

RESOLUTION _____

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF KEY WEST, FLORIDA APPROVING A MINOR DEVELOPMENT PLAN FOR REAL PROPERTY LOCATED AT 629 DUVAL STREET (RE #00012440-000100, AK #1012815); AND APPROVING A MODIFICATION TO LANDSCAPE REQUIREMENTS PER SECTION 108-411, 108-412 AND 108-113 OF THE CODE OF ORDINANCES; PROVIDING FOR CONDITIONS; PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, Section 108-91 A(1)(b) and (c) of the Code of Ordinances requires Minor Development Plans for the construction of 500-2,499 square feet of gross floor area; and

WHEREAS, Section 108-411, 108-412 and 108-413 allow for the modification of landscape requirements; and

WHEREAS, the applicant proposed the construction of approximately 1,500 square feet of floor area to be used as a restaurant, commercial retail space, storage and ADA bathroom facilities; and

WHEREAS, the Key West Planning Board recommended approval of the Minor Development Plan and modification to landscape requirements; and

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Key West, Florida:

Section 1. That the City Commission grants approval of a Minor Development Plan and modification of landscape requirements, in accordance with the terms and conditions contained in Planning Board Resolution 2013-50, which is incorporated herein as if fully set forth, and additional conditions recommended by staff, contained in the attached Executive Summary for Meeting Date October 21, 2014, from Carlene Smith.

Section 2: 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 Commission, 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 (DEO). 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 DEO with all exhibits and applications attached to or incorporated by reference in the development order; that within the forty five (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 or development order until the appeal is resolved by agreement or order.

Passed and adopted by the City Commission at a meeting held this _____ day of _____, 2014.

Authenticated by the Presiding Officer and Clerk of the Commission on _____ day of _____, 2014.

Filed with the Clerk on _____, 2014.

Mayor Craig Cates	_____
Vice Mayor Mark Rossi	_____
Commissioner Teri Johnston	_____
Commissioner Clayton Lopez	_____
Commissioner Billy Wardlow	_____
Commissioner Jimmy Weekley	_____
Commissioner Tony Yaniz	_____

CRAIG CATES, MAYOR

ATTEST:

CHERYL SMITH, CITY CLERK