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

ORDINANCE NUMBER ____

AN ORDINANCE OF MARTIN COUNTY, FLORIDA, REGARDING COMPREHENSIVE PLAN AMENDMENT 20-02, MARTINEZ COVE ROAD, 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 September 17, 2020, the Local Planning Agency considered the proposed Comprehensive Plan Amendment at a duly advertised public hearing; and

WHEREAS, on October 27, 2020, at a duly advertised public hearing, this Board considered the amendment for adoption; 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; and

WHEREAS, the Board finds the proposed amendment consistent with the goals, objectives and policies of the Comprehensive Growth Management Plan.

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

**PART I. ADOPTION OF COMPREHENSIVE GROWTH MANAGEMENT
PLAN AMENDMENT CPA 20-02, MARTINEZ COVE ROAD**

Comprehensive Growth Management Plan Amendment CPA 20-02, Martinez Cove Road, is hereby adopted as follows: The Future Land Use Map is hereby changed from Rural Density Residential to Residential Estate Density (two units per acre) on

the 2.38-acre property at 1500 S.E. Cove Road, located west of S.E. Grace Lane, 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.

If not timely challenged, the effective date of this plan amendment shall be 31 days after adoption by the Board of County Commissioners. 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 27th DAY OF OCTOBER, 2020.

ATTEST:

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

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

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

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

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

Exhibit A

Parcel I.D. Number

34-38-41-001-000-00080-5

Legal Description:

LOT 8, WA-CO FIELD PLACE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 5, PAGE 62, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA; LESS AND EXCEPT THE FOLLOWING: KNOWN AS THE SOUTHERLY PORTION OF LOT 8, WA-CO FIELD PLACE, AS RECORDED IN PLAT BOOK 5, PAGE 62, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: BEGINNING AT THE SOUTHWEST CORNER OF SAID LOT 8, THENCE NORTH 8°18'3 L" WEST ALONG THE WEST LINE OF SAID LOT 8, A DISTANCE OF 626.67 FEET TO A POINT; THENCE NORTH 89°40'23" EAST, A DISTANCE OF 186.61 FEET TO A POINT ON THE EAST LINE OF SAID LOT 8; THENCE SOUTH 0°19'53" EAST ALONG SAID EAST LINE, A DISTANCE OF 545.30 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 8; THENCE SOUTH 66°08'23" WEST ALONG SAID SOUTH LINE, A DISTANCE OF 203.80 FEET TO THE POINT AND PLACE OF BEGINNING.

