

AGENDA
KEY COLONY BEACH CITY COMMISSION PUBLIC HEARING VARIANCE REQUEST
THURSDAY, JUNE 11, 2009 - 9:30 A.M.
CITY HALL AUDITORIUM

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

2. ***Introductory Statement***

Variance Request from from Franco and Mary D'Ascanio, 431 2nd Street (Lot 19, 23 & 24; Block 2; Key Colony Beach Subdivision) for the following:

Applicant requests a variance to the Key Colony Beach Code of Ordinances, Chapter 5 *Boats, Marine Facilities & Waterways*; Section 5-39 *Mooring posts not connected to a dock*, to install 7 mooring piles at a height of 13.5 feet above mean sea level when only 4 piles are permitted to a maximum height of 10 feet above mean sea level. Four of the mooring pilings will also extend 27 feet beyond the 30 feet permitted by city code. This variance is requested to accommodate one 80-foot vessel.

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 by a vote of 4-1, did not meet all six conditions, and requires a 4/5 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.