

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Commissioner Doug Smith

Name of Board/Agency (BCC, CEB, BOZA, etc.):

BCC

Item/Issue (Clark Variance Application, Jones Site Plan Application, Henessy Rezoning, etc.):

PHQJ-1: SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE THAT ESTABLISHES ARTICLE 12, DIVISION 5, THE HOBE SOUND REDEVELOPMENT CODE AND AMENDS THE ZONING ATLAS This is the second public hearing on a proposed ordinance that (1) amends the Land Development Regulations (LDR) to establish Division 5, Article 12, Hobe Sound Community Redevelopment Code, (2) amends the Zoning Atlas to assign the Hobe Sound Redevelopment Zoning District and other zoning districts, and (3) repeals Section 3.263 of the LDR. The adoption of this ordinance will implement Chapter 18, Community Redevelopment Element of the Comprehensive Growth Management Plan, the Hobe Sound Community Redevelopment Plan and CPA 19-25, Hobe Sound Future Land Use Map (FLUM). (Agenda Item: 20-0735)

Name of person, group or entity with whom communication took place:

Dana Little

Subject matter of communication (with sufficient specificity so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication):

THE HOBE SOUND REDEVELOPMENT CODE

Describe investigations, site visits and provide any expert opinions received (with sufficient specificity so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication):

DISCUSSED THE PROJECT

List and attach any written communication received:

EX PARTE COMMUNICATION DISCLOSURE FORM

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Board / Agency Member name:

Commissioner Doug Smith

Name of Board/Agency (BCC, CEB, BOZA, etc.):

BCC

Item/Issue (Clark Variance Application, Jones Site Plan Application, Henessy Rezoning, etc.):

**PHQJ-2: MAGNOLIA RIDGE OF PALM CITY PUD (P161-004) REQUESTING
APPROVAL OF PLANNED UNIT DEVELOPMENT ZONING AGREEMENT
INCLUDING A MASTER/FINAL SITE PLAN**

Palm City GA Homes, LLC is requesting a rezoning from the current RM-8 Medium Density Residential District to the Planned Unit Development District (PUD) through a PUD Zoning Agreement including a Master/Final Site Plan for 28 residential townhomes on approximately 3.56 acres. The subject site consists of two undeveloped parcels located on the south side of SW Martin Highway, approximately 1,500 feet east of SW High Meadow Avenue in Palm City. Included in this application is a request for a Certificate of Public Facilities Reservation. (Agenda Item: 20-0743)

Name of person, group or entity with whom communication took place:

NONE

Subject matter of communication (with sufficient specificity so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication):

NONE

Describe investigations, site visits and provide any expert opinions received (with sufficient specificity so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication):

NONE

List and attach any written communication received:

NONE

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Commissioner Doug Smith

Name of Board/Agency (BCC, CEB, BOZA, etc.):

BCC

Item/Issue (Clark Variance Application, Jones Site Plan Application, Henessy Rezoning, etc.):

PHQJ-3: FPL WHITE TAIL SOLAR ENERGY CENTER FINAL SITE PLAN

Florida Power and Light requests final site plan approval for the White Tail Solar Energy Center. The project includes the construction of a 74.5-megawatt photovoltaic solar energy facility (solar farm) and associated infrastructure on approximately 600 acres which is the north half of a larger 1,261-acre tract located on the north side of Citrus Boulevard about 8 miles southwest of Florida's Turnpike. (Agenda Item: 20-0746)

Name of person, group or entity with whom communication took place:

NONE

Subject matter of communication (with sufficient specificity so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication):

NONE

Describe investigations, site visits and provide any expert opinions received (with sufficient specificity so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication):

NONE

List and attach any written communication received:

NONE

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Commissioner Doug Smith

Name of Board/Agency (BCC, CEB, BOZA, etc.):

BCC

Item/Issue (Clark Variance Application, Jones Site Plan Application, Henessy Rezoning, etc.):

DPQJ-1: REQUEST PLAT APPROVAL FOR MARINER VILLAGE SQUARE PLAT III, PUD (M160-012)

This is a request by Ribbon Ventures, LLC for approval of the Mariner Village Square Plat III, PUD being a re-plat of Plat II, consistent with the approved final site plans for a four-lot commercial subdivision of approximately 18.4 acres with shared infrastructure, wetland and upland preserves and shared access. The site is located on the west side of SE Federal Highway at the intersection with Mariner Sands Drive in Stuart. (Agenda Item: 20-0742)

Name of person, group or entity with whom communication took place:

NONE

Subject matter of communication (with sufficient specificity so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication):

NONE

Describe investigations, site visits and provide any expert opinions received (with sufficient specificity so that persons who have opinions contrary to those expressed in the ex parte communication are given a reasonable opportunity to refute or respond to the communication):

NONE

List and attach any written communication received:

NONE

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Commissioner Harold Jenkins

Name of Board/Agency:

BCC Meeting Tuesday, June 16, 2020

Item/Issue: Item #20-0735 Second Public Hearing to Consider Adoption of and Ordinance that Establishes Article 12, Division 5, The Hobe Sound Redevelopment Code and Amends the Zoning Atlas

Name of person, group or entity with which communication took place:

None

Subject matter of communication:

None

Describe investigations, site visits and provide any expert opinions received:

None

List and attach any written communication received:

See Attached

Homer C. Greene
P.O. Box 725
Hobe Sound, Florida 33475

Phone: 772-546-4191
Fax: 772-546-3482

March 3, 2020

Certif Mail
7019 1640 0001 3604 9672

Chairman Harold Jenkins
Martin County Board of Commissioners
Martin County Administrative Center
2401 SE Monterey Road
Stuart, FL 34996

Hi Harold,

Please advise your position on the Susan Kores letter of February 20, 2020 wanting to put my home and yours into a CRA.

I am absolutely against any changes that are proposed to our current legal land definitions and usage.

Our properties have nothing in common with the properties West of SE Dixie Hwy. The line should stay on SE Dixie Hwy, South of Bridge Road, as it is North of Bridge Road.

Thank you for reviewing this. I look forward to your comments.



Homer Greene

From: Michelle Strunk
To: [Harold Jenkins](#)
Subject: CPA-25
Date: Monday, June 8, 2020 8:25:29 AM



Dear Commissioner

I am a Hobe Sound native and would like to have some things explained to me. About the letter that was sent out

How are the changes different what is there now there are 2 different land uses CRA center and CRA neighborhood what will be able to be in both of them? What changes will be made to HS redevelopment zoning districts?

What are the intentions of the amendments? Not change permitted uses or development standards but to “adjust” them to eliminate difficulties of too much regulation. Like what exactly will be permitted. What are the residential project, commercial project and mixed use project proposed ? I thought this had already been changed but it was never clear what it was changed to.

Please let me know and please don't give me a ambiguous answer please tell me straight forward.

Thank you Michelle Strunk

From: Kate
To: [Comish](#)
Subject: Oppose CPA 18-10 CRA Changes
Date: Sunday, September 8, 2019 4:18:49 PM

We oppose CPA 18-10 CRA Changes.
Katharine Miller
William Miller
103 River Road Hobe Sound, FL 33455

From: Jeremy LeMaster
To: [Krista Storey](#); [Doug Smith](#); [Harold Jenkins](#); [Sarah Heard](#); [Edward Ciampi](#); [Stacey Hetherington](#)
Cc: [Susan Kores](#); [Dana Little](#); [Jessica Seymour](#); [Jordan Pastorius](#); [Irene Szedlmayer](#); [Clyde Dulin](#); [Nicki vanVonne](#); [Sarah Woods](#); [Paul Schilling](#); [Rick Creech](#) [Dana Friend](#)
Subject: Re: Exhibit A - Old Palm City Cra BOCC (Today Meeting)
Date: Tuesday, May 5, 2020 11:11:26 PM



Krista,

It is my understanding that the new Old palm city code that was passed would not go into effect until the appeal time is over. Is that correct?

If no appeal was granted when would the new code become a adopted code?

I will be appealing on many key points what is the process? Is there a state statue the county and I must comply with? Please respond back with a detailed roadmap.

Thank you,

Jeremy LeMaster

On May 5, 2020, at 1:10 PM, Jeremy LeMaster
<Jeremy@medalistbuildinggroup.com> wrote:

Staff,

Attached you will find my concerns regarding some key points that needs to be still be addressed, we have clearly laid out the differences with the old (current code) and new proposed code. We do have a recommendation to solve these code changes.

We also had a zoom meeting last week and expressed these issues and other conflicting codes with Division 1 Article 12(not yet adopted in old Palm city)

Please attached to the record for the BOCC meeting today and few free to ask any questions during meeting.

Thank you,

<PDF EXIHIBIT A - design standards divsions 12 article 4 spreadsheet on challenges to code..pdf>

Jeremy LeMaster

On May 4, 2020, at 11:44 AM, Krista Storey <kstorey@martin.fl.us> wrote:

Jeremy,

Yes, the public hearing on the Old Palm City CRA Land Development Regulation is still scheduled for tomorrow. Only the Board of County Commissioners has the authority to continue a public hearing.

Regarding your request to cross examine witnesses, only individuals who have qualified as an Intervenor may cross examine witnesses during a quasi-judicial proceeding. To be an Intervenor, a person must qualify to receive mailed notice of the subject application in accordance with Section 10.6.E., Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator not less than 7 business days prior to the meeting. To the best of my knowledge, you did not file the required form to be an Intervenor. The information regarding the process to become an Intervenor was included in the notification letter, copy attached.

In addition to the three minutes that you will be allowed to speak during the public comment portion of the hearing, you may submit written comments at that time or prior to the meeting. Questions submitted prior to the date of a public hearing affords staff the opportunity to address them during the staff presentation of the agenda item.

Krista A. Storey
Senior Assistant County Attorney
Martin County Board of County Commissioners
2401 S.E. Monterey Road
Stuart, Florida 34996-3397
772-288-5923 (o)

From: Jeremy LeMaster <Jeremy@medalistbuildinggroup.com>
Sent: Monday, May 4, 2020 9:04 AM
To: Susan Kores <skores@martin.fl.us>
Cc: Krista Storey <kstorey@martin.fl.us>; Dana Little <dlittle@tcrpc.org>; Jessica Seymour <jseymour@tcrpc.org>; Jordan Pastorius <jpastori@martin.fl.us>; Irene Szedlmayer <iszedlma@martin.fl.us>; Clyde Dulin <cdulin@martin.fl.us>; Nicki vanVonno <nikkiv@martin.fl.us>; Edward Ciampi <eciampi@martin.fl.us>; Sarah Woods <swoods@martin.fl.us>; Paul Schilling <pschilli@martin.fl.us>; Rick Creech <rtcreech@creech.consulting>
Subject: Re: Old Palm City proposed Land Development Regulations meeting



Krista,

I would like the opportunity to cross examine your witnesses and or experts At the county commissioner meeting since it's a quasi-judicial .

As the last meeting I was only limited to three minutes I would like my opportunity to go through And ask very specific questions.

Please respond back to my email and let me know if they are going to still have the meeting tomorrow or continue it again.

Jeremy LeMaster

On Apr 23, 2020, at 7:53 AM, Susan Kores
<skores@martin.fl.us> wrote:

Good Morning Jeremy,

In response to the COVID-19 virus, the County Administrator has directed that the County Administration Building is closed to the public and in-person meetings between County staff and members of the public should not be scheduled. In addition, it has been determined that the John F. and Rita M. Armstrong Wing of the Blake Library is only available for required public meetings of County boards, committees, and agencies.

Accordingly, I have scheduled a WebEx meeting for

Wednesday, April 29th from 1:30 – 3:00 pm. Thanks - Susan

Susan Kores, Manager
Office of Community Development
Martin County Board of County Commissioners
2401 SE Monterey Road
Stuart, FL 34996
772-320-3095

From: Jeremy LeMaster
<Jeremy@medalistbuildinggroup.com>
Sent: Wednesday, April 22, 2020 7:30 AM
To: Susan Kores <skores@martin.fl.us>
Cc: Krista Storey <kstorey@martin.fl.us>; Dana Little
<dlittle@tcrpc.org>; Jessica Seymour
<jseymour@tcrpc.org>; Jordan Pastorius
<jpastori@martin.fl.us>; Irene Szedlmayer
<iszedlma@martin.fl.us>; Clyde Dulin <cdulin@martin.fl.us>;
Nicki vanVonno <nikkiv@martin.fl.us>; Edward Ciampi
<eciampi@martin.fl.us>; Sarah Woods
<swoods@martin.fl.us>; Paul Schilling
<pschilli@martin.fl.us>
Subject: Re: Old Palm City proposed Land Development
Regulations meeting



Susan,

4-29 @1:30 will work. I would like a explanation from legal team of why we cannot meet at Blake library like th BOCC meeting we all just attended yesterday. We were in a very large room and all more than 6' apart.

What is the health differences between our proposed meeting and the BOCC? This is important issues that still need to be resolved.

Jeremy LeMaster

On Apr 21, 2020, at 3:39 PM, Susan Kores
<skores@martin.fl.us> wrote:

Dear Jeremy:

In scheduling our next meeting, our legal team informed me that we are not supporting any face to face meetings with the public. However, we can meet with you via our conference call/video platform at the following days/times before the adoption hearing on Tuesday, May 5. Please let me know as soon as possible so that we can schedule accordingly.

Tuesday, 4/28 – anytime
Wednesday, 4/29 – Between 10:00 – noon, or 1:30 – 5:00
Friday, 5/1 – Between 1:00 – 5:00

Susan Kores, Manager
Office of Community Development
Martin County Board of County Commissioners
2401 SE Monterey Road
Stuart, FL 34996
772-320-3095

From: Susan Kores
Sent: Monday, April 20, 2020 4:19 PM
To: Jeremy LeMaster
<Jeremy@medalistbuildinggroup.com>
Cc: Krista Storey <kstorey@martin.fl.us>; Dana Little <dlittle@tcrpc.org>; Jessica Seymour <jseymour@tcrpc.org>; Jordan Pastorius <jpastori@martin.fl.us>; Irene Szedlmayer <iszedlma@martin.fl.us>; Clyde Dulin <cdulin@martin.fl.us>; Nicki vanVonno <nikkiv@martin.fl.us>; Edward Ciampi <eciampi@martin.fl.us>; Sarah Woods <swoods@martin.fl.us>
Subject: FW: Old Palm City proposed Land Development Regulations

Hi Jeremy – After our meeting this afternoon, you asked if I would send

Article 12, Division 1 to you, so I have attached it here for your convenience. You can also access that and all the other documentation that accompanies the agenda item by clicking the link "Agenda Packet" below. Thanks - Susan

Susan Kores, Manager
Office of Community Development
Martin County Board of County Commissioners
2401 SE Monterey Road
Stuart, FL 34996
772-320-3095

From: Susan Kores
Sent: Thursday, April 16, 2020 8:47 AM
To: Jeremy LeMaster
<Jeremy@medalistbuildinggroup.com>
Cc: Irene Szedlmayer <iszedlma@martin.fl.us>; Jessica Seymour <jseymour@tcrpc.org>; Dana Little <dlittle@tcrpc.org>; Nicki vanVonno <nikkiv@martin.fl.us>; Clyde Dulin <cdulin@martin.fl.us>; Krista Storey <kstorey@martin.fl.us>; Jordan Pastorius <jpastori@martin.fl.us>; Sarah Woods <swoods@martin.fl.us>; Edward Ciampi <eciampi@martin.fl.us>
Subject: FW: Old Palm City proposed Land Development Regulations

Good Morning Jeremy:

Just wanted to send you the link to the Old Palm City LDR item that is going to the Board on Tuesday, April 21, 2020, and to let you know that this item will be heard early in the agenda, probably right after Public and Commissioner comments. Thanks - Susan

[Agenda Packet](#)

Susan Kores, Manager
Office of Community Development

**Martin County Board of County
Commissioners**
2401 SE Monterey Road
Stuart, FL 34996
772-320-3095

From: Susan Kores
Sent: Thursday, April 9, 2020 2:59 PM
To: Jeremy LeMaster
<Jeremy@medalistbuildinggroup.com>
Cc: Irene Szedlmayer <iszedlma@martin.fl.us>;
Jessica Seymour <jseymour@tcrpc.org>; Dana
Little <dlittle@tcrpc.org>; Nicki vanVonno
<nikkiv@martin.fl.us>; Clyde Dulin
<cdulin@martin.fl.us>; Krista Storey
<kstorey@martin.fl.us>; Jordan Pastorius
<jpastori@martin.fl.us>; Sarah Woods
<swoods@martin.fl.us>; Edward Ciampi
<eciampi@martin.fl.us>
Subject: RE: Old Palm City proposed Land
Development Regulations

Jeremy:

**We are having a team meeting next
Tuesday, April 14 from 8:30 – noon and
we would be happy to talk with you
any time during that period if you
would like. Let me know what time
might work for you and I'll get you the
meeting info. If another day/time
works better, feel free to let me know
that as well. Thanks - Susan**

From: Jeremy LeMaster
<Jeremy@medalistbuildinggroup.com>
Sent: Tuesday, April 7, 2020 11:00 PM
To: Susan Kores <skores@martin.fl.us>
Cc: Irene Szedlmayer <iszedlma@martin.fl.us>;
Jessica Seymour <jseymour@tcrpc.org>; Dana
Little <dlittle@tcrpc.org>; Nicki vanVonno
<nikkiv@martin.fl.us>; Clyde Dulin
<cdulin@martin.fl.us>; Krista Storey
<kstorey@martin.fl.us>; Jordan Pastorius
<jpastori@martin.fl.us>; Sarah Woods
<swoods@martin.fl.us>; Edward Ciampi

<eciampi@martin.fl.us>

Subject: Re: Old Palm City proposed Land Development Regulations



Susan,

Sorry for the delayed response this current climate has not been good for Our industry along with many others business.

The lots I own and have under contract is irrelevant to this proposed code change.

I have briefly read thru what you have proposed unfortunately it still does not match what I bought into (original, revised and current Old Palm City CRA code.

Some key points only about Row House/ or proposed townhouse

Current Code.	Proposed - Townhouse
-----	-----

(Row House)

16' min. wide.	25' Min. wide
----------------	---------------

No min Lot SF.	2,500 min. Lot SF
----------------	-------------------

Building %Not specified	50%
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Open % Not specified.	30%
-----------------------	-----

Max building width- N/A.	(8 lots/dwellings)
--------------------------	--------------------

Building separation-10'.	15' between building
--------------------------	----------------------

Building transition- N/A.	Requires transition
---------------------------	---------------------

Side setback near neighboring - N/A	10' from property line
-------------------------------------	------------------------

When I spoke to Ed Campi last month he said "we don't want to take away anything that was existing." Unfortunately that is what is proposed. This is a "Taking" **Bert J. Harris, Jr., Private Property Rights Protection Act**

I will be available next week if you would like to speak or you can email me.

Jeremy LeMaster

On Apr 7, 2020, at 4:52 PM, Susan Kores <skores@martin.fl.us> wrote:

Hey Jeremy:

I have attached a copy of the updated Land Development Regulations for Old Palm City. This is what staff will be proposing for adoption at the Board of County Commissioners second reading on Tuesday, April 21, 2020. Since we haven't heard from you regarding what properties of yours would be affected, we are proposing that the townhouse remain a permitted use in the Detached 1 zoning subdistrict and is also a permitted building type. Please let me know if you have any other questions or comments. I hope that Jessica and the girls are well. Thanks - Susan

Susan Kores, Manager
Office of Community
Development
Martin County Board of
County Commissioners
2401 SE Monterey Road
Stuart, FL 34996
772-320-3095

From: Susan Kores
Sent: Monday, March 30, 2020
8:44 AM
To: Jeremy LeMaster
<Jeremy@medalistbuildinggroup.com>

Cc: Irene Szedlmayer
<iszedlma@martin.fl.us>; Jessica
Seymour <jseymour@tcrpc.org>;
Dana Little <dlittle@tcrpc.org>;
Nicki vanVonno
<nikkiv@martin.fl.us>; Clyde Dulin
<cdulin@martin.fl.us>; Krista
Storey <kstorey@martin.fl.us>;
Jordan Pastorius
<jpastori@martin.fl.us>; Sarah
Woods <swoods@martin.fl.us>;
Edward Ciampi
<eciampi@martin.fl.us>

Subject: Old Palm City proposed
Land Development Regulations

Good Morning Jeremy:

I realized this morning that I
hadn't heard from you
regarding any of the dates
proposed in my email early
last week. I know these are
stressful times, especially for
those operating a business,
so please feel free to
suggest alternate
dates/times that might be
more convenient for you.
Thanks.

Susan Kores, Manager
Office of Community
Development
Martin County Board of
County Commissioners
2401 SE Monterey Road
Stuart, FL 34996
772-320-3095

From: Susan Kores
Sent: Tuesday, March 24, 2020
6:02 PM
To: Jeremy LeMaster
<Jeremy@medalistbuildinggroup.com>

Cc: Irene Szedlmayer
<iszedlma@martin.fl.us>; Nicki
vanVonno <nikkiv@martin.fl.us>;
Clyde Dulin
<cdulin@martin.fl.us>; Krista
Storey <kstorey@martin.fl.us>;
Jordan Pastorius
<jpastori@martin.fl.us>; Dana
Little <dlittle@tcrpc.org>; Jessica
Seymour <jseymour@tcrpc.org>;
Sarah Woods
<swoods@martin.fl.us>; Edward
Ciampi <eciampi@martin.fl.us>

Subject: FW: Old Palm City
proposed Land Development
Regulations

Jeremy:

Hope this email finds you
and your family well. At the
Board of County
Commissioners meeting
today, the above item was
continued to the meeting to
be held on Tuesday, April
21, 2020.

We would like to meet with
you to review the proposed
Land Development
Regulations for Old Palm
City before the meeting
scheduled for April 21. Due
to current circumstances
that meeting would take
place through a "Web X" or
"Go to Meeting" type of
mechanism. Staff would be
available on the following

days and times:
Monday, 3/30 at 3:30 pm
Tuesday, 3/31 from 1 pm – 5
pm
Friday, 4/3 at 1 pm

Please feel free to choose a day and time that is most convenient for you. As requested, it would also be helpful if you would provide us with a list of the issues that you have with the above as well as a list of the properties that you believe would be negatively affected. Thanks.

Sincerely,
Susan Kores, Manager
Office of Community
Development
Martin County Board of
County Commissioners
2401 SE Monterey Road
Stuart, FL 34996
772-320-3095

From: Susan Kores
Sent: Tuesday, March 17, 2020
10:58 AM
To: Jeremy LeMaster
<Jeremy@medalistbuildinggroup.com>

Cc: Irene Szedlmayer
<iszedlma@martin.fl.us>; Nicki
vanVonno <nikkiv@martin.fl.us>;
Clyde Dulin
<cdulin@martin.fl.us>; Krista
Storey <kstorey@martin.fl.us>;
Jordan Pastorius
<jpastori@martin.fl.us>; Dana
Little <dlittle@tcrpc.org>; Jessica
Seymour <jseymour@tcrpc.org>;
Edward Ciampi
<eciampi@martin.fl.us>

Subject: RE: Old Palm City

proposed Land Development
Regulations

Good Morning Jeremy:

We are still in the process of review regarding your March 5 email. As soon as that has been completed, we will be in touch with you. I anticipate that to be in a few weeks. In the meantime, this matter will be continued on the March 24 BOCC agenda and rescheduled to be heard at the April 21, 2020 BOCC meeting.

***Susan Kores*, Manager
Office of Community
Development
Martin County Board of
County Commissioners
2401 SE Monterey Road
Stuart, FL 34996
772-320-3095**

From: Jeremy LeMaster
<Jeremy@medalistbuildinggroup.com>

Sent: Monday, March 16, 2020
3:06 PM

To: Susan Kores
<skores@martin.fl.us>

Cc: Irene Szedlmayer
<iszedlma@martin.fl.us>; Nicki
vanVonno <nikkiv@martin.fl.us>;
Clyde Dulin
<cdulin@martin.fl.us>; Krista
Storey <kstorey@martin.fl.us>;
Jordan Pastorius
<jpastori@martin.fl.us>; Dana
Little <dlittle@tcrpc.org>; Jessica
Seymour <jseymour@tcrpc.org>;
Edward Ciampi

[<eciampi@martin.fl.us>](mailto:eciampi@martin.fl.us)

Subject: Re: Old Palm City
proposed Land Development
Regulations



Susan,

Not one person had answer my
email from March 5th. Please
answer my questions.

Is this still on Commisioner
agenda?

Jeremy LeMaster

On Mar 5, 2020, at
10:21 AM, Jeremy
LeMaster
<Jeremy@medalistbuildinggroup.com>
wrote:

Just to clarify are
they removing Row
homes or Town
homes from the
detached Old Palm
City?

If so I will be filing
an objection and will
be filing with the
state if necessary
this does not just
pertain to that small
parcel of land that
you speak about.
This pertains to
multiple parcels of
land that are
scattered
throughout Old Palm

City. This is not just
my issue this is the
issue of every other
owner that owns
property in the
detached area also.

As I stated before
this is a big issue that
they or the county
missed.

If what you're saying
is true they are
trying to take away
our rights that I
bought into over and
over and over then
we will have a bigger
issue.

Please advise.

Jeremy LeMaster

On Mar
5,
2020,
at 8:21
AM,
Susan
Kores
<skores@martin.fl.us>
wrote:

**Dear
Jeremy:**

**As you
know,
the
second
public**

hearing
for the
adoption
of
Article
12,
Division
4, Old
Palm
City
Redevelopment
Code,
Land
Development
Regulations,
and
the
amendment
of the
Zoning
Atlas
regarding
the
Old
Palm
City
CRA
was
scheduled
for
February
18,
2020.
On
that
date,
staff
requested
that
the
item
be
continued
until
March
24,
2020.

In a
complete

and
thorough
review
of
your
comments
of
February
18
regarding
the
above,
staff
will be
proposing
the
following
change:

The
Regulating
Plan
has
been
revised
to
place
Lots
24
through
32,
Block
4, Plat
of the
Cleveland
2nd
Addition,
and
one-
half of
the
adjacent
closed
alley,
totaling
approximately
0.6
acres,
into
the

Multifamily
zoning
subdistrict
and to
remove
them
from
the
Detached
zoning
subdistrict.

Please
feel
free to
contact
us
with
any
questions
or
comments.

Thanks

-

Susan

Susan

Kores,

Manager

Office

of

Community

Development

Martin

County

Board

of

County

Commissioners

2401

SE

Monterey

Road

Stuart,

FL

34996

772-

320-

3095

From:

Susan
Kores

Sent:

Thursday,
February
27,
2020
8:22
AM

To:

Jeremy
LeMaster
<Jeremy@medalistbuildinggroup.com>

Cc:

Irene
Szedlmayer
<iszedlma@martin.fl.us>;
Nicki
vanVonno
<nikkiv@martin.fl.us>;
Krista
Storey
<kstorey@martin.fl.us>;
Jordan
Pastorius
<jpastori@martin.fl.us>;
Dana
Little
<dlittle@tcrpc.org>;
Jessica
Seymour
<jseymour@tcrpc.org>;
Clyde
Dulin
<cdulin@martin.fl.us>

Subject:

FW:
Old
Palm
City
proposed
Land

Development
Regulations

Hi
Jeremy:

We
haven't
yet
received
any
information
from
you
regarding
your
issues
and
affected
properties.
It
would
be
helpful
if you
could
forward
that at
your
earliest
convenience.
I will
contact
you
regarding
a
meeting
to be
scheduled
either
next
week
or the
week
after.
Thanks

-

Susan

Susan

Kores,

Manager

Office

of

Community

Development

Martin

County

Board

of

County

Commissioners

2401

SE

Monterey

Road

Stuart,

FL

34996

772-

320-

3095

From:

Susan

Kores

Sent:

Tuesday,

February

18,

2020

3:31

PM

To:

jeremy@medalistbuildinggroup.com

Cc:

Irene

Szedlmayer

[<iszedlma@martin.fl.us>](mailto:iszedlma@martin.fl.us);

Nicki

vanVonno

[<nikkiv@martin.fl.us>](mailto:nikkiv@martin.fl.us);

Krista

Storey
<kstorey@martin.fl.us>;
Jordan
Pastorius
<jpastori@martin.fl.us>;
Dana
Little
<dlittle@tcrpc.org>;
Jessica
Seymour
<jseymour@tcrpc.org>

Subject:

Old
Palm
City
proposed
Land
Development
Regulations

**Dear
Jeremy:**

**After
our
discussions
today,
please
provide
us a
list of
the
issues
that
you
have
with
the
above
as
well
as a
list of
the
properties**

that
you
believe
would
be
negatively
affected
by
Monday,
February
24. I
will
then
be in
touch
with
you to
set up
a
meeting
for
you,
County
staff
and
Treasure
Coast
staff
to
discuss.
Thanks
-
Susan

Susan
Kores,
Manager
Office
of
Community
Development
Martin
County
Board
of
County
Commissioners
2401

SE
Monterey
Road
Stuart,
FL
34996
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and
opinions
expressed
herein are
those of the
author of
this
message
and may
not reflect
the policies
of the
Martin
County
Board of
County
Commissioners.
Under
Florida
Law, email
addresses
are public
records. If
you do not
want your
email
address
released in
response to
a public
records
request do
not send
electronic
mail to this
entity.
Instead,
contact this
office by
phone or in
writing.*

<Article 12_Division 4_Old Palm
City_2020-04-06_Draft.pdf>

<CPA 19-24 OPC notification letter #2.pdf>

問 題 演 習

"I would say most of the difficulties in adaptation can be chalked up to good-faith attempts to comply with the law in a new and unfamiliar world," said

Frank LoMonte, director of the Brechner Center for Freedom of Information at the University of Florida. **But he said the public should be wary of “a certain element of opportunity for certain agencies that just don’t like open government.”**

Developers' requests continue to move forward despite residents having little ability to review and make comments.

April 21, 2020 -- GROWTH MANAGEMENT CNST -7 REQUEST TO INITIATE TEXT AND FUTURE LAND USE MAP AMENDMENTS TO THE COMPREHENSIVE GROWTH MANAGEMENT PLAN FOR HODAPP PROPERTY The Growth Management Department (GMD) requests the Board of County Commissioners (Board) initiate text and Future Land Use Map amendments to the Martin County Comprehensive Growth Management Plan (CGMP) for the Hodapp property located at 7715 SW 39th Street.

Why should taxpayers pay the expense of initiating and processing a Comp Plan to benefit one land owner?

April 21, 2020 PUBLIC HEARINGS PH-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN AMENDMENT TO ARTICLE 3, TABLE 3.12.1, LDR The Gunster Law Firm has proposed an amendment to the Land Development Regulations to amend Table 3.12.1, Development Standards, of Article 3. The amendment is regarding the development standards of the LI zoning district and would allow Commercial and Business uses permitted by the LI zoning district to have **an increased height.**

-----**The beauty and distinguishing factor of Martin County and the overbuilt counties of south Florida is directly linked to height restrictions on our buildings.**

Agenda Item: 20-0606 PH-2 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE REGARDING STREETS, ROADS, AND BRIDGES This is a public hearing to consider adoption of an Ordinance repealing Chapter 25, Cable Communications, and amending Chapter 155, Streets, Roads, and Bridges to: establish **a minimum speed limit**; eliminate conflicts with state statutes; and require permits in County rights-of-way. Agenda Item: 20-0600

What does this rule mean - what will be the cost of enforcing "minimum" speed limits and how will it impact farmers, bicyclers, and landscaping and such?

How will it affect speed limits in congested areas?

PHQJ-2 SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE THAT ESTABLISHES ARTICLE 12, DIVISION 4, THE OLD PALM CITY COMMUNITY REDEVELOPMENT CODE AND AMENDS THE ZONING ATLAS This is the second public hearing on the proposed ordinance that (1) amends the Land Development Regulations (LDR) to establish Division 4, Article 12, Old Palm City Community Redevelopment Code, (2) amends the Zoning Atlas to assign the Old Palm City Redevelopment Zoning District and other zoning districts, and (3) repeals Section 3.265 of the LDR. The adoption of this ordinance will implement Chapter 18, Community Redevelopment Element of the Comprehensive Growth Management Plan, the Old Palm City Redevelopment Plan and CPA 19-24, Old Palm City CRA FLUM. Agenda Item: 20-0623

As stated in the letter to editor below: "Debate over Palm City Farms rights-of-way has been raging for years."

It is wrong for staff and the Commission to enact a new ordinance without meaningful public comment or participation, since it is not advisable -- or permissible -- for many residents to attend the meeting.

M Mercier

Stuart, Florida



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From: Melissa Trainor
To: [Harold Jenkins](mailto:hjenkins@martin.fl.us)
Subject: Re: FW: Commissioners Raising Building Height
Date: Tuesday, April 21, 2020 9:24:33 AM



Good morning Mr. Jenkins,

Thank you for the update and I appreciate you writing back.

Thank you once again,
Melissa Trainor

On Tue, Apr 21, 2020 at 8:52 AM Harold Jenkins <hjenkins@martin.fl.us> wrote:

Good morning, Ms. Trainor.

This agenda item DOES NOT INCREASE our treasured 4 story 40' height limit. It is regarding Commercial and Business uses permitted by the LI zoning district to be developed at an increased maximum height of 40 feet instead of the now 30 feet.

There are current less intense use zoning districts which allows for 40' height.

If you would like to review the agenda item, it is available through the county website, www.martin.fl.us . Click on Agenda's.

If you would like to submit public comment via email to be read into the record by a staff member, please fill out the form here:

www.martin.fl.us/BCCPublicComment

The fillable public comment form can be found at www.martin.fl.us/BCCPublicComment. Commenters simply provide their name, the item they wish to comment on, enter up to 5,000 characters of text and then click submit. Once received, staff will review the comments to make sure they don't violate county policy. During the meeting, county staff will read the message into the record but will be limited to three minutes per the county's established public comment procedure. Comments for an item must be submitted prior to the end of the public comment period for that item to be read into the record. Staff will then provide the comments, in their entirety, to the Clerk to attach to the minutes as an official record.

Thank you.

Colleen Pachowicz

Executive Aide, Commission District 3 and Legislative Aide

Martin County Board of County Commissioners

2401 SE Monterey Road

Stuart, FL 34996

772-221-2357 (o) 772-288-5432 (fax)

From: Melissa Trainor <melissatrainer711@gmail.com>
Sent: Saturday, April 18, 2020 5:12 PM
To: Harold Jenkins <hjenkins@martin.fl.us>; Edward Ciampi <eciampi@martin.fl.us>; Doug Smith <dsmith@martin.fl.us>; Stacey Hetherington <shetherington@martin.fl.us>; Sarah Heard <sheard@martin.fl.us>
Subject: Fwd: FW: Commissioners Raising Building Height



Good afternoon,

Please see my attached letter regarding raising the building height in Martin County.

Regards,

Melissa Trainor

Subject: Commissioners Raising Building Height

Please join me in emailing commissioners to let them know that having a meeting that will pass a Building Height Increase is not what is expected of them.. Please don't let them turn

Our beautiful community into Hollywood, FL or Miami! D. Lott was kind enough to compose a standard letter you are welcome to use.. please email today! Meeting is Tuesday.

Please pass this along, the more emails, the better..

(HJenkins@martin.fl.us; ECiampi@martin.fl.us; DSmith@martin.fl.us; SHetherington@martin.fl.us; SHeard@martin.fl.us)

To Commissioner Majority,

I am writing as a business owner in Palm City and am appalled that the agenda set forth for April 21 includes items that should not be heard during this Pandemic period. It does not allow for Martin County residents and constituents to debate the agenda items that affect the taxpayers of the community. The fact that the building height has remained up to 4 stories for decades should not be discussed

without considerable community input. The height requirement has been restricted for these many years for a reason. We value the

small town feel to our city and would object to massive, towering buildings that would not be environmentally sound and/or obstruct the views of others.

It will cost the taxpayers money and possibly adversely affect our land values.

Please remove these controversial items until the community can involve themselves following the end of "lock down" in our county.

Sincerely,

THANKS, Here is information I was given..

Kerry Barron

Please consider joining me in emailing the commissioners regarding their doing non-essential business and affecting residents and taxpayers and making residents/taxpayers choose between health/safety and community discussion including BUILDING HEIGHT LIMITS.

TO: MARTIN COUNTY COMMISSION MAJORITY

(HJenkins@martin.fl.us; ECiampi@martin.fl.us; DSmith@martin.fl.us; SHetherington@martin.fl.us; SHeard@martin.fl.us)

From: Donna Melzer, concerned Palm City resident and volunteer activist for quality of life in Martin County for more than 30 year.

RE: Request to delay agenda items set for April 21 that affect building height limits, costs to taxpayers, specific property disputes.

Date: April 15, 2020.

Please delete from the April 21, 2020 agenda any non-essential board items.

Residents' should not be made to choose between safety and asking questions about community changes, comp plan (county constitutional) changes, and community disagreements.

Here are four examples - please continue the following items until after the stay-at-home order, the coronavirus dangers are past.

Developers' requests continue to move forward despite residents having little ability to review and make comments. I am emailing the county commission to put these three requests on hold until after the stay at home order is lifted. These are NOT essential services! Why should residents have to risk their lives to stand for community?

April 21, 2020 -- GROWTH MANAGEMENT CNST -7 REQUEST TO INITIATE TEXT AND FUTURE LAND USE MAP AMENDMENTS TO THE COMPREHENSIVE GROWTH MANAGEMENT PLAN FOR HODAPP PROPERTY The Growth Management Department (GMD) requests the Board of County Commissioners (Board) initiate text and Future Land Use Map amendments to the Martin County Comprehensive Growth Management Plan (CGMP) for the Hodapp property located at 7715 SW 39th Street.

Why should taxpayers pay the expense of initiating and processing a Comp Plan to benefit one land owner? The rest of us have to pay if we want a site-specific change to the Comp Plan or a change that hurts affordable housing. This is not an essential service.

April 21, 2020 PUBLIC HEARINGS PH-1 PUBLIC HEARING TO CONSIDER ADOPTION OF AN AMENDMENT TO ARTICLE 3, TABLE 3.12.1, LDR The Gunster Law Firm has proposed an amendment to the Land Development Regulations to amend Table 3.12.1, Development Standards, of Article 3. The amendment is regarding the development standards of the LI zoning district and would allow Commercial and Business uses permitted by the LI zoning district to have **an increased height.**

Why should a rule be changed that will allow increased building height limits while residents are supposed to stay home? This is not an "essential service." STOP RUSHING ISSUES IMPORTANT TO RESIDENTS.

Agenda Item: 20-0606 PH-2 PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE REGARDING STREETS, ROADS, AND BRIDGES This is a public hearing to consider adoption of an Ordinance repealing Chapter 25, Cable Communications, and amending Chapter 155, Streets, Roads, and Bridges to: establish **a minimum speed limit**; eliminate conflicts with state statutes; and require permits in County rights-of-way. Agenda Item: 20-0600

What is this rule mean - what will be the cost of enforcing "minimum" speed limits and how will it impact farmers, bicyclers, and landscaping and such? How will it affect speed limits in congested areas? This is not urgent, this is not "essential services." WAIT.

PHQJ-2 SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE THAT ESTABLISHES ARTICLE 12, DIVISION 4, THE OLD PALM CITY COMMUNITY REDEVELOPMENT CODE AND AMENDS THE ZONING ATLAS This is the second public hearing on the proposed ordinance that (1) amends the Land Development Regulations (LDR) to establish Division 4, Article 12, Old Palm City Community Redevelopment Code, (2) amends the Zoning Atlas to assign the Old Palm City Redevelopment Zoning District and other zoning districts, and (3) repeals Section 3.265 of the LDR. The adoption of this ordinance will implement Chapter 18, Community Redevelopment Element of the Comprehensive Growth Management Plan, the Old Palm City Redevelopment Plan and CPA 19-24, Old Palm City CRA FLUM. Agenda Item: 20-0623

This is an issue that has been argued and controversial for years. As stated in the letter to editor below: "Debate over Palm City Farms rights-of-way has been raging for years." This is not an urgent matter nor an essential service matter. Why the rush when the affected and interested parties have to choose safety or a say? Is this a Bully Tactic?

Thanks to Toni Barnes for calling attention to the Notice of Public Hearing that was printed in today's Stuart News. And to Ginny Sherlock for her Here's my letter to the editor.

Ginny

To the Editor by Virginia "Ginny" Sherlock (uncertain if printed yet):

Despite an Executive Order prohibiting gatherings of more than 10 persons, the Martin County Commission has advertised a public hearing April 21, 2020, on a proposed ordinance to address a long-standing dispute about platted rights-of-way in Palm City Farms.

Debate over Palm City Farms rights-of-way has been raging for years. A proposed ordinance to prohibit obstruction of rights-of-way was presented last year. Staff was directed to revise it and bring it back after trying to resolve problems for long-time residents who have constructed barns, gates, even homes within platted rights-of-way. The Palm City Farms Trail Association has insisted that all rights-of-way be open for public use, even when cutting through existing farms and residential communities.

The April 21 meeting notice states that "all interested persons are invited to attend and be heard," despite the fact that it is unsafe and unwise for all interested persons to attend the meeting. The Commission continues to jeopardize public health and safety by trying to conduct business as usual during most unusual circumstances.

It is wrong for staff and the Commission to enact a new ordinance without meaningful public comment or participation, since it is not advisable -- or permissible -- for many residents to attend the meeting.

The City of Stuart is postponing public hearings on high-interest matters for the time-being, with the City Attorney citing due process concerns if action is taken on issues when the public is effectively restricted or prohibited from participating. This is a responsible approach to local government.

The Martin County Commission should postpone all development and legislative actions likely to generate intense public interest until after all Emergency Orders and "stay-at-home" directives are lifted.

Virginia P. Sherlock

Stuart

-----Forwarded Message-----

From: Virginia Sherlock

Sent: Apr 9, 2020 12:11 PM

Subject: BCC sets public hearing on Palm City Trails ROW dispute

Despite the Governor's Executive Order prohibiting gatherings of more than 10 persons, the Martin County Commission published a notice today advertising a public hearing on April 21, 2020, on a proposed ordinance that will address a long-standing dispute between Palm City Farms residents and the Palm City Farms Trail Association about the use of platted rights-of-ways in Palm City Farms.

Debate over rights-of-ways in the Palm City Farms subdivision has been raging for many years. A proposed ordinance that would prohibit "obstructions" of rights-of-way was presented by staff last year. The commission directed staff to revise it and bring it back after working with Palm City Farms residents to try to resolve problems for long-time residents who have constructed barns, gates, even homes within platted rights-of-way. The Palm City Farms Trail Association has insisted that all encroachments must be removed and that the rights-of-way must be open for public access, even when rights-of-way cut through established farms and residential developments.

Many residents have addressed the Commission about this issue over the years, and many news stories have been published making it clear that this is an extremely high-interest issue for the public.

Nevertheless, it appears that staff and the Commission want to move forward with a new ordinance about this long-standing debate without meaningful public comment or participation, since it is not advisable -- or permissible -- for large numbers of the residents to attend the meeting and express their concerns.

In contrast, the City of Stuart will not be moving forward with public hearings on high-interest matters for the time-being, with the City Attorney citing due process concerns if hearings are scheduled and action is taken on issues when the public is effectively restricted or prohibited from participating.

The notice in today's Stuart News inaccurately states that the meeting on April 21 will be conducted in Commission Chambers at the Martin County Administrative Center. In fact, all meetings of the BCC have been scheduled for the auditorium in the Blake Library, where "social distancing" can be practiced.

The notice also improperly states that "all interested persons are invited to attend and be heard," despite the fact that it is unsafe and unwise for "all interested persons" to attend the meeting.

The proposed new ordinance is not available for review on the County's website.

The County Commission should postpone this item -- as well as any other item that is likely to generate intense public interest -- until after all Emergency Orders and "stay-at-home" directives are lifted.



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From: Paul Vallier
To: [Harold Jenkins](#)
Subject: Reply re: public meetings during the pandemic??
Date: Tuesday, April 21, 2020 8:55:52 AM
Attachments: [23_COVID-19_Community_Update_4.pdf](#)



Dear Commissioner Jenkins,
Thank you very much for taking a moment for a reply. Much appreciated!

The underlying concern that many, many have in Martin County is that over the years, the Comprehensive Growth plan has provided a sensible and widely supported blueprint for sound development in our County.
The public sense during the past few years is that the Comp. Plan has been under continuous assault by developers and monied interests especially outside of Martin County.

As Commissioners, you are the only "defensive wall" we have to contain the sprawl that so characterizes the counties to the south. That sprawl is also a kind of "virus" that we don't need in Martin County.

Thanks again for your thoughtful reply,

Paul Vallier
Stuart, FL

On Apr 21, 2020, at 8:38 AM, Harold Jenkins <hjenkins@martin.fl.us> wrote:

Good morning, Mr. Vallier.

This agenda item DOES NOT INCREASE our treasured 4 story 40' height limit. It is regarding Commercial and Business uses permitted by the LI zoning district to be developed at an increased maximum height of 40 feet instead of the now 30 feet.
There are current less intense use zoning districts which allows for 40' height.
If you would like to review the agenda item, it is available through the county website, www.martin.fl.us . Click on Agenda's.

If you would like to submit public comment via email to be read into the record by a staff member, please fill out the form here:

www.martin.fl.us/BCCPublicComment

The fillable public comment form can be found at www.martin.fl.us/BCCPublicComment. Commenters simply provide their name, the item they wish to comment on, enter up to 5,000 characters of text and then click submit. Once received, staff will review the comments to make sure they don't violate county policy. During the meeting, county staff will read the message into the record but will be limited to three minutes per the county's established public comment procedure. Comments for an item must be submitted prior to the end of the public comment period for that item to be read into the record. Staff will then provide the comments, in their entirety, to the Clerk to attach to the minutes as an official record.

Thank you.

Colleen Pachowicz
Executive Aide, Commission District 3 and Legislative Aide
Martin County Board of County Commissioners
2401 SE Monterey Road
Stuart, FL 34996
772-221-2357 (o) 772-288-5432 (fax)

From: Paul Vallier <pavallier@aim.com>
Sent: Monday, April 20, 2020 12:00 PM
To: Doug Smith <dsmith@martin.fl.us>; Edward Ciampi <eciampi@martin.fl.us>; Harold Jenkins <hjenkins@martin.fl.us>; Stacey Stacey Heatherington <sheatherington@martin.fl.us>; Sarah Heard <sheard@martin.fl.us>
Subject: public meetings during the pandemic??



Holding Commission meetings with no or limited opportunity for public comment is wrong.
Paul Vallier
Stuart

As our own Martin County Commission Majority pushes forward (TO APPROVE) commercial building height increases and many projects expensive to our taxpayers, other communities focus on COVID-19: "...holding meetings that are inaccessible to the public, rushing actions without proper deliberation and impeding access to public records. ??

"When transparency is removed, so is the trust,'..."

From: ysherlock@ishlaw.net [Add to Address Book]
Date: Apr 20, 2020 8:58 AM

A resident passed along this article from the Wall Street Journal on local governments holding public meetings during the pandemic . . . Ginny

Local Governments Are Hard to Find as Coronavirus Ends Public Meetings

Many communities struggle to run city-council meetings online amid bad connections and Zoombombing

By Tarini Parti and Joshua Jamerson

The Wall Street Journal, April 19, 2020

Communities across the country are finding themselves in a bind as they try to pass urgent legislation to combat the coronavirus pandemic at the same time public meetings are impossible.

Open-government advocates say many city councils, school boards and other governing bodies are failing at the task, holding meetings that are inaccessible to the public, rushing actions without proper deliberation and impeding access to public records.

"When transparency is removed, so is the trust," said Daniel Bevarly, executive director of the National Freedom of Information Coalition, a group that advocates for open government. Mr. Bevarly said his group has received numerous complaints from private citizens and local journalists concerned about access to government during the coronavirus pandemic.

In Bellmead, Texas, a suburb of Waco, Mayor Travis Gibson says he is considering legal action against the very government he runs after four City Council members held a meeting in defiance of his emergency order banning gatherings of 10 people or more.

At the meeting, the council members voted to hire a new city manager, who had resigned from a previous post after accepting responsibility for making inappropriate comments and settling a sexual-harassment lawsuit.

Mr. Gibson said the meeting, held on short notice and with only a handful of people in attendance, violated Texas's open-meetings law.

The four Bellmead City Council members who voted in favor of the new hire and the city attorney said the mayor didn't have the authority to cancel the meeting without discussing it with the full council. Mr. Gibson is consulting with other lawyers in the state to figure out his next steps.

In South Carolina's Horry County, council members closed many hotels, campgrounds, minigolf parks, theaters and amusement parks during an emergency meeting last month. No members of the public were in attendance and a copy of the new ordinance wasn't released until after the meeting. The actions were criticized in newspaper editorials and by some legal experts who said officials have to give notice even for emergency meetings.

"What our lawyers have told us is that it isn't the normal public meeting that requires notice because time is of the essence," said Johnny Gardner, chairman of the council, adding that the uncommon nature of this outbreak made it hard to figure out how to conduct business.

In Waterville, Maine, the City Council created a special panel to deal with coronavirus-related matters. But when the panel also suspended the city's plastic-bag ban, it caused an uproar. The panel dissolved after the city attorney declared it acted illegally and the plastic-bag ban suspension was later approved by the full City Council. Erik Thomas, chair of the council, defended the special panel's creation and actions. "We were trying to make it clear to people who was taking the lead on the issue. The less people that were in meetings, the better," he said.

Governing bodies across the country are trying to make their proceedings available online, but have been beset by technical issues. Among those that have struggled is Denver's City Council, an Alcoholic Beverage Control Board in North Carolina, and a city council in Texas that had to pay \$2,000 to upgrade its equipment after audio problems disrupted an earlier virtual meeting.

Communities are also dealing with one of most unpleasant aspects of online life: trolls. During a recent Kalamazoo City Commission meeting in Michigan held on Zoom, some participants used profanity and racial slurs during the public-comment portion of the meeting, according to a spokeswoman for the mayor.

Many local officials say they are doing the best they can to conduct business during the pandemic. For some in rural areas, where internet access can be spotty, it is even harder.

"Five minutes into the meeting, it came across my screen, 'Your internet connection is unstable,' " said Christine Knisely, president of the City Council in Athens, Ohio, of a meeting she chaired Monday night. "And I thought, should I say something like, 'If I get bumped off, next person in seniority take over?' "

Ms. Knisely said the council has decided to only take up business that is essential to keeping Athens, home to Ohio University, functioning during the pandemic. But that line can be hard to assess.

Access to records has also become an issue for state and local governments struggling to maintain basic operations during a pandemic. Many have slowed down or stopped responding to public-records requests.

"I would say most of the difficulties in adaptation can be chalked up to good-faith attempts to comply with the law in a new and unfamiliar world," said Frank LoMonte, director of the Brechner Center for Freedom of Information at the University of Florida. But he said the public should be wary of "a certain element of opportunity for certain agencies that just don't like open government."

<https://www.wsj.com/articles/local-governments-are-hard-to-find-as-coronavirus-ends-public-meetings-11587288600?mod=searchresults&page=1&pos=2>



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EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Commissioner Harold Jenkins

Name of Board/Agency:

BCC Meeting Tuesday, June 16, 2020

Item/Issue: Item #20-0743 Magnolia Ridge of Palm City PUD (P161-004)

Requesting Approval of Planned Unit Development Zoning Agreement Including a Master/Final Site Plan

Name of person, group or entity with which communication took place:

None

Subject matter of communication:

None

Describe investigations, site visits and provide any expert opinions received:

None

List and attach any written communication received:

None

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Commissioner Harold Jenkins

Name of Board/Agency:

BCC Meeting Tuesday, June 16, 2020

Item/Issue: Item #20-0746 FPL White Tail Solar Energy Center Final Site Plan
(Continued from April 21, 2020)

Name of person, group or entity with which communication took place:

None (since April 21, 2020)

Subject matter of communication:

None (since April 21, 2020)

Describe investigations, site visits and provide any expert opinions received:

None (since April 21, 2020)

List and attach any written communication received:

None (since April 21, 2020)

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Commissioner Harold Jenkins

Name of Board/Agency:

BCC Meeting Tuesday, June 16, 2020

Item/Issue: Item #20-0742 Request Plat Approval for Mariner Village Square Plat III, PUD (M160-012)

Name of person, group or entity with which communication took place:

None

Subject matter of communication:

None

Describe investigations, site visits and provide any expert opinions received:

None

List and attach any written communication received:

None

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Sarah Heard

Name of Board/Agency:

Board of County Commissioners

Item/Issue: June 16th, 2020

PHQJ-1 SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE THAT ESTABLISHES ARTICLE 12, DIVISION 5, THE HOBE SOUND REDEVELOPMENT CODE AND AMENDS THE ZONING ATLAS

This is the second public hearing on a proposed ordinance that (1) amends the Land Development Regulations (LDR) to establish Division 5, Article 12, Hobe Sound Community Redevelopment Code, (2) amends the Zoning Atlas to assign the Hobe Sound Redevelopment Zoning District and other zoning districts, and (3) repeals Section 3.263 of the LDR. The adoption of this ordinance will implement Chapter 18, Community Redevelopment Element of the Comprehensive Growth Management Plan, the Hobe Sound Community Redevelopment Plan and CPA 19-25, Hobe Sound Future Land Use Map (FLUM).

Agenda Item: 20-0735

Describe investigations, site visits and provide any expert opinions received:

Meetings and emails.

NA

List and attach any written communication received:

See attached

From: elzer@gate.net
To: elzer@gate.net
Cc: [Harold Jenkins](#); [Sarah Heard](#); [Doug Smith](#); [Edward Ciampi](#); [Suzie Hetherington](#); [Stacey Hetherington](#); [Taryn Kryzda](#)
Subject: County Commission - What Pandemic? But ensuring the DEVELOPERS can rush their projects
Date: Tuesday, March 24, 2020 1:01:18 PM



From: [Virginia Sherlock <Vsherlock@lshlaw.net>](mailto:Vsherlock@lshlaw.net) [[Add to Address Book](#)]
Subject: Martin BCC: Pandemic? What Pandemic?

The Martin County Board of County Commissioners is planning to hold its regularly scheduled meeting Tuesday, determined not to let a global pandemic interfere with development approvals and spending millions of taxpayer dollars without public discussion.

In a nod to “social distancing,” Commissioners will meet in the Armstrong Auditorium of the Blake Library, where they can be seated at least six feet apart. And while the public will not be excluded from the meeting, there is little likelihood that many citizens will venture out for business as usual before the Commission in far from usual circumstances.

An agenda item to discuss a potential half-cent sales tax to raise funds to purchase conservation lands for the Indian River Lagoon South project is scheduled to be heard as Agenda Item DEPT-4. The tax hike proposal will be presented to voters on the November 3, 2020, ballot in the unlikely event that the Commission majority approves it. Commissioner Ed Ciampi has already advised his constituents that he does not support a tax to raise money to buy land for conservation and the IRL South Everglades restoration project, since property purchased by the County would be removed from the local tax roll.

On the same agenda, Ciampi and his colleagues will be asked to approve **more than \$8 million in contracts for projects ranging from Savannah Road resurfacing to architectural consulting services**, roadway mowing and stormwater area maintenance, with the largest amount (\$5.69 million) dedicated to the Mapp Road Town Center Improvements Project in Ciampi’s district. (Item DEPT-2)

A Comprehensive Plan Amendment for the highly controversial Christ Fellowship/Pulte Homes development (continued from the February 18,

2020, meeting) has been withdrawn at the developer's request and will not be heard on Tuesday (Agenda Item PH-1). And staff has requested cancellation of the second public hearing to adopt new zoning for the Palm City Community Redevelopment District (Item PHQJ-1).

However, a request for approval of a revised final site plan for Conchy Joe's Restaurant and a resolution to lower the speed limit from 35 mph to 30 mph on NE Indian River Drive between NE Causeway Boulevard and NE Jane's Terrace is still scheduled to be approved for a unified complex including the existing Conchy Joe's restaurant and the abandoned Admiral's Table, which will be reopened as a restaurant and microbrewery. (Item PHQJ-2)

Presentations on COVID-19 by the Martin County Health Department (Agenda Item PROC-3) and representatives of the municipalities of Sewall's Point, Stuart, Indiantown, Jupiter Island, and Ocean Breeze (Item PROC-4) have been scheduled.

NOTE TO MARTIN COUNTY RESIDENTS: The County Website is a good source for local information about the COVID-19 pandemic. Check frequently for updated notices of closings – Hobe Sound Beach, libraries, Sailfish Splash Waterpark, schools, Martin County golf course –as well as links to local, state and federal agencies and organizations that can provide assistance. County staff has done an excellent job updating and advising residents. Check out the link at

<https://www.martin.fl.us/Coronavirus#main-content>

Pandemic aside, the usual raft of Consent Agenda Items will be approved by the Commission without public discussion on Tuesday, including a resolution to re-name the Martin County Golf Course as "Sailfish Sands Golf Course" when the renovated/rebuilt amenity opens later this year. For some reason, Parks and Recreation Department staff and Commission Chair Harold Jenkins decided not to publicly celebrate the new name or the Jensen Beach High School freshman, Caleb Chagnon, who won a golf course naming contest and will be receiving a junior golf membership, hitting bay rental and golf lesson. Public discussion of this agenda item (CNST-15) might have at least provided a bright spot in an otherwise grim proceeding.

Other items on Tuesday's Agenda include:

– The Clerk's Warrant (CNST-2) disclosing that the County spent \$17,220,458.03 between February 18 and March 6 (more than \$956,692.00 a day) without disclosing to whom or for what purpose the funds were expended;

– Long-time employee Colleen Holmes will be recognized upon her retirement after more than 37 years in the County Attorney's Office and the Real Property Division (PROC-1);

– A total of \$364,757.00 in reductions will be approved for Code Enforcement fines levied against four property owners who corrected code violations (CNST-10, CNST-11, CNST-12 and CNST-13);

– Deputy Public Works Department Director James Gorton will be named Director of the department (formerly known as the Engineering Department) to succeed Director Terry Rauth, who is retiring on April 26;

– A resolution will be adopted to reduce the speed limit on SW Mapp Road in Palm City from 35 mph to 30 mph between SW Martin Highway and SW Martin Downs Boulevard (CNST-9).

Download or view Tuesday's agenda items at:

<https://martin.legistar.com/Calendar.aspx>

The meeting will begin at 9:00 a.m. Tuesday in the Armstrong Auditorium at the Blake Library. I cannot recommend that you attend the meeting under the circumstances. STAY HOME AND STAY SAFE. You can watch the meeting on TV or livestream it from the County website. E-mail commissioners about agenda items and other matters of interest to you at sheard@martin.fl.us, eciampi@martin.fl.us, dsmith@martin.fl.us, hjenkins@martin.fl.us, shetherington@martin.fl.us with copies to the County Administrator and County Attorney at tkryzda@martin.fl.us and swoods@martin.fl.us.

Ginny Sherlock

LITTMAN, SHERLOCK & HEIMS, P.A.

P.O. Box 1197

Stuart, FL 34995

Phone: (772) 287-0200

Fax: (772) 872-5152

www.LSHLaw.net

forwarded by Donna Melzer, a dissatisfied Martin County resident - dissatisfied with this Martin County Commission Majority who made environmentalists not trust them to spend enviro tax money for what we intended;

a Commission Majority who puts developers over residents, spending for pet projects over addressing resident concerns over such as corona-virus issues, and who keep more and more public records off the county website and then wants \$100 to look at a few files.

To unsubscribe, hit reply and so advise.

From: [Paul Vallier](#)
Subject: Martin County Commission Majority Continues to Gut the Comp Plan
Date: Monday, November 11, 2019 9:19:53 PM



The “Jenkins-Ciampi-Smith-Hetherington majority” need to be voted out.....they are working to gut the “Comprehensive Development plan” that has protected Martin County from unbridled, commercial development.....until now!

From: [Virginia Sherlock <vsherlock@lshlaw.net>](#) [[Add to Address Book](#)]

TOMORROW, Tues. 11/11 - BCC MEETING: Martin BCC continues making Comp Plan changes

Tuesday's Board of County Commissioners meeting features the usual requests – most likely to be approved with little discussion or dissent – to approve Comprehensive Plan amendments to increase density and change the nature of Martin County.

The Commission majority appears to have put out a sign advertising that Comp Plan changes are available merely for the asking.

In published public comments, at least one Hobe Sound resident predicts that Agenda Item PH-1 will be approved because of “relationships with the developers of this project and some of the commissioners.” The Jenkins-Ciampi-Smith-Hetherington majority appears inclined to approve virtually any change to future land use designations requested by any developer who purchases a piece of property which may be more valuable if the land use is subsequently changed.

CPA 19-18, Tradewinds Hobe Sound, seeks to change three parcels north of Bridge Road on the east side of SE Federal Highway from medium density residential, commercial/office residential, and limited commercial to

high density residential. The change would allow up to 204 units to be built on 13.66 acres instead of 81 units which are allowed under the current designation.

Another Comp Plan Amendment, CPA 19-23, changes land use designations within the Rio Community Redevelopment Area, and a request to change the Land Development Regulations to revise the Rio CRA Code will be considered at the same time. Agenda Items PH-2 and PH-3.

Comp Plan Amendments have become routine items on BCC meeting agendas, rendering the plan that made Martin County unique among over-developed and over-crowded South Florida virtually unrecognizable. The current commission majority continues to weaken nearly every policy that once set Martin County aside as a special place where open space, wetlands, wildlife habitat, growth and economic development were all important components of an orderly growth plan.

In other items on Tuesday's agenda which also have become part of the approval routine, the Commission will – without public discussion or consideration – authorize the Clerk's "warrant list" reporting \$20,836,440.84 in public funds spent between October 4 and October 24 without identifying the payees or the purpose for the payments. Consent Agenda Item CNST-2.

Also on the Consent Agenda, where items are "buried" by staff and the Commission Chair to avoid public comment or debate, is a proposed new policy to limit liability of the County to reimburse attorneys' fees and court costs incurred by public officials who successfully defend criminal, civil or administrative complaints.

The policy follows payment of \$350,000.00 in fees incurred by Commissioner Sarah Heard. Commissioner Heard was acquitted on criminal charges brought by State Attorney Bruce Colton at the behest of the Lake Point rockpit that

formerly employed Commissioner Stacey Hetherington, who testified in the unsuccessful prosecution of Commissioner Heard. Colton subsequently dropped similar charges against former Commissioners Ed Fielding and Anne Scott, who will be requesting reimbursement of their legal fees by the County as required by law.

In order to obtain reimbursement of legal fees, the proposed new policy would cap hourly rates for defense attorneys at \$275.00 – which is significantly lower than the usual and customary rate for criminal and civil defense attorneys in Martin County. Commissioner Heard's attorneys charged \$450.00 an hour, which is typical for experienced attorneys in our area. The proposed policy attempts to inject the County in strategic decisions made regarding defense of public officials, even when the charges or complaints may have – as the cases of Commissioners Heard, Fielding and Scott – been facilitated or aggravated by the acts of other County officials or staff.

It's no wonder the Commission wants to approve this likely unenforceable policy on the Consent Agenda without public discussion. Consent Agenda Item CNST-10.

As has also become routine in recent Commission meetings, millions of dollars in contracts will be presented for approval, including \$2 million for County facilities landscaping services, \$2.286 million for Martin County Golf Course improvements (reducing the Red and White courses from 18 holes to 9 holes and making minor improvements to the Gold and Blue courses), and \$1.5 million for utility infrastructure painting. Agenda Item DEPT-2.

The Consent Agenda includes several Board appointments (Board of Zoning Adjustment, Construction Industry Licensing Board) and changes to the Drug and Alcohol Abuse Awareness Committee. Consent Agenda Items CNST-4, CNST-5, CNST-6. Several requests for code

enforcement fine reductions are included in the Consent Agenda (CNST-7 and CNST-8), as well as a new schedule increasing fees for towing and storing vehicles by 1.6% based on the corresponding increase in the Consumer Price Index (CNST-9).

At 9:30 a.m., the Martin County School District will make a presentation on its 2020 legislative priorities and ask for the Commission's support. Agenda Item R&P-1.

A presentation also will be made by the County's Office of Tourism and Marketing to describe current efforts. Agenda Item DEPT-3.

The Commission will be asked to approve a stipulation to settle an administrative complaint filed by the Town of Jupiter Island challenging a Comprehensive Plan Amendment to allow water and sewer utilities to be extended outside the urban boundary to County property in Indiantown for the Martin County Fairgrounds. The challenge was not based on the busting of the urban boundary; the Town of Jupiter Island sought only to ensure that utilities would be purchased from Town-owned South Martin Regional Utilities rather than from Martin County Utilities. The stipulation does not state which entity will provide utility services; it simply provides that the administrative challenge will be dismissed. Agenda Item DEPT-5.

Other matters on Tuesday's agenda include:

- A request to increase the contract for design and promotion of the Jensen Beach Mooring Field and the Manatee Pocket Mooring Field by \$34,400.00, primarily to provide "public outreach" for the Manatee Pocket project (CNST-1);
- A resolution supporting federal legislation to increase funding for restoration and protection of coral reefs and

confirmation of the U.S. Coral Reef Task Force (CNST-14);

– A presentation by Supervisor of Elections Vicki Davis announcing results of the “Color Me Patriotic Art Contest” (PROC-1);

– A request to accept payment of \$25,000.00 from the Leilani Heights Homeowners Association for a County parcel that is no longer needed for a utility project and will be used by the Association for a community park (CNST-11); and

– Acceptance of a special warranty deed for donation of a 27-acre parcel of estuary mangrove hammocks near Jimmy Graham Park in Hobe Sound (CNST-13).

Download or view Tuesday’s agenda items at:

<https://martin.legistar.com/Calendar.aspx>

If you struggle with understanding and navigating the County website, you are not alone. County staff boasts of industry awards for its website, but citizens who regularly use the site are universally frustrated and disappointed in the lack of transparency and access to information.

You can attend Tuesday’s BCC meeting at 9:00 a.m. Tuesday at the Administration Center, 2401 SE Monterey Road, Stuart, to express your views on these or other issues or e-mail commissioners at sheard@martin.fl.us, eciampi@martin.fl.us, dsmith@martin.fl.us, hjenkins@martin.fl.us, shetherington@martin.fl.us with copies to the County Administrator and County Attorney at tkryzda@martin.fl.us and swoods@martin.fl.us.

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Stuart, FL 34995

Phone: (772) 287-0200

Fax: (772) 872-5152

www.LSHLaw.net

Forwarded by Donna Melzer, volunteer activist for Martin County's
Quality of Life

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EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Sarah Heard

Name of Board/Agency:

Board of County Commissioners

Item/Issue: June 16th, 2020

PHQJ-2 MAGNOLIA RIDGE OF PALMCITY PUD (P161-004) REQUESTING APPROVAL OF PLANNED UNIT DEVELOPMENT ZONING AGREEMENT INCLUDING A MASTER/FINAL SITE PLAN

Palm City GA Homes, LLC is requesting a rezoning from the current RM-8 Medium Density Residential District to the Planned Unit Development District (PUD) through a PUD Zoning Agreement including a Master/Final Site Plan for 28 residential townhomes on approximately 3.56 acres. The subject site consists of two undeveloped parcels located on the south side of SW Martin Highway, approximately 1,500 feet east of SW High Meadow Avenue in Palm City. Included in this application is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 20-0743 [Supplemental Memorandum](#)

Describe investigations, site visits and provide any expert opinions received:

Meetings and emails.

NA

List and attach any written communication received:

See attached if any

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Sarah Heard

Name of Board/Agency:

Board of County Commissioners

Item/Issue: June 16th, 2020

PHQJ-3 FPLWHITE TAIL SOLAR ENERGY CENTER FINAL SITE PLAN

Florida Power and Light requests final site plan approval for the White Tail Solar Energy Center. The project includes the construction of a 74.5-megawatt photovoltaic solar energy facility (solar farm) and associated infrastructure on approximately 600 acres which is the north half of a larger 1,261-acre tract located on the north side of Citrus Boulevard about 8 miles southwest of Florida's Turnpike.

Describe investigations, site visits and provide any expert opinions received:

Meetings and emails.

NA

List and attach any written communication received:

See attached if any

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Sarah Heard

Name of Board/Agency:

Board of County Commissioners

Item/Issue: June 16th, 2020

DPQJ-1 REQUEST PLAT APPROVAL FOR MARINER VILLAGE SQUARE PLAT III, PUD(M160-012)

This is a request by Ribbon Ventures, LLC for approval of the Mariner Village Square Plat III, PUD being a re-plat of Plat II, consistent with the approved final site plans for a four-lot commercial subdivision of approximately 18.4 acres with shared infrastructure, wetland and upland preserves and shared access. The site is located on the west side of SE Federal Highway at the intersection with Mariner Sands Drive in Stuart..

Describe investigations, site visits and provide any expert opinions received:

Meetings and emails.

NA

List and attach any written communication received:

See attached if any

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Commissioner Edward V. Ciampi

Name of Board/Agency:

Board of County Commissioners

Item/Issue:

June 16, 2020

REQUEST PLAT APPROVAL FOR MARINER VILLAGE SQUARE PLAT III, PUD(M160-012)

This is a request by Ribbon Ventures, LLC for approval of the Mariner Village Square Plat III, PUD being a re-plat of Plat II, consistent with the approved final site plans for a four-lot commercial subdivision of approximately 18.4 acres with shared infrastructure, wetland and upland preserves and shared access. The site is located on the west side of SE Federal Highway at the intersection with Mariner Sands Drive in Stuart.

Agenda Item: 20-0742 **Supplemental Memorandum**

Name of person, group or entity with which communication took place: N/A

Subject matter of communication: N/A

Describe investigations, site visits and provide any expert opinions received: N/A

List and attach any written communication received: N/A

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Commissioner Edward V. Ciampi

Name of Board/Agency:

Board of County Commissioners

Item/Issue:

June 16, 2020

SECOND PUBLIC HEARING TO CONSIDER ADOPTION OF AN ORDINANCE THAT ESTABLISHES ARTICLE 12, DIVISION 5, THE HOBE SOUND REDEVELOPMENT CODE AND AMENDS THE ZONING ATLAS

This is the second public hearing on a proposed ordinance that (1) amends the Land Development Regulations (LDR) to establish Division 5, Article 12, Hobe Sound Community Redevelopment Code, (2) amends the Zoning Atlas to assign the Hobe Sound Redevelopment Zoning District and other zoning districts, and (3) repeals Section 3.263 of the LDR. The adoption of this ordinance will implement Chapter 18, Community Redevelopment Element of the Comprehensive Growth Management Plan, the Hobe Sound Community Redevelopment Plan and CPA 19-25, Hobe Sound Future Land Use Map (FLUM).

Agenda Item: 20-0735

Name of person, group or entity with which communication took place: N/A

Subject matter of communication: N/A

Describe investigations, site visits and provide any expert opinions received: N/A

List and attach any written communication received: N/A

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Commissioner Edward V. Ciampi

Name of Board/Agency:

Board of County Commissioners

Item/Issue:

June 16, 2020

MAGNOLIA RIDGE OF PALMCITY PUD (P161-004) REQUESTING APPROVAL OF PLANNED UNIT DEVELOPMENT ZONING AGREEMENT INCLUDING A MASTER/FINAL SITE PLAN

Palm City GA Homes, LLC is requesting a rezoning from the current RM-8 Medium Density Residential District to the Planned Unit Development District (PUD) through a PUD Zoning Agreement including a Master/Final Site Plan for 28 residential townhomes on approximately 3.56 acres. The subject site consists of two undeveloped parcels located on the south side of SW Martin Highway, approximately 1,500 feet east of SW High Meadow Avenue in Palm City. Included in this application is a request for a Certificate of Public Facilities Reservation.

Agenda Item: 20-0743 **Supplemental Memorandum**

Name of person, group or entity with which communication took place: The Guardian

American Companies/Robert Johns

Subject matter of communication: Magnolia Ridge of Palm City

Describe investigations, site visits and provide any expert opinions received: N/A

List and attach any written communication received: Email Attached

Hi Ed,

I left you a voicemail. Good news. We are now on our way to LPA on June 4th. Then to commission on June 16th for our project.

I know we talked about a promotional event last time we met in an effort to gain consensus, but given the COVID – 19 shutdown, I am not sure if that makes sense. We are in full compliance with Martin County staff on all fronts so I would hope that we will not face a lot of opposition at the public meetings. I would be interested to get your take on how to make sure we have consensus as well as see to it that your efforts to help bring attainably priced housing to Palm City is fully recognized.

Attached is a copy of the site plan, schematics, as well as the final staff report to refresh your memory. Perhaps a phone conversation between us would be best to see the way forward.

Thank you in advance for your consideration on this matter. My cell number is 954.444.8796. Call me anytime.

RJ

Robert Johns
The Guardian American Companies



Seamless, Integrated Real Estate Development Services

1900 N.E. 16th Terrace
Fort Lauderdale, FL 33305

Office: 954.533.7118
Direct: 954.444.8796

RJ@GuardianAmerican.com
www.GuardianAmerican.com

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MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

MAGNOLIA RIDGE OF PALM CITY PUD PUD ZONING AGREEMENT AND MASTER/FINAL SITE PLAN

Applicant:	Palm City GA Homes, LLC, Robert Johns
Property Owner:	Palm City GA Homes, LLC
Agent for the Applicant:	Palm City GA Homes, LLC, Robert Johns
County Project Coordinator:	Matt Stahley, Senior Planner Growth Management
Director:	Paul Schilling
Project Number:	P161-004
Record Number:	DEV2019010008
Report Number:	2020_0520_P161-004_DRT_Staff_Final.docx
Application Received:	02/13/2019
Transmitted:	02/18/2019
Staff Report Issued:	04/15/2019
Joint Workshop:	04/25/2019
Resubmittal Received:	09/13/2019
Transmitted:	09/18/2019
Staff Report Issued:	11/15/2019
Joint Workshop:	11/21/2019
Resubmittal Received:	01/17/2020
Transmitted:	01/21/2020
Minor Revisions Requested:	03/17/2020
Revisions Received:	04/10/2020
Minor Revisions Requested:	04/30/2020
Revisions Received:	05/05/2020
Staff Report Issued:	05/20/2020
LPA Meeting Date:	06/04/2020
BCC Meeting Date:	06/16/2020

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B. Project description and analysis

Magnolia Ridge of Palm City PUD (P161-004). Palm City GA Homes, LLC – Request for a zoning district change from the current RM-8 Medium Density Residential District to the Planned Unit Development District (PUD), and a concurrent request for approval of the Magnolia Ridge of Palm City PUD Zoning Agreement,

Master and Final Site Plan for the development of residential townhomes for a total of 28 units within 14 two-story buildings, including a community pool, supporting infrastructure, and upland preserve on approximately 3.56 acres. The subject site consists of two parcels located on the south side of SW Martin Highway, approximately 1,500 feet east of SW High Meadow Avenue in Palm City. Included in this application is a request for a Certificate of Public Facilities Reservation.

The project site has a land use designation of Medium Density Residential and a zoning of RM-8, Medium Density Residential District. The applicant is seeking flexibility in the zoning development standards through a PUD Zoning Agreement and is proposing public benefits to offset the modifications to the zoning standards. The application will be required to comply with the standards and Comprehensive Plan policies governing residential development. The project is located within the Primary Urban Services District, proposes a single access via SW Martin Highway and will be serviced by Martin County Utilities for water and wastewater.

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	Matt Stahley	320-3047	Comply
F	ARDP	Samantha Lovelady	288-5664	Done
G	Development Review	Matt Stahley	320-3047	Comply
H	Urban Design	Santiago Abasolo	288-5485	N/A
H	Community Redevelopment	Santiago Abasolo	288-5485	N/A
I	Property Management	Ellen Macarthur	288-5794	Comply
J	Environmental	Shawn McCarthy	288-5508	Comply
J	Landscaping	Karen Sjöholm	288-5909	Comply
K	Transportation	Lukas Lambert	221-2300	Comply
L	County Surveyor	Tom Walker	288-5928	N/A
M	Engineering	Stephanie Piche	288-5416	Comply
N	Addressing	Emily Kohler	288-5692	Comply
N	Electronic File Submission	Emily Kohler	288-5692	Comply
O	Water and Wastewater	James Christ	320-3034	Comply
O	Wellfields	James Christ	320-3034	Comply
P	Fire Prevention	Doug Killane	288-5633	Comply
P	Emergency Management	Michele Jones	219-4942	N/A
Q	ADA	Stephanie Piche	288-5416	Comply
R	Health Department	Todd Reinhold	221-4090	Comply
R	School Board	Kimberly Everman	223-3105	Comply
S	County Attorney	Krista Storey	288-5443	Ongoing
T	Adequate Public Facilities	Matt Stahley	320-3047	Comply

D. Review Board action

This application meets the threshold criteria for a major development, pursuant to Table 10.2.C.1.B., LDR, Martin County, Fla. (2019), and requires two public hearings. The two hearings will provide the public an opportunity to participate in the review and decision making process.

The first public hearing shall be before the Local Planning Agency, who will make a recommendation on the request, pursuant to Table 10.5.F.9., LDR, Martin County, Fla. (2019).

The second public hearing shall be before the Board of County Commissioners, who will take final action on

the request, pursuant to Table 10.5.F.9., LDR, Martin County, Fla. (2019).

Pursuant to Sections 10.1.E. and 10.2.B.2, Land Development Regulations, Martin County, Fla. (2019), 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 requested revisions dated April 30, 2020 with its response dated May 5, 2020. 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:

243840000003000206

2840 SW MARTIN HWY

243840000003000108

2810 SW MARTIN HWY

Existing Zoning:

RM-8, Medium Density Residential District

Future land use:

Medium Density Residential 8/Acre

Gross area of site:

3.56 acres

Residential development:

Townhouse units:

28

Figure 1: Location Map



Figure 2: Subject Site 2018 Aerial with Site Plan Overlay



Adjacent existing or proposed development:

To the north:	Public School (Hidden Oaks Middle School)
To the south:	Single Family Residential
To the east:	Institutional (House of Worship)
To the west:	ROW (Stormwater Lake), Undeveloped (southwest)

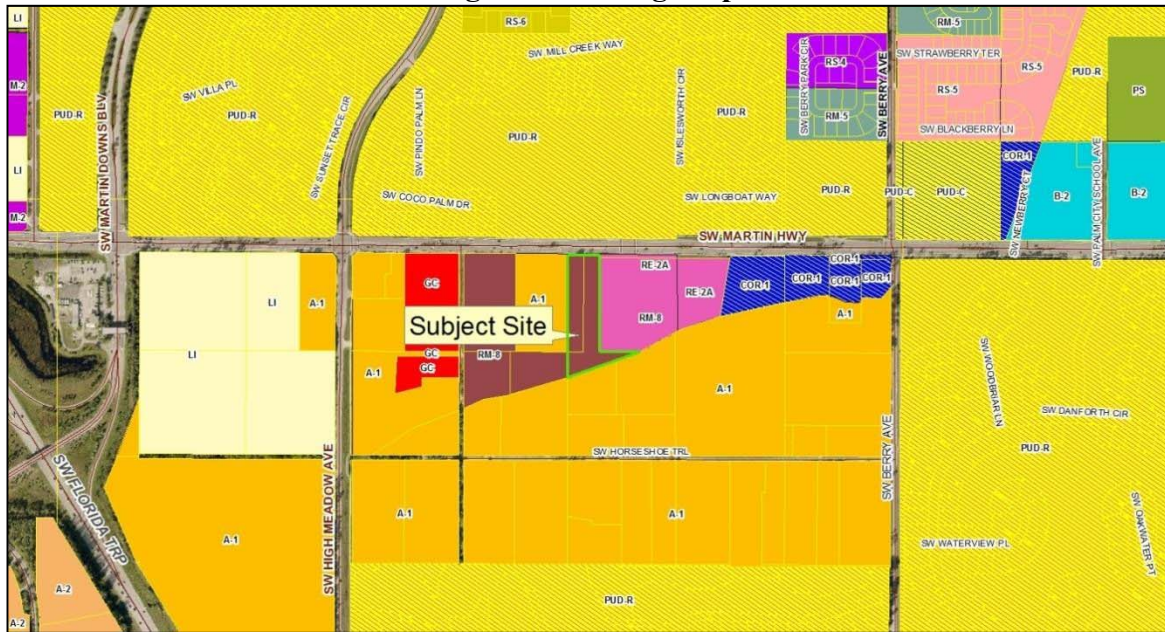
Figure 3: Local Area 2018 Aerial



Zoning district designations of abutting properties:

To the north:	PUD-R, Residential Planned Unit Development (across SW Martin Hwy)
To the south:	A-1, Small Farms District
To the east:	RE-2A, Rural Estate 2 UPA
To the west:	ROW and RM-8, Medium Density Residential District

Figure 4: Zoning Map



Future land use designations of abutting properties:

To the north: General Institutional (across SW Martin Hwy)
 To the south: Rural Density
 To the east: Rural Density
 To the west: ROW and Medium Density Residential

Figure 5: Future Land Use Map



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

Policy 4.1E.6. PUD

A planned unit development is a unified development that is (1) planned, approved and controlled according to provisions of a binding written document negotiated between the developer and the County as a special PUD

zoning district and (2) approved at a public hearing. The purpose of PUD districts is to introduce flexibility into the strict zoning and development regulations in a manner that is mutually beneficial to the County and the development. It is also to encourage enlightened and imaginative approaches to community planning. Benefits to the developer may include incentives to encourage affordable housing (consistent with the Housing Element); transfer of density from wetlands (consistent with the Conservation and Open Space Element, Chapter 9); flexibility in density distribution; flexibility and variety in land use, structure type and project design; and greater intensity than would be achievable under straight zoning. In exchange, the County may acquire such benefits as preservation zones, buffers, density transition zones and recreation facilities in excess of the County's minimum standards. Specific PUD district regulations are negotiated voluntarily by the developer and the County, and neither is guaranteed maximum benefits by right.

Policy 4.1E.8 Public Benefits

Flexible Design: Martin County shall allow PUD zoning districts associated with a site and project specific PUD zoning agreement to allow flexibility in the land development regulations in a manner which mutually benefits the county and the developer, and encourages innovative approaches to community planning. Specific PUD district regulations shall be negotiated voluntarily by both the developer and the county. Neither party to the agreement is guaranteed maximum benefits by right.

The applicant is requesting the relief from Martin County Code for setbacks, building separation, and landscape buffering requirements.

The applicant is proposing the following public benefits:

1. The applicant has agreed to construct and install two surface water aerating fountains no less than 30 feet in diameter in the county's retention pond located immediately west of the project.
2. The applicant has agreed to install a lift station capable of serving additional projects in the general vicinity of the project to eliminate the county's needs to install, upgrade, and maintain multiple lift stations.

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:

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved land use, zoning or procedural requirements issues associated with this application.

Additional Information:

Information #1:

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. MARTIN COUNTY, FLA., LDR

Information #2:

Timetable Of Development - Final

The timetable of development for final site plans require all permits to be obtained within one year of approval and require all construction to be completed within two years of approval. MARTIN COUNTY, FLA., LDR, § 10.1., 5.32

Information #3:

As part of the conditions of approval for all development orders for Major applications, including PUDs, the applicant shall provide annual status reports to the County Administrator to ensure that development occurs according to the terms of the development order. The Monitoring report shall be due on the Anniversary date of the Major Master Plan Approval. MARTIN COUNTY, FLA., LDR §10.13.D.2 (2019)

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

Commercial Design

The proposed project 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

The Applicant is required to provide a Drainage, Access and Maintenance Easement from Danforth Creek to the top of bank to Martin County. The following due diligence materials are required:

Item 1: TITLE COMMITMENT

1. Original Title Commitment for the proposed dedication site(s).
2. The Proposed Insured is: Martin County, a political subdivision of the State of Florida
3. The Insurable Amount is subject to approval by the Real Property Division.
4. Legible copies of all documents listed on the Title Commitment as B-II Exceptions must be provided with the Title Commitment.

NOTE: The applicant has complied with this requirement.

Item 2: SURVEY AND SKETCH AND LEGAL DESCRIPTION

1. Two (2) original signed and sealed Surveys of the dedication site (s).
2. The Survey must be certified to Martin County, a political subdivision of the State of Florida and to the Title Company.

3. The Survey must be prepared with the benefit of the Title Commitment and include the Commitment Number, Name of the Title Company and Date and Time of the Commitment.
4. Parcel ID number(s) must be included.
5. All title exceptions that can be plotted must be shown on the Survey.
6. The legal description for the dedication site(s) on the Survey must match the legal description on the proposed Plat or Planned Unit Development (PUD), if applicable.
7. Two (2) original 8 ½" by 11" signed and sealed Sketch and Legal Descriptions of the dedication site(s) must be provided.

NOTE: The applicant has complied with this requirement.

Item 3: ENVIRONMENTAL SITE ASSESSMENT

1. A Phase I Environmental Site Assessment must be provided stating that there are No Recognized Environmental Conditions in accordance with the current standards of the American Society for Testing Material (ASTM15271).
2. The Phase I report must be dated within 180 days of submission or include a current updated letter from the ESA firm.
3. The Phase I Environmental Site Assessment and/or the update letter must state that Martin County, a political subdivision of the State of Florida can rely on the results of the report.

NOTE: The applicant has complied with this requirement.

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.

Landscape

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 28 lot subdivision. The applicant has submitted landscape plans that provide . acres of landscape area which equates to 21.7% of the development area to document compliance with Section 4.663.A.1., Land Development Regulations, Martin County, Fla. (2013). Pursuant to this regulation a minimum of 20% of the total development area shall be landscaped.

Landscaped bufferyards are required between differing land uses and along certain transportation corridors. It is the intent of the code to encourage the preservation of existing vegetation for use in buffers as opposed to clearing and replanting designed landscapes. Section 4.663.B., Land Development Regulations, Martin County, Fla. (2013).

In accordance with Section 4.663.B.1.a, Land Development Regulations, Martin County, Fla. (2013), one half of a Type 4 buffer, 20 foot is required along the east property line where the parcel is adjacent to an existing church classified as an institutional land use. When it was developed this church provided ½ of the Type 4 buffer and the balance was to be provided on the residential parcel when it was developed. Due to site size constraints this residential project has requested alternative compliance for provision of this buffer. The applicant has proposed

to provide 6 feet of buffer on the site and to supplement the buffer on the church property to provide sufficient opaqueness and screening. The 40 trees that would be required for ½ of a Type 4 Buffer have been provided on the residential parcel and 8 additional trees will be established within the church buffer where screening is limited. Four rows of staggered shrubs are also to be established between the two parcels.

Wherever new residential dwelling units are proposed to be located along any minor or major arterial road, excluding Community Redevelopment Overlay Districts, a Type 5 bufferyard shall be required to screen the view of the dwelling units from the street Section 4.663.B.2., Land Development Regulations, Martin County, Fla. (2013). C.R. 714 is classified as a major arterial road herefore a Type 5 buffer is required and has been provided.

Section 4.666.E. Land Development Regulations, Martin County, Fla. (2013) requires that development activity preserve at least ten percent of the total number of protected trees on the site unless it can be shown that the property would be precluded of reasonable use if the trees are not removed. To meet this requirement the applicant has submitted Landscape and Construction Plans to provide for preservation of 6 trees within proposed landscape buffers and other common areas. These protected trees include a 28 inch diameter pine tree located adjacent to the rear retention area; a wood retaining wall is to be constructed to protect the canopy zone from construction disturbance.

Where an applicant demonstrates that connection of stormwater management systems to a preserve area interface is impractical due to requirements in Article 4, Division 9 or other documentation as approved by the Growth Management Department Director, alternative compliance to this section may be provided. At a minimum, the stormwater management systems will be required to be planted with native plant material; the rear retention area has been planted with native grasses and supplemented with native trees along the perimeter.

Alterations cannot be made to the plans after final site plan approval. Any alteration may require an application to amend the affected approved plans.

The applicant is cautioned to consider the placement of utilities and any underground or above ground site improvement that could cause a conflict with the landscaping and possibly cause a change or amendment.

As-built landscape plans submitted prior to the release of a certificate of occupancy will be checked against the approved drawings. Inconsistencies may block the issuance of the certificate of occupancy and cause the applicant to begin the application process for a change or an amendment to the development order.

K. Determination of compliance with transportation requirements - Engineering Department

Findings of Compliance:

The Traffic Division of the Public Works Department finds this application in compliance.

Compliance with Adequate Public Facilities Ordinance:

Staff has reviewed the Traffic Statement prepared by Captec Engineering, Inc., dated February 2019. Captec Engineering, Inc. stated that the site's maximum impact was assumed to be 19 directional trips during the PM peak hour. Staff finds that SW Martin Highway is the recipient of a majority of the generated trips. The generalized service capacity of SW Martin Highway is 2000. The project impact is 0.95% of the maximum volume of that roadway. SW Martin Highway is currently operating at a level of service C; it is anticipated to operate at level of service C at buildout (year 2021).

This application satisfies the Adequate Public Facilities Standard; it has a De Minimis impact (an impact that would not affect more than one percent of the maximum volume at the adopted level of service of the accepted road facility) (Article 5, Division 1, Section 5.3).

L. Determination of compliance with county surveyor - Engineering Department

The applicant has provided a certified boundary and topographic survey for the proposed development, pursuant to Section 10.1.F., LDR, Martin County, Fla. (2016). Therefore, the Engineering Department was not required to review this application for consistency with the Martin County Codes for survey requirements contained in Article 4, LDR, Martin County, Fla.

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

Findings of Compliance:

The application was reviewed for compliance with the following Divisions of the Land Development Regulations. Staff's finding is summarized after each:

Division 8 - Excavation, Fill, and Mining: The applicant demonstrated in the Engineer's Opinion of Probable Excavation, Fill, and Hauling that no excavation is proposed and only fill will be brought onto the site; therefore, hauling material from the site is not approved with this Development Order. The applicant demonstrated compliance with Division 8.

Division 9- Stormwater Management: The applicant has demonstrated the proposed development will retain the 25-year, 3-day storm event prior to discharging. The applicant proposed a stormwater system consisting of three dry detention areas on site. The applicant demonstrated the water quality volume is being met in the proposed dry detention areas prior to discharging; thereby, the required attenuation and water quality treatment is in compliance with Division 9.

Division 10 - Flood Protection: The proposed development is not within a Special Flood Hazard Area. The proposed finish floor elevation is 18.05-feet NAVD, which is at the approved minimum finished floor elevation of 18.05-feet NAVD; therefore, the applicant has demonstrated compliance with Division 10.

Division 14 - Parking and Loading: The applicant demonstrated compliance with the parking requirements set forth in Division 14 with the proposed parking.

Division 19 - Roadway Design: The applicant is not proposing to make modifications to the existing SW Martin Highway and has demonstrated compliance with the design of the proposed driveway connection; therefore, the applicant demonstrated compliance with the requirements in Division 19.

Compliance with Adequate Public Facilities Ordinance:

This project will provide the proposed development sufficient services based upon the adopted LOS for stormwater management facilities.

***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

Findings of Compliance:

The AutoCAD site plan was received and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2019)

The AutoCAD site plan was in State Plane coordinates and found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2019)

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

Finding of Compliance:

The Fire Prevention Bureau finds this submittal in compliance with the applicable provisions governing construction and life safety standards of the Florida Fire Prevention Code and referenced publications. This occupancy shall comply with all applicable provisions of governing codes whether implied or not in this review, in addition to all previous requirements of prior reviews.

Emergency Preparedness

The applicant has indicated that the project is not located within a storm surge zone pursuant to Section 10.1.F., LDR, Martin County, Fla. (2016), which has been verified by the Emergency Management Department. Therefore, Emergency Management was not required to review this application.

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

Findings of Compliance:

The Public Works Department staff has reviewed the application and finds it in compliance with the applicable Americans with Disability Act requirements. (2014 FBC, FIFTH EDITION\ACCESSIBILITY)

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

Martin County Health Department

Findings of Compliance:

The Health Department staff has reviewed the application for this project and finds it in compliance with the applicable Land Development Regulations.

Additional Information:

Information #1:

Community Pool Facility

The project includes a proposed community pool facility. Please be advised that an application must be submitted and reviewed per Chapter 64E-9 FAC prior to building permit review. This includes submittal of construction plans to this office and the building department prior to commencement of construction. If you have any questions, please call Todd Reinhold or Nick Clifton with this office at (772) 221-4090.

Martin County School Board

Findings of Compliance:

School Concurrency

The School Board staff has reviewed this application for compliance with Florida Statutes, Martin County code and School Board Policy. Analysis indicates that sufficient school capacity reservation will be available via transfer from the adjacent school zone. Therefore, the School Board has no objection to the proposed development. Please see the Concurrency Analysis provided as Exhibit 1.

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 following is a summary of the review for compliance with the standards contained in Section 5.32.D., LDR, Martin County, Fla. (2016), for a Certificate of Adequate Public Facilities Reservation.

Potable water facilities

Service provider - Martin County

Findings - Pending

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Sanitary sewer facilities

Service provider - Martin County

Findings - Pending

Source - Utilities and Solid Waste Department

Reference - see Section O of this staff report

Solid waste facilities

Findings – In Place

Source - Growth Management Department

Stormwater management facilities

Findings - Pending

Source - Engineering Department

Reference - see Section M of this staff report

Community park facilities
Findings – In Place
Source - Growth Management Department

Roads facilities
Findings
Findings - Pending
Source - Engineering Department
Reference - see Section K of this staff report

Public safety facilities
Findings – N/A
Source - Growth Management Department
Reference - see Section P of this staff report

Public school facilities
Findings - Comply
Source - Growth Management Department
Reference see Section R of this staff report

A timetable for completion consistent with the valid duration of the development is to be included in the Certificate of Public Facilities Reservation. The development encompassed by Reservation Certificate must be completed within the timetable specified for the type of development.

U. Post-approval requirements

Approval of the development order is conditioned upon the applicant's submittal of all required post approval documents and fees pursuant to Section 10.11., LDR, Martin County, Fla. (2019).

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 #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:

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.

Item #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.

Item #4:

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 certified letter stating that no title

transfer has occurred.

Item #5:

Original and one (1) copy of the current, staff approved, executed Unity of Title in standard County format. If there has been a property title transfer since the approval, provide a revised unity of title reflecting the new ownership.

Item #6:

One (1) 24" x 36" copy of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida.

Item #7:

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

Item #8:

One (1) 24" x 36" copy of the approved landscape plan signed and sealed by a landscape architect licensed in the State of Florida.

Item #9:

One (1) digital copy of site plan in AutoCAD 2010 to 2017 drawing format (.dwg). The digital version of the site plan must match the hardcopy version as submitted.

Item #10:

Original of the construction schedule.

Item #11:

Original of the Engineer's Design Certification, on the County format which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida.

Item #12:

Two (2) originals of the cost estimate, on the county format which is available on the Martin County website, signed and sealed by the engineer of record licensed in the State of Florida.

Item #13:

A copy of the recorded drainage easement for the Danforth Creek Bank.

Item #14:

Original and one (1) copy or two (2) copies of the executed and signed Water and Wastewater Service Agreement with Martin County Regional Utilities and one (1) copy of the payment receipt for Capital Facility Charge (CFC) and engineering and recording fees.

Item #15:

One blank disk or flash/thumb drive.

V. Local, State, and Federal Permits

Approval of the development order is conditioned upon the applicant's submittal of all required applicable Local, State, and Federal Permits, to Martin County prior to scheduling the pre-construction meeting.

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:	\$13,800.00	\$13,800.00	\$0.00
Inspection fees:	\$4,000.00		\$4,000.00
Advertising fees*:	TBD		
Recording fees**:	TBD		
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.

***Impact fees required at building permit.

X. General application information

Applicant: Palm City GA Homes, LLC
Robert Johns
1900 NE 16th Terrace
Ft. Lauderdale, FL 33305
(954) 444-8796
rj@guardianamerican.com

Agent: Palm City GA Homes, LLC
Robert Johns
1900 NE 16th Terrace
Ft. Lauderdale, FL 33305
(954) 444-8796
rj@guardianamerican.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/Waste Water Service Agreement

Z. Attachments

Exhibit 1: School Concurrency Analysis



Martin County School District CIP

School Concurrency Determination

Project: **Palm City Townhomes – PUD Master/ Final Site Plan**
Date Received: October 31, 2019
Project #: **P161-004**
Owner/Applicant: Palm City GA Homes
Location: SW Mapp Rd., Palm City

Planned Project Units: 28 TH

Project Unit Yield by Type of School

School Type	Rate	Students
Elementary:	.100	3
Middle School:	.056	1
High School:	.073	2
SGR =	.229	6

Service Area Analysis

CSA	LOS	3 YR Added Capacity	Total LOS Capacity	Oct. 11, 19 Student Enrollment	Projects w/Reserved Capacity	This Project Demand	TOTAL Demand	Available Capacity
Palm City Zone - Elementary Palm City Elem, Bessey Creek, Citrus Grove,	2140	0	2140	1918	49	3	1970	170
Palm City Zone - Middle Hidden Oaks	1344	0	1344	1032	24	1	1057	287
Stuart Zone – High School Martin County High	2160	0	2160	2179	48	2	2229	<-50>
Jensen Beach – High School Adjacent Zone	1914	0	1914	1494	77	2	1573	341

Concurrency Availability: Pursuant to the City, County, School District Interlocal Agreement for School Planning and Siting, Section 6.2.7 and Article 5 of the Martin County Land Development Regulations, Division 5, Section 5.83, the School District has determined that sufficient school capacity exists at the Elementary and Middle grade levels, to serve the change in residential dwelling units proposed in this application to meet the school concurrency requirements under Florida Statute 163.3180. Although the Zoned High School is overcapacity, the Adjacent Zone does have capacity to fulfill this application.

School Capacity: This analysis is only used to serve as a review of the potential impact of the schools within the area of a future residential land use. School capacity shall be reserved for the above referenced project upon receipt of a final approval from the Martin County Growth Management Department. This concurrency reservation shall expire **three (3) years** from the date of issuance of this concurrency determination.

Comments: This determination does not guarantee that the students from the above referenced project will be assigned to attend a particular school(s). Please note if capacity demand should exceed existing availability, students may be housed in relocatable units.

Letter of No Objection w/Conditions: At this time we can provide a letter of no objection with the following conditions:

1. None

School District Contact: Kimberly Everman / Capital Planner- Projects Specialist

Date Issued: 11.01.19

Telephone: 772- 223-3105, Ext.134

E-Mail: evermak@martin.k12.fl.us



LOCATION MAP

SITE IMPROVEMENTS FOR
**MAGNOLIA RIDGE OF
PALM CITY**
LYING IN
SECTION 24, TOWNSHIP 38 S. , RANGE 40 E.
MARTIN COUNTY, FLORIDA

NOTE: THESE PLANS ARE IN ENGLISH UNITS.

THESE PLANS HAVE BEEN PREPARED IN ACCORDANCE WITH THE STATE OF FLORIDA, DEPARTMENT OF TRANSPORTATION:
DESIGN STANDARDS DATED 2020.

STANDARD SPECIFICATIONS FOR ROAD AND BRIDGE
CONSTRUCTION DATED JULY 2020.

THE MANUAL OF UNIFORM MINIMUM STANDARDS FOR DESIGN,
CONSTRUCTION AND MAINTENANCE FOR STREETS AND HIGHWAYS
(GREENBOOK) DATED JUNE 2017.

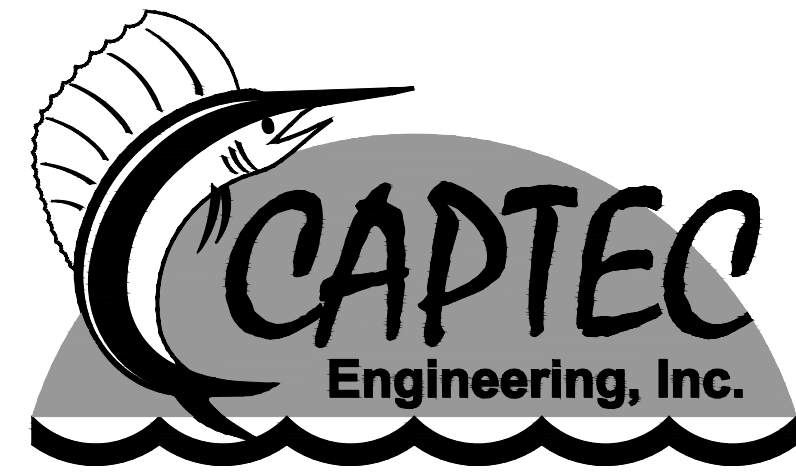
THE FEDERAL HIGHWAY ADMINISTRATION (FHWA) MANUAL ON
UNIFORM TRAFFIC CONTROL DEVICES, 2009 EDITION. (MUTCD 2009)

ENGINEER

MR. JOSEPH W. CAPRA, P.E.
CAPTEC ENGINEERING, INC.
301 N.W. FLAGLER AVENUE
STUART, FLORIDA 34994
PHONE: (772)-692-4344
FAX: (772)-692-4341
P.E. NO. 37638

APPLICANT

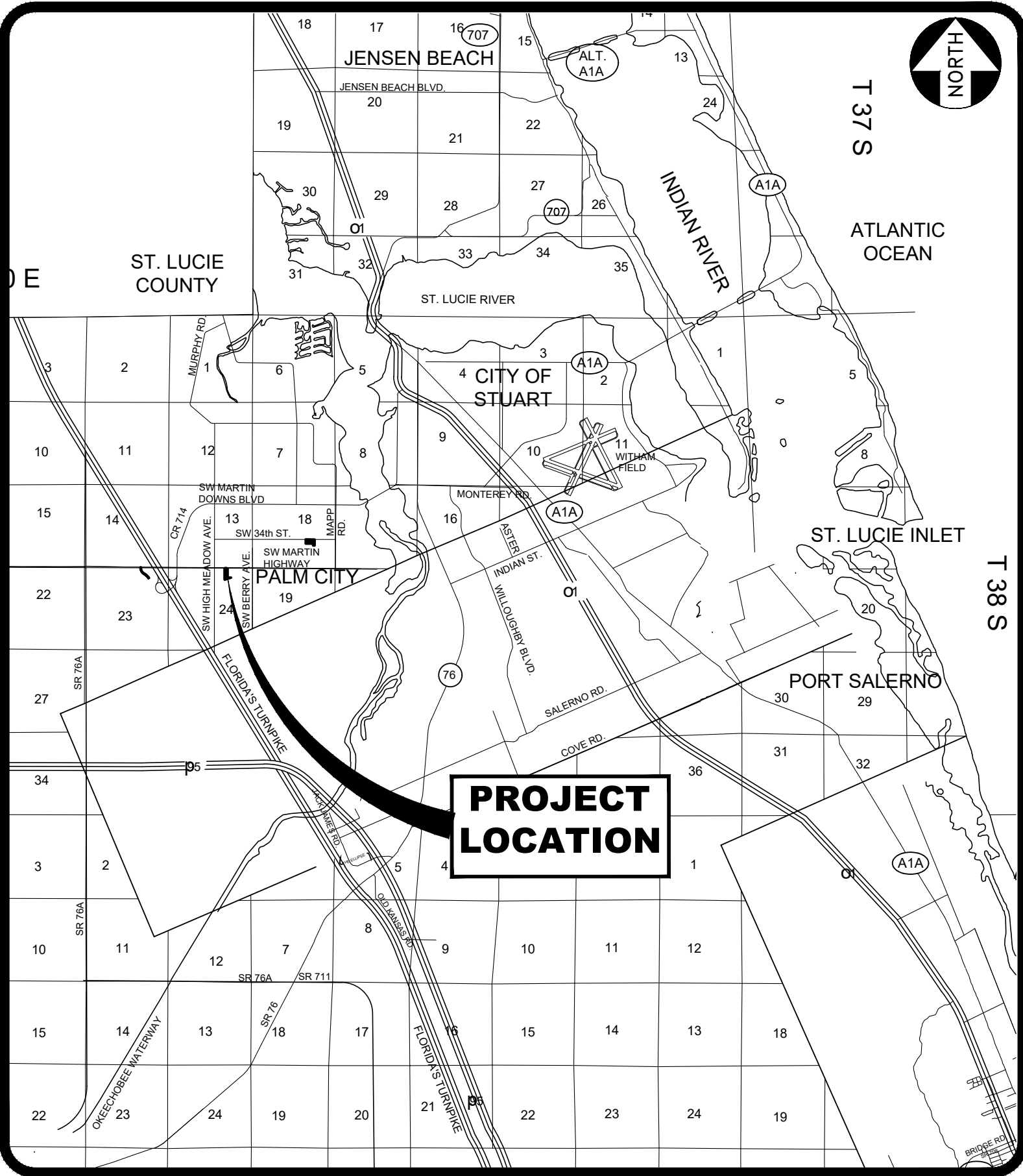
MR. ROBERT JOHNS
PALM CITY GA HOMES, LLC.
1900 N.E. 16th TERRACE
FORT LAUDERDALE, FLORIDA 33305
PHONE: (954) 444-8796



Civil Engineering Professionals

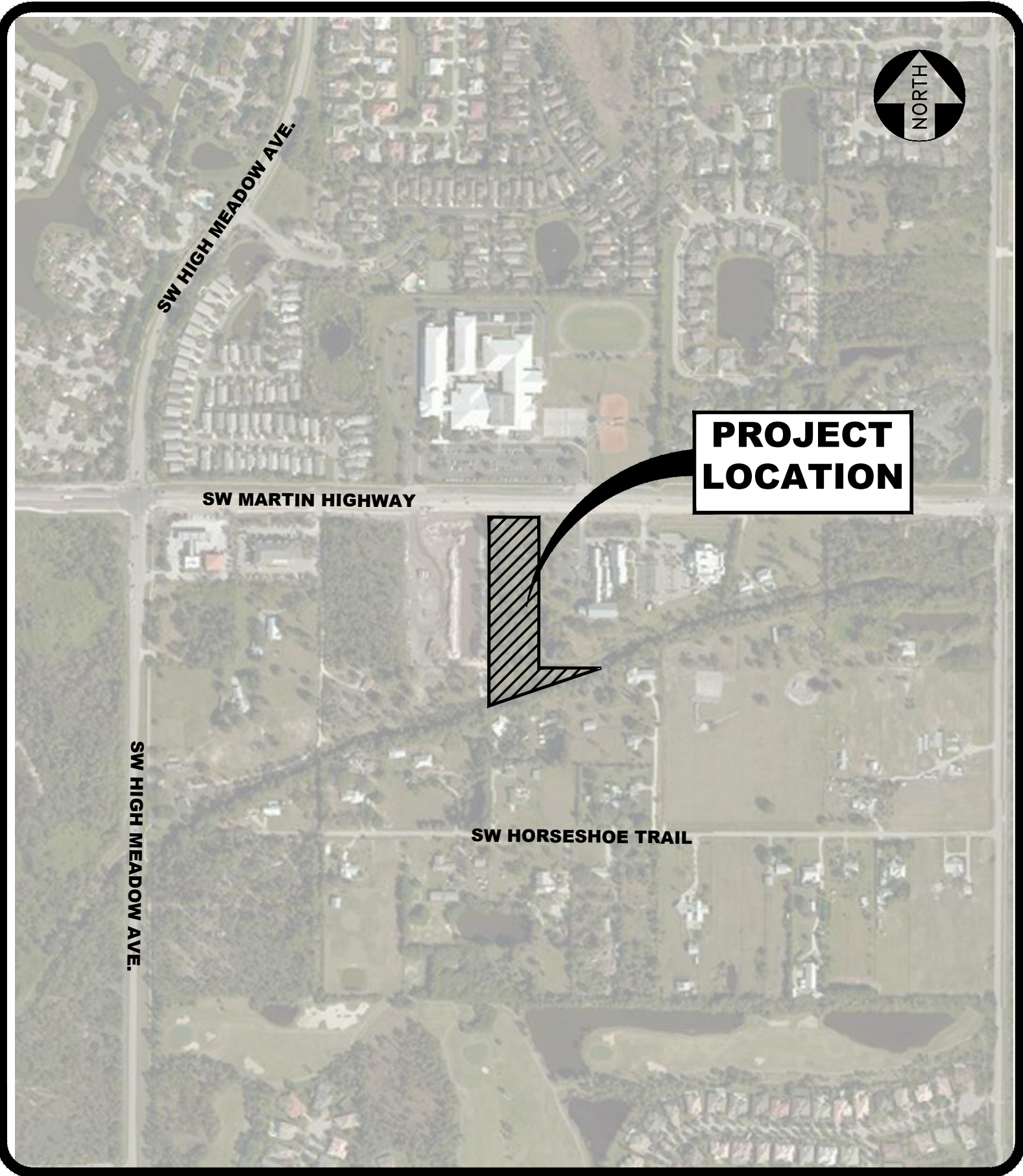
Engineering Business
No. EB-0007657

301 N.W. Flagler Avenue
Stuart, Florida 34994
Phone: (772) 692-4344
Fax: (772) 692-4341



Vicinity Map

N.T.S.



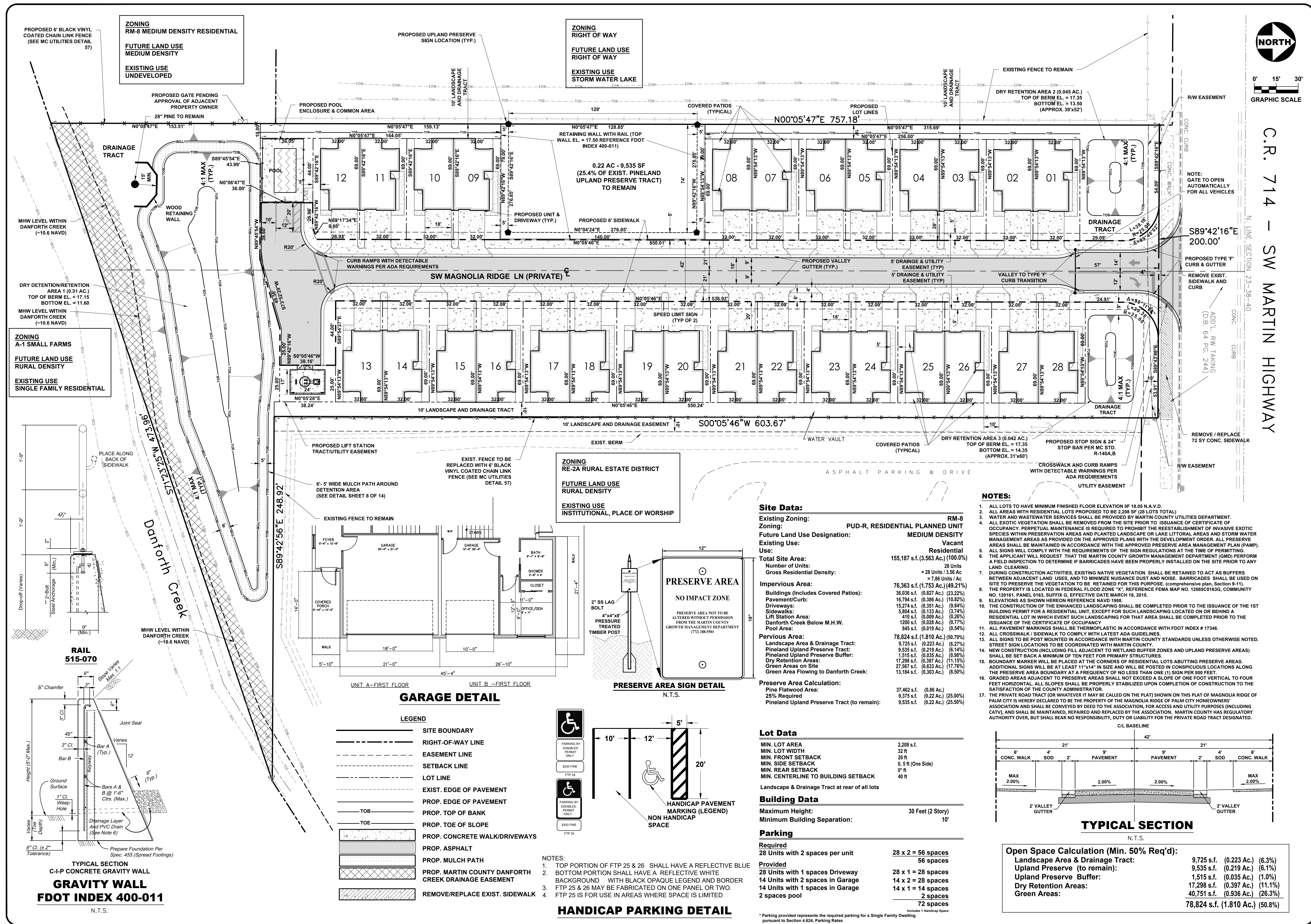
Site Map

N.T.S.

SHEET INDEX

SHEET NUMBER	SHEET TITLE / DESCRIPTION
1	COVER SHEET
2	CLEARING & GRUBBING EROSION CONTROL PLAN
3	CIVIL SITE PLAN
3A	OPEN SPACE PLAN
4	PAVING, GRADING & DRAINAGE PLAN
5	UTILITY PLAN
6	CROSS SECTIONS
7	POND SECTION
8	PAVING, GRADING & DRAINAGE DETAILS
9	PAVING, GRADING & DRAINAGE DETAILS
10-11	MARTIN COUNTY UTILITIES CONSTRUCTION DETAILS
12	UTILITY DETAILS AND NOTES
13	LIFT STATION DETAILS
13A	LIFT STATION DETAILS
14	GENERAL NOTES

DATE: 4-28-2020



CAPTEC Engineering, Inc.
301 NW Flagler Ave., Ste. 201
Stuart, Florida 34994
Phone: (772) 692-4344
Fax: (772) 692-4341
Engineering Business No. EB0007607

CIVIL SITE PLAN

MAGNOLIA RIDGE OF PALM CITY, FLORIDA

Joseph W. Capra
301 NW Flagler Ave., Ste. 201
Stuart, Florida 34994
P.E. No. 37638

Printed Date: _____

JOB No.: **1746**
SHEET **3** OF **14**

Scale Verification

1" = 10' (Horizontal)
1" = 10' (Vertical)

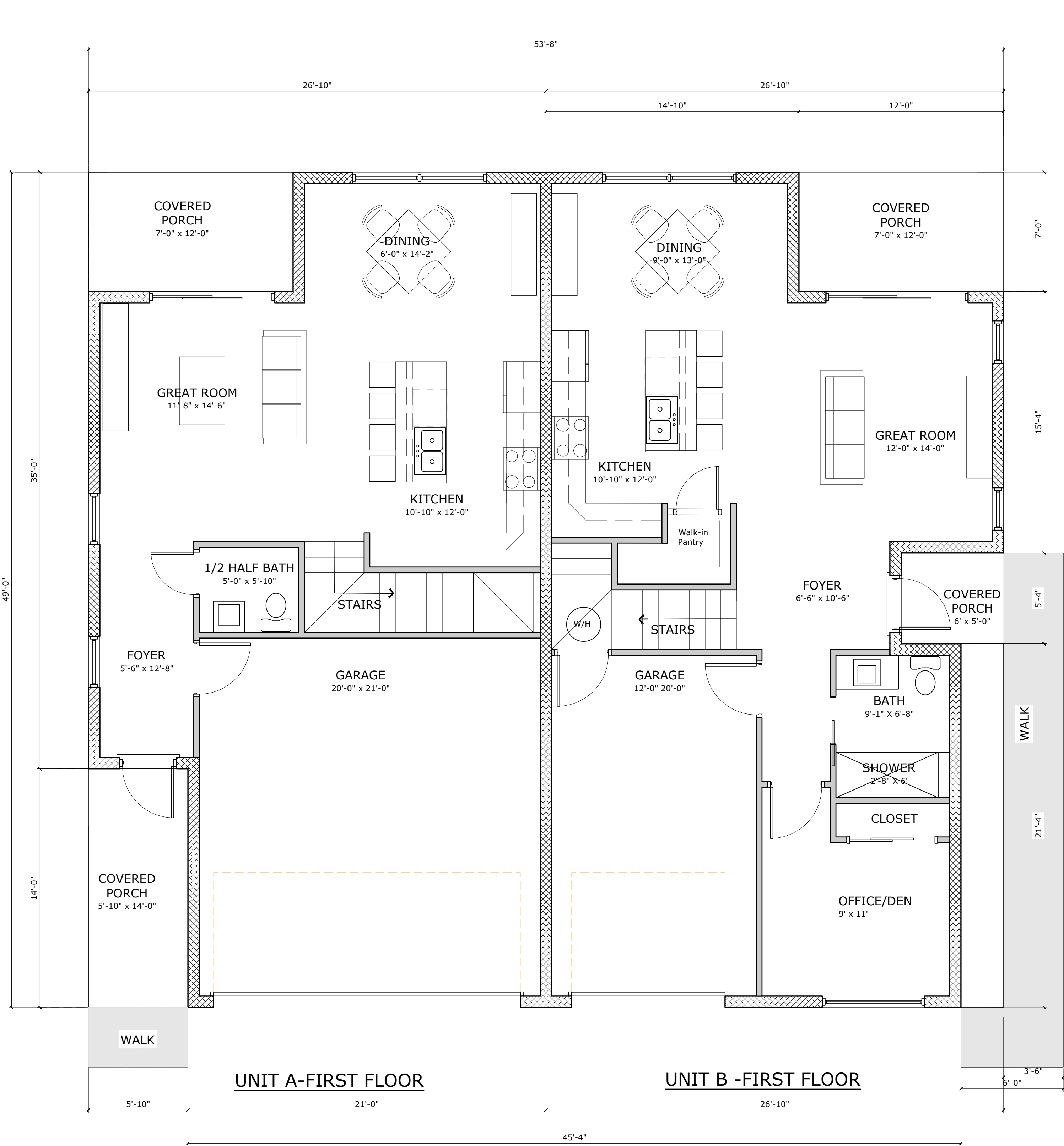
Revisions

NO.	DATE	BY
1	8/29/19	
2	12-10-19	
3	4-28-2020	

Notes:

- DATE: 9/26/19
- DRAWN BY: MDR
- DESIGNED BY: HLT
- CHECKED BY: JWC
- PROJECT NO.: 1746
- VERT. SCALE: 1" = 30'
- HORIZ. SCALE: N/A
- CADD FILE: 1746 site plan

S:\02_Projects\02_Residential\2018\18-0473 - Palm Bluff Residences\02_Drawings\01_Project Drawings\01_Schematic Design\18-0473 - SD site plan resubmittal - 08-26-19.dwg, 8/26/2019 3:56:40 PM, AutoCAD PDF (General Documentation).pc3



GRND FLR:	699 GSF
2ND FLR:	1,278 GSF
TOTAL A/C =	1,977 GSF
PORCH/BALCONY:	165 GSF
GARAGE:	450 GSF
TOTAL =	2,592 GSF



GRND FLR:	891 GSF
2ND FLR:	1,201 GSF
TOTAL A/C =	2,092 GSF
PORCHES:	114 GSF
GARAGE:	255 GSF
TOTAL =	2,461 GSF

1 - FLOOR PLAN - PALM CITY GA HOMES 1 - FIRST AND SECOND FLOORS

SCALE: 1/4" = 1'-0"

Magnolia Ridge of Palm City

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Rev. #	Date
Proj No.	18-0473
Status	Site Plan
Issue Date	26-Aug-19
Sheet	A2.1

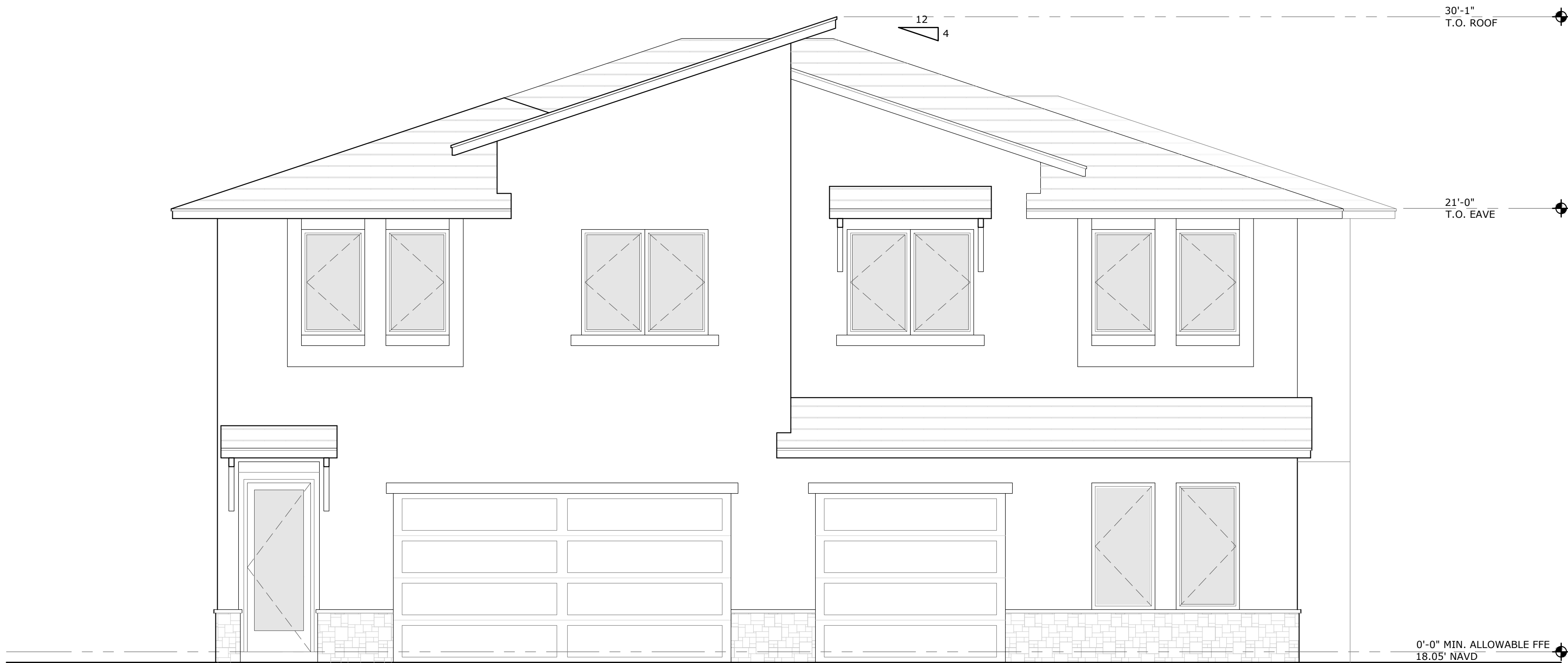
Overall Plans
& Sq. Footage

COMPONENTS & CLADDING

ZONE 4	-
ZONE 5	-
ALL WINDOWS TO AND DOORS TO MEET -	

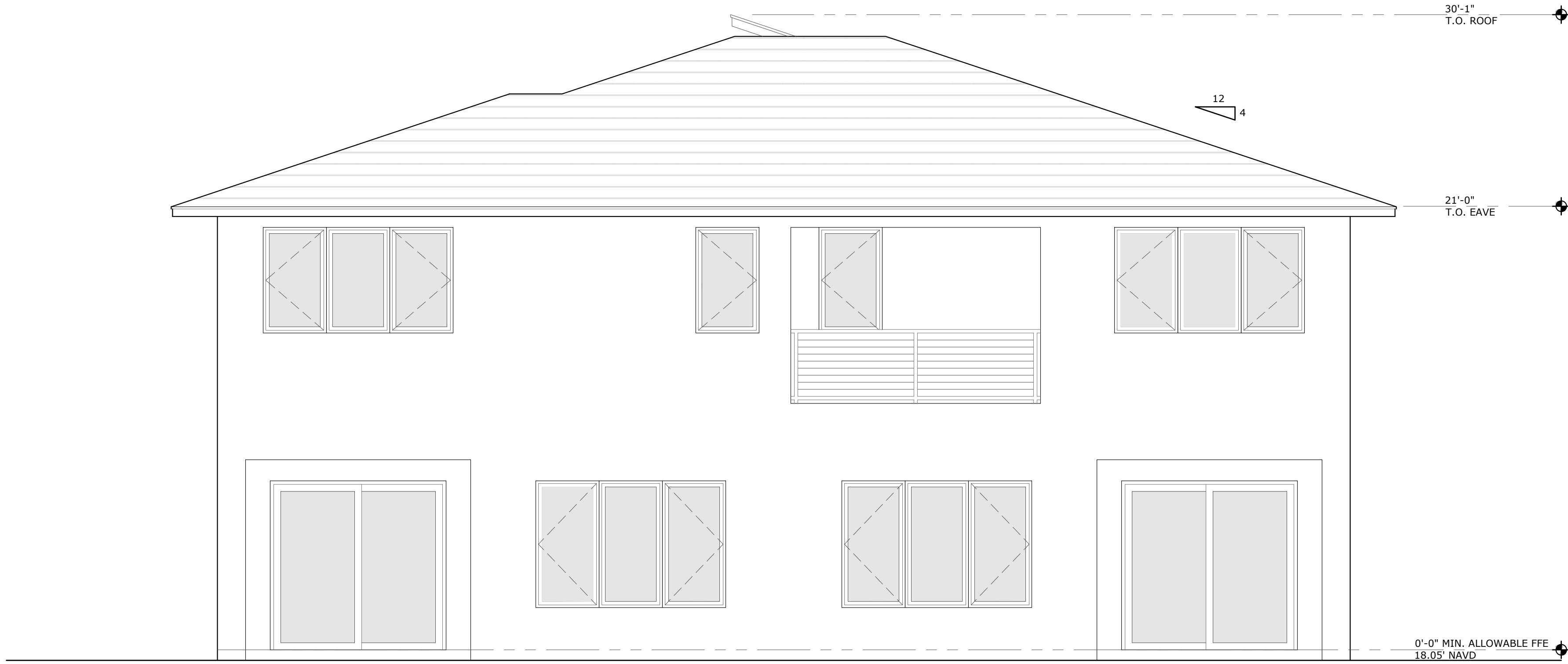
GENERAL NOTES

1. All exterior windows and doors shall be hurricane impact resistant.
2. All window and door headers shall align.
3. All window head heights shall be 8'-0" A.F.F. unless otherwise noted.



1 - ELEVATION A - FRONT

SCALE: 1/4" = 1'-0"



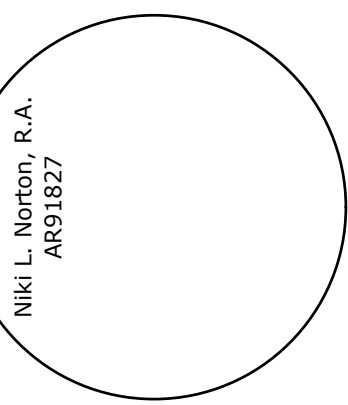
2 - ELEVATION B - REAR

SCALE: 1/4" = 1'-0"

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Rev. #	Date
Proj No.	18-0473
Status	Site Plan
Issue Date	26-Aug-19
Sheet	A3.1

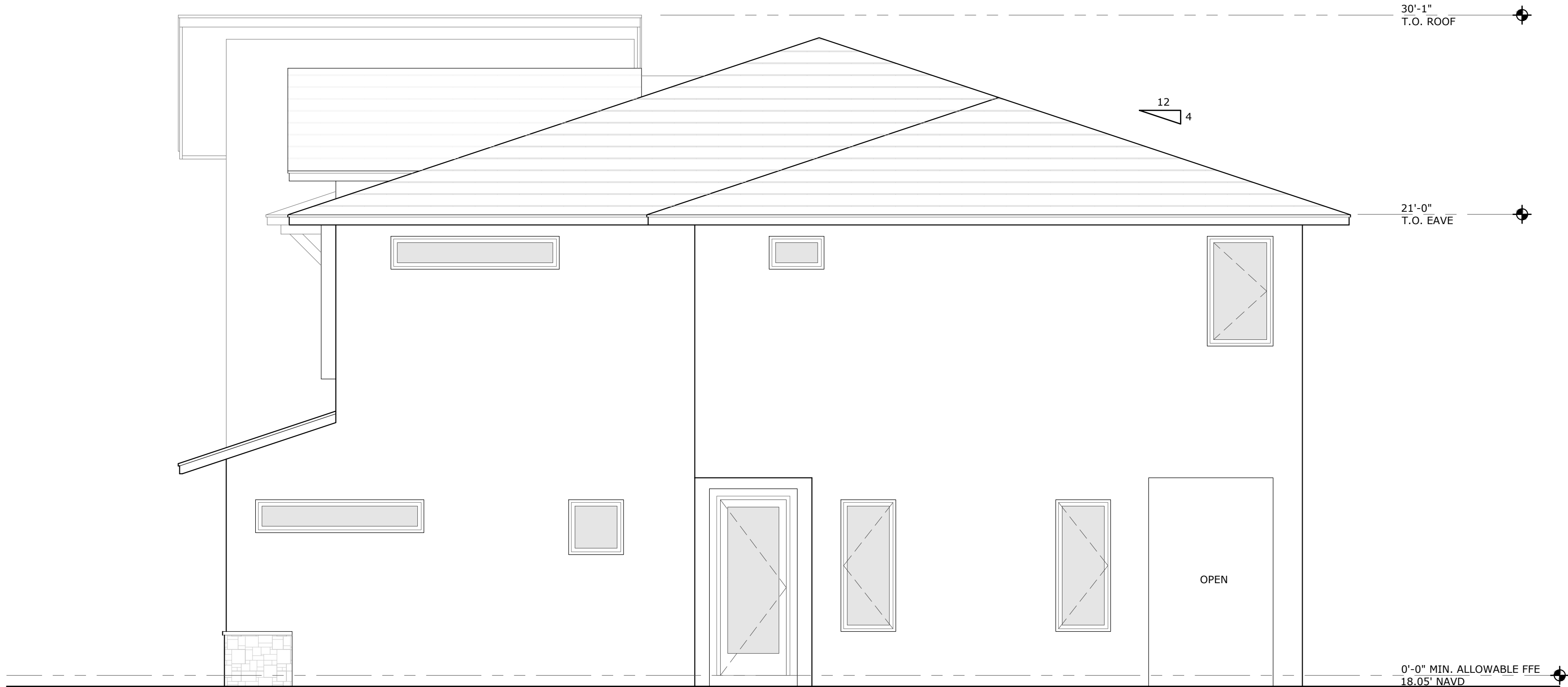
Exterior Elevations

COMPONENTS & CLADDING

ZONE 4	-
ZONE 5	-
ALL WINDOWS TO AND DOORS TO MEET -	

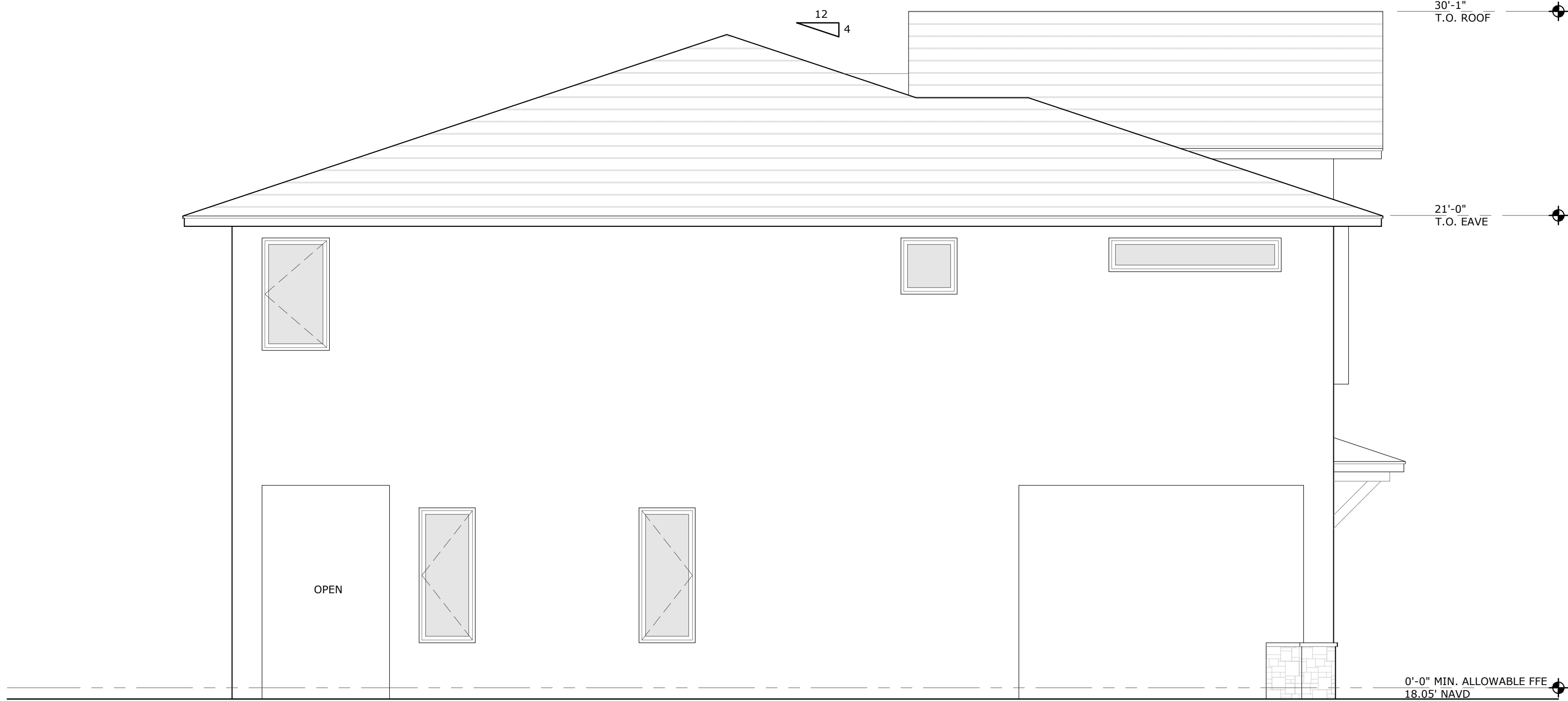
GENERAL NOTES

1. All exterior windows and doors shall be hurricane impact resistant.
2. All window and door headers shall align.
3. All window head heights shall be 8'-0" A.F.F. unless otherwise noted.



1 - ELEVATION C - SIDE

SCALE: 1/4" = 1'-0"



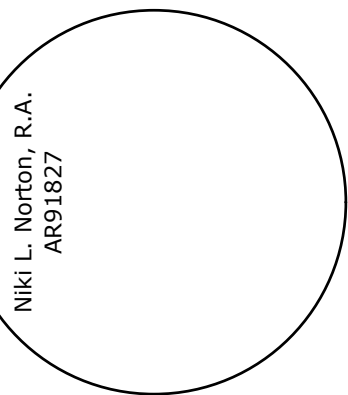
2 - ELEVATION D - SIDE

SCALE: 1/4" = 1'-0"

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Rev. #	Date
Proj No.	18-0473
Status	Site Plan
Issue Date	26-Aug-19
Sheet	A3.2 Exterior Elevations

EX PARTE COMMUNICATION DISCLOSURE FORM

(Relating to Quasi-Judicial Proceedings Pursuant to Section 1.10, General Ordinances, Martin County Code)

Board / Agency Member name:

Commissioner Edward V. Ciampi

Name of Board/Agency:

Board of County Commissioners

Item/Issue:

June 16, 2020

FPLWHITE TAIL SOLAR ENERGY CENTER FINAL SITE PLAN

Florida Power and Light requests final site plan approval for the White Tail Solar Energy Center. The project includes the construction of a 74.5-megawatt photovoltaic solar energy facility (solar farm) and associated infrastructure on approximately 600 acres which is the north half of a larger 1,261-acre tract located on the north side of Citrus Boulevard about 8 miles southwest of Florida's Turnpike.

Agenda Item: 20-0746 [Continued from April 21, 2020](#)

[Supplemental Memorandum ~ applicant is requesting to continue to August 25, 2020](#)

Name of person, group or entity with which communication took place: N/A

Subject matter of communication: N/A

Describe investigations, site visits and provide any expert opinions received: N/A

List and attach any written communication received: N/A