

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

RESOLUTION NUMBER 21-4.14

REGARDING CHANGE IN ZONING CLASSIFICATION FROM RE-2A, RURAL ESTATE DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT FOR HIGHPOINTE PUD WITH A CERTIFICATE OF PUBLIC FACILITIES EXEMPTION

WHEREAS, this Board has made the following determinations of fact:

1. Christ Fellowship Church Inc. submitted an application for a change in zoning district classification from the current RE-2A, Rural Estate District to the PUD, Planned Unit Development District for the property described in Exhibit A, attached hereto.
2. The Local Planning Agency considered the application at a public hearing on April 15, 2021, and recommended approval of the applicant's request.
3. This Board has considered such recommendations.
4. Upon proper notice of hearing this Board held a public hearing on the application on April 27, 2021.
5. At the public hearing, all interested parties were given an opportunity to be heard.
6. All conditions precedent to granting the change in zoning district classification have been met.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

A. The zoning district classification of the property described in Exhibit A is hereby changed from the RE-2A, Rural Estate District to the PUD, Planned Unit Development District pursuant to the Highpointe Planned Unit Development Zoning Agreement.

B. Pursuant to Section 5.32.B.3.f., Land Development Regulations, Martin County Code, this rezoning action is hereby determined to meet the requirements for a Certificate of Public Facilities Exemption.

C. Pursuant to Section 14.1C.5.(2), Comprehensive Growth Management Plan, Martin County Code, regarding preliminary development approvals, the property described in Exhibit A is subject to a determination of level of service capacity at final site plan approval and no rights to obtain final development orders, nor any other rights to develop the subject property have been granted or implied by this Board.

D. The effective date of this resolution, if Comprehensive Plan Amendments CPA 19-19 and CPA 20-04, Pulte at Christ Fellowship are not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If CPA 19-19 and CPA 20-04 are timely challenged, this resolution shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on CPA 20-01 may be issued or commence before it has become effective.

E. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 27th DAY OF APRIL, 2021.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: 
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER

BY: 
STACEY HETHERINGTON, CHAIR

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

BY: 
KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY

DESCRIPTION:

ALL OF TRACTS 1, 2, 7, 8, 9, 10 AND THE NORTH THREE QUARTERS OF TRACTS 15 AND 16, SECTION 17, TOWNSHIP 39 SOUTH, RANGE 41 EAST, TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 6, PUBLIC RECORDS OF PALM BEACH COUNTY (NOW MARTIN COUNTY), FLORIDA.

TOGETHER WITH THE SOUTH 834.49 FEET OF THAT PART OF TRACTS 15 AND 16, SECTION 8, TOWNSHIP 39 SOUTH, RANGE 41 EAST, OF SAID PLAT OF TROPICAL FRUIT FARMS, LYING WESTERLY OF THE RIGHT-OF-WAY FOR FLORIDA'S TURNPIKE.

EXCEPTING THEREFROM THE RIGHT-OF-WAY DEEDED TO MARTIN COUNTY IN DEED BOOK 42, PAGE 517 AND DEED BOOK 42, PAGE 524, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

ALSO EXCEPTING THE RIGHTS-OF-WAY DEEDED TO MARTIN COUNTY IN OFFICIAL RECORD BOOK 111, PAGE 546 AND OFFICIAL RECORD BOOK 111, PAGE 551, AND OFFICIAL RECORD BOOK 111, PAGE 556, ALL OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

ALSO EXCEPTING THE RIGHT-OF-WAY FOR THE SOUTH FORK HIGH SCHOOL ACCESS ROAD, RECORDED IN OFFICIAL RECORD BOOK 494, PAGE 2683, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

ALSO EXCEPTING THE 40 FOOT POSTED AND VIEWED RIGHT OF WAY (KANSAS AVENUE) BY DECLARATION OF THE COUNTY COMMISSIONERS OF PALM BEACH COUNTY SEPTEMBER 5, 1923.

ALL OF THE ABOVE LANDS BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A PARCEL OF LAND BEING COMPRISED OF ALL OF TRACTS 1, 8, AND 9, AND A PORTION OF TRACTS 2, 7, 10, 15 AND 16, SECTION 17, TOWNSHIP 39 SOUTH, RANGE 41 EAST, TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 6 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA;

TOGETHER WITH A PORTION OF TRACTS 15 AND 16, SECTION 8, TOWNSHIP 39 SOUTH, RANGE 41 EAST, TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 6 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, IN ALL BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST CORNER OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SECTION 17, TOWNSHIP 39 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA;

THENCE NORTH 02°15'47" EAST (AS A BASIS OF BEARINGS) ALONG THE WEST LINE OF THE EAST ONE-HALF (E ½) OF SAID SECTION 17, A DISTANCE OF 461.64 FEET TO A POINT BEING ON THE NORTH LINE OF THE 130 FOOT WIDE STRIP OF LAND CONVEYED TO THE SCHOOL BOARD OF MARTIN COUNTY, FLORIDA, AS MENTIONED IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 494, PAGE 2683 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA;

THENCE SOUTH 89°57'57" EAST ALONG SAID NORTH LINE, A DISTANCE 100.08 FEET TO A POINT BEING ON A LINE LYING 100.00 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES) THE WEST LINE OF THE EAST ONE-HALF (E ½) OF SAID SECTION 17 AND THE POINT OF BEGINNING;

THENCE NORTH 02°15'47" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 3,840.97 FEET TO THE POINT OF CURVATURE OF A CIRCULAR CURVE TO THE LEFT;

THENCE NORTHWESTERLY ALONG THE ARCH OF SAID CURVE HAVING A RADIUS OF 4,683.75 FEET, A CENTRAL ANGLE OF 08°22'46" FOR A DISTANCE OF 684.99 FEET TO A POINT BEING ON A LINE LYING 50.00 FEET EAST OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES) SAID WEST LINE OF THE EAST ONE-HALF (E ½) OF SAID SECTION 17;

THENCE NORTH 02°15'47" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 317.64 FEET TO A POINT BEING ON THE NORTH LINE OF THE NORTHEAST ONE-QUARTER (NE ¼) OF SAID SECTION 17, ALSO BEING THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SECTION 8, TOWNSHIP 39 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA; THE PRECEDING THREE (3) COURSES AND DISTANCES BEING COINCIDENT WITH THE EASTERLY RIGHT-OF-WAY LINE FOR PRATT & WHITNEY ROAD AS DESCRIBED IN OFFICIAL RECORD BOOK 111, PAGE 556, OFFICIAL RECORD BOOK 111, PAGE 551, OFFICIAL RECORD BOOK 111, PAGE 546 AND DEED BOOK 42, PAGE 524 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

THENCE SOUTH 89°59'32" WEST ALONG SAID NORTH LINE, A DISTANCE OF 30.03 FEET TO A POINT BEING ON A LINE LYING 20.00 FEET EAST OF AND PARALLEL WITH THE WEST LINE OF THE EAST ONE-HALF OF SECTION 8, TOWNSHIP 39 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA, ALSO BEING THE EAST LINE OF THE 40 FOOT WIDE POSTED AND VIEWED RIGHT-OF-WAY FOR KANSAS AVENUE BY THE DECLARATION OF THE COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, DATED SEPTEMBER 5, 1923;

THENCE NORTH 01°58'42" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 834.99 FEET TO A POINT BEING ON A LINE LYING 834.49 FEET NORTH OF AND PARALLEL WITH (AS MEASURED AT RIGHT ANGLES) THE SOUTH LINE OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SECTION 8;

THENCE NORTH 89°59'32" EAST ALONG SAID PARALLEL LINE, A DISTANCE OF 2,218.93 FEET TO A POINT BEING ON THE WESTERLY RIGHT-OF-WAY LINE FOR THE SUNSHINE STATE PARKWAY (FLORIDA TURNPIKE) AS DEPICTED ON THE RIGHT-OF-WAY MAP FOR THE SUNSHINE STATE PARKWAY AS PREPARED BY SMITH & GILLESPIE, CONTRACT NUMBER 5.1, SHEET 4 OF 6, DATED JUNE 15, 1955;

THENCE SOUTH 22°15'27" EAST ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 665.97 FEET TO A POINT BEING ON THE EAST LINE OF THE SOUTHEAST ONE-QUARTER (SE ¼) OF SAID SECTION 8;

THENCE SOUTH 03°46'16" WEST ALONG SAID EAST LINE, A DISTANCE OF 218.59 FEET TO THE SOUTHEAST CORNER OF SAID SECTION 8, ALSO BEING THE NORTHEAST CORNER OF SAID SECTION 17;

THENCE SOUTH 00°42'48" WEST ALONG THE EAST LINE OF SAID SECTION 17, ALSO BEING THE EAST LINE OF TRACTS 1, 8, 9 AND 16, TROPICAL FRUIT FARMS, SECTION 17, TOWNSHIP 39 SOUTH, RANGE 41 EAST, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 6, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA, A DISTANCE OF 4,841.57 FEET TO A POINT BEING ON THE NORTH LINE OF SAID 130 FOOT WIDE STRIP OF LAND CONVEYED TO THE SCHOOL BOARD OF MARTIN COUNTY, FLORIDA AS MENTIONED IN THAT CERTAIN WARRANTY DEED RECORDED IN OFFICIAL RECORD BOOK 494, PAGE 2683 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA;

THENCE NORTH 89°57'57" WEST ALONG SAID NORTH LINE, A DISTANCE OF 2,536.54 FEET TO THE POINT OF BEGINNING.

SAID LANDS SITUATE, LYING AND BEING IN MARTIN COUNTY, FLORIDA.
CONTAINING 13,982,792 SQUARE FEET/321.00 ACRES MORE OR LESS.
SUBJECT TO EASEMENTS, RESTRICTIONS, RESERVATIONS, COVENANTS, AND RIGHTS-OF-WAY OF
RECORD.