

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

RESOLUTION NUMBER

A RESOLUTION OF MARTIN COUNTY, FLORIDA, REGARDING AN APPLICATION BY MARTIN COUNTY, TO CHANGE THE ZONING DISTRICT FROM R-2 (SINGLE FAMILY RESIDENTIAL) TO PR (PUBLIC RECREATION), ON 3.4 ACRES LOCATED WITHIN THE LEILANI HEIGHTS SUBDIVISION, PHASE 1.

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

1. Martin County submitted an application for a change in zoning district classification from R-2 (Single Family Residential) to PR (Public Recreation), for the property described as follows:

“All that certain parcel of land designated “Reserved Area No. 1 (Park)” as shown on the Plat of Leilani Heights-Phase One, as recorded in Plat Book 6, Page 23, Martin County public records.”

2. The Local Planning Agency heard the application at a public hearing on September 20, 2018 and recommended its approval to the Board of County Commissioners.
3. This Board has considered such recommendations.
4. Upon proper notice of hearing this Board held a public hearing on the application on January 29, 2019.
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.
7. The rezoning approved herein is consistent with the Martin County Comprehensive Growth Management Plan.

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

- A. The zoning district classification of the property described in Paragraph 1 is hereby changed from R-2 (Single-Family Residential) to PR (Public Recreation).

- 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 subject property 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 Amendment 18-9, Reserved Area No. 1, No. 1, Leilani Heights Phase 1, is 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 Comprehensive Plan Amendment (CPA) 18-9 is timely challenged, this resolution shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining CPA 18-9 to be in compliance. No development orders, development permits, or land uses dependent on CPA 18-9 may be issued or commence before CPA 18-9 becomes effective. If a final order of noncompliance is issued by the Administration Commission, CPA 18-9 may nevertheless be made effective by adoption of a resolution affirming its effective status.
- 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 29th DAY OF JANUARY, 2019.

ATTEST:

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

**BY: _____
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER**

**BY: _____
EDWARD V. CIAMPI, CHAIRMAN**

**APPROVED AS TO FORM
& LEGAL SUFFICIENCY:**

**BY: _____
KRISTA A. STOREY
ACTING COUNTY ATTORNEY**