SIDE WALK TBM = TEMPORARY BENCHMARK TOP = TOP OF BANK TOS = TOP OF SLOPE TR = TRAFFIC SIGN TYP = TYPICAL UL = UTILITY EASEMENT UNL = UNLINED WP = WOOD FENCE WL = WOOD LANDING WM = WATER METER WPT = WOOD POWER POLE WVAL = WOOD VALVE WY = WATER VALVE
-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

**SCALE:** 1"=20'  
**FIELD WORK:** 1/28/2018  
**DATE:** 1/28/2018

**MAP DATE:** 12/07/2018  
**REVISION DATE:** XXXXXXXX  
**SHEET:** 1 OF 1  
**DRAWN BY:** JMJ  
**INVOICE NO.:** 18-1118-1

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTERS 2014-147 & 2017-205, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND COMPLIES WITH CHAPTER 177, PART II FLORIDA STATUTES.

  
 NOT VALID WITHOUT THE SIGNATURE AND THE RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER.  
 ERIC A. ISAACS, LSW #6783, PROFESSIONAL SURVEYOR AND MAPPER, LSW 7847



**FLORIDA KEYS LAND SURVEYING**  
 19960 OVERSEAS HIGHWAY  
 SUGARLOAF KEY, FL 33042  
 PHONE: (305) 394-3690  
 EMAIL: FKLScmail@gmail.com

**SURVEY, PROVIDED BY OWNER**



# SITE DATA

ITEM	EXISTING	REQ. PER LDR	PROPOSED	REMARK
DISTRICT	SF	SF	SF	
SITE AREA	4,621 SQ. FT.	6,000 SQ. FT.	EXISTING	EXISTING
LOT SIZE	52'-4" X 92'-6" SEE SURVEY	50' X 100' (MIN)	EXISTING	EXISTING
IMPERVIOUS	4,290 SQ. FT. (92.8 % EXISTING)	2,301 SQ. FT. (50% MAX)	1,890 SQ. FT. (40.9 %)	CONFORMING
OPEN SPACE	331 SQ. FT. (7.2 % EXISTING)	1,611 SQ. FT. (35% MIN)	2,720 SQ. FT. (58.9 %)	CONFORMING
BUILDING COV.	1,745 SQ. FT. (37.7 % EXISTING)	1,611 SQ. FT. (35% MAX)	1,577 SQ. FT. (34.1 %)	CONFORMING
ACCESSORY STRUCTURE REAR YARD COV.	NA	(30% MAX COV.) 1,381 SQ. FT. REAR YARD AREA	NA	NA

SETBACKS				
FRONT SETBACK	19'-9"	20'	20'-6 1/2"	CONFORMING
REAR SETBACK	22'-6"	25'	25'-7"	CONFORMING
NORTH SIDE SETBACK	4 1/2"	5'	6'-5 1/2"	CONFORMING
SOUTH SIDE SETBACK	2'-3 1/2"	5'	6'-6 1/2"	CONFORMING
BUILDING HEIGHT	15'-1 1/2"	40'	35'-0"	CONFORMING

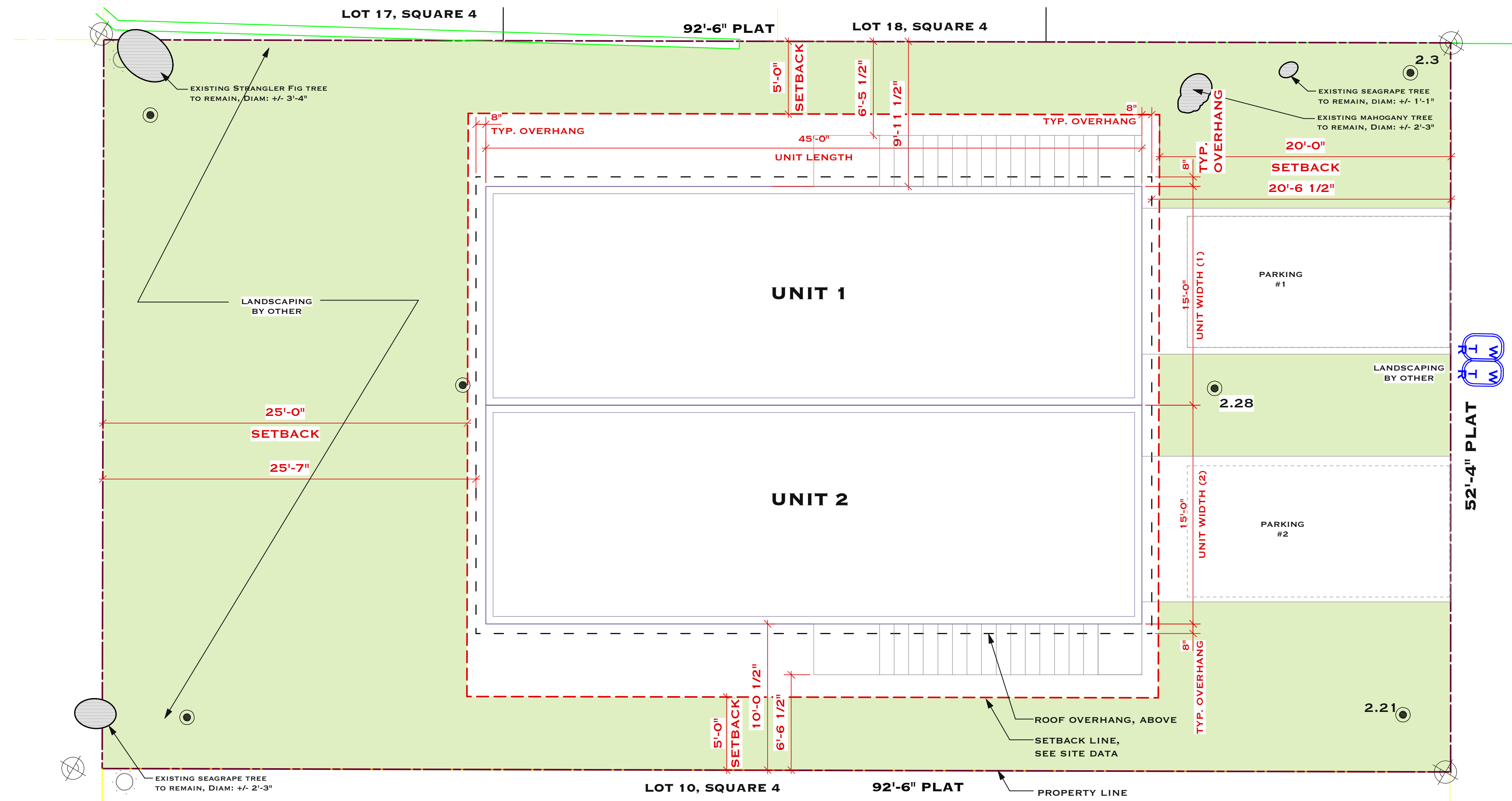
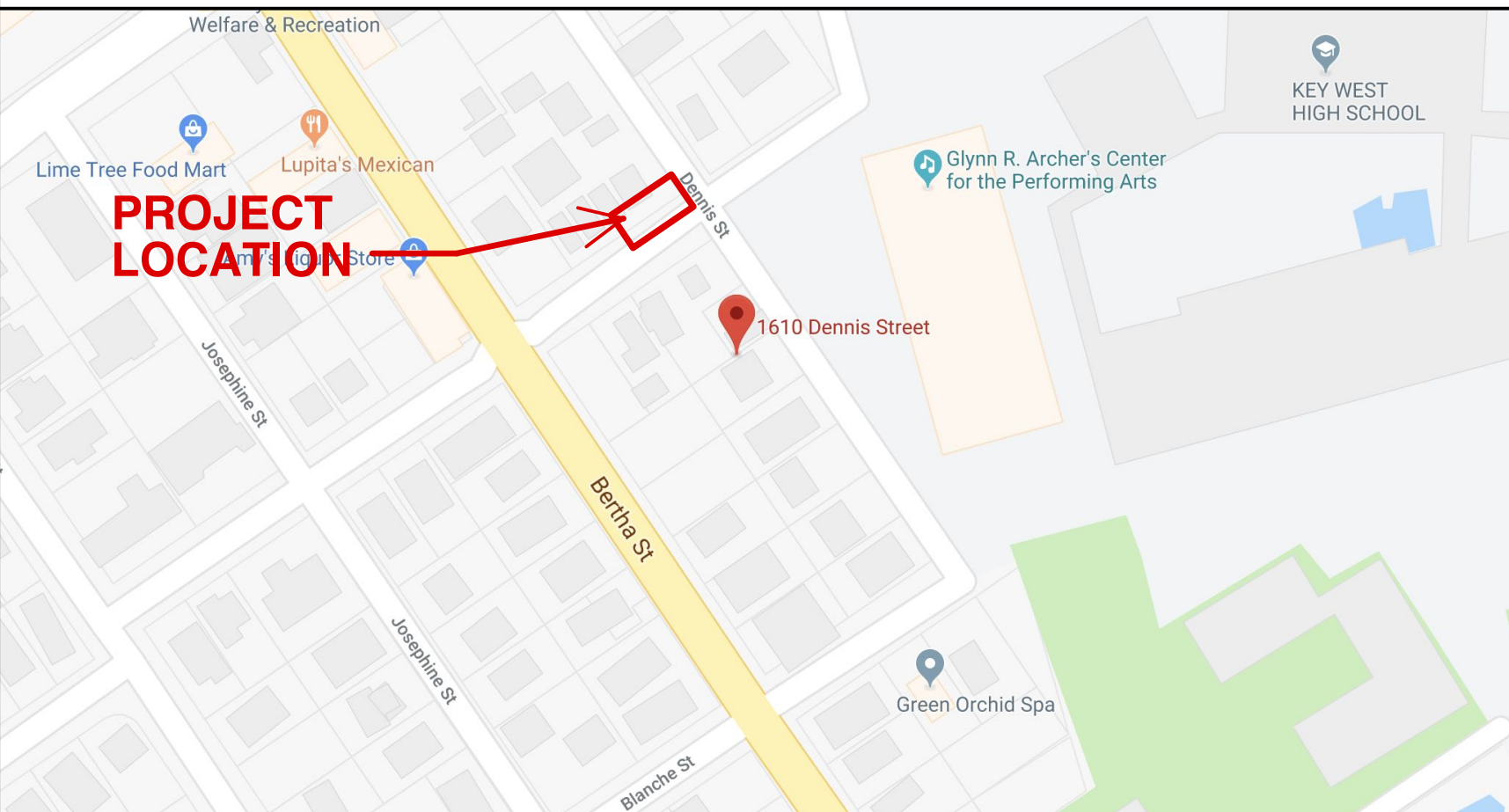
## FEMA MAP FLOOD ZONE AE 8 (NGVD 1929)



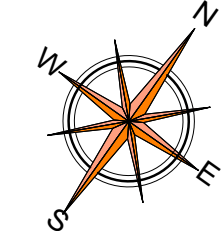
## FUTURE FEMA MAP: AE 8 (NAVD 1988)



## SITE LOCATION MAP



1 ARCHITECTURAL SITE PLAN  
SCALE: 3/16" = 1'-0"



**GRAPHIC KEY**  
 [Solid Line] EXTENT OF PREFAB. UNIT  
 [Dashed Line] EXTENT OF ROOF OVERHANG

**NOTE:**  
DIMENSIONS ARE TO FINISH WALL MATERIAL

# A NEW BUILDING FOR NICK OBEA 1610-1612 DENNIS STREET KEY WEST , FL 33040

### DESIGN NOTES:

### GENERAL NOTES:

### DRAWING SCHEDULE:

- DO NOT SCALE ANY DRAWING.
- WRITTEN DIMENSIONS HAVE PRECEDENCE OVER SCALED DIMENSIONS. LARGER SCALE DETAILS HAVE PRECEDENCE OVER SMALLER SCALE DETAILS. ANY DISCREPANCIES ARE TO REPORTED TO ARCHITECT PRIOR TO CONSTRUCTION.
- CONSULT THE ARCHITECT IN THE EVENT ANY ITEM OF WORK NECESSARY FOR THE PROPER COMPLETION OF THE PROJECT IS NOT SPECIFICALLY COVERED IN THE DRAWINGS.
- ALL WORK SHALL BE OF SUPERIOR QUALITY PERFORMED IN A MANNER CONSISTENT WITH INDUSTRY STANDARDS, ALL BUILDING CODE REQUIREMENTS AND IN A PROFESSIONAL MANNER BY MECHANICS SKILLED AND LICENSED IN THEIR RESPECTIVE TRADES.
- ALL MANUFACTURED ARTICLES, MATERIALS AND EQUIPMENT SHALL BE APPLIED, INSTALLED, ERECTED AND CONNECTED IN ACCORDANCE WITH MANUFACTURER'S DIRECTIONS AND RECOMMENDATIONS.
- ANY DISCREPANCIES BETWEEN DRAWINGS, LOCAL CODES, BUILDING INSPECTOR REQUIREMENTS AND/OR EXISTING CONDITIONS SHALL BE REFERRED TO THE ARCHITECT FOR RESOLUTION. ALL DIMENSIONS AND CONDITIONS OF EACH TRADE ARE TO BE VERIFIED PRIOR TO COMMENCEMENT OF CONSTRUCTION OR THE WORK OF EACH SPECIFIC TRADE.
- ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF MUNICIPAL, LOCAL, FEDERAL AND STATE LAWS, AS WELL AS ANY OTHER GOVERNING REQUIREMENTS, AND CONVENTIONAL GUIDELINES, WHETHER OR NOT SPECIFIED ON THE DRAWINGS.
- ALL DAMAGED AND DEFECTIVE MATERIAL AND WORKMANSHIP IN CONNECTION WITH THE WORK SHALL BE REMOVED, REPLACED, AND RECTIFIED.
- ALL LEGALLY REQUIRED APPROVALS AND PERMITS NECESSARY FOR THE EXECUTION AND COMPLETION OF THE WORK SHALL BE OBTAINED.
- ALL TIE-INS AND UTILITY SERVICES ARE TO BE COORDINATED WITH THE RESPECTIVE UTILITY COMPANY.
- ALL CONSTRUCTION DEBRIS SHALL BE REMOVED PRIOR TO THE COMPLETION OF THE PROJECT.
- ALL EXISTING TREES, SHRUBS, VEGETATION, AND LANDSCAPE ELEMENTS OR FEATURES ADJACENT TO AND IN THE VICINITY OF THE BUILDING AND STAGING AREAS SHALL BE PROTECTED DURING THE ENTIRE PERIOD OF CONSTRUCTION.
- ANY REVISIONS MUST BE APPROVED BY: ARCHITECT PRIOR TO TO CONSTRUCTION.

T1.1	TITLE, SITE PLAN & SITE DATA & PROJECT INFO
A1.1	FLOOR PLANS & ROOF PLAN
A3.1	ELEVATIONS
A3.2	ELEVATIONS
A4.1	SECTION

### SCOPE OF WORK:

**NEW PREMANUFACTURED DUPLEX  
STRUCTURE W/ PARKING BELOW**

14. ALL DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE THE COPYRIGHT PROPERTY OF THE ARCHITECT AND ENGINEER. DRAWINGS, SPECIFICATIONS AND RELATED DOCUMENTS ARE FOR USE ON THIS PROJECT ONLY AND USE OR REPRODUCTION OF A PART OR WHOLE IS FORBIDDEN WITHOUT THE ARCHITECT'S AND ENGINEER'S WRITTEN PERMISSION THIS DRAWING IS NOT TO BE USED FOR CONSTRUCTION UNTIL SEALED AND SIGNED BY THE ARCHITECT/ENGINEER.

**T.S. NEAL  
ARCHITECT INC.**  
22974 OVERSEAS HWY  
CUDJOE KEY, FL  
33042  
305-340-8857  
251-422-9547



**PLANS ARE FOR  
PLANNING  
PURPOSES ONLY  
NOT FOR  
CONSTRUCTION**

**A BUILDING FOR  
NICK OBEA  
1610-1612 DENNIS STREET  
KEY WEST, FL 33040**

**DRAWING TITLE:  
TITLE & PROJECT  
INFORMATION**

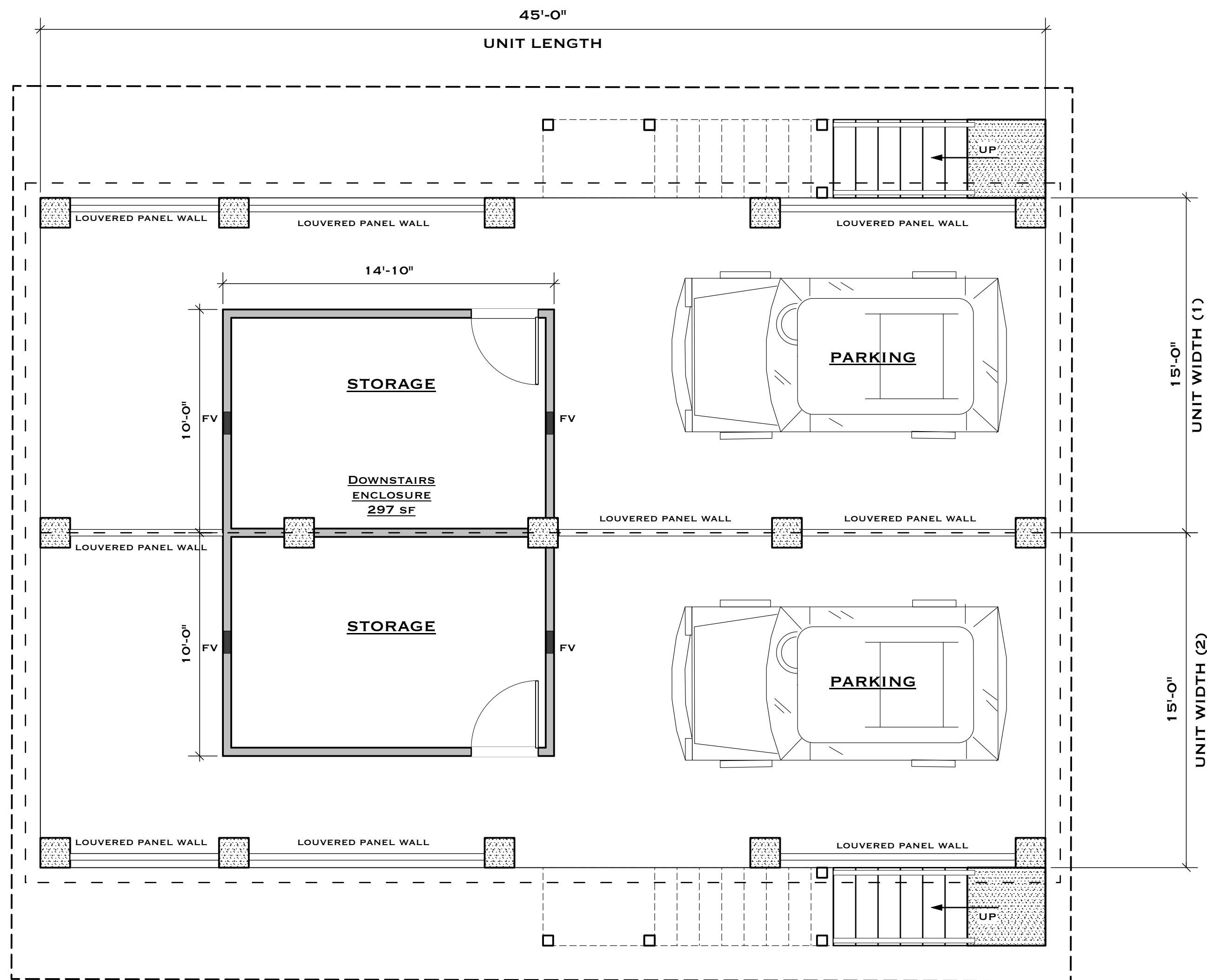
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CHECKED: TSN  
DATE: 09-10-2020

REVISION #	DATE

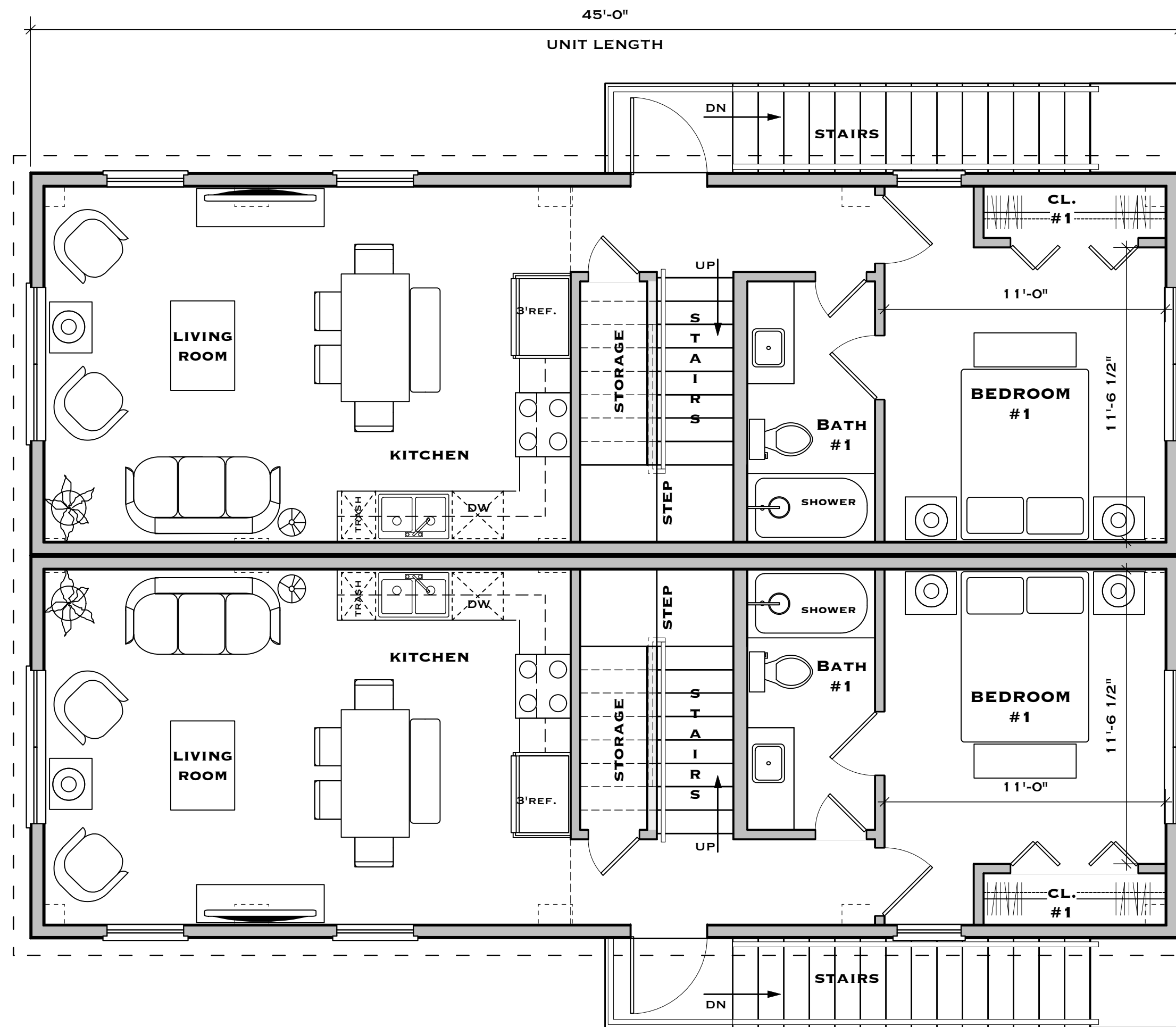
**T1.1  
SHEET #**

**TSN**  
T. S. NEAL ARCHITECT, INC.

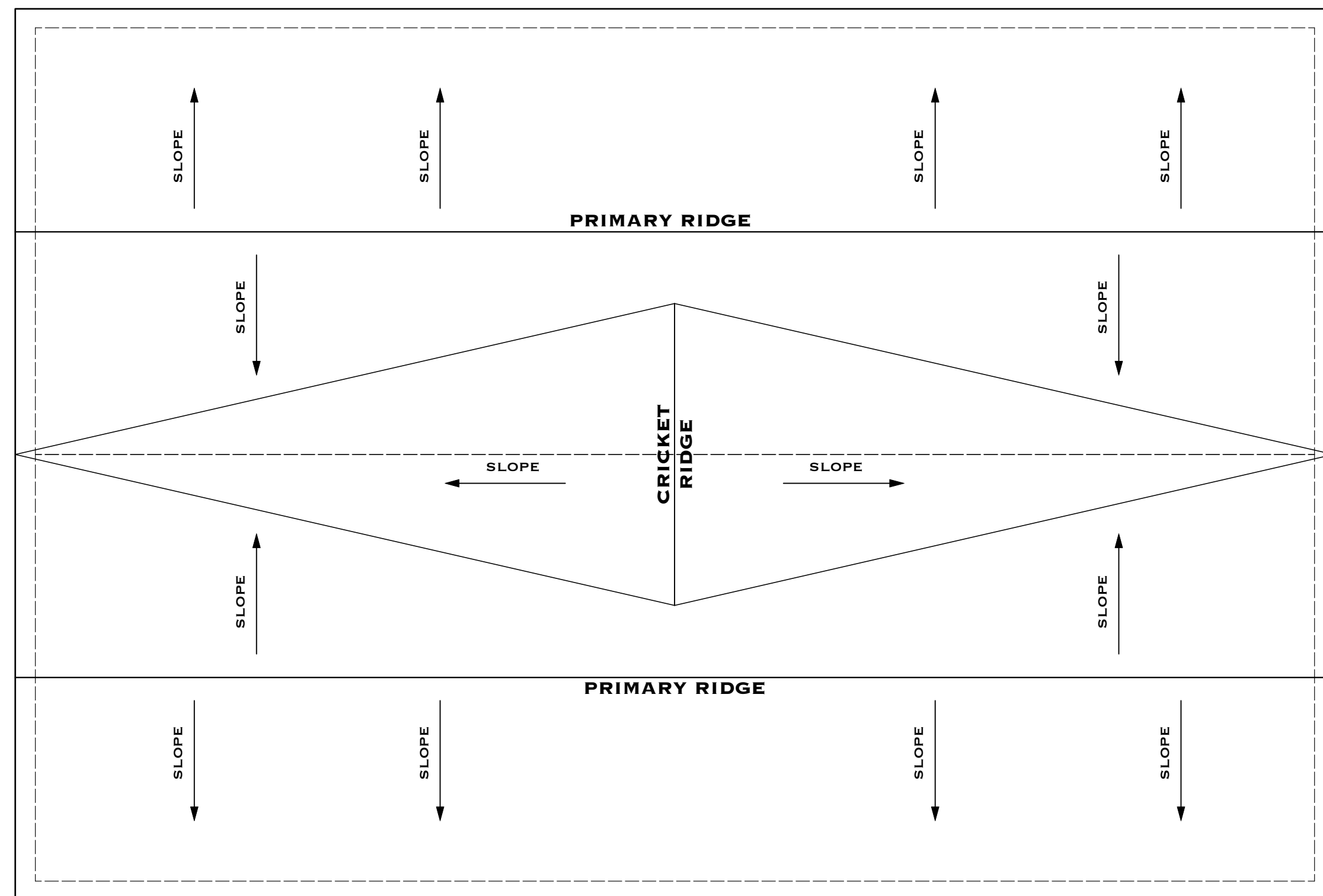




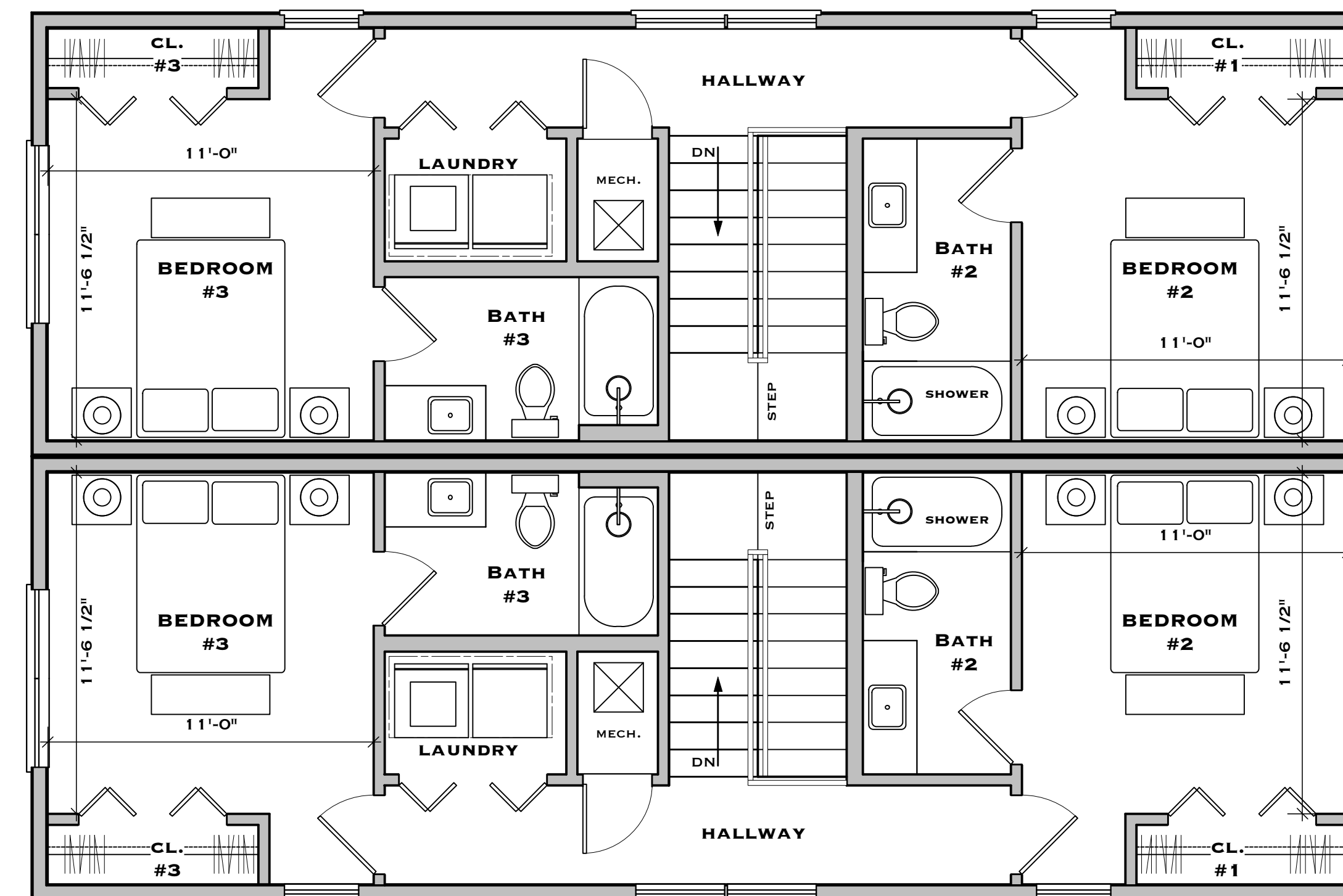
1 GROUND FLOOR PLAN  
SCALE: 1/4" = 1'-0"



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



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



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

T.S. NEAL  
ARCHITECT INC.  
22974 OVERSEAS HWY  
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PLANS ARE FOR  
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CONSTRUCTION

A BUILDING FOR  
**NICK OBEA**  
1610-1612 DENNIS STREET  
KEY WEST, FL 33040

DRAWING TITLE:  
PROPOSED FLOOR PLAN

DRAWN: TSN -EDSA  
CHECKED: TSN  
DATE: 09-10-2020

REVISION #	DATE

**A1.1**  
SHEET #



MAX. ALLOWABLE BUILDING HEIGHT:  
(SEC. 122-11.49 HEIGHT (D)2)  
(HEIGHT DIAGRAM)

(A+B) BONUS  
+/- 9.05'

ELEVATION  
30'-0"

ELEVATION  
25'-0"

FINISH FLOOR  
ELEVATION: 11.33'  
NGVD 1929

AE 8:  
ELEVATION:  
8.00'+1.00' = 9.00'  
NGVD 1929

GRADE  
ELEVATION: 2.28'  
NGVD 1929

CROWN OF ROAD  
ELEVATION: 2.05'  
NGVD 1929

ELEVATION: 0.00'  
NGVD 1929

B=FF (11.33') - (BFE (8.00')) = 3.33'  
A=BFE (8.00') - GRADE (PREFILL) (2.28') = 5.72'

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

2 ELEVATION - SIDE  
SCALE: 1/4" = 1'-0"

FINISH FLOOR  
ELEVATION: 9.99'  
(NAVD 1988)

FUTURE FLOOD ZONE:  
AE 8+1'-0"  
ELEVATION 9'-0"  
(NAVD 1988)

ELEVATION: 0.00'  
(NAVD 1988)

PARKING

PARKING

8'-0 5/8"

1'-4 1/8"

**T.S. NEAL**  
ARCHITECT INC.  
22974 OVERSEAS HWY  
CUDJOE KEY, FL  
33042  
305-340-8857  
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PLANS ARE FOR  
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CONSTRUCTION

A BUILDING FOR  
**NICK OBEA**  
1610-1612 DENNIS STREET  
KEY WEST, FL 33040

DRAWING TITLE:  
ELEVATIONS

DRAWN: TSN -EDSA  
CHECKED: TSN  
DATE: 09-10-2020

REVISION #	DATE

**A3.1**  
SHEET #

**TSN**  
T. S. NEAL ARCHITECT, INC.





**PLANS ARE FOR**  
**PLANNING**  
**PURPOSES ONLY**  
**NOT FOR**  
**CONSTRUCTION**

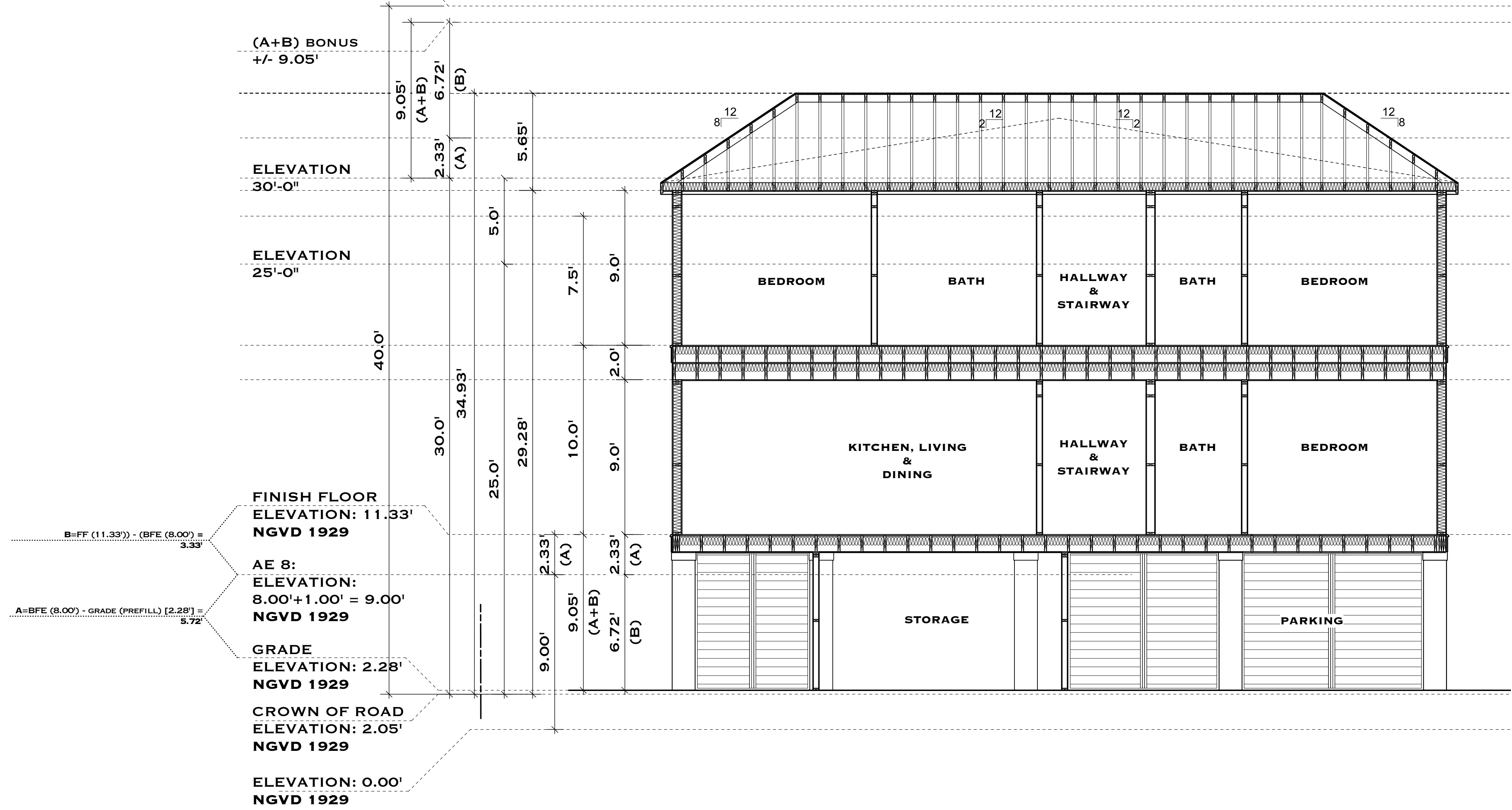
**A BUILDING FOR**  
**NICK OBEA**  
**1610-1612 DENNIS STREET**  
**KEY WEST, FL 33040**

**DRAWING TITLE:**  
**SECTION**  
 DRAWN: TSN -EDSA  
 CHECKED: TSN  
 DATE: 09-10-2020

REVISION #	DATE

**A4.1**  
 SHEET #

MAX. ALLOWABLE BUILDING HEIGHT:  
 (SEC. 122-11.49 HEIGHT (D)2)  
 (HEIGHT DIAGRAM)



**1**  
**A4.1** SECTION  
 SCALE: 1/4" = 1'-0"



MAX. ALLOWABLE BUILDING HEIGHT:  
(SEC. 122-11.49 HEIGHT (D)2)  
(HEIGHT DIAGRAM)

(A+B) BONUS  
+/- 9.05'

ELEVATION  
30'-0"

ELEVATION  
25'-0"

FINISH FLOOR  
ELEVATION: 11.33'  
NGVD 1929

AE 8:  
ELEVATION:  
8.00'+1.00' = 9.00'  
NGVD 1929

GRADE  
ELEVATION: 2.28'  
NGVD 1929

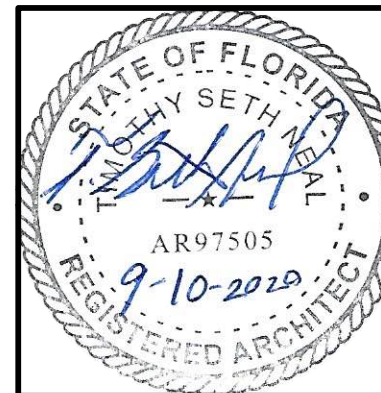
CROWN OF ROAD  
ELEVATION: 2.05'  
NGVD 1929

ELEVATION: 0.00'  
NGVD 1929

1 ELEVATION - REAR  
A3.2 SCALE: 1/4" = 1'-0"

2 ELEVATION - SIDE  
A3.2 SCALE: 1/4" = 1'-0"

  
**T.S. NEAL**  
ARCHITECT INC.  
22974 OVERSEAS HWY  
CUDJOE KEY, FL  
33042  
305-340-8857  
251-422-9547



PLANS ARE FOR  
PLANNING  
PURPOSES ONLY  
NOT FOR  
CONSTRUCTION

A BUILDING FOR  
**NICK OBEA**  
1610-1612 DENNIS STREET  
KEY WEST, FL 33040

DRAWING TITLE:  
ELEVATIONS

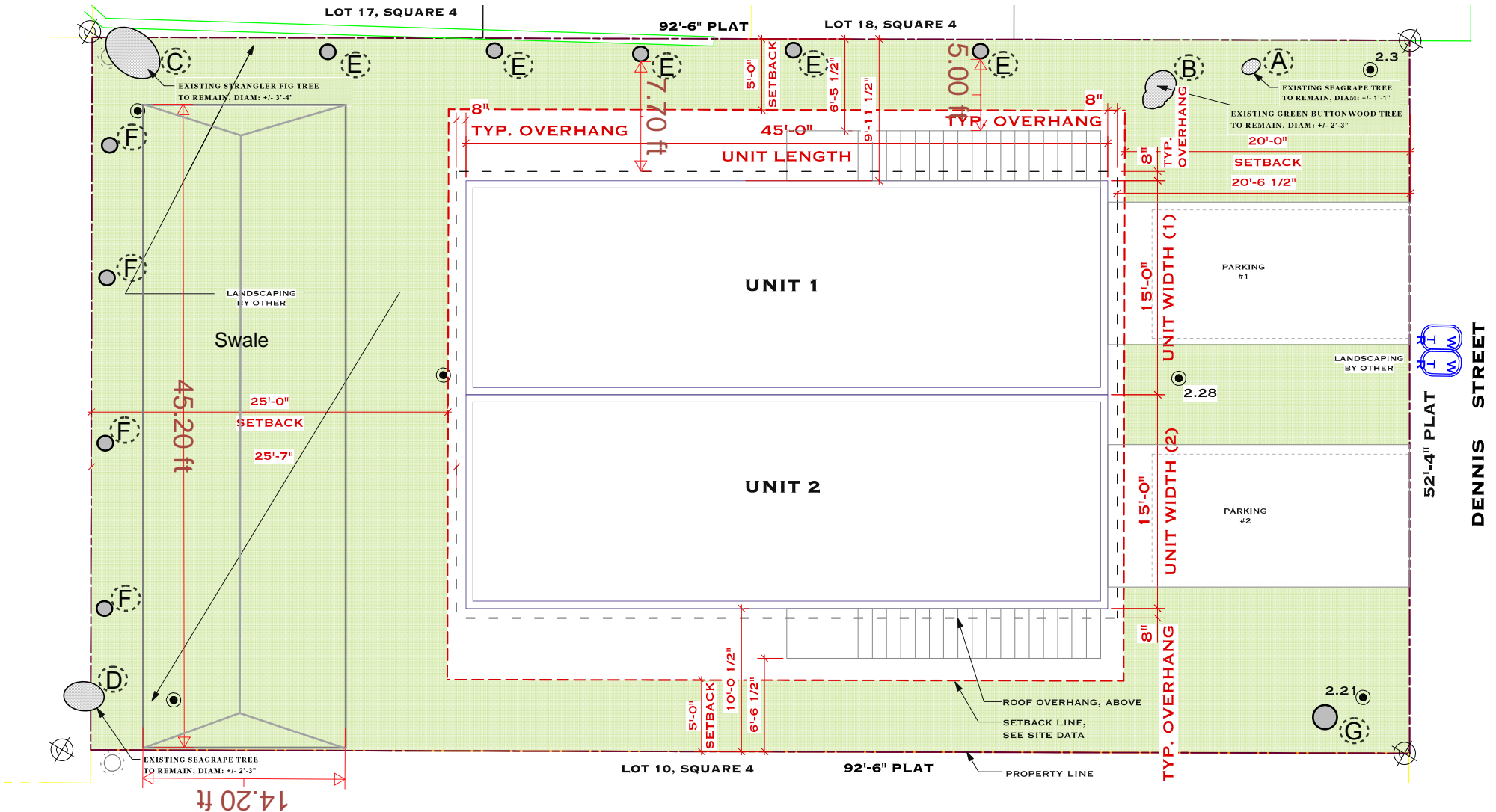
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CHECKED: TSN  
DATE: 09-10-2020

REVISION #	DATE

**A3.2**  
SHEET #

  
T.S. NEAL ARCHITECT, INC.

# 1610-1612 Dennis Street Proposed Lot Mitigation Plan



1 ARCHITECTURAL SITE PLAN  
A1.0 SCALE: 3/16" = 1'-0"





# 1610-1612 Dennis Street

## Proposed Lot Mitigation Plan: Plant Types

EXISTING TO REMAIN



**A**

Seagrape Tree\*  
Diam: +/- 1'-1"



**B**

Green Buttonwood Tree\*  
Diam: +/- 2'-3"



**C**

Strangler Fig Tree  
Diam: +/- 3'-4"



**D**

Seagrape Tree\*  
Diam: +/- 2'-3"

\*To be trimmed by certified arborist.

PROPOSED NEW PLANTS

**E**

2 Caliper Inch Approved Tree  
(Total of 5 new 2 caliper in. trees)

**F**

Shrub  
(Total of 4 new shrubs)

**G**

Canopy / Shade Approved Tree  
(Total 1 new canopy/shade tree)

# 1610-1612 Dennis Street Proposed Lot Mitigation Plan: Swale

Site Data	Permitted/ Required	Existing	Proposed	Compliance
Zoning	SF			No Change
Historical Zoning, 1985	R-2 (Ord. 78-21)			NA
FEMA		AE-8	AE-8	No Change
Site Size	Min. 6,000 sq. ft.	4,621 sq. ft.	4,621 sq. ft.	No Change
Building Year Built	-	1958	New	NA
Density	8 du/acre (.9 units)	2 du	2 du	No Change
Floor Area	NA	NA	NA	No Change
Floor Elevation	-	5.0 ft.	11.3 ft.	NA
Building Height	40 ft.	15.1 ft.	35.0 ft.	Complies
Building Coverage	35%	37.7% (1,745 sq. ft.)	34.1% (1,557 sq. ft.)	Complies
Impervious Surface	50%	92.8% (4,290 sq. ft.)	40.9% (1,890 sq. ft.)	Complies
Open Space	35% (1,694 sq. ft.)	7.2% (331 sq. ft.)	58.9% (2,720 sq. ft.)	Complies
Landscape	20% (968 sq. ft.)	7.2% (331 sq. ft.)	58.9% (2,720 sq. ft.)	Complies
Front Setback	20 ft.	19.75 ft.	>20 ft.	Complies
Rear Setback	25 ft.	22.50 ft.	>25 ft.	Complies
SE Side Setback	5 ft.	2.23 ft.	>5 ft.	Complies
NW Side Setback	5 ft.	0.38 ft.	>5 ft.	Complies
Auto Parking	1 per du	4	4	Complies

**Water Quality - Predevelopment**

Project Area	.106 ac
Pervious Area	.008 ac
Impervious Area	.098 ac
% Impervious	92.8%

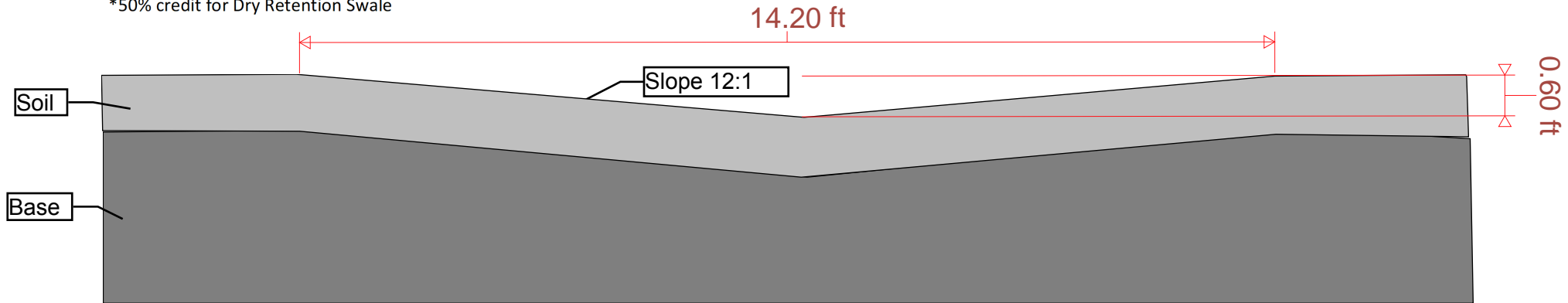
**Water Quality – Post Development**

Project Area	.106 ac
Pervious Area	.063 ac
Impervious Area	.043 ac
% Impervious	41.2%

**Storage Requirement (1in x Site Area):** 0.083 ft x 4,621 sq ft x 50%\* = **191.8 cu. ft.**

**Swale / Dry Retention Proposed:** 45.2 ft x 14.2 ft x 0.6 ft x 50%\* = **192.6 cu. ft.**

\*50% credit for Dry Retention Swale



**Site Visit**









# **Additional Information**





**Summary**

Parcel ID 00062960-000000  
 Account# 1063371  
 Property ID 1063371  
 Millage Group 10KW  
 Location 1612 DENNIS St, KEY WEST  
 Address  
 Legal KW DIAG PB 1-13 THE NWLY 50 FT OF LOT 13 SQR 4 TR 30 OR237-139/140 OR498-750 OR609-155  
 Description OR714-595 OR831-469 OR1108-966 OR2693-2096/97 OR2886-797/98  
 (Note: Not to be used on legal documents.)  
 Neighborhood 6183  
 Property Class MULTI FAMILY LESS THAN 10 UNITS (0800)  
 Subdivision  
 Sec/Twp/Rng 05/68/25  
 Affordable No  
 Housing



**Owner**

NICHOLAS OBEA LLC  
 200 76th St  
 Apt 47  
 Miami Beach FL 33141

**Land**

Land Use	Number of Units	Unit Type	Frontage	Depth
MULTI RES DRY (080D)	4,625.00	Square Foot	0	0

**Buildings**

Building ID	5230	Exterior Walls	WD FR STUCCO
Style	1 STORY ELEV FOUNDATION	Year Built	1958
Building Type	M.F. - R2 / R2	EffectiveYearBuilt	1985
Gross Sq Ft	1380	Foundation	CONCR FTR
Finished Sq Ft	1182	Roof Type	GABLE/HIP
Stories	1 Floor	Roof Coverage	ASPHALT SHINGL
Condition	AVERAGE	Flooring Type	CONC S/B GRND
Perimeter	194	Heating Type	NONE with 0% NONE
Functional Obs	0	Bedrooms	2
Economic Obs	0	Full Bathrooms	2
Depreciation %	37	Half Bathrooms	0
Interior Walls	WALL BD/WD WAL	Grade	400
		Number of Fire Pl	0

Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	1,182	1,182	0
OPU	OP PR UNFIN LL	198	0	0
TOTAL		1,380	1,182	0

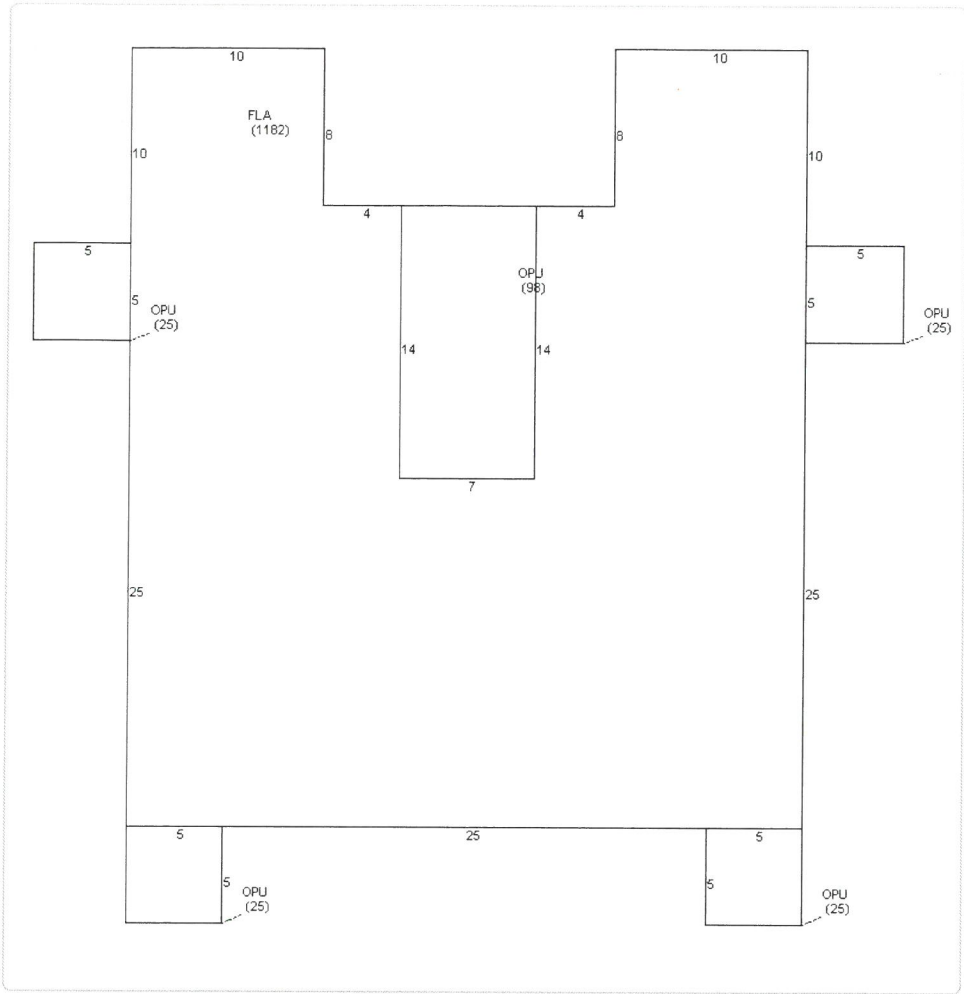
**Yard Items**

Description	Year Built	Roll Year	Quantity	Units	Grade
TILE PATIO	1964	1965	1	1100 SF	3
CH LINK FENCE	1964	1965	1	1200 SF	1

**Permits**

Number	Date Issued	Date Completed	Amount	Permit Type	Notes
19-2091	6/7/2019		\$1,500	Residential	AFTER THE FACT-CAP OFF PLUMBING TO PREP FOR INTERIOR DEMO.
18-0766	10/16/2018		\$2,300	Residential	DEMO ELECTRIC IN EXISTING GUTTED HOUSE.
18-2535	6/16/2018		\$2,300	Residential	DEMO INTERIOR WALL COVERINGS & FLOORING TO DETERMINE IF ANY STRUCTURAL WORK IS NEEDED 1180 SF.
18-1167	3/22/2018		\$9,500	Residential	TEAR EXISTING ROOF,INSTALL POLYGLASS PEEL AND STICK. INSTALL 5V CRIMP METAL ROOF. HURRICANE DAMAGE 1280 SF.

**Sketches (click to enlarge)**



No data available for the following modules: Commercial Buildings, Mobile Home Buildings, Exemptions.

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[Version 2.3.62](#)



Exhibit B

## THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

October 25, 2019

Nicholas O'Bea, LLC  
Attn: Nicholas O'Bea  
200 76<sup>th</sup> Street Apt.#47  
Miami Beach, FL 33141

RE: Zoning Verification Letter  
1610-1612 Dennis Street, Key West, FL 33040  
RE # 00062960-000000

Dear Mr. O'Bea,

The following letter shall serve as zoning verification for property located at 1610-1612 Dennis Street (property record card attached). The subject property is located within the Single Family (SF) zoning district (map attached), and is regulated by Chapter 122, Article IV, Division 4, Subdivision II of the City of Key West Land Development Regulations (LDRs) (attached), adopted July 3, 1997. The future land use classification is Low Density Residential (map attached). The property is not part of a Planned Unit Development (PUD), and is not located within the Key West Historic District.

**Adjacent zoning districts are the following:**

North: Public and Semipublic Services (PS) zoning district  
South: Single Family (SF) zoning district  
East: Coastal Medium Density Residential (MDR-C) zoning district  
West: Limited Commercial (CL) zoning district

**Uses permitted in the single family (SF) are as follows:**

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

**Conditional uses in the single family district (SF) are as follows:**

- (1) Two-family residential dwellings (duplexes). Note: Duplexes shall not be located within the following portions of the SF district:
  - a. The Venetian Subdivision located south of the Riviera Canal; and
  - b. The area bounded on the north by Flagler Drive, on the south by Casa Marina Court, on the east by White Street and on the west by Reynolds Street.



## THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

- (2) Educational institutions and day care.
- (3) Parks and recreation, active or passive.
- (4) Places of worship.
- (5) Protective services.
- (6) Public and private utilities.

### **Prohibited uses.**

In the single-family residential district (SF), all uses not specifically or provisionally provided for in this subdivision are prohibited.

The property is currently licensed as two non-transient residential units. In the event the one story structure is destroyed and needs to be rebuilt, the property owner may rebuild in the same footprint.

Please contact me at 305-809-3724 with any questions, concerns, or comments you may have.

Best regards,

Melissa Paul-Leto  
Planner I

### Attachments:

1. Licensing Certificate for two non-transient units
2. Property Record Card
3. City of Key West Zoning Map
4. Chapter 122, Article IV, Division 4, Subdivision II of the City of Key West Land Development Regulations
5. Future Land Use Map



**Thomas Francis-Siburg**

---

**From:** Roy Bishop <[rbishop@cityofkeywest-fl.gov](mailto:rbishop@cityofkeywest-fl.gov)>  
**Sent:** Monday, May 4, 2020 3:41 PM  
**To:** Thomas Francis-Siburg  
**Subject:** RE: 1610-1612 Dennis Street

I will look at my notes again and get back to you. We have a City Commission and Board of Adjustment that we are preparing for so it will be a couple of days at least. Roy

---

**From:** Thomas Francis-Siburg <[thomas@owentrepanier.com](mailto:thomas@owentrepanier.com)>  
**Sent:** Monday, May 4, 2020 3:31 PM  
**To:** Roy Bishop <[rbishop@cityofkeywest-fl.gov](mailto:rbishop@cityofkeywest-fl.gov)>  
**Subject:** RE: 1610-1612 Dennis Street

Thank you for the quick reply, Roy,

I am concerned that this is different than what you and I had spoken about over the phone. I had shared over the phone and as part of the rebuild request that I believe the code states that Katie as the City Planner only needs to approve this, pursuant to Sec. 108-91, because the house becomes fully code-compliant with no change to the conditional use. I believe the level of review does not require Planning Board approval. Rebuilding to the footprint as determined by the Buildback letter would result in rebuilding a non-complying structure. Our rebuild request proposes to remove all the aspects that were non-complying; replacing the non-complying 1-story 2-family house with a fully complying 2-story 2 family house.

Can you elaborate why it is you think the proposed development requires Planning Board approval as opposed to approval from Katie?

Best regards,  
Thomas

*Thomas Francis-Siburg*  
Planner / Development Specialist

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**Trepanier & Associates, Inc.**  
Land Planners & Development Consultants  
1421 First Street  
Key West, FL 33040-3648  
Ph. 305-293-8983 / Fx. 305-293-8748  
[www.owentrepanier.com](http://www.owentrepanier.com)

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**From:** Roy Bishop <[rbishop@cityofkeywest-fl.gov](mailto:rbishop@cityofkeywest-fl.gov)>  
**Sent:** Monday, May 4, 2020 2:36 PM  
**To:** Thomas Francis-Siburg <[thomas@owentrepanier.com](mailto:thomas@owentrepanier.com)>  
**Subject:** RE: 1610-1612 Dennis Street

Hello Thomas, I need to discuss with Katie Halloran to see if she concurs, but I am suggesting to her that you proceed through the planning and permitting process with the understanding that you will need Planning Board approval on any part of your design that does not meet Code requirements. As we discussed, a Buildback letter is not needed as you received a detailed Zoning Verification letter.

Roy

Exhibit C

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**From:** Thomas Francis-Siburg <[thomas@owentrepanier.com](mailto:thomas@owentrepanier.com)>  
**Sent:** Monday, May 4, 2020 1:39 PM  
**To:** Roy Bishop <[rbishop@cityofkeywest-fl.gov](mailto:rbishop@cityofkeywest-fl.gov)>  
**Subject:** RE: 1610-1612 Dennis Street

Good afternoon, Roy,

Can you give me a quick update on the City's determination regarding the rebuild request for 1610-1612 Dennis St? Last we spoke this past Tuesday, you had said the City would have something within a couple of days. We are wanting to move forward soon with a development application, but are waiting on this review.

Best regards,  
Thomas

*Thomas Francis-Siburg*  
Planner / Development Specialist

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---

**From:** Thomas Francis-Siburg  
**Sent:** Tuesday, April 28, 2020 8:56 AM  
**To:** Roy Bishop <[rbishop@cityofkeywest-fl.gov](mailto:rbishop@cityofkeywest-fl.gov)>  
**Subject:** RE: 1610-1612 Dennis Street

Thank you for the update, Roy. I appreciate your frankness in updating me regarding the delay.  
Best regards,  
Thomas

*Thomas Francis-Siburg*  
Planner / Development Specialist

---

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---

**From:** Roy Bishop <[rbishop@cityofkeywest-fl.gov](mailto:rbishop@cityofkeywest-fl.gov)>  
**Sent:** Tuesday, April 28, 2020 8:53 AM  
**To:** Thomas Francis-Siburg <[thomas@owentrepanier.com](mailto:thomas@owentrepanier.com)>  
**Subject:** Re: 1610-1612 Dennis Street

Good Morning Thomas, we should have something in the next several days. It has been delayed as we are preparing for upcoming Planning Board and City Commission meetings. Roy

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---

**From:** Thomas Francis-Siburg <[thomas@owentrepanier.com](mailto:thomas@owentrepanier.com)>  
**Sent:** Tuesday, April 28, 2020 8:44:42 AM  
**To:** Roy Bishop <[rbishop@cityofkeywest-fl.gov](mailto:rbishop@cityofkeywest-fl.gov)>  
**Subject:** RE: 1610-1612 Dennis Street

Good morning, Roy,

I hope you are doing well. I am following up on our conversation on Friday, 4/17, regarding the rebuild request for 1610-1612 Dennis Street. Can you provide me a quick update as to the status of your review of and write up to Katie regarding this property?

I appreciate your time and review in this project.

Best regards,  
Thomas

*Thomas Francis-Siburg*  
Planner / Development Specialist

---

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---

**From:** Thomas Francis-Siburg  
**Sent:** Friday, April 17, 2020 3:20 PM  
**To:** Roy Bishop <[rbishop@cityofkeywest-fl.gov](mailto:rbishop@cityofkeywest-fl.gov)>  
**Subject:** RE: 1610-1612 Dennis Street

Good afternoon Roy,

It was a pleasure being able to speak with you. If you have any further questions I am more than willing to speak further with you regarding this request. Just let me know and we can schedule a time to speak further.

Thank you for your time and your review.

Best regards and stay safe,  
Thomas

*Thomas Francis-Siburg*  
Planner / Development Specialist

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**From:** Thomas Francis-Siburg  
**Sent:** Friday, April 17, 2020 2:46 PM  
**To:** Roy Bishop <[rbishop@cityofkeywest-fl.gov](mailto:rbishop@cityofkeywest-fl.gov)>  
**Subject:** 1610-1612 Dennis Street

Rebuild Request with plans.

*Thomas Francis-Siburg*  
Planner / Development Specialist

---

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## Thomas Francis-Siburg

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**From:** Katie P. Halloran <katie.halloran@cityofkeywest-fl.gov>  
**Sent:** Tuesday, March 24, 2020 9:18 AM  
**To:** Thomas Francis-Siburg; Donna Phillips  
**Cc:** Owen Trepanier  
**Subject:** RE: Rebuild Request - 1610-1612 Dennis Street

Thanks Thomas. We have your documents and I will take a look later today or tomorrow. We will get back to you on any next steps or missing information.

Thanks for your time yesterday- I'm sorry we aren't able to chat in person but we will get there.

Please take care of yourselves and your families.

Katie

---

**From:** Thomas Francis-Siburg <thomas@owentrepanier.com>  
**Sent:** Tuesday, March 24, 2020 8:31 AM  
**To:** Katie P. Halloran <katie.halloran@cityofkeywest-fl.gov>; Donna Phillips <donna.phillips@cityofkeywest-fl.gov>  
**Cc:** Owen Trepanier <owen@owentrepanier.com>  
**Subject:** RE: Rebuild Request - 1610-1612 Dennis Street

Good morning Katie,

I apologize for this second email. I had sent the letter without double checking to confirm the site survey and proposed site plan were attached. Please find attached to this email the request to rebuild 1610-1612 Dennis Street with the site survey and plan attached.

Please advise on what next steps are needed in reviewing this request.

Best regards,  
Thomas

*Thomas Francis-Siburg*

Planner / Development Specialist

---

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Key West, FL 33045-2155  
Ph. 305-293-8983 / Fx. 305-293-8748  
[www.owentrepanier.com](http://www.owentrepanier.com)

---

**From:** Thomas Francis-Siburg  
**Sent:** Monday, March 23, 2020 4:58 PM  
**To:** Katie P. Halloran <[katie.halloran@cityofkeywest-fl.gov](mailto:katie.halloran@cityofkeywest-fl.gov)>; Donna Phillips (<[donna.phillips@cityofkeywest-fl.gov](mailto:donna.phillips@cityofkeywest-fl.gov)>  
<[donna.phillips@cityofkeywest-fl.gov](mailto:donna.phillips@cityofkeywest-fl.gov)>  
**Cc:** Owen Trepanier <[owen@owentrepanier.com](mailto:owen@owentrepanier.com)>  
**Subject:** Rebuild Request - 1610-1612 Dennis Street

Hello Katie,

It was a pleasure finally being able to speak with you this afternoon, to at least put a voice to the emails.

Attached to this email is a request for a letter to rebuild at 1610-1612 Dennis Street, following up on a conversation we had with Roy in February.

We are uncertain whether this rebuild request also requires a check; please advise.

Additionally, in what format would you like this rebuild request? Is a digital copy acceptable? If hard copy is also required, how would you like us to deliver it to you?

Best regards,  
Thomas

*Thomas Francis Siburg*

Planner / Development Specialist

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**qPublic.net** Monroe County, FL

**Summary**

Parcel ID 00062960-000000  
 Account# 1063371  
 Property ID 1063371  
 Millage Group 10KW  
 Location 1612 DENNIS St, KEY WEST  
 Address  
 Legal KW DIAG PB 1-13 THE NWLY 50 FT OF LOT 13 SQR 4 TR 30 OR237-139/140  
 Description OR498-750 OR609-155 OR714-595 OR831-469 OR1108-966 OR2693-2096/97  
 OR2886-797/98  
 (Note: Not to be used on legal documents.)  
 Neighborhood 6183  
 Property Class MULTI FAMILY LESS THAN 10 UNITS (0800)  
 Subdivision  
 Sec/Twp/Rng 05/68/25  
 Affordable No  
 Housing



**Owner**

NICHOLAS OBEA LLC  
 200 76th St  
 Apt 47  
 Miami Beach FL 33141

**Valuation**

	2019	2018	2017	2016
+ Market Improvement Value	\$83,623	\$79,703	\$131,164	\$106,122
+ Market Misc Value	\$6,355	\$6,355	\$6,355	\$6,355
+ Market Land Value	\$177,683	\$233,563	\$217,213	\$238,753
= Just Market Value	\$267,661	\$319,621	\$354,732	\$351,230
= Total Assessed Value	\$267,661	\$319,621	\$344,466	\$313,151
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$267,661	\$319,621	\$354,732	\$351,230

**Land**

Land Use	Number of Units	Unit Type	Frontage	Depth
MULTI RES DRY (080D)	4,625.00	Square Foot	0	0

**Buildings**

Building ID 5230  
 Style 1STORY ELEV FOUNDATION  
 Building Type M.F. - R2 / R2  
 Gross Sq Ft 1380  
 Finished Sq Ft 1182  
 Stories 1 Floor  
 Condition AVERAGE  
 Perimeter 194  
 Functional Obs 0  
 Economic Obs 0  
 Depreciation % 37  
 Interior Walls WALL BD/WD WAL

Exterior Walls WD FR STUCCO  
 Year Built 1958  
 EffectiveYearBuilt 1985  
 Foundation CONCR FTR  
 Roof Type GABLE/HIP  
 Roof Coverage ASPHALT SHINGL  
 Flooring Type CONC S/B GRND  
 Heating Type NONE with 0% NONE  
 Bedrooms 2  
 Full Bathrooms 2  
 Half Bathrooms 0  
 Grade 400  
 Number of Fire Pl 0

Code	Description	Sketch Area	Finished Area	Perimeter
FLA	FLOOR LIV AREA	1,182	1,182	0
OPU	OP PR UNFIN LL	198	0	0
<b>TOTAL</b>		<b>1,380</b>	<b>1,182</b>	<b>0</b>

**Yard Items**

Description	Year Built	Roll Year	Quantity	Units	Grade
TILE PATIO	1964	1965	1	1100 SF	3
CH LINK FENCE	1964	1965	1	1200 SF	1

**Sales**

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
1/3/2018	\$325,000	Warranty Deed	2150258	2886	797	02 - Qualified	Improved
6/30/2014	\$100	Quit Claim Deed		2693	2096	11 - Unqualified	Improved
2/1/1977	\$24,500	Conversion Code		714	595	Q - Qualified	Improved

**Permits**

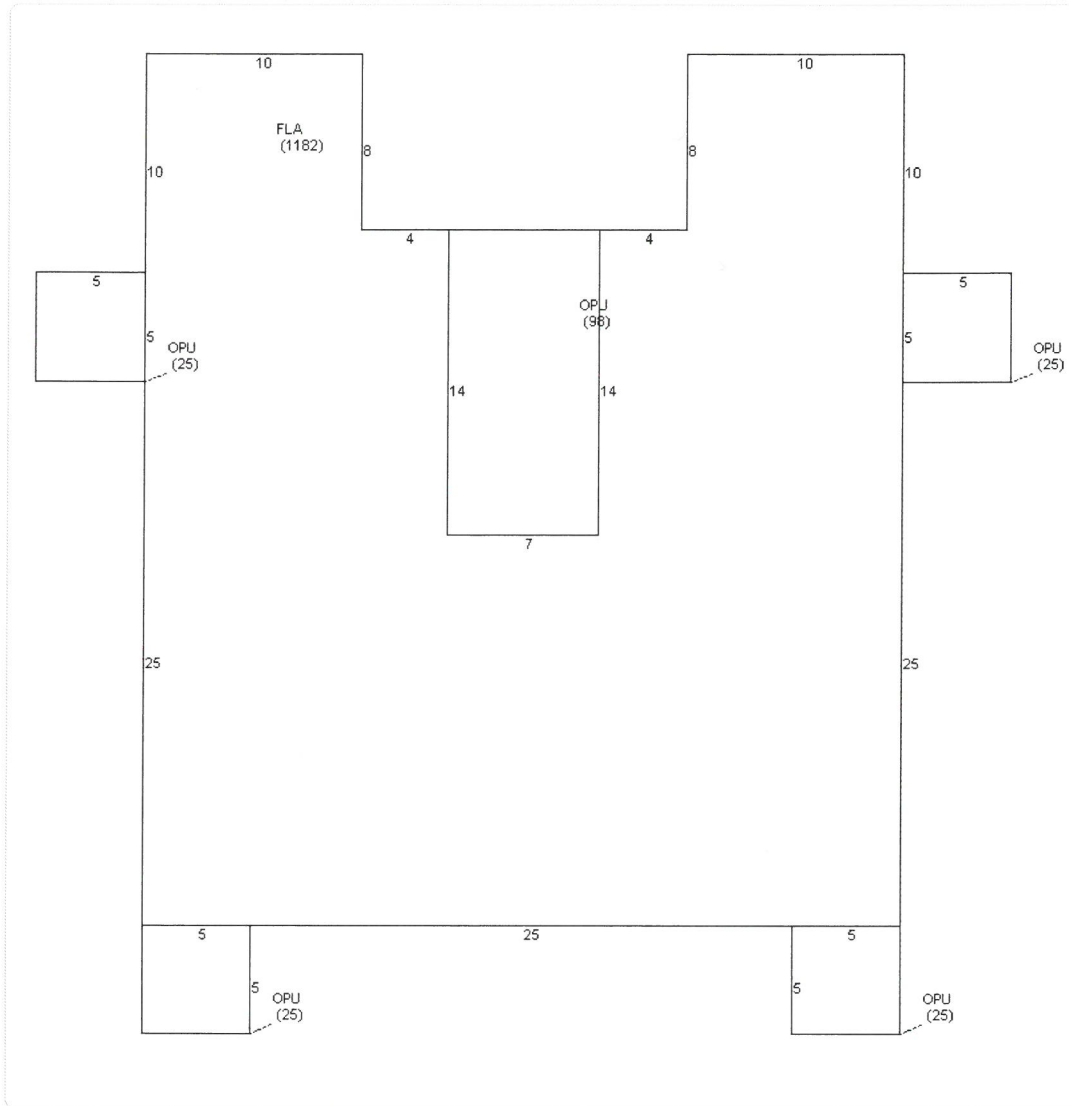
Number	Date Issued	Date Completed	Amount	Permit Type	Notes
19-2091	6/7/2019		\$1,500	Residential	AFTER THE FACT-CAP OFF PLUMBING TO PREP FOR INTERIOR DEMO.
18-0766	10/16/2018		\$2,300	Residential	DEMO ELECTRIC IN EXISTING GUTTED HOUSE.
18-2535	6/16/2018		\$2,300	Residential	DEMO INTERIOR WALL COVERINGS & FLOORING TO DETERMINE IF ANY STRUCTURAL WORK IS NEEDED 1180 SF.
18-1167	3/22/2018		\$9,500	Residential	TEAR EXISTING ROOF,INSTALL POLYGLASS PEEL AND STICK. INSTALL 5V CRIMP METAL ROOF. HURRICANE DAMAGE 1280 SF.

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**Sketches (click to enlarge)**





Photos



Map



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No data available for the following modules: Commercial Buildings, Mobile Home Buildings, Exemptions.

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## Detail by Entity Name

Florida Limited Liability Company  
NICHOLAS OBEA, LLC

### Filing Information

<b>Document Number</b>	L17000202205
<b>FEI/EIN Number</b>	35-2607178
<b>Date Filed</b>	09/29/2017
<b>Effective Date</b>	09/29/2017
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

1710 SW 22ND AVENUE  
FORT LAUDERDALE, FL 33312-4566

### Mailing Address

1710 SW 22ND AVENUE  
FORT LAUDERDALE, FL 33312-4566

### Registered Agent Name & Address

Gordon, Clint  
1710 SW 22 Avenue  
Fort Lauderdale, FL 33312

Name Changed: 03/30/2019

Address Changed: 03/30/2019

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

OBEA, NICHOLAS M  
200 76TH STREET  
APT. 47  
MIAMI BEACH, FL 331415918

### Annual Reports

<b>Report Year</b>	<b>Filed Date</b>
2018	01/22/2018
2019	03/30/2019

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<a href="#">09/29/2017 – Florida Limited Liability</a>	<a href="#">View image in PDF format</a>