



Legislation Details (With Text)

File #: 21-0282
Type: Public Hearing Quasi Judicial **Status:** Passed
In control: Board of County Commissioners
On agenda: 1/12/2021 **Final action:** 1/12/2021
Title: REQUEST FOR APPROVAL OF SEAWARD BOAT STORAGE FINAL SITE PLAN
Sponsors:
Indexes:
Code sections:

Attachments: 1. Staff_Report_1208_P163-003.pdf, 2. Draft_Resolution_to_Approve_Major_Final.pdf, 3. Draft_Reso_to_Accept_Right_of_Way.pdf, 4. 2020_1218_P163-003_FinalSitePlan.pdf, 5. 2020_0218_Application_Materials_Extracted.pdf, 6. 2020_0512_Resubmittal.pdf, 7. 2020_0727_Resubmittal.pdf, 8. Financial_Disclosure.pdf, 9. Legal_AD_Tearsheet.pdf, 10. Sample_Notice_Letter.pdf, 11. Sign_Certification.pdf, 12. Surrounding_Property_Owners_Certification.pdf, 13. Draft_Resolution_to_Deny_Major_Final_Site_Plan.pdf

Date	Ver.	Action By	Action	Result
1/12/2021	1	Board of County Commissioners	approved	Pass

PLACEMENT: Public Hearings - Quasi-Judicial

TITLE:

REQUEST FOR APPROVAL OF SEAWARD BOAT STORAGE FINAL SITE PLAN

EXECUTIVE SUMMARY:

Genie Investment Company is requesting approval of a major development final site plan to develop an approximate 25,210 square foot stabilized boat storage area and associated infrastructure. The 0.91-acre undeveloped site is located on the east side of SE Dixie Highway at the intersection of SE Seaward Street and SE Dixie Highway in Port Salerno. Included in this application is a request for a Certificate of Public Facilities Reservation.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Matt Stahley
Title: Senior Planner

REQUESTED BY: Genie Investment Company (Owner), Lucido & Associates (Agent)

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

Genie Investment Company is requesting approval of a major development final site plan to develop

an approximate 25,210 square foot stabilized boat storage area and associated infrastructure. The 0.91-acre undeveloped site is located on the east side of SE Dixie Highway at the intersection of SE Seaward Street and SE Dixie Highway in Port Salerno. The project has a future land use designation of Commercial Waterfront and lies within the Port Salerno Community Redevelopment Zoning District. Included in this application is a request for a Certificate of Public Facilities Reservation.

Access to the site is proposed via a single access on SE Seaward Street. During the review process, the applicant agreed to convey a 4-foot strip of right-of-way to accommodate the existing pedestrian sidewalk along SE Dixie Highway along with a 25-foot corner clip dedication at SE Dixie Highway and SE Seaward Street to Martin County. The applicant has agreed to provide payment in lieu of construction of the required sidewalks along the 427 feet of the subject site fronting SE Seaward Street.

The Port Salerno Landscape code (Section 3.262.I, Land Development Regulations) requires one tree to be planted per 1,000 square feet of development area, which equates to 40 trees within the subject site. The applicant received a recommendation of approval of alternative compliance to this code requirement from the Port Salerno Neighborhood Advisory Committee on August 13, 2020, to allow the planting of 27 trees and the retaining of three existing 16-inch DBH slash pine trees and one sabal palm tree.

Staff has reviewed this application and finds that that it complies with the all applicable requirements as detailed within the staff report. Accordingly, Staff recommends approval of the application.

On December 17, 2020, the Local Planning Agency considered this matter at a public hearing and recommended approval by a vote of 4-0.

The following supporting items are attached:

Staff Report

Draft Resolution to Approve Final Site Plan

Draft Resolution to Accept Right of Way

Major Final Site Plan

Application Materials

Resubmittal Materials

Financial Disclosure

Legal Ad Tearsheet

Sign Certification

Sample Notice letter

Surrounding Property Owners list Certification

Draft Resolution to Deny Major Final Site Plan

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 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 summary and all of its attachments including the Staff Report for the record as Exhibit 1.
- Move that the Board approve the final site plan.
- Move that the Board approve the resolution accepting a Warranty Deed dedicating 4-feet of right-of-way to accommodate the existing pedestrian sidewalk along SE Dixie Highway and a 25-foot corner clip at SE Dixie Highway and SE Seaward Street from Genie Investment Company, an Arizona corporation.

ALTERNATIVE RECOMMENDATIONS

Move that the Board continue the agenda item to a date certain.

FISCAL IMPACT:

RECOMMENDATION

The Applicant has paid the \$9,127.00 application fee and \$290.00 completeness 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:** (2) Resolutions

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