

MINUTES

DEVELOPMENT REVIEW COMMITTEE

Tuesday July 13, 2010

PURSUANT TO Florida Statute 286.011(1), the Development Review Committee of Monroe County will conduct a meeting on Tuesday, July 13, 2010 beginning at 10:00 AM at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

10:15 am

ROLL CALL by Debby Tedesco

DRC MEMBERS:

Townsley Schwab, Senior Director of Planning and Environmental Resources	present
Mike Roberts, Sr. Administrator, Environmental Resources	present
DOT Representative	absent
Steve Zavalney, Captain, Fire Prevention	absent
Wally Romero, Assistant Fire Marshal	absent
Public Works Department Representative	absent

STAFF MEMBERS

Christine Limbert-Barrows, Assistant County Attorney	present
Mitch Harvey, Comprehensive Plan Manager	present
Mike Roberts, Administrator, Environmental Resources	present
Joe Haberman, Current Principal Planner	present
Steven Biel, Senior Planner	present
	present

APPROVAL OF MINUTES

None

CHANGES TO THE AGENDA

Item #1 Per staff memorandum, this item is continued to 7/27/10 DRC Meeting
Item #5 Per staff memorandum, this item is continued to 8/10/10 DRC Meeting
Item #6 Per staff memorandum, this item is continued to 8/10/10 DRC Meeting

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 ten (10) calendar days prior to the scheduled meeting; if you are hearing or voice impaired, call "711".

MEETING

CONTINUED ITEM:

- 1. Newman Trust Property, aka Tropic Palms Trailer Park, 6125 Second Street, Stock Island, Mile Marker 5:** A request for approval to amend the land use district designation from Urban

Residential Mobile Home- Limited (URM-L) to Urban Residential (UR). The subject property is legally described as Block 34, Lots 1-10 and 16-20, MacDonald's Plat, PB1-55, Stock Island, Monroe County, Florida, having Real Estate No. 00124560.000000.
Continued to July 27, 2010 per staff memorandum

NEW ITEMS:

2. **Pilot House Marina & Restaurant Off-Site Parking, Seagate Drive, between Ocean Bay and Channel Drives, Key Largo, Mile Marker 99.4:** A request for approval of a minor conditional use permit in order to develop the subject lots as off-street parking areas to provide additional parking for the Pilot House Marina & Restaurant located at 13 Seagate Drive. The subject parcels are legally described as Block 4, Lots 20, 21 and 23, Key Largo Beach (PB2-149), Key Largo, Monroe County, Florida, having real estate numbers 00502250.000000, 00502260.000000 and 00502280.000000.

10:17-10:29am

Read into record by Debby Tedesco

Staff report was presented by Joe Haberman. Discussion included, but was not limited to, the following:

Single family building permits that were open on the three lots when owned by previous owners should be closed, a building permit would be needed to use the lots for additional parking, Class B buffer zone would be required, handicap parking must be built using impervious materials, striping of impervious parking spaces would be required, a variance is required for rear yard setbacks, a redesign of the access isle with less curb cuts was required, as well as a solid 6' fence to buffer residential dwellings, no outdoor lighting would be permitted and a new site plan and parking agreement would be forthcoming. It was noted that compliance was required to open Code Enforcement cases, storm water requirements, and fire marshal requirements. Conditions for approval were read into record by Joe Haberman, and staff recommended approval when the conditions were met.

3. **Circle K, 92720 Overseas Highway (US 1), Key Largo, Mile Marker 92.7: A request for approval of an amendment to a major conditional use permit in order to redevelop the existing gas station and convenience store** by removing the one (1) existing fuel pump with two (2) dispensers; constructing five (5) new fuel pumps with two (2) dispensers per pump; demolishing the existing canopy; constructing a new canopy; improving the existing convenience store building; and carrying out associated site improvements. The subject property is legally described as a portion of the East ¼ of Section 27, Township 62S, Range 38E, Key Largo, Monroe County, Florida, and Parcel 2, Tavernier Boat Basin, PB4-147, Key Largo, Monroe County, Florida, having real estate numbers 00089480.000000 and 00487290.000000.

10:35-10:50am

Read into record by Debby Tedesco

Staff Report was presented by Steven Biel. Discussion ensued and included, but was not limited to, the following:

Requirements from last DRC meeting in November of 2009 that have not been met or received were noted as follows:

the rationale for 10 pumps, a site plan showing an 11' x 5' unloading space, a site plan showing correctly labeled setbacks, a site plan showing a different location of the bicycle rack presently shown in the setback (or a variance application), or another location for it on site, the turn lane on Burton Drive (not owned by Circle K but by Florida Department of Transportation (FDOT)), and storm water drainage and flood plain compliance to be approved at time of building department application, and the traffic study as reviewed by URS Corporation stated there was not a need for a traffic light at Burton Drive without additional development.

10:52-11:29am

Also discussed were curbs that need to be brought into compliance, more practical landscape choices per Mike Roberts with better symbology on the site plan, more clear graphics on the site plan per Townsley Schwab and that the present ground-mounted sign would be moved closer to the entrance.

Staff recommended approval to the Planning Commission with the conditions as stated in the staff report and recommended to applicant to get the information to the Planning Department as soon as possible to meet the NROGO hearing in December.

4. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS CREATING SECTION 130-101 TO ALLOW DOGS IN DESIGNATED OUTDOOR AREAS OF PUBLIC FOOD ESTABLISHMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

11:32am-12:03pm

Read into record by Debby Tedesco

Christine Limbert-Barrows, explained that this ordinance is found in the Florida State Statutes, and Monroe County added insurance requirements.

Joe Haberman noted he is of the opinion this is a special permit which should be approved by the planning director, not the building officer as it is a "use" permit not a "building" permit and it is in the planning chapter in the Monroe County Code.

Discussion regarding fees to be charged followed, and included but was not limited to the following:

A consensus of opinion was reached that a permit should last for two years, or at time of new ownership whichever is first.

It was also noted this ordinance will be heard at Planning Commission on July 28, 2010.

5. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 138-22(1), REDEVELOPMENT ON-SITE; CODIFYING PROCEDURES UTILIZED TO DETERMINE LAWFUL ESTABLISHMENT AND THEREBY EXEMPTION FROM THE RATE OF GROWTH ORDINANCE (ROGO); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Continued to August 8, 2010 per staff memorandum

6. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE SECTION 138-50, TYPE OF DEVELOPMENT NOT AFFECTED; AMENDING CRITERIA USED FOR DETERMINATION OF EXEMPTION FROM THE NONRESIDENTIAL RATE OF GROWTH ORDINANCE (NROGO); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE DEPARTMENT OF COMMUNITY AFFAIRS AND THE SECRETARY OF STATE; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

Continued to August 8, 2010 per staff memorandum

ADJOURNMENT

12:03pm