

# Minutes of the Development Review Committee

## November 16, 2012 **DRAFT**

Planning Director, Don Craig called the Development Review Committee Meeting of November 16, 2012 to order at 10:00am at Old City Hall, in the antechamber at 510 Greene Street, Key West.

### ROLL CALL

**Present were:** Planning Director, Don Craig; HARC Planner, Enid Torregrosa; General Services, Elizabeth Ignaffo; Forestry Manager, Paul Williams; ADA Coordinator, Diane Nicklaus; Sustainability Coordinator, Alison Higgins; and Engineering, Karen Olson.

**Also in attendance were:** Planning Department staff: Brendon Cunningham and Ginny Haller.

### PLEDGE OF ALLEGIANCE

### APPROVAL OF AGENDA

### APPROVAL OF MINUTES

None

### DISCUSSION ITEMS

#### New Business

- 1. Variances – 2222 North Roosevelt Blvd. (RE# 00051100-000000) – Request for impervious surface, street side setback, and landscape waiver, in the CG zoning district as per Sections 122-420(4) b, 122-420(6) c, 108-346(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

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

The applicant's Architect, Mr. Richard Milelli, was available for questions.

Ms. Higgins suggested a white roof for energy savings.

Mr. Williams stated that he would work with the applicant to enhance the landscaping.

Mrs. Torregrosa stated that the application is incomplete and the site plans were confusing.

Ms. Ignaffo stated that the drainage plan design calculations require 0.91 ac-in of storm water runoff treatment. She stated the proposed storm water management plan provides 0.18 ac-in of swale and exfiltration trench volume. She requested they revise the drainage plan to provide 0.91 ac-in of swale and exfiltration trench volume. She then requested to show the existing/remaining building ADA Accessible parking space as well as the accessible routes and provide width dimensions. That the parking aisle along the existing building appears to be less than 24 feet. Please indicate one-way traffic through this parking aisle. That the relocated driveway entrance from Fifth Street will conflict with an existing power pole and AT&T stub box.

Ms. Nicklaus stated that the site plan shows a new ADA parking space, access isle and a lift for the new building. She stated she would reserve final ADA comments once construction plans are submitted.

Mr. Craig requested a current survey.

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Keys Energy had no objections to the variances. The applicant will need to provide a full set of plans and a project review form. This will ensure the applicant and the surrounding customer have adequate power.

- 2. After-the-Fact Variance – 510 Margaret Street (RE# 00008220-000000) – Request for side yard setback in the HHDR zoning district per Section 90-391, Section 122-630(6) b of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Ms. Haller gave members an overview of the after-the-fact variance and requested new plans with dimensions for the air conditioning request.

Mr. Richard McChesney spoke on behalf of the applicant.

Ms. Higgins noted that they can apply for a rebate for their new central air conditioner from Keys Energy.

Mr. Williams requested they contact him to see if tree permits are required.

Mrs. Torregrosa had safety issue concerns and stated that if the Fire Department had problems, we will need to look for other alternatives.

Ms. Ignaffo stated that pursuant to the Florida Building Code: Mechanical Sec. 301.13, mechanical systems, equipment and appliances for structures located in flood hazard areas shall be located at or above the flood elevation.

Ms. Nicklaus had no comment.

Mr. Craig had no comment.

Keys Energy had no objections.

- 3. Minor Development Plan and Conditional Use – 701 Passover Lane (RE# 00020620-000000) – Request for the redevelopment of the existing Sexton’s House at the Key West Cemetery in the HPS zoning districts per Section 108-91(A)(1) b and Section 122-958(1) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Items 3 and 4 were heard concurrently.

Ms. Haller gave members an overview of the Minor Development Plan, Conditional Use and Variance requests. She stated they may require a landscape waiver.

Ms. Higgins had no comment.

Mr. Williams stated that he has been working with our staff (Ms. Haller and Ms. Olson); the landscape requirements are up to code.

Mrs. Torregrosa stated that this has been approved by HARC. Date of approval was 8/28/12 also include 9/11/12 because there was a component for a demo, HARC approval: H12-01-1366.

Ms. Ignaffo stated that less than 500 square feet of new impervious area will be created and the project is exempt from storm water management system permitting. The site plan shows one ADA accessible parking space to be created in a previous parking area, to include a five-foot access aisle and an eight-foot vehicle

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space, which meets ADA Accessibility Guidelines for Buildings and Facilities (ADAAG) Sec. 4.6 parking requirements for standard vehicle ADA accessible parking space.

Ms. Nicklaus stated she would reserve her comments until the Building permit process. She noted that the parking space that has always been adjacent to the Sexton's office is being converted and widened enough to be ADA accessible.

Mr. Craig asked Ms. Olson the construction schedule once it is approved. Ms. Olson anticipates construction in late Spring.

Ms. Olson stated that a provision has been made for temporary Sexton activity while the building is under construction and that community services will handle. She stated that parking is limited due to the nature of the site.

Keys Energy had no objections. The applicant will need to provide a full set of plans and a project review form. This will ensure the applicant and the surrounding customer have adequate power.

- 4. Variances – 701 Passover Lane (RE# 00020620-000000) – Request for front yard setback and street side setback, landscape buffer, landscape waiver, and parking waiver in the HPS zoning district as per Sections 122-960(6) a, 122-960(6) d, 108-346(b), 108-413, and 108-572(15) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Item heard with item 3, please see comments above.

- 5. Exception for Outdoor Merchandise Display – 628 Duval Street (RE# 00012480-000000) – A request to allow the display of merchandise sold in-store, for Tropical Shell and Gift, in the HRCC-1 zoning district per Section 106-52 of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Brendon Cunningham gave members an overview of the Outdoor Merchandise Display request.

The applicant's representative, Frank Herrada, was available for questions.

Mr. Craig requested the applicant submit a sketch to show barrel and display for the record.

Mrs. Torregrosa stated that if the display is attached to the property, it will require HARC approval

Remaining DRC members had no comments.

Keys Energy had no objections.

- 6. Easement – 1114 Watson Street (RE# 00031790-000000) – Easement request for approximately 20 square feet of City right of way abutting the front lot line for property in the HMDR zoning district per Section 2-938 of the Code of Ordinances of the City of Key West.**

Brendon Cunningham gave members an overview of the Easement request. He requested the application be modified to include the eaves and that they are within or over the city's right of way.

Ms. Nicklaus requested the wording in the easement be adjusted for the right of way steps.

Remaining DRC members had no comments.

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Keys Energy had no objections.

- 7. Transient License Transfer - 1105 Truman Avenue (RE# 00021040-000100) to 506 Catherine Street (RE# 00028500-000000) – Request for a Transient License Transfer from property located in the HNC-1 zoning district to property in the HRCC-3 zoning district per Section 122-1339(b) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Brendon Cunningham gave members an overview of the Transient License Transfer request.

The applicant's legal representative, Ginny Stones with Stones & Cardenas, was available for questions.

Mr. Craig stated both HNC1 and HRCC1 allow transient use, allowing the transfer of license without a unit going along with it, which is specifically how the code is stated. He requested Ms. Stones arrange an appointment with himself and the City Attorney's office to discuss prior to the Planning Board meeting.

Remaining DRC members had no comments.

Keys Energy had no objections.

- 8. Variances - 917 Duval Street (RE# 00017810-000000) - Request for building coverage and side -yard setback requirements in the HRCC-3 zoning district per Section 122-750(4) a. and (6) b. of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Brendon Cunningham gave members an overview of the variances request.

Bill Rowan, the applicant's architect, gave members an overview of the request.

Mrs. Torregrosa stated that HARC approval is required for building a permanent structure.

Mr. Craig stated that by Mr. Rowan's own admission, they are expanding the floor area and this requires a variance for parking. He requested Mr. Rowan arrange an appointment with him to determine if the application is complete with all required variances.

Remaining DRC members had no comments.

Keys Energy had no objections.

- 9. Variances - 726 1/2 Olivia Street (RE# 00020590-000000) - Request for variances to detached habitable space, impervious surface ratio, front, side and rear-yard setback requirements in the HHDR zoning district per Section 122-1078 and 122-630(4) b. and (6) a. b. & c. of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Mr. Cunningham gave members an overview of the variance requests.

The applicant's architect, Michael Ingram, gave members an overview of the request.

Ms. Ignaffo stated that less than 500 square feet of new impervious area will be created. This project is exempt from storm water management system permitting. The site plan shows one ADA accessible parking space to be created in a previous parking area, to include a five-foot access aisle and an eight-foot vehicle space, which

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meets ADA Accessibility Guidelines for Buildings and Facilities (ADAAG) Sec. 4.6 parking requirements for standard vehicle ADA accessible parking space.

Mr. Williams inquired if any trees or landscaping would be impacted and if so, that the applicant contact him to make sure no permits are required by the Tree Commission. He suggested using a cistern to utilize rain water.

Mrs. Torregrosa stated that project will be on the HARC agenda on November 27<sup>th</sup>.

Mr. Craig stated that what is proposed is a new structure as the principal structure on site and a detached habitable area which is not another unit.

Remaining DRC members had no comments.

Keys Energy had no objections. The applicant will need to provide a full set of plans and a project review form. This will ensure the applicant and the surrounding customer have adequate power.

### **10. Minor Development Plan - 629 Duval Street (RE# 00012440-000100) - Request for a minor development plan to construct an outdoor restaurant per Section 108-91 A.1.(b) and (c) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Items 10 and 11 were heard concurrently.

Mr. Cunningham gave members an overview of the Minor Development and Parking requests.

The applicant's Architect, Bill Horn, gave members an overview of the request.

Ms. Higgins had no comment.

Mr. Williams requested a licensed landscape architect for the plan. He suggested using a cistern.

Mrs. Torregrosa stated that the authorization form says Helena Dos Santos but deed is under Kimberly Blanchette. Mr. Cunningham stated that the applicant is the representative trustee for the trust that is associated with the owner. Mrs. Torregrosa requested this information to be shown on the packet for proper representation. She stated her concern about the trailer that is proposed. The project will require HARC approval.

Ms. Ignaffo stated that pursuant to Sec. 74-171 grease interceptor, sized in accordance with the number of dining establishment seats, hours of operation, and type of utensils used at the restaurant shall be required. The interceptor shall conform to the requirements of the Florida Building Code: Plumbing Section 1003. Please coordinate utility infrastructure plan review with General Services Department. The site plan shows a fenced storage area for trash and recycling receptacles. Sec. 58-31 limits the size of trash receptacles to 32 gallons, weight not exceeding 50 pounds. Please indicate the quantity of trash to be generated by this project, on a daily basis. The city would like to reduce the amount of solid waste and increase the recycling rate. Please consider the use of bio-degradable paper goods that are recyclable.

Ms. Ignaffo stated that the site plan shows one ADA accessible standard vehicle parking space. The parking space is designed to create vehicle backing onto the public right-of-way. Access route width dimensions for the sidewalk and entrance gate are not indicated on the plans.

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Ms. Nicklaus stated that she reserves her comments for the permit processing plan review. She requested the dimensions must be included for construction drawings.

Mr. Craig requested Owen Trepanier submit a copy of the leases and sub leases of the booths currently on the property. He stated concern that we move a portable facility onto the site and still have other information booths there before and it is another way of accomplishing what was originally proposed without meeting the requirements of the Planning Board as we have expressed to them before. He requested the number of seats and parking variance. The trailer will apply to the building code requirements as a structure and will not be approved as a permanent facility as a trailer. He stated his concern of the sight distance onto the Duval heavily traveled sidewalk and a structure on corner of Angela and Duval. He requested a clear sight triangle on the south west of plan.

Keys Energy had no objections. The applicant will need to provide a full set of plans and a project review form. This will ensure the applicant and the surrounding customer have adequate power.

**11. Parking Variance - 629 Duval Street (RE# 00012440-000100) - Request for a variance to parking requirements in the HRCC-1 zoning district per Section 108-572 (9) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

This item was heard concurrently with item 10 (see comments above).

**ADJOURNMENT**

Meeting adjourned at 11:17am.

**Respectfully submitted by,  
Karen de Berjeois  
Administrative Assistant II  
Planning Department**