

RESOLUTION NO. 16-

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, APPROVING A VARIANCE TO BUILDING HEIGHT REGULATIONS FOR NON-HABITABLE SPACE FOR AN ENTRY FEATURE FOR THE PROPOSED NEW DOCK MASTER BUILDING AT 1801 NORTH ROOSEVELT BOULEVARD (RE# 00072070-000000; ALT. KEY 1075868 AND RE# 00072070-000200; ALT. KEY 8842635) IN THE PUBLIC AND SEMI-PUBLIC SERVICES ZONING DISTRICT (PS) UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST AND PART 1 OF ARTICLE 1, SECTION 1.05 OF THE CITY CHARTER OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the applicant has requested a height variance of +/- 6' increase from the 25' maximum building height allowed to the 30.67' proposed, for non-habitable space for an entry feature for the proposed new Dock Master building; and

WHEREAS, the proposed request is associated with the Minor Development Plan that was approved by the Planning Board on January 21, 2016;

WHEREAS, the Board of Adjustment finds that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures or buildings in the same district; and

WHEREAS, the Board of Adjustment finds that granting the variance requested would not confer upon the applicant special privileges denied by the Land Development Regulations to other lands, buildings or structures in the same zoning district; and

WHEREAS, the Board of Adjustment finds that literal interpretation of the provisions of the Land Development Regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary or undue hardship on the applicant; and

WHEREAS, the Board of Adjustment finds that the variance requested is the minimum variance that would make possible the reasonable use of the land, building or structure; and

WHEREAS, the Board of Adjustment finds that the granting of the variance would be in harmony with the general intent and purpose of the Land Development Regulations and that such variance would not be injurious to the area involved and otherwise detrimental to the public interest or welfare; and

WHEREAS, the Board of Adjustment finds that the applicant cannot make reasonable use of the land, building or structure without the approval of the height variance; and

WHEREAS, the Board of Adjustment finds that the applicant has satisfied the conditions of the Key West Code of Ordinances Section 90-395 and likewise met the requirements established by Code Section 90-274.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the height variance request of +/- 6'

increase from the 25' maximum building height allowed in the PS Zoning District, to the 30.67' proposed is hereby approved.

Section 2: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the presiding officer and the Clerk of the Commission.

Passed and adopted by the Board of Adjustment at a meeting held this _____ day of _____, 2016.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2016.

Filed with the Clerk _____, 2016.

Mayor Craig Cates	_____
Commissioner Samuel Kaufman	_____
Vice Mayor Clayton Lopez	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK