

NOTES

DEVELOPMENT REVIEW COMMITTEE

Tuesday November 3, 2009

PURSUANT TO Florida Statute 286.011(1), the Development Review Committee of Monroe County will conduct a meeting on Tuesday November 3, 2009 beginning at 10:00 AM at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER by Townsley Schwab, Sr. Director of Planning
& Environmental Resources

10:10AM

ROLL CALL by Debby Tedesco, Coordinator

DRC MEMBERS:

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

STAFF MEMBERS PRESENT:

Joe Haberman, Current Principal Planner
Mitch Harvey, Comprehensive Plan Manager
Bill Harbert, Planner
Thomas Lloyd, Planner
Janis Vaseris, Biologist
Debby Tedesco, Coordinator

CHANGES TO THE AGENDA

None

MEETING

NEW ITEMS:

1. Proposed Aqua Ranch, Part Lot 1, Section 33/34, Township 64, Range 35, Long Key, Mile Marker 69: A request for approval of a minor conditional use permit to allow a medium intensity commercial retail and institutional use on the site. The Applicant is proposing to construct 3,600 square feet of nonresidential floor area and accessory dock structures in four phases. The subject parcel is legally described as Part Lot 1, Section 33/34, Township 64, Range 35, Long Key, Monroe County, Florida, having Real Estate Number 00098530.000200.

10:11am

Read Into Record by Debby Tedesco, Coordinator

10:12am

Staff Report presented by Bill Harbert

19 acres; Tier 1; Native & Exotic vegetation; Isolated, conservation land and use is in compliance with community character; quarry determined to be a basin by Janis Vaseris, biologist. All development will be in SR (Suburban Residential), not conservation.

Applicants want to use an existing quarry to exhibit fish to public as well as provide educational instruction.

It was determined that certain items are to be provided by applicant prior to approval:

- Settle outstanding code case
- Need NROGO although Tiki huts may be exempted from NROGO by the Director
- Need to provide professional plans including a site survey, a vegetation survey, architectural plans of buildings and parking spaces, and wastewater plans so Traffic, Fire, Biologist and Engineering can review properly

- Letters of coordination needed

Applicants propose a Four Stage Phasing Program to complete the project, also projected in Staff Report

PHASE ONE:

- 1) Ground preparation
- 2) Temporary tents to include a greeting station, a viewing platform, an auditorium tent and tiki huts, and Parking to be set up and removed on a daily basis while application for NROGO is in process
- 3) Power to be installed

PHASE TWO:

- 1) Installation of docks
- 2) Installation of entry gate
- 3) Installation of fencing along the water line
- 4) No date of completion were provided; noted that the applicant has two years from the issuance of a Development order to obtain a building permit
- 5) Signs are approved by the building department; they are not part of a Minor Conditional Use Application

PHASE THREE:

- 1) Application for NROGO for 40x40 foot permanent tent structure

PHASE FOUR:

- 1) Another NROGO Application for additional 40x40 foot permanent tent structure
- 2) Parking lot completion with handicap access

10:39am

Townsley Schwab inquired of the applicant regarding the temporary nature of the tents. The applicant replied that the tent was used to house airplanes, so it is not exactly temporary

10:40 am

Bill Harbert noted the purpose of the temporary tents was to get the applicants started without NROGO permits.

10:41am

Townsley asked when the applicants will have the plans. The applicants replied they should be ready in two weeks. Mr. Schwab noted he had been to the site and found its function worthy of the cause. IHe noted concern about the image and told the applicants that the project must must be done well and it must be done according to Monroe County Code – pictures of paint on sign saying KEEP OUT. App: We did not do this – either the sheriff or the owner did it.

The applicants stated they had financing in place, and that al issues will be addressed.

10:44

Townsley Schwab noted to the applicants that the Planning Department will work with the applicant.

2. An Ordinance by the Monroe County Board of County Commissioners amending Monroe County Code Section 102-55, Registration, Section 110-4, Determination of completeness and compliance, except for single-family dwellings, Section 110-7, Actions by decision-making persons and bodies, Section 110-37, Development permitted as of right, Section 110-69, Minor conditional uses, Section 110-70, Major conditional uses, Section 110-71, Final development plan subsequent to approval of conditional use permit, Section 110-73, Development under an approved conditional use permit, Section 110-98, Preliminary plat approval, Section 110-99, Final plat approval; eliminating references to the obsolete position of development review coordinator; reassigning the responsibilities and duties of the development review coordinator to the planning director; providing for severability; providing for repeal of conflicting provisions; providing for transmittal to the Department of Community Affairs and the Secretary of State; providing for codification; providing for an effective date.

10:51am

Read into record by Debby Tedesco, Coordinator

Staff Report presented by Joe Haberman who noted that all references in Monroe County Code of DRC Coordinator is being replaced by "Planning Director".

3. An Ordinance by the Monroe County Board of County Commissioners amending Monroe County Code Section 110-3, Preapplication conference; eliminating references to the obsolete position of development review coordinator; reassigning the responsibilities and duties of the development review coordinator to the planning director; amending the timeframe in which a letter shall be mailed to the applicant; providing for severability; providing for repeal of conflicting provisions; providing for transmittal to the Department of Community Affairs and the Secretary of State; providing for codification; providing for an effective date.

10:59 Read into record by Debby Tedesco, Coordinator

Staff report was presented by Joe Haberman. He stated that language in Monroe County Code regarding Preapplication conference and Letter of Understanding being completed within 5 days has never been enforced; it's unrealistic. The quality would drastically decrease. It is now changing to 30 days for the Letter of Understanding. This is a permanent change regardless of who is in the planning department. App didn't want it in writing x they didn't like what we were approving

11:01:53am

Joe Haberman also noted that in some instances "planning staff" replaced "planning director".

4. An Ordinance by the Monroe County Board of County Commissioners amending Monroe County Code Section 130-189, Applicability of required yards; amending as-of-right development that may exist in the required non-shoreline setbacks; providing for severability; providing for repeal of conflicting provisions; providing for transmittal to the Department of Community Affairs and the Secretary of State; providing for codification; providing for an effective date.

11:08am

Read into record by Debby Tedesco, Coordinator

11:08:48am

Staff report presented by Joe Haberman who noted this ordinance concerns side yard setback

11:11.07am

Per Joe Haberman it allows walk ways in the side yards.

11:12:27am

Townsley Schwab asked if the biologist, Janis Vaseris, is comfortable with it and received an affirmative reply.

11:14-11:20am

Townsley Schwab noted his concern regarding manipulation of this by the public
Joe Haberman noted the included limit on pavers to 60% in front yard setback. Also, noted was that all storm water run off must be contained on the property.

Discussion

ADJOURNMENT

11:25am