

RESOLUTION NO. 2025-023

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD APPROVING A REQUEST FOR VARIANCES TO ALLOW THE REDUCTION OF THE REQUIRED OFF STREET PARKING REQUIREMENT FROM 46 REQUIRED SPACES TO 0 PROPOSED SPACES, FOR THE EXPANSION OF CONSUMPTION AREA FOR AN EXISTING COMMERCIAL BUILDING LOCATED WITHIN THE HISTORIC RESIDENTIAL COMMERCIAL CORE KEY WEST BIGHT (HRCC-2) ZONING DISTRICT PURSUANT TO SECTIONS 90-395, AND ARTICLE VII, 108-573 AND SEC.108-576 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.

WHEREAS, the owner of real property at 920 Caroline Street (RE# 00002790-000000) proposes the addition of 609 square feet (40 seats; 10 tables of 4) of outdoor restaurant consumption area on a recorded easement on the adjacent property (RE# 00002780-000000); and

WHEREAS, Section Sec. 108-572. of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) provide that the required off street parking for restaurants is 1 space per 45 square feet of serving and/or consumption area; and

WHEREAS, the proposed parking spaces for the subject property is 0 parking spaces ;and

WHEREAS, the Key West Planning Board (the “Board”) finds that circumstances exist which are peculiar to the land, structure, or building involved and that special conditions which are not applicable to other land, structures, or buildings in the same district; and

WHEREAS, the Planning Board finds that the special conditions do not result from the action or negligence of the applicant; and

WHEREAS, the Board finds 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; and

WHEREAS, the Board finds 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; and

WHEREAS, the Board finds that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and

WHEREAS, the Board finds 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; and

WHEREAS, the Board finds that 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 are grounds for the issuance of the requested variances; and

WHEREAS, the Board finds that the applicant has satisfied the conditions of Section 90-395 of the Code of Ordinances (the "Code") of the City of Key West, Florida (the "City") and likewise met the requirements established by Code Section 90-274; and

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

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. An approval by Resolution of the Key West Planning Board for variances to the

off street parking requirements from 46 required to 0 proposed parking spaces for the property at 920 Caroline Street (RE# 00002790-000000) in the Historic Residential Commercial Core Key West Bight (HRCC-2) zoning district, pursuant to Section 90-395 and Article VII, Sec. 108-573 and Sec. 108-576 of the Land Development Regulations of the Code of Ordinances of the City of Key West, subject to the following conditions:

General Conditions:

1. The proposed development shall be consistent with the plan by Botsford Builder and Development, LLC, dated June 5, 2024, and the landscape plans by Botsford Builder and Development, LLC, dated June 5, 2024.
2. Final landscape plan approval is required from the Tree Commission or the Urban Forestry Manager prior to placement on the City Commission agenda.
3. The applicant shall pay into the City Tree Fund (\$200.00 per caliper inch - \$2,160.00 total) to resolve the open tree removal permit (T2024-0150) associated with the property.

Section 3. It is a condition of this variance that full, complete and final application for all conditions of this approval for any use and occupancy for which this variance is wholly or partly necessary, shall be submitted in its entirety within two years after the date hereof.

Section 4. The failure to fully and completely apply the conditions of approval for permits for use and occupancy pursuant to these variances in accordance with the terms of the approval as described in Section 3 hereof, shall immediately operate to terminate these variances, which variances shall be of no force or effect.

Section 5. This variance does not constitute a finding as to ownership or right to possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 6. 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 Board.

Section 7. 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 Commerce (DOC). Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DOC with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period, the DOC 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.

Read and passed on first reading at a regular meeting held this 29th day of May, 2025.

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



Freddy Varela, Acting Planning Board Chairman
6/13/2025

Date

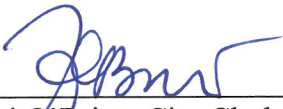
Attest:



Katie Halloran, Planning Director
6/13/2025

Date

Filed with the Clerk:



Keri O'Brien, City Clerk
6/13/2025

Date



Chairman
KPH Planning Director

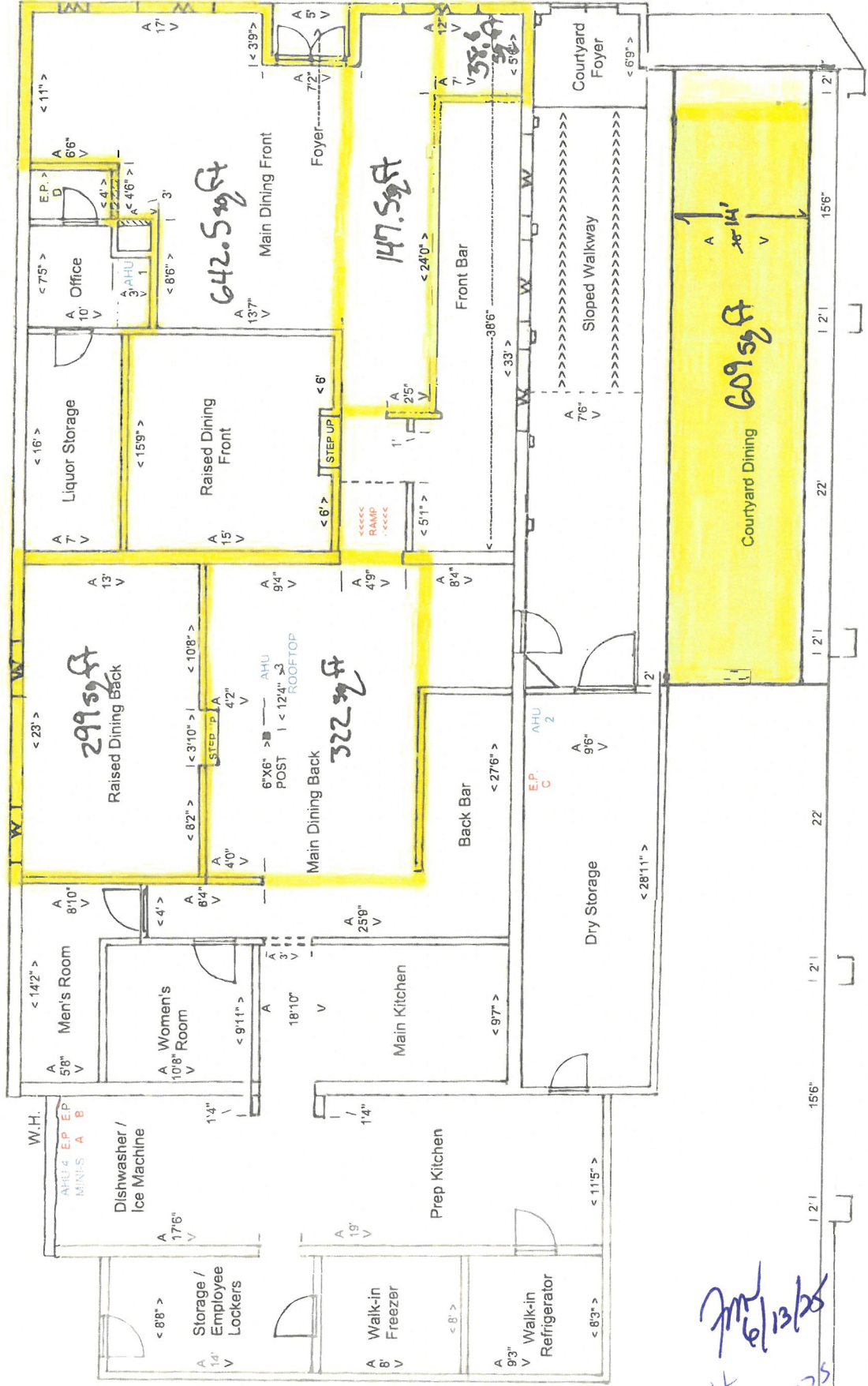
EXISTING DINING SQFT
1,449 sq ft

PROPOSED DINING SQFT
609 sq ft

SQUARE GROUPEUR KEY WEST RENOVATION

920 CAROLINE ST, KEY WEST FL 33040

Existing / Proposed Dining Area

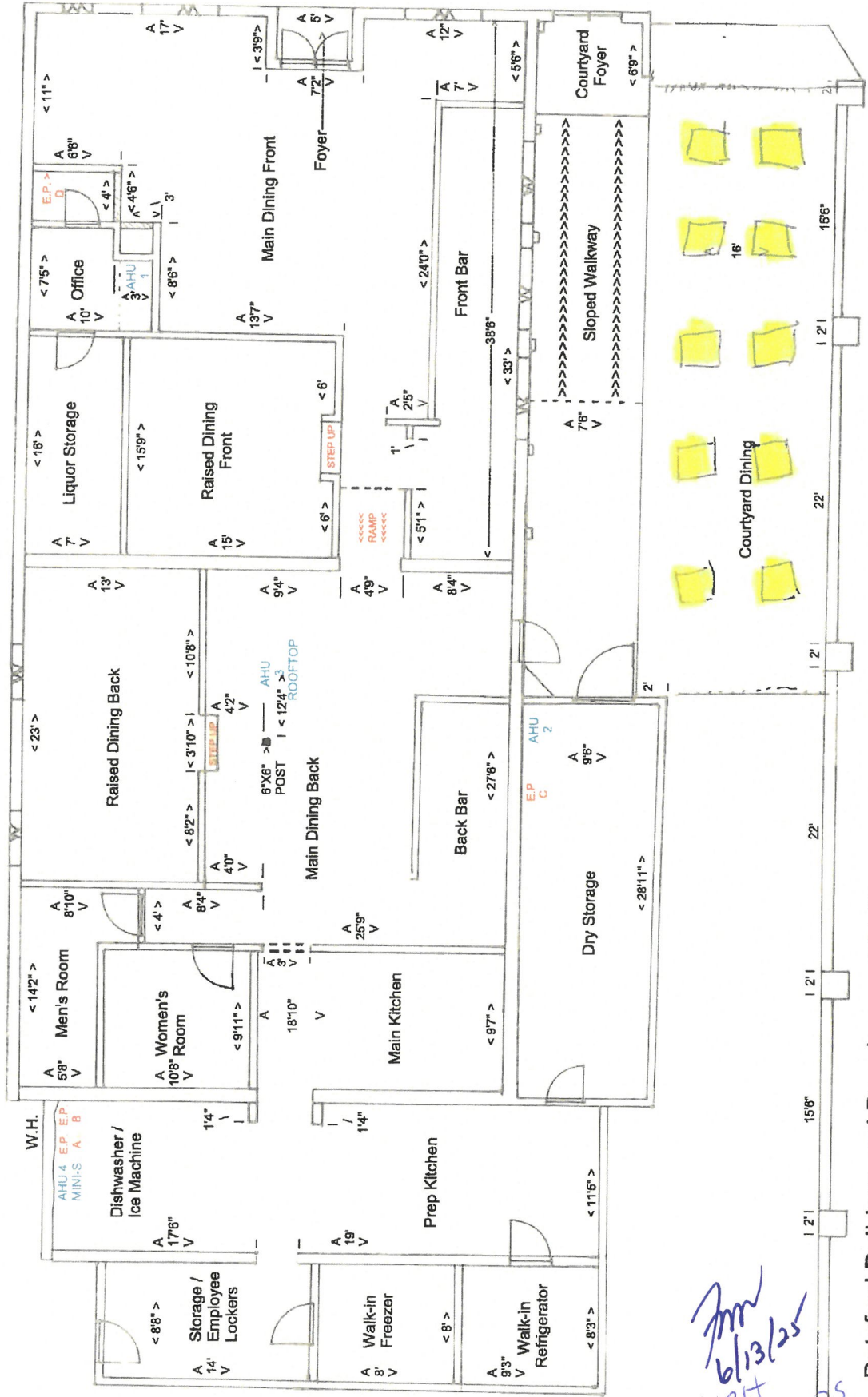


KPH
6/13/2025

Botsford Builders and Development LLC.
Drawn By: Frank Raymond 6/5/24

SQUARE GROUPEUR KEY WEST RENOVATION

920 CAROLINE ST, KEY WEST FL 33040



Botsford Builders and Development LLC.
 Drawn By: Frank Raymond 6/5/24

Dining Capacity - 150
 Inside Dining - 100
 Proposed outside Dining - 10 tables / 40 seats

Handwritten signature and date:
 6/13/25
 6/13/2025

CL TRUMBO ROAD

[illegible][illegible][illegible][illegible]

- NORTHWEST CORNER OF PROPERTY
- WESTLINE OF PROPERTY
- POST HOLDING LIGHTS
- 2 LIGHTS
- PROPERTY LINE
- ROOF OVERHANG LINE
- METAL GATE
- DRIVEWAY
- AIR CONDITIONING UNIT
- STRUCTURE
- CONCRETE WALL
- SOUTHEAST CORNER OF STRUCTURE
- PROSPAN TANK
- WESTLINE OF PROPERTY
- ROOF OVERHANG LINE



NOT VALID WITHOUT
THE ELECTRONIC
SIGNATURE AND THE
ORIGINAL
ELECTRONIC SEAL OF
A FLORIDA SURVEYOR
AND MAPPER

**Robert
Reece**

Digitally signed
by Robert Reece
Date: 2024.02.13
10:10:52 -05'00'

SIGNED

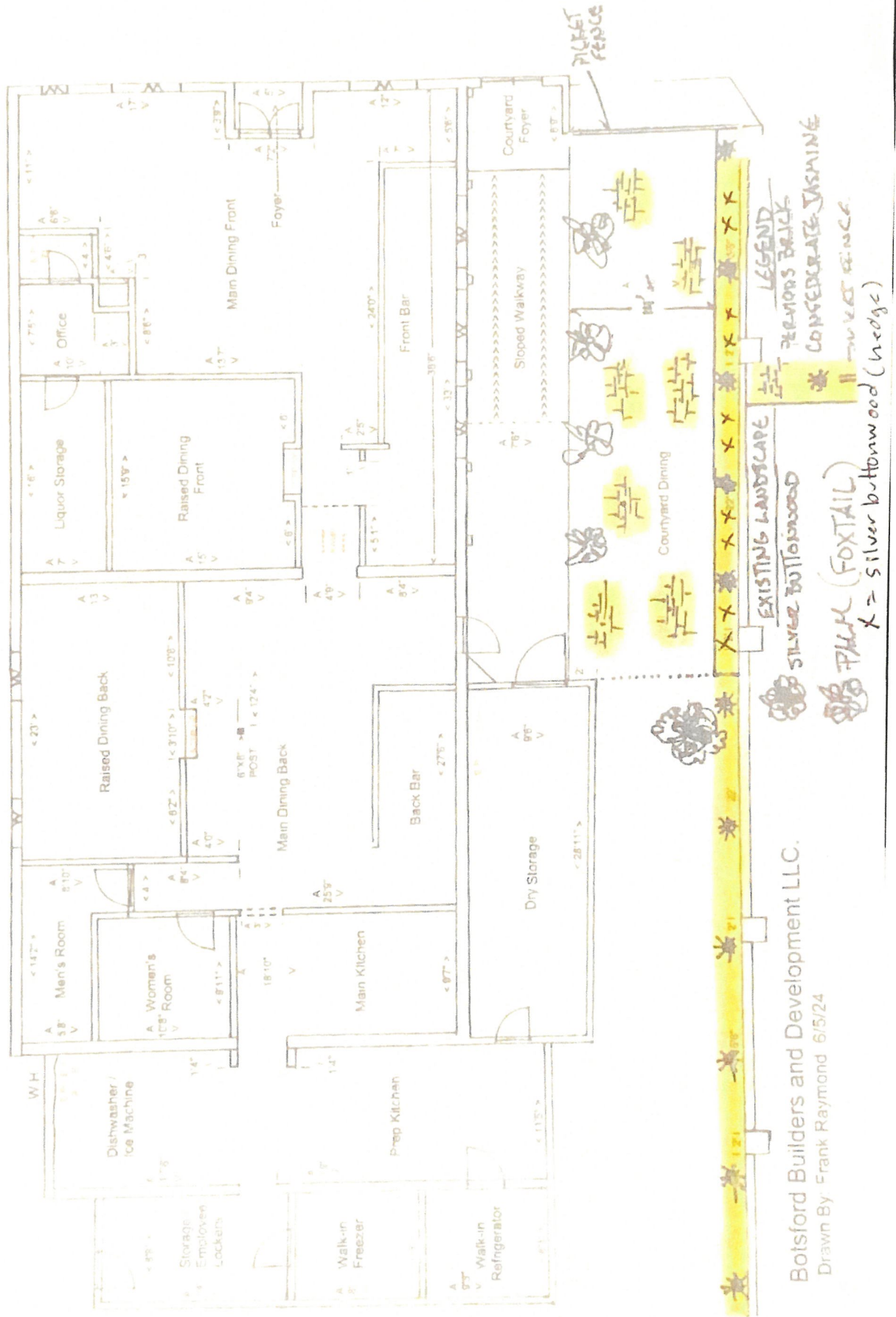
ROBERT E. REECE, PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. LS 3632

6/13/25

SQUARE GROUPEY KEY WEST RENOVATION

920 CAROLINE ST, KEY WEST FL 33040

LANDSCAPE PLAN



Botsford Builders and Development LLC.

Drawn By: Frank Raymond 6/5/24

JW 6/13/25

KPH 6/13/2025

920 Caroline St. Landscape Plan Data

Existing Tree Table				
Tree/Palm #	Name	Caliper width / Palm height	Condition	Proposal
1	Silver Buttonwood	8 inch	Good	Keep as is
2	Foxtail Palm	18 ft.	Good	Keep as is
3	Foxtail Palm	18 ft.	Good	Keep as is
4	Foxtail Palm	18 ft.	Good	Keep as is
5	Foxtail Palm	18 ft.	Good	Keep as is

Planting Schedule				
Name	Category	Size	Native	Quantity
Silver Buttonwood	Shrub	1" caliper/ 5 gallon	Yes	10
Confederate Jasmine	Ornamental vine		No	11

mm
6/13/25

KPH
6/13/2025