

DEVELOPMENT REVIEW COMMITTEE

MINUTES

June 9, 2009

PURSUANT TO Florida Statute 286.011(1), the Development Review Committee of Monroe County will conduct a meeting on June 9, 2009 beginning at 1:00 PM at the Marathon Government Center, 2nd Floor, 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER by Townsley Schwab, Director of Planning

1:14 PM

ROLL CALL by Debby Tedesco, Coordinator

DRC MEMBERS:

Townsley Schwab, Senior Director of Planning and Environmental Resource
Janis Vaseris, Biologist
Patricia A. Ivey, DOT Representative
Steve Zavalney, Fire Marshall
Judith Clarke, Director of Engineering Services

Present
Present
Absent
Present
Absent

STAFF MEMBERS PRESENTING THE FOLLOWING AGENDA ITEMS:

Mitch Harvey, Comprehensive Plan Manager
Joe Haberman, Principal Planner
Steven Biel, Sr. Planner
Tim Richard, Planner

CHANGES TO THE AGENDA

Item #1 to be heard seventh
Item #2 to be heard fifth
Item #3 to be heard second
Item #4 to be heard third
Item #5 to be heard sixth
Item #6 to be heard fourth
Item #7 to be heard first

MEETING

NEW ITEMS:

1. Property, 14710 Old State Road 4A, Sugarloaf Key, Mile Marker 17: A request for approval of a minor conditional use permit in order to develop the property as a public use with a public canoe/kayak rest stop for the Overseas Heritage Paddling Trail. The subject parcel is described as part of Government Lots 2 and 3, Section 22, Township 67, Range 27, Sugarloaf Key, Monroe County, Florida, having real estate number 00119620.000000

This item was heard seventh

Read into record by Debby Tedesco, Coordinator

Staff report presented into record by Tim Richard

Noted: 1) A "Public Use" application doesn't require NROGO approval

2) There is no automobile travel to the site; therefore, it is not necessary to address parking issues. This issue will be re-addressed by Planning if vehicular traffic is needed in the future for any reason.

3) Per request of applicant, Randy Grau, Planning Staff agreed that occasional use of vehicular traffic by Management (not Public) or for safety purposes will be added to the Development Order.

4) There are to be no motorized public boats and no motorized public vehicles

5) All State agencies' approvals are required

Staff comments

3:16 to 3:19 PM

2. Winterling Property, 31875 Overseas Highway (US 1), Big Pine Key, Mile Marker 32: A request for approval of an amendment to a major conditional use permit in order to redevelop the property with fifteen (15) campground/recreational vehicle spaces, one (1) single-family dwelling unit and associated improvements on the subject property. The subject parcel is legally described as part of Government Lot 4, Section 25, Township 66 South, Range 29 East, Big Pine Key, Monroe County, Florida, having real estate number 00110730.000000

This item was heard fifth

Read into record by Debby Tedesco, Coordinator

2:39 PM

Staff Report presented by Joe Haberman

A new site plan was presented for 10 units, as the original 15 could not be approved by Staff, or the Traffic Consultant.

Joe Haberman noted that Surrounding Property Owner Notices (SPONS) will go out and property will be posted and advertised for the upcoming Planning Commission Hearing. He also suggested that the plans have to be reviewed by Kathy Grasser, Comprehensive Planner for determination of the HCP. A coordination letter from Florida Fish and Wildlife (FFWL) is also needed.

2:48 PM

Steve Zavalney, Assistant Fire Marshall, indicated a turnaround from the road to the building is needed. If it is feasible, he added that there should be a fire hydrant placed at the entrance. A coordination letter from Florida Keys Aqueduct Authority (FKAA) is needed regardless.

3. CONSIDERATION OF A RESOLUTION APPROVING A REQUEST FROM PETER G. AND ELIZABETH C GIAMPAOLI TO AMEND THE TIER OVERLY MAP FROM TIER I TO TIER III FOR PROPERTY HAVING REAL ESTATE NUMBER 00119360-000100, SUGARLOAF KEY, MONROE COUNTY FLORIDA

Read into record by Debby Tedesco, Coordinator

Staff Report was presented by Mitch Harvey

It was noted that previously this property was a mobile home park and there are remnants of stub outs associated with a Mobile Home Park still visible. Tier I designation of this property was based on a mapping error. This application and approval is to ensure due process to the owner. The application submitted is to change the owner's property designation to a Tier III. The property is presently cleared and has 16 single family homes on one side, and mangroves adjacent. **1:42 PM**

After review with Monroe County Biologist, Janis Vaseris, staff is recommending approval for a 1.73 acre property to be designated Tier III.

Public Comment by Alicia Putney

1:48 PM

4. Florida Keys Land Trust, Inc. Property, Marathon, Mile Marker 50 & Key Haven Estates, LLC Properties, Raccoon

Key, Mile Marker 6: A request for a minor conditional use permit for the transfer of development rights from a sender site in Marathon to a receiver site on Raccoon Key. The sender site is legally described as Government Lot 1 in Section 3, part Government Lots 3, 4 and 5 in Section 2 and part Government Lot 2 in Section 11, Township 66 South, Range 32 East, and bay bottom adjacent to Government Lot 5, Key Vaca, Marathon, Monroe County, Florida, having real estate number 00103760.000000. The receiver site is legally described as Lots 1-26 and 34-43, Key Haven Estates, Monroe County, Florida, having a parent real estate number 00141132 with split outs 000100, 000200, 000300, 000400, 000500, 000600, 000700, 000800, 000900, 001000, 001100, 001200, 001300, 001400, 001500, 001600, 001700, 001800, 001900, 002000, 002100, 002200, 002300, 002400, 002500, 002600, 003400, 003500, 003600, 003700, 003800, 003900, 004000, 004100, 004200 and 004300

This Item was heard third

Read into record by Debby Tedesco, Coordinator

History of site and Staff Report presented by Joe Haberman

1:49 PM

Key Haven Estates has a Plat agreement and a development agreement which lends to higher scrutiny than a simple minor conditional use.

We had to go into Marathon for a sender site, which is not an identical site; however, a letter from George Garrett, Marathon Director of Planning approved the transfer of development rights from Marathon to Key Haven.

1:54 PM

Public Comment from Don Craig for the applicant.

5. Cinnamon Bark Lane, Ocean Reef: A request by Cinnamon Cay I LLC, Cinnamon Prime, Ltd., and O.R. Golf Partners Ltd, dba Reef Retreat At Ocean Reef, to amend the Monroe County Year 2010 Comprehensive Plan Future Land Use Map (FLUM) designation from Residential Medium (RM) to Residential High (RH). The subject property is legally described as Block 8, Lots 28 – 46, Harbor Course South, Section Four, Ocean Reef Plat No. 19. PB7-54, Monroe County, Florida, having Real Estate Numbers 00573720-002800; 00573720-002900; 00573720-003000; 00573720-003100; 00573720-003200; 00573720-003300; 00573720-003400; 00573720-003500; 00573720-003600; 00573720-003700; 00573720-003800; 00573720-003900; 00573720-004000; 00573720-004100; 00573720-004200; 00573720-004300; 00573720-004400; 00573720-004500; 00573720-004600

This item was heard sixth

Read into record by Debby Tedesco, Coordinator

2:56 PM

Staff Report presented by Mitch Harvey

He noted that the FLUM designation change from RM to RH will allow 2 family homes and a clubhouse for a retirement community within Ocean Reef.

This change is in character with surrounding area.

Comments: Donna Bosold of the Craig Company, agent for the applicant. 10 yrs ago Ocean Reef wasn't designed for an aging population. Ocean Reef is doing this for members of the Club to downsize within the Club.

6. AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING CERTAIN SECTIONS OF SECTION 142-SIGNS OF THE MONROE COUNTY CODE

This Item was heard 1st

Read into record by Debby Tedesco, Coordinator

Staff Report was presented by Steven Biel who noted that 3 public meetings were held throughout the keys with questionnaires given out. Points discussed were: **1:58 PM**

1. A frames – legalize 2 x3 requiring a permit, displayed during business hour
2. Sign Vehicles – no large attachments
3. Off Premise signs

Comments and discussions regarding between Townsley Schwab, Director of Planning, Don Craig of the Craig Company, Alicia Putney from the public, Commissioner Sylvia Murphy, and David deHaas of deHaas Consulting, **2:21 PM**

7. CONSIDERATION OF A RESOLUTION TRANSMITTING TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, AN ORDINANCE AMENDING POLICY 102.8.5 OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN TO ALLOW THE PROVISION OF CENTRAL WASTEWATER SERVICE AND SUPPORT UTILITIES TO DEVELOPED PROPERTIES WITHIN NO NAME KEY THAT ARE DESIGNATED RESIDENTIAL MEDIUM ON THE FUTURE LAND USE MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES INCONSISTENT HERewith; DIRECTING THE PLANNING DIRECTOR TO FORWARD A COPY TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR FILING WITH THE SECRETARY OF STATE; PROVIDING FOR THE INCORPORATION INTO THE COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE

This item was heard 2nd

Read into record by Debby Tedesco

History presented by Mitch Harvey

1:18 PM

It was noted that previous comments made by DCA indicated that the Ordinance was too broad. It is now No Name Key only, and only those properties in the Residential Medium (RM) designation on the Future Land Use Map (FLUM)

Map was presented to audience to show where residential medium designation exists

1:21 PM

There are strict controls for future development such as ROGO (Galleon Bay only at present), Livable Communikeys Plan, and Habitat Conservation Plan.

Staff recommends moving forward with the change and noted that this item is now re-addressed at DRC again due to the substantial change to the original submission.

Exhibit 1 presented to Coordinator by Alicia Putney

Map presented to audience to show where residential medium designation exists

There are Strict controls for future development; ROGO (Galleon Bay only at present), Livable Communikeys Plan, Habitat Conservation Plan etc.

1:21

Staff recommends moving forward with the change and noted that this item is now re-addressed at DRC due to the substantial change to the original submission.

Public Comments by Alicia Putney, a member of the Public, Don Craig of the Craig Company and Donna Bosold of the Craig Company

1:26

Staff Report (**Exhibit 2**) was made available at the meeting. Alicia Putney stated her concern that there is no time to review it. Mitch Harvey assured her that future staff reports for the decision making Boards would be made available before the decision making boards convene (Planning Commission and Board of County Commissioners public hearings).

Don Craig presented Corrections to be noted for the Record suggesting the language be further restricted.

1:29-1:33

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Donna Bosold comments

1:35 PM

Alicia Putney comments

1:38 PM

Townsley Schwab noted that the DRC is the 1st general discussion and from the DRC points can undergo changes. The real decision points come with the Planning Commission and Board of County Commissioners Hearings.

Mitch Harvey noted that the DRC meeting gives staff opportunity to receive input from outside agencies and from the public.

ADJOURNMENT

3:20PM