

PLANNING COMMISSION
December 1, 2010
Meeting Minutes

The Planning Commission of Monroe County conducted a meeting on **Wednesday, December 1 2010**, beginning at 10:09 a.m. at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL by Gail Creech

PLANNING COMMISSION MEMBERS

Randy Wall, Chairman	Present
Denise Werling	Present
Jeb Hale	Present
James Cameron	Present
Elizabeth Lustberg	Present

STAFF

Townsley Schwab, Sr. Director-Planning and Environmental Resources	Present
Susan Grimsley, Assistant County Attorney	Present
John Wolfe, Planning Commission Counsel	Present
Mike Roberts, Senior Administrator, Environmental Resources	Present
Mitch Harvey, Comprehensive Plan Manager	Present
Joe Haberman, Planning and Development Review Manager	Present
Barbara Bauman, Planner	Present
Tiffany Stankiewicz, Dev. Administrator-Planning and Environmental Resources	Present
Bryan Davisson, Senior GIS Planner	Present
Gail Creech, Planning Commission Coordinator	Present

COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

County Resolution 131-92 was read into the record by John Wolfe.

SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

Gail Creech confirmed receipt of all necessary paperwork.

SWEARING OF COUNTY STAFF

All staff intending to speak were sworn in by John Wolfe.

CHANGES TO THE AGENDA

Item 2 will be heard as Item 1.

NEW ITEM:

1.Sievers Marine Inc., 21 Garden Cove Drive, Key Largo, Mile Marker 106: A request for approval of a 5SRX (restaurant, no package sales) Alcoholic Beverage Special Use Permit. The subject property is legally described as Block 7, Lots 18 through 23, Ocean Isle Estates (PB5-14), Key Largo, Monroe County, Florida, having real estate number 00539850.000000.

(10:12 a.m.) Barbara Bauman presented the staff report. Ms. Bauman recommended approval with listed conditions. Commissioner Werling asked for, and received, confirmation that the license applied for includes the requirement of available food service. Mr. Wolfe informed the Commissioners of the letters received regarding this item. Chairman Wall recalled that the commercial establishment predates the residential development surrounding the property.

(10:20 a.m.) Ron Sievers, President of Sievers Marine, was sworn in by Mr. Wolfe. Mr. Sievers gave a brief history of the restaurants located on this property prior to Buzzard's Roost, and stated this property has not received violations of any sort since their purchase in 1998. Mr. Sievers also commented that the applicant is conscientious of their neighbors and the improvements made to the restaurant and marina has improved the neighborhood. Additional issues with traffic and parking are not anticipated. Two to three customers a day are lost to neighboring restaurants with liquor licenses.

(10:26 a.m.) Commissioner Werling questioned why the applicant waited 11 years to apply for a liquor license. Mr. Sievers responded that the restaurant is at a disadvantage being a block off of U.S.1. The hours of the restaurant were stated to be 11 a.m. to 9 p.m. on weekdays, possibly to 10 p.m. on the weekends. Mr. Sievers confirmed for Chairman Wall that no citations have been received from Code Enforcement.

Chairman Wall asked for public comment.

(10:31 a.m.) Neighbor Tom Dailey was sworn in by Mr. Wolfe. Mr. Dailey listed the problems incurred on his property from patrons of the restaurant, including broken house windows, parking on the yard, damage to vehicles, destruction of landscaping, and litter. Mr. Dailey spoke about the noise factor from both the patrons and the hired musical entertainment. Mr. Dailey stated that he had been told the County would approve this to gain the increased tax revenue from the bar. It was then clarified that this statement came from a restaurant employee, not a County employee.

Mr. Dailey complained that no notice was received regarding the November 3, 2010 meeting. Mr. Dailey noted that approval of this application would cause a diminished quality of life in the neighborhood and a reduction in property values that would constitute a taking against these properties. Ms. Bauman explained that the entire list of the surrounding properties within 500 feet was not received from the Property Appraiser's office for notification of the November 3rd meeting. The matter was postponed to be able to provide sufficient notice to the surrounding property owners.

(10:40 a.m.) Commissioner Werling discussed restrictions on outdoor music and outdoor lighting. Joe Haberman stated that the noise ordinance prevails, which applies at 10 p.m. on weekdays and 11 p.m. on weekends. Commissioner Cameron suggested that the applicant improve relations with the neighbors. Mr. Haberman stated that the neighbors he had spoken to expressed the same concerns as voiced in this meeting, but that no code violation records were found for this property. Commissioner Hale noted that the staff report has the music and entertainment as being located inside the restaurant.

(10:45 a.m.) Mr. Sievers answered that improved relations with the owners of neighboring properties has been attempted, and stated that there is an open invitation for neighbors to bring their complaints to the attention of the owner or the manager on duty. The live entertainment is held inside, except for an occasional entertainer outside as background music, which ends within the noise ordinance limits. Motorcyclists are invited down twice a year. Commissioner Werling commented on the "Bikers Welcome" sign posted by the restaurant.

Barriers allowed, and the location on which they are allowed, were discussed. Chairman Wall asked staff to address the concern of the reduction in property values. Mr. Haberman answered that for this type of application it is not a consideration. Chairman Wall again noted that the residential development occurred after the commercial presence was established. Commissioner Werling commented that properties refurbish and expand, causing changes to the property to occur.

Mr. Haberman explained that this application would not be considered to be an increase in intensity, but just results in more revenue brought in by the same amount of people. Commissioner Lustberg asked if the other neighbors' letters change staff's recommendation. Mr. Haberman answered that the noise issues are addressed by the noise ordinance restrictions. The litter issue could possibly be helped by requiring the applicant to provide more garbage cans on the property for patrons.

(11:00 a.m.) **Motion: Commissioner Hale made a motion to approve staff's recommendation. Commissioner Cameron seconded the motion. A poll was conducted with the following results: Commissioner Hale, Yes; Commissioner Cameron, Yes; Commissioner Lustberg; Yes, Commissioner Werling, No; and Chairman Wall, Yes.**

Continued Item:

2. Planning Commission Tier Review Public Meeting and Public Hearing (Continued from 11/16/10)

(11:02 a.m.) Mr. Wolfe reminded the Commissioners that this is a continuation of Items 2 through 5, the four ordinances relating to the tier overlay districts, from the November 16, 2010 Planning Commission meeting. Public comment had been closed except for those returning for the to-be-determined parcels. Mr. Wolfe suggested addressing: First, those parcels that staff had been instructed to visit to determine existing conditions; second, those parcels that the Tier Designation Review Committee and staff proposed different recommendations; third, those

parcels that the TDRC and staff agreed on the recommendations; and, finally, to vote on the ordinances.

PARCEL ID NO. 00214700-000000
00214710-000000
00214720-000000

A letter submitted by Property Owners Gordon and Elizabeth Read was addressed. The letter requested a Tier III designation. Mike Roberts stated that staff would support leaving the property as Tier III, as originally recommended. **Motion: Commissioner Cameron made a motion to restore the properties to Tier III. Commissioner Hale seconded the motion. There was no opposition. The motion passed unanimously.**

PARCEL ID NO. 00510450-000000
00510460-000000

(11:09 a.m.) Mr. Roberts stated that after a site visit, staff determined the properties consisted of 70 to 80 percent exotic vegetation, along with the wetland vegetation towards the back of the property, and recommended a Tier III designation for these two properties. **Motion: Commissioner Cameron made a motion to approve the Tier III designation. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.**

PARCEL ID NO. 00088590-000000
00088690-000000

(11:15 a.m.) Mr. Roberts stated that after a site visit, staff determined these properties to consist of non-native vegetation, the properties are landscaped, and therefore recommended a Tier III designation. **Motion: Commissioner Cameron made a motion to approve the Tier III designation. Commissioner Hale seconded the motion. There was no opposition. The motion passed unanimously.**

PARCEL ID NO. 00487120-000000

(11:20 a.m.) Mr. Roberts stated that after a site visit, staff determined the majority of the property is cleared and the edges of the hammock along the parcel edge are primarily exotic vegetation, and concurred with the Tier III request. **Motion: Commissioner Cameron made a motion to approve the Tier III designation. Commissioner Hale seconded the motion. There was no opposition. The motion passed unanimously.**

PARCEL ID NO. 00210811-011100

(11:24 a.m.) Mr. Roberts stated that while conducting a site visit to this property he was unable to determine definitive property lines and, therefore, could not determine if, or how much, exotic vegetation existed on the property. Mr. Roberts said he did not feel enough information was available to recommend a change at this time. **Motion: Commissioner Cameron made a motion to leave unchanged the prior Tier I designation. Commissioner Hale seconded the motion. There was no opposition. The motion passed unanimously.**

PARCEL ID NO. 00448470-000000

(11:31 a.m.) Mr. Roberts stated that after a site visit, staff found the vegetation on this property consists primarily of native hammock with less than 10 percent exotic species and that it is

contiguous with a larger intact hammock. Mr. Roberts said there is insufficient evidence to warrant changing the tier recommendation. **Motion: Commissioner Hale made a motion to leave unchanged the current tier recommendation. Commissioner Cameron seconded the motion.**

Property owners Manuel and Patricia Cruz were present. Mrs. Cruz stated that she was under the impression Harry Harris Park was going to be considered globally and that she was informed a vegetation survey was not necessary for this meeting. Mr. Wolfe clarified that even though the Planning Commission could consider Harry Harris Park as a whole, it is important that each property owner have their property considered individually and that a vegetation survey can still be presented to the Board of County Commissioners before their final determination.

Ms. Grimsley explained that the Commissioners can consider properties at this point that are within the challenge area of parcels that have been added for reconsideration. Mrs. Cruz reiterated the fact that there is more development on the environmentally-sensitive side of the street than the less environmentally-sensitive side of the street and that there is existing infrastructure in this neighborhood. Mr. Cruz described the neighboring properties as developed properties or as having building permits.

Ms. Grimsley stated that this property was part of the conservation and natural areas designation and was appealed to be taken out of that designation, and since it was already designated Tier I, there was no need for it to be put in the challenge area. Commissioners Werling and Cameron stated they were not comfortable with the amount of connectivity associated with this parcel. Mr. Wolfe assured the Commissioners that they were free to consider this parcel individually.

Motion: Commissioner Werling made a motion to recommend a Tier III designation due to the parcel being infill property served by existing infrastructure. Commissioner Cameron seconded the motion. There was no opposition. The motion passed unanimously.

Ms. Grimsley reminded the property owners that this is a recommendation only and the Board of County Commissioners will make a final determination in March of 2011.

PARCEL ID NO. 00222780-000000

(11:52 a.m.) Mr. Roberts stated that there was not enough information available to warrant a change in tier designation due to not being able to fully access the property, and further stated that this property highlights the issue of determining tier designations based on parcel boundaries as opposed to physical condition boundaries. The cost of tier re-designation was discussed.

Ty Symroski was present on behalf of the property owner and was sworn in by Mr. Wolfe. Mr. Symroski described the property as quite cleared, and stated that because of the use of property lines as opposed to physical features for boundaries, this property is being designated Tier I. Possible negotiations with the land authority were discussed. Mr. Symroski urged the Planning Commission to adopt a recommendation that uses feature boundaries as opposed to property boundaries.

Chairman Wall pointed out that the Planing Commission has no ability to divide the property. Ms. Grismley suggested making a recommendation for the BOCC to consider if the property is divided. Mr. Symroski informed the Commissioners that this property was once the Gato Farm and was cleared at one point.

Motion: Commissioner Werling made a motion that if the property is split and it is determined that a portion of the property is developed and scarified, that portion should be designated Tier III, but the current Tier I recommendation is to remain until such time as the property division occurs. Commissioner Cameron seconded the motion. There was no opposition. The motion passed unanimously.

PARCEL ID NO. 00178170-000000

(12:12 p.m.) Mr. Roberts stated that, although the cleared portion of the property is obvious, the vegetation consists of native species that fades into hammock vegetation to the north, and to the west is public land. Mr. Roberts recommended the current designation of Tier I remain unchanged. The distinctions of upland hammock and wetland hammock were discussed, as were the possible reasons for the original Tier III designation.

Motion: Commissioner Werling made a motion for staff's current recommendation to remain unchanged. Commissioner Lustberg seconded the motion. There was no opposition. The motion passed unanimously.

PARCEL ID NO. 00114780-000000

(12:22 p.m.) The Florida Keys Aqueduct Authority on Summerland Key was discussed. Mr. Roberts reminded the Commissioners that the FKAA asked for re-evaluation of their tier designation so they could expand in the future as necessary, but since there are currently no site plans, no vote was made. Mr. Schwab stated that there is nothing in the code stating a utility should receive different consideration. Mr. Roberts confirmed that FKAA has not rebutted the ecological conditions on the site.

Motion: Commissioner Werling made a motion to leave staff's recommendation unchanged. Commissioner Hale seconded the motion. Commissioner Cameron pointed out that the Kruer maps had the property mapped as Tier III-A. There was no opposition. The motion passed unanimously.

A luncheon recess was held from 12:31 p.m. to 1:36 p.m.

(1:36 p.m.) Mr. Roberts stated that each map within Harry Harris should be looked at individually. Bryan Davisson described the color-coding used on the map that was displayed of the subdivision. Mr. Roberts explained to the Commissioners that there are lots within Harry Harris that meet the criteria for Tier III-A, i.e., they are connected fragments of tropical hardwood hammock that equal an acre or larger, and that while there is value having this refugia within a developed landscape, its value is diminished when it is so heavily fragmented. The boundaries of the subdivision were discussed, as well as the infrastructure currently existing.

Mr. Roberts described the progression of the TDRC's recommendations in this subdivision and the amount of time spent on Harry Harris Park. Mr. Roberts then opined that this subdivision meets the definition in the comprehensive plan for Tier III because it is over 60 percent developed and there is existing infrastructure, and then pointed out that the comprehensive plan makes provision for the fact that there will be undeveloped hammock lots within Tier III landscape. Mr. Roberts stated that if the Planning Commission made a policy decision that developed subdivisions with complete infrastructure are to be Tier III without regard for the habitat that is available, that would have ramifications throughout the challenge areas.

(1:55 p.m.) Chairman Wall noted that a Tier III-A designation does not render a property undevelopable, and that he is more concerned with the Tier I properties within a developed subdivision. Tiffany Stankiewicz explained the process through which a property owner proceeds for administrative relief with a Tier I, Tier II or SPA property, and that staff's preferred recommendation for these properties is a recommendation for purchase.

Commissioner Lustberg stated that some properties within this subdivision would be appropriately designated Tier I and some Tier III. Mr. Wolfe pointed out that both staff and the TDRC recommended Tier I for challenge area 147b. The properties in challenge area 147c were discussed and described as being surrounded by Tier III properties. **Motion: Commissioner Werling made a motion for the parcels within challenge area 147c be designated Tier III because they do not connect to any significant hammock, the area is infill development and serviced by infrastructure. Commissioner Cameron seconded the motion. There was no opposition. The motion passed unanimously.**

Motion: Commissioner Cameron made a motion to leave unchanged staff's and TDRC's recommendation of Tier I for parcels within challenge area 147b. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.

Motion: Commissioner Lustberg made a motion for the two lots shaded in blue in the far northeast corner of the map remain Tier I. Commissioner Cameron seconded the motion. There was no opposition. The motion passed unanimously.

(2:23 p.m.) The parcels shaded in blue between Arctic Avenue and Indian Avenue were discussed. **Motion: Commissioner Cameron made a motion to accept staff's recommendation for Tier I on the two lots bordering Arctic Avenue and designate the two lots on the north side of Indian Avenue as Tier III.** Commissioner Werling asked for consistency in designating the parcels in this area. Manuel Cruz, a neighboring property owner, interjected that the two lots next to his property are empty. **Motion: Commissioner Hale made a motion to designate all four lots shaded in blue between Arctic Avenue and Indian Avenue Tier III.** Commissioner Cameron withdrew his prior motion. Commissioner Hale withdrew his motion in order to consider area 147a globally.

Mr. Roberts stated that the SPA lots in this area were so designated because staff and the TDRC felt they met the criteria for SPA lots, but that the overall definition of what Tier III is was not focused on at that time. Mr. Roberts urged the Commissioners to make a determination based on the comprehensive plan policy of what constitutes Tier III. **Motion: Chairman Wall made a**

motion that, because of the significant infill and infrastructure in place, the significant invasive exotic vegetation in the area, and consistent with the comprehensive plan, challenge area 147a is an appropriate location for a Tier III designation. Commissioner Hale seconded the motion. There was no opposition. The motion passed unanimously.

Motion: Commissioner Hale made a motion to designate the four lots between Arctic Avenue and Indian Avenue Tier III because they are cleared, infrastructure is in place, there is infill in the area, and to be consistent with the comprehensive plan. Commissioner Cameron seconded the motion. There was no opposition. The motion passed unanimously.

Motion: Commissioner Cameron made a motion that the properties to the left of 147a outlined in blue and the two properties outlined in black be designated Tier III for the same reasons as the previous motion. Mr. Roberts pointed out that these properties are contiguous to a larger hammock and suggested that a SPA recommendation would not be unreasonable. Mr. Davisson clarified that the two lots outlined in black are County-owned.

Motion: Commissioner Werling made a motion that the properties to the left of 147a outlined in blue and the two properties outlined in black be designated Tier I. Commissioner Cameron seconded the motion. There was no opposition. The motion passed unanimously.

(2:45 p.m.) The Commissioners discussed the block of eight lots further down the map. Mr. Roberts informed the Commissioners that the far right lot cross-hatched in blue, Parcel ID No. 00445670-000000, was part of the BOCC resolution and that a Tier III designation was recommended for this parcel by both staff and the TDRC. **Motion: Commissioner Cameron made a motion to leave unchanged the Tier III designation. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.**

Motion: Chairman Wall made a motion to approve staff's recommendation of Tier I on the seven remaining lots. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.

Motion: Commissioner Cameron made a motion to leave unchanged staff's Tier I recommendation for the individual lot in the next block that borders Indies Road. Commissioner Lustberg seconded the motion. There was no opposition. The motion passed unanimously.

The next block of lots were discussed. **Motion: Commissioner Cameron made a motion to accept staff's recommendations for the one Tier III property and the remaining Tier I properties. Commissioner Lustberg seconded the motion. There was no opposition. The motion passed unanimously.**

(2:56 p.m.) It was agreed among the Commission and staff to proceed with the maps where there is disagreement between staff and the TDRC.

Mr. Wolfe pointed out that the one lot on the far right bottom next to the ball field on Map Series 35 was missed. **Motion: Commissioner Cameron made a motion to accept staff's Tier III**

recommendation. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.

MAP 8

(2:59 p.m.) Mr. Roberts stated that after a site visit by staff, the bottom of challenge area 113b was found to have a nice canopy, but no understory, and feels that a SPA recommendation is appropriate because it provides a buffer between intact hammock and the subdivision. A similar situation was found at the north end of 113b. The large block of hammock in the very center of 113b, after a site review, was found to have some of the parcels developed and other with no understory, and it also falls below one acre. **Motion: Commissioner Werling made a motion to accept staff's recommendation for all of Map Series 8, except for the two lots previously designated by the Planning Commission. Commissioner Lustberg seconded the motion. There was no opposition. The motion passed unanimously.**

MAP 10

(3:05 p.m.) Mr. Roberts stated that there were differing opinions between staff and the TDRC regarding the BOCC- and staff-added parcels in the upper right-hand corner. The TDRC recommended Tier I and staff recommends SPA. The subdivision is heavily developed and the overall hammock structure has been altered by a lot of human interference. **Motion: Commissioner Cameron made a motion to accept staff's recommendation of SPA. Commissioner Hale seconded the motion. There was no opposition. The motion passed unanimously.**

MAP 11

Mr. Roberts stated that there is no conflict regarding Map 11.

MAP 12

(3:08 p.m.) Mr. Roberts stated that the two highlighted parcels are not hammock, just trees with no understory, no shrub layer. **Motion: Commissioner Cameron made a motion to accept staff's recommendation. Commmissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.**

MAP 25

(3:09 p.m.) Mr. Roberts stated that staff does not feel it is appropriate for a developed parcel adjacent to a subdivision on one side to be Tier I, but that the hammock on the other side is nice and intact, making for a default recommendation of SPA. **Motion: Commissioner Cameron made a motion to accept staff's recommendation. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.**

MAP 29

(3:10 p.m.) Previous designations recommended for the parcels on this map were discussed. Mr. Roberts stated that, with the exception of the one lot recommended to be Tier III, staff recommended SPA as opposed to the TDRC's recommendation of Tier I due to the fact that there is no intact hammock, but only hardwood canopy. Mr. Wolfe noted that the designations for the properties on this map have already been decided by the Commissioners and no further action is necessary.

MAP 30

(3:14 p.m.) The previous recommendations made by the Planning Commissions on this map were discussed. **Motion: Commissioner Cameron made a motion to accept staff's recommendations including the previous Commission-recommended changes on all of Map 30. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.**

MAP 40

(3:19 p.m.) Mr. Roberts reported that when staff reviewed the site no hammock was found. **Motion: Commissioner Werling made a motion to accept staff's recommendation. Commissioner Cameron seconded the motion. There was no opposition. The motion passed unanimously.**

MAP 54

(3:20 p.m.) Mr. Roberts stated that challenge area 371c is all mangrove. **Motion: Commissioner Cameron made a motion to accept staff's recommendation. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.**

MAP 57

(3:22 p.m.) Mr. Roberts stated that the TDRC had recommended Tier I for challenge area 387c, but upon review of this challenge area staff found that some of the lots are significantly cleared with only nuisance and exotic vegetation left and the remaining lots are infested with lead tree. The first group of lots on Dolphin is wetland communities. Therefore, staff is recommending a Tier III designation for challenge area 387c. **Motion: Commissioner Werling made a motion to accept staff's recommendation. Commissioner Cameron seconded the motion.** Chairman Wall questioned the reasoning behind the Tier I recommendation for the lots outside of the challenge area between Shanahan & Dolphin when they don't connect to anything. Mr. Roberts explained that the final ruling by the administrative law judge left Tier I properties with no minimum acreage. **There was no opposition. The motion passed unanimously.**

MAP 58

Mr. Roberts reported that there is no hammock in this area, and it consists of either mangrove or development. **Motion: Commissioner Cameron made a motion to accept staff's recommendation. Commissioner Lustberg seconded the motion. There was no opposition. The motion passed unanimously.**

MAP 59

(3:27 p.m.) Mr. Roberts reported that the TDRC had identified the upper portion of the industrial area as SPA due to the hammock extending into the property, but in fact it consists of a few scattered trees that provide a canopy only. Therefore, staff is recommending Tier III. **Motion: Commissioner Cameron made a motion to accept staff's recommendation. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.**

MAP 69

(3:29 p.m.) Mr. Roberts stated that challenge area 441a consists of wetland habitat that doesn't meet the upland native vegetation criteria. **Motion: Commissioner Cameron made a motion to accept staff's recommendation. Commissioner Hale seconded the motion. There was no opposition. The motion passed unanimously.**

MAP 78

(3:30 p.m.) Mr. Roberts explained that this map is of the Sugarloaf Lodge property. The TDRC, using parcel boundaries and because of the extent of habitat west of the lodge property, recommended a Tier I designation. Staff felt that the majority of the property consisted of the lodge with little hammock on the property and recommended Tier III. Subsequent to the TDRC review the property owner has been in the process of redefining the property boundaries dividing the lodge and the habitat area, which would result in the lodge being Tier III and the western half of the property consisting of native habitat being Tier I. Mr. Roberts suggested that the Planning Commission accept staff's recommendation at this point, understanding the recommendation will be revised prior to the BOCC meeting based on the new property boundaries. **Motion: Commissioner Cameron made a motion to accept staff's recommendation. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.**

Mr. Roberts stated that this ended the map review for inconsistencies between staff and the TDRC.

Motion: Commissioner Cameron made a motion to accept staff's and the TDRC's joint recommendations for all the other maps not discussed. Commissioner Hale seconded the motion. There was no opposition. The motion passed unanimously.

Ms. Grimsley requested the Commissioners to review Map 57 of Ramrod Shores and distinguish it from the Harry Harris subdivision. Commissioner Lustberg noted that Map 57 has more open space between the houses and the sewer lines have not been put in yet. Mr. Roberts pointed out that Ramrod Shores is only 26 percent developed. The Commissioners agreed with these comments.

(3:46 p.m.) Mr. Wolfe read into the record the following ordinance: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ASSIGNING, AMENDING OR RATIFYING THE TIER OVERLAY DISTRICT DESIGNATIONS FOR APPROXIMATELY NINETY TWO (92) PARCELS COMPETING FOR BUILDING PERMITS IN THE RATE OF GROWTH ORDINANCE (ROGO) ALLOCATION SYSTEM IN ACCORDANCE WITH THE FINAL ORDER IN DOAH CASE NO. 06-2449GM; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISION; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Cameron made a motion to approve the ordinance with the parcel designations as indicated in Map Series Pages 1 through 86 as amended and approved for recommendation by the Planning Commission based on evidence and testimony included in

the record and being consistent with the County's comprehensive plan. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.

Mr. Wolfe read into the record the following ordinance: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ASSIGNING TIER OVERLAY DISTRICT MAP DESIGNATIONS TO APPROXIMATELY ONE HUNDRED TWELVE (112) PARCELS DETERMINED TO HAVE NO TIER ON THE TIER OVERLAY DISTRICT MAP FOR MONROE COUNTY IN DOAH CASE NO. 06-2449GM WHICH PARCELS HAVE BEEN THE SUBJECT OF AWARD OF ALLOCATION IN THE RATE OF GROWTH (ROGO) COMPETITION OR HAVE BEEN ISSUED BUILDING PERMITS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISION; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Cameron made a motion to approve the ordinance with the parcel designations as indicated in Map Series Pages 1 through 86 as amended and approved for recommendation by the Planning Commission based on evidence and testimony included in the record and being consistent with the County's comprehensive plan. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.

Mr. Wolfe read into the record the following ordinance: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ASSIGNING TIER OVERLAY DISTRICT MAP DESIGNATIONS TO APPROXIMATELY TWO THOUSAND NINE HUNDRED TWENTY ONE (2,921) PARCELS DETERMINED TO HAVE NO TIER ON THE TIER OVERLAY DISTRICT MAP FOR MONROE COUNTY IN DOAH CASE NO. 06-2449GM; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Cameron made a motion to approve the ordinance with the parcel designations as indicated in Map Series Pages 1 through 86 as amended and approved for recommendation by the Planning Commission based on evidence and testimony included in the record and being consistent with the County's comprehensive plan. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.

Mr. Wolfe read into the record the following ordinance: AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING OR RATIFYING THE TIER OVERLAY DISTRICT DESIGNATIONS FOR APPROXIMATELY THREE HUNDRED THREE (303) PARCELS PROPOSED FOR REVIEW BY THE BOARD OF COUNTY COMMISSIONERS, STAFF OR OWNERS, WHICH PARCELS CURRENTLY HAVE TIER DESIGNATIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE.

Motion: Commissioner Cameron made a motion to approve the ordinance with the parcel designations as indicated in Map Series Pages 1 through 86 as amended and approved for recommendation by the Planning Commission based on evidence and testimony included in the record and being consistent with the County's comprehensive plan. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.

BOARD DISCUSSION

(3:52 p.m.) Commissioner Lustberg requested to be informed in the future of the process for the property owners not included within these maps previously discussed, but who are unhappy with their tier designations. The Commissioners agreed to the proposed Planning Commission schedule for the upcoming year.

APPROVAL OF MINUTES

(3:55 p.m.) Commissioner Lustberg pointed out that the misspelling of "Joe" appeared as "Jose" at one point in the minutes. **Motion: Commissioner Werling made a motion to approve the meeting minutes from October 6, 2010; October 19, 2010; and November 3, 2010. Commissioner Lustberg seconded the motion. There was no opposition. The motion passed unanimously.**

GROWTH MANAGEMENT COMMENTS

(3:57 p.m.) Mitch Harvey reported that ten out of 16 draft elements have been completed that include both existing and future conditions. The affirmation and approval of the population projection methodology is being held up due to ongoing negotiations between the Department of Community Affairs and Keith & Schnars regarding future land use, traffic and housing. When those issues are resolved a workshop will be set up by Keith & Schnars for the Planning Commission.

ADJOURNMENT

The Monroe County Planning Commission meeting was adjourned at 4:00 p.m.