



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Planning Board

Thursday, August 16, 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 2 - Pike, and Mr. Russo

Present 5 - Mr. Browning, Mr. Lloyd, Mr. Varela Sr., Mr. Gilleran, and Chairman Holland

Pledge of Allegiance to the Flag

Approval of Agenda

Approved the Agenda postponing Items 4, 5, 10 and 13 to the September 18, 2018 meeting.

Approval of Minutes

1 July 19, 2018

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

Old Business

2 **Variance- 1108 Watson Street- (RE# 00031750-000000) - A**
request for a variance to the maximum allowed building coverage in order to construct a bathroom addition and a front porch addition 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.

A motion was made by Mr. Browning, 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 conditions set forth by the staff report. The motion carried by the following vote:

No: 1 - Mr. Varela Sr.

Absent: 2 - Mr. Pike, and Mr. Russo

Yes: 4 - Mr. Browning, Mr. Lloyd, Vice Chair Gilleran, and Chairman Holland

Enactment No: 2018-36

New Business

3 Approving the Ordinance entitled "Tree Commission" to amend section 90-172 Titled "Composition", to provide for direct appointments to the Tree Commission; Amending Section 90-173 "Terms of office," to provide for terms parallel with City Commissioners; Amending Section 90-174 "Removal of Members" to provide notice of vacancies to City Commission, providing for severability, providing for repeal of inconsistent provisions, and providing for an effective date.

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

Absent: 2 - Mr. Pike, and Mr. Russo

Yes: 5 - Mr. Browning, Mr. Lloyd, Mr. Varela Sr., Vice Chair Gilleran, and Chairman Holland

Enactment No: PB Res 2018-38

4 **Text Amendment of the Comprehensive Plan** - A resolution of the Key West Planning Board recommending an ordinance to the City Commission amending Table 1-1.1.5 and Policy 1-1.1.10 entitled "Allowed Uses in Historic Public and Semi-Public" of the Comprehensive Plan; providing for the repeal of inconsistent provisions; an effective date; and providing for the inclusion into the City of Key West Comprehensive Plan.

Postponed

Enactment No: PB Res 2018-44

5 **Text Amendment of the Land Development Regulations - A** resolution of the Key West Planning Board recommending an ordinance to the City Commission amending Chapter 122 entitled "Zoning"; Article IV entitled "Districts"; Division 11 entitled "Historic Public and Semipublic Services District"; Subdivision I entitled "Historic Public and Semipublic Services District (HPS)"; Section 122-956 entitled "Intent"; Section 122-958 entitled "Conditional Uses"; and Section 122-960 entitled "Dimensional Requirements" of the Land Development Regulations; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Postponed

Enactment No: PB Res 2018-45

6 **Building Permit Allocation System (BPAS) Annual Report -** Presentation of the tracking and monitoring requirements as required by Section 108-995 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

7 **Variance - 524 Grinnell Street - (RE# 00007670-000100) - A** request for variances to the minimum side setback requirements in order to construct a pool in the rear side yard on property located within in the Historic High Density Residential (HHDR) 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. Varela, Sr., 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. The motion carried by the following vote:

Absent: 2 - Mr. Pike, and Mr. Russo

Yes: 5 - Mr. Browning, Mr. Lloyd, Mr. Varela Sr., Vice Chair Gilleran, and Chairman Holland

Enactment No: PB Res 2018-39

8 **Variance - 215 Eanes Lane - (RE# 00017950-000000)** - A request for variances to the minimum side setback requirements in order to reconstruct a single family residence on property located within in the Duval Street Oceanside (HRCC-3) 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. Lloyd, seconded by Mr. Browning, 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 the condions set forth on the staff report. The motion carried by the following vote:

Absent: 2 - Mr. Pike, and Mr. Russo

Yes: 5 - Mr. Browning, Mr. Lloyd, Mr. Varela Sr., Vice Chair Gilleran, and Chairman Holland

Enactment No: PB Res 2018-40

9 **Variance Extension - 805 Olivia Street - (RE# 00019930-000000)** - A request for a second extension to variances granted in Resolution No. 2015-27 located within the Historic High Density Residential (HHDR) 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. Lloyd, seconded by Vice Chair Gilleran, 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. The motion carried by the following vote:

Absent: 2 - Mr. Pike, and Mr. Russo

Yes: 5 - Mr. Browning, Mr. Lloyd, Mr. Varela Sr., Vice Chair Gilleran, and Chairman Holland

Enactment No: PB Res 2018-41

10 **Variance - 3228 Flagler Avenue - (RE# 00069040-000000)** - A request for a variance to the minimum side yard setback requirement in order to construct eight residential units on property located within the Commercial Limited (CL) zoning district pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Postponed

11 Conditional Use - 1325 Simonton Street #26 - (00035950-000000)
 - A request for a conditional use to operate a bar as an accessory use to the motel on property located in the Historic Commercial Tourist (HCT) 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. Lloyd, seconded by Mr. Varela, Sr. that the Board finds that Applicant’s Conditional Use demonstrates all the requirements of the Code Section 122-62(C) have been met by the Applicant, that the Applicant has demonstrated a “Good Neighbor Policy” and that the Application be passed subject to the conditions set forth on the staff report. The motion on carried by the following vote:

No: 1 - Vice Chair Gilleran

Absent: 2 - Mr. Pike, and Mr. Russo

Yes: 4 - Mr. Browning, Mr. Lloyd, Mr. Varela Sr., and Chairman Holland

Enactment No: 2018-37

12 Alcohol Sales Exception - 424 Eaton Street - (RE# 00006580-000000) - A request for a special exception to the prohibition of alcoholic beverage sales within 300 feet of a church, school, cemetery or funeral property in order to serve beer and wine at a restaurant on property located within the Duval Street gulfside (HRCC-1) 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. Lloyd, seconded by Mr. Browning, that the Board finds that all the standards set forth in code Section 18-28 B (2) have been met by the Applicant, that the Applicant has demonstrated a “Good Neighbor Policy” and that the Alcohol Sales Special Exception be passed subject to conditions set forth on the staff report. The motion carried by the following vote:

Absent: 2 - Mr. Pike, and Mr. Russo

Yes: 5 - Mr. Browning, Mr. Lloyd, Mr. Varela Sr., Vice Chair Gilleran, and Chairman Holland

Enactment No: PB Res 2018-42

13 Minor Development Plan, Conditional Use, and Landscape Waiver - 3228 Flagler Avenue (RE#00069040-000000) - A request for minor development plan, Conditional Use and landscape waiver approvals for the construction of eight (8) non-transient units on property located within the Commercial Limited (CL) Zoning District pursuant to the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Postponed

14 **After-the-Fact Variance - 1535 5th Street - (RE# 00063630-000000)** - A request for variances to the minimum side setback requirements in order to maintain an addition on the single family residence as well as an addition on the storage shed in the rear of property located within in the Single Family (SF) 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. Lloyd, seconded by Mr. Varela, Sr.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 conditions set forth on the staff report. The motion carried by the following vote:

No: 1 - Mr. Browning

Absent: 2 - Mr. Pike, and Mr. Russo

Yes: 4 - Mr. Lloyd, Mr. Varela Sr., Vice Chair Gilleran, and Chairman Holland

Enactment No: PB Res 2018-43

15 **Exception for Outdoor Merchandise Display - 122 Duval Street (RE # 00000580-000000)** - 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 the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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

No: 1 - Vice Chair Gilleran

Absent: 2 - Mr. Pike, and Mr. Russo

Yes: 4 - Mr. Browning, Mr. Lloyd, Mr. Varela Sr., and Chairman Holland

Public Comments

Reports

Adjournment 7:45 PM