

MINUTES
PLANNING & ZONING BOARD
REGULAR MEETING AND PUBLIC HEARING
Wednesday, December 15, 2021 - at 9:30 a.m.
Marble Hall & Virtually via Zoom Conferencing

1. Call to Order/Pledge of Allegiance/Roll Call: Chairperson Joey Raspe called the meeting to order at 9:30 a.m. in the morning followed by the Pledge of Allegiance and roll call.

Present: Chair Joey Raspe, Mike Yunker, George Lancaster, Lin Walsh, Tom DiFransico. **Also Present:** City Administrator Dave Turner, City Clerk Silvia Gransee, City Attorney Dale Coburn, Building Official Gerard Roussin, Executive Assistant Saara Staten.

Public Attending: 1 Marble Hall, 1 Virtual

2. Approval of Minutes: The Planning Zoning Board approved the Minutes from November 3rd, 2021, with minor changes, and the Minutes from August 18th and September 15th, as written.

MOTION: Motion made by Tom DiFransico, seconded by George Lancaster, to approve the Minutes from November 3rd with minor changes, and approve the Minutes from August 18th and September 15th as written.

ON THE MOTION: Roll call vote. Unanimous approval.

3. Administration of Oath to Witnesses: City Clerk Silvia Gransee administered the oath of witness to all giving testimony in today's hearing.

4. Citizen Comments and Correspondence: 640 12th Street – Owner: Ken Baranowski. Correspondence was received by the City Clerk and entered into the record on the Variance Hearing on 620 12th Street.

5. Disclosure of Ex-Parte Communication: Chairperson Raspe asked all Board Members of any Ex-Parte Correspondence, which all Board Members answered no too.

6. Proof of Publications: All affidavits and legal notices were accepted as sufficient.

7. VARIANCE REQUEST: Chairperson Raspe read the variance request for 620 12th Street.

8. Review of Variance Request:

a) Presentation of Variance Request: Building Official Gerard Roussin reported on the variance request and explained that similar variance requests have been submitted and have been subsequently granted. Building Official Roussin explained the new construction process and reasoning behind it. In addition, Building Official Roussin stated that the Army Corp of Engineers as well as the Department of Environmental Protection have approved the construction process. The Building Official confirmed with Chairperson Raspe that similar variance requests have been granted. Furthermore, Building Official Roussin stated that the Building Department will ask the City Commission to waive further requirements for the same type of variance requests if the Army Corp of Engineers and the Department of Environmental Protection have given their approval. Board Member George Lancaster asked Building Official Roussin if all seawalls will be aligned. Building Official Roussin confirmed that this will be the goal and that the caps are the most important factor to have aligned. Board Member Tom DiFransico asked what the guideline is on how much distance can be taken up by a boatlift, boat, etc. sticking out into the canal. Building Official Roussin explained that guideline is 25% of the total width of the canal.

b. Statement by Applicant: Building Contractor Brian Johnson, contractor for the property on 620 12th Street, stated that the new seawall will closely match the existing seawall. Mr. Johnson explained the width of the

caps and the difference to the existing seawall. The Board further discussed the details of the proposed seawall, in addition to clarification that there will be no floating dock.

Chairperson Joey Raspe read the description of the variance request on 620 12th Street and the applicant questions and responses.

c. Post Hearing Questions: Chairperson Joey Raspe read the Post Hearing Questions to the Planning & Zoning Board.

1. Has the applicant shown good and sufficient cause to grant the variance?

Mike Yunker – yes, George Lancaster – yes, Lin Walsh – yes, Tom DiFransico – yes, Joey Raspe – yes. Vote: YES

2. Will denial of the variance result in unnecessary hardship to the applicant?

Mike Yunker – yes, George Lancaster – yes, Lin Walsh – yes, Tom DiFransico – yes, Joey Raspe – yes. Vote: YES

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?

Mike Yunker – yes, George Lancaster – yes, Lin Walsh – yes, Tom DiFransico – yes, Joey Raspe – yes. Vote: YES

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?

Mike Yunker – yes, George Lancaster – yes, Lin Walsh – yes, Tom DiFransico – yes, Joey Raspe – yes. Vote: YES

5. Granting this variance would not confer any special privileges int terms of established development in the immediate neighborhood?

Mike Yunker – yes, George Lancaster – yes, Lin Walsh – yes, Tom DiFransico – yes, Joey Raspe – yes. Vote: YES

MOTION: Motion made by Mike Yunker, seconded by Lin Walsh, to approve the variance request for 620 12th Street.

ON THE MOTION: Roll call vote. Unanimous approval.

d. Planning & Zoning Board Recommendation: The Planning & Zoning Board recommends the approval of the requested variance at 620 12th Street to the City of Key Colony Beach Board of Commissioners.

9. Ordinance No. 2021-471: AN ORDINANCE OF THE CITY OF KEY COLONY BEACH, FLORIDA, Amending Land Development Regulation Section 101-172.

a. Legal Proof of Publication was accepted as sufficient.

b. Discussion/Review: Building Official Gerard Roussin explained that the proposed Ordinance came as a request by a Key Colony Beach City Commissioner. The request details a 30-day time frame between the Planning & Zoning Meeting and the Commission meeting. Chairperson Raspe commented that he does not agree with the 30-day wait and believes that it is too long of a time for contractors. The Board discussed the proposed ordinance with each other, as well as City Attorney Coburn, and agreed with the opinion of Chairperson Joey Raspe.

MOTION: Motion made by Joey Raspe, seconded by George Lancaster, to recommend Ordinance No. 2021-471 to be heard by the City Commission, **with the amendment in the absence of a specific request for expedited review, of requiring a minimum of a ten (10) day wait period between the approval of proposed code amendments brought before the Planning & Zoning Board and consideration of the matter by the City Commission at a properly advertised Public Hearing for Action.**

ON THE MOTION: Roll Call Vote. Unanimous Approval.

c. Planning & Zoning Board Recommendation: The Planning & Zoning Board hereby recommends the approval

of Ordinance 2021-471 to the City Commission of Key Colony Beach, Florida, with the amendment, in the absence of a specific request for expedited review, of requiring a minimum of ten (10) day wait period between the approval of proposed code amendments brought before the Planning & Zoning Board and consideration of the matter by the City Commission at a properly advertised Public Hearing for Action

10. Any Other Business: City Administrator Dave Turner thanked the Board Members for volunteering another year on the Planning & Zoning Board. In addition, the City Administrator reported on working on an Ethics Class for all Board Members to participate in. City Administrator Turner will inform the Board on a time and date when available.

11. The meeting adjourned at 9:58 a.m.

*Respectfully Submitted,
Sílvia Gransee
Silvia Gransee
City Clerk*

*Adopted: March 16, 2022
Sílvia Gransee
City Clerk*