

Approved
8.28.12

DEVELOPMENT REVIEW COMMITTEE

Tuesday, July 24, 2012

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, July 24, 2012**, beginning at 1:05 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS

Townsley Schwab, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Absent
Joe Haberman, Planning & Development Review Manager	Present
Mitch Harvey, Comprehensive Plan Manager	Present

STAFF

Rey Ortiz, Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

Item 2 was heard as Item 1.

MINUTES FOR APPROVAL

Mr. Schwab approved the minutes from the June 26, 2012 meeting.

MEETING

New Items:

1. CONSIDERATION OF AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE TIER OVERLAY DISTRICT DESIGNATION FOR ELEVEN (11) PARCELS, FOR PROPERTY OWNED BY SEACAMP ASSOCIATION, INC; HAVING REAL ESTATE NUMBERS 00112030-000000, 00246950-000000, 00246960-000000, 00246970-000000, 00246980-000000, 00246990-000000, 00247140-000000, 00247150-000000, 00247160-000000, 00247170-000000, AND 00247180-000000 FROM UNDESIGNATED AND TIER I TO TIER III; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.
(2012-041)

Mitch Harvey presented the staff report. Mr. Harvey reported that this amendment is being proposed by Monroe County Growth Management. This amendment is paralleling and in response to an amendment to the Big Pine/No Name Key Livable CommuniKeys Plan tier map that has previously been transmitted to the Department of Economic Opportunity. Back when the LCP for Big Pine Key was approved the Commission approved a request from Seacamp for their entire property to be designated Tier III. When the plan was adopted only one of the 13 parcels owned by Seacamp was designated Tier III and the subsequent tier map overlay reflected that change. A letter from DEO has been received of no comment. To clarify, Mr. Harvey explained that of the 13 parcels, one parcel is presently designated Tier III, one parcel is undesignated in a combination of upland and submerged land, and one parcel is completely submerged and is not part of this application. Tiers designate critical upland habitat, so only the upland habitat will be affected by this change. Staff recommended that 11 parcels that are owned by Seacamp be changed from Tier I to Tier III, which is consistent with the pending amendment to the Livable CommuniKeys Plan. The two amendments will go in front of the Board of County Commissioners (BOCC) concurrent at the same meeting, which will be the September meeting. At that time both the LCP and the tier map overlays will be consistent.

Sandy Walters was present representing Seacamp. Grace Upshaw and Leigh Williams were also present on behalf of Seacamp. Ms. Walters asked for clarification on the dates of the Planning Commission and County Commission meetings. Mr. Harvey responded that this will be heard at the August 29, 2012 Planning Commission meeting and the September 19, 2012 BOCC meeting.

2. CONSIDERATION OF AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS APPROVING A REQUEST BY STEPHEN ROHATY TO AMEND THE TIER MAP OVERLAY DESIGNATION FROM TIER I TO TIER III FOR PROPERTY LEGALLY DESCRIBED AS TRACT A PORPOISE POINT, SECTION TWO, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, PAGE 111, OF THE PUBLIC RECORDS OF MONROE COUNTY FLORIDA, HAVING REAL ESTATE NUMBER 00154870.000000; PROVIDING FOR SEVERABILITY AND REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE SECRETARY OF STATE AND THE STATE LAND PLANNING AGENCY; AND PROVIDING FOR AN EFFECTIVE DATE.

(2012-052)

Mr. Schwab stated that Mike Roberts is the planner on this item and Mr. Roberts had to be in Key West, so Joe Haberman will summarize the issue today. Mr. Haberman then explained that since the tier system's adoption there have been some changes to the ordinance as it was originally adopted, and based on one of those the administrative law judge determined that the way wetlands were being treated was not correct. Taking that determination into account, staff recommends that this property be redesignated as Tier III.

Lee Rohe, Esq. was present on behalf of Mr. Rohaty, who was also present. Mr. Rohe asked about the schedule of meetings at which this matter would be heard. Mr. Haberman answered that if the Planning Commission approved this at their August 29, 2012 meeting, it will be heard at the BOCC's September meeting, and that it also depends on Mr. Roberts' availability. Ms.

Creech confirmed that this is scheduled for the August 29th Planning Commission meeting and then confirmed that the BOCC's September meeting is to be held in Marathon.

ADJOURNMENT

The Monroe County Development Review Committee meeting was adjourned at 1:19 p.m.