

PLANNING COMMISSION
December 15, 2016
Meeting Minutes

The Planning Commission of Monroe County conducted a meeting on **Thursday, December 15, 2016**, beginning at 10:00 a.m. at the Marathon Government Center, 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

ROLL CALL by Ilza Aguila

PLANNING COMMISSION MEMBERS

Denise Werling, Chair	Present
William Wiatt, Vice Chair	Present
Elizabeth Lustberg	Present
Ron Miller	Absent
Beth Ramsay-Vickrey	Present

STAFF

Mayte Santamaria, Sr. Director of Planning and Environmental Resources	Present
Steve Williams, Assistant County Attorney	Present
Thomas Wright, Planning Commission Counsel	Present
Mike Roberts, Senior Administrator, Environmental Resources	Present
Kevin Bond, Planning & Development Review Manager	Present
Ilze Aguila, Sr. Planning Commission Coordinator	Present

COUNTY RESOLUTION 131-92 APPELLANT TO PROVIDE RECORD FOR APPEAL

County Resolution 131-92 was read into the record by Mr. Wright.

SUBMISSION OF PROPERTY POSTING AFFIDAVITS AND PHOTOGRAPHS

Ms. Aguila confirmed receipt of all necessary paperwork.

SWEARING OF COUNTY STAFF

County staff members were sworn in by Mr. Wright.

CHANGES TO THE AGENDA

Ms. Aguila stated that Item 1 was withdrawn. Items 2, 3 and 4 were to be rescheduled for an undetermined future date. Item 6 had requested to be continued to the February 22, 2017, Planning Commission Meeting.

Motion: Commissioner Wiatt made a motion to allow for the continuance of Item 6 to February 22, 2017. Commissioner Lustberg seconded the motion. There was no opposition. The motion passed unanimously.

APPROVAL OF MINUTES

Motion: Commissioner Lustberg made a motion to approve the November 16, 2016, meeting minutes. Commissioner Wiatt seconded the motion. There was no opposition. The motion passed unanimously.

MEETING

New Item:

5. YELLOWFIN BAR & GRILL / OCEANSIDE INVESTORS LLC, 5950 PENINSULAR AVENUE, STOCK ISLAND, MILE MARKER 5.5: A PUBLIC HEARING CONCERNING A REQUEST FOR A 6COP S ALCOHOLIC BEVERAGE SPECIAL USE PERMIT, WHICH WOULD ALLOW BEER, WINE AND LIQUOR IN CONNECTION WITH OPERATION OF HOTEL, MOTEL, MOTOR COURT OR CONDOMINIUM; SALE BY THE DRINK FOR CONSUMPTION ON PREMISES AND PACKAGE SALES IN SEALED CONTAINERS. THE SUBJECT PROPERTY IS LEGALLY DESCRIBED AS LOTS 30, 31-1/2 OF LOT 32, BLOCK 46, PORTIONS OF LOTS 1, 2 AND 3, BLOCK 60, PORTIONS OF LOTS 1, 2 AND 3, BLOCK 61, THE ABANDONED PORTION OF PENINSULAR AVENUE LYING BETWEEN BLOCKS 46 AND 60, THE ABANDONED PORTION OF MALONEY AVENUE LYING BETWEEN BLOCKS 60 AND 61, MCDONALD'S PLAT, ALSO KNOWN AS MALONEY SUBDIVISION (PLAT BOOK 1, PAGE 55), STOCK ISLAND, MONROE COUNTY, FLORIDA, HAVING REAL ESTATE NUMBERS 00126210-000000, 00127420-000000, 00127420-000100 AND 00127440-000700.

(File 2016-193)

(10:03 a.m.) Mr. Kevin Bond presented the staff report. The request for a 6COP S license is a special 6COP license specifically for motels and hotels. If approved, it would allow beer, wine and liquor for on-site consumption as well as package sales. There have been numerous prior approvals for this property. The on-site development is for a marina with 111 wet slips, 79 market-rate dwelling units that may be used as vacation rentals, 17 hotel rooms and a restaurant. Given that the existing and the proposed uses have been reviewed numerous times and received numerous county approvals, staff does not anticipate any issues with the effect of the uses on surrounding property or the immediate neighborhood. There were previously a couple of restaurants on the property and the marina has been there for a long time having had a 2COP and a 6COP license which expired. There are two open code cases on the property related to construction noise complaints received back in May and June. They were not given a notice of violation, but staff is working with them on that and permit-related activity will continue to have inspections. Staff has found that the request meets all the standards for alcoholic beverage use permits and is recommending approval with the usual conditions, highlighting that the approval would only apply to the hotel, restaurant and other areas permitted under Florida Statutes for a 6COP S license. The applicant is here and Mr. Bond indicated he was available for any questions.

Chair Werling asked if the Commissioners had any questions for staff. There were none.

Chair Werling asked if the applicant would like to speak. The applicant declined.

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

Chair Werling called for a motion or comments.

Motion: Commissioner Ramsay-Vickrey made a motion to approve with staff's recommendations of conditions as set forth. Commissioner Wiatt seconded the motion. There was no opposition. The motion passed unanimously.

BOARD DISCUSSION

Commissioner Lustberg asked a question about the County abandoning roadways and how it worked. Ms. Santamaria responded that it is pursuant to Florida Statutes, a specific provision giving the BOCC wide latitude on whether to abandon it or not. It's in the Code of Ordinances, not the Land Development Code, and it has certain requirements where it can't end on water, can't eliminate access to water, and a third item which she could not recall. There is a normal process followed through code, and she will provide the code section.

Mr. Wright added that in a lot of situations where a road is abandoned, the road is split down the middle and half goes to each adjacent property owner. There are exceptions to that, but that is usually what happens.

GROWTH MANAGEMENT COMMENTS

Ms. Santamaria indicated that there had been a BOCC meeting yesterday and December 6, 2016, regarding affordable housing. The BOCC recommended numerous Comp Plan and Code changes relative to the Affordable Housing Committee's recommendations, so there will be some things coming up before the Planning Commission. Be prepared for lots of work to be done on affordable housing. Chair Werling thanked her for the notice and wished everyone a good holiday.

ADJOURNMENT

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