

Prepared by:
Martin County Growth Management Department
2401 SE Monterey Road
Stuart, FL 34996

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

**[REGARDING THE APPLICATION OF
FOXLAND PROPERTIES INC.**

**FOR A ZONING SETBACK VARIANCE ON PROPERTY LOCATED AT 1065 NE
DOUBLOON DRIVE WITHIN THE HB-1AA, HOTEL MOTEL DISTRICT]**

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

1. Foxland Properties Inc. submitted a variance application to reduce the side setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code for the HB-1AA, Hotel Motel District to permit the construction of a three-story single family residential dwelling and appropriate accessory structures on Lot 11, Galleon Bay, according to the plat thereof, as recorded in Plat Book 10, Page 5, of the Public Records of Martin County, Florida. The subject property is located at 1065 NE Doubloon Drive, Stuart, Florida on Hutchinson Island.
2. This Board considered this application to reduce the side setback requirements at a public hearing on April 25, 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 setback variance on the subject lot is approved with a side yard setback variance of 10 feet for the third story of a proposed single-family residence to reduce the setback requirement from 30 feet to 20 feet along both the north and south property lines to permit the construction of a three-story single-family residence and appropriate accessories as set forth on the site plan attached hereto as Exhibit A.

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 25TH DAY OF APRIL, 2024.

ATTEST:

BOARD OF ZONING ADJUSTMENT
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, Site Plan