

MINUTES
BOARD OF ADJUSTMENT MEETING
OLD CITY HALL, 510 GREENE STREET
TUESDAY, DECEMBER 15, 2009

A regular meeting of the Board of Adjustment of the City of Key West, Florida, was held in Commission Chambers, Old City Hall, 510 Greene Street, on Friday, December 4, 2009.

The Chairman called the meeting to order at 6:02 p.m.

Answering roll call were Commissioners Barry Gibson, Teri Johnston, Clayton Lopez, Billy Wardlow, Jimmy Weekley and Chairman Craig Cates.

Also present were City Manager Jim Scholl, Assistant City Manager David Fernandez, Assistant City Manager Mark Finigan, Assistant City Attorney Larry Erskine, City Planner Amy Kimball-Murley, Police Chief Donie Lee, Division Chief of Operations Michael Davila, Division Chief/EMG Management and Training Craig Marston, Finance Director Roger Wittenberg, Community Services Director Greg Veliz, General Services Director Gary Bowman, Information Technology Director Patti McLauchlin, HARC Coordinator Enid Torregrosa, Utilities Manager Jay Gewin, Port Operations Director Raymond Archer, Deputy City Clerk Angela Budde and City Clerk Cheri Smith.

APPROVAL OF MINUTES:

It was moved by Commissioner Rossi and seconded by Commissioner Wardlow to approve the minutes of December 4, 2009.

The Chairman requested the Board to signify if they were all in favor and the response was unanimous to approve the minutes of the Board of Adjustment Meeting of December 4, 2009.

RESOLUTION:

RESOLUTION NO. 09-339

A RESOLUTION OF THE BOARD OF ADJUSTMENT OF THE CITY OF KEY WEST, DENYING A VARIANCE TO BUILDING HEIGHT REGULATIONS FOR PROPERTY IN THE CG, GENERAL COMMERCIAL ZONING DISTRICT, UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA, FOR PROPERTY LOCATED AT 2832 NORTH ROOSEVELT BOULEVARD (RE #00065380-000000)

A RESOLUTION OF THE KEY WEST BOARD OF ADJUSTMENT TO ALLOW THE CONSTRUCTION OF A 145 FOOT TALL TELECOMMUNICATIONS MONOPOLE BY GRANTING A VARIANCE TO BUILDING HEIGHT REGULATIONS FOR PROPERTY IN THE CG, GENERAL COMMERCIAL ZONING DISTRICT, UNDER THE CODE OF ORDINANCES OF THE CITY OF KEY WEST, FLORIDA FOR PROPERTY LOCATED AT 2832 NORTH ROOSEVELT BOULEVARD (RE# 00065380-000000)

Applicant: Trepanier and Associates, Inc. Authorized Representative for Carl M. Herman Revocable Living Trust Property Owner

The Clerk read the title of the Resolution and the Planning Department's comments.

“The Planning Department, based on the criteria established by the Comprehensive Plan and the Land Development Regulations, recommends the request for a variance to the allowed height be denied.”

The Clerk reported there were 10 notices sent to property owners within 300 feet; 15 responses were received, all non-objections outside of the 300 foot radius. The Clerk acknowledged she was in receipt of 2 petitions regarding the proposed telecommunications monopole, 1 petition for denial was from Gulfview Homeowners Association with 11 names and another petition unopposed had signatures from 82 people.

The following people spoke on the matter:

Assistant City Attorney Larry Erskine
Susan Delegal, Applicant representative

Rick Richter, Keys WI-FI Inc.
Mark Bash, Verizon Wireless Project Manager
Michael Yannis, AT&T
Alfredo Amayedo, SBCA
Owen Trepanier, 402 Appelrouth Lane
Amy Kimball-Murley, City Planner
John Jones, 1024 James Street
Mike Mongo
John Allison
Lawrence "Rusty" Monroe
Steve Dion, 2816 Seidenberg Avenue
Mark Lindas, 2915 Patterson Avenue
Pat Tierney, 2803 Seidenberg Avenue
Vim Hendrick, 2641 Gulf View Dr

It was moved by Commissioner Weekley and seconded by Commissioner Rossi that the Resolution be denied.

The Chairman requested the Clerk call the roll.

Yeas: Commissioners Gibson, Johnston, Lopez, Rossi, Wardlow, Weekley and Chairman Cates

Nays: None

The said Resolution was there upon declared by the Chairman to have been denied.

SO ORDERED

ADJOURNMENT:

There being no further business the Chairman adjourned the meeting at 8:24 p.m.



Cheryl Smith, MMC, CPM
City Clerk