

Conditional Use

Chapter 122, Article III, Sections 122-61 and 122-62

The Peace Store

403-405 Caroline Street, Key West, Florida
(RE# 00001610-000000)



Executive Summary:

This application is a request for conditional use approval to convert 497 sq. ft. on the first floor of 403 Caroline Street from residential to retail sales associated with a cultural activity.

The existing property consists of two two-story integrated residential structures, containing three residential dwelling units. This project proposes to convert the property to one single-family home and utilize 497 sq. ft. of the existing floor area for retail sales associated with a cultural activity.



The property is recognized as the following:

Entity		No. of Units
City of Key West	Utilities ¹	3 SFRs
	Licensing ²	3 non-transient rental units
Property Appraiser ³		3 SFR
Monroe County Tax Collector ⁴		3 non-transient rental units

Background:

The two structures located at 403-405 Caroline Street first show up on the Sanborn maps in 1912. Photos from the 1970's⁵ and later in the 1980's⁶ show alterations to the structures. Second floor balconies and exterior stairs connecting the two structures were part of the 1980's renovations. A 2009 photo⁷ shows commercial signage in front of 403 Caroline.

Key persons and entities (Sec. 108-228) involved in this project are as follows:

¹ Attachment A

² Attachment B

³ Attachment C

⁴ Attachment D

⁵ Attachment E

⁶ Attachment F

⁷ Attachment G

Owner: Valsin Marmillion and Juan Pisani
 Authorized Agent: Trepanier & Associates, Inc.
 Surveyor: J. Lynn O'Flynn, Inc.
 Legal and Equitable Owners: Valsin Marmillion and Juan Pisani

Project Description (Sec. 108-229):

According to the Monroe County Property Appraiser,

Site Data	Permitted/ Required	Existing	Proposed	Compliance
Zoning	HRO	HRO	No Change	No Change
Flood Zone	AE 6	AE 6	No Change	No Change
Height	40 ft	unk.	No Change	No Change
Site Size ⁸	≥ 5,000 sq. ft.	4,620 sq. ft.	No Change	No Change
Density:	16 u/ac (units)	3 units	1 unit	No Change
Floor Area Ratio Total	1.0 (4,620 sq. ft.)	0% (0 sq. ft.)	10% (497 sq. ft.)	Complies
Building Coverage	50% (2,310 sq. ft.)	99% (4,581 sq. ft.)	No Change	No Change
Impervious Surface	60% (2,772 sq. ft.)	~95% (~4,389 sq. ft.)	No Change	No Change
Open Space	30% (1,386 sq. ft.) ⁹	<5%	No Change	No Change
Landscape	30% (1,386 sq. ft.)	<5%	No Change	No Change
Setback – Front	5 ft.	1.5 ft.	No Change	No Change
Setback – Side	5 ft.	0.7 ft.	No Change	No Change
Setback – Street Side	5 ft.	0 ft.	No Change	No Change
Setback – Rear	10 ft.	10 ft.	No Change	No Change
Parking: auto	3	1	No Change	No Change
bicycle	1	0	2	No Change

Sec. 122-62. – Specific criteria for approval:

(a) Findings.

A conditional use shall be permitted upon a finding by the planning board that the proposed use, application and, if applicable, development plan complies with the criteria specified in this section, including specific conditions established by the planning board and or the city commission during review of the respective application in order to ensure compliance with the comprehensive plan and the land development regulations.

(b) Characteristics of use:

(1) Scale and intensity

a. Floor area ratio:

Permitted: 1.0 (4,620 sq. ft.)

Proposed: 0.1 (497 sq. ft.)

⁸ According to the Monroe County Property Appraiser's Records

⁹ Per Sec. 108-346

b. Traffic generation:

Trip Generation	Multiplier	Week Day			Saturday			Sunday		
		Rate	Existing	Proposed	Rate	Existing	Proposed	Rate	Existing	Proposed
Residential (ITE 220)	Per unit	6.72	20.16	6.72	6.39	19.17	6.39	5.86	17.58	5.86
Retail (ITE 814)	Per 1k sq. ft.	44.32	0.00	22.02	42.04	0.00	20.89	20.43	0.00	10.15
Total	--	--	20.16	28.74	--	19.17	27.28	--	17.58	16.01

c. Enclosed building square footage:

403 Caroline Street:

Commercial: 497 sq. ft.

Residential: 843 sq. ft.

405 Caroline Street:

Residential: 2,070 sq. ft.

d. Proposed employment: 1.5 FTE

e. Proposed number and type of service vehicles: 1 to 2 FedEx deliveries per week

f. Off-street parking: There will be a reduction in parking impact as a result of the project.

Parking Demand	Existing				Proposed			
	Automobile		Bikes/Scooters		Automobile		Bikes/Scooters	
	Existing	Req'd	Existing	Req'd	Proposed	Req'd	Proposed	Req'd
Commercial (1/300 sq. ft.)	0	0	0	0	0	1.6	2	0.25
Residential (1/unit)	1	3	0	0.3	1	1	2	0.1
Total	1	3	0	0.3	1	2.6	4	0.35

(2) On- or off-site improvement needs

a. Utilities

Concurrency Facilities and Other Utilities or Services are summarized as follows:

Levels of Service – The impacts of the proposed project are generally summarized as follows:

- The LOS analysis concludes that overall trip generation from the site will be expected to increase by approximately 8 trips per day, 6 days per week. There will be a reduction in trips on Sunday.

- Supply of parking follows the demand of the Land Development Regulations Section 108-572 and Section 122-1470.
- Potable water demand for the new residential development and neighborhood retail is estimated to decrease from 789.0 to **604.6 gal/day**.
- The wastewater flow for the proposed mixed-use property is anticipated to decrease from 789 to **333 gal/day**.
- The recyclable waste LOS for the proposed mixed-use property is anticipated to decrease from 3.94 to **1.5 lbs/day**.
- The solid waste LOS for the proposed mixed-use property is anticipated to decrease from 20.98 to **12.00 lbs/day**.
- The proposed change is not expected to impact Storm water LOS.
- The proposed change is not expected to impact Recreation LOS.
- The team will coordinate with FCAA to ensure the water pressure and flow will be adequate for fire protection for the type of construction proposed.
- No adverse impacts to the quality of receiving waters are anticipated before, during or after construction.

b. Public facilities

See concurrency analysis below.

c. Roadway or signalization improvements

NA - No roadway or signalization improvements are required or proposed.

d. Accessory structures or facilities

NA - No accessory structures or facilities are required or proposed.

e. Other unique facilities/structures proposed as part of site improvements

NA - No other unique facilities/structures proposed as part of site improvements are required or proposed.

(3) On-site amenities proposed to enhance site and planned improvements

a. Open space

No change in open space.

b. Setbacks

No change in existing setbacks.

c. Screening and buffers

No exterior changes to the site are proposed.

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

Berms are not proposed.

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

This project proposes no use which would induce smoke, odor, noise or other noxious impacts.

(c) Criteria for conditional use review and approval:

(1) Land use compatibility.

As mentioned above, the project site is located in the Historic Residential Office (HRO) zoning district. The intent of the HRO zoning district is to implement the HC future land use designation; it accommodates residential dwellings as well as business and professional offices. Cultural and civic activities are allowed anywhere in the district.

This historically mixed-use property is located along the 400 block of Caroline Street between Whitehead and Duval with the Historic Commercial Pedestrian-Oriented Area and adjacent to the HRCC-1 zoning district, the city's intensely vibrant tourist commercial entertainment center which is characterized by, among other uses, specialty shops.

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

As mentioned above, the site has sufficient size, adequate specifications, and infrastructure to accommodate the proposed use. Site data table is included. No variances are requested as part of this approval.

(3) Proper use of mitigative techniques.

No adverse impacts to adjacent land uses are anticipated, the community character is a mix of commercial/office space and single-family homes of various sizes, age and architectural style. Community infrastructure will not be burdened by this project.

(4) Hazardous Waste.

The proposed use will not produce any hazardous waste or use hazardous materials in its operation.

(5) Compliance with applicable laws and ordinances.

All applicable permits required from agencies other than the City of Key West will be obtained.

(6) Additional criteria applicable to specific land uses.

Residential Developments (Sec. 108-231):

This development plan satisfies criteria established in Chapter 102; Articles III, IV and V of Chapter 108; Section 108-956; and Article II of Chapter 110 of the Key West City Code in the following manner:

- Chapter 102 – This property is located within the Historic District and is subject to HARC approvals and process.
- Articles III, IV and V of Chapter 108 – As demonstrated by the site plan, trip generation analysis, and the site data calculations, the project complies with the requirements of the Articles.
- Section 108-956 – The project team will coordinate with FCAA to ensure access to potable water and a wastewater disposal system.
- Chapter 110 – As demonstrated in this application, the proposed development complies with the resource protection requirements of Chapter 110.

Exhibit A

Lori Thompson

From: Shirley Sealey <ssealey@cityofkeywest-fl.gov>
Sent: Monday, December 10, 2018 9:06 AM
To: Lori Thompson
Subject: RE: 403-405 Caroline Street

Good Morning Lori,

At 403 Caroline Street I have 1 Residential Unit and 405 Caroline Street there is an up and down both are billing for 1 Residential

Let me know if you need anything else.

Shirley Sealey
Supervisor of Revenue/Customer Services
City of Key West
1300 White Street
Key West, Florida 33040
305 809-3816
ssealey@cityofkeywest-fl.gov

From: Lori Thompson <lori@owentrepanier.com>
Sent: Friday, December 07, 2018 4:37 PM
To: Shirley Sealey <ssealey@cityofkeywest-fl.gov>
Subject: 403-405 Caroline Street

Good afternoon Shirley,

Can you tell me how many units (residential and commercial) are recognized for the above property? There are two structures on the property.

ownership. Not sure if it shows under one address or both.

Please feel free to give me a call if you have any questions.

Thanks!

Lori Thompson
Trepanier & Associates

Exhibit B



Advanced Search

Edit SearchNew Search

ExportMapBrowse

SaveSearch Manager

Now displaying **ADDRESS HISTORY*** results as of 12/12/2018 9:33 AM

	SITE_ADDR	LICENSE_NO	COMPANY	LICENSE_SUBTYPE	EXPIRED	MAINTXTFIELD5
 	403 CAROLINE ST	10700	SMITH, DAVID AND CAROLYN	NON TRANSIENT RESIDENTIAL	09/30/2018	1 NON-TRANSIENT RENTAL UNIT

« First < Prev Page 1 of 1 Next > Last »

Records 1 to 1 of 1

Exhibit B

Advanced Search

[Edit Search](#)[New Search](#)[Export](#)[Map](#)[Browse](#)[Save](#)[Search Manager](#)Now displaying **ADDRESS HISTORY*** results as of 12/12/2018 9:05 AM

	SITE_ADDR	LICENSE_NO	COMPANY	LICENSE_SUBTYPE	EXPIRED	MAINTXTFIELD5
 	405 CAROLINE ST DN	12335	SMITH, DAVID AND CAROLYN	NON TRANSIENT RESIDENTIAL	09/30/2008	TWO NONTRANSIENT RENTAL UNITS

« First ‹ Prev Page 1 of 1 Next › Last »

Records 1 to 1 of 1

Summary

Parcel ID 00001610-000000
Account # 1001660
Property ID 1001660
Millage Group 10KW
Location 405 CAROLINE St, KEY WEST
Address
Legal KW PT LOT 4 SQR 15 G11-272/79 OR595-284 OR638-593/94
Description OR1252-691/92ACASE#93-59-CP-10OR1248-1314/29PET/WILL/P/R
OR1284-1807/09P/R-L/E OR1363-2350/53P/R OR1563-2162/63
OR1571-2208/09-C OR2929-0696
(Note: Not to be used on legal documents)
Neighborhood 6108
Property Class MULTI FAMILY LESS THAN 10 UNITS (0800)
Subdivision
Sec/Twp/Rng 06/68/25
Affordable No
Housing



Owner

MARMILLION VALSIN
419 Duval St
Ste C
Key West FL 33040

PISANI JUAN
419 Duval St
Ste C
Key West FL 33040

Valuation

	2018	2017	2016	2015
+ Market Improvement Value	\$705,398	\$406,309	\$348,361	\$349,103
+ Market Misc Value	\$12,459	\$5,369	\$5,844	\$5,268
+ Market Land Value	\$609,979	\$609,979	\$596,273	\$425,977
= Just Market Value	\$1,327,836	\$1,021,657	\$950,478	\$780,348
= Total Assessed Value	\$845,247	\$768,406	\$698,551	\$635,047
- School Exempt Value	\$0	\$0	\$0	\$0
= School Taxable Value	\$1,327,836	\$1,021,657	\$950,478	\$780,348

Land

Land Use	Number of Units	Unit Type	Frontage	Depth
MULTI RES DRY (080D)	4,620.00	Square Foot	66	70

Buildings

Building ID 38
Style 2 STORY ELEV FOUNDATION
Building Type M.F. - R3 / R3
Gross Sq Ft 4581
Finished Sq Ft 2688
Stories 2 Floor
Condition AVERAGE
Perimeter 424
Functional Obs 0
Economic Obs 0
Depreciation % 4
Interior Walls WALL BD/WD WAL

Exterior Walls CUSTOM
Year Built 1963
EffectiveYearBuilt 2013
Foundation CONC BLOCK
Roof Type IRR/CUSTOM
Roof Coverage METAL
Flooring Type CERM/CLAY TILE
Heating Type FCD/AIR DUCTED with 0% NONE
Bedrooms 4
Full Bathrooms 1
Half Bathrooms 1
Grade 650
Number of Fire Pl 0

Code	Description	Sketch Area	Finished Area	Perimeter
OPX	EXC OPEN PORCH	1,557	0	664
FLA	FLOOR LIV AREA	2,688	2,688	424
OUU	OP PR UNFIN UL	280	0	76
SBF	UTIL FIN BLK	56	0	44
TOTAL		4,581	2,688	1,208

Yard Items

Description	Year Built	Roll Year	Quantity	Units	Grade
FENCES	1977	1978	1	168 SF	5
FENCES	2006	2007	1	564 SF	5
BRICK PATIO	2006	2007	0	1016 SF	2

Exhibit C

Sales

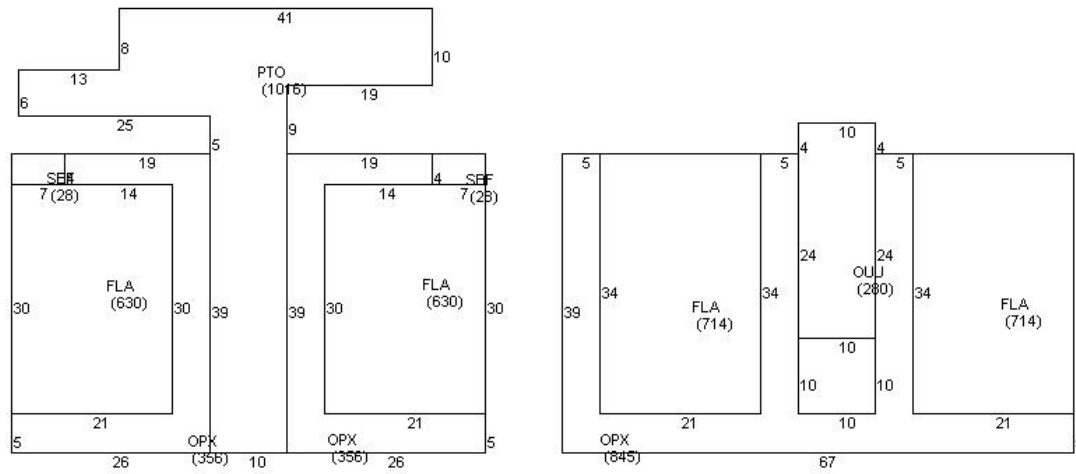
Sale Date	Sale Price	Instrument	Instrument Number	Deed Book	Deed Page
9/11/2018	\$1,600,000		2188551	2929	0696
2/26/1999	\$660,000	Warranty Deed		1563	2162
2/1/1975	\$76,800	Conversion Code		638	593

Permits

Number ↕	Date Issued ↕	Date Completed ↕	Amount ↕	Permit Type ↕
17-442	2/6/2017	5/6/2017	\$15,200	Residential
13-0487	5/21/2013	12/19/2013	\$23,491	Residential
13-0487	2/8/2013	12/19/2013	\$20,516	Residential
07-1166	4/4/2007	6/1/2007	\$2,400	Residential
06-0620	4/28/2006	7/7/2006	\$10,000	Residential
99-0740	7/1/1999	12/19/2000	\$3,600	Residential
99-1850	6/3/1999	12/18/2000	\$10,000	Residential
99-1229	4/12/1999	12/18/2000	\$3,000	Residential
99-0848	3/9/1999	12/19/2000	\$3,200	Residential
99-0740	3/8/1999	12/19/2000	\$7,000	Residential

Sketches (click to enlarge)

Exhibit C



Photos



Exhibit C

Map



TRIM Notice

[Trim Notice](#)

2018 Notices Only

No data available for the following modules: Commercial Buildings, Mobile Home Buildings, Exemptions.

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

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 **Schneider**
GEOSPATIAL

Exhibit D



2019 Details — Business Tax Account SMITH DAVID & CAROLYN

Print this page

Business Tax Account #85788

Account details

Account history

2019

2018

2017

2016

...

2005

\$25.00 due

Paid

Paid

Paid

Paid

Account number: 85788

Business start date: 03/30/2003

Physical business location: CITY OF KEY WEST

Business address: SMITH DAVID & CAROLYN
403 CAROLINE ST
KEY WEST, FL 33040

Mailing address: DAVID & CAROLYN SMITH
23005 VELLINES LN
CARROLLTON, VA 23314

Owner(s) DAVID & CAROLYN SMITH
23005 VELLINES LN
CARROLLTON, VA 23314

Flags NON-TRANSIENT

Receipts And Occupations

Pay all: \$25.00

Receipt 25230-85788

APART & CONDO 10/01/2018–09/30/2019 Units: 1
APARTMENTS CONDOS HOUSES & COMMERCIAL UNITS

[Return to Search](#)

Exhibit D



2009 Details — Business Tax Account SMITH DAVID & CAROLYN

Print this page

Business Tax Account #85789

Account details

Account history

2009

2008

2007

2006

2005

\$0.00 due

Paid

Paid

Paid

Paid

Account number: 85789

Account status: CLOSED

Business start date: 03/30/2003

Business close date: 04/07/2007

Physical business location: CITY OF KEY WEST

Business address: SMITH DAVID & CAROLYN
405 CAROLINE ST
KEY WEST, FL 33040

Mailing address: SMITH DAVID & CAROLYN
C/O OLD ISLAND REALTY INC
1511 TRUMAN AVE
KEY WEST, FL 33040

Owner(s) SMITH DAVID & CAROLYN
135 MARCELLA RD
HAMPTON, VA 23666

Flags NON-TRANSIENT

Receipts And Occupations

Receipt 25230-85789 Non-renewable

APART & CONDO 10/01/2008–09/30/2009 Units: 2
APARTMENTS CONDOS HOUSES & COMMERCIAL UNITS

Canceled

[Return to Search](#)



OR638-593/594

LAND COMPUTATIONS

QUAN- TYPE-DESC.	SIZE-AREA	UNIT PRICE	D.F.	C.F.	PRICE PER FRONT FOOT	VALUE
	70x66	60	.83		49.70	3490
	70X66	75	.83		62.25	4357
					TOTAL	4357 3490

REAL PROPERTY RECORD CARD

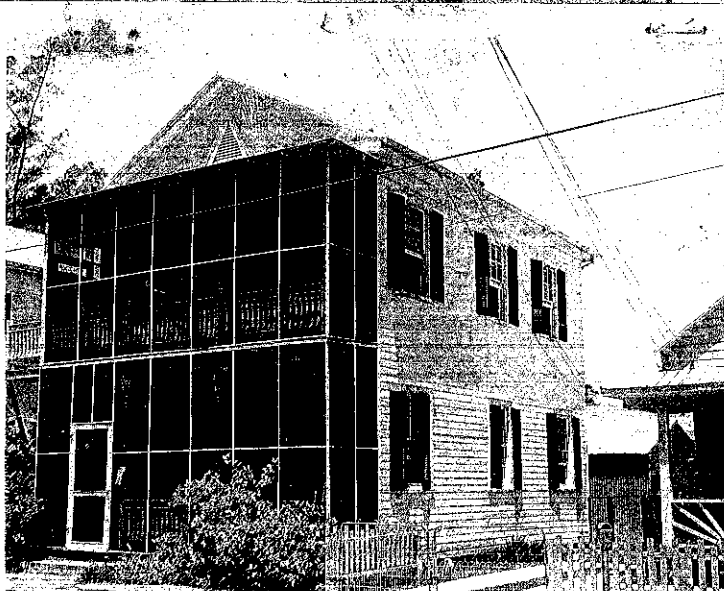
PROPERTY RECORD CA
Exhibit E
COUNTY OF LOS ANGELES

VALUATION TOTALS

		VALUATION TOTALS
1966	LAND	3 490
	IMPROVEMENTS	19840
	TOTAL	18330
1974	LAND	4357
	IMPROVEMENTS	17,326
	TOTAL	21,700
1977	LAND	4350
	IMPROVEMENTS	31159
	TOTAL	35500.
19__	LAND	
	IMPROVEMENTS	
	TOTAL	
19__	LAND	
	IMPROVEMENTS	
	TOTAL	
19__	LAND	
	IMPROVEMENTS	
	TOTAL	
19__	LAND	
	IMPROVEMENTS	
	TOTAL	

— NOTES —

74/40,000	OR 594-357
74/68,500	OR 595-284
75/76,800	OR 638-593/594



2-14-77

2-18-77 REAR 402 CAROLING
STREET

Exhibit F



Exhibit G

