

Development Review Committee Minutes

August 28, 2014 FINAL

Planning Director, Don Craig called the Development Review Committee meeting of August 28, 2014 to order at 10:00 AM at Old City Hall in the antechamber at 510 Greene Street, Key West.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present were: Planning Director, Don Craig; Fire Department, Jason Barroso; Engineering Services, Elizabeth Ignaffo; Building Official, Ron Wampler; Urban Forestry Manager, Karen DeMaria; HARC Planner, Enid Torregrosa; and Art in Public Places, Dick Moody.

Not present were: Recreation Director, Greg Veliz; Police Department, Steve Torrence; Sustainability Coordinator, Alison Higgins; Director of Transportation, Norman Whitaker; Floodplain Manager, Scott Fraser; Solid Waste Recycling Coordinator, Will Thompson; ADA Coordinator, Peg Corbett; Bicycle Pedestrian Coordinator, John Wilkins.

Additional comments provided by (not read into the record): Keys Energy Supervisor of Engineering Matthew Alfonso and Scott Fraser, Floodplain Manager.

Also in attendance was Planning Department staff: Kevin Bond, Carlene Smith and Venetia Flowers.

APPROVAL OF AGENDA

APPROVAL OF MINUTES

No minutes to approve

DISCUSSION ITEMS

New Business

- 1. Administrative Variance – 714 Elizabeth St Rear** (RE # 00018190-000200, AK # 8497563) – A request for administrative variance to minimum side and rear setbacks in order to renovate and add a second story loft to the existing single-family residential dwelling on property located within the Historic High Density Residential (HHDR) Zoning District pursuant to Sections 90-398, 122-630(6)b. and 122-630(6)c. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Bond gave members an overview of the administrative variance request.

The applicant, Jennifer Reed, William Rowan Architecture, gave members an overview of the administrative variance request.

PLANNING DIRECTOR: No comments

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FIRE: Mr. Barroso asked that the applicant please make an appointment with the fire department to ensure no setback concerns/accessibility issues.

ENGINEERING: Ms. Ignaffo directed the applicant to direct the downspouts back onto property, into landscaped areas.

BUILDING: No comments

TREE: Ms. DeMaria reminded the applicant that any trees within the work area must be protected during demolition and construction. Watch out for height of building and the canopy of the existing large tree in the area. Any tree being removed or any heavy maintenance trimming may require permitting from the Tree Commission.

HARC: Ms. Torregrosa reminded the applicant there is to be no changes in the roofline.

ART IN PUBLIC PLACES: No comments

KEYS ENERGY: No objections

2. **Conditional Use – 503 Greene Street** (RE # 00000520-000000, AK # 1000515) - A request for conditional use approval for the renovation of 650 square feet of existing commercial space for a bar and lounge use on property located within the Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1) Zoning District pursuant to Sections 122-62 and 122-688(9) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Bond gave members an overview of the conditional use request. He also requested clarification regarding the number of seats.

The applicant, Rick Milleli, Meridian Engineering LLC., gave members an overview of the conditional use request.

PLANNING DIRECTOR: No comments

FIRE: Mr. Barroso asked that the applicant please make an appointment with the Fire department to ensure no setback concerns/accessibility issues.

ENGINEERING: Ms. Igaffo ask the applicant to please contact Will Thompson, Solid Waste Coordinator at 809-3776, to assist with setting up the recycling account and please provide a plumbing plan that includes a grease interceptor for the sinks and floor drains.

BUILDING: Mr. Wampler noted that with the change of use from a mercantile to a bar and you have seating for more than 10 people you must have both a male and female restroom which is ADA approved. You must also have ADA seating at the bar which is lowered for accessibility. At the entry any

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architectural barrier must be removed. He also stated that air conditioners can be problematic in the setback.

TREE: No comment

HARC: Ms. Torregroso stated that the new walk-in cooler in the rear of the property may require a 5 ft. setback. She is also concerned about the door signage and colors and wanted to know if there was an easement because the building is encroaching on Duval Street.

ART IN PUBLIC PLACES: No comments

KEYS ENERGY: No objections

3. **Variance – 1618 North Roosevelt Boulevard** (RE # 00064910-000100, AK # 1065421) – A request for variance to maximum sign area in order to replace an existing freestanding sign on property located within the Commercial General (CG) Zoning District pursuant to Sections 90-395 and 114-140 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Bond gave members an overview of the variance request.

The applicant, Randall Mearns, Marathon Electric Sign & Light, Inc., gave members an overview of the variance request.

PLANNING DIRECTOR: Mr. Craig stated that the sign dimensions are 6'5"X8'4", 20 ft. tall and is 48 sq. ft. and the maximum is 32 sq. ft.

FIRE: Mr. Barroso reminded the applicant that the sign should not block the line of sight and make sure it doesn't block the intersection.

ENGINEERING: No comments

BUILDING: No comments

TREE: No comment

HARC: No comments

ART IN PUBLIC PLACES: No comments

KEYS ENERGY: No objections

4. **Change of Nonconforming Use – 1103-1105 Whitehead Street** (RE # 00028130-000000, AK # 1028908) – A request for a change of nonconforming use from dog grooming to retail on property located within the

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Historic Medium Density Residential (HMDR) Zoning District pursuant to Section 122-32(e) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Bond gave members an overview of the change of non-conforming use request.

The owner applicant, Yakov Blives gave members an overview of the change of non-conforming use request.

PLANNING DIRECTOR: Mr. Craig reminded the owner that if the original business does not remain in operation that they must cease and desist.

FIRE: Mr. Barroso stated that the lighting of the canopy must meet the code.

ENGINEERING: No comments

BUILDING: Mr. Wampler reminded the applicant that the canopy must be treated with fire retardant as per the Florida Building Code.

TREE: No comment

HARC: Ms. Torregrosa wanted clarification on how the canopy is attached to the building and if there is going to be any changes regarding the color or signage for the property.

ART IN PUBLIC PLACES: No comments

KEYS ENERGY: No objections

5. **Major Development Plan – 1315 Whitehead Street** (RE # 00036180-000000; AK # 1037044) – A request for major development plan approval for the construction of seven permanent residential units on property located within the Historic High Density Residential (HHDR) Zoning District pursuant to Sections 108-91.A.2.(a) and 122-627 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Bond gave members an overview of the major development plan request.

The applicant, Lori Thompson, Trepanier & Associates, gave members an overview of the major development plan request.

PLANNING DIRECTOR: No comment

FIRE: Mr. Barroso asked that the applicant please make an appointment with the Fire department to ensure no setback concerns/accessibility issues.

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ENGINEERING: Ms. Ignaffo asked the applicant to provide a site plan that shows the locations for recycle and trash storage, for each unit or the complex as a whole. She also asked that the site plan show dimensions for the parking spaces serving unit numbers 5, 6, and 7, and coordinate with the Fire Department to provide a fire truck turnaround at the end of the driveway and indicate the dimension of the turnaround on the site plan. Ms. Ignaffo also asked for clarification regarding paver sidewalks under the structure on Unit 6.

BUILDING: Mr. Wampler asked if the house is a single family residential and noted that the applicant needs to make sure that the flood insurance rate maps are on track.

TREE: Ms. DeMaria stated that she has been speaking with the project landscaper and the application for conceptual landscape approval has been submitted to the tree commission to be heard at the September 9, 2014 Tree Commission meeting.

HARC: Ms. Torregrosa was concerned about the three stories since, parking on the first floor is one story. She requested to see the dimensions of the heights and commented that the main façade is the side of the house. She stated that she is glad it is individual buildings.

ART IN PUBLIC PLACES: Mr. Moody wanted to find out if the project falls in the 1% Plan and wanted to know what the estimated value of the project is. He also wants to make sure the applicant works with Arts in Public Places.

KEYS ENERGY: Mr. Alfonso requested a full set of plans and a project review form. He also stated that there looks to be a conflict with the landscaping plan for the Whitehead Street side with the existing high voltage lines.

FEMA: Mr. Fraser provided the following comments regarding the project but they were not read into the record:

- Three flood zones, of two different categories, pass through this property, with different construction standards for each zone: VE-10, AE-9 & AE-8.
- Any proposed building, touched to any degree by one of the flood zone boundary lines, places the entire building under requirements for the higher regulated flood zone.
- An attached deck, extends the footprint of a building; a deck is considered attached if it touches or is within one-inch of a building. Thus if such a deck protrudes into a different flood zone, then the entire building is considered in the highest regulated zone.
- The paths of these flood zones and their exact relationship to each of the proposed buildings (including attached decks) on a site plan needs to be certified by a land surveyor, as opposed to other design professionals. The survey reviewed thus far, shows the flood zone boundary lines relative only to the existing building.
- For building permitting, "Construction Drawing" phase Elevation Certificates will be required for each proposed building, to demonstrate not only the appropriate building heights, but the flood zone determinations as well, prior to construction. Such certificates must be completed by a State of Florida licensed land surveyor, as opposed to other design professionals.

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- A second Elevation Certificate - "Under Construction" phase - will be required once the measured construction (lowest cross-member or Finished First Floor) has been placed, and before construction proceeds past the first floor.

VE-Zones:

- A review of pages C-1 & C-2 of the plans submitted, indicate Units 1 & 2 would be regulated to VE-10 flood zone building standards, regardless of whether the decks shown are attached.
- These plans show the proposed elevation of the First Finished Floors. However, the required height of buildings within V-zones is measured to the lowest perpendicular horizontal cross-member, not the First Finished Floor. For these two buildings, the plans should reflect the height of the lowest perpendicular horizontal cross-member rather than the finished floor.
- The floor elevations provided indicate Units 1 & 2 will likely exceed the flood height requirements, even when measured from the lowest cross-members. However, great care needs to be applied to any proposed ground level slabs or grade beams, as such can inadvertently become a horizontal cross-member well below flood levels, prohibiting the issuance of a Certificate of Occupancy for the building.
- It is recommended that additional freeboard height be considered, from both flood damage protection and insurance cost perspectives.
- Flood insurance premiums are significantly discounted by adding freeboard height to buildings. This discount is maximized with three-feet of freeboard. It's likely, new Flood Insurance Rate Maps expected circa 2019 will increase the Base Flood Elevation of these three flood zones by one foot. Four feet of freeboard constructed now, would retain the maximum discount should the BFEs increase one-foot. Such discounts are greater for V-zone buildings, as rates are considerably higher for these buildings as opposed to A-zone buildings.

AE-Zones:

- From the information submitted, it would appear the remaining five units (#3-7) will be held to AE-9 flood zone standards, and meet them.
 - Again, additional freeboard would be a recommendation for additional flood protection and lower insurance rates.
 - Units 5 & 6, with a finished first floor height of 10' in a 9' flood zone would have one foot of freeboard, as required by the building code. Yet a one-foot increase in Base Flood Elevations (BFE) would leave these units with zero freeboard and no discount in a few short years.
 - For flood insurance purposes - not building construction requirements - the height of buildings is rounded to the nearest foot. Increasing the height of these units an additional six inches - to 1.5' of freeboard - should retain discounts for one-foot of freeboard when the BFE increases one-foot.
- 6. Revocable License – 200 William Street (RE # 00000840-000000, AK # 1000850) –** A request for a revocable license to install landscaping, brick pavers and a bicycle / scooter parking area within Lazy Way Lane located within the Historic Residential Commercial Core – Duval Street Gulfside (HRCC-1) Zoning District pursuant to Section 2-939 of the Code of Ordinances of the City of Key West, Florida.

Mr. Bond gave members an overview of the revocable license request. He also stated that the City requires an insurance certificate and there is a City fee for the current owner for the licenses that is required every year. License is only granted to the original owner.

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The applicant, Noah Singh, Elizabeth Newland Landscape Architecture LLC, gave members an overview of the revocable license request.

PLANNING DIRECTOR: Mr. Craig asked the applicant to clarify if the landscaping was encroaching anywhere on the plan.

FIRE: Mr. Barroso asked that the applicant please make an appointment with the Fire department to ensure there is a plan in place regarding the fire truck turn around.

ENGINEERING: No comments

BUILDING: No comments

TREE: Mr. DeMaria stated that the project has already been reviewed by the Tree Commission.

HARC: Ms. Torregrosa stated that the project has already been approve by HARC.

ART IN PUBLIC PLACES: No comments

KEYS ENERGY: No objections

FEMA: Mr. Fraser provided the following comments regarding the project but they were not read into the record:

- The bicycle/scooter parking area is in an area susceptible to volatile wave impacts from tropical storms.
- The brick pavers requested are preferred rather than pavement or concrete, so long as the pavers aren't mortared in place and are free to fall apart separately should their base be undermined.
- Any bicycle racks should be permanently installed, and secured with concrete footings substantial enough to prevent such supports from becoming damaging storm debris.
- Concrete slabs would be contraindicated for this area, lest they also become dangerous and destructive debris. Any such slabs should be less than four inches (4") thick with zero reinforcement.

- 7. Variance – 1019 Flagler Avenue** (RE # 00038950-000000; AK # 1039691) – A request for variances to side and rear yard setbacks and habitable space in order to reconstruct and convert an existing accessory structure on property located within the Single Family (SF) zoning district pursuant to Sections 90-395, 122-238(6)a.2. & 3. and 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Ms. Smith gave members an overview of the variance request.

The applicant, Anthony Sarno, K2M Design, gave members an overview of the variance request.

PLANNING DIRECTOR: No comments

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FIRE: Mr. Barroso reminded the applicant that the Fire Marshall will want 5 ft. setback and that the utilities must be maintained. He ask the applicant to make an appointment with the Fire department to ensure no setback concerns/accessibility issues.

ENGINEERING: No comments

BUILDING: No comments

TREE: Ms. DeMaria stated that tree removal permits for dicot trees on the property were denied. Trees were damaged during demolition. Urban Forester is reviewing the file to possibly issue administrative hearing notice to contractor due to damage to trees as the palm trees appear next to the garage. Any trees within the work area must be protected during demolition and construction, as per City Ordinances. Any tree being removed may require permitting from the Tree Commission.

HARC: Ms. Torregrosa stated that HARC has no jurisdiction regarding demolition of the garage but reminded the applicant that if it is demolished that is need a 5 ft. setback.

ART IN PUBLIC PLACES: No comments

KEYS ENERGY: No objections

8. Variance – 540 White Street (RE # 00006780-000000; AK # 1007013) – **WITHDRAWN**

9. Easement – 506 Elizabeth Street (RE # 00009080-000000; AK # 1009342) – A request for an easement of approximately ±77.70 square feet on the Elizabeth Street right-of-way in order to maintain existing porches, partial fence and gate on property located within the Historic High Density Residential (HHDR) zoning district pursuant to Section 2-938 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Ms. Smith gave members an overview of the easement request.

The applicant, Jeffery and Carla Lewis, gave members an overview of the easement request.

PLANNING DIRECTOR: No comments

FIRE: No comments

ENGINEERING: No comments

BUILDING: No comments

TREE: No comments

HARC: No comments

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ART IN PUBLIC PLACES: No comments

KEYS ENERGY: No objections

- 10. Easement – 600 Frances Street** (RE # 00010670-000000; AK # 1010961) – A request for an easement on the Frances Street right-of-way and on the Southard Street right-of-way in order to maintain an existing overhang and steps on property located within the Historic Neighborhood Commercial (HNC) zoning district pursuant to Section 2-938 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Ms. Smith gave members an overview of the easement request.

PLANNING DIRECTOR: No comments

FIRE: Mr. Barroso want to make sure there is 5 ft. for accessibility as required by the fire department.

ENGINEERING: No comments

BUILDING: Mr. Wampler stated that the property is located in the AE 6 Flood Zone.

TREE: No comments

HARC: Ms. Torregroso commented that the steps and the overhang is historic.

ART IN PUBLIC PLACES: No comments

KEYS ENERGY: No objections

- 11. Easement – 1406 Leon Street** (RE # 00041610-000000; AK # 1042277) – A request for an easement of approximately ± 69.16 square feet on the Leon Street right-of-way and ± 498.84 square feet on the Washington Street right-of-way in order to maintain an existing concrete wall, portion of the pool, pool equipment and landscaping on property located within the Single Family (SF) zoning district pursuant to Section 2-938 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Ms. Smith gave members an overview of the easement request.

PLANNING DIRECTOR: No comments

FIRE: Mr. Barroso stated that the existing pool and pool equipment are located in the setback and if they are moved or replace that must be moved out of the setback.

ENGINEERING: No comments

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BUILDING: No comments

TREE: No comments

HARC: No comments

ART IN PUBLIC PLACES: No comments

KEYS ENERGY: No objections

ADJOURNMENT

Meeting adjourned at 10:57 AM.

Respectfully submitted by,
Venetia A Flowers, Administrative Assistant II
Planning Department