

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING APPROVAL OF A MAJOR DEVELOPMENT PLAN FOR THE RECONSTRUCTION OF THE SEVENTH FLOOR FROM A MEETING ROOM AND BAR FOR CONVERSION INTO A SIX-UNIT DAY-SPA FOR PROPERTY LOCATED AT 430 DUVAL STREET (RE# 00006570-000000, AK# 1006807) IN THE HRCC-1 ZONING DISTRICT, KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the subject property is located in the Historic Residential Commercial Core, Gulf Side (HRCC-1) zoning district; and

WHEREAS, Section 108-91A(2)(b) of the Code of Ordinances requires Major Development Plans for the construction of 2,500 of gross floor area or greater; and

WHEREAS, the applicant proposed the reconstruction of approximately 4,900 square feet of floor area to be used as a six-space day-spa facility; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on July 18, 2013, resulting in Planning Board Resolution No. 2013-034; and

WHEREAS, pursuant to Section 108-198, the City Commission shall review and act upon Major Development Plan proposals; and

WHEREAS, the granting of this Major Development Plan will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the surrounding 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 the application for Major Development Plan, per Section 108-91 of the Code of Ordinances of the City of Key West, Florida, for the reconstruction of approximately 4,900 square feet of existing meeting room and bar area into a six unit day-spa, on the seventh floor of property located at 430 Duval Street (RE#00006570-000000, AK# 1006807) in the HRCC-1 zoning district, as shown in the attached plans dated July 3, 2013.

Section 3. Full, complete, and final application for all permits required for which this resolution is wholly or partly necessary, shall be submitted in its entirety within 12 months after the date hereof.

Section 4. This Major Development Plan 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 5. 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 6. 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 (DEO). 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 _____ day of _____, 2013.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2013.

Filed with the Clerk _____, 2013.

Mayor Craig Cates	_____
Vice Mayor Mark Rossi	_____
Commissioner Teri Johnston	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____
Commissioner Tony Yaniz	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK