

**PLANNING BOARD
RESOLUTION NO. 2025-__**

TRANSFER OF A TRANSIENT UNIT AND LICENSE – A REQUEST TO TRANSFER TWO TRANSIENT UNITS AND LICENSES FROM A SENDER SITE LOCATED AT 623 - 627 TRUMAN AVENUE (RE# 00018400-000000, 00018390-000000) IN THE HISTORIC MEDIUM DENSITY RESIDENTIAL DISTRICT TO A RECEIVER SITE LOCATED AT 1128-1130 DUVAL STREET (RE# 00027950-000000) IN THE HISTORIC RESIDENTIAL COMMERCIAL CORE – 3 ZONING DISTRICT, PURSUANT TO SECTION 122-1338, AND 122-747 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCE OF KEY WEST, FLORIDA.

WHEREAS, transient units may be transferred with an accompanying business tax receipt to reduce noncomplying density; and

WHEREAS, the applicant filed a request to transfer two (2) transient units and two (2) transient license from a sender site located at 623 - 627 Truman Avenue (RE# 00005290-000000) in the Historic Neighborhood Commercial (HNC-1) zoning district, to a receiver site located at 1128 – 1130 Duval Street (RE# 00027950-000000) in the Historic Residential Commercial Core – 3 (HRCC-3) zoning district, pursuant to Sections 122-1338 and 122-747 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; and

WHEREAS, Section 122-1338 outlines the review criteria for the transfer of transient units; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on July 17, 2025; and

WHEREAS, the Planning Board found that the proposed transient unit and license transfer

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complies with the criteria in Section 122-1338; and

WHEREAS, the approval of the transient unit and license transfer application will be 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

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 fully set forth herein.

Section 2. That a request for a transient license transfer, under the Code of Ordinances of the City of Key West, Florida, per Section 122-1338 is hereby approved as follows: two transient units and licenses shall be transferred from the sender site at 623 - 627 Truman Avenue (RE# 00018400-000000, 00018390-000000) to the receiver site at 1128 – 1130 Duval Street (RE# 00027950-000000), pursuant to Section 122-1338 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida with the following conditions:

1. Layout of units and licenses at the sender site shall maintain consistency with those submitted with the application and in the staff report.
2. Floor plans of both units at the receiver site shall maintain consistency with those submitted with the application and in the staff report.

3. The 'Delaney guest cottage' at 623 Truman Avenue must maintain a minimum of two licenses.
4. The applicant shall comply with the requirements of Section 122-1371: Transient living accommodations in residential dwellings; regulations.
5. If the transferee does not complete the purchase and sale of the transient licenses subject to this resolution within 90 days of the effective date of this resolution, the transfer and resolution shall be null and void and of no force or effect.

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 transient unit license transfer approval 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 property.

Section 5. 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 6. 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 Commerce. 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 DOC with all exhibits and

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applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DOC 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 regularly scheduled meeting held this 17th day of July 2025.

Authenticated by the Chairman of the Planning Board and the Planning Director;

Peter Batty, Planning Board Chair

Date

Attest:

Katie P. Halloran, Planning Director

Date

Filed with the Clerk:

Keri O'Brien, City Clerk

Date

_____ Chairman

_____ Planning Director