

**THE CITY OF KEY WEST, FLORIDA  
PLANNING BOARD  
RESOLUTION NO. 2026-\_\_\_**

**A RESOLUTION OF THE PLANNING BOARD OF THE City of Key West, FLORIDA, DENYING A REQUEST FOR A VARIANCE TO MAXIMUM BUILDING COVERAGE ABOVE THE THIRTY-FIVE PERCENT (35%) LIMIT PERMITTED IN THE SINGLE-FAMILY (SF) ZONING DISTRICT FOR PROPERTY LOCATED AT 1507 18TH STREET (RE# 00071390-000000), IN ORDER TO CONSTRUCT A REAR YARD ACCESSORY STRUCTURE; PURSUANT TO SECTIONS 90-395 AND 122-238(4)a OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA; PROVIDING FOR FINDINGS OF FACT, CONCLUSIONS OF LAW, AND AN EFFECTIVE DATE.**

**WHEREAS,**

The Applicant, Jonathan Tavares, on behalf of the property owners, Cory and Carrie Otto, submitted an application, requesting a variance to increase maximum building coverage from the permitted 35% to 41.76% to construct a rear yard accessory structure; and

**WHEREAS,**

The subject property is located at 1507 18th Street (RE# 00071390-000000) and is zoned Single-Family Residential (SF); and

**WHEREAS,**

The proposed variance request was submitted pursuant to Sections 90-395 and 122-238(4)a of the Code of Ordinances of the City of Key West, Florida; and

**WHEREAS,**

The Planning Board has reviewed the application, staff report, applicable code provisions, and all materials submitted into the record, and has conducted a duly noticed public hearing on March 12, 2026; and

**WHEREAS,**

Section 90-395 of the Code of Ordinances requires that all variance criteria be satisfied in order for a variance to be granted;

**NOW, THEREFORE, BE IT RESOLVED BY THE PLANNING BOARD OF THE CITY OF KEY WEST, FLORIDA, THAT:**

**Section 1. Findings of Fact**

Based upon competent and substantial evidence in the record, the Planning Board makes the following findings:

1. Special conditions or circumstances do not exist that are peculiar to the land, structure, or building and not applicable to other properties within the same zoning district.
2. The requested increase in building coverage results from the applicant's proposal to expand lot coverage beyond the maximum permitted and is not necessitated by unique physical characteristics of the property.
3. Granting the variance would confer a special privilege by allowing expansion of building coverage beyond that permitted to other properties in the same zoning district, contrary to the intent of Section 122-27 discouraging expansion of site nonconformities.
4. Unnecessary or undue hardship has not been demonstrated, as the hardship cited is personal in nature and not land-based. The Land Development Regulations do not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.
5. Although the request represents the variance sought to accommodate the proposed accessory structure, failure to meet the other required criteria precludes approval.
6. While the variance may not be injurious to public welfare, the request is not in harmony with the general intent and purpose of the Land Development Regulations and is not consistent with the Comprehensive Plan. All variance criteria must be satisfied, and they have not been.
7. No nonconforming uses of neighboring properties form the basis for this request.

**Section 2. Conclusions of Law**

The Planning Board finds that the Applicant has not satisfied all of the mandatory criteria set forth in Section 90-395 of the Code of Ordinances of the City of Key West, Florida, specifically with respect to the existence of special conditions, the demonstration of unnecessary or undue hardship, and the prohibition against conferring special privileges.

**Section 3. Decision**

The request for a variance to increase maximum building coverage above thirty-five percent (35%) in the Single-Family (SF) zoning district for the property located at 1507 18th Street (RE# 00071390-000000) is hereby **DENIED**.

**Section 4. Effective Date**

This Resolution shall become effective immediately upon adoption.

Read and passed at a regularly scheduled meeting held this 12<sup>th</sup> day of March, 2026.

Authenticated by the Chairman of the Planning Board and the City Planner;

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Peter Batty, Planning Board Chairman

Date

**Attest:**

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Taylor Brown, City Planner

Date

**Filed with the Clerk:**

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Keri O'Brien, City Clerk

Date