

**DEVELOPMENT REVIEW COMMITTEE**

**Tuesday, February 25, 2014**

**MEETING MINUTES**

The Monroe County Development Review Committee conducted a meeting on **Tuesday, February 25, 2014**, beginning at 1:00 p.m. at the Marathon Government Center, Media & Conference Room (1<sup>st</sup> 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

**STAFF**

Mayte Santamaria, Assistant Planning Director	Present
Steve Williams, Assistant County Attorney	Present
Mitch Harvey, Comprehensive Plan Manager	Present
Rey Ortiz, Planning & Biological Plan Examiner Supervisor	Present
Laurie McHargue, Senior Biologist	Present
Matt Coyle, Planner	Present
Karl Bursa, Planner	Present
Gail Creech, Planning Commission Coordinator	Present

**CHANGES TO THE AGENDA**

There were no changes to the agenda.

**MINUTES FOR APPROVAL**

Mr. Schwab approved the minutes from the November 19, 2013 meeting, December 17, 2013 meeting and January 29, 2014 meeting.

**MEETING**

**New Items:**

**1.95231 Overseas Highway, Key Largo, mile marker 95:** A request for approval of a major conditional use permit in order to develop the subject property with a new antenna-supporting structure. The subject property is legally described as Block 4, Lots 1, 2, 27 and 28, Revised Plat of Sunrise Point subdivision (Plat Book 3, Page 11), having real estate number 00484790.000000.

(File 2013-144)

Mr. Ortiz presented the staff report. Mr. Ortiz reported that the applicant is requesting a 130-foot tall monopole structure to be placed on the site. Currently the site has an existing low medium intensity retail use and there has been a variety of permits and history associated with the site dating as far back as 1988. The site is just over a half an acre and is zoned suburban commercial. The application adheres to several sections of the comprehensive plan. The property is not subject to NROGO. It is not anticipated that the proposed cell phone tower will trigger a change in density on the property. The proposed site plan does in general match the criteria required for a cell phone tower. Staff recommended approval of the major conditional use application with conditions. Those conditions were then outlined. Mr. Roberts clarified for Lauralee Westine, the applicant's representative, the requirements of the buffer yards. Ms Westine noted that it was discussed at the pre-application meeting there was not enough room to meet the buffering along US-1. Mr. Roberts stated that the requirements in that area would have to be met to the greatest extent practical. Mr. Haberman asked Ms. Westine to submit the landscape plan so staff could see what the compliance to the greatest extent practical would be.

Mr. Ortiz continued to outline the conditions that must be met prior to approval of the major conditional use permit. Ms. Westine asked about the process provided there is approval of the application. Mr. Haberman explained that Engineering has already seen the site plan and has indicated that the access does not meet current access requirements, but if the applicant is not proposing any changes to the access a right-of-way permit will not be required. Engineering would be supportive if the access is tweaked in a way that makes it more compliant because the access drives are too close to US-1. Ms. Westine will get in touch with Judy Clark to discuss this. Mr. Ortiz added that the entire site has to be brought up to stormwater compliance, which will be a condition when presented to the Planning Commission. Mr. Haberman further explained the DRC meeting is the site plan review process and, if any work is done on the right-of-way, a separate permit from Public Works could run concurrently with the building permit. Mr. Haberman clarified for Ms. Westine that the recycling collection area, the unloading space and the bike rack can be located anywhere on the site. Also, collocations on an existing cell tower are approved just by building permit, but any change on the ground that could require a deviation or amendment to the conditional use would have to be permitted.

Scheduling before the Planning Commission was discussed. Ms. Westine will confirm with her client their availability for the April 30 Planning Commission meeting. Ms. Creech asked who is going to post the property. Ms. Westine will either have a client who is in Boca Raton do it or will hire a local permit runner to post it.

There were no further questions or comments from staff or from the public.

**2. Alvarez Property, Florida Drive, Key Largo, Approximate Mile Marker 100, and Alvarez Property, Overseas Highway, Key Largo, Approximate Mile Marker 96:** A request for a minor conditional use permit for the transfer of Transferrable Development Rights (TDRs) from a sender site on Florida Drive in Key Largo to a receiver site on the Overseas Highway in Key Largo. The sender site is legally described as Block 25, Lot 30, Amended Plat of Key Largo Park, (Plat Book 3, Page 62), Key Largo, Monroe County, Florida, having real estate number 00528840.000000. The receiver site is legally described as Part of Tract 2, Lime Grove Estates

Property (Plat Book 5, Page 52), Key Largo, Monroe County, Florida, having real estate number 00486930.000000.  
(File 2013-162)

Mr. Bursa presented the staff report. Mr. Bursa reported that this is a minor conditional use request to transfer .7 TDRs from a vacant sender site at approximately Mile Marker 100 in Key Largo over to a receiver site at approximately Mile Marker 96. The sender site is a vacant IS lot with one development right associated with it. It is a Tier I lot with habitat classification of tropical hardwood hammock. The receiver site also is a vacant lot with a suburban residential zoning and is a scarified Tier III lot with minimal vegetation. The receiver site has .3 TDRs existing on it right now and the transfer will give them a full transferable development right, which they hope to use to construct a house. All of the criteria is in compliance. Two conditions associated with this recommendation for approval are: Prior to application for a building permit authorizing the development of a residential dwelling unit on the receiver site requiring transferable development right, the sender site shall be dedicated to the County or placed in a conservation easement prohibiting its future development; and, the non-transferred .3 TDRs left on the sender site will be maintained by the applicant if they opt for the conservation easement to satisfy Condition 1, or if they dedicate it to the County then those .3 TDRs will belong to the County.

There were no questions or comments from staff or the public.

**3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING CHAPTER 118 ENVIRONMENTAL PROTECTION, CREATING SECTION 118-13 PROVIDING FOR COORDINATION WITH THE UNITED STATES FISH AND WILDLIFE SERVICE FOR FLOODPLAIN DEVELOPMENT PERMIT APPLICATIONS FOR PARCELS LOCATED IN SPECIES FOCUS AREAS OF SPECIES NOT INCLUDED IN THE PERMIT REFERRAL PROCESS; 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.  
(File 2013-149)

Ms. McHargue presented the staff report. Ms. McHargue reported that this is an amendment for development permit applications. Ms. McHargue had Ms. Creech confirm that the ad placed regarding this agenda item had the correct language of areas designated as critical habitat and designated potentially suitable habitat for new listed species by Fish & Wildlife as opposed to species focus area. This is an amendment to provide an interim process for property owners who have property in locations that are in the critical habitat or designated potentially suitable habitat for these newly listed species. The property owner is required to comply with the Endangered Species Act and must go to the Fish & Wildlife Service directly to make sure that they are in compliance before receiving their development permit.

There were no questions or comments from staff or the public.

**ADJOURNMENT**

The Development Review Committee meeting was adjourned at 1:25 p.m.