

## **AGENDA**

PLANNING COMMISSION  
JULY 25, 2018  
10:00 A.M.

MARATHON GOV'T CENTER  
MARATHON, FL 33050

### **CALL TO ORDER**

### **PLEDGE OF ALLEGIANCE**

### **ROLL CALL**

#### **COMMISSION:**

Denise Werling, Chairman  
William Wiatt  
Teri Johnston  
Ron Miller  
Beth Ramsay-Vickrey

#### **STAFF:**

Emily Schemper, Acting Sr. Director of Planning and Environmental Resources  
Steve Williams, Assistant County Attorney  
Derek Howard, Assistant County Attorney  
Thomas Wright, Planning Commission Counsel  
Mike Roberts, Sr. Administrator, Environmental Resources  
Bradley Stein, Development Review Manager  
Tiffany Stankiewicz, Development Administrator  
Devin Rains, Principal Planner  
Cheryl Cioffari, Principal Planner  
Thomas Broadrick, Sr. Planner  
Barbara Bauman, Sr. Planner  
Janene Sclafani, Sr. Planner  
Devin Tolpin, Planner  
Matthew Restaino, Planner  
Ryan Vandenburg, Planner  
Barbara Valdes-Perez, Transportation Planner  
Debra Roberts, Administrative Assistant

### **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**

### **APPROVAL OF MINUTES:** May 30, 2018

07/25/18

## MEETING

### New Items:

#### **1. SUMMERLAND KEY MARINA, 24326 OVERSEAS HIGHWAY, SUMMERLAND KEY, MILE MARKER 24.5**

**OCEAN SIDE:** A PUBLIC HEARING CONCERNING A REQUEST FOR AN AMENDMENT TO A MAJOR CONDITIONAL USE PERMIT FOR THE PROPOSED DEVELOPMENT OF TWO (2) NEW EMPLOYEE HOUSING UNITS ON A PROPERTY WITH AN EXISTING MARINA. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS LOTS 9, 10, 11, 12, AND 13, BLOCK 2, SUMMERLAND KEY COVE ADDITION 2 (PLAT BOOK 4, PAGE 100), SUMMERLAND KEY, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBER 00190830-000000.

(File 2017-040)

#### **2. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS**

AMENDING THE MONROE COUNTY COMPREHENSIVE PLAN AS A SMALL-SCALE COMPREHENSIVE PLAN AMENDMENT PURSUANT TO SECTION 163.3187, FLORIDA STATUTES, CREATING POLICY 107.1.7 COCO PALMS AFFORDABLE HOUSING SUBAREA; ESTABLISHING THE BOUNDARY OF THE COCO PALMS AFFORDABLE HOUSING SUBAREA; LIMITING THE PERMITTED USES OF THE SUBAREA TO DEED RESTRICTED AFFORDABLE HOUSING DWELLING UNITS; LIMITING MAXIMUM NET DENSITY FOR AFFORDABLE HOUSING IN THE SUBAREA; AND ELIMINATING ALLOCATED DENSITY AND FLOOR AREA RATIO; FOR PROPERTY LOCATED AT 21585 OLD STATE ROAD 4A, CUDJOE KEY, APPROXIMATELY MILE MARKER 22, LEGALLY DESCRIBED AS A PORTION OF LOT 30, SACARMA A SUBDIVISION OF GOVERNMENT LOTS 3 AND 4 IN SECTION 29, TOWNSHIP 66 SOUTH, RANGE 28 EAST, CUDJOE KEY, MONROE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 48 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING REAL ESTATE #00174960-000000, AS PROPOSED BY SMITH HAWKS, PL ON BEHALF OF MOBILE HOMES HOLDINGS COCO, LLC; TO ACCOMPANY A PROPOSED AMENDMENT TO THE FUTURE LAND USE MAP (FLUM) FROM RESIDENTIAL HIGH (RH) AND RESIDENTIAL CONSERVATION (RC) TO MIXED USE / COMMERCIAL (MC); 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 #2018-050)

#### **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 RESIDENTIAL HIGH (RH) AND RESIDENTIAL CONSERVATION (RC) TO MIXED USE / COMMERCIAL (MC), FOR PROPERTY LOCATED AT 21585 OLD STATE ROAD 4A, CUDJOE KEY, APPROXIMATELY MILE MARKER 22, LEGALLY DESCRIBED AS A PORTION OF LOT 30, SACARMA A SUBDIVISION OF GOVERNMENT LOTS 3 AND 4 IN SECTION 29, TOWNSHIP 66 SOUTH, RANGE 28 EAST, CUDJOE KEY, MONROE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 48 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING REAL ESTATE #00174960-000000, AS PROPOSED BY SMITH HAWKS, PL ON BEHALF OF MOBILE HOMES HOLDINGS COCO, LLC; CONTINGENT ON ADOPTION AND EFFECTIVENESS OF PROPOSED SUBAREA POLICY 107.1.7 OF THE COMPREHENSIVE PLAN TO PROVIDE LIMITATIONS ON DEVELOPMENT AND SPECIFIC RESTRICTIONS 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 #2018-051)

**4. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM NATIVE AREA (NA) AND URBAN RESIDENTIAL-MOBILE HOME (URM) TO SUBURBAN COMMERCIAL (SC), PROPERTY LOCATED AT 21585 OLD STATE ROAD 4A, CUDJOE KEY, APPROXIMATELY MILE MARKER 22, LEGALLY DESCRIBED AS A PORTION OF LOT 30, SACARMA A SUBDIVISION OF GOVERNMENT LOTS 3 AND 4 IN SECTION 29, TOWNSHIP 66 SOUTH, RANGE 28 EAST, CUDJOE KEY, MONROE COUNTY, FLORIDA, RECORDED IN PLAT BOOK 2, PAGE 48 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING REAL ESTATE #00174960-000000, AS PROPOSED BY SMITH HAWKS, PL ON BEHALF OF MOBILE HOMES HOLDINGS COCO, LLC;, CONTINGENT ON ADOPTION AND EFFECTIVENESS OF A CORRESPONDING FUTURE LAND USE MAP AMENDMENT; 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 #2018-052)

**5. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** EXTENDING AN INTERIM DEVELOPMENT ORDINANCE AS INITIALLY ESTABLISHED ON JULY 19, 2017 THROUGH ORDINANCE 010-2017 FOR AN ADDITIONAL 365 DAYS TO DEFER THE ACCEPTANCE AND APPROVAL OF NEW APPLICATIONS FOR THE ESTABLISHMENT OF MEDICAL MARIJUANA DISPENSING FACILITIES COMMENCING OCTOBER 27, 2018, UNTIL SUCH TIME AS A COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE AMENDMENT PROCESS IS COMPLETED REGARDING MEDICAL MARIJUANA DISPENSING FACILITIES AND PROVIDING FOR EXPIRATION WITHIN 365 DAYS OF THE EFFECTIVE DATE OF THIS INTERIM DEVELOPMENT ORDINANCE OR WHEN THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE AMENDMENTS BECOME EFFECTIVE, WHICHEVER COMES FIRST; PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE. (FILE 2018-088)

**6. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** EXTENDING AN INTERIM DEVELOPMENT ORDINANCE AS INITIALLY ESTABLISHED ON JULY 19, 2017 THROUGH ORDINANCE 011-2017 FOR AN ADDITIONAL 365 DAYS TO DEFER THE APPROVAL OF NEW PRIVATE APPLICATIONS OR RECEIVED APPLICATIONS THAT HAVE NOT BEEN FULLY APPROVED UTILIZING MONROE COUNTY CODE SECTION 139-2 (AFFORDABLE HOUSING INCENTIVE PROGRAM) TO TRANSFER ROGO EXEMPTIONS FROM MOBILE HOMES TO ANOTHER LOCATION, OR SECTION 138-22(b) TO TRANSFER OFF-SITE MARKET RATE UNITS TO ANOTHER LOCATION, COMMENCING OCTOBER 27, 2018, UNTIL THE LAND DEVELOPMENT CODE IS AMENDED TO LIMIT THE TRANSFER OF ROGO EXEMPTIONS FROM MOBILE HOMES TO ONLY TIER III DESIGNATED PLATTED LOTS WITHIN THE IMPROVED SUBDIVISION (IS) LAND USE DISTRICT OR THE URBAN RESIDENTIAL MOBILE-HOME (URM) LAND USE DISTRICT AND WITHIN THE SAME ROGO PLANNING SUBAREA FOR THE DEVELOPMENT OF SINGLE FAMILY DETACHED DWELLING UNITS AND THE RECEIVER PROPERTY SHALL NOT BE A WORKING WATERFRONT; AS RECOMMENDED OF THE AFFORDABLE HOUSING ADVISORY COMMITTEE AND THE BOCC; PROVIDING FOR EXPIRATION WITHIN 365 DAYS OF THE EFFECTIVE DATE OF THIS INTERIM DEVELOPMENT ORDINANCE OR WHEN THE LAND DEVELOPMENT CODE AMENDMENTS BECOME EFFECTIVE, WHICHEVER COMES FIRST; PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-089)

**7. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** EXTENDING AN INTERIM DEVELOPMENT ORDINANCE AS INITIALLY ESTABLISHED ON JULY 19, 2017 THROUGH ORDINANCE 012-2017 FOR AN ADDITIONAL 365 DAYS TO DEFER THE APPROVAL OF NEW APPLICATIONS OR RECEIVED APPLICATIONS THAT HAVE NOT BEEN FULLY APPROVED FOR COMPREHENSIVE PLAN OR LAND DEVELOPMENT CODE AMENDMENTS, DEVELOPMENT AGREEMENTS (INCLUDING 380 DEVELOPMENT AGREEMENTS), AND MINOR AND MAJOR CONDITIONAL USE PERMITS (EXCLUDING APPLICATIONS

PROPOSING ONLY AFFORDABLE HOUSING DWELLING UNITS), WITH PROPOSED OCCUPANCY BY "THREE UNRELATED PEOPLE" OR "TWO UNRELATED PEOPLE AND ANY CHILDREN RELATED TO EITHER OF THEM" OF A DWELLING UNIT, AND APPLICATIONS UTILIZING THE TERM "LOCK-OUT," COMMENCING OCTOBER 27, 2018, UNTIL THE BOCC CAN REVIEW AND POSSIBLY AMEND THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE REGARDING THE DEFINITIONS OF DWELLING UNIT; HOUSEHOLD; FAMILY AND THE UNDEFINED TERM "LOCK-OUT" OF A DWELLING UNIT; PROVIDING FOR EXPIRATION WITHIN 365 DAYS OF THE EFFECTIVE DATE OF THIS INTERIM DEVELOPMENT ORDINANCE OR WHEN THE COMPREHENSIVE PLAN AND LAND DEVELOPMENT CODE AMENDMENTS BECOME EFFECTIVE, WHICHEVER COMES FIRST; PROVIDING FOR SEVERABILITY; PROVIDING FOR TRANSMITTAL TO THE STATE LAND PLANNING AGENCY AND THE SECRETARY OF STATE; PROVIDING FOR AN EFFECTIVE DATE. (File 2018-090)

**8. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** AMENDING THE MONROE COUNTY LAND USE DISTRICT (ZONING) MAP FROM SPARSELY SETTLED (SS) TO SUBURBAN RESIDENTIAL (SR), FOR PROPERTY LOCATED AT 10 EGRET LANE, GEIGER KEY, MILE MARKER 11, LEGALLY DESCRIBED AS LOTS 4, 5, 6 AND 7, BLOCK 6, BOCA CHICA OCEAN SHORES, GEIGER KEY, RECORDED IN PLAT BOOK 5 AT PAGE 49, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING REAL ESTATE #00142020-000000; AS PROPOSED BY SMITH HAWKS, PL ON BEHALF OF DEBRA S. TOPPINO, AS TRUSTEE OF THE DEBRA S. TOPPINO LIVING TRUST, AND RICHARD TOPPINO; 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 2018-091)

**9. JOHN & LESLIE COUGHLIN, 1355 OCEAN DRIVE, SUMMERLAND KEY:** AN APPEAL BY A SURROUNDING PROPERTY OWNER TO THE PLANNING COMMISSION CONCERNING AN ADMINISTRATIVE DECISION OF THE ACTING SENIOR DIRECTOR OF PLANNING & ENVIRONMENTAL RESOURCES DATED MAY 18, 2018 APPROVING A SPECIAL EXCEPTION TO CONSTRUCT A 209 LINEAR FOOT ACCESS WALKWAY AND 8' X 20' TERMINAL PLATFORM WITH A 14,000 LB. BOAT LIFT. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS LOT 11 SUMMERLAND ESTATES PLAT BOOK 2 PAGE 167 AND BAY BOTTOM EASTERLY AND ADJACENT TO LOT 1, SUMMERLAND BEACH ADDITION, PLAT BOOK 3 PAGE 45 SUMMERLAND KEY HAVING REAL ESTATE NUMBERS #00115140-000000, #00197930-000000 AND #00200590-000000. [MM +/- 25] (File 2018-116)

*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**