



Legislation Details (With Text)

File #: 19-0539

Type: Departmental Quasi Judicial **Status:** Passed

In control: Board of County Commissioners

On agenda: 6/18/2019 **Final action:** 6/18/2019

Title: HUMANE SOCIETY OF THE TREASURE COAST SEPTIC SYSTEM WAIVER

Sponsors:

Indexes:

Code sections:

Attachments: 1. 2019_0517_H071-005_BCC Septic Waiver Request.pdf, 2. 2019_0521_HO71-005_SepticWaiverResolution.pdf

Date	Ver.	Action By	Action	Result
6/18/2019	1	Board of County Commissioners	approved	Pass

PLACEMENT: Departmental - Quasi-Judicial

TITLE:

HUMANE SOCIETY OF THE TREASURE COAST SEPTIC SYSTEM WAIVER

EXECUTIVE SUMMARY:

The Humane Society of the Treasure Coast, Inc is requesting approval of a waiver of Policy 10.2A.8.1 of the Comprehensive Growth Management Plan, which applies to on-site sewage treatment and disposal systems outside the primary urban service district that exceed a total site buildout flow of 2,000 gallons per day (GPD), not to exceed total site buildout of 5,000 GPD. The approximate 15.42 acre parcel is located on the west side of SW Leighton Farm Avenue approximately 2,700 feet south of SW Martin Highway in Palm City.

DEPARTMENT: Growth Management

PREPARED BY: Name: Matt Stahley
Title: Senior Planner

REQUESTED BY: Humane Society of the Treasure Coast, Inc.

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

The Humane Society of the Treasure Coast, Inc is requesting approval of a waiver of Policy 10.2A.8.1 of the Comprehensive Growth Management Plan (CGMP), which applies to on-site sewage treatment and disposal systems outside the primary urban service district that exceed a total site buildout flow of 2,000 gallons per day (GPD), not to exceed total site buildout flow of 5,000 GPD.

Failure of the septic system due to vehicular damage in 2018 required replacement of the system, which was permitted by the Florida Department of Health via permit 43-SS-1890830. The septic system was constructed at that time to accommodate proposed future expansion of the site. The proposed addition of approximately 5,880 square feet of office space and dog training facilities is currently under review as a revised minor final site plan (H071-005).

The current permitted septic system flows of 3,085 GPD exceed the 2,000 GPD limit outlined in policy 10.2A.8.1 of the CGMP. In order to be eligible for a waiver of Policy 10.2A.8.1, the applicant must demonstrate compliance with policy 10.2A.8.9 of the CGMP. The applicant has demonstrated that: 1) The proposed system meets all criteria required by the Florida Department of Health; and 2) The system has been located to protect wetlands, wellfields, waterbodies, drainage facilities or other surface waters to the maximum extent practicable. For on-site sewage and treatment and disposal systems adjacent to wetlands, wellfields, water bodies, drainage facilities and other surface waters, a minimum setback of 200 feet has been provided.

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

Waiver Request
Draft Resolution to Approve Waiver

ISSUES:

None.

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.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board receive and file the agenda item as Exhibit 1
Move that the Board approve the waiver of the 2000 GPD flow limitation, not to exceed total site buildout of 5000 GPD.

ALTERNATIVE RECOMMENDATIONS

None.

FISCAL IMPACT:

RECOMMENDATION

The applicant has paid the \$8,750.00 fee for a revised minor final site plan.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

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

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