



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

A. Application Information

TWIN OAKS PLAT

Applicant:	Engineering Design & Construction, Inc. (Sam Trotter)
Property Owner:	D.R. Horton, Inc. (Rafael J. Roca)
Agent for Applicant:	McCarthy, Summers, et.al. (Christen Spake, Esq.)
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	K050-002
Record Number:	DEV2022120017
Report Number:	2024_0612_K050-002_DRT_STAFF_FINAL
Application Received:	5/18/2023
Transmitted:	5/24/2023
Date of Report:	6/29/2023
Application Received:	09/20/2023
Transmitted:	09/20/2023
Date of Report:	11/16/2023
Application Received:	12/27/2023
Transmitted:	12/28/2023
Date of Report:	02/02/2024
Application Received:	02/27/2024
Transmitted:	02/29/2024
Additional Materials Received	03/14/2024
Date of Report:	06/12/2024

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B. Project description and analysis

This is a request by Engineering Design & Construction, Inc. (EDC) on behalf of Twin Oaks Kanner Hwy, LLC for approval of the Twin Oaks, f/k/a Kanner Oaks Plat. The Plat is to be consistent with the final site plan which contains a 28-lot single-family home subdivision on approximately 16.86 acres. The site is located at 8821 SW Kanner Oaks Drive, on the west side of SW Kanner Highway, north of SW Tropical

Avenue, approximately 0.44 miles west of the Florida's Turnpike overpass in Stuart. Included with this application is a request for a Certificate of Public Facilities Exemption.

C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Section 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	Brian Elam	772-288-5501	Comply
F	ARDP	Samantha Lovelady	772-288-5664	N/A
G	Development Review	Brian Elam	772-288-5501	Comply
H	Commercial Design	Brian Elam	772-288-5501	N/A
H	Community Redevelopment	Brian Elam	772-288-5501	N/A
I	Property Management	Ellen MacArthur	772-221-1334	N/A
J	Environmental	Shawn McCarthy	772-288-5508	Comply
J	Landscaping	Karen Sjoholm	772-288-5909	Comply
K	Transportation	Lukas Lambert	772-221-2300	N/A
L	County Surveyor	Tom Walker	772-288-5928	Comply
M	Engineering	Stephanie Piche	772-223-4858	N/A
N	Addressing	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission	Emily Kohler	772-288-5692	N/A
O	Water and Wastewater	James Christ	772-320-3034	Comply
O	Wellfields	James Christ	772-320-3034	Comply
P	Fire Prevention	Doug Killane	772-419-5396	N/A
P	Emergency Management	Sally Waite	772-219-4942	N/A
Q	ADA	Stephanie Piche	772-223-4858	N/A
R	Health Department	Nicholas Clifton	772-221-4090	N/A
R	School Board	Juan Lameda	772-219-1200	N/A
S	County Attorney	Elysse A. Elder	772-288-5925	Review Ongoing
T	Adequate Public Facilities	Brian Elam	772-288-5501	Exempt

D. Review Board action

This application is for a plat. Review of this application is required by the County Administrator and final action by the Board of County Commissioners (BCC) in a public meeting MARTIN COUNTY, FLA., LDR, §10.5.F.9.

Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla., it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

The applicant addressed the non-compliance findings from the staff report dated, February 2, 2024 with its resubmittal dated June 12, 2024. The previous staff reports, and resubmittals are incorporated herein

by reference. It shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

E. Location and site information

Parcel number: 073941000001000700
Address: 8821 SW Kanner Oaks Drive in Stuart
Existing zoning: R-2
Future land use: Estate Density (2UPA)
Nearest major road: SW Kanner Highway
Gross area of site: 16.89 acres

Figure 1: Location Map

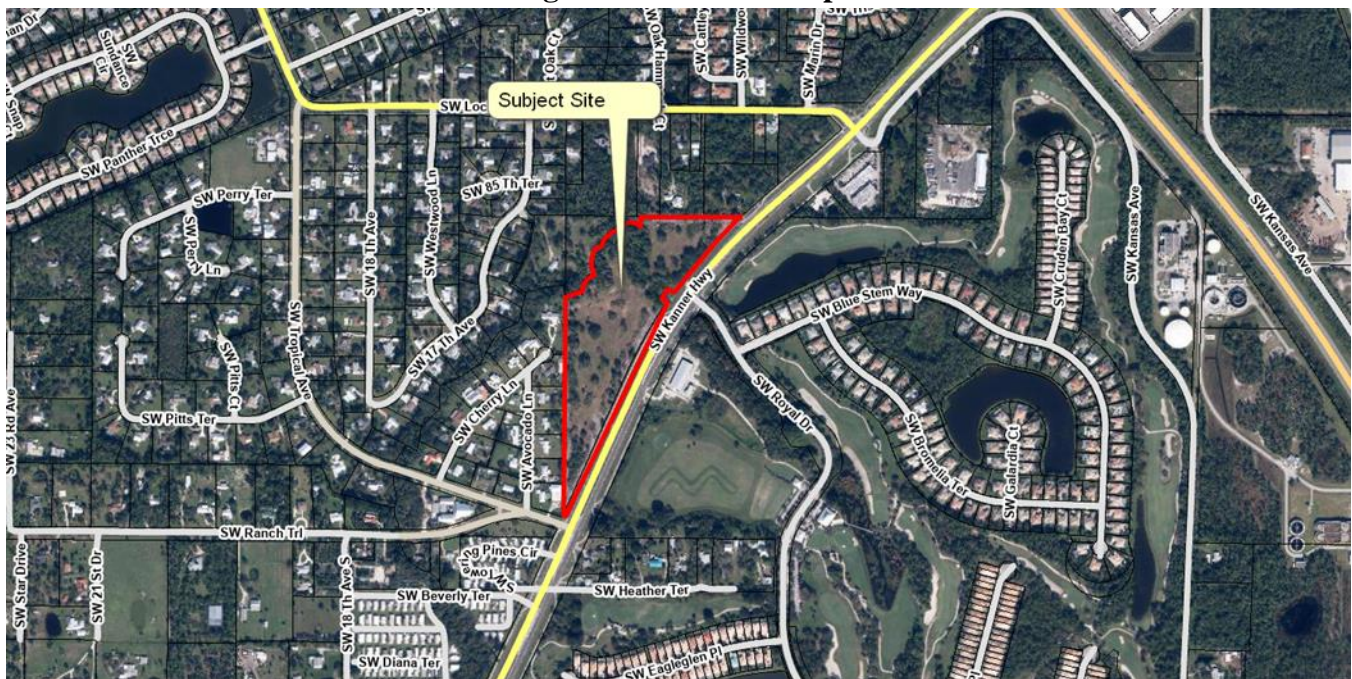
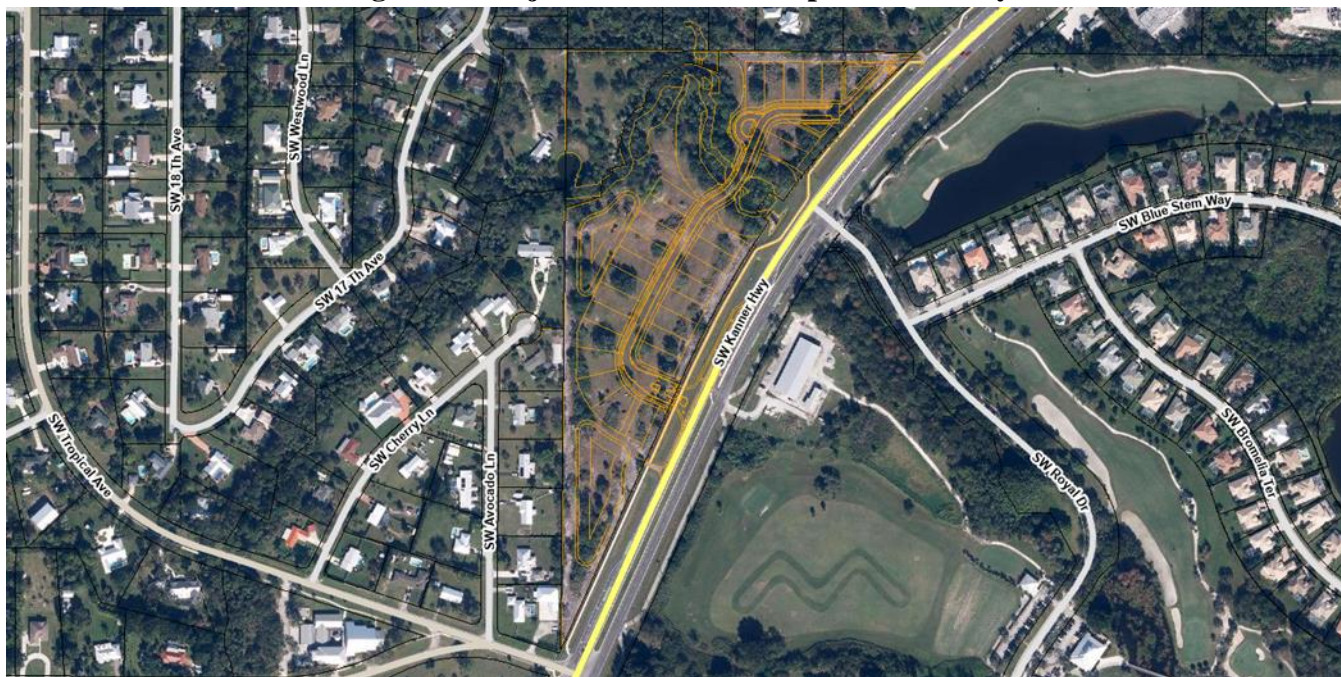


Figure 2: Aerial



Figure 3: Subject Site with Development Overlay



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

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.

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

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.

Information #1:

Payment Of 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).

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

Commercial Design

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

Community Redevelopment Area

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

I. Determination of compliance with the property management 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.

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.

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 65-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

Findings of Compliance:

The County Surveyor's office has reviewed this development application for compliance with applicable statutes and ordinances and finds it in compliance. This division recommends approval of the application, subject to compliance with the standards for the submittal of all post-approval documents and field verification.

M. Determination of compliance with engineering, storm water and flood management requirements – Engineering Services Division

N/A – Staff review for compliance requirements associated with this area of regulations is not applicable to this project 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. (2024).

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 Service

Findings of Compliance:

Plat

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 Protection

Findings of Compliance:

A portion of the project is located in wellfield protection zones. However, the residential nature of the project is exempt from the requirements of the Wellfield Protection Ordinance.

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

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

Emergency Management

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

Martin County Health Department

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

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 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. 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

After approval of the development order, the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. 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.

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	Description	Requirement
1.	Response to Post Approval Requirements List	The applicant will submit a response memo addressing the items on the Post Approval Requirements List.
2.	Post Approval Fees	The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners.
3.	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.
4.	Warranty Deed	One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not

Item	Description	Requirement
5.	Unity of Title	Original and one (1) copy of the current Unity of Title in standard County format if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating so that no transfer has occurred.
6.	Approved Plat	One (1) paper copy 24" x 36" of the approved plat.
7.	Declaration of Covenants and Restrictions	Original executed Declarations of Covenants and Restrictions for the homeowner's association.
8.	Executed Mylar	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.
9.	Executed Contract of Construction of Required Improvements	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.
10.	Paid Taxes	One (1) copy of Tax Collector's paid property tax receipt.
11.	Approved Final Site Plan	One (1) copy 24" x 36" of the approved final site plan.
12.	Digital Copy of Plat	One (1) digital copy of the plat in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the plat must match the hardcopy version as submitted.
13.	Approved Engineers Opinion of Probable Cost	One (1) copy of the approved Engineers Opinion of Probable Cost (EOPC) and, if changed, a revised EOPC with an explanation of its change signed and sealed by the Engineer of Record licensed in the State of Florida.
14.	Flash/Thumb Drive	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 meeting. 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	\$13,600	\$0.00
Recording fees *:	TBD		

* Recording fees will be identified after the post approval package has been submitted.

X. General application information

Applicant: Engineering Design & Construction, Inc.
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Agent: McCarthy, Summers, Wood, Norman, Melby & Schultz P.A.
Christen Spake, Esq.
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cls@mccarthysummers.com

Engineer of Record: C. Calvert Montgomery & Associates, Inc.
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david@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/Wastewater Service Agreement

Z. Attachments