

PLANNING COMMISSION
April 24, 2024

Meeting Minutes

The Planning Commission of Monroe County conducted a hybrid virtual and in-person meeting on **Wednesday, April 24, 2024**, beginning at 10:00 a.m.

CALL TO ORDER by Chair Scarpelli

PLEDGE OF ALLEGIANCE

ROLL CALL by Ilze Aguila

PLANNING COMMISSION MEMBERS

Joe Scarpelli, Chair	Present
Ron Demes, Vice Chair	Present
George Neugent, Commissioner	Present
David Ritz, Commissioner	Absent
Rosemary Thomas, Commissioner	Present
Douglas Pryor, Ex-Officio Member (MCSD)	Absent
Christina Gardner, Ex-Officio Member (NASKW)	Present

STAFF

Emily Schemper, Senior Director of Planning and Environmental Resources
Cheryl Cioffari, Assistant Director of Planning
Devin Tolpin, Planning and Development Review Manager
Liz Lustberg, Senior Planner
Peter Morris, Assistant County Attorney
Patrick Stevens, Planning Commission Counsel
Ilze Aguila, Sr. Administrator, Operations, Planning and Environmental Resources

COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

County Resolution 131-92 was read into the record by Mr. Patrick Stevens.

SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

Ms. Ilze Aguila confirmed receipt of all necessary paperwork.

SWEARING OF COUNTY STAFF

County staff was sworn in by Mr. Patrick Stevens.

CHANGES TO THE AGENDA

Item 2 will be rescheduled to a later date.

APPROVAL OF MINUTES

Motion: Commissioner Neugent made a motion to approve the February 28, 2024 meeting minutes. Commissioner Demes seconded the motion. There was no opposition. The motion passed unanimously.

DISCLOSURE OF EX PARTE COMMUNICATIONS

None.

MEETING

AGENDA ITEMS

1. STOCK ISLAND OWNER LLC AND KW PERRY LLC, 7001 AND 7025 SHRIMP RD. STOCK ISLAND, MILE MARKER 5: A PUBLIC HEARING CONCERNING A REQUEST FOR A MAJOR DEVIATION TO A MAJOR CONDITIONAL USE PERMIT. THE REQUESTED APPROVAL IS REQUIRED TO REDUCE THE OPEN SPACE. THE SUBJECT PROPERTY IS DESCRIBED AS PARCELS OF LAND IN SECTION 35, TOWNSHIP 67 SOUTH, AND RANGE 25 EAST, HAVING PARCEL ID NUMBERS 00123761-000400 AND 00123761-000800. (FILE 2023-134)

(10:03 a.m.) Ms. Liz Lustberg, Senior Planner, presented the staff report for the major deviation to an existing major conditional use beginning with an aerial of the property comprising a couple of different parcels. This property is now located within the Safe Harbor Community Center Overlay District adopted after the last round of approvals for this property, and was part of the review for this major deviation. The property was reviewed for and found to be in compliance with this new code section. There are two main happenings in this application that would require the need for conditional use is approval. One is the reduction of open space within the shoreline which could be approved as a minor deviation, and the proposed reduction in open space of 19.9 percent requires major deviation approval. In addition to those two items requiring conditional use approval, there are many smaller things moving around on the property such as the parking and bathhouses. Ms. Lustberg presented a site plan with boxes highlighting the two areas where things were changing. Of note, not requiring conditional use approval, the previously-approved, never built commercial fishing building was removed as part of this plan. Most of the proposed changes are on the southern portion of the property. The previously-approved boat barn is proposed to be increased in size, the number of actual boat slips within it reduced and being placed outside of the building in unenclosed boat racks. The removal of a previously-existing light industrial building is proposed to be replaced with a smaller marine industrial building.

When the Safe Harbor Overlay District was adopted, it created the need for what's called working waterfront and water-dependent uses as part of what needs to be preserved on a property. As part of this application, the areas covered by this designation were re-evaluated and updated to comply with this new terminology. The 2014 approval was the same concept referred to as traditional working waterfront, but did not have the exact definitions that were reviewed for based on the new code. Ms. Lustberg presented an aerial with the proposed areas to be part of the working waterfront and water-dependent uses highlighted in blue. The density calculations are interesting because even though the boat barn size is proposed to be increased, with the Safe Harbor Overlay, the boat barns are not floor area so there is a proposed reduction in floor area. The Comprehensive Plan was not altered to also determine that boat barns were not floor area so a chart was presented showing the density and intensity calculations based on the Comp Plan indicating that everything proposed is in compliance.

Staff is recommending approval with many conditions. The eight relevant conditions based on this proposed deviation were presented. The conditions that were previously placed on the 2014 major conditional use approval that still seem relevant today are contained in the remaining pages of the staff report. These are not added conditions, but rather clarifying the existing old conditions. The first condition dealing with the termination of the development agreement was heard a week ago and the BOCC did again approve the ending of that development agreement.

Chair Scarpelli asked if by allowing this major deviation today, the Commission would be only allowing the approval of the boat barn as far as new structures. Ms. Schemper explained that there is more proposed in the site plan than that. There's the larger boat barn, some accessory structures in the shoreline setback, and the list of changes is longer, some of which are changes to the site plan only because it wasn't built yet. Some are actual changes on the site, but what triggered the deviation is the change in open space. Ms. Lustberg added that this is coming before the Commission because of the reduction of open space overall and within the shoreline, but the plans to be approved contain more detail than just the open space. If the Commission approves the plan, then this is what can be built by a permit approval, and any future requests for a minor deviation would be based on this approval. Some of the things that changed in the plan are removal and replacing a bathhouse, moved parking spaces, removal of a concession stand, removal of a previously-proposed but never built commercial fishing use, a significantly expanded boat barn, and adding of the unenclosed boat rack. There were no other comments or questions by the Commissioners. Chair Scarpelli then asked if the applicant wished to speak.

Mr. Bart Smith, agent for the applicants, stated that he has a presentation but will do a brief summary. The applicant is now at the stage of building the boat barn and functionally, to build a 100-rack boat barn, the size was not sufficient to fit the boats inside it. None of the racks were outside for washing down boats, which is why those were moved outside. Originally, there was an industrial building on the north side of the hotel and the entity that occupied it, Key West Engine, moved off site. With the boat barn, the applicant wanted the industrial commercial repair shop to be next to the boat barn where the boats are so the original industrial building was knocked down and a new one is being proposed to be built next to the boat barn and racks. This was a logical step that triggered the open space deviation and redesigns.

Chair Scarpelli again asked for questions or comments from Commissioners, there were none. Chair Scarpelli asked if Ms. Christina Gardner had anything to add. Ms. Gardner commented that this is within the MIAI Zone, which does not yet have anything to do with transient but she believes that will come.

Chair Scarpelli then asked for public comment. There was none. Public comment was closed. Chair Scarpelli then asked for discussion or motions.

Motion: Commissioner Neugent made a motion to approve. Commissioner Thomas seconded the motion. Motion passed unanimously.

BOARD DISCUSSION

None

GROWTH MANAGEMENT COMMENTS

None.

ADJOURNMENT

The Monroe County Planning Commission meeting was adjourned at 10:15 a.m.