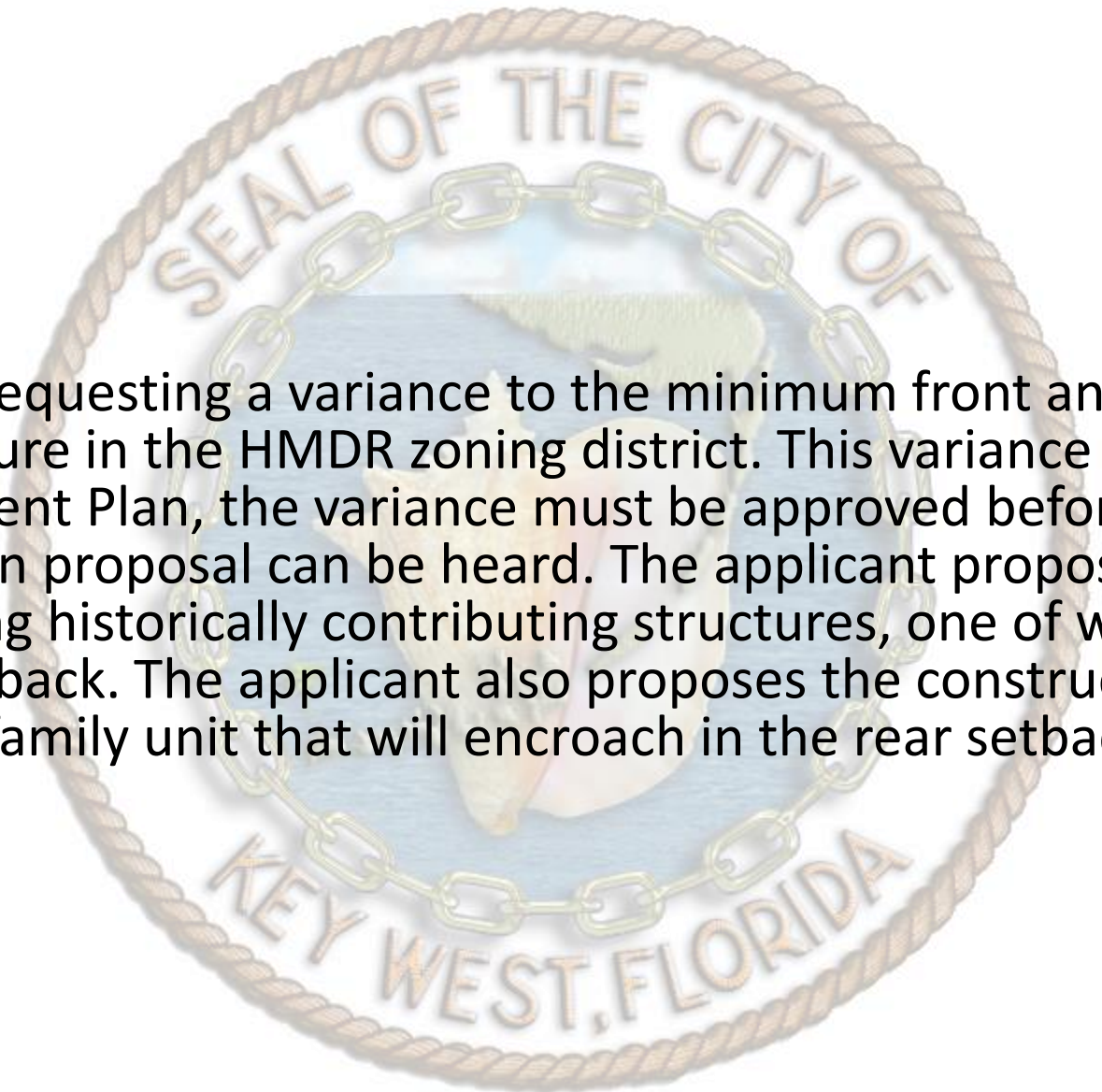




Variance

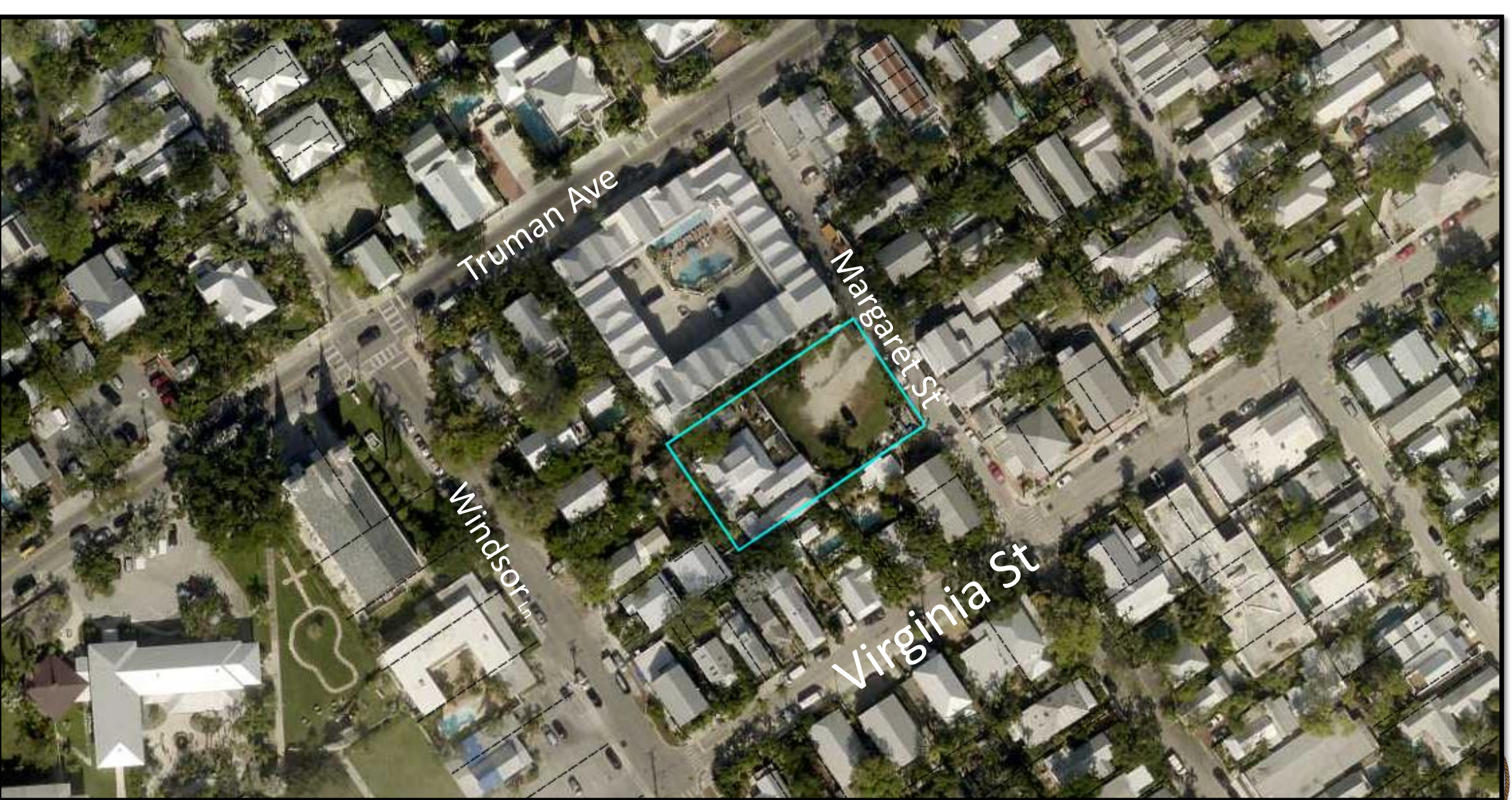
1020 Margaret St.



- 
- The applicant is requesting a variance to the minimum front and rear setbacks for a principle structure in the HMDR zoning district. This variance is in addition to a Minor Development Plan, the variance must be approved before the Minor Development Plan proposal can be heard. The applicant proposes the relocate of two noncomplying historically contributing structures, one of which will encroach into the front setback. The applicant also proposes the construction of a detached single-family unit that will encroach in the rear setbacks of the parcel.

Request





Truman Ave

Margaret St

Windsor Ln

Virginia St




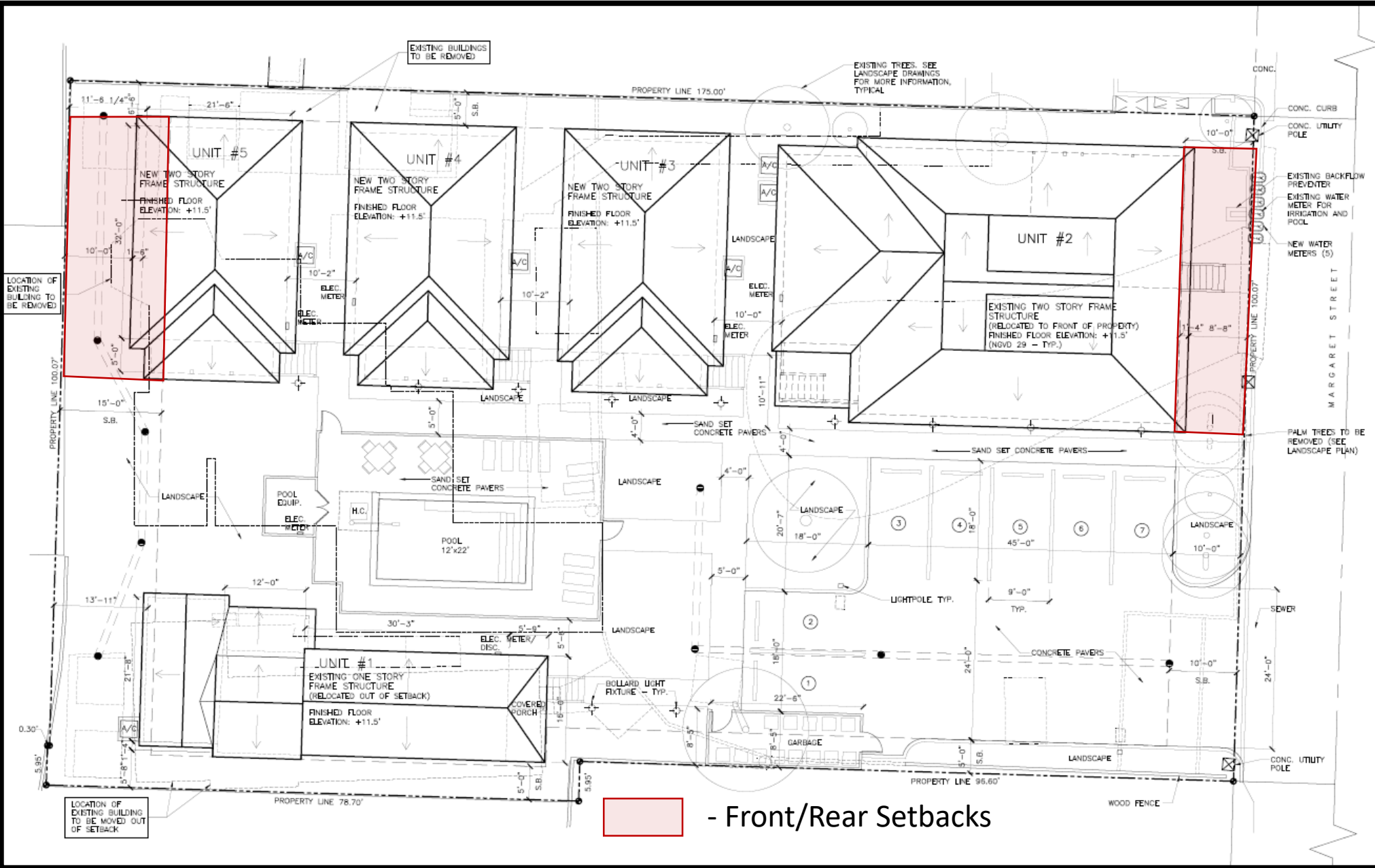
- Zoned Historic Medium Density Res. (HMDR)
- Located in the Historic District
- Principal structures are historically contributing structures
 - Built in 1906 and 1920, respectively.
- Applicant is relocating historic structures to be visible from the street, and all new structures to be in the rear of the property.
- Relocating the historic structures will reduce the overall noncompliance, but will still need a front and rear setback variance

Background



Proposed Site Plan, 1020 Margaret

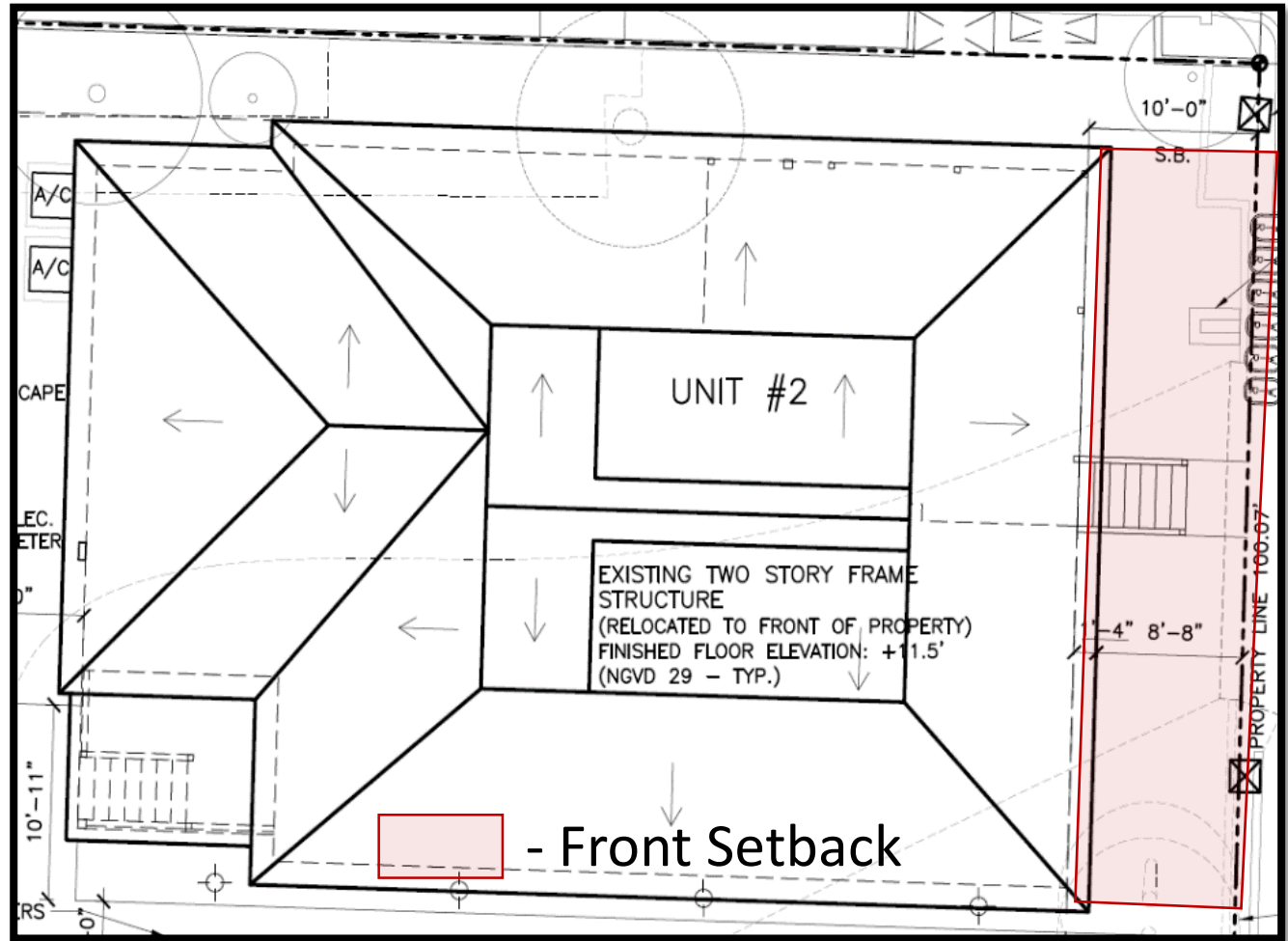
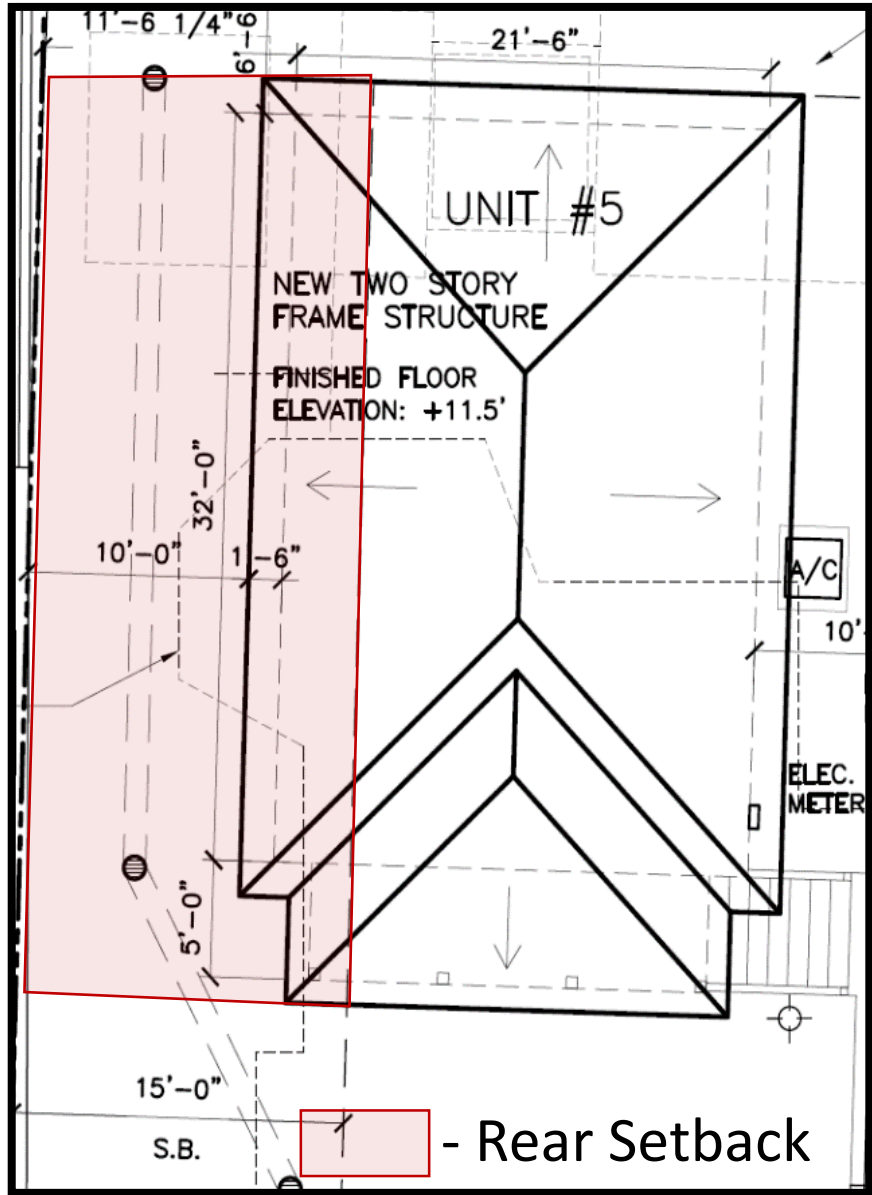
 Setback Encroachments



 - Front/Rear Setbacks



Portion of Proposed Site Plan, 1020 Margaret



Site Data Table				
	Code Required	Existing	Proposed	Variance Request
Zoning	HMDR			
Flood Zone	X			
Size of Site	17,980 sqft			
Height	30	22' 6"	26' 4"	n/a
Front Setback	10'	72' 11"	5' 6"	3' 4"
Side Setback	5'	0'	5'	n/a
Rear Setback	15'	2' 3"	9'	6'
Building Coverage	40% -- 7,192 sqft	27.5% -- 5,004 sqft	37% -- 6,697 sqft	n/a
Impervious Surface	60% -- 10,788 sqft	47% -- 8,418 sqft	59.7% -- 10,750 sqft	n/a
Parking	5 Spaces	0 Spaces	7 Spaces	n/a

Site Data



1. Existence of special conditions or circumstances. That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land, structures, or buildings in the same zoning district.

NOT IN COMPLIANCE

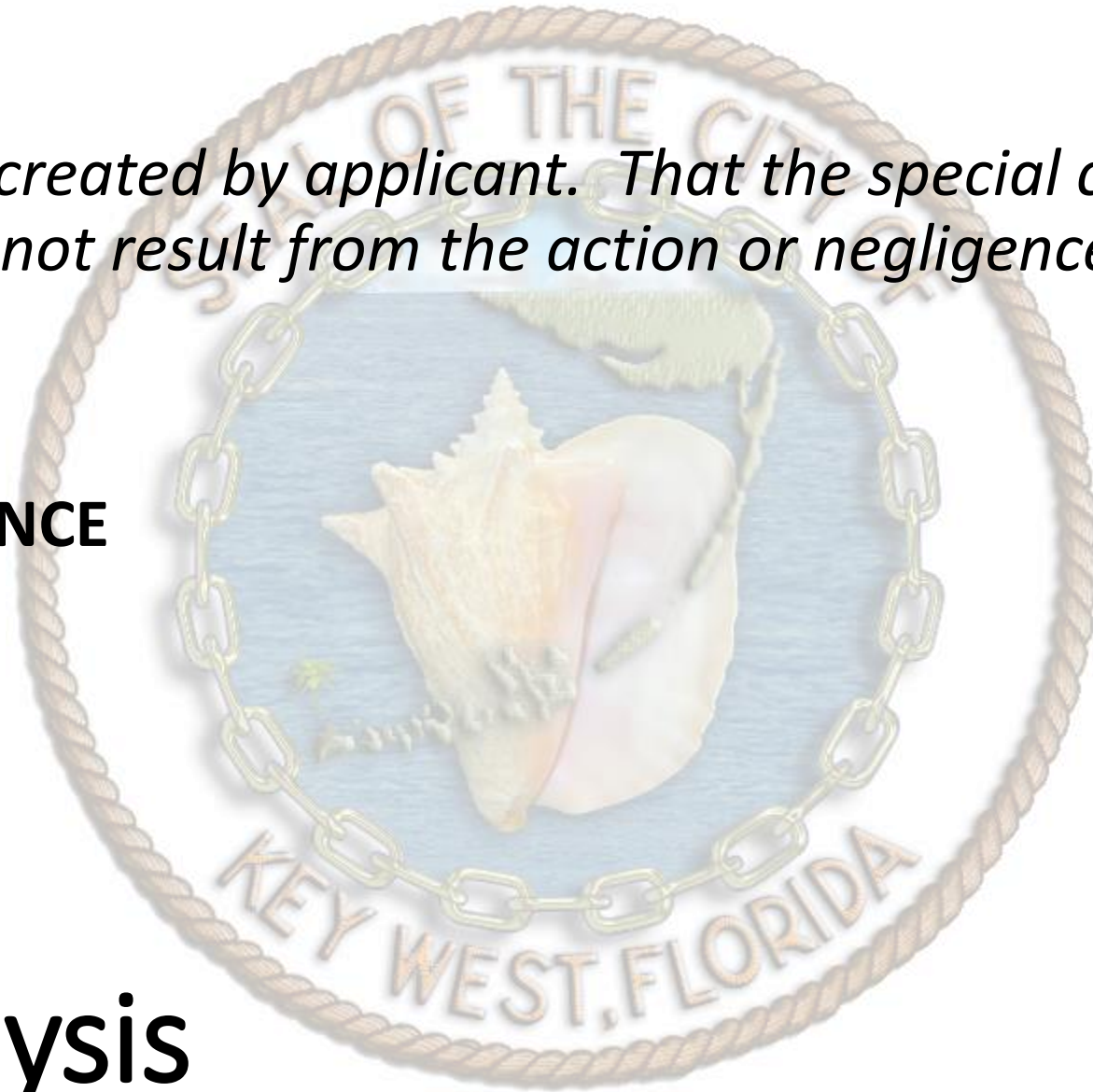
Staff Analysis



2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant

NOT IN COMPLIANCE

Staff Analysis



3. Special privileges not conferred. That granting the variance requested will not confer upon the applicant any special privileges denied by the land development regulations to other lands, buildings, or structures in the same zoning district.

NOT IN COMPLIANCE

Staff Analysis



4. Hardship conditions exist. That literal interpretation of the provisions of the land development regulations would deprive the applicant of rights commonly enjoyed by other properties in this same zoning district under the terms of this ordinance and would work unnecessary and undue hardship on the applicant.

NOT IN COMPLIANCE

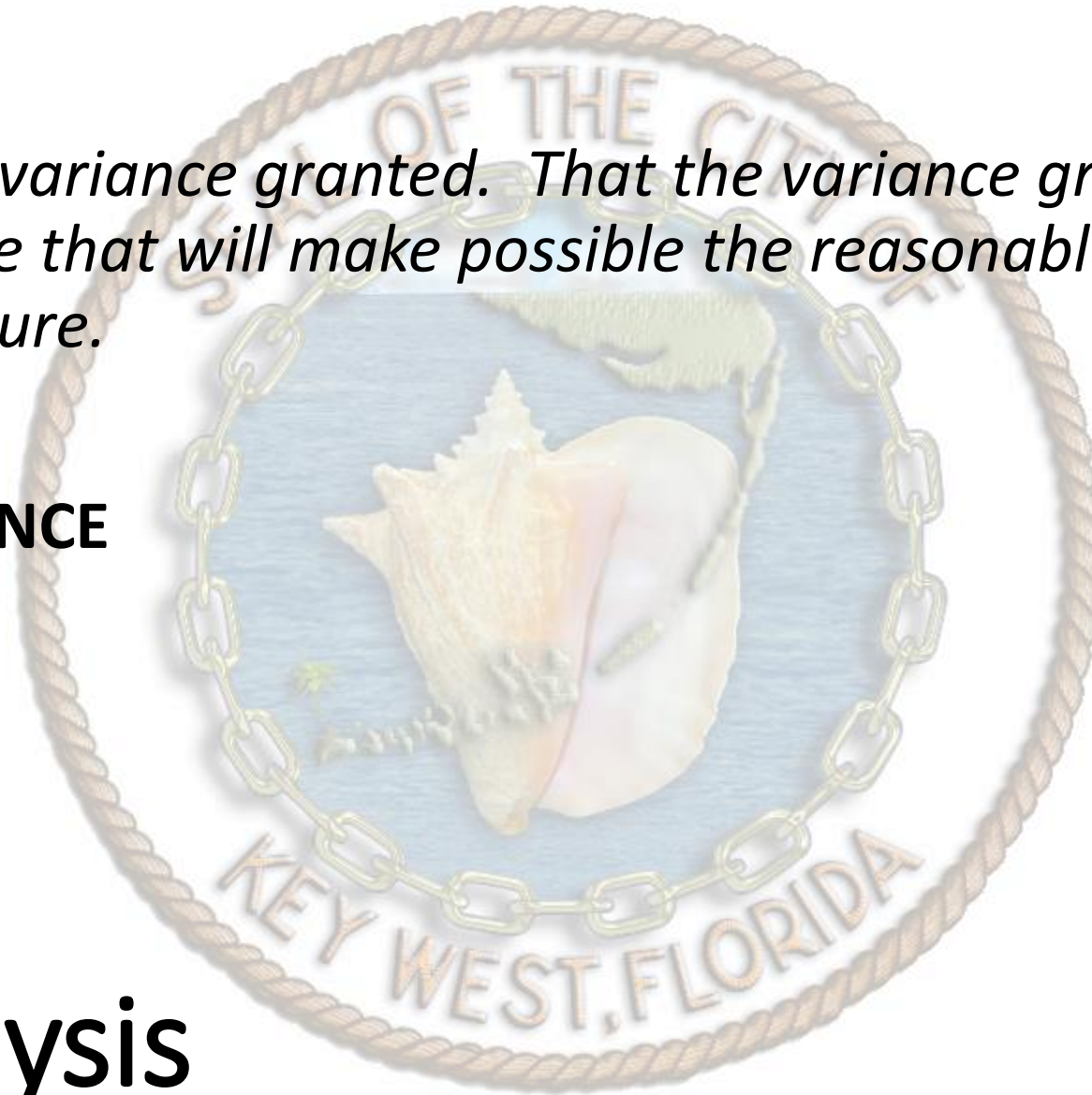
Staff Analysis



5. Only minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

NOT IN COMPLIANCE

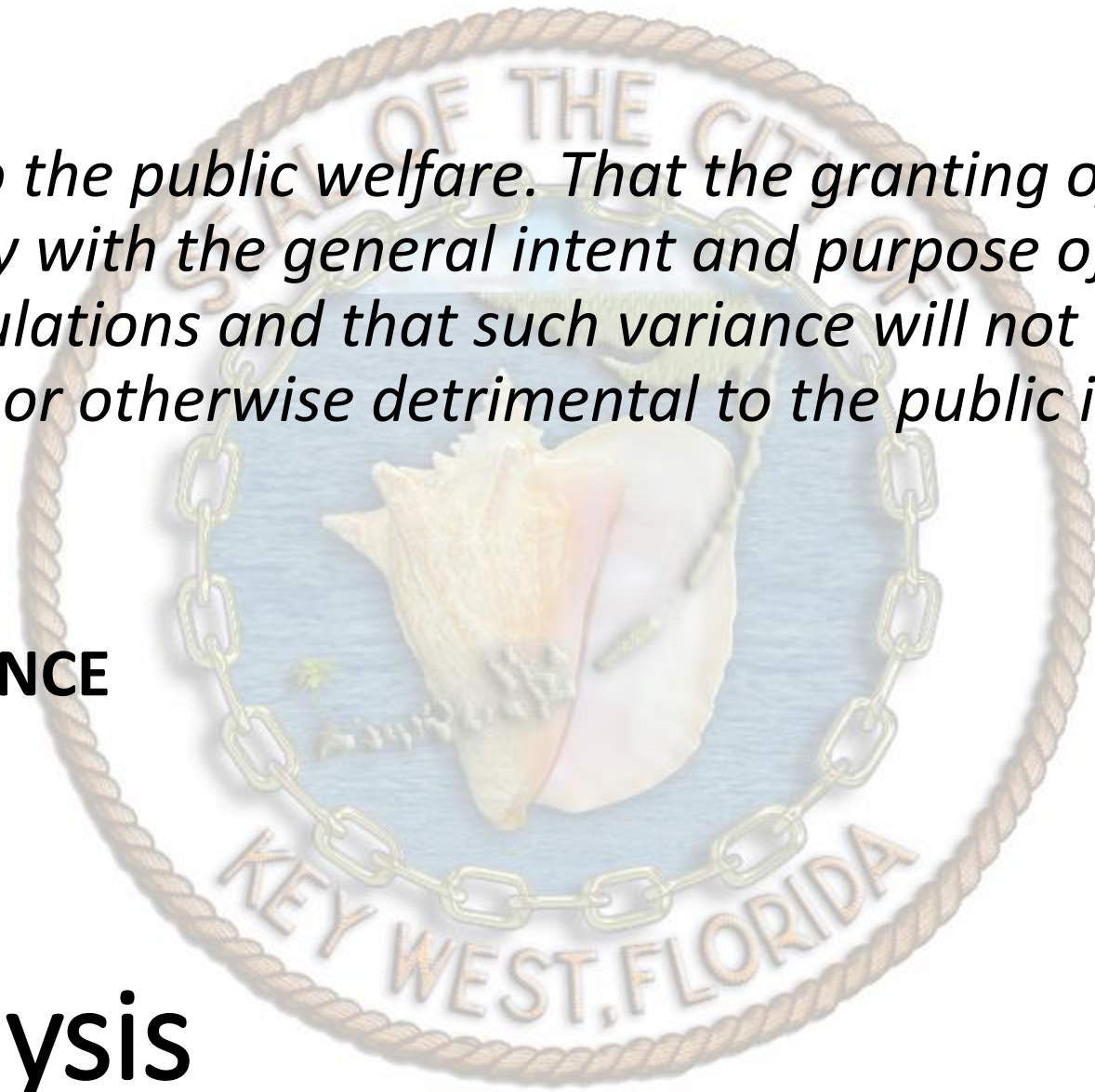
Staff Analysis



6. Not injurious to the public welfare. That the granting of the variance will be in harmony with the general intent and purpose of the land development regulations and that such variance will not be injurious to the area involved or otherwise detrimental to the public interest or welfare.

NOT IN COMPLIANCE

Staff Analysis



7. Existing nonconforming uses of other property not the basis for approval. No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

IN COMPLIANCE

Staff Analysis



The Planning Department, based on criteria in the City Code, recommends the request for a variance be **denied**.

Staff Recommendation



If a vote to approve is passed by the Planning Board, the Planning Department recommends the request for a variance be approved with the following conditions:

1. The proposed construction shall be consistent with the plans signed, sealed, and dated 6/18/2020 by William Horn, PA.
2. No units located on the property addressed 1020 Margaret Street and subject to this variance be used for transient rentals.
3. All required landscaping is to be maintained in good health and to be landscaped per the Planting Plan submitted with Resolution 2012-48
4. Landscaping is to be planted in the rear of the property between Unit #5 and the rear property line to baffle noise and mitigate the effects of the single-family unit encroaching into the rear setback. Landscaping will be subject to the City of Key West Urban Forester's approval.

Staff Recommendation

