



Legislation Details (With Text)

File #: 19-0716

Type: Public Hearing Quasi Judicial **Status:** Passed

In control: Board of County Commissioners

On agenda: 8/27/2019 **Final action:** 8/27/2019

Title: PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT FOR CPA 19-9, REALTY TRUST PARCELS

Sponsors:

Indexes:

Code sections:

Attachments: 1. Adoption.packetRezoning19-9_RealtyTrust.staff_report.pdf, 2. Resolution.pdf, 3. ad.pdf

Date	Ver.	Action By	Action	Result
8/27/2019	1	Board of County Commissioners	approved	Pass

PLACEMENT: Public Hearings - Quasi-Judicial

TITLE:

PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS TO CHANGE THE ZONING DISTRICT FOR CPA 19-9, REALTY TRUST PARCELS

EXECUTIVE SUMMARY:

This amendment is concurrent to a request to amend the future land use designation from Rural Density Residential to Commercial Office/Residential future land use (COR) on a 9.54 acre property, located on SE Darling St, east of SE Willoughby Boulevard in Stuart. The applicant requests to rezone the property from A-1A to COR-1.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Maria Jose, M.S.
Title: Planner

REQUESTED BY: Morris Crady, AICP

PRESET:

PROCEDURES: Quasi-Judicial

BACKGROUND/RELATED STRATEGIC GOAL:

Comprehensive Growth Management Plan Policy 4.4A.1. provides that "Parcels being considered for amendment to the future land use designation shall be concurrently evaluated for rezoning to the most appropriate zoning district in the most recently adopted Land Development Regulations."

ISSUES:

A concurrent rezoning is required for each Future Land Use Map (FLUM) amendment where the amendment creates an inconsistency with the current zoning designation. Analysis of the proposed rezoning can be found in the staff report attached to this Board Item.

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

1. Move that the Board receive and file the Agenda Item Summary and all its attachments including the staff report for the record as Exhibit 1.
2. Move that the Board amend the Martin County Zoning Atlas to change the zoning district on the subject 9.54 acres of land from the A-1A to the COR-1 Zoning District.

ALTERNATIVE RECOMMENDATIONS

Move that the Board continue the item to a future date certain.

FISCAL IMPACT:

RECOMMENDATION

Staff time.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total	\$6,100	

ALTERNATIVE RECOMMENDATIONS

Staff time.

DOCUMENT(S) REQUIRING ACTION:

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