

MINUTES

CITY OF KEY COLONY BEACH CITY COMMISSION PUBLIC HEARING VARIANCE REQUEST

Thursday, June 24, 2021 9:30 a.m.
Marble Hall & Virtual via Zoom Conferencing

Call to Order, Pledge of Allegiance, Roll Call

The Public Hearing was called to order by Mayor Sutton at 9:30 a.m.

Present: Mayor Ron Sutton, Vice Mayor Patricia Trefry, Secretary/Treasurer Kathryn McCullough, and Commissioner Tom Harding. *Also Present:* City Administrator David Turner, Executive Assistant Saara Staten, City Attorney Dirk Smits, Building Official Roussin, and Building Inspector Greg Lawton.

Excused: Commissioner John DeNeale and Police Chief DiGiovanni.

Public - 40 (Virtually) 7 (Marble Hall)

Administration of Oath to Witnesses: Executive Assistant Saara Staten swore in all present who may speak on the variance requests.

Disclosure of Ex-Parte Communications: None.

Proof of Publications, Affidavit of Mailing Notices: City Administrator Turner affirmed the proof of publication.

1. Variance Application – 721 West Ocean Drive – Owner: Ocean Front Apts. Condominiums & JJO, LLC

Applicant requests the following three 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".
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".
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".

Review of Variance Request

A. Presentation of Variance Request – Planning & Zoning Board Member Lin Walsh presented the above three variances requested by 721 West Ocean Drive. The variances were heard at the June 14, 2021 Planning & Zoning Public Hearing. Building Official Roussin expressed support for the requested variance and recommended approval.

B. Statement by applicant if desired – Attorney Bart Smith presented the above three variances requested by 721 West Ocean Drive.

C. Planning & Zoning Board Recommendation – Planning & Zoning Board Member Lin Walsh stated the Planning & Zoning Board recommends approval of all variances requested by 721 West Ocean Drive.

Citizen Comments:

James McDonald, 711 West Ocean Drive, expressed concern with the side setback requested and recommended denying the side setback variance.

Paul Savage, Legal Representative to Owner of 711 West Ocean Drive, expressed concerns with notification procedures and recommends denying the variance or postponing the hearing until notification procedures are completed. City Administrator Turner affirmed proof of publication.

Sally Cherry, 601 West Ocean Drive, questioned when construction will begin on 721 West Ocean Drive. Developer Ong stated construction will begin late fall 2021.

Commissioner Comments: Commissioner McCullough stated 721 West Ocean Drive has requested many variances to construct the development and is opposed to granting the side setback variance.

Commissioner Harding thanked the Developer for modifying the requested ocean setback to 4 feet instead of 10 feet as originally presented.

MOTION: Motion made by Mayor Sutton, seconded by Commissioner Harding to approve the variances as presented by 721 West Ocean Drive while adopting the reasons set forth by the Planning & Zoning Board.

ON THE MOTION: Roll call vote. Kathryn McCullough: No. Ron Sutton: Yes. Patricia Trefry: Yes. Tom Harding: Yes.

The meeting adjourned at 10:01 a.m.

Respectfully submitted,

Saara V. Staten

Saara V. Staten, Executive Assistant