

RESOLUTION NO. 2025-__

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD APPROVING A REQUEST FOR A VARIANCE TO MINIMUM PARKING REQUIREMENTS, TO ALLOW 5 PROPOSED SPACES IN LIEU OF THE 52 REQUIRED SPACES; TO ALLOW FOR REDEVELOPMENT OF A MARINA LOCATED WITHIN THE PUBLIC AND SEMIPUBLIC SERVICES (PS) ZONING DISTRICT; PURSUANT TO SECTION 90-395 AND ARTICLE VII, SEC. 108-572 OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.

WHEREAS, the applicant proposes construction of a new 1,440 sq. ft. building and the installation of dry storage racks at an existing marina property at 701 Palm Avenue (RE# 00001761-000000); and

WHEREAS, Section Sec. 108-572. of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) provide that the required off street parking for commercial boat repair and retail is 1 space per 300 square feet and the required off-street parking for boat storage is 1 space per 4 pleasure boats, requiring 52 total parking spaces for the proposed redevelopment; and

WHEREAS, the proposed parking spaces for the subject property is 5 parking spaces ;and

WHEREAS, the Key West Planning Board (the “Board”) finds that circumstances exist which are peculiar to the land, structure, or building involved and that special conditions 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 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 Board finds that literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant; and

WHEREAS, the 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 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 Board finds that no nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts are grounds for the issuance of the requested variances; and

WHEREAS, the Board finds that the applicant has satisfied the conditions of Section 90-395 of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) and likewise met the requirements established by Code Section 90-274; and

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. An approval by Resolution of the Key West Planning Board for variances to the

off street parking requirements for the property at 701 Palm Avenue (RE# 00001761-000000) in the Public and Semipublic Services (PS) zoning district, pursuant to Section 90-395 and Article VII, Sec. 108-572 and Sec. 108-576 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

Section 3. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Board.

Section 4. 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 Commerce. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DOC with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period, the DOC 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 regular meeting held this 18th day of September, 2025.

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

Peter Batty, Planning Board Chairman

Date

Attest:

James Singelyn, Acting Planning Director

Date

Filed with the Clerk:

Keri O'Brien, City Clerk

Date