

Prepared by: Samantha Lovelady, AICP
Martin County Growth Management Department
2401 S.E. Monterey Road
Stuart, FL 34996



Inst. # 2876491
Bk: 3208 Pg: 2502 Pages: 1 of 8
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Carolyn Timmann
Clerk of the Circuit Court & Comptroller
Martin County, FL
Rec Fees: \$69.50

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

RESOLUTION NUMBER 21-1.14

A RESOLUTION OF MARTIN COUNTY, FLORIDA CHANGING THE ZONING DISTRICT CLASSIFICATIONS FOR K.L. WATERSIDE L.L.C. REGARDING ±499.4 ACRES LOCATED SOUTH OF SW 96TH STREET AND WEST OF KANNER HIGHWAY (SR 76).

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

1. KL Waterside, LLC submitted an application to change the zoning district classifications on ±499.4 acres of land, depicted in Exhibit A, attached hereto.
2. The Local Planning Agency considered the application at a public hearing on September 17, 2020. The LPA's recommendations were forwarded 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 12, 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 COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

- A. The zoning district classifications of the subject parcel are hereby changed from A-2, Agricultural to LI, Limited Industrial for the property described in Exhibit B, attached hereto, and from WGC, Waterfront General Commercial and GI, General Industrial to AG-20A, Agricultural for the property described in Exhibit C, attached hereto.
- 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 Exhibits A, B, and C, 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 19-6, KL Waterside, LLC, FLUM 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 CPA 19-6 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 the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on CPA 19-06 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 Applicants by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 12th DAY OF JANUARY, 2021.

ATTEST:

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


**CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER**

 vs. 
STACEY HETHERINGTON, CHAIR

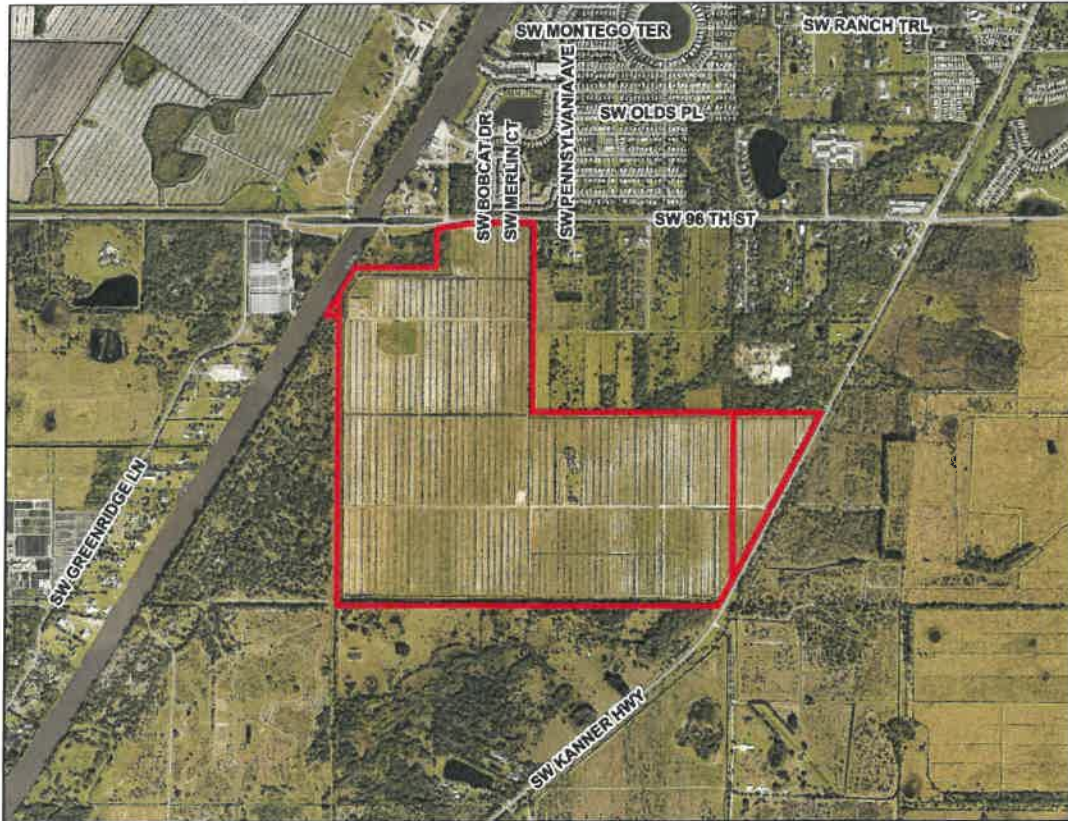
**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**


SARAH W. WOODS, COUNTY ATTORNEY

EXHIBIT A

Parcel I.D. Number

13-39-40-000-003-00000-1
18-39-41-000-012-00010-7
14-39-40-000-001-00020-9



Legal Descriptions in Exhibits B and C:

EXHIBIT B (LI)

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOTS 11, 14, AND 16, ALL OF LOTS 9, 10, AND 15, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, AND PORTION OF LOTS 12 AND 13, LYING NORTHWEST OF STATE ROAD NO. 76, IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

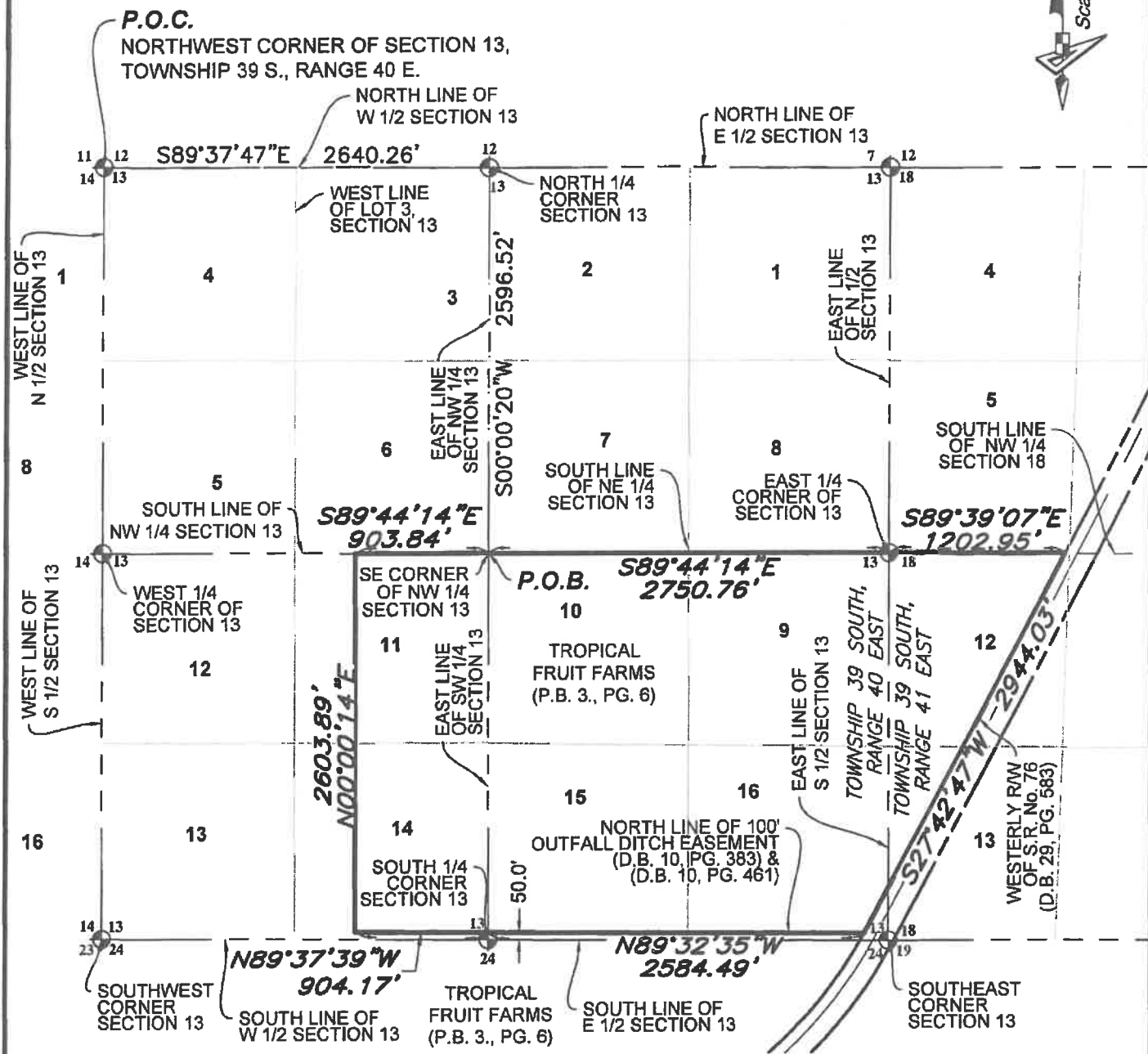
COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'47"E. ALONG THE NORTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 2640.26 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°00'20"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2596.52 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTHEAST CORNER OF LOT 11, SECTION 13 OF SAID PLAT, SAID CORNER BEING THE POINT OF BEGINNING; THENCE S.89°44'14"E., ALONG THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 9 AND LOT 10, SECTION 13 OF SAID PLAT, A DISTANCE OF 2750.76 FEET TO THE EAST (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.89°39'07"E., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, ALSO BEING THE NORTH LINE OF LOT 12, SECTION 18 OF SAID PLAT, A DISTANCE OF 1202.95 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2944.03 FEET TO A POINT ON THE NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, AS DESCRIBED IN DEED BOOK 10, PAGE 383 AND DEED BOOK 10, PAGE 461, SAID LINE ALSO BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST (1/2) HALF OF SAID SECTION 13; THENCE N.89°32'35"W., ALONG SAID NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, A DISTANCE OF 2584.49 FEET; THENCE N.89°37'39"W., ALONG SAID NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, SAID LINE ALSO BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 904.17 FEET; THENCE N.00°00'14"E., A DISTANCE OF 2603.89 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 11, SECTION 13 OF SAID PLAT; THENCE S.89°44'14"E., ALONG SAID SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 903.84 FEET TO THE POINT OF BEGINNING.

CONTAINING: 10,890,034 SQUARE FEET OR 250.000 ACRES, MORE OR LESS.

WATERSIDE - PARCEL 1 SKETCH AND DESCRIPTION

REVISIONS				Prepared For: KOLTER LAND PARTNERS, LLC	
No.	Date	Description	Dwn.	Last Date of Field Survey: 03/27/2020	
				SURVEYOR'S CERTIFICATE This certifies that a survey of the herein described property was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. Digitally signed by Gary Rager DN: cn=US, o=Florida, ou=Surveyors, email=gary@geopointsurveying.com, c=US Date: 2020.08.10 12:43:24 -0400	
				Gary Rager Gary A. Rager FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS4828 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	
Sheet No. 1 of 2 Sheets				 GeoPoint Surveying, Inc. 4152 W. Blue Heron Blvd. Suite 105 Riviera Beach, FL 33404 Phone: (561) 444-2720 www.geopointsurvey.com Licensed Business Number LB 7768 Drawn: SVM Date: 07/22/20 Data File: waterside_NAVD88_9 03-23-20 Check: GAR P.C.: DC-8 Field Book: 2020 11w/28-30, 40 Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-desc1	

LAST SAVED BY RYAN ON 8/10/2020 9:25 AM PLOTTED BY RYAN ROCK ON 8/10/2020 9:25 AM DWG NAME: W:\KOLTER-WATERSIDE\WATERSIDE\SURVEY\SKETCH & DESCRIPTION\WATERSIDE_PARCEL-1-DESC.DWG



WATERSIDE - PARCEL 1 SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC
Last Date of Field Survey: 03/27/2020

LEGEND

P.O.B. --- POINT OF BEGINNING
P.O.C. --- POINT OF COMMENCEMENT
PG./PG(s) --- PAGE(s)
13-39-40 --- SECTION-TOWNSHIP-RANGE
P.B. --- PLAT BOOK
D.B. --- DEED BOOK
S.R. --- STATE ROAD
R/W --- RIGHT-OF-WAY

GeoPoint
Surveying, Inc.

4152 W. Blue Heron Blvd.
Suite 105
Riviera Beach, FL 33404
Phone: (561) 444-2720
www.geopointsurvey.com
Licensed Business Number LB 7768
Drawn: SVM Date: 07/22/20 Data File: waterside_NAVD98_8 03-23-20
Check: GAR P.C.: DC-8 Field Book: 2020 11w/26-30, 40
Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-desc1

Sheet No. 2 of 2 Sheets

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL
RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

WKS NAME: W\KOLTER-WATERSIDE\SURVEY\SKETCH & DESCRIPTION\WATERSIDE_PARCEL-1-DESC.DWG PLOTTED BY: RYAN ROCK ON: 8/10/2020 9:25 AM LAST SAVED BY: RYAN ROCK ON: 8/6/2020 1:52 PM

EXHIBIT C (AG-20A)

DESCRIPTION:

A PARCEL OF LAND BEING A PORTION OF LOT 3, THE SOUTH (1/2) HALF OF LOT 4, ALL OF LOTS 5, 6, 12, 13, A PORTION OF LOTS 11 AND 14, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.00°00'53"W. ALONG THE WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 662.87 FEET TO THE POINT OF BEGINNING; THENCE S.89°39'23"E. ALONG THE NORTH LINE OF THE SOUTH HALF OF LOT 4, SECTION 13 OF SAID PLAT, A DISTANCE OF 1320.18 FEET TO A POINT ON THE WEST LINE OF LOT 3, SECTION 13 OF SAID PLAT; THENCE N.00°00'36"E., ALONG THE WEST LINE OF SAID LOT 3, A DISTANCE OF 496.31 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. S-76-A AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89002-2601, REVISED FEBRUARY 13, 1989; THENCE N.81°27'37"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 40.01 FEET; THENCE N.08°32'23"W. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 25.00 FEET; THENCE N.81°27'47"E. ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 549.22 FEET TO A POINT ON THE SOUTHERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76-A AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89531-2601, DATED OCTOBER, 1958; THENCE S.89°37'47"E., ALONG SAID SOUTHERLY RIGHT-OF-WAY LINE, A DISTANCE OF 741.15 FEET TO A POINT ON THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13; THENCE S.00°00'20"W., ALONG SAID EAST LINE OF THE NORTHWEST (1/4) QUARTER AND THE EAST LINE OF SAID LOT 3 AND LOT 6, SECTION 13 OF SAID PLAT, A DISTANCE OF 2596.52 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTHEAST CORNER OF SAID LOT 6; THENCE S.89°44'14"E., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE SOUTH LINE OF SAID LOT 6, A DISTANCE OF 903.84 FEET; THENCE S.00°00'14"W., A DISTANCE OF 2603.89 FEET TO A POINT ON THE NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT, AS DESCRIBED IN DEED BOOK 10, PAGE 383, AND DEED BOOK 10, PAGE 461, SAID LINE ALSO BEING 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13; THENCE N.89°37'39"W., ALONG SAID NORTH LINE OF THE 100.00 FOOT OUTFALL DITCH EASEMENT AND 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE WEST (1/2) HALF OF SAID SECTION 13, A DISTANCE OF 1736.79 FEET TO A POINT ON THE WEST LINE OF THE SOUTH (1/2) HALF OF SAID SECTION 13; THENCE N.00°00'14"E., ALONG THE WEST LINE OF THE SOUTH (1/2) HALF OF SAID SECTION 13 AND THE WEST LINE OF LOT 12 AND LOT 13, SECTION 13 OF SAID PLAT, A DISTANCE OF 2600.56 FEET TO THE WEST (1/4) QUARTER CORNER OF SAID SECTION 13;

DESCRIPTION: CONTINUED ON PAGE 2

WATERSIDE - PARCEL 2 SKETCH AND DESCRIPTION

REVISIONS				Prepared For: KOLTER LAND PARTNERS, LLC	
No.	Date	Description	Dwn.	Last Date of Field Survey: 03/27/2020	
				SURVEYOR'S CERTIFICATE This certifies that a survey of the herein described property was made under my supervision and meets the Standards of Practice set forth by the Florida Board of Professional Surveyors & Mappers in Chapter 5J-17.050, Florida Administrative Code, pursuant to Section 472.027, Florida Statutes. Gary Rager <small>Digitally signed by Gary Rager DN: cn=GARY, o=GeoPoint Surveying, Inc., ou=Professional Surveyor and Mapper, email=Gary.Rager@geopointsurvey.com, c=US</small> Gary A. Rager FLORIDA PROFESSIONAL SURVEYOR & MAPPER NO. LS4828 NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER	
Sheet No. 1 of 3 Sheets				GeoPoint Surveying, Inc. 4152 W. Blue Heron Blvd. Suite 105 Riviera Beach, FL 33404 Phone: (561) 444-2720 www.geopointsurvey.com Licensed Business Number LB 7768 Drawn: SWM Date: 07/22/20 Date Filed: waterside_NAVD88_8 03-23-20 Check: GAR P.C.: DC-8 Field Book: 2020 11w/26-30, 40 Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-desc2	


DWG NAME: WIKOLTER-WATERSIDEWATERSIDE SURVEY SKETCH & DESCRIPTION WATER SIDE PARCEL 2-DESC.DWG PLOTTED BY: RYAN ROCK ON: 8/10/2020 9:27 AM LAST SAVED BY: RYANR ON: 8/6/2020 8:56 AM

DESCRIPTION: CONTINUED FROM PAGE 1

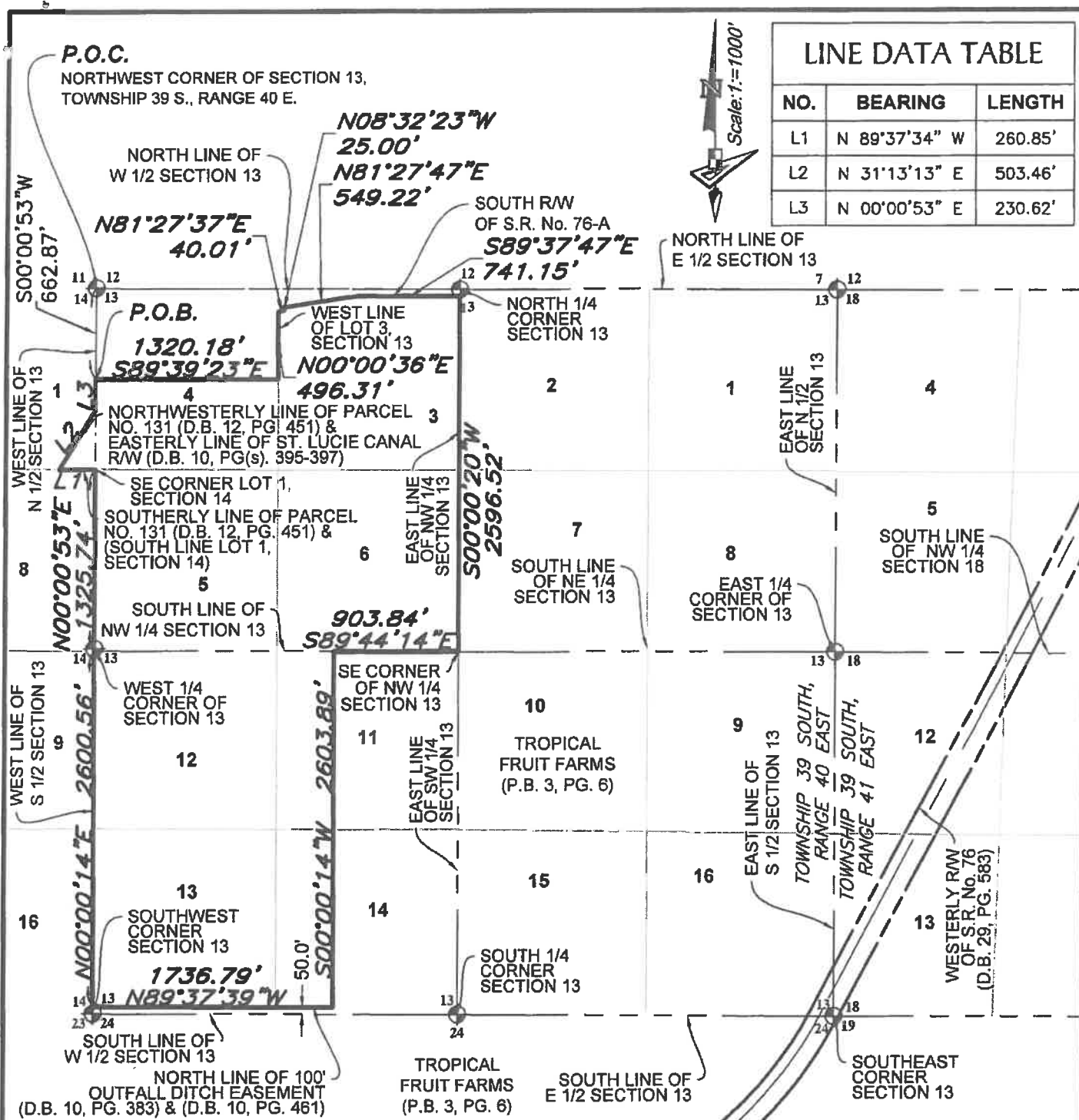
THENCE N.00°00'53"E., ALONG THE WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13 AND THE WEST LINE OF LOT 5, SECTION 13 OF SAID PLAT, A DISTANCE OF 1325.74 FEET TO A POINT ON THE SOUTHERLY LINE OF PARCEL NO. 131, AS DESCRIBED IN DEED BOOK 12, PAGE 451 AND THE SOUTHEAST CORNER OF LOT 1, SECTION 14 OF SAID PLAT; THENCE N.89°37'34"W., ALONG SAID SOUTHERLY LINE OF PARCEL NO. 131 AND THE SOUTH LINE OF SAID LOT 1, A DISTANCE OF 260.85 FEET TO A POINT ON THE NORTHWESTERLY LINE OF SAID PARCEL NO. 131, ALSO THE EASTERLY LINE OF ST. LUCIE CANAL RIGHT-OF-WAY, AS DESCRIBED IN DEED BOOK 10, PAGES 395 THROUGH 397 AND THE NORTHWESTERLY LINE OF PARCEL NO. 131, AS SHOWN ON THE MAP SHOWING LOCATION AND RIGHT-OF-WAY FOR ST. LUCIE CANAL IMPROVEMENTS PREPARED FOR THE U.S. ENGINEER OFFICE - JACKSONVILLE, FLORIDA, 1939 WITH A FILE NUMBER OF 302-12,260 AND RECORDED IN PLAT BOOK 2, PAGE 35 OF SAID PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE N.31°13'13"E., ALONG SAID NORTHWESTERLY LINE OF PARCEL NO. 131 AND SAID EASTERLY LINE OF ST. LUCIE CANAL RIGHT-OF-WAY, A DISTANCE OF 503.46 FEET TO A POINT ON THE WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13; THENCE N.00°00'53"E., ALONG SAID WEST LINE OF THE NORTH (1/2) HALF OF SAID SECTION 13 AND THE WEST LINE OF LOT 4, SECTION 13, A DISTANCE OF 230.62 FEET TO THE POINT OF BEGINNING.

CONTAINING: 10,602,079 SQUARE FEET OR 243.390 ACRES, MORE OR LESS.

**WATERSIDE - PARCEL 2
SKETCH AND DESCRIPTION**

REVISIONS				Prepared For: KOLTER LAND PARTNERS, LLC	
No.	Date	Description	Dwn.	Last Date of Field Survey: 03/27/2020	
				 <p>GeoPoint Surveying, Inc.</p> <p>4152 W. Blue Heron Blvd. Suite 105 Riviera Beach, FL 33404</p> <p>Phone: (561) 444-2720 www.geopointsurvey.com Licensed Business Number LB 7768</p> <p>Drawn: SWM Date: 07/22/20 Data File: waterside_NAVD88_8 03-23-20</p> <p>Check: GAR P.C.: DC-8 Field Book: 2020 11w/26-30, 40</p> <p>Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-desc2</p>	
Sheet No. 2 of 3 Sheets				<p>NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER</p>	

DWG NAME: W:\KOLTER-WATERSIDE\SURVEY\SKETCH & DESCRIPTION\WATERSIDE_PARCEL-2-DESC.DWG PLOTTED BY: RYAN ROCK ON: 8/10/2020 9:27 AM LAST SAVED BY: RYAN ON: 8/8/2020 8:56 AM



WATERSIDE - PARCEL 2 SKETCH AND DESCRIPTION

Prepared For: KOLTER LAND PARTNERS, LLC
Last Date of Field Survey: 03/27/2020

LEGEND

P.O.B. --- POINT OF BEGINNING	P.B. --- PLAT BOOK
P.O.C. --- POINT OF COMMENCEMENT	D.B. --- DEED BOOK
PG./PG(s) --- PAGE(s)	S.R. --- STATE ROAD
13-39-40 --- SECTION-TOWNSHIP-RANGE	R/W --- RIGHT-OF-WAY
	L1 --- LINE SEGMENT

Sheet No. 3 of 3 Sheets

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RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

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Sections: 13, 14 & 18 Twn. 39S Rng. 40E Job #: Water_bndry-desc2		

DWG NAME: W:\KOLTER-WATERSIDE\WATERSIDE\SURVEY\SKETCH & DESCRIPTION\WATERSIDE_PARCEL-2-DESC.DWG PLOTTED BY: RYAN ROCK ON: 8/10/2020 9:27 AM LAST SAVED BY: RYANR ON: 8/5/2020 8:56 AM