



## Legislation Details (With Text)

**File #:** 23-0586  
**Type:** Departmental Quasi Judicial **Status:** Passed  
**In control:** Board of County Commissioners  
**On agenda:** 3/21/2023 **Final action:** 3/21/2023  
**Title:** REQUEST APPROVAL OF THE 2ND AMENDMENT TO THE COVE ROYAL PLANNED UNIT DEVELOPMENT ZONING AGREEMENT INCLUDING A REVISED MASTER AND PHASING PLAN AND REVISED PHASE 1 FINAL SITE PLAN (C165-005)

**Sponsors:**

**Indexes:**

**Code sections:**

**Attachments:** 1. 2023\_0223\_C165-005\_Staff\_Report\_Final.pdf, 2. 2023 03 07 Cove Royale 2nd\_Amendment\_PUD Agreement.pdf, 3. 2023\_0301\_C165-005\_Revised\_Master\_Phasing\_Plans.pdf, 4. 2023\_0301\_C165-005\_Revised\_Phase\_1\_Final.pdf, 5. 2023\_0301\_C165-005\_Resolution\_to\_Approve.pdf, 6. 2023\_0216\_C165-005\_Amended\_PAMP.pdf, 7. 2023\_0301\_C165-005\_Approved\_PUD\_Agreement.pdf, 8. 2023\_0301\_C165-005\_Approved\_Master\_and\_Phasing\_Plan.pdf, 9. 2023\_0301\_C165-005\_Application\_Materials.pdf, 10. 2023\_0301\_C165-005\_Revised\_Landscape\_Plans.pdf, 11. 2023\_0223\_C165-005\_Disclosure\_of\_Interest.pdf, 12. 2023\_0227\_C165-005\_Sign\_Posting\_Affidavit.pdf, 13. 2023\_0301\_C165-005\_Reso\_to\_Deny.pdf, 14. Cove Royale PUD.pdf

Date	Ver.	Action By	Action	Result
3/21/2023	1	Board of County Commissioners	approved	Pass

**PLACEMENT:** Departmental - Quasi-Judicial

**TITLE:**

**REQUEST APPROVAL OF THE 2<sup>ND</sup> AMENDMENT TO THE COVE ROYAL PLANNED UNIT DEVELOPMENT ZONING AGREEMENT INCLUDING A REVISED MASTER AND PHASING PLAN AND REVISED PHASE 1 FINAL SITE PLAN (C165-005)**

**EXECUTIVE SUMMARY:**

This is a request by KH Cove Royale, LLC for the 2nd Amendment to the Cove Royale Planned Unit Development (PUD) Zoning Agreement with a Revised Master and Phasing Plan and Revised Phase 1 Final Site Plan. The proposed master plan adds two single family lots to Phase 1 and modifies lot configurations. The stormwater drainage system, internal roads have been modified to accommodate the proposed changes. The project is located on the south side of SE Cove Road approximately 1.5 miles east of SW Kanner Highway. Included is a request for a Certificate of Public Facilities Reservation for Phase 1.

**DEPARTMENT:** Growth Management

**PREPARED BY:** **Name:** Peter Walden, AICP  
**Title:** Deputy Growth Management Director

**REQUESTED BY:** Cuozzo Design Group, Inc., Donald Cuozzo

**PRESET:**

**PROCEDURES: Quasi-Judicial**

**BACKGROUND/RELATED STRATEGIC GOAL:**

The Cove Royale PUD zoning agreement including the master site plan was approved on March 26, 2019. The project included 118 detached single-family homes on approximately 97 acres. The project is proposed to be developed in 2 phases. Phase 1 of the project was approved on May 15, 2020 and included 81 single family dwellings and the associated infrastructure.

The proposed master plan adds two single family lots to Phase 1 and modifies lot configurations. The Preserve Area Management Plan (PAMP) was amended to accommodate the additional 2 lots and amended stormwater infrastructure. The changes resulted in a net .03 acres increase in the PAMP area.

The site is within the Primary Urban Service District and water and wastewater service would be provided by Martin County Utilities. Construction of the site via the approved Phase 1 final site plan is underway.

Pursuant to Sec. 10.5.F.9 Land Development Regulations, Martin County Code, a review of this application by the Local Planning Agency is not required.

The following supporting documents are attached:

Staff Report  
2nd Amendment to the PUD agreement  
Revised Master and Phasing plan  
Revised Phase 1 Final Site Plan  
Resolution to approve the Revised Phase 1 Final Site Plan  
PUD Zoning Agreement Recorded  
Approved Master Site Plan  
Amended PAMP  
Application Materials  
Landscape Plans  
Disclosure of Interest  
Sign Posting Affidavit  
Resolution to Deny  
Staff Presentation

**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 and its attachments including the staff report as Exhibit 1.
- Move that the Board approve the 2nd Amendment to the Cove Royale PUD Zoning Agreement including the Revised Master and Phasing plans.
- Move that the Board adopt a resolution approving the Revised Phase 1 Final Site Plan.
- Move that the Board approve the amended Preserve Area Management Plan.

**ALTERNATIVE RECOMMENDATIONS**

None

**FISCAL IMPACT:**

**RECOMMENDATION**

The applicant has paid the \$13,800.00 application fee and the \$290.00 Completeness fee.

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

- |  |                                       |  |
|--|---------------------------------------|--|
| <input type="checkbox"/> Budget Transfer / Amendment | <input type="checkbox"/> Chair Letter | <input checked="" type="checkbox"/> Contract / Agreement |
| <input type="checkbox"/> Grant / Application         | <input type="checkbox"/> Notice       | <input type="checkbox"/> Ordinance                       |
|  |                                       | <input checked="" type="checkbox"/> Resolution           |
| <input type="checkbox"/> Other:                      |                                       |  |

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