



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Planning Board

Thursday, July 16, 2020

5:00 PM

N/A

VIRTUAL MEETING

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 (POWER POINT ONLY) FOR AGENDA ITEMS MUST BE RECEIVED IN THE CITY CLERK'S OFFICE (24) TWENTY-FOUR HOURS PRIOR TO THE MEETING.

Call Meeting To Order - 5:01 P.M.

Roll Call

Absent 2 - Ms. Brew, and Mr. Browning

Present 5 - Vice Chair Gilleran, Ms. Henderson, Mr. Lloyd, Mr. Varela, and Chairman Holland

Pledge of Allegiance to the Flag

Approval of Agenda - The agenda was unanimously approved as amended.

Administering the Oath by the Clerk of the Board

Approval of Minutes

1 June 18, 2020

Attachments: [Minutes](#)

A motion was made by Ms. Henderson, seconded by Mr. Lloyd, that the Minutes be Approved. The motion passed by unanimous vote.

Old Business

2

Request for Postponement by Applicant: After-the-Fact Variance - 3222 Riviera Drive - (RE# 00069440-000000)

- A request for after-the-fact variances for the maximum building coverage, maximum impervious surface, minimum open space, and minimum side yard setback requirements in order to allow an after-the-fact accessory structure on property located within the Single Family (SF) Zoning District pursuant to Sections 90-395, 122-238 (4) (a), 122-238 (4) (b) (1), 122-238 (6) (a) (2), and 108-346 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Noticing Package](#)

Postponed to August 20, 2020

3

**Request for Postponement by Staff:
Amendment to Conditional Use - 318-324 Petronia Street; 802-806 Whitehead Street; and 809-811 Terry Lane - (RE# 00014010-000000; 00014050-000000; 00014060-000000) - A request for an amendment to a conditional use approval for a restaurant on property located within the Historic Neighborhood Commercial-Bahama Village Commercial Core (HNC-3) zoning district pursuant to Sections 122-62, and 122-868 (9) of the Code of Ordinances of the City of Key West, Florida.**

Attachments: [*Large File* Application Package](#)
[Photo - Trash Area](#)
[Trash Pickup Locations](#)
[Floodplain Comments](#)
[Utilities Comments](#)
[Keys Energy Comments](#)
[*Large File* Noticing Package](#)
[Public Comment - Furlane](#)
[Public Comment - Santoro](#)
[Public Comment - Santoro 2](#)
[Public Comment - Santoro 3](#)
[Public Comment - Furlane 2](#)
[Public Comment - Furlane 3](#)
[Public Comment - Furlane 4](#)
[Public Comment - Furlane 5](#)

Postponed to August 20, 2020

4

**Request for Postponement by Applicant:
Transient License Transfer - One (1) license in
Unassigned Status to 536 Fleming Street (RE#
00009440-000000) - A request to transfer one (1) transient
license in unassigned status at Key Cove Drive to property
located within the Historic Neighborhood Commercial
(HNC-1) zoning district pursuant to Sections 122-776 and
122-1338 of the Land Development Regulations of the
Code of Ordinances of the City of Key West, Florida.**

Attachments: [Staff Report](#)
[Planning Package](#)
[*Large File* Application](#)
[Revision to Application, changing sender site to Key Cove](#)
[Floodplain Comments](#)
[Utilities Comments](#)
[Keys Energy Comments](#)
[Noticing Package](#)

Postponed to August 20, 2020

5

Variance - 1106 Grinnell Street (RE # 00031510-000000)

- A request for a variance to side setbacks, rear setbacks, an increase in maximum allowed impervious surface ratio and an increase in maximum building coverage in the Historic Medium Density Residential (HMDR) zoning district in order to rebuild a non-conforming rear structure pursuant to sections 90-395, 122-600 (6)b, 122-600 (6)c, 108-346 (b) and 122-1181 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Staff Presentation](#)
[Staff Report](#)
[*Large File* Planning Package](#)
[Request for Postponement](#)
[Noticing Package](#)
[Objection Olson](#)
[Objection Thomas](#)
[Objection Portner](#)
[Objection Durot](#)

A motion was made by Mr. Varela to postpone the item. That motion failed for lack of a second.

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

No: 2 - Mr. Varela, and Chairman Holland

Absent: 2 - Ms. Brew, and Mr. Browning

Yes: 3 - Vice Chair Gilleran, Ms. Henderson, and Mr. Lloyd

Enactment No: PB Res 2020-24

6

Request for Postponement by Applicant:

Variance- 1218 Duval Street (RE# 00028950-000000) - A request for variance to remove two (2) off-street parking spaces, increase consumption area by 497.0-square feet and reduce required off-street parking from twenty-six (26) spaces to zero (0) on a parcel located within the Historic Residential Commercial Core (HRCC-3) zoning district pursuant to Section 90-395, Section 108-572 (2), 108-572 (9), and 108-575 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Staff Report](#)
[Planning Package](#)
[Noticing Package](#)
[Objection McNulty](#)
[Applicant Response - McNulty](#)
[Objection Wagner 6.16.20](#)
[Objection Wagner 6.30.20](#)
[Applicant Response - Wagner](#)
[Objection Rizzo](#)
[Applicant Response - Rizzo](#)
[Objection Hewett](#)
[Objection Leon](#)
[Objection Dugas](#)
[Objection Minkids Realty](#)
[Applicant Response - Minkids](#)
[Objection Dyer](#)
[Applicant Response - Dyer](#)
[Objection Mitchell.](#)
[Objection Pazo](#)
[Objection Vivien](#)
[Objection Beaver](#)
[Objection Whitt](#)
[Objection Jurkowski](#)
[Request for postponement - 1218 Duval](#)

Postponed to a date not certain.

7

Request for Postponement by Staff:**Variance - 3528 Eagle Avenue (RE # 00052620-000000)**

- A request for variances to the minimum rear-yard setback, maximum allowable impervious surface, maximum allowable building coverage requirements in order to convert a rear non-complying accessory structure into an affordable housing unit in the Single-Family (SF) zoning district pursuant to sections 90-395, 122-238 (6) a.3., and 122-238 (4) b.1. of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

Attachments: [Staff Report](#)
[Planning Package](#)
[Noticing Package](#)
[Objection Fossum](#)
[*Large File* Objection 1 Creighton](#)
[Objection 2 Creighton](#)
[Objection Trujillo](#)
[Objection Owens](#)
[Objection Oropeza](#)

Postponed to a date not certain.

8

Variance - 1115 Casa Marina Court (RE # 00058550-000000) - A request for variances to the minimum front-yard setback, minimum street-side setback, and maximum allowable impervious surface ratio in order to construct an accessory structure in the Single-Family (SF) zoning district pursuant to sections 90-395, 122-238(4) b.1., 122-238 (6) a.1., 122-238(6) a.4., and 122-1181 of the Land Development Regulations of the Code of Ordinances of the City of Key West, Florida.

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

A motion was made by Mr. Lloyd, seconded by Ms. Henderson, that 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 failed by the following vote:

No: 3 - Vice Chair Gilleran, Mr. Varela, and Chairman Holland

Absent: 2 - Ms. Brew and Mr. Browning

Yes: 2 - Ms. Henderson, and Mr. Lloyd

A motion was made by Mr. Varela, 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 (exception) be Granted subject to the conditions set forth in the staff report. The motion carried by the following vote:

No: 2 - Ms. Henderson, and Mr. Lloyd

Absent: 2 - Ms. Brew, and Mr. Browning

Yes: 3 - Vice Chair Gilleran, Mr. Varela, and Chairman Holland

Enactment No: PB Res 2020-25

New Business

9

Text Amendment to the Land Development

Regulations - A Resolution of the City of Key West Planning Board recommending an Ordinance to the City Commission amending Chapter 106 of the Land Development Regulations , entitled “Performance Standards”, Sections 106-51, 106-52, 106-53, and 106- 55 of Division 2, entitled “Outdoor Displays”; and amending Chapter 90 of the Land Development Regulations entitled “Administration”, Section 90-428 entitled “Final Decisions of Historic Architectural Review Commission” 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](#)
 [Master Table of Active Outdoor Display Exceptions](#)
 [Resolution - Outdoor Display Exception](#)
 [Ordinance 08-04](#)

A motion was made by Mr. Lloyd, seconded by Vice Chair Gilleran, that the Planning Resolution be Approved. The motion carried by the following vote:

- Absent:** 2 - Ms. Brew, and Mr. Browning
- Yes:** 5 - Vice Chair Gilleran, Ms. Henderson, Mr. Lloyd, Mr. Varela, and Chairman Holland
- Enactment No: PB Res 2020-26

Reports

Public Comments

Board Comments

Adjournment - 6:02 P.M.