

**PLANNING BOARD
RESOLUTION NO. 2018-**

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING MAJOR DEVELOPMENT PLAN APPROVAL 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 FOR THE CONSTRUCTION OF FIVE MARKET RATE RESIDENTIAL UNITS ON PROPERTY LOCATED AT 638 UNITED STREET (RE # 00036600-000000) WITHIN THE HISTORIC RESIDENTIAL/OFFICE (HRO) ZONING DISTRICT; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 108-91(a) (2), of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) provides that within the Historic District, a Major Development Plan is required for the addition of permanent residential development addition or reconstruction of five or more units; and

WHEREAS, Code Sections 108-196(a) the Planning Board to review and approve, approve with conditions or deny the proposed Major Development Plan in an advisory capacity to the City Commission; and

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

_____Chairman

_____ Planning Director

Section 2. The Major Development Plan for the construction of five (5) 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 24, 2018 by Robert Allen Steele, P.A., and the landscape plans by Ladd B. Roberts, Landscape Architect; notwithstanding any revisions requested and recommended by staff.

2. During all phases of demolition and 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 these structures 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.

Conditions prior to the City Commission hearing:

_____Chairman

_____ Planning Director

3. The applicant shall obtain final landscape plan approval from the Tree Commission.

4. The applicant must obtain a Certificate of Appropriateness from the Historic Architectural Review Committee (HARC).

5. The applicant shall obtain an outdoor lighting plan pursuant to City Code Section 108-284.

Conditions prior to issuance of a building permit:

6. 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.

7. Per the Fire Marshall's request, all five (5) single family dwelling units shall have sprinkler systems installed into each structure.

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

_____Chairman

_____ Planning Director

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 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

_____ Chairman

_____ Planning Director