

PLANNING COMMISSION

MINUTES

July 22, 2009

PLANNING COMMISSION MARATHON GOV'T CENTER
MONROE COUNTY
July 22, 2009
10:00 A.M.

2798 OVERSEAS HIGHWAY
MARATHON, FL
MONROE COUNTY, FL

CALL TO ORDER by Randy Wall, Chairman 10:01am

PLEDGE OF ALLEGIANCE

ROLL CALL by Debby Tedesco, Coordinator 10:02am

COMMISSION:

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

STAFF:

Townsley Schwab, Senior Director of Planning and Environmental Resources	Present
Susan Grimsley, Ass't County Attorney	Present
Tom Wright, Acting Planning Commission Counsel	Present
Joe Haberman, Sr. Current Planner	Present
Tim Richard, Planner	Present
Steven Biel, Sr. Planner	Present
Debby Tedesco, Planning Commission Coordinator	Present

Motion to approve Minutes from PC 7.8.9 made by Jim Cameron
2nd by Liz Lustberg
Unanimously approved

COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

Read into record by Tom Wright, Esq.

SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

All accounted for per Coordinator, Debby Tedesco

SWEARING OF COUNTY STAFF by Tom Wright, Esq.

Minutes were approved at PC Meeting 9.2.9

CHANGES TO THE AGENDA

Townsley Schwab requested that item #2 (Sign Ordinance) be heard last
Motion to approve made by Jim Cameron
2nd by Liz Lustberg
Unanimously approved

MEETING

Continued Items:

1. 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.

Read into record by Tom Wright	10:06am
Staff Report presented in PowerPoint by Tim Richard	10:06-10:12am
Staff recommends approval with conditions	10:12am
Owen Trepanier, agent for owner described intent as to use of property	
Sworn in by Tom Wright	
Discussion regarding noticing, code violations, and use of property across a canal	10:12-10:22am
EXHIBIT 1 photos	
Board Discussion	10:22-10:29am
Per Tom Wright to Planning Commissioners: "Require Unity of Title if you're going to approve this."	10:29am

Back to Public Comment: Ron Miller, member of public, Sworn in by Tom Wright	10:30am
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Motion to approve made by Jim Cameron C with condition of unity of title 2 nd by Jeb Hale with condition of unity of title Tom Wright: Explained Unity of Title to Applicant	10:32am
Back to Board Discussion	
No opposition.	
Unanimously approved	

2. 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.

This Item was heard last	
Read into record by Tom Wright	12:23-12:58pm
Staff report presented by Steven Biel with revisions recommended at PC meeting July 8, 2009	

Public Comment: Ron Miller: EXHIBIT 2 Vision statement of KL Plan	12:58pm
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Board discussion:

12:59 - 1:19pm

Motion to approve by Jim Cameron with changes
2nd by Jeb Hale with changes

ROLL CALL:

Hale	Yes
Cameron	Yes
Lustberg	No
Werling	Yes
Chair Wall	Yes

3. AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE DEFINITION OF "ACCESSORY USES OR ACCESSORY STRUCTURES"; DEFINING "ADJACENT LAND" AND ELIMINATING "ADJACENT LANDOWNER" IN SECTION 101-1 OF THE MONROE COUNTY CODE; PERMITTING SOME ACCESSORY USES OR STRUCTURES ON ADJACENT NON-CONTIGUOUS LAND; PERMITTING DOCKING FACILITIES ON ADJACENT LAND UNDER CERTAIN CONDITIONS AND CREATING AN APPROVAL PROCESS; PROVIDING FOR A VARIANCE PROCESS TO DETERMINE ADJACENCY FOR CERTAIN ACCESSORY USES AND STRUCTURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Staff asked for continuance to PC 9.2.09

Motion to approve made by Denise Werling

2nd by Liz Lustberg

Motion Amended to continuance to PC 9.23.09

New Items:

4. Northstar Resort Enterprises Corp. Property, 99060 Overseas Highway, Key Largo, MM 99:

A request for a one (1) year time extension to Major Conditional Use Permit Resolution No. P02-07. The property is legally described as a portion of lots 4, 8, 9, 11 and 12 in Section 32, Township 61 South, Range 39 East (PB1-68) and Block 3, Lot 3, El Dorado Heights (PB1-203), Key Largo, Monroe County, Florida having real estate number 00088020.000000.

This item was heard 2nd

Read into record by Tom Wright

10:34pm

Presented in Power point by Joe Haberman

Staff recommends approval

10:38pm

Board Discussion:

10:38pm-10:43pm

Jim Cameron suggested making extensions for a longer period of time longer than one year and requested staff to change

Per Susan Grimsley, something will be drawn up for you to that effect by September

Motion to approve by Jim Cameron

2nd by Jeb

Motion was unanimously approved

5. Winterling Property, 31875 Overseas Highway (US 1), Big Pine Key, Mile Marker 32:

A request for approval of an amendment to a major conditional use permit in order to redevelop the property with ten (10) campground/recreational vehicle spaces, one (1) single-family dwelling unit and associated improvements on the subject property. The subject parcel is legally described as part of Government Lot 4, Section 25, Township 66 South, Range 29 East, Big Pine Key, Monroe County, Florida, having real estate number 00110730.000000.

Read into record by Tom Wright

10:45pm

Staff report presented by Joe Haberman in power point

Staff recommends approval with conditions

10:55pm

David DeHaas, agent for applicant

11:00pm

Board Discussion: None

Public Comment (Opposition) Sherry Shapiro, from Margali law office in Key West representing Reverend James Young.

Mr. James Young (opposition) comments

11:07-11:18pm

Sworn in by Tom Wright

Don Young

Sworn in by Tom Wright

11:18 - 11:21pm

Board Discussion:

11:18 - 12:01pm

Any opposed: yes, Werling

ROLL CALL:

Hale: Yes

Cameron: Yes

Lustberg: No

Werling: No

Chair Wall: Yes

Break for 5 minutes Reconvene

12:22pm

BOARD DISCUSSION

Randy Wall announced he will not be able to attend the meeting scheduled for December 2, 2009
Vice Chair Jim Cameron said he had no plans, and would be present on that date.

GROWTH MANAGEMENT COMMENTS

None

RESOLUTIONS FOR SIGNATURE

ADJOURNMENT 1:19PM