

MINUTES

KEY COLONY BEACH

PLANNING AND ZONING BOARD

Regular Meeting and Variance Hearing

Monday, June 14, 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, Lin Walsh, and Tom DiFransico. Also Present: City Administrator David Turner, Executive Assistant Saara Staten, City Attorney Dirk Smits, Building Official Roussin, and Building Inspector Lawton. Excused: City Clerk Rebecca Todd, Alternate Ron Anderson, and Alternate Steve DeCrow. Public: 6 (Marble Hall) 16 (Virtually)

Swear-In Board Member: Executive Assistant Staten read the Oath Office to new Planning & Zoning Member Lin Walsh.

Public Comment/Correspondence: City Administrator Turner reported correspondence from Lin Walsh, Karen Foster, and Castillo del Sol Property Manager Mike Yunker in support of the variances requested by 721 West Ocean Drive.

Approval of Minutes: May 19, 2021 Planning & Zoning Meeting.

MOTION: Motion made by Trudy Troiano, seconded by George Lancaster to approve the minutes for May 19, 2021 Planning & Zoning Meeting.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

Variance Requests

Swear in Witnesses to Testify: Executive Assistant Staten 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.

721 West Ocean Drive – Owner: Ocean Front Apts. Condominiums and JJO, LLC: Applicant requests the following three variances:

Chairperson Joey Raspe recused himself due to his wife being the selling agent for the property. Attorney Bart Smith, representative of JJO, LLC, presented the requested variances. Vice Chair Troiano stated the building was not designed to meet Key Colony Beach Code and does not support granting the requested side setback variance. Building Official Roussin expressed support for the requested variances.

1. A Variance to Land Development Regulations Chapter 101, Section 15 (6) for a 10’0” side setback for the property. Current side setback is 22’5”.

Post Hearing Questions for a variance to Land Development Regulations Chapter 101, Section 15 (6).

Question 1: Has the applicant shown good and sufficient cause to grant the variance? George Lancaster – yes, Trudy Troiano – no, Lin Walsh – yes, and Tom DiFransico – yes.

Question 2: Will denial of the variance result in unnecessary hardship to the applicant? George Lancaster – yes, Trudy Troiano – no, Lin Walsh – 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? George Lancaster – yes, Trudy Troiano – yes, Lin Walsh – 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? George Lancaster – yes, Trudy Troiano – no, Lin Walsh – 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? George Lancaster – yes, Trudy Troiano – no, Lin Walsh – yes, and Tom DiFransico – yes.

MOTION: Motion made by Tom DiFransico, seconded by George Lancaster to approve the 10'0" side setback for 721 West Ocean Drive.

ON THE MOTION: Roll Call Vote. Trudy Troiano – no, George Lancaster – yes, Lin Walsh – yes, and Tom DiFransico – yes.

2. A Variance to Land Development Regulations Chapter 101, Section 15 (10) for a 10'0" height variance for the property. Current building height restriction is 35'0".

Post Hearing Questions for a variance to Land Development Regulations Chapter 101, Section 15 (10).

Question 1: Has the applicant shown good and sufficient cause to grant the variance? George Lancaster – yes, Trudy Troiano – yes, Lin Walsh – yes, and Tom DiFransico – yes.

Question 2: Will denial of the variance result in unnecessary hardship to the applicant? George Lancaster – yes, Trudy Troiano – yes, Lin Walsh – 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? George Lancaster – yes, Trudy Troiano – yes, Lin Walsh – 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? George Lancaster – yes, Trudy Troiano – no, Lin Walsh – 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? George Lancaster – yes, Trudy Troiano – no, Lin Walsh – yes, and Tom DiFransico – yes.

MOTION: Motion made by George Lancaster, seconded by Trudy Troiano to approve the 10'0" height variance with no mechanicals for 721 West Ocean Drive.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

3. A Variance to Land Development Regulations Chapter 101, Section 15 (6) for a 4'0" ocean setback variance to the property. Current ocean setback is 100'0".

Post Hearing Questions for a variance to Land Development Regulations Chapter 101, Section 15 (6).

Question 1: Has the applicant shown good and sufficient cause to grant the variance? George Lancaster – yes, Trudy Troiano – yes, Lin Walsh – yes, and Tom DiFransico – yes.

Question 2: Will denial of the variance result in unnecessary hardship to the applicant? George Lancaster – yes, Trudy Troiano – yes, Lin Walsh – 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? George Lancaster – yes, Trudy Troiano – yes, Lin Walsh – 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? George Lancaster – yes, Trudy Troiano – yes, Lin Walsh – 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? George Lancaster – yes, Trudy Troiano – yes, Lin Walsh – yes, and Tom DiFransico – yes.

MOTION: Motion made by Tom DiFransico, seconded by Lin Walsh to approve the 4’0” ocean setback for 721 West Ocean Drive.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

Any Other Business: None.

The meeting adjourned at 10:17 a.m.

Respectfully Submitted,

Saara V. Staten

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

Executive Assistant