



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Board of Adjustment

Tuesday, April 4, 2023

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: Individuals are responsible to share their presentation at the meeting on their laptop through Zoom. For City Commission meetings the City Clerk's Office will need a copy for the agenda at least 6 days before the meeting.

Call Meeting To Order - 8:15 P.M.

Roll Call

Present 7 - Commissioner Carey, Commissioner Hoover, Vice Mayor Kaufman, Commissioner Lopez, Commissioner Weekley, Commissioner Wardlow, and Mayor Johnston

Approval of Agenda - The agenda was unanimously approved as presented

Approval of Minutes

1 March 7, 2023

Attachments: [Minutes](#)

A motion was made by Commissioner Weekley, seconded by Commissioner Lopez, that the Minutes be Approved. The motion passed by unanimous vote.

Resolutions

- 2 Reconsidering and Granting an Appeal for the RV and Denying an Appeal for the floating structure by Attorney Wayne LaRue Smith, on behalf of property owner Brugman Holdings, LLC, upon finding by the 16th Judicial Circuit Court for Monroe County Certiorari Case No. CA-734-K, that quashed Resolution No. 20-025 and remanded the original appeal for reconsideration; Upholding/Denying the Planning Director's Lawful Unit Determination for 9-D, 10-B2, 10-C Hilton Haven Drive; Providing for an effective date.

Attachments: [Resolution](#)
 [Order](#)
 [Brugman Holdings LLC - Lawful Unit Determination Decision Letter 2.16.23](#)
 [Original Appeal - 2020](#)
 [Application 10.7.19](#)

A motion was made by Commissioner Lopez, seconded by Commissioner Hoover, Granting the Appeal of the RV in exchange for Denying the Appeal for the floating structure in the rear of the property and directing the City Attorney to draft an Agreement with the review of the City Manager's office as a settlement respecting the arguments of both parties as being in good faith as well as removing the affordable housing requirement for two of the units. The motion carried by the following vote:

Yes: 7 - Commissioner Carey, Commissioner Hoover, Commissioner Kaufman, Commissioner Lopez, Commissioner Weekley, Commissioner Wardlow, and Mayor Johnston

Enactment No: Res 23-091

- 3 **Proposed to be Postponed to April 18, 2023:**
Granting/Denying the Appeal by the City of Key West, Upholding/Amending/Denying the Tree Commission's Decision Dated February 13, 2023, Regarding Mahogany Tree Located on City Property at 1701 Von Phister Street.

A motion was made by Commissioner Jimmy Weekley, seconded by Commissioner Clayton Lopez, that the Resolution be Postponed to April 18, 2023. The motion passed by unanimous vote.

Adjournment - 8:36 P.M.