

DEVELOPMENT REVIEW COMMITTEE

Tuesday, April 28, 2015

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, April 28, 2015**, beginning at 1:00 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

Mayte Santamaria, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Present

STAFF

Steve Williams, Assistant County Attorney	Present
Peter Morris, Assistant County Attorney	Present
Rey Ortiz, Planning & Biological Plans Examiner Supervisor	Present
Matt Coyle, Principal Planner	Present
Mitzi Crystal, Transportation Planner	Present
Gail Creech, Planning Commission Coordinator	Present

CHANGES TO THE AGENDA

Ms. Creech stated the applicant for Item 3 requested to be heard last.

MINUTES FOR APPROVAL

Ms. Santamaria approved the minutes of the March 24, 2015, DRC meeting with some minor editorial changes that will be given to Ms. Creech for documentation.

MEETING

New Items:

1.24930 Overseas Highway, Summerland Key, Mile Marker 25 (Sender Site); 21585 Old State Road 4A, Cudjoe Key, Mile Marker 22 (Sender Site); 5176 Suncrest Road, Stock Island, Mile Marker 5 (Sender Site) and Oceanside Marina, 5948, 5950 and 5970 Peninsular Avenue, Stock Island, Mile Marker 5 (Receiver Site): A public meeting concerning a request for a Minor Conditional Use Permit. The requested approval is required for the transfer of 46 Transferable ROGO Exemptions (TREs) from the sender sites to the receiver site. The sender sites are described as Lot 55 and a portion of Lot 54, Summerland Yacht Harbor, Summerland Key, Monroe County, Florida having real estate #'s 00194741.000100, 00194741.000200, 00194741.000300, 00194741.000400, 00194741.000500, 00194741.000600, 00194741.000700, 00194741.000800, 00194741.000900, 00194741.001000, 00194741.001100,

00194741.001200, 00194741.001300, 00194741.001400, 00194741.001500, 00194741.001600, 00194741.001700, 00194741.001800, 00194741.001900, 00194741.002000, 00194741.002100 and 00194741.002200, Lot 30, Sacarma, Cudjoe, Monroe County, Florida having real estate #00174960.000000 and Lots 27 and 28, Sun Krest, Stock Island, Monroe County, Florida having real estate #00132680.000000. The receiver site is described as Block 46, Lots 30, 31 and ½ Lot 32, Block 60, portions of Lots 1, 2 and 3, Block 61, portions of Lots 1, 2 and 3, the abandoned portion of Peninsular Avenue lying between Block 46 and Block 60, the abandoned portion of Maloney Avenue lying between Blocks 60 and 61, McDonald's Plat, also described as parcel of land in Sections 26, 34, 35 and 36, Township 37 South and Range 25 East, Stock Island, Monroe County, Florida, having real estate #'s 00126210.000000, 00126220.000000, 00126230.000000, 00127420.000000 and 00127420.000100.

(File 2013-070)

Mr. Coyle presented the staff report. Mr. Coyle reported that most of the details in this request have been settled through the development agreement. The applicant is transferring 46 units from three different properties. As part of a development agreement the applicant is using the affordable housing incentive program to transfer the deed-restricted 46 units down to Stock Island to rebuild as units down there. All requirements of Chapter 130-161.1(2)(c) have been met. Also, the application meets the requirements to transfer the ROGO exemptions. Staff is recommending approval to the Director of Planning to transfer the 46 TREs with two conditions: Prior to the issuance of any development order formally approving the transfer all required TDRs shall have been transferred to the receiver site and Planning Environmental Resource Development staff shall carry out a site visit to each sender site to ensure that the required 46 affordable housing units are in place and can be occupied. In addition, staff shall verify that all of the required affordable housing deed restrictions have been appropriately executed and recorded. Mr. Coyle noted those site visit inspections have been completed.

There were no comments or questions by staff.

Ms. Santamaria clarified for the applicant, Pritam Singh, that Assistant County Attorney Peter Morris is in the process of verifying that the deed restrictions have been executed and recorded, which should be completed within the next 48 hours. Then once the applicant signs the documents, the Director of Planning can issue the 30-day notice for the development order. The development agreement is completed for the other 78 units, but the .4 TDRs are still needed for this application. Once the document is signed for the 46 units and the .4 TDRs are received the applicant can pull their building permits.

Ms. Santamaria asked for public comment. There was none. Public comment was closed.

2.21585 Old State Road 4A, Cudjoe Key, Mile Marker 22 (Sender Site) and Oceanside Marina, 5948, 5950 and 5970 Peninsular Avenue, Stock Island, Mile Marker 5 (Receiver Site): A public meeting concerning a request for a Minor Conditional Use Permit. The requested approval is required for the transfer of 5 Transferable ROGO Exemptions (TREs) from the sender site to the receiver site. The sender site is described as Lot 30, Sacarma, Cudjoe, Monroe County, Florida having real estate #00174960.000000. The receiver site is described as Block 46, Lots 30, 31 and ½ Lot 32, Block 60, portions of Lots 1, 2 and 3, Block 61, portions of

Lots 1, 2 and 3, the abandoned portion of Peninsular Avenue lying between Block 46 and Block 60, the abandoned portion of Maloney Avenue lying between Blocks 60 and 61, McDonald's Plat, also described as parcel of land in Sections 26, 34, 35 and 36, Township 37 South and Range 25 East, Stock Island, Monroe County, Florida, having real estate #'s 00126210.000000, 00126220.000000, 00126230.000000, 00127420.000000 and 00127420.000100.
(File 20140-141)

Mr. Coyle presented the staff report. Mr. Coyle reported that this item is regarding some of the same properties as the last agenda item. This request is to transfer five transient ROGO exemptions to Oceanside Marina in Stock Island as part of the same development agreement as the prior item. The five units are coming from a property on Cudjoe Key and staff has recognized those five units as part of a letter of development rights determination. This application meets all the requirements of Monroe County Code Chapter 138-22(2). Staff is recommending approval to the Director of Planning of the transfer of five TREs with the following conditions: Prior to the issuance of any development order formally approving the transfer the applicant shall remove all development associated with the transient RV spaces at the sender site, which inspection will be carried out by staff; and prior to the issuance of the development order formally approving the transfer the applicant shall restore the area of the sender site consistent with an approved restoration vegetation plan. Mr. Coyle believes those conditions have already been satisfied.

There were no comments or questions by staff.

Ms. Santamaria asked for public comment. There was none. Public comment was closed.

4.201 County Road, Big Pine Key, Mile Marker 31 (Sender Site) and Stock Island Marina Village, 700 and 7009 Shrimp Road, Stock Island, Mile Marker 5 (Receiver Site): A public meeting concerning a request for a Minor Conditional Use Permit. The requested approval is required for the transfer of 100 Transferable ROGO Exemptions (TREs) from the sender site to the receiver site. The sender site is described as Lots 1, 2, 3, 4 and 5, Block 1, Lots 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17 and 18, Block 2, Sam-N-Joe Subdivision (Plat Book 3, Page 76) and Lots 1, 2, 3, 4, 5, 6, 7, 8 and 9, Block 3, Dario's Subdivision (Plat Book 3, Page 92), Big Pine Key, Monroe County, Florida having real estate #'s 0030090.000000, 00300180.000000, 00300590.000000 and 00300670.000000. The receiver site is described as a parcel of land in Section 35, Township 67 South, Range 25 East, Stock Island, Monroe County, Florida, having real estate #'s 00123720.000100, 00123720.000200 and 00123760.000200.
(File 2015-039)

Mr. Coyle presented the staff report. Mr. Coyle reported that this item is again part of a development agreement for the Stock Island Marina Village. The applicant has applied to transfer 100 units from an RV park in Big Pine Key and all the requirements have been met to do that. Staff is recommending approval with the following condition: Prior to the issuance of any development order formally approving the transfer the applicant shall remove all development associated with the transient RV spaces at the sender site and a final inspection to confirm the removal shall be carried out by staff. Mr. Coyle noted that has already been accomplished.

There were no comments or questions by staff.

Ms. Santamaria asked for public comment. There was none. Public comment was closed.

3. Golden Professional Building, 29872 Overseas Highway, Big Pine Key, mile marker 30:

A public meeting concerning a request for an Amendment to a Minor Conditional Use Permit. The requested approval is required in order to convert a gravel parking lot into an asphalt parking lot. The subject property is described as Lots 2, 3, and half Lot 4, Block 1, Cahill Pines and Palms Subdivision (Plat Book 3, Page 94), Big Pine Key, Monroe County, Florida, having real estate number 00243960.000000.

(File 2015-045)

Mr. Coyle presented the staff report. Mr. Coyle reported that this request is to convert the front gravel parking lot to a paved parking lot. This building has consistently been an office building since the late '80s. Mr. Coyle discussed the setbacks. Mr. Coyle noted that the loading zone is nonconforming because it is too small. Mr. Coyle suggested placing the loading zone where it was originally placed to make it conforming. Mr. Coyle then pointed out to the applicant, Sheri Golden, and her engineer, Tom Timmons, how to make adjustments to the parking so everything would fit within the setbacks. The required recycling area has to be added. Mr. Roberts asked that the site plan include the existing stormwater management facilities as well as the additional treatment volume for the new impervious surface. If the previously approved stormwater management facilities are not there, the stormwater management plans will need to be updated to show treatment for the entire site.

Mr. Timmons believes the staff report conflicts itself by saying the applicant is proposing landscaping and stormwater improvements which will increase the aesthetics of the property and then stating they are nonconforming. Mr. Roberts replied that the presumption is included in the first sentence that the previously approved and required stormwater management facilities were, in fact, there. Mr. Roberts then stated a major street Class C buffer is required, which needs to be a minimum of 10 feet wide. Mr. Timmons pointed out asphalt will have to be dug up to put that buffer yard in and asked if that width could be reduced. Mr. Roberts replied that cannot be reduced without a variance.

Mr. Coyle stated staff is recommending approval. Mr. Coyle summarized that the recycling collection area needs to be included, the bicycle rack needs to be relocated out of the setback, the loading zone should be relocated, the Class C buffer yard of at least ten feet in width needs to be included and the stormwater management plan needs to be updated. Mr. Coyle stated a minor conditional use is not a final approval for certain development and the applicant shall obtain building permits for any improvement requiring such approval. Prior to issuance of the building permit the development shall be found in compliance with the Florida Building Code, the Flood Plain Administrator and the Office of the Fire Marshal. The Public Works Division shall review any proposed work to the County right-of-way and maintains the right to request revisions as it carries out its review. Mr. Timmons pointed out there is no County right-of-way.

Mr. Roberts explained to Mr. Timmons that, if appealed to the Planning Commission, their decision would be based on the code's requirements for what the Planning Commission has to

consider in order to grant a variance. Mr. Timmons expressed that it seems to the owners that they are being held to a higher standard. Ms. Santamaria explained that because they have come in to do an improvement they now must come into compliance with the rules that are in effect today. The applicant can apply for a variance or appeal this approval. Ms. Santamaria pointed out that there are things that are nonconforming that staff is allowing to remain on the site.

ADJOURNMENT

The Development Review Committee meeting was concluded at 1:33 p.m.