

MINUTES
PLANNING & ZONING BOARD
REGULAR MEETING AND PUBLIC HEARING

Wednesday, May 18, 2022 - 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, Vice-Chair George Lancaster, Tom DiFransico. **Excused:** Mike Yunker, Lin Walsh. **Also Present:** City Administrator Dave Turner, City Clerk Silvia Gransee, City Attorney Ryan Benninger, Building Official Gerard Roussin, Building Inspector Gerald Leggett.

Public Attending: 2 Marble Hall

2. Approval of Minutes

MOTION: Motion made by Tom DiFransico, seconded by Joey Raspe, to approve the minutes from the April 20th, 2022, Planning & Zoning Meeting.

DISCUSSION: None.

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 persons testifying.

4. Citizen Comments and Correspondence: City Clerk Silvia Gransee reported not having received any citizen correspondence and there were no comments from the audience.

5. Disclosure of Ex-Parte Communication – None.

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

7. VARIANCE REQUEST: 500 12th Street - Owners: John & Jan Scholes

Applicant requests a Variance to Land Development Regulations Article III, Section 101-10 (8) height variance of 4'4. Current maximum height is 30'0".

Chair Raspe read the variance request for 500 12th Street – Owners: John & Jan Scholes.

Building Official Gerard Roussin explained that this is a standard variance request while the city is waiting to address the new LDR changes due to the upcoming FEMA changes. Building Official Roussin stated that this is a standard variance for the building of a new home and that the Building Department is supporting the variance request. Vice-Chair George Lancaster expressed concern regarding mechanicals mentioned in Question 1, which the Building Official stated the issue can be addressed with the owners. Building Official Gerard Roussin further stated that all previous variance requests had been approved without mechanicals on the roof to which Vice-Chair Lancaster agreed.

Chair Joey Raspe read the applicants questions and responses from the variance request.

Building Official Roussin further explained the proposed upcoming changes in the LDR's and corresponding change in free board requirements in the future. The owner stated their understanding of the upcoming changes.

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

Roll call: George Lancaster – yes, Tom DiFransico – yes, Joey Raspe – yes. Roll call vote: YES.

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

Roll call: George Lancaster – yes, Tom DiFransico – yes, Joey Raspe – yes. Roll call 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?

Roll call: George Lancaster – yes, Tom DiFransico – yes, Joey Raspe – yes. Roll call 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?

Roll call: George Lancaster – yes, Tom DiFransico – yes, Joey Raspe – yes. Roll call vote: YES.

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

Roll call: George Lancaster – yes, Tom DiFransico – yes, Joey Raspe – yes. Roll call vote: YES.

The variance request for height was approved.

d. Planning & Zoning Board Recommendation:

MOTION: Motion made by Tom DiFransico, seconded by Joey Raspe, to approve the granting of the requested variance for 500 12th Street.

ON THE MOTION: Roll Call vote. Chair Joey Raspe – yes, George Lancaster – yes, Tom DiFransico – yes. Unanimous approval.

The Planning & Zoning Board recommends to the City of Key Colony Beach Board of Commissioners for the requested variance for the property at 500 12th Street to be granted.

8. [Ordinance 2022-473], entitled “AN ORDINANCE OF CITY OF KEY COLONY BEACH, FLORIDA, AMENDING CHAPTER 6, ARTICLE II (“DANGEROUS STRUCTURES”) OF THE CODE OF ORDINANCES OF THE CITY OF KEY COLONY BEACH BY AMENDING SECTION 6-31, ALONG WITH ADOPTING SECTION 6-37, WHICH SHALL PROVIDE FOR A CERTIFICATION AND RECERTIFICATION PROCESS FOR EXISTING AND FUTURE MULTISTORY STRUCTURES;”

a. Legal Proof of Publication was accepted as sufficient.

b. Building Official Gerard Roussin stated that the proposed ordinance had been previously presented to the Planning & Zoning Board and was send back to the Building Department for changes in definitions and clarifications. Building Official Roussin further stated that the requested changes were completed with the support from legal counsel. City Attorney Ryan Benninger explained to the Board in detail what changes were made. Board Member Tom DiFransico asked Building Official Roussin if inspection reports should be sent to the Building Official which Building Official Roussin confirmed and explained the reasoning behind it. Board Member DiFransico suggested to add a sentence to the paragraph in the ordinance to reflect this.

MOTION: Motion made by George Lancaster, seconded by Tom DiFransico, to recommend Ordinance 2022-473 to the City Commission with said changes.

DISCUSSION: None.

ON THE MOTION: Roll call vote. Unanimous approval.

9. [ORDINANCE NO. 2022-475], entitled “AN ORDINANCE OF THE CITY OF KEY COLONY BEACH FLORIDA, AMENDING LAND DEVELOPMENT REGULATION ARTICLE XII – OTHER DEVELOPMENT REVIEW PROCEDURE, SECTION 101-173(3) REQUIRING MAILED NOTICE OF CITY COMMISSION PUBLIC HEARINGS IN CIRCUMSTANCES OF APPEALS AND VARIANCE APPLICATIONS SUBMITTED TO – AND ON BEHALF OF THE CITY AND FURTHER REQUIRING THAT SUCH NOTICE SHALL BE MAILED TO THE LAST KNOWN ADDRESS OF PROPERTY OWNERS BY REFERENCE TO THE LATEST AD VALOREM TAX RECORDS, AT LEAST TEN (10) DAYS PRIOR TO THE HEARING;

a. Legal Proof of Publication was accepted as written.

b. City Attorney Ryan Benninger explained to the Planning & Zoning Board the purpose behind the proposed ordinance. The Board had no questions for the City Attorney.

MOTION: Motion made by Joey Raspe, seconded by Tom DiFransico, to recommend Ordinance 2022-475 for approval to the City Commission.

DISCUSSION: None.

ON THE MOTION: Roll call vote. Unanimous approval.

c. Discussion/Recommendation – None.

10. Any Other Business – None.

11. The meeting adjourned at 9:57 a.m.

Respectfully submitted,

Silvia Gransee

City Clerk

ADOPTED: July 20, 2022

Silvia Gransee

City Clerk