City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Planning Board

Thursday, September 15, 2022 | **5:00 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.

FOR VISUAL PRESENTATIONS: Individuals are responsible to share their presentation at the meeting on their laptop through Zoom. For City Commission meetings the City Clerk's Office will need a copy for the agenda at least 6 days before the meeting.

Call Meeting To Order - 5:00 P.M.

Roll Call

Absent 1 - Mr. Lloyd

Present 6 - Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Russo, Mr. Varela, and Chairman Holland

Pledge of Allegiance to the Flag

Approval of Agenda - The agenda was unanimously approved as presented

Administering the Oath by the Clerk of the Board

Approval of Minutes

1 August 18, 2022

Attachments: Minutes

A motion was made by Mr. Russo, seconded by Vice Chair Gilleran, that the Minutes be Approved with an amendment to add that Ms. Henderson participated by Zoom as well as Mr. Russo under Roll Call. The motion passed by unanimous vote.

Old Business

2 **Variance - 703 Windsor Lane (RE# 00018700-000200) -** A request for variances to the minimum front, side, and rear setbacks, maximum impervious surface ratio, minimum open space, maximum building coverage, and minimum required off-street parking requirements in order to demolish an existing single-family home and reconstruct a new single-family home on a parcel located within the Historic High Density Residential (HHDR) zoning district pursuant to Sections 90-395, 122-630 (4)a., 122-630 (4)b, 122-630 (6)a., 122-630 (6)b., 122-630 (6)c., 108-346 (b), and 108-572 (1) of the Land Development Regulations of the City of Key West, Florida.

Attachments:
- Staff Report 9.15.2022
- Planning Package
- Applicants Presentation 9.15.22
- Noticing Package
- Letter of Objection - Dougald
- Letter of Objection - Ciardi
- Discussion Between Applicant & Ciardi
- Letter in Favor - Murray
- Applicant's Response to Neighbor's Concerns
- Objection Email - Ciardi
- Applicant Response to Dougald
- Applicant Response to Dougald - Attempt 2
- Neighbor Objection - Tannura
- Applicant Presentation

A motion was made by Mr. Russo, seconded by Vice Chair Gilleran, that the variance request be Postponed to November 17, 2022. The motion carried by the following vote:

Absent: 1 - Mr. Lloyd

Yes: 6 - Mr. Browning, Mr. Gilleran, Ms. Henderson, Mr. Russo, Mr. Varela, and Chairman Holland

At the end of the meeting a motion was made by Mr. Gilleran, seconded by Mr. Russo, to bring the item back to reconsider the date of Postponement. The motion carried by the following vote:

Absent: 1 - Mr. Lloyd

Yes: 3 - Mr. Gilleran, Ms. Henderson, and Chairman Holland

No: 2 - Mr. Russo and Mr. Varela

Then, a motion was made by Mr. Gilleran, seconded by Mr. Russo, to change the Postponement date to October 20, 2022. The motion carried by the following vote:

No: 2 - Mr. Russo, and Mr. Varela

Absent: 1 - Mr. Lloyd

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

3 **Text Amendment of the Comprehensive Plan -** A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission replacing Appendix C: City of Key West Water Supply Facilities Work Plan, as well as amending the Comprehensive Plan sections - Chapter 1: Future Land Use Element Objectives 1-1.7, and Policies 1-1.12.6, 1-1.12.7 and 1-1.12.8; Chapter 4: Public Facilities Element Objectives 4-1.2, and Policies 4-1.2.1 and 4-1.2.2; Chapter 5: Coastal Management Element, Policy 5-1.2.2; Chapter 6: Conservation Element, Policies 6-1.2.5, 6-1.2.8, 6-1.2.9, 6-1.2.12, 6-1.2.14 and 6-1.2.19; Chapter 8: Intergovernmental Coordination Element, Policy 8-1.3.5; and Chapter 9: Capital Improvements Element, Policies 9-1.6.1, and 9-4.1.3; providing for transmittal to the State Land Planning Agency; providing for severability; providing for repeal of inconsistent provisions; providing for the inclusion in the City of Key West Comprehensive Plan; and providing for an effective date.

Attachments: Staff Report 9.15.22
Water Supply Plan Work Plan - Strike Through Underlined Version
Water Fixture Analysis
WSP Presentation 09.15.22

A motion was made by Mr. Russo, seconded by Mr. Varela, that the Text Amendment be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Lloyd

Yes: 6 - Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Russo, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2022-43

New Business

4 **Variance - 700 Front Street (RE# 00000210-000000) -** A request for a variance to construct two (2) permanent residential dwelling units within 100 feet of the mean high water, and variances to allow an expansion of outdoor consumption area without providing the required parking for the proposed expansion, and for a deficit of required off-street parking spaces, at property located in the Historic Residential Commercial Core Key West Bight (HRCC-2) zoning district pursuant to Section 90-395, Section 122-717, Section 108-575(5), and Section 108-572, of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments: Staff Report
LARGE FILE Planning Package
Noticing Package

A motion was made by Mr. Varela, seconded by Mr. Russo,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 (exception) be Granted subject to the conditions as outlined in the Staff Report as well as an additional condition limiting the residential dwellings to marina guests and employee/staff only. The motion carried by the following vote:

No: 1 - Ms. Henderson

Absent: 1 - Mr. Lloyd

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

Enactment No: PB Resolution 2022-44

5 **Official Zoning Map Amendment - 301 White Street (RE # 00001780-000000; AK # 1001864)** -Consideration of an ordinance of the City of Key West, Florida, proposing amendments to the boundaries of the Official Zoning Map for the promotion of affordable housing and public housing for property located at 301 White Street; amending the boundaries of the Official Zoning Map category from Public Service (PS) to High Density Residential (HDR) for the parcel stated above pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; providing for severability; providing for the repeal of inconsistent provisions; providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Attachments: Staff Report
Noticing Package

A motion was made by Vice Chair Gilleran, seconded by Mr. Russo, that the Zoning Map Amendment be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Lloyd

Yes: 6 - Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Russo, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2022-45

6 **Future Land Use Map (FLUM) Amendment - 301 White Street (RE # 00001780-000000; AK # 1001864) -** Consideration of an ordinance of the City of Key West, Florida, proposing amendments to the Future Land Use Map of the City of Key West Comprehensive Plan for the promotion of affordable housing and public housing for property located at 301 White Street; amending the Future Land Use Map Legend from Public Service (PS) to High Density Residential (HDR); and applying such designation to said property; pursuant to Chapter 90, Article VI, Division 3 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida; providing for severability; providing for the repeal of inconsistent provisions; providing for transmittal to the State Land Planning Agency; providing for the filing with the Secretary of State and for an effective date; and providing for the inclusion into the City of Key West Comprehensive Plan.

Attachments: Staff Report
Noticing Package

A motion was made by Mr. Russo, seconded by Mr. Varela, that the FLUM Amendment be Approved. The motion carried by the following vote:

Absent: 1 - Mr. Lloyd

Yes: 6 - Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Russo, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2022-46

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 Section 108-995 of the City of Key West Land Development Regulations entitled, “Reporting requirements and residential allocation schedule” to provide for an extension of the Building Permit Allocation System award period to allow for the distribution of unallocated units after June 30, 2023; providing for concurrent and conditional adoption upon adoption of Comprehensive Plan amendments; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Attachments: Staff Report

A motion was made by Vice Chair Gilleran, seconded by Mr. Russo, that the Text Amendment be Approved with an amendment to change the percentage of deed restricted affordable units after 10 years from 100% to 75%. The motion carried by the following vote:

Absent: 1 - Mr. Lloyd

Yes: 6 - Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Russo, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2022-47

8 **Text Amendment of the Comprehensive Plan -** A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission amending the Comprehensive Plan Introduction, entitled “Introduction City of Key West Comprehensive Plan“; Chapter 1, entitled “Future Land Use Element”, Section 1, entitled “Future Land Use Goals, Objectives, and Policies”, Policy 1-1.16.1 entitled “Maintain a Building Permit Allocation Ordinance” and Policy 1-1.16.2, entitled “Building Permit Allocation Ordinance and Affordable Housing”; Chapter 2, entitled “Transportation Element”, Section 1, entitled “Transportation Goals, Objectives, and Implementing Policies”, Policy 2-1.6.4 entitled “Transportation Concurrency Exception Area”; and Chapter 3, entitled “Housing Element”, Section 1, entitled “Housing Goals, Objectives, and Implementing Policies”, Objective 3-1.1, entitled “Provide quality affordable housing and adequate sites for low and moderate income housing”, and Policy 3-1.1.4, entitled “Building Permit Allocation System” to provide for an extension of the Building Permit Allocation System award period to allow for the distribution of unallocated units after June 30, 2023; providing for transmittal to the State Land Planning Agency; providing for the filing with Secretary of State; providing for severability; providing for repeal of inconsistent provisions; providing for the inclusion in the City of Key West Comprehensive Plan; and providing for an effective date.

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Absent: 1 - Mr. Lloyd

Yes: 6 - Mr. Browning, Vice Chair Gilleran, Ms. Henderson, Mr. Russo, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2022-48

Reports

Public Comment

Board Member Comment

Adjournment - 6:43 P.M.