

RESOLUTION NO. 2023-028

A RESOLUTION OF THE KEY WEST PLANNING BOARD RECOMMENDING TO THE CITY COMMISSION APPROVAL OF A MAJOR MODIFICATION TO A MAJOR DEVELOPMENT PLAN FOR THE DEVELOPMENT OF FOUR MARKET RATE RESIDENTIAL UNITS WITH A LANDSCAPE WAIVER FOR A NON-COMPLYING LANDSCAPE BUFFER ON PROPERTY LOCATED AT 638 UNITED STREET (RE# 00036600-000000) WITHIN THE HISTORIC RESIDENTIAL / OFFICE (HRO) ZONING DISTRICT WITH A PROPOSED AFFORDABLE WORK FORCE HOUSING LINKAGE PROJECT LOCATED AT 3228 FLAGLER AVENUE PURSUANT TO CHAPTER 108, SECTION 108-91, AND ARTICLE III THROUGH IX; CHAPTER 122, ARTICLE IV, DIVISION 10; AND CHAPTER 122, ARTICLE V, DIVISION 10 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 108-91(c) (3), of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that modifications to Major Development Plans that exceed those treated as administrative or minor modifications shall be treated in the same manner as the original approval; and

WHEREAS, Section 108-91(c)(4) provides that changes to specific conditions of a Major Development Plan required by the original approval shall require approval by the administrative body that originally approved the development; and

WHEREAS, the subject property is located at 638 United St (RE# 00036600-000000), more particularly described in the unity of title recorded in Book 2781, Page 1791 of the official

records of the Clerk of the Circuit Court of Monroe County, Florida, is located in the Historic Residential/Office zoning district, and

WHEREAS, Planning Board Resolution 2018-57 recommended approval of a major development plan for the construction of five market rate residential units, and

WHEREAS, the property owner has submitted a request for a major modification to the major development plan to allow for development of four market rate residential units with landscape waivers; and

WHEREAS, this matter came before and was recommended for approval with conditions by the Planning Board at a duly noticed public hearing on December 12, 2023; and

WHEREAS, the granting of the proposed modifications to the Major Development Plan is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the Planning Board finds that the granting approval of the proposed modifications to the Major Development Plan 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.

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.

  Chairman
Planning Director

Section 2. The request for a major modification to the Major Development Plan for the construction of four (4) market rate residential units on property located at 638 United Street (RE # 00036600-000000) within the Historic Residential/ Office (HRO) zoning district pursuant to Sections 108-91 (a) (2) (a) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans, is hereby approved with the following conditions*:

General conditions:

1. The proposed development shall be consistent with the plans dated August 3, 2023 by Timothy Seth Neal P.A., and the landscape plans by Keith Oropeza, Landscape Architect; notwithstanding any revisions requested and recommended by staff.
2. During all phases of construction, temporary fencing and erosion barriers shall be installed and maintained. All adjacent City streets and sidewalks shall be kept clean and clear of construction debris.
3. Each of the four units is a single-family home. Section 86-9 defines family as:
 - (1) One person or a group of two or more persons related by blood, marriage, adoption, or foster care occupying a dwelling unit as a separate, independent, not-for-profit housekeeping unit with a single kitchen and set of culinary facilities. Such family may also include up to two unrelated persons who serve as servants or caretakers for the housekeeping unit; or
 - (2) Up to four unrelated persons occupying a dwelling unit as a separate, independent, not-for-profit housekeeping unit with a single kitchen and set of culinary facilities.

4. Prior or simultaneous to issuance of a Certificate of Occupancy for this development, the project at 3228 Flagler Avenue must receive a Certificate of Occupancy.
5. The applicant must modify the proposed linkage project to include a total of at least four deed restricted affordable housing units to comply with Section 122-1467.
6. The three existing, large, protected trees on the property that are to remain; 1-Spanish Lime (Tree #1), 1-Gumbo Limbo (Tree #2), and 1-Tamarind tree (Tree#4), are to be protected during all phases of the project. No impacts including to the roots, trunks, or canopy branches, are authorized to occur to these trees.
7. Final Landscape plan review is required. If no significant changes have been made to the project, the review can be done by the Urban Forestry Manager.

Conditions prior to the City Commission hearing:

8. The applicant must obtain a Certificate of Appropriateness from the Historic Architectural Review Committee (HARC).
9. The applicant shall submit an outdoor lighting plan pursuant to City Code Section 108-284.
10. An irrigation plan must be submitted prior to City Commission review.
11. Sealed landscape plans must be submitted prior to City Commission review.

Conditions prior to issuance of a building permit:

12. Approval of a Public Art Plan shall be obtained from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee.
13. Per the Fire Marshall's office, all buildings shall be fully sprinkled.

14. Add Storm Water Pollution Prevention Plan (SWPPP) notes as required by the Utilities Department.

15. Reduce the size of the swale in the rear yard of Unit 4. Swale must lie outside of the tree dripline.

Section 3. Full, complete and final application for all 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 Major Development Plan application approval by the Planning Board does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of the 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 Board.

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 or development order shall be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for 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 45-day review period, the DEO 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 12th day of December, 2023.

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




Sam Holland, Jr. Planning Board Chairman
1/3/24
Date

Attest:



Katie Halloran, Planning Director
1/4/2024
Date

Filed with the Clerk:



Keri O'Brien, City Clerk
1.4.2024
Date


T.S. NEAL ARCHITECT INC.
 2825 UNIVERSITY BLVD
 SUITE 200
 UNIVERSITY, FL 32617
 407-253-0807

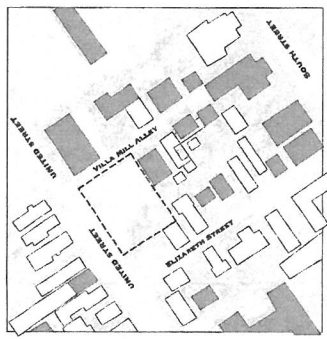
DRAWINGS FOR
 CONCEPT ONLY

**A NEW RESIDENTIAL DEVELOPMENT AT
 638-646 UNITED ST.
 KEY WEST, FL 33040**

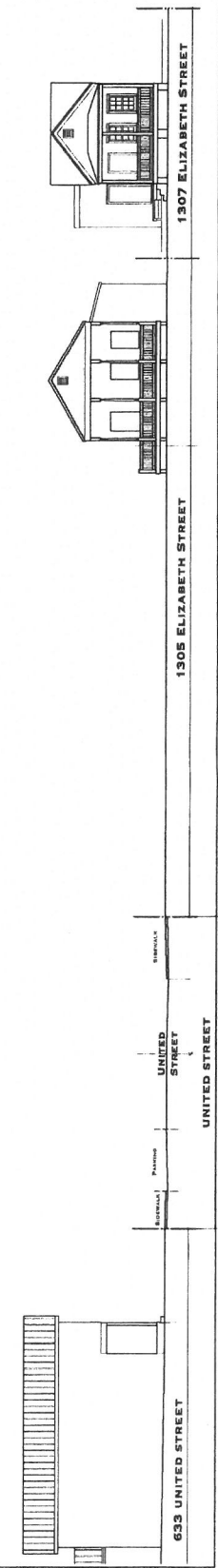
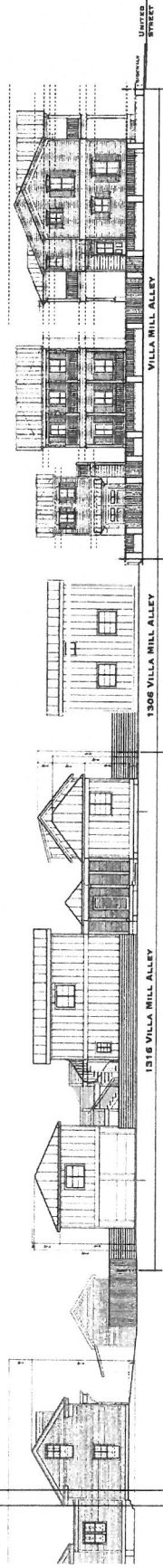
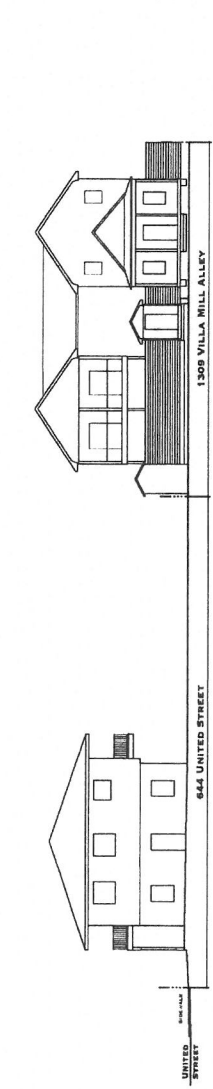
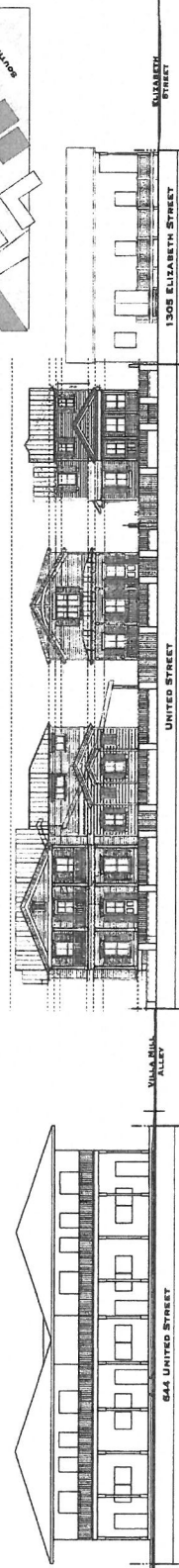
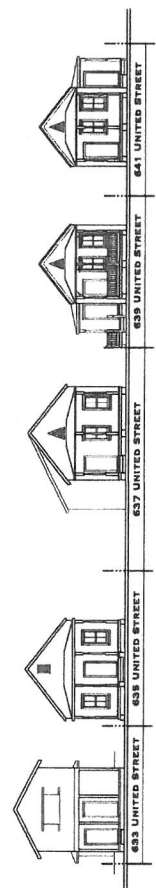
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 PROPOSED STREETSCAPE
CONTEXT
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 CHECKED: TM
 DATE: 08-03-2023

A1.0
 SHEET #

A
TSM
 P. A. NEAL, ARCHITECT, INC.



GRAPHIC KEY
 SINGLE STORY
 SINGLE & A HALF
 TWO STORY
 SITE LOCATION



TIMOTHY BETH NEAL P.L.A. REGISTRATION # AB972605

T.S. NEAL
ARCHITECT INC.
2875 CHANDLER WAY
CLEARING, FL. 32622
351-285-9947
351-285-9947

PROCESS
DRAWING AND
COMMENT ONLY

A NEW RESIDENTIAL DEVELOPMENT AT
638-646 UNITED ST.
KEY WEST, FL. 33040

DRAWING TITLE:
SECOND FLOOR PLAN

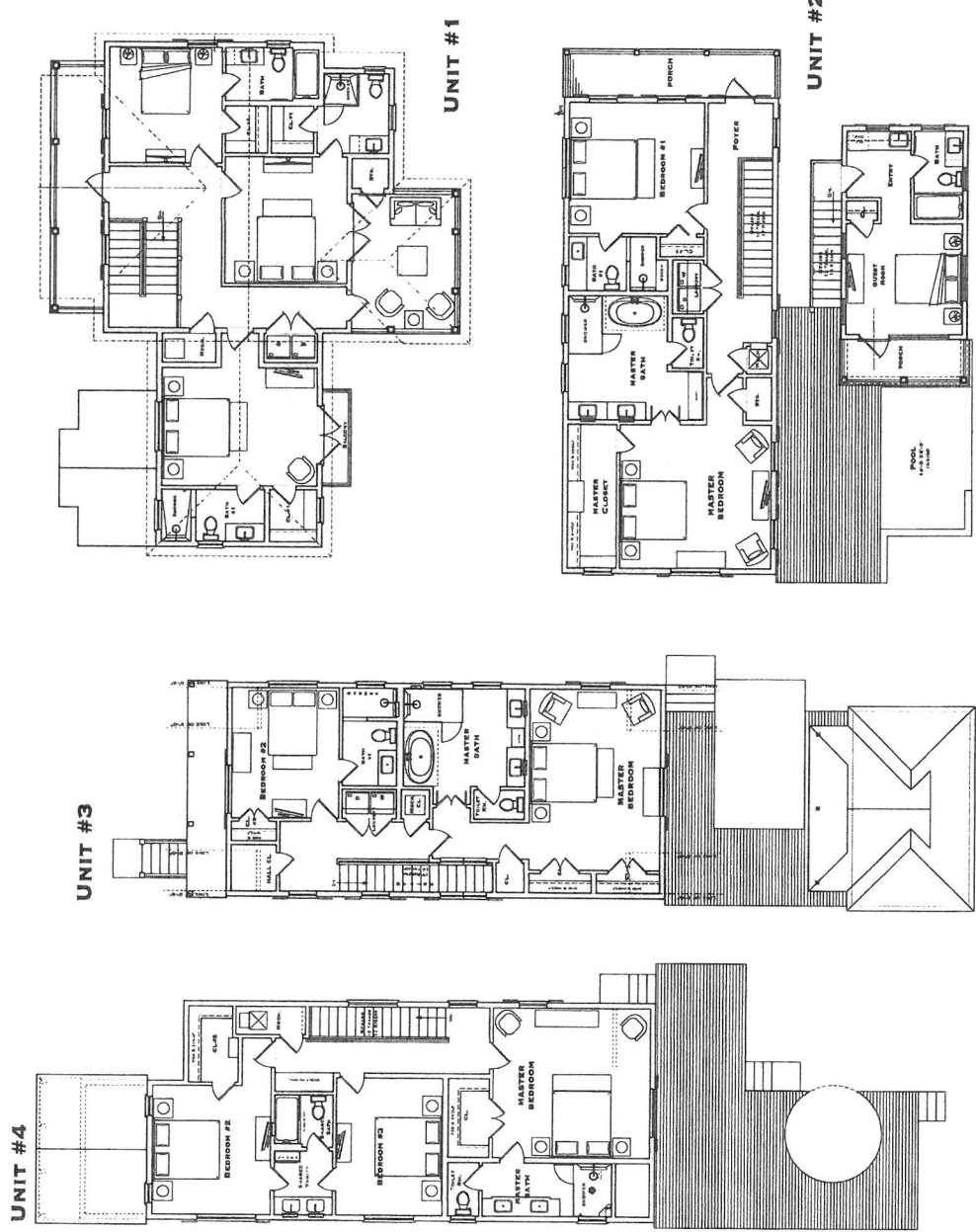
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DATE: 08-03-2002

REVISIONS

NO.	DESCRIPTION	DATE

A1.2
SHEET #

TSM
TIMOTHY BETH NEAL P.L.A. REGISTRATION # A197305



SECOND FLOOR PLANS
SCALE: 1/8" = 1'-0"

TIMOTHY BETH NEAL P.L.A. REGISTRATION # A197305



T.S. NEAL ARCHITECT INC.
 2500 W. UNIVERSITY BLVD
 SUITE 100
 UNIVERSITY, FL 33022
 800-368-8877
 352-263-2222

PROGRESS FOR REVIEW AND COMMENT ONLY

**A NEW RESIDENTIAL DEVELOPMENT AT
 638-646 UNITED ST.
 KEY WEST, FL 33040**

**DRAWING TITLE:
 STREET EXTERIOR ELEVATIONS**

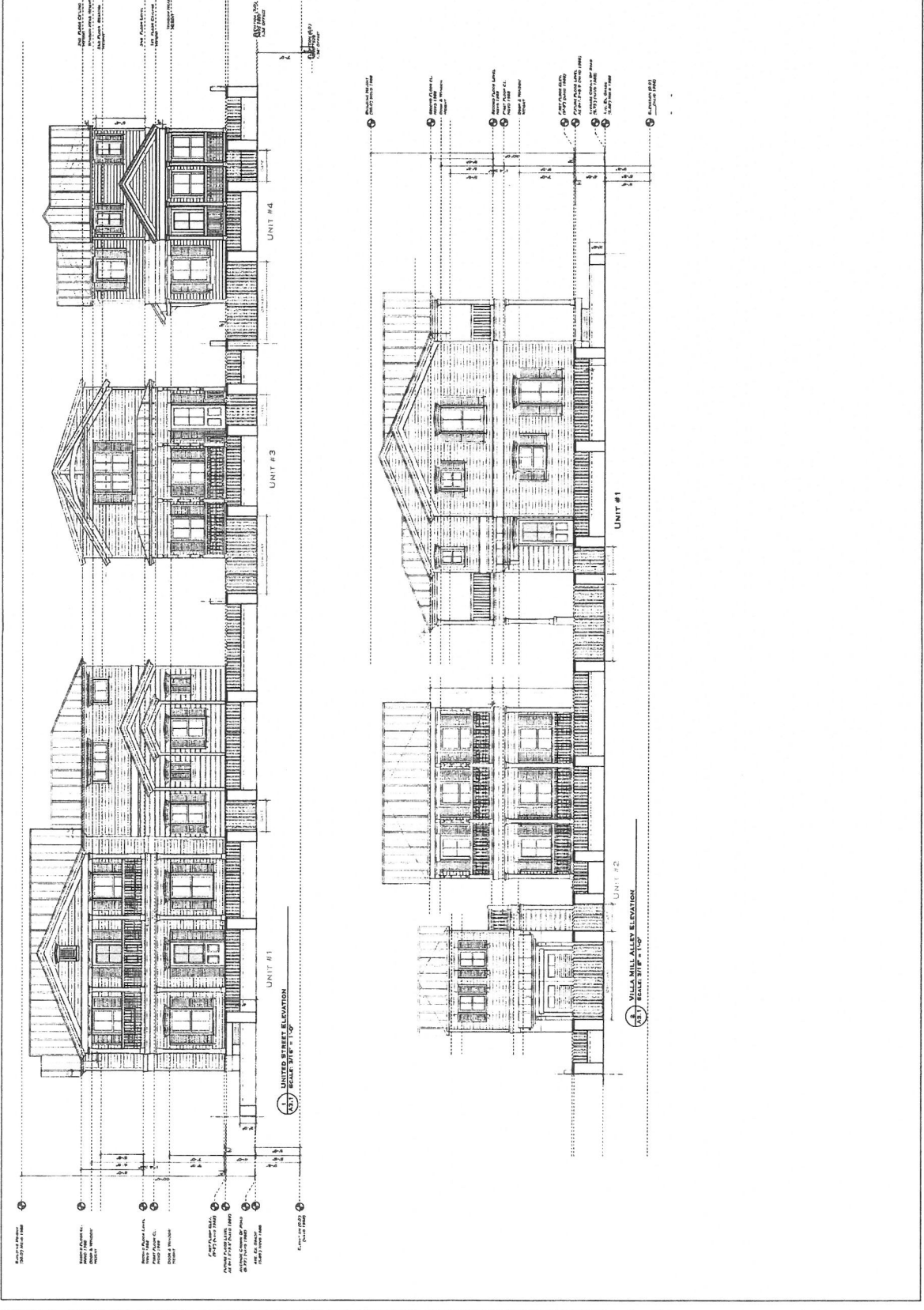
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 DATE: 08-05-2023

NO.	DATE	REVISION

A3.1
 SHEET #



TSN
 131 MILL AVENUE, SUITE 100
 KEY WEST, FL 33040



TIMOTHY BETH NEAL, P.L.L.C. REGISTRATION # 1907300

T.S. NEAL ARCHITECT INC.
 22724 DORCHESTER HWY
 SUITE 3000
 TAMPA, FL 33613
 813-988-9887
 813-988-9887

PROGRESS DRAWINGS FOR REVIEW ONLY

**A NEW RESIDENTIAL DEVELOPMENT AT
 638-648 UNITED ST.
 KEY WEST, FL 33040**

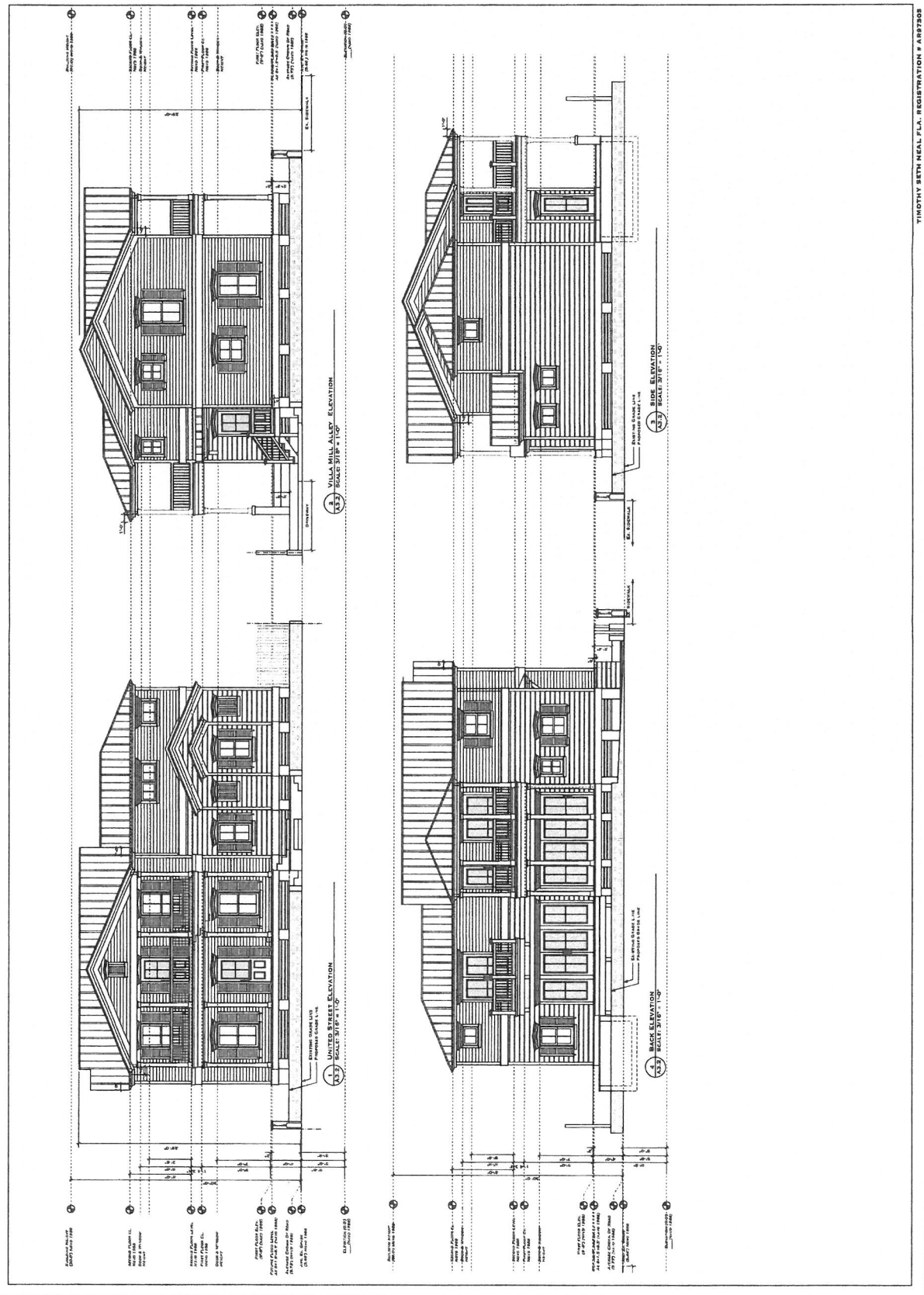
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 EXTERIOR ELEVATIONS
 UNIT #1**

DRAWN: TSN
 CHECKED: TSN
 DATE: 02-28-2023

REVISION #	DATE

A3.2
 SHEET #

TIMOTHY SEITH NEAL, P.L.A. REGISTRATION # AB97358



T.S. NEAL
ARCHITECT INC.
 5774 OVERSEAS HWY
 SUITE 200
 TAMPA, FL 33624
 813-973-8887
 813-973-8887

**Drawings for
 CONCRETE ONLY**

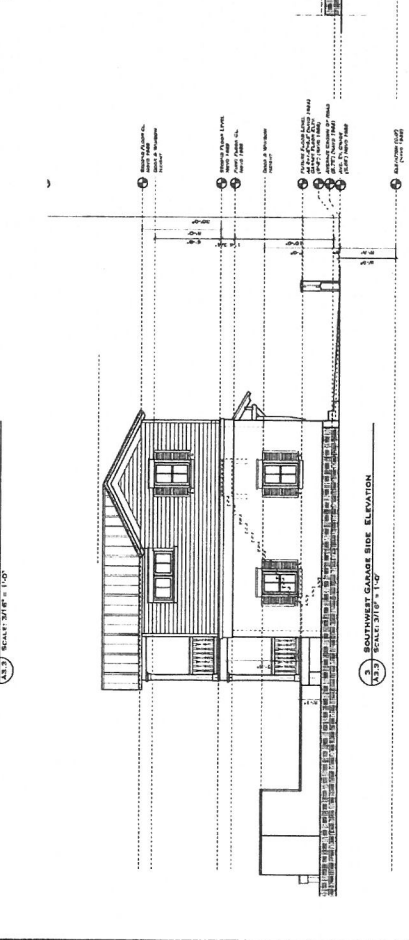
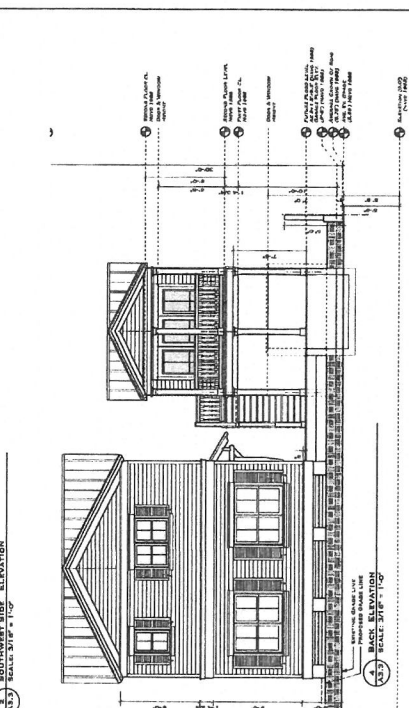
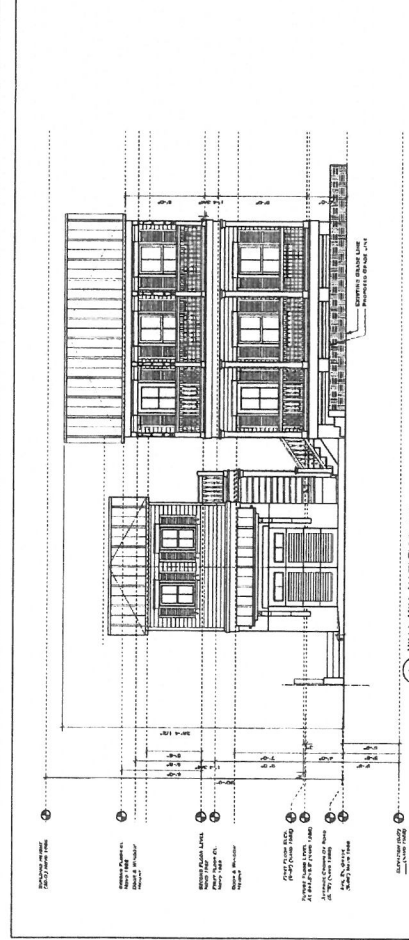
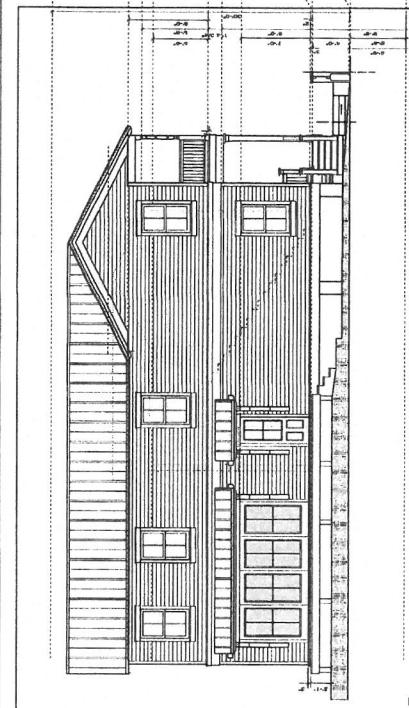
**A NEW RESIDENTIAL DEVELOPMENT AT
 638-646 UNITED ST.
 KEY WEST, FL 33040**

**DRAWING TITLE:
 EXTERIOR ELEVATIONS
 UNIT #2**

DESIGNED BY: TSN
 CHECKED BY: TSN
 DATE: 08-02-2023

A3.3
 SHEET #

TSN
 ARCHITECTS, INC.



TIMOTHY BETH NEAL P.L.A. REGISTRATION # AB27568

T.S. NEAL
ARCHITECT INC.
 2872A OVERSEA HWY
 SUITE 200
 FORT WORTH, TX 76104
 817-432-8877

PROGRESS FOR
 REVIEW AND
 COMMENT ONLY

**A NEW RESIDENTIAL DEVELOPMENT AT
 638-646 UNITED ST.
 KEY WEST, FL 33040**

**DRAWING TITLE:
 EXTERIOR ELEVATIONS
 UNIT #3**

DRAWN: TSN
 CHECKED: TSN
 DATE: 06-05-2023

A3.4
 SHEET #

TSN
 1.5 MILL CONTRACT, INC.



TIMOTHY BETH NEAL, P.L.A. REGISTRATION # AB97508

T.S. NEAL ARCHITECT INC.
 2300 GOLF COURSE HWY
 SUITE 100
 TAMPA, FL 33622
 813-988-8887
 813-988-8887

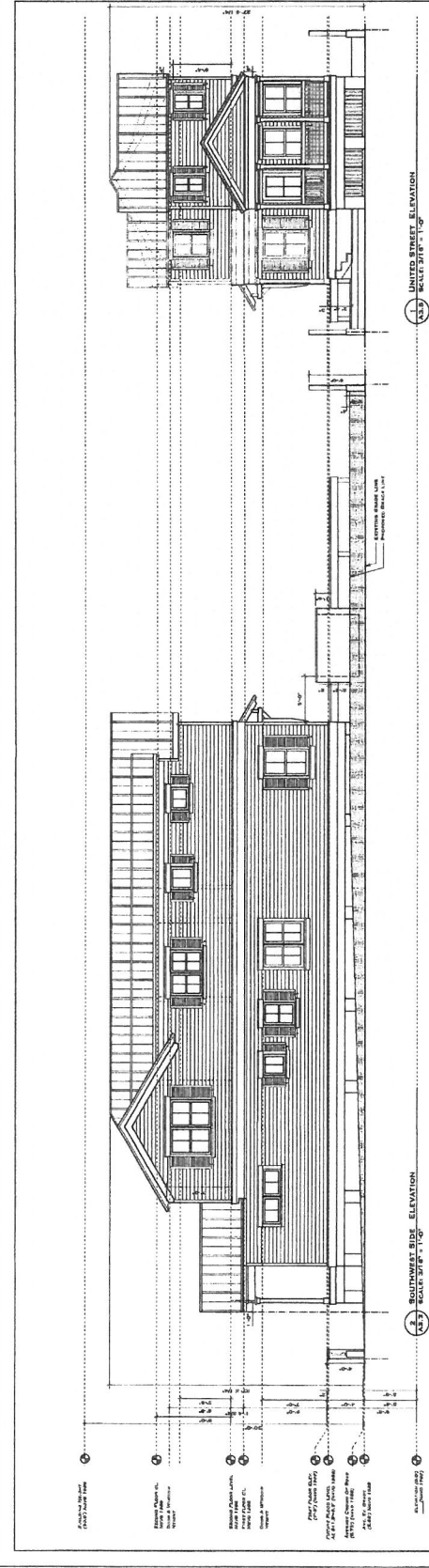
Prepared for Review and Comment ONLY

**A NEW RESIDENTIAL DEVELOPMENT AT
 639-646 UNITED ST.
 KEY WEST, FL 33040**

**DRAWING TITLE:
 EXTERIOR ELEVATIONS
 UNIT #4**

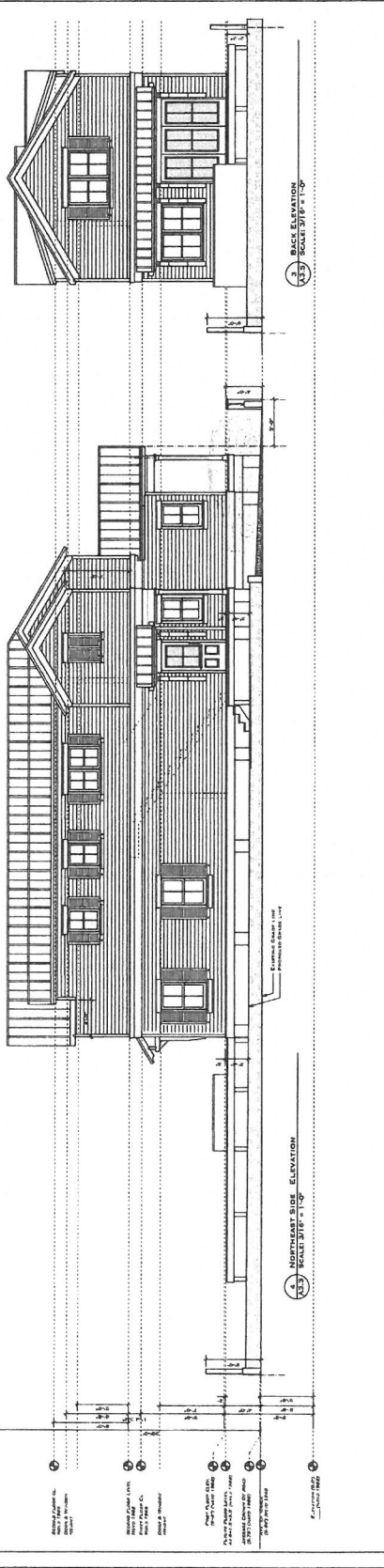
A3.5 SHEET #1

TSN



3 FRONT ELEVATION
 SCALE 3/8" = 1'-0"

4 BACK ELEVATION
 SCALE 3/8" = 1'-0"



5 NORTH SIDE ELEVATION
 SCALE 3/8" = 1'-0"

6 SOUTH SIDE ELEVATION
 SCALE 3/8" = 1'-0"

TIMOTHY BETHE NEAL, P.L.A. REGISTRATION # ABP2566

T.S. NEAL ARCHITECT INC.
 3277A OVERSEAS HWY.
 CLERMONT, FL 33509
 352-340-8857
 352-340-9947

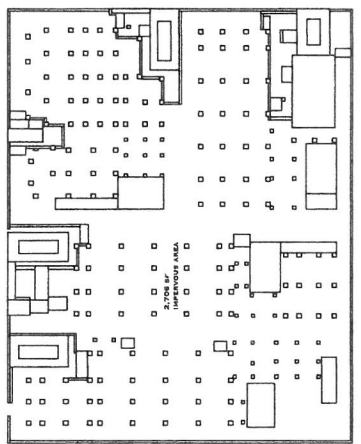
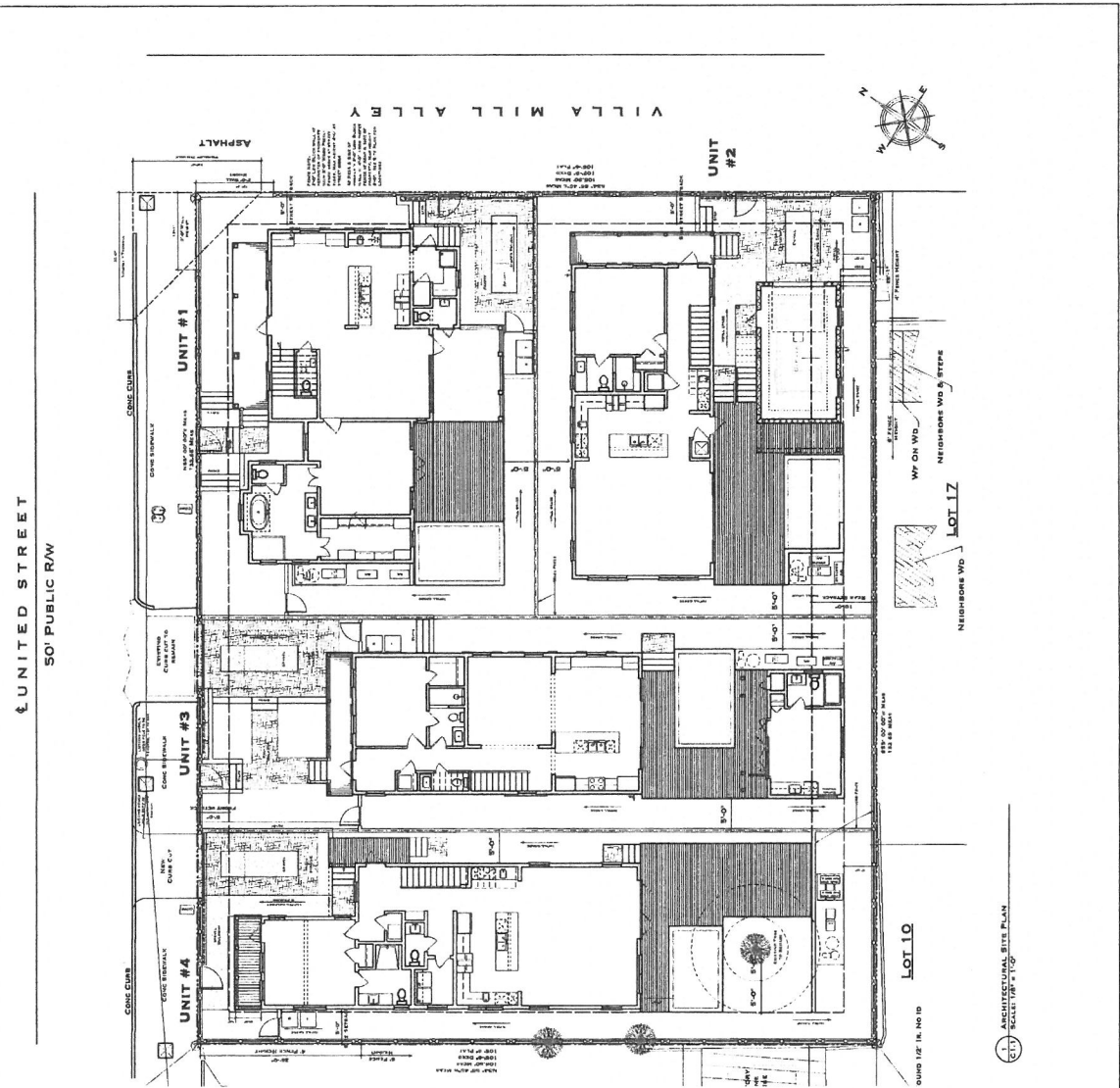
PROGRESS FOR REVIEW ONLY
 DRAWINGS FOR COMMENT ONLY

A NEW RESIDENTIAL DEVELOPMENT AT
638-646 UNITED ST.
 KEY WEST, FL 33040

DRAWING TITLE: ARCHITECTURAL SITE PLAN
DRAWN: TSN
CHECKED: TSN
DATE: 02/28/2012

C1.1
 SHEET #1

TSN
 T.S. NEAL ARCHITECTS, INC.



1 IMPERVIOUS AREA SITE PLAN DIAGRAM
 SCALE: 1/8" = 1'-0"

2 ARCHITECTURAL SITE PLAN
 SCALE: 1/8" = 1'-0"

TIMOTHY BETH NEAL P.L.A. REGISTRATION # AB72708

NO.	DATE	BY	DESCRIPTION

STORMWATER MANAGEMENT PLAN
 2/1/2023
 7/28/2023
 C-1

NOT FOR CONSTRUCTION

LEGEND

[Symbol]	PROPOSED
[Symbol]	EXISTING
[Symbol]	RELOCATED
[Symbol]	REMOVED
[Symbol]	EXISTING
[Symbol]	PROPOSED
[Symbol]	RELOCATED
[Symbol]	REMOVED

NOTES
 1. SEE GENERAL NOTES FOR CONSTRUCTION REQUIREMENTS.

NOTES
 1. POST TYPE: WOOD PT. OR 3/4" X 3/4" METAL AT 6' CENTRE, MAXIMUM.
 2. THE BARRIER SHALL BE 12' HIGH AT ALL TIMES AND SHALL BE 12' WIDE AT THE TOP.
 3. THE BARRIER SHALL BE 2' WIDE AT THE BASE AND SHALL BE 1' HIGH AT THE BASE.
 4. ALL POSTS SHALL BE 12' ON CENTER AND SHALL BE 12' HIGH.
 5. OPTIONAL POST POSITION REQUIRED WHEN SLOPE IS GREATER THAN 1:2.

Stormwater Quantity Calculations

Item	Area (sq ft)	Runoff Coefficient (C)	Volume (cu ft)	Volume (cu yd)
Project Area	11344.2	0.31	3916.7	147.2
Impervious Area	3174.0	0.90	2856.6	110.2
Permeable Area	8170.2	0.10	817.0	31.0
Total Volume	14514.2	0.31	4516.7	178.2

Peak Development

Item	Area (sq ft)	Runoff Coefficient (C)	Volume (cu ft)	Volume (cu yd)
Project Area	11344.2	0.31	3916.7	147.2
Impervious Area	3174.0	0.90	2856.6	110.2
Permeable Area	8170.2	0.10	817.0	31.0
Total Volume	14514.2	0.31	4516.7	178.2

