

**MINUTES**  
**CITY OF KEY COLONY BEACH**  
**CODE ENFORCEMENT BOARD**

May 13, 2020 9:30 a.m.  
Virtually via Zoom Conferencing

**Call to Order, Pledge of Allegiance:** The regular meeting of the Key Colony Beach Code Board was called to order by Chair Joey Raspe at 9:30 a.m. followed by the Pledge of Allegiance.

**Roll Call:** *Present Virtually:* Chairperson Joey Raspe, Vice-Chair John Dalton, Larry Wagner, Cheryl Boehm, Gary Furtak, George Lancaster, and Kathryn McCullough.

*Also Present Virtually:* City Administrator Moonis, City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Thomas Wright, Building Official Gerard Roussin, Building Inspector Greg Lawton, and Police Chief DiGiovanni.

*Public (Virtually):* 29

**Approval of Minutes:** Code Enforcement Board Meeting March 11, 2020.

**MOTION:** Motion made by John Dalton, seconded by Larry Wagner to approve the minutes of March 11, 2020 as written.

**ON THE MOTION:** Roll Call Vote. Unanimous approval.

**Swearing in of Witnesses to Testify:** All persons who may give testimony were sworn in by City Attorney Wright.

**Cases for Hearing:**

- 1. 721 West Ocean Drive** – Ocean Front Condominium – City Ordinance Chapter 6, Section 56, Building and Property Maintenance; Section 32c – Dangerous Building; Section 58 (1) & (2)- Blighting Influence

Building Official Roussin stated this is a complaint driven violation received from many surrounding residents. The complaints reported included ongoing bad odors coming from the property, animals on the property, etc. Building Official Roussin and Code Enforcement Officer Greg Lawton parked at Key Colony Inn and used the drone to take multiple pictures of the condition of the pool, dock, landscaping, roofing, gutters, etc. After the inspection, citation #3038 dated April 3, 2020 was issued. Building Official Roussin gave a report on each picture taken of the property and its current condition to. Chairperson Joey Raspe questioned if there is a way of securing the area with additional fencing along the sea wall area and adjacent properties. Building Official Roussin stated there was fencing before but it has deteriorated past usage. Building Official Roussin stated his desire to move forward on the violations but does not want to restrict/hinder any potential future buyers. Attorney David Rogel, Oceanfront Apartments Representative, stated the current condition of the property is due to Hurricane Irma. The property is subject to a contract for sale. At this moment, there is no reason to believe that the property would not be sold. Rogel continued to state his client has been attempting to do what is necessary to keep the condition of the property as best as possible with no one living there. The association has applied for a permit to demolish the pier and is awaiting Army Corps of Engineers approval. Mr. Rogel stated he was unaware of the sewer gas complaints and active fire alarms. Marianne, Oceanfront Apartment Board Member, stated there is no power to the fire alarm system and if it were to come from the property it would have to be someone's battery powered smoke alarm. Mr. Rogel requested to continue the hearing for 90 days and not

impose any fines for that period to allow the sale of the property to close. After the sale is final the new owner will demolish the building. Building Official Roussin requested access to inspect the property The contingency to allow the City access to the property. Mr. Rogel granted access to the Building Department. Mr. Rogel strongly urges and requests the Board to not impose any fines.

**MOTION:** Motion made by Kathryn McCullough, seconded by Cheryl Boehm finding the property in violation.

**ON THE MOTION:** Roll Call Vote. Unanimous.

**MOTION:** Motion made by Kathryn McCullough, seconded by Gary Furtak to continue the hearing, regarding an imposition of a penalty, for 90 days or to the August Board Meeting.

**ON THE MOTION:** Roll Call Vote. Unanimous.

**Discussion Items:** Updated Reports.

Building Official Roussin stated a meeting between Department Heads was held to review procedure on how to properly notify code violations. Yesterday afternoon, procedures were given on hoe to properly post a property when found in violation. 160 10<sup>th</sup> Street and 820 10<sup>th</sup> Street will be posted by May 15<sup>th</sup>. Board Member Kathryn McCullough questioned how long a property must be posted to come before the Board and be considered properly notified. Building Official Roussin stated it must be posted 10 days prior to the Code Board Meeting on the property and on the bulletin board in the Post Office.

Board Member Gary Furtak expresses his agitation with the prior issues had in notifying properties of code violations and his desire to be included in the process.

The meeting adjourned at 10:48 a.m.

Respectfully submitted,

*Rebecca Todd*

Rebecca Todd  
City Clerk