

THE CITY OF KEY WEST PLANNING
BOARD

Staff Report

To: Chairman and Planning Board Members

Through: Katie P. Halloran, Planning Director

From: Jordan Mannix-Lachner, Planner I

Meeting Date: August 17, 2023

Agenda Item: **Transfer of a Transient Unit License** -- A request to transfer one (1) transient license from a receiver site located at 1901 S. Roosevelt Blvd, Unit 308N (RE# 00064700-000324) in the Coastal Medium Density Residential zoning district, to a sender site located at 507 Amelia Street (RE# 00027730-000000) in the Historic Residential Commercial Core – 3 zoning district, pursuant to Sections 122-1339 and 122-747 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

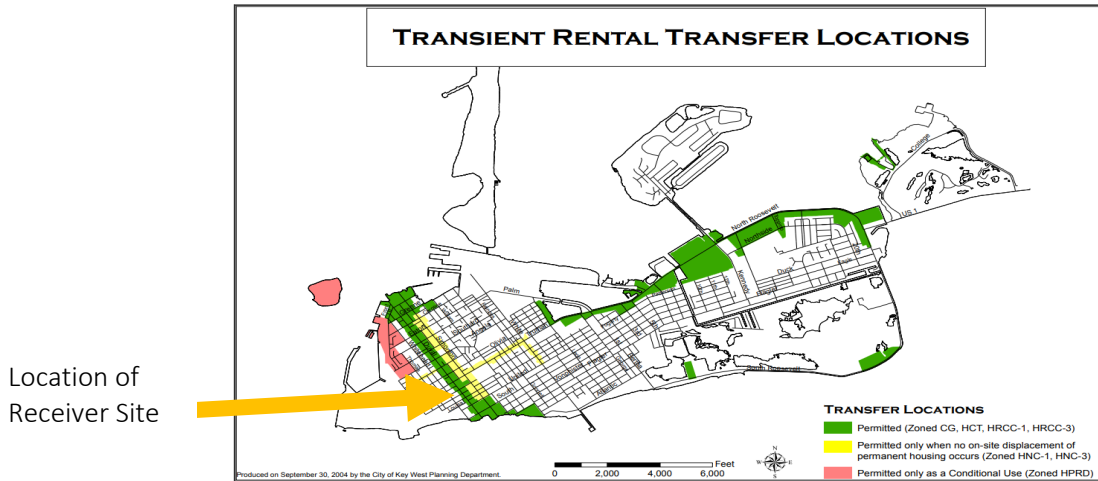
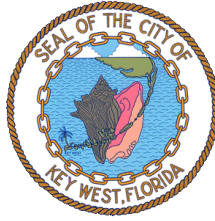
Request: A request to transfer one transient license from a three-bedroom, 1,392 square-foot unit located at 1901 S. Roosevelt Blvd, to three-bedroom, 1,107 square-foot unit located at 507 Amelia Street.

Property Owners: Sender Site: Wendell Wall
Receiver Site: Wendell Wall

Applicant: Gregory S. Oropeza, Esq. of Oropeza, Stones & Cardenas PLLC

Sender Site Location: 1901 S. Roosevelt Blvd, Unit 308N

Receiver Site Location: 507 Amelia Street

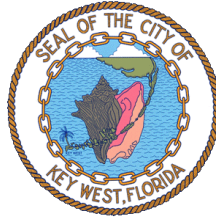


Background:

The applicant is requesting to transfer one transient license from a three-bedroom, 1,392 square-foot unit located at 1901 S. Roosevelt Blvd, to three-bedroom, 1,107 square-foot unit located at 507 Amelia Street.

The sender site is located in the Medium Density Residential – Coastal zoning which does not permit transient use. The current transient use of this unit is legally nonconforming.

The receiver site is located in HRCC-3, which does permit transient use. There is one existing non-transient rental unit at 507 Amelia. If this transfer is approved, the sender site will revert to a non-transient rental unit, and the receiver site will become a transient rental unit.



Sender Site: 1901 South Roosevelt Blvd, Unit 308N

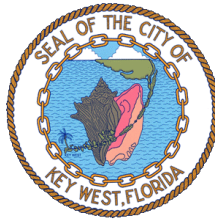


- Zoning District: Medium Density Residential – Coastal
- Transient Use Not Permitted (Legal Nonconforming)
- Total Units On-Site: 136
- Proposed Use: Apartment to revert to non-transient rental.

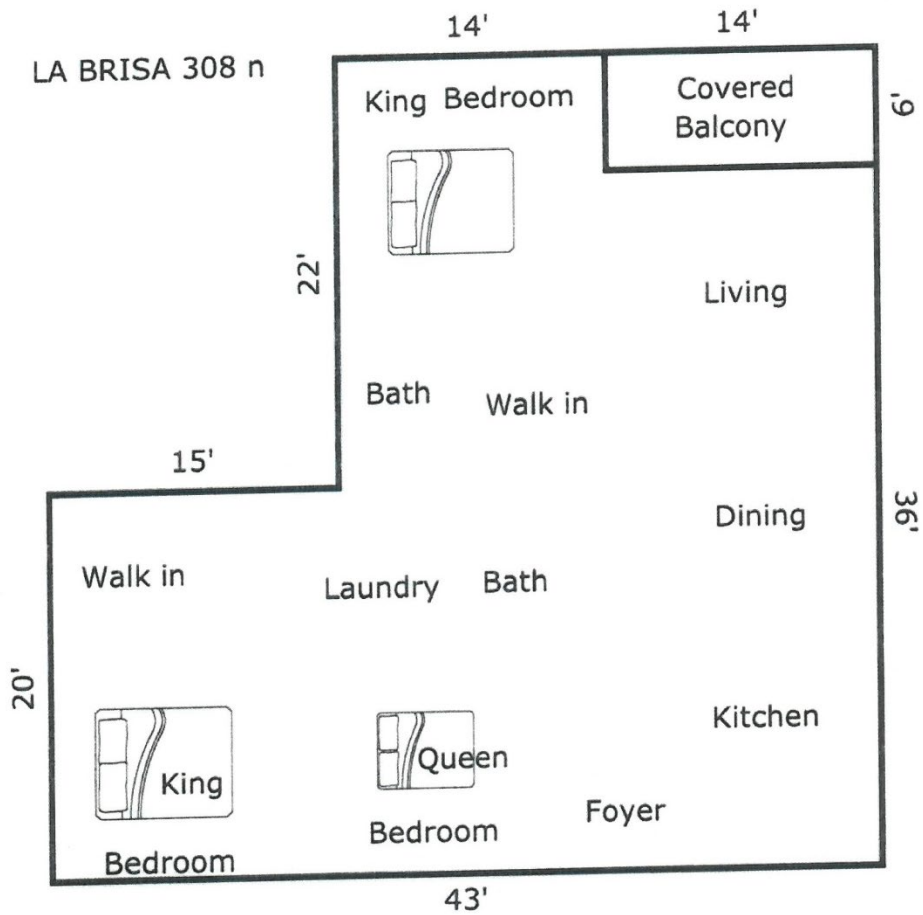
Receiver Site: 507 Amelia Street

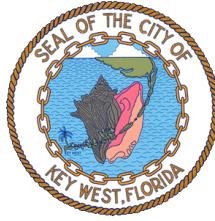


- Zoning District: Historic Residential Commercial Core – 3
- Transient Use Permitted
- Total Units On-Site: 1
- Parking: 2 spaces
- Proposed Use: Existing non-transient unit to become transient.

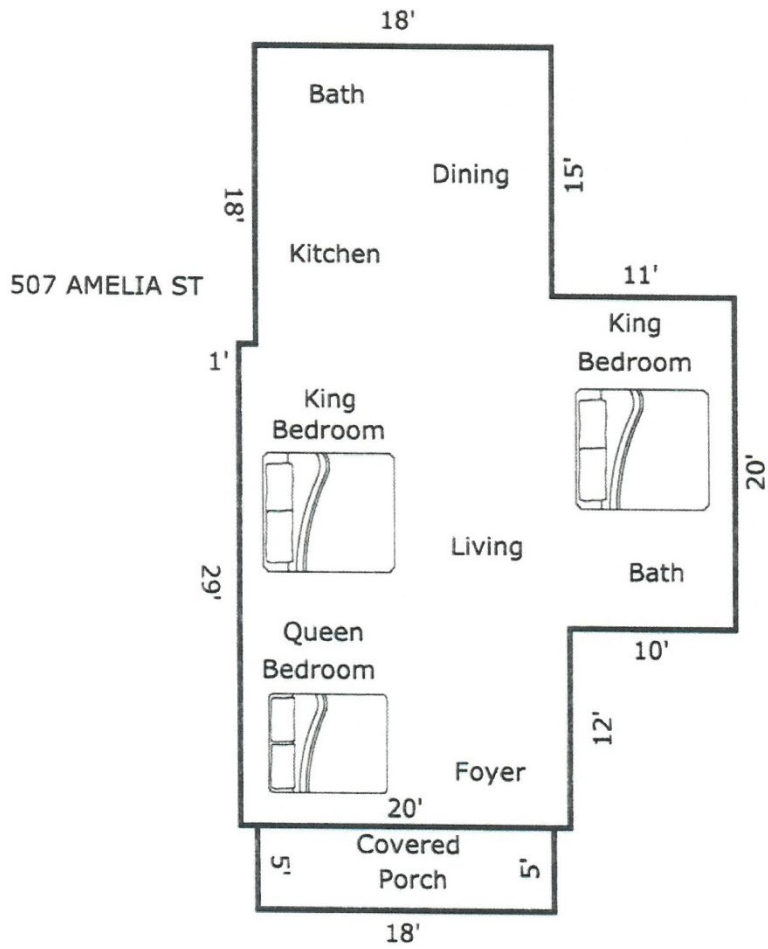


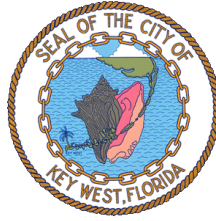
Sender site floor plans:





Receiver site floor plan:





Development Review Committee

No comments.

Process:

DRC Meeting: July 27, 2023
Planning Board Meeting: August 17, 2023
Local Appeal Period: 10 days
DEO Review Period: Up to 45 days

Staff Analysis – Evaluation:

Sec. 122-1336. - Purpose.

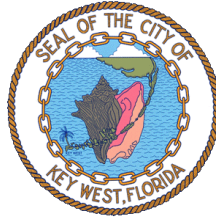
The purpose of this division is to provide for the transfer of existing transient units and transient licenses in order to reduce noncomplying density, structures and uses; remove legal nonconforming transient uses from zoning districts that now prohibit them; encourage permanent residential housing by relocating transient licenses; provide for the conversion of transient units to single-family dwellings by the transfer of units; allow for redevelopment without increasing the population requiring evacuation during emergencies or increasing other public services; protect environmentally sensitive lands; and encourage redevelopment under the existing rate of growth ordinance ("ROGO") that limits the allowable number of residential and transient units. This division is only for the purpose of the transfer of transient units and shall not be construed to create new residential or transient units.

The subject proposal would reduce noncomplying uses by transferring a transient license from a district that prohibits transient use to a district that permits transient use.

Sec. 122-1339. - Transfer of transient business tax receipt.

(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 unit is proposed to be transferred from an area where transient uses are prohibited to a receiver site where transient use is permitted.



(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 sender and receiver site both contain three bedrooms. The sender site unit is 1,392 square-feet and the receiver site unit is 1,107 square-feet. The configuration of the units would result in approximately the same or fewer net occupants at the receiver site compared to the sender site.

Recommendation:

The proposed transfer of one transient license from 1901 S. Roosevelt Blvd., Unit 308N to 507 Amelia Street is subject to Section 122-1339: Transfer of transient business tax receipt. Based on the criteria of Section 122-1339 outlined above, the Planning Department recommends the request for a transfer of one transient license be **APPROVED** with the following conditions:

Conditions:

1. The applicant shall comply with the requirements of Section 122-1371: Transient living accommodations in residential dwellings; regulations.