

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

**RESOLUTION NUMBER 22-**

**[REGARDING FINAL SITE PLAN APPROVAL FOR SOUTH FLORIDA GATEWAY PUD  
PLAT INFRASTRUCTURE WITH A CERTIFICATE OF PUBLIC FACILITIES EXEMPTION]**

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

1. KL Waterside, LLC submitted an application for final site plan approval for the South Florida Gateway Planned Unit Development (PUD) plat infrastructure plan (S265-002), located on lands legally described in Exhibit A, attached hereto.
2. Pursuant to Section 10.5.F.9., Land Development Regulations, Martin County, Fla., a review of this application is not required by the Local Planning Agency (LPA).
3. Upon proper notice of hearing this Board held a public meeting on the application on May 17, 2022.
4. At the public meeting, all interested parties were given an opportunity to be heard.
5. The final site plan for the South Florida Gateway PUD plat infrastructure project is consistent with the Comprehensive Plan and the Land Development Regulations.

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

A. The final site plan for South Florida Gateway PUD plat infrastructure project attached hereto as Exhibit B is approved. Development of South Florida Gateway PUD plat infrastructure plan shall be in accordance with the approved final site plan.

B. All required applicable state and federal permits and approvals shall be submitted to the Growth Management Department (GMD) prior to the commencement of any construction.

C. No permits for construction or development activity shall be issued until all required documents, plans, fees and federal and state permits and approvals are received and approved as required by Section 10.11, Land Development Regulations, Martin County Code.

D. Failure to submit the required documents, plans and fees as required by Section 10.11, Land Development Regulations, Martin County Code, shall render approval of the final site plan for the South Florida Gateway PUD plat infrastructure project null and void.

E. This application is hereby determined to meet the requirements for and shall serve as a Certificate of Public Facilities Exemption as set forth in Section 5.32.B., LDR, Martin County Code.

F. All permits for the South Florida Gateway PUD plat infrastructure plan must be obtained within one year, by May 17, 2023. Development must be completed within two years, by May 17, 2024.

G. The Owner is not authorized to haul fill off of the site and must coordinate with the County Engineer regarding the routes and timing of any fill to be hauled to the site. The Owner must comply with all County excavation and fill regulations.

H. No land clearing is authorized prior to the mandatory pre-construction meeting for the project. Property corners and preservation areas shall be located by a licensed land surveyor and clearly marked in the field prior to the pre-construction meeting. Authorization for clearing to install erosion control devices and preserve barricades will be granted at the pre-construction meeting. No additional land clearing shall commence until a satisfactory inspection of the required control structures and barricades has been obtained. Authorization for the relocation of gopher tortoises within the development, as provided for on state agency permits, may be granted by the Growth Management Department upon review of required permit materials.

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

**DULY PASSED AND ADOPTED THIS 17TH DAY OF MAY, 2022.**

ATTEST:

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

BY: \_\_\_\_\_  
CAROLYN TIMMANN  
CLERK OF THE CIRCUIT COURT  
AND COMPTROLLER

BY: \_\_\_\_\_  
DOUG SMITH, CHAIRMAN

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

BY: \_\_\_\_\_  
KRISTA A. STOREY  
SENIOR ASSISTANT COUNTY ATTORNEY

**ATTACHMENTS:**

Exhibit A, Legal Description  
Exhibit B, Final Site Plan

## EXHIBIT A - LEGAL DESCRIPTION:

BEING A REPLAT OF A PORTION OF LOTS 9, 10, 11, 14, 15, AND 16, ALL IN SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, AND A PORTION OF LOTS 12 AND 13, LYING NORTHWEST OF STATE ROAD NO. 76, IN SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, OF TROPICAL FRUIT FARMS, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

**COMMENCE** AT THE NORTHWEST CORNER OF SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST, ALSO BEING THE NORTHWEST CORNER OF LOT 4, SECTION 13, TOWNSHIP 39 SOUTH, RANGE 40 EAST OF TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF FILED ON AUGUST 18, 1913, RECORDED IN PLAT BOOK 3, PAGE 6, RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; THENCE S.89°37'58"E. ALONG THE NORTH LINE OF THE WEST HALF OF SAID SECTION 13, A DISTANCE OF 2640.55 FEET TO THE NORTH (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.00°01'11"W., ALONG THE EAST LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, A DISTANCE OF 2646.70 FEET TO THE SOUTHEAST CORNER OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, SAID CORNER ALSO BEING THE **POINT OF BEGINNING**; THENCE S.89°44'18"E., ALONG THE SOUTH LINE OF THE NORTHEAST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 9 AND LOT 10, SECTION 13 OF SAID PLAT, A DISTANCE OF 2750.92 FEET TO THE EAST (1/4) QUARTER CORNER OF SAID SECTION 13; THENCE S.89°39'02"E., ALONG THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SECTION 18, TOWNSHIP 39 SOUTH, RANGE 41 EAST, ALSO BEING THE NORTH LINE OF LOT 12, SECTION 18 OF SAID PLAT, A DISTANCE OF 1203.27 FEET TO A POINT ON THE WESTERLY RIGHT-OF-WAY LINE OF STATE ROAD NO. 76, AS SHOWN ON THE FLORIDA STATE ROAD DEPARTMENT MAP FOR SECTION 89060-2012, DATED APRIL 8, 1940 AND AS RECORDED IN DEED BOOK 29, PAGE 583 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA; THENCE S.27°42'47"W., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 2944.01 FEET TO A POINT ON A LINE 50.00 FEET NORTH OF AND PARALLEL WITH THE SOUTH LINE OF THE EAST (1/2) HALF OF SAID SECTION 13; THENCE N.89°32'35"W., ALONG SAID PARALLEL LINE, A DISTANCE OF 1924.71 FEET; THENCE N.00°27'25"E., A DISTANCE OF 151.61 FEET TO A RADIAL INTERSECTION WITH A CURVE CONCAVE TO THE NORTHWEST WITH A RADIUS OF 300.00 FEET, AND A RADIAL BEARING OF N.00°27'25"E. AT SAID INTERSECTION; THENCE NORTHEASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°58'09", A DISTANCE OF 193.57 FEET TO THE POINT OF TANGENCY; THENCE N.53°29'16"E., A DISTANCE OF 165.88 FEET TO A POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTHEAST, WITH A RADIUS OF 420.00 FEET; THENCE EASTERLY, ALONG THE ARC OF SAID CURVE THROUGH A CENTRAL ANGLE OF 36°39'00", A DISTANCE OF 268.66 FEET TO A POINT OF TANGENCY; THENCE S.89°51'44"E., A DISTANCE OF 633.72 FEET; THENCE N.00°00'14"E., A DISTANCE OF 471.57 FEET; THENCE N.28°00'00"E., A DISTANCE OF 218.23 FEET; THENCE N.89°44'18"W., A DISTANCE OF 1970.19 FEET; THENCE N.89°44'18"W., A DISTANCE OF 563.00 FEET; THENCE N.00°15'42"E., A DISTANCE OF 1547.53 FEET TO A POINT ON THE SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13, ALSO BEING THE NORTH LINE OF LOT 11, SECTION 13 OF SAID PLAT; THENCE S.89°44'14"E., ALONG SAID SOUTH LINE OF THE NORTHWEST (1/4) QUARTER OF SAID SECTION 13 AND THE NORTH LINE OF SAID LOT 11, A DISTANCE OF 563.16 FEET TO THE **POINT OF BEGINNING**.

**CONTAINING:** 7,840,057 SQUARE FEET OR 179.983 ACRES, MORE OR LESS.



