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Type of Application: Zoning Change

Rezone 18071 SE Country Club Drive, Jupiter, FL 33469 from HR-2 to RS-10 zoning designation to permit a lot split which will allow the owner's children to establish a single-family homestead on the property.

Previous Project Name if applicable: Kenai Properties LLC

Phone: _____ Email: _____

C. PROJECT PROFESSIONALS

Applicant (Name or Company): Kenai Properties, LLC

Company Representative: c/o Brooke Schriber

Address: 19100 SE Jupiter Road

City: Jupiter

State: FL

Zip: _____

Phone: 772-216-6757

Email: bschrib@aim.com

Agent (Name or Company): Jared Gaylord, Esq. of Marc R. Gaylord, P.A.

Company Representative: _____

Address: 12000 SE Dixie Highway

City: Hobe Sound

State: FL

Zip: 33455

Phone: 772-545-7740

Email: jared@marcgaylordlaw.com

Contract Purchaser (Name or Company): _____

Company Representative: _____

Address: _____

City: _____

State: _____

Zip: _____

Phone: _____

Email: _____

Land Planner (Name or Company): _____

Company Representative: _____

Address: _____

City: _____

State: _____

Zip: _____

Phone: _____

Email: _____

Landscape Architect (Name or Company): _____

Company Representative: _____

Address: _____

City: _____

State: _____

Zip: _____

Phone: _____

Email: _____

Surveyor (Name or Company): Magellan Surveying & Mapping, Inc.

Company Representative: Ronald E. Stotler

Address: 450 S. Old Dixie Highway, Suite 10

City: Jupiter

State: FL

Zip: 33458

Phone: 561-746-8745

Email: info@magellansurveying.com

Civil Engineer (Name or Company): _____

Company Representative: _____

Address: _____

City: _____

State: _____

Zip: _____

Phone: _____

Email: _____

PROJECT PROFESSIONALS CONTINUED

Traffic Engineer (Name or Company): _____
Company Representative: _____
Address: _____
City: _____, State: _____ Zip: _____
Phone: _____ Email: _____

Architect (Name or Company): _____
Company Representative: _____
Address: _____
City: _____, State: _____ Zip: _____
Phone: _____ Email: _____

Attorney (Name or Company): Marc R. Gaylord, P.A.
Company Representative: Jared Gaylord, Esq.
Address: 12000 SE Dixie Highway
City: Hobe Sound, State: FL Zip: 33455
Phone: 772-545-7740 Email: jared@marcgaylordlaw.com

Environmental Planner (Name or Company): _____
Company Representative: _____
Address: _____
City: _____, State: _____ Zip: _____
Phone: _____ Email: _____

Other Professional (Name or Company): Michael Ennis Construction Co., Inc.
Company Representative: Michael Ennis
Address: 9216 SE Karin Street
City: Hobe Sound, State: FL Zip: 33455
Phone: 772-546-7030 Email: michaelennisconst@gmail.com

D. Completeness Sufficiency Review

Applications submitted for completeness/sufficiency review meetings held on Mondays, must be received by the Growth Management Department no later than 4 p.m. the previous Thursday or in the event of a holiday, 4 p.m. Wednesday. Applications received on Fridays will be scheduled for the following week.

E. Certification by Professionals

Section 10.5.F.6.h., Article 10, Development Review Procedures, Land Development Regulations (LDR), Martin County Code (MCC) provides the following:

When reviewing a development application that has been certified by a professional listed in F.S. § 403.0877, F.S., the County shall not request additional information from the applicant more than three times, unless the applicant waives the limitation in writing. If the applicant states in writing that the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the County, at the applicant's request, shall proceed to process the application for approval or denial. (125.022(1), Fla. Stat.)

☐ This box must be checked if the applicant waives the limitations.

F. APPLICANT or AGENT CERTIFICATION

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.

Linda J Albrecht
Applicant Signature

5-23-2025
Date

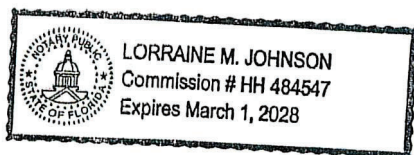
Linda J Albrecht
Printed Name

STATE OF FLORIDA

COUNTY OF MARTIN

The foregoing instrument was ☐ sworn to, ☐ affirmed, or ☒ acknowledged before me by means of ☒ physical presence or ☐ online notarization this 23 day of May, 2025 by Linda Albrecht, who is ☐ personally known to me, or ☐ produced the following type of identification drivers license.

NOTARY PUBLIC SEAL



Notary Public, State of Florida

Lorraine M Johnson
(Printed, Typed or Stamped Name of Notary Public)

E. Certification by Professionals

Section 10.5.F.6.h., Article 10, Development Review Procedures, Land Development Regulations (LDR), Martin County Code (MCC) provides the following:

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☐ This box must be checked if the applicant waives the limitations.

F. APPLICANT or AGENT CERTIFICATION

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.

Eugene B Albrecht
Applicant Signature

5-23-2025
Date

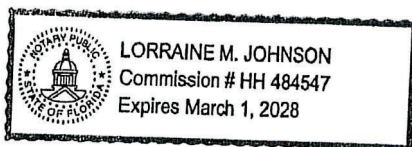
Eugene B Albrecht
Printed Name

STATE OF FLORIDA

COUNTY OF MARTIN

The foregoing instrument was ☐ sworn to, ☐ affirmed, or ☒ acknowledged before me by means of ☒ physical presence or ☐ online notarization this 23 day of May, 2025, by Eugene Albrecht, who is ☐ personally known to me, or ☐ produced the following type of identification drivers license.

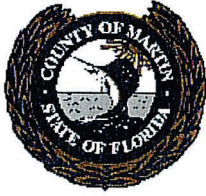
NOTARY PUBLIC SEAL



Notary Public, State of Florida

Lorraine M Johnson

(Printed, Typed or Stamped Name of Notary Public)



**Martin County Florida Growth Management Department
DEVELOPMENT REVIEW DIVISION
2401 SE Monterey Road, Stuart, FL 34996
772-288-5495 www.martin.fl.us**

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Digital Submittal Affidavit

I, Jared Gaylord, Esq., attest that the electronic version included for the project, Kenai Properties LLC Rezoning Application is an exact copy of the documents that were submitted for sufficiency, excluding any requested modifications made by the sufficiency review team. All requested modifications, if any, have been completed and are included with the packet.


Applicant Signature

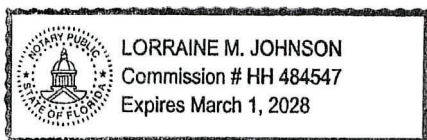
5/23/2025
Date

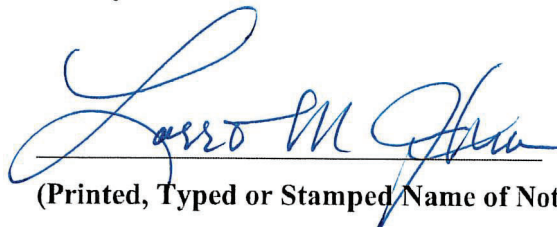
**STATE OF FLORIDA
COUNTY OF MARTIN**

The foregoing instrument was ☐ sworn to, ☐ affirmed, or ☒ acknowledged before me by means of ☒ physical presence or ☐ online notarization this 23 day of May, 2025, by Jared Gaylord, who is ☒ personally known to me, or ☐ produced the following type of identification _____.

NOTARY PUBLIC SEAL

Notary Public, State of Florida




(Printed, Typed or Stamped Name of Notary Public)

LAW OFFICES OF
MARC R. GAYLORD, P.A.

12000 S.E. OLD DIXIE HIGHWAY
HOBE SOUND, FL 33455
TEL: (772) 545-7740
FAX: (772) 545-7782

MARC R. GAYLORD, ESQ.
JARED E. GAYLORD, ESQ.

FORD T. DWYER, ESQ.
COLBY HEDDEN, ESQ.

June 2, 2025

VIA HAND DELIVERY

Paul Schilling
Martin County Growth Management Department
2401 SE Monterey Road
Stuart, FL 34996

RE: Kenai Properties, LLC, a Florida limited liability company
Zoning Change from HR-2 to RS-10
Property Address: 18071 SE Country Club Drive, Jupiter, FL 33469
PCN: 22-40-42-000-00030-6

Dear Mr. Schilling:

This office represents the interests of Kenai Properties, LLC, a Florida limited liability company, ("Owner") as it pertains to its application to the Local Planning Agency and Martin County Commission to rezone 18071 SE Country Club Drive, Jupiter, FL 33469 (the "Property") from the HR-2 zoning district to RS-10. The Property's future land use designation is High Density.¹

My client acquired the Property on February 28, 2013. The Property is located along SE Country Club Drive, just south of property owned by the Boy Scouts of America and near the Little Club, Riverbend Country Club, and North Passage Home Owners Association. The Property is approximately 3.8 miles west of SE Federal Highway (US-1).

A portion of the Property, approximately 2,400 square feet of it, is currently used for a wireless communications tower. Some other portions of the Property are used to support this purpose, including buffer areas, buffer easements, and an access easement. In the past year, the members of the LLC have investigated a potential lot split so that their son, Johnathan Albrecht, and his family can develop a single-family home on the lot. The Property will continue to retain access along SE Country Club Drive. The Albrecht family and the Owner wish to keep the parcel that contains the cell tower, and any future residential parcel separate for liability, corporate governance, homestead, and tax purposes.

Unfortunately for the Albrecht family and the Owner, the Property's existing HR-2 zoning, while permitting the two proposed uses, requires a lot width of 100 feet. The existing lot width is

¹ My client does not request any change to the Property's future land use designation.

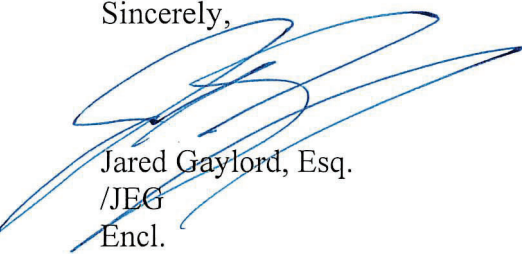
approximately 160 feet wide, meaning a lot split in this zoning district is not permitted. My client and my client's contractor, Michael Ennis, submitted information to Martin County's Growth Management Department on or before March 1, 2024, resulting in a pre-application meeting. It was at this time that my client was informed that by rezoning the Property to RS-10, a lot split would be feasible because the minimum lot width for this zoning district is 40 feet. Rezoning and the proposed future redevelopment to a single-family home is expected to generate less than 1% of the adjacent right-of-way's generalized service capacity and, as such, will not require a Traffic Impact Analysis.²

Recently, the Owner and Albrecht family contacted our law office to assist them with the rezoning application. On March 17, 2025, my clients and I met with Growth Management staff. At this meeting County staff again suggested rezoning the Property to a zoning district with a less restrictive lot width requirement, such as RS-10. After the meeting, a title search confirmed that the Property was a legal lot of record as of September 27, 1977.³

Florida case law is clear that once the initial burden for rezoning is met, the burden then shifts to the local government that maintaining the existing zoning on a property serves a legitimate purpose or that the decision denying the rezoning is not arbitrary, discriminatory, or unreasonable.⁴ The request to change the zoning for the Property from the HR-2 Zoning District to the RS-10 Zoning District is reasonable because the proposed use for a single-family residential home, and the existing cell tower, are permitted in each district. The requested change is solely for minimum lot width requirements less than 100 feet so that the Owner's daughter's family can establish their homestead residence on the Property. Adding a residential lot, adjacent to the existing communication tower lot, will result in a higher and better use for the Property on land that is presently vacant.⁵

My client's rezoning application will be consistent with and complementary to the County's existing planning and zoning, surrounding properties, and cohesive with the characteristics of the neighborhood. If you have any questions or concerns regarding this zoning change or the supporting attachments, please do not hesitate to contact the undersigned.

Sincerely,



Jared Gaylord, Esq.

/JEG

Encl.

² See Summary of Pre-Application Meeting on Kenai Properties LLC, dated on or about March 1, 2024.

³ Except for a portion of the Property that was transferred to Martin County for right-of-way purposes. See Warranty Deed, dated December 30, 2016, recorded in OR Book 2900, Page 856.

⁴ See Bd. of County Comm'rs v. Snyder, 627 So. 2d 474, 476 (Fla. 1993).

⁵ This includes additional tax revenue to the County and an increased value for the Property. However, the new use as one single-family home will not substantially increase the existing burden on public facilities from what could be built today with the Property's existing zoning. This is merely to facilitate a lot split.

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN by these presents, that I, **EUGENE B. ALBRECHT, Managing Member of KENAI PROPERTIES, LLC, a Florida limited liability company**, the undersigned hereby authorize, **JARED GAYLORD, ESQ.** to serve as my Attorney-in-Fact, to execute any and all documents necessary and to perform any such acts as he deems necessary for a development and rezoning application(s) with Martin County, Florida, a political subdivision of the State of Florida, located at the following described property, including but not limited to executing any documentation, signing notices of commencement or termination, signing building permits, transacting business with local governmental agencies, building officials, contractors, design professionals, utilities and other service providers on my behalf:

Legal Description

See Attached Exhibit "A"

a/k/a 18071 SE Country Club Drive, Jupiter, FL 33469

PCN: 22-40-42-000-000-00030-6

Giving and granting unto, **JARED GAYLORD, ESQ.** full power and authority to do and perform every act and thing whatsoever requisite and necessary to be done in and about the property, with regard to the development application of the above referenced property to all intents and purposes as **EUGENE B. ALBRECHT, Managing Member of Kenai Properties, LLC**, might or could do if personally present, hereby ratifying and confirming all that, **JARED GAYLORD, ESQ.**, as Attorney-in Fact, shall lawfully do or cause to be done by virtue hereof.

This power of attorney shall be effective for five (5) years beginning on the date of execution. This power of attorney shall not be affected by any subsequent incapacity or disability

of the undersigned and shall have the same effect and inure to his benefit and bind **EUGENE B. ALBRECHT**, my heirs, trustees, successors, assigns, and my personal representatives.

Signed in the presence of:

Hazel Marshall

Print Name: Hazel Marshall

Lorraine M. Johnson

Print Name: Lorraine M. Johnson

STATE OF Florida

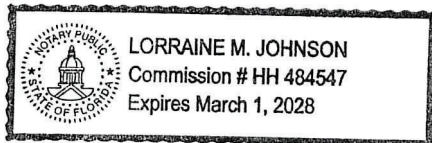
COUNTY OF Martin

Kenai Properties, LLC, a Florida limited liability company

By: Eugene B. Albrecht

Eugene B. Albrecht, Managing Member

I, the undersigned authority, hereby certify that the foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, on this 23 day of May 2025, by Eugene B. Albrecht, Managing Member of Kenai Properties, LLC, a Florida limited liability company, who is ☐ personally known to me or who ☒ produced driver's license as identification.



Lorraine M. Johnson
NOTARY PUBLIC
Printed Name: _____

LIMITED POWER OF ATTORNEY

KNOWN ALL MEN by these presents, that I, **LINDA ALBRECHT, Managing Member of KENAI PROPERTIES, LLC, a Florida limited liability company**, the undersigned hereby authorize, **JARED GAYLORD, ESQ.** to serve as my Attorney-in-Fact, to execute any and all documents necessary and to perform any such acts as he deems necessary for a development and rezoning application(s) with Martin County, Florida, a political subdivision of the State of Florida, located at the following described property, including but not limited to executing any documentation, signing notices of commencement or termination, signing building permits, transacting business with local governmental agencies, building officials, contractors, design professionals, utilities and other service providers on my behalf:

Legal Description

See Attached Exhibit "A"

a/k/a 18071 SE Country Club Drive, Jupiter, FL 33469

PCN: 22-40-42-000-000-00030-6

Giving and granting unto, **JARED GAYLORD, ESQ.** full power and authority to do and perform every act and thing whatsoever requisite and necessary to be done in and about the property, with regard to the development application of the above referenced property to all intents and purposes as **LINDA ALBRECHT, Managing Member of Kenai Properties, LLC**, might or could do if personally present, hereby ratifying and confirming all that, **JARED GAYLORD, ESQ.**, as Attorney-in Fact, shall lawfully do or cause to be done by virtue hereof.

This power of attorney shall be effective for five (5) years beginning on the date of execution. This power of attorney shall not be affected by any subsequent incapacity or disability

of the undersigned and shall have the same effect and inure to his benefit and bind **LINDA ALBRECHT**, my heirs, trustees, successors, assigns, and my personal representatives.

Signed in the presence of:

Kenai Properties, LLC, a Florida limited liability company

Hazel Marsha

Print Name: HAZEL MARSHA

Lorraine M Johnson

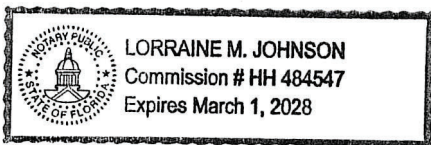
Print Name: Lorraine M Johnson

STATE OF Florida

COUNTY OF Martin

By: Linda Albrecht
Linda Albrecht, Managing Member

I, the undersigned authority, hereby certify that the foregoing instrument was acknowledged before me by means of [☒] physical presence or [☐] online notarization, on this 23 day of May 2025, by Linda Albrecht, Managing Member of Kenai Properties, LLC, a Florida limited liability company, who is [☐] personally known to me or who [☒] produced driver's license as identification.



Lorraine M Johnson
NOTARY PUBLIC
Printed Name: _____

Exhibit "A"
Legal Description

BEGIN AT THE NORTHWEST CORNER OF THE NORTHEAST ONE QUARTER (NE1/4) OF THE NORTHEAST ONE QUARTER (NE1/4) OF SAID SECTION 22 TOWNSHIP 40 SOUTH RANGE 42 EAST, AND THE NORTH BOUNDARY OF SAID SECTION 22 TOWNSHIP 40 SOUTH RANGE 42 EAST;

THENCE EASTERLY, ALONG THE NORTH BOUNDARY OF SAID SECTION 22 TOWNSHIP 40 SOUTH RANGE 42 EAST, A DISTANCE OF 294 FEET TO A POINT;

THENCE, SOUTHERLY, PERPENDICULAR TO THE PREVIOUS LINE, 45 FEET TO A POINT;

THENCE, SOUTHWESTERLY, ALONG A LINE TURNED AT AN ANGLE OF 135 DEGREES 00'00" IN THE NORTHWEST QUADRANT FROM THE PREVIOUS LINE, 162.63 FEET TO A POINT;

THENCE, WESTERLY, ALONG A LINE PARALLEL WITH AND 160 FEET SOUTH OF THE NORTH BOUNDARY OF SAID SECTION 22 TOWNSHIP 40 SOUTH RANGE 42 EAST, A DISTANCE OF 178.28 FEET, MORE OR LESS, TO THE WEST BOUNDARY OF THE NORTHEAST ONE QUARTER (NE 1/4) OF THE NORTHEAST ONE QUARTER (NE1/4) OF SAID SECTION 22 TOWNSHIP 40 SOUTH RANGE 42 EAST;

THENCE, NORTHERLY, ALONG SAID WEST BOUNDARY OF THE NORTHEAST ONE QUARTER (NE1/4) OF THE NORTHEAST ONE QUARTER (NE1/4) OF SAID SECTION 22 TOWNSHIP 40 SOUTH RANGE 42 EAST A DISTANCE OF 160 FEET TO THE POINT OF BEGINNING, ACCORDING TO THE PLAT THEREOF ON FILE IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT IN AND FOR MARTIN COUNTY, FLORIDA, PLAT BOOK 3, PAGE 127, MARTIN COUNTY, FLORIDA, PUBLIC RECORDS.

LESS AND EXCEPT THAT PORTION OF LAND DESCRIBED IN OFFICIAL RECORDS BOOK 2900, PAGE 856.

TAX DEED

Carolyn Timmann
Clerk



STATE OF FLORIDA
COUNTY OF MARTIN

The following Tax Sale Certificate Numbered 3606 issued on May 27, 2010 was filed on the Office of the Tax Collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was on the 28th day of February, 2013 offered for sale as required by law for cash to the highest bidder and was sold to:

KENAI PROPERTIES LLC

ADDRESS:

19100 SE JUPITER RD
JUPITER, FL 33458

being the highest bidder and having paid the sum of his bid as required by the Laws of Florida.

NOW, this 28th day of February, 2013 in the County of Martin, State of Florida, in consideration of the sum of (\$ 32,000.00) THIRTY TWO THOUSAND AND 00 / 100 ----- Dollars being the amount paid pursuant of the Laws of Florida does hereby sell the following lands situated in the county and state aforesaid and described as follows:

BEG NW COR OF NE 1/4 OF NE 1/4
SEC 22-40-42: E ALG SEC LN 294', S 45',
SW 162.63', W 178.28' & N 160' TO POB

PROPERTY ID NUMBER 22-40-42-000-000-00030.60000

WITNESS:

GINGER STALLS

JANE GREISEN

STATE OF FLORIDA

COUNTY OF MARTIN

CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
MARTIN COUNTY

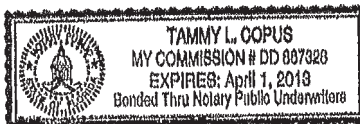
BY:
CHRISTINA HUNTER



On this 28th day of February, 2013 before me TAMMY COPUS personally appeared CHRISTINA HUNTER a Deputy Clerk for Clerk of the Circuit Court in and for the State and this County known to me to be the person described in and who executed the foregoing instrument, and acknowledged the execution of this instrument to be her own free act and deed for the use and purpose therein mentioned, who is personally known to me and who did not take an oath.

Witness my hand and official seal date aforesaid.

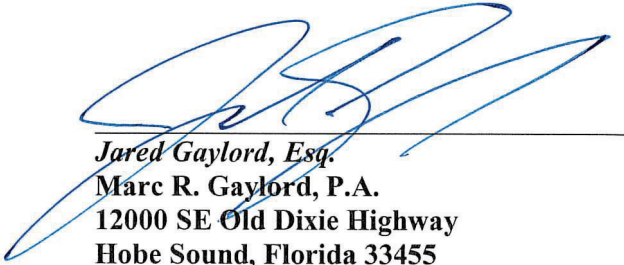
NOTARY PUBLIC STATE OF FLORIDA



CERTIFICATION OF PROPERTY TRANSFER

The undersigned, **JARED GAYLORD, ESQ.** hereby certifies that since the date of the deed attached hereto as Exhibit "A" (the "Deed"), the Owner, KENAI PROPERTIES, LLC, a Florida limited liability company, has not transferred the property described in the Deed, in accordance with the enclosed title search report.

This certificate is dated this 2 day of June, 2025.



Jared Gaylord, Esq.
Marc R. Gaylord, P.A.
12000 SE Old Dixie Highway
Hobe Sound, Florida 33455
(772) 545-7740

TAX DEED

"Exhibit A"

Carolyn Timmann
Clerk



STATE OF FLORIDA
COUNTY OF MARTIN

The following Tax Sale Certificate Numbered 3606 issued on May 27, 2010 was filed on the Office of the Tax Collector of this County and application made for the issuance of a tax deed, the applicant having paid or redeemed all other taxes or tax sale certificates on the land described as required by law to be paid or redeemed, and the costs and expenses of this sale, and due notice of sale having been published as required by law, and no person entitled to do so having appeared to redeem said land; such land was on the 28th day of February, 2013 offered for sale as required by law for cash to the highest bidder and was sold to:

KENAI PROPERTIES LLC

ADDRESS:

19100 SE JUPITER RD
JUPITER, FL 33458

being the highest bidder and having paid the sum of his bid as required by the Laws of Florida.

NOW, this 28th day of February, 2013 in the County of Martin, State of Florida, in consideration of the sum of (\$ 32,000.00) THIRTY TWO THOUSAND AND 00 / 100 ----- Dollars, being the amount paid pursuant of the Laws of Florida does hereby sell the following lands situated in the county and state aforesaid and described as follows:

BEG NW COR OF NE 1/4 OF NE 1/4
SEC 22-40-42: E ALG SEC LN 294', S 45',
SW 162.63', W 178.28' & N 160' TO POB

CAROLYN TIMMANN
CLERK OF THE CIRCUIT COURT
MARTIN COUNTY



PROPERTY ID NUMBER 22-40-42-000-000-00030.60000

WITNESS:

BY:

CHRISTINA HUNTER

GINGER STALLS

JANE GREISEN

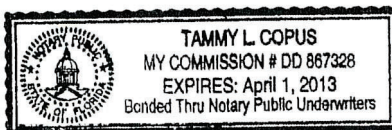
STATE OF FLORIDA

COUNTY OF MARTIN

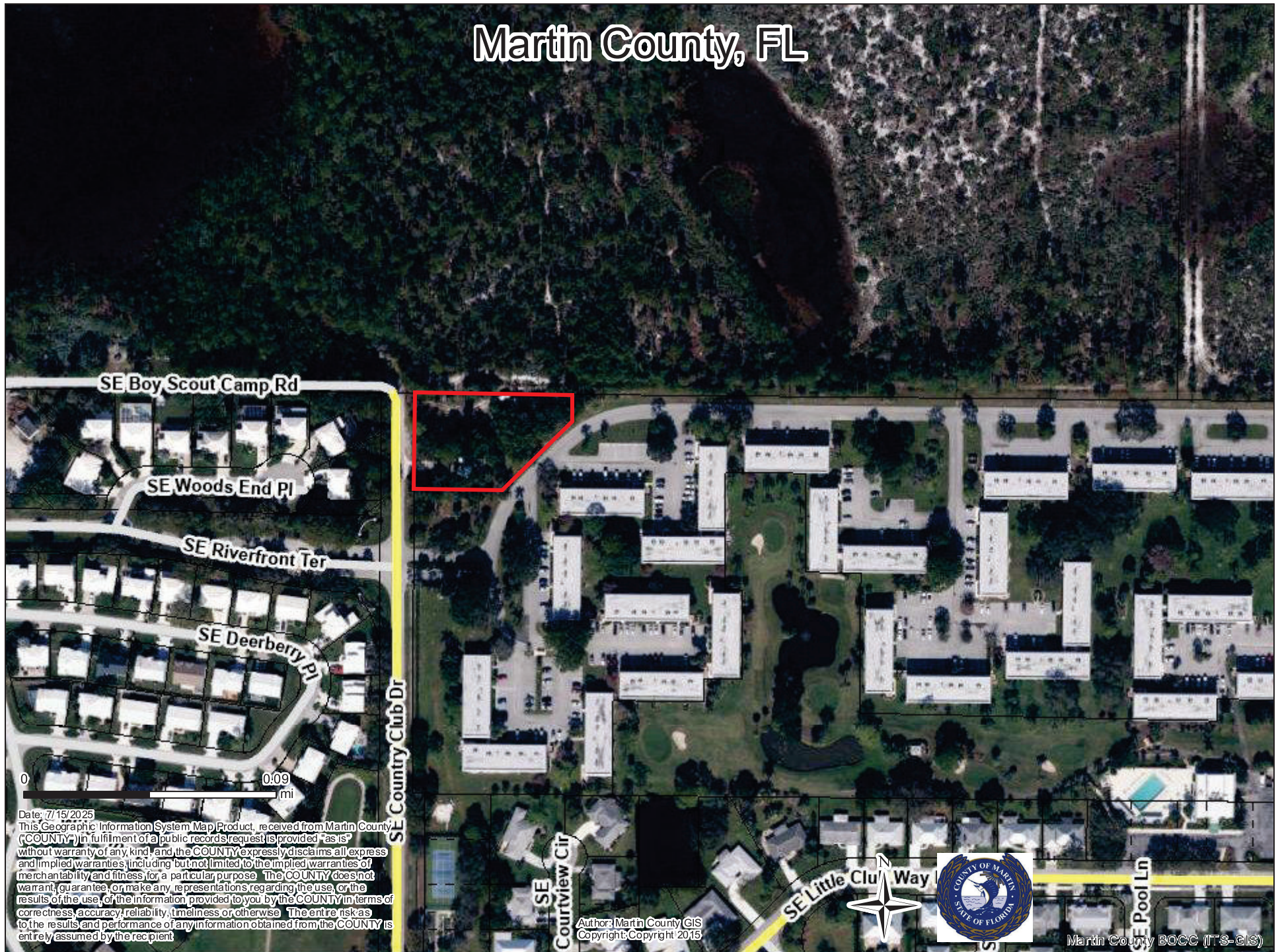
On this 28th day of February, 2013 before me TAMMY COPUS personally appeared CHRISTINA HUNTER a Deputy Clerk for Clerk of the Circuit Court in and for the State and this County known to me to be the person described in and who executed the foregoing instrument, and acknowledged the execution of this instrument to be her own free act and deed for the use and purpose therein mentioned, who is personally known to me and who did not take an oath.

Witness my hand and official seal date aforesaid.

TAMMY L. COPUS
NOTARY PUBLIC STATE OF FLORIDA



Martin County, FL



Date: 7/15/2025

This Geographic Information System Map Product, received from Martin County ("COUNTY") in fulfillment of a public records request is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient.