

RESOLUTION NO. _____

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, AFFIRMING/REVERSING THE CITY PLANNING DIRECTOR'S DENIAL OF KW EMPIRE, LLC'S APPLICATION FOR A SUBDIVISION DETERMINATION FOR 1905 STAPLES AVE., UPON THE FINDINGS DETAILED HEREIN; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, at its meeting on December 12, 2024 the City Commission, in its capacity as the Key West Board of Adjustment, conducted a quasi-judicial hearing concerning an appeal by KW Empire, LLC - the owner of 1905 Staples Ave. - more particularly described in that certain Warranty Deed recorded in 1986, in Monroe County Official Records Book at OR 955-1991; and

WHEREAS, the Board of Adjustment considered the record evidence upon which the City Planner rendered the 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; and

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

Section 1: The Planning Director's denial of the Applicant's request for a subdivision determination is hereby **affirmed/reversed**, based upon the following:

Section 2: The record **contains/does not contain** legally sufficient evidence to support the Planning Director's decision, the essential requirements of law **were/were not** followed, and procedural due process **was/was not** afforded.

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 meeting at
a meeting held this _____ day of December 2024.

Authenticated by the Presiding Officer and Clerk of the
Board on the _____ day of December 2024.

Filed with the Clerk on _____, 2024.

Chair Danise Henriquez	_____
Vice Chair Lissette Carey	_____
Commissioner Aaron Castillo	_____
Commissioner Monica Haskell	_____
Commissioner Mary Lou Hoover	_____
Commissioner Sam Kaufman	_____
Commissioner Donald "Donie" Lee	_____

DANISE HENRIQUEZ, CHAIR

ATTEST:

KERI O'BRIEN, CITY CLERK