



Legislation Details (With Text)

File #: 19-1038

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

In control: Board of County Commissioners

On agenda: 10/22/2019 **Final action:** 10/22/2019

Title: PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS FOR 0.755 ACRES LOCATED ON THE NE CORNER OF SW MAPP ROAD AND SW 29TH STREET, IN PALM CITY

Sponsors:

Indexes:

Code sections:

Attachments: 1. tuckerrezoning10-3-19.pdf, 2. Application.ZONING.pdf, 3. Certification of Mailing.pdf, 4. Sign Certification.pdf, 5. ZONING RESOLUTION.pdf, 6. draft ad.pdf, 7. Supplemental_Memo.pdf, 8. RevisedRezoneResolution.pdf

Date	Ver.	Action By	Action	Result
10/22/2019	1	Board of County Commissioners	approved	Pass

PLACEMENT: Public Hearings - Quasi-Judicial

TITLE:

PUBLIC HEARING TO CONSIDER AMENDMENT OF THE MARTIN COUNTY ZONING ATLAS FOR 0.755 ACRES LOCATED ON THE NE CORNER OF SW MAPP ROAD AND SW 29TH STREET, IN PALM CITY

EXECUTIVE SUMMARY:

This is a request to amend the Martin County Zoning Atlas to change the Zoning Districts on 0.755 acres on SW Mapp Road from R3-A (Liberal Multiple-Family) and R-2B (Single-Family Residential) to GC (General Commercial). The entire property (Lots 9 through 13) is in the Old Palm City CRA Mixed-Use Future Land Use Overlay, but only Lots 9 through 12 are within the Town Center Zoning Overlay. Therefore, the expansion of the Town Center Zoning Overlay to include Lot 13 is also requested. This is the companion application to CPA 19-20, Tucker Commons.

DEPARTMENT: Growth Management

PREPARED BY: **Name:** Irene A. Szedlmayer, AICP
Title: Senior Planner

REQUESTED BY: HJA Design Studio, Michael Houston, President, 50 East Ocean Blvd., Suite 101, Stuart, FL 34994

PRESET:

PROCEDURES: Plan Amendment

BACKGROUND/RELATED STRATEGIC GOAL:

Rezoning is a quasi-judicial action involving the application of general rules of policy to specific situations. 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:

The action taken by the Local Planning Agency will be reported at the public hearing.

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 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 districts on the subject 0.755 acres from R-3A and R-2B to GC, and that the boundary of the Old Palm City Town Center Zoning Overlay be amended to include Lot 13, Block N of the Cleveland Addition Plat.

ALTERNATIVE RECOMMENDATIONS

1. Move that staff provide additional information and continue the item to a future date certain.
2. Move that the Board deny the proposed amendment.

FISCAL IMPACT:

RECOMMENDATION

Staff time.

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

ALTERNATIVE RECOMMENDATIONS

1. Staff time.
2. Staff time.

DOCUMENT(S) REQUIRING ACTION:

- | | | |
|--|---------------------------------------|--|
| <input type="checkbox"/> Budget Transfer / Amendment | <input type="checkbox"/> Chair Letter | <input type="checkbox"/> Contract / Agreement |
| <input type="checkbox"/> Grant / Application | <input type="checkbox"/> Notice | <input checked="" type="checkbox"/> Resolution |
| <input type="checkbox"/> Other: | | |