



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Planning Board

Thursday, October 19, 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: 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 - 5:00 P.M.

Roll Call

Absent 1 - Mr. Batty

Present 6 - Mr. Browning, Mr. Gilleran, Ms. Henderson, Mr. Russo, Vice Chair Varela, and Chairman Holland

Pledge of Allegiance to the Flag

Approval of Agenda - The agenda was unanimously approved as amended

Administering the Oath by the Clerk of the Board

Approval of Minutes

1 September 21, 2023

Attachments: [Minutes](#)

A motion was made by Mr. Russo, seconded by Ms. Henderson, that the Minutes be Approved. The motion passed by unanimous vote.

Action Items

2 Approve Proposed 2024 Meeting Dates

Attachments: [2024 Planning Board Meeting Dates](#)

A motion was made by Mr. Russo, seconded by Mr. Browning, that the meeting dates be Approved with one amendment changing the March date to Tuesday the 12th and a request for potential workshop dates to be presented at the next meeting. The motion passed by unanimous vote.

Old Business

3

Variance - 1905 Staples Avenue (RE# 00046930-000000) -

A request for variance approval for non-complying front, side and rear setbacks, and building coverage, to allow a single-family residence, located in the Limited Commercial (CL) zoning district, pursuant to Sections 90-395, 122-390 and 108-346 of the City of Key West Land Development Regulations.

Attachments:[Staff Report 10.13.23](#)[Letters of Support Oct 2023](#)[Good Neighbor Summary - Owen Trepanier Oct 2023](#)[Good Neighbor Summary - Applicant Oct 2023](#)[Trepanier to 1907 Staples Ave 10.11.23](#)[Staff Report 09.21.23](#)[Planning Package 09.21.23](#)[Public Comment](#)[Noticing Package 09.21.23](#)[Fire Sprinkle Confirmation Email - Trepanier](#)[Trepanier Presentation - 09.21.23](#)[Staff Report 05.18.23](#)[Noticing Package 05.18.23](#)[Trepanier's Planning Board Presentation](#)[1905 Staples Ave - Lot Timeline](#)[Request for postponement](#)[Staff Report 04.20.23](#)[Planning Package 04.20.23](#)[Noticing Package 04.20.23](#)[STAFF REPORT 02.16.23](#)[Planning Package 02.16.23](#)[Staff Report](#)[Request for postponement](#)[Planning Package](#)[Noticing Package](#)

A motion was made by Mr. Russo, seconded by Mr. Browning, to grant the Variance subject to the conditions in the staff report with an added condition of securing a subdivision approval prior to further approval of the site plan. After discussion, Mr. Browning withdrew his second. The motion then failed for lack of a second.

Then, a motion was made by Mr. Varela, seconded by Mr. Browning, to grant the Variance as presented. The motion failed with Mr. Gilleran, Ms. Henderson,

and Chairman Holland voting no and Mr. Browning, Mr. Russo, Mr. Varela voting yes.

A motion was then made by Mr. Gilleran, seconded by Mr. Russo, that the Planning Resolution be Postponed to November 16, 2023. The motion carried by the following vote:

Absent: 1 - Mr. Batty

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

4

Conditional Use - 1905 Staples Avenue (RE# 00046930-000000) - A request for conditional use approval to allow a single-family residence, located in the Limited Commercial (CL) zoning district, pursuant to Sections 122-61, 122-62 and 122-388(1) of the City of Key West Land Development Regulations.

Attachments: [Staff Report 10.13.23](#)
[Letters of Support Oct 2023](#)
[Good Neighbor Summary - Owen Trepanier Oct 2023](#)
[Good Neighbor Summary - Applicant Oct 2023](#)
[Trepanier to 1907 Staples Ave 10.11.23](#)
[Staff Report 09.21.2023](#)
[Planning Package 09.21.23](#)
[Public Comment](#)
[Noticing Package 09.21.23](#)
[Trepanier Presentation - 09.21.23](#)
[Staff Report 5.18.23](#)
[Fire Sprinkle Confirmation Email - Trepanier](#)
[Noticing Package 5.18.23](#)
[Trepanier's Planning Board Presentation](#)
[1905 Staples Ave - Lot Timeline](#)
[Request for postponement](#)
[Staff Report 04.20.23](#)
[Planning Package 04.20.23](#)
[Noticing Package 04.20.23](#)
[1904 Staples-applicant response](#)
[1907 Staples-applicant response](#)
[STAFF REPORT 2.16.23](#)
[Planning Package 02.16.23](#)
[Staff Report 01.19.23](#)
[Request for postponement](#)
[Additional utilities comments](#)
[Planning Package](#)
[Noticing Package](#)
[Utilities Comments](#)

A motion was made by Mr. Gilleran, seconded by Mr. Russo, that the Planning Resolution be Postponed to November 16, 2023. The motion carried by the following vote:

Absent: 1 - Mr. Batty

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

New Business

5 Variance - 425 Southard Street (RE# 00009760-000000) -
A request for a variance to minimum parking requirements to allow for the expansion of a food service establishment on property located within the Historic Residential Commercial Core - 1 zoning district, pursuant to Sections 90-395, 108-572, and 108-573 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 Mr. Gilleran, seconded by Mr. Browning, 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:

Absent: 1 - Mr. Batty

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

Enactment No: PB Resolution 2023-19

6 Variance - 825 Ashe Street (RE# 00022300-000000) - A request for variances on maximum building coverage and side and rear setbacks for an addition to an existing single-family home for property located within the Historic High Density Residential (HHDR) zoning district pursuant to Sections 90-395 and 122-630 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:** [Staff Report](#)
 [Planning Package](#)
 [Noticing Package](#)
 [Fire & Utilities Comments](#)
 [Letters of Support](#)
 [Applicant Letter to Neighbors](#)

A motion was made by Mr. Browning, seconded by Vice Chair Varela, 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 with an understanding that there has been an amendment to the application whereby the overhang on the left, north side will be removed and is no longer in need of variance request. The motion carried by the following vote:

Absent: 1 - Mr. Batty

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

Enactment No: PB Resolution 2023-20

7

Variance - 1605 N Roosevelt Boulevard (RE# 00023280-000100) - A request for a variance to minimum parking requirements to allow for the expansion of a food service establishment on property located within the General Commercial (CG) zoning district pursuant to Sections 90-395, 108-572, and 108-575 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 Mr. Gilleran, seconded by Mr. Russo, 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 but striking Condition #2 and adding a condition to reference the site plan regarding seating. The motion carried by the following vote:

No: 1 - Ms. Henderson

Absent: 1 - Mr. Batty

Yes: 5 - Mr. Browning, Mr. Gilleran, Mr. Russo, Vice Chair Varela, and Chairman Holland

Enactment No: PB Resolution 2023-21

- 8 **Text Amendment of the Comprehensive Plan** - A resolution of the City of Key West Planning Board recommending an ordinance to the City Commission amending Comprehensive Plan Chapter 1, Future Land Use, Policy 1-1.16.1, entitled, “Maintain A Building Permit Allocation Ordinance”, and by amending Chapter 3, Housing, Policy 3-1.1.4, entitled “Building Allocation System”, to provide for building permit allocation system units for the property located at 301 White Street (RE# 00001780-000000); providing for the repeal of inconsistent provisions; providing for transmittal to the State Land Planning Agency; providing for the filing with the Secretary of State; providing for severability; providing for the inclusion in the City of Key West Comprehensive Plan; providing for an effective date.

Attachments: [Noticing Package](#)

Postponed to November 16, 2023

- 9 **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 Chapter 108 of the Land Development Regulations, entitled “Planning and Development”, Article X entitled “Building Permit Allocation System”, Division 2 entitled “Building Permit Allocation System”, Section 108-995 - Reporting requirements and residential allocation schedule; to provide for building permit allocation system units for the property at 301 White Street (RE# 00001780-000000); providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Attachments: [Noticing Package](#)

Postponed to November 16, 2023

10 **Dissolution of Resolution #2012-08** - A request to approve the dissolution of Planning Board Resolution 2012-08 for a conditional use permit for property located at 1128-1130 Duval Street (RE# 00027950-000000).

- Attachments:** [Staff Report](#)
 [Resolution 2012-08](#)
 [Owner's Request to Terminate](#)
 [Draft Resolution](#)

A motion was made by Vice Chair Varela, seconded by Ms. Henderson, that the Planning Resolution be Approved. The motion carried by the following vote:

Recuse: 1 - Mr. Russo

Absent: 1 - Mr. Batty

Yes: 5 - Mr. Browning, Mr. Gilleran, Ms. Henderson, Vice Chair Varela, and Chairman Holland

Enactment No: PB Resolution 2023-22

Reports

11 A request to approve a Minor Modification to a Development Plan to relocate parking spaces and create a more efficient parking lot traffic flow at the entrance of Overseas Market at 2720 North Roosevelt Boulevard (RE# 00066150-000000) in the General Commercial (CG) zoning district pursuant to Code of Ordinances Section 108-91(C)(2).

- Attachments:** [Written Decision of Approval No. 2023-03](#)
 [Administrative Modification Approval 2720 N Roosevelt, OverSeas Market](#)
 [City Commission Resolution 89-26](#)
 [Urban Forester Staff Report](#)
 [Overseas Market Improvement Design Layout](#)
 [Parking Analysis](#)

Received and Filed

- 12 A request to approve a Minor Modification to a Development Plan to relocate parking spaces and a dumpster area, improve landscaping, reduce and reconfigure marina slips and docks, and reflect a unity of title at 2407 North Roosevelt Boulevard (RE# 00002280-000100 and RE#00002280-000101) in the Conservation zoning district pursuant to Code of Ordinances Section 108-91(C)(2).

Attachments: [Minor Modification to Memorandum Approval](#)

Received and Filed

Public Comment

Board Member Comment

Adjournment - 7:06 P.M.