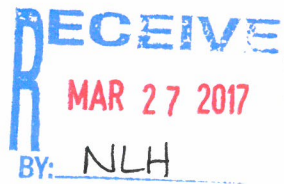


March 27, 2017



Melissa Paul-Leto, Planner
City of Key West
1300 White Street
Key West, FL 33040

**Re: 716-718 South Street
Development Plan Approval Extension Petition and
Variance per Resolution 15-090 and Resolution 15-092**



Dear Melissa,

Please consider this letter our petition to extend Resolution 15-090, a Major Development Plan Approval, and Resolution 15-092, a variance to maximum height, and all its associated approvals for the above referenced project at 716-718 South Street pursuant to Sec. 108-203 (b)ⁱ. The Development Plan became effective on May 14, 2015 concurrent with the expiration of the DEO appeal period. A one year extension was granted by the City Commission¹ and received final approval by the DEO on February 24, 2016.

The continuing rise of construction costs has created a hardship for moving this project forward. The owners are requesting a one-year extension to allow them the additional time to secure funds for completion of the project. Key West Code Sec. 108-203(b) permits an initial 12-month extension and subsequent extensions if fully noticed in accordance with division 2 of article VIII of chapter 90ⁱⁱ.

Attached are two checks for \$400 each to process both extensions. We thank you in advance for your consideration in this matter.

Respectfully,

A handwritten signature in black ink, appearing to read "Lori L. Thompson".

Lori L. Thompson
Project Manager

¹ Resolution 16-025

ⁱ Sec. 108-203. Expiration, transferability and extension.

- (b) If the property receiving development plan approval shall be sold, transferred, leased, or the ownership thereof changes in any way whatsoever, the development plan approval shall be transferable. A development plan approval may be extended only one time for 12 months by a favorable vote by the body that granted the original approval, if the applicant submits a petition for such extension prior to the development plan's expiration and demonstrates reasonable cause for the extension. The burden of proof in justifying reasonable cause shall rest with the applicant. **Subsequent extensions may be granted but shall be fully noticed in accordance with division 2 of article VIII of chapter 90.** (emphasis added)

ⁱⁱ **Division 2 of article VIII of chapter**

90. Sec. 90-641. Scope.

Except as required by F.S. §§ 163.3181(3)(a), 163.3225(2), and 166.041(3)(a), (c), the city shall provide notice for public hearings on variances, board of adjustment actions, planning board actions, appeals, vacation of public easements or rights-of-way, conditional uses, development plans, subdivision plans, planned redevelopment and development plans, as provided in this division.

Sec. 90-642. Newspaper notice.

In accordance with the requirements of sections 90-645 and 90-646, the city shall be required to publish an advertisement of the public hearing in a newspaper of general paid circulation in the city and of general interest and readership in the city, not one of limited subject matter.

Sec. 90-643. Mail notice.

In accordance with the requirements of sections 90-645 and 90-646, the city shall mail a notice of the public hearing to each property owner located within 300 feet of the outer boundaries of the land which is the subject of the request, based upon the list of property owners maintained by the planning department and periodically updated with ad valorem tax records.

Sec. 90-644. Posted notice.

In accordance with the requirements of sections 90-645 and 90-646, the city shall post a notice of the public hearing on the subject property that is legible from the adjacent public street. The notice shall contain block lettering on a high contrast background color with the words "public notice" in letters three inches or more in height.

Sec. 90-645. Content of notice.

The notice required by this division shall contain the date, time and place of the public hearing and a common description of the location of the subject site and the nature of the project.

Sec. 90-646. Timing of notice.

- (a) The notice required by this division shall be given at least ten days prior to the date set for the public hearing at which the application is first considered. A copy of the notice shall be available for public inspection during regular business hours of the city clerk.
- (b) The first two postponements of an item shall not require a new notice, provided that the postponement is to a date and location certain. In the event of a third postponement, then a new notice shall be given as provided herein. If at least two of the three postponements were at the applicant's request or due to the applicant's actions, then the applicant shall bear the cost of the re-notice; otherwise the cost shall be borne by the city.