



# MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

## STAFF REPORT

### *A. Application Information*

## COVE ROYALE PUD, PHASE 1 REPLAT

Applicant:	KH Cove Royale, LLC
Property Owner:	KH Cove Royale, LLC (Jonas Read)
Agent for Applicant:	Cotleur & Hearing (George Missimer)
County Project Coordinator:	Brian Elam, PMP, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	C165-006
Record Number:	DEV2023070009
Report Number:	2024_0202_C165-006_DRT_STAFF_FINAL
Application Received:	10/19/2023
Transmitted:	10/23/2023
Date of Report:	11/30/2023
Application Received:	12/20/2023
Transmitted:	12/21/2023
Date of Report:	02/02/2024

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administrator Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at [www.martin.fl.us?accessibility-feedback](http://www.martin.fl.us?accessibility-feedback).

### *B. Project description and analysis*

This is a request by Cotleur & Hearing on behalf of KH Cove Royale, LLC for approval of the Cove Royale Planned Unit Development (PUD) Phase 1 Replat consistent with the approved Cove Royale PUD Revised Phase 1 Final Site Plan of a residential development consisting of 83 single family lots and associated infrastructure on approximately 70.25 acres of the 97.06-acre site. The subject site is located on the south side of SE Cove Road approximately 1.5 miles east of SW Kanner Highway at 6740 and 6970 SE Haven Lane in Stuart. Included with this application is a request for a Certificate of Public Facilities Exemption.

The Cove Royale PUD Master and Final Site Plan was approved March 26, 2019, changing the existing A-1, Small Farms zoning district to the PUD and approving 118 single-family residential lots on 97 acres

of undeveloped land. The first amendment to the Cove Royale PUD was approved on May 5, 2020 and included a revised Preserve Area Management Plan (PAMP), Revised Master and Phasing Plan and a Phase 1 Final Site plan with 81 single family lots. The second amendment included a Revised Master and Phasing Plan, amended the PAMP and a Revised Phase 1 Final Site Plan to increase the approved single family lots from 81 to 83 and was approved March 21, 2023.

### **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:

<b>Section</b>	<b>Division or Department</b>	<b>Reviewer</b>	<b>Phone</b>	<b>Assessment</b>
F	Comprehensive Plan	Brian Elam	772-288-5501	Non-Comply
F	ARDP	Samantha Lovelady	772-288-5664	N/A
G	Development Review	Brian Elam	772-288-5501	Non-Comply
H	Commercial Design	Brian Elam	772-288-5501	N/A
H	Community Redevelopment	Brian Elam	772-288-5501	N/A
I	Property Management	Ellen MacArthur	772-221-1334	N/A
J	Environmental	Shawn McCarthy	772-288-5508	Comply
J	Landscaping	Karen Sjöholm	772-288-5909	Non-Comply
K	Transportation	Lukas Lambert	772-221-2300	N/A
L	County Surveyor	Tom Walker	772-288-5928	Non-Comply
M	Engineering	Stephanie Piche	772-223-4858	N/A
N	Addressing	Emily Kohler	772-288-5692	Non-Comply
N	Electronic File Submission	Emily Kohler	772-288-5692	N/A
O	Water and Wastewater	James Christ	772-320-3034	Non-Comply
O	Wellfields	James Christ	772-320-3034	Comply
P	Fire Prevention	Doug Killane	772-419-5396	N/A
P	Emergency Management	Sally Waite	772-219-4942	N/A
Q	ADA	Stephanie Piche	772-223-4858	N/A
R	Health Department	Nicholas Clifton	772-221-4090	N/A
R	School Board	Juan Lameda	772-219-1200	N/A
S	County Attorney	Elysse A. Elder	772-288-5925	Review Ongoing
T	Adequate Public Facilities	Brian Elam	772-288-5501	Exempt

### **D. Review Board action**

This application is for a plat. As such, final action on this request is required to be heard at a public meeting. The public meeting shall be before the Board of County Commissioners (BCC), who will take final action on the request pursuant to Table 10.5.F.9., LDR, Martin County, Florida (2021).

Pursuant to Sections 10.1.E. and 10.2.B.2., Land Development Regulations, Martin County, Fla. (2021), 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 is required to re-submit materials in response to the non-compliance findings within this report. Upon receipt, the re-submitted materials will be transmitted for review to the appropriate review agencies and individuals that participate in the County's review process. A revised staff report will be created once the next review cycle has been completed.

#### ***E. Location and site information***

Parcel number:	343841001000000903
Parcel number:	343841000000000101
Address:	6740 and 6970 SE Haven Lane, Stuart, Florida
Existing zoning:	Cove Royale PUD
Future land use:	Estate Density 2UPA
Nearest major road:	SE Cove Road
Gross area of site:	97.06 acres

**Figure 1: Location Map**





Figure 2: Zoning Atlas Except

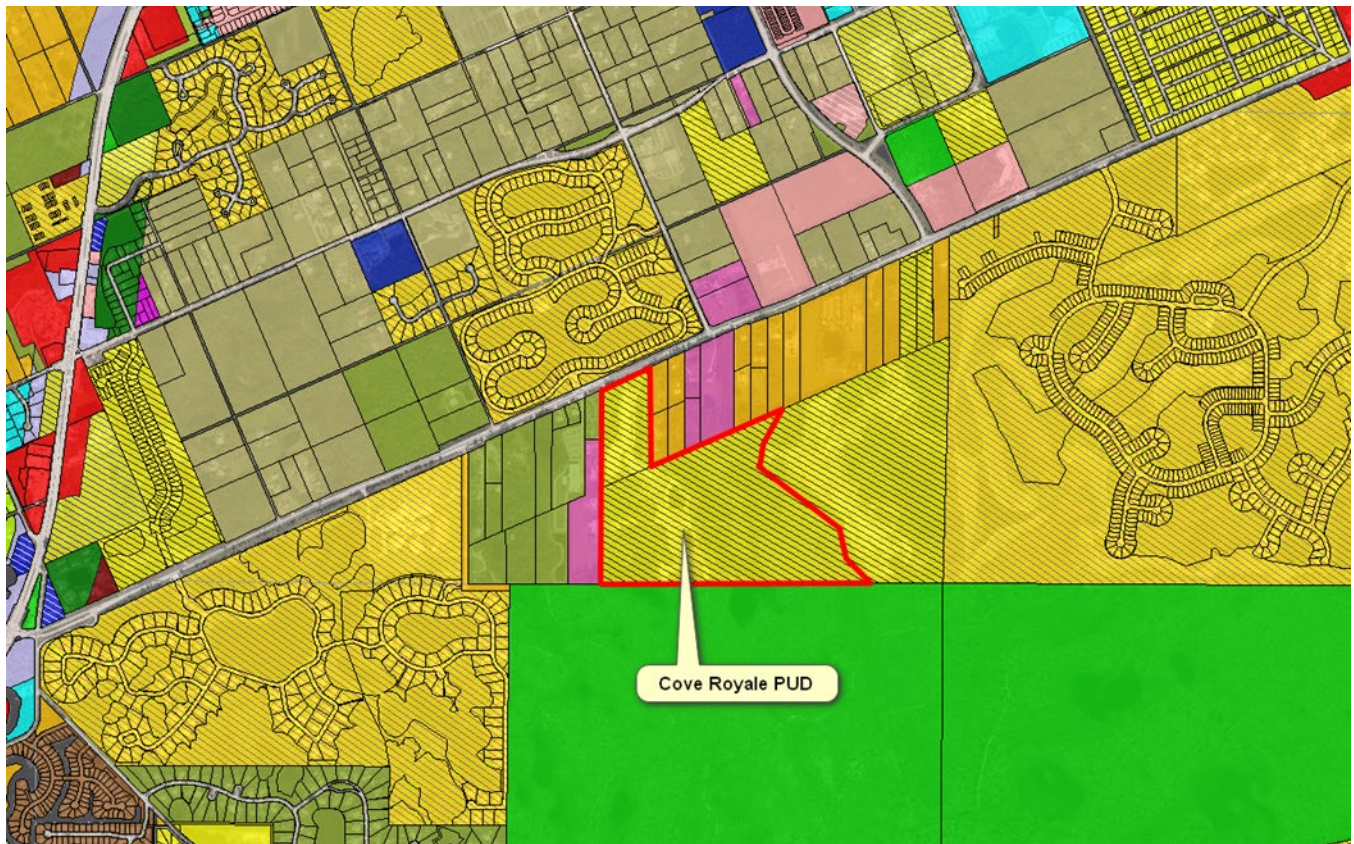
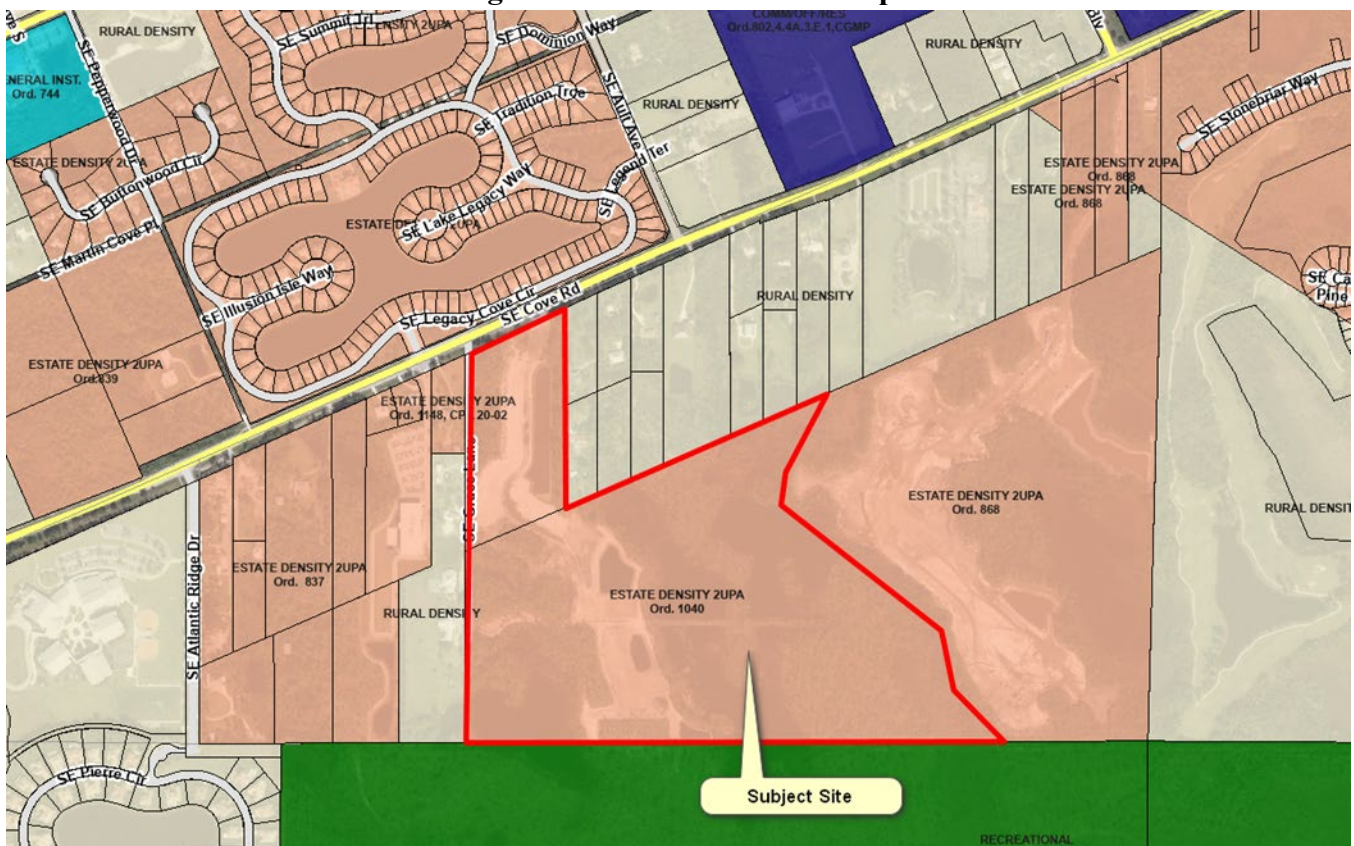


Figure 3: Future Land Use Map



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

**Unresolved Issues:**

**Generic Comp Plan Compliance**

This application cannot be deemed to be in compliance with the Martin County Comprehensive Growth Management Plan (CGMP) until the issues identified in this report have been satisfactorily resolved MARTIN COUNTY, FLA., CGMP §1.3.

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

**Unresolved Issue:**

Plat Title

Plat title needs to be changed to “COVE ROYALE PUD PHASE 1 PLAT”.

**Information #1:**

**Payment Of Taxes**

No land shall be divided or subdivided and no drawing or plat of the division or subdivision of any land, or declaration of condominium of such land, shall be filed or recorded in the public records of any court until all taxes have been paid on the land SECTION 197.192, FLA. STAT. (2016).

***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.

## Landscaping

### Unresolved Issues:

No landscape plans are being reviewed in association with this application for Plat. Landscape plans have been approved for the Master Plan and Final Site Plan Review. It appears that areas provided on the Plat will provide for required landscape areas, however, additional clarifications may be required within the plat Dedication related to preserve areas and SFWMD Conservation Areas.

#### Item #1.

### Corrections: Comments Not Addressed.

Dedication #5:

Preservation Areas #1 does not meet preserve size dimensions and needs to be identified as a Native Landscape Area to consist of preserved existing native vegetation and to be maintained in accordance with the approved PAMP. (Sheet 6 of 9)

Northern portions of Preserve Tract #4 also do not meet preserve size dimensions and needs to be identified as a Native Landscape Area to consist of preserved existing native vegetation. This area includes a SFWMD Conservation Easement that also needs to be identified. (Sheet 9 of 9)

### Remedy:

Verify that Environmental review does not object to these areas being shown as preserve areas. Verify that inclusion of these area calculations do not create inconsistency with site plan data or the PAMP.

### ***K. Determination of compliance with transportation 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.

### ***L. Determination of compliance with county surveyor – Engineering Department***

### Unresolved Issues:

#### Item #1.

A boundary survey, signed and sealed by the surveyor and mapper whose signatures and seals appear on the plat, must be submitted. The survey shall:

1. Have been completed within 180 days of the date of the initial staff review of the plat,
2. Be certified to meet the standards of practice recognized by Florida Board of Professional Land Surveyors, as set forth in Chapter [DOACS 5J-17.050, 051, 052 and Chapter 177.041 061] and established pursuant to Ch 472, F. S., as amended, and
3. Include a title opinion of an attorney or certification by an abstractor.

[Ch 177.041.(1) and (2), F. S.]

A specific purpose survey may be submitted in the circumstance in which a safe upland line is used to approximate the boundary adjacent to a navigable water body.

[Ch. 177.04, Part I, F. S.; Sec. 4.912.C.14, M.C. Code, Vol 2]



**Remedy/Suggestion/Clarification:**

1. Please see provided Boundary Survey redlines and address comments accordingly.
2. Make any applicable corresponding changes to the Plat based on said redlines.
3. Make sure updated Boundary Survey meets all other requirements.

**Item #2.**

Plat certification and consent language must be provided in substantial conformance to [Resolution No. 02-6.1]

**Remedy/Suggestion/Clarification:**

1. Correct inconsistencies on the provided markup and ensure conformance with language in Resolution No. 02-6.1.
2. The Site Plan depicts various wetland areas. Show said areas on the plat and add the appropriate dedication/reservation language into the plat certifications.
3. Add dedication for Tract containing SE Grace Lane.

**Item #3.**

The legal description shall be consistent with the title certification. It shall include the total acreage of the platted land.

[Ch 177.091.(11), Part 1, F.S.; 4.912.C.20, M.C. Code Vol 2]

**Remedy/Suggestion/Clarification:**

1. Correct the inconsistencies in the vesting deed legal description as shown on the boundary survey with the vesting deed description as recorded in the public records of Martin County, Florida. Likewise, correct for consistency the vesting deed legal description as show in the title report.
2. On the boundary survey, underneath the sub-caption of... “Being more particularly described as follow:”, add the new metes and bounds description like the one shown on the proposed plat of subdivision after its revisions as noted therein.

**Item #4.**

A legend of all symbols and abbreviations must be shown.

[DOACS, Chapter 5J-17.051, Ch 177.091.(29), Part 1, F. S.]

**Remedy/Suggestion/Clarification:**

1. Add all missing abbreviations and symbols to the legend.
2. Correct the differences in punctuation between the abbreviation as label in the legend and the ones as labeled on the plat and survey and/or vice versa.

**Item #5.**

The plat shall be consistent with an approved final site plan.

**Remedy/Suggestion/Clarification:**

1. Review provided markups and make all applicable changes based on these comments.
2. The plat shows additional tracts that are not depicted on the site plan. Address the noted issues and correct these discrepancies on the plat and/or site plan accordingly.
3. The site plan depicts wetland tracts that are not shown on the plat. Address the noted discrepancies and correct the site plan and/or plat accordingly.
4. Ensure the plat is consistent with the approved final site plan.

**Item #6.**

The location, width and names of all streets, waterways, or other rights-of-way must be shown on the plat.

(Ch 177.091.(15), Part I, F. S.)

**Remedy/Suggestion/Clarification:**

1. There are many labeling inconsistencies on the plat that do not meet the above stated requirement. Please revise the plat accordingly.
2. There are tracts on the plat that are not numbered consecutively. Address the noted issue and revise the tract names and closure reports accordingly.
3. Replace the square footage data on all lots with the acreage information to the nearest hundredth of an acre.

**Item #7.**

Platted lines must conform to the following criteria:

1. Non-curved lines shall include the distances angles, and bearings or azimuths.
2. Curvilinear lot lines shall show the radii, arc distances, and central angles. Radial lines will be so designated. Direction of non-radial lines shall be indicated.
3. Sufficient angles, bearings, or azimuth to show direction of all lines shall be shown, and all bearings, angles, or azimuth shall be shown to the nearest second of arc.
4. The centerlines of all streets shall be shown as follows: noncurved lines: distances together with either angles, bearings, or azimuths; curved lines: arc distances, central angles, and radii, together with chord and chord bearing or azimuths.

A tabular form may be used to display the information, to be included on the sheet to which it pertains.

(Ch 177.091.(20-22), Part I, F.S.; Sec. 4.912.C.8a,b & c)

**Remedy/Suggestion/Clarification:**

1. Label any “Non-Radial”, (NR) lines on that plat.
2. Add an appropriate radial line statement into the Surveyors & Mappers Notes.



3. (a) Add the missing leaders, text and/or symbols where truncated along the match lines throughout the plat, details, and survey. (b) When a curve or a line extends over more than one sheet, that curve or line data shall repeat on each sheet at or near to the match line.
4. Correct the truncated text, text overprints and text that have been obscured by graphics throughout the Plat and survey.

**Item #8.**

**Closure Reports.**

**Remedy/Suggestion/Clarification:**

1. Show the NAD 83 (2011 Adjustment) coordinates on the closure report for the Overall Plat Boundary and on all reports. Additionally, set the closure values for all reports out to two decimal places.
2. Refer to the mark-ups on the closure reports and correct all instances where a single curve and/or line was broken up into multiple segments.

**Item #9.**

**PRM inspection:**

**Remedy/Suggestion/Clarification:**

Please provide a Field Inspection Request for inspection of all PRM's and lot/tract corners as soon as possible. This can potentially delay the Post Approval process.

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

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

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

**Addressing**

**Unresolved Issue:**

Please add the directional prefix SE to the street name labels on the plat.

**Electronic File Submittal**

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

***O. Determination of compliance with utilities requirements – Utilities Department***

**Water and Wastewater Service**

**Unresolved Issue:**

The plat does not provide easements or dedications for the utilities to be maintained by Martin County Utilities in and across the recreation tract. The applicant must show utility easements on the plat. The

applicant must also include dedications for the easements on the plat documents. These changes must be made to the plat prior to final plat approval.

### **Wellfield and Groundwater Protection**

#### **Findings of Compliance:**

The application has been reviewed for compliance under the Wellfield Protection Program. The reviewer finds the application in compliance with the Wellfield Protection and Groundwater Protection Ordinances. [Martin County, Fla., LDR, Article 4, Division 5] (2016)

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

##### **Fire Prevention**

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

##### **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 Section 5.32.B., LDR. 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 and in electronic pdf format (on disk or flash drive) with the documents arranged in the order shown in the list below. The 24" x 36" plans should be submitted rolled and in separate sets as itemized below.

Item	Description	Requirement
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.
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
5.	Approved Plat	Three (3) paper copies 24" x 36" of the approved plat.

Item	Description	Requirement
6.	Declaration of Covenants and Restrictions	Original executed Declarations of Covenants and Restrictions for the homeowner's association.
7.	Executed Mylar	Original executed plat on Mylar or other plastic, stable material. All names, signatures, stamps, and related data must be inscribed in 'India' ink or similar indelible ink to assure permanent legibility.
8.	Executed Contract of Construction of Required Improvements	Original and one (1) copy of the executed Contract for Construction of Required Improvements including the current County-approved cost estimate labeled Exhibit A and corresponding executed surety labeled as Exhibit B.
9.	Paid Taxes	One (1) copy of Tax Collector's paid property tax receipt.
10.	Approved Revised Final Site Plan	One (1) copy 24" x 36" of the approved revised final site plan.
11.	Digital Copy of Plat	One (1) digital copy of the plat in AutoCAD 2010 – 2014 drawing format (.dwg). The digital version of the plat must match the hardcopy version as submitted.
12.	Approved Cost Estimate	One (1) copy of the approved cost estimate and, if changed, a revised Cost Estimate with an explanation of its change signed and sealed by the Engineer of Record licensed in the State of Florida.
13.	Flash/Thumb Drive	One (1) blank USB flash/thumb drive, which will be utilized to provide the applicant with the approved stamped and signed project plans.

#### ***V. Local, State, and Federal Permits***

There are no applicable Local, State and Federal Permits required in conjunction with this plat application.



### **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:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance:</i>
Application review fees:	\$16,600	\$16,600	\$0.00
Recording fees *:	TBD		

\* Recording fees will be identified on the post approval checklist.

### **X. General application information**

Applicant:	KH Cove Royale, LLC Jonas Read 4807 PGA Boulevard Palm Beach Gardens, Florida 33418 561-309-2405 jread@kolter.com
Owner:	KH Cove Royale, LLC Jonas Read 4807 PGA Boulevard Palm Beach Gardens, Florida 33418 561-309-2405 jread@kolter.com
Agent:	Cotleur & Hearing George Missimer 1934 Commerce Lane, Suite 1 Jupiter, Florida 33458 561-406-1024 gmissimer@cotleur-hearing.com
Surveyor:	Caulfield and Wheeler Ronnie Furniss, PSM 240 NW Peacock Blvd, Suite 201 Port Saint Lucie, FL 34986 772-408-1920

### **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
CIE	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
LPA	Local Planning Agency
MCC	Martin County Code
MCHD	Martin County Health Department
NFPA	National Fire Protection Association
SFWMD	South Florida Water Management District
W/WWSA	Water/Waste Water Service Agreement

## ***Z. Attachments***

Attachment 1: 2024\_0117\_C165-006 Boundary Redlines

Attachment 2: 2024\_0117\_C165-006 Closure Report Redlines

Attachment 3: 2024\_0117\_C165-006 Final Site Plan Redlines

Attachment 4: 2024\_0117\_C165-006 Plat Redlines