



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Planning Board

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Thursday, April 22, 2021

5:00 PM

City Hall

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**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.

**ALL VISUAL PRESENTATIONS (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

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

#### Roll Call

**Present** 7 - Ms. Brew, Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Lloyd, Mr. Varela, and Chairman Holland

#### Pledge of Allegiance to the Flag

**Approval of Agenda - The agenda was unanimously approved as presented.**

#### Administering the Oath by the Clerk of the Board

#### Approval of Minutes

1 March 18, 2021

Attachments: [Minutes](#)

A motion was made by Vice Chair Gilleran, seconded by Mr. Browning, that the Minutes be Approved. The motion passed by a unanimous vote.

#### Old Business

2

**Determination of Award for an application for 103 units from the Building Permit Allocation System "Affordable - Early Evacuation Pool"** pursuant to Chapter 108, Article XII, of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments:     [Staff Report](#)

**A motion was made by Mr. Lloyd, seconded by Ms. Brew, that the Planning Resolution be Approved. The motion carried by the following vote:**

**Yes:** 7 - Ms. Brew, Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Lloyd, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-06

3

**Alcohol Sales Exception - 907 Whitehead Street (RE# 00017930-000000)** - A request for a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, school, cemetery or funeral property in order to serve beer and wine for special events accessory to the museum on property located within the Historic Medium Density Residential (HMDR) zoning district pursuant to Sections 18-28(b)2 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments:     [Staff Report](#)  
                          [Package](#)  
                          [Non-Objection Letter - St James Church](#)  
                          [11.19.20 Noticing Package](#)  
                          [2.18.21 Noticing Package](#)  
                          [Non-Objection Letter - Ward](#)

**A motion was made by Vice Chair Gilleran, seconded by Mr. Browning, that the Board finds that all the standards set forth in code Section 18-28 B (2) have been met by the Applicant, that the Applicant has demonstrated a "Good Neighbor Policy" and that the Alcohol Sales Special Exception be Granted the only condition being that music will cease by 11:00 PM. The motion carried by the following vote:**

**No:** 1 - Mr. Lloyd

**Yes:** 6 - Ms. Brew, Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-07

4

**Variance - 3528 Eagle Avenue (RE # 00052620-000000)**

- A request for variances to the minimum rear-yard setback, maximum allowable impervious surface and maximum allowable building coverage requirements in order to convert a rear non-complying accessory structure into an affordable housing unit in the Single Family (SF) zoning district pursuant to Sections 90-395, 122-233, 122-238 (6) a.3., and 122-238 (4) b.1. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**Attachments:**    [Staff Report](#)  
[Planning Package](#)  
[6.18.20 Noticing Package](#)  
[Objection Fossum](#)  
[\\*Large File\\* Objection 1 Creighton](#)  
[Objection 2 Creighton](#)  
[Objection Trujillo](#)  
[Objection Owens](#)  
[Objection - Owens 2](#)  
[Objection Oropeza](#)  
[4.22.21 Noticing Package](#)  
[Objection 3 Creighton](#)  
[Public Comment- Trujillo](#)  
[Public Comment - Jones](#)

**A motion was made by Vice Chair Gilleran, seconded by Mr. Browning, that the Planning Resolution be Postponed to July 15, 2021. The motion carried by the following vote:**

**Yes:** 7 - Ms. Brew, Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Lloyd, Mr. Varela, and Chairman Holland

5

**Variance - 615 R Grinnell Street (RE# 00010860-000000)** - A request for variances in order to construct a roof over an existing deck on property located within the Historic High Density (HHDR) zoning district pursuant to Sections 90-395, 122-630(6)a., 122-630(6)b., 122-630(4)b., and 122-1181.

**Attachments:**     [Staff Report](#)  
                                 [Package](#)  
                                 [Good Neighbor Policy: Binder Letter 4.1.2021](#)  
                                 [Letter of Support - Blinckmann](#)  
                                 [LaskowSupportLetter](#)  
                                 [Noticing Package](#)

**A motion was made by Mr. Lloyd, seconded by Ms. Henderson, that the Board finds 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 with conditions as outlined in the staff report . The motion carried by the following vote:**

**Yes:** 7 - Ms. Brew, Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Lloyd, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-08

6

**Variance - 1524 Flagler Avenue (RE# 00062040-000000)** - A request for a variance to maximum allowed building coverage, maximum allowed impervious space, and the minimum required rear setback in order to remodel the single-family structure, construct a carport, and construct a rear addition on a property located in the Single Family (SF) zoning district pursuant to Sections 90-395, 122-238(4)a., 122-238(4)b., and 122-238(6)a.

**Attachments:**     [Staff Report](#)  
                              [Planning Package](#)  
                              [Noticing Package](#)  
                              [Representative Email Documentation](#)

**A motion was made by Mr. Lloyd, seconded by Mr. Varela, that the Board finds 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 with conditions as outlined in the staff report . The motion carried by the following vote:**

**No:** 1 - Ms. Henderson

**Yes:** 6 - Ms. Brew, Mr. Browning, Vice Chair Gilleran, Mr. Lloyd, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-09

7

**Variance - 324 Virginia Street (RE# 00025990-000000) -**

A request to the maximum allowed building coverage, minimum allowed rear setback, minimum allowed front setback, and minimum required off-street parking in order to construct a rear dwelling unit for a property located in the Historic Medium Density Residential (HMDR) zoning district pursuant to Sections 90-395, 108-572(1), 122-600(4)a., and 122-600(6) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**Attachments:**     [Staff Report](#)  
                              [Applicant Presentation](#)  
                              [Planning Package](#)  
                              [Buildback Package](#)  
                              [Noticing Package](#)

**A motion was made by Vice Chair Gilleran, seconded by Mr. Browning, that the Board finds 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 with conditions as outlined in the staff report . The motion carried by the following vote:**

**Yes:** 7 - Ms. Brew, Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Lloyd, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-10

8

**Transient License Transfer - One (1) Transient Unit and License, and Two (2) Transient Licenses in Unassigned Status to 512 Catherine Street (RE# 00028590-000000)** - A request to transfer one transient unit and three (3) transient licenses in unassigned status, two associated with the Studios of Key West and one associated with the Hyatt licenses to a property located at 512 Catherine Street within the Historic Residential Commercial Core (HRCC-3) zoning district pursuant to Sections 122-747, 122-1338, and 122-1339 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**Attachments:**     [Staff Report](#)  
[Planning Package](#)  
[Noticing Package](#)  
[Rizzo - Objection](#)  
[Oropeza Email to Rizzo](#)  
[Rizzo - Objection 2](#)  
[Sellers - Objection](#)  
[Hyatt and Hyatt Transcript](#)  
[Chart of Transient Licenses- Resolutions](#)  
[All Resolutions](#)

A motion was made by Mr. Browning, seconded by Mr. Varela, that the Planning Resolution be Approved with staff condition #1 being removed, conditions #2 and #3 remaining with #3 being modified to include that what remains at sender site will be in compliance in addition to sound monitoring equipment being installed at the receiver site as well as 24 hour property management provided. The motion carried by the following vote:

**No:** 1 - Mr. Lloyd

**Yes:** 6 - Ms. Brew, Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-11

9

**Major Development Plan and Landscape Waiver - 1319 William Street & 1316 Royal Street Units #1-6 (RE# 00036920-000000) - A request for Major Development Plan, landscape waiver, and affordable work force housing requirement linkage approvals to construct and redevelop eight (8) residential units located within the Historic Medium Density Residential (HMDR) zoning district pursuant to Section 108-91 A.2.(a), Section 108-517, and Section 122-1467(1)(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

**Attachments:**    [Staff Report](#)  
[Package](#)  
[Noticing Package](#)  
[Applicant Presentaion](#)  
[Public Comment](#)  
[McFarland - Support Letter](#)  
[Kurkjian - Support Letter](#)  
[Howard - Public Comment](#)

**A motion was made by Mr. Browning, seconded by Ms. Brew, that the Planning Resolution be Approved. The motion carried by the following vote:**

**Yes:** 7 - Ms. Brew, Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Lloyd, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-12

## **New Business**



**10**                                 **Withdrawn by Applicant: Variance - 1604 Rose Street (RE#00061350-000000)** - A request for a variance to maximum allowed building coverage and minimum allowed side and rear setbacks in order to construct an affordable accessory housing unit on a property located in the Single Family (SF) zoning district pursuant to Sections 90-395, 122-233, 122-238 (4) a., 122-238 (6) a.2., and 122-238 (6) a.3 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Withdrawn

**7:35 P.M. - Vice-Chair Gilleran left the Meeting**

**11**                                 **After-the-Fact Variance - 3226 Eagle Avenue (RE# 00052890-001400)** - A request for an after-the-fact variance to maximum allowed building coverage, maximum allowed impervious space, minimum required open space, and minimum allowed side setback in order to maintain a nonconforming accessory structure for a property located in the Medium Density Residential (MDR) zoning district pursuant to Sections 90-395, 108-346, 122-238(4) a., 122-238 (4) b., and 122-238 (6) b., of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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

**A motion was made by Ms. Brew, seconded by Mr. Varela, that the Board finds 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 with conditions as outlined in the staff report . The motion carried by the following vote:**

- No:** 1 - Ms. Henderson
- Absent:** 1 - Vice Chair Gilleran
- Yes:** 5 - Ms. Brew, Mr. Browning, Mr. Lloyd, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-13

**7:41 P.M. - Meeting went into Recess**

**7:51 P.M. - Meeting Reconvened**

12

**Variance - 701 Windsor Lane & 627 Elizabeth Street - (RE# 00018700-000100 & 00011920-000000)** - A request for variances to the maximum impervious surface ratio, maximum building coverage, minimum side yard setbacks, minimum rear yard setback, the minimum open space, and the maximum 30% rear yard coverage requirements in order to elevate, to renovate and demolish portions of an existing one story single family residence on property located within the Historic High Density (HHDR) zoning district pursuant to Sections 90-395, 122-630(4)b., 122-630(6)b., 122-630(6)c., 108-346, and 122-1181 of the Land development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:**
- [Staff Report](#)
  - [Package](#)
  - [Noticing Package](#)
  - [Letter of Support - Browne](#)
  - [Letter of Support - Murray](#)
  - [Letter of Support - Ginty](#)
  - [Good Neighbor Correspondence - Trepanier](#)

**A motion was made by Mr. Lloyd, seconded by Ms. Brew, that the Board finds 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 with conditions as outlined in the staff report . The motion carried by the following vote:**

**No:** 1 - Ms. Henderson

**Absent:** 1 - Vice Chair Gilleran

**Yes:** 5 - Ms. Brew, Mr. Browning, Mr. Lloyd, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-14

13

**Variance - 2827 Harris Avenue (RE# 00067390-000000)**

- A request for variances to the maximum building coverage, maximum impervious surface ratio, and the minimum front yard setback in order to construct a two-story rear addition to a one-story single-family house, and a front porch expansion on property located within the Single Family (SF) zoning district pursuant to Sections 90-395, 122-238(4)a., 122-238 (4)b., and 122-238(6)a.1. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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

**A motion was made by Mr. Lloyd, seconded by Mr. Varela, that the Board finds 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 with conditions as outlined in the staff report . The motion carried by the following vote:**

**No:** 1 - Ms. Henderson

**Absent:** 1 - Vice Chair Gilleran

**Yes:** 5 - Ms. Brew, Mr. Browning, Mr. Lloyd, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-15

14

**Variance - 814 Catherine Street (RE# 00029620-000000) - A request for a variance to the maximum building coverage, and minimum side yard setbacks in order to construct a side addition to the single-family residence on property located within the Historic Medium Density Residential (HMDR) zoning district pursuant to Sections 90-395, 122-600(4)a., 122-600(6)b., of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

**Attachments:**    [Staff Report](#)  
[Package](#)  
[Noticing Package](#)  
[Representative Email Documentation](#)

**A motion was made by Mr. Lloyd, seconded by Mr. Varela, that the Board finds 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 with conditions as outlined in the staff report . The motion carried by the following vote:**

**No:** 1 - Ms. Henderson

**Absent:** 1 - Vice Chair Gilleran

**Yes:** 5 - Ms. Brew, Mr. Browning, Mr. Lloyd, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-16

15

**Variance - 608 Griffin Lane (RE# 00011200-000000) - A** request for variances for the minimum side yard setback, and the maximum thirty percent rear yard coverage in order to renovate a two-story framed single family house, construct a rear addition, pool house, pool, and a terrace on property located within the Historic High Density (HHDR) zoning district pursuant to Sections 90-395, 1220630(6)b., and 122-1181 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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

**A motion was made by Mr. Lloyd, seconded by Mr. Browning, that the Board finds 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 with conditions as outlined in the staff report . The motion carried by the following vote:**

**Absent:** 1 - Vice Chair Gilleran

**Yes:** 6 - Ms. Brew, Mr. Browning, Ms. Henderson, Mr. Lloyd, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2021-17

## Reports

## Public Comments

## Board Member Comments

## Adjournment - 8:20 P.M.