

# Minutes of the Development Review Committee of the City of Key West November 18, 2011

**DRAFT**

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## Call Meeting To Order

Don Craig, City Planning Department Director, called the City of Key West Development Review Committee (DRC) Meeting of November 18, 2011 to order at **10:05 am** at Old City Hall, in the antechamber at 510 Greene Street, Key West.

## Pledge of Allegiance to the Flag

## Roll Call

DRC Member or Designated Staff	DRC Representative	Present	Absent
ADA Coordinator	Diane Nicklaus		x
Building Official	John Woodson/John Cruz		x
Community Housing	Omar Garcia		x
Department of Transportation	Myra Wittenberg/Carolyn Haia	x	
Fire Chief	Alan Averette	x	
Florida Keys Aqueduct Authority	Ed Nicolle/Jolynn Reynolds		x
General Services/Engineering Director	Elizabeth Ignoffo	x	
HARC Planner	Enid Torregrosa	x	
Keys Energy	Matthew Alfonso/Dale Finigan		x
Landscaping Coordinator	Karen DeMaria	x	
Planning Director	Don Craig	x	
Police Chief	Steve Torrence		x
Public Works	Greg Veliz		x
<b>Also present:</b>			
Agency / Department	Name	Present	Absent
Planning Department	Ashley Monnier	x	
Planning Department	Brendon Cunningham	x	
Planning Department	Nicole Malo	x	
Planning Department/Recording Secretary	Jo Bennett	x	

## Approval of Agenda

### Actions/Motions:

There were no changes to the Agenda. The agenda was **Approved** by a unanimous vote.

## Approval of Minutes

### 1 October 27, 2011 Minutes

### Actions/Motions:

A motion was made by Ms. Elizabeth Ignoffo, seconded by Ms. Karen DeMaria, that the minutes be **Approved**. The motion **Passed** by a unanimous vote.

## Discussion Items

- 2 Amendment to a Major Development Plan and Conditional Use Approval - 230 - 246 Front Street (RE# 00001630-000400) - An amendment to approval conditions to eliminate condition three (3) requiring "the applicant provides and maintains public access to the adjoining playground" in the HPRD zoning district per City Commission Resolution 06-340 of the City of Key West.**

### Staff Report:

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Brendon Cunningham presented the project which is for an amendment to a project that has been completed. Mr. Cunningham stated that the project was approved with the stipulation that the park be available for public use. The playground equipment had been previously removed from the area. The applicant would like to modify the development agreement to have the requirement for public access to the park be removed and provide monies for the purchase of playground equipment for another public park in Key West. Mr. Cunningham stated he did not see an issue with this request.

### **Applicant:**

The applicant Ginny Stones was present to respond to questions as needed. The part is approximately 1/6 of an acre with minimal use. There has been much discussion concerning the playground equipment at this site not being utilized. Ms. Stones stated that the applicant feels this is the appropriate time to place the equipment in a place where it would be utilized. Ms. Stones added that they applicant had looked at the approved plans for Nelson English Park and reviewed the equipment list and prices in an effort to determine a valid dollar amount to offer. Ms. Stones stated that the area will remain as "open space" for the development.

### **DRC Member Comments:**

Mr. Don Craig requested clarification of the location of the park. Mr. Cunningham responded that it was located at the corner of Caroline and Whitehead. Mr. Craig also inquired as to the square footage of the area. Mr. Cunningham said he did not have that information but could calculate it. Mr. Craig asked for the record if there was any direct access to the area from Whitehead Street. Mr. Cunningham responded "no" not at this time – the park must be entered from Caroline Street. Mr. Craig inquired if having an entrance from Whitehead Street was at any time part of the agreement. Mr. Cunningham responded that it was not.

Mr. Craig asked Ms. Stones what if any was the exact plans for the "open space" such as landscaping. Ms. Stones stated she did not know what the plans are but would get that information prior to this being presented to the Planning Board.

There were no additional Committee member comments for the record.

### **Public Comments:**

There were no public comments.

## **3 Minor Development Plan - 313 Margaret Street (RE Number 00002820-000000) and 907 James Street (RE Number 00002830-000000) - A request for a Minor Development Plan for property located in the HRCC-2 zoning district per Section 108-91(A.)(b.) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

### **Staff Report:**

Nicole Malo presented the project which is for a minor development plan. Ms. Malo stated that some of the structures will be relocated on the site. Ms. Malo added that due to the relocation of the storage shed and work shop as well the removal of the interior mezzanines from the existing retail space, no new floor area would be added then therefor no new parking is required. Ms. Malo stated that the following items need to be addressed to complete the application:

- The Comments concerning the variances need to be removed;
- A site data table needs to be included on the site plans;
- A request to waive the landscape requirements is required;

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- A landscape architect is required to supply signed and sealed plans;
- Unity of title needs to be included;
- The open space requirement listed is incorrect and needs to be changed to 50%;
- The parking lot material needs to be coordinated with Engineering and HARC;
- Verify that the proposed application meets FEMA requirements and clarify within the application.
- Clarify the square footage proposed for food prep and food storage in proposed catering shed;
- Clarify whether retail use on the site is being removed.

## **Applicant:**

The applicant Michael Ingram was present to respond to questions. Mr. Ingram explained that the adjacent properties are being acquired and will be unified under one title. Mr. Ingram reviewed the project details for the DRC members. Mr. Ingram explained that this will be a phased project. Mr. Ingram stated that they are looking for an alternative material for the parking lot. The applicant does not expect the parking lot to be gravel. A drainage system is planned for the site. Mr. Ingram stated that HARC approval has been received for the project. The James Street area is expected to become the food prep and the coffee roasting area. Mr. Ingram added that the food will be prepared on-site but sold off-site. Mr. Ingram stated that it is the applicant's hopes that the structure at 908 James Street will be designated as a Historic structure.

## **DRC Member Comments:**

Ms. Karen DeMaria reviewed the vegetation currently on the site. Ms. DeMaria stated that the plans show the removal of a tree and explained will require a permit. Mr. Ingram responded that the tree currently has power lines running through it and that he had already informally asked the Tree Commission staff to look at the tree. Mr. Ingram added that there is a city tree that overhangs the 908 James Street structure and they plan to ask the city do some maintenance to that tree.

Ms. Torregrosa asked Mr. Ingram to add the HARC number to the application – H11-01-1445. Ms. Torregrosa also stated that approval for demolition is scheduled for the second HARC reading at the November 23<sup>rd</sup> HARC Meeting. HARC has approved only the Margaret Street part of the project but not the James Street portion of the project.

Mr. Alan Averette had no Fire Department concerns but asked for clarification concerning what changes are proposed to the northern structure. Mr. Ingram responded that the building is proposed for demolition and to be replaced with a new structure.

Ms. Elizabeth Ignoffo stated that the applicant should schedule a meeting with Engineering to review the site plans for drainage and parking. Ms. Ignoffo added that a complete parking plan will be required as well as drainage and landscaping plans.

Since the ADA Coordinator could not attend due to other assignments, Ms. Ignoffo mentioned several items which need to be reviewed and dimensions added for accessibility. Mr. Ingram responded that per the plans submitted the Margaret Street building will be brought up to ADA code. Ms. Ignoffo reminded Mr. Ingram that he needs to keep track of the ADA improvements since 20% of the construction cost need to go to ADA improvements.

Since the FEMA Coordinator was not in attendance, Ms. Ignoffo reminded Mr. Ingram that the Air Conditioning equipment needs to be elevated to achieve FEMA requirements. Mr. Ingram responded that he has been working with the City FEMA Coordinator and that the plans submitted have been reviewed by him. Mr. Craig stated he would like confirmation

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regarding FEMA coordination.

Mr. Craig stated that this will be a phased project and that the applicant expects to have the shed on James Street remain at the present elevation if it is determined that the shed is historic. Mr. Craig recommended that the applicant add the intended use for the shed to the application. Mr. Craig stated that he would prefer a floor plan and the floor area of each use (i.e. storage, cooking, and prep). Mr. Craig also reminded Mr. Ingram that the information included on all of the plans needs to be consistent.

There were no additional Committee member comments for the record.

### **Public Comments:**

There were no public comments.

- 4 Variance - 906 Johnson (RE Number 00058740-000000) - A request for variances to building coverage, impervious surface ratio, front and side setbacks and in the Single Family (SF) zoning district per Sections 122-238 (4)(a)(2), (4)(b)(1), (6)(a)(1) and (2) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

### **Staff Report:**

Ashley Monnier presented the project which is for a variance for a new carport. The application does trigger variances for impervious surfaces and building coverage. Ms. Monnier stated that she had advertised that it would also require setback variances but because carports have special regulations in the supplementary district setbacks would not be calculated as part of the variance.

Ms. Monnier commented to the applicant that the carport size was a concern and she suggested some neighborhood coordination to make sure there are not any problems with the immediate neighbors. Ms. Monnier also suggested the possibility of changing the design to be more compatible with the area.

### **Applicant:**

The applicant Robert Delaune, the architect representing the owner, was present to respond to questions and take notes as needed. Mr. Delaune stated that the application is actually for an open carport. The variance is triggered because the site due to the existing building coverage. Mr. Delaune added that the home owner currently parks his cars on the street and this would allow him off street parking. This application would bring the property into compliance by allowing the off street parking of two vehicles.

Mr. Delaune responded to Ms. Monnier's concern about the size of the garage/carport by stating that the twenty square foot carport cannot be smaller and still hold two (2) cars. Mr. Delaune added that the garage/carport does not have an overly high roof.

### **DRC Member Comments:**

Ms. Karen DeMaria stated that the palms have already been approved by the Tree Commission.

Ms. Enid Torregrosa stated that this site is not in the HARC District but added that does appear the carport is larger in scale to the size of the house.

Ms. Elizabeth Ignoffo stated that the plan meets the requirements for drainage.

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Mr. Don Craig asked Mr. Delaune to explain the easement and building at the back of the property. Mr. Delaune responded that the easement is a Utility Easement and that there is no access anywhere along the block. Mr. Craig stated he understands the solution due to the constraints of the property.

There were no additional Committee member comments for the record.

#### **Public Comments:**

There were no public comments.

### **5 Application for Exception to Outdoor Display- 930 Eaton, Unit C (RE# 00005470-000100) - A request for the outdoor display of merchandise within the HNC-2 zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

#### **Staff Report:**

Ashley Monnier presented the project which is for an exception for outside merchandise display in the Historic District. Ms. Monnier added that outdoor merchandise displays are prohibited in the Historic District which prompted this application. Ms. Monnier stated that the applicant could not attend the meeting therefore Ms. Monnier would describe the request. Ms. Monnier stated that the applicant is proposing to use a rod iron table with an umbrella located at the corner of Fletcher Lane and Eaton Street (not within the right-of-way) to display merchandise from her shop.

Ms. Monnier stated that she would request a better site survey and staged picture of the display with the merchandise in order to better understanding of what is to be displayed. Ms. Monnier added that she would also like to see dimensioned plans for the site.

#### **Applicant:**

The applicant Dorothy Harden was not present to respond to questions.

#### **DRC Member Comments:**

Ms. Torregrosa stated she didn't have any HARC concerns but that color photos would be helpful. Ms. Torregrosa added that any changes made for ADA accessibility will trigger the need for HARC involvement.

Ms. Ignoffo stated the ADA accessibility needs to be addressed.

Mr. Averette stated that the main concern the Fire Department has with any outdoor display is insuring that the display does not interfere with the access by blocking the egress and ingress.

There were no additional Committee member comments for the record.

#### **Public Comments:**

There were no public comments.

### **6 Variance - 2718 Harris Avenue (RE Number 00067640-000000) - A request for variances to building coverage and rear yard setbacks in the Single Family (SF) zoning district per Sections 122-238 (4)(a) and (6)(a)(3) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida**

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## **Staff Report:**

Ashley Monnier explained the project which is for an awning affixed to the rear of a structure in the Single Family Zoning District. Ms. Monnier added that in 2010 the Planning Board denied a similar application. The requested scope of the project has reduced in response to the Land Development Regulations limiting the amount of time in which the applicants re-apply for the same variance. Ms. Monnier continued stating that the applicant met with the Planning staff and the plans have been revised in such a way that Staff thinks the variance considerations can be re-addressed as a similar project but not the same project as presented in 2010. The requested area is 10'x18' and is requested to provide and extended roof line over the back porch.

Ms. Monnier stated that she would like to see the site data table improved and scalable drawing are needed. Ms. Monnier also suggested that because there were neighborhood issues when the first application was presented back in 2010, that the applicants coordinate with the neighbors to insure good neighbor relations.

## **Applicant:**

The applicant Zack and Mary Bentley were not present.

## **DRC Member Comments:**

Ms. DeMaria stated that in looking at the aeriels it appears to be trees near the area. Ms. DeMaria added that she could not tell if the trees were in pots or planted but if they were in the ground and would need to be removed or trimmed they need to coordinate with the Tree Commission.

Ms. Ignoffo agreed with Ms. Monnier that the site table needs to be improved.

Mr. Craig added that the changes and improvements requested by Ms. Monnier need to be accomplished prior to the project being submitted to the Planning Board. Mr. Craig stated for the record that this variance is being proposed due to the determination that there was substantial change from the previous application. Mr. Craig added that the change was determined to be more than 50% change of the scope of work by size or location. Mr. Craig concluded that if this substantial change had not taken place it would be two (2) years before the applicant could re-submit the application for review.

There were no additional Committee member comments for the record.

## **Public Comments:**

There were no public comments.

## **Adjournment**

### **Actions/Motions:**

A motion was made by Mr. Alan Averette, seconded by Ms. Enid Torregrosa, that the meeting be **Adjourned**. The motion **Passed** by a unanimous vote.

Meeting adjourned at **11:05 am**.

**Respectively Submitted by,**

*Jo Bennett*

**Administrative Coordinator  
Planning Department**