



Legislation Details (With Text)

File #: 19-1016
Type: Departmental Quasi Judicial **Status:** Passed
In control: Board of County Commissioners
On agenda: 10/22/2019 **Final action:** 10/22/2019
Title: RIVER OAKS PLAT (M211-005)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 1-Staff Report_M211-005.pdf, 2. 2-PLAT_M211-005.pdf, 3. 3a-2019_0129_M211-005_App_excerpt.pdf, 4. 3b-2019_0422_M211-005_RESUB_excerpt.pdf, 5. 3c-2019_0515_M211-005_RESUB_excerpt.pdf, 6. 3d-2019_0805_M211-005_RESUB_excerpt.pdf, 7. 4-Approved Final Site Plan_M211-005.pdf, 8. 5-Contract for Required Infrastructure_M211-005.pdf, 9. 6-Certified_Sign_Posting_M211-005.pdf, 10. 7-Disclosure_M211-005_RESUB-3.pdf, 11. 8-2019_0925_M211-005_RESO_Plat_DENY_DRAFT.pdf

Date	Ver.	Action By	Action	Result
10/22/2019	1	Board of County Commissioners	approved	Pass

PLACEMENT: Departmental - Quasi-Judicial

TITLE:

RIVER OAKS PLAT (M211-005)

EXECUTIVE SUMMARY:

This is a request by River Oaks, LLC, for approval of a plat, consistent with the approved final site plan of a residential, minor development consisting of twenty-one (21) lots on 14.9 acres resulting in a gross residential density of 1.41 units per acre, located on the west side of SW Mapp Road approximately 750 feet north of SW Murphy Road. Included is a request for a Certificate of Public Facilities Exemption.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Catherine Riiska
Title: Principal Planner

REQUESTED BY: Betsy Lindsey, Agent; Don Mancil, River Oaks LLC, Owner

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

This is a request by River Oaks, LLC, for approval of a plat, consistent with the approved final site plan of a residential, minor development consisting of twenty-one (21) lots on 14.9 acres resulting in

a gross residential density of 1.41 units per acre. The subject site consists of two parcels located on SW Mapp Road approximately 750 feet north of SW Murphy Road.

The project consists of twenty-one (21) single family lots with supporting infrastructure conforming to the development standards for the current R-2B zoning district. Based upon the presence of wetlands and rare and unique upland habitat, the project includes preservation of the 2.48 acres of wetland and 4.7 acres of upland to include 3.1 acres of rare and unique upland. Access will be provided via SW Mapp Road and water and wastewater services will be provided via Martin County Utilities.

The River Oaks residential subdivision development was approved on June 1, 2018, via a Development Order as recorded in the Public Records of Martin County beginning on Book 3024, Page 161. The plat of this development shall be consistent with the approved final site plan and with the requirements of Division 21, Article 4, Land Development Regulations, Martin County, Fla. (2018).

The Local Planning Agency (LPA) was not required to hear this plat application and final action on this application is required by the Board of County Commissioners (BCC) in a public meeting pursuant to Table 10.5.F.9., Section 10.5.F., LDR, Martin County, Fla. (2019).

The following supporting materials are provided attached to this agenda item:

- 1 - Staff Report
- 2 - Plat
- 3 - Application Materials
- 4 - Approved Final Site Plan
- 5 - Draft Contract with Cost Estimate and Surety
- 6 - Notice Sign Posting Certification
- 7 - Financial Disclosure Affidavit
- 8 - Draft Resolution for Denial of Plat

ISSUES:

There are no unresolved issues associated with this application.

LEGAL SUFFICIENCY REVIEW:

Because this request involves the application of a policy to a specific application and site, it is a quasi-judicial decision. Quasi-judicial proceedings must be conducted with more formality than a legislative proceeding. In quasi-judicial proceedings, parties are entitled - as a matter of due process - to cross-examine witnesses, present evidence, demand that witnesses testify under oath, and demand a decision that is based on a correct application of the law and competent substantial evidence in the record. Suggested procedures to follow during consideration of this matter are attached.

RECOMMENDED ACTION:

RECOMMENDATION

1. Move that the Board receive and file the Agenda Item Summary and all attachments including the Staff Report for the record as Exhibit 1.
2. Move that the Board approve the Plat for River Oaks including the Contract for Construction of Required Improvements and Infrastructure.

ALTERNATIVE RECOMMENDATIONS

- 2A. Move that the Board continue the River Oaks Plat for to a date certain.
- 2B. Move that the Board deny the River Oaks Plat and adopt the resolution of denial setting forth the reasons for denial.

FISCAL IMPACT:

RECOMMENDATION

The applicant has paid the review fee of \$13,600 and the sufficiency review fee of \$290.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

As Above.

DOCUMENT(S) REQUIRING ACTION:

- Budget Transfer / Amendment Chair Letter Contract / Agreement
- Grant / Application Notice Ordinance Resolution
- Other: Plat

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