

# MINUTES

KEY COLONY BEACH  
PLANNING AND ZONING BOARD  
Regular Meeting and Variance Hearing  
Wednesday, February 17, 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 Trudy Troiano, George Lancaster, Cheryl Boehm, and Tom DiFransico. Also Present: City Attorney Dirk Smits, City Clerk Rebecca Todd, Executive Assistant Saara Staten, Building Official Roussin, and Building Inspector Lawton. Excused: Alternate Ron Anderson and Alternate Steve DeCrow. Public: 2 (Marble Hall)

**Approval of Minutes:** January 20, 2021 Planning & Zoning Meeting.

**MOTION:** Motion made by Trudy Troiano, seconded by Cheryl Boehm to approve the minutes for January 20, 2021 Planning & Zoning Meeting.

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

## **Variance Requests**

**Swear in Witnesses to Testify:** City Clerk Todd 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 8<sup>th</sup> Street & 731 8<sup>th</sup> Street – Owner: Dingle Amy C. Rev Trust:** Applicant requests a Variance to Land Development Regulations Chapter 101, Section 14 (8) for a 4' height variance for a new two dwelling unit residence. Current residence is one dwelling ground level residence. Current building height restriction is 30'0".

Building Official Roussin reported 2 separate variances requested for 721 8<sup>th</sup> Street and 731 8<sup>th</sup> Street. Building Official Roussin reported the owner's intent is to demolish the existing structure and construct a new elevated duplex on the property that meets new FEMA guidelines. Building Official Roussin recommended granting this variance. Chairperson Raspe read the applicants responses on the variance application which were the same for both properties.

Post Hearing Questions for a variance to Land Development Regulations Chapter 101, Section 14(8).

**Question 1:** Has the applicant shown good and sufficient cause to grant the variance? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

**Question 2:** Will denial of the variance result in unnecessary hardship to the applicant? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – 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? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – 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? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

**Question 5:** Granting this variance would not confer any special privileges in terms of established development in the immediate neighborhood? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

**MOTION:** Motion made by George Lancaster, seconded by Chairperson Raspe to approve the variance as requested for 721 & 731 8<sup>th</sup> Street.

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

**330 13<sup>th</sup> Street – Owner: Parker Family Trust: Applicant requests a Variance to Land Development Regulations Chapter 101, Section 10 (8) for a 4’3” height variance for a new one dwelling unit residence. Current building height restriction is 30’0”.**

Chairperson Raspe read the applicants responses on the variance application. Building Official Roussin reported the owners have provided a complete set of plans and requested a 4’3” variance which allows the new dwelling unit to meet new FEMA guidelines. Building Official Roussin recommended granting this variance.

Post Hearing Questions for a variance to Land Development Regulations Chapter 101, Section 10(8).

**Question 1:** Has the applicant shown good and sufficient cause to grant the variance? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

**Question 2:** Will denial of the variance result in unnecessary hardship to the applicant? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – 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? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – 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? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

**Question 5:** Granting this variance would not confer any special privileges in terms of established development in the immediate neighborhood? Chairperson Joey Raspe – yes, George Lancaster – yes, Trudy Troiano – yes, Cheryl Boehm – yes, and Tom DiFransico – yes.

**MOTION:** Motion made by Chairperson Raspe, seconded by Trudy Troiano to approve the variance as requested for 330 13<sup>th</sup> Street.

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

**Any Other Business:** Building Official Roussin proposed the P&Z LDR recommendations go before the Commission at the next meeting for consideration. After discussion, Chairperson Raspe stated he will attend the next Commission meeting virtually to present the P&Z LDR recommendations.

The meeting adjourned at 10:06 a.m.

Respectfully Submitted,

*Saara V. Staten*

Saara V. Staten (on behalf of City Clerk Rebecca Todd)

Executive Assistant