

**BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA  
DEVELOPMENT ORDER**

**RESOLUTION NUMBER 21-**

**[REGARDING FINAL SITE PLAN APPROVAL FOR SEAWARD BOAT STORAGE WITH A  
CERTIFICATE OF PUBLIC FACILITIES RESERVATION]**

**WHEREAS**, this Board has made the following determinations of fact:

1. Genie Investment Company submitted an application for major development final site plan approval for the Seaward Boat Storage project, located on lands legally described in Exhibit A, attached hereto.
2. The Local Planning Agency considered the final site plan application at a public hearing on December 17, 2020. The LPA's recommendations were forwarded to the Board of County Commissioners.
3. This Board considered such application at a public hearing on January 12, 2021.
4. At the public hearing, all interested parties were given an opportunity to be heard.
5. The final site plan is consistent with the Comprehensive Plan and the Land Development Regulations.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:**

The final site plan for Seaward Boat Storage, attached hereto as Exhibit B, is hereby approved. The approved final site plan depicts the alternative compliance requested pursuant to Section 4.667, LDR, Martin County Code, allowing the planting of a total of twenty-seven (27) trees and the retaining of the retaining of three existing 16-inch DBH slash pine trees and one sabal palm tree.

A.. Development of the Seaward Boat Storage project shall be in accordance with the approved final site plan.

B. All required applicable state and federal permits and approvals shall be submitted to the Growth Management Department (GMD) prior to the commencement of any construction.

C. No permits for construction or development activity shall be issued until all required documents, plans and fees are received and approved as required by Section 10.9, Land Development Regulations Martin County Code.

D. Failure to submit the required documents, plans and fees as required by Section 10.9, Land Development Regulations, Martin County Code, shall render approval of the final site plan for the Seward Boat Storage project null and void.

E. This application is hereby determined to meet the requirements for and shall serve as a Certificate of Public Facilities Reservation as set forth in Section 5.32.B, LDR, Martin County Code.

F. All permits for the Seward Boat Storage final site plan must be obtained within one year, by January 12, 2022. Development must be completed within two years, by January 12, 2023.

G. No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre-construction meeting. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for on state agency permits, may be granted by the Growth Management Department upon review of required permit materials.

H. Pursuant to Martin County Board of County Commissioners' Resolution 09-2., the applicant is subject to the payment in lieu of construction of the required sidewalks along SE Seaward Street. The applicant shall pay the cost of construction within sixty (60) calendar days of the final approval. The cost of construction is \$25 per linear foot for the total length of property fronting SE Seaward Street (427-feet) which equates to \$10,675.

I. Hauling of material is allowed in accordance with Section 4.343.C. Land Development Regulations, Martin County, Fla. (2001). The Engineer of Record must obtain authorization from the County Engineer, or his designee. The request to authorize must include a copy of the proposed haul route, the duration of the proposed hauling, and contracts with the Florida Department of Transportation, if any. The approval shall be subject to submittal of signed and certified quarterly reports to the Public Works Department that stipulate how many trucks left the site along with the total cubic yardage of fill material in those trucks. A payment from the applicant of \$0.21 per cubic yard of fill shall be paid within sixty (60) calendar days of the project approval, pursuant to the Board of County Commissioners' Resolution 10-8.7. The engineering hauling fee may be suspended provided the property owner hauling the material requests the fee suspension by way of a documented certification (signed and sealed by a professional engineer, licensed in the state of Florida), in a form acceptable to the County Engineer, that the material is being hauled to another site in Martin County or is for use in the HDD Rehabilitation. This documented certification will be required prior to the issuance of the first Certificate of Occupancy.

J. The Applicant has agreed as a condition of approval of the final site plan to convey a 4-foot strip of right-of-way to accommodate the existing pedestrian sidewalk along SE Dixie Highway along with a 25-foot corner clip dedication at SE Dixie Highway and SE Seaward Street to Martin County.

K. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

**DULY PASSED AND ADOPTED THIS 12TH DAY OF JANUARY 2021.**

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

BY: \_\_\_\_\_  
CAROLYN TIMMANN

BY: \_\_\_\_\_  
STACEY HETHERINGTON, CHAIR

CLERK OF THE CIRCUIT COURT  
AND COMPTROLLER

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

BY: \_\_\_\_\_  
KRISTA A. STOREY  
SENIOR ASSISTANT COUNTY ATTORNEY

ATTACHMENTS:

Exhibit A, Legal Description  
Exhibit B, Final Site Plan

## Exhibit A

### LEGAL DESCRIPTION

A PARCEL OF LAND LYING IN THE HANSON GRANT, AND BEING FURTHER DESCRIBED AS FOLLOWS:

A PORTION OF THE NORTH 100 FEET OF THAT 200 FOOT TRACT LYING NORTH OF BLOCK 68, PLAT OF PORT SALERNO, AS RECORDED IN PLAT BOOK 5, PAGE 16, PUBLIC RECORDS OF PALM BEACH, (NOW MARTIN), COUNTY, FLORIDA AND ALSO SHOWN ON THE PLAT OF THE TOWN OF SALERNO, AS RECORDED IN PLAT BOOK 1, PAGE 75, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

BEING FURTHER DESCRIBED AS FOLLOWS:

COMMENCING AT THE INTERSECTION OF THE EASTERLY RIGHT-OF-WAY LINE OF S.E. DIXIE HIGHWAY AND THE SOUTHERLY RIGHT-OF-WAY LINE OF S.E. SEAWARD STREET; THENCE NORTH 69°24'17" EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY OF S.E. SEAWARD STREET, FOR A DISTANCE OF 29.64 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE NORTH 69°24'17" EAST, ALONG THE SOUTHERLY RIGHT-OF-WAY OF S.E. SEAWARD STREET, FOR A DISTANCE OF 397.76 FEET; THENCE, DEPARTING SAID SOUTHERLY RIGHT-OF-WAY LINE, SOUTH 20°35'43" EAST, FOR A DISTANCE OF 100.00 FEET TO THE INTERSECTION WITH THE SOUTH LINE OF THE NORTH 100 FEET OF THE SOUTH 200 FEET; THENCE SOUTH 69°24'17" WEST, ALONG SAID SOUTH LINE, FOR A DISTANCE OF 364.17 FEET; THENCE, DEPARTING SAID SOUTH LINE, NORTH 50°57'41" WEST, FOR A DISTANCE OF 90.90 FEET; THENCE NORTH 09°13'18" EAST, FOR A DISTANCE OF 24.86 FEET TO THE POINT OF BEGINNING OF SAID PARCEL.

SAID PARCEL CONTAINS 39,077.3 SQUARE FEET, 0.897 ACRES, +/-.