

PARADISE LAKE

PUD ZONING AGREEMENT INCLUDING A MASTER/FINAL SITE PLAN

P141-013

Board of County Commissioners

Public Hearing

July 28, 2026

Owner/Aplicant: Heissenberg Family Financial Investments, LLC

Agent: Lucido & Associates

Project Coordinator: Luis Aguilar, Principal Planner



SUMMARY

- Approximately 72 acres
- 11 lots; accessed from SE 138th Street
- Gross Density of 0.15 DU/Ac.
- 94% Open Space Provided
- Preserve Area Management Plan and restoring:
 - 32.38 ac of Freshwater Wetlands
 - 0.10 ac of restored Wetland
- 1.40 acres of Right-of-Way dedication to Martin County



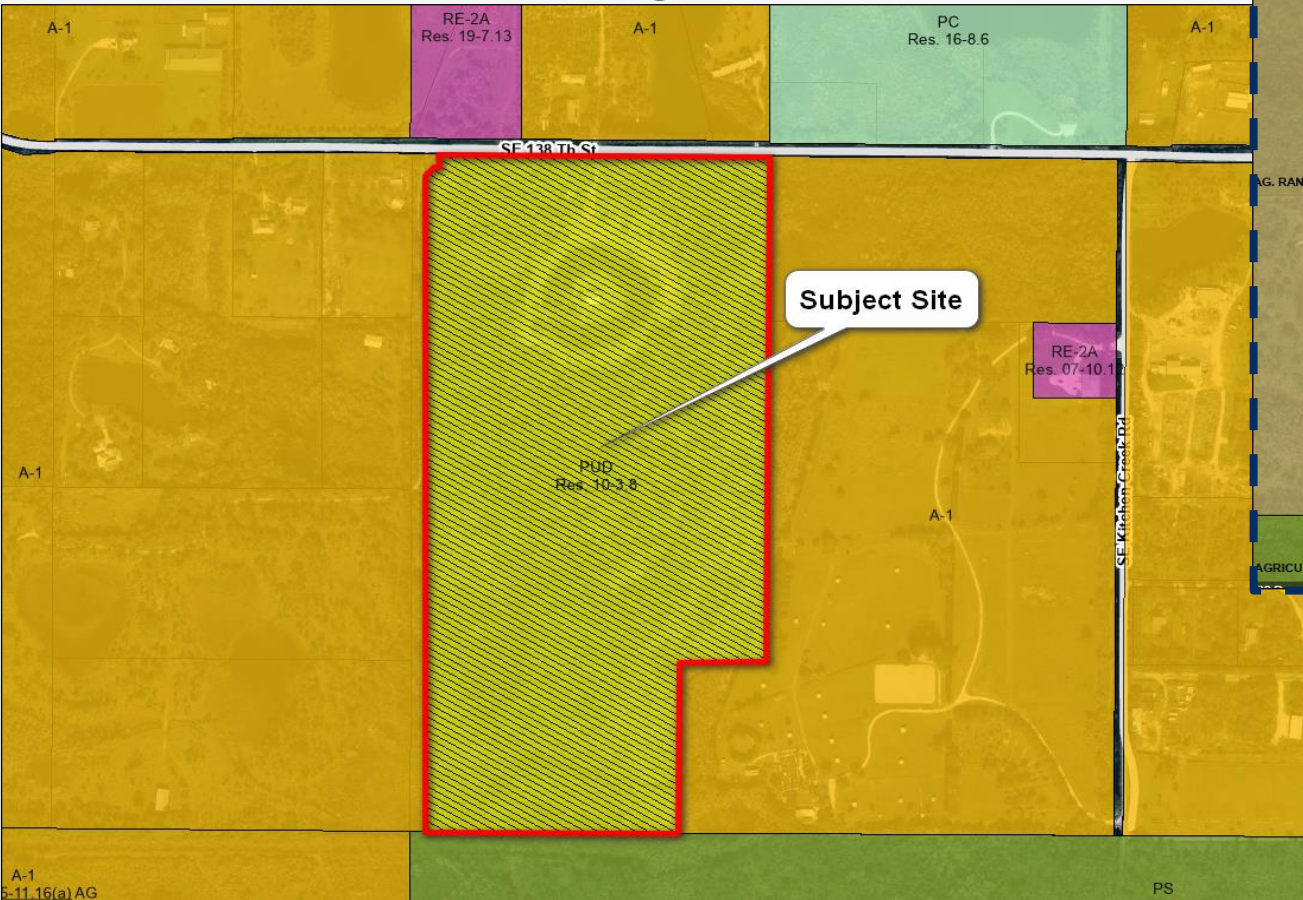




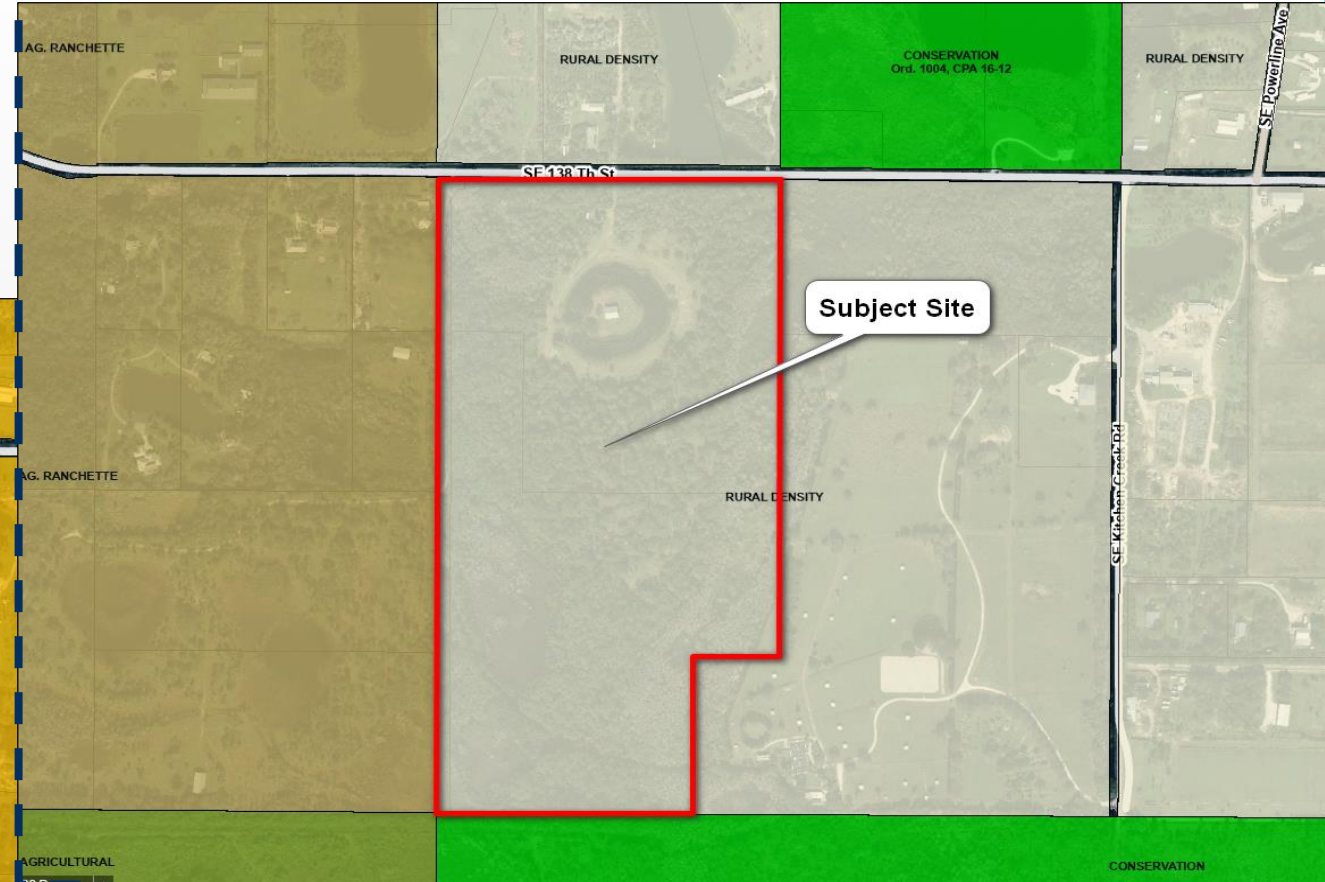
SE 138 Th St



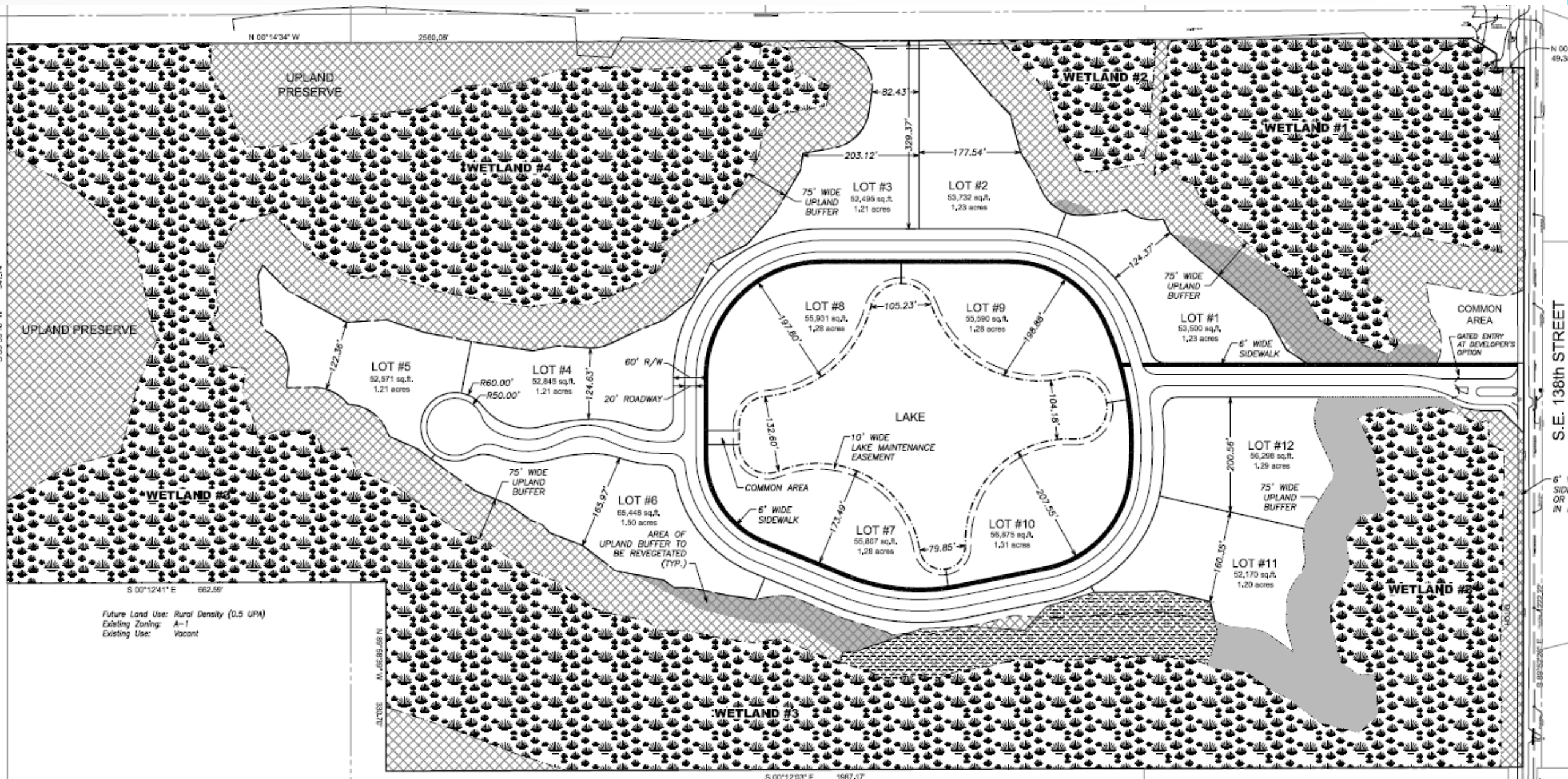
Zoning Atlas



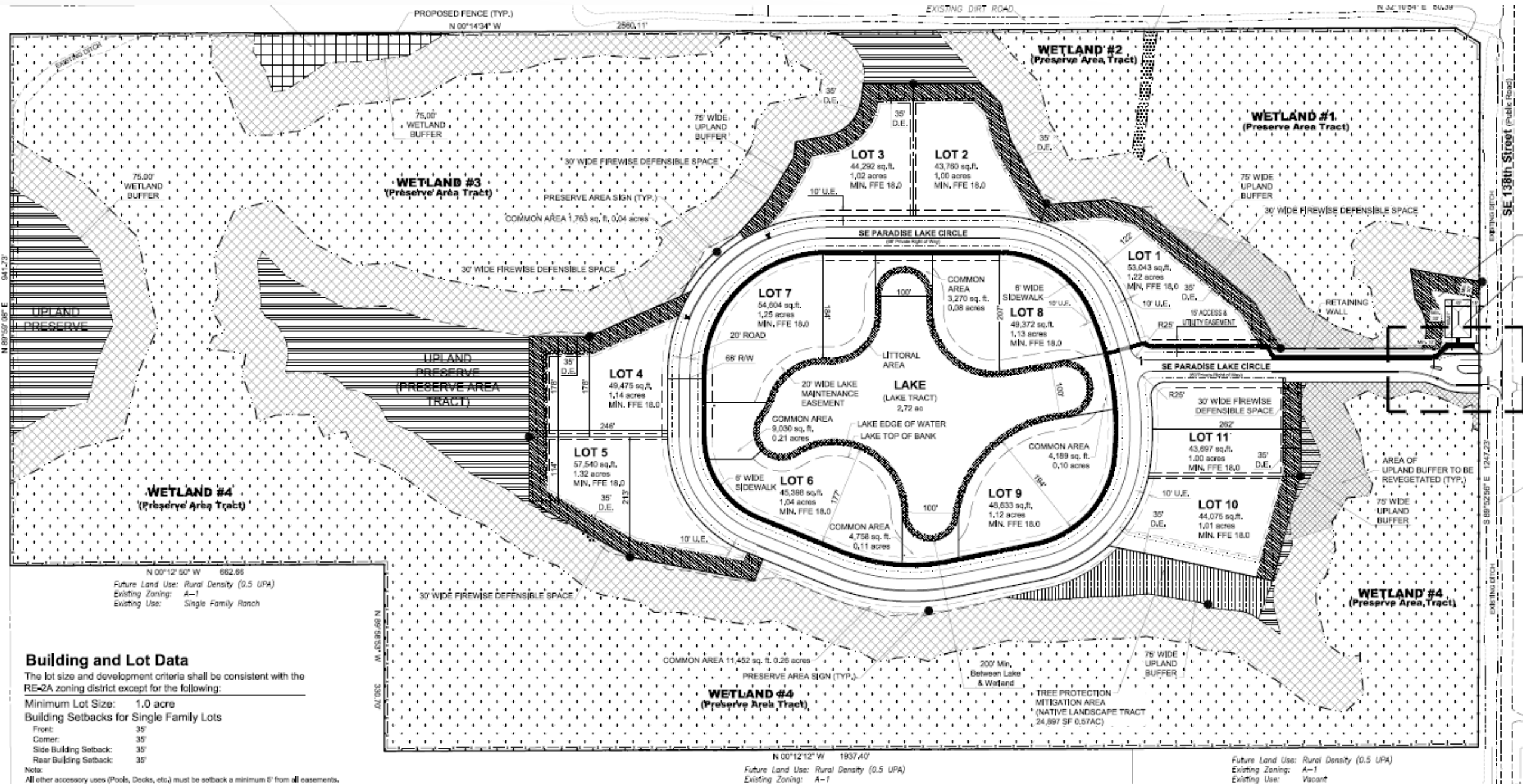
Future Land Use



Expired Master Plan (2010)



Master and Final Site Plan



PUD Benefits

The owner recorded a perpetual flow-through drainage easement to Martin County over the eastern wetland to allow for offsite water to flow through their wetland as part of the Kitching Creek Central Flow Way Restoration Project in 2011.

- Increase in upland preserve area by 2.54 acres, from 14.84 acres to 17.38 acres;
- Increase in the side and rear building setbacks from 30 to 35 feet;
- The project provides 0.57 acres of native tree protection area that will be retained in existing native vegetation and planted with native trees;
- The applicant/owner agrees to prohibit guesthouses on the lots; and
- The applicant/owner agrees to donate \$1,000 per unit (\$11,000) to the Martin County Community Land Trust.

Analysis of “By-right” VS. PUD

	By-Right	Proposed PUD
Front:	30 feet	35 feet
Side:	30 feet	35 feet
Rear:	30 feet	35 feet
Min. lot area:	2 acres	1 acre
Min. lot width:	175 feet	175 feet
Max. Height:	30 feet	35 feet
Min. open space/lot	50%	50%
Min. Wetland Preserve:	32.38 acres	32.38 acres
Min. Upland Preserve:	14.84 acres	17.38 acres
Native Tree Protection:	0 acre	0.57-acre
Max. lots/SF units:	8	11
Max. guesthouses:	8	0

The proposed project, originally approved for 12 lots on 72.40 acres, has been reduced to 11 lots on 70.99 acres to preserve specimen oak trees and native upland habitat.



2010 PUD Benefits

PUD Benefit & Justification Statement

The applicant is requesting PUD zoning to allow for flexible design regulations related to lot size, width, and setbacks to account for the unique design constraints on the subject property. The property is accessed from SE 138th Avenue from a small upland area between two wetlands which further surround a larger upland area comprising the bulk of the proposed site development area. The property's unique location at the headwaters of Kitching Creek further demands unique design attributes afforded a PUD. The proposed project will deliver enhanced native habitat and tree preservation by minimizing the impact of land clearing and fill operations and by site-contextual drainage design to ensure enhanced flows to the Kitching Creek. The PUD zoning also allows for the enhanced public benefits as further outlined below.

Applicant Benefits

- * Reduce minimum lot size to 1 acre
- * Reduce building setbacks
- * Reduce lot widths

Public Benefits

- * Enhanced flow through allowances
- * Public drainage easements
- * Enhanced native habitat preservation
- * Site-contextual drainage to preserve specimen trees and native areas
- * Dedication of road right-of-way along SE 138th Avenue
- * Provide school bus stop and shelter

As a public benefit, the applicant is proposing to cooperate with Martin County in the restoration of the historic water flows of the Kitching Creek headwaters. An introductory meeting has been held on site to discuss County plans and how the applicant may contribute toward the success of these efforts. The goal of the restoration is to direct more consistent water flows through the slough from north of 138th Avenue and from north of Bridge Road. After passing these bottlenecks, the water would traverse both east and west of the subject property through the primary slough channels. Permission would be granted from the applicant to Martin County for the increased flows and to allow construction of necessary drainage structures to control the rate, timing, and course of the water flows.

The proposed development project also envisions the preservation of over sixteen acres of native habitat as well as the revegetation of numerous wetland buffers currently devoid of native habitat. Overall, the project envisions the preservation of more land than required by Martin County.

The property has beautiful mature hardwoods throughout a majority of the site. The proposed development program envisions the preservation and/or relocation of a majority of these trees. Site contextual drainage design and lot grading will be employed along with advanced root pruning and tree relocation to accomplish this enhanced preservation. The final tree preservation amounts will exceed the requirements of Martin County.

Finally, the proposed development program will dedicate to Martin County additional right-of-way along SE 138th Avenue to allow the existing roadside ditch to be within the County right-of-way and provide a school bus stop and shelter and SE 138th Avenue



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Local Planning Agency

This application was heard before the Local Planning Agency on July 16, 2026. The LPA's recommendation will be forwarded to the Board.



Review of Application

Development review staff have found the Paradise Lake application to comply with all applicable regulations and the Comprehensive Growth Management Plan as detailed in the staff report.

C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Section F through T of this report. The current review status for each agency is as follows:

Table 1 Development Review Team

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan Review	Luis Aguilar	772-288-5931	Comply
F	ARDP Review	Samantha Lovelady	772-288-5664	N/A
G	Site Design Review	Luis Aguilar	772-288-5931	Comply
H	Commercial Design Review	Luis Aguilar	772-288-5931	N/A
H	Community Redevelopment Review	Luis Aguilar	772-288-5931	N/A
I	Property Management Review	Ellen MacArthur	772-221-1334	Comply
J	Environmental Review	Shawn McCarthy	772-288-5508	Comply
J	Landscaping Review	Karen Sjöholm	772-288-5909	Comply
K	Transportation Review	James Hardee	772-288-5470	Comply
L	County Surveyor Review	Juliette Martel	772-288-5418	N/A
M	Engineering Review	Kaitlyn Zanello	772-288-5920	Comply
N	Addressing Review	Emily Kohler	772-288-5692	Comply
N	Electronic File Submission Review	Emily Kohler	772-288-5692	Comply
O	Water and Wastewater Review	Jay Johnson	772-221-1400	N/A
O	Wellfield Review	Jay Johnson	772-221-1400	Comply
P	Fire Prevention Review	Doug Killane	772-419-5396	Comply
P	Emergency Management Review	Sally Waite	772-219-4942	N/A
Q	ADA Review	Kaitlyn Zanello	772-288-5920	Comply
R	Health Department Review	Paul Stemle	772-221-4090	Comply
R	School Board Review	Julie Sessa	772-219-1200	Comply
S	County Attorney Review	Elysse A. Elder	772-288-5925	Ongoing
T	Adequate Public Facilities Review	Luis Aguilar	772-288-5931	Comply

D. Review Board action

This application meets the threshold requirements for processing as a PUD Zoning Agreement with a master site plan. As such, a review of this application is required by the Local Planning Agency (LPA) and final action by the Board of County Commissioners (BCC). Both the LPA and the BCC meetings must be public hearings.

Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla. (2024), it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

The applicant addressed the non-compliance findings from the staff report dated 01/05/2026 with the resubmittal dated 03/10/2026, and documents received through 05/21/2026. The previous staff reports, and resubmittals are incorporated herein by reference. It shall at all times be the applicant's responsibility to demonstrate compliance with the CGMP, LDR and the Code.



Staff Recommendation

- 1. Move that the board receive and file the Agenda Item and all its attachments including the Staff Report as Exhibit 1.
- 2. Move that the board approve the Paradise Lake PUD agreement including the Master/Final Site Plan and Preserve Area Management plan.
- 3. Move that the Board adopt a Resolution approving and accepting a Quit Claim Deed from Heissenberg Family Financial Investments, LLC, a Florida limited liability company, for dedication of right-of-way and authorize the Chair to sign any and all documents necessary to complete the transaction.



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