

# Planning Commission

## MINUTES

June 24, 2009

PLANNING COMMISSION  
MONROE COUNTY  
June 24, 2009  
10:00 A.M.

MARATHON GOV'T CENTER  
2798 OVERSEAS HIGHWAY  
MARATHON, FL  
MONROE COUNTY, FL

**CALL TO ORDER** 10:08 AM

**PLEDGE OF ALLEGIANCE**

10:09am

**ROLL CALL** by Debby Tedesco

**COMMISSION:**

Randy Wall, Chairman  
Denise Werling  
Jeb Hale  
Jim Cameron, Vice Chairman  
Elizabeth Lustberg

present  
present  
ABSENT  
present  
present

**STAFF:**

Townsley Schwab, Senior Director of Planning and Environmental Resources  
Susan Grimsley, Ass't County Attorney  
John Wolfe, Planning Commission Counsel  
Mitch Harvey, Comprehensive Plan Manager  
Kathy Grasser, Comprehensive Planner  
Steven Biel, Sr. Planner  
Tim Richard, Planner  
Bill Harbert, Planner  
Debby Tedesco, Planning Commission Coordinator

present  
present  
present  
present  
present  
present  
present  
present

**COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL**

Read into record by John Wolfe

**SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS**

All received

**SWEARING OF COUNTY STAFF**

Sworn in by John Wolfe

**CHANGES TO THE AGENDA**

- Item #4 is withdrawn from the agenda by direction of the Board of County Commissioners at the meeting held in Marathon, FL. June 17, 2009.
- Item #2 is continued to 7.22.09
- Agenda order change: Item#3 to be heard 1st

MEETING

**3. 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.

**Read into record by John Wolfe** 10:10am  
Staff Report presented in Power Point by Mitch Harvey  
Presentation by DON CRAIG – Agent for Applicant  
Public Comment None  
Board Discussion  
**Motion** by Commissioner Cameron for Approval  
Commissioner Werling - Second  
Unanimously approved

**Continued Item:**

**1. CONSIDERATION OF A RESOLUTION TRANSMITTING TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS, AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS CREATING POLICY 101.4.20 OF THE MONROE COUNTY YEAR 2010 COMPREHENSIVE PLAN; DISCOURAGING FUTURE LAND USE MAP CHANGES WHICH INCREASE DENSITY/INTENSITY; REQUIRING MONROE COUNTY TO COMPLETE A YEAR 2020 NEEDS ANALYSIS BASED ON PROJECTED GROWTH AND OTHER CRITERIA; 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.**

**Read into record by John Wolfe** 10:31am  
Power Point presentation by Kathy Grasser  
**Exhibit 1** new wording for the Ordinance

Public Comment:

DON CRAIG, The Craig Company 10:42 to 10:56 am  
RON MILLER 11:00 to 11:15 am

Board Discussion

11:15 to 11:20 am

More Public Comment

DAVID RITZ – President of Ocean Reef Organization 11:21am  
OWEN TREPANIER of Trepanier & Associates 11:24am

Board discussion

11:24 am to 11:48 am

DREW TRIVETTE, Growth Management Director Comments 11:48 am to 11:55 am

**Motion** by Commissioner Werling to include a recommendation to BOCC with language given today with term added "EXCLUDING" Ocean Reef  
Commissioner Lustberg: Second

**ROLL CALL** by Debby Tedesco, Coordinator 11:59 am

Cameron NO  
Lustberg YES  
Werling YES

Wall YES

BREAK FOR LUNCH 12:00 Noon

RECONVENED 1:21pm

**New Items:**

**2. Wharf Bar & Grill, 25163 Overseas Highway (US 1), Summerland Key, Mile Marker 25:** A request for approval of a 5-COP Alcoholic Beverage Special Use Permit in order to sell beer, wine, and liquor on premises and beer, wine, and liquor package sales. The subject parcels are legally described as Lots 1 through 6 and Lot 34, Summerland Yacht Harbor (PB2-142), Summerland Key, Monroe County, Florida, having real estate numbers 00194560.000000 and 00194700.000000.

Continued to PC Meeting 7.22.09 per applicant's request

**Motion** by Commissioner Cameron to approve continuation request  
2<sup>nd</sup> by Commissioner Werling  
Motion was unanimously approved

**4. 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 ON 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 CLERK OF THE BOARD 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.**

Withdrawn from agenda by direction of Board of County Commissioners at the June 17, 2009 BOCC Meeting

**5. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** APPROVING A REQUEST FROM PETER G. AND ELIZABETH C. GIAMPAOLI TO AMEND THE TIER OVERLAY MAP FROM TIER I TO TIER III FOR PROPERTY HAVING THE REAL ESTATE NUMBER 00119360-000100, SUGARLOAF KEY, MONROE COUNTY FLORIDA.

**Read into record by John Wolfe** 1:22pm

Staff Report presented in power point by Mitch Harvey  
Staff recommends approval

**Motion** to approve made by Commissioner Cameron with recommendation to BOCC to refund application fee to applicant  
Second by Commissioner Werling  
Motion was unanimously approved

**6. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING SECTION 102-20 OF THE MONROE COUNTY CODE CONCERNING THE APPOINTMENTS AND TERMS OF MEMBERS OF THE PLANNING COMMISSION AND VACANCIES THEREON; DELETING REMOVAL FOR CAUSE EXCEPT AS SPECIFICALLY SET FORTH; DELETING THE REQUIREMENT FOR SPECIAL MEETINGS; REMOVING THE REQUIREMENT FOR TIME CERTAIN PUBLIC HEARINGS; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL TO THE SECRETARY OF STATE AND THE DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**Read into record by John Wolfe** 1:34pm

Susan Grimsley presented changes being made  
Board Discussion

**MOTION** made by Commissioner Werling to approve with changes  
Second by Commissioner Lustberg

**ROLL CALL** by Debby Tedesco, Planning Coordinator

|            |     |
|------------|-----|
| Cameron    | NO  |
| Lustberg   | YES |
| Werling    | YES |
| Chair Wall | YES |

**7. AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING THE DEFINITION OF "PORTABLE SIGNS" IN SECTION 142-2; AMENDING "PROHIBITED SIGNS" IN SECTION 142-3; PERMITTING SOME PORTABLE SIGNS UNDER CERTAIN CONDITIONS; AMENDING SECTION 142-3(7); AMENDING SECTION 142-3(b)(1); AMENDING SECTION 142-3(b)(8); AMENDING SECTION 142-3(d)(1); PERMITTING BANNER SIGNS TO BE DISPLAYED FOR A LONGER PERIOD; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE SECRETARY OF STATE AND DEPARTMENT OF COMMUNITY AFFAIRS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

**Read into record by John Wolfe**

New title was provided to Commissioners at the beginning of the meeting, based on revised language in ordinance  
Staff Report presented in power point by Steven Biel

PUBLIC COMMENT: 2:26pm

RON SIEVER of Buzzard's Roost on Stock Island

DAN LESLIE of Key West

MARNIE BROWN of Big Pine Key 2:59pm

BOARD DISCUSSION: 3:03pm to 3:23 pm

**MOTION** by Commissioner Cameron to continue to Planning Commission Meeting July 8, 2009

Commissioner Lustberg Second

Motion was unanimously approved

BOARD DISCUSSION 3:41pm

**GROWTH MANAGEMENT COMMENTS**

**RESOLUTIONS FOR SIGNATURE**

P18-09

P24-09

P27-09

**ADJOURNMENT** 3:50 pm