



# City of Key West, FL

Old City Hall  
510 Greene Street  
Key West FL 33040

## Action Minutes - Final Planning Board

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Thursday, October 16, 2014

6:00 PM

Old 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 at 305-809-1000 or the ADA Coordinator at 305-809-3731 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

### Call Meeting To Order

6:00 PM

### Pledge of Allegiance to the Flag

### Roll Call

**Ms. Tennyson arrived at 7:14 PM**

**Absent** 1 - Klitenick

**Present** 6 - Browning, Gilleran, Holland, Pike, Spottswood, and Tennyson

### Approval of Agenda

**A motion was made by Mr. Pike, seconded by Ms. Spottswood, that the be Approved on the Consent Agenda. The motion carried by the following vote:**

**Absent:** 2 - Ms. Tennyson, and Chairman Klitenick

**Yes:** 5 - Mr. Browning, Mr. Gilleran, Mr. Holland, Mr. Pike, and Ms. Spottswood

### Approval of Minutes

September 18, 2014

**Attachments:** [September 18, 2014](#)

**A motion was made by Mr. Gilleran, seconded by Ms. Spottswood, that the Minutes be Approved. The motion carried by the following vote:**

**Absent:** 2 - Ms. Tennyson, and Chairman Klitenick

**Yes:** 5 - Mr. Browning, Mr. Gilleran, Mr. Holland, Mr. Pike, and Ms. Spottswood

### Resolutions

**Old Business**

- 1**                    **Variance - 732 Poorhouse Lane (RE # 00019490-000000; AK # 1020176)** - A request for variances to minimum side setbacks and the minimum rear setback for the construction of a new second-floor addition and renovation of an existing residence on property located within the Historic High Density Residential (HHDR) Zoning District pursuant to Sections 90-395 and 122-630(6) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida  
**APPLICANT REQUESTS 1st POSTPONEMENT TO 1/15/2015**

**Attachments:**     [Variance package \(22.5 MB\)](#)  
                                 [Public Comments - Revised 11/20/14](#)

**Postponed**

- 2**                    **Variance - 1322 Olivia Street (RE # 00024850-000000, AK # 1025631)** - A request for variances to maximum building coverage and minimum rear and street side setbacks in order to renovate and construct an addition to an existing two-family residential dwelling on property located within the Historic Medium Density Residential District (HMDR) Zoning District pursuant to Sections 90-395, 122-600(4)a. and 122-600(6) of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida  
**APPLICANT REQUESTS 3RD POSTPONEMENT TO 1/15/2015**

**Attachments:**     [Public Comments - REVISED 9/16/14](#)

**Postponed by Applicant to 11/20/2014.**

**New Business**

- 3**                    **Exception for Outdoor Merchandise Display - 505 Greene Street (RE # 0000520-000000; 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

**Attachments:**     [Outdoor Display Pkg](#)

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

**Absent:** 2 - Ms. Tennyson, and Chairman Klitenick

**Yes:** 5 - Mr. Browning, Mr. Gilleran, Mr. Holland, Mr. Pike, and Ms. Spottswood

- 4**                    **Variance - 908 Terry Lane, Units 1 & 2 (RE # 00014880-000000, AK # 1015229; RE # 00014880-000100, AK # 9077554)** - A request for variances to minimum lot size, minimum lot width, open space and side yard setbacks in order to allow for a subdivision of a lot with two attached single family homes constructed on property located within the Historic Medium Density Residential (HMDR) zoning district pursuant to Sections 90-395, 108-346, 122-600(5), 122-600(5)a., 122-600(6)b. and

122-1407 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

**Attachments:** [Variance Pkg - revised](#)  
[BOA Resolution 03-427](#)  
[908 Terry rev 20141120 330pm](#)

**Postponed**

**5 Variance - 614 Frances Street (RE # 00010650-000000, AK # 1010944)** - A request for variances to maximum building coverage and minimum street side, side and rear yard 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)a and 122-630(6)b., c. & d. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

**Attachments:** [Variance Pkg](#)  
[614 Frances REVISED 2](#)

**A motion was made by Mr. Gilleran, seconded by Ms. Spottswood, that the Resolution be Passed with Conditions. The motion carried by the following vote:**

**Absent:** 2 - Ms. Tennyson, and Chairman Klitenick

**Yes:** 5 - Mr. Browning, Mr. Gilleran, Mr. Holland, Mr. Pike, and Ms. Spottswood

**6 Variance - 1004 Kennedy Drive (RE # 00065640-000301; AK # 1068446)** - A request for variance to minimum side yard setback 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

**Attachments:** [Variance Pkg](#)

**A motion was made by Ms. Spottswood, seconded by Mr. Gilleran, that the Resolution be Passed. The motion carried by the following vote:**

**Recuse:** 1 - Mr. Pike

**Absent:** 1 - Chairman Klitenick

**Yes:** 5 - Mr. Browning, Mr. Gilleran, Mr. Holland, Ms. Spottswood, and Ms. Tennyson

**7 Variance - 714 Elizabeth St Rear (RE # 00018190-000200, AK # 8497563)** - A request for variance to minimum side and rear yard 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 90-395 and 122-630(6)b. & c. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

**Attachments:** [Variance Pkg](#)

*Meeting went into Recess*

*Meeting Reconvened*

**A motion was made by Ms. Spottswood, seconded by Mr. Browning, that the Resolution be Passed with Conditions. The motion carried by the following vote:**

**Absent:** 2 - Ms. Tennyson, and Chairman Klitenick

**Yes:** 5 - Mr. Browning, Mr. Gilleran, Mr. Holland, Mr. Pike, and Ms. Spottswood

**8**

**Major Development Plan & Landscape Modifications / Waivers - 1212, 1220 & 1222 Simonton Street (RE # 00028730-000000, 00028750-000000; AK # 1029513, 1029530)** - A request for major development plan approval and landscape modifications / waivers for the redevelopment of a 22-room motel and one non-transient dwelling unit on property located within the Historic Neighborhood Commercial - Truman / Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2.(a) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

- Attachments:**     [Staff Report](#)  
                                  [Draft Resolution](#)  
                                  [Application Package \(11.3 MB\)](#)  
                                  [Public Comment REVISED 10/16/2014](#)

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

**Recuse:** 2 - Mr. Pike, and Ms. Spottswood

**Absent:** 1 - Chairman Klitenick

**Yes:** 4 - Mr. Browning, Mr. Gilleran, Mr. Holland, and Ms. Tennyson

**9**

**Major Development Plan & Landscape Modifications / Waivers - 921 Truman Avenue (RE # 00021650-000000; AK # 1022403)** - A request for major development plan approval and landscape modifications / waivers for the reconstruction of a 4,557 square foot restaurant on property located within the Historic Neighborhood Commercial - Truman / Simonton (HNC-1) Zoning District pursuant to Sections 108-91.A.2.(b) and 108-517 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida

- Attachments:**     [Staff Report](#)  
                                  [Draft Resolution](#)  
                                  [Application Package \(12.3 MB\)](#)  
                                  [Public Comments](#)

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

**Absent:** 2 - Ms. Tennyson, and Chairman Klitenick

**Yes:** 5 - Mr. Browning, Mr. Gilleran, Mr. Holland, Mr. Pike, and Ms. Spottswood

**10**

**Alcohol Sales Special Exception - 519 Fleming Street (RE # 00006560-000000, AK #**

**1006793**) - A request for special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, school, cemetery or funeral home for property located within the Historic Residential Commercial Core - Duval Street Gulfside (HRCC-1) Zoning District pursuant to Section 18-28(b) of the Code of Ordinances of the City of Key West, Florida

**Attachments:** [Staff Report & Draft Resolution](#)  
[Application Package \(2.90 MB\)](#)

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

**Absent:** 1 - Chairman Klitenick

**Yes:** 6 - Mr. Browning, Mr. Gilleran, Mr. Holland, Mr. Pike, Ms. Spottswood, and Ms. Tennyson

**11**

**Food Truck Ordinance** - Modifications to Chapter 122, adding Division 15, Sections 1554 to 1560 to the Land Development Regulations, Code of Ordinances, City of Key West, Florida for the purpose of regulating the sale of food in a ready to eat state from mobile food truck, carts and pushcarts on private property within the City

**Attachments:** [Staff Report](#)  
[2014 Food Truck Ordinance](#)

**A motion was made by Mr. Browning, seconded by Mr. Gilleran, that the Resolution be Postponed to 11/20/14. The motion carried by the following vote:**

**Absent:** 2 - Ms. Tennyson, and Chairman Klitenick

**Yes:** 5 - Mr. Browning, Mr. Gilleran, Mr. Holland, Mr. Pike, and Ms. Spottswood

**12**

**Zoning in Progress** - Consideration of an ordinance of the City of Key West, Florida invoking the Zoning in Progress doctrine; declaring that the City is considering amendments to its Land Development Regulations to adopt criteria permitting and regulating the location of medical marijuana treatment centers; directing Building and Planning Department staff to defer the acceptance and processing of applications requiring the issuance of permitting the location of medical marijuana treatment centers; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date

**Attachments:** [Staff Report](#)  
[Draft Ordinance](#)

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

**No:** 2 - Mr. Pike, and Ms. Tennyson

**Absent:** 1 - Chairman Klitenick

**Yes:** 4 - Mr. Browning, Mr. Gilleran, Mr. Holland, and Ms. Spottswood

**Planner's Report**

**Q&A - Items of interest from Planning Board Members**

**Adjournment**

8:53 PM