MINUTES
PLANNING & ZONING BOARD
REGULAR MEETING & PUBLIC HEARING

Wednesday, August 19, 2026 – 10:00 AM
At the Temporary Meeting Place for the City of Key Colony Beach at
The Key Colony Inn (Back Patio), 700 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 10:00 AM, followed by the Pledge of Allegiance and Rollcall. **Present**: Chair George Lancaster, Vice-Chair Lin Walsh (via Zoom), Skip Helme, Leonard Geronemus, Lynne Benton (via Zoom). **Also present:** City Attorney Jimmie Hicks, Building Official Tony Loreno, City Administrator John Bartus, Commissioner Kirk Diehl (via Zoom), Commissioner Tom Harding (via phone), Vice-Mayor Doug Colonell (via Zoom), Mayor Foster.

   Physical Attendance: 5

2. **Approval of the Agenda** (Additions, changes, and deletions may be made by one motion and second, with approval by majority vote): There were no changes to the agenda, and Chair Lancaster asked for a motion to approve.

   MOTION: Leonard Geronemus made a motion to approve the agenda. Skip Helme seconded the motion.
   DISCUSSION: None.
   ON THE MOTION: Roll call vote. Motion passed unanimously.

3. **Citizen Comments & Correspondence**: City Clerk Roussin reported that correspondence from Robert and Gail Zimmerman regarding the boat lift approval for 841 W. Ocean Drive was included in the agenda packet. Lynne Benton requested to read a citizen comment into the record and referenced the City Code on comments from Public Officials. City Clerk Roussin commented on normal procedure regarding correspondence and asked that any procedural changes be addressed before a meeting. Chair Lancaster noted that the correspondence had been referenced, included, and made available for public review, and advised that it did not need to be read further before proceeding.

4. **Approval of Minutes:** Planning & Zoning Board Minutes of June 17, 2026: Chair Lancaster asked for a motion to approve the minutes. There were no changes.

   MOTION: Lin Walsh made a motion to approve the minutes. Leonard Geronemus seconded the motion.
   DISCUSSION: None.
   ON THE MOTION: Roll call vote. Motion passed unanimously.

5. **Administration of the Oath of Witness:** City Clerk Roussin administered the Oath of Witness to all individuals planning to testify.

6. **Disclosure of Ex Parte Communications**: Chair Lancaster asked whether any Board member had any ex-parte communications to disclose. Lynne Benton requested clarification from legal counsel on whether ex-parte communications apply only to quasi-judicial matters affecting individual property rights and not to legislative matters, such as ordinance amendments before the Board.

   City Attorney Hicks stated that ex-parte communications must be disclosed in quasi-judicial matters and explained that he could not provide an opinion regarding legislative matters without additional facts. Lynne Benton asked whether a communication about the proposed ordinance change regarding shoreline setbacks would need to be disclosed as an ex parte communication. City Attorney Hicks explained that the relevant question is whether a communication could influence a Board member's objective judgment or vote. Chair Lancaster suggested that Lynne Benton submit her question to City Clerk Roussin for follow-up. Lynne Benton expressed concern that prior questions to the City had not been answered. City Clerk Roussin asked, for purposes of the meeting, whether any Board member had communicated with a resident about an agenda item in a way that could influence the member's vote outside of the public hearing process. Lin Walsh suggested that any member with doubts about their ability to vote impartially should consider recusal. Chair Lancaster commented that disclosure allows the public to be aware of communications related to matters before the Board. Lynne Benton stated that she believed the law provided otherwise. City Clerk Roussin confirmed that she could forward Lynne Benton's question for follow-up. City Attorney Hicks further stated that an ex parte communication does not, by itself, create a conflict; rather, disclosure is intended for public awareness.

7. Discussion Items & Recommendations for Approval

a. Request for a minor site plan amendment for the property located at 400 Sadowski Marina, Restaurant and Shopping Center

Chair Lancaster introduced the agenda item and asked Building Official Loreno to provide additional information. Building Official Loreno reported that the request was to relocate the trash containment area and that all zoning requirements had been met. Chair Lancaster invited the owner's representative, Robert Judd, to speak on the owner's behalf. Mr. Judd stated that the Building Department had reviewed the request without objection and described the relocation as a good-neighbor effort. Chair Lancaster asked for a motion.

MOTION: Leonard Geronemus made a motion to approve the request. Lin Walsh seconded the motion.
DISCUSSION: Building Official Loreno clarified the proposed new location of the dumpster. Leonard Geronemus commented on the wording of the agenda item identifying the site plan amendment as "minor" and questioned whether that wording was appropriate. City Attorney Jimmie Hicks stated that, because Board Member Helme lives in proximity to the property, there may be questions about whether that proximity could create an actual or perceived conflict. Out of an abundance of caution, he recommended that the Board entertain a motion to recuse Member Helme from deliberating and voting on the matter. Chair Lancaster asked for a motion.
MOTION TO RECUSE SKIP HELME: Motion made by Leonard Geronemus. George Lancaster seconded the motion.
DISCUSSION: City Attorney Hicks clarified the purpose of the motion, noting that Member Helme's proximity to the property was not necessarily a conflict in itself. However, because additional details were not available, he recommended that the Board proceed out of an abundance of caution and recuse Member Helme from deliberating and voting on the matter.
ON THE MOTION TO RECUSE: Rollcall vote. Unanimous approval.
FURTHER DISCUSSION ON ORIGINAL MOTION: None.
ON THE ORIGINAL MOTION: Rollcall vote. Unanimous approval.

City Clerk Roussin informed that the recommendation to the City Commission would be presented the following day.

b. Request for the Installation of a 16,000-pound (4) Post Elevator Boat Lift for the property located at 101 E. Ocean Drive Unit (Slip) B11

1. Engineering Plans
2. FDEP Approval
3. Permit Application
4. Letters of Neighbor Approval
5. Code of Ordinances Sec. 5-41 to 5-44 regarding Boat Lifts

Chair Lancaster introduced the agenda item and asked Building Official Loreno to elaborate. Building Official Loreno provided information on the request, stated that all code requirements had been met, and recommended approval. Building Official Loreno confirmed that similar boatlifts already exist throughout the finger docks at the condominium and confirmed sufficient navigable waters. Chair Lancaster asked for a motion.

MOTION: Leonard Geronemus made a motion to approve the request. Skip Helme seconded the motion.
FURTHER DISCUSSION: None.
ON THE MOTION: Roll call vote. Motion passed unanimously.

City Clerk Roussin informed that the recommendation would be presented to the City Commission the following day.

c. Discussion/Recommendation for approval for Code Amendments to the Code of Ordinances, Section 6-3 (2), New Construction Materials, to comply with newly enacted Florida Statutes

1. Draft Ordinance 2026-516

Chair Lancaster introduced the agenda item. City Attorney Hicks discussed the legislative changes and explained that the proposed ordinance was intended to comply with newly enacted Florida statutes. Chair Lancaster then asked for a motion.

MOTION: Leonard Geronemus made a motion to approve. Skip Helme seconded the motion.
DISCUSSION: Lynne Benton discussed the need for potential additional changes to the City Code related to the recently enacted Florida Statute. She referenced the history of the Attorney General opinion on a similar matter, proposed ordinance verbiage, and asked for clarification on the concrete construction requirements and how manufactured homes are treated under the proposed amendment. Building Official Loreno explained that the City's ordinance requires 75% concrete construction for exterior walls, which prevents modular homes from meeting those specifications. He stated that manufactured homes approved by the State of Florida meet applicable building code requirements and that new state legislation limits the City's ability to prohibit qualifying manufactured homes. Lynne Benton stated that she had found examples of manufactured homes constructed of concrete but was unable to provide supporting materials because it was too late to submit them to the Board. Chair Lancaster stated that he understood the amendment would allow manufactured homes while maintaining strict standards. Lynne Benton commented on the wording of the proposed amendment and suggested tabling the matter to allow additional explanation. Chair Lancaster stated that the ordinance change was intended to comply with state law. Lynne Benton further commented on her understanding of the wording and City standards and again suggested tabling the matter for 30 days. There were no further comments, and Chair Lancaster called for rollcall.
ON THE MOTION: Rollcall vote. Lin Walsh – yes. Leonard Geronemus – yes. Skip Helme – yes. Lynne Benton – no. George Lancaster – yes. The motion was approved.

City Clerk Roussin informed that the recommendation will be presented to the City Commission on September 17th.

d. Discussion/Recommendation for Approval for Code Amendments to Land Development Regulations, Section 101-26 (11) for Accessory Structures and Uses, regarding Swimming Pools, Spas, and Hot Tubs Setbacks.

1. Draft Ordinance 2026-517

Chair Lancaster introduced the agenda item. City Attorney Hicks explained that the draft ordinance addressed frequent rear-pool-setback variance requests, concerns about the approval of those variances, and potential legal and financial liability to the City. City Attorney Hicks stated that the proposed process was intended to address those concerns through clear standards and noted that typical variance requests fall between 5 and 10 feet. He explained that staff was seeking input and guidance from the Board and discussed the process and possible additional changes. City Attorney Hicks explained that the City is protected from liability related to engineering certification failures and that responsibility would fall to the engineer and property owners. Chair Lancaster asked for Board member comments.

Lynne Benton commented that the proposed ordinance addressed structural integrity, adequate space to avoid impacts to the seawall, potential sea-level rise, and sufficient buffer area for seawall maintenance. She also commented that comprehensive plan changes will be needed because the proposal involves land development regulations and may require state review. She stated that the 10-foot shoreline setback is critical and noted that other municipalities in Monroe County require 10-foot setbacks for accessory structures, which include swimming pools. Chair Lancaster voiced support for the proposed ordinance change, noting that property owner needs have changed over time and that he had no concerns provided proper engineering certification is required. Chair Lancaster asked for a recommendation from the Board. Lin Walsh asked about prior approvals, engineer-stamped plans, and whether engineering certification would mean a request was in good standing before Board review. Chair Lancaster explained that the proposal would codify prior Board decisions approving similar requests and would allow the Building Department to follow regulations agreed upon by the Board and City Commission when issuing approvals.

MOTION: Skip Helme made a motion to approve. Leonard Geronemus seconded the motion.
DISCUSSION: Lynne Benton asked for comments from other Board members regarding her concerns about the 10-foot setback. Chair Lancaster stated that he was relying on staff's recommendation, had not seen problems with 5-foot setbacks, and noted that the City has small properties where stricter setback requirements may further restrict property owners. He added that when the ordinance was originally written, the City had fewer pools, and that residents' needs and preferences have changed over time, including for exercise and health reasons. Lynne Benton commented that the Planning & Zoning Board has a responsibility to the City as a whole and not only to individual property owners, and that owners should understand the constraints associated with small lots. She further commented that the Florida Keys are a specially designated area, that comprehensive plan changes may be needed, and that state review is required. There was no further discussion.
ON THE MOTION: Rollcall vote. Skip Helme – yes. Lynne Benton – no. Lin Walsh – yes. Leonard Geronemus – yes. George Lancaster – yes.

City Clerk Roussin informed for the recommendation will be presented to the City Commission on September 17th.

e. **Discussion/Recommendation for Approval for the Implementation of a Handbook for the Planning & Zoning Board**
   1. Letter accompanying first draft of P&Z Handbook
   2. Draft Planning & Zoning Board Member Handbook

Chair Lancaster introduced the agenda item and asked Lynne Benton to provide a brief synopsis of the proposal. Lynne Benton explained the concept and purpose of the proposed Planning & Zoning Board handbook, noting that it was intended to address open questions, provide guidance, and benefit the City.

Lin Walsh commented that if the handbook had been a requirement when she was asked to serve, she would have declined to sit on the board. She further noted that she uses city officials as her guide, relying on their research and legal opinions, and that it is a significant expectation for a volunteer to understand the handbook. She reiterated that she would have declined to serve on the board.

Skip Helme agreed with Lin Walsh's comments. He stated that when asked to volunteer, he took the responsibility seriously, reviewed agenda items without basing findings on opinions, considered how they applied to the City Code, and invested time in preparation. Skip Helme indicated that the current level of review and preparation was already substantial for volunteer Board members, with additional submissions after decisions have been made at previous meetings and the reading of a 79-page handbook, which he has not signed up for.

Leonard Geronemus expressed appreciation for the work completed on the handbook but raised concerns that the 80-page document is more of a legal reference than a practical handbook and may be too much for a volunteer board. He noted that many of the subjects apply to all City boards and suggested that the City Attorney, staff, and City Commission develop a more consistent approach for all boards, which could be valuable for future volunteers.

Chair Lancaster commented that the handbook was lengthy and may function more like a textbook for a semester-long course. He stated that it may be too much for volunteer members and agreed that if he had been handed the handbook when first coming onto the board, he would not have known what to do with it. Chair Lancaster stated that members learn from experience and that staff guidance is an important source of learning and support.

Lynne Benton apologized for being detail-oriented and stated that she would have preferred to work offline before the handbook was brought forward. She appreciated the comments from Lin Walsh and Skip Helme and acknowledged that the process did not proceed as she would have preferred. Lynne Benton stated that land-use decisions should be based on appropriate standards, not opinion. She agreed that the handbook may be too extensive. She added that, as a Key Colony Beach resident for 15 years, the City should be able to continue operating under the same framework through leadership changes and make it easy for volunteers to understand what they do.

Lin Walsh asked City Clerk Roussin what standard information is provided to new board members. City Clerk Roussin explained that new members receive a large amount of information on access to the code of ordinances, ex parte communications, and proper procedures, and agreed that the proposed handbook could be overwhelming. Chair Lancaster asked whether the agenda item could be withdrawn from the agenda. Lynne Benton asked about making progress on the handbook to help with standards and provide legal protection with a commission-sanctioned document, and to explore a handbook for the boards. Lenny Geronemus asked to make a motion.

MOTION: Motion made by Leonard Geronemus to move the Planning & Zoning Board recommend approval of the concept and implementation of a board-member handbook and further recommended that the City Commission direct City staff and the City Attorney to develop a common handbook framework applicable to City Boards and Committees, with appropriate board-specific supplements and with input from the affected boards and committees. Lynne Benton seconded the motion.
DISCUSSION: None.
ON THE MOTION: Rollcall vote. Unanimous approval.

City Clerk Roussin informed that the recommendation will be presented to the City Commission on September 17th.

8. **Other Business:** None.

9. **Next meeting: September 16, 2026**

10. **Adjourn:** The meeting adjourned at 11:15 AM.

Respectfully submitted,

Silvia Roussin
City Clerk