

DEVELOPMENT REVIEW COMMITTEE

Tuesday, March 29, 2011

Meeting Minutes

The Development Review Committee of Monroe County conducted a meeting on **Tuesday, March 29, 2011**, beginning at 10:05 a.m. at the Marathon Government Center, Conference Room (2nd floor), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

ROLL CALL by Gail Creech

DRC MEMBERS:

Townsley Schwab, Senior Director of Planning and Environmental Resources	Present
Mike Roberts, Senior Administrator, Environmental Resources	Present
Joe Haberman, Development Review Manager	Present
Steven Biel, Senior Planner	Present
Steve Zavalney, Captain, Fire Prevention	Present

STAFF MEMBERS:

Susan Grimsley, Assistant County Attorney	Present
Gail Creech, Planning Commission Coordinator	Present
Kim Kiraly, Staff Assistant	Present

CHANGES TO THE AGENDA

Item 6 will be not be heard.

MINUTES FOR APPROVAL

Townsley Schwab approved the minutes from the meetings of 5/25/10, 6/8/10, 7/13/10, 7/27/10, 8/10/10, 9/7/10, 12/13/10, 1/25/11 and 2/22/11.

MEETING

NEW ITEM:

1.Key Largo Ocean Resort (KLOR), 94825 Overseas Highway (US 1), Key Largo, Mile Marker 94.8: A request for approval of a major deviation to the site plan and major conditional use permit approved by Planning Commission Resolution #P35-07. The subject parcel is legally described as portions of Sections 13 and 14, Township 62 South, Range 38 East on Key Largo,

being part Tract 10 and part Tract 11 of Southcliff Estates (PB2-45), Monroe County, Florida, having real estate numbers 00483390.000000, 00483400.000000, 00088680.000100 and 00088670.000100.

Townsley Schwab made mention of the fact that the Committee is not required to take public comment at this meeting, but that it would be appropriate to do so today. Joe Haberman stated that it is unclear in the code if this type of application has to come to the Development Review Committee because it is technical in nature, but it was scheduled for this meeting to have an opportunity to look at the site plan and have a discussion with the applicant.

Kent Harrison Robbins, Esq. and Orestes Lopez-Recio, Architect, were present on behalf of the applicant. Mr. Lopez-Recio confirmed for Mr. Haberman that the shareholders approved in their approval of June 5, 2010 only 284 units, as opposed to the 285 mentioned in the development agreement. Mr. Haberman asked for the project's architectural standards in a written format. Mr. Lopez-Recio said that they are actually written in to the plans that were presented, but the same guidelines in a written format could be submitted.

Captain Steve Zavalney requested one master sheet with the entire project showing road widths, turning radiuses, fire hydrants, entrance gate, et cetera, be submitted. Captain Zavalney then asked for assurance that all of the infrastructure be complete before any construction is to proceed, and also requested a plan for isolating the units that are under construction from units that are already done and being occupied.

Mr. Lopez-Recio stated to Captain Zavalney that the main entry configuration is not being changed now, but will be changed in the future. Two other entryways were pointed out that could be used for emergency vehicle entryways. Captain Zavalney asked for the other entry gates to be indicated on the master plan, and also asked for the turning radius at the main entrance to be brought up to code.

Alberto Herrera, development consultant and civil engineer for the project, pointed out for Captain Zavalney the 30-foot inside radius and 50-foot plus outside radius at the main gate. Captain Zavalney again asked for the details to be provided for that particular section and the dimensions to be defined within that detail. Mr. Herrera assured staff that there is plenty of room to adjust that turning radius to be brought into compliance. Captain Zavalney informed the applicant that a second emergency remote exit/entrance must be provided.

Mr. Haberman submitted to the applicant Kevin Wilson's memo regarding storm water matters. Mr. Herrera informed staff that all of the comments included in the memo should be taken care of through the applicant's resubmittal to the district.

Mr. Haberman asked for clarification on the setbacks of the shoreline lots. Mr. Lopez-Recio stated that the original intent was to stop the lots at the shoreline setback and keep the rear part as a common area, which is the way they used to use it when the lots were habitable. Susan Grimsley asked if the common area would be altered in any way, to which Mr. Lopez-Recio answered that the intention of that area is to be a common area and that the shoreline setback

would allow for a walkway in this area. Mr. Roberts stated that the landscape plan has not been reviewed for detail at this point.

Mr. Robbins requested to hear any other issues that may be out there so that the applicant can be prepared to answer questions before the Planning Commission, as well as be able to make any modifications if appropriate. Mr. Haberman answered that there are no other known planning issues.

Mr. Schwab asked for public comment. There was none.

A five-minute recess was held.

2. AN ORDINANCE OF THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 102-19 OF THE MONROE COUNTY CODE CLARIFYING DUTIES OF THE BOARD OF COUNTY COMMISSIONERS CONCERNING LAND USE MATTERS; AMENDING SECTION 102-20 CONCERNING DUTIES OF THE PLANNING COMMISSION; AMENDING SECTION 102-58 OF THE MONROE COUNTY CODE CONCERNING AMENDMENTS TO THE COMPREHENSIVE PLAN, LAND DEVELOPMENT CODE, FUTURE LAND USE MAP AND LAND USE DISTRICT MAP; PRESCRIBING NOTICE AND PROCESS FOR PUBLIC HEARINGS; REQUIRING A VOTE OF FOUR MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS TO TRANSMIT OR ADOPT A COMPREHENSIVE PLAN AMENDMENT, A COMPREHENSIVE PLAN TEXT SUB AREA POLICY OR OVERLAY DISTRICT, FUTURE LAND USE MAP AMENDMENT OR SUB AREA OR OVERLAY DISTRICT; TEXT CHANGES IN THE LAND DEVELOPMENT CODE THAT AFFECT A PERMITTED USE OR HEIGHT REQUIREMENT WITHIN A PARTICULAR LAND USE DISTRICT, AND CREATION OR AMENDMENT OF AN OVERLAY DISTRICT OR SUB AREA, OR ANY LAND USE DISTRICT MAP AMENDMENT; ELIMINATING A PROTEST PROCEDURE FOR ZONING MAP CHANGES AND TRANSMITTAL OF COMPREHENSIVE PLAN AMENDMENTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE FLORIDA DEPARTMENT OF COMMUNITY AFFAIRS AND FILING WITH THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE.

3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS, AMENDING MONROE COUNTY CODE SECTIONS 110-5 NOTICE AND 110-69 MINOR CONDITIONAL USES AND SECTION 110-70 MAJOR CONDITIONAL USES TO AMEND THE PROCESS FOR PUBLIC NOTICE AND REVIEW PROCESS OF THE DRC MEETING 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.

4. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS, AMENDING MONROE COUNTY CODE SECTIONS 110-1 DEFINITIONS TO AMEND THE ACCESSORY USE DEFINITION ON NON-

CONTIGUOUS LOTS OR PARCELS OF LAND 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.

5. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS, AMENDING MONROE COUNTY CODE SECTIONS 110-73 DEVELOPMENT UNDER AN APPROVED CONDITIONAL USE PERMIT TO AMEND MINOR AND MAJOR DEVIATIONS 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.

7. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS, AMENDING MONROE COUNTY CODE SECTIONS 114-21 RECYCLING TO IMPLEMENT A RECYCLABLE MATERIALS RECYCLING PROGRAM FOR MULTIFAMILY AND COMMERCIAL DEVELOPMENTS 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.

Discussion was had on Items 2, 3, 4, 5 and 7.

The Monroe County Development Review Committee meeting was adjourned.