

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



Development Plan & Conditional Use Application

Applications will not be accepted unless complete

Development Plan

Major X

Minor

Conditional Use

Historic District

Yes X

No

Please print or type:

- 1) Site Address 638 United St
- 2) Name of Applicant Trepanier & Associates, Inc.
- 3) Applicant is: Owner Authorized Representative X
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant 1421 First St
Key West, FL 33040
- 5) Applicant's Phone # 305-293-8983 Email kevin@owentrepanier.com
- 6) **Email Address:** kevin@owentrepanier.com
- 7) Name of Owner, if different than above Land 10031, LLC c/o Uphoff Investments, LLC
- 8) Address of Owner 4900 W Hundred Rd. Chester, VA 23831-1623
- 9) Owner Phone # 305-293-8983 Email kevin@owentrepanier.com
- 10) Zoning District of Parcel HRO RE# 00036600-000000
- 11) Is Subject Property located within the Historic District? Yes X 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).
Demolish existing office building. Eliminate all curb cuts
along United Street. Replace office building with 5 attached,
townhouse-style, residential dwelling units with detached
garages.

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13) Has subject Property received any variance(s)? Yes X No _____

If Yes: Date of approval _____ Resolution # 99-369

Attach resolution(s).

14) Are there any easements, deed restrictions or other encumbrances on the subject property?

Yes _____ No X

If Yes, describe and attach relevant documents.

The applicant is unaware of any encumbrances at time of application

A. For both *Conditional Uses* and *Development Plans*, provide the information requested from the attached **Conditional Use and Development Plan** sheet.

N/A 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 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.

Major Development Plan Project Analysis

638 United St
(RE No. 00036600-000000)



Summary:

Demolition of existing office building.
Replacement with multi-family
development project consisting of 5
attached residential dwelling units in a
townhouse-type design with detached
garages and rear alley access.

Analysis:

The following is an analysis of the proposed
project pursuant to major development
plan approval criteria.



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

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

Proposed development is depicted in attached plans prepared by licensed professional(s), including:

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

Title block (Sec. 108-227)

Name of development: 638 United
Owner/developer: Land 10031, LLC c/o Uphoff Investments, LLC
Scale: As noted on plans
Preparation and revision dates: As noted on plans
Location: 638 United St

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

Owner: Land 10031, LLC
Authorized Agent: Trepanier & Associates, Inc.
Architect: Bob Steele, Bob Architecture
Engineer: TBD
Surveyor: Florida Keys Land Surveying
Landscaping: TBD
Legal and Equitable Owners: Land 1003, LLC; Uphoff Investments, LLC

Project Description (Sec. 108-229):

Demolition of existing office building. Replacement with Multi-family development project consisting of 5 attached residential dwelling units in a townhouse-type design with detached garages and rear alley access.

The site has the following characteristics:

Site Data	Permitted	Existing	Proposed	Compliance
Zoning	HRO	HRO	HRO	<i>Complies</i>
Min Lot Size	> 5,000 sf	13,926 sf	No Change	<i>Complies</i>
Commercial FAR	1.0 (13,926 sq. ft.)	0.34 (4,745 sq. ft. ¹)	0.0 (0 sq. ft.)	<i>Complies</i>
MR- Density	5.1@ 16/ acre	1 units	5 units	<i>Complies</i>
AH-Compact Infill Bonus	1 MR, 3AH units	0 units	0 units	<i>Complies</i>
Total Residential Units	5	0 units	5	<i>Complies</i>
Max Height	35'	40'	31.5'	<i>Complies</i>
Open Space Ratio	35% (4,874 sq.ft.)	<5%	32%	<i>Complies</i>
Landscape	20% (2,785 sq.ft.)	<5%	17%	<i>Complies</i>
Building Coverage	50% (6,936 sq.ft.)	34% (4,745 sq. ft.)	59%	<i>Variance Req'd</i>
Impervious Surface Ratio	60% (8,355 sq.ft.)	~98%	63%	<i>Complies</i>
Setbacks: Front	5 ft.	33 ft.	5 ft.	<i>Complies</i>
Side	5 ft.	50 ft.	5 ft.	<i>Complies</i>
Street Side	5 ft.	10 ft.	5 ft.	<i>Complies</i>
Rear	10 ft.	11 ft.	10 ft.	<i>Complies</i>

* Existing non-conformity pursuant Sec. 122-27

Other Project Information (Sec. 108-230):

Construction is proposed in a single phase to progress steadily based on Key West LDRs, and Florida Building Code.

¹ Includes accessory commercial storage

1. The target date for commencement shall follow entitlement approvals as quickly as possible.
2. Expected date of completion is within 1-2 years of commencement.
3. The proposed development plan is contained herewith.
4. This application proposes to demolish a non-contributing commercial building and replace it with five new residential units in a pedestrian oriented townhouse development as depicted on the plans.
5. Project is not a planned unit development.
6. The project will comply with federal flood insurance regulations.
7. This project is not located in an environmentally sensitive area.

Residential Developments (Sec. 108-231):

The project consists of the 5 residential units.

Intergovernmental Coordination (Sec. 108-232):

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

Schedule of Approval Process:

The following development approval schedule and process is anticipated:

Step	Date
1. Submit Applications	09/19/16
2. Development Review Committee ("DRC") Meeting	10/27/16
3. Tree Commission Submission	10/25/16
4. Tree Commission (1 st)	11/14/16
5. Planning Board Meeting	11/17/16
6. Historical Architecture Review Committee ("HARC") Submission	11/23/16
7. Tree Commission (2 nd)	12/13/16
8. Historical Architecture Review Committee ("HARC") Meeting	12/14/16
9. City Commission Meeting	1/19/17
10. City Commission Appeal Period	30 days
11. Florida Department of Economic Opportunity Appeal Period (45 days)	45 days

* Alternative submission date granted by Director of Community Development Services

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

Levels of Service –The impacts of the proposed project are generally summarized as follows:

- The proposed change is expected to decrease demand on the surrounding transportation system by 23 trips per weekday²
- The proposed change is expected to decrease demand for Potable Water by 39 gallons per day
- The proposed change is expected to increase sanitary sewage supply by 1,242 gallons per day
- The proposed change is expected to decrease Solid Waste supply by 51.4 pounds per day

² Weekend average increase: 18-19 trips

- The proposed change is expected to decrease recyclable supply by 2.72 pounds per day
 - The proposed change is not expected to impact Storm water LOS.
 - The proposed change is not expected to impact Recreation LOS.
1. Fire hydrant locations, if necessary, will be determined as per DRC direction or as otherwise required by the Fire Department.
 2. A cistern is being installed on site; otherwise, reclaimed water use is not anticipated.
 3. As demonstrated by the below Concurrency Analysis, there will be no adverse effects on public facilities.

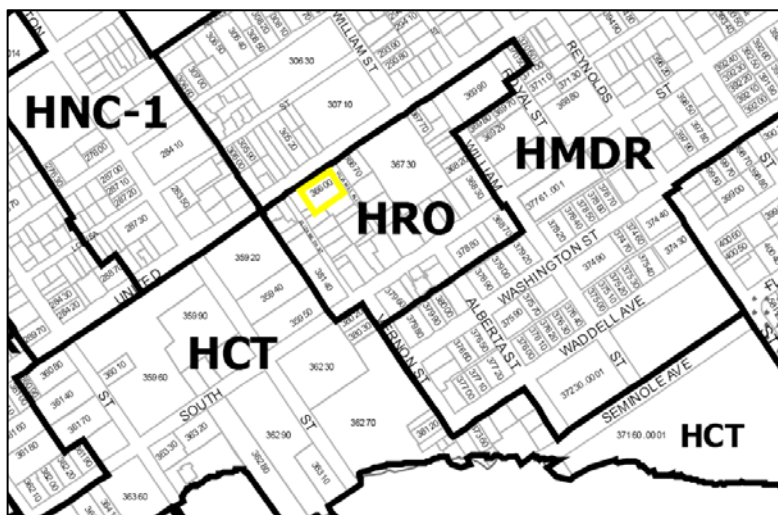
Appearance, design, and compatibility (Section 108-234):

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

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

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

The **HRO** is established to implement the HC future land use designation; it accommodates residential dwellings as well as business and professional offices. Cultural and civic activities, customary accessory uses and community facilities are also allowed. However, the intensity of development within the district is limited to activities generating no more than 50 trips per 1,000 square feet of gross leasable floor area per day and residential density is limited to 16 dwelling units per acre. New transient lodging or guesthouses are prohibited and the HRO district expressly excludes general retail sales, warehousing, and outdoor storage.



- (a) *Compliance.* This development plan complies with the requirements set forth in the Key West City Code as they pertain to Concurrency Management, Outdoor Displays and

Nuisances, Resource Protection, Signs, and Articles I and III to IX of Chapter 108 of the Key West City Code.

(b) *Vicinity Map*.

(c) *Land Use Compatibility*. The project site is located in the Historic Residential/Office (HRO) zoning district. The intent of the Historic Residential/Office (HRO) zoning district is to implement the HC future land use designation; it accommodates residential dwellings as well as business and professional offices. The residential density is limited to 16 dwelling units per acre.

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

(d) *Subdivision of Land*. No subdivision is proposed.

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

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

Site Plan (Sec. 108-237):

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

Architectural Drawings (Sec. 108-238):

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

Site Amenities (Sec 108-239):

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

Site Survey (Sec 108-240):

Survey of the site is attached.

Soil Survey (Sec 108-241):

Soil surveys are not anticipated as part of this project.

Environmentally Sensitive Areas (Sec. 108-242):

No Environmentally sensitive areas exist on this site.

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

All proposed clearing, excavation and landscaping is depicted on attached plans.

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

Overall parking demand will decrease by 11 automobile spaces as a result of the redevelopment. There is a 4,745 sq. ft. reduction in non-residential floor area and a thus a commensurate reduction in non-residential parking demand of 11 spaces. There is a proposed increase of 5 market-rate residential dwellings with an associated increase in residential parking demand of 5 spaces. Supply of parking follows the demand changes in accordance with requirements of the Land Development Regulations Section 108-572.

Parking Demand Based on Code Requirements		Automobile			Bicycle		
		Required	Demand	Supply	Required	Demand	Supply
Proposed	Commercial office (0 sf)	1/300 sq. ft.	0	0	25%	0	0
	Residential (5 units)	1/unit	5	5	25%	0.5	1
	Totals		5	5		1	1
Existing	Commercial office (4,745 sf)	1/300 sq. ft.	16	16	10%	4	0
	Residential (0 units)	1/unit	0	0	10%	0	0
	Totals		16	16		4	0
Total Change in Parking			-11	-11		-4	1

All proposed on-site parking and vehicular, bicycle, or pedestrian circulation is depicted on attached plans.

Housing (Sec 108-245):

This project includes five residential units. All residential units will be allocated via BPAS and will meet applicable design and/or affordability requirements at time of allocation.

Economic Resources (Sec 108-246):

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

Special Considerations (Sec 108-247):

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

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

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

Truman Waterfront Port Facilities (Sec 108-249):

This project is not located at the Truman Waterfront Port

SITE PLAN

Scope (Sec 108-276):

This site plan will conform to all necessary and applicable sections of land development regulations.

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

As depicted, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed uses.

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

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

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

All mechanical equipment and utility hardware will be appropriately screened. All waste storage areas will be screened from adjacent properties. Waste storage containers proposed as part of the operation of the development will be permanently located in individual garage spaces and transferred to a screened staging area along Villa Milla Alley.

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

No front end loaded refuse containers are proposed.

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

No Roll-off Compactor Containers are proposed.

Utility lines (Section 108-282):

The proposed project will require installation of new utility services. Installation will be coordinated with appropriate utility agency and in accordance with Section 108-282.

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

No commercial activities are proposed.

Exterior Lighting (Section 108-284):

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

Signs (Section 108-285):

No new signage is proposed.

Pedestrian sidewalks (Section 108-286):

No new sidewalks are proposed.

Loading docks (Section 108-287):

No loading docks are required or proposed.

Storage Areas (Section 108-288):

No outdoor storage areas are proposed.

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

There is no land clearing proposed. Tree removal will be reviewed and approved by the urban forester and the Tree Commission.

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

Request for Modification (Sec. 108-517):

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

This request is to modify landscape requirements of Sec. 108 because proposed landscaping is not contrary to the intent of the applicable regulations and a literal enforcement of the standards would be impractical. The property is an existing nonconformity relative to Open Space, and Landscaping. An increase in open space and landscaping is proposed.

This application requests credit for existing landscaping and screening in accordance with Section 108-348, Section 108-352 and Section 108-451; the existing and proposed landscaping and screening is depicted on the site plans and consists of a healthy combination of previously planted landscape buffer material, an existing fence/wall along the perimeter of the existing parking area and supplemental plantings to enhance the existing landscaping, open space and screening on site. No negative impact on existing or abutting land uses is anticipated in conjunction with this proposal.

In addition, this request is to waive the below cited landscape requirements of Sec. 108 in compliance with the following:

1. Protect and preserve the integrity of the existing site.
2. The waiver will not have a significant adverse impact on the public interest, or on adjacent property.
3. The waiver or modification is not discriminatory, considering similar situations in the general area.

4. The development will provide an alternative landscape solution which will achieve the purposes of the requirement through clearly superior design.
5. Strict application of the requirement will effectively deprive the owner and the community of reasonable use of the land for the intended purpose due to its unusual size, shape, and location.
6. The effect upon the owner is not outweighed by a valid public purpose in imposing the requirement in this case.
7. Strict application of the requirement would be technically impractical.

Specific Waivers/ Modifications:

Sec. 108-346. Open space, landscaping and removal of exotic vegetation.

To allow the proposed improvement to an existing non-conformity, as proposed on the attached plans.

"Residential uses shall provide a minimum of 35 percent open space. Nonresidential uses shall provide a minimum of 20 percent open space. The total open space provided by mixed uses shall be based on the percent of total square feet of floor area on site allotted to the respective residential and nonresidential uses".

In accordance with Section 122-27, the size and dimension of the open space on site is nonconforming; however, this redevelopment project proposes to synergistically improve these existing legal nonconforming dimensional standards on site while complying with the intent of Section 108-346(d): "The natural landscape of the site shall be preserved as much as possible for purposes of enhancing the general appearance of the site as well as to prevent excessive stormwater runoff, erosion, siltation and dust".

The proposed redevelopment increases the demand for open space by 15% (20% to 35%). This demand is being compensated for with a nearly 95% increase in open space area on-site from what is existing.

Sec. 108-412. Minimum landscaping requirements.

To allow the proposed improvement to existing non-conformity, as proposed on the attached plans.

In accordance with Section 122-27 and Section 122-32, the minimum area of the landscape on site is nonconforming and may be continued and maintained; however, this redevelopment project proposes to synergistically improve this existing legal nonconforming dimensional standard⁴ on site while complying with the intent of Section 108-346(d) and 108-412(b-c).

Landscape Calculations	Existing (sq. ft.)	Proposed (sq. ft.)	
Lot Area	13,926	13,926	
% Landscape requirement	20%	17%	% Increase
Total Landscape Required	2,785	2,367	-15%
Total Landscape Provided	< 696	2,391	243%

⁴ 108-412(a): minimum 20% of the building site area

The proposed redevelopment does not increase the demand for landscaping. The current legal nonconforming landscape area is being compensated for with a 243% increase in minimum landscape area on-site from what is existing. Further, existing perimeter screening and landscaping will be enhanced through fencing, new plantings and over compliance with the 70% native requirement, thus synergistically meeting the intent of Section 108-347.

To allow the proposed improvement to the following existing non-conformities, as proposed on the attached plans and in accordance with Section 122-27 and Section 122-32⁵

- **Sec. 108-413. Requirements along street frontage.**
- **Sec. 108-414. Requirements for interior areas.**
- **Sec. 108-415. Perimeter landscape requirements.**
- **Sec. 108-416. Other landscape requirements for nonvehicular use areas.**
- **Sec. 122-690. Dimensional requirements.**

Off-street parking and loading (Article VII):

No requirements for off-street parking and loading

Storm water and Surface Water Management (Article VIII):

A stormwater management system in full compliance with the Comprehensive Plan and Land Development regulations will be submitted prior to approval by the City Commission of the Major Development Plan.

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

The proposed project is located in the X flood zone.

Utilities (Article IX):

See Concurrency Analysis below.

Criteria for review and approval:

- (1) Land use compatibility: As mentioned above, the project site is located in the Historic Residential/Office (HRO) zoning district. The intent of the Historic Residential/Office (HRO) zoning district is to implement the HC future land use designation; it accommodates residential dwellings as well as business and professional offices. The residential density is limited to 16 dwelling units per acre. This project seeks to meet needs of residents by providing 5 residential units
- (2) Sufficient site size, adequate site specifications, and infrastructure: As mentioned above, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use.
- (3) Proper use of mitigative techniques: No adverse impacts to adjacent land uses are anticipated, Community infrastructure will not be burdened by this project.

⁵ existing legally nonconforming dimensional requirements on site to be continued and maintained.

- (4) Hazardous waste: The proposed use will not produce any hazardous waste or use hazardous materials in its operation.
- (5) Compliance with applicable laws and ordinances: All applicable permits required from agencies other than the City of Key West will be obtained.

CONCURRENCY ANALYSIS:

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 removal of existing commercial use and replacement with residential use of five units.

Policy 2-1.1.1- Transportation

The maximum predicted potential trip generation of the current land uses is less than the maximum predicted potential trip generation from the proposed land uses.

The LOS analysis concludes that overall trip generation from the site will be expected to decrease by approximately 23 trips per weekday and increase by approximately 18-19 trips per weekend as part of the proposal. This is to be expected of commercial to residential redevelopment projects.

Trip Generation			Wk Dy			Sat			Sun		
	Exisitng	Proposed	Rate	Existing	Proposed	Rate	Existing	Proposed	Rate	Existing	Proposed
Office (ITE 710)	4745	0	11.01	52	0	2.37	11	0	0.98	5	0
Residential (ITE 230)	0	5	5.86	0	29	5.67	0	28	4.84	0	24
Total				52	29	Total	11	28	Total	5	24
Change				-23		Change	17		Change	20	

Notwithstanding the proposed trip generation, Policy 2-1.1.3: Dense Urban Land Area 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)

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.

This project supports Policy 2-1.1.3 as a downtown residential project utilizing non-automotive amenities and pedestrian oriented facades.

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 increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.C, the potable water LOS for residential and nonresidential development is 100 gal/acre/day)

The potable water flow is anticipated to be 1,315 gal/day

Summary Response: The proposed redevelopment will decrease the expected impact from the existing use of the property by approximately 39 gallons per day; therefore, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Residential		Commercial		Total
	LOS	Daily Capacity ⁶	LOS	Daily Capacity	
Proposed	100 g/capita/day	13.15 capita x 100g = 1,315 gal	100g/capita/day	0/ 1000*2.8536 ⁷ =0 x 100g = 0 gal	1,315 gal
Existing	100 g/capita/day	0 capita x 100g = 0 gal	100g/capita/day	4,745/ 1000*2.8536 ⁸ =13.54 x 100g = 1,354 gal	1,354 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.

⁶ 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

⁷ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office

⁸ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office

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 at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.A, the sanitary sewer LOS for nonresidential development is 660 gal/capita/day) and the sanitary sewer LOS for residential development is 100 gal/capita/day).

The sanitary sewer flow is anticipated to be 1,315 gal/day

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by 1,242.4 gallons per day; however, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Residential		Commercial		Total
	LOS	Daily Capacity ⁹	Rate	Daily Capacity	
Proposed	100 g/capita/day	13.15 capita x 100g = 1,315 gal	660 gal/acre/day	0 acres x 660 gal = 0 gal	1,315 gal
Existing	100 g/capita/day	0 capita x 100g = 0 gal	660 gal/acre/day	0.11 acres x 660 gal = 72.6 gal	72.6 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.¹⁰

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 at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.D, the solid waste LOS for nonresidential development is 6.37 lbs/capita/day) and the solid waste LOS for residential development is 2.66 lbs/capita/day).

The solid waste impact is anticipated to be 86.3 lbs/day

⁹ 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

¹⁰ City of Key West Comprehensive Plan Data and Analysis, Pg A-16

Summary Response: The proposed redevelopment will decrease the expected impact from the existing use of the property by 51.4 pounds per day; however, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Residential		Commercial		Total
	LOS	Daily Capacity ¹¹	LOS	Daily Capacity	
Proposed	2.66 lbs/capita/day	13.15 capita x 2.66 lbs = 34.9 lbs	6.37 lbs/capita/day	0/1000*2.8536 ¹² =0 x 6.37lbs= 0	34.9 lbs
Existing	2.66 lbs/capita/day	0 capita x 2.66 lbs = 0 lbs	6.37 lbs/capita/day	4,745/ 1000*2.8536 ¹³ =13.5 x 6.37lbs= 86.3 lbs	86.3 lbs

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.¹⁴

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 increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.D, the recyclable waste LOS for nonresidential development is 0.25 lbs/capita/day) and the recyclable waste LOS for residential development is 0.50 lbs/capita/day).

The recyclable waste impact is anticipated to be 0.66 lbs/day

Summary Response: The proposed redevelopment will decrease the expected impact from the existing use of the property by 2.72 pounds per day; therefore, it is not expected that the proposal will result in excess capacity on this public facility.

¹¹ 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

¹² Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office

¹³ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office Retail

¹⁴ City of Key West Comprehensive Plan Data and Analysis, Pg A-17

Designation	Residential		Commercial		Total
	LOS	Daily Capacity ¹⁵	LOS	Daily Capacity ¹⁶	
Proposed	0.05 lbs/capita/day	13.15 capita x 0.05 lbs = 0.66 lbs	0.25 lbs/capita/day	0/1000*2.8536 ¹⁷ =0 x 0.25lbs= 0	0.66 lbs
Existing	0.05 lbs/capita/day	0 capita x 0.05 lbs = 0 lbs	0.25 lbs/capita/day	4,745/1000*2.8536 ¹⁸ =13.5 x 0.25lbs= 3.38 lbs	3.38 lbs

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

A stormwater management system in full compliance with the Comprehensive Plan and Land Development Regulations will be submitted prior to approval by the City Commission of the Major Development Plan.

¹⁵ 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

¹⁶ Adopted LOS 0.5/Adopted LOS 0.25= 2.00 multiplier; 4.03*2.00=8.06

¹⁷ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office

¹⁸ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office Retail

City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an entity)

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

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

being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:

638 United St. Key West, FL 33040
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 18th August 2016 by
date
OWEN TREPANIER
Name of Authorized Representative

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

[Signature]
Notary's Signature and Seal

Alvina Covington
Name of Acknowledger typed, printed or stamped



Alvina Covington
COMMISSION #FF913801
EXPIRES: August 27, 2018
WWW.AARONNOTARY.COM

FF913801
Commission Number, if any

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, Steven M Uphoff as
Please Print Name of person with authority to execute documents on behalf of entity
Managing Member of Land 10031, 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.

Steven M Uphoff
Signature of person with authority to execute documents on behalf of entity owner

Subscribed and sworn to (or affirmed) before me on this 8/29/16 by
date

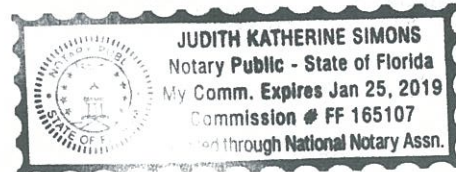
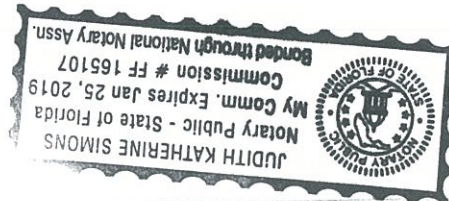
Steven M. Uphoff
Name of Authorized Representative


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

Judith Katherine Simons
Notary's Signature and Seal

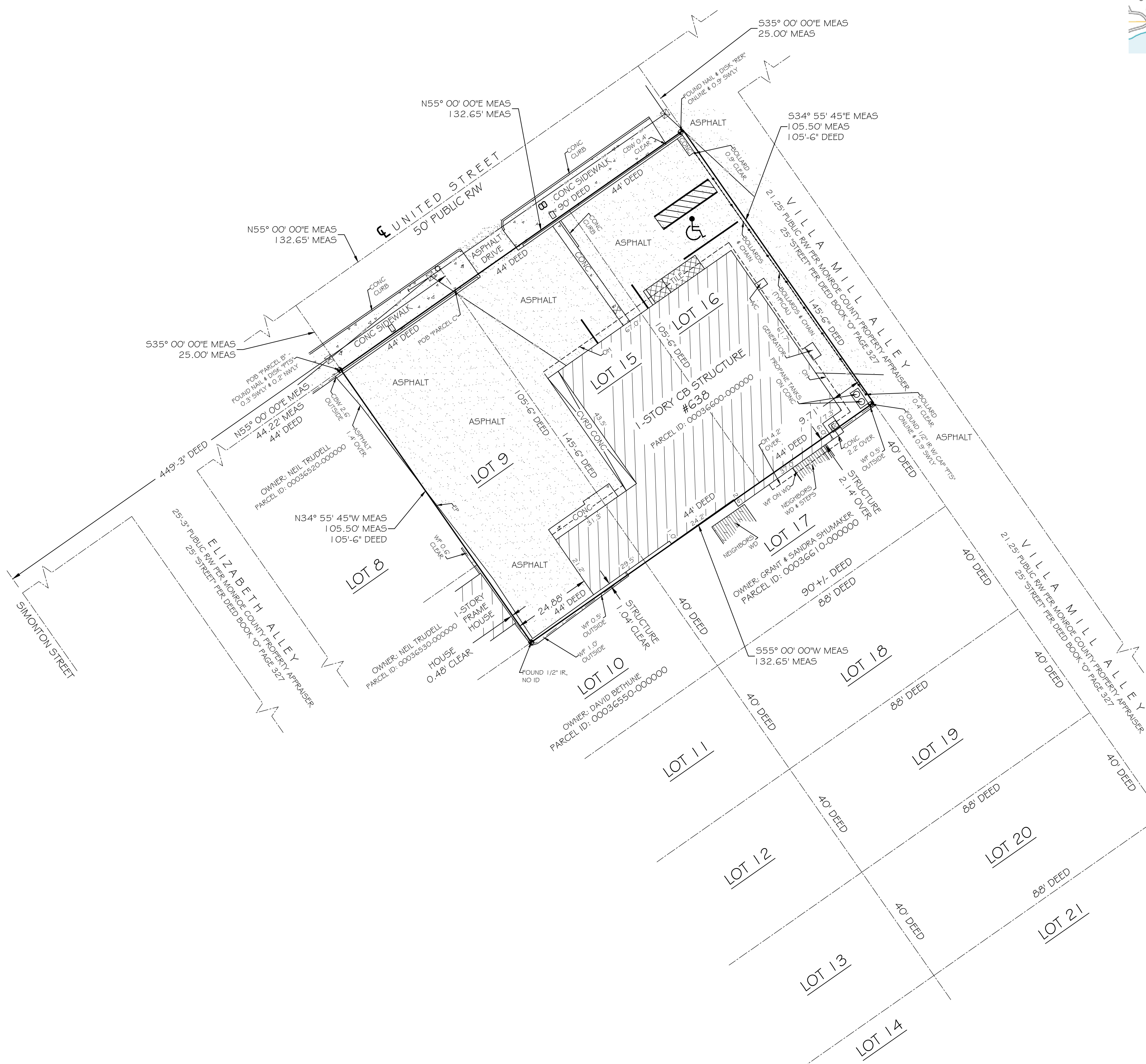
Judith Katherine Simons
Name of Acknowledger typed, printed or stamped

FF 165107
Commission Number, if any






ASSUMED



1"=20'
























0 10 20 40

*VERIFY ORIGINAL SCALE OF 2"

TOTAL AREA = 13,994.06 SQ
0.32 ACRES±

SYMBOL LEGEND:

	BENCHMARK
	CATCH BASIN
	DRAINAGE MANHOLE
	CONCRETE UTILITY POLE
	MANHOLE
	FIRE HYDRANT
	GUY WIRE
	GAS PUMP
	MAILBOX
	SANITARY CLEANOUT
	SANITARY MANHOLE
	SIGN
	TELEPHONE MANHOLE
	WATER VALVE
	WATER METER
	MONITORING WELL
	WOOD UTILITY POLE
	METAL SUPPORT COLUMN
	OVERHEAD UTILITY LINES
	LIGHT POLE
	BELOW GROUND ELECTRIC BOX

WITH REFERENCE TO THE FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT FOR TITLE INSURANCE, CUSTOMER REFERENCE NO. 15-1283, FIRST AMERICAN FILE NO. 1056-3482606, EFFECTIVE DATE: DECEMBER 10, 2015 AT 8:00 AM, I HEREBY CERTIFY AS FOLLOWS:

1. Defects, liens, encumbrances, adverse claims other matters, if any, created, first appearing in the public records or attaching subsequent to the effective date but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage therein covered by this Commitment. - NOT A SURVEY MATTER
2. Any rights, interests, or claims of parties in possession of the land not shown by the public records. - NOT A SURVEY MATTER
3. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land. - DEPICED ON SURVEY
4. Any lien, for services, labor, or materials in connection with improvements, repairs or renovations provided before, on, or after Date of Policy, not shown by the public records. - NOT A SURVEY MATTER
5. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the land prior to Date of Policy, and any adverse claim to all or part of the land that is, at Date of Policy, or was previously under water. - NOT APPLICABLE TO SUBJECT PROPERTY
6. Taxes or special assessments not shown as liens in the public records or in the records of the local tax collecting authority, at Date of Policy. - NOT A SURVEY MATTER
7. Any minerals or mineral interests leased, granted or retained by current or prior owners, (without right of entry) (as to Parcels 12, 14 and 15) - NOT A SURVEY MATTER
8. Taxes assessed on the title prior to 2016 and subsequent years, which are not yet due and payable. - NOT A SURVEY MATTER
9. **NOTES FOR STANDARD EXCEPTIONS:** Standard Exceptions for parties in possession, for mechanics liens, and for taxes or special assessments not shown as liens in the public records shall be deleted upon receipt of an acceptable Non-Lien and Possession Affidavit establishing who is in possession of the lands, that there are no liens or encumbrances upon the lands other than as set forth in the Commitment, that no improvements to the lands have been made within the past 90 days or are contemplated to be made before closing that will not be paid in full, and that there - are no unrecorded taxes or assessments that are not shown as existing liens in the public records. Any Policies issued hereunder may be subject to a Special Exception for matters disclosed by said affidavit. - NOT A SURVEY MATTER
10. **Standard Exception(s)** for questions of survey may be deleted upon receipt and review of a properly certified Survey meeting the Florida Minimum Technical Standards for all land surveys dated no more than 90 days prior to closing or such other proof as may be acceptable to the Company. Any Policies issued hereunder may be subject to a Special Exception for matters disclosed by said survey or proof. - DEPICED ON SURVEY
11. Terms and conditions of any existing unrecorded lease(s), and all rights of leasee(s) and any parties claiming through the lessee(s) under the lease(s), (as to Parcels 6,8,12,16,21,24,25 and 26) - NOT A SURVEY MATTER
12. Any claim that the Title is subject to a trust or lien created under The Pensible Agricultural Commodities Act (7 U.S.C. §5499a, et seq.) or the Polity and Stockyards Act (7 U.S.C. §§1181 et seq.) or under similar state laws. (As to Parcels 1,2,6,7,9,10,11,12,13,14,22,23,24,25 and 26) - NOT A SURVEY MATTER

"PARCEL 15" - WITH REFERENCE TO THE FIRST AMERICAN TITLE INSURANCE COMPANY EXHIBIT A, CUSTOMER REFERENCE NO. 15-1283, FIRST AMERICAN FILE NO. 1056-3482606, EFFECTIVE DATE: DECEMBER 10, 2015 AT 8:00 AM:

On the Island of Key West and known on Wm. A. Whitehead's Map of said Island, delineated in February, 1829, as a Part of Tract 17, but now is better known and described as Lots 17, 18, 19 and 20, according to D. T. Sweeney's Diagram of Part of Square 5, Tract 17, recorded in Book O, Page 327, Public Records of Monroe County, Florida.

1. BEARING BASE: ALL BEARINGS ARE BASED ON N55°00'00" E ASSUMED ALONG THE CENTERLINE OF UNITED STREET.
2. ALL ANGLES DEPICTED ARE 90 DEGREES UNLESS OTHERWISE INDICATED.
3. ALL UNITS ARE SHOWN IN FEET/INCH.
4. ADDRESS: 636 UNITED STREET, KEY WEST, FL 33004.
5. FLOOR ZONE CLASSIFICATION: COMMUNITY NO.: 1 20168; MAP NO.: 1 2087C-1516K; MAP DATE: 02-18-05; FIRM REVISION DATE: 06-05-15; FLOOR ZONE: X SHADED; BASE ELEVATION: N/A
6. THE CURRENT ZONING CLASSIFICATION AND BUILDING SETBACK REQUIREMENTS, HEIGHT AND FLOOR SPACE AREA RESTRICTIONS AS SET FORTH IN THAT CLASSIFICATION, OF THE SUBJECT PROPERTY WAS NOT PROVIDED BY THE INSURER.
7. SQUARE FOOTAGE OF EXTERIOR FOOTPRINT OF BUILDING: 1,000 SQ. FT. OF BUILDING; EXTERIOR GROUND FLOOR STRUCTURE #636 = 5095.00 SQ. FT. FEET ABOVE THE ADJACENT GRADE, MEASURED AT THE SOUTHWESTERN CORNER OF THE BUILDING.
8. THERE ARE 1 DEDICATED STRIPED REGULAR PARKING SPACES AND 1 DEDICATED STRIPED HANDICAP PARKING SPACE.
9. THE LOCATION OF UTILITIES EXISTING ON OR SERVING THE SUBJECT PROPERTY SHOWN ON THIS SURVEY WAS DETERMINED BY OBSERVED EVIDENCE ONLY, AS PER THE CLIENTS REQUEST.
10. THERE WAS NO OBSERVED EVIDENCE OF EARTH MOVING WORK AT THE TIME OF THE SURVEY.
11. THERE WAS NO OBSERVED EVIDENCE OF RECENT STREET OR SIDEWALK CONSTRUCTION OR REPAIRS AT THE TIME OF THE SURVEY.
12. THERE WAS NO OBSERVED EVIDENCE OF SITE USE AS A SOLID WASTE DUMP, PUMP OR SANITARY LANDFILL AT THE TIME OF THE SURVEY.
13. THERE WAS NO OBSERVED EVIDENCE OF ANY OTHER SURVEY OR SURVEY DATA OR SURVEY OR SURVEY DATA MARKERS WERE OBSERVED IN THE FIELD BY THE SURVEYOR AT THE TIME OF SURVEY.

TO, LAND 10031, LLC as to a 1.0777% interest, LAND 2708, LLC as to a 0.451% interest, LAND 113, LLC as to a 1.3535% interest, LAND 1701, LLC as to a 1.1077% interest, LAND 5601, LLC as to a 0.6268% interest, LAND 7009, LLC as to a 0.9644% interest, LAND 10032, LLC as to a 1.3535% interest, LAND 4027, LLC as to a 1.5410% interest, and LAND 8351, LLC as to a 1.5151% interest. In Common among all of the aforesaid LLC's, Capital One, National Association, its successors and/or assigns as their interests may appear; and First American Title Insurance Company;


THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE STANDARD ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2016 MINIMUM SURVEY DETAIL REQUIREMENTS OF THE NATIONAL MAPS ACT OF 2002, JOINTLY ESTABLISHED AND ADOPTED BY AAS AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20 OF TABLE A. THE FIELD WORK WAS COMPLETED ON MARCH 3, 2016.

DATE OF MAP: APRIL 1, 2016.

[illegible]

NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIGHER REPRESENTATIVE. PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE RECORDS. THE SURVEYOR HAS CONDUCTED A VISUAL RECHECK OF THE RECORDS. ADDITIONAL RELIANCE TO SUCH RECORDS MAY BE REQUIRED BY OTHER THAN THE SIGNING PARTY. THE SURVEYOR IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY. THE BOLD LINE SHOWN HEREON REPRESENTS THE SURVEYOR'S OPINION OF THE DEED LINES. THE MEAN HIGH WATER LINE WAS NOT DETERMINED FOR THIS SURVEY. THE APPARENT MEAN HIGH WATER LINE IS SHOWN FOR REFERENCE ONLY.

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 CHAPTER SJ-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES AND COMPLIES WITH CHAPTER 177, FLORIDA STATUTES.

SIGNED  NOT VALID WITHOUT THE
SIGNATURE AND THE RAISE
SEAL OF A FLORIDA
SURVEYOR AND MAPPER

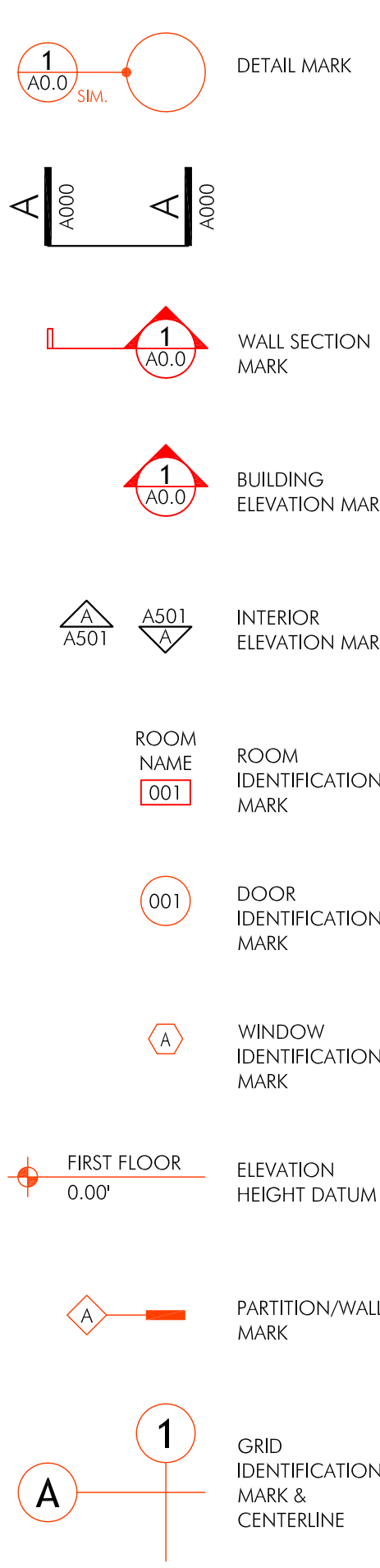
NOT VALID WITHOUT THE
SIGNATURE AND THE RAISED
SEAL OF A FLORIDA
SURVEYOR AND MAPPER.

SCALE:	1"=20'
FIELD WORK DATE	03/03/2016
REVISION DATE	XX/XX/XXXX
SHEET	1 OF 1
DRAWN BY:	MPB

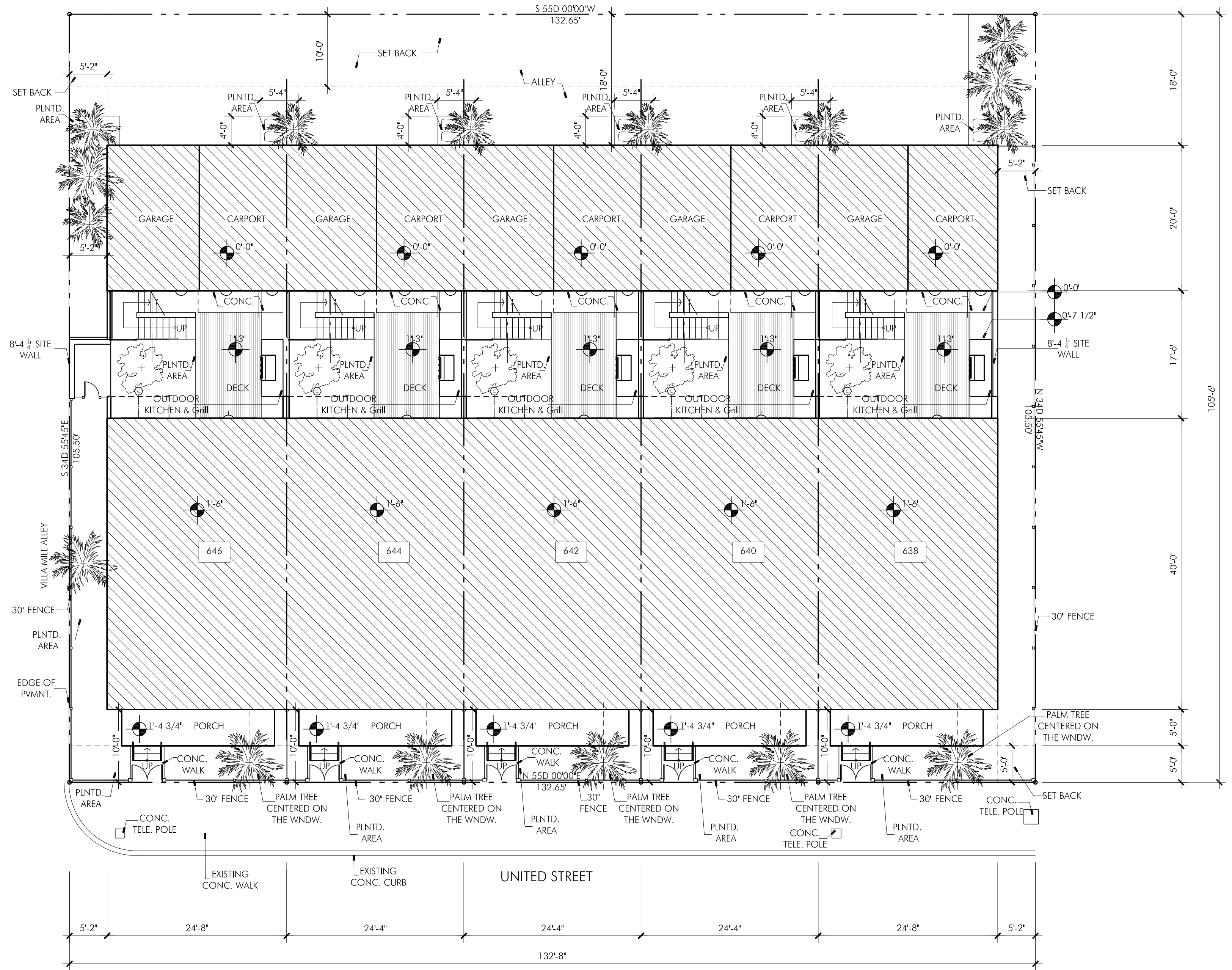
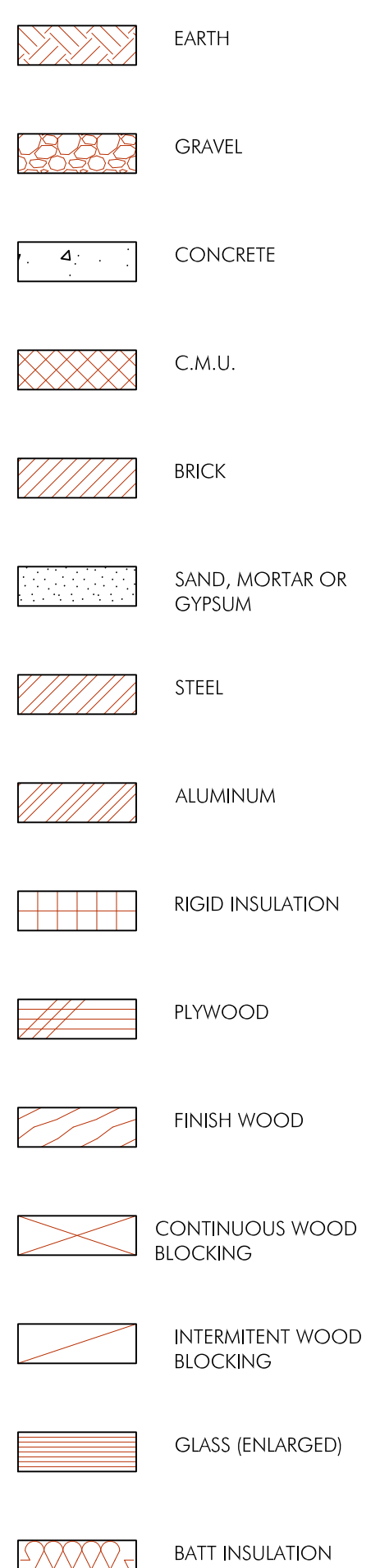
ABBREVIATIONS

A.B.	ANCHOR BOLT	MECH.	MECHANICAL
ACC.	ACCESSORY	MTL	METAL
A.C.T.	ACOUSTICAL CEILING TILE	MFR.	MANUFACTURER
A.D.	AREA DRAIN/ACCESS DOOR	MIN.	MINIMUM
ADJ.	ADJACENT	MISC.	MISCELLANEOUS
A.F.F.	ABOVE FINISH FLOOR	M.O.	MASONRY OPENING
AL.	ALUMINUM	MOD.	MODULE(E), (AR)
ALT.	ALTERNATE	MUL.	MULLION
APPROX.	APPROXIMATE	N.	NORTH
ARCH.	ARCHITECTURAL	N.I.C.	NOT IN CONTRACT
AUTO.	AUTOMATIC/ AUTOMOBILE	No.	NUMBER
		N.T.S.	NOT TO SCALE
BD.	BOARD	O.C.	ON CENTER
B.D.G.	BUILDING	O.D.	OUTSIDE DIAMETER
BM.	BEAM	OFF.	OFFICE
BOT.	BOTTOM	OH.	OVERHEAD
BRK.	BRICK	OPG.	OPENING
BDRM.	BEDROOM		
BRG.	BEARING	PERP.	PERPENDICULAR
BSMT.	BASEMENT	PL	PLATE
		PLAM.	PLASTIC LAMINATE
CAB.	CABINET	PLAS.	PLASTER/PLASTIC
C.C.	CENTER TO CENTER	PLBG.	PLUMBING
CLG.	CEILING	PLYWD.	PLYWOOD
CEM.	CEMENT	PNT.	PAIN(T)
CER.	CERAMIC	PTD.	PAINTED
C.F.	CUBIC FEET	PTN.	PARTITION
C.F.M.	CUBIC FEET PER MINUTE	PREFAB.	PREFABRICATED
C.Y.	CUBIC YARD	PROJ.	PROJECT
C.I.	CAST IRON	P.S.F.	POUNDS PER SQUARE
C.J.	CONTROL JOINT	FOOT	FOOT
C.L.	CENTER LINE	P.S.I.	POUNDS PER SQUARE INCH
CLR.	CLEAR	PT.	POINT
C.M.U.	CONCRETE MASONRY UNIT	P.T.D.	PAPER TOWEL DISPENSER
COL.	COLUMN		
CONC.	CONCRETE	Q.T.	QUARRY TILE
CONT.	CONTINUOUS	QTR.	QUARTER
CORR.	CORRIDOR		
C.T.	CERAMIC TILE	R.	RADIUS/RISER
CTR.	CENTER	R.D.	ROOF DRAIN
		REF.	REFERENCE
DBL.	DOUBLE	REFR.	REFRIGERATOR
D.F.	DRINKING FOUNTAIN	REIN.	REINFORCE
DIA.	DIAMETER	REQD.	REQUIRED
DIAG.	DIAGONAL	RES.	RESILIENT
DIM.	DIMENSION	REV.	REVISED/REVERSE
DN.	DOWN	RM.	ROOM
DR.	DOOR	R.O.	ROUGH OPENING
DS.	DOWNSPOUT		
DTL.	DETAIL	R.O.W.	RIGHT OF WAY
DWG.	DRAWING		
		S.C.	SOLID CORE
EA.	EACH	SCH.	SCHEDULE(D)
E.J.	EXPANSION JOINT	SEAL.	SEALANT
EL.	ELEVATION	SECT.	SECTION
ELEV.	ELEVATOR	S.O.D.	SOAP DISPENSER
ELEC.	ELECTRICAL	S.F.	SQUARE FEET
ENGR.	ENGINEER	SH.	SHelf
EQ.	EQUAL	S&R	SHelf & ROD
EQUIP.	EQUIPMENT	SHT.	SHEET
EXH.	EXHAUST	S.M.	SHEET METAL
EXST.	EXISTING	SPEC.	SPECIFICATION
		SQ.	SQUARE
EXP.	EXPANSION	S.S.	STAINLESS STEEL
EXT.	EXTERIOR	STD.	STANDARD
		STL.	STEEL
F.B.O.	FINISHED BY OWNER	STO.	STORAGE
F.D.	FLOOR DRAIN	SUP.	SUPPLY
FDN.	FOUNDATION	SUSP.	SUSPENDED
F.A.C.	FIRE EXTINGUISHER	SW.	SWITCH
F.A.C.	FIRE EXTINGUISHER CABINET	SYM.	SYMMETRICAL
FIN.	FINISH	SYS.	SYSTEM
FKT.	FIXTURE	T.	TREAD
FLR.	FLOOR	T&B	TOP & BOTTOM
FLUOR.	FLUORESCENT	T&G	TONGUE & GROOVE
F.P.M.	FEET PER MINUTE	T.B.	TOWEL BAR
FR.	FRAME	T.C.	TOP OF CURB
FT.	FOOT/FEET	TEL.	TELEPHONE
FTG.	FOOTING	THK.	THICKNESS
FUR.	FURRING	T.O.B.	TOP OF BLOCK
FURN.	FURNITURE	T.O.F.	TOP OF FOOTING
		T.O.S.	TOP OF SLAB
GA.	GAUGE	T.O.W.	TOP OF WALL
GAL.	GALLON	TYP.	TYPICAL
GALV.	GALVANIZED		
G.A.	GRAB BAR	U.H.	UNIT HEAT
G.B.	GENERAL CONTRACTOR	UL.	UNDERWRITERS
GEN.	GENERAL		LABORATORIES
GL.	GLASS		
GR.	GRADE	V.	VOLT/VINYL
GYP.	GYPSUM	VAR.	VARNISH/VARIES
		V.C.T.	VINYL COMPOSITION TILE
H.	HANDICAP	VERT.	VERTICAL
H.B.	HOSE BIB	VEST.	VESTIBULE
HD.BD.	HARD BOARD	V.S.	VENT STACK
HDWR.	HARDWARE		
H.M.	HOLLOW METAL	W/	WITH
HOR.	HORIZONTAL	W/O	WITHOUT
H.P.	HIGH POINT	W.C.	WATER CLOSET
HT.	HEIGHT	WD.	WOOD
HTR.	HEATER	WDW.	WINDOW
H.W.	HOT WATER	W.H.	WATER HEATER
		W.W.F.	WELDED WIRE FABRIC
I.D.	INSIDE DIAMETER	YD.	YARD
IN.	INCH		
INC.	INCLUDED(E), (ING)	@	AT
INST.	INSTALLED	#	NUMBER
INSUL.	INSULAT(E), (ING), (ION)	/	PER
INT.	INTERIOR		
J.C.	JANITOR CLOSET		
JT.	JOINT		
JST.	JOIST		
KIT.	KITCHEN		
LAM.	LAMINATE(D)		
LAV.	LAVATORY		
LB.	POUND		
LOC.	LOCATION		
LT.	LIGHT		
L.W.	LIGHT WEIGHT		
MIR.	MIRROR		
MAS.	MASONRY		
MAT.	MATERIAL		
MAX.	MAXIMUM		

SYMBOLS



MATERIALS



SITE PLAN 1
1"= 10'-0"

SITE DATA	PERMITTED	EXISTING	PROPOSED	COMPLIANCE
ZONING	HRO	HRO	HRO	COMPLIES
MIN. LOT SIZE	> 5,000 SF	13,926 SF	NO CHANGE	COMPLIES
COMMERCIAL FAR	1.0 (13,926 SQ. FT.)	0.34 (4,745 SQ. FT.)	0.0 (0 SQ. FT.)	COMPLIES
MR - DENSITY	5.1 @ 1.6/ ACRE	1 UNITS	5 UNITS	COMPLIES
AH - COMPACT INFILL BONUS	1 MR. 3 AH UNITS	0 UNITS	0 UNITS	COMPLIES
TOTAL RESIDENTIAL UNITS	5	0 UNITS	5	COMPLIES
MAX HEIGHT	35'	40'	31' 6"	COMPLIES
OPEN SPACE RATIO	35% (4,847 SQ. FT.)	< 5%	32% (4,499.68 SQ. FT.)	
LANDSCAPE	20% (2,785 SQ. FT.)	< 5%	17% (2,391.08 SQ. FT.)	
BUILDING COVERAGE	50% (6,936 SQ. FT.)	34% (4,745 SQ. FT.)	59% (8,254.39 SQ. FT.)	
IMPERVIOUS SURFACE RATIO	0.60 (8,355 SQ. FT.)	~ 98%	63% (8,842.42 SQ. FT.)	
SETBACK:				
FRONT	5 FT.	33 FT.	5 FT.	
SIDE	5 FT.	50 FT.	5'-2" FT.	
STREET SIDE	5 FT.	10 FT.	5'-2" FT.	
REAR	10 FT.	11 FT.	10 FT.	

GENERAL NOTES

- ALL DIMENSIONS ARE TO FACE OF STUD UNLESS OTHERWISE NOTED. ELEVATIONS ARE TO SUB FLR. AND TOP OF INTERIOR FRAMING UNLESS OTHERWISE NOTED. CEILING HEIGHT DIMENSIONS ARE TO BE TO FRAMING SURFACES UNLESS NOTED OTHERWISE.
- IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CHECK WITH THE ARCHITECTURAL DRAWINGS BEFORE PROCEEDING WITH THE INSTALLATION OF ANY MECHANICAL, PLUMBING AND ELECTRICAL WORK. ANY DISCREPANCY BETWEEN THE ARCHITECTS AND CONSULTING ENGINEERS DRAWINGS AND SPECIFICATIONS SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR CLARIFICATION PRIOR TO INSTALLATION OF SAID WORK. ANY WORK INSTALLED IN CONFLICT WITH THE ARCHITECTURAL DRAWINGS SHALL BE CORRECTED BY THE CONTRACTOR AT HIS EXPENSE AND AT NO ADDITIONAL EXPENSE TO THE OWNER OR ARCHITECT.
- DETAILS MARKED 'TYPICAL' SHALL APPLY IN ALL CASES UNLESS SPECIFICALLY INDICATED OTHERWISE.
- ALL FRAMING MEMBERS SHALL BE SO ARRANGED AND SPACED AS TO PERMIT INSTALLATION OF PIPE, CONDUITS AND DUCTWORK WITH A MINIMUM OF CUTTING. CONTRACTOR SHALL PROVIDE AND INSTALL ALL STIFFENERS, BRACES, BACK-UP PLATES AND SUPPORTING BRACKETS AS REQUIRED FOR THE INSTALLATION OF ALL WALL MOUNTED OR SUSPENDED MECHANICAL, ELECTRICAL AND MISCELLANEOUS EQUIPMENT.
- ELECTRICAL CONTRACTOR TO VERIFY EXISTING ELECTRICAL CAPACITY PRIOR TO SUBMITTING BID, AND TO FURNISH NECESSARY DRAWINGS TO BUILDING DEPARTMENT AND PAY FOR ALL NECESSARY INCOMING SERVICE AND PAY FOR ANY RELATED FEES NECESSARY FOR HOOK-UP. ALL ELECTRICAL WORK IS TO CONFORM WITH FIRE UNDERWRITERS CODES AND ALL LOCAL CODES IN JURISDICTION.

Sheet List Table

Sheet Number	Sheet Title
A101	PROJECT DATA, SITE PLAN & NOTES
A201	640, 642, 644 FLOOR PLANS
A202	646 FLOOR PLANS
A203	638 FLOOR PLANS
A204	ROOF PLAN
A301	FRONT & REAR ELEVATIONS
A302	SIDE ELEVATION
A303	ACCESSORY UNIT FRONT & REAR ELEVATIONS

BUILDING DATA

LOCATION
638 - 646 UNITED STREET
KEY WEST, FLORIDA
BUILDING CODE
2014 FLORIDA BUILDING CODE

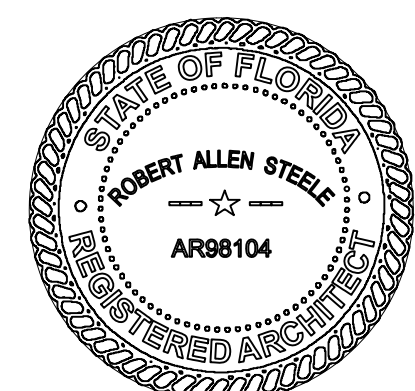
ZONING

KEY WEST
HRO (Historical Residential Office)
SETBACK REQUIREMENTS:
FRONT 5'
SIDE 5'-2"
STREET SIDE 5'-2"
REAR YARD 10'

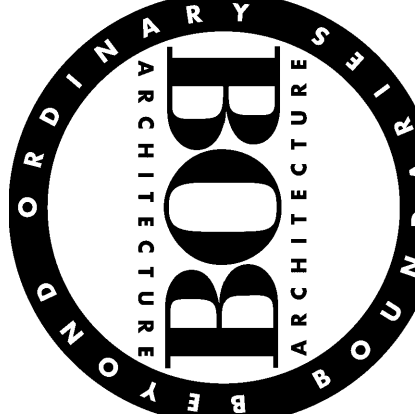
SQUARE FOOTAGE:

638	
1ST FLR.:	987 SQ. FT.
2ND FLR.:	975 SQ. FT.
3RD FLR.:	484 SQ. FT.
TOTAL:	2446 SQ. FT.
GUEST SUITE	
2ND FLR.:	493 SQ. FT.
LOFT:	241 SQ. FT.
TOTAL:	734 SQ. FT.
GARAGE:	
1ST FLR. PORCH:	247 SQ. FT.
2ND FLR. PORCH:	105 SQ. FT.
1ST FLR. DECK:	105 SQ. FT.
131 DECK:	131 SQ. FT.
2ND FLR. DECK:	26 SQ. FT.
3RD FLR. DECK:	71 SQ. FT.
640, 642, 644	
1ST FLR.:	973 SQ. FT.
2ND FLR.:	962 SQ. FT.
3RD FLR.:	480 SQ. FT.
TOTAL:	2415 SQ. FT.
GUEST SUITE	
2ND FLR.:	487 SQ. FT.
LOFT:	241 SQ. FT.
TOTAL:	728 SQ. FT.
GARAGE:	
1ST FLR. PORCH:	247 SQ. FT.
2ND FLR. PORCH:	105 SQ. FT.
1ST FLR. DECK:	105 SQ. FT.
131 DECK:	131 SQ. FT.
2ND FLR. DECK:	26 SQ. FT.
3RD FLR. DECK:	71 SQ. FT.
646	
1ST FLR.:	987 SQ. FT.
2ND FLR.:	975 SQ. FT.
3RD FLR.:	482.5 SQ. FT.
TOTAL:	2445.5 SQ. FT.
GUEST SUITE	
2ND FLR.:	493 SQ. FT.
LOFT:	244 SQ. FT.
TOTAL:	737 SQ. FT.
GARAGE:	
1ST FLR. PORCH:	253 SQ. FT.
2ND FLR. PORCH:	105 SQ. FT.
1ST FLR. DECK:	105 SQ. FT.
131 DECK:	131 SQ. FT.
2ND FLR. DECK:	26 SQ. FT.
3RD FLR. DECK:	71 SQ. FT.

UNITED STREET RESIDENCES
KEY WEST, FLORIDA



108 NORTH FIRST STREET
RICHMOND, VIRGINIA 23219
Fon 804.344.0060
email: bobstudio@bobarchitecture.net



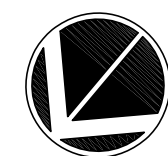
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JOB NO: 16.012
DATE: 08.10.16

PROJECT DATA
SITE PLAN
NOTES

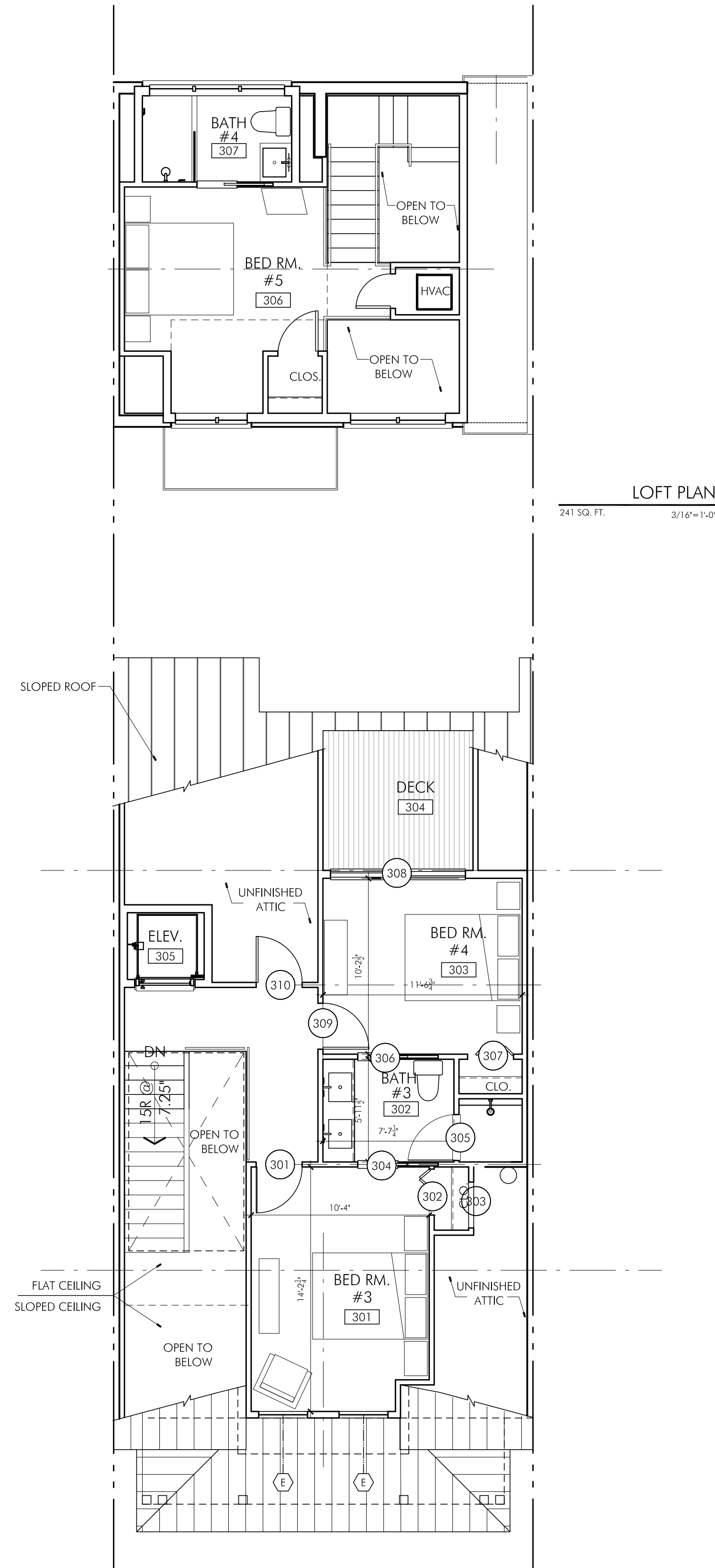
A101



480 SQ. FT. 3RD FLR.
71 SQ. FT. REAR DECK

THIRD FLOOR PLAN 3

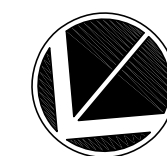
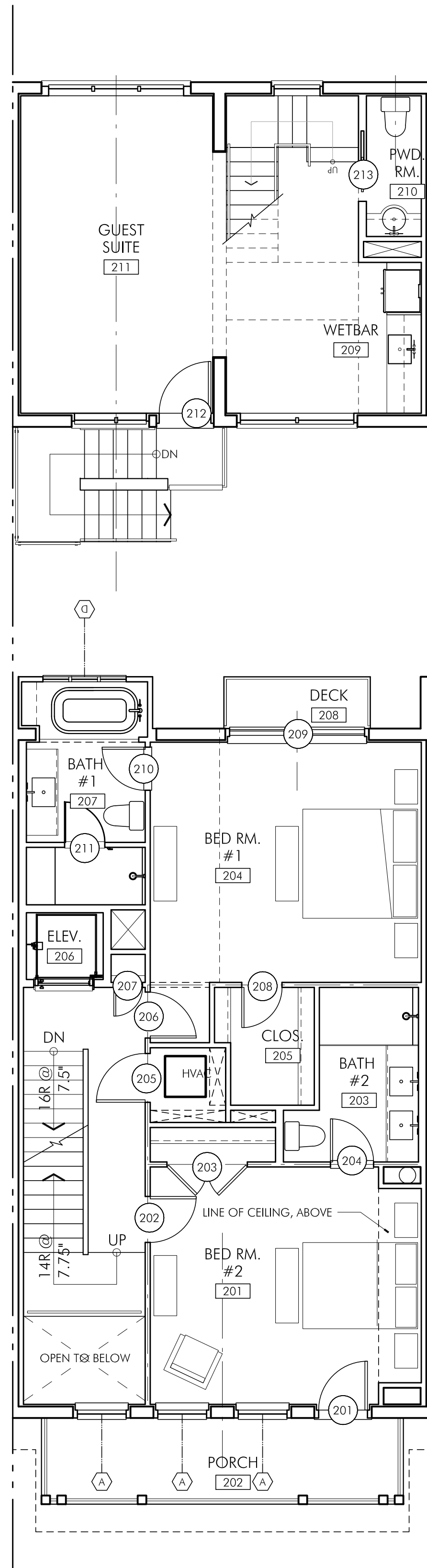
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962 SQ. FT. 2ND FLR.
105 SQ. FT. PORCH
26 SQ. FT. REAR DECK

2ND FLR. PLAN 2

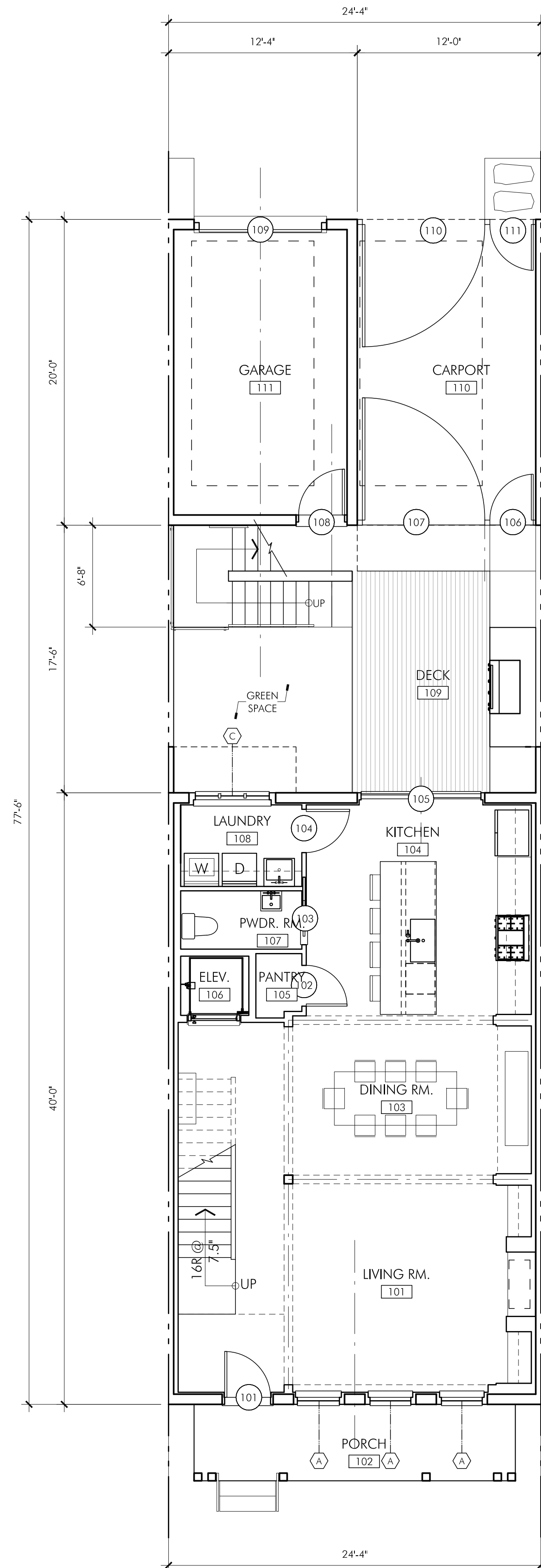
3/16" = 1'-0"



973 SQ. FT. 1ST FLR.
105 SQ. FT. PORCH

1ST FLR. PLAN 1

3/16" = 1'-0"



GARAGE PLAN

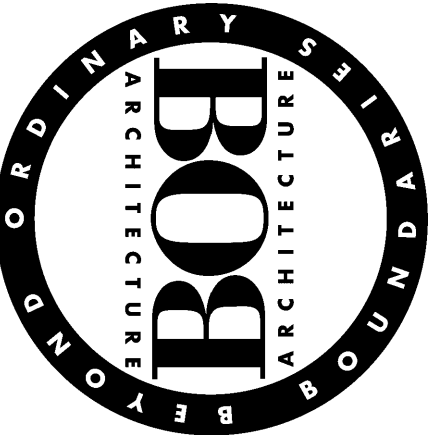
247 SQ. FT. 3/16" = 1'-0"

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JOB NO: 16.012
DATE: 08.10.16

640, 642, 644
FLOOR PLANS

A201



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UNITED STREET RESIDENCES

KEY WEST, FLORIDA

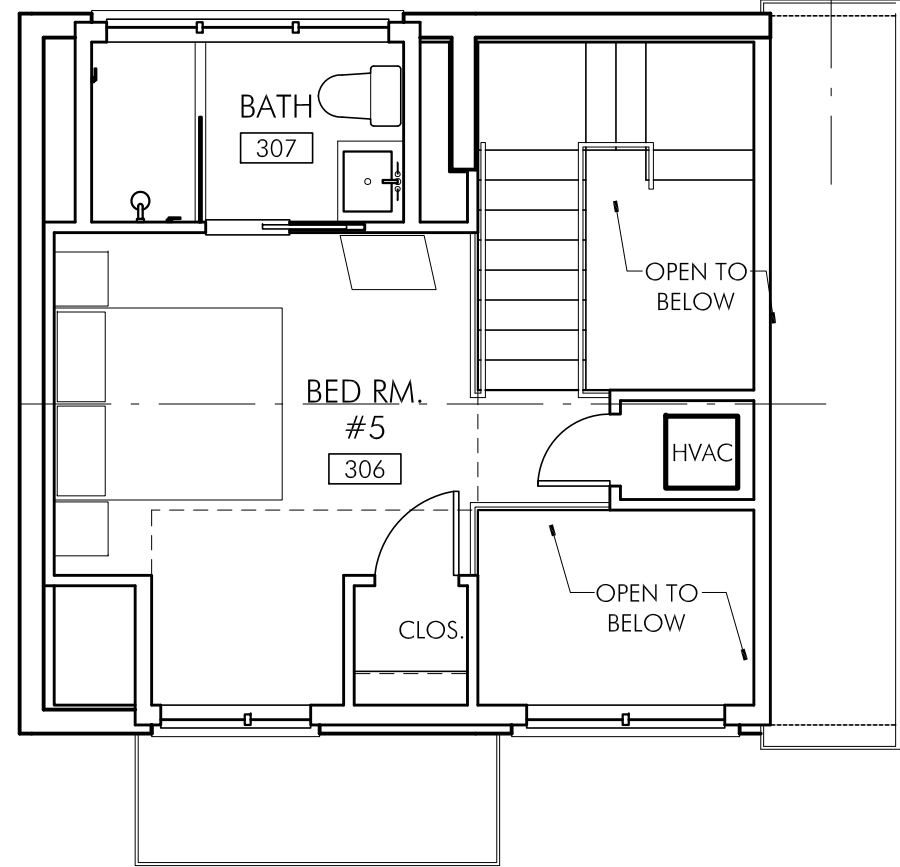
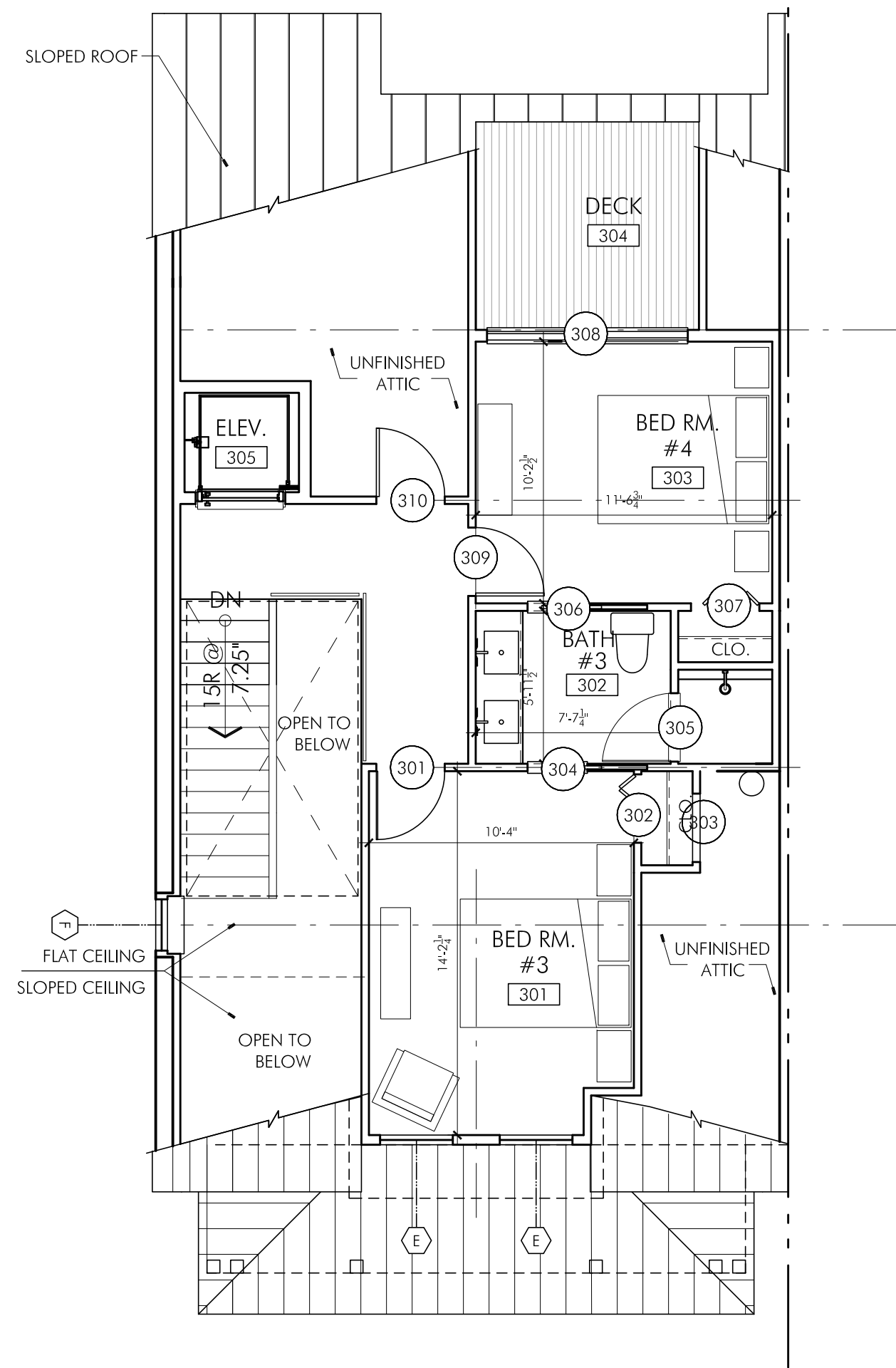


646

482.5 SQ. FT. 3RD FLOOR

THIRD FLOOR PLAN 3

3/16"=1'-0"



LOFT PLAN

244 SQ. FT. 3/16"=1'-0"

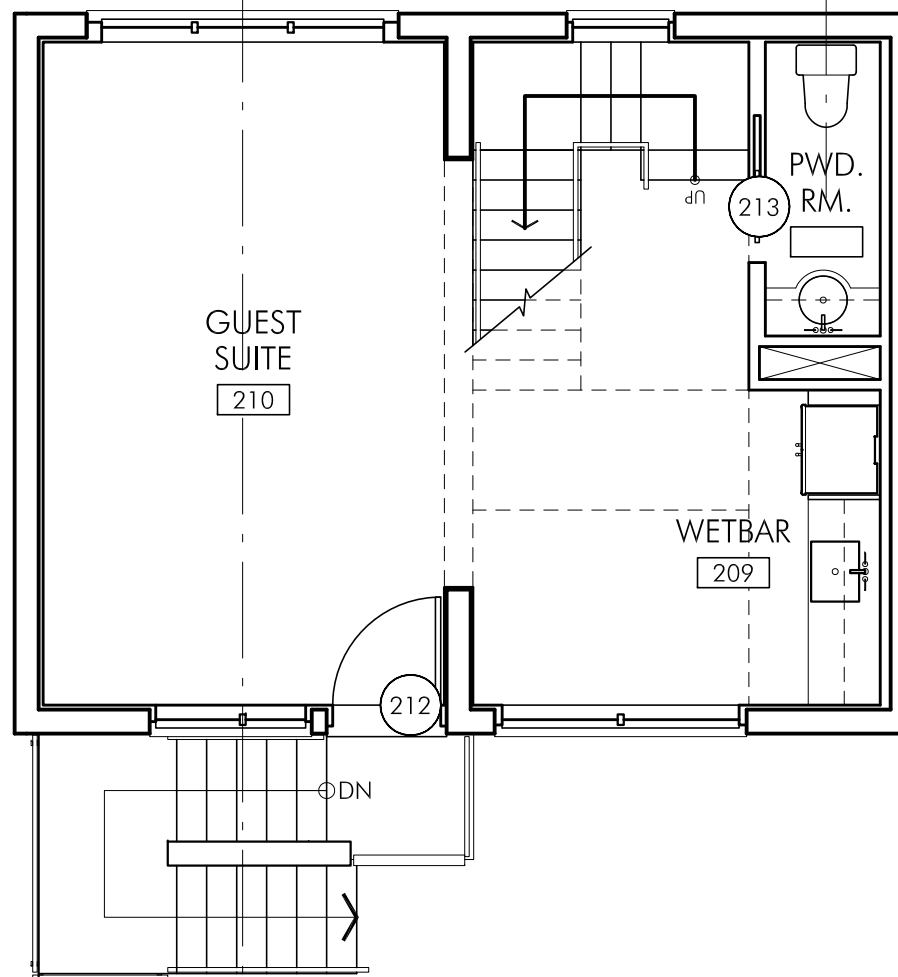
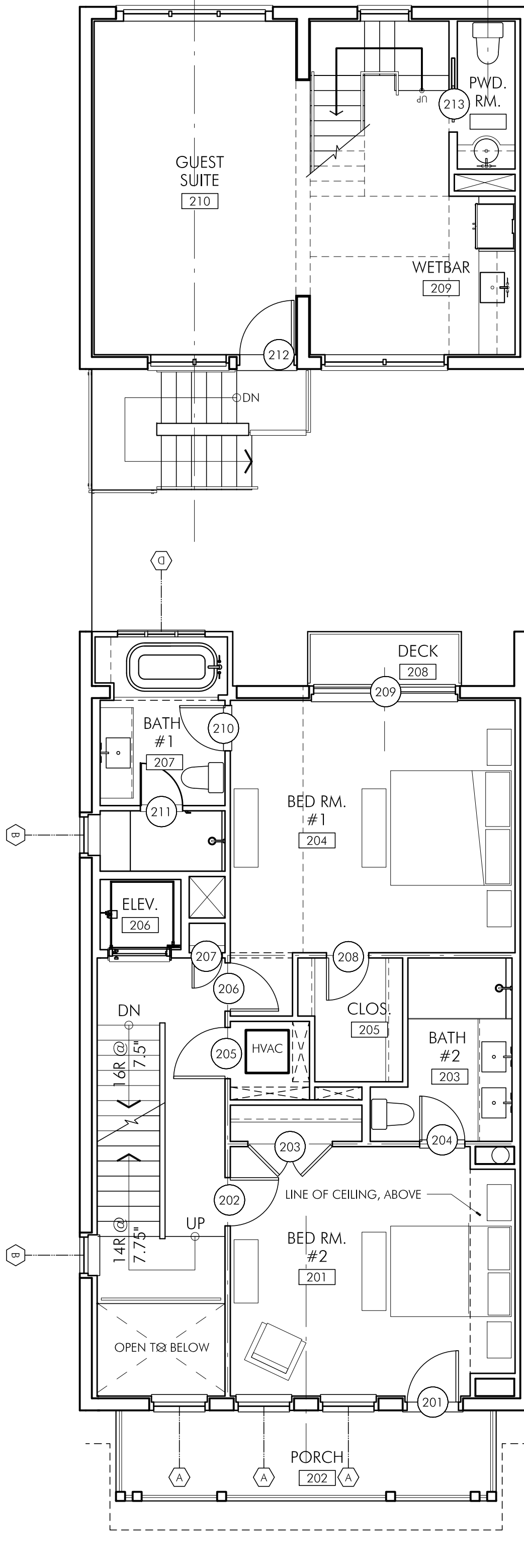


646

976 SQ. FT. 2ND FLR.
105 SQ. FT. PORCH
26 SQ. FT. REAR DECK

2ND FLR. PLAN 2

3/16"=1'-0"



2ND FLR. PLAN

493 SQ. FT. 3/16"=1'-0"

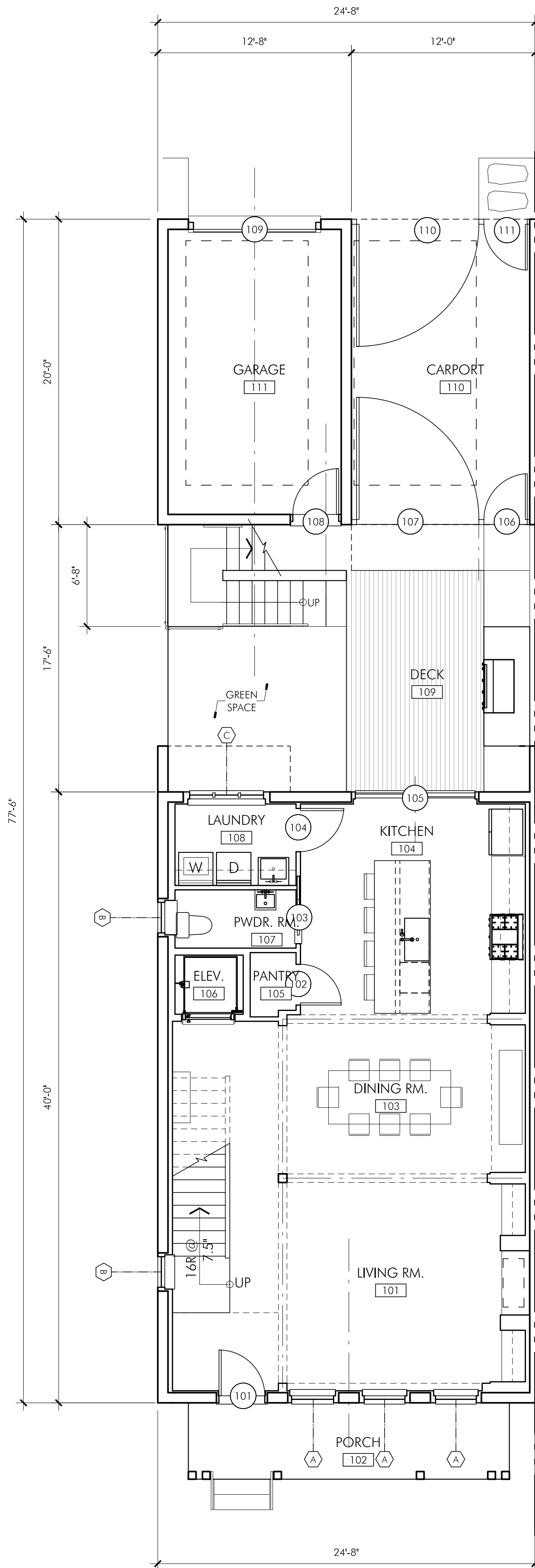


646

987 SQ. FT. 1ST FLR.
105 SQ. FT. PORCH
131 SQ. FT. REAR DECK

1ST FLR. PLAN 1

3/16"=1'-0"



GARAGE PLAN

253 SQ. FT. 3/16"=1'-0"

A202

646 FLOOR PLANS

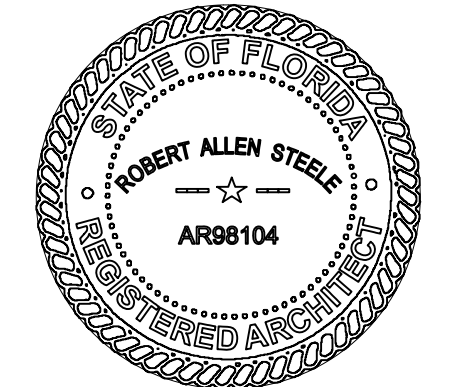
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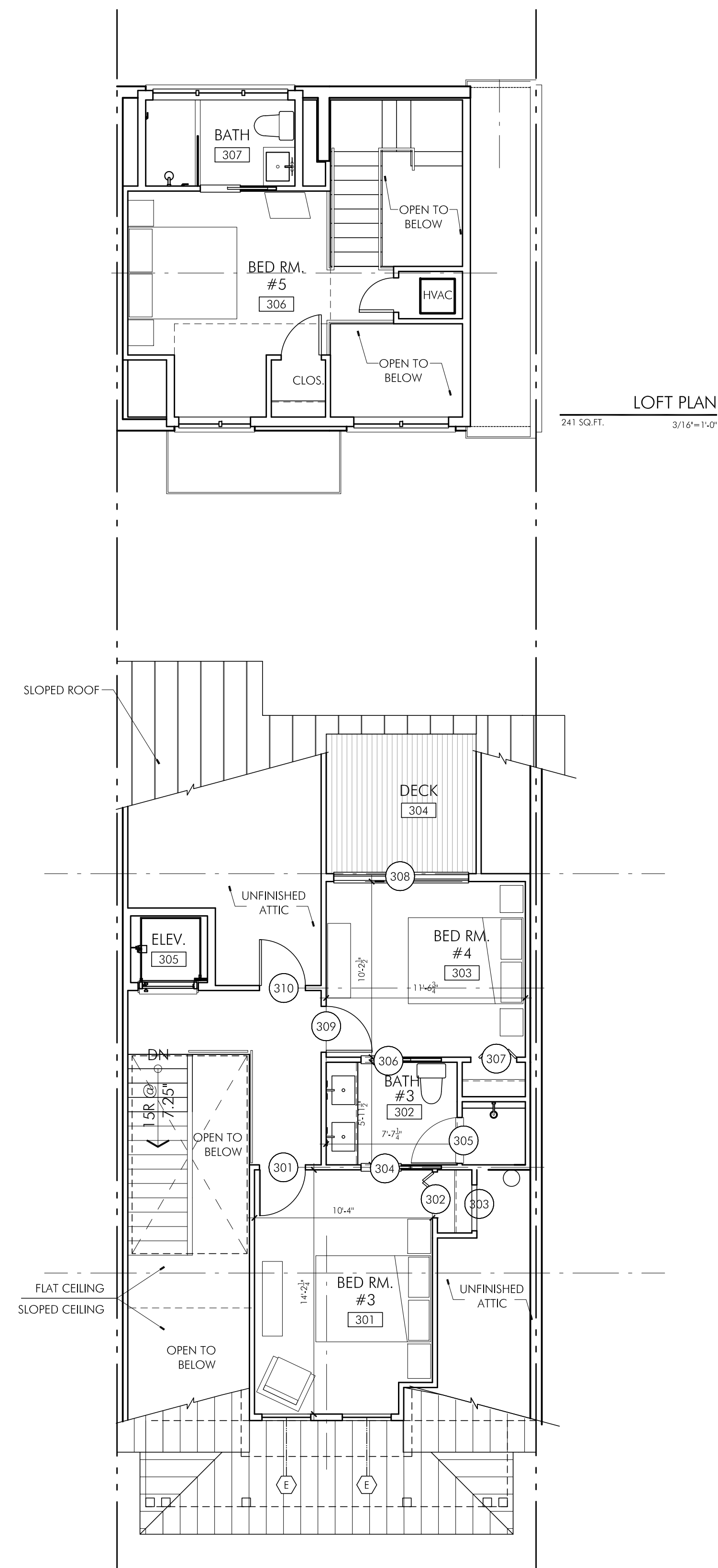


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email: bobstudio@bobarchitecture.net

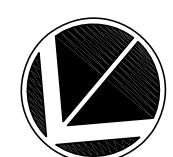
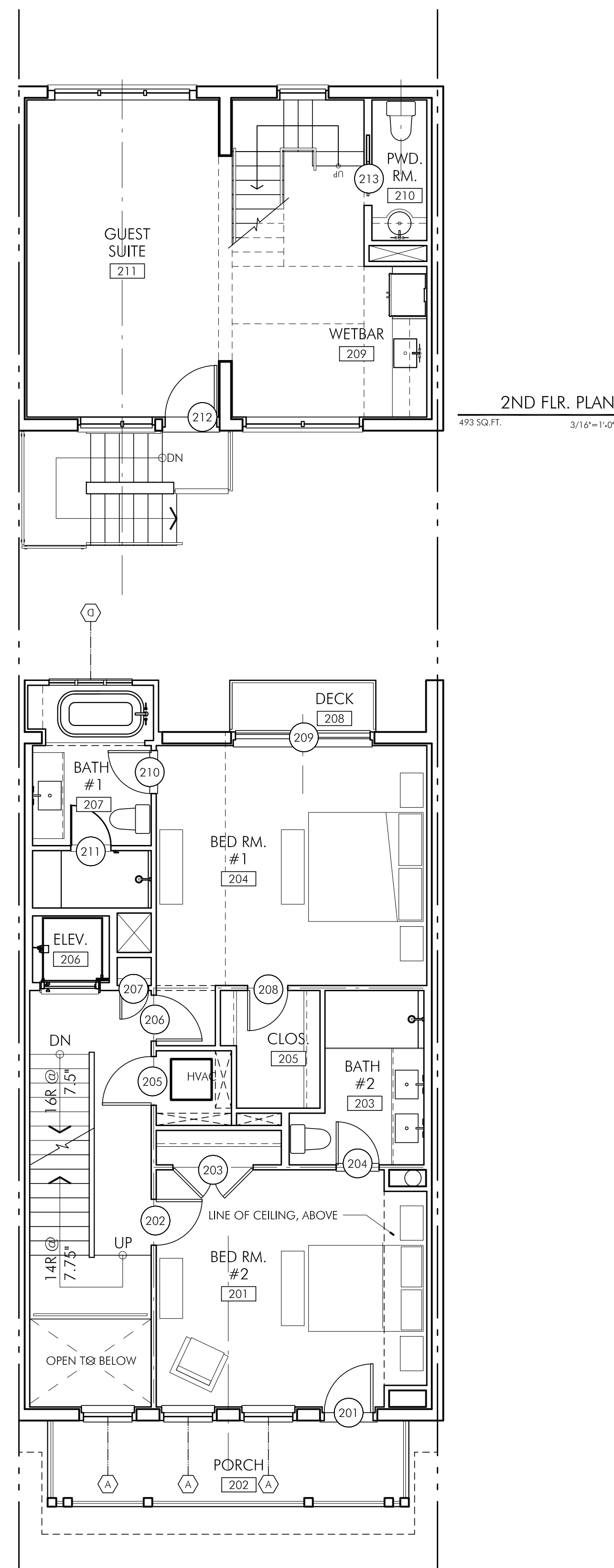


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KEY WEST, FLORIDA

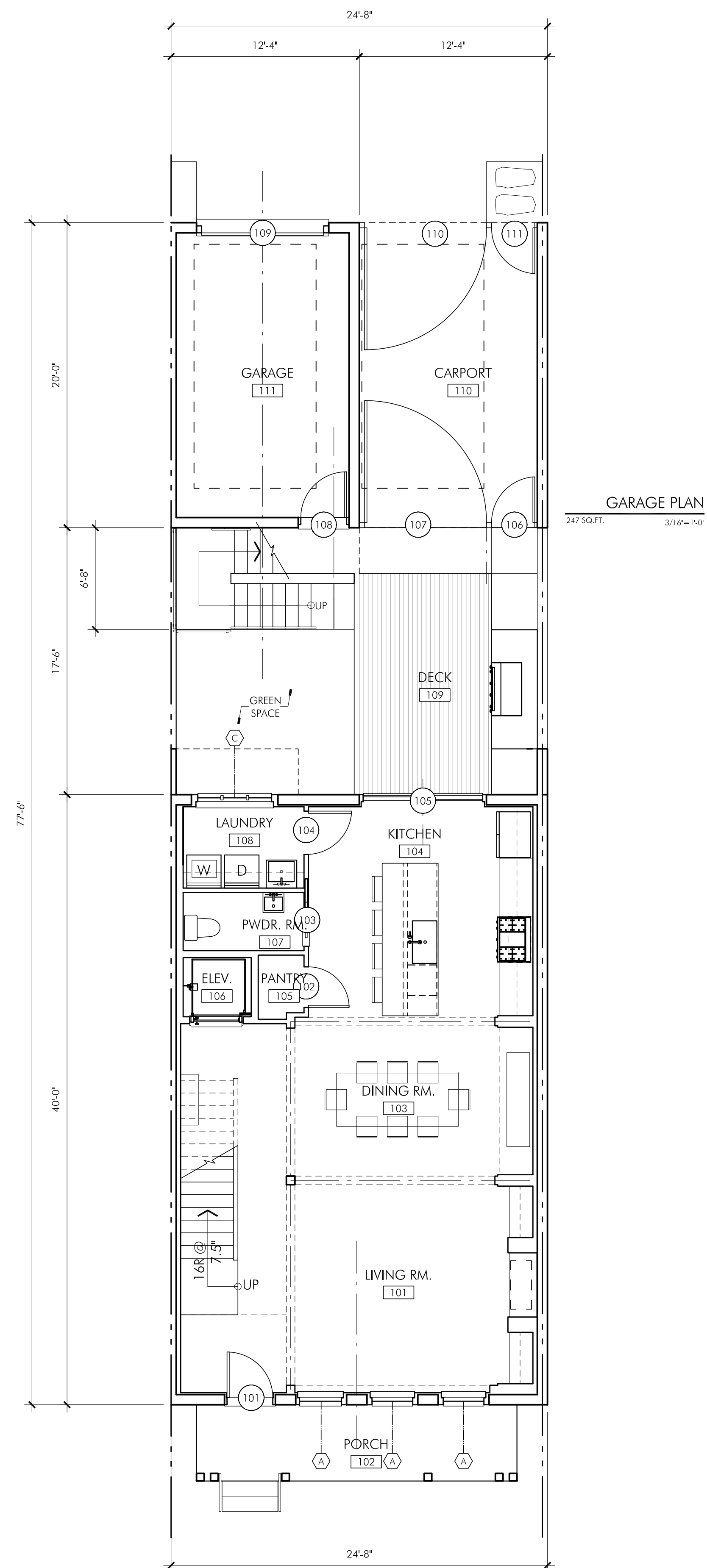


638
484 SQ. FT. 3RD FLOOR
71 SQ. FT. REAR DECK



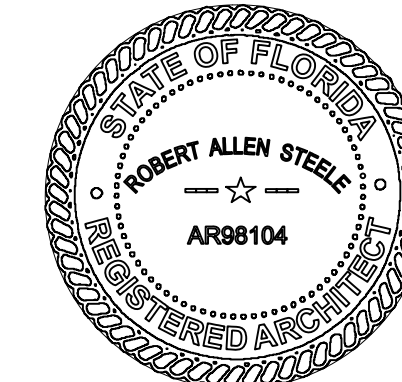
638

975	SQ. FT. 2ND FLR.
105	SQ. FT. PORCH
26	SQ. FT. REAR DECK

638
987 SQ. FT. 1ST FLR.
105 SQ. FT. PORCH

UNITED STREET RESIDENCES

KEY WEST, FLORIDA



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08 NORTH FIRST STREET

RICHMOND, VIRGINIA 23219

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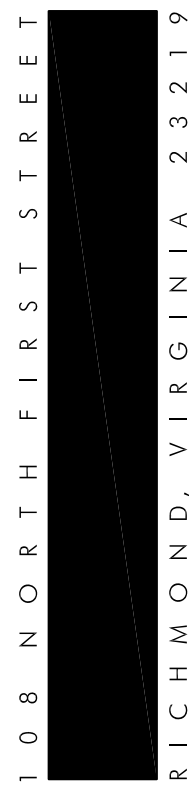
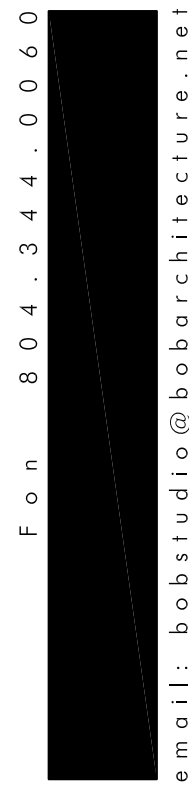
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638 FLOOR PLANS

A203



KEY WEST, FLORIDA



JOB NO: 16.012
DATE: 08.10.16

A204

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A | B | C | D | E | F | G | H | I | J | K | L | M | N | O



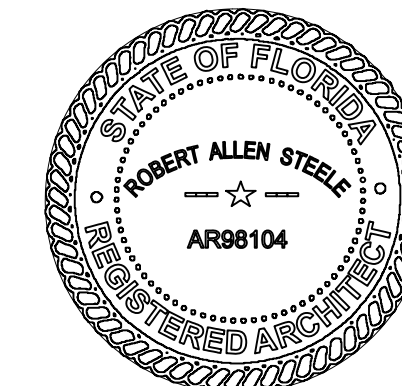
FRONT ELEVATION 1
3/16"=1'-0"



REAR ELEVATION 2
3/16"=1'-0"

UNITED STREET RESIDENCES

KEY WEST, FLORIDA



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FRONT & REAR
ELEVATIONS

A301

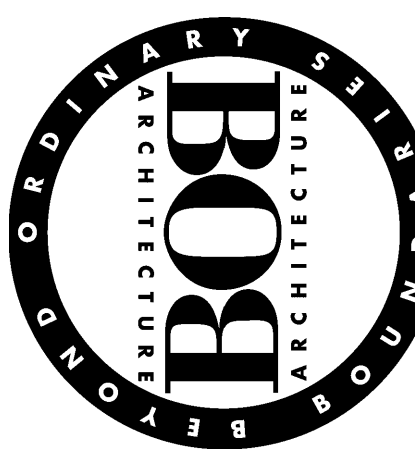
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UNITED STREET RESIDENCES
KEY WEST, FLORIDA



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RICHMOND, VIRGINIA 23219

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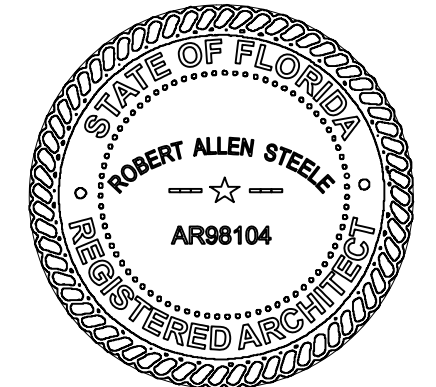
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DATE: 08.10.16

SIDE ELEVATIONS

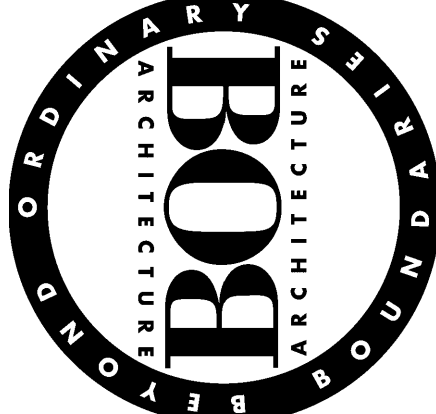
A302



UNITED STREET RESIDENCES
KEY WEST, FLORIDA



108 NORTH FIRST STREET
RICHMOND, VIRGINIA 23219
Fon 804.344.0060
email: bobstudio@bobarchitecture.net



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DATE: 08.10.16

ACCESSORY UNIT
FRONT & REAR
ELEVATIONS

A303

**FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS****Detail by Entity Name****Foreign Limited Liability Company**

LAND 10031, LLC

Filing Information

Document Number	M16000000458
FEI/EIN Number	81-0635109
Date Filed	01/19/2016
State	VA
Status	ACTIVE

Principal Address4900 WEST HUNDRED ROAD
CHESTER, VA 23831**Mailing Address**4900 WEST HUNDRED ROAD
CHESTER, VA 23831**Registered Agent Name & Address**LOWE, FRANCES CASEY
68 A FELI WAY
CRAWFORDVILLE, FL 32327**Authorized Person(s) Detail****Name & Address**

Title MBR

UPHOFF INVESTMENTS, LLC
4900 WEST HUNDRED ROAD
CHESTER, VA 23831**Annual Reports****No Annual Reports Filed****Document Images**[01/19/2016 -- Foreign Limited](#) [View image in PDF format](#)

**FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS****Detail by Entity Name****Foreign Limited Liability Company**

UPHOFF INVESTMENTS, LLC

Filing Information

Document Number	M16000000506
FEI/EIN Number	81-0635109
Date Filed	01/20/2016
State	VA
Status	ACTIVE

Principal Address4900 WEST HUNDRED ROAD
CHESTER, VA 23831**Mailing Address**4900 WEST HUNDRED ROAD
CHESTER, VA 23831**Registered Agent Name & Address**LOWE, FRANCES CASEY
68 A FELI WAY
CRAWFORDVILLE, FL 32327**Authorized Person(s) Detail****Name & Address**

Title MBR

UPHOFF, STEVEN M
4900 WEST HUNDRED ROAD
CHESTER, VA 23831**Annual Reports****No Annual Reports Filed****Document Images**[01/20/2016 -- Foreign Limited](#) [View image in PDF format](#)

This Instrument prepared by & return to

Name: Frances C. Lowe, Esq.
Guilday, Schwartz, Simpson, West, Hatch & Lowe, P.A.
Address: 68 A Feli Way
Crawfordville, Florida 32327

Doc# 2063430
Bk# 2781 Pg# 1791

NOTE TO RECORDER: THE DOCUMENTARY STAMP TAX DUE IN CONNECTION WITH THE SALE OF THE REAL PROPERTY HAVE BEEN PAID IN CONNECTION WITH THE RECORDATION OF A GENERAL WARRANTY DEED RECORDED IN OR BOOK 2781, PAGE 1791 PUBLIC RECORDS OF MONROE COUNTY, FLORIDA. NO DOCUMENTARY STAMP OR INTANGIBLE TAXES ARE DUE IN CONNECTION WITH THIS GENERAL WARRANTY DEED.

GENERAL WARRANTY DEED

Parties and Addresses

1.01. This General Warranty Deed (this "Deed") is made by and between Dion Rental Properties, LLC, a Florida limited liability company, (the "Grantor"), whose principle business address is 638 United Street, Key West, Florida 33040, and LAND 10031, LLC as to a 11.077% interest, LAND 2708, LLC as to a 8.451% interest, LAND 113, LLC as to a 13.353% interest, LAND 1701, LLC as to a 11.077% interest, LAND 8601, LLC as to a 8.226% interest, LAND 7009, LLC as to a 9.644% interest, LAND 2421, LLC as to a 9.611% interest, LAND 4027, LLC as to a 13.410% interest, and LAND 8351, LLC as to a 15.151% interest, in Common among all of the aforelisted LLC's, all Virginia limited liability companies qualified to do business in Florida, (collectively the "Grantees"), whose principal business address is 4900 West Hundred Road, Chester, Virginia 23831.

Granting Clause

2.01. Grantor grants and conveys ownership of the property described below to Grantees, along with all of its rights and appurtenances, including any right, title, and interest of Grantor in adjacent streets, alleys, and rights-of-way.

Description of Property

3.01. The property consists of all the parcels of land and other structures on the land in the County of Monroe, of the State of Florida; (the "Property").

3.02. The legal description of the Property is described on **Exhibit A** attached to and incorporated herein.

Covenants by Grantor

5.01. Grantor makes the following covenants with Grantee:

- (1) That Grantor is lawfully seized of the Property described in this Deed.
- (2) That Grantor has the right to convey the Property described in this Deed to Grantee.
- (3) That the Property is free from all former mortgages, judgments, executions, and all other encumbrances.
- (4) That Grantor will warrant generally the Property conveyed by this Deed, so that Grantees will remain in peaceful ownership of the Property.
- (5) That Grantees shall have quiet possession of the Property, and Grantees will not be disturbed in possession of or removed from the Property by persons who have claims against the Property.
- (6) That Grantor will execute any further assurances as may be reasonably required by Grantees, to correct any defect in the title.

Exceptions, Reservations, and Restrictions

6.01. The conveyance of this Property is made subject to the exceptions, reservations and restrictions listed and outlined on **Exhibit B** attached hereto and incorporated herein.

Parties Bound by This Deed

7.01. The covenants made in this Deed are legally binding on Grantor and all who lawfully succeed to Grantor's rights and responsibilities, including Grantor's heirs, personal representatives, successors in interest, and assigns. These covenants can be enforced by Grantees and all future owners of the Property, including Grantees' heirs, personal representatives, successors in interest, and assigns.

IN WITNESS WHEREOF, Grantor has signed and sealed this General Warranty Deed on February 8, 2016.

Frances C. Lowe
Witness Signature
Frances C. Lowe
Printed Name

Judith K. Simons
Witness Signature
Judith K. Simons
Printed Name

DION RENTAL PROPERTIES, LLC, a Florida
limited liability company
By: Dion Partnership, Ltd., as Managing Member of
Dion Rental Properties, LLC
By: Larry Dion Corporation, as General Partner
of Dion Partnership Ltd.

By: Suzanne D. Banks
SUZANNE D. BANKS, as President

STATE OF FLORIDA
COUNTY OF Monroe

The foregoing instrument was acknowledged before me this 8th day of February, 2016, by
SUZANNE D. BANKS, President of Larry Dion Corporation, General Partner of Dion Partnership, Ltd.,
managing member of Dion Commercial Properties, LLC, a Florida limited liability company, who is
personally known to me or has produced XX as identification.



Lani E. Musgrove
Notary Public-State of Florida
Lani E. Musgrove
Printed Name:

My Commission Expires: _____

**EXHIBIT A
LEGAL DESCRIPTION**

The land referred to herein below is situated in the County of Monroe, State of Florida, and is described as follows:

5350 Overseas Highway, Stock Island, Florida (Parcel ID: 00124120-000000)

5300 Overseas Highway, Stock Island, Florida (Parcel ID: 00124130-000000)

5390 Overseas Highway, Stock Island, Florida (Parcel ID: 00124110-000000)

On the Island known as Stock Island as Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and Lot 8, less and except the right of way of Overseas Highway and less and except any portion lying within the bounds of said Lot 13, all of Block 28; according to George L. MacDonald's plat of Lots 1, 2, 3, 4, 5, 6, Section 35; Lot 2, Section 36; Lot 3, Section 26; Lot 2, Section 34, Township 67, South, Range 25 East, according to the map or plat recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida.

31000 Overseas Highway, Big Pine Key, Florida (Parcel ID: 00111320-000100)

A part of the Northeast Quarter of Section 26, Township 66 South, Range 29 East, on Big Pine Key, Monroe County, Florida, and being more particularly described by metes and bounds as follows:

Commence at the Southwest corner of Lot 1, Block 15, Sands Subdivision, as recorded in Plat Book 1, Page 65, of the Public Records of Monroe County, Florida, bear South 6.0 feet; thence bear North 89 degrees and 52 minutes West, 25 feet to the Point of Beginning of that part of the Northeast Quarter of Section 26 hereinafter described; from said Point of Beginning, continue bearing North 89 degrees 52 minutes West, along the North right of way line of County Road, 120 feet; thence bear North 180 feet; thence bearing South 89 degrees and 52 minutes East, 120 feet to the West right of way line of Sands Road; thence bear South, along the West right of way line of Sands Road, 180 feet, back to the Point of Beginning. A strip of land 120 by 20 feet wide, bounded on the Southside by the Monroe County Road Way and the North side of a block of land deeded to Williams H. Tynes. The East, North and South boundary lines from both the above described parcels of land being the North and South Section line between Section 25 and 26. The above described land being a part of the East half of the Northeast Quarter of Section 26, Township 66 South, Range 29 east, T.M., on Big Pine Key, Monroe County, Florida and being more particularly described by metes and bounds as follows:

Commencing at the Southwest corner of Lot 1, Block 15, of Sand's Subdivision, as recorded in Plat Book 1, Page 65, of the Public Records of Monroe County, Florida, bear South 6.0 feet; thence bear North 89 degrees and 52 minutes West, 25 feet to the Point of Beginning of that part of the Northeast Quarter of Section 26 hereinafter described; from said Point of Beginning, continue bearing North 89 degrees 52 minutes West, along the North right of way line of the County Road, 120 feet; thence bear North 20 feet; thence bear South 89 degrees and 52 minutes East, 120 feet to the West right of way line of Sand's Road; thence bear South, along the West right of way of Sand's Road 20 feet, back to the Point of Beginning..

638 United Street, Key West, Florida (Parcel ID: 00036600-000000)

Parcel A: On the Island of Key West and known on Wm. A. Whitehead's Map of said Island, delineated in February A.D. 1829 as a Part of Tract 17, but now better known and described as Lots 18, 19 and 20 according to D.T. Sweeney's Diagram of Part of Square 5, Tract 17, recorded in Book O, Page 327, Public Records of Monroe County, Florida.

Also:

Parcel B: On the Island of Key West and its Part of Tract 17, according to Whitehead's Map of 1829, but better known as Subdivision No. 9 according to D. T. Sweeney's Diagram of Part of Lot 5, in said Tract 17, recorded in Book O, Page 327, being described by metes and bounds as follows:

Commencing at a point on United Street 44 feet from the corner of United Street and a 25 foot street and runs Northeasterly on United Street 44 feet; thence runs Southeasterly 105 feet, 6 inches; thence runs Southwesterly 44 feet; thence runs Northwesterly 105 feet, 6 inches out to United Street, the Point of Beginning.

Also:

Parcel C: On the Island of Key West and being known as Part of Tract 17, according to Wm. A. Whitehead's Map of the Island of Key West, delineated in February A.D. 1829, but better known as Lots 15, 16 and 17, of Sweeney's Subdivision of Part of Tract 17, described by metes and bounds as follows:

Commencing at a point on the Southeasterly side of United Street, distant 449 feet, 3 inches Northeasterly from the corner of the intersection of Simonton and United Streets; thence at right angles and in a Southeasterly direction a distance of 145 feet, 6 inches; thence at right angles in a Northeasterly direction 90 feet, more or less, to an alley; thence at right angles in a Northwesterly direction 145 feet, 6 inches out of United Street; thence at right angles and along the Southeasterly side of United Street in a Southwesterly direction a distance of 90 feet, more or less, to the Point of Beginning.

Less and except from Parcels A, B and C above the following described property:

On the Island of Key West and known on Wm. A. Whitehead's Map of said Island, delineated in February, A.D. 1829, as a Part of Tract 17, but now is better known and described as Lots 17, 18, 19 and 20, according to D. T. Sweeney's Diagram of Part of Square 5, Tract 17, recorded in Book O, Page 327, Public Records of Monroe County, Florida..

EXHIBIT B
EXCEPTIONS, RESERVATIONS and RESTRICTIONS

5350 Overseas Highway, Stock Island, Florida (Parcel ID: 00124120-000000)

5300 Overseas Highway, Stock Island, Florida (Parcel ID: 00124130-000000)

5390 Overseas Highway, Stock Island, Florida (Parcel ID: 00124110-000000)

1. Easement recorded in Book 2769, Page 573.
2. Easement recorded in Book 2769, Page 579.
3. Terms and conditions of the Settlement Agreement and release recorded in Book 2769, Page 592 and related release and consent recorded in Book 2769, Page 585
4. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).
5. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

31000 Overseas Highway, Big Pine Key, Florida (Parcel ID: 00111320-000100)

1. Easement recorded in Book 527, Page 1056.
2. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

638 United Street, Key West, Florida (Parcel ID: 00036600-000000)

MONROE COUNTY
OFFICIAL RECORDS



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

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

Property Record Card -

Maps are now launching the new map application version.

Alternate Key: 1037443 Parcel ID: 00036600-000000

Ownership Details

Mailing Address:

LAND 10031 LLC
4900 W HUNDRED RD
CHESTER, VA 23831-1623

All Owners:

LAND 10031 LLC, LAND 113 LLC, LAND 1701 LLC, LAND 2421
LLC, LAND 2708 LLC, LAND 4027 LLC, LAND 7009 LLC, LAND
8351 LLC, LAND 8601 LLC

Property Details

PC Code: 17 - OFFICE BUILDINGS 1 STORY

Millage Group: 10KW

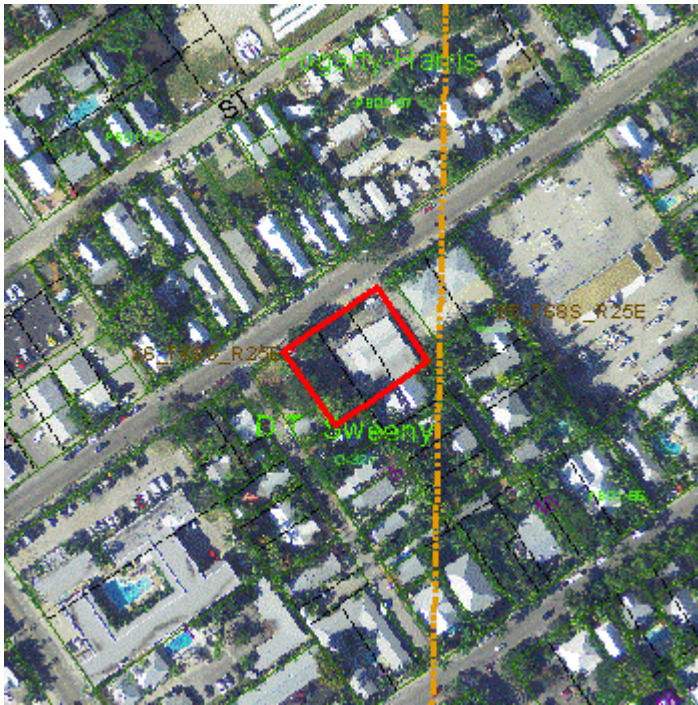
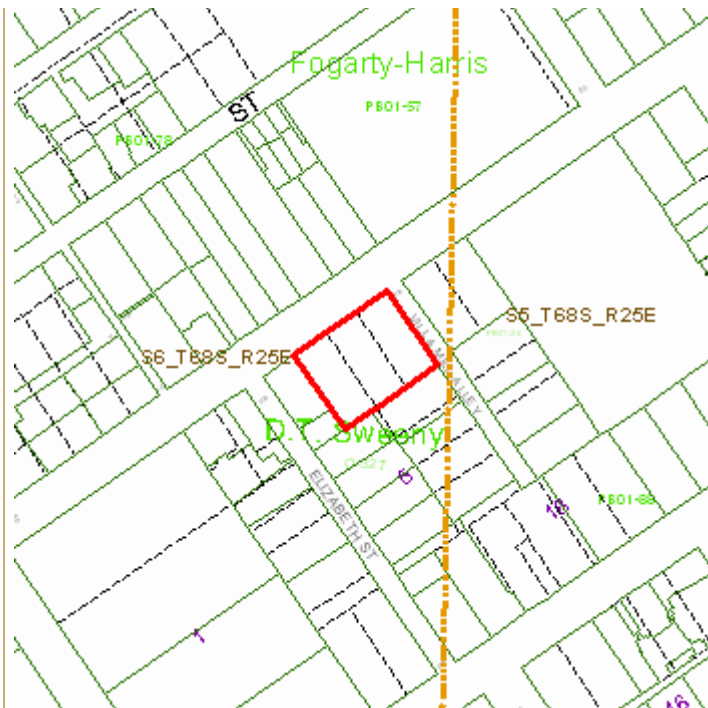
**Affordable
Housing:** No

**Section-
Township-Range:** 06-68-25

**Property
Location:** 638 UNITED ST KEY WEST

Legal KW D T SWEENEY'S DIA O-327 LT 9 AND 15 AND 16 SQR 5 TR 17 RR-781 OR181-140/41 OR329-360/67
Description: OR382-1073/1075 OR874-391/393 OR880-81/83C OR1913-1667/69 OR2067-611/13C OR2471-2244D/C
OR2471-2250/54 OR2471-2255/57 OR2781-1791/95

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	132	106	13,926.00 SF

Building Summary

Number of Buildings: 1
Number of Commercial Buildings: 1
Total Living Area: 4745
Year Built: 1963

Building 1 Details

Building Type
Effective Age 17
Year Built 1963
Functional Obs 0

Condition G
Perimeter 320
Special Arch 0
Economic Obs 0

Quality Grade 400
Depreciation % 23
Grnd Floor Area 4,745

Inclusions:

Roof Type
Heat 1
Heat Src 1

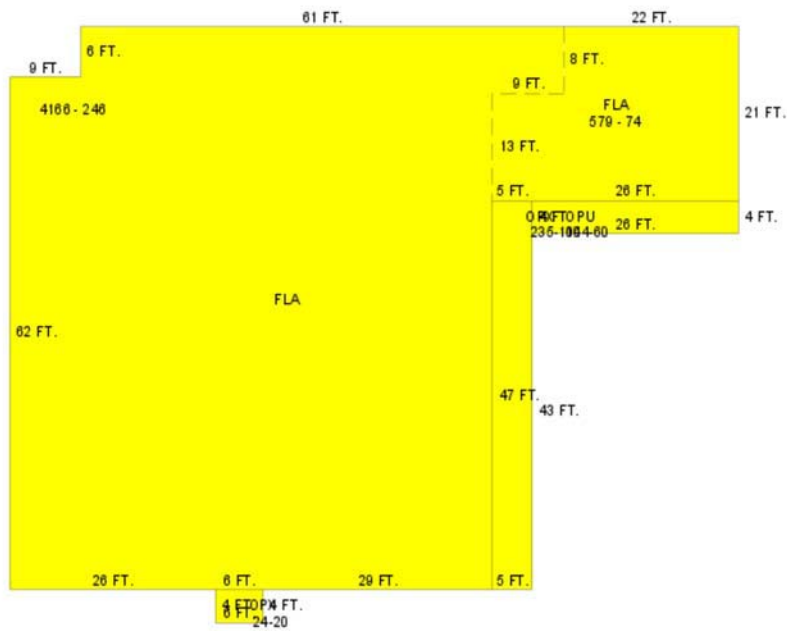
Roof Cover
Heat 2
Heat Src 2

Foundation
Bedrooms 0

Extra Features:

2 Fix Bath 0
3 Fix Bath 0
4 Fix Bath 0
5 Fix Bath 0
6 Fix Bath 0
7 Fix Bath 0
Extra Fix 13

Vacuum 0
Garbage Disposal 0
Compactor 0
Security 0
Intercom 0
Fireplaces 0
Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic	A/C	Basement %	Finished Basement %	Area
0	FLA		1	2000					579
1	FLA		1	1993					4,166
2	OPX		1	1993					235
3	OPU		1	1993					24
5	OPU		1	2000					104

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		OFF BLDG-1 STY-B	100	Y	Y
	4679	OFF BLDG-1 STY-B	93	N	Y
	4680	WAREHOUSE/MARINA B	7	N	Y
	4682	OPU	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
1259	C.B.S.	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	FN2:FENCES	345 SF	115	3	1982	1983	5	30
2	PT5:TILE PATIO	36 SF	0	0	1983	1984	5	50
3	AP2:ASPHALT PAVING	8,100 SF	0	0	1993	1994	2	25

Appraiser Notes

2002/6/6 SB, TPP AK: 8523131 - OFFICE/TANK EQ FOR ENTIRE COUNTY 9008803 - READER BOARD 1997 PETITION KW 173

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
08-1406	05/02/2008		21,000	Commercial	REMOVE ASPHALT SHINGLES AND REPLACE WITH V-CRIMP ROOFING. ROOF OVER FLAT WITH MODIFIED RUBBER.
			0		
B94-1187	04/01/1994	07/01/1994	6,000	Commercial	RESURFACE PARKING LOT
B95-0680	03/01/1995	10/01/1995	600	Commercial	92 SF ASPHALT
B95-1297	04/01/1995	10/01/1995	200	Commercial	10 4X4 POLES W/CHAIN BETW
B95-1789	06/01/1995	10/01/1995	200	Commercial	10 4X4 POLES W/CHAIN BETW
B95-2484	08/01/1995	10/01/1995	1,000	Commercial	REPAIR STORAGE SHED
96-3367	08/01/1996	11/01/1996	1,000	Commercial	RENOVATIONS
96-3644	09/01/1996	11/01/1996	1	Commercial	ROOF
00-2365	09/20/2000	12/05/2000	4,500	Commercial	CENTRAL AC UNIT FOR STORA
99-2886	02/04/2000	08/11/2000	25,000	Commercial	NEW 2 CAR GARAGE
03-0733	03/12/2003	10/08/2003	8,500	Commercial	ROOFING
03-2386	07/24/2003	10/08/1983	3,000	Commercial	ELECTRICAL
06-6482	12/04/2006	12/31/2007	2,200	Commercial	REPLACE TWO AIR HANDLERS

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2015	452,958	8,844	607,799	1,069,601	1,069,601	0	1,069,601
2014	452,958	8,040	586,473	1,047,471	1,047,471	0	1,047,471
2013	442,265	8,049	586,473	1,036,787	1,036,787	0	1,036,787
2012	442,265	8,058	586,473	1,036,796	1,036,796	0	1,036,796
2011	465,240	8,067	1,012,998	1,486,305	1,486,305	0	1,486,305
2010	465,240	8,076	1,044,617	1,517,933	1,517,933	0	1,517,933
2009	488,214	8,085	1,036,199	1,532,498	1,532,498	0	1,532,498
2008	488,214	8,742	1,479,638	1,976,594	1,976,594	0	1,976,594
2007	377,334	9,399	1,479,638	1,866,371	1,866,371	0	1,866,371
2006	386,212	10,056	1,253,340	1,649,608	1,649,608	0	1,649,608
2005	386,212	10,713	835,560	1,232,485	1,232,485	0	1,232,485
2004	390,643	11,370	835,560	1,237,573	1,237,573	0	1,237,573
2003	361,894	12,027	306,372	680,293	680,293	0	680,293
2002	361,894	12,684	306,372	680,950	680,950	0	680,950
2001	361,894	13,341	278,520	653,755	653,755	0	653,755
2000	274,357	7,195	278,520	560,072	560,072	0	560,072
1999	274,357	7,582	278,520	560,459	560,459	0	560,459
1998	183,332	7,963	278,520	469,815	469,815	0	469,815
1997	183,332	8,345	250,668	442,345	442,345	0	442,345
1996	161,169	8,731	250,668	420,568	420,568	0	420,568
1995	161,169	9,113	250,668	420,950	420,950	0	420,950
1994	161,169	2,772	250,668	414,609	414,609	0	414,609
1993	121,780	2,393	250,668	374,841	374,841	0	374,841
1992	121,780	2,487	250,668	374,935	374,935	0	374,935
1991	121,780	2,582	250,668	375,030	375,030	0	375,030
1990	126,204	404	132,297	258,905	258,905	0	258,905
1989	126,204	420	129,976	256,600	256,600	0	256,600
1988	100,754	299	120,692	221,745	221,745	0	221,745
1987	99,176	313	52,455	151,944	151,944	0	151,944
1986	99,477	324	50,134	149,935	149,935	0	149,935
1985	97,614	335	39,644	137,593	137,593	0	137,593
1984	96,341	349	39,644	136,334	136,334	0	136,334
1983	71,096	0	39,644	110,740	110,740	0	110,740
1982	68,634	0	32,461	101,095	101,095	0	101,095

Parcel Sales History

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

Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
2/8/2016	2781 / 1791	0	<u>WD</u>	<u>99</u>
6/2/2010	2471 / 2250	100	<u>QC</u>	<u>11</u>
6/2/2010	2471 / 2255	100	<u>QC</u>	<u>11</u>
2/1/1983	874 / 391	153,000	<u>WD</u>	<u>Q</u>

This page has been visited 263 times.

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

RESOLUTION NO. 99-369

VARIANCE: 638 UNITED STREET

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT GRANTING A VARIANCE TO THE BUILDING SETBACK REGULATIONS FOR PROPERTY IN THE HNC-2, HISTORIC NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, UNDER THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF KEY WEST, FLORIDA, PERMITTING A VARIANCE TO: THE REAR YARD BUILDING SETBACK REGULATIONS OF 14 FEET, FROM THE 15 FEET REQUIRED TO THE 1 FOOT PROPOSED (0 FEET EXISTING ON BUILDING TO WHICH PROPOSED GARAGE IS DESIRED TO BE ATTACHED). THE PURPOSE OF THE REQUEST IS TO ALLOW THE CONSTRUCTION OF AN ENCLOSED TWO CAR (PARKING) GARAGE ATTACHED TO AN EXISTING OFFICE BUILDING ON PROPERTY LOCATED AT 638 UNITED STREET (RE# 36600).

REAL ESTATE PARCEL #36600, ALSO KNOWN AS 638 UNITED STREET, KEY WEST, MONROE COUNTY, FLORIDA

WHEREAS, special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the subject district; and

WHEREAS, literal interpretation of the provisions of the Zoning Ordinance of the City of Key West would deprive the owner of the subject property of rights commonly enjoyed by other properties in the same district under the terms of the Land Development Regulations.

WHEREAS, the special conditions and circumstances do not result from the actions of the applicant.

WHEREAS, the granting of the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to other land, structures or buildings in the same district.

WHEREAS, the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

WHEREAS, the granting of the variance will be in harmony with the general purpose and intent of the Land Development Regulations, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; now therefore,

BE IT RESOLVED by the Board of Adjustment of the City of Key West, Florida:

Section 1. That a variance to building setback regulations in the HNC-2, Historic Neighborhood Commercial Zoning District, under the Land Development Regulations of the City of Key West, Florida, is hereby granted as follows: **THE REAR YARD BUILDING SETBACK REGULATIONS OF 14 FEET, FROM THE 15 FEET REQUIRED TO THE 1 FOOT**

PROPOSED (0 FEET EXISTING ON BUILDING TO WHICH PROPOSED GARAGE IS DESIRED TO BE ATTACHED). THE PURPOSE OF THE REQUEST IS TO ALLOW THE CONSTRUCTION OF AN ENCLOSED TWO CAR (PARKING) GARAGE ATTACHED TO AN EXISTING OFFICE BUILDING ON PROPERTY LOCATED AT 638 UNITED STREET (RE# 36600).

REAL ESTATE PARCEL #36600, ALSO KNOWN AS 638 UNITED STREET, KEY WEST, MONROE COUNTY, FLORIDA

Section 2. It is an essential condition of this variance that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this variance is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this variance, shall be submitted in its entirety within 12 months after the date hereof. It is an essential condition of this variance that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of said 12-month period.

Section 3. Failure to submit full and complete application for permits for new construction for which this variance is wholly or partly necessary, or failure to complete new construction for use and occupancy pursuant to this variance in accordance with the terms of a City building permit issued upon timely application as described in Section 2 hereof, shall immediately operate to terminate this variance, which variance shall be of no force or effect.

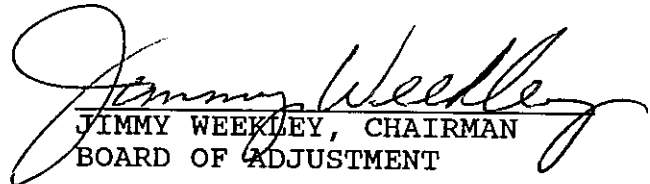
Section 4. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 5. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regular meeting held this 7th day of October, 1999.

Authenticated by the presiding officer and Clerk of the Board on 8th day of October, 1999.

Filed with the Clerk on October 8, 1999.


JIMMY WEEKLEY, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:


CHERYL SMITH, CITY CLERK