

**THE CITY OF KEY WEST  
PLANNING BOARD  
Staff Report**



To: Chairman and Planning Board Members

Through: Katie P. Halloran, Planning Director

From: Daniel Sobczak, Planner I

Meeting Date: May 21<sup>st</sup>, 2020

Application: Variance- 624 White Street (RE# 00010130-000000) – A request for a variance to required off-street parking spaces for a Civic and Cultural Activities use, substituting twelve (12) bicycle spaces for the required three (3) automobile parking spaces per code on a parcel located within the Historic Medium Density Residential (HMDR) zoning district pursuant to Section 90-395, Section 108-572 (3) and Section 108-574 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Request: The applicant is requesting a variance to reduce the overall amount of parking needed for a Civic and Cultural Activity use. For this site, code Section 108-572 requires three (3) standard off-street parking spaces. The applicant has modified their original proposal and is currently proposing to eliminate the single parking space currently on the property, convert the driveway into a loading/unloading space, and install four (4) bicycle parking spaces.

Applicant: Owen Trepanier & Associates, Inc.

Property Owner: Key West Literary Seminar, Inc.

Location: 624 White Street (RE # 00010130-000000)



**Background:**

The Elizabeth Bishop house is located at 624 White Street. The single-family structure on the property dates to the late nineteenth century and the exterior is mostly architecturally intact. The interior of the structure has been updated with modern utilities, but otherwise remains historically accurate except for an added bathroom on the first floor. The structure was acquired by the poet Elizabeth Bishop in 1938 and she lived there on and off for eight years until eventually selling the house in 1946. The single-family structure is architecturally known as an *eyebrow house*, which is a classical revival style that features side-oriented gable-roofed buildings. These gable roof extensions in the front create a large awning over the top floor windows, which is how the style received the *eyebrow* moniker.

The structure at 624 White Street is a historically significant house and contributes to the Key West Historic District. The home has been used as a single-family structure for most of its existence until it was bought by the current owner in 2019. The house is a two-story frame structure with two bedrooms and two bathrooms. The rear addition of a screen porch is also historic and was built over the historic cistern for the house. The parcel is located in the HMDR zoning district and is bordered by property in the Historic Special Medium Density Residential (HSMDR) zoning district to the north, HMDR to the east and west, and Historic Neighborhood Commercial (HNC-2) zoning to the south.

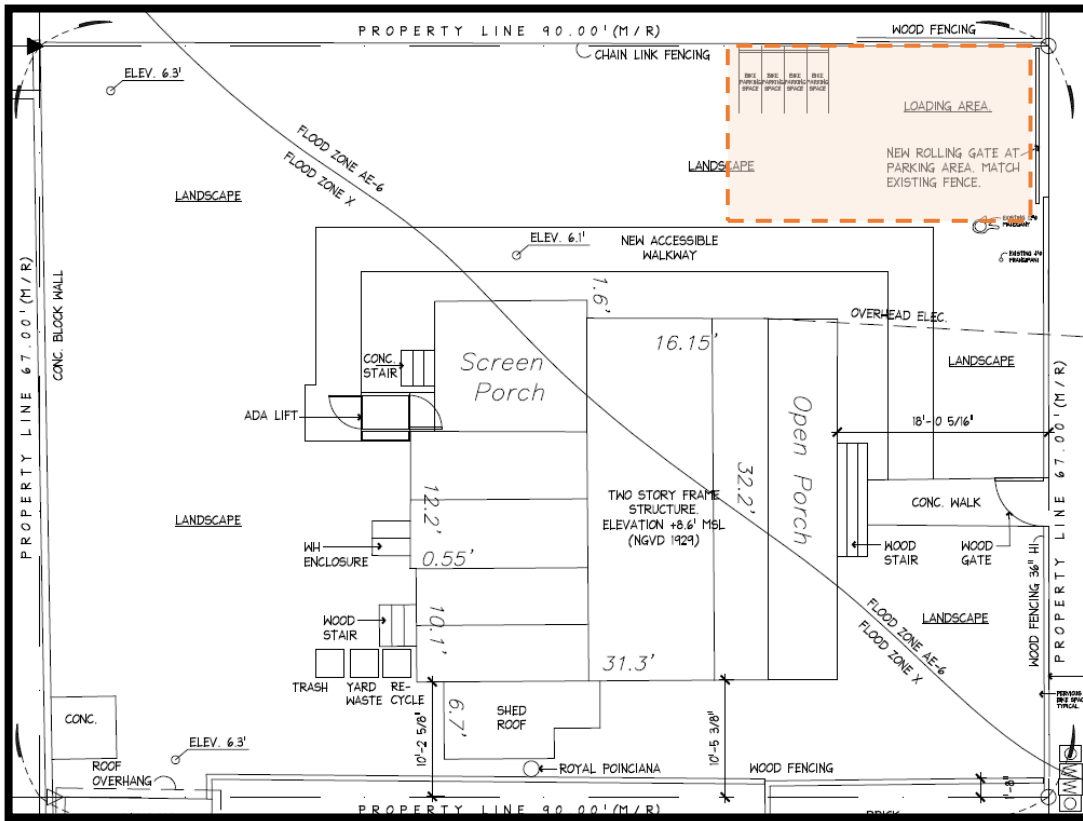
The applicant is currently seeking a conditional use permit for a Civic and Cultural Use at the property. If the parcel converts from a single-family residence to a community facility with a civic and cultural use, new requirements would apply to the property. Per Section 108-572, Civic and Cultural Use requires one (1) off-street space per five (5) seats in the main assembly hall. The main assembly hall at 624 White Street has a seating area of 96 sqft and an allotment of 14 seats, which creates the need for three (3) off-street parking spaces.

The applicant has applied to substitute off-street bicycle parking for required off-street vehicular parking per Section 108-574 with four (4) bicycle parking spaces equating to one motorized parking space. The applicant proposes to substitute twelve (12) off-street bicycle parking spaces for the three (3) required vehicular parking spaces. Section 108-574 specifies that applicants for development plans may substitute excess bicycle parking for vehicular parking requirements, however the scale of this project does not meet the minimum standards for either a minor or major development plan per Section 108-91. The planning department will review the applicant's proposal as a parking variance per Section 90-395.

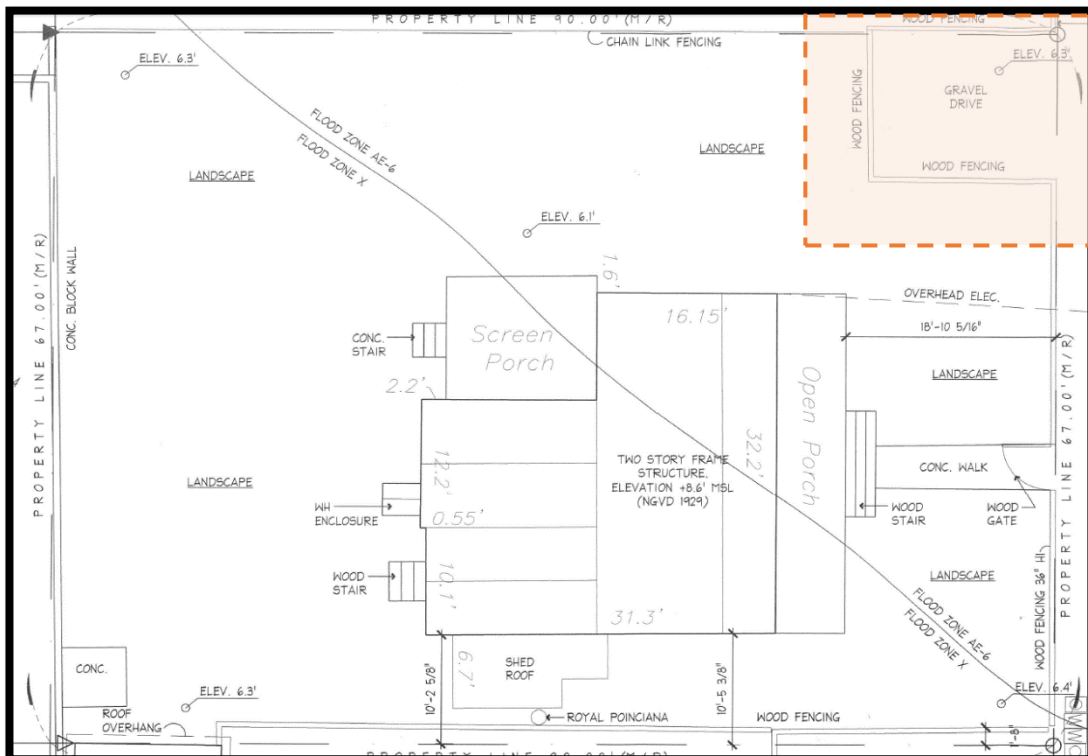
On May 19, 2020 the applicant asked to modify the variance request, from the installation of twelve (12) off-street bicycle parking spaces to the installation of four (4) off-street bicycle parking spaces. The new documentation offered to the Planning Department show the retention of the current driveway and transforming the current off-street parking space into a loading space. All approved bicycle parking spaces shall comply with guidelines per Section 108-643.

### Modified Proposed Site Plan, 624 White Street, 2020

The modified site plan shows the conversion of the driveway into a loading zone, the elimination of one (1) off-street motorized vehicle spaces, and the installation of four (4) bicycle parking spaces.



### Current Site Plan, 624 White Street, 2020

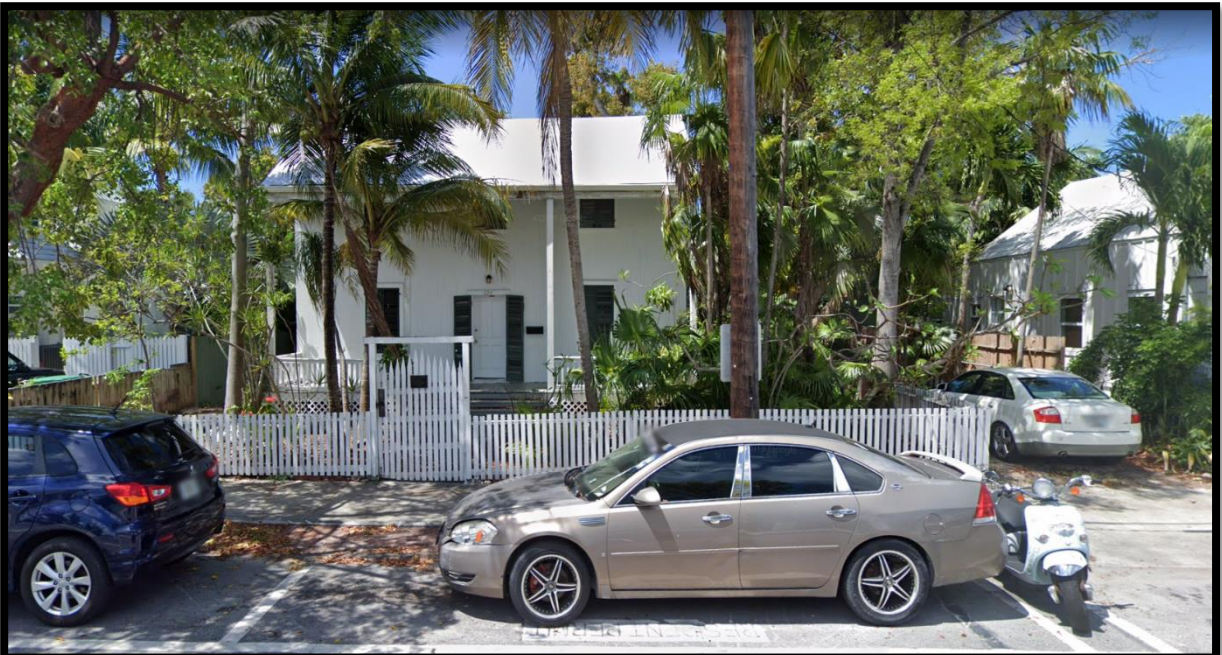




624 White Street, 2019



825 Duval Street, 2019



### **Staff Analysis - Evaluation:**

The criteria for evaluating a variance are listed in Section 90-395 of the City Code. The applicant applied for a bicycle substitution pursuant to Section 108-574. Section 108-547 states that “An applicant for development plan approval pursuant to article II of this chapter [Chapter 108] may filed a request for a variance to substitute additional bicycle parking...four bicycle parking spaces shall be equivalent to one motorized vehicle parking space.” The code does not current allow for a small-scale project that does not reach the minimum requirements for a minor or major development plan to benefit from Section 108-574. The modified variance request is to convert the current off-street parking space into a loading space, install four (4) off-street bicycle parking spaces, and to reduce the required off-street parking spaces from three (3) off-street parking spaces to zero (0) off-street parking spaces. The analysis below follows the required review criteria for a variance as 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.*

The parcel, with a proposed conditional use for Civic and Cultural Use, is a located in the HMDR zoning district. The parcel contains a historic structure and is located on the 600 block of White Street which has a mix of on-street resident parking and non-resident parking. The parcel currently meets required parking for a single-family dwelling with a single width driveway that provides one (1) off-street parking space per the City Code. The applicant’s proposed conversion of the lot into a Cultural and Civic Use would require three (3) off-street parking spaces.

As previously noted, the house at 624 White Street was acquired by nationally renowned poet Elizabeth Bishop in 1938 and she lived there on and off for eight years until eventually selling the house in 1946. The structure is a contributing structure in the Key West Historic District. The creation of two (2) additional off-street parking spots would add 400 sqft of impervious area and parking surface to the parcel which may have a negative impact on the historic character of the site. The Comprehensive Plan of the City of Key West, per Chapter 1A: Historic Preservation Element, states that the City shall preserve historic structures. Policy 1A-1.3.9 states the City shall assess variance procedures to determine their impact on historic preservation objectives and Policy 1A-1.3.11 states that the City shall consider allowing waiver of specific building code requirements to encourage the renovation or rehabilitation of contributing structures in the Historic 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.*

The property was constructed in 1889, it is unclear when the driveway was installed. The change of use from a single-family structure to a Cultural and Civic Use increases the required parking needed from one (1) off-street parking space to three (3) off-street parking spaces. The applicant would like to convert the current driveway into a loading space and install four (4) off-street bicycle spaces. The parcel currently meets parking requirements as a single-family structure, the applicant’s conversion of the property into a Cultural and Civic Use prompts new requirements per Section 108-572 for three (3) off-street parking spaces.

**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.*

While parking variances are available to owners of other lands, buildings and structures in the HMDR zoning district, the applicant's requests for a parking variance to three (3) required off-street parking spaces for a Civic and Cultural use would be unique to this property in this 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.*

Most properties in the HMDR zoning district are single-family residential structures that require one (1) off-street parking space. The parcel is currently a single-family structure with one (1) off-street parking space. The applicant is proposing to convert the single-family structure to a Civic and Cultural Use, the parking requirements increase to three (3) off-street parking spaces for a total of 600 sqft, instead of one (1) off-street parking space. Due to the applicant's proposal to the change of use, the parking minimum has increased and created a hardship that is unique to this property in the zoning district.

**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 required that will make possible the reasonable use of the land, building and/or structure. It is reasonable that the applicant could leave the driveway as it is so that the driveway could still be used for one (1) off-street parking spot as it is used currently.

**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.*

Many parcels on the 600 and 700 block of White Street do not have a driveway or off-street parking and must find on-street parking. The amount of on-street parking is limited and is shared between resident spaces and non-resident spaces. The removal of an off-street parking space on White Street as well as the potential increase in car trips that the proposed Civic and Cultural Use would garner would leave less on-street spaces for residents of White Street to use. The applicant has submitted a trip generation report of the current headquarters that suggest most trips to and from the Kew West Literary Seminar is either by foot or by bike.

## NOT 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 non-conforming uses of other properties, use of neighboring lands, structures, or buildings in the same district, or other zoning districts, are not the basis for 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:**

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

The standards established by Section 90-395 of the City Code have not been fully met by the applicant for the variances requested.

*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.*

The Planning Department has received public comments both for and against the parking variance request. Most of the public comment has been positive for the conditional use and the parking variance, some of the positive public comment is from surrounding homeowners and some are from homeowners elsewhere on the island. The city has received one negative comment for the parking variance specifically stating a concern of the lack of parking already on White Street.

### **Recommendation:**

The code requires the parcel at 624 White Street to have three (3) off-street parking spaces. The applicant is applying to reduce the required three (3) off-street parking spaces to zero (0), convert the existing driveway into an off-street loading space, and to install four (4) off-street bicycle parking spaces. The Planning Department of the City of Key West recommends that the applicant maintain the current parking space on the property and design it to ADA standards.

Based on a review of the application according to the stringent evaluation criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for a variance be **denied**. If the Planning Board so chooses to approve the variance required auto parking, the planning department asks that it be approved with the following conditions:

1. The applicant maintains the one (1) parking space currently on the property

2. All off-street bicycle parking meet both HARC guidelines and the standards dictated in Section 108-643 of the Land Development Regulations of Key West
3. The applicant receives HARC and Tree Commission approval prior to installing new bike parking.
4. The location of bicycle parking may be changed subject to the approval of the Planning Director and approval from HARC staff.