

# MINUTES

KEY COLONY BEACH

PLANNING AND ZONING BOARD

Special Meeting Wednesday February 26, 2020 9:30 a.m.

City Hall Auditorium

**Call to Order, Pledge of Allegiance and Roll Call:** The public hearing 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:* Joey Raspe, George Lancaster, Trudy Troiano, Gary Furtak, and Kathryn McCullough. *Excused:* Steve DeCrow and Alternate Ron Anderson. *Also Present:* City Administrator Chris Moonis, City Clerk Rebecca Todd, Executive Assistant Saara Staten, City Attorney Tom Wright, Building Official Gerard Roussin. Public - 13

## **Recommended Land Development Regulations changes – City of Key Colony Beach**

**Citizens Correspondence:** City Clerk Rebecca Todd stated she received several letters in support of uniformed building height throughout the City from: Art & Joan Smith (51 & 52 7<sup>th</sup> Street), Don & Shirley Russell (74 7<sup>th</sup> Street), Brad Boersma (48 Sadowski Causeway), and Cheryl Boehm (45 & 46 Sadowski Causeway).

**Citizens Comments:** Christopher Bauer, 66 7<sup>th</sup> Street, stated his support for uniformed building heights throughout the City.

**Board Discussion:** Board Member Troiano asked staff what criteria and investigation was used to come up with their recommendations. Building Official Roussin stated Staff considered other municipalities in the area that have changed their Land Development Regulations due to the incoming FEMA map changes, considered all the best information available and digested to Key Colony Beach's best interest. Staff agreed that 40 ft. was the best reasonable building height maximum considering FEMA's upcoming changes and additional free board. City Administrator Moonis added Staff took into consideration the input of our City Commission. In preliminary meetings, the Commission was considering 37-38 ft. residential and 42 ft. commercial and we took those numbers as a base for our discussion. Staff's goal is to give maximum flexibility to all residents throughout the City. The Planning & Zoning Board considered a drawing by John Grimes. Building Official Roussin clarifies measurements on John Grimes' drawing.

**MOTION:** Motion made by Joey Raspe, seconded by Gary Furtak, to change the language on Article VII – Floodplain Management Section 101-95 (1)(d) to: "The amount of fill shall be limited to the height of the crown of the road or the height of each adjacent property, whichever is greater."

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough - no, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – yes. Motion passed.

**MOTION:** Motion made by Kathryn McCullough, seconded by Trudy Troiano, to change the language regarding pervious areas on Zones: R-1(A), R-1(B), R-2(A), R-2(B), R-2(C) to: "Minimum of 25 per cent. Stormwater shall be retained onsite."

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough - yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – yes. Motion passed.

**MOTION:** Motion made by Gary Furtak, seconded by Kathryn McCullough, to change the language on Sec. 101-10 – R-1A (8) to: “Height. Maximum of 30 feet or 2 stories, whichever is less, for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 34 feet and 2 stories for structures where all habitable space exceeds applicable base flood elevation. No mechanical equipment shall be allowed on roof.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – no, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Gary Furtak, seconded by Joey Raspe, to change the language on Sec. 101-11 – R-1B (8) to: “Height. Maximum of 30 feet or 2 stories, whichever is less, for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 34 feet and 2 stories for structures where all habitable space exceeds applicable base flood elevation. No mechanical equipment shall be allowed on roof.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – no, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Joey Raspe, seconded by Gary Furtak, to change the language on Sec. 101-12 – R-2A (8) to: “Maximum of 30 feet or 2 stories, whichever is less, for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 34 feet and two stories for structures where all habitable space exceeds applicable base flood elevation. In the event the application is made to elevate one-half of an existing duplex, the architectural review procedures of section 101-167 (2)(i) shall be applicable, with particular emphasis on the resulting harmoniousness with the adjoining half-duplex. Notification of the architectural review hearing shall be made in writing to all property owners within three hundred (300) feet of the proposed construction and notice of the hearing shall be published in a newspaper of general circulation in Key Colony Beach no less than seven (7) days prior to the date of the hearing. No mechanical equipment shall be allowed on roof.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – no, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Gary Furtak, seconded by Trudy Troiano, to change the language on Sec. 101-13 – R-2B (8) to: “Maximum of 20 feet or 1 story, whichever is less, for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 34 feet and 2 stories for structures where all habitable space exceeds applicable base flood elevation. In the event that application is made to elevate only one-half of an existing duplex, the architectural review procedures of section 101-167 (2)(i) shall be applicable, with a particular emphasis on the resulting harmoniousness with the adjoining half-duplex. Notification of the architectural review hearing shall be made in writing to all property owners withing three hundred (300) feet of the proposed construction and notice of the hearing shall be published in a newspaper of general circulation in Key Colony Beach no

less than seven (7) days prior to the date of the hearing. No mechanical equipment shall be allowed on roof.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Trudy Troiano, seconded by Kathryn McCullough, to change the language on Sec. 101-14 – R-2C (8) to: “Maximum of 30 feet or 2 stories, whichever is less, for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 34 feet and two stories for structures where all habitable space exceeds applicable base flood elevation. In the event the application is made to elevate one-half of an existing duplex, the architectural review procedures of section 101-167 (2)(i) shall be applicable, with particular emphasis on the resulting harmoniousness with the adjoining half-duplex. Notification of the architectural review hearing shall be made in writing to all property owners withing three hundred (300) feet of the proposed construction and notice of the hearing shall be published to the date of the hearing. No mechanical equipment shall be allowed on roof.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – no, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Kathryn McCullough, seconded by Trudy Troiano, to change the language on Sec. 101-15 – R-3 (10) to: “Maximum of 3 stories, but in no case more than 35 feet, whichever is less, for structures with habitable dwelling space below the applicable base flood elevation. Maximum of 39 feet and three stories plus mechanicals for structures where all habitable space exceeds applicable base flood elevation.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – no, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Kathryn McCullough, seconded by Joey Raspe, to change the language on Sec. 101-16 – RH (11) to: “Maximum of 3 stories, but in no case more than 39 feet in height plus mechanicals.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – no, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Kathryn McCullough, seconded by Gary Furtak, to change the language on Sec. 101-17 – B-1 (10) to: “Maximum of 2 stories, but in no case more than 34 feet in height. No mechanical equipment shall be allowed on roof.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – no, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano – yes. Motion passed.

**MOTION:** Motion made by Kathryn McCullough, seconded by Trudy Troiano, to change the language on Sec. 101-18 – PB (3) to: “Maximum of 2 stories, but in no case more than 40 feet in height. No mechanical equipment shall be allowed on roof.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Kathryn McCullough, seconded by George Lancaster, to change the language on Sec. 101-10 – R-1A (7) to: “Pervious area. Minimum of 25 per cent. Stormwater shall be retained onsite” and Sec. 101-10 – R-1A (9) to: “Special regulations. See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI], and signs [article X].”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Trudy Troiano, seconded by Gary Furtak, to change the language on Sec. 101-11 – R-1B (7) to: “Pervious area. Minimum of 25 per cent. Stormwater shall be retained onsite” and Sec. 101-11 – R-1B (9) to: “Special regulations. See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI], and signs [article X].”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Gary Furtak, seconded by Trudy Troiano, to change the language on Sec. 101-12 – R-2A (7) to: “Pervious area. Minimum of 25 per cent. Stormwater shall be retained onsite” and Sec. 101-12 – R-2A (9) to: “Special regulations. See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI], and signs [article X].”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Trudy Troiano, seconded by George Lancaster, to change the language on Sec. 101-13 – R-2B (6) to: “Floor area. Minimum habitable building area of 450 square feet per one story dwelling unit and minimum 800 square feet per two story dwelling unit.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Trudy Troiano, seconded by Joey Raspe, to change the language on Sec. 101-13 – R-2B (7) to: “Pervious area. Minimum of 25 per cent. Stormwater shall be retained onsite” and Sec. 101-13 – R-2B (9) to: “New construction or renovation of an existing structure to a higher elevation shall require a minimum of 2 parking spaces for standard automobiles with one being an under structure parking space.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Kathryn McCullough, seconded by George Lancaster, to change the language on Sec. 101-13 – R-2B (10) to: “Special regulations. See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI], and signs [article X].”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Gary Furtak, seconded by George Lancaster, to change the language on Sec. 101-14 – R-2C (7) to: “Pervious area. Minimum of 25 per cent. Stormwater shall be retained onsite” and Sec. 101-14 – R-2C (9) to: “Special regulations. See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI], and signs [article X].”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Kathryn McCullough, seconded by Gary Furtak, to change the language on Sec. 101-15 – R-3 (12) to: “Special regulations. See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI], and signs [article X].”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Joey Raspe, seconded by Trudy Troiano, to change the language on Sec. 101-16 – RH (13) to: “Special regulations. See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI], and signs [article X]. See also section 101-35 relative to any resort dwelling units to be sold as time shares.”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Kathryn McCullough, seconded by Trudy Troiano, to change the language on Sec. 101-17 – B-1 (2) to add: “Medical marijuana treatment facilities and dispensing facilities are prohibited” and strike the word “drugs” under permitted uses.

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Trudy Troiano, seconded by Gary Furtak, to change the language on Sec. 101-17 – B-1 (12) to: “Special regulations. See sections governing floodplain management [article VIII], parking [article V], landscaping [article VI], and signs [article X].”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**MOTION:** Motion made by Kathryn McCullough, seconded by George Lancaster, to change the language on Sec. 101-18 – PB (4) to: “Special regulations. See sections governing floodplain management [article VIII], parking [article V], and landscaping [article VI].”

**ON THE MOTION:** Roll Call Vote. George Lancaster – yes, Kathryn McCullough- yes, Joey Raspe – yes, Gary Furtak – yes, Trudy Troiano –yes. Motion passed.

**Additional Citizens Comments:** Christopher Bauer, 66 7<sup>th</sup> Street, stated his prediction on having to revisiting the heights within 5 years because he does not believe 34 ft. is high enough.

The meeting adjourned at 11:34 a.m.

Respectfully submitted,  
Rebecca Todd  
City Clerk

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