



# 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, April 18, 2013

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 305-809-3951 at least five business days in advance for sign language interpreters, assistive listening devices, or materials in accessible format.

### Call Meeting To Order

6:00PM

### Pledge of Allegiance to the Flag

### Roll Call

**Absent** 3 - Mr. Browning, Mr. Gilleran, and Vice Chair Root

**Present** 4 - Mr. Holland, Mr. Oropeza, Ms. Tennyson, and Chairman Klitenick

### Approval of Agenda

### Approval of Minutes

March 21, 2013 Draft Minutes

**Attachments:** [March 21, 2013 DRAFT Action Minutes](#)

**A motion was made by Mr. Gregory Oropeza, seconded by Ms. Lisa Tennyson, that the Minutes be Postponed. The motion passed by an unanimous vote.**

### Election

Election of Chairman

**A motion was made by Mr. Gregory Oropeza, seconded by Ms. Lisa Tennyson, that the Action Item be Postponed. The motion passed by an unanimous vote.**

Election of Vice-Chairman

**A motion was made by Mr. Gregory Oropeza, seconded by Ms. Lisa Tennyson, that the Action Item be Postponed. The motion passed by an unanimous vote.**

**Resolutions**

**Old Business**

**1** **Variations - 317 Catherine Street (RE# 00026330-000000, AK # 1027120)** - A request for variations to rear yard setback, building coverage requirements and detached habitable space for pool house, pool and deck in the HMDR zoning district per Section 90-391, Section 122-600(6)c, 122-600(4)a, and 122-1078 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

**Attachments:** [Variations Pkg](#)  
[Public Comment](#)

**A motion was made by Mr. Holland, seconded by Ms. Tennyson, that the Resolution be Postponed. The motion carried by the following vote:**

**Absent:** 3 - Mr. Browning, Mr. Gilleran, and Vice Chair Root

**Yes:** 4 - Mr. Holland, Mr. Oropeza, Ms. Tennyson, and Chairman Klitenick

**New Business**

**2** **Pain Management Clinics** - Consideration of an ordinance of the City of Key West repealing the Zoning in Progress adopted by Ordinance No. 12-35; amending Chapter 122 of the Code of Ordinances entitled "Zoning" by amending Section 122-418 "Conditional Uses" in the General Commercial (CG) zoning district to provide for Pain Management Clinics as a Conditional Use; by creating Division 14 entitled "Pain Management Clinics"; by adding Sections 122-1547, 122-158, 122-159, 122-1550, 122-1551, 122-1552, 122-1553 and Sections 122-1554-122-1560 as reserved; allowing and registering Pain Management Clinics as defined; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

**Attachments:** [Pain Mgmt Pkg](#)

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

**Absent:** 3 - Mr. Browning, Mr. Gilleran, and Vice Chair Root

**Yes:** 4 - Mr. Holland, Mr. Oropeza, Ms. Tennyson, and Chairman Klitenick

**3** **Recreational Rental Vehicles** - Consideration of an ordinance of the City of Key West amending Chapter 6 of the Code of Ordinances entitled "Amusements and Entertainment" by adding definitions to Section 6-166; by amending Chapter 18 of the Code of Ordinances entitled "Businesses" deleting "Moped and Scooter Rentals," and adding "Recreational Rental Vehicles"; by adding Section 18-354 establishing that permits required, application, franchise fees; by adding Section 18-355 establishing Recreational Rental Vehicles deemed a Conditional Use; by adding Section 18-356 establishing a 30-day period to establish numbers of Recreational Rental Vehicles; by adding Section 18-357 establishing restrictions on bicycle tour companies; by adding Section 18-358 establishing requirement of concurrency traffic analysis for the establishment of new Recreational Rental businesses; by adding Section 18-359 establishing identification by decal of all Recreational Rental Vehicles; by adding

Section 18-360 establishing an annual inspection of each Recreational Rental Vehicle facility; by adding Section 18-561 establishing penalties for violations; providing for severability; providing for repeal of inconsistent provisions; and providing for an effective date.

**Attachments:** [Recreational Rental Vehicles Pkg](#)

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

**Absent:** 3 - Mr. Browning, Mr. Gilleran, and Vice Chair Root

**Yes:** 4 - Mr. Holland, Mr. Oropeza, Ms. Tennyson, and Chairman Klitenick

**4**

**Variations - 1010 Washington Street (RE# 00039080-000000, AK# 1039829)** - A request for variations to building coverage and rear and side-yard setback requirements for the renovation of two existing structures and the construction of front and rear porches and a swimming pool which costs exceed 66% of assessed value of the structures on property in the SF zoning district per Sections 90-391, 122-28, 122-238 (4) a. and (6) a. 2. & 3. of the Land Development Regulations of the Code of Ordinances of the City of Key West.

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

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

**Absent:** 3 - Mr. Browning, Mr. Gilleran, and Vice Chair Root

**Yes:** 4 - Mr. Holland, Mr. Oropeza, Ms. Tennyson, and Chairman Klitenick

**5**

**Conditional Use - 2308 North Roosevelt Boulevard (RE# 00065710-000000, AK# 1068551)** - A request for conditional use approval to operate a motorcycle sales, rental and service shop at property located in the CG zoning district per Section 122-418 (20) of the Land Development Regulations of the Code of Ordinances of the City of Key West.

**Attachments:** [Conditional Use Pkg](#)

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

**Absent:** 3 - Mr. Browning, Mr. Gilleran, and Vice Chair Root

**Yes:** 4 - Mr. Holland, Mr. Oropeza, Ms. Tennyson, and Chairman Klitenick

**6**

**Development Agreement Modification - 3800, 3820, 3824, 3840, 3850 and 3852 N. Roosevelt Blvd (RE# 00064940-000000, AK# 1065455; RE# 00064950-000000, AK# 1065471; RE# 00065060-000000, AK# 1065587; RE# 00065530-000000, AK# 1068233; RE# 00065540-000000, AK# 1068241; and RE#0006550-000000, AK#1068250)** - Request for a Modification to a Development Agreement for property located in the General Commercial (CG) zoning district per Section 90-689 of the Land Development Regulations of the Code of Ordinances of the City of Key West.

- Attachments:**    [Attachment 1 Staff Report and Draft Resolution](#)  
                                  [Attachment 2 Amended & Restated Development Agreement](#)  
                                  [Attachment 3 Exhibits to Development Agreement \(REVISED\)](#)  
                                  [Attachment 4 Supplementary Information](#)  
                                  [Attachment 5 Development Agreement \(REVISED 4/18/13\)](#)

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

**Absent:** 3 - Mr. Browning, Mr. Gilleran, and Vice Chair Root

**Yes:** 4 - Mr. Holland, Mr. Oropeza, Ms. Tennyson, and Chairman Klitenick

**7**

**Major Development Plan Modification - 3820, 3824, 3850 and 3852 N. Roosevelt Blvd (RE# 00065530-000000, AK# 1068233; RE# 0006550-000000, AK# 1068250; RE# 00064940-000000, AK# 1065455; RE# 00065060-000000, AK# 1065587) - Request for a Modification to a Major Development Plan approval for property located in the General Commercial (CG) zoning district per Section 108-91(C.)(3) of the Land Development Regulations of the Code of Ordinances of the City of Key West.**

- Attachments:**    [Staff Report, Draft Resolution and Additional Information](#)  
                                  [Overall Application Package](#)  
                                  [Overall Site - Ownership, Authorization and Verification](#)  
                                  [Site A - Application Package](#)  
                                  [Site A - Survey and Site Plans](#)  
                                  [Site B - Application Package](#)  
                                  [Site B - Survey and Site Plans](#)  
                                  [Site C - Application Package](#)  
                                  [Site C - Survey and Site Plans](#)  
                                  [Site D - Application Package](#)  
                                  [Site D - Survey and Site Plans](#)

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

**Absent:** 3 - Mr. Browning, Mr. Gilleran, and Vice Chair Root

**Yes:** 4 - Mr. Holland, Mr. Oropeza, Ms. Tennyson, and Chairman Klitenick

**Planner's Report**

**Adjournment**

**7:50PM**