

RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, GRANTING/DENYING THE APPEAL BY ATTORNEY DAVID VAN LOON ON BEHALF OF PROPERTY OWNER GARY THE CARPENTER CONSTRUCTION, INC., UPHOLDING/REPEALING THE PLANNING DIRECTOR'S LAWFUL UNIT DETERMINATION FOR 1009 SIMONTON STREET #7; PROVIDING FOR AN EFFECTIVE DATE**

**WHEREAS**, at its meeting of January 7, 2020, the City Commission, sitting as the Key West Board of Adjustment conducted a quasi-judicial hearing concerning an appeal by the property owners of the Interim Planning Director's Lawful Unit Determination signed on November 25, 2019, for property located at 1009 Simonton Street #7; and

**WHEREAS**, the Board of Adjustment considered the record upon which the Interim City Planning Director rendered his 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.

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

Section 1: That the appeal is hereby granted/denied,  
based upon the following findings: \_\_\_\_\_.

Section 2: That the ruling of the Interim City Planner is  
repealed and denied/upheld and affirmed as consistent with the  
Land Development Regulations.

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 at a meeting  
held this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Authenticated by the Presiding Officer and Clerk of the Board  
on \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Filed with the Clerk on \_\_\_\_\_, 2020.

Mayor Teri Johnston \_\_\_\_\_

Vice Mayor Sam Kaufman \_\_\_\_\_

Commissioner Gregory Davila \_\_\_\_\_

Commissioner Mary Lou Hoover \_\_\_\_\_

Commissioner Clayton Lopez \_\_\_\_\_

Commissioner Billy Wardlow \_\_\_\_\_

Commissioner Jimmy Weekley \_\_\_\_\_

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TERI JOHNSTON, CHAIRMAN

ATTEST:

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CHERYL SMITH, CITY CLERK