

Minutes of the Key West Planning Board

March 21, 2013 DRAFT MINUTES

Vice-Chairman Tim Root called the Key West Planning Board Meeting of March 21, 2013 to order at 6:04 pm at Old City Hall, in the antechamber at 510 Greene Street, Key West.

ROLL CALL

Present were: Vice-Chairman Tim Root, James Gilleran, Sam Holland and Greg Oropeza.

Excused absence: Chairman Richard Klitenick, Lisa Tennyson and Michael Browning.

Also in attendance were: Planning Director, Donald Craig; Chief Assistant City Attorney, Larry Erskine; Fire Department, Alan Averette and Jason Barroso; Planning Department staff: Brendon Cunningham and Karen de Berjeois.

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

Vice-Chairman Tim Root requested that Item 5, 317 Catherine Street be postponed to the next Planning Board Meeting.

A motion to approve the amended agenda by Mr. Gilleran and seconded by Mr. Oropeza.

Motion carried by unanimous voice vote.

SO ORDERED.

APPROVAL OF MINUTES

- **January 17, 2013 Meeting**

A motion to approve the January 17, 2013 meeting minutes was made by Mr. Oropeza and seconded by Mr. Gilleran.

Motion carried by unanimous voice vote.

SO ORDERED.

- **February 21, 2013 Meeting**

A motion to approve the February 21, 2013 meeting minutes was made by Mr. Holland and seconded by Vice-Chairman Tim Root.

Motion carried by unanimous voice vote.

SO ORDERED.

- **February 28, 2013 Meeting**

A motion to approve the February 28, 2013 meeting minutes was made by Mr. Gilleran and seconded by Mr. Holland.

Motion carried by unanimous voice vote.

SO ORDERED.

Minutes of the Key West Planning Board

March 21, 2013 **DRAFT MINUTES**

RESOLUTIONS

Old Business

1. **Variations – 1222 Grinnell Street (RE# 00032040-000000, AK# 1032824) – A request for building coverage, front, rear and side yard setback requirements in the HMDR zoning district per Section 90-391, Section 122-600 (4) a. 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 variations request. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommended the request for variance be denied. However, if the Planning Board approved this request, staff recommended the following condition:

- The building be sprinkled as required by the Key West Fire Department.

The applicant, Patrick Wright and Owen Trepanier, with Trepanier & Associates, Inc. gave members an overview of the Variations request.

Mr. Oropeza requested to change the condition verbiage from “sprinkler as required” to “sprinkler as approved”.

There were no public comments.

A motion to approve the Variations request with the Planning Department’s recommended amended conditions was made by Mr. Holland and seconded by Mr. Oropeza.

Motion carried by unanimous voice vote.

SO ORDERED.

2. **Variations – 516 Louisa Street (RE# 00028860-000000, AK# 1029645) - A request for variations to side-yard setback requirements and detached habitable space to renovate an existing structure for use as a satellite bedroom in the HRCC-3 zoning district per Sections 122-28, 122-750(6) b. and 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Mr. Cunningham gave members an overview of the variations request. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommended the request for variance be denied. However, if the Planning Board approved this request, staff recommended the following condition:

- A deed restriction shall be placed on the property such that the property as a whole be rented to only one party at a given time if and when the property receives an additional transient license for the detached bedroom. The owner shall have the deed restriction prepared and sent to the City Attorney within 30 days of the effective date of the variance approval. The owner shall bear any expense of preparing and recording the deed restriction.

The applicant, Norman Wood, was available for questions.

Mr. Erskine requested the condition include the verbiage “Deed restriction approved by City Attorney”.

There were no public comments.

Minutes of the Key West Planning Board
March 21, 2013 DRAFT MINUTES

A motion to approve the Variances request with the amended condition was made by Mr. Holland and seconded by Mr. Oropeza.

Motion carried by unanimous voice vote.

SO ORDERED.

- 3. Transient License Transfer – 322 Elizabeth Street (RE# 00003880-000000, AK# 1004049) to 516 Louisa Street (RE# 00028860-000000, AK# 1029645) – A request for a Transient License Transfer from property in the HMDR 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.**

Mr. Cunningham gave members an overview of the transient license transfer request. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommended approval of the transfer of one transient rental license originally located at 322 Elizabeth Street to 516 Louisa Street with the following condition:

- A deed restriction shall be placed on the property such that the property as a whole be rented to only one party at a given time if and when the property receives an additional transient license for the detached bedroom. The owner shall have the deed restriction prepared and sent to the City Attorney within 30 days of the effective date of the variance approval. The owner shall bear any expense of preparing and recording the deed restriction.

Mr. Erskine requested the condition include the verbiage “Deed restriction approved by City Attorney”.

There were no public comments.

A motion to approve the Transient License Transfer request with the amended condition was made by Mr. Holland and seconded by Mr. Oropeza.

Motion carried by unanimous voice vote.

SO ORDERED.

New Business

- 4. Special Exception Request - 519 Fleming Street (RE# 00006560-000000, AK# 1006793) - A request for a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church and funeral home for property located within the HRCC-1 zoning district, pursuant to Section 18-28 (b)(2) of the Code of Ordinances of the City of Key West.**

Mr. Cunningham gave members an overview of the special exception request to the prohibition of alcoholic beverage sales. Based on the criteria established by the Comprehensive Plan and the City Code, the Planning Department recommended the request for Special Exception be approved with the following condition:

1. The exception is granted exclusively to Mark Gambuzza, Managing Member of “Uva” Wine, LLC while he is 51% majority owner and is not transferable.
2. The sale of alcohol is package retail only.
3. No purchase of alcohol for on premises consumption.

The applicant, Mark Gambusso, gave members an overview of the request.

**Minutes of the Key West Planning Board
March 21, 2013 DRAFT MINUTES**

Mr. Gilleran requested to clarify the application is for a “beer and wine license, packaging retail only”.

There were no public comments.

A motion to approve the Special Exception Request to include the amended conditions was made by Mr. Holland and seconded by Mr. Oropeza.

Motion carried by unanimous voice vote.

SO ORDERED.

- 5. Variances – 317 Catherine Street (RE# 00026330-000000, AK# 1027120) – A request for rear yard setback and building coverage for pool house, pool and deck in the HMDR zoning district per Section 90-391, Section 122-600(6)c, and 122-600(4)a of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

Postponed to the April 18, 2013 Planning Board meeting.

PLANNER’S REPORT

Mr. Craig informed members of upcoming projects.

ADJOURNMENT

A motion to adjourn was made by Mr. Oropeza and seconded by Mr. Holland.

Motion was carried by unanimous voice vote.

SO ORDERED.

Meeting adjourned at 6:44 pm.

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