

MINUTES

KEY COLONY BEACH
PLANNING AND ZONING BOARD
Regular Meeting and Variance Hearing
Wednesday, September 16, 2020 9:30 a.m.
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 Virtually: Chairperson Joey Raspe, George Lancaster, Trudy Troiano, Gary Furtak, and Kathryn McCullough. Also Present Virtually: City Administrator Chris Moonis, City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Tom Wright, and Building Official Roussin.

Excused: Steve DeCrow and Alternate Ron Anderson.

Public Virtually: 10

Approval of Minutes: February 19, 2020 Planning & Zoning Regular Meeting and February 26, 2020 Planning & Zoning Special Meeting.

MOTION: Motion made by Kathryn McCullough, seconded by Chairperson Raspe to approve the February 19, 2020 Regular Meeting and February 26, 2020 Special Meeting as corrected.

ON THE MOTION: Roll Call Vote. Unanimous approval.

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. He 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.

530 4th Street – Edward Perez: Applicant requests a variance to Land Development Regulations Chapter 101, Section 12 (8) for a 4'0" height variance for a new two dwelling unit residence. Current building height is 30'0".

Leslie Ryder was present to answer any questions from the Board. Chairperson Raspe read the applicants responses on the variance application. Chairperson Raspe recommended for the Board to approve the variance request.

Post Hearing Questions for a height variance to Land Development Regulations Chapter 101, Section 12 (8).

Question 1: Has the applicant shown good and sufficient cause to grant the variance? George Lancaster – yes, Kathryn McCullough - yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – yes.

Question 2: Will denial of the variance result in unnecessary hardship to the applicant? George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – 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, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – 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, Kathryn McCullough - no, Joey Raspe – yes, Gary Furtak – no, Trudy Troiano – no.

Question 5: Granting this variance would not confer any special privileges in terms of established development in the immediate neighborhood? George Lancaster – yes, Kathryn McCullough - yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – yes.

MOTION: Motion made by Chairperson Raspe, seconded by Trudy Troiano to recommend the Commission approve the height variance request at 530 4th Street.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

69 7th Street – Patricia Day: Applicant requests a variance to Land Development Regulations Chapter 101, Section 101-26 for a setback variance for a pool.

Chairperson Raspe read the applicants responses on the variance application. Building Official Roussin stated the current setbacks for a swimming pool are 10 feet on the side lots and rear lot. Building Official Roussin and Building Inspector Greg Lawton will be proposing a Land Development Regulations change in this area to allow duplexes to install swimming pools on their properties. All neighbors approve of this request. City Clerk Todd read correspondence. Chairperson Raspe read the applicants responses on the variance application.

Post Hearing Questions for a setback variance to Land Development Regulations Chapter 101, Section 101-26 for a pool.

Question 1: Has the applicant shown good and sufficient cause to grant the variance? George Lancaster – yes, Kathryn McCullough - yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – yes.

Question 2: Will denial of the variance result in unnecessary hardship to the applicant? George Lancaster – yes, Kathryn McCullough - yes, Joey Raspe – yes, Gary Furtak – no, Trudy Troiano – 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, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – 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, Kathryn McCullough - no, Joey Raspe – yes, Gary Furtak – no, Trudy Troiano – yes.

Question 5: Granting this variance would not confer any special privileges in terms of established development in the immediate neighborhood? George Lancaster – yes, Kathryn McCullough - yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – yes.

MOTION: Motion made by Kathryn McCullough, seconded by Gary Furtak to recommend the Commission approve the setback variance request at 69 7th Street.

ON THE MOTION: Roll Call Vote. Unanimous approval.

101 East Ocean Drive – SeaPointe Condominium: Applicant requests a setback variance to Land Development Regulations Chapter 101, Section 15 for installation of sheet pile retaining wall, pile cap, and stairs to beach.

Building Official Roussin provided an overview of the variance request to the Code Board. Building Official Roussin expressed no concerns with the request. David Folk, representative of SeaPointe Condominiums Association, presented the variance request and answered questions from the Code Board. Chairperson Raspe read the applicants responses on the variance application and answered questions from the Board.

Post Hearing Questions for a setback variance to Land Development Regulations Chapter 101, Section 15 for installation of sheet pile retaining wall, pile cap, and stairs to beach.

Question 1: Has the applicant shown good and sufficient cause to grant the variance? George Lancaster – yes, Kathryn McCullough - yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – yes.

Question 2: Will denial of the variance result in unnecessary hardship to the applicant? George Lancaster – yes, Kathryn McCullough - yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – 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, Kathryn McCullough - yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – 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, Kathryn McCullough - yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – yes.

Question 5: Granting this variance would not confer any special privileges in terms of established development in the immediate neighborhood? George Lancaster – yes, Kathryn McCullough - yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – yes.

MOTION: Motion made by Gary Furtak, seconded by George Lancaster to approve the variance request of 101 East Ocean Drive.

ON THE MOTION: Roll Call Vote. Unanimous approval.

38 Sadowski Causeway – Albert Priest: Applicant requests a variance to Land Development Regulations Chapter 101, Section 50 to convert an existing parking space to a house addition.

Chairperson Raspe read the applicants responses on the variance application. Building Official Roussin presented the Building Departments recommendation to deny the request due to precedent for homes on Sadowski Causeway. Owner Albert Priest, contractor Carlos Davalos, and Engineer Darryl Osbourne presented the variance request.

MOTION: Motion made by George Lancaster, seconded by Trudy Troiano to continue until the next Planning & Zoning meeting for the applicant to provide images, drawings, and a survey for consideration.

ON THE MOTION: Roll Call Vote. Unanimous approval.

Any Other Business: Chairperson Joey Raspe requested for the October Planning & Zoning Meeting be held in Marble Hall & Virtually via Zoom Conferencing.

Citizens Correspondence: None.

Citizens Comments: None.

The meeting adjourned at 10:32 a.m.

Respectfully Submitted,

Saara V. Staten

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

Executive Assistant