



City of Key West, FL

City Hall
1300 White Street
Key West FL 33040

Action Minutes - Final

Planning Board

Thursday, June 16, 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. Browning

Present 6 - Vice Chair Gilleran, Ms. Henderson, Mr. Lloyd, Mr. Russo, 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 May 19, 2022

Attachments: [Minutes](#)

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

Strategic Plan Update Presentation - Elisa Levy

Old Business

2

Variance - 1010-1012 Olivia Street (RE# 00020850-000100) - Variance request for exceeding the allowed front yard setback and rear yard setback at a proposed residence in the Historic High Density Residential (HHDR) zoning district pursuant to Sections 90-395, 122-630(6)a and 122-630 (6)c of the City of Key West Land Development Regulations.

- Attachments:
- [Staff Report](#)
 - [Revised Planning Package](#)
 - [Staff Report 5.19.22](#)
 - [Noticing Package](#)
 - [Public Comment](#)
 - [Staff Report 4.21.22](#)
 - [Planning Package 4.21.22](#)

A motion was made by Mr. Russo, seconded by Mr. Varela, that 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 failed by the following vote:

No: 3 - Vice Chair Gilleran, Ms. Henderson, and Mr. Lloyd

Absent: 1 - Mr. Browning

Yes: 3 - Mr. Russo, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2022-33

3

Variance - 1202 Royal Street (RE# 00029450-000000) -

A request for a variance to exceed the maximum rear yard coverage for accessory structures, and a request for a variance from the side and rear setback requirements, for a property located within the Historic Medium Density Residential (HMDR) Zoning District pursuant to Section 90-395, Section 122-28(b), Section 122-600, and Section 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](#)
[Planning Package 4.21.22](#)
[Staff Report 4.21.22](#)

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 as outlined in the Staff Report. The motion carried by the following vote:

Absent: 1 - Mr. Browning

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

Enactment No: PB Resolution 2022-34

New Business

4 **Conditional Use - 529 Eaton Street (RE# 00004140-000000)** - A request for conditional use approval to allow the use of the property for small events and gatherings, located in the Historic Neighborhood Commercial One (HNC-1) Zoning District, pursuant to Section 122-62, Section 122-808(3), Section 122-776(d), and Section 108-573 of the City of Key West Land Development Regulations.

- Attachments:** [Planning Package](#)
 [Keys Energy Comments](#)
 [Noticing Package](#)

Postponed to July 21, 2022

5 **Variance - 1212 Von Phister Street (RE# 00040650-000000)** - A request for a variance to exceed the allowed front setback and building coverage for a property located within the Single Family (SF) zoning district pursuant to Sections 90-395, Section 122-238 (4)a and Section 122-238 (6)a of the City of Key West Land Development Regulations.

- Attachments:** [Staff Report](#)
 [Planning Package](#)
 [Noticing Package](#)
 [Letter of Support - Berlin](#)
 [Letter of Support - D. Fischer](#)
 [Letter of Support - Hansell](#)
 [Letter of Support - Rearick](#)
 [Letter of Support - V. Fischer](#)

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 (exception) be Granted subject to the conditions as outlined in the Staff Report. The motion carried by the following vote:

- Absent:** 1 - Mr. Browning
- Yes:** 6 - Vice Chair Gilleran, Ms. Henderson, Mr. Lloyd, Mr. Russo, Mr. Varela, and Chairman Holland

Enactment No: PB Resolution 2022-35

6

Variance - 2812 Staples Avenue (RE# 00066980-000000) - Variance request for exceeding the allowed maximum building coverage, side setback and rear setback at a residence in the Single Family (SF) zoning district pursuant to Sections 90-395, Sec. 122-238 (6)a., and Sec. 122-238 (4)a. of the City of Key West Land Development Regulations.

- Attachments:**
- [Staff Report](#)
 - [Planning Package](#)
 - [Noticing Package](#)
 - [Public Comment - Anderson](#)
 - [Public Comment - Ansell](#)
 - [Public Comment - Cooper](#)
 - [Public Comment - Ford](#)
 - [Public Comment - Hammers](#)
 - [Public Comment - Ramey](#)
 - [Public Comment - Snediker](#)

A motion was made by Ms. Henderson, seconded by Mr. Russo, 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: 1 - Mr. Browning

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

Enactment No: PB Resolution 2022-36

7

Variance - 411 Louisa Street (RE#00029190-000000) -

A request for a variance to exceed the allowed front, side and rear setbacks, maximum impervious surface ratio and open space coverage for a property located within the Historic High Density Residential (HHDR) zoning district pursuant to Sections 90-395, Section 122-630 (4), Section 122-630(6) and Section 108-346 (b) of the City of Key West Land Development Regulations.

Attachments: [Staff Report](#)
[Planning Package](#)
[Public Comment - Dyer](#)
[Public Comment - Gardner](#)
[Public Comment - Hewett](#)
[Public Comment - Roy](#)
[Public Comment - Whitt](#)
[Public Comment - Beaver](#)

A motion was made by Mr. Lloyd, seconded by Mr. Varela, 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 failed by the following vote:

Absent: 1 - Mr. Browning

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

Enactment No: PB Resolution 2022-37

- 8 **Variance - 601 Truman Avenue (RE# 00017270-000000 and 00017270-000001)** - A request for a variance to the maximum allowed impervious area, minimum open space, maximum building coverage, minimum side and rear setbacks, minimum parking spaces and size of spaces for a property located within the Historic Neighborhood Commercial-1 (HNC-1) Zoning District pursuant to Section 90-395 and Section 108-572 (16), of the City of Key West Land Development Regulations.

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

 [601 Truman-Revisions to Phasing Memo-Pkg-Submission Receipt-05.24.22](#)

Postponed to July 21, 2022

- 9 **Major Development Plan, Conditional Use & Landscape Waiver - 601 Truman Avenue (RE# 00017270-000000 and 00017270-000001)** - A request for approval of a major development plan, conditional use, and landscape waiver for a mixed use development located at 601 Truman Avenue and 919 Simonton Street in the Historic Neighborhood Commercial - 1 (HNC-1) zoning district pursuant to Sections 108-91.A.2(b), 108-517, 122-62, and 122-808 of the City of Key West Land Development Regulations.

Attachments: [Staff Report](#)
 [Planning Package](#)
 [Revised Phasing Memo](#)
 [Phasing Memo Communications](#)
 [Noticing Package](#)
 [Applicant's DRC Response Memo \(1\)](#)
 [Applicant's DRC Response Memo \(2\)](#)

 [601 Truman-Revisions to Phasing Memo-Pkg-Submission Receipt-05.24.22](#)
 [Presentation](#)

Postponed to July 21, 2022

10 Alcohol Sales Special Exception - 601 Truman Avenue (RE# 00017270-000000) - A request for approval for special exception to allow the sale of beer and wine at a restaurant to be located in the Historic Neighborhood Commercial - 1 (HNC-1) zoning district pursuant to Sections 18-27 and 18-28 of the City of Key West Land Development Regulations.

- Attachments:** [Staff Report](#)
 [Planning Package](#)
 [Letter from Neighboring Church](#)
 [Noticing Package](#)
 [Presentation](#)

Postponed to July 21, 2022

11 Text Amendment of the Code of Ordinances - A resolution of the City of Key West Planning Board recommending an ordinance to City Commission to amend Chapter 122 of the Code of Ordinances, titled "Zoning", Article V titled "Supplementary district regulations", by adding Division 15 titled "Short term rentals"; by creating Sec. 122-1560 titled "Purpose and intent"; by creating Sec. 122-1561 titled "Applications", by creating Sec. 122-1562 titled "Rebuttable presumptions of violation; by creating Sec. 122-1563 titled "Regulations"; by creating Sec. 122-1564 titled "Zoning districts"; by creating Sec. 122-1565 titled "Fees"; by creating Sec. 122-1566 titled "Penalties" 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](#)
 [Proposed Ordinance](#)
 [Proposed Resolution](#)

A motion was made by Mr. Russo, seconded by Mr. Varela, that the Proposed Ordinance be Approved with an amendment to language in Section 5(b) changing the word from "size" to "square footage". The motion carried by the following vote:

Absent: 1 - Mr. Browning

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

Enactment No: PB Resolution 2022-38

Reports

Public Comment

Board Member Comment

Adjournment - 7:37 P.M.