

**PLANNING BOARD
RESOLUTION No. 2013-53**

**A RESOLUTION OF THE CITY OF KEY WEST
PLANNING BOARD FOR VARIANCE/ APPROVAL FOR
BUILDING COVERAGE, IMPERVIOUS SURFACE
RATIO, FRONT, SIDE AND REAR-YARD SETBACK
REQUIREMENTS FOR PROPERTY LOCATED AT 728
WINDSOR LANE (RE#00018890-000100, AK# 1019542) IN
THE HISTORIC HIGH DENSITY RESIDENTIAL ZONING
DISTRICT, PER SECTIONS 122-28(b) AND 122-630 OF
THE LAND DEVELOPMENT REGULATIONS OF THE
CODE OF ORDINANCES OF THE CITY OF KEY WEST.**

WHEREAS, the existing structure has legal non-conforming building coverage, impervious surface ratio, front, side and rear-yard setbacks; and

WHEREAS, Section 122-630 of the Code of Ordinances provides that the maximum building coverage allowed is 50%, impervious surface ratio is 60%, minimum allowed front-yard setback is 10 feet, side-yard setback is 5 feet and rear-yard setback is 20 feet; and

WHEREAS, existing building coverage is 56.2%, impervious surface ratio is 58.2%, front-yard setback is 4 feet, left side-yard setback is 0 feet, right side-yard setback is 3 feet and the rear-yard setback is 17.33 feet; and

WHEREAS, the applicant requested a variance to these existing legal non-conformities and to increase building coverage and the impervious surface ratio; and

 Chairman

 Planning Director

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on September 26th, 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 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

 Chairman

 Planning Director

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

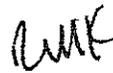
WHEREAS, the Planning Board finds that the granting of the variances will be in harmony with the general intent and purpose of the land development regulations and that such variances will not be injurious to the area involved or otherwise detrimental to the public interest or welfare; and

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.



Chairman



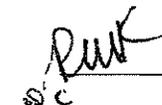
Planning Director

Section 2. An approval by resolution of the Key West Planning Board for variances to allow the renovation and reconstruction of the structure and for an increase of building coverage and the impervious surface ratio per plans dated July 22, 2013, for property located at 728 Windsor Lane (RE# 00018890-000000, AK 1019542) in the HHDR zoning district per Sections 122-28(b) and 122-630 of the Land Development Regulations of the Code of Ordinances of the City of Key West with the following condition:

Per the Fire Department's direction, the five foot setback surrounding the swimming pool be maintained with minimal landscaping.

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 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 approval as described in Section 3 hereof, shall immediately operate to terminate these variances, which


_____ Chairman
_____ Planning Director

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 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.

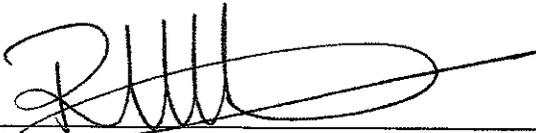
Read and passed on first reading at a regularly scheduled meeting held this 26th day of September, 2013.

Page 5 of 6
Resolution Number 2013-53


Chairman


Planning Director

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


Richard Klitenick, Planning Board Chairman

10/15/2013
Date

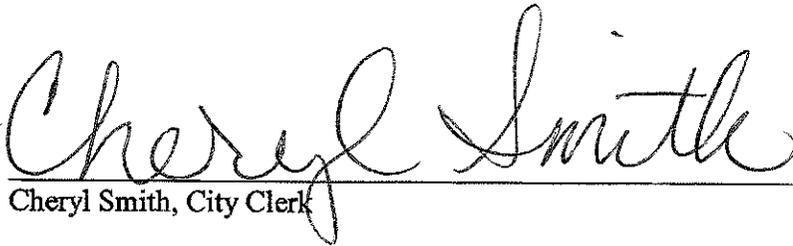
Attest:


Donald Leland Craig, AICP, Planning Director

10/11/13

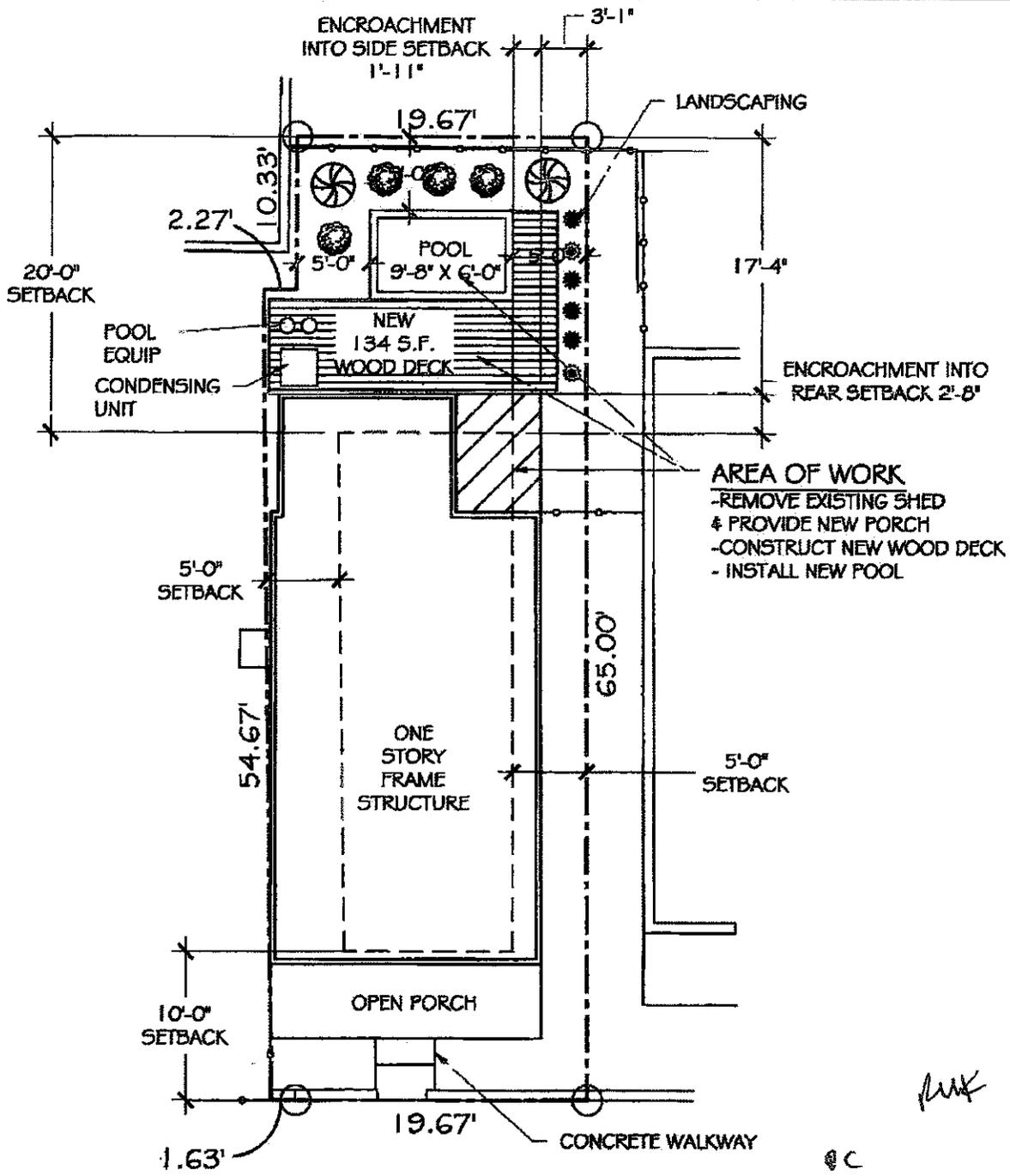
Date

Filed with the Clerk:


Cheryl Smith, City Clerk

10-16-13

Date



AREA OF WORK
 -REMOVE EXISTING SHED
 & PROVIDE NEW PORCH
 -CONSTRUCT NEW WOOD DECK
 -INSTALL NEW POOL

RLK

QC
 10/11/13

WINDSOR LANE



PROPOSED SITE PLAN

SCALE: 1"=10'-0"

PEREZ ENGINEERING & DEVELOPMENT, INC
 1100 HENRY DR., SUITE 2001
 KEY WEST, FL 33040
 TEL: (305) 388-6440 FAX: (305) 388-6242

PLANS BY: PEREZ ENGINEERING & DEVELOPMENT, INC
 DATE: 07-22-13

728 WINDSOR LANE

Date
 07-22-13

Project No.

SITE DATA TABLE

	EXISTING CONDITIONS	ALLOWABLE CONDITIONS	PROPOSED CONDITIONS	COMMENTS
DISTRICT	HHDR	HHDR	HHDR	
LOT SIZE	1385 SF	1385 SF	1385 SF	
BUILDING AREA	780 SF	639 SF	792 SF	
BUILDING COVERAGE %	56%	50%	57.2%	
IMPERVIOUS COVERAGE	807 SF	767 SF	865 SF	
IMPERVIOUS COVERAGE %	63%	60%	62.5%	
WOOD DECK AREA ON PROPERTY	287 SF		134 SF	
WOOD DECK AREA ON PROPERTY PERCENTAGE	23%		9.7%	
BUILDING HEIGHT	<25'-0"	30'-0"	<25'-0"	
FRONT SETBACK	4'-2"	10'-0"	4'-2"	
SIDE SETBACK	0'-0"	5'-0"	0'-0"	
STREET SIDE SETBACK	N/A	5'-0"	N/A	
REAR SETBACK	17'-3"	20'-0"	17'-3"	

RMK

QC
10/13



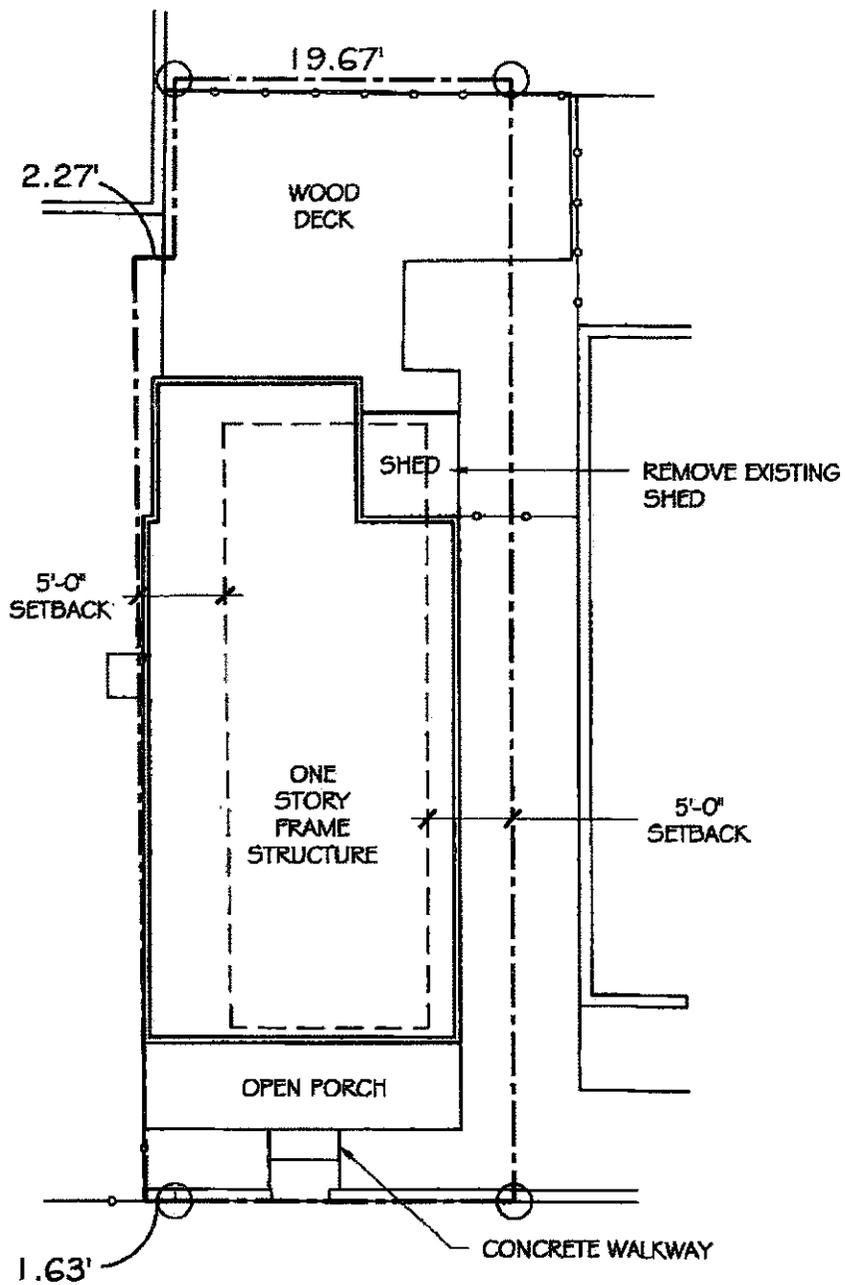
**PEREZ ENGINEERING
& DEVELOPMENT, INC**
Professional Seal Registration No. 8572

P.A.L. R. KOSCHER
FLORIDA P.E.# 48187
1010 KENNEDY DR., SUITE 602H
KEY WEST, FL 33542
TEL: (305) 233-8640 FAX: (305) 233-4044

728 WINDSOR LANE

Date
07-22-13

Project No.



WINDSOR LANE

DC
(10/11)

LINK



EXISTING SITE PLAN

SCALE: 1"=10'-0"

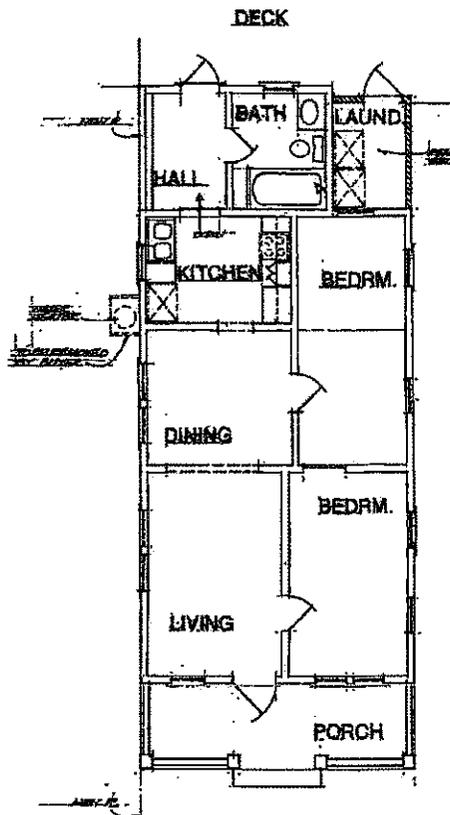
PEREZ ENGINEERING & DEVELOPMENT, INC
COMMERCIAL ADMINISTRATION NO. 0572

PALLA, ARCHER
 FLORIDA PE # 46137
 1810 KENNEDY DR., SUITE 9021
 KEY WEST, FL 33942
 TEL: (305) 853-0140 FAX: (305) 329-0249

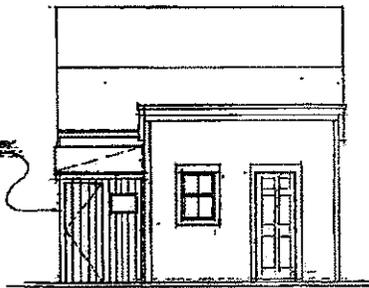
728 WINDSOR LANE

Date
07-22-13

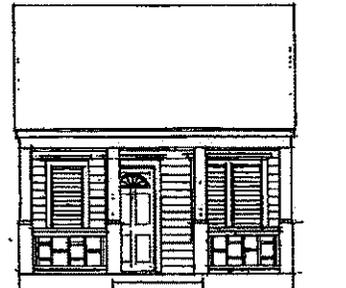
Project No.



FLOOR PLAN
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"



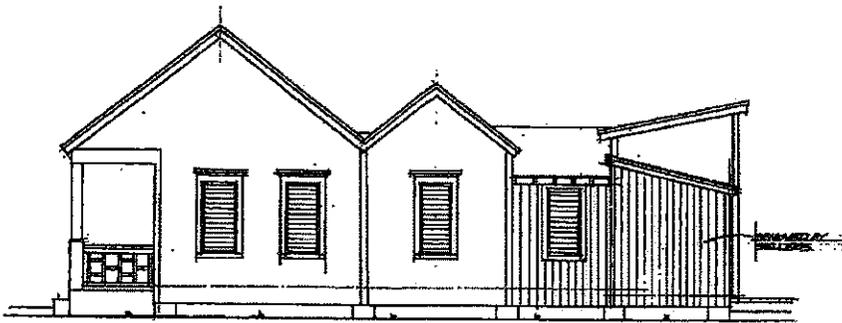
FRONT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

DOOLEY - THIGPEN RESIDENCE		
Project No. 101113	Client: [illegible]	Scale: 1/4" = 1'-0"
Architect: [illegible]	Contractor: [illegible]	Sheet No. EX-1
EXISTING CONDITIONS		
Richard Dooley, 923 Maryland Street New Orleans, Louisiana, 70114		

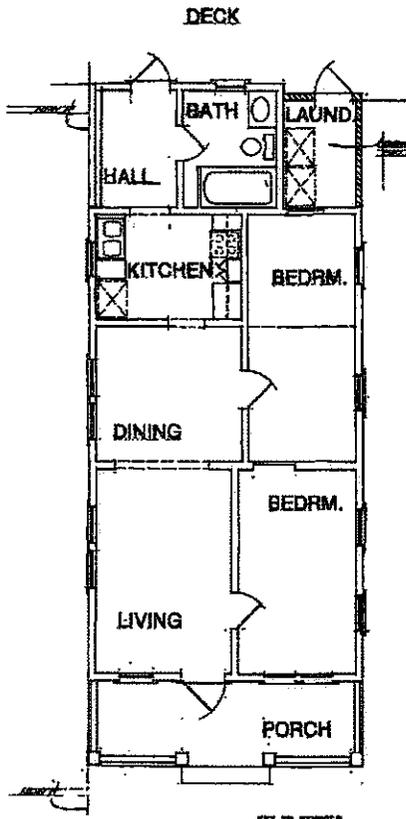
OK
101113
Rmk



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

DOOLEY - THOMPEN RESIDENCE	
DATE: 10/11/13	PROJECT NO.:
CLIENT: RMC	NO.:
EXISTING CONDITIONS	
Richard Dooley, 899 Bienville Street New Orleans, Louisiana 70116	
EX-2	

PC RMC
(0/11)

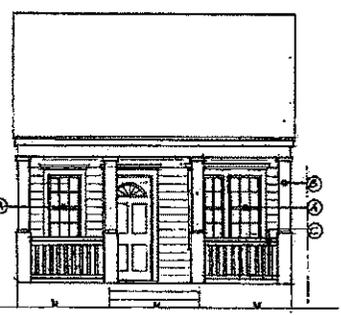


FLOOR PLAN
SCALE: 1/4" = 1'-0"

- KEY TO SYMBOLS**
- A - Remove existing metal louvers and install new wood, double hung, 6 over 6 pane divided lite, single glazed, with 7/8" spline in existing opening. (See attached Marvin Window specifications).
 - B - Replace existing rotted wood columns with new 4x4, pressure treated solid posts, with chamfered edge and simple base and top moulding.
 - C - Replace existing 2x2 and plywood railings with new p.r.t. 2x2 wood pickets and new top and bottom railings.
 - D - Remove existing aluminum door and install new 15 lite wood french door with four divided lite, single glazed and in existing opening.



REAR ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

REMOVE GULLY & SIDING
BEFORE REPLACING
IN THIS AREA

DOOLEY - THIGPEN RESIDENCE		3725 WINDSOR LANE DADE COUNTY, FLORIDA	
SCALE: 1/4" = 1'-0"	DATE: 2-28-2007	DRAWN BY: A.J.D.	DATE:
REVISED ELEVATIONS			
Richard Hootley, 332 Esplanade Street New Orleans, Louisiana 70116			A-1

QC
10/1/7
RMC



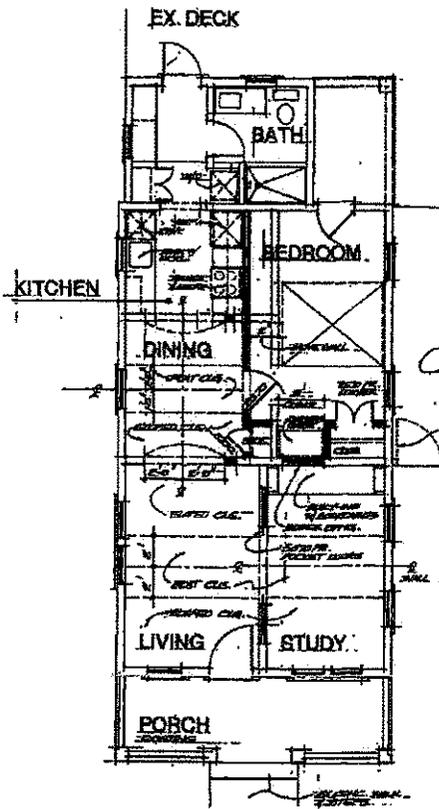
RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

KEY TO SYMBOLS

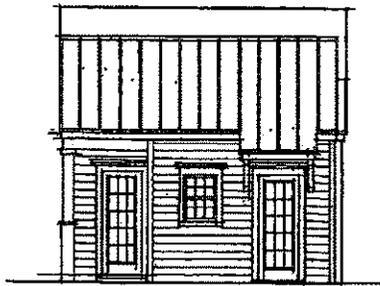
- A - Remove existing metal lintels and install new wood. Double hung, 6 over 6 true divided lite, single glazed, with 7/8" rabbet in existing openings. (See attached Marvin Window specifications).
- B - Replace existing rotted wood sills with new 2x4, pressure treated solid ports, with chamfered edge and simple base and cap molding.
- C - Replace existing 2x2 and plywood railings with new p.l. 2x2 wood pickets and new top and bottom railing.
- D - Remove existing aluminum door and install new 15 lite wood screen door with true divided lite, single glazed unit in existing opening.

DOOLEY - THIGPEN RESIDENCE		NEW ORLEANS, LOUISIANA	
DATE: 10-1-1977	PROJECT NO.:	SCALE:	REVISIONS:
REVISED ELEVATIONS			
Richard Dooley, 932 Burgundy Street New Orleans, Louisiana 70112			A-2

OC
10113
LWK



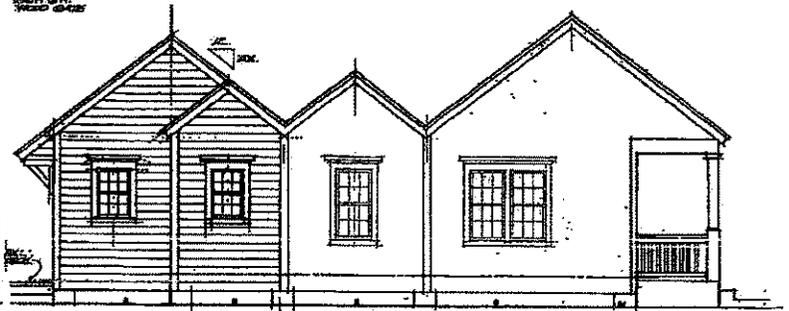
REVISED FLOOR PLAN



REAR ELEVN.



FRONT ELEVN.



LEFT SIDE ELEVATION

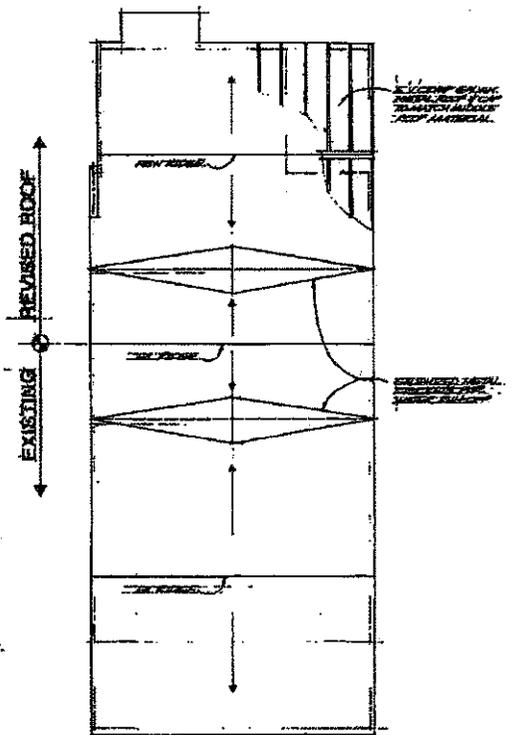
EX. REVISED EXISTING

DOOLEY - THIGPEN RESIDENCE	
DATE	REVISION
REVISED PLAN & ELEVNS.	
Richard Doolley, 222 Burpenny Street New Orleans, Louisiana 70113	
A-3	

10/1/13 RUK



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



REVISED ROOF PLAN
SCALE: 1/4" = 1'-0"

DOOLEY - THIGREN RESIDENCE	
722 WINDING LAKE, FORT WORTH, TEXAS	
DESIGNED BY	ARCHITECTED BY
DRAWN BY	DATE
REVISED ELEV. & ROOF PLAN	
Richard Dooley, 524 Broadway Street, New Orleans, Louisiana, 70130	
	A-4

PC
10/1/73
RMT