

DEVELOPMENT REVIEW COMMITTEE

Tuesday, October 30, 2012

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, October 30, 2012**, beginning at 1:04 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	Present
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

The third and fourth items will be heard first and heard together.

MINUTES FOR APPROVAL

Mr. Schwab stated he will delay approval of the minutes from the August 28, 2012 and September 25, 2012 meetings until the next meeting.

MEETING

New Items:

1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE FUTURE LAND USE MAP OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN, AS REQUESTED BY RENAISSANCE FARMS OF THE FLORIDA KEYS LLC, FROM RESIDENTIAL MEDIUM (RM) TO MIXED USE/COMMERCIAL (MC) FOR PROPERTY LOCATED AT 98175 OVERSEAS HIGHWAY, KEY LARGO, LOTS 1 & 2, BLOCK 4, ROCK HARBOR ESTATES PB3/P187 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00519750-000000.

(File 2012-111 Renaissance Farms-FLUM)

2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAND USE DISTRICT MAP OF THE MONROE

COUNTY LAND DEVELOPMENT CODE, AS REQUESTED BY RENAISSANCE FARMS OF THE FLORIDA KEYS LLC, FROM IMPROVED SUBDIVISION (IS) TO SUBURBAN COMMERCIAL (SC) FOR PROPERTY LOCATED AT 98175 OVERSEAS HIGHWAY, KEY LARGO, LOTS 1 & 2, BLOCK 4, ROCK HARBOR ESTATES, PB3-P187 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00519750-000000.

(File 2012-110 Renaissance Farms-LUD)

Mr. Harvey presented the staff report. Mr. Harvey reported that originally this property was in a business zone. When the comprehensive plan and the land development code were adopted it resulted in the existing use being a nonconforming use. There was a resolution passed which states that if an applicant can show or demonstrate that their property was properly zoned and the land use was proper prior to the adoption of the land development code and the comprehensive plan, they can apply for a change in land use designation and zoning designation with a waiver of the normal fees. Staff has determined that the property was properly zoned and had a proper designation use prior to the updated comprehensive plan and the land development code. The applicant has submitted two applications to bring this property into conformance: One, an amendment to the future land use map from the present residential medium to mixed use/commercial and, two, the associated amendment to the land development code designation from improved subdivision to suburban commercial. Staff has also determined that these amendments would not adversely impact the character of the existing community and would have minimal impact on the level of service standards. The property has been designated Tier III. Staff recommended approval.

John Kocol, the applicant, was present. Mr. Haberman explained to Mr. Kocol that a commercial-only district is in the process of being created at this time. That would allow additional density for commercial uses, but removes residential as a type of use. The applicant may transition this property to the commercial district in the future. The anticipated effective date would be early next year. Mr. Haberman also explained that if the applicant waits until that time, he would have a better chance of the state approving this, or he can continue at this time and still have a good chance the state will approve it.

Mr. Harvey then stated that the state is very reluctant to allow any kind of land use change that could increase density which impacts the hurricane evacuation system. The Rate of Growth Ordinance process would also have to be gone through in order to increase density. Mr. Kocol pointed out that at a maximum only one more unit could be put on the lot due to its size. Mr. Haberman added that if the state does not approve this amendment, it would push the ultimate time frame back a little bit and may cost the applicant more in additional advertising fees. Mr. Kocol chose to proceed along with the current proposed amendment. Mr. Harvey informed Mr. Kocol that this will be scheduled for the November 28, 2012 Planning Commission meeting.

3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE FUTURE LAND USE MAP OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN FROM RESIDENTIAL MEDIUM (RM) TO MIXED USE/COMMERCIAL (MC), AS REQUESTED BY JOHN C. AND WENDY MOORE, FOR PROPERTY LOCATED AT 104980 OVERSEAS HIGHWAY, KEY LARGO,

LOTS 1-5, BLOCK 4, REVISED AMENDED PLAT OF RIVIERA VILLAGE, PB2/P80 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00511220-000000, 00511220-000100, AND 00511220-000101.

(File 2012-097 Moore-FLUM)

4. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE LAND USE DISTRICT MAP OF THE MONROE COUNTY LAND DEVELOPMENT CODE, AS REQUESTED BY JOHN C. AND WENDY MOORE, FROM IMPROVED SUBDIVISION (IS) TO MIXED USE COMMERCIAL (MU) FOR PROPERTY LOCATED AT 104980 OVERSEAS HIGHWAY, KEY LARGO, LOTS 1-5, BLOCK 4, REVISED AMENDED PLAT OF RIVIERA VILLAGE, PB2/P80 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00511220-000000, 00511220-000100, AND 00511220-000101.

(File 2012-098 Moore-LUD)

Mr. Harvey presented the staff report. Mr. Harvey reported that this property is an existing commercial use. This property was developed with a BU zoning district prior to 1986, and when the comprehensive plan and land development code was adopted this property was changed to residential medium and IS, which resulted in the commercial use being a nonconforming use. A resolution was adopted that allows owners of properties to apply for future land use map and land use district map amendments to bring their property into conformance. The applicant has submitted a request to change his future land use designation from residential medium to mixed use commercial and from IS to mixed use. Staff has determined that the changes in density and intensity would not affect the level of service standards. This proposal is consistent with the goals, objectives and policies of the comprehensive plan, the purpose of the mixed use land use district, the principals of guiding development, Chapter 163 of the Florida Statutes and the Livable CommuniKeys plan. Staff has also determined that the change being requested would not impact the community character of the neighborhood. Staff recommended approval for both items.

Mr. Roberts questioned why the area surrounding this property should not be corrected at this same time. Mr. Haberman explained that correcting the US-1 corridor would result in the addition of hundreds of residential units and would be labor-intensive. Also, it is problematic to rezone somebody's property without them having asked for it. Mr. Harvey added that the incentive in the resolution referred to is that a property owner who presently has an existing nonconforming use can bring it into conformity through this process with a waiver of the standard fees.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 1:34 p.m.