

# **AGENDA**

## **KEY COLONY BEACH CITY COMMISSION PUBLIC HEARING**

Thursday, February 16, 2023 – 9:30 a.m.

City Hall Annex & Virtually Via Zoom Conferencing

<https://us02web.zoom.us/j/83991329182> - Meeting ID: 839 9132 9182

- 1. Call to Order, Pledge of Allegiance, Prayer, Roll Call**
- 2. Administration of Oath to Witnesses**
- 3. Citizen Comments and Correspondence – Pg. 1**
- 4. Disclosure of Ex-Parte Communications – Pg. 2**
- 5. Variance Request: 68 7<sup>th</sup> Street, Owner: Chad O'Rourke**

*Applicant requests a variance to the City of Key Colony Beach Code of Ordinances Chapter 101, Section 26 (11), to allow the rebuilding of a currently installed pool to be installed within the 10' setback to 5' from the neighboring property line at 66 7<sup>th</sup> Street. The current setback requirements are 10' feet.*

- a. Proof of Publications, Affidavit of Mailing/Posting Notices – Pgs. 3-7*
- b. Presentation of Variance Request – Building Department*
- c. Statement by Applicant – Pgs. 8-12*
- d. Planning & Zoning Board Recommendation – Pg. 13*
- e. Planning & Zoning Meeting Minutes 01-18-2023 – Pgs. 14-17*
- f. Commissioner Comments*
- g. Motion to Approve, Deny, or Approve with Conditions*

## **6. Other Business**

## **7. Adjournment**

---

*The City of Key Colony Beach is inviting you to a scheduled Zoom meeting.*

*This meeting will be held in person at City Hall Annex, 600 W. Ocean Dr., Key Colony Beach, and via Zoom.*

Join Zoom Meeting

<https://us02web.zoom.us/j/83991329182>

Meeting ID: 839 9132 9182

One tap mobile

+13052241968,,83991329182# US

+16469313860,,83991329182# US

Find your local number: <https://us02web.zoom.us/j/83991329182>

“Members of the public may speak for three minutes and may only speak once unless waived by a majority vote of the commission.”

Letters submitted to the city clerk to be read at the Commission Meeting will be made part of the record but not read into record. Persons who need accommodations in order to attend or participate in this meeting should contact the city clerk at 305-289-1212 at least 48 hours prior to this meeting in order to request such assistance. If a person decides to appeal any decision made with respect to any matter considered at any meeting, that person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

## Silvia Gransee

---

**From:** chris bloch <chrisbloch3@yahoo.com>  
**Sent:** Tuesday, January 10, 2023 5:24 PM  
**To:** Silvia Gransee  
**Subject:** [External] Variance Chad O'Rourke 68 7th Street

City Commission,

Both Kathy and myself do not oppose the pool setback request. We welcome change.

Best  
KCB Hospitality LLC  
Kathy and Chris Bloch

[Sent from Yahoo Mail on Android](#)

## **EX-PARTE COMMUNICATIONS**

An ex-parte communication is defined as:

any contact, conversation, communication, writing, correspondence, memorandum or any other verbal or written communication that takes place outside a public hearing between a member of the public and a member of a quasi-judicial board, regarding matters which are to be heard and decided by said quasi-judicial board.

Site visits and expert opinions are also considered ex-parte communications.

In the event that someone contacts a Board Member about a quasi-judicial matter outside of a public meeting, at such time that particular issue is brought before the Board, the Board Member should state on the record:

- the existence of any ex-parte communication,
- the nature of the communication,
- the party who originated the ex-parte communication, and
- whether or not the ex-parte communication affects your ability to impartially consider the evidence presented.

Similarly, any correspondence received by a Board Member must be forwarded to the Board Clerk.

Note: The term "Board Member" would include all members of the Code Enforcement Board, the Planning & Zoning Committee, and the City Commission when they are acting in a quasi-judicial capacity (for example, but not limited to, code violation hearings and variance hearings).

## AFFIDAVIT OF MAILING

STATE OF FLORIDA  
COUNTY OF MONROE

Before me, the undersigned authority, personally appeared **Tamara Anderson**, who, having been first duly sworn according to law, deposes and says:

1. I am the Administrative Assistant to the City Clerk for the City of Key Colony Beach.
2. I hereby confirm that on the **16<sup>th</sup> day of December 2022** (no less than 30 days prior to the Planning & Zoning Public Hearing on **January 18<sup>th</sup>, 2023, and City Commission Public Hearing on February 16<sup>th</sup>, 2023**) I mailed the Notice of Hearing by first class U.S. mail to the address on file with the Monroe County Property Appraiser's Office for all property owners within 300 feet of the property at 68 7th Street.

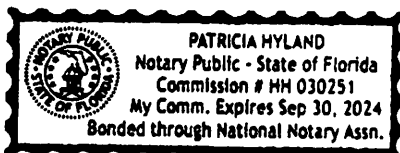
Tamara M. Anderson  
Signature

Sworn and subscribed before me this  
16<sup>TH</sup> day of DECEMBER, 2022.

Patricia Hyland  
Notary Public, State of Florida  
My commission expires: 9/30/24

X Personally known

\_\_\_\_ Produced \_\_\_\_\_ as identification



# City of Key Colony Beach

PO Box 510141 Key Colony Beach, Florida • Phone = 305-289-1212 • Fax= 305-289-1767



To: Property Owners within 300 feet of 68 7<sup>th</sup> Street  
From: The City of Key Colony Beach  
Subject: Planning & Zoning Hearing and City Commission Public Hearing for a Variance Request

## **The City of Key Colony Beach will be holding Public Hearings on:**

**Planning & Zoning Hearing: Wednesday, January 18<sup>th</sup>, 2023, 9:30 A.M.**  
**City Commission Public Hearing: Thursday, February 16, 2023, 9:30 A.M.**

**NOTICE IS HEREBY GIVEN** that the City of Key Colony Beach, Florida, will hold a **Planning & Zoning Hearing on Wednesday, January 18<sup>th</sup>, 2023, at 9:30 A.M.**, and a **City Commission Public Hearing, on February 16, 2023, at 9:30 A.M.**, at Temporary City Hall located at 600 W. Ocean Drive, Key Colony Beach, Florida, 33051, to hear a Variance Request from Chad O'Rourke, 68 7<sup>th</sup> Street, Key Colony Beach, Florida 33051. This meeting will be available virtually via Zoom Meetings. Members of the public who wish to attend virtually may email [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net) or call 305-289-1212, Ext. 2 for further instructions on attending via Zoom Meetings.

Applicant requests a variance to the City of Key Colony Beach Code of Ordinances Chapter 101, Section 26 (11), to allow the rebuilding of a currently installed pool to be installed within the 10' setback to 5' from the neighboring property line at 66 7<sup>th</sup> Street. The current setback requirements are 10' feet.

Interested parties may attend the Hearing and be heard with respect to the requested variance.

If any person decides to appeal any decision made by the City Commission of the City of Key Colony Beach with respect to any matter considered at the Variance Hearing, that person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you are unable to attend the Hearings on Wednesday, January 18<sup>th</sup>, 2023, or Thursday, February 16<sup>th</sup>, 2023, but wish to comment, please direct correspondence to P.O. Box 510141, Key Colony Beach, FL 33051, or [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net), and your comments will be entered into the record.

**Mailed:** On or before December 16<sup>th</sup>, 2022

## AFFIDAVIT OF POSTING

STATE OF FLORIDA  
COUNTY OF MONROE

Before me, the undersigned authority, personally appeared **Tamara Anderson**, who, having been first duly sworn according to law, deposes and says:

1. I am the Administrative Assistant to the City Clerk for the City of Key Colony Beach.
2. I hereby confirm that on the **4<sup>th</sup> day of January** (no less than 14 days prior to the Planning & Zoning Public Hearing on **January 18<sup>th</sup>, 2023**, and **City Commission Public Hearing on February 16<sup>th</sup>, 2023**) I posted the Notice of Hearing at the Key Colony Beach United States Postal Office and the City Hall Offices for the property at 68 7<sup>th</sup> Street.

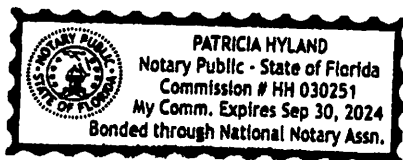
Tamara M. Anderson  
Signature

Sworn and subscribed before me this  
3<sup>rd</sup> day of JANUARY, 2023

Patricia Hyland  
Notary Public, State of Florida  
My commission expires: 9/30/24

✓ Personally known

       Produced        as identification



# PUBLIC NOTICE

**The City of Key Colony Beach will be holding Public Hearings on:**

**Planning & Zoning Hearing: Wednesday, January 18<sup>th</sup>, 2023, 9:30 A.M.**  
**City Commission Public Hearing: Thursday, February 16, 2023, 9:30 A.M.**

**NOTICE IS HEREBY GIVEN** that the City of Key Colony Beach, Florida, will hold a **Planning & Zoning Hearing on Wednesday, January 18<sup>th</sup>, 2023, at 9:30 A.M.**, and a **City Commission Public Hearing, on February 16, 2023, at 9:30 A.M.**, at Temporary City Hall located at 600 W. Ocean Drive, Key Colony Beach, Florida, 33051, to hear a Variance Request from Chad O'Rourke, 68 7<sup>th</sup> Street, Key Colony Beach, Florida 33051. This meeting will be available virtually via Zoom Meetings. Members of the public who wish to attend virtually may email [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net) or call 305-289-1212, Ext. 2 for further instructions on attending via Zoom Meetings.

Applicant requests a variance to the City of Key Colony Beach Code of Ordinances Chapter 101, Section 26 (11), to allow the rebuilding of a currently installed pool to be installed within the 10' setback to 5' from the neighboring property line at 66 7<sup>th</sup> Street. The current setback requirements are 10' feet.

Interested parties may attend the Hearing and be heard with respect to the requested variance.

If any person decides to appeal any decision made by the City Commission of the City of Key Colony Beach with respect to any matter considered at the Variance Hearing, that person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you are unable to attend the Hearings on Wednesday, January 18<sup>th</sup>, 2023, or Thursday, February 16<sup>th</sup>, 2023, but wish to comment, please direct correspondence to City Clerk, P.O. Box 510141, Key Colony Beach, FL 33051, or [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net) . and your comments will be entered into the record.

**Posted:** On or before January 4th, 2023



Published Weekly  
Marathon, Monroe County, Florida

## **PROOF OF PUBLICATION**

### **STATE OF FLORIDA COUNTY OF MONROE**

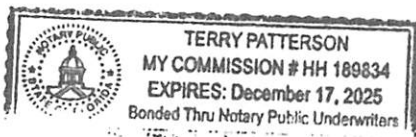
Before the undersigned authority personally appeared JASON KOLER who on oath, says that he is PUBLISHER of the WEEKLY NEWSPAPERS, a weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: (date(s) of publication)

January 5, 2023

Affiant further says that the said WEEKLY NEWSPAPERS is a newspaper published at Marathon, in said Monroe County, Florida, and that the said newspaper has heretofore been continuously published in said Monroe County, Florida, once each week (on Thursday) and has been qualified as a second class mail matter at the post office in Marathon, in Monroe County, Florida, for a period of one year next preceding the first publication of the attached copy of advertisement. The affiant further says that he has neither paid nor promised any person, firm, or corporation any discount, rebate, commission or refund for the purpose of securing this advertisement for publication in the said newspaper(s) and that The Weekly Newspapers is in full compliance with Chapter 50 of the Florida State Statutes on Legal and Official Advertisements.

Sworn to and subscribed before  
me this day of Jan 9, 2023  
(SEAL)

Notary



PUBLIC HEARING NOTICE  
The City of Key Colony Beach will be holding Public Hearings on:  
Planning & Zoning Hearing:  
Wednesday, January 18th, 2023,  
9:30 A.M.  
City Commission Public Hearing:  
Thursday, February 16, 2023,  
9:30 A.M.

NOTICE IS HEREBY GIVEN that the City of Key Colony Beach, Florida, will hold a Planning & Zoning Hearing on Wednesday, January 18th, 2023, at 9:30 A.M., and a City Commission Public Hearing, on February 16, 2023, at 9:30 A.M., at Temporary City Hall located at 600 W. Ocean Drive, Key Colony Beach, Florida, 33051, to hear a Variance Request from Chad O'Rourke, 68 7th Street, Key Colony Beach, Florida 33051. This meeting will be available virtually via Zoom Meetings. Members of the public who wish to attend virtually may email cityclerk@keycolonybeach.net or call 305-289-1212, Ext. 2 for further instructions on attending via Zoom Meetings.

Applicant requests a variance to the City of Key Colony Beach Code of Ordinances Chapter 101, Section 26 (11), to allow the rebuilding of a currently installed pool to be installed within the 10' setback to 5' from the neighboring property line at 66 7th Street. The current setback requirements are 10' feet. Interested parties may attend the Hearing and be heard with respect to the requested variance.

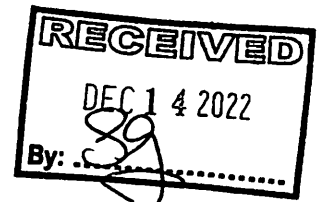
If any person decides to appeal any decision made by the City Commission of the City of Key Colony Beach with respect to any matter considered at the Variance Hearing, that person will need a record of the proceedings and for such purpose may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

If you are unable to attend the Hearings on Wednesday, January 18th, 2023, or Thursday, February 16th, 2023, but wish to comment, please direct correspondence to City Clerk, P.O. Box 510141, Key Colony Beach, FL 33051, or cityclerk@keycolonybeach.net, and your comments will be entered into the record.

Publish:  
January 5, 2023  
The Weekly Newspapers



CITY OF KEY COLONY BEACH  
P.O. BOX 510141  
KEY COLONY BEACH, FL 33051-0141  
305-289-1212 FAX: 305-289-1767



**APPLICATION FOR VARIANCE**

APPLICANT: Chad O'Rourke (413) 348-4741  
Property Owner Name Phone Number  
68 7th Street  
Street Address of Variance Lot Block Subdivision  
Box 510302  
Mailing Address of Property Owner

Owners may have an agent complete this application and represent them at the hearings. In this case, owners must attach to this application a written, signed statement stating the name of the individual or business that may represent them in this matter.

Agent Name Agent Phone Number

VARIANCE REQUESTED to: Land Development Regulations Chapter \_\_\_\_\_, Section \_\_\_\_\_  
Code of Ordinances Chapter 101, Section 26 (11)

DESCRIPTION OF VARIANCE: Please describe the variance request in regard to type of structure, location on lot, distance from side, rear or front lot lines, or details of the variance, including the current rule in effect and the reason for the variance (for example, building would encroach into the setback by \_\_\_\_\_ feet). Also state if this is for future construction or existing conditions.

See Attached Form

**Please attach the following to this application:**

- A sketch or site plan of the property showing the variance requested.
- Written responses to the five criteria (questions attached).
- Fee of \$700.00

Signature of Applicant [signature]

**Office Use Only**

Date Filed 11/15/22

Date Paid 11/15/22 Check # 1186

Variance granted / denied on (date) \_\_\_\_\_

[signature]  
Signature of City Official

## Applicant Questions and Responses-

Summarizing Land Development Code 101-171 (5)(a): Variances shall be approved only if the applicant can demonstrate a good and sufficient cause, that denial would result in unnecessary hardship, it will not be contrary to the public interest, that special conditions exist, and that it will not confer any special privilege on the applicant. Please see the attached pages for the entire city codes relating to Variances.

To assist the Planning & Zoning Committee and City Commission in evaluating this variance request, please answer the following questions:

1. What is the "good and sufficient cause" that explains why this variance should be granted?

---

---

---

---

2. What are the unnecessary hardships that would result if the variance is not granted?

---

---

---

---

3. If this variance is granted, would there be any increase to public expense that would not otherwise occur? Would it create a threat to public health and safety? Would it create a nuisance? Or cause fraud or victimization of the public?

---

---

---

---

4. What are the unique or peculiar physical/geographical circumstances or conditions that apply to this property, but do not apply to other properties in the same zoning district?

---

---

---

---

5. If the variance is granted, would it confer upon the applicant any special privilege that is denied to other properties in the immediate neighborhood in terms of the established development pattern?

---

---

---

---

---

### Office Use Only

#### Comments and Recommendation of the Building Official

*If Variance is approved a full set of Engineer details to be provided.*

---

---

---

## **Application for Variance – 68 7<sup>th</sup> Street**

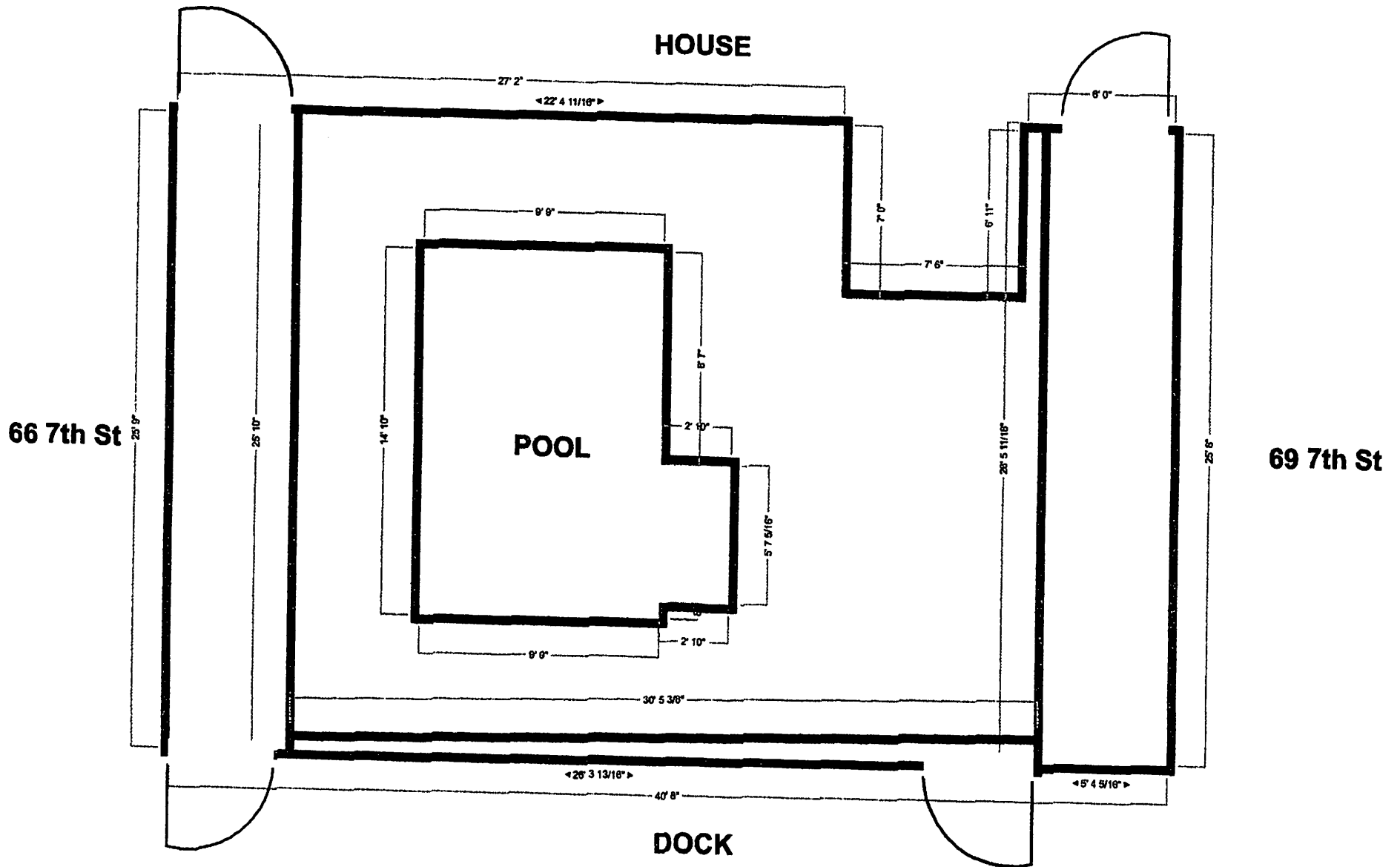
### **Description of Variance:**

We seek a variance to allow the rebuilding of a currently installed pool at 68 7<sup>th</sup> Street to be installed within the 10' setback to 5' from the neighboring property line. The current setback between our property and our neighbors at 66 7<sup>th</sup> Street is 10', we would like a variance to allow this to be 5'. The current setback on the side of the dock would remain at 10' as required. The setback on the other side of the property between ours and our neighbors at 69 7<sup>th</sup> Street would not change, this would remain at 15'. This variance would be for a future building permit to replace the currently existing pool and expand it in size.

### **Applicant Questions & Responses:**

- 1) This variance should be granted to allow the applicants to expand their pool size on their property as allowed by others in the immediate neighborhood currently.
- 2) After Hurricane Irma, the systems of the pool had sustained damage that can only be correct by digging up and redoing these systems. While they are functioning in their current status, they need improvements made to them. Relocating such things as the pump and filter system as well as the heater/chiller system would allow protection for these systems against potential future storms. During the repair and replacement of the pool, it would be unreasonable to not allow this variance to expand the pool in size as allowed by many of the other immediate neighbors.
- 3) If variance were granted, there would be no increase to any public expenses. There would be no threat to any public health and safety. It would not create a nuisance, cause fraud or victimization of the public.
- 4) There are no unique or peculiar physical or geographical circumstances or conditions that apply to this property but do not apply to the other properties in the same zoning district.
- 5) No, if the variance were granted, it would not confer any special privilege to the applicant that is denied to other properties in the immediate neighborhood. In fact, both direct abutters to this property have been granted the exact same variance for their pools.





# City of Key Colony Beach

P.O. Box 510141, Key Colony Beach, FL 33051-0141 • Phone: 305-289-1212  
Fax: 305-289-0247  
www.keycolonybeach.net



January 18, 2023

To: The City of Key Colony Beach Board of Commissioners

From: The Key Colony Beach Planning & Zoning Board

Re: 68 7th Street – Owner: Chad O'Rourke

The Planning & Zoning Board heard the applicant's request for a variance to the City of Key Colony Beach Code of Ordinances Chapter 101, Section 26 (11), to allow the rebuilding of a currently installed pool to be installed within the 10' setback to 5' from the neighboring property line at 66 7<sup>th</sup> Street. The current setback requirements are 10' feet.

## **Post Hearing Questions Results:**

- |                              |  |
|------------------------------|--|
| 1) Chair George Lancaster    | Yes on all 5 (five) Post Hearing Questions |
| 2) Vice-Chair Tom DiFransico | Yes on all 5 (five) Post Hearing Questions |
| 3) Board Member Mike Yunker  | Yes on all 5 (five) Post Hearing Questions |
| 4) Board Member Lin Walsh    | Yes on all 5 (five) Post Hearing Questions |
| 5) Board Member Bob Glassman | Yes on all 5 (five) Post Hearing Questions |

**MOTION:** Motion made by Tom DiFransico, seconded by Bob Glassman, to recommend for the requested variance for 68 7th Street to be approved.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**Final Recommendation:** The Planning & Zoning Board recommends to the City of Key Colony Beach Board of Commissioners for the requested variance for the property at 68 7th Street to be approved.

  
George Lancaster, Chair

**MINUTES**  
**PLANNING & ZONING BOARD**  
**REGULAR MEETING & PUBLIC HEARING**

Wednesday, January 18, 2023 - 9:30 a.m.  
City Hall Annex Trailer & Virtually via Zoom Conferencing

**1. Call to Order, Pledge of Allegiance & Roll Call:** *The Key Colony Beach Planning & Zoning meeting was called to order by George Lancaster at 9:30 am in the morning, followed by the Pledge of Allegiance and Rollcall. Present: Mike Yunker, George Lancaster, Lin Walsh, Tom DiFransico, Bob Glassman. Also Present: City Administrator Dave Turner, City Clerk Silvia Gransee, City Attorney Janette Smith (virtual), Building Official Gerald Leggett, Building Assistant Trish McLeod.*

*Public attendance: 4 City Hall Annex*

**2. Swearing in of Newly Elected and Re-Appointed Officials:** *City Clerk Gransee administered the Oath of Office to Lin Walsh and Bob Glassman.*

**3. Election of Chair & Vice-Chair: City Clerk Gransee:** *City Clerk Gransee explained the election process to the Board and asked for a nomination for Chair of the Planning & Zoning Board.*

*Mike Yunker nominated George Lancaster for Chair.*

*There were no other nominations.*

*City Clerk Gransee asked for a show of hands in support of George Lancaster for Chair.*

*All board members raised their hand.*

*George Lancaster was elected as Chair for the Planning & Zoning Board.*

*City Clerk Gransee asked for a nomination for Vice-Chair.*

*Mike Yunker nominated Tom DiFransico for Vice-Chair.*

*There were no other nominations.*

*City Clerk Gransee asked for a show of hands in support of Tom DiFransico for Vice-Chair.*

*All Board members raised their hands.*

*Tom DiFransico was elected as Vice-Chair for the Planning & Zoning Board.*

*City Clerk Gransee turned the meeting over to Chair George Lancaster.*

**4. Citizen Comments & Correspondence:** *Cit Clerk Gransee reported no citizen correspondence. There were no citizen comments in the audience or via Zoom.*

**5. Approval of Minutes: Planning & Zoning Board Meeting Minutes – November 16, 2022:** *The Chair accepted the minutes as written.*

**6. Administration of Oath of Witnesses:** *City Clerk Gransee administered the Oath of Witness to all planning on testifying.*

**7. Disclosure of Ex-Parte Communication:** *None were reported*

**8. VARIANCE REQUEST: 68 7<sup>th</sup> Street, Owner: Chad O'Rourke**

*Applicant requests a variance to the City of Key Colony Beach Code of Ordinances Chapter 101, Section 26 (11), to allow the rebuilding of a currently installed pool to be installed within the 10' setback to 5' from the neighboring property line at 66 7<sup>th</sup> Street. The current setback requirements are 10' feet.*

- a. **Proof of Legal Publications & Affidavits of Mailing/Posting:** The publications were accepted as legally sufficient.
- b. **Presentation of Variance Request:** Building Official Lenny Leggett presented the variance request to the Board and stated no objections from the Building Department. The Board asked for clarification on dimensions in the submitted plans. The Building Official explained the question and stated no problems with the plans. Mr. O'Rourke gave further input on dimensions and stated support from the homeowner adjacent to his house.
- c. **Statement by Applicant:** Mr. Rourke presented his variance request to the Board, support of neighbors, and reasoning for the pool replacement. Building Official Leggett stated similar requests were received in the past and passed. Building Official Leggett answered additional questions on structural engineering. City Clerk Gransee informed receiving a letter of support for Mr. O'Rourke addressed to the City Commission. City Clerk Gransee explained informing the sender of the upcoming Planning & Zoning and inviting him to send a letter of support to the Board.
- d. **Applicant Questions & Responses:** The applicant questions and responses were included in the agenda packet. City Attorney Smith clarified that the applicant questions and responses did not have to be read into the public record as there were included in the agenda packet. Chair Lancaster accepted the applicant questions and responses into the record.
- e. **Post Hearing Questions:** Chair Lancaster read the Post Hearing Questions.

**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
Bob Glassman	Yes

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

Bob Glassman	Yes
George Lancaster	Yes
Lin Walsh	Yes
Tom DiFransico	Yes
Mike Yunker	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?**

Lin Walsh	Yes
Bob Glassman	Yes
Tom DiFransico	Yes
Mike Yunker	Yes
George Lancaster	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.**

Tom DiFransico	Yes
Mike Yunker	Yes
Bob Glassman	Yes
George Lancaster	Yes
Lin Walsh	Yes

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

Mike Yunker	Yes
George Lancaster	Yes
Lin Walsh	Yes
Bob Glassman	Yes
Tom DiFransico	Yes

**f. Planning & Zoning Board Recommendation:** Chair Lancaster asked for a motion of approval.

**MOTION:** Motion made by Tom DiFransico, seconded by Bob Glassman, to approve the variance request for 68 7<sup>th</sup> Street.

**DISCUSSION:** None.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

City Clerk Gransee informed the applicant that the City Commission will hear is request for a variance on February 16<sup>th</sup>, 2023.

#### **9. Discussion/Approval on Recommendations to the City Commission on Pool Setback Changes for R2B Zones.**

Building Official Leggett explained the item up for discussion to the Board. Building Official Leggett explained current setback requirements and request to change. City Administrator Turner further clarified that the changes would only apply to pool setbacks and that the money savings for resident homeowners. City Administrator Turner confirmed that he is only aware of variance requests for pool setback changes in the R2B zone and continued to show the R2B zone on the map. Discussion followed on expanding the setback change city wide. Building Official Leggett stated his opinion that he does not believe the same hardship applies to other zones in the City. There were no further questions and Chair Lancaster asked for a motion.

**MOTION:** Motion made by Mike Yunker, seconded by Tom DiFransico, to recommend the approval of the pool side setback changes to 5 feet in the R2B zone to the City Commission.

**DISCUSSION:** The Board discussed if only sides are being discussed or all direction setbacks. The City Administrator explained the main concern to be duplex homes on both sides to the fence in the center. Further discussion followed on which type of setback to approve.

**ON THE MOTION:** Rollcall vote. Unanimous approval.

**Final Recommendation:** The Planning & Zoning Board recommends to the City of Key Colony Beach Board of Commissioners to change the pool side setback requirements from 10 feet to 5 feet in the R2B Zone.

***10. Any Other Business: None.***

***11. Adjourn: The meeting adjourned at 9:59 am.***

*Respectfully submitted,*

***Silvia Gransee***

*City Clerk*