

**THE CITY OF KEY WEST  
PLANNING BOARD**

**Staff Report**

**To:** Chairman and Planning Board Members

**Through:** Katie P. Halloran, Planning Director

**From:** Ben Gagnon, Planner II

**Meeting Date:** July 17, 2025

**Application:** **Variance – 612 Petronia Street, 2 (RE# 0001637000-000000)** – Applicant requests a variance to the required front, side, and rear setbacks to reconstruct a single-family dwelling at a property located in the Historic High Density Zoning District (HHDR) pursuant to sections 90-395 and 122-630 of the Code of Ordinances of the City of Key West, Florida.

**Request:** The subject property is proposing to demolish the existing nonconforming single-family residence and reconstruct a new single-family residence within the front, rear and side setbacks.

**Applicant:** Richard McChesney

**Property Owner:** Benjamin Sorensen

**Zoning:** Historic High Density Residential



## Background & Request

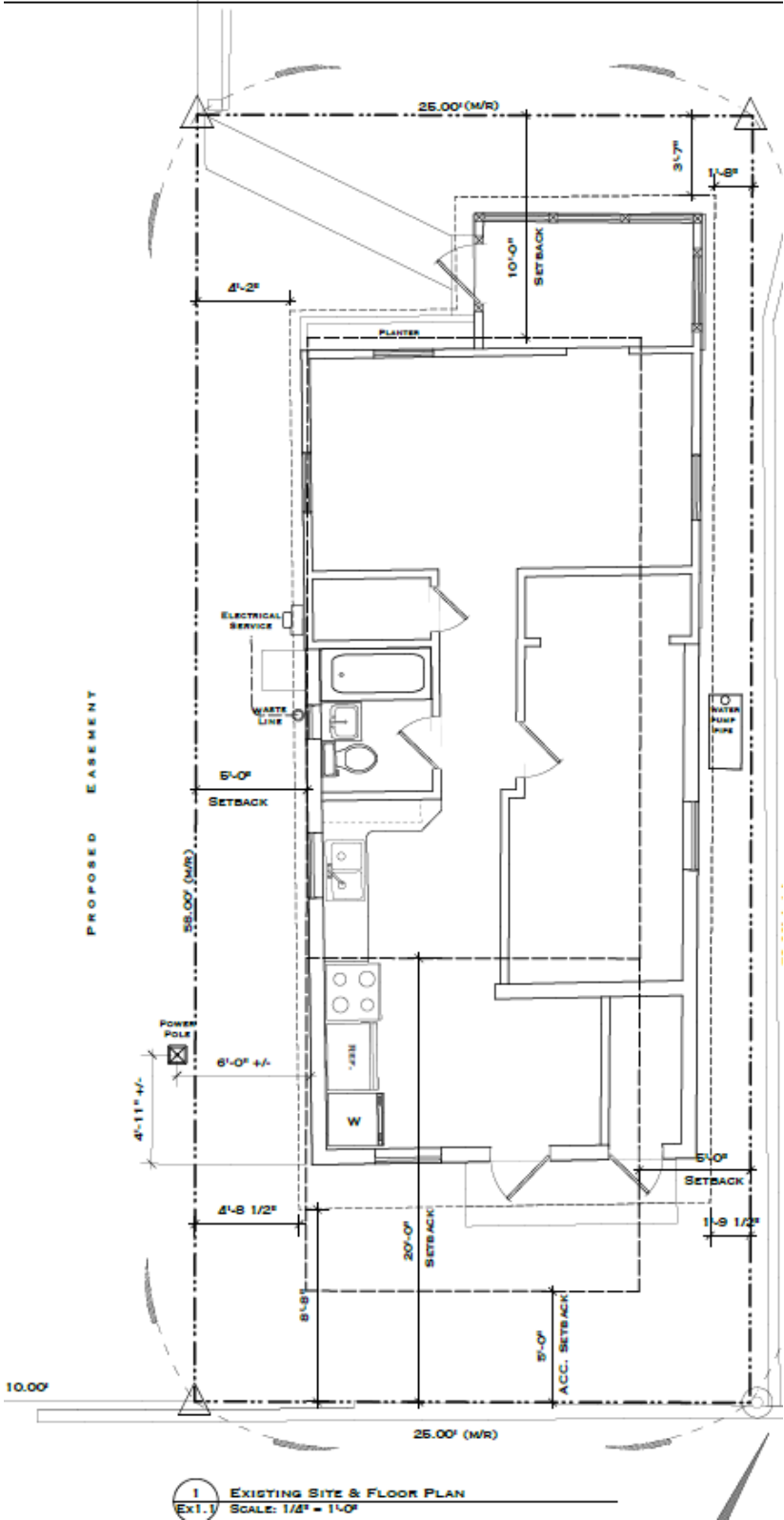
The subject property is a 1,450 square-foot parcel located at 612 Petronia St, 2 Street in the Historic High Density Residential District. The property contains a one story single-family dwelling. The structure is a historic, contributing structure that will require HARC approval for demolition and reconstruction. The proposed reconstruction is for a two-story single-family home.

This project was thoroughly reviewed in discussions between Planning and Legal staff, as well as with the applicant. It was determined that moving forward with a variance is appropriate, as the demolition and reconstruction are voluntary. As a result, the new build must be treated as a fresh application and will require variances for all instances of noncompliance, given that it exceeds the existing 3D building envelope. The development exceeds the threshold in Sec 122-32 as the proposed work exceeds the limit of an 'alteration'.

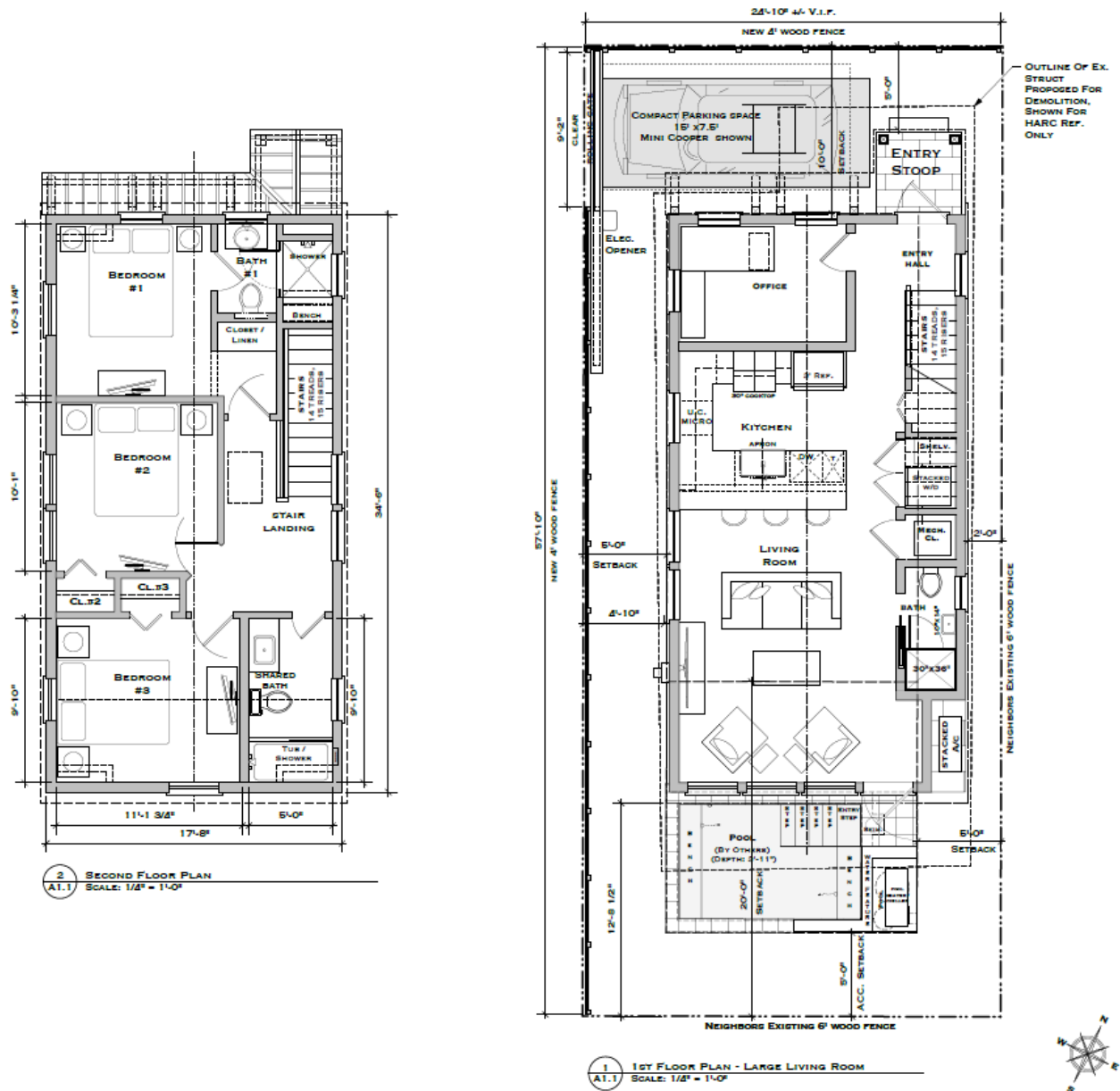
### SITE DATA

	Permitted	Existing	Proposed	Variance?
<b>Lot Size</b>	4,000 sq. ft.	1,450 sq. ft.	No change	
<b>Building Coverage</b>	50%	48.8%	47.7%	No
<b>Impervious Surface</b>	60%	38.1%	53.4%	No
<b>Open Space</b>	35%	46.4%	46.5%	No
<b>Height</b>	30'	12'8"	22' 4"	No
<b>SETBACKS</b>				
<b>Front Setback</b>	10'	3' 7"	5'	<u>Yes</u>
<b>Side Setback (east)</b>	5'	1' 8"	2'	<u>Yes</u>
<b>Side Setback (west)</b>	5'	4' 2"	4' 11"	<u>Yes</u>
<b>Rear Setback</b>	20'	8' 8"	12' 8.5"	<u>Yes</u>

Existing Site Plan



## Proposed Site Plan



### Process:

Planning Board Meeting:  
Local Appeal Period:  
Planning renders to DOC for review:

July 17, 2025  
10 Days  
Up to 45 days

### Staff Evaluation:

The criteria for evaluating a variance are listed in Section 90-395 of the City Code. The Planning Board, before granting a variance, must find all the following:

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.*

There are no special circumstances which exist that 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**

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

There are no special conditions or circumstances that exist.

**NOT IN COMPLIANCE**

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.*

Granting the variance would confer on the applicant the ability to reconstruct the property outside the 3D envelope with nonconforming setbacks, which is not permitted for other properties in the same zoning district.

**NOT IN COMPLIANCE**

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.*

Literal interpretation of the provisions of the land development regulations would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. All properties in the zoning district are subject to the same setback requirements.

**NOT IN COMPLIANCE**

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.*

The variance requested is not the minimum variance that will make possible the reasonable use of the land, building or structure. The structure currently functions as a dwelling.

**NOT IN COMPLIANCE**

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.*

The variance is not likely to be injurious to the area involved or otherwise detrimental to the public interest.

## IN COMPLIANCE

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.*

Existing nonconforming uses of other properties are not the basis of this request.

## IN COMPLIANCE

### **Concurrency Facilities and Other Utilities or Service (Section 108-233):**

It does not appear that the requested variance will trigger any public facility or utility service capacity issues.

### **The Planning Board shall make factual findings regarding the following:**

1. *That the standards established by Section 90-395 of the City Code have been met by the applicant for a variance.*

Staff has found that the standards established by Section 90-395 of the City Code have not been met by the applicant.

2. *That the applicant has demonstrated a “good neighbor policy” by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors.*

As of July 10<sup>th</sup>, staff have received no letters of objection or support from neighbors.

### **Recommendation:**

The variance request to the minimum required front, side east, west, and rear yard setbacks for the property located at 612 Petronia Street, 2, does not meet all the criteria stated in Section 90-395. Therefore, the Planning Department recommends that the request for a variance be **denied**.

If the Planning Board chooses to approve the variances, the Planning Department recommends the following conditions:

### **General Conditions:**

1. The proposed work shall be consistent with the attached signed and sealed plans on November 20, 2025 by T.S. Neal Architect INC.
2. The proposed project is subject to the review and approval of the HARC commission.