

*AGENDA

PLANNING COMMISSION
MONROE COUNTY
MARATHON GOV'T CENTER
2798 OVERSEAS HIGHWAY
MARATHON, FL 33050

February 9, 2010
10:00 A.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:

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

STAFF:

Townsley Schwab, Senior Director of Planning and Environmental Resources
Susan Grimsley, Ass't County Attorney
John Wolfe, Planning Commission Counsel
Joe Haberman, Planning & Development Review Manager
Mitch Harvey, Comp Plan Manager
Steven Biel, Sr. Planner
Richard Jones, Marine Resources Administrator
Mike Roberts, Environmental Resources Sr. Admin
Gail Creech, Planning Commission Coordinator

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 1, 2010

MEETING

Continued Item:

1. Surprise Island LLC, 107900 Overseas Highway (US 1), Key Largo, Mile Marker 107.9: A request for approval of

a major conditional use permit in order to develop the property with a marina for the purpose of boat storage and boat ramp, the construction of a bathhouse and dockmasters office, parking, and associated site improvements. The subject property is legally described as Section 36, Township 60S, Range 39E, Part Fractional, Key Largo, Monroe County, Florida, having real estate number 00083760.000000.

[2010-055 FILE.PDF](#)

[2010-055 COMBINED Plans Recvd 01.10.11.pdf](#)

[2010-055 SR PC 02.09.11.PDF](#)

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 a 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

File #: 2010-055

Owner's Name: Surprise Island LLC

Applicant: Surprise Island LLC

Agent Name: David deHaas

Type of Application: Major

Key: Key Largo

RE #: 00083760-000000

**Additional Information added to
File 2010-055**

County of Monroe
Growth Management Division

Office of the Director

2798 Overseas Highway
Suite #400
Marathon, FL 33050
Voice: (305) 289-2517
FAX: (305) 289-2854



Board of County Commissioners

Mayor Sylvia J. Murphy, Dist. 5
Mayor Pro Tem Heather Carruthers, Dist. 3
Kim Wigington, Dist. 1
George Neugent, Dist. 2
Mario Di Gennaro, Dist. 4

We strive to be caring, professional and fair

Date: Friday May 7, 2010
Time: Key Largo 3PM.

Dear Applicant:

This is to acknowledge submittal of your application for Major CU
Type of application

Surprise Island to the Monroe County Planning Department.
Project / Name LLC

Thank you.

Planning Staff

End of Additional Information
File 2010-055

APPLICATION
 MONROE COUNTY
 PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT - 7 2010



Request for a Major Conditional Use Permit / Amendment to a Major Conditional Use Permit

An application must be deemed complete and in compliance with the Monroe County Code by the Staff prior to the item being scheduled for review

Major Conditional Use Permit Application Fee: \$10,014.00

In addition to the application fee, the following fees also apply:

Advertising Costs: \$245.00

Surrounding Property Owner Notification: \$3.00 for each property owner required to be noticed

Technology Fee: \$20.00

Date of Submittal: / /
 Month Day Year

Property Owner:

SURPRISE ISLAND LLC
 Name

107900 QUERSEAS HWY.
 Mailing Address (Street, City, State, Zip Code)

KEY LARGO FL 33070
 Daytime Phone

305 394-3044
 Email Address

GILBERTS PARADISE@AOL.COM

Agent (if applicable):

DAVID DEHAAS
 Name

88975 QUERSEAS HWY
 Mailing Address (Street, City, State, Zip Code)

TAVERNIER, FL 33070
 Daytime Phone

305 852-9851
 Email Address

DEHAAS@BELLSOUTH.NET

Legal Description of Property:

(If in metes and bounds, attach legal description on separate sheet)

SEL 34 TOWNSHIP 40 RANGE 39 KEY LARGO PT. FRAC
 Block Lot Subdivision Key

00083760-000000 1092401
 Real Estate (RE) Number Alternate Key Number

107900 9/5 HWY 107 (UNDER JEW FISH BRIDGE)
 Street Address (Street, City, State, Zip Code) Approximate Mile Marker

APPLICATION

Land Use District Designation(s): NATIVE AREA (NA)

Present Land Use of the Property: VACANT

Proposed Land Use of the Property: MARINA

Total Land Area: 12 ACRES - 3.1 SCARIFIED/UPLAND

If non-residential or commercial floor area is proposed, please provide:

1 Total number of non-residential buildings

_____ Total non-residential floor area in square feet

If residential dwelling units are proposed, please provide:

0 Total number of residential buildings

_____ Total number of permanent, market-rate units

_____ Total number of permanent, affordable / employee housing units

_____ Total number of transient units (hotel rooms, recreational vehicle / campground spaces)

Has a previous application been submitted for this site within the past two years? Yes ___ No ___

All of the following must be submitted in order to have a complete application submittal:
(Please check as you attach each required item to the application)

- Complete major conditional use permit application (unaltered and unbound);
- Correct fee (check or money order to Monroe County Planning & Environmental Resources);
- Proof of ownership (i.e. Warranty Deed);
- Current Property Record Card(s) from the Monroe County Property Appraiser;
- Location map;
- Photograph(s) of site from adjacent roadway(s);
- Signed and Sealed Boundary Survey, prepared by a Florida registered surveyor – 16 sets (at a minimum, survey should include elevations; location and dimensions of all existing structures, paved areas and utility structures; all bodies of water on the site and adjacent to the site; total acreage by land use district; and total acreage by habitat);
- Written description of project;
- Environmental Designation Survey (prepared in accordance with Monroe County Code);
- Community Impact Statement (prepared in accordance with Monroe County Code);
- Signed and Sealed Site Plan, prepared by a Florida registered architect, engineer or landscape architect– 16 sets (drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale). At a minimum, the site plan should include the following:
 - Date, north point and graphic scale;

APPLICATION

- Boundary lines of site, including all property lines and mean high-water lines;
 - Land use district of site and any adjacent land use districts;
 - Flood zones pursuant to the Flood Insurance Rate Map(s);
 - Locations and dimensions of all existing and proposed structures and drives;
 - Type of ground cover (i.e. concrete, asphalt, grass, rock);
 - Adjacent roadways;
 - Setbacks as required by the land development regulations;
 - Location and dimensions of all parking spaces (including handicap accessible, bicycle and scooter) and loading zones;
 - Calculations for open space ratios, floor area ratios, residential density and parking;
 - Location and type of outdoor lighting;
 - Extent and area of wetlands, open space areas and landscape areas;
 - Location of solid waste storage;
 - Location of sewage treatment facilities;
 - Location of existing and proposed fire hydrants or fire wells;
- Floor Plans for all proposed structures and for any existing structures to be redeveloped – 16 sets** (drawn at an appropriate standard architectural scale and including handicap accessibility features);
- Elevations for all proposed structures and for any existing structures to be modified – 16 sets** (with the elevations of the following features referenced to NGVD: existing grade; finished grade; finished floor elevations (lowest supporting beam for V-zone development); roofline; and highest point of the structure);
- Landscape Plan by a Florida registered landscape architect – 16 sets** (may be shown on the site plan; however, if a separate plan, must drawn to a scale of 1 inch equals 20 feet, except where impractical and the Director of Planning authorizes a different scale). At a minimum, the landscaping plan should include the following:
- Date, north point and graphic scale;
 - Boundary lines of site, including all property lines and mean high-water lines;
 - Locations and dimensions of all existing and proposed structures and drives;
 - Open space preservation areas;
 - Existing natural features;
 - Size and type of buffer yards including the species, size and number of plants;
 - Parking lot landscaping including the species, size and number of plants;
 - Specimen trees, or threatened and endangered plants to be retained and those to be relocated or replaced;
 - Transplantation plan (if required);
- Conceptual Drainage Plan – 16 sets** (with drainage calculations; existing and proposed topography; all drainage structures; retention areas; drainage swales; and existing and proposed permeable and impermeable areas);
- Traffic Study, prepared by a licensed traffic engineer;**
- Construction Management Plan**, stating how impacts on near shore water and surrounding property will be managed (i.e. construction barriers, hay bales, flagging);
- Typed name and address mailing labels of all property owners within a 300 foot radius of the property.** This list should be compiled from the current tax rolls of the Monroe County Property Appraiser. In the event that a condominium development is within the 300 foot radius, each unit owner must be included;
- Letters of Coordination are required from the following:**
- Florida Keys Aqueduct Authority (FKAA);
 - Florida Keys Electric Cooperative (FKEC) or Keys Energy Services;
 - Monroe County Office of the Fire Marshal;

APPLICATION

- Monroe County Health Department;
- Monroe County Solid Waste Management;
- Florida Department of Health if wastewater flows are less than or equal to 5,000 gallons per day or Florida Department of Environmental Protection if wastewater flows exceed 5,000 gallons per day;

If applicable, the following must be submitted in order to have a complete application submittal:

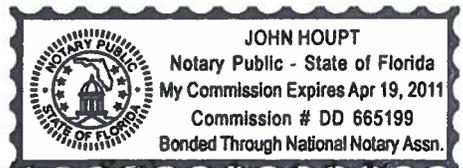
- Notarized Agent Authorization Letter (note: authorization is needed from all owner(s) of the subject property)
- Vegetation Survey or Habitat Evaluation Index (please contact Monroe County Environmental Resources prior to application submittal to determine if this documentation is necessary)
- Construction Phasing Plan
- Additional Letters of Coordination may be required for your project, please contact with the Planning & Environmental Resources Department to identify other agencies expected to review the project. Other agencies may include, but are not limited to:
 - Key Largo Wastewater Treatment District (KLWTD)
 - South Florida Water Management District (SFWMD)
 - Florida Department of Transportation (FDOT)
 - Florida Department of Environmental Protection (FDEP)
 - Florida Department of State, Division of Historic Resources
 - Florida Game and Freshwater Fish Commission (FGFFC)
 - U.S. Army Corps of Engineers (ACOE)
 - U.S. Fish and Wildlife Service (USFW)

If deemed necessary to complete a full review of the application, the Planning & Environmental Resources Department reserves the right to request additional information.

I certify that I am familiar with the information contained in this application, and that to the best of my knowledge such information is true, complete and accurate.

Signature of Applicant: R. Jolley Date: 5/06/10

Sworn before me this 6 day of MAY, 2010



John Houpt
Notary Public
My Commission Expires
19 April 2011

Please send the complete application package to the Monroe County Planning & Environmental Resources Department, Marathon Government Center, 2798 Overseas Highway, Suite 400, Marathon, FL 33050.



To:
Monroe County
Building and Planning Departments

RE: Agency for Permitting of Surprise Island LLC.

To Whom It May Concern:

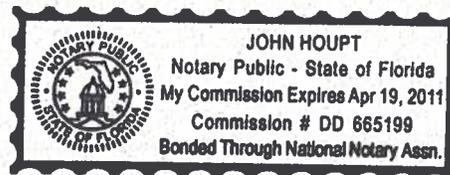
This shall act as authorization for David deHaas of deHaas Consulting and Design to act as our agent in all matters relating to the applications, permitting, and presentations for the property owned by Surprise Island LLC. having the real estate number of 00083760-000000.

R. [Signature]

For Surprise Island LLC.

Sworn before me this 6 day of MAY, 2010

JOHN HOUST
Notary Public
My Commission Expires 19 APRIL 2011



SURPRISE ISLAND LLC. MARINA

Major Conditional Use Application

Description:

We are proposing to use the subject property as a Marina as permitted as a Major Conditional use in the Native area district, under Section 130-89 of the Land Development Regulations of Monroe County.

The parcel of land has access to water at least four feet below sea level at mean low tide. We are not proposing the sale of goods or services, other than boat storage and dingy dockage. We are not proposing any live aboard vessels use.

We are not including any screening of outside area storage in as much as we are surrounded by a Mangrove area. There is no horizontal visibility to the site except from the entrance to the property.

We have provided a bathhouse with the minimum amount of inside storage an office for the operation of the facility.

We are proposing the use approximately 3.2 acres recognized as scarified/disturbed upland area. The total site consists of twelve plus acres totally, with a dividing access area between the two parcels. Please refer to survey included with the application.

The intent of the project is to store boats and provide a launching area with the boat ramp. We believe we are replacing the boat ramp and storage area which was removed from the "18 mile stretch" during reconstruction of U.S. One Highway.

SURPRISE ISLAND LLC. MARINA

ENVIRONMENTAL IMPACT SURVEY

The subject property is located at mile marker 107, and is located at the “southern” exit access road off of Jewfish Creek Bridge.

Please refer to the Site Plan Drawings for specific information concerning acreage, boundary lines of the property and their distance. Topography is demonstrated by the elevation notation on the survey and on the Site Plans.

The relationship of the existing development and the proposed development is achieved by the comparison of the Survey to the proposed project. The area proposed for development is environmentally described as upland, and is “disturbed/scarified. The line of delineation between upland and wetland areas has been established with the Army Corps of Engineers, and a copy of the survey is on file with the Biology Department of Monroe County in the Key Largo office.

This property has a history dating back prior to 1970,s when the site was excavated for fill on U.S. Highway One, and the “Borrow Pits (2 each) were created. Additionally at approximately the same time 3 (three) plus acres of upland were created and cleared.

A twenty foot setback has been established bounding the upland area, and working in relationship to the survey of scarified/ disturbed area established, as a buffer between the development and the wetlands.

A Stormwater Plan is required and shall address any water run-off which will improve the existing conditions. Currently there is no prevention or measures taken addressing storm water.

The development is required to have the best available Waste Treatment system. Installation of the Central Waste System to be

provided by Monroe County or equal to be determined, shall elimination of any possible pollutants or effluents.

Daily potable water demands shall be very limited by the use of low volume plumbing fixtures. The installation of the fixtures is economically advisable, as well as environmentally wise. The fixture count for all plumbing shall be required by the Florida Keys Aqueduct Authority. An impact evaluation of the new proposed Bathhouse and existing Residence fixtures shall be made to determine any differences. Limit use of the project which is primarily for storage and launching of small boats should reflect a very low consumption of water.

The project proposes a Boat Ramp and will require a Mitigation Plan to clear some Mangroves, for compliance with all Federal, State, and Monroe County regulations. Due to the juxtaposition of this project to FDOT's road widening and clearing of wetlands, the impact is minimal.

A minimum impact to the environment and to adjoining wildlife shall be achieved by these measures and existing conditions.

SURPRISE ISLAND LLC. MARINA

Trip Generation

It is the position of the applicant that no Traffic Study should be required. The Surprise Island LLC. property has unique characteristics which have not been / and can not be documented by ITE studies.

The studies and procedures the use of the ITE guide by traffic engineers is as follows:

ITE Trip Generation procedures

The Institute of Transportation Engineers's Trip Generation informational report provides trip generation rates for numerous land use and building types.

ITE Procedures estimate the number of trips entering or exiting a site at a given time (sometimes the number entering and exiting combined is estimated). ITE Rates are functions of type of development, and square footage, number of gas pumps, number of dwelling units, or other standard measurable things, usually produced in site plans. They are typically of the form $Trips = a + b * Area$ OR $Trips = a + bln(Area)$. They do not consider location, competitors, complements, the cost of transportation, or many other obviously likely important factors. They are often estimated based on very few observations (a non-statistically significant sample).

The prevailing factors concerning trip generation for this site are:

This site has been the staging area for more than four years prior to the submission of this application for use as a Marina. The constant use by heavy equipment, trucks and vehicles has a much greater impact. We are reducing the use and impact of the site.

The only means now, of egress is from an access road off of Jewfish Creek Bridge, restricting drive-by visualization. The site can not be seen from the Bridge. No trip generation by sight.

The only Boat Ramp on U.S. Highway One, (State Route 5), referenced as the "18 mile stretch" has been removed. We are replacing a use within the same road section.

We not "Docking" boats. We have no access to open water, other than the proposed Boat Ramp. Monroe County Land Development Regulations specify 6 parking spaces for cars with trailer for a boat ramp. This rational converts to 12 trips per day for a boat ramp. The Native Area land use district allows only the

storage of boats on trailers. Primary use will be the storage of these trailers; we are a storage facility with bathroom amenities.

Marina studies by appear to be limited, that are not applicable, and we are decreasing historically, the impacts, therefore no study should be required, and if provided shall be only hypothetical in nature, and not serve the intent purpose.

SURPRISE ISLAND LLC. MARINA

COMMUNITY IMPACT STATEMENT **MAJOR CONDITIONAL USE**

General Description of Proposed Development

The proposed project is the development of approximately 3.2 acres of scarified/disturbed upland area centered on a total of 12 acres of land. The site has two borrow pits and has been filled since the 1970,s.

Area Intensity and Density

The total upland site area is 139,392 square feet. This converts into 3.2 acres. The current regulations allow for the development of a Marina as a Major Conditional use in the Native Area land use district. The proposed project complies with the restrictions and requirements of the applicable codes.

Parking

The parking area shall be on existing gravel/filled areas, not paving other than Handicapped areas are anticipated. One Handicapped parking space has been provided with required access. The specific parking criteria are available on the Site Plan. The proposed parking spaces exceed the required number, while still providing extensive open space.

Trash removal has been provided with allowance for availability and a proper turning radius.

Stormwater

The present site does not have a Stormwater Retention Plan. The requirement by the Land Development Regulations of a Stormwater Retention Plan will stop the possible stormwater run-off. This shall reduce current impacts to the near shore water quality.

Access

The existing access shall be modified as necessary and the requirement of a clear site triangle shall increase visibility and safety.

Access

Access shall now be taken from the new access road off Jewfish Creek Bridge, and shall not require a Department of Transportation Access Permit. A Clear Site Triangle is provided, but the approach to the site is now very safe and limited.

Waste treatment

This site shall have a new underground Waste Treatment facility. As part of the requirement for redevelopment, the project will be required to provide the best available Waste Treatment System. It is unknown as of this date as to the availability of central sewage by Monroe County and the KLWTD.

Public facilities

The development of the scarified/disturbed portion of this property is in keeping with the intent of the Comprehensive Plan and Land Development Regulations. This site has been used as a staging area during the construction of the Jewfish Creek Bridge. We are now proposing to provide a Boat Ramp and boat storage, which have been removed by FDOT from U.S. Highway One during the reconstruction of the 18 mile stretch.

The implementation of new materials and fixtures, including but not limited to water, electric, and waste will minimize the use of public facilities.

Hurricane, Flooding and Fire Safety

Our development shall be required to be constructed under the new Florida Building Code, and will reduce possible damage due to Hurricanes and Flooding. No dwellings are proposed for this development.

Summation:

The Land Development Regulations of Monroe County specify that we should be proposing “progressive” development. We would propose that this project meets that objective. We are proposing to develop scarified site previously used as a “dump site” with now controls. It shall be used for the launching of small boats and storage on trailers for the same. The visitors and citizens of Monroe County have lost much of the access and availability to the water due to the

reconfiguration of our major access into the Keys. This project shall enhance and replace that which has been removed.

Ervin A. Higgs, CFA
Property Appraiser
Monroe County, Florida

office (305) 292-3420
 fax (305) 292-3501

Property Record View

Alternate Key: 1092401 Parcel ID: 00083760-000000

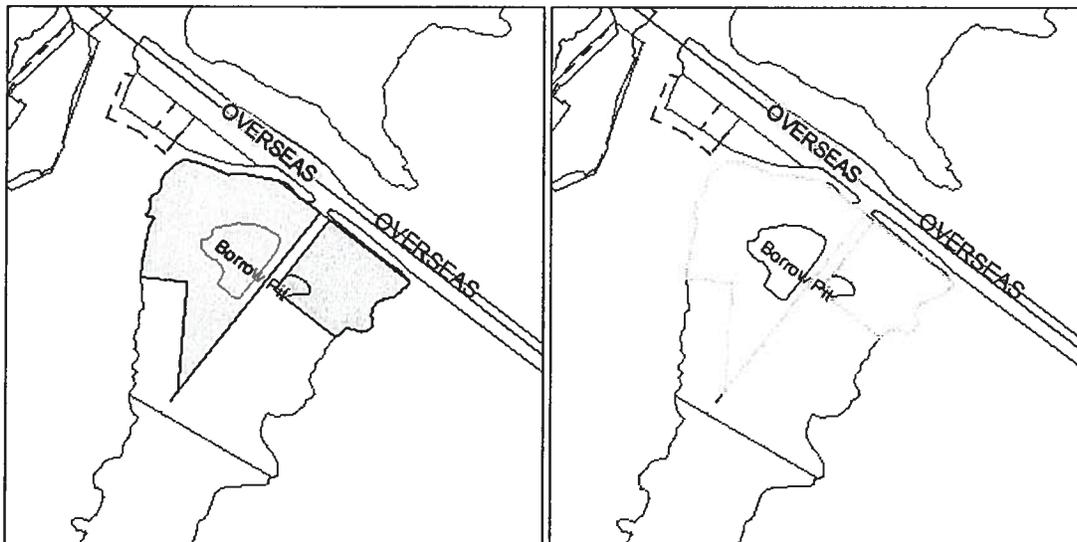
Ownership Details

Mailing Address:
 SURPRISE ISLAND LLC
 107900 OVERSEAS HWY
 KEY LARGO, FL 33037

Property Details

PC Code: 00 - VACANT RESIDENTIAL
 Millage Group: 500K
 Affordable Housing: No
 Section-Township-Range: 36-60-39
 Property Location: KEY LARGO
 Legal Description: 36 60 39 A60936-02 KEY LARGO PT FRACTIONAL OR373-194-196 OR2025-749/51 OR2282-115/16

Parcel Map



Land Details

Land Use Code	Frontage	Depth	Land Area
M10D - RESIDENTIAL DRY	0	0	2.77 AC
000X - ENVIRONMENTALLY SENS	0	0	7.55 AC
000X - ENVIRONMENTALLY SENS	0	0	1.76 AC

Building Summary

Number of Buildings: 0
 Number of Commercial Buildings: 0
 Total Living Area: 0
 Year Built: 0

Appraiser Notes

LOCATED ON K L 5A STRIP MAP JUST SOUTH OF GILBERTS(1/1/95).

Parcel Value History

Certified Roll Values.

[View Taxes for this Parcel.](#)

Roll Year	Total Bldg Value	Total Misc Improvement Value	Total Land Value	Total Just (Market) Value	Total Assessed Value	School Exempt Value	School Taxable Value
2009	0	0	47,675	47,675	47,675	0	47,675
2008	0	0	52,869	52,869	52,869	0	52,869
2007	0	0	52,869	52,869	52,869	0	52,869
2006	0	0	52,869	52,869	52,869	0	52,869
2005	0	0	52,869	52,869	52,869	0	52,869
2004	0	0	52,869	52,869	52,869	0	52,869
2003	0	0	52,869	52,869	52,869	0	52,869
2002	0	0	52,869	52,869	52,869	0	52,869
2001	0	0	52,869	52,869	52,869	0	52,869
2000	0	0	52,869	52,869	52,869	0	52,869
1999	0	0	52,869	52,869	52,869	0	52,869
1998	0	0	52,869	52,869	52,869	0	52,869
1997	0	0	52,869	52,869	52,869	0	52,869
1996	0	0	52,869	52,869	52,869	0	52,869
1995	0	0	52,869	52,869	52,869	0	52,869
1994	0	0	70,181	70,181	70,181	0	70,181
1993	0	0	60,868	60,868	60,868	0	60,868
1992	0	0	60,868	60,868	60,868	0	60,868
1991	0	0	70,181	70,181	70,181	0	70,181
1990	0	0	70,181	70,181	70,181	0	70,181
1989	0	0	70,181	70,181	70,181	0	70,181
1988	0	0	70,181	70,181	70,181	0	70,181
1987	0	0	72,043	72,043	72,043	0	72,043
1986	0	0	106,950	106,950	106,950	14,500	92,450
1985	0	0	106,950	106,950	106,950	14,500	92,450
1984	0	0	106,950	106,950	106,950	14,500	92,450
1983	0	0	106,950	106,950	106,950	0	106,950
1982	0	0	106,950	106,950	106,950	0	106,950

Parcel Sales History

NOTE: Sales do not generally show up in our computer system until about two to three months after the date of sale. If a recent sale does not show up in this list, please allow more time for the sale record to be processed. Thank you for your patience and understanding.

Sale Date	Official Records Book/Page	Price	Instrument	Qualification
3/22/2007	2282 / 115	850,000	<u>WD</u>	<u>Q</u>
6/26/2004	2025 / 0749	220,000	<u>WD</u>	<u>Q</u>

This page has been visited 15,319 times.

Monroe County Property Appraiser
 Ervin A. Higgs, CFA
 P.O. Box 1176
 Key West, FL 33041-1176

David Dehaas

From: Bezanilla, Maria I SAJ [Maria.I.Bezanilla@usace.army.mil]
Sent: Tuesday, May 04, 2010 8:11 AM
To: David Dehaas
Cc: Turner, Isla M SAJ; Clouser, Megan L SAJ; Franck, Bruce
Subject: RE: Surprise Island LLC.

Please submit a completed joint application for the proposed work to DEP. Please make sure to label all existing and proposed structures on the drawings. Please note that the drawings depict a launch ramp and a dingy dock however it is not stated as proposed work in your email below. The application and drawings must include a detailed description of all the proposed work in order to review your request.

Thanks,
Maria Bezanilla

-----Original Message-----

From: David Dehaas [mailto:dehaas@bellsouth.net]
Sent: Monday, May 03, 2010 4:22 PM
To: Bezanilla, Maria I SAJ
Subject: FW:

From: David Dehaas [mailto:dehaas@bellsouth.net]
Sent: Monday, May 03, 2010 4:18 PM
To: 'Bruce Franck DEP'; 'Carol Wiker KLWTD'; 'Isla Turner Army Corps Eng.'; 'Ron Peekstok SFWMD'; 'Wally Romaero Fire Marshal'
Subject:

To Whom It May Concern:

This is a request for a letter of coordination as required by the Monroe County application process for a Conditional Use.

David Dehaas

From: Franck, Bruce [Bruce.Franck@dep.state.fl.us]
Sent: Tuesday, May 04, 2010 12:23 PM
To: 'David Dehaas'
Subject: RE:

Quick question David. Is the boating related construction for commercial purposes or associated with residential uses on another property?

Thanks,

Bruce Franck
Environmental Manager
Submerged Lands and
Environmental Resource Program
South District Branch Office
305-289-2310
bruce.franck@dep.state.fl.us

Cover Florida, developed by Governor Charlie Crist and the Florida Legislature, gives Floridians access to more affordable health insurance options. To learn more or to sign up for email updates, visit www.CoverFloridaHealthCare.com.



Please consider the environment before printing this email.

The Department of Environmental Protection values your feedback as a customer. DEP Secretary Michael W. Sole is committed to continuously assessing and improving the level and quality of services provided to you. Please take a few minutes to comment on the quality of service you received. Simply click on [this link to the DEP Customer Survey](#). Thank you in advance for completing the survey.

From: David Dehaas [mailto:dehaas@bellsouth.net]

Sent: Monday, May 03, 2010 4:18 PM

To: Franck, Bruce; 'Carol Wilker KLWTD'; 'Isla Turner Army Corps Eng.'; 'Ron Peekstok SFWMD'; 'Wally Romaero Fire Marshal'

Subject:

deHaas
Consulting & Design

To Whom It May Concern:

This is a request for a letter of coordination as required by the Monroe County application process for a Conditional Use.

5/4/2010

The project proposed is classified under the Monroe County code as Marina in the Native Area land use district.

We are proposing to use the scarified upland area as delineated and established with the Army Corps of Engineers and Monroe County thus far. The project includes storage of boats on trailers, a Bath House with offices, and observation platforms.

Please see attached Site Plan.

The property is described as:

Surprise Island LLC.

107900 Overseas Highway

Key Largo, Fl. 33070

Parcel ID: 00083760-000000

Alternate Key: 1092401

Legal Description : Section 36, Township 60, Range 39, Key Largo, A 60936-02 Pt. Fractional, OR373-194-196

OR2025-739/51 OR2282-115/16

Please see Attached for more information.

Please respond as to your requirements, and jurisdiction for permitting/development, at your earliest convenience to :

e-mail deHaas@bellsouth.net

address: 88975 Overseas Hwy., Tavernier, Fl. 33070

Phone: 305-852-9851

Thank You,



David deHaas

Agent

Surprise Island LLC.



deHaas

Consulting & Design

David deHaas Grosseck
305.852.9851 fax: 305.852.4138

Monroe County Property Appraiser - Radius Report

AK: 8641494	Parcel ID: 00083791-000000	Physical Location: 32 107800 OVERSEAS HWY	KEY LARGO
Legal Description:	36 60 39 ANCHORAGE RESORT AND YACHT CLUB CONDOMINI	UM (ALL TIME SHARE INTERVALS) F	
Owners Name:	ANCHORAGE RESORT & YACHT CLUB INC		
Address::	107800 OVERSEAS HWY	KEY LARGO, FL 33037	

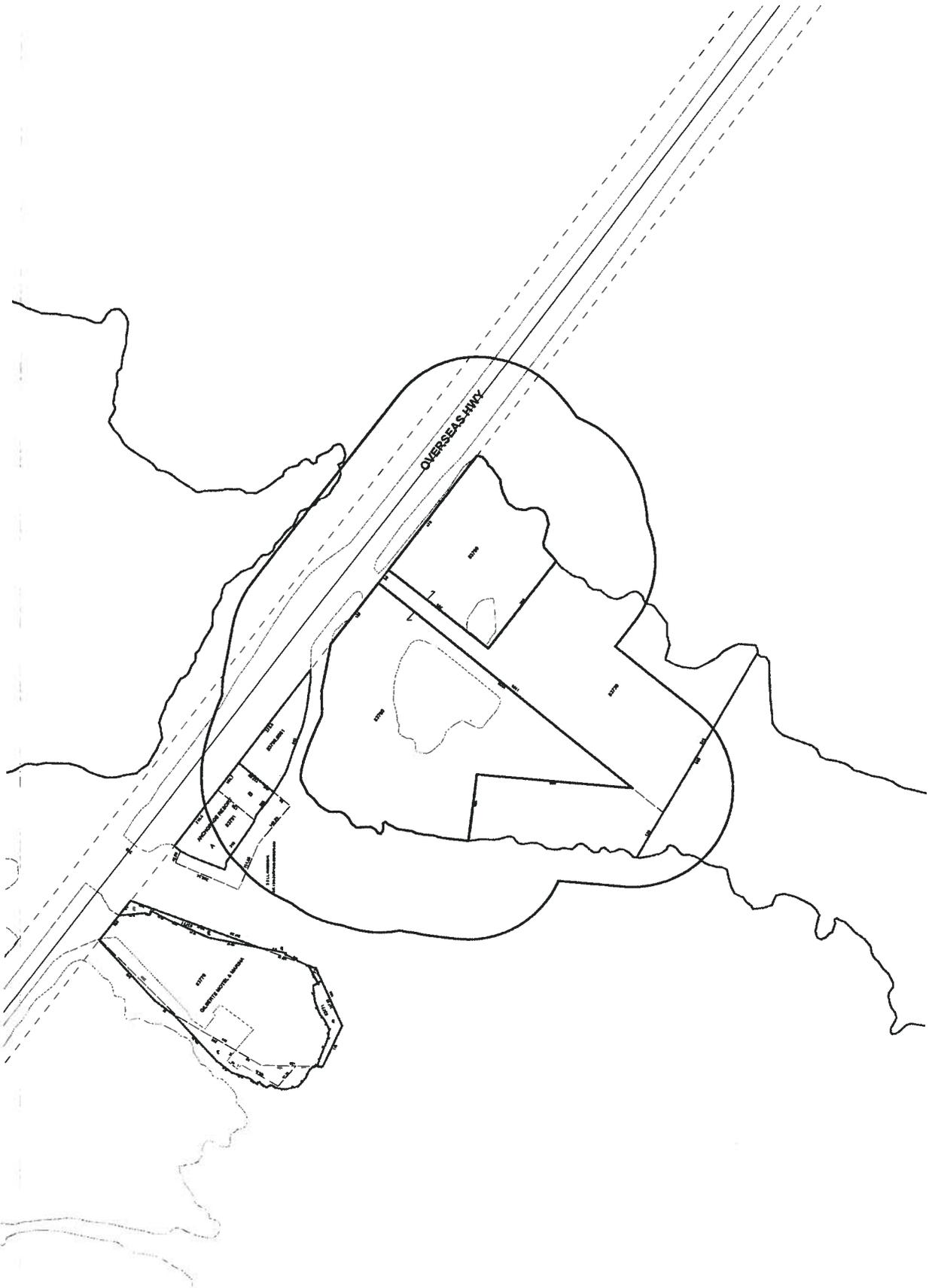
AK: 8648766	Parcel ID: 00083730-000100	Physical Location: KEY LARGO	
Legal Description:	36-60-39 ISLAND OF KEY LARGO PT FRACTIONAL (71AC)	OR873-2003/2005 OR2368-1742/1746	
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD MLSTN 115	TALLAHASSEE, FL 32399-3000	

AK: 1092380	Parcel ID: 00083730-000000	Physical Location: KEY LARGO	
Legal Description:	36-60-39 ISLAND OF KEY LARGO PT FRACTIONAL (11.02A	C)OR386-697/699 OR386-700/701 OR	
Owners Name:	TIITF C/O DEP		
Address::	3900 COMMONWEALTH BLVD MLSTN 115	TALLAHASSEE, FL 32399-3000	

AK: 1092401	Parcel ID: 00083760-000000	Physical Location: KEY LARGO	
Legal Description:	36 60 39 A60936-02 KEY LARGO PT FRACTIONAL OR373-1	94-196 OR2025-749/51 OR2282-115/1	
Owners Name:	SURPRISE ISLAND LLC		
Address::	107900 OVERSEAS HWY	KEY LARGO, FL 33037	

AK: 1092355	Parcel ID: 00083700-000000	Physical Location: KEY LARGO	
Legal Description:	25/36 60 39 ISLAND OF KEY LARGO PB5-11 TRACT OF	LOW MANGROVE OR403-841 OR84	
Owners Name:	UNITED STATES OF AMERICA US FISH & WILDLIFE SERVICE		
Address::		WASHINGTON, DC 20240	

AK: 1092444	Parcel ID: 00083790-000100	Physical Location: 107690 OVERSEAS HWY	KEY LARGO
Legal Description:	36-60-39 PT NE1/4 OF NW1/4 G57-215-216 G57-217-218	OR243-169 OR658-226 OR758-1620	
Owners Name:	OLD KEYS TAVERN LLC		
Address::	107900 OVERSEAS HWY	KEY LARGO, FL 33037	



Keys Engineering Services, Inc.
86801 Overseas Highway
Islamorada, Florida 33036
Daryle L. Osborn, P.E. #27428

**Storm Water Management Plan
For
SURPRISE ISLAND LLC.**

Project Description: A new 1340 Sq Ft. Bathhouse, Boat Ramp, Observation areas, and associated gravel parking.

Project Location: The subject site is located in Key Largo, Florida at approximately Mile Marker 107 under Jewfish Creek Bridge.

Existing Site Conditions:

Vegetation: The proposed area of development is scarified/ disturbed upland area.

Soils: The area is gravel and grindings fill over pervious oolite rock. The water table was encountered at 3' below existing grade.

Flood Plan & Elevations: The proposed construction is in Flood Zone "AE-10". The overall site elevation averages 3' to 3' 6" MSL.

Storm Water Management Plan

Site Data:

Net Cleared Area	= 139,392 square feet
Impervious Areas	
New Building	= 1,340sf
Handicap Accessible Area	= 500sf
Driveway Connection	= 1,000sf
Total	=2,840 sf
Percent Pervious	= 98 %

Pre / Post Development Runoff:

1. Compute Predevelopment Runoff
 - a. Depth to Groundwater = 3.0'
 - b. Soils Storage (C-111-3) = 6.6 inches
 - c. P = 8.5 inches

$$Q = (P - .2S) / (P + .8S)$$

$$P = 8.5$$

$$S = 6.6$$

$$Q = 3.74 \text{ inches}$$

2. Compute Post-development Runoff
 - a. Soils Storage (C-111-3) = 4.95 inches
 - b. P = 4.95 inches
 - c. Percent Pervious = 002%

$$Q = (P - .2S) / (P + .8S)$$

$$P = 8.5$$

$$S = .98 \times 4.95 =$$

$$Q = 4.42 \text{ inches}$$

3. Limit Post to Pre development Runoff
Storage Required:

$$3.73 - 2.32 = 0.68 \text{ inches}$$

$$.68 \times 139,392 / 12 = 7,898 \text{ cubic feet to retain}$$

Volume of Water to be Treated:

The storm water runoff will be maintained on site by dry retention methods. The entire development site is surrounded by Hammock. The development site shall be graded to drain to the Hammock areas. No swales are required.

Water Quality:

The volume of water to be treated and controlled is ½ inch initial runoff:

$$0.5 \times 139,392 / 12 = 5808 \text{ cubic feet}$$

The proposed site condition is a crushed gravel with fines and berm which filters the surface water runoff.

25 Year Storm:

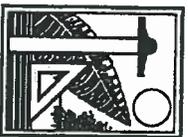
A 25 year storm over a 24 hour period in South Florida will average 1.05 inches of rainfall per hour. The initial wash calculations used a rate of 0.94 inches per hour. The 25 year storm calculations are worst case and will govern.

$$1.05 \times 139392 / 12 = 12,186 \text{ cubic feet}$$

SURPRISE ISLAND LLC, MARINA MAJOR CONDITIONAL USE

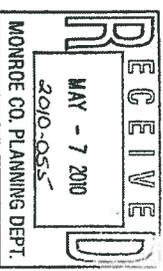
MM 107
KEY LARGO, FLORIDA

PREPARED BY:

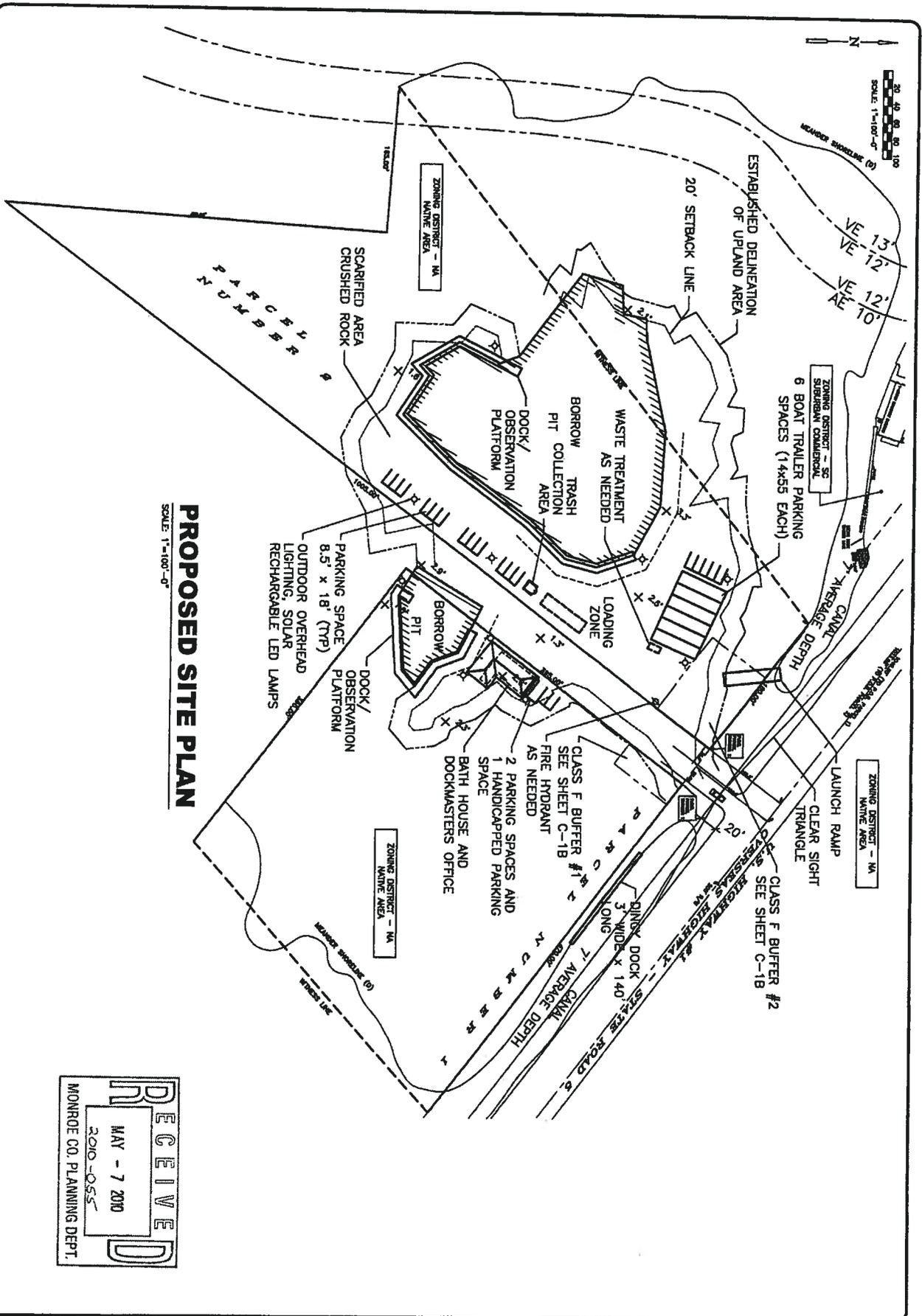


deltaas
Consulting & Design

305.852.9851 fax: 305.852.4138



5/7/2010 5:01:16 PM



PROPOSED SITE PLAN

SCALE: 1"=100'-0"

RECEIVED
 MAY - 7 2010
 2010-055
 MONROE CO. PLANNING DEPT.

ALL DATA, RECORDS, MEASUREMENTS, & PLANS SHOWN OR REFERENCED ON THIS DRAWING ARE OWNED BY A THE PROPERTY OF THE OFFICE. NONE OF THE INFORMATION SHALL BE LOANED, REPRODUCED, COPIED, OR OTHERWISE USED FOR ANY PURPOSE UNLESS SPECIFICALLY WRITTEN CONSENT OF DETLAAS CONSULTING & DESIGN IS OBTAINED. NO PART OF THIS DRAWING SHALL BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF DETLAAS CONSULTING & DESIGN.

C-1A
DATE: 5/7/2010
BY: M. GROSSACK
177 MARINE DRIVE
KEYS, FL 34135
TEL: 305.858.9151
FAX: 305.858.4158

SUPRISE ISLAND MARINA PROPOSED SITE PLAN
 KEY LARGO, FL

ENGINEERING BY:
Keys
 ENGINEERING SERVICES, INC.
 P.E. No. FL 27409
 8801 OVERSEAS HIGHWAY
 BLANCKHOFF, FLORIDA 33008

detlaas
 Consulting & Design
 David deHaas Grossack
 305.858.9151 (cell) 305.858.4158

NO.	DATE	DESCRIPTION

SURPRISE ISLAND MARINA

AREA: 12+ ACRES
 SCARIFIED/CLEARED AREA: 302 ACRES (139,392 SQ FT)
 PROPOSED BATH HOUSE: 1340 SQ FT

MAJOR STEEL BUFFERS
 CLASS "F", 75' WIDE

BUFFER #1: 30 FEET LONG
 CONTAINING 8 CANOPY TREES, 5 UNDERSTORY TREES,
 AND 15 SHRUBS

BUFFER #2: 100 FEET LONG
 CONTAINING 25 CANOPY TREES, 15 UNDERSTORY TREES,
 AND 30 SHRUBS

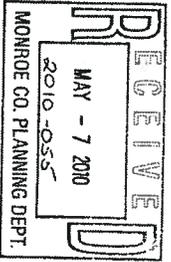
PARKING:
 1 HANDICAPPED PARKING SPACE
 5 PARKING SPACES REQUIRED
 19 PROVIDED

1 BOAT LAUNCH RAMP
 6 TRAILER PARKING SPACES (14x55) PROVIDED
 1 LOADING ZONE PROVIDED (10x45)

LEGAL DESCRIPTION:

PARCEL NUMBER 1:
 Beginning at a point in Monroe County, Florida, located on the centerline of U.S. #1, also known as State Road #5 on the easterly edge of a bayside bridge crossing the Intracoastal Waterway, and known as Spanish Creek, proceeding easterly from the eastern extremity of said bridge, 100 feet to a right angle; thence of a right angle, 100 feet, thence in a southeasterly direction southeasterly direction a distance of 25 feet to a point of beginning; thence in a southeasterly direction parallel to U.S. Highway #1 a distance of 470 feet, more or less, to the shoreline of Lake Surprise; thence proceed southeasterly meeting the shoreline of Lake Surprise to a point parallel to the highway a distance of 100 feet, more or less, thence northwesterly along a line in a northwesterly direction to the point of beginning.

PARCEL NUMBER 2:
 Beginning at a point in Monroe County, Florida, located on the centerline of U.S. #1, also known as State Road #5 on the easterly edge of a bayside bridge crossing the Intracoastal Waterway, and known as Spanish Creek, proceeding easterly from the eastern extremity of said bridge, contributing along said centerline a distance of 1,023.25 feet; thence at right angles in a southeasterly direction a distance of 100 feet to a point of beginning; thence in a southeasterly direction a distance of 100 feet at right angles to U.S. Highway #1 a distance of 1,005 feet to a point of beginning; thence in a southeasterly direction a distance of 1,005 feet to a point of beginning; thence at right angles in a southeasterly direction a distance of 185 feet, more or less, to the shoreline of Bloodwater Sound which is also known as Bloodwater Sound; thence in a northerly and easterly direction meeting the shoreline of Bloodwater Sound, also known as Bloodwater Sound, to a point where said shoreline intersects the State Road #5; thence along said shoreline southeasterly along said right-of-way line 180 feet, more or less, to the point of beginning.



ALL LEGAL DESCRIPTIONS, DIMENSIONS, AND PLANS SHOWN OR REPRESENTED BY THIS DRAWING ARE OWNED BY & THE PROPERTY OF THIS OFFICE. NONE OF THE INFORMATION SHALL BE USED OR BE CONSIDERED IN ANY MANNER, FINAL OR OTHERWISE FOR ANY PURPOSE WITHOUT THE EXPRESS CONSENT OF DELTAAS CONSULTING AND DESIGN, OR ANY OTHER ENTITY.

DATE	BY
5/7/2010	A. HENRY
5/7/2010	R. BOWMAN
5/7/2010	J. HENRY
5/7/2010	L. HENRY
5/7/2010	C. HENRY

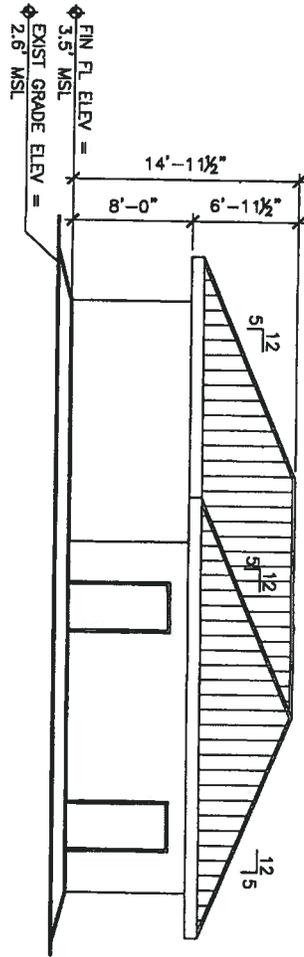
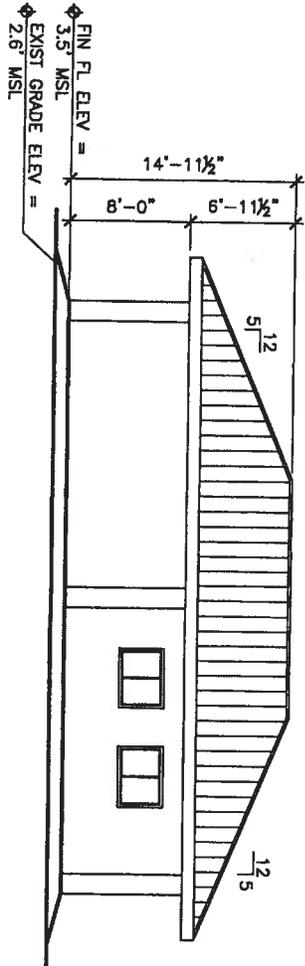
ENGINEERING BY:
Keys
ENGINEERING SERVICES, INC.
 P.O. Box 11, 2740
 8001 Overseas Highway
 Islamorada, Florida 33059

SUPRISE ISLAND MARINA
SITE PLAN NOTES
 KEY LAROO, FL

deltaas
 Consulting & Design
 David deHaas Grosseck
 305-522-9201 fax: 305-622-4138

NO.	DATE	REVISION

5/7/2010 3:03:46 PM



BATH HOUSE ELEVATIONS

SCALE: 1/8"=1'-0"

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 MAY - 7 2010
 2010-055
 MONROE CO. PLANNING DEPT.

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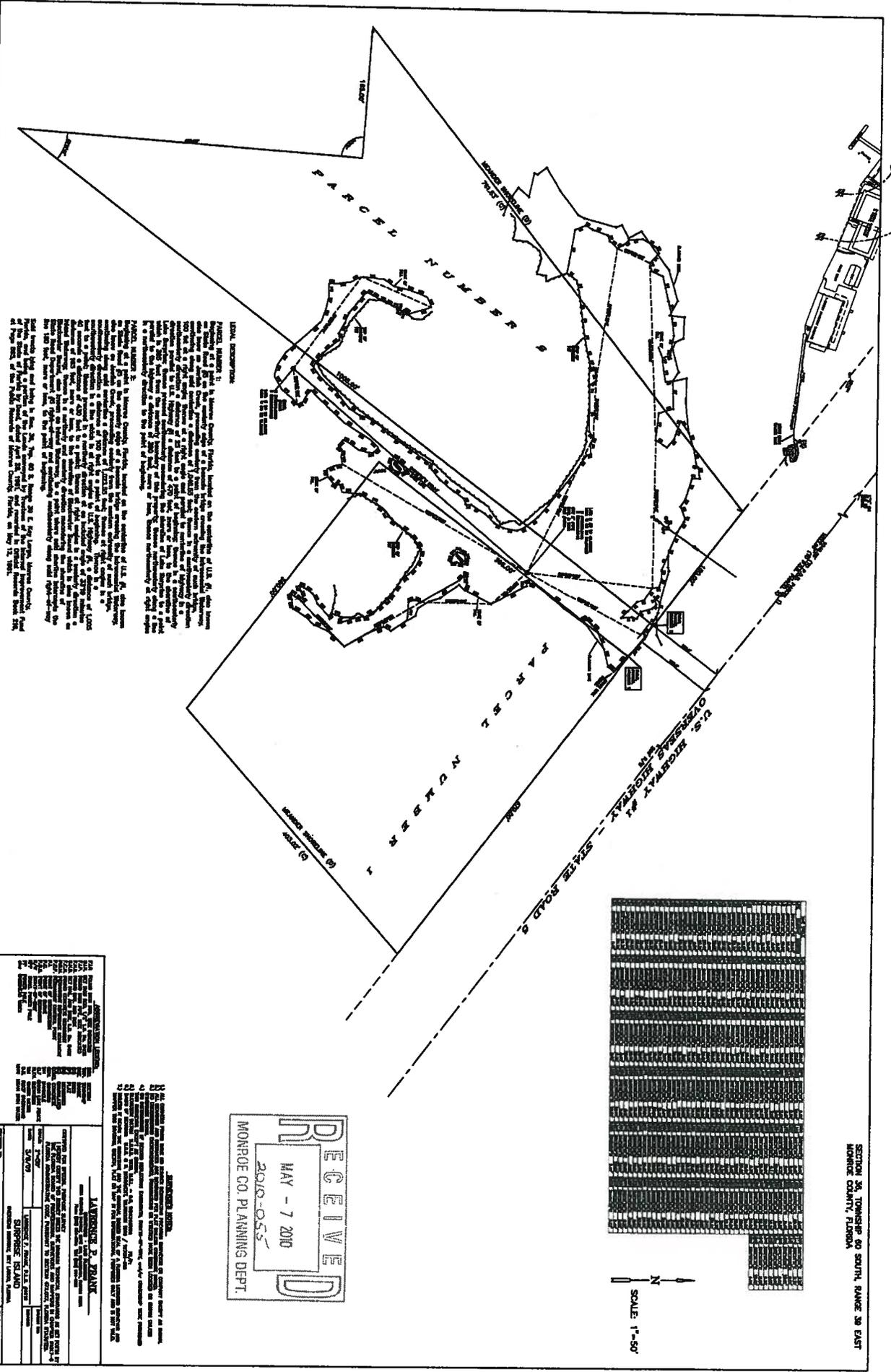
DATE	BY
5 APRIL 2010	A. BRADLEY
1/28/10	A. BRADLEY
A-3	

SURPRISE ISLAND LLC
BATH HOUSE ELEVATIONS 2
 ADDRESS

ENGINEERING BY:
Keys
ENGINEERING SERVICES, INC.
 P.E. No. R. 21420
 8901 OYSTERIA HIGHWAY
 ISLANDIA, FLORIDA 33058

dellaas
 Consulting & Design
 305.828.9951 fax: 305.858.4158

NO.	REVISIONS

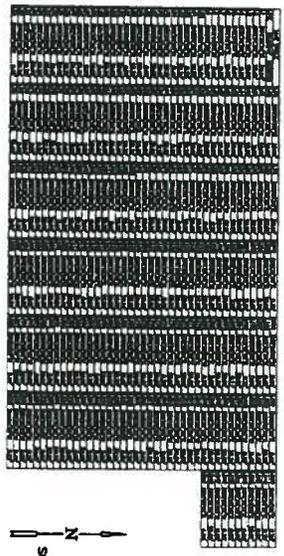


LEGAL DESCRIPTION:

Parcel 1: A certain parcel of land, bounded on the north by U.S. Highway #1, on the east by the right-of-way of State Road 9, on the south by the right-of-way of U.S. Highway #1, and on the west by the right-of-way of U.S. Highway #1, containing approximately 100 acres, more or less, as shown on the attached plat of subdivision.

Parcel 2: A certain parcel of land, bounded on the north by U.S. Highway #1, on the east by the right-of-way of State Road 9, on the south by the right-of-way of U.S. Highway #1, and on the west by the right-of-way of U.S. Highway #1, containing approximately 100 acres, more or less, as shown on the attached plat of subdivision.

SECTION 26, TOWNSHIP 00 SOUTH, RANGE 20 EAST
MONROE COUNTY, FLORIDA



RECEIVED
MAY - 7 2010
2010-055
MONROE CO. PLANNING DEPT.

APPROVALS:

APPROVED BY: LAVERNE J. ZIMMER
TITLE: PLANNING COMMISSIONER

APPROVED BY: _____
TITLE: _____

DATE: _____

PROJECT: SHORESIDE ISLAND

ADDRESS: SHORESIDE ISLAND, LLC
SHORESIDE ISLAND, LLC
SHORESIDE ISLAND, FLORIDA

**ANCHORAGE RESORT AND
YACHT CLUB INC
107800 OVERSEAS HWY.
KEY LARGO, FL. 33037**

**TITF C/O DEP
3900 COMMONWEALTH BLVD.
MLSTN 115
TALLAHASSEE, FL. 32399-3000**

**U.S. FISH AND WILDLIFE
SERVICE
WASHINGTON, DC. 20240**

**OLD KEYS TAVERN LLC
107900 OVERSEAS HWY.
KEY LARGO, FL. 33037**

**ANCHORAGE RESORT AND
YACHT CLUB INC
107800 OVERSEAS HWY.
KEY LARGO, FL. 33037**

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3900 COMMONWEALTH BLVD.
MLSTN 115
TALLAHASSEE, FL. 32399-3000**

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3900 COMMONWEALTH BLVD.
MLSTN 115
TALLAHASSEE, FL. 32399-3000**

**U.S. FISH AND WILDLIFE
SERVICE
WASHINGTON, DC. 20240**

**OLD KEYS TAVERN LLC
107900 OVERSEAS HWY.
KEY LARGO, FL. 33037**

**deHaas Consulting & Design
88975 Overseas Hwy.
Tavernier, Fl. 33070**

**deHaas Consulting & Design
88975 Overseas Hwy.
Tavernier, Fl. 33070**

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88975 Overseas Hwy.
Tavernier, Fl. 33070**

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Tavernier, Fl. 33070**

**deHaas Consulting & Design
88975 Overseas Hwy.
Tavernier, Fl. 33070**

**deHaas Consulting & Design
88975 Overseas Hwy.
Tavernier, Fl. 33070**

deHaas

Consulting & Design



Thursday, January 06, 2011

Planning Commissioners
And
Planning Staff

RE: Surprise Island LLC. Major Conditional Use Application

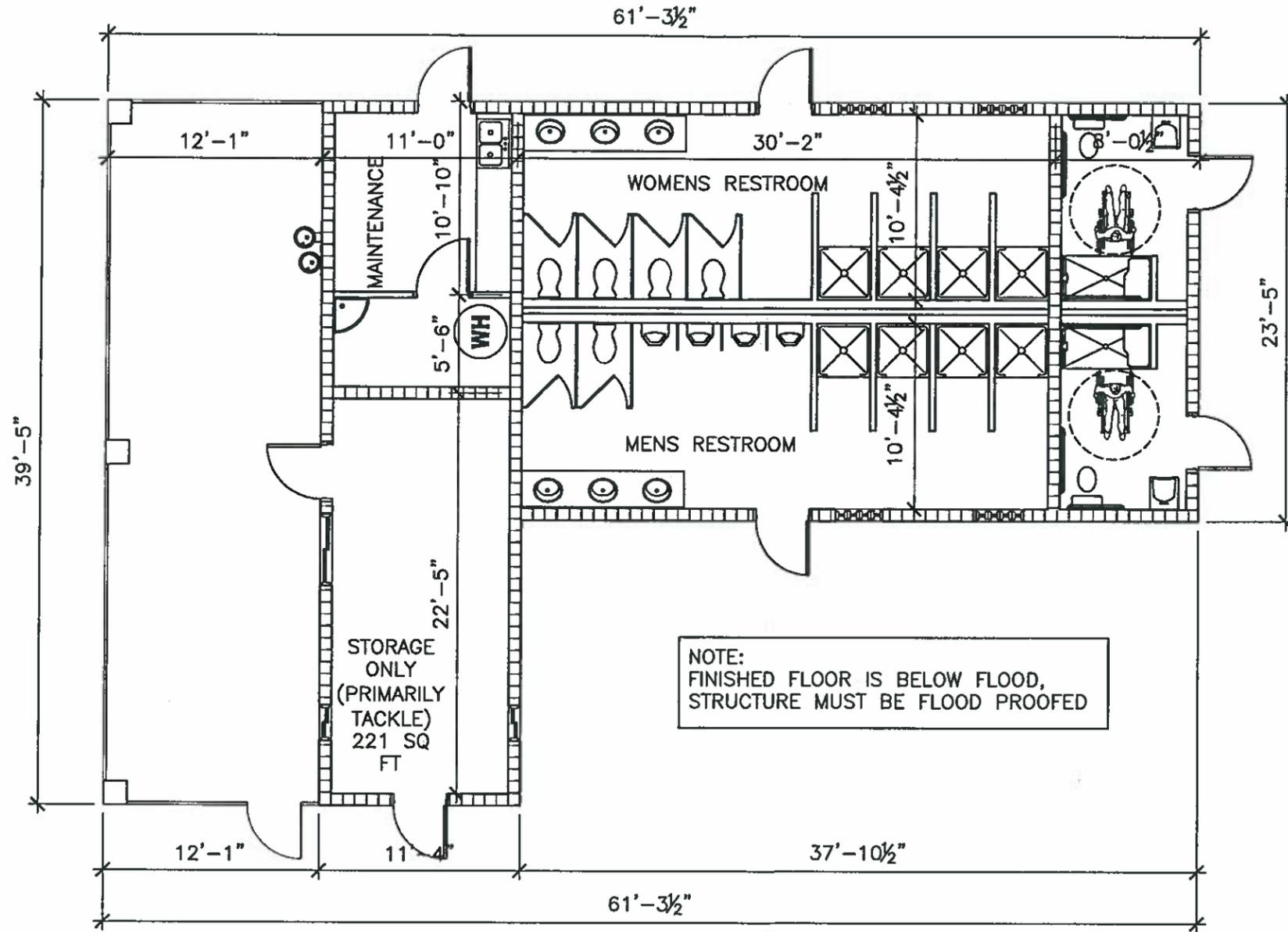
Please find attached revised plan for our project addressing compliance information referenced in the staff report. Due to the lateness of the report(s) and on-gong revisions to the report, we have been unable to make the revisions to the plans prior to this time.

Thank you for you consideration.

David deHaas
Agent

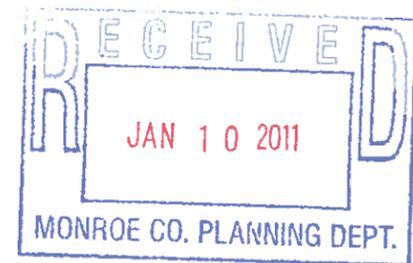
A handwritten signature in black ink, appearing to read 'deHaas', is written over a horizontal line. The signature is stylized and somewhat cursive.





BATH HOUSE PLAN

SCALE: 1/8"=1'-0"



All
1/4/11

REVISIONS	BY

ENGINEERING BY:

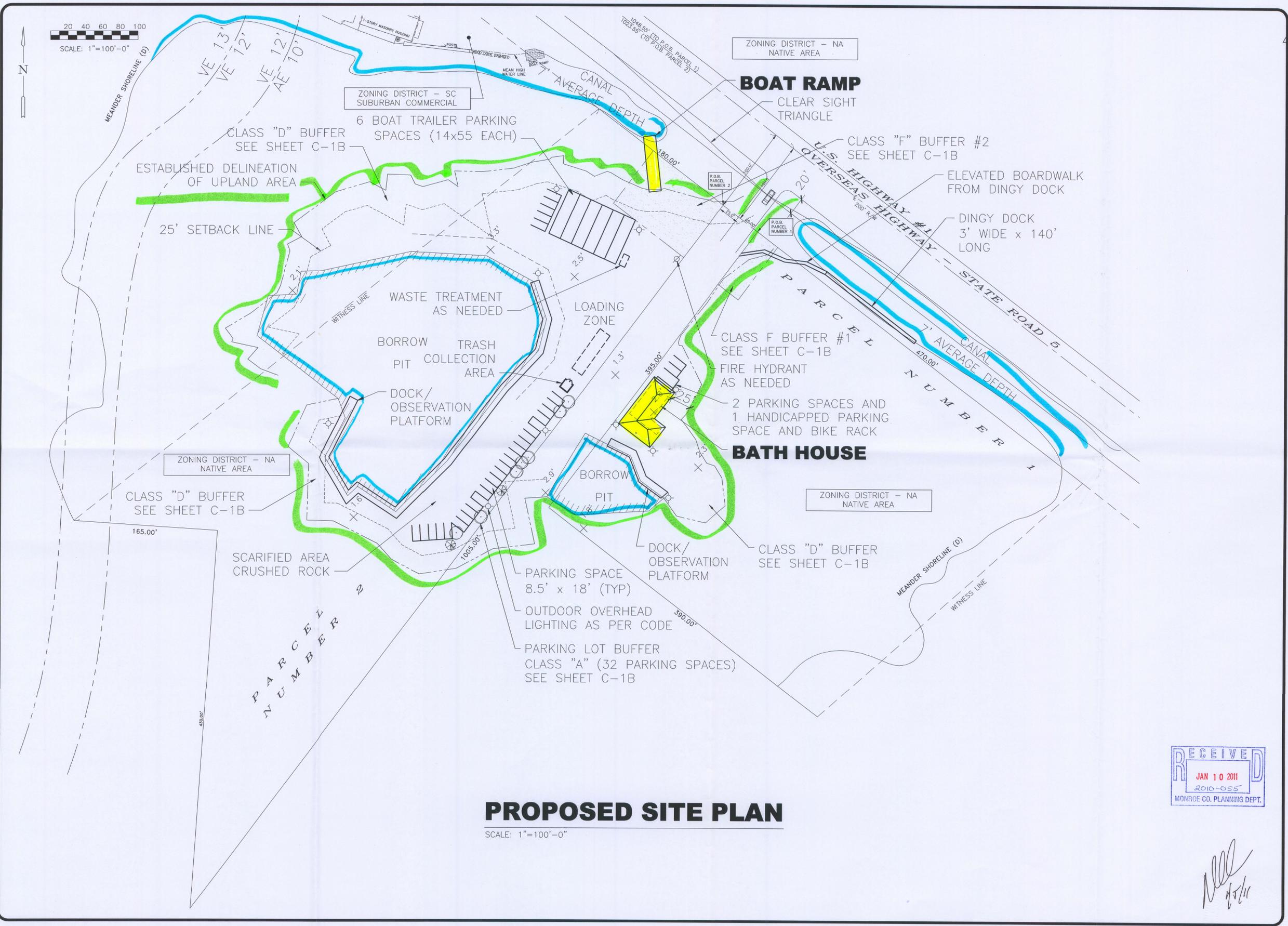
deltaas
Consulting & Design
905.852.9851 fax: 905.852.4198

Keys
ENGINEERING SERVICES, INC.
P.E. No. FL 27428
8801 OVERSEAS HIGHWAY
ISLANDIA, FLORIDA 33036

SURPRISE ISLAND LLC
BATH HOUSE PLAN
ADDRESS

DESIGNER J. HOUPT
DRAWN BY D. DEHAAS
DATE 17 MARCH 2010
SCALE 1/8"=1'-0"
NO. OF SHEETS A-1

ALL IDEAS, DESIGN, ARCHITECTURE, & PLANS INDICATED OR REPRESENTED BY THIS DRAWING ARE OWNED BY & THE PROPERTY OF THIS OFFICE. NONE OF THIS INFORMATION SHALL BE USED BY, OR DISCLOSED TO ANY PERSON, FIRM, OR CORPORATION FOR ANY PURPOSE WHATSOEVER WITHOUT THE WRITTEN CONSENT OF DELTAAS CONSULTING AND DESIGN. DO NOT SCALE DRAWING.



PROPOSED SITE PLAN

SCALE: 1"=100'-0"



Handwritten signature and date: [Signature] 1/5/11

REVISIONS	BY
DRAWINGS REVISED 5 JAN 2011	JDH

deHaas
Consulting & Design
David deHaas Grosseck
305-852-9951 fax: 305-852-4138

ENGINEERING BY:
Keys
ENGINEERING SERVICES, INC.
P.E. No. FL 27428
86801 OVERSEAS HIGHWAY
ISLAMORADA, FLORIDA 33036

**SURPRISE ISLAND MARINA
PROPOSED SITE PLAN
KEY LARGO, FL**

DRAWN J. HOUPT
CHECKED D. DEHAAS
DATE 17 MARCH 2010
SCALE 1"=100'-0"
JOB NO.
SHEET C-1A
OF SHEETS

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SURPRISE ISLAND MARINA

AREA: 12+ ACRES
 SCARIFIED/CLEARED AREA: 3.02 ACRES (139,392 SQ FT)

PROPOSED BATH HOUSE: 1340 SQ FT

OPEN SPACE RATIO
 REQUIRED = 20%
 PROVIDED = MORE THAN 50%

OBSERVATION PLATFORMS IN SETBACK
 ALLOWED = 60%
 PROPOSED = 42.9%

PARKING:
 1 HANDICAPPED PARKING SPACE
 5 PARKING SPACES REQUIRED
 32 PROVIDED
 1 BOAT LAUNCH RAMP
 6 TRAILER PARKING SPACES (14x55) PROVIDED

1 LOADING ZONE PROVIDED (10x45)

1 BIKE RACK PROVIDED

FLOOR AREA:
 PROPOSED = ZERO

MAJOR STEET BUFFERS

CLASS "F", 75' WIDE

BUFFER #1: 30 FEET LONG
 CONTAINING 8 CANOPY TREES, 5 UNDERSTORY TREES,
 AND 15 SHRUBS

BUFFER #2: 100 FEET LONG
 CONTAINING 25 CONOPY TREES, 15 UNDERSTORY TREES,
 AND 50 SHRUBS

WETLAND TO SCARIFIED AREA BUFFER

CLASS "D" BUFFER
 25' WIDE, 996 FEET LONG
 CONTAINING 90 UNDERSTORY TREES (INCLUDING CANOPY)
 AND 239 SHRUBS

PARKING LOT BUFFER
 CLASS "A" (32 PARKING SPACES)
 CONSISTING OF 2000 SQ FT
 OF PLANTING AREA CONTAINING
 7 CANOPY TREES, 2 UNDERSTORY
 TREES, AND 16 SHRUBS

LEGAL DESCRIPTION:

PARCEL NUMBER 1:
 Beginning at a point in Monroe County, Florida, located on the centerline of U.S. #1, also known as State Road #5 on the easterly edge of a bascule bridge crossing the Intracoastal Waterway, also know as Jewfish Creek, proceeding easterly from the eastern extremity of such bridge, continuing along said centerline a distance of 1,048.55 feet; thence in a southwesterly direction 100 feet at a right angle; thence at a right angle and parallel to centerline of highway in a southeasterly direction a distance of 25 feet to a point of beginning; thence in a southeasterly direction parallel to U.S. Highway #1 a distance of 470 feet, more or less, to the shoreline of Lake Surprise; thence proceed southwesterly meandering the shoreline of Lake Surprise to a point which is 395 feet from the northerly boundary of this property; thence northwesterly along a line parallel to the highway a distance of 390 feet, more or less, thence northeasterly at right angles in a northeasterly direction to the point of beginning.

PARCEL NUMBER 2:
 Beginning at a point in Monroe County, Florida, located on the centerline of U.S. #1, also known as State Road #5 on the easterly edge of a bascule bridge crossing the Intracoastal Waterway, also know as Jewfish Creek, proceeding easterly from the eastern extremity of such bridge, continuing along said centerline a distance of 1,023.55 feet; thence at right angles in a southwesterly direction a distance of 100 feet to a point of beginning. Thence in a southwesterly direction in a line which is at right angles to U.S. Highway #1, a distance of 1,005 feet to a point; thence proceed in a northerly direction at an included angle of 33°19 minutes 40 seconds a distance of 430 feet to a point; thence at right angles in a westerly direction a distance of 165 feet, more or less, to the shoreline of Blackwater Sound which is also known as Inland Waterway; thence in a northerly and easterly direction meandering the shoreline of Blackwater Sound, also known as Inland Waterway, to a point where said shoreline intercepts the State Road Department #5 right-of-way and continuing southeasterly along said right-of-way line 180 feet, more or less, to the point of beginning.

Said tracts lying and being in Sec. 36, Twp. 60 S, Range 39 E, Key Largo, Monroe County, Florida, and being a portion of the Lands conveyed by Trustees of the Internal Improvement Fund of the State of Florida by Deed, dated April 28, 1961, and recorded in Official Records Book 216, at Page 565, of the Public Records of Monroe County, Florida, on May 12, 1961.

ENVIRONMENTAL NOTES:

THE PROPOSED DEVELOPMENT DOES NOT REQUIRE THE REMOVAL OF ANY MANGROVES OR NATIVE SPECIES WITH THE EXCEPTION OF THE BOAT RAMP

CONSTRUCTION OF THE BOAT RAMP APPEARS TO REQUIRE THE REMOVAL OF 3-3" DIA. MANGROVES, 7-1" DIA. MANGROVES, 2 SMALL BUTTWOODS, AND SEVERAL INVASIVES WHICH IS PERMITTABLE INCLUDING ARMY CORPS OF ENGINEERS WITH MITIGATION



[Handwritten signature]
 1/5/11

REVISIONS	BY
DRAWINGS REVISED 5 JAN 2011	JDH

deHaas
 Consulting & Design
 David deHaas Grosseck
 305.852.2851 fax: 305.852.4738

Keys
 ENGINEERING SERVICES, INC.
 P.E. No. FL 27428
 86801 OVERSEAS HIGHWAY
 ISLAMORADA, FLORIDA 33036

**SUPRISE ISLAND MARINA
 SITE PLAN NOTES
 KEY LARGO, FL**

DRAWN
J. HOUP
 CHECKED
D. DEHAAS
 DATE
17 MARCH 2010
 SCALE
 1"=100'-0"
 JOB NO.
 SHEET
C-1B
 OF SHEETS

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MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: The Monroe County Planning Commission

Through: Townsley Schwab, Senior Director of Planning & Environmental Resources

From: Joseph Haberman, AICP, Planning & Development Review Manager; Steven Biel, Senior Planner; and Michael Roberts, CEP, PWS, Senior Administrator of Environmental Resources

Date: January 31, 2011

Subject: *Request for approval of a Major Conditional Use Permit for Surprise Island LLC, located at approximate mile marker 107.5 Overseas Highway, Key Largo, Real Estate No. 00083760.000000*

Meeting: February 9, 2011 (continued from January 12, 2011)

1 I. REQUEST:

2

3 The applicant is requesting approval of a major conditional use permit in order to develop a

4 marina that would include a boat ramp, dinghy dock and elevated boardwalk, a bath house,

5 boat/boat trailer storage areas, vehicle parking spaces, vehicle parking spaces with additional

6 length to accommodate trailers and oversized vehicles, a loading/unloading space,

7 observation platforms and associated improvements.

8



1 This application was considered by the Planning Commission at their public meeting on
2 January 12, 2011. At that time, the Planning Commission determined that it was necessary
3 for the applicant to revise the site plan and provide a bathymetric (water depth) study before
4 any further consideration. In addition, as part of the motion to continue the application,
5 Commissioner James Cameron motioned that dinghy dockage should be relocated from the
6 eastern side of the parcel (access to/from Lake Surprise) to the western side (access to/from
7 Jewfish Creek).
8

9 Location:

10 Address: Overseas Highway (US 1), Key Largo, approximate mile marker 107.5
11 (adjacent to Jewfish Creek Bridge)
12

13 [Note: The preceding address has been corrected. The application and the previous staff
14 report dated January 6, 2011 indicate that the address is 107900 Overseas Highway. This
15 is the business address of the property owner and Gilbert's Resort, not the physical
16 address of the subject property.]
17

18 Legal Description: Parcel of land in Section 36, Township 60 South, Range 39 East, Key
19 Largo, Monroe County, Florida
20

21 Real Estate (RE) Number: 00083760.000000
22
23

24 Applicant:

25 Owner: Surprise Island LLC
26

27 Agent: David deHaas, deHaas Consulting and Design
28
29

30 II. RELEVANT PRIOR COUNTY ACTIONS:
31

32 In 1983, the Monroe County Building Department issued Building Permit C-13234,
33 permitting 1,000 cubic yards of fill to be deposited on the landward portion of the parcel.
34

35 In 2007, the Monroe County Building Department issued Building Permit 073-2910 for the
36 removal of invasive exotic vegetation.
37

38 In 2009, the Monroe County Building Department issued Building Permit 093-4965 was
39 issued for after-the-fact land clearing and to-be-completed re-plantings. The permit was
40 approved with the following conditions: 1) the property owner will plant 24 native canopy
41 trees, at least 8' in height, on site; 2) plant material shall consist of viable nursery stock as
42 defined in F.S. 581.142 and shall meet Florida #1 standards in accordance with the Florida
43 Department of Agriculture and Consumer Services "grades and standards for nursery
44 plants"; 3) 80% of required planting must remain viable for 3 years with inspections every 6
45 months; and 4) final biological inspection required.
46

47 In 2009, the Monroe County Building Department issued Building Permit 093-4974 for 3
48 beekeeping boxes. However, as of the date of this report, final inspections have not been
49 performed.
50
51

1 III. BACKGROUND INFORMATION:

- 2
- 3 A. Total Size of Site (per site plan): 12+ acres
4 Total Size of Scarified Upland (per site plan): 3.02 acres (139,392 SF)
- 5 B. Land Use District: Native Area (NA)
- 6 C. Future Land Use Map (FLUM) Designation: Residential Conservation (RC)
- 7 D. Tier Designation: Tier 1
- 8 E. Flood Zone: AE – EL 10 (majority of the site including area designated for the proposed
9 development); AE – EL 12; and AE – EL 13
- 10 F. Existing Use: Beekeeping/Vacant with non-permitted storage area
- 11 G. Existing Vegetation / Habitat: Significant areas of mangrove and scarified upland areas
12 including area designated for proposed development
- 13 H. Community Character of Immediate Vicinity: Jewfish Creek Bridge is adjacent to the
14 north; Gilbert’s Marina adjacent to the northwest; vacant native area to the south
- 15

16 IV. REVIEW OF APPLICATION:

17

18 MCC §110-67 provides the standards which are applicable to all conditional uses. When
19 considering applications for a major conditional use permit, staff and the Planning
20 Commission shall consider the extent to which:

21

- 22 A. *The conditional use is consistent with the purposes, goals, objectives and standards of the*
23 *comprehensive plan and the land development regulations:*
- 24

25 Policies from the Monroe County Year 2010 Comprehensive Plan that directly pertain to
26 the proposed development include:

27

28 Policy 101.4.1: The principal purpose of the RC land use category is to encourage
29 preservation of open space and natural resources while providing for very low-density
30 residential development in areas characterized by a predominance of undisturbed
31 native vegetation. Low-intensity public uses and utilities are also allowed. In
32 addition, Monroe County shall adopt Land Development Regulations which allow
33 any other nonresidential use that was listed as a permitted use in the Land
34 Development Regulations that was in effect immediately prior to the institution of the
35 2010 Comprehensive Plan (pre-2010 LDRs), and that lawfully existed on such lands
36 on January 4, 1996 to develop, redevelop, reestablish and/or substantially improve
37 provided that the use is limited in intensity, floor area, density and to the type of use
38 that existed on January 4, 1996 or limit to what the pre-2010 LDRs allowed,
39 whichever is more restricted. Maximum permitted densities shall be based upon the
40 results of the habitat analysis required by Division 8 of the Monroe County Land
41 Development Regulations, as amended. [9J-5.006(3)(c)1 and 7]

42

43 Marinas are consistent with the purpose of the RC future land use category. The “pre-
44 2010 LDRs” in place in 1996 permitted marinas. Therefore, the proposed development is
45 consistent with the purposes of the RC future land use category and the NA District.

46

1 Policy 202.5.1: By January 4, 1997, Monroe County shall adopt revisions to the Land
2 Development Regulations requiring new marinas having ten (10) or more slips (wet
3 or dry), or at which a live-aboard vessel is proposed to be docked, to provide an on-
4 site pump-out station and appropriate sewage treatment to accommodate the number
5 of slips present according to DER and HRS standards. [9J-5.012(3)(c)1,2,3 and 8; 9J-
6 5.013(2)(c)1 and 6]
7

8 The site plan shows 140 LF of dinghy dockage, which would accommodate more than 10
9 vessels (dinghies are considered vessels). Compliance with this policy shall be required.
10 The policy could be satisfied if the applicant submits a plan showing an on-site pump-out
11 station and addressing appropriate sewage treatment.
12

13 Policy 212.4.1: New marinas having three (3) or more slips shall be prohibited until:
14

- 15 1. a marina survey is completed; and
- 16 2. marina siting criteria are adopted by Monroe County and approved by DEP and
17 ACOE. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]
18

19 Marina siting criteria have not been approved as of the date of this report and the dinghy
20 dockage cannot be completed until the County's Marina Siting Plan is completed and
21 adopted by the Board of County Commissioners. Staff has determined this policy
22 prohibits the wet slips along the dinghy dockage (as dockage constitutes slips), but not
23 necessarily the upland development and boat ramp. A phasing of the development could
24 occur with an initial phase for the development of the upland area and a later phase for
25 the construction of the dinghy dockage upon completion and adoption of the Marina
26 Siting Plan (note: assuming the Marina Siting Plan denotes this site as an acceptable site
27 for three or more slips).
28

29 Policy 212.4.4: Applicants for development approval of marinas with three (3) or
30 more slips shall meet the following:

- 31 1. Monroe County's marina siting criteria (See Policy 212.4.3);
- 32 2. Monroe County's dock siting criteria (See Objective 212.5 and related policies);
33 and
- 34 3. criteria of Rule 17-312 Part IV and Rule 18-21.004, F.A.C. [9J-5.012(3)(c)1,2,3
35 and 8; 9J-5.013(2)(c)1 and 6]
36

37 See preceding comments regarding Policy 212.4.1, marina siting criteria have not been
38 approved as of the date of this report and the dinghy dockage cannot be completed until
39 the County's Marina Siting Plan is completed and adopted by the Board of County
40 Commissioners.
41

42 Policy 212.4.6: Siting of new marinas with three (3) or more slips shall be prohibited
43 until full utilization of existing marinas has occurred within a five (5) mile radius of a
44 proposed new marina site. [9J-5.012(3)(c)1,2,3 and 8; 9J-5.013(2)(c)1 and 6]
45

1 This has not been completed as of the date of this report. Therefore, the application is not
2 in compliance with Policy 212.4.6 until such an analysis is carried out and its findings
3 approved.
4

5 Additional Boat Ramp/Dinghy Dockage Related Policies:
6

7 Policy 203.2.2: Upon adoption of the Comprehensive Plan, Monroe County shall
8 prohibit the termination of docking facilities and piers over submerged land which is
9 vegetated with seagrasses or characterized by a hard-bottom community, regardless
10 of water depth, except as may be permitted by the Florida Department of
11 Environmental Protection. Design criteria to permit sunlight to reach the bottom shall
12 be adopted. No boat shelters or gazebos shall extend over submerged lands vegetated
13 with seagrasses or over hardbottom communities. [9J-5.012(3)(c) 1,2,3 and 8; 9J-
14 5.013(2)(c)1 and 6]
15

16 Policy 212.2.3: Permitted uses and performance standards within the shoreline
17 setback shall be as follows:
18

19 ***

20 Accessory structures within the shoreline setback shall be designed to meet the
21 following criteria:
22

23 ***

24 10. All boat ramps shall be confined to existing scarified shoreline areas of manmade
25 canals, channels, and basins with little or no native vegetation, and shall be located
26 and designed so as not to create a nonconformity for other structures set back from
27 the new mean high water (MHW) line created by the boat ramp

28 Policy 212.5.2: Except as provided herein, siting of single family docks, boat ramps,
29 and boat slips on manmade water bodies shall require minus four (-4) feet mean low
30 water (MLW) depths at the terminal end. These structures must have continuous
31 access to open water at depths of minus four (-4) feet (MLW) or greater over a
32 channel width of twenty (20) feet, or access to open water via a marked, federally and
33 state approved navigation channel.

- 34 1. Docking facilities may be developed on any shoreline if there is a mean low
35 water (MLW) depth of a least minus four (-4) feet at the terminal end of the
36 docking facility, and continuous access to open water, or
- 37 2. Docking facilities may be developed on the shoreline of lots in a subdivision if
38 the docking facility is located in a channel or canal or basin that connects five or
39 more contiguous lots which was dredged before 1986, and if there is a mean low
40 water (MLW) depth of at least minus four (-4) feet at the terminal end of the
41 docking facility.

42 For purposes of this policy “open water” means the portion of the straits of Florida,
43 Florida Bay, the Gulf of Mexico, or the Atlantic Ocean which consists of an
44 uninterrupted expanse of water deeper than four (4) feet at mean low water (MLW)
45 and “continuous access” means a natural passage or an existing manmade channel no
46 shallower than four (4) feet at mean low water (MLW) and no narrower than twenty
(20) feet.

1
2 Policy 212.5.4: The following restrictions shall apply to all structures built over or
3 adjacent to water (including but not limited to boat docks, fishing piers, swimming
4 piers and observation decks):

- 5 1. the maximum permitted length of docks shall be commensurate with the
6 shoreline width of the land parcel at which the dock is located, subject to a
7 maximum length of 100 feet from the mean low water line;
- 8 2. the length of docks shall not exceed ten (10) percent of the width of the
9 waterbody as measured laterally across the waterbody from the proposed location
10 of placement and from the point of mean low water to the opposing point of mean
11 low water (exception to this shall be made in cases where adequate depth at the
12 terminal end of the dock pursuant to Policies 212.5.2 and 212.5.3 is not available;
13 in such cases the dock may be shortened only enough to allow the centerline of an
14 average width vessel to lie in four feet of water at mean low water);
- 15 3. no dock together with a moored boat shall preempt more than twenty-five (25)
16 percent of the navigable portion of a man-made waterbody. This should allow for
17 a structure built over water on either side of the waterbody to have a moored boat
18 and room for free passage of two boats down the center of the waterbody;
- 19 4. all fishing, swimming, and other piers and observation decks shall conform to
20 design criteria to be adopted in the Land Development Regulations which prohibit
21 their use as a dock.

22 A variance procedure, separate from that set forth in the current Land Development
23 Regulations Section 9.5-523, shall be included in the Land Development Regulations
24 to allow the minimum relaxation of the above restrictions which is necessary to
25 provide the upland owner reasonable access to adjacent waters for recreational use.
26 That variance procedure shall incorporate, among other criteria, requirements that
27 such structures not be inconsistent with community character, not interfere with
28 public recreational uses in or on adjacent waters, and pose no navigational or safety
29 hazard.

30
31 Policy 212.5.6: Docking facilities and piers shall not terminate on submerged land
32 which is vegetated with seagrasses or characterized by a hard-bottom community,
33 regardless of water depth, except as may be permitted by the Florida Department of
34 Environmental Protection. Design criteria to permit sunlight to reach the bottom shall
35 be adopted. No boat shelters or gazebos shall extend over submerged lands vegetated
36 with seagrasses or over hardbottom communities.

37
38 Approved goals from the Key Largo Livable CommuniKeys Master Plan that directly
39 pertain to the proposed use include:

40
41 Goal 2: Preserve and enhance important community qualities within the planning
42 area that define Key Largo's casual village style atmosphere and natural environment
43 and that enhance its status as the first island of the Florida Keys.

44
45 Goal 7: Recognize water-dependent and water-related commercial uses as an
46 important source of economic sustainability within the planning area.

1
2 B. *The conditional use is consistent with the community character of the immediate vicinity:*
3

4 The immediate area to the northwest of the subject property contains Marley's, Pontunes
5 and the Anchorage Resort & Yacht Club. All three of these businesses are tourist related.
6 A marina of the proposed nature would be compatible with such businesses. Therefore,
7 the proposed development would be consistent with the community character of the
8 immediate vicinity.
9

10 C. *The design of the proposed development minimizes adverse effects, including visual*
11 *impacts, on adjacent properties:*
12

13 The site is generally isolated, located off the Jewfish Creek Bridge. The proposed upland
14 development would be located in a scarified area of the property and would be
15 surrounded by an extensive mangrove area. The proposed upland development would
16 have limited visibility from the entrance to the access road to US 1. Therefore, the
17 proposed upland development minimizes adverse effects, including visual impacts, on
18 adjacent properties.
19

20 D. *The proposed use will have an adverse impact on the value of surrounding properties:*
21

22 It is not anticipated that the proposed redevelopment will have an adverse impact on the
23 value of the surrounding properties.
24

25 E. *The adequacy of public facilities and services:*
26

27 1. Roads:
28

29 *Localized Impacts & Access Management:* Access to and from the development shall
30 be approved by the county's traffic consultant and the Florida Department of
31 Transportation (FDOT) (See section I-22).
32

33 *Level of Service (LOS):* A traffic evaluation study shall be approved by the county's
34 traffic consultant (See section I-22).
35

36 2. Stormwater: The applicant shall coordinate with the Engineering & Project
37 Management Department, and, if necessary, the South Florida Water Management
38 District (SFWMD) to determine compliance with all applicable regulations (See
39 section I-9).
40

41 3. Sewer: The applicant shall coordinate with the Florida Department of Health, Florida
42 Department of Environmental Protection and/or Key Largo Wastewater Treatment
43 District to determine compliance with all applicable regulations (See section I-10).
44

1 4. Emergency Management: A memo from the Office of the Fire Marshal states no
2 objection to the proposed development. The applicant shall coordinate with the Office
3 of the Fire Marshal to determine compliance with the Florida fire prevention codes.
4

5 F. *The applicant has the financial and technical capacity to complete the development as*
6 *proposed:*
7

8 Staff has no evidence to support or disprove the applicant's financial and technical
9 capacity.
10

11 G. *The development will adversely affect a known archaeological, historical or cultural*
12 *resource:*
13

14 The proposed redevelopment will not adversely affect a known archaeological, historical
15 or cultural resource.
16

17 H. *Public access to public beaches and other waterfront areas is preserved as part of the*
18 *proposed development:*
19

20 The subject property would have direct access to Jewfish Creek via an existing canal. The
21 applicant is proposing to construct the dinghy dockage and boat ramp along this canal.
22 The applicant is also proposing to construct observation platforms along the two borrow
23 pits located in the interior of the subject property. Although access would be limited to
24 customers of the marina, the introduction of limited access would enhance public access to
25 waterfront areas.
26

27 The applicant has indicated that boat ramp has historically existed on the site, providing
28 public access. Staff has not been able to verify that a boat ramp existed prior to the US 1
29 improvement. Review of aerial photography, a site visit and permit history did not reveal
30 any indication of a boat ramp. The applicant is proposing to reinstall the boat ramp for
31 use by the public.
32

33 I. *The project complies with all additional standards imposed on it by the Land Development*
34 *Regulations:*
35

36 1. Residential Rate of Growth Ordinance (ROGO) (§138-19 - §138-28): *Not applicable.*
37

38 There are no existing or proposed residential uses.
39

40 2. Non-Residential Rate of Growth Ordinance (NROGO) (§138-47-§138-56): *In*
41 *compliance following receipt of NROGO permit allocations.*
42

43 The proposal involves the construction of a new 1,340 SF bath house. Thus, the
44 development requires an allocation of 1,340 SF of non-residential floor area through the
45 NROGO permit allocation system.
46

1 3. Purpose of the NA District (§130-39): *In compliance.*

2
3 The purpose of the NA district is to establish areas that are undisturbed with the
4 exception of existing solid waste facilities, and because of their sensitive environmental
5 character should be preserved in their natural state.
6

7 4. Permitted Uses (§130-89): *Compliance to be determined*

8
9 The proposed development is a marina use. In the NA district, marina uses may be
10 permitted with major conditional use permit approval, provided that: a) the parcel
11 proposed for development has access to water at least 4' below mean sea level at mean
12 low tide; b) the use does not involve the sale of goods or services other than boat
13 dockage and storage; c) all boat storage is limited to surface storage on trailers or skids
14 and no boat or other equipment is stored on any elevated rack, frame, or structure; d)
15 vessels docked or stored shall not be used for live-aboard purposes; e) all outside
16 storage areas are screened from adjacent uses by a solid fence, wall, or hedge at least 6'
17 in height; and f) each non-waterside perimeter setback of the parcel proposed for
18 development must have a class "C" bufferyard within a side setback of 10'.
19

20 The applicant has not provided documentation supporting that the parcel proposed for
21 development has access to water at least 4' below mean sea level at mean low tide.
22 After a site visit and measuring the depth of water by depth finder readings, staff
23 concluded that based on observations there is not 4' of continuous depth. The applicant
24 agreed to submit a bathymetric study showing 4' of continuous water depth to verify
25 the 7' average depth that is noted on the site plan; however such a study was not
26 submitted as of the date of this site plan. Therefore, staff cannot confirm compliance
27 with criteria a).
28

29 5. Residential Density and Maximum Floor Area Ratio (§130-157, §130-162, & §130-
30 164): *In compliance.*

31
32 The proposal involves the construction of a new 1,340 SF bath house. There is no FAR
33 assigned for commercial development in the NA district. However, commercial
34 building codes require bathroom facilities for such marina developments. Therefore,
35 staff has found that a bath house could be permitted. However, its specific use must be
36 limited to bathroom only. Further, its area may not exceed the maximum FAR as
37 provided in Policy 101.4.21 of the Monroe County Year 2010 Comprehensive Plan for
38 the RC future land use category (0.10).
39

40 6. Required Open Space (§118-9, §118-12, §130-157, §130-162, & §130-164):
41 *Compliance to be determined.*

42
43 In the NA District, there is a required open space ratio of 0.20 or 20%.

44
45 In total, the property consists of approximately 12+ acres. However, much of this land
46 area is mangrove and submerged land, which have a more restrictive open space

1 requirement of 1.00 or 100%. There is 3.02 acres (139,392 SF) of scarified upland
2 area. Applying the 20% requirement to this total square footage results in a
3 requirement of at least 27,878 SF of open space. The site plan revised following the
4 January 12, 2011 public meeting included revisions to the development shown and the
5 provision of new storage areas which would affect the open space calculations.
6 Although open space areas are illustrated, a table providing the numerical amount of
7 open was not included on the revised site plan.
8

9 7. Minimum Yards (§118-12 & §130-186): *In compliance.*

10
11 The required non-shoreline setbacks in the NA District are as follows: Front yard – 25’;
12 Rear yard – 20’; and Side yard – 10’/15’ (where 10’ is the required side yard for one
13 side and 15’ is the minimum combined total of both side yards). In addition, there are
14 wetland setback requirements of 50’ from the landward edge of the mangrove wetland.
15 See Biologist comments in Item 16.
16

17 The irregularly-shaped parcel is divided by an unimproved, public right-of-way,
18 presumably for a roadway never constructed. The right-of-way is approximately 50’
19 wide by an approximate 120’ strip of land in length that opens to the remainder of a
20 parcel that is owned by the State of Florida. In case the right-of-way is improved in the
21 future, a 5’ side yard setback shall be applied along the boundaries on each side.
22 However, despite the separation by the right-of-way, due to the unique characteristics
23 of the site and the type of development proposed, staff shall consider the two parcels
24 are a common subject property although they are not contiguous. MCC §130-166
25 permits any development that has or is a part of a common plan or theme of
26 development or use, including, but not limited to, an overall plan of development,
27 common or shared amenities, utilities or facilities, shall be aggregated for the purpose
28 of determining permitted or authorized development and compliance with each and
29 every standard of the Land Development Code and for the purpose of determining the
30 appropriate form of development review.
31

32 8. Maximum Height (§130-187): *In compliance.*

33
34 Building elevations were submitted with the application that shows the building would
35 be 14’, 11½” from the existing grade of 2½’.
36

37 9. Surface Water Management Criteria (§114-3): *Compliance to be determined upon*
38 *submittal to Building Department.*
39

40 The Monroe County Engineering & Project Management Department has preliminarily
41 reviewed the project and provided a memorandum explaining the necessary actions to
42 be undertaken to demonstrate compliance with stormwater regulations during the
43 building permit process.
44

- 1 10. Wastewater Treatment Criteria (§114-5): *Compliance to be determined by Florida*
2 *Department of Health, Florida Department of Environmental Protection and/or Key*
3 *Largo Wastewater Treatment District prior to the issuance of a building permit.*
4

5 No letter of coordination relating to wastewater treatment has been provided.
6

- 7 11. Fencing (§114-20): *Compliance to be determined upon submittal to Building*
8 *Department.*
9

10 No fencing is proposed as part of the conditional use permit application. If the
11 applicant intends to construct new fencing, it shall be reviewed independently for
12 compliance under a building permit application.
13

- 14 12. Floodplain Management (§122-1-§122-6): *Compliance to be determined upon*
15 *submittal to Building Department.*
16

17 The site is designated within three flood zones as designated on the Federal Emergency
18 Management Agency (FEMA)'s flood insurance rate maps, AE – EL 10, AE – EL 12,
19 and AE – EL 13 The majority of the site and the area for the proposed development
20 would be within the AE – EL 10 flood zone. All new structures must be built to
21 floodplain management standards that meet or exceed those for flood protection. The
22 applicant should coordinate with the Floodplain Administrator prior to applying for a
23 building permit.
24

- 25 13. Energy Conservation Standards (§114-45): *Compliance to be determined upon*
26 *submittal to Building Department.*
27

28 The development proposal includes the following required energy conservation
29 measures: Provision of bicycle racks or storage facilities in recreational, commercial
30 and multifamily residential areas; Provision of a bicycle/pedestrian system to be placed
31 along the major roads; Reduced coverage by asphalt, concrete, rock and similar
32 substances in streets, parking lots and other areas to reduce local air temperatures and
33 reflected light and heat; Selection, installation and maintenance of native plants, trees,
34 and other vegetation and landscape design features that reduce requirements for water,
35 maintenance and other needs; Planting of native shade trees to provide reasonable
36 shade for all recreation areas, streets and parking areas; and Provision for structural
37 shading (e.g., trellises, awnings and roof overhangs) wherever practical when natural
38 shading cannot be used effectively.
39

40 Not enough information was provided to determine if the development proposal
41 includes the following required energy conservation measures: Use of energy-efficient
42 features in window design (e.g., tinting and exterior shading); Use of operable windows
43 and ceiling fans; Installation of energy-efficient appliances and equipment; Prohibition
44 of deed restrictions or covenants that would prevent or unnecessarily hamper energy
45 conservation efforts (e.g., building orientation, clothes lines, and solar water heating
46 systems); Installation of energy-efficient lighting for streets, parking areas, recreation

1 areas, and other interior and exterior public areas; and Orientation of structures, as
2 possible, to reduce solar heat gain by walls and to use the natural cooling effects of the
3 wind.

4
5 14. Potable Water Conservation Standards (§114-46): *Compliance to be determined upon*
6 *submittal to Building Department.*

7
8 15. Environmental Design Criteria and Mitigation Standards (§118-6 & §118-7 & §118-8):
9 *In compliance.*

10
11 The upland development as proposed does not impact native habitats and is consistent
12 with the Environmental Design Criteria and Mitigation Standards contained in §118-6
13 & §118-7 and §118-8. The site plan includes impacts to mangrove wetlands for the
14 construction of a boat ramp, dinghy dockage and elevated boardwalk (to access dinghy
15 dockage). These structures may be permitted under Monroe County Code under certain
16 circumstances and are discussed under Item 16.

17
18 16. Shoreline Setbacks (§118-10 & §118-12): *Full compliance to be determined upon*
19 *submittal to Building Department.*

20
21 The setbacks depicted on the site plan are not consistent with §118-10 (g) which
22 requires a 50' buffer between wetlands and the proposed development. §118-10(4)(g)2
23 provides an alternative 25' buffer for properties classified as scarified. This buffer
24 must be planted to the standards of a Class 'D' bufferyard, except that understory trees
25 can be substituted for canopy trees. The site plan submitted following the January 12,
26 2011 public meeting shows such a class 'D' bufferyard.

27
28 The setbacks adjacent to the existing borrow areas are consistent with §118-12(b)1,
29 however the observation platform on the smaller borrow pit on Parcel 1 should be
30 revised to eliminate impacts to the mangrove wetland. Further, the observation decks
31 are accessory structures to the principal use and as such shall occupy no more than 60%
32 of the shoreline setback. While it appears that the proposed decks may meet this
33 standard, staff is unable to confirm this from the plans submitted.

34
35 The proposed ramp if constructed in the location shown on the site plan submitted
36 following the January 12, 2011 public would require crossing of mangrove wetlands to
37 access the canal. The applicant relocated the boat ramp in order to minimize impact to
38 the mangroves as requested by staff and the Planning Commission.

39
40 MCC §118-12(1)(2) states that all boat ramps shall be confined to shorelines with little
41 or no vegetation. The shorelines of the site are well vegetated with relatively
42 undisturbed mangrove wetlands. Based on site conditions, the proposed ramp location
43 may not be in compliance with the MCC. Furthermore, the location of the proposed
44 boat ramp may not meet the requirements of Policy 212.2.3 (ramps must be confined to
45 shorelines with little or no native vegetation), Policy 212.5.2 (docks, ramps, etc. require

1 depths of -4 feet MLW), and Policy 203.1.1 (no fill or structures permitted in mangrove
2 wetlands) of the Monroe County Comprehensive Plan.

3
4 The applicant should be aware that the proposed shoreline facilities (boat ramp and
5 dinghy dockage) will require permits from the Florida Department of Environmental
6 Protection and from the U.S. Army Corps of Engineers prior to issuance of a Monroe
7 County Building Permit.

8
9 17. Required Parking (§114-67): *Compliance to be determined.*

10
11 Required Off-Street Parking:

12

<i>Specific Use</i>	<i>Multiplier</i>	<i>Proposed</i>	<i>Required Spaces</i>
Bath House	No requirement	1,340 SF	0 spaces
Marina	1 space/berth plus 1 space/4 dry storage racks	Unknown number of dinghy dockage spaces	TBD
Boat Ramp	6 spaces / ramp	1 boat ramp	6 spaces

13
14 According to the proposed site plan, 18 off-street parking spaces and 6 extended length
15 off-street vehicle and boat trailer spaces would be provided. One of the off-street
16 parking spaces provided would be handicap accessible.

17
18 Staff has not been provided with a maximum capacity of vessels to be store along the
19 dinghy dockage; therefore the total amount of required parking could not be calculated.

20
21 18. Required Loading and Unloading Spaces (§114-69): *In compliance.*

22
23 All non-residential uses with 2,500 SF to 49,999 SF of floor area are required to have
24 one loading and unloading space, measuring 11' by 55'. The site plan shows a 14' x
25 55' space.

26
27 19. Required Landscaping (§114-99 - §114-105): *Full compliance to be determined upon*
28 *submittal to Building Department.*

29
30 A detailed landscape plan depicting the number, location, size, and species to be planted
31 must be submitted at time of building permit application.

32
33 20. Required Buffer-yards (§114-124 - §114-130): *Full compliance to be determined upon*
34 *submittal to Building Department.*

35
36 A detailed landscape plan depicting the number, location, size, and species to be planted
37 must be submitted at time of building permit application.

38
39 21. Outdoor Lighting (§114-159-§114-163): *Compliance to be determined upon submittal*
40 *to Building Department.*

1 Outdoor lighting is not being reviewed as part of this application. It shall be reviewed
2 independently for compliance as an accessory use under a building permit application.
3

4 22. Signs (§142-1-§142-7): *Compliance to be determined upon submittal to Building*
5 *Department.*
6

7 Signage details were not provided; however such details are not required as this stage
8 as signage would not be reviewed as part of this application. Any signage shall be
9 reviewed independently for compliance as an accessory structure under a building
10 permit application. Please note that if a marina is establish, marina signage shall be
11 required.
12

13 23. Access Standards (§114-195 - §114-201): *Compliance to be determined.*
14

15 Access to the site is proposed to be from the access road off US 1 (Jewfish Creek
16 Bridge) onto state-owned land and then entering east or west onto the subject property.
17 There are no defined access points to the subject property from the state land. At a
18 minimum, a defined access to both portions of the applicant's property should be
19 established.
20

21 Aerial photography indicates the entrance from the US 1 access road located on the
22 applicant's property. However, the proposed site plan shows the entrance from the US
23 1 access road being on the state-owned land. If this is the case, an access agreement
24 should be established with the state of Florida.
25

26 A traffic study by Crossroads Engineering indicates that the redevelopment would
27 generate 44 daily trips The county's traffic consultant, Raj Shanmugam of URS
28 Corporation, found that reserve capacities along US 1 Segment #24 are adequate.
29

30 Clear site triangles are shown on the site plan and due to the amount of open space,
31 vehicle maneuverability is not critical for the site.
32

33 The conditional use permit application did not include a letter of coordination to the
34 Florida Department of Transportation (FDOT).
35

36 24. Chapter 533, Florida Statutes: *Full compliance to be determined upon submittal to*
37 *Building Department.*
38

39 25. *Other Issues:*
40

- 41 • Based on a preliminary review of the revised site plan submitted after the
42 January 12, 2011 public meeting, staff has determined that there could be issues
43 with meeting the requirement that dockage along a canal cannot exceed 25% of
44 the canal width. The dockage itself is in compliance; however vessels docked
45 along the dockage could result in an obstruction of greater than 25%. The
46 applicant needs to provide data on the width of the canal along the entire length

1 of the dinghy dock. If necessary, during the building permit process, staff may
2 request conditions limiting the width of vessels docked along segments of the
3 dockage to facilitate compliance.
4

- 5 • Staff shall request a condition that prior to the issuance of a resolution by the
6 Planning Commission, the applicant shall explain the operation of the boat/boat
7 trailer storage area. Particularly, staff is requesting how boats and/or trailers can
8 be stored north of the westernmost borrow pit without using protected setback
9 areas to access. If the setbacks must be used for access, Staff requests that this
10 area no longer be designated for storage.
11

12 V. RECOMMENDED ACTION:

13
14 Staff recommends APPROVAL of the following components of the application with conditions:
15

- 16 **1. Marina Use (as permitted/restricted in NA district)**
- 17 **2. Boat ramp**
- 18 **3. Boat/boat trailer storage areas**
- 19 **4. Vehicle parking spaces**
- 20 **5. Vehicle parking spaces with additional length to accommodate trailers and oversized**
21 **vehicles**
- 22 **6. Loading/unloading space**
- 23 **7. Observation platforms**
- 24 **8. Landscaping**
25

- 26 A. Prior to the issuance of a resolution by the Planning Commission, the applicant shall
27 provide a Bathymetric Study confirming that the parcel proposed for development has
28 continuous access to open water at least -four (-4) feet below mean sea level at mean
29 low tide or remove/relocate the boat ramp and/or dinghy dockage.
30
- 31 B. Prior to the issuance of a resolution by the Planning Commission, the applicant shall
32 explain the operation of the boat/boat trailer storage area storage.
33
- 34 C. Prior to the issuance of a resolution by the Planning Commission, the applicant shall
35 provide a maximum capacity of vessels to be store along the dinghy dockage in order
36 for staff to determine compliance with the off-street parking regulations.
37
- 38 D. Prior to the issuance of an initial building permit, the applicant shall submit
39 documentation from the Florida Department of Environmental Protection providing
40 an access agreement/easement or provide documentation to the satisfaction of the
41 County Attorney's Office that such an agreement/easement is not required.
42
- 43 E. Prior to the issuance of an initial building permit, the applicant shall receive all
44 required permits and approvals from the United States Army Corps of Engineers,
45 Florida Department of Environmental Protection, South Florida Water Management
46 District, Florida Department of Health and the Florida Department of Transportation.

- 1
2 F. Prior to the issuance of an initial building permit, the proposed site plan and new
3 structures shall be found in compliance by the Monroe County Building Department,
4 the Monroe County Floodplain Administrator, the Monroe County Public Works
5 Division and the Monroe County Office of the Fire Marshal.
6
7 G. There shall be no sale of goods or services other than boat dockage and storage.
8
9 H. All boat storage shall be limited to surface storage on trailers or skids and no boat or
10 other equipment is stored on any elevated rack, frame or structure.
11
12 I. Vessels docked or stored shall not be used for live-aboard purposes.
13
14 J. All outside storage areas are screened from adjacent uses by a solid fence, wall, or
15 hedge at least six feet in height. Existing mangroves greater than six (6) feet in height
16 can be used to comply with this requirement.
17

18 Staff recommends APPROVAL of the following components of the application following the
19 completion and adoption of the Marina Siting Plan and a finding wherein that this site is
20 appropriate for a marina with three or more slips.
21

22 **1. Dinghy dockage**

23 **2. Elevated Boardwalk (providing access from dinghy dockage to upland facilities)**
24

- 25 K. To minimize impact to the mangroves if the dinghy dockage cannot be approved for
26 any reason, the applicant shall construct the boardwalks concurrently with or after the
27 dinghy dockage.
28
29 L. Prior to the issuance of a building permit for the dinghy dockage, the applicant shall
30 provide a Bathymetric Study confirming that the parcel proposed for development has
31 continuous access to open water at least -four (-4) feet below mean sea level at mean
32 low tide to/from the dinghy dockage.
33
34 M. Prior to the issuance of a building permit for the dinghy dockage, the applicant shall
35 submit a study or documentation indicating that full utilization of existing marinas
36 has occurred within a five (5) mile radius of a proposed new marina site.
37
38 N. Prior to the issuance of a building permit for the dinghy dockage, the applicant shall
39 receive all required permits and approvals from the United States Army Corps of
40 Engineers, Florida Department of Environmental Protection and/or the Florida Keys
41 National Marine Sanctuary.
42

43 **VI. PLANS REVIEWED:**
44

- 45 A. Site Plan (C-1A) by deHaas Consulting & Design & Keys Engineering Services, Inc.,
46 dated March 17, 2010 and revised January 21, 2011

- 1 B. Drainage Plan (C-2) by deHaas Consulting & Design & Keys Engineering Services, Inc.,
- 2 dated March 17, 2010
- 3 C. Bath House Plan (A-1) by deHaas Consulting & Design, dated March 17, 2010
- 4 D. Bath House Elevations (A-2 & A-3) by daHaas Consulting & Design, dated April 6, 2010
- 5 E. Traffic Study by Crossroads Engineering, dated September 8, 2010
- 6