

# **Development Review Committee Minutes**

## **July 24, 2014 FINAL**

**Planning Director, Don Craig called the Development Review Committee meeting of July 24, 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; Police Department, Steve Torrence; Urban Forestry Manager, Karen DeMaria; HARC Planner, Enid Torregrosa; and Art in Public Places, Dick Moody.

**Not present were:** Recreation Director, Greg Veliz; Sustainability Coordinator, Alison Higgins; Building Official, Ron Wampler; 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:** 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**

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### New Business

1. **Variance – 908 Terry Lane (RE # 00014880-000000, AK # 1015229 and RE # 00014880-000100, AK # 9077554)** – A request for variance to minimum lot size in order to allow for a subdivision of a lot with two single family homes constructed on property located within the Historic Medium Density Residential (HMDR) zoning district pursuant to Section 90-395 and Section 122-600(5) 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, Adele V. Stones, Stones & Cardenas gave members an overview of the variance request.

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

**ART IN PUBLIC PLACES:** No comments

**POLICE DEPARTMENT:** No comments

**HARC PLANNER:** No comments

**PLANNING DIRECTOR:** Mr. Craig stated the DEO may not approve the request due to the fact that there would be zero lot line. The plan is unclear whether the property would be a duplex or a condo, which would create other issues.

**ENGINEERING:** No comments

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

**URBAN FORESTRY MANAGER:** No comments

**KEYS ENERGY: (These comments were submitted but not read into the record.)**

No objections to the variance request; however, the customer may need a secondary utility easement between each other. Existing meter center is on 908 Terry Lane #2.

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2. **Variance – 316 Admirals Lane (RE # 00004590-001674; AK # 8799489)** – A request for a variance to maximum building coverage in order to cover and partially enclose an existing carport and cottage on property located within the Historic Planned Redevelopment and Development (HPRD) zoning district pursuant to Section 90-395 and Section 122-990(4)a. 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 and said that the property would need to be inspected for habitable space.

The applicants' representative, Paul Siviski, Meridian Engineering LLC., gave members an overview of the variance request.

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

**ART IN PUBLIC PLACES:** No comments

**POLICE DEPARTMENT:** No comments

**HARC PLANNER:** Ms. Torregrosa asked for clarification on how deep are the eaves and does the project require a side variance.

**PLANNING DIRECTOR:** Mr. Craig asked about the existing attic on plan level two, why was a skylight needed? He stated to make sure that this space was not going to be used for a living space.

**ENGINEERING:** Ms. Ignaffo stated roof gutters are encouraged and would like to see them on the plans. Please direct downspouts back onto property, into landscaped areas.

**FIRE DEPARTMENT:** Mr. Barroso asked that the applicant please make an appointment with the Fire department to discuss life safety issues and accessibility. He also wanted to insure the plan kept the set-back in place.

**URBAN FORESTRY MANAGER:** Ms. DeMaria would like to remind property owners of the requirement to protect any trees near and within the project area during construction/demolition. Trees located within the work area that may need to be removed or trimmed may require permits from the Tree Commission. She also stated that there is an existing open tree permit on this site for the removal of 5 palms. The permit to remove the trees has expired but the case is still open until she has documented the planting of 5 replacement palms, as per the permit guidelines.

**KEYS ENERGY:** No objections

#### **FEMA:**

- No Elevation Certificate submitted, thus presumed below flood
- Page 2 of the application incorrectly notes the flood zone as "AE-8" when it's actually within an "AE-6" zone.

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- Site Plan page CS-1 needs revision to reflect Base Flood Elevation of eight feet (AE-8).
- Appropriately sized, number, and placed flood vents required
- Use strictly restricted to storage (no habitation)
- No interior finishes permitted (bare frame walls)

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3. **Easement – 832 Caroline Street (RE # 00003100-000000; AK # 1003191)** – A request for an easement in order to allow the continued use of outdoor restaurant seating on property located within the Historic Neighborhood Commercial (HNC-2) 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 variance request.

The applicant, Adele V. Stones of Stones & Cardenas gave members an overview of the variance request. She also stated that the structural element may be subject to easement. The tables and chairs that are being moved daily is revocable license. Impact fees paid in 2008 for seats are legal.

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

**ART IN PUBLIC PLACES:** No Comments

**POLICE DEPARTMENT:** No Comments

**HARC PLANNER:** Ms. Torregrosa ask for clarification regarding the inclusion of an awning.

**PLANNING DIRECTOR:** Mr. Craig related that given the previous situation the variance may not be an easement but may be a revocable license instead. He also stated that seating should be done by a revocable license because the seats can be moved and he is not comfortable with an easement for seats blocking the right of way.

**ENGINEERING:** Ms. Ignaffo asked the applicant to please revise specific purpose survey easement area, to show minimum five-foot width access along sidewalks. Please provide a sidewalk table seating plan, showing location of tables and clear area around tables for ADA access.

**FIRE DEPARTMENT:** Mr. Barroso reminded the applicant that the exits may not be blocked by outside seating and to make sure a 5 ft. clearance for ingress and egress are maintained from the edge of sidewalk to seating area.

**URBAN FORESTRY MANAGER:** No comments

**KEYS ENERGY:** No objections

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4. **Change of Nonconforming Use – 917 Frances Street (RE # 00021680-000000, AK # 1022438)** – A request for a change of nonconforming use from retail to a personal training fitness studio on property located within the Historic High Density Residential (HHDR) 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 variance request and asked for clarification of which floor in the building the business would use.

The applicant, Adele V. Stones, Stones & Cardenas gave members an overview of the change of non-conforming use request.

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

**ART IN PUBLIC PLACES:** No comments

**POLICE DEPARTMENT:** Mr. Torrence ask if the applicant can pretty up the property.

**HARC PLANNER:** Ms. Torregrosa reminded the applicant that the signage must be approved by HARC. She also wanted to know if the property has an easement on Havana Avenue.

**PLANNING DIRECTOR:** Mr. Craig stated that the applicant may need an easement for Havana Avenue. The property has porch and storage on Havana, which is an outdoor indication that an easement will be required in the future if they retain the original plan.

**ENGINEERING:** Ms. Ignaffo reminded the applicant to please be advised that ADA accessibility standards apply to personal training fitness studios. Refer to Florida Building Code: Accessibility, ADA Standards for Accessibility Design, and CFR 28, Part 36.

**FIRE DEPARTMENT:** Mr. Barroso asked that the applicant please bring the property into compliance with life safety codes.

**URBAN FORESTRY MANAGER:** No comments

**KEYS ENERGY:** No objections

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5. **Conditional Use – 519 Fleming Street (RE # 00006560-000000, AK # 1006793)** – A request for conditional use approval to allow on-site alcohol consumption for an existing wine shop 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 variance request.

The owner applicant, Mark Gambuzza, of UVA gave members an overview of the conditional use request.

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

**ART IN PUBLIC PLACES:** No comments

**POLICE DEPARTMENT:** Mr. Torrance ask that the applicant retain all proper licenses from the State of Florida in order to serve or sell alcohol.

**HARC PLANNER:** Ms. Terragrosa wanted clarification on the applicant's sign and if changes were to be made they must submit an application to HARC.

**PLANNING DIRECTOR:** Mr. Craig ask for clarification on the actual business, specifically if is a bar or a wine tasting.

**ENGINEERING:** No comments

**FIRE DEPARTMENT:** No comments

**URBAN FORESTRY MANAGER:** No comments

**KEYS ENERGY:** No objections

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6. **Variance – 1004 Kennedy Drive (RE # 00065640-000301; AK # 1068446)** – A request for variance to minimum side setbacks for the addition of a pitched roof to an existing bank building on property located within the Commercial General (CG) Zoning District pursuant to Sections 90-395 and 122-420(6)b. 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, Benny Lowe, Conch Construction LLC, gave members an overview of the variance request.

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

**ART IN PUBLIC PLACES:** No comments

**POLICE DEPARTMENT:** No comments

**HARC PLANNER:** Ms. Torregrosa was concerned that the wall is on the property line and that might require something from the neighbors, and maybe the gutters are going to be on the neighbors' property.

**PLANNING DIRECTOR:** Mr. Craig ask for clarification on the attic, specifically, if there is a stairway to the attic area. Attic area can be considered as potential floor area unless it is open. He stated that the application would carry the condition that there be no access or lighting to the attic area if it is closed.

**ENGINEERING:** Ms. Ignaffo asked that the applicant please install gutters on the roof eaves, and direct downspouts back onto property and into the stormwater drainage system.

**FIRE DEPARTMENT:** Mr. Barroso asked that the applicant please make an appointment with the Fire department to discuss life safety issues and accessibility and setbacks before going to the Planning Board.

**URBAN FORESTRY MANAGER:** Ms. DeMaria wanted to ensure that during any demolition and construction the trees must be protected from damage.

#### **KEYS ENERGY: (These comments were submitted but not read into the record.)**

No objections. New construction may require meter center/riser to be upgraded. KEYS will need a full set of plans and a completed project review form.



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7. **Variance – 614 Frances Street (RE # 00010650-000000, AK # 1010944)** – A request for variances to maximum building coverage and minimum front, side and rear setbacks for the renovation of a residence and construction of a new covered patio on property located within the Historic High Density Residential (HHDR) Zoning District pursuant to Sections 90-395, 122-630(4) and 122-630(6) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Mr. Kevin Bond gave members an overview of the variance request and stated that the applicant needs to provide a demolition site plan that shows a 20 ft. setback to the rear porch.

The applicant, Paul Siviski, Meridian Engineering LLC., gave members an overview of the variance request.

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

**ART IN PUBLIC PLACES:** No comments

**POLICE DEPARTMENT:** No comments

**HARC PLANNER:** Ms. Torregrosa would like clarification of the existing conditions and proposed design changes listed on the second page of the drawings because the drawing is too small for HARC.

**PLANNING DIRECTOR:** Mr. Craig would like to see pictures of the shed to insure it is not encroaching into Case Lane.

**ENGINEERING:** Ms. Ignaffo stated that roof gutters are encouraged. Please direct downspouts back onto property, into landscaped areas.

**FIRE DEPARTMENT:** Mr. Barroso asked that the applicant please make an appointment with the Fire department to discuss life safety issues and accessibility and to ensure setbacks are met.

**URBAN FORESTRY MANAGER:** Ms. DeMaria wanted to ensure that during any demolition and construction the trees must be protected from damage.

**KEYS ENERGY:** No objections

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8. **Exception for Outdoor Merchandise Display – 505 Greene Street (RE # 00000520-000000; AK # 1000515)** – 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 Section 106-52 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 outdoor merchandise display request.

The owner applicant, Alisher Artikov, gave members an overview of the exception for outdoor merchandise display request.

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

**ART IN PUBLIC PLACES:** No comments

**POLICE DEPARTMENT:** No comments

**HARC PLANNER:** No comments

**PLANNING DIRECTOR:** Mr. Craig asked for dimensions of the racks suggested by the applicant and wanted to make sure the racks are the smallest size possible in order to keep them off the sidewalk. The applicant needed to confirm the specifications of the racks with Code Compliance. Any approval would be made with the condition specifically that the racks must be kept off public property.

**ENGINEERING:** Ms. Ignaffo stated that spindle racks shall not be placed on brick sidewalk. Pedestrian traffic shall not be obstructed by merchandise display racks.

**FIRE DEPARTMENT:** Mr. Barroso asked that the applicant please make sure the entrance/exit remain free and clear of obstructions at all time.

**URBAN FORESTRY MANAGER:** No comments

**KEYS ENERGY:** No objections

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9. **Conditional Use – 1500 Reynolds Street (RE # 00037160-000100; AK # 8735677)** – A request for conditional use approval to allow a new wireless antenna and equipment shelter on the roof of an existing hotel building on property located within the Historic Commercial Tourist (HCT) Zoning District pursuant to Sections 122-62 and 122-898(8) 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 and requested an updated survey to reflect the heights measured from the height of the road. Setbacks must be measured from the equipment and a plan that shows the shed.

The applicant, Mr. C. Fink, gave members an overview of the height request.

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

**ART IN PUBLIC PLACES:** No comments

**POLICE DEPARTMENT:** Mr. Torrence stated that Verizon is used by the police for their data mobile in their police cars and they are looking forward to the new tower that will supply a signal to a previously dead area of town.

**HARC PLANNER:** Ms. Torregrosa asked that the applicant put the antenna at the farthest back of the building so it's not visible from the street. She also asked for a clearer mock-up of plans. She also stated that the building is not the historical part of the hotel but it is still in the historic district.

**PLANNING DIRECTOR:** Mr. Craig wanted clarification on what was going to be held in the building. Applicant stated that it would be used for radio units, batteries for back up and will be air conditioned.

**ENGINEERING:** No comments

**FIRE DEPARTMENT:** Mr. Barroso inquired if there will be a back-up generator? If you do install one in the future you need to be conscious of the hotel rooms.

**URBAN FORESTRY MANAGER:** No comments

**KEYS ENERGY:** No objections

#### **ADJOURNMENT**

Meeting adjourned at 11:12 AM.

**Respectfully submitted by,**

*Venetia A Flowers, Administrative Assistant II  
Planning Department*