

MINUTES

KEY COLONY BEACH
PLANNING AND ZONING BOARD
Regular Meeting and Variance Hearing
Wednesday, August 18, 2021 - 9:30 a.m.
Marble Hall & 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: Chairperson Joey Raspe, Vice-Chair George Lancaster, and Mike Yunker. Also Present: City Administrator David Turner, Executive Assistant Saara Staten, Utility Clerk Pat Hyland, City Attorney Dirk Smits, Building Official Gerard Roussin, and Building Inspector Greg Lawton.

Excused: Vice-Chair Trudy Troiano, Tom DiFransico, Alternate Ron Anderson, and Alternate Steve DeCrow.

Public: 3 (Marble Hall) 7 (Virtually)

Oath of Office: The oath was administered to Mike Yunker.

Election of Vice-Chair: Chairperson Joey Raspe nominated George Lancaster. Mike Yunker seconded that nomination. Utility Clerk Hyland called for any other nominations. No other nominations were made.

Public Comment/Correspondence: None.

Approval of Minutes: July 21, 2021 Planning & Zoning Meeting.

MOTION: Motion made by George Lancaster, seconded by Joey Raspe to approve the minutes for July 21, 2021 Planning & Zoning Meeting.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

Variance Requests

Swear in Witnesses to Testify: Utility Clerk Hyland asked all persons giving testimony in the variance request to stand and raise their right hand. She 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.

721 & 731 8th Street – Owner: Amy & Steven Dingle: Applicant requests a Variance to Land Development Regulations Section 101-12(5) rear setback variance of 15'0". Current rear setback is 20'0".

Building Official Roussin expressed the Building Departments support for this variance request. Owner Steven Dingle presented the requested variance to the Planning & Zoning Board. After discussion by the Board and Applicant, Chairperson Raspe read the applicants questions and responses into the record.

Post Hearing Questions for a variance to Land Development Regulations Section 101-12(5).

Question 1: Has the applicant shown good and sufficient cause to grant the variance? George Lancaster – yes, Mike Yunker – yes, and Joey Raspe – yes.

Question 2: Will denial of the variance result in unnecessary hardship to the applicant? George Lancaster – yes, Mike Yunker – yes, and Joey Raspe – 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, Mike Yunker – yes, and Joey Raspe – 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, Mike Yunker – yes, and Joey Raspe – yes.

Question 5: Granting this variance would not confer any special privileges in terms of established development in the immediate neighborhood? George Lancaster – yes, Mike Yunker – yes, and Joey Raspe – yes.

MOTION: Motion made by George Lancaster, seconded by Joey Raspe to approve the variance as requested by 721 & 731 8th Street.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

Any Other Business: None.

681 9th Street – Owner: Sami Teittinen: Applicant requests a Variance to Land Development Regulations Chapter 101, Section 29 (1A) and Section 12 (5) for a 1’5” side setback variance for the installation of an open stairwell. Current side setback is 8’5” with building projection allowable 3 feet into setback but no closer than 6 feet from property line.

Building Official Roussin expressed the Building Departments support for this variance request. Building Official Roussin stated a letter of support was submitted by the neighbor.

Post Hearing Questions for a variance to Land Development Regulations Chapter 101, Section 29 (1A) and Section 12 (5).

Question 1: Has the applicant shown good and sufficient cause to grant the variance? George Lancaster – yes, Mike Yunker – yes, and Joey Raspe – yes.

Question 2: Will denial of the variance result in unnecessary hardship to the applicant? George Lancaster – yes, Mike Yunker – yes, and Joey Raspe – 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, Mike Yunker – yes, and Joey Raspe – 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, Mike Yunker – yes, and Joey Raspe – yes.

Question 5: Granting this variance would not confer any special privileges in terms of established development in the immediate neighborhood? George Lancaster – yes, Mike Yunker – yes, and Joey Raspe – yes.

MOTION: Motion made by Joey Raspe, seconded by Mike Yunker to approve the variance as requested by 681 9th Street.

ON THE MOTION: Roll Call Vote. Unanimous Approval.

Workshop to present preliminary revisions to current Comprehensive Plan

- A. Review of proposed changes
- B. Approval Process
- C. Estimated Adoption Schedule

Jim Larue presented the highlights of the Workshop on the Comprehensive Plan. Chairperson Joey Raspe asked about the evacuation policy and the increase of the household water usage. Jim Larue stated that he will get the Florida Aqueduct figures for the next meeting and will look into the residence numbers.

Present the proposed 2020/2021 5-year Schedule of Capital Improvements

- A. Recommendation of Plan Consistency
- B. Action by City Commission Subsequent to LPA Review

Planner Jim Larue reported on the Capital Improvement plan and asked for the Board to give a recommendation to the City Commission. The Board discussed the schedule of Capital Improvements with the City Administrator Dave Turner and details on grant applications and use of money. City Administrator Dave Turner explained that the numbers can be adjusted to the needs of the city.

Motion: Motion made by George Lancaster, seconded by Mike Yunker, to recommend to the City Commission the approval of the 5-Year Schedule of Capital Improvements.

On the Motion: Roll call vote. Unanimous approval.

Property Rights House Bill 59

- A. Presentation and Legislative History
- B. New Element to be added to current Comprehensive Plan with other revisions

Planner Jim Larue reported on the Property Rights Bill 59. The Bill addresses the protection of property rights. This Property Bill of Rights will be voted into the revisions. Copy of the Property Rights Element has been provided to the Committee Members. This item will not be voted on today but rather an educational item for the Committee members. Planner Jim Larue stated that the '1000 Friends of Florida Group' has deviated from the language and he will send a copy to City Attorney Dirk Smits and staff along with his recommendation. Most jurisdiction adopt a simple approach to be consistent with state law. Planner Jim Larue stated that he will have the Comprehensive Plan revisions ready for the next monthly meeting or the October meeting.

Discussion/Approval of Ordinance Amendment to Planning & Zoning Advertisement Requirements:

Chairperson Joey Raspe stated that requiring 30 days in between P & Z and Commission Meetings for approvals is extensive and recommended 10 days. Committee Member discussed the advantages of having both meetings closer together and agreed on a time frame of 7 days between meetings. City Attorney Dirk Smits stated that he will have a draft ready for approval by next month' meeting.

Any Other Business: Mike Yunker requested an update on Clara/Coral Blvd. City Administrator Dave Turner stated the city has the rights to maintain the property and the right of way. City Administrator Turner is also working on traffic study to make the quality of life better in that area of Key Colony Beach. Better landscaping and as well as traffic patterns are being evaluated with George Garrett. City Administrator Turner stated that he will have an update by next month.

The meeting adjourned at 10:44 a.m.

Respectfully Submitted,

Silvia Gransee

Silvia Gransee
City Clerk