

AGENDA

PLANNING COMMISSION HEARING

August 28, 2024

10:00 A.M.

Planning Commission Meeting

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:

Joe Scarpelli, Chair

Ron Demes, Vice Chair

George Neugent, Commissioner

Eric Anderson, 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

Mike Roberts, Assistant Director, Environmental Resources

Cheryl Cioffari, Assistant Director of Planning

Devin Tolpin, Planning & Development Review Manager

Barbra Powell, Planning Policy Advisor

Matthew Restaino, Senior Planner

Stephanie Reed, Planner

Tiffany Stankiewicz, Development Administrator

Peter Morris, Assistant County Attorney

Dirk Smits, Planning Commission Counsel

Jessica McKinney, Sr. Planning Commission Coordinator

Ilze Aguila, Sr. Administrator, Operations, Planning and Environmental Resources

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: July 23, 2024

AGENDA

08/28/2024

1. A PUBLIC HEARING TO CONSIDER AND FINALIZE THE RANKING OF APPLICATIONS IN THE DWELLING UNIT ALLOCATION SYSTEM FOR APRIL 13, 2024, THROUGH JULY 12, 2024, ROGO (QUARTER 4, YEAR 32). ALLOCATION AWARDS WILL BE ALLOCATED FOR ALL UNINCORPORATED MONROE COUNTY.

(FILE 2023-183)

[STAFF REPORT](#)

2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY TIER OVERLAY DISTRICT MAP FROM TIER I TO TIER III, FOR VACANT PROPERTY LOCATED AT NORTH OCEAN DRIVE, KEY LARGO, DESCRIBED AS A PARCEL OF LAND IN SECTION 29, TOWNSHIP 60 SOUTH, RANGE 40 EAST, ISLAND OF KEY LARGO, MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00083200-000000, AS PROPOSED BY DAVID DEHAAS GROSSECK ON BEHALF OF DONNA J. WILSON, BRIAN C. WILSON, SHELLEY W. AVIRETT AND RICHARD T. WILSON; 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 TIER OVERLAY DISTRICT MAP; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2024-014)

[STAFF REPORT](#)

[FILE](#)

[SURVEY](#)

[PUBLIC COMMENT](#)

[PUBLIC COMMENT- VIDEO 1](#)

[PUBLIC COMMENT- VIDEO 2](#)

3. EL MOCHO RESTAURANT CORP., 5704 MALONEY AVENUE, STOCK ISLAND, MILE MARKER 5: A PUBLIC HEARING CONCERNING A REQUEST FOR A 2COP ALCOHOLIC BEVERAGE USE PERMIT, WHICH WOULD ALLOW FOR THE SALE OF BEER AND WINE BY THE DRINK (CONSUMPTION ON PREMISES) AND IN SEALED CONTAINERS FOR PACKAGE SALES WITHIN AN EXISTING RESTAURANT. THE PROPERTY IS DESCRIBED AS LOTS 3, 4, 5 AND A PART OF LOT 6, IN BLOCK 43, OF GEORGE L. MCDONALD'S PLAT OF STOCK ISLAND, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 1, PAGE 55, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA; LESS THAT PART OF LOT 6, WHICH IS NORTH OF OLD STATE ROAD 4-A (MALONEY AVENUE); AND FURTHER LESS THOSE PORTIONS OF LOTS 4, 5 AND 6, IN BLOCK 43 LYING WITHIN THE RIGHT-OF-WAY OF THE SAID MALONEY AVENUE, HAVING PARCEL IDENTIFICATION NUMBER 00125480-000000. (FILE 2024-039)

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4. SURFIN USA, LLC, 102700 OVERSEAS HIGHWAY, KEY LARGO, MILE MARKER 102, BAY SIDE: A PUBLIC HEARING CONCERNING A REQUEST FOR A 2APS ALCOHOLIC BEVERAGE USE PERMIT, WHICH WOULD ALLOW FOR BEER AND WINE PACKAGE SALES FOR OFF PREMISES CONSUMPTION TO CUSTOMERS OF THE EXISTING COMMERCIAL RETAIL BUILDING. THE PROPERTY IS DESCRIBED AS LOTS 9 THROUGH 13, INCLUSIVE, BLOCK 12, TWIN LAKES, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 160, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, TOGETHER WITH THAT PARCEL OF LAND LYING IN SECTION 15, TOWNSHIP 61 SOUTH, RANGE 39 EAST, KEY LARGO, MONROE COUNTY, FLORIDA, BEING A PORTION OF FLORIDA STATE ROAD NUMBER 5 (U.S. 1) AS SHOWN ON THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR SECTION 90060-2516, BEING A PARCEL OF LAND 250 FEET WIDE BY 30 FEET IN DEPTH, LYING SOUTHEASTERLY OF AND ADJACENT TO THE SOUTHEASTERLY BOUNDARY OF LOTS 9 THROUGH 13, BLOCK 12, TWIN LAKES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 160 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER 00549660-000000. (FILE 2024-067)

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[COMBINED PLANS](#)

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5. LITTLE PALM DOLPHIN RESORT DEVELOPMENT, LLC, 28550 OVERSEAS HIGHWAY, LITTLE TORCH KEY, MILE MARKER 28.5: A PUBLIC HEARING CONCERNING A REQUEST FOR A NON-USE VARIANCE REDUCING THE NUMBER OF 14' X 55' BOAT RAMP PARKING SPACES REQUIRED BY LAND DEVELOPMENT CODE SECTION 114-67(c) FROM SIX (6) SPACES TO ZERO (0) SPACES. THE REQUESTED VARIANCE IS ASSOCIATED WITH THE DEVELOPMENT OF A HOTEL USE. 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 2023-045) **REQUEST TO BE CONTINUED TO SEPTEMBER 25, 2024**

6. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING POLICY 212.3.2 OF THE MONROE COUNTY 2030 COMPREHENSIVE PLAN TO INCLUDE ADDITIONAL LANGUAGE TO PERMIT MARINAS AS AN ALLOWED USE WITHIN UNIT 57 OF THE COASTAL BARRIER RESOURCE SYSTEM AS PROPOSED BY JKYD, LLC; 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 2023-244)

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7. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY LAND DEVELOPMENT CODE SECTION 118-15(5) MARINA SITING CRITERIA, TO INCLUDE ADDITIONAL LANGUAGE TO ALLOW MARINAS WITHIN UNIT 57 OF THE COASTAL BARRIER RESOURCE SYSTEM AND LOCATED WITHIN SAFE HARBOR COMMUNITY CENTER OVERLAY DISTRICT AS PROPOSED BY JKYD, LLC; 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 LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2023-245)

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8. TIMOTHY AND LISA C. SWANSON, 941 BUTTWOOD DRIVE, SUGARLOAF KEY, MILE MARKER 17, OCEAN SIDE: A PUBLIC HEARING TO RESOLVE THE THRESHOLD ISSUE OF THE JURISDICTION OF THE MONROE COUNTY PLANNING COMMISSION, UNDER MONROE COUNTY LAND DEVELOPMENT CODE SECTIONS 102-185(A) AND 102-185(C), TO HEAR AND CONSIDER THE JURISDICTIONAL TIMELINESS OF AN APPEAL APPLICATION RECEIVED BY THE MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT ("PLANNING DEPARTMENT") ON MAY 1ST, 2024, FILED BY SMITH-HAWKS P.L., SEEKING TO HAVE THE PLANNING COMMISSION EXERCISE APPELLATE JURISDICTION AND CONDUCT APPELLATE REVIEW OF A WRITTEN DETERMINATION ISSUED BY THE PLANNING DEPARTMENT ON DECEMBER 4TH, 2023, AND RESTATED VERBATIM ON APRIL 9TH, 2024, REGARDING A BUILDING PERMIT APPLICATION DETERMINATION CONCERNING THE HEIGHT REQUIREMENTS OF THE MONROE COUNTY LAND DEVELOPMENT CODE. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS LOT 6, SUGARLOAF SHORES PLAT #2 SEC C, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 53 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER 00165880-000000.

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9. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY COMPREHENSIVE PLAN TO ESTABLISH GOAL 113, OBJECTIVE 113.1, AND SITE SPECIFIC SUBAREA POLICY 113.1.1, TAVERNIER WORKFORCE HOUSING SUBAREA 1 FOR A PORTION OF PROPERTY LOCATED AT 92501 OVERSEAS HIGHWAY, KEY LARGO, APPROXIMATE MILE MARKER 92.5, CURRENTLY HAVING PARCEL IDENTIFICATION NUMBER 00089490-000000, WHICH INCLUDES CHANGES TO EXISTING COMPREHENSIVE PLAN POLICIES LIMITING DISPOSITION OF EARLY EVACUATION UNIT ALLOCATIONS TO 1-FOR-1 EXCHANGE PROGRAM FOR BANKING INTO ADMINISTRATIVE RELIEF POOL FOR TAKINGS AND BERT

HARRIS ACT LIABILITY REDUCTION COUNTYWIDE AS PROPOSED BY CEMEX CONSTRUCTION MATERIALS, FLORIDA, LLC ; 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 COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE.

(FILE 2023-205)

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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