

# DEVELOPMENT REVIEW COMMITTEE

Monday, July 24, 2023

## MEETING MINUTES

The Monroe County Development Review Committee conducted a virtual meeting on **Monday, July 24, 2023**, beginning at 1:00 p.m. via Communications Media Technology (CMT).

**CALL TO ORDER** by Emily Schemper at 1:05 p.m.

**ROLL CALL** by Debra Roberts

### **DRC MEMBERS PRESENT**

Emily Schemper, Senior Director of Planning and Environmental Resources  
Mike Roberts, Assistant Director, Environmental Resources  
Bradley Stein, Development Review Manager  
Craig Marston, Fire Marshal  
Shereen Yee Fong, FDOT Representative

### **STAFF MEMBERS PRESENT**

Peter Morris, Assistant County Attorney  
Liz Lustberg, Senior Planner  
Savannah White, Planner  
Debra Roberts, Senior Planning Commission Coordinator

### **APPLICANTS & PUBLIC SPEAKERS PRESENT**

Item 1: Rod Corriveau, Trepanier & Associates  
Items 2 & 4: Jess Goodall, Smith Hawks  
Item 3: Don Horton, Island Construction Management, Inc.

### **CHANGES TO THE AGENDA**

None.

### **MINUTES FOR APPROVAL**

Approval of the meeting minutes for Tuesday, June 27, 2023, by Emily Schemper.

## MEETING

**1. SHRIMP FARM HOUSING LLC, 23801 OVERSEAS HIGHWAY, SUMMERLAND KEY, MILE MARKER 25:** A PUBLIC MEETING CONCERNING A REQUEST FOR A MINOR CONDITIONAL USE PERMIT. THE REQUESTED APPROVAL IS REQUIRED FOR THE DEVELOPMENT OF A PROPOSED AGRICULTURAL USE, INCLUDING AQUACULTURE AND BEE KEEPING. THE SUBJECT PROPERTY IS DESCRIBED AS A PARCEL OF LAND IN SECTION 27, TOWNSHIP 66 SOUTH, RANGE 28 EAST, SUMMERLAND KEY, MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00114840-000000. (FILE 2022-221)

(1:03 p.m.) Ms. Liz Lustberg, Senior Planner presented the staff report, noting that Mr. Mike Roberts, Assistant Director, Environmental Resources, had done the Environmental Resources review on this item. This application is for a minor conditional use approval to change the use on the property to allow for agriculture, aquaculture and beekeeping. Ms. Lustberg presented an aerial of the site, designated Tier I, with FLUM designation of Agriculture/Aquaculture, and Zoning of Native Area. Ms. Lustberg then described the various areas of the existing site plan. The main building is the grow-out building where the aquaculture will take place which includes some offices and a reception area on the upper level. There is also a farm equipment building which is mostly open and three storage containers. Not contained in buildings are the orchard areas and bee hives. Staff is recommending approval with conditions which mostly consist of infrastructure to the property as it is not connected to water and sewer, and work will be required along U.S. 1 to get those things installed. Prior to planning approval of the permit application establishing a use on the property, FDOT permits or documentation indicating permits are not required will need to be submitted for access and drainage connections, along with a utility permit. Prior to final planning inspection for any building permit establishing a use on the property, the property must be connected to water and sewer. There was also a request from the fire marshal to request grading on the driveway entrance from U.S. 1 to the property which has not been reviewed. Because this property has a 95 percent open space requirement, that open space requirement will hold even if additional paving is needed to meet the fire marshal requirements. The site design does meet all open space setbacks, floor area ratio, parking, loading, and trash requirements.

Ms. Schemper had no questions but clarified the open space requirements would still need to be met after any additional paving. Ms. Lustberg confirmed adding that the applicant was very close on their open space requirements and this was the only piece of the site plan which could not yet be reviewed for. Ms. Schemper then asked for questions or comments from any DRC members. Ms. Shareen Yee Fong of FDOT stated that this applicant had reached out to FDOT last May and the applicant had been told that they would need to coordinate with the FDOT permit office so the applicant is aware. Ms. Schemper then asked for public comment. There was none. Public comment was closed. Mr. Rod Corriveau of Trepanier and Associates on behalf of the applicant thanked staff for their work with on this item. This will be an incredible benefit to the reefs and some of the restaurants in the Keys for locally-produced honey. The water and wastewater connection is approximately 1,700 feet from the property, and they are also exploring options across from the subject property where the Boy Scout property is, so they are still looking for the most cost effective alternative. There were no further questions or comments.

**2. MOBILE HOMES HOLDINGS COCO, LLC, 21585 OLD STATE ROAD 4A, CUDJOE KEY, MILE MARKER 21.6:** A PUBLIC MEETING CONCERNING A REQUEST FOR AN AMENDMENT TO A MAJOR CONDITIONAL USE PERMIT. THE REQUESTED APPROVAL IS REQUIRED FOR THE REDEVELOPMENT OF A TOTAL OF FORTY-SIX (46) AFFORDABLE DWELLING UNITS. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS LOT 30 SACARMA, A SUBDIVISION OF GOVERNMENT LOTS 3 AND 4 IN SECTION 29, TOWNSHIP 66 SOUTH, RANGE 28 EAST, CUDJOE KEY, MONROE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 48 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00174960-000000. (FILE 2023-033)

(1:14 p.m.) Mr. Bradley Stein, Development Review Manager, presented the staff report. This is a request for an amendment to a major conditional use to develop an additional 24 multi-family affordable dwelling units in an existing affordable housing and mobile home park, for a total of 46 dwelling units on Cudjoe Key. The agents are Bart Smith and Jess Goodall of Smith Hawks. Mr. Stein presented an aerial and described the site plan. This property has recently gone through a map amendment so the land use is now Urban Residential and Native area, with a FLUM designation of Residential High and Residential Conservation, having also had a FLUM amendment. The property is designated Tier III Infill Area. The existing vegetation and habitat is predominantly redeveloped and scarified with mangroves to the north. The upland area for the project site is 2.3 acres. This project is reviewed pursuant to Section 110-67 of the Monroe County Land Development Code which is used for all conditional uses. Mr. Stein described that the area in the center of the site plan would be four-plexes and this adds four new four-plexes. Parking is spread out throughout the site. This project already has four buildings that have 16 units with four four-plexes already constructed. Staff recommends approval with conditions as listed in the staff report and this item will move forward to Planning Commission after everything has been addressed. Mr. Stein pointed out that the reason for the correction in the landscaping plan is due to the applicant requesting to relocate some coconut palms on site, but pursuant to code they are no longer allowed to be there at all anymore so in redeveloping this property, they will be removed.

Ms. Schemper had no additional comments, and asked for questions or comments from DRC members. There were none. Mr. Jess Goodall, agent for the applicant, thanked staff for all of their assistance with this item. Ms. Schemper then asked for public comment. There was none. Public comment was closed.

**3. 1655 OVERSEAS HIGHWAY, MARATHON, Mile Marker 48 (SENDER SITE) AND 212 SCHOONER LANE, DUCK KEY, Mile Marker 61 (RECEIVER SITE): A PUBLIC MEETING CONCERNING A REQUEST FOR A MINOR CONDITIONAL USE PERMIT. THE REQUESTED APPROVAL IS FOR THE TRANSFER OF ONE (1) PERMANENT MARKET RATE TRANSFERRABLE ROGO EXEMPTION (TRE) FROM THE SENDER SITE PROPERTY DESCRIBED AS A PARCEL OF LAND IN SECTION 09, TOWNSHIP 66 SOUTH, RANGE 32 EAST, MARATHON, MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER 00326650-000000 TO THE RECEIVER SITE LEGALLY DESCRIBED AS LOT 8, BLOCK 7, PLANTATION ISLAND, DUCK KEY SECTION 3 PART 1, TOMS HARBOR, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 5, AT PAGE 82, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER 00383970-000000. TRANSFER OF THE TRE FROM MARATHON TO THE UNINCORPORATED COUNTY IS AUTHORIZED PURSUANT TO THE SECOND CORRECTED INTERLOCAL AGREEMENT BETWEEN MONROE COUNTY AND THE CITY OF MARATHON APPROVED AUGUST 15, 2018. (FILE 2023-082)**

(1:20 p.m.) Ms. Savannah White, Planner, presented the staff report. This is a request for a minor conditional use permit to transfer one permanent market rate ROGO exemption also known as a TRE. This transfer is taking place pursuant to an interlocal agreement between the City of Marathon and Monroe County. The applicant is Island Construction Management, Incorporated, on behalf of both owners of the subject properties who are Carlos Perez and 1655 OS, LLC. Ms. White presented an aerial of the sender site location which is within the incorporated limits of the City of Marathon at approximately Mile Marker 48. The interlocal

agreement approved the exchange of 18 affordable ROGO allocations for 18 market rate ROGO exemptions. Ms. White then presented an aerial of the receiver site located on Duck Key at approximately Mile Marker 60. This site has a Land Use District of Improved Subdivision and a FLUM designation of Residential Medium, is designated Tier III, and is not in a velocity zone or CBRS. Monroe County Land Development Code Section 138-22(b) defines the requirements that must be followed in order to permit market rate ROGO/BPAS exemptions. This transfer is unique and the BOCC entered into an interlocal agreement with the City of Marathon providing that 18 affordable ROGO allocations and then 18 market rate ROGO/BPAS exemptions be transferred to unincorporated Monroe County following the administrative requirements of the City of Marathon and the minor conditional use permit requirements of the County. The second interlocal agreement specifically removed any of the requirements that the transfers needed to go to either the Upper or Lower Keys sub areas, so this transfer is meeting all requirements of the second interlocal agreement in being transferred from the City of Marathon to Duck Key. Staff recommends approval of the TRE. Ms. White pointed out that the last condition requires the current ROGO application be withdrawn on 212 Schooner Lane prior to issuance of the TRE so that there is no inconsistency.

Ms. Schemper asked regarding the last condition for withdrawing the ROGO permit, and confirmed that the building permit would not be withdrawn from the building permit process, but that only the ROGO application associated with that building permit is what would be withdrawn. Ms. Schemper wanted to make sure the owner was clear on that, not to withdraw the building permit application unnecessarily, which would cause them to have to start over. Ms. Schemper then asked for any questions or comments from DRC members. There were none. Ms. Schemper then asked for public comment. There was none. Public comment was closed. Mr. Don Horton, agent for the applicant, spoke but his comments were predominantly indiscernible due to his internet connection. Ms. Schemper then instructed Mr. Horton to speak with Planning Department before doing anything, and be sure to not do anything too soon.

**4. J JADE DEVELOPMENT INC., 3100 OVERSEAS HWY. SADDLEBUNCH KEY, MILE MARKER 15: A PUBLIC MEETING CONCERNING A REQUEST FOR AN AMENDMENT TO A MINOR CONDITIONAL USE PERMIT. THE REQUESTED APPROVAL IS REQUIRED TO ADD A PROPOSED DEED RESTRICTED AFFORDABLE DWELLING UNIT TO THE PROPERTY WHICH IS ALREADY APPROVED TO REDEVELOP WITH OFFICE AND LIGHT INDUSTRIAL USES. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS PART OF LOTS 1 AND 2, BLOCK 3, BAY POINT AMENDED PLAT, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 75, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00160140-000000. (FILE 2023-115)**

(1:29 p.m.) Ms. Liz Lustberg, Senior Planner presented the staff report. This property had already received a minor conditional use approval to change from a restaurant to office space and light industrial not too long ago. At this time, the property owner is now requesting one deed restricted affordable apartment for this property to be located in space previously approved for indoor storage light industrial. Ms. Lustberg presented the site plan showing the zoning and explaining that the project uses almost half of the land use intensity. There is plenty of density for affordable. Since this is for affordable, the density and intensity can be calculated independently. Ms. Lustberg described where the apartment location would be located within the previously approved space for indoor storage. This meets all of the site requirements for trash, parking and setbacks, and there is no change to the proposed footprint of the existing

building. Staff recommends approval with the same conditions as the previous conditional use approval.

Ms. Schemper had no questions or comments, and asked for any questions, comments or concerns from DRC members. There were none. Ms. Schemper then asked for public comment. There was none. Public comment was closed. Mr. Jess Goodall, agent for the applicant, thanked staff for all of their assistance, adding that he looks forward to getting this project closed up.

**ADJOURNMENT:**

The Development Review Committee meeting was adjourned at 1:33 p.m.