

**RESOLUTION NO. 2024-028**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD APPROVING A MINOR DEVELOPMENT PLAN TO ALLOW FOR THE DEVELOPMENT OF MORE THAN 500 SQUARE FEET OF ADDITIONAL GROSS FLOOR AREA, AND ASSOCIATED SITE PLAN MODIFICATIONS INCLUDING INTERIOR RENOVATIONS, LANDSCAPE IMPROVEMENTS, THE RELOCATION OF RESTAURANT SEATING AREAS AND FOUR (4) HOTEL UNITS. THE APPLICATION ALSO INVOLVES SEVERAL LANDSCAPE WAIVERS INCLUDING A REDUCTION OF THE MINIMUM REQUIRED OPEN SPACE RATIO OF SIXTEEN PERCENT (16%) INSTEAD OF THE MINIMUM REQUIRED TWENTY PERCENT (20%), A MINIMUM LANDSCAPED AREA OF SIXTEEN PERCENT (16%) INSTEAD OF THE MINIMUM REQUIRED TWENTY PERCENT (20%), AN INCREASE IN THE MAXIMUM PERCENTAGE OF PALM TREES TO ALLOW THIRTY SIX PERCENT (36%) INSTEAD OF THE MAXIMUM PERMITTED TWENTY FIVE PERCENT (25%), A REDUCTION IN THE NUMBER OF INTERIOR TREES TO ALLOW TWO (2) INTERIOR TREES INSTEAD OF THE MINIMUM REQUIRED FOUR (4) TREES, A REDUCTION IN THE LANDSCAPE REQUIREMENT ALONG A STREET FRONTAGE TO REDUCE BOTH THE NUMBER OF PLANTS AND WIDTH OF THE PLANTING AREA, AND BUFFER YARD WAIVER FOR THE NORTHWEST BUFFER AREA FOR A PROPERTY LOCATED WITHIN THE HISTORIC COMMERCIAL CORE – 3 (HRCC-3) DISTRICT PURSUANT TO SECTIONS 108-91 (A)(1)(B), 108-346, 108-347, 108-412, 108-413, 108-416, 108-481, AND 90-395, OF THE LAND DEVELOPMENT REGULATIONS.**

**WHEREAS**, Section 108-9, of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") outlines the criteria for Minor Development plans; and

**WHEREAS**, the subject property is located at 1125 Duval Street (RE: 00027870-000000), in the Historic Commercial Core -3 zoning district; and

**WHEREAS**, the property owner has submitted a request for a minor development plan to allow for the redevelopment four hotel units, relocating three to a newly acquired adjacent site and one transient license to an existing unit in the same structure, along with other site plan renovations, and a series of landscape waivers; and

**WHEREAS**, this matter came before and was recommended for approval with conditions by the Planning Board at a duly noticed public hearing on July 18, 2024; and

**WHEREAS**, the granting of the proposed Minor Development Plan is consistent with the criteria of the Code of Ordinances; and

**WHEREAS**, the Planning Board finds that the granting approval of the proposed Minor 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 detrimental to the public welfare.

**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.** The request for Minor Development Plan for a property is located at 1125 Duval Street (RE: 00027870-000000), in the Historic Commercial Core -3 zoning district for the redevelopment of four hotel units, relocating three to a newly acquired adjacent site and one transient license to an existing unit in the same structure, along with other site plan modifications, and a series of landscape waivers, is hereby approved with the following conditions:

  
  
Chairman  
Planning Director

**General conditions:**

1. The proposed development shall be consistent with the plans dated January 11, 2024 by Gavin Scarbrough, the landscape plans dated January 11, 2024 by Gavin Scarbrough, and the irrigation plan dated April 4th, 2024 by Pope-Scarbrough; notwithstanding any revisions requested and recommended by staff. Construction drawings for permitting shall be dated as approved herein, with any proposed revisions (modifications) clearly noted. Development plan modifications that do not rise to the status of minor or major plan modifications may be approved by the city planner as per Section 108-91(c)(1). All modifications shall be submitted for review and approval to the Planning Department prior to building permit application. Minor and major development plan modifications are addressed as per Section 108(c) of the City Code.

2. The hours of construction shall comply with the City Code and shall be limited to 8 a.m. to 7 p.m. on Monday to Friday, and 9 a.m. to 5 p.m. on Saturday.

3. During all phases of construction, temporary fencing shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.

4. The applicant shall submit revised landscape plans subject to the review and approval of the Urban Forester prior to the issuance of any building permits.

5. The location and screening of any existing and proposed dumpsters shall be subject to the review and approval of the Utilities Department prior to the issuance of any building permits for the proposed work. Applicant/owner agrees to comply with all City requirements concerning the maintenance of any dumpsters on site.



6. The applicant/owner agrees to convert the existing loading zone along Catherine Street adjacent to the subject parcel to a public parking space. The applicant/owner shall submit an affidavit to the City of Key West Parking Director, confirming that the loading zone adjacent to Catherine Street will be converted to a public parking space.

7. No live music shall be permitted at the pool, which shall be restricted to use by Hotel guests only.

8. All construction, reconstruction, and demolition shall be in compliance with Historic Architectural Review Commission (HARC) Guidelines and shall be subject to the review and approval of the Historic Preservation Planner.

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

**Section 4.** This Minor Development Plan application approval by the Planning Board does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of the 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 Board.

**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 shall be rendered to the Florida Department

  
Chairman  
 Planning Director

of Commerce. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for 45 days after it has been properly rendered to the DOC with all exhibits and applications attached to or incorporated by reference in this approval; that within the 45-day review period, the DOC 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.

Read and passed on first reading at a regularly scheduled meeting held this 18<sup>th</sup> day of July, 2024.

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

Sam Holland, Jr.  
Sam Holland, Jr. Planning Board Chairman  
7/30/24  
Date

**Attest:**

Katie Halloran  
Katie Halloran, Planning Director  
7/26/2024  
Date

**Filed with the Clerk:**

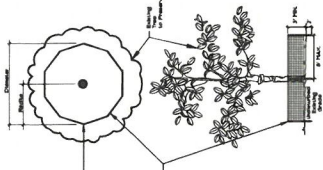
Keri O'Brien  
Keri O'Brien, City Clerk  
7/30/2024  
Date

USR Chairman  
KPH Planning Director

  
Chairman  
KPH Planning Director







**TREE PROTECTION BARRIER DETAIL**

THE BARRIER SHALL BE CONSTRUCTED AS SHOWN TO PROTECT THE TRUNK OF THE TREE FROM DAMAGE BY CONSTRUCTION EQUIPMENT, VEHICLES, AND OTHER SOURCES OF DAMAGE. THE BARRIER SHALL BE MAINTAINED AT ALL TIMES TO REMAIN IN PLACE AND SHALL BE REPAIRED OR REPLACED AS NECESSARY. THE BARRIER SHALL BE REMOVED UPON THE COMPLETION OF CONSTRUCTION.

1. THE BARRIER SHALL BE 4 FEET HIGH AND 4 FEET WIDE.

2. THE BARRIER SHALL BE SUPPORTED BY 4x4 POSTS.

3. THE BARRIER SHALL BE SET BACK FROM THE TREE TRUNK AS SHOWN.

4. THE BARRIER SHALL BE SET BACK FROM THE PROPERTY LINE AS SHOWN.

5. THE BARRIER SHALL BE SET BACK FROM THE ADJACENT PROPERTY AS SHOWN.

6. THE BARRIER SHALL BE SET BACK FROM THE STREET AS SHOWN.

7. THE BARRIER SHALL BE SET BACK FROM THE SIDEWALK AS SHOWN.

8. THE BARRIER SHALL BE SET BACK FROM THE DRIVE AS SHOWN.

9. THE BARRIER SHALL BE SET BACK FROM THE LOT LINE AS SHOWN.

10. THE BARRIER SHALL BE SET BACK FROM THE NEIGHBORHOOD AS SHOWN.

EXISTING PLANTING	COMMON NAME	SPECIFICATION	DISPOSITION
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1125 DUVAL & 615 CATHERINE  
Key West, FL

LaTeda Resort

POP-SCARBROUGH-ARCHITECTS  
THOMAS F. POPE, P.A.  
610 WHITE ST. KEY WEST, FL  
(305) 296 2611

date: 7/24/24  
revision: 4/25/24

Sheet: A0.3



Tree Disposition Plan

NARRATIVE OF REVISION 1 (DATED 4/25/24):  
MONTGOMERY PALM ADDED TO SITE PLAN AND TREE DISPOSITION

Handwritten notes: 7/26/2024, KCP/H, 7/26/24

