

**PLANNING BOARD  
RESOLUTION NO. 2020-44**

**A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD GRANTING WITH CONDITIONS AN AMENDMENT TO A CONDITIONAL USE APPROVAL RESOLUTION NO. 2011-059 ON PROPERTY LOCATED AT 318-324 PETRONIA STREET; 802-806 WHITEHEAD STREET; AND 809-811 TERRY LANE - (RE# 00014010-000000; 00014050-000000; 00014060-000000) ARE LOCATED WITHIN THE HISTORIC NEIGHBORHOOD COMMERCIAL (HNC-3) AND HISTORIC MEDIUM DENSITY RESIDENTIAL (HMDR) ZONING DISTRICTS PURSUANT TO SECTIONS 122-62, AND 122-868 (9) OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.**

**WHEREAS**, 318-324 Petronia Street and 802 Whitehead Street are located within the Historic Neighborhood Commercial (HNC-3) zoning district; 806 Whitehead Street and 809-811 Terry Lane are located within the Historic Medium Density Residential (HMDR) zoning district; and

**WHEREAS**, Sections 122-62, 122-63 (e), and 122-868 (9) of the Land Development Regulations (the "LDRs") of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City"), were evaluated for the requested amendment to the conditional use approval Resolution No. 2011-059.

**WHEREAS**, the applicant requested to revise four (4) conditions from the No. 2011-059 conditional use approval, which are the following: Condition #2 to relocate two (2) bicycle parking spaces; Condition #3 to remove the requirement to provide a roof over the trash and recycling area; Condition #10 - Hours of operation from 7:30 a.m. to 11:00 p.m. daily except during special city sanctioned events such as Fantasy Fest and Goombay; and Condition #12 to change the trash and recycling pickup location from Whitehead Street to Petronia Street; and

**WHEREAS**, the Planning Board approved the following requested revisions: Condition #2 - relocation of two (2) bicycle parking spaces per site plan attached; Condition #3 to remove the roof requirement over the trash and recycling area. The applicant must limit the 12' x 17' garbage and recycling area to that

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Planning Director

location, depicted on the approved site plans; and install (3) three Spanish Stopper Trees and maintain landscaping and setbacks within the approximately 10' x 17' buffer area as per approved site plans. The applicant must renovate the unsound concrete wall facing Terry Lane per HARC guidelines or demolish the wall and provide a proper screening/ fence per HARC guidelines; Condition #10 - Hours of operation from 8:00 a.m. to 11:00 p.m. daily except during special city sanctioned events such as Fantasy Fest and Goombay; and

**WHEREAS**, the Planning Board did not approve the requested revision to Condition #12 to allow for waste on Petronia Street; daily waste pickup is required on Whitehead Street; and

**WHEREAS**, the Planning Board additionally voted in the affirmative to remove Condition #13 from the No. 2011-059 conditional use approval which requires the restaurant operator to make a good faith effort to employ a minimum of 25% of the restaurant workforce from qualified residents of the BVCRA; and


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

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on December 17, 2020; and

**WHEREAS**, the Planning Board found that the proposed use complies with the criteria in City Code Sections 122-62 and 122-63; and

**WHEREAS**, the approval of the amendments to the conditional use application will be in harmony with the general purpose and intent of the LDRs, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Planning Director

**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 request, pursuant to Sections 122-62, and 122-868 (9) of the

Code of Ordinances of the City of Key West, Florida is hereby approved as follows:

**General conditions:**

1. Approval is limited to no more than 150 seats. At no time does the request for 6,637 square feet of consumption area allow the applicant to increase seating on the site without conditional use review.
2. The parking lot shall be reconfigured and maintained to include two (2) compact car spaces in order to protect the root system of large trees on the site, six (6) standard vehicular spaces, one (1) handicap space, and forty (40) bicycle/scooter spaces on the lot.

*Site plan modification: As per attached Exhibit C, two (2) bicycle parking spaces shall be relocated and shall be accommodated in compliance with code Section 108-643.*

3. The waste and recycling handling shall be screened from adjacent properties and public rights-of-way by appropriate fences, walls, or landscaping in accordance with Code Section 108-279, and the area shall be enclosed on all four sides with a door for access. The applicant must limit the 12' x 17' garbage and recycling area to that location depicted on the approved site plans; and install (3) three Spanish Stopper Trees and maintain landscaping and setbacks within the approximately 10' x 17' buffer area as per approved site plans. The applicant must renovate the unsound concrete wall facing Terry Lane per HARC guidelines or demolish the wall and provide a proper screening/ fence per HARC guidelines.
4. The applicant will install and maintain a programable distributive sound system to assure compliance with the "unreasonable noise" definition of Section 26-191 of the Code of Ordinances and shall include a computerized sound monitoring system with real time monitoring access is provided to the City. The applicant expressly agrees to provide the City's agents unfettered access to the computer-generated reports and full, real-time web-based access to the digital monitoring of on-site acoustics for the purpose of assuring compliance with the conditions contained herein.
5. Completion of all improvements as depicted on the site plan.
6. The applicant shall revise and resubmit a signed and sealed Landscape Plan that reflects the modified site plan dated November 1, 2011 and Civil Plan dated November 9, 2011. (As recorded in Resolution No. 2011-059)

  
Chairman  
  
Planning Director

7. No outdoor music of any kind is allowed after the hours of 10pm unless approved under a special event permit per Section 6-86 of the City Code or for a special city-sanctioned event within the Petronia Street Commercial Corridor. Amplified music will be regulated by the “unreasonable noise” definition of Section 26-191 of the Code of Ordinances.
8. Recycling of applicable materials is required.
9. Hours of operation are limited from 8:00 a.m. to 11:00 p.m. daily except during special city sanctioned events such as Fantasy Fest and Goombay.
10. Service vehicles are prohibited from using Petronia Street and Terry Lane and the Terry Lane parking lot for deliveries.
11. All waste pickup shall be daily via Whitehead Street.

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

**Section 4.** The failure to fully and completely apply the conditions of approval for permits for use and occupancy pursuant to this variance in accordance with the terms of the approval as described in Section 3 hereof, shall immediately operate to terminate this variance, which variance shall be of no force or effect.

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

**Section 6.** This Resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 73C-44, 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

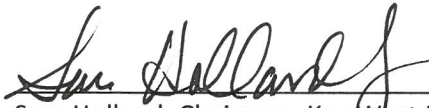
  
\_\_\_\_\_  
Chairman

  
\_\_\_\_\_  
Planning Director

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 regularly scheduled meeting held this 17<sup>th</sup> day of December 2020.

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



Sam Holland, Chairman, Key West Planning Board Chair

1-26-2021

Date

**Attest:**

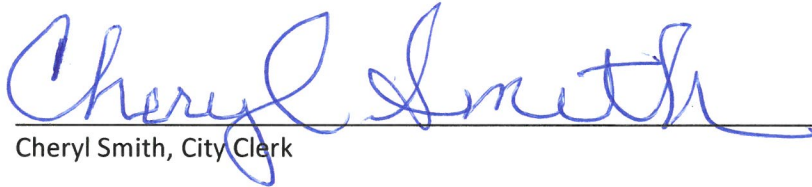


Katie Halloran, Planning Director

1-28-2021

Date


**Filed with the Clerk:**



Cheryl Smith, City Clerk

1-29-2021

Date

 Chairman

 Planning Director

# Exhibit A

## PLANNING BOARD RESOLUTION NUMBER 2011-059

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A CONDITIONAL USE APPROVAL PER SECTION 122-62 AND 122-63 OF THE CODE OF ORDINANCES FOR A RESTAURANT WITH 150 SEATS MAXIMUM TO BE LOCATED AT 802 - 806 WHITEHEAD STREET (RE# 00014010-000100 AND 00014020-000000) AND 318 - 324 PETRONIA STREET (RE# 00014010-000000) AND 809 - 811 TERRY LANE (RE# 00014050-000000, 00014060-000000) IN THE HISTORIC NEIGHBORHOOD COMMERCIAL-BAHAMA VILLAGE COMMERCIAL CORE (HNC-3) ZONING DISTRICT, PURSUANT TO SECTION 122-868(9) OF THE CODE OF ORDINANCES, KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Section 122-868(9) of the Code of Ordinances provides that restaurants are allowed as a conditional use within the Historic Neighborhood Commercial- Bahama Village Commercial Core (HNC-3) zoning district; and

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

Page 1 of 9  
Resolution Number 2011 - 059



*[Signature]* Chairman  
*[Signature]* Planning Director

*[Handwritten notes]*  
1-28-21  
KPT  
1-28-21

# Exhibit A

WHEREAS, the applicant filed a conditional use application for a restaurant not to exceed maximum of 150 seats, with 6,637 square feet of flexible indoor/outdoor consumption area at 802 - 806 Whitehead Street (RE# 00014010-000100 and 00014020-000000) and 318 - 324 Petronia Street (RE# 00014010-000000); and

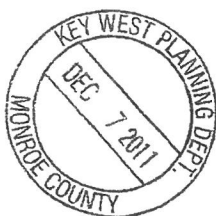
WHEREAS, the associated with the Conditional Use request, the applicant is required to bring the parking lot located at 809 - 811 Terry Lane (RE# 00014050-000000 and 00014060-000000) into compliance with dimensional requirements, landscaping and drainage; and

WHEREAS, the parking lot shall be reconfigured to include two (2) compact car spaces in order to protect the root system of large trees on the site, six (6) standard vehicular spaces, one (1) handicap space, and forty (40) scooter/bicycle spaces on the lot; and

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

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

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



*RWK*  
Chairman

*RC*  
Planning Director

*WHL*  
*1-28-21*  
*KPCT*  
*1-28-21*

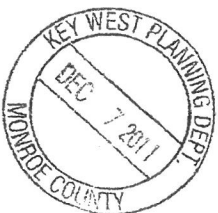
# Exhibit A

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

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

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

**Section 2.** That the request for a Conditional Use approval per Section 122-62 and 122-63 of the Code of Ordinances for a restaurant for up to 150 seats maximum and 6,637 square feet of flexible consumption area to be located at 802 - 806 Whitehead Street (RE# 00014010-000100 and 00014020-000000) and 318 - 324 Petronia Street (RE# 00014010-000000) and the reconfiguration of the parking lot at 809 - 811 Terry Lane (RE# 00014050-000000 and 00014060-000000) to meet Code requirements, landscaping and drainage, and to accommodate two (2) compact car spaces in order to protect the root system of large trees on the site, six (6) standard vehicular spaces, one (1) handicap space, and forty (40) scooter/bicycle parking spaces for property located in the Historic Neighborhood Commercial- Bahama Village Commercial Core (HNC-3) zoning district, pursuant to section 122-868(9) of the Code of Ordinances, Key West, Florida; providing for an effective date, as shown in the attached site plans dated November 1, 2011 with the following conditions:



*RWK* Chairman  
*ACT* Planning Director  
*1-28-21*  
*1-28-21*



# Exhibit A

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

1. Approval is limited to no more than 150 seats. At no time does the request for 6,637 square feet of consumption area allow the applicant to increase seating on the site without conditional use review.
2. The parking lot shall be reconfigured and maintained to include two (2) compact car spaces in order to protect the root system of large trees on the site, six (6) standard vehicular spaces, one (1) handicap space, and forty (40) bicycle/scooter spaces on the lot.
3. The waste and recycling handling shall be screened from adjacent properties and public rights-of-way by appropriate fences, walls or landscaping in accordance with Code Section 108-279, and the area shall be enclosed on all four sides with a roof and doors for access.
4. The applicant will install and maintain a programmable distributive sound system to assure compliance with the "unreasonable noise" definition of Section 26-191 of the Code of Ordinances, and shall include a computerized sound monitoring system with real time monitoring access is provided to the City. The applicant expressly agrees to provide the City's agents unfettered access to the computer-generated reports and full, real-time web-based access to the digital monitoring of on-site acoustics for the purpose of assuring compliance with the conditions contained herein.

Page 4 of 9  
Resolution Number 2011 - 059



RWK Chairman  
OC Planning Director

*Handwritten notes:*  
1-28-2011  
KPT 1-28-21

## Conditions required prior to the issuance of a Certificate of Occupancy:

5. Completion of all improvements as depicted on the site plan.
6. The applicant will install and maintain a programmable distributive sound system to assure compliance with the "unreasonable noise" definition of Section 26-191 of the Code of Ordinances, and shall include a computerized sound monitoring system with real time monitoring access is provided to the City.
7. The applicant shall revise and resubmit a signed and sealed Landscape Plan that reflects the modified site plan dated November 1, 2011 and Civil Plan Dated November 9, 2011.

## General conditions:

8. No outdoor music of any kind is allowed after the hours of 10pm unless approved under a special event permit per Section 6-86 of the City Code or for a special city-sanctioned event within the Petronia Street Commercial Corridor. Amplified music will be regulated by the "unreasonable noise" definition of Section 26-191 of the Code of Ordinances.
9. Recycling of applicable materials is required.
10. Hours of operation are limited from 9am to 11pm daily accept during special city sanctioned events such as Fantasy Fest and Goombay.
11. Service vehicles are prohibited from using Petronia Street and Terry Lane and the Terry Lane parking lot for deliveries.
12. All waste pickup shall be daily via Whitehead Street.



*RWK* Chairman  
*QC* Planning Director

*CMU*  
*1-28-2021*  
*KPT 1-28-21*

# Exhibit A

13. In an effort to increase employment opportunities for residents of the Bahama Village Community Redevelopment Area ("BVCRA") the restaurant operator will make a good faith effort to employ a minimum of 25% of the restaurant workforce from qualified residents of the BVCRA.

"Good faith effort" means all employment opportunities will be advertised and posted in places frequented by residents of the BVCRA, such as the District 6 Commissioner's office, the Douglas Community Center, the Nutrition Center, the Martin Luther King swimming pool, neighborhood churches, neighborhood fraternal organizations, grocery stores, etc.

In the event the property owner is not the operator of the restaurant, the restaurant operator shall submit to the property owner proof of compliance with the employment requirement, on a quarterly basis. The property owner shall, in turn, provide the proof of compliance to the City of Key West, upon request. If the property owner operates the restaurant, in the event that this requirement is not complied with for any reason, the property owner shall tender to the BVCRA the amount of \$750 for each month the requirement is not met to be used to further employment programs within the Bahama Village Community.

In the event the property owner is not the operator of the restaurant, any lease, management agreement, or other document utilized to transfer operation of the restaurant shall include the provisions above along with a provision that the operator's rent will increase in the amount of \$750.00 per month for each month the

Page 6 of 9  
Resolution Number 2011 - 059



RMK Chairman  
AC Planning Director

*Handwritten notes:*  
1-28-2021  
16214  
1-28-21

# Exhibit A

requirement is not met. The property owner will in turn pay this increased amount to the BVCRA to be used to further employment programs within the Bahama Village Community Redevelopment Area. The property owner's failure to insist upon, collect, and transfer the increased amount to the City of Key West shall constitute a breach of this condition.

This requirement shall run with the conditional use and remain in place from owner to owner, Lessee to Lessee and Lessor to Lessor.

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

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

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

**Section 6.** This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has

Page 7 of 9  
Resolution Number 2011 - 059



 Chairman

 Planning Director

*CJH*  
*1-28-2021*  
*KP4 1-28-21*

# Exhibit A

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

Page 8 of 9  
Resolution Number 2011 - 059



RWK Chairman

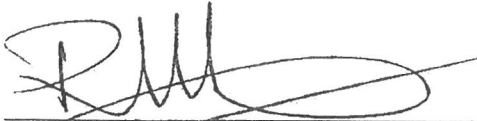
De Planning Director

*AWJ*  
1-28-2011  
KPT 1-28-21

# Exhibit A

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

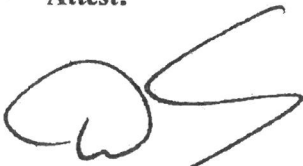
Authenticated by the Chairman of the Planning Board and the Planning Director.



Richard Khitenick, Chairman  
Key West Planning Board

12/7/2011  
Date

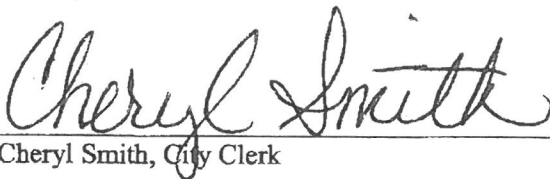
Attest:



Donald Leland Craig, AICP  
Planning Director

12/7/11  
Date



Filed with the Clerk:



Cheryl Smith, City Clerk

12-7-11  
Date

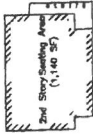


 Chairman  
 Planning Director

*Handwritten notes:*  
CWS  
1-28-2012  
KWT-1-28-21

*Ruk*

Exhibit A



**SECOND FLOOR**  
SCALE: 1"=30'

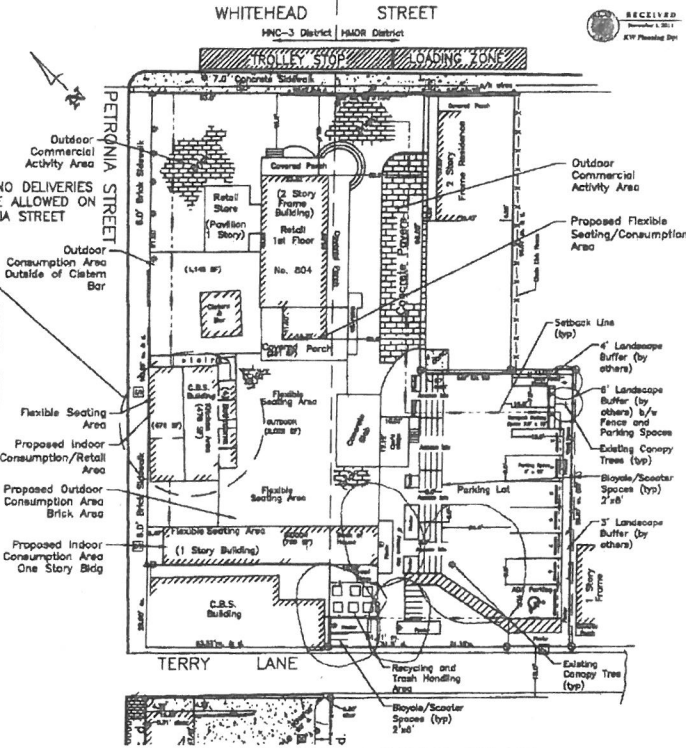
**INDEX OF DRAWINGS**

C-1.0	SITE AND FLOOR PLAN
C-1.1	PREVIOUS CONSUMPTION AREAS
C-1.2	PROPOSED AND PREVIOUS CONSUMPTION AREAS
C-1.3	PARKING LOT PLAN

**SITE DATA**

RT Numbers	00014090-000000, 00014090-000000, 00014090-000000, 00014010-000000, 00014010-000100			
Zoning Designation	HMOK (11,154 sq. ft.) and PNC-3 (10,366 sq. ft.)			
Flood Zone	ZONE X MAP 1207C-1516K			
Issue	Analysis	Proposed	Required/Permitted	Complies
Zoning	HMOK and PNC-3	No Change	No Change	Complies
Site Area (sq. ft.)	21,520	No Change	4,000	Complies
Building Coverage (sq. ft.)	4,677	No Change	6,608 (40%)	Complies
Impervious Surface (sq. ft.)	20,616 (95.8%)	No Change	12,912 (60%)	Complies
Open Space Ratio (sq. ft.)	804 (4.2%)	No Change	4,804 (20%)	Complies
FAR	0.26	No Change	1.0	Complies
Retail Space (sq. ft.)	5,595	2,553	15,943	Complies
Consumption Area				
Indoor (sq. ft.)		1,241		Complies
Outdoor (sq. ft.)	2,265	4,593		Complies
Restaurant Seats	45	163		Complies
Parking Spaces	17	19	17	Complies
Seater/Bicycle		40		
Residential Units	3-Studio	3-Studio	10	Complies
Setbacks				
Front	18'-2"0"-0"	18'-2"0"-0"	0'-0"11"-0"	Complies
Side	5'-0"5"-0"	16'-9"4"-0"	7'-6"9"-0"	Complies
Rear	20'-3"	20'-3"	15'-0"	Complies

1. Existing nonconformity.
2. Site area uses building coverage, parking, concrete and parking areas.
3. Proposed is based on 3 car parking spaces and 40 outdoor seats.
4. The City of Key West recognizes the RESO-landmark building rules, per City Planner's Staff report dated 11/7/2013.
5. PNC-3 is the first number of all HMOK in the second.
6. HMOK Survey only.



**SITE AND FLOOR PLAN**  
SCALE: 1"=30'

EXISTING SEWER CLEANOUT (TYP OF 5)

NOTE: THE SITE DOES NOT HAVE AN EXISTING STORMWATER MANAGEMENT SYSTEM OR A GREASE TRAP

**BAHAMA VILLAGE MARKET**

RECEIVED  
12/11/2011  
KEY PLANNING DEPT.

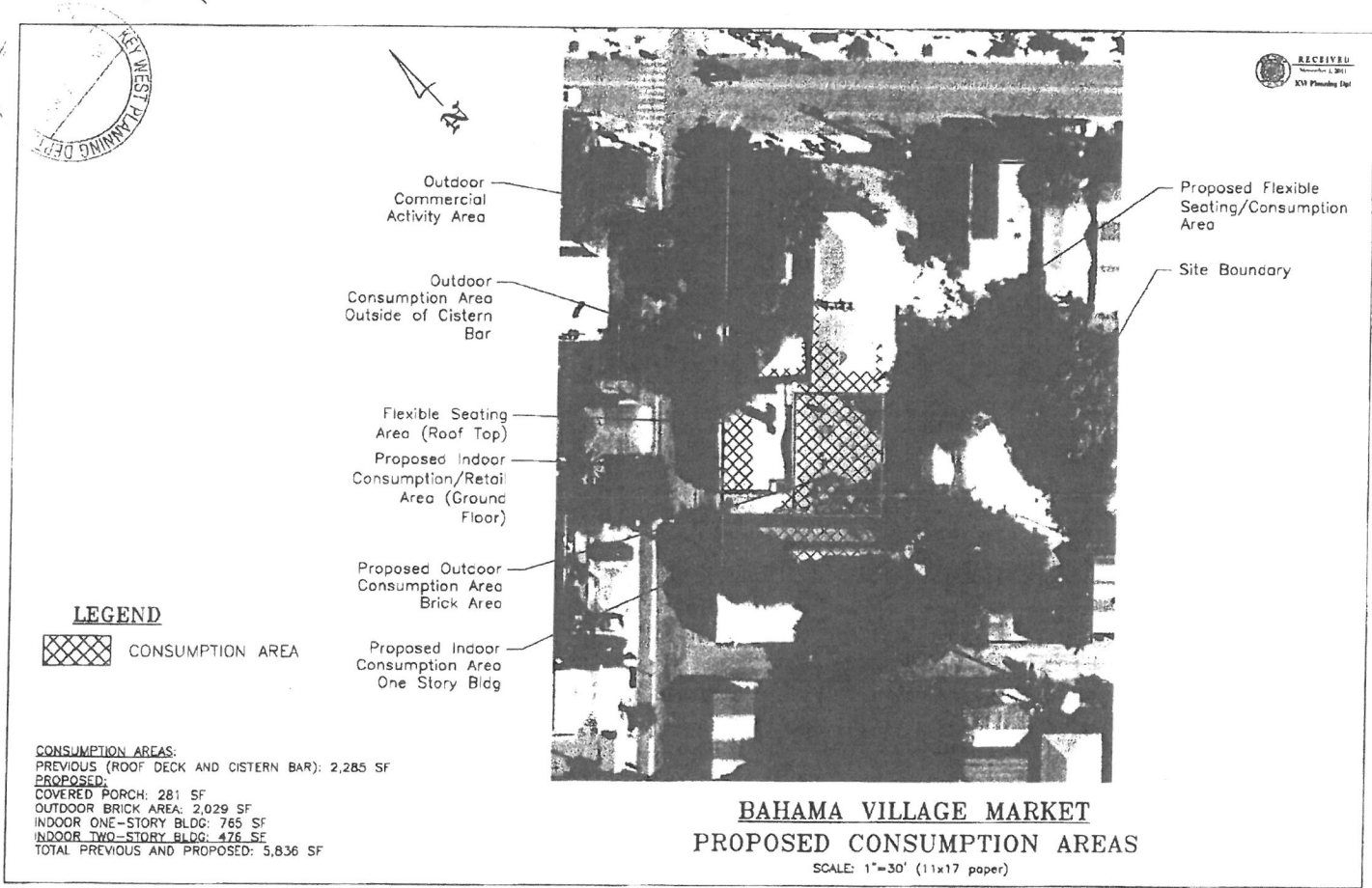
PROJECT NO. 11-28-20-21  
DATE 11-28-2011

**C-1.0**

*11-28-20-21*  
*11-28-20-21*

RUK oc

# Exhibit A



- Outdoor Commercial Activity Area
- Outdoor Consumption Area Outside of Cistern Bar
- Flexible Seating Area (Roof Top)
- Proposed Indoor Consumption/Retail Area (Ground Floor)
- Proposed Outdoor Consumption Area Brick Area
- Proposed Indoor Consumption Area One Story Bldg
- Proposed Flexible Seating/Consumption Area
- Site Boundary

### LEGEND

 CONSUMPTION AREA

**CONSUMPTION AREAS:**  
 PREVIOUS (ROOF DECK AND CISTERN BAR): 2,285 SF  
**PROPOSED:**  
 COVERED PORCH: 281 SF  
 OUTDOOR BRICK AREA: 2,029 SF  
 INDOOR ONE-STORY BLDG: 765 SF  
 INDOOR TWO-STORY BLDG: 476 SF  
 TOTAL PREVIOUS AND PROPOSED: 5,836 SF

## BAHAMA VILLAGE MARKET PROPOSED CONSUMPTION AREAS

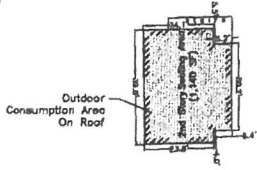
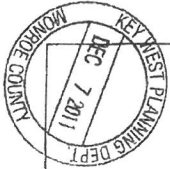
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UYT 1-26-2021  
 KPH 1-28-21



RWK R

# Exhibit A

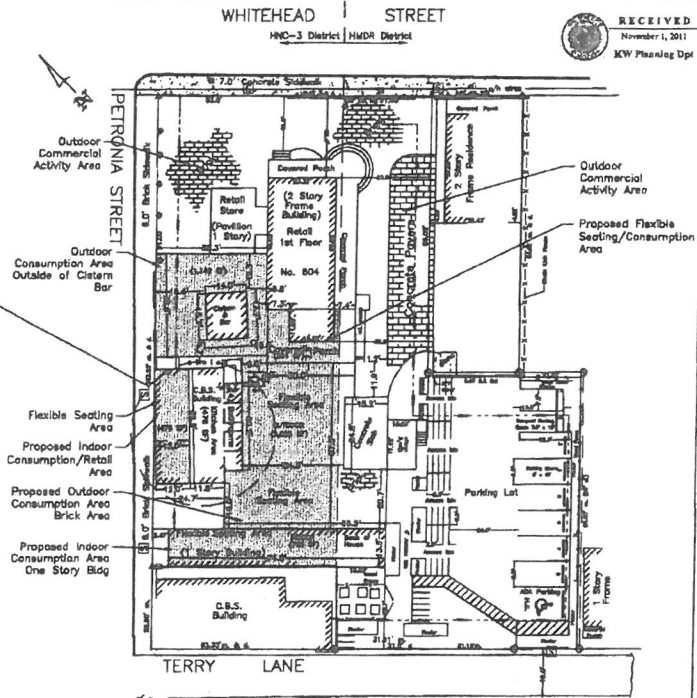


**SECOND FLOOR**  
SCALE: 1"=30'

### LEGEND

CONSUMPTION AREA

**CONSUMPTION AREAS:**  
PREVIOUS (ROOF DECK AND CISTERN BAR): 2,285 SF  
**PROPOSED:**  
COVERED PORCH: 281 SF  
OUTDOOR BRICK AREA: 2,029 SF  
INDOOR ONE-STORY BLDG: 765 SF  
INDOOR TWO-STORY BLDG: 475 SF  
TOTAL PREVIOUS AND PROPOSED: 5,836 SF



**PROPOSED CONSUMPTION AREAS**  
SCALE: 1"=30'

RECEIVED  
November 1, 2011  
KW Planning Dept.

**BAHAMA VILLAGE MARKET**  
WHITEHEAD AND TERRY LANE  
KEY WEST, FLORIDA

PROPOSED AND PREVIOUS CONSUMPTION AREAS  
**C-1.2**

CW001 1-20-2011  
KPH 1-24-21







# EXHIBIT A

2/17/15

Ms. Carlene Smith, Planner II  
City of Key West  
Via Email - cesmith@cityofkeywest-fl.gov

**RE: Res. No. 2011-059 – Minor Modification**  
802-806 Whitehead St. (RE No. 00014010-000100 & 00014020-000000)  
318-324 Petronia St. (RE No. 00014010-000000)  
809-811 Terry Ln. (RE No. 00014050-000100 & 00014060-000000)



Dear Carlene:

Thank you for meeting with us to discuss this project.

We are attempting to modify the site plan layout associated with the approved restaurant use in Res. No. 2011-059<sup>1</sup>.

The approved site plan<sup>2</sup> concentrated the restaurant seating in the outdoor rear of the property closest to the residential neighborhood. We propose to move the majority of that area forward towards the more commercialized corner of Petronia and Whitehead<sup>3</sup> and to the interior of the existing mixed use building at 804 Whitehead. The result is a small reduction in outdoor consumption area and what remains will be moved away from the adjacent residential neighborhood. We propose no changes to any conditions of approval.

Changes to consumption area are proposed as follows:

Consumption Area	Indoor	Outdoor	Total
Existing	1,241 sq. ft.	4,595 sq. ft.	5,836 sq. ft.
Proposed	1,317 sq. ft.	4,519 sq. ft.	5,836 sq. ft.
Change	+76 sq. ft.	- 76 sq. ft.	No Change

According to Sec. 108-91.C.2(e)<sup>4</sup> Minor Modifications. "change in use resulting in less than 1,000 square feet of impervious surface area on the entire site" is a minor modification. We are proposing to change the use as described above with no change to impervious surface.

Sec. 108-91 requires such modifications to be "approved by the city planner, city engineer and planning board chairperson and reported to the planning board at a regularly scheduled meeting".

Based on the above information and the attached exhibits, we respectfully request a minor modification to the site plan associated with Res. 2011-059 as depicted in Exhibit B.

<sup>1</sup> Exhibit A

<sup>2</sup> Exhibit A

<sup>3</sup> Exhibit B

<sup>4</sup> **108-91.C.2. Minor Modifications.** The following and similar modifications must be approved by the city planner, city engineer and planning board chairperson and reported to the planning board at a regularly scheduled meeting:

(e) Any use, except single-family dwelling units and accessory structures thereto, or change in use resulting in less than 1,000 square feet of impervious surface area on the entire site.

*Handwritten notes:*  
LWS  
1-24-2015  
KPH 1-28-21

February 17, 2015  
Page 2 of 2

Sincerely,

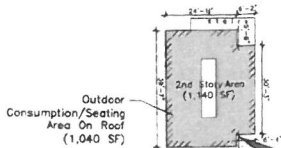


Lori Thompson

Cc: Kevin Bond, AICP, Acting City Planner  
James Bouquet, PE, City Engineer  
Richard Klitenick, Esq., Planning Board Chair

CYH  
1-28-2021  
KRT 1-28-21

Exhibit B



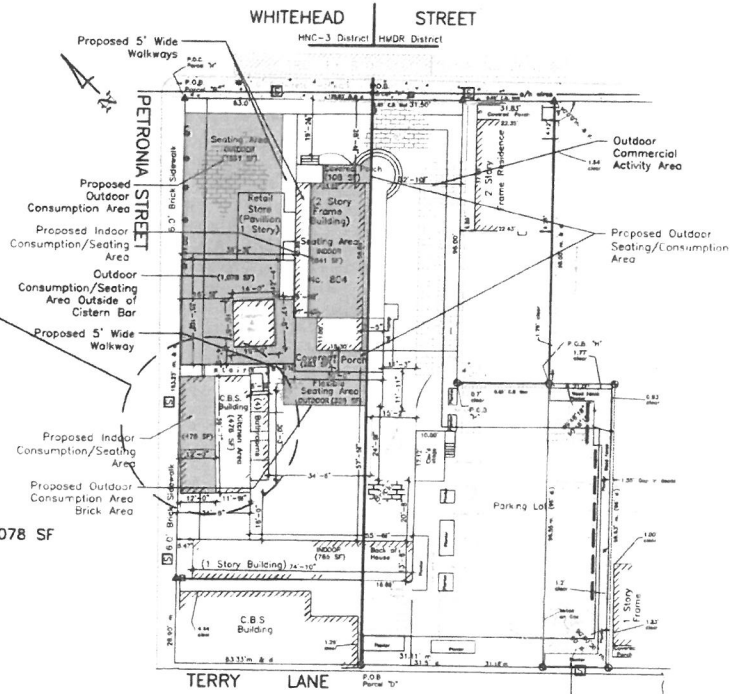
**SECOND FLOOR**

SCALE: 1"=30'

**LEGEND**

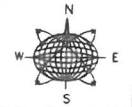
CONSUMPTION AREA

**CONSUMPTION AREAS:**  
**PREVIOUS (FRONT OUTDOOR AREA AND CISTERN BAR): 1,078 SF**  
**PROPOSED:**  
 COVERED PORCHES: 482 SF  
 OUTDOOR REAR BRICK AREA: 328 SF  
 INDOOR FIRST FLOOR 2-STORY BLDG: 841 SF  
 OUTDOOR FRONT BRICK AREA: 1,591 SF  
 OUTDOOR TWO-STORY BLDG.: 1,040 SF  
 INDOOR TWO-STORY BLDG: 476 SF  
**TOTAL PREVIOUS AND PROPOSED: 5,836 SF**



**PROPOSED CONSUMPTION AREA**

SCALE: 1"=30'



Meridian Engineering LLC  
 201 Front Street, Suite 210  
 Key West, Florida 33040  
 AUTHORIZATION # 26401  
 PH: 305-293-5293 FAX: 305-293-4889

Seal

RICHARD J. MILELLI  
 PE #65815

**BAHAMA VILLAGE MARKET**  
 WHITEHEAD & PETRONIA  
 KEY WEST, FLORIDA

Drawn By: PCS  
 Checked By: RJM

Revisions

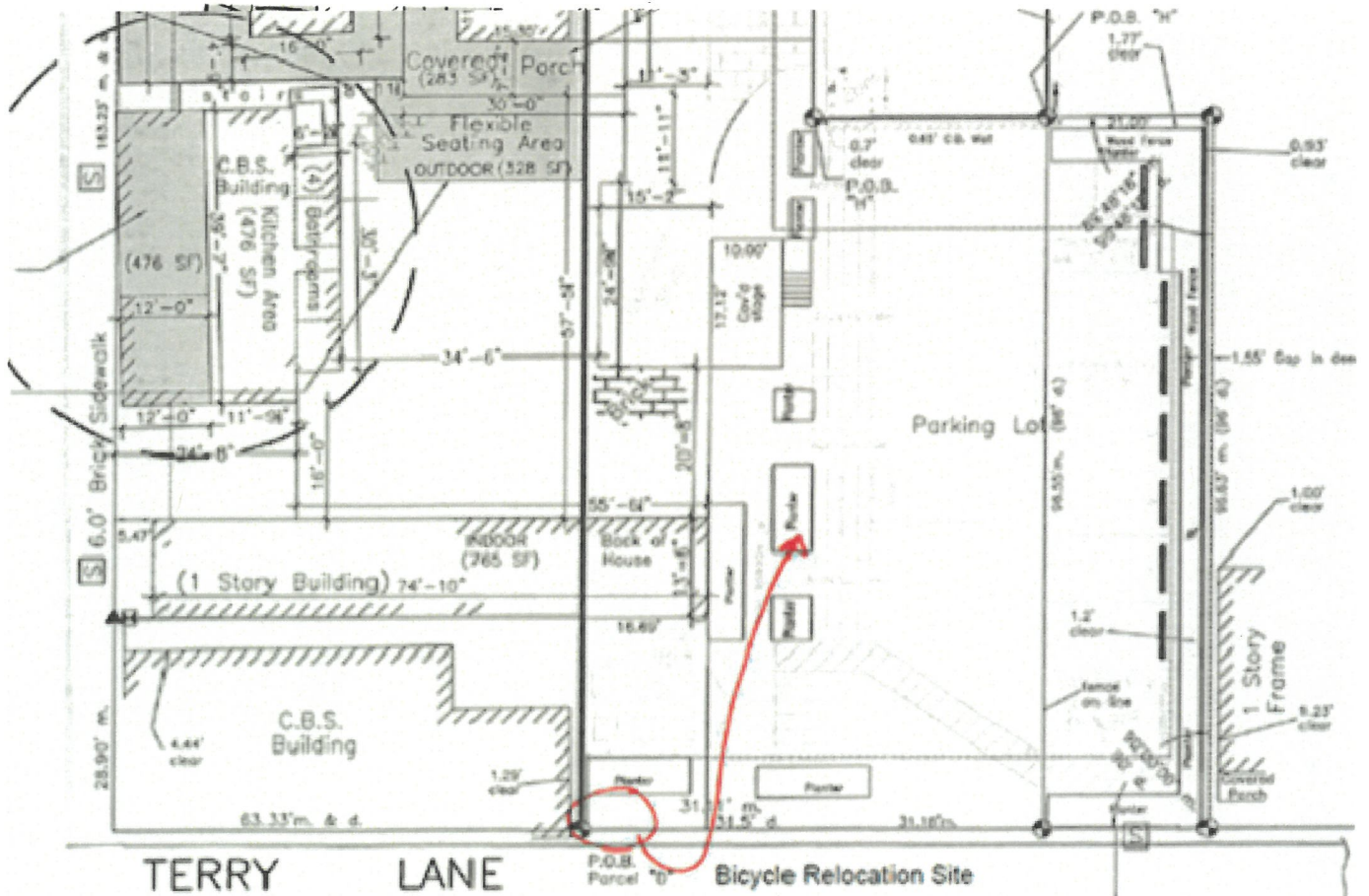
Title  
 PROPOSED AND PREVIOUS CONSUMPTION AREAS

Sheet Number  
**C-1.3**

Date: FEBRUARY 9, 2015

*Copy - 2/28/2015  
 KPH 1.28.21*

EXHIBIT C



WJ  
1-28-2021  
KPL 1-28-21