

**DEVELOPMENT REVIEW COMMITTEE**

**Tuesday, June 26, 2018**

**MEETING MINUTES**

The Monroe County Development Review Committee conducted a meeting on **Tuesday, June 26, 2018**, 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** by Emily Schemper

**ROLL CALL** by Ilze Aguila

**DRC MEMBERS**

Emily Schemper, Assistant Director of Planning and Environmental Resources	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Present

**STAFF MEMBERS**

Peter Morris, Assistant County Attorney	Present
Cheryl Cioffari, Principal Planner	Present
Ilze Aguila, Sr. Planning Commission Coordinator	Present

**CHANGES TO THE AGENDA**

There were no changes to the agenda.

**MINUTES FOR APPROVAL**

Approval of the meeting minutes for Tuesday, May 29, 2018.

**MEETING**

**1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** EXTENDING AN INTERIM DEVELOPMENT ORDINANCE AS INITIALLY ESTABLISHED ON JULY 19, 2017 THROUGH ORDINANCE 010-2017 FOR AN ADDITIONAL 365 DAYS TO DEFER THE ACCEPTANCE AND APPROVAL OF NEW APPLICATIONS FOR THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSING FACILITIES COMMENCING OCTOBER 27, 2018, UNTIL SUCH TIME AS A COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE AMENDMENT PROCESS IS COMPLETED REGARDING MEDICAL MARIJUANA DISPENSING FACILITIES AND PROVIDING FOR EXPIRATION WITHIN 365 DAYS OF THE EFFECTIVE DATE OF THIS INTERIM DEVELOPMENT ORDINANCE OR WHEN THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE AMENDMENTS BECOME EFFECTIVE, WHICHEVER COMES FIRST; PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2018-088)

Ms. Cheryl Cioffari, Principal Planner, presented the staff report. This is the interim development ordinance to extend the acceptance of approval of new or existing applications for new medical marijuana dispensing facilities. Essentially, this is being extended out for another year as the State of Florida is still working on their regulations for medical marijuana facilities. Once those become effective, similar language may be used for the County. It is required to go through DRC, Planning Commission and BOCC. Staff recommends approval.

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

**2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** EXTENDING AN INTERIM DEVELOPMENT ORDINANCE AS INITIALLY ESTABLISHED ON JULY 19, 2017 THROUGH ORDINANCE 012-2017 FOR AN ADDITIONAL 365 DAYS TO DEFER THE APPROVAL OF NEW APPLICATIONS OR RECEIVED APPLICATIONS THAT HAVE NOT BEEN FULLY APPROVED FOR COMPREHENSIVE PLAN OR LAND DEVELOPMENT CODE AMENDMENTS, DEVELOPMENT AGREEMENTS (INCLUDING 380 DEVELOPMENT AGREEMENTS), AND MINOR AND MAJOR CONDITIONAL USE PERMITS (EXCLUDING APPLICATIONS PROPOSING ONLY AFFORDABLE HOUSING DWELLING UNITS), WITH PROPOSED OCCUPANCY BY "THREE UNRELATED PEOPLE" OR "TWO UNRELATED PEOPLE AND ANY CHILDREN RELATED TO EITHER OF THEM" OF A DWELLING UNIT, AND APPLICATIONS UTILIZING THE TERM "LOCK-OUT," COMMENCING OCTOBER 27, 2018, UNTIL THE BOCC CAN REVIEW AND POSSIBLY AMEND THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE REGARDING THE DEFINITIONS OF DWELLING UNIT; HOUSEHOLD; FAMILY AND THE UNDEFINED TERM "LOCK-OUT" OF A DWELLING UNIT; PROVIDING FOR EXPIRATION WITHIN 365 DAYS OF THE EFFECTIVE DATE OF THIS INTERIM DEVELOPMENT ORDINANCE OR WHEN THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE AMENDMENTS BECOME EFFECTIVE, WHICHEVER COMES FIRST; PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-090)

Ms. Cheryl Cioffari, Principal Planner, presented the staff report. This is an extension to an existing interim Development Order for another 365 days until regulations are able to be adopted to more clearly define the term "lock-out" for a dwelling unit. This will back up to the existing interim development ordinance. Staff recommends approval.

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

**3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING THE MONROE COUNTY LAND USE DISTRICT ZONING MAP FROM SPARELY SETTLED (SS) TO SUBURBAN RESIDENTIAL (SR), FOR PROPERTY LOCATED AT 10 EGRET LANE, GEIGER KEY, MILE MARKER 11, LEGALLY DESCRIBED AS LOTS 4, 5, 6 AND 7, BLOCK 6, BOCA CHICA OCEAN SHORES, GEIGER KEY, RECORDED IN PLAT BOOK 5 AT PAGE 49, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING REAL ESTATE #00142020-

000000; AS PROPOSED BY SMITH HAWKS, PL ON BEHALF OF DEBRA S. TOPPINO, AS TRUSTEE OF THE DEBRA S. TOPPINO LIVING TRUST, AND RICHARD TOPPINO; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO THE LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE.  
(File #2018-091)

Ms. Cheryl Cioffari, Principal Planner, presented the staff report. This application was received on May 2. The proposal is to change the Zoning from Sparsely Settled to Suburban Commercial. The rationale behind the proposed change is to allow for increased open space. There are existing uses and structures on the property. Under sparsely settled there is a requirement of 80 percent open space. Under Suburban Residential the open space requirement is 50 percent. The change in zoning would allow the property owner to maintain lawfully-established accessory uses and structures while rebuilding the single-family home that was impacted by Hurricane Irma which is currently under reconstruction. The community meeting was held on June 6 and there was no opposition. This is not anticipated to adversely affect community character of surrounding properties and would bring the property into compliance with the open space requirements. Staff recommends approval.

Mr. Mike Roberts asked if this requires a FLUM Amendment. Ms. Cioffari responded that it does not. The current FLUM is Residential Low which both zoning categories fit into. Prior to this rebuilding, they were lawfully non-conforming with the open space requirement. Since this is a 100-percent rebuild, they must come into compliance. The current zoning would not allow them any accessory uses after building the house. Mr. Roberts asked what the zoning is for adjacent parcels. Ms. Cioffari responded that they are all Sparsely Settled. Ms. Emily Schemper showed the plat of a neighborhood with normal sized lots that had been provided as a designation of Sparsely Settled when the maps were made in 1986.

There were no further questions or comments from staff. Mr. Peter Batty of Smith Hawks, representative for the applicant, indicated he had no questions or comments and thanked staff for processing this application so rapidly. Public comment was closed

### **ADJOURNMENT**

The Development Review Committee meeting was adjourned at 1:07 p.m.