

**PLANNING BOARD RESOLUTION
2011-026**

A RESOLUTION OF THE KEY WEST PLANNING BOARD TO ALLOW VARIANCES FOR FRONT AND SIDE YARD SETBACKS, IMPERVIOUS SURFACE RATIO, NEW REAR YARD SETBACK, BUILDING COVERAGE AND OPEN SPACE FOR PROPERTY LOCATED AT 921 EATON STREET (RE# 00002710-000000) IN THE HMDR ZONING DISTRICT PER SECTION 122-600(6)(A.), (B.), AND (C.) AND SECTION 122-600(4)(A.) AND (B.), AND SECTION 108-346(B.) AND FOR DETACHED HABITABLE SPACE FOR A GUEST ROOM ADDITION PER SECTION 122-1078 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA

WHEREAS, Code Section 90-391 allows applicants to request variances from the Planning Board; and

WHEREAS, Section 122-600 (4) (a.) and (b.) 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 maximum impervious surface ratio of 50%, and front yard building setbacks are 10' feet, and side yard building setbacks are 5' and, rear yard building setbacks are 15' in the HMDR zoning district; and

WHEREAS, the applicant requested variances to building coverage (18% (501 s.f)) and impervious surface (11% (306 s.f)), and front yard setbacks (10'), side yard setbacks (5' and 3' 10") and rear yard setbacks (10'), and open space (15%9417s.f)) to allow improvements to a historically



Chairman



Planning Director

contributing single family structure; and

WHEREAS, Section 108-346(b.) of the Land Development Regulations requires that residential uses shall provide 35% of permeable open surfaces; and

WHEREAS, the applicant requested variances to 15% (417 s.f) of the required open space for residential uses; and

WHEREAS, Section 122-1078 provides that variances must be sought for habitable space that is detached from the principal structure; and

WHEREAS, the applicant requested variances to detached habitable space for a rear yard guest house of less than 300 square feet; and

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


Chairman

Planning Director

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

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

 Chairman

 Planning Director

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. An approval to allow variances for an addition, new pool, deck, front and side yard setbacks, impervious surface ratio, new rear yard setback, increased building coverage and decreased open space for property located at 921 Eaton Street (re# 00002710-000000) in the HMDR zoning district per Section 122-600(6)(a.), (b.), and (c.) and Section 122-600(4)(a.) and (b.) and Section 108-346(b.) and for detached habitable space for a guest room addition per Section 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida. As pictured on the attached site plans dated March 11, 2011 and stamped March 23, 2011.

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


Chairman

Planning Director

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 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


_____ Chairman

_____ Planning Director

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:

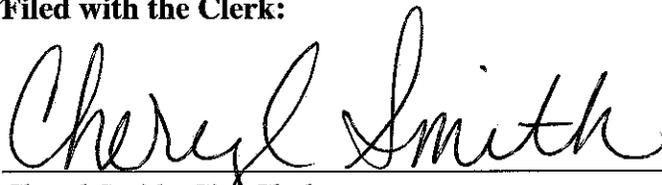


Donald Leland Craig, AICP, Planning Director

6.20.11

Date

Filed with the Clerk:



Cheryl Smith, City Clerk

6-21-11

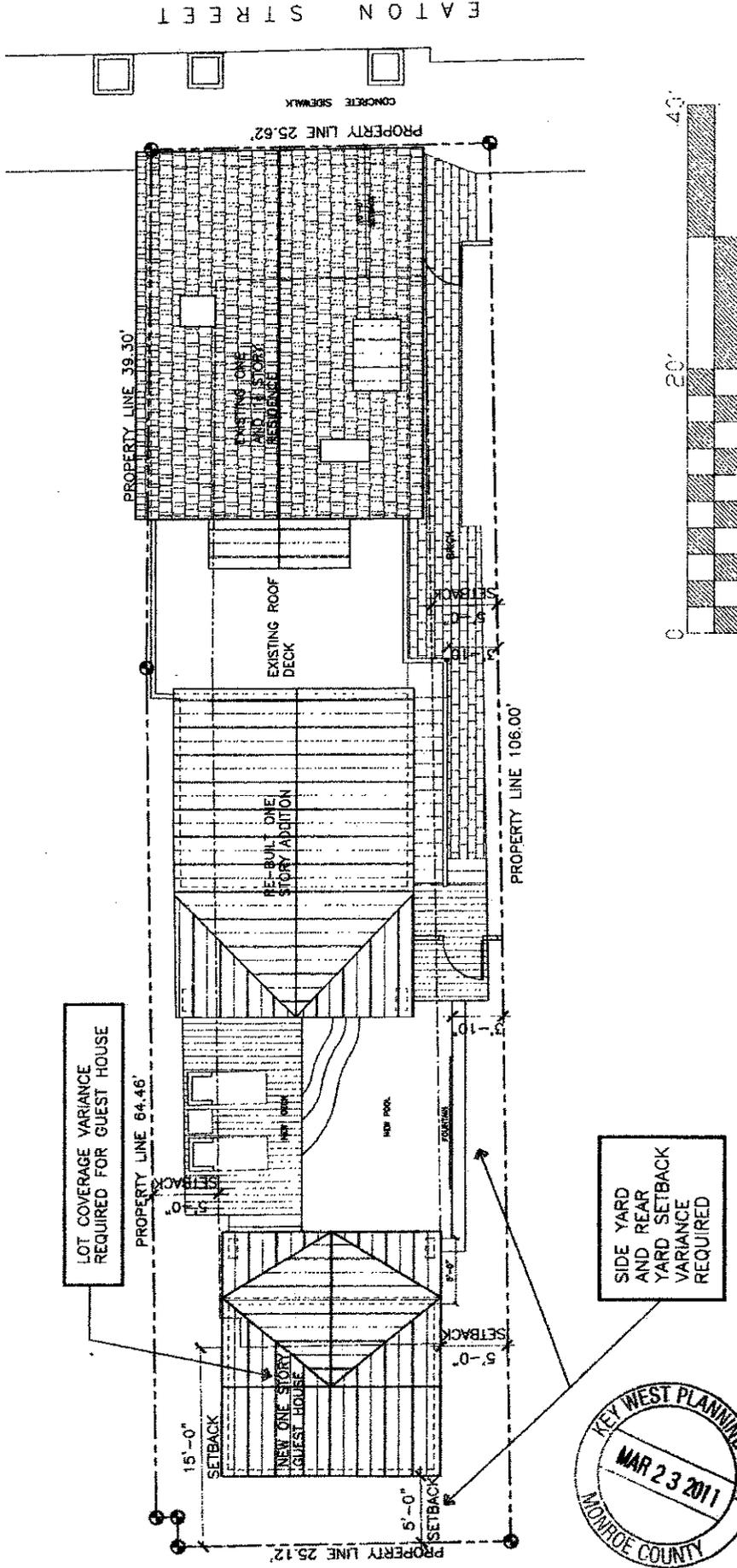
Date



Chairman



Planning Director



LOT COVERAGE VARIANCE
REQUIRED FOR GUEST HOUSE

SIDE YARD
AND REAR
YARD SETBACK
VARIANCE
REQUIRED

PROPOSED ROOF-SITE PLAN

N.T.S.

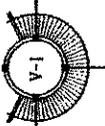


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CLARK RESIDENCE
921 EATON STREET
KEY WEST, FLORIDA

PROJECT 1009
DATE 03-11-11



EATON STREET

CONCRETE SIDEWALK

PROPERTY LINE 25.62'

PROPERTY LINE 39.30'

EXISTING ONE
AND ONE STORY
RESIDENCE

EXISTING ROOF
DECK

RE-BUILT ONE
STORY ADDITION

NEW POOL

PROPERTY LINE 106.00'

PROPERTY LINE 25.12'



SITE DATA

SITE AREA: 2,799 S.F.

LAND USE: HMDR

FLOOD ZONE: AE +7.0'

SETBACKS:

FRONT SETBACK:

REQUIRED = 10.0'
 EXISTING = 0.00'
 PROPOSED = 0.00'

SIDE SETBACK:

REQUIRED = 5.0'
 EXISTING = 0.00'
 PROPOSED = 0.00'

SIDE SETBACK:

REQUIRED = 5.0'
 EXISTING = 3.16'
 PROPOSED = 3.16'

REAR SETBACK:

REQUIRED = 15.0'
 EXISTING = 40.0'
 PROPOSED = 5.0'

FAR:

ALLOWABLE: 1.0 MAX. (2,799 S.F.)
 EXISTING: 0.51 (1,433 S.F.)
 PROPOSED: 0.59 (1,674 S.F.)

HEIGHT:

ALLOWABLE: 30.0'
 EXISTING: 22'-3"
 PROPOSED: 22'-3"

LOT COVERAGE AREA:

REQUIRED: 1,120 S.F. (40% MAX.)
 EXISTING: 1,278 S.F. (45.6%)
 PROPOSED: 1,631 S.F. (58.2%)

IMPERVIOUS AREA:

REQUIRED: 1,679 S.F. (60% MAX.)
 EXISTING: 2,021 S.F. (72.2%)
 PROPOSED: 2,021 S.F. (72.2%)

LANDSCAPE AREA:

REQUIRED: 560 S.F. (20%)
 EXISTING: 721 S.F. (25.9%)
 PROPOSED: 575 S.F. (20.5%)

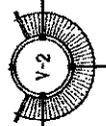
BUILDING DATA

EXISTING BUILDING DATA

1ST. FLOOR ENCLOSED	918 S.F.	1ST. FLOOR COVERED	284 S.F.
2ND. FLOOR ENCLOSED	515 S.F.	2ND. FLOOR COVERED	0.00 S.F.
TOTAL EXISTING ENCLOSED 1,432 S.F.		TOTAL EXISTING COVERED 284 S.F.	

PROPOSED BUILDING DATA

1ST. FLOOR ENCLOSED	1160 S.F.	1ST. FLOOR COVERED	388 S.F.
2ND. FLOOR ENCLOSED	515 S.F.	2ND. FLOOR COVERED	0.00 S.F.
TOTAL PROPOSED ENCLOSED 1,674 S.F.		TOTAL PROPOSED COVERED 388 S.F.	

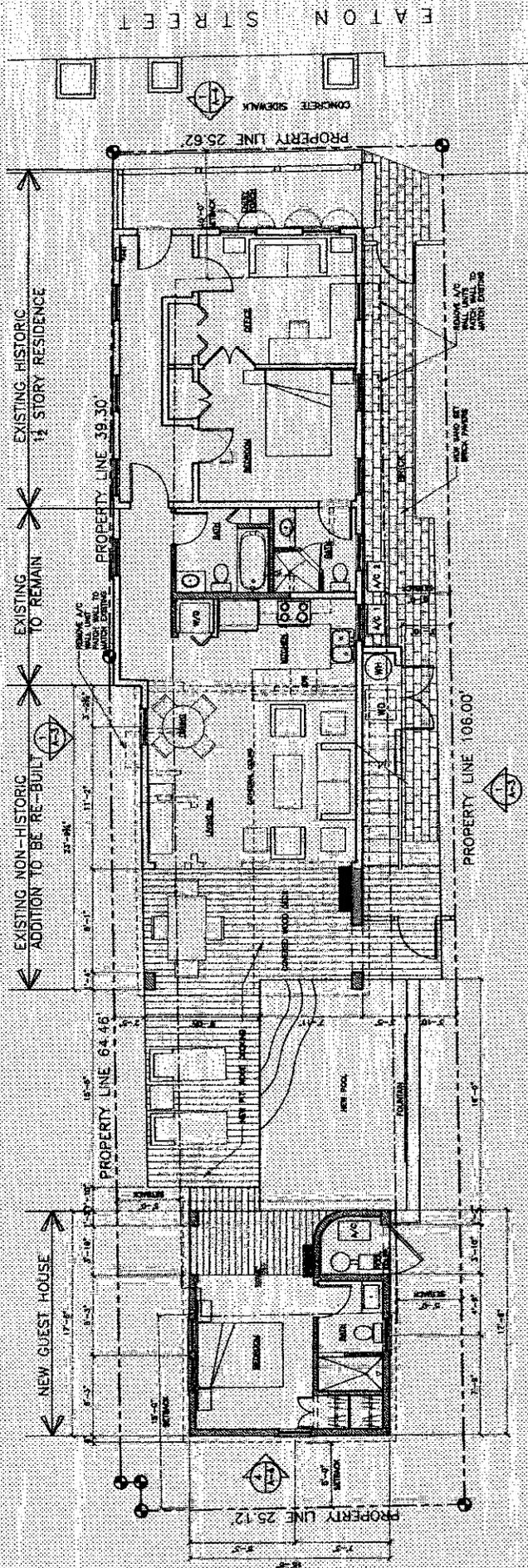


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CLARK RESIDENCE
 921 EATON STREET
 KEY WEST, FLORIDA

PROJECT 1009
 DATE 03-11-11

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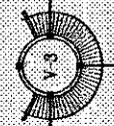


PROPOSED FLOOR PLAN

N.T.S.

WALL LEGEND

	EXISTING WD. FRAME WALL CONST.
	NEW WALL
	EXISTING TO BE REMOVED

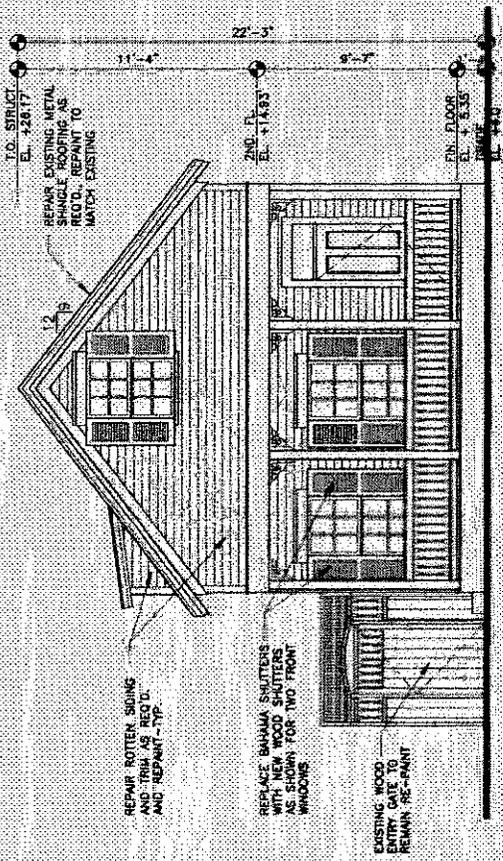


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CLARK RESIDENCE
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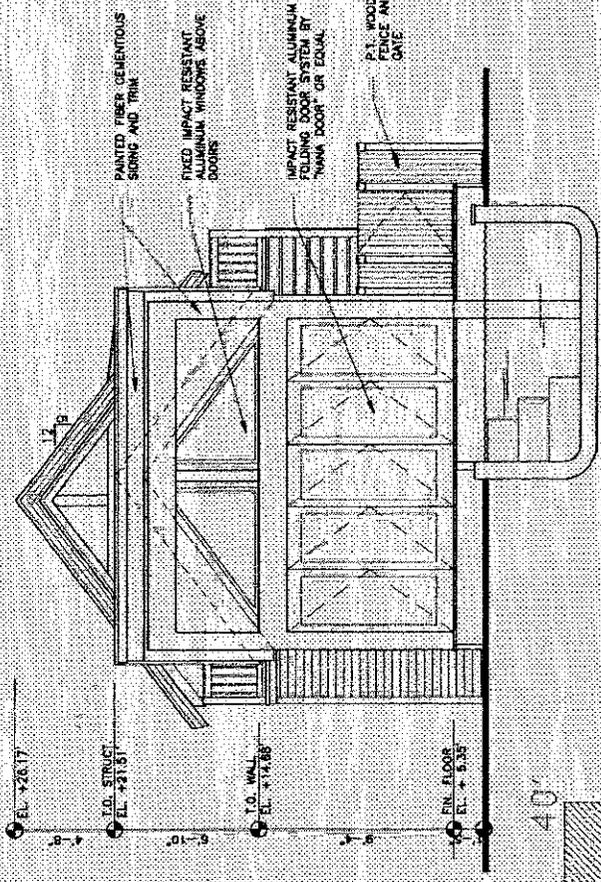
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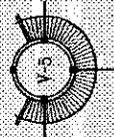
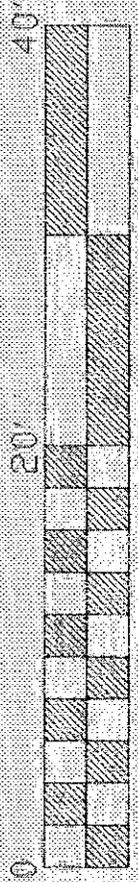
PROPOSED FRONT ELEVATION

N.T.S.



PROPOSED BACK ELEVATION

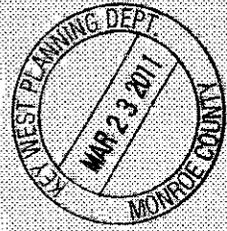
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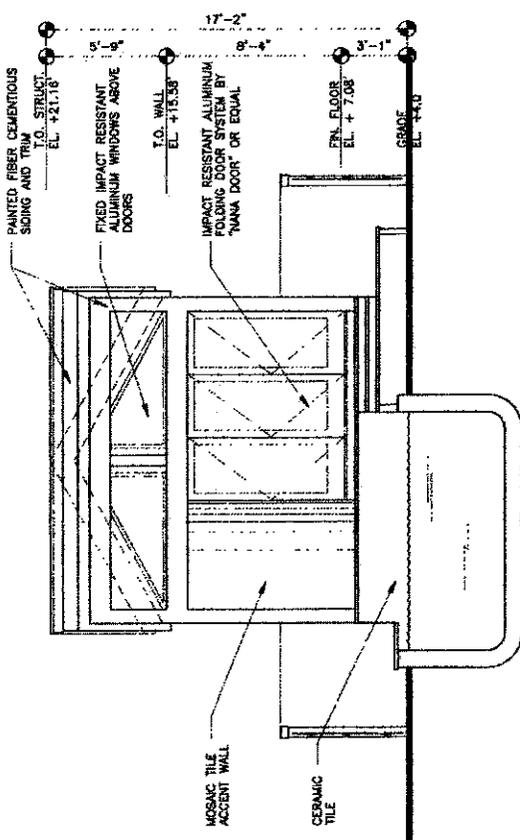
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CLARK RESIDENCE
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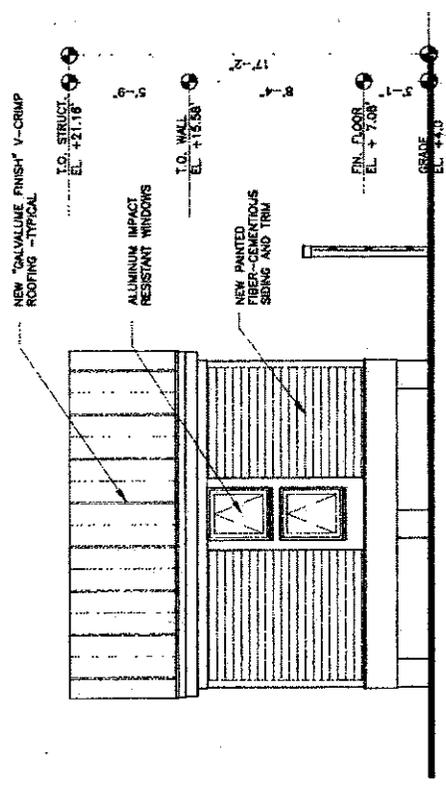


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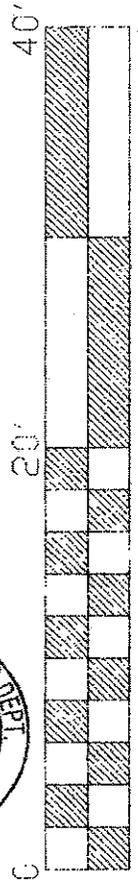
PROPOSED FRONT ELEVATION - GUEST HOUSE

N.T.S.



PROPOSED BACK ELEVATION - GUEST HOUSE

N.T.S.

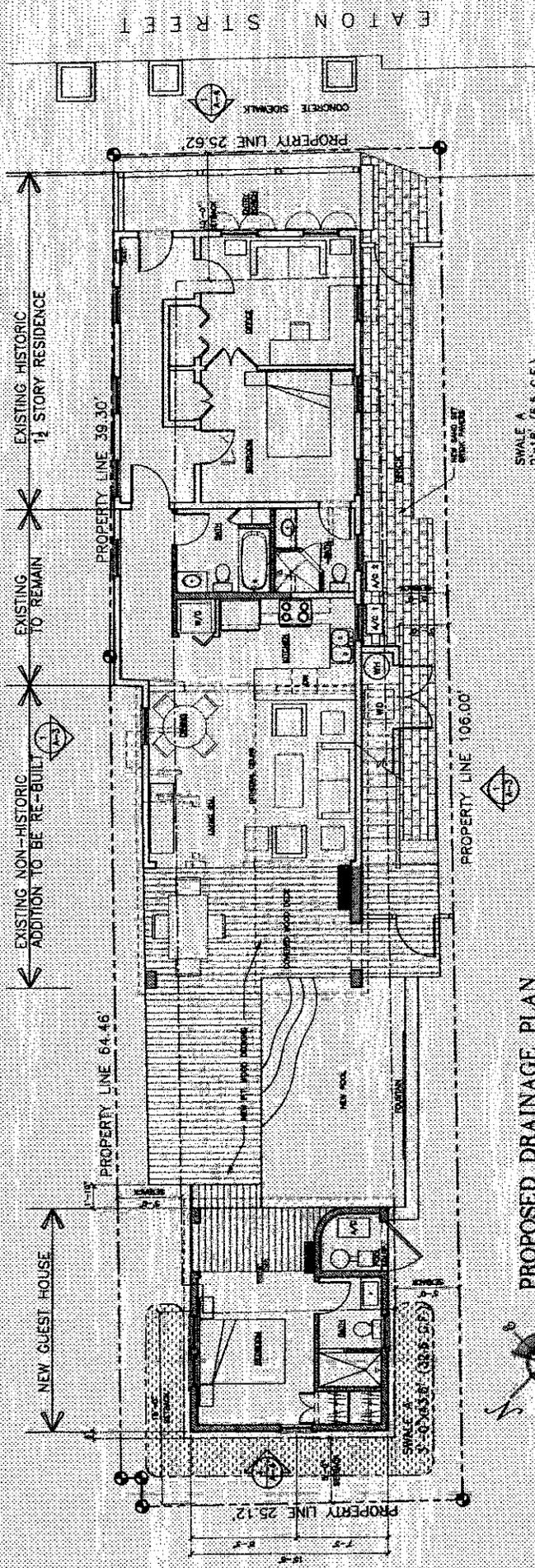


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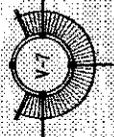
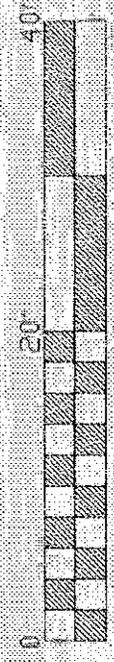
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PROPOSED DRAINAGE PLAN

N.T.S.

SCALE A
2"x18" (S.S.C.F.)



PROJECT 1009 DATE 03-11-11

CLARK RESIDENCE
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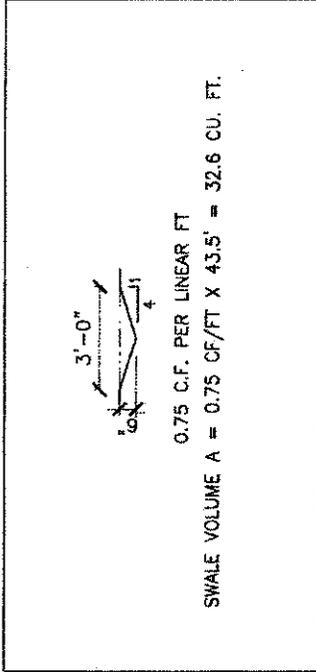


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EATON STREET

STORMWATER DATA-NEW GUEST HOUSE

SITE AREA = 2,799 S.F.
 NEW IMPERVIOUS AREA = 309 S.F.
 309 S.F. IMPERVIOUS / 2,799 S.F. LOT = 11% IMPERVIOUS COVERAGE
 2,799 S.F. x 0.104 x 11% = 32 C.F. (REQUIRED SWALE VOLUME)
 SWALE A = 32.6 CU. FT.
 SWALE TOTAL = 32.6 CU. FT. (SWALE VOLUME PROVIDED)



SWALE PROFILE

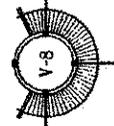


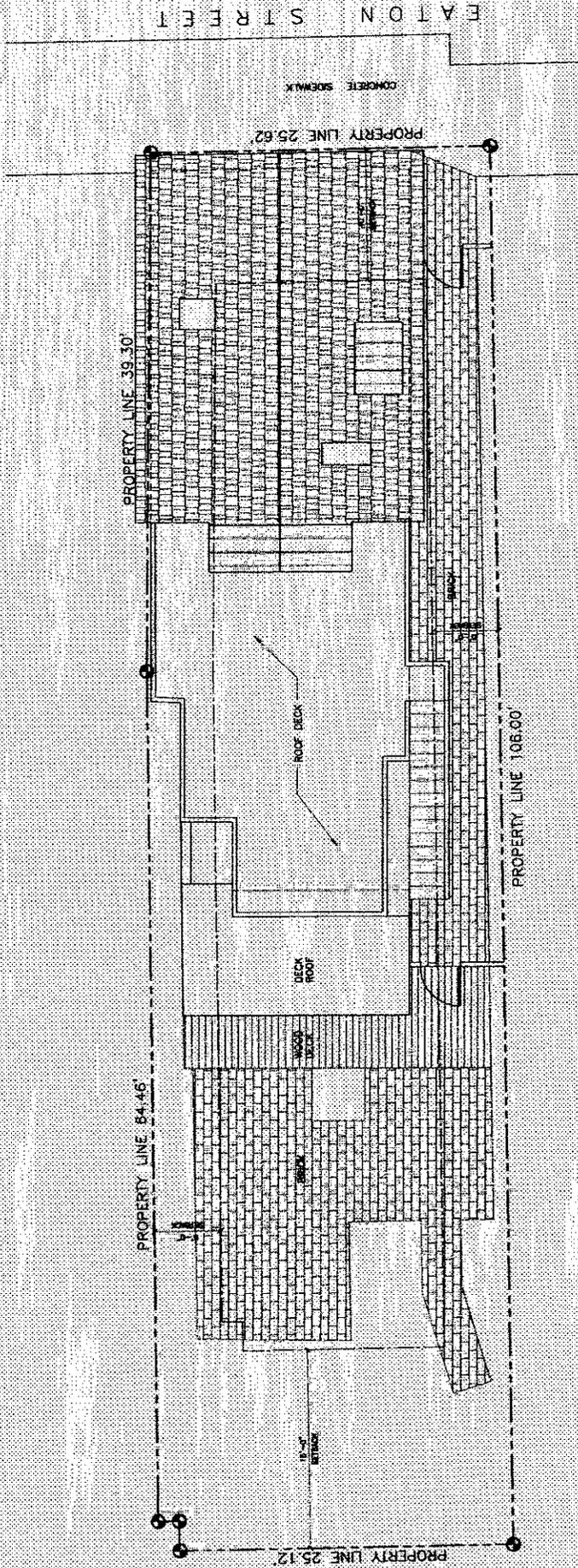
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CLARK RESIDENCE
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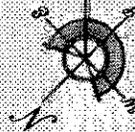
PROJECT 1009
 DATE 03-11-11





EXISTING ROOF - SITE PLAN

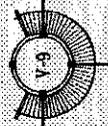
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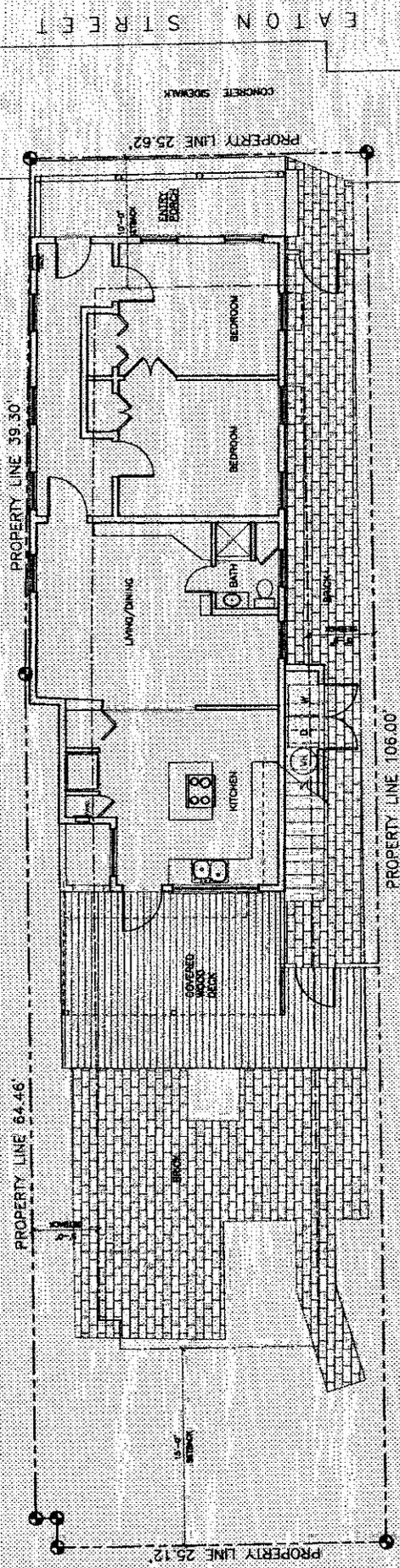


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CLARK RESIDENCE
 921 EATON STREET
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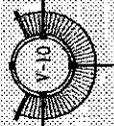
PROJECT 1009
 DATE 03-11-11





EXISTING FLOOR PLAN

N.T.S.



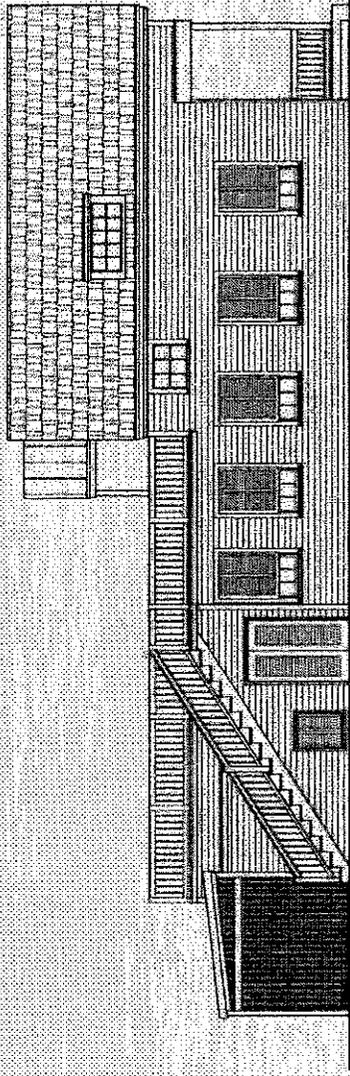
PROJECT 1009 DATE 03-11-11

CLARK RESIDENCE
921 EATON STREET
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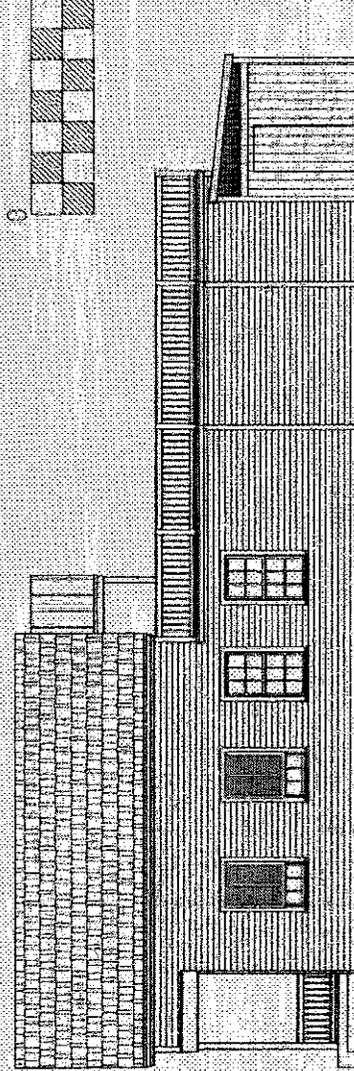


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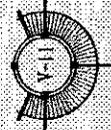
EXISTING SIDE ELEVATION

N.T.S.



EXISTING SIDE ELEVATION

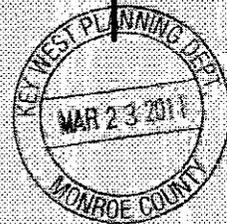
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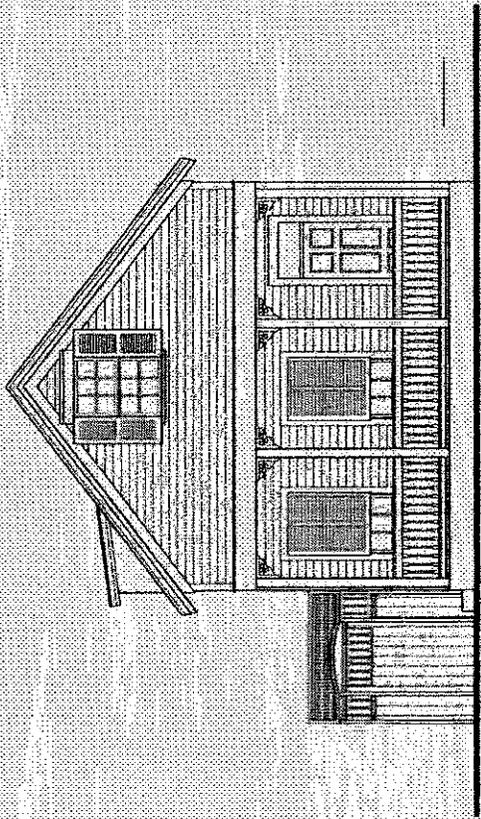


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KEY WEST, FLORIDA

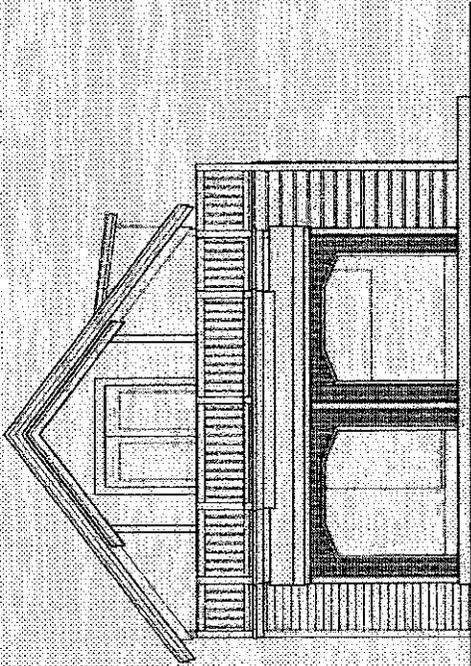
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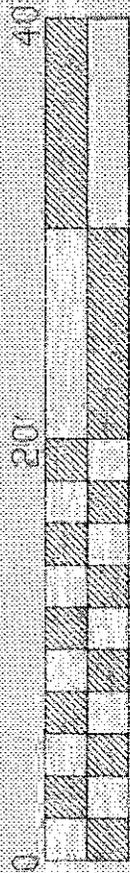
EXISTING FRONT ELEVATION

N.T.S.



EXISTING BACK ELEVATION

N.T.S.



Handwritten initials or signature



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CLARK RESIDENCE
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