

# Variance for 1106 Grinnell Street



A request for a variance to side setbacks, rear setbacks, an increase in maximum allowed impervious surface ratio and an increase in maximum allowed building coverage in the Historic Medium Density Residential (HMDR) zoning district in order to rebuild a non-conforming rear structure pursuant to sections 90-395, 122-600 (6)b, 122-600 (6)c, 108-346 (b) and 122-1181 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

# Request







# Map



- Historically contributing principal structure built in 1920's
- Both the rear accessory structure and the rear addition to the main structure were built in 1974 and did not meet zoning regulations then, and do not meet zoning regulations now.
- No permits or certificate of occupancies were given to staff for these structures
- A code case was opened due to construction on both structures without a permit

# Background







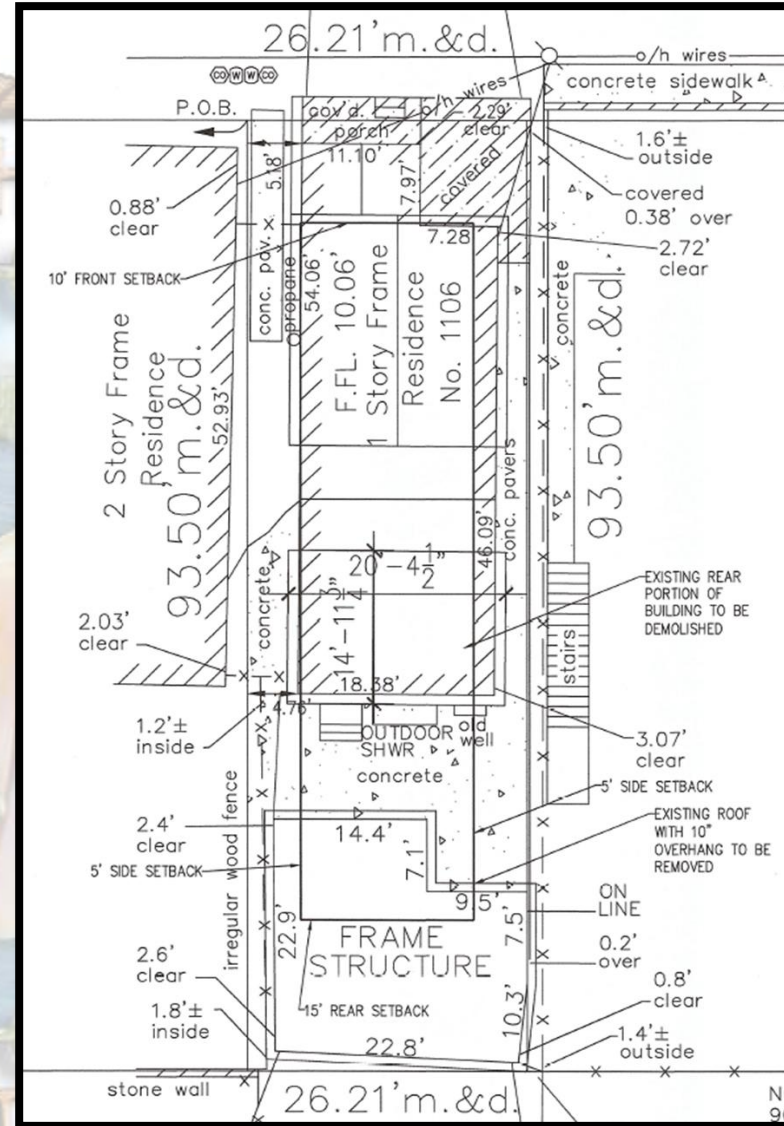
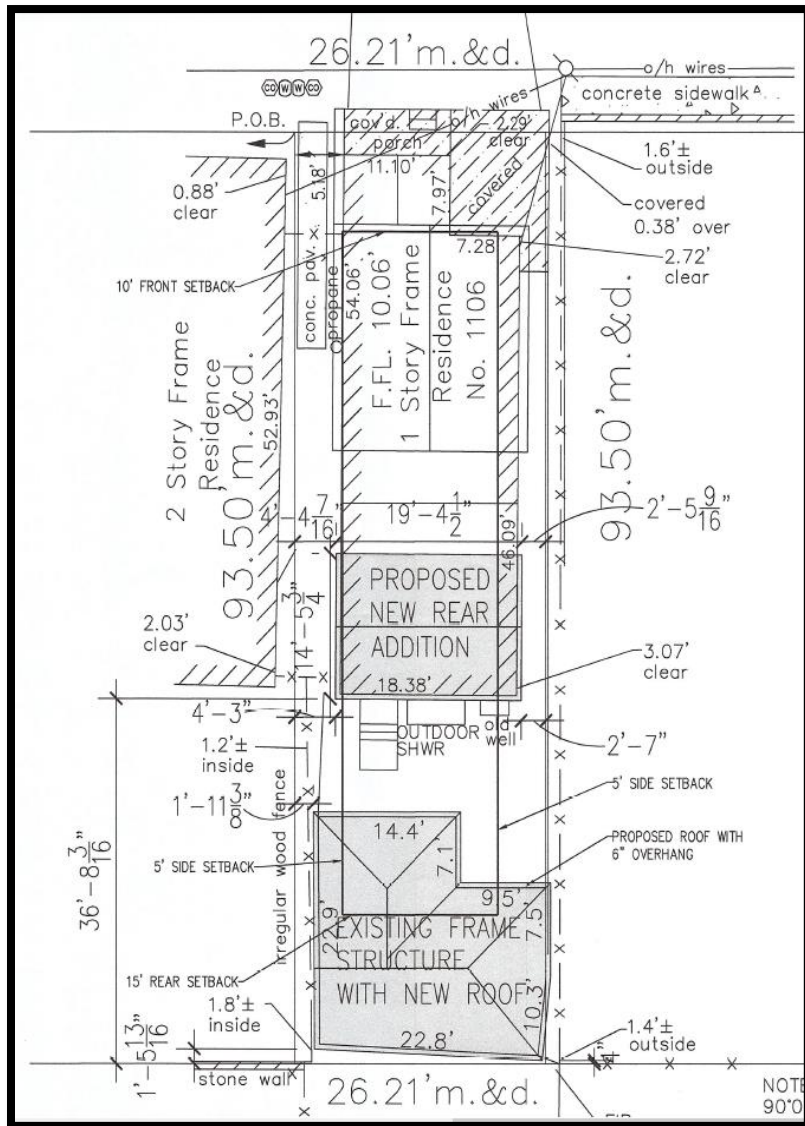
**1106 Grinnell, Google Image 2020**

**The rear structure outline in red is non-complying in rear and side setbacks, open space, impervious surface, and building coverage.**

# Site Plan



# 1106 Grinnell Proposed site plan



# 1106 Grinnell Existing site plan

# Site Plan





*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.*

**NOT IN COMPLAINT**

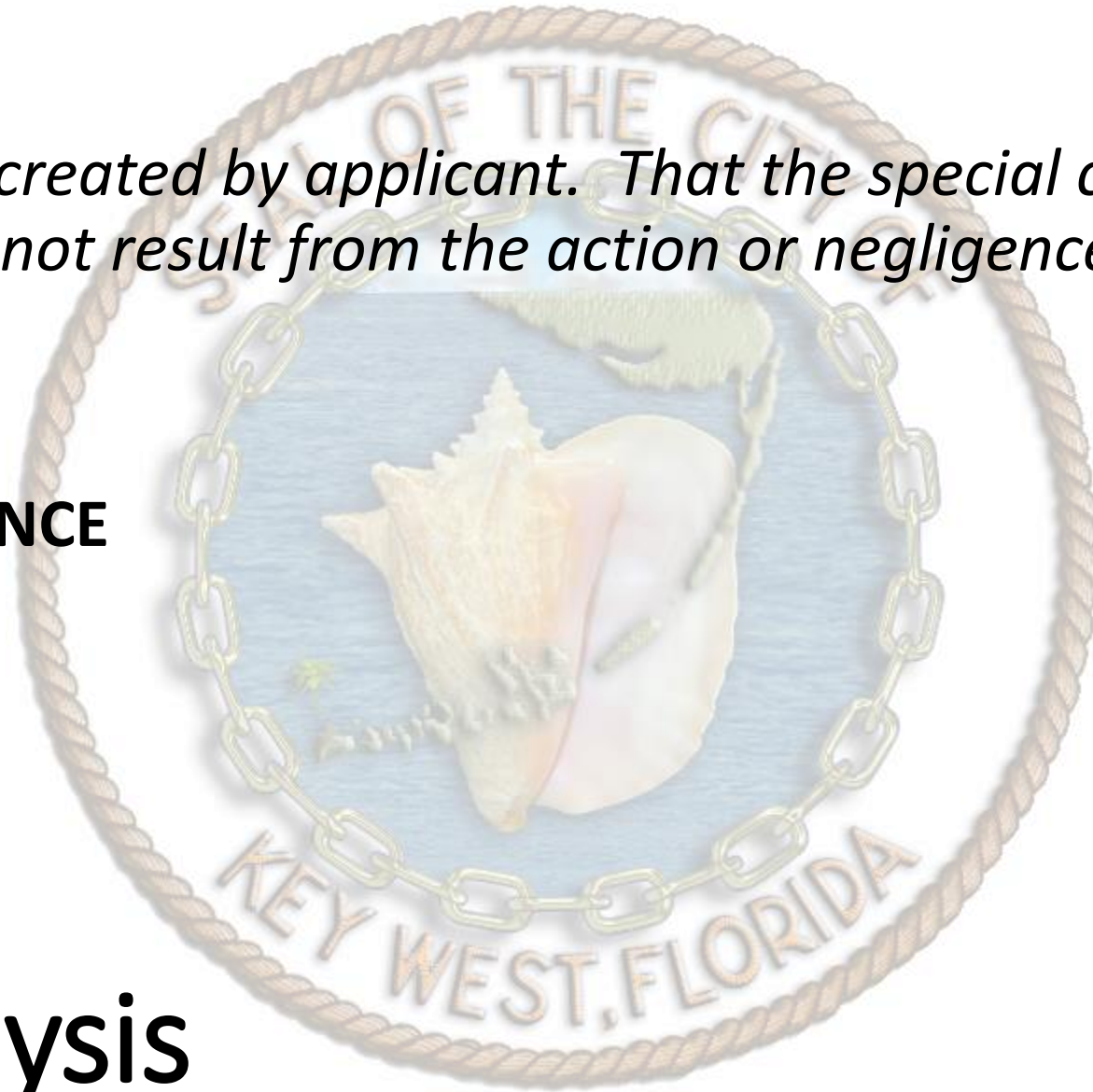
**Staff Analysis**



*2. Conditions not created by applicant. That the special conditions and circumstances do not result from the action or negligence of the applicant*

**NOT IN COMPLIANCE**

**Staff Analysis**





*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.*

**NOT IN COMPLAINT**

**Staff Analysis**



*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.*

**NOT IN COMPLIANCE**

**Staff Analysis**

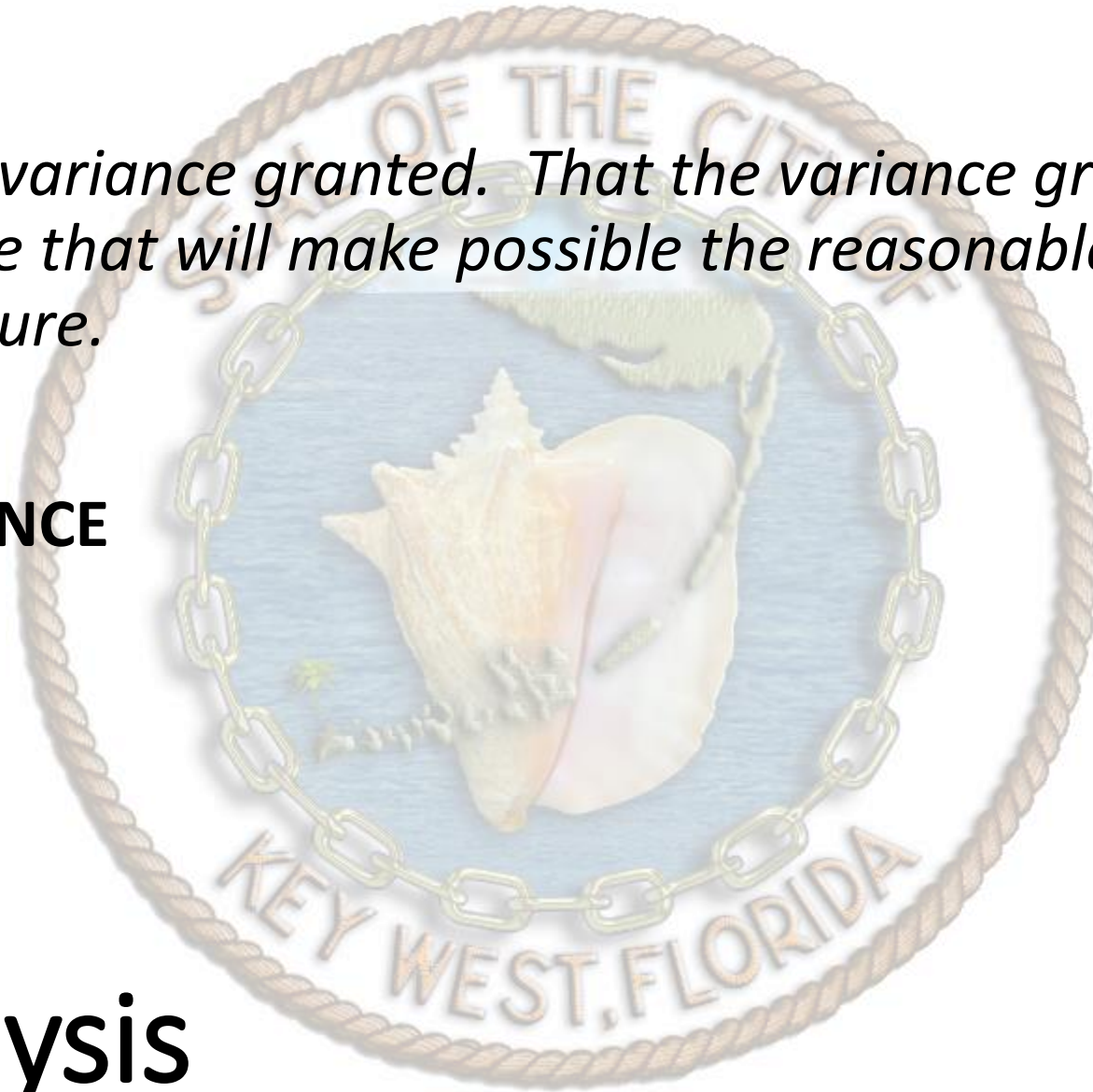




*5. Only minimum variance granted. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.*

**NOT IN COMPLIANCE**

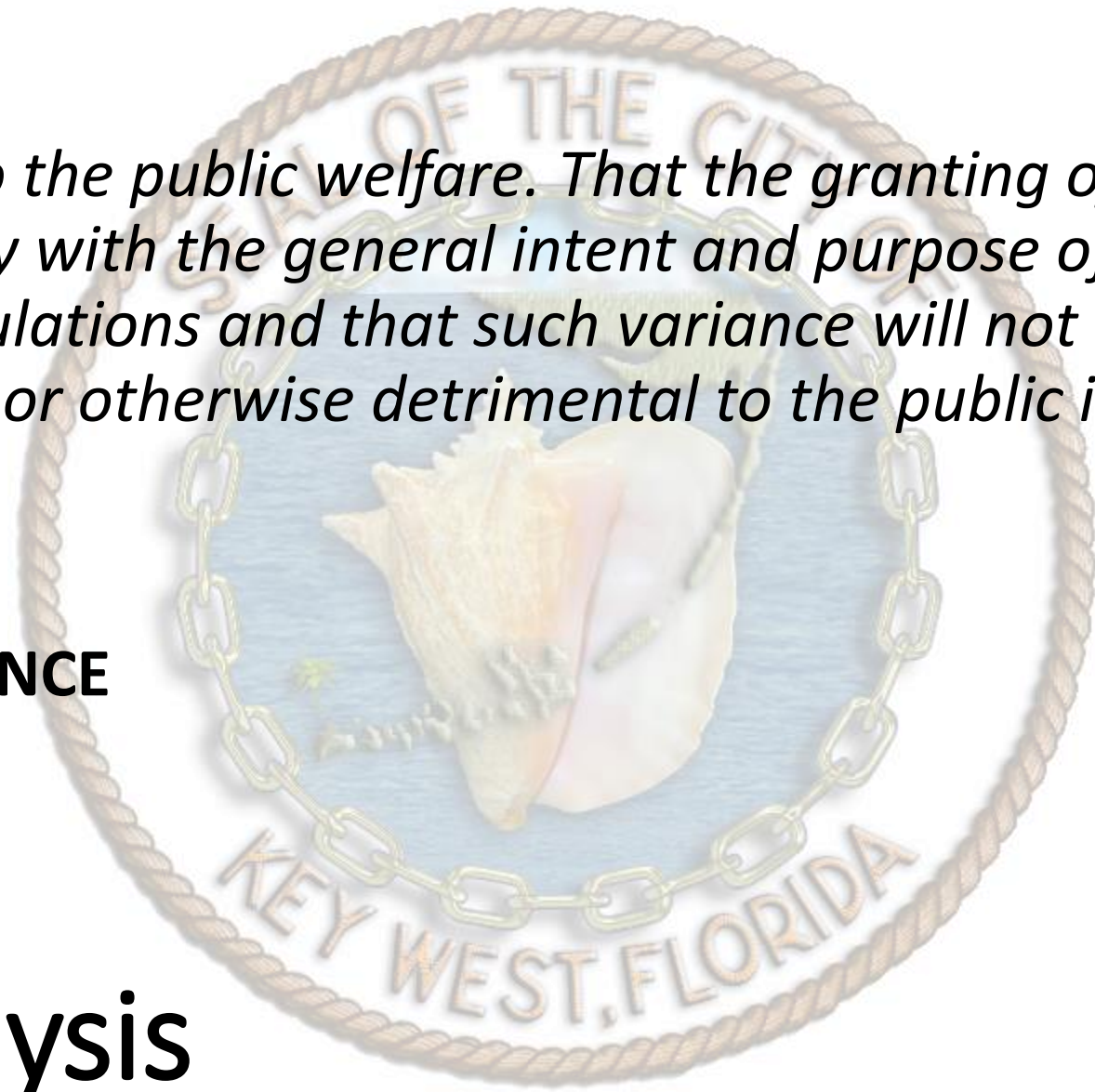
**Staff Analysis**



*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.*

**NOT IN COMPLAINT**

**Staff Analysis**





*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.*

**NOT IN COMPLIANCE**

**Staff Analysis**



The Planning Department, based on criteria in the City Code, recommends the request for a variance be **denied**.

# Staff Recommendation





If a vote to approve is passed by the Planning Board, the Planning Department recommends the request for a variance be approved with the following conditions:

1. The applicant supply floor plans prior to any building permit approval.
2. The rear structures are not to be used as dwelling unit or transient accommodations.
3. All rainwater runoff from accessory structures be captured on the property.
4. A swale or another mitigative technique be implemented on the property to mitigate for the increase in impervious space, building coverage, and lessening of open space, Section 108-346.

## Staff Recommendation

