

**PLANNING BOARD
RESOLUTION No. 2013-42**

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD GRANTING A CONDITIONAL USE APPROVAL PER SECTIONS 122-62 AND 122-63 OF THE CODE OF ORDINANCES FOR AN ART GLASS JEWELRY STUDIO WITH ACCESSORY COMMERCIAL SALES LOCATED AT 531 WHITEHEAD STREET (RE# 00010000-000000, AK#1010278) IN THE HISTORIC RESIDENTIAL OFFICE (HRO) ZONING DISTRICT, PURSUANT TO SECTION 122-928 OF THE CODE OF ORDINANCES, KEY WEST FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

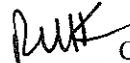
WHEREAS, the subject property is located in the Historic Residential Office (HRO) zoning district; and

WHEREAS, per Section 122-928 (2), the applicant filed a conditional use application for an art glass jewelry studio with accessory commercial sales addressed at 531 Whitehead Street; and

WHEREAS, Section 122-62 outlines the criteria for reviewing a conditional use application by the Planning Board; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on August 15, 2013; and

WHEREAS, the Planning Board found that the proposed use complies with the criteria in


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Planning Director

Section 122-62 and 122-63; and

WHEREAS, the approval of the conditional use 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 conditional use request, under the Code of Ordinances of the City of Key West, Florida, per Section 122-928 is hereby approved as follows: allowing an art-glass jewelry studio with accessory commercial sales at 531 Whitehead Street (RE# 00010000-000000, AK#1010278), Key West, Florida, as shown in the attached parking plan and interior diagram received August 1, 2013 with the following conditions:

1. That a heat sensor and carbon-monoxide detector be installed prior to the issuance of a Certificate of Occupancy.
2. Any signage requires HARC review and approval.
3. The four existing parking spaces be provided and maintained at all times.

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


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date hereof.

Section 4. This conditional use 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 Economic Opportunity. 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 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 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 15th day of August, 2013.

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

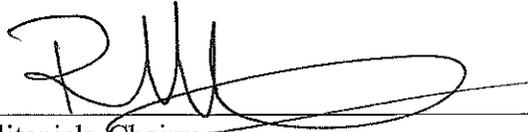
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Chairman



Planning Director



Richard Klitenick, Chairman
Key West Planning Board

8/21/2013

Date

Attest:

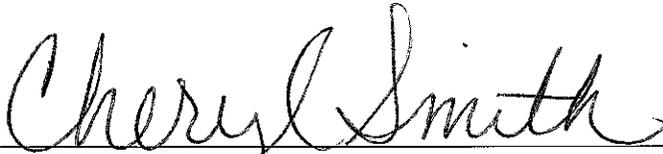


Donald Leland Craig, AICP
Planning Director

8-20-13

Date

Filed with the Clerk:

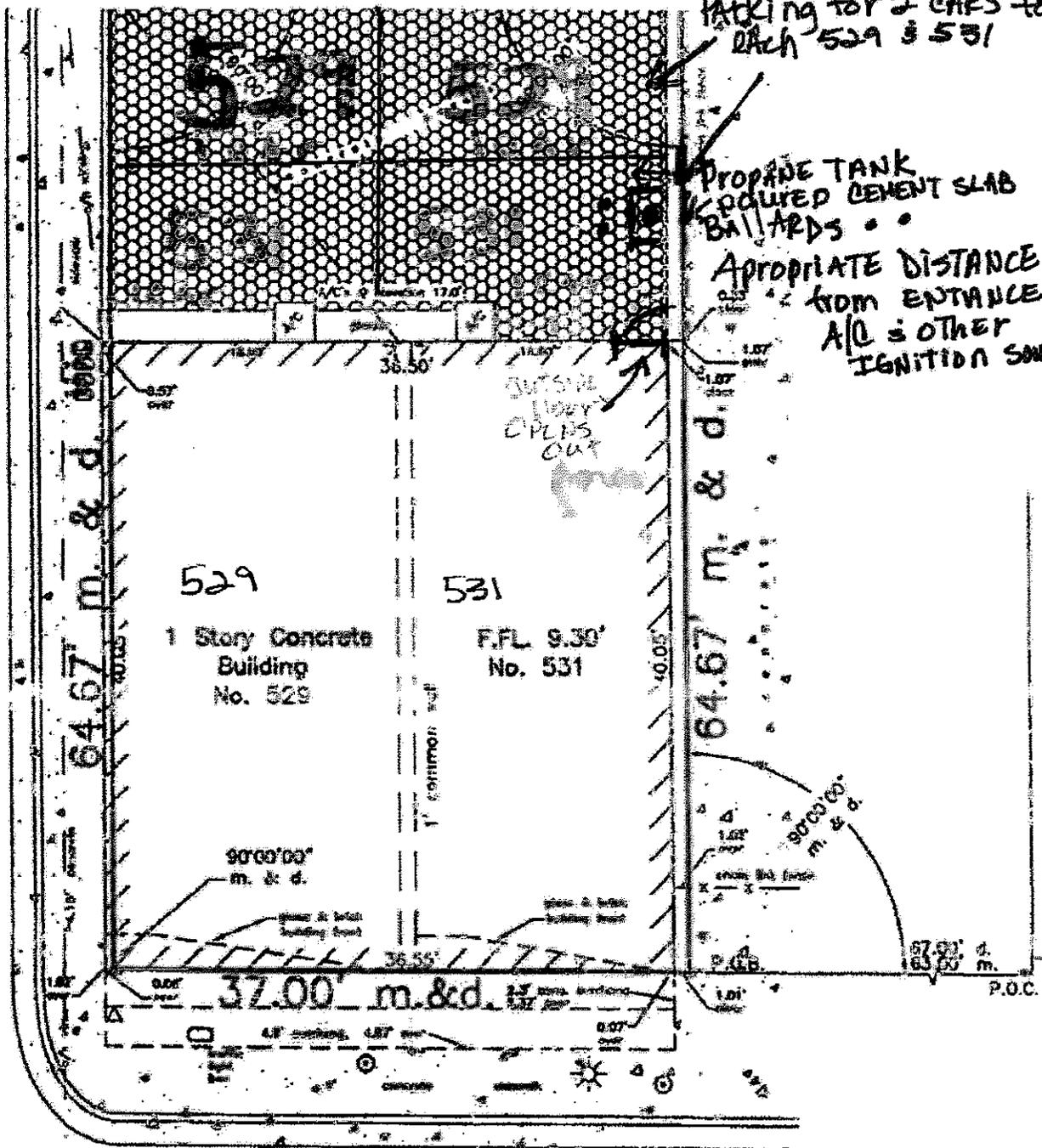


Cheryl Smith, City Clerk

8-27-13

Date

APPLEROOUTH LANE (A.K.A. Smit
(26' R/W)



WHITEHEAD STREET
(50' R/W)

Note: Sellers Warranty Deed O.R. 2049 page 1 depicts a distance of 67 feet from Southard Street to the P.O.B. Adjoining properties legal description, O.R. 2034, Page 1759 depicts a distance of 63 feet from the P.O.B. back to Southard Street.

82013 pub

Peter Kunzier 529-531 Whitehead Street, Key West, Florida 33040	
BOUNDARY SURVEY	Draw No.: 10-118
1" = 10'	Ref. Floor panel No.

ISLAND SURVEYING INC.
ENGINEERS PLANNERS SURVEYORS

LOIS SONGER
CONDITIONAL USE APP.

