

**Minutes of the Key West Planning Board**  
**June 21, 2012** **DRAFT**

Chairman Richard Klitenick called the Key West Planning Board Meeting of June 21, 2012 to order at 6:00 pm at Old City Hall, in the antechamber at 510 Greene Street, Key West.

**ROLL CALL**

**Present were:** Chairman Richard Klitenick, Jim Gilleran, Sam Holland, Jr., Gregory Oropeza and Lisa Tennyson.

**Excused absence:** Vice-Chairman Tim Root and Michael Browning.

**Also in attendance were:** Planning Director, Donald Craig; Chief Assistant City Attorney, Larry Erskine; Fire Department staff: Alan Averette and Jason Barroso; Planning Department staff: Brendon Cunningham, Ginny Haller and Jo Bennett.

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF AGENDA**

Mr. Craig informed members that staff is requesting postponement of Item 5 - After-the-Fact Variance for 1101 Simonton until date certain (July 19, 2012).

**A motion to approve the amended agenda was made by Mr. Gilleran and seconded by Mr. Holland.**

**Motion carried by unanimous voice vote.**

**SO ORDERED.**

**APPROVAL OF MINUTES**

**May 31, 2012 Special Meeting**

**A motion to approve the May 31, 2012 special meeting minutes was made by Mr. Oropeza and seconded by Mr. Holland.**

**Motion carried by unanimous voice vote.**

**SO ORDERED.**

**RESOLUTIONS**

- 1 Conditional Use - 1105 Leon Street (RE# 00044110-000000) – A request for a public utility to include a platform and generator to power injection wells for a storm water drainage project for property in the PS zoning district per Section 122-1018(4) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Mr. Cunningham gave members an overview of the conditional use request. He informed members that the request is for the conditional use to allow the construction of an elevated generator platform (EGP) within an 880 square foot easement area on Monroe County School District property to support injection wells during power outages. The installation will be fenced and screened to prevent intrusion by students on the property and to prevent visual impacts on neighboring properties. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for conditional use be approved.

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Mr. Craig stated that this request meets all of the requirements of the conditional use criteria and will create an improvement to the neighborhood.

The applicant, Jay Gewin, stated he was available to answer any questions.

There were no public comments.

Members reviewed the request.

**A motion to approve the conditional use request was made by Mr. Gilleran and seconded by Ms. Tennyson.**

**Motion was carried by unanimous voice vote.**

**SO ORDERED.**

- 2 Exception for Outdoor Merchandise Display - 408 Greene Street (RE# 00001500-000000) – A request to allow the display of merchandise sold in-store for the Key West Kite Company, in the HRO 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. She informed members that the request is for outdoor display of wind art, wind spinners, flags, small metal art, garden charms, and two tables for creating artistic merchandise that will be sold in the store. The applicant seeks the maximum time exception of 60 months. She then stated that the Key West Kite Shop has been in business on Greene Street for approximately 30 years with various different business owners. The building was constructed c. 1892 and is a contributing structure in the Historic District. The store features an array of merchandise including, but not limited to merchandise designed for outdoor use, such as flags, banners and wind-related items. The Key West Kite Company under a previous owner was granted an Exception for Outdoor Merchandise Display January 7, 2004 (PB Res 04-022). Based on criteria in the City Code, the Planning Department recommends the request for exception for outdoor merchandise display be approved per the proposed plan to allow merchandise as currently displayed with the following conditions:

1. The Exception is specific to the current tenant, Richard Burris, and granted for 60 months.
2. The Exception is limited to the existing front yard of the property, and will not be placed in the City right-of-way. All display materials shall be no closer than four (4) feet to the sidewalk.
3. The Exception will all be free-standing and not attached to any house, fence or tree.
4. The Exception will only be present during hours of operation.
5. All outdoor merchandise displayed or created by a local artist shall also be for sale inside the building.
6. The Exception will comply with the number items as shown on the Site Plan dated June 1, 2012, which is no greater than 30 total items; inclusive of two art tables not greater in size than ten (10) square feet.
7. The Exception will provide clear access for ADA and fire accessibility, with a minimum pathway of thirty-six (36) inches.

Mr. Craig clarified for members that the conditions were consistent with previous outdoor displays.

There were no public comments.

Members reviewed the request with staff and the applicant. The applicant, Richard Burris, informed members that all items will be free standing and will not be attached to the building. He then stated that he is in

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agreement with all seven conditions. Ms. Haller clarified for members that although item seven is a normal standard, it was included as a condition since it was brought up at the DRC and it is being reinforced.

**A motion to approve the exception for outdoor merchandise display to include Planning Department recommendations was made by Mr. Oropeza and seconded by Mr. Holland.**

**Motion was carried by unanimous voice vote.**

**SO ORDERED.**

**3 Conditional Use - 529 Whitehead Street (RE# 00010000-000000) – A request to allow commercial sales accessory to a cultural and civic use in the HRO zoning district per Section 122-928 of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Mr. Cunningham gave members an overview of the conditional use request. He informed members that the HRO zoning district has been amended to allow commercial sales accessory to cultural and civic activities. The request is to open a pottery studio for the purpose of offering pottery lessons, workshops and camps for children and adults. This request is for the conditional use of approximately 720 square feet for the studio with a display room of approximately 200 square feet. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for conditional use be approved with the following condition:

1. That a heat sensor be installed prior to the issuance of a Certificate of Occupancy.

The applicant, Grace Calleja, stated she was available to answer any questions.

The following member of the public spoke on the matter:

- Wayne Kruer, 600 Whitehead

Members reviewed the request.

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

**Motion was carried by unanimous voice vote.**

**SO ORDERED.**

**4 Variance - 1021 Fleming Street (RE# 00005060-000000) - A request for front-yard setback requirements in the HMDR zoning district per Section 122-600 (6) a. of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Mr. Cunningham gave members an overview of the variance request. He informed members that the request is for front-yard setback requirement triggered by the 66% rule in the Historic Medium Density Residential (HMDR) zoning district. As the structure does not conform to current code requirements, the applicant requests a variance to setback requirements in order to renovate the structure. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for variance be denied.

Chairman Klitenick clarified that the applicant is not changing anything existing, just making a significant improvement that exceeds 66% of the value which requires a variance.

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The applicant's representative, Bob Goldman, stated he was available to answer any questions.

There were no public comments.

Members reviewed the request.

**A motion to approve the variance request was made by Mr. Holland and seconded by Ms. Tennyson.**

**Motion was carried by unanimous voice vote.**

**SO ORDERED.**

- 5 After-the-Fact Variances - 1101 Simonton Street (RE# 00027480-000000) - A request for detached habitable space and side and rear-yard setback requirements in the HNC-1 zoning district per Section 122-1078 and 122-810 (6) b. & c. of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

This item was postponed to the July 19, 2012 Planning Board meeting.

**PLANNER'S REPORT**

- **Rescheduling August 16<sup>th</sup> Planning Board Meeting**

Mr. Craig informed members that due to scheduling conflicts, staff is requesting that the August 16<sup>th</sup> meeting be rescheduled to the 23<sup>rd</sup> or the 30<sup>th</sup>. Members were fine with both dates, and asked staff to coordinate accordingly.

Mr. Craig then stated that staff will hold a public forum on July 23<sup>rd</sup> to discuss the Comprehensive Plan Amendments.

- **Q&A – items of interest from Planning Board Members**

Mr. Gilleran asked for staff input on the current hurricane evacuation modeling (HEM) workshops. Mr. Craig informed members that future allocations were discussed at the workshops. He then stated that Key West was urged to give up future allocations for the benefit of the county. The city's position, which was also supported by Islamorada, Marathon and the County, was that each jurisdiction receive its full allocation of units.

Based on communications with DEO, Key West will be allocated in the forthcoming memorandum of understanding, 91 BPAS units per year. Based on City Commission approval, if those 91 units allocated to the City, are not used by July 13th of each year, they can be moved northward and shared with the county, based on their percentage of vacant lots. Staff and the legal department are crafting a BPAS Ordinance which is now under zoning in progress. The 91 units can be allocated based on that ordinance for affordable housing, transient or market rate.

Mr. Craig then gave an overview of proposed evacuation times discussed at the HEM workshops.

Lastly, Mr. Craig informed members that the Fish and Wildlife Ordinance passed its first reading at the City Commission meeting on June 19th.

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**ADJOURNMENT**

**A motion to adjourn was made by Ms. Tennyson and seconded by Mr. Oropeza.**

**Motion was carried by unanimous voice vote.**

**SO ORDERED.**

Meeting adjourned at 6:30 pm.

**Respectfully submitted by,  
Carlene Smith  
Development Review Administrator  
Planning Department**