

**RESOLUTION NO. 2023-\_\_\_\_**

**A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING A PARKING AGREEMENT APPROVAL FOR PROPERTY LOCATED AT 918 FORT STREET (RE# 00001630-000801) - FOR THE CONSTRUCTION OF 126 AFFORDABLE HOUSING RESIDENTIAL UNITS ON PROPERTY LOCATED WITHIN THE HISTORIC NEIGHBORHOOD COMMERCIAL 4 - BAHAMA VILLAGE TRUMAN WATERFRONT (HNC-4) ZONING DISTRICT PURSUANT TO SECTION 108-244 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.**

**WHEREAS**, Section 108-244 of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) provides the minimum number of parking spaces is one per unit and off site parking facilities can be combined through an executed agreement; and

**WHEREAS**, the proposed use of the property consisting of multiple-family residential dwelling units is a permitted use within the Historic Neighborhood Commercial 4 – Bahama Village Truman Waterfront zoning district pursuant to Code Section 122-872; and

**WHEREAS**, this matter came before and was approved by the Planning Board at a duly noticed public hearing on December 19, 2022; and

**WHEREAS**, the granting of a parking agreement with the City of Key West is consistent with the criteria of the Code of Ordinances; and

**WHEREAS**, the City Commission finds that the granting of a parking agreement 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 parking agreement with the City of Key West to allow the use of sixteen (16) unmarked parking spaces at the city owned Truman Waterfront Park parking lot by the property located at 918 Fort Street (RE# 00001630-000801) within the Historic Neighborhood Commercial 4 – Bahama Village Truman Waterfront zoning districts, pursuant to Section 108-244 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida, is hereby approved. A copy of the parking agreement is attached.

**Section 3.** This resolution 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 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 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 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 18<sup>th</sup> day of

January 2023.

Authenticated by the presiding officer and Clerk of the Commission on January 18<sup>th</sup>, 2023.

Filed with the Clerk the \_\_\_\_\_ day of January 2023.

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

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TERI JOHNSTON, MAYOR

ATTEST:

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Cheryl Smith, City Clerk

Date