

EXECUTIVE SUMMARY



To: Jim Scholl, City Manager
Through: Thaddeus Cohen, Planning Director
From: Patrick Wright, Senior Planner II
Meeting Date: November 15, 2016

RE: **Interpretation of District Boundaries – 417 Southard Street (RE # 00010040-000000, AK # 1010324)** – Approving a request for Interpretation of District Boundaries on a property located in the Historic Residential Commercial Core - Duval Street Gulfside (HRCC-1) and Historic Residential Office (HRO) Zoning Districts per Section 122-94 (7) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

ACTION STATEMENT:

Request: Approving a request for Interpretation of District Boundaries on a property located in the in the Historic Residential Commercial Core - Duval Street Gulfside (HRCC-1) and Historic Residential Office (HRO)

Applicant: Trepanier & Associates Inc.

Property Owner: Tapley O. Johnson III

Location: 417 Southard Street (RE # 00010040-000000, AK # 1010324)

Zoning: Historic Residential Office (HRO) / Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1)

Existing:



BACKGROUND:

The property is located on the 400 block of Southard Street between Duval and Whitehead Streets. The property contains a commercial retail storefront on the first floor and two non-transient units on the second floor. Licensing records indicate the building has been used as mixed use commercial/residential going back to at least the mid-1980s. Currently the retail use of an art gallery is operating on the first floor, prior to that a scooter and motorcycle shop known as Honda Key West operated in this location.

With the adoption of the current Land Development Regulations and Official Zoning Map in 1997 the building was bisected by a zoning line, leaving a portion of the building in the Historic Residential Commercial Core zoning district and the remainder in the Historic Residential Office zoning district. Currently the line bisects a legal parcel of record per the Monroe County Property Appraiser's Office, and has since the 2000 tax roll.

The applicant is requesting, in accordance with Section 122-94 (7), an interpretation of district boundaries by the City Commission to recognize the entire parcel and building as being zoned Historic Residential Commercial Core – Duval Street Gulfside.

City Actions:

City Commission:

November 15, 2016

PLANNING STAFF ANALYSIS:

Section 122-94 (7) states:

“Uncertainties. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map or if any other uncertainty exists, the city commission shall interpret the intent of the official zoning map as to the location of district boundaries.”

It is staff’s opinion that Section 122-94 (7) applies to the current situation of this parcel and building. Given the longstanding commercial use of the property and to avoid the expansion of a nonconforming use, it is staff’s opinion that the entire building and parcel should be interpreted as Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1).

Options / Advantages / Disadvantages:

Option 1. Approve the request for interpretation of district boundaries to recognize the entire building and parcel located at 417 Southard Street as Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1):

Consistency with the City’s Strategic Plan, Vision and Mission: Granting the request would not be inconsistent with the Strategic Plan.

Financial Impact: There would be no financial impact for the City.

Option 2. Deny the request for interpretation of district boundaries to recognize the entire building and parcel located at 417 Southard Street as Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1).

Consistency with the City’s Strategic Plan, Vision and Mission: Denial of the request would not be inconsistent with the Strategic Plan.

Financial Impact: There would be no financial impact for the City.

RECOMMENDATION: Option 1.

Based on the existing conditions, the Planning Department recommends to the City Commission **APPROVAL** of the request for interpretation of district boundaries to recognize the entire building and parcel located at 417 Southard Street as Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1).