



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Planning Board

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Thursday, April 18, 2024

5:00 PM

City Hall

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**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:** For City Commission meetings the City Clerk's Office will need a copy of all presentations for the agenda at least 7 days before the meeting.

**Call Meeting To Order - 5:00 P.M.**

#### Roll Call

**Absent** 1 - Chairman Holland

**Present** 6 - Mr. Batty, Mr. Browning, Mr. Gilleran, Mr. Miller, Mr. Russo, and Vice Chair Varela

#### 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 March 12, 2024

**Attachments:** [Minutes](#)

A motion was made by Mr. Russo, seconded by Mr. Miller, that the Minutes be Approved. The motion passed by unanimous vote.

#### Old Business

2

**Variance - 801 Eaton Street (RE# 00003340-000000) - A** request for a variance to minimum parking requirements to allow for the expansion of a food service establishment on property located within the Historic Neighborhood Commercial (HNC-2) Zoning District pursuant to Sections 90-395, 108-572, and 108-575 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**Attachments:**     [Staff Report](#)  
[Planning Package](#)  
[Noticing Package](#)  
[Letter of Support - Mirabal](#)  
[Letter of Support - 802-806 Eaton St](#)  
[Letter of Support - Wruble & Bratton](#)  
[Letter of Opposition - Battaglia](#)

**A motion was made by Mr. Russo, seconded by Mr. Batty, 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 - Mr. Gilleran

**Absent:** 1 - Chairman Holland

**Yes:** 5 - Mr. Batty, Mr. Browning, Mr. Miller, Mr. Russo, and Vice Chair Varela

Enactment No: PB Resolution 2024-18

3

**Conditional Use Revision- 801 Eaton Street (RE# 00003340-000000)** - A request for a revision to a conditional use approval to allow for the expansion of a food service establishment and an amendment to the Planning Board Resolution Number 2015-33 to increase the number of seats and consumption area, located in the Historic Neighborhood Commercial (HNC-2) Zoning District pursuant to Sections 122-61, 122-62, 122-63 and 122-838 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**Attachments:**    [Staff Report](#)  
[Planning Package](#)  
[Noticing Package](#)  
[Letter of Opposition - Battaglia](#)  
[Letter of Support - Wruble & Bratton](#)  
[Letter of Support - Dimando](#)  
[Letter of Support - Mirabal](#)  
[Additional Utilities Comments](#)  
[DRC Utilities Comments](#)  
[DRC Keys Energy Comments - No objection](#)  
[DRC 309 Caraballo Ln - Letter of Support](#)

**A motion was made by Mr. Russo, seconded by Mr. Miller, that the Board finds the Applicant's proposed conditional use demonstrates all of the requirements of code Section 122-62(c) and that the Application be approved subject to conditions as outlined in the Staff Report. The motion carried by the following vote:**

**No:** 1 - Mr. Gilleran

**Absent:** 1 - Chairman Holland

**Yes:** 5 - Mr. Batty, Mr. Browning, Mr. Miller, Mr. Russo, and Vice Chair Varela

Enactment No: PB Resolution 2024-19

**4**                                 **Text amendment of the Land Development Regulations** - A Resolution of the City of Key West Planning Board recommending an amendment of the Land Development Regulations, entitled Chapter 90 - Administration, Division 3 - Variances, Section 90-395, entitled Standards, Findings to amend the criteria for evaluating variance applications; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Attachments:     [Staff Report](#)

Postponed to May 16, 2024

**New Business**

**5**                                 **Variance - 3509 Eagle Avenue (RE# 00053250-000000) -**  
 A request for a variance on maximum building coverage for addition of a carport to an existing single-family home for property located within the Single Family (SF) Zoning District pursuant to Sections 90-395 and 122-238 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. Russo, seconded by Mr. 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 and with an additional condition to connect a rain barrel to the gutter on the proposed car port. The motion carried by the following vote:**

**Absent:** 1 - Chairman Holland

**Yes:** 6 - Mr. Batty, Mr. Browning, Mr. Gilleran, Mr. Miller, Mr. Russo, and Vice Chair Varela

Enactment No: PB Resolution 2024-20

6

**Variance - 1221 Laird Street (RE# 00059310-000000) - A request for a variances to the front setback and accessory structure rear yard coverage requirements to reconstruct an involuntarily destroyed dwelling in an expanded three-dimensional building envelope, and an involuntarily destroyed accessory structure for property located in the Single-Family zoning district, pursuant to Sections 90-395, 122-238, and 122-28 of the Land Development Regulations of the City of Key West, Florida.**

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

**A motion was made by Mr. Russo, seconded by Mr. 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:**

**Absent:** 1 - Chairman Holland

**Yes:** 6 - Mr. Batty, Mr. Browning, Mr. Gilleran, Mr. Miller, Mr. Russo, and Vice Chair Varela

Enactment No: PB Resolution 2024-21

7

**Conditional Use - 922 Truman Ave (RE# 00031080-000000)** - A request for conditional use approval to allow for a recreational rental vehicle operation at property located at 922 Truman Avenue in the Historic Neighborhood Commercial - 1 (HNC-1) zoning district pursuant to Sections Sec. 18-358, 122-62(b), 122-62(c), 122-63(e), and 122-808(14) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:**
- [Staff Report](#)
  - [Noticing Package](#)
  - [Planning Package](#)
  - [Letters & Forms of Opposition](#)
  - [Letters & Forms of Support](#)
  - [Engineering Comments](#)
  - [Utilities Comments](#)
  - [Keys Energy Comments](#)
  - [Multimodal Comments](#)

**A motion was made by Mr. Gilleran, seconded by Mr. Miller, that the Board finds that the applicant has failed to demonstrate the proposed use of this property meets the criteria set forth in code section 122-62(c) and that the proposed conditional use is adverse to the public's interest.. The motion carried by the following vote:**

- No:** 1 - Vice Chair Varela
- Recuse:** 1 - Mr. Browning
- Absent:** 1 - Chairman Holland
- Yes:** 4 - Mr. Batty, Mr. Gilleran, Mr. Miller, and Mr. Russo

Enactment No: PB Resolution 2024-22

- 8                    **Variance - 418 United Street (RE# 00029000-000000)** - A request for variances to the minimum required side setback in order to install air conditioning units at a property located in the Historic High Density Residential (HHDR) zoning district, pursuant to Sections 90-395 and 122-630 (6) of the Land Development Regulations of the City of Key West, Florida.

Postponed to May 16, 2024

**Reports**

**Public Comments**

**Board Member Comments**

**Adjournment - 7:05 P.M.**