

**PLANNING BOARD  
RESOLUTION NO. 2017-**

**A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING MINOR DEVELOPMENT PLAN; CONDITIONAL USE; AND A LANDSCAPE WAIVER PURSUANT TO SECTIONS 108-91.A.1. (A) AND 108-517 (B) OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR THE CONSTRUCTION OF THREE (3) RESIDENTIAL UNITS ON PROPERTY LOCATED AT 315 CATHERINE STREET (RE # 00026320-000000) WITHIN THE HISTORIC MEDIUM DENSITY RESIDENTIAL (HMDR) ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, Section 108-91.a.1(a) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) provides that a Minor Development Plan is required for permanent residential and transient residential development: addition or reconstruction of three or four units.; and

**WHEREAS**, Code Section 108-517 (b) provides for approval of a landscape waiver for the west side of the property; and

**WHEREAS**, Code Sections 108-517(b) requires the Planning Board to review and grant the waiver; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on May 18, 2017; and

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

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

**WHEREAS**, the granting of the Landscape Waiver is consistent with the criteria of the Code of Ordinances; and

**WHEREAS**, the Planning Board finds that the granting of a Minor Development Plan and Landscape 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.

**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.** The Minor Development Plan and Landscape Waiver for the construction of three (3) residential units on property located at 315 Catherine Street (RE # 00026320-000000) within the Historic Medium Density Residential (HMDR) Zoning District pursuant to Sections 108-91.A.1. (a); and 108-517(b) 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 site plan dated January 5, 2017 by Matthew Stratton, Registered Architect.
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.

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

**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 Minor Development Plan, Conditional Use and Parking Waiver 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.

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director

Read and passed on first reading at a regularly scheduled meeting held this 18<sup>th</sup> day of May, 2017.

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

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director