

PLANNING COMMISSION
July 13, 2011
Meeting Minutes

The Planning Commission of Monroe County conducted a meeting on **Wednesday, July 13, 2011**, beginning at 10:11 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

Denise Werling, Chairman	Present
Randy Wall, Vice Chairman	Present
Jeb Hale	Present
Elizabeth Lustberg	Present
William Wiatt	Present

STAFF

Townsley Schwab, Sr. Director-Planning and Environmental Resources	Present
Susan Grimsley, Assistant County Attorney	Present
John Wolfe, Planning Commission Counsel	Present
Joe Haberman, Planning and Development Review Manager	Present
Mike Roberts, Senior Administrator, Environmental Resources	Present
Steven Biel, Senior Planner	Present
Rey Ortiz, Planner	Present
Brian Bavosi, Planner	Present
Gail Creech, Planning Commission Coordinator	Present
Kim Kiraly, Staff Assistant	Present

COUNTY RESOLUTION 131-92 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

John Wolfe stated that there was a technical question of the posting of the affidavit in New Item No. 1, which will be addressed when that item is heard.

APPROVAL OF MINUTES

Motion: Commissioner Wiatt made a motion to approve the minutes of the May 25, 2011 meeting. Chair Werling seconded the motion. There was no opposition. The motion passed unanimously.

Motion: Commissioner Wiatt made a motion to approve the minutes of the June 8, 2011 meeting. Chair Werling seconded the motion. There was no opposition. The motion passed unanimously.

SWEARING OF COUNTY STAFF

All staff members intending to speak were sworn in by John Wolfe.

CHANGES TO THE AGENDA

Ms. Creech announced that Continued Item No. 1, KLOR, has been withdrawn.

MEETING

New Items:

1.VOF LLC Property, 1128 Greenbriar Road, Duck Key, Mile Marker 61: A request for approval of a minor conditional use permit in order to renovate the existing building and convert its approved single-family residential use to a commercial retail/office use, in the form of a rental management office; construct a swimming pool; redesign off-street parking areas to accommodate the new use; and carry out associated site improvements. The subject property is legally described as Block 8, Lot 1, Indies Island, Duck Key, Section 1, Part 1, Toms Harbor (PB5-82), Duck Key, Monroe County, Florida, having real estate number 00377790.000000.

(10:15 a.m.) Donald Craig was asked to address the Commission on the posting of the affidavit. Mr. Craig explained that he inadvertently left his affidavit at home this morning. Mr. Craig stated that he did post the property on June 26, 2011. There was then a call from a neighbor to the Planning Department after the 26th that said that the sign was washed away by a storm and the sign was lying at the base of the tree. Mr. Craig directed Sam Shore to go back to the property and nail the sign to the tree. That sign was then photographed and a copy of the photograph was sent to Mr. Craig and to the County showing that the sign was back up. After today's hearing Mr. Craig will retrieve his affidavit and send it to Ms. Creech. Ms. Creech stated that she did receive an e-mail copy of the reposting.

Mr. Wolfe announced that staff has agreed, the appellant has agreed, and the party expected to ask to intervene has agreed that, as long as this is provided within the next couple of days, the matter can proceed forward. The Commissioners agreed.

(10:20 a.m.) Steven Biel presented the staff report and explained that this is an appeal of decisions made by the Senior Director of Planning through Development Order Number 02-11. Background was given of the initial application of this property and the subsequent appeals taken. The current appeal involved a request for a minor conditional use permit for the renovation of the existing single-family residential structure and conversion of its use to a commercial retail and office use in the form of a rental management office, construction of a swimming pool, redesign of the off-street parking areas to accommodate the new use and carry out associated site improvements, which was denied. In order to have a swimming pool, the pool must be part of a resort hotel on the same property containing ten acres. There is no resort hotel on the subject property. Therefore, the proposed swimming pool does not meet code. Staff

recommended that the Planning Commission uphold the decision of the Senior Director of Planning and deny the administrative appeal request.

Mr. Wolfe suggested the Commission should hear first from Tim Koenig as to his views on what he thinks the scope of the appeal should be and his views on allowing intervention.

(10:31 a.m.) Tim Koenig, Esq., was present on behalf of the appellant, VOF, LLC. Mr. Koenig referred the Planning Commission to Section 102-185 of the Monroe County Code entitled "Appeals." Mr. Koenig argued that a nonparty to this proceeding cannot present evidence. The code states that argument shall be restricted to the record below as to anyone who is not a part to the appeal, and the only parties to the appeal are VOF, LLC and Monroe County. Mr. Koenig objected to anyone who is not a part of the appeal putting in any evidence today. They may be heard, but the Commissioners are not allowed to consider what they say as evidence and part of the record. Mr. Koenig requested the Commissioners to restrict themselves and restrict the speakers today to what is allowed under the law and Monroe County Code

Mr. Wolfe advised the Commission to hear from Mr. White, attorney for parties who want to intervene, and first decide whether intervention is appropriate. Mr. Koenig clarified that he never mentioned "intervention," as no one at this point has intervened. Mr. Koenig believes they should have intervened prior to today and objects to the Commission officially recognizing them as an intervenor.

Vice Chair Wall asked for clarification of the word "hearing officer" used in the Code. Mr. Koenig again read 102-185, Section E, of the Monroe County Code, clarifying that this Planning Commission is restricted to the record solely, except the appellant can put on evidence. The hearing officer that might later hear the matter is restricted to the record solely. Mr. Wolfe concurred with Mr. Koenig's explanation.

(10:44 a.m.) James White, Esq., was present on behalf of Brian and Chris Lancaster, who live directly across the canal adjacent to the subject property. Mr. White explained that at the first hearing it was determined and decided that the Lancasters would have the status of a party intervenor, meaning they would be a party and would be aligned and in the same shoes as the County objecting to the administrative appeal. The Lancasters have been involved in these matters going all the way back to 2009. They participated in both prior hearings, and most recently at the current DRC meeting that is the subject of this appeal.

The only person that Mr. White has here today is his expert planner, Mr. Ed Koconis, who was present and testified at the initial hearings and who will be speaking today with regard to the record below, and will not be putting on any new evidence. Mr. White drew the commission's attention to the case law provided in his memorandum dealing with quasi-judicial matters allowing for due process, for a person to be heard, to put on evidence, and for the Commission to consider and give weight and credibility to all of that evidence in the decision-making process. Mr. White then pointed out that the County Commission in November of 2010 adopted Ordinance 035-2010, which stipulates and says the minimum procedures to be followed in quasi-judicial proceedings, including reasonable notice in advance of the proceeding, an opportunity to call and examine witnesses, an opportunity to introduce evidence, an opportunity to cross-

examine witnesses and an opportunity to rebut that evidence, which is consistent with the longstanding case law established in Florida. Mr. White asserted that this is not a new concept, that his clients are clearly following the rules set forth within the code and the County Commission, and that the issue of them intervening has already been established and is already part of the record.

Mr. Wolfe stated that the Lancasters are not in a position where they can initiate an appeal because they agreed with the order below. They can just speak. Historically the Commission has allowed intervention. State law contemplates intervention, and state law does trump County Code. Mr. Wolfe believes allowing them to intervene is proper and asked the Commission to take a vote on it. Mr. Wolfe recommended to the Commission to allow the intervention, and to the extent that any new evidence is going to be proffered, consider it at that time.

Mr. Koenig responded that the same party was permitted to intervene in prior proceedings over his objection. Mr. Koenig does not agree with the suggestion that their status as intervenor from that prior proceeding continues through to today. This is a separate proceeding based on a separate application for a minor conditional use. When there are specific rules that apply to a specific proceeding, such as an appeal, the Commission must follow those rules. Mr. Koenig requested again that the Commission follow the rules that apply to appeals. Mr. Koenig disagreed with the notion that Mr. Koconis' testimony today is not new evidence, and suggested that if the Commission allows it, that the Commission not allow it to be part of the record considered when making a decision.

Mr. Wolfe first agreed that the Lancasters do not have intervention status carryover, which is why he asked the Commission to take a vote on allowing them to intervene. Secondly, Mr. Wolfe considers new evidence to be someone getting up and speaking about something that nobody knew was going to be spoken of. Mr. Wolfe recommended first taking a vote on the intervention matter, and then as this proceeds it will become clear what might come in as new evidence.

Mr. Koenig partially agreed with Mr. Wolfe in that the rules allow anyone who would have been entitled to initiate an appeal to speak, which is essentially any aggrieved party or property owner that would be affected. Mr. White respectfully disagreed with Mr. Koenig's assertion that the Lancasters failed to intervene or lost an opportunity to intervene. Mr. White then stated for the record that if the Lancasters are not allowed to intervene and not allowed to participate fully in this proceeding, it is a violation of their due process rights and may be back here on a technicality with regard to that specific issue. To allow an appellant to put on new evidence and not allow County staff to rebut that is simply not within the scope of Florida law with regard to quasi-judicial hearings. Mr. White respectfully requested the Commission vote to allow the Lancasters to intervene and proceed with the hearing.

Motion: Commissioner Hale made a motion to allow the Lancasters to intervene. Chair Werling seconded the motion. There was no opposition. The motion passed unanimously.

Mr. Wolfe reviewed the statutes having to do with who can speak as being any aggrieved or adversely affected party. So while "any aggrieved or adversely affected party" is fairly broad,

Mr. Wolfe believes it would be difficult to say that someone in Big Pine can come and say this would affect them adversely. Mr. Koenig agreed with that, and also believes in this case, if someone claims to be an adversely affected party, they need to put themselves on the record as such.

(11:05 a.m.) Susan Grimsley, Assistant County Attorney, addressed the Commission. Ms. Grimsley stated that from the beginning of this development project, December of 2007, the applicant clearly wanted a swimming pool and an office of some kind. After that was denied, the applicant asked just for the rental management office. That was also denied. What is before the Commission today is the appeal of the Development Order 02-11, but this matter has already been decided by the prior Planning Commission. The County accepted the applications for the minor conditional use, but there were never any promises other than to process it.

Ms. Grimsley informed the Commission that Pages 4 through 148 were inserted into the second appeal just to give information on the record. There is no mention of the word "pool" anywhere from Page 148 to the end of the hearing and was not a matter that was considered in the second appeal. The resolution itself clearly states that it is a resolution approving the administrative appeal and request of Donald L. Craig on behalf of VOF, LLC, and overturning the decision by the Growth Management Division Director that a proposed rental management company may not be permitted and thereby allowing the commercial retail use with proper permitting on this site. It was at that point in time that, if there was a problem with the resolution, that it could have been appealed.

The first appeal on this did not include anything to do with that swimming pool. In regard to the rental management office, the Planning Commission made a very narrow decision in that case. Staff does not believe it was a correct decision or an interpretation of the code, and Ms. Grimsley asked that the Commission not expand further on that decision to allow uses which should be done only in connection with a resort hotel on ten acres or more in the DR district. Ms. Grimsley asked that a motion be made based on Resolution 12-09 and on the code that the pool is not allowed, which she believes would be the only basis needed for a decision.

(11:17 a.m.) Mr. Koenig listed on the record agreement on a number of items: One, the variance applications that go with this application will not be heard today; two, if the Commission agrees that a swimming pool is permitted on this site, then those applications go forward at a later date; three, neither the appellant nor the intervenor will put on any new evidence; and fourth, the rental management office use is allowed. Ms. Grimsley then stated that she agreed that the Planning Commission allowed the rental management office, but not that it should be allowed.

Mr. Koenig contends that Resolution 12-09 indicates that the rental management office was an allowed use under the destination resort zoning, and it even went further than that. Mr. Koenig provided history of how this application progressed from an accessory use to a primary use and the differences between the two. During both applications the appellant was traveling on the same site plan. The Planning Commission finally very clearly determined that a rental management office listed under the DR zoning was permitted as a primary use. In Resolution 12-09, Mr. Koenig recognized that "pool" is nowhere in that resolution. However, the Planning Commission in their resolution references what is allowed in the DR zoning in Section 8, which

includes a swimming pool. They specifically found that the rental management office proposed was in connection with the operation of a resort hotel. They also concluded that there was no requirement then that that primary use, as long as it was operated in connection with a resort hotel, did not have to be included on the same site and contiguity was not required. Mr. Koenig referred to the portion of the resolution containing that language. Mr. Koenig believes Ms. Grimsley's interpretation that there is not a resort hotel on this site, therefore violating that code section, is incorrect. The permitted uses as minor conditional uses in destination resort zoning were again referred to, including a swimming pool.

Mr. Koenig reported that at the DRC meeting Mr. Haberman didn't even look at the swimming pool issue and denied it because staff believes that the Planning Commission decision was wrong. The criteria for allowing a swimming pool is a math equation regarding surface area of the water and that it be operated in connection with a resort hotel, which the Planning Commission has already made the finding that this is being operated in connection with a resort hotel. When the appellant applied for the minor conditional use as a primary use under DR zoning, they used the same site plan. Staff again separated out the pool.

Mr. Koenig again reviewed the two resolutions with the Commissioners and pointed out that both the rental management office and swimming pool are uses that are permitted in the DR zoning district, and that this proposed rental management company is for the use of those transient units located within that broader DRI of Hawk's Cay that are not owned by the Hawk's Cay resort. Mr. Koenig stated that the Resolution 12-09 is binding on this Commission, and it makes specific findings, including the existence and operation of a resort hotel that the appellant's use would be operated in connection with, as well as a swimming pool.

Mr. Koenig informed the Commissioners that at the end of the first hearing, the record from the first hearing was incorporated into the second hearing by agreement. Because that agreement was reached, the appellant did not take the time to recreate that record in the second appeal. Mr. Koenig clarified for Vice Chair Wall the reason that the term "primary uses" is not included in Resolution 12-09 is because the Planning Commission made a finding that the specific uses were permitted and implied as of right in the DR zoning district, which is the same thing as primary use.

Mr. Koenig referred the Commission to the transcript of the second appeal. Mr. Koenig pointed out Mr. Haberman's testimony that this really was just a name change from welcome center/guest check-in accessory use to rental management office, because that is what was allowed as of right under the destination resort district. Mr. Koenig continued to point out references to the swimming pool in the second appeal.

Commissioner Lustberg asked Mr. Koenig to explain Mr. Haberman's statements in the transcript regarding removal of the pool. Mr. Koenig stated there is nothing in the record that suggests the appellant said they were removing the pool except for that one statement by Mr. Haberman. Commissioner Lustberg stated she finds it odd that Mr. Haberman makes this statement and then invites the applicant to correct him if he said anything wrong, and this statement never gets raised again. Mr. Koenig answered there is no reference anywhere to agreeing to remove the pool except here. Mr. Koenig believes that does not matter, because

there is a two-prong approach here: One is the Planning Commission resolution contemplated the pool and, therefore, the application must be processed with the pool; and two, the applicant applied for a minor conditional use with a pool, which is allowed under the DR zoning.

Mr. Koenig moved on to look at Development Order Number 02-11, which denies the request completely. The deficiencies in the application were related to the swimming pool, and submittal of a new or revised submittal for only the vacation rental management center could be applied for at any time. Mr. Koenig referenced the development order where the Planning Director makes the specific findings that the Planning Commission made with regard to what is permitted in the DR district, including the swimming pool allowance. Mr. Koenig then outlined what he believes to be inconsistencies throughout the development order.

Chair Werling disagreed with Mr. Koenig's analogy of the pool next door that goes with the residence to the proposed swimming pool in this application when talking about community character. Mr. Koenig continued to highlight what he feels are inconsistencies in the bases used for denying the development order. Mr. Koenig agreed that even if this Commission believes the previous Planning Commission was wrong in Resolution 12-09, they still have a legal and ethical obligation to be bound by that decision.

A recess was held from 12:42 p.m. to 12:56 p.m.

Mr. Koenig asked the Commission to consider that the pool is also permitted as an accessory use to the primary use. The original record on appeal acknowledged that the uses were valid accessory uses but for the contiguity issue, and with the primary use of the rental management office on site the pool would be permitted as a valid accessory use under the DR designation. Ms. Grimsley objected to the introduction of the issue of whether this is permitted as an accessory use to the rental management office, as that is not the determination that is being appealed. Mr. White joined in that objection.

(1:03 p.m.) Mr. White pointed out that the resolutions concerning the two previous initial administrative appeals were sent to the applicant prior to it actually being signed by the Planning Commission Chair and finalized by Mr. Wolfe, and the appellant was fully advised and aware of the 30-day appeal period available if someone is unhappy with the Planning Commission decision, and they chose not to exercise their appeal rights. Mr. White then argued that the second appeal only contemplated a rental management office, not a pool. If a pool were contemplated in that second appeal, the intervenor would have appealed within the 30 days. According to Section 102-185 of the Monroe County Code, Mr. White believes VOF, LLC waived any rights to appeal any interpretation or determination made by an administrative official due to their failure to file an appeal within 30 days of the development order.

Mr. White described the start of this application as being a group of rental management properties within the Hawks' Cay development that broke off from Hawk's Cay because they no longer wanted to pay the assessments or the improvements to Hawk's Cay, so when their visitors or vacationers were coming to use these rental properties, they were not being allowed to use Hawk's Cay's facilities. Mr. White agreed with Ms. Grimsley that the Planning Commission overstepped their bounds and basically approved a rental management office that was outside the

scope of what is permitted in the code. The intervenors thought the rental management office decision was wrong, but were willing to live with it because that was the only thing that was going to happen on that site.

Mr. White stated that it is not correct to take certain excerpts out of the transcripts and use them to try to argue your point without looking at the total transcript, which would show the second hearing did not contemplate a pool. Mr. White believes defining this swimming pool as an accessory use to the rental management office and calling the rental properties a resort hotel do not meet the definitions and clearly do not meet the requirements in the code. Mr. White opined that as a matter of law any proposed accessory pool use or structure is not permitted and, furthermore, anything outside the scope of P12-09, which is very limited to only a rental management company, is also prohibited and not allowed.

Mr. White introduced Ed Koconis, who testified in both hearings, and has submitted on behalf of the Lancasters a memorandum in support of both the County staff report and the minor conditional use. Ms. Grimsley confirmed the memorandum is part of the record. Mr. Koenig objected and stated he does not believe that it is part of the record. Mr. White answered that what Mr. Koconis is going to be testifying to today and what his memorandum incorporates is nothing new. Mr. Wolfe advised the Commission that Mr. Koconis' testimony from the February '09 meeting is already part of the record and believes it is appropriate for Mr. Koconis to speak today about his memorandum. Mr. Koenig countered that the memorandum does not have anything to do with his prior testimony, it is his current testimony and current evaluation of this appeal, and he is not permitted to put it on the record. Mr. Wolfe recognized that the memorandum does not have anything to do with the February '09 hearing, but the intervenor has asked him to testify in support of the decision by the Planning Director, and Mr. Wolfe thinks it is appropriate.

(1:28 p.m.) Ed Koconis, current Village Manager and Planning Director for Village of Islamorada, was sworn in by Mr. Wolfe. Mr. Koconis reviewed the prior two appeals and what they consisted of. Mr. Koconis agrees with County staff's and the Planning Commission attorney's interpretations given today. Mr. Koconis stated that both P11 and P12 stand on their own and they are both equally final. The decisions in both resolutions were presented by Mr. Koconis. The appellant's inconsistencies in the appeal were illustrated by Mr. Koconis. The LDRs would prohibit a pool or any other accessory use or structure because it simply does not meet the definition of accessory use as provided for in the LDRs. The appellant is trying to associate the pool with what is currently a 600-square-foot house and, as such, it is clear the proposed accessory pool is associated with an independent rental management company, inconsistent with the LDRs and, therefore, it simply cannot be permitted.

Mr. Koconis recommended that the Planning Commission uphold the decision of the Senior Director and the proposed minor conditional use application should be denied because not only is it inconsistent with Resolutions P11-09 and P12-09, but it is also inconsistent with the LDRs.

Mr. Koconis then clarified for Vice Chair Wall how P12-09 only approved the conversion of the residence to an office because what was appealed was the LOU, which was the conversion from single-family residential into commercial retail/office.

Mr. White pointed out that the steps of establishing Mr. Koconis as their expert planner were gone through in the initial hearings in February of '09 and requested the Commission accept Mr. Koconis as their expert in planning. Mr. Koenig did not object to referring to the prior record in terms of his qualifications, but stated that his prior objection still stands and he objects to Mr. Koconis being recognized by this Commission as an expert today for purposes of giving the expert testimony. Ms. Grimsley had no objection.

Mr. White then offered Mr. Koconis as the intervenors' expert in planning for purposes of his testimony today, which also incorporates his testimony given in the first two hearings in February relative to Resolution P11-09 and P12-09. The Commission agreed to accept Mr. Koconis as the intervenors' expert.

Mr. White closed by stating that there has been a huge mischaracterization on the appellant's part with regard to what the previous decision was held by this Planning commission, and that Resolution P12-09 is very narrow and only allows for a rental management office and does not open the door and allow for a pool or other accessory uses. Mr. White urged and requested that the Planning Commission deny the administrative appeal based on the previous determination made back in February.

Vice Chair Wall asked for public comment.

(1:48 p.m.) Bill Crowley was sworn in by Mr. Wolfe. Mr. Crowley stated that he felt Mr. White's and Mr. Koconis' presentations summed up the feeling that this has already been determined, and stated he would be happy to answer any questions as to how this might affect the surrounding properties.

Ms. Grimsley advised the Commission that the statements that were read that she may have said or that Mr. Haberman said at the prior hearing were taken out of context. Ms. Grimsley stated that if Mr. Koenig feels that the testimony given in the first hearing about the accessory use should have been incorporated into the second hearing, it would still be irrelevant because the second hearing was only about the denial of the rental management office and would not have had any relevance to that decision in any event. Ms. Grimsley told the Commissioners that they are not bound by what the previous Planning Commission did. Ms. Grimsley requested a motion in favor of Mr. Schwab's determination of denial that is based on the staff report, the previous record, Resolution P12-09, and that is all, to avoid any possibility of appeal based on the testimony given by Mr. Koconis.

Mr. Koenig disagreed that this Commission is bound by the Planning Commission's prior determinations. Mr. Koenig then pointed out that the Planning Commission today is to rule on the appeal of the Planning Director's decision, and the request by the County that they go further than that and enter a ruling regarding not allowing a swimming pool under any circumstances is beyond the scope of what is before them today, which Mr. Koenig would object to. The only options are to deny the appeal and uphold the decision of the Planning Director, or overturn the Planning Director's decision.

Mr. Wolfe advised the Commission that P12-09 is approved and stands on its own, and it approves the rental management office. Mr. Wolfe then reviewed the arguments the Commissioners heard today. Mr. Wolfe clarified for Vice Chair Wall that a rental management company is used more or less synonymously with a rental management office.

Vice Chair Wall closed public comment.

Mr. Haberman clarified for Commissioner Lustberg the three tiers of developments allowable and what those entail. Commissioner Lustberg asked the Commissioners who were members of the prior Planning Commission for their comments. Commissioner Hale stated that he was the only no vote for P12-09 in allowing the rental office. Commissioner Hale does not believe there was any understanding that there was to be a pool admitted in P12-09.

Motion: Commission Hale made a motion to uphold the Planning Director's denial based upon the record below, the staff report, and all the attachments to the staff report. Chair Werling seconded the motion. Roll was called with the following results: Commissioner Hale, Yes; Commissioner Lustberg, Yes; Commissioner Wiatt, Yes; Vice Chair Wall, Yes; and Chair Werling, Yes.

Mr. Wolfe informed the Commissioners that there was a request to rehear the approval of a 5SRX alcoholic beverage special use permit which came before the Commission at the last meeting based on some information submitted by Andrew Tobin, Esq. The request was because they were giving building permit information and said they did not have 150 seats. The Planning Department does not look at seats, but only says whether they can have a permit to do it. The State has different requirements, which the County is not involved in. Any Commissioner who voted in favor of an item can ask that it be reheard at the next meeting. Ms. Grimsley added that it is generally done only if it was felt that the prior hearing had not been satisfactory. Mr. Wolfe stated that their option for appeal is available for 30 days after the signing of the resolution. No Commissioner asked for a rehearing.

BOARD DISCUSSION

Discussion was had regarding the requirements for the posting of notice on properties. Mr. Schwab added that staff is considering the possibility of providing a weatherproof envelope and posting the notices, as this particular situation clearly illustrates the need for more definition in the procedure.

Vice Chair Wall asked about the status of KLOR. Mr. Schwab answered that it is unknown at this time. Vice Chair Wall asked about the debris left on site during the storm season. Mr. Haberman answered that KLOR has an active demolition permit and there are currently no code cases because they do have that active demolition permit, which will eventually expire.

Mr. Schwab introduced the Commissioners to Brian Bavosi, a new planner with the County.

ADJOURNMENT

The Monroe County Planning Commission meeting was adjourned at 2:18 p.m.