

**THE CITY OF KEY WEST
PLANNING BOARD
Staff Report**



To: Chairman and Planning Board Members

From: Brendon Cunningham, Senior Planner

Through: Donald L. Craig, AICP, Planning Director

Meeting Date: September 20, 2012

Agenda Item: **Rescinding PB Resolution 2005-041 (Transient License Transfer from 915 Windsor Lane, RE# 00020091-000000 to 3591 S Roosevelt Boulevard, RE# 00054350-000000) -** Dissolving the previously adopted Planning Board Resolution 2005-041 pursuant to Chapter 122, Article V, Division 6, Sections 122-1336 through 122-1345, subpart B, Land Development Regulations of the Code of Ordinances of the City of Key West.

Request: To rescind Planning Board Resolution 2005-041.

Applicant: Mark Hyatt

Property Owner: Hyatt & Hyatt, Inc.

Location: 3591 S Roosevelt Boulevard, (RE# 00054350-000000)

Zoning: Salt Pond Commercial Tourist (CT)

Background:

In 2005 a Major Development Plan was approved to construct 20 market rate condominium units at 3591 South Roosevelt. To that end, the property owner obtained 20 1.0 ESFU's through the transient transfer process outlined in Section 122-1336 through 1345. Of those 20 units, 9 came from 915 Windsor Lane which was a property then under redevelopment proceedings. That property has since been fully built out and issued a CO. The development approvals for 3591 South Roosevelt have since expired.

Request:

The owner of the property at South Roosevelt would like to divest himself of the transient units and licenses through the rescinding of Planning Board Resolution 2005-041 for the purpose of further sale and transfer.

Process:

Planning Board: September 20, 2012

Analysis – Evaluation for Compliance With The Land Development Regulations:

The units, while associated with the above mentioned property, have not been used as intended and have been held in unassigned status with the Licensing Division of the Building Department. The applicant would like to have the units and licenses remain in his name without an association with the subject property. The units and licenses would then be available for resale.

The transient transfer process, as defined in Section 122, Division 6, promotes compliance with allowed transient use in particular zoning districts. The transfer process also allows for the transfer of transient units and the extinguishment of the transient license to create non-transient residential units. The applicant had originally intended to create non-transient residential units through this process. As these units were not developed, they have retained their transient status.

The applicant has previously requested that the units be separated from the property. In 2007, the then Planning Director determined that by rescinding Planning Board Resolution 122-041, the units would no longer be associated with the subject property and would be available for further transfer. However, the applicant did not follow up and apply for the rescission. This determination has been maintained by subsequent Planning and Legal Department Staff. Attached are copies of memoranda to that end.

RECOMMENDATION:

The Planning Department, based on criteria established in Section 122-1336 through 1345 of the Land Development Regulations, recommends the request be **approved**.

Draft Resolution

**PLANNING BOARD
RESOLUTION NO. 2012 -**

A RESOLUTION OF THE KEY WEST PLANNING BOARD PURSUANT TO CHAPTER 122, ARTICLE V. DIVISION 6, SECTIONS 122-1336 THROUGH 122-1345, SUBPART B, LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST DISSOLVING THE PREVIOUSLY ADOPTED RESOLUTION 2005-041 WHICH APPROVED THE AN APPLICATION FOR THE TRANSFER OF FIFTEEN (15) SMALL TRANSIENT UNITS FROM 915 WINDSOR LANE (RE# 00020091-000000 TO 3591 SOUTH ROOSEVELT BOULEVARD (RE#00054350-000000 FOR USE AS NINE (9) FULL SIZE NON-TRANSIENT RESIDENCES, AND SUBSTITUTING IN ITS PLACE RECOGNITION OF NINE (9) BPAS TRANSIENT UNITS WITH LICENSES AS UNASSIGNED TO ANY PARTICULAR PROPERTY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-1338 (2) of the Code of Ordinances allows a transient unit to be transferred along with an accompanying business tax receipt from an area where transient uses are prohibited to a receiver site where transient residential use is permitted without the accompanying transfer of the unit; and

WHEREAS, the transient units transferred to 3591 South Roosevelt Blvd were combined from fifteen (15) 0.58 ESFU into nine (9) 1.0 ESFU; and

_____ Chairman
_____ Planning Director

WHEREAS, the purpose for the transfer was to construct single family units approved for a major development plan; and

WHEREAS, the development approvals for that project have expired; and

WHEREAS, the applicant wishes to divest himself of the transferred transient units to second party; and

WHEREAS, the units will be held as unassigned to any particular property until such time as a buyer will come forth; and

WHEREAS, the units will be potentially located in an appropriate zoning district.

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 transfer of transient units and associated business tax receipts, pursuant to Section 122-1339 of the Code of Ordinances of the City of Key West, Florida, is hereby

_____ Chairman

_____ Planning Director

granted as follows: ALLOWING A TRANSFER OF NINE TRANSIENT UNITS AND ASSOCIATED BUSINESS TAX RECEIPTS FROM PROPERTY LOCATED AT 3591 SOUTH ROOSEVELT BOULEVARD (RE# 00054350-000000) TO A STATUS OF UNASSIGNED TO ANY PARTICULAR PROPERTY with the following conditions as determined by the Planning Board:

Section 3. Full, complete, and final application for all licenses and 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 transfer of nine transient units and associated business tax receipts do 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 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 Commission

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 will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 9J-1, F.A.C., this permit 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 DCA can appeal the permit 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 20th day of September, 2012.

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

Richard Klitenick, Chairman
Key West Planning Board

Date

Attest:

Donald Leland Craig, AICP
Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date

Chairman

Planning Director

Additional Information



**THE CITY OF KEY WEST
PLANNING DEPARTMENT**

P.O. Box 1409 Key West, Florida 33041-1409
gkenson@keywestcity.com
Phone (305) 809-3728
Fax (305) 809-3739

23 October 2007

Mr. Mark B. Hyatt
17021 Starfish Lane West
Sugarloaf Shores, Florida 33042

Subject: 3591 South Roosevelt Boulevard
RE# 00054350-000000

Dear Mr. Hyatt:

It is my understanding that you no longer wish to proceed with the proposed major development plan for 20 residential units at 3591 South Roosevelt Boulevard approved by City Commission Resolution 05-342 on October 19, 2005. Between November, 2005 and July, 2006, Hyatt & Hyatt, Inc. purchased 20-ROGO units for use in connection with the major development plan approved for 3591 South Roosevelt Boulevard., Key West, Florida (the "Property"). The ROGO units were acquired by Hyatt & Hyatt, Inc. as follows:

Planning Board Resolution No. 2005-040 approved the transfer of two (2) full size transient units from 914 Frances Street for use as two (2) full size units at 3591 South Roosevelt Boulevard.

Planning Board Resolution No. 2005-041 approved the transfer of fifteen (15) small transient units from 915 Windsor Lane for use as nine (9) full size units at 3591 South Roosevelt Boulevard.

Planning Board Resolution No. 2006-019 approved the transfer of one (1) full size transient units from 914 Frances Street for use as one (1) full size unit at 3591 South Roosevelt Boulevard.

On September 13, 2005, the City Manager, on behalf of the City Planner issued ROGO Unit Certificate Nos. 1 - 6 to Old Town Key West Development Ltd. Each Certificate represents a transferable right to develop one full size residential unit pursuant to City Resolution No. 05-240. On December 6, 2005, the City Planner approved the assignment of the development rights represented by Certificate Nos. 1 - 6 from Old Town Key West Development Ltd. to Hyatt & Hyatt, Inc.

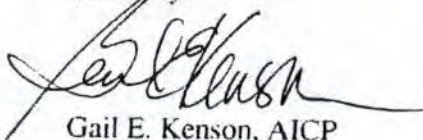
On January 12, 2006, the City Planner issued ROGO Unit Certificate Nos. 7 and 8 to Old Town Key West Development Ltd. Each Certificate represents a transferable right to develop one full size residential unit pursuant to City Resolution No. 00-354. On March 24, 2006, the City Planner approved the assignment of the development rights represented by Certificate Nos. 7 and 8 from Old Town Key West Development Ltd. to Hyatt & Hyatt, Inc.

The Planning Department proposes the following resolution:

1. Hyatt & Hyatt, Inc. may petition the Planning Board to rescind Planning Board Resolution No. 2005-040; Planning Board Resolution No. 2005-041; and Planning Board Resolution No. 2006-019 for the express purpose of separating the ROGO units from 3591 South Roosevelt Blvd., Key West, Florida, for future transfer to a receiver site in accordance with the procedures and provisions of City of Key West Code of Ordinances ("Code of Ordinances") Section 122-1336 et seq.
2. Following rescission of the above-referenced Planning Board Resolutions, Hyatt & Hyatt, Inc. may preserve the right to transfer the units, and then transfer such units pursuant to Code of Ordinances Section 122-1338 (10), provided that transient license no. 04-18390 and transient license no. 05-18249 have been and continue to be maintained. Any application to transfer the units pursuant to this paragraph shall be filed in the name of Hyatt & Hyatt, Inc. and shall list 914 Frances Street and 915 Windsor Lane as the "sender" site, even though the units are not in use at said "sender" sites. Once the units have been attached to a "receiver" site by a Planning Board resolution, the units shall expire from the "sender" sites.
3. Hyatt & Hyatt, Inc. may re-assign the development rights represented by ROGO Unit Certificate Nos. 1 - 8 in accordance with the procedures and restrictions referenced on the face of said ROGO Unit Certificates, copies of which are attached hereto as Exhibit "A".
4. Should the Planning Board Resolutions be rescinded, then Hyatt & Hyatt shall request the city commission rescind Resolution 05-342. The major development plan approval contained in City of Key West Resolution No. 05-342 may otherwise remain intact and unchanged, through the extended expiration date of October 19, 2008.

Should you have any questions concerning this matter, please contact me at the 809-3728 or gkenson@keywestcity.com.

Sincerely,



Gail E. Kenson, AICP
Planning Director

Cc: Shawn D. Smith, Esq., City Attorney
Susan M. Cardenas, Esq., Stones and Cardenas



THE CITY OF KEY WEST

Post Office Box 1409 Key West, FL 33041-1409 (305) 809-3700

Date: April 1, 2009

To: Amy Kimball-Murley, AICP, Planning Director

From: Brendon Cunningham

Re: Unit Allocations, Major Development Plan, 3591 South Roosevelt Boulevard

The applicant met with planning staff prior to the expiration of the Major Development Plan (MDP). The purpose of the meeting was to inquire as to the status of the 20 units, twelve transient transfers that authorized 12 non-transient, full-size residential units and eight "ROGO Unit Certificates" for eight non-transient, full-size residential units and also for a potential extension of the MDP. According to the information available, the twelve transient transfers were for units with licenses even though the applicant had no intentions for transient use. The Certificates never had a transient component.

I have reviewed the files for the property located at 3591 South Roosevelt Boulevard. Attached are copies of Planning Board Resolutions 2005-040, 2005-041 and 2006-019 approving a total transfer of twelve full-size transient units, 3 from 914 Frances Street and 15 "small" units (transient) converted into 9 full-size units, from 915 Windsor Lane to the property. City Commission Resolutions 00-354 and 05-240 established development rights via the ROGO Unit Certificates, eight of which were assigned to this property for a total of 20 units.

There is a Planning Department memorandum dated October 23, 2007 (attached) outlining the process for severing these units from the current assigned location for transfer to other potential developments. It is noted that the applicant wanted to withdraw the application and transfer the units off site. The key point of the memo is item 4 on page 2 that states that if these resolutions are rescinded, the MDP will be voided.

There is a letter from Stones & Cardenas dated December 11, 2007 (attached) that states that ROGO Unit Certificates 1-5 are to be transferred to "Old Town Key West Development, Ltd" and ROGO Unit Certificates 6-8 are to be transferred to "Michael B. Ingram" pending review and signature by the City Planner. At this time these eight Certificates have been transferred off site and there are 12 remaining units assigned to this property.

C: Richard M. Klitenick, PA, Representative for the Applicant
Mayte Santamaria, Department of Committee Affairs

Attachments: Planning Board Resolutions
City Commission Resolutions
ROGO Unit Certificates
Planning Department Letter
Letter from Stones & Cardenas

PLANNING BOARD RESOLUTION
No. 2005-041

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD PURSUANT TO SECTIONS SUBPART B, LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST APPROVING AN APPLICATION FOR THE TRANSFER OF FIFTEEN (15) SMALL TRANSIENT UNITS FROM 915 WINDSOR LANE (RE# 00020090-000000) to 3591 SOUTH ROOSEVELT BLVD. (RE # 00054350-000000 FOR USE AS NINE FULL SIZE NON-TRANSIENT RESIDENCES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, pursuant to Sec. 122-1338 of the Code of Ordinances of the City of Key West, Michael Ingram, agent for Elegant Island Homes of the Sea Isle on Windsor Lane LLC, the owner 915 Windsor Lane (the sender site), filed an application to transfer fifteen (15) full size transient units from the property (sender site) to 3591 South Roosevelt Boulevard (the receiver site) to allow the construction of two non-transient residence; and

WHEREAS, the above-referenced party presented to the City proof of "transient residential rental unit" Occupational License, Number 05-18249; and

WHEREAS, Mark Hyatt, agent of Hyatt and Hyatt, Inc, owner of the receiver site, simultaneously made application to transfer the units from the sender site to the receiver site; and

WHEREAS, the receiver site shall be redeveloped into six (6) transient residential units pursuant to the development plan approved by Resolution (05-124) and such construction activity has begun; and

WHEREAS, at the Planning Board Meeting of December 15, 2005, Mr. Symroski reported that there were 85 notices, four (4) responses received, with no objections, four (4) non-objections, and no written comments; and

WHEREAS, at that Meeting, Mr. Symroski referenced his staff report dated November 29, 2005, that reviewed the application for compliance with all applicable regulations and reported the comments from the Development Review Committee of November 23, 2005 and recommended approval of the requested transfer of a transient license based on a finding that the proposal complies with the criteria and intent of the Transfer Ordinance and with the finding that this approval is for the transfer only and not of the proposed plans which shall be

subject to the full review necessary of a building permit and the already approved development plan (Res. 05-342); and

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the Planning Board finds that the transfer of the fifteen (15) small transient units from 915 Windsor Lane to 3591 South Roosevelt for use as nine (9) full size non-transient residences is approved only and not the building plans.

Section 2. That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the Chairman of the Planning Board and City Planner.

Passed at a meeting held this 15th day of December 2005.

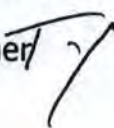
Patricia Eables 12-20-05
Patricia Eables, Chairman Date
Key West Planning Board

Attest:

T. J. Symroski 12/19/2-5
Ty Symroski Date
City Planner

Filed with the Clerk:
Cheryl Smith 12-21-05
Cheryl Smith, City Clerk Date

**CITY OF KEY WEST PLANNING DEPARTMENT
MEMORANDUM**

To: Key West Development Review Committee
From: Ty Symroski, City Planner 
Date: November 28, 2005
Subject: **Transient Unit Transfer from 915 Windsor Ln. to 3591 S. Roosevelt Blvd.**

Planning Board Meeting of December 15, 2005

PROPOSAL

Transfer **fifteen (15)** transient units into 9 full size non-transient residential condominium units.

Sender Site:

- Address: 915 Windsor Ln.
- Name of Property if applicable: Elegant Island Homes at the Sea Isle on Windsor Lane
- RE#: 00020090-000000
- Zoning: HHDR (Historic High Density Residential)
- ROGO Equivalency of unit(s):
 - 24 transient units of 0.58 = 13.82
 - 1 managers units of 1.00 = 1.00
 - Total equivalency = 14.82
 - Minus 6 units kept on site = 8.82 available to transfer
- Existing Use of property: Formerly Sea Isle Motel, has been demolished and is being redeveloped.
- Proposed final use of the property: Six (6) transient residential condominiums as approved by Resolution 05-124
- Misc.: The resolution approving the redevelopment specified that the applicant retained 15 transient units to transfer. As indicated above, the precise number of ROGO units to transfer is 8.82.

Receiver Site:

- Address: 3591 S. Roosevelt Blvd.
- Name of Property if applicable: Not Applicable
- RE#: 00054350-000000
- Zoning: CT (Salt Pond Commercial Tourist)
- Square footage of unit(s): Nine (9) at 2800 sq. ft each
- ROGO Equivalency of unit(s): 9

- 1 • Existing Use of Property: The property is under redevelopment from the
- 2 former Martha's Restaurant and Benihana Restaurant
- 3 • Proposed final use of the property: Twenty (20) market rate residential
- 4 condominiums. The property is being redeveloped per the recently approved
- 5 development plan (Res. 05-342). The units being transferred by this
- 6 application are necessary to complete the project.
- 7 • Misc.: In addition to the units being transferred by this application, two units
- 8 are being transferred from 914 Frances Street and six units are being
- 9 obtained from the sale of the McCay Tract to Ed Swift for the remaining
- 10 ROGO unit and five more ROGO units. Thus, of the 20 ROGO units required,
- 11 the applicant is in the process of transferring 17 units.

12 **PROCESS**

- 13 • DRC
- 14 • Planning Board

15 **DEVELOPMENT REVIEW COMMITTEE COMMENTS**

16 No objections

17 **PLANNING STAFF ANALYSIS**

18 Review pursuant to Criteria Section 122-1338 and Intent:

Criteria	Proposal	Complies. Yes or No
Sender Site		
Has transient license from City	Occupational License Number is: 05 18249	Yes
The unit(s) is (are) lawful unit & been counted in ROGO	Total 24 ROGO's at .58 and 1 managers unit at 1 ROGO	YES
Remaining # of rooms to same / does not increase ROGO count	Six (6) Full ROGO's	YES
Final use conforms with LDRs	Sender Proposed use: non-transient units	YES
Development review process required for proposed construction / redevelopment	Has already been approved PB Resolution 2005-002, City Commission Resolution 05-124	YES
Mortgagee consents to transfer	Date of letter: <u>October 20</u> From: <u>BB&T</u>	YES
Receiver Site		
Transient use is allowed or the use is residential	Receiver zoning district is: <u>CT. However, transient use is not proposed, only residential</u>	Yes
Complies with density	Allowed units: <u>20.5</u> Proposed units: <u>20</u>	YES
The transient units are two rooms or less / retain	No, transferring 15 transient	YES

ROGO equivalency	units at .58, for 9 full units	
Is not located in new construction in the "V" zone	Is located in Zone VE 11. However, a variance was granted to allow transfer into the v-zone since the footage of the building will remain unchanged after redevelopment.	
Homeowners or Condo Ass. Has approved	Date of letter: not applicable	N/A
Development review process required for proposed construction.	City Commission Resolution 05-269	YES
General		
ROGO equivalency is maintained between sender and receiver sites and throughout the properties	The sender site has 8.82 ROGO units left to transfer. It seems reasonable and consistent with the intent of the ordinance to allow the rounding up to 9.0	YES
Complies with general intent	YES	YES

1 2 **ADDITIONAL STAFF COMMENTS**

3
4 Applicant of Receiver site is VOLUNTARILY providing six (6) affordable housing
5 units off-site at a location to be determined.

6 7 **RECOMMENDATION**

8
9 The Planning Department has not received comment from the public. The
10 Planning Department recommends **APPROVAL** of the requested transfer based
11 on a finding that the proposal **complies with the criteria and intent of the**
12 **Transfer Ordinance and that this approval is for the transfer only and**
13 **not of the proposed plans which shall be subject to the full review**
14 **necessary of a building permit.**

15 16 **DRAWINGS PROVIDED WITH THIS REPORT**

Plans	By	Date
Sender Typical Floor Plan	M.B. Ingram	October 2005
Receiver Typical Floor Plan	M.B. Ingram	October 2005

**PLANNING BOARD RESOLUTION
No. 2005-002**

**A RESOLUTION OF THE CITY OF KEY WEST
PLANNING BOARD PURSUANT TO SECTIONS 108-164
AND 108-196 OF SUBPART B OF THE LAND
DEVELOPMENT REGULATIONS OF THE CODE OF
ORDINANCES OF THE CITY OF KEY WEST
APPROVING AN APPLICATION FOR A MINOR
DEVELOPMENT PLAN TO DEMOLISH THE EXISTING
STRUCTURES AND CONSTRUCT THREE, 2-STORY, 2-
UNIT RESIDENTIAL BUILDINGS AT 915 WINDSOR
LANE (RE# 00020090-000000); PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, an application for Minor Development in Historic District Plan Review was filed November 1, 2004, by Donald L. Craig, Authorized Representative, on behalf of Michael B. Ingram, owner of property at 915 Windsor Lane (RE # 00020090-000000), located in the HHDR (Historic High Density Residential) Zoning District; and

WHEREAS, the applicant/owners desire to demolish 24 existing transient units and 1 manager's apartment and construct three, two-unit, two-story buildings; and

WHEREAS, the Historic Architectural Review Commission (HARC) approved the application (H04-09-03-1483) at its meeting of September 28, 2004, to remove the existing structures and replace with 3 detached buildings (6 units); and

WHEREAS, the DRC, at its Regular Meeting of November 10, 2004, reviewed the proposed Minor Development in Historic District Plan and presented comments and recommendations including:

Utilities:

- Keys Energy Services written comment: Customer will need to provide Keys Energy with a full set of plans and Project Review Form, so that Keys Energy can review the electrical requirements for this project.
- Florida Keys Aqueduct Authority written comment: This site is presently served by FCAA Accounts #000470 which is a 1-1/2" domestic meter. There is presently an 8" water main located on Windsor Lane and it appears adequate to serve this site. However a complete set of plans will be required to determine System Development Fees and meter requirements.

K. L. Morris *TF*

- Utilities: Sewer system based on site plan will need DEP access.

Site Safety and Security:

- Office of the Fire Marshal written comment: No report.

Construction/Permitting:

- Planning Department: This project needs to have a construction management plan. They are in the "Pipeline". Issue is the non-conforming use aspect of this site.
- City Engineer/Public Works: Any work on City right of way has to be permitted through City Engineering Department.
- Building Official: No comments.
- HARC: Approved by HARC.

Landscaping:

- Landscape Coordinator: This project is tentatively scheduled for the December Tree Commission. Lots of trees being transplanted and removed. All planter areas need to be contained.
- Planning: We have street frontage, landscaping requirements and let's add those to previous street frontage of perimeter landscaping. Next step Tree Commission, Planning Board and City Commission.

Pedestrian Access:

- Bicycle/Pedestrian Coordinator: Sidewalk across driveway apron on Windsor Lane needs to be continuous and ADA compliant. Site triangle at Johnson and Windsor Lane must be maintained in regards to fencing, landscape and parking. Will need to examine dimension of parking lot and spaces, and;

WHEREAS, the applicant revised the plans in response to comments from the Development Review Committee; and

WHEREAS, after public notice, the application for Minor Development in Historic District Review was heard in a public meeting by the Planning Board at its Regular Meeting of January 20, 2005; and

WHEREAS, at Planning Board meeting on January 20, 2005, the following plans were reviewed by the Board:

Plans	Drawn By	Date	Revised	Pg #	Received
Survey	Norby & O'Flynn	6/11/04	10/15/04	---	11/1/04
Site Plan	m.b. Ingram, Architect	11/01/04 HARC 11/01/04 DRC	11/16/04 12/14/04 1/05/05	A1.1	11/17/04 12/14/04 1/05/05
1 st Floor Plan	m.b. Ingram, Architect	11/01/04 HARC 11/01/04 DRC	11/17/04	A2.1	11/17/04
2 nd Floor Plan	m.b. Ingram, Architect	11/01/04 HARC 11/01/04 DRC	11/17/04	A2.1	11/17/04
Front Elevation	m.b. Ingram, Architect	11/01/04 HARC 11/01/04 DRC	11/17/04	A3.1	11/17/04
Side Elevation	m.b. Ingram, Architect	11/01/04 HARC 11/01/04 DRC	11/17/04	A3.1	11/17/04
Rear Elevation	m.b. Ingram, Architect	11/01/04 HARC 11/01/04 DRC	11/17/04	A3.1	11/17/04
Existing Tree Plan	The Craig Company	10/28/04		L-1	11/17/04
Preliminary Planting Plan	The Craig Company	10/28/04	12/07/04 1/05/05	L-1	11/17/04 12/14/04 1/05/05
Conceptual Utility Plan	m.b. Ingram, Architect	9/24/04	11/10/04	C2	11/17/04
Drainage Plan	m.b. Ingram, Architect	9/24/04	11/10/04 ?	C1	11/17/04 1/05/05

WHEREAS, at the Planning Board Meeting of January 20, 2005, Mr. Symroski reported that public notices were sent out and 7 no objection responses were received; and

WHEREAS, at the Planning Board Meeting of January 20, 2005, Mr. Symroski stated the Planning Department recommends approval of this application with conditions, as stated in the Staff Report of January 20, 2005 by Kai Monast; and

WHEREAS, the applicant does not object to the conditions placed upon the recommendation for approval in the January 20, 2005 Staff Report; and

WHEREAS, the applicant has requested a waiver of Section 108-413 (street frontage landscaping requirement) in a letter received by the Planning Department on January 5, 2005; and

WHEREAS, it has been determined that the applicant has adhered to the landscape requirement waiver application guidelines outlined in Section 108-517; and

WHEREAS, the proposal has more landscaping and a larger buffer area along Windsor Lane than required by City Code; and

WHEREAS, it has been determined that granting a landscaping waiver does not violate the criteria in Section 108-517(b); and

WHEREAS, at the Planning Board Meeting of January 20, 2005, Mr. Symroski stated that the Planning Department recommends that the landscaping requirement be waived based on superior design;

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

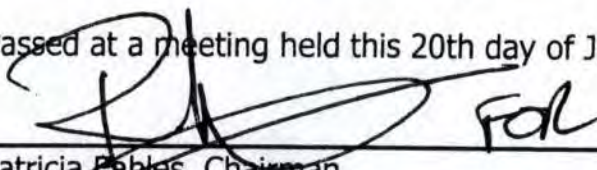
Section 1. That the Planning Board APPROVES WITH CONDITIONS the Application for the Minor Development in Historic District Plan dated November 1, 2004, for the parcel at 915 Windsor Lane (RE# 00020090-000000) with the following conditions:

1. After development, the property will have 15 remaining transient units available to transfer offsite. The transient licenses may not be transferred independent of the units.
2. Transient licenses must be kept current and all fees must be paid on the licenses until transferred.
3. Transient licenses must be transferred according to the process outline in the City Code.
4. The condominium ownership rules state that the condominium association is responsible for maintaining the drainage swales so they operate as required by City Code.
5. Detailed plans for the pervious brick pavers must be provided to the Utilities Department for approval.
6. The City Landscaper approves the final landscape plan which shall consist of 70% native.
7. Prior to any construction or demolition, a solid, opaque wall shall be provided along the street frontage and the site securely gated to minimize the adverse visual impact on the neighborhood. Such walls will be available to public art under the guidance of the City's Art in Public Places program.
8. Heavy construction and other loud construction will be limited to the hours between 8:00 am and 5:00 pm on weekdays excepting public holidays recognized by the City of Key West.
9. Dense landscaping must be maintained to shield headlights from the adjacent property on Johnson Lane.
10. An enclosed garbage area that handles all onsite garbage must be maintained.
11. The enclosed garbage area indicated on the plan will be enlarged by approximately 1/3 to better handle the volume generated on the site.

Section 2. That the Planning Board grant a landscaping waiver for Section 108-413 along Johnson Lane.

Section 3. That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the Chairman of the Planning Board and City Planner.

Passed at a meeting held this 20th day of January 2005.

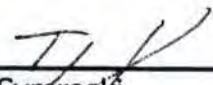


Patricia Eables, Chairman
Key West Planning Board

2/3/2005

Date

Attest:

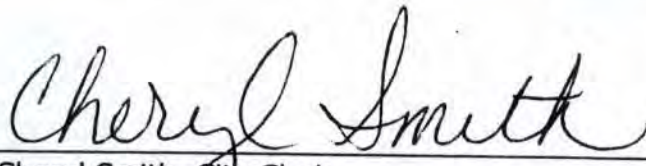


Ty Symroski
City Planner

1/31/2-5

Date

Filed with the Clerk



Cheryl Smith, City Clerk

2-8-05

Date

Type information, press Enter.

Business control 17540

Business name & address

HYATT & HYATT INC

UNASSIGNED - TRANSIENT

KEY WEST FL 33040

License number : 10 00021490

Appl, issue, expir 92209 92209 93010

License status (F4) . . . AC ACTIVE

Classification (F4) . . . 10C RENTAL-TRANSIENT RESIDENTIAL

Exemption (F4)

License comments 9 TRANSIENT UNITS

License restrictions

Gross receipts

Reprint this license . N Y=Yes, N=No

Additional charges . . N * Y=Yes, N=No

Extra requirements . . N * Y=Yes, N=No

Last activity:

Created: 09/22/09 by KEYWKGP

Mailing address

17021 STARFISH LANE WEST

SUMMERLAND KEY FL 33042

F3=Exit F5=Code description F9=Applicant/Qualifier
F10=Business maintenance F12=Cancel

F24=More keys

More...

Miscellaneous . . N Y=Yes, N=No
Sub codes N Y=Yes, N=No

OL250I01

THE CITY OF KEY WEST - OL

10/26/09

Special Notes Display

13:36:30

Property address : UNASSIGNED - TRANSIENT

Business name : HYATT & HYATT INC

Source	Code	Note	Date	License
BUSS	AC#	S TRANSFERRED FROM SEA ISLE LICENSE, #4297	7/16/07	

Press Enter to continue.

F3=Exit F12=Cancel

Bottom

Public Notices
(radius map & mailing list)

Public Meeting Notice

The Key West Planning Board will hold a public hearing at 6:00 p.m., September 20, 2012 at Old City Hall, 510 Greene Street, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Rescinding PB Resolution 2005-041 (Transient License Transfer from 915 Windsor Lane, RE# 00020091-000000 to 3591 S Roosevelt Boulevard, RE# 00054350-000000) - Dissolving the previously adopted Planning Board Resolution 2005-041 pursuant to Chapter 122, Article V, Division 6, Sections 122-1336 through 122-1345, subpart B, Land Development Regulations of the Code of Ordinances of the City of Key West.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at www.keywestcity.com.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Request: Rescinding PB Resolution 2005-041 (Transient License Transfer from 915 Windsor Lane, RE# 00020091-000000 to 3591 S Roosevelt Boulevard, RE# 00054350-000000) - Dissolving the previously adopted Planning Board Resolution 2005-041 pursuant to Chapter 122, Article V, Division 6, Sections 122-1336 through 122-1345, subpart B, Land Development Regulations of the Code of Ordinances of the City of Key West.

Sender Site Owner: Sea Isle Townhomes on Windsor Lane Condominium

Receiver Site Owner: Hyatt and Hyatt, Inc.

Project Location: 915 Windsor Ln / 3591 S Roos Blvd **Date of Hearing:** Thursday, September 20, 2012

Time of Hearing: 6:00 PM **Location of Hearing:** Old City Hall, 510 Greene
City Commission Chambers

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email to Carlene Smith at cesmith@keywestcity.com .

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Request: Rescinding PB Resolution 2005-041 (Transient License Transfer from 915 Windsor Lane, RE# 00020091-000000 to 3591 S Roosevelt Boulevard, RE# 00054350-000000) - Dissolving the previously adopted Planning Board Resolution 2005-041 pursuant to Chapter 122, Article V, Division 6, Sections 122-1336 through 122-1345, subpart B, Land Development Regulations of the Code of Ordinances of the City of Key West.

Sender Site Owner: Sea Isle Townhomes on Windsor Lane Condominium

Receiver Site Owner: Hyatt and Hyatt, Inc.

Project Location: 915 Windsor Ln / 3591 S Roos Blvd **Date of Hearing:** Thursday, September 20, 2012

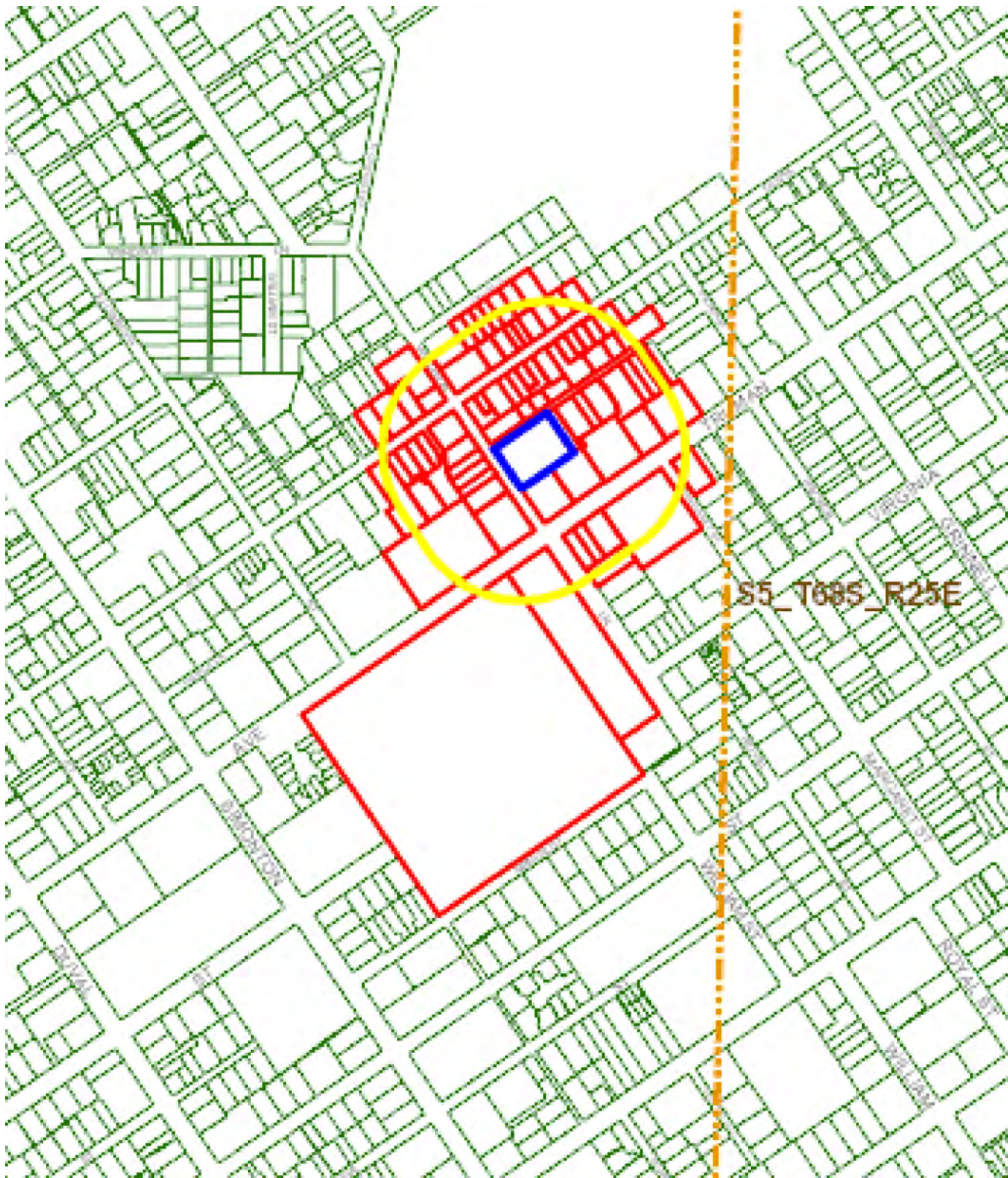
Time of Hearing: 6:00 PM **Location of Hearing:** Old City Hall, 510 Greene
City Commission Chambers

Interested parties may appear at the public hearing(s) and be heard with respect to the applications. Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email to Carlene Smith at cesmith@keywestcity.com .

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.



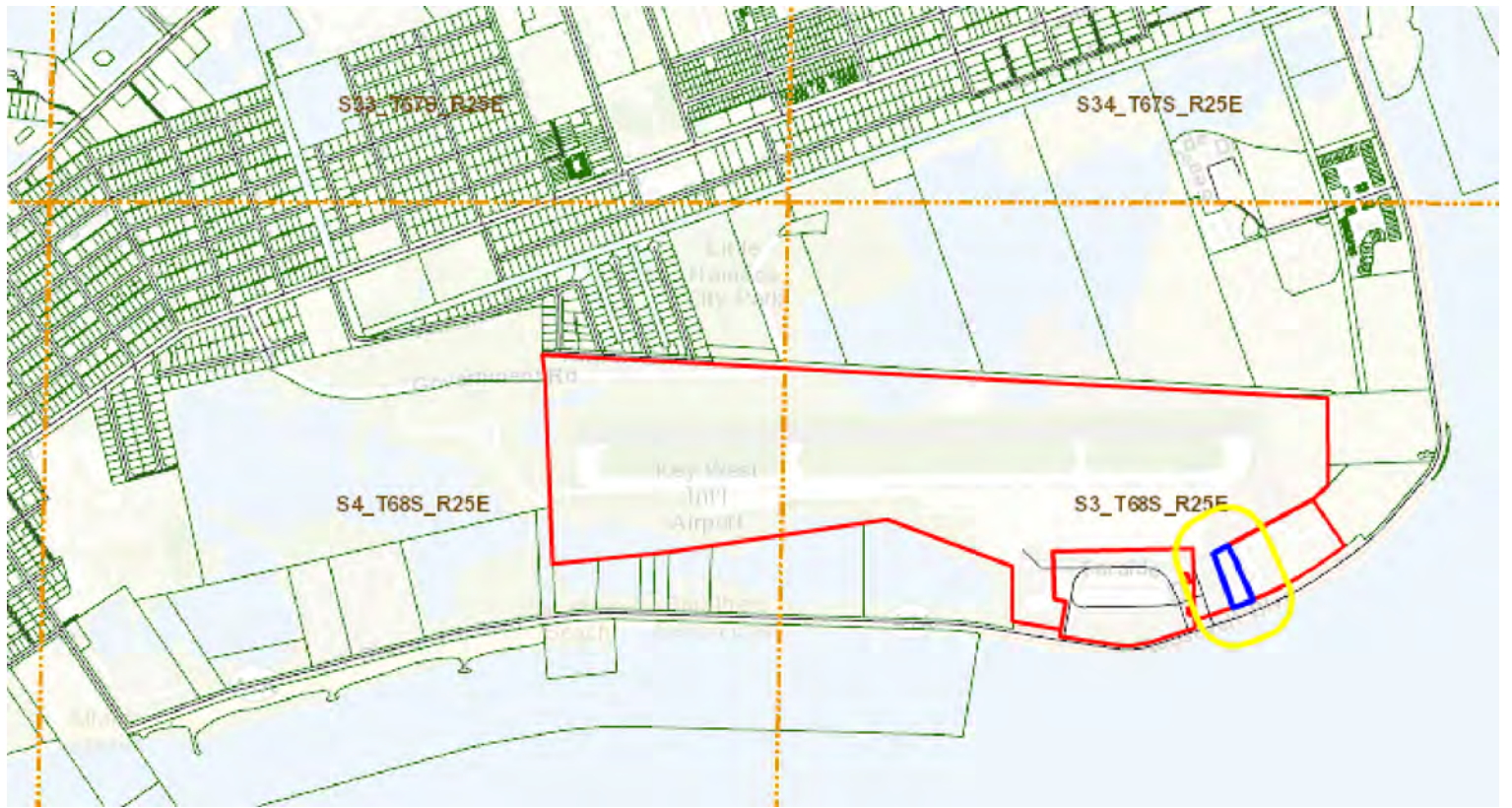
Monroe County, Florida

915 Windsor

Printed: Sep 06, 2012

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.





Monroe County, Florida

3591 S Roosevelt

Printed: Sep 06, 2012

DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
1 806 TRUMAN LLC	3810 W ALABAMA ST		HOUSTON	TX	77027-5294	
2 ANTONOWICH FRANK J AND RUTH	737 OLIVIA ST UNIT A		KEY WEST	FL	33040-6444	
3 BARNETT WILLIAM M	6267 PRICE RD		LOVELAND	OH	45140	
4 BIDDLE JOEL C H AND ERIKA E	824 OLIVIA ST		KEY WEST	FL	33040	
5 BLUMENKRANZ 2000 FAMILY TRUST 9/12/00	PO BOX 4172		KEY WEST	FL	33041-4172	
6 BOBO LESA LOIS	W12035 COUNTY ROAD C		ETTRICK	WI	54627-9118	
7 BROCKWAY GAIL	1514 SOUTH ST		KEY WEST	FL	33040-3513	
8 BULLOCK MICHAEL M	3718 FLAGLER AVE		KEY WEST	FL	33040-4529	
9 CBG PROPERTY MANAGEMENT LLC	124 HARBOR VIEW LN		BELLEAIR BLUFF	FL	33770-2605	
10 CLARKS GLADYS	828 JOHNSON LN		KEY WEST	FL	33040	
11 COLEMAN F CARROLL ARCH-BISHOP OF ARCHDIOCESE	9401 BISCAYNE BLVD		MIAMI SHORES	FL	33138	
12 CRH-YLM 900 LLC	13301 SW 204 ST		MIAMI	FL	33177	
13 CURTIS CHARLES H AND SANDRA J	1160 WRAYSWOOD RD		WATKINSVILLE	GA	30677-4338	
14 CURTIS CHARLES H AND SANDRA J	1160 WRAYSWOOD RD		WATKINSVILLE	GA	30677-4338	
15 CUTLER CLIFFORD C	827 FLEMING ST		KEY WEST	FL	33040	
16 D-D PROPERTY HOLDINGS LLC	5200 KRAUS RD		CLARENCE	NY	14031-1568	
17 DEEGAN MICHAEL R REV TR 4/20/2010	729 OLIVIA ST		KEY WEST	FL	33040-6444	
18 DEMILLY WALTER A III	739 OLIVIA ST		KEY WEST	FL	33040-6444	
19 DONALD WENDY L AND SCOTT D	738 OLIVIA ST		KEY WEST	FL	33040	
20 DUNN DAVID E	2550 M ST NW		WASHINGTON	DC	20037-1301	
21 FAVALORA JOHN C ARCHBISHOP OF ARCHDIOCESE OF M	9401 BISCAYNE BLVD		MIAMI	FL	33138	
22 FIELDS ROBERT	12719 CANTRELL RD		LITTLE ROCK	AR	72223-1603	
23 FORTON PAMELA AND RODNEY	903 WINDSOR LN		KEY WEST	FL	33040	
24 FREISTAK FRANK R	823 JOHNSON LN		KEY WEST	FL	33040-6416	
25 HARLEY TANGELA L/E	823 WINDSOR LN		KEY WEST	FL	33040-6449	
26 HAYES PAUL N	914 WINDSOR LN		KEY WEST	FL	33040	
27 HOBGOOD JARED	908 WINDSOR LANE		KEY WEST	FL	33040	
28 HOBSON INVESTMENTS LTD	2432 FLAGLER AVE		KEY WEST	FL	33040	
29 HOWELL KRISTEN K	45 GOOSE NECK RD W		ROCKY POINT	NC	28457-9587	
30 HURLEY BRIAN AND PATRICIA	PO BOX 638		SOUTHAMPTON	NY	11969	
31 KEY LIME INN INC	725 TRUMAN AVE		KEY WEST	FL	33040	
32 KEY WEST BANK FSB	970 RINEHART RD		LAKE MARY	FL	32746-1555	
33 KIPP GRACE F	373 BLEECKER ST	UNIT 5B	NEW YORK	NY	10014	
34 LACHAT AMY	820 WINDSOR LN		KEY WEST	FL	33040	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
35 LACY CAROLYN H	815 JOHNSON LN		KEY WEST	FL	33040	
36 LARSEN WAYNE E AND DEBRA J	12650 WRAYBURN RD		ELM GROVE	WI	53122-1453	
37 LAUGHLIN MICHAEL L	P O BOX 323		AIKEN	SC	29802	
38 LEWIS DARYL E	E-42 12TH AVE		KEY WEST	FL	33040	
39 LEWIS DARYL EUGENE	E-42 12TH AVE		KEY WEST	FL	33040	
40 MAGEE SIDNEY TRUST AGR 7/18/08	31526 FOX HOLLOW RD		EUGENE	OR	97405	
41 MINEROFF BRUCE S AND SHARON	20 MOLLY PITCHER DR		MANALAPAN	NJ	07726-8937	
42 MOORE MYRTIS Y	808 OLIVIA ST		KEY WEST	FL	33040-6419	
43 PARKER MOLLY	813 JOHNSON LN		KEY WEST	FL	33040	
44 REINER JEFFREY L	5 EGBERT AVE		MORRISTOWN	NJ	07960-3705	
45 RHOADES SHIRREL AND DIANE	830 OLIVIA ST		KEY WEST	FL	33040-6419	
46 ROBERTSON JOANNE C	PO BOX 4303		KEY WEST	FL	33041-4303	
47 RUPP WILLIAM R TRUST DATED 10-3-91	3154 GOMER ST		YORKTOWN HEIGHTS	NY	10598	
48 SAVAGE THOMAS AND ZITA	2700 BAYSHORE BLVD APT 511		DUNEDIN	FL	34698-1626	
49 SAWYER LLOYD	809 JOHNSON LN		KEY WEST	FL	33040	
50 SEA ISLE TOWNHOMES ON WINDSOR LANE CONDOMINIUM	915 WINDSOR LN		KEY WEST	FL	33040	
51 SINCOCK MORGAN J	411 EAST WILLOW GROVE AVE		PHILADELPHIA	PA	19118	
52 SKOGLUND MICHAEL	522 ELIZABETH ST		KEY WEST	FL	33040	
53 STAFFORD FAMILY TRUST	36D 11TH AVE		KEY WEST	FL	33040-5869	
54 STEWARD DAVID E AND RUTH	505 PROSPECT AVE		PRINCETON	NJ	08540	
55 SUCCOP CRAIGIE S	23944 PORTERS CREEK LN TURTLE COVE		SAINT MICHAELS	MD	21663	
56 SUGAR SUSAN BETH	178 FIFTH AVE	APT 10B	NEW YORK	NY	10010	
57 TEJAS LLC	830 TRUMAN AVE		KEY WEST	FL	33040-6426	
58 TFC DEVELOPMENT LC	P O BOX 1146		KEY WEST	FL	33041	
59 TOWNSEND DEAN	826 OLIVIA ST		KEY WEST	FL	33040-6419	
60 TRAVERS ROBERT V	818 OLIVIA ST		KEY WEST	FL	33040	
61 TRUJILLO DAVID L SR AND PATSY	1415 FLAGLER AVE		KEY WEST	FL	33040	
62 TRUJILLO DAVID LEE AND PATSY A	1415 FLAGLER AVE		KEY WEST	FL	33040	
63 TRUJILLO DAVID LEE JR	1415 FLAGLER AVE		KEY WEST	FL	33040	
64 TUPINO JAMES	6 N STEVENS PL		HAZLET	NJ	07730	
65 TURNER NORMAN AND KRISTINA	564 OSPREY RD		CARDINAL	VA	23025-2012	
66 VALANOS GEORGE A AND FREDERICKA	1228 31ST ST NW FL 2		WASHINGTON	DC	20007-3494	
67 VALANOS GEORGE AND FREDERICA	3038 DUMBARTON ST NW		WASHINGTON	DC	20007-3305	
68 VAN MATER ROBIN	905 TRUMAN AVE		KEY WEST	FL	33040	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
69 WEECH MARY LOUISE	211 TRUMAN AVE		KEY WEST	FL	33040	
70 WHYMS MATTIE PEARL	820 OLIVIA ST		KEY WEST	FL	33040	
71 WIEMER I FAMILY LIMITED PTNSHP	809 TRUMAN AVE		KEY WEST	FL	33040	
72 WIEMER I FAMILY LTD PARTNERSHIP	5705 ARCHER CT		DALLAS	TX	75252-4972	
73 WINDSOR GARDENS CONDOMINIUM	826-828 WINDSOR LN		KEY WEST	FL	33040	
74 WONG-INGRAM LLC	1001 WHITEHEAD ST		KEY WEST	FL	33040	
75 YEOMAN INVESTMENTS LTD	2432 FLAGLER AVE		KEY WEST	FL	33040	
76 HYATT AND HYATT INC	17021 STARFISH LN W		SUGARLOAF SHC	FL	33042	
77 WINDWARD POINTE II LLC	140 FOUNTAIN PKWY N STE 570		SAINT PETERSBURG	FL	33716-1274	
78 MONROE COUNTY	500 WHITEHEAD ST		KEY WEST	FL	33040	