

# **DRC Minutes**

March 25, 2010

Approved April 22, 2010

Mrs. Wittenberg inquired what the projection forecast is for the Army Corps of Engineers. The applicant stated that their forecast standard is a 100 year storm.

Mrs. Torregrosa informed the applicant that she will need more information regarding the 10ft setback from the front property line listed on Figure 5. She then inquired if the height proposed was measured from the existing ground of the building or from the right-of-way. The applicant stated it is measured from the crown of the road. Mrs. Torregrosa stated that HARC approval will be required.

Mr. Bowman requested an elevation survey. Mrs. Kimball-Murley requested that the elevation on the land side of the bulkhead be shown on the survey.

Mr. Torrence urged the applicant to be more prepared since this is the second time this has come before DRC.

Mr. Woodson suggested that they obtain Army Corps of Engineer approval. Mrs. Kimball-Murley stated that the Federal Corps of Engineer had jurisdiction.

- d. **Conditional Use – 1010 Kennedy Drive (RE# 00065650-000500) – A conditional use for proposed cellular telephone facility with ground level utility pole and three rooftop equipment shelters in the CG zoning district per Section 122-418 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Mr. Cunningham gave members an overview of the conditional use and variance request for 1010 Kennedy Drive. He stated that the application had been modified to reflect the new design.

The applicant's representative, Elizabeth Newland, informed members that they have held three public meetings. She handed members copies of the advertised meetings. She then stated that she met with Mrs. Domenech-Coogle regarding landscaping; changes will increase the pervious area.

Mr. Averette asked the applicant what would be stored in the equipment room. The AT&T representative, Alfredo Amoedo, stated that fuel and generators will not be stored inside the equipment room just radio equipment.

Mrs. Wittenberg, Ms. Torregrosa and Mr. Bowman had no comments.

Mr. Torrence stated that police cruisers often encounter dead spots in the area and are unable to use their mobile data system.

Mr. Woodson stated there are a lot of dropped calls in the area.

The following member of the public spoke on the matter:

Liz Lair, 400 South Street

Rick Richter, 104 Palmetto Drive

Mr. Amoedo addressed Mr. Richter's comment, stating that additional generators for outages are a good idea.

Mrs. Cowart stated that Keys Energy had no objections.

- e. **Variance – 1010 Kennedy Drive (RE# 00065650-000500) – A Variance for height of 85 ft. above the allowed 40 ft. with a total of 125 ft. in height for a cellular telephone tower in the Commercial General (CG) zoning district per Sections 122-420 (3) & 122-1149 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

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Members had no comments.

Mrs. Kimball-Murley requested that the applicant provide a structural safety assessment. She then stated that one criteria for the variance is if minimum height sought is necessary to accomplish this need relative to the structure. She then reminded the applicant about maintaining good neighbor policy.

The following member of the public spoke on the matter:

Rick Richter, 104 Palmetto Drive

- f. Conditional Use – 1500 Reynolds (RE# 00037160-000100) – A conditional use for proposed wireless antenna mount on rooftop equipment shelter in the HCT zoning district per Section 122-898 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Mr. Cunningham gave an overview of the conditional use request.

Mr. Averette inquired about the utility closet. Mr. Amoedo stated that fuel and generators would not be stored in the utility closet.

Mrs. Wittenberg had no comments.

Ms. Torregrosa requested that the applicant indicate on their application that they are within the historic district. She then clarified that there is no previous HARC approval number but a resolution number. The applicant stated that he assumed there was a previous HARC approval due to a resolution number.

The applicant informed members that he had consulted with an environmentalist on this project.

Mr. Bowman had no comments.

Mr. Torrence stated this will improve radio capabilities.

Mr Woodson stated the tower must meet the 100mph wind load.

Mrs. Kimball-Murley inquired about the fall radius. Mr. Amoedo stated it is not a tower it is an antenna.

The following member of the public spoke on the matter:

Rick Richter, 104 Palmetto Drive

Mrs. Cowart stated that Keys Energy had no objections.

- g. Variance – 1500 Reynolds (RE# 00037160-000100) – A variance request for height of 27 ft. above the allowed 35 ft. with a total height of 62 ft. for a proposed wireless antenna mount on a rooftop equipment shelter in the HCT zoning district per Section 122-900 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

Mr. Cunningham gave an overview of the variance request.

Members had no comments.

The following member of the public spoke on the matter:

Rick Richter, 104 Palmetto Drive

## 5. New Business

**setbacks, and open space per Sections 122-810 (4)(a), 122-810 (4)(b), 122-810 (6)(a), 122-810 (6)(b), 122-810 (6)(c), and 108-346 (b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The Applicant, Don Craig, gave committee members an overview of the variances request.

Mrs. Cowart noted that Keys Energy provided a written statement that they have no objections on this project.

Mr. Woodson, Ms. Torregrosa, Mr. Averette, Mr. Bowman and Mrs. Wittenberg had no comments.

Ms. Malo and Mr. Craig will meet to modify the dimensions table on the application.

Ms. Newland clarified with Mr. Woodson that the pavers need to be sand set on concrete.

There were no public comments.

**h. Variance – 1010 Kennedy Drive (RE# 00065650-000500) – A Variance for Height up to 125 ft. for a cellular phone tower in the Commercial General (CG) zoning district per Section 122-1149 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.**

The Applicant, Elizabeth Newland, gave committee members an overview of the revised variance request.

Mrs. Kimball-Murley confirmed that the new application serves the same number of users and replaces all other requests. Ms. Newland concurred.

Mr. Woodson and Mrs. Nicklaus had no comments.

Mr. Corriveau asked applicant for FCC coordination on RF signals and FAA coordination for a determination of no flight hazard for proposed tower.

Mrs. Kimball-Murley stated that the applicant has coordinated with neighbors and held a community meeting. Mr. Corriveau gave members an overview of the community meeting. He stated that some changes came out of the meeting and that the applicant may hold an additional meeting.

Mrs. Kimball-Murley stated that there is a tough set of criteria that needs to be met including requesting the minimum height needed.

Ms. Newland will research for Mr. Averette how much fuel will be stored at the top of the building.

There were no public comments.

**i. Variance – 512-524 Eaton Street**

Mrs. Kimball-Murley informed members that this is the first time the variance request has been heard by the DRC. Mrs. Kimball-Murley stated that depending on the 66% rule, a height variance may not be required as long as non-conforming height is not increased. Staff will follow-up with applicant.

There were no public comments.

**j. Discussion – 1016 Duval Street**

Members reviewed options for the guard rail situation with the owner, Dar Castillo.

# **Landscape/Stormwater**

elizabeth

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**From:** elizabeth  
**Sent:** Monday, March 01, 2010 3:04 PM  
**To:** 'Cynthia D Coogle'  
**Subject:** FW: 1010 Kennedy Drive Conditional Use and Variance Application Coordination Prior to DRC 3/25/10  
**Attachments:** surveystormwater.pdf, landscape030110.pdf, 1010 Kennedy Wireless 001.jpg

Cynthia:

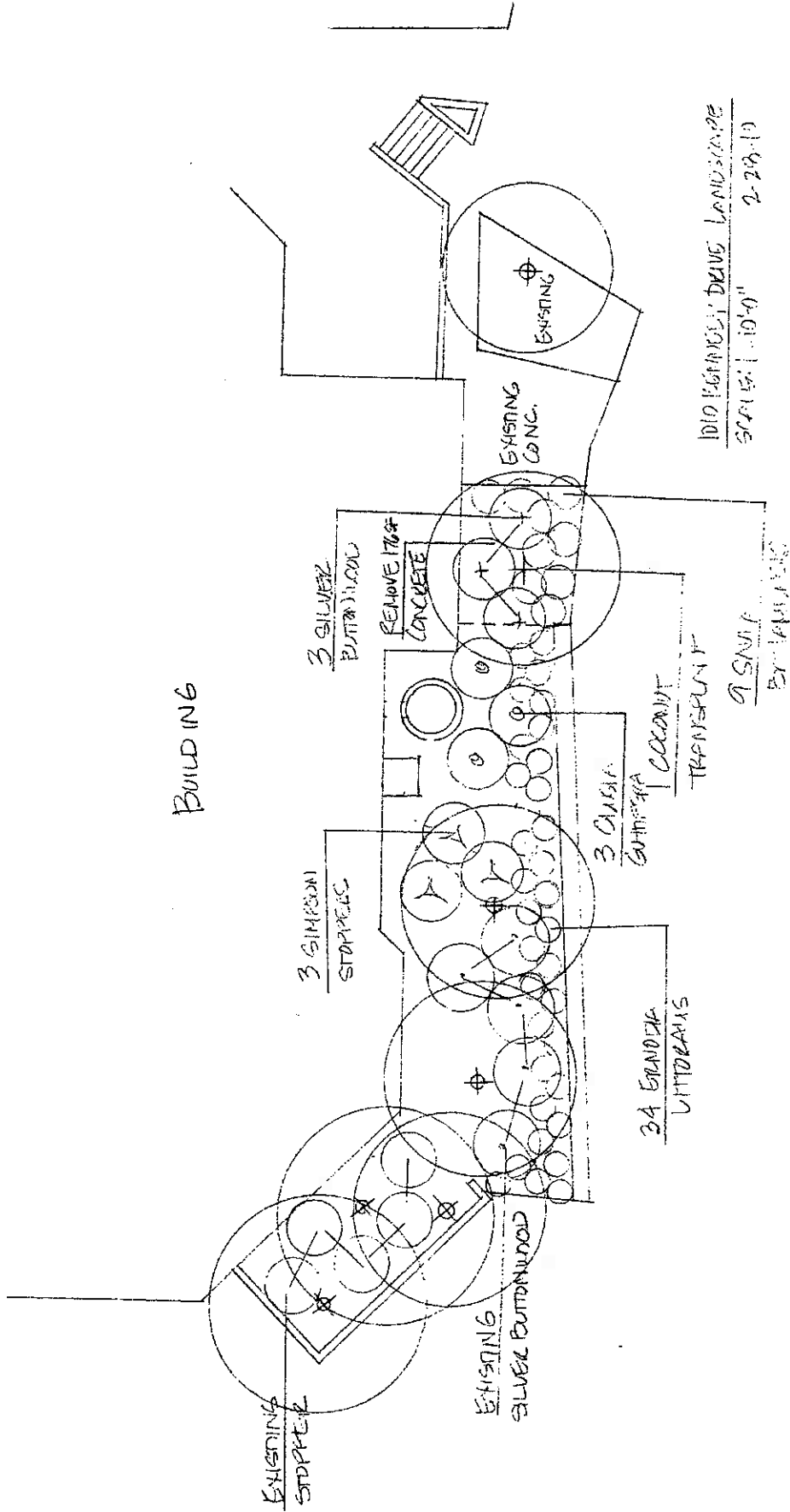
Attached is the recent survey for the 1010 Kennedy Drive site which also includes the existing and proposed impervious and pervious calculations and existing vegetation survey. I have highlighted the landscape area that we are enlarging by 176 SF to offset the footprint of the proposed utility pole. We are actually increasing the pervious/open space on the site as a result of this effort. Also, attached is the landscape plan showing the existing and proposed vegetation for this area. The photo shows the one Coconut that will be transplanted and four small Seagrapes and one small Clusia that will have to be removed prior to the installation of the utility pole. As I mentioned to you this morning in my voicemail, we are submitting today for the March 25, 2010 DRC meeting. I would like to obtain your approval of this concept plan prior to the DRC meeting or address any concerns you may have. If you would like for me to meet with you at your office to go over the details I will be glad to do so. I look forward to hearing back from you as soon as possible.

Thank you.

Elizabeth Newland  
The Singh Company  
P.O. Box 2039  
Key West, Florida 33045

305-481-6301 (C)  
305-294-5144 (F)

BUILDING





**City of Key West**  
**TREE PERMIT**

**Permit#** 5503 **Date Issued** 04/13/10

**Address** 1010 Kennedy Drive

**This it to certify that** Kennedy Building Associates/Liz Newland

**has permission to** Remove (1) Noronhia and (4) Seagrape trees. Transplant (1) Coconut palm as per plans at rear parking lot, west. Replace with 16.5 caliper inches of native canopy trees, as described in approved plans, FL #1, to be planted on site. Replacements shall be planted in the six months from the approval date as described here in. All trees shall be planted according to current "Best Management Practices". Call landscape office for tree replacement inspection. All trees shall be maintained as trees in perpetuity.

**as per application approved** 04/12/10

**The person accepting this permit shall conform to the terms of the application on file in the office of the Tree Commission of Key West. All work shall conform to the requirements of the Code of Ordinances of the City of Key West, Chapter 110-Article VI. Tree Protection.**

**This Tree Permit is effective for 6 months from the date issued.**

**IMPORTANT NOTICE**

**This card must be posted in a location clearly visible from the street and in a protected covering.**

**APPROVED BY:** \_\_\_\_\_

**Niels Weise, Chair**

**Phone: (305)809-3764  
City of Key West, Florida  
Tree Commission  
PO Box 1409  
Key West, FL 33040**

**elizabeth**

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**From:** elizabeth  
**Sent:** Monday, March 01, 2010 2:44 PM  
**To:** 'gbowman@keywestcity.com'  
**Subject:** 1010 Kennedy Drive Conditional Use and Variance Application Coordination Prior to DRC 3/25/10  
**Attachments:** surveystormwater.pdf; landscape030110.pdf

Gary:

Attached is the recent survey for the 1010 Kennedy Drive site which also includes the existing and proposed impervious and pervious calculations for the site. I have highlighted the landscape area that we are enlarging by 176 SF to offset the footprint of the proposed utility pole. We are actually increasing the pervious/open space on the site as a result of this effort. Also, attached is the landscape plan showing the existing and proposed vegetation for this area. As I mentioned to you this morning in our meeting, we are submitting today for the March 25, 2010 DRC meeting. I would like to obtain your approval of this plan prior to the meeting. If you have any further questions please let me know. I look forward to hearing back from you as soon as possible.

Thank you.

Elizabeth Newland  
The Singh Company  
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Key West, Florida 33045

305-481-6301 (C)  
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THE CITY OF KEY WEST

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**From: Engineering Director  
Gary W. Bowman**

Ref: 1010 Kennedy Drive, Key West, FL

Storm water/ Drainage Review for Cell Tower

Please find the following review comment regarding the above mentioned project.

The existing site currently is 93% impervious  
The storm water requirements (MS-4) requires that Best Management Practices should adhered to for existing projects with NO increase of impervious areas, however, best management indicates that any improvements that reduce the area of impervious are considered BMP. Landscape areas are being increased per plans reviewed.  
Therefore no additional stormwater requirements are required.