

RESOLUTION NO.

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, APPROVING A REQUEST FOR INTERPRETATION OF DISTRICT BOUNDARIES PURSUANT TO SECTIONS 122-94(7) OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, ON PROPERTY LOCATED AT 417 SOUTHARD STREET (RE # 00010040-000000; AK # 1010324) WITHIN THE HISTORIC RESIDENTIAL COMMERCIAL CORE - DUVAL STREET GULFSIDE (HRCC-1) AND HISTORIC RESIDENTIAL OFFICE (HRO) ZONING DISTRICTS; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 122-94 (7), of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that Uncertainties. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map or if any other uncertainty exists, the city commission shall interpret the intent of the official zoning map as to the location of district boundaries.; and

WHEREAS, the approval of the request for district boundary interpretations consistent with the criteria of the Code of Ordinances; and

WHEREAS, pursuant to Code Section 122-94 (7), the City Commission shall interpret the intent of the official zoning map as to the location of district boundaries; and

WHEREAS, the City Commission has approved the request for interpretation of district boundaries to recognize the entire

building and parcel located at 417 Southard Street(RE # 00010040-000000; AK # 1010324) as Historic Residential Commercial Core - Duval Street Gulfside (HRCC-1) ; and

WHEREAS, the approval of the request for district boundary interpretations will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

NOW THEREFORE BE IT RESOLVED by the City Commission 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 the City Commission grants approval of approval of the request for interpretation of district boundaries to recognize the entire building and parcel located at 417 Southard Street (RE # 00010040-000000; AK # 1010324) as Historic Residential Commercial Core - Duval Street Gulfside (HRCC-1) pursuant to Sections 122-94(7) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Section 3. This interpretation of district boundaries 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 4. 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 5. 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 will be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 73C, F.A.C., this permit 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 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.

Passed and adopted by the City Commission at a meeting held this 15th day of November, 2016.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2016.

Filed with the Clerk _____, 2016.

Mayor Craig Cates	_____
Vice Mayor Clayton Lopez	_____
Commissioner Samuel Kaufman	_____
Commissioner Richard Payne	_____
Commissioner Margaret Romero	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK