

# AGENDA

## **PLANNING COMMISSION HEARING – SPECIAL MEETING**

April 28, 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

Devin Tolpin, Principal Planner

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**

**1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** ESTABLISHING MONROE COUNTY LAND DEVELOPMENT CODE SECTION 130-143 TAVERNIER KEY COMMERCIAL OVERLAY (TKCO) DISTRICT; ESTABLISHING PURPOSE AND INTENT, BOUNDARY, APPLICABILITY, NROGO ALLOCATION STANDARDS, AS-OF-RIGHT AND CONDITIONAL USES, AND MAXIMUM NONRESIDENTIAL AND RESIDENTIAL DEVELOPMENT POTENTIAL; FOR PROPERTIES LOCATED AT 92501 OVERSEAS HIGHWAY, KEY LARGO, APPROXIMATELY MILE MARKER 92.5, HAVING PARCEL IDENTIFICATION NUMBERS 00089490-000000 AND 00490250-000000; AS PROPOSED BY SMITH/HAWKS, PL ON BEHALF OF CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC F/K/A SINGLETARY CONCRETE PRODUCTS INC.; 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 CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2022-053)

**2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP TO APPLY THE TAVERNIER KEY COMMERCIAL OVERLAY (TKCO) DISTRICT, TO PROPERTY LOCATED AT 92501 OVERSEAS HIGHWAY, KEY LARGO, APPROXIMATELY MILE MARKER 92.5, CURRENTLY HAVING PARCEL IDENTIFICATION NUMBERS 00089490-000000 AND 00490250-000000 AS PROPOSED BY CEMEX CONSTRUCTION MATERIALS FLORIDA, LLC F/K/A SINGLETARY CONCRETE PRODUCTS INC.; 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 THE LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2022-054)

**3. 7-ELEVEN (DANIEL BARRY, Jr. & ARCHER BARRY), 98200 OVERSEAS HIGHWAY, KEY LARGO, FL 33037 MILE MARKER 98:** A PUBLIC HEARING CONCERNING A REQUEST FOR A VARIANCE TO ACCESS STANDARDS SET FORTH IN CHAPTER 114, ARTICLE VII OF THE MONROE COUNTY LAND DEVELOPMENT CODE BY AXIS INFRASTRUCTURE, LLC. ON BEHALF OF DANIEL & ARCHER BARRY. APPROVAL WOULD RESULT IN TWO (2) ACCESS DRIVES ON THE SUBJECT PROPERTY THAT ARE SPACED LESS THAN THE REQUIRED DISTANCE OF 245 FEET FROM ADJACENT CURB CUTS. THE VARIANCE IS REQUESTED FOR THE DEVELOPMENT OF A HIGH INTENSITY COMMERCIAL 7-ELEVEN CONVENIENCE STORE WITH 11 FUELING STATIONS, ON PROPERTY DESCRIBED AS LOTS 1 THROUGH 6, BLOCK 1, ROCK HARBOR ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, AT PAGE 187, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00519590-000000. (FILE 2022-206)

**4. 7-ELEVEN (DANIEL BARRY, Jr. & ARCHER BARRY), 98200 OVERSEAS HIGHWAY, KEY LARGO, FL 33037 MILE MARKER 98:** A PUBLIC MEETING CONCERNING A REQUEST FOR A MAJOR CONDITIONAL USE PERMIT BY AXIS INFRASTRUCTURE, LLC. ON BEHALF OF DANIEL & ARCHER BARRY, FOR THE CONSTRUCTION OF A HIGH INTENSITY COMMERCIAL 7-ELEVEN CONVENIENCE STORE WITH 11 FUELING STATIONS, ON PROPERTY DESCRIBED AS LOTS 1 THROUGH 6, BLOCK 1, ROCK HARBOR ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, AT PAGE 187, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, CURRENTLY HAVING PARCEL ID NUMBER 00519590-000000. (FILE 2022-021)

**Please visit the Monroe County Website at [www.monroecounty-fl.gov](http://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**