

AGENDA

PLANNING COMMISSION

March 23, 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

Bradley Stein, Development Review Manager

Devin Tolpin, Principal Planner

Liz Lustberg, Senior 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

APPROVAL OF MINUTES: February 23, 2022

AGENDA ITEMS:

1. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY LAND DEVELOPMENT CODE CHAPTER 135- HISTORIC AND CULTURAL RESOURCES, CREATING A MATRIX ESTABLISHING TYPES OF WORK DONE TO A DESIGNATED HISTORIC PROPERTY OR STRUCTURE OR ANY PROPERTY OR STRUCTURE WITHIN THE TAVERNIER HISTORIC DISTRICT THAT CAN BE APPROVED BY A REGULAR CERTIFICATE OF APPROPRIATENESS, 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 LAND DEVELOPMENT CODE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2018-069)

[STAFF REPORT](#)

2. AN ORDINANCE BY MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING AMENDMENTS TO MONROE COUNTY LAND DEVELOPMENT CODE AMENDING SECTION 101-1 DEFINITIONS; TO UPDATE FLOODPLAIN MANAGEMENT DEFINITIONS; TO REPEAL AND REENACT CHAPTER 122 FLOODPLAIN MANAGEMENT; TO ADOPT AN UPDATED CHAPTER 122 FLOODPLAIN MANAGEMENT TO BE CONSISTENT WITH THE FLORIDA DIVISION OF EMERGENCY MANAGEMENT, BUREAU OF MITIGATION, STATE FLOODPLAIN MANAGEMENT OFFICE'S MODEL FLOODPLAIN MANAGEMENT ORDINANCE WHICH IS WRITTEN TO EXPLICITLY RELY ON AND BE COORDINATED WITH THE FLOOD PROVISIONS IN THE FLORIDA BUILDING CODE, MEETING THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP) REQUIREMENTS AND APPROVED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY IN 2013; INCLUDING DESIGNATING A FLOODPLAIN ADMINISTRATOR, ADOPTING PROCEDURES AND CRITERIA FOR DEVELOPMENT IN FLOOD HAZARD AREAS, AND FOR OTHER PURPOSES; PROVIDING FOR SEVERABILITY; PROVIDING FOR APPLICABILITY; 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 2019-093)

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3. AN ORDINANCE BY MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING AMENDMENTS TO MONROE COUNTY LAND DEVELOPMENT CODE SECTION 138-25 APPLICATION PROCEDURES FOR RESIDENTIAL ROGO, SECTION 138-28 EVALUATION CRITERIA (ROGO), SECTION 138-52 APPLICATION PROCEDURES FOR NROGO, AND SECTION 138-55 EVALUATION CRITERIA (NROGO); TO REQUIRE UPDATED SCORES BASED ON THE UPDATED FEMA FLOOD INSURANCE RATE MAPS AND TO REQUIRE PLAN REVISIONS PRIOR TO PERMIT ISSUANCE DEMONSTRATING FULL COMPLIANCE WITH THE CURRENT FLORIDA BUILDING CODE AND THE UPDATED FEMA FLOOD INSURANCE RATE MAPS FOR PERMITS REQUIRING A ROGO OR NROGO ALLOCATION; 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 2019-094)

[STAFF REPORT](#)

4. AN ORDINANCE BY MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING AMENDMENTS TO THE 2030 MONROE COUNTY COMPREHENSIVE PLAN POLICY 101.5.32 TO AMEND THE HEIGHT LIMIT TO 40FT, AFTER THE ADOPTION AND ON THE EFFECTIVE DATE OF UPDATED FEMA FLOOD INSURANCE RATE MAPS, FOR LAWFULLY ESTABLISHED EXISTING RESIDENTIAL BUILDINGS WHICH DO NOT EXCEED THE 35-FOOT HEIGHT LIMIT AND NEW RESIDENTIAL BUILDINGS (INCLUDES SUBSTANTIAL IMPROVEMENTS) IN ORDER FOR THESE BUILDINGS TO ELEVATE TO OR MAINTAIN THE REQUIRED ELEVATION BASED ON THE FLORIDA BUILDING CODE AND UPDATED FEMA FLOOD INSURANCE RATE MAPS; 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 2019-095)

[STAFF REPORT](#)

5. AN ORDINANCE BY MONROE COUNTY BOARD OF COUNTY COMMISSIONERS ADOPTING AMENDMENTS TO MONROE COUNTY LAND DEVELOPMENT CODE SECTION 131-2, MAXIMUM HEIGHT, TO AMEND THE HEIGHT LIMIT TO 40FT, AFTER THE ADOPTION AND ON THE EFFECTIVE DATE OF UPDATED FEMA FLOOD INSURANCE RATE MAPS, FOR LAWFULLY ESTABLISHED EXISTING RESIDENTIAL BUILDINGS WHICH DO NOT EXCEED THE 35-FOOT HEIGHT LIMIT AND NEW RESIDENTIAL BUILDINGS (INCLUDES SUBSTANTIAL IMPROVEMENTS) IN ORDER FOR THESE BUILDINGS TO ELEVATE TO OR MAINTAIN THE REQUIRED ELEVATION BASED ON THE FLORIDA BUILDING CODE AND UPDATED FEMA FLOOD INSURANCE RATE MAPS; 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 2019-096)

[STAFF REPORT](#)

6. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY COMPREHENSIVE PLAN, ESTABLISHING GOAL 112, OBJECTIVE 112.1, POLICY 112.1.1, OBJECTIVE 112.2 AND POLICY 112.2.1, TO CREATE SITE-SPECIFIC DEVELOPMENT STANDARDS, DEVIATIONS AND EXEMPTIONS FOR OCEAN REEF, AS PROPOSED BY SMITH HAWKS PL, ON BEHALF OF OCEAN REEF CLUB, INC. AND OCEAN REEF COMMUNITY ASSOCIATION, 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 COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE (FILE 2019-142)

CONTINUED TO APRIL 27, 2022

7. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS AMENDING MONROE COUNTY CODE TO AMEND SECTION 130-141 TO CREATE THE OCEAN REEF OVERLAY DISTRICT AND ESTABLISH A PURPOSE AND INTENT, BOUNDARY, EXEMPTIONS FOR NONCONFORMING USES AND STRUCTURES, EXEMPTIONS FROM DEVELOPMENT STANDARDS ESTABLISHED WITHIN CHAPTER 114, AND MODIFICATIONS TO SETBACKS FOR ACCESSORY STRUCTURES AS PROPOSED BY SMITH/HAWKS PL ON BEHALF OF OCEAN REEF CLUB, 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 2019-025)

CONTINUED TO APRIL 27, 2022

03/23/2022

8. LARGO MANAGEMENT COMPANY, INC., 99530 AND 99540 OVERSEAS HIGHWAY, KEY LARGO, MILE MARKER 99, BAYSIDE: A PUBLIC HEARING CONCERNING AN APPEAL, PURSUANT TO SECTION 102-185 OF THE MONROE COUNTY LAND DEVELOPMENT CODE, BY THE PROPERTY OWNER TO THE PLANNING COMMISSION CONCERNING A LETTER OF UNDERSTANDING REGARDING THE PROPOSED EXPANSION OF AN EXISTING RESTAURANT USE ISSUED BY THE SENIOR DIRECTOR OF PLANNING & ENVIRONMENTAL RESOURCES DATED SEPTEMBER 14, 2021. THE PROPERTY IS LEGALLY DESCRIBED TRACTS 13, 14, AND 15 OF THE REVISED PLAT OF SUNSET COVE SUBDIVISION, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 2 AT PAGE 20 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, LESS THE SOUTHWESTERLY 50 FEET OF SAID TRACT 13, HAVING PARCEL IDENTIFICATION NUMBER 00504080-000000. (FILE 2021-203) **REQUEST TO CONTINUE TO JUNE 22, 2022**

9. HOBOS PROPERTIES, LLC, 101691 OVERSEAS HIGHWAY, KEY LARGO, MILE MARKER 101: A PUBLIC HEARING CONCERNING A REQUEST FOR A 6COP ALCOHOLIC BEVERAGE SPECIAL USE PERMIT, WHICH WOULD ALLOW BEER, WINE, AND LIQUOR FOR SALE BY THE DRINK (CONSUMPTION ON PREMISES) AND IN SEALED CONTAINERS FOR PACKAGE SALES. THE SUBJECT PROPERTY IS DESCRIBED AS LOTS 7, 8 AND 9, BLOCK 10 LARGO GARDENS, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 38, PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00457310-000000. (FILE 2022-013)

[STAFF REPORT](#)

[FILE](#)

[COMBINED PLANS](#)

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