

SPOTTSWOOD, SPOTTSWOOD, SPOTTSWOOD & STERLING, PLLC

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ROBERT H. GEBAIDE

OF COUNSEL:

JOHN M. SPOTTSWOOD (1920 - 1975)

February 14, 2025

VIA HAND DELIVERY

Katie Halloran, Planning Director City of Key West Planning Department 1300 White Street Key West, Florida 33040 00001761 1.1. D sed No. 1925 | B 33 194 109 41 53 02

Telephone | 305-294-9556

Facsimile | 305-504-2696

Re:

Application for Conditional Use - Marina

701 Palm Avenue, Key West, FL 33040; RE# 00001761-000000

Ms. Halloran:

Please allow this letter and supporting documentation to serve as SBY Key West LLC, a Florida limited liability company, ("Applicant") application for a Conditional Use at 701 Palm Avenue, Key West, Florida 33040 (the "Property"). The operation of a marina is a Conditional Use in the Public and Semipublic Services ("PS") zoning district, per code Sec. 122-1018(7) of the Land Development Regulations. The business provides essential services to important infrastructure support groups such as the Florida Keys Marina Sanctuary, Florida Department of Fish and Wildlife, and Key West Fire Department. The Applicant also provides maintenance and repairs for Key West tourism-based businesses enabling ferrying of hotel guests, water sports activities, fishing and diving, and boat rentals. The Applicant proposes to reorganize the site with designated parking and vertical storage to replace the current configuration of upland vessel storage, and to add additional floating docks. Although the property has functioned as a marina with wet slips and dry storage, vessel launching, an on-site fuel tank and retail supplies, this use has predated the current Code and no official marina designation has ever been granted. The Applicant seeks to unequivocally recognize the longstanding use through this application process.

Conditional Use Application

Existing Conditions:

- A. **Survey**: Please find a copy of the survey for the subject Property included in this application.
- B. Existing size, type and location of trees, hedges and other features: The site contains an approximately 50-foot-long strip of trees and mangroves on the Northern edge of the property. It is a mix of mangrove and buttonwoods that range from 5 feet tall to fifteen feet tall. This area will not be impacted by the proposed use.
- C. **Existing stormwater retention areas and drainage flows**: Please see attached site plan. The Applicant will coordinate with the City regarding any additional stormwater requirements.
- D. Adjacent land uses, buildings and driveways: The Property is located at Garrison Bight, along Palm Avenue, one of the main corridors into the city's downtown historic area. The Property is adjacent to Trumbo Point Naval Air Station. The Garrison Bight area houses both private and public marinas, the Key West Sailing Club, the Key West Yacht Club, restaurants, a liveaboard community, charter boats and some residential homes on Hilton Haven and the US Naval Base.

Proposed Development:

- A. **Site Plan**: Please find a copy of the site plans for the subject Property included in this application.
- B. Building Elevations: See attached plans showing conceptual boat storage racks.
- C. **Drainage Plan**: Not applicable. See attached plans with site calculations
- D. Landscape Plan: Please see attached site plan.

Solutions Statement: The Applicant seeks to proactively confirm the use of the property as a marina while also bringing the site more into compliance. Historically, the site has functioned as a boatyard, focusing on the repair and rebuilding of vessels dating back at least as far as 1970. However, over the past several decades it has evolved into more maritime activities with docks and boat slips, a launching ramp, provisions for fueling, and incidental retail.

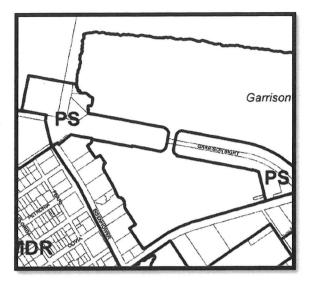
The current configuration of the site does not provide designated parking spaces due to the ground level vessel storage. The proposed plan to add vertical dry racks and additional wet slips will allow for more adequate and organized parking. With no landscaping currently on the property, the proposal includes the addition of some green space.

Conditional Use Criteria Section 122-62:

Characteristics of use described

- 1. Scale and intensity of the proposed conditional use as measured by the following:
 - a. Floor area ratio: The floor area ratio will not change as part of this proposal.

- b. **Traffic generation**:. No changes anticipated.
- c. Square feet of enclosed building for each specific use: No change.
- d. **Proposed employment**: Existing employees are in place.
- e. Proposed number and type of service vehicles: No service vehicles proposed.
- f. Off-street parking needs: The property currently has no off-street parking. See below table for existing and proposed parking demand.



	USES	CODE REQUIREMENTS	TOTAL DEMAND	
EXISTING	12 wet slips	1 sp/4 pleasure boats 3 spaces		
	Boat Repair – Commercial Service	1 sp/300 sq. ft (22,889 sq ft) 76.29 spaces		80.69 spaces
	Commercial Retail 500 sq ft	1 sp/300 sq ft	1.66 spaces	
PROPOSED	22 wet slips (3 pleasure boats and 19 slip rentals to charter captains)	1 sp/4 slips 1 sp/3 passengers	3 spaces 38 spaces	
	Boat Repair – Commercial Service	1 sp/300 sq. ft (8,230 sq ft)	27.44 spaces	80.6 spaces
	Commercial Retail 500 sq ft	1 sp/300 sq ft	1.66 spaces	
	42 Dry Rack Spots		10.5 spaces	
DIFFERENC	No change			

- 2. On or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection (b)(1) of this section including the following:
 - a. **Utilities**: The property has adequate utilities to support the proposed use.
 - b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94: No change.
 - c. Roadway or signalization improvements, or other similar improvements: No change.
 - d. **Accessory structures or facilities**: Dry storage boat racks are considered accessory structures.
 - e. Other unique facilities/structures proposed as part of site improvement: NA
- 3. On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
 - a. **Open space**: Overall open space is reduced but remains above the requirement per the LDRs. There is no formal landscaping on the site, therefore the applicant will be adding additional green space to enhance the property.
 - b. Setbacks from adjacent properties: No change.
 - c. Screening and buffers: No change.
 - d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites: Applicant plans to add landscaping in select areas of the Property.
 - e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts: The confirmation of use will not facilitate the need for mitigative measures.

Criteria for conditional use review and approval

- 1. Land use compatibility: The conditional use is compatible with the surrounding area. The site is along a major thoroughfare and zoned Public and Semipublic Services (PS) with an adjacent private and public marinas providing personal recreational use and charter services, restaurants and a multitude of commercial activities. The location of the boatyard at the Bight is ideal for marina operations and would exist along other marina facilities.
- 2. Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use: The size and shape of the site are more than adequate to accommodate the proposed scale and intensity of the conditional use requested. The Applicant feels that all infrastructure currently exists to support the proposed use. The proposed use will seamlessly fold into the current operations.
- 3. **Proper use of mitigative techniques**: No mitigative techniques appear to be necessary. The Applicant is currently providing marina related services as part of the boatyard operation without the need for mitigative techniques.
- 4. **Hazardous Waste**: As part of the services currently provided by the boatyard, all hazardous waste is handled and disposed of appropriately.

- 5. **Compliance with applicable laws and ordinances**: Applicant will comply with all applicable laws and regulations as a condition of approval.
- 6. Additional criteria applicable to specific land uses
 - a. Land uses within a conservation area: This site is adjacent to Conservation Open Water.
 - b. **Residential development**: Not applicable. This application does not contemplate residential development.
 - c. **Commercial or mixed-use development**: This is a commercial property that provides water-related services to the public.
 - d. Development within or adjacent to historic district: Not applicable.
 - e. **Public facilities or institutional development**: Public facilities or institutional development is not being proposed as part of this application.
 - f. Commercial structures, uses and related activities within tidal waters: This project proposes no change in the present operations of the Property.
 - g. Adult entertainment establishments: Not applicable.

If you should have any questions, comments, or concerns, please do not hesitate to contact me.

Sincerely.

Richard J. McChesney, Esq.

Enclosures As stated



DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION

CITY OF KEY WEST, FLORIDA • PLANNING DEPARTMENT

Address: 1300 White Street • Key West, Florida 33040

Phone: 305-809-3764

Website: www.cityofkeywest-fl.gov

Fees listed below include a \$358.87 advertising/noticing fee and a \$127.63 fire review fee where applicable. Any Major or Minor Development Plan returned to the Planning Board after initial approval willrequire a new application fee equivalent to one-half of the current fee schedule

Development Plan and Conditional Use application fee schedule

Development Flan and Conditional Ose application ree sche	Julio
Development Plan	
Minor Development Plan	
Within Historic District Total Application Fee	\$ 3,932.46
Outside Historic District Total Application Fee	\$ 3,166.69
Conditional Use Total Application Fee	\$ 1,403.91
Extension Total Application Fee	\$ 1,124.64
Major Development Plan Total Application Fee	\$ 5,208.74
Conditional Use Total Application Fee	\$ 1,403.91
Extension Total Application Fee	\$ 1,124.64
Administrative Modification Fee	\$ 926.10
Minor Modification Fee	\$ 1,765.38
Major Modification Fee	\$ 2,981.18
Conditional Use (not part of a development plan) Total Application Fee	\$ 3,677.20
Extension (not part of a development plan) Total Application Fee	\$ 1,124.64
Revision or Addition (not part of a development plan) Fee	\$ 2,801.75

Applications will not be accepted unless complete

	Development P Major Minor	<u>'lan</u>	Conditional Use X		Historic District Yes No X
Please	print or type:				
1)	Site Address:	701 Palm Avenue,	Key West, FL 33040		
2)	Name of Applic	cant: Richard J. McChe	esney and Spottswood, Spo	ottswood, S	Spottswood & Sterling
3)	(attached Author	oresentative: X	on Forms must be con eet, Key West, FL 33040	npleted)	
5)		one #: 305-294-95		Email:	Richard@spottswoodlaw.com
6)		s: Richard@spotts			
7)	Name of Owne	er, if different than a	bove:		
8)	Address of Own	ner: 1300 White Str	eet, Key West, FL 330	040	

9)		
10)		01761-000000
11)) Is Subject Property located within the Historic District? Yes	No_X
	If Yes: Date of approval	
	HARC approval #	
	OR: Date of meeting	
12)	and uses, number of dwelling units, parking, restaurant seats, ve than one use, describe in detail the nature of each use (Give concis sheet if necessary).	chicles proposed, etc. If there is more se description here and use a separate
	An existing maritime business operation is proposing to incorporate ma	
Spe	Specifically, vertical vessel storage racks will be added to the site	
13)	If Yes: Date of approvalResolution # Attach resolution(s). Are there any easements, deed restrictions or other encumbrance. YesNo	
	If Yes, describe and attach relevant documents.	
	A. For both <i>Conditional Uses</i> and <i>Development Plans</i> , provide attached Conditional Use and Development Plan sheet.	the information requested from the
	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.

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 (Survey must be within 10 years from submittal date of this application) 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.

III. <u>Solutions Statement</u>. 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.
- (10) Parking spaces permitted and proposed.
- (11) Delineation of location of existing and proposed structures.
- (12) Existing and proposed development type denoted by land use including density/intensity.
- (13) Setbacks.

Sec. 108-230. Other project information.

A general outline of the proposed development shall include the following criteria where applicable:

- (1) Proposed stages or phases of development or operation and facility utilization.
- (2) Target dates for each phase.
- (3) Expected date of completion.
- (4) Proposed development plan for the site.
- (5) A written description of characteristics of the proposed development (i.e., number and type of residential units; floor area by land use; number of tourist accommodations units; seating or parking capacities; number of hospitalbeds; any proposed outside facilities or areas to be used for storage, display, outside sales, waste disposal or similar use; and any other proposed uses).
- (6) For planned unit developments, indicate design techniques (i.e., clustering, zero lot line, or other techniques) used to reduce public facility costs, reduce disturbance of natural resources, and preserve scenic quality of the site.
- (7) Buildings and sitting specifications which shall be utilized to reduce damage potential and to comply with federal flood insurance regulations.
- (8) Protection against encroachment together with proposed mitigation measures to be employed within environmentally sensitive areas.

Sec. 108-231. Residential developments.

- (a) If the development includes residential units, the following characteristics shall be discussed in the written description:
 - (1) A breakdown of the proposed residential units by number of bedrooms.
 - (2) Tenure (i.e., owner-occupied or rental); and
 - (3) Structure type, such as single-family, duplex, multiple-family, mobile home.
- (b) Refer to division 10 of article V of chapter 122 for information and legal instruments needed to satisfy the city's affordable housing requirements.

Sec. 108-232. Intergovernmental coordination.

The development plan shall contain the following pertaining to intergovernmental coordination:

- (1) Provide proof of coordination with applicable local, regional, state and federal agencies, including but not limited to the following agencies that will be involved in the project:
 - a. South Florida Regional Planning Council (SFRPC).
 - b. City electric system (CES).
 - c. State department of environmental protection (DEP).
 - d. Army Corps of Engineers (ACOE).
 - e. South Florida Water Management District (SFWMD).
 - f. State department of transportation (DOT).
 - g. State department of community affairs (DCA).
 - h. Florida Keys Aqueduct Authority (FKAA).
 - i. State fish and wildlife conservation commission (F&GC).
 - j. The county.
- (2) Provide evidence that any necessary permit, lease or other permission from applicable local, regional, state and federal agencies has been obtained for any activity that will impact wetland communities or submerged land.
- (3) When intergovernmental coordination efforts are incomplete, the applicant shall provide evidence of good faith efforts towards resolving intergovernmental coordination issues.

CONDITIONAL USE CRITERIA

Sec. 122-61. Purpose and intent

The purpose of this article is to ensure that a conditional use shall only be permitted on specific sites where the proposed use may be adequately accommodated without generating adverse impacts on properties and land uses within the immediate vicinity. This article sets forth provisions and criteria for consideration of conditional uses on specific sites. Conditional uses shall be permitted only upon a finding that the proposed use satisfies this article.

Sec. 122-62. Specific criteria for approval.

- (a) Findings. A conditional use shall be permitted upon a finding by the planning board that the proposed use, application and, if applicable, development plan complies with the criteria specified in this section, including specific conditions established by the planning board and or the city commission during review of the respective application in order to ensure compliance with the comprehensive plan and land development regulations. If the proposed conditional use is a major development pursuant to sections 108-165 and 108-166, the city commission shall renderthe final determination pursuant to section 122-63. A conditional use shall be denied if the city determines that the proposed use does not meet the criteria provided in this section and, further, that the proposed conditional use is adverse to the public's interest. An application for a conditional use shall describe how the specific land use characteristics proposed meet the criteria described in subsection (c) of this section and shall include a description of any measures proposed to mitigate against possible adverse impacts of the proposed conditional use on properties in the immediate vicinity.
- (b) <u>Characteristics of use described</u>. The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:
 - (1) Scale and intensity of the proposed conditional use as measured by the following:
 - a. Floor area ratio;
 - b. Traffic generation;
 - c. Square feet of enclosed building for each specific use;
 - d. Proposed employment;
 - e. Proposed number and type of service vehicles; and
 - f. Off-street parking needs.
 - (2) On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection (b)(1) of this section including the following:
 - a. Utilities;
 - b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94;
 - c. Roadway or signalization improvements, or other similar improvements;
 - d. Accessory structures or facilities; and
 - e. Other unique facilities/structures proposed as part of site improvements.
 - (3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
 - a. Open space;
 - b. Setbacks from adjacent properties;
 - c. Screening and buffers;
 - d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites; and
 - e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts
- (c) <u>Criteria for conditional use review and approval</u>. Applications for a conditional use shall clearly demonstrate the following:
 - (1) <u>Land use compatibility</u>. The applicant shall demonstrate that the conditional use, including its proposed scale and intensity, traffic-generating characteristics, and off-site impacts are compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity.
 - (2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and the urban design enhancements must be adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure (i.e., refer to chapter 94 to ensure concurrency management requirements are met) and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.

- (3) <u>Proper use of mitigative techniques</u>. The applicant shall demonstrate that the conditional use and site plan have been designed to incorporate mitigative techniques needed to prevent adverse impacts to adjacent land uses. In addition, the design scheme shall appropriately address off-site impacts to ensure that land use activities in the immediate vicinity, including community infrastructure, are not burdened with adverse impacts detrimental to the general public health, safety and welfare.
- (4) <u>Hazardous waste</u>. The proposed use shall not generate hazardous waste or require use of hazardous materials in its operation without use of city-approved mitigative techniques designed to prevent any adverse impact to the general health, safety and welfare. The plan shall provide for appropriate identification of hazardous waste and hazardous material and shall regulate its use, storage and transfer consistent with best management principles and practices. No use which generates hazardous waste or uses hazardous materials shall be located in the city unless the specific location is consistent with the comprehensive plan and land development regulations and does not adversely impact wellfields, aquifer recharge areas, or other conservation resources.
- (5) <u>Compliance with applicable laws and ordinances</u>. A conditional use application shall demonstrate compliance with all applicable federal, state, county, and city laws and ordinances. Where permits are required from governmental agencies other than the city, these permits shall be obtained as a condition of approval. The city may affix other conditions to any approval of a conditional use in order to protect the public health, safety, and welfare.
- (6) <u>Additional criteria applicable to specific land uses</u>. Applicants for conditional use approval shall demonstrate that the proposed conditional use satisfies the following specific criteria designed to ensure against potential adverse impacts which may be associated with the proposed land use:
 - a. <u>Land uses within a conservation area</u>. Land uses in conservation areas shall be reviewed with emphasis on compliance with section 108-1 and articles III, IV, V, VII and VIII of chapter 110 pertaining to environmental protection, especially compliance with criteria, including land use compatibility and mitigative measures related to wetland preservation, coastal resource impact analysis and shoreline protection, protection of marine life and fisheries, protection of flora and fauna, and floodplain protection. The size, scale and design of structures located within a conservation area shall be restricted in order to prevent and/or minimize adverse impacts on natural resources. Similarly, public uses should only be approved within a wetland or coastal high hazard area V zone when alternative upland locations are not feasible on an upland site outsidethe V zone.
 - b. Residential development. Residential development proposed as a conditional use shall be reviewed for land use compatibility based on compliance with divisions 2 through 14 of article IV and divisions 2 and 3 of article V of this chapter pertaining to zoning district regulations, including size and dimension regulations impacting setbacks, lot coverage, height, mass of building, building coverage, and open space criteria. Land use compatibility also shall be measured by appearance, design, and land use compatibility criteria established in chapter 102; articles III, IV and V of chapter 108; section 108-956; and article II of chapter110; especially protection of historic resources; subdivision of land; access, internal circulation, and off- street parking; as well as possible required mitigative measures such as landscaping and site design amenities.
 - c. Commercial or mixed-use development. Commercial or mixed-use development proposed as a conditional use shall be reviewed for land use compatibility based on compliance with divisions 2 through 14 of article IV and divisions 2 and 3 of article V of this chapter pertaining to zoning district regulations, including size and dimension regulations impacting floor area ratio, setbacks, lot coverage, height, mass of buildings, building coverage, and open space criteria. Land use compatibility also shall be measured by appearance, design, and land use compatibility criteria established in chapter 102; articles I, II, IV and V of chapter 108; section 108-956; and article II of chapter 110; especially protection of historic resources; subdivision of land; access, pedestrian access and circulation; internal vehicular circulation together with access and egress to the site, and off-street parking; as well as possible required mitigative measures such as landscaping, buffering, and other site design amenities. Where commercial or mixed-use development is proposed as a conditional use adjacent to U.S. 1, the development shall be required to provide mitigative measures to avoid potential adverse impacts to traffic flow along the U.S. 1 corridor, including but not limited to restrictions on access from and egress to U.S. 1, providing for signalization, acceleration and deceleration lanes, and/or other appropriate mitigative measures.
 - d. Development within or adjacent to historic district. All development proposed as a conditional use within or

- adjacent to the historic district shall be reviewed based on applicable criteria stated in this section for residential, commercial, or mixed use development and shall also comply with appearance and design guidelines for historic structures and contributing structures and/or shall be required to provide special mitigative site and structural appearance and design attributes or amenities that reinforce the appearance, historic attributes, and amenities of structures within the historic district.
- e. <u>Public facilities or institutional development</u>. Public facilities or other institutional development proposed as a conditional use shall be reviewed based on land use compatibility and design criteria established for commercial and mixed-use development. In addition, the city shall analyze the proposed site location and design attributes relative to other available sites and the comparative merits of the proposed site, considering professionally accepted principles and standards for the design and location of similar community facilities and public infrastructure. The city shall also consider compliance with relevant comprehensive plan assessments of community facility and infrastructure needs and location impacts relative to service area deficiencies or improvement needs.
- f. <u>Commercial structures uses and related activities within tidal waters</u>. The criteria for commercial structures, uses and related activities within tidal waters are as provided in section 122-1186.
- g. Adult entertainment establishments. The criteria for adult entertainment establishments are as provided in division 12 of article V of this chapter.

PROPERTY CARD	

Monroe County, FL

PROPERTY RECORD CARD

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.

By continuing into this site you assert that you have read and agree to the above statement.

Summary

Parcel ID 00001761-000000
Account# 8902182
Property ID 8902182
Millage Group 10KW

Location 701 PALM Ave, KEY WEST

Address

 Legal
 KW PARCEL OF SOVEREIGNTY LAND IN GARRISON BIGHT (LEASE-RICKY

 Description
 SPENCER D/B/A A-1 BOAT SERVICE INC) OR357-489(II DEED 19259-B)

(Note: Not to be used on legal documents.)

Neighborhood 32220

Property Class AIRPORT, MARINAS, BUS TERM (2000)

Subdivision
Sec/Twp/Rng 32/67/25
Affordable No

Housing



Owner

CITY OF KEY WEST PO Box 1409 Key West FL 33041

Valuation

	2024 Certified Values	2023 Certified Values	2022 Certified Values	2021 Certified Values
+ Market Improvement Value	\$73,140	\$71,367	\$71,367	\$71,367
+ Market Misc Value	\$43,362	\$43,414	\$43,468	\$43,521
+ Market Land Value	\$3,597,426	\$3,597,426	\$3,597,426	\$3,597,426
= Just Market Value	\$3,713,928	\$3,712,207	\$3,712,261	\$3,712,314
= Total Assessed Value	\$1,154,406	\$1,049,460	\$954,055	\$867,323
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$3,713,928	\$3,712,207	\$3,712,261	\$3,712,314

Historical Assessments

Year	Land Value	Building Value	Yard Item Value	Just (Market) Value	Assessed Value	Exempt Value	Taxable Value	Maximum Portability
2024	\$3,597,426	\$73,140	\$43,362	\$3,713,928	\$1,154,406	\$0	\$3,713,928	\$0
2023	\$3,597,426	\$71,367	\$43,414	\$3,712,207	\$1,049,460	\$0	\$3,712,207	\$0
2022	\$3,597,426	\$71,367	\$43,468	\$3,712,261	\$954,055	\$0	\$3,712,261	\$0
2021	\$3,597,426	\$71,367	\$43,521	\$3,712,314	\$867,323	\$0	\$3,712,314	\$0
2020	\$1,806,782	\$71,367	\$43,574	\$1,921,723	\$788,476	\$0	\$1,921,723	\$0
2019	\$1,535,764	\$74,766	\$43,627	\$1,654,157	\$716,797	\$0	\$1,654,157	\$0
2018	\$651,634	\$0	\$0	\$651,634	\$651,634	\$0	\$651,634	\$0

The Maximum Portability is an estimate only and should not be relied upon as the actual portability amount. Contact our office to verify the actual portability amount.

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
COMMERCIAL DRY (100D)	38,682.00	Square Foot	0	0

Buildings

Building ID Style	44360	4360						
Building Type	OFF BLDG-1 STY-D / 1	7D		EffectiveYearBuilt	1970 1974			
Building Name				Foundation				
Gross Sq Ft	740			Roof Type				
Finished Sq Ft	656			Roof Coverage				
Stories	1 Floor Flooring Type							
Condition	FAIR			Heating Type				
Perimeter	114			Bedrooms	0			
Functional Obs	0			Full Bathrooms	0			
Economic Obs	0			Half Bathrooms	0			
Depreciation %	60			Grade	250			
Interior Walls				Number of Fire Pl	0			
Code De	scription	Sketch Area	Finished Area	Perimeter				
FLA FLO	OOR LIV AREA	656	656	0				
OPF OF	PRCH FIN LL	84	0	0				
TOTAL		740	656	0				

Building ID	44361			Exterior Walls	NO VALUE
Style				Year Built	1970
Building Type	MARINA/AUTO/BUST	TERM / 27C		EffectiveYearBuilt	1972
Building Name				Foundation	
Gross Sq Ft	1260			Roof Type	
Finished Sq Ft	1260			Roof Coverage	
Stories	1 Floor			Flooring Type	
Condition	POOR			Heating Type	
Perimeter	146			Bedrooms	0
Functional Obs	0			Full Bathrooms	0
Economic Obs	0			Half Bathrooms	0
Depreciation %	60			Grade	150
Interior Walls				Number of Fire PI	0
Code De	escription	Sketch Area	Finished Area	Perimeter	
FLA FL	OOR LIV AREA	1,260	1,260	0	
TOTAL		1,260	1,260	0	

Yard Items

Description	Year Built	Roll Year	Size	Quantity	Units	Grade
CONC PATIO	1969	1970	4 x 10	1	40 SF	2
WALL AIR COND	1984	1985	0 x 0	1	1 UT	1
LC UTIL BLDG	1984	1985	10 x 10	1	100 SF	1
LC UTIL BLDG	1984	1985	12 x 16	1	192 SF	1
ASPHALT PAVING	1969	1970	0 x 0	1	19427 SF	2
FENCES	2009	2013	6 x 60	1	360 SE	2

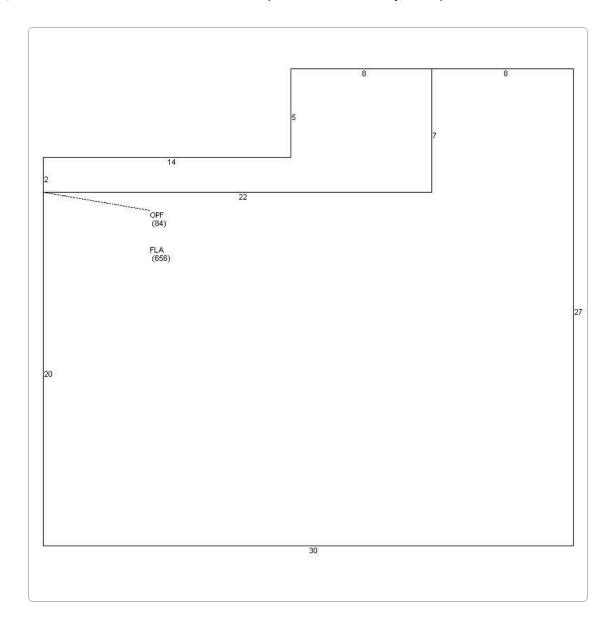
Permits

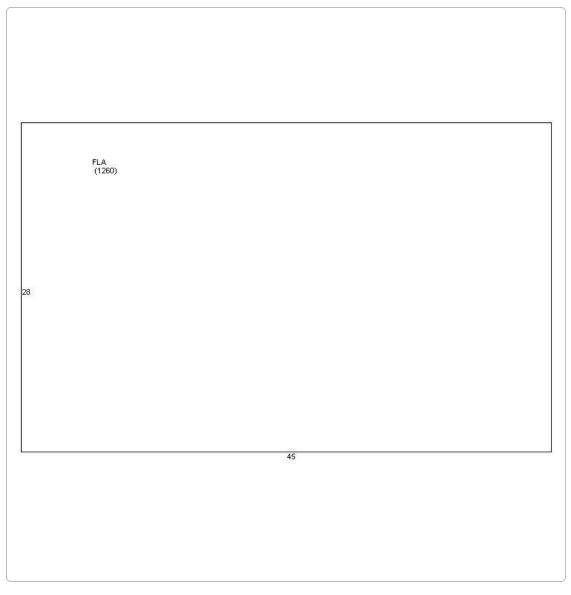
				Permit	
Number	Date Issued	Status	Amount	Type	Notes
13- 0203	01/18/2013	Completed	\$600	Commercial	SAFETY RAILS ON TOP OF DECK PER MARINE PLANS.
12- 3720	10/11/2012	Completed	\$500	Commercial	AFTER THE FACT: OWNER BUILT AND INSTALL 4X6 VINYL LETTERING WITH PLYWOOD. SIGN COPY "BOAT RENTALS 305-296-8826" "NICEST BOATS IN TOWN"
09- 0715	03/16/2009	Completed	\$600	Commercial	ATF INSTALL 60FT OF STOCKADE STYLE P.T. FENCING
07- 5508	12/27/2007	Completed	\$4,500	Commercial	INSTALL 12 SQS OF V-CRIMP ROOFING
00- 1173	05/03/2000	Completed	\$21,000	Commercial	ELECTRICAL

View Tax Info

View Taxes for this Parcel

Sketches (click to enlarge)





Photos





Map



TRIM Notice

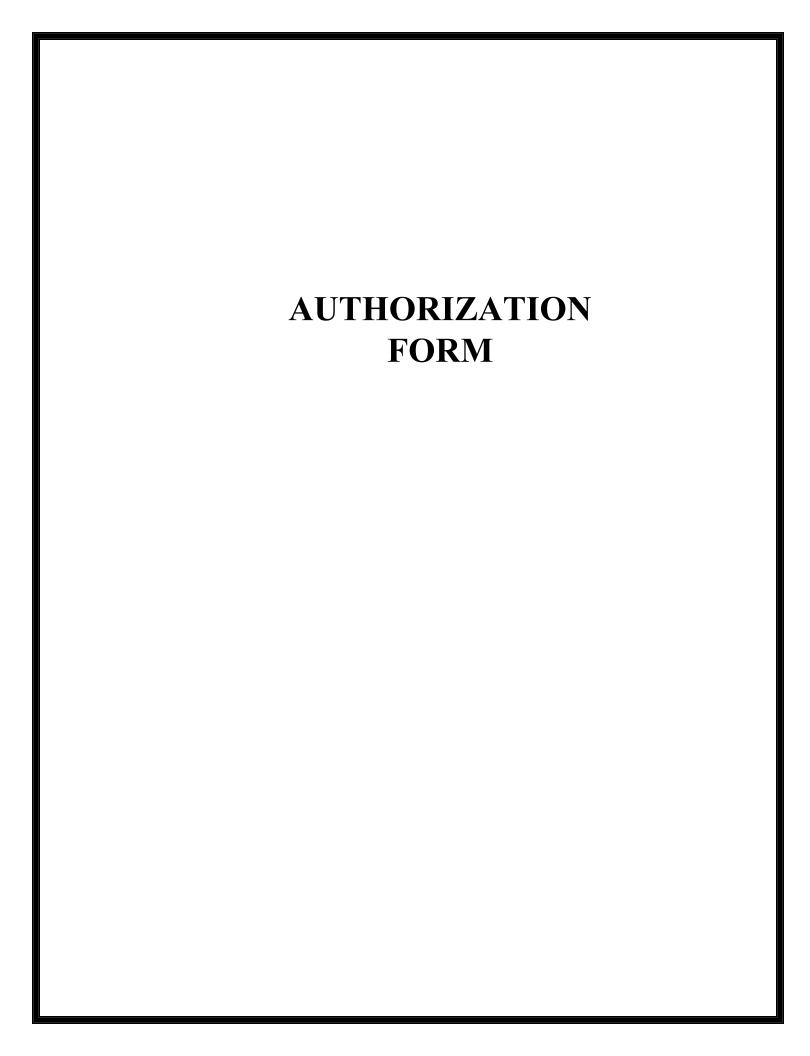
2024 TRIM Notice (PDF)

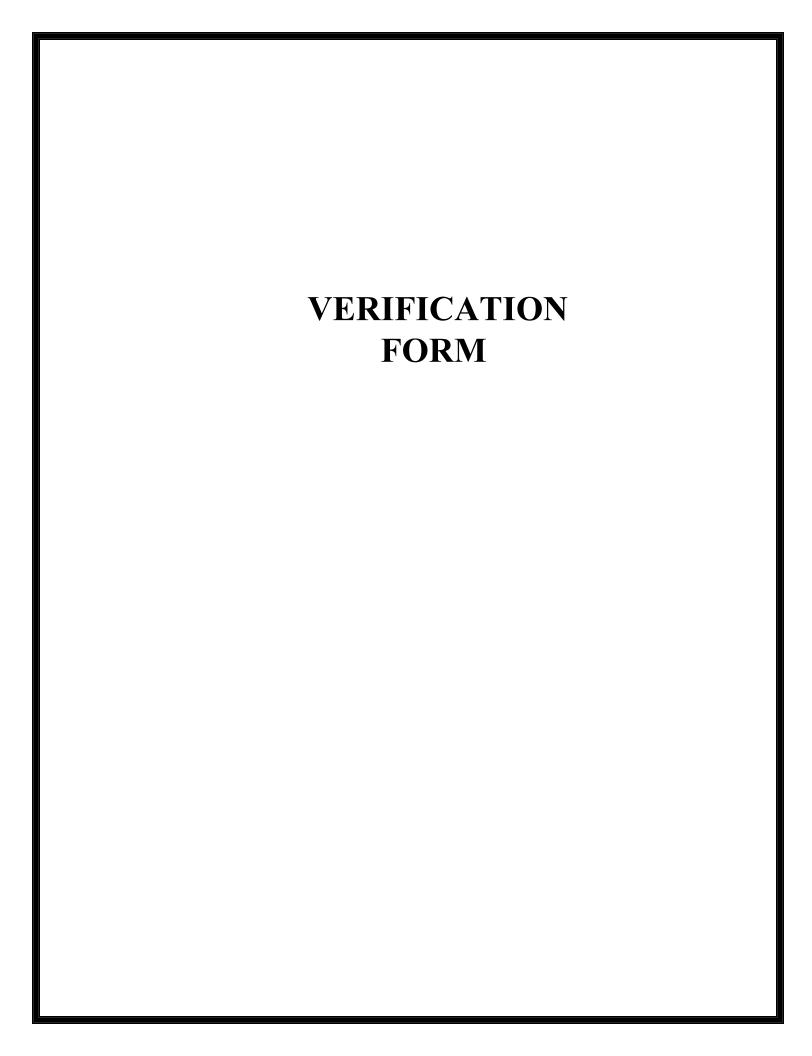
No data available for the following modules: Sales.

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

| <u>User Privacy Policy</u> | <u>GDPR Privacy Notice</u> <u>Last Data Upload: 6/12/2025, 1:36:49 AM</u> Contact Us







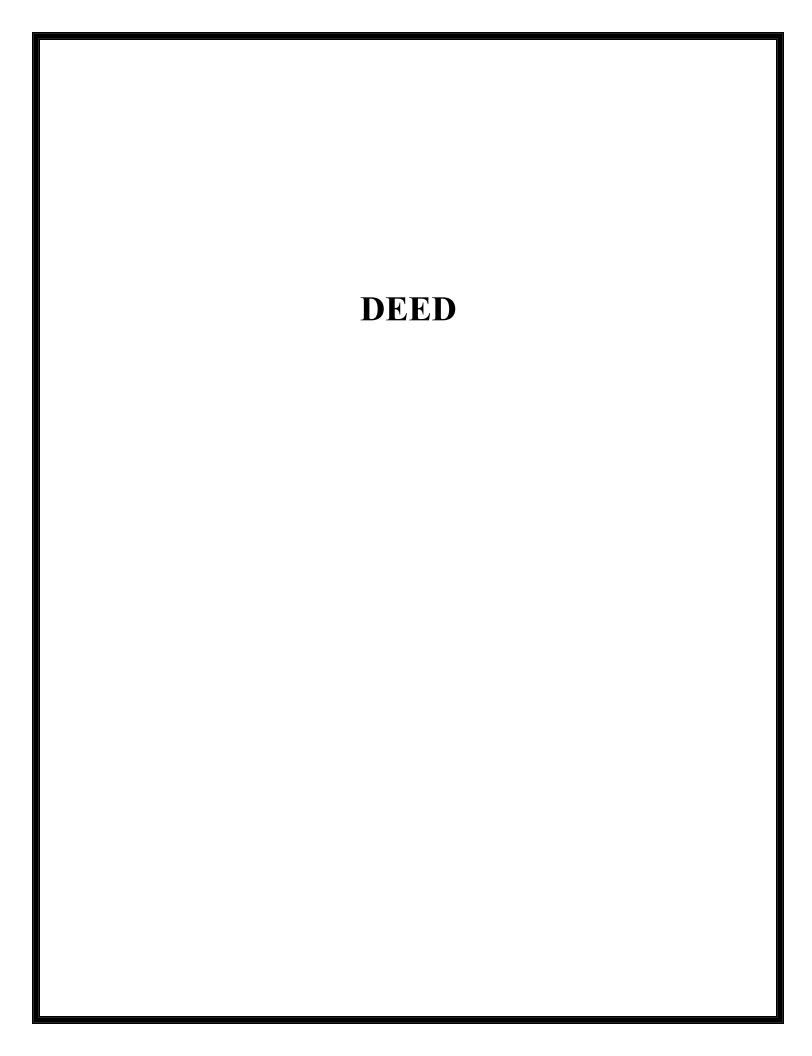


Commission Number, if any

City of Key West Planning Department Verification Form

(Where Applicant is an entity)

I, Richard J. McChesney, in my capacity as _	Member		
(print name)	(print position; president, managing member)		
ofSpottswood, Spottswood, Spot	ottswood & Sterling, PLLC		
(print name of	f entity)		
being duly sworn, depose and say that I am the Authorize the deed), for the following property identified as the sub-			
701 Palm Avenue, K	(ey West, FL 33040		
Street address of sub	ject property		
I, the undersigned, declare under penalty of perjury und Authorized Representative of the property involved in the drawings and sketches attached hereto and all the statement true and correct.	his application; that the information on all plans,		
In the event the City or the Planning Department relies untrue or incorrect, any action or approval based on said	on any representation herein which proves to be representation shall be subject to revocation.		
Signature of Applicant			
Subscribed and sworn to (or affirmed) before me on this_ Richard J. Mchesney Name of Applicant	February 13, 2021 by date		
He/She is personally known to me or has presented	as identification.		
Notary's Signature and Seal			
DIANE T. CASTILLO			
Name of Acknowledger typed, printer transpare T. CASTILLO Commission # HH 199 Expires December 3, 2	219 2025		



REGORD 357 PAGE 489

TRUSTEES OF THE INTERNAL IMPROVEMENT FUND OF THE STATE OF FLORIDA

DEED NO. 19259-B

KNOW ALL MEN BY THESE PRESENTS: That the undersigned, the Trustees of the Internal Improvement Fund of the State of Florida, under authority of law, for and in consideration of the sum of Five Hundred and 00/100 Dollars, (\$500.00), to them in hand paid by the CITY OF KEY WEST, FLORIDA, a municipal corporation of the State of Florida, have granted, bargained and sold, and do by these presents grant, bargain, sell and convey, unto the said CITY OF KEY WEST, FLORIDA and its successors and assigns, the following described lands, to-wit:

A parcel of sovereignty land in Garrison Bight on the Island of Key West, Florida and being more particularly described as follows:

Commence at the Southeast corner of the "City sewerage plant property", the same point being on the Northerly R/W of Palm Avenue and also on the Northerly R/W of Garrison Bight Causeway (State Job No. 90500-3604) at right angles to station 9 plus 51.50 of said State Job; run thence South 81° 26' 23" East along the Northerly R/W of said Garrison Bight Causeway, 80 feet to the Southeast corner of U. S. Navy property described in Deed Book G-12, pages 2 thru 4, of the Public Records of Monroe County, Florida, said point being the Point of Beginning of the land herein described; thence continue South 81° 26' 23" East along the Northerly R/W of Garrison Bight Causeway, 94 feet; thence run North 53° 33' 37" East along said Garrison Bight Causeway R/W, 106 feet; thence run North 47° 37' 32" West, 203.41 feet to the East boundary of U. S. Navy property referred to above; thence run South 8° 33' 37" West along the East boundary of said U. S. Navy property, 188.2 feet back to the Point of Beginning; containing 0.446 acres, more or less.

This deed is issued for the express purpose of lifting and removing the public purpose use provision as to the parcel described herein as contained in Trustees of the Internal Improvement Deed No. 19259-A Corrective, dated July 1, 1965, which deed conveys a larger tract of sovereignty land to the City of Key West, Florida, of which the parcel described herein is a part, the public purpose use limitation in said Deed No. 19259-A Corrective being described in the following words:

RECORD 357 PAGE 490

"PROVIDED, HOWEVER, anything herein to the contrary not-withstanding, this deed is given and granted upon the express con-dition subsequent that the Grantee herein or its successors and assigns shall never sell or convey or lease the above described land or any part thereof to any private person, firm or corpora-tion for any private use or purpose, it being the intention of this restriction that the said lands shall be used solely for public purposes.

It is covenanted and agreed that the above conditions subsequent shall run with the land and any violation thereof shall render this deed null and void and the above described lands. shall, in such event, revert to the Grantors or their successors."

TO HAVE AND TO HOLD the above granted and described premises forever.

SAVING AND RESERVING unto the said Trustees of the Internal Improvement Fund of the State of Florida, and their successors, title to an undivided three-fourths of all phosphate, minorals and metals, and title to an undivided one-half of all petroleum that may be in, on or under the above described land, with the privilege to mine and develop the same.

IN TESTIMONY WHEREOF, the said Trustees of the Internal Improvement Fund of the State of Florida have hereunto subscribed their names and have caused the official seal of said Trustees to be hereunto affixed, in the City of Tallahassee, Florida, on this

the 29th day of September , A. D. 1965.

Covernor Monte C. H. Synde EARL R. A. AMS A FORMER'S OF CHECKITH COURT RECORD VEHICLES

(SEAL) Trustees I. I. Fund

Comptroller

Treasurer

Altorney General

Commissioner of Agriculture

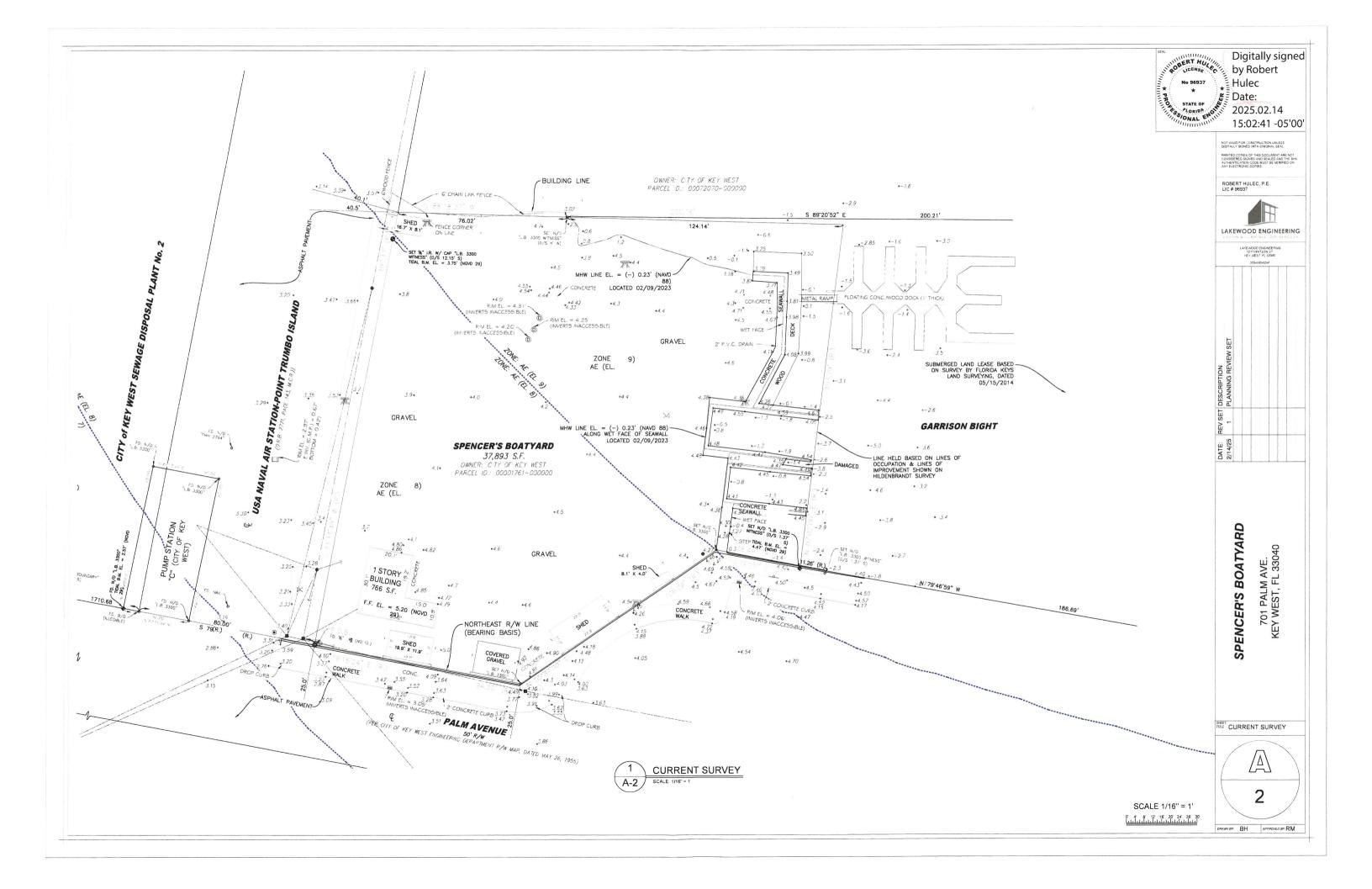
As and Constituting the Trustees of the Internal Improvement Fund of the State of Florida.

NOTE:

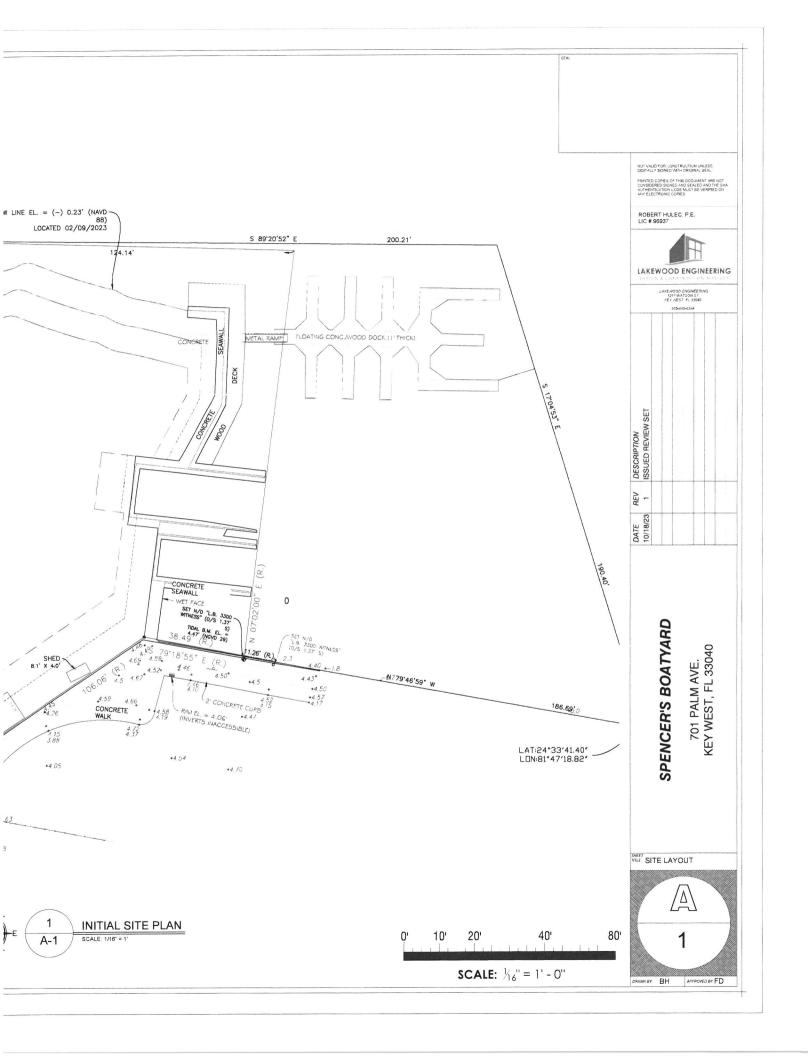
The attached instrument is executed in the name of the Trustees of the Internal Improvement Fund, by a majority of its members. Signature of all members could not be secured by reason of absence from the United States of the member whose signature is not inscribed. Reference is made to "27 So. 2nd 524", Watson v. Caldwell in which the Supreme Court held that a majority of the Trustees may legally act for the

Director
Trustees of the Internal Improvement Fund

SURVEY	



SITE PLAN



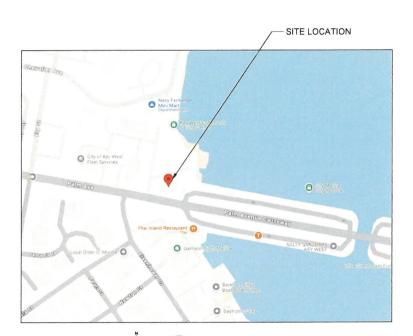
SPENCER'S BOATYARD

PROJECT LOCATION: 701 PALM AVE. KEY WEST, FL 33040

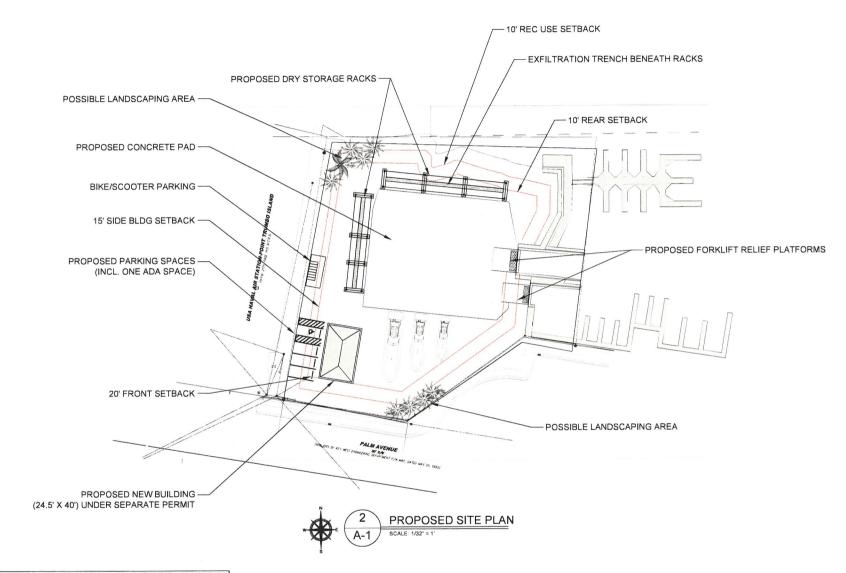
A-1 COVER SHEET & SITE PLAN

A-2 CURRENT SURVEY
A-3 DEMO PLAN

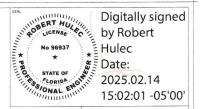
A-4 DETAILED SITE PLAN A-5 PRELIMINARY RACK DESIGN



SITE LOCATION



SITE DATA TABLE					
	CODE REQUIREMENT	EXISTING SITE	PROPOSED	DIFFERENCE	
ZONING	PS	PS	PS	N/A	
FLOOD ZONE	AE-7/AE-8/AE-9	AE-7/AE-8/AE-9	AE-7/AE-8/AE-9	N/A	
SIZE OF SITE	N/A	38,682	UNCHANGED	N/A	
FRONT SETBACK	20'-0"	17'-4"	20'-0"	2'-8" IMPROVEMENT	
STREET SIDE SETBACK	15'-0"	16'-2"	22'-3"	N/A	
REAR SETBACK	20'-0"	N/A	N/A	N/A	
REC USE SETBACK	10'-0"	1'-0"	15'-0"	14' IMPROVEMENT	
BUILDING COVERAGE	40%	5%	3%	2% REDUCTION	
IMPERVIOUS SURFACE	50%	7%	33%	25% INCREASE	
OPEN SPACE	20%	72%	46%	26% REDUCTION	



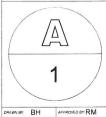
NOT VALID FOR CONSTRUCTION UNLESS DIGITALLY SIGNED WITH ORIGINAL SEAL.

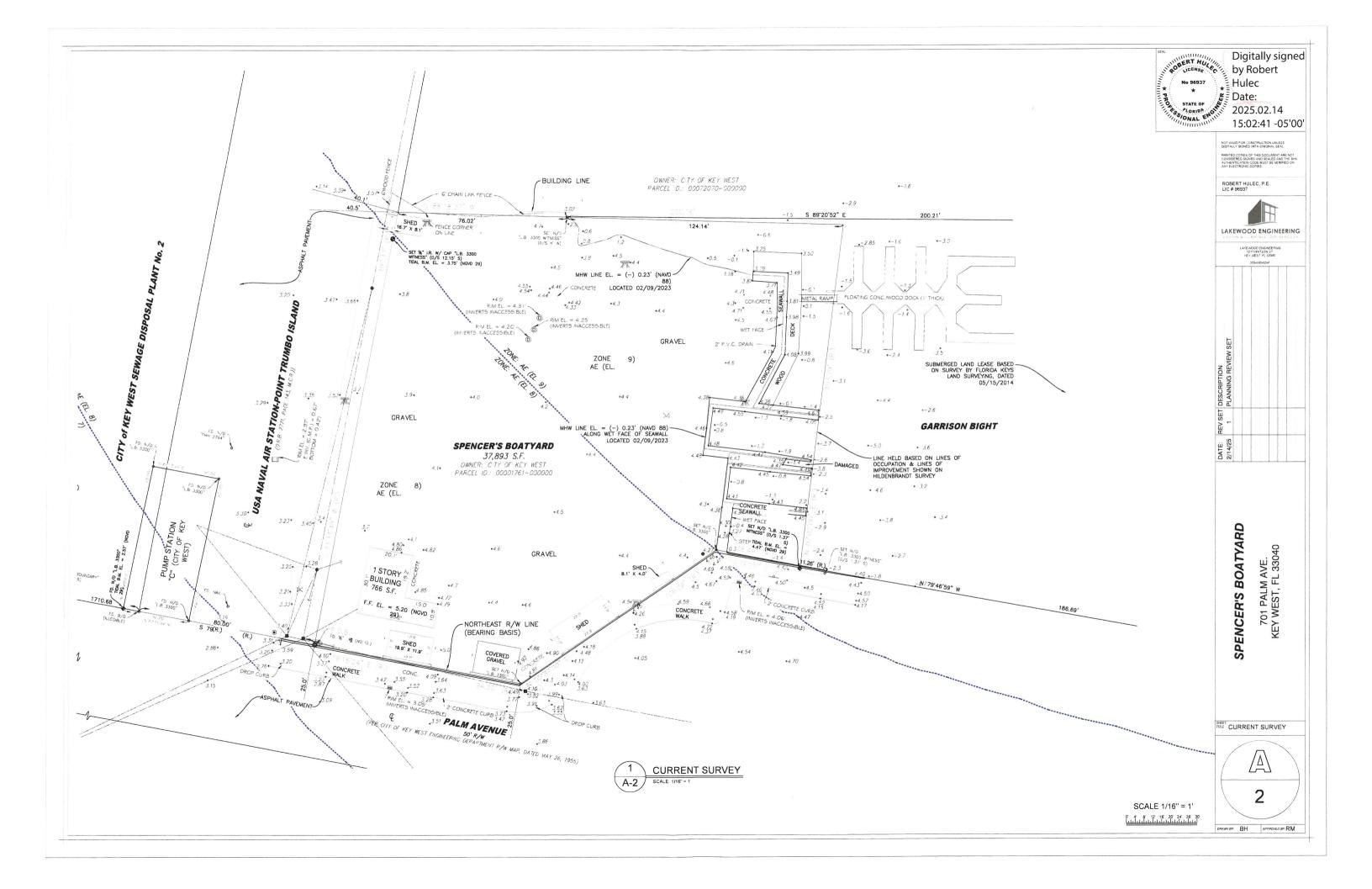
ROBERT HULEC, P.E. LIC # 96937

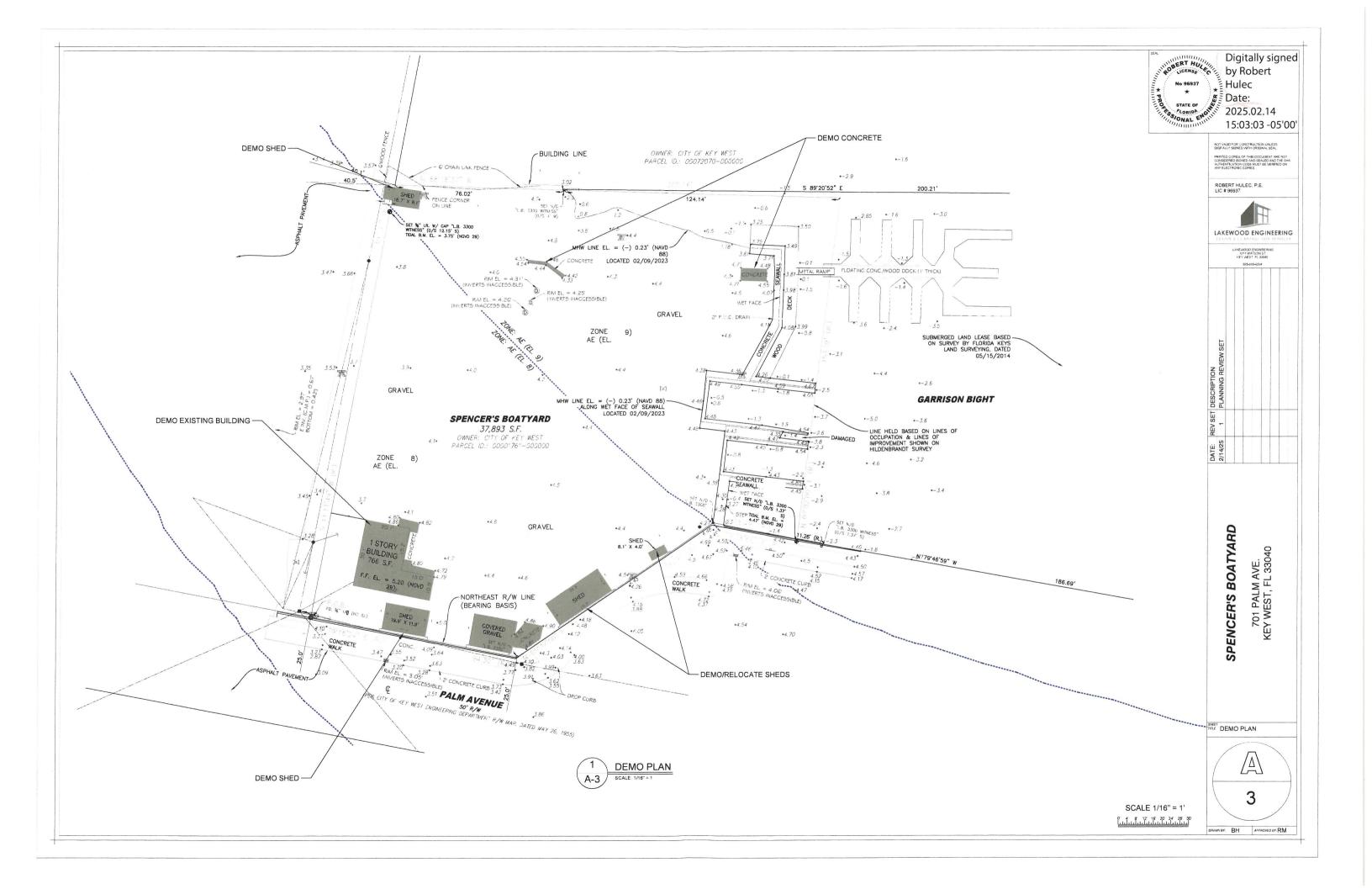
LAKEWOOD ENGINEERING

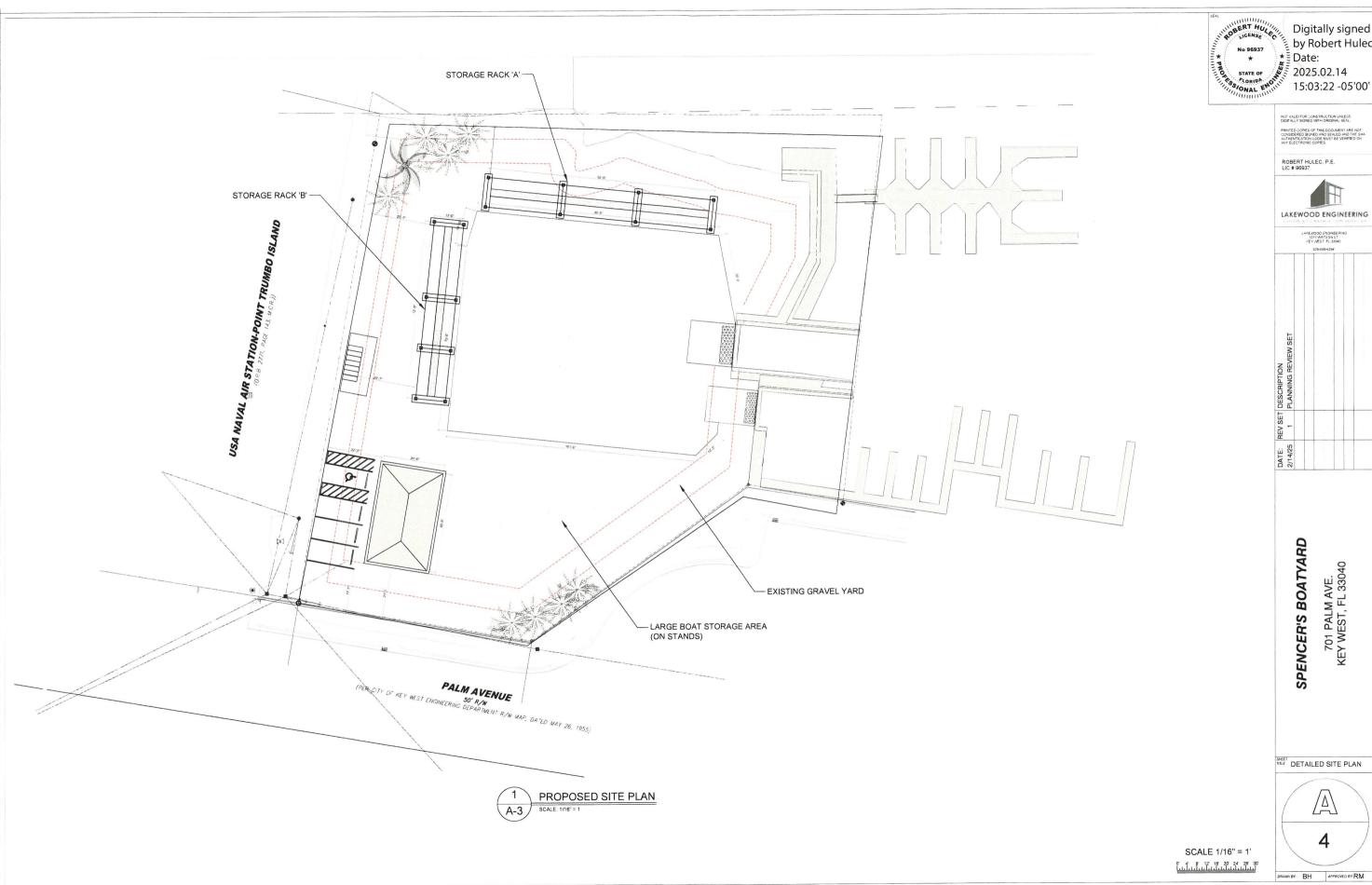
SPENCER'S BOATYARD 701 PALM AVE. KEY WEST, FL 33040

TITLE COVER & SITE PLAN



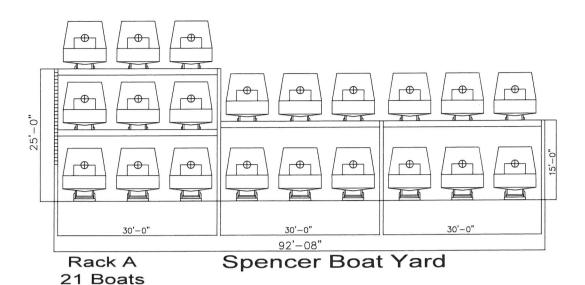


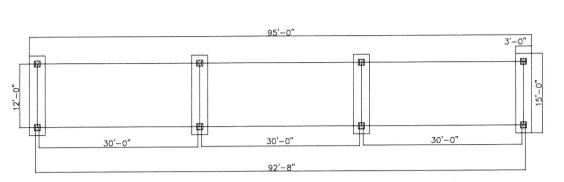




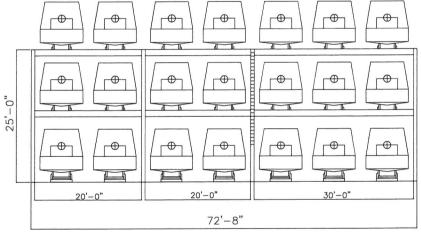
Digitally signed by Robert Hulec Date: 2025.02.14 15:03:22 -05'00'



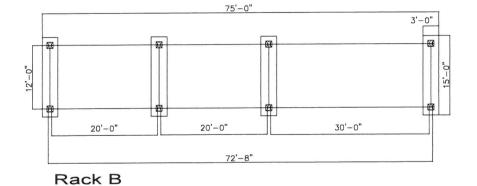




Rack A

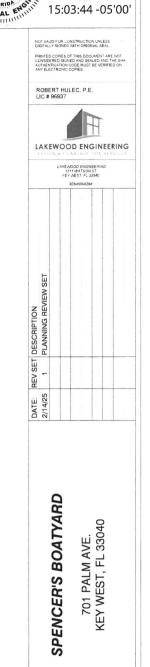


Spencer Boat Yard Rack B 21 Boats



Marine Storage Systems, LLC 843-599-9538





Digitally signed by Robert Hulec

χ € Date: 2025.02.14

TITLE PRELIM RACK DESIGN

DRAWN BY. BH APPROVED BY: RM

SCALE 1/8" = 1'