

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 I

Meeting Date: March 27, 2025

Agenda Item: **Variance Revocation – 2719 Staples Avenue (RE#00067790-000000) –**
Applicant requests to dissolve the Variance and associated BPAS unit awarded through PB Res 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

Request: A request for the rescission of the variance and associated conditions of approval along with a BPAS award and to relinquish the associated 0.78 BPAS allocation back to the City of Key West.

Property Owner: Craig Cates

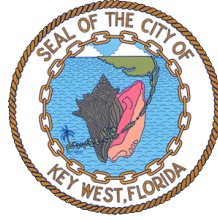
Applicant: Owen Trepanier

Location: 2719 Staples Avenue

Zoning: Single Family (SF)

Background

The subject property is located at 2719 Staples Avenue in the Single-Family zoning district. The property was awarded a BPAS unit for an affordable-rate accessory unit by Planning Board Resolution 2022-027. A variance to the maximum allowable size for an accessory unit was approved by Planning Board Resolution 2022-027.



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. 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. The deed restriction was recorded and a building permit application was submitted and approved (BLD2024-2161) 10/23/24 (attached). The building permit has not been issued, and the applicant no longer wishes to construct the accessory structure or unit.

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.

Recommendation:

The Planning Department recommends that the Planning Board approve the request, and that upon the approval of this request, that the 0.78 BPAS unit will automatically be relinquished to the City's BPAS pool by operation of law.