

Application Materials
CPA 19-7 Grove XXIII Golf Course LLC
Adoption Hearing
October 22, 2019



May 15, 2019

Via Electronic Submittal

Maria Jose, Planner
Martin County Growth Management Department
2401 SE Monterey Road
Stuart, Florida 34996

**Re: CPA-19-7 Grove XXIII Golf Course, LLC
Response to Staff Report (Our Reference: #18-130)**

Dear Maria:

Please find enclosed the revised text of the Comprehensive Plan Amendment 19-7 (Exhibit A), which is based on the following itemized response to the staff report dated April 18, 2019. To clarify our responses, the applicable portion of the staff comment has been repeated in **bold type** followed by our responses in *italics*. **New text language has been underlined and highlighted** for ease of reference. Please refer to the staff report for the entirety of the staff comment.

Staff Comment:

Policy 4.13A.1. Intent of agricultural designation.

2.ANALYSIS The proposed text amendment is an attempt to add a multitude of golf cottages on an existing golf course found in the Agricultural Future land use Designation in order to increase the amount of septic tank flows currently allowed outside the Urban Service District. While it is clearly intended for a single parcel of land, the proposal would create a multitude of issues for all parcels in the Agricultural future land use designation and be inconsistent with various sections of the Comp Plan. More detailed analysis follows.

Response: To avoid unintended consequences and clarify the applicant's intent, all changes to Policy 4.13A.1, Intent of agricultural designation (as discussed on pages 3-6 of the staff report), have been eliminated and replaced by the following site specific addition to Policy 4.1B.2, which allows sub-area development restrictions to apply to specific sites. In this case, sub-section (4) has been added as follows:

Policy 4.1B.2.(4) The tract of real property described in the Special Warranty Deeds recorded at OR Book 3020, Page 2321, and OR Book 3020, Page 2328 of the Public Records of Martin County that is limited to an 18-hole private golf course utilizing an on-site sewage treatment and disposal system with a maximum cumulative flow of 5,000 gallons per day for the clubhouse, maintenance area, guardhouse and golf course shelters; and up to four (4) golf cottages, which may be permitted as an accessory use to the golf course utilizing an on-site sewage treatment and disposal system with a maximum cumulative flow of 2,000 gallons per day subject to State Health Department regulations.

This site specific approach limits the allowance of up to 4 golf cottages with a maximum cumulative flow of 2,000 gallons per day (gpd) to the Grove Golf Course property only, thereby eliminating any misinterpretations or unintended consequences. It recognizes the private, exclusive and seasonal use of this particular golf course and acknowledges its limited impact compared to the development of a standard residential development on the 225-acre site that would allow 17, minimum 2-acre lots on the 37 acres (+/-) designated and zoned for Rural Density use, and 8, minimum 20-acre lots on the 188 acres (+/-) designated and zoned for

Agricultural use. Under existing allowances, each of the 25 lots could construct an on-site sewage treatment and disposal system (i.e. septic tank/drainfield) generating up to 2,000 gpd. By way of the proposed site specific restriction in Policy 4.1B.2(4), The Grove Golf Course will be limited to a maximum of 7,000 gpd on the entire 225-acre site.

To address consistency with the waiver provisions for septic tanks/drainfields in Policy 10.2A.8, subsection 1 has been revised to add Policy 4.1B.2(4) as an additional exception as follows:

Policy 10.2A.8. The following standards shall apply to all on-site sewage treatment and disposal system installations:

1. No onsite sewage treatment and disposal system shall exceed a total site buildout flow of 2,000 gpd, except as described below and in Policy 4.13A.8(5) and Policy 4.1B.2(4). Total site buildout shall be as determined by the Florida Department of Health.

Staff Comment:

3. CONCLUSION This text amendment will not be limited to the applicant's property. It will be applicable to all land with an Agricultural future land use designation. Therefore, this text amendment that expands the permitted uses in the agricultural zoning districts must contain carefully composed language. The issues and missing elements in the new language are crucial reasons why staff recommends denial of this text amendment, as currently proposed.

Response: Based on the changes to CPA 19-7 as described above, no changes to the Agricultural land use policies are proposed or required. Golf cottages as an accessory use to a golf course have already been approved in private golf courses in Martin County including The Floridian and MacArthur Golf Club. The proposed LDR text amendment will qualify and clarify an already existing use.

To this end, the LDR text Amendment has been revised in response to the staff comments as follows:

Sec. 3.73 - Golf course.

3.73.A. No cart barn, maintenance facility club house or clubhouse parking shall be located closer than 300 feet from any lot line where the adjoining lot is designated for residential use. This provision shall not apply to any golf course which was lawfully established prior to April 29, 1986 and shall not affect the expansion of any cart barn, maintenance facility, club house or clubhouse parking which may have been lawfully established prior to April 29, 1986.

3.73.B. Accessory uses may include, but are not limited to, pro shops, administrative offices, food and beverage service, maintenance/utility facilities, storage areas, restrooms, and driving ranges and golf cottages.

3.73.C. Shall provide and use an agrochemical handling facility in accordance with any state regulations and the U.S. Department of Agriculture and Natural Resources Conservation Service conservation practice standards for all storage, mixing and loading of chemicals used in maintaining the golf course.

3.73.D. Shall be required to utilize irrigation quality water, if available, from the utility serving the development.

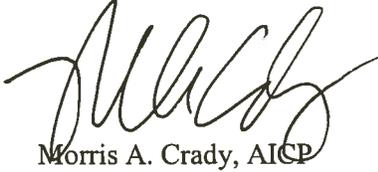
3.73.E. Up to 4 golf cottages with 4 bedrooms each or a combination thereof may be allowed per 18-hole golf course.

3.73.F. All golf cottages shall be controlled and/or operated by the owner(s) of the golf course for the exclusive use by members and their guests.

3.75.G. No golf cottages shall be sold or conveyed to individual owners.

The responses to the staff comments and revised text for CPA 19-7 and the LDR amendment should enable this application to move forward with a staff recommendation of approval. We look forward to your revised staff report in anticipation of being scheduled for a Local Planning Agency public hearing in July and a County Commission public hearing in August.

Please feel free to contact me if you have any questions or comments.



Morris A. Crady, AICP
Senior Vice President
Encl.

CPA 19-7

Exhibit A

(Revised May 15, 2019)

Martin County Comprehensive Growth Management Plan

(Underlined language is proposed to be added)

Chapter 4:

Policy 4.1B.2. Analysis of availability of public facilities. All requests for amendments to the FLUMs shall include a general analysis of (1) the availability and adequacy of public facilities and (2) the level of services required for public facilities in the proposed land uses. This analysis shall address, at a minimum, the availability of category A and category C service facilities as defined in the Capital Improvements Element. No amendment shall be approved unless present or planned public facilities and services will be capable of meeting the adopted LOS standards of this Plan for the proposed land uses. The Capital Improvements Element or other relevant plan provisions and the FLUMs may be amended concurrently to satisfy this criterion. The intent of this provision is to ensure that the elements of the CGMP remain internally consistent.

Compliance with this provision is in addition to, not in lieu of, compliance with the provisions of Martin County's Concurrency Management System. When a map amendment is granted under this provision, it does not confer any vested rights and will not stop the County from denying subsequent requests for development orders based on the application of a concurrency review at the time such orders are sought.

Martin County may adopt sub-area development restrictions for a particular site where public facilities and services, such as arterial and collector roads, regional water supply, regional wastewater treatment/disposal, surface water management, solid waste collection/disposal, parks and recreational facilities, and schools, are constrained and incapable of meeting the needs of the site if developed to the fullest capacity allowed under Goal 4.13 of this Growth Management Plan. The master or final site plan for a site that is subject to such sub-area development restrictions shall specify the maximum amount and type of development allowed. Sub-area development restrictions apply to the following sites:

(1) The tract of real property described in the Warranty Deed recorded at OR Book 2157, Page 2403, of the Public Records of Martin County, which is limited to 365,904 square feet of nonresidential use, consistent with the assigned future land use designation, and on which residential uses shall not be allowed.

(2) The development of the tract of real property described in the Warranty Deed recorded in OR Book 2239, Page 2498, Public Records of Martin County, Florida, shall be restricted and managed as follows:

(a) Uses on the subject property shall be limited to nonresidential uses. Residential uses shall not be permitted.

(b) Uses on the property shall be consistent with the future land use designations for the property and the applicable land use policies of the Martin County Comprehensive Growth Management Plan (CGMP).

(c) The maximum intensities of uses on the subject property contained within a building or buildings shall not exceed 1,600,000 square feet.

(d) All future applications for development approval shall be processed as a Planned Unit Development (PUD).

(e) The maximum intensities of all uses contained within a building or buildings shall not exceed 500,000 square feet on the subject property (of which up to 25,000 square feet may be in marina uses) prior to December 1, 2015.

(3) This sub-area policy applies only to lands within the boundaries of Florida state parks within Martin County, Florida. Recreation facilities allowed in the state parks shall be limited to those supporting resource-based outdoor recreation activities specifically identified in the park's approved management plan which has been developed according to F.S. sections 253.034 and 259.032, and F.A.C. 18-2 including, but not limited to, hiking, biking and equestrian trails, swimming areas, interpretive visitor centers, resource-based camping accommodations for use by tents, pop-up campers and other recreational vehicles, and cabins. All uses within the state parks must conform to the park's management plan. Activities which are normally allowed in this land use category but are prohibited under this sub-area policy include fairgrounds, commercial marinas, ball fields, dredge spoil facilities and other user-based (active) recreation facilities.

(4) The tract of real property described in the Special Warranty Deeds recorded at OR Book 3020, Page 2321, and OR Book 3020, Page 2328 of the Public Records of Martin County that is limited to an 18-hole private golf course utilizing an on-site sewage treatment and disposal system with a maximum cumulative flow of 5,000 gallons per day for the clubhouse, maintenance area, guardhouse and golf course shelters; and up to four (4) golf cottages, which may be permitted as an accessory use to the golf course utilizing an on-site sewage treatment and disposal system with a maximum cumulative flow of 2,000 gallons per day subject to State Health Department regulations.

Chapter 10:

Policy 10.2A.8. The following standards shall apply to all on-site sewage treatment and disposal system installations:

1. No onsite sewage treatment and disposal system shall exceed a total site buildout flow of 2,000 gpd, except as described below and in Policy 4.13A.8(5) and Policy 4.1B.2(4). Total site buildout shall be as determined by the Florida Department of Health.

Attorney:

Name or Company Name Select from the list
Company Representative _____
Address _____
City _____ State _____ Zip _____
Phone ____ - ____ - ____ Fax ____ - ____ - ____
Email _____

Other Professional:

Name or Company Name _____
Company Representative _____
Address _____
City _____ State _____ Zip _____
Phone ____ - ____ - ____ Fax ____ - ____ - ____
Email _____

B. Applicant or Agent Certification:

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.

Morris A. Crady 1-29-19
Applicant's signature Date
Morris A. Crady
Printed name

NOTARY ACKNOWLEDGMENT

STATE OF Florida
COUNTY OF Martin

I hereby certify that the foregoing instrument was acknowledged before me this 29th day of January, 2019, by Morris A. Crady.
He or she
 is personally known to me or has produced _____ as identification.

Shirley Lyders
Notary public signature
Printed name



State of _____ at-large

**Grove XXIII Golf Course, LLC
2645 SE Bridge Road
Hobe Sound, Florida 33455**

January 28, 2019

Nicki van Vonno, Director
Martin County Growth Management Department
2401 S.E. Monterey Road
Stuart, FL 34996

Re: Martin County Text Amendment and LDR Amendment Application

Dear Ms. van Vonno:

As owner of the Grove Golf Club golf course, please consider this correspondence formal authorization for Lucido & Associates to represent Grove XXIII Golf Course, LLC during the governmental review process of the application.

Sincerely,

GROVE XXIII GOLF COURSE, LLC,
a Florida limited liability company

By: THE GROVE GOLF CLUB, LLC,
a Florida limited liability company,
Its Sole Member

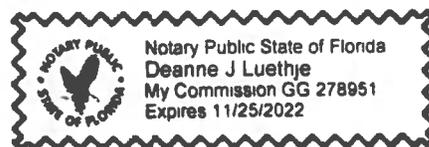
By: Donald E. Mudd
Donald E. Mudd, Manager

STATE OF Florida
COUNTY OF Martin

The foregoing was acknowledged before me this 30th day of January, 2019, by Donald E. Mudd, Manager of THE GROVE GOLF CLUB, LLC, SOLE MEMBER OF GROVE XXIII GOLF COURSE, LLC, a Florida limited liability company. He is personally known to me or has produced personally known as identification.

(Notarial Seal)

Deanne J. Luethje
NOTARY PUBLIC
My Commission Expires: 11/25/2022





736 colorado avenue, suite a, stuart, florida 34994 · phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

June 24, 2019

Ownership Search

Prepared For: Lucido & Associates

We hereby certify that a search has been made of the Martin County Property Appraiser's records regarding a 2500 foot area surrounding the following described parcel of land:

See Exhibit "A" attached hereto & made a part hereof.

TAX ID: See Exhibit "B" attached hereto
OWNER: & made a part hereof.
ADDRESS:

The apparent property owners of land surrounding the above referenced property are as follows: The list does not include any owners who qualify for confidentiality (See attached).

A handwritten signature in blue ink that reads 'Karen Rae Hyche'.

Karen Rae Hyche
President



736 colorado avenue, suite a, stuart, florida 34994 · phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

OWNERSHIP REPORT

SEARCH NO. P19-11,478/KRH

THE ATTACHED REPORT IS ISSUED TO LUCIDO & ASSOCIATES. THE ATTACHED REPORT MAY NOT BE RELIED ON BY ANY OTHER PARTY. NO LIABILITY IS ASSUMED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FOR ANY UNAUTHORIZED USE OR RELIANCE. THIS OWNERSHIP REPORT IS ISSUED PURSUANT TO FLORIDA STATUTE SECTION 627.7843 AND LIABILITY HEREUNDER FOR INCORRECT INFORMATION IS LIMITED TO THE SUM OF \$1,000.00.

The attached Report prepared in accordance with the instructions given by the user named above includes a listing of the owner(s) of a 2500 foot area surrounding subject property. It is the responsibility of the party named above to verify receipt of each document listed. If a copy of any document listed is not received, the office issuing this Report must be contacted immediately. This Report does not include easements, restrictions, notices or other documents not listed above.

This Report does not insure or guarantee the validity or sufficiency of any document attached nor is it to be considered a title insurance policy, an opinion of title, a guarantee of title or as any other form of guarantee or warranty of title. This Report shall not be used for the issuance of any title insurance policy or form.

Use of the term "Report" herein refers to this Ownership Report and the documents attached hereto.

The land referred to herein is described as follows:

See Exhibit "A" attached hereto & made a part hereof.

PRESTIGE TITLE AGENCY, INC.

736 Colorado Ave. Ste. A

Stuart FL 34994

By: Karen Rae Hyche

Karen Rae Hyche

LEGAL DESCRIPTION

A PARCEL OF LAND SITUATE IN THE SOUTH 3/4 OF SECTION 14, TOWNSHIP 39 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, SAID PARCEL OF LAND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 14; THENCE ALONG THE WEST LINE OF SAID SECTION 14, NORTH $00^{\circ}21'35''$ EAST, 275.02 FEET TO THE NORTHWEST CORNER OF THE PLAT OF HOBE SOUND POLO CLUB, AS RECORDED IN PLAT BOOK 16, PAGE 78, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA AND TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE SAID WEST LINE OF SECTION 14, NORTH $00^{\circ}21'35''$ EAST, 2376.36 FEET TO THE WEST QUARTER CORNER OF SAID SECTION 14; THENCE CONTINUE ALONG THE SAID WEST LINE OF SECTION 14, NORTH $00^{\circ}20'47''$ EAST, 1321.44 FEET TO A POINT ON THE NORTH LINE OF THE SOUTH 3/4 OF SAID SECTION 14; THENCE ALONG SAID NORTH LINE OF THE SOUTH 3/4 OF SECTION 14, SOUTH $89^{\circ}59'08''$ EAST, 5318.28 FEET TO THE EAST LINE OF SAID SECTION 14; THENCE ALONG THE SAID EAST LINE OF SECTION 14, SOUTH $00^{\circ}04'46''$ WEST, 1329.94 FEET TO THE EAST QUARTER CORNER OF SAID SECTION 14; THENCE CONTINUE ALONG SAID EAST LINE OF SECTION 14, SOUTH $00^{\circ}25'19''$ EAST, A DISTANCE OF 2389.38 FEET TO THE NORTHEAST CORNER OF AFORESAID PLAT OF HOBE SOUND POLO CLUB; THENCE ALONG THE NORTH LINE OF SAID PLAT OF HOBE SOUND POLO CLUB FOR THE FOLLOWING SEVEN COURSES, NORTH $89^{\circ}45'19''$ WEST, 601.30 FEET TO A NON-TANGENT CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 83.00 FEET AND A CHORD BEARING OF NORTH $69^{\circ}27'10''$ WEST; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $114^{\circ}20'41''$, 165.64 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 117.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $36^{\circ}52'12''$, 75.29 FEET; THENCE NORTH $89^{\circ}45'19''$ WEST, A DISTANCE OF 3757.91 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE NORTHERLY, HAVING A RADIUS OF 117.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $36^{\circ}52'12''$, 75.29 FEET TO A POINT OF REVERSE CURVATURE OF A CURVE CONCAVE SOUTHERLY, HAVING A RADIUS OF 83.00 FEET; THENCE WESTERLY ALONG THE ARC OF SAID CURVE, THROUGH A CENTRAL ANGLE OF $114^{\circ}20'41''$, A DISTANCE OF 165.64 FEET TO A NON-TANGENT LINE; THENCE NORTH $89^{\circ}45'19''$ WEST, A DISTANCE OF 595.72 FEET TO THE POINT OF BEGINNING.

CONTAINING 451.514 ACRES OR 19,667,954 SQUARE FEET.

Exhibit "A"

Martin County, Florida - Laurel Kelly, C.F.A

generated on 6/21/2019 11:54:49 AM EDT

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
14-39-41-001-000-00020-0	1119423	UNASSIGNED, HOBE SOUND	\$2,948,730	6/15/2019

Owner Information

Owner(Current)	GROVE XXIII GOLF COURSE LLC
Owner/Mail Address	2645 S BRIDGE RD HOBE SOUND FL 33455
Sale Date	10/8/2018
Document Book/Page	<u>3020 2321</u>
Document No.	2719765
Sale Price	2911800

Location/Description

Account #	1119423	Map Page No.	P-13&14
Tax District	3003	Legal Description	TRACT B GROVE GOLF CLUB ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17 PAGE 78 PUBLIC RECORDS MARTIN COUNTY FLORIDA
Parcel Address	UNASSIGNED, HOBE SOUND		
Acres	208.6600		

Parcel Type

Use Code	3800 Golf Course/Driving Range
Neighborhood	60900 Golf Courses

Assessment Information

Market Land Value	\$2,948,730
Market Improvement Value	
Market Total Value	\$2,948,730

Exhibit "B"

1 of 4

Martin County, Florida - Laurel Kelly, C.F.A

generated on 6/21/2019 11:58:51 AM EDT

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
14-39-41-001-000-00030-0	1121039	UNASSIGNED, HOBE SOUND		6/15/2019

Owner Information

Owner(Current)	GROVE XXIII CLUBHOUSE LLC
Owner/Mail Address	2645 S BRIDGE RD HOBE SOUND FL 33455
Sale Date	10/8/2018
Document Book/Page	<u>3020 2328</u>
Document No.	2719766
Sale Price	247600

Location/Description

Account #	1121039	Map Page No.	P-13&14
Tax District	3003	Legal Description	TRACT C GROVE GOLF CLUB ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17 PAGE 78 PUBLIC RECORDS MARTIN COUNTY FLORIDA
Parcel Address	UNASSIGNED, HOBE SOUND		
Acres	16.4300		

Parcel Type

Use Code	3800 Golf Course/Driving Range
Neighborhood	60900 Golf Courses

Assessment Information

Market Land Value	
Market Improvement Value	
Market Total Value	

2 of 4

Exhibit "B"

Martin County, Florida - Laurel Kelly, C.F.A

generated on 6/21/2019 12:01:19 PM EDT

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
14-39-41-001-000-00001-0	1119421	UNASSIGNED, HOBE SOUND	\$0	6/15/2019

Owner Information

Owner(Current) HOBE SOUND EQUESTRIAN LLC
Owner/Mail Address 1701 HIGHWAY A1A STE 204
 VERO BEACH FL 32963

Sale Date
Document Book/Page
Document No.
Sale Price

Location/Description

Account #	Tax District	Parcel Address	Acres	Map Page No.	Legal Description
1119421	3003	UNASSIGNED, HOBE SOUND	1.6300	P-13&14	PRIVATE ROAD - TRACT A GROVE GOLF CLUB ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17 PAGE 78 PUBLIC RECORDS MARTIN COUNTY FLORIDA

Parcel Type

Use Code 9400 Right of way streetsRoads
Neighborhood 36910 Common Areas - County Wide

Assessment Information

Market Land Value
Market Improvement Value
Market Total Value \$0

3 of 4

Exhibit "B"

Martin County, Florida - Laurel Kelly, C.F.A

generated on 6/21/2019 12:02:13 PM EDT

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
14-39-41-001-000-00002-0	1119422	UNASSIGNED, HOBE SOUND	\$2,893,150	6/15/2019

Owner Information

Owner(Current) HOBE SOUND EQUESTRIAN LLC
Owner/Mail Address 1701 HIGHWAY A1A STE 204
 VERO BEACH FL 32963

Sale Date
Document Book/Page
Document No.
Sale Price

Location/Description

Account #	1119422	Map Page No.	P-13&14
Tax District	3003	Legal Description	TRACT D GROVE GOLF CLUB ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 17 PAGE 78 PUBLIC RECORDS MARTIN COUNTY FLORIDA
Parcel Address	UNASSIGNED, HOBE SOUND		
Acres	222.5500		

Parcel Type

Use Code 6300 GrazLD Soil Cpcty CL III
Neighborhood 67700 Bridge Road

Assessment Information

Market Land Value	\$2,893,150
Market Improvement Value	
Market Total Value	\$2,893,150

4 of 4

Exhibit "B"

Grove XXIII Golf Course LLC
2645 S. Bridge Rd.
Hobe Sound FL 33455

Grove XXIII Clubhouse LLC
2645 S. Bridge Rd.
Hobe Sound FL 33455

Hobe Sound Equestrian LLC
1701 Highway A1A Ste. 204
Vero Beach FL 32963

South Florida Water Mgmt. Distr.
3301 Gun Club Rd.
West Palm Beach FL 33406

State of Florida
3900 Commonwealth Blvd. MS-49
Tallahassee FL 32399

State of Florida/So. Fla. Water
Mgmt. Distr.
3900 Commonwealth Blvd. MS-49
Tallahassee FL 32399

Retreat at Seabranh Homeowners
Assoc.
600 Sandtree Dr. Ste. 109
Palm Beach Gardens FL 33403

Whitworth Farms Ltd.
11050 State Road 7
Boynton Beach FL 33437

Becker B-14 Grove Ltd.
1701 Highway A1A Ste. 204
Vero Beach FL 32963