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

**RESOLUTION NUMBER 22-5.13**

**REGARDING A CHANGE IN ZONING CLASSIFICATION FROM WE-1,  
WATERFRONT ESTATE DISTRICT, TO RE-1/2A, RESIDENTIAL ESTATE  
DISTRICT FOR JEREMY AND KATHERINE OAKY**

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

1. Jeremy and Katherine Oaky submitted an application for a change in zoning district classification from the current WE-1, Waterfront Estate District to RE-1/2A, Residential Estate District, for the property described in Exhibit A, attached hereto.
2. The Local Planning Agency considered the application at a public hearing on May 5, 2022. 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 May 17, 2022.
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 classification of the property described in Exhibit A is hereby changed from WE-1, Waterfront Estate District to RE-1/2A, Residential Estate District.

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. 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 17TH DAY OF MAY, 2022.**

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

BY: 

CAROLYN TIMMANN, CLERK OF  
THE CIRCUIT COURT AND  
COMPTROLLER

BY: 

DOUG SMITH, CHAIRMAN

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

BY:  for

KRISTA A. STOREY  
SENIOR ASSISTANT COUNTY ATTORNEY

ATTACHMENTS:

Exhibit A, Legal Description

## *EXHIBIT A*

### **Legal Description**

That certain real property located in Martin County, Florida, more particularly described as follows: Lying and being in Township 38 South, Range 41 East, being known as the Southeasterly one-half of Lot W-53, PORT SEWALL, a Subdivision according to the Plat recorded November 18, 1913, recorded in Plat Book 3, Page 8, Palm Beach County (now Martin County), Florida Public Records, being further described as follows: Start at a concrete monument located on the Southwesterly corner of Lot W-53, Plat of Sewalls Point Land Company, Plat Book 1, Page 129-A, Public Records of Palm Beach (now Martin) County, Florida, for the point of beginning, thence run Northeasterly along the Southeasterly line of said Lot W-53, a distance of 480 feet to a concrete monument; thence continue to run Northeasterly along said lot line, a distance of 40 feet, more or less, to the waters of West Lake, thence meander Northerly and Westerly along the waters of said West Lake to the intersection with a line that is 100 feet Northwesterly of and parallel to said Southeasterly line of Lot W-53; thence run Southwesterly, along said parallel line a distance of 70 feet, more or less, to a concrete monument; thence continue to run Southwesterly along said parallel line, a distance of 465 feet to a concrete monument located on the Easterly right of way of St. Lucie Avenue; thence run Southeasterly along said right of way a distance of 100 feet to the Point of Beginning.

PARCEL ID: 37-38-41-007-500-00530-7

TOTAL AREA: 1.23 ACRES