



Legislation Details (With Text)

**File #:** 21-0440  
**Type:** Public Hearing Quasi Judicial    **Status:** Passed  
**In control:** Board of County Commissioners  
**On agenda:** 3/9/2021    **Final action:** 3/9/2021  
**Title:** MCARTHUR GOLF CLUB REZONING REQUEST (M189-007)  
**Sponsors:**  
**Indexes:**  
**Code sections:**  
**Attachments:** 1. Revised Staff Report M189-007.pdf, 2. 2021\_0208\_M189-007\_Reso\_Approve.pdf, 3. 2020\_1202\_M189-007\_App.pdf, 4. 2021\_0209\_M189-007\_Notice\_To\_Surrounding\_Property\_Owners.pdf, 5. 2021\_0203\_M189-007\_LegalAd\_Etearsheet.pdf, 6. 2021\_0119\_M189-007\_Sign\_Cert.pdf, 7. Draft\_Resolution\_to\_Deny.pdf

Date	Ver.	Action By	Action	Result
3/9/2021	1	Board of County Commissioners	approved	Pass

**PLACEMENT:** Public Hearings - Quasi-Judicial

**TITLE:**  
**MCARTHUR GOLF CLUB REZONING REQUEST (M189-007)**

**EXECUTIVE SUMMARY:**

This is a request by McArthur Golf Club, LLC, for a zoning district change from the A-1 , Small Farms District to the RS-5, Low Density Residential District or the most appropriate district. The subject property is approximately 49.4 acres and is located west of and adjacent to the existing McArthur Golf Club in Hobe Sound. Included with the application is a request for a Certificate of Public Facilities Exemption.

**DEPARTMENT:** Growth Management

**PREPARED BY:** **Name:** Peter Walden, AICP  
**Title:** Principal Planner

**REQUESTED BY:** Lucido and Associates, Morris A. Crady, AICP

**PRESET:**

**PROCEDURES:** Quasi-Judicial

**BACKGROUND/RELATED STRATEGIC GOAL:**

This is a request for a zoning district change from the A-1, Small Farms District to the RS-5, Low Density Residential District or the most appropriate district. The subject property is approximately

49.4 acres and is located west of and adjacent to the existing McArthur Golf Club which is accessed at the intersection of SE Osprey Street and SE Federal Hwy in Hobe Sound. Included with the application is a request for a Certificate of Public Facilities Exemption.

The site is part of a revised final plan application for the addition of an 18-hole golf course to the existing McArthur Golf Club and is therefore subject to Sec. 3.402, Land Development Regulations. The existing A-1, Small Farms District is inconsistent with the Low Density future land use designation on the property and is therefore required to rezone to a zoning district consistent with the future land use designation.

The existing McArthur Golf Club has a Low Density future land use designation and a zoning district classification of RM-5, Low Density Residential. Another portion of the property that is the subject of the revised final site plan application and is west of the parcel for which the zoning district change is requested, has a Rural Density future land use designation and a zoning district classification of RE-2A, Rural Estate District Zoning. The requested zoning district change to RS-5 and the existing Low Density future land use designation permit the proposed golf course development.

The request was scheduled for consideration by the Local Planning Agency on February 18, 2021.

The following supporting documents are attached:

Staff Report

Resolution to Approve

Application Materials

Sample Notice Letter

Legal Ad

Sign Certification

Resolution to Deny

### **ISSUES:**

None

### **LEGAL SUFFICIENCY REVIEW:**

Because this request involves the application of a policy to a specific application and site, it is a quasi-judicial decision. Quasi-judicial proceedings must be conducted with more formality than a legislative proceeding. In quasi-judicial proceedings, parties are entitled - as a matter of due process - to cross-examine witnesses, present evidence, demand that witnesses testify under oath, and demand a decision based on a correct application of the law and competent substantial evidence in the record.

### **RECOMMENDED ACTION:**

#### **RECOMMENDATION**

Move that the Board receive and file the agenda item and all its attachments including the staff report as Exhibit 1.

Move that the Board approve the request to amend the Martin County Zoning Atlas to change the zoning district classification on the subject property from A-1, Small Farms District to RS-5, Low Density Residential District and adopt the resolution of approval.

## ALTERNATIVE RECOMMENDATIONS

Move that the Board continue the request for approval of the rezoning to a date certain.

## FISCAL IMPACT:

### RECOMMENDATION

The applicant has paid the application fee of \$1,000.00 and the completeness fee of \$290.00.

## ALTERNATIVE RECOMMENDATIONS

None

## DOCUMENT(S) REQUIRING ACTION:

- Budget Transfer / Amendment     Chair Letter     Contract / Agreement  
 Grant / Application     Notice     Ordinance     Resolution  
 Other:

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