



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

## STAFF REPORT

### ***A. Application Information***

## HUNTER LAKE PLAT

Applicant:	Hunter Lakes, LLC
Property Owner:	Hunter Lakes, LLC
Agent for the Applicant:	C. Calvert Montgomery & Associates, Inc., Scott Montgomery
County Project Coordinator:	Liz Nagal, AICP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	H096-009
Record Number:	DEV2022090003
Report Number:	2023_0210_H096-009_Staff_Report_Final.docx
Application Received:	09/23/2022
Transmitted:	09/26/2022
Date of Staff Report:	11/7/2022
Resubmittal Received:	12/30/2022
Transmitted:	01/05/2023
Date of Staff Report:	02/10/2023

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### ***B. Project description and analysis***

This is a request by C. Calvert Montgomery & Associates on behalf of Hunter Lakes, LLC for approval of the plat of Hunter Lake, consistent with the approved Hunter Lake Final Site Plan of a residential development consisting of 20 single family lots and associated infrastructure on an approximately 9.4-acre site resulting in a gross residential density of 2.13 units per acre. The subject site is located on SE Salerno Road, approximately 630 feet west of SE Federal Highway Stuart. Included in this application is a request for a certificate of public facilities exemption.

The Hunter Lake final site plan was approved on January 7, 2019. Pursuant to Division 21, Article 4, Land Development Regulations (LDR), Martin County, Fla. (2017), the Plat must be consistent with the approved final site plan.

### ***C. Staff recommendation***

The specific findings and conclusion of each review agency related to this request are identified in Sections F through T of this report. The current review status for each agency is as follows:

<b>Section</b>	<b>Division or Department</b>	<b>Reviewer</b>	<b>Phone</b>	<b>Assessment</b>
F	Comprehensive Plan	Liz Nagal	320-3056	Non-Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Liz Nagal	320-3056	Comply
H	Urban Design	Liz Nagal	320-3056	N/A
H	Community Redevelopment	Liz Nagal	320-3056	N/A
I	Property Management	Ellen MacArthur	288-5794	Non-Comply
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjöholm	288-5909	Comply
K	Transportation	Lukas Lambert	221-2300	N/A
L	County Surveyor	Tom Walker	288-5928	Non-Comply
M	Engineering	Michelle Cullum	288-5512	N/A
N	Addressing	Emily Kohler	288-5692	Comply
N	Electronic File Submission	Emily Kohler	288-5692	N/A
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	N/A
P	Fire Prevention	Doug Killane	288-5633	Comply
P	Emergency Management	Sally Waite	219-4942	N/A
Q	ADA	Michelle Cullum	320-3057	N/A
R	Health Department	Nick Clifton	221-4090	N/A
R	School Board	Brian Allen	219-1200	N/A
S	County Attorney	Elysse Elder	288-5925	Review Ongoing
T	Adequate Public Facilities	Liz Nagal	320-3056	Exempt

#### ***D. Review Board action***

This application is for a plat. As such, final action on this request is required to be heard at a public meeting.

The public meeting shall be before the Board of County Commissioners, who will take final action on the request, pursuant to Table 10.5.F.9., LDR, Martin County, Fla. (2019).

The applicant is required to re-submit materials in response to the non-compliance findings within this report. Upon receipt, the re-submitted materials will be transmitted for review to the appropriate review agencies and individuals that participate in the County's review process. A revised staff report will be created once the next review cycle has been completed.

#### ***E. Location and site information***

Parcel number(s) and address:

55-38-41-000-070-00070-6                      5323 SE CABLE DR STUART FL

Existing Zoning:                                      R-2

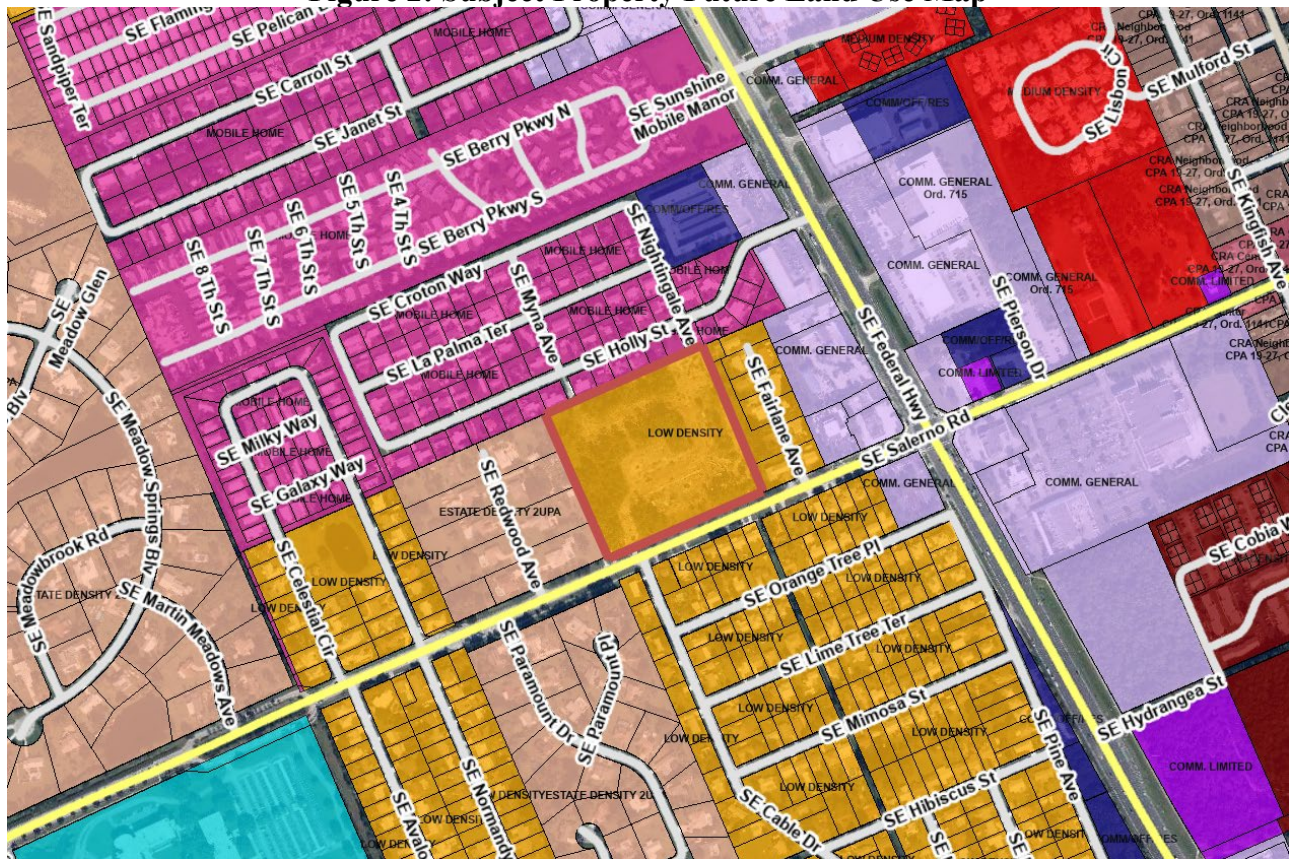
Future land use:                                    Low Density

Total Site Area:                                   9.4-acres

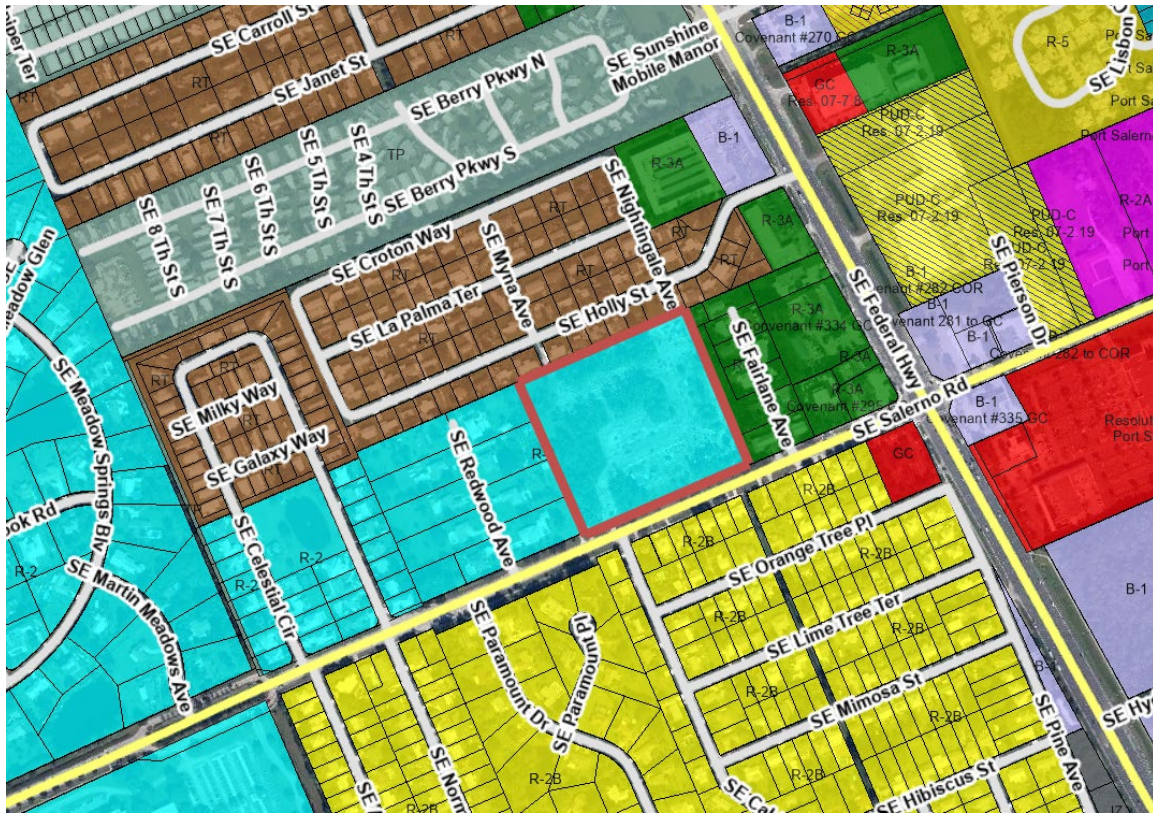
Figure 1: Location Map



Figure 2: Subject Property Future Land Use Map



**Figure 3: Subject Property Zoning Atlas**



***F. Determination of compliance with Comprehensive Growth Management Plan requirements - Growth Management Department***

**Unresolved Issues:**

**Item #1:  
Generic Comp Plan Compliance**

This application cannot be deemed to be in compliance with the Martin County Comprehensive Growth Management Plan (CGMP) until the issues identified in this report have been satisfactorily resolved. MARTIN COUNTY, FLA., CGMP POLICY 4.1A.1. (2016)

***G. Determination of compliance with land use, site design standards, zoning, and procedural requirements - Growth Management Department***

**Informational:**

1. The presented minor technical changes to the site plan shall be included as part of the plat approval reviewed by the BOCC.

## **Findings of Compliance:**

Staff has reviewed this application and finds that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

## **Additional Information:**

### **Information #1:**

Once the application has been determined to comply by the development review team staff, the project will be scheduled for the next BCC meetings dependent upon the County's scheduling policy. For the BCC meetings, additional copies of the site plan will be requested for the distribution packets from the applicant. MARTIN COUNTY, FLA., LDR SECTION 10.10.A.1. (2019)

## ***H. Determination of compliance with the urban design and community redevelopment requirements – Community Development Department***

### **Urban Design**

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this application as currently proposed.

### **Community Redevelopment Agency**

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this application as currently proposed.

## ***I. Determination of compliance with the property management requirements – Engineering Department***

### **Unresolved Issues:**

It has been determined that the Applicant is required to dedicate 17.5 feet of right of way on SE Salerno Road along the property frontage. Since the dedication is part of the Plat approval application, the dedication will be included on the plat and the conveyance of the dedicated property will take place simultaneously with the recording of the Plat.

The following is a list of the required due diligence materials:

#### **TITLE COMMITMENT**

1. Original Title Commitment for the proposed dedication site(s).
2. The Proposed Insured is: Martin County, a political subdivision of the State of Florida
3. The Insurable Amount is subject to approval by the Real Property Division.
4. Legible copies of all documents listed on the Title Commitment as B-II Exceptions must be provided with the Title Commitment.

Note: The applicant provided a Title Commitment dated November 11, 2022. The applicant has complied

with this requirement.

#### SURVEY – SKETCH AND LEGAL DESCRIPTION

1. Two (2) original signed and sealed Surveys of the dedication site (s).
2. The Survey must be certified to Martin County, a political subdivision of the State of Florida and to the Title Company.
3. The Survey must be prepared with the benefit of the Title Commitment and include the Commitment Number, Name of the Title Company and Date and Time of the Commitment.
4. Parcel ID number(s) must be included.
5. All title exceptions that can be plotted must be shown on the Survey.
6. The legal description for the dedication site(s) on the Survey must match the legal description on the proposed Plat or Planned Unit Development (PUD), if applicable.
7. Two (2) original 8 ½” by 11” signed and sealed Sketch and Legal Descriptions of the dedication site(s) must be provided.

Note: The applicant did provide a Boundary Survey of the ROW dedication area with the benefit of a Title Commitment and a Sketch and Legal Description of the dedication site. After review by the County's Surveying Division, revisions are required for both documents.

#### ENVIRONMENTAL SITE ASSESSMENT

1. A Phase I Environmental Site Assessment must be provided stating that there are No Recognized Environmental Conditions in accordance with the current standards of the American Society for Testing Material (ASTM15271).
2. The Phase I report must be dated within 180 days of submission or include a current updated letter from the ESA firm.
3. The Phase I Environmental Site Assessment and/or the update letter must state that Martin County, a political subdivision of the State of Florida can rely on the results of the report.

Note: The applicant provided a letter from Environmental Property Audits, Inc. that states that Martin County, a political subdivision of the State of Florida, can rely on the results of the report. The applicant has complied with this requirement.

### ***J. Determination of compliance with environmental and landscaping requirements - Growth Management Department***

#### **Environmental**

##### **Finding of Compliance:**

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations. Upland Preservation Tract 1 (0.69 acres) and Upland Preservation Tract 2 (1.55 acres) appear to be consistent with the final site plan and the language provided in the plat for these tracts is appropriate for plats approved in Martin County.

#### **Landscape**

##### **Findings of Compliance**

The Growth Management Department Environmental Division staff has reviewed the application and

finds it in compliance with the applicable Land Development Regulations Article 4, Division 15 - Landscaping, Buffering, and Tree Protection. [2013]. The applicant has proposed construction of a 20 lot subdivision.

The plat documents are consistent with the approved final site plan and approved development order. The survey provides for required areas of landscape and buffering.

***K. Determination of compliance with transportation requirements - Engineering Department***

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

***L. Determination of compliance with county surveyor - Engineering Department***

**Unresolved Issues:**

**Item #1:**

The bearing or azimuth reference shall be clearly stated on the face of the plat, in the notes or legend, and the bearings used shall be referenced to some well-established monument line.  
[Ch 177.091.(6), Part I, F. S.; DOACS 5J-17 F.A.C.]

**Remedy/Suggestion/Clarification:**

Label the bearing basis on the plat.

**Item #2:**

The location, width and names of all streets, waterways, or other rights-of-way must be shown on the plat.  
(Ch 177.091.(15), Part I, F. S.)

**Remedy/Suggestion/Clarification:**

Add recording information for right-of-way of SE Myna Avenue and label limits of each document. Include ORB 333/1319 and ORB 354/863.

**Item #3:**

The purpose of all areas dedicated must be clearly indicated or stated on the plat.  
(Ch 177.091.(25), Part I, F. S.)

**Remedy/Suggestion/Clarification:**

1. Revise the name and dedication for Common Area Tract 2 to be consistent with its intended purpose.
2. Ensure consistency with the Final Site Plan.

**Item #4:**

The plat shall be consistent with an approved final site plan.

**Remedy/Suggestion/Clarification:**

There are inconsistencies with the final site plan including but not limited to:

1. Easements: Radius not matching for Centerline of Access Easement.
2. Tracts: Storm Water Tracts vs Water Management Tracts and RW Tracts not labeled on the Site Plan.

3. Ensure Plat is otherwise consistent with final site plan.

***M. Determination of compliance with engineering, storm water and flood management requirements - Engineering Department***

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this application as currently proposed.

***N. Determination of compliance with addressing and electronic file submittal requirements – Growth Management and Information Technology Departments***

**Addressing**

**Findings of Compliance**

The application has been reviewed for compliance with Division 17, Addressing, of the Martin County Land Development Regulations. Staff finds that the proposed site plan / plat complies with applicable addressing regulations. All street names are in compliance. They meet all street naming regulations in Article 4, Division 17, Land Development Regulations. Martin County, Fla. (2022).

**Electronic File Submittal**

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

***O. Determination of compliance with utilities requirements - Utilities Department***

**Water and Wastewater**

**Findings of Compliance:**

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds the Plat in compliance with Martin County's requirements for water and wastewater level of service.

**Wellfield and Groundwater**

**Findings of Compliance:**

The application has been reviewed for compliance under the Wellfield Protection Program. The reviewer finds the application in compliance with the Wellfield Protection and Groundwater Protection Ordinances. [Martin County, Fla., LDR, Article 4, Division 5] (2016)

***P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department***

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.



***Q. Determination of compliance with Americans with Disability Act (ADA) requirements - General Services Department***

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

***R. Determination of compliance with Martin County Health Department and Martin County School Board***

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

***S. Determination of compliance with legal requirements - County Attorney's Office***

**Review Ongoing**

***T. Determination of compliance with the adequate public facilities requirements - responsible departments***

The review for compliance with the standards for a Certificate of Adequate Public Facilities Exemption for development demonstrates that no additional impacts on public facilities were created in accordance with Section 5.32.B., LDR, Martin County, Fla. (2016). Exempted development will be treated as committed development for which the County assures concurrency.

Examples of developments that do not create additional impact on public facilities include:

- A. Additions to nonresidential uses that do not create additional impact on public facilities;
- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more;
- C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan;
- D. **Boundary plats which permit no site development.**

***U. Post-approval requirements***

Approval of the development order is conditioned upon the applicant's submittal of all required post approval documents and fees pursuant to Section 10.11., LDR, Martin County, Fla. (2019).

Please submit all of the following items in a single hard copy packet and in electronic pdf format (on disk or flash drive) with the documents arranged in the order shown in the list below. The 24" x 36" plans should be submitted rolled and in separate sets as itemized below.

**Item #1:**

Post Approval Requirements List: After approval the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. The applicant will return the Post Approval Requirements List along with the required documents in a packet with the documents arranged in the order shown on the list.

**Item #2:**

Recording Costs: The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.

**Item #3:**

One (1) paper 24" x 36" copy of the approved plat.

**Item #4:**

Original executed Declarations of Covenants and Restrictions for the homeowner's association.

**Item #5:**

Original executed plat on Mylar or other plastic, stable material. All names, signatures, stamps, and related data must be inscribed in 'India' ink or similar indelible ink to assure permanent legibility.

**Item #6:**

One (1) digital file copy of the plat in AutoCAD drawing format (.dwg). For other types of computer software that may be utilized by the applicant, a digital exchange file (.dxf) version 2004 may be substituted. The digital version of the boundary survey must match the hardcopy version as submitted.

**Item #7:**

One (1) copy of the approved cost estimate and, if changed, a revised Cost Estimate with an explanation of its change signed and sealed by the Engineer of Record licensed in the State of Florida.

**Item #8:**

Original and one (1) copy of the executed Contract for Construction of Required Improvements including the current County-approved cost estimate labeled Exhibit A and corresponding executed surety labeled as Exhibit B.

**Item#9:**

One (1) blank USB flash/thumb drive, which will be utilized to provide the applicant with the approved stamped and signed project plans.

**V. Local, State, and Federal Permits**

There are no applicable Local, State and Federal Permits required in conjunction with this plat application.

**W. Fees**

Public advertising fees for the development order will be determined and billed subsequent to the public hearing. Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$13,600.00	\$13,600.00	\$0.00
Inspection Fees:	N/A		N/A
Advertising fees*:	TBD		
Recording fees**:	TBD		

- \* Advertising fees will be determined once the ads have been placed and billed to the County.
- \*\* Recording fees will be identified on the post approval checklist.

**X. General application information**

Owner: Hunter Lakes, LLC  
Jeremiah Baron, MGR of J Baron Development, LLC  
49 Flagler Ave #301  
Stuart, FL 34994

Applicant: Hunter Lakes, LLC  
Jeremiah Baron, MGR of J Baron Development, LLC  
49 Flagler Ave #301  
Stuart, FL 34994

Agent: C. Calvert Montgomery & Associates, Inc.  
Scott T. Montgomery  
P.O. Box 92  
Stuart, FL 34995  
scott@ccmaengineers.com

**Y. Acronyms**

ADA..... Americans with Disability Act  
AHJ..... Authority Having Jurisdiction  
ARDP..... Active Residential Development Preference  
BCC..... Board of County Commissioners  
CGMP..... Comprehensive Growth Management Plan  
CIE..... Capital Improvements Element  
CIP..... Capital Improvements Plan  
FACBC..... Florida Accessibility Code for Building Construction  
FDEP..... Florida Department of Environmental Protection  
FDOT..... Florida Department of Transportation  
LDR..... Land Development Regulations  
LPA..... Local Planning Agency  
MCC..... Martin County Code  
MCHD..... Martin County Health Department  
NFPA..... National Fire Protection Association  
SFWMD..... South Florida Water Management District  
W/WWSA.... Water/Waste Water Service Agreement

**Z. Attachments**