

Minutes of the Key West Planning Board

August 30, 2012

DRAFT ACTION MINUTES

Chairman Richard Klitenick called the Key West Planning Board Meeting of August 30, 2012 to order at 6:05pm at Old City Hall, in the antechamber at 510 Greene Street, Key West.

ROLL CALL

Present were: Chairman Richard Klitenick, Vice-Chairman Tim Root, Sam Holland, Jr., Lisa Tennyson, Michael Browning, Gregory Oropeza (arrived 6:15pm) and ex-officio member Ron Demes.

Excused absence: James Gilleran

Also in attendance were: Planning Director, Donald Craig; Chief Assistant City Attorney, Larry Erskine; Fire Department, Jason Barroso; Planning Department staff: Enid Torregrosa, Brendon Cunningham, Carlene Smith, Nicole Malo, Ginny Haller and Karen de Berjeois.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

A motion to approve the agenda was made by Vice-Chairman Root and seconded by Mr. Browning.

Motion carried by unanimous voice vote.

SO ORDERED.

APPROVAL OF MINUTES

July 19, 2012 Meeting

Chairman Klitenick requested that item 5 (HSMDR Zoning District Ordinance – Peary Court) should reflect that he recused himself.

A motion to approve the July 19, 2012 amended meeting minutes was made by Mr. Browning and seconded by Ms. Tennyson.

Motion carried by unanimous voice vote.

SO ORDERED.

RESOLUTIONS

Old Business

- 1 Exception for Outdoor Merchandise Display - 1120 Duval Street (RE# 00027930-000000) – A request to allow the display of merchandise in the HRCC-3 zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Ms. Haller gave members an overview of the exception for outdoor merchandise display request. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the request for Outdoor Merchandise Display meets the criteria. The Planning Department recommended the following conditions:

1. The Exception for the Outdoor Merchandise Display is limited to the existing front porch, and will not be placed in the City right-of-way.

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2. The Exception for the Outdoor Merchandise Display will only be present during hours of operation.
3. The Exception for the Outdoor Merchandise Display is specific to the current tenant, Ronen Teshuva, and granted for 60 months.
4. The Exception will not be attached to any column or shutter, or obscure any architectural features on the front porch.
5. The Exception will provide clear access for ADA and fire accessibility, with a minimum pathway of thirty-six inches around each display.
6. The Exception is limited to three (3) display racks, one (1) tiered basket display stand, and two (2) chairs.

The applicant, Ronen Teshouva, gave members an overview of the request.

The following member of the public spoke on the matter:

- Susan Cardenas representing Peter Wagner.

A motion to deny the exception for outdoor merchandise display in order to maintain the cultural district own as Upper Duval Street was made by Vice-Chairman Root and seconded by Mr. Browning.

Motion was carried by unanimous voice vote.

SO ORDERED.

New Business

- 2 **Variances – 411 Grinnell Street (RE# 00005240-000000) – A request for front and side yard setback in the HMDR zoning district per Sections 90-391, 122-28(b), 122-600(6)a, and 122-600(6)b of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Ms. Haller gave members an overview of the variances request. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for variances be denied.

The applicant's architect, Tom Pope, gave members an overview of the request.

There were no public comments.

A motion to approve the variances request was made by Ms. Tennyson and seconded by Mr. Oropeza.

Motion was carried by unanimous voice vote.

SO ORDERED.

- 3 **Zoning in Progress - Pain Management Clinics - A resolution of the City of Key West, Florida invoking the Zoning in Progress doctrine; declaring that the City is considering amendments to its Land Development Regulations to adopt criteria permitting and regulating the location of pain management clinics; directing Building and Planning Department staff to defer the acceptance and processing of applications requiring the issuance of permitting the location of pain management clinics; providing for an effective date; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.**

Ms. Haller gave members an overview of the proposed zoning in progress doctrine.

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There were no public comments.

A motion to recommend to the City Commission invoking the Zoning in Progress doctrine for pain management clinics to include creating a cap on the number of pain management clinics allowed within city limits was made by Vice-Chairman Root and seconded by Ms. Tennyson.

Motion was carried by unanimous voice vote.

SO ORDERED.

- 4 EAR Amendments - Consideration of an ordinance of the City of Key West amending the Key West Comprehensive Plan by adopting a new Future Land Use Map in its entirety; by amending the Goals, Objectives and Policies of the Land Use Element, the Historic Preservation Element, the Traffic Circulation Element, the Housing Element, the Public Facilities Element, the Coastal Management Element, the Port Master Plan Sub Element, the Conservation Element, the Recreation and Open Space Element, the Intergovernmental Coordination Element, the Capital Improvements Element, and the General Monitoring and Review Criteria; by updating the Appendices; by amending the Data and Analysis supportive of the Plan but not a part of the Comprehensive Plan; by inserting the City's Strategic Plan in the Introduction to the Comprehensive Plan; by adopting a Water Supply Facilities Work Plan, as provided for in Chapter 90, Article VI, Amendments, Division 3, Comprehensive Plan Amendments, based upon recommendations from the City adopted 2005 and 2007 Evaluation and Appraisal reports; Providing for transmittal to the State Land Planning Agency; Providing for the filing with Secretary of State; Providing for Severability; Providing for Repeal of Inconsistent Provisions; Providing for an Effective Date.**

Ms. Malo gave members a brief overview of the EAR process.

Joe Corradino with The Corradino Group, Inc. gave members a presentation of the Evaluation and Appraisal Report (EAR) amendments to the City of Key West Comprehensive Plan.

Nancy Strober gave members an overview of the changes in the Community Planning Act.

Mr. Craig gave members an overview of the approval process.

The following members of the public spoke on the matter:

- Mark Saunders, 1310 Newton
- Perry Johnston, 606 Frances

A motion to recommend to the City Commission an ordinance of the City of Key West amending the Key West Comprehensive Plan by adopting a new Future Land Use Map in its entirety was made by Mr. Oropeza and seconded by Vice-Chairman Root.

Motion was carried by unanimous voice vote.

SO ORDERED.

PLANNER'S REPORT

Mr. Craig and Mrs. Torregrosa gave members an overview of the approval process for the 2011 Key West Historic Resources Survey.

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ADJOURNMENT

A motion to adjourn was made by Vice-Chairman Root and seconded by Ms. Tennyson.

Motion was carried by unanimous voice vote.

SO ORDERED.

Meeting adjourned at 8:10 pm.

Respectfully submitted by,
Carlene Smith
Development Review Administrator
Planning Department