#### PLANNING BOARD RESOLUTION No. 2014-40

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD GRANTING WITH CONDITIONS APPROVAL OF A MAJOR DEVELOPMENT PLAN AND CONDITIONAL USE APPLICATION WITH LANDSCAPE AND BUFFER-YARD WAIVER FOR THE PHASED DEMOLITION AND RECONSTRUCTION OF 7 OF THE 16 EXISTING CONVALESCENT UNITS, CONSTRUCTION OF 7 NEW UNITS AND AN ADMINISTRATION BUILDING FOR PROPERTY LOCATED AT 1512 DENNIS STREET & 1515-1525 BERTHA STREET (RE# 00063400-000000, AK# 1063835 & RE# 00063400-000100, AK# 8850701) IN THE LIMITED COMMERCIAL (CL) ZONING DISTRICT PERSUANT TO SECTIONS 108-91(B)(2)(A)&(B) AND 122-388(6) OF THE LAND DEVELOPMENT REGULATIONS OF KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is located in the Limited Commercial (CL) zoning district; and

WHEREAS, Section 108-91 B(2.)(b.) of the Code of Ordinances requires Major Development Plans for the construction or reconstruction of equal or greater than 5,000 square feet of nonresidential gross floor area; and

WHEREAS, the applicant proposed the phased demolition and reconstruction of 7 of the 16 existing convalescent-units, construction of 7 new units and an administration building; and

WHEREAS, this approval of a Major Development Plan, Conditional Use and Buffer-Yard

Page 1 of 4 Resolution Number 2014-40

Chairman
Planning Director

Waiver is consistent with the Land Development Regulations and the Comprehensive Plan; and

WHEREAS, the recommendation of approval of the Major 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; and

WHEREAS, the approval is consistent with the criteria in the Code; and

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. That a Major Development Plan for the proposed phased demolition and

reconstruction of 7 of the 16 existing convalescent-units, construction of 7 new units and an

administration building as shown on the attached plan set dated July 2, 2014 by Richard J. Milelli,

Registered Architect, for property located at 1512 Dennis Street & 1515 - 1525 Bertha Street (RE#

00063400-000000, AK# 1063835 & RE#00063400-000100; AK# 8850701) in the CL Zoning

District pursuant to Sections 108-91(B)(2)(a)&(b) and 122-388(6) of the City of Key West Land

Development Regulations, is hereby recommended for City Commission approval with the following

conditions:

**General Conditions:** 

Page 2 of 4 Resolution Number 2014-40

Chairman

Planning Director

- 1. The applicant shall obtain major development plan and conditional use approval.
- 2. The applicant shall obtain final landscape plan approval.
- 3. The applicant shall address Engineering comments dated March 27, 2014.
- 4. Any lighting fixtures shall meet "Dark Sky" lighting standards.
- 5. Construction Management Plan be implemented.
- Any use of new BPAS allocations for any part of this project shall require that all structures meet the minimum prerequisites of the BPAS ordinance as to sustainable building features and elevation for FEMA purposes.

Conditions subject to a Conditional Approval Permit, per Ordinance 10-22 subject to an associated annual inspection:

- 7. All swales and landscaping shall be maintained.
- 8. Phase 1 of the development shall be complete by October 31, 2017, or shall require one and only one extension approved by the City Commission prior to the expiration date of the resolution of the City Commission approving the Development Plan.
- 9. Phase 2 of the development Plan shall be complete by October 31, 2019 or shall require one and only one extension approved by the City Commission prior to the expiration date of the resolution of the City Commission approving the Development Plan.

Section 3. This Major Development Plan application recommended for approval to the City Commission, 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 will be rendered to the Florida Department of Economic

Page 3 of 4 Resolution Number 2014-40

Chairman

Planning Director

Opportunity. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (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 forty five (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 17th day of July 2014.

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

Richard Klitenick, Chairman

Key West Planning Board

Donald Leland Craig, AICP

Planning Director

Attest:

Date

Filed with the Clerk:

Cheryl Smith City Clerk

<u>}-6-/</u>4
Date

Page 4 of 4
Resolution Number 2014-40

Chairman
Planning Director



# DEVELOPMENT DOCUMENTS for:

### AH of MONROE COUNTY INC MARTY'S PLACE

KEY WEST FL 33040

DESIGN BUILD CONTRACTOR:

## KENMAR GENERAL CONTRACTING, LLC

SBA Certified 8(a) WOSB Design/Bulld Construction Company Jacksonville Office: 31 W. Adams Street, Suite 102, Jacksonville, FL 32202 Key West Office: 923 White Street, Key West, FL 33040 WWW.Kehmergc.com PHONE: 305-797-5344 Fax: 866-841-8701

CONSTRUCTION DOCUMENTS

#### DEVELOPMENT CONSULTANT: FEBRUARY 17, 2014

TREPANIER & ASSOCIATES

402 APPLEROUTH LANE, Key West Florida 33040 PHONE: 305-293-8983

Fax: 305-293-8748

M INTERIOR DESIGN

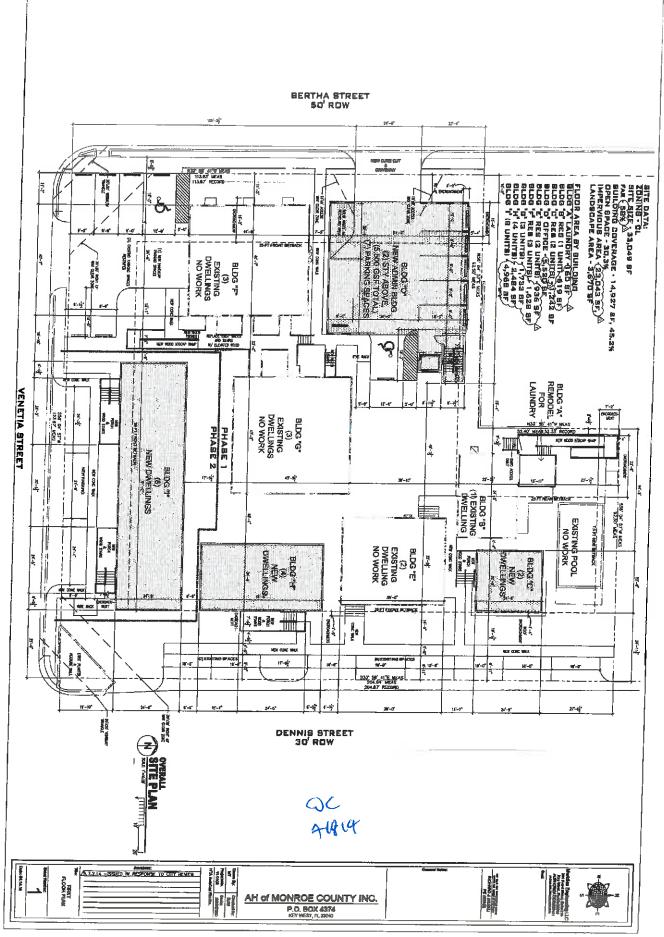
923 White Street, Key West Florida 33040 PHONE: 305-509-2659 Fax: 305-320-0521

RICHARD J. MILELLI FLPE # 58315

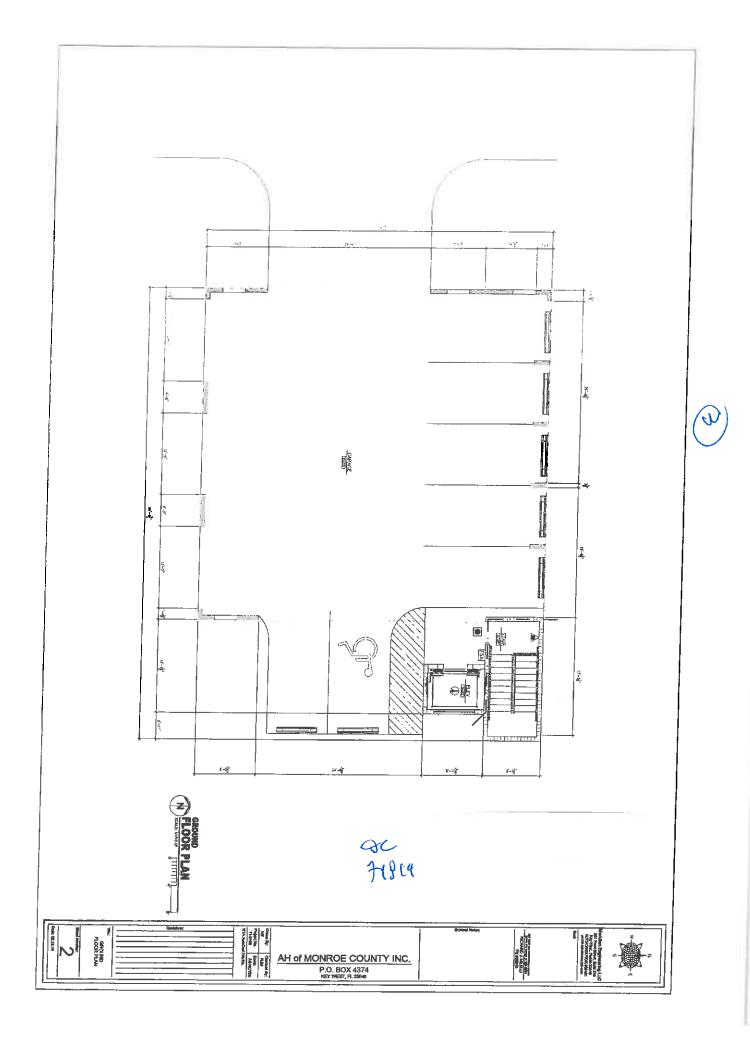


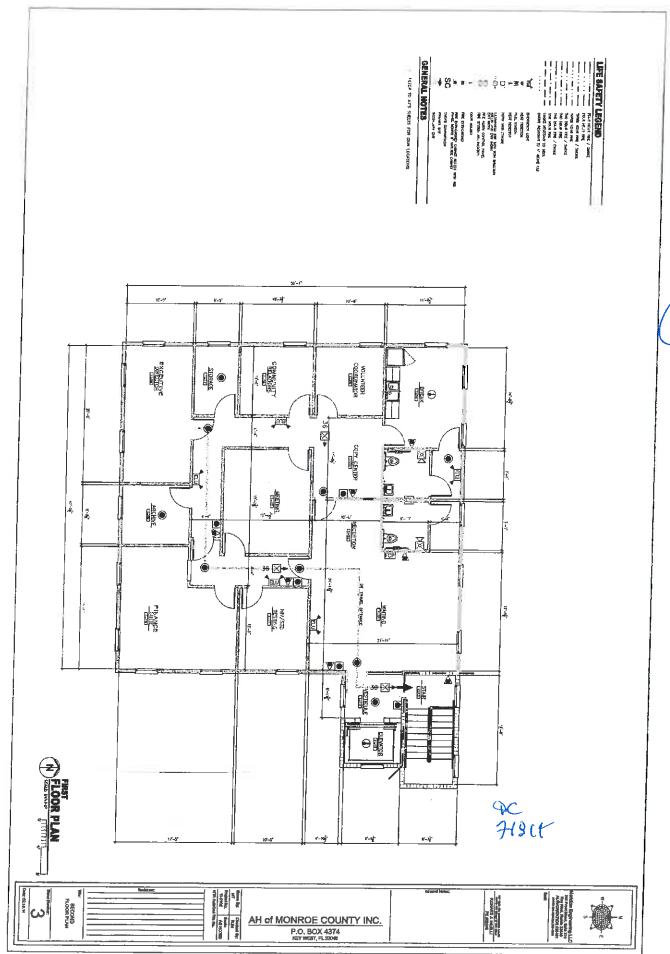
MERIDIAN ENGINEERING, LLC

201 FRONT STREET, SUITE 209, KEY WEST FL 33040, PHONE 305-293-3263, FAX 305-293-4889, AUTHORIZATION NO. 29401









(W)

