



Legislation Details (With Text)

File #: 24-1080

Type: Departmental Quasi Judicial **Status:** Agenda Ready

In control: Board of County Commissioners

On agenda: 7/9/2024 **Final action:**

Title: REQUEST PLAT APPROVAL FOR TWIN OAKS PROJECT (K050-002)

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2024_0612_K050-002_DRT_STAFF_FINAL.pdf, 2. 2024_0610_K050-002 PLAT.pdf, 3. 2024_0520_K050-002 CONTRACT.pdf, 4. 2024_0520_K050-002 DRAFT BOND.pdf, 5. 2024_0320_K050-002 EOPC.pdf, 6. 2024_0320_K050-002 EXHIBIT A LEGAL DESCRIPTION.pdf, 7. 2024_0429_K050-002 APPLICATION MATERIALS.pdf, 8. 2024_0429_K050-002 DISCLOSURE OF INTEREST.pdf, 9. 2024_0612_K050-002 SIGN CERTIFICATION.pdf, 10. 2024_0308_K050-002 RESO DENY.pdf, 11. Staff Presentation

Date	Ver.	Action By	Action	Result
------	------	-----------	--------	--------

PLACEMENT: Departmental - Quasi-Judicial

TITLE:
REQUEST PLAT APPROVAL FOR TWIN OAKS PROJECT (K050-002)

EXECUTIVE SUMMARY:

This is a request by Engineering Design & Construction, Inc. (EDC) who applied on behalf of D.R. Horton, Inc., for approval of the Twin Oaks, f/k/a Kanner Oaks Plat. The Plat is to be consistent with the final site plan which contains a 28-lot single-family home subdivision on approximately 16.86 acres. The site is located at 8821 SW Kanner Oaks Drive, on the west side of SW Kanner Highway, north of SW Tropical Avenue, approximately 0.44 miles west of the Florida’s Turnpike overpass in Stuart. Included with this application is a request for a Certificate of Public Facilities Exemption.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Brian Elam, PMP
Title: Principal Planner

REQUESTED BY: McCarthy, Summers et.al., Christen Spake, Esq.

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

The Twin Oaks Project, formally known as Kanner Oaks received minor final site plan approval on

January 26, 2022 for the development of 28 single family residential lots and the associated infrastructure on an undeveloped approximate 16.86-acre parcel.

Pursuant to Article 10 of the Martin County Land Development Regulations, review of this application by the Local Planning Agency was not required. Final action on this application is required by the Board in a public meeting pursuant to Table 10.5.F.9, Land Development Regulations, Martin County Code.

The following supporting items are attached:

- Staff Report
- Plat
- Draft Contract for Construction of Required Improvements and Infrastructure
- Draft Surety
- Approved Engineers Opinion of Probable Costs
- Application Materials
- Disclosure of Interest
- Sign Certification
- Resolution to Deny Plat
- Exhibit A Legal Description
- Staff Presentation

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

Because this request involves the application of a policy 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.

RECOMMENDED ACTION:

RECOMMENDATION

1. Move the Board receive and file the agenda item and its attachments including the staff report as Exhibit 1.
2. Move the Board approve the Twin Oaks Plat and the Contract for Construction of Required Improvements and Infrastructure.

ALTERNATIVE RECOMMENDATIONS

Direct staff accordingly.

FISCAL IMPACT:

RECOMMENDATION

The applicant has paid the \$13,600 application fee and the \$290 completeness fee.

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

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

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback <<http://www.martin.fl.us/accessibility-feedback>>.