

RESOLUTION NUMBER 2010-001

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING CONDITIONAL USE APPROVAL PER SECTIONS 122-62 and 122-63 OF THE CODE OF ORDINANCES FOR PROPERTY LOCATED AT 629 DUVAL STREET (RE# 00012440-000100), KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the subject property is located in the Historic Residential Commercial Core/Duval Street Gulfside District (HRCC-1); and

WHEREAS, Section 122-61 of the City Code of Ordinances allows applicants to request conditional use approvals; and

WHEREAS, Section 122-688 (17) of the Code of Ordinances allows small recreational power-driven equipment rentals as conditional uses in the HRCC-1 zoning district; and

WHEREAS, the proposal would permit the rental and storage of 16 electric cars in areas designated as electric car spaces on the site plan; and

WHEREAS, Section 122-62 and 122-63 outline the criteria for reviewing a conditional use application; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on

 Chairman
 Planning Director

January 21, 2010; and

WHEREAS, the Planning Board determined that the approval of the conditional use application is consistent with the criteria in the Code; 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 if fully set forth herein.

Section 2. That a conditional use application to permit the rental and storage of 16 electric cars per Section 122-688 (17), under the Code of Ordinances of the City of Key West, Florida, is hereby granted for property located at 629 Duval Street (RE# 00012440-000100), as shown on the attached plans dated August 24, 2009, with the following conditions:

1. Landscape Plan approval is obtained prior to Building Department Permit issuance.
2. There are only to be 16 electric cars available for rent on the site. If an electric car is rented and off the premises, another electric car will not be replaced and available for rent while the former car is vacant.
3. Plans consistent with the resurfacing material that H.A.R.C. approved on June 9, 2009 (application # H09-04-16-405) must be provided prior to issuance of building permits.
4. Batteries for the electric cars will not be stored on the site.

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Resolution Number 001


Chairman

Planning Director

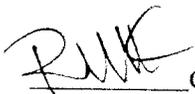
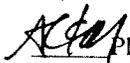
5. Prior to initiating operation, the applicant will identify an off-site location for servicing, washing, and reparation of the vehicles and will maintain such a site for the duration of the use. The location where off-site servicing will take place must be filed with the City.
6. Hours of operation are limited to 8:00 a.m. to 6:00 p.m.
7. The applicant expressly consents to permit agents from the City to enter onto the subject property to assure compliance to enforce the conditions contained herein, without the conditions of a dually issued search or administrative warrant and furtherance of an annual inspection.

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 Conditional Use Permit 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.

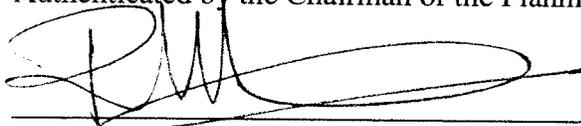
Section 6. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty


Chairman

Planning Director

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 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 by agreement or order.

Read and passed on first reading at a regular meeting held this 21st day of January, 2010.

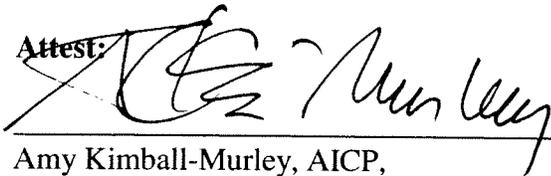
Authenticated by the Chairman of the Planning Board and the Planning Director.



Richard Klitenick, Chairman
Key West Planning Board

2/4/2010
Date

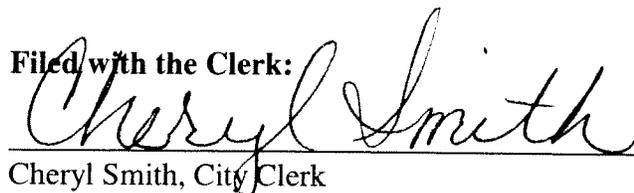
Attest:



Amy Kimball-Murley, AICP,
Planning Director

2/4/2010
Date

Filed with the Clerk:



Cheryl Smith, City Clerk

2-4-10
Date

SITE DATA

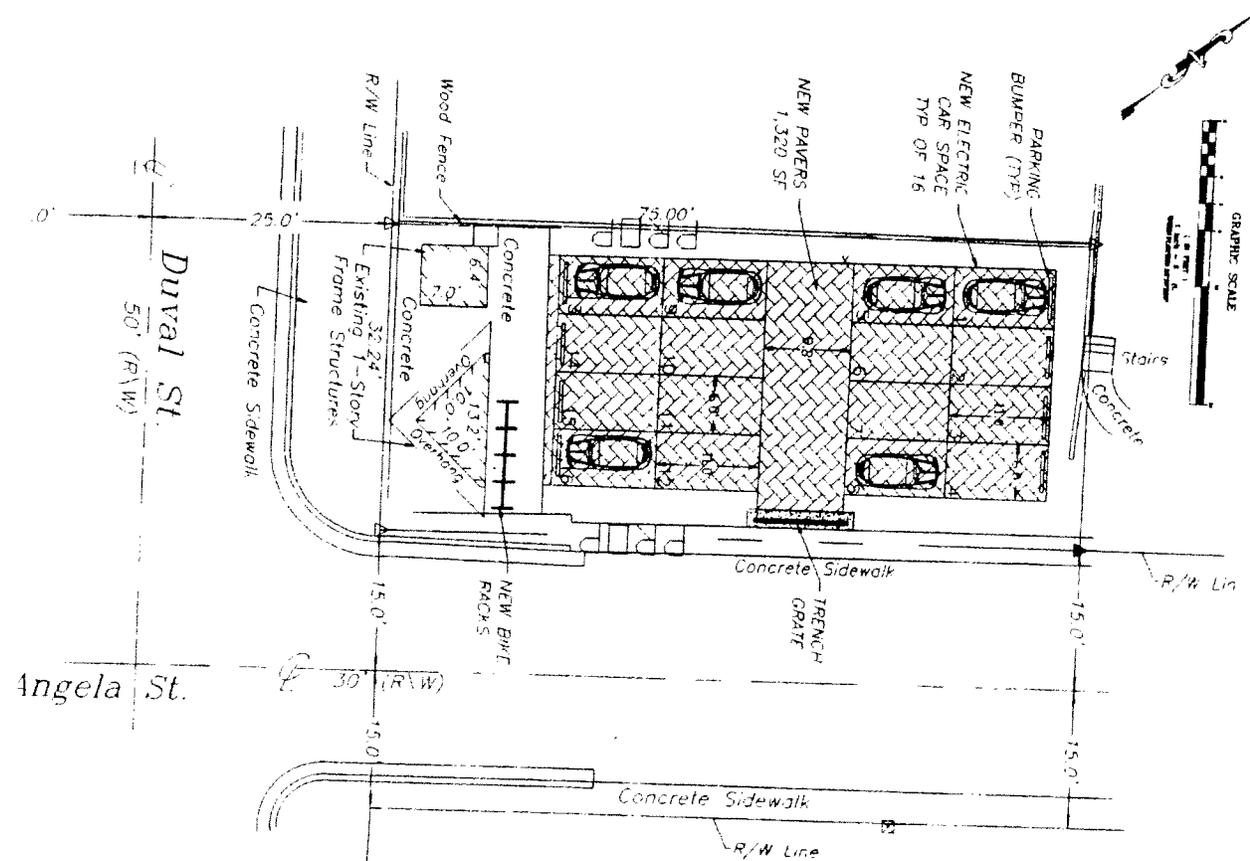
LAND USE (GENERAL PURPOSES) (SECTION 17)
 LUMPY (SALV. 5411) AND (TR. 640) (SECTION 17)

STREETS
 DUAL ST. (R/W)
 ANGELA ST. (R/W)
 CONCRETE SIDEWALK

CONCRETE SIDEWALK

LEGAL DESCRIPTION
 Of a part of square of Lot Four (4), Block Fifty-one (51) on the second of a certain plat of land recorded in Volume A, Worksheet's map or plat of a certain parcel of land and more particularly described as follows:
 Commencing at the intersection of the Northeastly bearing line of Duval Street and the Northeastly bearing line of a boundary of a part of the property of the City of Jacksonville, along the Northeastly bearing line of Duval Street and the Northeastly bearing line of a boundary of a part of the property of the City of Jacksonville, to a point, thence of right angles in a northerly direction a distance of 21.24 feet to a point in the Northeastly bearing line of Duval Street, thence of right angles in a southerly direction to the point of beginning.

PROJECT DESCRIPTION
 THE PROJECT CONSISTS OF CONVERTING AN EXISTING PARKING LOT TO ELECTRIC CAR RENTING. THE SITE SHALL BE REDEVELOPED TO ACCOMMODATE MARKET USING A TRENCH GRATE AND CONCRETE SIDEWALK. THE EXISTING NEW PAVERS SHALL BE REMOVED AND REPLACED BY INSTALLING CONCRETE ALONG THE ROAD AND SIDE OF THE



Alfonso Rulle

ANGELA AND DUVAL STREET ELECTRIC CAR PARKING
 628 DUVAL STREET
 KEY WEST, FLORIDA

C-1.0

DATE PLANNED

DATE DRAWN

DATE CHECKED

DATE APPROVED

DATE REVISION

