



Martin County

Administrative Center
2401 SE Monterey Road
Stuart, FL 34996

Meeting Minutes

Board of Zoning Adjustment

Travis Waddell, Chair, District 2
Cabell McVeigh, District 2
Michael Dooley, District 3
John Honan, District 4
Joseph P. Connelly, District 5
Mac Ross, Countywide
Rodney Sturm, Countywide

Thursday June 23, 2022

7:00 PM

Commission Chambers

CALL TO ORDER

Mr. Waddell, Chairman called the meeting to order at 7:01pm, a quorum was present.

ROLL CALL

Present: Jon Honan
Mac Ross
Rodney Sturm
Travis Waddell

Not present: Joseph Connelly, Michael Dooley, and Cabell McVeigh

Staff Present:

Senior Assistant County Attorney Krista Storey
Senior Assistant County Attorney Elysse Elder
Deputy Growth Management Director..... Peter Walden
Senior Planner Barbara Counsellor
Agency Recorder/Notary Denise Johnston

MINU APPROVAL OF MINUTES

No minutes were approved at this meeting.

Agenda Item: 22-0968

QJP QUASI-JUDICIAL PROCEDURES

Quasi-Judicial procedures apply when a 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 the witnesses testify under oath, and demand a decision that is based on a correct application of the law and competent substantial evidence in the record.

Agenda Item: 22-0967

NEW BUSINESS

NPH-1 GRAHAM, JEFFERY & MARLENE VARIANCE REQUEST

Request for a variance Jeffery and Marlene Graham to reduce the front property line setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code for the R1-B, Single Family Residential District to permit the construction of a single-family home. The subject property is to be located at 1659 SW Albatross Way in Palm City.

Presented by: Peter Walden, AICP, Deputy Growth Management Director
Agent for Applicant: Deanna Freeman, Counter Plan, LLC
Agenda Item: 22-00969

*** For the Record:**

BOZA MEMBERS: There were no ex parte communication disclosures. No interveners were present.

COUNTY: All staff and individuals speaking on this matter were sworn in.

COUNTY: Mr. Walden submitted a copy of the full agenda item; staff report and his work history/resume as NPH-1 Exhibit -1 and provided the staff's presentation of NPH-1, Graham, Jeffery & Marlene variance request. Mr. Walden also provided to the Board members an email from one of the neighbors.

STAFF: Mr. Walden advised the Board that the application for a setback variance is in order and qualifies for an action of approval for a front setback variance of 17 ft. to reduce the setback requirement from 20 ft. to 3 ft. from the front property line of SW Albatross Way to permit the proposed single-family home. Mr. Walden noted this request meets guidelines per Article 9, Land Development Regulations, Martin County Code, detailed in the provided staff report.

BOZA Members: Had a brief discussion with staff regarding the setbacks for the whole neighborhood.

APPLICANT: Ms. Freeman, Counter Plan, LLC, representing the applicant submitted required mailing notice affidavit of surrounding homeowners notified, per the requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code, provided as NPH-1 Exhibit -2. Ms. Freeman gave a slide presentation for the Graham variance request. Ms. Freeman noted it was consistent with Article 9, Land Development Regulations for granting of a setback variance, and has a positive recommendation from staff.

PUBLIC: One member of the public spoke, Julian Donmar a neighbor from across the canal (lot 81) spoke regarding concerns with the amount of greenspace and the size of the proposed home in regard to drainage and the impact to the surrounding homes. One written comment was provided.

MOTION: Mr. Ross made a motion to approve staff's recommendation based on the special conditions and circumstances which exist that are peculiar to the property. Literal interpretation of the provisions of Article 3 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. The special conditions and circumstances are not the result of the applicant's action. The granting of the variance requested will not confer a special privilege that is denied to owners of the lands in the same district. The site plan will be tied to the Resolution. The Motion was **SECONDED** by Mr. Honan. The Motion **CARRIED** Unanimously 4-0.

COMMENTS

1. PUBLIC – None
2. MEMBERS -None
3. STAFF – Mr. Walden noted that there were no items for July.

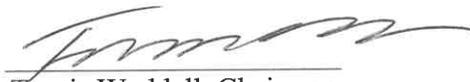
ADJOURN

The Board of Zoning Adjustment meeting of June 23, 2022, adjourned at 7:38 pm.

Respectfully Submitted: Approved by:



Denise Johnston, Agency Recorder/Notary



Travis Waddell, Chairman

10/27/2022

Date Signed:

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