

**PLANNING BOARD
RESOLUTION No. 2012-52**

**A RESOLUTION OF THE KEY WEST
PLANNING BOARD GRANTING VARIANCES
TO BUILDING COVERAGE, IMPERVIOUS
SURFACE RATIO, FRONT AND STREETSIDE
SETBACK REQUIREMENTS AND PARKING
REQUIREMENTS FOR PROPERTY LOCATED
AT 951 CAROLINE STREET (RE# 00002970-
000000), UNDER THE CODE OF ORDINANCES
OF THE CITY OF KEY WEST, FLORIDA;
PROVIDING FOR AN EFFECTIVE DATE.**

WHEREAS, Code Section 90-391 allows applicants to request variances to the Land Development Regulations through the Planning Board; and

WHEREAS, Section 122-720 of the Code of Ordinances provides for the maximum and minimum dimensional requirements for property located in the HRCC-2 zoning district; and


WHEREAS, the applicant requested variances to Section 122-720 (4) a. & b.: building coverage and impervious surface ratio; and

WHEREAS, the applicant requested variances to Section 122-720 (6) a. & d.: front and side-yard setbacks; and

WHEREAS, the applicant requested a variance to parking requirements per Section 108-572 (16): one parking space per 300 square feet of commercial floor area; and



Chairman



Planning Director

WHEREAS, this matter came before the Planning Board at a public hearing on November 15, 2012; and

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

WHEREAS, the Planning Board finds that the special conditions do not result from the action or negligence of the applicant; and

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

WHEREAS, the Planning Board finds that the 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 and undue hardship on the applicant; and

WHEREAS, the Planning Board finds that the variance granted is the minimum variance

that will make possible the reasonable use of the land, building or structure; and

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

WHEREAS, the Planning Board finds that no non-conforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of any variance; and

WHEREAS, the Planning Board finds that the applicant has demonstrated a “good neighbor policy” by contacting or making a reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those neighbors;

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 the variances to building coverage from the 50% allowed to the 56.8% proposed, to the impervious surface ratio from the 60% allowed to the 86.1% proposed, to the front-yard setback of 10 feet required to the 5.6 feet proposed, to the street-side setback of 7.5 feet required to the zero feet proposed and the 144 required number of parking spaces required to the 102


Chairman

Planning Director

proposed associated with an amendment to a Major Development Plan and Condition Use approval for property located at 951 Caroline Street (RE# 00002970-000000) in the Key West Bight per Sections 122-720(4) a. & b., 122-720 (6) a. & d. and 108-572 (16) of the Land Development Regulations of the Code of Ordinances of the City of Key West, are approved as shown on the attached plan set received October 31, 2012, with the following conditions:

Condition to be completed prior to the issuance of building permits:

Any parking agreement is approved by the City Commission.

Condition to be completed prior to the issuance of a Certificate of Occupancy:

All five (5) auto and 123 bicycle scooter-parking spaces are installed.

Section 3. It is a condition of this variance that full, complete, and final application for all permits required for any new construction for any use and occupancy for which this variance is wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of this variance, shall be submitted in its entirety within two years after the date hereof; and further, that no application or reapplication for new construction for which the variance is wholly or partly necessary shall be made after expiration of the two-year period without the applicant obtaining an extension from the Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

Section 4. The failure to submit a full and complete application for permits for new construction for which this variance is wholly or partly necessary, or the failure to complete new construction for use and occupancy pursuant to this variance in accordance with the terms of a City building permit issued upon timely application as described in Section 3 hereof, shall immediately

operate to terminate this variance, which variances shall be of no force or effect.

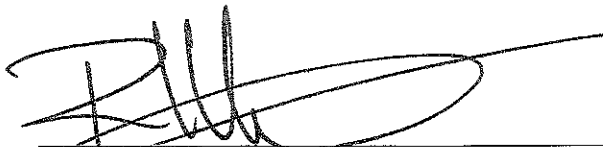
Section 5. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 6. 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 7. 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 Community Affairs. 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 DCA 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 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 15th day of November, 2012.

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




Richard Klitenick, Chairman
Key West Planning Board

11/19/2012
Date

 Chairman
 Planning Director

Attest:

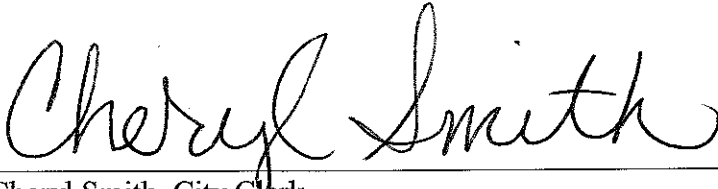


Donald L. Craig, AICP
Planning Director

11.16.12

Date

Filed with the Clerk:



Cheryl Smith, City Clerk

11-19-12

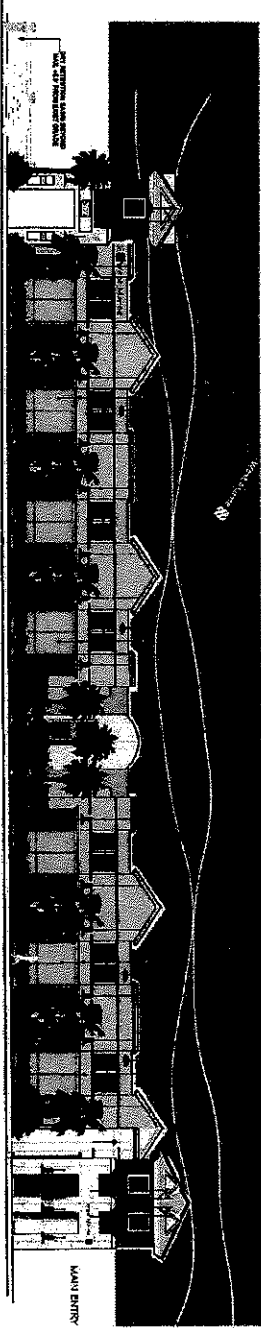
Date



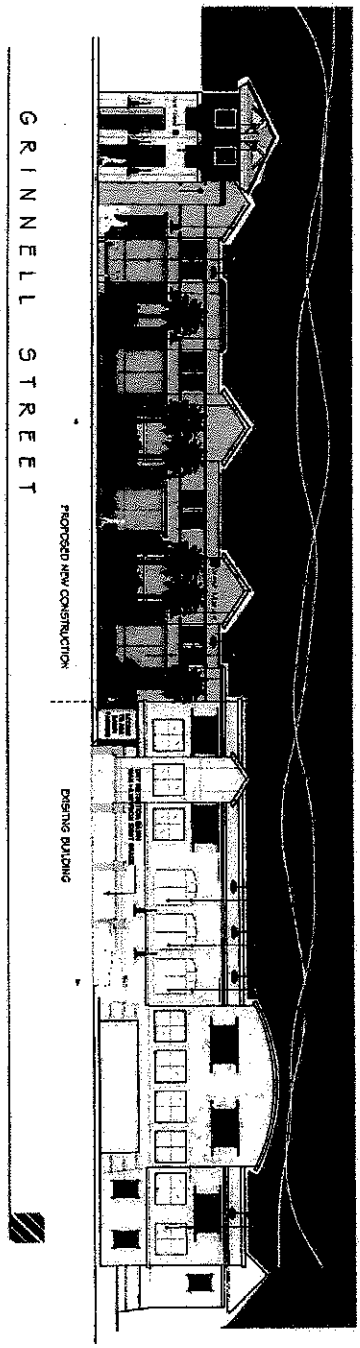
Chairman



Planning Director



CAROLINE STREET
PROPOSED ELEVATION

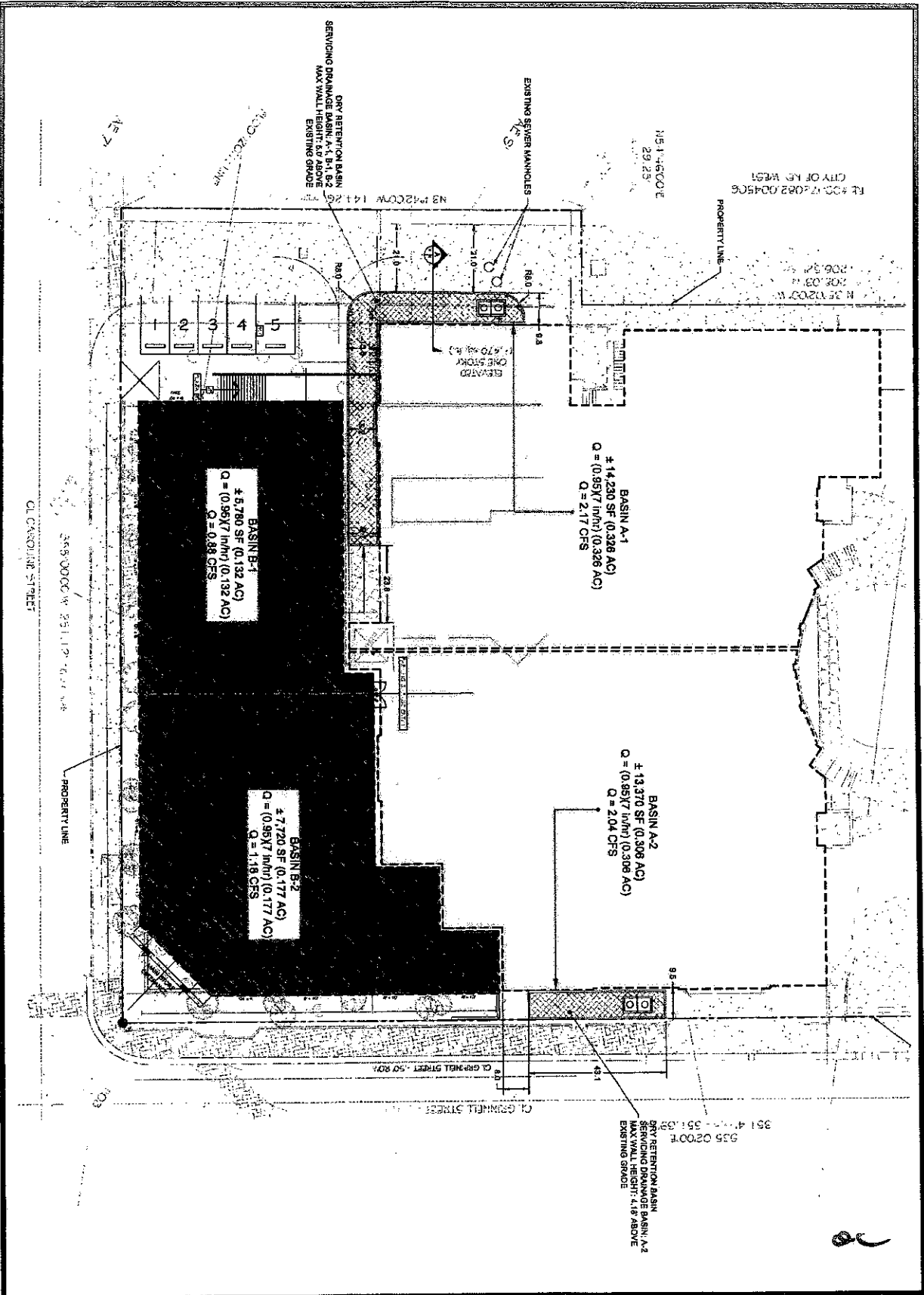


GRINNELL STREET
PROPOSED ELEVATION

SCALE: 1/8" = 1'-0"
DATE: 10/10/13
DRAWN BY: [illegible]
CHECKED BY: [illegible]

WC
EWK

<p>ELIZABETH NEWLAND LANDSCAPE ARCHITECTURE, LLC 2837 Ponce de Leon Blvd., Suite 1000 Key West, Florida 33548 Phone: 305.241.2000 www.elizabethnewland.com</p>	<p>WEST MARINE ARCHITECTURAL FIRM 1000 N. MIAMI AVENUE SUITE 1000 MIAMI, FLORIDA 33136 PH: 305.371.1111 WWW.WESTMARINE.COM</p>	<p>West Marine CONCH HARBOR 951-955 CAROLINE ST. KEY WEST, FLORIDA</p>	<p>DATE: 10/10/13 DRAWN BY: [illegible] CHECKED BY: [illegible] SCALE: 1/8" = 1'-0" L-4.0</p>
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DATE	11/02
DESIGNED BY	ALP
CHECKED BY	ALP
SCALE	AS SHOWN
SHEET	C-1

CONCH HARBOR MARINA
 851 CAROLINE STREET
 KEY WEST, FL 33040

REVISIONS	DATE
1	ORIGINAL - MAY 2011
2	
3	
4	
5	
6	

ALPINE PEREZ P.E.
 P.L.L.C. NO. 1468
 August 21, 2012

NEW RETENTION BASIN
 NEW RETENTION BASIN A-2
 MAX WALL HEIGHT 4.18' ABOVE
 EXISTING GRADE

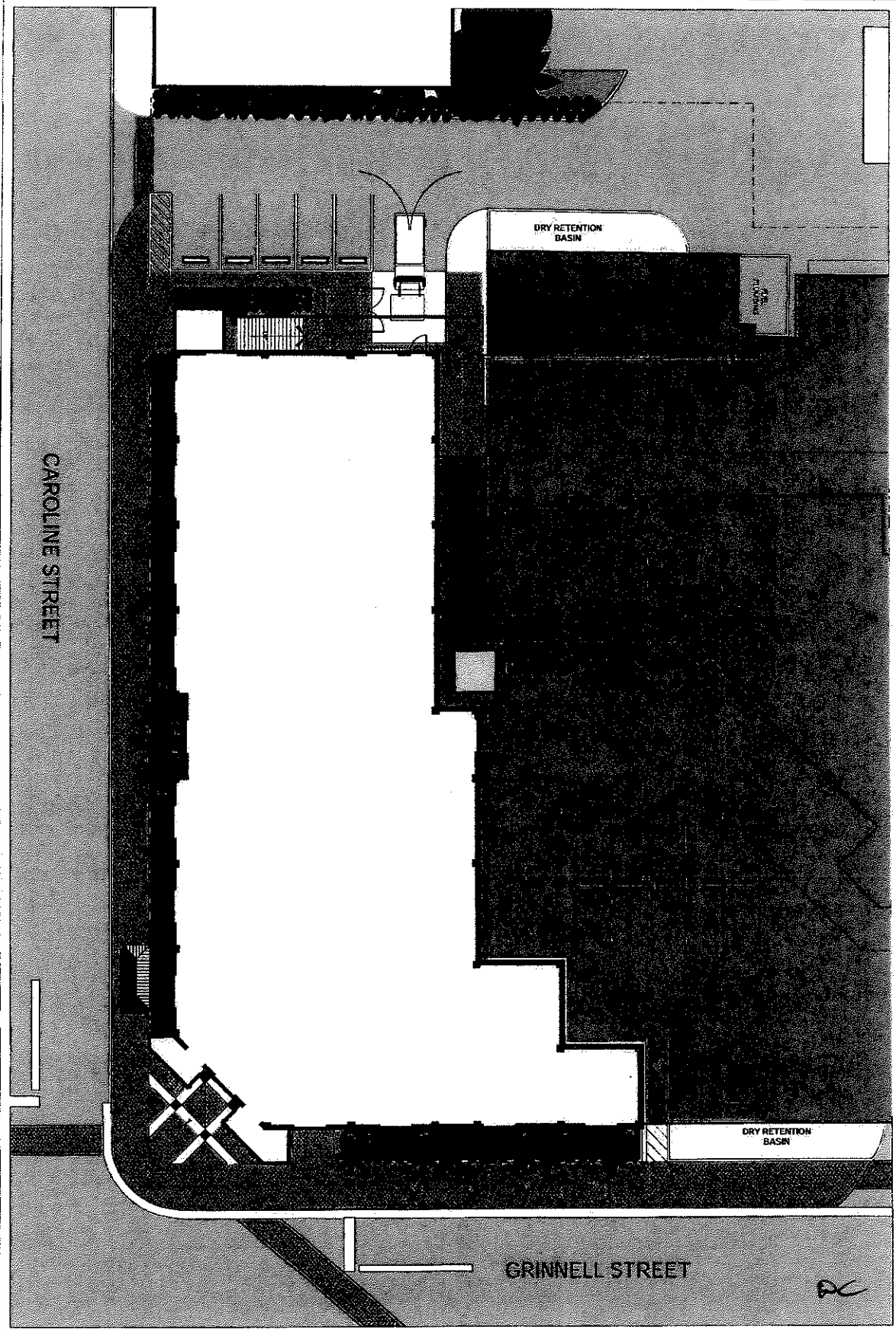
CIVIL ENGINEERING - SURVEYING - CONSTRUCTION MANAGEMENT

PEREZ ENGINEERING & DEVELOPMENT, INC.

1010 S.W. 10th Avenue, Suite 400
 Key West, FL 33040
 TEL: 305.236.8440 FAX: 305.236.0248

3607 East Palmetto, Room 307, Suite 140
 Key West, FL 33040
 TEL: 305.236.8440 FAX: 305.236.0248

LANDSCAPE PLAN
SCALE: 1/8" = 1'-0"



SCALE: 1/8" = 1'-0"
DATE: 11/11/11
DRAWN BY: J. H. [unreadable]



AC
KWC

DATE: 11/11/11
DRAWN BY: J. H. [unreadable]
CHECKED BY: [unreadable]
DATE: 11/11/11

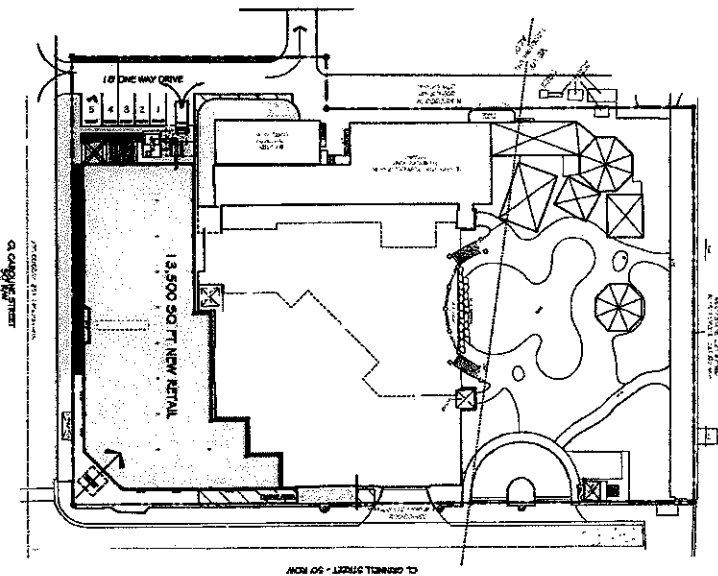
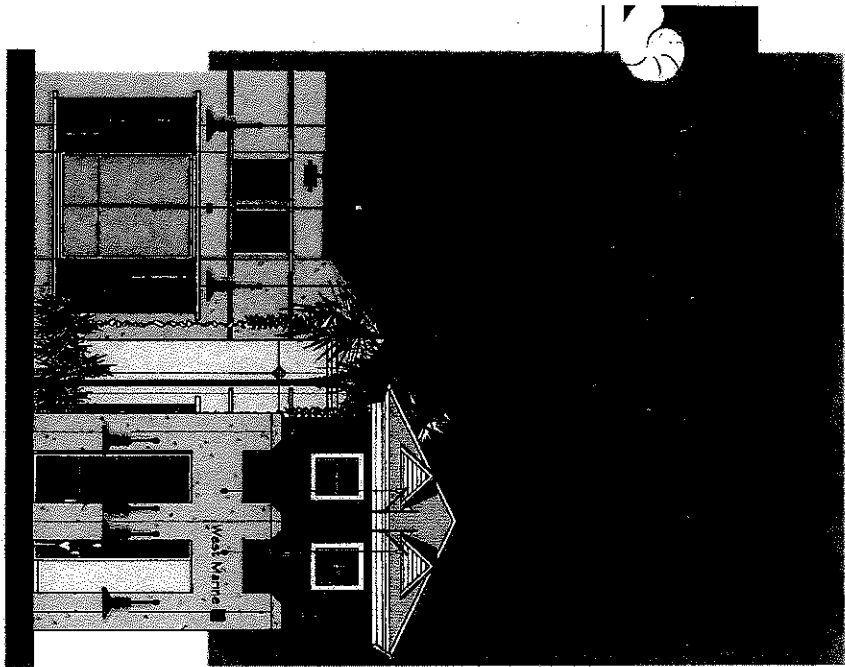
1-2.0

SCHEMATIC LANDSCAPE PLAN

West Marine
CONCH HARBOR 951-955 CAROLINE ST.
KEY WEST, FLORIDA

ELIZABETH NEWLAND
LANDSCAPE ARCHITECT
3025 PINEAPPLE LANE, SUITE 101
KEY WEST, FLORIDA 34290
TEL: 305-241-1171
WWW.ELNWLAND.COM

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KEY WEST, FLORIDA 34290
TEL: 305-241-1171
WWW.ELNWLAND.COM



PROPOSED SITE PLAN
SCALE: 1" = 30'

SCALE: 1" = 30'
NAME OF SUBMITTER: HYDROLOGIC SERVICES
SECTION 8.1, TOWNSHIP 43 SOUTH, RANGE 18 EAST
BLIND OF 1ST WEST, NAD83
DATE: 08/11/12
THIS PLAN SHOWS A PROPOSED PROJECT IN THE TOWNSHIP OF 43 SOUTH, RANGE 18 EAST, BLIND OF 1ST WEST, NAD83, SECTION 8.1.

- INDEX OF DRAWINGS**
- A-1 SITE PLAN
 - A-2 FIRST LEVEL PLAN
 - A-3 SECOND LEVEL PLAN
 - A-4 GRADE LEVEL PLAN
 - A-5 PROPOSED ELEVATIONS

DC Pink

PETER M. FEEZ P.L.A. REGISTRATION # ARD015136

PLANNING SET 10-25-12

SHEET #	A-1
OF	1

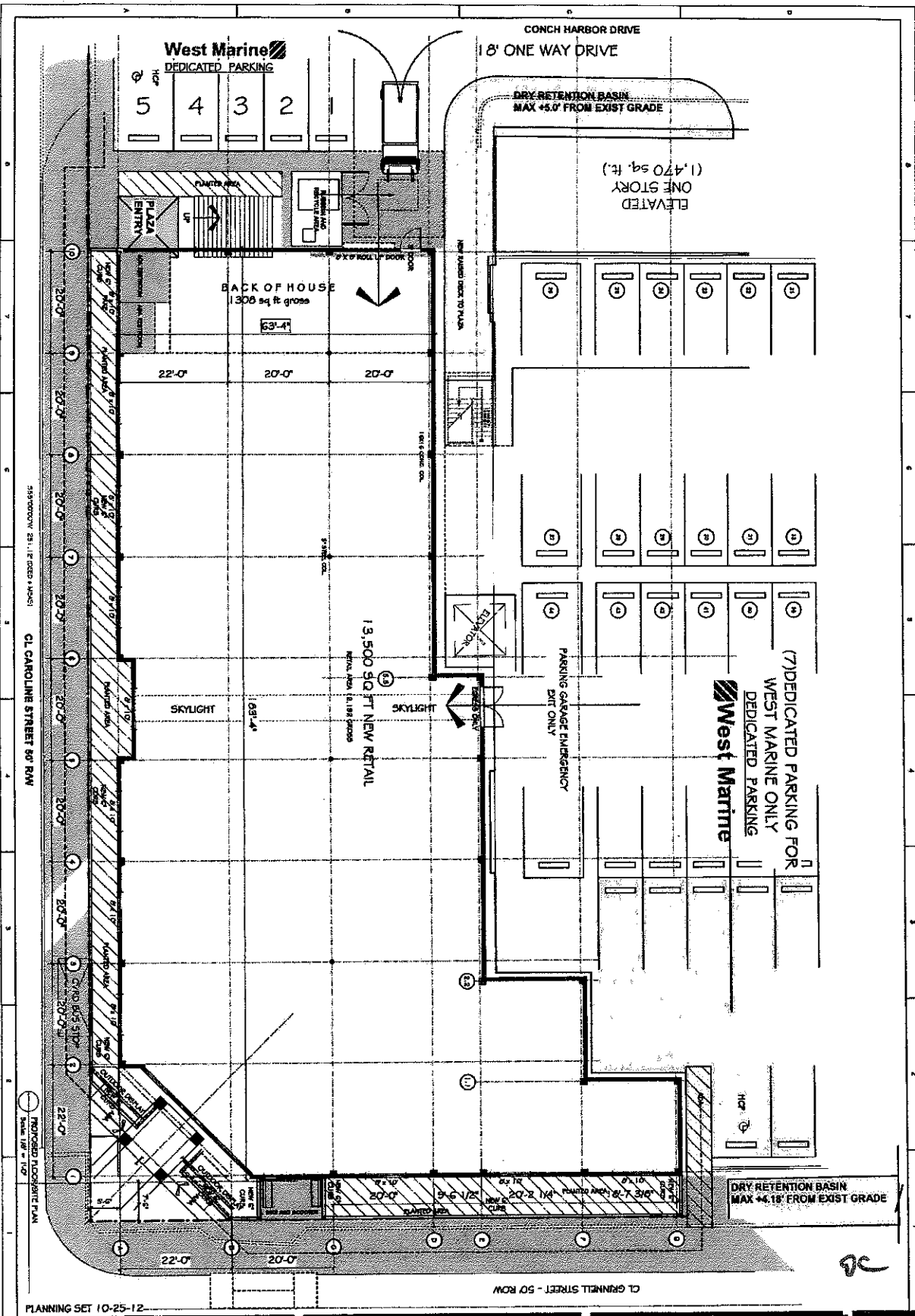
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SITE PLAN	
PROJECT NUMBER:	
DATE:	
SCALE:	
BY:	
CHECKED:	
DATE:	

PROJECT: **West Marine**
CONCH HARBOR 951-855 CAROLINE ST.
KEY WEST, FLORIDA

471 US HIGHWAY 1
SUITE 103
KEY WEST, FLA. 33040
305-236-1632

PETER FEEZ
REGISTERED PROFESSIONAL ARCHITECT

REVISIONS	DATE	BY



PETER M. FINE P.L.L.C. REGISTRATION # AB0015198
 SCALE 1/8" = 1'-0"

PLANNING SET 10-25-12

PROJECT #
 A-3
 DRAWING TITLE:
 ENLARGED PLAN

PROJECT:
West Marine
 CONCH HARBOR 851-855 CAROLINE ST.
 KEY WEST, FLORIDA

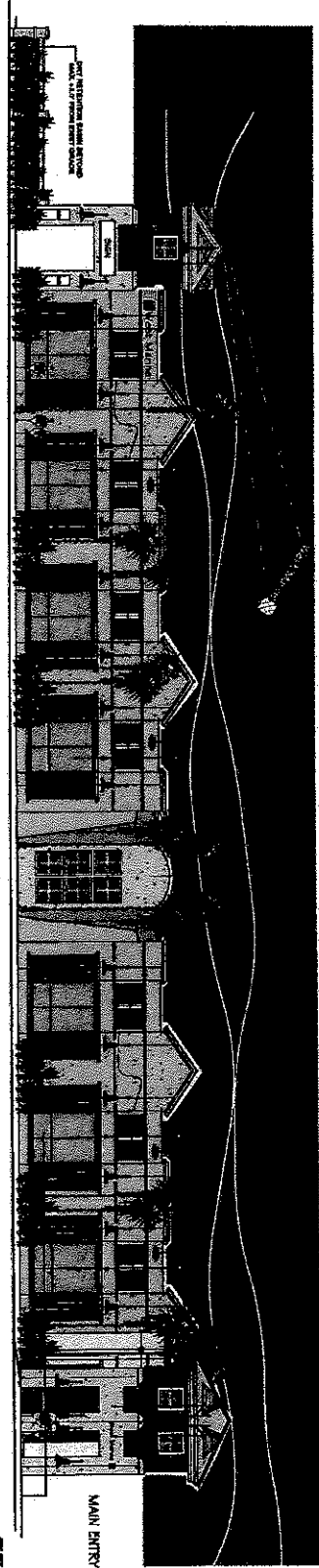
471 US HIGHWAY 1
 SUITE 101
 KEY WEST, FLA. 33040
 305-296-1692

FLORIDA ARCHITECT
 REGISTERED ARCHITECT

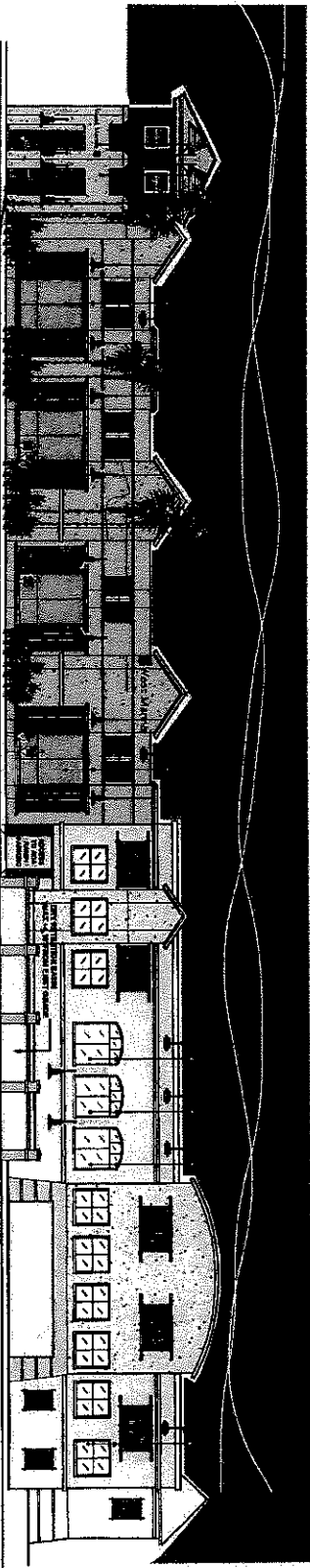
NO.	DATE	DESCRIPTION

NEVER, EVER! SCALE REPRODUCED DRAWINGS - BAD IDEA!

RUK



CAROLINE STREET
PROPOSED ELEVATION



GRINNELL STREET
PROPOSED ELEVATION



West Marine
PROPOSED WEST MARINE RETAIL CENTER
- AT CONCH HARBOR -
ARCHITECT : PETER PIKE & ASSOCIATES
471 US HIGHWAY 1, KEY WEST FLORIDA, 305-296-1692

PETER M. PIKE P.L.A. REGISTRATION # ABO015196

PLANNING SET 10-25-12

Sheet #
A-4
of

DRAWING TITLE:
EXISTING / PROPOSED
ELEVATIONS

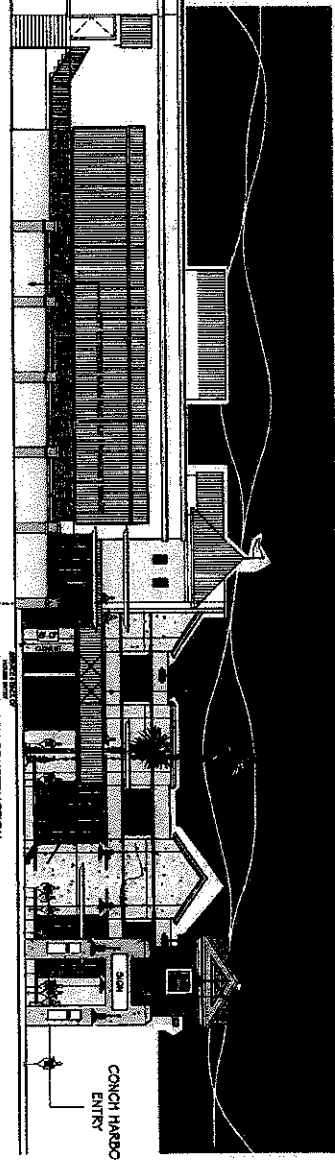
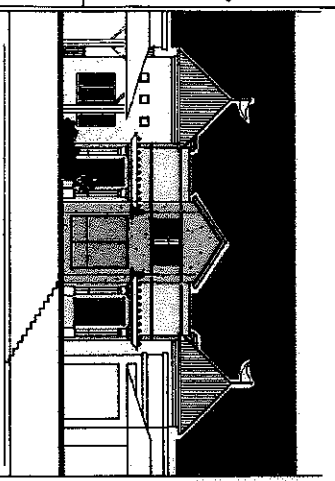
PROJECT:
West Marine
CONCH HARBOR 951-955 CAROLINE ST.
KEY WEST, FLORIDA

471 US HIGHWAY 1
SUITE 107
KEY WEST, FLA. 33040
305-296-1692

PETER PIKE & ASSOCIATES
ARCHITECTS

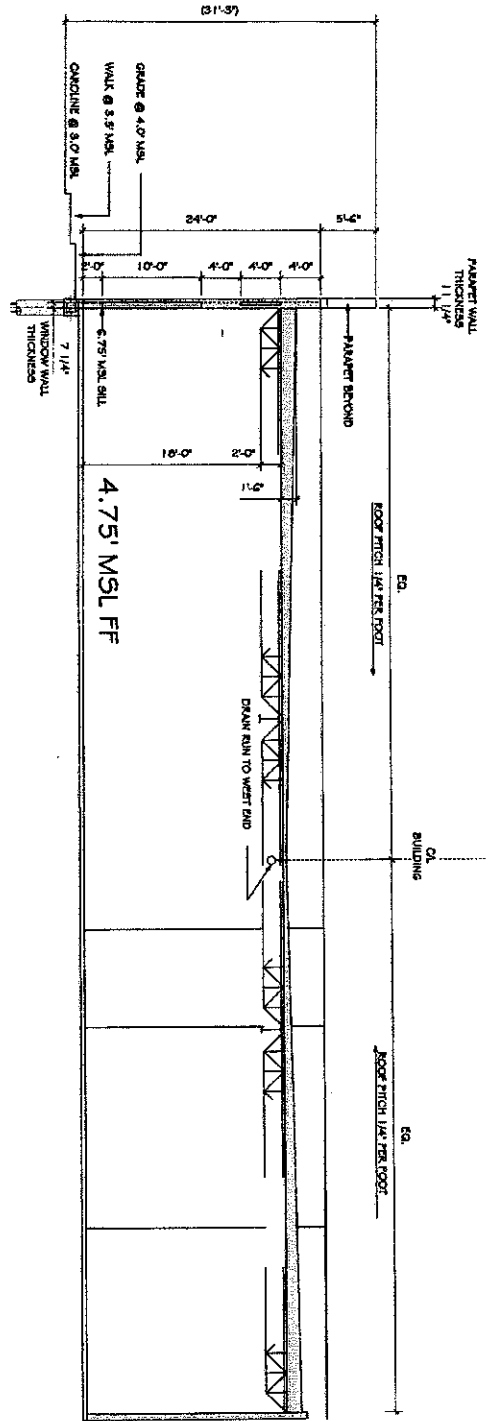
REVISIONS	DATE

OC
KIP



CONCH HARBOR PLAZA
PROPOSED ELEVATION

CONCH HARBOR DRIVE
PROPOSED ELEVATION



PETER M. PIETZ P.L.A. REGISTRATION # AB0015186

PLANNING SET 10-25-12

SHEET #
A-5
OF

DRAWING TITLE:
PROPOSED
ELEVATIONS

PROJECT:
West Marine
CONCH HARBOR 951-955 CAROLINE ST.
KEY WEST, FLORIDA

471 US HIGHWAY 1
SUITE 101
KEY WEST, FLA. 33040
305-296-1692

PETER PIETZ
REGISTERED ARCHITECT

REVISIONS	DATE

NEVER, EVER! SCALE REPRODUCED DRAWINGS - BAD IDEA

DC
LAK



PETER N. PIKE P.A. REGISTRATION # AB0015196

PLANNING SET 10-25-12

SHEET #
A-6
OF

PROJECT NUMBER:
DATE:
CONTRACT NUMBER:
DATE:

DRAWING TITLE:
SCHEMATIC FREIGHT
LIFT AREA

PROJECT:

West Marine
CONCH HARBOR 951-955 CAROLINE ST.
KEY WEST, FLORIDA

471 US HIGHWAY 1
SUITE 101
KEY WEST, FLA. 33040
305-236-1292

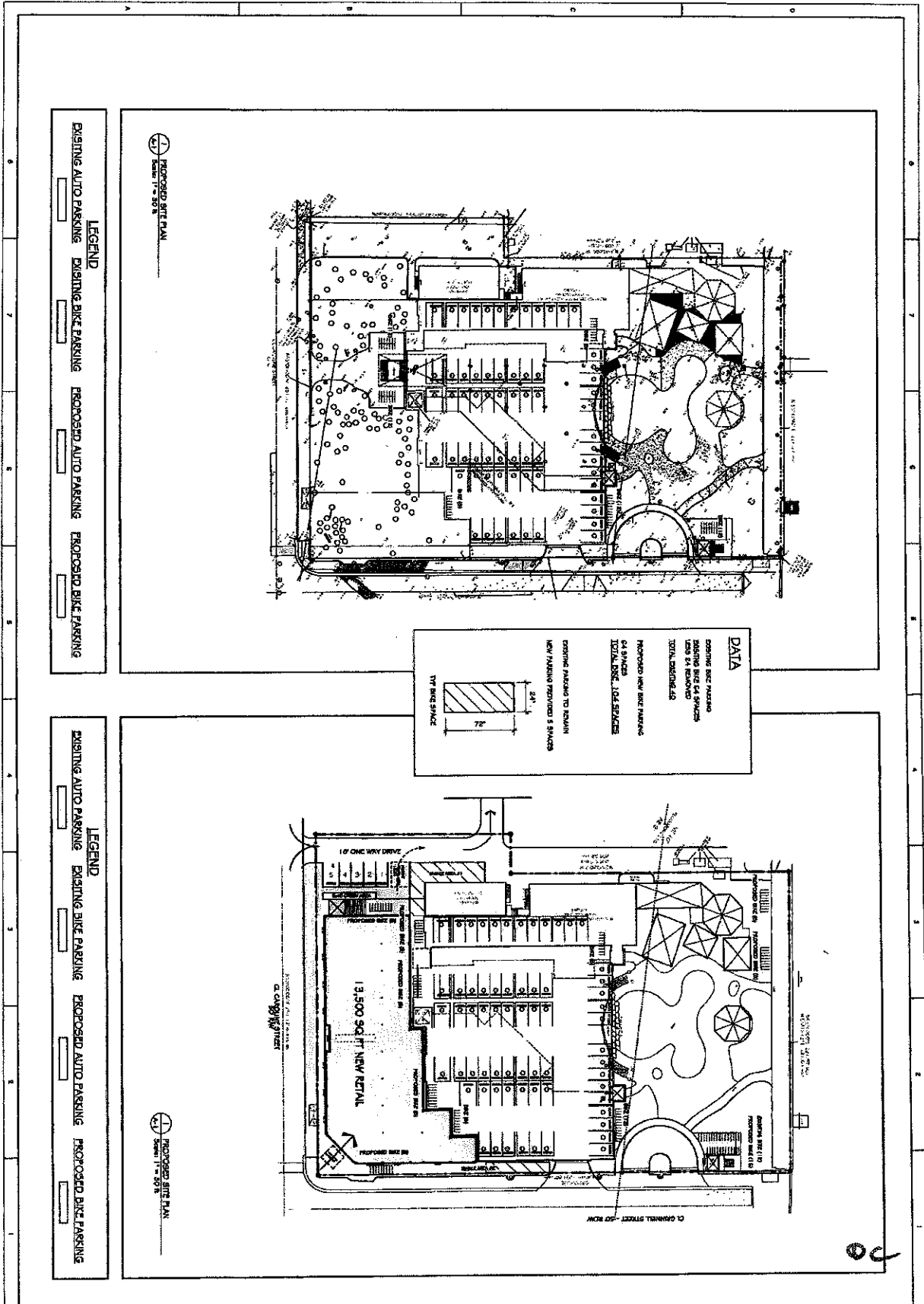


PETER PIKE
ARCHITECT

REVISIONS	DATE

OC

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PETER M. PIKE P.A. REGISTRATION # AROO15198

PLANNING SET 10-25-12

DRAWING TITLE:
PARKING PLAN

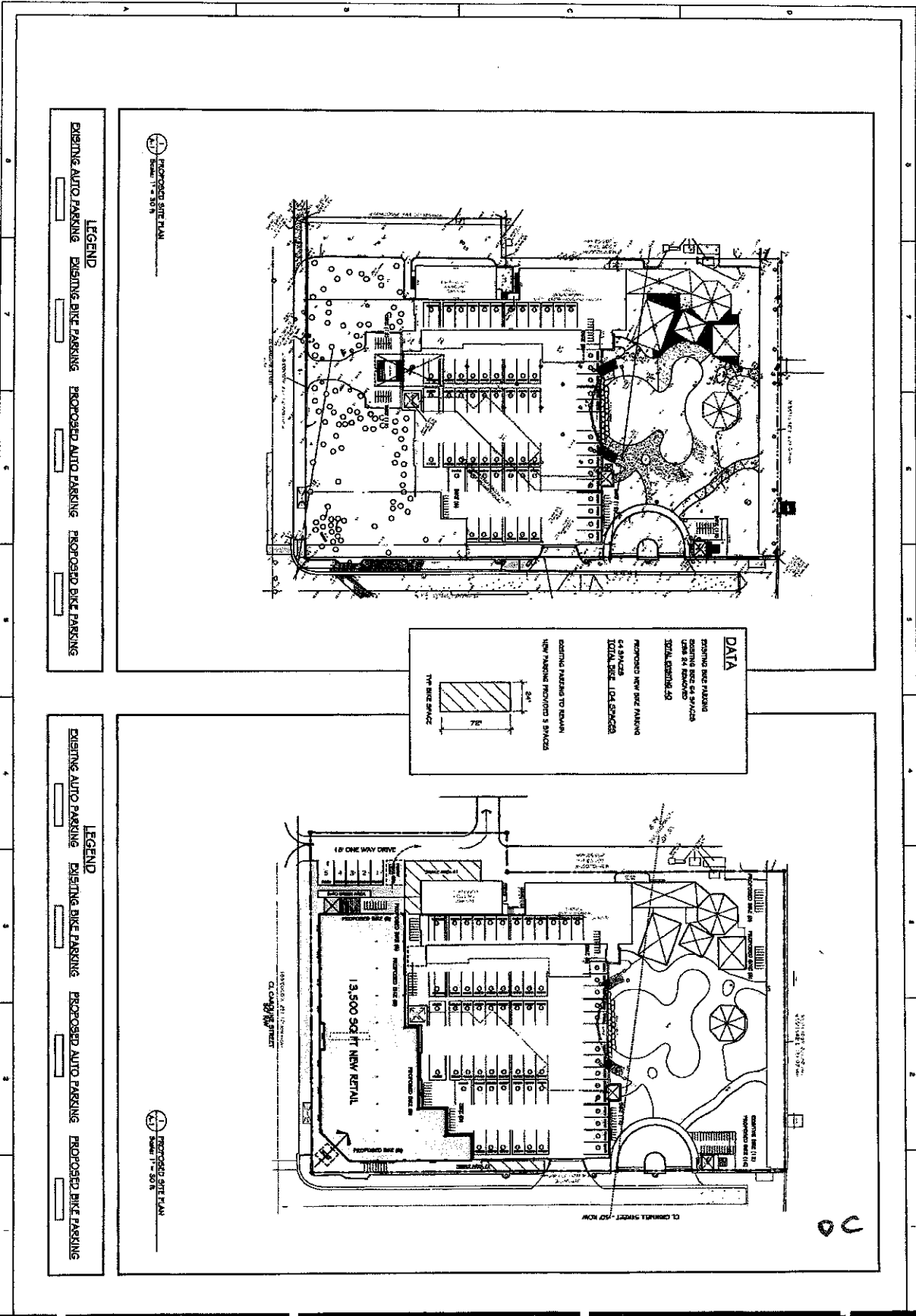
PROJECT: West Marine
CONCH HARBOR 951-965 CAROLINE ST.
KEY WEST, FLORIDA

471 US HIGHWAY 1
SUITE 101
KEY WEST, FLA. 33040
305-296-1492

PETER PIKE ARCHITECTS

NEVER, EVER! SCALE REPRODUCED DRAWINGS - BAD IDEA

OC PAK



PETER M. FINE P.A. REGISTRATION # ARO015195

SHEET #
A-7
OF

DRAWING TITLE:
PARKING PLAN

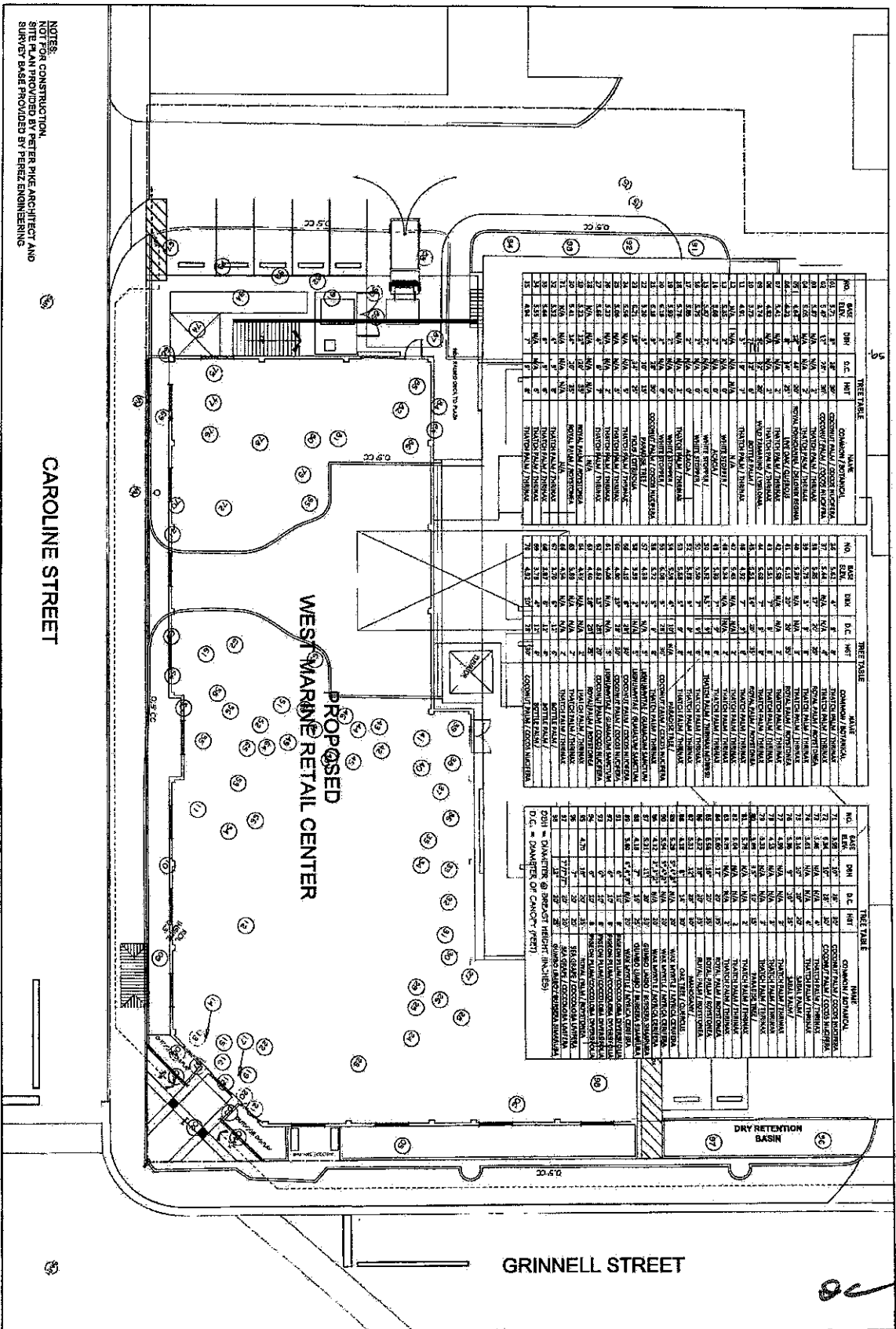
PROJECT:
West Marine
CONCH HARBOR 951-955 CAROLINE ST.
KEY WEST, FLORIDA

471 US HIGHWAY 1
SUITE 401
KEY WEST, FLA. 33040
305-292-1692

PETER FINE ARCHITECT

REVISIONS	DATE

OC
RUK



NOTES:
 NOTE FROM CONSTRUCTION
 SITE PLAN PROVIDED BY PETER PIKE ARCHITECT AND
 SURVEY BASE PROVIDED BY PEREZ ENGINEERING

TREE DISPOSITION PLAN

1
 11/17 10/17/2009

TREE TABLE

NO.	DATE	DIM	D.C.	HGT	NAME
1	5.47	12"	36"	26'	COMMON NECTAR
2	5.47	12"	36"	26'	COMMON NECTAR
3	5.47	12"	36"	26'	COMMON NECTAR
4	5.47	12"	36"	26'	COMMON NECTAR
5	5.47	12"	36"	26'	COMMON NECTAR
6	5.47	12"	36"	26'	COMMON NECTAR
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35	5.47	12"	36"	26'	COMMON NECTAR

TREE TABLE

NO.	DATE	DIM	D.C.	HGT	NAME
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70	5.47	12"	36"	26'	COMMON NECTAR

TREE TABLE

NO.	DATE	DIM	D.C.	HGT	NAME
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75	5.47	12"	36"	26'	COMMON NECTAR
76	5.47	12"	36"	26'	COMMON NECTAR
77	5.47	12"	36"	26'	COMMON NECTAR
78	5.47	12"	36"	26'	COMMON NECTAR
79	5.47	12"	36"	26'	COMMON NECTAR
80	5.47	12"	36"	26'	COMMON NECTAR
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88	5.47	12"	36"	26'	COMMON NECTAR
89	5.47	12"	36"	26'	COMMON NECTAR
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92	5.47	12"	36"	26'	COMMON NECTAR
93	5.47	12"	36"	26'	COMMON NECTAR
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97	5.47	12"	36"	26'	COMMON NECTAR
98	5.47	12"	36"	26'	COMMON NECTAR
99	5.47	12"	36"	26'	COMMON NECTAR
100	5.47	12"	36"	26'	COMMON NECTAR

1
 11/17 10/17/2009

1
 11/17 10/17/2009

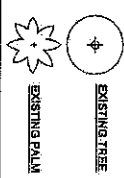
1
 11/17 10/17/2009

West Marine
 CONCH HARBOR 551-955 CAROLINE ST.
 KEY WEST, FLORIDA

ELIZABETH
 NEWLAND
 LANDSCAPE
 ARCHITECTS
 2000 Pine St. Suite 200
 Miami Beach, FL 33139
 305.666.1001
 elizabeth@elizabethnewland.com

ELC

1 LANDSCAPE PLAN
 1/8" = 1'-0"



CAROLINE STREET

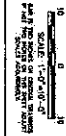
PROPOSED
 WEST MARINE RETAIL CENTER

GRINNELL STREET

ELEVATED
 ONE STORY
 (1,470 sq. ft.)

GENERAL		CONCRETE		METAL DECKING		WOOD DECKING		PAVING		LANDSCAPE	
ITEM NO.	DESCRIPTION	QTY	UNIT	QTY	UNIT	QTY	UNIT	QTY	UNIT	QTY	UNIT
1	CONCRETE	1	sq. ft.	1	sq. ft.	1	sq. ft.	1	sq. ft.	1	sq. ft.
2	WOOD DECKING	1	sq. ft.	1	sq. ft.	1	sq. ft.	1	sq. ft.	1	sq. ft.
3	PAVING	1	sq. ft.	1	sq. ft.	1	sq. ft.	1	sq. ft.	1	sq. ft.
4	LANDSCAPE	1	sq. ft.	1	sq. ft.	1	sq. ft.	1	sq. ft.	1	sq. ft.

NOTES:
 NOT FOR CONSTRUCTION.
 SITE PLAN PROVIDED BY PETER PIKE ARCHITECT.
 SURVEY BASE PROVIDED BY PEREZ ENGINEERING.

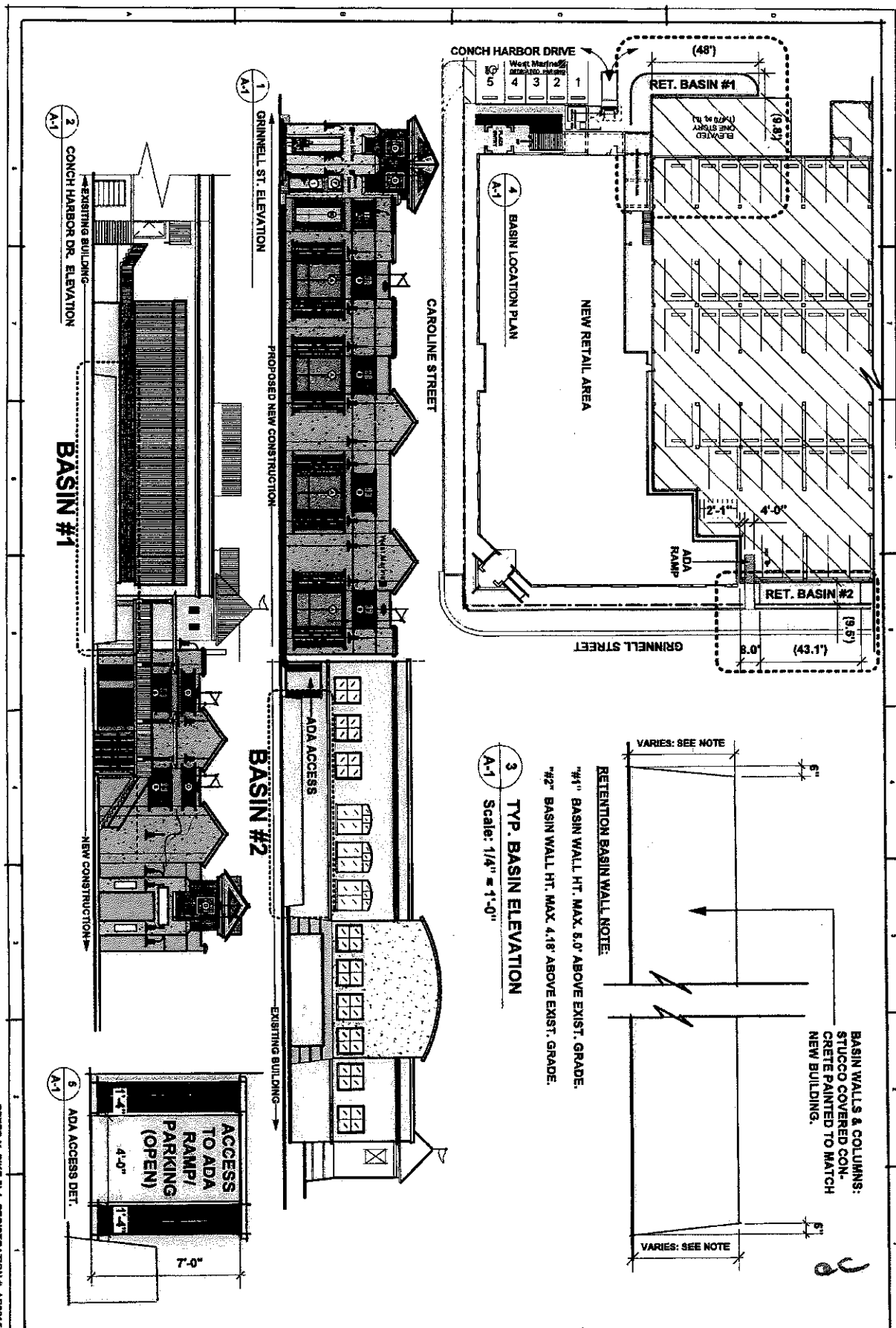


West Marine
 CONCH HARBOR 951-955 CAROLINE ST.
 KEY WEST, FLORIDA

ELIZABETH NEWLAND
 LANDSCAPE ARCHITECTURE LLC

DATE: 11/11/11
 DRAWING NO.: L-2.0
 PROJECT NO.: 1111111111

1/8" = 1'-0"



3 TYP. BASIN ELEVATION
 A-1 Scale: 1/4" = 1'-0"

RETENTION BASIN WALL NOTE:
 #1" BASIN WALL HT. MAX. 6.0' ABOVE EXIST. GRADE.
 #2" BASIN WALL HT. MAX. 4.18' ABOVE EXIST. GRADE.

BASIN WALLS & COLUMNS:
 STUCCO COVERED CON-
 CRETE PAINTED TO MATCH
 NEW BUILDING.

VARIES: SEE NOTE

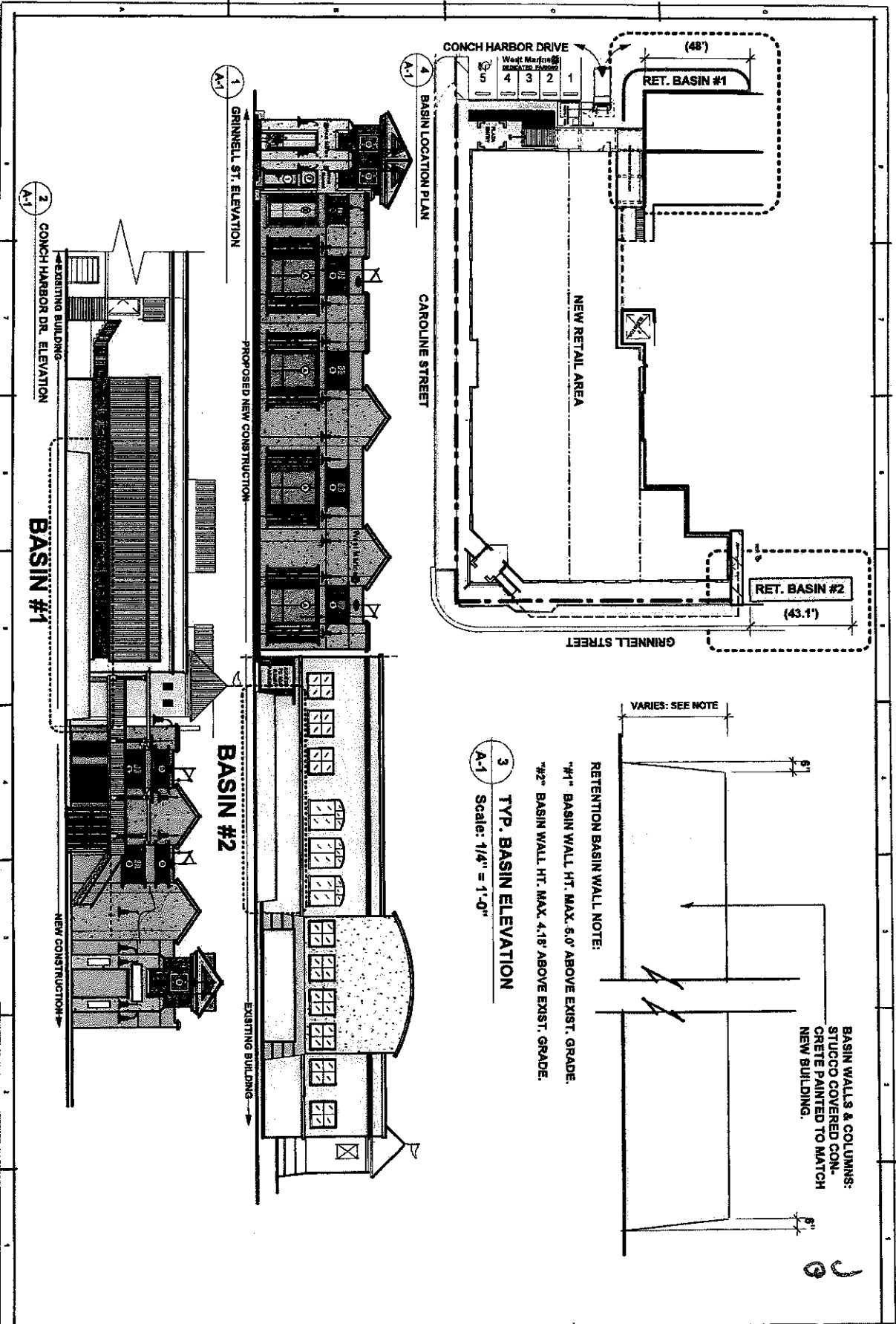
VARIES: SEE NOTE

RLK
ec

PETER M. PIKE FLA. REGISTRATION # AR0015198

SHEET # 1 OF 1 A-1	DRAWING TITLE: SITE PLANDetails RETENTION BASINS	PROJECT: CONCH HARBOR 961-886 CAROLINE ST. KEY WEST, FLORIDA	421 US HIGHWAY 1 SUITE 101 KEY WEST, FLA. 33040 304-236-1892 PETER M. PIKE ARCHITECT
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NEVER, EVER! SCALE REPRODUCED DRAWINGS - BAD IDEA!



PETER M. PIKE FLA. REGISTRATION # AR0016198

<p>SHEET #1 A-1 OF 1</p>	<p>DRAWING TITLE: SITE PLAN & SITE DATA</p>	<p>PROJECT: West Marine CONCH HARBOR 351-555 CAROLINE ST. KEY WEST, FLORIDA</p>	<p>471 US HIGHWAY 1 SUITE 101 KEY WEST, FLA. 33040 305-296-1892</p> <p>PETER PIKE ARCHITECT</p>
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NEVER, EVER! SCALE REPRODUCED DRAWINGS - BAD IDEA!