



MEMORANDUM

Date: June 4, 2026

To: Honorable Mayor and Commissioners

Via: Brian L. Barroso
City Manager

CC: Steve McAlearney
Director Port & Marine Services

From: Karen Olson
City Project Manager

Subject: **File ID: 26-5420 Temporary Waiver to Noise Control Ordinance**

Introduction

Resolution approving a Temporary Waiver to the Noise Control Ordinance pursuant to Subpart A, Chapter 26, Article IV, Sec. 26-199(a)(2) of the City of Key West Code of Ordinances for the duration of construction task order for roof & wall cladding replacement at the Conch Republic Seafood Company to Sea Tech of the Florida Keys, Inc.

Background

Conch Republic Seafood Company is an all-metal structure in a highly corrosive environment. The roof on the structure is nearing the end of its useful life and the wall cladding and wall girt are experiencing heavy corrosion and are in need of repair/ replacement.

City Staff and Tenant request the ability for the contractor to perform work outside of normal business hours. Minimizing noise disruption at entrances of business and seating areas will require some work to start and end earlier than normal. The Conch Republic Seafood Company is a fully operational restaurant and must remain open for business.

Pursuant to Subpart A, Chapter 26, Article IV, Sec. 26-199(a)(2) of the City of Key West Code of Ordinances, (a) Any person who owns or operates a sound source or intends or desires to operate or maintain a sound source, for one of the following purposes may apply for a temporary waiver from the city commission: (2) Nighttime Construction Projects.

City Staff requests a temporary waiver allowing the contractor to begin construction after closing at 11:00pm through 8:00am Monday through Friday and 11:00pm through 9:00am Saturday. This temporary waiver will provide the Contractor the ability to perform work outside of normal business hours. Allowing the restaurant to operate without disruption and minimizing the impact the project will have on our Tenant's normal business operations.

Nature/Location of Noise Source

Construction activities operating equipment for the demolition/replacement of for roof & wall cladding at 631 Greene Street. Including impact drills, welding devises, saws and heaving equipment with back-up alarms.

Reason for Request

These construction activities will have an adverse impact on the Conch Republic Seafood Company. Allowing work outside of normal business hours will help expedite the project along with having only minimal impact to the Tenant.

Nature/Intensity of Noise

Demolition/replacement of roof & wall cladding utilizing impact drills, electric saws, welding devices and heaving equipment with back-up alarms.

Interim Noise Control Measures

Staging of materials closer to job site, farther away from any occupied property.

Requested Temporary Waiver Hours & Duration

11:00pm – 8:00am Monday through Friday

11:00pm – 9:00am Saturday

June 15, 2026, through October 15, 2026 (123 calendar days).

Due to materials lead times a start date has not been established but staff anticipate it will fall within the above time frame. Once materials are received and Notice to Proceed is issued the Contractor has 90 calendar days, excluding public holidays, to complete the project.

Responsible Party

Ryon LaChapelle, President
Sea Tech of the Florida Keys, Inc
131 Palomino Horse Trail
Big Pine Key, FL 33043
ryonL@SeaTech.cc
(305) 304-8406

Notice and Advertisement

Notice and advertisement have been made in accordance with Subpart A, Chapter 26, Article IV, Sec. 26-199(g) of the City of Key West Code of Ordinances.

The sole property owner within a 100-foot radius, Barton W. Smith, Esq., has provided the attached email, dated May 5, 2026, waiving any objections to after-hours construction noise.

Procurement

There is no financial impact with this waiver request.

Recommendation

The City Manager's Office recommends the Mayor and Commission approve a Temporary Waiver to the Noise Control Ordinance pursuant to Subpart A, Chapter 26, Article IV, Sec. 26-199(a)(2) of the City of Key West Code of Ordinances for the duration of construction task order for roof & wall cladding replacement at the Conch Republic Seafood Company to Sea Tech of the Florida Keys, Inc.