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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-1B, SINGLE FAMILY RESIDENTIAL DISTRICT, TO PC, PUBLIC CONSERVATION DISTRICT AND PS-1, PUBLIC SERVICE DISTRICT OR THE MOST APPROPRIATE ZONING DISTRICT ON 5.4 ACRES AT S.E. KUBIN AVENUE, NORTH OF MAGGY'S HAMMOCK PARK, PORT SALERNO.

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

1. The Board of County Commissioners initiated an amendment to the zoning atlas to change the zoning district classification on \pm 5.4 acres of land located at S.E. Kubin Avenue, north of Maggy's Hammock Park.
2. The Local Planning Agency heard the application at a public hearing on June 3, 2021. 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 13, 2021.
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 for that portion of the property described in Exhibit A is hereby changed from R-1B (Single Family Residential District) to PC (Public Conservation District) and the zoning district classification for that portion of the property described in Exhibit B is hereby changed from R-1B (Single Family Residential District) to PS-1 (Public Service 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. If Comprehensive Plan Amendment 21-06, Maggy's Hammock Park is not timely challenged, this resolution shall become effective 31 days after adoption by the Board of County Commissioners. If CPA 21-06 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 21-06 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 13th DAY OF JULY 2021.

ATTEST:

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

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

**BY: _____
STACEY HETHERINGTON, CHAIR**

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

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