

# **DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION** CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENTBY: BG



Address: 1300 White Street • Key West, Florida 33040 Phone: 305-809-3764 Website: www.cityofkeywest-fl.gov

Fees listed below include a \$358.87 advertising/noticing fee and a \$127.63 fire review fee where applicable. Any Major or Minor Development Plan returned to the Planning Board after initial approval willrequire a new application fee equivalent to one-half of the current fee schedule

Development Plan and Conditional Use application fee sch	edule
Development Plan	
Minor Development Plan	
Within Historic District Total Application Fee	\$ 3,932.46
Outside Historic District Total Application Fee	\$ 3,166.69
Conditional Use Total Application Fee	\$ 1,403.91
Extension Total Application Fee	\$ 1,124.64
Major Development Plan Total Application Fee	\$ 5,208.74
Conditional Use Total Application Fee	\$ 1,403.91
Extension Total Application Fee	\$ 1,124.64
Administrative Modification Fee	\$ 926.10
Minor Modification Fee	\$ 1,765.38
Major Modification Fee	\$ 2,981.18
Conditional Use (not part of a development plan) Total Application Fee	\$ 3,677.20
Extension (not part of a development plan) Total Application Fee	\$ 1,124.64
Revision or Addition (not part of a development plan) Fee	\$ 2,801.75

Applications will not be accepted unless complete

Development Plan	Conditional Use	Historic District
Major	×	Yes
Minor		No

Please print or type:

1)	Site Address: 207 PETRONIA STREET, KEY WEST, FL 33040
2)	Name of Applicant: MAD EATS KEY WEST, UL dbc. SANTAGIO'S BODEGA
2) 3)	Applicant is: Property Owner: <u>X</u> Authorized Representative: JASON DUGAN
4)	Address of Applicant: 207 PETRONIA STREET, KEY LMEST, FL 33040
5)	Applicant's Phone #: 913-579-10039 Email: JASUN @ SANTAGOSBUDEGA. LOL
6)	Email Address: JASON @ CAMTAGOSBIDEGA. LAM AND JESSILA @ SANTAGOSBODEGA. COM
7)	Name of Owner, if different than above: JASON DUGAN
8)	USE DOMER CHEARER DUE COURT INTO A FLANNING COVILLE & 20214
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9)	Owner Phone #: 913-579-0639 Email: JASON @ SANTI AGOS BODE GA COM
10)	Zoning District of Parcel: HNC-3 RE#
11)	Is Subject Property located within the Historic District? YesNo
	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).
E	XISTNG RESTAVRANT ESTABLISHED IN 2004 EXPANDED IN 2009. LICENSED
S	EATING AFTER EXPANSION WAS MISCOUNTED. APPLICATION IS TO COPRECT
_1	THIS ERROR AND OBTAIN NECESSARY SEATS.
1	2009 EXPANSION ALLOWED FOR 25 ADDITIONAL SEATS, WHICH WERE NEVER
P	TODED TO OUR LICENSING.
13)	Has subject Property received any variance(s)? YesNoX
	If Yes: Date of approvalResolution #
	Attach resolution(s).
14)	Are there any easements, deed restrictions or other encumbrances on the subject property?
	YesNo _X
	If Yes, describe and attach relevant documents.
1	n and a second se
	ing and the second second, local second flows and finite second field.
	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.

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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.

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

#### I. Existing Conditions.

- A) Recent Survey of the site by a licensed Surveyor (Survey must be within 10 years from submittal date of this application) showing all dimensions including distances from property lines, and including:
  - 1) Size of site;
  - 2) Buildings, structures, and parking;
  - 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. <u>Solutions Statement</u>. 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.
- (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.

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#### 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 hospitalbeds; 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).
  - State fish and wildlife conservation commission (F&GC). i.
  - The county. j.
- (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.

#### **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.

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

- (a) <u>Findings</u>. A conditional use shall be permitted upon a finding by the planning board that the proposed use, application and, if applicable, development plan complies with the criteria specified in this section, including specific conditions established by the planning board and or the city commission during review of the respective application in order to ensure compliance with the comprehensive plan and 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) <u>Characteristics of use described</u>. 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
- (c) <u>Criteria for conditional use review and approval</u>. Applications for a conditional use shall clearly demonstrate the following:
  - (1) <u>Land use compatibility</u>. 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) <u>Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use</u>. 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, offstreet 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 againstpotential adverse impacts of the proposed use.

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- (3) <u>Proper use of mitigative techniques</u>. 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) <u>Hazardous waste</u>. 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) <u>Compliance with applicable laws and ordinances</u>. 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) <u>Additional criteria applicable to specific land uses</u>. 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 outsidethe V zone.
  - b. <u>Residential development</u>. 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 chapter110; especially protection of historic resources; subdivision of land; access, internal circulation, and off- street parking; as well as possible required mitigative measures such as landscaping and site design amenities.
  - c. <u>Commercial or mixed-use development</u>. 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

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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. <u>Public facilities or institutional development</u>. 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. <u>Commercial structures uses and related activities within tidal waters</u>. The criteria for commercial structures, uses and related activities within tidal waters are as provided in section 122-1186.
- g. <u>Adult entertainment establishments</u>. The criteria for adult entertainment establishments are as provided in division 12 of article V of this chapter.

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This application for Conditional Use is for Santiago's Bodega, a full-service restaurant located at 207 Petronia Street, Key West, Florida 33040.

Included in this application packet is the following:

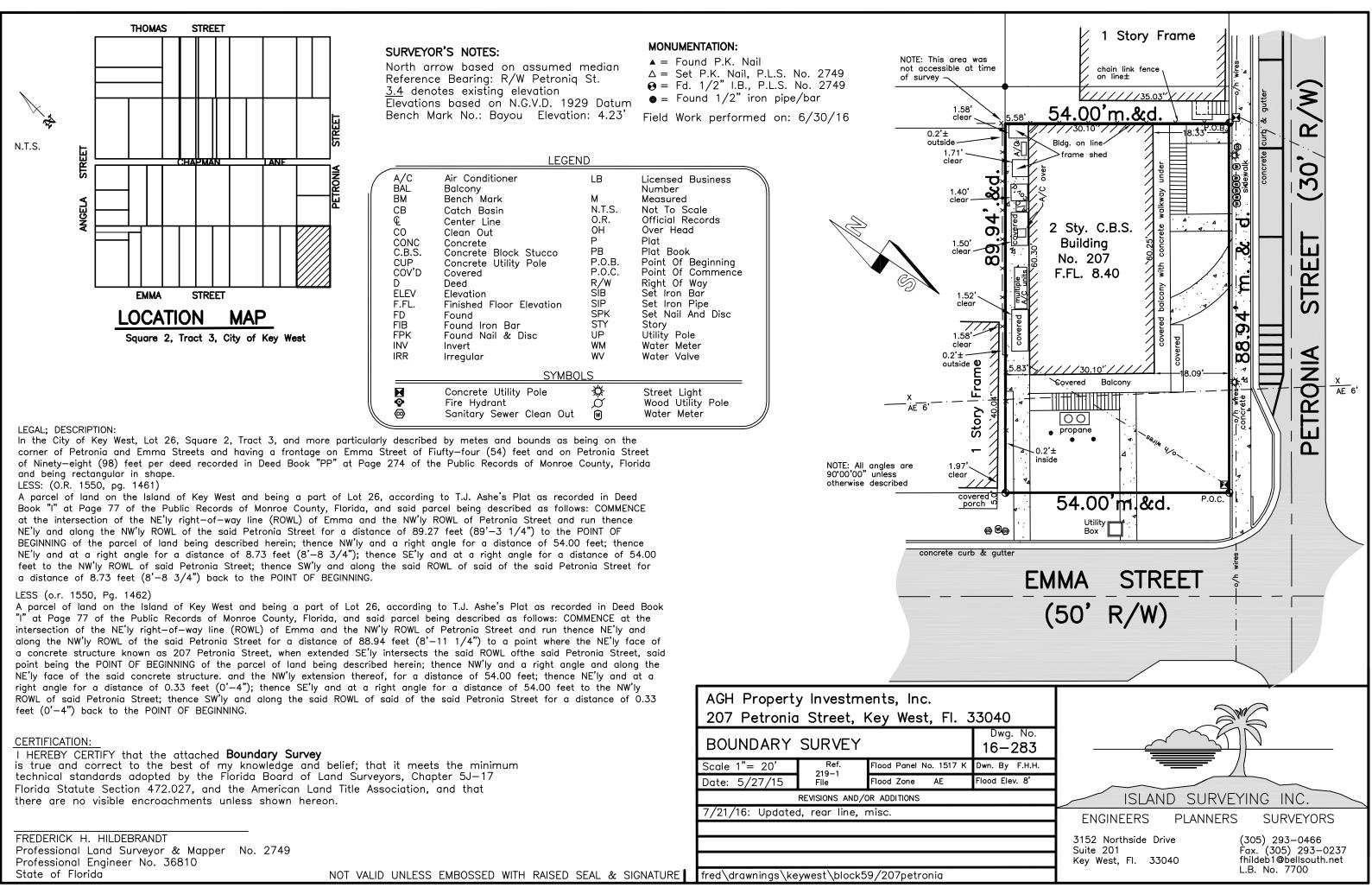
- 1. Completed Application
- 2. Check covering Application Fees (to be delivered separately)
- 3. Copy of the Property Record Card for 207 Petronia Street
- 4. Current Floor Plan (seating chart) for the restaurant,
- 5. A survey of the property from May 2015, and
- 6. Copy of the 2009 Conditional Use resolution from the original expansion date.

We are not making any changes to the site; no renovations have been made to the property since 2009 and none are planned.

An expansion of the restaurant footprint – an additional 535 square feet - originally took place back in 2009/2010. On July 30, 2009, the City of Key West Planning Board approved the conditional use of the expansion as a full-service restaurant. The proposed plan included an additional 25 seats for the new space.

Despite being approved for the additional seats, seating allowance on our licensing with the City of Key West was never updated. This application is simply to reconcile the number of seats we were approved for by the City of Key West Planning Bord against the number we were licensed for.

# Survey



AGH Property	•	-	77040
207 Petronia	Street, I	Key West, Fl. 3	
BOUNDARY	SURVEY		Dwg 16-
Scale 1"= 20'	Ref. 219−1	Flood Panel No. 1517 K	Dwn. By
Date: 5/27/15		Flood Zone AE	Flood Ele
	REVISIONS AND/0	OR ADDITIONS	
7/21/16: Updated	d, rear line, r	nisc.	

# **Property Card**

# Monroe County, FL

# **\*\*PROPERTY RECORD CARD\*\***

#### 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	00013740-000000
Account#	1014125
Property ID	1014125
Millage Group	11KW
Location	207 PETRONIA St, KEY WEST
Address	
Legal	KW PT LOT 26 SQR 2 TR 3 PP-274 OR1262-401/02 OR1279-786/88 OR1316-1452/53 OR1550-
Description	1454/62 OR1550-1466/72 OR1862-504 OR2106-1443 OR2481-787 OR2814-1256/57
the state	(Note: Not to be used on legal documents.)
Neighborhood	32060
Property Class	STORE COMBO (1200)
Subdivision	
Sec/Twp/Rng	06/68/25
Affordable	No
Housing	



#### Owner

HAPPY LION LLC 1822 Meadowbend Dr Longwood FL 32750

#### Valuation

and the second standard and a second standard and the second standard standard standard standard standard stand	2024 Certified Values	2023 Certified Values	2022 Certified Values	2021 Certified Values
+ Market Improvement Value	\$458,927	\$446,645	\$472,167	\$469,822
+ Market Misc Value	\$1,986	\$2,076	\$2,167	\$2,257
+ Market Land Value	\$1,057,876	\$1,057,876	\$1,057,876	\$769,365
<ul> <li>Just Market Value</li> </ul>	\$1,518,789	\$1,506,597	\$1,532,210	\$1,241,444
<ul> <li>Total Assessed Value</li> </ul>	\$1,518,789	\$1,502,146	\$1,365,588	\$1,241,444
- School Exempt Value	\$0	\$0	\$0	\$0
School Taxable Value	\$1,518,789	\$1,506,597	\$1,532,210	\$1,241,444

#### **Historical Assessments**

Year	Land Value	<b>Building Value</b>	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2024	\$1,057,876	\$458,927	\$1,986	\$1,518,789	\$1,518,789	\$0	\$1,518,789	\$0
2023	\$1,057,876	\$446,645	\$2,076	\$1,506,597	\$1,502,146	\$0	\$1,506,597	\$0
2022	\$1,057,876	\$472,167	\$2,167	\$1,532,210	\$1,365,588	\$0	\$1,532,210	\$0
2021	\$769,365	\$469,822	\$2,257	\$1,241,444	\$1,241,444	\$0	\$1,241,444	\$0
2020	\$653,960	\$488,868	\$2,347	\$1,145,175	\$1,145,175	\$0	\$1,145,175	\$0
2019	\$778,524	\$488,868	\$2,438	\$1,269,830	\$1,269,830	\$0	\$1,269,830	\$0
2018	\$778,524	\$443,790	\$2,528	\$1,224,842	\$1,224,842	\$0	\$1,224,842	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

#### Land

Land Use		Number of Units	and a souther a star	Unit Type	Frontage	Depth
(1200)	1.6 2.95	4,820.58		Square Foot	54	89.3
Buildings						
Building ID Style	39606			Exterior Walls Year Built	C.B.S. 1997	

wilding Name cross Sq Ft inished Sq Ft tories condition verimeter functional Obs icconomic Obs Depreciation % Interior Walls	0			Foundation Roof Type Roof Coverage Flooring Type Heating Type Bedrooms Full Bathrooms Half Bathrooms Grade Number of Fire PI	0 3 0 400 0
	escription	Sketch Area	Finished Area	Perimeter	
FLA FI	LOOR LIV AREA	3,600	3,600	0	
OPU O	P PR UNFIN LL	320	0	0	
000 0	P PR UNFIN UL	32	0	0	
OPF O	P PRCH FIN LL	376	0	0	
OUF O	P PRCH FIN UL	376	0	0	
				and the second	

# Yard Items

Description	Year Built	Roll Year	Size	Quantity	Units	Grade	
CONC PATIO	1996	1997	0x0	1	446 SF	2	

#### Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
9/1/2016	\$1,600,000	Warranty Deed		2814	1256	01 - Qualified	Improved		
8/2/2010	\$100	Quit Claim Deed		2481	787	11 - Unqualified	Improved		
4/19/2005	\$1,425,000	Warranty Deed		2106	1443	Q-Qualified	Improved		
2/25/2003	\$725,000	Warranty Deed		1862	0504	Q-Qualified	Improved		
7/1/1994	\$53,000	Warranty Deed		1316	1452	Q-Qualified	Vacant		
5/1/1993	\$10,600	Tax Deed	201	1262	401	J - Unqualified	Vacant		

#### Permits

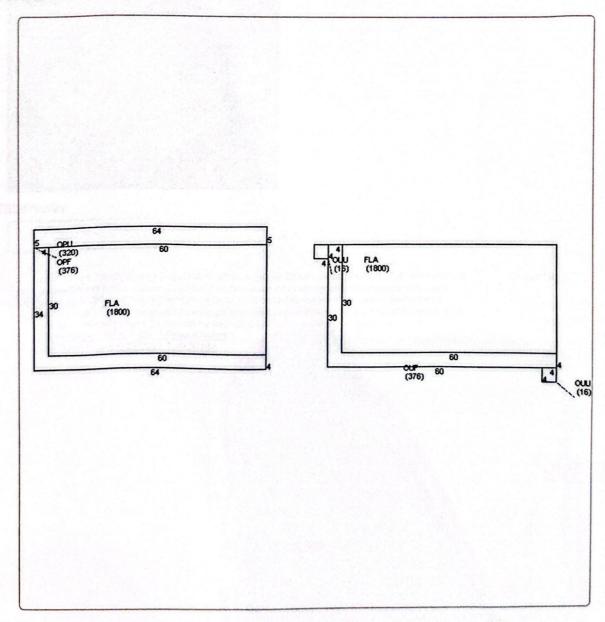
				Permit	
Number	Date Issued	Status	Amount	Туре	Notes
BLD2023- 1170	05/02/2023	Completed	\$4,400	Commercial	Roof top guard rail.
17-3464	10/11/2017	Active	\$0	Commercial	DEMO EXISTING EXTERIOR STAIRCASE AND BALCONY. CONSTRUCT AN NEW EXTERIOR WALL TO SCREEN THE WALK IN COOLER. EXTERIOR WALL SHALL HAVE HARDIBOARD SIDING AND COLONIAL SHUTTERS. A NEW DOOR SHALL BE INSTALLED ALONG THE REAR WALL OF THE BUILDING.
17- 00002757	07/24/2017	Completed	\$1,500	Commercial	RELOCATE (2) CONDESING UNITS TO ALLOW FOR FIRE EXIST DORR (ON BRACKETS), TO MATCH EXISTING CONDENSING UNITS. ELECTRIC BY OTHER. ** NOC EXEMPT*** HARC INSPECTION RQUIRED**
17- 00002772	07/24/2017	Completed	\$2,541	Commercial	REMOVE EXISTING FIRE SUPPRESSION SYSTEM, INCLUDING MECHANDICAL CONTROLS, DISCHARGE, PIPING, PULL STATION AND CABEL TO ACCOMMODATE INSTALLATION OF STANLESS STELL BACK SPLASH. REPLACE REMOVE SYSTEM COMPONENTS. **NOC EXEMPT**
17- 00002707	07/20/2017	Completed	\$2,500	Commercial	REPLACE EXISTING GAS LINES WITH NEW GAS LINES. CONNECT TO EXISTING TANKS (PROPANE) AND COOKING EQUIPMENT. **NOC EXEMPT** *HARC INSPECTION REQUIRED**
17-00002740	07/17/2017	Completed	\$8,600	Commercial	ROUGH IN AND TRIM OUT 4 FLOOR DRAINS 1 -FLOOR MOP SINK AND FAUCET, MOVE UTILITY SINK, MOVE 3 COMPARTMENT SINKS, MOVE 3 -COMPARTMENT SINKS, MOVE HAND SINK AND HOSE BIB. N.O.C REQUIRED. GH
17-2419	07/13/2017	Completed	\$8,225	Commercial	RENOVATIONS OF SANTIAGO'S BODEGA KITCHEN. INSTALL NEW EXIT DOOR COVER WALLS WITH STAINLESS STEEL PANELS. CUT, CHIP, DEMOLISH CONCRETE FLOOR AND REPALCE WITH EPOXY SURFACE CONCRETE FLOOR.
17- 00002642	07/11/2017	Completed	\$6,850	Commercial	DISCONNECTING AND RECONNECTING OF EXISTING A/C, DEVICES AND COVER PLATES, CONDUIT, WIRING ON WALLS AND A/C MINI SPLIT. ALL IN SAME LOCATIONS. **NOC REQUIRED**
15-4372	11/20/2015	Expired	\$2,000	Commercial	CONCRETE SLAB FOR PROPANE TANKS.
15-3190	08/03/2015	Completed	\$800	Commercial	ELECTRIC HOOK-UP OF A/C SPLIT UNIT.
15-2828	07/23/2015	Completed	\$2,450	Commercial	INSTALL 3 TON DUCTLESS A/C
10-3431	12/17/2010	Completed	\$3,600	Commercial	INSTALL 2 TON MINI-SPLIT SYSTEM.
10-3430	11/04/2010	Completed	\$3,800	Commercial	INSTALL BAR ELECTRIC FROM PREVIOUSLY INSTALLED 70 AMP SUB-PANEL INCLUDING BAR RECEPTACLES AND REFRIGERATOR OUTLETS.
10-3428	11/01/2010	Completed	\$4,600	Commercial	CONSTRUCT NEW BAR, WOOD FRAME APPROXIMATELY 30' X 3.5' CONSTRUCT NEW BACK BAR. INSTALL NEW WOOD SUB-FLOOR AND WOOD FLOORING. INTERIOR WORK ONLY.
10-3429	11/01/2010	Completed	\$5,500	Commercial	PLUMBING FOR 3-COMP SINK; 2 HANDSINKS, 2 ICEBINS, 1 DISHWASHER, 1 ESPRESSO MACHINE AND 2 FLOOR DRAINS.
10-2683	09/03/2010	Completed	\$300	Commercial	REVISION: FRAM ADN INSTALL ONE DOOR TO OFFICE.
10-2634	08/20/2010	Completed	\$4,300	Commercial	RELOCATE EXISTING ELECTRICAL PANEL TO NEW SEAM WALL APPROX 15. ADD 60 AMP BAR SUB-PANEL. ADD SMOKE DETECTORS, STROBE EXIT AND EMERGENCY LIGHTING. ELIMINATE EXISTING ELECTRICAL STUB-OUT AND CHANGE SWITCH.
10-2098	07/28/2010	Completed	\$3,200	Commercial	RENOVATION TO INTERIOR ONLY. DRYWALL, FLOORING, PAINT.
04-1815	06/03/2004	Completed	\$3,500	Commercial	ROOFING-METAL & RUBBER
03-3276	11/21/2003	Completed	\$12,000	Commercial	NEW ROOF OVERHANG, R&R RAILINGS
9802852	10/22/1998	Completed	\$1	Commercial	SIGNS
9802852	10/22/1998	Completed	\$1	Commercial	SIGNS
9703700	10/21/1998	Completed	\$10,000	Commercial	INSTALL FIXTURES ETC
9802431	08/05/1998	Completed	\$1,970		HOOD FIRE SYSTEM

Number	Date Issued	Status	Amount	Туре	Notes
9802295				Commercial	
9802295	07/21/1998		and the second se		
9801427	05/11/1998			Commercial	OUTLETS/SWITCHES ETC.
9801427	and the second second second	Caller Caller		Commercial	ELECTRICAL
9703700	04/27/1998	Completed	\$10,000	Commercial	RESTUARANT FRONT BLDG
9703700	04/22/1998	Completed	\$10,000	Commercial	RESTAURANT IN FRONT
9700798	03/09/1998	Completed	\$4,775	Commercial	ELECTRICAL
9700798	02/27/1998	Completed	\$4,775	Commercial	INSTALL WASHERS & HEATER
9700798	01/26/1998	Completed	\$4,775	Commercial	LAUNDRAMAT & OFFICE SPACE
9700798	01/25/1998	Completed	\$4,775	Commercial	CONS LAUNDRAMAT/OFF SPACE
9704799	06/01/1997	Completed	\$1		CENTRALAC
9704799	06/01/1997	Completed	\$1		PLUMBING
9704799	05/01/1997	Completed	\$1		22 SQS V-CRIMP ROOF
9704799	05/01/1997	Completed	\$1		ELECTRICAL
9704799	05/01/1997	Completed	\$1	Commercial	PLUMBING
9704799	03/01/1997	Completed	\$175,000	Commercial	NEW 2 STORY COMM/APTS

#### **View Tax Info**

# View Taxes for this Parcel

# Sketches (click to enlarge)







Map



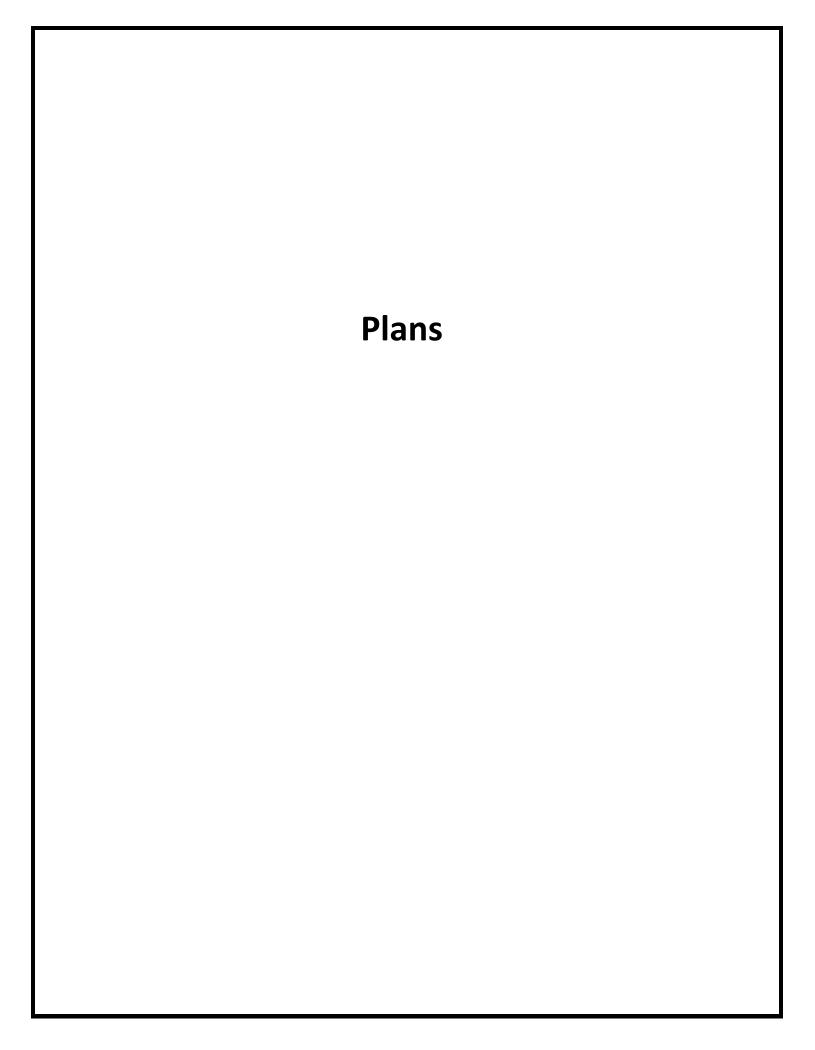
# **TRIM** Notice

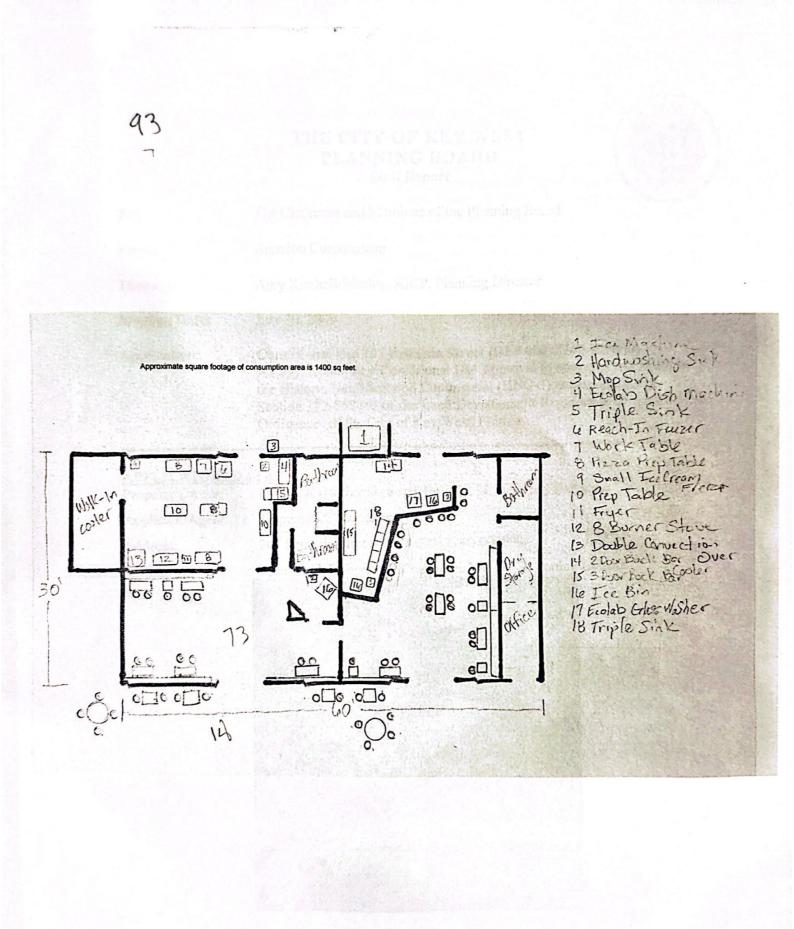
2024 TRIM Notice (PDF)

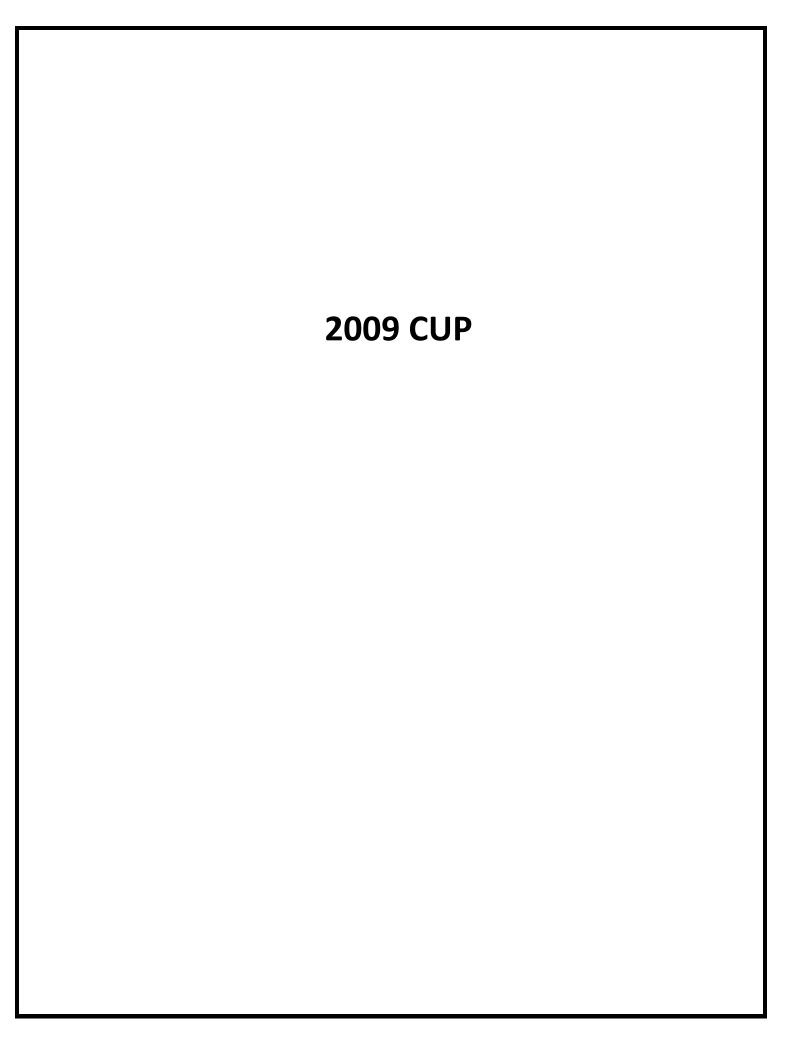
The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its 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 [User Privacy Policy | GDPR Privacy Notice Last Data Upload: 4/23/2025, 1:30:30 AM]

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# THE CITY OF KEY WEST PLANNING BOARD Staff Report



То:	The Chairman and Members of the Planning Board
From:	Brendon Cunningham
Through:	Amy Kimball-Murley, AICP, Planning Director
Meeting Date:	July 30, 2009
Application:	<b>Conditional Use 207 Petronia Street (RE# 00013740-000000)</b> An application for a Conditional Use Approval to operate a restaurant in the Historic Neighborhood Commercial (HNC-3) zoning district per Section 122-868 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

# **APPLICATION DATA**

Property Owner:	Florida Keys Development Board, LLC; c/o Eric Dickstein
Applicant/Agent:	Trepanier & Associates, Inc.
Address:	207 Petronia Street - RE# 00013740-000000
Zoning:	Historic Neighborhood Commercial (HNC-3) Zoning District



207 PETRONIA - CONDITIONAL USE W/IN HISTORIC DISTRICT 09-95500003 Page 1 of 6

#### REQUEST

The applicant is requesting a Conditional Use approval to convert a laundry into a restaurant/coffee shop with retail and catering service. A restaurant/coffee shop use is permitted as a conditional use in the HNC-3 zoning district. This project may be phased over time to include an outdoor dining are. However, this application addresses Phase I only and any future phases will be the subject of a separate application. The square footage associated with this application would allow up to 38 seats; however, 25 seats are proposed and due to ADA circulation needs more seats might be difficult to accomdate.

The restaurant will have 573 square feet of consumption area inside the existing commercial space and approximately 25 seats mixed between table and counter seating.

#### BACKGROUND

The subject property is located on Petronia Street between Emma Street and Baptist/Chapman Lanes. The building was built in 1997 for a restaurant and laundry on the first floor and apartments on the second floor. The restaurant and laundry uses have operated continuously since the building was built. Santiago's Bodega, existing and adjacent to the proposed coffee shop, is a specialty restaurant featuring a "Tapas" style menu geared toward lunch and dinner. The proposed project replacing the laundry is expected to serve a different market than the adjacent restaurant. In order to facilitate initiation of the new restaurant, the applicant proposes to develop the project in two phases. Phase one, the subject of this application, will consist of interior conversion of commercial space to allow 573 square feet of consumption area. Future phases may include outdoor dining and structural improvements; however, those future phases will be addressed by new applications at a later date.

#### SURROUNDING LAND USES

In general, the surrounding neighborhood is a mixture of commercial and residential properties. The adjacent land uses are:

North: single family house South: multifamily apartment building East: single family house West: convenience store

#### **PERMITTED USES, HNC-3**

- (1) Single-family and two-family residential dwellings.
- (2) Multiple-family residential dwellings.
- (3) Group homes with less than or equal to six residents as provided in section 122-1246.
- (4) Places of worship.
- (5) Business and professional offices.
- (6) Commercial retail low intensity less than or equal to 2,500 square feet.
- (7) Hotels, motels, and transient lodging.
- (8) Medical services.
- (9) Parking lots and facilities.

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(10) Veterinary medical services, without outside kennels.

### CONDITIONAL USES, HNC-3

- (1) Group homes with seven to 14 residents as provided in section 122-1246.
- (2) Cultural and civic activities.
- (3) Educational institutions and day care.
- (4) Nursing homes, rest homes and convalescent homes.
- (5) Parks and recreation, active and passive.
- (6) Protective services.
- (7) Public and private utilities.

(8) Commercial retail low intensity greater than 2,500 square feet to less than or equal to 5,000 square feet.

(9) Restaurants, excluding drive-through.

# ANALYSIS-EVALUATION- COMPLIANCE WITH CITY OF KEY WEST LDRs

According to Sections 122-61 (c) to 122-62 of the City of Key West Code of Ordinances, a conditional use of a building or structure may be permitted if the Planning Board finds that the application clearly demonstrates 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.

The current use of the subject space is a coin laundry. The applicant would like to convert the laundry to a restaurant use to provide a small scale coffee shop. The applicant has provided a concurrency analysis that addresses impacts to the subject property and the surrounding community (attached).

(2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure (i.e., refer to Chapter 94 to ensure concurrency management requirements are met) and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.

The original development application for this property addressed these issues, and requested and received variances to lot coverage and parking. The property is within the Historic Commercial Pedestrian-Oriented Area and this application is for a change in commercial use inside a commercial space built in 1997, which does not require additional parking. Further, since this is an interior renovation only, existing exterior conditions shall remain.

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(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.

The applicant does not propose to expand the building itself but rather change the use of the portion of commercial space that is presently used for a laundry. The site plan will not change as a result of this application.

(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 well fields, aquifer recharge areas, or other conservation resources.

Not Applicable; the restaurant operation will not generate hazardous waste.

(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.

The applicant will need to apply for building permits to start renovations, a Certificate of Occupancy to occupy the space and a business license to operate. Any additional applicable requirements need to be addressed with the County and State.

(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

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high hazard area V zone when alternative upland locations are not feasible on an upland site outside the V zone.

Not Applicable, the property is not located within a conservation area and is located in a FEMA designated AE 6 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-street parking; as well as possible required mitigative measures such as landscaping and site design amenities.

Not Applicable; the residential component of the property already exists.

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.

This is an existing mixed use commercial and residential property. Access to the commercial space is via two paved walkways from the City sidewalk and street. There are no other ingress/egress points relevant to this application. Per Section 108-573<sup>°</sup> of the Code, no additional off-street parking is required for a change in use in the historic commercial pedestrian-oriented area when the structure was built before 1998. No onsite parking is provided by the existing development.

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

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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.

Any exterior modifications are subject to HARC approval. At this time all activity will take place inside the building.

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.

#### Not Applicable

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.

Not Applicable

#### RECOMMENDATION

The Planning Department, based on criteria outlined in Section 122-62 of the City of Key West Code of Ordinances, recommends approval of the 573 square foot Phase I restaurant use.

207 PETRONIA - CONDITIONAL USE W/IN HISTORIC DISTRICT 09-95500003 Page 6 of 6

# PLANNING BOARD RESOLUTION NUMBER 2009-029

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A CONDITIONAL USE PERMIT TO OPERATE A RESTAURANT WITH 535 SQUARE FEET OF CONSUMPTION AREA AT PROPERTY LOCATED AT 207 PETRONIA STREET (RE#00013740-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is located in the Historic Neighborhood Commercial – 3 (HNC-3) zoning district; and

WHEREAS, the property currently operates as a coin laundry business; and

WHEREAS, Code Section 122-868(9) allows for restaurants as a conditional use within the HNC-3 zoning district; and

WHEREAS, the applicant filed a conditional use application to allow a restaurant within an existing commercial space; and

WHEREAS, the consumption area will total 535 square feet within the existing commercial space; and

WHEREAS, Sections 122-61 and 122-62 outline the criteria for reviewing a Conditional Use application; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on

Page 1 Resolution Number 2009-029

Chairman anning Director

July 30, 2009; and

WHEREAS, 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

WHEREAS, the approval of the conditional use application is consistent with the criteria in the Code;

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

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

Section 2. That a Conditional Use application, per Section 122-868 (9), under the Code of Ordinances of the City of Key West, Florida, is hereby approved for 535 square feet of consumption area for property located at 207 Petronia Street (RE#00013740-000000), as shown in the attached revised plans dated June 22, 2009 and clarified August 3, 2009.

Section 3. 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 the applicant's assertion of legal authority respecting the property.

Section 4. 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.

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lanning Director

Section 5. 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 will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit 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 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 6. It is a requirement of this conditional use that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this conditional use is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this conditional, shall be submitted in its entirety within twelve months after the date hereof; and further, that no application or reapplication for new construction for which the conditional use is wholly or partly necessary shall be made after expiration of the twelve month period without the applicant obtaining an extension from the Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

Read and passed on first reading at a regular meeting held this 30 day of  $W_{1}$ , 2009.

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

Richard Klitenick, Chairman Key West Planning Board

Adriet 4,2009

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Manning Director

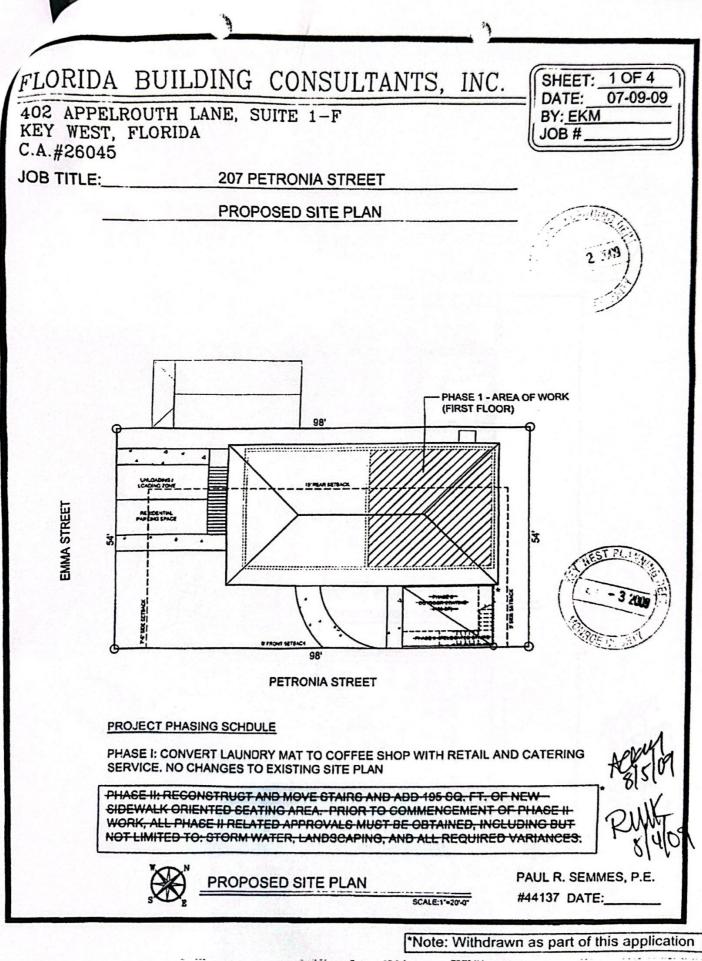
Mun lun Attest

Amy Kimball-Murley, AICP **Planning Director** 

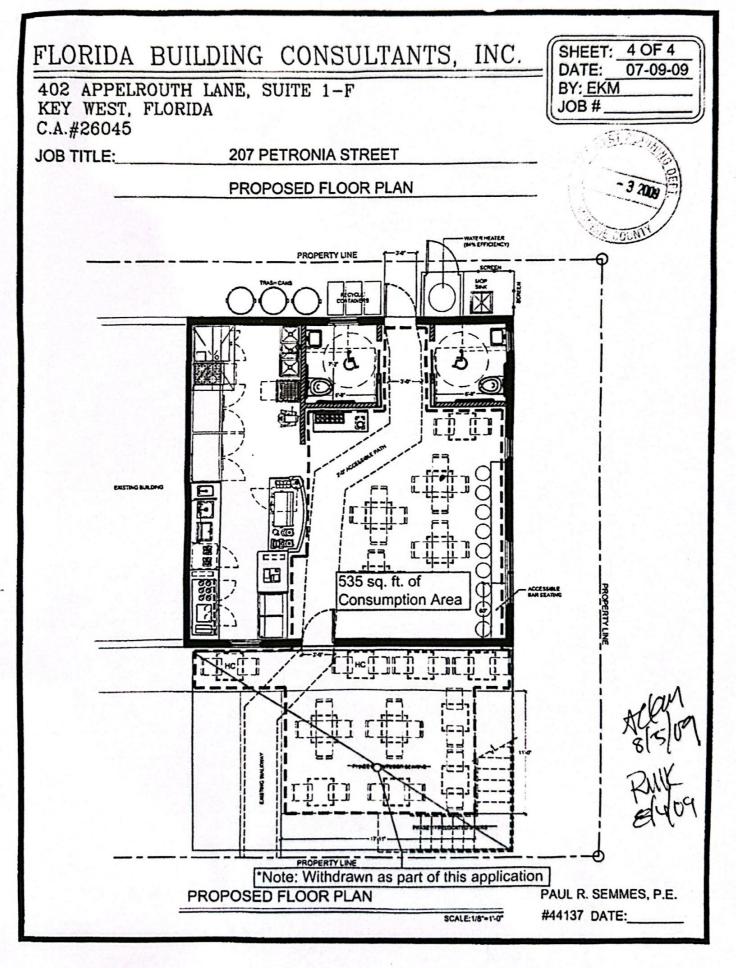
<u>August 5,009</u> Date <u>8-5-09</u> Filed with the Clerk: Date Cheryl Smith, City Clerk

Page 4 Resolution Number 2009-029

Chairman lanning Director



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# Verification & Authorization Forms

# Warranty Deed