



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

## STAFF REPORT

### A. Application Information

## IMPEDANCE BAILE REZONING

Applicant:	Impedance Baile, LLC
Agent for the Applicant:	Emily O'Mahoney, 2GHO and Associates, Inc.
County Project Coordinator:	Matt Stahley, Senior Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	I059-002
Application Type and Number:	DEV2019100018
Report Number:	2019_1220_I059-002_DRT_Staff_Final
Application Received:	11/15/2019
Transmitted:	11/15/2019
Date of Staff Report:	12/20/2019
LPA Meeting Date:	02/06/2020
BCC Meeting Date:	03/03/2020

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### B. Project description and analysis

This is a request for a zoning district change from the current B-1, Business District to the COR-1, Commercial Office/Residential District, or the most appropriate zoning district. The undeveloped property is approximately 1.10 acres located on the east side of South Kanner Highway, approximately 1200 feet north of the SE Salerno Road and South Kanner Highway intersection. Included in this application is a request for a Certificate of Public Facilities Exemption.

The B-1 zoning district was created in 1967 as part of the County's original zoning regulations and was carried over to the current Article 3, zoning districts, Land Development Regulations (LDR), Martin County Code, as a Category C district. Category C zoning districts are intended to be used until a rezoning to Category A is needed or required to accommodate changes to the existing structures and uses on the property. The Category A districts were created to implement the land use policies included in the Comprehensive Growth Management Plan, Goal 4.4 and Objectives 4.4A. and 4.4A.1.

The subject of this application is a request for a zoning change to the COR-1, Commercial

Office/Residential District. This request for a zoning change is classified as a mandatory rezoning. According to the applicant, the requested rezoning to the COR-1 Zoning District is to allow the construction of a professional office on the vacant property.

Article 3.10B, Land Development Regulations, Martin County Code, provides three straight zoning districts available to implement the Commercial Office/Residential Future Land Use classification. In addition to the zoning districts the PUD (Planned Unit Development) district is also available. The PUD district provides more design flexibility to applicant's for proposed projects in exchange for additional benefits to the County.

The three straight zoning districts include CO (Commercial Office), COR-1 (Commercial Office/Residential) and COR-2 (Commercial Office/Residential) Districts. The CO District is generally used as a transition zone between more intense commercial areas and residential areas where a determination has been made that residential uses within this district are not appropriate. The COR-1 District is generally used as a transition zone between more intense commercial areas and residential areas, particularly in areas that were originally developed as residential but where a gradual conversion to transitional, nonresidential and mixed uses is warranted. The COR-2 District is generally used as a transition zone between more intense commercial areas and residential areas. Residential development is not a permitted use within the CO District. Residential use within the COR-1 and COR-2 Districts is allowable to a maximum density of 5.00 and 10.00 units per acre, respectively.

The CO, COR-1 and COR-2 Districts were created to implement the policies for the Commercial Office/Residential (COR) land use classification. The choice of the most appropriate district for the subject property is a policy decision that the Local Planning Agency (LPA) and the Board of County Commissioners (BCC) are asked to consider based on the standards for amendments to the zoning atlas provided in Section 3.2 E.1., Land Development Regulations (LDR), Martin County Code (MCC).

The following tables indicate the differences in the uses that are permitted, followed by the size and dimension requirements for the CO, COR-1 and COR-2 districts and the zoning regulations for the B-1, Business District.

**TABLE 3.11.2**  
**PERMITTED USES - CATEGORY "A" NONRESIDENTIAL DISTRICTS**

USE CATEGORY	C O	C O R 1	C O R 2
<i>Residential Uses</i>			
<i>Accessory dwelling units</i>		P	P
<i>Apartment hotels</i>			P
<i>Modular homes</i>		P	P
<i>Multifamily dwellings</i>		P	P

USE CATEGORY	C O	C O R 1	C O R 2
<i>Single-family detached dwellings</i>		P	P
<i>Townhouse dwellings</i>		P	P
<i>Duplex dwellings</i>		P	P
<i>Zero lot line single-family dwellings</i>		P	P
<i>Public and Institutional Uses</i>			
<i>Administrative services, not-for-profit</i>	P	P	P
<i>Community centers</i>	P	P	P
<i>Cultural or civic uses</i>	P	P	P
<i>Dredge spoil facilities</i>			
<i>Educational institutions</i>	P	P	P
<i>Neighborhood assisted residences with six (6) or fewer residents</i>		P	P
<i>Places of worship</i>	P	P	P
<i>Post offices</i>	P	P	P
<i>Protective and emergency services</i>	P	P	P
<i>Public libraries</i>	P	P	P
<i>Public parks and recreation areas, active</i>	P	P	P
<i>Public parks and recreation areas, passive</i>	P	P	P
<i>Public vehicle storage and maintenance</i>	P		
<i>Recycling drop-off centers</i>	P	P	P
<i>Residential care facilities</i>		P	P
<i>Utilities</i>	P	P	P
<i>Commercial and Business Uses</i>			

USE CATEGORY	C O	C O R 1	C O R 2
<i>Ancillary retail use</i>	P	P	P
<i>Bed and breakfast inns</i>	P	P	P
<i>Business and professional offices</i>	P	P	P
<i>Family day care</i>		P	P
<i>Financial institutions</i>	P	P	P
<i>Medical services</i>	P	P	P
<i>Recreational vehicle parks, limited to the number and configuration of units lawfully established prior to the effective date of this ordinance</i>		P	P
<i>Residential storage facilities</i>	P	P	P
<i>Biomedical research</i>	P	P	P
<i>Bioscience research</i>	P	P	P
<i>Computer and electronic components research and assembly</i>	P	P	P
<i>Computer and electronic products research and assembly</i>	P	P	P
<i>Computer programming/software research</i>	P	P	P
<i>Computer system design</i>	P	P	P
<i>Electromedical apparatus research and assembly</i>	P	P	P
<i>Electronic equipment research and assembly</i>	P	P	P
<i>Laser research and assembly</i>	P	P	P
<i>Lens research</i>	P	P	P
<i>Management, scientific and technical services</i>	P	P	P
<i>Marine Research</i>	P	P	P
<i>Medical and dental labs</i>	P	P	P

USE CATEGORY	C O	C O R 1	C O R 2
<i>Medical equipment assembly</i>	P	P	P
<i>Optical equipment assembly</i>	P	P	P
<i>Optical instruments assembly</i>	P	P	P
<i>Optoelectronics assembly</i>	P	P	P
<i>Pharmaceutical products research</i>	P	P	P
<i>Precision instrument assembly</i>	P	P	P
<i>Professional, scientific and technical services</i>	P	P	P
<i>Reproducing magnetic and optical media</i>	P	P	P
<i>Research and development laboratories and facilities, including alternative energy</i>	P	P	P
<i>Scientific and technical consulting services</i>	P	P	P
<i>Simulation training</i>	P	P	P
<i>Technology centers</i>	P	P	P
<i>Telecommunications research</i>	P	P	P
<i>Testing laboratories</i>	P	P	P
<i>Business-to-business sales and marketing</i>	P	P	P
<i>Credit bureaus</i>	P	P	P
<i>Credit intermediation and related activities</i>	P	P	P
<i>Customer care centers</i>	P	P	P
<i>Customer support</i>	P	P	P
<i>Data processing services</i>	P	P	P
<i>Film, video, audio and electronic media production and postproduction</i>	P	P	P

USE CATEGORY	C O	C O R 1	C O R 2
<i>Funds, trusts and other financial vehicles</i>	P	P	P
<i>Information services and data processing</i>	P	P	P
<i>Insurance carriers</i>	P	P	P
<i>Internet service providers, web search portals</i>	P	P	P
<i>Management services</i>	P	P	P
<i>National, international and regional headquarters</i>	P	P	P
<i>Nondepository credit institutions</i>	P	P	P
<i>Offices of bank holding companies</i>	P	P	P
<i>On-line information services</i>	P	P	P
<i>Securities, commodity contracts</i>	P	P	P
<i>Simulation training</i>	P	P	P
<i>Technical support</i>	P	P	P
<i>Telephonic and on-line business services</i>	P	P	P
<i>Transaction processing</i>	P	P	P

**TABLE 3.12.1  
DEVELOPMENT STANDARDS**

C A T	Zoning District	Min. Lot Area (sq. ft.)	Min. Lot Width (ft)	Max. Res. Density (upa)	Max. Hotel Density (upa)	Max. Building Coverage (%)	Max. Height (ft)/(stories)	Min. Open Space (%)	Other Req. (footnote)
A	CO	10,000	80	—	—	40	30	40	—
A	COR-1	10,000	80	5.00	10.00	40	30	40	—
A	COR-2	10,000	80	10.00	20.00	40	30	40	—

**TABLE 3.12.2**  
**STRUCTURE SETBACKS**

		Front/by story (ft.)				Rear/by story (ft.)				Side/by story (ft.)			
C A T	Zoning District	1	2	3	4	1	2	3	4	1	2	3	4
A	CO	25	35	35	35	20	30	30	30	10	20	30	30
A	COR-1	25	25	25	25	20	20	30( <i>h</i> )	30( <i>h</i> )	10	10	30	30
A	COR-2	25	35	35	35	20	30	30	30	10	20	30	30

Sec. 3.417. - B-1 Business District.

3.417.A. *Uses permitted.* In this district, a building or structure or land shall be used for only the following purposes, subject to any additional limitations pursuant to section 3.402:

1. Any use permitted in a HB-1 Limited Business District.
2. Churches or schools may be constructed on property presently owned and held for such purposes, if such construction is commenced within five years from the date of September 14, 1965.
3. Offices, banks, theatres (not drive-ins), beauty parlors, bars and nightclubs, photograph studios, dry cleaning and laundry pickup stations, barbershops, florists, automobile salesrooms, used car lots, parking lots and storage garages, telephone exchanges, restaurants and lunchrooms, police and fire stations, motels and hotels, golf driving ranges and putt-putt golf.
4. Mechanical garages and gasoline and other motor fuel stations, so long as such work is confined within a building, and vehicles awaiting repair shall be screened from view on the street and abutting property.
5. Signs appertaining to the above uses.
6. Refuse and storage areas, which shall be screened from view.

3.417.B. *Required lot area and width.* Lots or building sites shall have an area of not less than 7,500 square feet, with a minimum width of 60 feet measured along the front property line. Structures in this district shall be limited to 35 feet. Motels and hotels shall comply with the minimum requirements of the HR-2 Multiple-Family Residential District.

3.417.C. *Minimum yards required.*

1. *Front:* 20 feet.
2. *Rear:* 20 feet.
3. *Side:* None, except where a B-1 District lies adjacent to a residential district or is separated only by a road, no building shall be built within 20 feet of a common property line, and a landscaped buffer strip shall be provided between the two uses with an evergreen hedge, uniformly colored masonry wall or board fence six feet high. Such screen shall be located on the sides and rear of the property:

- a. No structure shall be built within 50 feet of the center line of any public platted right-of-way not a designated through-traffic highway.
- b. No structure shall be built with 65 feet of the center line of a designated through-traffic highway.

(Ord. No. 608, pt. 1, 3-19-2002)

### **Standards for Amendments to the Zoning Atlas**

The Comprehensive Growth Management Plan (CGMP) states in Chapter 4, Section 4.4: “Goal 4.4 To eliminate or reduce uses of land that are inconsistent with community character or desired future land uses.” And, in Objective 4.4A. “To eliminate inconsistencies between the FLUM and the zoning maps and regulations.”

The Martin County Land Development Regulations (LDR), Article 3, Section 3.2 E. provides the following “Standards for amendments to the Zoning Atlas.”

1. *The Future Land Use Map of the CGMP (Comprehensive Growth Management Plan) establishes the optimum overall distribution of land uses. The CGMP also establishes a series of land use categories, which provide, among other things, overall density and intensity limits. The Future Land Use Map shall not be construed to mean that every parcel is guaranteed the maximum density and intensity possible pursuant to the CGMP and these Land Development Regulations. All goals, objectives, and policies of the CGMP shall be considered when a proposed rezoning is considered. The County shall have the discretion to decide that the development allowed on any given parcel of land shall be more limited than the maximum allowable under the assigned Future Land Use Category; provided, however, that the County shall approve some development that is consistent with the CGMP, and the decision is fairly debatable or is supported by substantial, competent evidence depending on the fundamental nature of the proceeding. If upon reviewing a proposed rezoning request the County determines that the Future Land Use designation of the CGMP is inappropriate, the County may deny such rezoning request and initiate an appropriate amendment to the CGMP.*
2. *In the review of a proposed amendment to the Zoning Atlas, the Board of County Commissioners shall consider the following:*
  - a. ***Whether the proposed amendment is consistent with all applicable provisions of the Comprehensive Plan; and,***

The subject property is designated for Commercial Office/Residential (COR) land use on the Future Land Use Map (FLUM) of the Comprehensive Growth Management Plan (CGMP). The zoning implementation policies and requirements are contained in Article 3, Zoning Districts, Land Development Regulations. Martin County Code identify three (3) “straight” zoning districts, including CO, COR-1 and COR-2, that are available to implement the COR future land use classification.

In addition to the “straight” zoning districts the PUD (Planned Unit Development) District is also available as a fourth option. The PUD District offers more design flexibility to applicants for proposed projects. In exchange the district requires additional benefits to the County and



more controls by the County. The choice of the most appropriate district for the subject property is a policy decision the Local Planning Agency (LPA) and the Board of County Commissioners (BCC) is asked to consider based on the “standards for amendments to the zoning atlas” provided in Section 3.2 E.1., Land Development Regulations (LDR), Martin County Code (MCC).

Policy 4.13A.8.(1) of Chapter 4, Future Land Use Element, of the CGMP addresses the COR land use designation:

*Commercial Office/Residential development (COR). Martin County shall establish policies and criteria to guide mixed-use development. Commercial Office/Residential development shall be allocated to accessible sites adjacent to major thoroughfares. It shall also serve as a transitional use separating more intensive commercial uses from residential development. Office and residential development may be allocated along the outer fringe of core commercial areas where such development may encourage reinvestment in declining residential areas adjacent to commercial core areas. The COR future land use designation shall also be allocated to areas appropriately suited for Traditional Neighborhood Development, described under Goal 4.3. The development provisions for the standard COR zoning districts and the PUD zoning district are expressed below:*

*(a)Development in the Commercial Office/Residential future land use designation shall be restricted to professional and business offices, limited service establishments, financial institutions, live-work units, residential development or any combination of these uses. Freestanding retail sales and service establishments shall be excluded from these areas. However, restaurants, certain service commercial uses, and limited commercial uses, as identified in the Land Development Regulations, may occupy 25 percent of the commercial square footage in a building.*

*Residential storage facilities may be approved in areas designated COR, and the Land Development Regulations shall include criteria for review of such uses. However, the building shall be restricted to structures with small modules adaptive exclusively to storage of personal items of residential clients. Commercial tenants shall be expressly prohibited. The facility shall be designed to blend harmoniously with residential structures.*

*The intensity of lot use, defined as floor area ratio (FAR), shall be governed by the parking standards of the Land Development Regulations. The maximum building coverage shall be 40 percent, and the minimum net lot size permitted in COR districts shall be 10,000 square feet. The minimum open space shall be 40 percent and the maximum building height shall be 30 feet. Multiple-family residential uses are encouraged to develop in areas designated for office development at densities compatible with criteria cited in Policy 4.13A.7.(5) for High Density Residential development. The Land Development Regulations shall require appropriate landscaping and screening, including a vegetative berm system where feasible. Plant material and a decorative fence or wall shall be used to assure compatibility between established residential uses and proposed office developments.*

*A bed and breakfast or other facilities for transient lodging, catering to seasonal residents, shall be permitted. Kitchen facilities shall be permitted to accommodate occupants visiting for periods exceeding the general motel trip duration of one to four nights. Approved transient lodging facilities existing as of the effective date of the CGMP shall be considered permitted in such an area.*

*Landscaping, screening, buffering and similar design techniques shall be used to assure a smooth transition between residential structure types and densities.*

*Residential use shall be allowed in the COR future land use designation as part of a mixed-use project as allowed under Goal 4.3 in any of the seven CRAs designated in Policy 4.2B.4. Residential densities shall be as provided in Policy 4.3A.2.*

***b. Whether the proposed amendment is consistent with all applicable provisions of the LDR; and,***

There are three (3) “straight” zoning districts that are available to implement the COR future land use policies of the CGMP. The three (3) “straight” zoning districts include the CO, Commercial Office District and the COR-1 and COR-2 Commercial Office/Residential Districts.

In addition to the “straight” zoning districts the PUD (Planned Unit Development) District is also available as a forth option. The PUD District offers more design flexibility to applicants for proposed projects. In exchange the district requires additional benefits to the County and more controls by the County. The choice of the most appropriate district for the subject property is a policy decision the Local Planning Agency (LPA) and the Board of County Commissioners (BCC) is asked to consider based on the “standards for amendments to the zoning atlas” provided in Section 3.2 E.1., Land Development Regulations (LDR), Martin County Code (MCC). With respect to the other Land Development Regulation requirements related to roads, drainage, environmental protection, utilities, emergency services, landscaping, etc., full compliance cannot be assessed until a specific plan has been selected for the property and an application is submitted to the County. The granting of a zoning change by the County does not exempt the applicant from any of the County’s Land Development Regulations. The applicant must demonstrate full compliance with all regulations prior to any approval action taken by the County.

***c. Whether the proposed district amendment is compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use; and,***

The undeveloped property is approximately 1.10 acres located on the east side of South Kanner Highway, approximately 1200 feet north of the SE Salerno Road and South Kanner Highway intersection.

The subject property contains approximately 323 feet of frontage along South Kanner Highway, and sufficient minimum lot size and lot width dimensions to ensure consistency with the development standards governing the requested COR-1 Zoning District, as shown above in Table 3.12.1.

The primary land use pattern that has been established and recognized on the Future Land Use Map (FLUM) of the CGMP for the South Kanner Highway corridor in proximity to the site are Commercial General, Commercial Office/Residential; Commercial Limited and Low Density 5 units per acre. The subject site is located on a major thoroughfare, South Kanner Highway and fits the description of the Commercial Office Residential Future Land Use policy criteria of “...*accessible sites adjacent to major thoroughfares. It shall also serve as a transitional use separating more intensive commercial uses from residential development.*” The COR future land use allows office and residential development to be located along the outer fringe of core commercial areas.

**d. *Whether and to what extent there are documented changed conditions in the area; and,***

The subject property contains approximately 320 feet of frontage along South Kanner Highway, which is classified as a major arterial roadway. The infrastructure needed to support development and to provide services at established services levels to existing development in this local area is present. The pattern of development within the local area has been the subject of considerable change over the decades. Immediately to the north of the subject parcel is the Southwood Residential PUD and Southwood Plaza Commercial PUD. Several parcels immediately to the south were recently rezoned from B-1 to COR-2, including the recent development of an urgent care facility. Immediately to the east is a lake tract associated with the Lake Haven single family neighborhood. Immediately to the west is the South Kanner Highway right of way. The property west of the South Kanner Highway right of way is comprised of vacant land with commercial general future land use, and the Fairmont Estates residential PUD. Further south and west is a gas station, grocery store, restaurants, retail space, and a bank.

**e. *Whether and to what extent the proposed amendment would result in demands on public facilities; and,***

The subject property is located within the Primary Urban Services District of the County. As such, the full range of urban services at service levels established by the CGMP is available or must be made available for any uses that are planned for the property. Water and wastewater services to the site will be provided by Martin County Utilities, the regional service provider for this area of the County.

**f. *Whether and to what extent the proposed amendment would result in a logical, timely and orderly development pattern which conserves the value of existing development and is an appropriate use of the county's resources; and,***

The land use pattern that has been established and recognized on the Future Land Use Map (FLUM) of the CGMP for development contains a mixture of commercial office/residential uses within proximity to the subject parcel. The rezoning to COR-1, Commercial Office/Residential would be consistent with the COR Future Land Use provisions and provide the opportunity for a transitional use between the existing residential and small-scale commercial, and the more intense commercial general uses situated on South Kanner Highway. This development pattern is well established adjacent to, and within the vicinity of, the subject parcel and the extension of this pattern to the subject property is contemplated and supported by the CGMP.

The COR future land use designation for the property and the prior inclusion of the property within the Primary Urban Service District are key determinants regarding the uses that may ultimately occur on the property

***g. Consideration of the facts presented at the public hearings.***

The subject application requires a public hearing before the Local Planning Agency, who will make a recommendation on the request and the Board of County Commissioners, who will take final action on the request. The two hearings will provide the public an opportunity to participate in the review and decision making process.

***C. Staff recommendation***

The specific findings and conclusion of each review agency related to this request are identified in Sections F through I of this report. The current review status for each agency is as follows:

<b>Section</b>	<b>Division or Department</b>	<b>Reviewer</b>	<b>Phone</b>	<b>Assessment</b>
F	Comprehensive Plan	Matthew Stahley	320-3047	Comply
G	Development Review	Matthew Stahley	320-3047	Comply
H	County Attorney	Krista Storey	288-5443	Review Ongoing
I	Adequate Public Facilities	Matthew Stahley	320-3047	Exempt

The choice of the most appropriate district for the subject property is a policy decision the Local Planning Agency (LPA) and the Board of County Commissioners (BCC) is asked to consider based on the “standards for amendments to the zoning atlas” provided in Section 3.2 E.2., Land Development Regulations (LDR), Martin County Code (MCC). An analysis of the Standards for amendments to the Zoning Atlas indicates that this application is in order and qualifies for a recommendation of approval for a zoning change to the requested COR-1, Commercial Office/Residential District.

***D. Review Board action***

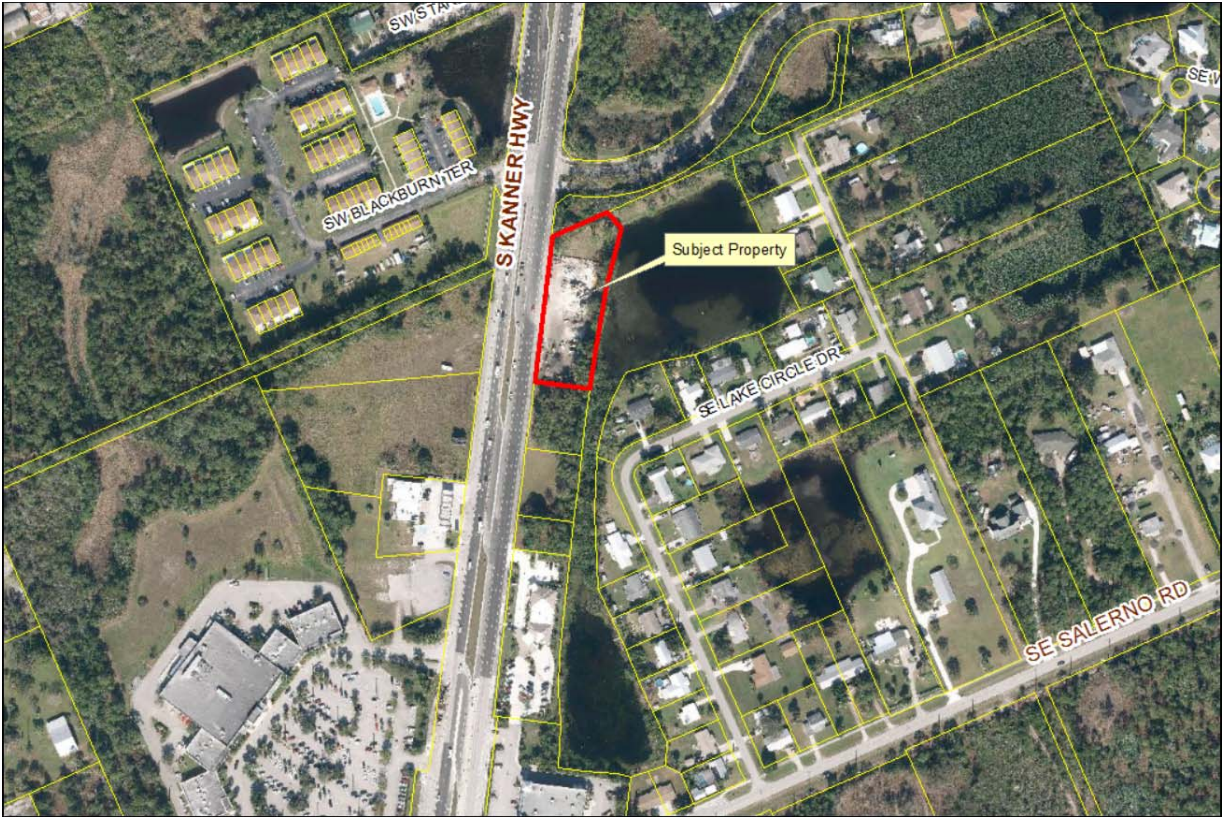
A review and recommendation is required on this application from the Local Planning Agency (LPA). Final action on this application is required by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be advertised public hearings.

***E. Location and site information***

Location:	The undeveloped property is approximately 1.10 acres located on the east side of South Kanner Highway, approximately 1200 feet north of the SE Salerno Road and South Kanner Highway intersection.
Parcel number(s) and address:	55-38-41-008-000-00010-8 South Kanner Highway
Existing Zoning:	B-1, Business District
Future land use:	Commercial Office/Residential
Commission district:	2
Planning area:	Port Salerno / 76 Corridor
Urban services district:	Primary Urban Service District



## LOCATION MAP



## AERIAL MAP (2019)



Adjacent existing or proposed development:

To the north: Southwood PUD-R, Southwood PUD-C

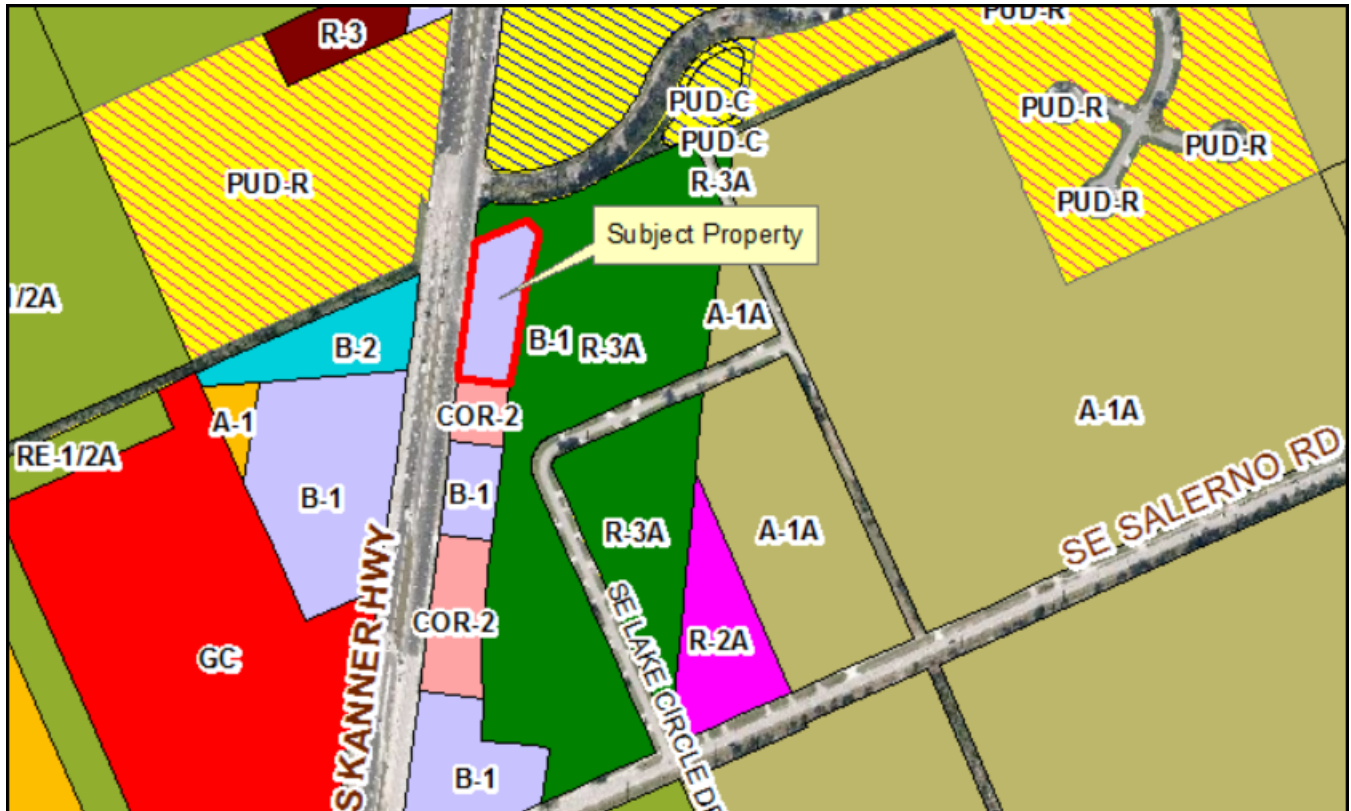
To the south: Vacant Commercial, further south Urgent Care facility and Walgreens

To the east: Existing Single Family (Lake Haven)

To the west: South Kanner Highway ROW, Vacant Commercial, Gas Station



## ZONING MAP



Zoning district designations of abutting properties:

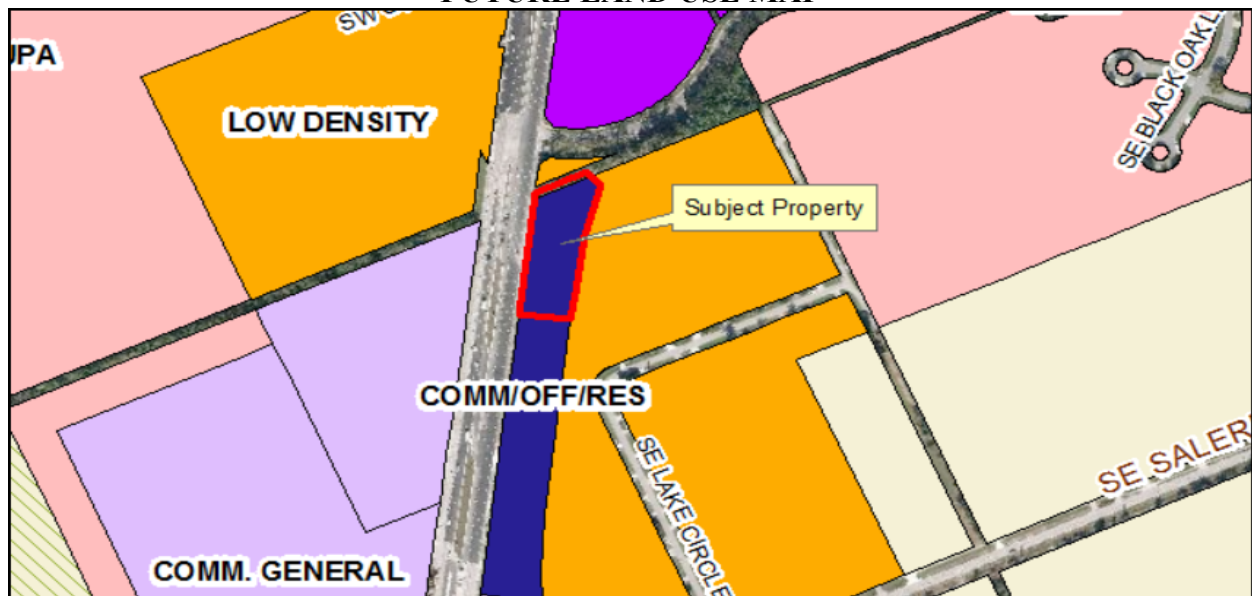
To the north: R-3A, Multi Family District

To the east: R-3A, Multi Family District

To the south: COR-2, Commercial/Office/Residential

To the west: PUD-R Planned Unit Development Residential, B-2 Business Wholesale District

## FUTURE LAND USE MAP



Future land use designations of abutting properties:

To the north: Low density  
To the south: Commercial Office/Residential  
To the east: Low Density  
To the west: Commercial General, Low Density

***F. Determination of compliance with Comprehensive Growth Management Plan 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 Comprehensive Growth Management Plan requirements issues associated with this application.

***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, site design standards, zoning and procedural requirements issues associated with this application.

**Additional Information:**

1. The notice of a public hearing regarding development applications shall be mailed at least 14 calendar days prior to the public hearing by the applicant to all owners of real property located within a distance of 500 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. In addition, notice shall be mailed to all homeowner associations, condominium associations and the owners of each condominium unit within the notice area.

***H. Determination of compliance with legal requirements - County Attorney's Office***

Review ongoing.

***I. Determination of compliance with the adequate public facilities requirements - responsible departments***

The review for compliance with the standards for a Certificate of Adequate Public Facilities Exemption for development demonstrates that no additional impacts on public facilities were created in accordance with Section 5.32.B., LDR. Exempted development will be treated as committed development for which the County assures concurrency.

Examples of developments that do not create additional impact on public facilities include:

- A. Additions to nonresidential uses that do not create additional impact on public facilities;
- B. Changes in use of property when the new use does not increase the impact on public facilities over

the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more;

- C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan;
- D. Boundary plats which permit no site development.

#### ***J. Post-approval requirements***

Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

##### **Item #1:**

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 #2:**

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.

#### ***K. Local, State, and Federal Permits***

N/A

#### ***L. 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:	\$1000.00	\$1000.00	\$0.00
Advertising fees*:	TBD		
Recording 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.

#### ***M. General application information***

##### **Property Owner:**

Robert G. Neal, Toddie M. Neal  
6350 SE Lake Circle Drive  
Stuart, FL 34997

##### **Applicant and Contract Purchaser:**

Impedance Baile, LLC



Maura Curran, Hope Proctor  
601 Heritage Drive Suite 224  
Jupiter, FL 33458

**Agent for the Applicant:**

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## **N. 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