

RESOLUTION No. 10-026

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA, GRANTING A MAJOR DEVELOPMENT PLAN FOR PROPERTY LOCATED AT 524 EATON STREET (RE#00006500-000000 AND 00006500-000100), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 108-91(A)(2)(a) of the Code of Ordinances provides that the addition or reconstruction of five or more units, whether permanent residential or transient residential, within the Historic District require a Major Development Plan approval; and

WHEREAS, the applicant requested a Major Development Plan approval to allow the addition of four transient residential units and the reconstruction of one permanent residential unit on the site; and

WHEREAS, per Section 108-517 of the City Code, the applicant requested a landscape waiver which was approved by the Planning Board; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on November 10, 2009; and

WHEREAS, the granting of the Major Development Plan 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

7. Stormwater calculations shall be provided by the applicant and approved by the City Engineer.

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 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.

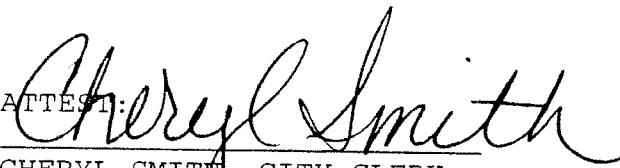
Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit 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 this approval; that within the forty five (45) day review period the DCA can appeal the permit 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.

Passed and adopted by the City Commission at a meeting held
this 19 day of January, 2010.

Authenticated by the presiding officer and Clerk of the
Commission on January 21, 2010.

Filed with the Clerk January 21, 2010.

ATTEST:



CHERYL SMITH, CITY CLERK



MARK ROSSI, VICE MAYOR