

**PLANNING BOARD
RESOLUTION NO. 2020-21**

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD DENING A CONDITIONAL USE FOR A SMALL RECREATIONAL POWER-DRIVEN EQUIPMENT RENTAL USE ON A VACANT LOT PARCEL LOCATED AT 210 SIMONTON STREET WITHIN THE HISTORIC RESIDENTIAL COMMERCIAL CORE (HRCC-1) ZONING DISTRICT PURSUANT TO SECTION 18-355, SECTION 122-62 AND 122-808 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the subject property is located within the Historic Residential Commercial Core (HRCC-1) zoning district; and

WHEREAS, pursuant to Sections 18-355, Section 122-62, and 122-808 (2) of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”), the applicant filed a conditional use application for a small recreational power-driven equipment rental use located at 210 Simonton Street; and

WHEREAS, City Code Sections 122-62 and 122-63 outline the criteria for reviewing a conditional use application by the Planning Board; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on June 18, 2020; and

WHEREAS, the Planning Board found that the proposed use does not comply with the criteria in City Code Sections 122-62 and 122-63; and

WHEREAS, the approval of the conditional use application will not be in harmony with the general purpose and intent of the LDRs, and will be injurious to the neighborhood, or otherwise

_____ Chairman
_____ Planning Director

detrimental to the public welfare.

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 conditional use request, pursuant to Sections 122-62 and 122-928 (2) of the Code of Ordinances of the City of Key West, Florida is hereby denied as follows: Conditional use to allow for a small recreational power-driven equipment rental use on a vacant lot located at 210 Simonton Street (RE# 00001111-000700) located in the Historic Residential Commercial Core (HRCC-1) zoning district:

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 will 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

_____ Chairman
_____ Planning Director

by agreement or order.

Read and denied on first reading at a regularly scheduled meeting held this 16th day of June 2020.

Authenticated by the Chair of the Planning Board and the Planning Director.

Sam Holland, Planning Board Chair

Date

Attest:

Katie P. Halloran, Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date

_____ Chairman
_____ Planning Director