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

RESOLUTION NUMBER 24-

**[REGARDING A REVISED FINAL SITE PLAN APPROVAL
FOR PHASE 1B, PARCEL 12.7 OF THE WEST JENSEN PUD
WITH A CERTIFICATE OF PUBLIC FACILITIES EXEMPTION]**

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

1. BW Jensen Federal, LLC, submitted an application for a revised final site plan approval for the West Jensen Planned Unit Development (PUD), Phase 1B, Parcel 12.7 Project, located on lands legally described in attached Exhibit A.
2. Pursuant to Section 10.5.F.9., Land Development Regulations (LDR), Martin County Code, a review of this application is not required by the Local Planning Agency (LPA).
3. Upon proper notice, this Board considered approval at a public meeting on the application on November 19, 2024.
4. At the public meeting, all interested parties were given an opportunity to be heard.
5. The revised final site plan for the West Jensen PUD, Phase 1B, Parcel 12.7 Project is consistent with the Comprehensive 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 1B, Parcel 12.7 revised final site plan for the West Jensen PUD is approved. Development of Phase 1B, Parcel 12.7 of the West Jensen PUD shall be in accordance with the approved revised final site plan attached as Exhibit B.

B. The decision-maker for a particular development application, as determined by Article 10, Development Review Procedures, may approve a design plan that varies from the standards set forth in Division 20, Commercial, Multifamily, and Industrial Design, in order to accommodate unique site features or to provide a more innovative design, provided that the decision-maker finds that the alternative plan generally fulfills the purpose and intent as set forth in section 4.871 or complies to the maximum extent practicable considering the configuration of the development that existed prior to the effective date of this Division 20. Accordingly, the

approved Alternative Compliance requests are documented on the approved elevations.

C. The Owner shall install and maintain the required landscaping materials in accordance with the approved restoration plan incorporated as Exhibit C. A performance bond in the amount of 100 percent of the estimated cost of the restoration plantings shall be provided within 60 days of approval of this development application. Prior to the issuance of a certificate of occupancy, a maintenance bond shall be required in the amount of 50 percent of the supply and installation cost of the restoration plantings.

D. All required applicable state and federal permits and approvals shall be submitted to the Growth Management Department (GMD) prior to the commencement of any construction.

E. No permits for construction or development activity shall be issued until all required documents, plans, fees and federal and state permits and approvals are received and approved as required by Section 10.11, LDR, Martin County Code.

F. Failure to submit the required documents, plans and fees as required by Section 10.11, Land Development Regulations, Martin County Code, shall render approval of the revised final site plan for the West Jensen PUD, Phase 1B, Parcel 12.7 Project null and void.

G. This application is hereby determined to meet the requirements for and shall serve as a Certificate of Public Facilities Exemption as set forth in Section 5.32.B, LDR, Martin County Code.

H. All permits for Phase 1B, Parcel 12.7 of the West Jensen PUD must be obtained within one year, by November 19, 2025. Development must be completed within two years, by November 19, 2026.

I. 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.

J. The Owner is not authorized to haul fill off of 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.

K. 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.

L. 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 19TH DAY OF NOVEMBER, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: _____
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

BY: _____
CHAIR

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

BY: _____
ELYSSE A. ELDER
DEPUTY COUNTY ATTORNEY

ATTACHMENTS:

Exhibit A, Legal Description
Exhibit B, Revised Final Site Plan
Exhibit C, Restoration Plan