



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW STAFF REPORT

SW 96TH STREET MONOPINE TOWER MAJOR FINAL SITE PLAN

A. Application Information

Applicant/Property Owner:	Fazlul Ahmed and Zarna Ahmed
Agent for Applicant:	United Commercial Telecom, LLC
County Project Coordinator:	John Sinnott, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	K049-004
Record Number:	DEV2024040003
Report Number:	2026_0619_K049-004_Staff_Report_Final
Application Received:	04/29/2024
Transmitted:	04/30/2024
Date of Report:	07/12/2024
Application Received:	09/05/2025
Transmitted:	09/05/2025
Date of Report:	06/19/2026

B. Project description and analysis

This is a request by United Commercial Telecom, LLC, on behalf of Fazlul and Zarna Ahmed for major final site plan approval to construct a 120-foot stealth-design monopine wireless telecommunications facility (WTCTF) ("tower") and associated infrastructure within a 1,600 square-foot lease area. The tower will be designed to accommodate the colocation of four (4) wireless carriers. The subject site is a portion of an approximately 1.70-acre parcel which has been approved for the development of a convenience store. The subject site is located at 1920 SW 96th street, approximately 230 feet west of the intersection of SW 96th Street and SW Kanner Highway, in Stuart. Included is a request for a Certificate of Public Facilities Exemption.

The project is located inside the Primary Urban Services District with water and wastewater services available from Martin County Utilities. In January 2026, a development order was approved for the construction of a one-story, 9,472 square-foot convenience store/retail building and associated infrastructure (project K049-003) on the subject parcel. The development order, including the Preserve Area Management Plan (PAMP), is recorded in Official Records Book 3569, beginning at Page 2006. The subject monopine tower project is

dependent upon infrastructure, including stormwater facilities, driveways, and landscaping, that will be constructed as part of the K049-003 convenience store project on the property.

Development of the WTCF must be in conformance with the Land Development Regulations, Comprehensive Growth Management Plan and Martin County Code, including the requirements of Division 18, Article 4, Land Development Regulations, Martin County Code, governing the site development standards specific to wireless telecommunication facilities. Due to the limited commercial future land use designation of the site, the proposed location is classified as a Priority 3 site under Sec. 4.795.D., LDR, Code. The tower separations, setbacks, and fall zone criteria of Sections 4.798.A and 7.798.B, Land Development Regulations, Martin County Code, shall not apply to any stealth tower [Sec. 4.798.C, LDR, Code].

The County shall have the right to retain independent technical consultants and experts that it deems necessary to properly evaluate applications for wireless telecommunication facilities and to charge reasonable fees as necessary to offset the cost of such evaluations [Sec. 4.805, LDR, Code].

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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:

F	Comprehensive Plan Review	John Sinnott	772-320-3047	Comply
G	Site Design Review	John Sinnott	772-320-3047	Comply
H	Commercial Design Review	John Sinnott	772-320-3047	N/A
H	Community Redevelopment Review	John Sinnott	772-320-3047	N/A
I	Property Management Review	Ellen MacArthur	772-221-1334	N/A
J	Environmental Review	Maddie Gierczak	772-221-1377	Comply
J	Landscaping Review	Karen Sjöholm	772-288-5909	Comply
K	Transportation	James Hardee	772-288-5470	Comply
L	County Surveyor Review	Jet Martel	772-288-5928	N/A
M	Engineering Review	Stephanie Piche	772-223-4858	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	772-320-3158	N/A
O	Wellfields Review	Jay Johnson	772-320-3158	N/A
P	Fire Prevention Review	Doug Killane	772-419-5396	Comply
P	Emergency Management Review	Sally Waite	772-219-4942	N/A
Q	ADA Review	Stephanie Piche	772-223-4858	N/A
R	Health Department Review	Paul Stemle	772-221-4090	N/A
R	School Board Review	Julie Sessa	772-219-1200	N/A
S	County Attorney Review	Sebastian Fox	772-419-6973	Ongoing
T	Adequate Public Facilities Review	John Sinnott	772-320-3047	Comply

D. Review Board action

This application meets the threshold requirements for processing as a major development without a previously approved master site plan. Pursuant Table 10.5.F.9., Land Development Regulations, Martin County Code 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 §§10.1.E. and 10.2.B.2., Land Development Regulations, Martin County Code, it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), LDR and the Code.

The applicant addressed the non-compliance findings from the staff report dated, July 12, 2024, with the resubmittal dated September 5, 2025, and additional materials received between February 19, 2026, and May 12, 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.

E. Location and site information

Parcel number: 18-39-41-000-003-00010-6

Address: 1920 SW 96th Street, Stuart, FL 34997

Existing zoning: LC

Future land use: Limited Commercial

Gross area of site: 1,600 square-foot lease area

Gross area of parent parcel: 1.70 acres

The subject site is bordered by commercial development to the east, south, and west. The SW 96th Street right-of-way borders the site to the north.

Figure 1: Location Map



Figure 2: Zoning Atlas

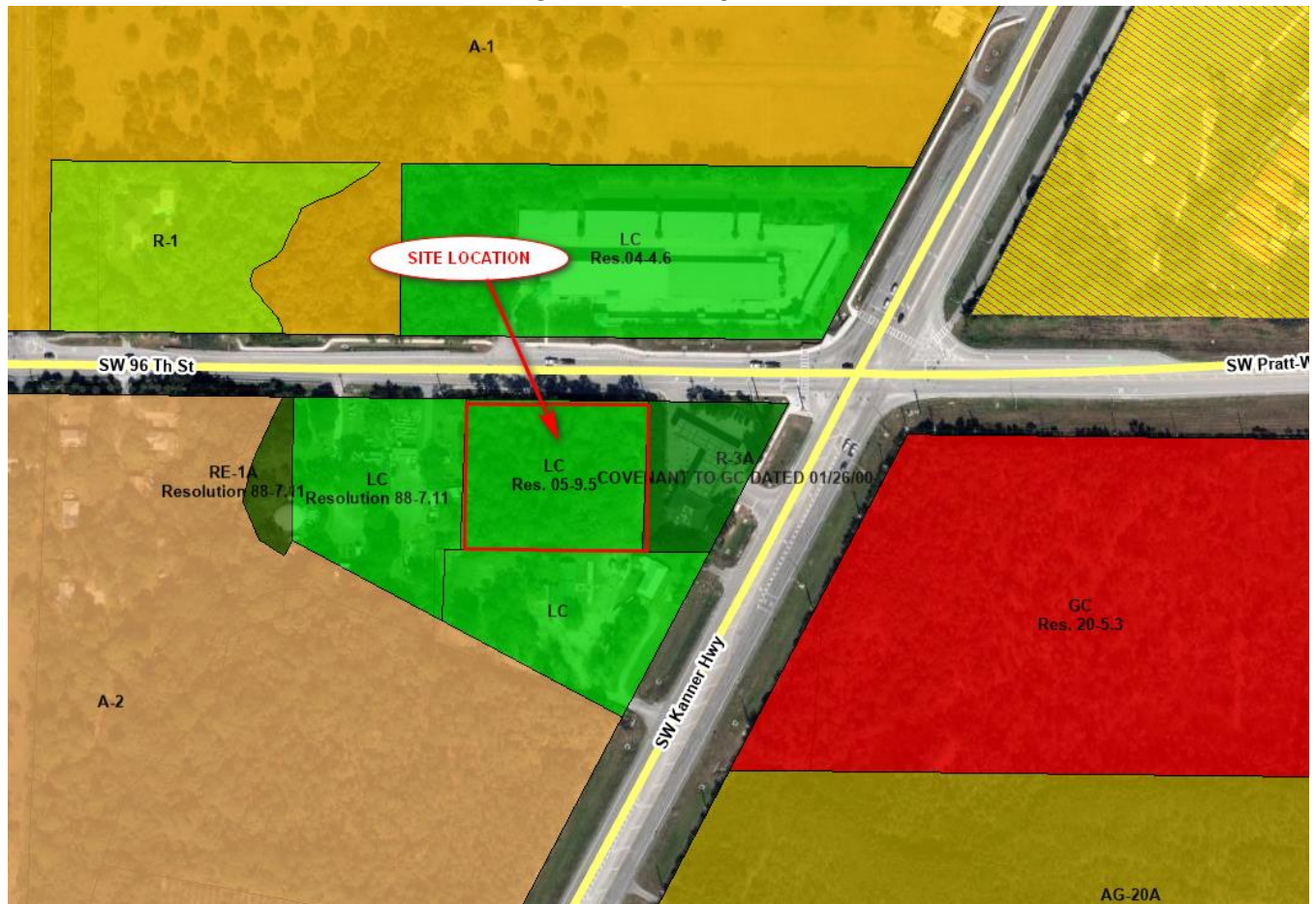


Figure 3: Future Land Use Map



F. Determination of compliance with Comprehensive Growth Management Plan requirements – Growth Management Department

Findings of Compliance:

Staff has reviewed this application and finds that that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

G. Determination of compliance with land use, site design standards, zoning and procedural requirements – Growth Management Department

Site Design

Findings of Compliance:

Staff has reviewed this application and finds that that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

Pursuant to §4.800.B., Land Development Regulations, Martin County Code, the Martin County Sheriff's Office and Martin County Emergency Management have confirmed that the proposed tower is not expected to interfere with or obstruct transmissions to and from existing public safety telecommunications facilities.

Pursuant to §4.805., Land Development Regulations, Martin County Code, an independent technical consultant was obtained to evaluate the application materials. The consultant, 4G Unwired, issued a Propagation Map Validation Report, dated December 2, 2025, which verifies the proposed tower would materially improve service quality and reliability for users in this area of the county.

Informational #1: Development Order Conditions

1. The development order shall contain a condition that the County or its designees shall have the right to inspect, upon reasonable notice to the owner and/or permittee, any WTCF or tower for the purpose of determining compliance with this Division 18 Martin County Land Development Regulations. [§4.801., LDR, Code].
2. The development order shall contain a condition that every five years, or within 90 days following a catastrophic act of nature or other emergency that may affect the structural integrity of a tower, the tower owner or permittee shall file with the County Administrator a statement, sealed by a qualified professional engineer, licensed in the State of Florida, that an inspection has been completed and that the tower has not been structurally compromised. [§4.802., LDR, Code]
3. The development order shall contain a condition that the tower owner or permittee will correct any deficiencies or remove the tower within 90 days of receipt of a Notice from the County Administrator that the tower is abandoned or declared unsafe in accordance with §4.803., LDR, Code.

Informational #2: Land Clearing

No land clearing is authorized prior to the pre-construction meeting for the project. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for by applicable state agency permits may be granted by the Growth Management Department pursuant to §10.14.C., LDR, Code.

Informational #3:

Notice of a public hearing:

The notice of a public hearing regarding development applications shall be mailed at least 14 calendar days (seven calendar days if the application is being expedited pursuant to section 10.5.E.) prior to the public hearing by the applicant to all owners of real property located within

a distance of 500 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. In addition, notice shall be mailed to all homeowner associations, property owners associations, condominium associations and the owners of each condominium unit within the notice area. [§10.6.E.1., LDR, Code]

H. Determination of compliance with urban design and community redevelopment requirements – Community Redevelopment Department

Commercial Design

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

Community Redevelopment Area

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

I. Determination of compliance with the property management requirements – Engineering Department

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

J. Determination of compliance with environmental and landscaping requirements – Growth Management Department

Environmental

Finding of Compliance:

The Growth Management Department Environmental Division staff has reviewed the application and finds it in compliance with the applicable land development regulations.

Informational Comment: Wildlife Survey Required

After a county development order is issued, the property owner and/or agent is responsible for obtaining a gopher tortoise relocation permit from Florida Fish and Wildlife Conservation Commission (FWC). All necessary permits, or a current 100% gopher tortoise survey showing no gopher tortoises exist onsite, shall be submitted to the growth management department, environmental division for review. The gopher tortoise survey shall be no greater than 90 days old at the time of review. No land clearing will be authorized until this information is received. No land clearing, including installation of erosion control barricades, can take place prior to the pre-construction meeting.

Landscaping

Findings of Compliance:

Landscaping for the parent site has been approved as part of the K049-003 SW 96th Street Convenience Store minor final site plan. A development order condition will be required to provide assurance that tower landscaping will be implemented in the event that the Convenience Store project is not completed.

K. Determination of compliance with transportation requirements – Engineering Services Department

Findings of Compliance:

The Traffic Division of the Public Works Department finds this application in compliance.

Compliance with Adequate Public Facilities Ordinance:

This application satisfies the Adequate Public Facilities Standard; it has a De Minimis impact (an impact that would not affect more than one percent of the maximum volume at the adopted level of service of the affected road facility). [Martin County, Fla., LDR Article 5, Division 1, Section 5.3 (2009)]

L. Determination of compliance with county surveyor – Engineering Department

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

M. Determination of compliance with engineering, storm water and flood management requirements – Engineering Services Department

Compliance with Adequate Public Facilities Ordinance:

This project will provide the proposed development sufficient services based upon the adopted Level-of-Service for stormwater management facilities.

Findings of Compliance:

The application was reviewed for compliance with the following Divisions of the Land Development Regulations. Staff's finding is summarized after each:

Division 8- Excavation, Fill, and Mining: The applicant demonstrated that the proposed development is part of the construction for the parent parcel and that the amount of proposed fill needed for the site exceeds the proposed excavation; therefore, hauling material from the site is not approved with this Development Order. The applicant demonstrated compliance with Division 8.

Division 9- Stormwater Management: The applicant has demonstrated that the proposed development is included in the Stormwater Management System for the parent parcel and the proposed development is consistent with the approved existing system; thereby, the

required attenuation and water quality treatment are in compliance with Division 9.

Division 10- Flood Protection: The site does not fall within a Special Flood Hazard Area. The applicant demonstrated that the all equipment and components are set at or above the above the maximum predicted stage of the 100-year 3-day storm event (19.99 feet NAVD); therefore, the applicant demonstrated compliance with Division 10.

Division 14- Parking and Loading: The applicant demonstrated compliance with the parking and loading requirements set forth in Division 14 with the design and layout of the proposed on-site parking facilities through the parent parcel.

Division 19 - Roadway Design: No roadways or connections to existing County roads are proposed; therefore, this division is not applicable.

Development Order Conditions:

1. The Owner is not authorized to haul fill off the site and must coordinate with the County Engineer regarding the routes and timing of any fill to be hauled to the site. The Owner must comply with all County excavation and fill regulations.

N. Determination of compliance with addressing and electronic file submittal requirements – Growth Management and Information Technology Departments

Addressing

Findings of Compliance:

The application has been reviewed for compliance with Division 17, Addressing, of the Martin County Land Development Regulations. Staff finds that the proposed site plan complies with applicable addressing regulations. All street names are in compliance. They meet all street naming regulations in Article 4, Division 17, Land Development Regulations. Martin County, Fla. (2025).

Electronic File Submittal

Findings of Compliance:

The AutoCAD dwg file of the site was found to be in compliance with Section 10.2.B.2., Land Development Regulations, Martin County, Fla. (2025).

O. Determination of compliance with utilities requirements – Utilities Department

Water and Wastewater Service

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

Wellfield and Groundwater Protection

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

P. Determination of compliance with fire prevention and emergency management requirements – Fire Rescue Department

Fire Prevention

Finding of Compliance:

The Fire Prevention Division finds this submittal to be in compliance with the applicable provisions governing construction and life safety standards of the Florida Fire Prevention Code. This occupancy shall comply with all applicable provisions of governing codes whether implied or not in this review, in addition to all previous requirements of prior reviews.

Emergency Management

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

Q. Determination of compliance with Americans with Disability Act (ADA) requirements – General Services Department

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

R. Determination of Compliance with Martin County Health Department and Martin County School Board

Martin County Health Department

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

Martin County School Board

N/A - Staff review for compliance requirements associated with this area of regulations is not applicable to this project as currently proposed.

S. Determination of compliance with legal requirements – County Attorney's Office

Review ongoing.

T. Determination of compliance with adequate public facilities requirements – responsible departments

The review for compliance with the standards for a Certificate of Adequate Public Facilities Exemption for development demonstrates that no additional impacts on public facilities were created in accordance with §5.32.B., LDR, Code. Exempted development will be treated as committed development for which the County assures concurrency.

Examples of developments that do not create additional impact on public facilities include:

- A. Additions to nonresidential uses that do not create additional impact on public facilities.

- B. Changes in use of property when the new use does not increase the impact on public facilities over the pre-existing use, except that no change in use will be considered exempt when the preexisting use has been discontinued for two years or more.
- C. Zoning district changes to the district of lowest density or intensity necessary to achieve consistency with the Comprehensive Growth Management Plan.
- D. Boundary plats which permit no site development.

U. Post-approval requirements

After approval of the development order, the applicant will receive a letter and a Post Approval Requirements List that identifies the documents and fees required. Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Please submit all of the following items in a single hard copy packet. Once submitted, a unique ShareBase link will be provided to the agent via email. CDs and Flash Drives are no longer accepted for post approval submittals. The 24" x 36" plans should be submitted rolled and in separate sets as itemized below. Please note, the Public Works Department still requires a blank flash drive for the plans that will be stamped as part of post approval process. This flash drive will be distributed to the applicant/engineer of record at the pre-construction meeting. This blank flash drive now needs to be brand new, unopened in the original package.

1. Response to Post Approval Requirements List

The applicant will submit a response memo addressing the items on the Post Approval Requirements List.

2. Post Approval Fees

The applicant is required to pay all remaining fees when submitting the post approval packet. If an extension is granted, the fees must be paid within 60 days from the date of the development order. Checks should be made payable to Martin County Board of County Commissioners. Outstanding consultant fees must be submitted as part of the post-approval process.

3. Recording Costs

The applicant is responsible for all recording costs. The Growth Management Department will calculate the recording costs and contact the applicant with the payment amount required. Checks should be made payable to the Martin County Clerk of Court.

4. Warranty Deed

One (1) copy of the recorded warranty deed if a property title transfer has occurred since the site plan approval. If there has not been a property title transfer since the approval, provide a letter stating that no title transfer has occurred.

5. Engineers Design Certification

One (1) original of the Engineer's Design Certification, on the County format, which is available on the Martin County website, signed and sealed by the Engineer of Record licensed in the State of Florida shall be submitted as part of the post-approval process in accordance with Section 10.11, Land Development Regulations, Martin County, Florida.

6. Construction Plans

One (1) 24" x 36" copy of the approved construction plans signed and sealed by the Engineer of Record licensed in the State of Florida. Rolled.

7. Digital Copy of Construction Plans

One (1) digital copy of the Construction Plans in PDF format. The digital version shall be signed/sealed, and third party authenticated. The digital version must match the hardcopy as submitted and be consistent with the approved documents.

8. Approved Final Site Plan

One (1) copy 24" x 36" of the approved final site plan.

9. Digital Copy of Approved Final Site Plan

One (1) digital copy of site plan in AutoCAD drawing format (.dwg). An e-Transmit zip file with 2018 file format is preferred. The digital version of the site plan must match the hardcopy version as submitted.

10. Flash/Thumb Drive

One unopened (1) blank USB flash/thumb drive, in the original package, which will be utilized to provide the applicant with the approved stamped and signed project plans at the pre-construction meeting.

V. Local, State, and Federal Permits

Approval of the development order is conditioned upon the applicant's submittal of all required applicable Local, State, and Federal Permits to Martin County prior to scheduling the pre-construction meeting.

W. Fees

Public advertising fees for the development order will be determined and billed subsequent to the public hearing. Fees for this application are calculated as follows:

Fee type:	Fee amount:	Fee payment:	Balance:
Application review:	\$9,127.00	\$9,127.00	\$0.00
Consultant*	\$4,499.00	\$3,150.00	\$1,349.00*
Inspection Engineering:	\$4,900	\$0.00	\$4,900
Advertising**:	\$0.00	\$0.00	\$0.00
Recording***:	\$0.00	\$0.00	\$0.00

* Estimated remaining consultant fees. Outstanding consultant fees must be submitted as part of the post-approval process.

** Advertising fees will be determined once the ads have been placed and billed to the County.

*** Recording fees will be identified after the post approval package has been submitted.

X. General application information

1. Applicant/Owner

Name: Fazlul & Zarna Ahmed

Address: 104 West Thatch Palm Circle

City/State: Jupiter, FL 33458

2. Agent

Name: United Commercial Telecom, LLC

Contact: Kevin Wright

Address: 725 Primera Boulevard, Suite 225

City/State: Lake Mary, FL 32746

Phone Number: 850-503-2425

Email: kwright@unitedcommercial.net

3. Engineer

Name: Gen3 Engineering

Contact: Darryl J. Kroeze, P.E.

Address: 27139 Sea Breeze Way

City/State: Wesley Chapel, FL 33544

Phone Number: 813-917-2671

Email: darryl.kroeze@gen3engineering.com

Y. Acronyms

ADA	Americans with Disability Act
AHJ	Authority Having Jurisdiction
ARDP	Active Residential Development Preference
BCC	Board of County Commissioners
CGMP	Comprehensive Growth Management Plan
CID	Capital Improvements Element
CIP	Capital Improvements Plan
FACBC	Florida Accessibility Code for Building Construction
FDEP	Florida Department of Environmental Protection
FDOT	Florida Department of Transportation
LDR	Land Development Regulations
LOS	Level of Service
LPA	Local Planning Agency
MCC	Martin County Code

MCHD	Martin County Health Department
NFPA	National Fire Protection Association
SFWMD	South Florida Water Management District
UPA	Units per Acre

Z. Attachments