

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



**To:** Chairman and Planning Board Members

**Through:** Katie Halloran, Planning Director

**From:** Nicholas Perez-Alvarez, AICP, Stantec

**Meeting Date:** July 17, 2025

**Agenda Item:** **Variance – 1605 N. Roosevelt Blvd (RE# 00023280-000100)** – A request for a variance to minimum parking requirements to allow for the expansion of a food service establishment on property located within the General Commercial (CG) Zoning District pursuant to Sections 90-395, 108-572, and 108-575 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**Request:** A request for a variance to the minimum parking requirements to allow for an expansion of consumption area of an existing restaurant. The minimum required 1 parking space per 45 sq. ft. of consumption area totals 48 parking spaces for the proposed 2,144 sq. ft. consumption area; The parking requirement for all businesses operating at the shopping strip is 75 spaces, where 17 existing spaces serve the overall development.

**Applicant:** Richard McChesney / Spottswood Law Firm

**Property Owner:** Garrison Bright Investors LLC

**Location:** 1605 N. Roosevelt Blvd , Key West, Florida  
(RE # 00023280-000100; Plat Book 1, Page 3)



Figure 1 Aerial Map of the Subject Property

### **Background:**

The subject property, with a total lot size of 6,167.9 sq. ft., is in the General Commercial (CG) Zoning District. The restaurant is part of a shopping strip (built in 1976), consisting of five tenant spaces, 2 of which are leased by the restaurant.

In October 2023, the applicant obtained parking variance approval under Resolution 2023-021, to resolve a code compliance case and formalize a consumption area of 1,163 sq. ft. combined between indoor and outdoor dining, which established a parking requirement of 46 total spaces for the property, where 17 are provided. The applicant now proposes an increased consumption area from 1,163 sq. ft. to 2,144 sq. ft. with no change in the number of off-street parking spaces. This request generates a parking requirement of 22 additional spaces for a new parking deficiency of 58 spaces for the overall property. The existing and proposed consumption area are summarized below:

	Approved by Res. 2023-021	Proposed (2025)
Indoor consumption area	713 sq. ft.	713 sq. ft.
Outdoor consumption area	450 sq. ft.	1,431 sq. ft.
<b>Total consumption area</b>	<b>1,163 sq. ft.</b>	<b>2,144 sq. ft.</b>

According to the property card, this property last transferred ownership in July, 2015.

The City of Key West has issued Business Tax Receipts for the following businesses operating at 1605 N. Roosevelt Blvd.:

- Mac's Place (subject restaurant)
- Cruisin Tikis Key West LLC
- Good Times Key West LLC
- Mellow Enterprises Key West Inc
- Mellow Ventures
- Red Mangrove Kayaking LLC
- Your Island Charter LLC

The western portion of the shopping strip is addressed 1601 N Roosevelt Blvd. and consists of three tenant spaces with a combined 2,240 sq. ft. of gross floor area according to the Monroe County Property Appraiser. Table 1 below provides an overview of the parking requirement and existing deficiencies for the overall site:

<b>Table 1: Parking Analysis for 1601-1605 N Roosevelt Blvd</b>					
<b>Business</b>	<b>Use</b>	<b>Area / Intensity</b>	<b>Parking Requirement</b>	<b>Total Required Parking</b>	<b>Total Existing Parking</b>
<i>1605 N Roosevelt</i>					
Mac's Place	Restaurant	2,144 sq ft consumption area	1 space/45 sq. ft. consumption area	48	
Cruisin Tikis Key West LLC	Marina	Six 6-passenger vessels	1 space per 3 passengers based on the total capacity of commercially licensed vessels	12	
Good Times Key West LLC	Marina	One 6-passenger vessel		2	
Mellow Enterprises Key West Inc	Marina	One 6-passenger vessel		2	
Red Mangrove Kayaking LLC	Marina	One 6-passenger vessel		2	
Your Island Charter LLC	Marina	One 6-passenger vessel		2	
Mellow Ventures	Paddleboard Rental	Accessory use	None	0	
Mellow Ventures	Retail	Accessory use	None	0	
<i>SUBTOTAL</i>				<b>68</b>	<b>8</b>
<i>1601 N Roosevelt</i>					
Tenant Space 1	Retail stores and service establishments	2,240 sq ft finished sq ft	1 space / 300 sq. ft. of gross floor area	7	
Tenant Space 2					
Tenant Space 3					
<i>SUBTOTAL</i>				<b>7</b>	<b>9</b>
<b>TOTAL</b>				<b>75</b>	<b>17</b>

The proposed increase in consumption area for the restaurant yields a parking requirement of 48 spaces. The parking requirement for all businesses operating at the shopping strip is 75 spaces, where 17 existing spaces serve the overall development. Therefore, a variance of 58 spaces is required.

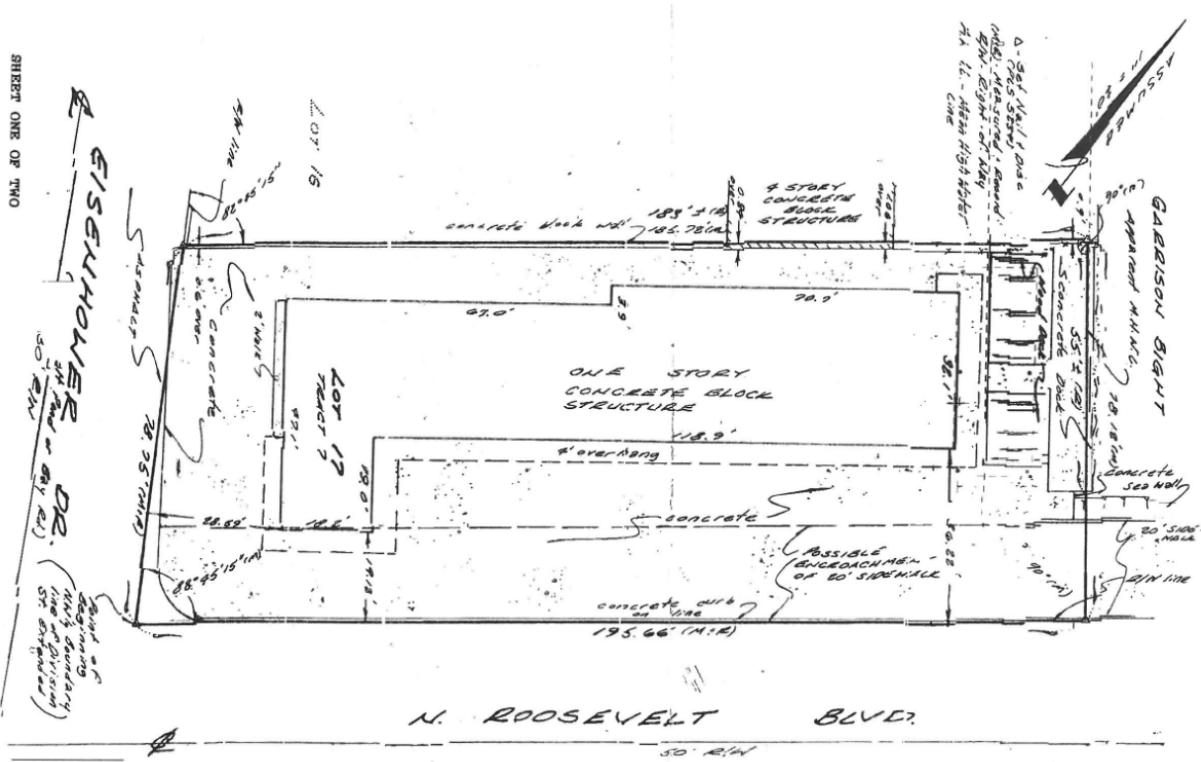


Figure 3 Existing Site Plan

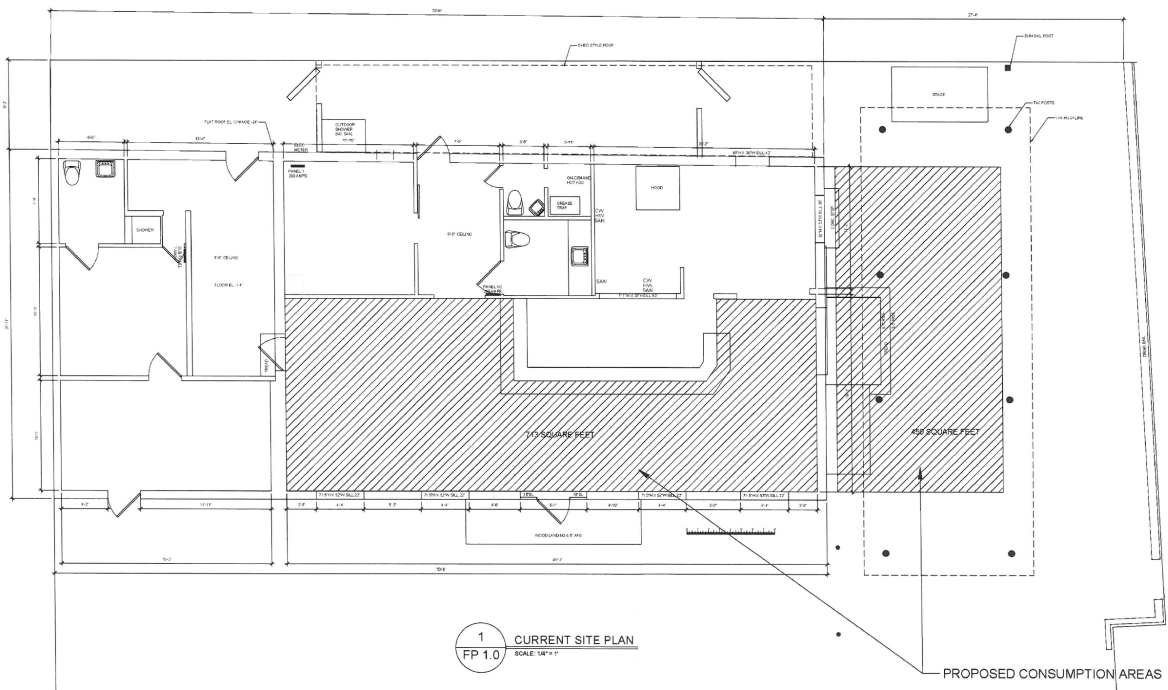


Figure 4 Existing Floorplan, approved in 2023



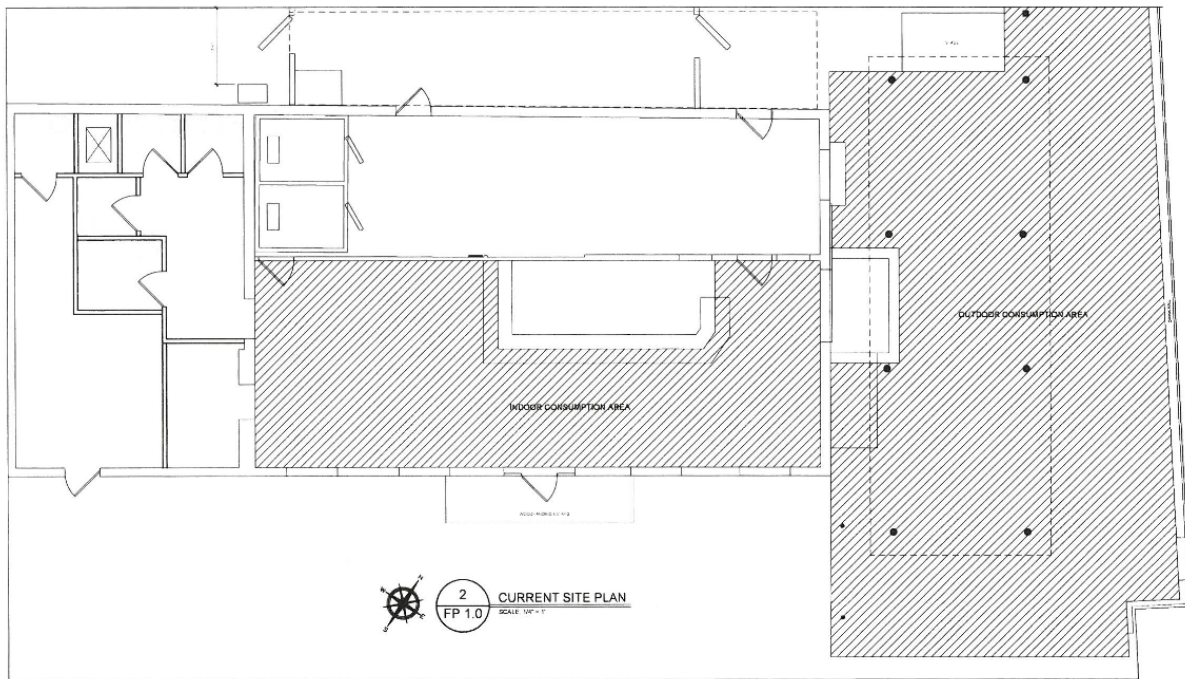
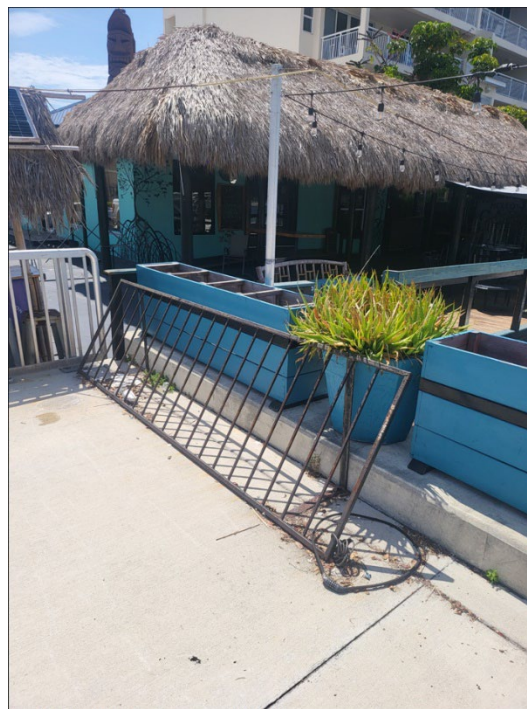


Figure 4 2025 Proposed Floorplan

An estimated 14 bikes can be accommodated on site with the existing bike racks shown below.



Figure 2 Existing bike racks



The site data table below provides the current and proposed site data for the property. The proposed variance is for the parking minimum requirements.

Site Data Table:
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	Code Required	Existing	Proposed	Variance Request
<b>Parking</b>	75	17	17	Yes
<b>Bicycle Parking</b>	25% (19)	14	14	Yes
<b>Consumption Area</b>		1,163 sq. ft	2,144 sq. ft.	N/A

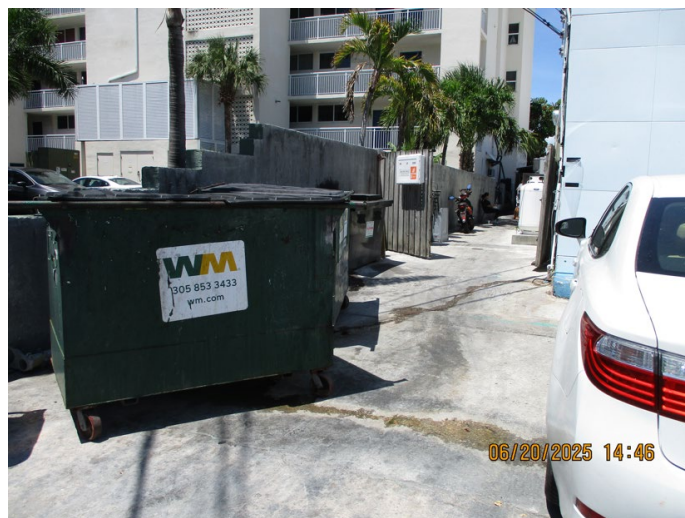
Based on the plans submitted, the proposed increased consumption area, along with the existing businesses and tenant spaces operating within the shopping strip would require a variance to the following requirements:

- **Parking Minimum:** A variance for parking minimum is required, from 75 spaces required to 17 existing / proposed.
- **Bicycle Parking:** A variance for bicycle parking minimum is required, from 19 spaces required to 14 existing / proposed.

The application was sent to the Development Review Committee (DRC) members for comment on June 11, 2025. The following DRC comments are notable to the Board:

1. Utilities:

- Please refer to the below photograph showing dumpsters visible from the street and the back-of-the-house area where the dumpsters are to be stored, per the response below.
- Please request the applicant to provide a site plan for the back-of-the-house area that shows where the dumpsters are to be located. The site plan should show the existing propane tank and storage units. Please include dimensions of the back-of-the-house area, propane tank, storage units, and location for the dumpsters.
- Please confirm storage of the dumpsters in the back-of-the-house area will not conflict with Fire Department regulations.



2. Multimodal Transportation

- Prior to 12/30/2021, the square tubular inverted U's on rails bicycle rack was located on private property at 1605 North Roosevelt Blvd (Image A). A similar rack appears to now be located off-site on State of Florida property (Image B, 2023). I believe that a permit for the installation of the rack on FDOT property would be



anticipated (Approximate location Image C). The angled rake rack does not appear to meet Sec. 108-643 – permitting a U-lock bicycle security option. The [Association of Pedestrian and Bicycle Professionals](#) provides a guide on bicycle rack selection to help meet current standards.

- An FDOT 2023 Pedestrian Safety Audit recommended changes to the parking configuration to improve safety and reduce collisions. A summary of the recommendation is below (Image D).

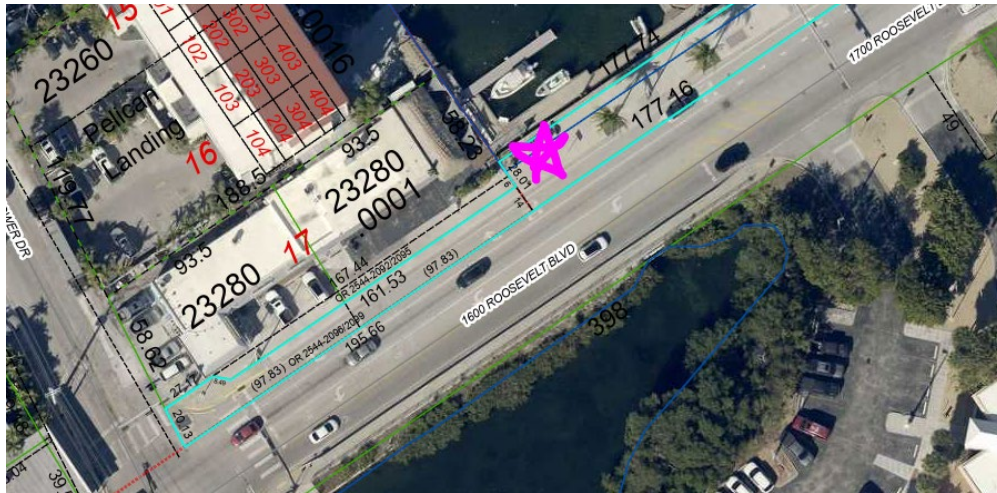
(Image A)



(Image B)



(Image C)



(Image D)

Driveway No	Business Name	Arterial Side	Existing Condition		Proposed Changes	
			Width (ft.)	Driveway Characteristics	Width (ft.)	Driveway Characteristics
1	Business strip with miscellaneous uses		105	Open-wide area with drop curb. No movement restriction	2 @ 15' wide	Split into two one-way driveways (Entry/ Exit Only). No outbound left-turn



### **Staff Analysis - 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 existing special conditions which are peculiar to the land and structure involved, which are not applicable to other land, structures, or buildings in the same zoning district. The applicant provides that the restaurant is located on an existing commercial lot with limited parking and parking opportunity; special conditions exist in the location of the property as it sits along a high-trafficked thoroughfare on one side and water on another. There is no available space to add additional parking. However, with respect to the expansion in consumption area proposed at this time, there are no underlying special conditions peculiar to this property.



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 applicant did not design the size or layout of the shopping strip or the location of the parking. However, the proposed increase in consumption area from what was approved by the Planning Board in 2023 is a condition that was created by the applicant.

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 requested will confer upon the applicant special privileges denied by the Land Development Regulations to other lands, buildings, or structures 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.*

The applicant did not construct the original building; the restaurant is permanently limited in allowable consumption area (how many customers they are able to service) due to lack of available parking onsite, which ultimately renders portions of the restaurant unusable for the uses permitted within the zoning district. However, the desire to serve more customers with an increased consumption area from what was approved by the Planning board in 2023 does not constitute a hardship.

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 variance required, given that a variance for the established consumption area of 1,163 sq. ft. was already granted in 2023.

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 requested is not directly injurious to the public welfare. It would allow for increased food service, and to an extent encourage pedestrian activity. Limited parking promotes alternative modes of travel and supports the commercial pedestrian-oriented area along an existing multi-use “promenade.”

#### 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 recommendation.

#### IN COMPLIANCE

#### **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.

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.

## **FINDINGS:**

Staff finds that the standards established by Section 90-395 of the City Code have not been met in full by the applicant.

Should the Planning Board approve this variance request, staff recommends the following conditions:

1. Consumption area shall be consistent with the floorplan prepared by Lakewood Engineering, dated March 28, 2025.
2. The applicant shall work with the building owner and/or other tenants to screen the solid waste dumpsters from view, pursuant to City of Key West Land Development Regulations, Sec. 108-279.
3. The applicant shall work with the building owner to comply with any future parking lot reconfiguration as required by FDOT in consideration of the 2023 FDOT Pedestrian Safety Study.
4. Minimum 6 new bicycle parking spaces shall be installed within the property in accordance with the design, lighting, and security criteria of Section 108-643.
5. All prior conditions associated with Resolution No. 2023-021 shall be deemed null and void as a part of this resolution.