

DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION
 City of Key West Planning Department
 604 Simonton Street, Key West, FL 33040
 (305) 809-3720



Development Plan & Conditional Use Application

Applications will not be accepted unless complete

Development Plan
 Major _____
 Minor _____

Conditional Use



Historic District
 Yes
 No _____

Please print or type:

- 1) Site Address 700 FRONT STREET
- 2) Name of Applicant BERT BENDER
- 3) Applicant is: Owner _____ Authorized Representative
 (attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant BENDER & ASSOCIATES ARCHITECTS
410 ANGELA STREET, KEY WEST, FL. 33040
- 5) Applicant's Phone # 305.296.1347 Email BLBENDER@BEUSOUTH.NET
- 6) Email Address: BLBENDER@BEUSOUTH.NET
- 7) Name of Owner, if different than above BAYHAVEN ENTERPRISES, LLC
- 8) Address of Owner 700 FRONT ST., KEYWEST, FL. 33040 (SUITE 101)
- 9) Owner Phone # 305.294.4902 Email TAROTHAUS@ATT.NET
AU: KEY: 1000205
- 10) Zoning District of Parcel HRCC.2 RE# PRCEL ID: 00000210-000000
- 11) Is Subject Property located within the Historic District? Yes No _____
 If Yes: Date of approval _____ HARC approval # N/A NO CONSTRUCTION
 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).
THIS APPLICATION IS TO ALLOW 32 ADDITIONAL SEATS AT THE WHITE TARPON BAR & GRILLE. THE SEATS WILL BE LOCATED IN THE OUTDOOR PORCH AREA NORTH OF THE BAR. A PRIOR C.U.P. ALLOWED 16 INDOOR SEATS AT THE OCTOBER 17, 2002 MEETING.

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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.

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.



October 7, 2011

CONDITIONAL USE APPLICATION



WHITE TARPON AT THE A&B MARINA
700 Front Street, Key West, FL 33040

This application is being made to permit 32 additional seats at the existing patio area of the White Tarpon Bar & Grille. The space currently exists with seating and tables provided for use by boaters using the marina, charter fleet patrons and office use as a waiting area. Customers of the White Tarpon Bar & Grille also use these seats when purchasing take out food or when the indoor bar seats are full. It is the Owner's desire to license these seats as part of the existing business.

The use is in compliance with Section 122-61 as follows:

(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.***

The development was legally permitted and constructed in compliance with City laws. The property was approved for development in September 1997 per Resolution No. 97-385. A conditional use for indoor seating was granted at the October 17, 2002 Planning Commission meeting per the attached documents. There are no anticipated changes to any of the above criteria because there are no physical changes being made to the property or any anticipated increase in patrons serving the property.

(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.***

The above criteria is not applicable to this application as no changes are anticipated.

(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.

The surrounding land uses are identified in the attachments. The proposed use is the existing use and clearly is compatible with the surrounding uses as well as the intent of the Key West Bight HRCC-2 Zoning District. The size of the site is adequate, as is its parking, amenities and buffers, as evidenced by its ongoing use since the 1997 construction.

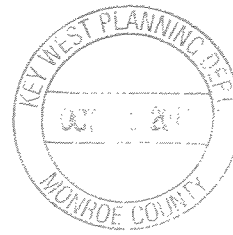
(3) Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts 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.

There are no adverse impacts to adjacent uses. In fact, the uses at the A&B Marina, including the White Tarpon which is the subject of this application, support the adjacent land uses, in particular tourists and visitors from the surrounding hotels: The Galleon Resort, The Hyatt, and the Pier House. Since no additional space is being added, there is no negative impact on community infrastructure.

(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.

Neither of the above criteria apply. No hazardous waste is involved, the property is in compliance with Federal, State, County and City laws and ordinances, and no new permits are required.

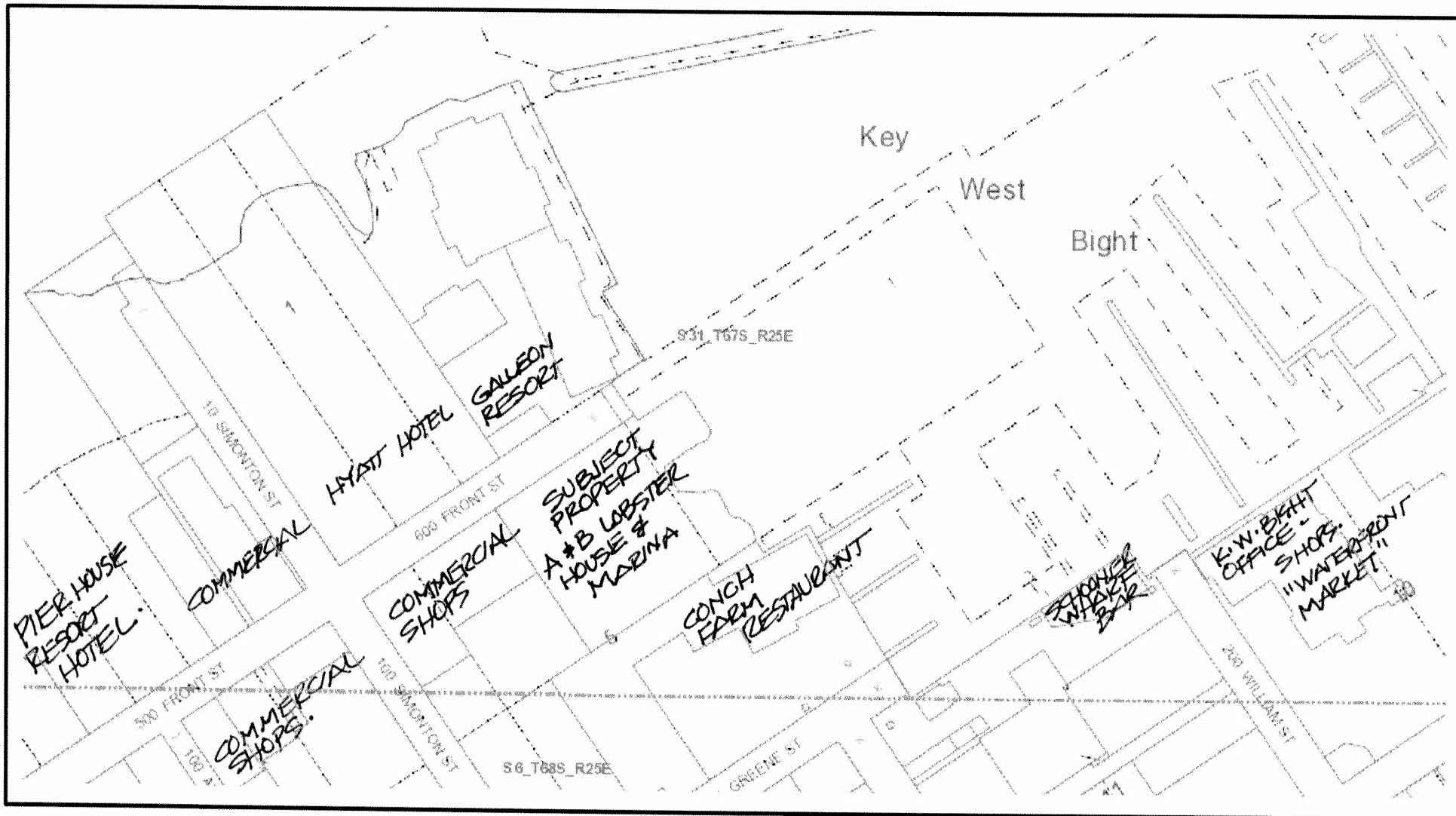


(6) Additional criteria applicable to specific land uses. Applicants for conditional use approval shall demonstrate that the proposed conditional use satisfies the following specific criteria designed to ensure against potential adverse impacts which may be associated with the proposed land use:

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.

The existing development is in compliance with the above as it has gone through planning and permitting several times since its original development in 1997. No new construction or renovations are planned, so new applications to HARC are not necessary.



Printed: Sep 20, 2011

Monroe County, Florida

MCPA GIS Public Portal

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



ADJACENT LAND USES • ATTACHMENT TO CONDITIONAL USE PERMIT APPLICATION.
 WHITE TARPON BAR • 700 FRONT ST; KEY WEST, FL.

Bender & Associates

ARCHITECTS

August 22, 2011

Mr. Brendon Cunningham, Senior Planner
Ms. Carolyn Walker, Licensing Official
City of Key West
3140 Flagler Avenue
Key West, FL 33040

FILE COPY

RE: 700 Front Street, White Tarpon @ A&B Marina

Dear Brendon and Carolyn,

I am writing on behalf of Gene Smith to request licensing for 32 seats at the White Tarpon Wine Bar at the A & B Marina. The White Tarpon is currently licensed for 16 seats inside the bar. This request would license 32 additional seats in the existing exterior porch. The porch area has tables and chairs which serve a number of uses: marina patrons including local boaters, transient boaters, the charter fishing fleet, tourists and locals patronizing the various shops and restaurants, and as a waiting area for the accounting and business offices. This request would allow service to this area.

I have attached the following documents:

- A site/ground floor plan showing the subject area seating and existing uses.
- A letter from Brendon Cunningham to Bert Bender dated June 26, 2008 confirming that the parking waiver zone regulations apply to this site.
- October 9, 2002 staff report for the conditional use granted to the White Tarpon at the October 17, 2002 Planning Commission meeting.

Please let me know what additional applications and fees will be required.

Sincerely,



Bert Bender, Architect

BLB/ddk

cc: Gene Smith

410 Angela Street
Key West, Florida 33040
Telephone (305) 296-1347
Facsimile (305) 296-2727
Florida License AAC002022
www.BenderArchitects.com

Verification Form

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an individual)

I, BERT BENDER, 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:

700 FRONT STREET, KEY WEST, FLORIDA
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.

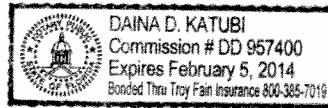

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 6 OCTOBER 2011 by
date

BERT BENDER
Name of Authorized Representative

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


Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped

Commission Number, if any



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, URBAN E. SMITH as
Please Print Name of person with authority to execute documents on behalf of entity

MANAGING MEMBER of BAYHAVEN ENTERPRISES LLC.
Name of office (President, Managing Member) *Name of owner from deed*

authorize BERT BENDER
Please Print Name of Representative

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

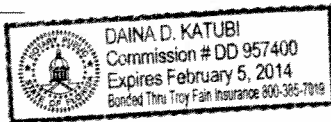
Urban E. Smith
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this October 6, 2011 by
date

Urban E. Smith
Name of Authorized Representative

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

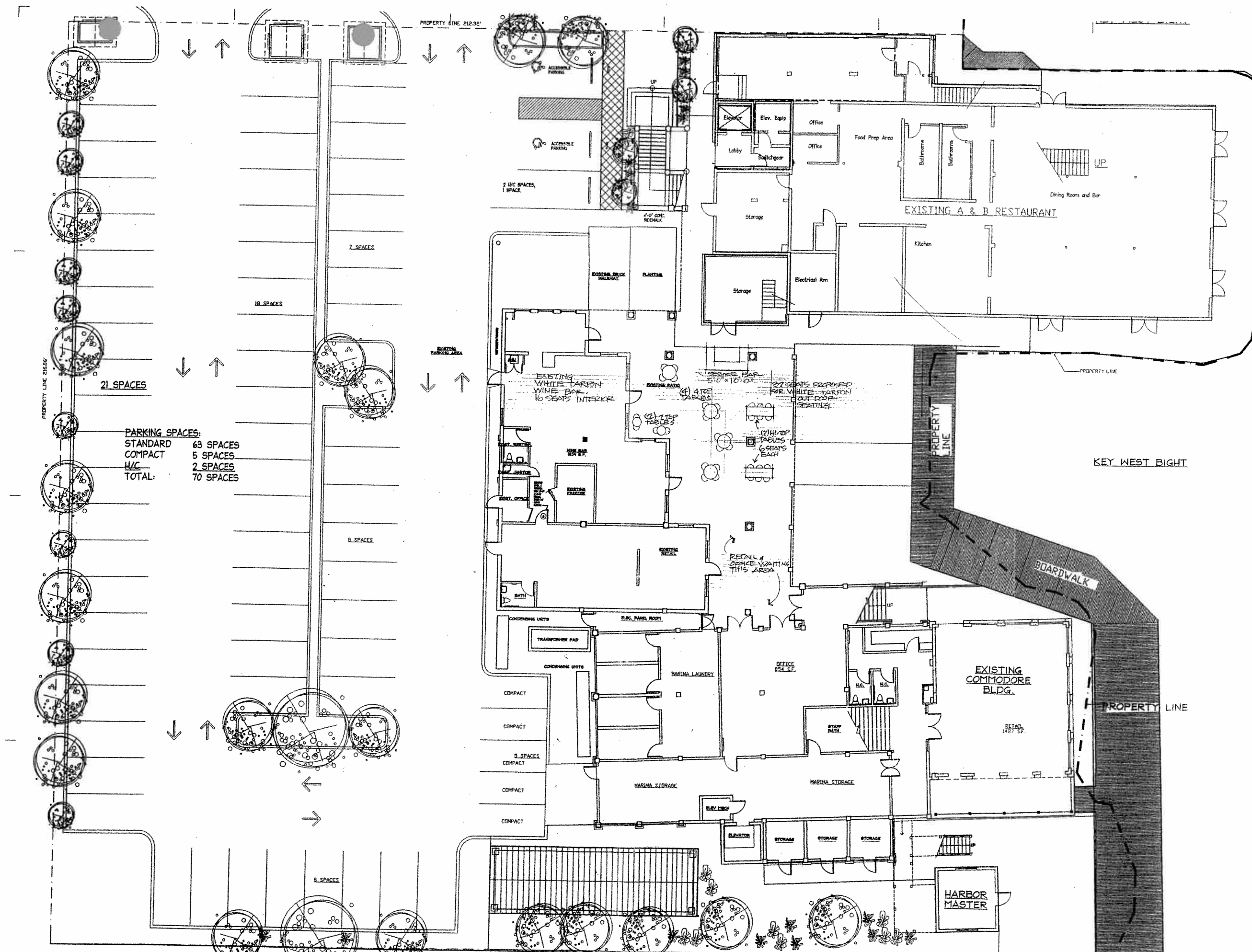
Daina D. Katubi
Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped

Commission Number, if any

Site Plans



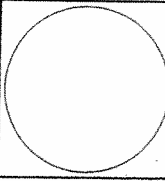
PARKING SPACES:
 STANDARD 63 SPACES
 COMPACT 5 SPACES
 H/C 2 SPACES
 TOTAL: 70 SPACES

PROPERTY LINE 212.32'

PROPERTY LINE 249.5'

1 FIRST FLOOR PLAN
 A1 SCALE: 1"=10'-0"

A & B MARINA
 700 FRONT STREET
 KEY WEST, FLORIDA



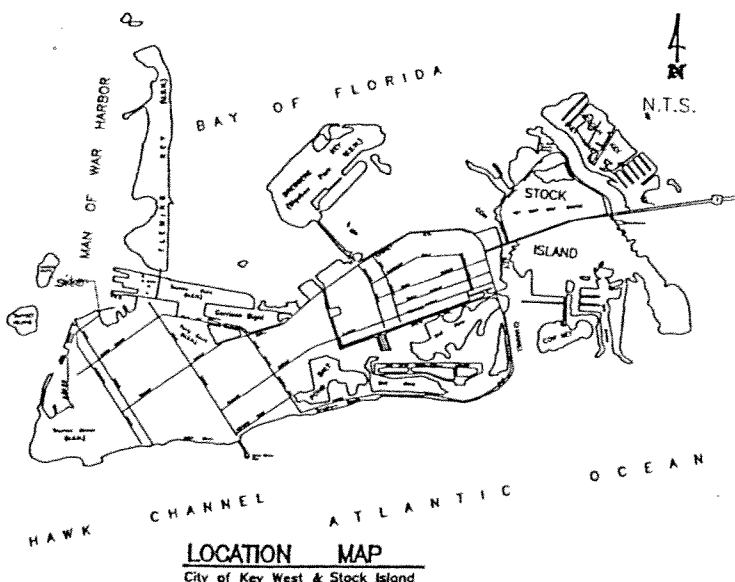
410 Angela Street
 Key West, Florida 33040
 Telephone (305) 296-1347
 Facsimile (305) 296-2727
 Florida License AAC002022

Bender & Associates
 ARCHITECTS
 p.c.

Project No.
 FLOOR PLAN

Date:

A1



SURVEYOR'S NOTES:
 North arrow based on plat assumed median
 Reference Bearing: R/W Front Street, assumed
 3.4 denotes existing elevation
 Elevations based on N.G.V.D. 1929 Datum
 Bench Mark No.: Tidal Sta. 90, No. 24 Elevation: 6.44
 Baybottom elevations are at depth of water at Mean Low Water

Monumentation:
 ⊙ = set 1/2" Iron Pipe, P.L.S. No. 2749
 ▲ = Set P.K. Nail, P.L.S. No. 2749

Abbreviations:
 Sty. = Story
 R/W = Right-of-Way
 fd. = Found
 p. = Plat
 m. = Measured
 M.H.W. = Mean High Water
 N.T.S. = Not to Scale
 E. = Centerline
 Elev. = Elevation
 B.M. = Bench Mark
 P.O.C. = Point of Commence
 P.O.B. = Point of Beginning
 P.B. = Plat Book
 pg. = page
 Elec. = Electric
 Tel. = Telephone
 Ench. = Encroachment
 C.L.F. = Chain Link Fence
 A/C = Air Conditioner
 o/h = Overhead
 u/g = Underground
 F.F.L. = Finish Floor Elevation
 L.B. = Low Beam
 irr. = Irregular
 conc. = concrete
 I.P. = Iron Pipe
 I.B. = Iron Bar
 C.B. = Concrete Block
 C.B.S. = Concrete Block Stucco
 cov'd. = Covered
 wd. = Wood
 w.m. = Water Meter
 Bal. = Balcony
 Pl. = Planter
 Hydr. = Fire Hydrant
 F.W. = Fire Well

Field Work performed on: 2/20/98

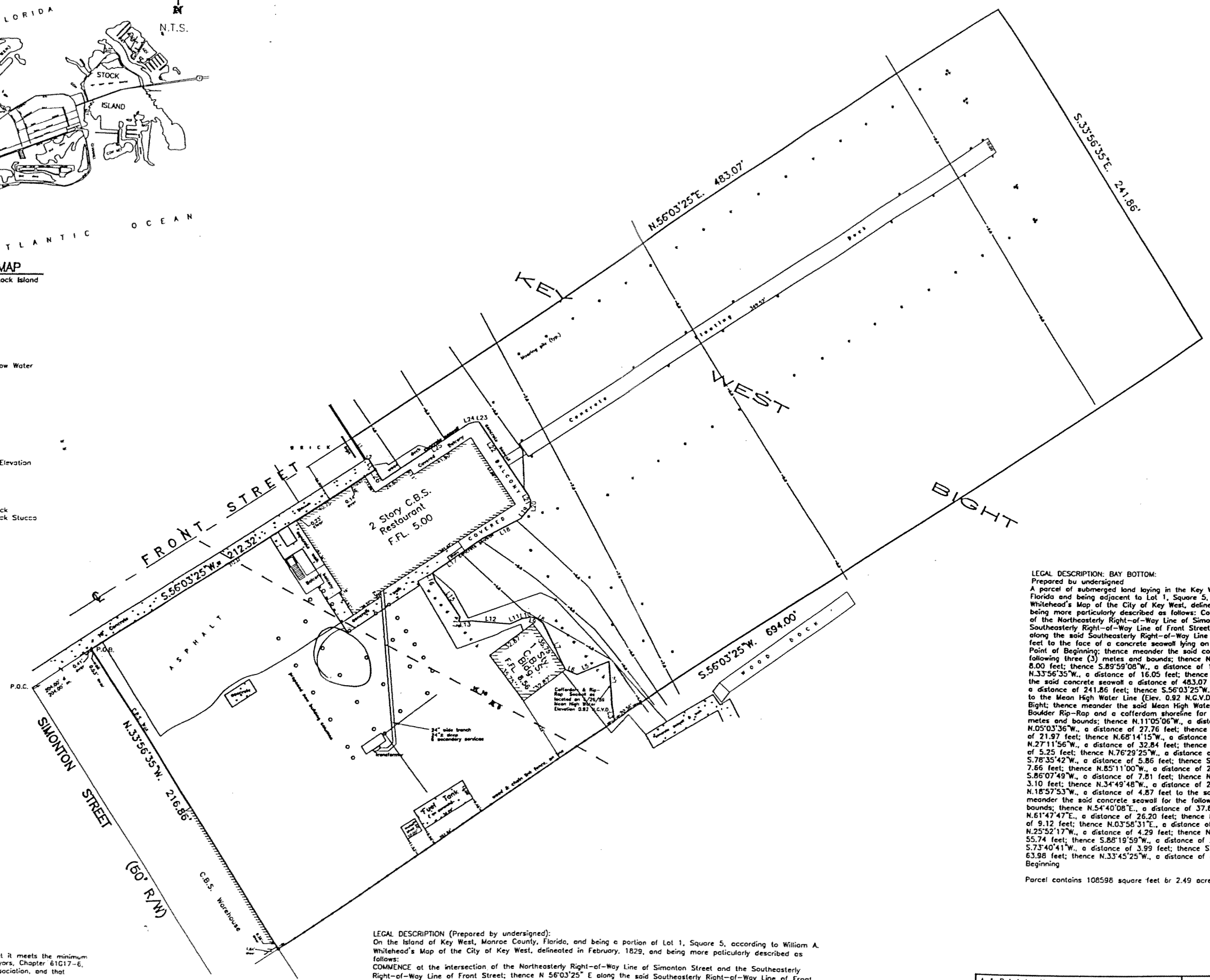
LINE TABLE

Line	Bearing	Distance
L1	N.33°46'46"W	8.00'
L2	S.89°59'08"W	1.71'
L3	N.33°56'35"W	16.05'
L4	N.11°05'06"W	9.81'
L5	N.05°03'36"W	27.76'
L6	S.66°47'54"W	21.97'
L7	N.68°14'15"W	8.00'
L8	N.56°24'25"W	5.25'
L9	N.76°29'25"W	3.50'
L10	S.78°35'42"W	5.86'
L11	S.65°49'10"W	7.66'
L12	N.85°11'00"W	23.94'
L13	S.86°07'49"W	7.81'
L14	N.12°27'48"E	3.10'
L15	N.34°49'48"W	28.46'
L16	N.18°57'33"W	4.87'
L17	N.54°40'08"E	37.69'
L18	N.61°47'47"E	26.20'
L19	N.38°24'37"E	9.12'
L20	N.03°58'31"E	4.21'
L21	N.25°52'17"W	4.29'
L22	N.33°59'20"W	55.74'
L23	S.88°19'59"W	2.88'
L24	S.73°40'41"W	3.99'
L25	S.55°51'04"W	63.98'
L26	N.33°45'25"W	8.14'

CERTIFICATION:
 I HEREBY CERTIFY that the attached BOUNDARY SURVEY is true and correct to the best of my knowledge and belief; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 61G17-6, Florida Statute Section 472.027, and the American Land Title Association, and that there are no visible encroachments unless shown hereon.

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

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE



LEGAL DESCRIPTION (Prepared by undersigned):
 On the Island of Key West, Monroe County, Florida, and being a portion of Lot 1, Square 5, according to William A. Whitehead's Map of the City of Key West, delineated in February, 1829, and being more particularly described as follows:
 COMMENCE at the intersection of the Northeastly Right-of-Way Line of Simonton Street and the Southeastly Right-of-Way Line of Front Street; thence N 56°03'25" E along the said Southeastly Right-of-Way Line of Front Street for 204.00 feet to the Point of Beginning; thence continue N 56°03'25" E along the said Southeastly Right-of-Way Line of Front Street for 212.32 feet to the face of a concrete seawall (Key West Bight); thence N 33°46'46" W along the said seawall for 8.00 feet; thence S 89°59'08" W and continuing along the said seawall for 1.71 feet; thence N 35°56'35" W and continuing along the said seawall for 16.05 feet; thence N 56°03'25" E and along the Northeastly extension of the centerline of Front Street for 483.07 feet; thence S 33°56'35" E for 241.86 feet; thence S 56°03'25" W for 442 feet, more or less to the Mean High Water Line of Key West Bight; thence continue S 56°03'25" W for 252.00 feet; thence N 35°56'35" W for 216.86 feet to the said Southeastly Right-of-Way Line of Front Street and the Point of Beginning.
 Containing 1.12 Acres, more or less of uplands and 2.61 Acres, more or less of baybottom.

LEGAL DESCRIPTION: BAY BOTTOM:
 Prepared by undersigned
 A parcel of submerged land lying in the Key West Bight, Monroe County, Florida and being adjacent to Lot 1, Square 5, according to William A. Whitehead's Map of the City of Key West, delineated in February, 1829, and being more particularly described as follows: Commence at the intersection of the Northeastly Right-of-Way Line of Simonton Street and the Southeastly Right-of-Way Line of Front Street; thence N 56°03'25" E along the said Southeastly Right-of-Way Line of Front Street for 416.32 feet to the face of a concrete seawall lying on the Key West Bight and the Point of Beginning; thence meander the said concrete seawall for the following three (3) meters and bounds; thence N.33°46'46"W, a distance of 8.00 feet; thence S.89°59'08"W, a distance of 1.71 feet; thence N.33°56'35"W, a distance of 16.05 feet; thence N.56°03'25"E, and leaving the said concrete seawall a distance of 483.07 feet; thence S.33°56'35"E, a distance of 241.86 feet; thence S.56°03'25"W, a distance of 442.36 feet to the Mean High Water Line (Elev. 0.92 N.G.V.D.) of the said Key West Bight; thence meander the said Mean High Water Line which lies along a Boulder Rip-Rap and a cofferdam shoreline for the following fourteen (14) meters and bounds; thence N.11°05'06"W, a distance of 9.81 feet; thence N.05°03'36"W, a distance of 27.76 feet; thence S.66°47'54"W, a distance of 21.97 feet; thence N.68°14'15"W, a distance of 8.00 feet; thence N.27°11'56"W, a distance of 32.84 feet; thence N.56°24'25"W, a distance of 5.25 feet; thence N.76°29'25"W, a distance of 3.50 feet; thence S.78°35'42"W, a distance of 5.86 feet; thence S.65°49'10"W, a distance of 7.66 feet; thence N.85°11'00"W, a distance of 23.94 feet; thence S.86°07'49"W, a distance of 7.81 feet; thence N.12°27'48"E, a distance of 3.10 feet; thence N.34°49'48"W, a distance of 28.46 feet; thence N.18°57'33"W, a distance of 4.87 feet to the said Concrete seawall; thence meander the said concrete seawall for the following ten (10) meters and bounds; thence N.54°40'08"E, a distance of 37.69 feet; thence N.61°47'47"E, a distance of 26.20 feet; thence N.38°24'37"E, a distance of 9.12 feet; thence N.03°58'31"E, a distance of 4.21 feet; thence N.25°52'17"W, a distance of 4.29 feet; thence N.33°59'20"W, a distance of 55.74 feet; thence S.88°19'59"W, a distance of 2.88 feet; thence S.73°40'41"W, a distance of 3.99 feet; thence S.55°51'04"W, a distance of 63.98 feet; thence N.33°45'25"W, a distance of 8.14 feet to the Point of Beginning.
 Parcel contains 108598 square feet or 2.49 acres, more or less.

A & B Lobster House Front Street, Key West, Fl. 33040		Dwn No.:	98-129
BOUNDARY SURVEY		Ref.:	61-26
Scale: 1"=30'	File:	Flood Panel No.:	61-26
Date: 2/24/98	File:	Flood Zone:	AF, VE
REVISIONS AND/OR ADDITIONS		Flood Elev.:	9'-10"
8/11/98: Bay Bottom Legal Description			
Customer's Name: _____			

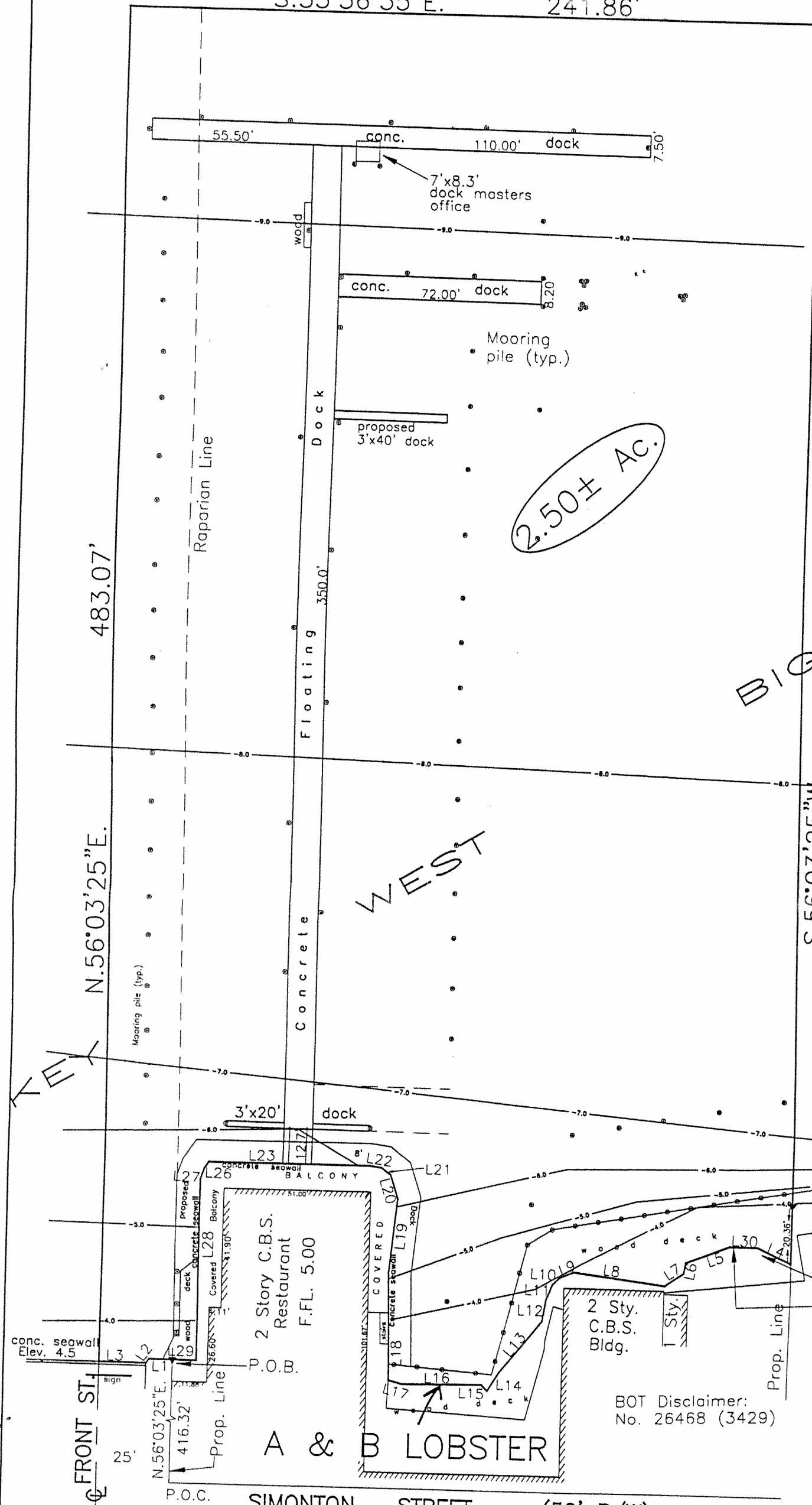
FREDERICK H. HILDEBRANDT
 ENGINEER PLANNER SURVEYOR

3150 Northside Drive
 Suite 101
 Key West, FL 33040
 (305) 293-2466
 Fax: (305) 293-0237

S.33°56'35"E. 241.86'

LINE TABLE

Line	Bearing	Distance
L1	N.33°46'46"W.	8.00'
L2	S.89°59'08"W.	1.71'
L3	N.33°56'35"W.	16.05'
L4	N.09°40'23"W.	12.80'
L5	N.55°12'30"W.	16.46'
L6	S.66°47'54"W.	3.82'
L7	N.68°14'15"W.	8.00'
L8	N.27°11'56"W.	32.84'
L9	N.56°24'25"W.	5.25'
L10	N.76°29'25"W.	3.50'
L11	S.78°35'42"W.	5.00'
L12	S.65°49'10"W.	20.94'
L13	N.85°11'00"W.	7.81'
L14	S.86°07'49"W.	3.10'
L15	N.12°27'49"E.	28.46'
L16	N.34°49'48"W.	4.87'
L17	N.18°57'53"W.	37.69'
L18	N.54°40'08"E.	26.20'
L19	N.61°47'47"E.	9.12'
L20	N.38°24'37"E.	4.21'
L21	N.03°58'31"E.	4.29'
L22	N.25°52'17"W.	55.74'
L23	N.33°59'20"W.	2.88'
L26	S.88°19'59"W.	3.99'
L27	S.73°40'41"W.	63.98'
L28	S.55°51'04"W.	8.14'
L29	N.33°45'25"W.	9.77'
L30	N.33°32'13"W.	



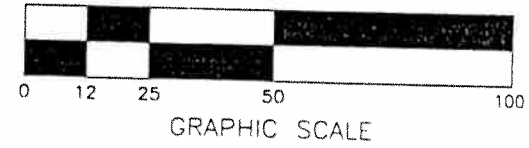
Shoreline 1000' feet in both directions, generally Concrete Seawalls and Boulder Rip-Rap

S.56°03'25"W.

WOOD DOCK

Lease Line abuts BOT Disclaimer: No. 26468 (3429)

BOT Disclaimer: No. 26468 (3429)



5/30/01: dock 2' to 3' & BOT Abuts Lease line 8/22/01: Minor typos

A & B Lobster 700 Front Street, Key West, Florida 33040			
Specific Purpose Survey Submerged Land Lease, including dock		Dwn No.: 00-154	
Scale: 1"=50'	Ref.	Flood panel No.	Dwn. By: F.H.H.
Date: 2/11/00		Flood Zone:	Flood Elev.
REVISIONS AND/OR ADDITIONS			
3/08/00: Easterly Riparian Line		3/7/01: Revise dock, bldg., piles	
4/4/00: remove westerly Riparian line			
4/17/01: Riparian Line, Mooring piles, Lease, M.H.W. Line			
d/block 4 4/23/01: Baybottom under main dock included			

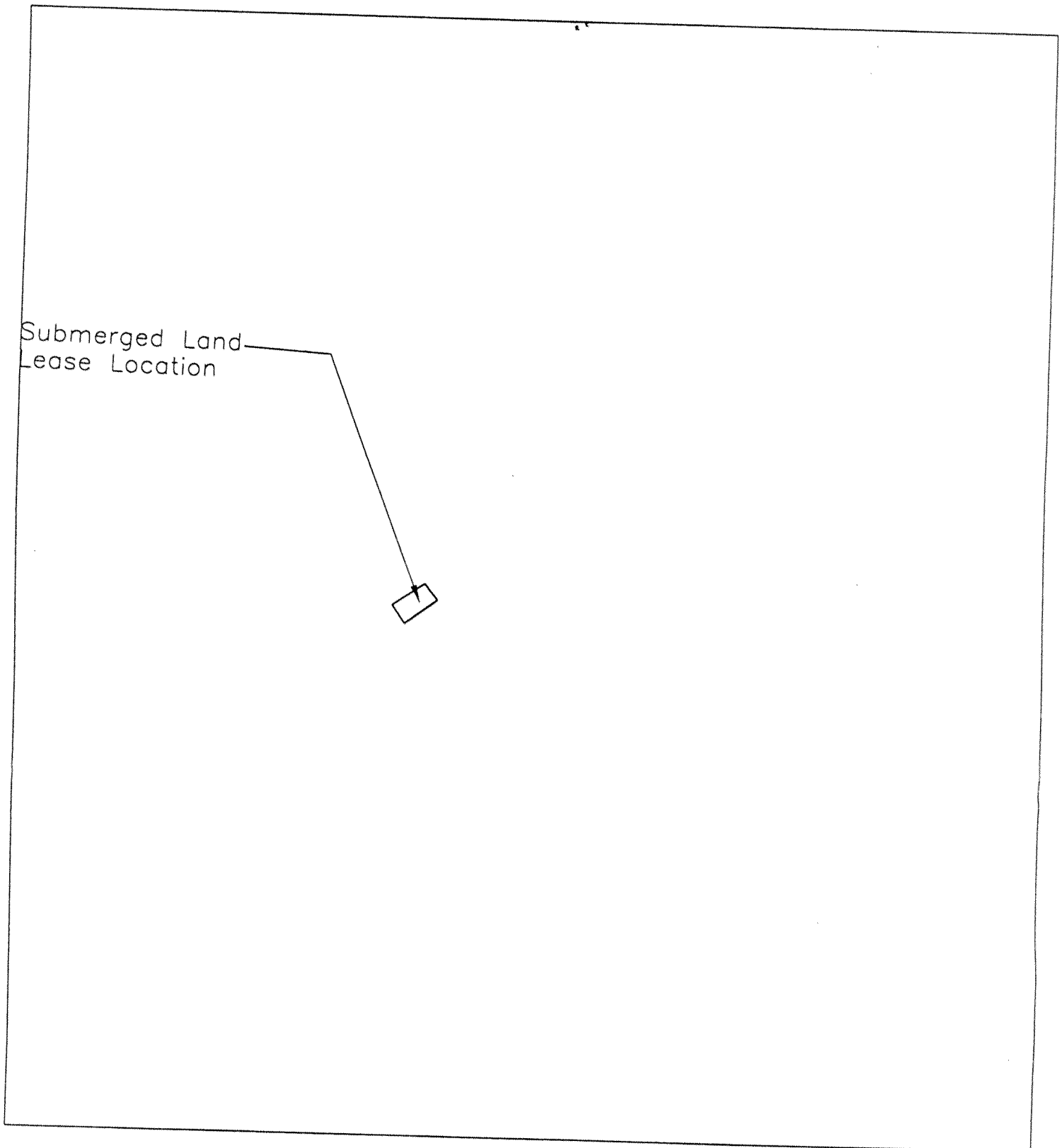
FREDERICK H. HILDEBRANDT
ENGINEER PLANNER SURVEYOR

3150 Northside Drive
Suite 101
Key West, Fl. 33040
(305) 293-0466
Fax. (305) 293-0237

VICINITY MAP



SITE LOCATION:
 Latitude: 24°33'40"
 Longitude: 81°48'10"



ENTIRE BAY BOTTOM
 INCLUDING DOCK.

U.S.G.S. Quad: "KEY WEST"

Sheet 1 of 4

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Date: 2/11/00		Flood Zone:	Flood Elev.
REVISIONS AND/OR ADDITIONS			
3/7/01: Revise dock, bldg., piles			
4/17/01: Riparian Line, Mooring piles, Lease, M.H.W. Line			
8/22/01: Minor typos			
d/block 4			

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LEGAL DESCRIPTION: Submerged land lease:
(prepared by undersigned)

A Parcel of submerged land lying and being in Section 31, Township 68 South Range 25 East, adjacent to the Island of Key West (Key West Bight), Monroe County, Florida, and being adjacent to Lot 1, Square 5, according to William A. Whitehead's Map of the City of Key West, delineated in February, 1829 and being more particularly described as follows:

Commence at the intersection of the Northeasterly Right-of-Way Line of Simonton Street and the Southeasterly Right-of-Way Line of Front Street; thence N 56°03'25" E along the said Southeasterly Right-of-Way Line of Front Street for 416.32 feet to the face of a concrete seawall lying on the Key West Bight and the Point of Beginning; thence meander the said concrete seawall for the following three (3) metes and bounds; thence N.33°46'46"W., a distance of 8.00 feet; thence S.89°59'08"W., a distance of 1.71 feet; thence N.33°56'35"W., a distance of 16.05 feet; thence N.56°03'25"E., and leaving the said concrete seawall a distance of 483.07 feet; thence S.33°56'35"E., a distance of 241.86 feet; thence S.56°03'25"W., a distance of 442.36 feet to the Mean High Water Line (Elev. 0.92 N.G.V.D.) of the said Key West Bight; thence meander the said Mean High Water Line which lies along a Boulder Rip-Rap and a cofferdam shoreline for the following fourteen (14) metes and bounds; thence N.09°40'23"W., a distance of 12.80 feet; thence N.33°32'13"W., a distance of 9.77 feet; thence N 55°12'30" W 16.46 feet; thence S.66°47'54"W., a distance of 3.82 feet; thence N.68°14'15"W., a distance of 8.00 feet; thence N.27°11'56"W., a distance of 32.84 feet; thence N.56°24'25"W., a distance of 5.25 feet; thence N.76°29'25"W., a distance of 3.50 feet; thence S.78°35'42"W., a distance of 5.86 feet; thence S.65°49'10"W., a distance of 7.66 feet; thence N.85°11'00"W., a distance of 23.94 feet; thence S.86°07'49"W., a distance of 7.81 feet; thence N.12°27'49"E., a distance of 3.10 feet; thence N.34°49'48"W., a distance of 28.46 feet; thence N.18°57'53"W., a distance of 4.87 feet to the said Concrete seawall; thence meander the said concrete seawall for the following ten (10) metes and bounds; thence N.54°40'08"E., a distance of 37.69 feet; thence N.61°47'47"E., a distance of 26.20 feet; thence N.38°24'37"E., a distance of 9.12 feet; thence N.03°58'31"E., a distance of 4.21 feet; thence N.25°52'17"W., a distance of 4.29 feet; thence N 33°59'20" W for a distance of 55.74 feet; thence S.88°19'59"W., a distance of 2.88 feet; thence S.73°40'41"W., a distance of 3.99 feet; thence S.55°51'04"W., a distance of 63.98 feet; thence N.33°45'25"W., a distance of 8.14 feet to the Point of Beginning

Parcel contains 108780 square feet
or 2.50 acres, more or less.

8/22/01: Minor typos

Sheet 3 of 4

A & B Lobster			
700 Front Street, Key West, Florida 33040			
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Date: 2/11/00		Flood Zone:	Flood Elev.
REVISIONS AND/OR ADDITIONS			
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4/17/01: Riparian Line, Mooring piles, Lease, M.H.W. Line			
4/23/01: Baybottom under main dock included			
d/block 4			

FREDERICK H. HILDEBRANDT
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SURVEYOR'S NOTES:

1. Bearings and North arrow based on an assumed meridian and William A. Whitehead's map of the City of Key West
2. The Mean High Water Elevation is 0.92 N.G.V.D., which is located along the concrete seawall. Mean Low Water Elevation is (-) 0.4 N.G.V.D.
3. Contour Elevations of Bay Bottom based on Mean Low Water Elevation.
4. Tidal Bench Mark, Florida 872-4580, Key West, Florida
5. Elevations based on N.G.V.D. 1'929 Datum, *Bench Mark No. BASIC, Elevation 14.324 published.
6. 424.8' upland along submerged land lease.
407'± upland along ownership
7. Monumentation:
▲ = Set P.K. Nail, P.L.S No. 2749
8. Abbreviations:
C.B.S. = concrete block stucco
F.F.L. = Finish Floor Elevation
P.O.C = Point of Commence
P.O.B. = Point of Beginning
Sty. = Story

Field work performed on 12/27/99, 3/2/01, 4/1/01

CERTIFICATION:

I HEREBY CERTIFY that the attached Specific Purpose Survey, Submerged Land Lease is true and correct to the best of my knowledge and belief; that it meets the minimum technical standards adopted by the Florida Board of Land Surveyors, Chapter 61G17-6, Florida Statute Section 472.027, and the American Land Title Association, and that there are no visible encroachments unless shown hereon.

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

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE

8/22/01: Minor typos

Sheet 4 of 4

A & B Lobster 700 Front Street, Key West, Florida 33040			
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Additional Information



FILE COPY

THE CITY OF KEY WEST

Post Office Box 1400 Key West, FL 33041-1400 (305) 809-3700

June 26, 2008

Mr. Burt Bender
Bender & Associates Architects
410 Angela Street
Key West, Florida 33040

RE: Renovations of Existing Commercial Floor Area
Response to June 20, 2008, Request for Planning Review

Dear Mr. Bender:

The purpose of this letter is provide a response to your June 25, 2008, request for Planning Department input on a proposed change to an existing commercial floor area at 700 Front Street. According to records in our file, this particular property was approved for development in September 1997 per Resolution No. 97-385. This property is in the historic commercial pedestrian-oriented area, also referred to as the 'Parking Waiver District'. According to Section 108-573(c) "No additional off-street parking shall be required within the historic commercial pedestrian-oriented area if a commercial structure is the subject of a change from one type of commercial use to another type of commercial use, so long as no additional or expanded floor area is created." It is our understanding from our meeting on June 26, 2008 that your client would like to convert a retail space to a restaurant space. Both of these activities are considered to be commercial uses. As long as there will be no expansion of floor area, no increase in the number of parking spaces will be necessary.

A handwritten signature in black ink, appearing to read "Brendon Cunningham".

Brendon Cunningham
Senior Planner

Xc: John Woodson, Building Department Director
Geo Files for all addresses

**CITY OF KEY WEST
PLANNING DEPARTMENT
MEMORANDUM**

To: Key West Planning Board
From: Susan Grimsley, Senior Legal Planner *smg*
Date: 9 October 2002
Re: 700 Front Street White Tarpon Liquor Store
(RE#00000210-000000) Conditional Use Application for Use as a
Bar Planning Board Meeting of 17 October 2002

THE PROJECT

Request:
To use existing space in a retail liquor store for 16 seats to serve alcoholic beverages.

Project Location: 700 Front Street

Zoning: HRCC-2 (Historic Residential Commercial Core: Key West Bight District)

PREVIOUS CITY ACTION

The Development Review Committee reviewed the project on May 30, 2002.

PROCESS

According to the Land Development Regulations, Bars and Lounges are a conditional use in the HRCC-2 Zoning District. The Planning Board makes the final decision.

DRC COMMENTS

1. Written comment from Keys Energy Services: "No objections."
2. Written comment from Florida Keys Aqueduct Authority: "This project is presently served by FCAA Account #14426 which is a 1 1/2" Domestic Meter. The existing service appears adequate to serve this renovation. However a full set of plans will be required to determine if any additional system development fees are due."
3. Jim Malcolm (ADA Coordinator) stated that the 700 Front Street complex was in the process of becoming ADA compliant as a whole, but that the bathroom must be brought up to code according to the ADA Accessibility Guidelines, and there must be a table for seating as opposed to just bar seating.

PLANNING STAFF ANALYSIS

The definition of Bar and Lounge is:

" a commercial establishment selling and dispensing for the drinking on the premises of liquor, malt, wine or other alcoholic beverages. This shall not include the sale of alcoholic beverages accessory to and within a restaurant use. The use as described fits within this definition." Sec. 86-9 Code of Ordinances. The current use is as a package store with a 5COP license.

The 5COP license from the State Department of Alcohol Beverages and Tobacco allows service by the glass. However, the conversion of retail space to a bar use is a conditional use according to the City.

SCALE OF ACTIVITY: The proposed use is for daily activity. The service will be to patrons inside the establishment. There are no "to go" sales, and no service to the tables outside. This is what the owner of the 700 Front Street complex desires. Hours of operation must be consistent with city ordinance which requires closing from 4 AM to 7 AM.

PARKING: The parcel is in the parking waiver zone. Floor area created prior to January 1998 does not need more parking even if converted to a use requiring more parking. Normally, the creation of consumption area from retail would require more parking, but in this case, no provision for additional parking is required.

There is public parking nearby at the Oldtown Garage and Waterfront Market. There is already parking for the 700 Front Street activities on site.

ADA ACCESSIBILITY: As required by the Building Department and the ADA Coordinator, the building will accommodate persons with disabilities by having a handicapped compliant bathroom and seating/table area for those who cannot sit in a barstool.

NOISE: Noise from the interior is not anticipated. Noise from patrons entering and leaving would be the primary concern, but this is already a busy area with restaurants and bar service, as well as people coming and going along the bight area late at night.

GARBAGE: Garbage and Recycling will be handled along with the current waste from the White Tarpon and from "Damn Good Food to Go" which is owned by the same owners and which is adjacent to this location.

RECOMMENDATION

The Planning Department recommends **approval** of the application as being an appropriate use for the building, area and current use. The recommendation would be conditioned on the following:

1. ADA compliant bathroom.
2. Seating to accommodate the handicapped.
3. Service in glass/washable drinkware to prevent litter.

PLANS PRESENTED

Drawings	Date	Page	By
Survey	2/11/00		Frederick H. Hildebrandt
Site Plan	Received October 1, 2002	Labeled Conditional Use Application "Damn Good Food To Go"	Bender & Associates, Architects
Floor Plan	Received October 1, 2002	A-2	Bender & Associates, Architects

Key West Planning Board
Meeting Agenda

October 17, 2002, 6:00 P.M.
City Commission Chamber
Old City Hall, 510 Greene Street
Key West, Florida 33040

Pledge of Allegiance

1. Roll Call
2. Approval of Minutes of September 19, 2002
3. Approval of Agenda
4. Minor Development Plan application to build four affordable dwelling units above existing commercial at **120 Simonton Street**.
5. Conditional Use application to operate an area at **420 Appelrouth Lane** as a mini-bar, related to an existing bar/lounge at **422 Appelrouth Lane** know as "Wax," And to provide a service/consumption area for that mini-bar.
6. Transient License Transfer application to transfer a transient license from **1800 Atlantic Blvd., C131, to 506 Virginia Street**.
7. Conditional Use application for a 16 seat bar in the White Tarpon Liquor Store at **700 Front Street**.
8. Minor Development application to build a pool in the rear yard (currently an incoherent parking lot) to be used in conjunction with the existing transient licenses and units upstairs on the property at **826 Duval Street**.
9. Transfer of Transient License application to transfer 2 transient licenses from **310-312 Margaret** to **516 Angela Street**.
10. New Business
11. City Planner's Report (Mr. Symroski)
12. Adjournment

APPROVED

Property Appraiser Information

Karl D. Borglum
Property Appraiser
Monroe County, Florida

office (305) 292-3420
 fax (305) 292-3501
 Website tested on
 Internet Explorer

GIS Mapping requires Adobe Flash 10.3 or higher.
 (An Export Map widget is in the lower left corner.)

Property Record View

Alternate Key: 1000205 Parcel ID: 00000210-000000

Ownership Details

Mailing Address:
 BAYHAVEN ENTERPRISES L C
 700 FRONT ST STE 101
 KEY WEST, FL 33040-6675

Property Details

PC Code: 21 - RESTAURANTS & CAFETERIAS
Millage Group: 12KW
Affordable Housing: No
Section-Township-Range: 31-67-25
Property Location: 700 FRONT ST KEY WEST
Legal Description: KW PT LOT 1 SQR 5 & .24 ACRES OF FILLED BAY BOTTOM G22/107 OR524-4 OR910-852/53 II #26468 (3429-44) OR1363-459/60Q/C OR1363-461/62Q/C OR1373-48/52 OR1450-915/916Q/C OR1450-917/919 OR2339-1923/1941(II LEASE)

Show Parcel Map - Must have Adobe Flash Player 10.3 or higher

Land Details

Land Use Code	Frontage	Depth	Land Area
100W - COMMERCIAL WATERFRON	0	0	37,232.00 SF
100D - COMMERCIAL DRY	198	216	16,200.00 SF

Building Summary

Number of Buildings: 2
Number of Commercial Buildings: 2
Total Living Area: 32791
Year Built: 1953

Building 1 Details

Building Type	Condition E	Quality Grade 450
Effective Age 11	Perimeter 760	Depreciation % 13
Year Built 1953	Special Arch 0	Grnd Floor Area 13,810