

**PLANNING BOARD RESOLUTION
2011-027**

A RESOLUTION OF THE KEY WEST PLANNING BOARD FOR A VARIANCE APPROVAL FOR BUILDING COVERAGE, FRONT YARD, REAR YARD AND SIDE YARD SETBACK REQUIREMENTS FOR AN EXTERIOR STAIRCASE AND SECOND STOREY PORCH FOR A MULTI-FAMILY CONTRIBUTING STRUCTURE FOR PROPERTY LOCATED AT 313 AMELIA STREET (RE# 00026100-000000) IN THE HMDR ZONING DISTRICT PER SECTION 90-391 AND SECTIONS 122-600(4) (a.) AND (6) (a.), (b.), AND (c.), OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA

WHEREAS, Section 122-600 (4)(a.) and 122-600(6) (a.), (b.), and (c.) of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 40%, and front yard building setbacks in the HMDR zoning district are 10 feet, and side yard building setbacks in the HMDR zoning district are 5 feet, and rear yard building setbacks in the HMDR zoning district are 15 feet; and

WHEREAS, the applicant requested variances to building coverage (20% (413 s.f)); and front yard setback (3' 10") and; side yard setbacks (North Side: 1'3" and Southside 3'); and rear yard setback (9'), to allow improvements to a historically contributing multi-family structure, and;

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on June 16, 2011; and



Chairman



Planning Director

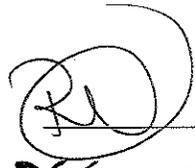
WHEREAS, the Planning Board finds that special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures or buildings in the same district; and

WHEREAS, the Planning Board finds that the special conditions do not result from the action or negligence of the applicant; and

WHEREAS, the Planning Board finds that granting the variance requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings or structures in the same zoning district; and

WHEREAS, the Planning Board finds that literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant; and

WHEREAS, the Planning Board finds that the variances granted are the minimum variances that will make possible the reasonable use of the land, building or structure; and


Chairman
Planning Director

WHEREAS, the Planning Board finds that the granting of the variances will be in harmony with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare; and

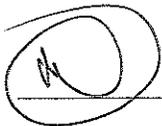
WHEREAS, the Planning Board finds that no nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of any variance; and

WHEREAS, the Planning Board finds that the applicant has demonstrated a “good neighbor policy” by contacting or making a reasonable attempt to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by those neighbors;

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. A variance approval for a resolution of the Key West Planning Board for a variance approval for building coverage, front yard, rear yard and side yard setback requirements for an exterior staircase and second storey porch for a multi-family contributing structure for property located at 313 Amelia Street (RE# 00026100-000000) in the HMDR zoning district per section 90-391 and sections 122-600(4) (a.) and (6) (a.), (b.), and (c.), of the Land Development Regulations of



Chairman


Planning Director

the Code of Ordinances of the City of Key West, Florida. See site plans issued January 28, 2011 and stamped May 12, 2011.

Section 3. It is a condition of these variances that full, complete, and final application for all conditions of this approval for any use and occupancy for which these variances are wholly or partly necessary, shall be submitted in their entirety within two years after the date hereof; and further, that no application or shall be made after expiration of the two-year period without the applicant obtaining an extension from the Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

Section 4. The failure to fully and completely apply the conditions of approval for permits for use and occupancy pursuant to these variances in accordance with the terms of the as described in Section 3 hereof, shall immediately operate to terminate these variances, which variances shall be of no force or effect.

Section 5. These variances do 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 6. 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 7. 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 Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not



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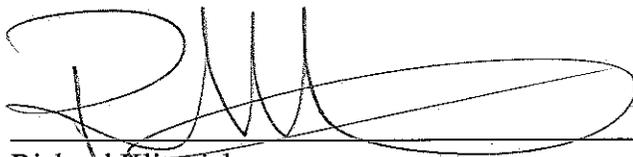


Planning Director

effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA 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 16th day of June, 2011.

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



Richard Klitenick
Planning Board Chairman

6/20/11
Date

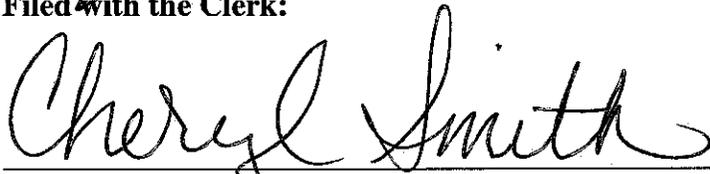
Attest:



Donald Leland Craig, AICP, Planning Director

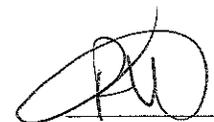
6/7/11
Date

Filed with the Clerk:



Cheryl Smith, City Clerk

6-21-11
Date



Chairman



Planning Director

SITE DATA

ZONING DISTRICT: HIGH
 FLOOR ZONE: 420/425
 P.L.A.M. - COUNTY #125188, PARCEL #15158, SUFFR. NO. 045810, 04-48-2006
 LEGAL DESCRIPTION: W/1/4 SEC. 28, T. 26N. R. 21E. S. 1/4 SW 1/4

DESIGN DATA

THE WORK DESCRIBED HEREIN WAS DESIGNED TO MEET THE REQUIREMENTS OF THE 2007 FLORIDA BUILDING CODE, THE 2007 FLORIDA ELECTRICAL CODE, THE 2007 FLORIDA MECHANICAL AND PLUMBING CODE, THE 2007 FLORIDA ENERGY EFFICIENT BUILDING CODE AND THE NATIONAL FIRE ALARMS CODE.
 OCCUPANCY CLASSIFICATION: R3
 CONSTRUCTION TYPE: V

THE FOLLOWING LOCATIONS WERE USED:
 WIND LOAD: 150 MPH WAZE 70013 SEC. 0416, EXPOSURE 'C'
 FLOOR LIVE LOAD: 40 PSF
 FLOOR DEAD LOAD: 10 PSF

INDEX OF DRAWINGS

- 1-1: SITE DATA
- A-2: ELEVATIONS
- A-3: SECTIONS, DETAILS & DETAILS

GENERAL NOTES

1. THESE PLANS FOR THE WORK AT THE LOCATION DO NOT CONSTITUTE A CONTRACT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE NECESSARY TO COMPLETE THE WORK.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND INSURANCE NECESSARY TO COMPLETE THE WORK.
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LEGEND

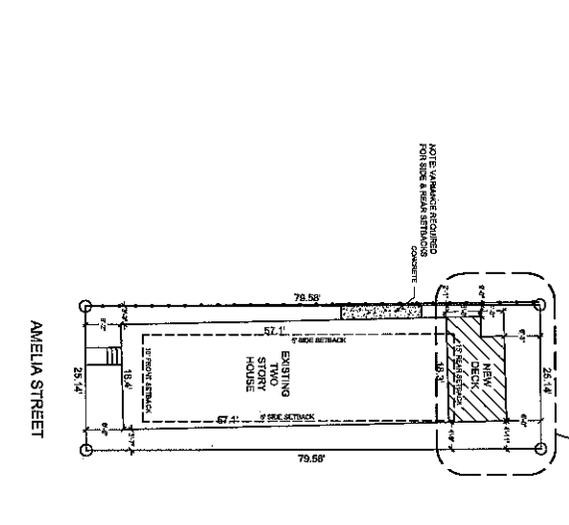
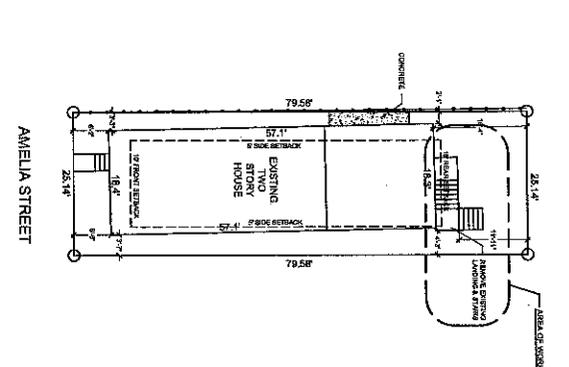
SYMBOLS	MATERIAL INDICATIONS	ABBREVIATIONS
<ul style="list-style-type: none"> 1. ELEVATION MARK 2. WALL TYPE 3. WINDOW TYPE 4. DOOR NUMBER 5. ROOM NUMBER AND NAME 6. ROOM NUMBER AND NAME 7. ROOM NUMBER AND NAME 8. ROOM NUMBER AND NAME 9. ROOM NUMBER AND NAME 10. ROOM NUMBER AND NAME 11. ROOM NUMBER AND NAME 12. ROOM NUMBER AND NAME 13. ROOM NUMBER AND NAME 14. ROOM NUMBER AND NAME 15. ROOM NUMBER AND NAME 16. ROOM NUMBER AND NAME 17. ROOM NUMBER AND NAME 18. ROOM NUMBER AND NAME 19. ROOM NUMBER AND NAME 20. ROOM NUMBER AND NAME 	<ul style="list-style-type: none"> 1. CONCRETE 2. COMPLETED EXTERIOR WALL BOARD 3. CONCRETE 4. CONCRETE 5. CONCRETE 6. CONCRETE 7. CONCRETE 8. CONCRETE 9. CONCRETE 10. CONCRETE 11. CONCRETE 12. CONCRETE 13. CONCRETE 14. CONCRETE 15. CONCRETE 16. CONCRETE 17. CONCRETE 18. CONCRETE 19. CONCRETE 20. CONCRETE 	<ul style="list-style-type: none"> 1. FINISH FLOOR LEVEL 2. FINISH FLOOR LEVEL 3. FINISH FLOOR LEVEL 4. FINISH FLOOR LEVEL 5. FINISH FLOOR LEVEL 6. FINISH FLOOR LEVEL 7. FINISH FLOOR LEVEL 8. FINISH FLOOR LEVEL 9. FINISH FLOOR LEVEL 10. FINISH FLOOR LEVEL 11. FINISH FLOOR LEVEL 12. FINISH FLOOR LEVEL 13. FINISH FLOOR LEVEL 14. FINISH FLOOR LEVEL 15. FINISH FLOOR LEVEL 16. FINISH FLOOR LEVEL 17. FINISH FLOOR LEVEL 18. FINISH FLOOR LEVEL 19. FINISH FLOOR LEVEL 20. FINISH FLOOR LEVEL

RUSSELL RESIDENCE

313 AMELIA STREET
 KEY WEST, FLORIDA
 H.A.R.C. #H10-01-796

SITE DATA TABLE

EXISTING CONDITION	ADDITIONAL PROPOSED CONDITION	QUALITY
1. LOT AREA	2. LOT AREA	3. LOT AREA
4. LOT AREA	5. LOT AREA	6. LOT AREA
7. LOT AREA	8. LOT AREA	9. LOT AREA
10. LOT AREA	11. LOT AREA	12. LOT AREA
13. LOT AREA	14. LOT AREA	15. LOT AREA
16. LOT AREA	17. LOT AREA	18. LOT AREA
19. LOT AREA	20. LOT AREA	21. LOT AREA
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25. LOT AREA	26. LOT AREA	27. LOT AREA
28. LOT AREA	29. LOT AREA	30. LOT AREA
31. LOT AREA	32. LOT AREA	33. LOT AREA
34. LOT AREA	35. LOT AREA	36. LOT AREA
37. LOT AREA	38. LOT AREA	39. LOT AREA
40. LOT AREA	41. LOT AREA	42. LOT AREA
43. LOT AREA	44. LOT AREA	45. LOT AREA
46. LOT AREA	47. LOT AREA	48. LOT AREA
49. LOT AREA	50. LOT AREA	51. LOT AREA
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55. LOT AREA	56. LOT AREA	57. LOT AREA
58. LOT AREA	59. LOT AREA	60. LOT AREA
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64. LOT AREA	65. LOT AREA	66. LOT AREA
67. LOT AREA	68. LOT AREA	69. LOT AREA
70. LOT AREA	71. LOT AREA	72. LOT AREA
73. LOT AREA	74. LOT AREA	75. LOT AREA
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79. LOT AREA	80. LOT AREA	81. LOT AREA
82. LOT AREA	83. LOT AREA	84. LOT AREA
85. LOT AREA	86. LOT AREA	87. LOT AREA
88. LOT AREA	89. LOT AREA	90. LOT AREA
91. LOT AREA	92. LOT AREA	93. LOT AREA
94. LOT AREA	95. LOT AREA	96. LOT AREA
97. LOT AREA	98. LOT AREA	99. LOT AREA
100. LOT AREA	101. LOT AREA	102. LOT AREA



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 K.W. Pflaum, Inc.
 [Signature]

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 KEY WEST, FLORIDA

SeaTech Inc.
 830 CRANE BOULEVARD
 SUGARLOAF KEY, FLORIDA
 (305) 294-9993
 C.A. #28984

PAUL R. SEMMES
 P.E.#44157 DATE:

T-1

Handwritten initials or signature.

SeaTech inc.
 830 CRANE BOULEVARD SUGARLOAF KEY, FLORIDA 33042
 TEL: (305) 294-9993 FAX: (850)939-3953
 C.A.#28984

SHEET: 1 OF 11
 DATE: 12-30-10
 BY: EKM
 JOB # _____



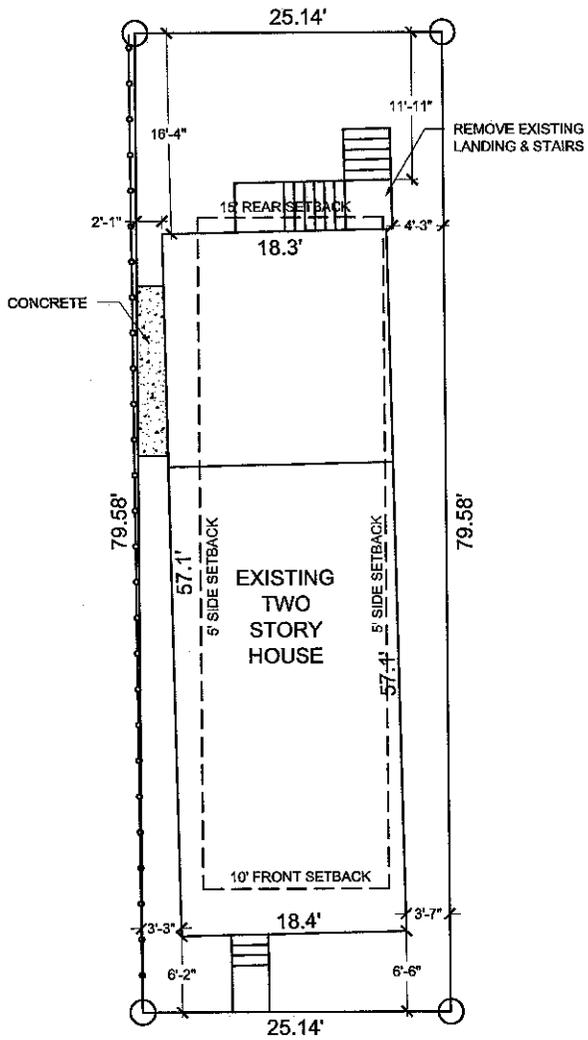
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NEW REAR DECK

313 AMELIA STREET, KEY WEST, FLORIDA



AMELIA STREET



EXISTING SITE PLAN

PAUL R. SEMMES, P.E.

SCALE: 1"=15'-0"

#44137 DATE: _____

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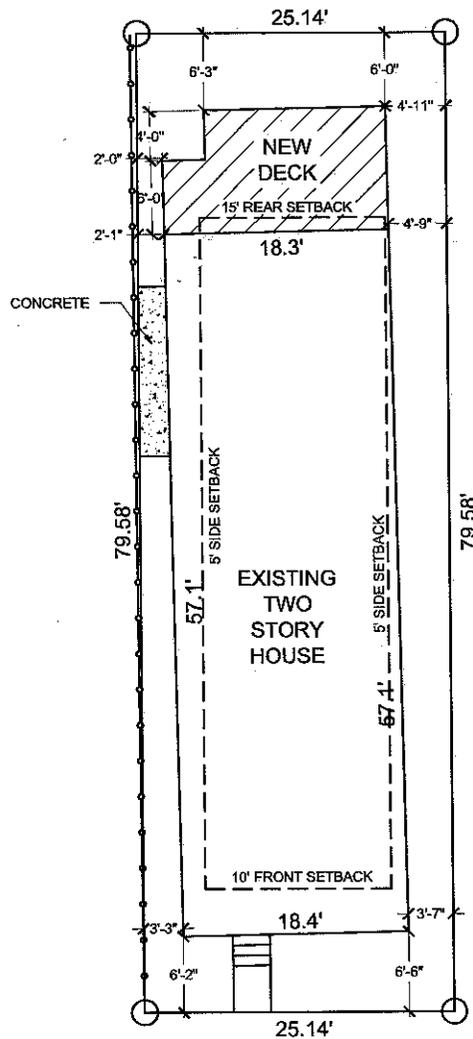


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REAR DECK

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H.A.R.C. APPROVAL #H10-01-796



AMELIA STREET



PROPOSED SITE PLAN

SCALE: 1"=15'-0"

PAUL R. SEMMES, P.E.

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NEW DECK

313 AMELIA STREET, KEY WEST, FLORIDA

SITE DATA TABLE				
	EXISTING CONDITIONS	ALLOWABLE CONDITIONS	PROPOSED CONDITIONS	COMMENTS
DISTRICT	HMDR	HMDR	HMDR	
LOT SIZE	2000 SF	2000 SF	2000 SF	
BUILDING AREA	1117 SF	800 SF	1213 SF	VARIANCE REQUIRED
BUILDING COVERAGE %	56%	40%	60%	VARIANCE REQUIRED
IMPERVIOUS COVERAGE	1100 SF	1200 SF	1100 SF	
IMPERVIOUS COVERAGE %	55%	60%	55%	
OPEN SPACE	834 SF	-	733 SF	
OPEN SPACE%	42%	-	37%	
BUILDING HEIGHT	16'-7"	30'-0"	16'-7"	
FRONT SETBACK	6'-2"	10'-0"	6'-2"	
LEFT SIDE SETBACK	2'-1"	5'-0"	2'-0"	VARIANCE REQUIRED
RIGHT SIDE SETBACK	3'-7"	5'-0"	3'-7"	
REAR SETBACK	11'-11"	15'-0"	6'-0"	VARIANCE REQUIRED

PAUL R. SEMMES, P.E.
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C.A.#28984

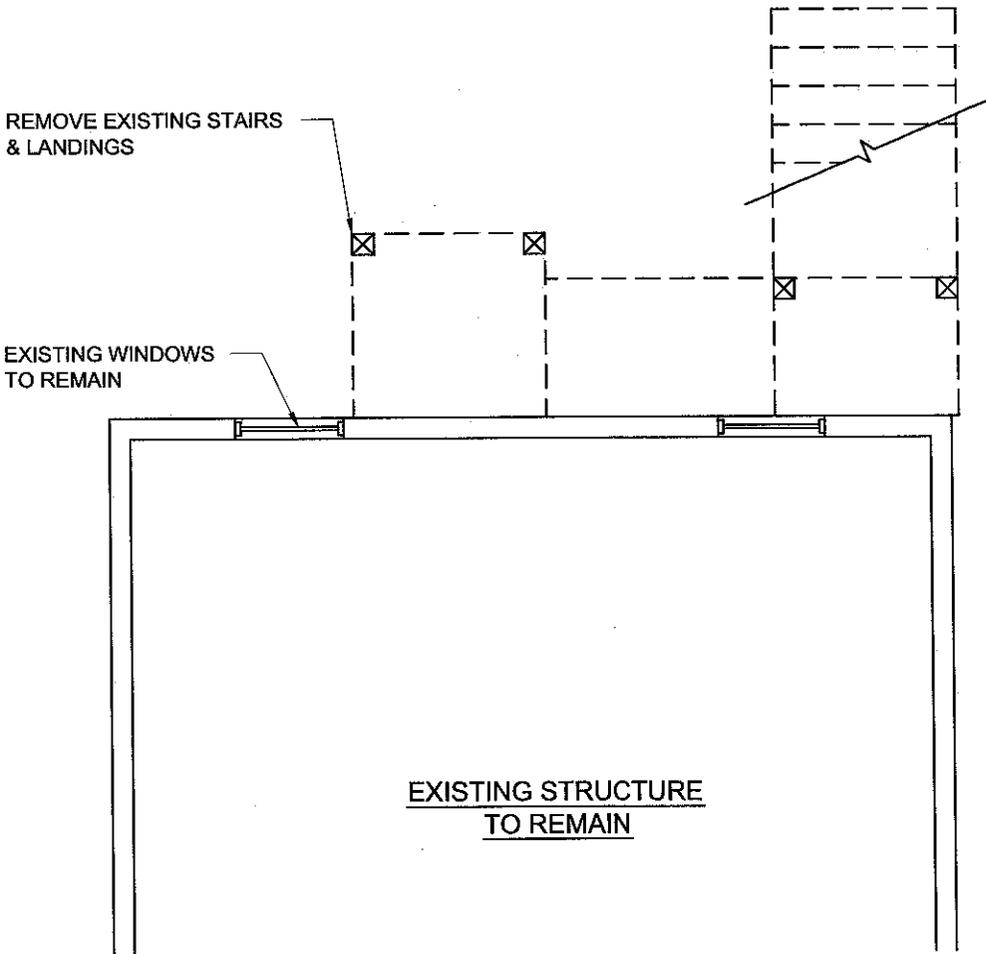
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EXISTING FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

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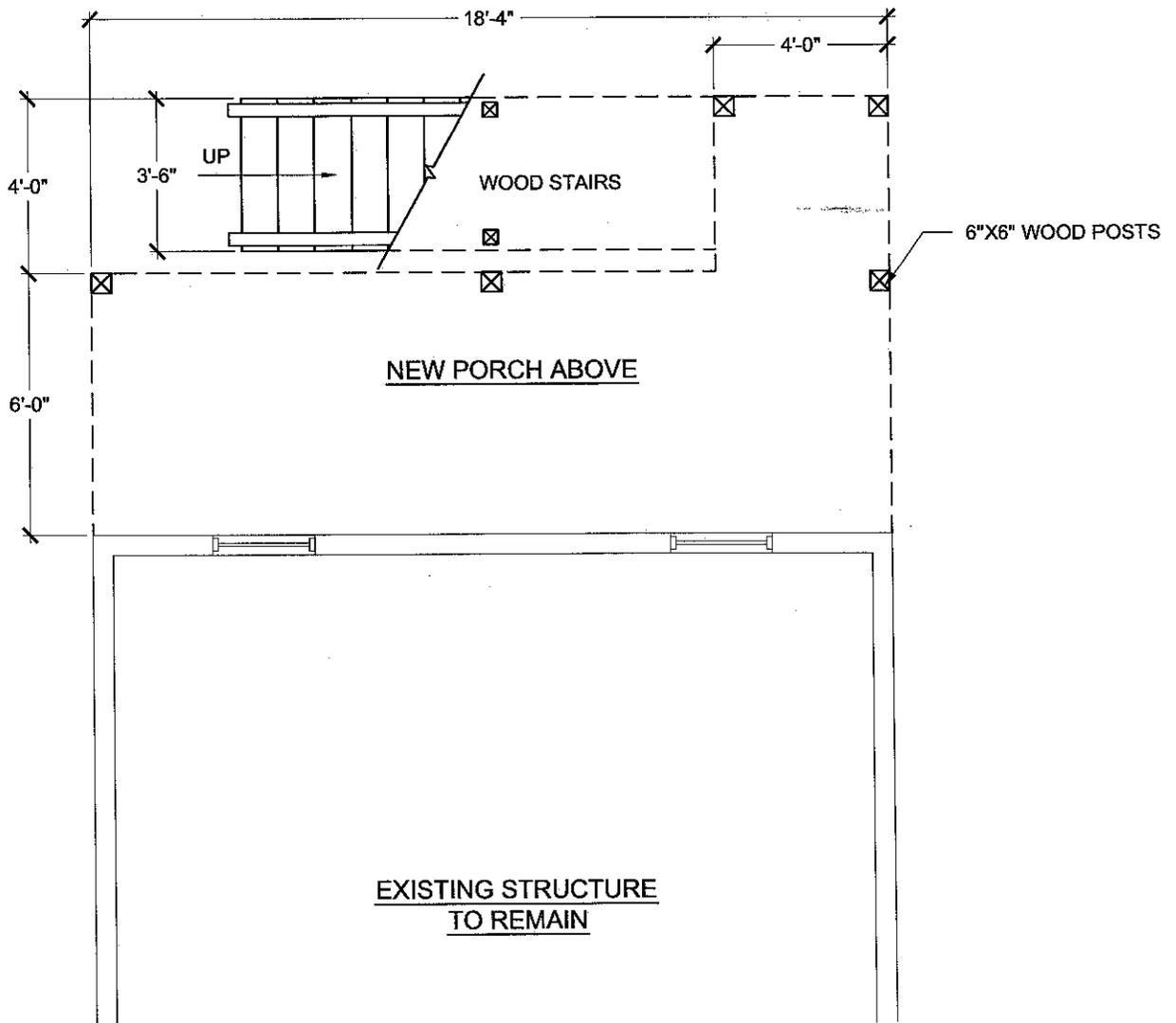
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PROPOSED FIRST FLOOR PLAN

SCALE: 1/4"=1'-0"

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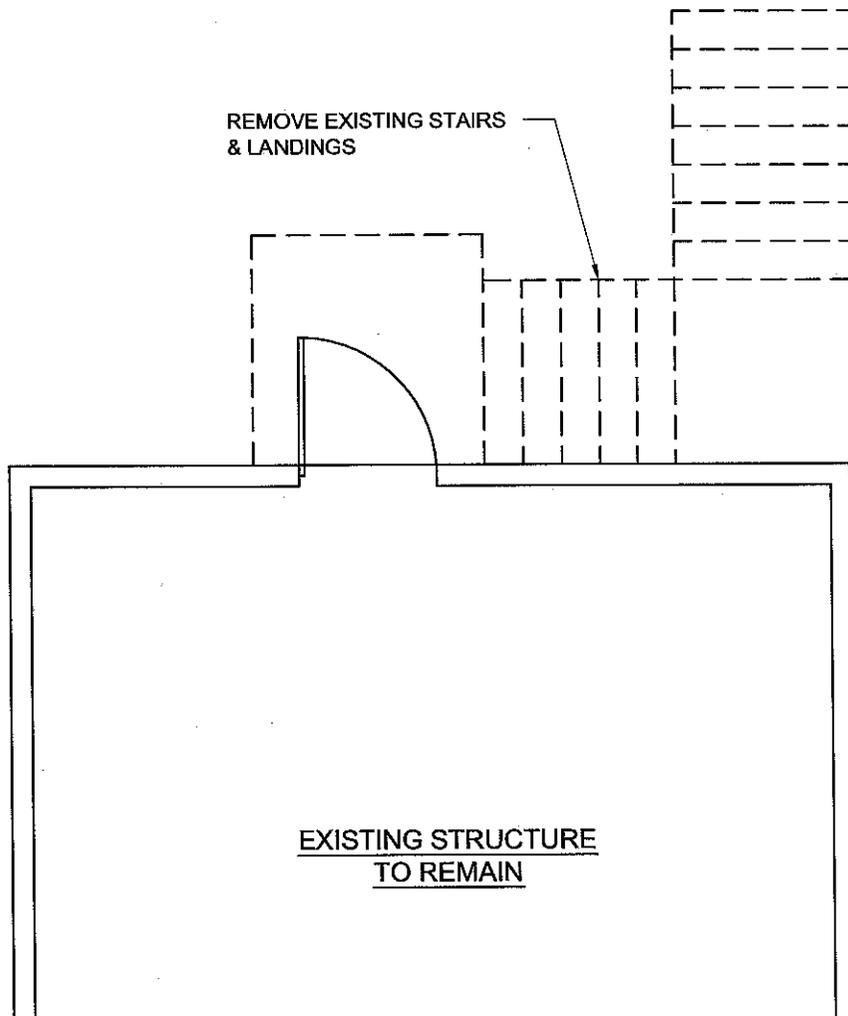
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EXISTING SECOND FLOOR PLAN

SCALE: 1/4" = 1'-0"

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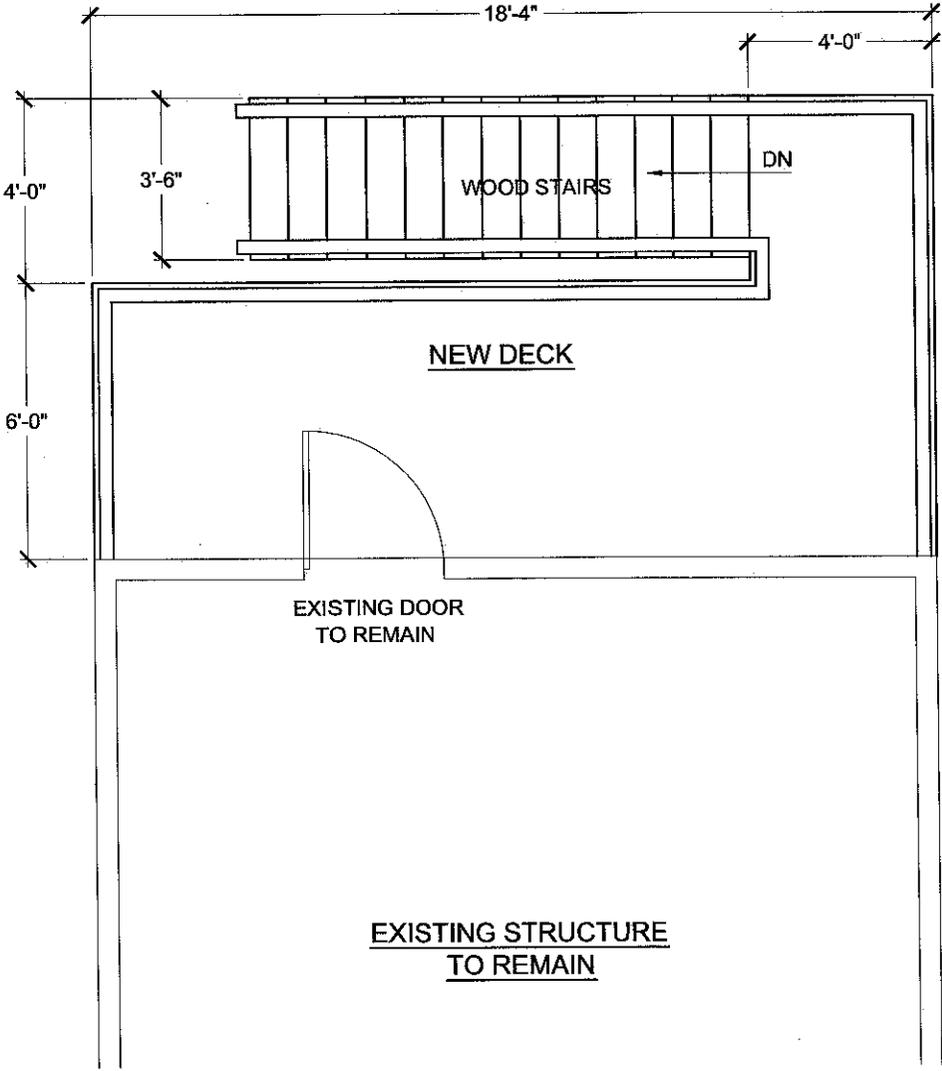
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PROPOSED SECOND FLOOR PLAN

SCALE: 1/4"=1'-0"

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313 AMELIA STREET, KEY WEST, FLORIDA



EXISTING NORTHWEST ELEVATION

SCALE: 1/8"=1'-0"



PROPOSED NORTHWEST ELEVATION

SCALE: 1/8"=1'-0"

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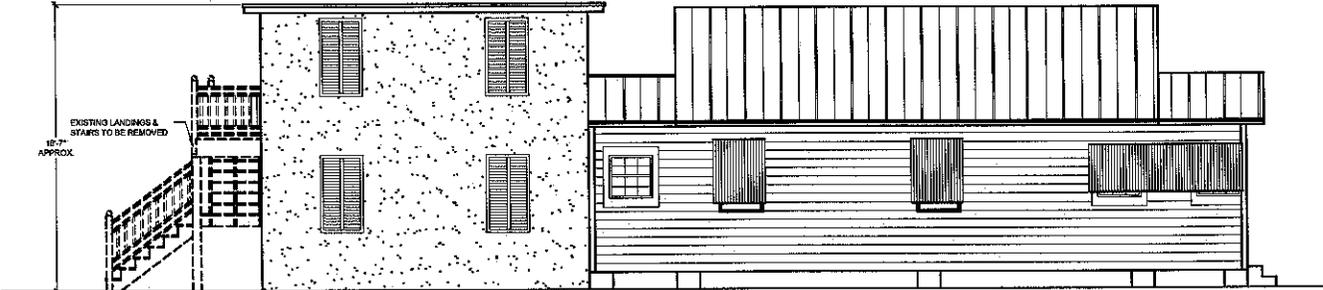
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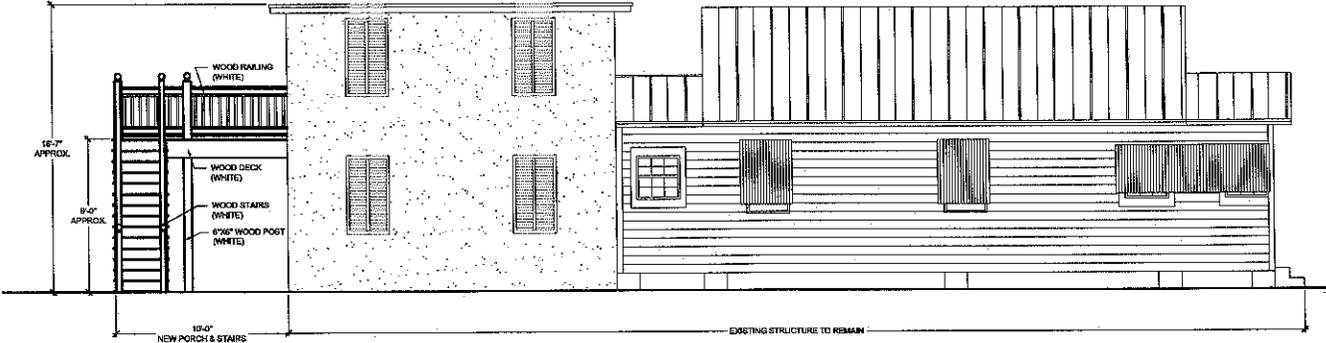
NEW DECK

313 AMELIA STREET, KEY WEST, FLORIDA



EXISTING SOUTHWEST ELEVATION

SCALE: 3/32"=1'-0"



PROPOSED SOUTHWEST ELEVATION

SCALE: 3/32"=1'-0"

PAUL R. SEMMES, P.E.
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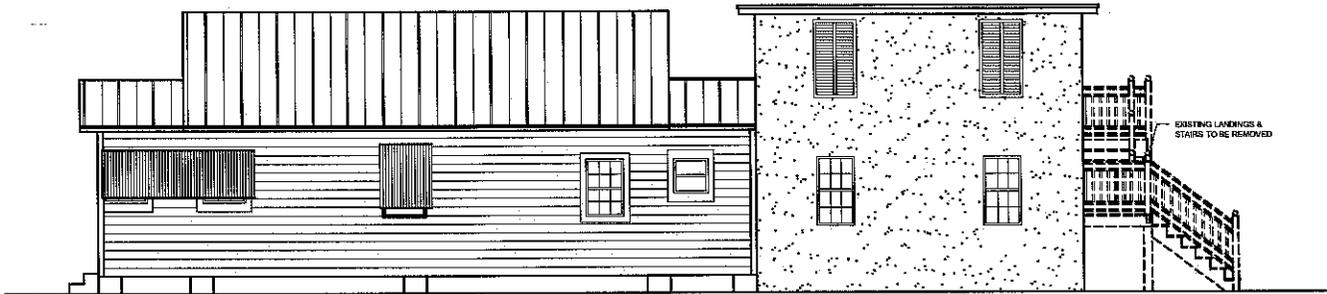
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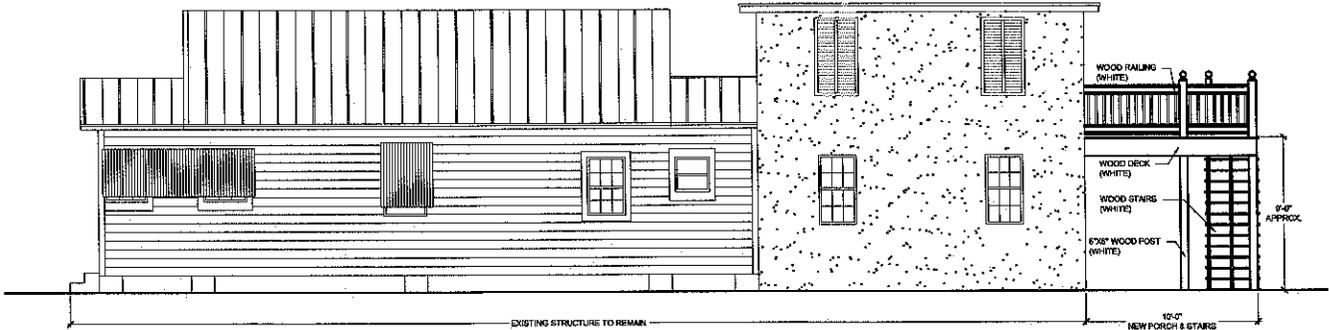
NEW DECK

313 AMELIA STREET, KEY WEST, FLORIDA



EXISTING NORTHEAST ELEVATION

SCALE: 3/32"=1'-0"



PROPOSED NORTHEAST ELEVATION

SCALE: 3/32"=1'-0"

PAUL R. SEMMES, P.E.
 #44137 DATE: _____

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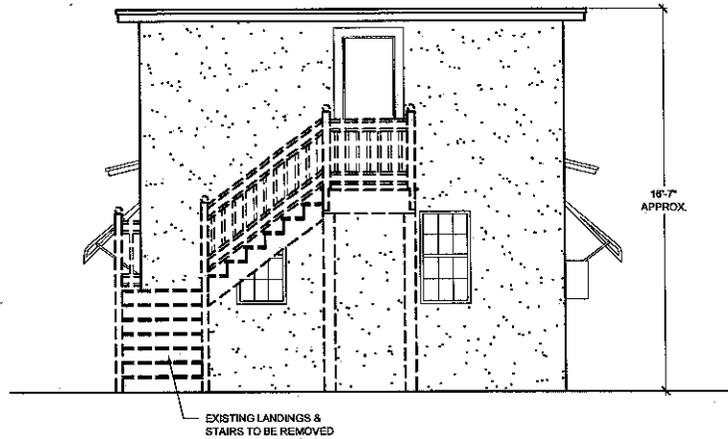
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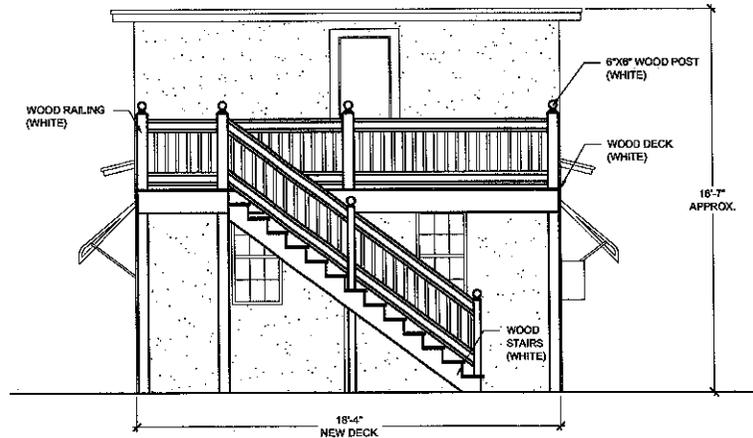
NEW DECK

313 AMELIA STREET, KEY WEST, FLORIDA



EXISTING SOUTHEAST ELEVATION

SCALE: 1/8" = 1'-0"



PROPOSED SOUTHEAST ELEVATION

SCALE: 1/8" = 1'-0"

PAUL R. SEMMES, P.E.
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