December 8,2023

Dear Planning Board Chairman and Commissioners,

I'd like to comment on an item coming before you on the Dec. 12<sup>th</sup> Planning Board hearing. As many of you are already familiar, I was the Planning Director of the City of Key West in 2014 when the docks at 2407 N Roosevelt, previously known as Walker's Marina, was approved as a Major Development Plan and Conditional Use. Under code Sec. 86-9 land use classifications are clearly outlined into specially defined types. Nowhere in this code section is "dockage" a classified use but rather falls under the definition of "marina".

The rules of construction and interpretation of ordinances, and other planning documents require that when a term is used in such documents, but there is lacking a "definition", the definition found in state law is used, and if state law lacks a definition, then the common meaning found in a widely used dictionary of the English language is the reference document. The definition of "dockage" found in Websters Dictionary is "accommodation or berthing of ships at docks."

The language in the 2014 approval called out dockage, because that was the only construction being proposed at the time. The construction of the 79 berths were over the water within the Conservation – Outstanding Waters of the State (C-OW) zoning district. I was very clear in my presentation in 2014 that this was classified as a marina. All docks in Key West marinas are located in the C-OW zoning district.

The state of Florida permits docks used for commercial purposes as marinas. The docks in question were permitted as a marina. At the time I found no reason to dispute the findings of the state. The City Attorney advising the Planning Commission concurred with my opinion.

If you wish me to appear at your meeting via Zoom to clarify further, I will do so. Thank you for the opportunity to comment.

Sincerely and Respectfully

Donald Leland Craig, AICP

# CITY OF KEY WEST, FLORIDA

# **Business Tax Receipt**

This Document is a business tax receipt Holder must meet all City zoning and use provisions. P.O. Box 1409, Key West, Florida 33040 (305) 809-3955

**Business Name** 

HAPPY LANDINGS MARINA

Location Addr

2407 N Roosevelt Blvd

Lic NBR/Class

LIC2023-

MARINA SLIP RENTAL

Issued Date

000657 9/18/2023

200

Expiration Date: September 30, 2024

MARINA WET SLIPS

Comments:

75 WET SLIPS

Restrictions:

HAPPY LANDINGS MARINA

301 W PLATT ST

#A330

TAMPA, FL 33606

This document must be prominently displayed.

2407 N ROOSEVELT LLC

#### Lori Thompson

From:

Daniel Robles < Daniel@americanmarinaproperties.com>

Sent:

Friday, December 8, 2023 12:50 PM

To:

Lori Thompson

Subject:

FW: Major Modification Permit Application Package, Key West, Monroe County, FL

See below.

Thanks, Daniel

Daniel Robles | American Marina Properties

+1 (954) 610-0185

daniel@americanmarinaproperties.com

From: Harding, Bailey <Bailey.Harding@FloridaDEP.gov>

Sent: Tuesday, August 29, 2023 4:11 PM

To: Daniel Robles < Daniel@americanmarinaproperties.com >

Cc: Bacheler, Tori <Tori.Bacheler@kimley-horn.com>; Sam Napp <sam@americanmarinaproperties.com>

Subject: RE: Major Modification Permit Application Package, Key West, Monroe County, FL

Hi Daniel,

Yes, per the referenced permit, you are allowed to have vessels mooring at this facility that are no more than 45ft in length. Please let me know if I can be of assistance for anything else!

Thank you,



# Ms. Bailey Harding

Environmental Specialist II, Marathon Office, Southeast District Florida Department of Environmental Protection 2796 Overseas Highway, Suite 221

Marathon, FL 33050 Office: 305-289-7075

bailey.harding@floridadep.gov

From: Daniel Robles < Daniel@americanmarinaproperties.com>

Sent: Tuesday, August 29, 2023 3:27 PM

To: Harding, Bailey <Bailey.Harding@FloridaDEP.gov>; Sam Napp <sam@americanmarinaproperties.com>; Bacheler,

Tori <Tori.Bacheler@kimley-horn.com>

Subject: RE: Major Modification Permit Application Package, Key West, Monroe County, FL

#### **EXTERNAL MESSAGE**

This email originated outside of DEP. Please use caution when opening attachments, clicking links, or responding to this email.

Hi Bailey,

# **Site Conditions**

# **Reduction in Building Coverage and Parking Demand**

### BUILDING AREAS

COMMERCIAL FLOOR AREA	EXISTING SF	PROPOSED SF
MARINA COMMERCIAL	6,914	948
TOTAL SQUARE FEET	6,914	948

RESIDENTIAL FLOOR AREA	EXISTING SF	PROPOSED SF
RESIDENTIAL UNIT ONE	2,660	2,148
RESIDENTIAL UNIT TWO	1,820	2,148
TOTAL SQUARE FEET	4,480	4,296

#### PARKING CALCULATIONS

	USES	CODE REQUIREMENTS		TOTAL PROVIDED			
EXISTING	Single-Family units (2)	1 sp/du	2 spaces				
	Office (6,914 sq. ft.)	1 sp/300 sq. ft.	23 spaces	(20 per parking			
	Floating Structure (3,200 sq. ft.)	1 sp/300 sq. ft.	11 spaces	easement & 11 on site)			
	75 Slips no charter	1 sp/4 slips	19 spaces				
TOTAL		55 spaces	31				
PROPOSED	Single-Family units (2)	1 sp/du	2 spaces	4			
	Office - 948 sq. ft.	1 sp/300 sq. ft.	3 spaces	(20 per parking			
	69 personal slips	1 sp/4 slips	17 spaces	easement & 12 on			
	6 charter slips	1sp/3 pass	12 spaces	site)			
TOTAL		34 spaces	36				

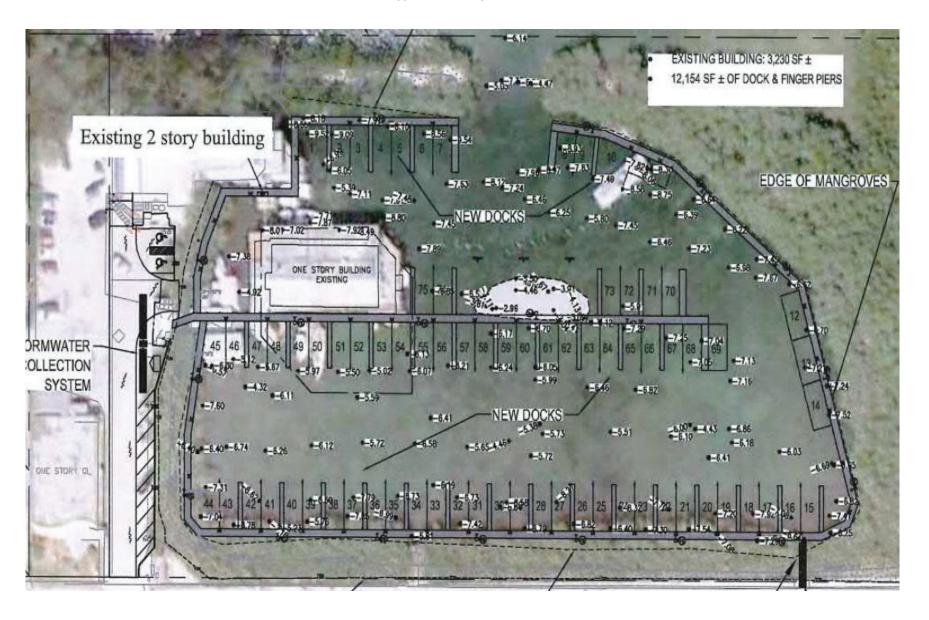
# **Intensity**

Impacts on Intensity by adding charter vessels

By definition, in both the LDRs (Sec. 86-9) and the Comp Plan: *Intensity means the <u>floor area ratio</u> as defined in this section*. [Emphasis added]

<u>Floor area ratio</u> means the total floor area of the buildings on any lot, parcel or site divided by the area of the lot, parcel or site.

#### **Approved Dock Layout 2014**



# Current Dock Layout with Proposed Upland Building

