

AGENDA

KEY COLONY BEACH CITY COMMISSION PUBLIC HEARING VARIANCE REQUEST **THURSDAY, May 27, 2010 - 9:30 A.M.** **CITY HALL AUDITORIUM**

1. *Call to Order, Pledge of Allegiance, Prayer, Roll Call*

2. *Introductory Statement*

Variance Request from Richard Baer, 220 1st Street (Lot 7, Block 1, Key Colony Beach Subdivision) for the following:

Applicant requests a variance to the Key Colony Beach Code of Ordinances, Chapter 5 Boats, Marine Facilities and Waterways: Section 5-35 Docks are not to exceed six (6) feet in width and may extend up to thirty (30) feet into the water from the mean high water line. Proposed 36 foot "L" shaped dock would require a 6 foot variance. Due to the location of seagrass the ACOE and DEP require the dock to extend 6 feet beyond City Regulations.

3. *Proof of Publication, Affidavit of Mailing Notices - City Clerk*

4. *General Standards for Granting a Variance: LDR 101-171(5)(a)*

Variances from the terms of this chapter shall be approved only if they will not be contrary to public interest. In order to recommend or authorize any variance from the terms of this chapter, all of the specific standards listed in LDR 101-171(5)(a) must be met. However, when all of the 5 conditions are not met, the planning & zoning committee may recommend and the city commission may make an exception and grant a variance when they believe that the granting of the variance will have minimum adverse effect on other citizens of Key Colony Beach or on the city. Approval of a variance under these conditions would require a favorable vote of 4/5 of the city commission. *This variance request was approved by the Planning & Zoning Committee, and met all five conditions, and requires a 3/5 vote of the commission for approval.*

5. *Review of Variance Request*

- a. Disclosure of Ex Parte Communications - Commissioners
- b. Administration of Oath to Witnesses - City Clerk
- c. Presentation of Variance Request - Planning & Zoning Committee
- d. Statement by applicant if desired
- e. Planning & Zoning Committee Recommendation - City Clerk

6. *Correspondence and Public Comments*

Will be considered if they relate to the merits of the case.

7. *Commissioner Comments*

8. *Motion to Approve, Deny, or Approve with Conditions*

If a person decides to appeal any decision made with respect to any matter considered at a hearing, that person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.