Minutes of the Key West Planning Board September 16, 2010 DRAFT

Vice-Chairman Tim Root called the Key West Planning Board Meeting of September 16, 2010 to order at 6:06 pm at Old City Hall, in the antechamber at 510 Greene Street, Key West.

ROLL CALL

Present were: Vice-Chairman, Tim Root; Members, Jim Gilleran, Gregory Oropeza, Michael Browning, Sam Holland, Jr. and Lisa Tennyson.

Excused Absence: Chairman Richard Klitenick

Also in attendance were: Planning Director, Amy Kimball-Murley; Chief Assistant City Attorney, Larry Erskine; KW Fire Department, Alan Averette; and Planning Department staff: Enid Torregrosa, Brendon Cunningham, Carlene Cowart and Ashley Monnier.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Mrs. Kimball-Murley informed members that the City Attorney's office contacted her earlier today stating that they would like to add some language to the Ordinance on Historic Architectural Commission membership requirements. Therefore, staff is requesting that Item 4 be postponed to the next regularly scheduled meeting.

A motion to approve the agenda as amended was made by Ms. Tennyson and seconded by Mr Oropeza.

Motion carried by unanimous voice vote.

SO ORDERED.

APPROVAL OF MINUTES

1 August 19, 2010 – Meeting Minutes

A motion to approve the August 19, 2010 meeting minutes was made by Mr. Gilleran and seconded by Mr. Holland.

Motion carried by unanimous voice vote.

SO ORDERED.

ACTION ITEMS

2 Variances - 630 Elizabeth Street (RE# 00011970-000000) - An application for Variances to building coverage, impervious surface ratio and all setback requirements in the Historic High Density Residential zoning district per Section 122-630 (4), (5), & (6) as required when the reconstruction exceeds 66% of the assessed or appraised value of the structure per Section 122-28 (b) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida. Mrs. Kimball-Murley gave members an overview of the variance request. She informed members that the proposed renovations exceed 66% of the assessed value. She then stated that a small portion of the front porch is within the City right-of-way. The applicant has submitted an easement request to the department to resolve the encroachment issue separately. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommends the request for variances be denied. However, should the Planning Board choose to approve this request, staff recommends the following condition:

• That the applicant seek an easement with the City for the encroachment of the structure onto the public right-of-way along Elizabeth Street.

The owner, Randy Hooper, gave members an overview of the variance request.

Mr. Browning inquired staff if easement requests are standard. Mrs. Kimball-Murley informed members that we have handled several easements for historic structure encroachments which require City Commission approval.

The following member of the public spoke on the matter: Tony Lazarus, 628 Elizabeth

A motion to approve the variances request was made by Mr. Browning and seconded by Mr. Holland.

Motion was carried by unanimous voice vote.

SO ORDERED.

3 Ordinance- An Ordinance Of The City of Key West, Florida, Amending chapter 90 of the Code of Ordinances entitled "Administration" by amending sections 90-133, 90-136, 90-138 and 90-143 and chapter 102 of the Code of Ordinances entitled "Historic Protection" by amending section 102-217 to provide for an expanded and consistent public noticing process for the Historic Architectural Review Commission; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Mrs. Kimball-Murley gave members an overview of the proposed amendment. She informed members that noticing for most items consists solely of a newspaper notice and on site posting is only required for demolition projects and projects subject to a major development plan. She then added that because HARC decisions carry such importance the revisions require any item appearing before the board to be posted on site. Staff strongly believes in increasing transparency of hearing actions.

HARC Planner, Enid Torregrosa, stated that she is very pleased to present this legislation to promote public participation.

A motion to approve amending sections 90-133, 90-136, 90-138 and 90-143 and chapter 102 of the Code of Ordinances entitled "Historic Protection" by amending section 102-217 to provide for an expanded and consistent public noticing process for the Historic Architectural Review Commission was made by Mr. Browning and seconded by Ms. Tennyson.

Motion was carried by unanimous voice vote.

SO ORDERED.

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4 Ordinance- An Ordinance of the City of Key West. Florida, amending chapter 90 of the Code of Ordinances entitled "Administration" by amending Section 90-127 to provide for modification of Historic Architectural Commission membership requirements; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

This item was postponed to the next regularly scheduled meeting.

PLANNER'S REPORT

Minor Modification to a Major Development Plan – 1341 McCarthy Lane (formerly known as Duck Avenue), a leasehold portion of property within the Poinciana Plaza Special Needs Section (RE# 00064740-000000) – A report of a minor modification for the Poinciana Royale project to accommodate the relocation of a fire lane in the MDR-1 zoning district per Section 108-91 (C.)(2.)(a.) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

Mrs. Kimball-Murley informed members that the Code allows minor modifications to a major development plan be approved administratively, to include approval by the City Planner, City Engineer and Planning Board Chairman. Chairman Klitenick had a conflict; therefore, it was approved by Vice Chairman Root. She then stated that the Fire Department reviewed and approved the modifications to the plan. The modification is being sought due to an error on the survey which then required a fire lane to be moved.

Mrs. Kimball-Murley informed members that the Conditions Ordinance is scheduled for the September 21st City Commission meeting for a first reading. She stated that the entire report and ordinance is published online.

Mrs. Kimball-Murley then informed members that the next Planning Board meeting will be completely electronic. All packets will be viewed at the dias through Legistar.

ADJOURNMENT

A motion to adjourn was made by Mr. Gilleran and seconded by Mr. Oropeza.

Motion was carried by unanimous voice vote.

SO ORDERED.

Meeting adjourned at 6:30 pm.

Submitted by, Carlene Cowart Development Review Administrator Planning Department