

**Additional Information
Variance Requests from 2011**

2011

Grouped - 11
Stand alone - 11

X

RESOLUTION NO- 2011-001

A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR THE REPLACEMENT OF AN EXISTING PATIO WITH A SWIMMING POOL FOR PROPERTY WHICH EXCEEDS THE REQUIRED 60% IMPERVIOUS SURFACE RATIO FOR PROPERTY LOCATED AT 816-818 WHITE STREET (RE#00022250-000000), PURSUANT TO SECTION 122-810 (4)b. UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-810(4) b, of the Code of Ordinances provides that the maximum impervious surface ratio is 60% in the HNC-2 zoning district; and

WHEREAS, the applicant requested a variance to the required impervious surface ratio to replace an existing patio with a swimming pool and composite decking; and

WHEREAS, the applicant proposes to reduce the amount of impervious surface by seven percent from the existing 91.6% to 84.4%; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on January 20, 2011; 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

THK Vice Chairman
DC Interim Planning Director

* Side yard
5'

RESOLUTION NO- 2011-004

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE CONSTRUCTION OF A STAIRCASE AND WALKWAY BY GRANTING VARIANCES TO BUILDING COVERAGE, IMPERVIOUS SURFACE RATIO, AND SIDE YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 328 TRUMAN AVENUE (RE#00025490-000000), PURSUANT TO SECTION 122-600 (4) AND (6) UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-600 (4) a. & b. and 122-600(6) b. of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 40%, maximum impervious surface ratio is 60% and the side-yard setback is five feet in the HMDR zoning district; and

WHEREAS, the applicant requested variances to building coverage, impervious surface ratio and a side yard setback to allow the construction of an exterior staircase for a non-conforming, historically contributing structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on January 20, 2011; 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

 Vice Chairman
 Interim Planning Director



RESOLUTION NO- 2011-007

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE CONSTRUCTION OF A ROOM ADDITION AND STAIRCASE BY GRANTING A VARIANCE TO BUILDING COVERAGE REQUIREMENTS FOR PROPERTY LOCATED AT 630 EATON STREET (RE#00006290-000000), PURSUANT TO SECTION 122-840 (4) UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-840 (4) a. of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 40%; and

WHEREAS, the applicant requested a variance to increase building coverage to allow improvements including a room addition and exterior staircase for a non-conforming, historically contributing residential structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on January 25, 2011; 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

Chairman

Interim Planning Director

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- 66% of value
- 10' front setback
- 5' side setback

RESOLUTION NO- 2011-008

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE RENOVATION AND CONSTRUCTION OF A NON-CONFORMING STRUCTURE WHICH EXCEEDS 66% OF THE VALUE OF THE EXISTING STRUCTURE BY GRANTING VARIANCES TO BUILDING COVERAGE, IMPERVIOUS SURFACE RATIO AND FRONT AND SIDE YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 319 AMELIA STREET (RE#00026130-000000), PURSUANT TO SECTION 122-600 (4) (5) AND (6) UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-28(b) of the Code of Ordinances provides that if voluntary reconstruction of non-conforming residential structures exceeds 66% of the appraised value of the structure variances are required; and

WHEREAS, Section 122-600 (4) a. and b. and 122-600(6) a. and b. of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 50%, maximum impervious surface ratio is 60% and building setbacks in the HHDR zoning district are ten feet in the front, and five feet on each side; and

WHEREAS, the applicant requested variances to building coverage, impervious surface ratio and front and side yard setbacks to allow improvements to a non-conforming, historically contributing, residential structure which exceed 66% of the value of that structure; and

RWK

Chairman

DC

Interim Planning Director

✓
- 66% value
- Front + side
Setbacks

RESOLUTION NO- 2011-009

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE RENOVATION AND CONSTRUCTION OF A NON-CONFORMING STRUCTURE WHICH EXCEEDS 66% OF THE VALUE OF THE EXISTING STRUCTURE BY GRANTING VARIANCES TO FRONT AND SIDE YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 1415 OLIVIA STREET (RE#00023940-000000), PURSUANT TO SECTION 122-600 (6) UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-28(b) of the Code of Ordinances provides that if voluntary reconstruction of non-conforming residential structures exceeds 66% of the appraised value of the structure variances are required; and

WHEREAS, Section 122-600(6) a. and b. of the Code of Ordinances provides that the building setbacks in the HMDR zoning district are ten feet in the front, and five feet on each side; and

WHEREAS, the applicant requested variances to front and side yard setbacks to allow improvements to a non-conforming, historically contributing, residential structure which exceed 66% of the value of that structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on

Rmk Chairman
ac Interim Planning Director

* - Front + side yard
- rear yard

**PLANNING BOARD RESOLUTION
2011-012**


A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW AFTER-THE-FACT VARIANCES FOR REQUIRED BUILDING COVERAGE, IMPERVIOUS SURFACE RATIO, FRONT YARD SETBACK, REAR YARD SETBACK, AND SIDE YARD SETBACKS FOR AN ADDITION OF 77.3 SQUARE FEET PROPERTY LOCATED AT 3308 DUCK AVENUE IN THE SINGLE FAMILY (SF) ZONING DISTRICT PER SECTION 122-238(4)A. AND B(1), SECTION 122-238(6)A.(1), (2) AND (3), 122-1182 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA (RE 00052960-000500)


WHEREAS, Section 90-391 of the Code of Ordinances allows applicants to request variances to provisions of the land development regulations; and

WHEREAS, the applicant requested after-the-fact variances for an addition of 91 square feet; and

WHEREAS, the applicant revised the site plan to request an addition of 77.3 square feet to allow the fire department access of 3' from the side of the building; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on February 17, 2011; and


Chairman


Interim Planning Director

✓ - 66% value
- side yard

RESOLUTION NO- 2011-015

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE RENOVATION AND CONSTRUCTION OF A NON-CONFORMING STRUCTURE WHICH EXCEEDS 66% OF THE VALUE OF THE EXISTING STRUCTURE BY GRANTING VARIANCES TO SIDE YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 607-609 ASHE STREET (RE#00010270-000000), PURSUANT TO SECTION 122-630 (6) b. UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-28(b) of the Code of Ordinances provides that if voluntary reconstruction of non-conforming residential structures exceeds 66% of the appraised value of the structure variances are required; and

WHEREAS, Section 122-630 (6) b. of the Code of Ordinances provides that the minimum side-yard building setback in the HHDR zoning district is five feet on each side; and

WHEREAS, the applicant requested a variance to side yard setbacks to allow improvements to a non-conforming, historically contributing, residential structure which exceeds 66% of the value of that structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on March 17, 2011; and

 Chairman

 Interim Planning Director

* -side yard

**PLANNING BOARD RESOLUTION
NO- 2011-016**

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW AFTER-THE-FACT GRANTING OF VARIANCES TO BUILDING COVERAGE, IMPERVIOUS SURFACE RATIO, AND SIDE-YARD SETBACK REQUIREMENTS TO MAINTAIN EXISTING DETACHED HABITABLE SPACE FOR PROPERTY LOCATED AT 825 ASHE STREET (RE#00022300-000000), PURSUANT TO SECTIONS 122-630 (4) a. AND b., 122-630 (6) b. AND 122-1078 UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-630 (4) a. and b. and 122-630(6) b. of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 50%, maximum impervious surface ratio is 60%, and side-yard setback in the HHDR zoning district is five feet; and

WHEREAS, the existing building coverage is 56.6%, the existing impervious surface ratio is 76% and the existing side-yard setback is 2 feet 2 inches; and

WHEREAS, Section 122-1078 provides that all habitable space shall be accessible from the interior of exterior walls; and

WHEREAS, the applicant requests variances to building coverage, impervious surface ratio, and side-yard setback requirements to allow after the fact approval for a non-conforming accessory

 Vice Chairman
 Interim Planning Director

✓ - Parking


RESOLUTION NUMBER 2011-18


A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A PARKING VARIANCE FOR PROPERTY IN THE HISTORIC NEIGHBORHOOD COMMERCIAL (HNC-3) ZONING DISTRICT, UNDER THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF KEY WEST, FLORIDA, PURSUANT TO SECTIONS 108-572 (9) AND 108-574 OF THE CODE OF ORDINANCES, ALLOWING THE WAIVER OF PARKING REQUIREMENTS FOR 20 AUTOMOBILE SPACES; OF WHICH 6 AUTOMOBILE SPACES ARE REQUESTED TO BE WAIVED THROUGH BICYCLE SUBSTITUTION FOR PROPERTY LOCATED AT 305 PETRONIA STREET, 309 PETRONIA STREET, 729 THOMAS STREET, (RE# 00013250-000000, 00013270-000000, 00013260-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 108-572 (9) of the Land Development Regulations provides that restaurants within the City must provide 1 off-street parking space per 45 square feet of serving and/or consumption area; and

WHEREAS, the subject property is located in the HNC-3 zoning district, which is within the historic commercial pedestrian-oriented area pursuant to Land Development Regulation Section 108-573; and

WHEREAS, the applicant is increasing consumption and floor area on the site, which pursuant to Section 108-573 (c)(2) requires that off-street parking regulations apply; and

 Vice-Chairman

 Planning Director

* - Front / Side yard

**PLANNING BOARD RESOLUTION
NO- 2011-019**

**A VARIANCE APPROVAL FOR FRONT AND SIDE-YARD
SETBACK REQUIREMENTS, BUILDING COVERAGE AND
IMPERVIOUS SURFACE RATIO FOR A SECOND STOREY
ADDITION AND EXPANSION OF A CONTRIBUTING
STRUCTURE FOR PROPERTY LOCATED AT 1125 VON
PHISTER STREET (RE NUMBER 00038550-000000) IN THE
HMDR ZONING DISTRICT PER SECTION 90-391 OF THE
LAND DEVELOPMENT REGULATIONS OF THE CODE OF
ORDINANCES OF THE CITY OF KEY WEST, FLORIDA**

WHEREAS, Section 122-600 (4) a. and b. and 122-600(6) a. and b. of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 40%, maximum impervious surface ratio is 60% and building setbacks in the HHDR zoning district are ten feet in the front, and five feet on each side; and

WHEREAS, the applicant requested variances to building coverage (41% (1,923s.f)), impervious surface ratio (11% (508 S.F)), and front (9' 11") and side yard setbacks (1') to allow improvements to a historically contributing single family structure, and;

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on May 19, 2011; and

WHEREAS, the Planning Board finds that special conditions and circumstances exist

 Vice Chairman
 Interim Planning Director

* - existing non-conforming front yard

RESOLUTION NO- 2011-020

A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR A VARIANCE APPROVAL FOR BUILDING COVERAGE FOR A REAR COVERED PORCH ASSOCIATED WITH AN ADDITION AND NEW POOL AND TO AN EXISTING NON-CONFORMING FRONT YARD SETBACK FOR A SINGLE FAMILY CONTRIBUTING STRUCTURE FOR PROPERTY LOCATED AT 321 CATHERINE STREET (RE# 00026350-000000) IN THE HMDR ZONING DISTRICT PER SECTION 90-391 AND SECTIONS 122-600(4) A. AND (6) A. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.

WHEREAS, Section 122-600 (4) a. and 122-600(6) a. of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 40%, and front yard building setbacks in the HHDR zoning district are ten feet, and

WHEREAS, the applicant requested variances to building coverage (7.5% (360 s.f)), and front (3' 3") yard setbacks to allow improvements to a historically contributing single family structure, and;

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on May 19, 2011; 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

 Vice Chairman
 Interim Planning Director

- ✓ 66% value
side, front +
~~rear~~ rear yard

RESOLUTION NO- 2011-021

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE RENOVATION AND CONSTRUCTION OF A NON-CONFORMING STRUCTURE WHICH EXCEEDS 66% OF THE VALUE OF THE EXISTING STRUCTURE PER SECTION 122-28 (b) BY GRANTING VARIANCES TO FRONT, SIDE AND REAR YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 313 TRUMAN AVENUE (RE#00014940-000000), PURSUANT TO SECTION 122-600 (4) a. &(6) a, b & c. UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-28(b) of the Code of Ordinances provides that if voluntary reconstruction of non-conforming residential structures exceeds 66% of the appraised value of the structure variances are required; and

WHEREAS, Section 122-600 (4) a. and (6)a, b & c. of the Code of Ordinances provides that the maximum building coverage is 40%, the minimum front-yard setback is 10 feet, side-yard setback is 5 feet and the rear yard setback is 15 feet in the HMDR zoning district; and

WHEREAS, the applicant requested variances to building coverage and setbacks to allow improvements to a non-conforming, historically contributing, residential structure which exceeds 66% of the value of that structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing

 Vice Chairman

 Interim Planning Director

✓ Front yard

RESOLUTION NO- 2011-022

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE CONSTRUCTION OF A TWO ROOM ADDITION BY GRANTING VARIANCES TO THE FRONT-YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 611 GRINNELL STREET #1 (RE#00010810-000000), PURSUANT TO SECTION 122-630 (6) a. UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-630(6) a. of the Code of Ordinances provides that the front-yard setback is 10 feet in the HHDR zoning district; and

WHEREAS, the applicant requested variances to the front-yard setback to allow the construction of a two-room addition; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on May 19, 2011; 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

 Vice Chairman
 Interim Planning Director



**PLANNING BOARD RESOLUTION
2011-025**

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING VARIANCES TO IMPERVIOUS SURFACE RATIO IN THE HPS ZONING DISTRICT PER SECTION 122-960(4)b. OPEN SPACE REQUIREMENTS PER SECTION 108-346(b), AND COASTAL CONSTRUCTION CONTROL LINE SETBACK REQUIREMENTS PER SECTION 122-1148(2) FOR PROPERTY LOCATED AT MALLORY SQUARE (RE# 00072082-001100, 00072082-001400 and 0072082-003700), 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 from the Planning Board; and

WHEREAS, Section 122-960 (4)b. of the Code of Ordinances provides that the maximum dimensional requirements for impervious surface ratio in the HPS zoning district is 50%; and

WHEREAS, the applicant requested a variance to impervious surface ratio to allow redevelopment of proposed leasehold portions of Mallory Square; and

WHEREAS, Section 108 -346(b) of the Code of Ordinances provides that minimum open space requirements for a commercial property are 20%; and

WHEREAS, the applicant requested a variance to open space requirements to allow redevelopment of proposed leasehold portions of Mallory Square; and

Chairman

Planning Director

* Front, side
rear yard

**PLANNING BOARD RESOLUTION
2011-026**

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW VARIANCES FOR FRONT AND SIDE YARD SETBACKS, IMPERVIOUS SURFACE RATIO, NEW REAR YARD SETBACK, BUILDING COVERAGE, AND OPEN SPACE FOR PROPERTY LOCATED AT 921 EATON STREET (RE# 00002710-000000) IN THE HMDR ZONING DISTRICT PER SECTION 122-600(6)(A.), (B.), AND (C.) AND SECTION 122-600(4)(A.) AND (B.), AND SECTION 108-346(B.) AND FOR DETACHED HABITABLE SPACE FOR A GUEST ROOM ADDITION PER SECTION 122-1078 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA

WHEREAS, Code Section 90-391 allows applicants to request variances from the Planning Board; and

WHEREAS, Section 122-600 (4) (a.) and (b.) and 122-600(6)(a.), (b.) and (c.) of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 40% and maximum impervious surface ratio of 50%, and front yard building setbacks are 10' feet, and side yard building setbacks are 5' and, rear yard building setbacks are 15' in the HMDR zoning district; and

WHEREAS, the applicant requested variances to building coverage (18% (501 s.f)) and impervious surface (11% (306 s.f)), and front yard setbacks (10'), side yard setbacks (5' and 3'10") and rear yard setbacks (10'), and open space (15%9417s.f) to allow improvements to a historically



Chairman



Planning Director

* Front, Side
+ rear yard

**PLANNING BOARD RESOLUTION
2011-027**

A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR A VARIANCE APPROVAL FOR BUILDING COVERAGE, FRONT YARD, REAR YARD AND SIDE YARD SETBACK REQUIREMENTS FOR AN EXTERIOR STAIRCASE AND SECOND STOREY PORCH FOR A MULTI-FAMILY CONTRIBUTING STRUCTURE FOR PROPERTY LOCATED AT 313 AMELIA STREET (RE# 00026100-000000) IN THE HMDR ZONING DISTRICT PER SECTION 90-391 AND SECTIONS 122-600(4) (a.) AND (6) (a.), (b.), AND (c.), OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA

WHEREAS, Section 122-600 (4)(a.) and 122-600(6) (a.), (b.), and (c.) of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 40%, and front yard building setbacks in the HMDR zoning district are 10 feet, and side yard building setbacks in the HMDR zoning district are 5 feet, and rear yard building setbacks in the HMDR zoning district are 15 feet; and

WHEREAS, the applicant requested variances to building coverage (20% (413 s.f)); and front yard setback (3'10") and; side yard setbacks (North Side: 1'3" and Southside 3'); and rear yard setback (9'), to allow improvements to a historically contributing multi-family structure, and;

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on June 16, 2011; and



Chairman



Planning Director

* 66% value
Front + side yard
imperVIOUS

RESOLUTION NO- 2011-033

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE RENOVATION AND CONSTRUCTION OF A NON-CONFORMING STRUCTURE WHICH EXCEEDS 66% OF THE VALUE OF THE EXISTING STRUCTURE BY GRANTING VARIANCES TO THE IMPERVIOUS SURFACE RATIO AND FRONT AND SIDE YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 711 BAKERS LANE (RE#00011880-000000), PURSUANT TO SECTION 122-630 (4) b. and (6) a. & b. UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-28(b) of the Code of Ordinances provides that if voluntary reconstruction of a non-conforming residential structure exceeds 66% of the appraised value, variances are required; and

WHEREAS, Section 122-630 (4) b. and (6) a. & b. of the Code of Ordinances provides that the maximum impervious surface ratio is 60% and the minimum front yard setback is 10 feet and the minimum side-yard building setback is 5 feet in the HHDR zoning; and

WHEREAS, the applicant requested a variance to the impervious surface ratio and the front and side-yard setbacks to allow improvements to a non-conforming, historically contributing, residential structure which exceeds 66% of the value of that structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on

RWK Chairman

DC Planning Director

✓ - 66% value
- side + rear yard

RESOLUTION NO- 2011-034

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE RENOVATION AND RECONSTRUCTION OF A NON-CONFORMING STRUCTURE WHICH EXCEEDS 66% OF THE VALUE OF THE EXISTING STRUCTURE BY GRANTING VARIANCES TO SIDE AND REAR-YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 616 VIRGINIA STREET (RE#00027560-000000), PURSUANT TO SECTION 122-810 (6) b. & c. UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-28(b) of the Code of Ordinances provides that if voluntary reconstruction of a non-conforming residential structure exceeds 66% of the appraised value, variances are required; and

WHEREAS, Section 122-810 (6) b. & c. of the Code of Ordinances provides that the minimum side-yard setback is 5 feet and the minimum rear-yard setback is 15 feet in the HNC-1 zoning district; and

WHEREAS, the applicant requested a variance to the side and rear-yard setbacks to allow improvements to a non-conforming, historically contributing, residential structure which exceeds 66% of the value of that structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on June 29, 2011; and

RWK Chairman

OC Planning Director

* Side + rear yard

PLANNING BOARD RESOLUTION 2011-036

A RESOLUTION OF THE KEY WEST PLANNING BOARD DENYING AFTER-THE-FACT VARIANCES TO BUILDING COVERAGE, IMPERVIOUS SURFACE RATIO, SIDE, AND REAR YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 908 TRINITY DRIVE #4 (RE#00065570-001010), PURSUANT TO SECTION 122-238 (4) a. AND b.(1) AND (6) a. 2. AND 3. UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-238 (4) a. and b.(1) and 122-238(6) a. 2. and 3. of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 35%, maximum impervious surface ratio is 50%, and building setbacks in the SF zoning district are 25 feet in the rear and five feet on each side; and

WHEREAS, the applicant requested variances to building coverage, impervious surface ratio, rear and side yard setbacks to allow after the fact approval to a non-conforming, accessory residential structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on July 21, 2011; and

TWL Vice Chairman
OC Planning Director

X

PLANNING BOARD RESOLUTION 2011-038

A VARIANCE APPROVAL FOR, BUILDING COVERAGE REQUIREMENTS FOR A SCREENED PORCH ADDITION FOR PROPERTY LOCATED AT 1621 BAHAMA STREET (RE NUMBER 00070230-000000) IN THE SF SPECIAL ZONING DISTRICT PER SECTION 122-238 (4) a. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA

WHEREAS, Section 122-238 (4) a. of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 30% in the single-family special zoning district; and

WHEREAS, the applicant requested variances to building coverage (39%) for a screened porch addition to a single family structure, and;

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on July 21, 2011; 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



Chairman


Planning Director

* front + rear yard

PLANNING BOARD RESOLUTION 2011- 039

A VARIANCE APPROVAL FOR BUILDING COVERAGE, IMPERVIOUS SURFACE RATIO, FRONT AND REAR-YARD SETBACK REQUIREMENTS FOR A ROOM ADDITION FOR PROPERTY LOCATED AT 1315 THIRD STREET (RE NUMBER 00047640-000000) IN THE SF ZONING DISTRICT PER SECTION 122-238 (4)a. AND (6)1.&3. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA



WHEREAS, Section 122-238 (4) a. and 122-238(6) 1. & 3. of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 35%, and building setbacks in the single-family zoning district are 30 feet in the front, and 25 feet at the rear; and

WHEREAS, the applicant requested variances to building coverage (50%) and front (14'4") and rear yard setbacks (3' 4") for a room addition to a single family structure, and;

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on July 21, 2011; 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


Chairman

Planning Director

✓ side yard

RESOLUTION 2011- 040

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW AFTER-THE-FACT GRANTING OF VARIANCES TO SIDE-YARD SETBACK REQUIREMENTS TO MAINTAIN EXISTING AIR CONDITIONING AND POOL EQUIPMENT FOR PROPERTY LOCATED AT 512 MARGARET STREET (RE#00008230-000000), PURSUANT TO SECTIONS 122-630 (6) b. AND 122-1078 UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.



WHEREAS, Section 122-630(6) b. of the Code of Ordinances provides that the side-yard setback in the HHDR zoning district is five feet; and

WHEREAS, the existing side-yard setback is 2 feet 8 inches; and

WHEREAS, the applicant requests a variance to side-yard setback requirements to allow after the fact approval for non-conforming air conditioning and pool equipment; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on August 18, 2011; 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

 Vice Chairman
 Planning Director

✓ - 66% value
- side, rear
+ street side

RESOLUTION 2011- 042

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE RENOVATION OF A NON-CONFORMING STRUCTURE WHICH EXCEEDS 66% OF THE VALUE OF THE EXISTING STRUCTURE BY GRANTING VARIANCES TO SIDE, REAR AND STREETSIDE YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 730 SOUTHARD STREET (RE#00011690-000000), PURSUANT TO SECTION 122-630 (6) b. c. & d. UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-28(b) of the Code of Ordinances provides that if voluntary reconstruction of non-conforming residential structures exceeds 66% of the appraised value of the structure variances are required; and

WHEREAS, Section 122-630 (6) b. c. & d. of the Code of Ordinances provides that in the HHDR zoning district the minimum side-yard building setback is five feet, the rear-yard setback is 20 feet and the street side setback is five feet; and

WHEREAS, the applicant requested variances to allow improvements to a non-conforming, historically contributing, residential structure which exceeds 66% of the value of that structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on August 18, 2011; and


Chairman

Planning Director

✓ front yard

**PLANNING BOARD RESOLUTION
2011- 046**


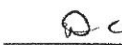
A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING VARIANCES TO THE FRONT-YARD SETBACK REQUIREMENT AND PROHIBITION ON ILLUMINATED SIGNAGE TO REPLACE AN EXISTING NON-CONFORMING SIGN FOR PROPERTY LOCATED AT 2318 FOGARTY AVENUE / 1311 FIFTH STREET (RE#00048900-000000), PURSUANT TO DIVISION 2 SECTION 114-71 UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Division 2, Section 114-71 of the Code of Ordinances provides that the front-yard setback for signs in the Single Family (SF) zoning district is twelve feet; and

WHEREAS, the proposed replacement sign has an illuminated changing-copy electronic display with the existing setback of zero feet; and

WHEREAS, the applicant requests a variance to the front-yard setback requirement and prohibition on illuminated signage to allow for the replacement of an existing non-conforming sign; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on September 15, 2011; and

 Acting Chairman
 Planning Director

✓ Front + rear yard

**PLANNING BOARD RESOLUTION
2011- 047**


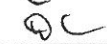
A VARIANCE APPROVAL FOR FRONT AND REAR-YARD SETBACK REQUIREMENTS FOR THE CONSTRUCTION OF A SINGLE FAMILY DWELLING FOR PROPERTY LOCATED AT 2801 VENETIAN DRIVE (RE# 00070990-000000) IN THE SF ZONING DISTRICT PER SECTION 122-238 (6) 1. & 3. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA

WHEREAS, Section 122-238(6) 1. & 3. of the Code of Ordinances provides that the maximum dimensional requirements for building setbacks in the single-family zoning district are 30 feet in the front, and 25 feet at the rear; and

WHEREAS, the applicant requested variances to front (14') and rear yard (5') setbacks for the construction of a single family dwelling; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on September 15, 2011; 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

 Acting Chairman
 Planning Director

✓ rear + side

**PLANNING BOARD RESOLUTION
2011-060**

A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR A VARIANCE APPROVAL FOR AN 8' FENCE IN THE REAR AND SIDE YARD OF PROPERTY LOCATED AT 1210 WASHINGTON STREET IN THE HMDR ZONING DISTRICT PER SECTION 90-391 AND SECTIONS 122-1183(D.)(1.) (C) OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.

WHEREAS, Section 122-1183(D.)(1.) (C) of the Code of Ordinances provides that the maximum height of a fence may be 6' in height if the top 2' has openings of at least 50% or more; and

WHEREAS, the applicant requested variances to the fence height restrictions to allow for an 8' fence in the side and rear yards, beginning 24' from the front property line; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on November 17, 2011; 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


Chairman

Planning Director

**Additional Information
Variance Requests from 2012**

Grouped - 6
Stand alone - 7

X

through 11/12

**PLANNING BOARD
RESOLUTION NO. 2012-01**

A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR A VARIANCE APPROVAL FOR AN 11' FENCE IN THE SIDE YARD OF PROPERTY LOCATED AT 400 SOUTH STREET IN THE HCT ZONING DISTRICT PER SECTION 90-391, SECTION AND SECTION 122-1183(D.) (1.) (C) OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.


WHEREAS, Section 122-1183(d)(1)(c) of the Code of Ordinances provides that the maximum height of a fence may be 6' in height if the top 2' has openings of at least 50% or more; and

WHEREAS, the applicant requested a variance to the fence height restrictions to allow for an 11' fence in the side yard; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on January 19, 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


Chairman


Planning Director

PLANNING BOARD
RESOLUTION NO. 2012-10



A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR APPROVAL VARIANCES APPROVAL TO CONSTRUCT A FIXED ROOF OVER AN EXISTING PATIO ON PROPERTY LOCATED AT 2718 HARRIS AVENUE (RE#00067640-000000) IN THE SINGLE FAMILY ZONING DISTRICT EXCEEDING BUILDING COVERAGE AND REAR-YARD SETBACK REQUIREMENTS PER SECTIONS 90-391 AND 122-238(4.)a. AND 122-238(6)a.3. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.

WHEREAS, Section 122-238(4)a. and 122-238 (6)a.3. of the Code of Ordinances provides that the maximum building coverage shall be 35% and the allowed rear-yard setback shall be 25 feet ; and

WHEREAS, the applicant requested variances to the allowed building coverage for a total of 45% and a rear-yard setback of 20 feet; and

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

WHEREAS, the Planning Board finds that special conditions and circumstances exist

TWK Vice Chairman

RC Planning Director

✓ Stand alone

**PLANNING BOARD
RESOLUTION NO. 2012-12**



A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR VARIANCE APPROVAL TO RENOVATE AND RECONSTRUCT A TWO UNIT RESIDENTIAL BUILDING ON PROPERTY LOCATED AT 812-814 BAPTIST LANE (RE#00014520-000000) IN THE HISTORIC MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT, REAR AND SIDE-YARD SETBACK REQUIREMENTS PER SECTIONS 90-391 AND 122-600(6) b. & c. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.

WHEREAS, Section 122-600 (6) b. & c. of the Code of Ordinances provides that the minimum allowed rear-yard setback shall be 15 feet and the minimum side-yard setback shall be 5 feet; and

WHEREAS, the applicant requested variances to the existing rear and side-yard setbacks; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on March 27, 2012; and

WHEREAS, the Planning Board finds that special conditions and circumstances exist

 Chairman
 Planning Director



**PLANNING BOARD
RESOLUTION NO. 2012-15**



A VARIANCE APPROVAL FOR BUILDING COVERAGE AND IMPERVIOUS SURFACE RATIO FOR A CARPORT ON PROPERTY LOCATED AT 906 JOHNSON STREET RE# 00058740-000000) IN THE SINGLE FAMILY ZONING DISTRICT PER SECTIONS 90-391 AND 122-238(4).a.2. AND 122-238(4)b.1. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.

WHEREAS, Section 122-238(4)a.2. and 122-238 (4)b.1. of the Code of Ordinances provides that the maximum building coverage shall be 30% and the allowed impervious surface ratio shall be 50%; and

WHEREAS, the applicant requested a variances to the allowed building coverage for a total of 40% and impervious surface ratio of 70%; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on April 19, 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


Chairman

Planning Director

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**PLANNING BOARD
RESOLUTION NO. 2012-17**

**A VARIANCE APPROVAL FOR A REAR YARD
SETBACK FOR AN ADDITION ON PROPERTY
LOCATED AT 617 MICKENS LANE (RE#
(RE#00012810-000000) IN THE HRO ZONING
DISTRICT PER SECTIONS 90-391 AND 122-
930(6.) (c) OF THE LAND DEVELOPMENT
REGULATIONS OF THE CODE OF
ORDINANCES OF THE CITY OF KEY WEST.**

WHEREAS, Section 122-930(6)(c.) of the Code of Ordinances provides that the rear yard setback in the HRO zoning district is 10'; and

WHEREAS, the applicant requested a variances to the allowed rear yard setback from the 10' required to 6'; and

WHEREAS, this matter came before the Planning Board at a special meeting on April 23, 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

TWK Vice Chairman
OC Planning Director

* grouped

**PLANNING BOARD
RESOLUTION No. 2012- 21**


A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR VARIANCES TO A REAR YARD SETBACK OF TWELVE FEET AND BUILDING COVERAGE FOR 1.7% FOR PROPERTY LOCATED AT 1107 GRINNELL STREET (RE#00031760-000100) IN THE HMDR ZONING DISTRICT PER SECTION 90-391, SECTION 122-600(4)A. AND SECTION 122-600(6)C. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST; PROVIDING FOR AN EFFECTIVE DATE.


WHEREAS, Section 122-660(6) c. of the Code of Ordinances provides that the rear-yard setback in the HMDR zoning district is fifteen feet; and

WHEREAS, the existing side-yard setback is three feet; and

WHEREAS, the applicant requested a variance to rear-yard setback requirements to allow a two storey addition of approximately 340 square feet; and

WHEREAS, this matter came before the Planning Board at various duly noticed public hearings on February 16, 2012, and again on March 15, 2012 where the applicant requested postponement and on April 19, 2012 the Planning Board requested postponement to resolve concerns from the neighbor; and



Chairman


Planning Director

PLANNING BOARD
RESOLUTION No. 2012-27

X



A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING VARIANCES TO THE COASTAL CONSTRUCTION CONTROL LINE SETBACK REQUIREMENTS FOR A MINOR DEVELOPEMNT PLAN FOR A FEMA COMPLIANT BUILDING PER SECTION 122-1148(2) FOR PROPERTY LOCATED AT 202 WILLIAM STREET (RE# 00072082-003900), 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 from the Planning Board; and

WHEREAS, Section 122-1148(2) of the Code of Ordinances provides that the maximum dimensional requirements for the Coastal Control Line setback requirements at 202 William Street is 30 feet; and

WHEREAS, the applicant requested a variance to Coastal Control Line setback requirements to allow redevelopment of proposed leasehold portions of the Key West Bight; and

WHEREAS, this matter came before the Planning Board at a special public hearing on May 31, 2012; and


Chairman

Planning Director



**PLANNING BOARD
RESOLUTION No. 2012-31**

A VARIANCE APPROVAL FOR FRONT-YARD SETBACK REQUIREMENTS ON PROPERTY LOCATED AT 1021 FLEMING STREET RE# 00005060-000000) IN THE HISTORIC MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT PER SECTIONS 122-28 (b), 90-391 AND 122-600 (6) a. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.


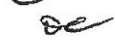
WHEREAS, Section 122-28 (b) requires that if reconstruction or replacement of a non-conforming building or structure exceeds 66% of its assessed value, a variance is required to any non-conformity; and

WHEREAS, Section 90-391 allows an applicant to request a variance if the literal enforcement of the LDR's will cause unnecessary hardship; and

WHEREAS, Section 122-600 (6) a. of the Code of Ordinances provides that the minimum front-yard setback is to be 10 feet; and

WHEREAS, the applicant requested a variance to the allowed front-yard setback of 6.5 feet to the existing 3.5 feet; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on June 21, 2012; and

 Chairman
 Planning Director





**PLANNING BOARD
RESOLUTION No. 2012-32**

**A RESOLUTION OF THE KEY WEST
PLANNING BOARD FOR AFTER-THE-FACT
VARIANCE APPROVAL FOR PROPERTY
LOCATED AT 1101 SIMONTON STREET
(RE#00027480-000000) IN THE HISTORIC
NEIGHBORHOOD COMMERCIAL ZONING
DISTRICT, PER SECTION 122-810 (4) a. & b.
BUILDING COVERAGE AND IMPERVIOUS
SURFACE RATIO AND SECTION 122-810 (6) b.
& c. REAR AND SIDE-YARD SETBACK
REQUIREMENTS AND SECTION 122-1078 OF
THE LAND DEVELOPMENT REGULATIONS
OF THE CODE OF ORDINANCES OF THE
CITY OF KEY WEST.**

WHEREAS, Section 122-810 (4) a. & b. and Section 122-810 (6) b. & c. of the Code of Ordinances provides that the maximum building coverage is 50% and maximum impervious surface ratio is 60% and the minimum allowed side-yard setback shall be 5 feet and the minimum rear-yard setback shall be 15 feet for detached habitable space; and

WHEREAS, the applicant requested variances to the existing building coverage and impervious surface ratio and to the existing side and rear-yard setbacks; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on July 19, 2012; and


Chairman

Planning Director



**PLANNING BOARD
RESOLUTION No. 2012-33**

A VARIANCE APPROVAL FOR SIDE-YARD SETBACK REQUIREMENTS ON PROPERTY LOCATED AT 517 ELIZABETH STREET (RE# 00008800-000000) IN THE HISTORIC MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT PER SECTIONS 122-28 (b), 90-391 AND 122-600 (6) b. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.

WHEREAS, Section 122-28 (b) requires that if reconstruction or replacement of a non-conforming building or structure exceeds 66% of its assessed value, a variance is required to any non-conformity; and

WHEREAS, Section 90-391 allows an applicant to request a variance if the literal enforcement of the LDR's will cause unnecessary hardship; and

WHEREAS, Section 122-600 (6) b of the Code of Ordinances provides that the minimum side-yard setback is to be 5 feet; and

WHEREAS, the applicant requested a variance to the allowed side-yard setback of 2.7 feet to the existing 2.7 feet; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on July 19, 2012; and


Chairman


Planning Director

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**PLANNING BOARD
RESOLUTION No. 2012-37**

A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR A VARIANCE APPROVAL FOR FRONT-YARD AND SIDE-YARD SETBACK REQUIREMENTS ON PROPERTY LOCATED AT 411 GRINNELL STREET (RE# 00005240-000000) IN THE HISTORIC MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT PER SECTIONS 122-28 (b), 90-391, 122-600 (6) a AND 122-600 (6) b. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.

WHEREAS, Section 122-28 (b) requires that if reconstruction or replacement of a non-conforming building or structure exceeds 66% of its assessed value, a variance is required to any non-conformity; and

WHEREAS, Section 90-391 allows an applicant to request a variance if the literal enforcement of the LDR's will cause unnecessary hardship; and

WHEREAS, Section 122-600 (6) a of the Code of Ordinances provides that the minimum front-yard setback is to be 10 feet; and

WHEREAS, Section 122-600 (6) b of the Code of Ordinances provides that the minimum side-yard setback is to be 5 feet; and

WHEREAS, the applicant requested a variance to the allowed front-yard setback of 4.62 feet to the existing 4.62 feet; and

WHEREAS, the applicant requested a variance to the allowed side-yard setback of 2.54 feet to the existing 2.54 feet; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing

 Chairman
 Planning Director

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**PLANNING BOARD
RESOLUTION No. 2012-40**



A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A ~~PARKING VARIANCE~~ ON PROPERTY LOCATED AT 825 DUVAL STREET (RE# 00016830-000000) IN THE HISTORIC NEIGHBORHOOD COMMERCIAL CORE ZONING DISTRICT, ALLOWING THE WAIVER OF PARKING REQUIREMENTS FOR 9 AUTOMOBILE SPACES REQUIRED FOR NEW COMMERCIAL FLOOR AREA AS PER SECTION 108-572 (9), AND ALLOWING ONLY 8 SPACES; WAIVING 1 SPACE FOR BICYCLE SUBSTITUTION AS PER SECTION 108-574 OF THE OF THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF KEY WEST, FLORIDA.

WHEREAS, Section 108-572(9) of the Land Development Regulations provides that restaurants within the City must provide 1 off-street parking space per 45 square feet of serving and/or consumption area; and

WHEREAS, the subject property is located in the HRCC-3 zoning district, which is within the historic commercial pedestrian-oriented area pursuant to Land Development Regulation Section 108-573; and

WHEREAS, the applicant is increasing consumption and floor area on the site, which pursuant to Section 108-573(c)(1) requires that off-street parking regulations apply; and

WHEREAS, the applicant has requested to waive 9 off-street automobile parking spaces and


Chairman

Planning Director



**PLANNING BOARD
RESOLUTION No. 2012-50**

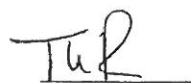

A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR A VARIANCE APPROVAL FOR IMPERVIOUS SURFACE RATIO IN THE HNC-1 ZONING DISTRICT PER SECTION 122-810(4)B; AND FOR IMPERVIOUS SURFACE RATIO, OPEN SPACE, LANDSCAPE BUFFER, AND LANDSCAPE WAIVER AT 616 SIMONTON STREET IN THE HPS ZONING DISTRICT AS PER SECTIONS 122-960(3), 122-960(4)B, AND 108-346(B) OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.

WHEREAS, the subject property is located in the Historic Neighborhood Commercial District – Truman/Simonton (HNC-1) and the Historic Public and Semipublic Services (HPS) zoning districts; and

WHEREAS, Section 90-391 allows an applicant to request a variance if the literal enforcement of the LDR’s will cause unnecessary hardship; and

WHEREAS, Section 122-810(4) b of the Code of Ordinances provides that the minimum impervious surface ratio is to be 60 percent in the HNC-1 zoning district; the applicant requested a variance of 7% to the existing 98.6%; and

WHEREAS, Section 122-960(4) b of the Code of Ordinances provides that the minimum impervious surface ratio is to be 50 percent in the HPS zoning district; the applicant requested 36.68% to the existing and

 Chairman
 Planning Director

WHEREAS, Section 108-346(b) of the Code of Ordinances provides that the minimum open space be 20 percent; the applicant requested 6.68% to the 4.94% existing; and

WHEREAS, the applicant requested a variance to the allowed minimum impervious surface ratio of 36.68% to the existing 95.03%; and

WHEREAS, the Planning Board finds that the existing conditions of the City Hall and Fire Station pre-dates the dimensional requirements of the current LDRs, and therefore is legally non-conforming to some dimensional requirements in the HNC-1 and HPS zoning district. The applicant is proposing to demolish the building and replace it with a new Fire Station, public restrooms, transportation facility options, and on-site public parking that lessens the existing nonconformities. The HPS zoning district is unique in that the surrounding zoning districts allow greater density and height; and

WHEREAS, the Planning Board finds that the applicant's request to expand the existing non-conformity is creating the need for the variance requests. Therefore, this is a condition created by the applicant. However, the response time for emergency services by the fire department limits the location of reconstruction to this parcel. Also a public facility cannot be built below the 100 year flood zone requirements, so it must be in the "X" flood zone, which this parcel is. There are no other feasible locations; and

 Chairman

 Planning Director



**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



**PLANNING BOARD
RESOLUTION No. 2012-53**

A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR A VARIANCE APPROVAL FOR REAR-YARD SETBACK REQUIREMENTS ON PROPERTY LOCATED AT 617 FLEMING STREET (RE# 00006260-000108) IN THE HISTORIC MEDIUM DENSITY RESIDENTIAL ZONING DISTRICT PER SECTION 122-600 (6) c. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST.



WHEREAS, Section 90-391 allows an applicant to request a variance if the literal enforcement of the LDR's will cause unnecessary hardship; and

WHEREAS, Section 122-600 (6) c of the Code of Ordinances provides that the minimum rear-yard setback is to be 15 feet; and

WHEREAS, the applicant requested a variance to the allowed rear-yard setback of 4.5 feet to the existing 4.5 feet; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on November 29, 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

 Chairman
 Planning Director



**PLANNING BOARD
RESOLUTION No. 2012-55**



**A RESOLUTION OF THE CITY OF KEY WEST
PLANNING BOARD FOR VARIANCE
APPROVAL FOR PROPERTY LOCATED AT
1114 MARGARET STREET (RE#00029920-
000000) IN THE HISTORIC MEDIUM DENSITY
RESIDENTIAL ZONING DISTRICT, PER
SECTION 122-600 (4) a. & b. BUILDING
COVERAGE AND IMPERVIOUS SURFACE
RATIO REQUIREMENTS OF THE LAND
DEVELOPMENT REGULATIONS OF THE
CODE OF ORDINANCES OF THE CITY OF
KEY WEST.**

WHEREAS, Section 122-600 (4) a. & b. of the Code of Ordinances provides that the maximum building coverage is 40% and maximum impervious surface ratio is 60%; and

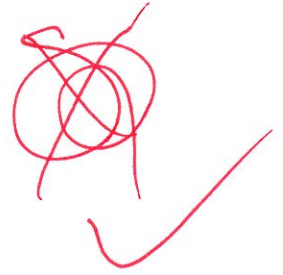
WHEREAS, the applicant requested variances to the existing building coverage and impervious surface ratio; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on November 29, 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

 Chairman
 Planning Director

PLANNING BOARD
RESOLUTION No. 2012-56


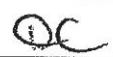


A RESOLUTION OF THE CITY OF KEY WEST
PLANNING BOARD DENYING AFTER-THE-
FACT VARIANCES FOR PROPERTY
LOCATED AT 2310 PATTERSON AVENUE
(RE#00050260-000000) IN THE SINGLE
FAMILY RESIDENTIAL ZONING DISTRICT,
PER SECTION 122-238 (4) ~~BUILDING
COVERAGE AND IMPERVIOUS SURFACE
RATIO AND SECTION 122-238 (6) a. 2. & a. 3.
REAR AND SIDE-YARD SETBACK
REQUIREMENTS OF THE LAND
DEVELOPMENT REGULATIONS OF THE
CODE OF ORDINANCES OF THE CITY OF
KEY WEST.~~

WHEREAS, Section 122-238 (4) and Section 122-238 (6) a. 2. & a. 3. of the Code of Ordinances provides that the maximum building coverage is 35% and maximum impervious surface ratio is 50% and the minimum allowed side-yard setback shall be 5 feet and the minimum rear-yard setback shall be 20 feet; and

WHEREAS, the applicant requested variances to the existing building coverage and impervious surface ratio and to the existing side and rear-yard setbacks; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on November 29, 2012; and

 Chairman
 Planning Director