



# City of Key West, FL

City Hall  
1300 White Street  
Key West FL 33040

## Action Minutes - Final

### Planning Board

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Thursday, October 18, 2018

6:00 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.

**ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.**

**Call Meeting To Order 6:00 PM**

**Pledge of Allegiance to the Flag**

**Roll Call**

**Absent** 1 - Pike

**Present** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Mr. Gilleran, and Chairman Holland

**Approval of Agenda**

**Old Business**

**1** Variance - 3228 Flagler Avenue - (RE# 00069040-000000) - A request for a variance to the minimum side yard setback requirement in order to construct eight residential units on property located within the Commercial Limited (CL) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Lloyd, seconded by Mr. Russo, 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 be Passed subject to the conditions set forth on the staff report. The motion carried by the following vote:**

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**2** Minor Development Plan, Conditional Use, and Landscape Waiver - 3228 Flagler Avenue (RE#00069040-000000) - A request for minor development plan, Conditional Use and landscape waiver approvals for the construction of eight (8) non-transient units on property located within the Commercial Limited (CL) Zoning District pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Lloyd, seconded by Mr. Russo, that the Board finds that Applicant’s proposed conditional use demonstrates all the requirements of the Code Section 122-62(C) have been met by the Applicant, that the Applicant has demonstrated a “Good Neighbor Policy” and that the Application be granted subject to the conditions set forth on the staff report. The motion carried by the following vote:**

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**3** Exception for Outdoor Merchandise Display - 407 A & B Front Street (RE # 00000180-000000) - A request for exception for outdoor merchandise display on property located within the Historic Residential Commercial Core Duval Street Gulfside (HRCC-1) Zoning District pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Russo, seconded by Mr. Varela, that the Planning Resolution be Passed. The motion carried by the following vote:**

**No:** 2 - Mr. Browning, and Mr. Lloyd

**Absent:** 1 - Mr. Pike

**Yes:** 4 - Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**4** An After-the-Fact Variance - 3302 Harriet Avenue - (RE# 00031440-000100) - A request for variances to maintain a 6 foot solid fence on the front of the property and a eight foot gate entry on the side of the property located within the Medium Density Residential (MDR) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**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 After the fact Variance be Passed subject to the conditions set forth on the staff report. The motion carried by the following vote:**

**No:** 1 - Chairman Holland

**Absent:** 1 - Mr. Pike

**Yes:** 5 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, and Vice Chair Gilleran

**New Business**

**5** Comprehensive Plan Text Amendment - A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission amending the City’s Comprehensive Plan, adding Objective 1-1.17 and associated policies to Chapter 1, “Future Land Use Element”; and Objective 1-1.17 shall be known as the “Workforce-Affordable Housing Initiative” providing for an additional 300 affordable allocations to an allocation pool to be identified as the “Affordable-Early Evacuation Pool”, pursuant to Chapter 90, Article VI, Division 3; Providing for severability; Providing for repeal of inconsistent provisions; Providing for inclusion into the City of Key West Comprehensive Plan; Providing for an effective date.

**A motion was made by Mr. Browning, seconded by Mr. Varela, that the Planning Resolution be Passed. The motion carried by the following vote:**

**No:** 1 - Mr. Lloyd

**Absent:** 1 - Mr. Pike

**Yes:** 5 - Mr. Browning, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**6** Text Amendment of the Land Development Regulations - A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission amending Chapter 108 of the Land Development Regulations, to create a new Article XII, to be titled the “Workforce Affordable Housing Initiative”, for the purpose of implementing Comprehensive Plan Objective 1-1.17, authorizing the acceptance of 300 “Affordable-Early Evacuation Pool” BPAS units; pursuant to Chapter 90, Article VI, Division 2; Providing for definitions, findings, purpose and intent, applicability, application, review of application, and monitoring; Providing for severability; Providing for repeal of inconsistent provisions; Providing for an effective date.

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

**No:** 1 - Mr. Lloyd

**Absent:** 1 - Mr. Pike

**Yes:** 5 - Mr. Browning, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

7 Major Development Plan - 638 United Street (RE # 00036600-000000) - A request for a major development plan approval and landscape modifications/waiver for the construction of five (5) residential units on property located within Historic Residential/Office (HRO) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Vice Chair Gilleran, seconded by Mr. Browning, that the Planning Resolution be Passed, Prior or simultaneous to issuance of a Certificate of Occupancy for this development the project at 3228 Flagler Avenue must receive a Certificate of Occupancy. The motion carried by the following vote:**

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

8 POSTPONED BY STAFF - 000000, and 00065060-000000) - A request for an extension of an approved Amended and Restated Development Agreement in the General Commercial (CG) Zoning District pursuant to Chapter 90, Article IX and Section 122-416 through 122-420 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

**A motion was made by Mr. Michael Browning, seconded by Mr. Michael Browning, that the Planning Resolution be Postponed to November 15. The motion passed by an unanimous vote.**

9 Variance - 2800 Staples Avenue - (RE# 00067000-000000) - A request for a variance to the maximum building coverage allowed in order to construct an accessory structure in the rear yard. The property is located within the Single Family (SF) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Lloyd, seconded by Mr. Russo, 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 be Passed subject to the conditions set forth on the staff report. The motion carried by the following vote:**

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**10** Variance - 1124 Truman Avenue (RE # 00032360-000000) - A request for a variance to the minimum rear yard setback requirement in order to construct a 133-square-foot addition at property located within the Historic Neighborhood Commercial - Truman / Simonton (HNC-1) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Lloyd, seconded by Mr. Russo, 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 be Passed subject to the conditions set forth on the staff report. The motion carried by the following vote:**

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**11** Conditional Use - 1124 Truman Avenue (RE # 00032360-000000) - A request for conditional use approval to allow for the expansion of an existing restaurant to include on site consumption area at property located within the Historic Neighborhood Commercial - Truman / Simonton (HNC-1) zoning district pursuant to Sections 122-62 and 122-808 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Browning, seconded by Mr. Russo ,that the Board finds that Applicant’s proposed conditional use demonstrates all the requirements of the Code Section 122-62(C) have been met by the Applicant, that the Applicant has demonstrated a “Good Neighbor Policy” and that the Application be granted subject to the conditions set forth on the staff report. The motion carried by the following vote:**

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**12** Transient Unit/License Transfer - Unit/License in Unassigned Status (formerly 501 Amelia Street RE # 00027670-000100) to 215 Eanes Lane (RE # 00017950-000000) - A request to transfer one transient unit and license in unassigned status to property located within the Historic Residential Commercial Core -3 Duval Street Oceanside (HRCC-3) zoning district pursuant to Section 122-1338 and 122-1339 the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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

**No:** 1 - Mr. Lloyd

**Absent:** 1 - Mr. Pike

**Yes:** 5 - Mr. Browning, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**13**

Exception for Outdoor Merchandise Display - 205 Elizabeth Street, Unit A, A1, B - (RE# 00072082-003903) - A request an exception for outdoor merchandise display on property located on Lazy Way Lane, Unit A, A-1, B in the Historic Residential Commercial Core Duval Street Gulfside (HRCC-1) zoning district per the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Browning, seconded by Mr. Russo, that the Planning Resolution be Passed. The motion carried by the following vote:**

**No:** 1 - Mr. Lloyd

**Absent:** 1 - Mr. Pike

**Yes:** 5 - Mr. Browning, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

**14**

Exception for Outdoor Merchandise Display - 205 Elizabeth Street, Unit G - (RE# 00072082-003903) - A request an exception for outdoor merchandise display on property located on Lazy Way Lane, Unit G in the Historic Residential Commercial Core Duval Street Gulfside (HRCC-1) zoning district per the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

**A motion was made by Mr. Russo, seconded by Mr. Varela, that the Planning Resolution be Passed. The motion carried by the following vote:**

**Absent:** 1 - Mr. Pike

**Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Russo, Mr. Varela, Vice Chair Gilleran, and Chairman Holland

### **Public Comment**

### **Reports**

### **Adjournment 9:09 PM**