

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, AUTHORIZING A MAJOR DEVELOPMENT PLAN AND CONDITIONAL USE FOR THE INSTALLATION OF STACKED BOAT RACKS AT SUNSET MARINA IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT FOR PROPERTY LOCATED AT 5555 COLLEGE ROAD, KEY WEST (RE# 00072080-001400); PROVIDING CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE;

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

WHEREAS, at its meeting of April 15, 2010, the Key West Planning Board recommended approval with conditions; and

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

Section 1: That the attached Major Development Plan and Conditional Use for the installation of stacked boat racks at Sunset Marina is approved with conditions.

Section 2: That the plan approval is conditioned upon: (1) the amended settlement agreement must be modified to incorporate the proposed changes to the development program, as well as past changes not fully incorporated into the program, and be approved by the City Commission and Florida Department of Community Affairs; and (2) prior to any building permit issuance, required environmental permitting must be in place demonstrating consistency with the site plans, including stormwater and slip construction, approved as part of Planning Board Resolution 2010-016.

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 Commission, 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 Community Affairs. 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 DCA with all exhibits and applications attached to or incorporated by reference in the development order; that within the forty five (45) day review period the DCA 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 or development order until the appeal is resolved by agreement or order.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2011.

Authenticated by the presiding officer and Clerk of the Commission on _____, 2011.

Filed with the Clerk _____, 2011.

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK