

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, GRANTING/DENYING THE APPEAL BY ATTORNEY WAYNE LARUE SMITH FOR PROPERTY OWNER GEORGIA/CAROLINA I AND D LLC, UPHOLDING/REPEALING THE PLANNING DIRECTOR'S LAWFUL UNIT DETERMINATION FOR 810-812 DUVAL STREET AND 809-813 SHAVERS LANE REAR (dba TROPICAL INN); PROVIDING FOR AN EFFECTIVE DATE

**WHEREAS**, at its meeting of January 18, 2017, the City Commission, sitting as the Key West Board of Adjustment conducted a quasi-judicial hearing concerning an appeal by the property owners of the Planning Director's Lawful Unit Determination dated December 6, 2016, for property located at 810-812 Duval Street and 809-813 Shavers Lane Rear (dba Tropical Inn); and

**WHEREAS**, the Board of Adjustment considered the record upon which the City Planning Director rendered his decision, and provided opportunity for presentation by the appellant and the City Planner; and

**WHEREAS**, City Code of Ordinances section 90-431(4) requires the concurring vote of no less than four members of the Board of Adjustment/City Commission to reverse or modify the order, requirement, decision or determination of the city planner.

NOW, THEREFORE, BE IT RESOLVED BY THE BY THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, AS FOLLOWS:

Section 1: That the appeal is hereby granted/denied.

Section 2: That the ruling of the City Planner is repealed and denied/upheld and affirmed as consistent with the Land Development Regulations.

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the signature of the Presiding Officer and the Clerk of the Board.

Passed and adopted by the Board of Adjustment at a meeting held this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Authenticated by the Presiding Officer and Clerk of the Board on \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Filed with the Clerk on \_\_\_\_\_, 2017.

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

\_\_\_\_\_  
CRAIG CATES, CHAIRMAN

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK