



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Board of Adjustment

Thursday, October 9, 2025

5:00 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

FOR VISUAL PRESENTATIONS: For City Commission meetings the City Clerk's Office will need a copy of all presentations for the agenda at least 7 days before the meeting.

Call Meeting To Order - 7:27 P.M.

Roll Call

Absent 2 - Commissioner Castillo, and Commissioner Hoover

Present 5 - Commissioner Carey, Commissioner Haskell, Commissioner Kaufman, Vice Mayor Lee, and Mayor Henriquez

Approval of Agenda

The agenda was unanimously approved as amended

Approval of Minutes

1 September 3, 2025

Attachments: [Minutes](#)

A motion was made by Commissioner Carey, seconded by Vice Chair Lee, that the Minutes be Approved. The motion passed by unanimous vote.

Resolutions

2

A Resolution Denying/Granting the Appeal by Van D. Fischer, Esq. on behalf of property owners CRH-YLM 900, LLC, for property located at 902 Truman Avenue, Units 1, 2 & 3 and Upholding/Amending/Denying the Planning Director's Determination which denied renewal or reinstatement of transient licenses; Finding that the Planning Director's Determination was/was not made in accordance with procedural and substantive Land Development Regulations as well as the Comprehensive Plan.

Sponsors: City Manager Barroso

Attachments: [Resolution](#)
[Appeal](#)
[Applicant Presentation](#)
[Applicant Backup Information](#)

A motion was made by Commission Carey, seconded by Commissioner Lee, to Grant the Appeal.

After discussion, a motion was then made by Vice Chair Lee, seconded by Commissioner Kaufman, that the Resolution be Postponed to November 5, 2025. The motion carried by the following vote:

No: 1 - Commissioner Haskell

Absent: 2 - Commissioner Castillo, and Commissioner Hoover

Yes: 4 - Commissioner Carey, Commissioner Kaufman, Vice Chair Lee, and Chair Henriquez

3

~~Denying/Granting~~ the Appeal of Owen Trepanier & Associates, Inc., on behalf of the property owner, New Ideas, Inc., ~~Upholding/Amending/Denying~~ the Planning Director's Administrative Decision dated May 22, 2025 denying the recognition of an existing commercial use at the property located at 413 Greene Street, a/k/a 107 Fitzpatrick Street, Key West, Florida and finding that the Planning Director's Determination ~~was/was not~~ made in accordance with procedural and substantive Land Development Regulations as well as the Comprehensive Plan.

Sponsors: City Manager Barroso

Attachments: [Resolution](#)
[Appeal](#)
[Applicant Presentation](#)
[Public Comment - Caballero](#)
[Public Comment - DeFabio](#)
[Public Comment - Gartenmayer](#)
[Letter from Appellant](#)

A motion was made by Commissioner Kaufman, seconded by Commissioner Carey, that the planning director's decision was not made in accordance with the substantive provisions of the City's LDRs, that the decision by the planning director was unsupported by competent substantial evidence and that there was a misapplication of the zoning district regulations and the Appeal is therefore Granted. The motion carried by the following vote:

No: 2 - Commissioner Haskell, and Vice Chair Lee

Absent: 2 - Commissioner Castillo, and Commissioner Hoover

Yes: 3 - Commissioner Carey, Commissioner Kaufman, and Chair Henriquez

Enactment No: Res 25-309

4

Denying/Granting the Appeal by Van Fischer, Esq. on behalf of the property owner, 901 Fleming Street, LLC, for property located at 901 Fleming Street

Upholding/Amending/Denying the Planning Director's Lawful Unit Determination dated August 12, 2025; Finding that the Growth Management Director's decision was/was not made in accordance with procedural and substantive Land Development Regulations as well as the Comprehensive Plan.

Sponsors: City Manager Barroso

Attachments: [Appeal](#)
[Request for Postponement](#)

A motion was made by Commissioner Carey, seconded by Commissioner Kaufman, that the Resolution be Postponed to November 5, 2025. The motion carried by the following vote:

Absent: 2 - Commissioner Castillo, and Commissioner Hoover

Yes: 5 - Commissioner Carey, Commissioner Haskell, Commissioner Kaufman, Vice Chair Lee, and Chair Henriquez

- 5 Denying/Granting the Appeal by Van D. Fischer, Esq. on behalf of Mile Zero Tattoo, for property located at 302 Front Street and Upholding/Amending/Denying the Acting Planning Director's August 22, 2025 Notice of Revocation of Business License - LIC2025-000307; Finding that the Acting Planning Director's Decision was/was not made in accordance with procedural and substantive Land Development Regulations as well as the Comprehensive Plan.

Sponsors: City Manager Barroso

Attachments: [Appeal](#)
 [Request for Postponement](#)

A motion was made by Commissioner Carey, seconded by Commissioner Kaufman, that the Resolution be Postponed to November 5, 2025. The motion carried by the following vote:

Absent: 2 - Commissioner Castillo, and Commissioner Hoover

Yes: 5 - Commissioner Carey, Commissioner Haskell, Commissioner Kaufman, Vice Chair Lee, and Chair Henriquez

Adjournment - 8:24 P.M.