RESOLUTION NUMBER 2011- 058

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD GRANTING AN EXCEPTION FOR OUTDOOR MERCHANDISE DISPLAY FOR PROPERTY IN THE HISTORIC RESIDENTIAL COMMERCIAL CORE DUVAL STREET GULFSIDE (HRCC-1) ZONING DISTRICT, UNDER THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF KEY WEST, FLORIDA, PURSUANT TO SECTION 106-52 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES, ALLOWING THE OUTDOOR DISPLAY OF MERCHANDISE TO BE LOCATED AT 205 ELIZABETH STREET (RE# 00072082-003904), LAZY WAY LANE, UNIT H, KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, 106-51 of the Land Development Regulations provides that the outdoor display of merchandise in the historic zoning districts of the City is prohibited unless an Exception is granted by the Planning Board as provided in Section 106-52; and

WHEREAS, the subject property is located in the HRCC-1 zoning district; and

WHEREAS, the applicant has requested an Exception for Outdoor Merchandise Display; and

WHEREAS, the matter came before the Planning Board at a duly noticed public meeting on November 16, 2011; and

_____ Chairman

_____ Planning Director

WHEREAS, the Planning Board has considered the factors favoring and disfavoring the Exception, as provided in Section 106-52; 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 if fully set forth herein.

Section 2. That an Exception for Outdoor Merchandise Display, under the Code of Ordinances of the City of Key West, Florida, is hereby granted for property located at 205 Elizabeth Street (RE# 00072082-003904), Lazy Way Lane, Unit H, Key West, Florida, see attached plans, with the following conditions of approval:

1. The Exception is limited, as shown on the site plan and will not be placed in the City right-of-way as follows:
   - Three hanging wooden racks mounted on the outside of the double doors (opened or closed);
   - The amount of clothing hanging on the racks is limited to 2-4 items per rack;
   - A free-standing outdoor rack of 52" in height;
   - Three wooden shelves mounted on the structure on either side of the single front door; one side of 42" in length and the other side of 14" in length; and

RWK Chairman

Planning Director

- Three wooden shelves mounted on the structure on either side of the double doors; one side of 15" in length and the other side of 9" in length; and
- Two wooden barrels for mannequin display.

2. No objects shall be placed on the top door racks that cover the door frames;
3. The Exception will only be present during hours of operation.
4. The Exception is specific to the applicant, Steven Greenfield, and granted for a term of 60 months.
5. A certificate of appropriateness will be required for signage, or any other elements of the site plan that are required pursuant to the Historic Architectural Review Commission (HARC) guidelines.
6. Exceptions to Section 106-51 may be revoked by the Planning Board after notice and hearing on grounds that:
   a. The applicant has failed to comply with terms and conditions specified pursuant to the grant of an Exception in this section;
   b. The Exception was granted pursuant to mistaken or misleading information; or
   c. The Exception is not compatible, or in visual harmony, with development of the neighborhood occurring subsequent to grant of this Exception.
7. The City Manager or the Planning Board upon written petition by any City resident may cause issuance of a notice of hearing on revocation of an Exception, which notice shall be issued by the City Clerk.

_____ Chairman

_____ Planning Director

8. That no display is allowed within 36" of the door way access for ADA and Fire access.

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 resolution 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 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.

_____ Chairman

_____ Planning Director

Read and passed at a special meeting held this 16th day of November, 2011.

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

11/22/2011

Richard Klitenick, Chairman
Key West Planning Board

Date

Attest:

11/22/2011

Donald Leland Craig, AICP
Planning Director

Date

Filed with the Clerk:

Cheryl Smith 11-29-11

Cheryl Smith, City Clerk

Date

_____ Chairman

_____ Planning Director

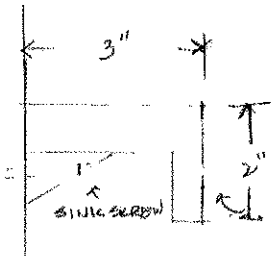
CAPTAIN QUICK DRY-UNIT #

LAZY WAY, KEY WEST

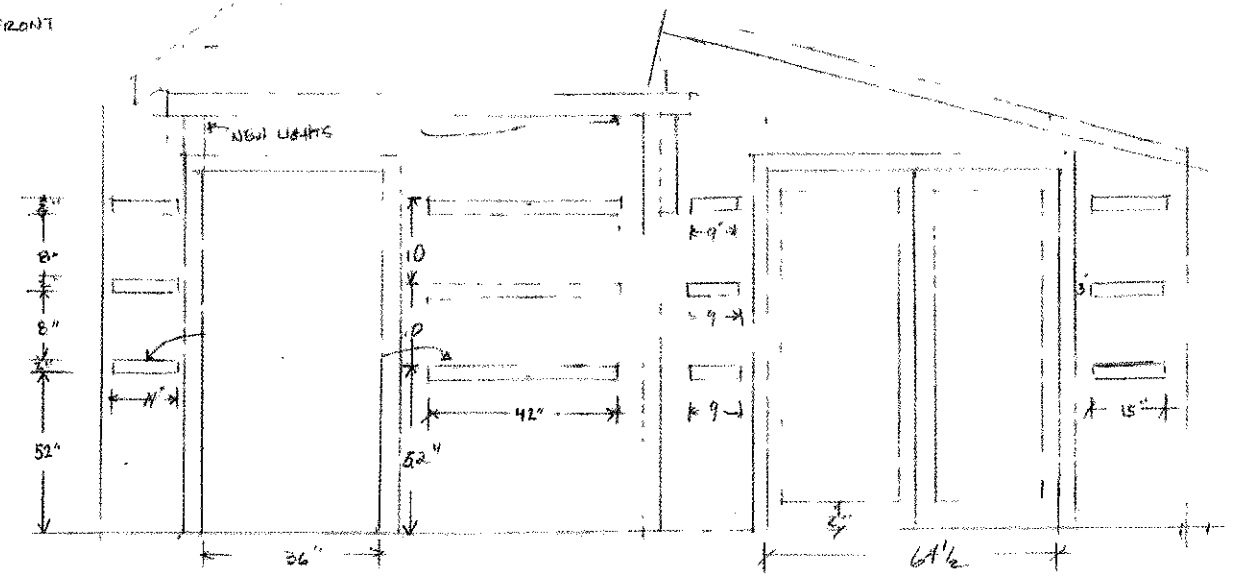
DESIGN B WITH DOORS OPEN

Rick

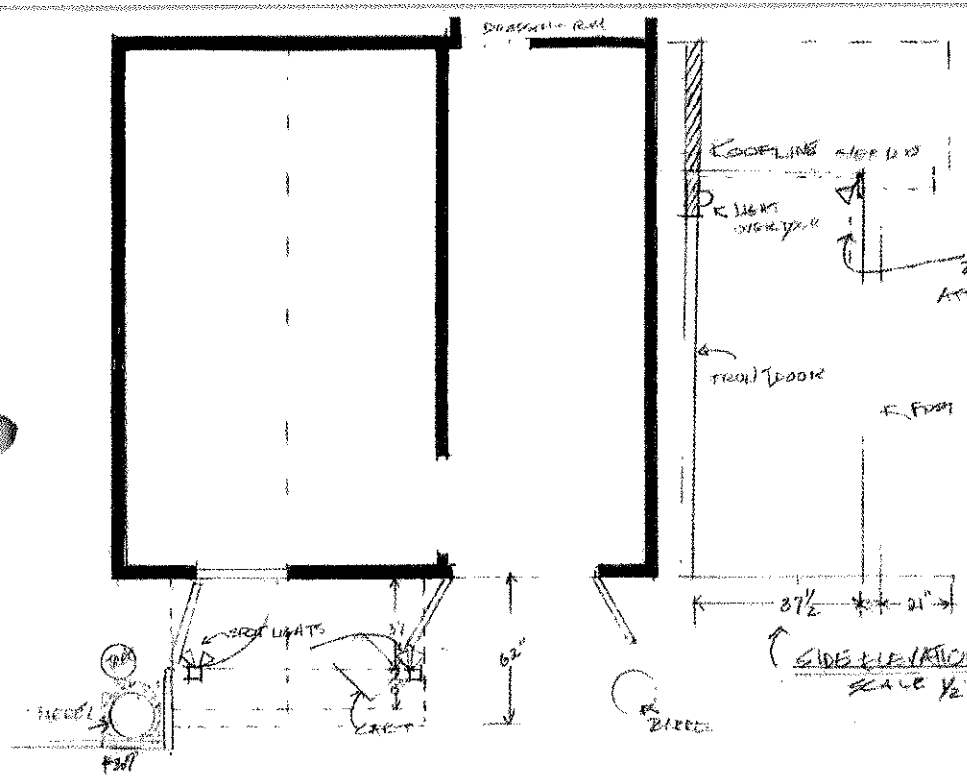
CAPTAIN QUICK DRY UNIT # - PLANS
LAZY WAY KEY WEST
DESIGN B - WITH DOORS CLOSED



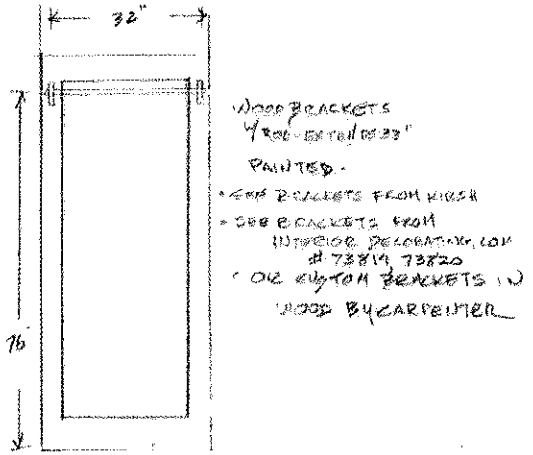
SHELF DETAIL
1/2" = 1"
• 8" DEPTH x 2" FRONT



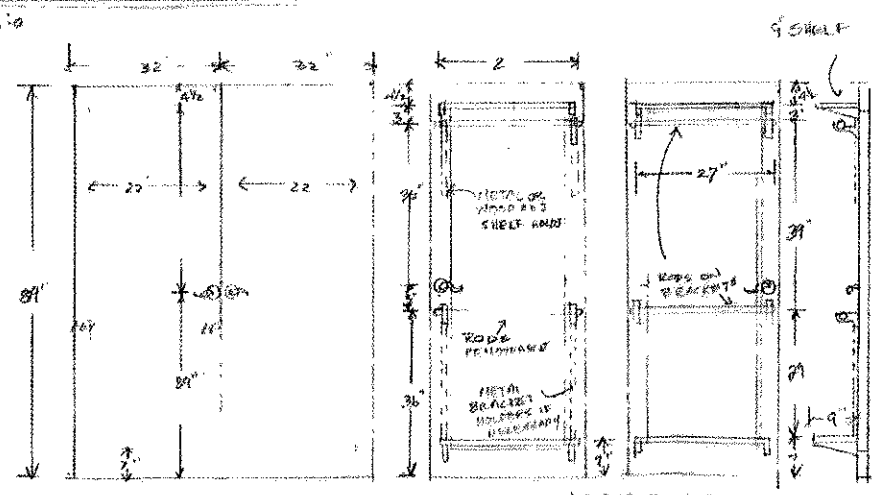
UNIT 'A' LAZY WAY FRONT ELEVATION
SCALE 1/2" = 1'-0 PLAN 3



SIDE ELEVATION TO SHOW LIGHT PLACEMENT
SCALE ½"=1'0



SINGLE FRONT DOOR



OUTSIDE OF DOUBLE DOOR

INTERIOR DOOR DETAIL
½"=1'0" SCALE

• PLACE TO BE WEIGHTED
• CART CAN BE PLACED UNDER ROOFLINE

SITE PLAN - UNIT 4 LAZYWAY
SCALE ¼"=1'0 DATE 7-12-11