



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Planning Board

Thursday, November 21, 2024

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: For City Commission meetings the City Clerk's Office will need a copy of all presentations for the agenda at least 7 days before the meeting.

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

Roll Call

Absent 2 - Mr. Browning, and Mr. Russo

Present 4 - Batty, Mr. Garcia, Mr. Warren, and Vice Chair Varela

Pledge of Allegiance to the Flag

Approval of Agenda

The agenda was unanimously approved as amended to include add on items of chair/vice chair elections and 2025 proposed meeting dates.

Administering the Oath by the Clerk of the Board

Approval of Minutes

1 September 19, 2024

Attachments: [Minutes](#)

A motion was made by Mr. Batty, seconded by Mr. Garcia, that the Minutes be Approved. The motion passed by unanimous vote.

Old Business

2 Text Amendment of the Land Development Regulations - A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission to amend Land Development Regulations Chapter 122 entitled "Zoning", Article V - Supplementary District Regulations, Division 10 - Work Force Housing to amend the requirements for affordable and work force housing; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

- Attachments:** [Staff Report](#)
 [Public Comment - Oropeza](#)
 [Public Comment - Smith Hawks](#)
 [Public Comment - Last Stand](#)

A motion was made by Mr. Batty, seconded by Mr. Garcia, that the Planning Resolution be Postponed Indefinitely. The motion carried by the following vote:

- No:** 1 - Mr. Warren
- Absent:** 2 - Mr. Browning, and Mr. Russo
- Yes:** 3 - Mr. Batty, Mr. Garcia, and Vice Chair Varela

3

Land Development Regulations Amendment - Barton W. Smith, Attorney, on behalf of Stockrock SI LLC, Island-West Investment Corp., Poinciana - Venture II LLC, and Meisel Holdings FL - 1321 Simonton Street, seeks to amend the Land Development Regulations Chapter 122 (Zoning) Article V, Division 10 (Work Force Housing) pursuant to Section 90-518 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:**
- [Staff Report](#)
 - [Planning Package](#)
 - [Applicant Presentation](#)
 - [Applicant's Proposed Changes - Workforce Housing Text Amendment Working Draft \(00298044-11xDBB48\)](#)
 - [Public Comment - Last Stand](#)
 - [Public Comment - Lloyd](#)
 - [Public Comment - Matter](#)
 - [Public Comment- Cocco](#)

A motion was made by Mr. Batty, seconded by Mr. Warren, that the Planning Resolution be Postponed to December 19, 2024 and to include the language from Housing Authority, AH Monroe, and the City Housing Coordinator with comments from planning staff to be presented to the board - and with meeting all noticing requirements - at a minimum of 10 days prior to the board meeting. The motion carried by the following vote:

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

Yes: 4 - Mr. Batty, Mr. Garcia, Mr. Warren, and Vice Chair Varela

- 4 **Text Amendment of the Comprehensive Plan** - A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission to amend the City of Key West Comprehensive Plan Chapter 3 - Housing Element to amend the requirements for affordable and work force housing; providing for severability; providing for repeal of inconsistent provisions; providing for an effective date.

Attachments: [Draft Ordinance](#)
 [Resolution](#)
 [Staff Report](#)
 [Public Comment - Oropeza](#)
 [Public Comment - Smith Hawks](#)
 [Public Comment - Last Stand](#)

A motion was made by Mr. Batty to Postpone Indefinitely. That motion failed for lack of a second.

A motion was made by Mr. Garcia, seconded by Mr. Warren, that the Planning Resolution be Postponed to December 19, 2024. The motion carried by the following vote:

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

Yes: 4 - Mr. Batty, Mr. Garcia, Mr. Warren, and Vice Chair Varela

5 **1415 Rose Street (RE# 00058910-000000)** - Applicant seeks a variance to allow for an increase in the maximum permitted building coverage from 35% to 49% to permit an addition to a single-family residence located in the Single Family Zoning District (SF) pursuant to Sections 122-238 and 90-395 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:** [Staff Report](#)
 [11.21.24 Noticing Package](#)
 [9.19.24 Noticing Package](#)
 [Planning Package](#)
 [Comments- Opposed](#)
 [Comments- Opposed](#)
 [Comments - Support Letters](#)

Postponed to December 19, 2024

New Business

6 **Alcohol Sales Special Exception - 1500 Bertha Street (RE#00063180-000000)** - A request for a special exception to reduce the minimum required setback of three hundred (300) feet to a school for the sale of alcoholic beverages at an existing restaurant located in the Limited Commercial (CL) Zoning District pursuant to Section 18-28 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

- Attachments:** [Draft Resolution](#)
 [Staff Report](#)
 [11.21.24 Noticing Package](#)
 [10.17.24 Noticing Package](#)
 [Planning Package](#)

A motion was made by Mr. Batty, seconded by Mr. Warren, 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 Granted subject to conditions as outlined in the Staff Report. The motion carried by the following vote:

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

Yes: 4 - Mr. Batty, Mr. Garcia, Mr. Warren, and Vice Chair Varela

Enactment No: PB Resolution 2024-40

7

Variance - 704 Catherine Street (RE#

00030900-000108) - A request to reduce the minimum required side yard setback from five (5) feet to three feet and one inch (3'1") and three feet and seven inches (3'7") and the minimum required rear yard setback from fifteen (15) feet to three feet and one inch (3'1") in order to create habitable space in the attic level of a single-family residence with existing nonconforming setbacks, for property located in the Historic Medium Density Residential (HMDR) Zoning District pursuant to Sections 90-395, 122-32, and 122-600 of the Land Development Regulations of the City of Key West, Florida.

- Attachments:**
- [Staff Report](#)
 - [11.21.24 Noticing Package](#)
 - [10.17.24 Noticing Package](#)
 - [Planning Package](#)
 - [Letter of Opposition - Little](#)
 - [Letter of Opposition - Woloshin](#)

A motion was made by Mr. Garcia, seconded by Mr. Batty, 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 (exception) be Granted subject to the conditions as outlined in the Staff Report. The motion carried by the following vote:

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

Yes: 4 - Mr. Batty, Mr. Garcia, Mr. Warren, and Vice Chair Varela

Enactment No: PB Resolution 2024-41

8 **Variance - 2509 Fogarty Ave (RE# 00050550-000000) -**
A request for a variance to increase the maximum permitted building coverage from 35% to 41.6% and the maximum permitted rear yard coverage for an accessory structure from 30% to 60.6% in order to build an approximately 600 square-foot, 27-foot high detached habitable structure with a wet bar, bathroom, bedroom and storage at property located in the Single-Family Zoning District, pursuant to Sections 90-395, 122-238, 122-1181 of the Land Development Regulations of the City of Key West, Florida.

Attachments: [Staff Report](#)
 [11.21.24 Noticing Package](#)
 [10.17.24 Noticing Package](#)
 [Planning Package](#)

A motion was made by Mr. Garcia, seconded by Mr. Batty, that the Planning Resolution be Postponed to December 19, 2024. The motion carried by the following vote:

- Absent:** 2 - Mr. Browning, and Mr. Russo
Yes: 4 - Mr. Batty, Mr. Garcia, Mr. Warren, and Vice Chair Varela

Old Business - Cont'd

9 Elect Planning Board Chairman & Vice Chairman
Postponed to December 19, 2024

10 Approve Proposed 2025 Meeting Dates

Attachments: [Proposed 2025 Planning Board Meeting Dates](#)

A motion was made by Mr. Batty, seconded by Mr. Garcia, to Approve only the January 16, 2025 and February 20, 2025 meeting dates for now and to postpone approving the remaining dates to the December 19, 2024 meeting when other members will be present. The motion carried by the following vote:

- Absent:** 2 - Mr. Browning, and Mr. Russo
Yes: 4 - Mr. Batty, Mr. Garcia, Mr. Warren, and Vice Chair Varela

Reports

Public Comment

Board Member Comment

Adjournment - 6:57 P.M.