



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Planning Board

Thursday, September 18, 2025

5:00 PM

City Hall

ADA Assistance: It is the policy of the City of Key West to comply with all requirements of the Americans with Disabilities Act (ADA). Please call the TTY number 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

FOR VISUAL PRESENTATIONS: For City Commission meetings the City Clerk's Office will need a copy of all presentations for the agenda at least 7 days before the meeting.

Call Meeting To Order - 5:00 P.M.

Roll Call

Present 7 - Mr. Browning, Ms. Compton, Mr. Garcia, Mr. Varela, Mr. Warren, Mr. Wiggins, and Chairman Batty

Pledge of Allegiance to the Flag

Approval of Agenda

The agenda was unanimously approved as amended

Administering the Oath by the Clerk of the Board

Approval of Minutes

1 August 21, 2025

Attachments: [Minutes](#)

A motion was made by Mr. Browning, seconded by Mr. Warren, that the Minutes be Approved. The motion passed by unanimous vote.

Old Business

2 **Text Amendment of the Land Development Regulations** - An Ordinance of the City of Key West, Florida to amend Chapter 90, entitled "Administration",

Section 90-301 entitled "Enforcement Authority" of the Land Development Regulations; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Attachments: [Staff Report](#)
 [Draft Resolution](#)

A motion was made by Mr. Garcia, seconded by Mr. Warren, that the Text Amendment be Approved. The motion failed by the following vote:

No - Mr. Browning, Vice Chair Varela, Mr. Wiggins and Chairman Batty
Yes - Ms. Compton, Mr. Garcia and Mr. Warren

A second motion was made by Mr. Garcia, seconded by Ms. Compton, that the Text Amendment be Postponed to October 16, 2025. The motion carried by the following vote:

Yes: 7 - Mr. Browning, Ms. Compton, Mr. Garcia, Vice Chair Varela, Mr. Warren, Mr. Wiggins, and Chairman Batty

3

Text Amendment of the Land Development Regulations - An Ordinance of the City of Key West, Florida, amending chapter 110 of the code of ordinances entitled "Resource Protection", Article III entitled "Environmental Resources", establishing Division 5, entitled "Green Building"; establishing requirements for green building certification as a requirement; establishing an Green Building fee for projects that do not achieve the required Green Building certification level, authorizing property owners and developers to pay a Green Building fee, or in the alternative, post a bond for the project into the City's adaptation and sustainability fund, which bond or funds are reimbursable to the property owner or developer pursuant to the level of Green Building compliance achieved by the project; designating the adaptation and sustainability fund (fund 108) for the deposit of the green building fees generated through the green building program, and providing the uses for which the fees can be used; providing for severability; providing for an effective date.

Attachments: [Staff Report](#)
 [Draft Resolution](#)

A motion was made by Ms. Compton, seconded by Mr. Browning, that the Text Amendment be Postponed to October 16, 2025. The motion carried by the following vote:

No: 1 - Chairman Batty

Yes: 6 - Mr. Browning, Ms. Compton, Mr. Garcia, Vice Chair Varela, Mr. Warren, and Mr. Wiggins

New Business

4

Variance - 2015 Staples Avenue (RE# 00046820-000000) - Applicant requests a variance to the maximum required impervious surface ratio from the required 50% to the proposed 58%, maximum building coverage from the required 35% to the proposed 48.3% and minimum rear yard setback from the required 25 feet to 6 feet 2.5 inches to construct additional habitable space on the primary structure at an existing residential property located in the Single Family Zoning District (SF) pursuant to sections 90-395 and 122-238 of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Planning Package](#)
 [Noticing Package](#)
 [Letters of Support](#)

A motion was made by Vice Chair Varela, seconded by Mr. Garcia, that the Board finds that all the standards set forth in code Section 90-395(A) have been met by the Applicant, that the Applicant has demonstrated a “Good Neighbor Policy” and that the Variance (exception) be Granted subject to the conditions as outlined in the Staff Report. The motion carried by the following vote:

No: 2 - Ms. Compton, and Mr. Warren

Yes: 5 - Mr. Browning, Mr. Garcia, Vice Chair Varela, Mr. Wiggins, and Chairman Batty

Enactment No: PB Resolution 2025-45

5

Variance - 309 William Street (RE# 00003170-000000) - Applicant requests a variance to the maximum building

coverage from the required 40% to the proposed 52%, minimum front yard setback from the required 10 feet to the proposed 8 feet, minimum rear yard setback from the required 15 feet to the proposed 5 feet, and minimum street side setback from the required 7 feet 6 inches to the proposed 5 feet to demolish and reconstruct an existing residential property located in the Historic Medium Density Residential Zoning District (HMDR) pursuant to sections 90-395 and 122-600 of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Planning Package](#)
 [Noticing Package](#)
 [Letter of Opposition](#)

A motion was made by Mr. Garcia, seconded by Mr. Wiggins, that the Board finds that all the standards set forth in code Section 90-395(A) have been met by the Applicant, that the Applicant has demonstrated a “Good Neighbor Policy” and that the Variance (exception) be Granted subject to the conditions as outlined in the Staff Report. The motion carried by the following vote:

No: 1 - Mr. Warren

Yes: 6 - Mr. Browning, Ms. Compton, Mr. Garcia, Vice Chair Varela, Mr. Wiggins, and Chairman Batty

Enactment No: PB Resolution 2025-46

6

Minor Development Plan - 601 Howard England Way (RE# ~~000016300-000100-00001630-000200~~) - A request for a Minor Development Plan to construct a modular office building at Fort Zachary Taylor State Park located in the Historic Public and Semipublic Services (HPS) zoning district, pursuant to Section 108-91 and 122-956 through 122-965 of the Land Development Regulations of the City of Key West, Florida.

Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Planning Package](#)
 [Noticing Package](#)
 [Utilities Comments](#)
 [Keys Energy Comments](#)

A motion was made by Mr. Warren, seconded by Mr. Browning, that the Minor Development Plan be Approved with conditions as outlined in the Staff Report. The motion carried by the following vote:

Yes: 7 - Mr. Browning, Ms. Compton, Mr. Garcia, Vice Chair Varela, Mr. Warren, Mr. Wiggins, and Chairman Batty

Enactment No: PB Resolution 2025-47

7

WITHDRAWN BY STAFF - Variance - 701 Palm Avenue (RE# 00001761-000000) - A request for a variance to minimum parking requirements, to allow 5 proposed spaces in lieu of the 52 required spaces; to allow for redevelopment of a marina located within the Public and Semipublic Services (PS) zoning district; pursuant to section 90-395 and Article VII, Sec. 108-572 of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Planning Package](#)
 [Noticing Package](#)

Withdrawn

8

Minor Development Plan, Conditional Use - 701 Palm Avenue (RE# 00001761-000000) - A request for a minor development plan to construct a two-story commercial structure and a request for conditional use approval to allow for redevelopment of a marina with the construction of dry storage racks, located in the Public and Semipublic Services (PS) zoning district, pursuant to Section 108-91, Chapter 122, Article III and Article IV, Division 13 of the Land Development Regulations of the City of Key West, Florida.

Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Planning Package](#)
 [Noticing Package](#)
 [Utilities - Comments](#)
 [Keys Energy - Comments](#)
 [Keys Energy - Letter](#)

Mr. Wiggins recused himself and left the dais.

A motion was made by Vice Chair Varela, seconded by Mr. Garcia, that the Minor Development Plan be Approved and the Board finds the Applicant's proposed conditional use demonstrates all of the requirements of Code Section 122-62(2) and that the Application be approved subject to conditions as outlined in the Staff Report. The motion carried by the following vote:

Recuse: 1 - Mr. Wiggins

Yes: 6 - Mr. Browning, Ms. Compton, Mr. Garcia, Vice Chair Varela, Mr. Warren, and Chairman Batty

Enactment No: PB Resolution 2025-48

9

Major Development Plan - 3201 Flagler Avenue (RE# 00052870-000100) - A request for a major development plan approval to reconstruct a two-story mixed-use commercial and residential structure with landscape waivers on minimum landscape percentage, street frontage, interior, and perimeter landscaping on property located within the Limited Commercial (CL) Zoning District pursuant to Chapter 108, Section 108-91, and Article III through IX, Chapter 122, Article IV, Division 4, Subdivision II, and Section 122-28 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Planning Package](#)
 [Noticing Package](#)

Mr. Wiggins returned to the dais.

A motion was made by Mr. Browning, seconded by Mr. Warren, that the Major Development Plan be Approved subject to conditions as outlined in the Staff Report. The motion carried by the following vote:

Yes: 7 - Mr. Browning, Ms. Compton, Mr. Garcia, Vice Chair Varela, Mr. Warren, Mr. Wiggins, and Chairman Batty

Enactment No: PB Resolution 2025-49

10

Transfer of Transient Unit and License - 525 Simonton Street (RE# 00009240-000000) - 117 Duval Street (RE# 00000530-000000) - A Request to transfer one transient unit and license from a sender site located at 525 Simonton Street in the Historic Neighborhood Commercial (HNC-1) zoning district to a receiver site located at 117 Duval Street in the Historic Residential Commercial Core (HRCC-1) zoning district, pursuant to Section 122-1338, 122-1339, and 122-687 of the Land Development Regulations of the Code of Ordinance of Key West, Florida.

Attachments: [Staff Report](#)
 [Draft Resolution](#)
 [Planning Package](#)
 [Noticing Package](#)

A motion was made by Mr. Garcia, seconded by Mr. Warren, that the Transfer of Transient Unit and License be Postponed to October 16, 2025. The motion carried by the following vote:

Yes: 7 - Mr. Browning, Ms. Compton, Mr. Garcia, Vice Chair Varela, Mr. Warren, Mr. Wiggins, and Chairman Batty

11

Text Amendment of the Land Development Regulations - A resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission to amend the Land Development Regulations Chapter 122, entitled "zoning", Article V, entitled "supplementary district regulations", Division 13, entitled "Tattoo Establishments," Section 122-1543, entitled "Separation Requirements,"; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Attachments: [Staff Report](#)
 [Draft Resolution](#)

A motion was made by Ms. Compton, seconded by Mr. Browning, to Approve the Text Amendment striking Sec. 122-1543. Separation requirements. (a), (b) and (c) in its entirety. The motion carried by the following vote:

Yes: 7 - Mr. Browning, Ms. Compton, Mr. Garcia, Vice Chair Varela, Mr. Warren, Mr. Wiggins, and Chairman Batty

Enactment No: PB Resolution 2025-50

12

Text Amendment of the Land Development

Regulations - A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission amending Chapter 122 Of The Land Development Regulations, entitled “Zoning”, Article IV, entitled “Districts”, Division 11 entitled “Historic Public And Semipublic Services District”, establishing Subdivision IV, entitled “Historic Public And Semipublic Services District-3”(HPS-3), to establish a new zoning category for the Historic Public And Semipublic Service District for Mallory Square, and providing amendments to Article IV, Division 1 entitled “Generally”, Section 122-92, entitled "Future Land Use Map Designations And Zoning Districts", and Article V, entitled Supplementary District Regulations, Division 2 entitled “Uses”, Section 122-1111, entitled “Table Of Land Use By Districts”, Section 122-1112, entitled “Table Of Permitted And Conditional Commercial Retail Uses By Districts”, And Division 3 entitled “Area Requirements”, Section 122-1151, entitled “Size And Dimension”; Providing For Intent, Permitted Uses, Conditional Uses, Prohibited Uses, And Dimensional Requirements; Pursuant To Chapter 90, Article VI Section 90-521 Of The Land Development Regulations; Providing For Severability; Providing For Repeal Of Inconsistent Provisions; Providing For An Effective Date.

Attachments: [Staff Report](#)
 [Draft Resolution](#)

Vice Chair Varela recused himself and left the dais.

A motion was made by Mr. Browning, seconded by Ms. Compton, that the Text Amendment be Postponed to November 20, 2025. The motion carried by the following vote:

Recuse: 1 - Vice Chair Varela

Yes: 6 - Mr. Browning, Ms. Compton, Mr. Garcia, Mr. Warren, Mr. Wiggins, and
 Chairman Batty

Vice Chair Varela returned to the dais.

Discussion Items

13 Saving and Holding BPAS Units

Discussed

Reports

Public Comment

Board Member Comment

Adjournment - 7:25 P.M.