



ITEM

PORT SALERNO NAC

OCTOBER 8, 2020

- I. TITLE:** Request for approval of alternative compliance at 4786 SE Horizon in Port Salerno, by Ferrel R. Graham, the property owner.
- II. THE APPLICANT REQUESTS ALTERNATIVE COMPLIANCE TO:** Construct a single-family dwelling which does not comply with Section 3.262.F.4., which requires front-loading garages to be recessed at least 5 feet from the front façade of the house.
- III. BACKGROUND:** Art. 3, Div. 6 of the LDRs, at §3.260.D, provides:

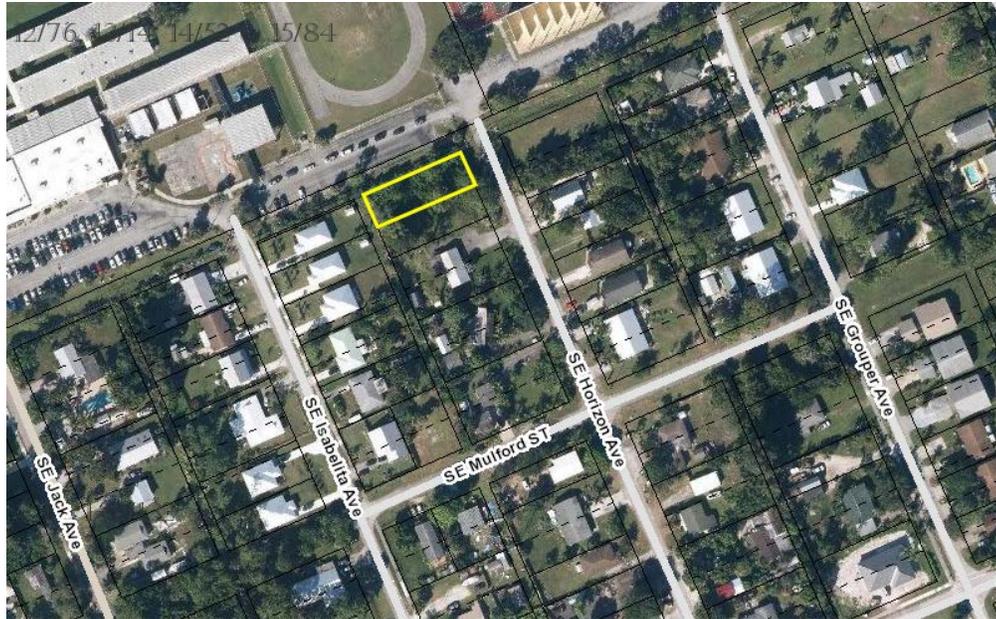
An applicant for development approval may submit a site, landscape, or architectural plan which varies from the requirements of the CRA code in order to accommodate unique circumstances of the proposed development site. Such alternative plan may include offers by the applicant to mitigate or offset the impacts of the alternative design. Such alternative plan may be approved only after having been reviewed by the appropriate Neighborhood Advisory Committee and upon a finding by the Growth Management Director that the alternative plan fulfills the purpose and intent of the CRA code as well as or more effectively than adherence to the strict requirements and would help carry out specific goals or objectives outlined in the particular CRA plan. Appropriate justifications for approving alternative plans include but are not limited to:

1. The resolution of site constraints associated with the incorporation of new buildings and structures on sites developed prior to the adoption of Redevelopment Overlay Districts.
2. The utilization of existing site characteristics, such as historical or archaeological features, topography, scenic views or native vegetation.
3. Improve or provide integration of proposed development with the surrounding off-site development.
4. The preservation of the historical or archaeological features of the area.

IV. ANALYSIS

The subject lot measures 47.5 feet by 150 feet (7,125 sq. ft.). The property has the Medium Density Residential Future Land Use and R-2A two-family residential zoning. Under the adopted-but-not-yet-effective Article 12, Division 6, Port Salerno Community Redevelopment Code, the lot is in the CRA Neighborhood Future Land Use, the Port Salerno Zoning District, and the Detached-1 Subdistrict. Detached single-family dwellings, townhouses and duplexes are permitted uses as well as limited impact institutional uses.

Figure 1. Location Map.



Section 3.262.F., *Parking for single-family dwellings and duplexes*, at paragraph 4.c. provides as follows:

“Garages for detached single-family or duplex residences shall not dominate the front elevation of the house. Garages shall be subordinate to the main living area of the dwelling in terms of area, height, width and/or location. Options to achieve this include the following:

- (1) Front-loading garages shall be recessed at least five feet behind the front façade of the house.
- (2) When an improved alley is present, garages shall be located in the rear of the property and accessed from the alley.”

The proposed new dwelling will be a welcome investment in the neighborhood and appears to represent the first construction of a new dwelling on SE Horizon north of Lee Street in nearly 30 years. The 3-bedroom, 2-bath house is constructed of concrete block with a smooth stucco finish. Mr. Graham will also be constructing a new house on the adjacent lot. The proposed site plan, floor plan and front elevation are provided as Figures 3, 4, and 5.

Staff suggests that if the porch were extended an additional 3 feet, creating an 8-foot deep porch, the plans would comply with the code provision that requires front-loading garages to be recessed at least 5 feet from the front façade of the dwelling. Due to the location of the septic system in the front yard, extending the front porch will also likely require the entire building to be moved back on the lot. The rear yard has ample room to accommodate that. Roof plans would also require revision. Mr. Graham indicated that changing the plans will cost \$2,000 and the construction costs will be increased as well.

Mr. Graham has received approval of alternative compliance related to the construction of single-family dwellings in the port Salerno previously. In February 2018, the NAC recommended approval of alternative compliance regarding the front setback for a single-family dwelling at 5608 SE 44th Street. The siting of the septic system in the front yard required setbacks greater than the maximum front setback permitted by the code (25 feet) At the time this application was reviewed, the code merely required the garage to be *recessed* from the front façade without stating a numerical standard.

In August 2018, alternative compliance was approved for a single-family dwelling at 5618 SE 44th Street regarding “the front setback, the design of the front porch, and the distance the garage is recessed from the front façade.” In the time between the submission of the building permit application for 5608 and the submission of the building permit application for 5618, the code was amended to require garages to be recessed at least 5 feet from the front façade. The fact that the same plan had been approved 6 months earlier was considered by staff in recommending, and the Growth Management Director in granting, approval.

Figure 2. Houses on SE 44th Street constructed by Applicant in 2018



V. RECOMMENDED ACTION:

Staff recommends that the Port Salerno Neighborhood Advisory Committee recommend to the Growth Management Director that the request for alternative compliance be denied. Based on the previous applications for alternative compliance, Mr. Brown should have been on notice of the code requirements and could have complied. Similarly, the architect Dan Braden has prepared plans for construction in the CRAs and apparently could easily prepare plans that meet the standards.

The NAC is not bound by Staff's recommendation. The NAC may wish to consider recommending approval of alternative compliance for this dwelling with the caveat that any further requests for alternative compliance regarding the requirement that

front-loading garages be recessed at least 5-feet from the front façade of the dwelling will not be favorably received.

VI. PREPARED BY: Irene Szedlmayer, AICP, Principal Planner,
Martin County Growth Management Department

Figure 3. Proposed Site Plan

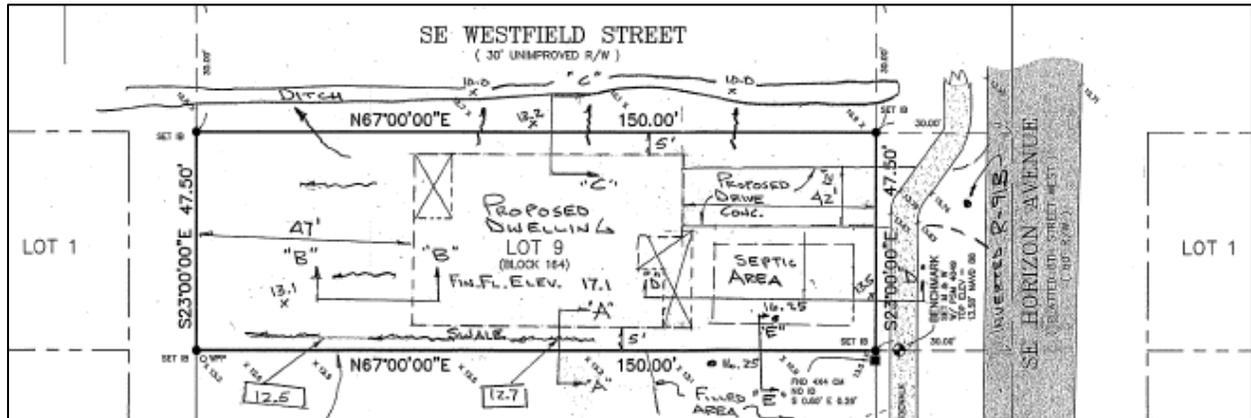
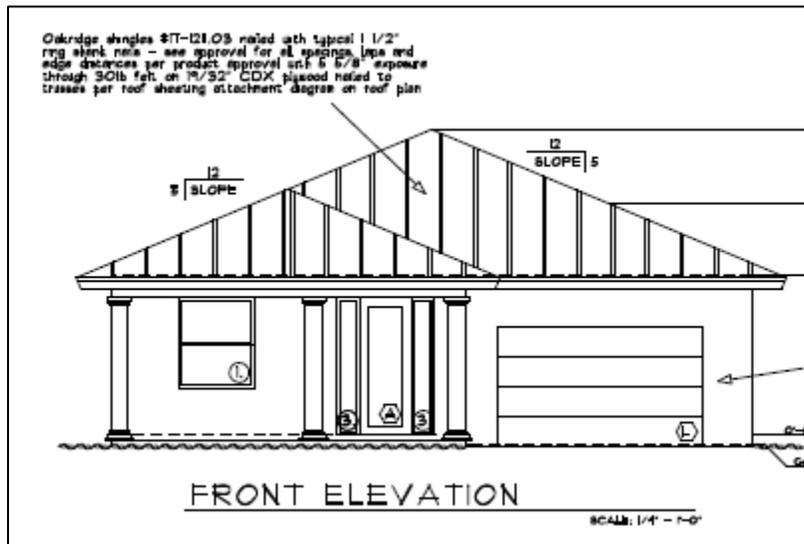
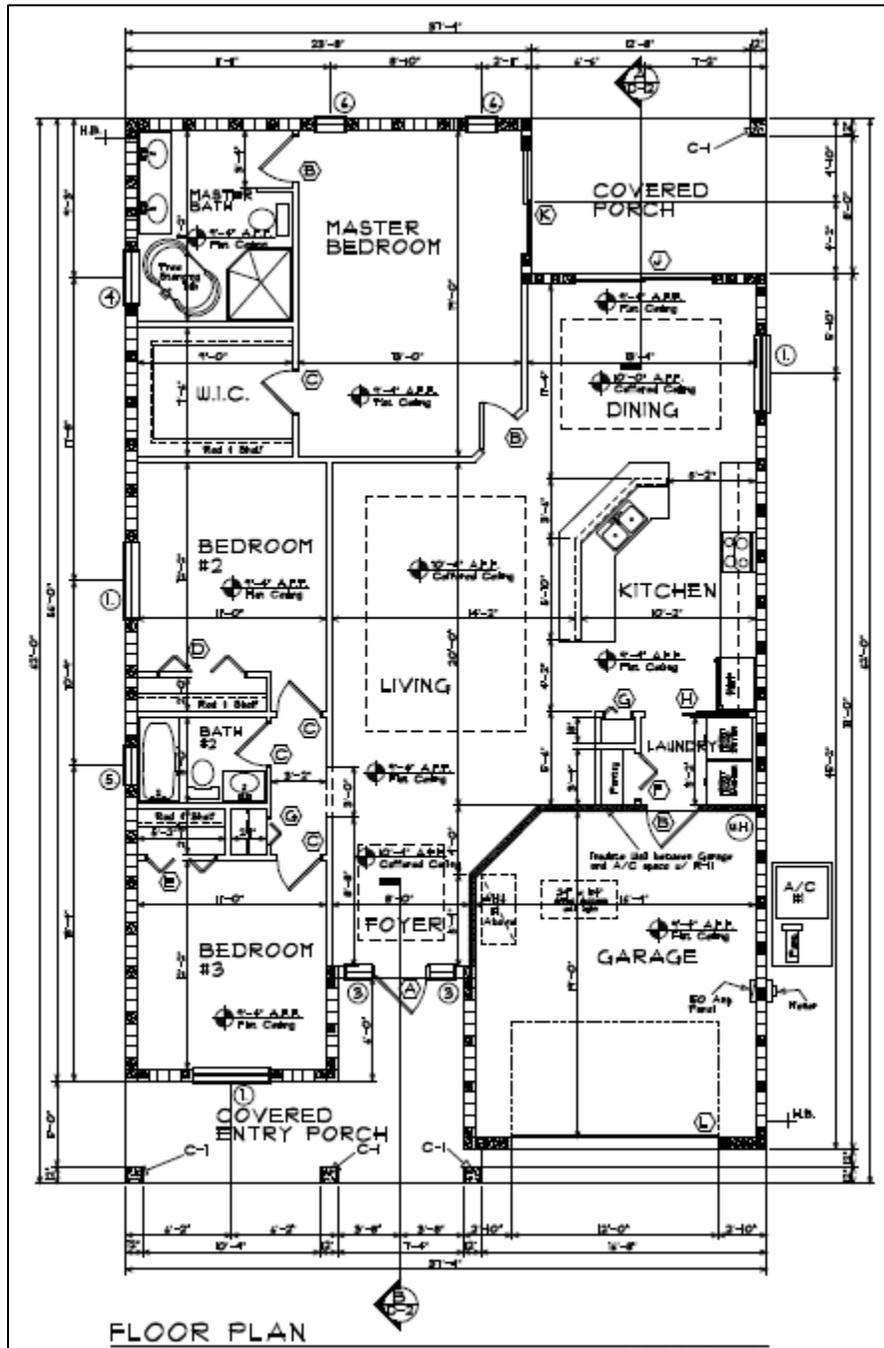


Figure 4. Front Elevation



Proposed roof will be asphalt shingles. This sketch may appear as if the roof will be metal.

Figure 5. Floor Plan



Martin County, Florida
Growth Management Department
DEVELOPMENT REVIEW DIVISION

ALTERNATIVE COMPLIANCE REQUEST COMMUNITY REDEVELOPMENT AREA (CRA)

A. Project information:

Property owner-applicant:..... FERRIEL GRAHAM
Address: 5477 SE RAILWAY AVE
..... STUART FL 34997
Telephone and fax: 772-260-0973
E-mail address:..... FGRHAM547@COMCAST.NET

Agent for owner-applicant: ... _____
Address: _____
..... _____
Telephone and fax: _____
E-mail address:..... _____

Project name: _____

Project professional's name and telephone number:

Land planner _____

Landscape architect _____

Property address: 4797 SE HORIZON AVE STUART FL 34997

Legal description:..... _____

Parcel control number(s): 513841001164000901

B. General instructions:

This application form identifies the minimum documents and information required to initiate the review of a request for alternative compliance that varies from the strict application of the requirements of Article 3, Division 6, Land Development Regulations, Martin County Code (LDR). The applicant is cautioned to follow the instructions carefully.

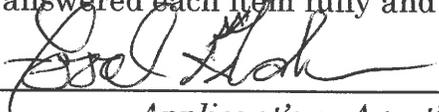


F. Inquiries and comments:

If you have any question or comment regarding this application, please contact us at (772) 288-5495. We appreciate suggestions of how to improve our services.

G. 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.



Applicant's or Agent's signature

9-29-2020

Date

FERREL GRAHAM

Printed name

NOTARY ACKNOWLEDGMENT

STATE OF _____

COUNTY OF _____

I hereby certify that the foregoing instrument was acknowledged before me this _____ day of _____, 201____, by _____. He or she is personally known to me or has produced _____ as identification.

Notary public signature

Printed name

State of _____ at-large