

**DEVELOPMENT REVIEW COMMITTEE**

**Tuesday, July 29, 2014**

**MEETING MINUTES**

The Monroe County Development Review Committee conducted a meeting on **Tuesday, July 29, 2014**, beginning at 1:14 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**

Steve Williams, Assistant County Attorney	Present
Mitch Harvey, Comprehensive Plan Manager	Present
Judy Clarke, Director of Engineering	Present
Matt Coyle, Senior Planner	Present
Gail Creech, Planning Commission Coordinator	Present

**CHANGES TO THE AGENDA**

Ms. Creech stated that the applicant of Item 1 has requested a continuance to the August 26, 2014 DRC meeting.

**MINUTES FOR APPROVAL**

Mr. Schwab approved the minutes from the June 24, 2014 meeting with one minor adjustment, which will be forwarded to Ms. Creech.

**MEETING**

**New Items:**

**1. Hamilton Properties, Old State Road 4A, Cudjoe Key, Mile Marker 21.5, and Oceanside Investors, LLC Property, 5950 and 5970 Peninsular Avenue, Stock Island, Mile Marker 5.0:**

A public meeting concerning a request for a minor conditional use permit. The requested approval is required for the transfer of Transferrable Development Rights (TDRs) from two (2) sender sites on Old State Road 4A in Cudjoe Key to a receiver site on Peninsular Avenue in Stock Island. The sender sites are each described as parcels of land in a Part of Government Lot 2, Section 29, Township 66 South, Range 28 East, Cudjoe Key, Monroe County, Florida, having real estate numbers 00115840.000000 and 00115840.000100. The receiver site is legally described as Block 60, Lots 1, 2, and 3, Block 61, portions of Lots 1, 2, and 3, the portion of

Maloney Avenue lying between Blocks 60 and 61, McDonald's Plat (also known as Maloney subdivision) (Plat Book 1, Page 55) Stock Island, Monroe County, Florida, having real estate numbers 00127420.000000 and 00127420.000100.  
(File #2014-041)

Ms. Creech stated the applicant has requested a continuance to the August 26, 2014 DRC meeting.

**2.Key Largo Shopping Center, Overseas Highway, Key Largo, mile marker 101.5:** A public meeting concerning a request for a Minor Conditional Use Permit. The requested approval is required for the development of a proposed 4,967 SF building with a commercial retail/office use. The subject property is described as a parcel of land in Section 22, Township 61, Range 39, Key Largo, being part Lots 35, 36, 37 and 38 (Plat Book 1, Page 68) Monroe County, Florida, having real estate number 00086770.000000.  
(File 2014-065)

Mr. Coyle presented the staff report. Mr. Coyle reported that the minor conditional use permit is required because the building is over 2500 square feet. Most of the building has already been constructed. This approval would allow the second floor to be used for commercial retail or office space on the site and the site work including parking, stormwater and landscaping would be completed. Staff has found that the conditional use is consistent with the purposes, goals and objectives of the comp plan and that the conditional use meets all the required standards of the Monroe County Code except for a few of the additional standards imposed by the Land Development Regulations. If this is approved the applicant will have to go through the NROGO process again for the additional floor area for the second floor. The size of the loading and unloading space on the site plan was not in compliance, but Mr. Coyle believes this can be cured by moving that space on the site plan. A recycling collection area of 125 square feet is missing from the site plan.

Mr. Roberts addressed the environmental regulations found not to be in compliance on the site plan. Mr. Roberts commented that there is no landscaping or stormwater calculations on the plans submitted. The calculations that are on the site plan use a different number in terms of parcel size. The existing vegetation in the scenic corridor buffer meets the majority of the requirements, but not all. The district boundary buffer on the back of the parcel needs to be included on the site plan. The landscaping for the parking lot needs to be consistent with the requirements. Ms. Clarke addressed the access to the property. Ms. Clarke stated that the site plan did not show a driveway connection to the paved road. The driveway is supposed to be a minimum of five feet from the property line and any radius that comes out to the paved roadway has to be shown completely. A right-of-way permit from the County will be required. Daryle Osborn, professional engineer, was present on behalf of the applicant. Mr. Osborn will send Ms. Clarke a copy of the site plan so Ms. Clarke can help monitor the right-of-way permit application.

Mr. Coyle then recommended approval with conditions. Prior to the issuance of any development order approving the conditional use permit the site plan shall be revised to include a table with a corrected total land area of the site. Open space shall be revised to state the correct

amount of impervious and pervious areas and a revision of the setbacks on the plan. The compliant water retention areas also need to be shown on the site plan. In conjunction with the prior permit approximately 35,000 square feet of hammock were required to be put into a conservation easement. That conservation easement would prohibit any kind of utilities within it. Mr. Roberts added that there is also a mitigation requirement in association with the prior permit for the original clearing of the land that has yet to be made. The ROGO allocation points were out of date and can either be updated or taken off. Mr. Osborn elected to take them off.

Mr. Coyle stated prior to the issuance of any development order approving the conditional use permit the applicant shall also: Submit a revised plan or provide a separate but consistent landscape plan with Class A parking lot landscaping, Class E scenic corridor buffer yard and a Class B district boundary buffer yard, all including types of vegetation; present a stormwater management plan prepared in accordance with the requirements; submit a revised plan showing a 24-foot access driveway connection to and from Tarpon Basin Drive or provide modeling to support a wider connection with the access driveway connection five feet away from the contiguous property; submit a traffic impact report with trip generation approved by the County. Prior to issuance of a certificate of occupancy the mitigation fees for the removal of vegetation is required to be paid and the conservation easement must be registered. All required landscaping shall formally be approved by the building permit plan and pass a final inspection by the County biologist of his or her designee. Prior to the issuance of building permits the development structure shall be found in compliance with the Monroe County Building Department, Flood Plain Administrator and Office of the Fire Marshal. The Public Works Division shall review any proposed work within the County right-of-way.

Mr. Coyle stated a few of the neighbors have called and sent letters asking that the corner of the property be fenced. Monte Green, the applicant, agreed to erect a fence. Mr. Haberman pointed out that a fence would reduce the planting requirements along that buffer.

Mr. Schwab asked for comments from staff. There were none.

Mr. Schwab asked for public comment.

Mila Lopez, next-door neighbor of this property, requested that a live fence be put up around the property to eliminate the car and pedestrian traffic through the property. Ms. Lopez showed photographs of the property. Mr. Haberman explained that the shrubbery is a requirement across the back of the property, but the fence is not. A solid fence would reduce the landscaping requirement, but landscaping must be planted there. Mr. Haberman asked why an office building is called the Key Largo Shopping Center. Mr. Green confirmed that this development will be used as an office building and not a shopping center.

### **ADJOURNMENT**

The Development Review Committee meeting was adjourned at 1:42 p.m.