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

RESOLUTION NUMBER 21-

**REGARDING A CHANGE IN ZONING CLASSIFICATION
FROM R-2, SINGLE FAMILY DISTRICT AND A-1 SMALL FARMS DISTRICT, TO LI,
LIMITED INDUSTRIAL DISTRICT FOR DST HOLDINGS, LLC**

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

1. DST Holdings, LLC submitted an application for a change in zoning district classification from the current R-2, Single Family District and A-1, Small Farms District to LI, Limited Industrial District, for the property described in Exhibit A, attached hereto.
2. The Local Planning Agency considered the application at a public hearing on August 19, 2021, and recommended approval of the applicant's request.
3. This Board has considered such recommendations.
4. Upon proper notice of hearing this Board held a public hearing on the application on September 14, 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 of the property described in Exhibit A is hereby changed from R-2, Single Family District and A-1, Small Farms District to LI, Limited Industrial 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. 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 14TH DAY OF SEPTEMBER, 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 AND LEGAL
SUFFICIENCY:

BY: _____
KRISTA A. STOREY
SENIOR ASSISTANT COUNTY ATTORNEY

ATTACHMENTS:

Exhibit A, Legal Description

Exhibit A

SECTION 5, TOWNSHIP 39 SOUTH, RANGE 41 EAST

PARCEL NUMBER

05-39-41-000-010-00070-5

1.03 ACRES

LEGAL DESCRIPTION:

PARCEL 1:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 SOUTH, RANGE 41 EAST, SAID CORNER BEING ON THE CENTERLINE OF KANSAS AVENUE ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE NORTH 00°36'14" WEST 1320.24 FEET; THENCE SOUTH 89°46'49" EAST 40.99 FEET TO THE POINT OF BEGINNING; THENCE NORTH 11°56'19" WEST 352.15 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 76; THENCE NORTH 48°59'31" EAST 2.16 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 41°01'29" EAST 41.20 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE SOUTHEAST QUARTER; THENCE CONTINUE SOUTH 41°01'29" EAST 418.54 FEET; THENCE NORTH 89°46'49" WEST 230.54 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN THE TOWN OF STUART, MARTIN COUNTY, FLORIDA.

TOGETHER WITH THE FOLLOWING DESCRIBED PARCEL:

PARCEL 2:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 5, TOWNSHIP 39 SOUTH, RANGE 41 EAST, SAID CORNER BEING ON THE CENTERLINE OF KANSAS AVENUE ON THE WEST LINE OF THE SOUTHWEST QUARTER OF SAID SECTION 5; THENCE NORTH 00°36'14" WEST 1320.24 FEET; THENCE SOUTH 89°46'49" EAST 20.46 FEET TO THE POINT OF BEGINNING; THENCE NORTH 11°56'19" WEST 336.73 FEET TO A POINT ON THE SOUTH RIGHT OF WAY LINE OF STATE ROAD NO. 76; THENCE NORTH 48°59'31" EAST 22.89 FEET ALONG SAID RIGHT OF WAY LINE; THENCE SOUTH 11°56'19" EAST 143.65 FEET TO A POINT OF INTERSECTION WITH THE WEST LINE OF THE SOUTHEAST QUARTER; THENCE CONTINUE SOUTH 11°56'19" EAST 208.51 FEET; THENCE NORTH 89°46'49" WEST 20.46 FEET TO THE POINT OF BEGINNING. SAID LANDS LYING IN THE TOWN OF STUART, MARTIN COUNTY, FLORIDA.

TOGETHER WITH THAT CERTAIN GRANT OF EASEMENT AS RECORDED IN O.R. BOOK 1699, PAGE 2443, FOR INGRESS AND EGRESS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NORTHWEST CORNER OF THE SOUTHWEST QUARTER OF THE SOUTHEAST QUARTER OF SECTION FIVE (5) TOWNSHIP THIRTY NINE (39) SOUTH, RANGE FORTY ONE (41) EAST, SAID CORNER BEING AN IRON PIPE SET IN THE PAVEMENT OF KANSAS AVENUE ON THE WEST LINE OF THE SOUTHEAST QUARTER OF SAID SECTION FIVE (5), ONE THOUSAND THREE HUNDRED TWENTY AND TWENTY FOURTH HUNDREDTHS (1320.24) FEET NORTH 00°36'14" WEST OF THE SOUTHWEST CORNER OF SAID SOUTHEAST QUARTER; (1) THENCE PROCEED SOUTH 89°46'49" EAST DISTANCE OF TWENTY FEET AND FORTY SEVEN HUNDREDTHS (20.47) FEET; (2) THENCE PROCEED NORTH 11°56'19" WEST A DISTANCE OF THREE HUNDRED NINETY TWO AND SEVENTY HUNDREDTHS (392.70) FEET; (3) THENCE PROCEED SOUTH 48°59'31" WEST ALONG SAID CENTERLINE OF STATE ROAD NO. 76, A DISTANCE OF TWENTY AND ELEVEN HUNDREDTHS (20.11) FEET TO A POINT OF INTERSECTION OF THE CENTERLINE OF STATE ROAD NO. 76 WITH THE CENTERLINE OF THE COUNTY ROAD KNOWN AS KANSAS AVENUE; (5) THENCE PROCEED SOUTH 11°56'19" EAST, ALONG SAID KANSAS AVENUE CENTERLINE, A DISTANCE OF THREE HUNDRED SEVENTY EIGHT AND FIFTY SIX HUNDREDTHS (378.56) FEET TO AN IRON PIPE SAID IRON PIPE BEING THE POINT OR PLACE OF BEGINNING OF THE ABOVE DESCRIBED PARCEL.