



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

LOCKS ESTATES PLAT AND MINOR REVISED FINAL SITE PLAN

Applicant:	Stuart Isle, LLC, Thomas Rosati
Property Owner:	Stuart Isle, LLC
Agent for the Applicant:	David Joseph Wichser, P.S.M.
County Project Coordinator:	Catherine Riiska, MS, PWS, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	C147-005
Record Number:	DEV2018060009
Report Number:	2019_1217_L078-004_DRT_Staff_FINAL.docx
Application Received:	07/25/2018
Transmitted:	07/27/2018
Staff Report:	09/04/2018
Joint Workshop:	09/13/2018
Resubmittal Received:	11/14/2018
Transmitted:	11/15/2018
Staff Report:	12/21/2018
Joint Workshop:	Waived
Resubmittal Received:	05/15/2019
Transmitted:	05/16/2019
Staff Report:	06/18/2019
Joint Workshop:	Waived
Resubmittal Received:	11/15/2019
Transmitted:	11/15/2019
Staff Report:	12/13/2019
Joint Workshop:	TBD

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B. Project description and analysis

This is an application to plat and record a subdivision approved as a final site plan, including a Certificate of Public Facilities Exemption. The Locks Estates Minor Final Site Plan was approved by the Growth Management Director, as the designee of the County Administrator, on June 6, 2017 (OR BK 2948 PG 2223). 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 and the requirements of

Section 177, Fla. Stat. (2017) and Chapter 61G17-6, Florida Administrative Code (2017). Included is a request for a Certificate of Public Facilities Exemption.

The approved site plan consists of a residential subdivision of six (6) single family lots of a minimum one-half of an acre in size, conforming to the development standards for the RE-1/2A zoning district, to result in a gross residential density of 1.28 units per acre (upa). Related infrastructure improvements include a paved road with concrete curb and gutter, stormwater management facilities, underground utilities and public water and sewer services to be provided by Martin County Utilities. The subject property consists of approximately 4.68 acres located at 1994 SW Locks Rd on the southwest corner of the intersection of SW Locks Road and SW Hackman Terrace in Martin County.

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:

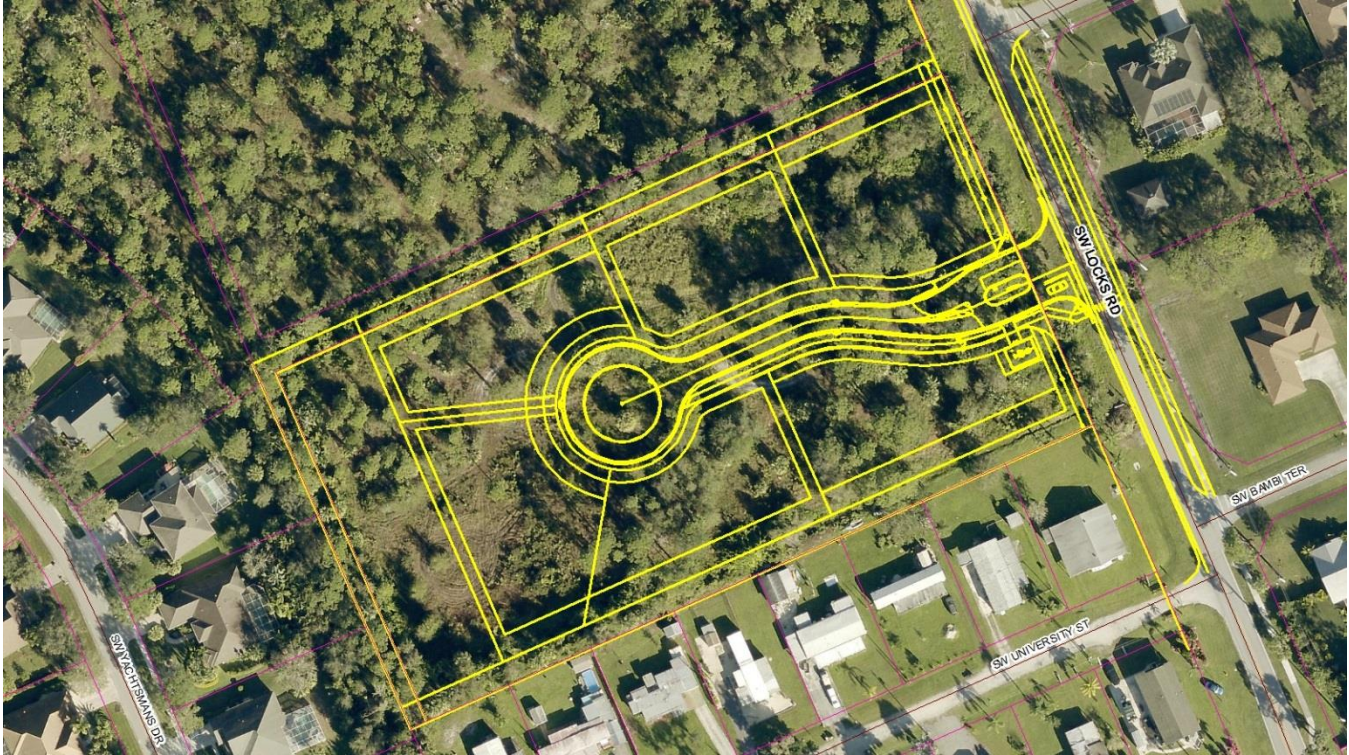
Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Catherine Riiska	288-5667	Non-Comply
F	ARDP	Samantha Lovelady	288-5664	N/A
G	Development Review	Catherine Riiska	288-5667	Non-Comply
H	Urban Design	Santiago Abasolo	288-5485	N/A
H	Community Redevelopment	Santiago Abasolo	288-5485	N/A
I	Property Management	Colleen Holmes	288-5794	N/A
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjöholm	221-5909	Comply
K	Transportation	Lukas Lambert	221-2300	N/A
L	County Surveyor	Tom Walker	288-5928	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	Comply
P	Fire Prevention	Doug Killane	288-5633	N/A
P	Emergency Management	Dan Wouters	219-4941	N/A
Q	ADA	Kevin Landry	320-3046	N/A
R	Health Department	Todd Reinhold	221-4090	N/A
R	School Board	Kimberly Everman	223-3105	N/A
S	County Attorney	Krista Storey	288-5443	Review Ongoing
T	Adequate Public Facilities	Catherine Riiska	288-5667	Exemption

D. Review Board action

This application is a plat of a project with an approved final site plan. As such, final action on this request for approval is required by the Board of County Commissioners at a public meeting pursuant to Section 10.5.A.2., Land Development Regulations, Martin County, Fla., (2016).

Pursuant to Section 10.1.F, Land Development Regulations, Martin County, Fla., it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management

Figure 2: Subject Site 2018 Aerial with Site Plan Overlay



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

Unresolved Issues:

Item #1:

Generic Comp Plan Compliance-GMD

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

Unresolved Issues:

Item #1:

Draft Contract and Security for Required Improvements

Pursuant to Section 4.913 of the Land Development Regulations, before a plat shall be recorded in the public records all improvements and infrastructure required by the Land Development Regulations, Code of Laws and Ordinances and state law, including but not limited to roads, sidewalks, stormwater and drainage facilities, utilities and landscaping, shall have been constructed and approved by the County Engineer. In lieu of the completion of the required improvements and infrastructure prior to plat recordation, security may be posted in a form acceptable to the BCC to insure such completion.

Remedy/Suggestion/Clarification:

If the applicant wishes to provide a revised Engineer’s Opinion of Probable Cost because most of the infrastructure has been completed, then the Engineer of Record must submit the Engineer’s Certification of Construction Completion with all the required final certification package documentation for the infrastructure that was completed. A revised EOPC will not be reviewed or accepted until the Engineer of Record certifies the construction of the infrastructure is completed. The original approved EOPC must be provided with a draft bond matching the amount for the required infrastructure if they do not wish to certify the construction at this time.

As previously requested, please submit:

1. The Engineer’s Opinion of Probable Cost (EOPC) that has the signature indicating County approval by the County Engineer or designee.
2. The Draft Contract for Construction, with the following adjustments:
 - a. Update the infrastructure completion due date consistent with the project’s current deadline for construction completion, which is November 5, 2021.
 - b. Attach the required Exhibit A, which is the County approved and signed EOPC.
 - c. Attach the required Exhibit B, which is a draft surety.

Additional Information:

Information #1:

Payment Of The Taxes

No land shall be divided or subdivided and no drawing or plat of the division or subdivision of any land, or declaration of condominium of such land, shall be filed or recorded in the public records of any court until all taxes have been paid on the land. SECTION 197.192, FLA. STAT. (2016)

The applicant shall submit documentation demonstrating that the taxes have been paid for the 2019 year no later than as part of the post-approval process, prior to recordation of the plat.

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

Commercial Design

The proposed project is for a residential use and is not located within the General Commercial, Limited Commercial, Commercial Office/Residential or Waterfront Commercial Future Land Use Designations. Therefore, the Commercial Design reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR, SECTION 4.871.B. (2016)

Community Redevelopment Area

The proposed project is not located within a Community Redevelopment Area. Therefore, the Community Redevelopment Area reviewer was not required to review this application. MARTIN COUNTY, FLA., LDR, ARTICLE 3, DIVISION 6 (2016)

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

No dedication of additional right of way is required or proposed by the Applicant pursuant to the Roadway Classifications set forth in Section 4.843.B, Land Development Regulations, Martin County, Fla. [2001] which includes Table 4.19.1 that lists the minimum right of way requirements. Therefore, the Applicant is not required to submit due diligence materials for review by the Martin County Real Property Division.

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

Environmental

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.

Landscaping

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 6 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, tree protection, and buffering.

K. Determination of compliance with transportation requirements - Engineering Department

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

L. Determination of compliance with county surveyor - Engineering Department

Findings of Compliance:

The County Surveyor has reviewed the application and finds it in compliance with the applicable land development regulations.

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

Engineering requirements are reviewed in conjunction with the Final Site Plan, with which this plat must be consistent. There are no changes proposed to the Final Site Plan, pursuant to Section 10.1.F, LDR, Martin County, Fla. (2016). Therefore, the Engineering Reviewer was not required to review this application.

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. (2018).

Electronic File Submittal

Electronic file requirements are reviewed in conjunction with the Final Site Plan, with which this plat must be consistent. There are no changes proposed to the Final Site Plan, pursuant to Section 10.1.F, LDR, Martin County, Fla. (2016). Therefore, the Engineering Reviewer was not required to review this application.

O. Determination of compliance with utilities requirements - Utilities Department

Water and Wastewater Service

Findings of Compliance:

This development application has been reviewed for compliance with applicable statutes and ordinances and the reviewer finds it in compliance with Martin County's requirements for water and wastewater level of service. [Martin County, Fla., LDR, Article 4, Division 6 and 7, (2016)]

Wellfield and Groundwater Protection

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

Fire Prevention

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

Emergency Preparedness

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4,

DIVISION 21 (2016)

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

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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

Martin County Health Department

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

Martin County School Board

These development standards were applied during staff review of the final site plan, with which the plat must be consistent. MARTIN COUNTY CODE, FLA., LDR, SECTION 10.1.F AND ARTICLE 4, DIVISION 21 (2016)

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

Development that does not create additional impact on public facilities includes:

- 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.

Exempted development will be treated as committed development for which the county assures concurrency.

U. Post-approval requirements

Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

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:

Three (3) copies 24" x 36" of the approved plat.

Item #4:

A completed Notice of Subdivision Plat Filing Form to be forwarded to the State of Florida Department of Business Regulation.

Item #5:

One (1) copy 24" x 36" of the approved revised final site plan.

Item #6:

Original approved revised final site plan on Mylar or other plastic, stable material.

Item #7:

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

Item #8:

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 #9:

One (1) digital file copy of the plat in AutoCAD 2004 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 #10:

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 #11:

Original and one (1) copy of the executed Contract for Construction of Required Improvements including the current cost estimate labeled Exhibit A and corresponding executed surety labeled as Exhibit B, consistent with the draft documents approved by staff.

Item #12:

Documentation demonstrating that the 2019 taxes have been paid for the subject site.

V. Local, State, and Federal Permits

There are no applicable Local, State and Federal Permits associated with a Plat.

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
Advertising fees*:	TBD		
Recording fees**:	TBD		
Mandatory impact fees:	TBD		
Non-mandatory impact 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

Applicant: Stuart Isle, LLC
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561-236-3636

Agent: Betsy Lindsay, Inc.
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772-286-5753

Engineer: C. Calvert Montgomery & Associates, Inc.
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Stuart, FL 34995
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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