

MINUTES

KEY COLONY BEACH

PLANNING AND ZONING BOARD

Public Hearing Wednesday February 19, 2020 9:30 a.m.

City Hall Auditorium

Call to Order, Pledge of Allegiance and Roll Call: The public hearing of the Key Colony Beach Planning and Zoning Board was called to order by Chairperson Raspe at 9:30 a.m. followed by the pledge of allegiance.

Present: Joey Raspe, George Lancaster, Steve DeCrow, Gary Furtak, and Kathryn McCullough. *Excused:* Trudy Troiano and Alternate Ron Anderson. *Also Present:* City Administrator Chris Moonis, City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Tom Wright, Building Official Gerard Roussin. Public - 25

Approval of Minutes: December 18, 2019 Planning and Zoning Board Meeting Minutes, January 15, 2019 Land Development Regulations Workshop Minutes, and January 22, 2019 Land Development Regulations Workshop Minutes.

MOTION: Motion made by Gary Furtak, seconded by Joey Raspe to approve the minutes.

ON THE MOTION: Approved by acclamation.

Variance Requests

Swear in Witnesses to Testify

Attorney Wright asked all persons giving testimony in the variance request to stand and raise their right hand. He asked all to swear the testimony they will give is the truth, the whole truth, and nothing but the truth. All replied I do.

Notice of Ex-Parte Communication. None.

44 7th Street – Robert Apostolakis: Applicant requests a setback variance to the Code of Ordinances Chapter 4, Section 101-26(2), to install a dockside shelter.

Building Official Roussin questioned the applicant on the exact distance being requested. Mr. Apostolakis stated depending on where they measure from, it is about 17 ½ – 18 inches. The variance request is to build the hut so it does not interfere with 7th Street Walkway.

Post Hearing Questions for a setback variance to the Code of Ordinances Chapter 4, Section 101-26(2), to install a dockside shelter.

Question 1: Has the applicant shown good and sufficient cause to grant the variance? George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Steve Decrow – yes.

Question 2: Will denial of the variance result in unnecessary hardship to the applicant? George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Steve Decrow – yes.

Question 3: Granting this variance will not result in public expense, a threat to public health & safety and it will not create a threat to or nuisance, or cause fraud or victimization of the public? George Lancaster – yes, Kathryn McCullough- no, Joey Raspe – yes, Gary Furtak – yes, Steve Decrow – no.

Question 4: The property has unique or peculiar conditions or circumstances to this property that do not apply to other properties in the same zoning district? George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Steve Decrow – yes.

Question 5: Granting this variance would not confer any special privileges in terms of established development in the immediate neighborhood? George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Steve Decrow – yes.

MOTION: Motion made by Gary Furtak and seconded by Steve Decrow to approve the variance as requested for 44 7th Street for an umbrella tiki.

ON THE MOTION: Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Steve Decrow – yes. Motion passed.

Recommended Land Development Regulations changes – City of Key Colony Beach

Attorney Wright stated Staff’s recommended Land Development Regulations changes. Committee Member Kathryn McCullough stated several recommendations including in the Business District (B-1) to add language prohibiting medical marijuana treatment centers and dispensing facilities and throughout all sections for the fill subsection to read: “Lot height shall not exceed the crown of the adjacent road”. The Planning & Zoning Board agreed with the recommended change in the fill subsection. Building Official Roussin and City Attorney Wright stated the Land Development Regulations should be referencing the Floodplain Management Regulations that already address fill. Staff will draft proposed changes to our Floodplain Management Regulations. Kathryn McCullough recommended adding language in all sections prohibiting an existing ground level home from adding a second story without going above Base Flood Elevation to which the Planning & Zoning Board agreed. In Section R-2B, Kathryn McCullough recommended the architectural review be officially notified to all residents within a 300 feet radius.

MOTION: Motion made by Kathryn McCullough and seconded by Joey Raspe to add, throughout all Sections, language that prohibits an existing ground level home from adding a second story without going above Base Flood Elevation.

ON THE MOTION: Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Steve Decrow – yes. Motion passed.

ANY OTHER BUSINESS: City Clerk Todd reported receipt of numerous emails, which have been forwarded to the Commission, Planning & Zoning Board, City Administrator, and Building Official. Emails in support of uniformed building heights throughout the City were submitted by: Marilyn Avery (79 7th Street), Broderick & Debra Crawford (12 Sadowski Cswy), Jim & Jane Byland (72 7th Street), Lance & Susan Beckham (43 Sadowski Cswy), Art & Joan Smith (51 & 52 7th Street), Edwin Rice (48 7th Street), Darren Fogel (35 Sadowski Cswy), Gary Bergquist (42 Sadowski Cswy), John & Charlene Grimes (14 Sadowski Cswy), John & Rebecca Moccio (10 Sadowski Cswy), Gail Coretlyou & Glenda Keach (29 & 30 Sadowski Cswy), Brad Boersma (48 Sadowski Cswy), Alfonso Garcia (18 7th Street), Jim & Jeanette Devine (11 Sadowski Cswy), Charles & Cheryl Boehm (33 Sadowski Cswy), Bob & Molly Shaffer (73 7th Street). Marilyn & Bill Avery's email was read regarding their support for uniformed building heights throughout the City.

The meeting adjourned at 11:13 a.m.

Respectfully submitted,

Rebecca Todd
City Clerk
