

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

ORDINANCE NUMBER 1092

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLAN AMENDMENT 18-11, LEIGHTON FARM AVENUE, AMENDING THE FUTURE LAND USE MAP OF THE MARTIN COUNTY COMPREHENSIVE GROWTH MANAGEMENT PLAN; PROVIDING FOR CONFLICTING PROVISIONS, SEVERABILITY, AND APPLICABILITY; PROVIDING FOR FILING WITH THE DEPARTMENT OF STATE, AND AN EFFECTIVE DATE.

WHEREAS, Section 1.11, Comprehensive Growth Management Plan, and Section 163.3184, Florida Statutes, permit amendments to the Comprehensive Growth Management Plan and provide for amendment procedures; and

WHEREAS, on October 4, 2018, the Local Planning Agency considered the proposed Comprehensive Plan Amendment at a duly advertised public hearing; and

WHEREAS, on October 23, 2018, at a duly advertised public hearing, this Board considered the amendment and approved such amendment for transmittal to the Division of Community Planning and Development; and

WHEREAS, on January 29, 2019 at a duly advertised public hearing this Board considered and addressed the comments of the various reviewing agencies; and

WHEREAS, this Board has provided for full public participation in the comprehensive planning and amendment process and has considered and responded to public comments.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:

**PART I. COMPREHENSIVE GROWTH MANAGEMENT PLAN AMENDMENT
CPA 18-11, LEIGHTON FARM AVENUE**

Comprehensive Growth Management Plan Amendment CPA 18-11, Leighton Farm Avenue, is hereby adopted as follows: The Future Land Use Map is amended to change the Agricultural Ranchette Future Land Use designation to General Commercial on the subject 0.79 acres, located at SW Leighton Farm Avenue and

SW Martin Highway and further described in Exhibit A, attached hereto and incorporated by reference.

PART II. CONFLICTING PROVISIONS.

To the extent that this ordinance conflicts with special acts of the Florida Legislature applicable only to unincorporated areas of Martin County, County ordinances and County resolutions, and other parts of the Martin County Comprehensive Growth Management Plan, the more restrictive requirement shall govern.

PART III. SEVERABILITY.

If any portion of this ordinance is for any reason held or declared to be unconstitutional, inoperative or void by a court of competent jurisdiction, such holding shall not affect the remaining portions of this ordinance. If the ordinance or any provision thereof shall be held to be inapplicable to any person, property or circumstance by a court of competent jurisdiction, such holding shall not affect its applicability to any other person, property or circumstance.

PART IV. APPLICABILITY OF ORDINANCE.

This Ordinance shall be applicable throughout the unincorporated area of Martin County.

PART V. FILING WITH DEPARTMENT OF STATE.

The Clerk be and hereby is directed forthwith to scan this ordinance in accordance with Rule 1B-26.003, Florida Administrative Code, and file same with the Florida Department of State via electronic transmission.

PART VI. EFFECTIVE DATE.

The effective date of this plan amendment, if the amendment is not timely challenged, shall be 31 days after the state land planning agency notifies the local government that the plan amendment package is complete. If timely challenged, this amendment shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining this adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, this amendment may nevertheless be made effective by adoption of a

resolution affirming its effective status, a copy of which resolution shall be sent to the state land planning agency.

DULY PASSED AND ADOPTED THIS 29TH DAY OF JANUARY, 2019.

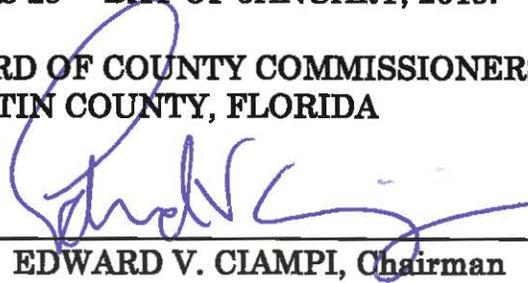
ATTEST:

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



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

BY:



EDWARD V. CIAMPI, Chairman

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

BY:



**KRISTA A. STOREY,
ACTING COUNTY ATTORNEY**

MARTIN COUNTY, STUART, FLORIDA
2401 S.E. MONTEREY ROAD PHONE NO. 772-288-5927

DWG. NAME : 18-029

M.C. PROJ. NO. 18-029

SHEET NO. 1 OF 3

EXHIBIT "A"

SURVEYOR'S NOTES

1. THIS SKETCH, LEGAL DESCRIPTION, AND STATE PLANE COORDINATE VALUES ARE BASED ON THE FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP, SECTION 89090-2507, F.P. NO. 438701, PREPARED BY KEITH & SCHNARS, P.A., FINAL DATED MARCH 1, 2018. THE SKETCH AND DESCRIPTION WAS CREATED FROM OFFICE INFORMATION, NO FIELD WORK WAS PERFORMED.
2. THIS LEGAL DESCRIPTION SHALL NOT BE VALID:
 - A. UNLESS PROVIDED IN ITS ENTIRETY CONSISTING OF SHEETS 1, 2, AND 3, SHEET 3 BEING A SKETCH.
 - B. WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR.
3. BEARING AND REFERENCE: BEARING IS SOUTH 89°26'49" EAST, REFERENCE IS THE NORTH SECTION LINE OF SECTION 23, TOWNSHIP 38 SOUTH, RANGE 40 EAST. SAID REFERENCE IS ALSO THE BASELINE SURVEY OF STATE ROAD 714 (SW MARTIN HIGHWAY) AND ALL OTHERS ARE RELATIVE TO SAID BEARING.
4. THE PURPOSE OF THIS SKETCH AND DESCRIPTION IS TO DESCRIBE A FUTURE LAND USE CHANGE.
5. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, OWNERSHIP, OR OTHER INSTRUMENTS OF RECORD.
6. THIS IS NOT A SURVEY AND DOES NOT DEFINE OWNERSHIP OR ENCROACHMENTS.
7. PROPERTY, TRACT, AND PARCEL LINES SHOWN ARE APPROXIMATE IN NATURE AND NOT TO BE RELIED UPON FOR LAND POSITIONING OR DETERMINATIONS.
8. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
9. LEGEND: ORB=OFFICIAL RECORD BOOK, POB=POINT OF BEGINNING, POC=POINT OF COMMENCEMENT, ROW=RIGHT OF WAY, R/W=RIGHT OF WAY

SURVEYOR AND MAPPER
IN RESPONSIBLE CHARGE

SEAL

Brion D. Yancy
BRION D. YANCY, PSM

PROJECT MANAGER - SURVEY DIVISION
PROFESSIONAL SURVEYOR AND MAPPER
FLORIDA LICENSE NO. 7162

NOTE: THIS IS NOT A SURVEY. THIS SHEET IS
NOT VALID WITHOUT SHEETS 2 AND 3

DATE: *April 5, 2018*

SKETCH & DESCRIPTION-FUTURE LAND USE CHANGE
EXISTING SW LEIGHTON FARM AVE
MARTIN COUNTY, FLORIDA

SUPERVISED BY : BDY	
DRAWN BY : KTR	SCALE : N/A
DATE : 4/5/2018	
DRAWING # 18-029.DWG	

MARTIN COUNTY, STUART, FLORIDA

2401 S.E. MONTEREY ROAD PHONE NO. 772-288-5927

DWG. NAME : 18-029

M.C. PROJ. NO. 18-029

SHEET NO. 2 OF 3

EXHIBIT "A"

DESCRIPTION

A PORTION OF TRACT 3, PALM CITY FARMS PALM BEACH COUNTY LAND CO. STUART, FLA., ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 42 OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LYING IN SECTION 23, TOWNSHIP 38 SOUTH, RANGE 40 EAST, AS SHOWN ON SHEETS 30 AND 31 OF THE FLORIDA DEPARTMENT OF TRANSPORTATION UNSIGNED RIGHT OF WAY MAP FOR ITEM/SEGMENT NO. 4116293, SECTION 89090-2507, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT 5/8" IRON PIPE IN ASPHALT CUT-OUT (NO ID), FOUND MARKING THE NORTH HALF QUARTER (N 1/2) CORNER OF SECTION 23, ALSO BEING PI STATION 389+21.52 ON THE BASELINE OF SURVEY OF STATE ROAD 714 (SW MARTIN HIGHWAY); THENCE SOUTH 89°26'49" EAST ALONG THE NORTH LINE OF SAID SECTION 23 AND SAID BASELINE OF SURVEY OF STATE ROAD 714 (SW MARTIN HIGHWAY), A DISTANCE OF 908.58 FEET; THENCE SOUTH 00°33'11" WEST ALONG A LINE AT A RIGHT ANGLE TO THE PREVIOUSLY DESCRIBED COURSE, A DISTANCE OF 50.00 FEET TO THE INTERSECTION WITH THE SOUTHERLY EXISTING RIGHT OF WAY LINE OF SAID STATE ROAD 714 (SW MARTIN HIGHWAY), BEING PARALLEL WITH THE SAID BASELINE OF SURVEY OF STATE ROAD 714 (SW MARTIN HIGHWAY); THENCE SOUTH 89°26'49" EAST ALONG SAID SOUTHERLY EXISTING RIGHT OF WAY LINE OF STATE ROAD 714 (SW MARTIN HIGHWAY), A DISTANCE OF 73.85 FEET TO A POINT OF INTERSECTION WITH THE WESTERLY EXISTING RIGHT OF WAY LINE OF SW LEIGHTON FARM AVENUE; THENCE SOUTH 31°32'21" EAST ALONG SAID WESTERLY EXISTING RIGHT OF WAY LINE OF SW LEIGHTON FARM AVENUE, A DISTANCE OF 46.18 TO A POINT INTERSECTING WITH THE PROPOSED EASTERLY RIGHT OF WAY OF SW LEIGHTON FARM AVENUE AND THE WESTERLY RIGHT OF WAY OF THE EXISTING SW LEIGHTON FARM AVENUE, SAID INTERSECTION IS THE **POINT OF BEGINNING**; THENCE NORTH 41°17'46" EAST, A DISTANCE OF 13.60 FEET; THENCE NORTH 87°10'50" EAST, A DISTANCE OF 30.80 FEET TO A POINT INTERSECTING WITH THE CENTERLINE OF THE EXISTING SW LEIGHTON FARM AVENUE; THENCE ALONG SAID CENTERLINE OF SW LEIGHTON FARM AVENUE SOUTH 31°32'21" EAST, A DISTANCE OF 462.78 FEET TO A POINT OF CUSP AND THE BEGINNING OF A NON-TANGENT CURVE CONCAVE SOUTHWESTERLY, HAVING A CHORD BEARING OF NORTH 54°59'21" WEST; THENCE NORTHWESTERLY ALONG THE PROPOSED EASTERLY RIGHT OF WAY LINE OF LEIGHTON FARM AVENUE AND SAID CURVE, HAVING A RADIUS OF 540.00 FEET, THROUGH A CENTRAL ANGLE OF 2°31'39", AND AN ARC DISTANCE OF 23.82 FEET; THENCE NORTH 56°15'30" WEST, A DISTANCE OF 144.90 FEET TO A POINT ON A CURVE CONCAVE NORTHEASTERLY, HAVING A CHORD BEARING OF NORTH 30° 32'12" WEST; THENCE NORTHWESTERLY ALONG SAID CURVE, HAVING A RADIUS OF 360.00 FEET, THROUGH A CENTRAL ANGLE OF 51°26'35", AND AN ARC DISTANCE OF 323.23 FEET; THENCE NORTH 41°17'46" EAST A DISTANCE OF 25.75 FEET TO THE **POINT OF BEGINNING**.

CONTAINING 34,216 SQUARE FEET (0.79 ACRES), MORE OR LESS.

NOTE: THIS IS NOT A SURVEY. THIS SHEET IS NOT VALID WITHOUT SHEETS 1 AND 3

SKETCH & DESCRIPTION-FUTURE LAND USE CHANGE
EXISTING SW LEIGHTON FARM AVE
MARTIN COUNTY, FLORIDA

SUPERVISED BY : BDY

DRAWN BY : KTR | SCALE : N/A

DATE : 4-5-2018

DRAWING # 18-029.DWG

MARTIN COUNTY, STUART, FLORIDA

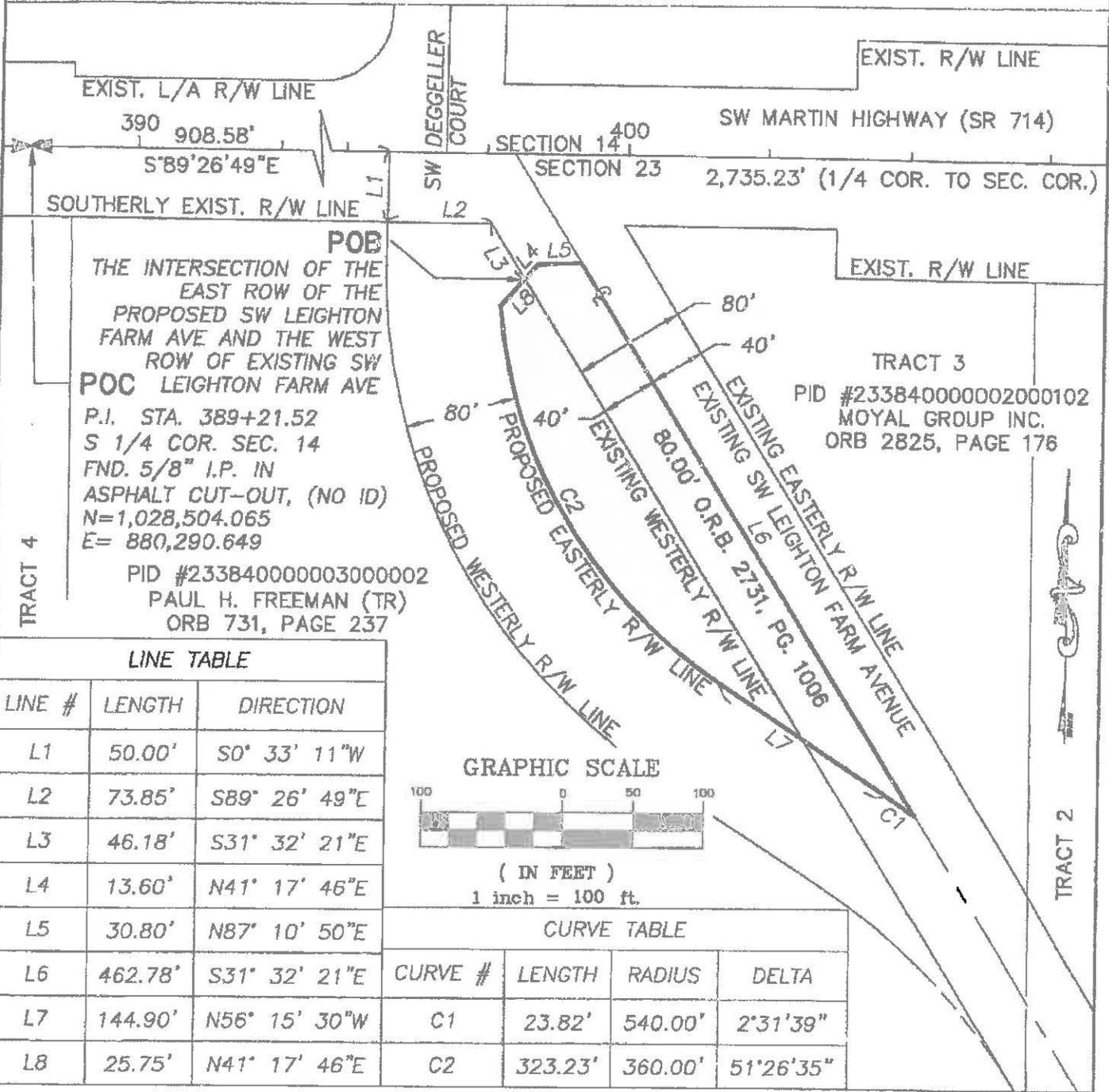
2401 S.E. MONTEREY ROAD PHONE NO. 772-288-5927

DWG. NAME : 18-029

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SHEET NO. 3 OF 3

EXHIBIT "A"



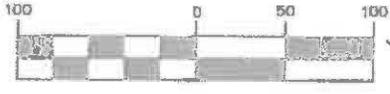
POB
 THE INTERSECTION OF THE
 EAST ROW OF THE
 PROPOSED SW LEIGHTON
 FARM AVE AND THE WEST
 ROW OF EXISTING SW
POC LEIGHTON FARM AVE
 P.I. STA. 389+21.52
 S 1/4 COR. SEC. 14
 FND. 5/8" I.P. IN
 ASPHALT CUT-OUT, (NO ID)
 N=1,028,504.065
 E= 880,290.649
 PID #233840000003000002
 PAUL H. FREEMAN (TR)
 ORB 731, PAGE 237

TRACT 3
 PID #233840000002000102
 MOYAL GROUP INC.
 ORB 2825, PAGE 176

LINE TABLE

LINE #	LENGTH	DIRECTION
L1	50.00'	S0° 33' 11"W
L2	73.85'	S89° 26' 49"E
L3	46.18'	S31° 32' 21"E
L4	13.60'	N41° 17' 46"E
L5	30.80'	N87° 10' 50"E
L6	462.78'	S31° 32' 21"E
L7	144.90'	N56° 15' 30"W
L8	25.75'	N41° 17' 46"E

GRAPHIC SCALE



(IN FEET)
 1 inch = 100 ft.

CURVE TABLE

CURVE #	LENGTH	RADIUS	DELTA
C1	23.82'	540.00'	2°31'39"
C2	323.23'	360.00'	51°26'35"

NOTE: THIS IS NOT A SURVEY. THIS SHEET IS NOT VALID WITHOUT SHEETS 1 AND 2

THIS MAP IS INTENDED TO BE DISPLAYED AT A SCALE OF 1"=100' OR SMALLER.

SKETCH & DESCRIPTION-FUTURE LAND USE CHANGE
 EXISTING SW LEIGHTON FARM AVE
 MARTIN COUNTY, FLORIDA

SUPERVISED BY : BDY
 DRAWN BY : KTR SCALE : 1"=100'
 DATE : 4/5/2018
 DRAWING # 18-029.DWG



FLORIDA DEPARTMENT *of* STATE

RON DESANTIS
Governor

LAUREL M. LEE
Secretary of State

February 5, 2019

Ms. Carolyn Timmann
Clerk of the Circuit Court
Martin County
Post Office Box 9016
Stuart, Florida 34995

Attention: Mary K. Vettel, Deputy Clerk

Dear Ms. Timmann:

Pursuant to the provisions of Section 125.66, Florida Statutes, this will acknowledge receipt of your electronic copy of Martin County Ordinance No. 1092, which was filed in this office on February 5, 2019.

Sincerely,

Ernest L. Reddick
Program Administrator

ELR/lb