



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

5000 SW Green Farms Lane REZONING

Applicant/ Property Owner:	5000 SW Green Farms Ln, LLC.
Agent for the Applicant:	Cotleur & Hearing
County Project Coordinator:	Luis Aguilar, Principal Planner
Growth Management Director:	Paul Schilling
Project Number:	G091-002
Record Number:	DEV2025070005
Report Number:	2025_0822_P177-002_Staff_Report_draft
Application Received:	07/24/2025
Transmitted:	07/24/2025
Date of Report:	09/03/2025
LPA Meeting:	10/02/2025
BOCC Meeting:	10/07/2025

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B. Project description and analysis

This is a request from Cotleur & Hearing on behalf of 5000 SW Green Farms Lane, LLC, for a proposed amendment to the county zoning atlas. The amendment seeks to change the existing zoning designation on approximately 111.11 acres from A-2 (Agricultural District) to AG-20A (General Agricultural District). The subject site is located at 5000 SW Green Farms Lane in Palm City, approximately 2 miles south of SW Martin Highway.

The requested AG-20A zoning district is consistent with the site's current Future Land Use designation of Agricultural density. The existing Agricultural zoning district (A-2) is a Category C zoning district which

is consistent with the future land use designation pursuant to Section 3.402., LDR, Martin County, Fla. However, a portion of the property is subject to a covenant agreement (Covenant #286 to AG) therefore this request to rezone is considered mandatory (Section 3.401.B). See Section O (Attachments) for copy of Covenant 286.

There is one (1) standard Category “A” zoning district available to implement the Agricultural Density land use policies of the Comprehensive Growth Management Plan (CGMP) which is AG-20A, General Agricultural District. The applicant is proposing to rezone to the AG-20A, General Agricultural District.

The following tables show the permitted uses and development standards for the AG-20A Category “A” district.

**Table 1: Permitted Uses
Category “A” Agricultural and Residential Districts
(Excerpted from LDR, Art. 3, Div. 2, Sec. 3.11, Table 3.11.2)**

USE CATEGORY	AG-20A
<i>Residential Uses</i>	
Accessory dwelling units	
Apartment hotels	
Mobile homes	P
Modular homes	P
Multifamily dwellings	
Single-family detached dwellings	P
Single-family detached dwellings, if established prior to the effective date of this ordinance	
Townhouse dwellings	
Duplex dwellings	
Zero lot line single-family dwellings	
<i>Agricultural Uses</i>	
Agricultural processing, indoor	P
Agricultural processing, outdoor	P
Agricultural veterinary medical services	P
Aquaculture	P
Crop farms	P
Dairies	P
Exotic wildlife sanctuaries	P
Farmer's markets	P
Feed lots	P
Fishing and hunting camps	P
Orchards and groves	P
Plant nurseries and landscape services	P
Ranches	P
Silviculture	P

Stables, commercial	P
Storage of agricultural equipment, supplies and produce	P
Wildlife rehabilitation facilities	P
<i>Public and Institutional Uses</i>	
Administrative services, not-for-profit	P
Cemeteries, crematory operations and columbaria	P
Community centers	P
Correctional facilities	
Cultural or civic uses	
Dredge spoil facilities	
Educational institutions	
Electrical generating plants	
Fairgrounds	
Halfway houses	
Halfway houses, on lots where such use was lawfully established prior to the effective date of this ordinance	P
Hospitals	
Neighborhood assisted residences with six or fewer residents	P
Neighborhood boat launches	
Nonsecure residential drug and alcohol rehabilitation and treatment facilities	
Nonsecure residential drug and alcohol rehabilitation and treatment facilities, on lots where such use was lawfully established prior to the effective date of this ordinance	P
Places of worship	P
Post offices	
Protective and emergency services	P
Public libraries	
Public parks and recreation areas, active	P
Public parks and recreation areas, passive	P
Public vehicle storage and maintenance	
Recycling drop-off centers	P
Residential care facilities	
Residential care facilities, where such use was lawfully established prior to the effective date of this ordinance	P
Solar energy facilities (solar farms)	P
Solid waste disposal areas	
Utilities	P
<i>Commercial and Business Uses</i>	
Adult business	
Bed and breakfast inns	P
Business and professional offices	
Campgrounds	
Commercial amusements, indoor	
Commercial amusements, outdoor	

Commercial day care	P
Construction industry trades	
Construction sales and services	
Family day care	P
Financial institutions	
Flea markets	
Funeral homes	
General retail sales and services	
Golf courses	P
Golf driving ranges	
Hotels and motels	
Kennels, commercial	P
Limited retail sales and services	
Marinas, commercial	
Marine education and research	
Medical services	
Parking lots and garages	
Recreational vehicle parks	
Recreational vehicle parks, limited to the number and configuration of units lawfully established prior to the effective date of this ordinance	
Residential storage facilities	
Restaurants, convenience, with drive through facilities	
Restaurants, convenience without drive through facilities	
Restaurants, general	
Shooting ranges, indoor	
Shooting ranges, outdoor	P
Sporting clay course	P
Trades and skilled services	
Vehicular sales and service	
Vehicular service and maintenance	
Veterinary medical services	
Wholesale trades and services	
<i>Transportation, Communication and Utilities Uses</i>	
Airstrips	P
Airports, general aviation	
<i>Industrial Uses</i>	
Composting, where such use was approved or lawfully established prior to March 1, 2003	
Extensive impact industries	
Limited impact industries	
Mining	P
Salvage yards	
Yard trash processing	P
Yard trash processing on lots where such use was lawfully	

established prior to March 29, 2002	
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The following table identifies minimum development standards in the current and available zoning districts.

**Table 2: Development Standards
(Excerpt from LDR, Table 3.12.1)**

C A T	Zoning District	Min. Lot Area (sq. ft.)	Min. Lot Width (ft)	Max. Res. Density (upa)	Max. Hotel Density (upa)	Max. Building Coverage (%)	Max. Height (ft)/(stories)	Min. Open Space (%)	Other Req. (footnote)
A	AG-20A	20 ac.	300	0.05	—	—	30	50	—

**Table 3: Structure Setbacks
(Excerpt from LDR, Table 3.12.2)**

Category	Zoning District	Front/by story (ft.)				Rear/by story (ft.)				Side/by story (ft.)			
		1	2	3	4	1	2	3	4	1	2	3	4
A	AG-20A	50	50	50	50	50	50	50	50	50	50	50	50

A-2 Agricultural District Regulations

Sec. 3.412. - A-2 Agricultural District.

3.412.A.

Uses permitted. In this district, a building or structure or land shall be used for only the following purposes, subject to any additional limitations pursuant to [section 3.402](#):

1. Any use permitted in the A-1 and A-1A Districts.
2. Airports and landing fields. Airplane landing fields and accessory facilities for private or public use, including flight strips, provided runways and flight patterns are so oriented as not to constitute a nuisance to any established or planned residential areas as delineated in the comprehensive plan of the County.
3. Cemeteries, crematories and mausoleums. Graves shall not be closer than 25 feet from the property line.
4. Stock raising, stables and dog kennels; provided stables, kennels and dog runways are not less than 50 feet to the property line.
5. Agricultural packinghouses, sawmills and planing mills, turpentine stills and other operations utilizing the natural resources of the region; provided, however, no such operation shall be established or conducted within 600 feet of the nearest highway right-of-way or within 50 feet of the property line.
6. Public works projects, public stormwater management projects, and public utility facilities and service

facilities, and any ancillary uses associated with the foregoing, including excavations; rock, stone, or gravel crushing facilities; and ready mix concrete plants.

7. Fishing camps.

8. Hunting camps subject to the following requirements:

- a. Any licensee with a Hunting Preserve License issued by the Florida Fish and Wildlife Conservation Commission which is valid as of November 17, 2009, located on land zoned A-2 within Martin County may establish one hunting camp.
- b. The minimum lot size shall be 20 acres.
- c. Kennels for hunting dogs kept at the hunting camp shall not be located within 200 feet of any property line unless completely enclosed and soundproofed and shall be designed and maintained for secure, humane confinement. Animal wastes from the kennels shall be managed in such a manner as to prevent odors from being carried beyond the property boundary.
- d. Overnight accommodations shall be limited to no more than six guest rooms. The length of stay for any guest shall not exceed 14 consecutive nights.
- e. Meals may be served only to customers of the hunting camp. Freestanding restaurants open to the general public are not permitted.
- f. Overnight camping of a duration not to exceed five nights is permitted. No permanent structures shall be constructed for the purpose of overnight camping.
- g. Shooting ranges as defined in [section 3.3](#) are not permitted within a hunting camp.
- h. The sale and/or rental of hunting accessories to customers of a hunting camp are permitted. Retail sales of hunting accessories to the general public are not permitted.

9. Public structures owned and operated by governmental agencies and used for public purposes.

10. Trailers. The minimum lot size for a trailer shall be 20 acres and there shall be no more than one trailer on any lot. The trailer shall not be located within 100 feet of any property line. The trailer shall be permitted to remain only so long as the principal use of the property is agricultural. The trailer shall only be used as a residence. The trailer shall be screened from view of abutting lots and public streets to a height of six feet, for example, by means of an opaque fence or landscape buffer.

11. Farmer's markets, as defined in division 2 and pursuant to the requirements set forth in [section 3.71.1](#) of the Land Development Regulations.

12. Solar energy facilities, provided however, such operations shall be conducted in accordance with [section 3.100.1](#).

3.412.C. Minimum yards required.

1. Front: 25 feet.
2. Rear and side: 25 feet.
3. No structure shall be built within 50 feet of the center line of any public platted right-of-way not a designated through-traffic highway.
4. No structure shall be built within 65 feet of the center line of a designated through-traffic highway.
5. No setback or yard shall be required adjacent to water frontage.

Standards for Amendments to the Zoning Atlas

The Comprehensive Growth Management Plan (CGMP) states in Chapter 4, Section 4.4: “Goal 4.4 To eliminate or reduce uses of land that are inconsistent with community character or desired future land uses.” And, in Objective 4.4A. “To eliminate inconsistencies between the FLUM and the zoning maps and regulations.” Mandatory rezonings aim to apply a Category A zoning district that is consistent with the existing Future Land Use.

The Martin County Land Development Regulations (LDR), Article 3, Section 3.2 E.1. provide the following “Standards for amendments to the Zoning Atlas.”

The Future Land Use Map of the CGMP (Comprehensive Growth Management Plan) establishes the optimum overall distribution of land uses. The CGMP also establishes a series of land use categories, which provide, among other things, overall density and intensity limits. The Future Land Use Map shall not be construed to mean that every parcel is guaranteed the maximum density and intensity possible pursuant to the CGMP and these Land Development Regulations. All goals, objectives, and policies of the CGMP shall be considered when a proposed rezoning is considered. The County shall have the discretion to decide that the development allowed on any given parcel of land shall be more limited than the maximum allowable under the assigned Future Land Use Category; provided, however, that the County shall approve some development that is consistent with the CGMP, and the decision is fairly debatable or is supported by substantial, competent evidence depending on the fundamental nature of the proceeding. If upon reviewing a proposed rezoning request the County determines that the Future Land Use designation of the CGMP is inappropriate, the County may deny such rezoning request and initiate an appropriate amendment to the CGMP.

The Martin County Land Development Regulations (LDR), in Section 3.2.E.2., provides the following “Standards for amendments to the Zoning Atlas.” In the review of a proposed amendment to the Zoning Atlas, the Board of County Commissioners shall consider the following:

a. Whether the proposed amendment is consistent with all applicable provisions of the Comprehensive Plan;

The subject property is designated for Agricultural land use on the Future Land Use Map (FLUM) of the Comprehensive Growth Management Plan (CGMP). The zoning implementation policies and requirements, contained in Article 3, Zoning Regulations, Land Development Regulations, Martin County Code, identifies one (1) standard Category A zoning district, the AG-20A General Agricultural District, as available to implement the Agricultural future land use classification.

Objective 4.4A. and Policy 4.4A.1.(2) of Chapter 4, Future Land Use Element, of the CGMP addresses the elimination of inconsistencies of the Future Land Use Designation and the zoning.

Objective 4.4A. To eliminate inconsistencies between the FLUM and the zoning maps and regulations.

Policy 4.4A.1. Rezoning. Martin County shall rezone individual parcels to the most appropriate zoning district consistent with the Land Development Regulations by the following means:

(1) Parcels being considered for amendment to the Future land use designation shall be concurrently evaluated for rezoning to the most appropriate zoning district in the most recently adopted Land Development Regulations.

(2) Property owners seeking master or final site plan approval shall be required to rezone to the most appropriate zoning district in the most recently adopted Land Development Regulations.

Policy 4.13A.1 of Chapter 4, Future Land Use Element, of the CGMP addresses the Agricultural land use designation:

Policy 4.13A.1. Intent of agricultural designation. The FLUM identifies those lands in Martin County that are allocated for agricultural development. This designation is intended to protect and preserve agricultural soils for agriculturally related uses, realizing that production of food and commodities is an essential industry and basic to the County's economic diversity. Most agricultural lands are far removed from urban service districts and cannot be converted to urban use without substantial increases in the cost of providing, maintaining and operating dispersed services. The allocation of agricultural land is furthered by Goal 4.12.

The further intent of the Agricultural designation is to protect agricultural land from encroachment by urban or even low-density residential development. Such development affects the natural environment and may cause adverse impacts such as erosion, run-off, sedimentation and flood damage, all of which reduce the land's agricultural productivity. Residential development in the Agricultural future land use designation is restricted to one single-family residence per gross 20-acre tract. To further avoid activities that adversely affect agricultural productivity on such lands on the FLUM, development shall not be permitted that divides landholdings into lots, parcels or other units of less than 20 gross acres. Acreage may be split for bona fide agricultural uses into parcels no smaller than 20 gross acres. Subdivisions containing residential dwellings must be platted, provide for all necessary services and maintain a minimum of 50 percent open space. Wetlands and landlocked water bodies may be used in calculating open space as long as at least 40 percent of the upland property consists of open space. Buildings in Agricultural developments shall be no more than 40 feet in height.

Subdivisions containing residential dwellings at a density greater than one single-family dwelling unit per 20 gross acre lot shall not be allowed.

In agriculturally designated lands, the agriculture zoning districts shall provide definitive policy regarding development options. All such provisions in agricultural zoning districts shall be consistent with the CGMP. Limited residential and other uses are permitted where they are directly related to and supportive of agriculture or would not jeopardize the integrity of the agricultural purpose of the district.

(1)

Congregate housing for farm workers. Farm worker housing shall be considered an agricultural activity and shall only be permitted as part of bona fide agricultural activity, consistent with Policies 4.12A.4. through 7. Agricultural zoning shall include farmworker housing as a permitted use, implementing this provision.

(2)

Conversion of land designated Agricultural on the FLUM. Agriculturally designated land may be redesignated only by an amendment to the FLUM. The intent of this section aims to permit such an

amendment upon a finding by the Board of County Commissioners that the applicant has demonstrated:

(a)

The proposed development shall not adversely impact the hydrology of the area, or the productive capacity of adjacent farmlands not included in the amendment application in any other manner;

(b)

The proposed land conversion is a logical and timely extension of a more intense land use designation in a nearby area, considering existing and anticipated land use development patterns; consistency with the goals and objectives of the CGMP; and availability of supportive services, including improved roads, recreation amenities, adequate school capacity, satisfactory allocations of water and wastewater facilities, and other needed supportive facilities. Such findings shall be based on soil potential analysis and agricultural site assessment.

This application seeks to rezone the property to the AG-20A Zoning District, which is the only Category A zoning district that can implement the policies of the Comprehensive Growth Management Plan (CGMP) for lands classified as Agricultural on the Future Land Use Map. The A-2 zoning district, classified as Category C, is not the most suitable designation according to the latest Land Development Regulations. The application does not propose any urban uses or the subdivision of existing land into parcels smaller than 20 acres. As such, the proposed zoning change is in accordance with the designated land use provisions set forth in the Comprehensive Plan.

b. Whether the proposed amendment is consistent with all applicable provisions of the LDR;

The subject property has an area of approximately 111 acres and a width of approximately 654 linear feet, fronting SW Green Farms Lane, which is consistent with the minimum development standards governing the requested AG-20A Zoning District. This request to rezone the subject property is consistent with the information the County provided to the applicant at a pre-application workshop held on May 29, 2025, and is considered mandatory.

The requested A-20A zoning district is consistent with the site's current Future Land Use designation of Agricultural density. The existing Agricultural zoning district (A-2) is a Category C zoning district which is consistent with the future land use designation pursuant to Section 3.402., LDR, Martin County, Fla. However, a portion of the property is subject to a covenant agreement (Covenant #286 to AG) therefore this request to rezone is considered mandatory (Section 3.401.B).

The granting of a zoning change by the County does not exempt the applicant from any of the County's Land Development Regulations, and no development of the property is proposed as part of this application requesting a rezoning. The applicant must demonstrate full compliance with all regulations prior to any Development Order approval action taken by the County.

c. Whether the proposed district amendment is compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use;

As shown in the figures contained in Section E below, the subject property fronts SW Green Farms Lane, which is a local county roadway; the subject property has an agricultural future land use designation and is bounded on all sides by the same agricultural future land use, except a small area on the eastern property, which has a Recreational future land use designation.

The subject property is zoned Category "C" A-2, an Agricultural zoning district, and also has a Covenant (#286) to the AG zoning district. It is bounded on all sides by the same A-2 zoning, except the northwestern property line adjacent to the SW Green Farms Lane rights-of-way with an AG-20A zoning district, and a small area on the eastern property line and the I-95 right-of-way with a Public Recreation District (PR).

The proposed zoning district of AG-20A is an appropriate zoning district for the implementation of the Agricultural future land use designation. Existing adjacent development includes an existing mining operation to the north with an AG-20A zoning district, undeveloped agricultural lands, and an approved agricultural subdivision to the west, known as Dressage, with an A-2 zoning district.

d. Whether and to what extent there are documented changed conditions in the area;

A review of historical aerials indicates that the subject property is vacant and undeveloped except for the commencement of the sand mine approved in 2005. The existing lake is the result from the mining project. The mine was over-excavated both vertically and horizontally. Code enforcement Case Number 16-0107262 was initiated and resolved through a Stipulation and Agreed Final Order that was executed in December 2016, and recorded in Martin County Official Records Book 2896, Page 2800.

The surrounding areas remained undeveloped or in agricultural use until the commencement of the adjacent installation of a communications tower between 1995 and 2000. Subdivision of local areas into agricultural 20-acre parcels occurred with the approval of Dressage in 2005 (to the west). The proposed rezoning is consistent with the current established development patterns in the area.

e. Whether and to what extent the proposed amendment would result in demands on public facilities;

The property is located outside the Primary Urban Services District. As such, the full range of urban services at service levels established by the CGMP is not available for the property. The request to rezone does not increase the maximum Density allowed by the Agricultural Future Land Use Designation. Pursuant to Section 5.32.B.3.f.(7), Land Development Regulations of Martin County Code, zoning district changes to a zoning district which is consistent with the Future Land Use designation of the Comprehensive Growth Management Plan is exempt from the requirements of Article 5 adequate public facilities. Moreover, rezoning does not authorize any development therefore, the rezoning to AG-20A

does not increase the demands on public facilities.

f. Whether and to what extent the proposed amendment would result in a logical, timely and orderly development pattern which conserves the value of existing development and is an appropriate use of the county's resources;

The proposed amendment to the zoning atlas is consistent with the Agricultural District assigned to the Future Land Use Map in 1982. The permitted uses and Land Development regulations pertaining to the AG-20A Zoning District are well suited for the area and will conserve the value and development pattern that is well established.

g. Consideration of the facts presented at the public hearings.

The subject application requires a public hearing before the Local Planning Agency, who will make a recommendation on the request; and, before the Board of County Commissioners, who will take final action on the request. The two hearings will provide the public an opportunity to participate in the review and decision-making process.

C. Staff recommendation

The specific findings and conclusion of each review agency related to this request are identified in Sections F through T of this report. The current review status for each agency is as follows:

Section	Division or Department	Reviewer	Phone	Assessment
F	Comprehensive Plan	Luis Aguilar	772-288-5931	Comply
G	Development Review	Luis Aguilar	772-288-5931	Comply
H	County Attorney	Elysse Elder	772-288-5925	Review Ongoing
I	Adequate Public Facilities	Luis Aguilar	772-288-5931	Exempt

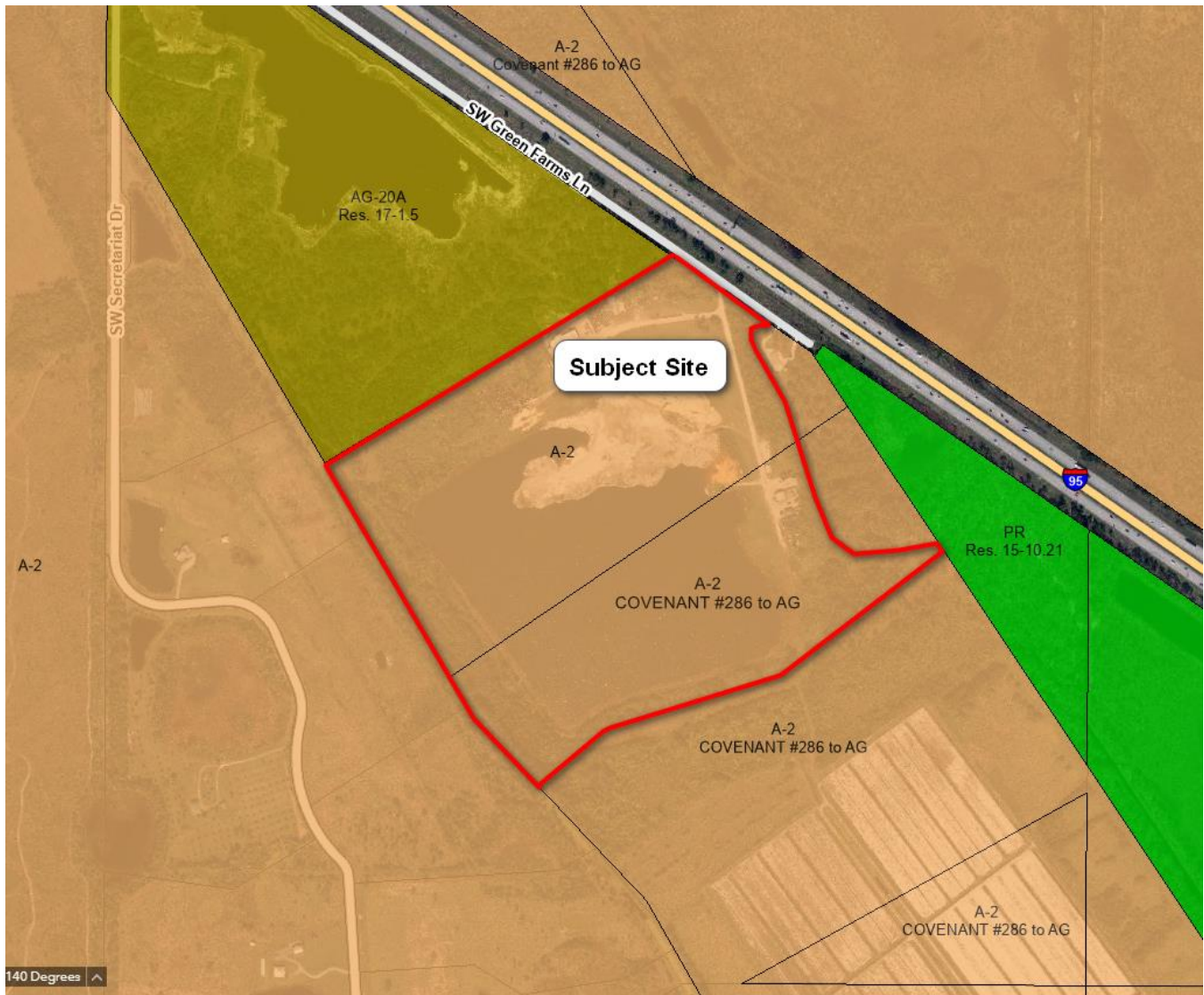
Staff has reviewed this rezoning application of a property to the appropriate zoning district designation, has determined that the application has been submitted and reviewed consistent with the procedural requirements of Article 10 and is in compliance with the substantive provisions of Article 3. Staff recommends approval of this rezoning application.

D. Review Board action

This application is classified as an amendment to the official zoning map. Pursuant to Section 10.3.B., Land Development Regulations (LDR), Martin County, Fla., a review of this application at a public hearing is required by the Local Planning Agency (LPA), which shall provide a recommendation for the Board's consideration. And, pursuant to Section 10.5.F., LDR, Martin County, Fla., final action on this request for an amendment to the official zoning map is required by the Board of County Commissioners

Parcel number(s) and address:	30-38-40-000-000-00024-0
Existing Zoning:	A-2, Agricultural
Future Land use:	Agricultural
Gross area of site:	111.11 Acres

**Figure II:
Zoning Map**



Property to the East:
Property to the North:
Property to the West:
Property to the South:

PR (Public Recreation District; A-2 (Agricultural)
AG-2A (General Agricultural District); A-2 (Agricultural)
A-2 (Agricultural)
A-2 (Agricultural)

**Figure III:
Future Land Use Map**



Property to the East:	Recreational; Agricultural; AG. Ranchette
Property to the North:	Agricultural; AG. Ranchette
Property to the West:	Agricultural
Property to the South:	Agricultural

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

Findings of Compliance:

The application proposes rezoning to a standard zoning district defined in the Land Development Regulations for the purpose of implementing the Comprehensive Growth Management Plan (CGMP) for lands designated Agricultural on the Future Land Use Map of the CGMP Martin County, FLA, LDR §3.10.

Policy 4.4A.1. Rezoning. Martin County shall rezone individual parcels to the most appropriate zoning district consistent with the Land Development Regulations by the following means:

- (1) Parcels being considered for amendment to the Future land use designation shall be concurrently evaluated for rezoning to the most appropriate zoning district in the most recently adopted Land Development Regulations.
- (2) Property owners seeking master or final site plan approval shall be required to rezone to the most appropriate zoning district in the most recently adopted Land Development Regulations.

[Martin County, Fla, CGMP, Chapter 4, Goal 4.4, Policy 4.4A.1]

Staff has reviewed this application and finds that that it complies with the LDR, as detailed within this report. Staff recommends approval of this development application as consistent with the guidelines and standards of the applicable Comprehensive Plan goals, objectives and policies, as implemented in the LDR.

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

Findings of Compliance:

The Growth Management Department Development Review Division staff has reviewed the application and, pursuant to the analysis provided in Section B of this report, finds this application in compliance with the applicable regulations. There are no unresolved land use, site design standards, zoning and procedural requirements issues associated with this application. The site currently has an approximately 60-acre man made lake existing on the property. An ongoing permitted project is underway for the filling of the existing lake. This work is proposed to continue.

Additional Information:

Information #1:

Notice Of A Public Hearing

The notice of a public hearing regarding development applications shall be mailed at least 14 calendar days (seven calendar days if the application is being expedited pursuant to section 10.5.E.) prior to the public hearing by the applicant to all owners of real property located within a distance of 500 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. In addition, notice shall be mailed to all homeowner associations, condominium associations and the owners of each condominium unit within the notice area. MARTIN COUNTY, FLA., LDR, § 10.6.E.1.

Information #2:

Newspaper advertisement.

Notice(s) of public hearings regarding development applications shall be published by the County at least 14 days prior to the date of the public hearing in the legal advertisement section of a newspaper of general circulation in Martin County. The applicant shall reimburse the County for the cost(s) of the newspaper ad(s) as a post approval requirement for the application MARTIN COUNTY, FLA., LDR §10.6.D.

Information #3:

Public Hearings

Based upon the staff findings of compliance, this application will be scheduled for the next LPA meeting and following that hearing will be scheduled for the next BCC meeting dependent upon the County's scheduling policy.

H. Determination of compliance with legal requirements - County Attorney's Office

Review Ongoing

I. Determination of compliance with the 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, Martin County, Fla. 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

J. Post-approval requirements

After approval of the development order, the applicant will receive a letter and a Post Approval Requirements List that identifies the fees required. Approval of the development order is conditioned upon the applicant's submittal of all required fees to the Growth Management Department (GMD), within sixty (60) days of the final action granting approval.

Item	Description	Requirement
1.	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. <u>Checks should be made payable to Martin County Board of County Commissioners and sent or delivered to the Growth Management Department at 2401 SE Monterey Rd., Stuart, FL 34996</u>

Item	Description	Requirement
2.	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 <u>Martin County Clerk of Court</u> and sent or delivered to the Growth Management Department at 2401 SE Monterey Rd., Stuart, FL 34996.

K. Local, State, and Federal Permits

There are no applicable Local, State and Federal Permits associated with amendments to the County Zoning Atlas.

L. 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:	\$1,000.00	\$1,000.00	\$0.00
Advertising fees*:	TBD		
Recording fees**:	TBD		

* Advertising fees will be determined once the ads have been placed and billed to the County.

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

M. General application information

Applicant: 5000 SW Green Farms Ln, LLC.
Sean Casey
5019 80th Terrace South
Lake Worth, FL 33467
scasey@treecycleinc.com
561-966-6095

Agent: Coteleur & Hearing
George Missimer
1934 Commerce Lane, Suite 1
Jupiter, FL 33458
gmissimer@coteleur-hearing.com
561-406-1008

N. 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

O. Attachments

ATTACHMENT I
Covenant 286

MARSHA WILLER
CLERK OF CIRCUIT COURT
MARTIN CO., FL

RECORDED & VERIFIED
BY D.C.

286

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97 JUN 13 AM 10:01

Prepared by/
Linda R. McCann, Esquire
Moyle, Flanagan, Katz, Kolins, Raymond & Sheehan, P.A.
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Stuart, Florida 34995-0658

COVENANT RUNNING WITH THE LAND

THIS AGREEMENT, made this 5th day of December, 1996, between MARTIN COUNTY PARK OF COMMERCE, INC., a Florida Corporation, hereinafter referred to as **OWNER** and MARTIN COUNTY, hereinafter referred to as **COUNTY**.

WITNESSETH:

WHEREAS, **OWNER** desires to develop the following described real property, which is located in Martin County, Florida:

See Exhibit "A" attached hereto and made a part hereof

and;

WHEREAS, under the present Zoning Code, **OWNER'S** property is classified under the A-2 Agricultural zoning district; and

WHEREAS, under the Comprehensive Growth Management Plan, **OWNER'S** property is classified as Agricultural; and

WHEREAS, the uses permitted in the A-2 Agricultural zoning district under the present code are consistent with the uses permitted in the AG district under the Land Development Code; and

WHEREAS, **OWNER** wishes to develop the above-mentioned property without rezoning the property to conform to the Land Development Code at the present time; and

WHEREAS, **COUNTY** wishes to insure that it will be able to rezone the property at some future time to conform to the Land Development Code and the Comprehensive Growth Management Plan.

NOW, THEREFORE, in consideration of the terms and conditions set forth herein, and other good and valuable consideration, the receipt of which is hereby acknowledged, the parties hereto do hereby agree as follows:

1. **OWNER** may develop the property without obtaining a rezoning, and agrees to develop the property in accordance with the performance requirements of the AG zoning district in

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the Land Development Code.

2. COUNTY may rezone the property in the future, and OWNER, its heirs, successors, or assigns, agree not to object to or otherwise interfere with that rezoning. Said rezoning shall be to a district of the Land Development Code consistent with the Comprehensive Growth Management Plan land use designation, and shall not alter the uses legally in existence or under permit on the parcel at the time of rezoning.

3. This Agreement shall be filed in the Public Records of Martin County, Florida, and shall be a covenant running with the land.

IN WITNESS WHEREOF, the parties have executed this Agreement on the dates indicated below.

Witnesses:

Print Name RICHARD ARMELLINI

Print Name ROBERT M. POST, JR.

"OWNER"

MARTIN COUNTY PARK OF COMMERCE
INC., a Florida Corporation

By: Jules Armellini Pres.
Jules Armellini, President
Post Office Box 678
Palm City, Florida 34991

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me this 20th day of DECEMBER, 1996, by Jules Armellini, President of Martin County Park of Commerce, Inc., a Florida Corporation, on behalf of the Corporation. He is ☒ personally known to me or ☐ has produced as identification.

[Notary Seal] NOTARY SEAL
NICHOLASON
NOTARY PUBLIC STATE OF FLORIDA
COMMISSION NO. CC282043
MY COMMISSION EXP. MAY 14, 1997

[Signature]
Notary Public
State of Florida at Large

"COUNTY"

BUILDING AND ZONING DEPARTMENT

By: [Signature]
Michael F. Sinkey, Director

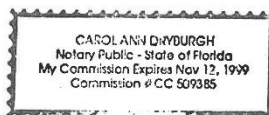
APPROVED AS TO FORM AND
CORRECTNESS:

By: [Signature]
for Robert D. Guthrie, County Attorney

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me this 29th day of May
1997, by MICHAEL F. SINKEY, who is personally known to me.

[Notary Stamp]



Carol Ann Dryburgh
Notary Public
State of Florida at Large

EXHIBIT "A"

LEGAL DESCRIPTION

A parcel of land being a portion of Sections 29, 30 and 31, Township 38 South, Range 40 East in Martin County, Florida, more particularly described as follows:

Commence at the Southeast corner of said Section 30; thence North 00°16'20" East along the East boundary line of said Section 30, a distance of 1185.28 feet to the Point of Beginning; thence North 34°00'27" West, a distance of 2354.88 feet; thence South 55°59'33" West, a distance of 2571.47 feet; thence South 32°37'26" East, a distance of 278.53 feet; thence South 40°46'10" East, a distance of 1482.40 feet; thence South 30°45'39" East, a distance of 389.05 feet to the South boundary line of said Section 30; thence South 30°45'39" East, a distance of 127.68 feet; thence North 61°04'45" East, a distance of 2442.53 feet; thence North 34°00'27" West, a distance of 128.11 feet to the East boundary line of said Section 30 and to the Point of Beginning.

Containing 135.33 acres, more or less.

Parcel Control Nos. 29-38-40-000-000-00020.10000
30-38-40-000-000-00020.90000
31-38-40-000-000-00020.70000

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