

**Peter W. Walden**  
**Principal Planner**  
**Martin County Growth Management Department**  
[pwalden@martin.fl.us](mailto:pwalden@martin.fl.us) Office 772-219-4923  
 2401 SE Monterey Road Stuart, FL 34996

## *Experience*

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### Public Sector Work History

#### Principal Planner, AICP Martin County, FL

2018- present

- Project Coordinator- development application and land development regulation review
- Project Coordinator for all County projects for development review.
- Manage and process all zoning variances.
- Provide assistance with building permitting and zoning inquiries.
- Draft Land Development Regulation amendments.

#### Senior Planner, Martin County, FL.

2015- 2018

- **Development Review:** Project coordinator for development and zoning applications.
- Provide review of development applications for consistency with the Comprehensive Growth Management Plan and the Land Development Regulations.

#### Development Compliance Planner, City of Palm Beach Gardens, Palm Beach Gardens, FL.

2014- 2015

- **Development Review:** Review development and permit applications for compliance with land development code. Monitor development construction for compliance with development orders and environmental compliance. Provide related documents; draft time extensions, build out determinations, administrative amendments.

#### Zoning Compliance, Village of North Palm Beach, NPB, FL.

2012- 2014

- **Plan Review:** Member of the DRC, participate in all development review, focus on zoning regulations and land development policy and compliance. Review building permits for code compliance. Prepare and present projects to the Planning Commission, and maintain all corresponding files.

### Private Sector Work History

- Over 20 years' experience in community development and home construction including landscape design and construction, infrastructure development and vertical construction.

## **Education & Certifications**

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**Florida Atlantic University,** Boca Raton, FL

**B.P.M. Bachelor of Public Management** (Administration), minor in Geography, Magna Cum Laude

**Course work in;** Urban Planning, GIS, Emergency Management, Program Evaluation, Transportation

**Indian River State College,** Stuart, FL

**A.A, Environmental Science,** Magna Cum Laude

**Government Internship,** Town of Jupiter, FL. 2011 Planning and Zoning, Business Development

**Member of the American Institute of Certified Planners, AICP**



# Board of Zoning Adjustment

2401 SE Monterey Road  
Stuart, Florida 34996

## Agenda Item Summary

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**File ID:** 21-0317

**NPH-2**

**Meeting Date:** 1/28/2021

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**PLACEMENT:** New Business

**TITLE:**

**EDWARD AND STEPHANIE PEARSON VARIANCE REQUEST**

**EXECUTIVE SUMMARY:**

Request for a variance by Edward and Stephanie Pearson to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code, for the HR-1, Single-family Residential District to permit the construction of a swimming pool and deck. The subject property is located at 8551 SE Driftwood Street, Hobe Sound, Florida

Presented by: Peter Walden, AICP, Principal Planner, Growth Management Department

Agent for Applicant: Tyson Waters, Esq. Fox McCluskey Bush Robison, PLLC

**PREPARED BY:** Joan Seaman, Administrative Specialist II

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MARTIN COUNTY, FLORIDA  
DEVELOPMENT REVIEW DIVISION  
GROWTH MANAGEMENT DEPARTMENT

# VARIANCE APPLICATION STAFF REPORT

**SUBJECT:** Request for a variance by Edward and Stephanie Pearson to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code, for the HR-1, Single-family Residential District to permit the construction of a swimming pool and deck. The subject property is located at 8551 SE Driftwood Street, Hobe Sound, Florida

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## A. APPLICATION PROCESSING INFORMATION

*Applicant and property owner:* Edward and Stephanie Pearson  
*Agent for applicant:* Tyson Waters, Esq., Fox McClusky  
*Date application submitted:* December 23, 2020  
*Staff report date:* January 15, 2021  
*Date of Board of Zoning Adjustment hearing:* January 28, 2021  
*Project coordinator for County:* Peter Walden, AICP, Principal Planner  
*Growth Management Director:* Paul Schilling  
*Report number:* 2020\_1230\_GMD2020120334\_

## B. APPLICATION TYPE AND DESCRIPTION OF REQUEST

The subject property is zoned HR-1, Single-family Residential District, Article 3, Zoning District, Land Development Regulations, Martin County Code. The structural setback requirements in this zoning district are as follows:

Side: 15 ft. from the lot line  
Front:\* 50 ft. from the centerline of the adjacent road right-of-way.  
Rear: 35 ft. from the mean high water line  
25 ft. from the face of seawall (MHWL) – SPZ

\* (d)

In the HR-1 district, wherever the lot abuts the Atlantic Ocean, the river or a man-made waterway, there shall be a minimum 35-foot setback from the mean high water line and the front setback shall be governed by the street centerline setbacks as set forth in subsection 3.16.C.

The applicant is requesting a variance to reduce the rear yard setback requirement of the rear from 35 ft. to 25 ft. and to reduce the east side yard setback from 15 ft. to 11 ft. to permit the construction of a swimming pool and deck.

## C. VICINITY AND SITE INFORMATION

8551 SE Driftwood Street, Hobe Sound

Lot 33, of NORTH HOBE SOUND SHORES, according to the map or plat thereof as recorded in Plat Book 3, Page 49, of the Public Records of Martin County, Florida.

## LOCATION MAP

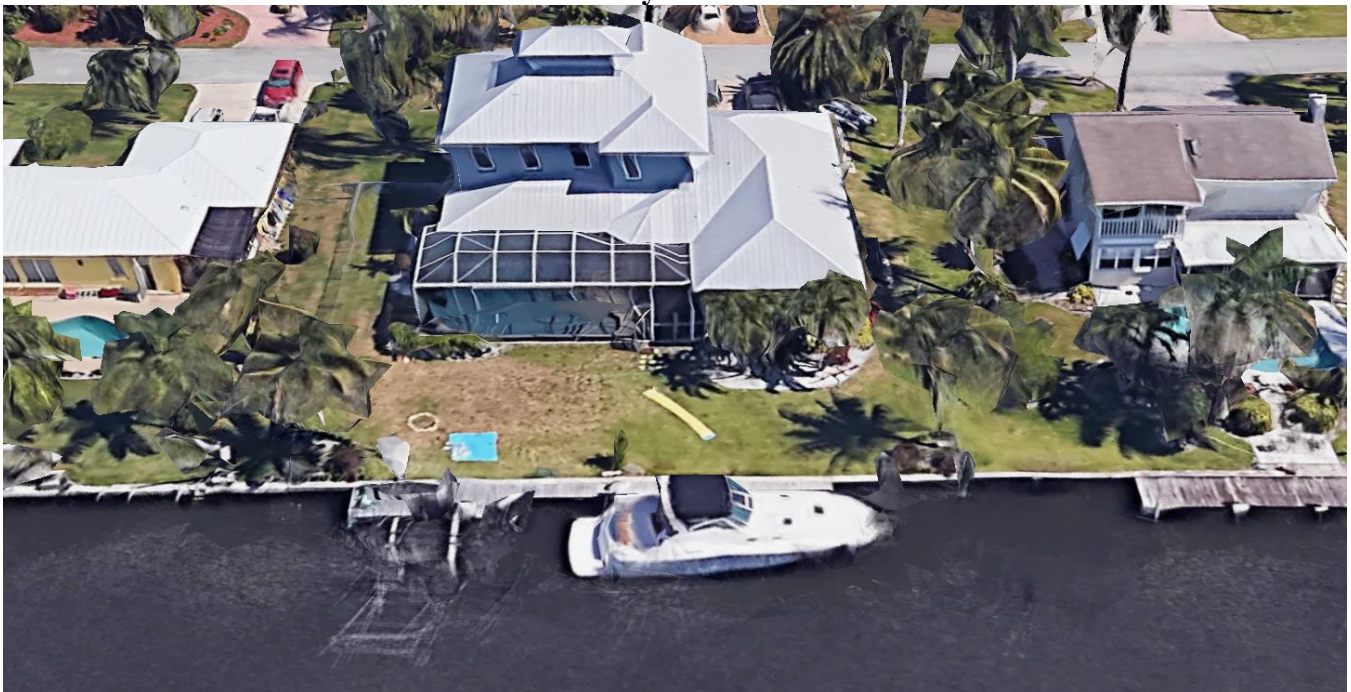




## PROPOSED VARIANCE SITE



Backyard view



### D. APPLICANT INFORMATION

*Applicant and property owner:* Edward and Stephanie Pearson  
*Address:* 8551 SE Driftwood Street  
Hobe Sound, FL  
*Phone:*

*Agent for applicant:* Tyson Waters, Esq.,  
Fox McClusky  
*Address:* 3461 SE Willoughby Boulevard  
Stuart, FL 34994  
*Phone:* 772-287-4444

## **E. COMPLIANCE ASSESSMENT**

Article 9, Section 9.5, Land Development Regulations, Martin County Code provides the criteria for review and action by the Board of Zoning Adjustment. Based on the review of these criteria, the information provided by the applicant and other information reviewed by staff from the County's records, the Board is advised as follows:

1. The subject property is a platted lot of record that was created in 1956 with the recording of the plat for the North Hobe Sound Shores.
2. The property is a waterfront lot adjacent to a man-made canal and is hardened with a vertical seawall. The property is currently occupied by a two story single-family dwelling which was constructed in 2009.
3. The subject property has an area of approximately 0.3 acres (approximately 13,112 sq. ft.). The property width is approximately 100 ft. along the road frontage adjacent to SE Driftwood Street and approximately 100 ft. of frontage on the canal. The depth of the property is approximately 131 ft. on the west and east property line.
4. The setback requirements for the subject lot are as follows:

Side:	15 ft. from the lot line
Front:*	50 ft. from the centerline of the adjacent road right-of-way
Rear:	35 ft. from the mean high water line (MHWL) 25 ft. from the face of seawall (MHWL) – SPZ

\* (d)

In the HR-1 district, wherever the lot abuts the Atlantic Ocean, the river or a man-made waterway, there shall be a minimum 35-foot setback from the mean high water line and the front setback shall be governed by the street centerline setbacks as set forth in subsection 3.16.C.

These setbacks are one of the most stringent setbacks required in the County for single family uses. The HR-1 district is a carryover zoning category from the County's original zoning regulations which were adopted in 1967.

5. The applicant is requesting a variance to reduce the rear yard setback requirement from 35 ft. to 25 ft. and to reduce the east side yard setback from 15 ft. to 11 ft. to permit the construction of a swimming pool and deck.

Site plan for Residence #8551. The plan shows a large grey-shaded area labeled "RESIDENCE #8551". To the north of the residence is a "PROPOSED POOL" with an attached "SPA". A "LIMIT OF IMPERVIOUS AREA (POOL PATIO)" is indicated by a dashed line. To the north of the pool is a "PROPOSED EDGE OF PATIO" area with a grid of squares. A red dashed line indicates the "EXISTING FENCE". Yellow lines and arrows indicate setbacks: "35' BLDG SETBACK", "35.9' SETBACK", and "25' SHORELINE PROTECTION ZONE". A yellow line indicates an "8' ACCESS WALK TO DOCK". Dimensions are provided: "47.2'" for the pool length, "11.1'" for the pool width, "12'" for the patio width, and "131.08'" for the property width. The property width is also labeled as "S21° 10' 49" E 131.08'". The north boundary is labeled "N68° 49' 41" E 100.00'".

- Page 5 of 6 pages



interpretation of the rear and side yard setback requirements for this lot the proposed and swimming pool and deck would not be permitted.

- c. The special conditions and circumstances for this request is not the result of the applicant's action. The subject property is a platted lot of record that was created in 1956 with the recording of the plat for North Hobe Sound Shores. The property is currently occupied by a two story single-family dwelling which was constructed in 2009. The applicant purchased the property in 2019.
  - d. The granting of the variance requested will not confer on the applicant a special privilege that is denied to owners of other lands in the same district. Applications for similar requests and with similar circumstances have been consistently treated by the Board. Each case is reviewed on the merits of the application and based on the established criteria for the granting of setback variances.
7. It appears that the granting of a variance will not create a negative impact to the health, safety, and welfare of the surrounding neighborhood and the requested variance appears to be the minimum variance that is required to permit the proposed swimming pool and deck.
  8. Research of the public records indicates that there have been setback variances granted for this subdivision.

#### **F. RECOMMENDATION**

The Board is advised that this application for a setback variance is in order and qualifies for an action of approval for a rear yard setback variance of 10 ft. to reduce the setback requirement from 35 ft. to 25 ft. and an east side yard setback variance of 4 ft. to reduce the setback requirement from 15 ft. to 11 ft. to permit the proposed swimming pool and deck. If the Board concurs and approval is granted, authorization is requested for the Chairman to sign the variance resolution which has been prepared for this agenda item with an attached survey that provides an illustration of the proposed improvements and reduced setback.

#### **G. OTHER SUBMITTAL REQUIREMENTS**

Fees for this application are calculated as follows:

<i>Fee type:</i>	<i>Fee amount:</i>	<i>Fee payment:</i>	<i>Balance due:</i>
<i>Variance application fees:</i>	\$690.00	\$690.00	\$0.00
<i>Advertising fees:</i>	\$TBD	\$0.00	\$TBD

#### **H. ATTACHMENTS**

1. Sample letter notice.
2. Newspaper ad for January 28, 2021 meeting.
3. Application (copies provided to the Board and available for inspection in the offices of the Martin County Growth Management Department, Development Review Division)



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

**[REGARDING THE APPLICATION OF  
EDWARD AND STEPHANIE PEARSON  
FOR A ZONING SETBACK VARIANCE ON PROPERTY LOCATED AT 8551 SE  
DRIFTWOOD STREET WITHIN THE HR-1 SINGLE-FAMILY RESIDENTIAL DISTRICT]**

**WHEREAS, THIS BOARD HAS MADE THE FOLLOWING DETERMINATIONS OF  
FACTS:**

1. Edward and Stephanie Pearson have submitted a variance application to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code for the HR-1, Single-family Residential District to permit the construction of a swimming pool and deck on Lot 33, North Hobe Sound Shores according to the Plat thereof, recorded in Plat Book 3, Page 49, of the Public Records of Martin County, Florida. The subject property is located at 8551 SE Driftwood Street, Hobe Sound, Florida.

2. This Board considered this application to reduce the setback requirements at a public hearing on January 28, 2021.

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 rear yard setback variance of 10 ft. is approved to reduce the setback requirement from 35 ft. to 25 ft. and an east side yard variance of 4 ft. is approved to reduce the setback requirement from 15 ft. to 11 ft. to permit the construction of a swimming pool and deck. as set forth on the survey 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 28TH DAY OF JANUARY, 2021.**

**ATTEST:**

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

**BY: \_\_\_\_\_  
DENISE JOHNSTON  
SECRETARY**

**BY: \_\_\_\_\_  
TRAVIS WADDELL, CHAIRMAN**

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

**BY: \_\_\_\_\_  
KRISTA A. STOREY  
SENIOR ASSISTANT COUNTY ATTORNEY**

Exhibit A Legal Description  
Exhibit B site plan

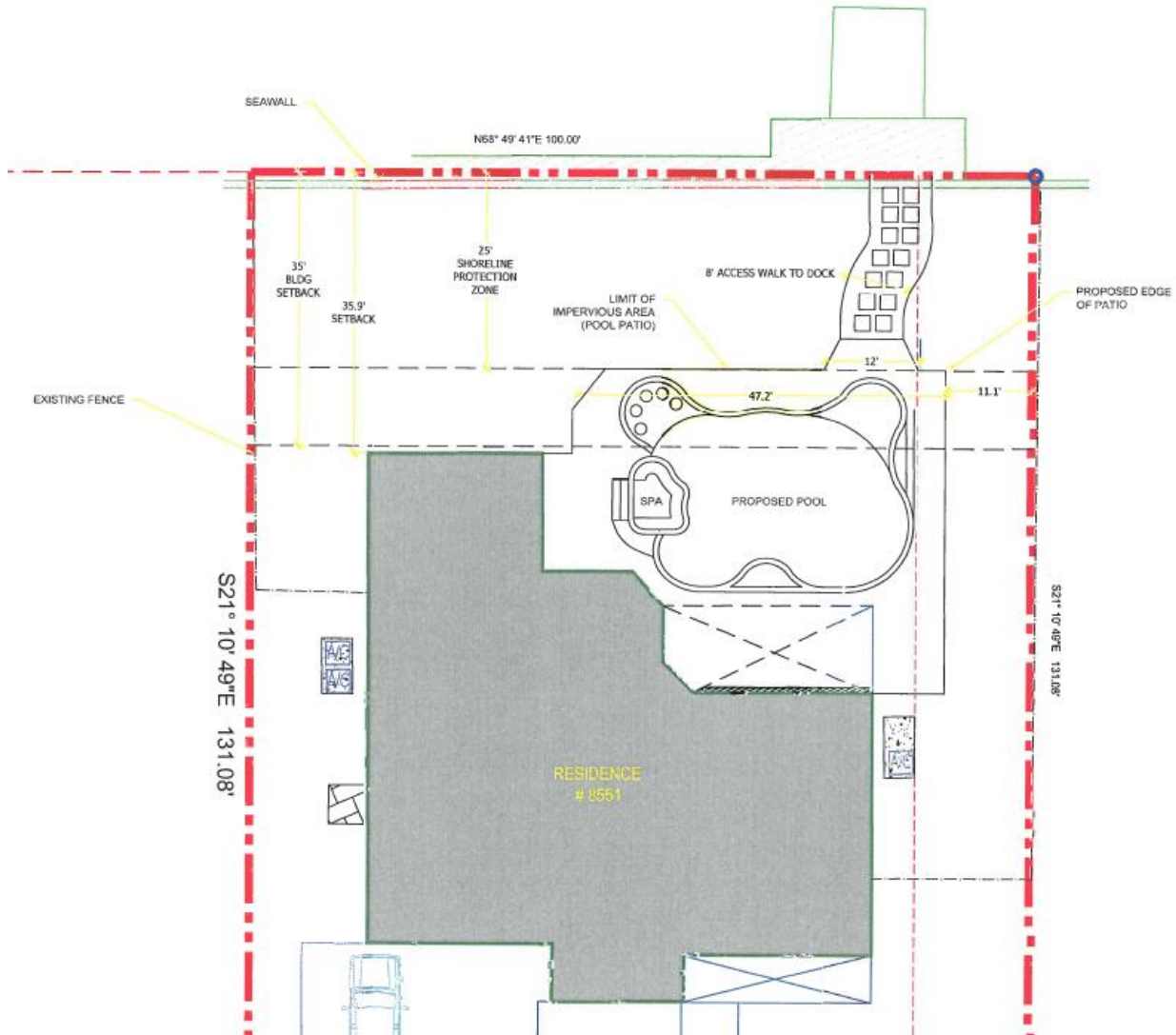
## **Exhibit A**

Lot 33, of NORTH HOBE SOUND SHORES, according to the map or plat thereof as recorded in Plat  
Book 3, Page 49, of the Public Records of Martin County, Florida.

## EXHIBIT B

SITE IMPROVEMENT EXHIBIT

SCALE: 1"=10'

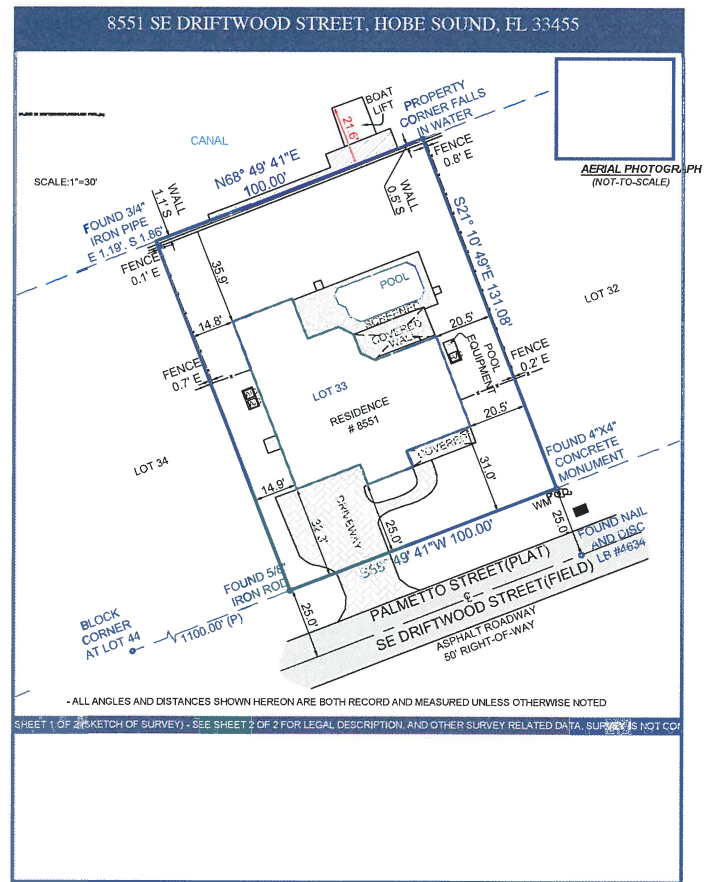




EXISTING PROPERTY AERIAL

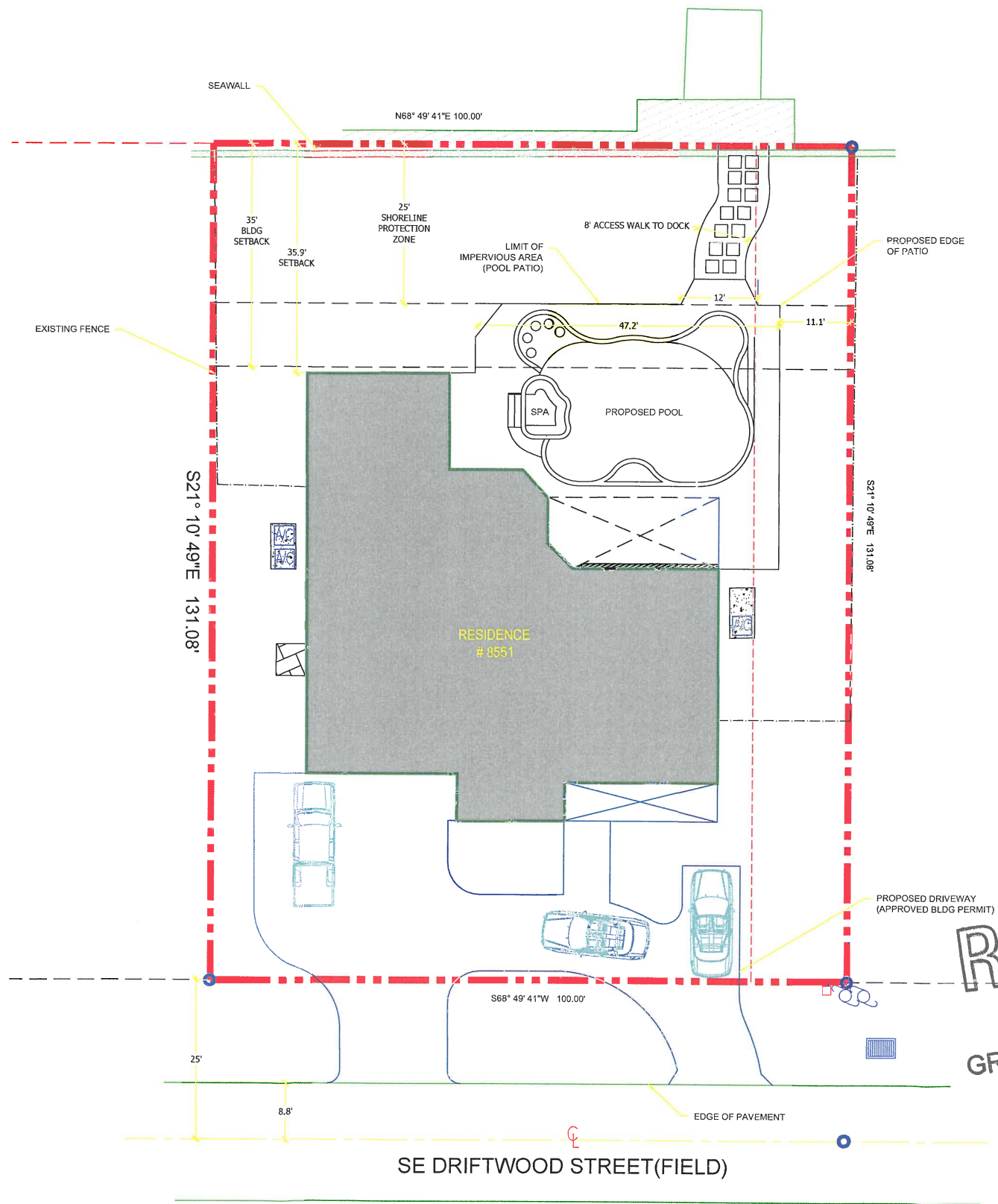


EXISTING PROPERTY SURVEY



SITE IMPROVEMENT EXHIBIT

SCALE: 1"=10'



4509 S.E. COMMERCE AVENUE  
STUART, FL 34997  
772-419-8141  
WWW.LIVEORGANICSOLUTIONS.COM

PEARSON RESIDENCE  
DRIVEWAY IMPROVEMENT PLAN  
8551 SE DRIFTWOOD ST. HOBE SOUND FL

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DEPARTMENT

REVISIONS	
DATE:	INIT.
07/16/20	AGB
N	
DRAWN BY:	AGB
CHECKED BY:	AGB
SCALE:	AS NOTED
DRAWING DATE:	12/18/20
1 OF 1	

**MICHAEL J. McCLUSKEY**  
Board Certified Business Litigation (2008-2019)  
**RAYMOND G. ROBISON**  
LL.M. - Master of Laws in Taxation  
**J. HENRY CARTWRIGHT**  
Board Certified Condominium and  
Planned Development Lawyer  
**ADAM G. SCHWARTZ**  
**TYSON J. WATERS**  
Board Certified Real Estate Lawyer  
**FREDERIK W. van VONNO (1951-2017)**  
Board Certified City, County &  
Local Government Lawyer

3461 SE Willoughby Boulevard  
Stuart, Florida 34994

Telephone:  
(772) 287-4444

Fax:  
(772) 283-4637

[www.foxmccluskey.com](http://www.foxmccluskey.com)

**ANTHONY D. GEORGE, JR.**

**VALERIE A. CHESNUT**  
**DOROTHY ANN A. DLUGOLECKI**  
**PHILIP W. GROSSIDIER**  
LL.M. - Master of Laws in Taxation

Of Counsel:  
**GEORGE W. BUSH, JR. (1964 – 2019)**  
Board Certified Business Litigation Lawyer  
Board Certified Condominium  
& Planned Development Lawyer  
**M. LANNING FOX**  
Board Certified Real Estate Lawyer  
**ROBERT A. GOLDMAN**

December 23, 2020

Paul Schilling  
Deputy Director, Growth Management Department  
Martin County Board of County Commissioners  
2401 SE Monterey Boulevard  
Stuart, Florida 34994

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**DEC 23 2020**  
**GROWTH MANAGEMENT**  
**DEPARTMENT**

Re: Edward and Stephanie Pearson – Martin County Board of Zoning Adjustments Variance  
Application; Narrative

Dear Paul:

Please find enclosed the variance application, and supporting documents, filed on behalf of Edward and Stephanie Pearson (“Applicant”). The Applicant is the owner of the property located at 8551 SE Driftwood Street, Hobe Sound, Florida 33455 (“Property”). The Applicant is requesting a variance in order to permit an uncovered, unenclosed pool and patio on the Property.

The Applicant is requesting a variance to the rear setback for the Property, reducing the setback from 35 feet to 25 feet, and to one of the side setbacks, reducing the setback from 15 feet to 11 feet. The 25 foot setback is the “normal” rear setback for parcels in the HR-1 zoning district, with the exception of parcels located on certain waterbodies. Because the Property is located off an Intracoastal canal, they are subject to the greater 35 foot rear setback for development purposes. The 15 foot side setback is one of the more stringent setbacks for any residentially zoned parcel.

The requested setback variance is common with this parcels on finger canals off Gomez and the granting of the variance would be in harmony with the neighboring properties and with other variances granted to other similarly situated property owners.

Enclosed with this cover letter are the following supporting documents to the variance request:

1. Development Review Application (for Variance);
2. Digital Submission Affidavit;
3. Limited Power of Attorney;
4. Warranty Deed;
5. Certificate of No-Transfer;

6. Justification Statement;
7. Location Map;
8. Site Sketch;
9. Plat;
10. Certified List of Property Owners within 300 feet of Subject Property;
11. Aerials of Subject Property;
12. Zoning Map;
13. Disclosure of Interest Affidavit; and
14. Variance Application fee in the amount of \$690.00.

Should you or any Board member have any questions please do not hesitate to contact me. We would respectfully request that this application be placed on the March Board of Zoning Adjustments meeting.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Tyson J. Waters', with a stylized flourish at the end.

Tyson J. Waters, Esq.

Enclosures



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)

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DEPARTMENT

## DEVELOPMENT REVIEW APPLICATION

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### A. GENERAL INFORMATION

Type of Application: Variance

Name or Title of Proposed Project: Pearson Variance

#### Brief Project Description:

See Attached.

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

Is there Previous Project Information? ☐ YES/NO ☒

Previous Project Number if applicable: N/A

Previous Project Name if applicable: N/A

#### Parcel Control Number(s)

34-38-42-027-000-00330-1

### B. PROPERTY OWNER INFORMATION

Owner (Name or Company): Edward and Stephanie Pearson

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

Address: 8551 SE Driftwood Street

City: Hobe Sound, State: FL Zip: 33455

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



**C. PROJECT PROFESSIONALS**

**Applicant (Name or Company):** Edward and Stephanie Pearson

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

Address: 8551 SE Driftwood Street

City: Hobe Sound, State: FL Zip: 33455

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

**Agent (Name or Company):** Fox McCluskey Bush Robison, PLLC

Company Representative: Tyson Waters, Esq.

Address: 3461 SE Willoughby Blvd.

City: Stuart, State: FL Zip: 34994

Phone: 772-287-4444 Email: twaters@foxmmcluskey.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):** \_\_\_\_\_

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

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

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

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

**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):** Fox McCluskey Bush Robison, PLLC

Company Representative: Tyson Waters, Esq.

Address: 3461 SE Willoughby Blvd.

City: Stuart, State: FL Zip: 34994

Phone: 772-287-4444 Email: twaters@foxmccluskey.com

**Environmental Planner (Name or Company):** \_\_\_\_\_

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

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

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

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

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

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

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

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

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

### D. Certification by Professionals

Section 10.2.D.7., Article 10, Development Review Procedures, Land Development Regulations (LDR), Martin County Code (MCC) provides the following:

When reviewing an application for a development permit that is certified by a professional listed in s. 403.0877, F.S., the County shall not request additional information from the application more than three times, unless the applicant waives the limitation in writing. If the applicant believes the request for additional information is not authorized by ordinance, rules, 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.

E. 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.

[Signature]      SPearson      12/21/20  
Applicant Signature      STEPHANIE PEARSON      Date

Edward W. Pearson, MD  
Printed Name

NOTARY ACKNOWLEDGMENT

STATE OF: Florida      COUNTY OF: Martin

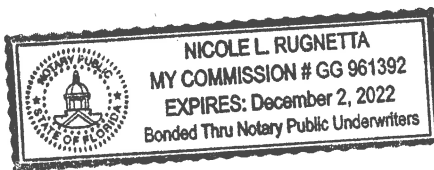
I hereby certify that the foregoing instrument was acknowledged before me this 21 day of December, 20 20, by Edward & Stephanie Pearson.

He or She    is personally known to me or X has produced FL DR Licenses as identification.

Nicole Rugnetta  
Notary Public Signature

Nicole Rugnetta  
Printed name

STATE OF: Florida      at-large





Martin County 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)

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DEC 23 2020

GROWTH MANAGEMENT  
 DEPARTMENT

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## Digital Submittal Affidavit

I, Tyson Waters, attest that the electronic version included for the project Pearson Variance 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.

[Signature]  
 Applicant Signature  
 Agent

12/21/2020  
 Date

## NOTARY ACKNOWLEDGMENT

STATE OF: Florida COUNTY OF: Martin

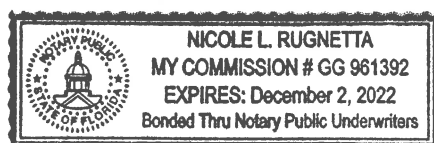
I hereby certify that the foregoing instrument was acknowledged before me this 21 day of December, 2020, by Tyson Waters.

He or She X is personally known to me or \_\_\_ has produced \_\_\_ as identification.

Nicole Rugnetta  
 Notary Public Signature

Nicole Rugnetta  
 Printed name

STATE OF: Florida at-large





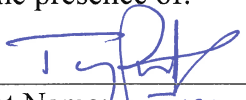
**LIMITED POWER OF ATTORNEY**


KNOW ALL MEN BY THESE PRESENTS, that we, Edward W. Pearson and Stephanie E. Pearson, do by these presents hereby make, constitute and appoint Tyson J. Waters, Esquire, and Fox McCluskey Bush Robison, PLLC, as our attorneys-in-fact to represent us and to execute, acknowledge, and deliver in our names documents and instruments, as our attorneys-in-fact may deem proper, as well as represent us at any hearings and meetings, that may be required to obtain a variance from the Martin County Land Development Regulations, and other laws, rules and regulations, as may be applicable, for the following described real property:

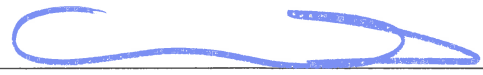
**Lot 33, of NORTH HOBE SOUND SHORES, according to the Plat thereof, as recorded in Plat Book 3, Page 48, of the Public Records of Martin County, Florida.**

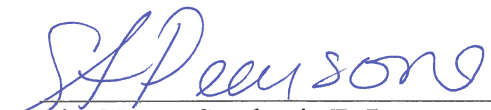
IN WITNESS WHEREOF, we have set our hands and seal this 21 day of December, 2020.

Signed, Sealed and delivered  
In the presence of:

  
\_\_\_\_\_  
Print Name: TYSON WATERS  
Witness (as to both)

  
\_\_\_\_\_  
Print Name: Nicole Rugnetta  
Witness (as to both)

  
\_\_\_\_\_  
Print Name: Edward W. Pearson

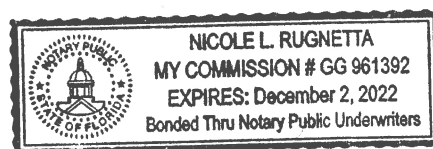
  
\_\_\_\_\_  
Print Name: Stephanie E. Pearson

STATE OF Florida  
COUNTY OF Martin

The foregoing instrument was acknowledged before me by means of [☒] physical presence or [ ] online notarization, this 21 day of December, 2020, by Edward W. Pearson and Stephanie E. Pearson, who are personally known to me or have produced FL Dr Licenses as identification.

  
\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Print, type or stamp commissioned  
Name of Notary Public  
My Commission expires:





Recorded in Martin County, FL 8/5/2019 4:13 PM  
Carolyn Timmann, Clerk of the Circuit Court & Comptroller  
Rec Fees: \$18.50 Deed Tax: \$8,400.00  
CFN#2768631 BK 3075 PG 1050 PAGE 1 of 2

RECEIVED

DEC 23 2020

GROWTH MANAGEMENT  
DEPARTMENT

THIS INSTRUMENT PREPARED BY  
AND RETURN TO:  
Nancy T. Hammaond  
Shore to Shore Title LLC  
6111 Broken Sound Parkway NW Ste. 350  
Boca Raton, Florida 33487

Property Appraisers Parcel I.D. #:  
34-38-42-027-000-00330-1

SPACE ABOVE THIS LINE FOR RECORDING DATA

THIS WARRANTY DEED, made the 27<sup>th</sup> day of June, 2019, by Golden Bridge Property Investment LLC, a Florida Limited Liability Company, whose post office address is 15248 Evergreen Oak Loop, Winter Garden, FL 34787, herein called the Grantor, to Edward W. Pearson and Stephanie E. Pearson, husband and wife, whose post office address is 8551 SE Driftwood Street, Hobe Sound, FL 33455, hereinafter called the Grantee:

*(Wherever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations)*

**WITNESSETH:** That the grantor, for and in consideration of the sum of TEN AND 00/100'S (\$10.00) Dollars and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee all that certain land situate in MARTIN County, State of Florida, viz.:

**Lot 33, of NORTH HOBE SOUND SHORES, according to the Plat thereof, as recorded in Plat Book 3, Page 49, of the Public Records of Martin County, Florida.**

**Subject to easements, restrictions and reservations of record and to taxes for the year 2019 and thereafter.**

**TOGETHER,** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**TO HAVE AND TO HOLD,** the same in fee simple forever.

**AND,** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2018.

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

Signed, sealed and delivered in the presence of:

Witness #1 Signature

Witness #1 Printed Name

Witness #2 Signature

Witness #2 Printed Name

**Golden Bridge Property Investment LLC, a  
Florida Limited Liability Company**

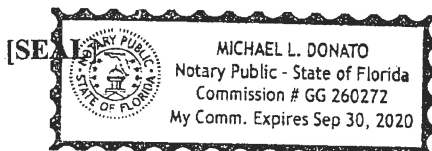
By: \_\_\_\_\_

Sheng Luo, Manager

STATE OF FLORIDA

COUNTY OF ORANGE

The foregoing instrument was acknowledged before me this 27 day of June, 2019 by Sheng Luo, Manager of Golden Bridge Property Investment LLC, a Florida Limited Liability Company, on behalf of the company/corporation, who is personally known to me or has produced FLORIDA DRIVER LICENSE as identification.



Michael L. Donato  
Notary Public

MICHAEL L. DONATO  
Printed Notary Name

My Commission Expires:

9.30.2020

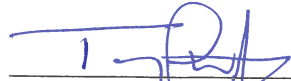
RECEIVED

DEC 23 2020

**CERTIFICATE OF NO-TRANSFER** GROWTH MANAGEMENT  
DEPARTMENT

Based upon a search of the public records available on the Martin County Clerk of Court's website as of the date provided below, there have been no transfers of the property owned by Edward W. Pearson and Stephanie E. Pearson, having Parcel Identification Number of 34-38-42-027-000-00330-1, and legally described on Exhibit "A" attached hereto and made a part hereof, since that certain deed dated June 27, 2019, and recorded on August 5, 2019, in Official Records Book 3075, Page 1050, of the Public Records of Martin County, Florida.

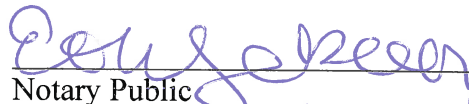
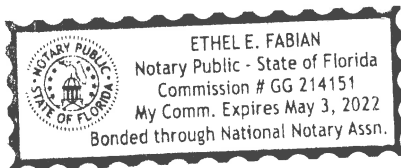
DATED this 23<sup>rd</sup> day of December, 2020.



Tyson J. Waters, Esq.  
Attorney for Applicant

STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing was acknowledged before me by means of [ ☒ ] physical presence or [ ☐ ] online notarization, this 23<sup>rd</sup> day of December, 2020, by Tyson J. Waters, who is personally known to me or who has produced WJA as identification.



Notary Public

Print Name: Ethel E. Fabian

Commission No.: 214151

Commission Expires: 5/3/2022



EXHIBIT "A"

Lot 33, of NORTH HOBE SOUND SHORES, according to the Plat thereof, as recorded in Plat Book 3, Page 49, of the Public Records of Martin County, Florida.

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DEC 23 2020  
GROWTH MANAGEMENT  
DEPARTMENT

DEC 23 2020

## JUSTIFICATION STATEMENT

GROWTH MANAGEMENT  
DEPARTMENT

**1. That 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.**

*Statement:* The subject property was platted in 1956. Special conditions and circumstances exist which are peculiar to the land and proposed structure involved and such conditions and circumstances are not applicable to other lands or structures in the HR-1 zoning district. The HR-1 zoning district is one of the most restrictive residential zoning districts in Martin County, requiring a front setback of 35 feet, a rear setback of 25 feet and a side setback of 15 feet. Specific to the subject property, because the property abuts an Intracoastal canal, the rear setback is 35 feet instead of the already restrictive 25 feet common with other parcels in the same zoning district.

Granting of the variance will allow the Applicant the ability to construct an unenclosed, uncovered pool and patio on the property consistent with surrounding property owners in this portion of Hobe Sound.

**2. The literal interpretation of the provisions of the land development regulations or zoning resolution would deprive the applicant of rights commonly enjoyed by the other properties in the same district under the terms of the land development regulations or zoning resolution.**

*Statement:* The literal interpretation of the provisions of the LDRs will deprive the Applicant rights commonly enjoyed by other properties in the same or similar zoning districts. A literal interpretation of the LDRs apply a more restrictive rear setback on the subject property, that is only applicable to parcels on the water. Even then, such setback is one of the most restrictive residential setbacks in the County and in excess of what is typically required for waterfront property in other zoning districts. The side setback is also one of the most restrictive residential setbacks in Martin County for any other zoning district, with side setbacks typically range between six feet to 10 feet in residential zoning districts. The Applicant is requesting a side setback reduction to 11 feet. Approval of the requested variance will allow the Applicant to construct an unenclosed, uncovered pool and patio area consistent with other properties in the vicinity of the subject property.

**3. The special conditions and circumstances do not result from the actions of the applicant.**

*Statement:* The special conditions and circumstances do not result from the actions of the Applicant. The subject property was platted in 1956. The conditions and circumstances that prohibit the Applicant from constructing a structure otherwise permitted is the result of the lot being located on a canal, in a very restrictive zoning district. The Applicant is requesting only approval for a reduction in the rear setback to 25 feet, which is the standard setback for the zoning district of other parcels, and one of the side setbacks to 11 feet, which is still greater than most side setback requirements for other residential zoning districts.

**4. The granting of the requested variance will not confer on the applicant any special privilege that is denied by the land development regulations or zoning resolution to owners of other lands, structures or buildings in the same district.**

Statement: *The granting of the requested variance will not confer on the Applicant any special privilege that is denied by the LDRs or zoning resolution to owners of other lands, structures or buildings in the HR-1 zoning district. To the contrary, the denial of the requested variance will deny the Applicant rights and privileges enjoyed by other property owners of lands in the HR-1 zoning district. The variance requested is frequently requested by parcel owners in this area of the County and on lots adjacent to the canals.*

**5. The granting of the variance is the minimum variance that will make possible the reasonable use of land, building or structure.**

Statement: *The granting of the variance is the minimum variance that will make possible the reasonable use of the rear portion of the subject property. The Applicant is requesting a variance to reduce the rear setback to 25 feet, which is the standard rear setback for this zoning district, and to reduce one of the side setbacks to 11 feet.*

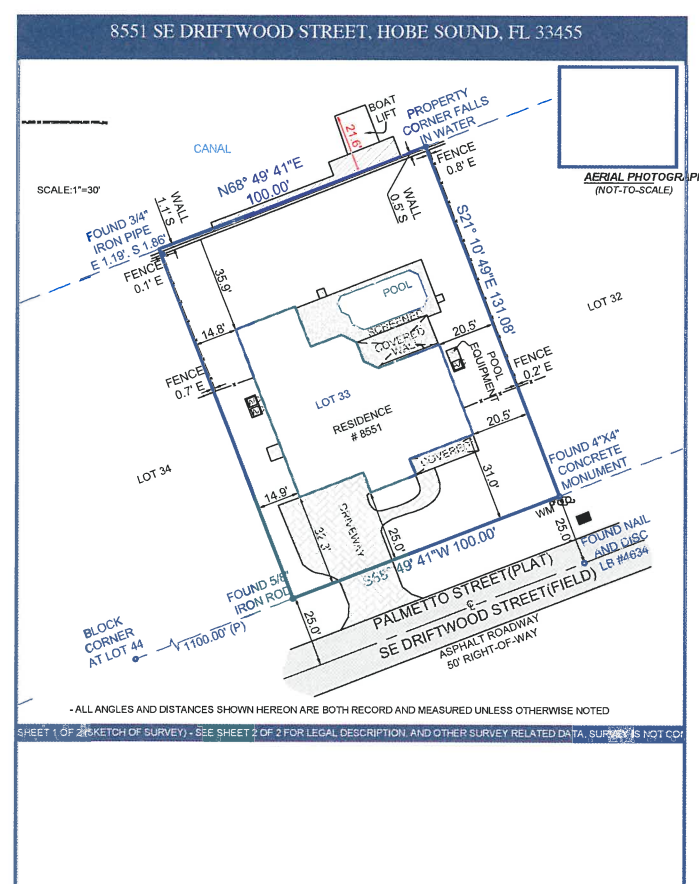
**6. The granting of a variance will be in harmony with the general purpose and intent of the land development regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.**

Statement: *The granting of the variance will be in harmony with the general purpose and intent of the LDRs, as the proposed structure meets or exceeds all of the HR-1 zoning setbacks. The variance will not be injurious to the neighborhood, or otherwise detrimental to the public welfare, as the proposed uncovered, unenclosed pool and patio is consistent with other similar improvements in the neighborhood and throughout this area of Hobe Sound.*

### EXISTING PROPERTY AERIAL

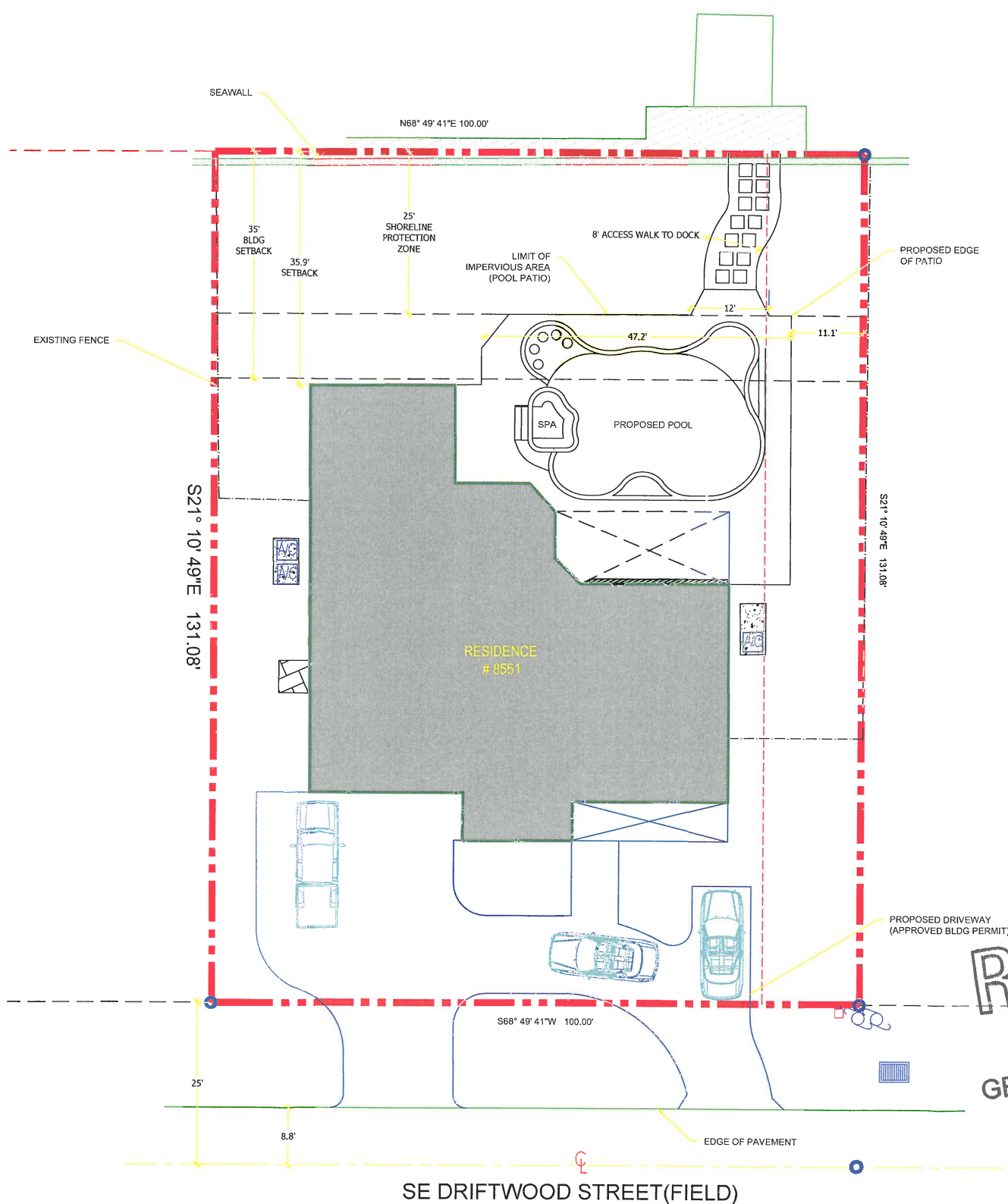


### EXISTING PROPERTY SURVEY



## SITE IMPROVEMENT EXHIBIT

SCALE: 1"=10'



4509 S.E. COMMERCE AVENUE  
STUART, FL 34997  
**772-419-8141**  
[WWW.LIVEORGANICSOLUTIONS.COM](http://WWW.LIVEORGANICSOLUTIONS.COM)

PEARSON RESIDENCE  
DRIVEWAY IMPROVEMENT PLAN  
8551 SE DRIFTWOOD ST. HOBE SOUND FL

DRIVEWAY  
(LDG PERMIT)


**RECEIVED**

DEC 23 2020

GROWTH MANAGEMENT  
DEPARTMENT

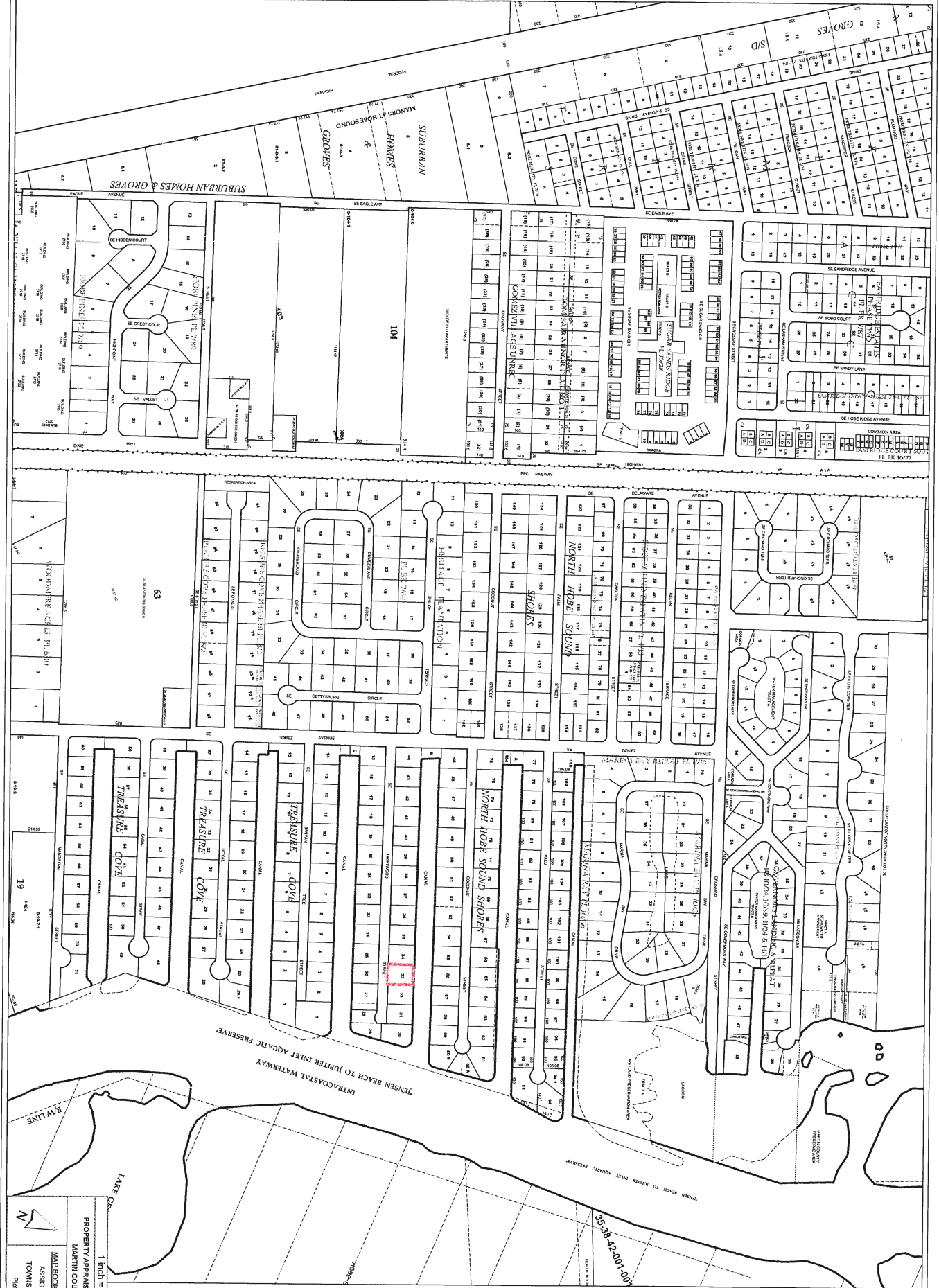
REVISIONS	
DATE:	INIT.
07/16/20	AGB

N



DRAWN BY:	AGB
CHECKED BY:	AGB
SCALE:	AS NOTED
DRAWING DATE:	12/18/20

1 OF 1



1 inch = 200 feet  
PROPERTY APPRAISER ASSESSMENT MAP  
MARTIN COUNTY, FLORIDA  
MAP BOOK SERIES - GOMER GRANT  
ASSIGNED SEC. 34 (G-6)  
TOWNSHIP 38S RANGE 42E  
PLOT DATE: 11/23/2020

- Legend**
- SECTION/COUNT
  - EASEMENT
  - PARCEL
  - LOT COMBINE
  - PARCEL SHORE
  - RAILROAD ROW
  - ROAD ROW
  - SUBMERGED
  - METES AND BOUNDS
  - LOT NUMBERS
  - (UNRECORDED LOT)

**Disclaimer**  
Public information data is furnished by the Martin County Property Appraiser's office, and must be accepted and used by the recipient with the understanding that this office makes no warranties, expressed or implied, as to the correctness, accuracy, reliability, completeness, usefulness, suitability and/or timeliness of information or links herein.  
This data is not certified. This data does not include any owners who qualify for confidentiality pursuant to FS 119.071 & 119.072. This office assumes no liability associated with the use or misuse of such data.



THIS PLAT FILED FOR  
RECORD IN THE  
CLERK'S OFFICE OF THE  
COUNTY COURT OF  
PALM BEACH COUNTY,  
FLORIDA, THIS 10TH DAY OF  
JUNE, 1956, AT 10:00 A.M.

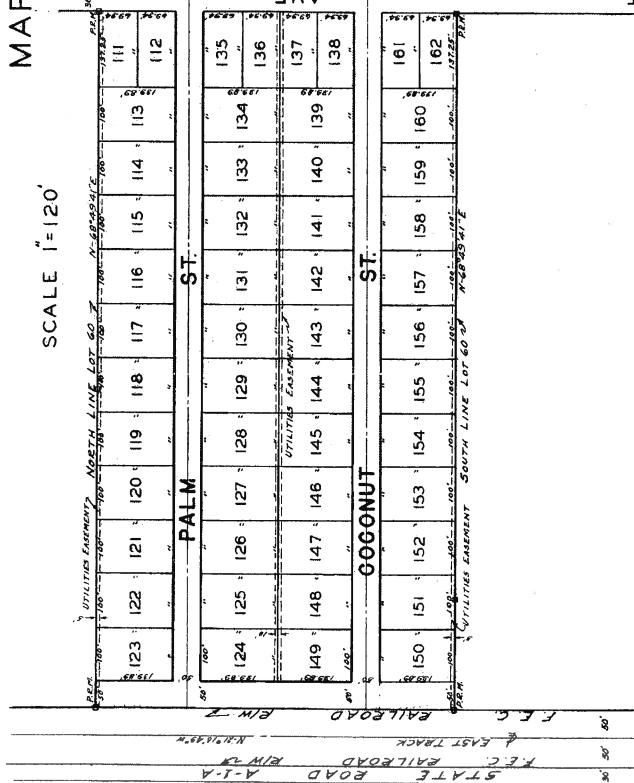
# NORTH HOBE SOUND SHORES

A SUBDIVISION OF LOT 23, LESS NORTH 10 FEET, LOT 22 & NORTH 4 ACRES OF LOT 21 BEING ALSO DESCRIBED AS THE NORTH 108.15 FEET OF LOT 21 & ALL OF LOT 60 WEST OF RIVER, PLAT OF GOMEZ GRANT & JUPITER ISLAND, PLAT BK.1, PGE. 80, PUBLIC RECORDS OF PALM BEACH COUNTY.

MARTIN COUNTY, FLORIDA.

SCALE 1"=120'

JUNE, 1956.



## DEDICATION

STATE OF FLORIDA }  
COUNTY OF MARTIN }  
KNOW ALL MEN BY THESE PRESENTS THAT RANDSON B. TILTON AND BETTE W. TILTON, HIS WIFE, OWNERS OF THE LAND SURVEYED AND SHOWN HEREON AND TITLED "NORTH HOBE SOUND SHORES" HAVE CAUSED SAID LAND TO BE SURVEYED AND SUBDIVIDED AS SHOWN HEREON, AND DO HEREBY DEDICATE, TO THE PERPETUAL USE OF THE PUBLIC, THE ROADS AND PURPOSES STATED THEREIN.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HAND AND SEAL THIS 30th DAY OF JUNE, A.D., 1956.

## ACKNOWLEDGEMENT

STATE OF FLORIDA }  
COUNTY OF MARTIN }  
BEFORE ME THIS DAY PERSONALLY APPEARED RANDSON B. TILTON AND BETTE W. TILTON, HUSBAND AND WIFE, WELL KNOWN TO ME TO BE THE PERSONS WHO EXECUTED THE FOREGOING INSTRUMENT AND WHO ACKNOWLEDGED TO AND BEFORE ME THAT THEY EXECUTED THE SAME FOR THE USES AND PURPOSES STATED THEREIN.

AT STUART, FLORIDA, THIS 30th DAY OF JUNE, A.D., 1956.

MY COMMISSION EXPIRES August 1, 1967

SUBSCRIBED AND SWORN TO BEFORE ME THIS 20th DAY OF JUNE, A.D., 1956.

NOTARY PUBLIC

MY COMMISSION EXPIRES August 1, 1967

## CERTIFICATE

STATE OF FLORIDA }  
COUNTY OF MARTIN }  
I, CLARENCE E. BAKER, CLERK OF THE COUNTY COURT OF MARTIN COUNTY, FLORIDA, HAVE SURVEYED AND PLATED THE TRACT OF LAND SHOWN HEREON AND THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION THEREOF, TO THE BEST OF MY KNOWLEDGE AND BELIEF, AND THAT PERMANENT REFERENCE MONUMENTS HAVE BEEN PLACED AS PRESCRIBED BY LAW.

CLARENCE E. BAKER

CLERK OF THE COUNTY COURT

NOTARY PUBLIC

MY COMMISSION EXPIRES August 1, 1967

APPROVED July 10th, 1956  
BOARD OF COUNTY COMMISSIONERS

BY CLARENCE E. BAKER  
County Surveyor

STAFFORD  
CIVIL ENGINEER  
LAND SURVEYOR  
STUART, FL.  
DATE July 10, 1956

ANTHONY D. GEORGE, JR.

**MICHAEL J. McCLUSKEY**  
Board Certified Business Litigation (2008-2019)  
**RAYMOND G. ROBISON**  
LL.M. - Master of Laws in Taxation  
**J. HENRY CARTWRIGHT**  
Board Certified Condominium and  
Planned Development Lawyer  
**ADAM G. SCHWARTZ**  
**TYSON J. WATERS**  
Board Certified Real Estate Lawyer  
**FREDERIK W. van VONNO (1951-2017)**  
Board Certified City, County &  
Local Government Lawyer

3461 SE Willoughby Boulevard  
Stuart, Florida 34994

Telephone:  
(772) 287-4444

Fax:  
(772) 283-4637

[www.foxmccluskey.com](http://www.foxmccluskey.com)

**VALERIE A. CHESNUT**  
**DOROTHY ANN A. DLUGOLECKI**  
**PHILIP W. GROSIDIER**  
LL.M. - Master of Laws in Taxation

Of Counsel:  
**GEORGE W. BUSH, JR. (1964 – 2019)**  
Board Certified Business Litigation Lawyer  
Board Certified Condominium  
& Planned Development Lawyer  
**M. LANNING FOX**  
Board Certified Real Estate Lawyer  
**ROBERT A. GOLDMAN**

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DEC 23 2020

GROWTH MANAGEMENT  
DEPARTMENT

December 16, 2020

Re: Ownership Search – Edward and Stephanie Pearson

We certify that a search has been made of the Martin County Property Appraiser's records regarding a 300-foot area surrounding the following described parcel(s) of land: See Exhibit "A" attached hereto and made a part hereof and consisting of the following Parcel Identification Number: 34-38-42-027-000-00330-1.

The apparent property owners of land surrounding the above referenced property within the noted search area, based on the records of the Martin County Property Appraiser's Office, are attached hereto as Exhibit "B," and made a part hereof.

Sincerely,



Tyson J. Waters, Esq.

Enclosures

**Exhibit "A"**

**Legal Description**

**Lot 33, of NORTH HOBE SOUND SHORES, according to the Plat thereof, as recorded in Plat Book 3, Page 49, of the Public Records of Martin County, Florida.**

**RECEIVED**  
**DEC 23 2020**  
**GROWTH MANAGEMENT**  
**DEPARTMENT**







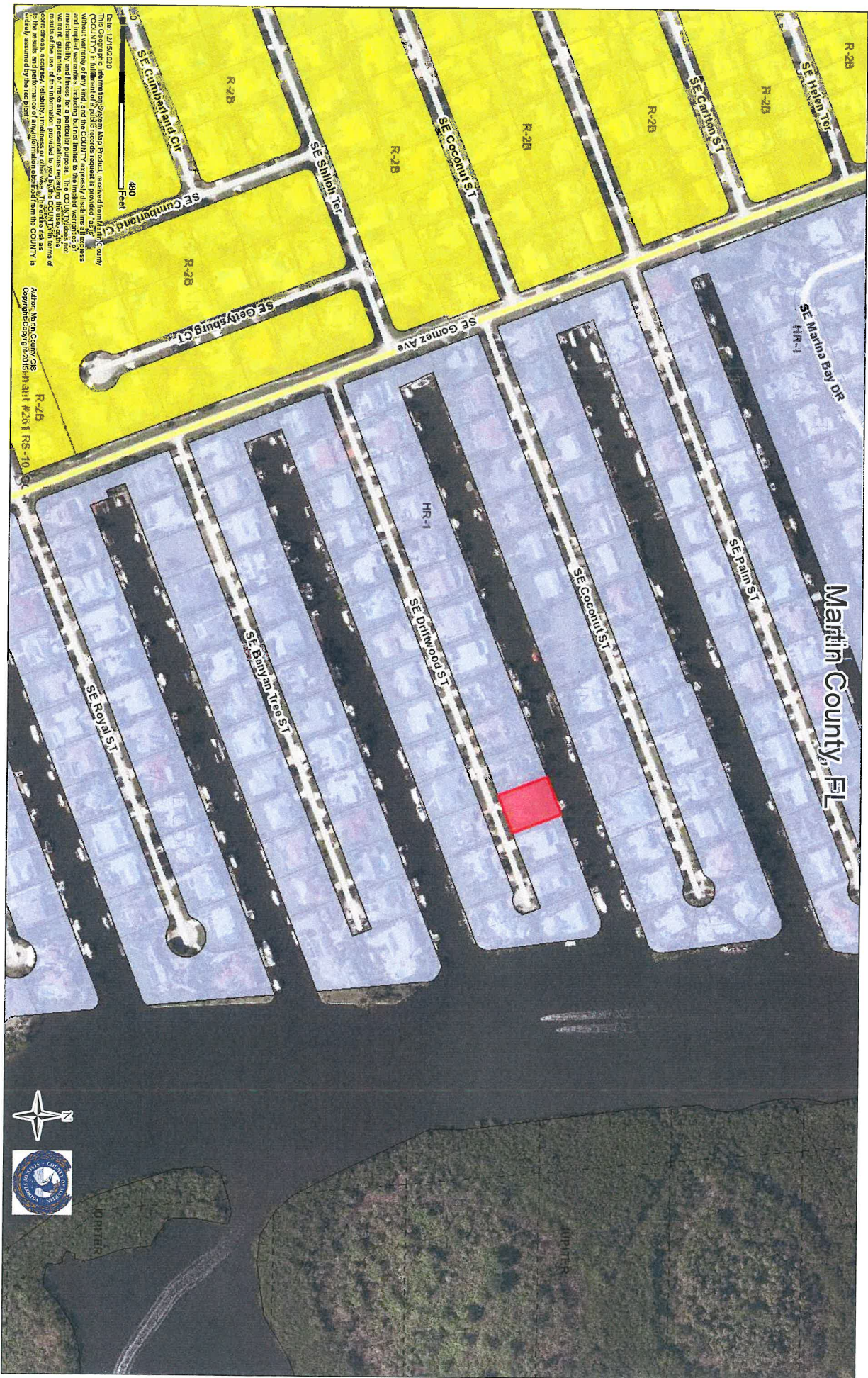




[illegible]

0 1250 Feet





Date: 12/15/2020  
This Geographic Information System Map Product, received from Martin County  
COASTAL CITY, is intended to provide a general overview of the County's  
land use and zoning information. It is not intended to be used for legal  
purposes and should not be relied upon for any legal or financial  
decision. The County does not warrant the accuracy, reliability, or  
completeness of the information provided. The County is not  
responsible for any errors or omissions in this map product.

Author: Martin County, FL  
Copyright: 2020, Martin County, FL  
Map #261 RS-10



## DISCLOSURE OF INTEREST AFFIDAVIT

BEFORE ME, the undersigned authority, duly authorized to take acknowledgments and administer oaths, personally appeared the undersigned person on the date set forth below, who, first being duly sworn, deposes and says under penalties of perjury:

1. That the record property owner(s) of the Real Property described in **Exhibit "A"** to this Affidavit is (are) as follows:

Name	Address
Edward W. Pearson	8551 SE Driftwood Street Hobe Sound, FL 33455
Stephanie E. Pearson	8551 SE Driftwood Street Hobe Sound, FL 33455

(If more space is needed attach separate sheet)

2. That the following is a list of every natural person and entity with any legal or equitable interest in the property (as defined in Section 10.2.B.3. Land Development Regulations, Martin County Code):

Name	Address	Interest
See above.		

(If more space is needed attach separate sheet)



3. That the following is a list of those, who have any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property:

Name	Address	Interest
N/A		

(If more space is needed attach separate sheet)

4. That the following is a list of all other applications for which the applicant has an interest as defined in subsection b. and c. of Section 10.2.B.3. Land Development Regulations, Martin County Code currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.

Application Name and/or Project Number	Names & Addresses of Parties involved	Date	Type of Application	Status of Application*
	N/A			

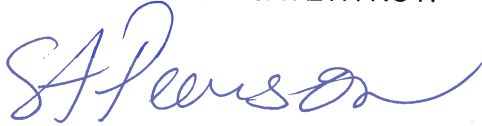
(If more space is needed attach separate sheet)

- Status defined as:  
A = Approved

P = Pending  
D = Denied  
W = Withdrawn

This Affidavit is given for the purpose of establishing compliance with the provisions of Section 10.2.B.3 Land Development Regulations; Martin County Code.

FURTHER AFFIANT SAYETH NOT.

  
STEPHANIE PEARSON

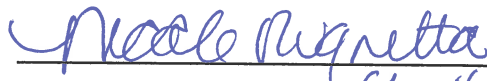
AFFIANT



EDWARD U. PEARSON, MD

STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 21 day of December 2020 by Edward Pearson & Stephanie Pearson, who is personally known to me or have produced FL DL Licenses as identification.

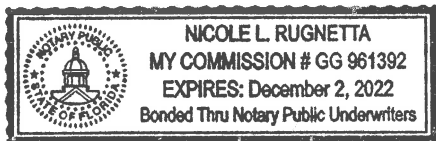


Notary Public, State of Florida

(Notary Seal)

Print Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_



**Exhibit "A"**  
**(Disclosure of Interest and Affidavit)**  
**(Legal Description)**

Lot 33, of NORTH HOBE SOUND SHORES, according to the Plat thereof, as recorded in Plat Book 3, Page 49, of the Public Records of Martin County, Florida.

RECEIVED

DEC 23 2020

GROWTH MANAGEMENT  
DEPARTMENT

**Appendix**  
**Article 10.2.B.3. Article 10, Development Review Procedures**  
**Land Development Regulations; Martin County Code**

**GROWTH MANAGEMENT  
DEPARTMENT**

10.2.B. Application submittal for development approval. Applications for development approval shall comply with the following described procedures:

1. Initiation. A development application shall be filed with the County Administrator by the owner or other person having a power of attorney from the owner to make the application.
2. Acceptance of the application. A development application will be received for processing on any working day.
3. Verification of property ownership. The documents required below are required prior to an application being determined complete. After the application is determined to be complete, the applicant has a continuing obligation to provide revised documents to reflect any changes to the information provided that may occur before and as of the date of the final public hearing or final action on the application.
  - a. Proof of ownership must be provided for any application for any type of development order. The applicant shall provide a copy of the recorded deed for the subject property, and shall certify any subsequent transfers of interests in the property. If the applicant is not the owner of record, the applicant is required to report its interest in the subject property.
  - b. The applicant must disclose the names and addresses of each and every natural person or entity with any legal or equitable interest in the property of the proposed development, including all individuals, children, firms, associations, joint adventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, limited liability company, professional associations and all other groups or combinations.
  - c. For those entities that are a firm, association, joint adventure, partnership, estate, trust, business trust, syndicate, fiduciary, corporation, limited liability company, professional associations and all other groups or combinations thereof, every natural person or entity that enjoys a legal or equitable interest in property of the proposed development shall be disclosed including but not limited to any partners, members, shareholders, trustees, and stockholders.
  - d. The disclosure required in b. and c. above shall not apply to companies that are publicly traded and to consultants and contractors who may perform professional services or work related to the property.
  - e. In addition, the disclosure must include those having any interest in a contract for sale of the property, or a conveyance of any interest in the property, including but not limited to, real estate brokers and salespersons; and any and all mortgagees of the property.
  - f. The applicant must list all other applications for which they have an interest as defined in subsection b. and c. above that is currently pending before Martin County. The list shall include any development applications, waiver applications, road opening applications, and lien reduction requests.
  - g. Any development order, including applications for Planned Unit Developments which was granted or approved based on false or incomplete disclosure will be presumed to have been fraudulently induced and will be deemed by the Martin County Board of County Commissioners to be void ab initio and set aside, repealed, or vacated.



## **SAMPLE LETTER TO SURROUNDING PROPERTY OWNERS**

*(month) (day), (2020)*

*(addressee from the certified property owners list)*  
*(address)*

Subject: Request for a variance by Edward and Stephanie Pearson to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code, for the HR-1, Single-family Residential District to permit the construction of a swimming pool and deck. The subject property is located at 8551 SE Driftwood Street, Hobe Sound, Florida

Legal Description: Lot 33, of NORTH HOBE SOUND SHORES, according to the map or plat thereof as recorded in Plat Book 3, Page 49, of the Public Records of Martin County, Florida.

Dear *(property owner)*:

As a landowner within 300 feet of the property identified in the legal description and shown on the map attached to this letter, please be advised that consideration of a request for a variance as noted above will occur at a public hearing.

The date, time and place of the scheduled hearing are as follows:

### **BOARD OF ZONING ADJUSTMENT**

Date: Thursday, January 28, 2021  
Time: 7:00 P.M. or sooner as it can be heard after this time  
Place: Martin County Administrative Center, Commission Meeting Room, First Floor  
2401 S.E. Monterey Road, Stuart, Florida 34996

All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL, 34996, no later than three days before the hearing date. This notification can be reproduced in an alternative format upon request by contacting the Office of the ADA Coordinator at (772) 320-3131. Persons using a TTY device, please call 711 Florida Relay Services.

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public hearing. In order to be an Intervenor, a person must qualify to receive mailed notice of the subject application in accordance with Section 10.6.E., Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator not less than 7 business days prior to the Board of Zoning Adjustment meeting. No fee will be assessed on Intervenor. If the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating the he/she is authorized to speak for the group. Forms are available on the Martin County website [www.martin.fl.us](http://www.martin.fl.us). Any documentation, including all dvd, cd or video cassette tapes, intended to be proffered as evidence must be submitted to the Growth Management Department at least 7 business days prior to the meeting.

If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council or advisory group, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.

For further information, please call the Growth Management Department at 772-288-5495. All written comments should be sent to Paul Schilling, Growth Management Director, (e-mail: [pschilli@martin.fl.us](mailto:pschilli@martin.fl.us)) or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department.

Sincerely,

*(applicant's name)*

Attachments: Location Map  
Site Plan



Public Notices

LEGAL NOTICE:

The Indian River County Hospital District will hold a Chairman's Meeting on **Wednesday, January 20, 2021 at 10:00 AM** in the District Office Conference Room, 1705 19th Place, Suite G3, Vero Beach, FL 32960. You may also participate via Zoom

Dial in Number: 1 312 626 6799  
Meeting ID: 881 8613 4585  
Passcode: 606463

The Indian River County Hospital District will hold its Regular Monthly Meeting on **Thursday, January 21, 2021 at 4:00 PM** the District Office Conference Room, 1705 19th Place, Suite G3, Vero Beach, FL 32960. You may also participate via Zoom

Dial in Number: 1 312 626 6799  
Meeting ID: 880 3270 7741  
Passcode: 958690

If a person decides to appeal any matter discussed at these public meetings, he or she will need a record of the proceedings, and for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

Pub: January 13, 2021  
TCN4543086

Extra Space Storage will hold a public Auction to sell personal property described below, belonging to those individuals listed below at the location indicated, Extra Space Storage, 9893 US Hwy 1, Sebastian, Florida 32958 Friday, January 29, 2021 2:15 PM. Blaze Howe Household Goods, Sandy Wark Household Goods, Sandy Wark Household Goods. The Auction will be listed and advertised on [www.storagetreasure.com](http://www.storagetreasure.com) purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction. Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property.  
Pub: Jan. 13, 20, 2021  
TCN4537250

**NOTICE**  
Indian River Farms Water Control District will be spraying canals within the District beginning Dec 28, 2020 through January 16, 2020. David E. Gunter Secretary Treasurer  
Publish: Dec. 23, 30, Jan. 6, 13, 2020  
TCN4514993

**SEMI-ANNUAL FREE CHLORINE MAINTENANCE**

Martin County Utilities, City of Stuart and South Martin Regional Utility (SMRU) will temporarily change the method of chlorinating potable water to ensure the future safety of the water. The Utility water users may notice an unusual chlorine taste or odor in their tap water during the period of January 3, 2021 – January 17, 2021.

These temporary conditions will not be harmful to your health; however, if you are on kidney dialysis, you should consult your physician for special instructions concerning this matter. If you have tropical fish or aquatic animals, you should contact your local tropical fish store for advice and take appropriate action to ensure that you have properly treated the water before adding it your aquarium.

The hydrant flushing during this period may cause the water to become cloudy and discolored. This is a temporary condition and should not last more than a few hours.

We apologize for any inconvenience you may experience during this time. Please keep in mind that this is necessary to provide safe water for our customers.

For more information contact Martin County Utilities Customer Service at (772) 221-1434, the City of Stuart Customer Service at (772) 288-5317 or (772) 288-5318 or South Martin Regional Utility (SMRU) Customer Service at (772) 546-2511.

Thank you for your cooperation.  
Pub December 27th 2020, January 2nd-January 17th 2021  
TCN4502381

**Notice to Contractors Florida Department of Transportation Project**  
Bids will be received by the District Four Procurement Office until 10:30 A.M. on Friday, February 5, 2021, for the following proposal in Martin, St. Lucie, and Indian River Counties: E4V03-R0- BDI Sweeping; E4U98 BDI Multi-posting signs; Z4101-R0 P-re-Event Generator & Traffic Signal; Z4103 Pre-Event Sign Repair. Complete letting advertisement information is available on our website at: <https://www.fdot.gov/contracts/d4/default.shtm> click on Friday, February 5, 2021, letting or by calling (954) 777-4612.  
Pub: Jan 6 & 13, 2021  
TCN4531752

An online auction will be held at Storageauctions.com, January 28, 2021 at 7:00 pm. The proceeds will be used to pay delinquent rent and other unpaid charges.

**All units contain household items unless otherwise noted.**

Marion Lewis  
Ashley Koscheky  
Nicole Czerins  
Jenniffer Fontaine  
Pub: January 13, 15, 2021  
TCN 4552048

Public Notices

**Notice Under Fictitious Name Law Pursuant to Section 865.09, Florida Statutes**  
NOTICE IS HEREBY GIVEN that the undersigned, desiring to engage in business under the fictitious name of Savi Air located at 2524 SE Witham Field Dr. #105, in the County of , MARTIN in the City of Stuart, Florida 34996 intends to register the said name with the Division of Corporations of the Florida Department of State, Tallahassee, Florida. Dated at Stuart, Florida, this 8th day of January, 2021, T. Gabe Houston, President GB Airlink, Inc. d/b/a Savi Air January 13, 2021 TCN4546784

**Notice to Contractors Florida Department of Transportation Project**  
Bids will be received by the District Four Procurement Office until 10:30 A.M. on Friday, March 5, 2021, for the following proposal in Martin, St. Lucie, and Indian River Counties: Z4100-R0; – P-re-Event Emergency Roadside Assistance. Complete letting advertisement information is available on our website at: <http://www.dot.state.fl.us/contractsadminstrationdistrict4/> click on March 5, 2021 letting or by calling (954) 777-4612.  
Pub: Jan 6 & 13, 2021  
TCN4531737

Notice is hereby given that Stor-A-Way Indiantown, Indiantown, FL. [www.storawayministorage.com](http://www.storawayministorage.com), will sell the personal property in Units:

Lopez, Dora  
Ball, Wayne  
Friedenheimer, Debbie  
Salazar, Oreste  
Panet Lozada, Rosalyn

An online auction will be held at Storageauctions.com, January 29th, 2021 at 8:00 pm. The proceeds will be used to pay delinquent rent and other unpaid charges.  
Published: 1/6, 1/13/2021  
TCN4530139

Notice is hereby given that Stor-A-Way II, Stuart, FL 34997, [www.storawayministorage.com](http://www.storawayministorage.com), will sell the personal property in Units:

Charlissa Romero  
Daniel Werner

An online auction will be held at Storageauctions.com, January 22nd, 2021 at 8:00 pm. The proceeds will be used to pay delinquent rent and other unpaid charges.  
Published: 1/6, 1/13/2021  
TCN4526019

Chad Harvey MD announces his retirement from his medical practice effective February 1, 2021. Rebecca Prostko MD PA will be the custodian of patient records and is available for continuity of service at 900 East Ocean Blvd #150F Stuart, FL 34994 (772-287-2191) or 938 SE Martin Downs Blvd Palm City, FL 34990 (772-223-6410).  
Publish: Jan. 6, 13, 20, 27, 2021  
TCN4533072

Extra Space Storage will hold a public Auction to sell personal property described below, belonging to those individuals listed below at the location indicated, Extra Space Storage, 9893 US Hwy 1, Sebastian, Florida 32958 Friday, January 22, 2021 2:15 PM. Tyjuan Mcfarlen Household Goods, Ben Martin Household, Yvette Drake Household Goods. The Auction will be listed and advertised on [www.storagetreasures.com](http://www.storagetreasures.com) purchases must be made with cash only and paid at the above referenced facility in order to complete the transaction. Extra Space Storage may refuse any bid and may rescind any purchase up until the winning bidder takes possession of the personal property.  
Pub: Jan. 6, 13, 2021  
TCN4529728

Notice is hereby given that Stor-A-Way II, Stuart, FL 34997, [www.storawayministorage.com](http://www.storawayministorage.com), will sell the personal property in Units:

Charlissa Romero  
Daniel Werner

An online auction will be held at Storageauctions.com, January 22nd, 2021 at 8:00 pm. The proceeds will be used to pay delinquent rent and other unpaid charges.  
Published: 01/06, 01/13/2021  
TCN4526018

**Notice of Meeting**  
Notice of Neighborhood Workshop for property owners within 500 feet of the Heritage Reserve project site, 4600 26th Street. The workshop has been scheduled for Thursday, January 28, 2021 at 6:00 PM at City Hall, Council Chambers - 1053 20th Place.

The purpose of the workshop is to present a conceptual site plan for a residential development and answer questions from the public.

This project was originally approved in 2006 for 780 residential units, but never commenced with construction due to the economic downturn in housing. The 333-acre project will propose 722 residential lots for a density of 2.17 lots per acre.

Questions can be directed to Carter Associates, Inc. at (772) 562-4191.  
Publish: Jan. 13, 2021  
TCN4543547



Public Notices

**BEFORE THE BOARD OF ZONING ADJUSTMENT MARTIN COUNTY, FLORIDA**  
\*\*\*\*\*  
**NOTICE OF PUBLIC HEARING**  
  
Subject: Request for a variance by Gregg and Tinamarie Conzone to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code, for the RM-5, Low Density Residential District to permit the construction of a paver deck and pergola. The subject property is located at 18172 SE Wood Haven Lane, Tequesta, Florida.  
  
Legal Description: Lot 46, North Passage Plat No. 2, according to the map or plat thereof as recorded in Plat Book 11, Page 61, of the Public Records of Martin County, Florida.  
  
Time and Date: 7:00 P.M., or as soon after as the matter may be heard, on Thursday, January 28, 2021  
  
Place: Martin County Administrative Center  
2401 SE Monterey Road  
Stuart, Florida  
  
All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772)-221-1396, or the Office of the County Administrator at (772) 221-2360, or in writing to 2401 SE Monterey Road, Stuart, FL 34996, no later than three days before the meeting date. This notification can be reproduced in an alternative format upon request by contacting the Office of the ADA Coordinator at (772) 221-1396. Persons using a TDD device, please call 711 Florida Relay Services.  
  
When attending a public hearing, a member of the public may speak during the public comment portion of the public hearing. A person may also participate in the public meeting as an Intervenor. An Intervenor may ask questions of the staff, applicant and give testimony on the subject of the public hearing. In order to be an Intervenor, a person must qualify to receive mailed notice of the subject application in accordance with Section 10.6.E, Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator at least 7 business days prior to the BOZA meeting. No fee will be assessed on Intervenor. If the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating that he/she is authorized to speak for the group. Forms are available on the Martin County website [www.martin.fl.us](http://www.martin.fl.us). Any documentation, including all dvd, cd or video cassette tapes, intended to be proffered as evidence must be submitted to the Growth Management Department at least 7 business days prior to the meeting.  
  
If any person decides to appeal any decision made with respect to any matter considered at the meetings or hearings of any board, committee, agency, council or advisory group, that person will need a record of the proceedings and, for such purpose, may need to ensure that a verbatim record of the proceedings is made, which record should include the testimony and evidence upon which the appeal is to be based.  
  
For further information, please call the Growth Management Department at 772-288-5495. All written comments should be sent to Paul Schilling, Growth Management Director, (e-mail: [pschilli@martin.fl.us](mailto:pschilli@martin.fl.us)) or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department.  
Published: 01/13/2021 TCN4540664

**BEFORE THE BOARD OF ZONING ADJUSTMENT MARTIN COUNTY, FLORIDA**  
**NOTICE OF PUBLIC HEARING**  
  
Subject: Request for a variance by Mark Gallagher to reduce the centerline setback requirements pursuant to Section 3.407. R-3A Liberal Multiple-family District., Land Development Regulations (LDR) to permit the construction of a single-family home, garage and pool. The subject property is to be located at 1373 NE Skyline Drive in Jensen Beach, Florida.  
  
Legal Description: Lot 21, Indian River Gardens according to the plat thereof, as recorded in Plat Book 4, Page 70, Public Records of Martin County, Florida.  
  
Time and Date: 7:00 P.M., or as soon after as the matter may be heard, on Thursday, January 28, 2020  
  
Place: Martin County Administrative Center  
2401 SE Monterey Road  
Stuart, Florida  
  
All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 320-3131, or the Office of the County Administrator at (772) 288-5400, or in writing to 2401 SE Monterey Road, Stuart, FL 34996, no later than three days before the meeting date. This notification can be reproduced in an alternative format upon request by contacting the Office of the ADA Coordinator at (772) 320-3131. Persons using a TTY device, please call 711 Florida Relay Services.  
  
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Pub: Jan 13, 2021 TCN4540797

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Public Notices

Public Notices

**BEFORE THE BOARD OF ZONING ADJUSTMENT MARTIN COUNTY, FLORIDA**  
\*\*\*\*\*  
**NOTICE OF PUBLIC HEARING**  
  
Subject: Request for a variance by Michael and Dianna Bach to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code, for the HR-1, Single-family Residential District to permit the construction of a swimming pool and deck and to permit the existing encroachment of the residence. The subject property is located at 8959 SE Hawksbill Way, Hobe Sound, Florida.  
  
Legal Description: Lot 8, Block 7, Replat of Block 7, "The Soundings", according to the map or plat thereof as recorded in Plat Book 5, Page 102, of the Public Records of Martin County, Florida.  
  
Time and Date: 7:00 P.M., or as soon after as the matter may be heard, on Thursday, January 28, 2021  
  
Place: Martin County Administrative Center  
2401 SE Monterey Road  
Stuart, Florida  
  
All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772)-221-1396, or the Office of the County Administrator at (772) 221-2360, or in writing to 2401 SE Monterey Road, Stuart, FL 34996, no later than three days before the meeting date. This notification can be reproduced in an alternative format upon request by contacting the Office of the ADA Coordinator at (772) 221-1396. Persons using a TDD device, please call 711 Florida Relay Services.  
  
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Published: 01/13/2021 TCN4540638

**BEFORE THE BOARD OF ZONING ADJUSTMENT MARTIN COUNTY, FLORIDA**  
**NOTICE OF PUBLIC HEARING**  
  
Subject: Request for a variance by Edward and Stephanie Pearson to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code, for the HR-1, Single-family Residential District to permit the construction of a swimming pool and deck. The subject property is located at 8551 SE Driftwood Street, Hobe Sound, Florida  
  
Legal Description: Lot 33, of NORTH HOBE SOUND SHORES, according to the map or plat thereof as recorded in Plat Book 3, Page 49, of the Public Records of Martin County, Florida.  
  
Time and Date: 7:00 P.M., or as soon after as the matter may be heard, on Thursday, January 28, 2021  
  
Place: Martin County Administrative Center  
2401 SE Monterey Road  
Stuart, Florida  
  
All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772)-221-1396, or the Office of the County Administrator at (772) 221-2360, or in writing to 2401 SE Monterey Road, Stuart, FL 34996, no later than three days before the meeting date. This notification can be reproduced in an alternative format upon request by contacting the Office of the ADA Coordinator at (772) 221-1396. Persons using a TDD device, please call 711 Florida Relay Services.  
  
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Pub: Jan 13, 2021 TCN4540797

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