

PDS Order 17-006

MNSP 120164981

AN ORDER GRANTING A MINOR SITE PLAN APPROVAL FOR THE PROJECT TO BE KNOWN AS DRAWDY – BROCKSMITH RD SUBDIVISION

WHEREAS, the St. Lucie County Planning and Development Services Director has reviewed the application for site plan approval and reviewed the comments of the St. Lucie County Development Review Committee on this application, and made the following determinations:

1. Culpepper and Terpening, Inc. submitted an application on behalf of Drawdy Brothers Investments, LLLP and Troy W. Drawdy (TR) for Minor Site Plan approval for an eight (8) parcels subdivision for residential and small agricultural uses to be known as Drawdy – Brocksmith Rd Subdivision, located on the east side of Brocksmith Road, approximately $\frac{3}{4}$ mile north of Okeechobee Road in the AG-5 (Agricultural – 1du/5acres) Zoning District as more particularly described in Part B below and depicted on Exhibit A.
2. On May 17, 2016, the Board of County Commissioners granted a waiver, with conditions, from the paving provisions for access to new development set forth in Land Development Code Section 7.05.07.
3. The Development Review Committee has reviewed the site plan for the proposed project and found, with the proposed conditions, it meets the technical requirements of the St. Lucie County Land Development Code and has satisfied the standards of review set forth in Section 11.02.07, *Standards for Site Plan Review*, of the Land Development Code.
4. The project will not have an undue adverse impact on adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, or other matters affecting the public health, safety, and general welfare.
5. All reasonable steps have been taken to minimize any adverse effect of the proposed project on the immediate vicinity through site design.
6. The project is designed, constructed and operated so as not to interfere with the development and use of neighboring property, in accordance with applicable district regulations.
7. The project is to be served by adequate public facilities and services; well and septic systems will be permitted by the Florida Department of Health for the individual parcels.

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8. Planning Staff has performed a detailed analysis of the project and determined it to be consistent with the St. Lucie County Land Development Code and Comprehensive Plan. The analysis is found in the Development Review Committee Final Report for the *Drawdy – Brocksmith Rd Minor Site Plan*, dated January 11, 2017.
9. The applicant has applied for and received a Certificate of Capacity, a copy of which is attached to this order, as required under Chapter V, St. Lucie County Land Development Code.

NOW, THEREFORE, BE IT ORDERED:

- A. Pursuant to Section 11.02.03 of the St. Lucie County Land Development Code, the proposed Minor Site Plan project known as Drawdy – Brocksmith Rd Subdivision, is hereby approved as shown on the site plan drawings for the project prepared by Culpepper and Terpening, Inc., dated December 28, 2015, revised through December 12, 2016, and date stamped received by the St. Lucie County Planning and Development Services Department on January 09, 2017, subject to the following conditions:
 1. The Final Plat dedications shall include language that current and or future property owners and their heirs and assigns within the Drawdy – Brocksmith Rd Subdivision agree to participate in any lawfully established MSBU or other special assessment district created for the purpose of providing for the paving and drainage improvements to South Brocksmith Road.
 2. Prior to the recording of the Final Plat, the developer shall remit to the County \$27,300.00 for the maintenance of Brocksmith Road, in accordance with conditions stated in Resolution 2016-74.
 3. Prior to, or as part of, the final platting of the subject property, the applicant shall convey the required road right-of-way, at no cost to the County, for South Brocksmith Road. Manner and form of conveyance shall be acceptable to the County Attorney.
 4. Prior to the issuance of any construction authorizations Final Plat approval shall be granted by the Board of County Commissioners.
 5. Within 90 days of site plan approval or prior to issuance of a Vegetation Removal Permit or Exemption, whichever comes first, the applicant shall provide the required executed Conservation Easement, approved Preserve Area Monitoring and Management Plan (PAMMP) with an attached affidavit and cashier's check (payable to the Clerk of the Court for recording fees) to the County Attorney for review and approval along with a shapefile or other GIS compatible digital file showing the boundary of the easement [Comprehensive

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Plan 9.1.4.4]. A copy of a standard Conservation Easement can be found on the St. Lucie County Environmental Resources Department website at: http://www.stlucieco.gov/pdfs/Conservation_Easement_Form.pdf.

- 6. The issuance of County development permit does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
- 7. All other applicable state or federal permits must be obtained before commencement of the development.

B. The property on which this Minor Site Plan approval is being granted is described as follows:

THE WEST 1/2 OF BLOCKS 3, 6, 10 AND 13 AND ALL OF BLOCKS 4, 5, 11 AND 12, ST. CLAIRE CITY, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT BOOK 6, PAGE 44, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

AND

THE W 1/2 OF LOT 10, AND THE N 1/2 OF THE W 1/2 OF LOT 15, UNNAMED SUBDIVISION OF ALL OF SECTION 29, TOWNSHIP 35 SOUTH, RANGE 39 EAST, ACCORDING TO THE MAP OR PLAT THEREOF, RECORDED IN PLAT BOOK 3, PAGE 23, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

AND

ALL OF BLOCK 19 AND THE WEST HALF OF BLOCK 18 OF ST. CLAIRE CITY SUBDIVISION, AS PER PLAT THEREOF AS RECORDED IN PLAT BOOK 6, PAGE 44, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

Parcel ID: 2320-501-0072-000/2 and 2320-501-0072-010/5

Location: S. Brocksmith Road, approximately 3/4 miles north of Okeechobee Road.

- C. The approvals granted by this administrative order shall expire on January 17, 2019, unless a building permit is issued or an extension is granted in accordance with the provisions of Section 11.02.06 of the St. Lucie County Land Development Code.
- D. The developer is advised as part of this site plan approval that the developer or any successor in interest shall obtain all applicable development permits and construction authorizations from the appropriate State and Federal and local regulatory agencies including, but not limited

to, the United States Army Corps of Engineers, the Florida Department of Environmental Protection, and South Florida Water Management District, and the St. Lucie County Environmental Resources and Building Departments prior to the commencement of any development activities on the property described in Part B. Issuance of this approval by the County does not in any way create any rights on the part of the developer to obtain a permit from a state or federal agency and does not create any liability on the part of the County for issuance of this permit if the developer fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertake actions that may result in a violation of state or federal law.

- E. This Order shall become effective upon the date of approval indicated below. Should the property owner, developer or authorized agent wish to appeal any condition described in Part A above, all such appeals must be filed in writing with the County Administrator within 30 days of the rendering of this Order, as described in Section 11.02.03(B), St. Lucie County Land Development Code. Should an appeal to this Order be filed, no permitting reviews or further administrative action shall take place on the processing of this development project until the appeal is resolved.
- F. A copy of this Order shall be attached to the site plan drawings described in Part A, which plan shall be placed on file with the St. Lucie County Planning and Development Services Director and mailed to the applicant and agent of record as identified on the site plan applications.
- G. The conditions set forth in Part A are an integral nonseverable part of the site plan approval granted by this Order. If any condition set forth in Part A is determined to be invalid or unenforceable for any reason and the developer declines to comply voluntarily with that condition, the site plan approval granted by this order shall become null and void.
- H. The Certificate of Capacity # 2980 shall be valid for the same period as this order. If this order expires or otherwise terminates, the Certificate of Capacity shall automatically terminate.

I. This order shall be recorded in the Public Records of St. Lucie County.

ORDER effective the 17th day of January, 2017.

PLANNING AND DEVELOPMENT
SERVICES INTERIM DIRECTOR
ST. LUCIE COUNTY, FLORIDA

BY


Leslie Olson, AICP

APPROVED AS TO FORM
AND CORRECTNESS:

BY


County Attorney

St Lucie County Certificate of Capacity

Date 1/11/2017

Certificate No. 2980

This document certifies that concurrency will be met and that adequate public facility capacity exists to maintain the standards for levels of service as adopted in the St Lucie County Comprehensive Plan for:

1. Type of development Minor Site Plan

Number of units 0

Number of square feet

2. Property legal description & Tax ID no.

232050100720002 & 232050100720105

East Side of Brocksmith Rd, N of Okeechobee

Drawdy - Brocksmith Rd Subdivison

3. Approval: Building

Resolution No. PDS 17-006

Letter 1/11/17

4. Subject to the following conditions for concurrency:

Owner's name

Drawdy Brothers Investments, LLLP, & Troy W. Drawdy (TR)

Address

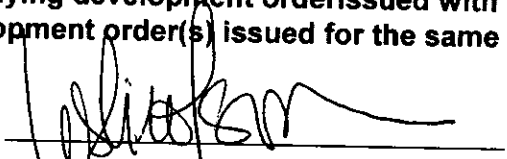
10690 West Midway Road

Fort Pierce FL 34981

6. Certificate Expiration Date 1/11/2018

This Certificate of Capacity is transferable only to subsequent owners of the same parcel, and is subject to the same terms, conditions and expiration date listed herein. The expiration date can be extended only under the same terms and conditions as the underlying development order issued with this certificate, or for subsequent development order(s) issued for the same property, use and size as described herein.

Signed



Date: 1/11/2017

**Planning and Development Services Director
St Lucie County, Florida**