



Martin County, Florida  
 Growth Management Department  
 DEVELOPMENT REVIEW DIVISION  
 2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 [www.martin.fl.us](http://www.martin.fl.us)

**DEVELOPMENT REVIEW APPLICATION**

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**A. GENERAL INFORMATION**

**Type of Application:** Variance

**Name or Title of Proposed Project:** DonaldCotton

**Brief Project Description:**

This variance request is regarding the construction of a pole barn that is currently in violation of the side setbacks at the property located in this application address. This request is for permission of the structure to maintain in its current placement rather than require its demolition as current codes require.

**Was a Pre-Application Held?**  YES/NO  **Pre-Application Meeting Date:** \_\_\_\_\_

**Is there Previous Project Information?**  YES/NO

**Previous Project Number if applicable:** \_\_\_\_\_

**Previous Project Name if applicable:** \_\_\_\_\_

**Parcel Control Number(s)**

28-38-40-000-041-00000-1 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**B. PROPERTY OWNER INFORMATION**

**Owner (Name or Company):** Donald Cotton

**Company Representative:** \_\_\_\_\_

**Address:** 7003 SW WISTERIA TERRPALM

**City:** Palm City, **State:** FL **Zip:** 34990

**Phone:** 7727663194 **Email:** Donaldecotton@gmail.com

**C. PROJECT PROFESSIONALS**

**Applicant (Name or Company):** Kristen Coughanour  
Company Representative: Elemental Consulting, LLC  
Address: 901 SE Johnson Avenue  
City: Stuart, State: FL Zip: 33449  
Phone: 561-427-9400 Email: Support@econsult.email

**Agent (Name or Company):** \_\_\_\_\_  
Company Representative: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**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):** Christian Fenex And Associates, LLC  
Company Representative: \_\_\_\_\_  
Address: PO Box 2533  
City: Palm City, State: FL Zip: 34991  
Phone: 772-283-2977 Email: surveysbyfenex@gmail.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):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Environmental Planner (Name or Company):** Drew Gatewood

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: drew.gatewood@gmail.com

**Other Professional (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**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.*

*[Handwritten Signature]*  
Applicant Signature

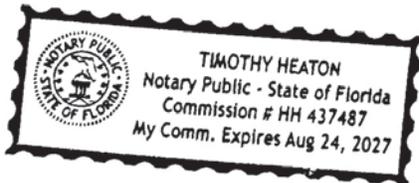
8-19-24  
Date

Kristen Indovina-Coughanour  
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 19<sup>th</sup> day of August, 2024, by Kristen Indovina-Coughanour who is  personally known to me, or  produced the following type of identification FLDL.

NOTARY PUBLIC SEAL



Notary Public, State of Florida

*[Handwritten Signature]*

(Printed, Typed or Stamped Name of Notary Public)



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 DEVELOPMENT REVIEW DIVISION  
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### Digital Submittal Affidavit

I, Kristen Coughaour, attest that the electronic version included for the project 7003 SW Wisteria Terr, Palm City FL 34990 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.

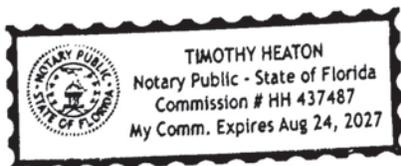
Kristen Amber Coughaour  
 Applicant Signature

8-19-24  
 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 19<sup>th</sup> day of August, 2024, by Kristen Amber Coughaour, who is  personally known to me, or  produced the following type of identification FDL.

NOTARY PUBLIC SEAL



Notary Public, State of Florida

[Signature]

(Printed, Typed or Stamped Name of Notary Public)



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**PERMISSION TO DUPLICATE COPYRIGHT MATERIALS**

I, Kristen Indovino-Coughanour, am the copyright owner of the following materials: Variance Submittal Checklist items ("Copyright Materials"). Martin County is hereby granted permission to duplicate the Copyright Materials when required by Florida Statutes Chapter 119, Florida's Public Records Laws.

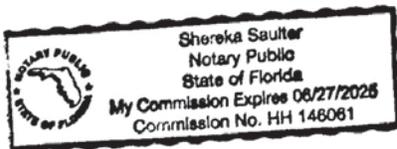
I warrant that I have the authority to grant the permission requested by Martin County.

Kristen Indovino-Coughanour  
 Printed Name: Kristen Indovino Coughanour

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 20 day of August, 2024, by Kristen L Indovino Coughanour, who is  personally known to me, or  produced the following type of identification Florida Driver license.

NOTARY PUBLIC SEAL



Notary Public, State of Florida

Shereka Sautter

(Printed, Typed or Stamped Name of Notary Public) Shereka Sautter



## Elemental Consulting

901 SE Johnson Ave.  
Stuart, FL

## Martin County Growth Management

2401 SE Monterey Rd. Stuart, FL 34996

Variance Review RE: 7003 SW Wisteria Ter. Palm City, FL 34990

This variance request is regarding the construction of a pole barn that is currently in violation of the side setbacks at the property located in this application address. This request is for permission of the structure to maintain in its current placement rather than require its demolition as current codes require.

Multiple factors were at play which contributed to the unfortunate situation at hand. The owner Mr. Don Cotton, was, at the time of construction, in communication regularly with a Mr. Massey from the Martin county building department. During these conversations as well as corroboration from his neighbors, Mr. Cotton was informed that since his property was agriculturally zoned, that he did not require a building permit for the installation of a non-ac pole barn.

Due to a large stormwater drainage pond taking up a large portion of the lot that isn't forested with native Florida vegetation, When considering the location of the pole barn, Mr. Cotton, not wanting to disturb any native flora and fauna more than necessary with the construction, chose a spot just off the existing access driveway. This location allowed for the proper access of the structure, and lessened the effect on the surrounding nature by potentially clearing more land to add additional access. Other locations could have had a more significant impact on the older trees that Mr. Cotton was hopeful to maintain.

In summary, though the structure is currently within the side yard building setback, this was not done in awareness of the

requirement of the setback, or a need for a permit for the structure, or it's placement. Mr. Cotton has hired multiple professional services in good faith, once the issues were discovered, to try and show as much cooperation, and to work with the county on his case. This demonstrates a willingness to do whatever the county requests to conform to their requirements, now that he is aware he is in violation of them. We request the approval for the unpermitted pole barn to remain in it's current location, and for, after-the-fact, or as-built, plans be submitted for the structure, showing it's compliance to current Florida building code and all other local municipal codes.

If the decision is that the current location is not permitted after this review, if the board would please recommend an action that is an alternative to demolition. For the record, Mr. Cotton would also like it known that he will be glad to comply with what he now knows are the building requirements for his property, for any additional projects going forward.

We thank you for your time and consideration in this matter, and all others that you as government officials provide to your citizens each day.

If you have any further questions please feel free to call us.  
Thank you.



# FLORIDA LIMITED POWER OF ATTORNEY

**I. THE PARTIES.** This Florida Limited Power of Attorney ("Power of Attorney") created on the undersigned date, is between the following:

**PRINCIPAL:** DONALD E. COTTON ("Principal") with a mailing address of 7003 SW WISTERIA TERR do hereby grant a limited and specific powers to:

**AGENT:** KRISTEN COUGHANO ("Agent") with a mailing address of ELEMENTAL CONSULTING who shall have the full power and authority to undertake and perform the following acts mentioned in this Power of Attorney.

**II. THE POWERS.** The Principal authorizes the Agent to handle the following actions on their behalf: SUBMITTING DOCUMENTS AND REPRESENTING ME WITH MARTIN COUNTY.

The authority granted herein shall include such incidental acts as are reasonably required to carry out the aforementioned powers given by the Principal. The Agent certifies and accepts this appointment subject to its terms and agrees to act and perform in said fiduciary capacity consistent with the Principal's best interest.

**III. EFFECTIVE DATE.** This Power of Attorney shall become effective: (check one)

- Immediately.

- on the date of \_\_\_\_\_, 20\_\_\_\_.

**IV. TERMINATION.** This Power of Attorney shall terminate: (check all that apply)

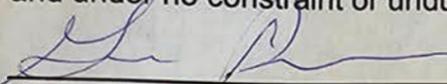
- When the above-referenced powers and responsibilities have been completed by the Agent.

- By the Principal authorizing a revocation that references this document.

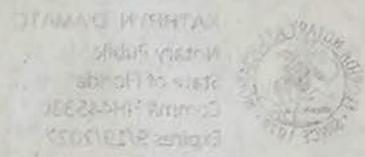
- On the date of \_\_\_\_\_, 20\_\_\_\_.

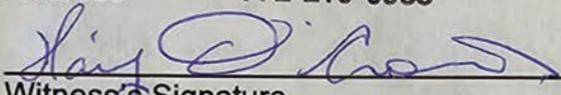
In addition to the aforementioned termination conditions, this Power of Attorney shall be automatically revoked upon the death or incapacitation of the Principal, provided any person relying on this document shall have the full rights to accept and reply upon the authority of the Agent until in receipt of actual notice of revocation.

We, the witnesses, each do hereby declare in the presence of the Principal that the Principal signed and executed this instrument in the presence of each of us, that the Principal signed it willingly, that each of us hereby signs this Power of Attorney as witness at the request of the Principal and in the Principal's presence, and that, to the best of our knowledge, the Principal is eighteen years of age or over, of sound mind, and under no constraint or undue influence.

  
\_\_\_\_\_  
Witness's Signature

**THE UPS STORE**  
2740 SW MARTIN DOWNS BLVD.  
PALM CITY, FL 34990  
\_\_\_\_\_  
Address 772-219-0933



  
\_\_\_\_\_  
Witness's Signature

**THE UPS STORE**  
2740 SW MARTIN DOWNS BLVD.  
PALM CITY, FL 34990  
\_\_\_\_\_  
Address 772-219-0933

STATE OF Florida,  
Martin County, ss.

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this August 20, 2024, by Donald Cotton III who is personally known to me or who has produced FLDL as identification.



**KATHRYN D'AMATO**  
Notary Public  
State of Florida  
Comm# HH445330  
Expires 9/19/2027

Kathryn D'Amato  
Notary Public

My commission expires: 9/19/2027, 20  

**SPECIMEN SIGNATURE AND ACCEPTANCE OF APPOINTMENT**

I, \_\_\_\_\_, the Agent named above, hereby accept appointment as Agent in accordance with the foregoing instrument.

\_\_\_\_\_  
Agent's Signature

STATE OF \_\_\_\_\_,  
\_\_\_\_\_ County, ss.

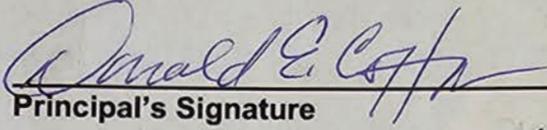
The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this \_\_\_\_\_, 20\_\_\_\_, by \_\_\_\_\_ who is personally known to me or who has produced \_\_\_\_\_ as identification.

\_\_\_\_\_  
Notary Public

My commission expires: \_\_\_\_\_, 20\_\_\_\_

**V. GOVERNING LAW.** This Power of Attorney shall be governed under the laws located in the State of Florida.

**VI. EXECUTION.** IN WITNESS WHEREOF, I, the Principal, have executed this Power of Attorney on AUGUST 20<sup>TH</sup>, 2024.

  
Principal's Signature

Donald E. Coffey  
1003 SW WARRIOR TRAIL

FLORIDA COMMUNITY  
TRUST (OVERSEAS)

PREPARING ME WITH MINOR COUNTY  
CERTAIN DOCUMENT AND

INSTR # 2574914  
OR BK 2853 PG 2663  
(1 Pgs)  
RECORDED 05/18/2016 01:22:55 PM  
CARDLYN TIMMANN  
MARTIN COUNTY CLERK  
DEED DOC TAX \$0.70

Instrument Prepared by and Return to:  
CHRISTOPHER J. TWOHEY, P.A.  
844 SE Ocean Blvd., Suite A  
Stuart, FL 34994  
(Without Examination of Title)

Parcel ID Number: 28-38-40-000-041-00000-1

**QUIT-CLAIM DEED**

**THIS QUIT-CLAIM DEED**, executed this 4<sup>th</sup> day of May, 2016, **ELIBECCA, LLC.**, a Florida limited liability company, first party to **DONALD E. COTTON** and **BONNIE D. COTTON**, husband and wife, whose post office address is 7003 SW Wisteria Terrace, Palm City, Florida 34990, second party.

**WITNESSETH**, That said first party, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, in hand paid by the said second party, the receipt whereof is hereby acknowledged, does hereby remise, release and quit-claim unto the said second party forever, all the right, title, interest, claim and demand which the said first party has in and to the following described lot, piece or parcel of land, situated, lying and being in the County of *Martin*, State of Florida, to wit:

**The East 1/2 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 Public Records of Palm Beach (now Martin) County, Florida.**

\* **NOTE TO THE DEPARTMENT OF REVENUE: No documentary tax stamps are due as said property is unencumbered and Grantees are the sole Members of Grantor.**

**SUBJECT TO** restrictions, reservations, covenants and easements of public record and taxes for the current year.

**TO HAVE AND TO HOLD** the same together with all and singular the appurtenances thereunto belonging or in anywise appertaining, and all the estate, right, title, interest, lien, equity and claim whatsoever of the said first party, either in law or equity, to the only proper use, benefit and behalf of the said second party forever.

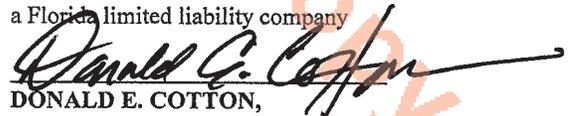
**AND** the second party does hereby covenant with the first party that the second party expressly assumes and agrees to be responsible for any and all costs associated with the above described premises, including but not limited to the obligation to make payments of all mortgages, taxes and hazard insurance, and the second party will indemnify and hold harmless the first party from any and all claims relating to same.

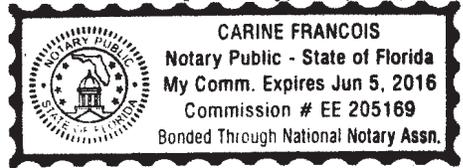
**IN WITNESS WHEREOF**, the said party has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

  
Printed Name: Susan Morales  
Witness #1

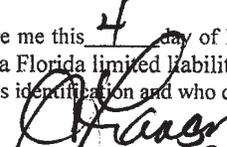
  
Printed Name: DAVID CALLARI  
Witness #2

**ELIBECCA, LLC.**,  
a Florida limited liability company  
  
**DONALD E. COTTON**,  
as Managing Member  
4200 Northcorp Parkway, PBG, FL 33410



STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me this 4 day of May, 2016, by **DONALD E. COTTON**, as Managing Member of **ELIBECCA, LLC.**, a Florida limited liability company, who is personally known to me or who have produced \_\_\_\_\_, as identification and who did (not) take an oath.

  
Printed Name: CARINE FRANCOIS  
Notary Public - State of Florida

1/2 TRACT 40

EAST 1/2 TRACT 41

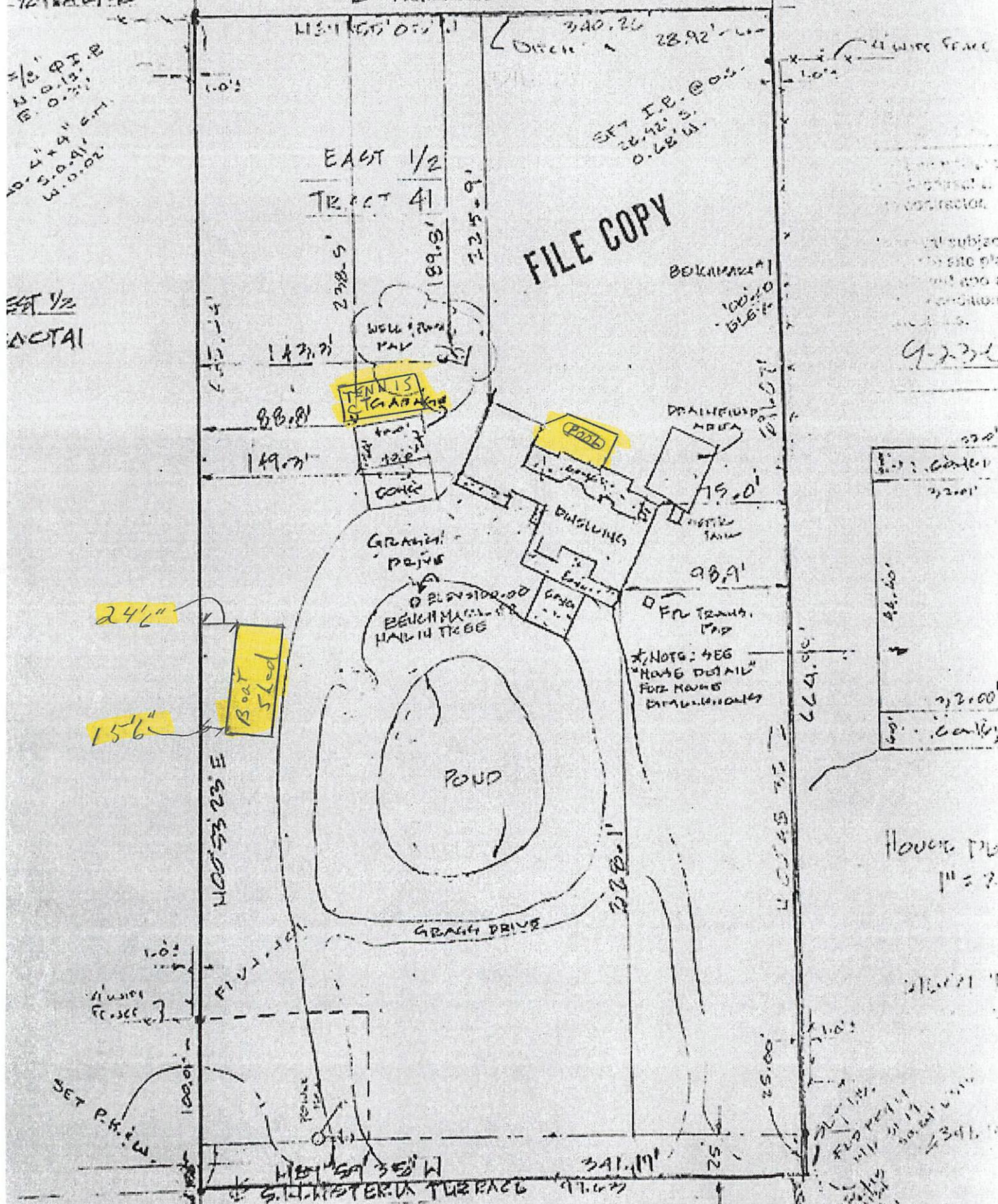
1/2 TRACT 40  
N. 0.12' E.  
0.12' W.  
10.4' x 9' 6"  
S. 0.04' E.  
0.02' W.

EAST 1/2 TRACT 41

EAST 1/2 TRACT 41

FILE COPY

100' x 100' BLEND  
9-2-32



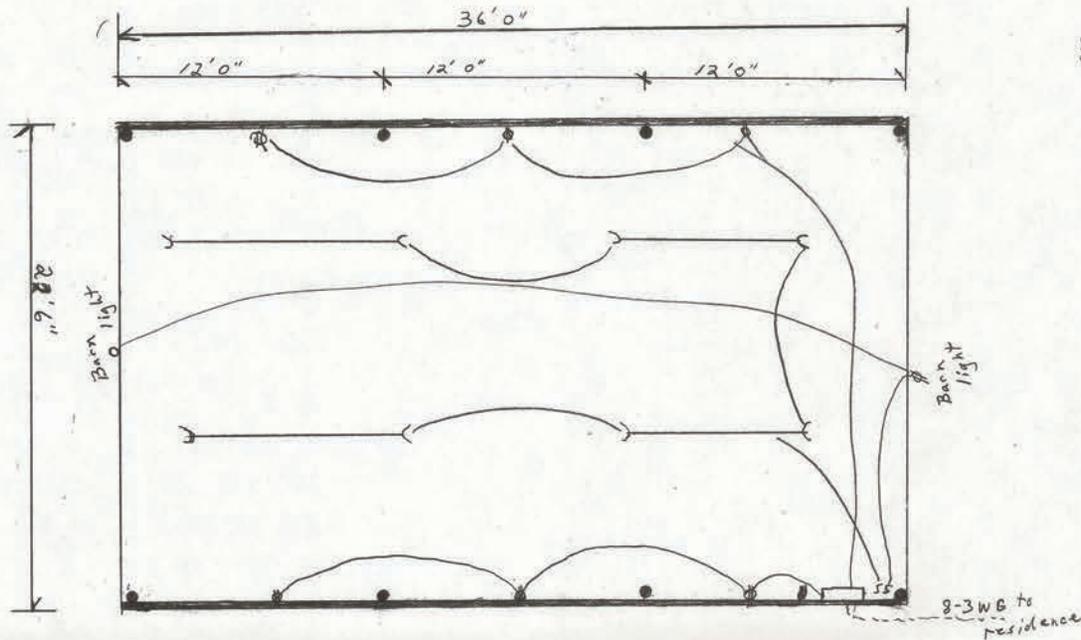
246"  
156"  
Boat  
5 Led

\*NOTE: SEE "HOLE DETAIL" FOR HOLE DIMENSIONS

100' x 100' BLEND  
9-2-32

House 10' x 7'

- CHD CHORD DISTANCE
- CONC CONCRETE
- CONC BLOC CONCRETE BLOCK STRUCTURE
- CM CONCRETE MORTAR
- CONC COULD NOT READ CONCRETE
- CP CONCRETE POWER POLE
- ES ELECTRIC SERVICE
- ELEV ELEVATION
- ENCL ENCLOSURE
- ENCR ENCROACHMENT
- X 17.00 EXISTING ELEVATION
- FT FEET
- FM FIELD MEASUREMENT
- IP IRON PIPE
- IRON IRON BAR & CAP
- LE LANDSCAPE EASEMENT
- LB LICENSE BUSINESS
- LP LIGHT POLE
- LAP LIMITED ACCESS EASEMENT
- NTS NOT TO SCALE
- N NO
- OD ORIGIN
- OS OFFSET
- OT OFFSET

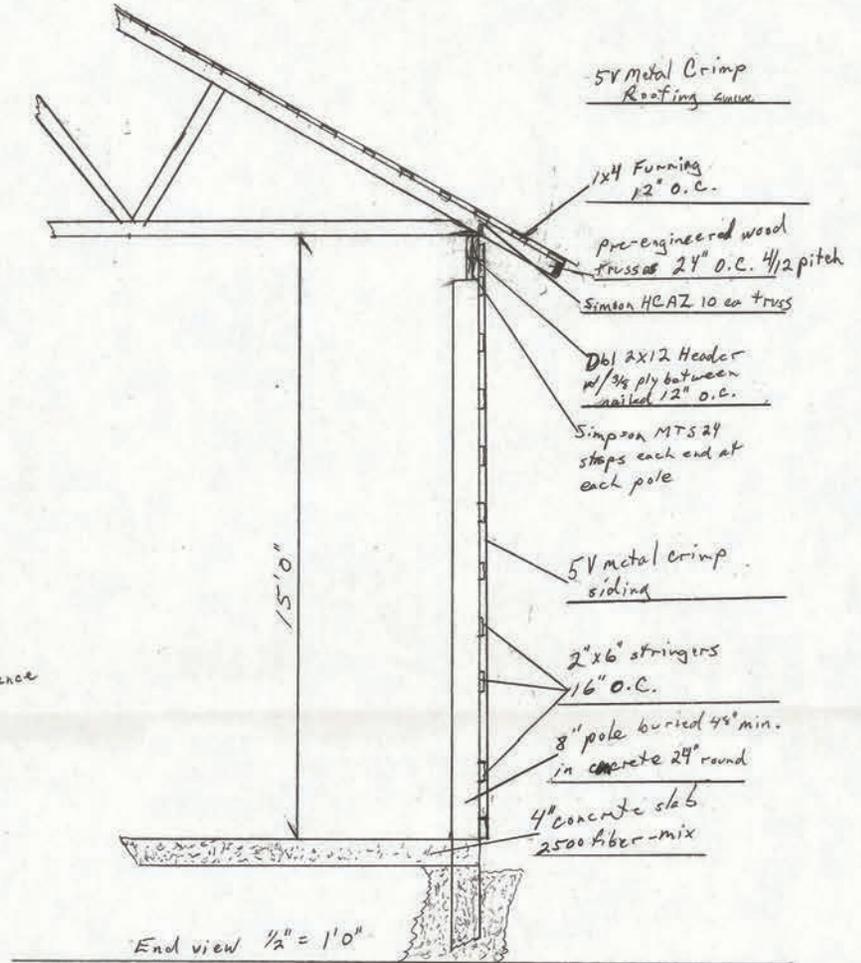


Electrical Notes

- 6-120V receptacles on two 20 Amp breakers
- 1-240V receptacle
- 4-8' LED strip lights
- 2-photo cell barn lights
- 50 Amp Sub-panel
- All wiring 12-2 1/2" MC cable

Notes

- Setbacks from property lines-
- 15'6" @ SW corner
- 24'6" @ NW corner



Cotton Residence		
SCALE: 1/4" = 1'0"	APPROVED BY:	DRAWN BY:
DATE: Oct 13, '23		REVISED:
Boat Shed		DRAWING NUMBER
		A-2

