

**PLANNING BOARD  
RESOLUTION NO. 2025-\_\_**

**TRANSFER OF A TRANSIENT UNIT AND LICENSE – A REQUEST TO TRANSFER ONE TRANSIENT UNIT AND LICENSE FROM A SENDER SITE LOCATED AT 525 SIMONTON STREET IN THE HISTORIC NEIGHBORHOOD COMMERCIAL (HNC-1) ZONING DISTRICT TO A RECEIVER SITE LOCATED AT 117 DUVAL STREET IN THE HISTORIC RESIDENTIAL COMMERCIAL CORE (HRCC-1) ZONING DISTRICT, PURSUANT TO SECTION 122-1338, 122-1339, AND 122-687 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCE OF KEY WEST, FLORIDA.**

**WHEREAS**, transient units may be transferred with an accompanying business tax receipt to permitted transfer zones within the City of Key West, Florida; and

**WHEREAS**, the applicant filed a request to transfer one transient unit and license from a sender site located at 525 Simonton Street in the Historic Neighborhood Commercial (HNC-1) zoning district to a receiver site located at 117 Duval Street in the Historic Residential Commercial Core (HRCC-1) zoning district, pursuant to Section 122-1338, 122-1339, and 122-687 of the Land Development Regulations of the Code of Ordinance of Key West, Florida.; and

**WHEREAS**, Section 122-1338 outlines the review criteria for the transfer of transient units; and

**WHEREAS**, this matter came before the Planning Board at a duly noticed public hearing on September 18, 2025; and

**WHEREAS**, the Planning Board found that the proposed transient unit and license transfer complies with the criteria in Section 122-1338; and

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Planning Director

**WHEREAS**, the approval of the transient unit and license transfer application 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 reference as fully set forth herein.

**Section 2.** That a request for a transient license and unit transfer, under the Code of Ordinances of the City of Key West, Florida, per Section 122-1338 is hereby approved as follows: A request to transfer one transient unit and license from a sender site located at 525 Simonton Street in the Historic Neighborhood Commercial (HNC-1) zoning district to a receiver site located at 117 Duval Street in the Historic Residential Commercial Core (HRCC-1) zoning district, pursuant to Section 122-1338, 122-1339, and 122-687 of the Land Development Regulations of the Code of Ordinance of Key West, Florida. with the following conditions:

1. Layout of units and licenses at the sender site shall maintain consistency with those submitted with the application and in the staff report.
2. Floor plans of both units at the receiver site shall maintain consistency with those submitted with the application and in the staff report.

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Planning Director

3. The applicant shall comply with the requirements of Section 122-1371: Transient living accommodations in residential dwellings; regulations.
4. If the transferee does not complete the purchase and sale of the transient licenses subject to this resolution within 90 days of the effective date of this resolution, the transfer and resolution shall be null and void and of no force or effect.

**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 transient unit license transfer approval 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 or development order will be rendered to the Florida Department of Commerce. 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 DOC with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DOC can appeal the permit or development order to the Florida Land

\_\_\_\_\_ Chairman  
\_\_\_\_\_ Planning Director

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 18th day of September 2025.

Authenticated by the Chairman of the Planning Board and the Planning Director;

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Peter Batty, Planning Board Chair

Date

**Attest:**

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Jim Singelyn, Acting Planning Director

Date

**Filed with the Clerk:**

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Donna Phillips, Deputy City Clerk

Date

\_\_\_\_\_ Chairman

\_\_\_\_\_ Planning Director