

**PLANNING BOARD
RESOLUTION NUMBER 2014-48**

**APPROVAL FOR A MAJOR DEVELOPMENT PLAN AND
CONDITIONAL USE FOR THE CONSTRUCTION OF A
DOCK SYSTEM WITH 79 BERTHS AT PROPERTY
LOCATED AT 2407 NORTH ROOSEVELT BOULEVARD
(RE# 00002280-000100, AK# 8890613) LOCATED IN THE
OUTSTANDING WATERS OF THE STATE (C-OW) ZONING
DISTRICT PURSUANT TO SECTION 108-91(B.)(2.)C. OF
THE LAND DEVELOPMENT REGULATIONS OF THE CODE
OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.**


WHEREAS, the subject property is located in the Outstanding Waters of the State (C-OW) zoning district; and

WHEREAS, Section 108-91 of the Code of Ordinances provides that outside the Historic District a Major Development Plan is required for addition of outdoor commercial activity consisting of restaurant seating, outdoor commercial storage, active recreation, outdoor sales area or similar activities equal to or greater than 5,000 square feet; and

WHEREAS, the applicant proposed a construction of a dock system with 79 berths; and

WHEREAS, Section 108-196(a) requires the Planning Board to review and approve, approve with conditions, or deny the proposed Major Development Plan; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on August 21, 2014; and


Chairman


Planning Director

WHEREAS, the granting of a Major Development Plan application is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the granting of a Major Development application 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

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 Major Development Plan and Conditional Use to allow the construction of a dock system with 79 berths, as shown in the attached plans dated September 8, 2013 on property located at 2407 North Roosevelt Boulevard (RE# 00002280-000100, AK# 8890613) with the following conditions of approval:

Conditions to be completed prior to the issuance of a building permit:

1. The Applicant receives all necessary permits from relevant State and Federal Agencies.
2. In addition to the existing on-site parking the Applicant shall make available twenty (20) exclusive parking spaces for use in association with the proposed development. Confirmation that said additional parking spaces are available for the proposed development shall be presented to the Planning Department prior to the issuance of any building permit, land clearing permit, or any permit required for physical furtherance of the proposed development. The City of Key West Attorney shall review any parking easement agreement between applicant and any property

 Chairman
 Planning Director

owner which is in furtherance of the above stated to insure compliance with City of Key West Code Sec. 108-576(a).

3. If the construction project exceeds \$500,000, the Applicant shall obtain approval of a Public Art Plan from the AIPP Board, pursuant to City Code Section 2-487, and may include payment of an in-lieu fee.
4. The Applicant shall obtain the proper permits for any trimming of mangroves during construction of the project.

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

5. On-site artwork shall be installed and inspected by the City pursuant to Section 2-487.
6. The Applicant coordinates with the U.S. Coast Guard to provide and maintain navigational markers from the docking basin to open water.
7. All lighting complies with "dark sky" or equivalent program on the docks themselves.
8. The Applicant will provide sewage pump-out facilities for all boats, with pump-out facility accessible 24 hours a day to all vessels of any length.
9. The Applicant shall provide the parking lot landscaping required by LDR Section 108-414(b) as evidenced by a landscape plan prepared by a licensed landscape architect and reflective of the conceptual design contained in the email to the Planning Department on July 8, 2014.
10. The onsite parking lot shall be striped and the driveway to said parking stalls, appropriately marked.
11. The clear site triangle for the accessory to North Roosevelt Boulevard shall be maintained clear of obstruction as per City Code.
12. The Applicant shall install the hose cabinets, standpipes and other fire suppression and alarms as required by the City Fire Marshall.
13. The parking lot on site shall be restriped to provide standard size stalls required by City Code, including two handicapped stalls.
14. There shall be no other commercial use of the marina area or parking lot, nor shall the development plan or conditional use authorize the change of the existing legally non-conforming uses to any other commercial use.
15. There shall be no boat storage of any kind on the upland portions of the site inclusive of the parking lot.
16. The Applicant shall provide a fire department Hammerhead turn-around as required by code.
17. The Applicant shall provide a letter from structural engineer determining the hammerhead access road in close proximity of the water line can safely handle the total weight of our fire department trucks.
18. The Applicant shall provide a secondary emergency egress walkway for emergency purposes only, approved location and specifications are addressed in the Fire Access Site Plan (Sheet Number: C-7.0).

 Chairman
 Planning Director

Conditions subject to a Conditional Approval Permit, per Ordinance 10-22 subject to an associated annual inspection:

19. The applicant maintains a Florida Department of Environmental Protection Clean Marina Designation.
20. There shall be no use of the marina for charter boats of any kind, including active or passive docking of charter vessels.
21. There shall be no boat ramp, or automobile or hoist assisted boat launching of any type.
22. There shall be no storage of boat trailers on any part of the site, nor in any of the parking spaces on site, or in leased areas.
23. No vessel longer than thirty (30) feet, nor any vessel with a draft of more than three (3) feet shall be docked, or allowed to use the marina.

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 and Conditional Use 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 Commission.

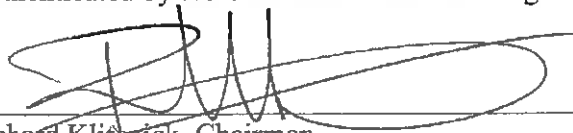
Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has

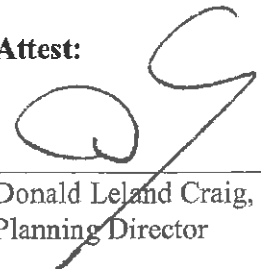
 Chairman
 Planning Director

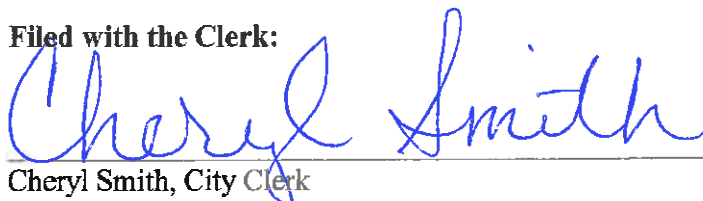
expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached 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 21st day of August, 2014.

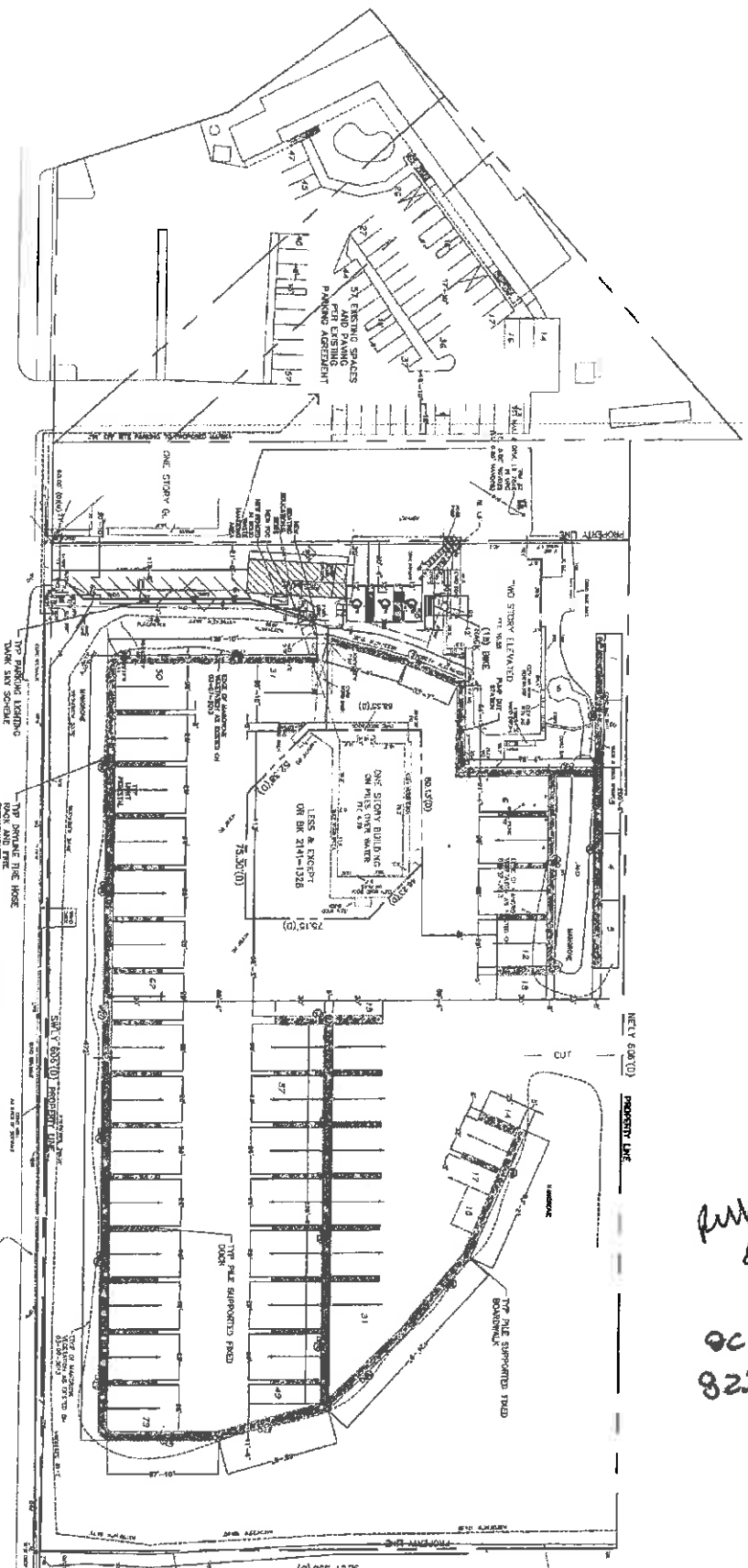
Authenticated by the Chairman of the Planning Board and the Planning Director.


Richard Klitenick, Chairman
Key West Planning Board
8-25-2014
Date

Attest:

Donald Leland Craig, AICP
Planning Director
9.25.14
Date

Filed with the Clerk:

Cheryl Smith, City Clerk
8-26-14
Date

Chairman
 Planning Director



RWK
8/25/14

OC
82574

OVERALL DEVELOPMENT PLAN
GRAPHIC SCALE
1" = 20' (1" = 60.96')

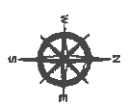
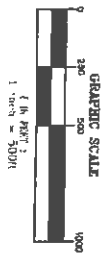
SE-1a
Site Plan

Project Information	
Project Name:	2407 N ROOSEVELT BOULEVARD
Address:	2407 N ROOSEVELT BOULEVARD, KEY WEST, FLORIDA
Client:	
Architect:	
Date:	
Scale:	1" = 20'
Sheet No.:	SE-1a
Total Sheets:	

2407 N ROOSEVELT BOULEVARD
KEY WEST, FLORIDA

General Notes:
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FLORIDA BUILDING CODE AND ALL APPLICABLE LOCAL ORDINANCES.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPROPRIATE AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
4. ALL UTILITIES SHALL BE LOCATED AND DEPTH MARKED PRIOR TO CONSTRUCTION.
5. THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROTECTING ALL EXISTING UTILITIES AND STRUCTURES.
6. ALL MATERIALS AND WORKMANSHIP SHALL BE SUBJECT TO INSPECTION AND APPROVAL BY THE APPROPRIATE AGENCIES.
7. THE CONTRACTOR SHALL MAINTAIN A NEAT AND SAFE WORK SITE AT ALL TIMES.

Architect: RWK Architects, LLC
1000 N. MIAMI AVENUE, SUITE 1000
MIAMI, FLORIDA 33132
TEL: 305.371.1111
WWW.RWKARCHITECTS.COM

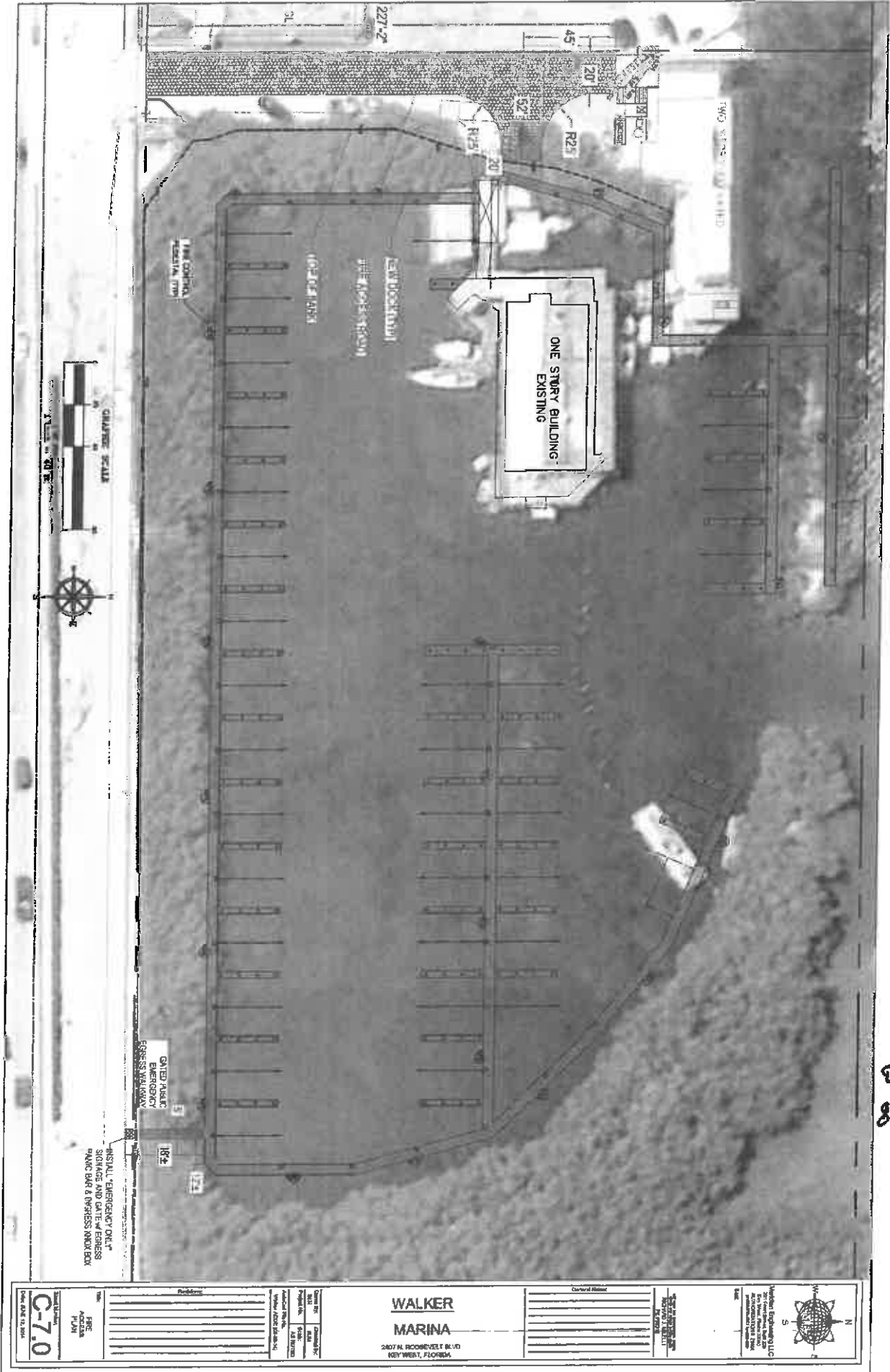


- NOTES:
1. NUMBERS SHOWN REPRESENT DEPTH OF WATER BASED ON MEAN LOW WATER (MLW) ELEVATION.
 2. WATER DEPTH DATA COLLECTED ON MARCH 5, 2014.



Handwritten: RWK 8/25/14
 RW 8/25/14

C-1.0 <small>CONTRACT NUMBER</small> <small>DATE</small>	<small>Project No.</small> _____	<small>Contract No.</small> _____	<small>Contract Date</small> _____
	<small>Client Name</small> _____	<small>Contract Description</small> _____	<small>Contract Location</small> _____
<small>Contractor Name</small> RICHARD WALKER	<small>Contractor Address</small> MARINA 2407 N. ROOSEVELT BLVD KEY WEST, FLORIDA	<small>Contractor Phone</small> _____	<small>Contractor Email</small> _____
<small>Contractor License No.</small> _____	<small>Contractor Registration No.</small> _____	<small>Contractor Insurance No.</small> _____	<small>Contractor Bond No.</small> _____



C-7.0 FIRE PLAN DATE: 8/25/14	Project Name: WALKER MARINA Project No.: 1824 Revision: 1 Date: 8/25/14	Designer: WALKER Drafter: WALKER Checker: WALKER Date: 8/25/14	Title: FIRE PLAN Scale: AS SHOWN Date: 8/25/14	Project Location: 2807 N. ROOSEVELT BLVD, KEY WEST, FLORIDA Project No.: 1824	Project Name: WALKER MARINA Project No.: 1824 Revision: 1 Date: 8/25/14	Project Location: 2807 N. ROOSEVELT BLVD, KEY WEST, FLORIDA Project No.: 1824
	WALKER MARINA 2807 N. ROOSEVELT BLVD KEY WEST, FLORIDA					