

MINUTES

KEY COLONY BEACH

PLANNING AND ZONING BOARD

Regular Meeting and Variance Hearing

Wednesday, May 19, 2021 9:30 a.m.

Marble Hall & Virtually via Zoom Conferencing

Call to Order, Pledge of Allegiance and Roll Call: The regular meeting 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: Chairperson Joey Raspe, Vice-Chair Trudy Troiano, George Lancaster, Cheryl Boehm, Alternate Ron Anderson (Virtually), and Tom DiFransico. Also Present: City Administrator David Turner, City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Dirk Smits (Virtually), Building Official Roussin, and Building Inspector Lawton.

Excused: Alternate Steve DeCrow.

Public: 5 (Marble Hall) 11 (Virtually)

Approval of Minutes: April 21, 2021 Planning & Zoning Meeting.

MOTION: Motion made by Trudy Troiano, seconded by George Lancaster to approve the minutes for April 21, 2021 Planning & Zoning Meeting.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

Public Comment/Correspondence: City Clerk Todd reported correspondence from former Building Official Ed Borysiewicz in support of the variance request by Lot 11 Block 3 15th Circle.

Variance Requests

Swear in Witnesses to Testify: City Clerk Todd asked all persons giving testimony in the variance request to stand and raise their right hand. She 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.

185 & 195 15th Circle – Owner: Centro Jill Revocable Trust: Applicant requests a Variance to Land Development Regulations Chapter 101, Section 10 (8) for a 4’0” height variance for existing dwelling unit residence and addition. Current building height restriction is 30’0”.

Representative of Centro Jill Revocable Trust presented the variance application and confirmed that the lighthouse is existing and is not part of the variance application. After discussion by the Board and Applicant, Chairperson Raspe read the applicants questions and responses into the record.

Post Hearing Questions for a variance to Land Development Regulations Chapter 101, Section 10(8).

Question 1: Has the applicant shown good and sufficient cause to grant the variance? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

Question 2: Will denial of the variance result in unnecessary hardship to the applicant? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – no, Cheryl Boehm – yes, and Tom DiFransico – 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? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

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? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

Question 5: Granting this variance would not confer any special privileges in terms of established development in the immediate neighborhood? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

MOTION: Motion made by George Lancaster, seconded by Cheryl Boehm to approve the 4’0” height variance with no mechanicals for 185 & 195 15th Circle.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

Lot 11 Block 3 15th Circle – Owner: Crawl Key Development: Applicant requests a Variance to Land Development Regulations Chapter 101, Section 10 (5) and Section 10 (8) for a 15 feet rear setback variance for a porch and a 4’0” height variance for a new one dwelling unit residence. Current setback is restricted to 50 feet and current building height is 30’0”.

Owner Steven Hotz, 751 12th Street, introduced himself and his history in Key Colony Beach to the Planning & Zoning Board. Attorney Bart Smith presented the variance request for Lot 11 Block 3 15th Circle and read the responses of the variance application into the record. City Clerk Todd read a letter of support of the variance application from the neighbor. City Engineer Daryl Osbourne and former Building Official Roussin submitted a letter of support of the variance application.

Post Hearing Questions for a variance to Land Development Regulations Chapter 101, Section 10(5) and (8).

Question 1: Has the applicant shown good and sufficient cause to grant the variance? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

Question 2: Will denial of the variance result in unnecessary hardship to the applicant? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – no, Cheryl Boehm – yes, and Tom DiFransico – 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? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

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? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

Question 5: Granting this variance would not confer any special privileges in terms of established development in the immediate neighborhood? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – no, Cheryl Boehm – yes, and Tom DiFransico – yes.

MOTION: Motion made by George Lancaster, seconded by Chairperson Raspe to approve the variance application as requested for 721 & 731 8th Street.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

Proposed Amendments to Land Development Regulations: Building Official Roussin stated based on the new FEMA Flood Maps and Florida Building Code recently released, it was in the best interest of the City to review the recommended Land Development Regulations amendments. Building Official Roussin presented the preliminary FEMA Flood Maps that are being reviewed by the Objection Review Committee. The Building Department recommended the Planning & Zoning Board adopt additional freeboard to help improve the City’s CRS level. The Building Department’s minimum height recommendation for residential is 37 feet and 42 feet

for commercial. Those minimum recommendations do not include the additional 2-3 feet of freeboard the Building Department is advising the City adopt. Building Official Roussin will contact a CRS Representative to get an estimate on how many points the City will gain by adopting additional freeboard. Building Official Roussin recommended not allowing mechanicals on the roof. The Planning and Zoning Board considered examples of commonly constructed properties in Key Colony Beach and discussed maximum height options to allow sufficient freeboard. The Planning and Zoning Board also considered neighboring municipalities height restrictions and freeboard requirements. After discussion between the Planning & Zoning Board and Staff, the Planning & Zoning Board made the following recommendations to the City Commission.

MOTION: Motion made by Chairperson Joey Raspe, seconded by George Lancaster to recommend a maximum residential building height of 40 feet with no mechanicals on roof and requiring 2 feet of freeboard in addition to the 1 foot required by Florida Building Code. The following Land Development Regulations apply: Section 101-10 – R-1A One dwelling unit residence district, Section 101-11 – R-1B One dwelling unit residence district, Section 101-12 – R-2A Two dwelling unit residence district, Section 101-13 – R-2B Two dwelling unit residence district, and Section 101-14 – R-2C Two dwelling unit residence district.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

MOTION: Motion made by Chairperson Joey Raspe, seconded by Tom DiFrancisco to recommend a maximum commercial building height of 48 feet with no mechanicals on roof and requiring 2 feet of freeboard in addition to the 1 foot required by Florida Building Code. The following Land Development Regulations apply: Section 101-15 – R-3 Multiunit residence district, Section 101-16 – RH Resort hotel district, Section 101-17 – B-1 Neighborhood business district, and Section 101-18 – PB Public buildings and grounds districts.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

Any Other Business: None.

The meeting adjourned at 11:22 a.m.

Respectfully Submitted,

Saara V. Staten (on behalf of City Clerk Rebecca Todd)
Executive Assistant