

NPM-2
EX 1

Brian Elam, PMP
(772) 288-5501 belam@martin.fl.us

PMP certified project manager with experience providing cradle-to-grave management of large-scale integrations.

Professional Experience

- | | |
|--|----------------|
| Martin County – Stuart, Florida | Present - 2021 |
| Senior Planner, Growth Management | |
| <ul style="list-style-type: none">• Manage various projects submitted by applicants related to development in unincorporated Martin County providing summaries, staff reports and supporting documentation presented to the public when required.• Provide customer service to the public for those seeking information related to development in unincorporated Martin County. | |
| Palm Beach County – West Palm Beach, Florida | 2021 - 2014 |
| Electronic Systems Analyst, Electronic Services & Security | |
| <ul style="list-style-type: none">• Assists or develops County electronics systems standards, policies, procedures, and scopes of work (SOW).• Assists in the development of Requests for Proposals (RFP's) and bids for the procurement and implementation of related electronics systems.• Manage low voltage portions of capital improvement construction projects validating and accepting installations.• Review, approve, and comment on all contractors' submittals, drawings, terms and conditions and contract details.• Develop rough order of magnitude and bottom-up estimates.• Performs electronics systems designs, analyses and implementation plans.• Assist in developing a 10-year planning and budget schedule with estimates to support replacement of all county electronics.• Ensure compliance with all contracted requirements.• Perform project closeout and lessons learned recording.• Manage multiple projects concurrently up to \$40M. | |
| Walgreens Distribution Center – Jupiter, Florida | 2014 - 2010 |
| Tandem Maintenance Technician | |
| <ul style="list-style-type: none">• Troubleshoot and maintenance of electrical, mechanical and alignment problems related to an automated system of cranes, robots, conveyors, high-speed sorters, articulating lifts, pallet jacks and forklifts. | |
| PAC Seating – Palm City, Florida | 2009 - 2008 |
| Avionics Program Manager | |
| <ul style="list-style-type: none">• Project manager overseeing the design and integration of electronics on custom aircraft seating. | |
| NWL Capacitors – Riviera Beach, Florida | 2008 - 2005 |
| Capacitor Engineer | |
| <ul style="list-style-type: none">• Designer and project manager for the development of new custom high-voltage capacitors and enclosures for commercial and military customers.• Author of test plans, manufacturing shop orders and ISO standards related to work.• Performed corona discharge testing above 90kV for required products. | |
| Northrop Grumman Space Technology – Redondo Beach, California | 2005 - 1997 |
| R&D Project Manager/Associate Engineer | |
| <ul style="list-style-type: none">• Responsible design engineer and project manager for high energy laser weapons systems including data acquisition and control, power and control, and custom electronics.• Managed multiple large projects from requirements definition, production, integration & test and closeout providing in depth analysis and reporting to key stakeholders.• Experienced in R&D, Quality Control, Clean Room and Spacecraft assembly.• Performed Quality Assurance inspection and recommended corrective actions.• Designed, analyzed and improved new and existing electronics circuit boards and assemblies.• Prepared Statements of Work (SOW) for the purchase of materials and equipment.• Drafted working drawings, wiring diagrams, design reviews, test procedures and failure analysis reports.• Performed functional, acceptance and qualification testing on site and at vendor locations. | |

Education

Project Management Professional (PMP), Project Management Institute, Number 2903859	2020
Stanford Certified Project Manager (SCPM), Stanford Center for Professional Development	2009
Master of Business Administration, University of Phoenix	2007
Bachelor of Science, Electronics Engineering Technology, ITT	1999

Professional Development & Training

Laser weapon systems engineering (company certificate program)	2005
Class 1000 clean room experience	1997-2005
Electrostatic discharge (ESD) safety training	1997-2005
Material Review Board (MRB) (authorized to define root cause and corrective action)	2000-2005
ISO9001: 2000E NWL internal auditor to verify process compliance	2007
Synchronous Flow Management/Theory of Constraints	2007
NFPA 70 E Electrical Safe Work Practices training	2010-2014
Lock-out/Tag-out	2010-2014
OSHA 1910.269, OSHA 1926.500 personal fall arrest systems	2010-2014
5S+1 Lean Workplace Organization & Six-Sigma experience	1997-2008

Software & Tools

Extensive training and experience with 2D AutoCAD, Microsoft Excel, Word and Project. Experience with many Adobe products and custom software for managing and tracking work.

U.S. Army – Fort Bliss, Texas	1984-1987
Short-range Air Defense Gunnery Crewman	
<ul style="list-style-type: none">• Airborne training at Fort Benning• Preventive maintenance on 2 ½ ton, 5-ton trucks and Vulcan 20 mm systems• Training related to desert deployment	



Agenda Item Summary

File ID: 22-1072

NPH-2

Meeting Date: 8/4/2022

PLACEMENT: New Business

TITLE:

TRINIDAD AND 3 BAGELS REZONING (T146-002) (QUASI-JUDICIAL)

EXECUTIVE SUMMARY:

This is a request by Trinidad and 3 Bagels for a proposed amendment to the county zoning atlas for a residential district designation (Section 3.2.E, LDR). The proposed amendment is to change the existing zoning district classification from A-2, Agricultural District to the AR-5A, Agricultural Ranchette District or the most appropriate zoning district. The approximate 25-acre parcel of land is located at 6155 SW Leighton Farm Avenue in Palm City. Included with this application is a Request for a Certificate of Facilities Exemption.

Requested by: Tyson Waters, Esq, Fox McCluskey Bush Robison, PLLC

Presented by: Brian Elam, Senior Planner, Growth Management Department

PREPARED BY: Chelsea Love, Administrative Specialist

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MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

TRINIDAD AND 3 BAGELS, LLC REZONING

Applicant:	Trinidad and 3 Bagels, LLC
Property Owner:	Trinidad and 3 Bagels, LLC
Agent for the Applicant:	Fox McCluskey Bush Robison, PLLC
County Project Coordinator:	Brian Elam, Senior Planner
Growth Management Director:	Paul Schilling
Project Number:	T146-002
Application Type and Number:	DEV2022040013
Report Number:	2022_0624_T146-002_STAFF_FINAL
Application Received:	05/19/2022
Transmitted:	05/20/2022
Date of Report:	06/24/2022
LPA Meeting:	08/04/2022
BCC Meeting:	08/09/2022

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B. Project description and analysis

This is a request by Trinidad and 3 Bagels (T146-002) for a proposed amendment to the county zoning atlas for a residential district designation (Section 3.2.E, LDR). The proposed amendment is to change the existing zoning district classification from A-2, Agricultural District to the AR-5A, Agricultural Ranchette District or the most appropriate zoning district. The approximate 25-acre parcel of land is located at 6155 SW Leighton Farm Avenue in Palm City. Included with this application is a Request for a Certificate of Public Facilities Exemption (Section 5.32.B.3.f.(7), LDR).

The land use designation for the property on the Future Land Use Map (FLUM) of the County's Comprehensive Growth Management Plan (CGMP) is Agricultural Ranchette. This land use classification is generally located between the fringe of the agricultural heartland and the outer fringe of urban development and is limited to one single-family dwelling unit per five gross acres Martin County, Fla., CGMP Policy 4.13A.3 (2002).

The zoning district on the property is A-2, Agricultural District a Category “C” district in the current Article 3 zoning code. The district is inconsistent with the future land use designation. Therefore, the request to rezone is considered mandatory.

Permitted Uses: Category “A” Agricultural and Residential Districts

There are two (2) standard “Category A” zoning districts that are available to implement the Agricultural Ranchette land use policies of the CGMP, which are the AR-5A, Agricultural Ranchette District and the AR-10A, Agricultural Ranchette District. In addition to the standard zoning districts, the PUD (Planned Unit Development) District is also available as another option. The PUD District offers more design flexibility to applicants for proposed projects. In exchange the district requires additional benefits to the County and more controls by the County.

The following tables indicate the permitted uses and the development standards for the AR-5A and AR-10A category “A” Districts. The permitted uses for the A-2 District are listed separately as the permitted uses do not directly correspond to the Category “A” table.

Table 1 Permitted Uses – Category “A” Agricultural and Residential Districts (Excerpted from LDR, Art. 3, Div. 2, Sec. 3.11, Table 3.11.1)

	Use Category	AR-5A	AR-10A
Residential Uses	Modular homes	P	P
	Single-family detached dwellings	P	P
Agricultural Uses	Agricultural veterinary medical services	P	P
	Aquaculture	P	P
	Crop farms	P	P
	Exotic wildlife sanctuaries	P	P
	Farmer’s markets	P	P
	Fishing and hunting camps	P	
	Orchards and groves	P	P
	Plant nurseries and landscape services	P	P
	Ranches	P	P
	Silviculture	P	P
	Stables, commercial	P	P
	Wildlife rehabilitation facilities	P	P

Table 1 Permitted Uses – Category “A” Agricultural and Residential Districts (Continued)

	Use Category	AR-5A	AR-10A
Public and Institutional Uses	Administrative services, not-for-profit	P	P
	Cemeteries, crematory operations, and columbaria	P	P
	Community centers	P	P
	Neighborhood assisted residences with six or fewer residents	P	P
	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	P
	Places of worship	P	P
	Protective and emergency services	P	P
	Public parks and recreation areas, active	P	P
	Public parks and recreation areas, passive	P	P
	Recycling drop-off centers	P	P
	Residential care facilities, where such use was lawfully established prior to the effective date of this ordinance	P	P
	Utilities	P	P
Commercial and Business Uses	Bed and breakfast inns	P	P
	Commercial day care	P	P
	Family day care	P	P
	Golf courses	P	P
	Kennels, commercial	P	P
Transportation, Communication and Utilities Uses	Airstrips	P	P
Industrial Uses	Mining	P	P

Permitted Uses: Category “C”, A-2 Agricultural District

Reference: LDR, Art. 3, Div. 7, Sec. 3.412.

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.B. *Required lot area.* The required lot area shall not be less than five acres; provided, however, that in the old recorded subdivisions known as Palm City Farms (Plat Book 6, page 42, Palm Beach County), St. Lucie Inlet Farms (Plat Book 1, page 98, Palm Beach County), and St. Lucie Gardens (Plat Book 1, page 35, St. Lucie County), each full (as opposed to fractional) tract shown on said plats shall for purposes of lot area requirements be considered to be ten acres, and one-half of any such tract shall for purposes of lot area requirements be considered to be five acres; and provided further, however, that the existence of road rights-of-way and road easements (other than that of the Sunshine State Parkway, also known as Florida Turnpike) shall be disregarded for purposes of lot area requirements.
- 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.

Development Standards

Table 2 Development Standards (Excerpt from LDR, Table 3.12.1 (2021))

Category	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	AR-5A	5 acres	300	0.20	—	—	30	50	
A	AR-10A	10 acres	300	0.10			30	50	
C	A-2	≥5, ≥20 acres	—	0.05	—	—	40	50	

Table 3 Structure Setbacks (Excerpt from LDR, Table 3.12.2 (2021))

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	AR-5A	40	40	40	40	40	40	40	40	40	40	40	40
A	AR-10A	40	40	40	40	40	40	40	40	40	40	40	40
C	A-2	25	25	25	25	25	25	25	25	25	25	25	25

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.”

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

The Future Land Use Map of the CGMP 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.

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; and,*

The subject property was designated as Agricultural Ranchette, up to 0.2 units per acre on the original FLUM adopted in 1982. The requested AR-5A Zoning District implements the Agricultural Ranchette Future Land Use policies of the CGMP. The granting of a zoning change to the AR-5A, Agricultural Ranchette District by the County will be consistent with the policies set forth in the CGMP.

b. *Whether the proposed amendment is consistent with all applicable provision of the Comprehensive Plan; and*

Zoning implementation policies and requirements are contained in Article 3, Zoning Regulations, Land Development Regulations, Martin County Code. Pursuant to Article 3 there are 2 “straight” Category A zoning districts available to implement the Agricultural Ranchette future land use classification, which are the AR-5A Zoning District and the AR-10A zoning district. Therefore, rezoning the subject property to the AR-5A Zoning District is consistent with the Comprehensive Plan. In addition to the “straight” zoning district, the PUD (Planned Unit Development) District is also available as another option. Pursuant to Section 3.10.B., LDR, the AR-5A district is intended to implement the policies of the CGMP for lands designated Agricultural Ranchette on the Future Land Use Map of the CGMP. Therefore, rezoning the subject property to the AR-5A Zoning District is consistent with the Land Development Regulations. The granting of a zoning change by the County does not exempt the applicant from any of the County’s Land Development Regulations. 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 proposed zoning use; and*

The subject site is located at 6155 SW Leighton Farm Ave, Palm City.

The property is not in a Community Redevelopment Area. Palm City Farms is an established agricultural and detached single family neighborhood. The average lot size is approximately 5 -10 acres.

The Fox Grove and Pentalago Phase I lands to the East were platted in April 2005 and March 2021 respectively subdividing approximately 676 acres of land into 5-acre parcels zoned AR-5A, which is consistent with the CGMP future land use of Agricultural Ranchette.

The requested zoning change to the AR-5A Zoning District is compatible with the distribution of uses in the area and implements the future land use on the property.

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

The pattern of development which has focused on agricultural and residential uses is well established. A review of historical aerials and a comparison of the original future land use map to the current parcel configurations and development of the area indicate that conditions have not substantially changed in the area since the adoption of the County’s Future Land Use Map in 1982.

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

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 Ranchette Future Land Use Designation therefore, the rezoning to AR-5A 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; and

The proposed amendment to the zoning atlas is consistent with the Agricultural Ranchette assigned to the Future Land Use Map in 1982. The permitted uses and Land Development regulations pertaining to the AR-5A 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	Brian Elam	288-5501	Comply
G	Site Design Review	Brian Elam	288-5501	Comply
S	County Attorney	Krista Storey	288-5923	Review Ongoing
T	Adequate Public Facilities	Brian Elam	288-5501	Exempt

Staff has reviewed this petition for a rezoning of property to the appropriate zoning district designation, has determined that the petition has been submitted and reviewed consistent with the procedural requirements of Article 10 and is in compliance with the substantive provisions of Article 3. The Board is advised that this application is in order and qualifies for an action of approval.

D. Review Board action

This application is classified as an amendment to the official zoning atlas. Pursuant to Section 10.3.B., Land Development Regulations (LDR), Martin County, Fla. (2019), 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. (2019), final action on this request for an amendment to the official zoning atlas is required by the Board of County Commissioners (BCC) at a public hearing.

Figure 1: Location Map



Figure 2: 2021 Aerial (Property Appraiser – Image Date: 12/02/2021)



Adjacent existing or proposed development:

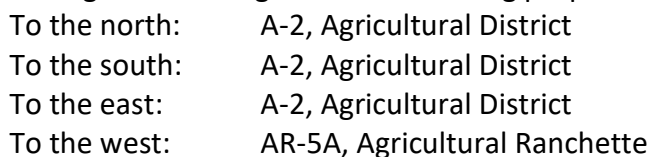
To the north: Landscape Service
To the south: Undeveloped
To the east: Undeveloped
To the west: Single-Family Residential (Meadow Run at Fox Grove)

Figure 3: Subject Property Future Land Use



Future land use designations of abutting properties:

To the north: Agricultural Ranchette
To the south: Agricultural Ranchette
To the east: Agricultural Ranchette
To the west: Agricultural Ranchette



Comprehensive Growth Management Plan

Findings of Compliance:

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. The application proposes rezoning to a standard zoning district defined in the Land Development Regulations for the purpose of implementing the CGMP for lands designated Agricultural Ranchette on the Future Land Use Map of the CGMP Martin County, FLA, LDR §3.10 (2013).

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, Section 4.4A.1 (2021)]

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

Site Design Review

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. The application proposes rezoning to AR-5A, Agricultural Ranchette, which is a standard zoning district defined in the Land Development Regulations for the purpose of implementing the CGMP for lands designated Agricultural Ranchette on the Future Land Use Map of the CGMP Martin County, FLA, LDR §3.10 (2013). There are no unresolved land use, site design standards, zoning and procedural requirements issues associated with this application.

Additional Information:

Information #1:

Newspaper Advertisement

Notice(s) of a public hearings regarding development applications shall be published at least 14 days prior to the date of the public hearing (seven calendar days if the application is being expedited pursuant to section 10.5.E.3.) in the legal advertisement section of a newspaper of general circulation in Martin County, as defined in F.S. chapter 50 and consistent with the provision of F.S. chapters 125, 163 and 286. [Martin County, Fla, LDR, Article 10, Section 10.6.D. (2019)] The applicant shall reimburse the County for the cost(s) of the newspaper ad(s) as a post approval requirement for the application.

Information #2:

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, property owners associations, condominium associations and the owners of each condominium unit within the notice area. [Martin County, Fla, LDR, Article 10, Section 10.6.E.1. (2019)]

S. Determination of compliance with legal requirements – County Attorney’s Office

Review Ongoing

T. Determination of compliance with the adequate public facilities requirement – 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. (2016). 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.

U. Post-approval requirements

Approval of the development order is conditioned upon the applicant's submittal of all required documents, executed where appropriate, to the Growth Management Department (GMD), including unpaid fees, within sixty (60) days of the final action granting approval.

Item #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. Checks should be made payable to Martin County Board of County Commissioners.

Item #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 Martin County Clerk of Court.

V. Local, State, and Federal Permits

No Local, State and Federal Permits are applicable to a rezoning action which does not permit any development activities.

W. 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.

X. General application information

Applicant: Trinidad and 3 Bagels (Karina Fitz)
6155 SW Leighton Farm Avenue
Palm City, FL 34990

Agent: Fox McCluskey Bush Robison, PLLC (Tyson Waters)
3461 SE Willoughby Blvd.
Stuart, FL
twaters@foxmccluskey.com

Y. 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

Z. Attachments



Martin County, Florida
 Growth Management Department
 DEVELOPMENT REVIEW DIVISION
 2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 www.martin.fl.us

DEVELOPMENT REVIEW APPLICATION

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A. GENERAL INFORMATION

Type of Application: Zoning Change



Name or Title of Proposed Project: Trinidad and 3 Bagels Rezoning

Brief Project Description:

This application is for a mandatory rezoning of the property described and set forth in this application. The subject property has a future land use of Agricultural Ranchette and a zoning classification of A-2, which is a Category "C" zoning district. The A-2 zoning district is not compatible with the Agricultural Ranchette future land use. The applicant is requesting to rezone the property to AR-5A.

Was a Pre-Application Held? ☒ YES/NO ☐ Pre-Application Meeting Date: 2/17/2022

Is there Previous Project Information? ☐ YES/NO ☒

Previous Project Number if applicable: N/A

Previous Project Name if applicable: N/A

Parcel Control Number(s)

47-38-41-000-000-00040-7

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B. PROPERTY OWNER INFORMATION

Owner (Name or Company): Trinidad and 3 Bagels, LLC

Company Representative: Karina Fitz

Address: 6155 SW Leighton Farm Avenue

City: Palm City, State: FL Zip: 34990

Phone: _____ Email: kjfitz1@mac.com

C. PROJECT PROFESSIONALS**Applicant (Name or Company):** Trinidad and 3 Bagels, LLCCompany Representative: Karina FitzAddress: 6155 SW Leighton Farm AvenueCity: Palm City, State: FL Zip: 34990Phone: _____ Email: 34990**Agent (Name or Company):** Fox McCluskey Bush Robison, PLLCCompany Representative: Tyson Waters, Esq.Address: 3461 SE Willoughby Blvd.City: Stuart, State: FL Zip: 34990Phone: 772-287-4444 Email: twaters@foxmccluskey.com**Contract Purchaser (Name or Company):** _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Land Planner (Name or Company): _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Landscape Architect (Name or Company): _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Surveyor (Name or Company): _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Civil Engineer (Name or Company): _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

PROJECT PROFESSIONALS CONTINUED**Traffic Engineer (Name or Company):** _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Architect (Name or Company): _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Attorney (Name or Company): Fox McCluskey Bush Robison, PLLCCompany Representative: Tyson Waters, Esq.Address: 3461 SE Willoughby Blvd.City: Stuart, State: FL Zip: 34994Phone: 772-287-4444 Email: twaters@foxmccluskey.com**Environmental Planner (Name or Company):** _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Other Professional (Name or Company): _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

D. Certification by Professionals

Section 10.5.F.6.h., Article 10, Development Review Procedures, Land Development Regulations (LDR), Martin County Code (MCC) provides the following:

When reviewing a development application that has been certified by a professional listed in F.S. § 403.0877, F.S., the County shall not request additional information from the applicant more than three times, unless the applicant waives the limitation in writing. If the applicant states in writing that the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the County, at the applicant's request, shall proceed to process the application for approval or denial. **(125.022(1), Fla. Stat.)**

☐

This box must be checked if the applicant waives the limitations.

E. APPLICANT or AGENT CERTIFICATION

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.

[Signature]
Applicant Signature

4/18/22
Date

Karina Fitz
Printed Name

NOTARY ACKNOWLEDGMENT

STATE OF: FLORIDA COUNTY OF: MARTIN

I hereby certify that the foregoing instrument was acknowledged before me this 18th day of APRIL, 20 22, by KARINA FITZ.

He or She is personally known to me or ✓ has produced FLA. Driver License as identification.

[Signature]
Notary Public Signature

Tyson Waters
Printed name

STATE OF: FLORIDA at-large





**Martin County County Florida Growth Management Department
DEVELOPMENT REVIEW DIVISION**
2401 SE Monterey Road, Stuart, FL 34996
772-288-5495 www.martin.fl.us

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback

Digital Submittal Affidavit

I, Tyson Waters, attest that the electronic version included for the project Trinidad and 3 Bagels, LLC Mandatory Rezoning is an exact copy of the documents that were submitted for sufficiency, excluding any requested modifications made by the sufficiency review team. All requested modifications, if any, have been completed and are included with the packet.

[Signature]
Applicant Signature

4/22/2022
Date

NOTARY ACKNOWLEDGMENT

STATE OF: FLORIDA COUNTY OF: MARTIN

I hereby certify that the foregoing instrument was acknowledged before me this 22nd day of APRIL, 20 22, by TYSON WATERS.

He or She ☒ is personally known to me or has produced as identification.

[Signature]
Notary Public Signature

CHRISTINA M. PRIETO
Printed name

STATE OF: FLORIDA at-large



Christina M. Prieto
Notary Public
State of Florida
Comm# HH062710
Expires 11/11/2024

NARRATIVE

This is an application for a mandatory rezoning of the property located at 6155 SW Leighton Farms Avenue, Palm City, Florida. The current land use is Agricultural Ranchette and the current zoning designation is A-2. The A-2 zoning district is a "Category 'C'" zoning district and is not compatible with the Agricultural Ranchette land use designation. As such, a mandatory rezoning is required for any development on the property. The Applicant is requesting to rezone the property to AR-5, which is the appropriate zoning designation for the subject property.

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, for and on behalf of Trinidad and 3 Bagels, LLC, a Florida limited liability company, do by these presents hereby make, constitute and appoint Tyson Waters, Esquire, and Fox McCluskey Bush Robison, PLLC, as its attorneys-in-fact to represent it and to execute, acknowledge, and deliver in its name applications, documents and instruments, as its attorneys-in-fact may deem proper, as well as represent it at any hearings and meetings, that may be required to obtain a rezoning, and other applicable approvals, from Martin County for the following described real property:

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

IN WITNESS WHEREOF, we have set our hands and seal this 18th day of April, 2022.

Signed, Sealed and delivered

In the presence of:

TRINIDAD AND 3 BAGELS, LLC

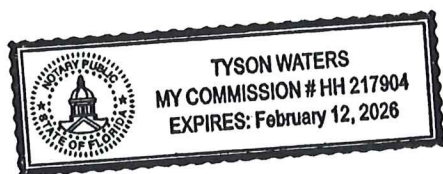
Carolyn A. Brinskelle
Print Name: Carolyn A. Brinskelle
Witness

Karina Fitz
Print Name: Karina Fitz
Its: Manager

Tyson Waters
Print Name: TYSON WATERS
Witness

STATE OF Florida
COUNTY OF Martin

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 18th day of April, 2022, by Karina Fitz, as Manager of Trinidad and 3 Bagels, LLC, a Florida limited liability company, on behalf of said entity, who is personally known to me or has produced Florida Driver's License as identification.



Tyson Waters
Signature of Notary Public
TYSON WATERS
Print, type or stamp commissioned
Name of Notary Public
My Commission expires:

Exhibit "A"
Legal Description

Commence at the Northeast corner of Lot 12 of the Commissioner's Subdivision of the Miles or Hanson Grant, according to the Plat thereof filed December 30, 1901, recorded in Plat Book 8, Page 59, Dade (now Martin) County, Florida public records; thence run South 24 degrees 15'52" East, along the East line of said Lot 12 and the Westerly right of way of that Road right of way 60 feet in width, as per the Plat of the Commissioner's Subdivision of the Miles or Hanson Grant, a distance of 4120.74 feet to the Point of Beginning; thence continue South 24 degrees 15'52" East, along said East line of Lot 12 and Westerly right of way, a distance of 851.31 feet; thence run South 65 degrees 54'26" West, a distance of 1135.01 feet to a point on the Easterly right of way of that Road right of way 66 feet in width, as recorded in Deed Book 94, Page 816; Deed Book 96, Page 143, and Official Records Book 59, Page 29, Public Records of Martin County, Florida; thence run North 24 degrees 15'52" West, along said Easterly right of way, a distance of 1011.35 feet; thence run North 65 degrees 54'33" East, a distance of 284.91 feet; thence run North 73 degrees 30'18" East, a distance of 453.98 feet; thence run North 79 degrees 55'29" East, a distance of 412.87 feet to the Point of Beginning. Said land lying and being in Martin County, Florida.

Parcel Identification Number: 47-38-41-000-000-00040-7

Acreage: 25.0300, more or less



INSTR # 2460379 OR BK 2723 PG 957 RECD 06/11/2014 08:30:36 AM
(2 Pgs)
CAROLYN TIMMANN MARTIN COUNTY CLERK
DEED DOC \$5,775.00, MTG DOC \$0.00, INTANGIBLE \$0.00

Prepared by and return to:

Terence P. McCarthy, Esq.
McCarthy, Summers, Bobko, Wood,
Norman, Bass & Melby, P.A.

2400 SE Federal Highway, 4th Floor
Stuart, Florida 34994
772-286-1700

File Number: 12738-01

Parcel Identification No.: 47-38-41-000-000-00040-7

Will Call No.: 50

(space above this line for recording data)

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

THIS WARRANTY DEED, made this 10th day of June, 2014, by Cypress Trust Company, as Trustee, a Florida corporation, whose post office address is 251 Royal Palm Way #500, Palm Beach, FL 33480 ("Grantor"), to Trinidad and 3 Bagels, LLC, a Florida limited liability company, whose post office address is 12441 Ridge Road, North Palm Beach, FL 33408 ("Grantee*"):

Witnesseth that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in Martin, Florida, to-wit:

Commence at the Northeast corner of Lot 12 of the Commissioner's Subdivision of the Miles or Hanson Grant, according to the Plat thereof filed December 30, 1901, recorded in Plat Book B, Page 59, Dade (now Martin) County, Florida public records; thence run South 24 degrees 15' 52" East, along the East line of said Lot 12 and the Westerly right of way of that Road right of way 60 feet in width, as per the Plat of the Commissioner's Subdivision of the Miles or Hanson Grant, a distance of 4120.74 feet to the Point of Beginning; thence continue South 24 degrees 15' 52" East, along said East line of Lot 12 and Westerly right of way, a distance of 851.31 feet; thence run South 65 degrees 54' 26" West, a distance of 1135.01 feet to a point on the Easterly right of way of that Road right of way 66 feet in width, as recorded in Deed Book 94, Page 816; Deed Book 96, Page 143, and Official Records Book 59, Page 29, Public Records of Martin County, Florida; thence run North 24 degrees 15' 52" West, along said Easterly right of way, a distance of 1011.35 feet; thence run North 65 degrees 54' 33" East, a distance of 284.91 feet; thence run North 73 degrees 30' 18" East, a distance of 453.98 feet; thence run North 79 degrees 55' 29" East, a distance of 412.87 feet to the Point of Beginning. Said land lying and being in Martin County, Florida.

Subject to taxes for 2014, and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

and said grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

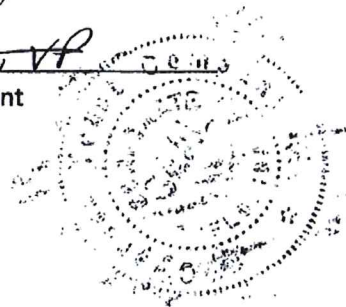
In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Donna Pfister
 Witness printed name: Donna Pfister
Jamie M. Reid
 Witness printed name: Jamie Reid

Cypress Trust Company, as Trustee, a Florida corporation

By: Roxanne Ertle
 Roxanne Ertle, Vice President

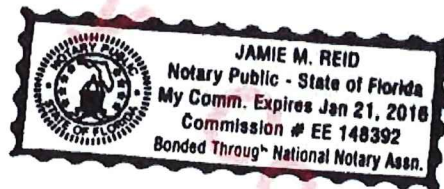


State of Florida
 County of Palm Beach

The foregoing instrument was acknowledged before me this 9th day of June, 2014, by Roxanne Ertle as Vice President of Cypress Trust Company, as Trustee, a Florida corporation on behalf of the company. Who {is} personally known or {X} has/have produced a driver's license as identification.

{Notary Seal}

Jamie M. Reid
 Notary Public
 Printed Name: Jamie M Reid
 My Commission Expires: 01/21/2016



CERTIFICATE OF NO-TRANSFER

To the best of my knowledge and belief and a search of those public records available on the Martin County Clerk of Court's website, there have been no transfers of the property owned by Trinidad and 3 Bagels LLC, having a Parcel Identification Number of 47-38-41-000-000-00040-7, which is the subject of the proposed rezoning application, since that certain deed from Cypress Trust Company, as Trustee, a Florida corporation, to Trinidad and 3 Bagels, LLC a Florida limited liability company, dated June 10, 2014 and recorded on June 11, 2014, in Official Records Book 2723, Page 957, of the Public Records of Martin County, Florida.

DATED this 22nd day of April, 2022.



Tyson J. Waters, Esq.
Attorney for Applicant

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 22nd day of April, 2022, by Tyson Waters, who is personally known to me or has produced _____ as identification.

[SEAL]



Christina M. Prieto
Notary Public
State of Florida
Comm# HH062710
Expires 11/11/2024



Signature of Notary Public

CHRISTINA M. PRIETO

Print, type or stamp commissioned

Name of Notary Public

My Commission expires:

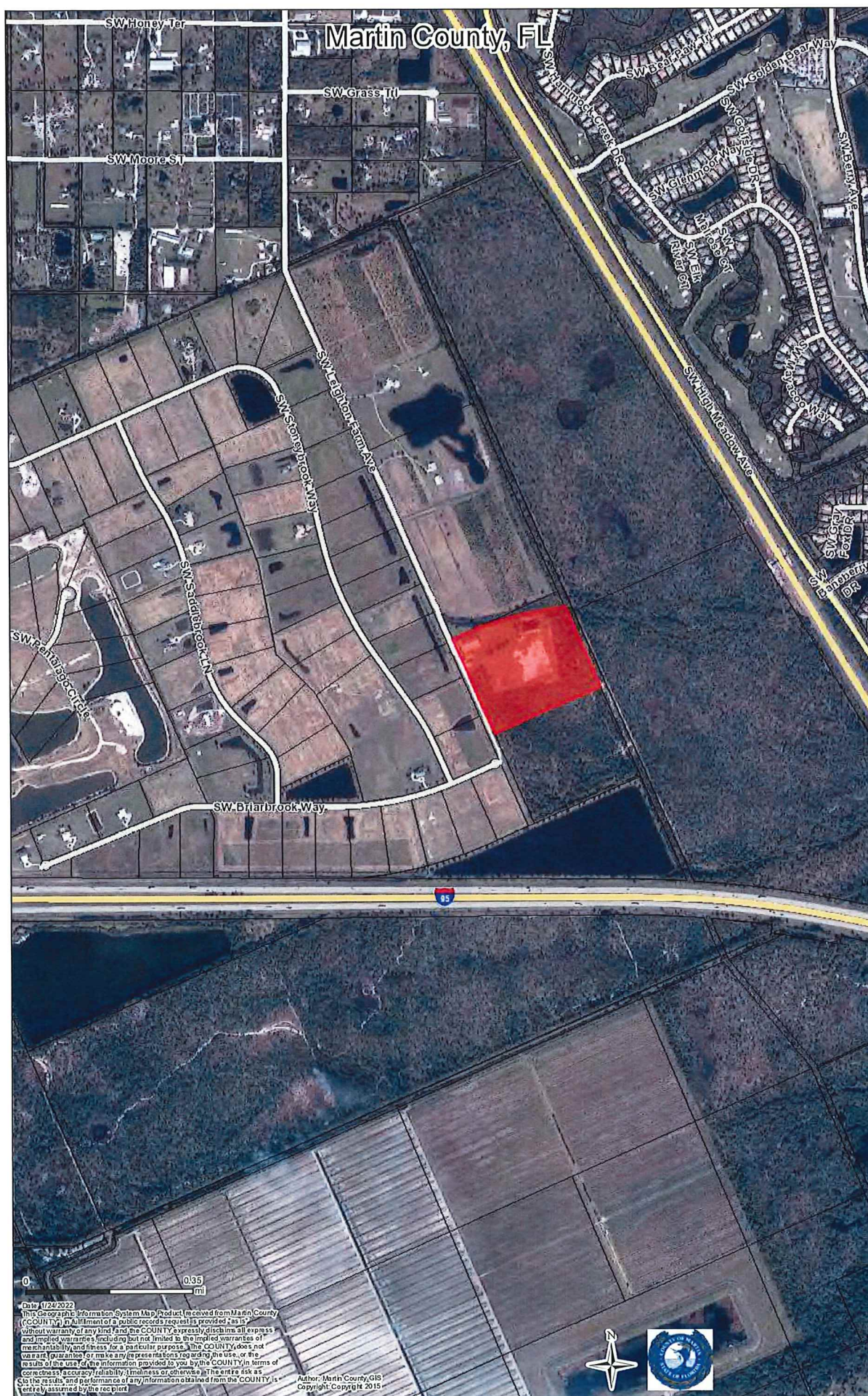
Legal Description

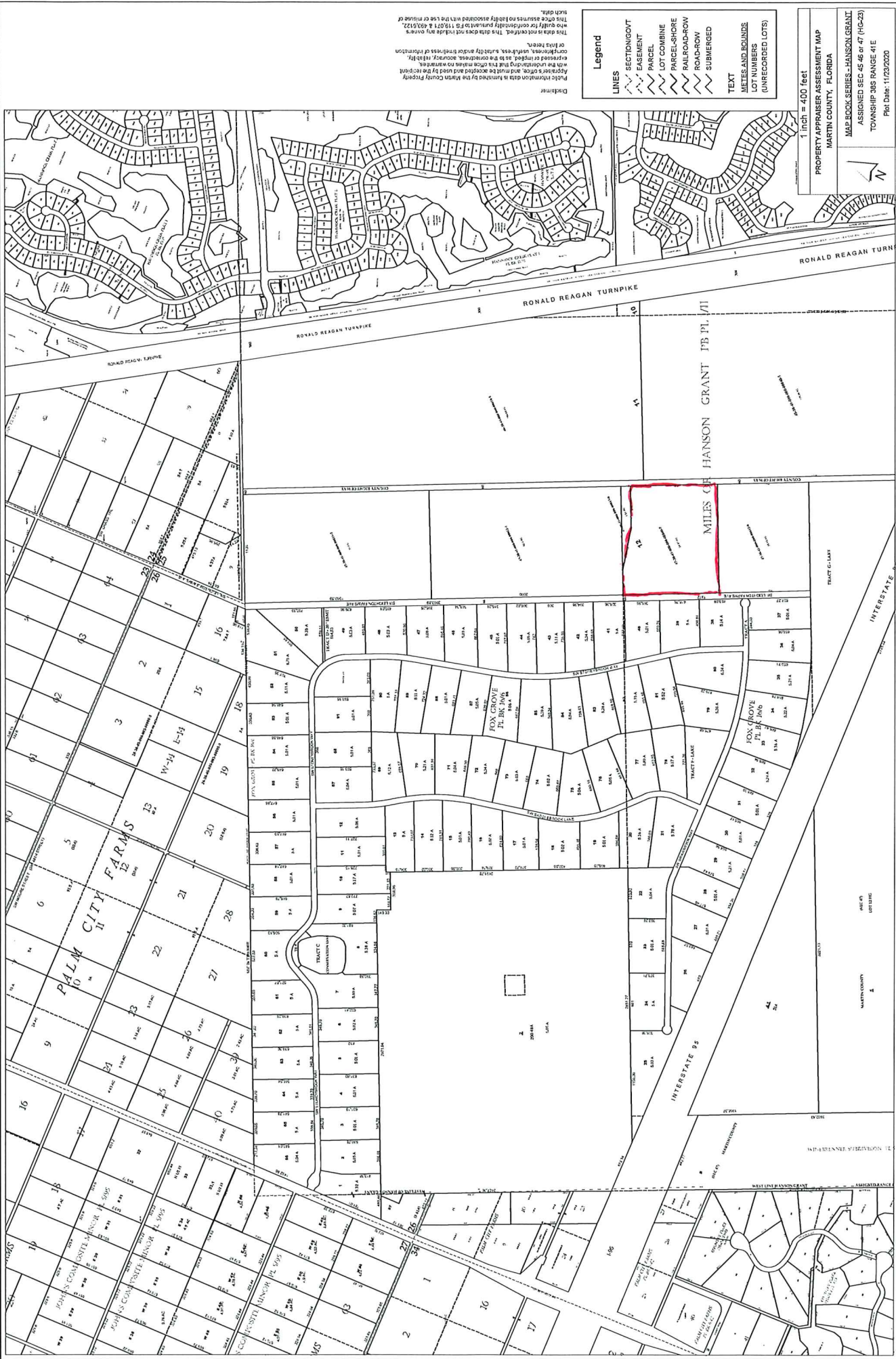
Commence at the Northeast corner of Lot 12 of the Commissioner's Subdivision of the Miles or Hanson Grant, according to the Plat thereof filed December 30, 1901, recorded in Plat Book 8, Page 59, Dade (now Martin) County, Florida public records; thence run South 24 degrees 15'52" East, along the East line of said Lot 12 and the Westerly right of way of that Road right of way 60 feet in width, as per the Plat of the Commissioner's Subdivision of the Miles or Hanson Grant, a distance of 4120.74 feet to the Point of Beginning; thence continue South 24 degrees 15'52" East, along said East line of Lot 12 and Westerly right of way, a distance of 851.31 feet; thence run South 65 degrees 54'26" West, a distance of 1135.01 feet to a point on the Easterly right of way of that Road right of way 66 feet in width, as recorded in Deed Book 94, Page 816; Deed Book 96, Page 143, and Official Records Book 59, Page 29, Public Records of Martin County, Florida; thence run North 24 degrees 15'52" West, along said Easterly right of way, a distance of 1011.35 feet; thence run North 65 degrees 54'33" East, a distance of 284.91 feet; thence run North 73 degrees 30'18" East, a distance of 453.98 feet; thence run North 79 degrees 55'29" East, a distance of 412.87 feet to the Point of Beginning. Said land lying and being in Martin County, Florida.

Parcel Identification Number: 47-38-41-000-000-00040-7

Acreage: 25.0300, more or less







Public information data is furnished by the Martin County Property Appraiser's Office, and must be accurate and used by the recipient with the understanding that this office makes no warranty, expressed or implied, as to the correctness, accuracy, reliability, completeness, usefulness, suitability and/or timeliness of information or data herein.

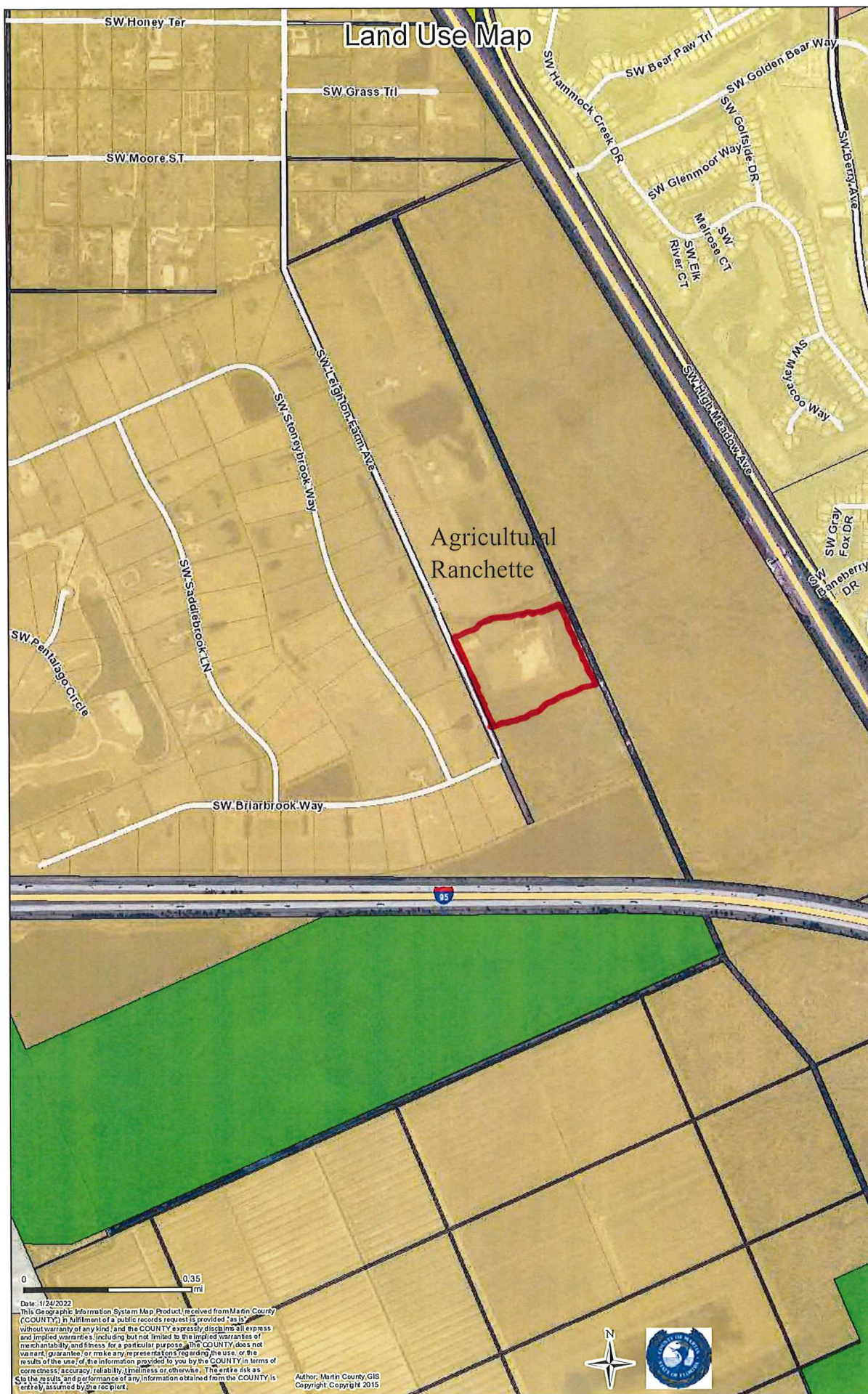
This data is not intended to be used for any purpose other than for which it was collected. This data does not include any owner's who qualify for confidentiality pursuant to F.S. 119.071 & 119.072. Such data, if included, would be marked as such.

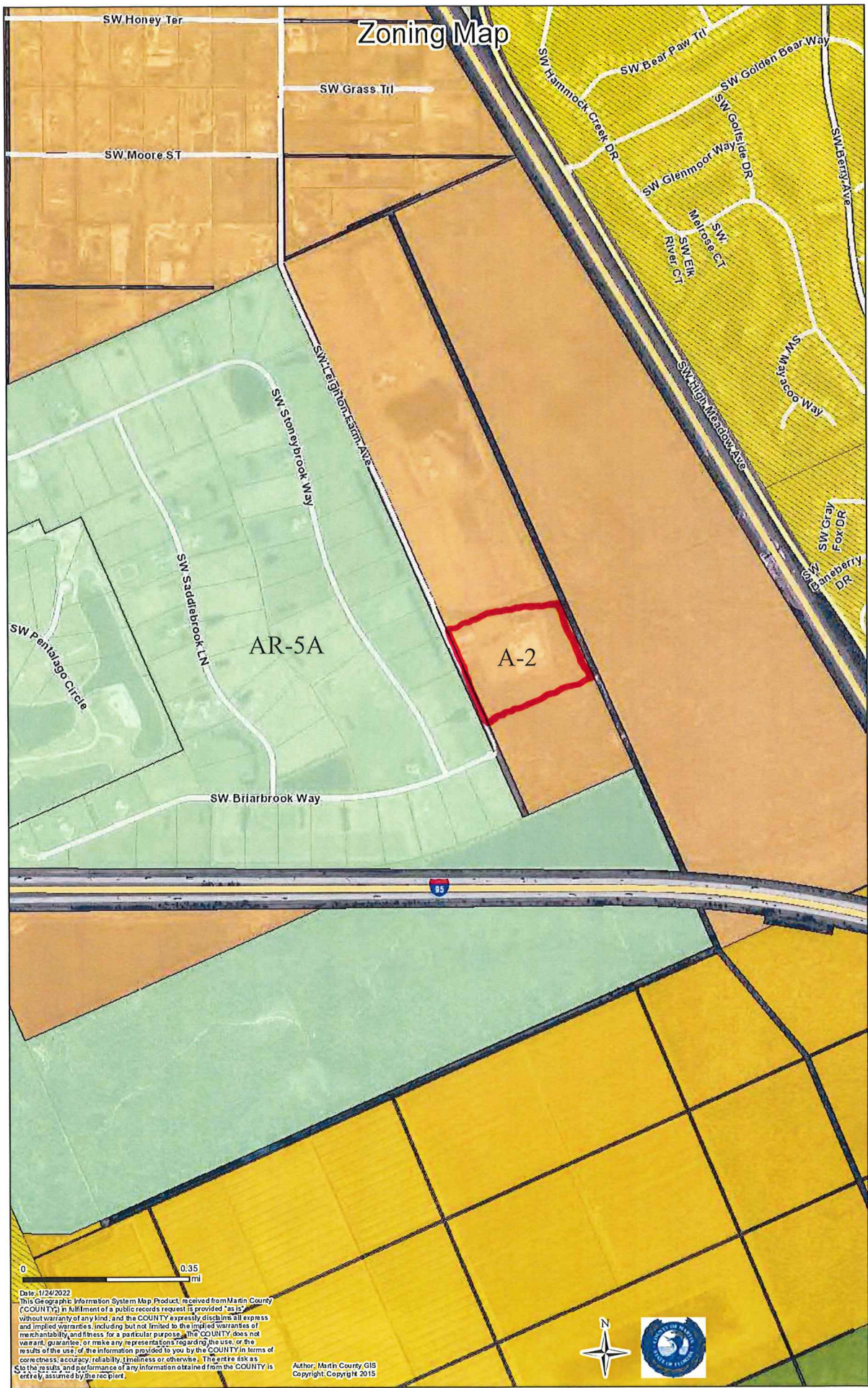
- Legend**
- SECTION/GOV'T
 - EASEMENT
 - PARCEL
 - LOT COMBINE
 - PARCEL-SHORE
 - RAILROAD-ROW
 - ROAD-ROW
 - SUBMERGED
 - TEXT
 - METERS AND BOUNDS
 - LOT NUMBERS
 - (UNRECORDED LOTS)

1 inch = 400 feet

PROPERTY APPRAISER ASSESSMENT MAP
MARTIN COUNTY, FLORIDA

MAP BOOK SERIES - HANSON GRANT
ASSIGNED SEC 45 46 47 (PG-23)
TOWNSHIP 28S RANGE 41E
PG. Date: 11/23/2020







School Impact Worksheet

The purpose of this school impact worksheet is to assist in planning for future public school facility needs and concurrency requirements. It is to be completed for any proposed residential project, and residential rezoning, amendments to FLUM with residential components, and DRIs.

Date: April 11, 2022
Parcel ID#: 47-38-41-000-00040-7
Project Name: Trinidad and 3 Bagels Rezoning
Former Project Name: N/A
Owner/Developer: Trinidad and 3 Bagels, LLC
Contact Name/Number: Karina Fitz -
Total Project Acreage: 25.03 acres
Year 1 of the Build-Out: 2022

1. Please indicate the most likely build-out scenario. Show build-out by year and number of units/year.

Unit Type	Number of Units	First 5-year Period					Second 5- year Period				
		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Yr 7	Yr 8	Yr 9	Yr 10
Single-family detached											
Multi-family											
Apartment											
Townhouse											
Other	1	1									

Note: If build-out is expected to go beyond the 10 year period above, please attach an additional table with build-out years until project completion.

2. Project number and type of residential dwelling units at build-out, as follows:

Unit Type	Number of Units	Typical Unit Floor Area (sq. ft.)	Estimated Price (\$) Per Unit	Number Restricted to 55+ Age Group
Single-family detached				
Multi-family				
Apartment				
Townhouse				
Other	1	N/A		

3. Please include a location map showing elementary, middle and high schools within a two-mile radius of the proposed project. If no schools are within a two-mile radius of the project, please indicate the nearest schools to the project.

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared the undersigned person on the date set forth below, who, first being duly sworn, deposes and says under penalties of perjury:

1. That the record property owner(s) of the Real Property described in **Exhibit "A"** to this Affidavit is (are) as follows:

Name	Address
Trinidad and 3 Bagels, LLC	6155 SW Leighton Farm Avenue Palm City, FL 34990

(If more space is needed attach separate sheet)

2. That the following is a list of every natural person and entity with any legal or equitable interest in the property (as defined in Section 10.2.B.3. Land Development Regulations, Martin County Code):

Name	Address	Interest
Karina Fitz	6155 SW Leighton Farm Avenue Palm City, FL 34990	Member of Owner
Steve Barimo	6155 SW Leighton Farm Avenue Palm City, FL 34990	Member of Owner

(If more space is needed attach separate sheet)

3. That the following is a list of those, who have any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property:

Name	Address	Interest
N/A		

(If more space is needed attach separate sheet)

4. That the following is a list of all other applications for which the applicant has an interest as defined in subsection b. and c. of Section 10.2.B.3. Land Development Regulations, Martin County Code currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.

Application Name and/or Project Number	Names & Addresses of Parties involved	Date	Type of Application	Status of Application*
N/A				

(If more space is needed attach separate sheet)

- Status defined as:
A = Approved

P = Pending
D = Denied
W = Withdrawn

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

AFFIANT

Karina Fitz
Manager

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 18th day of APRIL 2022, by KARINA FITZ, who is personally known to me or have produced FLA DRIVER'S LICENSE as identification.

Tyson Waters

Notary Public, State of FLORIDA

Print Name: TYSON WATERS

My Commission Expires: FEB. 12, 2026

(Notary Seal)

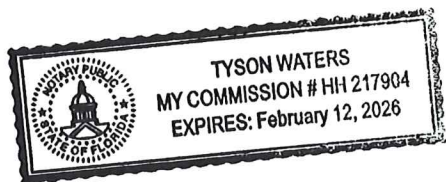


Exhibit "A"
(Disclosure of Interest and Affidavit)
(Legal Description)

Commence at the Northeast corner of Lot 12 of the Commissioner's Subdivision of the Miles or Hanson Grant, according to the Plat thereof filed December 30, 1901, recorded in Plat Book 8, Page 59, Dade (now Martin) County, Florida public records; thence run South 24 degrees 15'52" East, along the East line of said Lot 12 and the Westerly right of way of that Road right of way 60 feet in width, as per the Plat of the Commissioner's Subdivision of the Miles or Hanson Grant, a distance of 4120.74 feet to the Point of Beginning; thence continue South 24 degrees 15'52" East, along said East line of Lot 12 and Westerly right of way, a distance of 851.31 feet; thence run South 65 degrees 54'26" West, a distance of 1135.01 feet to a point on the Easterly right of way of that Road right of way 66 feet in width, as recorded in Deed Book 94, Page 816; Deed Book 96, Page 143, and Official Records Book 59, Page 29, Public Records of Martin County, Florida; thence run North 24 degrees 15'52" West, along said Easterly right of way, a distance of 1011.35 feet; thence run North 65 degrees 54'33" East, a distance of 284.91 feet; thence run North 73 degrees 30'18" East, a distance of 453.98 feet; thence run North 79 degrees 55'29" East, a distance of 412.87 feet to the Point of Beginning. Said land lying and being in Martin County, Florida.

Appendix
Article 10.2.B.3. Article 10, Development Review Procedures;
Land Development Regulations; Martin County Code

10.2.B. Application submittal for development approval. Applications for development approval shall comply with the following described procedures:

1. Initiation. A development application shall be filed with the County Administrator by the owner or other person having a power of attorney from the owner to make the application.
2. Acceptance of the application. A development application will be received for processing on any working day.
3. Verification of property ownership. The documents required below are required prior to an application being determined complete. After the application is determined to be complete, the applicant has a continuing obligation to provide revised documents to reflect any changes to the information provided that may occur before and as of the date of the final public hearing or final action on the application.
 - a. Proof of ownership must be provided for any application for any type of development order. The applicant shall provide a copy of the recorded deed for the subject property, and shall certify any subsequent transfers of interests in the property. If the applicant is not the owner of record, the applicant is required to report its interest in the subject property.
 - b. The applicant must disclose the names and addresses of each and every natural person or entity with any legal or equitable interest in the property of the proposed development, including all individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, limited liability company, professional associations and all other groups or combinations.
 - c. For those entities that are a firm, association, joint adventure, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, limited liability company, professional associations and all other groups or combinations thereof, every natural person or entity that enjoys a legal or equitable interest in property of the proposed development shall be disclosed including but not limited to any partners, members, shareholders, trustees, and stockholders.
 - d. The disclosure required in b. and c. above shall not apply to companies that are publicly traded and to consultants and contractors who may perform professional services or work related to the property.
 - e. In addition, the disclosure must include those having any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property.
 - f. The applicant must list all other applications for which they have an interest as defined in subsection b. and c. above that is currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.
 - g. Any development order, including applications for Planned Unit Developments which was granted or approved based on false or incomplete disclosure will be presumed to have been fraudulently induced and will be deemed by the Martin County Board of County Commissioners to be void ab initio and set aside, repealed, or vacated.

CERTIFICATE OF OWNERSHIP SEARCH

The undersigned certifies that a search has been made of the Martin County Property Appraiser's records regarding a 1000-foot area surrounding the following described parcel of land:

Legal Description: See Exhibit "A" attached hereto and made a part hereof.
Parcel Identification: 47-38-41-000-000-00040-7
Owner: Trinidad and 3 Bagels, LLC
Address: 6155 SW Leighton Farm Avenue, Palm City, Florida 34990

The apparent property owners of land surrounding the above referenced property are as follows:
See Exhibit "B" attached hereto and made a part hereof.

DATED this 22nd day of April 2022.



Tyson Waters, Esq.
Fox McCluskey Bush Robison, PLLC
Attorney for Applicant

Exhibit "A"
Legal Description

Commence at the Northeast corner of Lot 12 of the Commissioner's Subdivision of the Miles or Hanson Grant, according to the Plat thereof filed December 30, 1901, recorded in Plat Book 8, Page 59, Dade (now Martin) County, Florida public records; thence run South 24 degrees 15'52" East, along the East line of said Lot 12 and the Westerly right of way of that Road right of way 60 feet in width, as per the Plat of the Commissioner's Subdivision of the Miles or Hanson Grant, a distance of 4120.74 feet to the Point of Beginning; thence continue South 24 degrees 15'52" East, along said East line of Lot 12 and Westerly right of way, a distance of 851.31 feet; thence run South 65 degrees 54'26" West, a distance of 1135.01 feet to a point on the Easterly right of way of that Road right of way 66 feet in width, as recorded in Deed Book 94, Page 816; Deed Book 96, Page 143, and Official Records Book 59, Page 29, Public Records of Martin County, Florida; thence run North 24 degrees 15'52" West, along said Easterly right of way, a distance of 1011.35 feet; thence run North 65 degrees 54'33" East, a distance of 284.91 feet; thence run North 73 degrees 30'18" East, a distance of 453.98 feet; thence run North 79 degrees 55'29" East, a distance of 412.87 feet to the Point of Beginning. Said land lying and being in Martin County, Florida.

DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared the undersigned person on the date set forth below, who, first being duly sworn, deposes and says under penalties of perjury:

1. That the record property owner(s) of the Real Property described in **Exhibit "A"** to this Affidavit is (are) as follows:

Name	Address
Trinidad and 3 Bagels, LLC	6155 SW Leighton Farm Avenue Palm City, FL 34990

(If more space is needed attach separate sheet)

2. That the following is a list of every natural person and entity with any legal or equitable interest in the property (as defined in Section 10.2.B.3. Land Development Regulations, Martin County Code):

Name	Address	Interest
Karina Fitz	6155 SW Leighton Farm Avenue Palm City, FL 34990	Member of Owner
Steve Barimo	6155 SW Leighton Farm Avenue Palm City, FL 34990	Member of Owner

(If more space is needed attach separate sheet)

3. That the following is a list of those, who have any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property:

Name	Address	Interest
N/A		

(If more space is needed attach separate sheet)

4. That the following is a list of all other applications for which the applicant has an interest as defined in subsection b. and c. of Section 10.2.B.3. Land Development Regulations, Martin County Code currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.

Application Name and/or Project Number	Names & Addresses of Parties involved	Date	Type of Application	Status of Application*
N/A				

(If more space is needed attach separate sheet)

- Status defined as:
A = Approved

P = Pending
D = Denied
W = Withdrawn

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

AFFIANT

Karina Fitz
Manager

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 18th day of APRIL 2022, by KARINA FITZ, who is personally known to me or have produced FLA DRIVER'S LICENSE as identification.

Tyson Waters

Notary Public, State of FLORIDA

Print Name: Tyson Waters

My Commission Expires: Feb. 12, 2026

(Notary Seal)

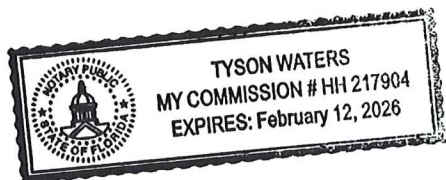


Exhibit "A"
(Disclosure of Interest and Affidavit)
(Legal Description)

Commence at the Northeast corner of Lot 12 of the Commissioner's Subdivision of the Miles or Hanson Grant, according to the Plat thereof filed December 30, 1901, recorded in Plat Book 8, Page 59, Dade (now Martin) County, Florida public records; thence run South 24 degrees 15'52" East, along the East line of said Lot 12 and the Westerly right of way of that Road right of way 60 feet in width, as per the Plat of the Commissioner's Subdivision of the Miles or Hanson Grant, a distance of 4120.74 feet to the Point of Beginning; thence continue South 24 degrees 15'52" East, along said East line of Lot 12 and Westerly right of way, a distance of 851.31 feet; thence run South 65 degrees 54'26" West, a distance of 1135.01 feet to a point on the Easterly right of way of that Road right of way 66 feet in width, as recorded in Deed Book 94, Page 816; Deed Book 96, Page 143, and Official Records Book 59, Page 29, Public Records of Martin County, Florida; thence run North 24 degrees 15'52" West, along said Easterly right of way, a distance of 1011.35 feet; thence run North 65 degrees 54'33" East, a distance of 284.91 feet; thence run North 73 degrees 30'18" East, a distance of 453.98 feet; thence run North 79 degrees 55'29" East, a distance of 412.87 feet to the Point of Beginning. Said land lying and being in Martin County, Florida.

Appendix
Article 10.2.B.3. Article 10, Development Review Procedures;
Land Development Regulations; Martin County Code

10.2.B. Application submittal for development approval. Applications for development approval shall comply with the following described procedures:

1. Initiation. A development application shall be filed with the County Administrator by the owner or other person having a power of attorney from the owner to make the application.
2. Acceptance of the application. A development application will be received for processing on any working day.
3. Verification of property ownership. The documents required below are required prior to an application being determined complete. After the application is determined to be complete, the applicant has a continuing obligation to provide revised documents to reflect any changes to the information provided that may occur before and as of the date of the final public hearing or final action on the application.
 - a. Proof of ownership must be provided for any application for any type of development order. The applicant shall provide a copy of the recorded deed for the subject property, and shall certify any subsequent transfers of interests in the property. If the applicant is not the owner of record, the applicant is required to report its interest in the subject property.
 - b. The applicant must disclose the names and addresses of each and every natural person or entity with any legal or equitable interest in the property of the proposed development, including all individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, limited liability company, professional associations and all other groups or combinations.
 - c. For those entities that are a firm, association, joint adventure, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, limited liability company, professional associations and all other groups or combinations thereof, every natural person or entity that enjoys a legal or equitable interest in property of the proposed development shall be disclosed including but not limited to any partners, members, shareholders, trustees, and stockholders.
 - d. The disclosure required in b. and c. above shall not apply to companies that are publicly traded and to consultants and contractors who may perform professional services or work related to the property.
 - e. In addition, the disclosure must include those having any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property.
 - f. The applicant must list all other applications for which they have an interest as defined in subsection b. and c. above that is currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.
 - g. Any development order, including applications for Planned Unit Developments which was granted or approved based on false or incomplete disclosure will be presumed to have been fraudulently induced and will be deemed by the Martin County Board of County Commissioners to be void ab initio and set aside, repealed, or vacated.

**BEFORE THE LOCAL PLANNING AGENCY AND THE BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

NOTICE OF PUBLIC HEARINGS

Subject: This is a request by Trinidad and 3 Bagels (T146-002) for a proposed amendment to the county zoning atlas for a residential district designation (Section 3.2.E, LDR). The proposed amendment is to change the existing zoning district classification from A-2, Agricultural District to the AR-5A, Agricultural Ranchette District or the most appropriate zoning district. The approximate 25-acre parcel of land is located at 6155 SW Leighton Farm Avenue in Palm City. Included with this application is a Request for a Certificate of Facilities Exemption (Section 5.32.B.3.f.(7), LDR).

Location: The subject site is located at 6155 SW Leighton Farm Avenue in Palm City.

Public hearing: **LOCAL PLANNING AGENCY (LPA)**
Time and Date: 7:00 P.M., or as soon after as the matter may be heard, on Thursday, August 4th, 2022

Public hearing: **BOARD OF COUNTY COMMISSIONERS (BCC)**
Time and Date: 9:00 A.M., or as soon after as the matter may be heard, on Tuesday, August 9th, 2022

Place: Martin County Administrative Center, 2401 SE Monterey Road, Stuart, Florida 34996

All interested persons are invited to attend and be heard.

Persons with disabilities who need an accommodation in order to participate in these proceedings are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the meeting date. Persons using a TTY device, please call 711 Florida Relay Services.

When attending a public hearing, a person may speak during the public comment portion of the public hearing. A person may also participate as an Intervenor. An Intervenor may ask questions of the staff, applicant and provide testimony. In order to be an Intervenor, a person must qualify to receive mailed notice of the application in accordance with Section 10.6.E, Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator at least 7 business days prior to the LPA or BCC meeting. No fee will be assessed. If the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating that he/she is authorized to speak for the group. Forms are available on the Martin County website www.martin.fl.us. Any documentation, including all dvd, cd or video cassette tapes intended to be proffered as evidence must be submitted to the Growth Management Department at least 7 business days prior to the LPA or BCC meetings.

If any person who decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council or advisory group, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

For further information, including copies of the agenda item materials, please call the Growth Management Department at (772) 288-5495. Prior to the public hearings, written comments should be sent to Brian Elam, Senior Planner, belam@martin.fl.us or 2401 SE Monterey Road, Stuart, FL 34996.

THIS NOTICE DATED THIS 13TH DAY OF APRIL 2022.

For Publishers Information ONLY- DO NOT PUBLISH

Publish: Stuart News

Publish Date: April 20, 2022

Please send sample of the ad with billing to:
Martin County Board of County Commissioners
Accounting Department
P. O. Box 9016
Stuart, Florida 34995

**Please provide an ad proof and cost of advertisement.
Charge this advertisement to Account #: AP-444199**

SAMPLE LETTER TO SURROUNDING PROPERTY OWNERS

(month) (day), (2022)

(addressee from the certified property owners list)
(address)

Subject and Location: This is a request by Trinidad and 3 Bagels (T146-002) for a proposed amendment to the county zoning atlas for a residential district designation (Section 3.2.E, LDR). The proposed amendment is to change the existing zoning district classification from A-2, Agricultural District to the AR-5A, Agricultural Ranchette District or the most appropriate zoning district. The approximate 25-acre parcel of land is located at 6155 SW Leighton Farm Avenue in Palm City. Included with this application is a Request for a Certificate of Facilities Exemption (Section 5.32.B.3.f.(7), LDR).

Dear *(property owner)*:

As a landowner within 1000 feet of the property identified in the above description and shown on the map attached to this letter, please be advised that consideration of an amendment to the zoning atlas as noted above will occur at two public hearings.

The date, time and place of the scheduled hearings are as follows:

Time and Date: **LOCAL PLANNING AGENCY**
7:00 P.M., or as soon after as the matter may be heard, on
Thursday, August 4th, 2022

Time and Date: **BOARD OF COUNTY COMMISSIONERS**
9:00 A.M., or as soon after as the matter may be heard, on
Tuesday, August 9th, 2022

Place: Martin County Administrative Center
2401 S.E. Monterey Road
Stuart, Florida 34996

All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the County Administrator at (772) 221-2360, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the hearing date. Persons using a TDD device, please call 711 Florida Relay Services.

When attending a public hearing, a member of the public may speak during the public comment portion of the public hearing. A person may also participate in the public meeting as an Intervenor.

An Intervenor may ask questions of the staff, applicant and give testimony on the subject of the public hearing. In order to be an Intervenor, a person must qualify to receive mailed notice of the subject application in accordance with Section 10.6.E., Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator not less than 7 days prior to the meeting. No fee will be assessed on Intervenor. If the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating that he/she is authorized to speak for the group. Forms are available on the Martin County website www.martin.fl.us.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council or advisory group, that person will need a record of the proceedings and, for such purpose, may need to insure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

For further information, please call the Growth Management Department at 772-288-5495. All written comments should be sent to Pete Walden, Deputy Growth Management Director, (e-mail: pwalden@martin.fl.us) or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department. This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator 772-320-3131, the County Administration Office 772-288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback.

Sincerely,

(applicant's name)

Attachment: Location Map

CERTIFICATE OF OWNERSHIP SEARCH

The undersigned certifies that a search has been made of the Martin County Property Appraiser's records regarding a 1000-foot area surrounding the following described parcel of land:

Legal Description: See Exhibit "A" attached hereto and made a part hereof.
Parcel Identification: 47-38-41-000-000-00040-7
Owner: Trinidad and 3 Bagels, LLC
Address: 6155 SW Leighton Farm Avenue, Palm City, Florida 34990

The apparent property owners of land surrounding the above referenced property are as follows:
See Exhibit "B" attached hereto and made a part hereof.

DATED this 22nd day of April 2022.



Tyson Waters, Esq.
Fox McCluskey Bush Robison, PLLC
Attorney for Applicant

Exhibit "A"
Legal Description

Commence at the Northeast corner of Lot 12 of the Commissioner's Subdivision of the Miles or Hanson Grant, according to the Plat thereof filed December 30, 1901, recorded in Plat Book 8, Page 59, Dade (now Martin) County, Florida public records; thence run South 24 degrees 15'52" East, along the East line of said Lot 12 and the Westerly right of way of that Road right of way 60 feet in width, as per the Plat of the Commissioner's Subdivision of the Miles or Hanson Grant, a distance of 4120.74 feet to the Point of Beginning; thence continue South 24 degrees 15'52" East, along said East line of Lot 12 and Westerly right of way, a distance of 851.31 feet; thence run South 65 degrees 54'26" West, a distance of 1135.01 feet to a point on the Easterly right of way of that Road right of way 66 feet in width, as recorded in Deed Book 94, Page 816; Deed Book 96, Page 143, and Official Records Book 59, Page 29, Public Records of Martin County, Florida; thence run North 24 degrees 15'52" West, along said Easterly right of way, a distance of 1011.35 feet; thence run North 65 degrees 54'33" East, a distance of 284.91 feet; thence run North 73 degrees 30'18" East, a distance of 453.98 feet; thence run North 79 degrees 55'29" East, a distance of 412.87 feet to the Point of Beginning. Said land lying and being in Martin County, Florida.

CERTIFICATION OF POSTING OF NOTICE

Re: Project Number T146-002; Trinidad and 3 Bagels, LLC Rezoning
6155 SW Leighton Farm Avenue, Palm City, Floirda

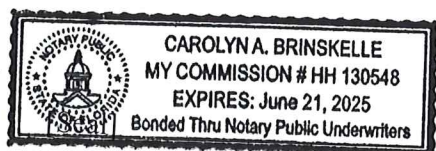
This letter is to certify that the above referenced sign was installed pursuant to Martin County Land Development Regulations on May 20, 2022. The sign was posted in accordance with, and in compliance of, the notice posting requirements in Article 10, Section 10.6.B., Martin County Land Development Regulations. A photograph of the sign posted on the above referenced property is included and attached herewith.


By: Tyson Waters

STATE OF FLORIDA)

COUNTY OF MARTIN)

The foregoing instrument was acknowledged before me by means of [] physical presence or [] online notarization this 22 day of JUNE, 2022, by Tyson Waters, who is personally known to me or who has produced _____ as identification.



Carolyn A. Brinskelle
Notary Public
Print Name: Carolyn A. Brinskelle
My Commission expires: 6-21-25

