## PLANNING BOARD RESOLUTION No. 2013-34

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD FOR APPROVAL OF A MAJOR DEVELOPMENT PLAN FOR 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) PERSUANT TO SECTION 108-91 (A.)(2.)(b.)OF THE LAND DEVELOPMENT REGULATIONS OF 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 108-91 A(2.)(b.) of the Code of Ordinances requires Major Development Plans for the construction of 2,500 square feet of gross floor area or greater; and

WHEREAS, the applicant proposed the construction of approximately 4,800 square feet of floor area to be used as a six-space day-spa facility; and

WHEREAS, this approval of a Major Development Plan is consistent with the Land Development Regulations and the Comprehensive Plan; and

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WHEREAS, the recommendation of approval of the Major Development Plan is 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

WHEREAS, the approval is consistent with the criteria in the Code; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Board 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 a Major Development Plan for the reconstruction of approximately 4,800

square feet of existing meeting room and bar area into six day-spa spaces per Section 108-

91A.(2.)(b.), under the Code of Ordinances of the City of Key West, Florida, is hereby

recommended for City Commission approval for property located at 430 Duval Street (RE#

00006570-000000, AK# 1006807), as shown on the attached plan set dated July 3, 2013.

Section 3. This Major Development Plan application recommended for approval to the City

Commission, 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

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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 or development order will be rendered to the Florida Department of Economic

Opportunity. Pursuant to Chapter 9J-1, F.A.C., this permit or development order 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 or development order 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. Read and passed on first reading at a special meeting held

this 18th day of July, 2013, authenticated by the Acting Chairman of the Planning Board and the

Planning Director.

James Gilleran, Acting Chairman

Key West Planning Board

Date

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\_\_\_\_\_Acting Chairman

Planning Director

Attest:

Donald Leland Craig, AICP

Planning Director

8/13/2013 Date

Filed with the Clerk:

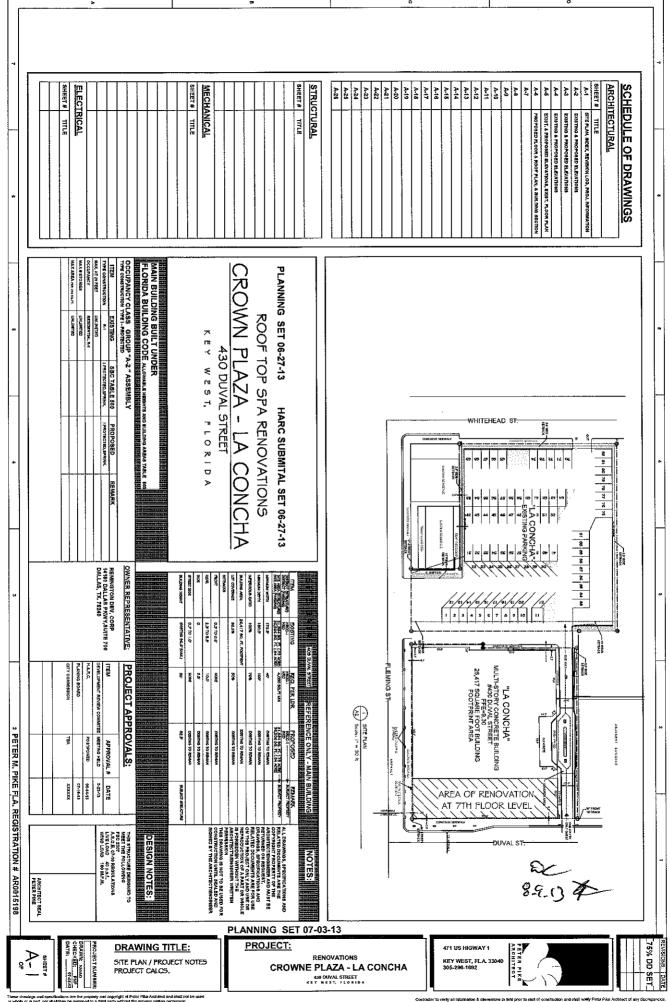
Cheryl Smith, City Clerk

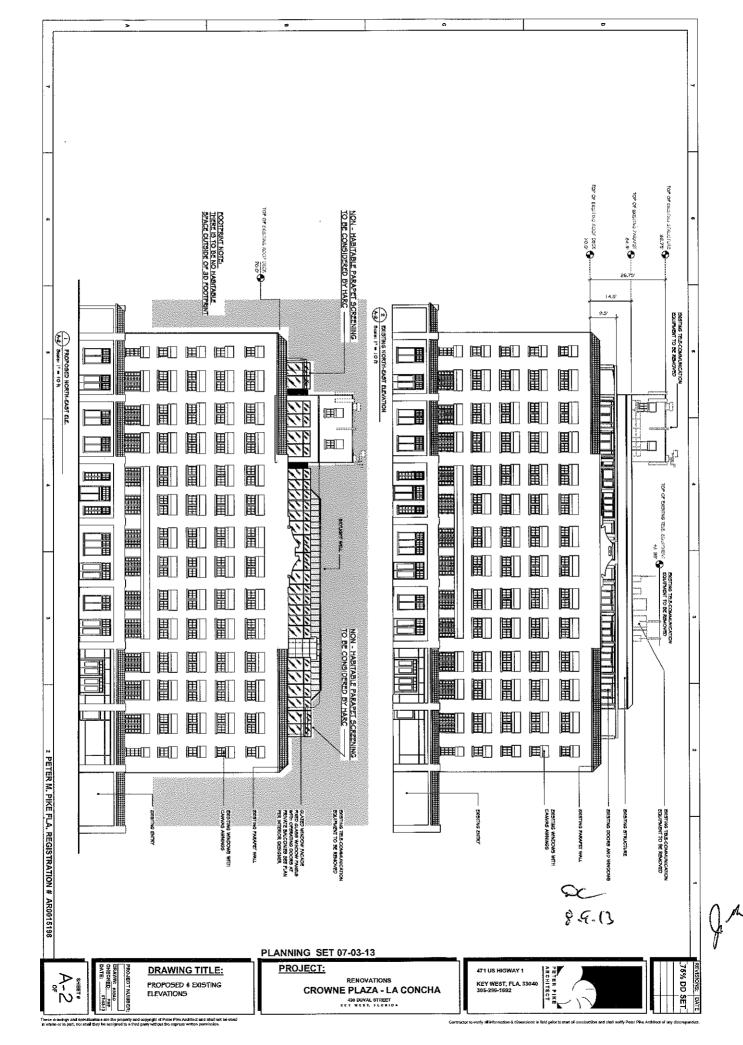
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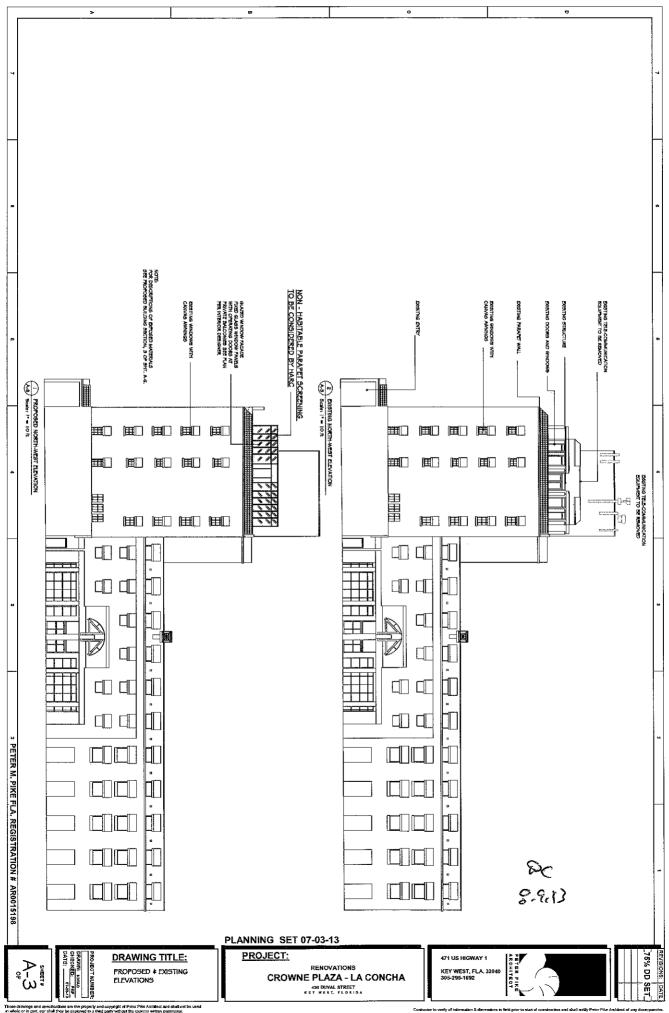
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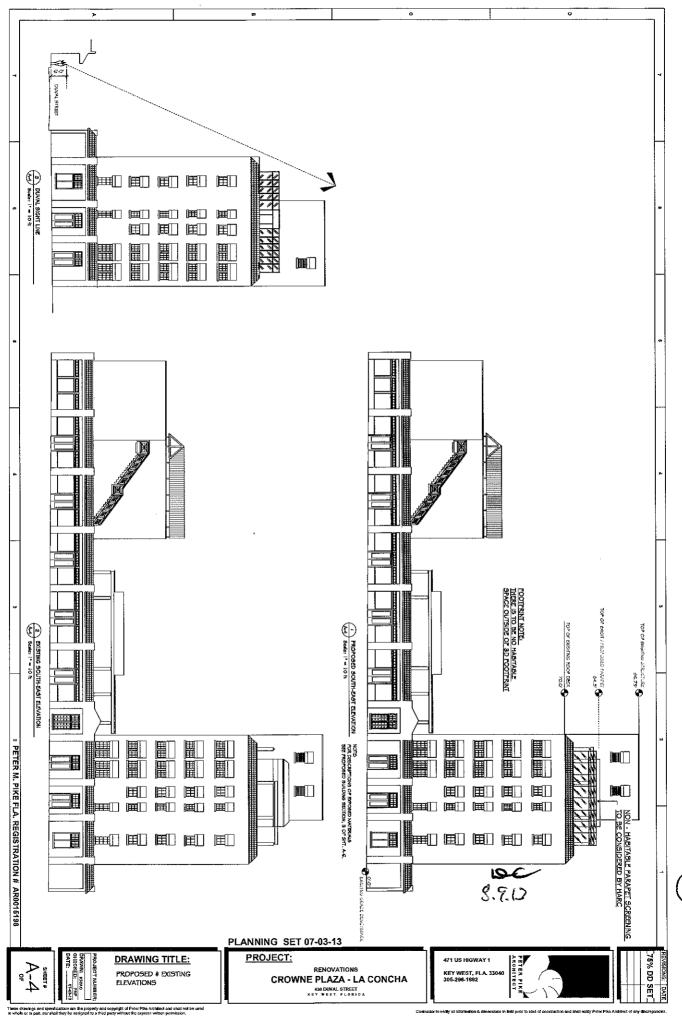
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Acting Chairman
Planning Director









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