

Prepared By:
Martin County
Growth Management Department
2401 S.E. Monterey Road
Stuart, FL 34996

2019 SEP 11 PM 3:17

CAROLYN TIMMANN
CLERK OF CIRCUIT COURT

BY _____

[space above line provided for recording data]

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

RESOLUTION NUMBER 19-7.12

**[REGARDING A CHANGE IN ZONING CLASSIFICATION FROM R-3A, LIBERAL
MULTIPLE-FAMILY DISTRICT, TO LC, LIMITED COMMERCIAL DISTRICT, FOR
SUNRISE RESTAURANTS, LLC WITH A CERTIFICATE OF PUBLIC FACILITIES
EXEMPTION]**

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

1. Sunrise Restaurants, LLC submitted an application for a change in zoning district classification from the current R-3A Multiple-Family District to the LC, Limited Commercial District, for the property described in Exhibit A, attached hereto.
2. The Local Planning Agency considered the application at a public hearing on June 20, 2019. The LPA's recommendations were forwarded to the Board of County Commissioners.
3. This Board has considered such recommendations.
4. Upon proper notice of hearing this Board held a public hearing on the application on July 30, 2019.
5. At the public hearing, all interested parties were given an opportunity to be heard.
6. All conditions precedent to granting the change in zoning district classification have been met.

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

A. The zoning district classification of the property described in Exhibit A is hereby changed from the R-3A Multiple-Family District to the LC, Limited Commercial District.

B. Pursuant to Section 5.32.B.3.f., Land Development Regulations, Martin County, Fla. (2009), this rezoning action is hereby determined to meet the requirements for a Certificate of Public Facilities Exemption.


C. Pursuant to Policy 14.1C.5.(2), Comprehensive Growth Management Plan, Martin County, Fla. (2016), regarding preliminary development approvals, the property described in Exhibit A is subject to a determination of level of service capacity at final site plan approval and no rights to obtain final development orders, nor any other rights to develop the subject property have been granted or implied by this Board.

D. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 30TH DAY OF JULY, 2019.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

BY: 
CAROLYN TIMMANN, CLERK OF
THE CIRCUIT COURT AND
COMPTROLLER

BY: 
EDWARD V. CIAMPI, CHAIR

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

BY: 
KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY

ATTACHMENTS:

Exhibit A, Legal Description

EXHIBIT A
LEGAL DESCRIPTION

THE PART OF LOT 4 LYING EAST OF THE F.E.C. RAILROAD RIGHT-OF-WAY IN BALLANTINE & MOORE SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 205, PUBLIC RECORDS OF ST LUCIE (NOW MARTIN) COUNTY, FLORIDA AND THE NORTH 86.9 FEET OF TRACT 6A LYING EAST OF THE F.E.C. RAILROAD RIGHT-OF-WAY IN GAINES ESTATES SUBDIVISION, AS RECORDED IN PLAT BOOK 1, PAGE 90, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA

SAID PARCEL CONSISTING OF 2.289 ACRES OR 100,640 SQUARE FEET MORE OR LESS.

SAID PARCEL SUBJECT TO ANY/ALL EASEMENTS, RESERVATIONS, RESTRICTIONS AND/OR DEDICATIONS.