

DEVELOPMENT REVIEW COMMITTEE

Tuesday, January 28, 2020

MEETING MINUTES

The Monroe County Development Review Committee conducted a meeting on **Tuesday, January 28, 2020**, beginning at 1:00 p.m. at the Marathon Government Center, Media & Conference Room (1st floor, rear hallway), 2798 Overseas Highway, Marathon, Florida.

CALL TO ORDER by Emily Schemper

ROLL CALL by Debra Roberts

DRC MEMBERS PRESENT

Emily Schemper, Senior Director of Planning and Environmental Resources
Cheryl Cioffari, Assistant Director of Planning
Bradley Stein, Development Review Manager
Mike Roberts, Assistant Director, Environmental Resources

STAFF MEMBERS PRESENT

Steve Williams, Assistant County Attorney
Tiffany Stankiewicz, Development Administrator
Debra Roberts, Senior Coordinator

APPLICANTS & PUBLIC PRESENT

Denny Blass	Dale Martin	Sue Norris
Beverly Blass	Joseph Mattei	Jerry Smith
Connie Brantley	Dan Medley	Chelsea Vanadia

CHANGES TO THE AGENDA

Item 3 was continued to the February 25, 2020 meeting.

MINUTES FOR APPROVAL

Approval of the meeting minutes for Tuesday, December 17, 2019.

MEETING

1. A PUBLIC MEETING CONCERNING A REQUEST FOR A MINOR CONDITIONAL USE PERMIT FOR THE TRANSFER OF 18 TRANSFERRABLE ROGO EXEMPTIONS (TRES) FROM THE SENDER SITES TO THE RECEIVER SITES. THE SENDER SITES ARE 31371 AVENUE F (SENDER SITE 1); 31121 AVENUE G (SENDER SITE 2); 31065 AVENUE F (SENDER SITE 3); 31142 AVENUE F (SENDER SITE 4); 31236 AVENUE F (SENDER SITE 5); 31250 AVENUE I (SENDER SITE 6); 31327 AVENUE D (SENDER SITE 7); 31335 AVENUE D (SENDER SITE 8); 31263 AVENUE G (SENDER SITE 9); 31076 AVENUE D (SENDER SITE 10); 31574 AVENUE B (SENDER SITE 11); 31372 AVENUE G (SENDER SITE 12); 31028 AVENUE I (SENDER SITE 13); AND 190 SANDS RD; 180

SANDS RD; 170 SANDS RD; & 160 SANDS RD. (SENDER SITE 14), BIG PINE KEY, APPROXIMATELY MILE MARKER 31. THE RECEIVER SITES ARE 240 SANDS ROAD (RECEIVER SITE 1); 230 SANDS ROAD (RECEIVER SITE 2); 220 SANDS ROAD (RECEIVER SITE 3); 210 SANDS ROAD (RECEIVER SITE 4); 30939 BAILEY ROAD (RECEIVER SITE 5); 30947 BAILEY ROAD (RECEIVER SITE 6); 30955 BAILEY ROAD (RECEIVER SITE 7); 30954 BAILEY ROAD (RECEIVER SITE 8); 30953 NATHALIE RD.(RECEIVER SITE 9); 190 SANDS RD (RECEIVER SITE 10); 180 SANDS RD (RECEIVER SITE 11); 170 SANDS RD (RECEIVER SITE 12); 160 SANDS RD (RECEIVER SITE 13); 30905 NATHALIE RD. (RECEIVER SITE 14); 30913 NATHALIE RD. (RECEIVER SITE 15); 30921 NATHALIE RD. (RECEIVER SITE 16); 30929 NATHALIE RD. (RECEIVER SITE 17); AND 30937 NATHALIE RD. (RECEIVER SITE 18), BIG PINE KEY, APPROXIMATELY MILE MARKER 31. (FILE 2019-143)

Ms. Tiffany Stankiewicz, Development Administrator, presented the staff report. This is for 14 scattered sites sending 18 ROGO exemptions to receiver sites which will be deed restricted as affordable housing. All but one item was in compliance and that item is nothing that will hold up the application and will be conditioned in the Development Order. Staff recommends approval with the following conditions: That receiver sites be restricted as affordable housing, the applicant withdraws any current ROGO applications prior to permit issuance, the receiver sites be given identifiers, and all sender site accessory structures and unpermitted structures shall be removed. In the case where RVs or trailers are authorized and permitted by the County, such RVs or trailers shall be removed prior to building permit issuance, and subject site needs to be linked to specified receiver site.

Ms. Emily Schemper, Senior Director of Planning and Environmental Resources, asked for staff questions or comments. There were none. Ms. Schemper asked for applicant questions or comments. Ms. Chelsea Vanadia thanked staff for going through the application with respect to all of the sites and stated that all incomplete items would be completed. Ms. Schemper then asked for public comment or questions.

Mr. Jerry Smith asked how many total sites there would be. Ms. Schemper explained that there are 13 scattered sites on Big Pine where there was a ROGO-exempt house that is now gone. Those 13 are all being moved to the old Seahorse property. Within the Seahorse property there are 5 ROGO exemptions being moved to the other side of the block, for a total of 18 sender sites. There will be one per platted lot on the Seahorse property in the end. Some ROGO allocations from the affordable housing ROGO pool have been received and are being transferred to be built as affordable housing on those blocks. The end result will be one unit per platted lot. The total number of parcels is 32 but for this transfer today there are 18.

Mr. Dan Medley asked what would happen to the sender-site lots. Ms. Schemper explained that that was what Ms. Stankiewicz had referenced as not in compliance or compliance to be determined. Everything would need to be removed from those sites before a building permit could be issued for the receiver site. Those lots would remain empty unless there was a way to transfer a ROGO unit onto those properties to rebuild, but that would be a completely separate process and evaluation, and they may or may not be eligible for a ROGO unit. Mr. Medley asked who the owner would be. Ms. Schemper responded that the owner was the same, Conch

Republic Alliance. Mr. Medley then asked if the 13 sender sites could potentially be built on. Ms. Schemper reiterated that the only way they could be built on is if they somehow acquired another ROGO unit or ROGO exemption. There are no affordable ROGO units left to give out on Big Pine, and there are a limited number of market rate ROGOs remaining on Big Pine with a list of applicants waiting in line for those ROGOs so it is unlikely another ROGO could be found to put on those sites.

Mr. Joseph Mattei asked if these ROGO points at some magical point could be transferred to those waiting. Ms. Schemper responded that the only way that would work is if someone waiting now in the ROGO system owned a property eligible to receive a ROGO unit could work out a real estate deal with this owner to transfer the ROGO to their own property instead of waiting in line, but then there would be a restriction that it could only be built as an affordable housing unit. Most people now waiting in line are waiting for a market-rate ROGO. Mr. Mattei wanted confirmation that there was no way this could be replicated and that these were all single family units.

Mr. Dale Martin asked if the empty lots would just become overgrown like some others have been or if someone would be required to maintain those lots. Ms. Schemper stated he would have to check with Code Compliance but there are ordinances in the County that require a certain level of maintenance for vacant lots. They do not require landscaping but need to be kept mowed and free of debris. Mr. Steve Williams added that Code Compliance is complaint driven, so if there is a problem with a lot not being maintained or being dumped on, the Code Compliance Department should be contacted. Ms. Schemper added that the last couple of years couldn't be counted as representative of the usual state of affairs on vacant lots due to Hurricane Irma, and that any concerns should be called in which could be done anonymously.

Mr. Smith asked if an adjoining property owner could buy one of these parcels to use as parking. Ms. Schemper responded that that could potentially work and if he had one in mind, he should contact the Planning Department first to make sure it would work for the use desired. The lot could not be built on without a ROGO but could potentially be used for something else if it meets all code requirements, which generally would mean someone owned the house next door.

Ms. Connie Brantley asked if the receivers of these ROGOs had paid for them. Ms. Schemper explained that they had purchased the sender sites that already had a ROGO on them and that right was being moved over to the receiver site, so they were moving the ROGOs between their own properties.

Mr. Martin had noticed that on some of the sites, the receiver and senders had the same numbers. Ms. Schemper explained that that was because there were five market rates already on the Seahorse property being moved from one side of the block to the other side of the block, and it had been done to assure they were being assigned to the correct parcel number.

There was no further public comment. Public comment was closed.

Item 2 was then read without referencing the parcel identification numbers with permission from Mr. Williams, Assistant County Attorney.

2. 201 COUNTY ROAD, BIG PINE KEY, MILE MARKER 30.9 AND 2 N. CONCH AVENUE, MILE MARKER 62.9 (SENDER SITES) AND 7009 SHRIMP ROAD, STOCK ISLAND, MILE MARKER 5 (RECEIVER SITE): A PUBLIC MEETING CONCERNING A REQUEST FOR A MINOR CONDITIONAL USE PERMIT. THE REQUESTED APPROVAL IS FOR THE TRANSFER OF 30 TOTAL TRANSIENT TRANSFERRABLE ROGO EXEMPTIONS (TRES) FROM THE SENDER SITES PROPERTY DESCRIBED AS PARCELS OF LAND IN SECTION 26, TOWNSHIP 66, RANGE 29, BIG PINE KEY, MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBERS 00300180-000300, 00300180-000400, 00300180-000500, 00300180-000600, 00300180-0000700, 00300180-000800, 00300180-000900, 00300180-001000, 00300180-001100, 00300180-001200, 00300180-001300, 00300180-001400, 00300180-001500, 00300180-001600, 00300090-000100, 00300590-000200, 00300090-000300, 00300090-000400, 00300090-000500, 00300590-000100, 00300590-000200, 00300590-000300, 00300590-000400, 00300590-000500, 00300590-000600, 00300590-000700, 00300590-000800, 00300670-000000 AND A PROPERTY DESCRIBED AS A PARCEL OF LAND IN SECTION 14, TOWNSHIP 65, RANGE 34, CONCH KEY, MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER 00385780-000000 TO THE RECEIVER SITE DESCRIBED AS A PARCEL OF LAND IN SECTION 35, TOWNSHIP 67 SOUTH, RANGE 25 EAST, STOCK ISLAND, MONROE COUNTY, FLORIDA, HAVING PARCEL IDENTIFICATION NUMBER 00123761-000100, 0123761-000200, 00123761-000300, 0123761-000400, 00123761-000500, 0123761-000600, 00123761-000700, 0123761-000800, 00123761-000900, 0123761-001000. (FILE 2019-152)

Mr. Bradley Stein, Planning Development Review Manager, presented the staff report. This consists of two separate sender sites, formerly the Seahorse property on Big Pine Key and Conch Key. The 25 remaining transient units from the Seahorse site previously lifted with the prior Development Order and the 5 units from the Conch Key site are proposed to land at Shrimp Road on Stock Island. There are numerous prior actions from the County, particularly Development Order 08-16 an original approval of a minor conditional use that previously lifted the 25 units from the Seahorse property without an intended receiver site at the time. The property must be demolished prior to building permits being issued so compliance is to be determined. The other two items for compliance to be determined are in Section 138-22(b) regarding density standards. The site would meet the requirements for density but if those sites were to be built and landed there today, then it would not be in compliance with the density/intensity combined calculation. Staff recommends that an amendment to the Conditional Use be required to be approved with Land Development Code Sections 130-156, 130-160, 130-162 and 130-164 prior to any units being built there. Staff recommends approval for the 2 sender sites to be located at the receiver site off of Shrimp Road with those aforementioned conditions.

Ms. Schemper asked for comments or questions from staff. There were none. Ms. Schemper asked for comments or questions by the applicant. Ms. Vanadia thanked staff for their review. Ms. Schemper then asked for public comment. There was none. Public comment was closed.

ADJOURNMENT

The Development Review Committee meeting was adjourned at 1:24 p.m.