

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING A MAJOR DEVELOPMENT PLAN APPROVAL PURSUANT TO SECTION 108-91 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA TO RENOVATE AN EXISTING HISTORIC STRUCTURE, ENCLOSE A PORTION OF THE STRUCTURE AND ADD COMMERCIAL FLOOR AREA TO OPEN SPACE ON PROPERTY LOCATED AT 220 MARGARET STREET (RE # 0072082-004400) IN THE HISTORIC RESIDENTIAL COMMERCIAL CORE (RCC-2) ZONING DISTRICT; PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 108-91 of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") provides that within the Historic District, a Major Development Plan is required for the addition or reconstruction of equal to or greater than 2,500 square feet of gross floor area; and

WHEREAS, the subject property is located within the Historic Residential Commercial Core (HRCC-2) Zoning District; and

WHEREAS, the address of the subject property used to be 231 Margaret St. but has since been officially changed to 220 Margaret St.; and

WHEREAS, Code Section 108-196(a) requires the Planning Board to review and approve, approve with conditions, or deny the proposed Major Development Plan in an advisory capacity to the City Commission; and

WHEREAS, this matter came before and was approved by the Planning Board at a duly noticed public hearing on July 15th, 2021; and

WHEREAS, the granting of a Major Development Plan is consistent with the criteria of the Code of Ordinances; and

WHEREAS, the City Commission finds that the granting of a 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.

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

Section 1: That the above recitals are incorporated by reference as if fully set forth herein.

Section 2: The Major Development Plan to renovate an existing historic structure, enclose a portion of the structure, and add commercial floor area to open space on a property located at 220 Margaret Street in the HRCC-2 zoning district pursuant to Section 108-91 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, as shown in the attached plans dated July 9, 2021, is hereby approved with the following conditions:

1. Adhere to the landscape plan as provided in the Urban Forester's Staff Report attached to PB Resolution 2021-

33 and maintain all landscaping in good health per the City's Land Development Regulations.

2. Construction will be in accordance with plans signed, sealed and dated July 9, 2021, by Richard J. Milelli, PE #58315.

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 approval does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of the applicant's assertion of legal authority respecting the property.

Section 5: That this resolution is subject appeal periods as provided by the Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order shall be rendered to the Florida Department of Economic Opportunity. Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for 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 45-day review period, the DEO can

appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Section 6: 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 Commission.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2021.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2021.

Filed with the Clerk on _____, 2021.

Mayor Teri Johnston	_____
Vice Mayor Sam Kaufman	_____
Commissioner Gregory Davila	_____
Commissioner Mary Lou Hoover	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____

TERI JOHNSTON, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK