

QUASI-JUDICIAL PROCEDURES

Quasi-Judicial procedures apply when a request involves the application of a policy to a specific application and site. It is a quasi-judicial decision. Quasi-judicial proceedings must be conducted with more formality than a legislative proceeding. In quasi-judicial proceedings, parties are entitled - as a matter of due process to cross-examine witnesses, present evidence, demand that the witnesses testify under oath, and demand a decision. that is based on a correct application of the law and competent substantial evidence in the record.

Agenda Item: 25-0658

NEW NEW BUSINESS

NPH-1 GASTON FAMILY HOLDINGS, LLC, REZONING (S280-002)

(QUASI-JUDICIAL)

This is a request by Gunster, Yoakley & Stewart, P.A., on behalf of Gaston Family Holdings, LLC, for a proposed amendment to the county zoning atlas to change the zoning district classification for an approximately 2.15-acre marine sales and service facility from the current B-1, Business District, and R-3A, Liberal Multiple-Family District, to the GC, General Commercial District. The site is located at 4900 SE Federal Highway in Stuart. Included with this application is a request for a Certificate of Public Facilities Exemption.

Requested by: Robert S. Raynes, Jr., Esq., Gunster, Yoakley & Stewart, P.A.

Presented by: John Sinnott, Senior Planner, Growth Management Department

Agenda Item: 25-0660

***For the Record:**

LPA: Ex-parte communication disclosures: None.

Intervener(s) present: None.

All persons wishing to speak on Quasi-Judicial agenda item(s) were sworn in.

STAFF: Mr. Sinnott presented and turned in his work history.

LPA: Mr. Hartman asked what could be done to make these types of applications, which are considered mandatory, not be required to come before the Boards.

STAFF: Ms. Elder explained that is mandated by Florida law and our zoning codes.

LPA: Mr. Hartman asked how the zoning code could be changed.

STAFF: Ms. Elder stated it is not able to be changed due to old code going to current code.

STAFF: Mr. Walden stated that staff does try to schedule these types of applications with other business, however, due to timing with the Board of County Commissioner hearings, it is not always possible.

APPLICANT: Mr. Raynes presented and turned in the Affidavit of notifications to the surrounding neighbors.

LPA: Mr. Moir asked if the marine sales retail aspect is what makes the rezoning needed.

APPLICANT: Mr Raynes stated that Limited Commercial is not an option, therefore, General Commercial is the proper zoning needed for this.

PUBLIC: The following people spoke regarding this item: None.

MOTION: A Motion was made by Mr. Hartman to approve staff's recommendation of approval; **SECONDED** by Mr. Moir. The Motion **CARRIED** 4 - 0 with Dr. Brown absent.

COMMENTS:

1. **PUBLIC** – None.
2. **STAFF** – Mr. Walden stated that the mandatory requirement of this application has lesser fees than other options. He also polled the members regarding the next meeting, to be held April 3rd.
3. **LPA** – Mr. Campenni, Mr. Moir and Mr. Hartman all state they will be in attendance for the next meeting. Mr. Engskow will not be available.

ADJOURN:

The Local Planning Agency meeting of March 6, 2025, adjourned at 7:12 pm.

Respectfully Submitted:

Approved by:

Rebecca Dima
Growth Management Department
Agency Recorder/Notary

Mr. Campenni, Chair

Date Signed

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