

**THE CITY OF KEY WEST
PLANNING BOARD**

Staff Report

To: Chairman and Planning Board Members

Through: Jim Singelyn, Acting Planning Director

From: Sheetal Almas, Planner I

Meeting Date: October 16, 2025

Application: **Variance – 1100 Grinnell Street (RE# 00031480-000000)** – Applicant requests a variance to the maximum required rear yard accessory coverage from the required 30% maximum to a proposed 50.23% to reconstruct an accessory structure in the rear yard at an existing residential property located in the Historic Medium Density Residential Zoning District (HMDR) pursuant to sections 90-395, 122-1181, and 122-596 through 122-610 of the Code of Ordinances of the City of Key West, Florida.

Request: The subject property proposes to remove an existing shed and pool and construct a new 432 square-foot accessory pool house with a smaller 218 square-foot pool, requiring a variance for rear yard coverage.

Applicant: Heather Korth

Property Owner: Gary and Susan August

Zoning: Historic Medium Density Residential (HMDR)



Background & Request

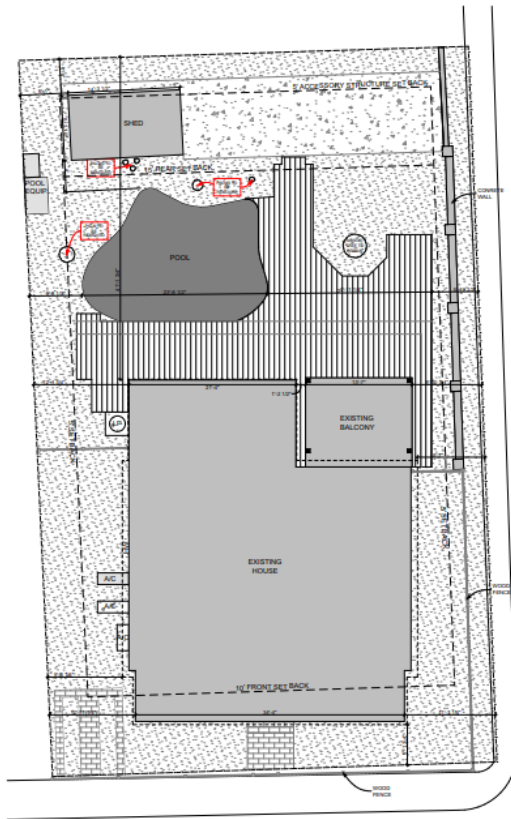
The subject property is a 5,223 square-foot parcel located at 1100 Grinnell Street, within the HMDR Zoning District. The site is currently developed with a two-story single-family residence, a 313 square-foot pool, and a 119 square-foot rear yard shed. The applicant proposes to remove the existing shed and pool and replace them with a 432 square-foot accessory pool house and a smaller 218 square-foot pool. The proposed pool house meets all required setbacks, height, building coverage, impervious surface, and open space standards; however, it exceeds the maximum rear yard coverage threshold of 30 percent, with 50.23 percent proposed.

SITE DATA

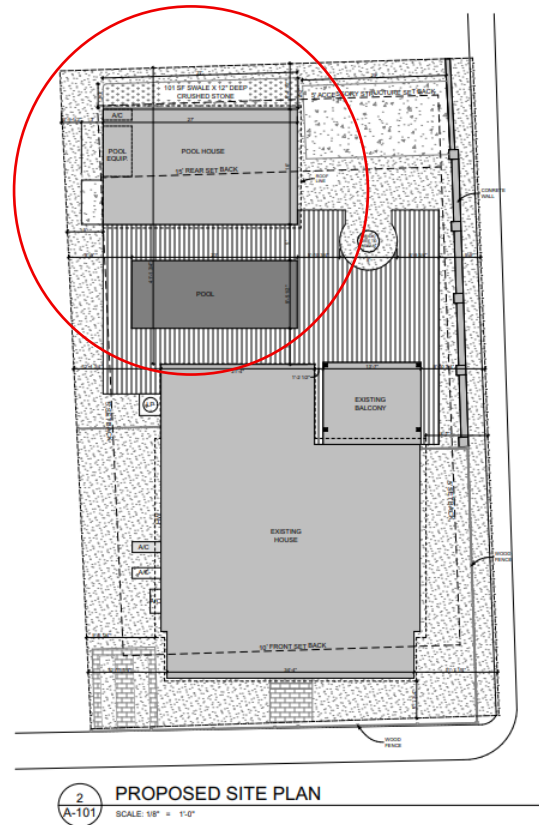
	Permitted	Existing	Proposed	Variance?
Lot Size	4000 sq. ft. (min)	5,223 sq. ft.	No Change	No
Building Coverage	40%	32.47%	38.40%	No
Impervious Surface	60%	48.50%	49.66%	No
Open Space	35%	38.89%	36.05%	No
Height	30'	26' 10"	No Change	No
SETBACKS				
Front Setback	10'	5' 1"	No Change	No
Street Side Setback (north)	7.5'	8' 7"	No Change	No
Side Setback (south)	5'	9' 6"	No Change	No
Rear Setback	15'	41' 1"	No Change	No
Accessory Rear Yard Coverage	30% Max	13.84%	50.23%	Yes

Existing / Proposed Site Plan

Existing Site Plan



Proposed Site Plan



Process:

Planning Board Meeting:

October 16, 2025

Local Appeal Period:

10 Days

Planning renders to DOC for review:

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 upon the applicant the ability to increase rear yard coverage from the required 30% (per Section 122-1181) to 50.23%, 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 site requirements.

NOT IN COMPLIANCE

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

The variance requested is not the minimum variance that will make possible 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 October 1st, staff have received no letters of objection and 5 letters of support for the item.

Recommendation:

The variance request to exceed the maximum rear yard coverage for accessory structures from the required 30% to the proposed 50.23% for the property located at 1100 Grinnell Street 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 dated August 11, 2025, prepared by Heather Korth, Architect.
2. The applicant shall obtain all required permits and approvals, including tree removal/landscape approval from the City Urban Forester and stormwater approval from the Director of Engineering, as required by the City of Key West Variance Application Procedures (Rev. 09.19.24, p.1) and consistent with the stormwater management standards set forth in Chapter 114, Sec. 114-103 of the City Code of Ordinances, prior to the issuance of building permits.
3. All construction shall comply with the Florida Building Code and all other applicable laws and ordinances.