

TOWNHALL MEETING MINUTES
Tuesday, May 24, 2022 – 9:30 A.M.
City Hall Auditorium & Virtually via Zoom Conferencing

1. Welcome & Introduction

City Administrator Dave Turner opened the Townhall meeting by stating that today's meeting is an informational meeting and questions will be answered at the end of the meeting.

2. Flood Insurance Update by FIRM

Representative Mel Montagne from FIRM, Fair Insurance Rates in Monroe, gave a presentation on National Flood Insurance changes. (Please contact cityclerk@keycolonybeach.net for a copy of the presentation.)

City Administrator Turner asked the representative how much of an increase he sees for a home on the ground. Mr. Montagne stated that the increase has a cap of 18% with an average of \$240.00 a year, however, on the declaration pages of the new policies it will state where the premium will ultimately be. Mr. Montagne explained that after x number of years the premium will end at x amount of dollars. Mr. Montagne cautioned that the number might not be 100% correct as FEMA will continued rate increases over the years. Mr. Montagne advised to obtain an elevation certificate to help with premium rates.

City Administrator Turner further asked Mel Montagne's recommendation on if a homeowner has a policy and thinks about dropping it. Mr. Montagne stated that under no circumstances should a policy be dropped. Mr. Montagne explained that the flood policy is the only policy that is assumable, which is important if the home will be sold in the future. Mr. Montagne further explained that if a homeowner wants to sell his home in the future the buyer can assume the rates of the flood policy. A home without a flood policy will be assessed at a full risk rate at "astronomical premiums" and some real estate transactions do not get closed.

City Administrator Turner asked what happens if a homeowner does not have a policy. Mr. Mel Montagne suggested to obtain a flood premium quote and as well as an elevation certificate.

Mr. Mel Montagne gave the website to obtain a copy of the white paper as well as a database of Risk Rating 2.0 at firmkeys.org.

Mr. Montagne further explained that when looking at the preliminary flood maps of Key Colony Beach the area of 7 and 8th Street is marked with a dark line which represents the new FEMA flood zone designated as Coastal A Zone. Mr. Montagne explained that the properties within that area that sustain damage will have to be rebuilt to VE construction standards, the highest rate flood zone there is. Mr. Montagne stated that the preliminary maps are being challenged and no answers have been given to the challenges.

City Administrator Turner asked Mr. Montagne to confirm that the proposed changes come from the Federal Government and FEMA which was confirmed.

An audience member asked a question on insurance rate increases for a property he would like to purchase and difference in quote in premiums. Mr. Montagne explained that the difference in premiums might differ due to how the agent put information in regarding rebuilding, however, did not understand an increase in the existing policy, Mr. Montagne offered to look at the case after the meeting.

Mr. Montagne further explained that the percentage is 50% of damage in the Coastal A Zone for

rebuilding.

An audience member asked if there is a difference in insurance premiums for properties at different heights. Mr. Montagne stated that there is no difference in premiums with different heights, however, advised to built higher to mitigate possible flood dangers.

Mr. Montagne encouraged residents to visit Firmkeys.org for further information and also for the ability to ask further questions.

A virtual audience member asked for available publications or guidelines on acceptable mitigation other than what the building code says. Mr. Montagne explained that there is none available for residential properties, however, for commercial property mitigation credits can be obtained with installations of flood panels among other things.

City Administrator Turner thanked Mel Montagne for joining the Townhall meeting. Mr. Montagne thanked the City Administrator and asked for anyone with questions to reach out and to visit FIRM's website at www.firmkeys.org for more information and contact information.

3-14. City Administrator/Building Official & Audience Questions & Discussion

City Administrator Turner explained that the city is working as much as possible with CRS, the Community Ratings System. The City Administrator further explained the ratings system and reported the city being rated currently at a 7. City Administrator Turner explained that the number presents a percentage of premium reduction and the work surrounding it. The City Administrator explained that some staff, a Commissioner, the Building Official, himself, in addition to some residents, are involved with the work surrounding the CRS rating. City Administrator Turner further explained the CRS requirements and the intention of being at the same ratings level as the County. The City Administrator continued saying that the city is working on following and partnering with the county to not incur any costs. City Administrator Turner said that it takes a lot of work to lower the rating and that FEMA is continuing to raise the rates with no explanations. The City Administrator explained that this one of the hurdles the City of Key Colony is trying to help its residents, in addition to raising the height of structures in the city. City Administrator Turner updated that Monroe County passed the new height ordinance of 40 feet throughout the county, and the City of Marathon went to 42 feet on residential properties according to Building Official Roussin, and the City of Layton and Key West are currently working on updating their height ordinances as well. City Administrator Turner explained that the Keys are a critically concerned area and that everyone is going up in heights. City Administrator Turner further stated that the newly passed Property Bill of Rights has to be considered as well, that states certain rights of a property owner.

Building Official Gerard Roussin recounted the history of the proposed FEMA Flood Maps which started in December 2018 at the Marathon Government Center. Building Official Roussin explained that in 2019 the topic was discussed during one of the Commission Meetings with the thought that these changes have to be addressed in the city's LDR's and height regulations. The Building Official explained the original modeling of the maps regarding water and the center of the island. Building Official further explained the changes in the new mapping and how various zones have changed and how building standards changed accordingly. Building Official Roussin continued explaining changed elevation levels throughout the island and gave an example of the Public Works Building and how much higher it would have to be built with new standards. The Building Official explained discounts on insurance rates in correlation with CRS and what the city

is trying to establish with LDR changes. Building Official Roussin described that in the beginning on height discussions multiple meetings were held with the Planning & Zoning Board in early 2020 to establish what the city and residents could accomplish. Building Official Roussin stated that residents of the R2B zoning made it clear that they wanted to be equitable to the rest of the city. Building Official Roussin explained the current zoning for the R2B zone as a single-story building with 20-feet of overall height. The Building Official recalled the feedback received was that residents in the R2B zone wanted to be able to rebuild to the same height as residents in other parts of the city. Building Official Roussin explained how the proposed new height was achieved with the Building Department and Planning & Zoning Board. The Building Official continued explaining zoning and building codes and that there was reasoning behind establishing a 40-foot height. Building Official Roussin gave an example of a property on 7th Street and explained the building codes that property would have to abide by. Building Official Roussin explained that residents wishes, the Property Right Bill, and proposed flood maps were taken in consideration when the proposed building height changes were worked on.

An audience member asked if property owner could rebuilt on 7th Street with a two-story building in the before mentioned scenario. Building Official Roussin explained that at a 40-foot height he would not be able to have 12-foot ceilings but rather approximately 9-foot ceilings with 5- or 6-foot roof height. The Building Official confirmed exact measurements of 10-foot ceilings and an 8-foot roof, with a starting point of the first finished floor at approximately 13.5 foot with a 43.5-foot overall building height with less than 3.5 foot for the elevation of the road which puts it at an overall 40-foot building height. Building Official Roussin explained that this would stretch most properties to the max with 10-foot ceilings on the first floor. The Building Official further confirmed that a 40-foot height would enable to rebuild on 7th Street a potential 2-story building. An audience member asked what would happen if a duplex was damaged on 7th Street and the owners do not agree on building up. Building Official Roussin explained that unfortunately the city has experienced that type of scenario, and the Planning & Zoning Board would have to conduct a Harmonious Review for a recommendation to the City Commission for approval. The Building Official explained that there are steps to address the situation and that the city will see more of those scenarios in the future.

City Administrator Turner asked the Building Official to explain substantial damage and how many years the rule goes back. Building Official Roussin explained that the current substantial damage look-back period is a 3-year window, which includes any and all work that occurred during that time. The Building Official continued saying if a house gets damaged more than 50 percent of the value of the house, not the property, than the house needs to be brought up to today's standards regarding all building codes. Building Official Roussin stated that once a house is substantially damaged, the house has to be rebuilt to what is required by flood insurance and building codes. Building Official Roussin confirmed that a pool is included in the calculations on the look-back period with current regulations. Building Official Roussin continued explaining the substantially damage determination and stated that if a property is substantially damaged it is time to bring it up to current property standards.

An audience member asked how the current value of the property is being calculated. Building Official Roussin explained that in general the value of the property gets taken of the property appraisers office but the Building Department has no problem accepting independent appraisals. An audience member asked if there are plans to place the damage of burden to the adjacent property. Building Official Roussin answered that this goes more towards litigation, but that owners usually work with each other, however, the code states that when doing construction, the

surrounding property has to be protected. Upon questioning, Building Official Roussin stated that the Building Department will take under consideration that a structural engineer can advise on potential structural damage.

An audience member asked if a pool is counted as a structure to the house. Building Official Roussin stated that a pool is counted as an improvement of value to the property. City Administrator explained that the land value is taken out of the value of the property. Further discussion on value and structures ensued.

An audience member asked what the advantage would be on a substantially determined damaged house, to which the Building Official replied that he could not think of a scenario unless it is a house that is 60 years old and went through its life cycle, and an owner would want to improve the house with help of insurances and or loans.

City Administrator Turner stated that if a home is on the ground the owner would be required to build up with any kind of assistance loans.

Upon questioning, City Administrator Turner and Building Official Roussin explained that a driveway could only be built as high as the allowable fill. Building Official Roussin further explained the rules on elevations for outside structures.

An audience member asked how condominiums will be affected. Building Official Roussin explained that buildings will be looked at in its entirety unless separated by tax records. Building Official Roussin further explained flood zone perimeters and changes.

An audience member asked if garages will be allowed if mandated to rebuild. Building Official Roussin explained that garages are always allowed, but rules apply to above or below flood designations. The Building Official stated that the amount of fill will be restricted on a property as well as the height of a pool since no flood water can be impeded.

An audience member asked on the anticipated implementation of the proposed height changes. City Administrator Turner stated that the city will take all of the new information received from residents and absorb the feedback received. The City Administrator continued saying that the main goal is for everyone's property rights to be protected, and to do the right thing for everyone in the city as a whole. The audience member asked on direction for future designs as an architect. Building Official Roussin stated that upcoming flood maps are being explained to any new construction applicants, and that variance requests have been granted by the Planning & Zoning Board between 4 to 6 feet for height. The Building Official stated that this direction will continue with a case-by-case determination through a variance request.

An audience member asked how the height relates to ADA codes. Building Official Roussin explained that everything will still be handled the same way and that all codes like ramps, stairwells, etc. have to be compliant.

Audience member Joey Raspe stated to City Administrator Turner that complaints have been received of not being able to log into Zoom. City Clerk Gransee explained that one hundred participants were counted earlier in the meeting.

Building Official Roussin stated that the office is always open for any resident.

An audience member asked on the resale value of a property and the capping of insurance benefits at \$250,000.00. Building Official Roussin confirmed that rebuilding costs have to come out of the owner's pocket after the insurance benefits are paid. City Administrator Turner explained the resale value of a one-story house compared to a 2-story house. City Administrator Turner further explained the flood zone changes and stated the importance the everyone is treated fairly. City Administrator Turner continued saying that the city will work through these changes and the biggest concern is that everyone has the value of their property. Building Official Roussin

reminded everyone that these changes are FEMA driven and not local and driven by money. Building Official Roussin explained density versus occupancy and their difference. City Administrator Turner asked the Building Official to explain if a person would build out his entire property, on how many people he could put into the house. Building Official Roussin explained that an average lot on 7th street is 2,250 square feet for a single-family home which has ten people maximum per rental unit. The Building Official further explained occupancy calculations for vacation rentals and non-rentals. Building Official Roussin confirmed that a 4,400 square foot house with six bedrooms would only allow an occupancy of ten people in a short-term rental. Building Official Roussin confirmed that this rule is part of the city ordinance.

Audience member Dave McKeehan spoke to the audience in support of a 32-foot height limit. Mr. McKeehan explained his views on a 40-foot building height, conformity, and urged the Commission to find a balance and neighborhood stability.

Audience member Ron Foster spoke to the audience in opposition to the proposed 40-foot height restriction. Mr. Foster explained his main issues of occupancy concerns and stated his support for a 30-foot height restriction.

City Administrator Turner explained that the R2B zone consists of Sadowski Causeway, Clara and Coral, and 7th Street, and the proposed height would be across the board and a difficult process. The City Administrator stated that the city will be moving very slowly with the topic and observe if other changes on flood maps will be made.

An audience member asked a question on square footage on a half-duplex which Building Official Roussin confirmed that a duplex could be rebuilt at 2,200 square feet for a half-duplex.

An audience member asked on FEMA damage repairs and what FEMA would support in case of damages. City Administrator Turner stated that FEMA would most likely take the claim but the owner would be forced to build up after.

Audience member Greg Burke asked how the sewage plant would be affected. Building Official Roussin explained that this question has been taken under consideration and that a new study most likely will have to be conducted. The Building Official stated that the utilities have to be looked at what they can manage, as well as evacuation zones. City Administrator Turner explained that this is one of the reasons the state reviews the proposed height change.

City Administrator Turner thanked everyone for attending.

Contact cityclerk@keycolonybeach.net for a video recording of the Townhall Meeting.

Silvia Gransee

City Clerk

City of Key Colony Beach, Florida

ADOPTED: September 8, 2022

Silvia Gransee

City Clerk