

**From:** Owen Trepanier <owen@owentrepanier.com>  
**Sent:** Tuesday, November 14, 2023 3:04 PM  
**To:** Perez-Alvarez, Nicholas <Nicholas.Perez-Alvarez@stantec.com>; Benjamin Gagnon <benjamin.gagnon@cityofkeywest-fl.gov>  
**Cc:** Donna Phillips <donna.phillips@cityofkeywest-fl.gov>; Katie P. Halloran <katie.halloran@cityofkeywest-fl.gov>; Amanda McWilliams <amanda.mcwilliams@cityofkeywest-fl.gov>; Sam Conch House <sam@conchhouse.com>  
**Subject:** [EXTERNAL] RE: 1905 Staples - Conditional Use

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Hi Nick,  
Will you be able to include this into the agenda material?

Owen

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**Trepanier & Associates, Inc.**  
Land Planners & Development Consultants  
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**From:** Owen Trepanier  
**Sent:** Monday, November 13, 2023 9:48 AM  
**To:** Perez-Alvarez, Nicholas <[Nicholas.Perez-Alvarez@stantec.com](mailto:Nicholas.Perez-Alvarez@stantec.com)>; Benjamin Gagnon <[benjamin.gagnon@cityofkeywest-fl.gov](mailto:benjamin.gagnon@cityofkeywest-fl.gov)>  
**Cc:** Donna Phillips <[donna.phillips@cityofkeywest-fl.gov](mailto:donna.phillips@cityofkeywest-fl.gov)>; [katie.halloran@cityofkeywest-fl.gov](mailto:katie.halloran@cityofkeywest-fl.gov); Amanda McWilliams <[amanda.mcwilliams@cityofkeywest-fl.gov](mailto:amanda.mcwilliams@cityofkeywest-fl.gov)>; Sam Holland Jr ([sam@conchhouse.com](mailto:sam@conchhouse.com)) <[sam@conchhouse.com](mailto:sam@conchhouse.com)>  
**Subject:** 1905 Staples - Conditional Use

Hi Nick,

I am hopeful that we can bring this project to a conclusion this month.

We've heard the Planning Board express two main concerns:

1. Tenancy by working people – Somehow limiting tenancy of the dwelling to working people. Monroe County has a provision to directly address this issue ([MCC Sec. 139-1\(b\)\(6\)b.](#)), which we modeled in the proposed approval condition below.
2. Subdivision – There is little we can do to address the 52-yr old subdivision of the property, however we can make a good faith effort to remedy the situation by submitting and pursuing an subdivision or subdivision waiver application. Of course we have no control over whether the city ultimately approves such an application.

Given the above, We propose the following set of approval conditions for the Conditional Use:

GENERAL CONDITIONS:

The proposed construction shall be **generally** consistent with the plans, signed, sealed and dated 7/22/2023 by Artibus Design for 1905 Staples Avenue.

CONDITIONS PRIOR TO ISSUANCE OF A BUILDING PERMIT:

**An application for subdivision or subdivision waiver, or other application as deemed appropriate by the City of Key West, shall be filed and pursued in good faith in an attempt to resolve the historic subdivision of this parcel.**

CONDITIONS PRIOR TO ISSUANCE OF A CERTIFICATE OF OCCUPANCY AND/OR BUSINESS TAX RECEIPT:

1. **Occupancy by a tenant shall be restricted to households or persons who derive at least seventy percent (70%) of their or his or her total income from gainful employment in Monroe County, Florida. This tenant occupancy restriction shall not disqualify an individual previously qualified who reaches the age of retirement or who becomes disabled. Compliance with this condition shall be demonstrated by the property owner upon written request from the City of Key West City Manager or designee.**
2. The owner shall obtain and maintain a Conditional Approval Permit, pursuant to City Code Chapter 18, Article XII, Division 1, **to allow enforcement of condition No. 1 above.**

Owen

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