

MINUTES

KEY COLONY BEACH

PLANNING AND ZONING BOARD

Regular Meeting and Variance Hearing

Wednesday, September 15, 2021 - 9:30 a.m.

Marble Hall & Virtually via Zoom Conferencing

1. Call to Order/Pledge of Allegiance/Roll Call: The Regular and Variance 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 George Lancaster, Mike Yunker, Tom DiFrancisco, and Lin Walsh (*virtually*).
Also Present: City Administrator Dave Turner, Executive Assistant Saara Staten, Utility Clerk Pat Hyland, City Attorney Dirk Smits, City Attorney Ryan Benninger, Building Official Gerard Roussin, and Building Inspector Greg Lawton.
Excused: Alternate Ron Anderson, and Alternate Steve DeCrow.
Public: 0 (Marble Hall) 3 (Virtually)

2. Citizen Comments and Correspondence: None

3. Approval of Minutes: None.

4. Variance Requests: The variance request for the property located at 57 7th Street, Owner: William Blackwood, was postponed via the owner's request.

5. Swear In Witnesses to Testify: None.

6. Notice of Ex-Parte Communication: Committee Member George Lancaster stated that he spoke with Building Inspector Gerard Roussin regarding questions he had on the cost and recovery ordinance. Committee Member Lancaster further stated that Building Inspector Roussin will answer those questions at today's hearing.

7. Vote of Recommendation to the City Commission to Amend Code of Ordinance Section 1-10 Schedule of Violations and Penalties: District Attorney Dirk Smits stated that a corrected version of the ordinance was given out to the Committee Members prior to the meeting. City Attorney Smits explained that the Planning & Zoning Committee was asked today to present their findings and make a recommendation today to the City Commission. Committee Member Tom DiFrancisco stated the question why the bicycle violation fee is an odd dollar amount. Committee Member DiFrancisco further asked for clarification on the section in the revised Ordinance "where the city is authorized to levy fees and charges that are true and accurate reflection of the accurate cost of providing such code enforcement services." Chairperson Joey Raspe stated that these costs are based on research conducted with the city staff and the city attorney. The research consisted of how much time was spend on a violation and the dollar calculations are based on that. The Committee Members and City Attorney Dirk Smits continued to reflect on the calculations and how the baseline fees were established. Chairperson Joey Raspe stated that he would like to address the issue of garbage violations. City Administrator Dave Turner explained that the new code enforcement officer will start in a few weeks and the issue of garbage violations will be enforced. City Attorney Ryan Benninger answered the previous question on the bicycle fees and explained that there is Google document available from the City of Key Colony Beach with a summary of fines regarding bicycle violations. Committee Members agree that the bicycle fines should remain the same at \$64.50 per violation. Committee Members further agreed on a recommendation of the ordinance to the City Commission with the requested changes. City Administrator Dave Turner stated that he will provide a list of the requested changes.

MOTION: Motion made by George Lancaster, seconded by Chairperson Joey Raspe, to make a Vote of Recommendation to the City Commission to Amend Code of Ordinance Section 1-10 Schedule of Violations and Penalties with the requested changes.

ON THE MOTION: Roll call vote. Unanimous approval.

8. Vote of Recommendation to the City Commission for the Cost Recovery Ordinance: Committee Member George Lancaster questioned the wording on page 43 regarding 'subsequent' fire inspections. Building Official Gerard Roussin explained that the word 'subsequent' refers to a reinspection. Chairperson Joey Raspe asked Building Official Roussin if

he would like anything changed, which the Building Official replied that he went through the proposed changes with the city attorneys. Building Official Gerard Roussin further explained the process of cost recovery calculations on fees, deposits, and refunds. Committee Member DiFransico asked Building Official Roussin on a particular fee on page 40, which Building Official Gerard Roussin cleared up as a percentage charge and not a dollar amount. The Committee and City Attorney Dirk Smits agreed that the verbiage needs to change accordingly. Committee Member DiFransico further asked Building Official Gerard Roussin about the term 'Big Ticket Development Review' on page 45. City Attorney Dirk Smits and the Committee discussed the term 'Big Ticket Development Review' and agreed that it should be changed to 'Significant Development Review'. The Committee further reviewed verbiage details of the proposed Ordinance and agreed on minor changes. City Administrator Dave Turner reported on the Trailer Lot and that 14 additional parking spots were created by staff. In Addition, the Trailer Lot is now locked to secure the parking spots.

MOTION: Motion made by Tom DiFransico, seconded by Chairperson Joey Raspe, to make a Vote of Recommendation to the City Commission for the Cost Recovery Ordinance with the requested changes.

ON THE MOTION: Roll call vote. Unanimous approval.

9. Vote of Recommendation to the City Commission of SFWM Proposed Irrigation Ordinance: City Administrator Dave Turner updated on the specific wording requirements by the State. Building Official Gerard Roussin stated that this ordinance is also important to the Building Department in regard to BCEGS, which stands for Building Code Effectiveness Rating Schedule. It is important to the yearly review, CRS requirements, and the building code. The Board further reviewed details of the proposed ordinance including times and days, as well as reclaimed water use and appropriate signage. The City Attorneys and the Planning Committee continued to clarify verbiage and meanings of the document. City Administrator Dave Turner clarified, that the Golf Course and the City Hall Grounds do not fall under the same provisions, as the city uses reclaimed water for watering. Board Member DiFransico asked for the meaning of 'Cup Conditions'. City Attorney Ryan Benninger explained that Cup refers to Consumptive Use Permit. The Planning and Zoning Board and City Attorneys further clarified on what verbiage should be stricken from the proposed ordinance. Dave Turner stated that other cities in the Keys are adopting this ordinance as well and that SFWM is a good partner to have for the City. The Committee and City Attorneys discussed further advantages and disadvantages of removing verbiage from the document. City Administrator Dave Turner recommended for a simple document to be written up for Key Colony Beach residents to explain the new rules on water consumption.

MOTION: Motion made by Chairperson Joey Raspe, seconded by George Lancaster, to make a Vote of Recommendation to the City Commission for the SFWM Proposed Irrigation Ordinance with the requested changes.

ON THE MOTION: Roll call vote. Unanimous approval.

Any Other Business: None.

The meeting adjourned at 11:26 am.

Respectfully Submitted,

Silvia Gransee

City Clerk