

RESOLUTION NO. 2022-_____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA GRANTING APPROVAL FOR MINOR MODIFICATION TO A MAJOR DEVELOPMENT PLAN, LANDSCAPE WAIVER, AND AFFORDABLE HOUSING LINKAGE PROVISIONS, FOR PROPERTY LOCATED AT 1319 WILLIAM STREET & 1316 ROYAL STREET UNITS # 1-6 (RE #00036920-000000), TO PHASE THE CONSTRUCTION OF SIX (6) NON-TRANSIENT HOUSING UNITS LOCATED IN THE HISTORIC MEDIUM DENSITY RESIDENTIAL (HMDR) ZONING DISTRICT, PURSUANT TO SECTION 108-91 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is located within the Historic Medium Density Residential (HMDR) Zoning District; and

WHEREAS, pursuant to Section 108-91 of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”), the applicant filed a Minor Modification to a Major Development Plan application, Landscape Waiver, and an Affordable Workforce Housing Requirement Linkage Provision to include a Construction Management Plan and Inspection Schedule for a phased development, for property located at 1319 William Street & 1316 Royal Street Units # 1-6 (RE #00036920-000000); and

WHEREAS, Code Section 108-196(a) requires the Planning Board to review and approve, approve with conditions or deny the proposed Minor Modification to a Major Development Plan and Landscape Waivers and Affordable Housing Linkage Provision, in an advisory capacity to the City Commission; and

WHEREAS, this matter came before and was approved by the Planning Board at a duly noticed public hearing on October 25th, 2022; and

WHEREAS, the granting of a Minor Modification to a Major Development Plan,

Landscape Waiver, and Affordable Housing Linkage Provisions application is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the City Commission finds that the granting of a Minor Modification to a Major Development Plan, Landscape Waiver, and Affordable Housing Linkage Provisions 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 CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

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

Section 2. The Minor Modification to a Major Development Plan, Landscape Waiver, and Affordable Housing Requirement Linkage Provision to construct a phased development on property located at 1319 William Street & 1316 Royal Street Units # 1-6 (RE #00036920-000000) within the Historic Medium Density Residential (HMDR) zoning district pursuant to Section 108-91 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans dated September 11, 2020, is hereby approved with the following conditions:

1. The proposed construction at 1319 William Street and 1316 Royal Street shall be consistent with the site plan signed, sealed and dated September 11, 2020, by Willian Byron Shepler, R.A. Construction drawings for permitting shall be dated as approved herein, with any proposed revisions (modifications) clearly noted and dated. 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.).

2. All conditions in Resolution No. 2021-197 shall be incorporated into the approving resolution for the requested minor modification.
3. Applicant shall adhere to the Construction Management Plan and schedule dated 9/14/2022.

Section 3. This resolution does 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 4. 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 5. 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 of Economic Opportunity. 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 DEO with all exhibits and applications attached

to or incorporated by reference in this approval; that within the 45-day review period, the DEO 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 6th day of December 2022.

Authenticated by the presiding officer and Clerk of the Commission on December ____, 2022.

Filed with the Clerk the ____ day of 2022.

Mayor Teri Johnston	_____
Commissioner Lissette Carey	_____
Commissioner Mary Lou	_____
Hoover Vice Mayor Sam	_____
Kaufman Commissioner Clayton	_____
Lopez Commissioner Billy	_____
Wardlow Commissioner Jimmy	_____
Weekley	

TERI JOHNSTON, MAYOR

ATTEST:

Cheryl Smith, City Clerk

Date