

## LOCAL PLANNING AGENCY MEETING

Martin County Commissioner Chambers  
2401 S.E. Monterey Road  
Stuart, Florida 34996

### MEETING MINUTES- October 18, 2018

#### Present:

Chairman .....	Jim Moir
Vice Chairman.....	Scott Watson
Agency Members.....	Don Foley, III
.....	Joseph Banfi
.....	Cindy Hall
School Board Liaison .....	Kimberly Everman

#### Staff Present:

##### Growth Management Department:

Director .....	Nicki van Vonno
Comprehensive Planning/Site Compliance Division Adm. ....	Clyde Dulin
Principal Planner .....	Catherine Riiska
Planner .....	Maria Jose
Public Works, Development Review Administrator.....	Michelle Cullum
Public Works, County Surveyor .....	Tom Walker
Sr. Assistant County Attorney .....	Krista Storey
Agency Recorder.....	Mary Holleran

### **1. CALL TO ORDER**

The meeting was called to order at 7:05 pm by Jim Moir, Chairman. A quorum was noted.

### **2. CONSENT AGENDA**

#### **A. Approval of Consent Agenda/Minutes of October 4, 2018**

\* **MOTION – MOVED** by Mr. Foley to approve the Consent Agenda and Minutes of the LPA meeting of October 4, 2018.

\*\* **SECONDED** by Mr. Watson **Carried UNANIMOUSLY**

### **3. UNFINISHED BUSINESS**

#### **1. None**

#### **A. Public Hearings**

##### **1. None**

## **B. Requests and Presentations – None**

Mr. Banfi advised staff that the electronic copy of the Site Plan could not be reviewed to accurately determine the size and scale of the proposed development and the agenda items were impossible to be downloaded. Mr. Moir agreed he had the same difficulty.

Ms. Storey suggested the LPA could continue the item to the next Public Hearing meeting to provide information and address the LPA concerns.

Mr. Bani did not want to inconvenience the applicant by continuing the process. The applicant came forward and provided a large scale copy of the Site Plan to Mr. Banfi, who acknowledged that it was sufficient.

## **4. NEW BUSINESS**

### **A. Public Hearings**

#### **1. BH Storage, LLC (S181-006) (Quasi-Judicial)**

Request for approval of a Revised Major Final Site Plan for a development consisting of 88,025 square feet of residential storage within three buildings with associated infrastructure on 3.36 acres located at 5051 SE Federal Highway on the east side of Federal Highway, approximately 1,200 feet north of SE Salerno Road, Stuart, FL. Included is a request for a Certificate of Public Facilities Reservation.

**Requested by:** Doug Fitzwater, Lucido and Associates

**Presented by:** Catherine Riiska, M.S., P.W.S., Principal Planner, Growth Management Department

\*\*\* (For the Record)

\*\*\* There were no ex parte communication disclosures

\*\*\* No Interveners were present

\*\*\* Notification to surrounding property owners was provided

\*\*\* Ms. Riiska provided a copy of her resume, professional experience and the agenda and staff report

\*\*\* All individuals wishing to speak on this request were Sworn In (S/I).

Mr. Moir introduced Ms. Riiska (S/I) to review the request. She displayed a Location Map of the Subject Site, a 2017 Aerial with the Site Plan Overlay, a 2017 Aerial of the local area, (pg. 2,3 & 4/16), the Zoning Map and Future Land Use Maps (pg. 5/16). This is a request for a Revised Major Final Site Plan for a total of 88,025 sq. ft. of residential storage use in the PUSD.

The subject site consists of two parcels and has a split land use designation and split zoning. The front parcel (SE Federal Highway) is designated for Commercial General future land use and has GC, General Commercial District zoning. The rear parcel is designated for Commercial

Office/Residential (COR) future land use and has R-3A, Liberal Multiple Family District zoning.

The applicant provided an analysis for a reduced parking rate adjustment for consideration. Staff has reviewed the application and recommended approval provided specific development standards for zoning and land use within the specific parcels have demonstrated compliance. Staff finds the application complies with the LDR as detailed in the report, and it is consistent with the guidelines and standards of the CGMP.

The only remaining issue is a Code Enforcement action with a letter of condemnation relating to the detailed building demolition that has been recorded. Some rebar remaining on the site still requires removal. Staff anticipates that Code Enforcement will inspect the site in order to confirm that the condition has been corrected.

Staff recommends that BH Storage Stuart, Revised Major Final Site Plan be recommended for approval with the condition that a successful resolution of the site through remediation to the satisfaction of Code Enforcement staff occurs prior to the BoCC meeting which is scheduled for November 20, 2018.

LPA Comments/Questions:

Mr. Banfi received an explanation of General Commercial to COR from Ms. Riiska and said they might want to strike the 29 and show 28 on the Site Plan.

Mr. J.D. Baldwin, S/I and Mr. Doug Fitzpatrick, S/I provided information to Mr. Moir on heights for the elevations. They discussed regulations, and provided information on the exterior and interior structures, and architectural fixtures.

Mr. Patrick LaConte, S/I, LaConte Engineering, provided information on drainage, balance in the water retention area, a resolution on native habit and removal of trees.

Mr. Moir asked if neighbors had been conferred with concerning any impact, and Mr. Fitzwater indicated they had not met with the neighbors.

**Public Comment: None**

- \* **MOTION – MOVED** by Mr. Banfi to approve Staff’s recommendation that BH Storage Stuart, Revised Major Final Site Plan be recommended for approval with the condition that a successful resolution of the site through remediation to the satisfaction of Code Enforcement staff occurs prior to the BoCC meeting which is scheduled for November 20, 2018.

\*\* **SECONDED** by Mr. Watson

**Carried UNANIMOUSLY**

**2. Request to consider adoption of an Ordinance amending Division 19 of Article 4, relating to Open Road Frontage of the Land Development Regulations, Martin County Code.**

**Requested by:** Lisa A. Wichser, P.E., CFM, County Engineer  
**Presented by:** Michelle Cullum, Development Review Administrator and Tom Walker, County Surveyor, Public Works Department

Ms. Cullum reviewed the request to amend Section 4.841.C, Glossary and Section 4.843.K Open Road Frontage, Division 19 of Article 4, LDR relating to roads, and discussed the changes needed to address issues related to the open road frontage requirement.

The purpose and intent of this request is, in order for a Building Permit to be issued for the construction of any structure the lot must directly front an open road. The LDRs provide for exceptions and variances from the Board of County Commissioners (BoCC). The proposed amendment is intended to clarify the distinctions.

Mr. Walker read exceptions to the regulations allowing for building permits to be issued on both lots that result from a lot split (in accordance with Section 4.911.C.1) (Staff Report, (1), (2) and (3). Examples of exception lots, Variance lots, and Open Road lots were displayed

Variances granted allowing building permits on a lot not fronting on an open road provided that the Board determines: (1), (2), (3, and (4). Applying these regulations indicates many lots of record or lot splits are difficult as they do not have the benefit of an easement recorded prior to March 6, 2002. It is the property owner's responsibility to request a variance for an open road.

LPA Comments/Questions:

Mr. Watson discussed an experience of granting an easement for access to property that was not to be developed and how that could change. Ms. Cullum explained that roads are opened for health and public safety with determinations for variances made by the BoCC. Staff and the LPA discussed this topic further.

Ms. Storey advised the BoCC believes it appropriate for the health, safety and welfare of the public that building permits only be issued on an open road. Certain exceptions and variances have been provided over the years to allow people the use of their property, and to address particular situations, such as a legal lot split.

Ms. Storey commented that staff was asked to address the issue of distance to bring it forward, and get input from the LPA. She noted that the 1,320 ft. distance related to a ½ (mile) block.

**Public Comment:** - None

Mr. Moir called for staff's recommendation.

Ms. Cullum indicated staff's recommendation is to amend the LDRs to clarify exceptions and variances so that exceptions are no more than three transversing lots and are less than 700 ft. in length, and the Board of County Commissioners can grant variances if they determine conditions are met for a legal lot of record, so if the exception is done in a lot split it can be determined by the County Engineer and if it was a legal lot of record not created by a lot split that could go to the Board.

- \* **MOTION – MOVED** by Mr. Watson to approve staff's recommendation with the alternative open road at ¼ mile, 1,320 ft. over multiple lots for the variance.

**\*\*SECONDED** by Mr. Foley

**Mr. Moir and Mr. Banfi Opposed**

**\*\*MOTION CARRIED 3-2.**

Mr. Moir was opposed and thought ¼ mile is too long a distance and not limiting the number of lot splits is asking for problems, they need to be limited. Open road are expensive but going cheap is trouble.

Mr. Banfi commented on lot splits and how they occur with lack of access and that you want to have easements to have a minimum width and roads open for a purpose such as egress and ingress i.e., granting to parent/child lot splits. There needs to be a plan to identify examples of large lots with no access, and an easy start would be to handle two lots and give a simple easement.

**3. Comprehensive Plan Amendment 18-14, Dixie Highway, Rio** – Request to consider a Future Land Use Map change from General Institution and General Commercial to solely General Commercial on +-0.28 acres located at 977 NE Dixie Highway, Rio.

**Requested by:** Martin County Community Redevelopment Agency

**Presented by:** Maria Jose, M.S., Planner, Growth Management Dept.

\*\*\* Notification to surrounding property owners was provided for both items: CMP 18-14, Jensen Beach Impoundment Extension and notification to surrounding property owners was provided for CMP 18-15.

Ms. Jose reviewed the request and indicated the 0.28 acre property located on NE Dixie Highway in the Rio CRA has a future land use designation of General Commercial and General Institutional. The BoCC has initiated a CPA to change the Future Land Use designation to solely General Commercial.

Staff recommends the future land use change on the property from General Commercial and General Institutional to solely General Commercial, to eliminate a dual future land use designation.

Mr. Foley asked why not change the FLU designation to General Institutional.

Ms. Jose displayed the surrounding area(s) future land use and explained that staff analysis considered the existing and surrounding land use to recommend General Commercial, she provided permitted uses, and due to the small size of the parcel, large scale or intense commercial would not be feasible.

Mr. Banfi confirmed the Fire Station was formerly located on the property.

**Public Comment:** - None

- \* **MOTION – MOVED** by Ms. Hall to accept staff’s recommendation regarding CPA 18-14, Dixie Highway, Rio to change the Future Land Use Map from General Institution and General Commercial on +-0.28 acres located at 977 NE Dixie Highway, Rio, FL.

\*\* **SECONDED** – by Mr. Banfi **CARRIED UNANIMOUSLY**

**4. Dixie Highway, Rio (Quasi-Judicial) – Staff is withdrawing this item.**

Ms. Storey addressed the reason why this item was withdrawn, as there is no need to change the zoning requirement.

**Public Comments:** None

- \* **MOTION – MOVED** by Ms. Hall to approve staff’s request to withdraw this request from the agenda.

\*\* **SECONDED** by Mr. Banfi **Carried UNANIMOUSLY**

**5. Comprehensive Plan Amendment 18-15, Jensen Beach Impoundment Extension** – Request to consider a Future Land Use Map change from Medium Density Residential to Public Conservation on a parcel consisting of +-10.13 acres located on NE Causeway Boulevard, west of the Jensen Beach Club on Hutchinson Island, Jensen Beach, FL.

**Requested by:** Nicki van Vonno, AICP, Director, Growth Management Dept.

**Presented by:** Maria Jose, M.S. Planner, Growth Management Dept.

Ms. Jose reviewed the request initiated by the BoCC to assign the most appropriate institutional future land use designation on the property. The subject parcel was displayed (pg. 2/13). Staff considered Public Conservation future land use and recommended a future land use change from Medium Density Residential to Public Conservation.

Ms. Jose reviewed the surrounding parcels and indicated that Public Conservation recognizes public owned areas designated for conservation uses and only development compatible with conservation and passive recreation shall be permitted in the Public Conservation category. This may include access, parking, and other facilities that enable the management of the resource and the public's enjoyment of it.

Staff recommended the Public Conservation designation will be the most appropriate designation of the parcel considering the site's proximity to conservation lands, and its location to the Jensen Beach Club residential community.

Mr. Foley questioned public versus passive usage. Ms. Jose explained that Public Conservations allows only passive usage and provided examples.

**Public Comments:**

Barbara Stamm, a resident of Fairwinds Cove, questioned what it will do to the property values on the south side of the Causeway due to public access, and construction.

Mr. Moir indicated it will match all the other properties around it to the north, preserve it as is, and no longer have medium density homes. He did not believe it would have any effect on her property.

Mr. Banfi commented it was part of the Jensen Beach Club and he spoke of past history on the property, and the impact of transfer of gross density.

Ms. Storey indicted that transfer of density in the past was often specifically noted as part of a Development Order.

- \* **MOTION – MOVED** by Mr. Watson to accept staff’s recommendation for a Future Land Use Map change from Medium Density Residential to Public Conservation relating to CPA 18-15, Jensen Beach Impoundment Extension.

\*\* **SECONDED** by Ms. Hall

**CARRIED UNANIMOUSLY**

**B. Requests and Presentations** – None

## 5. COMMENTS

**a. Public** - None

**b. Staff** – Ms. van Vonno indicated the LPA would be notified of the next LPA meeting date.

**c. Members** - Mr. Joseph Banfi announced tonight was his last meeting to serve on the LPA Board and he thanked all and appreciated serving. Ms. van Vonno thanked Mr. Banfi and indicated staff also appreciated his service.

## 6. ADJOURN

There was no further business. The meeting was adjourned at 8:20 pm.

Recorded and Prepared by:

Approved by:

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Mary F. Holleran, Agency Recorder

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Jim Moir, Chairman

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Date