

# MINUTES

## KEY COLONY BEACH CITY COMMISSION PUBLIC HEARING

Thursday April 25, 2019 9:30 a.m.  
City Hall Auditorium

### **Call to Order, Pledge of Allegiance, 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, Commissioner April Tracy and Commissioner Kimmeron Lisle.

*Also Present:* City Administrator Chris Moonis, Assistant City Clerk Becky Todd, Building Official Gerard Roussin, Police Chief DiGiovanni, Fire Chief Johnson, Building Official Borysiewicz and City Attorney Tom Wright. Public - 16.

**Administration of Oath to Witnesses:** City Attorney Wright swore in all present who would be addressing the variance request.

**Disclosure of Ex-Parte Communications:** None

**Proof of Publication:** Assistant City Clerk Todd affirmed the proof of publication.

### **Variance Application Sea Edge Properties – 340/350 East Ocean Drive**

Planning and Zoning Chairperson Joey Raspe reported that the variance request was first presented to Planning and Zoning Committee October 2018. They requested a survey which the agent for the property presented to them in January. The variance request is for Code of Ordinances Chapter 5, Section 35 (10) of 5' and 20' for 2 mooring poles to match the neighbors pilings permitted in 1987.

Lyn Bevis announced that he was present to represent the applicant, Sea Edge Properties LLC, and to answer any questions.

Planning and Zoning Chairperson Joey Raspe presented that originally the applicant requested the poles to be at the 5<sup>th</sup> piling. The Planning & Zoning Board recommended putting them at the 4<sup>th</sup> piling from left to right. Also there is a 2x6 beam going across between the 4<sup>th</sup> to 5<sup>th</sup> piling that they recommended being moved to the west one set of pilings along with the fish station. The board unanimously approved the variance with these contingencies. Attorney Wright stated that since the Planning & Zoning board recommended the variance and all conditions were met it will only require a 3/5 vote to approve.

**Correspondence and Public Comments:** Assistant City Clerk Todd reported no correspondence. No public comments.

**Commissioner Comments:**

Commissioner Trefry asked how many other canals have been granted this variance other than the neighboring property who received the variance many years ago. Building Official Roussin responded that he knows of a duplex at the end of 10<sup>th</sup> St. that has the mooring pilings but he's not sure of others as it would have been before his time with the city. Commissioner Lisle asked if the boat is out ordinance and is encroaching is that appropriate and would the city take action. Attorney Wright responded that if a boat is violating the riparian lines of a particular owner and it's brought to the city's attention that it would be the city's position to tell the property owner to move the vessel. Building Official Roussin concurred that it would be a code compliance issue. Commissioner Trefry inquired as to how the poles would be affected if the duplex was sold and divided. Chairperson Raspe responded that poles would belong to the east side unit and the unit to the west would not have dockage.

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Commissioner Tracy to approve the variance with the conditions recommended by Planning and Zoning committee.

**ON THE MOTION:** Roll call vote. Unanimous approval.

The meeting adjourned at 9:43 a.m.

Respectfully submitted,

Becky Todd, Assistant City Clerk