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

RESOLUTION NUMBER _____

A RESOLUTION OF MARTIN COUNTY, FLORIDA REGARDING AN APPLICATION TO CHANGE THE ZONING DISTRICT FROM R-3A, LIBERAL MULTIPLE-FAMILY DISTRICT AND A-1, SMALL FARMS DISTRICT TO GC, GENERAL COMMERCIAL DISTRICT OR THE MOST APPROPRIATE ZONING DISTRICT ON 16.72 ACRES AT THE SOUTHEAST CORNER OF SW KANNER HIGHWAY AND SW PRATT WHITNEY ROAD.

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

1. The owners of the subject parcel authorized Publix Supermarket Inc. to submit an application to change the zoning district on ± 16.72 acres of land, described in Exhibit A, attached hereto.
2. The Local Planning Agency heard the application at a public hearing on February 6, 2020. 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 May 5, 2020.
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 A-1 (Small Farms District) and R-3A (Liberal Multiple-Family) to GC (General Commercial).
- 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 resolution, if Comprehensive Plan Amendment 19-22, Publix Supermarket FLUM 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 CPA 19-22 is timely challenged, this resolution 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 19-22 may be issued or commence before it has become effective.
- 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 5th DAY OF MAY, 2020.

**ATTEST:
COMMISSIONERS**

BOARD OF COUNTY

MARTIN COUNTY, FLORIDA

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

**BY: _____
HAROLD E. JENKINS II, CHAIRMAN**

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

**BY: _____
SARAH W. WOODS, COUNTY
ATTORNEY**

EXHIBIT A

Parcel I.D. Number

18-39-41-000-002-00010-8

Legal Description:

THE NORTH ONE-HALF (N YZ) OF LOT 2, SECTION 18, TROPICAL FRUIT FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 3, PAGE 6, OF THE PUBLIC RECORDS OF PALM BEACH COUNTY, FLORIDA, LESS AND EXCEPT THE NORTH 100 FEET THEREOF AND ALSO LESS AND EXCEPT THE RIGHT OF WAY FOR KANNER HIGHWAY.

