



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Planning Board

Thursday, August 19, 2021

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: Individuals are responsible to share their presentation at the meeting on their laptop through zoom. For City Commission meetings the City Clerk's Office will need a copy for the agenda at least 6 days before the meeting.

You may attend/participate virtually via Zoom by telephoning 312-626-6799 Meeting ID: 852 1696 6775 Passcode: 749788 or online at <https://cityofkeywest-fl-gov.zoom.us/j/85216966775> Passcode: 749788

Call Meeting To Order - 5:02 P.M.

Roll Call

Absent 1 - Mr. Varela

Present 6 - Ms. Brew, Mr. Browning, Ms. Henderson, Mr. Lloyd, Chairman Holland, and Vice Chair Gilleran

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 July 15, 2021

Attachments: [Minutes](#)

A motion was made by Vice Chair Gilleran, seconded by Ms. Brew, that the Minutes be Approved. The motion passed by unanimous vote.

New Business

2 **Variance - 1317 Ashby Street (RE# 00044430-000000) -**
A request for a variance to the minimum front yard setback and the minimum rear yard setback in order to demolish an existing single-family home and construct a new single-family home to meet flood zone requirements on a parcel located in the Single-Family (SF) zoning district pursuant to Sections 90-395, 122-238(6)a.1., and 122-238(6)a.3.

- Attachments: [Staff Report](#)
 [Planning Package](#)
 [Noticing Package](#)

Note: Board Attorney, Nathalia Mellies recused herself from the hearing of this item and was replaced by Chief Assistant City Attorney, Ronald Ramsingh, who was present and acted as Board Attorney for this item only in Ms. Mellies' absence.

A motion was made by Mr. Lloyd, seconded by Vice Chair Gilleran, that the Board finds that all the standards set forth in code Section 90-395(A) have been met by the Applicant, 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:

- No:** 1 - Ms. Henderson
- Absent:** 1 - Mr. Varela
- Yes:** 5 - Ms. Brew, Mr. Browning, Mr. Lloyd, Chairman Holland, and Vice Chair Gilleran

Enactment No: PB Resolution 2021-34

Old Business

3

Variance - 1115 Grinnell Street (RE# 00031810-000000)

- A request for variances to the maximum building coverage, maximum impervious surface, and minimum open space requirements in order to construct a rear addition on property located within the Historic Medium Density Residential (HMDR) zoning district pursuant to Sections 90-395, 122-600 (4) a., 122-600 (4) b., and 108-346 (b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:**
- [Staff Report](#)
 - [Planning Board Package](#)
 - [Noticing Package](#)
 - [Letter of Objection - Willis](#)
 - [Executed Letter Dropping Objection](#)
 - [Letter of No Objection - Prins, Malby & Higley](#)
 - [8.19.21 Noticing Package](#)

A motion was made by Mr. Lloyd, seconded by Mr. Browning, that the Board finds that all the standards set forth in code Section 90-395(A) have been met by the Applicant, 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:

No: 1 - Ms. Henderson

Absent: 1 - Mr. Varela

Yes: 5 - Ms. Brew, Mr. Browning, Mr. Lloyd, Chairman Holland, and Vice Chair Gilleran

Enactment No: PB Resolution 2021-35

4

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 known as the 3.2 (RE# 00001630-000801); Providing for the repeal of inconsistent provision; Providing for transmittal to the State Land Planning Agency; Providing for the filing with the Secretary of State and for an effective date; And providing for the inclusion in the City of Key West Comprehensive Plan.

Attachments: [Staff Report](#)
[Proposed Resolution](#)
[Proposed Ordinance](#)
[Noticing Package](#)

A motion was made by Mr. Lloyd, seconded by Vice Chair Gilleran, that the Planning Resolution be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Varela

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

Enactment No: PB Resolution 2021-36

5

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, Article X " Building Permit Allocation System", Section 108-995, to provide for Building Permit Allocation System units for the property known as the 3.2 (RE# 00001630-000801); 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: [Staff Report](#)
 [Proposed Resolution](#)
 [Proposed Ordinance](#)
 [Noticing Package](#)

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

Absent: 1 - Mr. Varela

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

Enactment No: PB Resolution 2021-37

6

Official Zoning Map Amendment - 700 Front Street (RE # 00000210-000000) - A request for approval of an amendment to the Official Zoning map to rezone the subject property from Historic Residential Commercial Core - Key West Bight (HRCC-2) to Historic Residential Commercial Core - Duval Gulfside District (HRCC-1); pursuant to Sections 90-516, 90-521, and 122-93 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; Providing for severability; Providing for an effective date.

Attachments: [Staff Report](#)
[Planning Package](#)
[Submerged Land Lease](#)
[Noticing Package](#)
[Letter of Objection - Letschert - The Galleon](#)

Postponed to September 16, 2021

7

Variance - 322-324 ½ Truman Avenue (RE# 00025530-000000, 00025520-000000, and 00025500-000000) - A request for a variance to the minimum rear setback, maximum impervious surface, maximum lot coverage, minimum open space, and off-street parking requirements for a major development plan to redevelop eighteen (18) residential units consisting of fourteen (14) affordable units and four (4) market rate units in the Historic Medium Density Residential (HMDR) zoning district pursuant to Sections 90-395, 108-346, 122-600 (4), and 122-600 (6) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Staff Report Variance](#)
[Planning Package](#)
[Noticing Package](#)
[Letter of Objection - Richard Holtz](#)
[Letter of Objection - Marge Holtz](#)
[Objection - Marge & Rick Holtz](#)
[Objection Burke](#)
[Objection - Moon](#)
[Objection - Stephanie Nadeau - Thomas St](#)
[Objection - Stephanie Nadeau - Julia St](#)
[Objection - Anderson](#)
[Objection - Marsh](#)
[Objection - Cox](#)
[Objection - Pinka](#)
[Objection - Teresa Willis](#)
[Objection - Smith](#)
[Objection - Terry Willis](#)
[Objection - C Myers](#)
[Objection - Shanna](#)
[Objection - Mingo](#)
[Objection - Sierra](#)
[Objection - Donna Nadeau](#)
[Objection - M Myers](#)
[Objection - O'Brien](#)
[Signed Petition](#)
[Objection - Beaver](#)
[Objection - Craig](#)
[Objection - Mckonly](#)
[Objection - Brearley](#)
[Objection - David & Debra Davis Speier](#)

Postponed to September 16, 2021

8

Major Development Plan and Landscape Waiver - 322-324 ½ Truman Avenue (RE# 00025530-000000, 00025520-000000, and 00025500-000000) - A request for approval of a major development plan to redevelop eighteen (18) residential units consisting of fourteen (14) affordable units and four (4) market rate units, as well as a landscape waiver, and a request for an exemption to the minimum size of affordable workforce housing units in the Historic Medium Density Residential (HMDR) zoning district pursuant to Sections 108-91, 108-517, 122-596, 122-597, and 122-1467(2)a. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Staff Report MDP](#)
[Planning Package](#)
[Utilities Comments](#)
[Parking Comments](#)
[Keys Energy Comments](#)
[Multi Modal Transportation Comments](#)
[Engineering Comments](#)
[Urban Forester's Staff Report](#)
[Noticing Package](#)
[Letter of Objection - Marge Holtz](#)
[Letter of Objection - Richard Holtz](#)
[Objection - Marge & Rick Holtz](#)
[Objection Burke](#)
[Objection - Moon](#)
[Objection - Stephanie Nadeau - Thomas St](#)
[Objection - Stephanie Nadeau - Julia St](#)
[Objection - Donna Nadeau](#)
[Objection - Anderson](#)
[Objection - Marsh](#)
[Objection - Cox](#)
[Objection - Pinka](#)
[Objection - Teresa Willis](#)
[Objection - Smith](#)
[Objection - Terry Willis](#)
[Objection - C Myers](#)
[Objection - Shanna](#)
[Objection - Mingo](#)
[Objection - M Myers](#)
[Objection - Sierra](#)
[Objection - O'Brien](#)
[Signed Petition](#)
[Objection - Beaver](#)
[Objection - Craig](#)
[Objection - Mckonly](#)
[Objection - Brearley](#)
[Objection - David & Debra Davis Speier](#)

Postponed to September 16, 2021

9

Rescission of Resolution #2021-13 - A request for approval to rescind Resolution #2021-13 for an after-the-fact variance for property located at 3226 Eagle Avenue (RE# 00052890-001400).

Attachments: [Recession Staff Report](#)
[Variance Staff Report](#)
[Planning Package](#)
[Noticing Package](#)
[PB RES 2021-13 3226 Eagle Ave ATF VAR](#)
[8.19.21 Noticing Package](#)

A motion was made by Vice Chair Gilleran, seconded by Mr. Lloyd, that the Planning Resolution be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Varela

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

Enactment No: PB Resolution 2021-38

New Business - continued

10

After-the-Fact Variance - 3226 Eagle Avenue (RE# 00052890-001400) - A request for an after-the-fact variance to maximum allowed building coverage, maximum allowed impervious space, minimum required open space, and minimum allowed side setback in order to maintain a nonconforming accessory structure for a property located in the Medium Density Residential (MDR) zoning district pursuant to Sections 90-395, 108-346, 122-238(4)a., 122-238(4)b., and 122-238(6)b. 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. Browning, seconded by Mr. Lloyd, that the Board finds that all the standards set forth in code Section 90-395(A) have been met by the Applicant, 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:

No: 1 - Ms. Henderson

Absent: 1 - Mr. Varela

Yes: 5 - Ms. Brew, Mr. Browning, Mr. Lloyd, Chairman Holland, and Vice Chair Gilleran

Enactment No: PB Resolution 2021-39

11

Text Amendment of the Comprehensive Plan - A
 Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission to comply with State of Florida Statute 163.3177(6)(i)1., by creating a new Comprehensive Plan element entitled, "Chapter 10, Property Rights Element", and Goal 10-1, Objective 10-1.1, and Policies 10.1.1.1-10.1.1.4; Pursuant to Chapter 90, Article VI, Division 3; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

Attachments: [Staff Report](#)

A motion was made by Mr. Lloyd, seconded by Ms. Brew, that the Planning Resolution be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Varela

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

Enactment No: PB Resolution 2021-40

12

Variance - 1708 Catherine Street (RE# 00044770-000000) - A request for a variance to the maximum building coverage and maximum impervious surface in order to add an additional bathroom to a two bedroom one bathroom home on a parcel located in the Single-Family (SF) zoning district pursuant to Sections 90-395, 122-238 (4)a. and 122-238 (4)b. 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. Lloyd, seconded by Ms. Brew, that the Board finds that all the standards set forth in code Section 90-395(A) have been met by the Applicant, 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:

No: 2 - Ms. Henderson, and Vice Chair Gilleran

Absent: 1 - Mr. Varela

Yes: 4 - Ms. Brew, Mr. Browning, Mr. Lloyd, and Chairman Holland

Enactment No: PB Resolution 2021-41

13

Conditional Use - 1122 Watson Street (RE# 00031840-000000) - A request for approval of a Conditional Use Permit to convert a portion of a multi-family structure currently used for storage into a civic and cultural use as an office space for archival work on a parcel located in the Historic Medium Density Residential (HMDR) zoning district pursuant to Sections 122-62 and Section 122-598.

Attachments: [Staff Report](#)
 [Planning Package](#)
 [Noticing Package](#)

A motion was made by Mr. Browning, seconded by Ms. Henderson, that the Planning Resolution be Postponed to September 16, 2021. The motion carried by the following vote:

No: 1 - Vice Chair Gilleran

Absent: 1 - Mr. Varela

Yes: 5 - Ms. Brew, Mr. Browning, Ms. Henderson, Mr. Lloyd, and Chairman Holland

14

Variance - 1705 Laird Street - (RE# 00060640-000000) -

A request for a variance to the maximum building coverage to construct an elevated concrete pool and planter on property located within the Single Family (SF) zoning district pursuant to Sections 90-395, and 122-238 (4) a. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:** [Staff Report](#)
 [Planning Board Package](#)
 [Letter of Support-1](#)
 [Letter of Support-2](#)
 [Letter of Support-3](#)
 [Noticing Package](#)

A motion was made by Mr. Lloyd, seconded by Ms. Brew, that the Board finds that all the standards set forth in code Section 90-395(A) have been met by the Applicant, 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. Varela
- Yes:** 6 - Ms. Brew, Mr. Browning, Ms. Henderson, Mr. Lloyd, Chairman Holland, and Vice Chair Gilleran
- Enactment No: PB Resolution 2021-42

15

Building Permit Allocation System (BPAS) Annual Report - Presentation of the tracking and monitoring requirements as required by Section 108-995 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:** [Staff Report](#)
 [Year 8 Annual Report](#)

A motion was made by Vice Chair Gilleran, seconded by Ms. Brew, that the Annual Report be Approved. The motion carried by the following vote:

- Absent:** 1 - Mr. Varela
- Yes:** 6 - Ms. Brew, Mr. Browning, Ms. Henderson, Mr. Lloyd, Chairman Holland, and Vice Chair Gilleran

Discussion Items

- 16 Discuss proposed update to the City of Key West Planning Department Fees.

Attachments: [Proposed Fee Schedule](#)
[Current Fee Schedule](#)
[Res. 20-188](#)

Received and Filed

Reports

Board Member Comments

Adjournment - 6:47 P.M.