



Martin County, Florida  
Growth Management Department  
COMPREHENSIVE PLANNING DIVISION  
2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 [www.martin.fl.us](http://www.martin.fl.us)

## COMPREHENSIVE PLAN AMENDMENT APPLICATION

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### A. GENERAL INFORMATION

Type of Application: Future Land Use Application with Concurrent Zoning Application

Name or Title of Project:

Martinez - Cove Road Land Use and Zoning Change

Future Land Use Map Amendment:

Location of Project and Description of Proposal:

See Attached.

Parcel Control Number(s)

34-38-41-001-000-00080-5

Project within a CRA? ☐ YES/NO ☒ Which One? Select CRA

Size of Project (Acres): 2.38 Acres

Current Future Land Use Designation: Rural Density

Current Zoning Designation: A-1

Proposed Future Land Use Designation: Estate Density - 2 UPA

Proposed Zoning Designation: RE 1/2 A

### Text Amendment

Proposed Elements to Amend:

N/A

**B. APPLICANT INFORMATION****Property Owner:** Steven M. Martinez and Nicholas Martinez, Jr.

Company Representative: \_\_\_\_\_

Address: 1500 SE Cove RoadCity: Stuart, State: FL Zip: 34997

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Agent:** Fox McCluskey Bush Robison, PLLCCompany Representative: Tyson Waters, Esq.Address: 3461 SE Willoughby BoulevardCity: Stuart, State: FL Zip: 34994Phone: 772-287-4444 Email: twaters@foxmccluskey.com**Contract Purchaser:** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Land Planner:** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Traffic Engineer:** : O'Rourke Engineering & PlanningCompany Representative: Susan E. O'Rourke, P.E.Address: 969 SE Federal Highway, Suite 402City: Stuart, State: FL Zip: 34994Phone: 772-781-7918 Email: seorourke@comcast.net**Attorney:** : Fox McCluskey Bush Robison, PLLCCompany Representative: Tyson Waters, Esq.Address: 3461 SE Willoughby BoulevardCity: Stuart, State: FL Zip: 34994Phone: 772-287-4444 Email: twaters@foxmccluskey.com**Other Professional:** : Stephen J. Brown, Inc.Company Representative: Stephen J. BrownAddress: 619 East 5th StreetCity: Stuart, State: FL Zip: 34994Phone: 772-288-7176 Email: \_\_\_\_\_

**C. 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.

[Signature] [Signature] 3/31/2020  
Applicant Signature APPLICANT Date  
STEVEN M. MARTINEZ NICHOLAS MARTINEZ  
Printed Name PRINTED NAME

**NOTARY ACKNOWLEDGMENT**

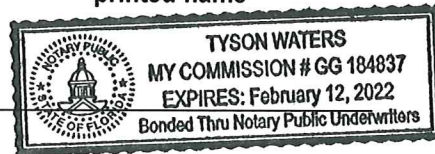
STATE OF: FLORIDA COUNTY OF: MARTIN

I hereby certify that the foregoing instrument was acknowledged before me this 31<sup>ST</sup> day of MARCH, 20 20, by NICHOLAS MARTINEZ & STEVEN M. MARTINEZ.

He or She    is personally known to me or ☒ has produced identification.

[Signature] TYSON WATERS  
Notary Public Signature printed name

STATE OF: FLORIDA at-large:   



**Applicant declares:**

He/she understands that this application is submitted pursuant to Chapter I, Section 1-11 of the Martin County Comprehensive Growth Management Plan and Chapter 163, Part II (The Community Planning Act) of the Florida Statutes. The public record of this matter will consist of this application, the exhibits, documents or other materials prepared by the applicant and submitted to the Martin County Growth Management Department; information or materials the Martin County Growth Management Department may submit; public comment submitted through the Martin County Growth Management Department; and comments made at public hearings related to this application.

He/she understands the application must be submitted during the established submission period to: Martin County, Growth Management Department, 2401 SE Monterey Road, Stuart, FL 34996. Completeness of application is the responsibility of the applicant.

Applications not complete by the sufficiency due date will be returned to the applicant.

**Applicant/Owner:**

[Signature] STEVEN M. MARTINEZ  
Signature of Applicant Printed Name  
[Signature]

**Applicant Agent:**

[Signature] TYSON WATERS  
Signature of Agent Printed Name

**Note:** The above noted agent, or owner, if no agent is listed, address and phone number will be used by the County as the single contact for all correspondence and other communication.

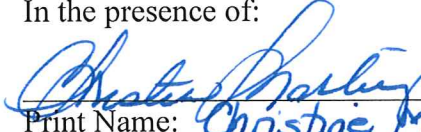
**LIMITED POWER OF ATTORNEY**

KNOW ALL MEN BY THESE PRESENTS, that we, Steven M. Martinez and Nicholas Martinez, Jr., do by these presents hereby make, constitute and appoint Tyson Waters, Esquire, and Fox McCluskey Bush Robison, PLLC, as its attorneys-in-fact to represent it and to execute, acknowledge, and deliver in our name documents and instruments, as its attorneys-in-fact may deem proper, as well as represent it at any hearings and meetings, that may be required to amend the future land use and zoning designations, and other laws, rules and regulations, as may be applicable, for the following described real property:


**See Exhibit "A"**

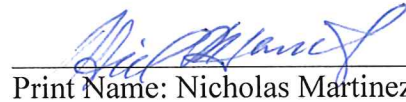
IN WITNESS WHEREOF, we have set our hands and seal this 31<sup>st</sup> day of March, 2020.

Signed, Sealed and delivered  
In the presence of:

  
Print Name: Christine Martinez  
Witness #1 (as to both)

  
Print Name: Steven M. Martinez

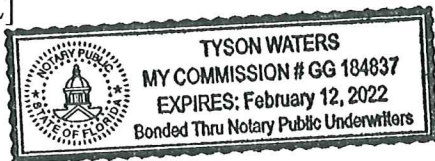
  
Print Name: TYSON WATERS  
Witness #2 (as to both)

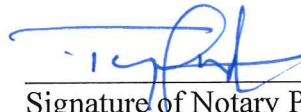
  
Print Name: Nicholas Martinez, Jr.

STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 31<sup>st</sup> day of MARCH, 2020, by Steven M. Martinez and Nicholas Martinez, Jr., who are personally known to me or have produced FL. DRIVER'S LICENSE as identification.

[SEAL]



  
Signature of Notary Public  
TYSON WATERS  
Print, type or stamp commissioned  
Name of Notary Public  
My Commission expires:



## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

Lot 8, WA-CO FIELD PLACE, according to the plat thereof as recorded in Plat Book 5, Page 62, Public Records of Palm Beach (now Martin) County, Florida; Less and except the following: Known as the Southerly portion of Lot 8, WA-CO Field Place, as recorded in Plat Book 5, Page 62, Public Records of Palm Beach (now Martin) County, Florida and being more particularly described as follows: Beginning at the Southwest corner of said Lot 8, thence North 8°18'31" West along the West line of said Lot 8, a distance of 626.67 feet to a point; thence North 89°40'23" East, a distance of 186.61 feet to a point on the East line of said Lot 8; thence South 0°19'53" East along said East line, a distance of 545.30 feet to a point on the South line of said Lot 8; thence South 66°08'23" West along said South line, a distance of 203.80 feet to the Point and Place of Beginning.

Parcel Identification Number: 34-38-41-001-000-00080-5

## CERTIFICATE OF OWNERSHIP

Based upon a search of the public records available on the Martin County Clerk of Court's website as of the date provided below, the undersigned certifies that the property legally described on Exhibit "A" attached hereto and made a part hereof is owned by Steven M. Martinez and Nicholas Martinez, Jr., and there have been no transfers of the subject property since that certain deed from Karen Sue Jones, dated May 1, 2017, and recorded on May 4, 2017, in Official Records Book 2922, Page 2125, of the Public Records of Martin County, Florida.

DATED this 1<sup>ST</sup> day of APRIL, 2020.



Tyson Waters, Esq.  
Attorney for Applicant

STATE OF FLORIDA  
COUNTY OF MARTIN

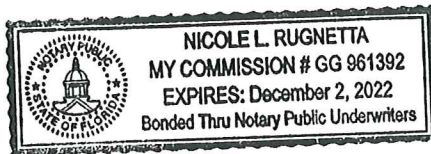
The foregoing instrument was acknowledged before me by means of ☒ physical presence or [ ] online notarization, this 1 day of April, 2020, by Tyson Waters, who is personally known to me or has produced \_\_\_\_\_ as identification.

[SEAL]



Signature of Notary Public

Print, type or stamp commissioned  
Name of Notary Public  
My Commission expires:



**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

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## DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared the undersigned person on the date set forth below, who, first being duly sworn, deposes and says under penalties of perjury:

1. That the record property owner(s) of the Real Property described in **Exhibit "A"** to this Affidavit is (are) as follows:

Name	Address
Nicholas Martinez, Jr.	1500 SE Cove Road Stuart, Florida 34997
Steven M. Martinez	1500 SE Cove Road Stuart, Florida 34997

(If more space is needed attach separate sheet)

2. That the following is a list of every natural person and entity with any legal or equitable interest in the property (as defined in Section 10.2.B.3. Land Development Regulations, Martin County Code):

Name	Address	Interest
See above		

(If more space is needed attach separate sheet)

## DISCLOSURE OF INTEREST AFFIDAVIT

3. That the following is a list of those, who have any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property:

Name	Address	Interest
None.		

(If more space is needed attach separate sheet)

4. That the following is a list of all other applications for which the applicant has an interest as defined in subsection b. and c. of Section 10.2.B.3. Land Development Regulations, Martin County Code currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.

Application Name and/or Project Number	Names & Addresses of Parties involved	Date	Type of Application	Status of Application <sup>1*</sup>
None				

(If more space is needed attach separate sheet)

<sup>1</sup> Status defined as: A = Approved P = Pending D = Denied W = Withdrawn



# DISCLOSURE OF INTEREST AFFIDAVIT

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

AFFIANT

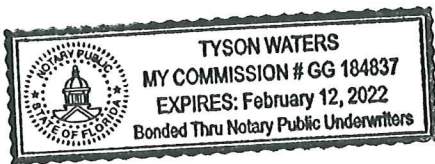
*Steven N. Martinez*  
Signature

STEVEN N. MARTINEZ  
Print Name

STATE OF: FLORIDA

COUNTY OF: MARTIN

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 31<sup>ST</sup> day of MARCH, 2020, by NICHOLAS MARTINEZ and STEVEN N. MARTINEZ, who is personally known to me or have produced FL. DRIVER LICENSE as identification.



(Notary Seal)

*Tyson Waters*  
Signature

Notary Public, State of FLORIDA

Print Name: TYSON WATERS

My Commission Expires: \_\_\_\_\_

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Parcel Identification Number: 34-38-41-001-000-00080-5

## **ACREAGE OF SUBJECT PARCEL PER LAND USE TYPE**

ACREAGE:	2.38 acres
CURRENT LAND USE:	RURAL DENSITY
PROPOSED LAND USE:	ESTATE DENSITY – 2 UPA
CURRENT ZONING:	A-1
PROPOSED ZONING:	RE ½ A

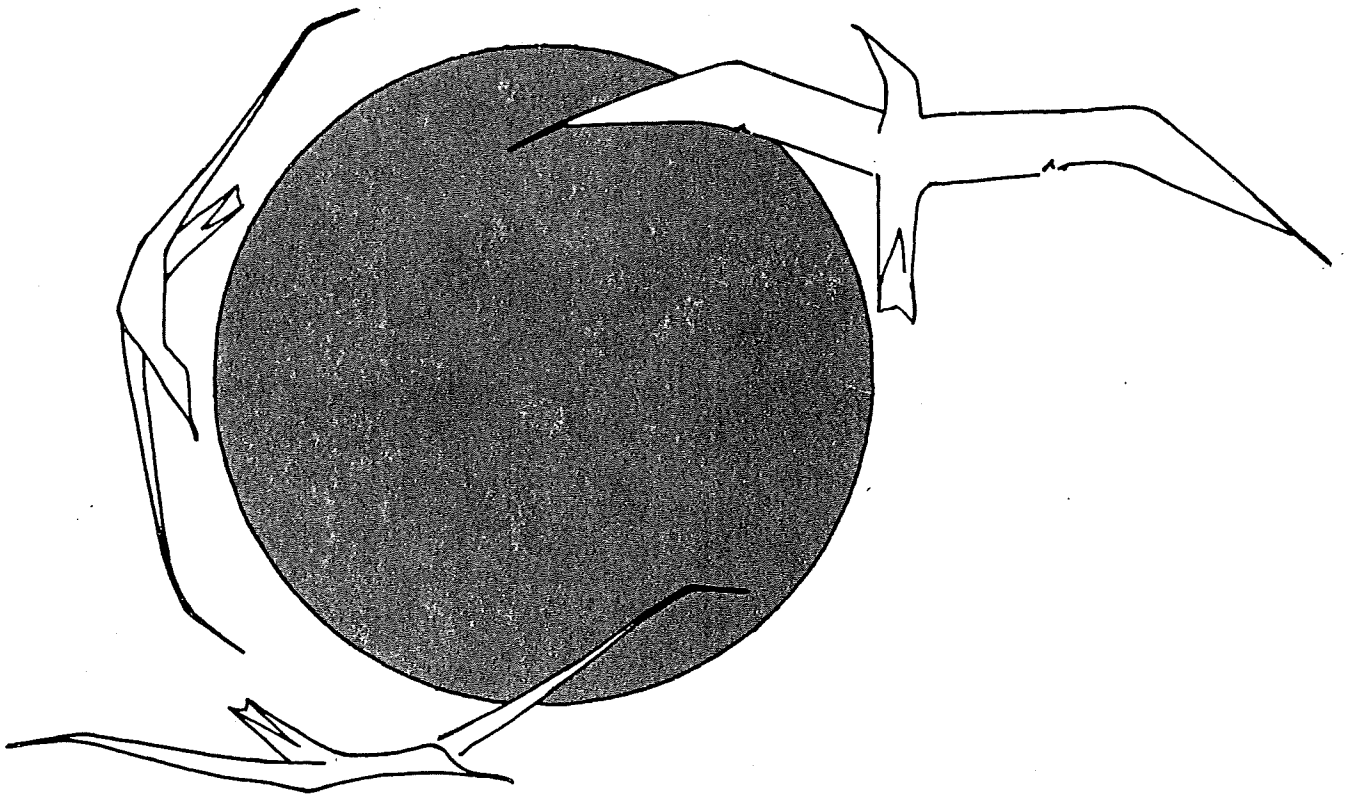
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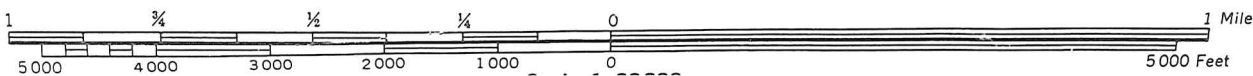


# Soil Survey Of Martin County Area, Florida

United States Department of Agriculture, Soil Conservation Service  
in cooperation with University of Florida, Institute of Food and Agricultural Sciences  
Agricultural Experiment Stations, Soil Science Department  
and Florida Department of Agriculture and Consumer Services









Most areas of this soil are in open forest. The natural vegetation is slash pine and an understory of sawpalmetto, gallberry, fetterbush, huckleberry, running oak, and waxmyrtle. Pineland threeawn is the most common native grass. Other grasses are creeping bluestem, chalky bluestem, lopsided indiagrass, little blue maidencane, and species of panicums.

This soil has very severe limitations for cultivated crops because of wetness. The number of adapted crops suited to this soil is limited unless intensive water control measures are used. If a water control system is designed to remove the excess water, this soil is suitable for vegetable crops. Good management, in addition to water control, includes crop rotations with close growing, soil improving crops on the land at least two-thirds of the time. These crops and the residue of all other crops should be used to protect the soil from erosion. Fertilizer and lime should be added according to the need of the crop.

Citrus trees are poorly suited to this soil because of the wetness. If adequately drained and well managed, this soil is suited to citrus. Drainage should be adequate to remove excess water from the soil rapidly to a depth of about 4 feet after heavy rains. Planting the trees on beds lowers the effective depth of the water table. A close growing cover crop is needed between the tree rows to protect the soil from blowing when dry and from washing during heavy rains. The trees require regular applications of fertilizer. To insure highest yields, irrigation is needed in seasons of low rainfall.

This soil is well suited to improved grasses. Pangolagrass, bahiagrass, and clovers are well adapted and grow well if well managed. Water control is required to remove surface water in times of high rainfall. Regular use of fertilizer is needed for high production, and grazing should be carefully controlled to maintain healthy plants.

The potential for pine trees is low. Equipment limitations and seedling mortality are the main management concerns. A good drainage system to remove the excess surface water is needed if the potential productivity is to be realized. Slash pine is the best adapted species.

This soil is in capability subclass IVw.

**3—Lawnwood fine sand, depressional.** This poorly drained soil is in depressions in the flatwoods. Areas range from about 2 to 40 acres. Slopes are smooth to concave and are 1 percent or less.

Typically, the surface layer is gray fine sand. Below this is light gray and white fine sand to a depth of 27 inches. The subsoil is dark brown, weakly cemented fine sand about 23 inches thick. The substratum is brown and pale brown fine sand to a depth of 80 inches or more.

Included with this soil in mapping are small areas of Basinger, Waveland, St. Johns Variant, and Placid soils. Also included are areas of soils that are similar to this Lawnwood soil but do not have a cemented subsoil and

small areas of soils that have several inches of organic material at the surface. Total inclusions in any area are less than 25 percent.

This soil is ponded more than 6 months in most years. Permeability is rapid in the surface and subsurface layers and slow to very slow in the subsoil. The available water capacity is low in the surface and subsurface layers and medium in the subsoil. Natural fertility and the content of organic matter are low.

Most areas of this soil are in natural vegetation of St. Johnswort, ferns, and a variety of water tolerant grasses. Some scattered areas have waxmyrtle and melaleuca trees.

Under natural conditions, this soil is not suited to cultivated crops because of the ponding. However, if very intensive management, soil improving measures, and a good water control system are used, this soil is suitable for vegetable crops. A water control system is needed to remove excess water in wet seasons and to provide for subsurface irrigation in dry seasons. Row crops should be rotated with close growing, soil improving crops. The soil improving crops need to be in the rotation three-fourths of the time. Crop residue and soil improving crops should be used to protect the soil from erosion. Seedbed preparations need to include bedding of the rows. Fertilizer and lime should be added according to the need of the crop.

This soil is not suited to citrus trees in the natural state. It is poorly suited to citrus even if management is intensive and includes adequate water control.

In the natural state, this soil is not suited to pasture. However, if management is very intensive and soil improving measures and a good water control system are used, this soil is moderately suited for improved pasture grasses. Pangolagrass, improved bahiagrasses, and white clover grow well if well managed. Water control measures are needed to remove the excess surface water after heavy rains. Regular applications of fertilizer and lime are needed. Grazing should be controlled to prevent overgrazing and weakening of plants.

This soil has low potential for pine trees. Severe equipment limitations and seedling mortality are the main management concerns. A good water control system that removes the excess surface water is necessary before trees can be planted and the potential productivity realized. Slash pine is better suited than other species.

This soil is in capability subclass VIIw.

**4—Waveland sand.** This nearly level soil is poorly drained. It is in broad areas of flatwoods. Slopes are dominantly smooth and range from 0 to 2 percent

Typically, the surface layer is dark gray sand. The subsurface layer is light gray and grayish brown. The subsoil begins at a depth of 43 inches. The upper 4 inches of the subsoil is black sand and is not cemented. The next 30 inches is weakly cemented, black and dark

reddish brown loamy sand. The next 14 inches is loose black sand, and below that is dark brown sand.

Included with this soil in mapping are soils that are similar to this Waveland soil but have a dark colored surface layer 10 to 14 inches thick. Also included are small areas of Basinger, Jonathan, Lawnwood, Nettles, Placid, and Salerno soils and small wet depressions. Total inclusions in any area make up about 20 percent.

The water table is at a depth of less than 10 inches for 2 to 4 months and within a depth of 40 inches for 6 months or more during most years. Permeability is rapid in the surface and subsurface layers and very slow to moderately slow in the subsoil. The available water capacity is low in the surface layer and medium in the subsoil. Natural fertility is low.

Most areas of this soil are in natural vegetation. The natural vegetation is South Florida slash pine with an understory of sawpalmetto, gallberry, fetterbush, running oak, and dwarf huckleberry. Grasses are pineland threeawn, bluestem, and panicum.

This soil has very severe limitations for cultivated crops because of wetness and the sandy texture. The adapted crops are limited unless management is very intensive. If management is proper, this soil is suitable for a number of vegetable crops. A water control system is needed to remove the excess water in wet seasons and to provide water for subsurface irrigation in dry seasons. Crop residue and soil improving crops should be used to protect the soil from erosion. Seedbed preparation needs to include bedding of the rows. Fertilizer and lime should be added according to the need of the crop.

Citrus trees are suited to this soil after a carefully designed water control system has been installed to maintain the water table below a depth of 4 feet. Planting trees on beds helps lower the effective depth of the water table. Plant cover should be maintained. Regular applications of fertilizer and lime are needed.

This soil is well suited to improved pasture grasses. Pangolagrass, improved bahiagrasses, and white clover grow well if properly managed. Water control measures are needed to remove the excess surface water after heavy rains. Regular applications of fertilizers and lime are needed, and grazing should be controlled to prevent overgrazing and weakening of the plants.

The potential for pine trees is medium. Slash pine is better suited than other trees. The main management concerns are equipment limitations during wet periods, seedling mortality, and plant competition. For best results, a simple water control system to remove excess surface water should be installed.

This soil is in capability subclass IVw.

**5—Waveland sand, depressional.** This poorly drained soil is in depressions in the flatwoods. Slopes are smooth to concave and range from 0 to 2 percent.

Typically, the surface layer is very dark gray sand. The subsurface layer is gray, light gray, and light brownish

gray sand to a depth of 48 inches. The subsoil is black, weakly cemented sand and noncemented, dark reddish brown sand. Below this is brown sand to a depth of 80 inches or more.

Included with this soil in mapping are small areas of Basinger, Lawnwood, Oldsmar, Placid, and St. Johns Variant soils. Also included are small areas of soils that are similar to this Waveland soil but have a thinner, noncemented subsoil or have a few inches of organic material at the surface. Total inclusions in any area are about 25 percent.

This soil is ponded for 6 to 9 months or more in most years. The natural fertility is low, and response to fertilizers is moderate. Permeability is rapid in the surface and subsurface layers and very slow to moderately slow in the subsoil. The available water capacity is medium in the subsoil and low in the surface layer.

The natural vegetation is St. Johnswort, needlerush, pipewort, ferns, panicums, maidencane, and other water tolerant grasses.

Under natural conditions, this soil is not suited to cultivated crops because of the ponding. However, if very intensive management, soil improving measures, and a good water control system are used, this soil is suitable for vegetable crops. A water control system is needed to remove the excess water in wet seasons and to provide for subsurface irrigation in dry seasons. Row crops should be rotated with close growing, soil improving crops. The soil improving crops need to be in rotation three-fourths of the time. Crop residue and soil improving crops should be used to protect the soil from erosion. Seedbed preparations need to include bedding of the rows. Fertilizer and lime should be added according to the need of the crop.

This soil is not suited to citrus trees in the natural state. It is poorly suited to citrus even if management is intensive and water control is adequate.

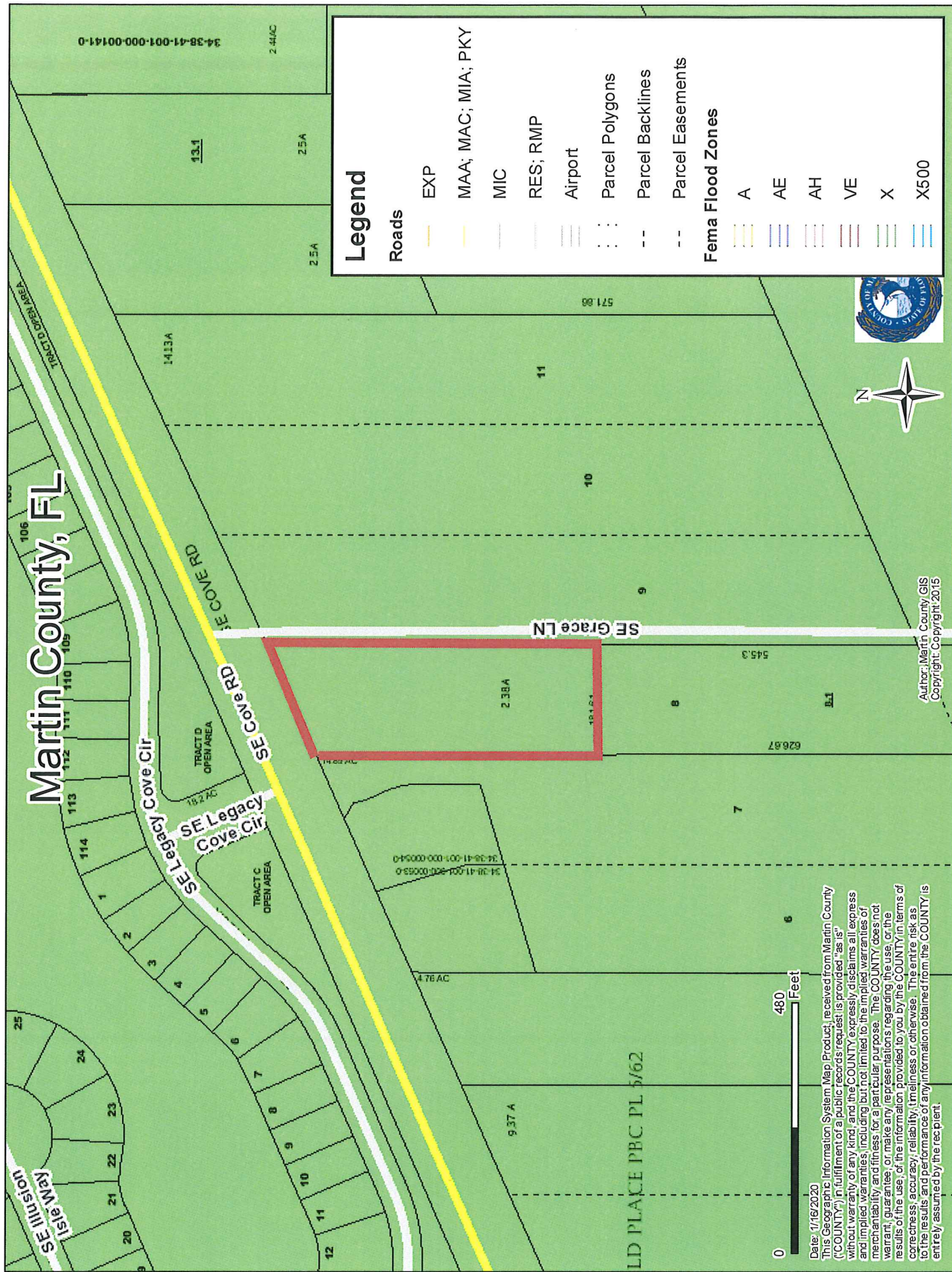
Under natural conditions, this soil is not suited to pasture. However, if very intensive management, soil improving measures, and a good water control system are used, this soil is moderately suited to improved pasture grasses. Pangolagrass, improved bahiagrasses, and white clover grow well if well managed. Water control measures are needed to remove the excess surface water after heavy rains. Regular applications of fertilizer and lime are needed. Grazing should be controlled to prevent overgrazing and weakening of plants.

This soil has low potential for pine trees. Severe equipment limitations and seedling mortality are the main management concerns. A good water control system that removes the excess surface water is necessary before trees can be planted and the potential productivity realized. Slash pine is better suited than other species.

This soil is in capability subclass VIIw.

**6—Paola sand, 0 to 8 percent slopes.** This nearly level to sloping soil is excessively drained. It is on the







# APPLICATION JUSTIFICATION

## I. CRITERIA FOR LAND USE CHANGE

The application for a future land use amendment on the approximately 2.38-acre subject property is summarized as follows:

<u>Future Land Use</u>	<u>Existing</u>	<u>Proposed</u>
Rural Density	2.38 acres	0.0 acres
Estate Density – 2UPA	<u>0.0 acres</u>	<u>2.38 acres</u>
Total:	2.38 acres	2.38 acres

### Future Land Use Map Amendment

According to Section 1.11.C(2) of the Comprehensive Growth Management Plan (CGMP), staff can recommend approval of the requested change provided that consistency is maintained with all other elements of the CGMP and at least one of the following four items has been found to apply:

(Please note that the language *italicized* is actual language from the CGMP. Justification for the proposed change and applicant's responses are provided in **BOLD** that follow.)

- A. *"Past changes in land use designations in the general area make the proposed use logical and consistent with these uses and adequate public services are available; or*

**Land use designations in the general area, and the provision of adequate public services to the subject property, justify the proposed land use change from Rural Density to Estate Density – 2UPA. Such change would make the subject property's land use designation consistent with the properties located to the west (Ordinance 837), the east (Ordinance 1040) and north (Legacy Cove; see also Ordinance 839).**

- B. *"Growth in the area, in terms of development of vacant land, redevelopment and availability of public services, has altered the character of the area such that the proposed request is now reasonable and consistent with area land use characteristics; or..."*

**Growth and development in the area has altered the character of the area such that the request to change the land use as requested herein is reasonable and consistent with the area's land use characteristics. The subject property is surrounded by Estate Density 2UPA land uses, with the exception of the Samaritan House for Boys located to the immediate south of the subject property. The proposed change is consistent with the trend of properties within the Cove Road corridor and the area's land use characteristics.**

- C. *"The proposed change would correct what would otherwise appear to be an inappropriately assigned land use designation; or..."*

**Though at the time the land use was first assigned to the subject property the applicable land use may have been appropriate, the proposed change would correct**

**what now appears to be an inappropriately assigned land use designation. The subject property is now located within the primary urban service district and a change from the rural density designation is appropriate.**

## **II. JUSTIFICATION**

### **A. Physical Characteristics of the Subject Property**

**The subject property is located on the south side of Cove Road, west of Willoughby Boulevard and east of Dr. David Anderson Middle School. Legacy Cove is located immediately north of the subject property, the newly constructed Treasure Coast Classical Academy is located to the immediate west, the Samaritan House for Boys to the south, and the recently approved Cove Royale is located to the immediate east. The subject property has a single family house currently existing on it.**

### **B. Compatibility with Surrounding Properties**

**The proposed future land use amendment will result in a logical, timely and orderly development pattern which is compatible with the character of the existing land uses in the adjacent and surrounding area. The surrounding properties have land use designations of Estate Density 2UPA, including Legacy Cove to the north and the recently approved Cove Royale to the east. To the west is the Treasure Coast Classical Academy and single-family homes. To the south is the Samaritan House for Boys. The proposed change in the land use designation for the subject property is compatible with surrounding properties.**

### **C. Consistency with Comprehensive Growth Management Plan**

**The proposed future land use change conforms with and maintains internal consistency among all elements of the Comprehensive Growth Management Plan.**

### **D. Environmental Issues**

**The proposed land use change does not negatively impact the safety, health or welfare of Martin County, nor its citizens, and would not result in any negative impacts on natural systems, environmentally sensitive areas or Martin County's historic resources in violation of the Comprehensive Growth Management Plan.**

### **E. Concurrency**

**All mandatory public facilities and services are currently in place or planned to be available when development occurs on the subject property capable of meeting the adopted levels of service standards of the Comprehensive Growth Management Plan for the proposed future land use. The proposed future land use amendment does not result in additional urban expansion.**

F. Community Redevelopment Areas

**The subject property is not located with a community redevelopment area.**

G. Expansion of Urban Services Districts

**Not applicable. The subject property is within the Primary Urban Service District.**

H. Commercial / Industrial Lands

**Not applicable. The proposed land use amendment is to change the future land use designation on the subject property from Rural Density to Estate Density 2UPA.**

I. Conversion of Agricultural Lands

**Not applicable. No agricultural lands are part of the application.**

J. Urban Sprawl

**The proposed future land use amendment discourages the proliferation of urban sprawl, including but in no way limited to:**

(1) The proposed land use amendment does not promote, allow, or designate for development substantial areas of the jurisdiction to develop as low-intensity, low-density, or single-use development or uses.

(2) The proposed land use amendment does not promote, allow, or designate significant amounts of urban development to occur in rural areas at substantial distances from existing urban areas while not using undeveloped lands that are available and suitable for development.

(3) The proposed land use amendment does not promote, allow, or designate urban development in radial, strip, isolated, or ribbon patterns generally emanating from existing urban developments.

(4) The proposed land use amendment allows for the maximizing use of existing public facilities and services.

(5) The proposed land use amendment allows for the maximizing use of future public facilities and services.

(6) The proposed land use amendment does not create land use patterns or timing which disproportionately increase the cost in time, money, and energy of providing and maintaining facilities and services, including roads, potable water, sanitary sewer, stormwater management, law enforcement, education, health care, fire and emergency response, and general government.

(7) The proposed land use amendment does not eliminate, or fail to provide, a clear separation between rural and urban uses.

(8) The proposed land use amendment promotes infill development or the redevelopment of existing neighborhoods and communities.

**(9) The proposed land use amendment does not result in poor accessibility among linked or related land uses.**

**(10) The proposed land use amendment does not result in the loss of significant amounts of functional open space.**

**K. Proliferation of Urban Sprawl**

**The proposed future land use discourages the proliferation of urban sprawl, by creating, or allowing for the possibility of achieving, the following:**

**(1) Directs or locates economic growth and associated land development to geographic areas of the community in a manner that does not have an adverse impact on and protects natural resources and ecosystems.**

**(2) Promotes the efficient and cost-effective provision or extension of public infrastructure and services.**

**(3) Promotes walkable and connected communities and provides for compact development and a mix of uses at densities and intensities that will support a range of housing choices and multimodal transportation system, including pedestrian, bicycle, and transit, if available.**

**(4) Creates a balance of land uses based upon demands of residential population for the nonresidential needs of an area.**

**(5) Provides uses, densities, and intensities of use and urban form that would remediate an existing or planned development pattern in the vicinity that constitutes sprawl or if it provides for an innovative development pattern such as transit-oriented developments or new towns as defined in s. 163.3164.**

**L. Consideration for Rezoning**

**In conjunction with this future land use amendment application, the Applicant is requesting to rezone the property to RE ½ A. The proposed rezoning is consistent with surrounding properties and zoning designations. The properties to the west of the subject property have a RE ½ A zoning designation. The properties to the north have either a RE ½ A zoning designation or have a PUD zoning designation (Legacy Cove). To the east is Cove Royale, which has a PUD zoning designation. To the south is RE-2A zoning, however that is currently developed land and occupied by the Samaritan House for Boys.**



March 23, 2020

Mr. Steven Martinez  
1500 SE Cove Road  
Stuart, FL 34994

**Re: Martinez LUPA- 3438-41-001-000-000805**

Dear Mr. Martinez:

O'Rourke Engineering & Planning has completed the analysis of the proposed 2.38 land use plan amendment. The land use amendment affects a parcel south of Cove Road and east of Legacy Cove in Martin County.

The steps in the analysis and the ensuing results are presented herein.

## **INTRODUCTION**

The proposed land use amendment involves 2.38 acres of land located east of Legacy Cove south of Cove Road in Martin County. **Attachment A** shows the project's location.

The proposed amendment is to change the land use on 2.38 acres with an existing land use of Rural Density allowing 1 dwelling unit per acre to Estate Density allowing 2 units per acre or 4 dwelling units.

The analysis of the project impacts in the five- year period and the long- range scenario, 2040 are discussed herein.

## **TRIP GENERATION**

The trip generation under the existing future land use was based on 2 dwelling units and 4 dwelling units for the future proposed scenario.

**Attachment B** summarizes the traffic for the existing and proposed future land use along with the net increase. As shown, the increase in trips will be 2 peak hour trips.

## ROADWAY CONDITIONS

Cove Road is a 2- lane roadway with an east/ west alignment. The road is the top priority for the Martin MPO. The TIP contains this road for PDE in the Five- Year Program. The roadway is included as a four-lane divided arterial in the 2030 Cost Feasible Plan.

## IMPACT

The impact on the network is insignificant or de minimis. The current capacity on Cove Road is 880 vehicle per hour per lane. In the long range, the capacity will be 2,000 vehicles per hour per lane. In the short term the project will have an impact of 2 trips divided by 880 = .227%. In the long range, the impact will be 2 trips divided by 2,000 = .100%.

The change in land use will have a de minimis impact on the network.

**Attachment C** summarizes the impact on Cove Road for the five year and the 2040 Long Range scenario.

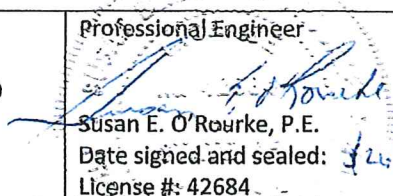
As shown, the project will have a de minimis impact on the roadway network. Therefore, the proposed LUPA will comply with Martin County Comprehensive Plan.

It has been a pleasure working with you. If you have any questions or comments please contact our office.

Respectfully submitted,  
**O'ROURKE ENGINEERING & PLANNING**



Susan E. O'Rourke, P.E.  
Registered Civil Engineer – Traffic

Prepared by: O'Rourke Engineering & Planning Certificate of Authorization: #26869 969 SE Federal Highway., Ste. 402 Stuart, Florida 34994 772-781-7918	Professional Engineer  Susan E. O'Rourke, P.E. Date signed and sealed: 3/26/2020 License #: 42684
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# Attachment A





# Attachment B

Table 1 - Trip Generation

Table 1a: Daily

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Single Family Detached	210	2	DU	$L_n(T) = 0.92L_n(X) + 2.71$	50%	50%	14	14	28
Single Family Detached	210	4	DU	$L_n(T) = 0.92L_n(X) + 2.71$	50%	50%	27	27	54
Net Change							13	13	26

Source: ITE 10th Edition Trip Generation Rates

Table 1b: AM Peak Hour

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Single Family Detached	210	2	DU	$T = 0.71(X) + 4.80$	25%	75%	2	4	6
Single Family Detached	210	4	DU	$T = 0.71(X) + 4.80$	25%	75%	2	6	8
Net Change							-	2	2

Source: ITE 10th Edition Trip Generation Rates

Table 1c: PM Peak Hour

Land Use	ITE Code	Intensity	Units	Trip Generation Rate	Directional Split		Net New Trips		
					In	Out	In	Out	Total
Single Family Detached	210	2	DU	$L_n(T) = 0.96L_n(X) + 0.20$	63%	37%	1	1	2
Single Family Detached	210	4	DU	$L_n(T) = 0.96L_n(X) + 0.20$	63%	37%	3	2	5
Net Change							2	1	3

Source: ITE 10th Edition Trip Generation Rates

# Attachment C

Table 2a: Project Percent Impact - 5-year Analysis

Segment	From	To	2% or greater	Number of Lanes	2019 AADT	2019 Volume-Peak Hour Peak Direction	Growth Rate	2025 Volume (2019 x growth/ year)	LOS D Peak Hour, Peak Direction	Project Volume Peak Direction	Total Traffic (Peak Direction)	% Project of Capacity Peak Direction	Percent of Assignment Peak Direction
Cove Rd	SR 76 Willoughby Blvd	Willoughby Blvd SR 5	no	2LU	13,855	749	1.015	819	880	2	821	0.23%	100%
			no	2LU	15,446	699	1.009	738	880	2	740	0.23%	100%

Source: Martin County 2019 LOS Report

Trips In	0
Trips Out	2
Years Grown	6

Table 2b: Project Percent Impact - 2040 Long Range Analysis

Segment	From	To	2% or greater	Number of Lanes	2040 AADT	"K" Factor (1)	"D" Factor (1)	2040 Volume-Peak Hour Peak Direction	LOS D Peak Hour, Peak Direction	Project Volume Peak Direction	Total Traffic (Peak Direction)	% Project of Capacity Peak Direction	Percent of Assignment Peak Direction
Cove Rd	SR 76 Willoughby Blvd	Willoughby Blvd SR 5	no	4LD	17,205	0.100	0.510	877	2000	2	879	0.10%	100%
			no	4LD	17,885	0.090	0.540	869	2000	2	871	0.10%	100%

Source: Martin County 2040 LOS Report

(1) Martin County 2018 LOS Report

Trips In	2
Trips Out	1



Martin County School Board  
500 East Ocean Boulevard  
Stuart, FL 34994

## School Impact Worksheet

The purpose of this school impact worksheet is to assist in planning for future public school facility needs and concurrency requirements. It is to be completed for any proposed residential project, and residential rezoning, amendments to FLUM with residential components, and DRIs.

**Date:** January 27, 2020  
**Parcel ID#:** 34-38-41-001-000-00080-5  
**Project Name:** Martinez - Cove Road Parcel Land Use and Zoning Change  
**Former Project Name:** \_\_\_\_\_ **Owner/Developer:** Steven and Nicholas Martinez  
**Contact Name/Number:** Tyson Waters, Esq. - 772-287-4444  
**Total Project Acreage:** 2.38 **Year 1 of the Build-Out:** \_\_\_\_\_

1. Please indicate the most likely build-out scenario. Show build-out by year and number of units/year.

Unit Type	Number of Units	First 5-year Period					Second 5-year Period				
		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 1	Yr 2	Yr 3	Yr 4	Yr 5
Single-family detached	4	4									
Multi-family											
Apartment											
Townhouse											
Other											

Note: If build-out is expected to go beyond the 10 year period above, please attach an additional table with build-out years until project completion.

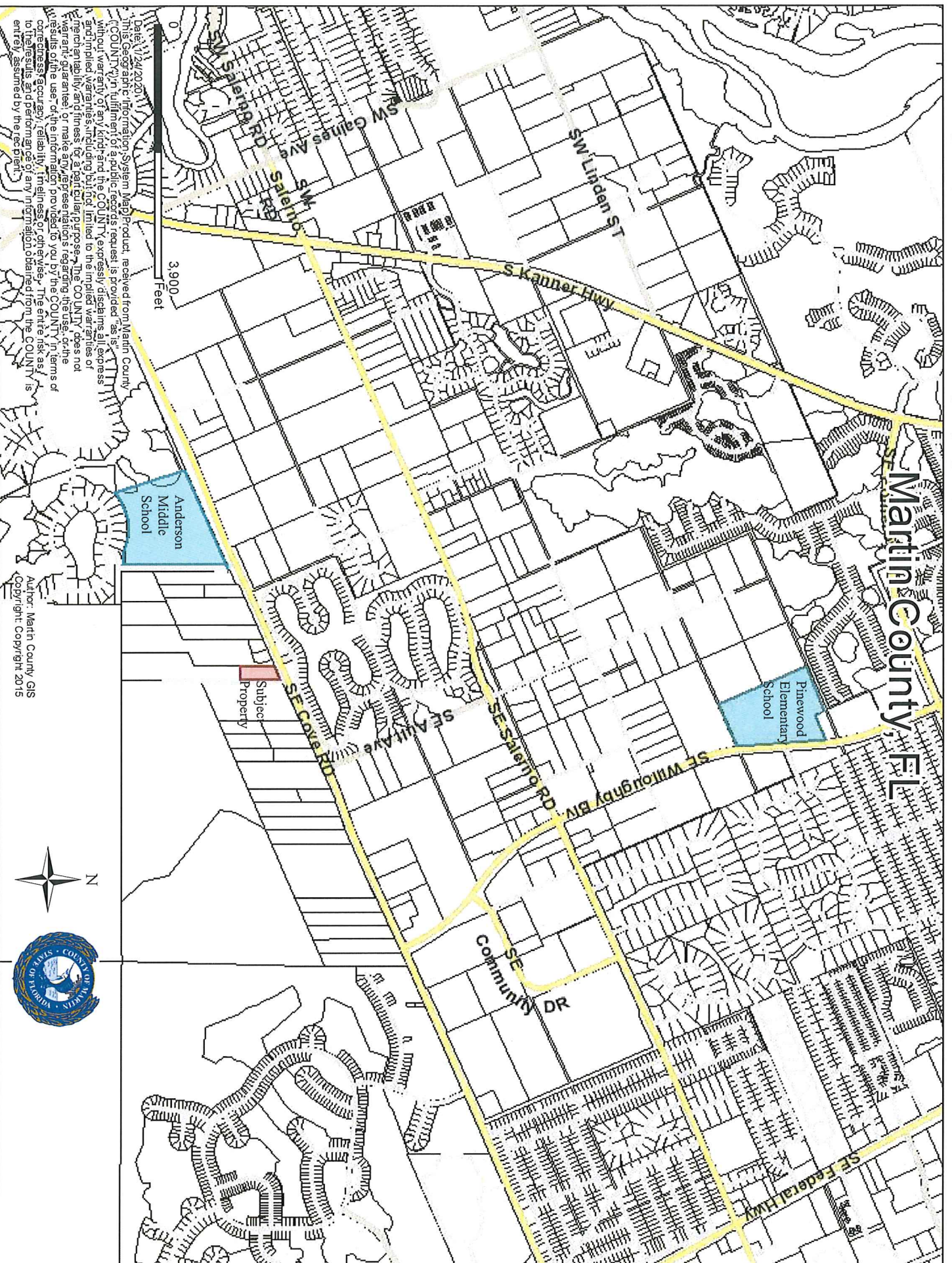
2. Project number and type of residential dwelling units at build-out, as follows:

Unit Type	Number of Units	Typical Unit Floor Area (sq. ft.)	Estimated Price (\$) Per Unit	Number Restricted to 55+ Age Group
Single-family detached	4	To be Determined	N/A	
Multi-family				
Apartment				
Townhouse				
Other				

3. Please include a location map showing elementary, middle and high schools within a two-mile radius of the proposed project. If no schools are within a two-mile radius of the project, please indicate the nearest schools to the project.

See Attached

# School Sites (public) within two miles of subject property



This worksheet is for use by local governments submitting comprehensive plan amendments to determine the availability of potable water resources to serve proposed development.



E. Amount available for all other future uses (A-B-C-D-E):

0

If the amount in E is zero or a negative number, explain how potable water will be made available for future uses: Martin County Utilities will provide potable water.

---

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## WORKSHEET INSTRUCTIONS

1. General Information

Date: Enter worksheet completion date.

Contact name: Enter the contact information for the person who prepared the worksheet.

Local government: Enter your city of county

Potable water supplier and wastewater collection: If there are different suppliers for any proposed amendment areas, use additional work sheets.

2. Infrastructure Information

Permitted capacity of the water and wastewater treatment plant: obtain from the utility.

Distribution lines: indicate if distribution lines are available to serve the property. If not available, indicate who will fund the improvements and when the improvements will be completed.

Reuse distribution lines: Indicates if reuse distribution lines are available to serve the property.

If not available, indicate if they will be provided. If the lines are to be provided, indicate who will fund the improvements and when the improvements will be completed.

3. SFWMD Consumptive Use Permit (CUP) Information

CUP information: Obtain from the utility.

Allocations to other local governments: If the supplier provides water to other local Governments, enter the names of the other local governments and the supply allocation for each.

Reserved capacity: Enter the amount of potable water capacity currently encumbered for developments that are approved but not yet constructed. This could be the amount reserved under your concurrency management system, but may include other encumbrances.

4. Consumptive Use Analysis

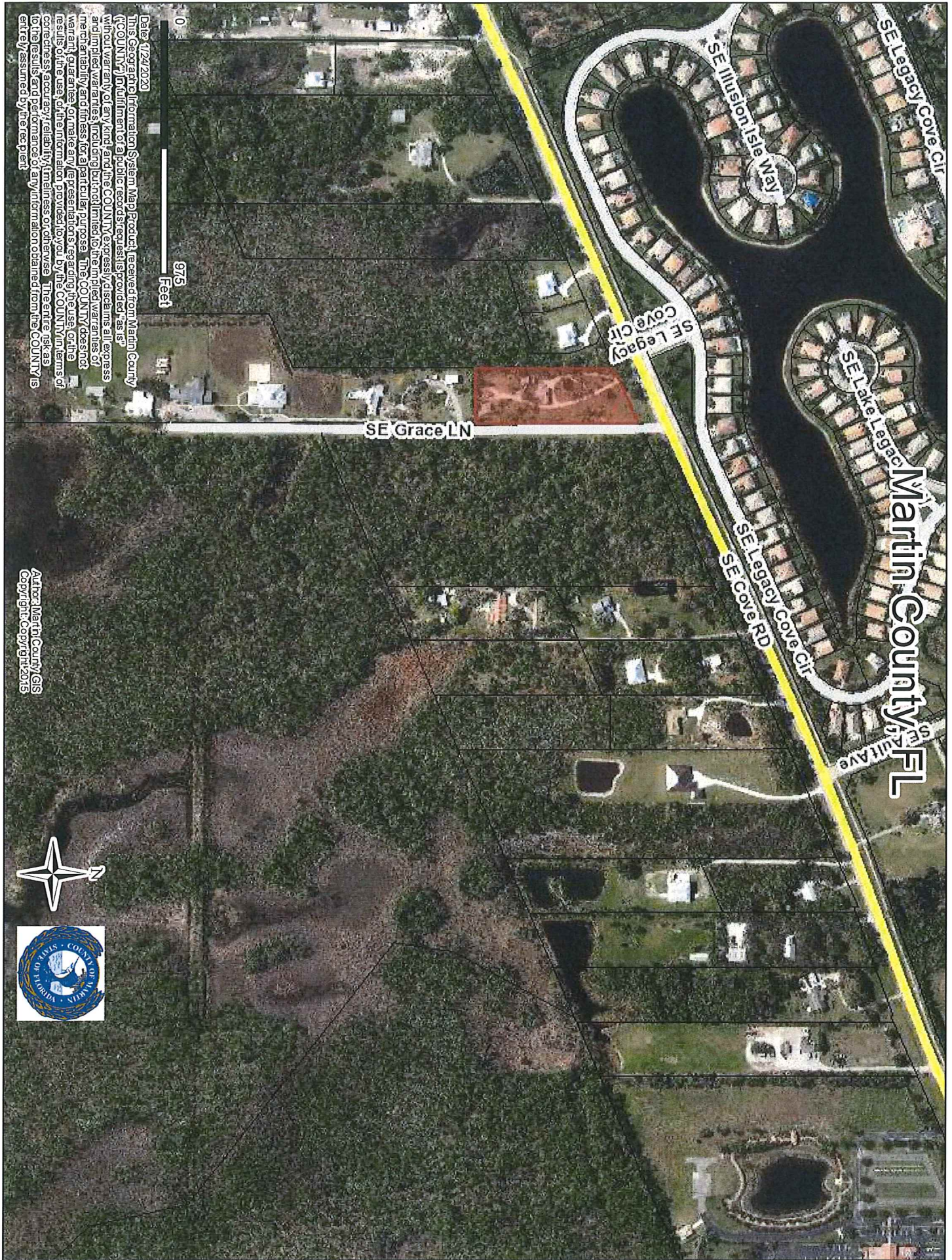
Designated mgd or mgy: Indicate which unit of measure is used. The figures may be cited in units of either million gallons per year (mgy) or million gallons per day (mgd), but you must be consistent throughout the worksheet.

A. Current-year CUP allocation: Provide the annual groundwater withdrawal allowed under SFWMD-issued CUP for the current calendar year. If you receive water from another local government, enter the allocation established by agreement or by the secondary user CUP by SFWMD. It is important to consider the duration of the CUP and the CUP allocation in the last year of permit. If your CUP allocation is less in the final-year than in the current year, consider using the final year figure as a more conservation approach for planning purposes.

- B. Consumption in the previous calendar year: This figure may be taken from the EN-50 forms (SFWMD), from FDEP monthly operating reports, or from other acceptable documentation. Cite your source.
- C. Reserved capacity or growth projection: Enter an amount based on your reserved capacity or growth projection. Check which alternative you selected. Attach the calculation for the alternative selected.
- Reserved capacity: Enter the amount of potable water capacity currently encumbered for developments that are approved but not yet constructed. This could be the amount reserved under your concurrency management system, but may include other encumbrances. If your supplier provides water to other local governments, add the amount of the previous year's allocation that was not used.
- Growth projection: Enter the water use attributable to this year's growth and cite your data source(s). Sources for growth projections include the comprehensive land use plan, the CUP, the most current SFWMD water supply assessment, or the utility's water supply plan. If your supplier provides water to other local governments, include the amount of the previous year's allocation that was not used.
- D. Projected consumption: Attach a description of formulas, including figures and assumptions, used to derive this figure. This worksheet may be used to analyze individual amendments or multiple amendments. If using a single worksheet for multiple amendments, include the projected consumption for all amendments. If using more than one worksheet, provide a separate summary sheet with the cumulative total for all worksheets. The project consumption should be based on new growth attributable to the proposed amendment. If the proposed change is due to annexation, it is presumed to be new growth unless there are data and analysis that identify the annexation as existing development or as part of the growth projection entered on line C. If the annexation is presumed to be new growth, the projected consumption should be calculated based on the maximum development potential of the amendment area. If the proposed change is not due to annexation, calculate the difference in projected consumption based on the difference between the maximum development potential under the current designation and the proposed designation.
- E. Amount available for all other future uses: This line automatically calculates the amount available for all other future uses by subtracting lines B, C and D from A. If the amount in line E is zero or a negative number, explain how potable water will be made available for future development. For example a reuse system may be coming on line that will reduce per capita consumption of potable water.



# Martin County, FL



0 975 Feet

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