

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



Development Plan & Conditional Use Application

Applications will not be accepted unless complete

<u>Development Plan</u>	<u>Conditional Use</u>	<u>Historic District</u>
Major _____	_____	Yes <input checked="" type="checkbox"/>
Minor <input checked="" type="checkbox"/>		No _____

Please print or type:

- 1) Site Address 420-422 Appelrouth Lane
- 2) Name of Applicant Bender + Associates, P.A.
- 3) Applicant is: Owner _____ Authorized Representative
 (attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant Bender + Associates, P.A.
410 Angela Street Key West 33040
- 5) Applicant's Phone # 305-296-1347 Email blbender@bellsouth.net
- 6) Email Address: blbender@bellsouth.net
- 7) Name of Owner, if different than above 420ARL
- 8) Address of Owner 723 Fleming Street Key West
- 9) Owner Phone # 305-296-1347 Email blbender@bellsouth.net
- 10) Zoning District of Parcel HRCC-1 RE# 00009780
- 11) Is Subject Property located within the Historic District? Yes No _____
 If Yes: Date of approval _____ HARC approval # _____
 OR: Date of meeting _____ 2012 HARC APPROVALS For renovation
And Signage NOT A PART OF this application
- 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).

Partial demolition and redevelopment of bar and restaurant facility. Proposed floor area and lot coverage will be reduced by 205 square feet.

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

If Yes: Date of approval _____ Resolution # _____

Attach resolution(s). **PLANNING BOARD RESOLUTION NO. 2002-037**

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

Yes ____ No

If Yes, describe and attach relevant documents.

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

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

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

D. For both *Conditional Uses* and *Development Plans*, one set of plans **MUST** be signed & sealed by an Engineer or Architect.

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

Project Analysis 420 – 422 Appelrouth Lane

The following is an analysis of the proposed partial demolition and redevelopment of a bar and restaurant facility located at 420-422 Appelrouth Lane, formerly known as “Wax” and “The Bamboo Room”. The property is zoned HRCC-1, and the proposed redevelopment is considered a minor development plan. The site received conditional use approval for expanded service and consumption area via Planning Board Resolution 2002-037 in 2002.

The proposal includes the demolition of 990 square feet of floor area, and reconstruction of 795 square feet of floor area, inclusive of a second story storage area. Proposed floor area and lot coverage will be reduced by 205 square feet. Improvements include stormwater, handicapped accessibility, recycling and façade enhancements.

The property is located in an “X” flood zone, and the structures are non-contributing.

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

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

Title Block(Sec.108-227)

Name of development:	420 – 422 Appelrouth Lane
Owner/Developer:	420ARL LLC
Scale:	¼” to 1’
Preparation and revision dates:	Noted on plans
Location:	420 – 422 Appelrouth Lane

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

Buildings	Garbage and	Finished floor
Setbacks	Recycling	elevations
Utility locations	Project Statistics	Building elevations
Height of buildings	Drainage plans	

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

Owner:	420ARL LLC
Authorized Agent:	Bender & Associates, P. A., Donna Bosold
Architect:	Bender & Associates, P. A.
Engineer:	Allen E. Perez, Perez Engineering
Surveyor:	J. Lynne O’Flynn, Inc., Inc.
Legal and Equitable Owners:	420ARL LLC

Sec. 108-229. Project description.

420-422 Appelrouth Lane has variously operated as a bar and/or nightclub facility in the with patio dining in the recent past, and is currently unoccupied. The proposed plans provide for refurbishment of both interior and exterior, are sensitive to neighboring properties, provide improved drainage, and create handicapped accessible facilities, while reducing the overall on-site footprint. The site is located in the HRCC-1 pedestrian zoning district, and is exempt from parking requirements.

Site Data	Code	Existing	Proposed	Compliance
Zoning		HRCC1		yes
Building Coverage	.50 (1,250 sf)	2,225 sf	2,025 sf	reduced
FAR	1	.89	.95 (2,360 sf)	yes
Max Height	35'	17'	21'	yes
Landscape				waiver/modification requested
Buffer				waiver/modification requested
Impervious Surface	.70 (1,750 sf)	2,445 sf	2270 sf	reduced
Setbacks: Front	0'	0'	0'	yes
(N) Side	2'6"	1'1"	No change	
(W) Side	2'6"	0'0"	3'8"	Yes
Rear	10'	0'7"	0'7" & 10' at addition	addition complies
Parking	Exempt per Sec. 108-573			exempt
Consumption Area	N/A	1,750 sf	1,100 sf (reduced)	

Sec. 108-230. Other Project Information

- (1) The proposed redevelopment consists of a single phase demolition and redevelopment.
- (2) The target date for commencement shall follow entitlement approvals as quickly as possible.
- (3) Anticipated date of completion will be determined from the date of approvals.
- (4) The proposed Development Plan is included herewith.

- (5) The application as submitted proposes to redevelop the existing commercial facility as a bar and restaurant.
- (6) This project is not a planned unit development.
- (7) The project is located in an "X" zone.
- (8) The project is not located in an environmentally sensitive area.
- (10) The project will require submittal of an application for easement approval for the existing concrete awning located over the City right-of-way.
- (11) No signage is contemplated by this application.

Sec. 108-231. Residential developments.

N/A No residential development is being proposed with this application.

Sec. 108-232. Intergovernmental coordination.

Updated coordination with Keys Energy Services , Florida Keys Aqueduct Authority, and Key West Utilities Department will be required to bring the facility back on line.

Sec. 108-233. Concurrency facilities and other utilities or services

The project site is currently served by water and electric service. Stormwater management is being provided to the maximum extent practicable and impervious surface run-off is anticipated to be retained on-site. The redevelopment of the site does not trigger any additional need for recreational facilities. The site is served by Appelrouth Lane, located between Duval and Whitehead Streets. The project is located in the pedestrian-oriented HRCC-1 zoning district and not served by a driveway cut. Existing lot size (2,500 sf) has not changed since the property was

under previous ownership, therefore it is not anticipated that the need for potable water or wastewater management will have increased.

Sec. 108-236. Appearance of site and structures.

The submitted development plans exhibit harmonious overall design characteristics in compliance with the performance standards stipulated in sections 108-278 through 108-288 as follows as illustrated on the site plan and elevation drawings provided by Bender & Associates, P.A.

Sec. 108-237. - Site plan.

A site plan illustrating the reconfigured site has been provided in accordance with the requirements of Sec. 108-27, Bender & Associates, P. A.

Sec. 108-238. Architectural drawings.

All architectural and engineering designs were prepared and sealed by a professional architect or engineer registered in the state pursuant to F.S. chs. 471 and 481, respectively. Drawings submitted for the development plan meet or exceed minimum submittal requirements.

Sec. 108-240. Site survey.

The submitted applications include site surveys prepared by a certified land surveyor.

Sec. 108-241. - Soil survey.

No soil survey has been required for this application

Sec. 108-242. Environmentally sensitive areas.

No vegetation exists on-site.

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

The applicant seeks a waiver or modification of Sec. 108-412 ("Minimum Landscaping requirements") and of the right-of-way buffering requirement as outlined in Sec. 108-413 ("Requirements along street frontages"). The property is scarified, and maintains a 0' front yard setback. The proposed footprint reduction will provide separation between 420 and 418 Appalrouth Lane, as well as enhance stormwater management capacity.

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

The proposed project is located in the historic commercial pedestrian-oriented area as outlined in Sec.108-573 of the Code. The overall non-residential floor area is not being converted to another use, and will effectively be reduced after redevelopment has been completed.

Sec. 108-245. - Housing.

The proposed project does not contemplate any residential housing.

Sec. 108-246. - Economic resources.

The proposed project will improve the value of the currently vacant property and provide new employment opportunities.

Sec. 108-247. - Special considerations.

No additional impacts to city land use plans, objectives or policies are anticipated. The site previously operated as a bar/nightclub.

Sec. 108-248. - Construction management plan and inspection schedule.

A construction management plan is currently under review.

Verification

City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an individual)

I, Donna Bosold, 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:

420-422 Appelrouth Lane

Street address of subject property

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

[Signature]

Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 17th day of Aug by

date

DONNA BOSOLD

Name of Authorized Representative

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

Mary Henkel
Notary Signature and Seal



Mary Henkel

Name of Acknowledger typed, printed or stamped

FF 223904

Commission Number, if any

**City of Key West
Planning Department**



Authorization Form
(Where Owner is a Business Entity)

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

I, ROBERT F. SHARPE, JR. as
Please Print Name of person with authority to execute documents on behalf of entity

MANAGER of 420ARL, LLC
Name of office (President, Managing Member) *Name of owner from deed*

authorize BENDER & ASSOCIATES ARCHITECTS, P.A. & DONDA BOSOLD
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]
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this AUGUST 17, 2015
Date

by Robert F. Sharpe
Name of person with authority to execute documents on behalf on entity owner

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

[Signature]
Notary's Signature and Seal

CATHLEEN GOLD
Name of Acknowledger typed, printed or stamped

Commission Number, if any

CATHLEEN GOLD
NOTARY PUBLIC-STATE OF NEW YORK
No. 5005541
Certificate filed in New York County
Qualified in Westchester County
My Commission Expires December 14, 2017

**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, MARIA SHARPE as
Please Print Name of person with authority to execute documents on behalf of entity

MEMBER of 420 ARL, LLC
Name of office (President, Managing Member) Name of owner from deed

authorize BENDER & ASSOCIATES ARCHITECTS P.A. & DONNA ROSOLD
Please Print Name of Representative

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

Maria R. Sharpe
Signature of person with authority to execute documents on behalf on entity owner

Subscribed and sworn to (or affirmed) before me on this _____
Date

by _____
Name of person with authority to execute documents on behalf on entity owner

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

Cathleen Gold
Notary's Signature and Seal

CATHLEEN GOLD
Name of Acknowledger typed, printed or stamped

Commission Number, if any

CATHLEEN GOLD
NOTARY PUBLIC-STATE OF NEW YORK
No. 5005541
Certificate filed in New York County
Qualified in Westchester County
My Commission Expires December 14, 20 17

**City of Key West
Planning Department**



Verification Form

(Where Authorized Representative is an entity)

I, HAYEN BURKEE, in my capacity as ASSOCIATE ARCHITECT
(print name) OR BERT BENDER, PRINCIPAL (print position; president, managing member)
of BENDER & ASSOCIATES ARCHITECTS, T.A.
(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:

420-422 APPLE BOUTH LANE, KEY WEST
Street Address of subject property

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

[Signature] and/or [Signature]
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 17th day of August 2015 by
date
HAYEN BURKEE and BERT BENDER
Name of Authorized Representative

They are
He/she is personally known to me or has presented _____ as identification.

[Signature]
Notary's Signature and Seal



Name of Acknowledger typed, printed or stamped

Commission Number, if any

Deed

NOTE TO CLERK/TAX EXAMINER: Actual consideration
paid is \$ 905,000.00

This Instrument Prepared by and Return to:
Jennifer G. Sanchez, Esq.
Sanchez & Ashby, P.A.
1223 White Street, Unit 104
Key West, FL 33040
(305) 293-0084

05/06/2015 3:58PM
DEED DOC STAMP CL: Krys \$6,335.00

Doc# 2027720
Bk# 2739 Pg# 553

Parcel ID Number: 00009780-000000

Warranty Deed

This Indenture, Made this 4th day of May, 2015 A.D., Between
Dive Bar and Lounge, LLC, a Florida limited liability company
of the County of MONROE, State of Florida, grantor, and
420ARL, LLC, a Florida limited liability company
whose address is: 723 Fleming Street, KEY WEST, FL 33040
of the County of MONROE, State of Florida, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of
-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of MONROE State of Florida to wit:

On the Island of Key West, and known on Wm. A. Whitehead's map as a part of Lot One (1) in Square Fifty-one (51).

Commencing at a point of the Southeasterly side of Smiths Alley one hundred (100) feet Southwesterly from the corner of Smiths Alley and Duval Street and running thence along the line of Smiths Alley in a Southwesterly direction fifty (50) feet; thence at right angles in a southeasterly direction fifty (50) feet; thence at right angles in a Northeasterly direction fifty (50) feet; thence at right angles in a North westerly direction fifty (50) feet to the point of beginning.

Subject to current taxes, easements and restrictions of record.

Warranty Deed - Page 2

Parcel ID Number: 00009780-000000

Doc# 2027720
Bk# 2739 Pg# 554

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

Signed, sealed and delivered in our presence:

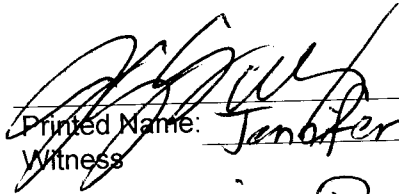
Dive Bar and Lounge, LLC, a Florida
limited liability company




By:

Tap Johnson, Managing Member
P.O. Address: 425 Caroline Street, KEY WEST, FL 33040

(Seal)


Printed Name: Jennifer G. Sanchez
Witness

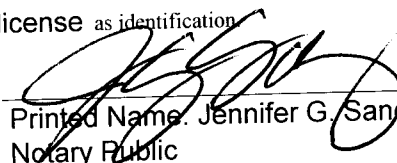

Printed Name: Diane Paglia
Witness

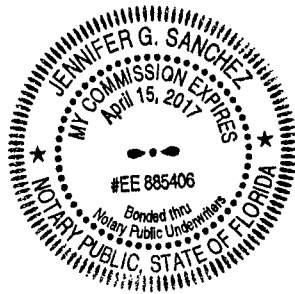
STATE OF Florida
COUNTY OF MONROE



day of **May**, 2015 by

The foregoing instrument was acknowledged before me this
Tap Johnson, Managing Member of Dive Bar and Lounge, LLC, a Florida limited liability
company
who is personally known to me or who has produced his Florida driver's license as identification


Printed Name: Jennifer G. Sanchez
Notary Public
My Commission Expires: 04/15/17



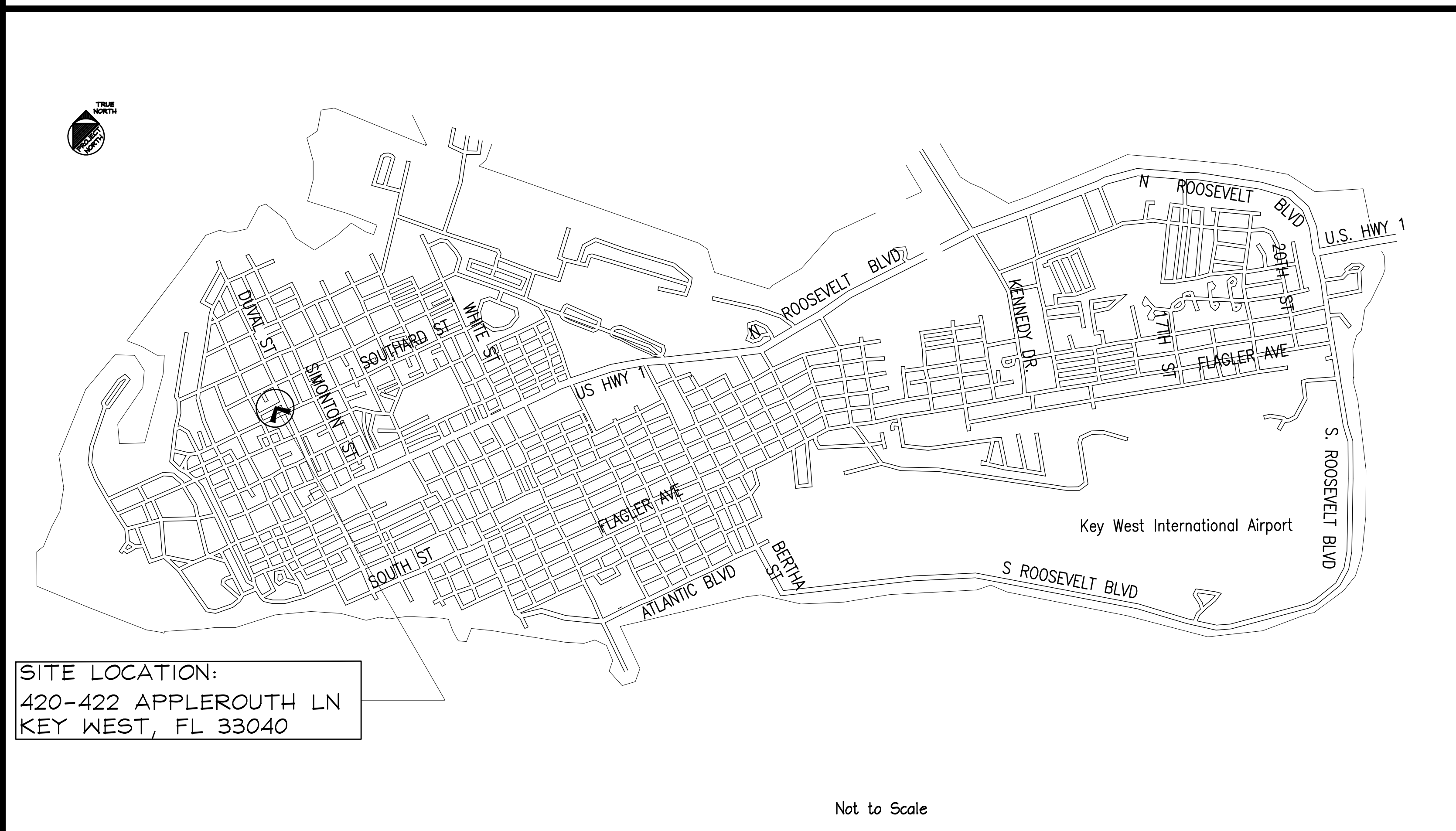
**MONROE COUNTY
OFFICIAL RECORDS**

Survey

420-422 APPLEROUTH LANE

Key West Florida 33040

SITE MAP - KEY WEST



PROJECT DIRECTORY

PROJECT: H420-422 Applerouth Lane
 ARCHITECT'S PROJECT No.: 1513

CONTACT: 420 ARL, LLC (Rob Sharpe & Maria Sharpe)
 Address: 723 Fleming Street
 Key West Florida, 33040

Tel:
 ARCHITECT: BENDER & ASSOCIATES ARCHITECTS, P.A.
 Address: 410 Angela Street, Key West, FL 33040
 Tel: (305) 296-1347 Fax: (305) 296-2727
 E-mail: bbender@bellsouth.net
 Project Architect: Bert L. Bender (Principal-in-Charge)
 Project Manager: Haven Burke

GENERAL NOTES

- All work shall comply with the Florida Building Code, latest edition, and all applicable laws, codes and ordinances of the City, County, and the State of Florida. In the City of Key West, applicable Codes forming the basis of this design and compliance requirements for the Contractor include:
 FLORIDA BUILDING CODE - Building 2014 EDITION
 FLORIDA BUILDING CODE - Existing 2014 EDITION
 FLORIDA BUILDING CODE - Residential 2014 EDITION
 FLORIDA BUILDING CODE - Plumbing 2014 EDITION
 FLORIDA BUILDING CODE - Fuel Gas 2014 EDITION
 FLORIDA BUILDING CODE - Mechanical 2014 EDITION
 NATIONAL ELECTRICAL CODE 2008 EDITION
 NFPA 70 LIFE SAFETY CODE w/ Florida Modifications
 2006 EDITION FLORIDA FIRE PREVENTION CODE 2007 EDITION
 NFPA 1 2006 EDITION
 This project is designed in accordance with A.S.C.E. 7-10 to resist wind loads of 180 mph (3 second gusts).
- Prior to submitting a bid, verify all existing conditions and dimensions on the jobsite, and also after award, but prior to the start of construction.
- Contours and/or existing grades shown are approximate. Verify with field conditions. Final grading shall provide gradual slopes and grades. Slope all grades away from the building. Planting areas shall be graded with soil suitable for planting. Rock and debris will not be allowed.
- Where discrepancies between drawings, specifications, and code requirements occur, adhere to the most stringent requirement.
- Dimensions shall take precedence over scale.
- All new utilities shall be underground.
- Drawings and specifications are complementary. Refer to all sheets of drawings and applicable sections of the specifications for interfaces of work with related trades.
- After completion of construction remove all debris and construction equipment. Restore site to original condition.
- Notify owner of any possible artifacts uncovered during site grading and throughout the course of construction.
- Furnish a receptacle on site to contain construction debris and maintain the site in an orderly manner to ensure public safety and prevent blowing debris.
- Comply with all requirements for selective demolition as specified, shown on the Demolition Plan, or called for in the selective Demolition Notes.

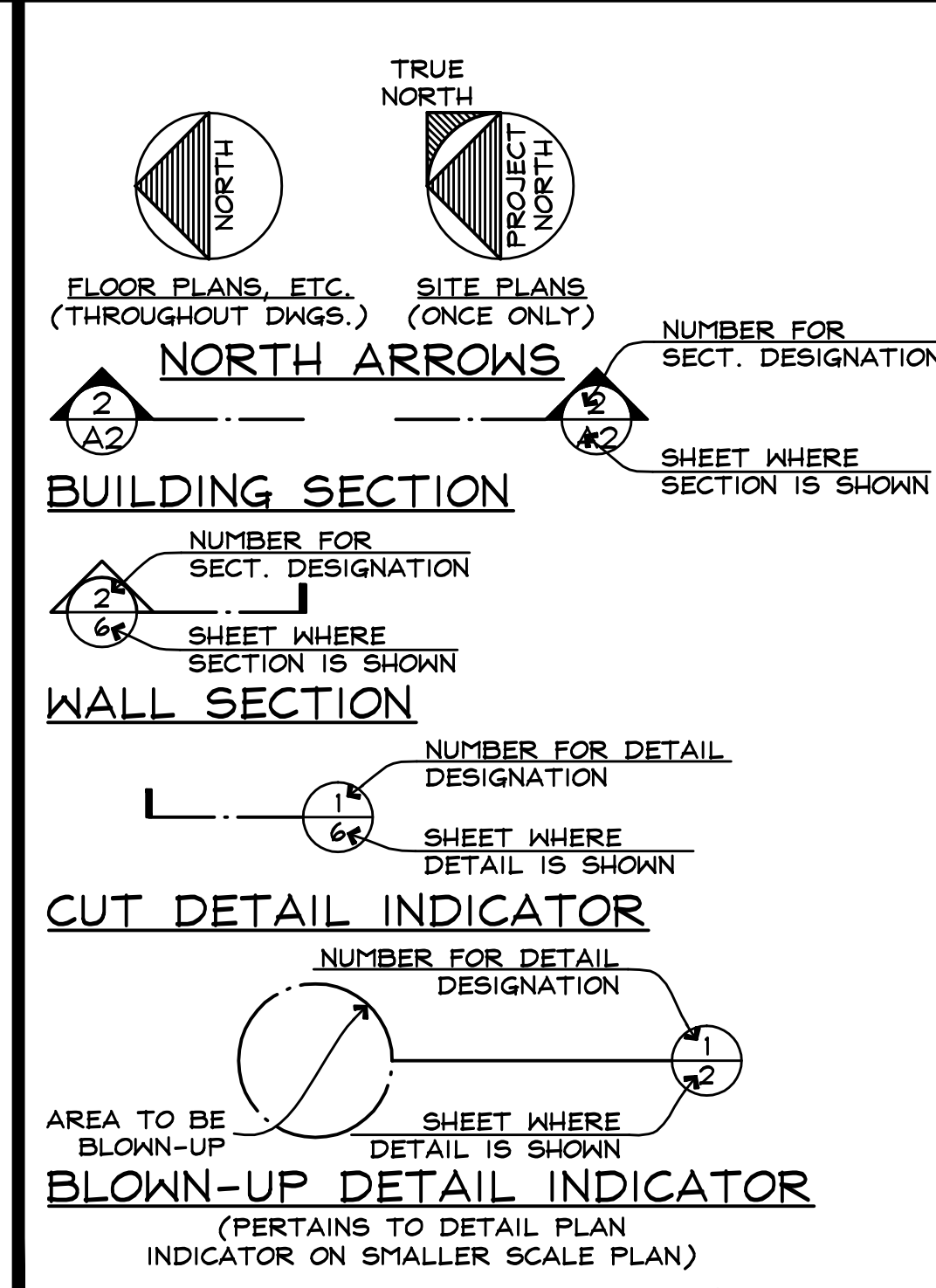
FLORIDA ADMINISTRATIVE CODE

61G1-16.003 Use of Seal. The personal seal, signature and date of the architect or interior designer shall appear on all architectural or interior design documents to be filed for public record and shall be construed to obligate his partners or his corporation. A corporate seal alone is insufficient. Documents shall be signed personally and sealed by the responsible architect or interior designer. Final official record documents (not tracings, etc.) shall be so signed. The signing and sealing of the specification index sheets shall be considered adequate. All drawing sheets and pages shall be so signed and sealed. An architect or interior designer shall not affix, or permit to be affixed, his seal or name to any plan, specifications, drawings, or other related document which was not prepared by him or under his responsible supervising control as provided in Rule Chapter 61G1-23, F.A.C. An architect or interior designer shall not use his seal or do any other act as an architect or interior designer unless holding at the time a certificate of registration and all required renewals thereof.
 Specific Authority 481.2055, 481.221 FS. Law Implemented 481.221, 481.225(1)(e), (g), (i), 481.225(1)(g), (h), (i) FS. History-New 12-23-79, Formerly 21B-16.03, Amended 7-27-84, Formerly 21B-16.03, Amended 11-21-94, 4-18-00.

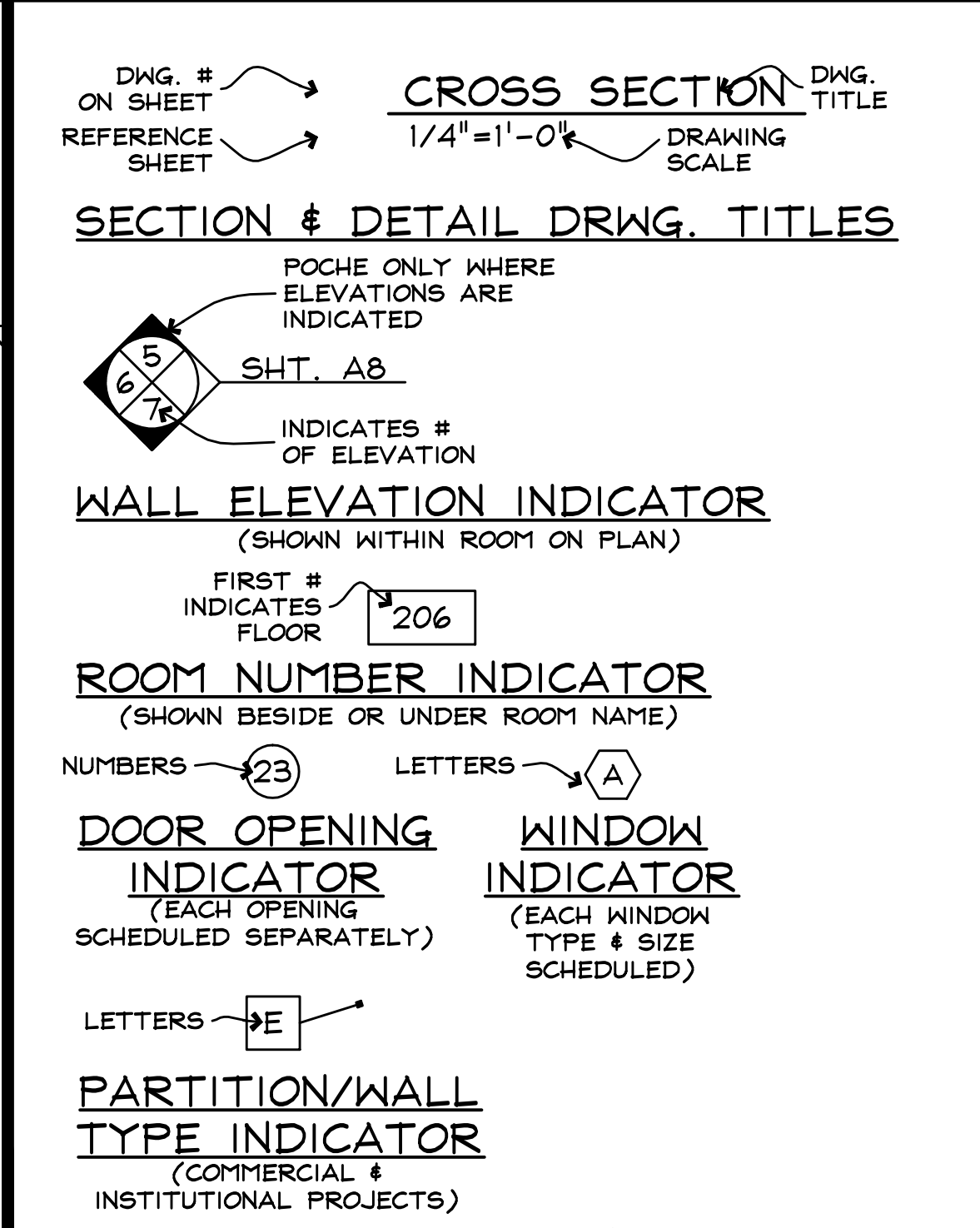
ABBREVIATIONS

AB	ANCHOR BOLT	MIN	MINIMUM
ABC	AGGREGATE BASE COURSE	NTS	NOT TO SCALE
A/C	AIR CONDITIONING	OA	OVERALL
BLKG	BLOCKING	OC	ON CENTER
BUR	BUILT UP ROOF	OD	OUTSIDE DIAMETER
CAB	CABINET	PCF	POUNDS PER CUBIC FOOT
CER	CERAMIC	PL	PROPETY LINE
CL	CENTER LINE	PLAM	PLASTIC LAMINATE
CLG	CEILING	PLF	POUNDS PER LINEAL FOOT
CMU	CONCRETE MASONRY UNIT	PNL	PANEL
COL	COLUMN	PT	CCA PRESSURE TREATED POINT
CONC	CONCRETE	PVC	POLYVINYLCHLORIDE RADIUS (OR) RISER
DBL	DOUBLE	R	RETURN AIR
DIAG	DIAGONAL	R/A	REBAR
DS	DOWNSPOUT	REFR.	REFRIGERATOR
DTL	DETAIL	SF	SQUARE FOOT (FEET)
DWR	DRAWER	SS	STAINLESS STEEL
EJ	EXPANSION JOINT	SPEC	SPECIFICATION
EL	ELEVATION	T	TYPICAL
ELEC	ELECTRIC	UNO	UNLESS NOTED OTHERWISE
EQ	EQUAL	VCT	VINYL COMPOSITION TILE
EXH	EXHAUST	VERT	VERTICAL
FV	FIELD VERIFY	WD	WOOD
GALV	GALVANIZED	WKF	WELDED WIRE FABRIC
GI	GALVANIZED IRON	WH	WATER HEATER
HORZ	HORIZONTAL	W/O	WITHOUT
HDW	HARDWARE		
HVAC	HEATING VENTILATING & AIR CONDITIONING		
FOC	FACE OF CONCRETE		
FOS	FACE OF STUD		
FIN	FINISH		
FE	FIRE EXTINGUISHER		
FND	FOUNDATION		
FTG	FOOTING		
ID	INSIDE DIAMETER		
MAX	MAXIMUM		

SYMBOLS LEGEND



CROSS SECTION & DETAIL DRWG. TITLES



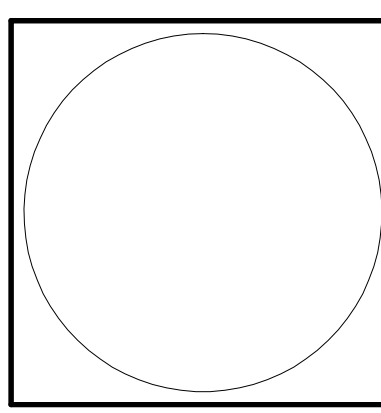
MATERIAL DESIGNATIONS

	CONCRETE MASONRY UNITS IN PLAN
	CONC., STUCCO, PLASTER IN ELEV.;POURED CONC. IN PLAN
	METAL IN ELEVATION
	METAL IN SECTION
	FINISH WOOD IN ELEV. & IN SECTION
	DIMENSION LUMBER IN SECTION (CONTINUOUS)
	WOOD BLOCKING IN SECTION (DISCONTINUOUS)
	GYPSUM WALL BOARD IN SECTION (LARGE SCALE)
	EARTH, NATURAL SUBSTRATE
	GRAVEL, AGGREGATE BASE COURSE, FILL
	FIBERGLASS BATT INSULATION
	RIGID INSULATION
	CONCRETE MASONRY UNITS
	POURED CONCRETE
	WOOD FRAME
	METAL STUDS
	EXISTING CONSTRUCTION TO REMAIN
	EXISTING CONSTRUCTION TO BE DEMOLISHED

SHEET INDEX

SHEET INDEX	
C	COVER
A0	SURVEY, EXISTING SITE PLAN
A1	DEMOLITION PLAN, PROPOSED SITE PLAN, SITE STATISTICS, FIXTURE CALCULATIONS
A2	FIRST FLOOR PLAN, SECOND FLOOR PLAN
A3	EXISTING STREET ELEVATION, PROPOSED STREET ELEVATION
A4	PROPOSED EXTERIOR ELEVATIONS
A5	LIFE SAFETY PLANS & NOTES
DESCRIPTION OF WORK:	
DEMOLITION OF EXISTING WOOD FRAMED STRUCTURES, CONSTRUCTION OF NEW ADDITION TO EXISTING MASONRY BUILDING, AND RENOVATION OF EXISTING MASONRY BUILDING.	

420-422 APPLEROUTH LANE
KEY WEST, FLORIDA



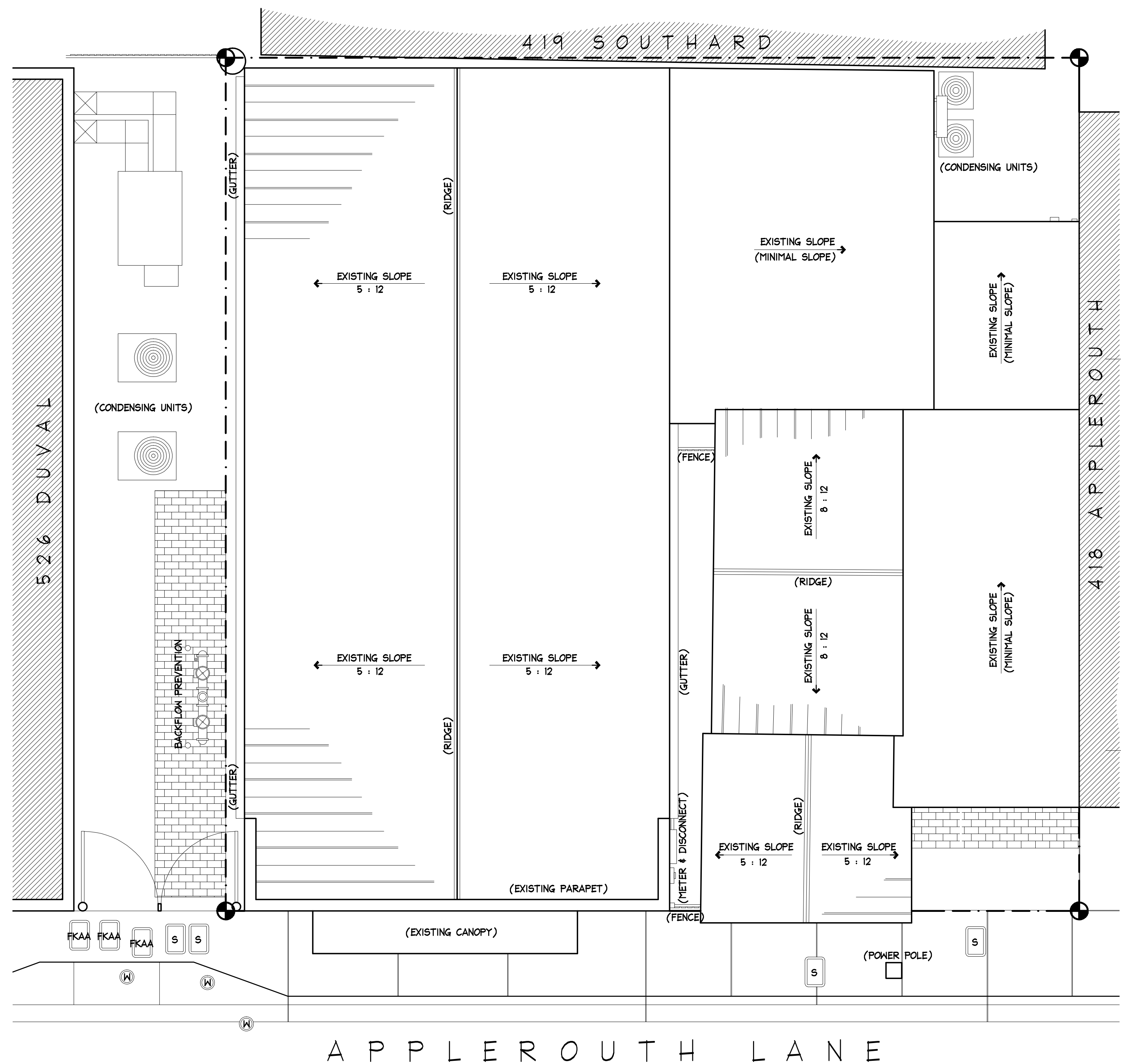
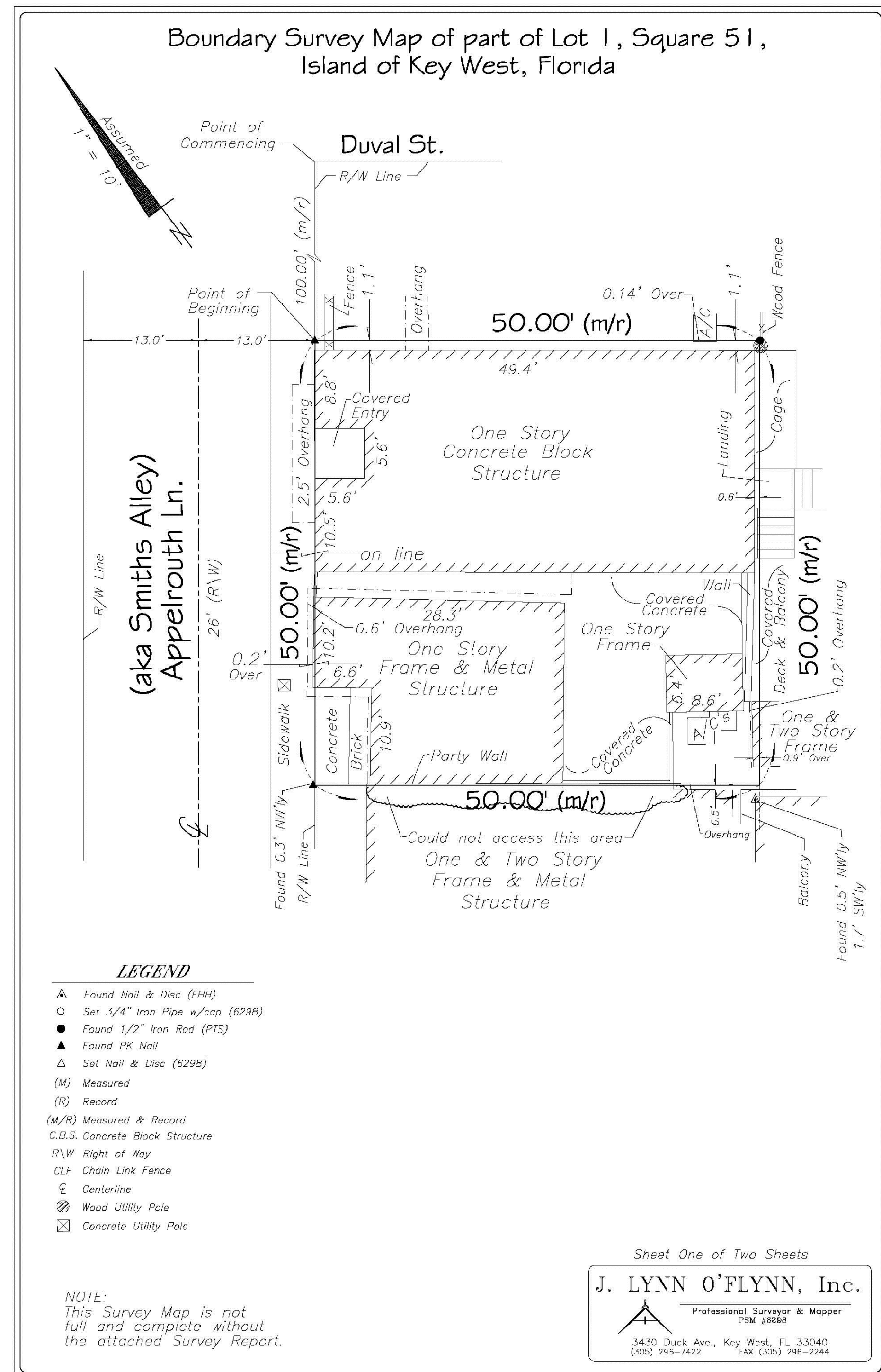
410 Angela Street
Key West, Florida 33040
Telephone (305) 296-1347
Facsimile (305) 296-2727
Florida License AAC002022

Bender & Associates
ARCHITECTS
p.a.

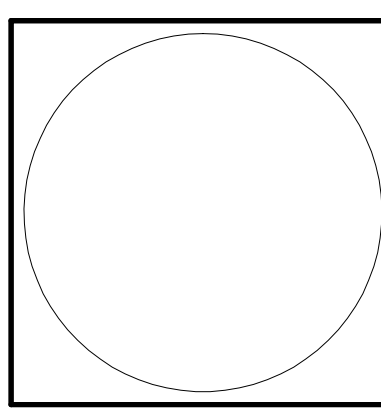
Project No. 1513
COVER SHEET
NOTES
Date: 08/14/15

C

Site Plans



420-422 APPLEROUTH LANE
KEY WEST, FLORIDA



410 Angela Street
Key West, Florida 33040
Telephone (305) 296-1347
Facsimile (305) 296-2727
Florida License AAC002022

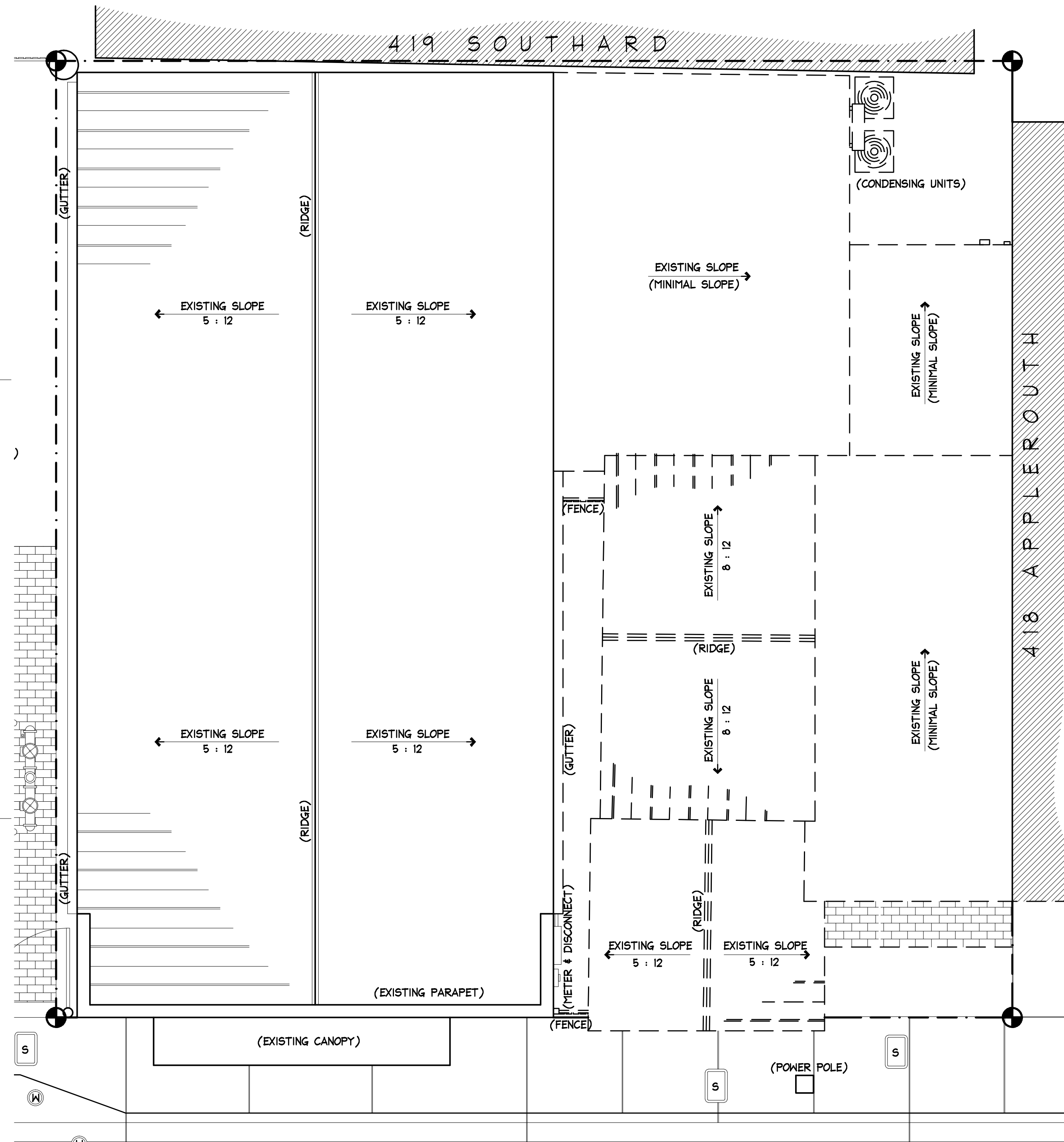
Bender & Associates
ARCHITECTS
p.a.

Project No: 1515
Date: 08/14/15

A0

PROJECT STATISTICS			
FEMA FLOOD ZONE	ZONE 'X'		
ZONING DESIGNATION	HRCC-1		
LOT SIZE	2,500 S.F.		
OCCUPANCY	ASSEMBLY (A-2)		
	REQUIRED	EXISTING	PROPOSED
BUILDING COVERAGE 2,500 S.F. X 50%	1,250 S.F. MAX.	2,225 S.F. MAX.	2,025 S.F. (200SF LESS)
BUILDING HEIGHT	35'-0" MAX.	16'-5"	21'-8"
IMPERVIOUS SURFACE 2,500 S.F. X 70%	1,750 S.F. MAX.	2,445 S.F.	2,270 S.F. (175SF LESS)
FRONT SETBACK (STREET)	0'-0" MIN.	0'-0"	0'-0" (NO CHANGE)
SIDE SETBACK (NORTH)	2'-6" MIN.	1'-1"	1'-1" (NO CHANGE)
SIDE SETBACK (WEST)	2'-6" MIN.	0'-0"	3'-8" (IMPROVED/COMPLIANT)
REAR SETBACK	10'-0" MIN.	0'-7"	0'-7" (10'-0" AT NEW ADDITION)
FLOOR AREA RATIO	F.A.R. = 1 MAX	.89	.95 (2,360SF TOTAL FLOOR AREA)
CONSUMPTION AREA	N/A	1,750 S.F.	1,100 S.F. (650SF LESS)

NOTE: DASHED LINES INDICATE AREAS TO BE DEMOLISHED



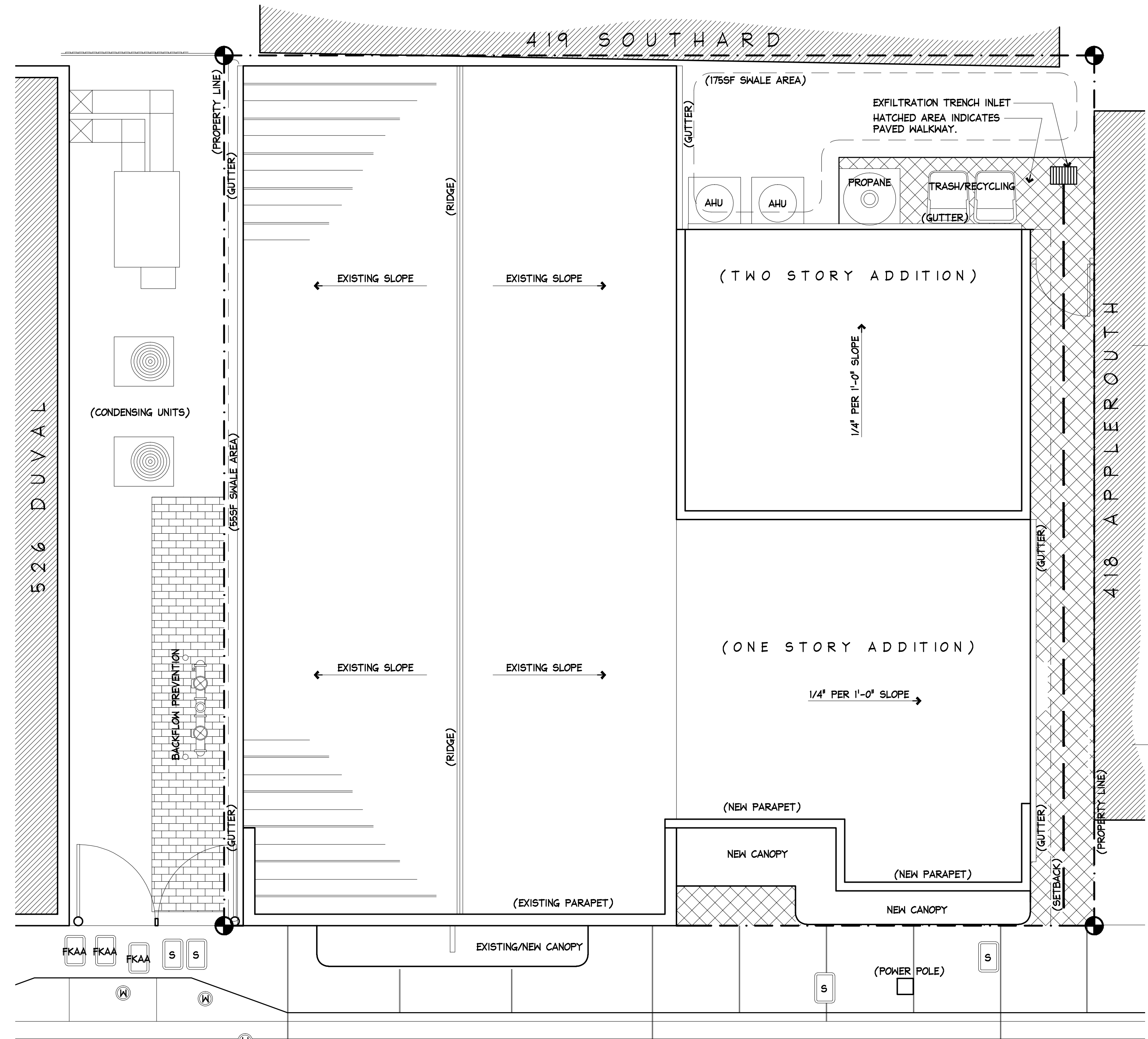
APPLEROUTH LANE

1
A1 DEMOLITION PLAN

SCALE: N.T.S.



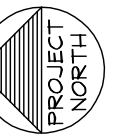
1
A1



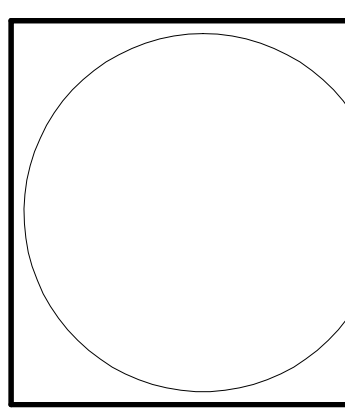
APPLEROUTH LANE

1
A1 PROPOSED SITE PLAN

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



420-422 APPLEROUTH LANE
KEY WEST, FLORIDA



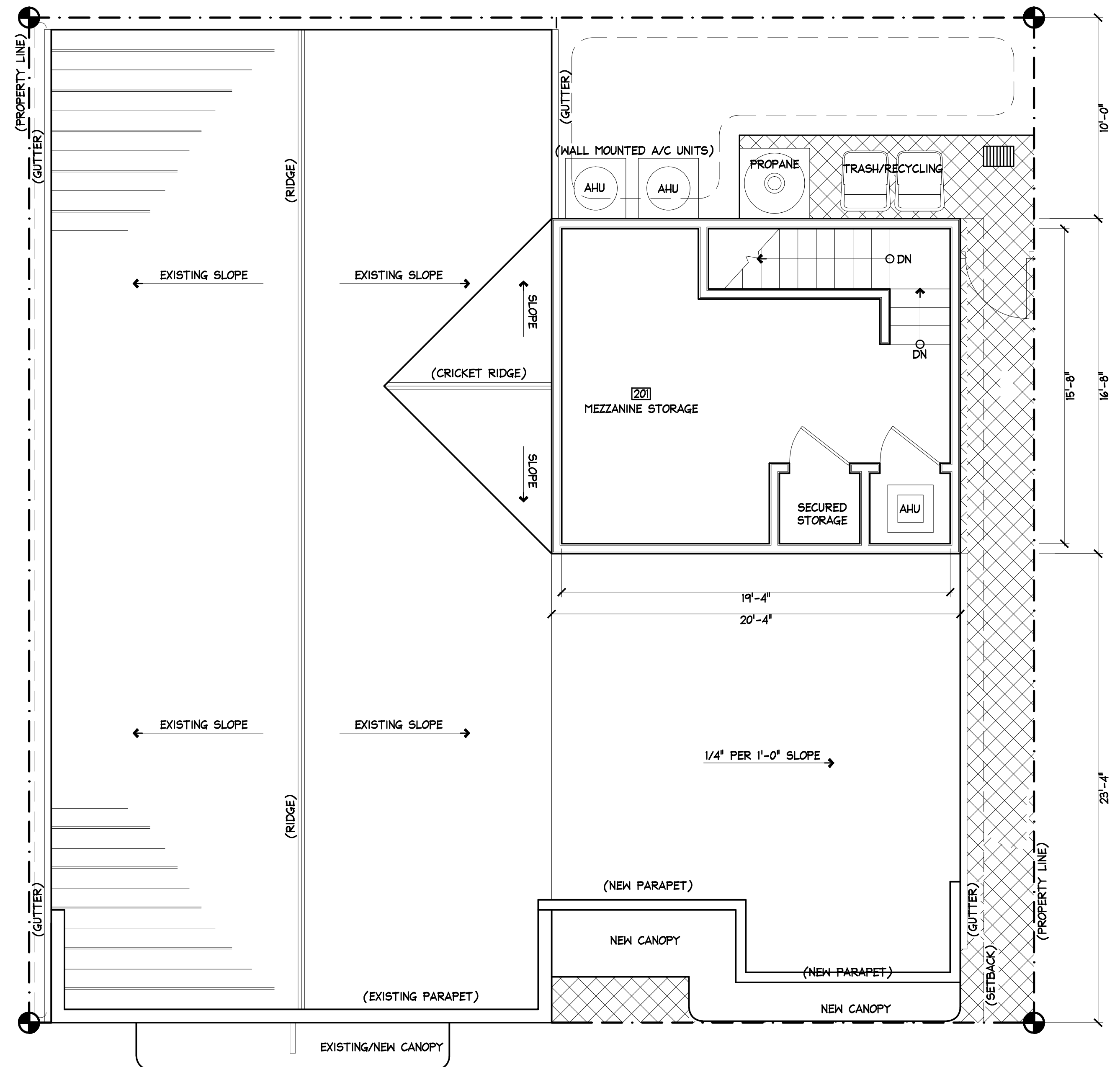
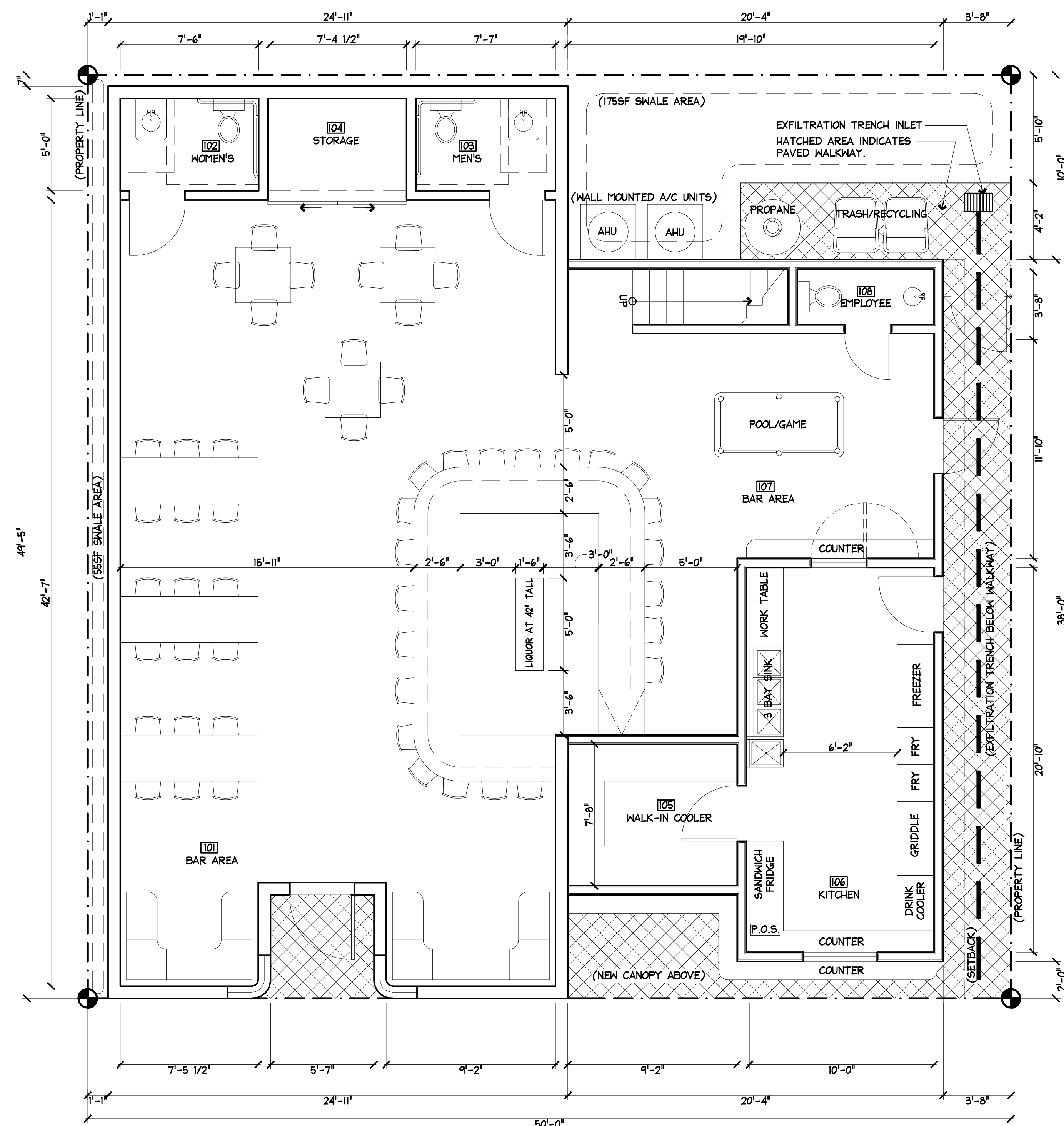
410 Angela Street
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Facsimile (305) 296-2727
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p.a.

Project No: 155
Date: 08/14/15

A1

OCCUPANCY & FIXTURE STATISTICS: OCCUPANCY LOAD AND FIXTURE REQUIREMENTS BASED ON FBC (BUILDING) TABLE 1004.1.2 AND FBC (PLUMBING) TABLE 403.1				
OCCUPANCY LOAD				
ASSEMBLY AREA WITHOUT FIXED SEATS (UNCONCENTRATED : 15 SF NET)	STORAGE AREA (300 SF GROSS)	KITCHEN AREA (200 SF GROSS)	TOTAL OCCUPANCY	NOTES:
1,100 SF / 15 SF = 74	245 SF / 300 SF = 1	330 SF / 200 SF = 2	77 PERSONS	
FIXTURE REQUIREMENT BASED ON A-2 OCCUPANCY 39 MALE / 39 FEMALE				
WATER CLOSET MALE & FEMALE = 1 PER 40	LAVATORIES MALE & FEMALE = 1 PER 40	DRINKING FOUNTAINS	NOTES:	
1 FEMALE / 1 MALE	1 FEMALE / 1 MALE	NOT APPLICABLE PER FBC (PLUMBING) SECTION 410.3		



1 PROPOSED FIRST FLOOR PLAN

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

2 PROPOSED ROOF PLAN / SECOND FLOOR PLAN

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

420-422 APPLEROUTH LANE
KEY WEST, FLORIDA

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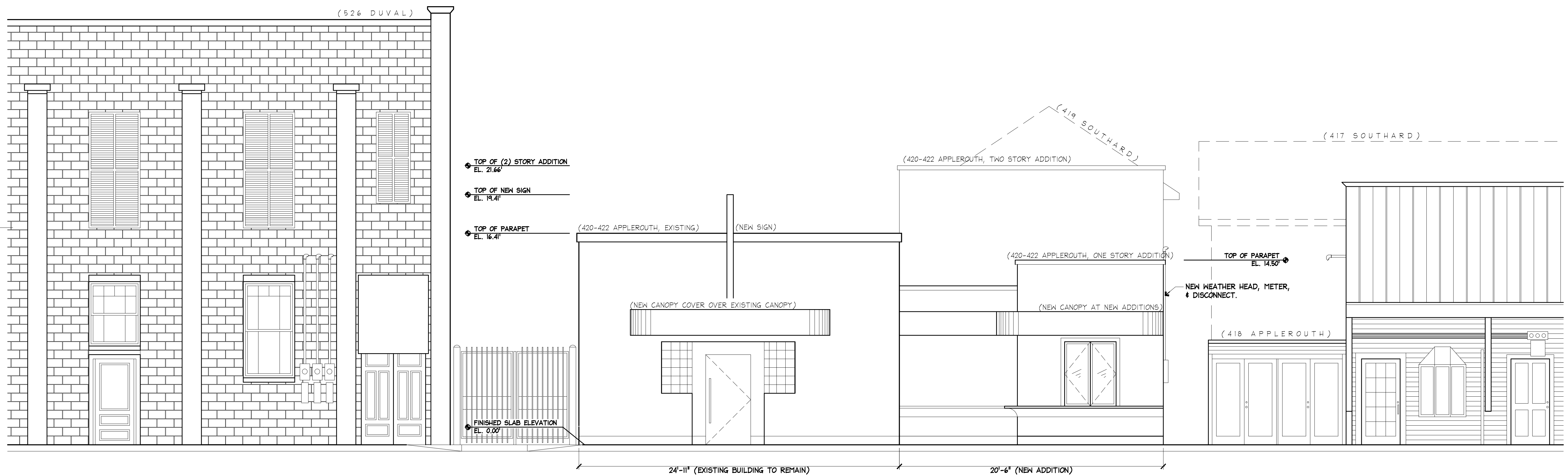
Project No. 1515
Date: 08/14/15

A2



1
A3 EXISTING STREET ELEVATION (WEST ELEVATION)

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



2
A3 PROPOSED STREET ELEVATION (WEST ELEVATION)

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

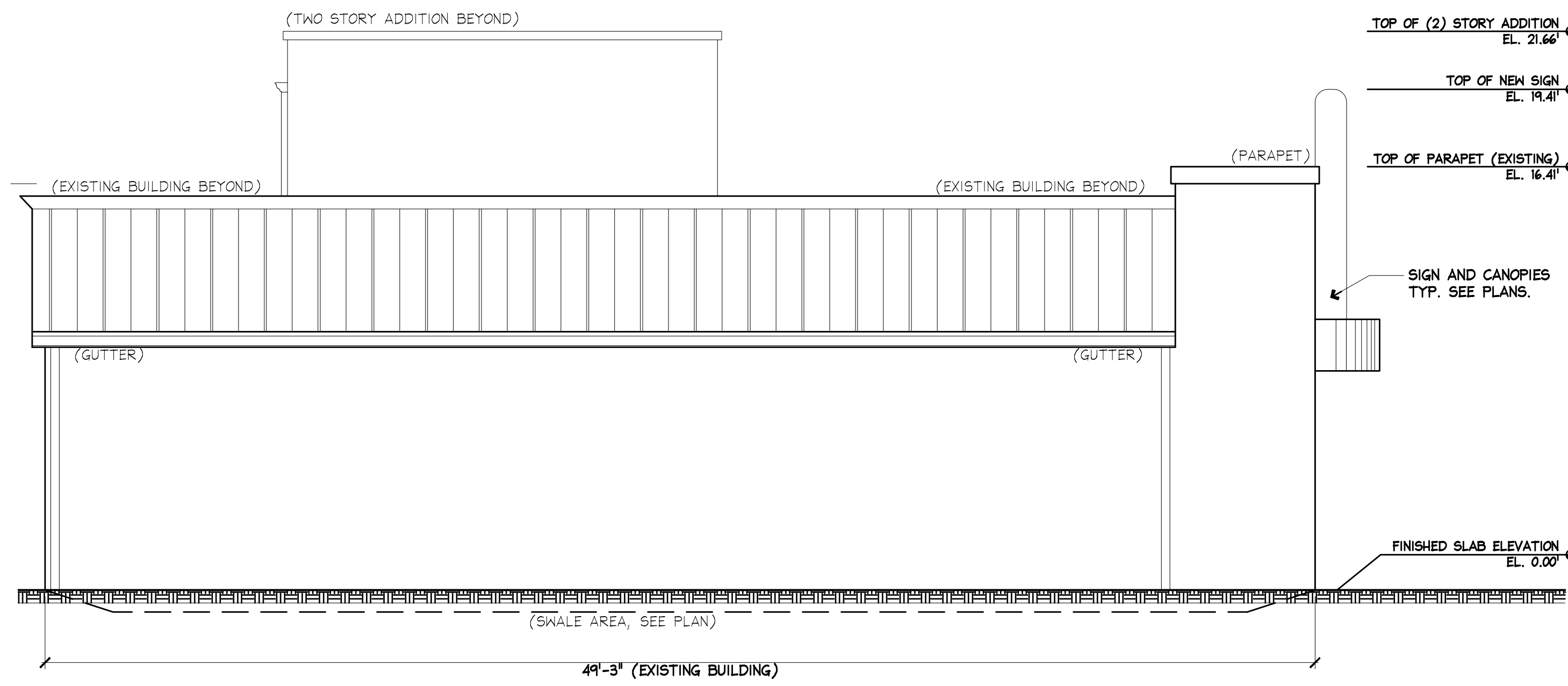
420-422 APPLEROUTH LANE
KEY WEST, FLORIDA

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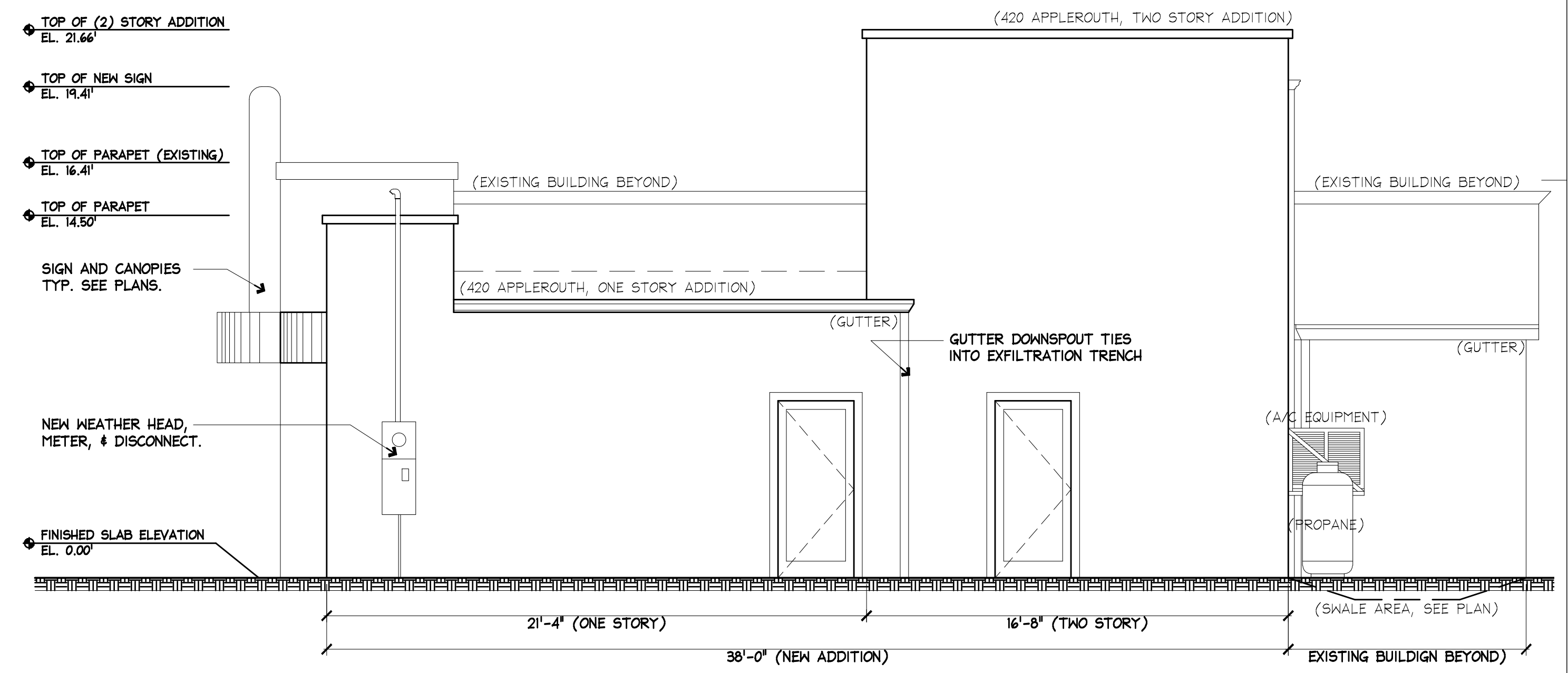
Project No: 155
Date: 08/14/15

A3



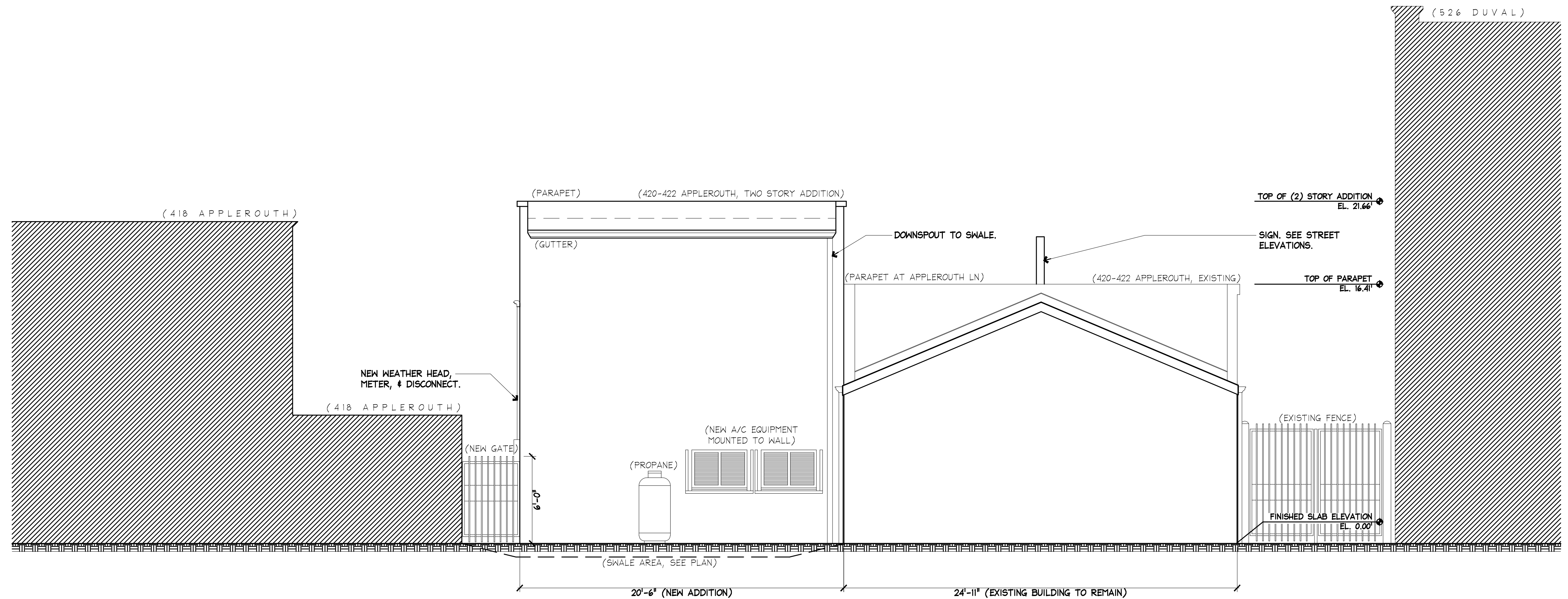
1
A4 PROPOSED EAST ELEVATION

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



2
A4 PROPOSED EAST ELEVATION

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



3
A4 PROPOSED EAST ELEVATION

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

420-422 APPLEROUTH LANE
KEY WEST, FLORIDA

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p.a.

Project No: 155
Date: 08/14/15

A4

420-422 APPLEROUTH LANE LIFE SAFETY CODE CALCULATIONS: FLORIDA BUILDING CODE 2014, BUILDING

Section 304 Occupancy Classification:
 Bar: Group 'A-2' Assembly
Building Area:
 1st Floor: 2,025 s.f.
 2nd Floor: 335 s.f.
 Total: 2,360 s.f.

Table 601 Construction Type: Type V-B construction, non-sprinklered.
 Primary structural frame: 0 hours.
 Exterior / Interior Bearing walls: 0 hours.
 Exterior Non-bearing walls: 0 hours.
 Interior Non-bearing walls: 0 hours.
 Floor construction / Secondary members: 0 hours.
 Roof construction / secondary members: 0 hours.

Table 503 Allowable Building Heights & Areas:
 Group # Stories Allowed: Area: Bldg. Height:
 A-2 1 2,025sf/floor 22'
 Storage Area = Mezzanine (FBC section 505)

Table 1004.1.1 Occupancy Loads:
 1st Floor: A-2
 1,100s.f. / 15 net (unconcentrated) = 74 persons
 * Kitchen : 330s.f. / 200 = 2 persons
 2nd floor: A-2
 335 s.f. / 200 gross (storage) = 1 persons

Table 707.3.9 Fire Resistant Separations:
 Group: Separation:
 A-2 hours.

Table 1021.1 Number of Exits Required:
 1st floor: 2
 2nd floor: 1

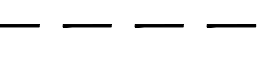
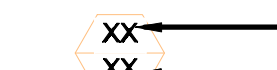







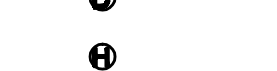




Table 1016.1 Exit Access Travel Distance:
 Occupancy Group: Travel Distance:
 A-2 : ASSEMBLY 48' (200' allowable) OK.

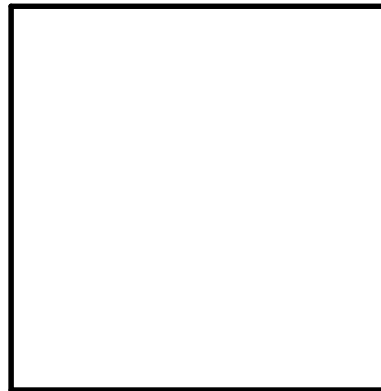
Section 1005.1 Egress Width:
 1st Floor: 77 persons x .3" = 24" (36" provided)
 2nd Floor: 1 persons x .3" = .3" (36" provided)

Section 1009.1 Minimum Stair Width: 36" clear (EXISTING)

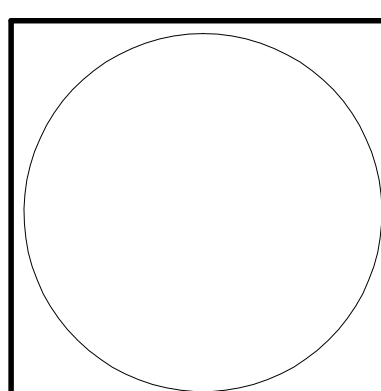
Section 705.8.1, Exception 2. Allowable Area of Openings:
 Buildings whose exterior bearing walls, exterior nonbearing walls and exterior primary structural frame are not required to be fire resistance rated shall be permitted to have unlimited unprotected openings.

LIFE SAFETY LEGEND

-  1 HR RATED WALL / PARTITION
-  CLR EGRESS WIDTH (INCHES)
-  EGRESS CAPACITY (# OF PERSONS)
-  COMMON PATH
-  FIRE EXTINGUISHER CABINET (RECESSED)
-  FIRE ALARM HORN / VISUAL ALARM
-  FIRE PULL STATION
-  SPEAKER (PUBLIC ANNOUNCEMENT)
-  STROBE LIGHT
-  SMOKE DETECTOR
-  HEAT DETECTOR
-  EMERGENCY EXIT
-  EMERGENCY LIGHTING FIXTURE
-  FIRE SPRINKLER HEAD

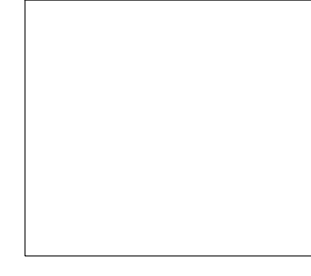


420-422 APPLEROUTH LANE
KEY WEST, FLORIDA

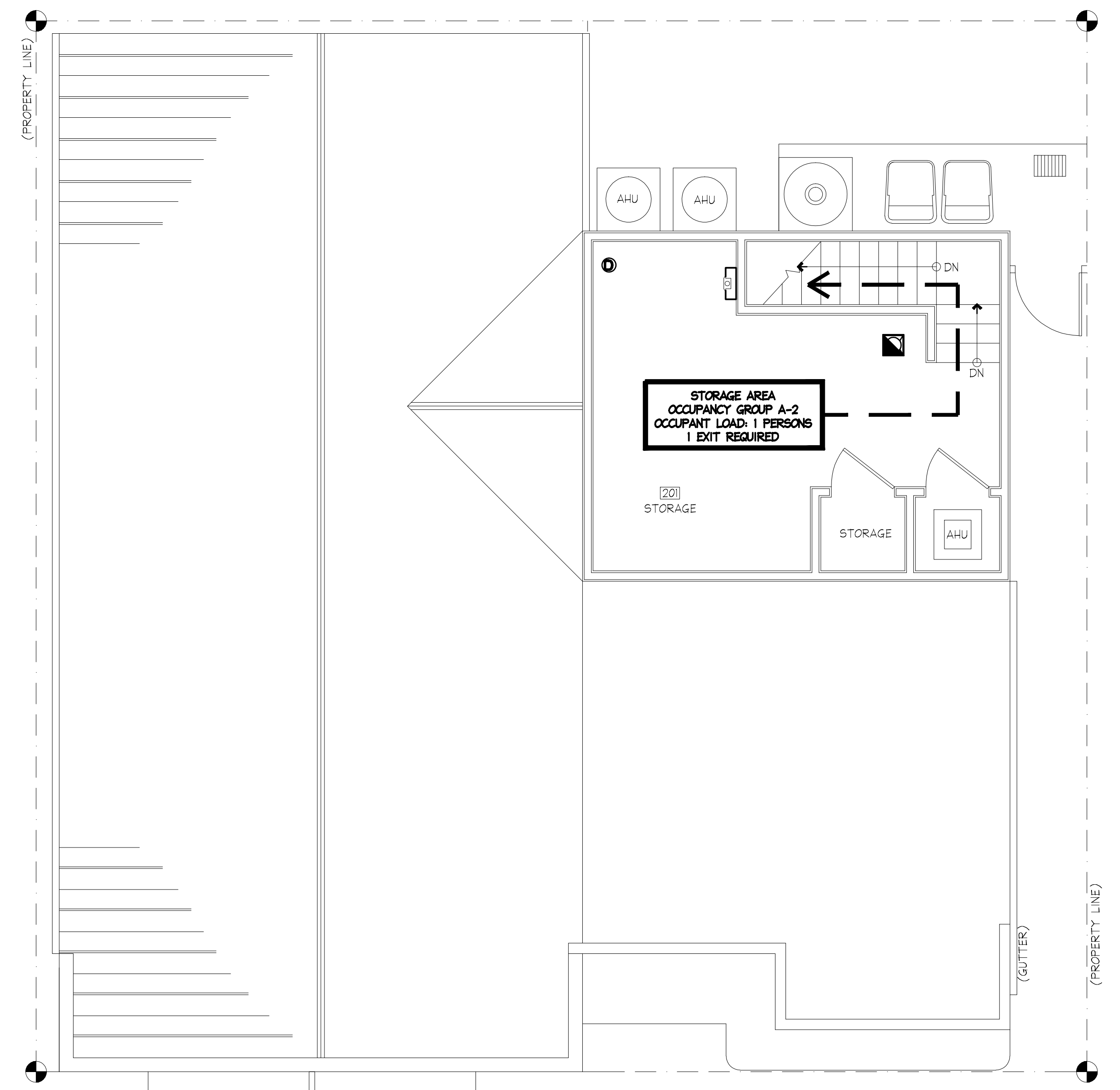
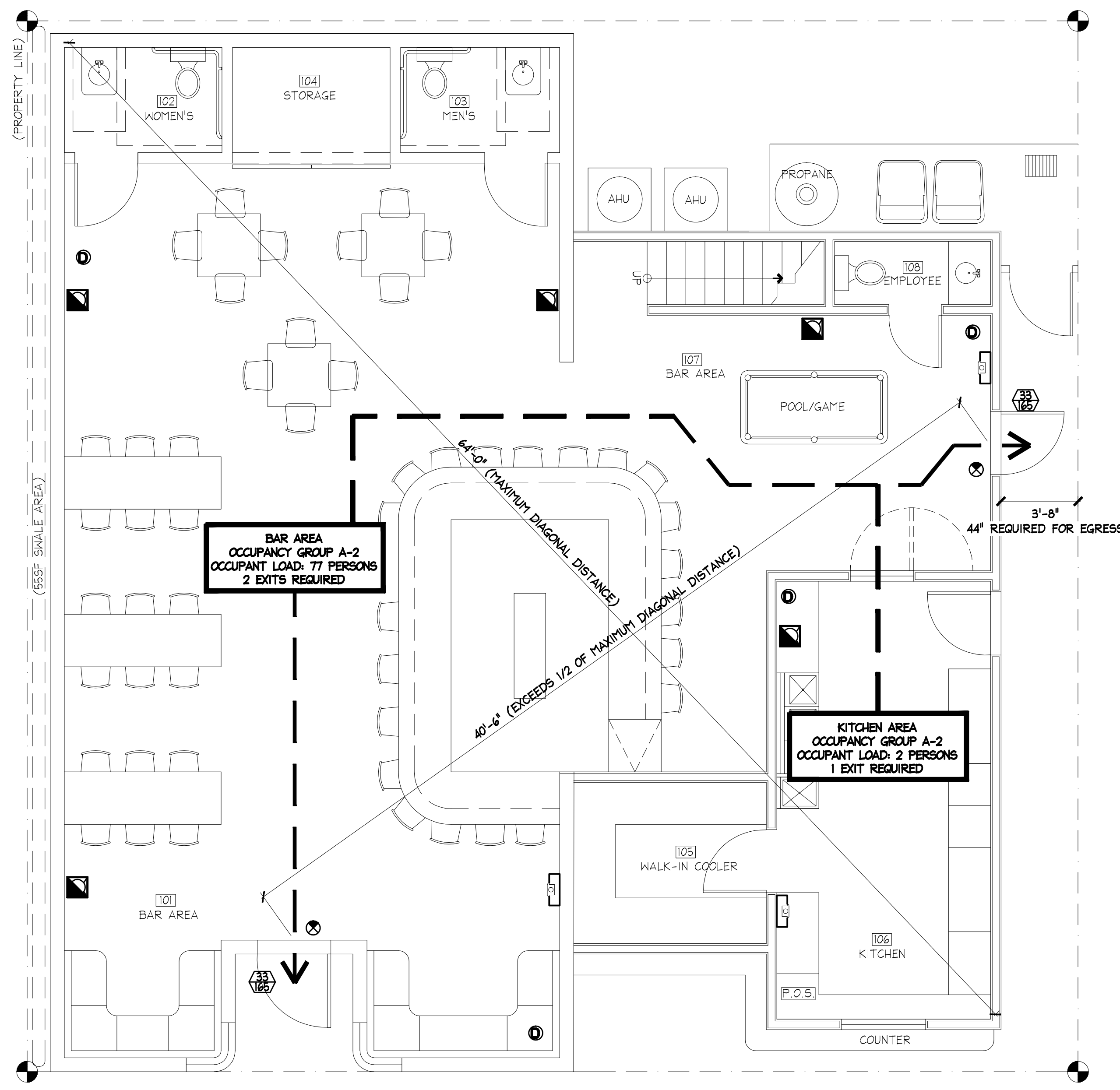


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p.a.

Project N^o: 1515

 Date: 08/14/15

A5



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 -

Maps are now launching the new map application version.

Alternate Key: 1010049 Parcel ID: 00009780-000000

Ownership Details

Mailing Address:

420ARL LLC
723 FLEMING ST
KEY WEST, FL 33040-6827

Property Details

PC Code: 33 - NIGHTCLUBS, LOUNGES, BARS

Millage Group: 10KW

Affordable Housing: No

Section-

Township- 06-68-25

Range:

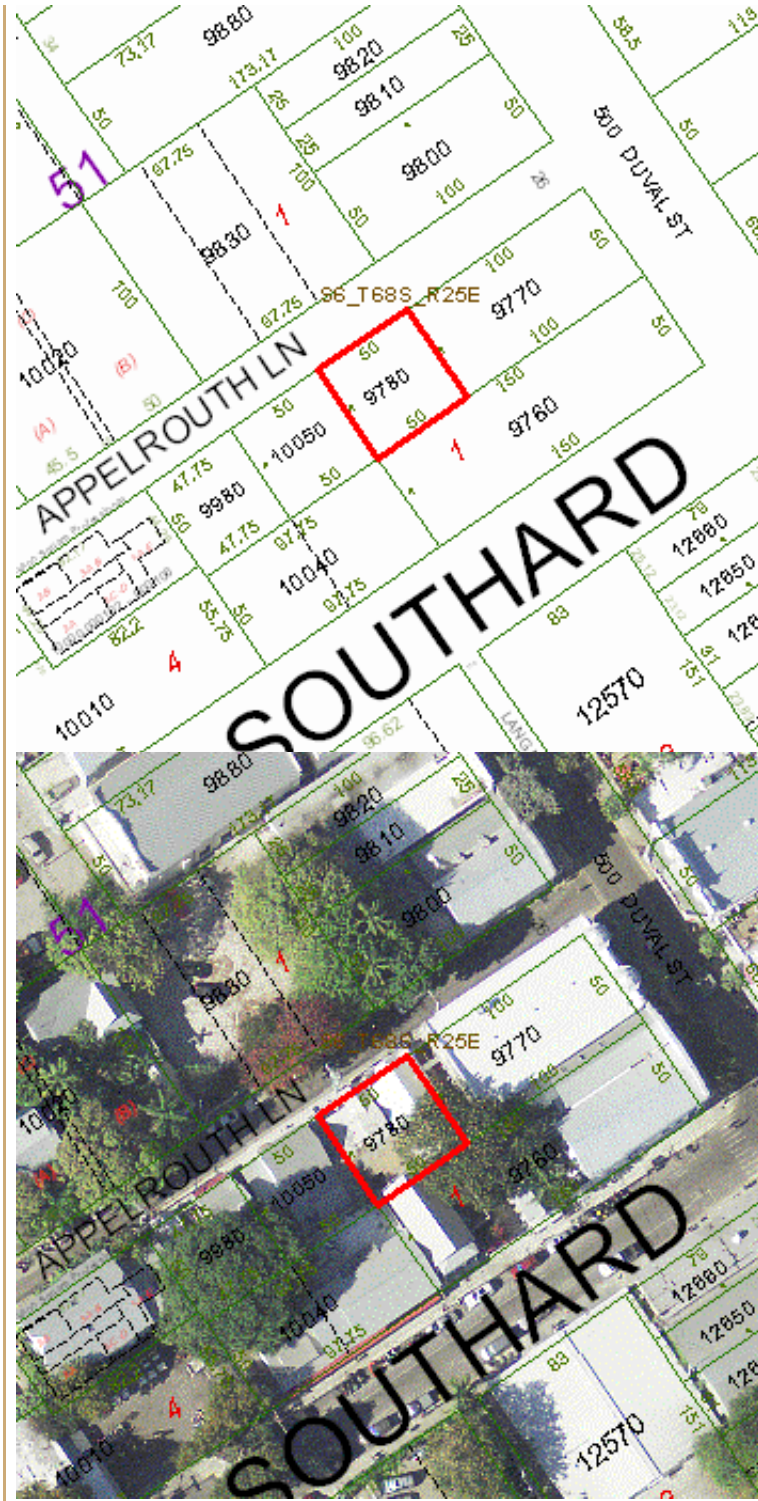
Property 420 APPELROUTH LN KEY WEST

Location: 422 APPELROUTH LN KEY WEST

Legal KW PT LT 1 SQR 51 A4-398 OR185-328-329 BOOK OF WILLS C - 407 OR1168-503L/E OR1171-1211/15WILL

Description: CASE91-127-CP-10 OR2356-1434/43E OR2560-246/48 OR2739-553/54

Click Map Image to open interactive viewer



Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	50	50	2,500.00 SF

Building Summary

Number of Buildings: 2
 Number of Commercial Buildings: 2
 Total Living Area: 1774
 Year Built: 1909

Building 1 Details

Building Type
 Effective Age 15
 Year Built 1939
 Functional Obs 0

Condition A
 Perimeter 162
 Special Arch 0
 Economic Obs 0

Quality Grade 400
 Depreciation % 19
 Grnd Floor Area 1,220

Inclusions:

Roof Type
 Heat 1
 Heat Src 1

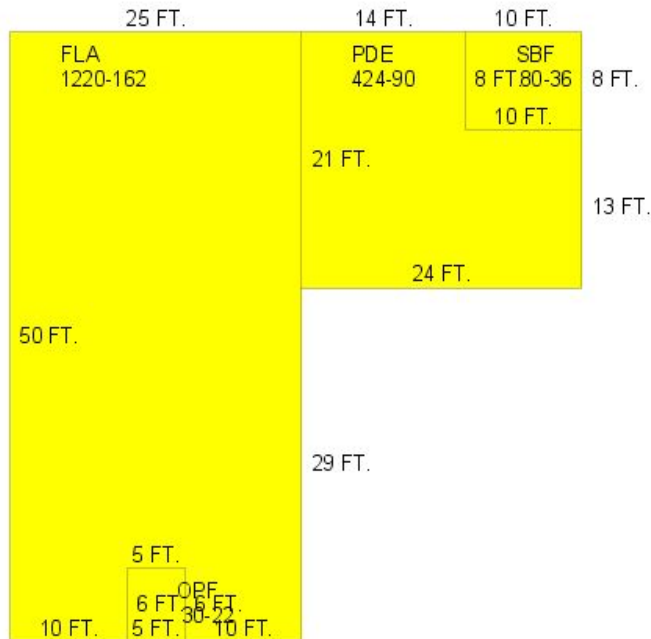
Roof Cover
 Heat 2
 Heat Src 2

Foundation
 Bedrooms 0

Extra Features:

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

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	1991				1,220

2	OPF	1	1991	30
3	PDE	1	2003	424
4	SBF	1	2003	80

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	2083	NIGHT CLUBS, BARS D	100	N	Y
	2084	OPF	100	N	N
	2085	PATIO DINING	100	N	Y

Exterior Wall:

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

Building 2 Details

Building Type
 Effective Age 15
 Year Built 1909
 Functional Obs 0

Condition A
 Perimeter 146
 Special Arch 0
 Economic Obs 0

Quality Grade 400
 Depreciation % 20
 Grnd Floor Area 554

Inclusions:

Roof Type
 Heat 1
 Heat Src 1

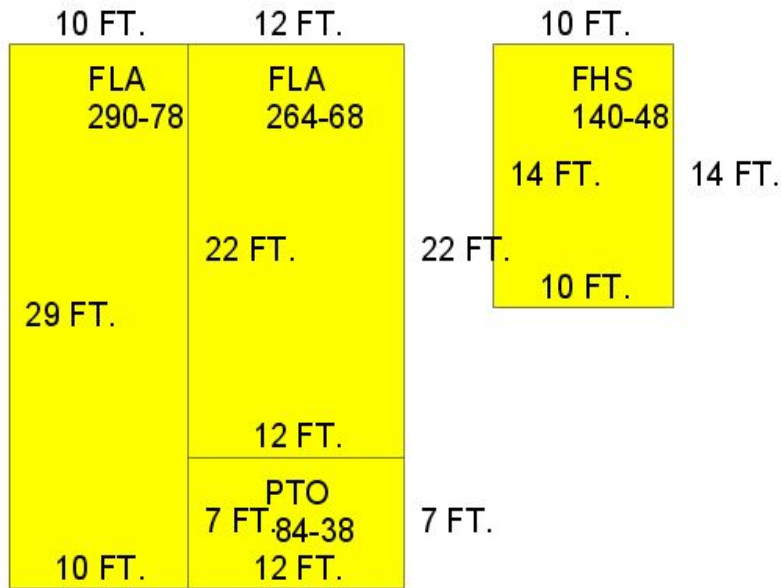
Roof Cover
 Heat 2
 Heat Src 2

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	1991					290
2	FLA		1	1991					264
3	FHS		1	1991					140
4	PTO		1	2003					84

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	2086	1 STY STORE-A	100	N	Y
	2087	NIGHT CLUB, BARS B	100	N	Y
	2088	FHS	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
537	AB AVE WOOD SIDING	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	AC2:WALL AIR COND	1 UT	0	0	1990	1991	1	20

Appraiser Notes

PROPERTY IS CURRENTLY LISTED AT \$1,250,000 WHICH INCLUDE PLANS AND APPROVAL FOR A NEW BAR

2006-06-14 THE BLUE ROOM NIGHTCLUB

2003-07-20-SKI ASKING \$725,000 FROM THE CITIZEN HAS A 5 COP LIQUOR LICENSE, 2004-03-09 REDUCED ASKING TO \$699,000-SKI

Building Permits

Bldg Number	Date Issued	Date Completed	Amount	Description	Notes
08-1375	05/05/2008		650	Commercial	SIGNS
14-0967	03/20/2014		2,000	Commercial	SCRAPE 500SF OF LAYERED, PAINT ETCH CONCRETE STRUCTURES FACADE. PRED CONCRETE W'BONDING AGENT. APPLY ONE BASE COAT OF BASE COAT STUCCO, FOLLOWED BY 2 SKIM COATS OF WHITE MARBLE CRETE. PRESSURE WASH BUILDING AS WELL.
1 96-4756	12/01/1996	06/01/1997	150	Commercial	REPAIR/REMODELING
2 98-3773	12/01/1998	01/01/1999	500	Commercial	RENOVATION
3 99-3136	09/08/1999	10/20/1999	500	Commercial	REPLACE FENCE
4 02-2271	08/20/2002	10/18/2002	1,555	Commercial	3 SQS SBS ROOFING
5 02-0180	01/23/2002	10/18/2002	500	Commercial	REPAINT FRONT OF BLDG
6 02-1875	07/17/2002	11/18/2002	2,000	Commercial	NEW BREAKER PANEL/ELECTRI
7 03-2417	07/30/2003	07/10/2003	8,000	Commercial	BRK PATIO & PLUMBING
8 03-2930	09/11/2003	07/30/2003	14,000	Commercial	RENOVATIONS OF BARS
9 03-3379	09/22/2003	12/31/2003	1,000	Commercial	DUCTLESS A/C
10 06-5101	09/08/2006		1,600	Commercial	DEMOLITION,CUT WIRES & REMOVE EXISTING FIXTURES
11 06-6804	12/27/2006		22,000	Commercial	R5EPLACE & INSTALL NEW TILE,DEMO BRICK 500SF IN REAR PATIO
12 06-5929	10/26/2006		11,150	Commercial	INSTALL 1425 SF OF V-CRIMP ROOFING
13 07-0341	02/05/2007		15,000	Commercial	REFINISH EXISTING BAR TOP
14 07-0342	02/05/2007		8,000	Commercial	ADD ADA RESTROOM AS PER PLANS
15 07-0409	02/05/2007		1,000	Commercial	RENOVATION OF HANDICAP BATHROOM

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2015	250,281	176	459,200	550,000	550,000	0	550,000
2014	260,614	160	444,850	550,000	550,000	0	550,000
2013	263,732	160	426,195	550,000	550,000	0	550,000
2012	263,732	160	426,195	550,000	550,000	0	550,000
2011	269,936	160	473,550	550,000	550,000	0	550,000
2010	269,936	160	360,630	550,000	550,000	0	550,000
2009	275,118	160	374,696	550,000	550,000	0	550,000
2008	279,245	160	343,125	622,530	622,530	0	622,530
2007	200,500	160	325,000	525,660	525,660	0	525,660
2006	200,500	160	225,000	425,660	425,660	0	425,660
2005	188,132	160	187,500	375,792	375,792	0	375,792
2004	194,646	160	175,000	369,806	369,806	0	369,806
2003	116,555	160	75,000	191,715	191,715	0	191,715
2002	97,039	180	75,000	172,219	172,219	0	172,219
2001	97,039	200	75,000	172,239	172,239	0	172,239
2000	97,039	220	67,500	164,759	164,759	0	164,759
1999	20,126	240	67,500	87,866	87,866	0	87,866
1998	20,106	260	67,500	87,866	87,866	0	87,866
1997	25,086	280	62,500	87,866	87,866	0	87,866
1996	25,066	300	62,500	87,866	87,866	0	87,866
1995	25,046	320	62,500	87,866	87,866	0	87,866
1994	25,026	340	62,500	87,866	87,866	0	87,866
1993	25,006	360	62,500	87,866	87,866	0	87,866
1992	24,986	380	62,500	87,866	87,866	0	87,866
1991	30,349	495	45,000	75,844	75,844	0	75,844
1990	34,719	500	40,625	75,844	75,844	0	75,844
1989	35,338	506	40,000	75,844	75,844	0	75,844
1988	16,924	512	40,000	57,436	57,436	0	57,436
1987	16,473	517	21,438	38,428	38,428	0	38,428
1986	16,539	523	21,000	38,062	38,062	0	38,062
1985	16,118	528	21,000	37,646	37,646	0	37,646
1984	16,121	534	21,000	37,655	37,655	0	37,655
1983	23,580	539	10,225	34,344	34,344	0	34,344
1982	16,724	545	10,225	27,494	27,494	0	27,494

Parcel Sales History

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

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
5/4/2015	2739 / 553	905,000	WD	37
3/15/2012	2560 / 246	800,000	WD	37

This page has been visited 214,575 times.

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

Additional Information

From: Patrick Wright <pwright@cityofkeywest-fl.gov>
Subject: 420-422 Appelrouth Lane
Date: August 14, 2015 5:20:49 PM EDT
To: Donna Bosold <donna.bosold@att.net>
▶ 1 Attachment, 221 KB

Donna,

Attached please see PB Resolution 2002-037 granting conditional use for a bar lounge at 420-422 Appelrouth Lane.

Per Section 122-63(f):

A conditional use approval shall run with the land and is transferable to successors in ownership. The use must remain compliant with all applicable rules and regulations, including any specific conditions duly mandated by the city as a condition of the original conditional use approval. At the city's option, it may enforce an alleged violation of a conditional use approval either in a court of law or in the proceedings of the code enforcement special magistrate pursuant to the procedures set forth in [chapter 2](#), article VI of the Code of Ordinances. For the purposes of this subsection, the terms "conditional use" and "special exception" are of equal meaning. Such a violation shall be enforceable under, and subject to the penalties provided in, [chapter 86](#) and [section 1-15](#) of the Code of Ordinances, or in accordance with any other applicable provision of the Code of Ordinances or of state law.

Patrick Wright, Planner II

City of Key West Planning Department
3140 Flagler Avenue
Key West, Florida 33040-4602
P [305.809.3778](tel:305.809.3778) | F [305.809.3978](tel:305.809.3978)
www.cityofkeywest-fl.gov



[2PB Res 002.....pdf \(221 KB\)](#)

**PLANNING BOARD RESOLUTION
No. 2002-037**

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING APPROVAL OF A CONDITIONAL USE APPLICATION FOR PROPERTY LOCATED AT 420-422 APPELROUTH LANE (RE#000009780-000000) FOR THE OPERATION OF AN AREA AT 420 APPELROUTH LANE RELATED TO AN EXISTING BAR/LOUNGE AT 422 APPELROUTH LANE KNOWN AS "WAX," AND TO PROVIDE A SERVICE/CONSUMPTION AREA FOR THAT MINI-BAR; PROVIDING FOR CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Bonnie Berman, the owner of 420-422 Appelrouth Lane, by and through her agent, Rudi Armbruster, Vice President, Armbruster Development Corp., filed an application on September 3, 2002, for a Conditional Use for the operation of an area at 420 Appelrouth Lane related to an existing bar/lounge at 422 Appelrouth Lane known as "Wax," and to provide a service/consumption area for that mini-bar; and

WHEREAS, Michael L. Browning, Esq., of Browning & Sireci, P.A., Attorneys at Law, submitted related correspondence on September 3, 2002, on behalf of the application that referenced prior correspondence and discussions with the City including Building, Licensing and Planning Departments and prior and present business owners; and

WHEREAS, this property is located in the HRCC-1 zoning district (Historic Residential Commercial Core: Duval Street Gulfside District) where Bars and Lounges are a conditional use; and

WHEREAS, the Development Review Committee met September 26, 2002 and had the following comments:

1. Written comment from Florida Keys Aqueduct Authority: This site is presently served by FCAA Account #03496 which is 5/8" domestic meter. The addition of additional fixtures may require a meter upgrade. The meter could be installed in the same box. The addition of any water using fixtures will result in System Development Fees being due.
2. Written comment from Keys Energy Services: Please be advised, KEYS has concerns regarding existing "exterior passage" between 420 and 422 Appelrouth Lane, that there is less than 2 feet clearance between faces of meters in passageway.
3. If any future food service is anticipated, a new grease trap installation will be necessary (applicants have stated no such service is planned at this time)
4. Some effort should be made to retain stormwater on site although even outdoor area is now surfaced.
5. Some effort, possibly related to stormwater retention, should be made to show landscaping

6. Concern was expressed about a tree adjacent to or at the right property line area and that it should be protected including root structure and canopy (location was not certain).
7. Renovation will be needed for handicapped restroom facilities.
8. Also handicapped regulations related to a bar could mean a table at which patrons can be serviced.
9. Egress doors with panic hardware will be required at the street side of the proposed mini-bar area.
10. A referenced "exterior passage" should be eliminated, with the sole bar entry/ingress continuing to be the existing main entrance to the bar/lounge masonry structure. An exit-only gate could remain.
11. The gate and adjacent open area beside the masonry building could be used for garbage/solid waste receptacles; and

WHEREAS, The Planning Department, in the staff report dated October 10, 2002 by Wendy Tucker, Development Review Administrator, recommended approval of the project with the following conditions:

1. ADA compliant bathroom and bar or seating to accommodate the handicapped.
2. Swinging doors from the nightclub area to the outside patio to contain sound within the masonry building.
3. No amplified music in the mini-bar or patio area;
4. Payment of impact fees for the proposed new mini-bar area, and also for the following areas as required retroactively by the Building and Licensing Departments:
 - The former 'office' area inside the masonry building;
 - The "patio" area that has not previously been accounted for by payment of such fees; and

WHEREAS, the Planning Board, after due public notice, considered this application at its meeting of October 17, 2002; and

WHEREAS, there were 78 notices sent out to property owners within 300 feet, six returned with no objection and one returned with objection; and

WHEREAS, the attorney representing the application requested that it be tabled for a month so that he could meet with the person objecting and address her concerns, and

WHEREAS, Member Richard Klitenick notified the Board that he has represented the applicant and wants to recuse himself from the vote and the discussion; and

WHEREAS, there was a motion made by Member Patricia Eables and seconded by Member Bill Verge to table this matter until the next meeting, with the voice vote unanimous to table (Member Klitenick abstaining because of his recusal); and

WHEREAS, the Planning Board again considered this application at its meeting of November 21, 2002; and

WHEREAS, there were two more notices having been returned, one stating an objection based on noise problems at present that might become worse with approval, and another stating no objection; and

WHEREAS, several members of the public desired to speak on the matter and voice objections, Mrs. Stella Rylander, owner of adjacent property, and Mr. Jay Rylander; and

WHEREAS, Attorney Michael Browning was again present on behalf of the applicant/owner and said despite several contacts he did not feel Mrs. Rylander was satisfied but that he would like to proceed with consideration of the request; and

WHEREAS, the attorney stated he had had several helpful meetings with the Planning Department and while he didn't agree with all staff findings, in his view the applicant would be satisfying every condition posed by Planning, with efforts including agreement to new handicapped bathrooms, improved on-site drainage retention, no outdoor music, also conversion of an alley beside the main bar into emergency egress only (per Fire Department) and keeping doors closed that lead to the patio area; and

WHEREAS, neighboring owner Mrs. Rylander and Jay Rylander, neighbor, both stated promises to close off an open back window area that was allowing bar noise to come out strongly have not been kept; and

WHEREAS, Mr. Browning stated that the applicant has no problem with sealing off the opening, apparently used for an airflow vent; and

WHEREAS, because the property is in the parking waiver zone, the conversion of retail use to bar use does not require any increase in parking; and

WHEREAS, the Planning Board members considered the following drawings:

PLANS PRESENTED

Drawings	Date	Page	By
Survey	8/13/02		Frederick H. Hildebrandt
Existing Site and Floor Plan	Received 10/11/02	Sheet 1 of 1	Robert L. Delaune, Architect, P.A.

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

- **Section 1. To approve the Application for the Conditional Use to operate an area at 420 Appelrouth Lane related to an existing bar/lounge at 422 Appelrouth Lane known as "Wax," and to provide**

a service/consumption area for that mini-bar subject to the following conditions:

1. ADA compliant bathrooms and bar or seating to accommodate the handicapped;
2. Swinging doors provided from the nightclub area to the outside patio to contain sound within the masonry building;
3. No amplified music in the mini-bar or outdoor patio area;
4. Payment of impact fees for the proposed new mini-bar area, and also for the following areas as required retroactively by the Building and Licensing Departments:
 - The former 'office' area inside the masonry building;
 - The "patio" area that has not previously been accounted for by payment of such fees; and
5. The closing off or sealing the vent/window in the back area to alleviate the noise to Mrs. Rylander's property.

Section 2. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Chairman of the Planning Board and the City Planner.

Passed at a meeting held this 21st day of November, 2002.

Authenticated by the Chairman of the Planning Board and the City Planner.




John Mértz, Chairman
Key West Planning Board



Date

Attest:

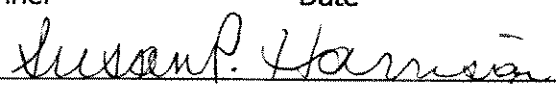


Ty Symroski, City Planner



Date

Filed with the Clerk



Deputy City Clerk



Date