

MINUTES

KEY WEST PLANNING BOARD MEETING

OLD CITY HALL, 510 GREENE STREET

THURSDAY, JUNE 19, 2014

A regular meeting of the Key West Planning Board of the City of Key West, Florida, was held in Commission Chambers, Old City Hall, 510 Greene Street, on Thursday, June 19, 2014.

The Chairman called the meeting to order at 6:00 p.m.

The pledge of allegiance to the flag of the United States of America was given by all present.

Answering roll call were Board Members Michael Browning, James Gilleran, Peter Pike, Christy Spottswood and Chairman Richard Klitenick presiding.

Board Members Sam Holland and Lisa Tennyson were absent.

Also present were Chief Assistant City Attorney Larry Erskine, Planning Director Donald Craig, Fire Department Inspector Jason Barroso, Planners Kevin Bond and Nicole Malo, and Senior Deputy City Clerk Sue Harrison.

APPROVAL OF THE AGENDA:

City Planner Don Craig informed the Board of the Items to be postponed to the next meeting on July 17, 2014 as follows: Minutes Items #1 and #2 (April 17, 2014 and May 15, 2014), and Resolution Items #3 (Major Development Plan & Conditional Use – 2407 North Roosevelt Boulevard), #4 (Major Development Plan & Conditional Use Application 1512 Dennis Street & 1515 – 1525 Bertha Street), #5 (Variances – 1512 Dennis Street & 1515 – 1525 Bertha Street), #6 (Transient License Transfer – 1516 Dennis Street), #11 (Variance – 1208 Von Phister Street) and #12 (Transient License Transfer – 1201 Duval Street to 525 Caroline Street).

The applicant for Resolution Item #8 requested to be heard first prior to the Discussion Item.

It was moved by Board Member Browning and seconded by Board Member Spottswood to approve the Agenda as changed postponing the items to July 17, 2014 as requested.

The Chairman asked for objections and seeing none, the agenda was changed and the items postponed.

RESOLUTIONS:

VARIANCE – 2323 STAPLES AVENUE (RE #00046550-000000, AK #1047147)

A request for variance to detached habitable space for an addition to an existing single-family residence on property located within the Single-Family Residential (SF) Zoning District pursuant to Sections 90-395 and 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Kevin Bond presented the item for the Board. If the Board chose to approve the variance Staff recommended six conditions for approval as follows:

1. The proposed development shall be consistent with the plans dated April 28, 2014 by Thomas E. Pope, Professional Architect.
2. No approval granted for an accessory unit, an additional principal dwelling unit or any transient use of the property.
3. No approval granted for any other work or improvements shown on the plans.
4. No kitchen, no wet bar and no 220-volt electric service shall be allowed in the second floor addition without the required internal connection.

Conditions required to be completed prior to a Certificate of Occupancy and/or final inspection:

5. The owner shall apply for an after-the-fact revision to building permit # 12-4508 for the deletion of the internal spiral stairway connection between the first and second floors.
6. Unless and until the owner receives City approval for an accessory unit or an additional principal dwelling unit, a deed restriction in a form acceptable to the city attorney shall be placed on the property such that the property as a whole shall be used and occupied as a single-family residence. Entrances to all bedrooms and the detached habitable space shall share the same key or means of controlling access so that the bedrooms are not divisible into separately rentable units. The owner shall bear any expense of recording the deed restriction.

Mr. Bond stated a petition had been received from the neighbors in favor of the project.

The following people spoke on the matter:

Jessie Archer, 2323 Staples Avenue
Larry Erskine, Chief Assistant City Attorney

It was moved by Mr. Pike and seconded by Mr. Browning to approve the item as presented with the conditions as presented.

The Chairman asked the Clerk to call the roll.

Yeas: Board Members Browning, Gilleran, Pike, Spotttswood and Chairman Klitenick

Nays: None

DISCUSSION ITEM:

REFERENDUM – BUILDING HEIGHT

Nicole Malo, Planner, updated the Board regarding the building height variance. She reported it will be heard for first reading before the City Commission on July 1, 2014. Ms. Malo provided the wording for the referendum.

VARIANCE – 500 DUVAL STREET (RE #00009850-000000, AK #1010111)

A request for variance to minimum side setback in order to construct a new exterior stair for emergency egress from the third floor on property located within the Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1) Zoning District pursuant to sections 90-395 and 122-690(6)b. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Pike recused himself and stepped down from the dais.

Kevin Bond presented the item for the Board. If the Board chose to approve the variance Staff recommended three conditions for approval as follows:

1. The proposed development shall be consistent with the plans signed and sealed on April 29, 2014 by Peter M. Pike, Registered Architect.

Conditions required to be completed prior to issuance of a building permit:

2. The owner shall obtain a Certificate of Appropriateness for the proposed development.
3. The owner shall obtain an easement for the existing building awning and cornice encroachments located within City right-of-way.

The following people spoke on the matter:

Seth Niel, Representing the Applicant
Jason Barroso, Fire Marshal Key West Fire Department

It was moved by Ms. Spottswood and seconded by Mr. Browning to approve the item with the conditions as presented.

The Chairman asked the Clerk to call the roll.

Yeas: Board Members Browning, Gilleran, Spottswood and Chairman Klitenick

Nays: None

Recused: Peter Pike

VARIANCE – 617 GRINNELL STREET (RE #00010940-000000; AK #1011231)

A request for variances to minimum front and side-yard setbacks in order to renovate an existing building on property located within the HHDR Zoning District pursuant to Section 122-630(6)a.&b. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Don Craig, City Planner, presented the item for the Board. If the Board chose to approve this item

Staff recommends the following conditions:

1. The proposed development shall be consistent with the plans signed and sealed June 12, 2014 by William Rowan, Professional Architect; and
2. The applicant shall submit a request to amend the existing easement (City Commission Resolution 08-133) within 90 days from project completion.

The following people spoke on the matter:

Marty Higgins, 617 Grinnell Street, Applicant
David Atkinson, 615 Grinnell Street, Rear

It was moved by Mr. Browning and seconded by Ms. Spottswood to approve the item with conditions as presented.

The Chairman asked the Clerk to call the roll.

Yeas: Board Members Browning, Gilleran, Pike, Spottswood and Chairman Klitenick

Nays: None

TRANSIENT LICENSE TRANSFER – 807 WASHINGTON STREET, UNIT 102 (RE #00037807-000102; AK #9090034) TO 1224 DUVAL STREET (RE #00028970-000000; AK #1029751)

A request for a Transient License Transfer of one license from property located in the HMDR Zoning District to property located in the HRCC-3 Zoning District per Section 122-1339(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Don Craig, City Planner, presented the item to the Board and recommended approval with the following condition: 1. Property smoke detectors shall be interconnected with the main home and applicant will require a final inspection from the Fire Marshall's office.

The following person spoke on the matter:

Greg Oropeza, Authorized Representative for the Applicant

It was moved by Mr. Gilleran and seconded by Mr. Pike to approve the item with the condition as presented.

The Chairman asked the Clerk to call the roll.

Yeas: Board Members Browning, Gilleran, Pike, Spotttswood and Chairman Klitenick

Nays: None

VARIANCE – 1112 SOUTHARD STREET (RE #00010350-000000; AK #1010634)

A request for variances to minimum side, rear and street side-yard setbacks in order to construct a ½ story addition over an existing building on property located within the HHDR Zoning District pursuant to Section 122-630 (6)b.c.&d. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Chairman Klitenick needed to recuse himself and as the Vice-chair was absent it was moved by Mr. Gilleran and seconded by Mr. Pike to appoint Mr. Browning as Vice-chair for this item.

The Chairman asked the Clerk to call the roll.

Yeas: Board Members Browning, Gilleran, Pike, Spotttswood and Chairman Klitenick

Nays: None

Chairman Klitenick passed the gavel to Mr. Browning and stepped down from the dais.

Don Craig, City Planner, presented the item for the Board. If the Board chose to approve this item Staff recommended the following conditions:

1. The proposed development shall be consistent with the plans dated June 13, 2014.
2. Applicant will provide a signed and sealed specific purpose survey after construction has been completed to determine if additional encroachments exist on City right-of-way.
3. The applicant shall obtain a Certificate of Appropriateness for the proposed development.

Condition to be completed prior to the issuance of building permits:

4. Trees near and within the project area will be protected during construction/demolition. Trees located within the work area that may need to be removed or trimmed may require permits from the Tree Commission.

Condition to be completed prior to the issuance of certificate of occupancy:

5. Roof gutter downspouts shall be directed back onto property. Solid waste and recycle storage areas shall be provided and/or maintained.

The following people spoke on the matter:

Jason Barroso, Fire Marshal Key West Fire Department
Michael Ingram, Architect for the Project

It was moved by Mr. Gilleran and seconded by Ms. Spottswood to approve the item with the conditions as presented.

The Chairman asked the Clerk to call the roll.

Yeas: Board Members Gilleran, Pike, Spottswood and Vice-Chairman Browning

Nays: None

Recused: Richard Klitenick

PLANNER'S REPORT:

Mr. Craig would be polling the Board for their availability for a possible second meeting in either July or August to address the backlog of applications.

Mr. Craig stated the RFP for the update of the Land Development Regulations was due out shortly and they would be hiring a consultant to aid staff to change a number of items in the LDRs and make them more coherent, less inconsistent and to incorporate elements of the Comprehensive Plan and Climate Action and Sustainability Plan. Among other things, this would result in fewer variance requests.

Mr. Craig assured the Board that since he had sold his house he was not relocating and had a number of items to complete.

Mr. Craig also stated he may be reorganizing part of the Planning Department in order to better deal with the workload that has been increased due to special projects. The Planning Department will also be staff to the Truman Waterfront Board.

Q & A – ITEMS OF INTEREST FROM PLANNING BOARD MEMBERS

Mr. Browning asked about the transfer of ROGO Units. Mr. Craig reported he has been in discussion Mr. Erskine and City Attorney Shawn Smith regarding transfer of market rate ROGO units and market rate BPAS Allocations as well as Affordable Units. There would be information provided to the public regarding availability of BPAS Allocations and encouraging applications. He would be identifying a strategy for the affordable housing and may require parcels in the city that need to be up-zoned to allow affordable housing to become realistic and economically viable.

Mr. Browning asked about the tenth unit designation and could that be expanded beyond nursing homes. Mr. Craig stated that would be with cooperation of the State.

Mr. Craig stated the Administrative Variance process by City Planner was approved and in place.

Mr. Browning asked about the mobile vendor truck. Mr. Craig stated an ordinance would be coming before the Board in the next month.

ADJOURNMENT:

There being no further business the Chairman adjourned the meeting at 7:10 p.m.

Susan P. Harrison, CMC
Senior Deputy City Clerk