



**THE CITY OF KEY WEST  
PLANNING BOARD**

**Staff Report**

**To:** Chairman and Planning Board Members

**Through:** Taylor Brown, Planning Director

**From:** Ben Gagnon, Planner II

**Meeting Date:** May 21, 2026

**Application:** **Variance – 3632 Sunrise Drive (RE# 00071670-000000)**  
A request for a variance from the maximum building coverage and maximum impervious surface requirements to allow an addition to an existing residential property located in the Single-Family (SF) zoning district, pursuant to Sections 90-395 and 122-238 of the Code of Ordinances of the City of Key West, Florida.

**Request:** The variance request is triggered by the proposed building expansion of a new en-suite bathroom next to an existing first floor bedroom.

**Applicant:** Rick Luna / Serge Mashtakov

**Property Owner:** Rick Luna

**Zoning:** Single Family (SF)

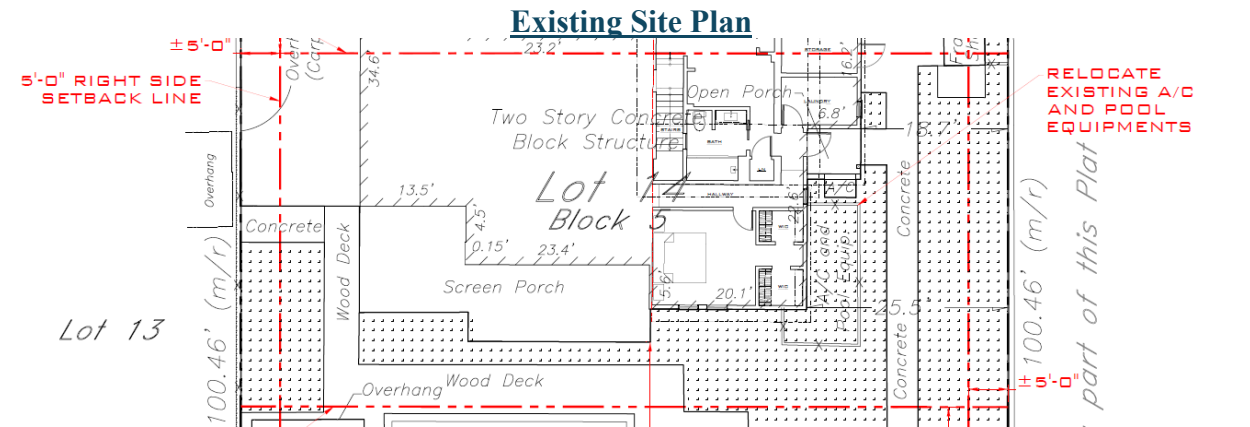


## Background & Request

The subject property is a 9,794 square-foot parcel located at 3632 Sunrise Drive. The applicant wishes to add a bathroom to the existing first floor bedroom and relocate pool equipment and walkways to accommodate new bathroom. The subject property is a fully functioning single-family residence. The proposed addition represents an enhancement rather than a necessity to enable reasonable use of the property.

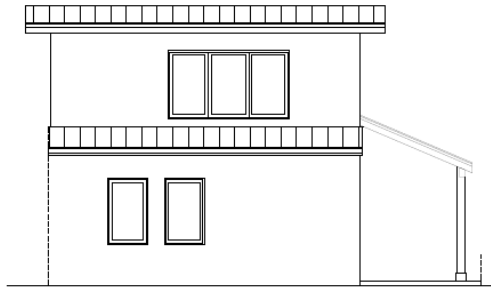
## SITE DATA

Zoned	Permitted	Existing	Proposed	Variance?
<b>Lot Size</b>	6,000 sq. ft. MIN	9,794 sq. ft.	-	
<b>Building Coverage</b>	35% MAX	3,325.0 (34.18%)	3,455.1 (35.51%)	<b><u>YES</u></b>
<b>Impervious Surface</b>	50% MAX	4,883.1 (50.19%)	5,145.0 (52.9%)	<b><u>YES</u></b>
<b>Open Space</b>	35% MIN	3,662.3 (37.64%)	3,405.0 (35.0%)	No
<b>SETBACKS</b>				
<b>Front Setback</b>	30'	13'	No Change	No
<b>East Side Setback</b>	5'	18'2"	15'	No
<b>West Side Setback</b>	5'	0'	No Change	No
<b>Rear Setback</b>	25'	33'2"	No Change	No





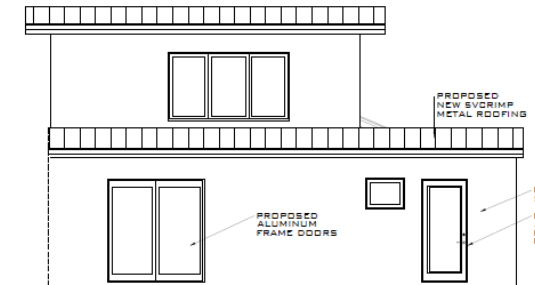
## Existing / Proposed Elevations



**EXISTING PARTIAL  
REAR ELEVATION**  
SCALE: 3/8" = 1'-0"



**EXISTING LEFT ELEVATION**  
SCALE: 3/8" = 1'-0"



**PROPOSED PARTIAL  
REAR ELEVATION**  
SCALE: 3/8" = 1'-0"



**PROPOSED LEFT ELEVATION**  
SCALE: 3/8" = 1'-0"

### **Process:**

Planning Board Meeting:	May 21 <sup>st</sup> , 2026
Local Appeal Period:	10 Days
Planning renders to DOC for review:	Up to 45 days

### **Staff Evaluation:**

The criteria for evaluating a variance are listed in Section 90-395 of the City Code. The Planning Board, before granting a variance, must find all the following:

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.*

There are no special conditions that directly relate to the land, structure, or building involved.

**NOT IN COMPLIANCE**

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

Any hardship associated with the request is not the result of unique site conditions, but rather the applicant's desire to expand the existing structure. Therefore, this criterion is not satisfied.

**NOT IN COMPLIANCE**

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.*

Granting the variance would confer on the applicant the ability to build additional building coverage and impervious surface which is not permitted for other properties in the same zoning district.

**NOT IN COMPLIANCE**

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.*

Literal interpretation of the provisions of the land development regulations would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. All properties in the zoning district are subject to the same zoning requirements.

**NOT IN COMPLIANCE**

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.*

The variance requested is not the minimum variance that will make possible reasonable use of the land, building, or structure. The structure currently functions as a dwelling.

## NOT IN COMPLIANCE

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.*

The variance is not likely to be injurious to the area involved or otherwise detrimental to the public interest.

## IN COMPLIANCE

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.*

Existing nonconforming uses of other properties are not the basis of this request.

## IN COMPLIANCE

### **Concurrency Facilities and Other Utilities or Service (Section 108-233):**

It does not appear that the requested variance will trigger any public facility or utility service capacity issues.

### **The Planning Board shall make factual findings regarding the following:**

1. *That the standards established by Section 90-395 of the City Code have been met by the applicant for a variance.*

Staff has found that the standards established by Section 90-395 of the City Code have not been met by the applicant.

2. *That the applicant has demonstrated a “good neighbor policy” by contacting or attempting to contact all noticed property owners who have objected to the variance application, and by addressing the objections expressed by these neighbors.*

While not a strict variance criterion it is important to note for the report that as of May 1<sup>st</sup>, staff have received no letters of objection and no letters of support for this item from surrounding neighbors.

**Recommendation:**

The variance request from the maximum building coverage and maximum impervious surface requirements to allow an addition to an existing residential property located at 3632 Sunrise Drive does not meet all the criteria stated in Section 90-395. Therefore, the Planning Department recommends that the request for a variance be **DENIED**.

If the Planning Board chooses to approve the variances, the Planning Department recommends the following conditions:

**General Conditions:**

1. The proposed work shall be consistent with the attached signed and sealed plans on March 17, 2026, by Serge Mashtakov.