

**PLANNING BOARD RESOLUTION
NUMBER 2011- 044**

**A RESOLUTION OF THE KEY WEST
PLANNING BOARD GRANTING A
CONDITIONAL USE APPROVAL FOR A
MEDICAL OFFICE LOCATED AT 3216
FLAGLER AVENUE (RE# 00069060-000100) IN
THE LIMITED COMMERCIAL (CL) ZONING
DISTRICT, PURSUANT TO SECTION 122-
388(13) OF THE CODE OF ORDINANCES, KEY
WEST FLORIDA; PROVIDING FOR AN
EFFECTIVE DATE.**

WHEREAS, the subject property is located in the Limited Commercial (CL) zoning district;
and

WHEREAS, Section 122-388(13) of the Code of Ordinances provides that medical offices
are allowed as a conditional use within the CL zoning district; and

WHEREAS, Section 122-61 of the Code of Ordinances allows applicants to request a
conditional use approval; and

WHEREAS, the applicant filed a conditional use application for a medical office at 3216
Flagler Avenue; and

WHEREAS, Section 122-62 outlines the criteria for reviewing a conditional use application



Acting Chairman


Planning Director

by the Planning Board; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on September 15, 2011; and

WHEREAS, the Planning Board found that the proposed use complies with the criteria in Section 122-62; and

WHEREAS, the approval of the conditional use application will be 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; 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 fully set forth herein.

Section 2. That a conditional use request, under the Code of Ordinances of the City of Key West, Florida, per Section 122-388(13) is hereby approved as follows: use of a medical office for property located at 3216 Flagler Avenue (RE# 00069060-000100), Key West, Florida, as shown in the attached site plans dated, August 26, 2011 with the following conditions:



Acting Chairman



Planning Director

Conditions to be completed prior to the issuance of certificate of occupancy:

1. The revitalization of the existing sign and planter box;
2. A portion of the 2.8' x 52' poured concrete walkway on the east property line will be removed as depicted on the site plans and at least two-three semi-mature native trees with appropriate ground cover will be planted as determined by the city's Urban Forester. An ADA access path will remain to serve the ADA parking space;
3. The parking bumpers in the parking lot that face the Flagler Avenue right-of-way will be relocated to 3.5 feet from the property line to meet the Code requirement and prevent parked vehicles from encroaching onto the right-of-way;
4. Directional signage and paint will identify the one way traffic design of the parking lot and will be coordinated with the adjacent property owner; and
5. The solid waste handling area at the rear of the building shall be screened from adjacent properties and public rights-of-way by appropriate fences, walls or landscaping in accordance with Code Section 108-279.

Conditions subject to a Conditional Approval Permit, per Ordinance 10-22. Conditions subject to an associated annual inspection:

6. Maintain in healthy condition the required plantings on site including: the silver buttonwood hedge planted along the front of the building, the planter box below the pole sign and the two-three semi-mature native trees with appropriate ground cover required along the northeasterly property line.


Acting Chairman

Planning Director

7. Maintain in working order objectives of conditions 3-5 above.
8. No patron access shall be available at the rear door. The applicant shall post signage at the rear door prohibiting parking and ingress.

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 conditional use approval 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 Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not 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

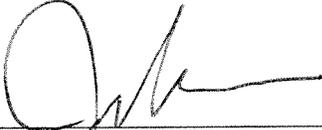
 Acting Chairman
 Planning Director

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.

Section 7. The applicant shall obtain and maintain a Conditional Approval Permit from the City prior to issuance of a Certificate of Occupancy per Ordinance Number 10-22.

Read and passed on first reading at a regular meeting held this 15th day of September, 2011.

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



James Gilleran, Acting Chairman
Key West Planning Board
Date 9-23-11

Attest:



Donald Leland Craig, AICP
Planning Director
Date 9-23-11

Filed with the Clerk:



Cheryl Smith, City Clerk
Date 9-23-11



Acting Chairman

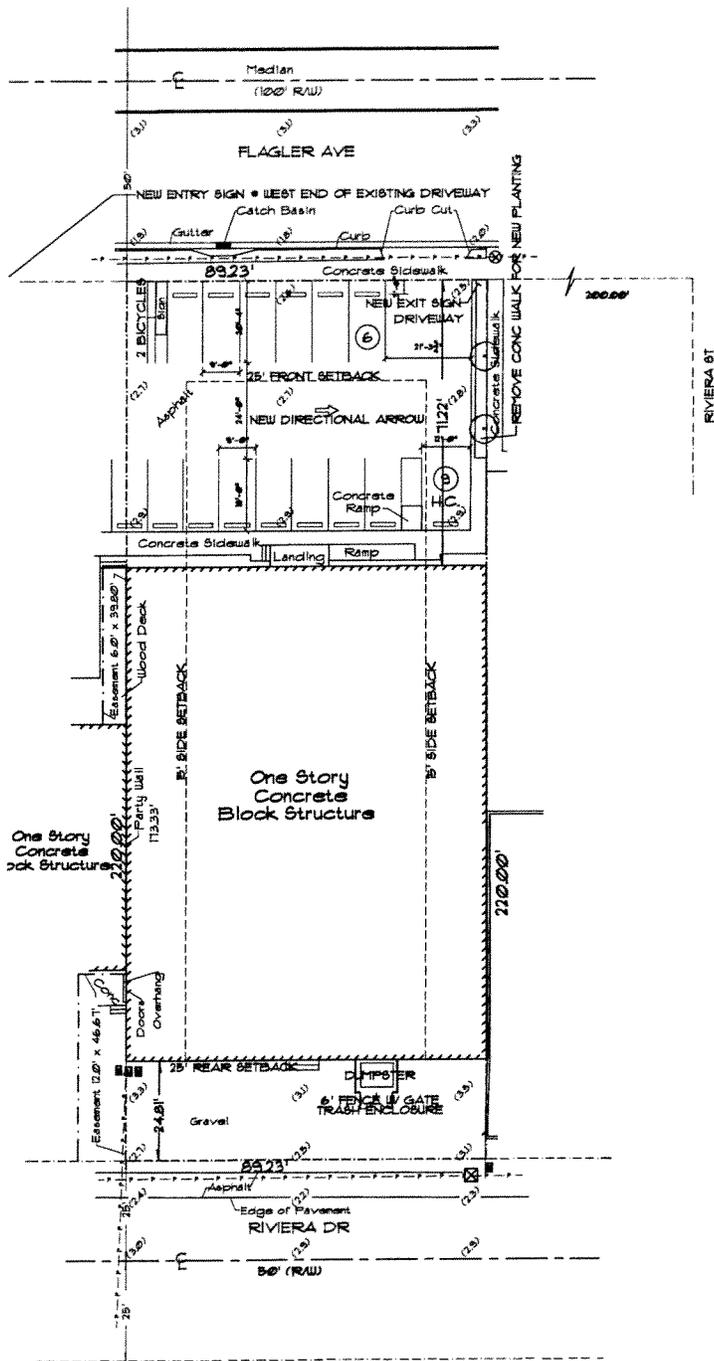

Planning Director



RECEIVED

August 26, 2011

KW Planning Dpt



Site Plan

1" = 30' - 0"



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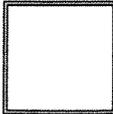
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3216 Flagler Avenue
 3216 Flagler Ave
 Key West, FL

THOMAS E. POPE, P.A. ARCHITECT
 7009 Shrimp Road #4, Key West FL
 (305) 296 3611
 TEPopePA@aol.com

date: 7/1/11
 revision: 8/23/11

sheet:
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3216 Flagler Avenue
Key West, FL

3216 Flagler Ave

SITE ANALYSIS

ZONING	CL
SITE AREA	19,631* (0.45 AC)
FLOOD ZONE	AE B
MAX LOT COVERAGE	40% (7,852 SF)
EXISTING LOT COVERAGE	56% (11,041 SF)
PROPOSED LOT COVERAGE	56% (11,041 SF)
MAX FAR	0.8 (15,705 SF)
PROPOSED FAR	0.56 (11,041 SF)
MAX HEIGHT	40'
EXISTING HEIGHT	19.1'
MINIMUM SETBACKS	
FRONT	25'
REAR	25'
SIDE	15'
EXISTING SETBACKS	
FRONT	71.22'
REAR	24.81'
SIDE	0'
MAX IMPERVIOUS SURFACE	60% (11,779 SF)
EXISTING IMPERVIOUS SURFACE	88% (17,248 SF)
PROPOSED IMPERVIOUS SURFACE	87% (17,129 SF)
MIN OPEN SPACE	20% (3,926 SF)
EXISTING OPEN SPACE	12% (2,383 SF)
PROPOSED OPEN SPACE	13% (2,503 SF)
EXISTING CAR PARKING	15 SPACES
PROPOSED CAR PARKING	15 SPACES
EXISTING BICYCLE PARKING	0 SPACES
PROPOSED BICYCLE PARKING	2 SPACES

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