

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

Development Plan

Major

Minor _____

Conditional Use

Historic District

Yes

No _____

Please print or type:

- 1) Site Address 638 United St
- 2) Name of Applicant Trepanier & Associates, Inc.
- 3) Applicant is: Owner _____ Authorized Representative
(attached Authorization and Verification Forms must be completed)
- 4) Address of Applicant 1421 First St
Key West, FL 33040
- 5) Applicant's Phone # 305-293-8983 Email lori@owentrepanier.com
- 6) **Email Address:** lori@owentrepanier.com
- 7) Name of Owner, if different than above Land 10031, LLC c/o Uphoff Investments, LLC
- 8) Address of Owner 4900 W Hundred Rd. Chester, VA 23831-1623
- 9) Owner Phone # 305-293-8983 Email lori@owentrepanier.com
- 10) Zoning District of Parcel HRO RE# 00036600-000000
- 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).
Demolish existing office building. Eliminate all curb cuts
along United Street. Replace office building with 5 detached,
townhouse-style, residential dwelling units. Residential units
along United St. have off-street parking and the two residential
units at the rear have attached garages.

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

If Yes: Date of approval _____ Resolution # 99-369

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.

The applicant is unaware of any encumbrances at time of application

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

N/A 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.

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

I. Existing Conditions.

- A) Recent Survey of the site by a licensed Surveyor showing all dimensions including distances from property lines, and including:
 - 1) Size of site;
 - 2) Buildings, structures, and parking;
 - 3) FEMA Flood Zone;
 - 4) Topography;
 - 5) Easements; and
 - 6) Location of Utility Lines (sewer, water, electric, cable) adjacent and extending into the site.
- B) Existing size, type and location of trees, hedges, and other features.
- C) Existing stormwater retention areas and drainage flows.
- D) A sketch showing adjacent land uses, buildings, and driveways.

II. Proposed Development: Plans at 11" X 17" (10,000 Sq. ft. or less); 24" X 36" if site is over 10,000 sq. ft.

- A) Site Plan to scale of with north arrow and dimensions by a licensed architect or engineer.
 - 1) Buildings
 - 2) Setbacks
 - 3) Parking:
 - a. Number, location and size of automobile and bicycle spaces
 - b. Handicapped spaces
 - c. Curbs or wheel stops around landscaping
 - d. Type of pavement
 - 4) Driveway dimensions and material
 - 5) Location of Utility Lines (sewer, water, electric, cable) adjacent and extending into the site.
 - 6) Location of garbage and recycling
 - 7) Signs
 - 8) Lighting
 - 8) Project Statistics:
 - a. Zoning
 - b. Size of site
 - c. Number of units (or units and Licenses)
 - d. If non-residential, floor area & proposed floor area ratio
 - e. Consumption area of restaurants & bars
 - f. Open space area and open space ratio
 - g. Impermeable surface area and impermeable surface ratio
 - h. Number of automobile and bicycle spaces required and proposed
- B) Building Elevations
 - 1) Drawings of all building from every direction. If the project is in the Historic District please submit HARC approved site plans.
 - 2) Height of building.
 - 3) Finished floor elevations and bottom of first horizontal structure
 - 4) Height of existing and proposed grades
- C) Drainage Plan: Existing & Proposed retention areas and calculations approved by the City Engineer. See one of the attached commercial and residential use Stormwater Retention Forms.
- D) Landscape Plan: Size, type, location and number of plants to be removed, kept, and installed. The plan must be approved by the City Landscape Coordinator through a letter of approval. If the project is a Major Development Plan a landscape design prepared by a licensed Landscape Architect is required per Section 108-511(b) of the Land Development Regulations.

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III. **Solutions Statement.** Aspects of the design that address community issues including but not limited to water pollution from stormwater runoff, potable water conservation, waste disposal, recycling, energy conservation, affordable housing, and impacts on neighbors such as lighting, noise, traffic and parking.

Development Plan Submission Materials

Sec. 108-226. Scope.

A development plan, for the purposes of this division, shall include but not necessarily be limited to the requirements in this division. With the exception of sections 108-227 through 108-229, the city planner may waive or modify requirements, information and specific performance criteria for development plan review after rendering a finding in writing that such requirements:

- (1) Are not necessary prior to development plan approval in order to protect the public interest or adjacent properties;
- (2) Bear no relationship to the proposed project or its impacts; and
- (3) Are found to be impractical based on the characteristics of the use, including the proposed scale, density/intensity, and anticipated impacts on the environment, public facilities and adjacent land uses.

Sec. 108-227. Title block.

The development plan shall contain the following pertaining to the title block:

- (1) Name of development.
- (2) Name of owner/developer.
- (3) Scale.
- (4) North arrow.
- (5) Preparation and revision date.
- (6) Location/street address of development.

Sec. 108-228. Identification of key persons.

The development plan shall contain the following pertaining to identification of key persons:

- (1) Owner.
- (2) Owner's authorized agent.
- (3) Engineer and architect.
- (4) Surveyor.
- (5) Landscape architect and/or environmental consultant.
- (6) Others involved in the application.
- (7) A verified statement showing each and every individual person having a legal and/or equitable ownership interest in the subject property, except publicly held corporations whose stock is traded on a nationally recognized stock exchange, in which case the names and addresses of the corporation and principal executive officers together with any majority stockholders will be sufficient.

Sec. 108-229. Project description.

Project description should be included on the site plan sheet. The development plan shall contain the following pertaining to the project description:

- (1) Zoning (include any special districts).
- (2) Project site size (acreage and/or square footage).
- (3) Legal description.
- (4) Building size.
- (5) Floor area ratio, permitted and proposed.
- (6) Lot coverage, permitted and proposed.
- (7) Impervious surface.
- (8) Pervious surface.
- (9) Landscape areas.

RESOLUTION NO. 99-369

VARIANCE: 638 UNITED STREET

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT GRANTING A VARIANCE TO THE BUILDING SETBACK REGULATIONS FOR PROPERTY IN THE HNC-2, HISTORIC NEIGHBORHOOD COMMERCIAL ZONING DISTRICT, UNDER THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF KEY WEST, FLORIDA, PERMITTING A VARIANCE TO: THE REAR YARD BUILDING SETBACK REGULATIONS OF 14 FEET, FROM THE 15 FEET REQUIRED TO THE 1 FOOT PROPOSED (0 FEET EXISTING ON BUILDING TO WHICH PROPOSED GARAGE IS DESIRED TO BE ATTACHED). THE PURPOSE OF THE REQUEST IS TO ALLOW THE CONSTRUCTION OF AN ENCLOSED TWO CAR (PARKING) GARAGE ATTACHED TO AN EXISTING OFFICE BUILDING ON PROPERTY LOCATED AT 638 UNITED STREET (RE# 36600).

REAL ESTATE PARCEL #36600, ALSO KNOWN AS 638 UNITED STREET, KEY WEST, MONROE COUNTY, FLORIDA

WHEREAS, special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, buildings or structures in the subject district; and

WHEREAS, literal interpretation of the provisions of the Zoning Ordinance of the City of Key West would deprive the owner of the subject property of rights commonly enjoyed by other properties in the same district under the terms of the Land Development Regulations.

Attachment 1

WHEREAS, the special conditions and circumstances do not result from the actions of the applicant.

WHEREAS, the granting of the variance requested will not confer on the applicant any special privilege that is denied by the ordinance to other land, structures or buildings in the same district.

WHEREAS, the reasons set forth in the application justify the granting of the variance, and that the variance is the minimum variance that will make possible the reasonable use of the land, building, or structure.

WHEREAS, the granting of the variance will be in harmony with the general purpose and intent of the Land Development Regulations, will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; now therefore,

BE IT RESOLVED by the Board of Adjustment of the City of Key West, Florida:

Section 1. That a variance to building setback regulations in the HNC-2, Historic Neighborhood Commercial Zoning District, under the Land Development Regulations of the City of Key West, Florida, is hereby granted as follows: THE REAR YARD BUILDING SETBACK REGULATIONS OF 14 FEET, FROM THE 15 FEET REQUIRED TO THE 1 FOOT

Attachment 1

PROPOSED (0 FEET EXISTING ON BUILDING TO WHICH PROPOSED GARAGE IS DESIRED TO BE ATTACHED). THE PURPOSE OF THE REQUEST IS TO ALLOW THE CONSTRUCTION OF AN ENCLOSED TWO CAR (PARKING) GARAGE ATTACHED TO AN EXISTING OFFICE BUILDING ON PROPERTY LOCATED AT 638 UNITED STREET (RE# 36600).

REAL ESTATE PARCEL #36600, ALSO KNOWN AS 638 UNITED STREET, KEY WEST, MONROE COUNTY, FLORIDA

Section 2. It is an essential condition of this variance that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this variance is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this variance, shall be submitted in its entirety within 12 months after the date hereof. It is an essential condition of this variance that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of said 12-month period.

Section 3. Failure to submit full and complete application for permits for new construction for which this variance is wholly or partly necessary, or failure to complete new construction for use and occupancy pursuant to this variance in accordance with the terms of a City building permit issued upon timely application as described in Section 2 hereof, shall immediately operate to terminate this variance, which variance shall be of no force or effect.

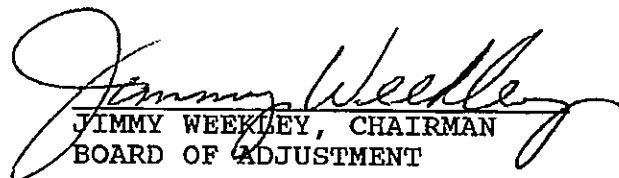
Section 4. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

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.

Read and passed on first reading at a regular meeting held this 7th day of October, 1999.

Authenticated by the presiding officer and Clerk of the Board on 8th day of October, 1999.

Filed with the Clerk on October 8, 1999.


JIMMY WEEKLEY, CHAIRMAN
BOARD OF ADJUSTMENT

ATTEST:


CHERYL SMITH, CITY CLERK

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, Steven M Uphoff as
Please Print Name of person with authority to execute documents on behalf of entity
Land 113 LLC, Land 1701 LLC, Land 2421
LLC, Land 2708, Land 7009 LLC,
Managing Member of Land 10031, LLC
Name of office (President, Managing Member) *Name of owner from deed*

authorize Trepanier & Associates, 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.

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

Subscribed and sworn to (or affirmed) before me on this 8/29/16 by
date

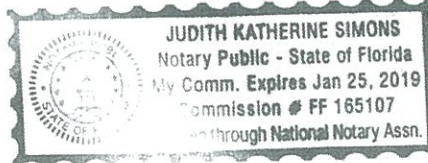
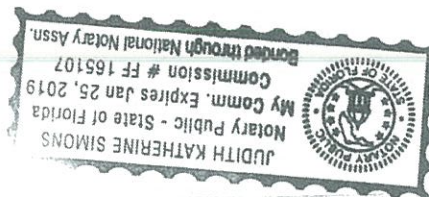
Steven M. Uphoff
Name of Authorized Representative

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

Judith Katherine Simons
Notary's Signature and Seal

Judith Katherine Simons
Name of Acknowledger typed, printed or stamped

FF165107
Commission Number, if any



City of Key West
Planning Department



Verification Form

(Where Authorized Representative is an entity)

I, Owen Trepanier, in my capacity as President +
(print name) (print position; president, managing member)

of Trepanier & Associates, 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:

638 United St. 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.

[Handwritten Signature]
Signature of Authorized Representative

Subscribed and sworn to (or affirmed) before me on this 18th August 2016 by
OWEN TREPANIER
Name of Authorized Representative date

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

[Handwritten Signature]
Notary's Signature and Seal

Alvina Covington
Name of Acknowledger typed, printed or stamped



Alvina Covington
COMMISSION #FF913801
EXPIRES: August 27, 2018
WWW.AARONNOTARY.COM

FF913801
Commission Number, if any

This Instrument prepared by & return to

Name: Frances C. Lowe, Esq.
Guilday, Schwartz, Simpson, West, Hatch & Lowe, P.A.
Address: 68 A Feli Way
Crawfordville, Florida 32327

Doc# 2063430
Bk# 2781 Pg# 1791

NOTE TO RECORDER: THE DOCUMENTARY STAMP TAX DUE IN CONNECTION WITH THE SALE OF THE REAL PROPERTY HAVE BEEN PAID IN CONNECTION WITH THE RECORDATION OF A GENERAL WARRANTY DEED RECORDED IN OR BOOK 2781, PAGE 1791 PUBLIC RECORDS OF MONROE COUNTY, FLORIDA. NO DOCUMENTARY STAMP OR INTANGIBLE TAXES ARE DUE IN CONNECTION WITH THIS GENERAL WARRANTY DEED.

GENERAL WARRANTY DEED

Parties and Addresses

1.01. This General Warranty Deed (this "Deed") is made by and between Dion Rental Properties, LLC, a Florida limited liability company, (the "Grantor"), whose principle business address is 638 United Street, Key West, Florida 33040, and LAND 10031, LLC as to a 11.077% interest, LAND 2708, LLC as to a 8.451% interest, LAND 113, LLC as to a 13.353% interest, LAND 1701, LLC as to a 11.077% interest, LAND 8601, LLC as to a 8.226% interest, LAND 7009, LLC as to a 9.644% interest, LAND 2421, LLC as to a 9.611% interest, LAND 4027, LLC as to a 13.410% interest, and LAND 8351, LLC as to a 15.151% interest, in Common among all of the aforelisted LLC's, all Virginia limited liability companies qualified to do business in Florida, (collectively the "Grantees"), whose principal business address is 4900 West Hundred Road, Chester, Virginia 23831.

Granting Clause

2.01. Grantor grants and conveys ownership of the property described below to Grantees, along with all of its rights and appurtenances, including any right, title, and interest of Grantor in adjacent streets, alleys, and rights-of-way.

Description of Property

3.01. The property consists of all the parcels of land and other structures on the land in the County of Monroe, of the State of Florida; (the "Property").

3.02. The legal description of the Property is described on **Exhibit A** attached to and incorporated herein.

Covenants by Grantor

5.01. Grantor makes the following covenants with Grantee:

- (1) That Grantor is lawfully seized of the Property described in this Deed.
- (2) That Grantor has the right to convey the Property described in this Deed to Grantee.
- (3) That the Property is free from all former mortgages, judgments, executions, and all other encumbrances.
- (4) That Grantor will warrant generally the Property conveyed by this Deed, so that Grantees will remain in peaceful ownership of the Property.
- (5) That Grantees shall have quiet possession of the Property, and Grantees will not be disturbed in possession of or removed from the Property by persons who have claims against the Property.
- (6) That Grantor will execute any further assurances as may be reasonably required by Grantees, to correct any defect in the title.

Exceptions, Reservations, and Restrictions

6.01. The conveyance of this Property is made subject to the exceptions, reservations and restrictions listed and outlined on **Exhibit B** attached hereto and incorporated herein.

Parties Bound by This Deed

7.01. The covenants made in this Deed are legally binding on Grantor and all who lawfully succeed to Grantor's rights and responsibilities, including Grantor's heirs, personal representatives, successors in interest, and assigns. These covenants can be enforced by Grantees and all future owners of the Property, including Grantees' heirs, personal representatives, successors in interest, and assigns.

IN WITNESS WHEREOF, Grantor has signed and sealed this General Warranty Deed on February 8, 2016.

Frances C. Lowe
Witness Signature
Frances C. Lowe
Printed Name

Justia K. Simons
Witness Signature
Justia K. Simons
Printed Name

DION RENTAL PROPERTIES, LLC, a Florida limited liability company
By: Dion Partnership, Ltd., as Managing Member of Dion Rental Properties, LLC
By: Larry Dion Corporation, as General Partner of DionPartnership Ltd.

By: *Suzanne D. Banks*
SUZANNE D. BANKS, as President

STATE OF FLORIDA
COUNTY OF Manatee

The foregoing instrument was acknowledged before me this 8th day of February, 2016, by SUZANNE D. BANKS, President of Larry Dion Corporation, General Partner of Dion Partnership, Ltd., managing member of Dion Commercial Properties, LLC, a Florida limited liability company, who is personally known to me or has produced *[Signature]* as identification.

Lani E. Musgrove
Notary Public-State of Florida
Lani E. Musgrove
Printed Name:
My Commission Expires: _____



**EXHIBIT A
LEGAL DESCRIPTION**

The land referred to herein below is situated in the County of Monroe, State of Florida, and is described as follows:

5350 Overseas Highway, Stock Island, Florida (Parcel ID: 00124120-000000)

5300 Overseas Highway, Stock Island, Florida (Parcel ID: 00124130-000000)

5390 Overseas Highway, Stock Island, Florida (Parcel ID: 00124110-000000)

On the Island known as Stock Island as Lots 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and Lot 8, less and except the right of way of Overseas Highway and less and except any portion lying within the bounds of said Lot 13, all of Block 28; according to George L. MacDonald's plat of Lots 1, 2, 3, 4, 5, 6, Section 35; Lot 2, Section 36; Lot 3, Section 26; Lot 2, Section 34, Township 67, South, Range 25 East, according to the map or plat recorded in Plat Book 1, Page 55, of the Public Records of Monroe County, Florida.

31000 Overseas Highway, Big Pine Key, Florida (Parcel ID: 00111320-000100)

A part of the Northeast Quarter of Section 26, Township 66 South, Range 29 East, on Big Pine Key, Monroe County, Florida, and being more particularly described by metes and bounds as follows:

Commence at the Southwest corner of Lot 1, Block 15, Sands Subdivision, as recorded in Plat Book 1, Page 65, of the Public Records of Monroe County, Florida, bear South 6.0 feet; thence bear North 89 degrees and 52 minutes West, 25 feet to the Point of Beginning of that part of the Northeast Quarter of Section 26 hereinafter described; from said Point of Beginning, continue bearing North 89 degrees 52 minutes West, along the North right of way line of County Road, 120 feet; thence bear North 180 feet; thence bearing South 89 degrees and 52 minutes East, 120 feet to the West right of way line of Sands Road; thence bear South, along the West right of way line of Sands Road, 180 feet, back to the Point of Beginning. A strip of land 120 by 20 feet wide, bounded on the Southside by the Monroe County Road Way and the North side of a block of land deeded to Williams H. Tynes. The East, North and South boundary lines from both the above described parcels of land being the North and South Section line between Section 25 and 26. The above described land being a part of the East half of the Northeast Quarter of Section 26, Township 66 South, Range 29 east, T.M., on Big Pine Key, Monroe County, Florida and being more particularly described by metes and bounds as follows:

Commencing at the Southwest corner of Lot 1, Block 15, of Sand's Subdivision, as recorded in Plat Book 1, Page 65, of the Public Records of Monroe County, Florida, bear South 6.0 feet; thence bear North 89 degrees and 52 minutes West, 25 feet to the Point of Beginning of that part of the Northeast Quarter of Section 26 hereinafter described; from said Point of Beginning, continue bearing North 89 degrees 52 minutes West, along the North right of way line of the County Road, 120 feet; thence bear North 20 feet; thence bear South 89 degrees and 52 minutes East, 120 feet to the West right of way line of Sand's Road; thence bear South, along the West right of way of Sand's Road 20 feet, back to the Point of Beginning..

638 United Street, Key West, Florida (Parcel ID: 00036600-000000)

Parcel A: On the Island of Key West and known on Wm. A. Whitehead's Map of said Island, delineated in February A.D. 1829 as a Part of Tract 17, but now better known and described as Lots 18, 19 and 20 according to D.T. Sweeney's Diagram of Part of Square 5, Tract 17, recorded in Book O, Page 327, Public Records of Monroe County, Florida.

Also:

Parcel B: On the Island of Key West and its Part of Tract 17, according to Whitehead's Map of 1829, but better known as Subdivision No. 9 according to D. T. Sweeney's Diagram of Part of Lot 5, in said Tract 17, recorded in Book O, Page 327, being described by metes and bounds as follows:

Commencing at a point on United Street 44 feet from the corner of United Street and a 25 foot street and runs Northeasterly on United Street 44 feet; thence runs Southeasterly 105 feet, 6 inches; thence runs Southwesterly 44 feet; thence runs Northwesterly 105 feet, 6 inches out to United Street, the Point of Beginning.

Also:

Parcel C: On the Island of Key West and being known as Part of Tract 17, according to Wm. A. Whitehead's Map of the Island of Key West, delineated in February A.D. 1829, but better known as Lots 15, 16 and 17, of Sweeney's Subdivision of Part of Tract 17, described by metes and bounds as follows:

Commencing at a point on the Southeasterly side of United Street, distant 449 feet, 3 inches Northeasterly from the corner of the intersection of Simonton and United Streets; thence at right angles and in a Southeasterly direction a distance of 145 feet, 6 inches; thence at right angles in a Northeasterly direction 90 feet, more or less, to an alley; thence at right angles in a Northwesterly direction 145 feet, 6 inches out of United Street; thence at right angles and along the Southeasterly side of United Street in a Southwesterly direction a distance of 90 feet, more or less, to the Point of Beginning.

Less and except from Parcels A, B and C above the following described property:

On the Island of Key West and known on Wm. A. Whitehead's Map of said Island, delineated in February, A.D. 1829, as a Part of Tract 17, but now is better known and described as Lots 17, 18, 19 and 20, according to D. T. Sweeney's Diagram of Part of Square 5, Tract 17, recorded in Book O, Page 327, Public Records of Monroe County, Florida..

EXHIBIT B
EXCEPTIONS, RESERVATIONS and RESTRICTIONS

5350 Overseas Highway, Stock Island, Florida (Parcel ID: 00124120-000000)

5300 Overseas Highway, Stock Island, Florida (Parcel ID: 00124130-000000)

5390 Overseas Highway, Stock Island, Florida (Parcel ID: 00124110-000000)

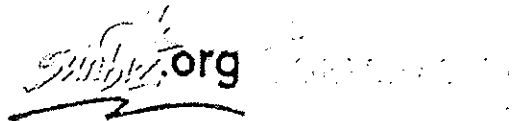
1. Easement recorded in Book 2769, Page 573.
2. Easement recorded in Book 2769, Page 579.
3. Terms and conditions of the Settlement Agreement and release recorded in Book 2769, Page 592 and related release and consent recorded in Book 2769, Page 585
4. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).
5. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

31000 Overseas Highway, Big Pine Key, Florida (Parcel ID: 00111320-000100)

1. Easement recorded in Book 527, Page 1056.
2. Any claim that the Title is subject to a trust or lien created under The Perishable Agricultural Commodities Act (7 U.S.C. §§499a, et seq.) or the Poultry and Stockyards Act (7 U.S.C. §§181 et seq.) or under similar state laws.

638 United Street, Key West, Florida (Parcel ID: 00036600-000000)

MONROE COUNTY
OFFICIAL RECORDS



Department of State / Division of Corporations / Search Report / Detail By Organization Number /

Detail by Entity Name

Foreign Limited Liability Company
UPHOFF INVESTMENTS, LLC

Filing Information

Document Number	M16000000506
FEI/EIN Number	81-0635109
Date Filed	01/20/2016
State	VA
Status	ACTIVE

Principal Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Mailing Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Registered Agent Name & Address

LOWE, FRANCES CASEY
68 A FELI WAY
CRAWFORDVILLE, FL 32327

Authorized Person(s) Detail

Name & Address

Title MBR

UPHOFF, STEVEN M
4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Annual Reports

Report Year	Filed Date
2017	01/27/2017

Document Images

- 01/27/2017 -- ANNUAL REPORT
- 01/20/2016 -- Foreign Limited



Detail by Entity Name

Foreign Limited Liability Company

LAND 10031, LLC

Filing Information

Document Number M16000000458

FEI/EIN Number 81-0635109

Date Filed 01/19/2016

State VA

Status ACTIVE

Principal Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Mailing Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Registered Agent Name & Address

LOWE, FRANCES CASEY
68 A FELI WAY
CRAWFORDVILLE, FL 32327

Authorized Person(s) Detail

Name & Address

Title MBR

UPHOFF INVESTMENTS, LLC
4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Annual Reports

Report Year	Filed Date
2017	04/24/2017

Document Images

04/24/2017 -- ANNUAL REPORT	View image in PDF format
01/19/2016 -- Foreign Limited	View image in PDF format



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

Detail by Entity Name

Foreign Limited Liability Company
LAND 2708, LLC

Filing Information

Document Number M16000000457
FEI/EIN Number 81-0635109
Date Filed 01/19/2016
State VA
Status ACTIVE

Principal Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Mailing Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Registered Agent Name & Address

LOWE, FRANCES CASEY
68 A FELI WAY
CRAWFORDVILLE, FL 32327

Authorized Person(s) Detail

Name & Address

Title MBR

UPHOFF INVESTMENTS, LLC
4900 WEST HUNDRED ROAD
CHESTER, VA 23831

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Foreign Limited Liability Company
 LAND 113, LLC

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4900 WEST HUNDRED ROAD
 CHESTER, VA 23831

Mailing Address

4900 WEST HUNDRED ROAD
 CHESTER, VA 23831

Registered Agent Name & Address

LOWE, FRANCES CASEY
 68 A FELI WAY
 CRAWFORDVILLE, FL 32327

Authorized Person(s) Detail

Name & Address

Title MBR

 UPHOFF INVESTMENTS, LLC
 4900 WEST HUNDRED ROAD
 CHESTER, VA 23831

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CHESTER, VA 23831

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Mailing Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Changed: 04/24/2017

Registered Agent Name & Address

LOWE, FRANCES CASEY
68 A FELI WAY
CRAWFORDVILLE, FL 32327

Authorized Person(s) Detail

Name & Address

Title MBR

UPHOFF INVESTMENTS, LLC
4900 WEST HUNDRED ROAD
CHESTER, VA 23831

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Detail by Entity Name

Foreign Limited Liability Company
LAND 8601, LLC

Filing Information

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4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Mailing Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Registered Agent Name & Address

LOWE, FRANCES CASEY
68 A FELI WAY
CRAWFORDVILLE, FL 32327

Authorized Person(s) Detail

Name & Address

Title MBR

UPHOFF INVESTMENTS, LLC
4900 WEST HUNDRED ROAD
CHESTER, VA 23831

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Foreign Limited Liability Company
LAND 7009, LLC

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CHESTER, VA 23831

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Mailing Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Changed: 04/24/2017

Registered Agent Name & Address

LOWE, FRANCES CASEY
68 A FELI WAY
CRAWFORDVILLE, FL 32327

Authorized Person(s) Detail

Name & Address

Title MBR

UPHOFF INVESTMENTS, LLC
4900 WEST HUNDRED ROAD
CHESTER, VA 23831

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LAND 2421, LLC

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Principal Address

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CHESTER, VA 23831

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Mailing Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Changed: 04/24/2017

Registered Agent Name & Address

LOWE, FRANCES CASEY
68 A FELI WAY
CRAWFORDVILLE, FL 32327

Authorized Person(s) Detail

Name & Address

Title MBR

UPHOFF INVESTMENTS, LLC
4900 WEST HUNDRED ROAD
CHESTER, VA 23831

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Detail by Entity Name

Foreign Limited Liability Company
LAND 4027, LLC

Filing Information

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Date Filed	01/19/2016
State	VA
Status	ACTIVE

Principal Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Mailing Address

4900 WEST HUNDRED ROAD
CHESTER, VA 23831

Registered Agent Name & Address

LAW, FRANCES CASEY
68 A FELI WAY
CRAWFORDVILLE, FL 32327

Authorized Person(s) Detail

Name & Address

Title MBR

UPHOFF INVESTMENTS, LLC
4900 WEST HUNDRED ROAD
CHESTER, VA 23831

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Detail by Entity Name

Foreign Limited Liability Company
 LAND 8351, LLC

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State VA
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Principal Address

4900 WEST HUNDRED ROAD
 CHESTER, VA 23831

Mailing Address

4900 WEST HUNDRED ROAD
 CHESTER, VA 23831

Registered Agent Name & Address

LOWE, FRANCES CASEY
 68 A FELI WAY
 CRAWFORDVILLE, FL 32327

Authorized Person(s) Detail

Name & Address

Title MBR

 UPHOFF INVESTMENTS, LLC
 4900 WEST HUNDRED ROAD
 CHESTER, VA 23831

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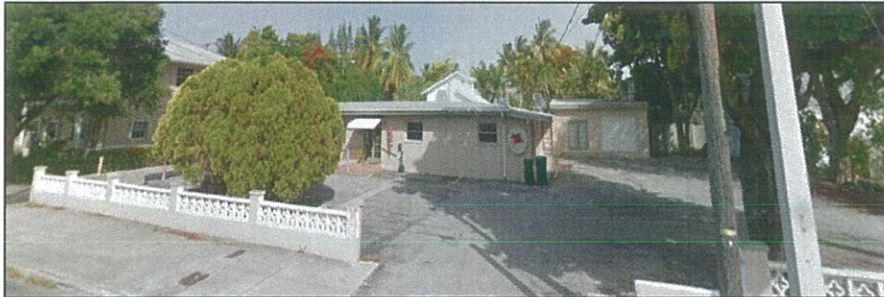
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Major Development Plan Project Analysis

638 United St - (RE No. 00036600-000000)



Summary:

Demolition of existing office building; replace with 5 single-family homes and off-site parking.

Solutions Statement:

This residential development is designed to achieve Gold-level green building certification. The project will exceed the minimum requirements for affordable housing and flood plain elevation. Storm water management will be brought into compliance and will include rainwater catchment, drainage swales and exfiltration trenches. The project will feature high-voltage electrical conduit for electric car charging, light colored, solar reflective roof and non-roof materials and energy-rated appliances, lighting and mechanical systems.



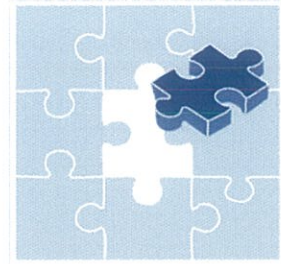
As a result of the conversion from commercial to residential, the property's overall parking demand will decrease by 11 automobile spaces.

Analysis:

The following is an analysis of the proposed project pursuant to major development plan approval criteria.

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

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



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

- Buildings
- Setbacks
- Parking
- Driveway dimensions and material
- Utility locations
- Garbage and recycling
- Signs
- Lighting
- Project Statistics
- Building Elevations
- Height of buildings
- Finished floor elevations
- Height of existing and proposed grades
- Drainage plan
- Landscape Plan

Title block (Sec. 108-227)

Name of development: 638 United Street
 Owner/developer: Land 10031, LLC
 Scale: Architectural: 1/4" = 1' and Engineering plans provided
 Preparation and revision dates: As noted on plans
 Location: 638 United Street

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

Owner: Land 10031, LLC
 Authorized Agent: Trepanier & Associates, Inc.
 Architect: Bob Steele
 Engineer: Perez Engineering
 Surveyor: Florida Keys Land Surveying
 Landscape Architect: Ladd Roberts
 Legal and Equitable Owners: Land 10031, LLC; LAND 10031, LLC; LAND 113, LLC; LAND 1701, LLC; LAND 2421, LLC; LAND 2708, LLC; LAND 4027, LLC; LAND 7009, LLC; LAND 8351' LLC; LAND 8601 LLC; and Steven Uphoff as managing member

Project Description (Sec. 108-229):

Demolition of existing office building; replace with 5 single-family homes and off-site parking.

Site Data	Permitted/ Required	Existing	Proposed	Compliance
Zoning	HRO	HRO	HRO	Complies
Height	30 ft.	<20 ft.	30 ft.	Complies
Site Size ¹	≥ 5,000 sq. ft.	13,996 sq. ft.	13,996 sq.	Complies
Density	16 u/ac (5.1 units)	0	5 units	Complies
Floor Area Ratio		0.34 (4,745 sq. ft.)	0	Complies
Building Coverage	50% (6,998 sq. ft.)	34% (4,745 sq. ft.)	49.9% (6,992 sq. ft.)	Complies
Impervious Surface	60% (8,398 sq. ft.)	≈98%*	66% (9,370 sq. ft.)	Complies
Open Space	35%(4,899 sq. ft.)	<5% *	16.4% (2,307 sq. ft.)	Complies
Setback – Front	5 ft.	33 ft.	5 ft.	Complies
Setback – Side	5 ft.	50 ft.	5 ft.	Complies
Setback – Street Side	5 ft.	10 ft.	5 ft.	Complies
Setback – Rear	10 ft.	11 ft.	10 ft.	Complies

¹ According to the Monroe County Property Appraiser's Records
 1421 First Street • P.O. Box 2155 • Key West, FL • 33045-2155
 Phone: 305-293-8983 • Fax: 305-293-8748 • Email: lori@owentrepanier.com

Setback – Rear	10 ft.	11 ft.	10 ft.	Complies
Parking				Complies
auto	1 space per unit	16	6	Complies
bicycle	NA	NA	NA	Complies

* Existing non-conformity pursuant Sec. 122-27

Other Project Information (Sec. 108-230):

Construction is proposed in a single phase to progress steadily based on Key West LDRs, and Florida Building Code.

1. The target date for commencement shall follow entitlement approvals as quickly as possible.
2. Expected date of completion is within 1-2 years of commencement.
3. The proposed development plan is contained herewith.
4. This application proposes to demolish a non-contributing commercial building and replace it with five new residential units as depicted on the plans.
5. Project is not a planned unit development.
6. The project will comply with federal flood insurance regulations.
7. This project is not located in an environmentally sensitive area.

Residential Developments (Sec. 108-231):

The proposed development consists of five 1 1/2-story, 2-story, and 2 1/2-story single-family units. All required parking is provided.

Unit Description:

- 638 United – 4 bedroom, 1½-story, approximately 2,167 sq. f.t
- 640 United – 5 bedroom, 2½-story, approximately 2,902 sq. ft.
- 642 United – 4 bedroom, 1½-story, approximately 2,167 sq. ft.
- 644 United – 5 bedroom, 2½-story, approximately 3,069 sq. ft.
- 646 United – 5 bedroom, 2-story, approximately 2,253 sq. ft.

Intergovernmental Coordination (Sec. 108-232):

Coordination will occur through the Development Review Process of the City of Key West and all applicable Regional, State and Federal Agencies.

Schedule of Approval Process:

The following development approval schedule and process is anticipated:

Step	Date
1. Submit Applications	12/18/17
2. Development Review Committee ("DRC") Meeting	01/25/18
3. Tree Commission Submission	01/24/18
4. Tree Commission (1 st)	02/12/18
5. Planning Board Meeting	03/15/18
6. Historical Architecture Review Committee ("HARC") Submission	TBA
7. Historical Architecture Review Committee ("HARC") Meeting	TBA
8. City Commission Meeting	TBA
9. City Commission Appeal Period	30 days
10. Florida Department of Economic Opportunity Appeal Period (45 days)	45 days

* Alternative submission date granted by Director of Community Development Services

Concurrency Facilities and Other Utilities or Services (Sec. 108-233):

Levels of Service –The impacts of the proposed project are generally summarized as follows:

- The proposed change is expected to decrease demand on the surrounding transportation system by 23 trips per weekday²
- The proposed change is expected to decrease demand for Potable Water by 39 gallons per day
- The proposed change is expected to increase sanitary sewage supply by 1,102.9 gallons per day
- The proposed change is expected to decrease Solid Waste supply by 51.4 pounds per day
- The proposed change is expected to decrease recyclable supply by 3.12 pounds per day
- The proposed change is not expected to impact Storm water LOS.
- The proposed change is not expected to impact Recreation LOS.
- The team will coordinate with FCAA to ensure the water pressure and flow will be adequate for fire protection for the type of construction proposed.
- A rainwater catchment system is being installed on site

Appearance, design, and compatibility (Section 108-234):

This development plan satisfies criteria established in Chapter 102; Articles III, IV and V of Chapter 108; Section 108-956; and Article II of Chapter 110 of the Key West City Code in the following manner:

- Chapter 102 – This property is located within the Historic District and will go through all appropriate HARC approvals as necessary.
- Articles III, IV and V of Chapter 108 – As demonstrated by the site plan, trip generation analysis, and the site data calculations, the project complies with the requirements of the Articles.
- Section 108-956 – The project team will coordinate with FCAA to ensure access to potable water and a wastewater disposal system.
- Chapter 110 – As demonstrated in this application, the proposed development complies with the resource protection requirements of Chapter 110.

Site Location and Character of Use (Section 108-235):

Location:

The subject property is located along the 600 block of United Street between Villa Mill Alley and the 1300 block of Elizabeth Street. It is within the historic district and within the HRO zoning district, which allows for single family development.

Legal description:

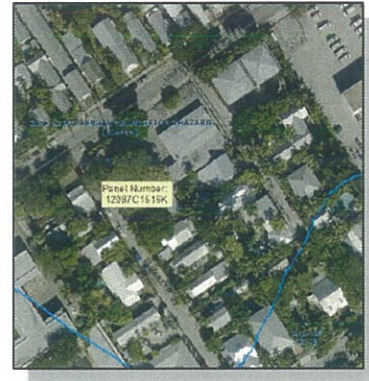
Lots 9, 15 and 16 of Square 5 Tract 17 of D.T. Sweeny's diagram.



² Weekend average increase: 18-19 trips

Flood zone:

According to the 2005 FEMA Flood Insurance Map, the property is located within the X-Zone. This means the property is in a moderate risk area within the 0.2% annual chance floodplain. No base flood elevations or base flood depths are mandated within these zones.

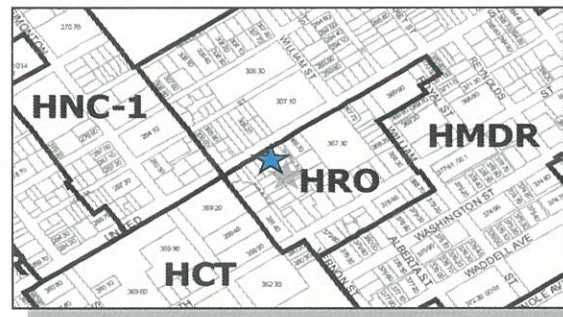


Zoning ("HRO"):

The **HRO** is established to implement the HC future land use designation; it accommodates residential dwellings as well as business and professional offices. Cultural and civic activities, customary accessory uses and community facilities are also allowed. However, the intensity of development within the district is limited to activities generating no more than 50 trips per 1,000 square feet of gross leasable floor area per day and residential density is limited to 16 dwelling units per acre. New transient lodging or guesthouses are prohibited and the HRO district expressly excludes general retail sales, warehousing, and outdoor storage.

(a) *Compliance.*

This development plan complies with the requirements set forth in the Key West City Code as they pertain to Concurrency Management, Outdoor Displays and Nuisances, Resource Protection, Signs, and Articles I and III to IX of Chapter 108 of the Key West City Code.



(b) *Vicinity Map.*

To the right.

(c) *Land Use Compatibility.*

The project site is located in the Historic Residential/Office (HRO) zoning district. The intent of the Historic Residential/Office (HRO) zoning district is to implement the HC future land use designation; it accommodates residential dwellings as well as business and professional offices. The residential density is limited to 16 dwelling units per acre.

(d) *Historic and archeological resource protection.*

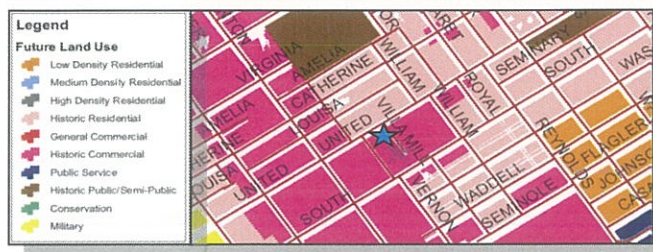
The site located within the Historic District. Any archeological resources will be protected as required.

(e) *Subdivision of Land.*

No subdivision is proposed.

Future land use map designation ("FLUM"):

According to the City of Key West 2013 Comprehensive Plan, the property's FLUM designation is Historic Commercial ("HC").



Appearance of Site and Structures (Sec. 108-236):

Attached site plan complies with Sections 108-278 through 108-288 of the Key West City Code. (See below.)

Site Plan (Sec. 108-237):

Site plan of proposed development drawn consistently with Sec. 108-237 is attached.

Architectural Drawings (Sec. 108-238):

All architecture or engineering designs were prepared and sealed by a professional architect or engineer registered in the state pursuant to F.S. Ch. 471 and 481, respectively, consistent with the provisions of this Section.

Site Amenities (Sec 108-239):

The attached site plan includes existing and proposed amenities which are required to comply with appearance, design and compatibility regulations outlined in chapter 102; articles III, IV and V of this chapter; section 108-956; and article II of chapter 110.

Site Survey (Sec 108-240):

Survey of the site is attached.

Soil Survey (Sec 108-241):

Soil surveys are not anticipated as part of this project.

Environmentally Sensitive Areas (Sec. 108-242):

No Environmentally sensitive areas exist on this site.

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

All proposed clearing, excavation and landscaping is depicted on attached plans.

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

Overall parking demand will decrease by 11 automobile spaces as a result of the redevelopment. There is a 4,745 sq. ft. reduction in non-residential floor area and thus a commensurate reduction in non-residential parking demand of 11 spaces. There is a proposed increase of 5 market-rate residential dwellings with an associated increase in residential

parking demand of 5 spaces. Supply of parking follows the demand changes in accordance with requirements of the Land Development Regulations Section 108-572.

Parking Demand		Automobile	
		Required	Demand
Existing	Commercial office (4,745 sf)	1/unit	16
	Residential (0 units)	1/unit	0
	Total		16
Proposed	Commercial office (0 sf)	1/300 sq. ft.	0
	Residential (5 units)	1/300 sq. ft.	5
	Total		5
Change in Parking Demand			-11

Housing (Sec 108-245):

This project includes five market-rate residential units at 638 United Street, the affordability requirement is proposed for 3228 Flagler Avenue.

Economic Resources (Sec 108-246):

Trepanier & Associates, Inc. has contacted the Monroe County Property Appraiser’s office to seek assistance in estimating the average ad valorem tax yield from the proposed project.

Special Considerations (Sec 108-247):

The proposal complies with the goals, objectives and policies of the comprehensive plan and as demonstrated by the concurrency analysis there are no conflicts with the existing public facilities, such as potable water, sanitary sewer treatment or transportation.

Good Neighbor Policy: Meetings with the neighbors and neighborhood will be held.

Construction Management Plan and Inspection Schedule (Sec 108-248):

The proposed development is single-phase. Construction is proposed to progress steadily based on Key West LDRs, and Florida Building Code. Construction is expected to commence as soon as possible.

Truman Waterfront Port Facilities (Sec 108-249):

This project is not located at the Truman Waterfront Port

SITE PLAN

Scope (Sec 108-276):

This site plan conforms to all necessary and applicable sections of land development regulations.

Site Location and Character of Use (Sec. 108-277):

As depicted, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed uses. No variances are requested.

Appearance of Site and Structures (Sec. 108-278):

This application's development plan exhibits harmonious overall design characteristics in compliance with the performance standards stipulated in sections 108-278 through 108-288.

Location and screening of mechanical equipment, utility hardware and waste storage areas (Section 108-279):

All mechanical equipment and utility hardware will be appropriately screened. All waste storage areas will be screened from adjacent properties.

Front-end loaded refuse container requirements (Sec. 108-280):

No significant changes to the waste removal system are proposed.

Roll-off Compactor Container location requirements (Sec. 108-281):

NA - No roll-off containers proposed as part of the operation of the development. Each unit will maintain and store waste & recycle bins on site.

Utility lines (Section 108-282):

The proposed project will require installation of new utility services. Installation will be coordinated with appropriate utility agency and in accordance with Section 108-282.

Commercial and manufacturing activities conducted in enclosed buildings (Section 108-283):

No commercial activities are proposed for this development.

Exterior Lighting (Section 108-284):

All proposed lighting shall be shielded and lighting sources shall be arranged to eliminate glare from roadways and streets and shall direct light away from properties lying outside the district. Shielding of lighting elements shall be accomplished by using directional fixtures or opaque shades.

Signs (Section 108-285):

No new signage is proposed.

Pedestrian sidewalks (Section 108-286):

No new sidewalks are proposed.

Loading docks (Section 108-287):

No loading docks are required or proposed.

Storage Areas (Section 108-288):

No outdoor storage areas are proposed.

Land Clearing, Excavation, and Fill (Sec 108-289):

There is no land clearing proposed. Tree removal will be reviewed and approved by the urban forester and the Tree Commission.

Open Space, Screening, Buffers and Landscaping (Article V and VI) of Chapter 108:

Pursuant to Sec. 108-517, this is a formal request for modification to the standards of Ordinance No. 97-10, to allow the development as depicted on the associated development plans. This request is hereby filed with the city planning office.

This request is to modify landscape requirements of Sec. 108 because proposed landscaping, and associated mitigative techniques, are not contrary to the intent of the applicable regulations and a literal enforcement of the standards would be impractical. The property is an existing nonconformity relative to open space, screening, buffers and landscaping. Significant improvements, as depicted on the plans, are proposed to open space, screening, buffers and landscaping is proposed.

This request is to waive the below cited landscape requirements of Sec. 108 in compliance with the following:

1. Protect and preserve the integrity of the existing site.
2. The waiver will not have a significant adverse impact on the public interest, or on adjacent property.
3. The waiver or modification is not discriminatory, considering similar situations in the general area.
4. The development will provide an alternative landscape solution which will achieve the purposes of the requirement through clearly superior design.
5. Strict application of the requirement will effectively deprive the owner and the community of reasonable use of the land for the intended purpose due to its unusual size, shape, and location.
6. The effect upon the owner is not outweighed by a valid public purpose in imposing the requirement in this case.
7. Strict application of the requirement would be technically impractical.

Off-street parking and loading (Article VII):

All required parking is provided on-site as shown on attached plans.

Storm water and Surface Water Management (Article VIII):

An existing, approved and functional stormwater management system exists on the property. No changes are proposed as part of this redevelopment. An engineering certification is provided that demonstrates the stormwater system meets the minimum requirements.

Flood Hazard Areas (Division 4 - Sections 108-821 through 108-927):

The proposed project is located in the X flood zone.

Utilities (Article IX):

See Concurrency Analysis below.

Criteria for review and approval:

- (1) Land use compatibility: As mentioned above, the project site is located in the Historic Residential/Office (HRO) zoning district. The intent of the Historic Residential/Office (HRO) zoning district is to implement the HC future land use designation; it accommodates residential dwellings as well as business and professional offices. The residential density is limited to 16 dwelling units per acre. This project seeks to meet needs of residents by providing 5 market-rate units.
- (2) Sufficient site size, adequate site specifications, and infrastructure: As mentioned above, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use.
- (3) Proper use of mitigative techniques: No adverse impacts to adjacent land uses are anticipated, the community character is a mix of commercial/office space and single-family homes of various sizes, age and architectural style. Community infrastructure will not be burdened by this project.
- (4) Hazardous waste: The proposed use will not produce any hazardous waste or use hazardous materials in its operation.
- (5) Compliance with applicable laws and ordinances: All applicable permits required from agencies other than the City of Key West will be obtained.

CONCURRENCY ANALYSIS:

Concurrency Facilities and Other Utilities or Services (Sec. 108-233):

The City's Comprehensive Plan directs the City to ensure that facilities and services needed to support development are available concurrent with the impacts of new development.

The following specific issues are outlined:

1. Roads/Trip Generation
2. Potable Water
3. Sanitary Sewer
4. Solid Waste
5. Recyclables
6. Drainage

The following concurrency analysis reflects the proposed removal of existing commercial use and replacement with residential use of five units.

Policy 2-1.1.1- Transportation

The maximum predicted potential trip generation of the current land uses is less than the maximum predicted potential trip generation from the proposed land uses.

The LOS analysis concludes that overall trip generation from the site will be expected to decrease by approximately 8 daily trips as part of the proposal.

Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
<i>Existing</i>								
General Office	4,745 SF	55	5	1	6	1	5	6
Total (Existing)		55	5	1	6	1	5	6
<i>Proposed</i>								
Single-Family Detached Housing	5 DU	47	2	6	8	4	2	6
Total (Proposed)		47	2	6	8	4	2	6
Difference (Proposed - Existing)		(8)	(3)	5	2	3	(3)	0

Compiled by: KBP Consulting, Inc. (December 2017).

Source: Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition).

Notwithstanding the proposed trip generation, Policy 2-1.1.3: Dense Urban Land Area effectively eliminates the transportation concurrency requirement in favor of a prioritization of safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, mixed-use development)

Policy 2-1.1.3: Dense Urban Land Area. The City of Key West is a substantially developed dense urban land area and is thereby exempted from transportation concurrency requirements for roadways. The City recognizes that its development characteristics make substantive expansion of capacity of the roadway system prohibitive. The City will therefore prioritize improving the safety and function of existing roads and multi-modal transportation improvements (i.e. transit, air, boat, bicycles, pedestrianism, mixed-use development) as its primary strategies for addressing current and projected transportation needs.

Policy 4-1.1.2.C – Potable Water

Based on the City of Key West adopted level of service the potable water demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.C, the potable water LOS for residential and nonresidential development is 100 gal/capita/day)

The potable water flow is anticipated to be **1,315 gal/day**

Summary Response: The proposed redevelopment will decrease the expected impact from the existing use of the property by approximately 39 gallons per day; therefore, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Residential		Commercial		Total
	LOS	Daily Capacity ³	LOS	Daily Capacity	
Proposed	100 g/capita/day	13.15 capita x 100g = 1,315 gal	100g/capita/day	0/ 1000*2.8536 ⁴ =0 x 100g = 0 gal	1,315 gal

³ For the purposes of LOS, "capita" was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household

⁴ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office

Existing	100 g/capita/day	0 capita x 100g = 0 gal	100g/capita/day	$4,745 / 1000 * 2.8536^5 = 13.54 \times 100g = 1,354$ gal	1,354 gal
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The Aqueduct Authority has the capacity to supply adequate service to this property, as demonstrated below.

Potable water to the City of Key West is provided by the Florida Keys Aqueduct Authority (FKAA). The FKAA has the capacity to provide 23 million gallons per day to Monroe County as a result of: The South Florida Water Management District’s issuance of Water Use Permit #13-0005, which allocates 17 million gallons per day in the dry season; 17.79 million gallons per day which can be withdrawn from the Biscayne Aquifer; and six million gallons per day provided by a reverse osmosis treatment plant in Florida City. As documented above, the City is meeting its Level of Service Standard for Potable Water. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development during short and long-range planning periods, so the current capacity should remain adequate. Ongoing capital improvements will be necessary to maintain and improve standards and service delivery.

Policy 4-1.1.2.A- Sanitary Sewage

Based on the City of Key West adopted level of service the sanitary sewer demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.A, the sanitary sewer LOS for nonresidential development is 660 gal/acre/day) and the sanitary sewer LOS for residential development is 100 gal/capita/day).

The sanitary sewer flow is anticipated to be **1,315 gal/day**

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by 1,102.9 gallons per day; however, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Residential		Commercial		Total
	LOS	Daily Capacity ⁶	Rate	Daily Capacity ⁷	
Proposed	100 g/capita/day	13.15 capita x 100g = 1,315 gal	660 gal/acre/day	0 acres x 660 gal = 0 gal	1,315 gal
Existing	100 g/capita/day	0 capita x 100g = 0 gal	660 gal/acre/day	0.32 acres x 660 gal = 72.6 gal	212 gal

The City contracts out the operation of the Richard A. Heyman Environmental Pollution Control Facility, its wastewater treatment plant (Plant), and the associated collection system to Operations Management International, Inc. (OMI). The Plant currently has the capacity to treat 10 million gallons per day, exceeding the capacity required to achieve the existing Level of Service Standard by approximately seven million gallons per day. Actual daily flow is 4.5 million gallons per day. This is a reduction from eight (8) million gallons per day due to a 67 million dollars capital improvement to the City’s wastewater treatment during the past short term planning period, including \$56 million for collection system rehabilitation.

As documented above, the City is exceeding its Level of Service Standard for Wastewater. The City projects a slight permanent population decrease, and only a slight increase in its

⁵ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office

⁶ For the purposes of LOS, “capita” was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household

⁷ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office

functional population and non-residential development, during the short and long-range planning periods, so the current capacity should remain adequate. Ongoing capital improvements and continuing conservation efforts will continue to maintain and improve service delivery.⁸

Policy 4-1.1.2.D- Solid Waste

Based on the City of Key West adopted level of service the solid waste demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy 4-1.1.2.D, the solid waste LOS for nonresidential development is 6.37 lbs/capita/day) and the solid waste LOS for residential development is 2.66 lbs/capita/day).

The solid waste impact is anticipated to be **86.3 lbs/day**

Summary Response: The proposed redevelopment will decrease the expected impact from the existing use of the property by 51.4 pounds per day; however, it is not expected that the proposal will result in excess capacity on this public facility.

Designation	Residential		Commercial		Total
	LOS	Daily Capacity ⁹	LOS	Daily Capacity	
Proposed	2.66 lbs/capita/day	13.15 capita x 2.66 lbs = 34.9 lbs	6.37 lbs/capita/day	0/1000*2.8536 ¹⁰ =0 x 6.37lbs= 0	35 lbs
Existing	2.66 lbs/capita/day	0 capita x 2.66 lbs = 0 lbs	6.37 lbs/capita/day	4,745/ 1000*2.8536 ¹¹ =13.5 x 6.37lbs= 86.3 lbs	86 lbs

The City currently contracts with Waste Management of Florida, Inc. to collect, transfer and dispose of solid waste and residential recyclables. Commercial recyclables and other non-franchised collection services such as construction and demolition debris and yard waste are available on the open market to all licensed haulers. The City owns and operates a solid waste transfer station on Rockland Key that received 45,402.10 tons of solid waste for disposal and 3,607 tons of recyclables in 2009/10. Waste Management disposes of the solid waste collected in Monroe County, including the City of Key West, at its Central Sanitary Landfill in Broward County. In 2009 Waste Management Inc. reported a reserve capacity of 17 years at this facility. There is therefore an estimated reserve capacity of 15 years as of the date of this report.

As documented above, the City is meeting its Level of Service Standard for solid waste. The City projects a slight permanent population decrease, and only a slight increase in its functional population and non-residential development, during the short and long-range planning periods, and the current capacity should remain adequate. Ongoing capital improvements will be necessary to improve standards and service delivery.¹²

Policy 4-1.1.2. D- Recyclable Waste Generation Level of Service

Based on the City of Key West adopted level of service the recyclable waste demand is anticipated to increase at the end of this single-phase development plan (pursuant to Policy

⁸ City of Key West Comprehensive Plan Data and Analysis, Pg. A-16

⁹ For the purposes of LOS, "capita" was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household

¹⁰ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office

¹¹ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office Retail

¹² City of Key West Comprehensive Plan Data and Analysis, Pg. A-17

4-1.1.2. D, the recyclable waste LOS for nonresidential development is 0.25 lbs/capita/day) and the recyclable waste LOS for residential development is 0.50 lbs/capita/day).

The recyclable waste impact is anticipated to be **6.5 lbs/day**

Summary Response: The proposed redevelopment will increase the expected impact from the existing use of the property by 3.12 pounds per day. The team will coordinate with waste management services to provide an adequate amount of recycling containers per unit.

Designation	Residential		Commercial		Total
	LOS	Daily Capacity ¹³	LOS	Daily Capacity ¹⁴	
Proposed	0.5 lbs/capita/day	13.15 capita x 0.5 lbs = 6.5 lbs	0.25 lbs/capita/day	0/1000*2.8536 ¹⁵ =0 x 0.25lbs= 0	6.5 lbs
Existing	0.5 lbs/capita/day	0 capita x 0.5 lbs = 0 lbs	0.25 lbs/capita/day	4,745/1000*2.8536 ¹⁶ =13.5 x 0.25lbs= 3.38 lbs	3.38 lbs

Policy 4-1.1.2. E- Drainage Facilities Level of Service

The project is exempt from storm water management permitting requirements in accordance with Section 108-716(3), "Any maintenance, alteration, renewal, repair, use or improvement of an existing structure or the construction of any structure or modification thereto which does not create impervious surface exceeding 500 square feet. This shall not exempt the applicant from retaining the first one inch of rainfall on site as required by F.A.C. 17-25".

Existing Level of Service Standard

1. Post development runoff shall not exceed the pre-development runoff rate for a 25-year storm event, up to and including an event with a 24-hour duration.
2. Storm water treatment and disposal facilities shall be designed to meet the design and performance standards established in Chapter 62-25 Section 25.025, Florida Administrative Code, with treatment of the runoff from the first one inch of rainfall on-site to meet the water quality standards required by Chapter 62-302, Florida Administrative Code. Storm water facilities which directly discharge into "Outstanding Florida Waters" (OFW) shall provide an additional treatment pursuant to Section 62-25.025 (9), Florida Administrative Code.
3. Storm water facilities must be designed so as to not degrade the receiving water body below the minimum conditions necessary to assure the suitability of water for the designated use of its classification as established in Chapter 62-302 Florida Administrative Code.

The redeveloped portion of the property will be brought into compliance with storm water management.

¹³ For the purposes of LOS, "capita" was calculated as *proposed units x persons / household* using the 2009-2013 US Census Data - 2.63 persons per household

¹⁴ Adopted LOS 0.5/Adopted LOS 0.25= 2.00 multiplier; 4.03*2.00=8.06

¹⁵ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office

¹⁶ Planners Estimating Guide, p. 137: Table 11-1-Basic Impact Coefficients 2.8536 persons per 1,000 sf of General Office Retail

KBP CONSULTING, INC.

December 16, 2017

Mr. Owen Trepanier
President
Trepanier & Associates, Inc.
1421 First Street, P.O. Box 2155
Key West, Florida 33045-2155

**Re: 638 - 646 United Street – Key West, Florida
Traffic Statement**

Dear Owen:

There is an existing office building located at 638 United Street in Key West, Monroe County, Florida. The existing building area is 4,745 square feet and vehicular access to the site is provided by one (1) full access driveway on United Street. This site is proposed to be redeveloped with five (5) single-family residential dwelling units. Access to three (3) of the proposed homes will be provided by driveways located on United Street. The remaining two (2) homes will have vehicular access to and from Villa Mill Alley along the northeast side of the site. A preliminary site plan is presented in Attachment A to this memorandum. The purpose of this traffic statement is to document the trip generation characteristics associated with the existing and proposed development and to document the AM and PM peak hour driveway volumes.

Trip Generation Analysis

The trip generation for this project was determined utilizing the trip generation rates and equations contained in the Institute of Transportation Engineer's (ITE) *Trip Generation Manual (10th Edition)*. According to the subject ITE manual, the most appropriate land use categories for the subject land uses are Land Use #710 – General Office Building and Land Use #210 – Single-Family Detached Housing. The trip generation rates and equations used to determine the vehicle trips associated with this analysis are presented below.

General Office Building – ITE Land Use #710

- Weekday: $\text{Ln}(T) = 0.97 \text{Ln}(X) + 2.50$
where T = number of trips and X = 1,000 square feet of gross floor area
- AM Peak Hour: $T = 1.16 (X)$ (86% in / 14% out)
- PM Peak Hour: $\text{Ln}(T) = 0.95 \text{Ln}(X) + 0.36$ (16% in / 84% out)

Single-Family Detached Housing – ITE Land Use #210

- Weekday: $T = 9.44 (X)$
where T = number of trips and X = number of dwelling units
- AM Peak Hour: $T = 0.71 (X) + 4.80$ (25% in / 75% out)
- PM Peak Hour: $\text{Ln}(T) = 0.96 \text{Ln}(X) + 0.20$ (63% in / 37% out)

KBP CONSULTING, INC.

Table 1 below summarizes the trip generation characteristics associated with the 638 - 646 United Street site (i.e. existing office and proposed residential) in the City of Key West, Florida.

Table 1 Trip Generation Summary 638 - 646 United Street - Key West, Florida								
Land Use	Size	Daily Trips	AM Peak Hour Trips			PM Peak Hour Trips		
			In	Out	Total	In	Out	Total
<i>Existing</i> General Office	4,745 SF	55	5	1	6	1	5	6
Total (Existing)		55	5	1	6	1	5	6
<i>Proposed</i> Single-Family Detached Housing	5 DU	47	2	6	8	4	2	6
Total (Proposed)		47	2	6	8	4	2	6
Difference (Proposed - Existing)		(8)	(3)	5	2	3	(3)	0

Compiled by: KBP Consulting, Inc. (December 2017).

Source: Institute of Transportation Engineers (ITE) Trip Generation Manual (10th Edition).

As indicated above, the proposed residential development at the subject site is expected to generate 47 daily vehicle trips, eight (8) AM peak hour vehicle trips, and six (6) PM peak hour vehicle trips. When compared with the existing office use on this site, this represents a decrease of eight (8) daily vehicle trips, an increase of two (2) AM peak hour vehicle trips, and no net change in the PM peak hour vehicle trips. The resulting driveway volumes are presented in Attachment B to this memorandum.

Conclusions

In summary, the foregoing trip generation analysis indicates that the proposed residential use will have little to no impact on the trip generation characteristics of the site. There will be a slight reduction (-8) in daily vehicle trips, a slight increase (+2) in AM peak hour vehicle trips, and no change in the PM peak hour vehicle trips.

If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,

KBP CONSULTING, INC.



Karl B. Peterson, P.E.
Florida Registration Number 49897
Engineering Business Number 29939

Attachment A

638 – 646 United Street

Preliminary Site Plan

Attachment B

638 – 646 United Street

Driveway Volumes

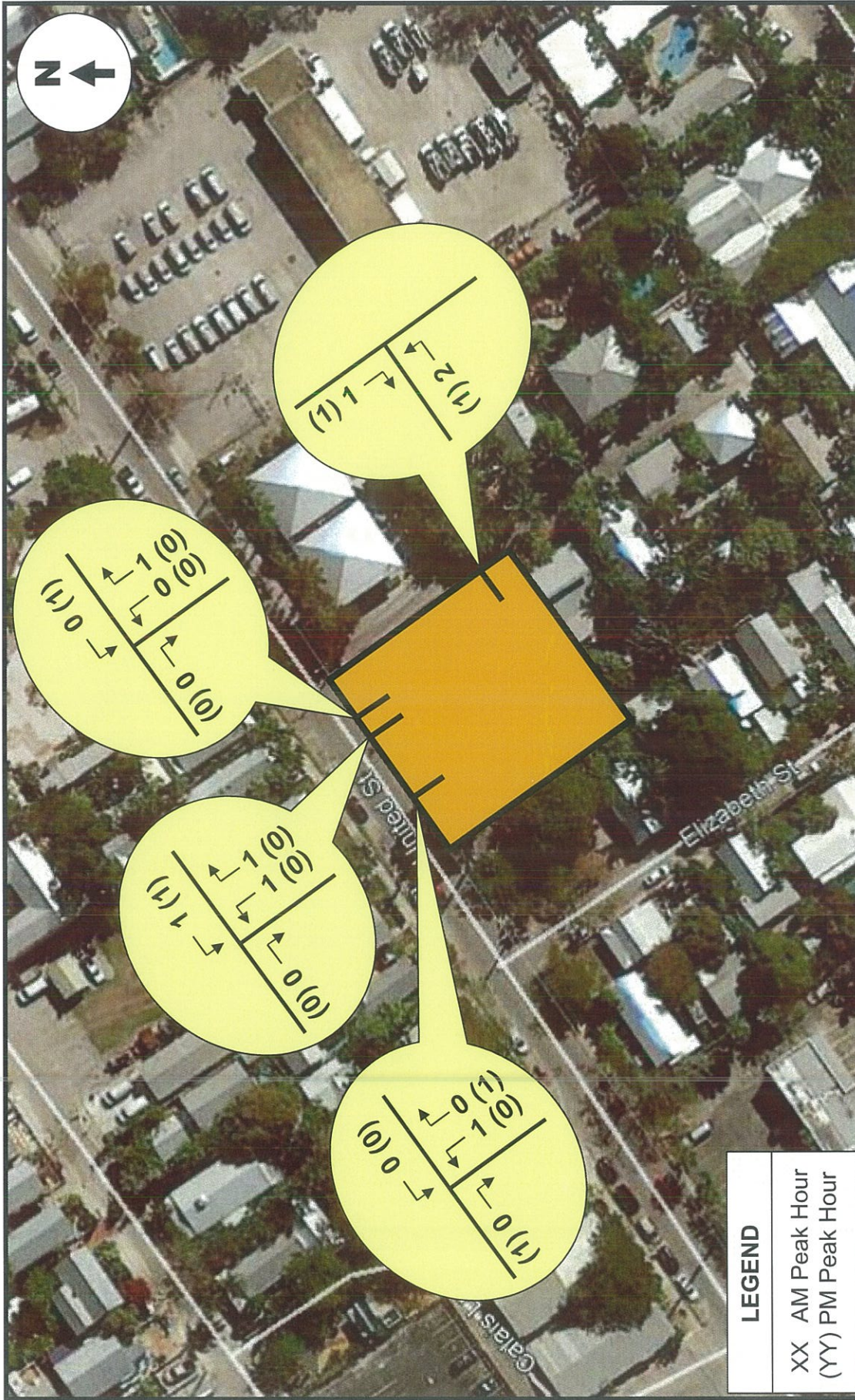


FIGURE B-1
 638 – 646 United Street
 Key West, Florida

Driveway Traffic Assignment

LEGEND	
XX	AM Peak Hour
(YY)	PM Peak Hour