

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



To: Chairman and Planning Board Members

From: Nicole Malo, Planner II, LEED GA

Through: Donald Leland Craig, AICP, Planning Director

Meeting Date: May 23, 2013

Agenda Item: A request for relief from Section 122-1469 (1) of the Code of Ordinances has been requested by Paul Doucette to consider unique circumstances to the household income requirements of Workforce Housing Applicant Eligibility, pursuant to Section 122-1469 (15) of the Code of Ordinances of the City of Key West, Florida.

Request: To request Planning Board consideration of unique circumstances regarding applicant eligibility requirements for the household income earning requirement that 70% of income be derived from gainful employment in the County.

Applicant: Paul Doucette

Background:

This is a request for the alleviation of the requirement that the at least 70% of household income be derived from gainful employment in the County in the Workforce Housing Eligibility Applicant Eligibility Requirements identified in Section 122-1469 (1) of the Land Development Regulations. Section 122-1469 (15) allows the Planning Board to “review a household’s income and unique circumstances to determine eligibility and conformance with the intent of this ordinance to assure that people in need are not excluded and people without need are not included.” According to information provided by the applicant and a letter provided by the Key West Housing Authority (Exhibit B), all the other eligibility criteria have been met.

Analysis-Evaluation for Compliance with the Land Development Regulations:

Section 122-1469 identifies fourteen eligibility requirements for applicants seeking to qualify for affordable workforce housing units. Item 1 states that eligibility for workforce housing states that “the household or person shall derive at least 70% of his/her total income from gainful employment in the county.” According to the applicant he is gainfully employed as a bartender in Key West but portions of his income come from social security income disability assistance. The applicant applied to the Key West Housing Authority to purchase an affordable housing unit, and was denied due to the fact that he receives less than 70% of his income from gainful employment in the county.

Recommendation:

The Planning Department, based on the criteria established in the Comprehensive Plan and Land Development Regulations, recommends that the request for relief from Section 122-1469 (10) of the Code of Ordinances be **approved**.

Draft Resolution

**PLANNING BOARD RESOLUTION
NUMBER 2013 - _____**

A RESOLUTION OF THE KEY WEST PLANNING BOARD PURSUANT TO SECTION 122-1469 (15) GRANTING RELIEF FROM THE HOUSEHOLD INCOME REQUIREMENTS OF THE WORKFORCE HOUSING ORDINANCE APPLICANT ELIGIBILITY ALLOWING AN EXCEPTION TO SECTION 122-1469 (1) OF THE KEY WEST CODE OF ORDINANCES BY WAIVING THE REQUIREMENTS FOR PAUL DOUCETTE, FOR THE PURCHASE OF WORKFORCE HOUSING IN THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Section 122-1469 (1) of the Code of Ordinances imposes certain criteria to determine applicant eligibility for Workforce Housing; and

WHEREAS, Section 122-1469 (15) provides that the Planning Board may review a household's income and unique circumstances to determine eligibility and conformance with the intent of this ordinance to assure that people in need are not excluded and people without need are not included; and

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

Section 1. That an exception to Section 122-1469 (1) is hereby granted in the case of Paul

_____Chairman

_____Planning Director

Doucette.

Section 2. 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.

Section 3. This resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Community Affairs. Pursuant to Chapter 9J-1, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DCA with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period the DCA can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

_____Chairman

_____Planning Director

Read and passed on first reading at a meeting held this 23th day of May, 2013.

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

Richard Klitenick, Chairman
Key West Planning Board

Date

Attest:

Donald Leland Craig, AICP
Planning Director

Date

Filed with the Clerk:

Cheryl Smith, City Clerk

Date

_____Chairman

_____Planning Director

Applicant Request



5/7/13

Dear Planning Board and Staff ~

My name is Paul Doucette and I am hoping to purchase a Railway Condominium unit at 305 Grinnell Street #103. I moved to Key West just over 10 years ago and I work as a bartender at the 801.

I was informed yesterday that my application for workforce housing was denied and that I can not buy the place I was hoping to call home for the next 20 years. I am really confused, and don't understand why this is happening? I have owned a workforce deed restricted condo on Louisa Street for the past 8 years, and my situation has not changed. This was not a problem when I bought 8 years ago when I qualified then. I have saved for the past 4 years so that I could buy something with a little bit more space and I just sold my Louisa Street condo last month. Now I am being told I can't buy my new home, I am turned down, and well I can't go back.

I have been informed that the problem is that I also have disability, and so 70% of my income does not come from Monroe County. I really don't understand how the City of Key West can disqualify me because I have health issues and have disability. I work and I am under the maximum income with both my job and my disability income.

I also understand that code provides that I can go before the Planning Board so that they may "review a household's income and unique circumstances to determine eligibility and conformance with the intent of the ordinance to assure people in need are not excluded..." So I am writing this letter to request that you give me the opportunity to present my circumstances to you and hope that you can see it is unfair to disqualify me because of my disability.

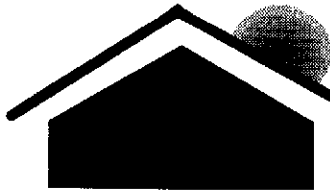
I love Key West and I participate and volunteer in our community. I plan on being part of this community for as long as I can, and having a home is a big part of that.

Thank you for your time and consideration ~

A handwritten signature in black ink, appearing to read "Paul Doucette". The signature is fluid and somewhat stylized, with a long horizontal stroke at the end.

Paul Doucette

KWHA Letter



Housing Authority of the City of Key West, Florida

1400 Kennedy Drive, Key West, FL 33040
Phone: (305) 296-5621 Fax: (305) 296-0932

Board of Commissioners

Frank Toppino
Bob Dean
Juanita Mingo
John G. Parks, Jr.
Roosevelt Sands, Jr.

Executive Director

J. Manuel Castillo, Sr.

May 6, 2013

Paul Doucette
508 Louisa Street, #1
Key West, Florida 33040

Dear Mr. Doucette:

Your application with regards to the purchase of a City of Key West Workforce Housing has been reviewed. Based on the documentation provided by you, you do not meet the applicant eligibility requirement of deriving at least 70 percent of your total income from gainful employment in the county.

Therefore, we are unable to declare you eligible per City Ordinance.

Please be advised that pursuant to the City of Key West Ordinance No. 05-27, Section 122-1469 (15), the planning board may review a household's income and unique circumstances to determine eligibility and conformance with the intent of this ordinance to assure that people in need are not excluded and people without need are not included.

Sincerely,

J. Manuel Castillo Sr.
Executive Director

Public Notices
(radius map & mailing list)

Public Meeting Notice

The Key West Planning Board will hold a public hearing at 6:00 p.m., May 23, 2013 at Old City Hall, 510 Greene Street, Key West, Florida, (Behind Sloppy Joe's Bar). The purpose of the hearing will be to consider a request for:

Affordable Housing Appeal - 305 Grinnell Street #103 (RE# 00001711-003200, AK# 90921165) - A request for relief from Section 122-1469 (1) of the Code of Ordinances has been requested by Paul Doucette to consider unique circumstances to the required household income requirements of Workforce Housing Applicant Eligibility, pursuant to Section 122-1469 (15) of the Code of Ordinances of the City of Key West.

If you wish to see the application or have any questions, you may visit the Planning Department during regular office hours at 3140 Flagler Avenue call 809-3720 or visit our website at www.keywestcity.com.

YOU ARE WITHIN 300 FEET OF THE SUBJECT PROPERTY

The City of Key West Planning Board will be holding a Public Hearing:

Affordable Housing Appeal – A request for relief from Section 122-1469 (1) of the Code of Ordinances has been requested by Paul Doucette to consider unique circumstances to the required household income requirements of Workforce Housing Applicant Eligibility, pursuant to Section 122-1469 (15) of the Code of Ordinances of the City of Key West.

Applicant: Paul Doucette **Owner:** Confidential Data F.S. 119.07
Per the Monroe County Property Appraiser website

Project Location: 305 Grinnell Street #103 (RE# 00001711-003200, AK# 90921165)

Date of Hearing: Thursday, May 23, 2013 **Time of Hearing:** 6:00 PM

Location of Hearing: Old City Hall, 510 Greene, City Commission Chambers

Interested parties may appear at the public hearing and be heard with respect to the applications. Packets can be viewed online at www.keywestcity.com. Click on City Board & Committee Agendas. A copy of the corresponding application is available from the City of Key West Planning Department located at 3140 Flagler Avenue, Key West, Florida, Monday through Friday between the hours of 8:00 am and 5:00 pm.

Please provide written comments to the Planning Department, PO Box 1409, Key West, FL 33041-1409 , by FAX (305) 809-3978 or by email to Katrina Cool at kcool@keywestcity.com.

Pursuant to Section 286.0105, Florida Statutes, if a person decides to appeal any decision made by the Planning Commission or the City Commission with respect to any matter considered at such hearing or meeting, one will need a record of the proceedings and for such purpose that person may need to ensure that a verbatim record of the proceedings is made; such record includes the testimony and evidence upon which the appeal is to be based.

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number at 305-809-1000 or the ADA Coordinator at 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

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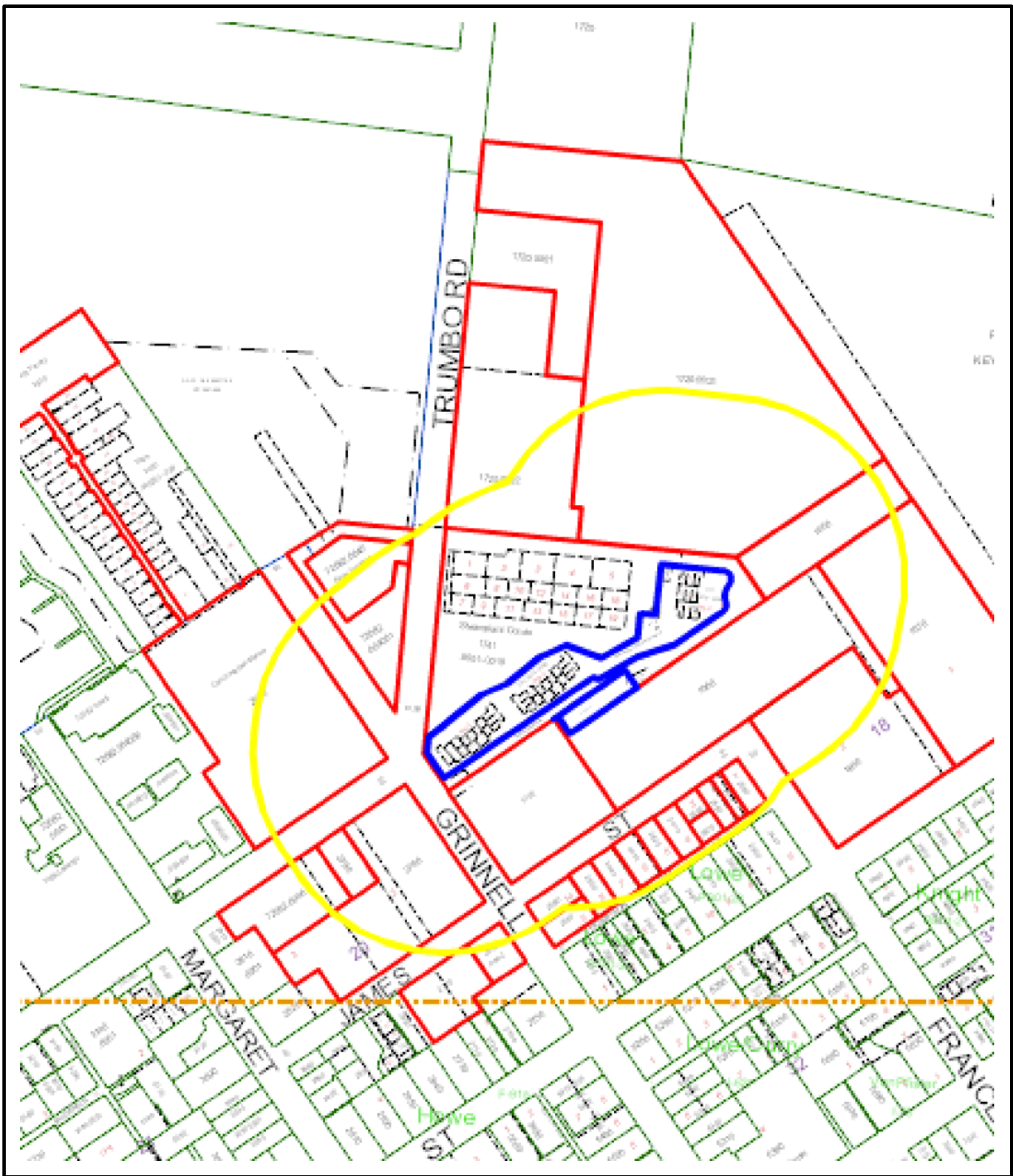
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Monroe County, Florida

305 Grinnell #103

Printed: May 09, 2013



DISCLAIMER: The Monroe County Property Appraiser's office maintains data on property within the County solely for the purpose of fulfilling its responsibility to secure a just valuation for ad valorem tax purposes of all property within the County. The Monroe County Property Appraiser's office cannot guarantee its accuracy for any other purpose. Likewise, data provided regarding one tax year may not be applicable in prior or subsequent years. By requesting such data, you hereby understand and agree that the data is intended for ad valorem tax purposes only and should not be relied on for any other purpose.



NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
1 COUGHLIN EMILIA C	301 GRINNELL STREET	STE A403	KEY WEST	FL	33040	
2 MELLOR LYNN B	303 GRINNELL ST APT 302B		KEY WEST	FL	33040-6959	
3 CAMP LAURA LEA	305 GRINNELL ST APT 202C		KEY WEST	FL	33040-6933	
4 BODFORD C ALLEN AND B ERIN	401 E LAS OLAS BLVD STE 130-111		FORT LAUDERDA	FL	33301-2279	
5 SAI FINANCIAL LTD	4616 9TH ST		LUBBOCK	TX	79416-4720	
6 NEWTON THOMAS K	1018 JAMES ST		KEY WEST	FL	33040-6936	
7 PAGE CYNTHIA L	301 GRINNELL ST APT 302		KEY WEST	FL	33040-6917	
8 CONFIDENTIAL DATA F.S. 119.07	305 GRINNELL ST APT 103		KEY WEST	FL	33040	
9 THE UTILITY BOARD OF THE CITY OF KEY WEST	1001 JAMES ST		KEY WEST	FL	33040-6935	
10 LAIRD LEWIS D AND ALISON J	301 GRINNELL ST APT 201		KEY WEST	FL	33040-6917	
11 SAUNDERS FRED JR	301 GRINNELL ST APT 202		KEY WEST	FL	33040-6917	
12 BARILLAS DAVID H	303 GRINNELL ST APT 301B		KEY WEST	FL	33040-6959	
13 TOWER EQUITIES RE INC	PO BOX 690785		CHARLOTTE	NC	28227-7014	
14 MAKRIS MARGARET L REV TR	11204 OAK LEAF DR		SILVER SPRING	MD	20901-1313	
15 SCHOTT SANDRA L	305 GRINNELL ST APT 303		KEY WEST	FL	33040-6933	
16 BARROSO JULIO J	301 GRINNELL ST APT 404		KEY WEST	FL	33040-6917	
17 FINIGAN ROBIN S	303 GRINNELL ST APT 403B		KEY WEST	FL	33040-6959	
18 BRAGHERI ADELE	303 GRINNELL ST APT 401B		KEY WEST	FL	33040-6959	
19 STEAMPLANT CONDOMINIUMS LLC	201 FRONT ST STE 224		KEY WEST	FL	33040	
20 CALLAHAN DEVIN	713 3RD ST		SEATON	IL	61476-9743	
21 DIXON JAMES E	1022 JAMES ST		KEY WEST	FL	33040-6936	
22 CONCH HARBOR RETAIL CENTER LLC	951 CAROLINE ST		KEY WEST	FL	33040-6636	
23 SINGH PRITAM	PO BOX 2039		KEY WEST	FL	33045-2039	
24 MORRIS DONAL SR	916 JAMES ST		KEY WEST	FL	33040-6934	
25 FELSHER ALLYSON M	301 GRINNELL ST APT 204		KEY WEST	FL	33040-6917	
26 KOCH JAMES AND MARIA	23525 N SHORE DR		KANSASVILLE	WI	53139-9407	
27 INGRAM MICHAEL B	1001 WHITEHEAD ST		KEY WEST	FL	33040-7522	
28 CHABAD OF KEY WEST INC	321 GRINNELL ST		KEY WEST	FL	33040	
29 MACKENZIE DREW IRA	191 PEARL AVE		TAVERNIER	FL	33070-2421	
30 BRAHAM HEATHER	303 GRINNELL ST APT 404B		KEY WEST	FL	33040-6959	
31 TIMYAN PATRICIA A REV TR 9/12/1988 AS AMENDED	52 FRONT ST		KEY WEST	FL	33040	
32 IRIZARRY ANTONIO JR AND JUDI LYNN	301 GRINNELL ST APT 203		KEY WEST	FL	33040-6917	
33 BROWN JULIE N	301 GRINNELL ST APT 304		KEY WEST	FL	33040-6917	
34 SHAW EDWARD F	305 GRINNELL ST APT 203C		KEY WEST	FL	33040-6933	
35 GAMMELL LOU W	301 GRINNELL ST APT 301		KEY WEST	FL	33040-6917	
36 CARRICO CHRISTOPHER L	303 GRINNELL ST APT 304B		KEY WEST	FL	33040-6959	
37 HARPER THOMASINE S	1026 JAMES ST		KEY WEST	FL	33040-6936	

NAME	ADDRESS	UNIT	CITY	STATE	ZIP	COUNTRY
38 DENNY ANDREA P	301 GRINNELL ST APT 401A		KEY WEST	FL	33040-6917	
39 SFI OF THE KEYS INC	P O BOX 1199		KEY WEST	FL	33041	
40 YAGER MARTIN AND CATHERINE A	1030 JAMES ST		KEY WEST	FL	33040-6936	
41 STRUNK ACE HARDWARE INC	PO BOX 1199		KEY WEST	FL	33041-1199	
42 BELL JAMES A AND MARY F	P O BOX 530		KEY WEST	FL	33041	
43 HANKS LIVING TRUST 6/30/2010	6565 RIVER POINT DR		FLEMING ISLAND	FL	32003-8701	
44 DEEGAN KEVIN G	303 GRINNELL ST APT 402B		KEY WEST	FL	33040-6959	
45 FISK CAROL BUCKLEY REVOCABLE TRUST 3/5/2003	281 TRUMBO RD APT 301		KEY WEST	FL	33040-8614	
46 BEK-GRAN PATRICK	305 GRINNELL ST APT 301C		KEY WEST	FL	33040-6933	
47 ALSOBROOKS MELISSA K	305 GRINNELL ST APT 101C		KEY WEST	FL	33040-6933	
48 NELSON AARON B	303 GRINNELL ST APT 202B		KEY WEST	FL	33040-6959	
49 WILD WILLIAM H AND JUDITH A	301 GRINNELL ST APT 205		KEY WEST	FL	33040-6917	
50 MILLER WAYNE H	303 GRINNELL ST APT 204B		KEY WEST	FL	33040-6959	
51 COX PAULA	303 GRINNELL ST APT 305B		KEY WEST	FL	33040-6959	
52 CURRY GAY M	303 GRINNELL ST APT 203B		KEY WEST	FL	33040-6959	
53 DISTRICT SCHOOL BOARD OF	201 TRUMBO RD		KEY WEST	FL	33040	
54 RAILWAY CONDOMINIUM	201 FRONT ST STE 224		KEY WEST	FL	33040	
55 SILVA EDUARDO M	301 GRINNELL ST APT 303		KEY WEST	FL	33040-6917	
56 OHARA JESSICA	301 GRINNELL ST APT 305A		KEY WEST	FL	33040-6917	
57 WEST SANDRA A	305 GRINNELL ST APT 102C		KEY WEST	FL	33040-6933	
58 CLEMENTS THOMAS III	1025 FLEMING ST		KEY WEST	FL	33040-6962	
59 MANLEY-DEBOER LUMBER COMPANY LTD PARTN	1109 EATON ST		KEY WEST	FL	33040	
60 ROEMMELE-PUTNEY ALICIA	2150 NO NAME DR		BIG PINE KEY	FL	33043	
61 STEAMPLANT NO 19	3340 N ROOSEVELT BLVD STE 6		KEY WEST	FL	33040-8021	
62 PIERCE MEAGAN M	303 GRINNELL ST APT 303B		KEY WEST	FL	33040-6959	
63 MILLER WADE B	305 GRINNELL ST APT 302		KEY WEST	FL	33040-6933	
64 HOUSING AUTHORITY OF THE CITY OF KEY WEST FL	1400 KENNEDY DR		KEY WEST	FL	33040	
65 GINSBERG GERALD S AND ROBERTA A	575 WINTON RD S		ROCHESTER	NY	14618-1547	
66 JONES JOHN H AND RUTH ROSE	1024 JAMES ST		KEY WEST	FL	33040-6936	
67 BELL DAVID T	305 GRINNELL ST APT 201C		KEY WEST	FL	33040-6933	
68 GANEM JOSEPH E AND MIRIAM ELAINE	1501 SE 9TH ST		FORT LAUDERDA	FL	33316-1411	
69 MUCCINO JANET M	PO BOX 4386		KEY WEST	FL	33041-4386	
70 ROY GARY P	303 GRINNELL ST APT 405		KEY WEST	FL	33040-6959	
71 FALCONER MARY A	303 GRINNELL ST APT 205B		KEY WEST	FL	33040-6959	
72 DILLON JOHN R III AND JEAN H	1507 19TH ST		KEY WEST	FL	33040	