

RESOLUTION NO. 2025-

A RESOLUTION OF THE CITY OF KEY WEST PLANNING BOARD GRANTING A VARIANCE TO MINIMUM PARKING REQUIREMENTS TO ADD 10 GOLF CARTS TO AN EXISTING RECREATIONAL VEHICLE RENTAL BUSINESS AT AN EXISTING HOTEL LOCATED IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT, PURSUANT TO SECTIONS 90-391 AND 108-572 OF THE LAND DEVELOPMENT REGULATIONS OF THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA.

WHEREAS, the real property located at 2400 North Roosevelt Boulevard and identified by RE# 00065220-000100 is located in Commercial General Zoning District (CG); and

WHEREAS, pursuant to Section 108-572 of the Land Development Regulations (the “LDRs”) of the Code of Ordinances (the “Code”) of the City of Key West, Florida (the “City”) the minimum required parking for hotels is one space per lodging unit plus one space for the owner or manager, while the minimum required parking for rental vehicle businesses is 1 space per 3 scooters, mopeds, etc.; and

WHEREAS, the property is removing four (4) parking spaces to store the golf carts, and the ten (10) golf carts trigger three (3) additional required parking spaces; and

WHEREAS, the applicant for 2400 North Roosevelt Boulevard has submitted a variance request for the deficit of twenty two (22) parking spaces to include the deficiency for the primary use of a hotel; and

WHEREAS, this matter came before the Planning Board at a duly noticed public hearing on June 18, 2025; and

WHEREAS, the Key West Planning Board (the “Board”) finds that circumstances exist

which are peculiar to the land, structure, or building involved and that special conditions which are not applicable to other land, structures, or buildings in the same district; and

WHEREAS, the Planning Board finds that the special conditions do not result from the action or negligence of the applicant; and

WHEREAS, the Board finds 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; and

WHEREAS, the Board finds 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; and

WHEREAS, the Board finds that the variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and

WHEREAS, the Board finds 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; and

WHEREAS, the Board finds that 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 are grounds for the issuance of the requested variances; and

WHEREAS, the Board finds that the applicant has satisfied the conditions of Section 90-395 of the Code of Ordinances;

NOW, THEREFORE BE IT RESOLVED by the Planning Board of the City of Key

West, Florida:

Section 1. That the above recitals are incorporated by reference as if fully set forth herein.

Section 2. A request for a variance to minimum parking requirements to add 10 golf carts to an existing recreational vehicle rental business at an existing hotel located in the general commercial (CG) zoning district, pursuant to sections 90-391 and 108-572 of the Code of Ordinances of the City of Key West, Florida is hereby approved with the following conditions:

General Conditions:

1. Vehicles shall be stored consistent with the attached plans by K2M Architecture, dated April 14, 2014.
2. A maximum of 10 golf carts shall be kept at 2400 North Roosevelt Blvd.
3. The owner shall obtain and maintain a Conditional Use Approval Permit, pursuant to City Code Chapter 18, Article II, Division 1. The owner shall be subject to an annual inspection to verify compliance with the conditions of this approval.

Section 3. It is a condition of this variance that full, complete and final application for all conditions of this approval for any use and occupancy for which this variance is wholly or partly necessary, shall be submitted in its entirety within two years after the date hereof.

Section 4. The failure to fully and completely apply the conditions of approval for permits for use and occupancy pursuant to these variances in accordance with the terms of the approval as described in Section 3 hereof, shall immediately operate to terminate these variances, which variances shall be of no force or effect.

Section 5. This variance does not constitute a finding as to ownership or right to

possession of the property, and assumes, without finding, the correctness of applicant's assertion of legal authority respecting the property.

Section 6. This Resolution shall go into effect immediately upon its passage and adoption and authentication by the signatures of the presiding officer and the Clerk of the Board.

Section 7. This Resolution is subject to appeal periods as provided by the City of Key West Code of Ordinances (including the Land Development Regulations). After the City appeal period has expired, this permit or development order will be rendered to the Florida Department of Commerce (DOC). Pursuant to Chapter 73C-44, F.A.C., this permit or development order is not effective for forty five (45) days after it has been properly rendered to the DOC with all exhibits and applications attached to or incorporated by reference in this approval; that within the forty five (45) day review period, the DOC can appeal the permit or development order to the Florida Land and Water Adjudicatory Commission; and that such an appeal stays the effectiveness of the permit until the appeal is resolved by agreement or order.

Authenticated by the Chair of the Planning Board and the Planning Director.

Peter Batty, Planning Board Chairman

Date

Attest:

Katie Halloran, Planning Director

Date

Filed with the Clerk:

Keri O'Brien, City Clerk

Date