



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Planning Board

Thursday, September 19, 2024

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: For City Commission meetings the City Clerk's Office will need a copy of all presentations for the agenda at least 7 days before the meeting.

Call Meeting To Order - 5:02 P.M.

Roll Call

Present 7 - Mr. Batty, Mr. Browning, Mr. Garcia, Mr. Gilleran, Mr. Russo, Vice Chair Varela, and Chairman Holland

Pledge of Allegiance to the Flag

Approval of Agenda - The agenda was unanimously approved as amended.

Approval of Minutes

1 June 20, 2024

Attachments: [Minutes](#)

A motion was made by Mr. Batty, seconded by Mr. Browning, to approve the June 20, 2024 Minutes as presented. The motion passed unanimously.

2 July 18, 2024

Attachments: [Minutes](#)

A motion was made by Mr. Batty, seconded by Mr. Varela, to approve the July 18, 2024 Minutes. The motion passed unanimously.

3 July 23, 2024 (Special)

Attachments: [Minutes](#)

A motion was made by Mr. Batty, seconded by Mr. Varela, to approve the July 23, 2024 Special Meeting Minutes. The motion passed unanimously.

Action Items

4 Election of Planning Board Chair and Vice Chair

A motion was made by Mr. Batty, seconded by Mr. Gilleran, to Postpone the election of the Planning Board Chair and Vice-Chair to the November 21, 2024 Planning Board meeting. The motion carried by the following vote:

Yes: 7 - Mr. Batty, Mr. Browning, Mr. Garcia, Mr. Gilleran, Mr. Russo, Vice Chair Varela, and Chairman Holland

Old Business

5 Variance - 711 Eisenhower Drive (RE# 00023130-000000 & RE# 00072070-000000) - A request for a variance to minimum parking standards to allow for the redevelopment of a marina, providing for zero off-street parking spaces in lieu of the 240 spaces required for property located in the General Commercial and Public and Semi-Public Services zoning districts, pursuant to Sections 90-395 and 108-572 of the Land Development Regulations of the City of Key West, Florida.

- Attachments: [Staff Report](#)
 [Planning Package](#)
 [Noticing Package](#)
 [Boat Launch Data Submittal](#)
 [Applicant Presentation](#)

A motion was made by Mr. Batty, seconded by Mr. Browning, that all the standards set forth in code Section 90-395(A) have been met by the Applicant, that the Applicant has demonstrated a “Good Neighbor Policy” and that the Variance (exception) be Granted subject to the conditions as outlined in the Staff Report. The motion carried by the following vote:

Yes: 7 - Mr. Batty, Mr. Browning, Mr. Garcia, Mr. Gilleran, Mr. Russo, Vice Chair Varela, and Chairman Holland

Enactment No: PB Resolution 2024-31

6 Major Development Plan and Landscape Waiver - 711 Eisenhower Drive (RE# 00023130-000000, 00072082-002900, & 00072070-000000) - A request for a Major Development Plan and landscape waiver to allow for

the redevelopment of a marina, including the demolition of existing dry storage boat racks and outbuildings, the construction of new boat racks and a restroom facility, seawall repair, maintenance dredging, and a landscape waiver including a reduction of minimum landscape buffer requirements from 30 feet to 9 feet for property located in the General Commercial, Conservation, and Public and Semi-Public Services zoning districts, pursuant to Sections 108-91, 108-517 and 122-32 of the Land Development Regulations of the City of Key West, Florida.

- Attachments:
- [Staff Report](#)
 - [Planning Package](#)
 - [Site Plan](#)
 - [Seawall and Dredging Plans](#)
 - [Proposed Utility Easement](#)
 - [8/15/2024 Noticing Package](#)
 - [7/18/2024 Noticing Package](#)
 - [Utilities Comments](#)
 - [Keys Energy Comments](#)

A motion was made by Mr. Varela, seconded by Mr. Batty, that the Planning Resolution be Approved subject to conditions outlined in the staff report.

Yes: 7 - Mr. Batty, Mr. Browning, Mr. Garcia, Mr. Gilleran, Mr. Russo, Vice Chair Varela, and Chairman Holland

Enactment No: PB Resolution 2024-32

7 Variance - 418 United Street (RE# 00029000-000000) - A request for variances to the minimum required side yard setback in order to install air conditioning units at a property located in the Historic High Density Residential (HHDR) zoning district, pursuant to Sections 90-395 and 122-630 (6) of the Land Development Regulations of the City of Key West, Florida.

- Attachments:** [Staff Report](#)
 [8/15/2024 Noticing Package](#)
 [Planning Package](#)
 [4/18/2024 Noticing Package](#)
 [Applicant Letter](#)
 [KWFD Fire Marshal - 418 United Street Life Safety Concern](#)
 [Peter Janker - Requesting Consideration of Easement](#)
 [CBO - Rejecting Easement Option](#)

Mr. Garcia recused himself from this item and left the dais.

A motion was made by Mr. Gilleran, seconded by Mr. Browning, that the applicant failed to demonstrate all the standards of code Section 90-395(A) and that the application be denied. The motion carried by the following vote:

Recuse: 1 - Mr. Garcia

Yes: 6 - Mr. Batty, Mr. Browning, Mr. Gilleran, Mr. Russo, Vice Chair Varela, and Chairman Holland

Enactment No: PB Resolution 2024-33

New Business

8 Variance - 1817 Staples Avenue (RE: 00047070-000100) -
 A request for variances to allow decreases in the minimum front setback from 19.8-feet to 10-feet and minimum rear setback from 19.8-feet to 10-feet to permit the construction of a two-story mixed-use structure with office space and three market rate residential units located within the Limited Commercial (CL) Zoning District pursuant to Sections 90-395 and 122-390 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:** [Staff Report](#)
 [Planning Package](#)
 [Noticing Package](#)

Postponed to the October 17, 2024 Planning Board meeting.

9 Minor Development Plan, Conditional Use - 1817 Staples Avenue (RE: 00047070-000100) - A request for a minor development plan for the construction of a two-story

mixed-use structure with office space and a request for conditional use for three market rate residential units located within the Limited Commercial (CL) Zoning District with a proposed affordable work force housing linkage project at 124 Simonton Street

- Attachments:** [Staff Report](#)
 [Planning Package](#)
 [Noticing Package](#)
 [All Staff Comments 3.27.24](#)

Postponed to the October 17, 2024 Planning Board meeting.

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Variance - 1415 Rose Street (RE#00058910-000000) -

Applicant seeks a variance to allow for an increase in the maximum permitted building coverage from 35% to 49% to permit an addition to a single-family residence located in the Single Family Zoning District (SF) pursuant to Sections 122-238 and 90-395 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:** [Staff Report](#)
 [Planning Package](#)
 [Noticing Package](#)
 [Comments- Opposed](#)
 [Comments - Support Letters](#)
 [Comments- Opposed](#)

A motion was made by Mr. Gilleran, seconded by Mr. Batty, to Postpone the Variance request for 1415 Rose Street until the October 17, 2024 Planning Board meeting. The motion carried by the following vote:

Yes: 7 - Mr. Batty, Mr. Browning, Mr. Garcia, Mr. Gilleran, Mr. Russo, Vice Chair Varela, and Chairman Holland

11

Land Development Regulations Amendment - Barton W. Smith, Attorney, on behalf of Stockrock SI LLC, Island-West Investment Corp., Poinciana - Venture II LLC, and Meisel Holdings FL - 1321 Simonton Street, seeks to amend the Land Development Regulations Chapter 122 (Zoning) Article V, Division 10 (Work Force Housing) pursuant to Section 90-518 of the Land Development Regulations of the Code of

Ordinances of the City of Key West, Florida.

- Attachments: [Staff Report](#)
 [Planning Package](#)
 [Applicant Presentation](#)

Meeting went into Recess at 7:00 P.M.

Meeting Reconvened at 7:03 P.M.

A motion was made by Mr. Gilleran, seconded by Mr. Batty, to Postpone the Land Development Regulations Amendment to the November 21, 2024 Planning Board meeting. The motion carried by the following vote:

Yes: 7 - Mr. Batty, Mr. Browning, Mr. Garcia, Mr. Gilleran, Mr. Russo, Vice Chair Varela, and Chairman Holland

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Request for Postponement by Staff: Text Amendment of the Land Development Regulations - A Resolution of the City of Key West Planning Board recommending an ordinance to the City Commission to amend Land Development Regulations Chapter 110, entitled “Resource Protection”, Article VI entitled “Tree Protection”, to establish a requirement for homeowners to produce dangerous tree declarations to city staff pursuant to F.S. 163.045; to establish a procedure by which the Tree Commission and City staff may submit potential ethics violations to the International Society of Arboriculture regarding compliance with Florida statute 163.045 and associated tree removal; providing for penalties; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

- Attachments: [State Law Resolution Staff Report with Attachments](#)
 [Tree Commission Resolution TC 24-03](#)

Postponed until the October 17, 2024 Planning Board meeting.

Reports

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Building Permit Allocation System (BPAS) Annual Report - Presentation of the tracking and monitoring requirements as required by Section 108-995 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Year 11 Annual Report](#)

Received and Filed

Public Comment

Board Member Comment

Adjournment - 7:22 P.M.