

RESOLUTION NO. 2025-__

**A RESOLUTION OF THE KEY WEST PLANNING BOARD
APPROVING A REQUEST FOR A MINOR DEVELOPMENT
PLAN TO CONSTRUCT A TWO-STORY COMMERCIAL
STRUCTURE AND A REQUEST FOR CONDITIONAL USE
APPROVAL TO ALLOW FOR REDEVELOPMENT OF A
MARINA WITH THE CONSTRUCTION OF DRY STORAGE
RACKS, LOCATED IN THE PUBLIC AND SEMIPUBLIC
SERVICES (PS) ZONING DISTRICT, PURSUANT TO
SECTION 108-91, CHAPTER 122, ARTICLE III AND
ARTICLE IV, DIVISION 13 OF THE LAND DEVELOPMENT
REGULATIONS OF THE CITY OF KEY WEST, FLORIDA.**

WHEREAS, Section 108-91(B)(1)(b), of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that outside the Historic District, a Minor Development Plan is required for the addition or reconstruction of 1,000 to 4,999 square feet of gross floor area; and

WHEREAS, the applicant proposes construction of a new 1,440 sq. ft. building and the installation of dry storage racks at an existing marina, and

WHEREAS, the subject property located at 701 Palm Avenue (RE# 00001761-000000) is in the Public and Semipublic Services (PS) zoning district, and

WHEREAS, Section 122-1018(7) requires that marinas obtain conditional use approval in the PS zoning district, and

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

WHEREAS, this matter came before and was recommended for approval with conditions by the Planning Board at a duly noticed public hearing on September 18, 2025; and

WHEREAS, the granting of the proposed Minor 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 Minor 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.

Section 2. The request for a Minor Development Plan for the construction of a new 1,440 sq. ft. building and two dry storage racks on property located at 701 Palm Avenue (RE# 00001761-000000) within the Public and Semipublic Services (PS) zoning district pursuant to Sections 108-91(B)(1)(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 plans by Lakewood Engineering, signed June 31, 2025, and the landscape plans by Lakewood Engineering signed June 31, 2025.
2. Final landscape plan approval is required from the Tree Commission or the Urban Forestry Manager prior to building permit.
3. Stormwater management plan approval by the Utilities Department required prior to issuance of a building permit.

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 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 Commerce. 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 DOC with all exhibits and

applications attached to or incorporated by reference in this approval; that within the 45-day review period, the DOC 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 September, 2025.

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

Peter Batty, Planning Board Chairman

Date

Attest:

James Singelyn, Acting Planning Director

Date

Filed with the Clerk:

Keri O'Brien, City Clerk

Date