



Legislation Details (With Text)

File #: 19-0098
Type: Departmental Quasi Judicial **Status:** Passed
In control: Board of County Commissioners
On agenda: 11/20/2018 **Final action:** 11/20/2018
Title: MANATEE ISLES PLAT (S216-011)
Sponsors:
Indexes:
Code sections:

Attachments: 1. 2018_1002_S216-011_Staff_Report_Final.pdf, 2. 2018_1017_S216-011_Plat.pdf, 3. 2018_1026_S216-011_Contract_ENG_Prob_Cost.pdf, 4. 2018-10-04 ENG2018080053 Approved Cost Estimate.pdf, 5. 2018_1017_S216-011_Drft_Surety.pdf, 6. 2018_1001_Site plan.pdf, 7. 2018_1024_S216-011_Application_Excerpt.pdf, 8. 2018_0822_S216-011_RESUB.pdf, 9. 2018_1017_S216-011_Fin_Disclosure.pdf, 10. 2018-10-22_Signage_Posting_Plat_S216-011.pdf, 11. 2018_1024_S216-011_Deed.pdf, 12. 2018_1024_S216-011_Reso_Denial.pdf

Date	Ver.	Action By	Action	Result
11/20/2018	1	Board of County Commissioners	approved	Pass

PLACEMENT: Departmental - Quasi-Judicial

TITLE:

MANATEE ISLES PLAT (S216-011)

EXECUTIVE SUMMARY:

Request for plat approval for the Manatee Isles project consistent with the approved minor final site plan approved on October 2, 2018. The 2.3 acre development is located on the northeast corner of SE Capstan Avenue and SE Azimuth Way in Port Salerno. Included with this application is a request for a Certificate of Public Facilities Exemption.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Peter Walden
Title: Principal Planner

REQUESTED BY: Manatee Isles, LLC Gary Brown, Manager

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

Request for Plat approval for a 17 unit townhome development located on approximately 2.3 undeveloped acres adjacent to the southeastern end of Manatee Pocket in Port Salerno. Included in the application is a request for a Certificate of Public Facilities Exemption.

The property has a land use designation of Medium Density, up to eight units per acre and a compatible Zoning District of RM-8, Medium Density Residential. The parcel is in the Port Salerno Community Redevelopment Area (CRA), but is not in an overlay district.

The area surrounding the property is developed with single and multi-family residential development. The property has over 800 feet of waterfront on the Manatee Pocket. The shoreline has been hardened with a seawall and the applicant intends to add multiple boat slips for the lot owners use as part of the site plan.

The site plan Minor Final Site plan application for Manatee Isles was approved on October 2, 2018.

Final action on this application is required by the Board of County Commissioners (BCC) in a public meeting pursuant to Section 10.5.A.2., LDR, Martin County, Fla. (2012). The Local Planning Agency (LPA) was not required to hear this plat application pursuant to Section 10.4., LDR, Martin County, Fla.

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

Staff Report
Proposed Plat
Engineers Probable Cost
Surety and contract to complete
Final Site Plan
Application Materials
Resubmittal Application Materials
Financial Disclosure Affidavit
Notice Sign Posting Certification
Deed
Draft Resolution for Denial of Plat

The following information regarding presentations by staff and the applicant is provided:

Staff presentation-

Peter Walden, Principal Planner
Other staff members, as deemed necessary

Estimated time : Approximately 5 minutes

Applicant presentation-

Bradley J. Currie, AICP, Engineering Design and Construction, Inc. Planner/Agent

Estimated time : Approximately 5 minutes

ISSUES:

There are no issues with this application

LEGAL SUFFICIENCY REVIEW:

Because this request involves the application of a policy to a specific 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 a competent substantial evidence in the record.

RECOMMENDED ACTION:

RECOMMENDATION

1. Move that the Board receive and file the Agenda item Summary and all of its attachments including the Staff Report for the record as Exhibit 1.
2. Move that the Board approve the plat for Manatee Isles and the Contract for Construction of Required Improvements and Infrastructure.

ALTERNATIVE RECOMMENDATIONS

- 2.A. Move that the Board continue the plat approval for Manatee Isles to a date certain.
- 2.B. Move that the Board deny the plat approval for Manatee Isles and adopt the resolution for denial setting forth the reasons for the denial.

FISCAL IMPACT:

RECOMMENDATION

The applicant has paid the \$13890.00 review fee.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

Same as above

DOCUMENT(S) REQUIRING ACTION:

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