

RESOLUTION NO. 17-\_\_\_\_

716-718 SOUTH STREET EXTENSION TO A HEIGHT VARIANCE

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, FLORIDA, APPROVING AN EXTENSION TO A HEIGHT VARIANCE FOR PROPERTY LOCATED AT 716-718 SOUTH STREET (RE # 00036870-000000, AK # 1037681), KEY WEST, FLORIDA

**WHEREAS**, the applicant is requesting a second extension to a Height Variance located at 716-718 South Street (RE # 00036870-000000, AK # 1037681); and

**WHEREAS**, the property is located within the Historic Residential / Office (HRO) Zoning District; and

**WHEREAS**, the Board of Adjustment previously passed Resolution No.15-092, regarding approval of the Height Variance for an additional 8 feet of non-habitable space at the property located at 716-718 South Street(RE # 00036870-000000, AK # 1037681);and

**WHEREAS**, the Board of Adjustment previously passed Resolution No.16-025, regarding approval of an extension of the Height Variance for an additional 8 feet of non-habitable space at the property located at 716-718 South Street(RE # 00036870-000000, AK # 1037681);and

**WHEREAS**, this matter came before the Board of Adjustment at a duly noticed public hearing on May 2, 2017.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Adjustment of the City of Key West, Florida:

**Section 1.** That the above recitals are incorporated by reference as if fully set forth herein.

**Section 2.** That the second extension to a Height Variance for property located at 716-718 South Street (RE # 00036870-000000, AK # 1037681) is hereby granted for an additional period of 12 months.

**Section 3.** This variance extension 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 will be rendered to the Florida Department of Economic Opportunity. 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 DEO with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DEO 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 \_\_\_\_\_ day of \_\_\_\_\_, 2017.

Authenticated by the presiding officer and Clerk of the  
Commission on \_\_\_\_\_, 2017.

Filed with the Clerk \_\_\_\_\_, 2017.

Mayor Craig Cates \_\_\_\_\_

Commissioner Samuel Kaufman \_\_\_\_\_

Commissioner Margaret Romero \_\_\_\_\_

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

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

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

Commissioner Richard Payne \_\_\_\_\_

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CRAIG CATES, MAYOR

ATTEST:

\_\_\_\_\_  
CHERYL SMITH, CITY CLERK