

# **APPLICATION**

# Application - Development Plan & Conditional Use

City of Key West, Florida • Planning Department 1300 White Street • Key West, Florida 33040 • 305-809-3764 www.cityofkeywest-fl.gov

Development Plan

Development Plan & Conditional Use Application Fee schedule

(Fees listed include the \$310.00 advertising/noticing fee and the \$110.25 fire review fee) Any Major or Minor Development Plan returned to the Planning Board after initial approval will

require a new application fee equivalent to one-half of the Development Plan	e current fee sch	edule
Minor:		
Within Historic District		
Outside Historic District	\$	3,397.00
Conditional Use	\$	2,735.50
Extension	\$	1,212.75
Major:	\$	971.50
Conditional Use	\$	4,499.50
Extension	\$	1,212.75
Administrative Modification	\$	971.50
Minor Modification	\$	800.00
Major Modification	\$	1,525.00
Conditional Use (not part of a development plan)	\$	2,155.00
Extension (not part of a development plan)	\$	3,176.50
Extension (not part of a development plan)	\$	971.50
Revision or Addition (not part of a development plan)	\$	2,000.00

# Applications will not be accepted unless complete

Conditional Use

	Major N/A Minor N/A	Historic District YesNo
Please	e print or type:	
1)	Site Address: 901 Fleming Street	
2)	Name of Applicant: have with the	
3)	Applicant is:  Property Owner:  Authorized Representative:  (attached Authorization and Verification Forms must be completed)	
4)		Cape Coral, FL 33904
5)	Applicant's Phone #: 339-333-9627 Email: (	ja equeline @ kavaculture.com
6)	Email Address:	
7)	Name of Owner, if different than above: 901 Fleming	Street I a
8)	Address of Owner: 45 NW21STSt, Miami, F	133127
Develo	opment Plan & Conditional Use app.	Revised 9/21/21 1   P a g e

# Application - Development Plan & Conditional Use

City of Key West, Florida • Planning Department 1300 White Street • Key West, Florida 33040 • 305-809-3764 www.cityofkeywest-fl.gov

9)	Owner Phone #: 305-532-6992 E	mail: Occ Counting @ Coher	sorgani zatin.com
10) 11)	Zoning District of Parcel: HNU-Q  Is Subject Property located within the Historic District?  If Yes: Date of approval  HARC approval #	RE#No	_
12)	OR: Date of meeting  Description of Proposed Development and Use. Plea and uses, number of dwelling units, parking, restaurathan one use, describe in detail the nature of each separate sheet if necessary).  TALL BAN SLITTS NOT - ALOHO I'C DWE	ant seats, vehicles proposed, etc. If n use (Give concise description he	there is more re and use a
13)	Has subject Property received any variance(s)? Yes If Yes: Date of approvalResolution #Attach resolution(s).		
14)	Are there any easements, deed restrictions or other e YesNo	ncumbrances on the subject propert	y?
	A. For both Conditional Uses and Development Plattached Conditional Use and Development Plattached Conditional Uses and Development Plattached Conditional Us	ans, provide the information reque	ested from the
	B. For Conditional Uses only, also include the Cond Article III, Sections 122-61 and 122-62 of the Lan criteria).	litional Use Criteria required under de Development Regulations (see att	r Chapter 122, rached copy of
	C. For Major Development Plans only, also provide required under Chapter 108, Article II, Division of Development Regulations (see attached copy determined by the Planning Staff.	7. Sections 108-226 through 108-22	18 of the Land
	<ul> <li>D. For both Conditional Uses and Development Plan an Engineer or Architect.</li> </ul>	ns, one set of plans MUST be signe	ed & sealed by
Deve	elopment Plan & Conditional Use app.	Revised 9/21/21	2   P a g e

#### Conditional Use Criteria Section 122-61 and 122-62:

# A. Findings.

The Planning Board may find that the application 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." Kava Culture has been operating consistent with the proposed use under a Specialty Retail business license without any adverse impacts on the public's interest or on properties in the immediate vicinity. The Conditional Use Application is being made to obtain a Food Service Establishment License now required by the City of Key West Code and Licensing Departments.

#### B. Characteristics of use described.

The following characteristics of a proposed conditional use shall be clearly described as part of the conditional use application:

- 1. Scale and intensity of the proposed conditional use as measured by the following:
  - a. Floor area ratio: Unchanged.
  - b. **Traffic generation**: As the proposed conditional use is consistent with the current Specialty Retail use it is unlikely that the proposed use will generate any additional vehicle traffic above and beyond the current allowable traffic demands and intensity.
  - c. Square feet of enclosed building for each specific use: 1570
  - d. **Proposed employment**: Kava Culture currently employs 6 individuals, which will remain the same under the proposed use.
  - e. **Proposed number and type of service vehicles**: Applicant is not proposing and service vehicles.
  - f. Off-street parking needs: Additional parking not required.
- 2. On- or off-site improvement needs generated by the proposed conditional use and not identified on the list in subsection (b)(1) of this section including the following:
  - a. **Utilities**: The property has adequate utilities to support the proposed use.
  - b. Public facilities, especially any improvements required to ensure compliance with concurrency management as provided in chapter 94: Not applicable.
  - c. Roadway or signalization improvements, or other similar improvements: Not applicable.
  - d. Accessory structures or facilities: Not applicable.
  - e. Other unique facilities/structures proposed as part of site improvements. None.
- 3. On-site amenities proposed to enhance site and planned improvements. Amenities including mitigative techniques such as:
  - a. Open space: Current use includes square footage of open space.

- b. Setbacks from adjacent properties: Not applicable.
- c. Screening and buffers: Not applicable.
- d. Landscaped berms proposed to mitigate against adverse impacts to adjacent sites: Not applicable.
- e. Mitigative techniques for abating smoke, odor, noise, and other noxious impacts: The proposed use does not seem to create any issues that would require mitigation. However, the Applicant is willing to entertain mitigative techniques should they be warranted.

## C. Criteria for conditional use review and approval.

- 1. Land use compatibility. The conditional use as a Kava Bar selling non-alcoholic beverages in ready-to-consume state is compatible and harmonious with adjacent land use and will not adversely impact land use activities in the immediate vicinity. The neighborhood contains multiple bars, cafes and retail shops and is also made up of commercial and transient/residential uses and is heavily tourist-oriented with pedestrian traffic. Kava Culture Key West has been operating as a Kava bar at this location since May 2022 under a Special Retail Business Licese.
- 2. Sufficient site size, adequate site specifications, and infrastructure to accommodate the proposed use. The size and shape of the site, the proposed access and internal circulation, and are adequate to accommodate the proposed scale and intensity of the conditional use requested. The site shall be of sufficient size to accommodate urban design amenities such as screening, buffers, landscaping, open space, off-street parking, efficient internal traffic circulation, infrastructure (i.e., refer to chapter 94 to ensure concurrency management requirements are met) and similar site plan improvements needed to mitigate against potential adverse impacts of the proposed use.
- 3. **Proper use of mitigative techniques.** Not applicable
- 4. **Hazardous waste**. No materials that contain hazardous waste will be used in connection with the proposed 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 for conditional use approval shall demonstrate that the proposed conditional use satisfies the following specific criteria designed to ensure against potential adverse impacts which may be associated with the proposed land use:
  - a. Land uses within a conservation area. Not applicable. This site is not located within a conservation area.
  - b. **Residential development**. Not applicable. This application does not include residential development.
  - c. **Commercial or mixed-use development**. This conditional use application is within the historic district. The conditional use does not require HARC approval.

- d. **Development within or adjacent to historic district**. This conditional use application is within the historic district.
- e. **Public facilities or institutional development**. Not applicable. Public facilities or other institutional development is not being proposed as part of this application.
- f. Commercial structures uses and related activities within tidal waters. Not applicable. This subject property is not located within tidal waters.
- g. Adult entertainment establishments. Not applicable.



# AUTHORIZATION & VERIFICATION FORMS



# City of Key West Planning Department

# **Authorization Form**

(Individual or Joint Owner)

Please complete this form if someone other than the owner is representing the propert matter.	y owner in this
I. Joseph Cohen Please Print Name(s) of Owner(s) as appears on the deed	authorize
Jacqueline Pusher Please Print Name of Representative	
to be the representative for this application and act on my/our behalf before the City of	
Signature of Joint/Co-owner if	applicable
Subscribed and sworn to (or affirmed) before me on this Date	9092
by Joseph Cohen Name of Owner	
He/She is personally known to me or has presented	as identification.
A	
Notary's Signature and Seal	
Levana Harkhoff Name of Acknowledger typed, printed or stamped	
پروس اور	
Levena Markholl  Command of the 112190  Command of the 112190	



Department of State / Division of Corporations / Search Records / Search by Entity Name /

# **Detail by Entity Name**

Florida Profit Corporation
KAVA CULTURE KEY WEST CO

**Filing Information** 

 Document Number
 P21000041102

 FEI/EIN Number
 86-3547299

 Date Filed
 04/29/2021

 Effective Date
 05/01/2021

State FL

**Status** ACTIVE

Principal Address
843 MIRAMAR ST

CAPE CORAL, FL 33904

**Mailing Address** 

843 MIRAMAR ST

CAPE CORAL, FL 33904

**Registered Agent Name & Address** 

RUSHER, JACQUELINE L 5015 SW 22ND AVE CAPE CORAL, FL 33914

Officer/Director Detail

Name & Address

Title P

RUSHER, JACQUELINE 5015 SW 22ND AVE CAPE CORAL, FL 33914

Title VP

RUSHER, CAROLINE 17975 SAN CARLOS BLVD FORT MYERS BEACH, FL 33931

**Annual Reports** 

Report Year Filed Date

2022 04/11/2	2022
<u>Document Images</u>	
04/11/2022 ANNUAL REPORT	View image in PDF format
04/29/2021 Domestic Profit	View image in PDF format
	<u> </u>



# City of Key West Planning Department Verification Form Phorized Representative is an

(Where Authorized Representative is an individual)
I, Acque Line Rusher, being duly sworn, depose and say that I am the Authorized Representative of the Owner (as appears on the deed), for the following property identified as the subject matter of this application:
901 Fleming Street Key West 72 33040 Street address of subject property
I, the undersigned, declare under penalty of perjury under the laws of the State of Florida that the information on all plans, drawings and sketches attached hereto and all the statements and answers contained herein are in all respects true and correct.
In the event the City or the Planning Department relies on any representation herein which proves to be untrue or incorrect, any action or approval based on said representation shall be subject to revocation.
Signature of Authorized Representative
Subscribed and sworn to (or affirmed) before me on this u/9/22 by  Jacqueline Rusher  Name of Authorized Representative
He/She is personally known to me or has presented FCDLERP 5/27 as identification.  Notary's Signature and Seal
Eich Fahrner  Name of Acknowledger typed, printed or stamped  Ench Fahrner  Notary Signature and Seat  Ench Fahrner  Notary Public, State of Florida Commission# HH 234471
HH 23447)  Commission Number, if any



Department of State / Division of Corporations / Search Records / Search by Entity Name /

# **Detail by Entity Name**

Florida Limited Liability Company 901 FLEMING STREET, LLC

## **Filing Information**

 Document Number
 L18000047816

 FEI/EIN Number
 82-4555396

 Date Filed
 02/22/2018

 Effective Date
 02/21/2018

State FL

**Status** ACTIVE

## Principal Address

901 Fleming Street Key West, FL 33040

Changed: 01/29/2020

## **Mailing Address**

45 NW 21ST STREET MIAMI, FL 33127

# **Registered Agent Name & Address**

COHEN, JOSEPH 45 NW 21ST STREET MIAMI, FL 33127

Authorized Person(s) Detail

## Name & Address

Title MGR

COHEN, JOSEPH 45 NW 21ST STREET MIAMI, FL 33127

## **Annual Reports**

Report Year	Filed Date
2020	01/29/2020
2021	01/28/2021
2022	02/01/2022

# 02/01/2022 -- ANNUAL REPORT View image in PDF format 01/28/2021 -- ANNUAL REPORT View image in PDF format 01/29/2020 -- ANNUAL REPORT View image in PDF format 01/22/2019 -- ANNUAL REPORT View image in PDF format 02/22/2018 -- Florida Limited Liability View image in PDF format

**Document Images** 



# WARRANTY DEED

MONROE COUNTY OFFICIAL RECORDS

# FILE #1276564 BK#1752 PG#1526

JOHN M. SPOTTSWOOD, JR., ESQ. 500 FLEMING STREET KEY WEST, FL 3304 (305) 294-9556 33040

RCD Jan 14 2002 RCD Jan 14 2002 10:06AM DANNY L KOLHAGE, CLERK

Parcel ID Number: 00005650-000000

Grantee #1 TIN: Grantee #2 TIN-

DEED DOC STANFS 5215.00 01/14/2002 DEP CL DEP CLK

# **Warranty Deed**

This Indenture, Made this 8th day of KARL HAFFENREFFER, a married man

January

, 2002 A.D.,

Between

of the County of MONROE State of Florida , grantor, 901 FLEMING, INC., a corporation existing under the laws of the State of Florida whose address is:

of the County of

State of FLORIDA

, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of

------TEN DOLLARS (\$10)----and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of MONROE State of FLORIDA to wit: Part of Lot 4, Square 33, William A. Whitehead's Map of the Island of

Key West, Florida, delineated 1829. Commencing at the corner of Fleming and Margaret Streets and running thence along Fleming Street Northeasterly 50 feet, 3 inches; thence Northwesterly 88 feet; thence Southwesterly 50 feet, 3 inches to Margaret Street; thence along Margaret Street Southeasterly 88 feet to the place of beginning

The property herein conveyed DOES NOT constitute the HOMESTEAD property of the Grantor. The Grantor's HOMESTEAD address is 525 Frances Street, Key West, FL 33040.

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever. In Wirness Whereof, the grantor has hereunto set his hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

SPOTTSWOOD, JOHN M.

PATRICIA

Witness

STATE OF Florida COUNTY OF MONROE

The foregoing instrument was acknowledged before me this

KARL HAPPENDEFFER

he is personally

PATRICIA WESCH Intiliangentias chinin de richita la driver' My Commission Explies Oct 25, 200 Commission & CC957448

KARL HAFFENREFFER

P.O. Address: 525 FRANCES STREET, KEY WEST, FL 33040

MONROE COUNTY OFFICIAL RECORDS

100 SLA day of

January

, 2002

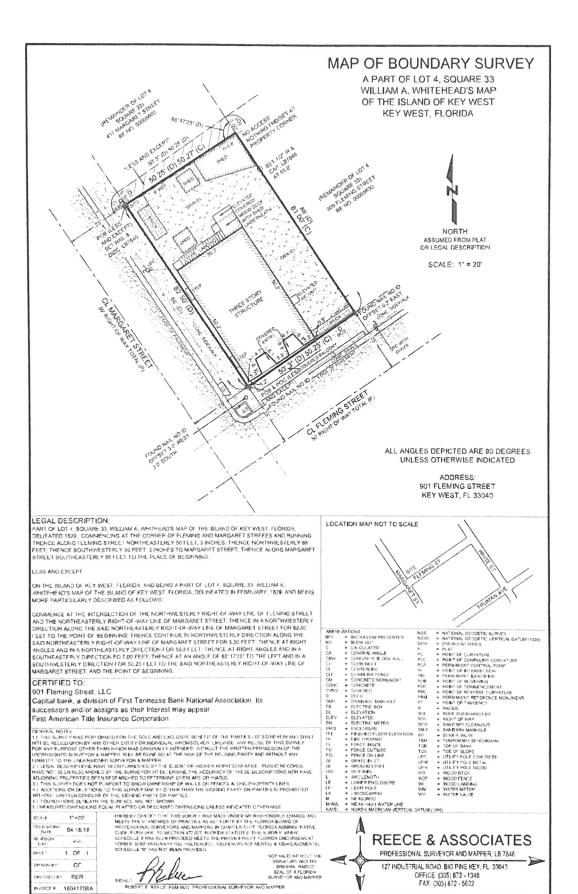
as identification.

Printed Name: Notary Public

My Commission Expires:



# **BOUNDARY SURVEY**





# PROPERTY RECORD CARD

# 

## Disclaimer

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

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

#### Summary

 Parcel ID
 00005650-00000

 Account#
 1005843

 Property ID
 1005843

 Millage Group
 10KW

Location 901 FLEMING St, KEY WEST Address

Address
Legal KW PT LOT 4 SQR 33 G28-482/83 OR397-689/93 OR784-412 OR766-59 OR857-2359 OR880-339 OR1059-111
Description OR1086-2048/50 OR1383-1575 OR1502-2248/49 OR1502-2250/52 OR1752-1525 OR1752-1526 OR2894-487/89 (Note: Not to be used on legal documents.)

Neighborhood 32090

Property STORE COMBO (1200)

Class Subdivision Sec/Twp/Rng 0

Sec/Twp/Rng 06/68/25 Affordable No

Housing



#### Owner

901 FLEMING STREET LLC 45 NW 21st St Miami FL 33127

#### Valuation

		2022 Certified Values	2021 Certified Values	2020 Certified Values	2019 Certified Values
+	Market Improvement Value	\$290,165	\$304,205	\$304,205	\$313,565
+	Market Misc Value	\$4,047	\$4,047	\$4.047	\$4,047
+	Market Land Value	\$724,651	\$690,144	\$586,622	\$698,360
	Just Market Value	\$1,018,863	\$998,396	\$894,874	\$1,015,972
	Total Assessed Value	\$1,018,863	\$984,361	\$894,874	\$1,015,972
	School Exempt Value	\$0	\$0	\$0	\$0
•	School Taxable Value	\$1,018,863	\$998,396	\$894,874	\$1,015,972

#### Land

Land Use	Number of Units	Unit Type	Frontage	Depth
(1200)	4,108.00	Square Foot	50.3	88

0

# Buildings

OPF

TOTAL

OP PRCH FINLL

4.776

Buildin	gs						
Building Style	g ID	39360			Exterior Walls Year Built	AB AVE WOOD SIDING 1918	
Building	g Type	OFF BLDG MULT:	STYFP/18C		EffectiveYearBullt	1993	
Gross 5	qFt	4776			Foundation		
Finished	d Sq Ft	3010			Roof Type		
Stories		2 Floor			Roof Coverage		
Condition	on	GOOD			Flooring Type		
Perimet	ter	354			Heating Type		
Function	nal Obs	0			Bedrooms	0	
Econom	nic Obs	0			Full Bathrooms	1	
Depreci	iation %	38			Haff Bathrooms	1	
Interior	Walls				Grade	400	
					Number of Fire PI	0	
Code	Des	cription	Sketch Area	Finished Area	Perimeter		
FHS	FIN	ISH HALF ST	1,500	0	0		
FLA	FLO	OR LIV AREA	3,010	3,010	0		
OUU	OP	PR UNFIN UL	206	0	0		

3,010

# Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
WOOD DECK	1985	1986	1	460 SF	1
FENCES	1985	1986	1	864 SF	2
AIR COND	1997	1998	1	1 UT	1

## Sales

Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page	Sale Qualification	Vacant or Improved	Grantor	Grantee
3/2/2018	\$1,150,000	Warranty Deed	2157691	2894	487	01 - Qualified	Improved	901 FLEMING INC	
1/10/2002	\$745,000	Warranty Deed		1752	1526	Q - Qualified	Improved		
3/1/1998	\$259,500	Quit Claim Deed		1502	2250	P - Unqualified	Improved		
5/1/1983	\$81,000	Warranty Deed		880	339	Q - Qualified	Improved		

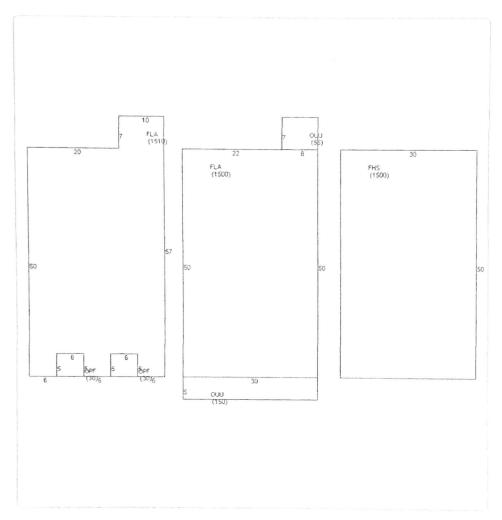
## Permits

Number \$	Date Issued	Date Completed \$	Amount	Permit Type <b>‡</b>	Notes ≎
BLD2021- 2830	10/12/2021		\$100,000	Commercial	AUGERS PIERS AND BEAMS, DRAWINGS ATTACHED.
BLD2021- 1939	7/12/2021		\$1,500	Commercial	OPENING UP WALLS CEILING AND FLOOR TO DETERMINE STRUCTURAL INEFFICIENCIES.
15-0819	1/29/2015		\$1,800		REPAIR 40 SF OF SIDING
14-0522	2/26/2014		\$9,500	Commercial	SECOND FLOOR COMPLETE INSTALLATION OF A 4-TON SYSTEM DUCT WORK 3RD FLOOR CHANGE OUT 3 TON A/H AND CONDENSER.
03-4078	1/28/2004	8/20/2004	\$3,900		AWNINGS
02-3258	11/6/2003	11/24/2003	\$13,100		RENOVATIONS
03-2831	8/19/2003	11/24/2003	\$2,400		REPLACE WINDOWS
02-3296	2/5/2003	11/24/2003	\$2,900		UPGRADE PERMIT-PLUMBING
03-0250	1/27/2003	11/24/2003	\$5,500		CHANGE 4-TON A/C
98-0006	4/7/1998	11/4/1998	\$30,000	Commercial	* ADD DORMER/RENO ATTIC/BED
B933189	11/1/1993	11/1/1994	\$700		REPLACE 6 WDW CASING

## View Tax Info

View Taxes for this Parcel

Sketches (click to enlarge)



# Photos



# Мар



## TRIM Notice

2022 TRIM Notice (PDF)

#### 2022 Notices Only

The Afforder County Property Appraiser's office maintains district property within the County solid Violet the purpose of fulfilling its ratio is a bit by to vertice up it and amontor at appropriate property within the County The Morrise County Reports.

Appraiser's office named gualance its accuracy for any other propose. Likewise, data provided regarding one has your real resture species as provided and resture and appropriate the file.

User Privacy Policy GDPR Privacy Notice

Last Data Upload, 11/9/2022, 5:30:45 AM

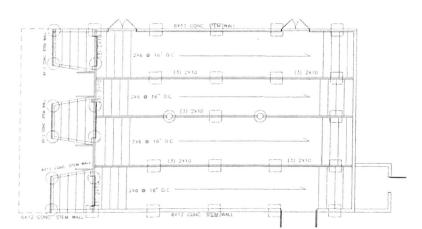
Schneider GEOSPATIAL

4500 L 12 II

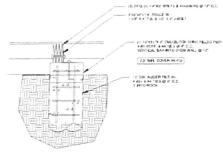


# SITE PLAN

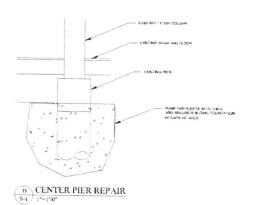




GROUND FLOOR FRAMING PLAN

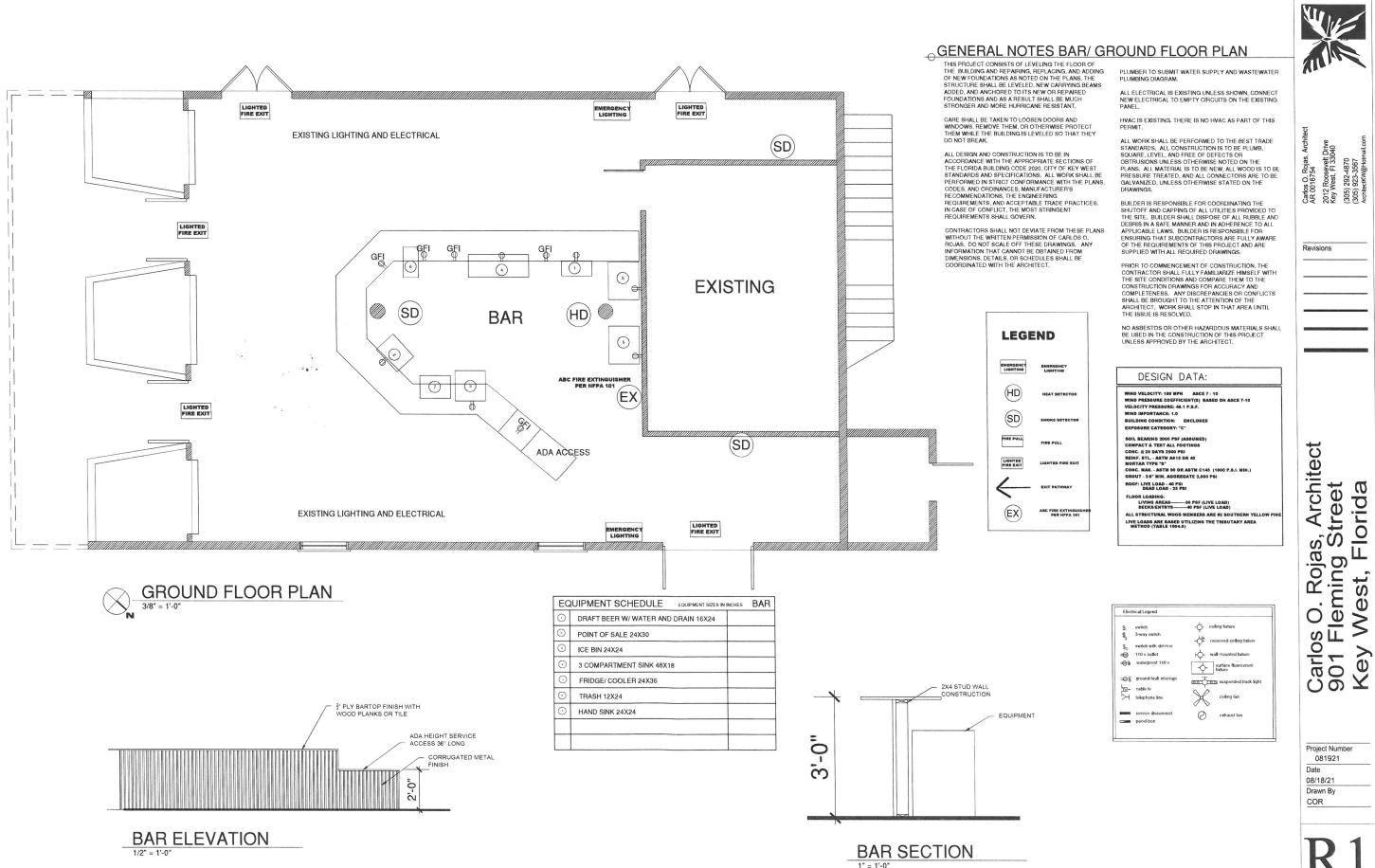






Carlos O. Rojas, Architect 901 Fleming Street
Key West, Florida

**S**2



Project Number 081921 08/18/21

Florida

Drawn By COR



# FLOOR PLAN

