

Resolution 2017- XXX

File No.: CU 620175144

A RESOLUTION GRANTING A CONDITIONAL USE PERMIT APPROVAL FOR AGRICULTURAL LABOR HOUSING (20 DWELLING UNITS) IN THE AG-1, (AGRICULTURAL – 1) ZONING DISTRICT FOR CERTAIN PROPERTY LOCATED IN ST. LUCIE COUNTY, FLORIDA.

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, based on the testimony and evidence, including but not limited to findings in the staff report, has made the following determinations:

1. Margiric Assett, LLC presented a petition for a Conditional Use Permit for agricultural labor housing (20 dwelling units) in the AG-1 (Agricultural -1) Zoning District for the property depicted on the attached map in Exhibit "A" and described in Part B below.
2. On August 17, 2017 the St. Lucie County Planning and Zoning Commission held a public hearing on the petition, after publishing notice at least 10 days prior to the hearing and notifying by mail all owners of property within 500 feet of the subject property, and recommended that the Board of County Commissioners approve the hereinafter described Conditional Use Permit in the AG-1, (Agricultural -1) Zoning District for the property described in Part B.
3. On September 5, 2017, this Board held a public hearing on the petition, after publishing a notice of such hearing and notifying by mail all owners of property within 500 feet of the subject property.
4. The Conditional Use Permit, with the conditions therein, is consistent with the goals, objectives and policies of the St. Lucie County Comprehensive Plan and has satisfied the requirements of Section 11.07.03 of the St. Lucie County Land Development Code.
5. With conditions therein, the project will not have an undue adverse effect on adjacent property, the character of the neighborhood, traffic conditions, parking, utility facilities, or other matters affecting the public health, safety and general welfare.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Lucie County, Florida:

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- A. Pursuant to Section 11.07.03 of the St. Lucie County Land Development Code, a Conditional Use Permit that allows for agricultural labor housing on the property described below is hereby approved subject to the following conditions:

Planning and Development Services Department – Planning Division

1. The housing provided shall be temporary and solely used for agricultural laborers only. The property owner of such housing shall provide biannual inspection reports from the Health Department that demonstrate compliance with Chapter 64E-14, Florida Administrative Code (Migrant Labor Camps) that provides minimum requirements to protect the health, safety and welfare of the persons residing in the dwelling units.
2. If the dwelling units are vacant for a continuous period of 12 months or more, the use shall be considered abandoned, and the owner of such dwelling units shall remove all dwellings within 90 days of receipt of notice from the County notifying the owner of such abandonment. Failure to remove the dwelling units shall be grounds for the County to remove them at the expense of the owner.
3. No children below the age of 16 years shall reside in the agricultural housing dwelling units.

Environmental Resources Department

4. The issuance of County development permit does not in any way create any rights on the part of the applicant to obtain a permit from a state or federal agency and does not create any liability on the part of the County if the applicant fails to obtain requisite approvals or fulfill the obligations imposed by a state or federal agency or undertakes actions that result in a violation of state or federal law.
5. All other applicable state or federal permits must be obtained before commencement of the development.

- B. The subject property is described as follows:

A PARCEL OF LAND LYING AND BEING IN A PORTION OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 34 SOUTH, RANGE 38 EAST, ST. LUCIE COUNTY, FLORIDA, SAID PARCEL BEING THE SOUTH 655.64 FEET OF THE NORTH 685.64 FEET OF THE WEST 1328.76 FEET OF THE SOUTHWEST 1/4 OF SECTION 13, TOWNSHIP 34 SOUTH,

RANGE 38 EAST, ST. LUCIE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND 4"x4" CONCRETE MONUMENT WITH NO IDENTIFICATION MARKING THE WEST 114 SECTION CORNER OF SECTION 13, TOWNSHIP 34 SOUTH, RANGE 38 EAST, ST. LUCIE COUNTY, FLORIDA, RUN SOUTH 00°13'57" WEST ALONG THE WEST LINE OF SAID SECTION 13, A DISTANCE OF 30.00 FEET TO THE SOUTH EASEMENT LINE FOR INGRESS AND EGRESS OF STATE ROAD 614\INDRIO ROAD EXTENSION, AS PER OFFICIAL RECORDS BOOK 933, PAGE(S) 2984+ OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA AND POINT OF BEGINNING; FROM SAID POINT OF BEGINNING RUN NORTH 89°57'27" EAST ALONG SAID SOUTH EASEMENT LINE FOR INGRESS AND EGRESS OF STATE ROAD 614\INDRIO ROAD EXTENSION, BEING 30.00 FEET SOUTH OF AND PARALLEL WITH THE EAST WEST 114 SECTION LINE OF SAID SECTION 13, A DISTANCE OF 1,328.78 FEET; THENCE LEAVING SAID SOUTH EASEMENT LINE RUN SOUTH 00°13'57" WEST, PARALLEL WITH AND 1,328.76 FEET EAST OF THE AFORESAID WEST LINE OF SECTION 13, A DISTANCE OF 655.64 FEET TO THE APPROXIMATE CENTER LINE OF AN EXISTING DRAINAGE DITCH; THENCE RUN SOUTH 89°57'27" WEST, PARALLEL WITH AND 655.64 FEET SOUTH OF THE AFORESAID SOUTH EASEMENT LINE, ALONG SAID APPROXIMATE CENTERLINE , A DISTANCE OF 1,328.78 FEET TO THE AFORESAID WEST LINE OF SECTION 13; THENCE RUN NORTH 00° 13'57" EAST ALONG SAID WEST LINE OF SECTION 13, A DISTANCE OF 655.64 FEET TO THE POINT OF BEGINNING.

THE ABOVE DESCRIBED PARCEL LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

SUBJECT TO ALL EASEMENTS, RESERVATIONS, RESTRICTIONS AND RIGHTS OF WAY OF RECORD.

CONTAINING 20.00 ACRES MORE OR LESS.

PARCEL IDENTIFICATION NUMBER: 1213-321-0001-000-0

- C. The approvals and authorizations granted by this Resolution are for the purpose of obtaining a Building Permit or Zoning Compliance from St. Lucie County, and are not assigned to any other party or institution. Should the petitioners choose or decide to assign this business to another entity or individual, a minor adjustment to the Conditional Use Permit shall be required.

D. The approvals and authorizations granted by this Resolution shall expire on September 5, 2018, unless a Building Permit or Certificate of Zoning Compliance for is obtained for the uses described in Part A above, or an extension has been granted in accordance with Section 11.07.05(F), St. Lucie County Land Development Code.

After motion and second, the vote on this resolution was as follows:

Chairman Chris Dzadoovsky	XXX
Vice-Chairman Tod Mowery	XXX
Commissioner Frannie Hutchinson	XXX
Commissioner Linda Bartz	XXX
Commissioner Cathy Townsend	XXX

PASSED AND DULY ADOPTED this 5th day of September, 2017.

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLOIRDA

BY _____
Chairman

ATTEST:

APPROVED AS TO FORM
AND CORRECTNESS:

DEPUTY CLERK

COUNTY ATTORNEY

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**Exhibit A
Location Map**

