

July 15, 2021

Attn: City of Key West Planning Board

P.O. Box 1409

Key West, FL 33041

RE: Objection to Variance Request for Additional Unit at 3528 Eagle Avenue (#00052620-000000)

Dear Planning Board,

It is the opinion of the below listed individuals (Neighbors) that the City of Key West Planning Board must deny the above referenced variance request for the reasons stated below:

1. It was the opinion of this board during the April 22nd, 2021 meeting that Variance Request for Additional Unit at 3528 Eagle Avenue would be denied but for several listed conditions being met. The board noted that the Requestor would have “ample time” to complete said conditions by the July meeting. As of the date of this letter, it is the opinion of the Neighbors that these changes have not been made in compliance with the Boards request and therefore the request must be denied if true. A brief description of some but not all of the requested changes, per the Neighbors, are listed below:
 - a. To the best of their knowledge, no Swale or stormwater retention technique was implemented.
 - b. To the best of their knowledge, the accessory unit does not conform to all regulations of Accessory Units per Section 122-232 and Section 122-233.
 - c. To the best of their knowledge, the structure was not moved six feet from all property lines.
 - d. To the best of their knowledge, no “plant landscaping” was installed along the length of the Fence.
2. The City of Key West Planning Department denied the request for a variance, which was submitted to the Board in the City of Key West Planning Board Staff Report. It was stated that if the Planning Board was to approve this application staff recommends several conditions be satisfied. As of the date of this letter it is believed that most if not all of the requirements listed by the Planning Department have been completed.
3. Section 90-395 (a) of the City of Key West Code of Ordinances states the standard for considering variances. It states that the Planning Board **must** find all of the listed requirements stated in subsection (1) – (7). It is the opinion of the Neighbors that most if not all of these requirements have not been met and therefore the request must be denied if true.

4. Section 90-395 (2) of the City of Key West Code of Ordinances states that the applicant demonstrate a “good neighbor policy”. This was discussed at length with the Board during the April 22nd, 2021 meeting as a key requirement for the Boards future approval. As of the date of this letter, it is the opinion of the Neighbors that some if not all of the objections expressed by the neighbors have **not** been modified to an acceptable form by the applicant. This is apparent by mere volume of complaints received by the Board on this issue.
5. In a time of “Social Distancing” it is the opinion of the Neighbors that any further additional hosing in the area would be counterintuitive to the City’s mandate in the fight against Covid-19.
6. The continued administrative actions related to the above referenced variance request has put a financial, physical, and mental burden on the neighbors listed below.

For these reasons and others reasons known by the Board, the below listed Neighbors respectfully request the City of Key West Planning Board **DENY** variance request -3528 Eagle Avenue (RE 00052620-000000).

This letter is meant to act in addition to any previous letter sent to the Board regarding the above referenced request and not in contradiction.

This letter has been drafted on the behalf of:

- **James and Danielle Fossil** of 3525 Eagle Ave. Key West, Florida 33040
- **Donald and Nicole Trujillo** of 3539 Eagle Ave. Key West, Florida 33040
- **Michael and Kim Minor** of 3531 Eagle Ave. Key West, Florida 33040
- **David Owens** of 3524 Eagle Ave. Key West, Florida 33040
- **John Creighton** of Eagle Ave. Key West, Florida 33040

Respectfully Submitted,