

MINUTES
PLANNING & ZONING BOARD
REGULAR MEETING & PUBLIC HEARING

Wednesday, May 20th, 2026 – 3:30 PM

Marble Hall, 600 W. Ocean Drive, Key Colony Beach, Florida 33051 & via Zoom Conferencing

1. **Call to Order, Pledge of Allegiance & Roll Call:** The Key Colony Beach Planning & Zoning Board meeting was called to order by Chair George Lancaster at 3:30 PM followed by the Pledge of Allegiance and Rollcall. **Present:** Chair George Lancaster, Vice-Chair Lin Walsh, Skip Helme, Leonard Geronemus, Lynne Benton. **Also present:** Vice-Mayor Doug Colonell, Commissioner Tom DiFransico, Building Official Tony Loreno, City Administrator John Bartus, Mayor Freddie Foster, City Attorney Jim Hicks, Administrative Assistant Par Darnall, Building Assistant Samantha Rodamer, City Clerk Silvia Roussin.

Public Attendance: 2

2. **Approval of the Agenda** (Additions, changes, and deletions can be made via one motion and a second to approve by majority vote)

Chair Lancaster informed of the following agenda changes:

- A new Item 3: Meeting Protocol Reminders by the City Clerk
- A new Item 4: Memorandum by the Building Official on Research Review & Questions on Liability
- Under other business: Planning & Zoning Summer Meeting Schedule

There were no objections to the additions, and Chair Lancaster asked for a motion to approve the agenda with changes.

MOTION: Motion made by Leonard Geronemus to approve. Skip Helme seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

3. **Meeting Protocol Reminders **Agenda Addition****

City Clerk Roussin reviewed the previous day's correspondence shared with the Board, including procedures for sharing documents, time allocations for adequate review by the Board and applicants, meeting decorum, motions, and the ability to table matters if needed. City Clerk Roussin further detailed the process of making motions, the need for seconds to initiate discussion, the specific discussion item at hand, and possible discussion on it.

4. **Memorandum by the Building Official on Research Review & Questions on Liability **Agenda Addition****

Building Official Loreno spoke about the previous meeting, noting that several technical questions were presented without adequate time for review. Building Official Loreno asked the Board to present future research ahead of the meeting to allow time for review and response. Building Official Loreno further addressed previous questions regarding liability and risk for the City and clarified that the City incurs no structural or legal liability by granting a setback variance or approving permits under Florida Statutes.

3. **Citizen Comments & Correspondence**

City Clerk Roussin reported receiving correspondence from the Owners at Castillo Del Sol opposing the proposed Boat Lift at 841 W. Ocean Drive, which is also included in the agenda packet on pages 1 to 3.

There was no citizen comment.

4. Approval of Minutes: Planning & Zoning Board Minutes April 15th, 2026

There were no changes to the minutes, and Chair Lancaster asked for a motion to approve them.

MOTION: Motion made by Lynne Benton to approve. Vice-Chair Walsh seconded the motion.

DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

5. Administration of the Oath of Witness: City Clerk Roussin administered the Oath of Witness to all planning on testifying.

6. Disclosure of Ex-Parte Communications: None.

7. Discussion/Recommendation for Approval of a Dissolution of Title for 480/490 9th Street

Chair Lancaster introduced the agenda item and asked Building Official Loreno to elaborate. Building Official Loreno explained that the duplex can be split and that the property already has separate sides with separate water and electric meters. Building Official Loreno explained that the duplex is an upstairs/downstairs building and described ownership and how it will be split, including the land. Discussion followed on the upstairs/downstairs split. Building Official Loreno explained that the current ownership is held by a single owner and that the intention is to split the property to establish the legal rights of individual ownership. Chair Lancaster asked for a motion to approve or disapprove the separation of title.

MOTION: Motion made by Lynne Benton to approve the separation of title. Vice-Chair Walsh seconded the motion.

FURTHER DISCUSSION: None.

ON THE MOTION: Rollcall vote. Unanimous approval.

City Clerk Roussin informed for the recommendation to be presented to the City Commission on June 18th, 2026.

8. Discussion/Approval of a Request by Lynne Conkling to Rescind the Variances Approved for 620 and 630 10th Street at the April 15, 2026, Meeting, and Schedule the Matter for Reconsideration at a Duly Advertised Public Hearing, currently proposed for July 15, 2026, subject to the notice and advertising requirements of the City Code and Florida Statutes. (Requires a Motion and Second to Rescind the Previous Action and Rehear the Matter at a Future Meeting Following Required Public Notice.)

a. Letter to the Board

b. Opposition to Variance of 10' Setback from MHWL for Swimming Pools

c. Exhibits

City Attorney Jim Hicks discussed Florida case law on whether an advisory board may rescind a prior decision. He explained that the Board is part of the overall process and that the matter would still need to be presented to the City Commission. He advised against rescinding the prior action without providing due process. He also addressed due process considerations related to granting or denying variances, permitting, and municipal immunity from permitting decisions. City Attorney Hicks further advised that if the Board passed a motion to reconsider, the City Commission could still proceed with the item already on its agenda for the following day. City Attorney Hicks reiterated his advice not to entertain a motion to rescind or vote on rescission without allowing for due process.

Chair Lancaster deferred to Lynne Benton to speak.

Lynne Benton asked about due process and the proper procedure to move forward. City Attorney Hicks advised that a motion to reconsider, rather than rescission, would be appropriate, as rescission would mean taking action without due process.

Chair Lancaster read the requested matter for agenda item 8 into the record.

Lynne Benton raised a point of order and asked about the ability to change the motion to rescind to a motion to reconsider, which City Attorney Hicks confirmed.

MOTION: Motion made by Lynne Benton to reconsider the (prior) approval at the next Planning & Zoning meeting. Chair Lancaster asked for a second. Leonard Geronemus seconded the motion.

DISCUSSION: Lynne Benton spoke about taking her board position seriously and emphasized the importance of confidence in the City's codes, due diligence, transparency, procedure, and preserving the integrity of the process. Vice-Chair Lin Walsh questioned the purpose of Leonard Geronemus's second, and Mr. Geronemus confirmed it was for discussion. Vice-Chair Walsh stated she stood by the Board's prior decision and appreciated the additional research and input. Skip Helme and Leonard Geronemus indicated that their positions had not changed either.

Chair Lancaster allowed the owner of 620 10th Street to speak regarding a reconsideration of the matter.

Ken Jones, 620 10th Street, a resident for 21 years, addressed the Board and requested to be heard on whether to rescind or reconsider the matter. He discussed pool variances in other Florida municipalities, the Board's prior approval supported by a checklist, and the materials reviewed by the Building Official. He expressed dissatisfaction with Lynne Benton's efforts to rescind and now reconsider the Board's prior approval. He noted that the public notice requirements did not result in negative responses, but instead included one supportive response, and stated that requiring notice again would be unnecessary and unfair. Ken Jones also discussed the variance application, provided details on the size of his lot and the current seawall construction, stated his view that the variance was minor, and urged the Board to uphold its prior decision and move the matter forward.

The Board had no questions, and Chair Lancaster asked for a rollcall. City Clerk Roussin restated that the Board had a motion on the floor to reconsider the previous decision.

ON THE MOTION: Rollcall vote. Leonard Geronemus – no. Lynne Benton – yes. Skip Helme – no. Lin Walsh – no. George Lancaster – no. The motion failed.

9. Other Business

- a. Planning & Zoning Summer Meeting Schedule: The Board discussed its ability to attend meetings during the summer, with City Clerk Roussin advising to reach out to the Board regarding this ability afterward. City Clerk Roussin confirmed the ability to vote via Zoom, provided a physical quorum is present, and that the Chair has discretion over who chairs the meeting if no Chair or Vice-Chair is present.

10. Next meeting: June 17th, 2026, 3:30 PM

11. Adjourn: The meeting adjourned at 4:05 PM.

Respectfully submitted,

Silvia Roussin

City Clerk

ADOPTED: June 17, 2026

Silvia Roussin

City Clerk