

RESOLUTION NO- 2011-004

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW THE CONSTRUCTION OF A STAIRCASE AND WALKWAY BY GRANTING VARIANCES TO BUILDING COVERAGE, IMPERVIOUS SURFACE RATIO, AND SIDE YARD SETBACK REQUIREMENTS FOR PROPERTY LOCATED AT 328 TRUMAN AVENUE (RE#00025490-000000), PURSUANT TO SECTION 122-600 (4) AND (6) UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-600 (4) a. & b. and 122-600(6) b. of the Code of Ordinances provides that the maximum dimensional requirements for building coverage is 40%, maximum impervious surface ratio is 60% and the side-yard setback is five feet in the HMDR zoning district; and

WHEREAS, the applicant requested variances to building coverage, impervious surface ratio and a side yard setback to allow the construction of an exterior staircase for a non-conforming, historically contributing structure; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on January 20, 2011; and

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 variances 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 the 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

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 variances will not be injurious to the area involved or otherwise detrimental to the public interest or welfare; and

 Vice Chairman

 Interim Planning Director

WHEREAS, the Planning Board finds that no non-conforming 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. That variances for a non-conforming contributing building, listed in the historic architectural survey, for increased building coverage and impervious surface ratio and for side yard setback requirements, for project in the Historic Medium Density Residential (HMDR) zoning district for property located at 328 Truman Avenue (RE # 00025490-000000), per Sections 122-600 (4) a. & b. and 122-600 (6) b. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown on the attached plan set dated September 16, 2010.

Section 3. It is a condition of these variances that full, complete, and final application for all

permits required for any new construction for any use and occupancy for which these variances are wholly or partly necessary, whether or not such construction is suggested or proposed in the documents presented in support of these variances, shall be submitted in its entirety within two years after the date hereof; and further, that no application or reapplication for new construction for which the variances are wholly or partly necessary 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 submit a full and complete application for permits for new construction for which these variances are wholly or partly necessary, or the failure to complete new construction for use and occupancy pursuant to these variances in accordance with the terms of a City building permit issued upon timely application 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 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 20th day of January, 2011.

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


~~Richard Klitenick, Chairman~~ VChairman
Key West Planning Board Date 1/31/11

Attest:

 Vice Chairman
 Interim Planning Director

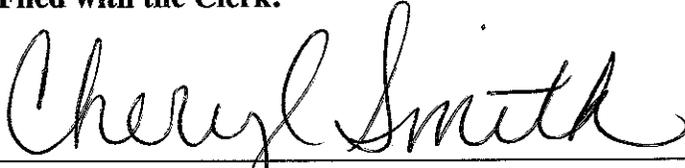


Donald Leland Craig, AICP
Interim Planning Director

12911

Date

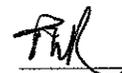
Filed with the Clerk:



Cheryl Smith, City Clerk

2-1-11

Date

 Vice Chairman

 Interim Planning Director

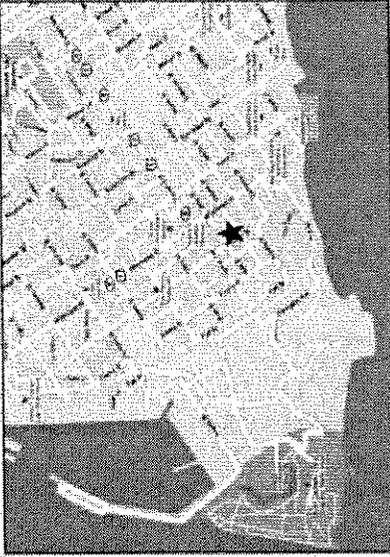
mbl | k2m
 ARCHITECTURAL FIRM
 1000 WEST 10TH AVENUE
 SUITE 100
 DENVER, CO 80202
 TEL: 303.733.1234
 FAX: 303.733.1235
 WWW.MBLK2M.COM

Soil Test, Inc.
 1000 West 10th Avenue
 Suite 100
 Denver, CO 80202
 Tel: 303.733.1234

PROJECT NO.	1000 WEST 10TH AVENUE
DATE	10/15/09
SCALE	AS SHOWN
DESIGNER	MBL K2M
CHECKED	MBL K2M
APPROVED	MBL K2M

CITY OF KEY WEST - UNION LODGE #47
 INTERIOR RENOVATIONS AND ROOF
 1000 WEST 10TH AVENUE
 KEY WEST, FL 33090

A1.1.1
 CITY OF KEY WEST
 PLANNING DEPARTMENT
 1000 WEST 10TH AVENUE
 KEY WEST, FL 33090
 TEL: 305.857.2200
 FAX: 305.857.2201
 WWW.KEYWESTFLA.GOV

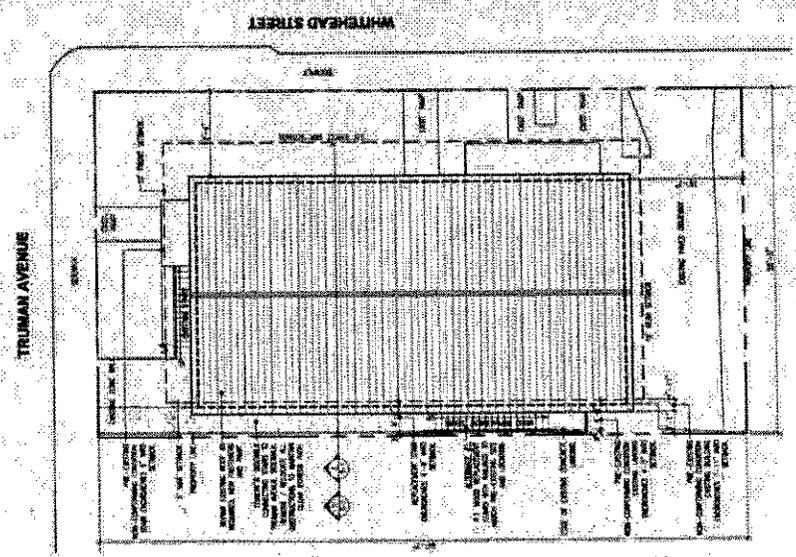


01 LOCATION MAP
 SCALE: NTS

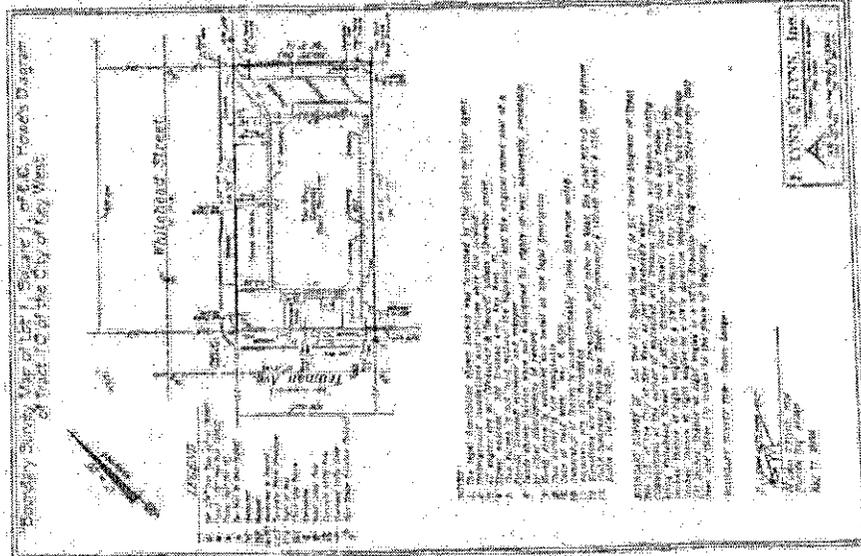
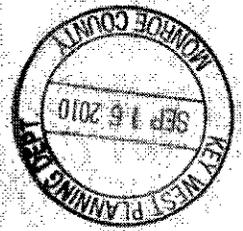
- GENERAL NOTES:**
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF KEY WEST ZONING ORDINANCE AND ALL OTHER APPLICABLE CODES INCLUDING:
 - a. FLORIDA BUILDING CODE 2007 BUILDING
 - b. FLORIDA BUILDING CODE 2007 MECHANICAL
 - c. NATIONAL ELECTRIC CODE
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF KEY WEST ZONING ORDINANCE AND ALL OTHER APPLICABLE CODES INCLUDING:
 - a. FLORIDA BUILDING CODE 2007 BUILDING
 - b. FLORIDA BUILDING CODE 2007 MECHANICAL
 - c. NATIONAL ELECTRIC CODE
- PERMITS:**
- 1. PERMIT TO CONSTRUCT
 - 2. PERMIT TO OCCUPY
 - 3. PERMIT TO USE
 - 4. PERMIT TO ALTER
 - 5. PERMIT TO DEMOLISH
 - 6. PERMIT TO REMOVE
 - 7. PERMIT TO REPAIR
 - 8. PERMIT TO REPLACE
 - 9. PERMIT TO RECONSTRUCT
 - 10. PERMIT TO REBUILD
 - 11. PERMIT TO REPAIR AND RECONSTRUCT
 - 12. PERMIT TO REPAIR AND RECONSTRUCT WITH ALTERATIONS
 - 13. PERMIT TO REPAIR AND RECONSTRUCT WITH ALTERATIONS AND DEMOLITION
 - 14. PERMIT TO REPAIR AND RECONSTRUCT WITH ALTERATIONS AND DEMOLITION AND RECONSTRUCTION
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 - 20. PERMIT TO REPAIR AND RECONSTRUCT WITH ALTERATIONS AND DEMOLITION AND RECONSTRUCTION AND REPAIR AND RECONSTRUCTION

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 - b. FLORIDA BUILDING CODE 2007 MECHANICAL
 - c. NATIONAL ELECTRIC CODE



02 ROOF SITE PLAN
 SCALE: 1/8" = 1'-0"



03 COPY OF SURVEY
 SCALE: 1" = 40'

Handwritten initials and signature: JWR [Signature]

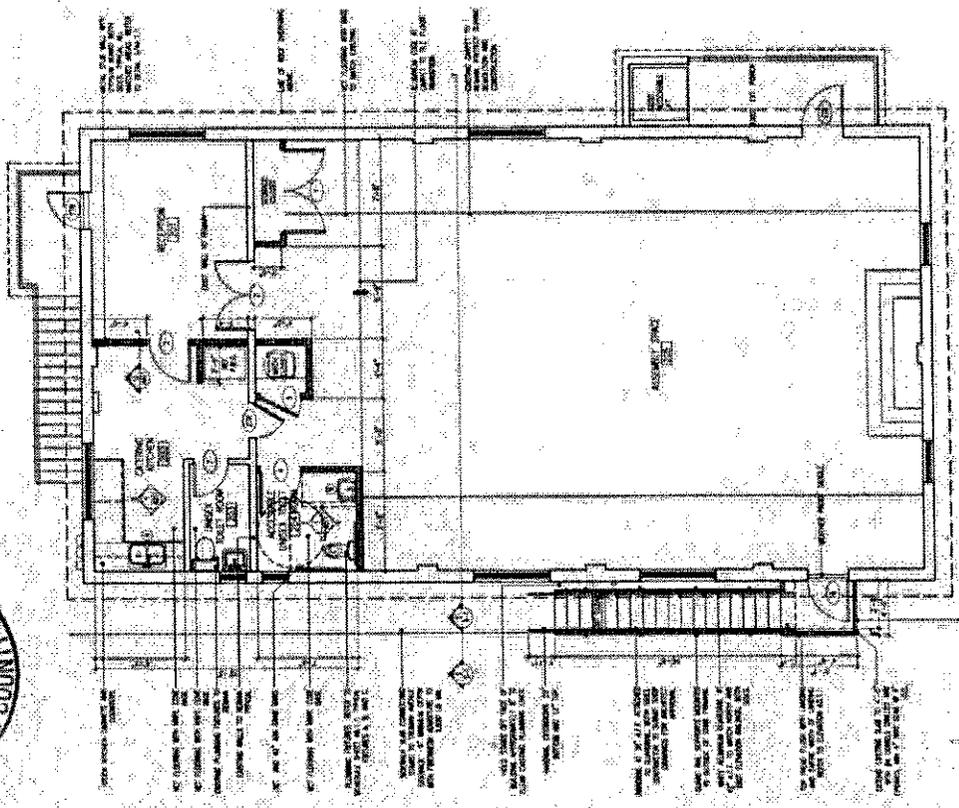
mbj | k2m
ARCHITECTURAL INC.
1000 WEST 10TH AVENUE
SUITE 100
DENVER, CO 80202
TEL: 303.733.1234
WWW.MBJK2M.COM

Shelton, Inc.
1000 WEST 10TH AVENUE
SUITE 100
DENVER, CO 80202
TEL: 303.733.1234
WWW.SHELTONINC.COM

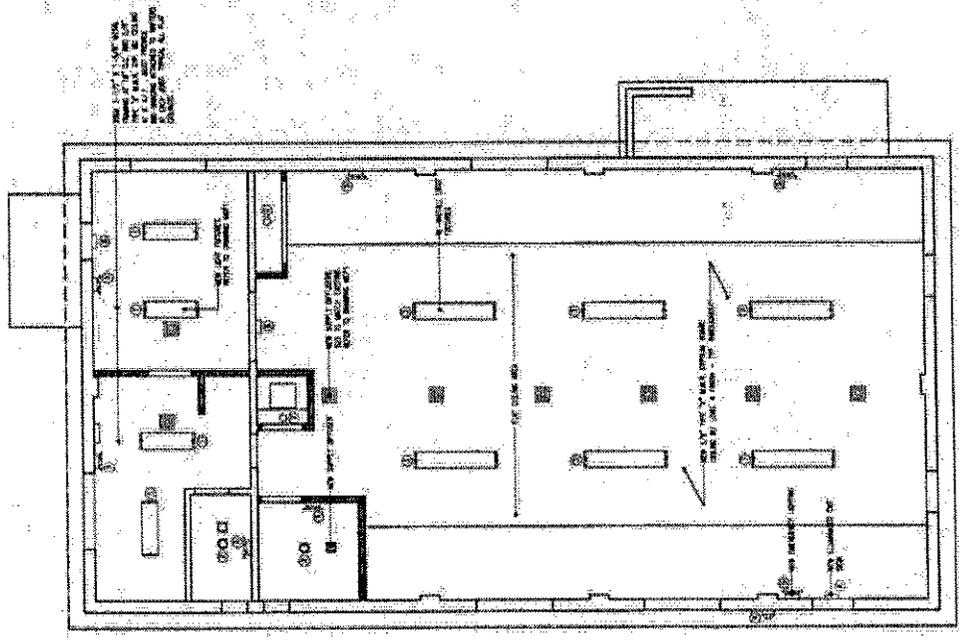
CITY OF KEY WEST - UNION LODGE #47
INTERIOR RENOVATIONS AND FLOOR
REPAIRS
KEY WEST, FL 33904

SECOND FLOOR
AND REFLECTED
CEILING PLAN

A2.1.1



01 SECOND FLOOR PLAN
SCALE 1/8"=1'-0"



02 SECOND FLOOR REFLECTED CEILING PLAN
SCALE 1/8"=1'-0"

Handwritten signature: ARAC



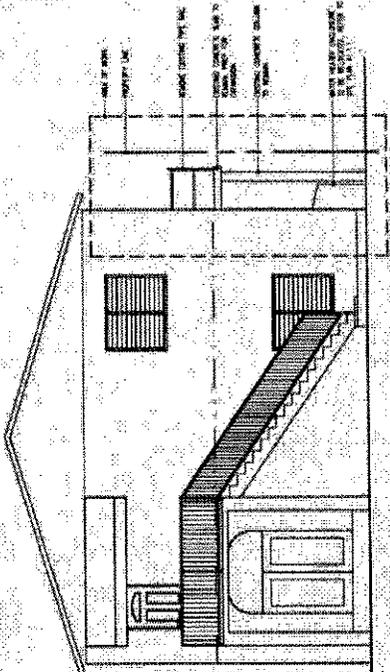
mbj | k2m
ARCHITECTURE INC.
1000 N. MIAMI AVENUE
SUITE 100
MIAMI, FL 33136
TEL: 305.371.1234
WWW.MBJK2M.COM

Shelley, Inc.
1000 N. MIAMI AVENUE
SUITE 100
MIAMI, FL 33136
TEL: 305.371.1234
WWW.MBJK2M.COM

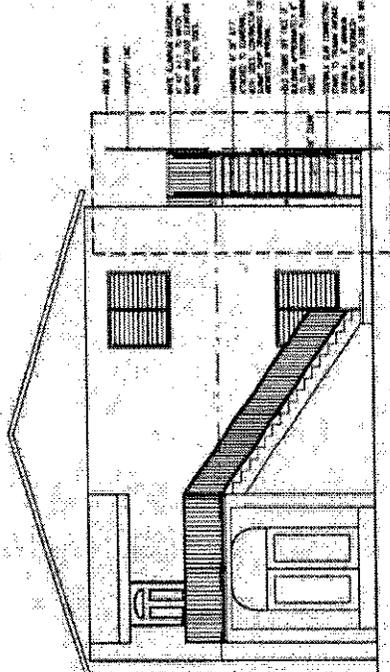
CITY OF KEY WEST - UNION LODGE #17
INTERIOR RENOVATION AND REPAIR
1000 N. MIAMI AVENUE
SUITE 100
MIAMI, FL 33136
TEL: 305.371.1234
WWW.MBJK2M.COM

EXISTING AND
PROPOSED
ELEVATIONS

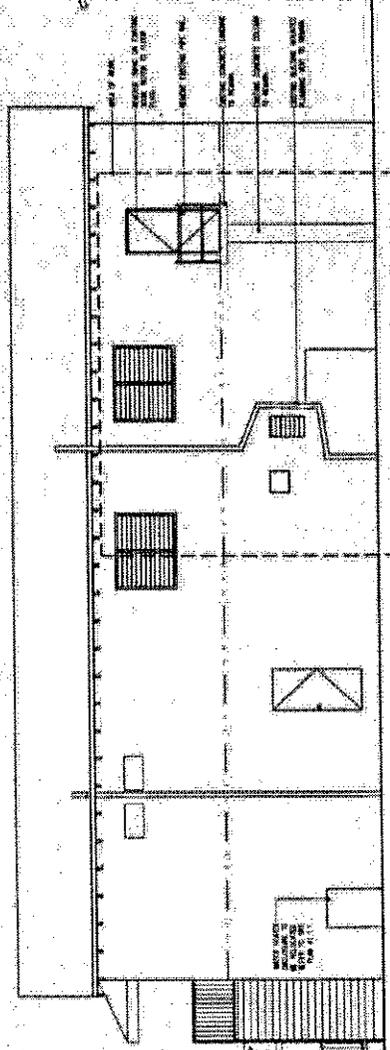
A3.1.1



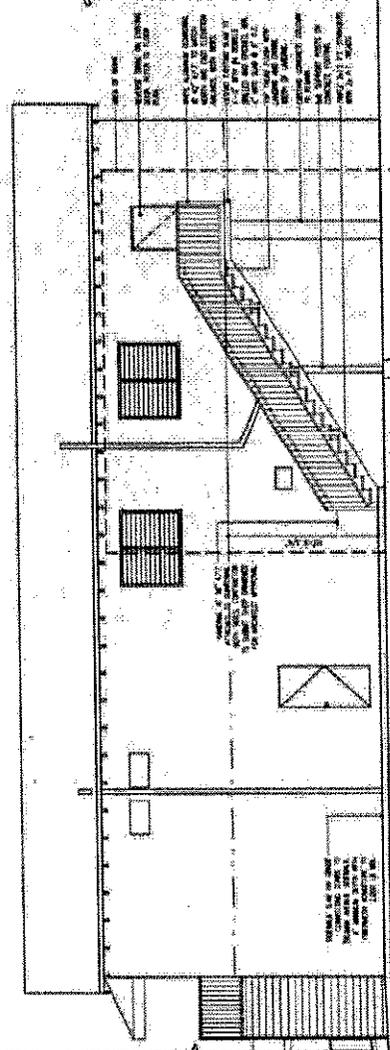
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EXISTING NORTH ELEVATION - TRUMAN AVE
SCALE: 1/8" = 1'-0"



01
PROPOSED NORTH ELEVATION - TRUMAN AVE
SCALE: 1/8" = 1'-0"

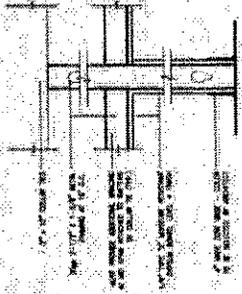


04
EXISTING WEST ELEVATION
SCALE: 1/8" = 1'-0"

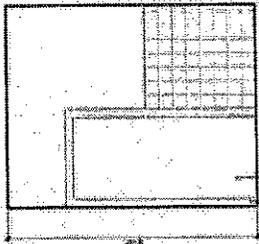
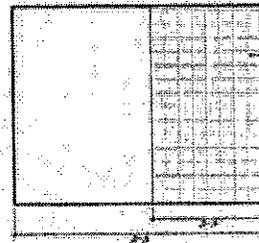
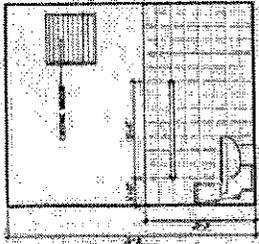
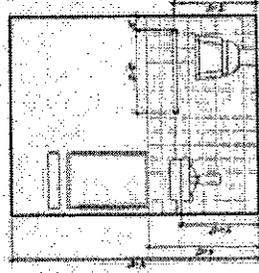


07
PROPOSED WEST ELEVATION
SCALE: 1/8" = 1'-0"

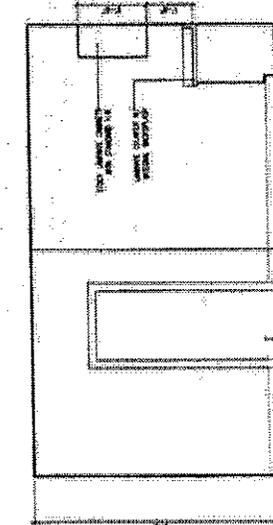
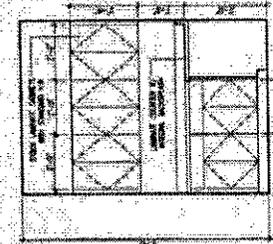
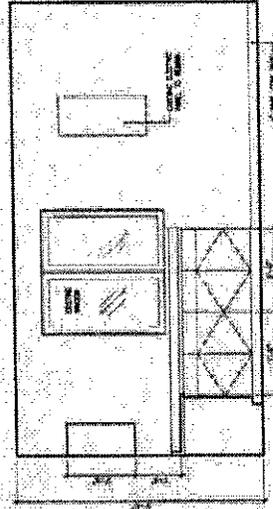
TWD OC



03 WALL SECTION DETAIL
 SCALE: 1/8" = 1'-0"



02 BATHROOM ELEVATIONS
 SCALE: 1/8" = 1'-0"



01 KITCHEN ELEVATIONS
 SCALE: 1/8" = 1'-0"

T. G. Taylor

mbj/k2m
 ARCHITECTS INC.
 10000 N. 10th Ave., Suite 100
 Denver, CO 80231
 Tel: 303.733.1234
 Fax: 303.733.1235
 www.mbjk2m.com

City of Key West
 Planning Department
 1000 N. Duval Street
 Key West, FL 33040
 Tel: 305.291.2200
 Fax: 305.291.2201
 www.cityofkeywest.com

CITY OF KEY WEST - UNION LODGE #47
 MEMORANDUM
 1200 W. Duval Ave.
 Key West, FL 33040

SCHEDULE
 & NOTES

A6.1.1
 10/1/2009

Item	Description	Quantity	Unit	Price	Total
1	Professional Fee - Architectural	1	Hour	150.00	150.00
2	Professional Fee - Engineering	1	Hour	150.00	150.00
3	Professional Fee - Surveying	1	Hour	150.00	150.00
4	Professional Fee - Planning	1	Hour	150.00	150.00
5	Professional Fee - Legal	1	Hour	150.00	150.00
6	Professional Fee - Environmental	1	Hour	150.00	150.00
7	Professional Fee - Historical	1	Hour	150.00	150.00
8	Professional Fee - Cultural	1	Hour	150.00	150.00
9	Professional Fee - Archaeological	1	Hour	150.00	150.00
10	Professional Fee - Anthropological	1	Hour	150.00	150.00
11	Professional Fee - Linguistic	1	Hour	150.00	150.00
12	Professional Fee - Ethnographic	1	Hour	150.00	150.00
13	Professional Fee - Ethnohistoric	1	Hour	150.00	150.00
14	Professional Fee - Ethnobotanical	1	Hour	150.00	150.00
15	Professional Fee - Ethnolinguistic	1	Hour	150.00	150.00
16	Professional Fee - Ethnoarchaeological	1	Hour	150.00	150.00
17	Professional Fee - Ethnohistorical	1	Hour	150.00	150.00
18	Professional Fee - Ethnobotanical	1	Hour	150.00	150.00
19	Professional Fee - Ethnolinguistic	1	Hour	150.00	150.00
20	Professional Fee - Ethnoarchaeological	1	Hour	150.00	150.00
21	Professional Fee - Ethnohistorical	1	Hour	150.00	150.00
22	Professional Fee - Ethnobotanical	1	Hour	150.00	150.00
23	Professional Fee - Ethnolinguistic	1	Hour	150.00	150.00
24	Professional Fee - Ethnoarchaeological	1	Hour	150.00	150.00
25	Professional Fee - Ethnohistorical	1	Hour	150.00	150.00
26	Professional Fee - Ethnobotanical	1	Hour	150.00	150.00
27	Professional Fee - Ethnolinguistic	1	Hour	150.00	150.00
28	Professional Fee - Ethnoarchaeological	1	Hour	150.00	150.00
29	Professional Fee - Ethnohistorical	1	Hour	150.00	150.00
30	Professional Fee - Ethnobotanical	1	Hour	150.00	150.00
31	Professional Fee - Ethnolinguistic	1	Hour	150.00	150.00
32	Professional Fee - Ethnoarchaeological	1	Hour	150.00	150.00
33	Professional Fee - Ethnohistorical	1	Hour	150.00	150.00
34	Professional Fee - Ethnobotanical	1	Hour	150.00	150.00
35	Professional Fee - Ethnolinguistic	1	Hour	150.00	150.00
36	Professional Fee - Ethnoarchaeological	1	Hour	150.00	150.00
37	Professional Fee - Ethnohistorical	1	Hour	150.00	150.00
38	Professional Fee - Ethnobotanical	1	Hour	150.00	150.00
39	Professional Fee - Ethnolinguistic	1	Hour	150.00	150.00
40	Professional Fee - Ethnoarchaeological	1	Hour	150.00	150.00
41	Professional Fee - Ethnohistorical	1	Hour	150.00	150.00
42	Professional Fee - Ethnobotanical	1	Hour	150.00	150.00
43	Professional Fee - Ethnolinguistic	1	Hour	150.00	150.00
44	Professional Fee - Ethnoarchaeological	1	Hour	150.00	150.00
45	Professional Fee - Ethnohistorical	1	Hour	150.00	150.00
46	Professional Fee - Ethnobotanical	1	Hour	150.00	150.00
47	Professional Fee - Ethnolinguistic	1	Hour	150.00	150.00
48	Professional Fee - Ethnoarchaeological	1	Hour	150.00	150.00
49	Professional Fee - Ethnohistorical	1	Hour	150.00	150.00
50	Professional Fee - Ethnobotanical	1	Hour	150.00	150.00



MEMORANDUM FOR THE RECORD

DATE: 09/16/2010

TO: CITY OF KEY WEST - UNION LODGE #47

FROM: MBJ/K2M ARCHITECTS INC.

SUBJECT: [Illegible]

1. [Illegible]

2. [Illegible]

3. [Illegible]

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50. [Illegible]

Handwritten signature/initials: FWL OC

