



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final - Final

Planning Board

Thursday, November 15, 2018

6:00 PM

City Hall

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 1-800-955-8771 or for voice 1-800-955-8770 or the ADA Coordinator at 305-809-3811 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

ALL VISUAL PRESENTATIONS FOR AGENDA ITEMS MUST BE RECEIVED (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

Call Meeting To Order - 6:00 PM

Roll Call

Absent 1 - Chairman Holland

Present 6 - Mr. Browning, Mr. Lloyd, Mr. Pike, Mr. Russo, Mr. Varela, and Vice Chair Gilleran

Pledge of Allegiance to the Flag

Approval of Agenda

The Agenda was approved as amended unanimously.

Approval of Minutes

1 September 18, 2018

Attachments: [Minutes](#)

A motion was made by Mr. Michael Browning, seconded by Mr. Ed Russo, that the Minutes be Approved. The motion passed by an unanimous vote.

2 October 18, 2018

Attachments: [Minutes](#)

A motion was made by Mr. Michael Browning, seconded by Mr. Ed Russo, that the Minutes be Approved. The motion passed by an unanimous vote.

Action Items

3 Approving Proposed 2019 meeting dates.

Attachments: [Proposed Meeting Dates](#)

A motion was made by Mr. Michael Browning, seconded by Mr. Ed Russo, that the Action Items be Approved. The motion passed by an unanimous vote.

New Business

4 **Variance - 715 Seminole Avenue- (RE# 00037230-000100) - A** request for a variance to the minimum design flood elevation requirement to install four (4) temporary office buildings for property located within the Historic Medium Density (HMDR) Zoning District pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Staff Report](#)
[Package](#)
[Noticing Package](#)
[Authorization Form](#)
[Verification Form](#)

A motion was made by Mr. Russo, seconded by Mr. Lloyd, that the Board finds that all the standards set forth in Code Section 90-395 (A) have been met by the Applicant, that the Applicant has demonstrated a “Good Neighbor Policy” and that the Variance be passed subject to any conditions set forth on the staff report; that the Planning Resolution be Passed. The motion carried by the following vote:

Absent: 1 - Chairman Holland

Yes: 6 - Mr. Browning, Mr. Lloyd, Mr. Pike, Mr. Russo, Mr. Varela, and Vice Chair Gilleran

Enactment No: PB Res 2018-64

5 **Variance - 3500 North Roosevelt Boulevard - (RE# 00064960-000000) - A** request for a variance to the maximum allowed depth of a façade sign to install two façade signs on property located within the General Commercial (CG) Zoning District pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:** [Staff Report](#)
 [Resolution](#)
 [Package](#)
 [Noticing Package](#)

A motion was made by Mr. Lloyd, seconded by Mr. Russo, that the Planning Resolution be Passed as the Board finds that all the standards set forth in code Section 90-395 (A) have been met by the Applicant, that the Applicant has demonstrated a “Good Neighbor Policy” and that the Variance be passed subject to any conditions set forth on the staff report. . The motion carried by the following vote:

- Absent:** 1 - Chairman Holland
- Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Pike, Mr. Russo, Mr. Varela, and Vice Chair Gilleran

Enactment No: PB Res 2018-65

6 Approving the Ordinance entitled "Resource Protection" by amending Article VI entitled "Tree Protection", creating Section 110-261 to be titled "Heritage Trees", to provide for the creation of a Heritage Tree Program, providing for repeal of inconsistent provisions, and providing for an effective date.

- Attachments:** Ordinance
 Urban Forestry Manager’s Report
 Planning Board Resolution 2018-66
 Tree Commission Resolution 18-003

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

- Absent:** 1 - Chairman Holland
- Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Pike, Mr. Russo, Mr. Varela, and Vice Chair Gilleran

Enactment No: PB Res 2018-66

7 **Text Amendment of the Land Development Regulations - A**
 Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission amending Chapter 108 of the Land Development Regulations, entitled “Planning and Development”, Article X, Division 1, Section 108-991, entitled “Development not affected by article”; pursuant to Chapter 90, Article VI, Division 2; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

- Attachments:** [Staff Report](#)
 [Resolution](#)

A motion was made by Mr. Michael Browning, seconded by Mr. Ed Russo, that the Planning Resolution be Postponed to December 20, 2018 meeting. The motion passed by an unanimous vote.

8 Amended and Restated Development Agreement Extension - 3800, 3820, 3824, 3840 (1185 20th St), 3850, and 3852 North Roosevelt Boulevard (RE# 00065540-000000, 00065530-000000, 00065550-000000, 00064950-000000, 00064940-000000, and 00065060-000000) - A request for an extension of an approved Amended and Restated Development Agreement in the General Commercial (CG) Zoning District pursuant to Chapter 90, Article IX and Section 122-416 through 122-420 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

- Attachments:**
- Staff report
 - Package
 - Resolution
 - Resolution 09-059
 - Resolution 13-139
 - Resolution 2013-24
 - Noticing Package

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

Absent: 1 - Chairman Holland

Yes: 6 - Mr. Browning, Mr. Lloyd, Mr. Pike, Mr. Russo, Mr. Varela, and Vice Chair Gilleran

9 After-the-Fact Variances - 4 Go Lane (RE # 00072040-000000) - A request for variances to the minimum front-yard setback requirements and accessory structure requirements in order to maintain a zero foot front yard setback for an accessory structure in a required front yard on property located within the Single Family (SF) zoning district pursuant to Sections 90-395, 122-238 (6) a. 1., and 122-1181.

- Attachments:**
- [Staff Report](#)
 - [Resolution](#)
 - [Package](#)
 - [Noticing Package](#)

A motion was made by Mr. Browning, seconded by Mr. Lloyd, that the Planning Resolution be Denied as the Board finds that the Applicant has failed to demonstrate all the standards of code Section 90-395 (A) and that the application be denied. The motion carried by the following vote:

Absent: 1 - Chairman Holland

Yes: 6 - Mr. Browning, Mr. Lloyd, Mr. Pike, Mr. Russo, Mr. Varela, and Vice Chair Gilleran

Enactment No: PB Res 2018-68

10 **After-the-Fact Variance - 816 Fleming Street (RE # 00008290-000000)** - A request for variances to the minimum front-yard and side-yard setback requirements in order to maintain a zero foot front and side yard setback on property located within the Historic Neighborhood Commercial District (HNC-2) zoning district pursuant to Section 90-395 and 122-840 (6) a. and b.

A motion was made by Mr. Michael Browning, seconded by Mr. Ed Russo, that the Planning Resolution be Postponed as requested by the Applicant. The motion passed by an unanimous vote.

11 **After-the-Fact Variance - 1209 Laird Street - (RE# 00059250-000000)** - A request for variances to the required rear yard setback, the maximum allowed building coverage, and maximum allowed impervious surface requirements in order to construct a raised deck in the rear yard on property located within the Single Family (SF) Zoning District pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:** [Staff Report](#)
 [Resolution](#)
 [Package](#)
 [Noticing Package](#)

A motion was made by Mr. Browning, seconded by Mr. Varela, that the Planning Resolution be approved. The motion failed by the following vote as the Applicant did not demonstrate all the standards of code Section 90-395 (A):

No: 4 - Mr. Lloyd, Mr. Pike, Mr. Russo, and Vice Chair Gilleran

Absent: 1 - Chairman Holland

Yes: 2 - Mr. Browning, and Mr. Varela

Enactment No: PB Res 2018-69

12 **Variance - 420 Grinnell Street - (RE# 00005420-000000)** - A request for variances to the minimum side setback, maximum allowed building coverage, maximum allowed impervious surface, and to allow for an accessory structure to be located in the required front yard on property located within in the Historic Medium Density Residential (HMDR) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:** [Staff Report](#)
 [Resolution](#)
 [Package](#)
 [Noticing Package](#)

A motion was made by Mr. Lloyd, seconded by Mr. Pike, that the Planning Resolution be Approved as the Board finds that all the standards set forth in code Section 90-395 (A) have been met by the Applicant, that the Applicant has demonstrated a “Good Neighbor Policy” and that the Variance be passed subject to any conditions set forth on the staff report. The motion carried by the following vote.

- Absent:** 1 - Chairman Holland
- Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Pike, Mr. Russo, Mr. Varela, and Vice Chair Gilleran

Enactment No: PB Res 2018-70

13

Variance - 1021 Fleming Street- (RE# 00005060-000000) - A request for a variance to the required side setback requirement to construct an accessory structure in the rear yard for property located within the Historic Medium Density Residential (HMDR) Zoning District pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:** [Staff Report](#)
 [Resolution](#)
 [Package](#)
 [Noticing Package](#)

A motion was made by Mr. Lloyd, seconded by Mr. Russo, that the Planning Resolution be approved as the Board finds that all the standards set forth in code Section 90-395 (A) have been met by the Applicant, that the Applicant has demonstrated a “Good Neighbor Policy” and that the Variance be passed subject to any conditions set forth on the staff report. The motion carried by the following vote.

- Absent:** 1 - Chairman Holland
- Yes:** 6 - Mr. Browning, Mr. Lloyd, Mr. Pike, Mr. Russo, Mr. Varela, and Vice Chair Gilleran

Enactment No: PB Res 2018-71

14

POSTPONED BY STAFF - Variance - 715 Fleming Street - (RE# 00006200-000000) - A request for variance to the maximum allowed building coverage requirement in order to construct a one-story addition in the side yard on property located within the Historic Medium Density Residential (HMDR) Zoning District pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

A motion was made by Mr. Michael Browning, seconded by Mr. Ed Russo, that the Planning Resolution be Postponed as requested by the Applicant. The motion passed by an unanimous vote.

Public Comment

Board Comments

Reports

Adjournment - 7:20 PM