

**PLANNING BOARD
RESOLUTION NO. 2017**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD
GRANTING MINOR DEVELOPMENT PLAN AND
LANDSCAPE WAIVER PURSUANT TO SECTIONS 108-
91.B.1(A), 108-196(B), 108-347, AND 108-413 THROUGH 415
OF THE LAND DEVELOPMENT REGULATIONS OF THE
CODE OF ORDINANCES OF THE CITY OF KEY WEST,
FLORIDA FOR THE RENOVATION OF TEN NEW
TRANSIENT RESIDENTIAL UNITS AND ELIMINATE
APPROXIMATELY 12,000 SQUARE FEET OF
COMMERCIAL AREA ON PROPERTY LOCATED AT 801
EISENHOWER DRIVE (RE# 00023190-000000) WITHIN THE
COMMERCIAL GENERAL (CG) ZONING DISTRICT;
PROVIDING FOR AN EFFECTIVE DATE**

WHEREAS, Section 108-91 of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) provides that a Minor Development Plan is required for permanent residential development: addition or reconstruction of five to ten more units; and

WHEREAS, Code Section 108-196(a) the Planning Board to review and approve, with conditions or deny the proposed Minor Development Plan shall be final unless appealed; and

WHEREAS, Code Section 108-347 provides required screening for landscape buffer yards;
and

WHEREAS, Code Sections 108-413 provides landscaping along street frontage; and

WHEREAS, Code Section 108-414 provides landscaping requirements for interior areas;
and

WHEREAS, Code Section 108-415 provides perimeter landscape requirements; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on December 21, 2017; and

_____Chairman

_____Planning Director

WHEREAS, the granting of a Minor Development Plan and Landscape Waiver is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the Planning Board finds that the granting of a Minor Development Plan and Landscape Waiver 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 Minor Development Plan and Landscape Waiver for the interior renovation of an existing two-story office building to include ten new transient units at 801 Eisenhower Drive (RE# 00023190-000000) within the Commercial General (CG) Zoning District pursuant to Sections 108-91.B.1(a), 108-196(a), 108-347, 108-413 through 415 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans, is hereby approved with the following conditions:

General conditions:

1. The proposed development shall be consistent with the plans dated September 30, 2016 by William Shepler & Associates Registered Architect.
2. The hours of construction shall be in compliance with City Code and be limited to 8 AM to & 7 PM on Monday to Friday, and 9 AM to 5 PM 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.

_____Chairman

_____ Planning Director

4. Irrigation Plan shall be submitted before final landscape plan approval from the Tree Commission.

Conditions prior to issuance of a building permit:

5. Approval of a Public Art Plan shall be obtained from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee.
6. Applicant shall coordinate with Keys Energy Services a full project review.

Conditions prior to issuance of a certificate of occupancy:

7. The total score claimed of 110 points, in which the 10 transient Building allocation System (BPAS) units were awarded through Planning Board Resolution 2017-06, shall be confirmed by City staff.

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

Section 4. This Minor Development Plan and Landscape Waiver 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

_____Chairman

_____ Planning Director

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 21st day of December, 2017.

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

Sam Holland, Planning Board Chairman

Date

Attest:

Patrick Wright, Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date

_____ Chairman

_____ Planning Director