

**PLANNING BOARD  
RESOLUTION NO. 2021-28**

**A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD GRANTING WITH CONDITIONS A REQUEST FOR A VARIANCE AT 210-216 DUVAL (RE# 00001420-000000 TO MAXIMUM ALLOWED BUILDING COVERAGE, MAXIMUM ALLOWED IMPERVIOUS SPACE, MINIMUM REQUIRED OPEN SPACE, AND MINIMUM REQUIRED OFF-STREET PARKING SPACES, IN ORDER TO ENCLOSE A PORTION OF SPACE BETWEEN BUILDINGS AND RESTORE THE INTERIOR OF THE PROPERTY LOCATED IN THE HISTORIC RESIDENTIAL COMMERCIAL CORE (HRCC-1) ZONING DISTRICT PURSUANT TO SECTIONS 90-395, 108-346, 108-572 (9), 122-690 (4)A., AND 122-690 (4)B. OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.**

**WHEREAS**, the subject property is located within the Historic Residential Commercial Core Zoning District; and

**WHEREAS**, pursuant to Sections 90-395, 108-346, 108-572 (9), 122-690 (4)a., and 122-690 (4)b. of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”), the applicant filed a variance application to maximum allowed building coverage, maximum allowed impervious space, minimum required open space, and minimum required off-street parking spaces, in order to enclose a portion of space between buildings and restore the interior of the property located at 210-216 Duval (RE# 00001420-000000); and

**WHEREAS**, City Code Section 90-395 outlines the criteria for reviewing a variance application by the Planning Board; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on June 17<sup>th</sup>, 2021; and

 Vice Chairman  
 Planning Director

**WHEREAS**, the Planning Board found that the proposed variance complies with the criteria in City Code Section 90-395; and

**WHEREAS**, the approval of the variance application will be in harmony with the general purpose and intent of the LDRs, 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 fully set forth herein.

**Section 2.** That a variance request, pursuant to Section 90-395 of the Code of Ordinances of the City of Key West, Florida is hereby approved as follows: A request for a variance to maximum allowed building coverage to 90.6%, maximum allowed impervious space to 91%, minimum required open space to 6%, and minimum required off-street parking spaces to zero off-street spaces for restaurant use and residential dwelling units, in order to enclose a portion of space between buildings and restore the interior of the property located in the Historic Residential Commercial Core (HRCC-1) zoning district pursuant to Sections 90-395, 108-346, 108-572 (9), 122-690 (4)a., and 122-690 (4)b. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.:

**General Conditions:**

1. The proposed construction shall be consistent (except for conditions of approval listed below) with the plans signed, sealed, and dated 12/10/2020 by Richard J. Milelli.
2. Landscaping be maintained on the two planter-boxes on Charles St.
3. Gutters be placed on the structure and downspouts be added to drain all rain-water runoff into the proposed exfiltration trench.

Conditions prior to Certificate of Occupancy:

4. The addition of approved bike parking on the property or in direct proximity to the property

**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 and construction shall commence within 12 months after the date hereof.

**Section 4.** This resolution does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

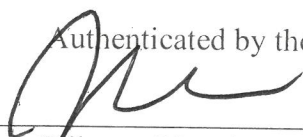
**Section 5.** This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

**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 expired, this permit or development order will 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.


  
Vice Chairman  
  
Planning Director

Read and passed on first reading at a regularly scheduled meeting held this 17th day of June 2021.

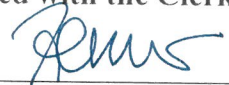
Authenticated by the Vice Chair of the Planning Board and the Planning Director.


  
James Gilleran, Planning Board Vice Chair 7-2-21  
Date

Attest:

  
Katie P. Halloran, Planning Director June 25, 2021  
Date

Filed with the Clerk:

  
Cheryl Smith, City Clerk July 9, 2021  
Date  
Keri O'Brien - Deputy City Clerk

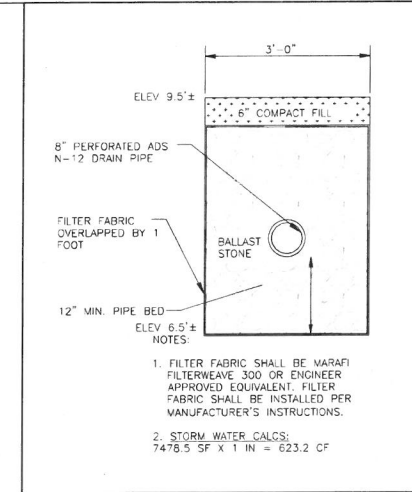
  
Vice Chairman  
 Planning Director

**KEY NOTES:**

1. NEW STAIRS FROM THE SECOND FLOOR OF 210 DUVAL STREET BUILDING TO CHARLES STREET. THE STAIRS WOULD BE REPLACING AN EXISTING SET OF STAIRS THAT ARE DAMAGED.
2. NEW STAIRS ON CHARLES STREET STRUCTURE FOR EGRESS FROM THE SECOND FLOOR AND TO PROVIDE A SECOND EGRESS FOR DUVAL STREET STRUCTURE. A SET OF STAIRS PREVIOUSLY EXISTED AT THIS LOCATION.
3. NEW DECK STRUCTURE IN THE SAME FOOTPRINT AS AN EXISTING ROOF STRUCTURE. A NEW ROOF AND DECK WILL BE CONSTRUCTED. THE REAR OF THE DECK WILL BE RAISED APPROX. 2FT AND THE FRONT WILL BE LOWERED APPROX. 1FT. NEW DECK AREA WILL ONLY BE FOR RESIDENTIAL APARTMENTS. COMMERCIAL AREA WILL NOT HAVE ACCESS TO DECK.
4. NEW ROOF OVER UNCOVERED AREA. NEW ROOF SHALL INCORPORATE AN EXISTING UNCOVERED AREA AND GO UNDER THE STAIRS.
5. NEW ROOF WHERE EXISTING SHED ROOF EXISTS. THE NEW ROOF SHALL BE HIGHER THAN THE EXISTING ROOF.
6. EXISTING ROOF TO BE REPLACED IN KIND.
7. NEW 64 LF OF EXFILTRATION TRENCH TO CONTROL STORMWATER RUNOFF SEE DETAIL AND CALCULATIONS
8. TRASH AND RECYCLING AREA UNDER STAIRS WITH FENCE AROUND THE AREA.
9. EXISTING 2-STORY STRUCTURE TO BE MODIFIED INTERNALLY FOR RESTAURANT.
10. ENTRANCE GATE FOR (2) APARTMENTS ON CHARLES STREET AND SECONDARY EGRESS FOR (2) APARTMENTS ON DUVAL.
11. GENERAL AREA ON DUVAL STREET WHERE OWNER IS PROPOSING TO ADD BICYCLE RACKS.
12. LANDSCAPING PLANTER BOXES. EACH ARE 8'-6" BY 2'-0".
13. TRASH AND RECYCLING AREA

**DEVELOPMENT NOTES:**

1. THERE IS NO PARKING CURRENTLY ON THE SITE. THE OWNER IS PROPOSING TO ADD BIKE RACKS ON DUVAL STREET AND UNDER THE STAIRS IN THE REAR YARD SETBACK. THERE IS NO EXISTING DRIVEWAY.
2. NO LANDSCAPING IS PROPOSED. OWNER WILL PAY INTO LANDSCAPING FUND FOR THE CITY.
3. TRASH AND RECYCLING WILL BE ON CHARLES STREET.

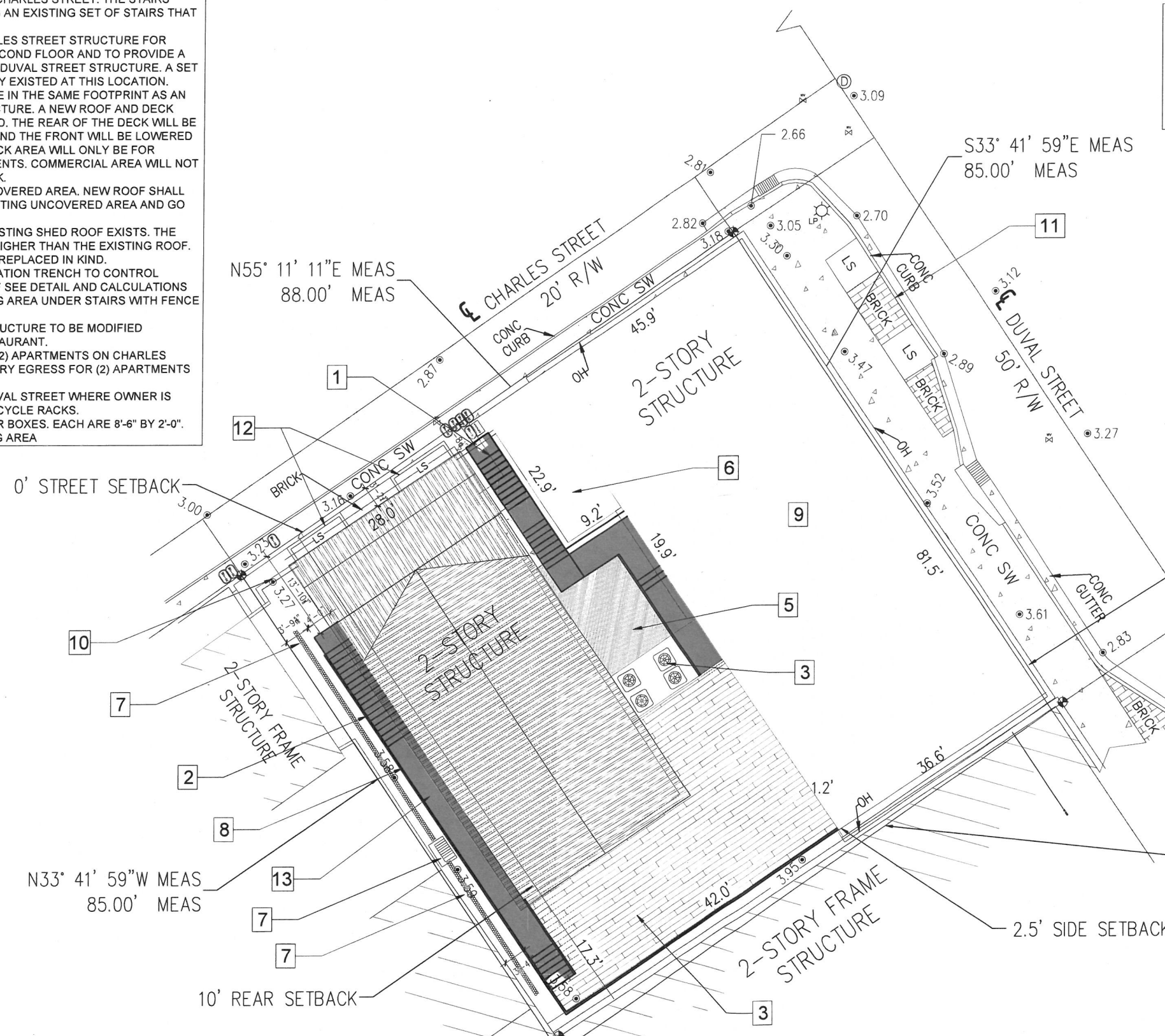


**EXFILTRATION TRENCH**  
SCALE: NOT TO SCALE

Hydraulic Conductivity, K =	0.0001
Depth to Water Table, H <sub>s</sub> =	2.5
Trench Width, W =	3
Non-Saturated Trench Depth, D <sub>u</sub> =	2
Saturated Trench Depth, D <sub>s</sub> =	1
Volume to be Exfiltrated, V =	0.1717
Required Trench Length, L =	63.97

**LANDSCAPING NOTES:**

1. SEE NOTE 12 OF THE KEY NOTES. TWO (2) PLANTERS WITH KW PLANT LIST TYPE NATIVE SHRUBS ARE PROPOSED ALONG CHARLES STREET.
2. APPLICANT SURVEYED DUVAL STREET FOR ADDITIONAL PLANTING AREAS BUT DID NOT DISCOVER ANY.
3. THE REAR SETBACK AREA CANNOT BE LANDSCAPED BECAUSE IT'S AN EGRESS LANE FOR THE APARTMENTS AND AN ACCESS AREA FOR THE FIRE DEPARTMENT. ALSO, AN EXFILTRATION TRENCH IS PROPOSED THAT WILL OCCUPY MOST OF THE REAR SETBACK.
4. EXCEPT FOR THE PLANTER BOXES ON CHARLES STREET, NO LANDSCAPING IS PROPOSED. OWNER WILL PAY INTO LANDSCAPING FUND FOR THE CITY.



**1 PROPOSED SITE PLAN**  
SCALE: 1/8"=1'-0"

Meridian Engineering LLC  
201 Front Street, Suite 203  
Key West, Florida 33040  
AUTHORIZATION #29401  
PH: 305-293-3200 FAX: 293-4899

Seal:

NOT VALID FOR CONSTRUCTION UNLESS  
SIGNED AND SEALED BY THE BOOK

RICHARD J. MILELLI  
PE #58315

---

General Notes:

---

Revisions:

---

Title:

PROPOSED SITE, LANDSCAPING AND DRAINAGE PLAN

---

Sheet Number:

**C-1**

---

Date:

DECEMBER 10, 2020

**COMMERCIAL REMODEL**

210-216 DUVAL ST.  
KEY WEST, FL 33040

*KPH*  
*June 25, 2020*