Key West Planning Board Meeting Agenda
March 19, 2009 – 6:00 p.m.
City Commission Chamber
Old City Hall, 510 Greene Street

Item 3.a.

Planning Board Meeting Minutes – February 19, 2009

Minutes of the Key West Planning Board
February 19, 2009 DRAFT

Vice-Chairman Tim Root called the Key West Planning Board Meeting of February 19, 2009 to order at 6:05 pm at Old City Hall, in the antechamber at 510 Greene Street, Key West.

ITEM 1. ROLL CALL

Present were: Vice-Chair, Tim Root; Members, Jeff Allen, James Gilleran, Edward Gartenmayer and Terry Garcia .

Excused Absence(s): Richard Klitenick and Barry Barroso

Also in attendance were: Planning Director, Amy Kimball-Murley; Chief Assistant City Attorney, Larry Erskine; Alan Averette, Lt. Fire Inspector; John Woodson, Building Official; Enid Torregrosa, HARC Planner; and Key West Planning Department staff Rodney Corriveau, Brendon Cunningham, Ashley Monnier, Nicole Malo and Carlene Cowart.

ITEM 2. APPROVAL OF AGENDA

A motion to postpone Item 4b2 and 4b3 to the March 19, 2009 Planning Board Meeting was made by Mr. Gilleran and seconded by Mr. Garcia.

Motion carried by unanimous voice vote.

SO ORDERED.

ITEM 3. APPROVAL OF MINUTES

a. Planning Board Meeting Minutes – January 15, 2009

A motion to approve the January 15, 2009 Planning Board Meeting Minutes was made by Mr. Gartenmayer and seconded by Mr. Garcia.

Motion carried by unanimous voice vote.

SO ORDERED.

ITEM 4. ITEMS FOR PUBLIC HEARING

a. OLD BUSINESS

1. Amendment to Major Development Plan Approval – Poinciana Housing Special Needs Area - Modification to an approved Development Plan for property located in the Poinciana Special Needs Housing Section (RE# 00064740-000000).

Mrs. Kimball-Murley gave an overview of the amendment to the Major Development Plan application. She noted that a change to the fire drive was needed to ensure a 16' clearance on the entire turning radius. Based on the criteria established by the

Comprehensive Plan and the Land Development Regulations, the Planning Department recommended conditional approval. The condition is as follows:

- The applicant must obtain an Environmental Resource Permit for storm-water treatment for the leasehold portion of the property, as required by the South Florida Water Management District, prior to Building Permit approval.

Board members reviewed and discussed the proposed plan with the applicant and staff. The Applicant, Owen Trepanier, stated that an approval was obtained several years ago; however, an amendment is now being sought due to design modification.

A motion to recommend conditional approval of the Amendment to the Major Development Plan was made by Mr. Gilleran and seconded by Mr. Garcia.

Motion carried by unanimous voice vote.

b. NEW BUSINESS

1. Variance – 3 Higgs Lane - Variances to Section 122- 600, for required rear yard setback to construct a one bedroom addition, attached by a hallway to an existing non-conforming structure in the HMDR, Historic Medium Density Residential District (RE# 00003870-000000).

Mrs. Kimball-Murley gave an overview of the variance application. Based on the criteria established by the Comprehensive Plan and the Land Development Regulations, the Planning Department recommended denial of the application.

Board members reviewed and discussed the proposed plan with the applicant and staff. The Applicant, David Descoteau, stated that he has met stormwater and landscape approvals. He has also met with neighbors and they are all receptive to the request.

Mr. Gilleran stated that he understands the applicant's position; however, the job of the board is to ensure that the code is met.

Mr. Garcia added that the design of the home is very nice; however, he agrees with the recommendation made by Planning Department staff.

Mr. Allen asked the applicant if the project is negatively impacting anyone. The applicant stated that no one is being negatively impacted. Mr. Allen praised the applicant for trying to improve his property.

A motion to recommend denial of the variance application was made by Mr. Gartenmayer and seconded by Mr. Garcia.

Motion carried by 4-1 vote (opposed by Mr. Allen).

2. **Variance Extension - 314 Virginia – An extension request in the Historic Medium Density Residential Zoning District for variances to side-yard setback requirements (RE# 00026010-000000).**

   Item postponed to the March 19, 2009 Planning Board Meeting.

3. **Exception for Outdoor Display – 912 Duval Street - A proposal to allow the display of merchandise in the Historic District for property with a zoning designation of High Density Residential/Commercial Core: Atlantic side (HRCC-3) as provided for under Sec. 106-51 and 52 of Key West Code (RE# 00017860-000000).**

   Item postponed to the March 19, 2009 Planning Board Meeting.

4. **Change of Existing Nonconforming Use – 1200 Fourth Street – A proposal for changing an existing nonconforming use per Section 122-32. Existing uses include automobile repair, parts and accessory sales. Proposed uses are a Pak Mail shop and U-Haul rental (trucks and trailers) (RE# 00051680-000000).**

   Mrs. Kimball-Murley gave an overview of the Change of Existing Nonconforming Use application. Based on the criteria outlined in Section 122-32 (e) (1) and (2) of the City of Key West Code of Ordinances, the Planning Department recommended approval of the application.

   Board members reviewed and discussed the proposed plan with the applicant and staff. The Applicant, Sarah Davis with Trepanier & Associates, stated that there will be no on site maintenance of vehicles. Mr. Gilleran asked the owner's representative, John Strong, if any servicing would be done on the trucks. Mr. Strong stated that no major repairs are done on site. Mr. Trepanier clarified that servicing the truck (i.e., attaching a hitch, etc.) would take place on site; however, any large repairs would be done off site.

   Mr. Root asked that the applicant note on the site plans the designated trash area.

   Motions to recommend approval of the Change of a Nonconforming Use application was made by Mr. Garcia and seconded by Mr. Gartenmayer. Motion carried by unanimous voice vote.

5. **Single Family (SF) District LDR Modification – An ordinance approving an amendment to Land Development Regulations Sections 86-9, 122-238 and122-1151, of the Code of Ordinances to define pitched roof and to allow an extra five feet in building height in the Single Family (SF) District for non-habitable purposes when the structure has a pitched roof**

Mrs. Kimball-Murley gave an overview of the Single Family (SF) District LDR Modification. HARC Planner, Enid Torregrosa, and Building Official, John Woodson, were present to answer any questions from Board Members.

Mr. Gilleran moved that this item be tabled to the March 19, 2009 meeting in order for the absent members to be part of this discussion. Motion died with lack of a second.

Motions to recommend approval of the SF District LDR Modification was made by Mr. Gartenmayer and seconded by Mr. Allen.

Motion carried by 4-1 vote (opposed by Mr. Gilleran). Motion carried by unanimous voice vote.

6. HARC Guideline LDR - An Ordinance amending Sections 90-140 and 90-142 of the Land Development Regulations clarifying the process for adopting revisions to the Historic Architectural Review Commission Design Guidelines.

Mrs. Kimball-Murley gave an overview of the HARC Guideline LDR Modification. HARC Planner, Enid Torregrosa was present to answer any questions from Board Members.

Mr. Root asked staff to clarify if HARC changes would come to the Planning Board prior to being heard by the City Commission. Mrs. Kimball-Murley stated that the Planning Board will hear all changes prior to the City Commission.

Ms. Torregrosa stated that there are some conflicts in the Ordinance and that clarification is needed in order to move forward.

Motions to recommend approval of the HARC Guideline LDR Modification was made by Mr. Allen and seconded by Mr. Garcia. Motion carried by unanimous voice vote.

ITEM 5. PLANNER'S REPORT

a. CRA Plan Updates

Mrs. Kimball-Murley stated that there are two sub-areas in the Community Redevelopment Area, Caroline Street Corridor and Bahama Village. The new Bahama Village Redevelopment Advisory Committee will meet on February 23, 2009. Amendment and restatement of both sub area plans have begun and the plans will be brought to the Planning Board in approximately six months for a recommendation.

b. BPAS Status

Mrs. Kimball-Murley reminded members of a Special Meeting on February 26, 2009 regarding the status of BPAS. Staff and DCA have had several discussions and have agreed on modest changes to the ordinance, but official DCA comments are still forthcoming.

c. Comprehensive Plan Updates Status

Mrs. Kimball-Murley stated that staff is working on setting up public participation programs. There have been two volunteers who have assisted staff in crafting the programs and new ways for the public to engage in the process.

d. Emerging Issues

Mrs. Kimball-Murley made Members aware that staff has been working with Ms. Torregrosa on other potential changes to the HARC Board in regards to advertising and posting notices.

ITEM 6. ADJOURNMENT

A motion to adjourn was made by Mr. Garcia and seconded by Mr. Allen.

Motion was carried by unanimous voice vote.

SO ORDERED.

Submitted by,

Carlene Cowart
Administrative Coordinator
Planning Department