

**PLANNING BOARD
RESOLUTION NO. 2025-**

**VARIANCE REVOCATION – 2719 STAPLES
AVENUE (RE#00067790-000000) – APPLICANT
REQUESTS THAT THE PLANNING BOARD
RESCIND THE APPROVALS AND CONDITIONS OF
APPROVAL FOR OF PLANNING BOARD
RESOLUTIONS 2021-065 AND 2022-027 FOR A
PROPERTY LOCATED IN THE SINGLE- FAMILY
RESIDENTIAL (SF) ZONING DISTRICT PURSUANT
TO THE CITY OF KEY WEST LAND
DEVELOPMENT REGULATIONS**

WHEREAS, the subject property is located at 2719 Staples Avenue (RE#00067790-000000) in the Single-Family zoning district; and

WHEREAS, the subject property was issued a variance for maximum permitted size of an accessory dwelling unit size through Resolution 2021-065; and

WHEREAS, the subject property was issued a Building Permit Allocation System (BPAS) unit of 0.78 ESFU through Resolution 2022-027 to construct one (1) accessory dwelling unit; and

WHEREAS, pursuant to Sec. 122-233, any application for accessory units shall include deed restrictions which shall be filed with the city and the clerk of the circuit court; and

WHEREAS, a condition of approval of Planning Board Resolution 2022-027 included a requirement that the required deed restriction be recorded prior to submittal of a building permit application; and

WHEREAS, the deed restriction was recorded and a building permit application was submitted and approved (BLD2024-2161) 10/23/24 (attached); and

WHEREAS, the building permit has not been issued, and the applicant no longer wishes to construct the accessory structure or unit; and

WHEREAS, the applicant submitted a request to appear before the Planning Board to request the rescission of the variance, its conditions of approval, including the deed-restriction, and to relinquish the associated 0.78 BPAS allocation; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on March 27, 2025; and

WHEREAS, the Planning Board found that the approval of this request will be in harmony with the general purpose and intent of the Land Development Regulations, and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare; and

NOW, THEREFORE, BE IT RESOLVED by the Planning Board of the City of Key West, Florida:

Section 1. That the above recitals are incorporated by reference as fully set forth herein.

Section 2. That a request to revoke the approval and conditions of approval of Planning Board Resolutions 2021-065 and 2022-027 for the subject property located at 2719 Staples Avenue, with the following condition:

1. Upon the approval of this resolution the 0.78 BPAS unit will be relinquished to the City's BPAS pool automatically by operation of law.

Section 3. This resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Commission.

Read and passed on first reading at a regularly scheduled meeting held on this 27th day of April, 2025.

Authenticated by the Chairman of the Planning Board and the Planning Director;

Peter Batty Jr, Planning Board Chair

Date

Attest:

Katie P. Halloran, Planning Director

Date

Filed with the Clerk:

Keri O'Brien, City Clerk

Date