

DEVELOPMENT REVIEW COMMITTEE

Tuesday, January 21, 2025

MEETING MINUTES

The Monroe County Development Review Committee conducted a virtual meeting on **Tuesday, January 21, 2025**, beginning at 1:00 p.m. via Communications Media Technology (CMT).

CALL TO ORDER by Cheryl Cioffari at 1:00 p.m.

ROLL CALL by Jessica McKinney

DRC MEMBERS PRESENT

Mike Roberts, Assistant Director, Environmental Resources
Cheryl Cioffari, Assistant Director of Planning
Devin Tolpin, Planning & Development Review Manager
Rey Ortiz, Assistant Building Official
Brian Oppenheimer, Deputy Fire Marshal

STAFF MEMBERS PRESENT

Peter Morris, Assistant County Attorney
Barbara Powell, Senior Policy Advisor
Jessica McKinney, Senior Planning Commission Coordinator

APPLICANTS & PUBLIC SPEAKERS PRESENT

Items 1 & 2 Ty Harris, Agent for Applicant
Item 3 Brett Biller, Owner
Natalie Liz, Prospective Purchaser
Daniel Lubbers, Realtor

CHANGES TO THE AGENDA

None.

MINUTES FOR APPROVAL

Approval of the meeting minutes for Tuesday, December 10, 2024, by Cheryl Cioffari.

MEETING

Items 1 and 2 were read together.

1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY FUTURE LAND USE MAP FROM RESIDENTIAL MEDIUM (RM) TO MIXED USE COMMERCIAL (MC), FOR PROPERTY LOCATED AT 104001 OVERSEAS HIGHWAY, KEY LARGO, LOTS 1-8, BLOCK 7, LARGO SOUND VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, AT PAGE 92, OF THE PUBLIC RECORDS OF MONROE

COUNTY, FLORIDA, CURRENTLY HAVING PARCEL IDENTIFICATION NUMBERS 00475160-000000, 00475170-000000, 00475180-000000, 00475190-000000, 00475200-000000, 00475220-000000, AND 00475230-000000; AS PROPOSED BY GUSTAVO SOLIS; 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 AND FOR AMENDMENT TO THE FUTURE LAND USE MAP; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2024-099)

2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM IMPROVED SUBDIVISION (IS) TO SUBURBAN COMMERCIAL (SC), FOR PROPERTY LOCATED AT 104001 OVERSEAS HIGHWAY, KEY LARGO, LOTS 1-8, BLOCK 7, LARGO SOUND VILLAGE, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, AT PAGE 92, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, CURRENTLY HAVING PARCEL IDENTIFICATION NUMBERS 00475160-000000, 00475170-000000, 00475180-000000, 00475190-000000, 00475200-000000, 00475220-000000, AND 00475230-000000; AS PROPOSED BY GUSTAVO SOLIS; 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 2024-100)

(1:03 p.m.) Ms. Barbara Powell, Senior Policy Advisor, presented the staff report. This is a future land use map amendment going from residential medium to mixed use commercial, and a land use district rezoning change going from improved subdivision to suburban commercial. Ms. Powell presented the site plan, explaining that the current use was for boat sales. The habitat is developed land. Adjacent uses include residential, transient residential, commercial and public. Some of the property north of the site is the Pennekamp property. The parcels are zoned Tier III, Flood Zone X, and consists of 51,771 square feet at approximately mile marker 104. The property contains a small building, outdoor storage and boat sales, fronts U.S. 1, is surrounded by mixed use commercial on two sides with Pennekamp to the north. The change would be to mixed use commercial. The land use district map is similarly positioned with suburban commercial adjacent to it and mixed use commercial across the street. Staff recommend approval for both the FLUM amendment and zoning map amendment.

Ms. Cheryl Cioffari, Assistant Director of Planning, asked for questions or comments from DRC members. There were none. Ms. Cioffari then asked for public comment. There was none. Public comment was closed. Ms. Cioffari asked if the agent for the applicant, Mr. Ty Harris, wished to speak. Mr. Harris stated he appreciates staff's time and effort on the staff report and fully agrees with staff's analysis and recommendation.

3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY TIER OVERLAY DISTRICT MAP FROM TIER I TO TIER III AS REQUESTED BY BRETT BILLER FOR PROPERTY

LOCATED AT 305 AVENUE 'A', BIG COPPITT, LEGALLY DESCRIBED AS BLOCK 3 LOT 6 JOHNSONVILLE PLAT BOOK 1, PAGE 53, BIG COPPITT KEY, HAVING PARCEL ID NUMBER 00151350-000000; APPROXIMATE MILE MARKER 10. (FILE 2024-191)

(1:11 p.m.) Mr. Mike Roberts, Assistant Director, Environmental Resources, presented the staff report. This is a tier map amendment request. Mr. Roberts presented the site plan indicating that the existing tier is Tier I. The proposed tier is Tier III. This property is at the end of Fourth Street across the street from the Lower Keys Cemetery. Within 500 feet of the proposed map amendment, 65 percent of the property is developed land. The largest portion of undeveloped land is the mangrove and salt marsh component. Historically, the area was mapped as tropical hardwood hammock in 1985 and is now in improved subdivision. To the north is native area. Mr. Roberts presented a map showing the extent of publicly owned land indicating Florida Forever Project land in green, state-owned land in tan, and county-owned land in yellow though that is owned by the Housing Authority, not the Land Authority. Mr. Roberts reminded everyone that the tier boundaries are designated using photography data from the carrying capacity study, endangered species maps, permitting information and field evaluation. Boundaries are delineated to include vacant lands, lands required to provide an undeveloped buffer, and lands that are designated for acquisition by public agencies for conservation and natural resources protection. This parcel is within the Florida Forever Project boundary for the Florida Keys Ecosystem Project, and known locations of threatened endangered species, conservation, native area, partially settled and offshore island land use districts and areas with minimal existing development.

In Policy 105.2.1 of the Comprehensive Plan, Monroe County shall designate all lands outside of mainland Monroe County except for Ocean Reef into three general categories; Tier I, Tier II on Big Pine and No Name Key and Tier III as infill areas. Natural area or Tier I is defined as geographic area where all or a significant portion of land area is characterized as environmentally sensitive. New development on vacant land is to be severely restricted, and privately owned vacant lands are to be acquired or development rights retired for resource conservation and passive recreation purposes. This does not preclude provisions of infrastructure for existing development. Mr. Roberts presented a slide describing infill area as a geographic area where the significant portion of land area is not characterized as environmentally sensitive. New development and redevelopment are to be highly encouraged except within the tropical hardwood hammock or pineland patches of an acre which are not present. Policy 205.1.1 of the Comp Plan goes through the criteria for designated tiers. Tier I is land designated for acquisition by public agencies for conservation and natural resource protection. In addition to being within the Florida Forever map as a potential land acquisition, the Land Authority has indicated they would be amenable to making an offer for the property. Because the property is listed as a potential Florida Forever acquisition, staff is recommending denial because it does meet the Tier I criteria under 105.2.1 and 205.1.1.

Ms. Cioffari asked for questions or comments from DRC members. There were none. Ms. Cioffari then asked for public comment. Ms. Natalie Liz, living on Big Coppitt is the prospective purchaser and stated that she wants to purchase this lot and build for her son. Ms. Liz added that the owner plans to write a letter to the state asking not to be considered for the State of Florida use. Mr. Brett Biller of Plantation, Florida, the property owner, stated that he

has owned this property since he was 18 years old and he wants to sell it to someone nice. His realtor found someone nice. There are units on both sides of this parcel. If he needs to be taken off whatever list he is on, he will do what he needs to do to be removed from that list. Mr. Roberts pointed out that the Florida Forever Program is a voluntary program and it is not uncommon for property owners to request that the FDEP remove their property from such list. Mr. Daniel Lubbers, listing agent for Mr. Biller, interprets the Florida Forever Program as having the right to purchase the property if it is listed. The property has been on the market for 404 days, over a year, and he has not been contacted by any agency to purchase this property. He has spent six months with the prospective purchaser and wants to do whatever is needed to sell them this property; but, they are not going to purchase it unless they can develop it. With the whole neighborhood being developed he does not understand why it can't be built on with there being units built on either side.

ADJOURNMENT:

The Development Review Committee meeting was adjourned at 1:25 p.m.