

**THE CITY OF KEY WEST
PLANNING BOARD
Staff Report**



To: Chairman and Planning Board Members
From: Brendon Cunningham, Senior Planner
Through: Donald Leland Craig, AICP, Planning Director
Meeting Date: January 23, 2014

Agenda Item: **Variances – 512-524 Eaton Street (RE# 00006500-000000; AK# 1006734 and RE# 00006500-000100, AK# 8792239) – A request for side and rear-yard setback variances for the construction of emergency ingress and egress at property in the HNC-1 zoning district per Section 90-391 and Section 122-810(6)b. & c. of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Request: To allow the construction of a catwalk/balcony at the side and rear of the buildings for second floor emergency ingress and egress.

Applicant: Trepanier and Associates, Inc.

Property Owner: Tap All Potential, LLC

Location: 512-524 Eaton Street (RE# 00006500-000000; AK# 1006734 and RE# 00006500-000100, AK# 8792239)

Zoning: Historic Neighborhood Commercial (HNC-1) zoning district



Background:

This project is comprised of the renovation of two properties with existing buildings housing commercial offices and a dinner theater.

Request:

A redevelopment to convert 2,184 square feet of office space at 524 Eaton Street to be used in conjunction with the existing theater at 512 Eaton Street and convert the remaining 7,900 square feet of commercial floor area at 524 Eaton into a single-family residence. Because the theater is two stories and a place of assembly, two points of ingress/egress are required for the second floor. The only available area to accommodate this requirement is at the side and rear of the neighboring building.

The applicant requests a side-yard variance from the existing 5'4" to 4" and a rear-yard variance of 3" as the existing balcony encroaches onto the neighboring property.

Dimensional Req'd	Required/Allowed	Existing	Proposed
Side Setback	5'	5.33'	4"
Rear Setback	15'	0'	3"

Process:

Development Review Committee Meeting:

August 26, 2013

Planning Board Meeting:

January 23, 2014

HARC Meeting:

Pending

Analysis – Evaluation for Compliance With The Land Development Regulations:

The criteria for evaluating a variance are listed in Section 90-395 of the City Code. The Planning Board before granting a variance must find all of the following:

- 1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.**

The theater structure is existing and covers the entire site, lot line to lot line. It is joined to the neighboring structure which has a four foot setback from the rear lot line. This is the only location to install emergency exit stairs without encroaching onto City Right-of-Way.

- 2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.**

The applicant purchased the properties in their current configuration.

- 3. Special privileges not conferred. That granting the variance requested will not confer upon the applicant any special privileges denied by the Land Development Regulations to other lands, buildings or structures in the same zoning district.**

There are numerous buildings and properties in the immediate vicinity that have similar site limitations. Thus, any request for an additional second story egress point would likely necessitate a variance to any given property.

- 4. Hardship conditions exist. That literal interpretation of the provisions of the Land Development Regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.**

Life safety regulations need to be met. The only solution in this case is to request a variance to required setbacks. Otherwise, the applicant would need to request an easement to put a fire-escape stair over the City Right of Way.

- 5. Only minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.**

These are the minimum variances that will make possible reasonable use of the land, building, or structure as intended by the applicant.

- 6. Not injurious to the public welfare. That the granting of the variance will be in harmony with the general intent and purpose of the Land Development Regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.**

The proposed variances will not have a negative impact on the immediate neighbors, the surrounding neighborhood or the community at large. In fact, the rear-yard setback variance will correct an encroachment onto a neighboring property.

- 7. Existing nonconforming uses of other property not the basis for approval. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.**

Nonconforming use of neighboring lands, structures, or buildings in the same district were not the basis for this request.

The Planning Board shall make factual findings regarding the following:

- 1. That the standards established by Section 90-395 of the City Code have been met by the applicant for a variance.**

The standards established by Section 90-395 of the City Code have been met.

2. **That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors.**

The department has not been notified of any neighborhood objections to date.

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends that the request for variances be **approved** as they are directly related to life safety requirements.

Draft Resolution

**PLANNING BOARD
RESOLUTION No. 2014-**

**A RESOLUTION OF THE CITY OF KEY WEST
PLANNING BOARD APPROVING VARIANCES FOR
SIDE AND REAR-YARD SETBACK REQUIREMENTS
FOR PROPERTY LOCATED AT 512-524 EATON STREET
(RE#00006500-000100, AK# 1006734) IN THE HISTORIC
NEIGHBORHOOD COMMERCIAL ZONING DISTRICT,
PER SECTION 122-810(6) b. & c. OF THE LAND
DEVELOPMENT REGULATIONS OF THE CODE OF
ORDINANCES OF THE CITY OF KEY WEST.**

WHEREAS, the existing structure has legal non-conforming front and rear-yard setbacks;
and

WHEREAS, Section 122-810 of the Code of Ordinances provides that the minimum allowed
side-yard setback is 5 feet and minimum rear-yard setback is 15 feet; and

WHEREAS, the existing side-yard setback is 5 feet 4 inches and the existing rear-yard
setback is 0 feet; and

WHEREAS, the applicant requested a variance to the existing conforming 5 feet 4 inch side-
yard setback to 4 inches and to maintain the non-conforming rear-yard encroachment at 0 feet; and

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

_____ Chairman
_____ Planning Director

January 23rd, 2014; and

WHEREAS, the Planning Board finds that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures or buildings in the same district; and

WHEREAS, the Planning Board finds that the special conditions do not result from the action or negligence of the applicant; and

WHEREAS, the Planning Board finds that granting the variances requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district; and

WHEREAS, the Planning Board finds that the literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would cause unnecessary and undue hardship on the applicant; and

WHEREAS, the Planning Board finds that the variances granted are the minimum variances that will make possible the reasonable use of the land, building or structure; and

_____ Chairman

_____ Planning Director

WHEREAS, the Planning Board finds that the granting of the variances will be in harmony with the general intent and purpose of the land development regulations and that such variances will not be injurious to the area involved, the surrounding neighborhood or otherwise detrimental to the public interest or welfare; and

WHEREAS, the Planning Board finds that no nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of any variances; and

WHEREAS, the Planning Board finds that the applicant has demonstrated a “good neighbor policy” by contacting or making a reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those neighbors;

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

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

_____ Chairman
_____ Planning Director

Section 2. An approval by resolution of the Key West Planning Board for variances to allow the renovation and reconstruction of the structure per plans dated September 5, 2014, for property located at 512-524 Eaton Street (RE# 00006500-000000, AK #1006734 & RE#00006500-000100, AK#8792239) in the HNC-1 zoning district per Section 122-810(6)b. & c. of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Section 3. It is a condition of these variances that full, complete, and final application for all conditions of this approval for any use and occupancy for which these variances are wholly or partly necessary, shall be submitted in their entirety within two years after the date hereof; and further, that no application shall be made after expiration of the two-year period without the applicant obtaining an extension from the Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

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

Section 5. These variances do 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

_____ Chairman

_____ Planning Director

authority respecting the property.

Section 6. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Section 7. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DEO can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Read and passed on first reading at a regularly scheduled meeting held this 23rd day of January, 2014.

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

_____ Chairman

_____ Planning Director

Richard Klitenick, Chairman
Planning Board

Date

Attest:

Donald Leland Craig, AICP
Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date

_____ Chairman

_____ Planning Director

Application

Variance Application
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
(305) 809-3720



Variance Application

Please completely fill out this application and attach all necessary documents. This will help our staff to process your request quickly and obtain necessary information without delay. If you have any questions please call 305-809-3720 to schedule an appointment with a Planner.

Please print or type a response to the following:

1. Site Address 512-524 Eaton Street, Key West, Fl 33040
2. Name of Applicant Trepanier & Associates, Inc.
3. Applicant is: Owner _____ Authorized Representative X
4. Address of Applicant 402 Appelrouth Lane, Key West, Fl 33040
5. Phone # of Applicant (305)293-8983 Mobile# N/A
6. E-Mail Address patrick@owentrepanier.com
7. Name of Owner, if different than above Tapley Johnson, Mgr - Tap All Potential LLC
8. Address of Owner 425 Caroline Street, Key West, Fl 33040
9. Phone # of Owner (336) 214-4238
10. Email Address tap@tapkeywest.com
11. Zoning District of Parcel HNC-1 RE# 00006500-000000, 00006500-0001000
12. Description of Proposed Construction, Development, and Use
Create improved emergency egress from the second floor of both the single family residence and the theater by connecting an existing exterior rear second floor balcony to an exterior staircase. Removing existing encroachment into the rear adjacent property.
13. List and describe the specific variance(s) being requested:
Side setback 5' required, 5' existing, 4" proposed
Rear setback 15' required, 0' existing, 3" proposed

Variance Application
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14. Please fill out the relevant Site Data in the table below. For Building Coverage, Impervious Surface, Open Space and F.A.R provide square footages and percentages.

Site Data Table				
	Code Requirement	Existing	Proposed	Variance Request
Zoning	HNC-1			
Flood Zone	X			
Size of Site	12,584 sq. ft.			
Height	30'	51'9"	45'6"	None Required
Front Setback	5'	4"	4"	None Required
Side Setback (North)	5'	5'4"	4"	4'7"
Side Setback	NA	NA	NA	None Required
Street Side Setback	7'5"	1'5"	1'6"	None Required
Rear Setback	15'	0	3"	None Required
F.A.R	1.0	1.3	.68	None Required
Building Coverage	6,292 sq. ft. (50%)	10,608 sq.ft.(84%)	10,283 sq. ft.(82%)	None Required
Impervious Surface	7,330 sq. ft. (60%)	11,334 sq.ft.(90%)	10,846 sq.ft.(86%)	None Required
Parking	1 space	1 space	1 space	None Required
Handicap Parking				
Bicycle Parking		0	4	None Required
Open Space/ Landscaping	.27	.20	.14	None Requested
Number and type of units	--	1 SFR Unit	1 SFR Unit	None Required
Consumption Area or Number of seats	--	205 Seats	205 Seats	None Required

15. Is Subject Property located within the Historic District? Yes No
 If Yes, attach HARC approval and approved site plans

Meeting Date Pending HARC Approval # Pending

Variance Application
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16. Are there any easements, deed restrictions or other encumbrances attached to the subject property? Yes _____ No _____ If Yes, please describe and attach relevant documents

17. Will the work be within the dripline (canopy) of any tree on or off the property?

YES _____ NO x

If yes, provide date of landscape approval, and attach a copy of such approval.

This application is pursuant to Section 106-51 & 52 City of Key West Land Development Regulations.

If the applicant would like additional information, electronic version of the City's Code of Ordinances can be found either through www.keywestcity.com, Planning Department archives or at www.municode.com. Once there, search Online Library/Florida/Key West/Chapter 122.

***Please note, variance approvals are quasi-judicial hearings, and it is improper for the owner or signatory to speak to a Planning Board member or City Commissioner about the hearing.**

Variance Application
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Standards for Considering Variances

Before any variance may be granted, the Planning Board and/or Board of Adjustment must find all of the following requirements are met:

1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other land, structures or buildings in the same zoning district.

Special Conditions exist. The single family residence and theater are nonconforming structures, if the variance were not to be granted improved emergency egress for these two buildings would not be possible.

2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant.

The conditions are not created by the applicant the special conditions and circumstances do not result from the action or negligence of the applicant.

3. Special privileges not conferred. That granting the variance(s) requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district.

Special privileges are not conferred. The property owner seeks to improve the life-safety egress for both the residential dwelling and the adjacent dinner theater.

Variance Application
City of Key West Planning Department
3140 Flagler Avenue, Key West, FL 33040
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4. Hardship conditions exist. That literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.

Hardship conditions exist. Without the granting of this variance both the residential occupants of the as well as the dinner theater staff and guests will not benefit from improved emergency egress.

5. Only minimum variance(s) granted. That the variance(s) granted is/are the minimum variance(s) that will make possible the reasonable use of the land, building or structure.

Only the minimum variance is required.

6. Not injurious to the public welfare. That granting of the variance(s) will be in harmony with the general intent and purpose of the land development regulations and that such variances will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.

The granting of this variance is in no way injurious to the public welfare. The variance would be beneficial to the public welfare by providing improved emergency egress to both the residence and theater.

Variance Application
City of Key West Planning Department
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7. Existing nonconforming uses of other property shall not be considered as the basis for approval. That no other nonconforming use of neighboring lands, structures, or buildings in the same district, and that no other permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.

Existing nonconforming uses of other property are not considered for the basis of this approval.

The Planning Board and/or Board of Adjustment shall make factual findings regarding the following:

- That the standards established in subsection (a) have been met by the applicant for a variance.
- That the applicant has demonstrated a "good neighbor policy" by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors. Please describe how you have addressed the "good neighbor policy."

Verification

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 Owen Trepanier and 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:

512-524 Eaton Street, 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.


Signature of Authorized Representative

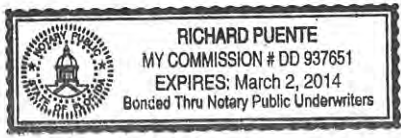
Subscribed and sworn to (or affirmed) before me on this Sept 5 2013 by
date

Owen Trepanier
Name of Authorized Representative

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


Notary's Signature and Seal

Richard Puente
Name of Acknowledger typed, printed or stamped



DD 937651
Commission Number, if any

Authorization

City of Key West
Planning Department



Authorization Form
(Where Owner is a Business Entity)

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

I, Tapley O. Johnson III as
Please Print Name of person with authority to execute documents on behalf of entity

Managing Member of Tap All Potential 512-524 Eaton LLC
Name of office (President, Managing Member) *Name of owner from deed*

authorize Owen Trepanier and 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.

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

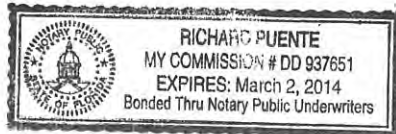
Subscribed and sworn to (or affirmed) before me on this Sept 5, 2013 by
date

[Signature] Owen Trepanier
Name of Authorized Representative

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

[Signature]
Notary's Signature and Seal

Richard Puente
Name of Acknowledger typed, printed or stamped



DD 937651
Commission Number, if any

Deed

NOTE TO CLERK/TAX EXAMINER: Actual consideration paid is \$ 3,500,000.00

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

Parcel ID Number: 00006500-000000 & 006500-000100

Warranty Deed

This Indenture, Made this day of July, 2013 A.D., Between
LYNN H. KEPHART, a married man

of the County of MONROE, State of Florida, grantor, and
TAP ALL POTENTIAL 512-524 EATON, LLC, a Florida limited liability
company

whose address is: 425 Caroline 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:

***The property herein conveyed DOES NOT constitute the HOMESTEAD property of the Grantor. The Grantor's HOMESTEAD address is**

21966 RAFFY ROAD, CUDJOLE KEY, FL 33042

***Subject to current taxes, easements and restrictions of record.**

Warranty Deed - Page 2

Parcel ID Number: 00006500-000000 & 006500-000100

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

Signed, sealed and delivered in our presence:

[Signature]
Printed Name: Michael Larson
Witness

[Signature] (Seal)
LYNN H. KEPHART
P.O. Address: 414 Simonton Street, KEY WEST, FL 33040

[Signature]
Printed Name: Jennifer G. Sanchez
Witness

STATE OF Florida
COUNTY OF MONROE

The foregoing instrument was acknowledged before me this _____ day of **July**, 2013 by
LYNN H. KEPHART, a married man

who is personally known to me or who has produced his **Florida driver's license** as identification.

[Signature]
Printed Name: Jennifer G. Sanchez
Notary Public
My Commission Expires:



EXHIBIT "A"

PARCEL A-2

COMMENCE at the Southeasterly right of way line of Eaton Street and the southwesterly right of way line of Simonton Street; thence in a Southwesterly direction along the said Southeasterly right of way line on Eaton Street for 156.18 feet to the Point of Beginning; thence at a right angle and in a Southeasterly direction for 100.00 feet; thence at a right angle and in a Southwesterly direction for 55.07 feet the Northeasterly right of way line of Bahama Street; thence at tight angles and in a Southwesterly direction along the said Northeasterly right of way line of Bahama Street for 100.00 feet to the said Southeasterly right of way line of Eaton Street; thence at a right angle and in a Northeasterly direction along the said Southeasterly right of way line of Eaton Street for 55.07 feet.

PARCEL A-1

On the Island of Key West, Monroe County, Florida, and being a portion of Lot 2, Square 37 according to William A. Whitehead's Map of said Island delineated in February A.D 1829, but being more particularly described as follows:

COMMENCE at the Southeasterly right of line of Eaton Street and the Southwesterly right of way line of Simonton Street; thence in a Southwesterly direction along the said Southeasterly right of way on Eaton Street for 84.00 feet to the Point of Beginning; thence to right angle and in a Southwesterly direction for 10 feet; thence at a right angle and in a Southeasterly direction for 12 feet; thence at right angle and in a Southwesterly direction for 62.18 feet; thence at right angle and in a Northwesterly direction for 100.00 feet to the said Southeasterly right of way line of Eaton Street; thence at a right angle and in a Northeasterly direction along the said Southeasterly right of way line of Eaton Street for 72.18 feet bock to the Point of Beginning.

TOGETHER WITH:

Overhang Easement rights created by that Resolution No. 05-204 of the City of Key West recorded June 20, 2005 in Official Records Book 2124, Page 1877, and being more particularly described as follows:

On the Island of Key West, Monroe County, Florida, and being a portion of Lot 2. Square 37 according to William A. Whitehead's Map of said Island delineated in February A.D. 1829, but being mare particularly described as follows:

COMMENCE at the intersection of the Northeasterly Right-of-Way Line of Bahama Street and the Southeasterly Right-of-Way Line of Eaton
(Continued on Attached)

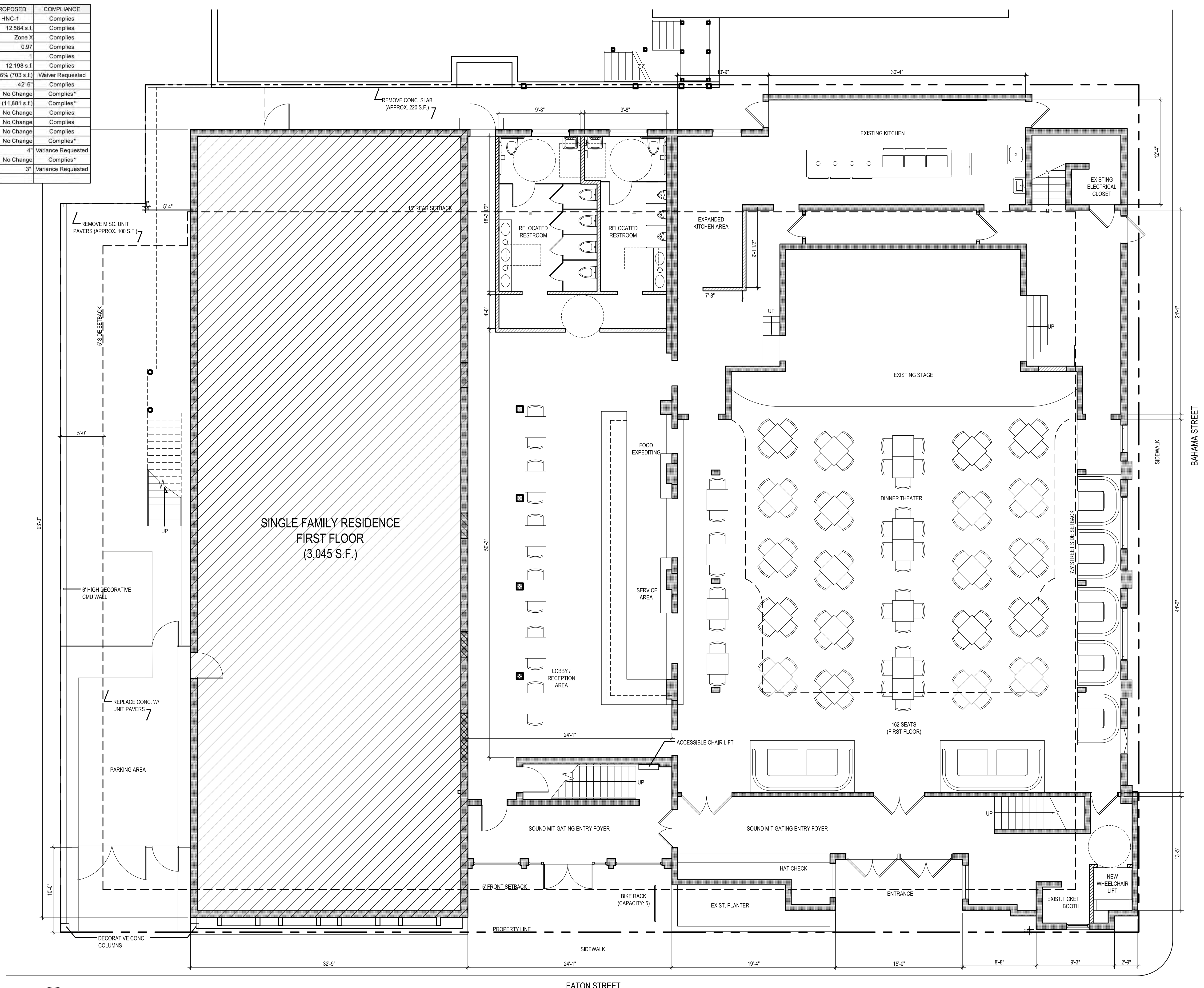
Street; thence in a Northeasterly direction along the said Southeasterly Right-of-Way Line of Eaton Street for 18.86 feet to the Point of Beginning thence continue in a Northeasterly direction along the said Southeasterly Right-of-Way line of Eaton Street for 18.16 feet to a point on a curve to the left, having a radius of 10.50 feet, a central angle of 119'45'20", a cord bearing Southwesterly along the said Northeasterly Right-of-Way Line of Eaton Street, and a cord length of 18.16 feet; thence along the arc of the said curve, an arc length of 21.95 feet to the said Southeasterly Right-of-Way Line of Eaton Street and the Point of Beginning.

Survey

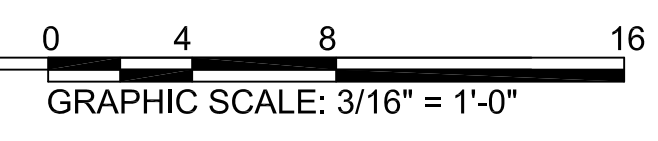
Site Plans

SITE DATA	ALLOWED	EXISTING	PROPOSED	COMPLIANCE
ZONING	HNC-1	HNC-1	HNC-1	Complies
SITE SIZE	12,584 s.f.	12,584 s.f.	12,584 s.f.	Complies
FEMA FLOOD ZONE	Zone X	Zone X	Zone X	Complies
FAR	1	1.46	0.97	Complies
DENSITY	4.8	6	1	Complies
COMMERCIAL FLOOR AREA	12,584 s.f.	18,418 s.f.	12,198 s.f.	Complies
LANDSCAPING/OPEN SPACE	27% (3,397 s.f.)	4% (517 s.f.)	6% (703 s.f.)	Waiver Requested
HEIGHT	30'	52'-6"	42'-6"	Complies
BUILDING COVERAGE	40%	10,808 s.f. (81%)	No Change	Complies*
IMPERVIOUS SURFACE RATIO	0.8	0.96 (12,087 s.f.)	0.94 (11,881 s.f.)	Complies*
LOT SIZE	Min. 4,000 s.f.	12,584 s.f.	No Change	Complies
LOT WIDTH	Min. 40'	127.25'	No Change	Complies
LOT DEPTH	Min. 90'	100'	No Change	Complies
FRONT SETBACK	Min. 10'	4"	No Change	Complies*
SIDE SETBACK	Min. 5'	54"	4"	Variance Requested
STREET SIDE SETBACK	Min. 7.5'	1.5'	No Change	Complies*
REAR SETBACK	Min. 15'	0'	3"	Variance Requested

*Existing non-conformity pursuant Sec. 122-27



1 FIRST FLOOR / SITE PLAN
A-2.1 SCALE: 3/16"=1'-0"



NOT FOR CONSTRUCTION

Consultants:
Meridian Engineering
201 Front Street, Key West FL
Tel: 305-293-3263

Submissions / Revisions:
DEV PLAN APP - 2013.09.05
DEV PLAN APP, REV. 1: 2013.12.27

512-524 EATON STREET
KEY WEST, FL
MIXED USE REMODELING PROJECT

Drawing Size: 24x36 Project #: 13017

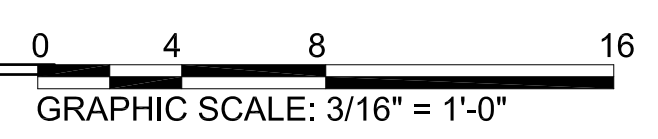
First Floor / Site Plan

Sheet Number:
A-2.1

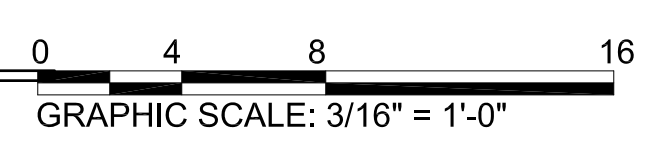
Submissions / Revisions:



2 EXISTING EAST ELEVATION
AE-3.1 SCALE: 3/16"=1'-0"



1 EXISTING NORTH (EATON ST.) ELEVATION
AE-3.1 SCALE: 3/16"=1'-0"

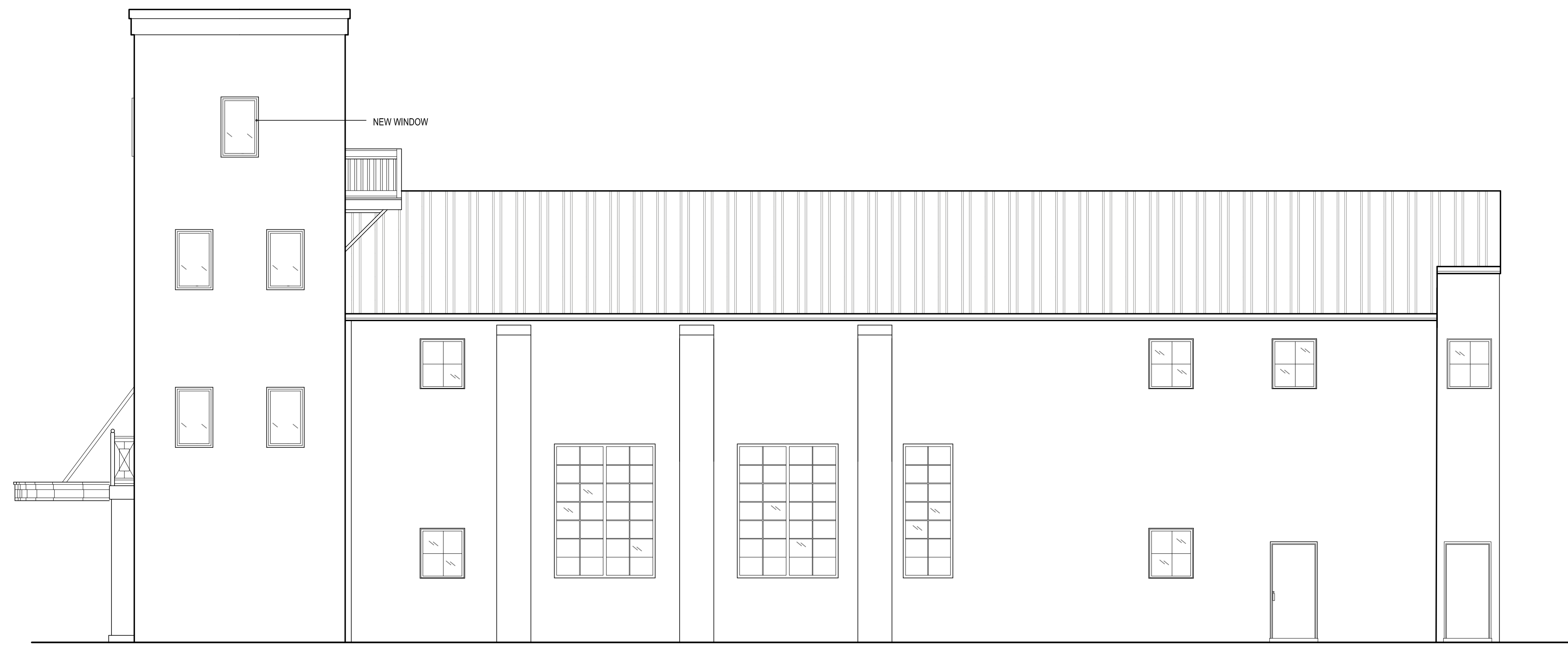


NOT FOR CONSTRUCTION

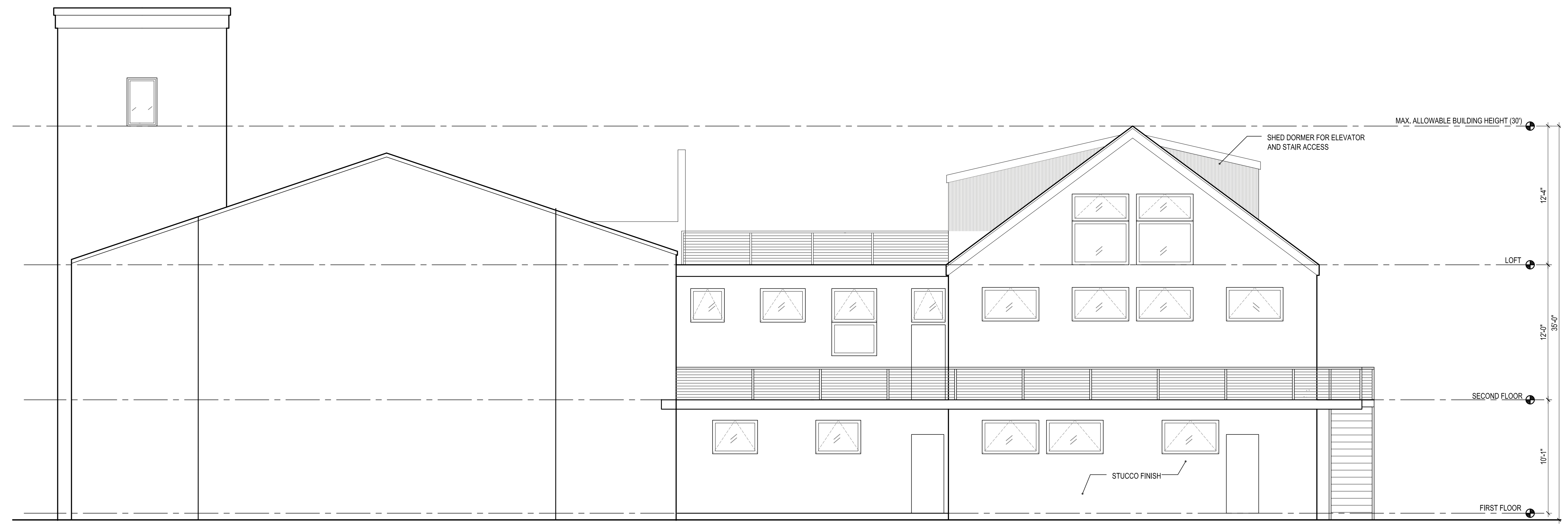
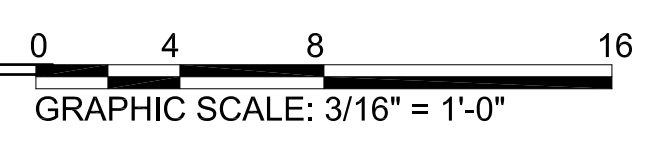
Consultants:
Meridian Engineering
201 Front Street, Key West FL
Tel: 305-293-3263

Submissions / Revisions:

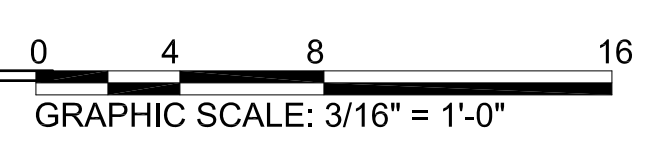
REV PLAN APP - 2013.09.05
REV PLAN APP, REV 1 - 2013.12.27



2 WEST ELEVATION
A-3.2 SCALE: 3/16"=1'-0"



1 SOUTH ELEVATION
A-3.2 SCALE: 3/16"=1'-0"



512-524 EATON STREET
KEY WEST, FL
MIXED USE REMODELING PROJECT

Drawing Size: 24x36 | Project #: 13017
Title:

ELEVATIONS

Sheet Number:
A-3.2

SYMBOL KEY

- EMERGENCY LIGHTING - BATTERY PACK W/ CHARGER
- EXIT SIGN - ILLUMINATED
- FIRE STROBE - CEILING MOUNTED
- 2 HOUR FIRE SEPARATION

USE AND OCCUPANCY CLASSIFICATION: ASSEMBLY (A-2)

CONSTRUCTION CLASSIFICATION: III (exterior walls are of noncombustible materials and the interior building elements are of any material permitted by this code. fire-retardant-treated wood framing complying with section 2303.2 shall be permitted within exterior wall assemblies of a 2-hour rating or less.)

OCCUPANT LOAD: 285 (+ 12 EMPLOYEES) 297 TOTAL

EGRESS WIDTH REQUIRED:
2 X 140.5" 28.5 IN. EGRESS WIDTH REQ'D. (DOORS MIN. 32" CLEAR)

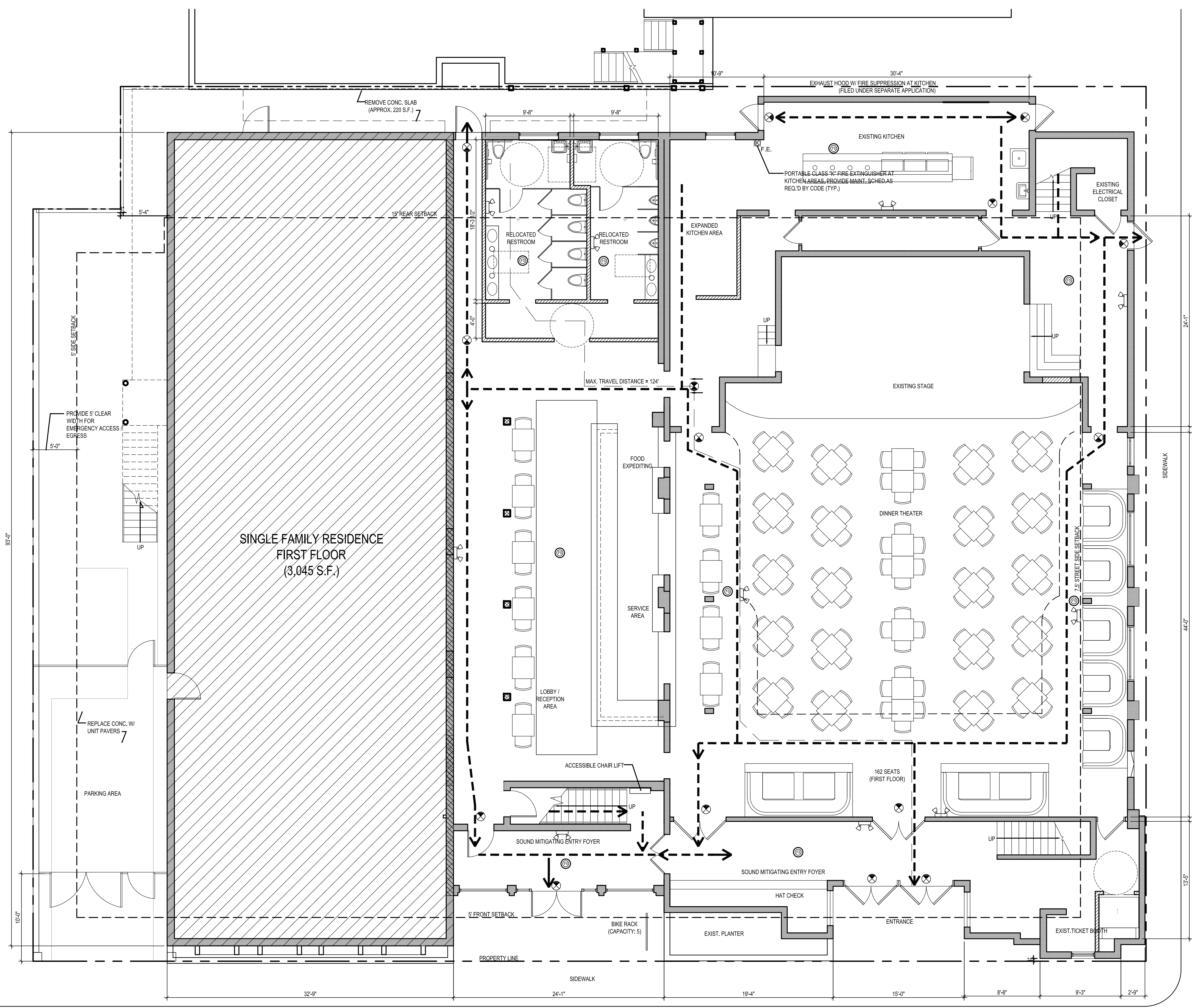
MIN. NUMBER OF EXITS REQUIRED: 2 (1-500 PERSONS / STORY)

ACCESSIBLE ROUTE WIDTH REQUIRED: 36" (DOORS MIN. 32" CLEAR)

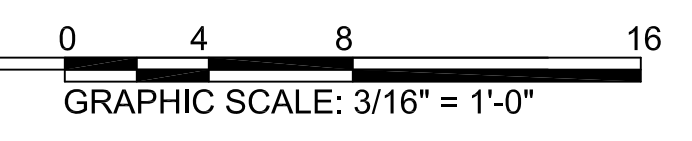
TABLE 1016.1 EXIT ACCESS TRAVEL DISTANCE:

MAX. EGRESS TRAVEL DISTANCE WITHOUT SPRINKLER SYSTEM = 200 FT.
PROPOSED MAX. TRAVEL DISTANCE = 124 FT.

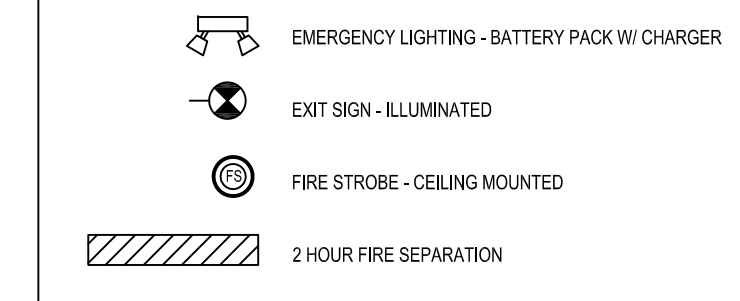
Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.



1 FIRST FLOOR / SITE PLAN
A-2.1 SCALE: 3/16"=1'-0"



SYMBOL KEY



USE AND OCCUPANCY CLASSIFICATION: ASSEMBLY (A-2)

CONSTRUCTION CLASSIFICATION: III (exterior walls are of noncombustible materials and the interior building elements are of any material permitted by this code. fire-retardant-treated wood framing complying with section 2303.2 shall be permitted within exterior wall assemblies of a 2-hour rating or less.)

OCCUPANT LOAD: 285 (+ 12 EMPLOYEES) 287 TOTAL

EGRESS WIDTH REQUIRED: 2 X 148.5", 28.5 IN. EGRESS WIDTH REQ'D., (DOORS MIN. 32" CLEAR).

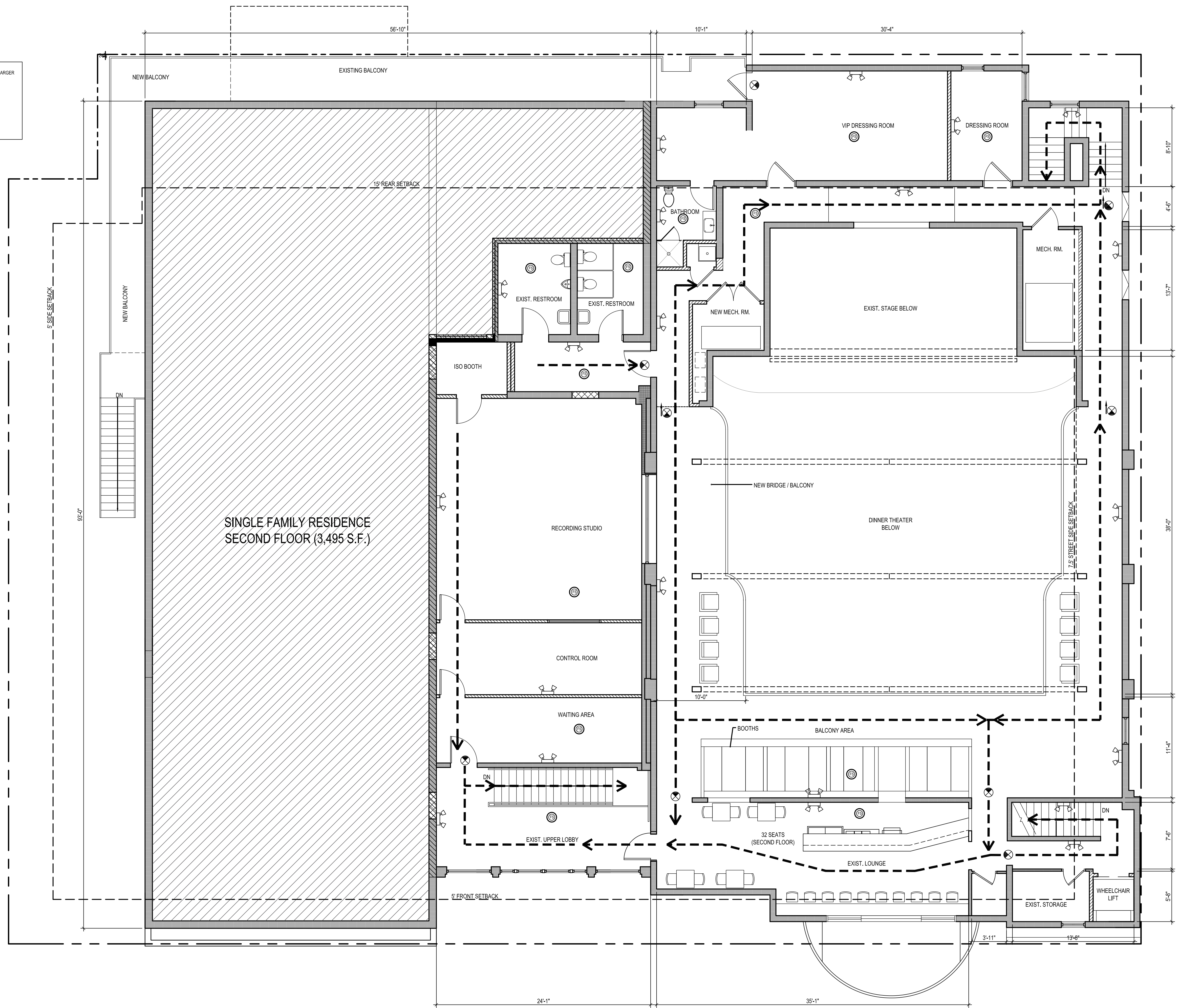
MIN. NUMBER OF EXITS REQUIRED: 2 (1-500 PERSONS / STORY)

ACCESSIBLE ROUTE WIDTH REQUIRED: 36" (DOORS MIN. 32" CLEAR)

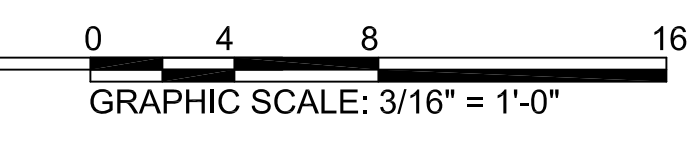
TABLE 1016.1 EXIT ACCESS TRAVEL DISTANCE:

MAX. EGRESS TRAVEL DISTANCE WITHOUT SPRINKLER SYSTEM = 200 FT.
PROPOSED MAX. TRAVEL DISTANCE = 124 FT.

Every room or space that is an assembly occupancy shall have the occupant load of the room or space posted in a conspicuous place, near the main exit or exit access doorway from the room or space. Posted signs shall be of an approved legible permanent design and shall be maintained by the owner or authorized agent.



1
A-2.2 **SECOND FLOOR PLAN**
 SCALE: 3/16"=1'-0"



Tel: 305-890-6191
 Email: info@wshepler.com
 Seat:

NOT FOR CONSTRUCTION

Consultants:
Meridian Engineering
 201 Front Street , Key West FL
 Tel: 305-293-3263

Submissions / Revisions:
 DEV PLAN APP - 2013.09.05
 DEV PLAN APP, REV. 1: 2013.12.27

512-524 EATON STREET
 KEY WEST, FL
MIXED USE REMODELING PROJECT

Drawing Size: 24x36 Project #: 13017

SECOND FLOOR LIFE SAFETY PLAN

Sheet Number:
LS-2
 Date: - JANUARY 14, 2014
 ©2013 by William Shepler Architect

DRC
Minutes & Comments

Minutes of the Development Review Committee

September 26, 2013

Approved on October 24, 2013

Construct storm water retention swales around pool, and plant with ground cover vegetation. Direct roof gutter downspouts into swales and back onto property.

FIRE DEPARTMENT:

Mr. Barroso commented that applicant will have to sit down with the Fire Department to work out a life safety plan before going to the Planning Board meeting.

BUILDING OFFICIAL:

Mr. Wampler asked if the building had been sprinkled, applicant responded, no. Mr. Wampler stated that it has to with the existing building code.

SUSTAINABILITY COORDINATOR:

No comments.

KEYS ENERGY:

No comments.

11. Variance – 512 524 Eaton Street (RE# 00006500-000000; AK# 1006734 and RE# 00006500-000100, AK# 8792239) – A request for side and rear-yard setback variances for the construction of emergency ingress and egress at property in the HNC-1 zoning district per Section 90-391 and Section 122-238(6)a.2 & a.3 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Mr. Cunningham gave members an overview of the request.

The applicant, Mr. Wright, of Trepanier and Associates gave members an overview of the request.

DRC Member Comments:

ART IN PUBLIC PLACES:

No comments.

URBAN FORESTRY MANAGER:

Ms. DeMaria stated applicant will need to protect any vegetation and/or if removal is required, set up an appointment with her.

POLICE DEPARTMENT

No comments.

HARC PLANNER:

May have some issues regarding the asymmetry of the new proposed dormers; they will be setback but may still be visible from the street.

ENGINEERING:

Minutes of the Development Review Committee

September 26, 2013

Approved on October 24, 2013

Construct storm water retention swales around pool, and plant with ground cover vegetation. Direct roof gutter downspouts into swales and back onto property.

FIRE DEPARTMENT:

Mr. Barroso commented that applicant will have to sit down with the Fire Department to work out a life safety plan before going to the Planning Board meeting.

BUILDING OFFICIAL:

Mr. Wampler asked if the building had been sprinkled, applicant responded, no. Mr. Wampler stated that it has to with the existing building code.

SUSTAINABILITY COORDINATOR:

No comments.

KEYS ENERGY:

No comments.

ADJOURNMENT

Meeting adjourned at 11:00am

Respectfully submitted by,
Stacy L. Gibson
Administrative Assistant II
Planning Department

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: 8792239 Parcel ID: 00006500-000100

Ownership Details

Mailing Address:

KEPHART LYNN H
414 SIMONTON ST
KEY WEST, FL 33040

Property Details

PC Code: 18 - OFFICES BUILDINGS MULTI/STORY

Millage Group: 10KW

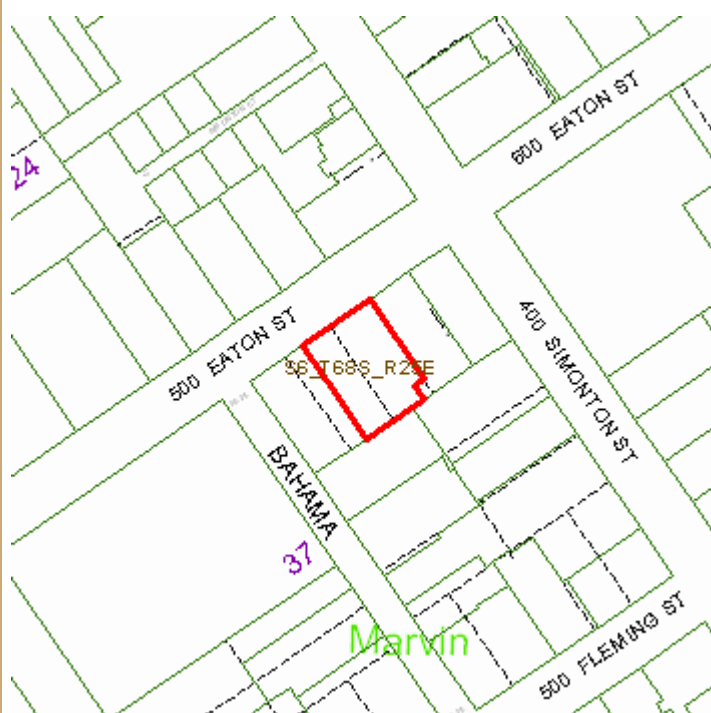
Affordable Housing: No

Section-Township-Range: 06-68-25

Property Location: 524 EATON ST KEY WEST

Legal Description: KW PT LOT 2 SQR 37 OR1177-2019/2022 OR2124-1877/83(RES NO 05-204)

Click Map Image to open interactive viewer





Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	0	0	7,080.00 SF

Building Summary

Number of Buildings: 1
Number of Commercial Buildings: 1
Total Living Area: 10122
Year Built: 1968

Building 1 Details

Building Type
Effective Age 18
Year Built 1968
Functional Obs 0

Condition A
Perimeter 600
Special Arch 0
Economic Obs 0

Quality Grade 450
Depreciation % 23
Grnd Floor Area 10,122

Inclusions:

Roof Type
Heat 1
Heat Src 1

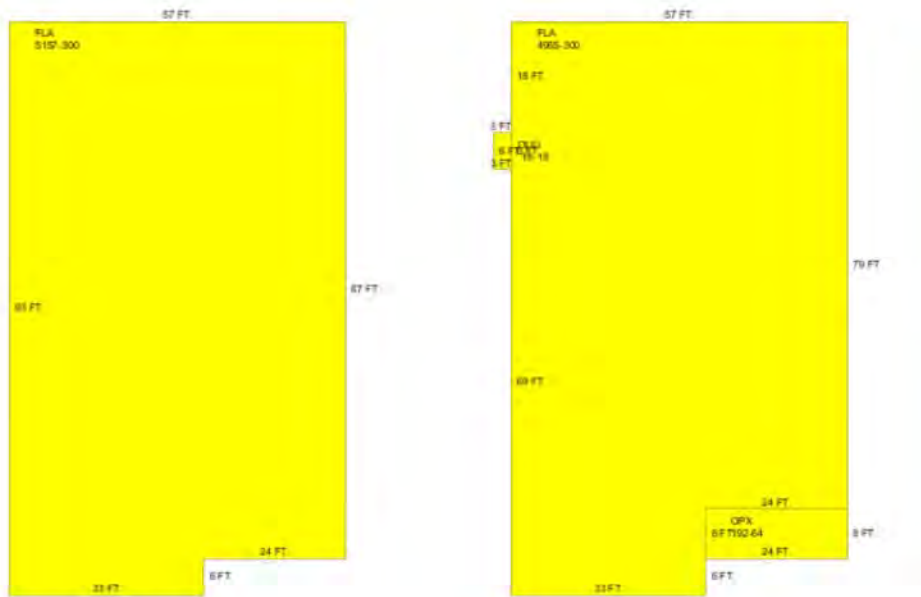
Roof Cover
Heat 2
Heat Src 2

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 17

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	<u>FLA</u>		1	1993					5,157
2	<u>FLA</u>		1	1993					4,965
3	<u>OPX</u>		1	1993					192
4	<u>OUU</u>		1	1993					18

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	16322	OFF BLDG-1 STY-B	100	N	Y
	16323	OFF BLDG-1 STY-B	100	N	Y
	16324	OPX	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
5627	C.B.S.	100

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT5:TILE PATIO	179 SF	0	0	1992	1993	5	50
2	AC2:WALL AIR COND	1 UT	0	0	1984	1985	1	20
3	PT3:PATIO	190 SF	0	0	1998	1999	2	50
4	FN2:FENCES	444 SF	0	0	1997	1998	2	30

Appraiser Notes

2006-01-17 CITY APPROVED OF TRANSFER OF (3) THREE TRANSIENT UNITS FROM 807-811 AK103898 SENDER) TO 512-526 EATON ST (AK1020834 RECEIVER)-SKI

2006-01-17 TRANSFER OF ONE(1) TRANSIENT UNIT FROM 1111 DUVAL ST. AK8776926-SENDER TO 512-526 EATON ST AK 1020834 RECEIVER-SKI

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	9500070	12/01/1995	08/01/1996	1		SIGN
	9500093	12/01/1995	08/01/1996	1		ELECTRICAL
	9500094	12/01/1995	08/01/1996	1		PLUMBING
	9600290	01/01/1996	08/01/1996	450		AWNINGS
	9500096	12/01/1995	08/01/1996	3,500		RENOVATIONS
1	9802475	02/26/1999	08/16/1999	8,600	Commercial	NEW V-CRIMP ROOF
1	9901329	04/20/1999	08/16/1999	3,500	Commercial	INSTALL 35 SQS V-CRIMP
	9902915	09/03/1999	11/03/1999	23,000		REMODELING INTERIOR
	9902915	11/16/1999	12/16/1999	23,000		REPLACE AC
	99-3833	12/10/1999	11/25/2002	1,500		PARTITION WALL
	99-3833	12/10/1999	11/25/2002	1,500		ELECTRIC
	99-2717	02/10/2000	09/16/2002	1		NEW DOORS & WINDOWS
	01-3515	10/26/2001	11/25/2002	25,000		INSTALL DOORS & BALCONY
	02-2501	09/11/2002	11/25/2002	2,300		CHANGE 7.5 TON COND.

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
2013	972,489	3,374	876,169	1,451,967	1,451,967	0	1,451,967
2012	972,489	3,496	876,169	1,451,967	1,451,967	0	1,451,967
2011	1,023,008	3,633	973,521	2,000,162	1,800,565	0	2,000,162
2010	1,023,008	3,755	610,115	1,636,878	1,636,878	0	1,636,878
2009	1,073,527	3,877	679,995	1,757,399	1,757,399	0	1,757,399
2008	1,073,527	4,013	920,400	1,997,940	1,997,940	0	1,997,940
2007	830,743	4,136	920,400	1,755,279	1,755,279	0	1,755,279
2006	850,290	4,257	708,000	1,562,547	1,562,547	0	1,562,547
2005	795,210	4,396	637,200	1,436,806	1,436,806	0	1,436,806
2004	804,342	4,517	460,200	828,062	828,062	0	828,062
2003	804,342	4,638	283,200	828,062	828,062	0	828,062
2002	804,102	4,776	283,200	828,062	828,062	0	828,062
2001	804,102	4,898	283,200	828,062	828,062	0	828,062

2000	804,102	1,960	191,160	828,062	828,062	0	828,062
1999	804,102	816	191,160	996,078	996,078	0	996,078
1998	536,068	834	191,160	728,062	728,062	0	728,062
1997	536,068	853	177,000	713,921	713,921	0	713,921
1996	452,526	871	177,000	630,397	630,397	0	630,397
1995	452,526	890	177,000	630,416	630,416	0	630,416
1994	452,526	908	177,000	630,434	630,434	0	630,434
1993	451,486	0	177,000	628,486	628,486	0	628,486
1992	446,093	0	177,000	623,093	623,093	0	623,093
1991	446,093	0	177,000	623,093	623,093	0	623,093

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
6/1/1991	1177 / 2019	250,000	<u>WD</u>	<u>M</u>

This page has been visited 263,464 times.

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

Public Notices
(radius map & mailing list)

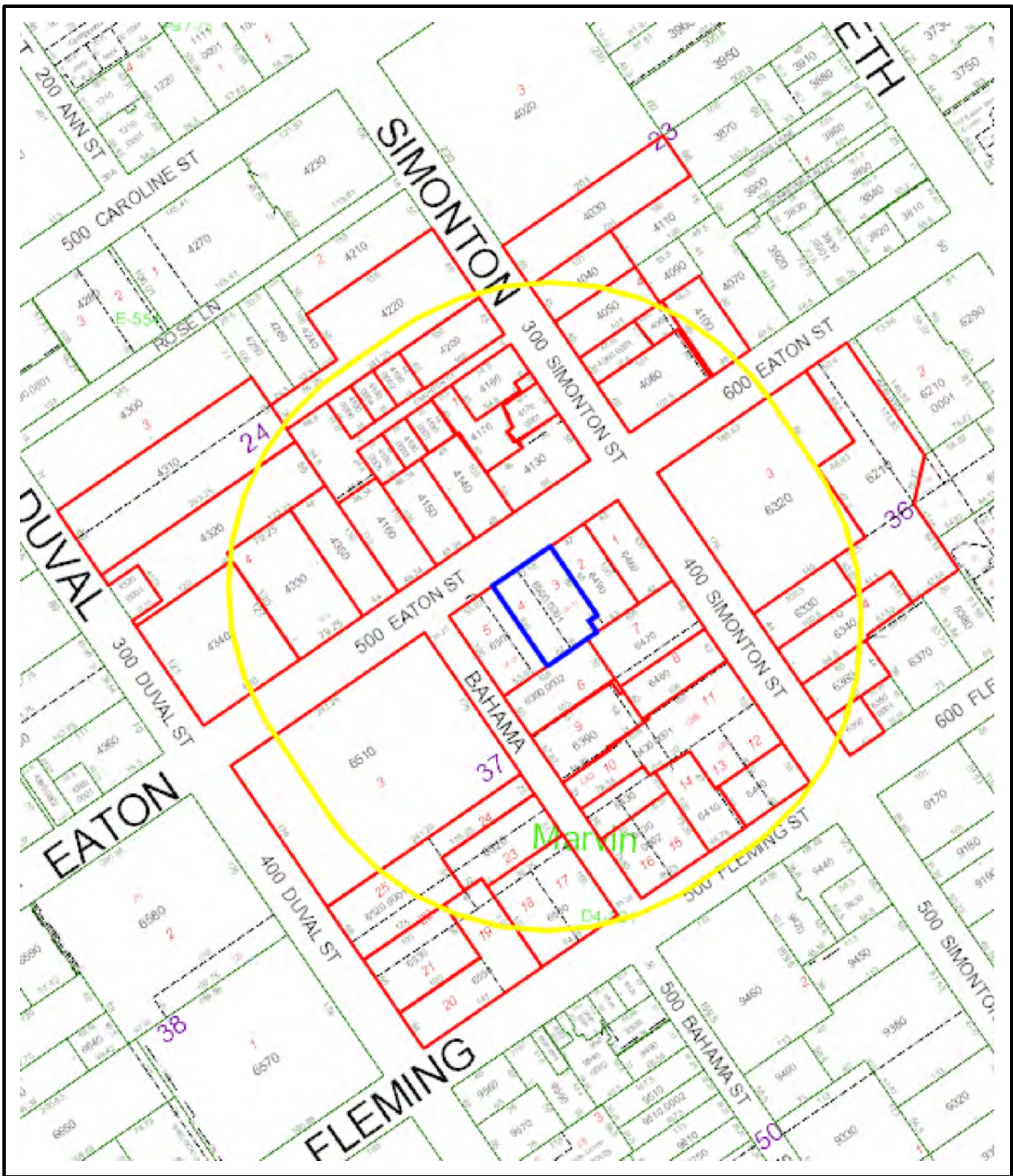
Public Meeting Notice

The Key West Planning Board will hold a public hearing at 6:00 p.m., January 23, 2014 at Old City Hall, 510 Greene Street, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Minor Development Plan, Variance & Alcohol Sales Special Exception – 512-524 Eaton Street (RE# 00006500-000000; AK# 1006734 and RE# 00006500-000100, AK# 8792239) - Requests for reconstruction of commercial floor area for conversion to a single-family dwelling, a waiver to landscape requirements, side and rear-yard setback variances for the construction of emergency ingress and egress, and special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, school, cemetery or funeral home for property located within the HNC-1 zoning district per Section 108-91(A)(1)(b), Section 90-391, Section 122-238(6)a.2 & a.3, and Section 18-28(b) of the Code of Ordinances of the City of Key West, Florida.

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

THIS NOTICE CAN NOT BE REMOVED FROM THE SITE UNTIL AFTER PLANNING BOARD DETERMINATION



Monroe County, Florida

512-524 Eaton

Printed: Jan 09, 2014



DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
FELLING MICHAEL	11199 OVERSEAS HWY		MARATHON	FL	33050-3460	
TAP ALL POTENTIAL 512-524 EATON LLC	425 CAROLINE ST		KEY WEST	FL	33040-6502	
MOLONEY SUE CLAY	320 SIMONTON ST		KEY WEST	FL	33040-6869	
MOLONEY SUSAN	326 SIMONTON ST		KEY WEST	FL	33040-6869	
KEY WEST WOMANS CLUB	319 DUVAL ST		KEY WEST	FL	33040-6687	
ARTIST HOUSE LLC	534 EATON ST		KEY WEST	FL	33040-6881	
WHITE J LARRY	685 E LONG LAKE RD		BLOOMFIELD HIL MI		48304-2443	
FIRST UNITED METHODIST CHURCH	PO BOX 669		KEY WEST	FL	33041-0669	
TOMITA GERALDINE	531 FLEMING ST		KEY WEST	FL	33040-6879	
TAYLOR DAVID F	1702 LINDEN AVE		NASHVILLE	TN	37212-5112	
FAVELLI GEORGEANN MARION LIVING TRUST 1/19/06	1523 PATRICIA ST		KEY WEST	FL	33040-5034	
PILOT HOUSE LLC	414 SIMONTON ST		KEY WEST	FL	33040-6815	
SIMONTON COURT MANAGEMENT CO	324 SIMONTON ST		KEY WEST	FL	33040-6869	
NILES FAMILY LIVING TRUST 10/28/2002	4768 CAPE MAY AVE		SAN DIEGO	CA	92107-2226	
COOPER LAND TRUST 12/26/1990	7705 NW 48TH ST STE 110		DORAL	FL	33166-5454	
FLORIDA KEYS FUNERAL SERVICES LLC	418 SIMONTON ST		KEY WEST	FL	33040-6815	
KEPHART LYNN H	414 SIMONTON ST		KEY WEST	FL	33040	
BCP LLC	1409 SUN TER		KEY WEST	FL	33040-4081	
INTER-OCEAN HOLDINGS LLC	600 FLEMING ST		KEY WEST	FL	33040-6826	
THORESEN ERLING T REVOCABLE TRUST 6/13/2013	3235 MARY ST		MIAMI	FL	33133-5234	
CARRIAGE TRADE LIVING TRUST 10/22/2009	529 EATON ST		KEY WEST	FL	33040-6801	
ONDERDONK GARY R AND DIANE M	513 FLEMING ST STE 1		KEY WEST	FL	33040-6861	
SBM LLC	66 WESTWIND RD		LOUISVILLE	KY	40207-1521	
DAVIDSON JUDITH H	PO BOX 4210		KEY WEST	FL	33041-4210	
PISCHKE RICHARD AND JULIA L	527 FLEMING ST		KEY WEST	FL	33040-6879	
DEAN DONNA LOUISE REV TRUST	14 W CYPRESS TER		KEY WEST	FL	33040-6235	
ST PAULS CHURCH	PO BOX 1014		KEY WEST	FL	33041-1014	
KAVOURA DIMITRI	PO BOX 308		KEY WEST	FL	33041-0308	
CORLEY LUCY CLAY MOLONEY	66 WESTWIND RD		LOUISVILLE	KY	40207	
328 SIMONTON STREET LLC	205 ELIZABETH ST UNIT 1		KEY WEST	FL	33040-6612	
WONG SONG ENTERPRISES INC	PO BOX 4870		KEY WEST	FL	33041-4870	
SPOTTSWOOD PARTNERS II LTD	500 FLEMING ST		KEY WEST	FL	33040-6891	
RAPPAPORT ROBERT	1107 KEY PLZ PMB 330		KEY WEST	FL	33040-4086	
333 SIMONTON ST LLC	18 ETTINGER RD		WESTON	VT	05161-6500	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
DEAN DONNA LOUISE REV TRUST	14 W CYPRESS TER		KEY WEST	FL	33040	
DAVIDSON JUDITH H	PO BOX 4210		KEY WEST	FL	33041-4210	
HAWKINS RICHARD J	PO BOX 106		KEY WEST	FL	33041-0106	
BAHAMA 415 LLC	2919 26TH ST W		BRADENTON	FL	34205-3737	
THE STUDIOS OF KEY WEST INC	600 WHITE ST		KEY WEST	FL	33040-7153	
DADE LODGE NO 14 FREE AND ACCEPTED MASONS	PO BOX 608		KEY WEST	FL	33041-0608	
CARLOUGH WILLIAM ARTHUR REV TR AGREE 9/26/2003	417 SIMONTON ST		KEY WEST	FL	33040-6814	
UNITED STATES OF AMERICA	1776 PEACHTREE ST NW		ATLANTA	GA	30309-2309	
FAR NIENTE LLC	1920 N CLARK ST APT 17P		CHICAGO	IL	60614-5401	
C & D PROPERTIES OF KEY WEST I LLC	PO BOX 4125		KEY WEST	FL	33041-4125	
GRIFFINS NEST LLC	12687 SUMMERWOOD DR		FORT MYERS	FL	33908-6805	
YATES DONALD AND KATHRYN	611 EATON ST		KEY WEST	FL	33040-6802	