

**PLANNING BOARD  
RESOLUTION No. 2013-27**

**A RESOLUTION OF THE CITY OF KEY WEST  
PLANNING BOARD FOR VARIANCE  
APPROVAL FOR PROPERTY LOCATED AT  
630 EATON STREET (RE#00006290-000000,  
AK#1006513) IN THE HISTORIC  
NEIGHBORHOOD COMMERCIAL (HNC-2)  
ZONING DISTRICT, PER SECTION 122-810 (4)  
a. & b. BUILDING COVERAGE AND  
IMPERVIOUS SURFACE RATIO  
REQUIREMENTS OF THE LAND  
DEVELOPMENT REGULATIONS OF THE  
CODE OF ORDINANCES OF THE CITY OF  
KEY WEST.**

**WHEREAS**, Section 122-810 (4) a. & b. of the Code of Ordinances provides that the maximum building coverage is 40% and maximum impervious surface ratio is 60%; and

**WHEREAS**, the applicant requested variances to the existing building coverage and impervious surface ratio; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on May 23, 2013; 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

  
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Vice Chairman

  
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Planning Director

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 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

  
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Vice Chairman

  
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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 variances; 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 variances 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 by resolution of the Key West Planning Board for variances to allow building coverage and impervious surface ratio per plans received January 31, 2013, on property located at 630 Eaton Street (RE# 00006290-000000, AK# 1006513) in the HNC-2 zoning district per Sections 122-810 (4) a. & b. of the Land Development Regulations of the Code of Ordinances of the City of Key West with the following conditions:

1. Precautions shall be taken to ensure that the proposed construction will not harm any trees on the site; and

  
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Vice Chairman

  
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Planning Director

2. The sprinkler system required by the Fire Department shall be installed prior to the commencement of the proposed construction.

**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

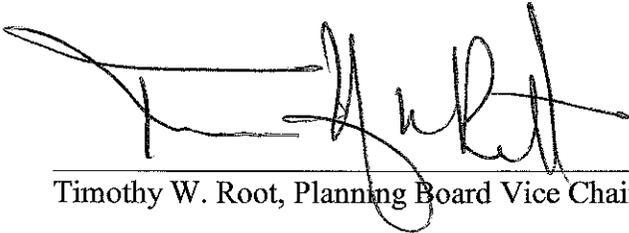
  
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Vice Chairman

  
\_\_\_\_\_  
Planning Director

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 Economic Opportunity. 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 DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DEO 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 duly noticed meeting held this 23rd day of May, 2013.

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

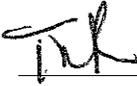


\_\_\_\_\_  
Timothy W. Root, Planning Board Vice Chairman

5/23/13

\_\_\_\_\_  
Date

**Attest:**

 Vice Chairman  
 Planning Director

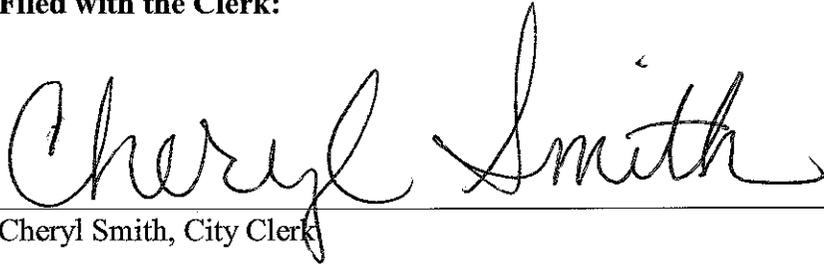


Donald Leland Craig, AICP, Planning Director

5/29/13

Date

**Filed with the Clerk:**



Cheryl Smith, City Clerk

5/28/2013

Date

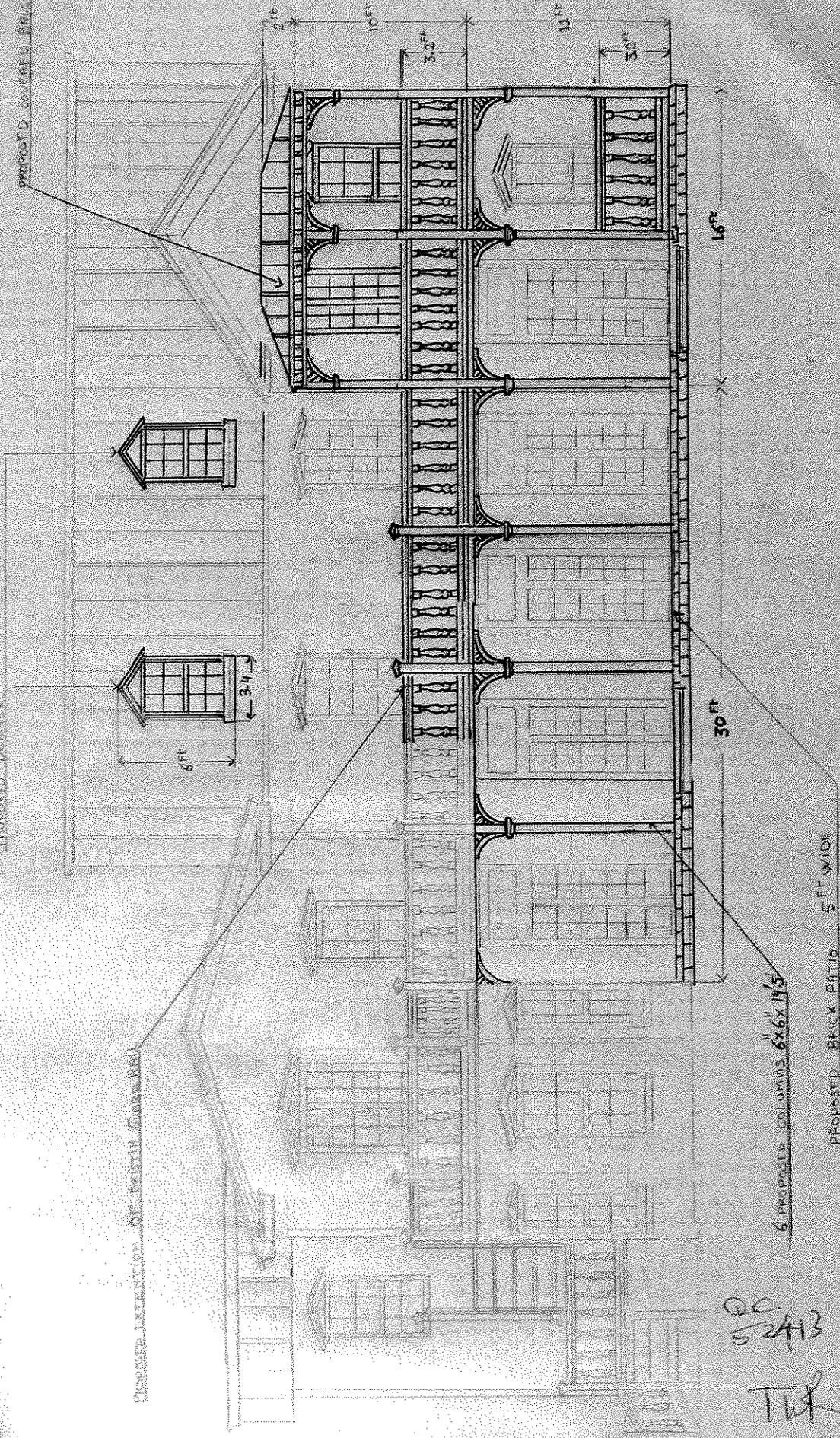
 Vice Chairman

 Planning Director

EXPOSURE DEPENDENT

PROPOSED COVERED BALCONY

CHANGING MATERIAL OF EXTERIOR WALLS



6 PROPOSED COLUMNS 6" X 6" X 15'

PROPOSED BRICK PATIO 5' FT WIDE

PC 5-24-13

TJK 5-28-13

630 EATON STREET

FIRST FLOOR PLAN

LOT = 7898 SF

PROPOSED BRICK PAVERS

FIRST FLOOR PLAN

CAMERAS

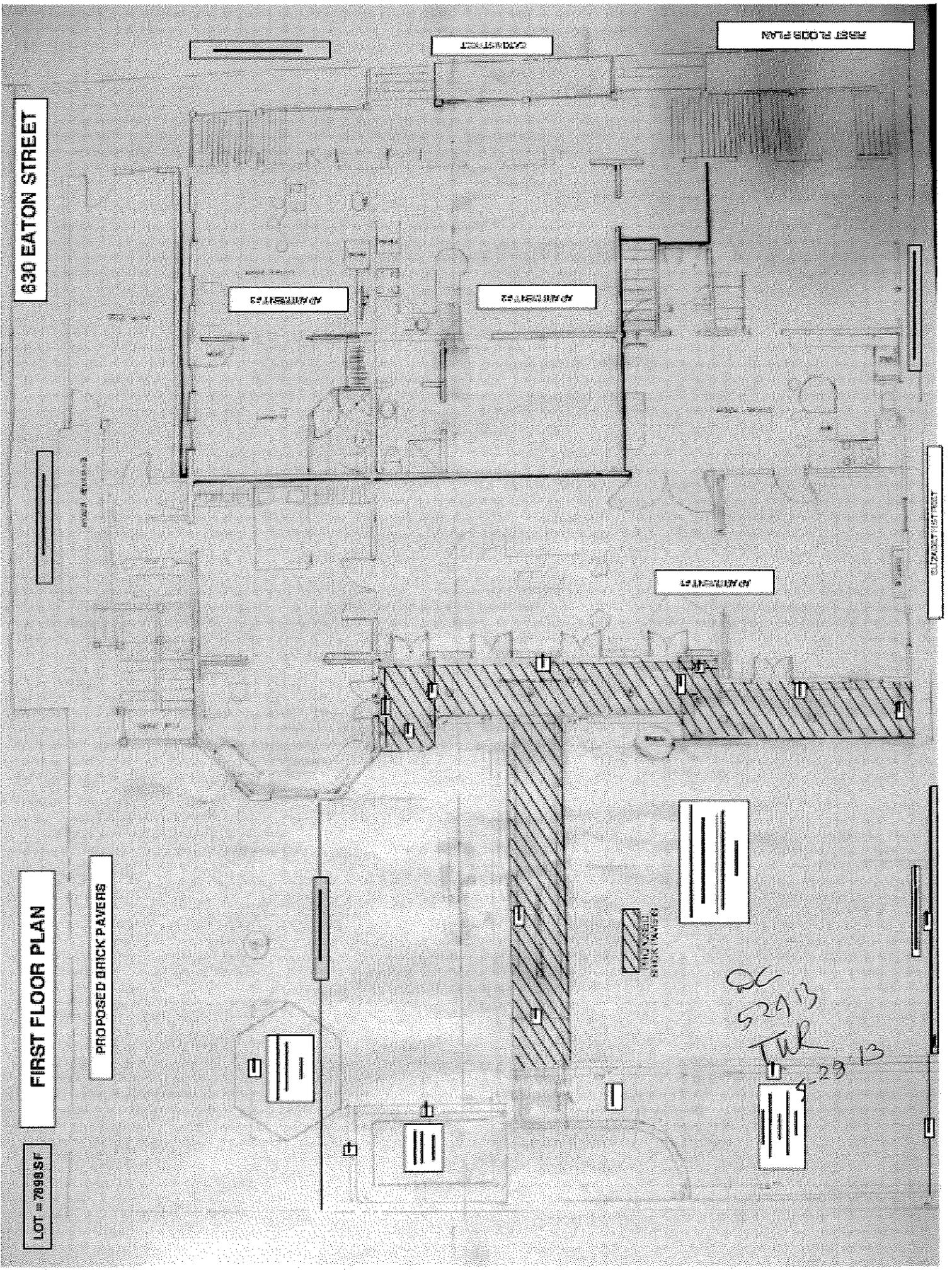
APARTMENT 23

APARTMENT 22

APARTMENT 21

PROPOSED BRICK PAVERS

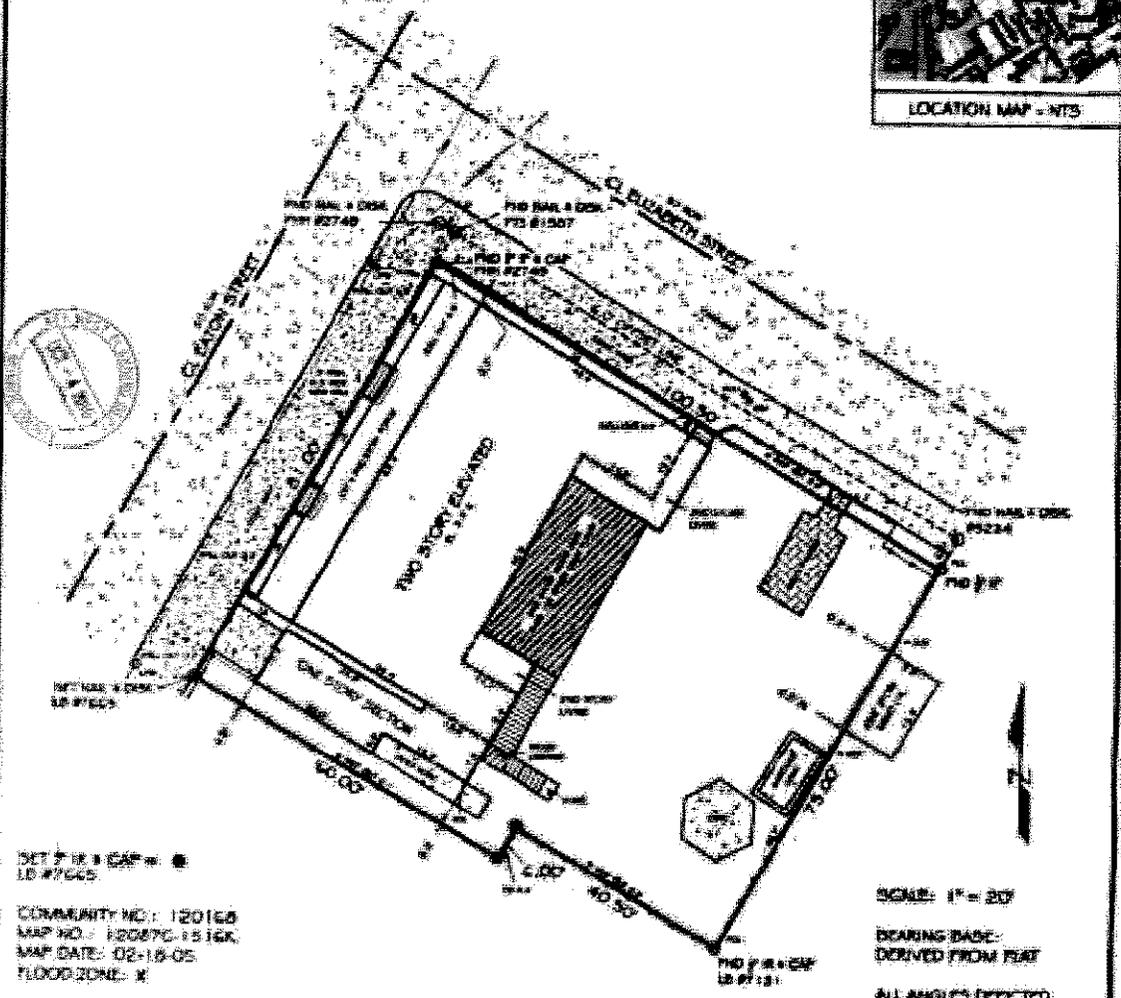
DC  
52913  
TUR  
4-23-13





BC  
52910

MAP OF BOUNDARY SURVEY  
PART OF LOT 2, SQUARE 36  
WILLIAM A. WHITEHEAD'S MAP  
OF KEY WEST



SET 7 1/2" x 9" CAP = ●  
10 #7/645

COMMUNITY NO.: 120165  
MAP NO.: 120870-1516K  
MAP DATE: 02-18-05  
FLOODZONE: X

SCALE: 1" = 20'

BEARING BASE:  
DERIVED FROM FEAT

ALL ANGLES DETECTED  
ARE 90 DEGREES UNLESS  
OTHERWISE INDICATED

ADDRESS:  
630 EATON STREET  
KEY WEST, FL  
33040

QC  
52413

**LEGAL DESCRIPTION-**

On the island of Key West, and being a part of Lot 2, Square 36, according to William A. Whitehead's map of said island, delineated in February, A.D. 1829, described by notes and bounds as follows: BEGINNING at the corner of Eaton and Elizabeth Streets and running thence along Eaton Street in a Southwesterly direction 61 feet; thence at right angles in a Southeasterly direction 60 feet; thence at right angles in a Northeasterly direction 6 feet; thence at right angles in a Southeasterly direction 40 feet, 6 inches; thence at right angles in a Northeasterly direction 75 feet to Elizabeth Street; thence at right angles in a Northwesterly direction along Elizabeth Street 100 feet, 6 inches to the Point or Place of Beginning.

**CERTIFIED TO-**

DALESON ARVAUD BOARD

NOTE: PLUMBING SYMBOLS: THE SYMBOLS ARE NOT SPINAL, UNLESS OTHERWISE EQUAL PLATED OR INDICATED OTHERWISE UNLESS INDICATED OTHERWISE. THE FOLLOWING IS A LIST OF ABBREVIATIONS THAT MAY BE FOUND ON THIS MAP:

1/4" = 1/4" (1/4" DIA) 1/2" = 1/2" (1/2" DIA) 3/4" = 3/4" (3/4" DIA) 1" = 1" (1" DIA) 1 1/2" = 1 1/2" (1 1/2" DIA) 2" = 2" (2" DIA) 2 1/2" = 2 1/2" (2 1/2" DIA) 3" = 3" (3" DIA) 3 1/2" = 3 1/2" (3 1/2" DIA) 4" = 4" (4" DIA) 4 1/2" = 4 1/2" (4 1/2" DIA) 5" = 5" (5" DIA) 5 1/2" = 5 1/2" (5 1/2" DIA) 6" = 6" (6" DIA) 6 1/2" = 6 1/2" (6 1/2" DIA) 7" = 7" (7" DIA) 7 1/2" = 7 1/2" (7 1/2" DIA) 8" = 8" (8" DIA) 8 1/2" = 8 1/2" (8 1/2" DIA) 9" = 9" (9" DIA) 9 1/2" = 9 1/2" (9 1/2" DIA) 10" = 10" (10" DIA) 10 1/2" = 10 1/2" (10 1/2" DIA) 11" = 11" (11" DIA) 11 1/2" = 11 1/2" (11 1/2" DIA) 12" = 12" (12" DIA) 12 1/2" = 12 1/2" (12 1/2" DIA) 13" = 13" (13" DIA) 13 1/2" = 13 1/2" (13 1/2" DIA) 14" = 14" (14" DIA) 14 1/2" = 14 1/2" (14 1/2" DIA) 15" = 15" (15" DIA) 15 1/2" = 15 1/2" (15 1/2" DIA) 16" = 16" (16" DIA) 16 1/2" = 16 1/2" (16 1/2" DIA) 17" = 17" (17" DIA) 17 1/2" = 17 1/2" (17 1/2" DIA) 18" = 18" (18" DIA) 18 1/2" = 18 1/2" (18 1/2" DIA) 19" = 19" (19" DIA) 19 1/2" = 19 1/2" (19 1/2" DIA) 20" = 20" (20" DIA)	1/4" = 1/4" (1/4" DIA) 1/2" = 1/2" (1/2" DIA) 3/4" = 3/4" (3/4" DIA) 1" = 1" (1" DIA) 1 1/2" = 1 1/2" (1 1/2" DIA) 2" = 2" (2" DIA) 2 1/2" = 2 1/2" (2 1/2" DIA) 3" = 3" (3" DIA) 3 1/2" = 3 1/2" (3 1/2" DIA) 4" = 4" (4" DIA) 4 1/2" = 4 1/2" (4 1/2" DIA) 5" = 5" (5" DIA) 5 1/2" = 5 1/2" (5 1/2" DIA) 6" = 6" (6" DIA) 6 1/2" = 6 1/2" (6 1/2" DIA) 7" = 7" (7" DIA) 7 1/2" = 7 1/2" (7 1/2" DIA) 8" = 8" (8" DIA) 8 1/2" = 8 1/2" (8 1/2" DIA) 9" = 9" (9" DIA) 9 1/2" = 9 1/2" (9 1/2" DIA) 10" = 10" (10" DIA) 10 1/2" = 10 1/2" (10 1/2" DIA) 11" = 11" (11" DIA) 11 1/2" = 11 1/2" (11 1/2" DIA) 12" = 12" (12" DIA) 12 1/2" = 12 1/2" (12 1/2" DIA) 13" = 13" (13" DIA) 13 1/2" = 13 1/2" (13 1/2" DIA) 14" = 14" (14" DIA) 14 1/2" = 14 1/2" (14 1/2" DIA) 15" = 15" (15" DIA) 15 1/2" = 15 1/2" (15 1/2" DIA) 16" = 16" (16" DIA) 16 1/2" = 16 1/2" (16 1/2" DIA) 17" = 17" (17" DIA) 17 1/2" = 17 1/2" (17 1/2" DIA) 18" = 18" (18" DIA) 18 1/2" = 18 1/2" (18 1/2" DIA) 19" = 19" (19" DIA) 19 1/2" = 19 1/2" (19 1/2" DIA) 20" = 20" (20" DIA)	1/4" = 1/4" (1/4" DIA) 1/2" = 1/2" (1/2" DIA) 3/4" = 3/4" (3/4" DIA) 1" = 1" (1" DIA) 1 1/2" = 1 1/2" (1 1/2" DIA) 2" = 2" (2" DIA) 2 1/2" = 2 1/2" (2 1/2" DIA) 3" = 3" (3" DIA) 3 1/2" = 3 1/2" (3 1/2" DIA) 4" = 4" (4" DIA) 4 1/2" = 4 1/2" (4 1/2" DIA) 5" = 5" (5" DIA) 5 1/2" = 5 1/2" (5 1/2" DIA) 6" = 6" (6" DIA) 6 1/2" = 6 1/2" (6 1/2" DIA) 7" = 7" (7" DIA) 7 1/2" = 7 1/2" (7 1/2" DIA) 8" = 8" (8" DIA) 8 1/2" = 8 1/2" (8 1/2" DIA) 9" = 9" (9" DIA) 9 1/2" = 9 1/2" (9 1/2" DIA) 10" = 10" (10" DIA) 10 1/2" = 10 1/2" (10 1/2" DIA) 11" = 11" (11" DIA) 11 1/2" = 11 1/2" (11 1/2" DIA) 12" = 12" (12" DIA) 12 1/2" = 12 1/2" (12 1/2" DIA) 13" = 13" (13" DIA) 13 1/2" = 13 1/2" (13 1/2" DIA) 14" = 14" (14" DIA) 14 1/2" = 14 1/2" (14 1/2" DIA) 15" = 15" (15" DIA) 15 1/2" = 15 1/2" (15 1/2" DIA) 16" = 16" (16" DIA) 16 1/2" = 16 1/2" (16 1/2" DIA) 17" = 17" (17" DIA) 17 1/2" = 17 1/2" (17 1/2" DIA) 18" = 18" (18" DIA) 18 1/2" = 18 1/2" (18 1/2" DIA) 19" = 19" (19" DIA) 19 1/2" = 19 1/2" (19 1/2" DIA) 20" = 20" (20" DIA)
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BEFORE LEGAL DESCRIPTIONS HAVE BEEN FURNISHED BY THE CLIENT OR HOLDER REPRESENTATIVE, PUBLIC RECORDS HAVE NOT BEEN RESEARCHED BY THE SURVEYOR TO DETERMINE THE ACCURACY OF THESE DESCRIPTIONS NOR HAVE ADJOINING PROPERTIES BEEN RESEARCHED TO DETERMINE OVERLAYS OR ENCLAVES.

Scale:	1" = 20'
Prepared by:	DALESON
Checked by:	JR
Date:	02/18/05
Project No.:	120870-1516K

I HEREBY CERTIFY THAT THIS SURVEYING WAS DONE BY RESPONSIBLE CHARGE AND MEETS THE NECESSARY TECHNICAL STANDARDS TO BE MET UNDER THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN ACCORDANCE WITH CHAPTER 461, F.S. (FLORIDA REGISTERED PROFESSIONAL SURVEYORS AND MAPPERS ACT), AND I AM A LICENSED PROFESSIONAL SURVEYOR AND MAPPER IN THE STATE OF FLORIDA. I HAVE REVIEWED THE RECORDS OF THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS AND HAVE FOUND NO REASON TO BELIEVE THAT THIS SURVEYING DOES NOT COMPLY WITH THE TECHNICAL STANDARDS REQUIRED BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS.

*[Signature]*

**R. E. REECE, P.A.**  
PROFESSIONAL SURVEYOR AND MAPPER

3084 ELMWOOD TRAIL, BIG PINE KEY, FL 33043  
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FAX (305) 872-5622