



MARTIN COUNTY, FLORIDA Growth Management Department

Request for Alternative Compliance pursuant to Section 12.1.13.4., Martin County LDR

Applicant	FL Props LLC., property owner
Property	1024 NE Orange Ave in the Rio CRA PCN: 343741000004000203
Record Number	GMD2025050023
CRA Division	Rio / Detached Subdistrict
Building Permit/s	BLD2025020321
Prepared By	Barbara Counsellor, Senior Planner
Date of Report	May 28, 2025

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- I. THE APPLICANT REQUESTS ALTERNATIVE COMPLIANCE TO:** construct a two-story approx. 4,000 square foot single-family residential dwelling at jogged portion 5 feet from the east side yard and 5 feet from the west side yard property lines which does not comply with:
- Martin County Land Development Regulations – Rio Section 12.3.05 Figure R-5.12-All Yard House, building placement side setback minimum of 6-feet
- II. BACKGROUND:** Sec 12.1.13.4, LDR, provides “An applicant for development approval may propose a site, landscape, or architectural plan which varies from the requirements of Article 12 to accommodate unique circumstances of the proposed development site or to propose a different but comparable design solution. Such alternative plan may include offers by the applicant to mitigate or offset the impacts of the alternative design. Such alternative plan may be approved only upon a finding by the Growth Management Director that the alternative plan fulfills the purpose and intent of Article 12 as well as, or more effectively than, adherence to the strict requirements of Article 12 and would help carry out specific goals or objectives outlined in the particular CRA plan. The alternative compliance process shall not be used to increase the height of buildings

beyond the limits proposed in Article 12. Appropriate justifications for approving alternative plans include but are not limited to:

- a. The resolution of site constraints associated with the incorporation of new buildings and structures on sites developed prior to the adoption of Article 12 or the expansion of existing buildings and structures.
- b. The utilization of existing site characteristics such as historical or archeological features, topography, scenic views, or native vegetation.
- c. Improve or provide integration of proposed development with the surrounding off-site development.
- d. The preservation of the historical or archeological features of the area.
- e. Accepting a design solution that is comparable to, but different from a standard in Article 12.”

Figure 1. Location Map

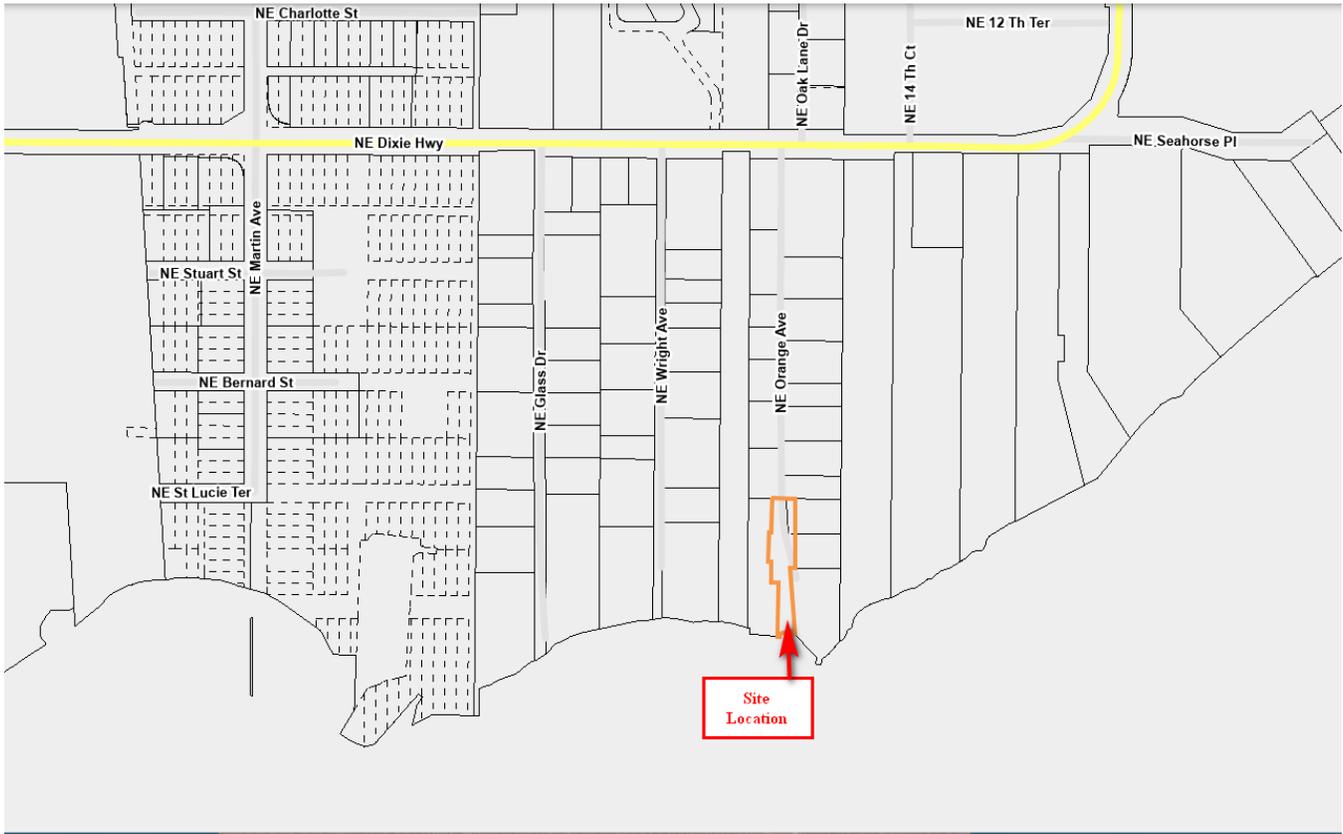


Figure 2. Subject Property



III. ANALYSIS

The subject property is 0.282 acres (12,304.42 sf). This parcel 1 was part of a platted lot 5 in July 1893 within W.L. Glutsch plat. In July 2024, a Quit-Claim Deed stated, a boundary adjustment from portion of lot 2 and lot 3 of 1974 Dreyer Haven Minor Plat to support the subject parcel 1 in meeting the Martin County regulation requirements. This parcel 1 is currently located in the Rio CRA boundary, Detached subdistrict.

The subject parcel had an existing residential structure developed in 1947 according to property appraiser documents that identified the current address 1024 NE Orange Ave, Jensen Beach Fl 34957 as referenced in zoning verification letter GMD2018050273 dated June 7, 2018. This residential structure was demoed sometime in 2005.

This oddly shaped narrow lot has placed a constraint on design of multiple floor plan layouts with a variety of configurations for the applicant. A 1989 deed conveys a 30-foot roadway formerly known as “Jay Lit Road” now known as Orange Ave as an ingress/egress easement for all lots east or west of the roadway. This added to an idea of a squared foundation dwelling on the lot inadequate inside space for a functional floor plan due to the angled east property line with the current setback requirements. The new owners of the parcel in 2023 had met with county staff regarding Land Development regulations, along with working with public water and sewer utilities to be available to all twenty lots abutting the ingress and egress roadway. The utilization of existing site characteristics of an odd, shaped lot allows the design of dwelling to be created.

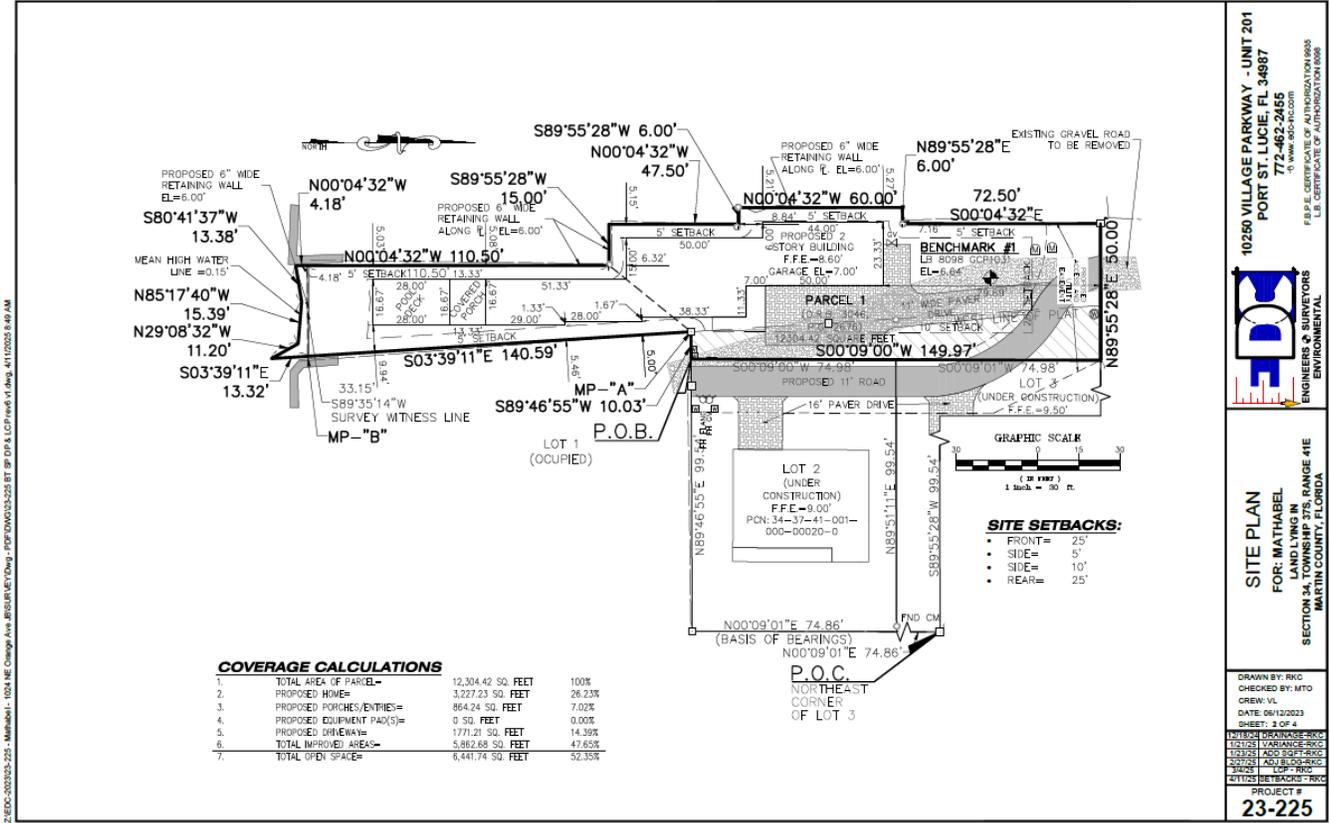
The resolution of site constraints would require the request for alternative compliance to reduce the side yard setbacks to construct this two-story residential dwelling.

The neighboring lots adjacent to subject property to the west and east have indicated in submitted document, they fully support the request of alternative compliance for the setbacks of this proposed single-family dwelling to be built.

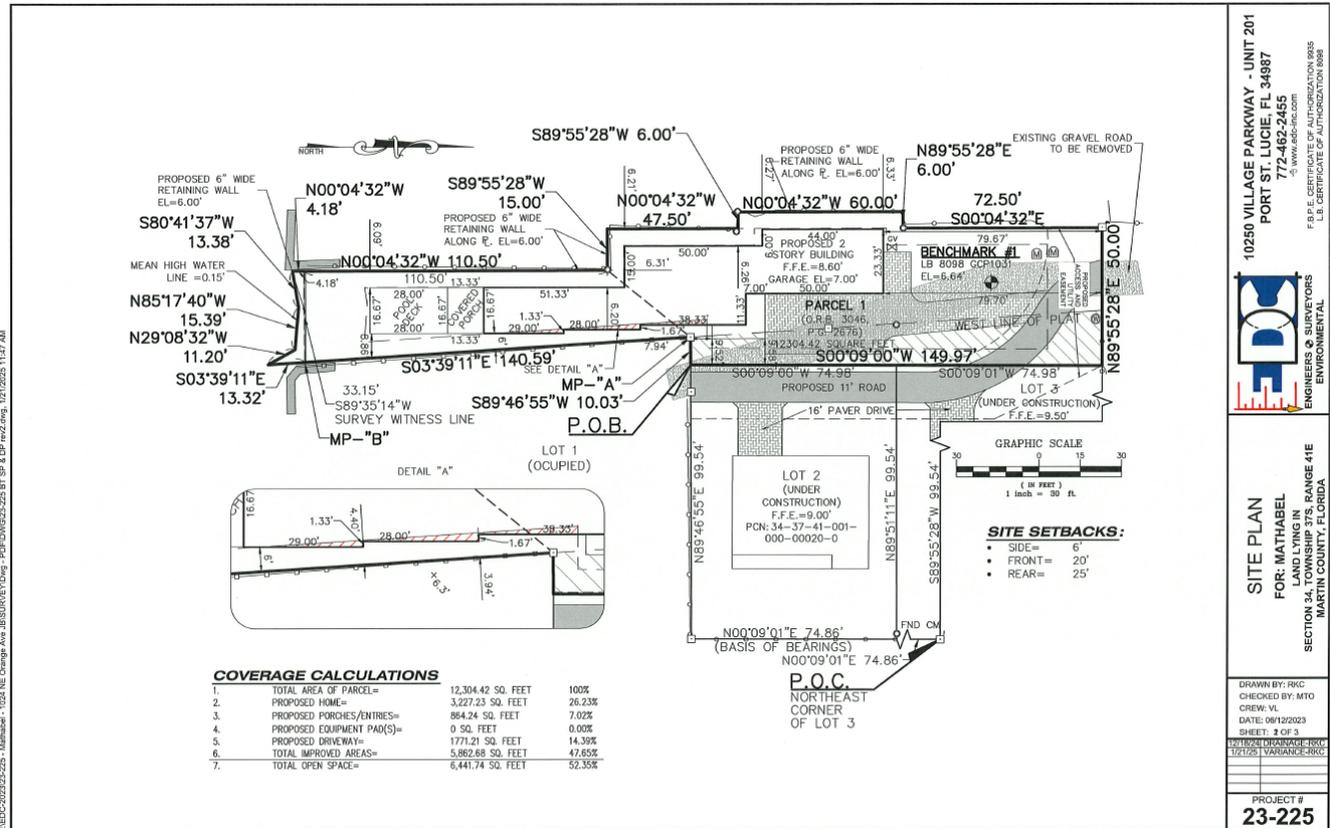
Figure 3: Existing Single-Family Dwelling



Figure 4. Proposed Site Plan
Option 1: Side Yard Building Type



Option 2: All Yard Building Type



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ENGINEERS & SURVEYORS ENVIRONMENTAL

SITE PLAN
 FOR: MATHABEL
 LAND LING IN
 SECTION 34, TOWNSHIP 37S, RANGE 41E
 MARTIN COUNTY, FLORIDA

DRAWN BY: RKC
 CHECKED BY: MTO
 CREW: VL
 DATE: 06/12/2023
 SHEET: 2 OF 4

PROJECT #
23-225

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RECOMMENDATION:

The Community Redevelopment Area Staff and Growth Management Director recommends that the proposed single-family two-story dwelling is presented to the Rio Neighborhood Advisory Committee (NAC). The next scheduled meeting is on May 22, 2025.

Depending upon the consideration by the NAC and any recommended conditions, the final determination will be decided by the Growth Management Director for an Alternative Compliance of Development Standards for the replacement of a single-family dwelling not meeting the building type minimum side yard setbacks. Based on Growth Managements analysis, staff's opinion is that the standards in Sec.12.1.13.4., MC LDR, are met by this application.

PREPARED BY: Barbara Counsellor, Senior Planner