



Local Planning Agency

#2
2401 SE Monterey Road
Stuart, Florida 34996

Agenda Item Summary

File ID: 19-0574

NEW-3

Meeting Date: 6/20/2019

PLACEMENT: New Business

TITLE:

BR 24 LLC REZONING (B121-003) (QUASI-JUDICIAL)

EXECUTIVE SUMMARY: *Estate*

Small Farms District

Request by BR 24, LLC for a zoning change from the current A-1 (~~Agricultural Ranchette~~) to the RE-2A (Rural Density) to bring consistent an approximate 17 acre parcel part of a 60-acre tract located south of Bridge Road between I-95 and US-1 in Hobe Sound. Included is a request for a Certificate of Public Facilities Exemption.

Requested by: Morris A. Crady, AICP, Lucido and Associates

Presented by: Catherine Riiska, M.S., P.W.S., Principal Planner, Growth Management Department

PREPARED BY: Joan Seaman, Administrative Specialist II



MARTIN COUNTY, FLORIDA DEVELOPMENT REVIEW

STAFF REPORT

A. Application Information

BR 24, LLC REZONING

Applicant:	BR 24, LLC, Ed Hickey, Managing Member
Property Owner:	BR 24, LLC
Agent for the Applicant:	Morris A. Crady, Lucido and Associates
County Project Coordinator:	Catherine Riiska, MS, PWS, Principal Planner
Growth Management Director:	Nicki van Vonno, AICP
Project Number:	B121-003
Record Number:	DEV2019040012
Report Number:	2019_0529_B121-003_DRT_Staff_FINAL.docx
Application Received:	05/02/2019
Transmitted:	05/03/2019
Staff Report:	05/29/2019
LPA Hearing:	06/20/2019
BCC Hearing:	07/30/2019

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B. Project description and analysis

This is an application for a proposed amendment to the county Zoning Atlas for a Rural Density residential district designation pursuant to Section 3.2.E., Land Development Regulations (LDR), Martin County, Fla. (2002). A Zoning District change from the A-1, Small Farms District, to the RE-2A, Rural Estate District, or the most appropriate zoning district, is proposed for an approximately 17.12-acre subject site fronting the north side of SE 138th Street approximately 2,800 feet west of SE Powerline Avenue and spanning northward to within 730 feet of the south side of SE Bridge Road, in Hobe Sound. This application includes a request for a Certificate of Public Facilities Exemption.

The subject site is vacant and part of an overall larger contiguous site that has been subject to site grading and environmental improvements as part of an excavation and fill permit issued in 2013. The permit authorized the construction of 13.9-acre surface water lake, with the resultant fill retained on-site, and included the establishment of wetland and upland preserve areas and lake littoral plantings, with an approved preserve area management plan (PAMP).

The land use designation for the property on the Future Land Use Map (FLUM) of the County's Comprehensive Growth Management Plan (CGMP) is Rural Density. The current zoning on the property

is A-1, Small Farms District. The A-1 zoning was created in 1967 as a part of the County's original zoning regulations and was carried over to the current Article 3, Zoning Districts, Land Development Regulations (LDR), Martin County Code (MCC) as a Category C district, which is intended to be used until a rezoning to a Category A district is needed or required to accommodate proposed future uses of the property. The Category A districts were created to implement the land use policies of the CGMP. The current A-1 zoning of the subject property is not consistent with the Rural Density land use policies of the CGMP, pursuant to Section 3.402., LDR, Martin County Fla. (2016). Therefore, the request to rezone this site is considered mandatory.

There is one (1) standard zoning district that is available to implement the Rural Density land use policies of the CGMP, which is the RE-2A, Rural Estate District. In addition to the standard zoning district, 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, this requires additional benefits to the County and more controls by the County and the proposed rezoning must come forth concurrently with a site plan. The applicant is requesting to rezone the subject site to the standard RE-2A zoning district.

The choice of the most appropriate district for the subject property is a policy decision that the Local Planning Agency (LPA) and the Board of County Commissioners (BCC) are asked to consider based on the "standards for amendments to the zoning atlas" provided in Section 3.2 E., Land Development Regulations (LDR), Martin County Code (MCC). The following tables provide the permitted uses and the development standards for the available standard zoning district of RE-2A, followed by the standards for the existing A-1 zoning district.

TABLE 3.11.1 (excerpt)
PERMITTED USES – CATEGORY "A" AGRICULTURAL AND RESIDENTIAL DISTRICTS

USE CATEGORY	RE-2A
<i>Residential Uses</i>	
Accessory dwelling units	
Apartment hotels	
Mobile homes	
Modular homes	P
Multifamily dwellings	
Single-family detached dwellings	P
Single-family detached dwellings, if established prior to the effective date of this ordinance	
Townhouse dwellings	
Duplex dwellings	
Zero lot line single-family dwellings	
<i>Agricultural Uses</i>	

Agricultural processing, indoor	
Agricultural processing, outdoor	
Agricultural veterinary medical services	P
Aquaculture	
Crop farms	
Dairies	
Exotic wildlife sanctuaries	
Farmer's markets	
Feed lots	
Fishing and hunting camps	
Orchards and groves	P
Plant nurseries and landscape services	P
Ranches	
Silviculture	P
Stables, commercial	P
Storage of agricultural equipment, supplies and produce	
Wildlife rehabilitation facilities	
<i>Public and Institutional Uses</i>	
Administrative services, not-for-profit	
Cemeteries, crematory operations and columbaria	
Community centers	P
Correctional facilities	
Cultural or civic uses	
Dredge spoil facilities	
Educational institutions	
Electrical generating plants	
Fairgrounds	
Halfway houses	
Halfway houses, on lots where such use was lawfully established prior to the effective date of this ordinance	
Hospitals	

Neighborhood assisted residences with six (6) or fewer residents	P
Neighborhood boat launches	
Nonsecure residential drug and alcohol rehabilitation and treatment facilities	
Nonsecure residential drug and alcohol rehabilitation and treatment facilities, on lots where such use was lawfully established prior to the effective date of this ordinance	
Places of worship	P
Post offices	
Protective and emergency services	P
Public libraries	
Public parks and recreation areas, active	P
Public parks and recreation areas, passive	P
Public vehicle storage and maintenance	
Recycling drop-off centers	P
Residential care facilities	
Residential care facilities, where such use was lawfully established prior to the effective date of this ordinance	
Solar energy facilities (solar farms)	
Solid waste disposal areas	
Utilities	
<i>Commercial and Business Uses</i>	
Adult business	
Ancillary retail use	
Bed and breakfast inns	P
Business and professional offices	
Campgrounds	
Commercial amusements, indoor	
Commercial amusements, outdoor	
Commercial day care	P
Construction industry trades	
Construction sales and services	

Family day care	P
Financial institutions	
Flea markets	
Funeral homes	
General retail sales and services	
Golf courses	P
Golf driving ranges	
Hotels, motels, resorts and spas	
Kennels, commercial	
Limited retail sales and services	
Marinas, commercial	
Marine education and research	
Medical services	
Pain management clinics	
Parking lots and garages	
Recreational vehicle parks	
Recreational vehicle parks, limited to the number and configuration of units lawfully established prior to the effective date of this ordinance	
Residential storage facilities	
Restaurants, convenience, with drive-through facilities	
Restaurants, convenience, without drive-through facilities	
Restaurants, general	
Shooting ranges	
Shooting ranges, indoor	
Shooting ranges, outdoor	
Trades and skilled services	
Vehicular sales and service	
Vehicular service and maintenance	
Veterinary medical services	
Wholesale trades and services	
<i>Transportation, Communication and</i>	

<i>Utilities Uses</i>	
Airstrips	P
Airports, general aviation	
Truck stop/travel center	
<i>Industrial Uses</i>	
Composting, where such use was approved or lawfully established prior to March 1, 2003	
Extensive impact industries	
Limited impact industries	
Mining	
Salvage yards	
Yard trash processing	
Yard trash processing on lots where such use was lawfully established prior to March 29, 2002	

TABLE 3.12.1 (excerpt)
DEVELOPMENT STANDARDS

C A T	Zoning District	Min. Lot Area (sq. ft.)	Min. Lot Width (ft)	Max. Res. Density (upa)	Max. Hotel Density (upa)	Max. Building Coverage (%)	Max. Height (ft)/(stories)	Min. Open Space (%)	Other Req. (footnote)
A	RE-2A	2 ac.	175	0.50	-	-	30	50	-

TABLE 3.12.2 (excerpt)
STRUCTURE SETBACKS

C A T	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	RE-2A	30	30	30	30	30	30	30	30	30	30	30	30

Category C Zoning District Standards

Sec. 3.411.1. - A-1 Small Farms District.

3.411.1.A. Uses permitted.

In this district, a building or structure or land shall be used for only the following purposes:

1. Any use permitted in the R-2A Two-Family Residential District.
2. Barns, dairies, greenhouses, guesthouse, servants' quarters and other accessory buildings.
3. Truck farming, fruit growing, poultry raising, nurseries and field crops.
4. Roadside stands for the sale of fruit, vegetables and other products produced on the premises thereof.
5. Drive-in theatres, private stables.
6. Commercial radio and/or television transmitting stations, towers, poles, masts, antennas, power plants and the other incidental and usual structures pertaining to such stations. All structures and attachments thereto and appurtenances thereof shall comply with all of the applicable requirements of the Federal Communications Commission and the Civil Aeronautics Board and/or authority. Towers, poles, masts and antennas shall be designed and stamped by a registered engineer or architect to assure the structure, masts, etc., will withstand hurricane force winds.
7. 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.
8. 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.

3.411.1.B. Required lot area. The required lot area shall not be less than two acres.

3.411.1.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. A minimum setback or yard of 20 feet shall be required adjacent to water frontage.
- (Ord. No. 608, pt. 1, 3-19-2002; Ord. No. 623, pt. 1, 11-5-2002; Ord. No. 633, pt. 1, 9-2-2003; Ord. No. 669, pt. 1, 6-28-2005)

Standards for Amendments to the Zoning Atlas

The Comprehensive Growth Management Plan (CGMP) requires that Martin County shall rezone individual parcels to the most appropriate zoning district consistent with the Land Development Regulations pursuant to Policy 4.4A.1., CGMP, Martin County, Fla. (2016).

Section 3.2.E., LDR, Martin County, Fla. (2002), provides the following “Standards for amendments to

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the Zoning Atlas”.

1. *The Future Land Use Map of the CGMP (Comprehensive Growth Management Plan) establishes the optimum overall distribution of land uses. The CGMP also establishes a series of land use categories, which provide, among other things, overall density and intensity limits. The Future Land Use Map shall not be construed to mean that every parcel is guaranteed the maximum density and intensity possible pursuant to the CGMP and these Land Development Regulations. All goals, objectives, and policies of the CGMP shall be considered when a proposed rezoning is considered. The County shall have the discretion to decide that the development allowed on any given parcel of land shall be more limited than the maximum allowable under the assigned Future Land Use Category; provided, however, that the County shall approve some development that is consistent with the CGMP, and the decision is fairly debatable or is supported by substantial, competent evidence depending on the fundamental nature of the proceeding. If upon reviewing a proposed rezoning request the County determines that the Future Land Use designation of the CGMP is inappropriate, the County may deny such rezoning request and initiate an appropriate amendment to the CGMP.*
2. *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 is designated for Rural Density residential land use on the Future Land Use Map (FLUM) of the Comprehensive Growth Management Plan (CGMP). The zoning implementation policies and requirements are contained in Article 3, Zoning Regulations, Land Development Regulations. Martin County Code identifies one standard zoning districts, the RE-2A District, as available to implement the Rural Density future land use classification, in addition to the PUD Zoning option.

Policy 4.13A.5.(1) of Chapter 4, Future Land Use Element, of the CGMP addresses the Rural Density land use designation:

Rural density (one unit per two acres) Rural lands shall be developed at a density of no more than one dwelling unit per two gross acres. This density recognizes the need to concentrate urban development on lands closer to the urban core where intensive facilities and services can be provided cost-effectively. This policy also provides reasonable development options to landowners whose property is on the fringe of secondary urban development in sparsely developed rural or rural suburban areas.

All Rural development shall have a maximum building height of 40 feet and maintain at least 50 percent of the gross land area as open space. Wetlands and landlocked water bodies may be used in calculating open space as long as at least 40 percent of the upland property consists of open space. Golf courses should be encouraged to retain and preserve native vegetation over 30 percent of the total upland area of the course due to their characteristically high water and nutrient loads. Golf courses may be used in calculating open space as long as 30 percent of the residential area consists of open space. This section shall not apply to construction of a single-family home on a lot of record.

Zoning regulations shall provide standards for these areas designed to ensure that development is compatible with the need to preserve their rural character. These standards shall reflect the high value placed on open space, need to preserve wetland areas, function and value of recharge areas, and need to minimize changes in natural hydrology. Standards governing agricultural land conversion in Policy 4.13A.1.(2) shall also be used as criteria in evaluating future plan amendment requests in areas designated for Rural development.

One accessory dwelling unit shall be allowed on Rural density lots of at least two acres as follows:

(a) An accessory dwelling unit shall not have more than one-half the square footage of the primary dwelling.

(b) It shall not count as a separate unit for the purpose of density calculations.

(c) Neither the accessory dwelling unit nor the land it occupies shall be sold separate from the primary dwelling unit.

(d) Accessory dwelling units shall not be approved until Martin County adopts amendments to the Land Development Regulations that implement this policy.

This application requests a rezoning of the property to the RE-2A Zoning District, which is the only Category A zoning district created specifically to implement the CGMP policies for lands designated Rural Density Residential on the Future Land Use Map of the CGMP. The criteria within the Land Development Regulations that implement the Comprehensive Plan policies for this land use will be applied through the development review application process at the time development of the site is proposed.

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

The granting of a zoning change by the County does not exempt the applicant from any of the County's Land Development Regulations, and no development of the property is proposed as part of this application requesting a rezoning. The applicant must demonstrate full compliance with all regulations prior to any Development Order approval action taken by the County. The subject site is designated as Rural Density on the Future Land Use Map, the specific development standards of which are provided by the Article 3 zoning development standards. Proposed future development of the site will be required to meet all provisions of the LDR through the review of a development review application, with respect to the Land Development Regulation requirements including those related to roads, drainage, environmental protection, utilities, emergency services, landscaping, etc. A demonstration of full compliance with applicable County Codes will be required for development review staff to bring forth a recommendation of approval.

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

Pursuant to the Comprehensive Plan policies governing Rural Density future land use, this land use designation recognizes the need to concentrate urban development on lands closer to the urban core where intensive facilities and services can be provided cost-effectively, but provides reasonable development options to landowners whose property is on the fringe of secondary urban development in sparsely developed rural or rural suburban areas. Zoning regulations, and specifically the RE-2A zoning district, provides standards for these areas designed to ensure that development is compatible with the need to preserve their rural character. As shown in the figures contained in Section E below, the subject property is located within and at the boundary of the secondary urban service district. and within an area exhibiting rural characteristics. The site is contiguous with a large area predominantly designated for rural density land use, established via the FLUM between lands designated for agricultural use to the west and more intensive uses to the east such as industrial and low density residential. Additionally, the pattern of development established immediately adjacent to the north of the subject site and in near proximity currently consists of predominantly rural residential uses. Future redevelopment of the existing uses or the vacant lands in proximity to the site will be required to be consistent with the designated rural density land use policies. Therefore, based upon the pattern of the existing development, the consistency with the adjacent existing uses and future land use designations, and the suitability of the site for the proposed zoning, the RE-2A zoning district is the most appropriate zoning district to ensure that the property is developed in a manner compatible with the existing and anticipated character of the area.

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

The requested zoning district of RE-2A is the only standard Category A zoning district that is consistent with the site's future land use designation. This requested zoning district permits rural residential uses consistent with those existing adjacent to the site and in the immediate vicinity. The parcel is located within, and on the boundary of, the secondary urban service district and the required minimum lot sizes of the proposed zoning district are consistent with the designated land use policies and with the rural character and appropriate densities for anticipated availability and/or demands upon available public services. A review of local permitting and historical aerials indicates that the rural residential and agricultural uses established in the area have predominantly been present for over two decades and remain primarily unchanged. Future development in the area will be required to be consistent with the same designated land use policies pursuant to the designated Rural Density future land use. Therefore, the proposed RE-2A zoning is compatible with the existing historical development and is the most appropriate for this property.

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

The subject property is located within the Secondary Urban Services District of the County. The Rural Density land use designation is identified in Policy 4.13.A.5. of the Comprehensive Growth Management Plan (CGMP) as lands allocated for development in a manner intended to protect the value of rural suburban lands located outside the normal economical service radius of intensive (primary) urban services. The Future Land Use Map (FLUM) has designated the subject site for a residential use with a maximum density of 1 unit per 2 acres, which implements policy 4.7B.1., CGMP, which states, "In the Secondary Urban Services District, Martin County shall designate land uses that (1) will provide for the efficient and economical use and extension of urban services, and (2) are consistent with the reduced

intensity of urban services normally associated with densities of one unit per gross acre (Estate Density RE-1A) and one unit per two gross acres (Rural Density).” Sanitary sewer services are not available at the site and the minimum required lot area for residential use per the Rural Density land use classification is consistent with the requirements of the CGMP, Chapter 10 Sanitary Sewer Elements for the utilization of on-site septic disposal and treatment systems. The proposed RE-2A Rural Estate District is consistent with the appropriate densities and public services available at the base level of service adopted in the Capital Improvements Element for lands located within the Secondary Urban Service District. Any proposed development for the site would be required to demonstrate that adequate public services are accommodated and reserved for the proposed use in conformance with the Land Development Regulations and Comprehensive Growth Management Plan requirements at the time of development review prior to a recommendation of approval from Staff for any development of the site.

- 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,*

This rezoning action does not authorize any development and redevelopment of this site will be subject to Growth Management and Building department and zoning review prior to authorization of construction. The subject site has been designated for Rural Density future land use on the Future Land Use Map of the Comprehensive Growth Management Plan. Therefore, the use of the site for development in accordance with the requirements for Rural Density land use, and with the requested RE-2A zoning district, which implements the Rural Density land use goals, has been established on the site in addition to property adjacent to the site. The extension of this pattern to the subject property through the assignment of the requested RE-2A zoning district is suitable, contemplated and supported by the CGMP.

- 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	Catherine Riiska	288-5667	Comply
G	Development Review	Catherine Riiska	288-5667	Comply
H	School Board	Kimberly Everman	223-3105	Comply
I	County Attorney	Krista Storey	288-5443	Review Ongoing
J	Adequate Public Facilities	Catherine Riiska	288-5667	Exempt

D. Review Board action

Pursuant to Sections 10.1.D., 10.4.A.1., and 10.5.A.1., LDR, Martin County, Fla. (2016), applications for a zoning map change requires two public hearings. The two hearings will provide the public an opportunity to participate in the review and decision making process.

The first public hearing shall be before the Local Planning Agency (LPA) who will make a recommendation on the request pursuant to Section 10.4.A.1, LDR, Martin County, Fla. (2016). This hearing has been scheduled for June 20, 2019.

The second public hearing shall be before the Board of County Commissioners, who will take final action on the request, pursuant to Section 10.5.A.1., LDR, Martin County, Fla. (2016). This hearing has been scheduled for July 30, 2019.

Pursuant to Sections 10.1.E. and 10.2.B.2, Land Development Regulations, Martin County, Fla. (2019), it shall at all times be the applicant's responsibility to demonstrate compliance with the Comprehensive Growth Management Plan (CGMP), Land Development Regulations (LDR) and the Code.

E. Location and site information

Parcel number(s) and address:

323942000000001636	Unaddressed
323942000000001306	Unaddressed
313942000001000101	Unaddressed
313942000001000307	Unaddressed
313942000001000316	Unaddressed
Existing Zoning:	A-1, Small Farms
Future land use:	Rural Density
Future land use:	Rural Density
Gross area of site:	17.12 acres

Figure 1: Location Map



Figure 2: Subject Site 2018 Aerial



Figure 3: Local Area 2018 Aerial



Figure 4: Urban Service District Boundaries

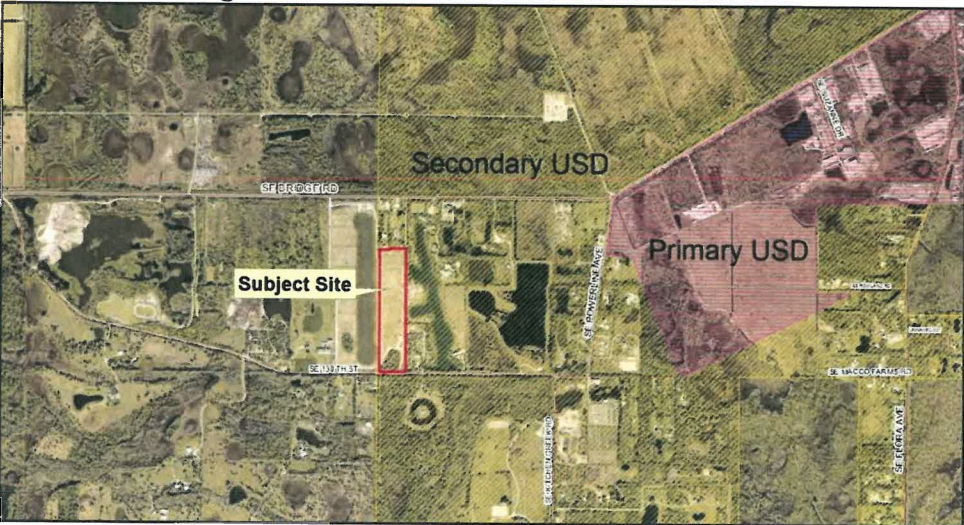


Figure 5: Future Land Use Map

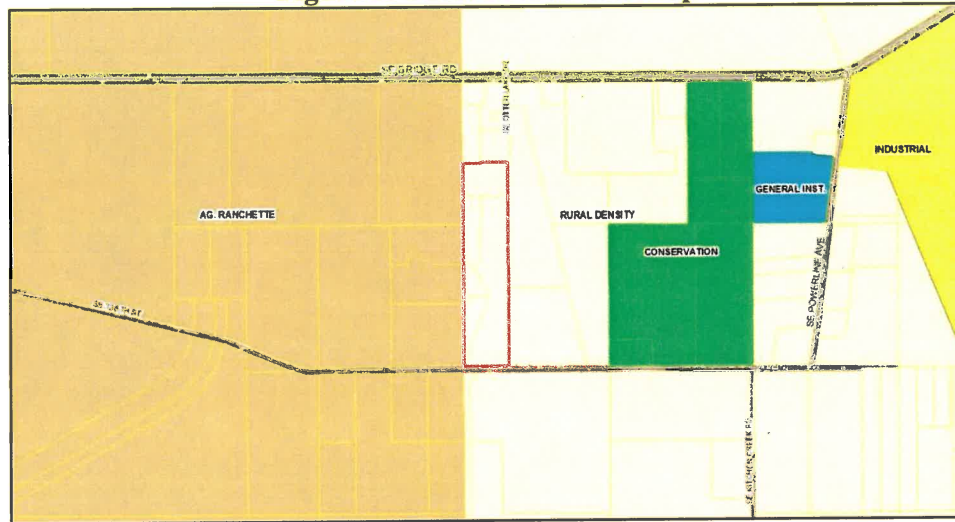
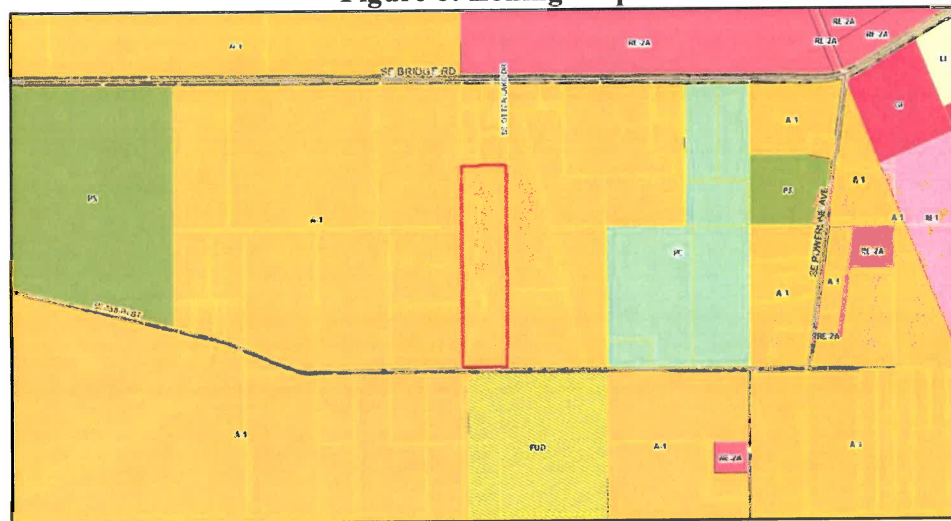


Figure 6: Zoning Map



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

Findings of Compliance:

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved Comprehensive Growth Management Plan requirements issues associated with this application.

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

Findings of Compliance:

The Growth Management Department Development Review Division staff has reviewed the application and finds it in compliance with the applicable regulations. There are no unresolved land use, site design standards, zoning and procedural requirements issues associated with this application.

Additional Information:

Information #1:

Notice Of A Public Hearing

The notice of a public hearing regarding development applications shall be mailed at least 14 calendar days (seven calendar days if the application is being expedited pursuant to section 10.12) prior to the public hearing by the applicant to all owners of real property located within a distance of 500 feet of the boundaries of the affected property. For development parcels which lie outside of or border the primary urban service district, the notification distance shall be increased to 1000 feet. In addition, notice shall be mailed to all homeowner associations, condominium associations and the owners of each condominium unit within the notice area. MARTIN COUNTY, FLA., LDR, § 10.6.E.1.

Information #2:

Notice(s) of 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 10.12) in the legal advertisement section of a newspaper of general circulation in Martin County. The applicant shall reimburse the County for the cost(s) of the newspaper ad(s) as a post approval requirement for the application. [Section 10.6.D., LDR, MCC]

H. Determination of compliance with Martin County Health Department and Martin County School Board

Martin County School Board

The School Board staff has reviewed this application for compliance with Florida Statutes, Martin County code and School Board Policy and has no objection to this application. The General School Capacity Analysis has identified a deficiency of school capacity, which would be addressed at the time development is proposed for the site. The General School Capacity Analysis is provided as Exhibit 1 to this report.

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

Review Ongoing

J. Determination of compliance with the adequate public facilities requirements - responsible departments

The review for compliance with the standards for a Certificate of Adequate Public Facilities Exemption for development demonstrates that no additional impacts on public facilities were created in accordance with Section 5.32.B., LDR, Martin County, Fla. (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.

K. 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.

L. Local, State, and Federal Permits

There are no Local, State, or Federal Permits applicable to this request to amend the Zoning Atlas.

M. 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		
Mandatory impact fees:	N/A		
Non-mandatory impact fees:	N/A		

* 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.

N. General application information

Applicant: BR 24, LLC
Ed Hickey, Managing Member
13451 SE Otter Lake Drive
Hobe Sound, FL 33455

Agent: Lucido and Associates
Morris A. Crady
701 SE Ocean Boulevard
Stuart, FL 34994
772-220-2100
mcrady@lucidodesign.com

O. 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

P. Attachments

Exhibit 1 – Martin County School Board General School Capacity Analysis

Martin County School District

General School Capacity Analysis

This general analysis is completed to meet the development review policies specified in Section 6.2.6 of the Martin County, City of Stuart and Martin County School Board Interlocal Agreement for School Facilities Siting and Planning, and Section 17.7 Public School Facilities Element of the Martin County Comprehensive Plan.

Applicant/Project: BR 24 LLC Rezoning
Project#: B121-003
Date: 5/17/19
Applicant Request: A request for Rezoning only

Student Generation Calculation:

Residential Units	5
Current Student Generation Rate	.229
Elementary	1
Middle	0
High	0
Total Forecasted	1

School Zone Enrollment & Permanent Capacity:

CSA	2019-2020 (as of 10/12/18) Enrollment	2022-2023 COFTE Projected Enrollment	2022-2023 Perm. FISH Capacity
South Zone – Elementary (Hobe Sound, Seawind & Crystal Lake)	1810	1764	2151
South Zone – Middle (Anderson Middle, Murray Middle)	1784	1729	2136
South Zone – High School (South Fork)	1938	1865	1699

Note: Current Enrollment reported from FOCUS, Projections through School District CIP Application

Comments:

This General School Capacity Analysis shall be used in the evaluation of a development proposal, but shall not provide a guarantee that the students from the above referenced project will be assigned to attend the particular school(s) listed. The analysis indicates that the elementary and middle schools currently have capacity, but the high school level is projected to exceed the permanent capacity.

A School Concurrency Review is completed for Final Site Plan applications that include residential units. At that time mitigation to reach Level of Service (LOS) standards for the School District may need to be remedied.

Prepared by: **Kimberly Everman, Capital Projects Planning Specialist**
 Phone: 772-223-3105, ext. 134
 Email: evermak@martin.k12.fl.us



**TRANSMITTAL
(VIA HAND DELIVERY)**

Date:	May 2, 2019		
To:	Catherine Riiska Martin County Growth Management Dept.		
From:	Morris A. Crady, AICP		
Subject:	BR 24 LLC Mandatory Rezoning Application (B121- 003)	Project No.	19-105

In response to the attached completeness letter dated May 1, 2019, please find enclosed the application fee check in the amount of \$1,000, the original application package and a CD with PDF copies of the application.

The items needing additional attention have been addressed as follows:

Item #1: Application – The new application form is included.

Item #2: Digital submission affidavit – The County's new form is included.

Item #3: Land dedication documentation – This is not a requirement for a rezoning application. Should a land dedication be required in the future, it will be processed simultaneously with a final site plan application.

If you have any questions or need additional information, please feel free to contact me or my assistant, Shirley Lyders.



MARTIN COUNTY

BOARD OF COUNTY COMMISSIONERS

2401 S.E. MONTEREY ROAD • STUART, FL 34996

DOUG SMITH
STACEY HETHERINGTON
HAROLD E. JENKINS II
SARAH HEARD
EDWARD V. CIAMPI

Commissioner, District 1
Commissioner, District 2
Commissioner, District 3
Commissioner, District 4
Commissioner, District 5

TARYN KRYZDA, CPM County Administrator
KRISTA A. STOREY Acting County Attorney

TELEPHONE (772) 288-5400
WEBSITE www.martin.fl.us

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May 1, 2019

Mr. Morris Crady
Lucido & Associates
701 SE Ocean Blvd.
Stuart, FL 34994

Application No: DEV2019040012
Project Number: B121-003

RE: Completeness Review
BR 24 LLC REZONING

Dear Mr. Crady,

The above referenced application has been determined to be complete for review by the County. Catherine Riiska will be the County's project coordinator for this request. As such, please direct all future questions and correspondence to her attention.

Although the review was determined complete, the following items need additional attention.

Item #1: APPLICATION: Please use the new application form.

Comments: Please use the updated application form available on the county website at www.martin.fl.us/devrev.

Item # 2: AFFIDAVIT: Complete the affidavit for digital submission.

Comments: Please use the updated form available on the county website at www.martin.fl.us/devrev.

Item #3: If available, land dedication documentation.

Comments: Required. Please provide.

At this time, please submit the full application with a bookmarked disc and an extra set of plans, along with an application fee in the amount of **\$1,000.00** (check payable to Martin County Board of County Commissioners) to the Growth Management Department, Development Review Division. Each set must duplicate the application submitted for this completeness review. Each set must contain original signed and sealed documents. The review of the application will commence the date after the project coordinator distributes the copies to the various agencies and individuals who participate in the review process for this application. At the end of the review period, you will be provided with a copy of a completed staff report for this application.

In the meantime, it is required that a sign be erected on the subject property. The project number **B121-003** must be included on the sign(s). Prior to preparing your sign, please read Section 10.6 Article 10 L.D.R., which contains the required information that must be on the sign. Please provide documentation (i.e., photograph and certification to the project coordinator) that the property has been posted in accordance to the notification requirements.

Sincerely,



Nicki van Vonno, AICP
Growth Management Director

NvV:CR:kk

cc: Mr. Ed Hickey, BR 24 LLC, 13451 SE Otter Lake Drive, Hobe Sound. FL 33455



lucido & associates

April 24, 2019

HAND DELIVERY

Nicki van Vonno, Director
Martin County Growth Management Department
2401 SE Monterey Road
Stuart, FL 34996

**Re: BR 24 LLC – Mandatory Rezoning Application with Certificate of Public Facilities
Exemption (Our ref. #19-105)**

Dear Nicki:

We are pleased to submit this application for a mandatory rezoning from A-1 to RE-2A. As more specifically described in the enclosed project narrative, the approximately 17-acre tract is designated for Rural Density future land use and zoned A-1. To bring the zoning into conformity with the future land use designation, a mandatory rezoning to RE-2A is required. This finding was confirmed at a pre-application workshop on March 28, 2019.

With this understanding, please find enclosed the sufficiency review fee check in the amount of \$290.00, the CD with PDF copies of the application materials, and the original application package containing the following materials:

1. Application form;
2. Digital submittal affidavit;
3. Project narrative;
4. The owner's notarized power of attorney for representation by Lucido & Associates;
5. The Disclosure of Interest Affidavit;
6. The recorded deed documenting ownership by BR 24 LLC;
7. The no transfer statement;
8. The sketch and legal description;
9. Aerial map;
10. Parcel assessment map;
11. Future land use map;
12. Zoning map; and
13. School impact worksheet.

The list of surrounding property owners will be provided prior to the public hearing.

Upon a determination of completeness, we will submit the mandatory application fee in the amount of \$1,000.00.

Please feel free to contact me or my assistant, Shirley Lyders, if you have any questions or comments.

Sincerely,

Morris A. Crady, AICP
Senior Vice President



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

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

A. GENERAL INFORMATION

Type of Application: Zoning Change

Name or Title of Proposed Project: BR 24 LLC

Brief Project Description:

A MANDATORY REZONING FROM A-1 TO RE-2A FOR THIS 17-ACRE PARCEL DESIGNATED RURAL DENSITY IS REQUIRED TO MAINTAIN CONSISTENCY WITH THE LDR AND COMPREHENSIVE PLAN.

Was a Pre-Application Held? ☒ YES/NO ☐ Pre-Application Meeting Date: 3-28-19

Is there Previous Project Information? ☐ YES/NO ☒

Previous Project Number if applicable: _____

Previous Project Name if applicable: _____

Parcel Control Number(s)

31-39-42-000-001-00030-7

31-39-42-000-001-00010-1

32-39-42-000-000-00163-6

31-39-42-000-001-00031-6

32-39-42-000-000-00130-6

B. PROPERTY OWNER INFORMATION

Owner (Name or Company): BR 24 LLC

Company Representative: ED HICKEY, MANAGING MEMBER

Address: 13451 SE OTTER LAKE DRIVE

City: HOBE SOUND, State: FL Zip: 33455

Phone: _____ Email: _____

This Document Prepared By and Return to:
Frederick G. Sundheim, Jr.
Oughterson, Sundheim & Associates, P.A.
310 S.W. Ocean Blvd.
Stuart, FL 34994

INSTR # 2037407
OR BK 02277 PG 0079
Pg 0079 - 801 (2pgs)
RECORDED 09/07/2007 02:26:45 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
DEED DOC TAX 2,846.90
RECORDED BY J Murray

Parcel ID Number: 31-39-42-000-001-00030-70000

Warranty Deed

This Indenture, Made this 29th day of August, 2007 A.D., Between
Guy Haggard and Katherine Haggard, husband and wife

of the County of Orange, State of Florida, grantors, and
BR 24, LLC, a Florida limited liability company

whose address is: 9231 School House Road, Coral Gables, FL 33156

of the County of Miami-Dade, State of Florida, grantee.

Witnesseth that the GRANTORS, for and in consideration of the sum of
TEN DOLLARS (\$10) DOLLARS,
and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of Martin State of Florida to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

THIS PROPERTY IS VACANT LAND AND DOES NOT CONSTITUTE THE GRANTOR'S HOMESTEAD
NOR IS IT CONTIGUOUS THERETO.

Subject to all restrictions, reservations and easements of record, if any, and taxes subsequent to December 31,
2006.

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

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Printed Name: JUSTIN LUNA
Witness

Guy Haggard (Seal)
P.O. Address: 8334 Lake Burden Circle, Windermere, FL 34786

Printed Name: MARYANN CAMPETTI HAMBY
Witness

Katherine Haggard (Seal)
P.O. Address: 8334 Lake Burden Circle, Windermere, FL 34786

STATE OF Florida
COUNTY OF Orange

The foregoing instrument was acknowledged before me this 29th day of August, 2007 by
Guy Haggard and Katherine Haggard, his wife

who are personally known to me or who have produced their Florida driver's license as identification.



Maryann Campetti Hamby
Printed Name: MARYANN CAMPETTI HAMBY
Notary Public
My Commission Expires:

EXHIBIT "A"

LEGAL DESCRIPTION

Being a portion of the East half of the Southeast quarter of the Northeast quarter of Section 31 and a portion of the West Half of the Southwest quarter of the Northwest quarter of Section 32. All in Township 39 South, Range 42 East; Martin County, Florida, being more particularly described as follows: Commence at the Southwest corner of the said East half of the Southeast quarter of the Northeast quarter; thence run N 00 deg 21'08" E along the west line of the said East half, for a distance of 604.00 feet, to the point of beginning, of the parcel of land hereinafter described: thence continue N 00 deg 21'08" E along the last described course, for a distance of 360.00 feet; thence run S 89 deg 27'31" E along a line 964.00 feet North of and parallel with as measured on the perpendicular to the South line of the said Southeast quarter of the Northeast quarter, for a distance of 165.00 feet; thence run N 00 deg 21'08" E, along a line 165.00 feet East of and parallel with, as measured on the perpendicular to the said West line, for a distance of 92.72 feet, to the point of curvature of a circular curve to the right, having a radius of 25.00 feet, a central angle of 128 deg 48'29" for an arc distance of 56.20 feet, to the point of tangency; thence run S 50 deg 50'23" E, for a distance of 179.98 feet; thence run S 89 deg 27'31" E, along a line 964.00 feet North of and parallel with as measured on the perpendicular to the said South line, for a distance of 360.50 feet; thence run S 50 deg 50'23" E, for a distance of 63.21 feet; thence run S 27 deg 53'40" E, for a distance of 288.57 feet; thence run N 89 deg 23'10" W, along a line 671.08 feet North of and parallel with as measured on the perpendicular to the South line of the said West half of the Southwest quarter of the Northwest quarter, for a distance of 180.53 feet; thence run S 00 deg 16'52" W, along a line 48.57 feet east of and parallel with as measured on the perpendicular to the West line of the said West half of the Southwest quarter of the Northwest quarter, for a distance of 67.02 feet; thence run N 89 deg 27'31" W, along a line 604.00 feet North of and parallel with as measured on the perpendicular to the said South line and it's Easterly prolongation, for a distance of 711.80 feet, to the Point of Beginning. Together with an easement for ingress-egress over the following described property: The West 50.00 feet of the Northwest quarter of the Northwest quarter, less the North 1091.00 feet, lying South of the South right of way line of State Road No. 708; and the West 50.00 feet of the North 50.00 feet of the Southwest quarter of the Northwest quarter, all in Section 32; and together with the North 50.00 feet and the West 50.00 feet of the East half of the Southeast quarter of the Northeast quarter of Section 31, all in Township 39 South, Range 42 East, Martin County, Florida.

This Document Prepared By and Return to:
Frederick G. Sundheim, Jr.
Oughterson, Sundheim & Associates, P.A.
310 S.W. Ocean Blvd.
Stuart, FL 34994

INSTR # 2037427
OR BK 02277 PG 0143
Pgs 0143 - 144 (2pgs)
RECORDED 09/07/2007 03:00:02 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
DEED DOC TAX 1,038.10
RECORDED BY J Murray

Parcel ID Number: 31-39-42-000-001-00010-1

Warranty Deed

This Indenture, Made this 30 day of August, 2007 A.D., Between
Mark Bozicevic and Joy Bozicevic, husband and wife, as to an undivided 1/3 interest

of the County of PALM BEACH, State of Florida, grantors, and
BR 24, LLC, a Florida limited liability company

whose address is: 9231 School House Road, CORAL GABLES, FL 33156

of the County of MIAMI-DADE, State of Florida, grantee.

Witnesseth that the GRANTORS, for and in consideration of the sum of
TEN DOLLARS (\$10) DOLLARS,
and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of Martin State of Florida to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

GRANTOR COVENANTS THAT THE ABOVE DESCRIBED PROPERTY IS VACANT LAND AND IS
NOT GRANTOR'S HOMESTEAD NOR CONTIGUOUS THERETO.

Subject to all restrictions, reservations and easements of record, if any, and taxes subsequent to December 31,
2006.

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

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

JEFF [Signature]
Printed Name: JEFF KENDALL
Witness #1

[Signature] (Seal)
Mark Bozicevic
P.O. Address: 8814 Wendy Lane South, West Palm Beach, FL 33411

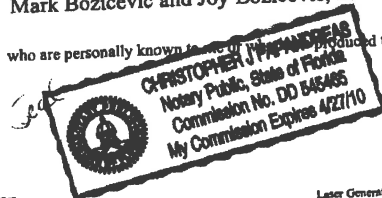
[Signature]
Printed Name: Megan Powell
Witness #2

[Signature] (Seal)
Joy Bozicevic
P.O. Address: 8814 Wendy Lane South, West Palm Beach, FL 33411

STATE OF Florida
COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 30th day of August, 2007 by
Mark Bozicevic and Joy Bozicevic, husband and wife

who are personally known to me or who produced their Florida driver's license as identification.



[Signature]
Printed Name: Christopher J. Papandreas
Notary Public
My Commission Expires: April 27, 2010

B-756B

Laser Generated by © Display Systems, Inc., 2007 (863) 763-5555 Form FLWD-1

FQS/bf1 94

EXHIBIT "A"

LEGAL DESCRIPTION

Being a portion of the East Half of the Southeast quarter of the Northeast quarter of Section 31 and a portion of the West Half of the South 3/4 of the Northwest Quarter of Section 32, all in Township 39 South, Range 42 East; Martin County, Florida, being more particularly described as follows: Begin at the Northwest corner of the East half of the Southeast quarter of the Northeast quarter; thence run S 89 deg 35'44" E, along the North line of said East half of the Southeast quarter of the Northeast quarter for a distance of 662.33 feet, to the Northeast corner of the said East half of the Southeast quarter of the Northeast quarter; thence run N 00 deg 16'52" E, along the West line of the said South 3/4 of the Northwest quarter, for a distance of 256.01 feet; thence run S 89 deg 17'27" E, along a line 1041.00 feet south of and parallel with as measured perpendicular to the South right-of-way line of State Road No. 708, for a distance of 174.45 feet; thence run S 03 deg 18'15" W, for a distance of 595.09 feet; thence run S 39 deg 09'37" W, for a distance of 80.00 feet; thence run N 50 deg 50'23" W for a distance of 63.21 feet; thence run N 89 deg 27'31" W, along a line 964.00 feet north of and parallel with as measured perpendicular to the South line of the said East half of the Southeast quarter of the Northeast quarter for a distance of 360.50 feet; thence run N 50 deg 50'23" W, for a distance of 179.98 feet, to the point of curvature of a circular curve to the left; having a radius of 25.00 feet, a central angle of 128 deg 48'29", for an arc distance of 56.20 feet to the point of tangency; thence run S 00 deg 21'08" W, along a line 165.00 feet east of and parallel with as measured perpendicular to the west line of the said east half of the Southeast quarter Northeast quarter, for a distance of 92.72 feet; thence run N 89 deg 27'31" W, along a line 964.00 feet north of and parallel with as measured perpendicular to the said South line, for a distance of 165.00 feet; thence run N 00 deg 21'08" E, along the said West line, for a distance of 360.38 feet, to the Point of Beginning. Together with an Easement for ingress-egress over the following described property: The West 50.00 feet of the Northwest quarter of the Northwest quarter, less the North 1091.00 feet, lying south of the South right of way line of State Road No. 708; and the West 50.00 feet of the North 50.00 feet of the Southwest quarter of the Northwest Quarter, all in Section 32; and together with the North 50.00 feet and the West 50.00 feet of the East half of the Southeast quarter of the Northeast quarter of Section 31, Township 39 South, Range 42 East, Martin County, Florida.

R-1850
DS-1400-

INSTR # 2112020
OR BK 02356 PG 0988
Pg 0988 - 989f (2pgs)
RECORDED 10/17/2008 02:24:47 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
DEED DOC TAX 1,400.00
RECORDED BY K Wintercorn

This Document Prepared By and Return to:
Frederick G. Sundheim, Jr.
Oughterson, Sundheim & Associates, P.A.
310 S.W. Ocean Blvd.
Stuart, FL 34994

Parcel ID Number: 32-39-42-000-000-00163-60000

Warranty Deed

This Indenture, Made this 8th day of October, 2008 A.D., Between
Lloyd L. Lolmaugh and Evelyn M. Lolmaugh, husband and wife

of the County of Martin, State of Florida, grantors, and
BR 24, LLC, a Florida limited liability company

whose address is: 9231 School House Road, CORAL GABLES, FL 33156

of the County of MIAMI-DADE, State of Florida, grantee.
Witnesseth that the GRANTORS, for and in consideration of the sum of

-----TEN DOLLARS (\$10)----- DOLLARS,
and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of Martin State of Florida to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

Subject to all restrictions, reservations and easements of record, if any, and
taxes subsequent to December 31, 2007.

GRANTOR COVENANTS THAT THE ABOVE DESCRIBED PROPERTY IS VACANT LAND AND IS NOT
GRANTOR'S HOMESTEAD.

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

In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

Printed Name: Beverly Inciardi
Witness

Printed Name: Frederick G. Sundheim, Jr.
Witness

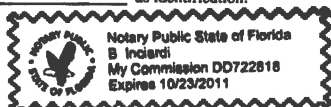
Printed Name: Lloyd L. Lolmaugh (Seal)
P.O. Address: 6116 SE Bridge Road, Hobe Sound, FL 33455

Printed Name: Evelyn M. Lolmaugh (Seal)
P.O. Address: 6116 SE Bridge Road, Hobe Sound, FL 33455

STATE OF Florida
COUNTY OF Martin

The foregoing instrument was acknowledged before me this 8th day of October, 2008 by
Lloyd L. Lolmaugh and Evelyn M. Lolmaugh, husband and wife

who are personally known to me or who have produced their
as identification.



Printed Name: Beverly Inciardi
Notary Public
My Commission Expires: 10/23/2011

Title No.: H-70C / 430800487

**LEGAL DESCRIPTION
EXHIBIT "A"**

From the point of intersection of the West section line of Section 32, Township 39 South, Range 42 East, and the Southerly right of way line of State Road 708 (said point being 37 feet, more or less, South of the Northwest corner of Section 32, Township 39 South, Range 42 East); thence run South along the West line of said Section, 742 feet to the Point of Beginning and the Northwest corner of the parcel herein described; from said point of beginning, continue thence South along the West line of said Section 32, a distance of 299 feet to a point; thence Easterly parallel to the South right of way line of the aforesaid State Road 708, a distance of 405 feet to a point; thence Northerly and parallel to the West line of Section 32, a distance of 315 to a point; thence Westerly parallel to said South right of way of State Road 708, a distance of 244 feet to a point; thence South parallel to the West line of Section 32, a distance of 16 feet to a point; thence Westerly parallel to said right of way line of State Road 708 for a distance of 161 feet to the Point of Beginning.

Together with easement for ingress and egress over and across the following:

Commencing at the point of intersection between the West line of Section 32, Township 39 South, Range 42 East and the Southerly right of way line of State Road 708, (said point being 37 feet South of the Northwest corner of said Section 32); thence run East along the South line of State Road 708 for a distance of 400 feet to the Point of Beginning; Thence run South 75 feet; thence East 5 feet; thence South 651 feet; thence East 25 feet; thence North 726 feet to the South line of State Road 708; thence West along said South line 30 feet to the Point of Beginning.

R-1850
DS-2870-02

INSTR # 2184095
OR BK 02428 PG 0784
Pgs 0784 - 7851 (2pgs)
RECORDED 12/17/2009 04:27:49 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
DEED DOC TAX 2,870.00
RECORDED BY C Hunter

This Document Prepared By and Return to:
Frederick G. Sundheim, Jr.
Oughterson, Sundheim & Associates, P.A.
310 S.W. Ocean Blvd.
Stuart, FL 34994
(772) 287-0660

Parcel ID Number: 31-39-42-000-001-00031-60000

Warranty Deed

This Indenture, Made this 1 day of December, 2009 A.D., Between Gary Mahler and Deldre Mahler, husband and wife

of the County of Palm Beach, State of Florida, grantors, and BR 24, LLC, a Florida limited liability company

whose address is: 9231 School House Road, CORAL GABLES, FL 33156

of the County of MIAMI-DADE, State of Florida, grantee.

Witnesseth that the GRANTORS, for and in consideration of the sum of TEN DOLLARS (\$10) DOLLARS, and other good and valuable consideration to GRANTORS in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, have granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs, successors and assigns forever, the following described land, situate, lying and being in the County of Martin, State of Florida to wit:

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

SUBJECT TO all restrictions, reservations and easements of record, if any, and taxes subsequent to December 31, 2009.

GRANTOR COVENANTS THAT THE ABOVE DESCRIBED PROPERTY IS VACANT LAND AND IS NOT GRANTOR'S HOMESTEAD NOR CONTIGUOUS THERETO.

and the grantors do hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.
In Witness Whereof, the grantors have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered in our presence:

[Signature]
Printed Name: Robert Geyer
Witness
[Signature]
Printed Name: Carolyn S. Kettle
Witness

[Signature] (Seal)
Gary Mahler
P.O. Address: 11965 N. Lake Drive, Boynton Beach, FL 33436
[Signature] (Seal)
Deldre Mahler
P.O. Address: 11965 N. Lake Drive, Boynton Beach, FL 33436

STATE OF Florida
COUNTY OF Palm Beach

The foregoing instrument was acknowledged before me this 8 day of December, 2009 by Gary Mahler and Deldre Mahler, husband and wife

who are personally known to me or who have produced their _____ as identification.

(Seal)

[Signature]
CAROLYN S. KETTLE
MY COMMISSION # 00 744876
EXPIRES: January 17, 2012
Bonded thru Budget Notary Services

[Signature]
Printed Name: CAROLYN S. KETTLE
Notary Public
My Commission Expires: 1-17-12

EXHIBIT "A"
LEGAL DESCRIPTION

Being a portion of the Southeast quarter of the Southeast quarter of the Northeast quarter of Section 31 and a portion of the Southwest quarter of the Northwest quarter of Section 32, all in Township 39 South, Range 42 East, Martin County, Florida, more particularly described as follows:

Begin at the Southwest corner of the Southeast quarter of the Southeast quarter of the said Northeast quarter; thence run North 00 degrees 21' 08" East along the West line of the said Southeast quarter of the Southeast quarter of the Northeast quarter for a distance of 33.00 feet to the Point of Beginning of the parcel of land hereinafter described; thence continue North 00 degrees 21' 08" East along the last described course for a distance of 571.00 feet; thence run South 89 degrees 27' 31" East along a line 604.00 feet North of and parallel with as measured on the perpendicular to the South line of the said Southeast quarter of the Northeast quarter and its Easterly prolongation for a distance of 711.80 feet; thence run North 00 degrees 16' 52" East along a line 48.57 feet East of and parallel with as measured on the perpendicular to the West line of the said Southwest quarter of the Northwest quarter for a distance of 67.02 feet; thence run South 89 degrees 23' 10" East along a line 671.08 feet North of and parallel with as measured on the perpendicular to the South line of the said Northwest quarter for a distance of 180.53 feet; thence run South 20 degrees 04' 11" West for a distance of 676.72 feet; thence run North 89 degrees 27' 31" West along a line 33.00 feet North of and parallel with as measured on the perpendicular to the said South line of the Southeast quarter of the Southeast quarter of the Northeast quarter for a distance of 663.93 feet, to the Point of Beginning, containing 10.3017 acres, more or less.

Less the South 50.00 feet for road puposes, (of the Southeast quarter of the Southeast quarter of the Northwest quarter of said Section 31) per certified copy of minutes of meeting of Board of County Commissioners, Martin County, Florida, as of September 3, 1940; recorded in Deed Book 10, Page 407.

Containing in all, 10.0413 acres or 437,397 square feet, more or less.

K-1850
DS-4550-

INSTR # 2190830
OR BK 02435 PG 1028
Pg 1028 - 1029 (2pgs)
RECORDED 02/05/2010 01:40:50 PM
MARSHA EWING
CLERK OF MARTIN COUNTY FLORIDA
DEED DOC TAX 4,550.00
RECORDED BY C Hunter

Prepared by and return to:
Frederick G. Sundheim, Jr.
Attorney at Law
Oughterson, Sundheim & Associates, P.A.
310 SW Ocean Blvd.
Stuart, FL 34994
772-287-0660
File Number: H-116C
Will Call No.: 12

Parcel Identification No. 32-39-42-000-000-00130-6

[Space Above This Line For Recording Data]

Warranty Deed

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

This Indenture made this 27 day of January, 2010 between Mark Bozicevic and Joy Bozicevic, husband and wife whose post office address is 8814 S. Wendy Lane, West Palm Beach, FL 33411 of the County of Palm Beach, State of Florida, grantor*, and BR 24, LLC, a Florida limited liability company whose post office address is 9231 School House Road, Miami, FL 33156 of the County of Miami-Dade, State of Florida, 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 County, Florida, to-wit:

See Exhibit "A" attached hereto and made a part hereof as if fully set forth herein.

Subject to taxes for 2010 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:

-w- Shirley Ward
Witness Name: B. INCEPARDI

X Mark Bozicevic (Seal)
Mark Bozicevic

-w- Frederick G. Sundheim, Jr.
Witness Name: FREDERICK G. SUNDHEIM, JR.

X Joy Bozicevic (Seal)
Joy Bozicevic

-w- State of Florida
County of Martin

The foregoing instrument was acknowledged before me this 27 day of January, 2010 by Mark Bozicevic and Joy Bozicevic, who [] are personally known or [X] have produced a driver's license as identification.

[Notary Seal]

Notary Public

Printed Name:

My Commission



Exhibit A

BEING A PORTION OF THE WEST HALF OF THE NORTHWEST QUARTER OF SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST; MARTIN COUNTY, FLORIDA; BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

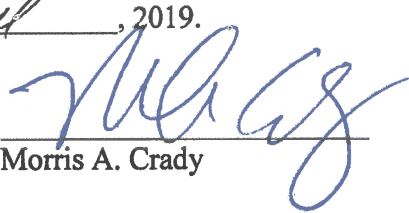
COMMENCE AT THE SOUTHWEST CORNER OF THE SAID NORTHWEST QUARTER OF SECTION 32; THENCE RUN S 89° 23' 10" E, ALONG THE SOUTH LINE OF THE SAID NORTHWEST QUARTER, FOR A DISTANCE OF 405.00 FEET; THENCE RUN N 00° 16' 52" E, ALONG A LINE 404.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE WEST LINE OF THE SAID NORTHWEST QUARTER, FOR A DISTANCE OF 33.00 FEET, TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREIN-AFTER DESCRIBED: THENCE CONTINUE N 00° 16' 52" E, ALONG THE LAST DESCRIBED COURSE, FOR A DISTANCE OF 1470.53 FEET; THENCE RUN N 45° 16' 52" E, FOR A DISTANCE OF 77.78 FEET; THENCE RUN N 00° 16' 52" E, ALONG A LINE 459.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE SAID WEST LINE, FOR A DISTANCE OF 289.69 FEET; THENCE RUN N 45° 16' 52" E, FOR A DISTANCE OF 35.45 FEET; THENCE RUN N 00° 16' 52" E, ALONG A LINE 484.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED PERPENDICULAR TO, THE SAID WEST LINE, FOR A DISTANCE OF 538.85 FEET; THENCE RUN S 89° 17' 27" E, ALONG THE WESTERLY PROLONGATION OF THE SOUTH PROPERTY LINE OF THAT PROPERTY DESCRIBED IN OFFICIAL RECORDS BOOK 168, PAGE 363, FOR A DISTANCE OF 5.00 FEET; THENCE RUN N 00° 16' 52" E, ALONG A LINE 489.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED PERPENDICULAR TO, THE SAID WEST LINE, FOR A DISTANCE OF 210.00 FEET, TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 708; THENCE RUN N 89° 17' 27" W, ALONG SAID RIGHT-OF-WAY LINE, FOR A DISTANCE OF 60.00 FEET; THENCE RUN S 00° 16' 52" W, ALONG A LINE 429.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE SAID WEST LINE, FOR A DISTANCE OF 726.67 FEET; THENCE RUN N 89° 17' 27" W, FOR A DISTANCE OF 25.00 FEET; THENCE RUN S 00° 16' 52" W, ALONG A LINE 404.99 FEET EAST OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE SAID WEST LINE, FOR A DISTANCE OF 315.00 FEET; THENCE RUN N 89° 17' 27" W, ALONG A LINE 1041.00 FEET SOUTH OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE SOUTH RIGHT-OF-WAY LINE OF STATE ROAD NO. 708, FOR A DISTANCE OF 230.55 FEET, TO A POINT: (HEREINAFTER REFERRED TO AS POINT "A") THENCE RUN S 03° 18' 15" W, FOR A DISTANCE OF 595.09 FEET; THENCE RUN S 39° 09' 37" W, FOR A DISTANCE OF 80.00 FEET; THENCE RUN S 27° 53' 40" E, FOR A DISTANCE OF 288.57 FEET; THENCE RUN S 20° 04' 11" W, FOR A DISTANCE OF 676.72 FEET; THENCE RUN S 89° 23' 10" E, ALONG A LINE 33.00 FEET NORTH OF AND PARALLEL WITH, AS MEASURED ON THE PERPENDICULAR TO, THE SAID SOUTH LINE OF THE NORTHWEST QUARTER, FOR A DISTANCE OF 405.00 FEET, TO THE POINT OF BEGINNING.

CONTAINING 10.8765 ACRES (473,779 SQ. FT.) MORE OR LESS.

Parcel Identification Number: 32-39-42-000-000-00130-6

To the best of my knowledge and belief, there has been no transfer of the subject property since the deeds into BR 24 LLC were recorded in the public records of Martin County, Florida.

DATED THIS 24th DAY OF April, 2019.


Morris A. Crady

STATE OF FLORIDA
COUNTY OF MARTIN

THE FOREGOING WAS ACKNOWLEDGED BEFORE ME THIS 24th DAY OF April, 2019 BY MORRIS A. CRADY, WHO ☒ IS PERSONALLY KNOWN TO ME OR ☐ HAS PRODUCED _____ AS IDENTIFICATION.


NOTARY PUBLIC

MY COMMISSION EXPIRES:



SKETCH & DESCRIPTION

(THIS IS NOT A BOUNDARY SURVEY)

COUNTY ROAD NO. 708
(S.E. BRIDGE ROAD)

(100' RIGHT-OF-WAY)

POINT OF
COMMENCEMENT
N.W. CORNER
SECTION 32-39-42

N. LINE 32-39-42

31-39-42-000-001-00000-3

S89°46'42"E
161.54'

POINT OF BEGINNING

WEST LINE SECTION 32

S00°13'13"E 771.19'

N00°12'23"W
16.00'

S89°46'42"E
243.93'

32-39-42-000-000-00163-6

32-39-42-000-000-00131-5

SOUTH LINE NW1/4, NW1/4 SECTION 32
NORTH LINE SW1/4, NW1/4 SECTION 32

31-39-42-000-001-00010-1

31-39-42-000-001-00030-7

31-39-42-000-001-00031-6

N00°13'13"W 1830.93'

31-39-42-000-001-00010-1

32-39-42-000-000-00130-6

31-39-42-000-001-00031-6

WEST LINE SECTION 32

S00°12'22"E 1846.26'

32-39-42-000-000-00180-5

RIGHT-OF-WAY
DEEDED TO
MARTIN COUNTY

SOUTH LINE NW1/4 SECTION 32

N89°52'24"W
405.00'

S.E. 138TH STREET
(100' RIGHT-OF-WAY)

LEGAL DESCRIPTION:

BEING A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST, MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST; THENCE S00°13'13"E ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 771.19 FEET TO THE POINT OF BEGINNING; THENCE S89°46'42"E, A DISTANCE OF 161.54 FEET; THENCE N00°12'23"W, A DISTANCE OF 16.00 FEET; THENCE S89°46'42"E, A DISTANCE OF 243.93 FEET; THENCE S00°12'22"E, A DISTANCE OF 1846.26 FEET; THENCE N89°52'24"W PARALLEL TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32, A DISTANCE OF 405.00 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 32; THENCE N00°13'13"W ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 1830.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 745,717±SQ.FT. (17.12±ACRES)



FLORIDA REGISTRATION #5102

CHRISTIAN FENEX

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

CHRISTIAN FENEX AND ASSOCIATES, LLC

PROFESSIONAL SURVEYING AND MAPPING

ENVIRONMENTAL CONSULTING

3401 SW 72ND AVE., PALM CITY, FLORIDA

P.O. BOX 2533, PALM CITY, FL 34991

PH.(772)283-2977 EMAIL FENEXC@BELLSOUTH.NET

LICENSED BUSINESS # 6858

DRAWING DATE

04/01/19

F.B.

folder

PG.

SCALE

1" = 300'

W.O.#

216039

SKETCH NO.
216039_sketch&description.dwg

Martin County, FL

SE Bridge RD

SE Otter Lake DR

SE 138 TH ST

0 940 Feet

Date: 4/2/2019

This Geographic Information System Map Product received from Martin County ("COUNTY") in fulfillment of a public records request is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to, the implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness, or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient.

Author: Martin County GIS
Copyright: Copyright 2015



Martin County, FL

SE Bridge RD

SE 138th St
Lake CR

SE 138th St

0 940 Feet

Date: 4/2/2019
This Geographic Information System Map Product, received from Martin County ("COUNTY") in fulfillment of a public records request is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient.

Author: Martin County GIS
Copyright: Copyright-2015



Martin County, FL

AG. RANCHETTE

RURAL DENSITY

SE Bridge RD

SE Otter Lake DR

AG. RANCHETTE

RURAL DENSITY

CONSERVATION
Ord. 1004 CPA 16-12

SE 138 TH ST

AG. RANCHETTE

RURAL DENSITY

0 1,200 Feet

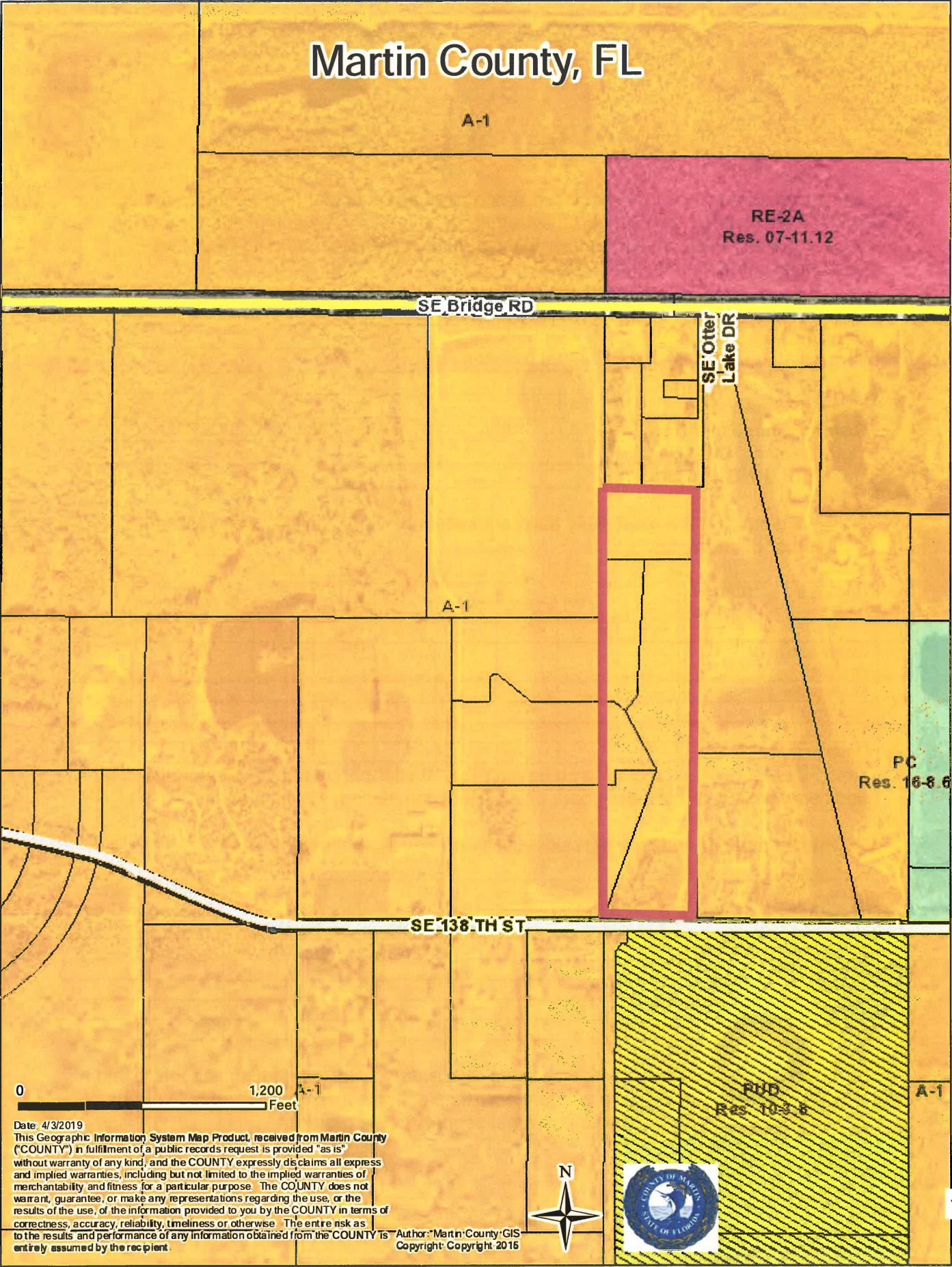
Date: 4/3/2019

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Author: Martin County GIS
Copyright: Copyright 2015



Martin County, FL



Date: 4/3/2019

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Author: Martin County GIS
Copyright: Copyright 2015



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 15, 2019
Parcel ID#: See attached
Project Name: BR 24 LLC Rezoning
Former Project Name: N/A
Owner/Developer: BR 24 LLC
Contact Name/Number: Morris A. Crady, Lucido & Associates 772-220-2100
Total Project Acreage: 17.12
Year 1 of the Build-Out: 2026

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	5					5					
Multi-family											
Apartment											
Townhouse											
Other											

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	5	1,800-2,300	\$250,000	NA
Multi-family				
Apartment				
Townhouse				
Other				

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.

BR 24 LLC MANDATORY REZONING APPLICATION**PARCEL CONTROL NUMBERS:**

31-39-42-000-001-00030-7
31-39-42-000-001-00010-1
32-39-42-000-000-00163-6
31-39-42-000-001-00031-6
32-39-42-000-000-00130-6



Martin County

County of Florida
County of Florida
County of Florida

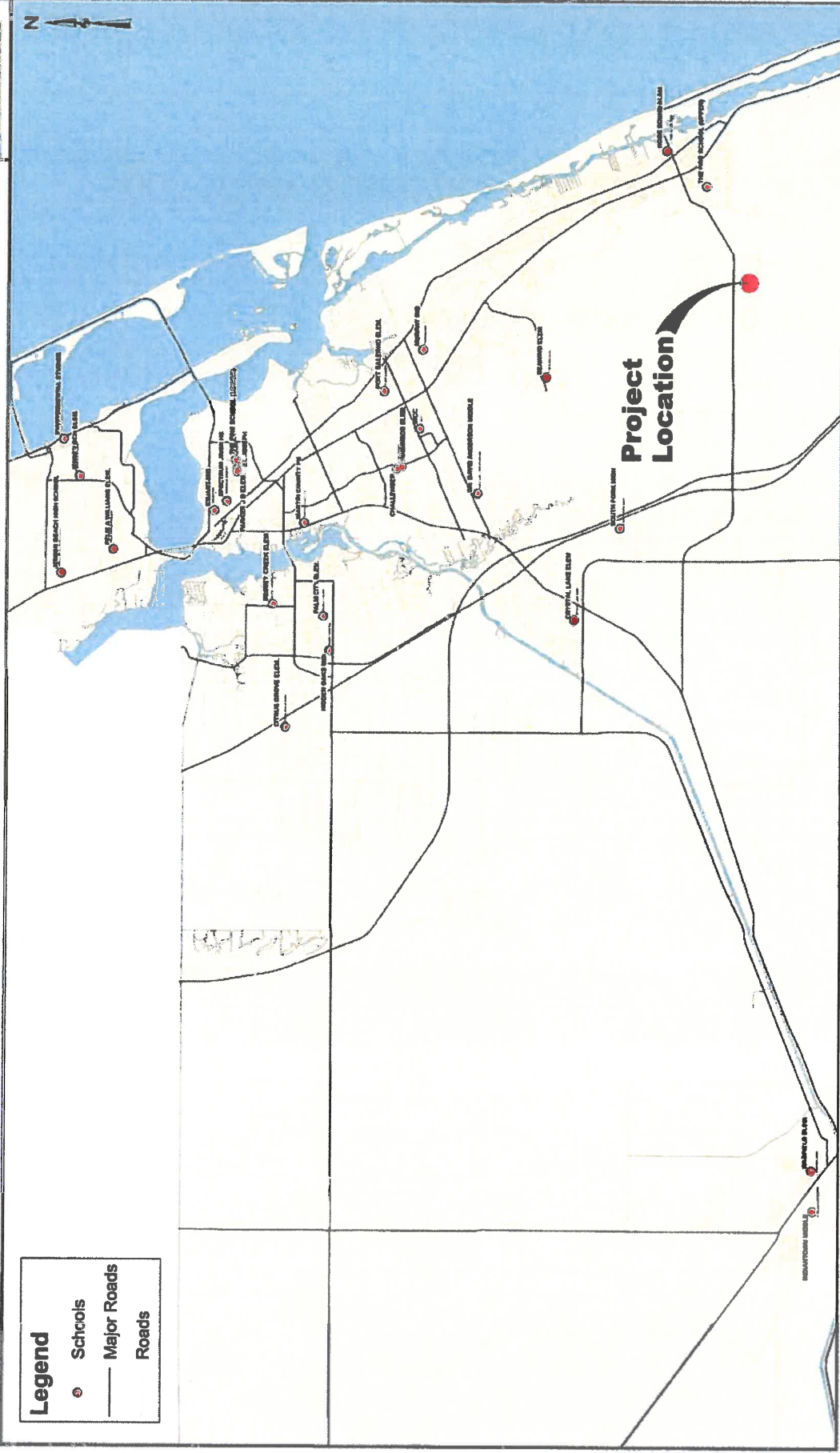
School Locations



Disclaimer: Information from the State of Florida, Department of Education, is provided for informational purposes only. The Department of Education is not responsible for the accuracy or completeness of the information provided. The information is provided as a service to the public and should not be used for any other purpose. The information is provided as a service to the public and should not be used for any other purpose. The information is provided as a service to the public and should not be used for any other purpose.

Legend

- Schools
- Major Roads
- Roads



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
BR 24 LLC	13451 SE Otter Lake Drive Hobe Sound, FL 33455

(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
Edwin W. Hickey (See attached corporation summary)	13451 SE Otter Lake Drive Hobe Sound, FL 33455	50
Lori H. Hickey	13451 SE Otter Lake Drive Hobe Sound, FL 33455	50

(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

(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 *
None				

(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.

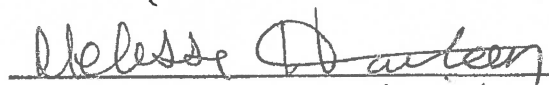
FURTHER AFFIANT SAYETH NOT.

AFFIANT


Edwin W. Hickey

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 17th day of April 2019, by Edwin W. Hickey, who is personally known to me or have produced FL Driver License as identification.


Notary Public, State of Florida
Print Name: Melissa Horton
My Commission Expires: 1/29/23

(Notary Seal)





[Department of State](#) / [Division of Corporations](#) / [Search Records](#) / [Detail By Document Number](#) /

Detail by Entity Name

Florida Limited Liability Company

BR 24 LLC

Filing Information

Document Number L07000019153

FEI/EIN Number 20-8503116

Date Filed 02/20/2007

State FL

Status ACTIVE

Principal Address

13451 SE Otter Lake Drive

Hobe Sound, FL 33455

Changed: 01/14/2018

Mailing Address

13451 SE Otter Lake Drive

Hobe Sound, FL 33455

Changed: 01/14/2018

Registered Agent Name & Address

HICKEY, EDWIN W

13451 SE Otter Lake Drive

Hobe Sound, FL 33455

Address Changed: 01/14/2018

Authorized Person(s) Detail

Name & Address

Title MGRM

HICKEY, EDWIN W

13451 SE Otter Lake Drive

Hobe Sound, FL 33455

Title MGR

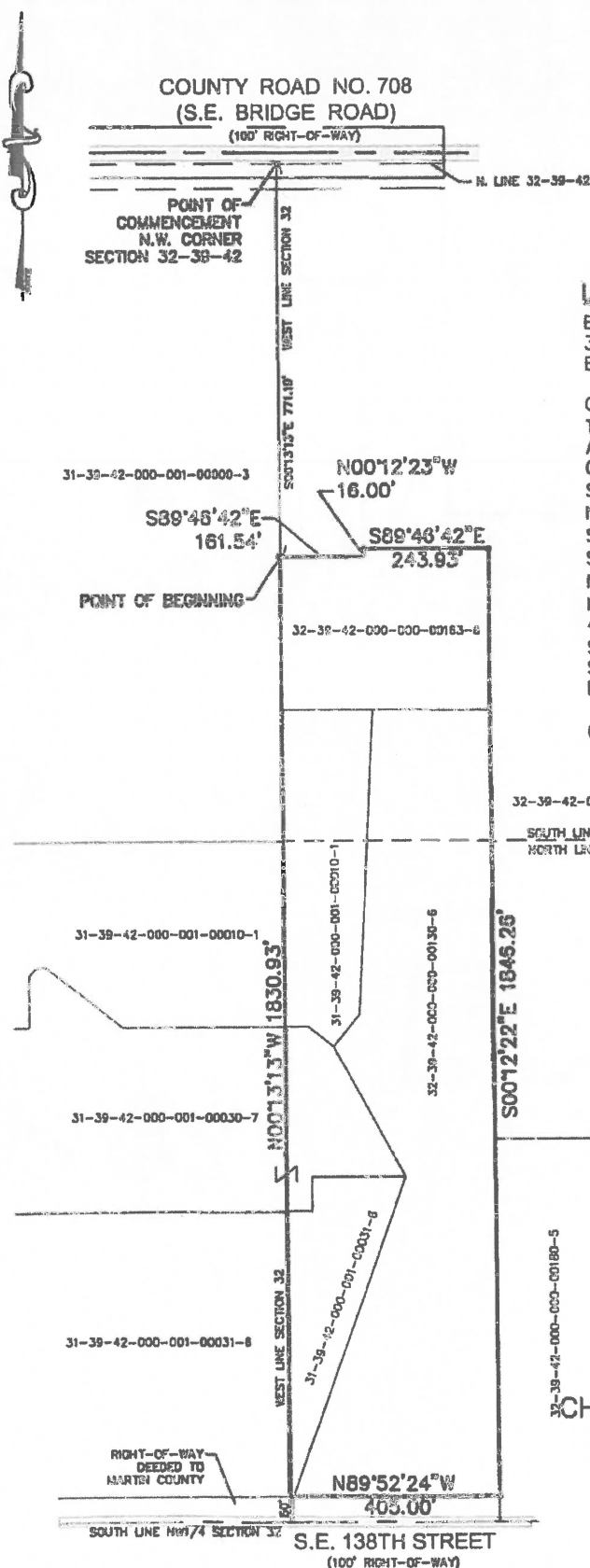
HICKEY, LORI H

13451 SE Otter Lake Drive

Hobe Sound, FL 33455

SKETCH & DESCRIPTION

(THIS IS NOT A BOUNDARY SURVEY)



LEGAL DESCRIPTION:

BEING A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST, MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST; THENCE S00°13'13"E ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 771.19 FEET TO THE POINT OF BEGINNING; THENCE S89°46'42"E, A DISTANCE OF 161.54 FEET; THENCE N00°12'23"W, A DISTANCE OF 16.00 FEET; THENCE S89°46'42"E, A DISTANCE OF 243.93 FEET; THENCE S00°12'22"E, A DISTANCE OF 1846.26 FEET; THENCE N89°52'24"W PARALLEL TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32, A DISTANCE OF 405.00 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 32; THENCE N00°13'13"W ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 1830.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 745,717±SQ.FT. (17.12±ACRES)

32-39-42-000-000-00131-5

SOUTH LINE NW1/4, NW1/4 SECTION 32
NORTH LINE SW1/4, NW1/4 SECTION 32

FLORIDA REGISTRATION #5102

CHRISTIAN FENEX

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

CHRISTIAN FENEX AND ASSOCIATES, LLC

PROFESSIONAL SURVEYING AND MAPPING

ENVIRONMENTAL CONSULTING

3401 SW 72ND AVE., PALM CITY, FLORIDA

P.O. BOX 2533, PALM CITY, FL 34991

PH.(772)283-2977 EMAIL FENEX@BELLSOUTH.NET

LICENSED BUSINESS # 6858

DRAWING DATE	F.B.	PG.	SCALE	W.O.#
04/01/19	folder		1" = 300'	216039

SKETCH NO.
216039_Sketch&description.dwg

Doug Fitzwater
220 Hibiscus Avenue
Stuart, FL 34996

Ms. Shirley Lyders
Lucido & Associates
701 SE Ocean Blvd.
Stuart, FL 34994

Notice of Proposed Rezoning
Application Number: B121-003

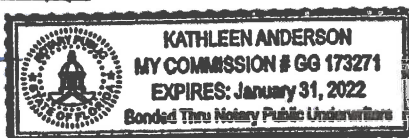
Dear Ms. Lyders:

This is to certify that the above referenced sign was installed per Martin County requirements and complies with the standards provided by the Martin County Comprehensive Planning Department.


Doug Fitzwater

State of Florida
County of Martin

Doug Fitzwater, who is personally known to me, acknowledged the forgoing instrument before me on May 7, 2019.


Notary Public, State of Florida



**NOTICE
PROPOSED REZONING**
BR 24 LLC
DATE, TIME AND PLACE OF HEARING(S) AND
OTHER INFORMATION AVAILABLE FROM
MARTIN COUNTY GROWTH MANAGEMENT DEPARTMENT
CALL 772-288-5495
FILE NUMBER B121-003.

TP Prestige title agency, inc.

736 colorado avenue, suite a, stuart, florida 34994 · phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

May 9, 2019

Ownership Search

Prepared For: Lucido & Associates

We hereby certify 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:

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

TAX ID: See Exhibit "B" attached hereto
OWNER: & made a part hereof.
ADDRESS:

The apparent property owners of land surrounding the above referenced property are as follows: The list does not include any owners who qualify for confidentiality (See attached).


Karen Rae Hyche
President



736 colorado avenue, suite a, stuart, florida 34994 · phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

OWNERSHIP REPORT

SEARCH NO. P19-11,459/KRH

THE ATTACHED REPORT IS ISSUED TO LUCIDO & ASSOCIATES. THE ATTACHED REPORT MAY NOT BE RELIED ON BY ANY OTHER PARTY. NO LIABILITY IS ASSUMED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FOR ANY UNAUTHORIZED USE OR RELIANCE. THIS OWNERSHIP REPORT IS ISSUED PURSUANT TO FLORIDA STATUTE SECTION 627.7843 AND LIABILITY HEREUNDER FOR INCORRECT INFORMATION IS LIMITED TO THE SUM OF \$1,000.00.

The attached Report prepared in accordance with the instructions given by the user named above includes a listing of the owner(s) of a 1000 foot area surrounding subject property. It is the responsibility of the party named above to verify receipt of each document listed. If a copy of any document listed is not received, the office issuing this Report must be contacted immediately. This Report does not include easements, restrictions, notices or other documents not listed above.

This Report does not insure or guarantee the validity or sufficiency of any document attached nor is it to be considered a title insurance policy, an opinion of title, a guarantee of title or as any other form of guarantee or warranty of title. This Report shall not be used for the issuance of any title insurance policy or form.

Use of the term "Report" herein refers to this Ownership Report and the documents attached hereto.

The land referred to herein is described as follows:

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

PRESTIGE TITLE AGENCY, INC.
736 Colorado Ave. Ste. A
Stuart FL 34994

By: Karen Rae Hyche
Karen Rae Hyche

SKETCH & DESCRIPTION

(THIS IS NOT A BOUNDARY SURVEY)

COUNTY ROAD NO. 708
(S.E. BRIDGE ROAD)

(100' RIGHT-OF-WAY)

POINT OF
COMMENCEMENT
N.W. CORNER
SECTION 32-39-42

N. LINE 32-39-42

LEGAL DESCRIPTION:

BEING A PARCEL OF LAND LYING IN SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST, MARTIN COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHWEST CORNER OF SECTION 32, TOWNSHIP 39 SOUTH, RANGE 42 EAST; THENCE S00°13'13"E ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 771.19 FEET TO THE POINT OF BEGINNING; THENCE S89°46'42"E, A DISTANCE OF 161.54 FEET; THENCE N00°12'23"W, A DISTANCE OF 16.00 FEET; THENCE S89°46'42"E, A DISTANCE OF 243.93 FEET; THENCE S00°12'22"E, A DISTANCE OF 1846.26 FEET; THENCE N89°52'24"W PARALLEL TO THE SOUTH LINE OF THE NORTHWEST 1/4 OF SAID SECTION 32, A DISTANCE OF 405.00 FEET TO A POINT ON THE WEST LINE OF SAID SECTION 32; THENCE N00°13'13"W ALONG THE WEST LINE OF SAID SECTION 32, A DISTANCE OF 1830.93 FEET TO THE POINT OF BEGINNING.

CONTAINING 745,717±SQ.FT. (17.12±ACRES)

31-39-42-000-001-00000-3

S89°46'42"E
161.54'

POINT OF BEGINNING

N00°12'23"W
16.00'

S89°46'42"E
243.93'

32-39-42-000-000-00163-6

32-39-42-000-000-00131-5

SOUTH LINE NW1/4, NW1/4 SECTION 32
NORTH LINE SW1/4, NW1/4 SECTION 32

31-39-42-000-001-00010-1

31-39-42-000-001-00030-7

31-39-42-000-001-00031-6

RIGHT-OF-WAY
DEED TO
MARTIN COUNTY

SOUTH LINE NW1/4 SECTION 32

WEST LINE SECTION 32
S00°13'13"E 771.19'

N00°13'13"W 1830.93'

WEST LINE SECTION 32

N89°52'24"W
405.00'

S.E. 138TH STREET
(100' RIGHT-OF-WAY)

S00°12'22"E 1846.26'

32-39-42-000-000-00180-5

FLORIDA REGISTRATION #5102

CHRISTIAN FENEX

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

CHRISTIAN FENEX AND ASSOCIATES, LLC
PROFESSIONAL SURVEYING AND MAPPING

ENVIRONMENTAL CONSULTING

3401 SW 72ND AVE., PALM CITY, FLORIDA

P.O. BOX 2533, PALM CITY, FL 34991

PH.(772)283-2977 EMAIL FENEXC@BELLSOUTH.NET

LICENSED BUSINESS # 6858

DRAWING DATE

04/01/19

F.B.

folder

PG.

SCALE

1" = 300'

W.O.#

216039

SKETCH NO.
216039 sketch&description.dwg

Exhibit "A"

Martin County, Florida - Laurel Kelly, C.F.A

generated on 5/9/2019 12:05:27 PM EDT

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
32-39-42-000-000-00130-6	62573	UNASSIGNED, HOBE SOUND	\$329,320	5/4/2019

Owner Information

Owner(Current)	BR 24 LLC
Owner/Mail Address	13451 SE OTTER LAKE DR HOBE SOUND FL 33455
Sale Date	1/27/2010
Document Book/Page	<u>2435 1028</u>
Document No.	2190830
Sale Price	650000

Location/Description

Account #	Map Page No.	T-32A
62573		
Tax District 3003	Legal Description	PART OF W1/2 OF NW1/4 OF SEC 32 DESC AS: COM AT PT ON S R/W BRIDGE RD & 430' E OF W/LN SEC, CONT E ALG R/W 60 S 210, W 5, S 538.85, SWLY 35.45, S 289.69, SWLY 77.78 FOR POB.. S 1470.53 TO N R/W SE 138TH ST, W 405, NELY 676.72, NWLY 288.57, NELY 80, N 595.09, E 230.55, S TO POB. (AKA PART OF PARCEL 4-B)
Parcel Address UNASSIGNED, HOBE SOUND		
Acres 9.4090		

Parcel Type

Use Code	6300 GrazLD Soil Cpcty CL III
Neighborhood	677000 Bridge Road

Assessment Information

Market Land Value	\$329,320
Market Improvement Value	
Market Total Value	\$329,320

Exhibit "B"

1 of 5

Martin County, Florida - Laurel Kelly, C.F.A

generated on 5/9/2019 12:00:11 PM EDT

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
32-39-42-000-000-00163-6	62580	UNASSIGNED, HOBE SOUND	\$96,950	5/4/2019

Owner Information

Owner(Current)	BR 24 LLC
Owner/Mail Address	13451 SE OTTER LAKE DR HOBE SOUND FL 33455
Sale Date	10/8/2008
Document Book/Page	<u>2356 0988</u>
Document No.	2112020
Sale Price	200000

Location/Description

Account #	62580	Map Page No.	T-32A
Tax District	3003	Legal Description	COM AT PI S R/W BRIDGE RD & W/LN OF SEC 32, S 742' FOR POB.. CONT S 299', E 405', N 315', W 244', S 16' & W 161' TO POB.
Parcel Address	UNASSIGNED, HOBE SOUND		
Acres	2.7700		

Parcel Type

Use Code	6300 GrazLD Soil Cpcty CL III
Neighborhood	677000 Bridge Road

Assessment Information

Market Land Value	\$96,950
Market Improvement Value	
Market Total Value	\$96,950

2 of 5

Martin County, Florida - Laurel
Kelly, C.F.A

generated on 5/9/2019 12:06:12 PM EDT

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
31-39-42-000-001-00010-1	62532	UNASSIGNED, HOBE SOUND	\$92,420	5/4/2019

Owner Information	
Owner(Current)	BR 24 LLC
Owner/Mail Address	13451 SE OTTER LAKE DR HOBE SOUND FL 33455
Sale Date	9/7/2007
Document Book/Page	<u>2277 0143</u>
Document No.	2037427
Sale Price	148300

Location/Description			
Account #	62532	Map Page No.	T-31A
Tax District	3003	Legal Description	PART OF SEC'S 31 & 32-39-42 DESC AS: BEG NW COR OF E1/2 OF SE1/4 OF NE1/4 OF SEC 31, E 662.33', N 256.01', E 174.45', SLY 595.09', SWLY 80', NWLY 63.21', W 360.50', NWLY 179.98' TO CURVE, THENCE ALG CURVE 56.2', S 92.72', W 165', N 360.38' TO POB (AKA PARCEL 3-B)
Parcel Address	UNASSIGNED, HOBE SOUND		
Acres	7.4800		

legal includes more land

Parcel Type	
Use Code	6300 GrazLD Soil Cpcty CL III
Neighborhood	677000 Bridge Road

Assessment Information	
Market Land Value	\$92,420
Market Improvement Value	
Market Total Value	\$92,420

Subject property

located within

3 of 5

Martin County, Florida - Laurel Kelly, C.F.A

generated on 5/9/2019 12:08:14 PM EDT

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
31-39-42-000-001-00030-7	62533	UNASSIGNED, HOBE SOUND	\$81,860	5/4/2019

Owner Information

Owner(Current)	BR 24 LLC
Owner/Mail Address	13451 SE OTTER LAKE DR HOBE SOUND FL 33455
Sale Date	9/7/2007
Document Book/Page	<u>2277 0079</u>
Document No.	2037407
Sale Price	406700

Location/Description

Account #	62533	Map Page No.	T-31A
Tax District	3003	Legal Description	PART OF SEC'S 31 & 32-39-42 DESC AS: BEG 604' N/O SW COR OF E1/2 OF SE1/4 OF NE1/4, CONT N 360', E 165', N 92.72' TO CURVE, CURVE 56.2', SE 179.98', E 360.50', SELY 63.21', SELY 288.57', W 180.53', S 67.02', W 711.80' TO POB (AKA PARCEL 2-B)
Parcel Address	UNASSIGNED, HOBE SOUND		
Acres	6.8400		

legal includes more land

Parcel Type

Use Code	6300 GrazLD Soil Cpty CL III
Neighborhood	677000 Bridge Road

Assessment Information

Market Land Value	\$81,860
Market Improvement Value	
Market Total Value	\$81,860

Subject property located within

4 of 5

Martin County, Florida - Laurel Kelly, C.F.A

generated on 5/9/2019 12:09:31 PM EDT

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
31-39-42-000-001-00031-6	62534	UNASSIGNED, HOBE SOUND	\$360,500	5/4/2019

Owner Information

Owner(Current)	BR 24 LLC
Owner/Mail Address	13451 SE OTTER LAKE DR HOBE SOUND FL 33455
Sale Date	12/8/2009
Document Book/Page	2428 0784
Document No.	2184095
Sale Price	410000

Location/Description

Account #	62534	Map Page No.	T-31A
Tax District	3003	Legal Description	PART OF SEC'S 31 & 32-39-42 DESC AS: BEG 33' N/O SW COR OF SE1/4 OF SE1/4 OF NE1/4, CONT N 571', E 711.80', N 67.02', E 180.53', SWLY 676.72' & W 663.93' TO POB (AKA PARCEL 1-B)
Parcel Address	UNASSIGNED, HOBE SOUND		
Acres	10.3000		

legal includes more land

Parcel Type

Use Code	6300 GrazLD Soil Cpty CL III
Neighborhood	677000 Bridge Road

Assessment Information

Market Land Value	\$360,500
Market Improvement Value	
Market Total Value	\$360,500

*Subject property
located within*

5 of 5

BR 24 LLC
13451 SE Otter Lake Dr.
Hobe Sound FL 33455

Worldwide Fabrics Limited
Partnership
241 Bradley Pl.
Palm Beach FL 33480

Canopus Sound LLC
1 Holtec Blvd.
Camden NJ 08104

Shubhra Amy Singh
5751 SE 138th St.
Hobe Sound FL 33455

Scott A. Jenkins
5950 SE 138th St.
Hobe Sound FL 33455

James M. & Catherine D. Adkins
8782 SE Sandcastle Cir.
Hobe Sound FL 33455

Susana T. Valente
Yannick D. Even
5910 SE 138th St.
Hobe Sound FL 33455

James A. & Merriam M. Holt
5850 SE 138th St.
Hobe Sound FL 33455

Merriam M. Holt
5900 SE 138th St.
Hobe Sound FL 33455

Silver Spur Holdings LLC
13451 SE Otter Lake Dr.
Hobe Sound FL 33455

Heissenberg Family Financial Inv.
725 NE Bayberry Ln.
Jensen Beach FL 34957

3 Putt Hobe Sound LLC
6250 SE Bridge Rd.
Hobe Sound FL 33455

Timothy R. Datillio
6390 SE Bridge Rd.
Hobe Sound FL 33455

Hickey Hob LLC
9231 School House Rd.
Coral Gables FL 33156

Dbridge Holdings LLC
13451 SE Otter Lake Dr.
Hobe Sound FL 33455

Timothy A. & Misty M. Peacock
6120 SE Bridge Rd.
Hobe Sound FL 33455

Timothy Dore
Hannah Wyman
6122 SE Bridge Rd.
Hobe Sound FL 33455

Lloyd L. & Evelyn M. Lolmaugh
6116 SE Bridge Rd.
Hobe Sound FL 33455

Barbara Riggins
12770 SE Circle Dr.
Hobe Sound FL 33455

Martin County
2401 SE Monterey Rd.
Stuart FL 34996

Mark & Joy Bozicevic
8814 S. Wendy Ln.
West Palm Beach FL 33411

Stephen J. Krigbaum
6271 SE 138th St.
Hobe Sound FL 33455

SAMPLE LETTER TO SURROUNDING PROPERTY OWNERS

(month) (day), (2019)

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

Subject and Location: **BR 24, LLC, Rezoning (B121-003)** Request by BR 24, LLC, for approval of an amendment to the zoning atlas to change the zoning from the existing A-1, Small Farms District, to the RE-2A, Rural Estate District, or the most appropriate zoning district, for approximately 17 acres located on the south side of SE Bridge Road approximately 2.7 miles west of US-1, in Hobe Sound. Included is a request for a Certificate of Public Facilities Exemption.

Dear *(property owner)*:

As a landowner within 1,000 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, June 20, 2019

Time and Date: **BOARD OF COUNTY COMMISSIONERS**
9:00 A.M., or as soon after as the matter may be heard, on
Tuesday, July 30, 2019

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 Nicki van Vonno, Growth Management Department Director, (e-mail: nikkiv@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

