

**PLANNING BOARD
RESOLUTION No. 2013-18**

A RESOLUTION OF THE KEY WEST PLANNING BOARD GRANTING ONE TRANSIENT BUSINESS TAX RECEIPT TRANSFER FROM PROPERTY LOCATED AT 322 ELIZABETH (RE# 00003880-000000, AK 1004049) TO PROPERTY LOCATED AT 516 LOUISA STREET (RE#00028860-000000, AK 1029645), PURSUANT TO SECTIONS 122-1339 OF THE CODE OF ORDINANCES OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Section 122-1339 (a) of the Code of Ordinances allows a transient business tax receipt to be transferred from an area where transient uses are restricted or prohibited to a receiver site where transient residential use is permitted without the accompanying transfer of the unit; and

WHEREAS, Section 122-1339 (b) requires that the Planning Board consider the relative size of the unit from which the license is transferred and the room configuration of both sites to maintain approximately the same or less net number of occupants; and

WHEREAS, the transient use at the sender site is a legal non-conforming use and a permitted use at the receiving site; and

TW Vice Chairman

OC Planning Director

WHEREAS, the sender site is a single-family dwelling; and

WHEREAS, the receiving site is proposed as a one-room detached accessory bedroom suite accessory to an existing single-family dwelling; and

WHEREAS, the applicant proposed to operate the receiving site transiently as one, two-bedroom dwelling with a third detached transient bedroom; and

WHEREAS, the applicant proposed a transfer of one business tax receipt.

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 transfer of transient business tax receipt, pursuant to Section 122-1339 of the Code of Ordinances of the City of Key West, Florida, is hereby granted as follows: allowing a transfer of one transient business tax receipt from one single family dwelling at property located at 322 Elizabeth street (RE# 00003880-000000, AK1004049) a one room detached accessory bedroom suite accessory to an existing single-family dwelling at property located at 516 Louisa street (RE#00028860-000000, AK1029645), per the attached plans with

TWA Vice Chairman

OC Planning Director

the following conditions:

1. A deed restriction shall be placed on the property such that the property as a whole be rented to only one party at a given time if and when the property receives an additional transient license for the detached bedroom. The owner shall have the deed restriction approved by the City Attorney within 30 days of the effective date of the variance approval. The owner shall bear any expense of preparing and recording the deed restriction.
2. No swimming pool or air-handling equipment shall be located in the referenced side-yard setback.
3. The main house and the detached habitable space shall be hard wired for fire detection such that parties in both structures will be alerted to any fire event.

Section 3. Full, complete, and final application for all licenses and 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 transfer of one transient business tax receipt 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

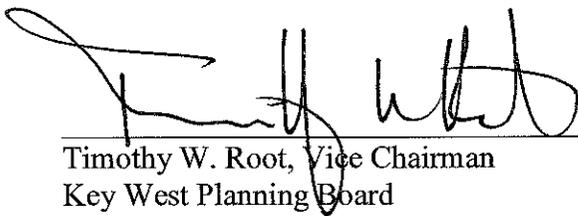
 Vice Chairman

 Planning Director

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 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 21st day of March, 2013.

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



4/1/13

Timothy W. Root, Vice Chairman
Key West Planning Board

Date

Attest:

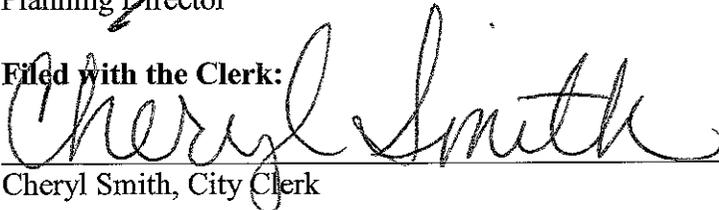


3/22/13

Donald Leland Craig, AICP
Planning Director

Date

Filed with the Clerk:



4-1-2013

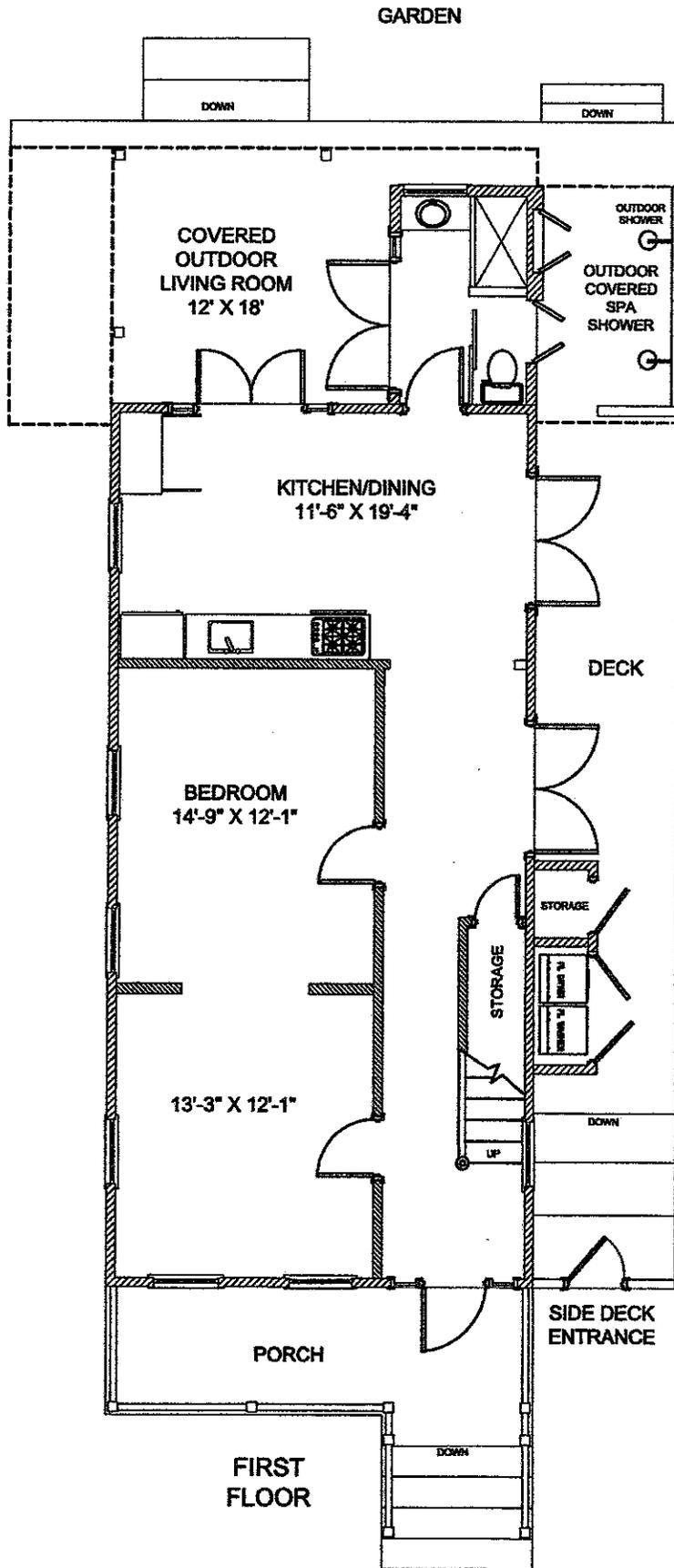
Cheryl Smith, City Clerk

Date

 Vice Chairman

 Planning Director

**Sender Site
Site Plans**



322 Elizabeth Street
Key West, FL 33040

Page 2
Drawn by
Dimensions Plus
305-294-8914

T.L.D. ^{OC}

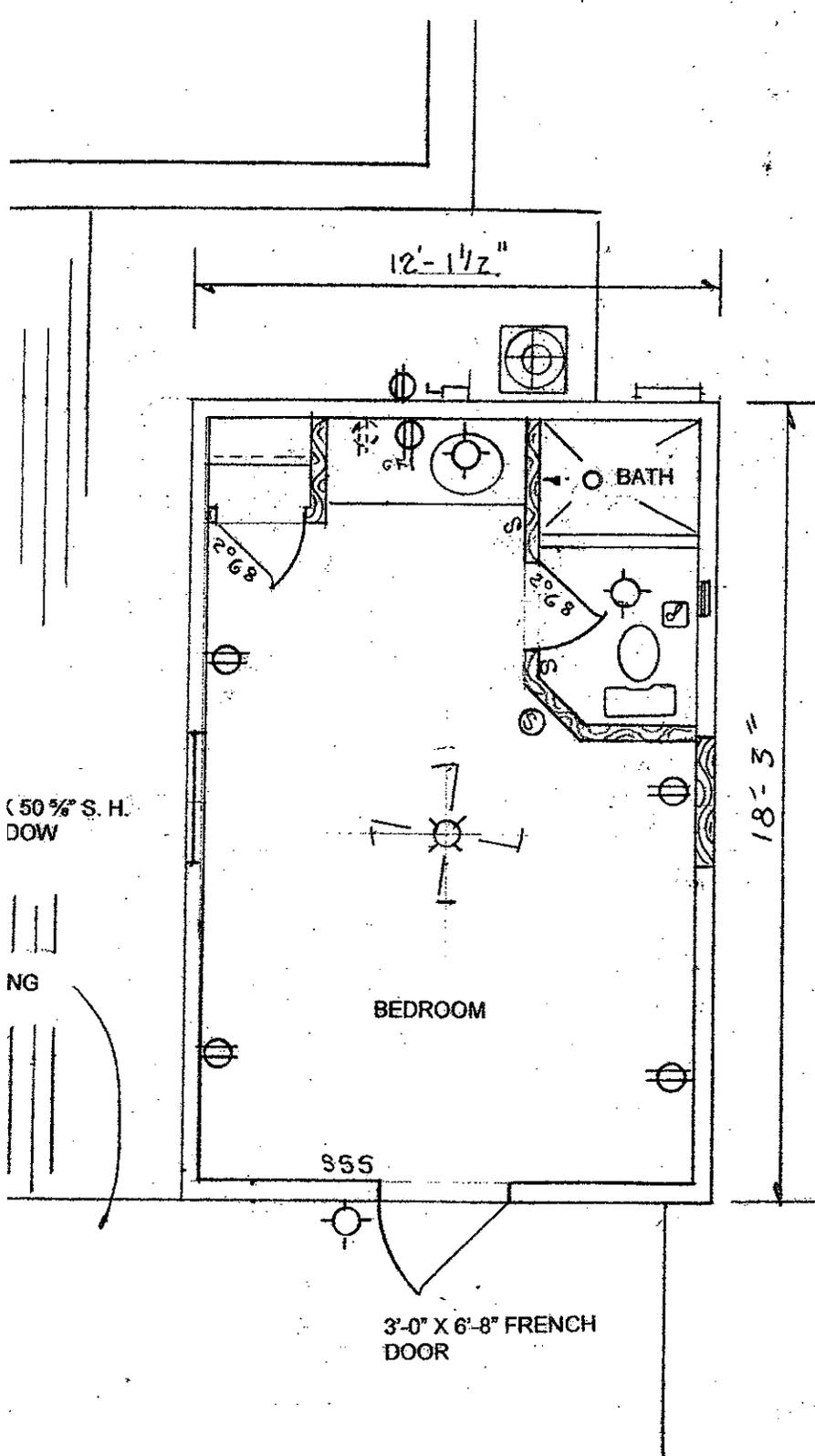
Receiver Site Site Plan

oc
TWS

FOUNDATION PLAN

SCALE:

1/4" = 1' 0"



FLOOR PLAN

SCALE:

1/4" = 1' 0"

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D. P.
to the
Page
Count
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Dated

REPAIRS AND RENOVATIONS TO THE ACCESSORY BUILDING AT 516 LOUISA STREET KEY WEST, FLORIDA

ON DEMAND WATER
HEATER

Date 12/19/12

Scale AS SHOWN

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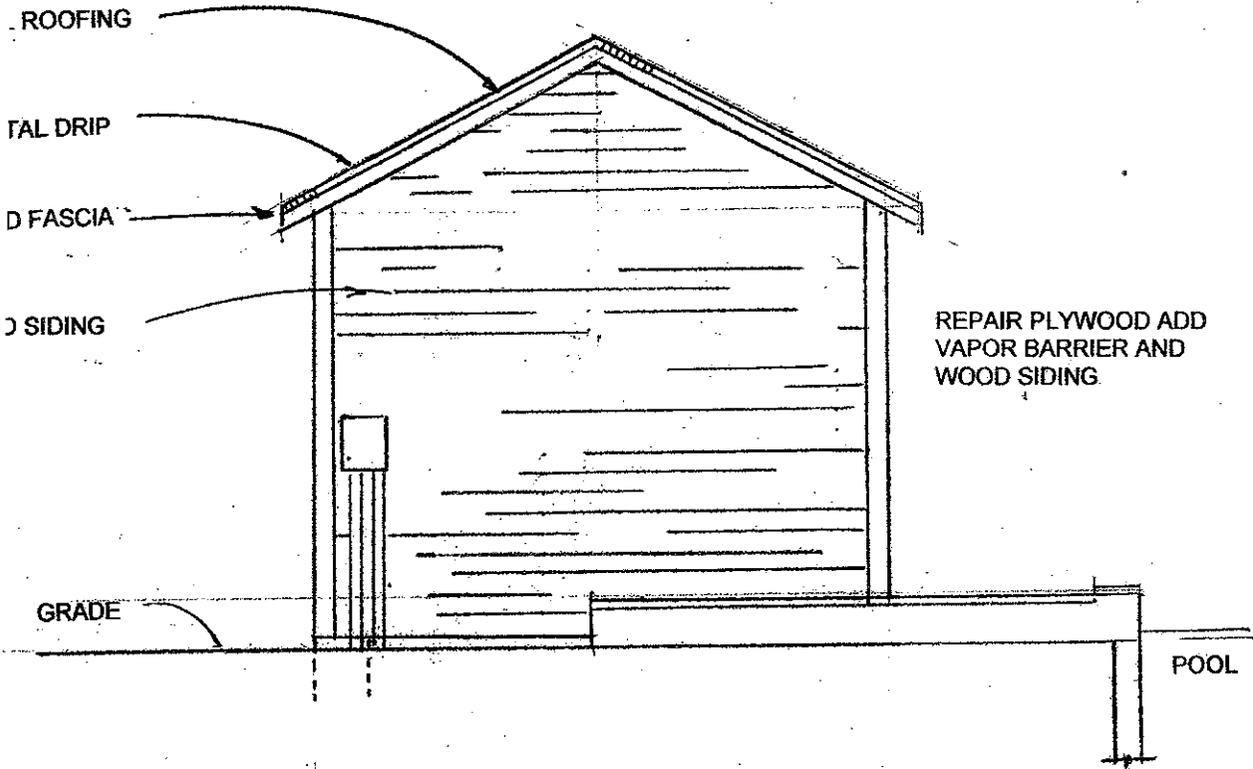
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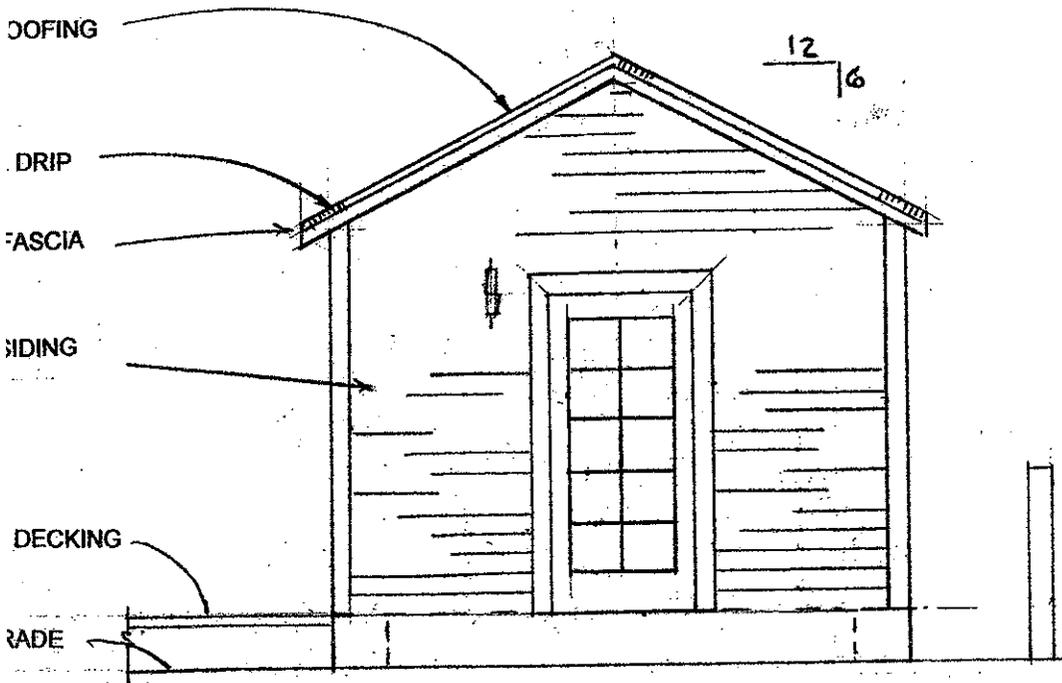
Handwritten initials/signature

ROOF
SCALE:

PLAN
1/4" = 1' 0"



REAR ELEVATION
SCALE: 1/4" = 1' 0"



FRONT ELEVATION
SCALE: 1/4" = 1' 0"

OL
TUK