

Agenda

PLANNING COMMISSION  
February 27, 2019  
10:00 A.M

MARATHON GOVERNMENT CENTER  
2798 Overseas Highway  
MARATHON, FL 33050

**CALL TO ORDER: 10:00 A.M.**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**COMMISSION:**

Denise Werling, Chairman  
Tom Coward  
Ron Miller  
Joe Scarpelli  
William Wiatt

**STAFF:**

Emily Schemper, Sr. Director of Planning and Environmental Resources  
Peter Morris, Assistant County Attorney  
John Wolfe, Planning Commission Counsel  
Mike Roberts, Sr. Administrator, Environmental Resources  
Cheryl Cioffari, Comprehensive Planning Manager  
Bradley Stein, Development Review Manager  
Devin Rains, Planning & Development Permit Services Manager  
Tiffany Stankiewicz, Development Administrator  
Janene Sclafani, Transportation Planner  
Thomas Broadrick, Sr. Planner  
Barbara Bauman, Sr. Planner  
Devin Tolpin, Sr. Planner  
Liz Lustberg, Planner  
Matthew Restaino, Planner  
Debra Roberts, Sr. Coordinator Planning Commission

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

**SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS**

**SWEARING OF COUNTY STAFF**

**CHANGES TO THE AGENDA**

**APPROVAL OF MINUTES:** December 12, 2018

**MEETING**

**1. A PUBLIC HEARING TO CONSIDER AND FINALIZE THE RANKING OF APPLICATIONS IN THE DWELLING UNIT ALLOCATION SYSTEM** FOR OCTOBER 13, 2018, THROUGH JANUARY 14, 2019, ROGO (Quarter 2, Year 27). ALLOCATION AWARDS WILL BE ALLOCATED FOR ALL UNINCORPORATED MONROE COUNTY. (File 2018-128)

**2. A PUBLIC HEARING TO CONSIDER AND FINALIZE THE RANKING OF APPLICATIONS IN THE NON-RESIDENTIAL ALLOCATION SYSTEM** FOR OCTOBER 13, 2018, THROUGH JANUARY 14, 2019, NROGO (Quarter 2, Year 27). ALLOCATION AWARDS WILL BE ALLOCATED FOR ALL UNINCORPORATED MONROE COUNTY.

Pursuant to Monroe County Code Section 138-53(e)(14), the Planning and Environmental Resources Department is providing a notification to the general public of the NROGO account balances. The balances are as follows:

**NROGO YEAR 27 Balances Available for Quarter 2**

<b>NROGO Year 27 Balances Available for Quarter 2</b>			
	<b>ANNUAL NROGO</b>	<b>NROGO BANK</b>	
<b>NROGO Year 27 Balances Available for Quarter 2</b>	<b>Year 27 Annual Allocation Amount</b>	<b>Subarea Bank Accounts (rollover from Year 26)</b>	<b>Year 27 General (Joint) Bank Total</b>
<b>Big Pine Key and No Name Key subarea</b>	<b>2,390 SF</b>	<b>15,211 SF**</b>	<b>N/A</b>
<b>Upper Keys subarea</b>	<b>22,944 SF</b>	<b>41,418 SF*</b>	<b>591,715 SF*</b>
<b>Lower Keys subarea</b>	<b>21,749 SF</b>		
<b>Totals</b>	<b>47,083 SF</b>	<b>56,629 SF</b>	<b>591,715 SF*</b>

*\*The YR 27 Bank Totals includes 20,000 SF in reserves for the Upper and Lower Key. (Ord. 020-2013) (Ord. 030-2016)*

*\*\* Includes NROGO SF from expired allocation awards.*

(File 2018-129)

**3. PRISCILLA CEJA, 26959 OLD STATE ROAD 4A, RAMROD KEY: AN APPEAL, PURSUANT TO SECTION 102-185 OF THE MONROE COUNTY LAND DEVELOPMENT CODE, BY THE PROPERTY OWNER TO THE PLANNING COMMISSION CONCERNING AN ADMINISTRATIVE DECISION OF THE ACTING ASSISTANT PLANNING DIRECTOR DATED FEBRUARY 9, 2018. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS LOT 10, BLOCK 4, RAMROD SHORES, RAMROD KEY, PLAT BOOK 4, PAGE 6, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00207530-000000. (FILE 2018-053) CONTINUED FROM 12/12/2018**

**4. EDWIN HANDTE, 1547 NARCISSUS AVENUE, BIG PINE KEY, FLORIDA, MILE MARKER 30 GULF SIDE: AN APPEAL, PURSUANT TO SECTION 102-185 OF THE MONROE COUNTY LAND DEVELOPMENT CODE, BY THE PROPERTY OWNER TO THE PLANNING COMMISSION CONCERNING A LETTER OF UNDERSTANDING TO ESTABLISH THE LAWFULNESS OF A NONCONFORMING USE DATED APRIL 16, 2018, BY THE SENIOR DIRECTOR OF PLANNING & ENVIRONMENTAL RESOURCES. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS BLOCK 19, LOT 3, EDEN PINES COLONY (PLAT BOOK 4 PAGE 158) BIG PINE KEY, MONROE**

COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00268980-000000. (File 2018-177) **CONTINUED FROM 12/12/2018**

**5. EDWIN HANDTE, 1791 NARCISSUS AVENUE, BIG PINE KEY, FLORIDA, MILE MARKER 30 GULF SIDE:** AN APPEAL, PURSUANT TO SECTION 102-185 OF THE MONROE COUNTY LAND DEVELOPMENT CODE, BY THE PROPERTY OWNER TO THE PLANNING COMMISSION CONCERNING A LETTER OF UNDERSTANDING TO ESTABLISH THE LAWFULNESS OF A NONCONFORMING USE DATED AUGUST 13, 2018, BY THE SENIOR DIRECTOR OF PLANNING & ENVIRONMENTAL RESOURCES. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS BLOCK 18, LOT 9, EDEN PINES COLONY (PLAT BOOK 4 PAGE 158) BIG PINE KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00268790-000000. (File 2018-178) **CONTINUED FROM 12/12/2018**

**6. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING THE MONROE COUNTY FUTURE LAND USE MAP FROM EDUCATION (E) TO MIXED USE / COMMERCIAL (MC), FOR PROPERTY LOCATED AT 255 CRANE BOULEVARD, SUGARLOAF KEY, MILE MARKER 19.3, AS PROPOSED BY THE SCHOOL BOARD OF MONROE COUNTY; 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 INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN AND FOR AMENDMENT TO THE FUTURE LAND USE MAP; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-139).

**7. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING POLICY 101.5.25 OF THE 2030 MONROE COUNTY COMPREHENSIVE PLAN TO ADDRESS DENSITY ISSUES ON PARCELS OF LAND WITHIN THE RESIDENTIAL MEDIUM (RM) FUTURE LAND USE MAP CATEGORY AND THE IMPROVED SUBDIVISION (IS) ZONING DISTRICT THAT ARE NOT PLATTED LOTS; 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 INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-196)

**8. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING MONROE COUNTY CODE SECTION 130-157, MAXIMUM PERMANENT RESIDENTIAL DENSITY AND MINIMUM REQUIRED OPEN SPACE, TO ADDRESS DENSITY ISSUES ON PARCELS OF LAND WITHIN THE IMPROVED SUBDIVISION (IS) ZONING DISTRICT THAT ARE NOT PLATTED LOTS; 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 INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-197)

**9. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING MONROE COUNTY LAND DEVELOPMENT CODE SECTION 130-93, SUBURBAN COMMERCIAL DISTRICT (SC), TO ALLOW PARKS TO BE PERMITTED AS OF RIGHT IN THE SC ZONING DISTRICT; 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 INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-208)

**10. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING MONROE COUNTY LAND DEVELOPMENT CODE CHAPTER 134, TO CREATE ARTICLE III: POST DISASTER PROCEDURES, SECTION 134-26: PURPOSE, AND SECTION 134-27: ACCESSORY STRUCTURES; TO ALLOW ACCESSORY STRUCTURES TO REMAIN IN CERTAIN CIRCUMSTANCES AFTER THE ASSOCIATED PRINCIPAL USE OR STRUCTURE HAS BEEN DISCONTINUED OR REMOVED DUE TO DISASTER-RELATED

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DAMAGE; AND AMENDING MONROE COUNTY CODE SECTION 102-58, *NONCONFORMING ACCESSORY USES AND ACCESSORY STRUCTURES*, FOR CONSISTENCY WITH CODE CHAPTER 134; 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 INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-212)

**11. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING POLICY 101.5.29 OF THE MONROE COUNTY 2030 COMPREHENSIVE PLAN TO ALLOW EXISTING LAWFULLY ESTABLISHED RESIDENTIAL DWELLING UNITS, OTHER THAN MOBILE HOMES, TO BE CONSIDERED CONFORMING USES REGARDLESS OF FUTURE LAND USE DISTRICT; 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 INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-209)

**12. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING MONROE COUNTY LAND DEVELOPMENT CODE SECTION 130-163, EXISTING RESIDENTIAL DWELLING UNITS AND TRANSIENT UNITS, TO ALLOW EXISTING LAWFULLY ESTABLISHED RESIDENTIAL DWELLING UNITS, OTHER THAN MOBILE HOMES, TO BE CONSIDERED CONFORMING USES REGARDLESS OF LAND USE (ZONING) DISTRICT; 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 INCLUSION IN THE MONROE COUNTY CODE; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-210)

**13. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING POLICY 101.9.4 OF THE 2030 MONROE COUNTY COMPREHENSIVE PLAN TO ALLOW RESIDENTIAL DWELLING UNITS WITH LAWFULLY NONCONFORMING OPEN SPACE TO REDEVELOP AT THE PREVIOUSLY APPROVED OPEN SPACE RATIO IN CASES WHERE COMPLIANCE WITH CURRENT OPEN SPACE REGULATIONS WOULD RESULT IN A REDUCTION IN LOT COVERAGE; 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 INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-211)

**14. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING SECTION 101-1 OF THE MONROE COUNTY LAND DEVELOPMENT CODE CREATING A DEFINITION OF NESTING AREA; 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 INCLUSION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (File 2016-123)

**15. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING SECTION 101-1 OF THE MONROE COUNTY LAND DEVELOPMENT CODE CREATING A DEFINITION OF OFFSHORE ISLAND; AMENDING SECTION 118-10 OF THE LAND DEVELOPMENT CODE TO FURTHER CLARIFY THE DEVELOPMENT OF OFFSHORE ISLANDS; 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 INCLUSION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (File 2016-124)

*Pursuant to Section 286.0105 Florida Statutes and Monroe County Resolution 131-1992, if a person decides to appeal any decision of the Planning Commission, he or she shall provide a transcript of the hearing before the Planning Commission, prepared by a certified court reporter at the appellant's expense. For such purpose, he or she may need to ensure that*  
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*verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

**ADA ASSISTANCE:** *If you are a person with a disability who needs special accommodations in order to participate in this proceeding, please contact the County Administrator's Office, by phoning (305) 292-4441, between the hours of 8:30 a.m. - 5:00 p.m., no later than five (5) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".*

**BOARD DISCUSSION**

**GROWTH MANAGEMENT COMMENTS**

**RESOLUTIONS FOR SIGNATURE**

**ADJOURNMENT**