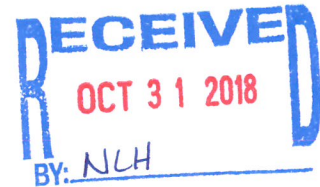


\_\_\_\_\_  
BRETT TYLER SMITH

October 31, 2018

**VIA HAND DELIVERY**

Patrick Wright  
Director of Planning  
City of Key West Planning Department  
1300 White Street  
Key West, Florida 33040



**RE: Conditional Use Amendment Application  
506 Southard Street, Key West, Florida**

Dear Mr. Wright:

This is an application to amend an existing conditional use permit for the property located at 506 Southard Street, Key West, Florida, 33040 ("Property"). The Property is currently operated as a bar, since earlier, named "Irish Oak Barrel Pub." The establishment operates pursuant to Planning Board Resolution Number 2011-0014 and Number 2014-14, which approved the conditional use of the premises, initially, as a beer and wine bar in 2011 and then a full liquor bar in 2014. The Applicant seeks to expand the consumption area to include the second floor, which was previously designated as office space, and to increase the outdoor consumption area. Specifically, the Applicant seeks to increase the interior consumption area from 286 to 478 square feet, the exterior (porch) consumption area from 62 to 150 square feet, and the courtyard consumption area from 31 to 104 square feet.

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

- Size of Site
- Buildings
- Structures
- Adjacent Buildings

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

- Consumption areas/floor plan

**Key persons and entities involved:**

- Owner of Property: K W Zion, LLC
- Owner of Business: Irish Oak Barrel, LLC



- Authorized Agent: Wayne LaRue Smith, Esq.

**Site Data:**

There will not be any changes to this site related to this conditional use amendment application except to expand the consumption area to parts of the premises that were not previously designated as consumption areas.

**Additional Project information:**

The Applicant's long term tenant, Irish Oak Barrel, LLC, ("Irish Oak Barrel") currently operates a full liquor bar at 506 Southard Street, Key West, Florida 33040. Irish Oak Barrel is proposing to expand the consumption area.

**Specific Criterial for Conditional Use Approval:**

- **Characteristics of Proposed Use as differentiated from the existing Conditional Use Permit:**
  - **Scale and intensity of the proposed conditional use as measured by the following:**
    - a) **Floor Area Ratio:** The Applicant proposes to add a total of 353 square feet to its consumption area. The original conditional use application approved total consumption area of 379 square feet. If approved, the total combined consumption areas will be 732 square feet.
    - b) **Traffic Generation:** Because this property is less than one half block from Duval Street, and virtually all patrons arrive on foot or bicycle, the Applicant believes there will be no Change from original conditional use application.
    - c) **Square Feet of enclosed building:** There will be no change from original conditional use application as the Applicant seeks to convert interior office space to consumption area.
    - d) **Proposed employment:** The Applicant anticipates adding 2 additional employees during peak hours.
    - e) **Proposed number and type of service vehicles:** The Applicant does not expect the addition of service deliveries but may be receiving larger orders with existing deliveries. All deliveries are from service providers who are currently serving other establishments in the Duval Street corridor.



- f) **Off-Street Parking Needs:** No change from original conditional use application. Additionally, the site is within the historic commercial pedestrian-oriented area, pursuant to Section 108-573(c) of the City Code.
- **On or Off Site improvement needs generated by the proposed conditional:**
  - a) **Utilities:** The Applicant plans call for a small second service bar on the second floor, which will have a three-bay sink and a hand-washing sink.
  - b) **Public Facilities:** This Application does not invoke the need of concurrency management pursuant to Chapter 94 of the Land Development Regulations as this Application is only for conditional use amendment and not a development plan.
  - c) **Roadway or signalization improvements or other similar improvements:** This Application does not require the need for any roadway signalization improvements, or other similar improvements.
  - d) **Accessory structures or facilities:** This Application does not seek to add any accessory structures or facilities.
  - e) **Other unique facilities/structures proposed as part of site improvements:** This Application does not seek to add any unique facilities or structures. Nothing on the site will change from its current configuration, except the change in consumption area.
- **On-Site Amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:**
  - a) **Open space:** There will be no change to the open space of the Property.
  - b) **Setbacks from adjacent properties:** There are no changes to existing setbacks.
  - c) **Screening and buffers:** There will be no change to the screening and buffers on the Property.
  - d) **Landscaped berms proposed to mitigate against adverse impacts to adjacent sites:** There are no proposed landscape berms as part of this Application.



e) **Mitigative techniques for abating smoke, odor, noise and other noxious impacts:** No changes from the original conditional use permit. The existing conditional use does not allow live or amplified music outdoors. In the almost seven years of operation as a bar, there have been no events or information to suggest that additional mitigative techniques would be required. Nonetheless, it is the Applicant's intention to constantly monitor its activities and to regularly interact with neighbors to ensure that the Applicant's use does not cause any material change in the ambience of the neighborhood.

o Criteria for conditional use review and approval:


- a) **Land Use Compatibility:** The proposed use of the Property is compatible with Section 122-686 of the Land Development Regulations. The Property is located in the Historic Residential Commercial Core District (HRCC-1). The HRCC-1 is characterized by specialty shops, sidewalk-oriented restaurants, lounges and bars with inviting live entertainment; and transient rental accommodations. The proposed use is an existing full service bar serving beer, wine and liquor that complements the surrounding uses, which include neighboring specialty shops and sidewalk-oriented restaurants and bars such as Cuzzy Bubbas, Mr. Z's, The Café, Cuban Coffee Queen, Onlywood Pizza and Old Town Mexican Cafe. The proposal subject to this application is permitted as a conditional use pursuant to Section 122-688(9) "Bars and lounges...".
- b) **Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use:** The existing site and infrastructure are adequate to accommodate the proposed use. The site has been operated as a bar for approximately seven years and has more than enough size and infrastructure to accommodate the serving of liquor on the Property in the areas designated in this application.
- c) **Proper Use of Mitigative Techniques:** The applicant is maintaining the no outdoor music condition in order to minimize noise. The addition of consumption area, most of which is interior, will not likely otherwise invoke the need for additional mitigation.
- d) **Hazardous Waste:** The proposed use will not create negative impacts that require disposal of hazardous waste.
- e) **Compliant with Applicable Law and Ordinances:** The use will comply with all state, local and federal regulations.



Patrick Wright  
Director of Planning  
City of Key West Planning Department  
October 26, 2018  
Page: 5

- f) **Additional Criteria Applicable to Specific Land Uses:** The proposed conditional use does not fall within a conservation area nor does it provide for development in any of the enumerated areas pursuant to Chapter 122-62 of the Land Development Regulations.

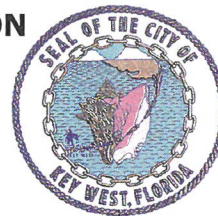
Sincerely,



Wayne LaRue Smith



**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**1300 White Street, Key West, FL 33040**  
**(305) 809-3720**



**Development Plan & Conditional Use Application**

**Applications will not be accepted unless complete**

Development Plan

Major ☐  
Minor ☐

Conditional Use

☒

Historic District

Yes ☒  
No ☐

Please print or type:

- 1) Site Address 506 Southard Street
- 2) Name of Applicant Wayne LaRue Smith
- 3) Applicant is: Owner ☐ Authorized Representative ☒  
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant 509 Whitehead Street  
Key West, Florida 33040
- 5) Applicant's Phone # 305-296-0029 Email wsmith@thesmithlawfirm.com
- 6) Email Address: wsmith@thesmithlawfirm.com
- 7) Name of Owner, if different than above K W Zion, LLC
- 8) Address of Owner 1075 Duval Street, 212 C21
- 9) Owner Phone # 305-292-9339 Email info@keywestgallery.com
- 10) Zoning District of Parcel HRCC-1 RE# 00012290-000000
- 11) Is Subject Property located within the Historic District? Yes ☒ No ☐  
If Yes: Date of approval N/A HARC approval # N/A  
OR: Date of meeting N/A
- 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).

Amend conditional use to expand consumption area and increase seating capacity. Please see attached.

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**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**1300 White Street, Key West, FL 33040**  
**(305) 809-3720**



- 13) Has subject Property received any variance(s)? Yes ☐ No ☒

If Yes: Date of approval \_\_\_\_\_ Resolution # \_\_\_\_\_

Attach resolution(s).

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

Yes ☐ No ☒

If Yes, describe and attach relevant documents.

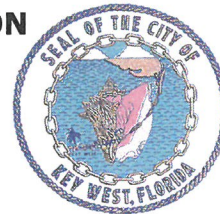
- 
- A. For both *Conditional Uses* and *Development Plans*, provide the information requested from the attached **Conditional Use and Development Plan** sheet.
- B. For *Conditional Uses* only, also include the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122-61 and 122-62 of the Land Development Regulations (see attached copy of criteria).
- C. For *Major Development Plans* only, also provide the **Development Plan Submission Materials** required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the Planning Staff.
- D. For both *Conditional Uses* and *Development Plans*, one set of plans MUST be signed & sealed by an Engineer or Architect.

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



## DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

City of Key West Planning Department  
1300 White Street, Key West, FL 33040  
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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.



## DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

City of Key West Planning Department  
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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.

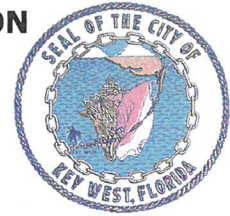
#### Sec. 108-229. Project description.

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.



**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**1300 White Street, Key West, FL 33040**  
**(305) 809-3720**



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

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

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

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

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

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

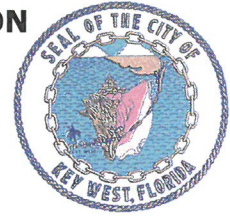
**Sec. 108-232. Intergovernmental coordination.**

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

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



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**City of Key West Planning Department**  
**1300 White Street, Key West, FL 33040**  
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**CONDITIONAL USE CRITERIA**

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

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

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

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



**DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION**  
**City of Key West Planning Department**  
**1300 White Street, Key West, FL 33040**  
**(305) 809-3720**

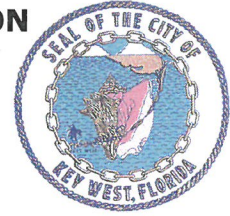


- (c) Criteria for conditional use review and approval. Applications for a conditional use shall clearly demonstrate the following:
- (1) Land use compatibility. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
  - (2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure (i.e., refer to chapter 94 to ensure concurrency management requirements are met) and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
  - (3) Proper use of mitigative techniques. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
  - (4) Hazardous waste. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
  - (5) Compliance with applicable laws and ordinances. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.
  - (6) Additional criteria applicable to specific land uses. Applicants for conditional use approval shall demonstrate that the proposed conditional use satisfies the following specific criteria designed to ensure against potential adverse impacts which may be associated with the proposed land use:
    - a. Land uses within a conservation area. Land uses in conservation areas shall be reviewed with emphasis on compliance with section 108-1 and articles III, IV, V, VII and VIII of chapter 110 pertaining to environmental protection, especially compliance with criteria, including land use compatibility and mitigative measures related to wetland preservation, coastal resource impact analysis and shoreline protection, protection of marine life and fisheries, protection of flora and fauna, and floodplain protection. The size, scale and design of structures located within a conservation area shall be restricted in order to prevent and/or minimize adverse impacts on natural resources. Similarly, public uses should only be approved within a wetland or coastal high hazard area V zone when alternative upland locations are not feasible on an upland site outside the V zone.
    - b. Residential development. Residential development proposed as a conditional use shall be reviewed for land use compatibility based on compliance with divisions 2 through 14 of article IV and divisions 2 and 3 of article V of this chapter pertaining to zoning district regulations, including size and dimension regulations impacting setbacks, lot coverage, height, mass of building, building coverage, and open space criteria. Land use compatibility also shall be measured by appearance, design, and land use compatibility criteria established in chapter 102; articles III, IV and V of chapter 108; section 108-956; and article II of chapter 110; especially protection of historic resources; subdivision of land; access, internal circulation, and off-



## DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

City of Key West Planning Department  
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street parking; as well as possible required mitigative measures such as landscaping and site design amenities.

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



# Authorization Form



City of Key West  
Planning Department



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

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

I, Kellie Alpert as  
*Please Print Name of person with authority to execute documents on behalf of entity*

Manager of K W Zion, LLC  
*Name of office (President, Managing Member)* *Name of owner from deed*

authorize Wayne LaRue Smith, Esq.  
*Please Print Name of Representative*

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

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

Subscribed and sworn to (or affirmed) before me on this October 31, 2018  
*Date*

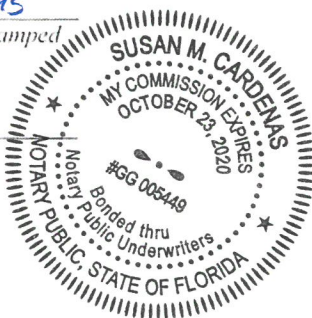
by Kellie Alpert, Manager of KW Zion, LLC  
*Name of person with authority to execute documents on behalf on entity owner*

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

[Signature]  
*Notary's Signature and Seal*

Susan M. Cardenas  
*Name of Acknowledger typed, printed or stamped*

*Commission Number, if any*





## Detail by Entity Name

Florida Limited Liability Company

IRISH OAK BARREL, LLC

### Filing Information

<b>Document Number</b>	L18000152177
<b>FEI/EIN Number</b>	NONE
<b>Date Filed</b>	06/20/2018
<b>Effective Date</b>	06/20/2018
<b>State</b>	FL
<b>Status</b>	ACTIVE

### Principal Address

506 SOUTHARD STREET  
KEY WEST, FL 33040

### Mailing Address

600 WATER STREET NW  
UNIT 8-4  
WASHINGTON, DC 20024

### Registered Agent Name & Address

SMITH, WAYNE LARUE  
509 WHITEHEAD STREET  
KEY WEST, FL 33040

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

GARELLI, JASON  
600 WATER STREET NW, UNIT 8-4  
WASHINGTON, DC 20024

### Annual Reports

**No Annual Reports Filed**

### Document Images

[06/20/2018 -- Florida Limited Liability](#)

[View image in PDF format](#)





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

## Detail by Entity Name

Florida Limited Liability Company

KW ZION LLC

### Filing Information

<b>Document Number</b>	L14000109125
<b>FEI/EIN Number</b>	47-1567758
<b>Date Filed</b>	07/10/2014
<b>Effective Date</b>	09/01/2014
<b>State</b>	FL
<b>Status</b>	ACTIVE
<b>Last Event</b>	REINSTATEMENT
<b>Event Date Filed</b>	10/22/2016

### Principal Address

1075 DUVAL ST  
212 C21  
KEY WEST, FL 33040

### Mailing Address

1075 DUVAL ST  
212 C21  
KEY WEST, FL 33040

### Registered Agent Name & Address

Alpert, Kellie  
1075 DUVAL STREET  
212 C21  
KEY WEST, FL 33040

Name Changed: 10/22/2016

### Authorized Person(s) Detail

#### **Name & Address**

Title MGR

ALPERT, KELLIE  
1075 DUVAL STREET 212 C21  
KEY WEST, FL 33040

### Annual Reports

<b>Report Year</b>	<b>Filed Date</b>
--------------------	-------------------



2016	10/22/2016
2017	01/11/2017
2018	02/28/2018

**Document Images**

<a href="#">02/28/2018 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
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<a href="#">01/11/2017 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
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<a href="#">10/22/2016 -- REINSTATEMENT</a>	<a href="#">View image in PDF format</a>
---	--

<a href="#">03/19/2015 -- ANNUAL REPORT</a>	<a href="#">View image in PDF format</a>
---	--

<a href="#">07/10/2014 -- Florida Limited Liability</a>	<a href="#">View image in PDF format</a>
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Florida Department of State, Division of Corporations



# Verification Form



City of Key West  
Planning Department



Verification Form

(Where Authorized Representative is an Individual)

I, Wayne LaRue Smith, Esq., 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:

506 Southard Street, Key West, Florida

*Street address of subject property*

All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.

Wayne LaRue Smith  
*Signature of Authorized Representative*

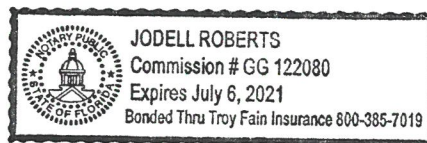
Subscribed and sworn to (or affirmed) before me on this October 31, 2018 by  
*date*

Wayne La Rue Smith.  
*Name of Authorized Representative*

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

Jodell Roberts  
*Notary's Signature and Seal*

Jodell Roberts  
*Name of Acknowledger typed, printed or stamped*



GG122080

*Commission Number, if any*



# Property Appraiser Records





### Disclaimer

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

By continuing into this site you assert that you have read and agree to the above statement.

### Summary

**Parcel ID** 00012290-000000  
**Account #** 1012629  
**Property ID** 1012629  
**Millage Group** 10KW  
**Location** 601 DUVAL St, KEY WEST  
**Address**  
**Legal** KW PT LOT 3 SQR 61 G6-340 G9-281 OR74-36/37 OR564-115/117/118 OR577-988  
**Description** OR588-155 OR638-647/648 OR807-67/68 OR1844-1682/87AFFD OR2703-883/86  
 (Note: Not to be used on legal documents)  
**Neighborhood** 32050  
**Property** STORE COMBO (1200)  
**Class**  
**Subdivision**  
**Sec/Twp/Rng** 06/68/25  
**Affordable** No  
**Housing**



### Owner

KW ZION LLC  
 1075 Duval St  
 Key West FL 33040

### Valuation

	2018	2017	2016	2015
+ Market Improvement Value	\$1,210,431	\$1,210,431	\$1,243,211	\$1,306,710
+ Market Misc Value	\$1,312	\$1,312	\$1,312	\$1,144
+ Market Land Value	\$770,936	\$548,221	\$551,657	\$551,657
= Just Market Value	\$1,982,679	\$1,759,964	\$1,796,180	\$1,859,511
= Total Assessed Value	\$1,935,960	\$1,759,964	\$1,796,180	\$1,859,511
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$1,982,679	\$1,759,964	\$1,796,180	\$1,859,511

### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
COMMERCIAL DRY (100D)	5,114.00	Square Foot	42.8	125

### Commercial Buildings

**Style** APTS-A / 03A  
**Gross Sq Ft** 8,116  
**Finished Sq Ft** 7,976  
**Perimeter** 0  
**Stories** 2  
**Interior Walls**  
**Exterior Walls** C.B.S.  
**Quality** 500 ()  
**Roof Type**  
**Roof Material**  
**Exterior Wall1** C.B.S.  
**Exterior Wall2**  
**Foundation**  
**Interior Finish**  
**Ground Floor Area**  
**Floor Cover**  
**Full Bathrooms** 0  
**Half Bathrooms** 0  
**Heating Type**  
**Year Built** 1938  
**Year Remodeled**  
**Effective Year Built** 1998



Condition Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	44	0	0
FLA	FLOOR LIV AREA	7,976	7,976	0
OUU	OP PR UNFIN UL	96	0	0
<b>TOTAL</b>		<b>8,116</b>	<b>7,976</b>	<b>0</b>

Style OFF BLDG-1 STY-B / 17B  
 Gross Sq Ft 1,302  
 Finished Sq Ft 1,092  
 Perimeter 0  
 Stories 2  
 Interior Walls  
 Exterior Walls AB AVE WOOD SIDING  
 Quality 400 ()  
 Roof Type  
 Roof Material  
 Exterior Wall1 AB AVE WOOD SIDING  
 Exterior Wall2  
 Foundation  
 Interior Finish  
 Ground Floor Area  
 Floor Cover  
 Full Bathrooms 0  
 Half Bathrooms 0  
 Heating Type  
 Year Built 1919  
 Year Remodeled  
 Effective Year Built 1992

Condition Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	210	0	0
FLA	FLOOR LIV AREA	1,092	1,092	0
<b>TOTAL</b>		<b>1,302</b>	<b>1,092</b>	<b>0</b>

### Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
WALL AIR COND	1979	1980	1	1 UT	3
WALL AIR COND	1981	1982	1	4 UT	2

### Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved
9/12/2014	\$5,900,000	Warranty Deed		2703	883	30 - Unqualified	Improved

### Permits

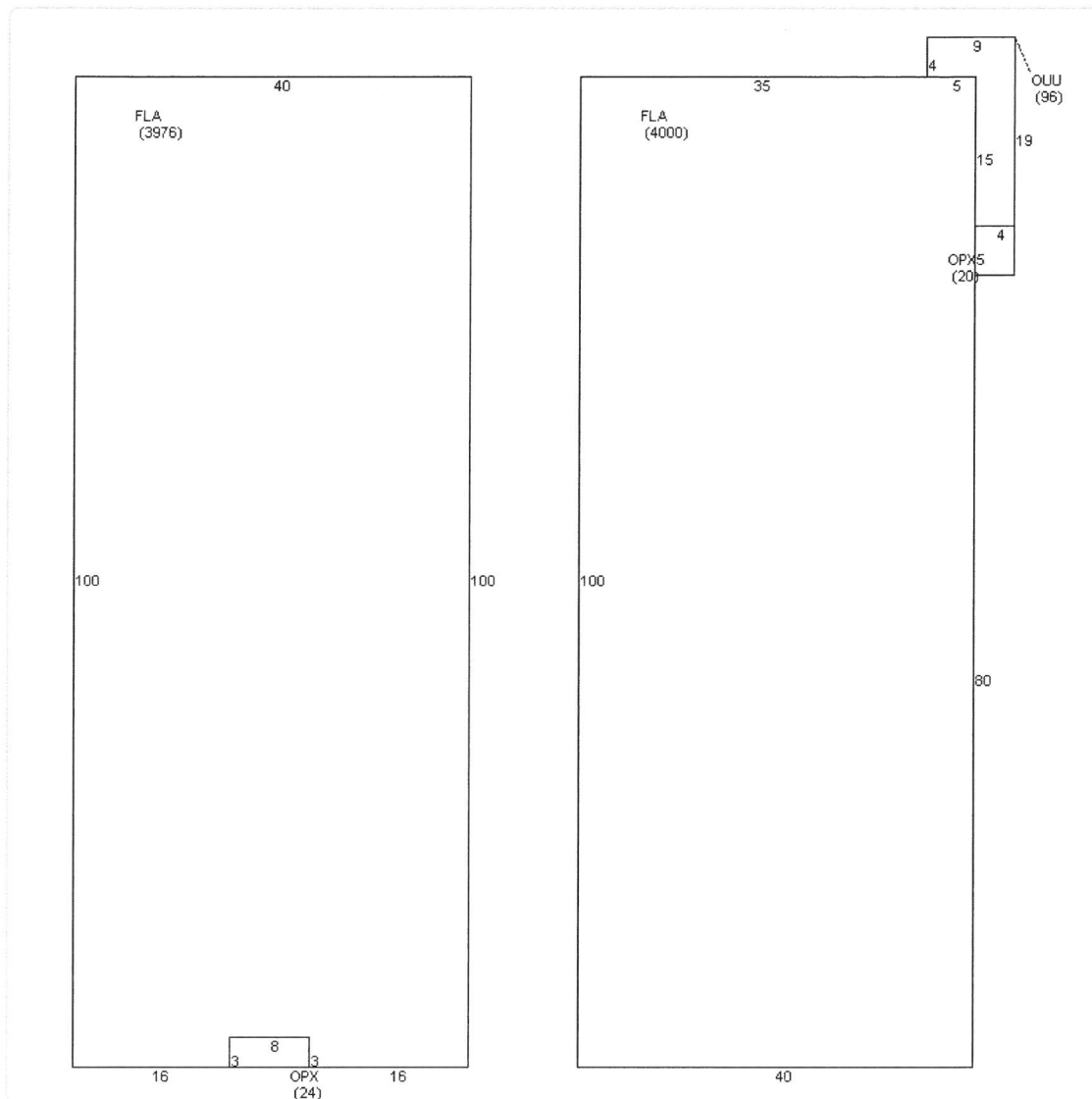
Number	Date Issued	Date Completed	Amount	Permit Type	Notes
17-1260	4/3/2017		\$7,500	Commercial	INTERIOR EXPLORATORY DEMO
10-3878	12/6/2010		\$200	Commercial	ADD TWO LAYERS OF 5/8 FIRE RATED DRYWALL IN KITCHEN
10-3391	11/30/2010		\$450	Commercial	RE-ROUTE SUPPLY AIR DUCT FOR THE GREASE HOOD FROM MUA LOWER AS PLANNED TO THE ROOF 10' IN FROM EDGE OF PROPERTY LINE. NEW DUCT WILL PARALLEL TEH NEW EXHAUST DUCT THAT WS JUST INSTALLED LAST WEEK.
10-3391	11/10/2010		\$9,800	Commercial	INSTALL ONE HOOD, ONE EXHAUST FAN, ONE SUPPLY FAN.
10-3381	11/4/2010		\$900	Commercial	ADD SIGNAGE TO AWNING.
10-3381	10/27/2010		\$900	Commercial	FABRICATE AND INSTALL AWNING ON EXISTING OVER SIDEWALK
10-3424	10/26/2010		\$300	Commercial	PLACE CONCRETE IN A HOLE WITH REBAR.
10-3426	10/25/2010		\$1,500	Commercial	SET HORIZONTAL 120 TANK AND CONCRETE PAD. RUN 100' GASOLINE FROM TANK TO LINE OF APPLIANCES IN KITCHEN.
10-3405	10/15/2010		\$3,000	Commercial	WIRE NEW HOOD EXHAUST SUPPLY. WIRING.
10-3323	10/8/2010		\$2,200	Commercial	INSTALL GREASE TRAP, MOVE FLOOR DRAIN, REPLACE HAND SINK AND MOVE SINK.
10-3288	10/5/2010		\$6,000	Commercial	INSTALL 5/8 DRYWALL 2 LAYER IN KITCHEN PER SK-1-A. INSTALL NON LOAD BEARING PARTITION PER SK-1&2 DETAIL.
10-3018	9/14/2010		\$900	Commercial	DEMO/REMOVE FIRST FLOOR COUNTERTOPS AND CABINETS. ALL INTERIOR WORK/NON STRUCTURAL.
10-1950	6/17/2010		\$2,200	Commercial	REMOVE AND REPLACE ROTTEN WINDOW FRAME AND PAINT TO MATCH EXISTING 10LF. CAULK BOX CRACKS IN WALL AND APPLY TO P COAT 100SF. REPAIR DRYWALL AND REPAINT 40SF.
08-0131	1/18/2008		\$2,500	Commercial	INSTALL 64' OF TRACK LIGHTS & 4 SMOKE DETECTORS,
07-5383	1/4/2008		\$2,500	Commercial	CONSTRUCTION OF APPROX 64 SF OF 7' 2" WIDE X 8' HIGH NEW CBS WALL
07-5397	12/19/2007		\$3,000	Commercial	CONSTRUCT 22' X 7'6" HIGH NEW WALL WITH POCKET DOOR
07-2208	5/9/2007		\$20,000	Commercial	INSTALL 4 ACCORDIAN SHUTTERS
06-6819	12/28/2006		\$480	Commercial	REPLACE 118 FIXTURES



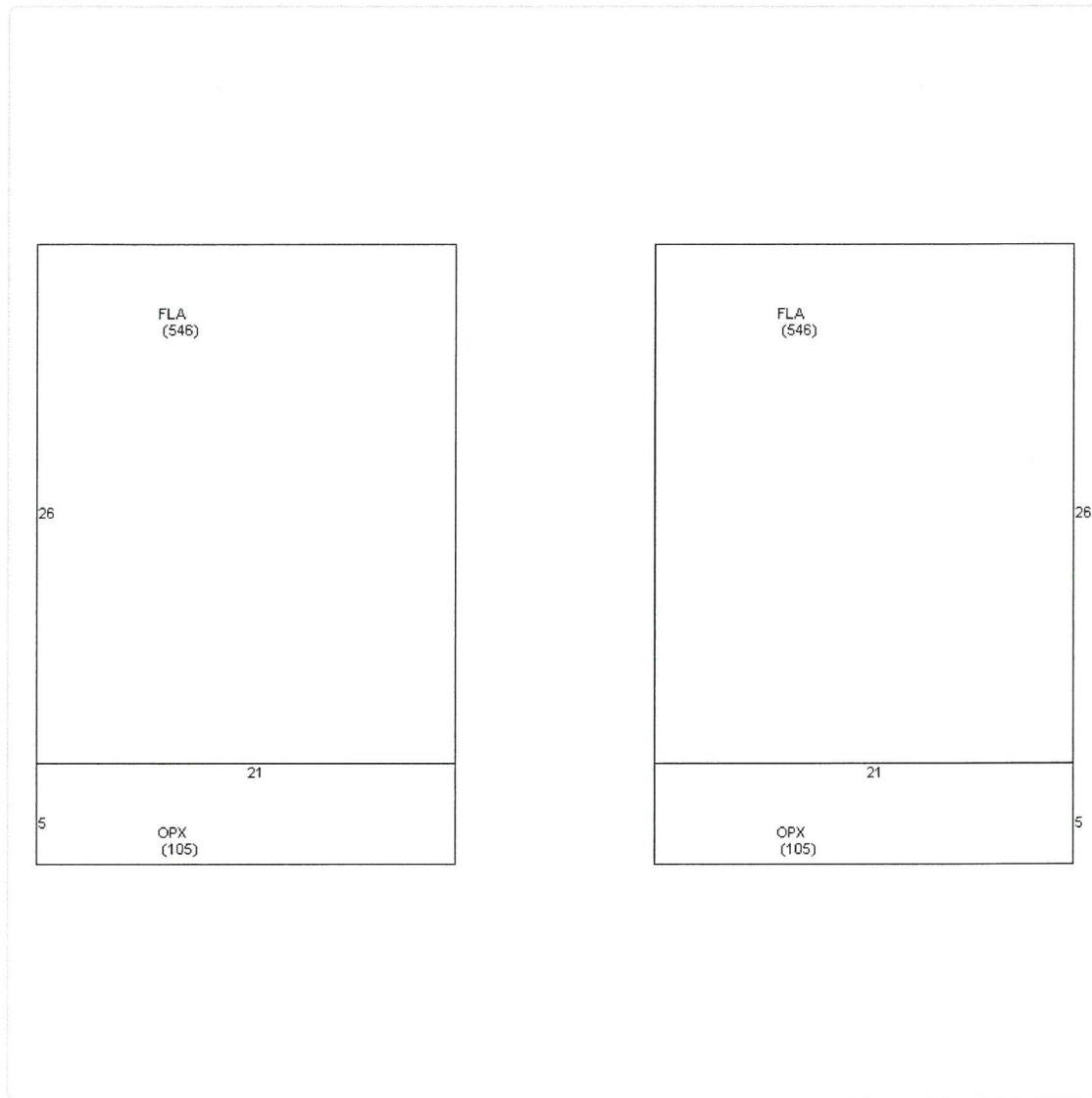
Number ⬆	Date Issued ⬆	Date Completed ⬆	Amount ⬆	Permit Type ⬆	Notes ⬆
06-4038	7/6/2006	7/26/2006	\$2,500	Commercial	REPLACE PANEL AND METER CAN
06-1936	3/26/2006	7/26/2006	\$1,000	Commercial	NEW 200 AMP PANEL
06-1518	3/6/2006	7/26/2006	\$600	Commercial	INSTALL EXISTG BRANCH CIRCUITS INTO CONDUIT
06-0342	1/23/2006	7/26/2006	\$7,000	Commercial	ALUMINUM GUTTER
05-5999	12/30/2005	7/26/2006	\$2,100	Commercial	REPAIR ROTTED WINDOW JAMS AND PAINT FRONT OF COFFEE SHOP
05-2945	11/14/2005	12/31/2005	\$20,000	Commercial	REPLACE THE 2ND.STORY WINDOWS (24)
05-3761	9/1/2005	7/26/2006	\$2,300	Commercial	REPAIR 3 SQRS
05-2945	7/19/2005	7/26/2006	\$20,000	Commercial	REPLACE 2ND STORY WINDOWS
05-1780	5/23/2005	7/26/2006	\$1,800	Commercial	INTERIOR WORK ONLY - BLD COUNTER
05-1964	5/23/2005	7/26/2006	\$1,500	Commercial	RUN SIX DEDICATED OUTLETS FOR NEW BAKERY
05-1676	5/16/2005	7/26/2006	\$200,000	Commercial	REPAIR/REPLACE DETERIORATION PARAPET AND EXTERIOR WALLS OF STRUCTURE 500SF
05-1681	5/16/2005	7/26/2006	\$300	Commercial	RUN COPPER TUBING LINE TO CONVECTION OVEN
05-1343	5/12/2005	7/26/2006	\$2,000	Commercial	INSTALL SINKS AND GREASE TRAP
05-1103	4/7/2005	7/26/2006	\$2,500	Commercial	REMOVE ROTTED FLOOR IN 2ND FLR STORAGE AREA
04-2852	3/2/2005	7/27/2006	\$2,500	Commercial	plumbing
04-2852	9/1/2004	2/16/2004	\$30,000	Commercial	REPAIR FIRE DAMAGE
03-1451	4/28/2003	9/29/2003	\$500	Commercial	ELE. #508
03-1017	3/20/2003	9/29/2003	\$1,400	Commercial	ELE. #506
00-3420	10/23/2000	11/16/2001	\$20,000	Commercial	REPLASTER/REPLACE WOOD
00-0743	4/5/2000	11/1/2000	\$4,000	Commercial	PAINT ROOF
04-3160	1/4/2000	2/16/2004	\$28,000	Commercial	ROOF
99-3731	11/8/1999	12/7/1999	\$1,800	Commercial	CHANGEOUT AC UNIT
99-1806	5/27/1999	11/3/1999	\$3,860	Commercial	REPAIR/REPLACE ROOF
98-2757	9/18/1998	1/1/1999	\$2,900	Commercial	REMOVE NON-BEARING WALL
98-2408	8/4/1998	1/1/1999	\$350	Commercial	RELOCATE ELEC METER ETC
98-1688	6/8/1998	1/1/1999	\$875	Commercial	CANVAS AWNING
98-1435	6/3/1998	1/1/1999	\$400	Commercial	SIGN
98-0973	3/27/1998	1/1/1999	\$150	Commercial	RELOCAT 2 FRONT DOORS ETC
97-1064	4/1/1997	7/1/1997	\$600	Commercial	REPLACE EXTERIOR DOORS
97-1137	4/1/1997	7/1/1997	\$850	Commercial	SECURITY ALARM
9604844	1/1/1997	7/1/1997	\$3,000		MECHANICAL
9700244	1/1/1997	7/1/1997	\$1,500		1500
97-0116	1/1/1997	7/1/1997	\$250	Commercial	SIGN
9602743	7/1/1996	8/1/1996	\$1,950		MECHANICAL
9603053	7/1/1996	8/1/1996	\$450		ELECTRICAL
9602619	6/1/1996	8/1/1996	\$500		ELECTRICAL
M953068	9/1/1995	11/1/1995	\$6,000		2-2.5 TON AC'S
B942728	8/1/1994	8/1/1995	\$50		REPAIR TIE BEAM
M942303	7/1/1994	12/1/1994	\$5,000		REPLACE A/C 7/DROPS,DUCT
B941833	6/1/1994	12/1/1994	\$2,000		RENOVATIONS
B941891	6/1/1994	12/1/1994	\$16,000		RENOVATIONS

Sketches (click to enlarge)









### Photos





88

500 SOUTHARD ST

Key West

125

12290

34

24

22.5

78.5

12310.0001

20.6

12310

78.56

28.5

92.05

45.28

## Trim Notice

2018 Notices Only

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

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

Last Data Upload: 9/15/2018, 3:13:53 AM

Developed by  
 **Schneider**  
GEOSPATIAL



Deed



09/17/2014 10:25AM  
DEED DOC STAMP CL: Krys \$41,300.00

Prepared by and return to:

JOHN M. SPOTTSWOOD, JR.  
Attorney at Law  
Spottswood, Spottswood & Spottswood  
500 Fleming Street  
Key West, FL 33040  
305-294-9556  
File Number: 14-220-ej  
Will Call No.:

Doc# 1997965  
Bk# 2703 Pg# 883

[Space Above This Line For Recording Data]

## Warranty Deed

**This Warranty Deed** made this 12th day of September, 2014 between Old Town Key West Development, Ltd., a Florida limited partnership whose post office address is 201 Front Street, Key West, FL 33040, grantor, and KW Zion LLC, a Florida limited liability company whose post office address is 1075 Duval Street, Key West, FL 33040, grantee:

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

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

See Attached Exhibit "A"

Parcel Identification Number: 00012290-000000

Subject to taxes for 2014 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

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

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

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **December 31, 2013**.

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



Signed, sealed and delivered in our presence:

*S. Monsalvatge*  
Witness Name: S. MONSALVATGE

*Hope Casar*  
Witness Name: Hope CASAR

*Nancy Aspinwall*  
Witness Name: Nancy Aspinwall

*Hope Casar*  
Witness Name: Hope CASAR

*Nancy Aspinwall*  
Witness Name: Nancy Aspinwall

*Hope Casar*  
Witness Name: Hope CASAR

Old Town Key West Development, Ltd., a Florida limited partnership

By: *[Signature]*  
Edwin O. Swift, III, General Partner

By: *Gerald R. Mosher*  
Gerald R. Mosher, General Partner

By: *Christopher C. Belland*  
Christopher C. Belland, General Partner

State of Florida  
County of Monroe

The foregoing instrument was acknowledged before me this 12th day of September, 2014 by Edwin O. Swift, III, General Partner of Old Town Key West Development, Ltd., a Florida limited partnership, on behalf of said limited partnership. He ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

*S. Monsalvatge*  
Notary Public

Printed Name: S. MONSALVATGE  
Commission # EE 034932  
My Commission Expires November 23, 2014  
Bonded Thru Troy Fain Insurance 800-385-7019

State of Florida  
County of Monroe

The foregoing instrument was acknowledged before me this 12th day of September, 2014 by Gerald R. Mosher, General Partner, of Old Town Key West Development, Ltd., on behalf of said limited partnership who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

*S. Monsalvatge*  
Notary Public

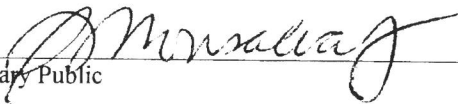
Printed Name: S. MONSALVATGE  
Commission # EE 034932  
Expires November 23, 2014  
Bonded Thru Troy Fain Insurance 800-385-7019



State of Florida  
County of Monroe

The foregoing instrument was acknowledged before me this 12th day of September, 2014 by Christopher C. Belland, General Partner, of Old Town Key West Development, Ltd. on behalf of said limited partnership who ☐ is personally known or ☒ has produced a driver's license as identification.

[Notary Seal]

  
Notary Public

Printed Name: S. MONSALVATGE  
Commission # EE 034932  
Expires November 23, 2014  
My Commission Expires November 23, 2014  
 Bonded With Tary Fain Insurance 800-585-7019



**EXHIBIT "A"****Doc# 1997965  
Bk# 2703 Pg# 886****PARCEL A**

A Part of Lot 3, Square 61, as delineated by William A. Whitehead's Map of said City of Key West, on February, A.D. 1829, and being more particularly described by metes and bounds as follows: Begin at the intersection of the Northeasterly Right of Way Line of Duval and Street the Southeasterly Right of Way Line of Southard Street; thence Southeasterly along the Northeasterly Right of Way line of Duval Street for 42.85 feet; thence at a right angle and in a Northeasterly direction for 78.50 feet; thence at angle to the Right of  $89^{\circ} 57' 40''$  and in a Northwesterly direction 1.35 feet; thence at a right angle in a Northeasterly direction 22.50 feet; thence at a right angle and in a Northwesterly direction 41.50 feet to the said Southeasterly Right of Way Line of Southard Street; thence at a right angle and in a Southwesterly direction along the said Southeasterly Right of Way Line of Southard Street for 101.00 feet to the Point of Beginning.

**AND ALSO**

A Part of Lot 3, Square 61, as delineated by William A. Whitehead's Map of said City of Key West, on February, 1829 A.D. and being more particularly described by metes and bounds as follows: COMMENCING at the intersection of the Northeasterly Right of Way Line of Duval and Street the Southeasterly Right of Way Line of Southard Street; thence in a Northeasterly direction along the said Southeasterly Right of Way Line of Southard Street for 101.00 feet to the Point of Beginning; thence continue in a Northeasterly direction along the said Southeasterly Right of Way Line of Southard Street for 24.00 feet; thence at a right angle and in a Southeasterly direction for 34.00 feet; thence at a right angle and in a Southwesterly direction for 24.00 feet; thence at a right angle and in a Northwesterly direction for 34.00 feet to the said Southeasterly Right of Way Line of Southard Street and the Point of Beginning.

**MONROE COUNTY  
OFFICIAL RECORDS**



## Resolution Number 2014-14




**PLANNING BOARD  
RESOLUTION No. 2014-14**

**A RESOLUTION OF THE CITY OF KEY WEST  
PLANNING BOARD GRANTING APPROVAL  
OF A CONDITIONAL USE PER SECTION 122-  
62 AND 122-63 OF THE CODE OF  
ORDINANCES FOR FULL ALCOHOL SALES  
AT AN EXISTING WINE BAR AND LOUNGE  
LOCATED AT 506 SOUTHWARD STREET (RE#  
00012290-000000, AK#1012629) IN THE  
HISTORIC RESIDENTIAL COMMERCIAL  
CORE – DUVAL STREET/GULFSIDE (HRCC-1)  
ZONING DISTRICT, PURSUANT TO SECTION  
122-688(9) OF THE CODE OF ORDINANCES,  
KEY WEST FLORIDA; PROVIDING FOR AN  
EFFECTIVE DATE.**

WHEREAS, the subject property is located in the Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1) zoning district; and

WHEREAS, Section 122-688(9) of the Code of Ordinances provides that bars and lounges are allowed as a conditional use within the Historic Residential Commercial Core- Duval Street Gulfside (HRCC-1) zoning district; and

WHEREAS, Section 122-61 of the Code of Ordinances allows applicants to request a conditional use approval; and

  
Chairman

 Planning Director



**WHEREAS**, the applicant filed a conditional use application for full alcohol sales at an existing wine bar and lounge at 506 Southard Street; and

**WHEREAS**, Section 122-62 outlines the criteria for reviewing a conditional use application by the Planning Board; and


**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on February 20, 2014; and

**WHEREAS**, the Planning Board found that the proposed use complies with the criteria in Section 122-62; and

**WHEREAS**, the approval of the conditional use application will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

**NOW THEREFORE, BE IT RESOLVED** by the Planning Board of the City of Key West, Florida:

**Section 1.** That the above recitals are incorporated by reference as fully set forth herein.

 Chairman  
 Planning Director



**Section 2.** That a conditional use request, under the Code of Ordinances of the City of Key West, Florida, per Section 122-688(9) is hereby approved for full alcohol sales at the existing wine bar at 506 Southard Street with the following conditions:

**Conditions required to be met prior to issuance of a Conditional Approval Permit:**

1. Seats in excess of the 14 originally approved shall be removed until such time as appropriate impact fees are submitted for a total of no more than 25 seats.
2. No more than one table and two chairs shall remain at the outdoor ADA seating area by the call button.

**Conditions subject to a Conditional Approval Permit, per Ordinance 10-22 subject to an associated annual inspection:**

3. Hours of operation are limited as follows: Monday through Thursday 10am to 2 am and Friday and Saturday from 10am to 4am and Sundays from 12pm to 2am; and
4. There will be no amplified live music or outdoor music on the premises; and

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

**Section 4.** This conditional use approval 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

 Chairman

 Planning Director



authentication by the signatures of the presiding officer and the Clerk of the Commission.

**Section 6.** This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Economic Opportunity (DEO). Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DEO can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

**Section 7.** The applicant shall obtain and maintain a Conditional Approval Permit from the City prior to issuance of a Certificate of Occupancy per Ordinance Number 10-22.

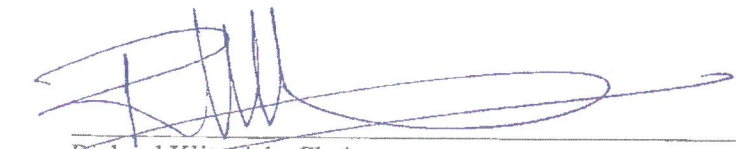
Read and passed on first reading at a regular meeting held this 20th day of February, 2014.

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

 Chairman

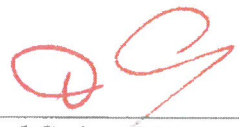
 Planning Director



  
Richard Klitenick, Chairman  
Key West Planning Board

3-4-2014  
Date

Attest:




22614

Donald Leland Craig, AICP  
Interim Planning Director

Date

Filed with the Clerk:

  
Cheryl Smith, City Clerk

3-4-14  
Date

\_\_\_\_ Chairman

 Planning Director



SOUTHARD STREET  
(50' R/W)

# SURVEYOR'S NOTES:

North arrow based on assumed median  
3.4 denotes existing elevation  
Elevations based on N.G.V.D. 1929 Datum  
Bench Mark No. 1 Basic Elevation 14.324

## Monumentation:

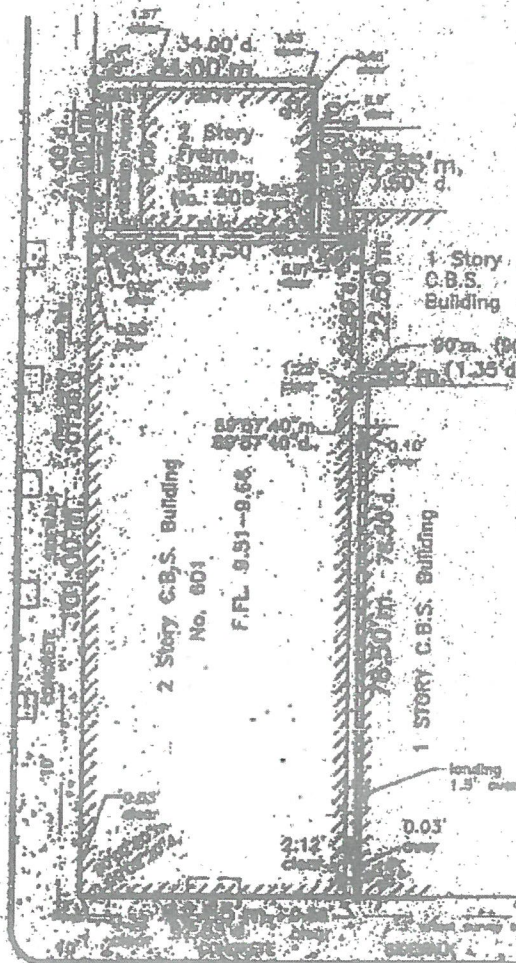
⊙ = 1d. 1 1/2" Iron Pipe, P.L.S. No. 2749

▲ = 1d. P.K. Nail, P.L.S. No. 2749

Field Work performed on: 6/19/98

## Abbreviations:

Sty = Story  
R/W = Right-of-Way  
fd = Found  
p = Pld  
m = Measured  
N.T.S. = Not to Scale  
C = Centerline  
Elev = Elevation  
B.M. = Bench Mark  
P.O.C. = Point of Commencement  
P.O.B. = Point of Beginning  
F.F.L. = Finish Floor Elevation  
o/h = Overhead  
conc. = concrete  
I.P. = Iron Pipe  
C.B.S. = Concrete Block Structure  
cov'd = Covered



DUVAL STREET (50' R/W)

Old Town Key West Development Rd.  
801 Duval Street, Key West, Florida 33040

## BOUNDARY SURVEY

Deed No.  
98-287

Scale: 1"=20'  
Date: 6/4/98  
Revisions and/or Additions  
7/2/98: Updated

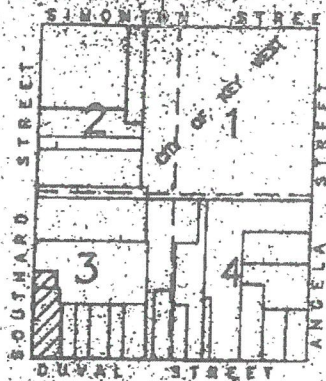
No. 1000000

FREDERICK H. HILDEBRANDT  
ENGINEER PLANNER SURVEYOR

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

R/K





**LOCATION MAP**  
SQUARE 61, City of Key West, Fl.

**LEGAL DESCRIPTION:**

A Part of Lot 3, Square 61, as delineated by William A. Whitehead's Map of said City of Key West, on February, 1829 A.D. and being more particularly described by metes and bounds as follows:

Begin at the intersection of the Northeastery Right-of-Way Line of Duval Street and the Southeastery Right-of-Way Line of Southard Street; thence Southeastery along the said Northeastery Right-of-Way Line of Duval Street for 42.85 feet; thence at a right angle and in a Northeastery direction for 78.50 feet; thence at angle to the Right of 89°57'40" and in a Northwestery direction for 1.35 feet; thence at a right angle and in a Northeastery direction for 22.50 feet; thence at a right angle and in a Northwestery direction for 41.50 feet to the said Southeastery Right-of-Way Line of Southard Street; thence at a right angle and in a Southwestery direction along the said Southeastery Right-of-Way Line of Southard Street for 101.00 feet to the Point of Beginning. Containing 4,287.4750 Square Feet, more or less.

AND

A Part of Lot 3, Square 61, as delineated by William A. Whitehead's Map of said City of Key West, on February, 1829 A.D. and being more particularly described by metes and bounds as follows:

COMMENCING at the intersection of the Northeastery Right-of-Way Line of Duval Street and the Southeastery Right-of-Way Line of Southard Street; thence in a Northeastery direction along the said Southeastery Right-of-Way Line of Southard Street for 101.00 feet to the Point of Beginning; thence continue in a Northeastery direction along the said Southeastery Right-of-Way Line of Southard Street for 24.00 feet; thence at a right angle and in a Southeastery direction for 34.00 feet; thence at a right angle and in a Southwestery direction for 24.00 feet; thence at a right angle and in a Northwestery direction for 34.00 feet to the said Southeastery Right-of-Way Line of Southard Street and the Point of Beginning. Containing 816 Square Feet, more or less.

This is to certify that this map or plat and the survey on which it is based were made (i) in accordance with Minimum Standard Detail Requirements for ALTA/ACSM Land Title Surveys, jointly established and adopted by the American Land Title Association, the American Congress on Surveying and Mapping and the National Society of Professional Surveyors in 1997, and includes items 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 13, 14, 15 and 16 of Table A thereof, and (ii) pursuant to the Accuracy Standards (as adopted by ALTA and ACSM and in effect on the date of this certification) for an urban survey and meets the minimum technical standards for surveys set forth by the Florida Board of Professional Surveyors and mappers, pursuant to Chapter 61, C-17-6, Florida Administrative Code.

CERTIFICATION made to First Union National Bank, a national banking association, Independent Abstract & Title Company, Lawyers Title Insurance Corporation, Stearns, Webber, Miller, Weissler, Altrudeff & Sitterson, P.A., and Old Town Key West Development, Ltd., a Florida limited Partnership.

22614

RUK

**CERTIFICATION**

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

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

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE







## Resolution Number 2011-014



**RESOLUTION NUMBER 2011-014**


**A RESOLUTION OF THE KEY WEST  
PLANNING BOARD GRANTING A  
CONDITIONAL USE APPROVAL PER  
SECTION 122-62 AND 122-63 OF THE CODE  
OF ORDINANCES FOR A BAR AND LOUNGE  
LOCATED AT 506 SOUTHARD STREET (RE#  
00012290-000000) IN THE HISTORIC  
RESIDENTIAL COMMERCIAL CORE -  
DUVAL STREET/GULFSIDE (HRCC-1)  
ZONING DISTRICT, PURSUANT TO SECTION  
122-688(9) OF THE CODE OF ORDINANCES,  
KEY WEST FLORIDA; PROVIDING FOR AN  
EFFECTIVE DATE.**

**WHEREAS**, the subject property is located in the Historic Residential Commercial Core –  
Duval Street Gulfside (HRCC-1) zoning district; and

**WHEREAS**, Section 122-688(9) of the Code of Ordinances provides that bars and lounges  
are allowed as a conditional use within the Historic Residential Commercial Core- Duval Street  
Gulfside (HRCC-1) zoning district; and

**WHEREAS**, Section 122-61 of the Code of Ordinances allows applicants to request a  
conditional use approval; and

**WHEREAS**, the applicant filed a conditional use application for a bar and lounge to sell beer  
and wine at 506 Southard Street; and

  
Chairman  
  
Interim Planning Director



**WHEREAS**, Section 122-62 outlines the criteria for reviewing a conditional use application by the Planning Board; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on March 17, 2011; and

**WHEREAS**, the Planning Board found that the proposed use complies with the criteria in Section 122-62; and

**WHEREAS**, the approval of the conditional use application will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

**NOW THEREFORE, BE IT RESOLVED** by the Planning Board of the City of Key West, Florida:

**Section 1.** That the above recitals are incorporated by reference as fully set forth herein.

**Section 2.** That a conditional use request, under the Code of Ordinances of the City of Key



West, Florida, per Section 122-688(9) is hereby approved as follows: allowing a 379 square foot consumption area for a bar and lounge including, 93 square feet of outdoor and 286 square feet of indoor consumption area, for property located at 506 Southard Street (RE# 00012290-000000), Key West, Florida, as shown in the attached survey and floor plan received January 31, 2011 with the following conditions:

1. Hours of operation are limited to Monday through Thursday 10am to 2am and Friday and Saturday from 10am to 4am and Sundays 12pm to 2am
2. The use is approved for the sale of beer and wine only; and
3. There will be no live music or outdoor music on the premises.
4. There will be no additional seats allowed without further City approvals.

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

**Section 4.** This conditional use approval 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.

**Section 6.** This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

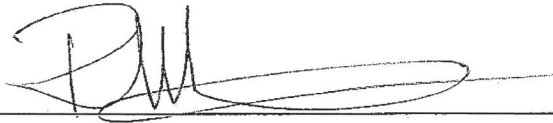
**Section 7.** The applicant shall obtain and maintain a Conditional Approval Permit from the City prior to issuance of a Certificate of Occupancy per Ordinance Number 10-22.

Read and passed on first reading at a regular meeting held this 17th day of March, 2011.

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

 Chairman  
 Interim Planning Director





Richard Klitenick, Chairman  
Key West Planning Board

3/31/2011  
Date

Attest:

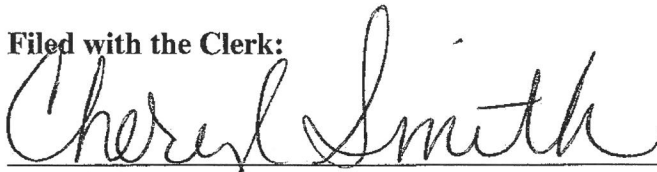


Donald Leland Craig, AICP  
Interim Planning Director

3/28/11

Date

Filed with the Clerk:



Cheryl Smith, City Clerk

3-31-11

Date



Chairman



Interim Planning Director

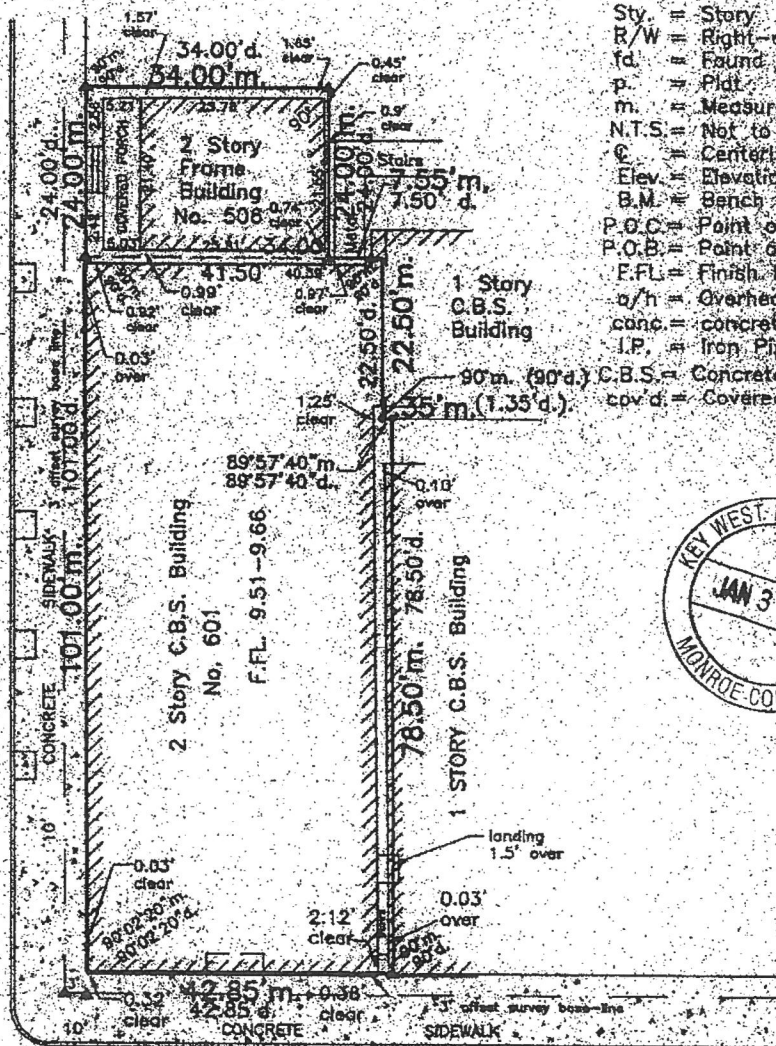


### Monumentation:

▲ = fd. P.K. Nail, P.L.S. No. 2749

Field Work performed on: 6/19/98

SOUTHARD STREET  
( 50' R/W)



Sty. = Story  
 R/W = Right-of-Way  
 fd. = Found  
 p. = Plat  
 m. = Measured  
 N.T.S. = Not to Scale  
 C. = Centerline  
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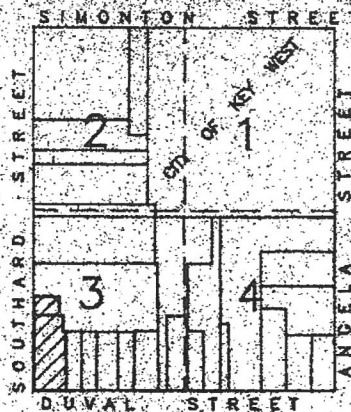
DUVAL STREET (50' R/W)

BOUNDARY SURVEY		Own No.
		98-297
Scale: 1"=20'	Ref. 21-10 33-65 file	Flood panel No. 1718 C
Date: 6/4/96		Flood Zone: X
		Den. By: F.H.H.
		Flood Elev. —
REVISIONS AND/OR ADDITIONS		
7/2/98: Updated		
file:ndfdown		

3150 Northside Drive  
Suite 101  
Key West, FL 33040  
(305) 293-0466  
Fax: (305) 293-0257

Paul





### LOCATION MAP

SQUARE 61, City of Key West, Fl.



#### LEGAL DESCRIPTION:

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AND

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CERTIFICATION made to First Union National Bank, a national banking association, Independent Abstract & Title Company, Lawyers Title Insurance Corporation, Stearns, Weaver, Miller, Weissler, Althoff & Sitterson, P.A. and Old Town Key West Development, Ltd., a Florida limited Partnership.

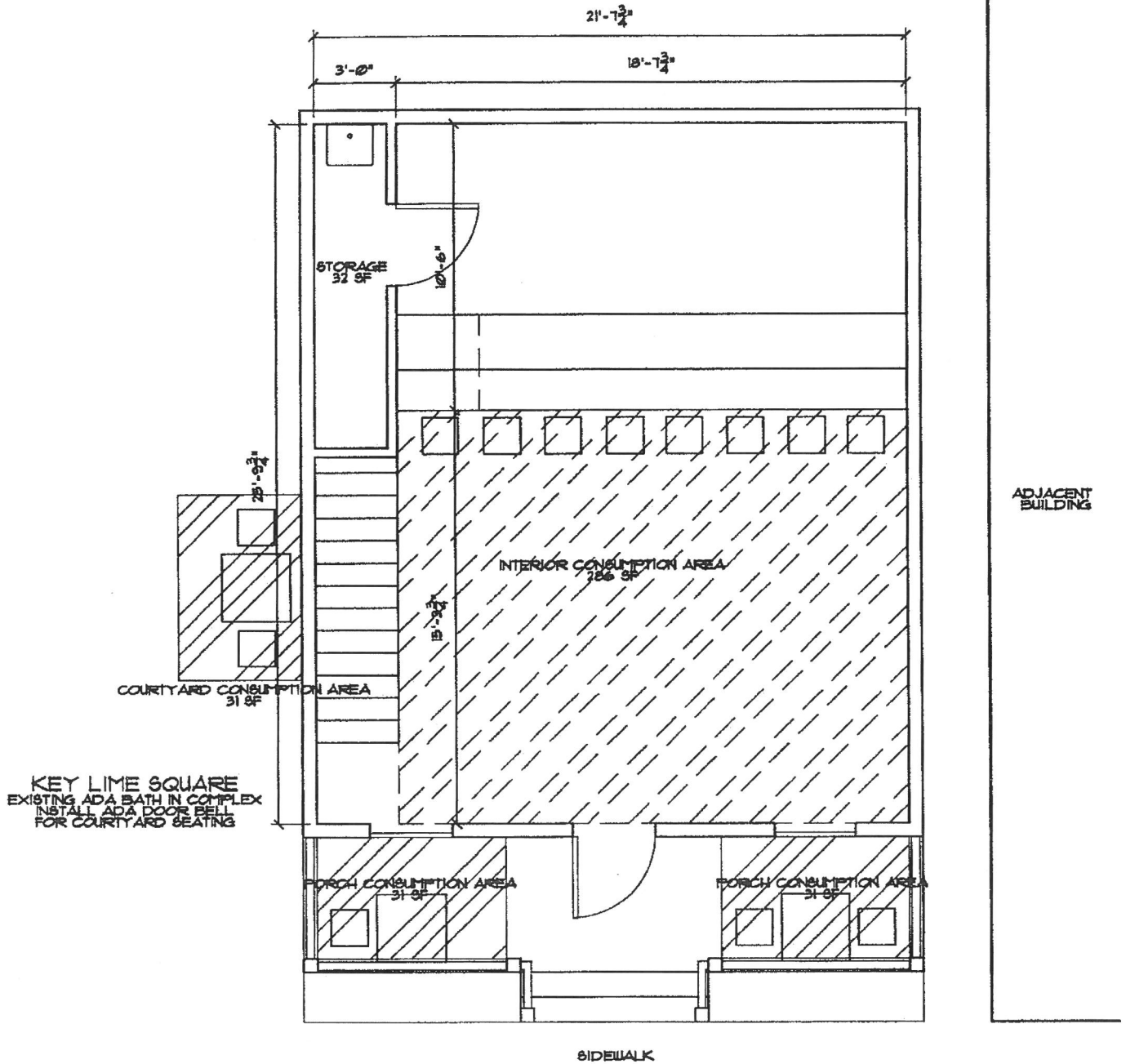
#### CERTIFICATION:

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

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

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE





## 1ST FLOOR PLAN

3/16" = 1' - 0"

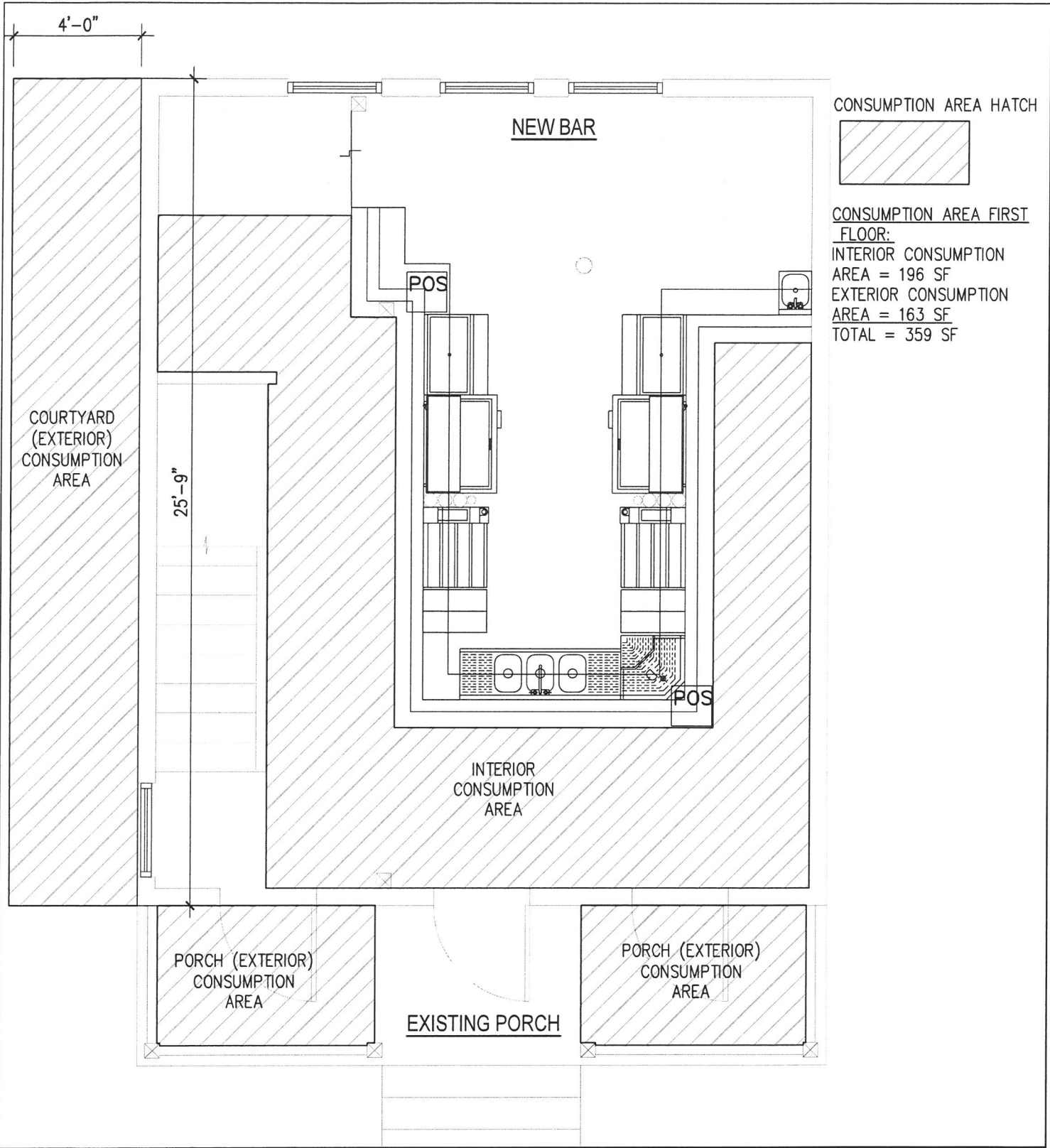
INTERIOR CONSUMPTION AREA: 286 SF  
EXTERIOR CONSUMPTION AREA: 93 SF

VP  
RWK



# Consumption Area Drawings





**IRISH OAK  
BARREL**

506 SOUTHARD STREET  
KEY WEST, FL 33040

Revisions:

Seal:

**FIRST FLOOR CONSUMPTION  
AREA**

Project No:  
506 SOUTHARD  
CAD File:  
CS-1 506 10.8.18  
southard bar

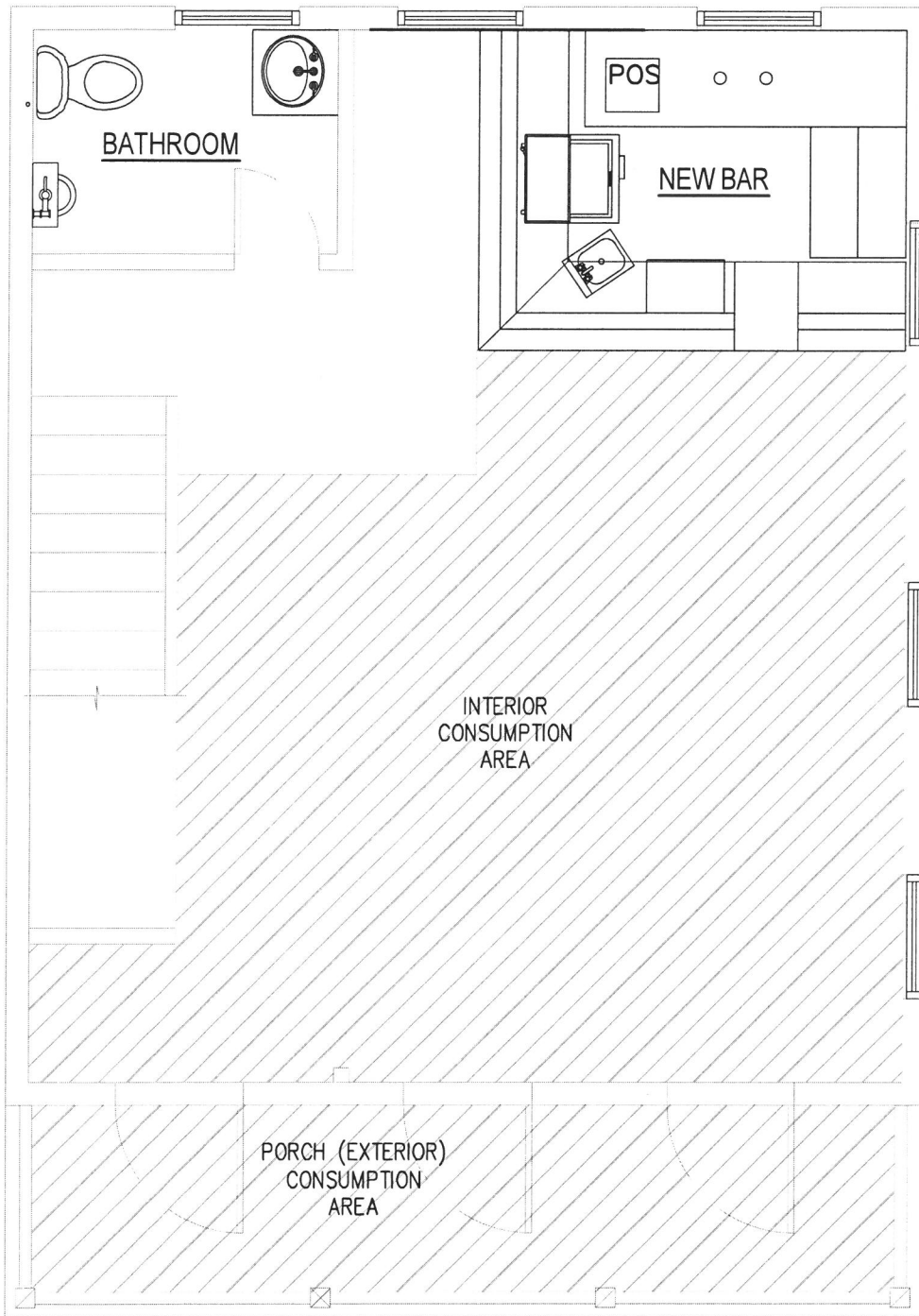
Scale:  
1/4" = 1'-0"  
Date:  
09/19/18

**Meridian Engineering LLC**  
201 Front Street, Suite 203  
Key West, Florida 33040  
AUTHORIZATION #29401  
ph:305-293-3263 fax:293-4899

NOT VALID FOR CONSTRUCTION UNLESS  
SIGNED AND SEALED IN THIS BLOCK  
RICHARD J. MILELLI  
PE #58315



CONSUMPTION AREA SECOND FLOOR:  
 INTERIOR CONSUMPTION AREA = 282 SF  
 EXTERIOR CONSUMPTION AREA = 88 SF  
 TOTAL = 370 SF



CONSUMPTION AREA HATCH



# **IRISH OAK BARREL**

506 SOUTHARD STREET  
 KEY WEST, FL 33040

Revisions:


Seal:

NOT VALID FOR CONSTRUCTION UNLESS  
 SIGNED AND SEALED IN THIS BLOCK  
 RICHARD J. MILELLI  
 PE #58315

## **SECOND FLOOR CONSUMPTION AREA**

Project No:  
506 SOUTHARD

CAD File:  
CS-1 506 10.8.18  
southard bar

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

Date:  
09/19/18

Meridian Engineering LLC  
 201 Front Street, Suite 203  
 Key West, Florida 33040  
 AUTHORIZATION #29401  
 ph:305-293-3263 fax:293-4899



# Survey



