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**BEFORE THE BOARD OF ZONING ADJUSTMENT
MARTIN COUNTY, FLORIDA**

**[REGARDING THE APPLICATION OF
DONALD E. AND BONNIE D. COTTON
FOR A ZONING SETBACK VARIANCE ON PROPERTY LOCATED AT 7003 SW WISTERIA
TERRACE WITHIN THE A-2, AGRICULTURAL DISTRICT]**

WHEREAS, this Board has made the following determinations of fact:

1. Elemental Consulting, LLC, on behalf of Donald and Bonnie Cotton, submitted a variance application for a reduction of the west side yard setback requirement of Article 3, Zoning Districts, Land Development Regulations, Martin County Code for the A-2, Agricultural District, for an existing accessory storage structure on the property at 7003 SW Wisteria Terrace, Palm City, as more particularly described in Exhibit A.
2. This Board considered this application to reduce the setback requirements at a public hearing on October 24, 2024.
3. At the public hearing, all interested parties were given an opportunity to be heard.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING
ADJUSTMENT OF MARTIN COUNTY, FLORIDA, THAT:**

- A. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
- B. Literal interpretation of the provisions of Article 3, Land Development Regulations, Martin County Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.
- C. The special conditions and circumstances do not result from the actions or inactions of the applicant.
- D. Granting the variance requested will not confer on the applicant any special privilege that is denied to owners of other lands, structures, or buildings in the same district.
- E. The variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

F. The granting of the variance will be in harmony with the general purpose and intent of the Land Development Regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

G. A west side yard setback variance of 9.5 feet is approved on the subject lot to reduce the setback requirement from 25 feet to 15.5 feet to allow the existing accessory storage structure as shown on the site plan attached hereto as Exhibit B.

H. This resolution shall be recorded in the official records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 24TH DAY OF OCTOBER 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

REBECCA DIMA,
AGENCY RECORDER/NOTARY

BY: _____
MAC ROSS , CHAIRMAN

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

BY: _____
ELYSSE A. ELDER,
DEPUTY COUNTY ATTORNEY

ATTACHMENTS:
Exhibit A, Legal Description
Exhibit B, Site Plan

Exhibit A

Legal Description

THE EAST ONE-HALF OF TRACT 41, SECTION 28, TOWNSHIP 38 SOUTH, RANGE 40 EAST OF PALM CITY FARMS, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 6, PAGE 42, OF THE PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.