

MINUTES

KEY COLONY BEACH

CITY COMMISSION PUBLIC HEARING VARIANCE REQUEST

Thursday October 11, 2018 9:30 a.m.

City Hall Auditorium

Call to Order, Roll Call

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

Present: Mayor John DeNeale, Vice Mayor Ron Sutton, Commissioner Patti Trefry and Commissioner April Tracy.

Also Present: City Administrator Chris Moonis, City Clerk Kathryn McCullough and Building Official Gerard Roussin. *Excused:* Commissioner Jim Pettorini and City Attorney Tom Wright. Public - 16.

Administration of Oath: City Clerk McCullough asked everyone who intended to speak on either of the applications to stand. She asked if all would swear and affirm their testimony shall be the truth, the whole truth and nothing but the truth. All responded, 'I do'.

Disclosure of Ex-Parte Communications: Mayor DeNeale asked if there were any ex-parte disclosures from the Commission. There were none.

Proof of Publications, Affidavit of Mailing Notices: City Clerk McCullough affirmed the proofs of publication and mailing of notices.

Variance Application No. 1: Mayor DeNeale asked Planning and Zoning Chairperson Trudy Troiano to present the variance request. Chairperson Troiano said the request is from Kathy Erwin and Karen Wever for a variance to convert the existing garage to a second bedroom and a second bathroom, LDR Chapter 101 – Section 50, Section 51 and Section 53. Chairperson Troiano explained some of the duplexes set forward on the lot and some set back on the lot. 44 Sadowski Causeway is the left half of a duplex that sits forward on the lot, closer to the Causeway, and currently has 20' parallel parking space to accommodate 1 vehicle and a garage that qualifies as the second parking space. The right side of the duplex had a garage conversion prior to the code requiring 2 parking spaces per residential unit. The code was passed to alleviate parking issues on the Causeway. She reported no variances have been approved since the ordinance passed. Approval of the variance request would increase the size of the unit from 600 square foot to 900 square foot and reduce parking from 2 spots to 1 spot. The size increase would also increase the occupation allowance from 2 persons to 4 persons. Commissioner Tracy asked if everyone on the Causeway was notified when the LDR was changed. City Clerk McCullough replied notices would have been published in the newspapers and several hearings would have been held by the Commission as required by the LDR Regulations and by the State of Florida.

The applicants, Karen Wever, introduced herself, and her sister Kathy Erwin, as the owners of 44 Sadowski Causeway for 17 years. The property was purchased with the hope of retiring here. That will happen this year. Karen will be coming in January and Kathy will be coming in February. They would like the extra bedroom for a family member to visit. There have

been two vehicles parked there, many times, with no issues. There will be no change to the footprint. Ms. Wever reported consent letters from neighbors stating they had no issue with the garage conversion. She reported Chief DiGiovanni visited the property and saw no issues with the parking. She stated, based on the County Appraiser website, 80% of the duplexes on Sadowski Causeway are already 2 bedrooms. Vice Mayor Sutton asked if the intent was to make the property a rental. Ms. Wever reported having a rental license for 17 years. Commissioner Tracy asked, going forward, if they intended to stay in the property or to rent the property. Ms. Wever responded both. She stated it has been rented minimally in the past. Vice Mayor Sutton asked, if you knew the variance had been denied, why did you have the contractor start to enclose it. Ms. Wever said that was a misunderstanding as she thought verbal approval had been given by the Building Department. Vice Mayor Sutton stated the permit was to repair Hurricane Irma damage not to enclose the garage, nor was another permit issued to enclose the garage. Randy Lewis introduced himself as their builder and their neighbor. He stated the engineer, Will Campbell, thought he could get it passed. That's when the miscommunication came about. Mayor DeNeale stated, from the Planning and Zoning minutes, no one attended that meeting. Ms. Wever said they were not aware representation was required. She said they thought it was just a 'paperwork thing' that would pass. Mayor DeNeale voiced 2 main concerns; 1st is a public safety concern and 2nd the dynamics of the structure will change by allowing more rentals. Commissioner Tracy asked if they would consider not renting. Ms. Wever answered not immediately because of the Hurricane Irma expenses, but maybe 3 years from now.

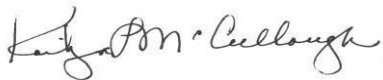
Mayor DeNeale said Planning and Zoning has recommend denial of the variance. He asked Clerk McCullough if there was any correspondence. City Clerk McCullough replied there was no correspondence. Commissioner Tracy stated she would be more comfortable if she knew individual notices had been sent to the Sadowski Causeway property owners. P & Z Board Member Gary Furtak said the property owners knew they needed a variance so they were aware of the regulations.

MOTION: Motion made by Vice Mayor Sutton, seconded by Commissioner Trefry to deny the request for a variance.

ON THE MOTION: Roll call vote. Unanimous approval.

The meeting adjourned at 9:50 a.m.

Respectfully submitted,



Kathryn McCullough, City Clerk

Note: These minutes are unofficial and have not been formally approved by the Commission. The approval will be at the next scheduled Commission meeting.