



PLANNING BOARD Staff Report

To: Chairman and Planning Board Members

From: Brendon Cunningham, Senior Planner

Through: Donald Leland Craig, AICP, Planning Director

Meeting Date: April 18, 2013

Agenda Item: **Conditional Use – 2308 North Roosevelt Boulevard (RE# 00065710-000000; AK# 1068551)** – A request for conditional use approval to operate a motorcycle sales, rental and service shop at property located in the CG zoning district per Section 122-418 (20) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Applicant: Keys Cycles, Inc.

Property Owner: Rossi Family, LP

Location: 2308 North Roosevelt Boulevard, RE#000065710-000000, AK#1068551

Zoning: General Commercial (CG) zoning district



Background:

This project is proposed for property that fronts on North Roosevelt Boulevard. The property is comprised of a one-story c.b.s. and associated parking area. The building was constructed prior to the adoption of the current Land Development Regulations. The site is legal non-conforming to lot size, building setbacks and coverages. Most recently there was a package liquor store at this location. That commercial enterprise was in place since 1990 (23 years).

Request:

The applicant proposes to convert the building from the retail package store to a retail motorcycle sales, rental and repair shop. These uses are conditional within the CG zoning district. The applicant will use the building in its current configuration. There is no intent to expand the building or use the exterior for sales area. The interior will be divided into a display room, maintenance area, storage for motorcycles and storage for parts, a small office and storage for waste fluids and other items set for disposal.

Surrounding Zoning and Uses:

The adjacent land uses are commercial with residential dwellings at the rear.

North: Garrison Bight	C-OW (Conservation, Outstanding Waters of the State)
South: Residential	SF (Single Family Residential)
East: Goodyear Tire	CG (General Commercial)
West: Retail Strip	CG

Relevant Uses Permitted Conditionally: CG

- (16) Gas Stations
- (17) Light Industrial
- (18) Vehicular Sales and Related Services

Process:

Development Review Committee:	March 28, 2013
Planning Board Meeting:	April 18, 2013

Section 122-62 Specific Criteria for Approval: Conditional Use

Findings: The Planning Board may find that the application meets the Code purpose of ensuring 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.”

The following criteria form the basis for a finding of compliance.

Characteristics of Use Described:

- 1. Scale and Intensity**
 - a. Floor Area Ratio (FAR):**

The FAR in this zoning district is 0.8. The building is approximately 2100 square feet with property being approximately 4556 square feet thus having an FAR of 0.46. This is an existing building and will not be expanded.

b. Traffic Generation:

The proposed use is similar to an Automobile Service Center. Using the ITE Manual, 7th Edition, peak-hour traffic generation will likely be between 3.22 and 4.01 trips per 1000 square feet. The building is approximately 2000 square feet for an average of 7 trips during the busiest times of the day. However, in reality, this is a specialized use and will likely generate less traffic than the previous retail use.

c. Square Feet of Enclosed Building for Each Specific Use:

The existing building has a gross floor area of 2,112 square feet.

d. Proposed Employment

The applicant stated that there will be between two employees.

e. Proposed Number of Service Vehicles:

Not applicable; no service vehicles will be used during regular operations.

f. Off-Street Parking:

The existing parking spaces are not properly dimensioned and cross over onto the neighboring property. To meet required dimensions, and keep all parking on the property, the lot will be properly striped and result in 4 standard and 1 ADA accessible. As the site is limited in depth, the engineer has provided an additional foot to the width of the parking spaces for greater maneuverability.

2. On or Off site Improvements Required and Not Listed in Subsection (b)(1)

a. Utilities:

There were no comments or objections for the DRC regarding utility improvements from Keys Energy or FKAA.

b. Public facilities:

There is no residential use proposed. There will be no additional impact on public facilities such as recreation, schools and other community needs.

c. Roadway or Signal Improvements:

Not applicable; no changes are being proposed to roadway or signal improvements for this project. However, there is a substantial roadway improvement project on North Roosevelt Boulevard. A sidewalk will be installed in front of the property which will change ingress and egress points. Staff is recommending that a pole sign be removed and or relocated to facilitate the proposed entrance point as part of the road improvement project.

d. Accessory Structures or Facilities:

Not applicable; no accessory structures are proposed.

- e. **Other Unique Facilities/Structures Proposed as Part of On-Site Improvements:**
Not applicable, no unique changes will be made to the property.

3. On-Site Amenities Proposed to Enhance the Site and Planned Improvements.

a. Open Space:

The applicant is proposing no changes to open space on the site.

b. Setbacks from Adjacent Properties:

Setbacks from adjacent properties will remain the same.

c. Screening and Buffers:

The building and associated park area occupy the entire site. There is no space to provide screening other than for the trash receptacle.

d. Landscaped Berms Proposed to Mitigate Against Adverse Impacts to Adjacent Sites:

Landscape berms are not proposed and are not considered to be effective mitigation for this project.

e. Mitigative Techniques for Abating Smoke, Odor, Noise, and Other Noxious Impacts:

The proposed use will require storage of used batteries, oil and other fluids and tires used in the repair and maintenance of motorcycles. Fire reviewed the application and provided comments (attached as DRC Comments) regarding the awning over a concrete pad at the rear. It will require a “flame certificate” from the manufacturer attesting to its being fire retardant. That area will be used for the storage for the materials listed above. Staff is recommending that the covered area be completely enclosed to lessen the impact on neighbors to the rear.

Criteria for Conditional Use Review and Approval: Applications For a Conditional Use Review Shall Clearly Demonstrate the Following:

1. Land Use Compatibility:

The project is consistent with existing commercial uses of a similar nature. In the near vicinity there is another motorcycle sales and repair shop, a Goodyear Tire store, an auto detailer and carwash and a NAPA Auto Parts store.

2. Sufficient Site Size, Adequate Site Specifications and Infrastructure to Accommodate the Proposed Use:

The property was established and developed prior to the current Land Development Regulations. As such, the building and parking area do not meet the current dimensional requirements for coverages, setbacks, and parking area. The Engineering Department reviewed the site plan for compliance (attached as DRC Comments)

Specifically, the existing 90 degree angled parking spaces require a 24 foot drive aisle. Angling them at 45 degrees allows for a 20 foot drive aisle. Due to road improvements on North Roosevelt Boulevard, there will only be 18 feet available for a drive aisle.

Therefore as this is an existing circumstance that cannot be alleviated, staff recommends that a cross access easement be sought between the owners of 2300 and 2308 North Roosevelt Boulevard to enable better vehicular circulation during peak-hour traffic times.

3. Proper Use of Mitigative Techniques:

The use will not have an adverse impact on public facilities as there is no residential component requiring an increase in park, school, community center or other public use.

4. Hazardous Waste:

The proposed use will require interior storage of used batteries, oil and other fluids used in the repair and maintenance of motorcycles.

5. Compliance with Applicable Laws and Ordinances:

The applicant will comply with all applicable laws and regulations as a condition of approval. The existing pole sign is non-conforming. Its location is in conflict with the proposed FDOT entrance to the site. It is to be removed and/or replaced and will come into compliance with Section 114 which requires the sign to be 12 feet from the edge of pavement edges.

6. Additional Criteria Applicable to Specific Land Uses. Applicants Shall Demonstrate the Proposed Conditional Use Satisfies the Following Criteria:

a. Land Uses Within a Conservation Area:

Not applicable; the site is not located in a conservation area.

b. Residential Development:

Not applicable; residential development is not proposed.

c. Commercial or Mixed Use Development:

This is the continuation of commercial activity.

d. Development Within or Adjacent to Historic Districts:

Not applicable; the proposed facility is not located within an historic district.

e. Public Facilities or Institutional Development:

Not applicable; this is a commercial enterprise.

f. Commercial Structures, Uses and Related Activities Within Tidal Waters:

Not applicable; this site is not located within tidal waters.

g. Adult Entertainment Establishments:

Not applicable; no adult entertainment is being proposed.

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends the request for Conditional Use be **approved** with the following conditions:

Condition to be completed prior to the issuance of a building final:

1. The covered area at the rear of the property shall be enclosed for the storage of waste fluids and other items set for disposal.
2. The parking lot will be properly striped.
3. The pole sign will be removed to facilitate ingress/egress onto the property.
4. The trash receptacle shall be relocated and screened.
5. A cross access easement be sought between the owners of 2300 and 2308 North Roosevelt Boulevard to enable better vehicular circulation during peak-hour traffic times.
6. Adhere to applicable Engineering comments.

Conditions subject to a Conditional Approval Permit, per Ordinance Number 10-22:

Conditions subject to associated annual inspection:

7. There will be no outdoor storage of waste fluids and other items set for disposal.
8. There will be no outdoor storage of motorcycles visible from the Public Right of Way.
9. Adhere to Fire Department requirements.

Draft Resolution

**PLANNING BOARD RESOLUTION
NUMBER 2013-**

**A RESOLUTION OF THE KEY WEST
PLANNING BOARD GRANTING APPROVAL
OF A CONDITIONAL USE APPROVAL PER
SECTION 122-62 FOR PROPERTY LOCATED
AT 2308 NORTH ROOSEVELT BOULEVARD
(RE# 000365710-000000, AK#1068543), KEY
WEST FLORIDA; PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the subject property is located in the General Commercial (CG), zoning district;
and

WHEREAS, the applicant requested an approval of a Conditional Use application to allow
the sale, rental and repair of motorcycles and, scooters in the CG zoning district; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on
April 18th, 2013; and

WHEREAS, the granting of a Conditional Use is consistent with the criteria in the code; and

WHEREAS, the recommendation of approval of the Conditional Use application is in
harmony with the general purpose and intent of the Land Development Regulations, and will not be

_____Chairman

_____Planning Director

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 if fully set forth herein.

Section 2. That a Conditional Use application per Section 122-62 under the Code of Ordinances of the City of Key West, Florida, is hereby approved for property located at 2308 North Roosevelt Boulevard (RE#00065710-000000, AK#1068551) with the following conditions:

Condition to be completed prior to the issuance of a building final:

1. The covered area at the rear of the property shall be enclosed for the storage of waste fluids and other items set for disposal.
2. The parking lot will be properly striped.
3. The pole sign will be removed to facilitate ingress/egress onto the property.
4. The trash receptacle shall be relocated and screened.
5. A cross access easement be sought between the owners of 2300 and 2308 North Roosevelt Boulevard to enable better vehicular circulation during peak-hour traffic times.
6. Adhere to applicable Engineering comments.

Conditions subject to a Conditional Approval Permit, per Ordinance Number 10-22:

Conditions subject to associated annual inspection:

7. There will be no outdoor storage of waste fluids and other items set for disposal.
8. There will be no outdoor storage of motorcycles visible from the Public Right of Way.
9. Adhere to Fire Department requirements.

Section 3. This Conditional Use approval, does not constitute a finding as to ownership or

_____Chairman

_____Planning Director

right to possession of the property, and assumes, without finding, the correctness of 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.

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 or development order will be rendered to the Florida Department of Economic Opportunity. 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.

Read and passed on first reading at a meeting held this 18th day of April, 2013.

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

_____Chairman

_____Planning Director

Richard Klitenick, Planning Board Chairman

Date

Attest:

Donald Leland Craig, AICP, Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date

Draft

_____Chairman

_____Planning Director



Brendon Cunningham <bcunning@keywestcity.com>

2308 N. Roosevelt Blvd. Key Cycle

1 message

Jason Barroso <jbarroso@keywestcity.com>

Wed, Apr 10, 2013 at 1:29 PM

To: bcunning@keywestcity.com

Cc: keyscycles@yahoo.com, Danny Blanco <dblanco@keywestcity.com>

Brendon,

Good afternoon, I have spoken with Lance from Keys Cycles South and he informed me of the quantity and type of liquids being stored.

One 55 gallon metal container will be used for 2 cycle oil , one 55 gallon container will be for used oil filters, and one 5 gallon container of gasoline for the motorcycles.

Please find listed below the Fire Marshal requirements for the outside covered storage area in the back of Keys Cycle located at 2308 N. Roosevelt Blvd.

- 1) Metal containers do not exceed 55 gallons and no more than two containers to be stored. Containers cannot be stacked on top of each other.
- 2) Metal containers shall meet the requirements of NFPA 30 and used for petroleum products within the scope of the following specifications:
 - (a) ASTM F 852, Standard Specification for Portable Gasoline Containers for Consumer Use
 - (b) ASTM F 976, Standard Specification for Portable Kerosene and Diesel Containers for Consumer Use
 - (c) ANSI/UL 1313, Standard for Nonmetallic Safety Cans for Petroleum Products
 - (d) ANSI/UL 30, Standard for Metal Safety Cans
 - (e) ANSI/UL 1314, Standard for Special Purpose Metal Containers
 - (f) FM Global Approval Standard for Safety Containers and Filling, Supply, and Disposal Containers — Class Number 6051 and 6052
- 3) At least one portable fire extinguisher having a capability of not less than 40:B shall be located outside of, but not more than 10 ft. from the door opening into a liquid storage area.
- 4) Canvas for the covered container storage area shall meet the requirements of NFPA 701. Owner/contractor to provide a flame certificate from the manufacturer to the City of Key West Building Department/Fire Marshal office.

5) An approved flammable liquids cabinet shall be required for the storage of more than 5 gallons of gasoline.

Please let me know if you have any questions,

Jason Barroso Lt. FIRE INSPECTOR
Key West Fire Department
1600 N. Roosevelt Blvd.
Key West, Florida 33040
305-809-3933 Office
305-293-8399 Fax
jbarroso@keywestcity.com
Serving the Southernmost City



THE CITY OF KEY WEST

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

Engineering Services Comments
Development Review Committee
March 28, 2013

Keys Cycles South
2308 North Roosevelt Boulevard
Conditional Use Application

Pursuant to Code of Ordinances, Article II of Chapter 108, the following comments pertaining to the Site Plan, dated April 3, 2013, and the Conditional Use Application for motorcycle retail, rental and service at the property located at 2308 North Roosevelt Boulevard are provided:

Parking

One ADA accessible and four standard vehicle parking spaces are proposed, all with 90 degree parking space angles and 18-foot aisle. Pursuant to Sec. 108-641, aisle width for 90 degree parking spaces shall be minimum 24 feet. However, aisle widths for parking spaces angled at 45 degrees may be 20 feet for two-way travel. Please revise the proposed Site Plan to show parking area with two-way driveway width sufficient to meet dimensions allowed in Sec. 108-641.

Entrance

The future access entrance, as shown on the North Roosevelt Boulevard FDOT construction plans, will create an obstruction with the existing sign. Where, the proposed driveway will be constructed in the location of the existing sign. Please coordinate with FDOT District Six Construction Department, to move the future access entrance away from the existing sign.

Solid Waste

The proposed Site Plan shows a dumpster partially located on the adjacent property. The dumpster shall be located in accordance with Sec. 108-279 and -280, screened from adjacent properties and the public right-of-way, set on a container pad, six-feet from any building, not located within a parking space or landscape area.

The 55-gallon trash can storage area should provide sufficient capacity for recycle, trash, cardboard, bulk materials. The Site Plan indicates the trash storage area will be screened from the adjacent property and public right-of-ways with fence enclosure.

Application

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



Development Plan & Conditional Use Application

Applications will not be accepted unless complete

Development Plan

Major _____
Minor _____

Conditional Use

Historic District

Yes _____
No

Please print or type:

- 1) Site Address 2308 N. Roosevelt Blvd., Key West, FL
2) Name of Applicant Keys Cycles, Inc.
3) Applicant is: Owner _____ Authorized Representative
(attached Authorization and Verification Forms must be completed)

4) Address of Applicant 2040 Overseas Hwy 1
Marathon, FL 33050

5) Applicant's Phone # 954 297 6244 Email _____

6) Email Address: Keyscycles@yahoo.com

7) Name of Owner, if different than above Rossi Family LLLP

8) Address of Owner 24 Hilton Haven, Key West, FL 33040

9) Owner Phone # _____ Email _____

10) Zoning District of Parcel CG RE# 00065710-000000

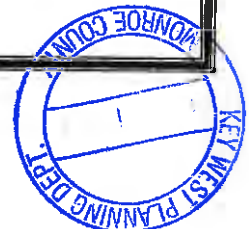
11) Is Subject Property located within the Historic District? Yes _____ No

If Yes: Date of approval _____ HARC approval # _____

OR: Date of meeting _____

- 12) Description of Proposed Development and Use. Please be specific, list existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc. If there is more than one use, describe in detail the nature of each use (Give concise description here and use a separate sheet if necessary).

Applicant is proposing a motorcycle repair and retail shop. There will be no changes to the existing building or property.



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13) Has subject Property received any variance(s)? Yes _____ No X *to the best of applicant's knowledge*
If Yes: Date of approval _____ Resolution # _____

Attach resolution(s).

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

Yes _____ No ✓

If Yes, describe and attach relevant documents.

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

B. For *Conditional Uses* only, also include the **Conditional Use Criteria** required under Chapter 122, Article III, Sections 122-61 and 122-62 of the Land Development Regulations (see attached copy of criteria).

C. For *Major Development Plans* only, also provide the **Development Plan Submission Materials** required under Chapter 108, Article II, Division 7, Sections 108-226 through 108-248 of the Land Development Regulations (see attached copy of criteria) and any additional information as determined by the Planning Staff.

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

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



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.
- (c) Criteria for conditional use review and approval. Applications for a conditional use shall clearly demonstrate the following:

DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION
City of Key West Planning Department
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- (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-street parking; as well as possible required mitigative measures such as landscaping and site design amenities.

DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION
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- 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.

BACKGROUND

The property is located at 2308 North Roosevelt Blvd. The structure is a commercial building consisting of approximately 2,112 square feet. Previous commercial uses have included a liquor store.

REQUEST

This request is for the conditional use of a commercial space. The applicant is proposing a motorcycle retail and service shop. The hours of operation are proposed between the hours of 9:00 a.m. and 6 p.m. Monday through Saturday.

USES PERMITTED PER SECTION 122-417, CODE OF ORDINANCES

1. Group homes with less than or equal to six residents.
2. Cultural and civic activities.
3. Hospitals and extensive care.
4. Places of Worship.
5. Business and professional offices.
6. Commercial retail low and medium intensity less than or equal to 10,000 square feet.
7. Commercial retail high intensity less than or equal to 5,000 square feet.
8. Hotels, motels, and transient lodging.
9. Medical services.
10. Parking lots and facilities.
11. Restaurants, with or without drive-through.
12. Veterinary medical services with or without outside kennels.

CONDITIONAL USES PERMITTED PER SECTION 122-418, CODE OF ORDINANCES

1. Single-family/two-family residential dwelling.
2. Multiple-family residential dwellings.
3. Group homes with seven to fourteen residents.
4. Community centers, clubs and lodges.
5. Educational institutions and day care.
6. Nursing homes, rest homes and convalescent homes.
7. Parks and recreation, active and passive.
8. Protective services.
9. Public and private utilities.
10. Bars and lounges.
11. Boat sales and service.

12. Commercial retail low and medium intensity greater than 10,000 square feet.
13. Commercial retail high intensity greater than 5,000 square feet.
14. Commercial amusement.
15. Funeral homes.
16. Gasoline stations.
17. Light industrial.
18. Marinas.
19. Small recreational power-driven equipment rentals (allowed only as an accessory use to a hotel/motel).
20. Vehicular sales and related services.
21. Tattoo establishments.

CONDITIONAL USE CRITERIA

Characteristics of Use Described:

The applicant is proposing a motorcycle repair and retail shop.

- (1)
 - (a) Floor area ratio: There are no proposed changes to F.A.R. with this conditional use application. The F.A.R. for this commercial unit is approximately .407.
 - (b) Traffic Generation: The proposed conditional use compared to the existing use on the site should produce similar traffic.
 - (c) Square footage of enclosed building for each specific use: The building is one story with approximately 2,112 square feet of commercial use.
 - (d) Proposed employment: There will be 2 – 4 employees working on site at any given time.
 - (e) Proposed number of service vehicles: The applicant is expecting two deliveries per week. The delivery/service traffic of the proposed use is less than the weekly delivery traffic of the previous business.
 - (f) Off-street parking needs: The establishment has a parking lot consisting of six (6) parking spaces and one (1) handicapped space.
- (2) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection (1) of this section including the following:

- (a) No utility changes are expected as a result of the proposed conditional use. Keys Energy Services and Florida Keys Aqueduct Authority have no objections to the proposed conditional use.
 - (b) Public Facilities: No changes to public facilities are required to ensure compliance with concurrency management as provided in chapter 94 of the City Code. There are no expected changes regarding level of services for potable water, sanitary sewer, or drainage. Additionally, it is anticipated that the proposed change in use would not have an adverse impact on roadway capacity or trip generation.
 - (c) Roadway or signalization improvements, or other similar improvements: No changes are required or proposed to roadway or signal improvements.
 - (d) Accessory structures or facilities; No accessory structure or facilities are generated by the proposed conditional use.
 - (e) Other unique facilities/structures proposed as part of site improvements: the proposed conditional use does not include plans for any unique facilities or structures.
- (3) On-site amenities proposed to enhance the site and planned improvements: The applicant is not proposing any exterior changes to the site.
- (a) Open Space – The applicant is not proposing any changes to open space on site.
 - (b) Setbacks from adjacent property: No changes are proposed that would alter structural setbacks.
 - (c) Screening and buffers: No additional screening or buffers are proposed.
 - (d) Landscaped berms proposed to mitigate against adverse impacts to adjacent sites: No landscaped berms are proposed.
 - (e) Mitigative techniques for abating smoke, odor, noise, and other noxious impacts: The hours of operation are similar to those of surrounding commercial operations. Other noxious impacts are not anticipated or expected as a result of the proposed conditional use.

Criteria for conditional use review and approval:

1. Land use compatibility: The proposed conditional use is compatible and harmonious with adjacent land use and will not

adversely impact land use activities in the immediate vicinity. There will be no increased traffic as a result of this proposed conditional use.

2. Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site are adequate to accommodate the proposed scale and intensity of the conditional use request. No proposed changes to access or internal circulation are proposed. The applicant intends to use the existing infrastructure on the site for the retail and repair shop.
3. Proper use of mitigative techniques: The requested conditional use will not adversely impact the adjacent land uses. Additional adverse impacts detrimental to the general public health, safety and welfare are not anticipated.
4. Hazardous Waste: Not applicable. No hazardous waste will be generated by the proposed conditional use.
5. Compliance with Applicable Laws and Ordinances: The applicant will comply with all applicable laws and regulations as a condition of approval.
6. Additional Criteria Applicable to Specific Land Uses. Applicants Shall Demonstrate the Proposed Conditional Use Satisfies the Following Criteria:
 - a. Land Uses within a Conservation Area: Not applicable. The site is not located in a conservation area.
 - b. Residential Development: Not applicable. There is no residential development proposed.
 - c. Commercial or Mixed Use Development: Not applicable. No commercial or mixed use development is proposed.
 - d. Development within or Adjacent to Historic Districts: The proposed site is not within the City's Historic District.
 - e. Public Facilities or Institutional Development: Not applicable. No public facilities or institutional development are being proposed.
 - f. Commercial Structures, Uses and Related Activities Within Tidal Waters: Not applicable. This site is not located within tidal waters.
 - g. Adult Entertainment Establishments: Not applicable.

Verification

City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an entity)

I, Lance Hummell, in my capacity as President
(print name) (print position; president, managing member)
of Keys Cycles, Inc.
(print name of entity serving as Authorized Representative)

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

2308 N. Roosevelt Blvd., Key West, FL 33040
Street Address of subject property

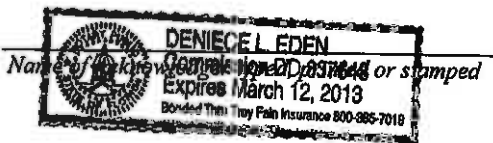
All of the answers to the above questions, drawings, plans and any other attached data which make up the application, are true and correct to the best of my knowledge and belief. In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect,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

Lance Hummell
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 2/21/2013 by
Lance Hummell
Name of Authorized Representative date

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

Deniece Eden
Notary's Signature and Seal



Commission Number, if any

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS[Events](#) **No Name History**

Entity Name Search

[Return to Search Results](#)**Detail by Entity Name****Florida Profit Corporation**

KEYS CYCLES, INC.

Filing Information

Document Number	P10000068975
FEI/EIN Number	273299138
Date Filed	08/23/2010
State or Country	FL
Status	ACTIVE
Last Event	AMENDMENT
Event Date Filed	01/18/2012
Event Effective Date	NONE

Principal Address2040 OVERSEAS HIGHWAY
MARATHON, FL 33050**Mailing Address**2040 OVERSEAS HIGHWAY
MARATHON, FL 33050**Registered Agent Name & Address**ISHERWOOD AND KYLE, P.A.
11400 OVERSEAS HIGHWAY
211
MARATHON, FL 33050**Officer/Director Detail****Name & Address**

Title P

HUMMELL, LANCE
2040 OVERSEAS HIGHWAY
MARATHON, FL 33050

Title VP

PHILCOX, PATRICIA
2040 OVERSEAS HIGHWAY
MARATHON, FL 33050**Annual Reports**

Authorization

**City of Key West
Planning Department**



Authorization Form
(Where Owner is a Business Entity)

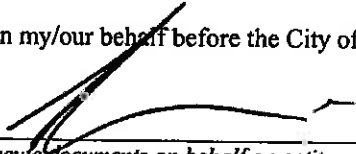
Please complete this form if someone other than the owner is representing the property owner in this matter.

I, Mark Rossi, President of M&H Enterprises of the Florida Keys, Inc.
Please Print Name of person with authority to execute documents on behalf of entity

sole general partner of Rossi Family LLLP
Name of office (President, Managing Member) Name of owner from deed

authorize Lance Hummell of Keys Cycles, Inc.
Please Print Name of Representative

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


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

Subscribed and sworn to (or affirmed) before me on this 11/21/13 by
date

Mark Rossi
Name of Authorized Representative

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

Jason A Moore
Notary's Signature and Seal

JASON MOORE
Name of Acknowledger typed, printed or stamped



EE 853099
Commission Number, if any

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS[Events](#) [Name History](#)

Entity Name Search

[Return to Search Results](#)**Detail by Entity Name****Florida Limited Partnership**

ROSSI FAMILY LLLP

Filing Information

Document Number	A02000000972
FEI/EIN Number	320022148
Date Filed	07/18/2002
State or Country	FL
Status	ACTIVE
Last Event	LP AMENDMENT AND NAME CHANGE
Event Date Filed	08/18/2010
Event Effective Date	NONE

Principal Address24 HILTON HAVEN DRIVE
KEY WEST, FL 33040

Changed: 07/19/2010

Mailing AddressP.O. BOX 1527
KEY WEST, FL 33041**Registered Agent Name & Address**G B & B-B REGISTRIES, LLC
7301 SW 57TH COURT
SUITE 560
SOUTH MIAMI, FL 33143

Name Changed: 08/18/2010

Address Changed: 08/18/2010

General Partner Detail**Name & Address**

Document Number P94000085085

M & M ENTERPRISES OF THE FLORIDA KEYS, INC
P.O. BOX 1527
KEY WEST, FL 33041**Annual Reports**

Report Year	Filed Date				
2011	02/03/2011				
2012	02/13/2012				
2013	03/20/2013				
Home	Contact Us	E-Filing Services	Document Searches	Forms	Help
<u>Document Images</u>					
03/20/2013 -- ANNUAL REPORT			View image in PDF format		
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02/03/2011 -- ANNUAL REPORT			View image in PDF format		
08/18/2010 -- LP Amendment and Names Change			View image in PDF format		
07/19/2010 -- REINSTATEMENT			View image in PDF format		
04/30/2008 -- ANNUAL REPORT			View image in PDF format		
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05/05/2005 -- ANNUAL REPORT			View image in PDF format		
04/15/2004 -- ANNUAL REPORT			View image in PDF format		
08/28/2003 -- ANNUAL REPORT			View image in PDF format		
07/18/2002 -- Domestic LP			View image in PDF format		
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FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS[Events](#) **No Name History**

Entity Name Search

[Return to Search Results](#)**Detail by Entity Name****Florida Profit Corporation**

M & M ENTERPRISES OF THE FLORIDA KEYS, INC.

Filing Information

Document Number	P94000085085
FEI/EIN Number	650542561
Date Filed	11/22/1994
State or Country	FL
Status	ACTIVE
Last Event	REINSTATEMENT
Event Date Filed	01/07/2011
Event Effective Date	NONE

Principal Address24 HILTON HAVEN DR.
KEY WEST, FL 33040

Changed: 05/19/2009

Mailing AddressP.O. BOX 1527
KEY WEST, FL 33041

Changed: 05/19/2009

Registered Agent Name & AddressROSSI, MARK
202 DUVAL ST
KEY WEST, FL 33040

Name Changed: 01/07/2011

Address Changed: 05/05/2006

Officer/Director Detail**Name & Address**

Title P

ROSSI, MARK
202 DUVAL ST
KEY WEST, FL 33040**Annual Reports**

Report Year	Filed Date
2011	01/07/2011
2012	01/19/2012
2013	03/20/2013

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 State of Florida, Department of State

Deed

\$689,582.71

Doc# 1908792 11/27/2012 4:09PM
Filed & Recorded in Official Records of
MONROE COUNTY AMY HEAVILIN

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: 12-398-EJ
Will Call No.:

11/27/2012 4:08PM
DEED DOC STAMP CL: MT \$4,827.20

Doc# 1908792
Bk# 2600 Pg# 106

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Warranty Deed

This Warranty Deed made this 21st day of November, 2012 between Conch Republic Liquors, Inc., a Florida corporation formerly known as Conch Spirits, Inc., a Florida corporation whose post office address is 2308 N. Roosevelt Blvd., Key West, FL 33040, grantor, and Rosal Family LLLP whose post office address is 24 Hilton Haven, 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: 00065710-000000

Subject to conditions, limitations, restrictions and easements of record and taxes for the year 2013 and subsequent years.

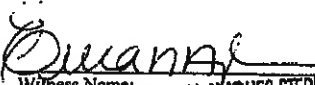

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

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, 2012.

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:


Witness Name: ERICA N. HUGHES STERLING

Witness Name: JENNY M. STERLING

Conch Republic Liquors, Inc., a Florida corporation

By: 
Lori D. Salter, President/Secretary/ Treasurer

State of Florida
County of Monroe

The foregoing instrument was acknowledged before me this 21st day of November, 2012 by Lori D. Salter, President/Secretary/ Treasurer of Conch Republic Liquors, Inc., a Florida corporation, on behalf of said firm. He/she [] is personally known or [X] has produced a driver's license as identification.

[Notary Seal]




Notary Public

Printed Name: _____

My Commission Expires: _____

EXHIBIT "A"

On the Island of Key West, and being a part of Parcel 13 as shown on a plat of survey of lands on the Island of Key West, according to the plat thereof as recorded in Plat Book 3, Page 35, of the Public Records of Monroe County, Florida, being more particularly described as follows:

Commencing at the Easterly line of Lot 2, Block 48, KEY WEST REALTY COMPANY'S SUBDIVISION, as recorded in Plat Book 1, Page 43, of the Public Records of Monroe County, Florida, extended Northwesterly to its intersection with the Southeasterly right-of-way line of North Roosevelt Boulevard; thence North $45^{\circ} 36' 40''$ East 10.08 feet to the Point of Beginning; thence continuing along said Southeasterly right-of-way line of North Roosevelt Boulevard for a distance of 50.40 feet; thence South $37^{\circ} 17' 20''$ East 90.39 feet; thence at right angles and in a Southwesterly direction 50.00 feet; thence North $37^{\circ} 17' 20''$ West 84.17 feet, back to the Point of Beginning.

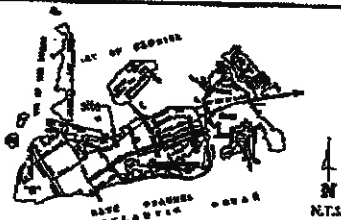
Doc# 1908792
BKN 2600 Pg# 107

ALSO

Commencing at the Easterly line of Lot 2, Block 48, KEY WEST REALTY COMPANY'S SUBDIVISION, as recorded in Plat Book 1, Page 43, of the Public Records of Monroe County, Florida, extended Northwesterly to its intersection with the Easterly boundary of Salt Pond, Lot 1, as described on William A. Whitehead's Map of the said Island of Key West, delineated in February, A.D. 1829, Point of Beginning; thence in a Northerly direction along said Easterly boundary of said Salt Pond, Lot 1, extended, for a distance of Thirteen (13) feet, more or less, where said boundary, extended, intersects with the Southeasterly right-of-way of Roosevelt Boulevard; thence in an Easterly direction along the said Southeasterly right-of-way of Roosevelt Boulevard a distance of six and eight hundredths (6.08) feet to the Southwesterly property line of land conveyed by Warranty Deed dated August 30, 1955, from Philip C. Toppino and Marie Madeline Toppino, his wife, as grantors, to Antonio Deschamps and Claudia may Deschamps, his wife, as grantees, recorded in Official Records Book 42, Pages 352-353, Monroe County, Florida, Public Records; thence South $37^{\circ} 17' 20''$ East for a distance of 84.17 feet; thence at right angles in a Southwesterly direction a distance of ten (10) feet; thence at right angles in a Northwesterly direction a distance of 71.92 feet, more or less, to the Point of Beginning.

Survey

TH. ERIN
 Keys Cycles South:



LOCATION MAP
 City of Key West
 and Stock Island

LEGAL DESCRIPTION:
 On the island of Key West, and being a part of Parcel 13 as shown on a plat of survey of lands on the island of Key West, according to the plat thereof, recorded in Plat Book 3, Page 35, of the Public Records of Monroe County, Florida, being more particularly described as follows:
 Commencing at the Eastern line of Lot 2, Block 48, KEY WEST REALY COMPANY'S SUBDIVISION, as recorded in Plat Book 1, Page 44, of the Public Records of Monroe County, Florida, extended Northwesterly to its intersection with the Southeastery right-of-way line of North Roosevelt Boulevard; thence N 43°36'40" E 10.00 feet to the Point of Beginning; thence continue along said Southeastery right-of-way line of North Roosevelt Boulevard for a distance of 50.10 feet; thence S 37°17'20" E 90.39 feet; thence at right angles and in a Southwesterly direction 50.00 feet; thence N 37°17'20" W 84.17 feet, back to the Point of Beginning.

ALSO

COMMENCING at the Eastern line of Lot 2, Block 48, KEY WEST REALY COMPANY'S SUBDIVISION, as recorded in Plat Book 1, Page 44, of the Public Records of Monroe County, Florida, extended Northwesterly to the intersection with the Eastern boundary of Salt Pond, Lot 3, as described on William A. Whitehead's Map of the said island of Key West, delineated in February, A.D. 1829, POINT OF BEGINNING; thence in a Westerly direction along said eastern boundary of said Salt Pond, Lot 1, extended for a distance of thirteen (13) feet, more or less, where said boundary, extended, intersects with the Southeastery right-of-way of Roosevelt Boulevard; thence in an Easterly direction along the said Southeastery right-of-way of Roosevelt Boulevard a distance of six and eight hundredths (8.08) feet to the Easterly property line of land conveyed by warranty deed dated August 30, 1955, from Philip C. Topple and Marie Madeline Topple, his wife, as grantors to Antonio Deschamps and Claude May Deschamps, his wife, as grantees, recorded in Official Record 42, Pages 352-353, Monroe County, Florida Public Records; thence S 37°17'20" E for a distance of 84.17 feet; thence at right angles in a Southwesterly direction a distance of ten (10) feet; thence at right angles in a Northwesterly direction a distance of 71.92 feet, more or less, to the POINT OF BEGINNING.

SURVEYOR'S NOTES:

North arrow and bearings based on F.B.O.T. 1929 Datum
 3.1 denotes existing elevation
 Elevations based on N.G.V.D. 1929 Datum
 Bench Mark No.: KH-1, Elevation: 4.26'

MONUMENTATION:
 ⊙ = set 1/2" Iron Pipe, P.L.S. No. 2740
 ▲ = Fe. P.N. Nail
 Field Work performed on: 11/19/12

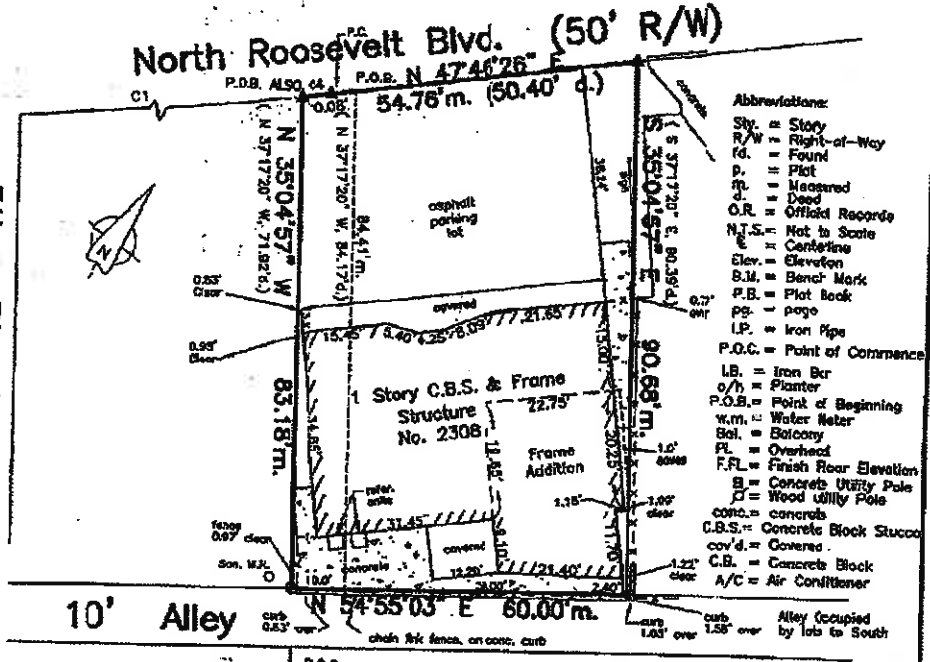
CERTIFICATION:

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 5J-17, Florida Statute Section 472027, and the American Land Title Association, and that there are no visible encroachments unless less shown hereon.

FREDERICK H. Hildebrandt
 Professional Land Surveyor & Mapper No. 2749
 Professional Engineer No. 35810
 State of Florida

NOT VALID UNLESS EMBOSSED WITH RAISED SEAL & SIGNATURE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	685.21'	100.18'	180.08'	N 52°37'40" E	8°37'43"
C4	685.21'	3.71'	5.71'	N 48°00'03" E	0°29'30"



- Abbreviations:**
- Sty. = Story
 - R/W = Right-of-Way
 - fd. = Found
 - p. = Plat
 - sp. = Measured
 - d. = Deed
 - O.R. = Official Records
 - N.T.S. = Not to Scale
 - E. = Centerline
 - Elev. = Elevation
 - B.M. = Bench Mark
 - P.B. = Plat Book
 - pg. = page
 - I.P. = Iron Pipe
 - P.O.C. = Point of Commence
 - LB. = Iron Bar
 - o/h = Planter
 - P.O.B. = Point of Beginning
 - W.M. = Water Meter
 - Bo. = Balcony
 - PL = Overhead
 - F.F.L. = Finish Floor Elevation
 - B. = Concrete Utility Pole
 - co'd. = Coneres
 - C.B. = Concrete Block
 - A/C = Air Conditioner

CERTIFICATION made to:
 Mark Rossi
 First State Bank of the Florida Keys
 Chicago Title Insurance Company
 Spottswood, Spottswood & Spottswood

Mark Rossi
 2306 N. Roosevelt Blvd., Key West, FL 33640
BOUNDARY SURVEY
 Scale 1" = 20'
 Date: 11/21/12
 No. 108-54
 File
 Road Panel No. 1287 K
 Road Zone AE
 Div. By 'JMS'
 Road Elev 5'

REVISIONS AND/OR ADDITIONS

3152 Northside Drive
 Suite 201
 Key West, F. 33640
 (305) 293-0488
 Fax: (305) 293-0237
 hildeb1@earthlink.net
 L.S. No. 7700

Site Plans



DRC
Minutes & Comments



Brendon Cunningham <bcunning@keywestcity.com>

2308 N. Roosevelt Blvd. Key Cycle

1 message

Jason Barroso <jbarroso@keywestcity.com>

Wed, Apr 10, 2013 at 1:29 PM

To: bcunning@keywestcity.com

Cc: keyscycles@yahoo.com, Danny Blanco <dblanco@keywestcity.com>

Brendon,

Good afternoon, I have spoken with Lance from Keys Cycles South and he informed me of the quantity and type of liquids being stored.

One 55 gallon metal container will be used for 2 cycle oil , one 55 gallon container will be for used oil filters, and one 5 gallon container of gasoline for the motorcycles.

Please find listed below the Fire Marshal requirements for the outside covered storage area in the back of Keys Cycle located at 2308 N. Roosevelt Blvd.

- 1) Metal containers do not exceed 55 gallons and no more than two containers to be stored. Containers cannot be stacked on top of each other.
- 2) Metal containers shall meet the requirements of NFPA 30 and used for petroleum products within the scope of the following specifications:
 - (a) ASTM F 852, Standard Specification for Portable Gasoline Containers for Consumer Use
 - (b) ASTM F 976, Standard Specification for Portable Kerosene and Diesel Containers for Consumer Use
 - (c) ANSI/UL 1313, Standard for Nonmetallic Safety Cans for Petroleum Products
 - (d) ANSI/UL 30, Standard for Metal Safety Cans
 - (e) ANSI/UL 1314, Standard for Special Purpose Metal Containers
 - (f) FM Global Approval Standard for Safety Containers and Filling, Supply, and Disposal Containers — Class Number 6051 and 6052
- 3) At least one portable fire extinguisher having a capability of not less than 40:B shall be located outside of, but not more than 10 ft. from the door opening into a liquid storage area.
- 4) Canvas for the covered container storage area shall meet the requirements of NFPA 701. Owner/contractor to provide a flame certificate from the manufacturer to the City of Key West Building Department/Fire Marshal office.

5) An approved flammable liquids cabinet shall be required for the storage of more than 5 gallons of gasoline.

Please let me know if you have any questions,

Jason Barroso Lt. FIRE INSPECTOR
Key West Fire Department
1600 N. Roosevelt Blvd.
Key West, Florida 33040
305-809-3933 Office
305-293-8399 Fax
jbarroso@keywestcity.com
Serving the Southernmost City



THE CITY OF KEY WEST

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

Engineering Services Comments
Development Review Committee
March 28, 2013

Keys Cycles South
2308 North Roosevelt Boulevard
Conditional Use Application

Pursuant to Code of Ordinances, Article II of Chapter 108, the following comments pertaining to the Site Plan, dated April 3, 2013, and the Conditional Use Application for motorcycle retail, rental and service at the property located at 2308 North Roosevelt Boulevard are provided:

Parking

One ADA accessible and four standard vehicle parking spaces are proposed, all with 90 degree parking space angles and 18-foot aisle. Pursuant to Sec. 108-641, aisle width for 90 degree parking spaces shall be minimum 24 feet. However, aisle widths for parking spaces angled at 45 degrees may be 20 feet for two-way travel. Please revise the proposed Site Plan to show parking area with two-way driveway width sufficient to meet dimensions allowed in Sec. 108-641.

Entrance

The future access entrance, as shown on the North Roosevelt Boulevard FDOT construction plans, will create an obstruction with the existing sign. Where, the proposed driveway will be constructed in the location of the existing sign. Please coordinate with FDOT District Six Construction Department, to move the future access entrance away from the existing sign.

Solid Waste

The proposed Site Plan shows a dumpster partially located on the adjacent property. The dumpster shall be located in accordance with Sec. 108-279 and -280, screened from adjacent properties and the public right-of-way, set on a container pad, six-feet from any building, not located within a parking space or landscape area.

The 55-gallon trash can storage area should provide sufficient capacity for recycle, trash, cardboard, bulk materials. The Site Plan indicates the trash storage area will be screened from the adjacent property and public right-of-ways with fence enclosure.

Property Appraiser Information

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

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

Property Record Card -
Map portion under construction.

Alternate Key: 1068543 Parcel ID: 00065700-000000

Ownership Details

Mailing Address:
ROSSI FAMILY LLLP
24 HILTON HAVEN RD
KEY WEST, FL 33040-3833

Property Details

PC Code: 10 - VACANT COMMERCIAL
Millage Group: 10KW
Affordable Housing: No
Section-Township-Range: 32-67-25
Property Location: 2308 N ROOSEVELT BLVD KEY WEST
Legal Description: KW PLAT OF SURVEY OF LANDS ON ISLAND OF KEY WEST MONROE COUNTY FLA PT TR 13 PB3-35 OR122-281 OR527-875 OR527-877/78 OR821-2161/62 OR938-584/85 OR1094-313/14C/T OR1106-145/46 OR1148-2333/34 OR1646-1963/67C OR2600-106/07

2005	0	84	42,570	42,654	42,654	0	42,654
2004	0	84	42,570	42,654	42,654	0	42,654
2003	0	84	20,790	20,874	20,874	0	20,874
2002	0	84	20,790	20,874	20,874	0	20,874
2001	0	84	20,790	20,874	20,874	0	20,874
2000	0	0	15,246	15,246	15,246	0	15,246
1999	0	0	15,246	15,246	15,246	0	15,246
1998	0	0	15,246	15,246	15,246	0	15,246
1997	0	0	15,246	15,246	15,246	0	15,246
1996	0	0	13,860	13,860	13,860	0	13,860
1995	0	0	13,860	13,860	13,860	0	13,860
1994	0	0	13,860	13,860	13,860	0	13,860
1993	0	0	13,860	13,860	13,860	0	13,860
1992	0	0	13,860	13,860	13,860	0	13,860
1991	0	0	13,860	13,860	13,860	0	13,860
1990	0	0	9,900	9,900	9,900	0	9,900
1989	0	0	9,900	9,900	9,900	0	9,900
1988	0	0	8,910	8,910	8,910	0	8,910
1987	0	0	7,128	7,128	7,128	0	7,128
1986	0	0	7,128	7,128	7,128	0	7,128
1985	0	0	4,356	4,356	4,356	0	4,356
1984	0	0	4,356	4,356	4,356	0	4,356
1983	0	0	4,356	4,356	4,356	0	4,356
1982	0	0	4,356	4,356	4,356	0	4,356

Parcel Sales History

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
11/21/2012	2600 / 106	689,600	WD	35
10/1/1990	1148 / 2333	1	WD	M
9/1/1989	1106 / 145	481,666	WD	M
4/1/1985	938 / 584	408,000	WD	M
10/1/1980	821 / 2161	100,000	WD	U

This page has been visited 266,002 times.

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

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

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

Property Record Card -
Map portion under construction.

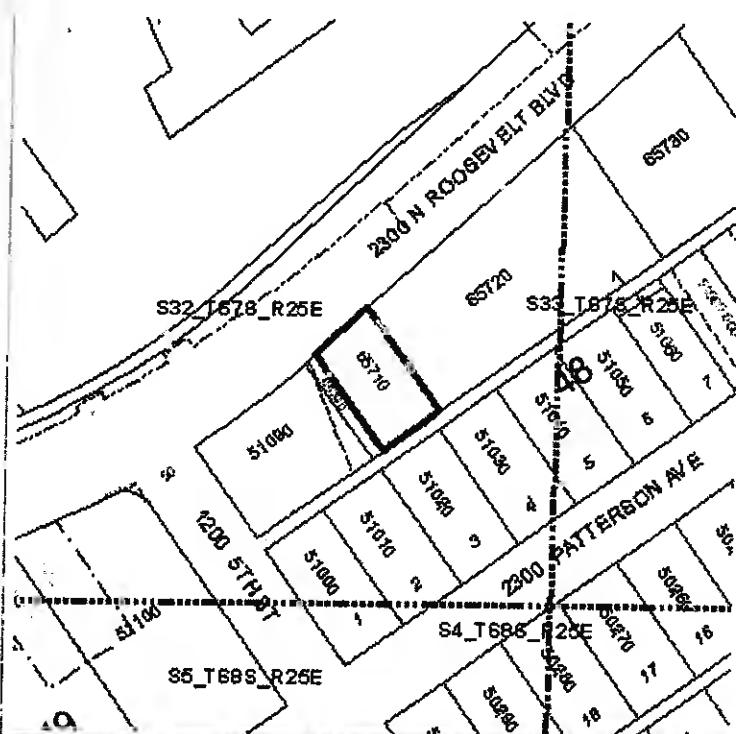
Alternate Key: 1068551 Parcel ID: 00065710-000000

Ownership Details

Mailing Address:
ROSSI FAMILY LLLP
24 HILTON HAVEN RD
KEY WEST, FL 33040-3833

Property Details

PC Code: 11 - STORES ONE STORY
Millage Group: 10KW
Affordable Housing: No
Section-Township-Range: 32-67-25
Property Location: 2308 N ROOSEVELT BLVD KEY WEST
Legal Description: KW PLAT OF SURVEY OF LANDS ON ISLAND OF KEY WEST MONROE COUNTY FLA PT TR 13 PB3-35 OR42-352/53 OR527-875 OR527-877/78 OR821-2161/62 OR938-584/85 OR1094-313/14C/T OR1106-145/46 OR1148-2333/34 OR1646-1963/67C OR1225-1794/96 OR2600-106/07



Show Parcel Map that can launch map - Must have Adobe Flash Player 10.3 or higher

Land Details

Land Use Code	Frontage	Depth	Land Area
10DH - COMM DRY HIGHWAY	50	90	4,364.00 SF

Building Summary

Number of Buildings: 1
 Number of Commercial Buildings: 1
 Total Living Area: 2112
 Year Built: 1955

Building 1 Details

Building Type
 Effective Age 18
 Year Built 1955
 Functional Obs 0

Condition A
 Perimeter 324
 Special Arch 0
 Economic Obs 0

Quality Grade 400
 Depreciation % 23
 Grnd Floor Area 2,112

Inclusions:

Roof Type
 Heat 1
 Heat Src 1

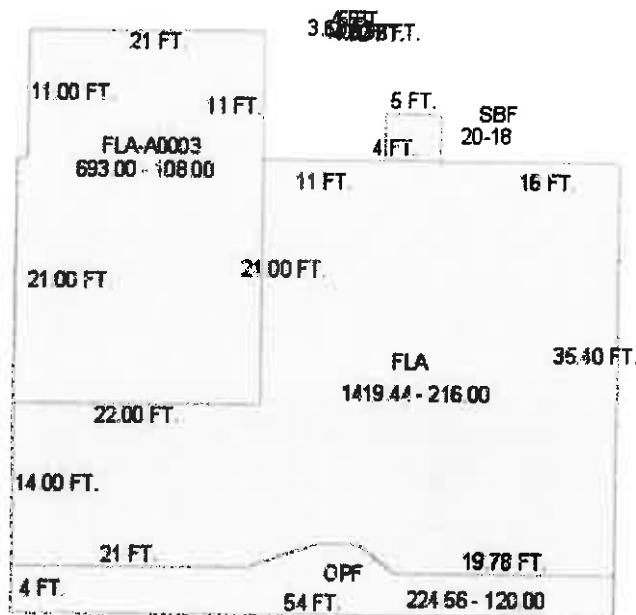
Roof Cover
 Heat 2
 Heat Src 2

Foundation
 Bedrooms 0

Extra Features:

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

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



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	FLA		1	1954				1,419
2	OPF		1	2002				225
3	SBF		1	1954				20
4	FLA		1	1965	N			693

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
		1 STORY STORES	100	N	N
	5968	1 STORY STORES	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
	AVE WOOD SIDING	33
	C.B.S.	67

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	AP2:ASPHALT PAVING	2,400 SF	0	0	1975	1976	2	25
2	CL2:CH LINK FENCE	540 SF	0	0	1975	1976	1	30
3	AC2:WALL AIR COND	1 UT	0	0	1984	1985	2	20

Appraiser Notes

CONCH SPIRITS PACKAGE STORE
14-1 VALUE REDUCED FROM \$ 625,417

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
2	96-1216	03/01/1996	08/01/1996	500 Commercial	SIGN
1	00-2099	09/19/2000	11/28/2000	4,000 Commercial	REPLACE SIGN
3	05-3283	08/04/2005	12/30/2005	4,000 Commercial	RUBBER ROOF
4	07-4170	11/05/2007	20,000	Commercial	DEMO PORTION OF EXISTING BLOCK WALL, 2 NEW FOOTINGS & OVERHEAD STEEL BEAM, 200 SF OF DRYWALL REPAIR, MODIFY EXISTING BATH TO ADA, MODIFY OF VINYL FLOORING, INSTALL 1 EXTERIOR DOOR, INSTALL 1300 SF OF NEW SUSPENDED CEILING.
5	07-5114	11/19/2007	1,600	Commercial	INSTALL FIRE STROKE DETECTOR IN DUCT

6	07-4172	11/05/2007	7,500	Commercial	NEW ELECTRICAL LAYOUT 1300 SF AREA
7	07-4171	11/05/2007	1,500	Commercial	CONSTRUCT NEW ADA BATHROOM LAYOUT

Parcel Value History

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2012	211,477	2,498	148,482	362,457	362,457	0	362,457
2011	222,463	2,498	426,886	651,847	588,210	0	651,847
2010	222,463	2,498	309,776	534,737	534,737	0	534,737
2009	233,448	2,498	444,461	629,604	629,604	0	629,604
2008	233,448	2,498	238,500	629,604	629,604	0	629,604
2007	154,094	2,457	270,000	629,604	629,604	0	629,604
2006	157,719	2,457	225,000	593,873	593,873	0	593,873
2005	91,360	2,457	193,500	329,547	329,547	0	329,547
2004	92,403	2,457	193,500	329,547	329,547	0	329,547
2003	92,403	2,457	94,500	329,547	329,547	0	329,547
2002	132,590	2,457	94,500	329,547	329,547	0	329,547
2001	132,590	2,457	94,500	329,547	329,547	0	329,547
2000	132,590	1,461	69,300	203,351	203,351	0	203,351
1999	132,590	1,461	69,300	203,351	203,351	0	203,351
1998	88,601	1,461	69,300	159,362	159,362	0	159,362
1997	88,601	1,461	69,300	159,362	159,362	0	159,362
1996	80,546	1,486	63,000	145,032	145,032	0	145,032
1995	80,546	1,511	63,000	145,057	145,057	0	145,057
1994	80,546	1,536	63,000	145,082	145,082	0	145,082
1993	80,546	1,577	63,000	145,123	145,123	0	145,123
1992	80,546	1,622	63,000	145,168	145,168	0	145,168
1991	80,546	1,663	63,000	145,209	145,209	0	145,209
1990	54,588	1,434	45,000	101,022	101,022	0	101,022
1989	54,588	1,559	45,000	101,147	101,147	0	101,147
1988	49,813	1,182	40,500	91,495	91,495	0	91,495
1987	48,845	1,264	32,400	82,509	82,509	0	82,509
1986	49,078	1,352	32,400	82,830	82,830	0	82,830
1985	48,776	696	19,800	69,272	69,272	0	69,272
1984	47,374	696	19,800	67,870	67,870	0	67,870
1983	47,374	696	19,800	67,870	67,870	0	67,870

1982	41,336	696	19,800	61,832	61,832	0	61,832
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Parcel Sales History

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9/1/1989	1106 / 145	1	WD	M
4/1/1985	938 / 584	1	WD	M
10/1/1980	821 / 2161	40	WD	U

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

Public Notices
(radius map & mailing list)

Public Meeting Notice

The Key West Planning Board will hold a public hearing at 6:00 p.m., April 18, 2013 at Old City Hall, 510 Greene Street, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Conditional Use – 2308 North Roosevelt Boulevard (RE# 00065710-000000, AK# 1068551) – A request for conditional use approval to operate a motorcycle sales, rental and service shop at property located in the CG zoning district per Section 122-418 (20) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at www.keywestcity.com.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Conditional Use – 2308 North Roosevelt Boulevard (RE# 00065710-000000, AK# 1068551) – A request for conditional use approval to operate a motorcycle sales, rental and service shop at property located in the CG zoning district per Section 122-418 (20) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Applicant: Keys Cycles, Inc

Owner: Rossi Family LLLP

Project Location: 2308 N Roosevelt Blvd

Date of Hearing: Thursday, April 18, 2013

Time of Hearing: 6:00 PM

Location of Hearing: Old City Hall, 510 Greene, City Commission Chambers

Interested parties may appear at the public hearing and be heard with respect to the applications. Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email to Carlene Smith at cesmith@keywestcity.com .

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

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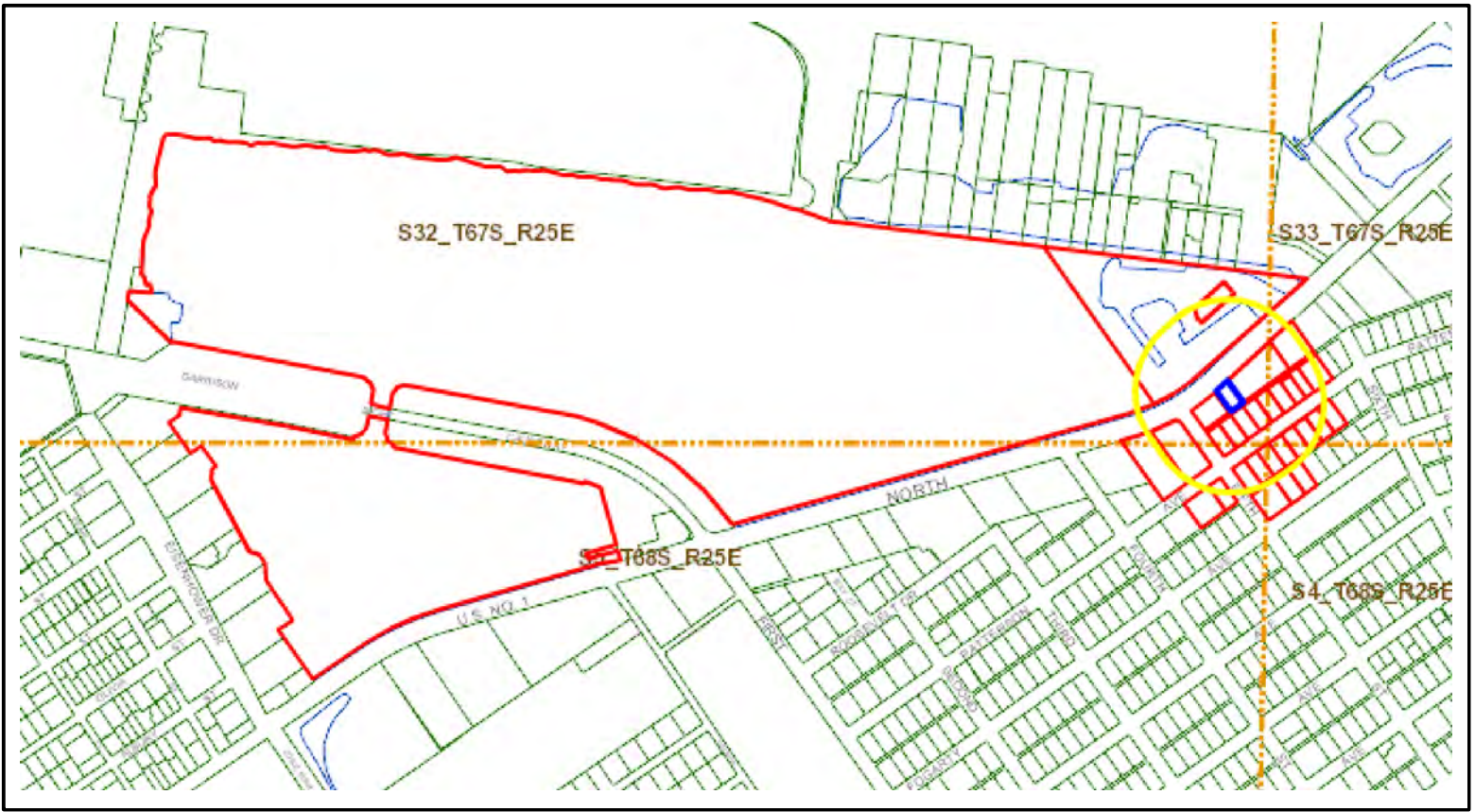
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Monroe County, Florida

2308 N Roosevelt



Printed: Apr 03, 2013

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.



NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
1 CORRA LINDA M	247 E PARKWOOD RD		DECATUR	GA	30030	
2 CROCKETT DEC OF TRUST 1/23/1997	2222 N ROOSEVELT BLVD		KEY WEST	FL	33040	
3 VAZQUEZ ABELARDO L/E	2331 PATTERSON AVE		KEY WEST	FL	33040	
4 LOGUN FAYE G	2310 PATTERSON AVE		KEY WEST	FL	33040	
5 LANE JIMMY R JR	2313 PATTERSON AVE		KEY WEST	FL	33040	
6 KWK INVESTMENTS	321 SE 7TH AVE		DELRAY BEACH	FL	33483	
7 MELLIES NEIL S II AND ELIZABETH C	1229 5TH ST		KEY WEST	FL	33040	
8 HARDEN MICHAEL C	2316 PATTERSON AVE		KEY WEST	FL	33040	
9 RODRIGUEZ ARCADIO D AND JEAN L	93 SEASIDE NORTH CT		KEY WEST	FL	33040	
10 CABALLERO AIDA	2222 PATTERSON AVE		KEY WEST	FL	33040	
11 HOSSAIN MOHAMMED BILLAL AND MST P	2305 PATTERSON AVE		KEY WEST	FL	33040	
12 ROSSI FAMILY LLLP	24 HILTON HAVEN RD		KEY WEST	FL	33040	
13 YOUNG PHANUMAT	2315 PATTERSON AVE		KEY WEST	FL	33040	
14 HOVEY WENDY J	2313 FOGARTY AVE		KEY WEST	FL	33040	
15 F AND A HOLDINGS LLC	117 KEY HAVEN RD		KEY WEST	FL	33040	
16 COOPER MELISSA L	14 ARBUTUS DR		KEY WEST	FL	33040	
17 BEGAM ANWARA	2226 PATTERSON AVE		KEY WEST	FL	33040	
18 KELLY GARY O AND GENEVIEVE R	2303 PATTERSON AVE		KEY WEST	FL	33040	
19 PREMIERE SUITES INC	12178 4TH ST		RANCHO CUCAM CA		91730	
20 JOHNSON MEAGHAN	2306 PATTERSON AVE		KEY WEST	FL	33040	
21 GRIZZLE KIMERLIE A	2302 N ROOSEVELT BLVD		KEY WEST	FL	33040	
22 CABALEIRO MARTA	2311 FOGARTY AVE		KEY WEST	FL	33040	
23 SUMMERS MARILYN P LIV TR 10/17/97	2312 PATTERSON AVE		KEY WEST	FL	33040	
24 CITY OF KEY WEST FLA	P O BOX 1409		KEY WEST	FL	33041	
25 LOGUN FAYE	2310 PATTERSON AVE		KEY WEST	FL	33040	
26 JAKUBAS ZUZANNA	2309 PATTERSON AVE		KEY WEST	FL	33040	
27 PEREZ JOSE LUIS	2304 PATTERSON AVE		KEY WEST	FL	33040	
28 KEY WEST YACHT CLUB	2315 N ROOSEVELT BLVD		KEY WEST	FL	33040	
29 RAY DASHA RENEE	1215 5TH ST		KEY WEST	FL	33040	
30 SCHECHTER JASON A	3435 ARMITOS DR		CAMARILLO	CA	93012	