

**PLANNING BOARD
RESOLUTION NO. 2018-**

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD GRANTING WITH CONDITIONS A MINOR DEVELOPMENT PLAN, CONDITIONAL USE, AND LANDSCAPE WAIVER APPROVALS IN ORDER TO CONSTRUCT A MULTIFAMILY TWO-STORY RESIDENTIAL STRUCTURE THAT INCLUDES FIVE (5) DEED RESITRICTED AFFORDABLE UNITS AND THREE (3) MARKET RATE RESIDENTIAL UNITS ON PROPERTY LOCATED AT 3228 FLAGLER AVENUE (RE # 00069040-000000) IN THE COMMERCIAL LIMITED (CL) ZONING DISTRICT PURSUANT TO SECTIONS 108-91 (b) (1) (a), 108-196 (a), 122-62, 122-388 (2), 108-517, 90-427 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on October 18, 2018.

WHEREAS, Section 108-91 (b) (1) (a) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) provides that outside the Historic District, a Minor Development Plan is required for permanent residential and transient residential development: addition or reconstruction of five to ten more units; and

WHEREAS, Section 122-388 (2) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) provides that in the Commercial Limited (CL) zoning district, a Conditional Use is required in order to construct a multiple-family residential dwelling; and

WHEREAS, Section 90-427 provides that decisions of the planning board shall be considered final in actions regarding minor development plan approvals outside the Historic District including conditional uses that are part of the minor development plan; and

WHEREAS, Section 108-517 (a) requires the Planning Board to consider the
Resolution No. 2018-

_____ Chairman

_____ Planning Director

modifications and waivers to reduce the City's landscaping requirements as requested and render as final action; and

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

WHEREAS, the Planning Board determined that the granting of the Minor Development Plan, Conditional Use, and Landscape Modification/ waiver is in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

General Conditions:

1. The proposed development shall be consistent with the plans dated, September 28, 2018 by Robert Allen Steele, P.A. No approval granted for any other work or improvements shown on the plans other than the proposed construction of the two story multi-family structure that includes five (5) deed restricted affordable units, three (3) market rate residential units, ground floor storage units, bocce courts, an underground catchment system, parking, electric charging systems, and scooter/ bike spaces.
2. The relocation of the garbage enclosure shall in no way alter the number or size of the fifteen required (15) off-street parking spaces.
3. Tree Commission Final approval
4. The hours of construction shall be in compliance with City Code and be limited to 8 a.m. to 7 p.m. on Monday to Friday, and 9 a.m. to 5 p.m. on Saturday.
5. During all phases of construction, temporary fencing shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.
6. Prior to obtaining a Certificate of Occupancy, the applicant must record the affordable deed restrictions identifying the five (5) affordable units in a form that is acceptable to the City, and approved by the City's Attorney
7. Per the Fire Marshall's request, the multi-family two story structure must have a sprinkler system installed in each unit.

Resolution No. 2018-

_____Chairman

_____Planning Director

Read and passed on first reading at a regularly scheduled meeting held this 18th day of October 2018.

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

Sam Holland, Planning Board Chairman

Date

Attest:

Patrick Wright, Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date

Resolution No. 2018-

_____ Chairman

_____ Planning Director