

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



To: Chairman and Planning Board Members

From: Nicole Malo

Through: Donald Leland Craig, AICP, Planning Director

Meeting Date: July 21, 2011

Agenda Item: A request for Modifications to a Major Development Plan and Conditional Use approval via City Commission Resolution 09-242 to enable a reconfiguration of the parking lot, elimination of an ingress and egress easement and relocation of garbage storage and pick-up areas and to modify conditions associated with the approval to allow outdoor consumption area for property located at 512 Greene Street in the Historic Residential Commercial Core Gulf Side (HRCC-1) zoning district per Section 108-91C(3) and (4) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida (RE 00001170-000000).

Request: To allow modifications to a Major Development Plan and Conditional Use approval: City Commission Resolution 09-242, which would enable an increase in outdoor bar and lounge consumption area, reconfiguration of the parking lot, elimination of an ingress and egress easement and relocation of garbage storage and pick-up areas

Applicant and Authorized Representative: Susan M. Cardenas, Esq.

Property Owner: 512 Greene Street, LLC; Peter Brawn, Managing Member

Location: 512 Greene Street
RE# 00001170-000000

Zoning: Historic Residential Commercial Core, Gulf Side (HRCC-1)



Background: This property is located at the northeast corner of the intersection of Greene Street and Ann Street. The parcel is approximately 9,800 square feet and prior to recent redevelopment approvals supported commercial uses (including a former restaurant with indoor and outdoor consumption area and retail store), commercial surface parking area and a single family home. In 2009 the City Commission approved redevelopment of the site to allow 1,045 square feet of indoor bar and lounge consumption area, 1,256 square feet of retail floor area located within several historic structures, and associated parking consisting of seven spaces. In order to assure vehicular egress from the parking area as well as garbage storage and handling access, the City Commission required a perpetual two-way easement across the adjacent lot as one of seven conditions associated with the approval. After considerable investment in redevelopment efforts on the site, the property owner decided not to execute the required easement on the adjacent parcel and instead requested an amendment to the existing approvals with the aim of eliminating the need for an easement. On June 17, 2010 the Planning Board approved a modification to the approved development plan through Resolution 2010-024, however the City Commission tabled the item until such time that the site could be redesigned to eliminate the proposed compact car spaces and accommodate standard parking spaces. In an effort to satisfy the requests of numerous parties involved in the development process, the applicant sought continuances for the project from the City Commission.

While in the process of redesigning the parking lot the applicant decided to amend the request to also include outdoor consumption area. Because the bar and lounge use is conditional in the zoning district the new request requires Planning Board review.

Request: This Modification to a Major Development Plan and Conditional Use approval application request includes the following key elements:

- Site design changes to the parking lot in order to eliminate the need for egress (and an associated easement) across an adjacent property;
- Stormwater management plan and associated landscaping;
- Relocation of garbage storage and pick-up areas; and,
- An additional 90 square feet of consumption area, all outdoors.

The applicant's request to increase bar and lounge consumption area is for a 90 square foot outdoor area on the corner of Ann and Greene Streets. The applicant provided adequate

information showing that 90 square feet of outdoor restaurant consumption area, on that corner, was preexisting for the purposes of assessing parking requirements, and had not been abandoned based on Code Section 86-9.

The preexisting restaurant consumption area exempts the applicant from parking requirements, however it does not enable the applicant to substitute a bar and lounge use in that area without Conditional Use approval.

Because the original development plan modification was approved by the Planning Board with public input and because the approved site plan is similar to the currently proposed parking lot (albeit drainage plan), the relevant conditions of Resolution 2010- 024 have been maintained and incorporated herein.

The proposed drainage plan has been approved by the city's engineering division, however a paving material that is jointly approved by HARC and the engineering division has not been reconciled to date. This is noted on the drainage plan and considered as a condition of approval.

Current Process

DRC Meeting	December 17, 2010
HARC	December 30, 2010
Tree Commission Meeting	May 9, 2011
Planning Board	July 21, 2011
City Commission Meeting	TBD

Previous City Actions

DRC Meeting	May 28, 2009
HARC	June 9, 2009
Tree Commission Meeting	August 10, 2009
Planning Board	August 6, 2009, Resolution 2009-030
City Commission Meeting	October 13, 2009, Resolution 09-242
DRC Meeting	February 25, 2010
HARC	April 5, 2010 - H10-03-31-35
Planning Board	April 29, 2010 – postponed
	May 20, 2010 - postponed
	July 7, 2010 - approved
City Commission Meeting	September 7, 2010 - postponed
	December 7, 2010 - postponed
	February 15, 2011 – postponed

Prior Approvals

- August 6, 2009 - Planning Board Resolution 09-030, Conditional Use and Major Development Plan recommendation of approval.
- October 13, 2009 - City Commission Resolution 09-242, Major Development Plan and Conditional Use approval. The approval includes:
 - 1,045 square feet of indoor bar and lounge consumption area;
 - 1,256 square feet of retail floor area located in several historic structures;
 - Restored historic three-hole outhouse;

- Bicycle parking areas;
- Parking consisting of seven spaces - one handicap space and six standard parking spaces positioned at a 45 degree angle, a one-way aisle, entering the site from Ann Street and exiting across an adjacent parcel onto Simonton Street. Condition number six of approval 09-242 requires that a perpetual two-way easement on the adjacent property leading out to Simonton Street be executed prior to issuance of a building permit. The easement was also intended to provide access from Simonton Street for commercial trash and recycling removal; and
- July 7, 2010 - Planning Board Resolution 2010-024, Modification to a Major Development Plan recommendation of approval. The approval includes:
 - Site design changes to the parking lot in order to eliminate the need for egress (and an associated easement) across an adjacent property;
 - Relocation of garbage storage and pick-up areas and associated landscaping; and

Surrounding Zoning and Uses

North: HRCC-1- Restaurant and retail
 East: HRCC-1- Retail and parking lot
 South: HRCC-1- Residential apartments, parking lot and Old City Hall
 West: HRCC-1- Take out and Old City Hall

Uses Permitted:

- (1) Single-family and two-family residential dwellings
- (2) Multiple-family residential dwellings
- (3) Group homes with less than or equal to six residents as provided in section 122-1246
- (4) Places of worship
- (5) Business and professional offices
- (6) Commercial retail low and medium intensity less than or equal to 5,000 square feet as provided in division 11 of article V of this chapter
- (7) Commercial retail high intensity less than or equal to 2,500 square feet as provided in division 11 of article V of this chapter
- (8) Hotels, motels, and transient lodging
- (9) Medical services
- (10) Parking lots and facilities
- (11) Restaurants, excluding drive-through
- (12) Veterinary medical services without outside kennels
- (13) Adult entertainment establishments (see section 122-1533)

Conditional Uses:

- (1) Group homes with seven to 14 residents as provided in section 122-1246
- (2) Cultural and civic activities
- (3) Community centers, clubs, and lodges
- (4) Educational institutions and day care
- (5) Nursing homes, rest homes and convalescent homes
- (6) Parks and recreation, active and passive
- (7) Protective services
- (8) Public and private utilities

- (9) Bars and lounges, including those associated with adult entertainment establishments
- (10) Boat sales and service
- (11) Commercial amusement, except adult entertainment establishments
- (12) Commercial low and medium intensity greater than 5,000 square feet as provided in division 11 of article V of this chapter
- (13) Commercial retail high intensity greater than 2,500 square feet as provided in division 11 of article V of this chapter
- (14) Funeral homes
- (15) Light industrial
- (16) Marinas
- (17) Small recreational power-driven equipment rentals

Conditional Use Review

Code Sec. 122-62 (a) provides, in part, that “a conditional use shall be permitted upon a finding by the Planning Board that the proposed use, application, and, if applicable, development plan comply 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.” The same section also specifies that “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.”

Conditional Use Criteria per Code Section 122-62

- (a) **Findings:** The Planning Board may find that it meets the Code purpose of ensuring 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.”

The subject property, zoned HRCC-1, has a permitted bar and lounge specifically approved for indoor consumption area only, and retail commercial uses in addition to a parking lot. The proposed outdoor consumption area appears to be generally compatible with the intent of the zoning classification that supports high intensity land uses, such as the proposed bar with indoor/outdoor consumption area. However, in prior public meetings noise and garbage impacts (both from storage and collection) were raised which may be aggravated by the proposed increase in consumption area and the revised solid waste management plan.

Mitigative techniques such as a drainage plan to accommodate stormwater runoff from the parking lot and additional landscaping will provide a buffer from neighboring properties.

The proposed conditional use application for outdoor consumption area shall be in the public interest and shall meet the following criteria as described below:

- (b) **Characteristics of use:**

The proposed modification to the approved conditional use includes outdoor consumption area and garbage storage and handling changes, as well as modifications to the parking lot and associated ingress and egress plans. Each key area is assessed below.

1) Scale and intensity

- a. **Floor Area Ratio (F.A.R):** Existing F.A.R is .32; outdoor consumption area does not constitute new structural floor area. However, the consumption area is considered commercial activity as defined by Sections 86-9, and therefore is an intensification of the site and subject to the approval of the Planning Board with appropriate conditions and limitations to respond to the impacts of the site intensification. The F.A.R for the HRCC-1 is 1.0. The proposed use conforms to the requirement.
- b. **Traffic Generation:** According to the Institute of Transportation Engineers Trip Generation Manual, 7th Edition, the trip generation of bars is based on gross floor area. Outdoor consumption area is not considered floor area. However, it is likely that in those peak times the outdoor consumption area for bars and lounges may add to the trip generation of the site. The new outdoor consumption area for bars and lounges of 90 square feet could potentially increase trips from an existing thirty trips on a Saturday peak hour to thirty-nine trips per peak hour. Because of the location of the proposed bar and lounge in the pedestrian oriented district, traffic generation is expected to be primarily pedestrian.
- c. **Square Feet of Enclosed Space For Each Specific Use:**
The existing indoor consumption area is 1,045 square feet; total consumption area is proposed to increase by 90 square feet. The existing retail areas include a total of 1,256 square feet and are not impacted by the proposed modification.
- d. **Proposed Employment:**
No additional employees are anticipated due to the proposed increase on outdoor consumption area. The applicant estimates there will be five persons employed at the bar and lounge.
- e. **Proposed Number of Service Vehicles:**
No additional service vehicles are expected due to the proposed outdoor consumption area. The applicant expects service vehicles to be making deliveries through the parking lot at the rear of the bar 3-6 times a week as needed. Garbage pick up will be on Ann Street to be determined on an as needed basis as confirmed by Waste Management. Waste Management currently collects garbage and recycling between the hours of 4am and 6am up to seven days a week on the block.
- f. **Off-Street Parking:**
The parking lot on site was approved for seven parking spaces of which 3.6 are required and designated for the retail uses. Four spaces are proposed with the new plan, inclusive of one handicap space. This property is within the parking waiver district and the applicant claims the pre-existing outdoor consumption area

associated with the former restaurant on the site should provide a partial credit against new parking requirements per Section 108-573(c). The applicant provided adequate substantiation that the consumption had not been abandoned, but did not provide substantiation regarding the amount of outdoor consumption area authorized for seating at the former restaurant. The Planning Department found documentation that six outdoor seats, or a total of 90 square feet of consumption area, were legally established on the site. Absent any further information, the Department agrees that 90 square feet is exempt from parking requirements. Please note that new retail area associated with the conversion of the single family unit into retail space (1,080 sf at one space per 300 sf) resulted in a requirement of 4 spaces as proposed. The latest site plan, dated July 12, 2011, shows four standard parking spaces, one of which is ADA compliant.

2) On or Off Site Improvements Not Previously Identified

a. Utilities:

No change in utilities are expected from this conditional use proposal. The Florida Keys Aqueduct Authority and Keys Energy Services have no objections.

b. Public facilities:

The applicant has provided a Concurrency Management report. As existing, the site is concurrent with Chapter 94 of the Code, no changes are proposed to the site that impact the existing standards including garbage and recycling areas, and facilities that meet ADA standards. The applicant has obtained city engineer approval of the revised site plan to ensure that it still meets stormwater management requirements.

c. Roadway or Signal Improvements:

No changes to roadways or signal improvements are required at this time. However, a stop sign is proposed on the site.

d. Accessory Structures or Facilities:

No changes are proposed to any of the accessory structures on site.

e. Other: As part of the Modification to the Major Development Plan site improvements will include additional open space, a drainage plan, relocated garbage handling area and a parking lot that conforms to circulation and dimensional requirements.

3) On-site amenities proposed to enhance the site: Through the approved Conditional Use and Major Development Plan numerous site improvements were made to enhance the pedestrian access, open space, drainage, and landscaping of the site.

a. Open space:

The site currently complies with the 20% open space requirements of the property. The total open space exceeds 2,000 square feet of the approximately 9,800 square foot site.

b. Setbacks:

No change is proposed.

c. Screening and buffers:

A landscape buffer and a two-sided shadow box wooden fence have been installed between the parking area and residential uses in lieu of landscaping which was required by the approved plan. A 6' fence is proposed to be installed across the waste handling site to provide screening. All electrical equipment and garbage shall be located in a screened area.

d. Landscaping berms:

No landscaped berms are proposed, however the applicant has proposed a modified landscape plan and installed additional stormwater retention. The Tree Commission approved changes to the landscape design associated with the revised site plan on May 11, 2011.

e. Mitigative techniques for abating smoke, odor, noise and other noxious impacts:

For the previous approval the applicant hired noise experts to examine noise generating from the proposed bar which may affect business at Old City Hall or surrounding residential units. The noise experts advised proper techniques for mitigating and redirecting potential noise generation. Conditions of approval 09-042 are recommended to be maintained as conditions of this request. No outdoor music is proposed by the modification to the application. The relevant existing approval conditions are as follows:

1. The applicant will install and maintain a programmable distributive sound system consistent with that described in the document prepared by The Audio Bug and submitted on July 25, 2009, to assure compliance with the "unreasonable noise" definition of Section 26-191 of the Code of Ordinances, and that such referenced document shall be updated to include that a computerized sound monitoring system is installed and available to the city upon request;
2. There will be no live music, disc jockeys, or karaoke at the site unless approved under a special event permit per Section 6-86 of the Code of Ordinances.

Additionally, prohibition of outdoor speakers is a condition of this conditional use request for outdoor consumption area. The applicant has installed a two-sided shadow box wooden fence between the parking lot and the adjacent residential property. Additionally, there are no windows on the rear of the bar structure.

The proposal also includes a waste handling area that is buffered from sight by fencing and landscaping. Garbage will be removed on an as needed basis based as

explained by Waste Management officials. Please see attached section labeled Solid Waste Management Plan for details.

(c) Criteria for conditional use review and approval: Applications for a conditional use review shall clearly demonstrate the following:

1) Land use compatibility:

The proposed Conditional Use in conjunction with the proposed Modification to the Major Development Plan appears generally compatible with nearby commercial land uses. Several adjacent residential units remain in the area, and the use may be less compatible with them. Issues identified in the public hearing in 2009 included noise generation, garbage handling and storage impacts, and ingress and egress impacts. Although the applicant was able to resolve these issues at the time, this application changes items that were of specific concern to neighbors during the last approval process. Further, Old City Hall, where public hearings are held frequently, is directly across from the proposed project.

2) Sufficient site size, adequate site specifications and infrastructure to accommodate the proposed use:

The site size is over 9,000 square feet and the building coverage of all four structures is approximately 4,000 square feet, leaving 5,000 square feet for open space and the parking lot. None of the existing structures on site will be altered in size as part of this amendment request.

The proposed Modification to the Major Development Plan is conforming to and slightly increases open space requirements. The site has adequate size and site specifications to accommodate the proposed outdoor consumption area and amenities such as sidewalks and existing open space courtyards. The applicant has modified the plan to accommodate parking needs and typical parking area dimensions, particularly as they pertain to aisle width and car stall size.

3) Proper use of mitigative techniques:

The applicant has included mitigative noise measures for indoor music, and the applicant has agreed to the condition that there be no outdoor speakers in order to control noise. The solid waste storage area appears to be adequate in size and is proposed to be screened with fencing and vegetation. The applicant has included a waste handling plan to address staff and neighborhood questions concerning neighborhood pick-up times and frequency.

4) Hazardous waste:

No hazardous waste shall be generated by this conditional use.

5) Compliance with applicable laws and ordinances:

The applicant will comply with all applicable laws and regulations as a condition of approval.

6) Additional Criteria Applicable to Specific Land Uses:

Applicants shall demonstrate the proposed conditional use satisfies the following criteria:

a. Land Uses Within a Conservation Area:

N/A

b. Residential Development:

N/A

c. Commercial or Mixed Use Development:

The surrounding uses are mostly commercial and adjacent properties include commercial parking lots. However, some residential uses, as well as Old City Hall, are proximate to the site. The Planning Department has strongly encouraged the applicant to meet with neighbors, particularly those associated with nearby transient and residential areas, and attempt to resolve issues prior to presenting the item before the board.

d. Development Within or Adjacent to Historic District:

Development proposed was reviewed and approved by the Historical Architectural Review Committee on December 30, 2010, H10-01-703.

e. Public Facilities or Institutional Development:

N/A

f. Commercial Structures, Uses and Related Activities Within Tidal Waters:

N/A

g. Adult Entertainment Establishments:

N/A

Major Development Plan

Analysis – Evaluation for Compliance With The Land Development Regulations:

Section 108-91 (C)3 of the City of Key West Land Development Regulations requires that any Major Modification to a Development Plan be treated in the same manner as the original approval. Additionally, Section 108-91 (C)4 of the Land Development Regulations stipulates that any changes to specific conditions of the original approval be approved by the administrative body that originally approved the development.

The original Major Development Plan and Conditional Use approval was recommended for approval by the Planning Board on August 6, 2009, with seven conditions of approval and subsequently approved by the City Commission, October 13, 2009, with seven conditions of approval in accordance with Section 108-91 A(2)(b) and Section 108-196(a) of the Land Development Regulations.

Planning staff, as required by Chapter 108 of the City of Key West Land Development Regulations, has reviewed the following site information for compliance with the City's LDRs and Comprehensive Plan:

Project Data				
	Required/ Allowed	Existing	Proposed	Variance Request
Zoning	HRCC-1	No Changes Proposed		
Flood Zone	AE			
Size of Site	9,827 s.f			
Front Setback (Front Street)	None			
West Side Setbacks	2.5'			
East Side Setback	2.5'			
Street Side Setback (Fitzpatrick Street)	None			
Rear Setback	10'			
FAR	1.0	.32	No Changes Proposed	
Building Coverage	50%	33% (3,257 s.f)		
Impervious Surface	70%	74% (7,335 s.f)		
Open Space/ Landscaping Parking	20%	22% (2,162 s.f)		
Bicycle Parking	4	7		
Parking	4	7	4	0

Concurrency Facilities and Other Utilities or Service:

As required by Objective 9-1.5 of the Comprehensive Plan and Section 108-233 of the Land Development Regulations development plans shall satisfy concurrency management regulations to ensure that facilities and services needed to support the proposed development meet the City's level of service standards.

The applicant provided a concurrency analysis report for the parcel of approximately 9,827 square feet or 0.225846 acres which is used to determine service levels. The proposed project is commercial in nature and will incorporate a total of ten employees on site.

1. The anticipated public facility impacts of the proposed development:

The applicant has provided a Concurrency Management analysis. The proposed development is not anticipated to generate any public facility impacts.

2. The ability of existing facilities to accommodate the proposed development at the adopted level of service standards:

The Concurrency Management analysis concluded that the existing facilities are expected to accommodate the proposed redevelopment project at the adopted level of service standards.

3. Any existing facility deficiencies that will need to be corrected prior to the completion of the proposed development:

The Concurrency Management analysis found that there are no existing facility deficiencies which will need to be corrected prior to the completion of the proposed development.

4. The facility improvements or additions necessary to accommodate the impact of the proposed development at the adopted level of service standards and the entities responsible for the design and installation of all required facility improvements or additions; and

There are no facility improvements or additions that are necessary to accommodate the impact of the proposed redevelopment.

5. The date such facility improvements or additions will need to be completed to be concurrent with the impacts on such facilities created by the proposed development:

This criterion is not applicable, as there are no known facility improvements or additions that will need to be completed for the modification to the development plan.

Fire Protection:

Fire protection was initially improved through increased open space in the courtyard between all four structures. The applicant has submitted a life safety plan for the proposed bar that was approved by the Fire Marshal's Office at the time of the original approval.

Other Public Facilities:

Educational facilities, police protection, fire protection, electric power, health care, disaster preparedness and recreational facilities will not experience a change in usage due to the modified proposal because these facilities are currently in place.

Appearance, design and compatibility (Section 108-234)

1. Compliance with Chapter 102; Articles 111, IV and V:

Articles III and V are not applicable to the proposed project. The project is in compliance with Article IV of the City Code.

A Certificate of Appropriateness from the Historic Architectural Review Commission for new lighting, site plan redesign of parking lot, landscaping and new fencing has been approved for this project through approval H10-01-703. HARC approval will be required for the parking lot paving material.

2. Compliance with Section 108-956:

The requirements for domestic water and wastewater have been addressed in the concurrency management report submitted by the applicant.

3. Chapter 110; Article II:

Should any archeologically significant resources be discovered during the development of the site, the applicant shall be required to comply with this article of the Land Development Regulations.

Site location and character of use (Section 108-235):

This site is located in the heart of the HRCC-1 zoning district which permits bars and lounges only as a conditional use. The character of the zoning district incorporates side walk-oriented lounges and bars and the most intense activity center in the commercial core of the city. Although the surrounding properties are also primarily commercial in nature, the site is proximate to nearby residential units as well as Old City Hall. Therefore, although the proposed outdoor consumption area is similar to other open-air bars in the surrounding blocks and it may not be compatible with the neighborhood based on issues raised by nearby residents and transient businesses at the original hearing and again relative to the modifications requested.

1. Appearance of site and structures (Section 108-236 and Section 108-278):

No design changes are proposed for the structures on the site. The existing historical structures are in harmony with neighboring structures. The appearance of the proposed parking lot plan, landscaping, lighting and garbage area appears compatible with the overall environment and land uses in the immediate vicinity and the project has met the requirements outlined in this Section of the City Code.

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

Waste and recycling storage is proposed to be relocated as part of this site plan modification. Waste is proposed to be kept on the southeastern vegetated area of the property buffered by fencing and landscaping at the rear of the parking lot. All mechanical equipment and utility hardware areas will be in compliance with Section 108-279 of the Code and screened.

3. Utility lines (Section 108-282):

No new construction is proposed that requires the placement of underground utility lines. Landscaping with shrubs and plants shall be provided to screen pad-mounted transformers if they are installed on site, as required in Section 108-282. Keys Energy has provided a letter of no objection for this property and existing electric lines will be utilized.

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

No outdoor business is proposed. All business will take place within each proposed commercial venue. The proposed storage area is inside the building towards the center of the site. Storage areas are identified on the site plans.

5. Exterior Lighting (Section 108-284)

A lighting plan was approved as part of the original proposal. Modified lighting has been approved by HARC and complies with the referenced Code Section.

6. Signs (Section 108-285):

The applicant shows signage at the parking lot entrance and exit on the site plan submitted on July 12, 2011 as previously requested by the City Engineer. A separate

permit will be required for the installation of any signs which are required to comply with Chapter 114, Signs and must be approved by HARC.

7. Pedestrian sidewalks (Section 108-286):

The existing pedestrian circulation system has been modified to provide adequate driveway width for the parking lot.

8. Loading docks (Section 108-287):

N/A

9. Storage Areas (Section 108-288):

A garbage storage area is proposed on site as part of the modified plan. The area is enclosed by fencing as proposed on the site plan.

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

The proposal does satisfy on and off-street vehicular circulation and parking requirements for Chapter IV and VII. The City Engineer has recommended approval of the revised design.

Housing (Section 108-245):

No proposed residential development is included in this proposal. The applicant returned one unit to the City as a condition of the previous approval.

Economic resources (Section 108-246):

The applicant will meet all Code requirements for recording tax yields, construction expenditure as applicable throughout the development phases, and projections of permanent employees using appropriate standard industry classification.

Special Conditions (Section 108-247):

The application as submitted complies with the intent of the Land Development Regulations and the City's Comprehensive Plan. The proposed development is not within any special zoning districts, adjacent to the airport or in proximity to waste treatment.

Construction management plan and inspection schedule (Section 108-248):

As proposed there are no phases of development of this project, the applicant expects to start the modifications to the site plan immediately.

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

The proposed development plan includes a landscape design prepared by a landscape architect, as required by Section 108-511(b) of the Code. On May 11, 2011 the Tree Commission issued an approval for the design modifications that is also approved by the city urban landscape coordinator.

Off-street Parking and Loading (Article VII):

Article VII, Off-street Parking and Loading, has been previously addressed in this report. The proposed design accommodates ADA access according to the City's ADA coordinator, meets

dimensional requirements and stormwater retention requirements, according to the city engineer (see attached).

Stormwater and Surface Water Management (Chapter 108, Article VIII):

A stormwater drainage plan was designed for the parking area and approved by the City Engineer. An overall drainage plan was approved with the original development plan and shall meet all requirements of this Section of the Code.

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

The site is located in Flood Zone AE-8. The proposed Modification to the Major Development Plan does not trigger flood proofing.

Utilities (Article IX):

The proposed redevelopment will use existing utility mains for potable water and wastewater as shown in the concurrency management report. For irrigation purposes, rainwater captured in rain barrels on site are installed. Landscaping consists of 70% native species as shown on the proposed landscape plan.

RECOMMENDATION:

The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends the request for a modification to a Conditional Use and Major Development Plan be **approved** with the following conditions:

Conditions to be completed prior to or in conjunction with the issuance of building permits:

1. The parking lot surface material to be used in the parking lot must be jointly approved by the engineering division and HARC. The ADA parking space must meet Federal guidelines.

Conditions to be completed prior to the issuance of certificate of occupancy:

2. The applicant will install and maintain a programmable distributive sound system consistent with that described in the document prepared by The Audio Bug and submitted on July 25, 2009, to assure compliance with the “unreasonable noise” definition of Section 26-191 of the Code of Ordinances, and that such referenced document shall be updated to include that a computerized sound monitoring system is installed and real time monitoring access is provided to the City.
3. City Staff will confirm that the sound system is functioning as provided for in Condition two (2).

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

4. Outdoor speakers are prohibited.

5. Security cameras will be provided on site and security personnel will be present during the hours of operation.
6. Waste handling shall be consistent with the Solid Waste Management plan dated July 13, 2011. The applicant will recycle materials accepted by the city's waste handling contractor.
7. Compliance with the plans dated July 12, 2011, is a condition of approval and specifically incorporated herein.
8. The outdoor consumption area is limited to the side yard area on the corner of Greene and Ann Streets only and is strictly prohibited from the rear courtyard area.

General Conditions:

9. The applicant expressly agrees to provide the City's agents unfettered access to the computer-generated reports and full, real-time web-based access to the digital monitoring of on-site acoustics for the purpose of assuring compliance with the conditions contained herein.
10. There will be no live music, disc jockeys, or karaoke anywhere on the site unless located indoors and approved under a special event permit per Section 6-86 of the Code of Ordinances. Under no circumstances will these venues be allowed outdoors.

**Draft
Resolution**

**PLANNING BOARD RESOLUTION
NUMBER 2010-0xx**

**A RESOLUTION OF THE KEY WEST
PLANNING BOARD GRANTING APPROVAL
OF A MAJOR MODIFICATION TO A MAJOR
DEVELOPMENT PLAN APPROVAL AND
GRANTINE APPROVAL OF A CONDITIONAL
USE FOR OUTDOOR CONSUMPTION AREA
FOR PROPERTY LOCATED AT 512 GREENE
STREET (RE# 00001170-000000), KEY WEST
FLORIDA; PROVIDING FOR AN EFFECTIVE
DATE.**

WHEREAS, the subject property is located in the Historic Residential Commercial Core, Gulf Side (HRCC-1), zoning district; and

WHEREAS, Section 108-91C(3) and (4) of the Code of Ordinances allows applicants to request Major Modifications to Major Development Plans including changes to specific conditions of development approvals and those requests are required to be treated in the same manner as the original approval; and

WHEREAS, the original Major Development Plan and Conditional Use proposal was recommended for approval by the Planning Board through Resolution 2009-030 and was subsequently approved by the City Commission on October 13, 2009 through Resolution 09-242; and

_____Chairman

_____Planning Director

WHEREAS, the applicant requested to modify the design of the Major Development Plan and modify conditions six and seven of City Commission approval 09-242; and

WHEREAS, the applicant requested a conditional use approval to add 90 square feet of outdoor consumption area limited to the brick area on the corner of Greene and Ann Streets; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on July 21, 2011; and

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

WHEREAS, the granting of a combined Conditional Use and Major Modification to the Major Development Plan is consistent with the criteria in the code; and

WHEREAS, the recommendation of approval of the combined Conditional Use and Major Modification to the Major Development Plan is in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise

_____Chairman

_____Planning Director

detrimental to the public welfare; and

WHEREAS, the approval is consistent with the criteria in the Code; and

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

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

Section 2. That a Modification to a Major Development Plan for the redesign of the approved parking lot to eliminate an access easement and relocate the garbage area, including the modification of conditions number six and seven of approval (Resolution 09-242) per Section 108-91C(3) and (4), and a Conditional Use approval for 90 square feet of outdoor consumption area per Section 122-61, under the Code of Ordinances of the City of Key West, Florida, is hereby recommended for City Commission approval for property located at 512 Greene Street (RE#00001170-000000), as shown in the attached site plans dated July 12, 2011, and the solid waste management plan dated July 13, 2011 with conditions as follows:

Conditions to be completed prior to or in conjunction with the issuance of building permits:

1. The parking lot surface material to be used in the parking lot must be jointly approved by the engineering division and HARC. The ADA parking space must meet Federal guidelines.

Conditions to be completed prior to the issuance of certificate of occupancy:

2. The applicant will install and maintain a programmable distributive sound system consistent with that described in the document prepared by The Audio Bug and

_____Chairman

_____Planning Director

submitted on July 25, 2009, to assure compliance with the “unreasonable noise” definition of Section 26-191 of the Code of Ordinances, and that such referenced document shall be updated to include that a computerized sound monitoring system is installed and real time monitoring access is provided to the City.

3. City Staff will confirm that the sound system is functioning as provided for in Condition two (2).

Conditions subject to a Conditional Approval Permit, per Ordinance Number 10-22:

Conditions subject to an associated annual inspection:

4. Outdoor speakers are prohibited.
5. Security cameras will be provided on site and security personnel will be present during the hours of operation.
6. Waste handling shall be consistent with the Solid Waste Management plan dated July 12, 2011. The applicant will recycle materials accepted by the city’s waste handling contractor.
7. Compliance with the plans dated July 12, 2011, is a condition of approval and specifically incorporated herein.
8. The outdoor consumption area is limited to the side yard area on the corner of Greene and Ann Streets only and is strictly prohibited from the rear courtyard area.

General Conditions:

9. The applicant expressly agrees to provide the City's agents unfettered access to the computer-generated reports and full, real-time web-based access to the digital monitoring of on-site acoustics for the purpose of assuring compliance with the conditions contained herein.
10. There will be no live music, disc jockeys, or karaoke anywhere on the site unless located indoors and approved under a special event permit per Section 6-86 of the Code of Ordinances. Under no circumstances will these venues be allowed outdoors.

_____Chairman

_____Planning Director

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

Section 4. This Conditional Use request and Major Modification to a Major Development Plan application recommended for approval to the City Commission, 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 authority respecting the property.

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

Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Section 7. The applicant shall obtain and maintain a Conditional Approval Permit from the City prior to issuance of a Certificate of Occupancy per Ordinance Number 10-22.

_____Chairman

_____Planning Director

Read and passed on first reading at a meeting held this 21 day of July, 2011.

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

Richard Klitenick, Chairman
Key West Planning Board

Date

Attest:

Donald Leland Craig, AICP
Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date

_____Chairman

_____Planning Director

Application

Amendment

DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION
City of Key West Planning Department
604 Simonton Street, Key West, FL 33040
(305 -809-3720)



Development Plan & Conditional Use Application

(Applications will not be accepted until they are complete)



RECEIVED
May 2, 2011
KW Planning Dpt

Development Plan

Major

Minor _____

Conditional Use

Historic District

Yes

No _____

Please print or type and call the Planning Department if you have any questions.

- 1) Site Address **512 Greene St.**
- 2) Name of Applicant **Susan M. Cardenas, Esq.**
- 3) Applicant is: Owner _____ Authorized Representative
(attached Authorization Form must be completed)
- 4) Address of Applicant **221 Simonton Street**
Key West, FL 33040
- 5) Applicant's Phone # **294-0252** Email **susan@keyslaw.net**
- 6) E-mail Address: **susan@keyslaw.net**
- 7) Name of Owner, if different than above **512 Greene Street LLC**
- 8) Address of Owner **1413 South Street, Key West FL 33040**
- 9) Owner Phone # **305-712-0070** Fax _____
- 10) Zoning District of Parcel **HRCC-1** RE# **00001170-000000**
- 11) Is Subject Property located within the Historic District? Yes No _____
If Yes: Date of approval **4/23/2009** HARC # **H09-0417407**
OR: Date of workshop _____ Date of expected approval _____
- 12) Description of Proposed Development and Use. Please be specific. List existing and proposed buildings and uses, number of dwelling units, parking, restaurant seats, vehicles proposed, etc . If there is more than one use, describe in detail the nature of each use. (Give concise description here and use a separate sheet if necessary)

Redesign existing approved plan to accommodate full-size automobiles and maintain 90 sq. ft. of existing consumption area on the corner of Greene and Ann Streets.

Amendment

DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION
City of Key West Planning Department
604 Simonton Street, Key West, FL 33040
(305 -809-3720)



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

If Yes: Date of approval _____ Resolution # _____

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

Yes ___ No X If Yes, describe and attach relevant documents:

- 14) A. For *Conditional Uses and Development Plans*, provide the information requested on the attached Conditional Use and Development Plan sheet.
- B. For *Conditional Uses*, include also the Conditional Use Criteria required under Chapter 122, Article III, Sections 122.61 and 122.62 of the Land Development Regulations (copy attached).
- C. For *Major Development Plans*, provide also the additional information requested on the Development Plan Submission Materials (Sections 108.226 through 108.232 of the Land Development Regulations, copy attached) and other information as determined by the Planning Staff.

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.

Verification

I, Susan M. Cardenas, Esq. (please print), being duly sworn, depose and say

Name of Applicant

that I am (check one) the owner _____ / owner(s) legal representative X of the property which is the subject matter of this application. All of the answers to the above questions, drawings, plans and any other attached data to this application, are true and correct to the best of my knowledge and belief and that if not true or correct, are grounds for revocation of any action reliant on said information.

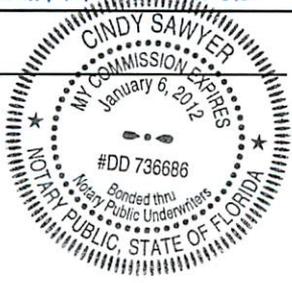
Susan M. Cardenas Signature of Applicant

Subscribed and sworn to (or affirmed) before me on 05/02/11 (date) by Susan M. Cardenas, Esq. (name of affiant, deponent or other signer). He/She is personally known to me or has presented _____ as identification.

Cindy Sawyer
Notary's Signature and Seal

Susan M. Cardenas Name of Acknowledger typed, printed or stamped

_____ Title or Rank _____ Commission Number



Required Plans and Related Materials



- I. Existing Conditions.
 - A) Recent Survey: **Please see attached**
 - B) Existing size, type and location of trees, hedges, and other features: **Please see attached**
 - C) Existing stormwater retention areas and drainage flows: **Please see attached**
 - D) A sketch showing adjacent land uses, buildings, and driveways: **Please see attached**

- 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: **Please see attached**
 - 1) Buildings **No Changes Proposed**
 - 2) Setbacks **No Changes Proposed**
 - 3) Parking: **Please see attached**
 - 4) Driveway dimensions and material: **Please see attached**
 - 5) Location of Utility Lines (sewer, water, electric, cable, and phone) adjacent and extending into the site. **No Changes Proposed**
 - 6) Signs **No Changes Proposed at this time**
 - 7) Project Statistics:
 - a. Zoning **HRCC-1**
 - b. Size of site **No Changes Proposed**
 - c. Number of units **No Changes Proposed**
 - d. If non-residential, floor area & proposed floor area ratio **No Changes Proposed**
 - e. Consumption area of restaurants & bars:
This existing approved bar has 1,045 sq. ft. of consumption area. We propose to maintain 90 sq. ft. of outdoor consumption area located on the corner of Greene and Ann Streets.
 - f. Open space area and open space ratio:
This amendment will maintain the minimum 20% the open space.
 - g. Impermeable surface area and impermeable surface ratio:
The previous approval improved the impervious surface ratio of the site dramatically. The previous impervious surface ratio was 91%, as a result of the redevelopment the impervious surface ratio was reduced to 80%. This amendment will maintain the ISR below 80%.
 - h. Number of automobile and bicycle spaces required and proposed:
The parking requirement for this property is 3.1 auto spaces and 0.8 bicycle space. The plan proposes 4 auto spaces and 7 bicycle/scooter spaces
 - B) Building Elevations **No changes proposed**
 - 1) Drawings of the building from each direction: **Please see attached**
 - 2) Height of building: **No change proposed**
 - 3) Finished floor elevations and bottom of first horizontal structure: **No Change proposed**
 - 4) Height of existing and proposed grades: **Please see attached**
 - C) Drainage Plan: Existing & Proposed with retention areas and calculations: **Please see attached**
 - D) Landscape Plan: Size, type, location and number of plants to be removed, kept, and installed: **Please see attached**

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

As a result of these proposed plan modifications, the parking lot will comply with the minimum standards laid out in the Code and stormwater management will be enhanced.



CONDITIONAL USE CRITERIA

Sec. 122-62. Specific criteria for approval.

(a) Findings.

(b) Characteristics of use described.

(1) Scale and intensity of the proposed conditional use as measured by the following:

- a. Floor area ratio; **No Changes Proposed**
- b. Traffic generation: **No Changes Proposed**
- c. Square feet of enclosed building for each specific use; **No Changes Proposed**
- d. Proposed employment; **No Changes Proposed**
- e. Proposed number and type of service vehicles; **No Changes Proposed**
- f. Off-street parking needs:

The parking requirement for this property is 3.1 auto spaces and 0.8 bicycle space. The plan proposes 4 auto spaces and 7 bicycle/scooter spaces

(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; **No Changes Proposed**
- b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94; **No Changes Proposed**
- c. Roadway or signalization improvements, or other similar improvements; **No Changes Proposed**
- d. Accessory structures or facilities; **No Changes Proposed**
- e. Other unique facilities/structures proposed as part of site improvements. **No Changes Proposed**

(3) On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:

a. Open space:

The previous approval improved the open space ratio of the site dramatically. The previous open space was 9%, as a result of the redevelopment open space increased to 16.8%. This amendment will maintain a minimum of 20% open space.

b. Setbacks from adjacent properties; **No Changes Proposed**

c. Screening and buffers:

Screening sand buffering is proposed as depicted on the plans.

d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites:

Landscape berms are inappropriate for this site.

e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts. **No Changes Proposed**

(c) Criteria for conditional use review and approval. Applications for a conditional use shall clearly demonstrate the following:

(1) Land use compatibility.

No changes proposed that will alter the original finding of compatibility.

(2) Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use.

As depicted on the site plan, the site has sufficient size, specifications, and infrastructure to accommodate the redesign of the parking area.

(3) Proper use of mitigative techniques.

No changes proposed that will alter the original finding of proper use of mitigative techniques.

(4) Hazardous waste.

No change proposed. No Hazardous Waste will be generated by the conditional use.

(5) Compliance with applicable laws and ordinances.

All laws and ordinances will be followed.

(6) Additional criteria applicable to specific land uses.

a. Land uses within a conservation area.

No changes proposed.

b. Residential development.

This site contained a residential unit, as part of the conditions of approval, the ESFDU will be relinquished to the City of Key West.

c. Commercial or mixed use development.

The proposed design will allow the site to function independently from adjacent sites and provide adequate internal vehicular circulation together with access and egress to the site and off-street parking.

d. Development within or adjacent to historic district.

No changes proposed.

e. Public facilities or institutional development.

N/A

f. Commercial structures, uses and related activities within tidal waters.

N/A

g. Adult entertainment establishments.

N/A

Deed

Doc# 1742444 05/15/2009 8:41AM
Filed & Recorded in Official Records of
MONROE COUNTY DANNY L. KOLHAGE

Please return this instrument to:
Susan M. Cardenas
Stones & Cardenas
221 Simonton Street
Key West, FL 33040

05/15/2009 8:41AM
DEED DOC STAMP CL: TRINA \$0.70

This Instrument Prepared By: *Ward&Meyers, LLC*
3201 Flayler Ave, Suite 306
Key West, FL 33040

Doc# 1742444
Bk# 2412 Pg# 2463

Corrective Quit Claim Deed

THIS QUIT CLAIM DEED Made this 4th day of April, A.D. 2009, by, Peter Nelson Brown, a single man, hereinafter called the grantor, to 512 Greene Street, L.L.C. whose post office address is 1413 South St., Key West, FL 33040, hereinafter called the grantee:

(Wherever used herein the terms "grantor" and "grantees" include all the parties to this instrument, singular and plural, the legal representatives and assigns of individuals, and the successors deed assigns of corporations, wherever the context so admits or requires.)

Witnesseth: That the grantor, for and in consideration of the sum of \$10.00 and other valuable consideration, receipt whereof is hereby acknowledged, does hereby remise, release, and quit-claim unto the grantee forever, all the right, title, interest, claim and demand which the said grantor has in and to the following described lot, piece or parcel of land, situate, lying and being in the County of Monroe, State of Florida, to-witt:

On the Island of Key West, known on William A. Whitehead's map delineated in February A.D. 1829, as part of Lot Three (3) in Square Thirteen (13). Commencing at the corner of Greene and Ann Streets on the Northeasterly side of Ann Street on the Southeasterly side of Greene Street and running thence along Greene Street in a Northeasterly direction Ninety-three (93) feet and Three (3) inches; thence at right angles in a Southeasterly direction One hundred and five (105) feet and Six (6) inches; thence at right angles in a Southwesterly direction Ninety-three (93) feet and three (3) inches to Ann Street; thence at right angles in a Northwesterly direction along Ann Street One hundred and five (105) feet and Six (6) inches to the point of beginning.

Reference being had to deed recorded in Deed Book "A-4", Page 571, and deeds recorded in Book "G-21", Pages 98 - 103, in the office of the Clerk of the Circuit Court, in and for Monroe County, Florida.

A/K/A 512 Green Street, Key West, FL 33040

SUBJECT TO TAXES FOR THE YEAR 2009 AND SUBSEQUENT YEARS, RESTRICTIONS, RESERVATIONS, COVENANTS AND EASEMENTS OF RECORD, IF ANY.

Property Appraiser's Parcel Number: 0001170-000000

To Have and to Hold the same with all singular the appurtenances thereto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity to the only proper use, benefit and behoof of the said grantee forever.

And the grantor hereby covenants with said grantees that he is lawfully seized of said land in fee simple; that he has good right and lawful authority to sell and convey said land, and hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever, and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2008.

THIS CORRECTIVE DEED IS BEING RECORDED TO CORRECT THE LEGAL DESCRIPTION IN THAT CERTAIN QUIT CLAIM DEED RECORDED IN BOOK 2405 PAGE 785 PUBLIC RECORDS OF MONROE COUNTY, FLORIDA.

In Witness Whereof, the said grantor has signed and sealed these presents, the day and year first above written.

Signed, sealed and delivered in the presence of

Frederick C. Doran III
Witness Signature

Peter Nelson Brawn L.S.
Peter Nelson Brawn
Address:
1413 South St.
Key West, FL 33040

Frederick C. Doran III
Printed Name

Kelly E. Craig
Witness Signature

Doc# 1742444
BKN 2412 P#H 2454

Kelly E. Craig
Printed Name

Country of: REPUBLIC OF ARGENTINA
CITY OF BUENOS AIRES
EMBASSY OF THE UNITED STATES OF AMERICA
State/Providence of: STATES OF AMERICA

I hereby certify that on this day personally appeared before me, an officer duly authorized to administer oaths and take acknowledgments, Peter Nelson Brawn, as grantor who is personally known to me to be the individual described in and who executed the foregoing deed or who produced US Passport as identification and he acknowledged before me that he executed the same freely and voluntarily for the purposes therein expressed.

Witness my hand and official seal this 9th day of May, 2009.

HEATHER M. SMITH
Vice Consul of the
United States of America
Printed name of Notary

Heather M. Smith
NOTARY PUBLIC

My Commission Expires: **INDEFINITELY**



[Previous on List](#) [Next on List](#) [Return To List](#)

Entity Na

No Events No Name History

Su

Detail by Entity Name

Florida Limited Liability Company

512 GREENE STREET L.L.C.

Filing Information

Document Number L09000022673
FEI/EIN Number NONE
Date Filed 03/09/2009
State FL
Status ACTIVE
Effective Date 03/09/2009



Principal Address

512 GREENE ST.
KEY WEST FL 33040 US

Mailing Address

525 CAROLINE ST
KEY WEST FL 33040 US

Registered Agent Name & Address

KELLY, ROBERT E JR
525 CAROLINE ST
KEY WEST FL 33040 US

Manager/Member Detail

Name & Address

Title MGRM

BRAWN, PETER
525 CAROLINE ST
KEY WEST FL 33040 US

Annual Reports

No Annual Reports Filed

Document Images

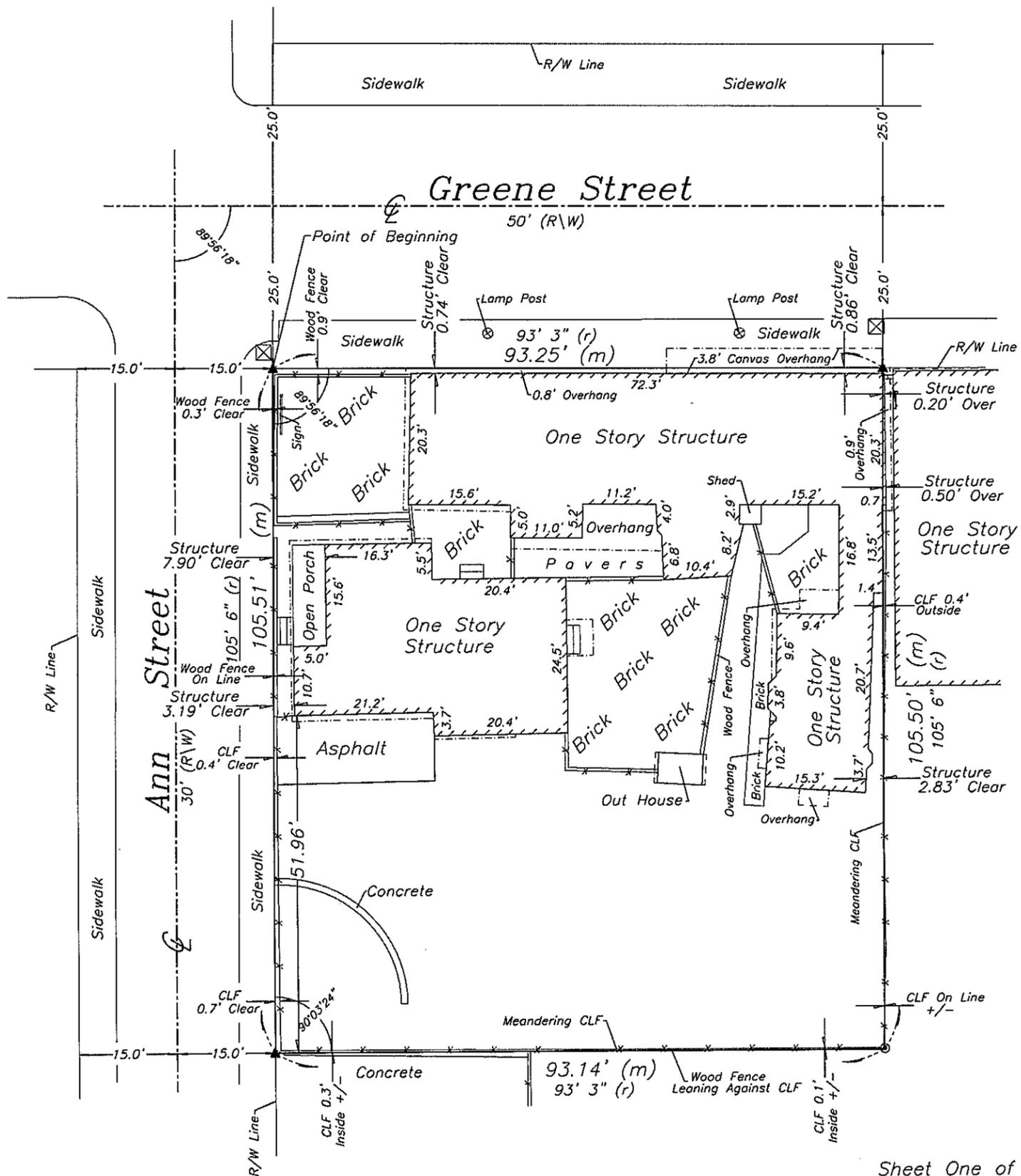
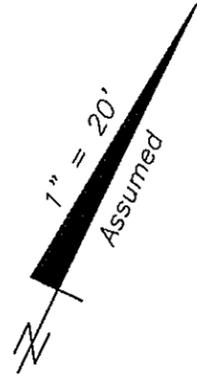
Survey



Boundary Survey Map of part of Lot 3, Square 13, of WM A. Whitehead's map of the Island of Key West

LEGEND

- ⊙ Found Permanent Reference Monument (FHH)
- Set #5 rebar w/cap (6298)
- Found 1/2" Iron Rod (2863)
- ▲ Found Nail & Disc (FHH)
- △ Set Nail & Disc (6298)
- (M) Measured
- (R) Record
- (M/R) Measured & Record
- C.B.S. Concrete Block Structure
- R\W Right of Way
- CLF Chain Link Fence
- ⊕ Centerline
- ⊗ Wood Utility Pole
- ⊠ Concrete Utility Pole
- P- Overhead Utility Lines



Sheet One of Two Sheets

NOTE:
This Survey Map is not full and complete without the attached Survey Report.

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244

Boundary Survey Report of part of Lot 3, Square 13, of WM A.
Whitehead's map of the Island of Key West

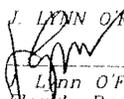
NOTES:

1. The legal description shown hereon was furnished by the client or their agent.
2. Underground foundations and utilities were not located.
3. All angles are 90° (Measured & Record) unless otherwise noted.
4. Street address: 512 Greene Street, Key West, FL.
5. This survey is not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
6. Lands shown hereon were not abstracted for rights-of-way, easements, ownership, or other instruments of record.
7. North Arrow is assumed and based on the legal description.
8. This survey is not assignable.
9. Date of field work: April 22, 2009
10. Ownership of fences is undeterminable, unless otherwise noted.
11. Adjoiners are not furnished.
12. The Survey Report is not full and complete without the attached Survey Map.

BOUNDARY SURVEY OF: On the Island of Key West, known on William A. Whitehead's map delineated in February A.D. 1829, as part of Lot Three (3) in Square Thirteen (13) Commencing at the corner of Greene and Ann Streets on the Northeasterly side of Ann Street on the Southeasterly side of Greene Street and running thence along Greene Street in a Northeasterly direction Ninety-three (93) feet and Three (3) inches; thence at right angles in a Southeasterly direction One hundred and five (105) feet and Six (6) inches; thence at right angles in a Southwesterly direction Ninety-three (93) feet and three (3) inches to Ann Street; thence at right angles in a Northwesterly direction along Ann Street One-hundred and five (105) feet and Six (6) inches to the point of beginning

BOUNDARY SURVEY FOR: Matthew McCarthy;
Recuerda Lel Alamo I, Inc;

J. LYNN O'FLYNN, INC.


Lynn O'Flynn, PSM
Florida Reg. #6298

April 28, 2009



Sheet Two of Two Sheets

J. LYNN O'FLYNN, Inc.



Professional Surveyor & Mapper
PSM #6298

3430 Duck Ave., Key West, FL 33040
(305) 296-7422 FAX (305) 296-2244

Site Plans

Stormwater Drainage Approval & Plan

DRAINAGE CALCULATIONS

WATER QUANTITY - PREDEVELOPMENT

PROJECT AREA = 0.108 Ac.
 PERVIOUS AREA = 0.024 Ac.
 IMPERVIOUS AREA = 0.084 Ac.
 % IMPERVIOUS = 78.5%
 RAINFALL FOR 25yr/24hr EVENT (P) = 9 In.
 RAINFALL FOR 25yr/3 DAY EVENT (P) = 12.23 In.
 DEPTH TO WATER TABLE = 3 Ft.
 DEVELOPED AVAILABLE STORAGE = 4.95 In.
 SOIL STORAGE (S) = 1.06 In.
 $Q_{pre} = \frac{(P-0.2S)^2}{(P+0.8S)}$ = 11.04 In.

WATER QUANTITY - POSTDEVELOPMENT

PROJECT AREA = 0.108 Ac.
 PERVIOUS AREA* = 0.027 Ac.
 IMPERVIOUS AREA = 0.081 Ac.
 % IMPERVIOUS = 74.8%
 RAINFALL FOR 25yr/24hr EVENT (P) = 9 In.
 RAINFALL FOR 25yr/3 DAY EVENT (P) = 12.23 In.
 DEPTH TO WATER TABLE = 3 Ft.
 DEVELOPED AVAILABLE STORAGE = 4.95 In.
 SOIL STORAGE (S) = 1.25 In.
 $Q_{post} = \frac{(P-0.2S)^2}{(P+0.8S)}$ = 10.85 In.

* ASSUMES PAVERS ARE NOT PERVIOUS

POSTDEVELOPMENT - PREDEVELOPMENT

$Q_{post} - Q_{pre} = -0.188$ In.
 VOLUME = QA = -0.02 Ac-In

WATER QUALITY

PROJECT AREA = 0.108 Ac.
 ROOF AREA = 0.108 Ac-In
 IMPERVIOUS AREA = 0.108 Ac.
 % IMPERVIOUS (EXCLUDING ROOF AREA) = 74.8%
 B) 2.5 INCHES TIMES PERCENT IMPERVIOUS = 0.20 Ac-In

WATER QUANTITY ~vs~ WATER QUALITY

-0.02 Ac-In < 0.20 Ac-In

SWALE VOLUME

SWALE VOLUME REQUIRED = 0.20 Ac-In * 3630 * 50% = 365 CF
 50% CREDIT FOR DRY RETENTION
 SWALE VOLUME PROVIDED: SWALE A = 26 CF
 SWALE B = 261 CF
 SWALE C = 124 CF
 TOTAL SWALE VOLUME PROVIDED = 411 CF

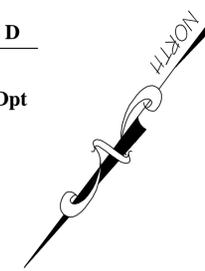
NOTES:
 EXTRA SWALE WAS PROVIDED TO COMPENSATE FOR VEGETATION.



RECEIVED

July 12, 2011

KW Planning Dpt



Meridian Engineering LLC
 201 Front Street, Suite 207
 Key West, Florida 33040
 AUTHORIZATION #29401
 ph:305-293-0263 fax:293-4899

Seal:

NOT VALID FOR CONSTRUCTION UNLESS
 SIGNED AND SEALED IN THIS BLOCK
 RICHARD J. MILELLI
 PE #58315

General Notes:

512 GREEN STREET
 512 GREEN STREET
 KEY WEST, FLORIDA

Drawn By: RJM
 Checked By: RJM
 Project No: XXXX
 Scale: AS NOTED
 HTA AutoCad File No: XXXX-C-1.0R

Revisions:
 1. KW PLANNING DEPT COMMENT 7/11/11

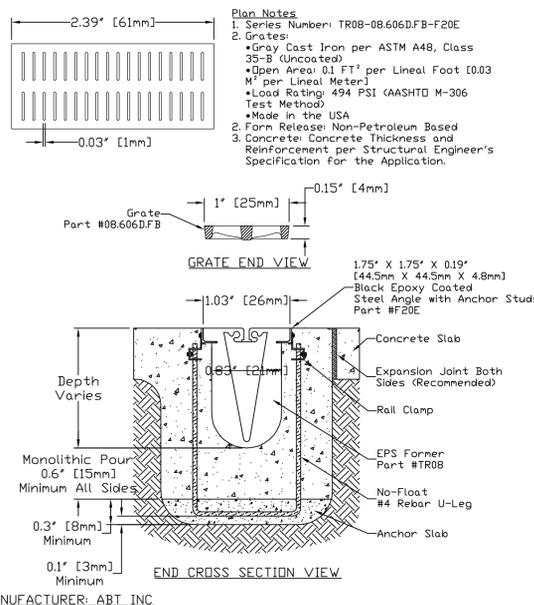
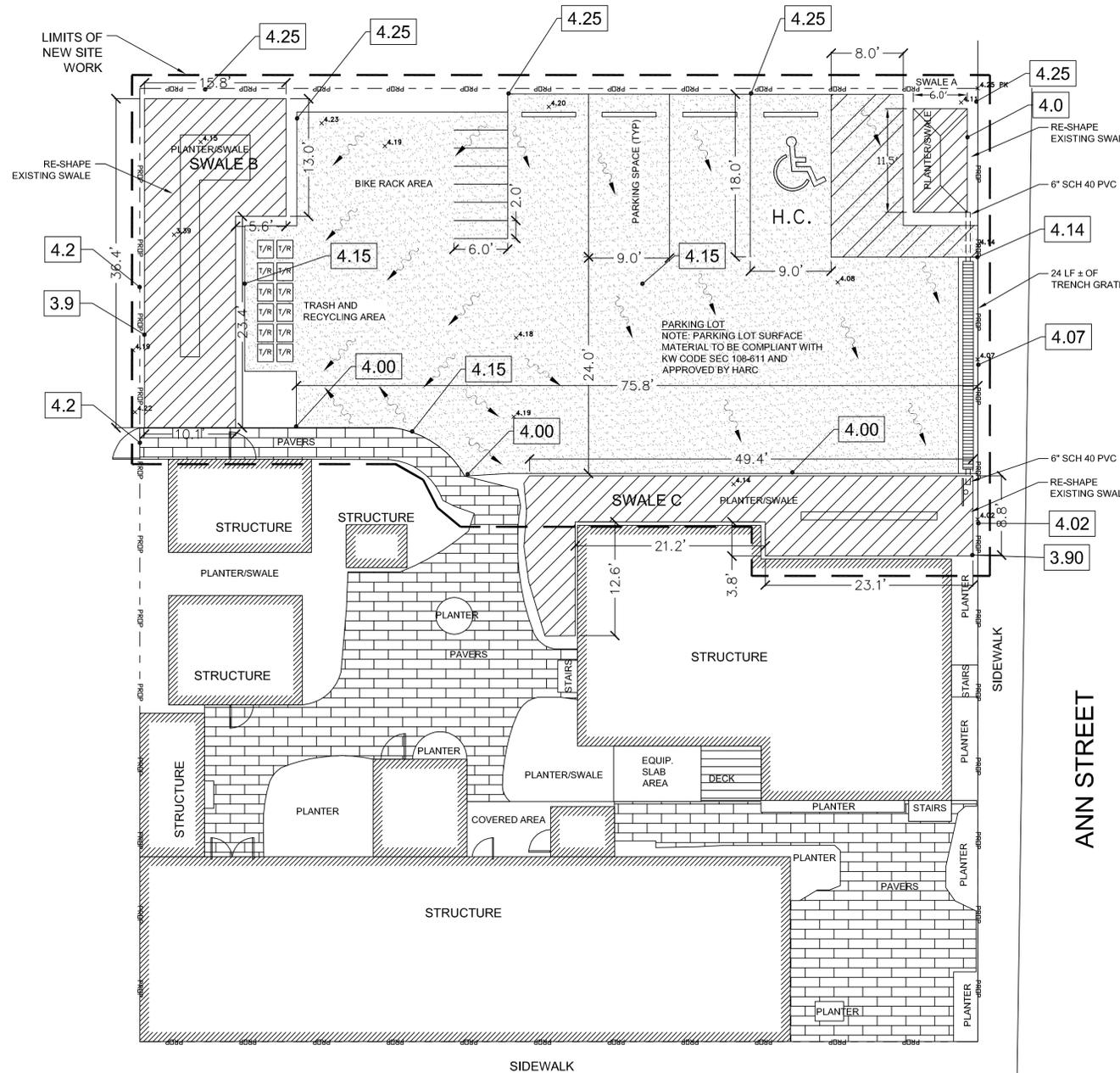
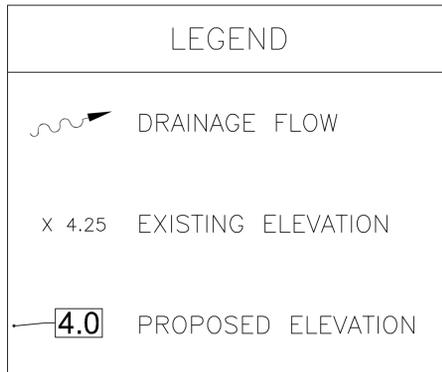
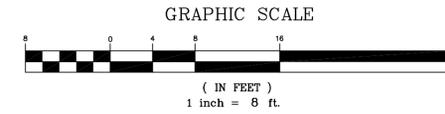
Title:

DRAINAGE PLAN

Sheet Number:

C-2

Date: MARCH 24, 2011



1 TRENCH GRATE DETAIL
 NTS

NOTES:

- CONTRACTOR SHALL RESHAPE SWALES BY SELECTIVELY REMOVING FILL WITHOUT DAMAGING THE EXISTING CANOPY AND PALM TREES. THE GRASSES AND SHRUBS CAN BE REMOVED DURING THESE ACTIVITIES AND EITHER REPLACED OR REPLANTED. THE WORK SHALL BE DONE BY HAND SO AS TO NOT DAMAGE THE ROOT SYSTEM TO THE EXISTING TREES.
- THE PK NAIL IN THE SOUTHWEST CORNER IS ASSUMED TO BE APPROX. 4.25 FT ELEVATION BASED ON NEARBY MANHOLE RIM ELEVATIONS. THE PK NAIL SHALL BE USED AS THE BASE POINT.





THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

TO: Donald Craig, Planner
Nicole Malo, Planner

CC: Trepanier & Associates, Inc.
Rick Milelli, P.E.
Doug Bradshaw, Senior Project Manager

FROM: Elizabeth Ignoffo, E.I., Permit Engineer

DATE: April 21, 2011

**SUBJECT: 512 Greene Street
Parking Lot Drainage Plan Review & Comments**

The Site and Drainage Plans, dated March 24, 2011, for 512 Greene Street have been reviewed. The following comments are provided:

1. The Site Plan shows a proposed asphalt parking area, including eight (8) bicycle spaces, three (3) standard vehicle parking spaces, one (1) van-accessible parking ADA space, and trash and recycling storage area.
2. The parking area impervious area will be reduced by approximately 130 square feet. The percent impervious area for the proposed parking area will be 74.8%.
3. The Drainage Plan shows a 24LF trench grate installed at the driveway entrance, three (3) stormwater retention swales, and grading to direct the stormwater runoff into the swales.
4. The required stormwater retention volume, allowing a 50% credit for utilization of dry retention, is based on 2.5 inches times the percent impervious ratio, shall be 365 cubic feet.
5. The combined retention volume of Swale A, B and C is 411 cubic feet.

The architect's Site Plan, Sheet A1, revision date 12/19/2010, shows the parking area lighting plan and ADA Access Route. The Site Plan A1, Site Plan C-1, and Drainage Plan C-2 meet the requirements of the City of Key West Code of Ordinances, Chapter 108 Off-street Parking and Loading.

Solid Waste Plan

Release of Building Permit Allocation

WAIVER AND RELEASE OF BUILDING PERMIT ALLOCATION

This Waiver and Release of Building Permit Allocation is hereby made by 512 Greene Street, LLC (hereinafter "Owner"), in favor of The City of Key West, Florida, a municipal corporation (hereinafter "City"), this 13 day of January, 2010, as follows:

A. The building permit allocation system (hereinafter "BPAS") for the City is contained in Sections 108-1056 through 1062 of the Code of Ordinances of the City of Key West (hereinafter the "Code"). The BPAS was established in order to limit the number of permits issued for permanent and transient units to 1,093 new permanent and transient units during the period beginning April 1, 1990, and ending April 1, 2002.

B. Owner is the only owner of real property located at 512 Greene Street, Key West, Florida, (hereinafter "the Property") and more particularly described as:

Please see attached.

C. The Property referred to in paragraph B above is currently allocated a total of 1 allocations, 1 of which are non-transient and 0 of which are transient.

D. Owner herein expressly desires to reduce the number of allocations existing on the Property by surrendering to the City 1 allocations, 1 of which are non-transient, and 0 of which are transient.

E. As a result of the reduction of allocations referred to in paragraph D above, Owner expressly agrees that the property shall possess a total of 0 allocations, 0 of which are non-transient, and 0 of which are transient.

F. Owner herein expressly acknowledges that this Waiver and Release is irrevocable and made for the purpose permanently reducing the number of allocation existing on the Property. Further, Owner herein expressly acknowledges that the allocations surrendered herein shall revert to the City, and shall be subject to allocation pursuant to the BPAS.

G. This action fulfills the associated condition as required by the City Commission on 09/15/09.

OWNER:

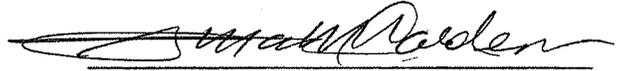
512 Greene Street, LLC, a Florida limited liability company,

PETER N. BRAUN, MANAGING MEMBER OF 512 GREEN STREET, LLC, BY AND THROUGH DAVID FLOERKE, HIS ATTORNEY IN FACT

Peter N. Braun, Managing Member of 512 Greene Street, LLC, by and through David Floerke, his attorney in fact.

STATE OF FLORIDA
COUNTY OF MONROE 2010

The foregoing instrument was sworn to and acknowledged before me this 13th day of January, 200, by David Floerke, who is personally known to me or who has produced _____ as identification and who did did not take an oath. NOTE: If a type of identification is not inserted in the blank provided, then the person executing this instrument is personally known to me. If the words "did not" are not marked, then the person executing this instrument did take an oath.

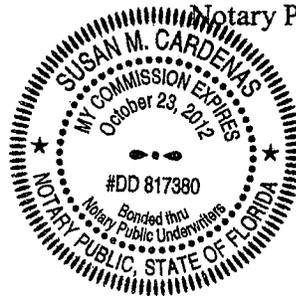


Notary Public

Susan M. Cardenas

Notary Printed Name

My Commission Expires:
(SEAL)



LEGAL DESCRIPTION

512 Greene Street, 201-205 Ann Street, Key West, FL

On the Island of Key West, known on William A. Whitehead's map delineated in February A.D. 1829, as part of Lot Three (3) in Square Thirteen (13). Commencing at the corner of Greene and Ann Streets on the Northeasterly side of Ann Street on the Southeasterly side of Greene Street and running thence along Greene Street in a Northeasterly direction Ninety-three (93) feet and Three (3) inches; thence at right angles in a Southeasterly direction One hundred and five (105) feet and Six (6) inches; thence at right angles in a Southwesterly direction Ninety-three (93) feet and three (3) inches to Ann Street; thence at right angles in a Northwesterly direction along Ann Street One-hundred and five (105) feet and Six (6) inches to the point of beginning.

Reference being had to deed recorded in Deed Book "A-4", Page 571, and deeds recorded in Book "G-21", Pages 98 - 103, in the office of the Clerk of the Circuit Court, in and for Monroe County, Florida.

Property Appraiser's Parcel Identification Number: 00001170-000000

Previous Licensing

CITY OF KEY WEST, FLORIDA

OFFICE MEMORANDUM

DATE 3/16/90

TO: TED STRADER, CITY PLANNER

FROM: CAROLYN WALKER, CHIEF LICENSING OFFICIAL *W*

SUBJECT: RESTAURANT SEATING COUNTS

As we discussed this morning, the City's history of charging impact fees for other than new developments is as follows:

About a year ago we started looking at net impact fee costs for changes of use and increased use, such as additional restaurant seating. The City had not previously calculated impact for any other than new developments. So, if a unit changed from residential to commercial, or from retail to a cafe, or from an office to a doctor's office, the City Planner began working up impact fees (net) and these would be paid before the CO was issued, or if a CO was not required, before the new occupational license was issued.

We came into a problem with restaurants. Since the highest license taxing category is 61+ seats, at \$200 a year, most of our licensing records for restaurants did not accurately reflect the exact number of seats. The assistant licensing official, Tany McCloskey, embarked on a 4 month project to count the number and type of seats in all the restaurants in town. After counting, we sent a completed form to the restaurants, confirming the seating. However, we were unable to gain access to about 15 establishments. We sent letters to these places in May, asking for an appointment, but got no response from 8, (including #1 Saloon and La Trattoria) which still remain uncounted.

The City Planner, Assistant City Attorney, City Manager, and myself met at the beginning of this project to discuss whether we could charge restaurants impact fees for increased seats, or change of type of seats (outside seating now covered, for example). The City Manager, Rick Witker, made the decision that we had no solid basis to go from, therefore, we would use this project to establish a baseline for seat counts, and charge impact fees in the future for increases or change. The project lasted from January to May. Therefore, within this period, and certainly prior to this period, existing restaurants increased seating and covered seating without paying impact fees.

Of course, we now charge impact fees for any change of use or increase of use, which has brought in much extra impact fee revenue in the past year. This is just another example of a new improved policy, and stricter compliance with the Code.

c: Bob Gray
Ron Herron

1/1/94

FOOD ESTABLISHMENT	INSIDE		OUTSIDE COVERED		OUTSIDE		ADDRESS
	TABLE	BARSTOOL	TABLE	BARSTOOL	TABLE	BARSTOOL	
Amy's Philippine 42			* 4/2				#5 KEY TIME 50 Rest. closed - All chairs
Lotsa Pasta 48	48				* 1/6		* says for waiting only
LA Cubanita 39	15 + 19	6					601 Duval
George's Arthur's 86	16			16	54		525 Duval
Gringo's 105	75	14	16				509 1/2 Duval
Bo's -					* 4		* temporary 429 Duval
I Can't Believe I got					(419-C Duval St.)		NO TABLES - (only benches)
Florini							NOT open
FORRESTY HOUSE Don. GIOVANNI 225	78 + 13	BAR 9	12		113		227 Duval
Shirley's 21	27 →	27					215 Duval
Two Pools 38	28	counter 10					211-E Duval
Cuban Coffee 31	17	counter 8			6		512 Greene
El Cacique 74 TNT HATS	57	counter 17					125 Duval
Hot Dog Wagon -					Fold ups 12		* temporary seating
Bagatelle 174	26	6 220W 54 up					115 Duval
La Crepe							closed
YAKITORI 30					* 5x6		* 310 Duval Five picnic benches
Harley Hot Dogs	0						432 Greene Rear

CARD FILE

DRC
Minutes & Comments

Mrs. Domenech-Coogle requested that invasive exotic species be removed.

Mr. Woodson and Mrs. Nicklaus had no comments.

Mr. Craig reviewed staff comments.

3. Lot Split - 4 and 6 Lopez Lane (RE# 00005800-000000 and RE # 00005790-000000) -A lot split per Section 118-169 and a subdivision waiver request per Section 118-66 for properties in the HMDR zoning district of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

Ashley Monnier reviewed the project. She requested that the applicant provide modified pictures as well as a better description of the waiver request.

Ms. Ignaffo, Mr. Woodson, and Mrs. Nicklaus had no comments.

Mrs. Domenech-Coogle requested clarification from the applicant on who was going to maintain ownership of the current trees on the site after the lot split. She added that permits would be needed for any tree removal.

Mrs. Torregrosa stated if a fence was being proposed it would require HARC approval.

Mr. Craig reviewed staff comments.

4. After-the-Fact Variance - 3308 Duck Avenue (RE# 00052960-000500) – An after-the-fact variance request for required building coverage, impervious surface ratio, side yard setback and open space requirements in the SF zoning district per Section 122-270(4)a.(1) and b.(1), Section 122-2706(a.)2, and 108-346(b.) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Christy Moseley, the applicant, presented the after-the-fact Variance.

Brendon Cunningham reviewed the project.

Mr. Averette stated that the setbacks were impeding ingress and egress. He added that the house is too close to the neighboring structure and there would also be fire wall rating concerns. He stated further coordination with the Fire Department would be necessary.

Mr. Woodson stated that a 2 hour fire wall would be necessary.

Mrs. Torregrosa and Mrs. Nicklaus had no comments.

Ms. Ignaffo expressed concern over the depth of the proposed swale.

Mrs. Domenech-Coogle stated that the applicant would need to coordinate with landscaping concerning the swale.

Mr. Craig reviewed staff comments.

5. Modification to a Major Development Plan approval - 512 Greene Street (RE #00001170-000000) - A request for Modifications to a Major Development Plan approval and Conditional Use approved via City Commission Resolution 09-242 to enable a reconfiguration of the parking lot, elimination of an ingress and egress easement and relocation of garbage storage and pick-up areas and to modify conditions associated with the approval to allow outdoor consumption area for property located at 512 Greene Street in the Historic Residential Commercial Core Gulf Side (HRCC-1) zoning district per Section 108-91C(3) and (4) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

Owen Trepanier presented the project.

Mr. Craig asked the applicant if the impervious surface ratio was being reduced below 80% and if a parking variance would be needed. Mr. Trepanier stated that it was not being reduced below 80% and a parking variance would not be needed.

Ms. Ignaffo expressed concerns over setbacks concerning parking spaces.

Mr. Averette and Mr. Woodson had no comments.

Mrs. Torregrosa stated that the date of the HARC meeting where the project was approved should be included in the application. She added that the relocation of the outhouse should be indicated on the plans.

Ms. Ignaffo requested an updated drainage plan from the applicant as well as illuminated parking spaces. She added that the parking lot would need to be a dust-free porous material. Ms. Ignaffo also requested that an ADA accessible path from the parking space be made clear on the plans.

Mrs. Domenech-Coogle requested the dead plants be exchanged for live plants.

Mrs. Nicklaus stated that ADA requires a 44" pathway in front of parking spaces.

Mrs. Torregrosa stated that any lighting changes would need to come before HARC.

Mr. Craig reviewed staff comments and stated that there are currently significant issues in plan changes that need to be submitted back to the DRC, and Coordination with ADA and Engineering is required

6. Request for Subdivision Waiver- 532-534 Margaret (RE Number 00008110-000000) -A request for subdivision waiver in the HNC-2 zoning district per Section 118-66 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Greg Orepeza presented the project.

Ashley Monnier reviewed the project.

Mr. Averette, Mr. Woodson, Mrs. Torregrosa, and Mrs. Nicklaus had no comment.

Ms. Ignaffo asked for clarification on the use of a paved area along Margaret Street. Mr. Orepeza stated that it is a driveway associated with delivery area of the restaurant. She added that all utilities would have to be coordinated.

Mrs. Domenech-Coogle requested that the applicant coordinate with landscaping on the removal of a tree that was previously on the property.

Mr. Craig reviewed staff comments.

7. Easement - 730 Fleming (RE Number 00008670-000000) - A request for easement in the HMDR zoning district per Section 2-938 of the Code of Ordinances of the City of Key West, Florida.

Todd Kemp presented the project.

Ashley Monnier reviewed the project.

Mr. Averette, Mr. Woodson, Ms. Ignaffo, Mrs. Domenech-Coogle, and Mrs. Nicklaus had no comments.



City Of Key West
Planning Department
3140 Flagler Avenue
Key West, Florida 33040

December 30, 2010

Mr. Owen Trepanier
Trepanier & Associates Inc
402 Appelrouth Lane
Key West, Florida 33040

**RE: REVISIONS TO AN APPROVED MAJOR DEVELOPMENT PLAN.
SITE PLAN REVISIONS INCLUDING RELOCATION OF OUTHOUSE,
NEW LANDSCAPE AREAS, WIDENING OF DRIVEWAY,
REORIENTATION OF TRASH AREA, NEW INTERIOR WALKWAY,
CHANGES ON PARKING SPACES
FOR: #512 GREENE STREET - HARC APPLICATION # H10-01-703
HISTORIC DISTRICT OF KEY WEST**

Dear Mr. Trepanier:

This letter is to notify you that the Key West Historic Architecture Review Commission **approved** your request for demolition and design for the above mentioned project on the public hearing held on Tuesday, December 14, 2010. The Commission decision was based on the documents submitted and your presentation.

You may now apply for the necessary permits. Should you have any questions, please do not hesitate to contact me at your convenience.

On behalf of the Historic Architectural Review Commission of our City, thank you for your interest in the preservation of Key West historic heritage.

Sincerely:

A handwritten signature in black ink, appearing to read "Enid Torregrosa", is written over a horizontal line.

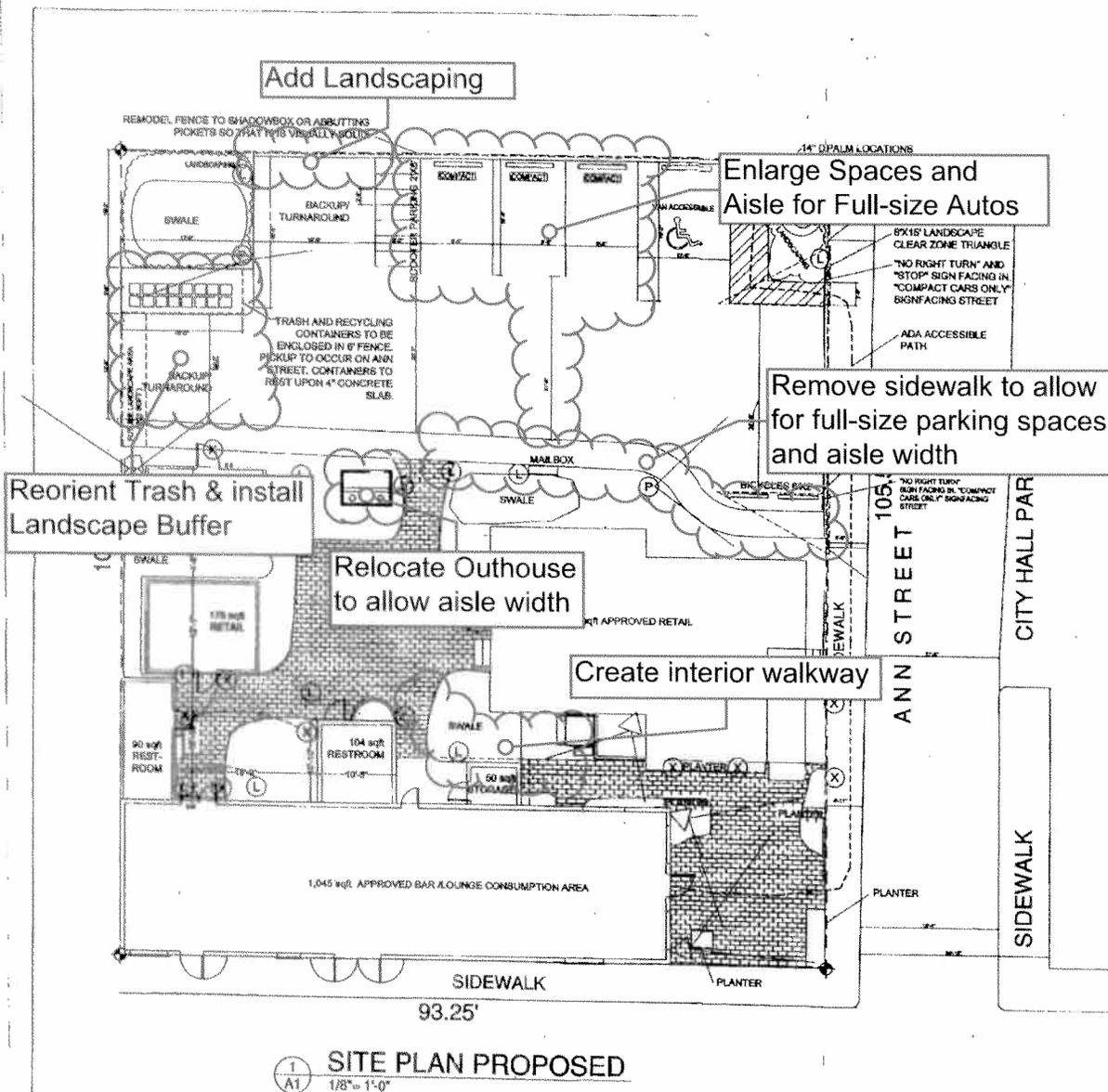
Enid Torregrosa, MSHP
Historic Preservation Planner
City Of Key West
3140 Flagler Avenue
Key West, Florida 33040

305.809.3973

etorregr@keywestcity.com

Proposed Changes
Site Plan

Previous Proposed Site Plan
Depicting Areas of Proposed
Change



1 SITE PLAN PROPOSED
A1 1/8" = 1'-0"



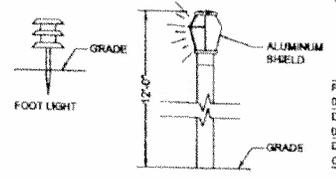
Carlos O. Rojas, AIA
AIA 00016754
440 W. W. 8th St.
Key West, FL 33040
(305) 293-4870
TheArchitect.com

Revisions

05/02/10
05/19/10
08/29/10

LIGHTING NOTE:
POLE LIGHTS AND LOW VOLTAGE LIGHTING TO BE ON DIMMER TO DIMMER TIMER OR DIMMER SWITCH.
SECURITY LIGHTS TO BE ON DIMMER TO DIMMER SWITCH.
DOWN LIGHTS ARE TO BE ON MANUAL SWITCH.

SYMBOL	DESCRIPTION
(L)	LOW VOLTAGE FOOTLIGHT
(S)	LIMITED DIRECTION SECURITY LIGHT ON 12' POLE
(D)	DIRECTIONAL SECURITY LIGHT MOUNTED AT 8' ON BUILDING
(X)	DOWN LIGHT MOUNTED AT 8' ON BUILDING TO ILLUMINATE DOORWAY OR SIGN

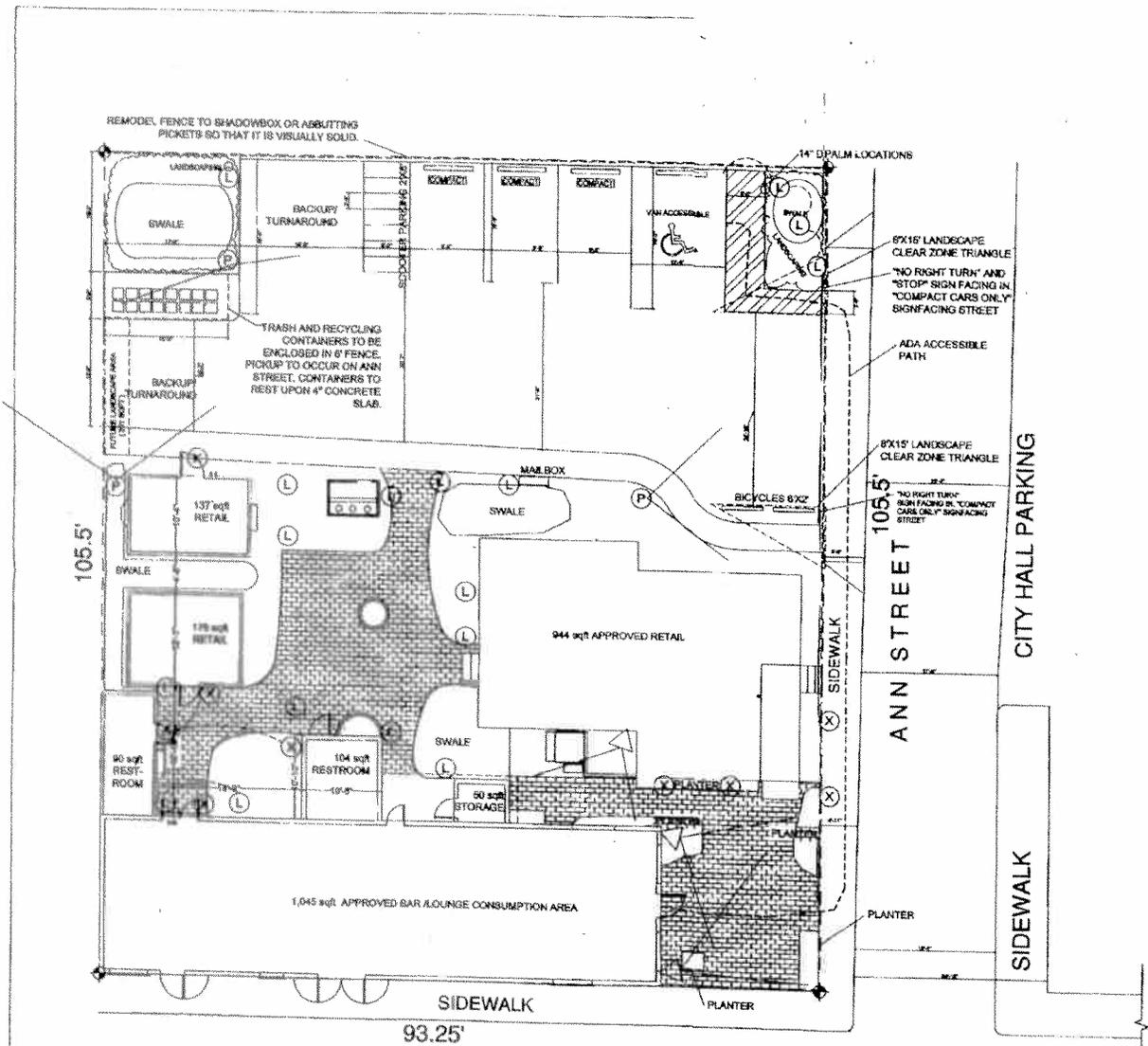


Carlos O. Rojas, AIA
512 Greene Street
Key West, Florida 33040

Project Number/
09512387
Date
02/24/10
Drawn By
COR

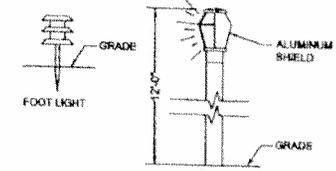
A1





LIGHTING NOTE:
 POLE LIGHTS AND LOW VOLTAGE LIGHTING TO BE ON DARK TO DARK TIMER OR ADJUST DIMMABLE SWITCH.
 SECURITY LIGHTS TO BE ON DARK TO DARK TIMER SWITCH.
 DOWN LIGHTS ARE TO BE ON MANUAL SWITCH.

LIGHTING LEGEND	
SYMBOL	DESCRIPTION
(L)	LOW VOLTAGE FOOTLIGHT
(L)	LIMITED DIRECTION SECURITY LIGHT ON 12' POLE
(L)	DIRECTIONAL SECURITY LIGHT MOUNTED AT 8' ON SIDE POLE
(L)	DOWN LIGHT MOUNTED AT 8' OR HIGHER TO ILLUMINATE DOORWAY OR SIGN



Carlos O. Rojas, AIA
 ARCHITECT
 845 WHITE STREET
 KEY WEST, FL 33040
 (305) 283-4870
 cros@carlosrojas.com

Revisions
 05/02/10
 05/18/10
 05/27/10

Carlos O. Rojas, AIA
 512 Greene Street
 Key West, Florida 33040

Project Number: 09512GR
 Date: 02/24/10
 Drawn By: COR

A1

HISTORICAL ARCHITECTURAL
 REVIEW COMMISSION
 DEC 14 2010
 Approved.

1 SITE PLAN PROPOSED
 A1 1/8" = 1'-0"

HISTORICAL ARCHITECTURAL
 REVIEW COMMISSION
 #10-01-703





RECEIVED
May 17, 2011
KW Planning Dpt

CITY OF KEY WEST

TREE PERMIT

Permit# 5730 Date Issued 05/11/11

Address 512 Greene Street

This is to certify that 512 Greene Street/LLC/Native Landscape Design

has permission to Transplant trees, palms and shrubs as per plans. All remaining trees shall be protected during construction by fencing and an ISA Certified Arborist shall be on site during ground work within dripline of all trees. All transplanted trees, palms and shrubs shall have a minimum (1) year survivability or replace with like. All plants shall be planted according to current 'Best Management Practices'. Call Landscape office for tree replacement inspection. All replacement trees shall be maintained as trees in perpetuity.

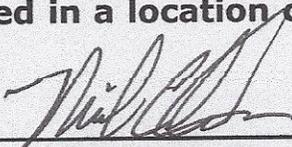
as per application approved 05/09/11

The person accepting this permit shall conform to the terms of the application on file in the office of the Tree Commission of Key West. All work shall conform to the requirements of the Code of Ordinances of the City of Key West, Chapter 110-Article VI. Tree Protection.

This Tree Permit is effective for 6 months from the date issued.

IMPORTANT NOTICE

This card must be posted in a location clearly visible from the street and in a protected covering.

APPROVED BY 
Niels Weise, chair

(305)809-3764
City of Key West
Tree Commission
PO Box 1409
Key West, FL 33040

Property Appraiser Information

Karl D. Borglum
Property Appraiser
Monroe County, Florida

office (305) 292-3420
fax (305) 292-3501

Property Record View

Alternate Key: 1001198 Parcel ID: 00001170-000000

Ownership Details

Mailing Address:

512 GREENE STREET LLC
525 CAROLINE ST
KEY WEST, FL 33040

Property Details

PC Code: 12 - STORE/OFF/RES OR COMBINATION

Millage Group: 10KW

Affordable Housing: No

**Section-Township-
Range:** 06-68-25

Property Location: 512 GREENE ST KEY WEST
201/205 ANN ST KEY WEST

Legal Description: KW PT LOT 3 SQR 13 G67-20 OR781-772D/C OR992-397L/E OR1496-911D/C OR2093-1382/83P/R OR2218-2069/71 OR2391-642/45 OR2391-646/47 OR2405-785/86
OR2412-2463/64C-Q/C

Parcel Map



Land Details

Land Use Code	Frontage	Depth	Land Area
100D - COMMERCIAL DRY	0	0	9,838.00 SF

Building Summary

Number of Buildings: 2
Number of Commercial Buildings: 1
Total Living Area: 2382
Year Built: 1928

Building 1 Details

Building Type	Condition P	Quality Grade 400
Effective Age 30	Perimeter 224	Depreciation % 40
Year Built 1928	Special Arch 0	Grnd Floor Area 1,440
Functional Obs 0	Economic Obs 0	

Inclusions:

Roof Type
Heat 1
Heat Src 1

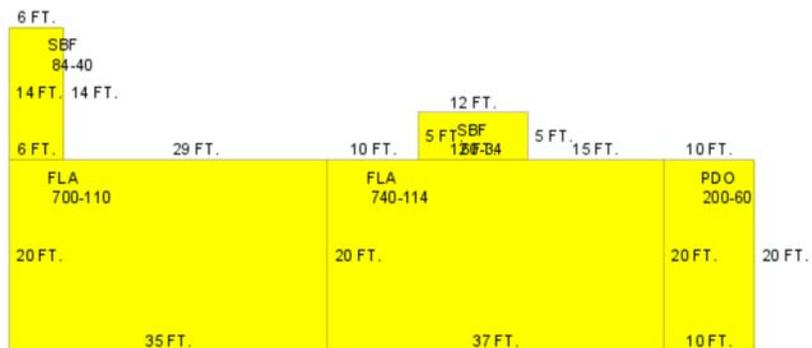
Roof Cover
Heat 2
Heat Src 2

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 10

Vacuum 0
Garbage Disposal 0
Compactor 0
Security 0
Intercom 0
Fireplaces 0
Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	FLA		1	1984				740
2	SBF		1	1984				60

3	FLA	1	1984	700
4	SBF	1	1984	84
5	PDO	1	1999	200

Interior Finish:

Section Nbr	Interior Finish Nbr	Type	Area %	Sprinkler	A/C
	430	RESTRNT/CAFETR-D-	100	N	N
	431	SBF	100	N	N
	432	1 STY STORE-D	100	N	N
	433	SBF	100	N	N

Exterior Wall:

Interior Finish Nbr	Type	Area %
147	AVE WOOD SIDING	100

Building 2 Details

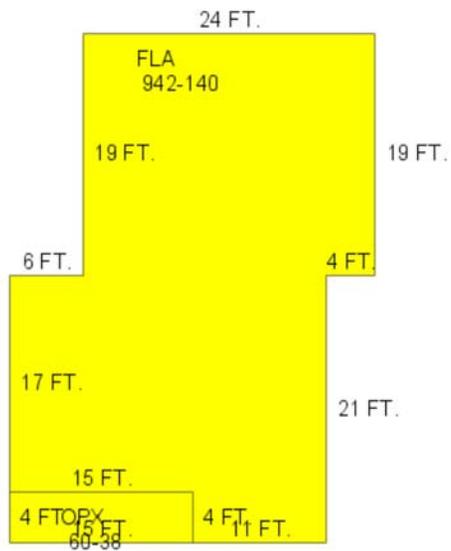
Building Type R1	Condition A	Quality Grade 500
Effective Age 30	Perimeter 140	Depreciation % 36
Year Built 1933	Special Arch 0	Grnd Floor Area 942
Functional Obs 0	Economic Obs 0	

Inclusions: R1 includes 1 3-fixture bath and 1 kitchen.

Roof Type GABLE/HIP	Roof Cover METAL	Foundation WD CONC PADS
Heat 1 CONVECTION	Heat 2 NONE	Bedrooms 2
Heat Src 1 ELECTRIC	Heat Src 2 NONE	

Extra Features:

2 Fix Bath 0	Vacuum 0
3 Fix Bath 0	Garbage Disposal 0
4 Fix Bath 0	Compactor 0
5 Fix Bath 0	Security 0
6 Fix Bath 0	Intercom 0
7 Fix Bath 0	Fireplaces 0
Extra Fix 0	Dishwasher 0



Sections:

Nbr	Type	Ext Wall	# Stories	Year Built	Attic A/C	Basement %	Finished Basement %	Area
1	FLA	12:ABOVE AVERAGE WOOD	1	1932	N N	0.00	0.00	942
2	OPX		1	1932	N N	0.00	0.00	60

Misc Improvement Details

Nbr	Type	# Units	Length	Width	Year Built	Roll Year	Grade	Life
1	PT2:BRICK PATIO	200 SF	0	0	1975	1976	2	50
2	CL2:CH LINK FENCE	912 SF	152	6	1975	1976	1	30
3	CL2:CH LINK FENCE	318 SF	53	6	1975	1976	2	30
4	FN2:FENCES	147 SF	0	0	1975	1976	2	30

5	UB2:UTILITY BLDG	459 SF	27	17	1979	1980	3	50
6	AC2:WALL AIR COND	1 UT	0	0	1993	1994	2	20
7	PT3:PATIO	72 SF	0	0	1987	1988	1	50
8	FN2:FENCES	90 SF	30	3	1996	1997	2	30

Appraiser Notes

2002-12-20 - 5 TRANSIENT RENTAL UNITS. BCS KOZUCHI/CONCH REP CIGAR TPP 8886438 - CONCH REPUBLIC CIGAR FACTORY.

Building Permits

Bldg	Number	Date Issued	Date Completed	Amount	Description	Notes
	09-1405	05/14/2009	03/29/2010	125		REMOVE CHAIN LINK FENCE ONLY
	09-00004291	12/18/2009	03/29/2010	2,000		HURRICANE SHUTTERS
	09-4104	11/30/2009	03/29/2010	5,935	Commercial	INSTALL ALARM SYSTEM AND SECURITY CAMERAS
	09-00002154	01/11/2010	02/27/2010	2,300		REMOVE 93 LF OF CHN LNK FENCE AND REPLACE WITH 83 LF OF 6' PICKET AND 10 LF OF 4' PICKET
	10-00000047	01/11/2010	03/29/2010	100	Commercial	ENCLOSE HVAC EQUIPMENT IN 42" W PICKET RAILING ON ROOF* ENCLOSE COOLING EQUIPMENT W/LOUVERED FENCE BEHIND BUILDING
	09-00004199	12/10/2009	03/29/2010	4,400		SIGNAGE
	09-00004244	12/16/2009	03/29/2010	500	Commercial	SWALE DRAINS
	09-4103	11/30/2009	03/29/2010	1,000		WIRE 8 SPEAKERS AND 3 DATA LINES FOR CASH REGISTERS
	09-00003482	10/20/2009	03/29/2010	1,300	Commercial	ADD SET OF DOORS AND ONE WINDOW OPENING WITH DECORATIVE SHUTTERS BOARD & BATTEN ON WALLS
	09-00003833	11/12/2009	03/29/2010	6,300	Commercial	REMOVE EXISTING V-CRIMP AND REPLACE. INSTALL MOD RUBBER AND REPAIR DAMAMGED V-CRIMP AND FLASHING
	09-00003363	10/15/2009	03/29/2010	18,900	Commercial	ADA PARKING SPACE. PAVERS IN OPEN SPACE ADJACENT TO PARKING LOT.
	09-00004467	01/15/2010	03/29/2010	700	Commercial	HOOK UP REFRIGERATION EQUIPMENT
1	09-00004047	11/25/2009	03/29/2010	12,000	Commercial	INSTALLATION OF 7.5 TON AHV AND TWO 3.0 TON CONDENSORS. SINGLE TRUNK LINE OF DUCTWORK WITH RUN DOWN THE RIGHT SIDE OF CONDITIONED SPACE
	03-2097	06/18/2003	12/02/2003	200		ELECTRIC
	B932839	10/01/1993	12/01/1994	3,000		REPAIRS
	B932840	10/01/1993	12/01/1994	3,000		RENOVATIONS
	9601157	03/01/1996	06/01/1996	550		RENOVATIONS
	9701973	06/01/1997	07/01/1997	700		REMOVE DRYWALL/DEBRIS

9702200	07/01/1997	07/01/1997	1,800	ALTERATIONS
9800440	02/18/1998	01/01/1999	350	INSTALL NEW BAR SINK
9703831	12/11/1997	01/01/1999	1,800	REPLACE 1001 SF FT ROOF
9800366	03/03/1998	01/01/1999	700	INSTALL WINDOW OPENING
9801137	04/24/1998	01/01/1999	1,200	INSTALL OVAL AWNING
0000664	03/15/2000	11/29/2001	10,000	16 SQS V-CRIMP
0102604	07/20/2001	11/29/2001	200	PAINT BUILDING
02-1545	06/11/2002	09/05/2002	1,780	FIRE ALARM SYSTEM
03-2097	06/18/2003	12/02/2003	200	ELECTRICAL
03-2719	08/12/2003	12/02/2003	400	REPLACED EXISTING AWEINGS
03-3013	08/28/2003	12/02/2003	10,000	REPLACED V CRIMP ROOFING
03-2101	06/17/2003	12/02/2003	1,500	INTERIOR PLUMBING

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
2010	187,321	5,992	740,264	933,577	933,577	0	933,577
2009	188,579	6,194	787,383	982,156	982,156	0	982,156
2008	189,838	6,394	2,216,010	2,412,242	2,412,242	0	2,412,242
2007	166,476	5,677	2,216,010	2,388,163	2,388,163	0	2,388,163
2006	171,705	5,842	836,230	1,013,777	1,013,777	0	1,013,777
2005	165,144	6,062	794,419	965,625	965,625	0	965,625
2004	145,672	6,287	590,280	337,064	337,064	0	337,064
2003	145,672	6,506	609,956	337,064	337,064	0	337,064
2002	99,145	6,726	609,956	321,013	321,013	0	321,013
2001	96,228	7,700	609,956	321,013	321,013	0	321,013
2000	96,228	4,924	413,196	291,804	291,804	0	291,804
1999	82,789	5,085	413,196	291,804	291,804	0	291,804
1998	64,269	5,245	413,196	291,804	291,804	0	291,804
1997	62,985	5,290	393,520	291,804	291,804	0	291,804

1996	59,594	5,446	393,520	291,804	291,804	0	291,804
1995	64,247	5,051	393,520	355,880	355,880	0	355,880
1994	64,247	4,706	393,520	355,880	355,880	0	355,880
1993	64,488	4,844	393,520	221,308	221,308	0	221,308
1992	64,488	4,986	393,520	221,308	221,308	0	221,308
1991	64,488	5,123	393,520	221,308	221,308	0	221,308
1990	53,567	854	346,790	221,308	221,308	0	221,308
1989	53,504	885	344,330	221,308	221,308	0	221,308
1988	46,449	543	238,572	214,089	214,089	0	214,089
1987	45,691	561	150,644	196,896	196,896	0	196,896
1986	45,897	582	147,570	194,049	194,049	0	194,049
1985	62,539	600	106,250	169,389	169,389	0	169,389
1984	48,338	926	106,250	155,514	155,514	0	155,514
1983	48,338	926	64,077	113,341	113,341	0	113,341
1982	43,231	926	56,782	100,939	100,939	0	100,939

Parcel Sales History

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

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
5/4/2009	2412 / 2463	100	<u>QC</u>	<u>11</u>
3/9/2009	2405 / 785	100	<u>QC</u>	<u>11</u>
12/5/2008	2391 / 642	1,300,000	<u>WD</u>	<u>Q</u>

This page has been visited 16,597 times.

Monroe County Property Appraiser
Karl Borglum
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., July 21, 2011 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:

Modifications to a Major Development Plan and Conditional Use approval - 512 Greene Street (RE 00001170-000000) - A request for Modifications to a Major Development Plan and Conditional Use approval via City Commission Resolution 09-242 to enable a reconfiguration of the parking lot, elimination of an ingress and egress easement and relocation of garbage storage and pick-up areas and to modify conditions associated with the approval to allow outdoor consumption area for property located at 512 Greene Street in the Historic Residential Commercial Core Gulf Side (HRCC-1) zoning district per Section 108-91C(3) and (4) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

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.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Request: Modifications to a Major Development Plan and Conditional Use approval - 512 Greene Street (RE 00001170-000000) - A request for Modifications to a Major Development Plan and Conditional Use approval via City Commission Resolution 09-242 to enable a reconfiguration of the parking lot, elimination of an ingress and egress easement and relocation of garbage storage and pick-up areas and to modify conditions associated with the approval to allow outdoor consumption area for property located at 512 Greene Street in the Historic Residential Commercial Core Gulf Side (HRCC-1) zoning district per Section 108-91C(3) and (4) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Applicant: Trepanier & Associates **Owner:** 512 Greene Street, LLC; Peter Brawn, Managing Member
Project Location: 512 Greene **Date of Hearing:** Thursday, July 21, 2011
Time of Hearing: 6:00 PM **Location of Hearing:** Old City Hall, City Commission Chambers, 510 Greene

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm. **Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas.**

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email ccowart@keywestcity.com .

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA ASSISTANCE: If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the ADA Coordinator at 305-809-3951 between the hours of 8:00 a.m. and 5:00 p.m., or information on access available to individuals with disabilities. To request materials in accessible format, a sign language interpreter or other assistance (5 days advance notice required), please call 305-809-1000 for assistance.

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512 Greene

- Legend
- theBuffer
 - theBufferTarget
 - Real Estate Number
 - Parcel Lot Text
 - Block Text
 - Hooks/Leads
 - Lot Lines
 - Easements
 - Road Centerlines
 - Water Names
 - Parcels
 - Shoreline
 - Section Lines



PALMIS

Monroe County Property Appraiser
500 Whitehead Street
Key West, FL

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.

Date Created: July 11, 2011 2:30 PM

NAME	ADDRESS	CITY	STATE	ZIP	COUNTRY
STOERBACK MICHELLE AND JOHN	1 WICKS LN	SAINT JAMES	NY	11780	
SLOPPY JOE'S ENTERPRISES INC	101 ANN STREET	KEY WEST	FL	33040	
HAYES PAUL N	1075 DUVAL ST	KEY WEST	FL	33040	
HUNTER BRUCE	1075 DUVAL ST	KEY WEST	FL	33040	
GROSSCUP WILLIAM R CAPT	13 HILTON HAVEN RD	KEY WEST	FL	33040	
220 SIMONTON STREET LLC	1413 SOUTH ST	KEY WEST	FL	33040	
G AND S KEY WEST LLC	20 AZALEA DR	KEY WEST	FL	33040	
SLOPPY JOE'S ENTERPRISES INC	201 DUVAL ST	KEY WEST	FL	33040	
HISTORIC TOURS OF AMERICA INC	201 FRONT ST STE 224	KEY WEST	FL	33040	
KEY WEST HAND PRINT FABRICS LTD	201 FRONT ST STE 310	KEY WEST	FL	33040	
RAMLO CONSTRUCTION CORPORATION	209 DUVAL STREET	KEY WEST	FL	33040	
CARLSON 1989 TRUST DTD 10/26/89 TRUST A	219 ANN ST	KEY WEST	FL	33040	
CARLSON DOREEN V TRUSTEE	219 R ANN ST	KEY WEST	FL	33040	
511 GREENE STREET LLC	219 SIMONTON ST	KEY WEST	FL	33040	
SCHULTZ KENNETH H AND ANGEL-SCHULTZ DEBORAH L H/W	219 SIMONTON ST	KEY WEST	FL	33040	
221 SIMONTON LLC	221 SIMONTON STREET	KEY WEST	FL	33040	
KEY WEST 07 LLC	231 SW 12TH AVE	POMPANO BEACH	FL	33069	
TEMECULA ENTERPRISES LLC	3624 SUNRISE DR	KEY WEST	FL	33040	
TIITF	3900 COMMONWEALTH BLVD	TALLAHASSEE	FL	32399	
211 DUVAL COMPANY	423 FRONT ST	KEY WEST	FL	33040	
121 DUVAL COMPANY	423 FRONT ST STE 2	KEY WEST	FL	33040	
135 DUVAL COMPANY	423 FRONT ST STE 2	KEY WEST	FL	33040	
ANN STREET LLC	4750 CAMP ROOSEVELT DR	CHESAPEAKE BEACH	MD	20732	
SK LAND COMPANY	500 FLEMING STREET	KEY WEST	FL	33040	
FOSTER WILLIAM AND BARBARA	504 S LAKE DRIVE	LANTANA	FL	33462	
SPOTTSWOOD PARTNER II LTD	506 FLEMING ST	KEY WEST	FL	33040	
AMSTERDAM EDITH REV TR 3/14/94	511 CAROLINE ST	KEY WEST	FL	33040	
ANN STREET PROPERTIES LLC	512 FRONT ST	KEY WEST	FL	33040	
223 ANN STREET LLC	525 CAROLINE ST	KEY WEST	FL	33040	
512 GREENE STREET LLC	525 CAROLINE ST	KEY WEST	FL	33040	
525 CAROLINE STREET LLC	525 CAROLINE ST	KEY WEST	FL	33040	
CYPRESS HOUSE INC	601 CAROLINE STREET	KEY WEST	FL	33040	
221 DUVAL STREET LLC	7705 SE 34TH ST	MERCER ISLAND	WA	98040	
DEPOO AGNES H L/E	P O BOX 1234	KEY WEST	FL	33041	
TIKAL REAL ESTATE HOLDING II LLC	P O BOX 1778	KEY WEST	FL	33041	
KEY WEST MJM INVESTMENTS INC	P O BOX 403353	MIAMI BEACH	FL	33140	
MAJOR PATRICIA T	PO BOX 14	KEY WEST	FL	33041	
KEY WEST MJM INVESTMENTS INC	PO BOX 403353	MIAMI BEACH	FL	33140	