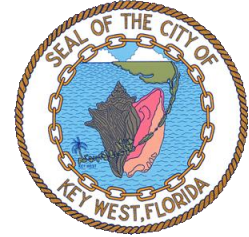


**THE CITY OF KEY WEST  
PLANNING BOARD  
Staff Report**



**To:** Chairman and Planning Board Members

**From:** Melissa Paul-Leto, Planner Analyst

**Through:** Patrick Wright, Planning Director

**Meeting Date:** July 20, 2017

**Agenda Item:** **Variance Extension – 805 Olivia Street (RE # 00019930-000000) –** A request for an extension to variances granted in Resolution No. 2015-27 located within the Historic High Density Residential (HHDR) Zoning District pursuant to Section 90-395 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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**Request:** A 1<sup>st</sup> time request for an extension to variances granted for side and rear yard setback requirements in order to construct a 2 ½ story single family residence and second story rear deck within the northeasterly side and rear yard setbacks of the property.

**Applicant:** Gregory Oropeza, Oropeza, Stones, Cardenas Attorneys at Law

**Property Owner:** Bruce and Sharon Mineroff

**Location:** 805 Olivia Street (RE # 00019930-000000)

**Zoning:** Historic High Density Residential (HHDR) Zoning District



**Background:**

The property at 803-805 Olivia Street is located at the corner of Olivia Street and Windsor Lane and is one lot of record. There are three existing structures on the property: one 2 ½ story dwelling unit, carport and shed. In 2005, the owner received HARC approval for the demolition of a one story single family residence and the reconstruction of a new two story wood frame single family residence. The demolition took place; however, the reconstruction was put on hold. In 2009, the Planning Department acknowledged the existence of a second non-transient dwelling unit through the lawful unit determination process. The subject property was granted variances to side and rear yard setbacks, Resolution No.2015-27 in order to construct the second residential unit.

The above location was granted variances to side and rear yard setbacks by the Planning Board on July 16, 2015 through Resolution No. 2015-27. The variances granted became effective in September of 2015 concurrent with the expiration date of the DEO appeal period.

The applicant submitted on May 11, 2017, a request for a 12 month extension to the variances granted. This one-year extension to the expiration of the variances approval will allow the necessary time needed to complete the bidding and construction process, according to the applicant.

**City Actions:**

Development Review Committee Meeting:	January 22, 2015
Planning Board Meeting:	July 16, 2015 Resolution No.2015-27
Planning Board Meeting:	July 20, 2017

**Factors for review of the Extension include the following:**

**1. The applicant submitted the request for the Extension prior to the variance approval expiration.**

The applicant submitted a request for the Variance Extension on May 11, 2017, prior to the expiration of the Variance approval.

**2. The applicant has submitted reasonable cause for the Extension.**

The applicant has requested the extension in order to complete the authorized development.

It is a condition of this variance that full, complete and final application for all conditions of this approval for any use and occupancy for which this variance is wholly or partly necessary, shall be submitted in their entirety within two years after the date hereof; and further, that no application shall be made after expiration of the two-year period without the applicant obtaining an extension from the Planning Board and demonstrating that no change of circumstances to the property or its underlying zoning has occurred.

**RECOMMENDATION:**

Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for Variance Extension be approved without modification to original conditions.