



MARTIN COUNTY

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July 31, 2020

Ms. Merrill & Mr. Reed
8332 SE Royal St.
Hobe Sound, FL 33455

Dear Gayle and Eric,

I would first like to apologize for the length of time it has taken to respond since our meeting earlier this year. The COVID-19 Pandemic has had an enormous impact on our community and has consumed much if not all my time. I hope you can understand the delay. This letter is intended to answer questions or provide you guidance to questions you presented to me at our site meeting on 6/18/2020.

Question 1 – Residential Demolition Structure

Per our investigation into this matter we are unable to determine the evolution of the permit, however it was submitted as a demolition of a residential structure. In speaking with staff, the appearance of the structure is that of residential and was on a standalone residential site. Our research has also concluded that the parcel is labeled as vacant residential on the Martin County Property Appraiser's website.



Question 2 – Asbestos & Lead Paint

The Florida Department of Environmental Protection (FDEP) regulates lead and asbestos abatement. A residential structure is generally exempt from abatement. FDEP would be the entity that could provide you the lead and asbestos report. They can be reached at 561-681-6600.

Question 3 – Septic Tank Removal/Demolition

Septic Tanks are regulated by the Florida Department of Health (FDOH). The abatement Code currently allows for abandonment in place. The FDOH can provide you further explanation of what occurs for the abandonment in place requirements for septic tanks. They can be reached at 850-245-2118

Question 4 – Health Department Certifications of Staff

The Florida Department of Health can attest to the professional experience and accreditations of Troy Marzano and Jim Brown. FDOH can be reached at 772-221-4000

Question 5 – Applicant Request

The County cannot provide you answers regarding Chris Strausbaugh. The Florida Department of Health has a process in which Licensed Construction Inspectors confirm that the demolition debris (structure remains) are removed from the site and utilities serving the structure are safely disconnected. The County assumes that this was the case for the structure in question. This assumption is based on the structure demolition passed the required inspections. Regarding the fallen tree, we do not have an answer, but we believe that the tree fell post demolition.

Question 6 – Access and Egress

To date our involvement with the property has been associated with the small eastern parcel. The County has had no involvement with the larger parcel. The County treats all power lines as active. South Martin Regional Utility can provide you further details in regard to water and sewer lines. County Administration has submitted a request for service to evaluate whether the vacant property meets the requirements set forth in County Code for Fire Protection requirements. Your email has been listed so you can receive updates from Martin County Fire Rescue.

Question 7 – Mowing

Martin County Public Works Department has a cycle-based program to trim vegetation that encroaches on County Right of Way. This program includes SE Gomez Ave.

Question 8 – Vagrants

The Martin County Sheriff's Department (MCSD) should be called when illegal activity occurs on the property. MCSD has a program to work with property owners that includes active community policing.

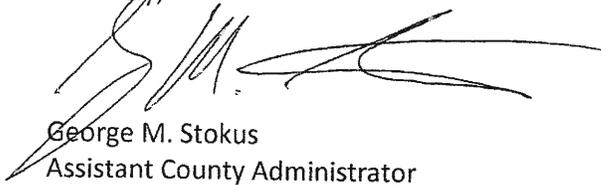
Question 9 – Storm Water Runoff and Flooding

To the County's knowledge there is no current requirement that the site retain their stormwater runoff. Once the site is redeveloped there will be a formal drainage system which will address the impacts to neighboring properties. According to our Public Works Department, the water runoff observed is related to groundwater flow, which has intersected the surface since early June. This is caused by the tremendous amount of rain Hobe Sound has experienced since early June.

Public Works has visited the site a number of times and has noted standing water on the edges of pavement. The pump was removed because egress to the community was affected but not restricted. The pumps were relocated to other neighborhoods where egress was severely restricted and eminent flooding was an issue. The County agrees that sidewalk access is an important issue, but clearing roads and flood protection are higher pump priorities.

Thank you for taking the time to contact me regarding these issues and please don't hesitate to contact me again if I can be of any further assistance.

Sincerely,



George M. Stokus
Assistant County Administrator

cc: Commissioner Harold Jenkins
Taryn Kryzda, County Administrator
Sarah Woods, County Attorney
Larry Massing, Building Department Director
Jim Gorton, Public Works Director



SOUTH MARTIN REGIONAL UTILITY (SMRU)

9000 ATHENA STREET • P.O. BOX 395 • HOBE SOUND, FLORIDA 33475-0395

(772) 546-2511 • FAX (772) 546-3077

August 23, 2019

Mr. Peter Nissen
Sunshine State Carnations, Inc.
11863 Lake Shore Place
North Palm Beach, FL 33408

RE: Sunshine State Carnations

Dear Mr. Nissen:

Thank you for completing the TJI/SMRU Developer Questionnaire for the above referenced project. South Martin Regional Utility (SMRU) is the regional utility for water and wastewater services for the Sunshine State Carnations project. Based upon the information provided to us, SMRU currently has adequate water capacity to serve this project; however, this letter is by no means a reservation of capacity.

Our initial review indicates that off-site utility construction improvements, at the developer's expense, may be required to serve the project. Upon submission of final plans, the final off-site improvement details will be determined.

In order to provide an estimate of pre-reservation fees and utility upgrades, we require that you provide us with utility concurrency calculations and engineering plans. Should you have any further questions or require additional information, please contact SMRU at (772) 546-6259.

Sincerely,

Stuart L. Trent, P.E.
Acting Utility Director

pc: Linda Race, Customer Service Manager
File

COMMENTS:

Utilities Comments:

Potable water service to this parcel is to be provided by the South Main Regional Utility. The service provider is the South Main Regional Utility.

Sanitary service to this parcel is to be provided by the South Main Regional Utility. The service provider is the South Main Regional Utility.

Wellfield/Groundwater Protection Comments:

If groundwater or surface water withdrawals are proposed for irrigation, the applicant will be required to submit a South Florida Water Use Permit and may be required to submit groundwater computer model.

The Ground Water Protection Ordinance requires the applicant to identify and evaluate ground water and surface water withdrawals as a part of all preliminary development plan and minor nonresidential site plan applications [Ref. Code, CODE, 159.163. Art. 6]

JC/jc

**MARTIN COUNTY, FLORIDA
INTER-OFFICE MEMORANDUM**

www.martin.fl.us

2401 SE Monterey Road, Stuart, Florida 34996

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TO: Maria Jose, M.S.
Planner

DATE: April 10, 2020

FROM: Lisa A Wichser, P.E., CFM
County Engineer



SUBJECT: Comprehensive Management Plan
Proposed Amendment 19-26: Sunshine State Carnations

Traffic Engineering staff has received the proposed amendment to the Future Land Use Map designation from Residential Estate Density (2 units per acre) to Low Density Residential (5 units per acre) on two parcels approximately 19.44 acres in total, located on SE Gomez Avenue one-half mile south of SE Cross Rip Street in Hobe Sound.

O'Rourke Engineering the Planning demonstrated that the proposed Future Land Use Map designation would result in a net increase of 59 peak hour trips. Staff finds that SE Gomez Avenue is the recipient of a majority of the generated trips and has the available capacity to absorb the additional trips.

For the purpose of this proposed amendment, staff can provide a "positive evaluation", meaning there is sufficient roadway capacity planned in the adopted long-range capital facility plans of the Comprehensive Growth Management Plan [Martin County, Fla., CGMP Policy 14.1C.5.(2)(e) (2013)]. This evaluation shall not be used by the applicant, or their successors in title, in any way whatsoever as committing the County legally through the theory of equitable estoppel or any other legal theory, to approve any final development order for the project without a determination and reservation of roadway adequate capacity [Martin County, Fla., CGMP Policy 14.1C.5.(2)(c) (2013)].

Staff will reevaluate the traffic impacts prior to the issuance of any development order associated with the property.

LL/LAW:II

Martin County School District

General School Capacity Analysis

This general analysis is completed to meet the development review policies specified in Section 6.2.6 of the Martin County, City of Stuart and Martin County School Board Interlocal Agreement for School Facilities Siting and Planning, and Section 17.7 Public School Facilities Element of the Martin County Comprehensive Plan.

Applicant/Project: Sunshine State Carnations, FLUM
Project#: CPA – 19-26

Date: 2/24/2020

Applicant Request: A request for a Future Land Use Map change from Estate Density, 2UPA to Low Density Residential, 5UPA, to allow for up to five units per acre on the site. Max # of dwelling units to be 95. This property is located at 9450 SE Gomez Rd. in Hobe Sound.

Student Generation Calculation:

Residential Units	95
Current Comp Plan Generation Rate	.214
Forecasted Student Generation	20
Elementary	9
Middle	5
High	6

School Zone Enrollment & Permanent Capacity:

CSA	2019-2020 Enrollment	2022-2023 COFTE Projected Enrollment	2020-2021 Perm. FISH Capacity
South Zone – Elementary (Hobe Sound, Seawind, Crystal Lake)	1664	1821	2151
South Zone – Middle (Murray Middle, Anderson Middle)	1769	1729	2251
South Zone – High School (South Fork HS)	1898	1865	1699

Note: Projected Capacity reported from 19-20 MCSD CIP Program

Comments:

This General School Capacity Analysis shall be used in the evaluation of a development proposal, but shall not provide a guarantee that the students from the above referenced project will be assigned to attend the particular school(s) listed. The analysis indicates that the elementary and middle schools are projected to have capacity, however the zoned high school for this area is currently over capacity & projected to be. A School Concurrency Review is completed for Final Site Plan applications that include residential units.

Prepared by: Kimberly Everman, Capital Projects Planning Specialist

Phone: 772-223-3105, ext. 134

Email: evermak@martin.k12.fl.us

MARTIN COUNTY, FLORIDA
INTER-OFFICE MEMORANDUM

TO: Maria Jose, M.S.
Planner

DATE: February 19, 2020

FROM: Jim Christ 
Utility Project Manager

SUBJECT: Comprehensive Plan Amendment 19-26 Sunshine State Carnations

After a review of the materials received on February 2020 the Utilities and Solid Waste Department has the following comments:

BACKGROUND:

Existing Future Land Use: Residential Estate Density

Proposed Future Land Use: Low Density Residential (5upa)

Existing Development: The approximately 19.44 acres of land is located at 9450 SE Gomez Avenue in Hobe Sound.

Utilities: Water and wastewater services for the project will be provided by South Martin Regional Utilities.

Project Coordinator: Maria Jose, M.S., Planner

Future Potential Development:

Projected Utilities for the Existing Future Land Use:

There is a potential for approximately 38 houses on the 19.44 acres of Residential Estate Density Land Use designation (2upa).

Projected Utilities for the Proposed Future Land Use:

There is a potential for approximately 97 houses on the 19.44 acres of Low Density residential (5upa).

2.5.2. Non-Mandatory Facilities

2.5.2.1. Libraries

Library level of service is calculated on a countywide basis and has a goal of 0.60 gross square feet of library space for each resident. Two volumes of reading material are also planned for each weighted resident.

The Fiscal Year 2020 LOS shows the current gross square footage of library space is 105,226. When the square footage is divided by total County population of 162,499 the result is 0.66 square feet per resident.

There are currently 291,789 volumes available for a weighted average population of 175341 resulting in 1.66 volumes per weighted resident. There is currently a deficit.

CONCLUSION

Staff recommends approval of CPA 19-26 and the Low Density Residential future land use designation, based upon compatibility with the surrounding area, compliance with Comprehensive Plan policies.

The proposed density allows a maximum of 5 units per acre. However, the densities denoted on the FLUM reflect the maximum gross residential density permitted on the land. The maximum density is not guaranteed by right. It is not possible to know how many units the site will yield until a site plan is proposed and found consistent with all applicable requirements of the Comprehensive Plan and the Land Development Regulations.

Attachments:

Memo from Martin County Utilities Department
Letter from SMRU, provided by applicant in Application Materials
SMRU Map that shows water and sewer mains
Memo from Public Works Department
Memo from the School Board, General School Capacity Analysis

06/18/2020 Meeting with Assistant County Administrator George Stokus

With GayleMarie Merrill, Eric Reed 8332 SE Royal Street - Hobe Sound
decodivagmm@aol.com / 813-293-8616

and Mary Gavin home owners in the Treasure Cove Community

Sunshine State Carnations Inc.

9450 SE Gomez Avenue

Hobe Sound, FL

Parcel number 3438420000630000107

County Permit number BLD2018110951

Applied 11/27/2018

Pass Inspection 11/30/2018

Residential Demolition Structure

***** HOW can this be Residential???? Sunshine State Carnation Inc.
Commercial???? - Last occupiers will tell - this was an OFFICE..

Condition Report: ASBESTOS & LEAD PAINT

***** The county report online website only gives details of how the report is to
be done...please not this area on site is blank....

The only information on this is HOW the ASBESTOS is to be done...Well even the
RESOLUTION ACTION: County report is Blank too.. Where is the ASBESTOS and
LEAD PAINT REPORT (office built in the 60,70,80?) for the safety of the public..

11/27/2018 application for permit

11/30/2018 Pass inspection

*****Where is the time to test for Asbestos, lead paint and septic tank
inspection!!

*****SEPTIC TANK REMOVAL how was this removed?? No Permit Box - Details
on how requirements where met?

*****Removal of all other rubbish - How was this taken off property & whom was responsible for this??

*****Was told that the Health Department did the inspection and passed this???? Is this true?? Troy Marzano and Jim Brown whom are they and their creditably on doing this kind of inspections & forward proof was done properly...

Applicant Request by Chris Strausbaugh Contractor

*****Sub Contractor or third party in the demolition & removal

*****Project Bid - was it to remove everything and leave a clean location or what??

*****Bury Permit???? Is this acceptable by the county in 2018???

*****How and why was this inspection PASSED with a tree that was left on its side (knocked down in demolition) and supported by concrete slab from office...all other rubbish left behind by gate entrances...

*****WHY is this acceptable by the inspector to pass this permit and mark complete....

The property has been left a mess -an eye sore to the neighborhood - ground has not been graded to have the flow of water where the Office & septic tank location was.....

FPL, Fire Department and or County has NO access to this Property...

*****Water and Electric Active on the property???

*****FPL power poles and transformer behind gate are they active???

THIS IS A PUBLIC HEALTH SAFETY ISSUE ON THIS PROPERTY

Enough of the Vagrants coming and going - Kids havina happy hour after hours

No Trespassing Sign, No Fence, entrance gate (none for 6 mos) Owners falling to their obligation to up hold their shared property lines...

SEWER LINE / EASEMENT

*****Why is this not being attended to by owners of property Sunshine Carnation Farms and/or County for proper access..

Aren't they to keep the 5 foot from line clean??

The county is mowing the front South End for the public safety on the side walk & Pepper Trees Trimming - NOTE: the community are taking care of the North End..

*****Why is the county doing this chore for the owners of Sunshine Carnation Farms???

All applications for REZONING request needs to be VIODED or on HOLD till the property owners bring the property up to compliance to the County Code....ASAP

*****Why would this be allowed and the property owner is not even caring for the neighborhood at all....

****NOTE: the letters go out and nothing is being followed up on to show the "Nasty Neighbor" doesn't care after all these years...Why is the County not holding the SCF accountable for their property??????

Mary Gavin has information from neighbors on what has transpired behind the frontage of the property...toxic soil, piles of rubbish, tires, sun shade materials and metal piping...

ADDITIONAL WATER ISSUE WITH IN SUNSHINE CARNATTON

On 6/5 reported to county water department and County Commissioner Harold Jenkins office (asst Colleen) that Gomez and Royal where flooding...

Yes I understood this was rain like Hobe Sound hasn't seen... **Climate Change**

I was told Mr. Jenkins said we can wait after seeing the water flowing from property SCF into Gomez Ave...well I am still waiting for help on the issue of why and how this water can be addressed...

The water flowing onto Gomez is coming from the Sunshine Carnation Farm (photo & Video) by County Code Enforcement office on Friday 6/12 (George you have seen these photo)...

Thank goodness for the water department came out Friday 6/5 pumped the water for 3 hours...please make sure you see the report from road crew that the water was being pumped as fast as it was flowing from the carnation farm... after and hour and half we were being flooded again...George we will show and tell you the locations on Gomez and Royal where the water is flowing to this day....

Water Crew where back on Saturday to pump again for hours.....the sub-contractor was able to run till 8 pm Saturday night...

Sunday no one to turn it back on....only a county supervisor showed and took it away with no notice or help to us that had water flowing in as he was present...Why??

Eric will show you how the water is flowing thru Royal and the other streets with sewer in the roads and sea walls down...

George your attend to this matter will be greatly appreciated by the surrounding property owners who have suffered damages and will continue to suffer damages by the neglect of Sunshine Carnation Farm land owners...

GayleMarie Merrill

813-293-8616

June 16, 2020

Mr. George Stokus

Assistant County Administrator

Dear Mr. Stokus:

Thank you for meeting with us today the 18th of June to share our concerns with our neighboring property ~~8450~~ ⁹⁴⁵⁰ SE Gomez Ave., or "Sunshine State Carnation Property".

Numerous trucks were on the property moving dirt, mounding dirt, but not removing any dirt, from August of 2019 through November of 2019. Please see the attached pictures. All activity stopped in December 2019, then in February of 2020 a couple more backhoes came in and spread all of the piles of dirt around the perimeter of the property.

Unfortunately we "assumed" this was done with permits, etc. as the company moving the dirt said they were doing EPA remediation work and they were from Lakeland.

June 2 and 3rd the owners of the property (with their lawyers) held meetings with the neighborhood to address their re-zoning request, and several of us asked if we could understand or see the results of their Phase I environment test, and remediation. Based on how all the answers were given regarding this topic it was OBVIOUS to us that something was awry. Not one question regarding this was answered and they basically just skipped or re worded any questions regarding the environmental aspect/issues with the property. Because it was so glaringly odd, we dug into their permits to see if we could find out anything. Upon further investigation we found no permits for all of the changing of the grading, moving of the dirt, and whatever "remediation" took place there.

Additionally, we found "rivers" coming off the property to flood the area during the recent rains. Pictures are attached of the initial work and issues with the water recently.

Questions and concerns are:

- did they move contaminated dirt around to "hide" it? We know that what happens when a buyer comes in is they conduct a "phase I" environmental and if it's clean they don't need to go further. Moving potentially contaminated dirt around could mask any issues.
- has the neighborhood been put at risk if contaminated dirt was moved to the edge of their properties?
- is water flowing off this property as never before contaminated?

How can this property even be developed when we have serious drainage issues that need to be fixed in the Gomez area. Is the county going to buy our multi-million dollar homes when we flood out too?

We as homeowners next to a property that was a farm for over 40 years, now trying to rezone and develop, have the right to know what has occurred with any environmental, grading, and drainage changes or issues.

Sincerely,

Mary Gavin

772-545-2244







