

Application

Application for Exception for Outdoor Merchandise Display
City of Key West Planning Department
604 Simonton Street, Key West, FL 33040
(305) 809-3720



(Pursuant to Section 106-51 & 52 City of Key West Land Development Regulations)

Please fill out this application as completely as possible. This will help our staff to process your request quickly and obtain necessary information without delay. If you have any questions please call 305.809.3720 to schedule an appointment with a Planner.

Applicants Name Duval Village / JOHN LEPOUSKI

Address of Proposed Display 111 Duval St.

RE# of Property _____

Business Name Duval Village

Business Address 111 Duval St.

Applicants Mailing Address Same

Telephone 305 942 1571 Fax # 305 293 9566

Name of Property Owner ELI JEAN

Mailing Address 111 Duval St., Key West, FL 33040

Telephone 786.554.0169 Fax # 305.293.9566

This application is for: (check those which apply)

Advertising Display only Conducting business

Located in or on:

a porch, patio, or other attached portion of an adjacent permanent structure.

an arcade, gazebo, or other temporary structure.

a cart or movable booth. (Must have received or obtained HARC approval)

a portable table, rack, or other non-permanent equipment.



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Describe the Specific Merchandise to be Displayed and Business Conducted.

There is multiple merchandise being sold from gifts, jewelry, clothing, drinks, christmas ornaments, and hats.

Describe the Structure and Equipment used in the Display in Detail, Including any Seating.

There kiosks, booths, small stores, small bar, and sporadic seating around the area. Including trash outlets and a restroom for customers.

How far is the display from the street? *displays start at Street View-7'*

How far is the display from the sidewalk? *displays are up to the sidewalk*

Length of time exception will be needed (no more than 60 months) *60 months*

YOU MUST DO THE FOLLOWING BEFORE YOUR APPLICATION IS COMPLETE:

- 1. PROVIDE FEE OF \$100.00. THERE ARE ADDITIONAL FEES OF \$50.00 FOR FIRE DEPARTMENT REVIEW AND \$100.00 FOR ADVERTISING AND NOTICING. MAKE CHECKS OUT TO CITY OF KEY WEST.**
- 2. ATTACH A PHOTOGRAPH AND SKETCH OF LOCATION ON PROPERTY.**
- 3. RETURN APPLICATION AND REQUESTED ITEMS TO CITY OF KEY WEST PLANNING DEPARTMENT AT 605-A SIMONTON ST., KEY WEST, FL 33040**

The information furnished above is true and accurate to the best of my knowledge.

Signature _____

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke.

Date _____

SEPT. 1, 2010

STAFF COMMENTS: (BOA MEETING DATE _____)

Verification Form

Verification Form

Please note, Planning Board meetings and Board of Adjustment hearings are quasi-judicial proceedings and it is improper to speak to a Planning Board or Board of Adjustment Member about the request outside of the hearing.

This form should be completed by the applicant. Where appropriate, please indicate whether applicant is the owner or a legal representative. If a legal representative, please have the owner(s) complete the following page, "Authorization Form."

I, JOHN LEPousKI, being duly sworn, depose and say
Name(s) of Applicant(s)

that: I am (check one) the Owner Owner's Legal Representative
for the property identified as the subject matter of this application:

Duval Village, 111 Duval St., Key West, FL. 33040.
Street Address and Commonly Used Name (if any)

All of the answers to the above questions, drawings, plans and any other attached data which make up 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.

[Signature] Signature of Owner/Legal Representative _____ Signature of Joint/Co-owner

Subscribed and sworn to (or affirmed) before me on _____ (date) by
_____ (name). He/She is personally known to me or has
presented _____ as identification.

Notary's Signature and Seal

Name of Acknowledger typed, printed or stamped

Title or Rank _____ Commission Number (if any)



Survey

MAP OF BOUNDARY SURVEY LOT 3, SQUARE 7 WILLIAM A. WHITEHEAD'S MAP



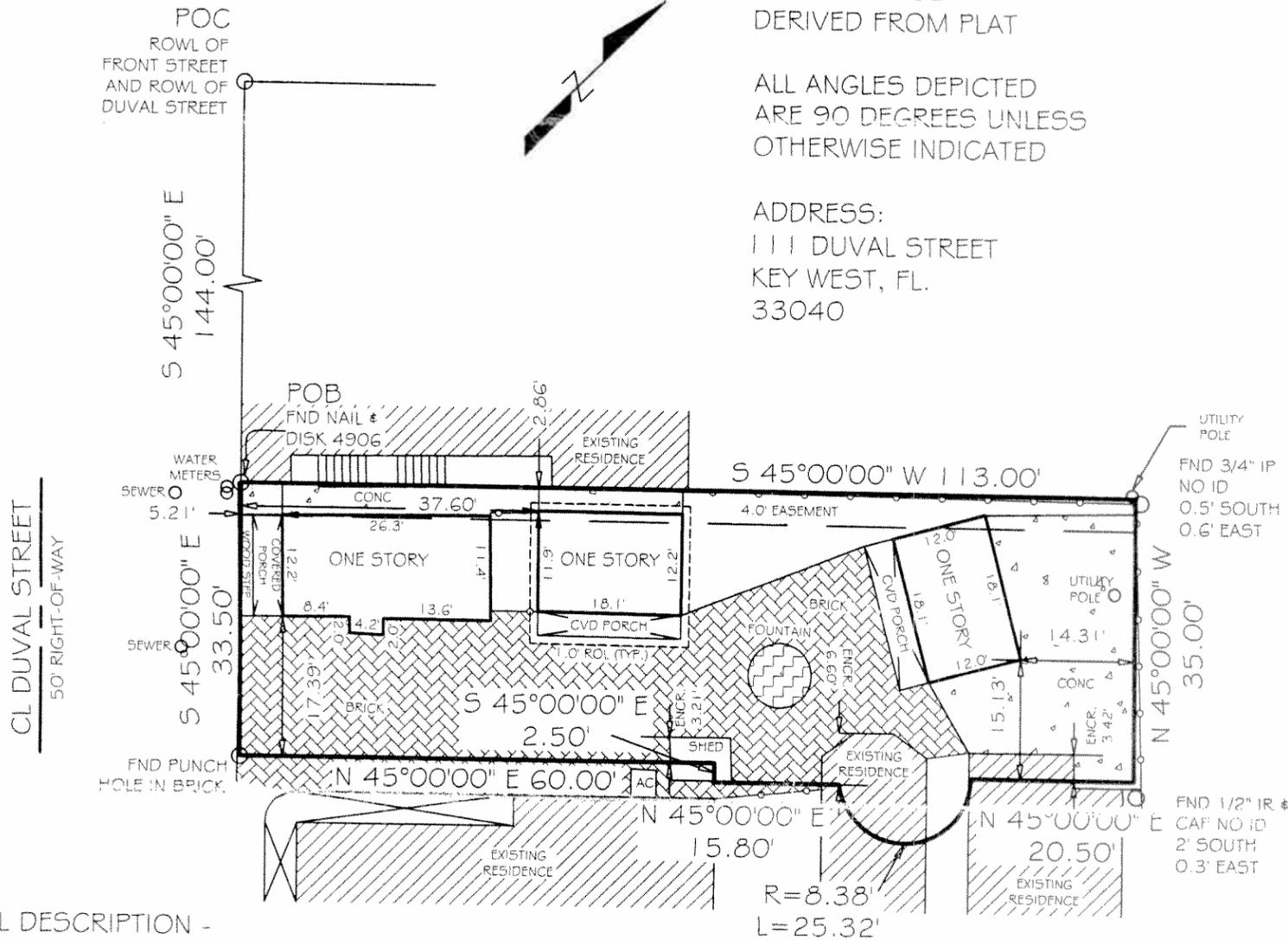
LOCATION MAP - N.T.S.

SCALE: 1" = 20'

BEARING BASE:
DERIVED FROM PLAT

ALL ANGLES DEPICTED
ARE 90 DEGREES UNLESS
OTHERWISE INDICATED

ADDRESS:
111 DUVAL STREET
KEY WEST, FL.
33040



LEGAL DESCRIPTION -

Part of Lot 3, Square 7, according to Willam A. Whitehead's Map of the Island of Key West, delineated in February A.D. 1829, and more particularly described as follows:

COMMENCE at the Intersection of the Southeasterly Right-of-Way line of Front Street and the Northeasterly Right-of-Way line of Duval Street; thence S 45°00'00" E along the said Northeasterly Right-of-Way Line of Duval Street for 144.00 feet to the Point of Beginning; thence contine S 45°00'00" E along said Northeasterly Right-of-Way Line of Duval Street for 33.50 feet; thence N 45°00'00" E for 60.00 feet; thence S 45°00'00" E for 2.5 feet; thence N 45°00'00" E for 15.80 feet to a point on a curve, with the senter of said curve bearing N 38°08'46" E thence in an Easterly, Northeasterly and Northerly direction along the said curve, having for its elements a radius of 8.38 feet and a central angle of 173°08'46" for 25.32 feet; thence N 45°00'00" E for 20.50 feet; thence N 45°00'00" W for 113.00 feet to the said Northeasterly Right-of-Way Line of Duval Street, and the Point of Beginning.

SUBJECT TO:

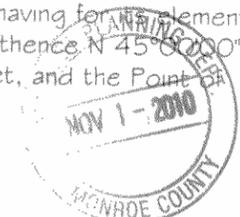
A 4 foot easement along the length of the adjoining real property known as "Howie's Lounge" which shall be exclusively used for scavenger service and storage. Purchasers shall be entitled to plant shrubs and other plants (plants) along the easement but no structure or parking of vehicles shall be allowed where the easement exists.

SUBJECT TO:

Easement Agreement dated August 10, 1987 from Ralph B. Jess and Kathenne F. Jess to Duval Street Properties, Inc. granting easement for the sole purpose of pedestrian ingress and egress for delivery purposes only.

REVISIONS:

- 1. 4-12-05: EASEMENT DESCRIPTIVE ADDED - DH



NOTE: LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HIS/HER REPRESENTATIVE. PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAPS OR HIATUS.

FOUNDATIONS BENFATH THE SURFACE ARE NOT SHOWN. MEASURED DIMENSIONS EQUAL PLATTED OR DESCRIBED DIMENSIONS UNLESS INDICATED OTHERWISE

THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS SHEET:

- | | | |
|---------------------------|--|--------------------------------|
| DELTA = CENTRAL ANGLE | IP = IRON PIPE | PRC = POINT OF REVERSE CURVE |
| ASPH = ASPHALT | IR = IRON ROD | PRM = PERMANENT REFERENCE MARK |
| A = ARC LENGTH | MEAS = MEASURED | RT = POINT OF TANGENT |
| CL = CENTERLINE | NGVD = NATIONAL GEODETIC VERTICAL DATUM (1929) | R = RADIUS |
| CM = CONCRETE MONUMENT | NTS = NOT TO SCALE | RES = RESIDENCE |
| CONC = CONCRETE | PC = POINT OF CURVE | ROI = ROOF OVERHANG LINE |
| CVRD = COVERED | PCC = POINT OF COMPOUND CURVE | ROW = RIGHT OF WAY |
| DEASE = DRAINAGE EASEMENT | PCP = PERMANENT CONTROL POINT | EQW = TYPICAL |
| EL = ELEVATION | PK = PARKER KALON NAIL | UEASE = UTILITY EASEMENT |
| ENCL = ENCLOSURE | PL = PROPERTY LINE | UP = UTILITY POLE |
| ENCR = ENCROACHMENT | POB = POINT OF BEGINNING | WM = WATER METER |
| EOP = EDGE OF PAVEMENT | POI = POINT OF INTERSECTION | |
| FF = FINISHED FLOOR | POC = POINT OF COMMENCEMENT | |
| FI = FENCE INSIDE | | |
| FND = FOUND | | |
| FO = FENCE OUTSIDE | | |
| FOL = FENCE ON LINE | | |

CERTIFIED TO -

LA MER ENTERPRISES, INC., A FLORIDA CORPORATION
COMMERCIAL BANK OF FLORIDA, its successors and/or assigns
JO ANN ABRAMS, ATTORNEY AT LAW
LINDA ROTH-CORTINA, P.A.
ATTORNEYS TITLE INSURANCE FUND, INC.

LEGAL DESCRIPTION -

SEE ABOVE

SCALE:	1" = 20'
FIELD WORK DATE	03/30/05
REVISION DATE	04/12/05
SHEET	1 OF 1
DRAWN BY	DDD
CHECKED BY	RR
INVOICE NO.:	5031614

I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-6, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES. THIS SURVEY, WHEN SCHEDULE B HAS BEEN PROVIDED MEETS THE PROVISIONS OF FLORIDA ENDORSEMENT FORM 9, SUBPARAGRAPH 1(B) 1 (SETBACKS), 1(B)3(ENCROACHMENTS), 1(B)4(EASEMENTS). SCHEDULE "B" HAS BEEN PROVIDED.

Robert E. Reece

SIGNED

ROBERT E. REECE, PSM #5632, PROFESSIONAL SURVEYOR AND MAPPER, LB #6884

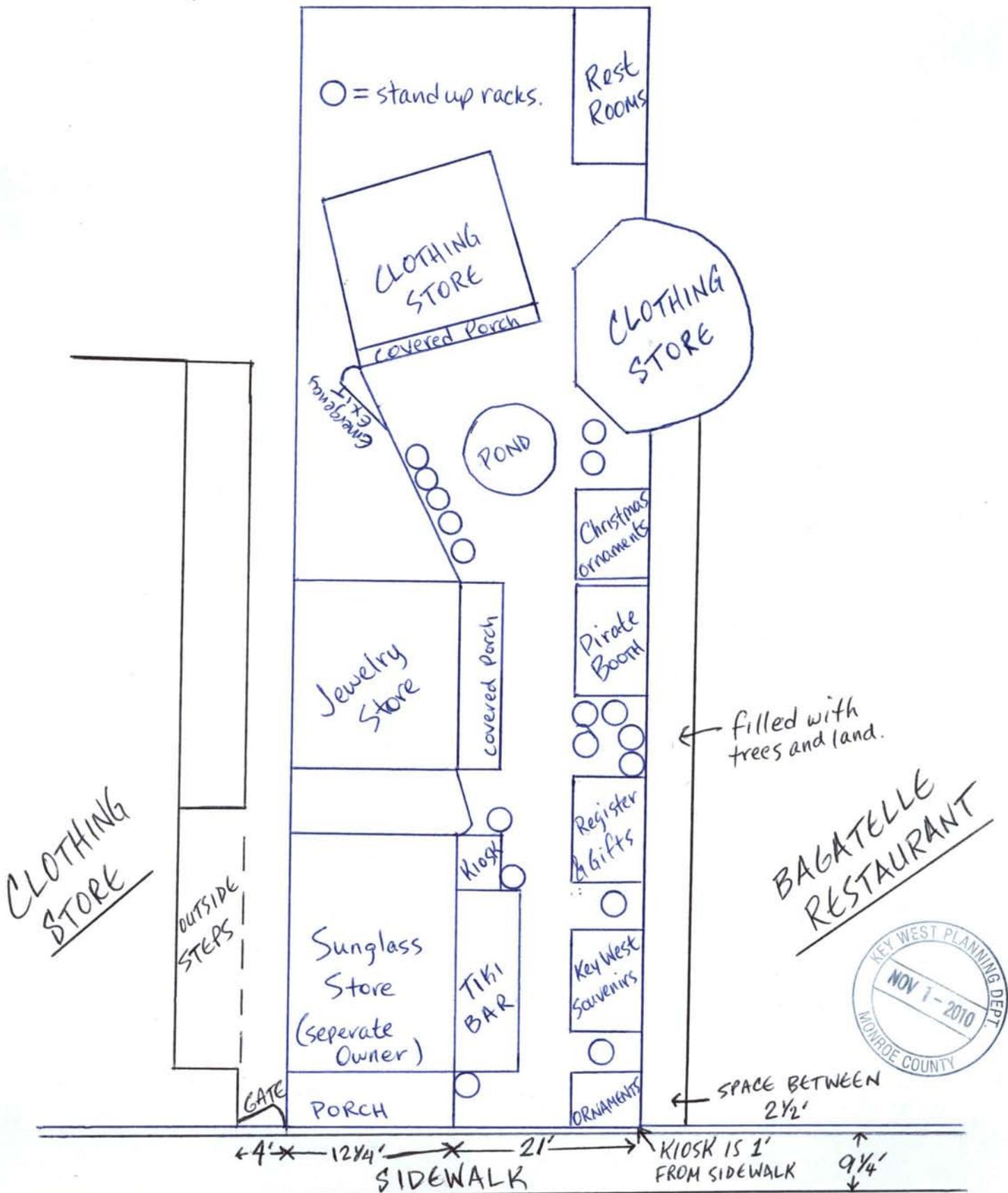
NOT VALID WITHOUT THE SIGNATURE AND THE RAISED SEAL OF A FLORIDA SURVEYOR AND MAPPER

R.E. REECE, P.A.
PROFESSIONAL SURVEYOR AND MAPPER

30364 QUAIL ROOST TRAIL, BIG PINE KEY, FL 33043
OFFICE (305) 872 - 1348
FAX (305) 872 - 5622

Site Plans

Duval Village 111 Duval Street

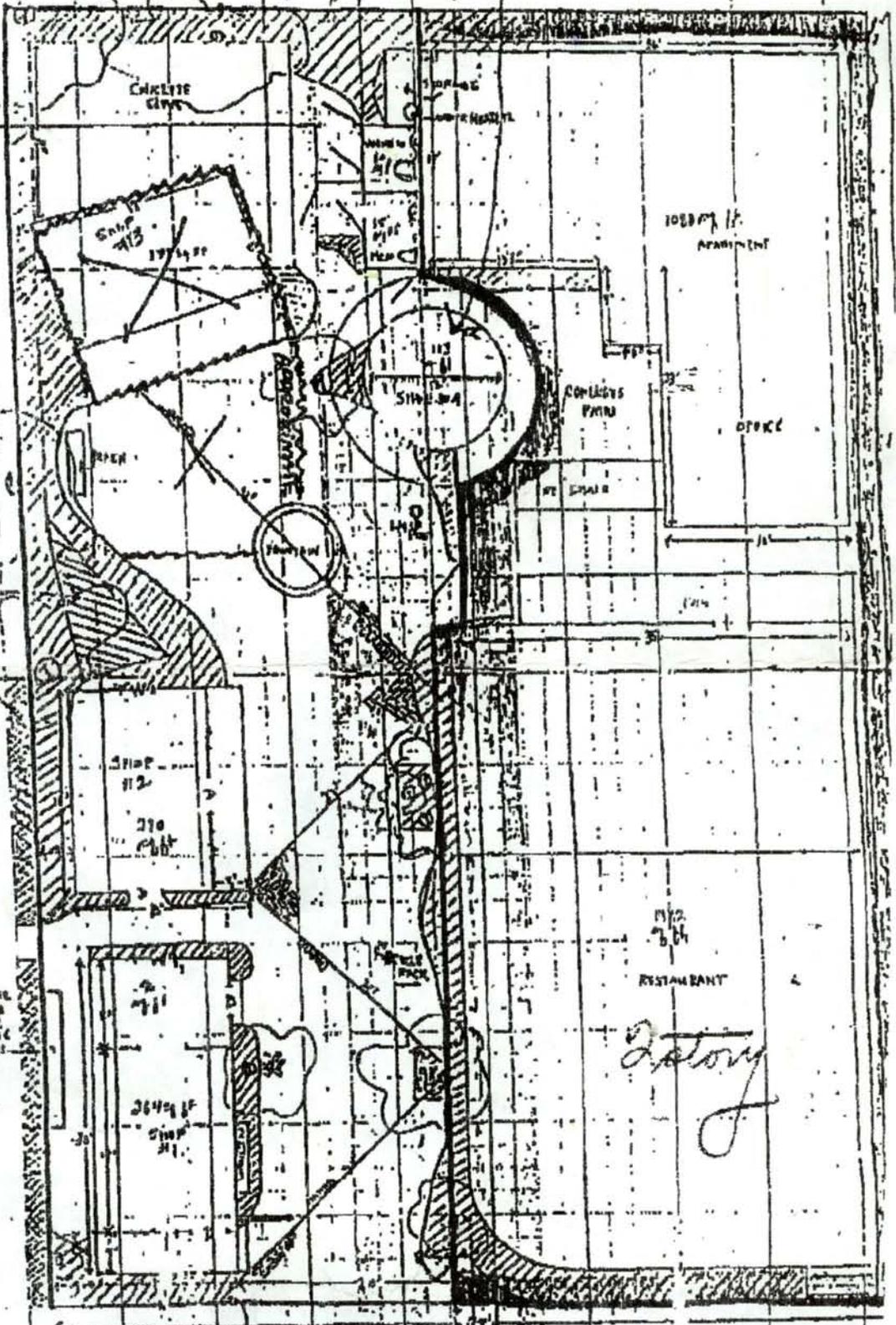


- DUVAL STREET -

MISED PREMISES
 +
 2 COMMON AREA TO FOUNTAIN

Raised AREA (1' up)

2 story



**2010 / 2011
MONROE COUNTY BUSINESS TAX RECEIPT
EXPIRES SEPTEMBER 30, 2011**

RECEIPT# 48210-103186

Business Name: DUVAL VILLAGE INC

Owner Name: JOHN LEPOUSKI
Mailing Address: 111 DUVAL ST
KEY WEST, FL 33040

Business Location: 111 DUVAL ST
KEY WEST, FL 33040
Business Phone: 305-942-1571
Business Type: RETAIL SALES ()

Rooms Seats Employees Machines Stalls

4

54-8012353423-6

Number of Machines:		For Vending Business Only					Vending Type:
Tax Amount	Transfer Fee	Sub-Total	Penalty	Prior Years	Collection Cost	Total Paid	
30.00	0.00	30.00	0.00	0.00	0.00	30.00	

Paid 101-09-00001165 09/20/2010 30.00

THIS RECEIPT MUST BE POSTED CONSPICUOUSLY IN YOUR PLACE OF BUSINESS

THIS BECOMES A TAX RECEIPT
WHEN VALIDATED

Danise D. Henriquez, CFC, Tax Collector
PO Box 1129, Key West, FL 33041

THIS IS ONLY A TAX.
YOU MUST MEET ALL
COUNTY AND/OR
MUNICIPALITY PLANNING
AND ZONING REQUIREMENTS.





INVOICE

Waste Management of the Florida Keys
3757 Coral Tree Cir
Coconut Creek FL 33073
(866) 690-1112
(305) 296-8297
(305) 296-8175 FAX

Customer: DUVAL VILLAGE INC
Account Number: 990-0007754-1098-8
Invoice Date: 11/01/2010
Invoice Number: 8026351-1098-3
Due Date: Due Upon Receipt
WM ezPay Account ID: 00009-98634-02009

Current Invoice Amount	Total Amount Due
937.26	957.54

Account Summary

Description	Amount
Previous Balance	1,854.24
Total Credits and Adjustments	0.00
Total Payments Received	1,833.96-
Total Current Charges	937.26
Total Amount Due	957.54
Total Amount Past Due	20.28

Please pay total amount due. Thank you for your business.



THIS INVOICE INCLUDES A RATE ADJUSTMENT PER OUR CONTRACT WITH YOUR MUNICIPALITY

Service Period: NOVEMBER 2010

Description	Amount
Commercial	937.26
Total Current Charges	937.26

If full payment of the invoiced amount is not received within 30 days of the invoice date, you will be charged a monthly late fee of 1.5% of the unpaid amount, with a minimum monthly charge of \$3.00, or such lesser late fee allowed under applicable law, regulation or contract. For each returned check, a fee will be assessed on your next billing equal to the maximum amount permitted by applicable state law.

Want to pay this bill on-line? Go to www.wm.com to learn more about WMezPay and make a convenient, secure payment.

Current Due	Over 30	Over 60	Over 90	Over 120	Total Due
937.26	20.28	0.00	0.00	0.00	957.54



Waste Management of the Florida Keys
3757 Coral Tree Cir
Coconut Creek FL 33073
(866) 690-1112
(305) 296-8297
(305) 296-8175 FAX

Learn how we Think Green at www.wm.com/thinkgreen

Payment Coupon

Please detach and send with checks only (no cash).
Please send all other correspondence to your local WM site.

Your Account Number		990-0007754-1098-8
Invoice Date	Your Invoice Number	
11/01/2010	8026351-1098-3	
Due Date	Total Due	Amount Paid
Upon Receipt	957.54	

Pay your WM bill online at www.wm.com. To pay by phone, call 866-964-2729.



10989900007754080263510000009372600000095754 6

0002520 01 AV 0.335 **AUTO T4 0 4794 33040-658499 CP2 I2237C15

DUVAL VILLAGE INC
111 DUVAL ST
KEY WEST FL 33040-6584

Waste Management
Florida Keys
PO BOX 105453
ATLANTA GA 30348-5453

From everyday collection to environmental protection,
Think Green. Think Waste Management.

FOR CHANGE OF ADDRESS OR ANY SERVICE ISSUES CONTACT NUMBER ON PAGE 1



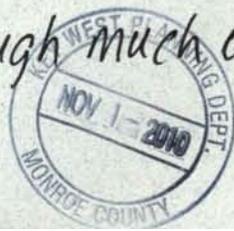
000099863402009

10-17-10

Duval Village

Duval Village is located at 111 Duval St. It was opened in 2002 in an alley that needed a lot of work. Over the years, we have remodeled the front of the place to make it very Key Westy, but keeping it very fun. Many people, including many locals, come to visit us, or simply to take pictures. We have hired many local people to build everything from booths, jewelry, art, and fixtures. We work actively in the community and St. Mary's Immaculate. Donating time and merchandise.

Duval Village also goes the extra mile for people visiting the city, to make them feel welcomed. Since we are a located outside, many people feel they can ask us anything from directions, where to eat, what to do, where to go, etc. They are always responded to pleasantly. We supply a restroom, and we have purchased extra trash pick ups from Waste Mgmt., just to keep Key West cleaner and more pleasant, even though much of the trash disposed is not ours.



Duval Village has become a fixture in the downtown neighborhood, and we take much pride in that. We take care of our Village, by always making sure it is cleaned, groomed and people enjoy that. Our return customer rate is very high, and again, we take great pride in that. We work very closely with our neighbors, and Police Dept. to make sure our area is safe and secure.

I thank you for your time, and look forward to seeing you in the future in Duval Village.

Sincerely, John Lepouski.

