

# **AGENDA**

## **PLANNING COMMISSION**

July 20, 2021

**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

Devin Tolpin, Senior Planner

Corey Aitken, Environmental Planner

Peter Morris, Assistant County Attorney

John Wolfe Planning Commission Counsel

Ilze Aguila, Sr. Coordinator Planning Commission

### **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:** May 26, 2021

### **AGENDA ITEMS:**

**1. KEY LARGO TREE, LLC, 101000 OVERSEAS HIGHWAY, KEY LARGO, MILE MARKER 101:** A PUBLIC HEARING CONCERNING A REQUEST FOR A VARIANCE TO ACCESS STANDARDS SET FORTH IN CHAPTER 114, ARTICLE VII OF THE LAND DEVELOPMENT CODE (LDC). APPROVAL WOULD RESULT IN TWO ACCESS DRIVES TO U.S. 1 ON THE SUBJECT PROPERTY THAT ARE SPACED 127.2 FEET FROM EACH OTHER. THE VARIANCE IS REQUESTED IN ORDER TO COMPLETE THE DEVELOPMENT OF A RESTAURANT AND COMMERCIAL RETAIL USE ON THE SUBJECT PROPERTY. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS THAT PORTION OF LOT 8 IN SECTION 28, TOWNSHIP 61 SOUTH, RANGE 39 EAST, ON KEY LARGO, ACCORDING TO MODEL LAND COMPANY'S PLAT BY P.F. JENKINS, CIVIL ENGINEER, RECORDED IN PLAT BOOK 1 AT PAGE 68, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, LYING NORTHWESTERLY OF STATE ROAD NO. 5 (U.S. NO. 1), KEY LARGO, MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00087350-000000 (FILE 2019-231)

[FILE](#)

[SITE PLAN](#)

[STAFF REPORT](#)

**2. JAVIER TRUCKING, INC, 102091 OVERSEAS HIGHWAY, KEY LARGO, MILE MARKER 102:** A PUBLIC HEARING CONCERNING A REQUEST FOR A VARIANCE OF 15 FEET TO THE REQUIRED 25-FOOT FRONT SETBACK, WHICH IS ADJACENT TO OVERSEAS HIGHWAY, AND A VARIANCE OF 5 FEET TO THE REQUIRED 10 FOOT SIDE SETBACK LOCATED ON THE SOUTHWEST SIDE OF THE PROPERTY AND 5 FOOT SIDE SETBACK LOCATED ON THE NORTHEAST SIDE OF THE PROPERTY. APPROVAL WOULD RESULT IN A FRONT SETBACK OF 10 FEET AND SIDE SETBACKS OF 5 FEET AND 0 FEET. THE REQUESTED VARIANCE IS REQUIRED FOR THE DEVELOPMENT OF THE EXISTING AND PROPOSED TRUCKING AND GRAVEL BUSINESS ON SITE. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS ALL OF LOT 13 AND THE NORTHEASTERLY ONE HALF OF LOT 14, TOGETHER WITH AN EASEMENT FOR INGRESS AND EGRESS ACROSS THE SOUTHEASTERLY 10 FEET OF SOUTHWESTERLY ONE HALF OF LOT 14, BLOCK 5, PAMELA VILLA, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, AT PAGE 125, OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING PARCEL ID NUMBER 00464610-000000. (FILE 2020-144)

[FILE](#)

[COMBINED PLANS](#)

[STAFF REPORT](#)

**3. 13 PARK DRIVE, KEY LARGO, MILE MARKER 100:** A PUBLIC HEARING CONCERNING A REQUEST FOR A VARIANCE OF 14 FEET AND 2 INCHES TO THE REQUIRED 20 FOOT REAR NON-SHORELINE SETBACK. APPROVAL WOULD RESULT IN A SETBACK OF 5 FEET AND 10 INCHES. THE VARIANCE IS REQUESTED IN ORDER TO CONSTRUCT AN ADDITION TO AN EXISTING SINGLE-FAMILY RESIDENCE LOCATED ON THE SUBJECT PROPERTY. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS LOT 4, LESS THE NORTHERLY FIVE (5) FEET THEREOF, BLOCK 5, AMENDED PLAT OF KEY LARGO PARK, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 3, PAGE 62 OF THE PUBLIC RECORDS OF MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER 00524040-000000 (FILE 2021-069)

**Continued to August 25, 2021**

**4. 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 RUSSELL A. YAGEL, ESQ. FOR A PARCEL OF LAND LEGALLY DESCRIBED AS LOTS 1 THROUGH 14, SQUARE I, ELDORADO HEIGHTS, PLAT BOOK I PAGE 203 AND A PARCEL OF LAND IN SECTION 32, TOWNSHIP 61 SOUTH, RANGE 39 EAST AND A PARCEL OF SUBMERGED LAND IN THE BAY OF FLORIDA IN SECTION 32, TOWNSHIP 61 SOUTH, RANGE 39 EAST; HAVING REAL ESTATE NO: 00088170-000000 (FILE 2021-038)

**Continued to September 29, 2021**

**5. AN ORDINANCE BY THE MONROE COUNTY BOARD OF COUNTY COMMISSIONERS** ADOPTING AMENDMENTS TO THE MONROE COUNTY LAND DEVELOPMENT CODE TO AMEND: CHAPTER 114, ARTICLE I, SECTION 114-2 "LEVEL OF SERVICE STANDARDS" TO UPDATE STORMWATER QUALITY PERFORMANCE STANDARDS AND TO CORRECT A SCRIVENER'S ERROR; SECTION 114-3 "SURFACE WATER MANAGEMENT CRITERIA" TO REQUIRE NET IMPROVEMENT IN STORMWATER QUALITY WHILE PROVIDING FLEXIBILITY IN ACHIEVING STORMWATER QUALITY STANDARDS AND PROVIDE UPDATES TO THE STORMWATER MANUAL AND LAYMAN'S BROCHURE TO INCORPORATE NEW APPROACHES FOR MANAGING STORMWATER; SECTION 114-13 "FENCES" TO REFINE CODE LANGUAGE TO BETTER CLARIFY REQUIREMENTS AND PROVIDE CRITERIA FOR RETAINING WALLS; SECTION 114-46 "POTABLE WATER CONSERVATION STANDARDS" TO PROVIDE ADDITIONAL CONSERVATION INCENTIVES; CHAPTER 114, ARTICLE IV "LANDSCAPING" AND ARTICLE V "SCENIC CORRIDOR AND BUFFERYARDS" TO REFINE CODE LANGUAGE TO BETTER CLARIFY REQUIREMENTS, UPDATE LISTS OF SPECIES, PROVIDE ADDITIONAL LANDSCAPE INCENTIVES, AND PROVIDE ADDITIONAL CRITERIA FOR DISTRICT BOUNDARY BUFFERS, SCENIC CORRIDORS AND MAJOR STREET BUFFERS; SECTION 114-163 "WATERFRONT LIGHTING" TO REFINE CODE LANGUAGE TO BETTER CLARIFY REQUIREMENTS; AND, SECTION 114-164 "NONCONFORMING LIGHTING" TO REFINE CODE LANGUAGE TO BETTER CLARIFY REQUIREMENTS; 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 2019-183)

[STAFF REPORT](#)

[PUBLIC COMMENT](#)

Please visit the Monroe County Website at [www.monroecounty-fl.gov](http://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** 11:20 AM

07.20.21