

**AGENDA**  
**KEY COLONY BEACH CITY COMMISSION**  
**PUBLIC HEARING**  
*Thursday, August 21<sup>st</sup>, 2025, 9:30 AM*  
*Marble Hall, 600 W. Ocean Drive, Key Colony Beach*  
*& via Zoom Conferencing*  
*[Zoom login Information at the end of this Agenda](#)*

- 1. Call to Order, Pledge of Allegiance, Prayer & Roll Call**
  - 2. Approval of Agenda** (Additions, changes, and deletions can be made via one motion and a second to approve by majority vote)
  - 3. Citizen Comments & Correspondence**
  - 4. Administration of Oath of Witnesses**
  - 5. Disclosure of Ex-Parte Communication – Pg. 1**
  - 6. Variance Request: A Variance Request from Dale and Jennifer Hamill, owners of the property at 150 11th Street, Key Colony Beach, Florida 33051, for the construction of a pool that would encroach on the setback by 5 feet.**
    - a. Proof of Legal Publications & Affidavits of Mailing/Posting – Pgs. 2-6**
    - b. Presentation of Variance Request – Building Department – Pgs. 7-16**
    - c. Planning & Zoning Board Recommendation – Pg. 17**
    - d. Planning & Zoning Board Meeting Minutes – Pgs. 18-20**
    - e. Motion to approve, deny, or approve with conditions**
  - 7. Other Business**
  - 8. Adjourn**
- 

This meeting will be held at the City Hall Auditorium ‘Marble Hall’,  
600 W. Ocean Drive, Key Colony Beach, Florida 33051,  
and via Zoom

Join from PC, Mac, iPad, or Android:

<https://us02web.zoom.us/j/82187068744?pwd=sJg5SwjfuaFtqayCcaQDZ7dtU3pza2.1>  
Passcode: 195636

Phone one-tap:

+13052241968,,82187068744#,,,,\*195636# US  
+13092053325,,82187068744#,,,,\*195636# US

Join via audio:

+1 305 224 1968 US  
+1 309 205 3325 US

Webinar ID: 821 8706 8744

Passcode: 195636

International numbers available: <https://us02web.zoom.us/j/82187068744?pwd=sJg5SwjfuaFtqayCcaQDZ7dtU3pza2.1>

“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.

## 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 Cheryl Baker, 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 13 day of June, 2025 (no less than 30 days prior to the Planning & Zoning Public Hearing on July 23<sup>rd</sup>, 2025, and the City Commission Public Hearing on August 21<sup>st</sup>, 2025) 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 150 11<sup>th</sup> Street, Key Colony Beach, Florida, 33051.



Signature

Sworn and subscribed before me this  
13 day of June, 2025.



Notary Public, State of Florida

My commission expires: 7/1/28

☒

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 150 11<sup>th</sup> Street  
From: The City of Key Colony Beach  
Key Colony Beach Planning & Zoning Board and the Key Colony Beach City Commission

**NOTICE IS HEREBY GIVEN,  
THAT THE CITY OF KEY COLONY BEACH WILL BE HOLDING  
PUBLIC HEARINGS ON:**

**DATE/TIME:**

Planning & Zoning Hearing: Wednesday, July 23<sup>rd</sup>, 2025, 9:30 A.M.  
City Commission Public Hearing: Thursday, August 21<sup>st</sup>, 2025, 9:30 A.M.

**LOCATION:**

City of Key Colony Beach  
City Hall Auditorium 'Marble Hall'  
600 W. Ocean Drive, Key Colony Beach, Florida 33051,

To hear a Variance Request from Dale and Jennnifer Hamill, owners of the property at 150 11<sup>th</sup> Street, Key Colony Beach, Florida 33051. This meeting will be available via Zoom Meetings. Members of the public who wish to attend virtually may email the City Clerk at [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net) or call 305-289-1212, Ext. 2 for further instructions on attending via Zoom Meetings.

**The applicant requests a variance to the City of Key Colony Beach Land Development Regulations, Article IV, Sec. 101-26, for the construction of a residential pool that would encroach into the setback by 5 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, July 23<sup>rd</sup>, 2025, or Thursday, August 21<sup>st</sup>, 2025, but wish to comment, please direct correspondence to the City Clerk at P.O. Box 510141, Key Colony Beach, FL 33051, or via email at [cityclerk@keycolonybeach.net](mailto:cityclerk@keycolonybeach.net), and your comments will be entered into the record.

**Mailed:** On or before June 23<sup>rd</sup>, 2025  
City Clerk, City of Key Colony Beach



**Parcel ID** 00076870-000100  
**Account#** 9098688  
**Property ID** 9098688  
**Millage** 50KC  
**Group**  
**Location** 150 11TH St, KEY COLONY BEACH  
**Address**  
**Legal** BK 11 NLY PT LT 69 KEY COLONY BEACH FIRST ADDN AMENDED PLAT PB4-  
**Description** 11 SHELTER KEY OR533-1082 OR682-297 OR682-297 OR682-298 OR793-558  
 OR793-559 OR10251821 OR1091-316 OR1288-902 OR1399-1009 OR1424-314C  
 OR2108-1502 OR2508-2465-67 OR3250-1853 OR3250-1857  
 (Note: Not to be used on legal documents.)

## AFFIDAVIT OF POSTING

STATE OF FLORIDA  
COUNTY OF MONROE

Before me, the undersigned authority personally appeared Cheryl Baker, 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 7 day of July, 2025 (no less than 14 days prior to the Planning & Zoning Public Hearing on July 23rd, 2025, and the City Commission Public Hearing on August 21st, 2025) I posted the Notice of Hearing for the property located at 150 11<sup>th</sup> Street, Key Colony Beach, Florida, 33051, at the United States Postal Office and City Hall.

Cheryl Baker

Signature

Sworn and subscribed before me this  
7 day of July, 2025.

Danielle Spinola

Notary Public, State of Florida

My commission expires: 7/1/28

☒ Personally known

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







Published Weekly  
Marathon, Monroe County, Florida

## PROOF OF PUBLICATION

### STATE OF FLORIDA COUNTY OF MONROE

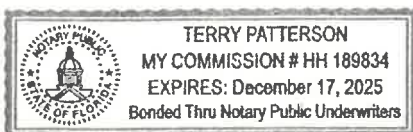
Before the undersigned authority personally appeared **JASON KOLER** who on oath, says that he is **PUBLISHER** of the **WEEKLY NEWSPAPERS**, a weekly newspaper published in Marathon, in Monroe County, Florida: that the attached copy of advertisement was published in said newspaper in the issues of: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

July 10, 2025

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 10 day of JULY, 2025  
(SEAL)

Notary



THE CITY OF KEY COLONY BEACH WILL BE HOLDING PUBLIC HEARINGS  
To: Property Owners within 300 feet of 150 11th Street  
From: The City of Key Colony Beach  
Key Colony Beach Planning & Zoning Board and the Key Colony Beach City Commission  
NOTICE IS HEREBY GIVEN, THAT THE CITY OF KEY COLONY BEACH WILL BE HOLDING PUBLIC HEARINGS ON:  
DATE/TIME:  
Planning & Zoning Hearing: Wednesday, July 23rd, 2025, 9:30 A.M.  
City Commission Public Hearing: Thursday, August 21st, 2025, 9:30 A.M.  
LOCATION:  
City of Key Colony Beach City Hall Auditorium Marble Hall  
600 W. Ocean Drive, Key Colony Beach, Florida 33051  
To hear a Variance Request from Dale and Jennifer Hamill, owners of the property at 150 11th Street, Key Colony Beach, Florida 33051. This meeting will be available via Zoom Meetings. Members of the public who wish to attend virtually may email the City Clerk at cityclerk@keycolonybeach.net or call 305-289-1212. Ext. 2 for further instructions on attending via Zoom Meetings. The applicant requests a variance to the City of Key Colony Beach Land Development Regulations, Article IV, Sec. 101-26, for the construction of a residential pool that would encroach into the setback by 5 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, July 23rd, 2025, or Thursday, August 21st, 2025, but wish to comment, please direct correspondence to the City Clerk at P.O. Box 510141, Key Colony Beach, FL 33051, or via email at cityclerk@keycolonybeach.net, and your comments will be entered into the record.  
Published: On or before July 13th, 2025  
City Clerk, City of Key Colony Beach  
Publish:  
July 10, 2025  
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:** Dale & Jennifer Hamill 616-299-2129  
Property Owner Name Phone Number  
150 11<sup>th</sup> St. KCB NW 69/11 KCB 1<sup>st</sup> Add.  
Street Address of Variance Lot Block Subdivision  
150 11<sup>th</sup> St. KCB  
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 101, Section 26  
Code of Ordinances Chapter \_\_\_\_\_, Section \_\_\_\_\_

**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 5 feet). Also state if this is for future construction or existing conditions.

Pool-Back Yard  
To Be constructed  
Encroaching 5 feet.

**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 J Hamill

**Office Use Only**

Date Filed 6-2-2005

Date Paid 6-2-25 Check # 1533

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

Shirley Ross  
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?

~~aesthetically pleasing~~ aesthetically pleasing based on contractors recommendations.

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

No unnecessary hardships on neighbors

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?

No increased expense or health/safety caused by pool.

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?

Per our contractors recommendation - this is the best fit for our yard w/ this particular function in our back yard.

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?

The effect on surrounding properties would be minimal if at all.

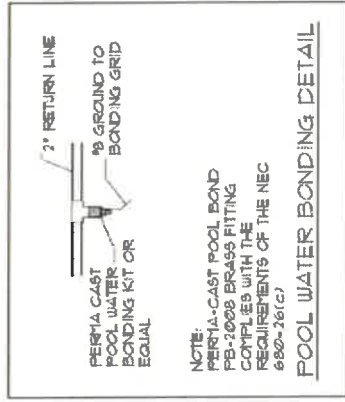
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### Office Use Only

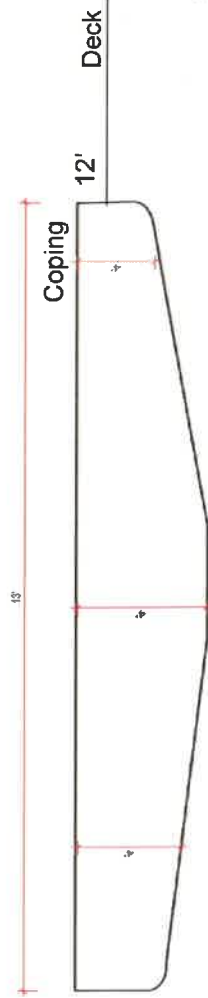
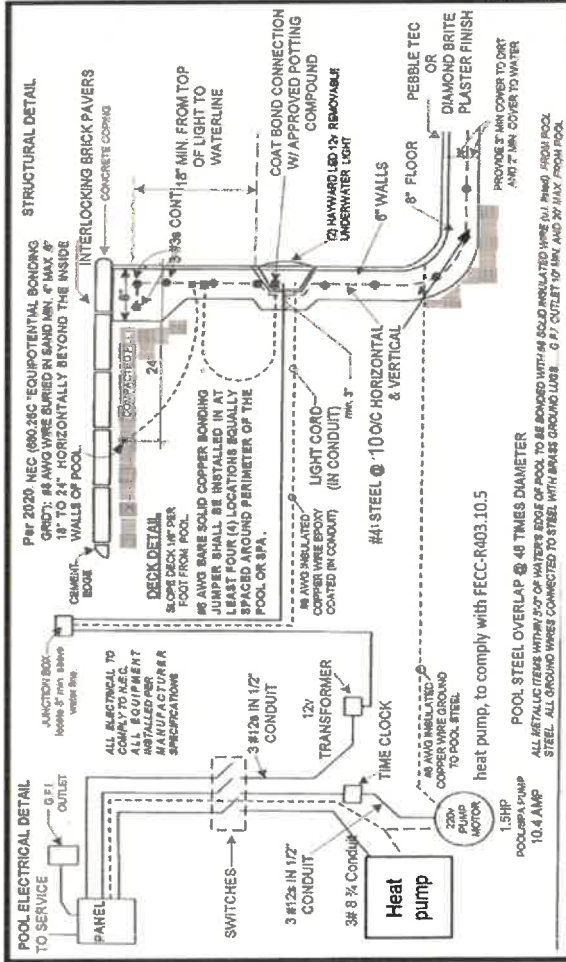
#### Comments and Recommendation of the Building Official

UNIQUE SIZE OF DUPLEX BACKYARD IS SIMILAR TO 7<sup>th</sup> ST. LOTS AND REQUIRES THE 5' SETBACK TO ACCOMMODATE POOL THE 5' WILL NOT ENCROACH OR AFFECT NEIGHBORING HOMES OR DOCK ACCESS - THESE SMALLER LOTS AND BACKYARDS ON 11<sup>th</sup> ST. ARE FEW THAT WILL BE IMPACTED BY THEIR EASEMENTS

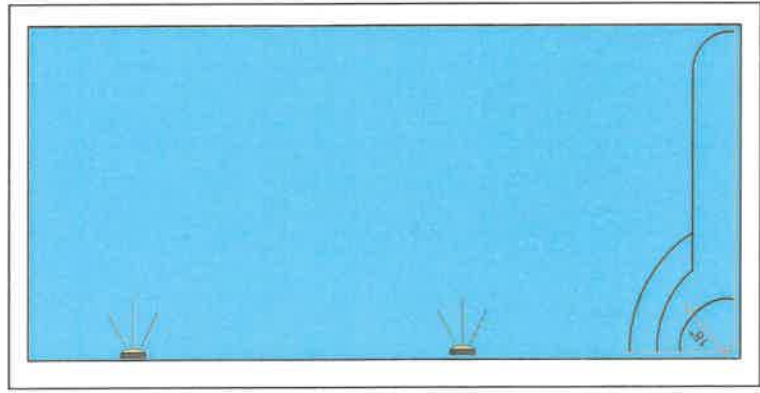
Dale & Jennifer Hamill  
150 11 St KCB



360 pool bonding deck  
Digitally signed  
by richard s  
espinoza-bernales  
Date: 2025.05.27  
21:55:44 -04'00'



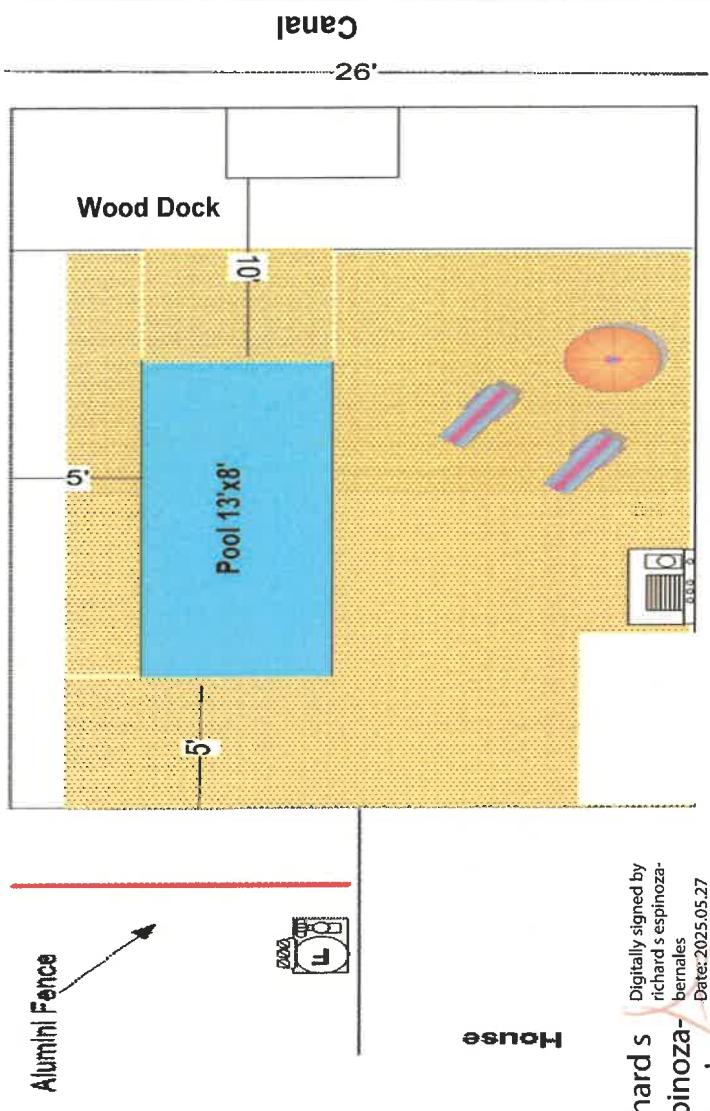
# Pool Layout



8'

13'

# Site Plans



richard s  
espinoza-  
bernales

Digitally signed by  
richard s espinoza-  
bernales  
Date: 2025.05.27  
21:55:22 -04'00'

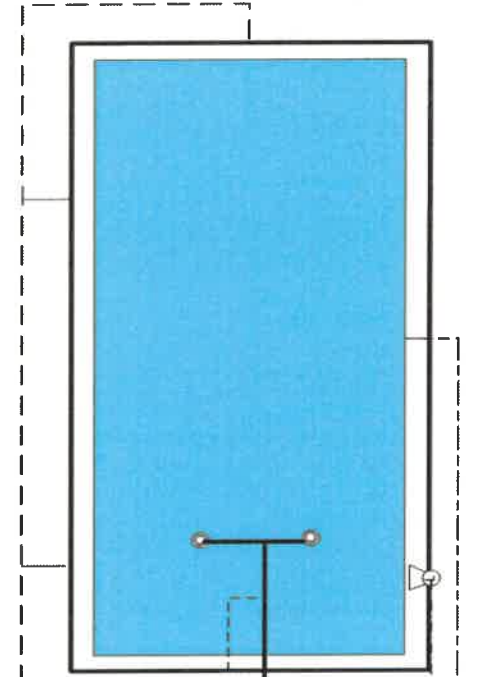
Dale & Jennifer Hamill  
150 11 St KCB





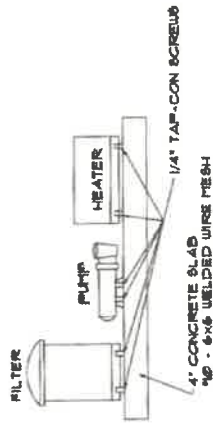
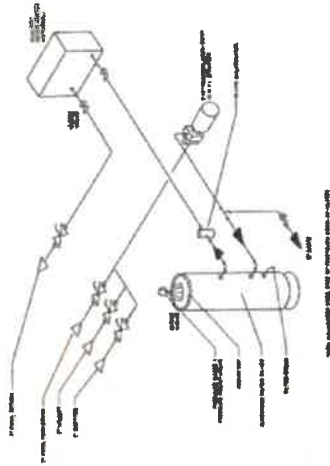
# PLUMBING PAGE

Return 2"  
 Digitally signed  
 by richard s  
 espinoza-bernales  
 Date: 2025.05.27  
 21:56:07 -04'00'  
 Vent 1 1/2"  
 Main Drain 3"  
 Skimmer 2"  
 Vacuum 2"



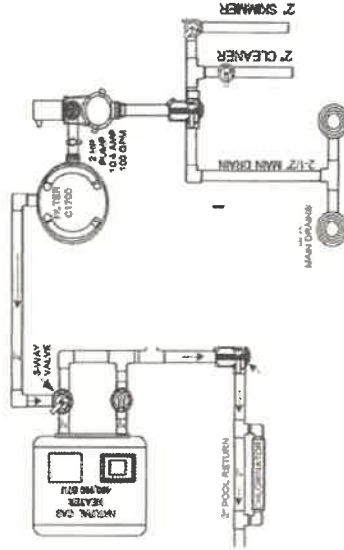
## POOL PIPING ISOMETRIC

NOT TO SCALE

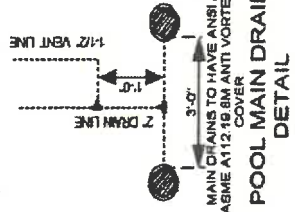


## ANCHOR DETAIL

NOT TO SCALE



## ANTI-ENTRAPMENT



## POOL MAIN DRAIN DETAIL

POOL MAIN DRAINS TO BE INSTALLED 5' APART



richard s  
espinoza  
-bernales

Digitally signed  
by richard s  
espinoza-  
bernales  
Date: 2025.05.27  
21:56:25 -04'00'

Parcel ID  
00076870-000100  
Account#  
9098688  
Property ID  
9098688  
Millage Group  
50KC

Location Address  
150 11TH St, KEY COLONY BEACH

Legal Description  
BK 11 NLY PT LT 69 KEY COLONY BEACH FIRST ADDN  
AMENDED PLAT PB4-11 SHELTER KEY OR533-1082  
OR682-297 OR682-298 OR793-558 OR793-559  
OR10251821 OR1091-316 OR1288-902 OR1399-1009  
OR1424-314C OR2108-1502 OR2508-2465-67 OR3250-  
1853 OR3250-1857

(Note: Not to be used on legal documents.)

Neighborhood  
5044

Property Class  
SINGLE FAMILY RESID (0100)

Subdivision  
KEY COLONY BEACH 1ST ADD

Sec/Twp/Rng  
05/66/33

Affordable Housing  
No

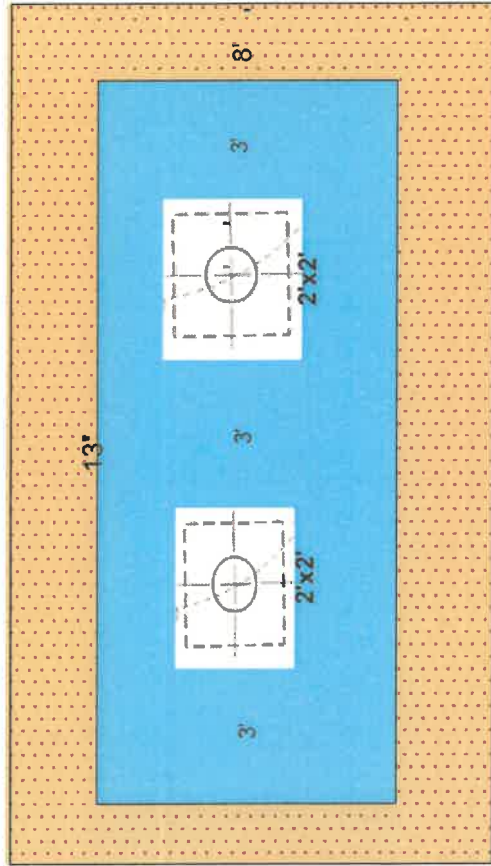
Owner  
HAMILL DALE R  
22780 20 Mile Rd  
Paris MI 49338  
HAMILL JENNIFER L  
22780 20 Mile Rd  
Paris MI 49338

Pool: 13'x8'  
Pool Area: 104 Per: 42'  
Depth: 4' IA:  
Equipment:  
Filter: 100 Cartiched Pump: 1. hp  
Heat pump 45000BTU Chlorinator: salt 15G  
Finishes:  
1 - UMB  
Interior: Plaster ( DB )  
Coping : Travertine  
Tile: 6" x 6"  
Plumbing:  
Skimmer: 1 ( ' ) Drains: 2  
Returns: 3 AWL: 1  
Vac Line: 1 Bubblers  
Electrical:  
Light: 2-20w color LED

Dale & Jennifer Hamill  
150 11 St KCB

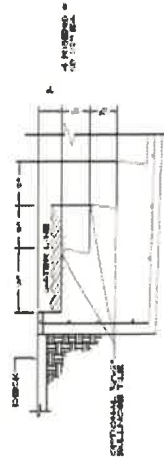


# FOUNDATION PLAN

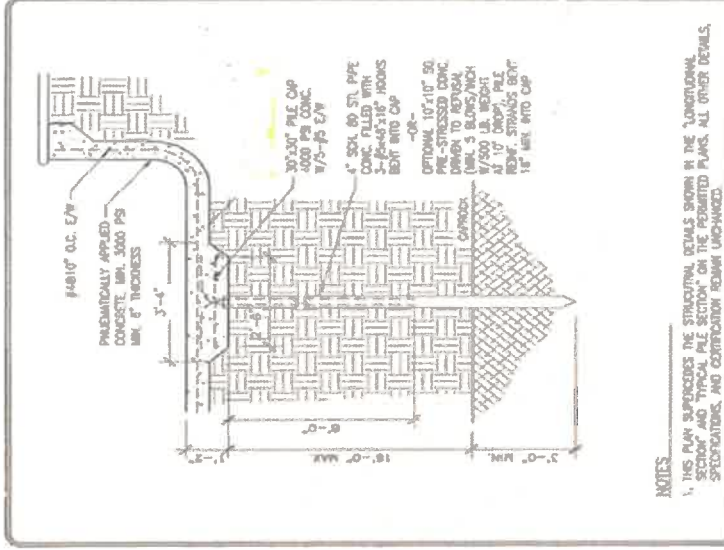


richard s  
espinoza-  
bernales

Digitally signed by  
richard s espinoza-  
bernales  
Date: 2025.05.27  
21:56:44 -04'00'



TYPICAL STEP SECTION  
1/2" = 1'-0"



## NOTES

1. THIS PLAN SUPERSEDES THE STRUCTURAL DETAILS SHOWN IN THE "LONGITUDINAL SECTION AND TYPICAL PILE SECTION ON THE PERMITTED PLANS. ALL OTHER DETAILS, SPECIFICATIONS, AND CONSTRUCTION REMAIN UNCHANGED.

Dale & Jennifer Hamill  
150 11 St KCB

## Pool Notes

richard s  
espinoza-bernales  
Digitally signed by  
richard s espinoza-bernales  
DN: cn=richard s espinoza-bernales, o=, ou=, email=richard.bernales@spinoza.com, c=US

2025.05.27 11:57:04 -04'00'

1 this pool and equipment was designed and shall be constructed in accordance with the Florida Building Code, Residential Part, and the latest edition of 2023 FI building code, the last editions of national electric code NEC:2017, and article 680.26 (C) for water bond requirements, provide water bond detail

2 The pool and structure shall bear on undisturbed bedrock notify engineer of record if any deleterious material shall remove complete and replace with approved structural select fill approved select fill shall be compacted to 95% proctor density

3 The contractor shall back fill the pool shell with caution the plumbing shall not be disturbed backfill shall be provide with clean sands and compacted 90% standard proctor density soils

4 Concrete may be pneumatically applied in floor, walls and steps the concrete shall develop strength 5000 PSI in 28 days pool deck 3000PSI min

5 All reinforcing steel conform to ASTM615 grade 60 provide min 3" coverage reinforcing steel reinforcing steel shall be # 4 at 10"

6 All metallic pool fitting within 5 feet of inside wall the deck, reinforcing steel shall be bonded to pool steel with a #8 awg copper wire

7 Piping shall be N.S.F. approved and shall be schedule 40 PVC otherwise noted short 90 bend are not permitted in suction line piping water velocity not exceed 10 fts

8 pump impellers shafts, wear rings and another parts shall be corrosion resistant

9 Provide backup suction relief with Vacuum relief systems, vent, piping another approved devices

10 All the pool shall be equipped with ladder or steps in shallow end where the water exceeds 24" where the water depth exceeded 5' shall be ladder swimouts at the deep end

11 Provide pool barrier in accordance with sections R4101.17.1 of 2004 FI residential code

12 The contractor shall determine the locations for pool equipment's the design engineer assumes no responsibility for pool setback

13 the contractor shall protect all existing structures from damages.

RESIDENTIAL SWIMMING POOL SAFETY COMPLIANCE  
FLORIDA BUILDING CODE, RESIDENTIAL, SECTION R410 (PRIVATE  
SWIMMING POOLS) SHALL GOVERN POOL SAFETY  
REQUIREMENTS. CONSTRUCTION SHALL INCLUDE THE  
FOLLOWING AS REQUIRED:

1. A BARRIER WHICH ENCLOSES THE POOL AND PROVIDES ISOLATION  
FROM THE HOME THAT MEETS ALL THE FOLLOWING  
CONDITIONS.

A. IS AT LEAST 48" HIGH  
B. IS NOT PASSABLE OR CLIMBABLE FOR SMALL CHILDRENS  
C. IS LOCATED AROUND THE PERIMETER OF THE POOL, BUT  
PLACED A SUFFICIENT DISTANCE FROM THE WATERS EDGE TO  
PREVENT A PERSON FROM FALLING INTO THE POOL IF THEY  
GET PAST THE BARRIER.

D. IS NOT SITUATED CLOSE TO ANY PERMANENT STRUCTURES  
OR EQUIPMENT THAT COULD BE USED TO CLIMB OVER THE  
BARRIER.

2. AN APPROVED POOL & SAFETY COVERS (ASTM F1346-91) IS  
REQUIRED

3. AUDIBLE EXIT ALARMS (85 DECIBELS AT 10FT.) INSTALLED ON  
ALL DOORS AND WINDOWS PROVIDING DIRECT ACCESS FROM  
THE HOME TO THE POOL. THE DEACTIVATION SWITCH SHALL  
BE LOCATED 54" ABOVE FINISHED FLOOR.

4. SELF-CLOSING AND SELF-LATCHING DEVICES, WITH A  
RELEASE MECHANISM PLACED NO LOWER THAN 54" ABOVE  
GRADE.

### SAFETY RELEASE SYSTEM

1. PROVIDE A SAFETY VACUUM RELIEF SYSTEM WHICH SHALL BE A  
NON-MECHANICAL VENT SYSTEM THAT WILL LIMIT THE  
TRANSMISSION OF SUCTION AT THE OUTLET TO A MAXIMUM  
OF 4.5" INCHES OF MERCURY.

2. THE SYSTEM SHALL BE PROVIDED AS A BACKUP SUCTION RELIEF  
TO PRECLUDE ENTRAPMENT.

3. POOL AND SPA INLETS SHALL BE PROVIDED WITH COVERS THAT  
COMPLY WITH ANSI/ASME A 112.19.8M.

4. THE VELOCITY ON THE SUCTION SIDE OF THE CIRCULATION  
SYSTEM SHALL NOT EXCEED SIX FPS.

5. CHECK VALVES SHOULD NOT BE INSTALLED IN THE SUCTION  
SYSTEM.

6. THE SYSTEM SHALL BE INSTALLED AND TESTED BY A LICENSED  
SWIMMING POOL CONTRACTOR.

7. THE VENT LINE LENGTH MUST NOT EXCEED THE TOTAL LENGTH OF  
THE MAIN DRAIN LINE.

8. THE VENT OPENING SHALL BE COVERED WITH WIRE MESH  
SCREENING TO PREVENT INSECT AND DEBRIS COLLECTION.

Dale & Jennifer Hamill  
150 11 St KCB

Swimming Pools  
Spa-Decks  
Construction &  
Remodeling  
ECO  
TOOLS, INC



richard s  
espinoza-  
bernales  
Digitally signed by  
richard s espinoza-  
bernales  
Date: 2025.05.27  
21:57:38 -04'00'

# City of Key Colony Beach

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



July 23, 2025

To: The City of Key Colony Beach Board of Commissioners

From: The Key Colony Beach Planning & Zoning Board

**Re: A Variance Request from Dale and Jennifer Hamill, owners of the property at 150 11<sup>th</sup> Street, Key Colony Beach, Florida 33051, for the construction of a pool that would encroach on the setback by 5 feet.**

The Planning & Zoning Board reviewed the applicant's request for a variance to the City of Key Colony Beach Code of Ordinances for the installation of a residential pool that would encroach on the setback by 5 feet. After discussion, the Board voted on the Post-Hearing Questions as follows:

**Post Hearing Questions Results:**

- |                                   |  |
|-----------------------------------|--|
| 1) Chair George Lancaster         | Yes on all 5 (five) Post-Hearing Questions |
| 2) Vice-Chair Lin Walsh           | **absent                                   |
| 3) Board Member Leonard Geronemus | Yes on all 5 (five) Post-Hearing Questions |
| 4) Board Member Lynne Conkling    | Yes on all 5 (five) Post-Hearing Questions |
| 5) Bob Glassman                   | Yes on all 5 (five) Post-Hearing Questions |

**MOTION:** Motion made by Bob Glassman to approve. Leonard Geronemus seconded the motion.

**DISCUSSION:** None.

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

**Final Recommendation:** The Planning & Zoning Board recommends that the City of Key Colony Beach Board of Commissioners approve the variance for the property located at 150 11<sup>th</sup> Street.

George Lancaster, Planning & Zoning Board Chair



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

Wednesday, July 23<sup>rd</sup>, 2025 - 9:30 am

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 9:35 AM followed by the Pledge of Allegiance and Rollcall. **Present:** Chair George Lancaster, Leonard Geronemus, Bob Glassman, Lynne Conkling (via Zoom). **Absent:** Lin Walsh. **Also present:** Mayor Freddie Foster, City Administrator John Bartus, Administrative Assistant Linda Jones, City Clerk Silvia Roussin. Variance Applicant: Jennifer Hamill. **Also absent:** Building Official Tony Loreno.

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 asked for any changes to the agenda. There were none, and Chair Lancaster asked for a motion.

**MOTION:** Motion made by Leonard Geronemus to approve. Bob Glassman seconded the motion.

**DISCUSSION:** None.

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

3. **Citizen Comments & Correspondence:** None.

4. **Approval of Minutes:** Planning & Zoning Board Minutes June 18<sup>th</sup>, 2025

Chair Lancaster asked for any changes to the minutes. There were none, and Chair Lancaster asked for a motion to approve.

**MOTION:** Motion made by Bob Glassman to approve the minutes. Leonard Geronemus 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 Mayor Foster, who was presenting for absent Building Official Loreno, as well as the applicant Jennifer Hamill.

6. **Disclosure of Ex-Parte Communication:** None.

7. **Variance Request(s): A Variance Request from Dale and Jennifer Hamill, owners of the property at 150 11th Street, Key Colony Beach, Florida 33051, for the construction of a residential pool that would encroach into the setback by 5 feet.**

- a. **Proof of Legal Publications & Affidavits of Mailing/Posting:**

Proof of Publications and Affidavits of Mailing and Posting were included in the agenda packet.

- b. **Presentation of Variance Request – Building Department**

Chair Lancaster introduced the variance request and deferred to the Building Department for elaboration. Mayor Foster, attending on behalf of Building Official Loreno, stated that after reviewing the application, he found no objections to the request.

Mayor Foster requested the number of occurrences for this type of variance and the possibility of reviewing the ordinance. Chair Lancaster confirmed a planned review by the Planning & Zoning Board and the Building Department and said he would follow up on the matter.

**c. Variance Application:** Included in the agenda packet.

**d. Applicant Questions & Responses**

Chair Lancaster read the applicant's questions and responses into the record and noted that question Number 2 appeared to have been misunderstood by the applicant.

Chair Lancaster invited the applicant to speak. Variance applicant Jennifer Hamill addressed the hardship question. Mayor Foster stated that financial hardship would apply to the applicant and noted the ambiguity in the wording of the question.

Chair Lancaster asked for questions from the Board. Lynne Conkling commented on the issue of hardship and suggested reviewing the policy and procedures for recurring types of variances. Chair Lancaster confirmed he would meet with the Building Department on this matter. Lynne Conkling also inquired about the need for neighbor approval. City Clerk Roussin explained the variance procedures and the requirement to give public notice to neighbors within 300 feet of the applicant's property, allowing them the opportunity to speak on the requested variance. Chair Lancaster agreed with Lynne Conkling that a letter of approval would be helpful, but he noted that no objections to the requested variance had been received.

There was no further discussion.

**e. Post-Hearing Questions**

City Clerk Roussin provided the reading of the Post-Hearing Questions and administered Rollcall.

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

Bob Glassman	Yes
George Lancaster	Yes
Lin Walsh	absent
Leonard Geronemus	Yes
Lynne Conkling	Yes

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

George Lancaster	Yes
Lin Walsh	absent
Leonard Geronemus	Yes
Lynne Conkling	Yes
Bob Glassman	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	absent
Leonard Geronemus	Yes
Lynne Conkling	Yes
Bob Glassman	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.

Leonard Geronemus	Yes
Lynne Conkling	Yes
Bob Glassman	Yes
George Lancaster	Yes
Lin Walsh	absent

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

Lynne Conkling	Yes
Bob Glassman	Yes
George Lancaster	Yes
Lin Walsh	absent
Leonard Geronemus	Yes

**f. Recommendation to approve, deny, or approve with conditions**

Chair Lancaster entertained a motion on the variance application.

**MOTION:** Motion made by Bob Glassman to approve. Leonard Geronemus seconded the motion.

**DISCUSSION:** None.

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

City Clerk Roussin informed that the recommendation to approve passed and will be presented to the City Commission on August 21<sup>st</sup>.

**8. Any Other Business:** None.

**9. Next meeting:** City Clerk Roussin informed that the August meeting has been cancelled, which Chair Lancaster confirmed.

**10. Adjourn:** The meeting adjourned at 9:50 AM.

Respectfully submitted,

*Silvia Roussin*

City Clerk