



THE CITY OF KEY WEST PLANNING
BOARD
Staff Report

To: Chairman and Planning Board Members

Through: Katie P. Halloran, Planning Director

From: Kimberly Barua, AICP, The Corradino Group

Meeting Date: July 21, 2022

Agenda Item: **Transfer of a Transient Unit License** – A request to transfer one (1) transient unit license to a property located at 514 Louisa Street (RE# 00028880-000000) the receiver site. The sender site license is currently unassigned. The receiver site is located within the Historic Residential Commercial Core - 3 (HRCC-3) zoning district, pursuant to Sections 122-747, 122-1338, and 122-1339 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Request: A request for the transfer of one transient license to convert one existing single-family home to a transient rental unit at 514 Louisa Street located within the Historic Residential Commercial Core - 3 zoning district.

**Property Owners/
Applicants:** James Brown/ Oropeza, Stone, and Cardenas

Location: 914 Frances St. /3591 S. Roosevelt Blvd. which is currently in unassigned status but commonly known as a “Hyatt License” and 514 Louisa Street (RE# 00028880-000000)

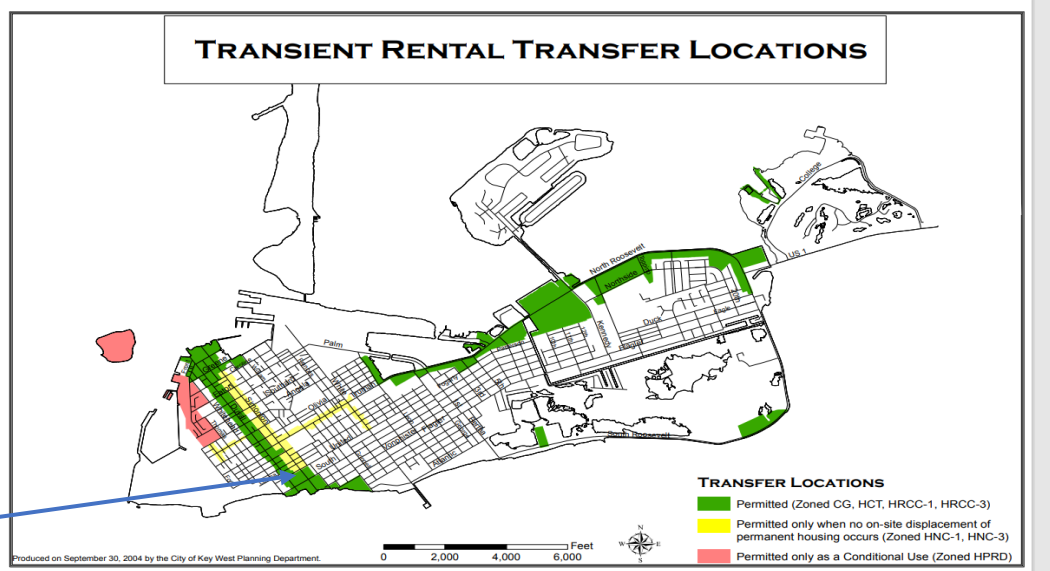
Zoning: Historic High Density Residential (HHDR)/Salt Pond Commercial Tourist (SPCT) and Historic Residential Commercial Core – 3 (HRCC-3)



Aerial View of Receiver Site



Street View of Receiver Site



Location of Receiver Site

Background/Request:

Sender Site:

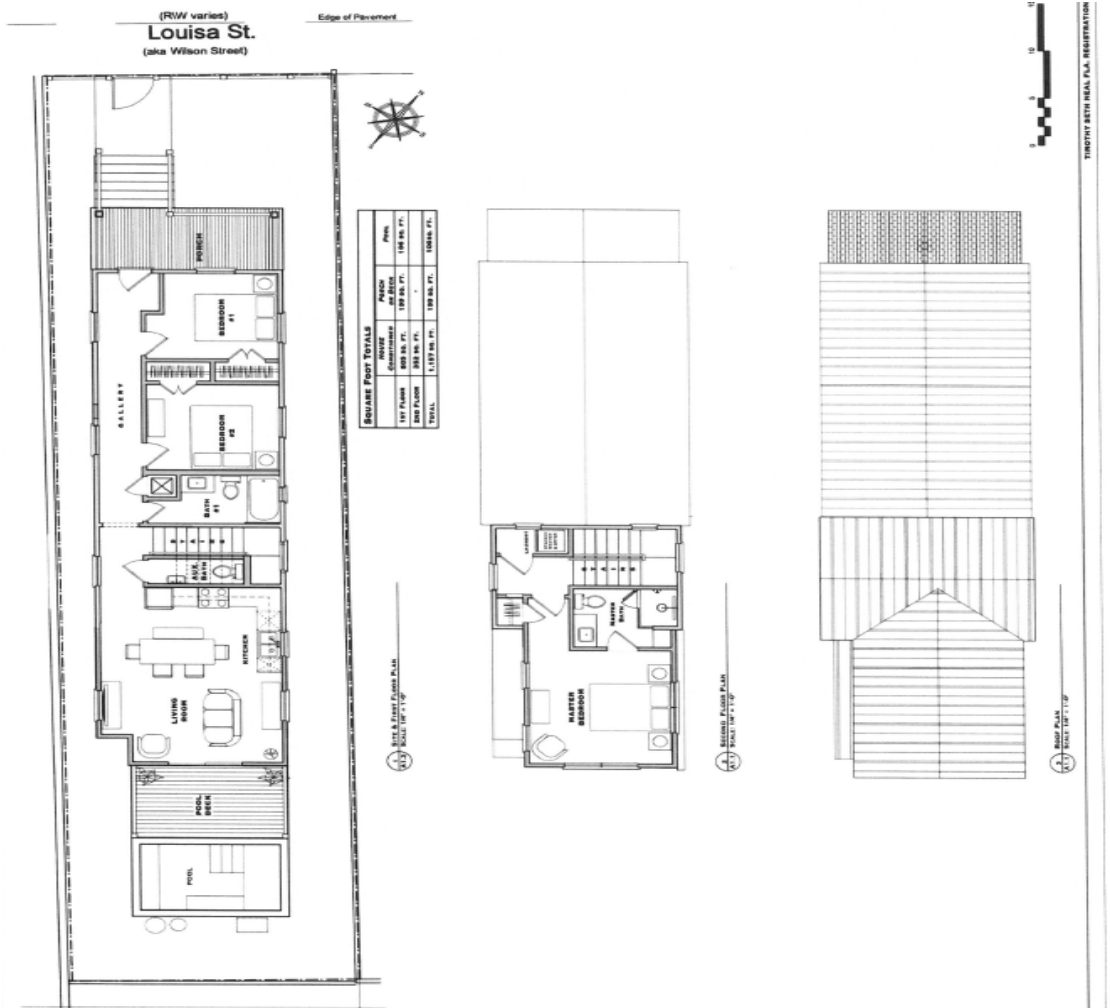
914 Frances St./ 3591 S. Roosevelt Blvd. – One transient license: The applicant is proposing to transfer one (1) license from 914 Frances St. /3591 S. Roosevelt Blvd. which is currently in unassigned status. The unit is from Resolution No. 2005-040 and Resolution No. 2006-019 which transferred three separate units and licenses from 914 Frances St. to 3591 S. Roosevelt Blvd. Due to various reasons, the development was never constructed and Resolution No. 2015-23 dissolved Resolutions 2005-040 and 2006-019. All three units and licenses were then transferred back to the sender site, 914 Frances St. / 3591 S. Roosevelt Blvd and put into unassigned status. The two other licenses were granted to 512 Catherine Street (Reso No. 2021-23) and 421 Angela Street (Reso No. 2016-45). The status *unassigned* is no longer

permissible at the City. Since January 2020, the City allows licenses to remain attached to sender sites; 914 Frances St. / 3591 S. Roosevelt Blvd is in a *no use permitted* status to signify a transient license that is addressed to a property where it cannot be used due to permitted uses within the zoning district.

Receiver Site:

514 Louisa Street – The property receiving the one transient license is a 3-bedroom, 2.5 bath 1,157 sq ft single family home. It is in the HRCC-3 zoning district. There is no private parking, only street parking available. Parking requirements were reviewed pursuant to Section 108-673(B)(1-4), given that the receiver site is located within the Historic Commercial Pedestrian Oriented Area. The number of onsite units at the receiver site is not increasing therefore no parking variance will be required. The applicant is of the opinion that the majority of the transient renters will not have a car or need parking.

Proposed Receiver Unit Plan submitted by the applicant. 3 bedroom



legal nonconforming transient units, encourage permanent residential housing, and allow for redevelopment without increasing population density, in addition to other goals.

The applicant's proposed transfer of one transient license from the "unassigned license" does not reduce noncomplying density. It would reflect a loss or conversion of one permanent unit to a transient unit on Louisa Street. The receiver property is in the HRCC-3 zoning district which allows transient use. The sender site zoning district, Historic High Density Residential (HHDR) does not allow for transient rentals (Code Section 122-626 (b)). Therefore, the legal nonconforming transient license will be permanently removed from "unassigned license".

The transient license transfer of one transient license from "unassigned license" to 514 Louisa Street shall be reviewed by the criteria listed in Section 122-1339.

(a) A business tax receipt for transient use of a unit may itself be transferred from an area where transient uses are prohibited to a receiver site without the accompanying transfer of the unit. In addition, licenses may be transferred from the HNC-1 and HNC-3 zoning districts. A transfer of a license under this section shall not result in a loss of affordable housing at the receiver site.

The subject receiver site, 514 Louisa Street, is in the HRCC-3 zoning district that allows transient lodging as a permitted use. The Transient Rental Transfer Location map shows Louisa Street in the "Permitted" area. The transfer of the license from the Hyatt Property would not result in the loss of affordable housing at the receiver site, as it is not a deed restricted unit.

IN COMPLIANCE

(b) Where a license alone is transferred, the planning board shall consider whether the receiver site is suitable for transient use in the zoning district, shall consider the relative size of the unit from which the license is transferred, and shall consider the room configuration of both sites to maintain approximately the same or less net number of occupants.

The receiver site is suitable for transient use due to the zoning district. The unit at 514 Louisa Street is a 1,157 S.F. two-level townhouse consisting of three-bedrooms with two and a half bathrooms. The 2015-023 resolution states "the future development of the three (3) units shall not exceed three (3) bedrooms".

IN COMPLIANCE

Recommendation:

The proposed transfer of one transient license to the receiver site of 514 Louisa Street is subject to Section 122-1339. The proposal meets the required criteria for the transfer to be approved.

The Planning Department recommends the request for a transfer of one transient license be **Approved.**

The Planning Department requests the following conditions of approval:

1. The applicant at 514 Louisa Street shall add one transient business tax receipt for a total of one transient business tax receipt.
2. Per Section 122-1336, an inspection will be scheduled to demonstrate that the transient use at the sender site, 914 Frances St. / 3591 S. Roosevelt Blvd has been extinguished. No future transient license shall be permitted at 914 Frances/3591 S. Roosevelt Blvd. The inspection shall occur prior to the issuance of a Certificate of Occupancy and prior to a transient medallion issuance for 514 Louisa Street.
3. Must advertise transient rental unit with the description of “no parking on premises”. Tenants cannot park in a painted space reserved for Residential Parking Permits.