



MEMORANDUM

Date: July 13, 2023

To: Honorable Mayor and Commissioners

Via: Albert P. Childress 
City Manager

From: Katie Halloran
Planning Director

Subject: **Request for an Easement Agreement at 900 Frances Street (RE #00020740-000000)**

Introduction

The City Planning Department recommends approval with conditions of an approximately one-hundred fifty-seven (156.51) square-foot easement encroaching City-owned property abutting 900 Frances Street (RE #00020740-000000). The requested easement area consists of the front portion of an existing historic, contributing structure and a wooden overhang encroaching City-owned property on Frances Street.

Background

This is a request for an easement agreement pursuant to Section 2-938 of the Code of Ordinances of the City of Key West. The requested easement area includes the front portion of an existing structure and a wooden overhang encroaching on City-owned property adjacent to 900 Frances Street, located within the Historic High Density Residential (HHDR) zoning district. The subject parcel is a corner lot at the intersection of Olivia Street and Frances Street. The historic structure was erected in 1899 and is contributing to the period of significance of the Key West Historic District. The property is licensed as a legally nonconforming commercial office for the property owner's electric company. The property owner is represented by Oropeza, Stones, and Cardenas, PLLC.

The requested easement would allow the property owner to maintain the front portion of the historic structure, including a wooden overhang over City right-of-way.

This easement request was reviewed at the May 25, 2023 Development Review Committee (DRC) meeting. The committee members did not express any immediate concerns regarding the requested easement.



Image depicts Google Street View of the property in 2018.



Image depicts the side view of the historic structure and wooden overhang.

Procurement

If the request for the easement over City-owned land is granted, the Grantee shall be required to pay an annual fee of \$400.00 to the City for the use of 156.51 square-feet, more or less, portion of City property pursuant to Code Section 2-938(b)(3). The annual fee would be prorated per the effective date of the easement. The fee would be deposited into the General Fund.

Recommendation

The City Manager's Office recommends the Mayor and Commission approve the resolution, with conditions, authorizing the City Manager to execute an easement agreement with 900 Frances Street LLC, the owner of the property located at 900 Frances Street (RE #00020740-000000).

Exhibits:

Exhibit A – Proposed Easement Agreement

Exhibit B – Application & Supporting Documents