

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, [GRANTING/DENYING] THE APPEAL BY C & D PROPERTIES OF KEY WEST, 1, LLC, AND [UPHOLDING/DENYING/AMENDING] THE PLANNING DEPARTMENT'S NON-CONFORMING USE DETERMINATION FOR 405 FLEMING STREET; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, at its meeting of November 6, 2013, the City Commission conducted a quasi-judicial hearing concerning an appeal by the owner, C & D Properties of Key West, 1, LLC, of a non-conforming use determination with regard to the property located at 405 Fleming Street; and

WHEREAS, the City Commission considered the record upon which the City Planning Department rendered its decision, and provided opportunity for testimony of 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 to reverse or modify the order, requirement, decision or determination of the city planner.

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

Section 1: That the appeal is hereby _____.

Section 2: That the ruling of the City Planner is [upheld and affirmed/denied/amended as follows: _____].

Section 3: That this Resolution shall go into effect immediately upon its passage and adoption and authentication by the

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 _____ day of _____, 2013.

Filed with the Clerk on _____, 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