



**THE CITY OF KEY WEST
PLANNING BOARD**

Staff Report

To: Chairman and Planning Board Members

From: Jim Singelyn, Acting Planning Director

Meeting Date: November 20, 2025

Agenda Item: **Variance – 1600 Bahama Drive (RE# 00070290-000000) –**
Applicant requests a variance to the minimum required front yard setback, side yard setback, maximum building coverage, maximum impervious surface ratio, and minimum open space requirements in order to demolish and reconstruct an elevated single family home at a 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 applicant is requesting a variance to the dimensional requirements as listed in code Section 122-238 with regards to the required building coverage, impervious surface, open space and front setbacks for primary structures. The property is located at the end of a cul-de-sac and is irregularly shaped.

Applicant: Richard McChesney
Spottswood, Spottswood, Spottswood & Sterling, PLLC

Property Owner: 1600 Bahama LLC

Location: 1600 Bahama Drive (RE # 00070290-000000)

Zoning: Single Family (SF) zoning district



Background/Request:

The existing home is located at 1600 Bahama Drive in the Single Family Residential (SF) zoning district and is part of the Venetian Subdivision. Pursuant to code Sec. 90-391, the variance request is made to accommodate the elevation and reconstruction of an existing residential structure and the addition of a new carport.

The Venetian Subdivision requires a larger lot size than the rest of SF, and a smaller allowable maximum building coverage from 35% to 30%. The property is unique in the fact that 882 square feet of the property line is over the canal. The Front setback variance is required only because the property is on one of the very few cul-de-sacs in Key West, cutting off a sizeable portion of the homes frontage and square footage that would be used in calculating lot coverage. The new design of the existing non-conforming open space is only falling short by approximately 20 square feet but does improve the nonconforming open space by 65 square feet.

Relevant SF Zoning District Dimensional Requirements: Code Section 122-238				
Dimensional Requirement	Required/ Allowed	Existing	Proposed	Change / Variance Required?
Minimum lot size	8,000 sq. ft.	7,492 sq. ft.	7,492 sq. ft.	Existing noncompliance
Maximum building coverage	30% (2,248 sq. ft.)	24.91% (1,866 sq. ft.)	34.1% (2,552 sq. ft.)	<u>Variance Required</u>
Maximum impervious surface	50% (3,746 sq. ft.)	60.93 % (1866 sq. ft.)	63 % (4,719 sq. ft.)	<u>Variance Required</u>
Minimum open space	35 % (2,622 sq. ft.)	33.86 % (2,537 sq. ft.)	34.7% (2,602 sq. ft.)	<u>Variance Required</u>
Minimum front setback	20'	11' 5"	8' 6"	<u>Variance Required</u>
Minimum side setbacks	5'	3' 2"	No Change	<u>Variance Required</u>
Minimum rear setbacks	25'	31'9"	No Change	NO
Canal Setback	10'	2' 5"	No Change	<u>Variance Required</u>

Process:**Planning Board Meeting:**

November 20, 2025

HARC:

n/a

Local Appeal Period:

30 days

DEO Review Period:

up to 45 days

Analysis – Evaluation for Compliance with the Land Development Regulations:

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 of the following:

- 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.*

The land, structures, and building involved are located on property within the Single-Family Zoning District, inside of the more restrictive Venetian subdivision. Planning does concur with the applicant that the lot is of an irregular shape as the frontage is located on a cul-de-sac and does create a special condition that is peculiar to the land.

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.***

The applicant did not construct the irregular shape of the lot.

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.***

Special conditions would not be conferred onto the applicant. The lot shape is very unique in the City and a portion of the lot is unusable over the canal.

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.***

Hardship exists as the applicant is trying to reconstruct a home above flood on an irregular lot.

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 request is the minimum required that will make possible the reasonable use of the land, building, or structure.

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 Granting of the variance is not injurious to the public welfare.

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 non-conforming uses of other properties, use of neighboring lands, structures, or buildings in the same district, or other zoning districts, are not the basis for 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.*

As of October 30th, staff have received no letters of objection or support for the item.

Recommendation:

The variance request to the minimum required front yard setback, side yard setback, maximum building coverage, maximum impervious surface ratio, and minimum open space requirements in order to reconstruct a single family home at the property located at 1600 Bahama Drive does meet all the criteria stated in Section 90-395. Therefore, the Planning Department recommends that the request for a variance be **APPROVED**.

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 October 30th, 2025 by Matthew Stratton of M. Stratton Architecture.