

**DEVELOPMENT REVIEW COMMITTEE**

**Tuesday, August 23, 2022**

**MEETING MINUTES**

The Monroe County Development Review Committee conducted a virtual meeting on **Tuesday, August 23, 2022**, beginning at 1:00 p.m. via Zoom Webinar.

**CALL TO ORDER** by Emily Schemper at 1:00 p.m.

**ROLL CALL** by Ilze Aguila

**DRC MEMBERS PRESENT**

Emily Schemper, Senior Director of Planning and Environmental Resources  
Cheryl Cioffari, Assistant Director of Planning  
Mike Roberts, Assistant Director, Environmental Resources  
Bradley Stein, Development Review Manager  
Rey Ortiz, Assistant Building Official  
Captain Cassy Cane, Deputy Fire Marshal  
Judy Clarke, Engineering

**STAFF MEMBERS PRESENT**

Peter Morris, Assistant County Attorney  
Liz Lustberg, Senior Planner  
Devin Tolpin, Principal Planner  
Ilze Aguila, Planning Commission Supervisor

**APPLICANTS & PUBLIC PRESENT**

Jess Goodall                      Serge Mashtakov                      Owen Trepanier

**CHANGES TO THE AGENDA**

There were no changes to the agenda.

**MINUTES FOR APPROVAL**

Approval of the meeting minutes for Monday, July 25, 2022, by Emily Schemper.

**MEETING**

**1. 25000 OVERSEAS HIGHWAY, SUMMERLAND KEY, MILE MARKER 25:** A PUBLIC MEETING CONCERNING A REQUEST FOR A MINOR CONDITIONAL USE PERMIT. THE REQUESTED APPROVAL IS REQUIRED FOR THE ADDITION OF A WAREHOUSE AND FOUR (4) DWELLING UNITS, TO A PROPERTY CURRENTLY DEVELOPED WITH AN OFFICE BUILDING. THE SUBJECT PROPERTY IS DESCRIBED AS PART OF LOT 20 OF SUMMERLAND ESTATES, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, AT PAGE 167, OF THE PUBLIC RECORDS

OF MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00200640-000100.  
(FILE 2021-103)

(1:03 p.m.) Ms. Liz Lustberg, Senior Planner, presented the staff report. This is for a minor conditional use permit to take a property developed with an office building, reduce the size of the office, add a light-industrial use, a warehouse, and add four dwelling units consisting of one commercial apartment and three affordable. All of these uses are allowed in suburban commercial zoning, but the office use of this size and light industrial use in general require a minor conditional use approval. Ms. Lustberg presented a site plan of the property and the proposal. The density and intensity is allowable at 99.65 percent of the combined density and intensity. All of the bits and pieces for the site plan and items reviewed for compliance either demonstrate they are in compliance or are items that would be reviewed for compliance at the permit stage. Ms. Lustberg then presented the landscaping plan. Staff is recommending approval with standard conditions and requirements. NROGO is not required as the amount of office floor area being removed is more than the amount of floor area being proposed for the warehouse light industrial use. Inclusionary housing is not required because the amount of inclusionary housing tied to the office floor area being removed is less than the inclusionary housing that would be required for the proposed warehouse floor area. Ms. Schemper noted that it makes up for what's required with the new proposal, and they are proposing three affordable units. Mr. Bradley Stein added that it's moot because of adding the affordable units. Ms. Lustberg wanted to make clear that even if the affordable units weren't proposed, the floor area proposed for both the office and the warehouse would not require inclusionary housing. Ms. Schemper asked that in the conditions, to make sure everyone was clear, that the ROGO allocations required for the employee unit be marked that they are affordable employee housing, and the commercial apartment proposed as a market rate unit would need one market rate ROGO allocation. Ms. Schemper stated she was excited to see what had been figured out for this property.

Ms. Schemper then asked for questions or comments from DRC members or staff. Mr. Rey Ortiz, Assistant Building Official, asked to look at the site plan again and asked how many stories the building has. Ms. Lustberg presented the site plans, adding that there were elevation plans reflecting the office and warehouse are two stories. Mr. Ortiz asked if any of the units would be ADA compliant. Mr. Serge Mashtakov, applicant, stated that all units will meet the requirements for inclusive housing. There would be no ADA bathroom as in commercial, but inside and access to the dwelling is accessible. Mr. Ortiz stated that when the permit was submitted, the plans examiner would double check everything. Ms. Lustberg presented the floor plan for the apartments indicating none were specifically ADA apartments. Captain Cane added that the change with the addition of four apartment units would require sprinklers and fire alarms. Mr. Mashtakov indicated he was aware of that. Ms. Schemper then asked for public comment. Mr. Owen Trepanier clarified that because this is exempted from inclusionary housing and three units are being provided, he wanted to make sure he was entitled to use these for linkage in the future. Ms. Schemper responded that there are specific linkage requirements now with some of the inclusionary codes. It's a complicated answer but this can be discussed after the meeting. Mr. Stein interjected that the requirement is three years and 15 miles as the maximum. There was no further public comment. Public comment was closed.

Items 2, 3 and 4 were then read together.

**2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING THE 2030 MONROE COUNTY COMPREHENSIVE PLAN AS A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, AMENDING POLICY 107.1.7 COCO PALMS AFFORDABLE HOUSING SUBAREA TO INCREASE THE MAXIMUM NET DENSITY AND TO MODIFY THE PERMITTED AS-OF-RIGHT USES AND CONDITIONAL USES FOR PROPERTY LOCATED AT 21585 OLD STATE ROAD 4A, CUDJOE KEY, HAVING PARCEL IDENTIFICATION NUMBER 00174960-000000, AS PROPOSED BY SMITH HAWKS, PL ON BEHALF OF MOBILE HOMES HOLDINGS COCO, LLC; AND TO ACCOMPANY A PROPOSED AMENDMENT TO THE FUTURE LAND USE MAP (FLUM) FROM MIXED USE / COMMERCIAL (MC) TO RESIDENTIAL HIGH (RH); PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF CONFLICTING PROVISIONS; PROVIDING FOR INCLUSION IN THE 2030 MONROE COUNTY COMPREHENSIVE PLAN; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2022-084)

**3. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING THE MONROE COUNTY FUTURE LAND USE MAP AS A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT PURSUANT TO SECTION 163.3187 FLORIDA STATUTES FROM MIXED USE COMMERCIAL (MC) TO RESIDENTIAL HIGH (RH), FOR PROPERTY LOCATED AT 21085 OLD STATE ROAD, CUDJOE KEY, MILE MARKER 21, LEGALLY DESCRIBED AS LOT 30 SACARMA, A SUBDIVISION OF GOVERNMENT LOTS 3 AND 4 IN SECTION 29, TOWNSHIP 66 SOUTH, RANGE 28 EAST (PLAT BOOK 2, PAGE 48), MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER 00174960-000000; AS PROPOSED BY MOBILE HOMES HOLDINGS COCO, LLC; CONTINGENT ON ADOPTION AND EFFECTIVENESS OF AMENDMENT TO COMPREHENSIVE PLAN POLICY 107.1.7, TO INCREASE THE MAXIMUM NET DENSITY AND TO MODIFY THE PERMITTED AS-OF-RIGHT USES AND CONDITIONAL USES ON THE SUBJECT PROPERTY; 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 2022-085)

**4. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM SUBURBAN COMMERCIAL (SC) TO URBAN RESIDENTIAL (UR), FOR PROPERTY LOCATED AT 21085 OLD STATE ROAD, CUDJOE KEY, MILE MARKER 21, LEGALLY DESCRIBED AS LOT 30 SACARMA, A SUBDIVISION OF GOVERNMENT LOTS 3 AND 4 IN SECTION 29, TOWNSHIP 66 SOUTH, RANGE 28 EAST (PLAT BOOK 2, PAGE 48), MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER 00174960-000000; AS PROPOSED BY MOBILE HOMES HOLDINGS COCO, LLC; CONTINGENT ON ADOPTION AND EFFECTIVENESS OF AMENDMENT TO COMPREHENSIVE PLAN POLICY 107.1.7, TO INCREASES THE MAXIMUM NET DENSITY AND TO MODIFY THE PERMITTED AS-OF-RIGHT USES AND CONDITIONAL USES ON THE SUBJECT PROPERTY; 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 2022-086)

(1:17 p.m.) Ms. Cheryl Cioffari, Assistant Director of Planning, presented the staff report. These three proposed items are an amendment to the Comprehensive Plan to modify Policy 107.1.7 to increase the maximum development potential on the property from 33 affordable units to 46 affordable units, an increase from 18 dwelling units per buildable acre to 25 dwelling units per buildable acre, which would be consistent with the proposed urban residential zoning district. Additionally, the applicant is proposing to amend how the number of units is permitted, whether it's permitted as-of-right or through a conditional use process. The applicant has proposed to allow for detached affordable dwelling units, up to 46 units as affordable employee housing as defined in Section 139-1; and then, modifying it for attached affordable units up to 46 as a minor conditional use. Staff is recommending that the applicant maintain consistency with the existing conditional and permitted uses as established within the subarea policy; however, staff acknowledges that the proposed change would be consistent with the proposed uses under the urban residential zoning district. Concurrently, the applicant is applying for an amendment to the Future Land Use Map from mixed use commercial to residential high. This is part of the applicant's small-scale subarea policy. And finally, the land use district change would be from suburban commercial to urban residential. With regards to the recommendation for these three items, staff is seeking additional data and analysis. Staff acknowledges that affordable housing continues to be a pressing issue within the County; however staff is seeking some additional data to reflect that need.

Mr. Bradley Stein asked if this amount of units approved as a minor conditional use would still require the resolution to go before the Planning Commission on the 20-plus units. Ms. Schemper responded that she believed it would as there's a standalone provision that any proposal for 20 or more units requires approval by the Planning Commission. It would have to be written in otherwise if that's not the proposal.

Ms. Schemper asked for any further questions or comments. There were none. Ms. Schemper then asked for public comment. There was none. Public comment was closed. Mr. Jess Goodall, on behalf of the applicant, thanked staff and stated he was working on the updated data and analysis, and also on all of the requirements in the staff report.

### **ADJOURNMENT**

The Development Review Committee meeting was adjourned at 1:22 p.m.