

PLANNING COMMISSION

April 24, 2013

Meeting Minutes

The Planning Commission of Monroe County conducted a meeting on **Wednesday, April 24, 2013**, beginning at 10:02 a.m. at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL by Gail Creech

PLANNING COMMISSION MEMBERS

William Wiatt, Chair	Present
Jeb Hale	Present
Elizabeth Lustberg	Present
Ron Miller	Present
Denise Werling	Present

STAFF

Townsley Schwab, Senior Director of Planning and Environmental Resources	Present
Susan Grimsley, Assistant County Attorney	Present
Steve Williams, Assistant County Attorney	Present
John Wolfe, Planning Commission Counsel	Present
Mike Roberts, Sr. Administrator, Environmental Resources	Present
Joe Haberman, Planning & Development Review Manager	Present
Tiffany Stankiewicz, Development Administrator	Present
Steven Biel, Senior Planner	Present
Matt Coyle, Planner	Present
Gail Creech, Planning Commission Coordinator	Present
Cassi Scanlon, Staff Assistant	Present

COUNTY RESOLUTION 131-91 APPELLANT TO PROVIDE RECORD FOR APPEAL

County Resolution 131-92 was read into the record by John Wolfe.

SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

Gail Creech confirmed receipt of all necessary paperwork.

SWEARING OF COUNTY STAFF

Mr. Wolfe swore in County staff.

CHANGES TO THE AGENDA

There were no changes to the agenda.

APPROVAL OF MINUTES

Motion: Commissioner Werling made a motion to approve the minutes of the February 27, 2013 meeting. Commissioner Miller seconded the motion. There was no opposition. The motion passed unanimously.

Motion: Commissioner Werling made a motion to approve the minutes of the March 27, 2013 meeting. Commissioner Lustberg seconded the motion. There was no opposition. The motion passed unanimously.

MEETING

New Items:

1.A PUBLIC HEARING TO AMEND AND FINALIZE THE RANKING OF BIG PINE KEY AND NO NAME KEY SUB AREA MARKET RATE APPLICATIONS IN THE DWELLING UNIT ALLOCATION SYSTEM FOR THE OCTOBER 13, 2012, THROUGH JANUARY 14, 2013, ROGO (2ND QUARTER YEAR 21). ALLOCATION AWARDS WILL BE ALLOCATED FOR ALL UNINCORPORATED MONROE COUNTY.

(File 2012-137)

(10:04 a.m.) Ms. Stankiewicz presented the staff report. Ms. Stankiewicz reported that a typographical error was discovered in the Big Pine Key market rate rankings. Therefore, staff is bringing the rankings back to amend the market rate rankings. Staff recommended approval of applicants ranked 1 through 2.

Chair Wiatt asked for public comment. There was none.

Motion: Commissioner Miller made a motion to accept the change. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.

2.Riesi Pizza LLC doing business as Roostica Wood-Fire Pizzeria, 5620 MacDonald Avenue, Stock Island, Mile Marker 5: A request for approval of a 5COP SRX (Restaurant – Beer, Wine and Liquor, no package sales) Alcoholic Beverage Special Use Permit. The subject property is legally described as Block 35, Lots 1, 2, 19 and 20, Maloney (PB1-55), Stock Island, Monroe County, Florida, having real estate numbers 00124760.000000, 00124920.000000, and 00124930.000000.

(File 2013-037)

(10:06 a.m.) Mr. Coyle presented the staff report. Mr. Coyle reported that the applicant is requesting a 5COP SRX permit to allow alcoholic beverage sales on site and consumption of beer, wine and liquor at an existing restaurant. Mr. Coyle described the location and zoning of the restaurant. A history of the construction and permits of the site was recited. Staff finds the applicant has satisfied all requirements for the permit and recommended approval with conditions. Those conditions were outlined.

Mr. Coyle confirmed for Commissioner Miller that the conditions outlined are the routine conditions applied to this type of license. Commissioner Hale pointed out the restaurant's 150 seats is the minimum required for an SRX license.

Robert Mongelli, the applicant, was sworn by Mr. Wolfe. Mr. Mongelli explained he has been managing restaurants and bars for 30 years in Key West and Stock Island. The 5COP SRX license is needed to accommodate the restaurant's clientele after the renovation of this property. Mr. Mongelli introduced some supporters of the application that were seated in the audience.

Chair Werling asked for public comment. There was none. Public input was closed.

Motion: Commissioner Werling made a motion to approve. Commissioner Miller seconded the motion. There was no opposition. The motion passed unanimously.

3.Roberts & Curry III Property, doing business as Total Temperature Control, 5585 2nd Avenue, Stock Island, Mile Marker 5: A request for approval of a variance of four (4) feet from the required ten (10) foot side yard setback along the eastern property line in order to construct a stairway for access to a proposed second story within the existing building. The subject parcel is legally described as Part of Square (Block) 41, Maloney Subdivision (PB1-55), Stock Island, Monroe County, Florida, having real estate number 00125380.000100. (File 2013-043)

(10:14 a.m.) Mr. Biel presented the staff report. Mr. Biel reported that this property is zoned mixed use with a FLUM designation of mixed use/commercial and has a Tier III designation. Further description and background were given on this property. In January 2013 the Development Review Committee reviewed a request by the applicant in order to construct a new second story within the existing one-story building. The additional floor area would be utilized for residential use in the form of four new deed-restricted affordable dwelling units. The first floor building would remain utilized for the current warehouse and office use. During the DRC meeting it was determined that the proposed development would need a four-foot variance to accommodate the stairway providing access to the proposed second-story units. If this variance is not approved, the amendment to the minor conditional use permit would not be granted. Staff believes that the applicant has demonstrated a showing of good and sufficient cause and believes failure to grant the variance would result in exceptional hardship to the applicant. Staff recommended approval for a variance of four feet from the required ten-foot side-yard setback along the eastern property line with conditions. Those conditions were outlined.

Charles Roberts, the applicant, was sworn in by Mr. Wolfe. Mr. Roberts explained the proposed stairway will provide the access to the upstairs units.

Chair Wiatt asked for public comment. There was none. Public comment was closed.

Motion: Commissioner Werling made a motion to approve. Commissioner Hale seconded the motion. There was no opposition. The motion passed unanimously.

BOARD DISCUSSION

Commissioner Miller asked staff if there is anything in the code that addresses sheds being put on a property that are bigger than the house on the property. Mr. Haberman explained that the accessory use rule is crystal clear that an accessory structure cannot be bigger than the principal structure. Commissioner Miller proposed allowing accessory buildings to be only a percentage of the primary residential structure.

Motion: Commissioner Miller made a motion that staff review and evaluate the code relative to the size of accessory structures. Commissioner Werling seconded the motion. There was no opposition. The motion passed unanimously.

GROWTH MANAGEMENT COMMENTS

Mr. Schwab stated that staff is currently waiting for Keith & Schnars to come back with information on their evaluation on the CBRS. Mr. Schwab then informed the Commissioners that the NROGO amendments previously before the Planning Commission went before the BOCC. Copies of the resulting ordinances were distributed to the Commissioners.

ADJOURNMENT

The Monroe County Planning Commission meeting was adjourned at 10:30 a.m.