

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA  
DEVELOPMENT ORDER**

**RESOLUTION NUMBER 23-**

**[REGARDING FINAL SITE PLAN APPROVAL  
FOR PHASE IV OF THE NINETY-FIVE RIVERSIDE PUD  
WITH A CERTIFICATE OF PUBLIC FACILITIES RESERVATION]**

**WHEREAS**, this Board has made the following determinations of fact:

1. Pulte Home Company, LLC, submitted an application for the approval of the Phase IV final site plan for the Ninety-Five Riverside Planned Unit Development (PUD), located on lands legally described in Exhibit A, attached.
2. The Local Planning Agency considered the application at a public hearing on October 19, 2023. The LPA's recommendations were forwarded to the Board of County Commissioners (Board) for consideration.
3. This Board has considered such recommendations.
4. Upon proper notice of hearing this Board opened the public hearing on October 24, 2023 and continued the public hearing to November 7, 2023.
5. At the public hearings, all interested parties were given an opportunity to be heard.
6. The final site plan for Phase IV of the Ninety-Five Riverside PUD is consistent with the Comprehensive Growth Management Plan and the Land Development Regulations.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:**

- A. The Phase IV final site plan, attached as Exhibit B, for the Ninety-Five Riverside PUD is approved. Development of Phase IV of the Ninety-Five Riverside PUD shall be in accordance with the approved final site plan attached as Exhibit B.
- B. Failure to submit the required documents, plans and fees as required by Section 10.11, Land Development Regulations (LDR), Martin County Code, shall render approval of the Phase IV final site plan for the Ninety-Five Riverside PUD null and void.
- C. All permits for the final site plan must be obtained within one year, by November 7, 2024. Development must be completed within two years, by November 7, 2025.
- D. This application is hereby determined to meet the requirements for and shall serve as a Certificate of Public Facilities Reservation as set forth in Section 5.32.D, LDR, Martin County Code.

E. No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre- construction meeting. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for on state agency permits, may be granted by the Growth Management Department upon review of required permit materials. Section 4.37, LDR, Martin County Code.

F. The Owner is not authorized to haul fill off the site and must coordinate with the County Engineer regarding the routes and timing of any fill to be hauled to the site. The Owner must comply with all County excavation and fill regulations.

G. In order to ensure that the drainage/stormwater management system functions as designed and permitted in perpetuity, Owner shall maintain the drainage/stormwater management system according to the Stormwater Management System Maintenance Plan as submitted with the final site plan application. The Maintenance Plan will provide that Owner shall be responsible for performing the specific inspections and maintenance operations on the stormwater management system on-site and off-site as approved by the Growth Management Director at final site plan approval in order to ensure it functions as intended and as approved by County. County shall not have any responsibility in maintaining the system.

H. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

**DULY PASSED AND ADOPTED THIS 7TH DAY OF NOVEMBER, 2023.**

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

BY: \_\_\_\_\_  
CAROLYN TIMMANN  
CLERK OF THE CIRCUIT COURT  
AND COMPTROLLER

BY: \_\_\_\_\_  
EDWARD V. CIAMPI, CHAIRMAN

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

BY: \_\_\_\_\_  
ELYSSE A. ELDER  
DEPUTY COUNTY ATTORNEY

ATTACHMENTS:

Exhibit A, Legal Description  
Exhibit B, Final Site Plan