

# MINUTES

KEY COLONY BEACH  
CITY COMMISSION PUBLIC HEARING  
Thursday December 12, 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, City Clerk Rebecca Todd, City Attorney Tom Wright, Building Official Gerard Roussin, Police Chief DiGiovanni, Fire Chief Johnson, and Building Inspector Greg Lawton. Public - 14.

**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:** City Clerk Todd affirmed the proof of publication.

## **Variance Application 436 & 438 E. Ocean Dr. – Tuttle Florida, LLC, owner**

Mayor DeNeale stated the variance application requests a variance to the Code of Ordinances Chapter 5, Section 35 paragraphs 2, 10, 38, 39, and 44.

Planning and Zoning Chairperson Joey Raspe reported the Planning and Zoning Board voted to approve this variance with the conditions the sketch be amended to show no encroachments on the riparian line, an as built survey must be submitted prior to closure of the building department, and this variance will in no way confer any rights on the usage of the westerly side of the dock in a manner that encroaches the riparian line of the neighbor.

Owner Jim Tuttle presented his request for the variance. He stated if they can only park boats parallel to the shoreline there is only one parking area for a boat. He and his wife own both sides of the duplex but if they were to sell one half of the duplex there would not be adequate space to park a boat. Granting the variance will not cause any visual impact or cause a hazard to navigation. The neighbors he has spoken to do not have any objections as long as it does not violate the riparian line. Attorney Wright observed that the revised sketch shows the pier not touching the riparian line but the variance request is for the same 25' of pier. Owner Jim Tuttle stated originally he had the placement of the dock in the center of the duplex but by moving it east a foot takes it a foot off of the riparian line. Attorney Wright stated it needs to be in the property records that installing the pier limits the size of boat that can be docked on the westerly side of the duplex because the City is limited in resolving disputes between neighbors.

**Correspondence and Public Comments:** City Clerk Todd reported correspondence from Timothy McArdle, 170 4<sup>th</sup> Street, stating although this variance request does not affect his property, as a matter of policy, perpendicular docks in the channels should not be permitted as they adversely impact adjacent properties. No public comments.

**Commissioner Comments:** None

**MOTION:** Motion made by Vice Mayor Sutton, seconded by Commissioner Lisle to approve the variance with the conditions recommended by Planning and Zoning Board and incorporating the findings of the Planning and Zoning Board regarding meeting the criteria for variances .

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

The meeting adjourned at 9:44 a.m.

Respectfully submitted,

Rebecca Todd, City Clerk