

AGENDA

PLANNING COMMISSION

January 26, 2022

10:00 A.M.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL

COMMISSION:

Joe Scarpelli, Chair

Bill Wiatt, Vice Chair

George Neugent, Commissioner

Ron Demes, Commissioner

David Ritz, Commissioner

Douglas Pryor, Ex-Officio Member (MCSD)

Karen Taporco, 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

Mayte Santamaria, Senior Planning Policy Advisor

Bradley Stein, Development Review Manager

Peter Morris, Assistant County Attorney

Thomas Wright, 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

APPROVAL OF MINUTES: December 15, 2021

AGENDA ITEMS:

1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ESTABLISHING MONROE COUNTY LAND DEVELOPMENT CODE SECTION 130-140 *SAFE HARBOR COMMUNITY CENTER OVERLAY (SHCC)*, ESTABLISHING PURPOSE AND INTENT, PERMITTED USES, DENSITY AND INTENSITY, OFF-STREET PARKING, REQUIRED SETBACKS, SIGNAGE AND THE BOUNDARY OF THE OVERLAY DISTRICT WHICH IS GENERALLY COMPRISED OF A CERTAIN AREA ON STOCK ISLAND, MONROE COUNTY, FLORIDA, BOUNDED BY FRONT STREET TO THE EAST, FOURTH AVENUE TO THE NORTH, FIFTH AVENUE TO THE NORTH, SHRIMP ROAD TO THE WEST AND SHRIMP ROAD TO THE SOUTH BUT EXCLUDING CERTAIN PROPERTY OWNED BY THE UTILITY BOARD OF THE CITY OF KEY WEST AND CERTAIN PROPERTY OWNED BY THE FLORIDA KEYS AQUEDUCT AUTHORITY BOUNDED BY FRONT STREET TO THE EAST; AS PROPOSED BY SMITH/HAWKS, PL ON BEHALF OF LONGSTOCK II, 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 CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2018-169)

[STAFF REPORT](#)

[FILE](#)

[PUBLIC COMMENT](#)

2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP TO APPLY THE SAFE HARBOR COMMUNITY CENTER (SHCC) OVERLAY DISTRICT FOR PROPERTIES LOCATED AT APPROXIMATELY MM 5, 5700 4TH AVE., 6460 FRONT ST., 5550 5TH AVE., 6811 SHRIMP RD., 5550 5TH AVE., 5550 5TH AVE 1-10, 6630 FRONT ST., 6500 FRONT ST., 6840 FRONT ST., 6805 SHRIMP RD., 6803 SHRIMP RD., 6991 SHRIMP RD., 7009 SHRIMP RD., 7007 SHRIMP RD., 7011 SHRIMP RD., 7025 SHRIMP RD., 7075 SHRIMP RD., 7005 SHRIMP RD., BAY BTM. OF SHRIMP RD., 7821 SHRIMP RD., 6810 FRONT ST., AND 7001 SHRIMP RD.; STOCK ISLAND, MONROE COUNTY, FLORIDA, HAVING PARCEL IDS 00123570-000000, 00123770-000000, 00127250-000000, 00127280-000000, 00127290-000000, 00127380-000000, 00127280-000200, 00123730-000100, 00123800-000101, 00123800-000102, 00123720-000400, 00123600-000101, 00123600-000102, 00123540-000000, 00123761-000100, 00123761-000200, 00123761-000300, 00123761-000500, 00123761-000600, 00123761-000700, 00123761-000800, 00123761-000900, 00123761-001000, 00123762-000000, 00123660-000000, 00123731-000000, 00123590-000000, AND 00123761-000400; AS PROPOSED BAMA ONE, LLC, BERNSTEIN BENJAMIN RESIDUARY TR B U/T/T, BERNSTEIN BENJAMIN TRUST B, BYRON COLLEY AND TONITA A DAVIS H/W, CONSTELLATION YACHTS, INC., HARBOR BAY INVESTMENTS, LLC, JKYD, LLC, K W RESORT UTILITIES CORP, KEY WEST TRANSFER STATION & HAULING SERVICE, INC, KEYS FRESH SEAFOOD, LLC, LONGSTOCK II, LLC; ROBBIE'S SAFE HARBOR MARINE ENTERPRISES; SAFE HARBOR ENTERPRISES, LLC; SAFE HARBOR PROPERTIES, LLC AND SIMV HOTEL 1, 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 LAND USE DISTRICT (ZONING) MAP; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2019-062)

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[FILE](#)

3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING POLICY 212.2.4 OF THE MONROE COUNTY 2030 COMPREHENSIVE PLAN TO ALLOW CERTAIN ACCESSORY STRUCTURES WITHIN THE SHORELINE SETBACK; 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 AND INCORPORATION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2021-067)

[STAFF REPORT](#)

4. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING SECTION 118-12 OF THE MONROE COUNTY LAND DEVELOPMENT CODE TO ALLOW CERTAIN ACCESSORY STRUCTURES WITHIN THE SHORELINE SETBACK; 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 AND INCORPORATION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE (FILE 2021-068)

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5. AN ORDINANCE BY MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING EVALUATION AND APPRAISAL AMENDMENTS TO THE MONROE COUNTY 2030 COMPREHENSIVE PLAN TO AMEND CHAPTER 1.0, INTRODUCTION AND BACKGROUND; AMEND CHAPTER 2.0, INCLUDING 2.1 GENERAL COUNTY ELEMENT AND CREATING 2.2 PRIVATE PROPERTY RIGHTS ELEMENT; AMEND CHAPTER 3.0, INCLUDING 3.1 FUTURE LAND USE ELEMENT, 3.2 CONSERVATION AND COASTAL MANAGEMENT ELEMENT, 3.3 TRAFFIC CIRCULATION ELEMENT, 3.4 MASS TRANSIT ELEMENT, 3.5 PORTS, AVIATION AND RELATED FACILITIES ELEMENT, 3.6 HOUSING ELEMENT, 3.7 POTABLE WATER ELEMENT, 3.8 SOLID WASTE ELEMENT, 3.9 SANITARY SEWER ELEMENT, 3.10 DRAINAGE ELEMENT, 3.11 NATURAL GROUNDWATER AQUIFER RECHARGE ELEMENT, 3.12 RECREATION AND OPEN SPACE ELEMENT, 3.13 INTERGOVERNMENTAL COORDINATION ELEMENT, 3.14 CAPITAL IMPROVEMENTS ELEMENT, AND 3.15 ENERGY, RESILIENCY AND CLIMATE ELEMENT; AND TO AMEND DEFINITIONS WITHIN THE GLOSSARY; TO UPDATE THE TEXT OF THE COMPREHENSIVE PLAN TO REFLECT CHANGES IN STATUTORY AND RULE REQUIREMENTS; TO UPDATE DEADLINES WITHIN THE COMPREHENSIVE PLAN, TO ELIMINATE ACCOMPLISHED OR OBSOLETE PROVISIONS, TO MAKE CORRECTIONS TO TEXT AND ELIMINATE GRAMMATICAL ERRORS; AND TO AMEND PROVISIONS TO REFLECT CHANGES IN LOCAL CONDITIONS AND RECENT DATA, TRENDS, ISSUES AND CHALLENGES; AND TO UPDATE MAP ATLAS MAP SERIES 3-7 (COASTAL HIGH HAZARD AREA) TO BE CONSISTENT WITH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT'S UPDATE TO THE SLOSH MODEL FOR MONROE COUNTY; 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 AND INCORPORATION IN THE MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2021-129)

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6. AN ORDINANCE BY MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING AMENDMENTS TO THE MONROE COUNTY LAND DEVELOPMENT CODE SECTION 102-57 NONCONFORMING STRUCTURES AND SECTION 131-1 REQUIRED SETBACKS, AND SECTION 131-3 APPLICABILITY OF REQUIRED SETBACKS, TO FACILITATE THE ELEVATION (LIFTING UP) OF LAWFULLY-EXISTING RESIDENTIAL DWELLING UNITS TO OR ABOVE BASE FLOOD LEVEL TO REDUCE THE RISK OF FUTURE FLOOD DAMAGE BY PROVIDING STANDARDS, WAIVERS OR REDUCTIONS TO CERTAIN SETBACK AND OPEN SPACE REQUIREMENTS TO ALLOW FOR NECESSARY IMPROVEMENTS, INCLUDING INGRESS AND EGRESS STRUCTURES AND STRUCTURES FOR MECHANICAL, PLUMBING AND ELECTRICAL SYSTEMS, APPLIANCES AND COMPONENTS; 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 AND INCORPORATION IN THE MONROE COUNTY LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2021-131)

[STAFF REPORT](#)

~~**7. 49 SPADEFISH LANE, OCEAN REEF:** A PUBLIC HEARING CONCERNING A REQUEST FOR A VARIANCE OF FIVE (5) FEET FROM THE REQUIRED 5 FOOT SECONDARY SIDE YARD SETBACK NON SHORELINE SETBACK, WHICH IS ADJACENT THE WESTERN PROPERTY LINE OF THE SUBJECT PROPERTY. APPROVAL WOULD RESULT IN A SECONDARY SIDE YARD SETBACK OF ZERO (0) FEET. THE REQUESTED VARIANCE IS REQUIRED FOR THE PROPOSED REDEVELOPMENT OF A SINGLE FAMILY DWELLING UNIT. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS LOT 49, ANGEL FISH CAY OCEAN REEF PLAT NO.5 KEY LARGO, ACCORDING TO THE MAP OR PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE(S) 17, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION #00569441-004900 (FILE 2021-164).~~ **Dismissed / Objection Withdrawn**

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 02:18 P.M.