

**PLANNING BOARD RESOLUTION  
2011-023**

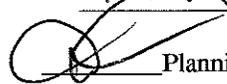
**A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING A CHANGE OF NON-CONFORMING USE IN THE HMDR, HISTORIC MEDIUM DENSITY RESIDENTIAL OFFICE ZONING DISTRICT, UNDER THE LAND DEVELOPMENT REGULATIONS OF THE CITY OF KEY WEST, FLORIDA, PURSUANT TO SECTION 122-32(e) OF THE CODE OF ORDINANCES, FOR PROPERTY LOCATED AT 1511 TRUMAN AVENUE (RE# 00024270-000000), KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, Section 122-32(e) of the Code of Ordinances provides that a nonconforming use of a building or structure may be changed to another nonconforming use under certain findings of the Planning Board; and

**WHEREAS**, the new use is equally or more appropriate to the zoning district; and

**WHEREAS**, the change of use would not intensify the use of the premises by increasing the need for parking facilities; increasing vehicular traffic to the neighborhood; increasing noise, dust, fumes or other environmental hazards; or by having an adverse impact on drainage; and

**WHEREAS**, the granting of the change of nonconforming use will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the

  
Chairman  
  
Planning Director

neighborhood, or otherwise detrimental to the public welfare; now therefore,

**BE IT RESOLVED** by the Planning Board of the City of Key West, Florida:

**Section 1.** That a change of nonconforming use in the HMDR zoning district, under the Code of Ordinances of the City of Key West, Florida, is hereby granted as follows: Allowing for a change in nonconforming use from a business and professional sales office to a medical office in the HMDR zoning district for property located at 1511 Truman Avenue per Section 122-32(e) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

**Section 2.** 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 3.** This change of nonconforming use 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.

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**Resolution Number 2011-023**

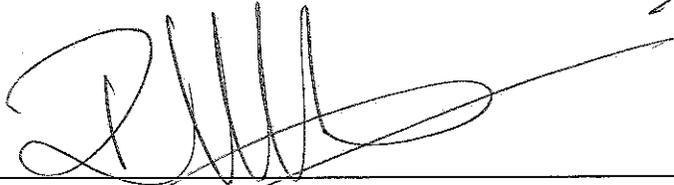
  
Chairman

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

**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.

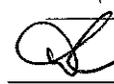
Read and passed on first reading at a regularly scheduled meeting held this 16th day of June, 2011.

Authenticated by the Planning Board Chairman and the Interim Planning Director.

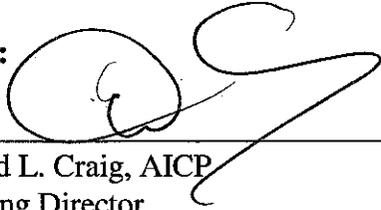


Richard Klitenick, Chairman  
Key West Planning Board

JUNE 29, 2011  
Date

  
Chairman  
  
Planning Director

Attest:

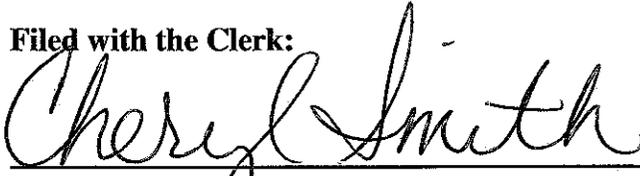


Donald L. Craig, AICP  
Planning Director

6-30-11

Date

Filed with the Clerk:



Cheryl Smith, City Clerk

6-30-11

Date



Chairman



Planning Director



