

Prepared by: Maria Jose, M.S.
Martin County Growth Management Department
2401 S.E. Monterey Road
Stuart, FL 34996

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

RESOLUTION NUMBER 19-

A RESOLUTION OF MARTIN COUNTY, FLORIDA, REGARDING AN APPLICATION BY MARTIN COUNTY TO CHANGE THE ZONING DISTRICT ON ±0.34 ACRES LOCATED ON NE SAMARITAN STREET, EAST OF NE SAVANNAH ROAD IN JENSEN BEACH FL FROM PS (PUBLIC SERVICE) to LC (LIMITED COMMERCIAL)

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

1. Martin County submitted an application for a change in the zoning district classification from PS (Public Service) to LC (Limited Commercial) for the property described in Exhibit A, attached hereto.
2. The Local Planning Agency heard the application at public hearing on September 20, 2018, and recommended to the Board of County Commissioners that the zoning be changed to COR-2 (Commercial Office Residential Zoning District).
3. This Board has considered such recommendations.
4. Upon proper notice of hearing, this Board held a public hearing on the application on October 23, 2018.
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 of the subject land, described in Exhibit A, is hereby changed from PS (Public Service) to LC (Limited Commercial Zoning District).
- B. Pursuant to Section 5.32.B.3.f., Land Development Regulations, Martin County Code, this rezoning action is hereby determined to meet the requirements for a Certificate of Public Facilities Exemption.
- C. Pursuant to Section 14.1C.5.(2), Comprehensive Growth Management Plan, Martin County Code, 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. The effective date of this rezoning is conditioned upon the effective date of Comprehensive Plan Amendment 18-8, Fire Station 10. If Comprehensive Plan Amendment 18-8, Fire Station 10 is not timely challenged, the effective date shall be the date that the state land planning agency issues a notice of intent to find the plan amendment in compliance. If timely challenged, CPA 18-8 shall become effective on the date the state land planning agency or the Administration Commission enters a final order determining the adopted amendment to be in compliance. No development orders, development permits, or land uses dependent on CPA 18-8 may be issued or commence before it has become effective. If a final order of noncompliance is issued by the Administration Commission, CPA 18-8 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.
- E. This resolution shall be recorded in the public records of Martin County. A copy of this resolution shall be forwarded to the Applicants by the Growth Management Department subsequent to recording.

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

ATTEST:

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

**BY: _____
CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
AND COMPTROLLER**

**BY: _____
EDWARD V. CIAMPI, CHAIRMAN**

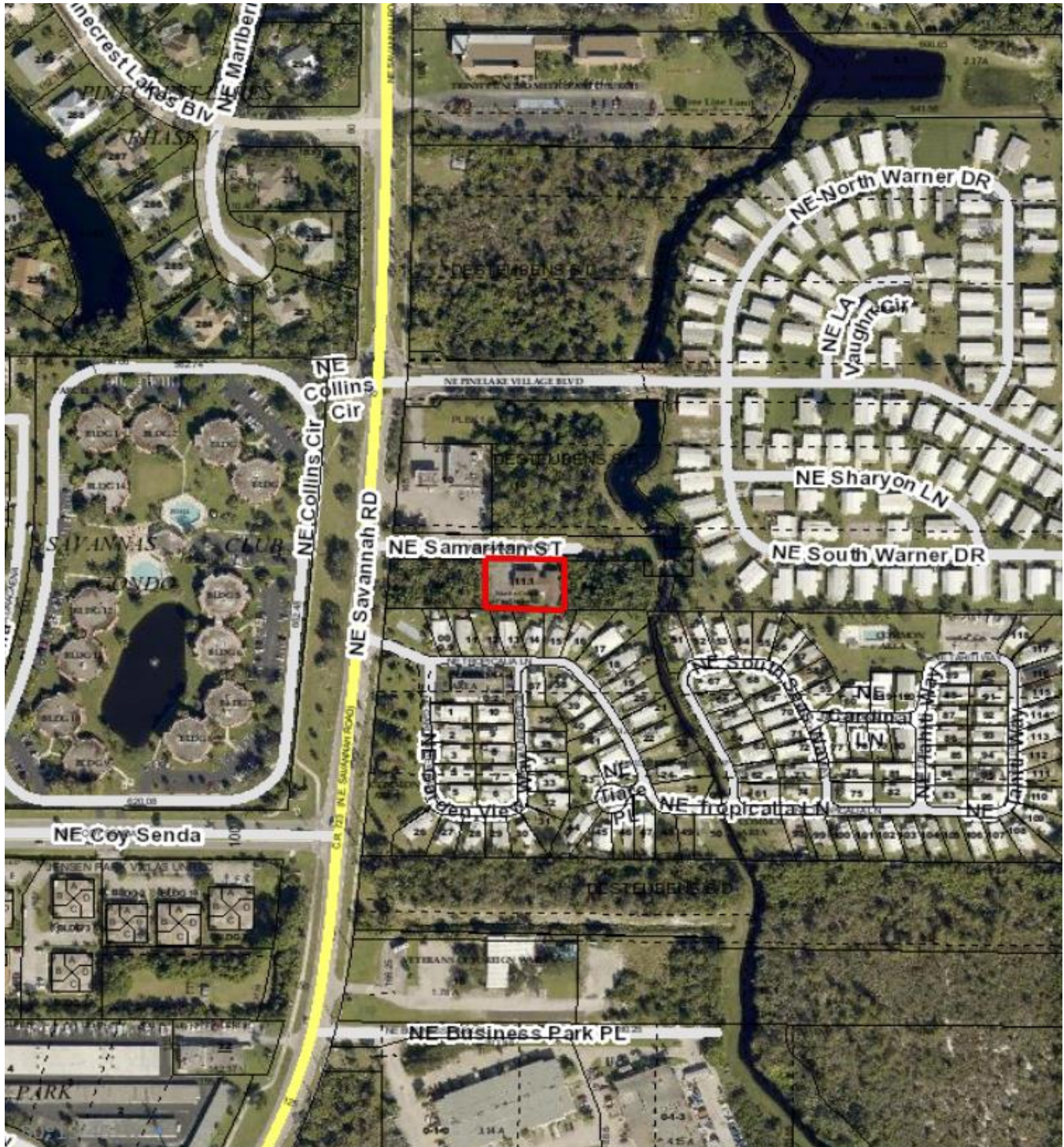
**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

**BY: _____
KRISTA A. STOREY
SENIOR ASSISTANT
COUNTY ATTORNEY**

EXHIBIT A

LEGAL DESCRIPTION AND LOCATION MAP OF PROPERTY BEING RE-ZONED TO THE LIMITED COMMERCIAL ZONING DISTRICT

DESTEUBEN'S E 150 OF W 350 OF S 100 OF LOT 11



Parcel ID: 27-37-41-007-000-00111-8