

AGENDA

PLANNING COMMISSION HEARING

May 24, 2023

10:00 A.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:

Joe Scarpelli, Chair

Ron Demes, Vice Chair

George Neugent, Commissioner

David Ritz, Commissioner

Rosemary Thomas, Commissioner

Douglas Pryor, Ex-Officio Member (MCSD)

Christina Gardner, Ex-Officio Member (NASKW)

STAFF:

Emily Schemper, Sr. Director of Planning and Environmental Resources

Cheryl Cioffari, Assistant Director of Planning

Mike Roberts, Assistant Director, Environmental Resources

Brad Stein, Development Review Manager

Tiffany Stankiewicz, Development Administrator

Karl Bursa, Senior Administrator, Floodplain Program

Peter Morris, Assistant County Attorney

John Wolfe, Planning Commission Counsel

Ilze Aguila, Planning Commission Supervisor

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

DISCLOSURE OF EX PARTE COMMUNICATIONS

APPROVAL OF MINUTES: April 26, 2023 & April 28, 2023

AGENDA

1. A PUBLIC HEARING TO CONSIDER AND FINALIZE THE RANKING OF APPLICATIONS IN THE DWELLING UNIT ALLOCATION SYSTEM FOR JANUARY 13, 2023 THROUGH APRIL 12, 2023, ROGO (Quarter 3, Year 31). ALLOCATION AWARDS WILL BE ALLOCATED FOR ALL UNINCORPORATED MONROE COUNTY. (File 2022-140)

2. A PUBLIC HEARING TO CONSIDER AND FINALIZE THE RANKING OF APPLICATIONS IN THE NON-RESIDENTIAL ALLOCATION SYSTEM JANUARY 13, 2023 THROUGH APRIL 12, 2023, NROGO (Quarter 3, Year 31). ALLOCATION AWARDS WILL BE ALLOCATED FOR ALL UNINCORPORATED MONROE COUNTY.

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

NROGO YEAR 31 Balances Available for Quarter 3

NROGO Year 31 Balances Available for Quarter 3			
	ANNUAL NROGO	NROGO BANK	
NROGO Year 31 Balances	Year 31 Annual Allocation Amount	Subarea Bank Accounts (rollover from Year 30)	Year 31 General Bank (1. Joint Lower & Upper and 2. Big Pine/No Name) Total
Big Pine Key and No Name Key subarea	2,390 SF	24,771	24,743 SF*
24,743 SF*	22,944 SF	44,693	747,547 SF*
747,547 SF*	21,749 SF		
Totals	47,083 SF	69,464	772,290 SF*

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

(File 2022-141)

3. AN ORDINANCE BY MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING AMENDMENTS TO MONROE COUNTY LAND DEVELOPMENT CODE SECTION 134-2 AMENDING THE HOME OCCUPATION SPECIAL USE PERMIT REQUIREMENTS TO BE CONSISTENT WITH CHAPTER 2021-202, LAWS OF FLORIDA, SECTIONS 102-54-58, TO CLARIFY THE CONTINUING PURPOSE, REGISTRATION, AND REQUIREMENTS OF NONCONFORMING USES/STRUCTURES, SECTIONS 101-1-4, TO CLARIFY CONTINUING DEFINITIONS, RULES OF CONSTRUCTION, PURPOSE, AND APPLICABILITY, CHAPTER 114, ARTICLES I-VII., TO CLARIFY THE CONTINUING APPLICATION OF DEVELOPMENT STANDARDS TO DEVELOPMENT, SECTIONS 118-2(d)-(e), 118-4, 118-7, 118-9-10, 118-12-13, TO CLARIFY THE CONTINUING APPLICATION OF ENVIRONMENTAL PROTECTION REGULATIONS TO DEVELOPMENT, SECTIONS 130-1-2, 130-74, 130-156, 130-165, TO CLARIFY THE CONTINUING APPLICATION OF LAND USE DISTRICT REQUIREMENTS TO DEVELOPMENT, SECTIONS 131-1, 131-3, TO CLARIFY THE CONTINUING APPLICATION OF BULK REGULATIONS TO DEVELOPMENT; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO AND INCORPORATION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2021-115)

4. DOLPHIN RESORT (LITTLE PALM DOLPHIN RESORT DEVELOPMENT, LLC), 28550 OVERSEAS HIGHWAY, LITTLE TORCH KEY, FL 33042, MILE MARKER 28.5: A PUBLIC HEARING CONCERNING A REQUEST FOR A MAJOR CONDITIONAL USE PERMIT BY DONALD CRAIG OF SPOTTSWOOD, SPOTTSWOOD, SPOTTSWOOD & STERLING. ON BEHALF OF LITTLE PALM DOLPHIN RESORT DEVELOPMENT, LLC, FOR THE CONSTRUCTION OF A 38 UNIT RESORT WITH 8 EMPLOYEE DWELLING UNITS ON THE PROPERTY. THE SUBJECT PROPERTY IS DESCRIBED AS A PARCEL OF LAND IN SECTION 28, TOWNSHIP 66 SOUTH, RANGE 29 EAST, LITTLE TORCH KEY, MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00113570-000100. (FILE 2021-248)

5. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE INTRODUCTION AND BACKGROUND, GOALS, OBJECTIVES, AND POLICIES, AND GLOSSARY OF THE MONROE COUNTY 2030 COMPREHENSIVE PLAN TO CLARIFY THE CONTINUING APPLICATION OF THE MONROE COUNTY 2030 COMPREHENSIVE PLAN TO DEVELOPMENT, TO CLARIFY THE GENERAL AND DEFINED TERMS SECTIONS, TO CLARIFY CONSTRUCTION OF CONFLICTS WITH THE MONROE COUNTY CODE(S), AND MODIFY ACCESSORY USES AND STRUCTURES; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2022-093)

6. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY LAND DEVELOPMENT CODE CHAPTER 101, SECTION 101-1 *DEFINITIONS*, AND CHAPTER 130 *LAND USE DISTRICTS*, ARTICLE III. *PERMITTED AND CONDITIONAL USES*, SECTION 130-83(A) *IMPROVED SUBDIVISION DISTRICT (IS)* AND SECTION 130-99(A) *URBAN RESIDENTIAL-MOBILE HOME DISTRICT (URM)*, AND CHAPTER 118 *ENVIRONMENTAL PROTECTION*, ARTICLE I. *IN GENERAL*, SECTION 118-12 *SHORELINE SETBACK*, TO MODIFY AND CREATE CRITERIA APPLIED TO SPECIFIC ACCESSORY USES AND STRUCTURES TO ALLOW FOR LIMITED ADDITIONAL USES AND STRUCTURES WITHIN THE IMPROVED SUBDIVISION (IS) AND URBAN RESIDENTIAL MOBILE HOME (URM) LAND USE (ZONING) DISTRICTS; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR INCLUSION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2022-094)

7. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY LAND DEVELOPMENT CODE SECTION 101-1 *DEFINITIONS* AND CHAPTER 122, *FLOODPLAIN MANAGEMENT*; ARTICLE I. – *IN GENERAL*, SECTION 122-3 – *DEFINITIONS*, TO UPDATE THE DEFINITION OF MARKET VALUE TO BE CONSISTENT WITH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT - BUREAU OF MITIGATION - STATE OFFICE OF FLOODPLAIN MANAGEMENT'S DECEMBER 2022 GUIDANCE ON MARKET VALUE AND MODEL FLOODPLAIN MANAGEMENT ORDINANCE WHICH IS WRITTEN TO EXPLICITLY RELY ON AND BE COORDINATED WITH THE FLOOD PROVISIONS IN THE FLORIDA BUILDING CODE, MEETING THE NATIONAL FLOOD INSURANCE PROGRAM REQUIREMENTS AND APPROVED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN 2013; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AMENDMENT TO AND INCORPORATION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2023-024)

Please visit the Monroe County Website at www.monroecounty-fl.gov for meeting agenda updates and information regarding the various options available to the public to view the live meeting and/or to make public comments on certain agenda items.

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