



Legislation Details (With Text)

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Type: Consent **Status:** Agenda Ready

In control: Board of County Commissioners

On agenda: 7/30/2019 **Final action:**

Title: REQUEST TO OPEN A PORTION OF SE SHARON STREET FOR BUILDING PERMIT ELIGIBILITY

Sponsors:

Indexes:

Code sections:

Attachments: 1. Location Map.pdf, 2. Concept Plan.pdf, 3. Resolution.pdf

Date	Ver.	Action By	Action	Result
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PLACEMENT: Consent

TITLE:

REQUEST TO OPEN A PORTION OF SE SHARON STREET FOR BUILDING PERMIT ELIGIBILITY

EXECUTIVE SUMMARY:

Request to open approximately 105 linear feet of SE Sharon Street in Hobe Sound, and to accept the roadway into the County's road inventory as a publicly owned and publicly maintained roadway.

DEPARTMENT: Public Works

PREPARED BY: Name: Michelle Cullum, P.E.

Title: Development Review Administrator

REQUESTED BY: Justin Angel

PRESET:

PROCEDURES: None

BACKGROUND/RELATED STRATEGIC GOAL:

The Papaya Village is a recorded subdivision according to the Map or Plat thereof recorded in Plat Book 2, Page 74 of the Public Records of Martin County, Florida. Only portions of the roadways shown thereon were constructed and included in the County's Road Inventory when it was adopted in 1972. Justin Angel purchased a lot within the Papaya Village Plat that does not front an open road and wishes to construct a home on the property. Section 4.843.K of the Martin County Land Development Regulations provides, "In order for a building permit to be issued for the construction of any structure, the lot must directly front on an open road." It is the County's procedure to require

roads to be constructed in accordance with the County's standards prior to accepting the roads into the County's Road Inventory, even for roads being constructed in rights-of-way that were platted prior to 1972.

Per Section 4.843.B of the Martin County Land Development Regulations, the minimum required right-of-way width for a local roadway with swale drainage is 60-feet. Section 4.843.B. also provides that variances may be granted by the Board of County Commissioners for rights-of-way within plats that were recorded prior to 1972 where the previously acquired right-of-way is less than the required minimum right-of-way. The Papaya Village Plat was recorded prior to 1972 with right-of-way easement widths of 40-feet.

Accordingly, Mr. Angel has submitted a Road Opening Permit application to open a portion of the platted road right-of-way and construct the road to County standards with the variance to allow the right-of-way width to remain 40-feet, which is consistent with the existing roads in The Papaya Village. Mr. Angel is requesting the Board of County Commissioners authorize staff to issue the Road Opening Permit upon the County Engineer's determination that the final design is in compliance with the appropriate Martin County Land Development Regulations and at the conclusion of the project, upon acceptance by the County Engineer, to include the road in the County's Road Inventory. The newly extended portion of SE Sharon Street will be listed as a County owned and County maintained roadway.

Staff has advised Mr. Angel that, at a minimum, the following will need to be transmitted for review to demonstrate compliance with the Land Development Regulations:

- A detailed stormwater management plan;
- Detailed construction plans;
- A Commitment to Complete the Required Improvements, with adequate security;
- Payment in lieu of constructing a sidewalk

If authorized, the following road characteristics will be added into the County's Road Inventory upon completion of construction and acceptance by the County Engineer:

Name:	SE Sharon Street
Length:	105 feet
Limits:	East of SE Hibiscus Drive
Ownership:	Martin County
Maintaining Entity:	Martin County
Functional Classification:	Local Residential
Right-of-way width:	40 feet
Pavement width / type:	20 feet of asphalt
Sidewalk width / side:	Payment in lieu
Method of stormwater treatment:	Roadside swales
Posted speed limit:	25 MPH

ISSUES:

None.

LEGAL SUFFICIENCY REVIEW:

This item has been reviewed for legal sufficiency to determine whether is consistent with applicable law, has identified and addressed legal risks, and has developed strategies for legal defensibility.

RECOMMENDED ACTION:

RECOMMENDATION

Move that the Board adopt a Resolution granting a variance to allow the width of the proposed extension of SE Sharon Street to remain 40 feet and accepting SE Sharon Street into the County's Road Inventory as County owned and County maintained upon the issuance of the Road Opening Permit and the County Engineer's acceptance of the construction of the roadways.

ALTERNATIVE RECOMMENDATIONS

1. *Pull* this item from the Consent Agenda.
2. Move that the Board of County Commissioners direct staff to review the Road Opening Permit application and prior to the issuance of Road Opening Permit, to return to the Board for final action to accept the road into the County's Road Inventory.
3. Provide staff direction.

FISCAL IMPACT:

RECOMMENDATION

The future cost to the County to resurface the additional 105 feet of road is approximately \$2,625 which is not anticipated until the year 2039. Minor maintenance costs (less than \$250 per year) may be associated with the proposed stormwater facilities.

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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