



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

## STAFF REPORT

### A. *Application Information*

## SEA'S SUBDIVISION LOT 5 PLAT

Applicant:	Terrence J. Wiler
Property Owner:	Terrence J. Wiler
Agent for the Applicant:	Cotleur & Hearing, George Missimer
County Project Coordinator:	Luis Aguilar, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	S276-003
Record Number:	DEV2024040010
Report Number:	2025_0103_S276-003_Staff Report_final
Application Received:	04/26/2024
Transmitted:	04/30/2024
Date of Report:	06/13/2024
Application Received:	07/30/2024
Transmitted:	08/05/2024
Date of Report:	09/18/2024
Application Received:	11/01/2024
Transmitted:	11/01/2024
Date of Report:	01/03/2025

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at [www.martin.fl.us/accessibility-feedback](http://www.martin.fl.us/accessibility-feedback).

### B. *Project description and analysis*

This is a request by Cotleur & Hearing on behalf of Terrence J. Wiler for approval of the plat of lot 5 of the Sea's Subdivision. The plat is necessary as a result of the recently approved revised minor final site plan that established a new mean high water line and the associated 75 foot shoreline protection zone. The subject site is located at 3600 SE Sea Point Court in Stuart. The existing primary access to the site is

along SE Sea Point Court. Included 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 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	Comp Planning	Luis Aguilar	772-288-5931	Comply
G	Site Design	Luis Aguilar	772-288-5931	Comply
H	Community Redevelopment	Luis Aguilar	772-288-5931	N/A
H	Commercial Design	Luis Aguilar	772-288-5931	N/A
I	Property Mgmt	Ellen MacArthur	772-221-1334	N/A
J	Environmental	Darryl Deleeuw	772-221-1317	Comply
J	Landscaping	Karen Sjolholm	772-288-5909	N/A
K	Transportation	James Hardee	772-288-5470	N/A
L	County Surveyor	Tom Walker	772-288-5928	Comply
M	Engineering Services	Michael Grzelka	772-223-7945	N/A
N	Addressing	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission	Emily Kohler	772-288-5692	N/A
O	Wellfield	Jorge Vazquez	772-221-1448	Comply
O	Water and Wastewater	Jorge Vazquez	772-221-1448	N/A
P	Emergency Mgmt	Amy Heimberger -Lopez	772-419-2664	N/A
P	Fire Prevention	Doug Killane	772-419-5396	N/A
Q	ADA	Stephanie Piche	772-223-4858	N/A
R	Health	Nick Clifton	772-221-4090	N/A
R	School Board	Juan Lameda	772-219-1200	N/A
S	County Attorney	Elysse Elder	772-288-5925	Ongoing
T	Adequate Public Facilities	Luis Aguilar	772-288-5931	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 (BCC), who will take final action on the request pursuant to Table 10.5.F.9., LDR, Martin County, Florida (2021).

Pursuant to Sections 10.1.E. and 10.2.B.2, Land Development Regulations, Martin County, Fla. (2021), 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, September 18, 2024, with the resubmittal dated November 1, 2024, and additional materials received between December 9, 2024, and December 30, 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(s) and address: 48384103000000506  
3600 SE SEA POINT CT, STUART, FL 34997

Existing Zoning: R-1 (Single-family Residential District)

Future Land use: Estate Density - 2UPA

Gross area of site: 1.305 Acres

**Figure I: Location Map**

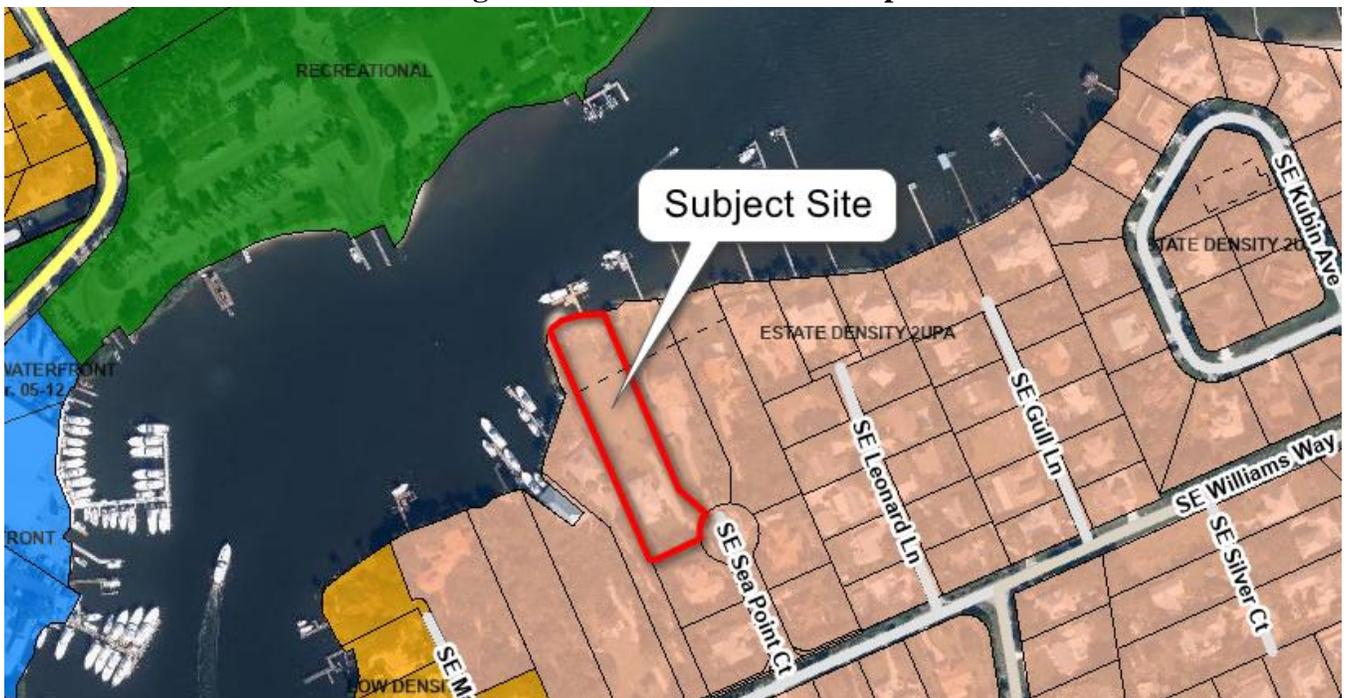


**Figure II: Zoning Map**



Property to the East:	R-1 (Covenant #75 RS-3)
Property to the North:	PS (Public Servicing District)
Property to the West:	R-1 (Covenant #75 RS-3)
Property to the South:	R-1 (Covenant #75 RS-3)

**Figure III: Future Land Use Map**



Property to the East:	Estate Density 2UPA
Property to the North:	Recreational
Property to the West:	Estate Density 2UPA
Property to the South:	Estate Density 2UPA

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

**Findings of Compliance:**

Staff has reviewed this application and finds that 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.

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

**Community Redevelopment**

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

**Commercial Design**

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**

**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**

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

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

**Traffic**

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***

**Engineering**

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***

**Electronic Files**

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

**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).

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

**Water and Wastewater**

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

**Wellfield 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 Rescue**

**Not Applicable**

This permit application does not promote a Florida Fire Prevention Code review.

**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***

**ADA**

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 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**

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. Once submitted, a unique Sharebase link will be provided to the agent via email. CDs and Flash Drives are no longer accepted for post approval submittals. The 24” x 36” plans should be submitted rolled and in separate sets as itemized below. Please note, the Public Works Department still requires a blank flash drive for the plans that will be stamped as part of post approval process. This flash drive will be distributed to the applicant/engineer of record at the pre-construction meeting. This blank flash drive now needs to be **brand new, unopened in the original package.**

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 been a property title transfer since the approval, provide a letter stating that no title transfer has occurred.

Item	Description	Requirement
5.	Approved Plat	One (1) paper 24" x 36" copy of the approved plat.
6.	Declarations of Covenants and Restrictions	Original executed Declarations of Covenants and Restrictions for the homeowner's/property owner's association.
7.	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, <b>including notary stamps.</b>
8.	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.
9.	Paid Taxes	One (1) copy of Tax Collector's paid property tax receipt.
10.	Digital Copy of Plat	One (1) digital copy of the plat in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.
11.	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.
12.	Unopened Flash/Thumb Drive	One unopened (1) blank USB flash/thumb drive, in the original package, which will be utilized to provide the applicant with the approved stamped and signed project plans at the pre-construction meeting.

## V. Local, State, and Federal Permits

There are no applicable Local, State and Federal Permits required in conjunction with this plat/master plan 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:	\$13,600.00	\$13,600.00	\$0.00
Inspection Fees:	\$0.00		\$0.00
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 after the post approval package has been submitted.

## X. General application information

Applicant/Owner: Terrence J. Wiler  
3600 SE Sea Point Court  
Stuart, FL 34997

Agent: Cotleur & Hearing (George Missimer)  
1934 Commerce Lane, Suite 1  
Jupiter, FL 33458

## 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**