



Board of County Commissioners

2401 SE Monterey Road
Stuart, Florida 34996

Agenda Item Summary

EXHIBIT # 1

File ID: 21-0748

DPQJ-1

Meeting Date: 6/8/2021

PLACEMENT: Departmental - Quasi-Judicial

TITLE:

REQUEST FOR A VARIANCE TO ALLOW THE ISSUANCE OF A BUILDING PERMIT ON A LEGAL LOT OF RECORD THAT DOES NOT FRONT ON AN OPEN ROAD BUT HAS ACCESS VIA AN EASEMENT

EXECUTIVE SUMMARY:

Pursuant to Section 4.843.K.1.c, Land Development Regulations, this is a request from Island Party Rentals of South Florida, Inc. for a variance to allow the issuance of a building permit on a legal lot of record that does not front on an open road, but has access to an open road established by a recorded easement no more than ¼ mile (1,320 feet) long.

DEPARTMENT: Public Works

PREPARED BY: Name: Thomas Walker, Jr., PSM
Title: County Surveyor

REQUESTED BY: Island Party Rentals of South Florida, Inc.

PRESET:

PROCEDURES: Quasi-Judicial

FILED FOR RECORD
COMMISSION RECORDS
MARTIN COUNTY, FL
Date 6/8/21 Time _____
CAROLYN TIMMANN
CLERK OF CIRCUIT COURT
By [Signature] D.C.

BACKGROUND/RELATED STRATEGIC GOAL:

Pursuant to Section 4.843.K.1.c, Land Development Regulations, Island Party Rentals of South Florida, Inc., has requested that the Board of County Commissioners grant a variance to allow the issuance of a building permit on a legal lot of record that does not front on an open road. The parcel does have access to an open road established by a recorded easement no more than ¼ mile (1,320 feet) long. The parcel is described in Exhibit "A" as the East one-half of Tract 13, Section 34, Township 38 South, Range 40 East, according to the Plat thereof of PALM CITY FARMS, as recorded in Plat Book 6, Page 42, of the Public Records of Palm Beach (no Martin) County, Florida. The only existing structure on the subject parcel is an open pole bar that did not require a building permit.

According to Section 4.843.K.1.c, Land Development Regulations, the Board of County Commissioners may grant a variance that allows a building permit on a lot not fronting an open road provided that the Board determines the following:

1. It is a legal lot of record; and
2. The lot has legal access to an open road that is:
 - a) Reasonable and practical; and

- b) In general conformity to the style and character of the neighborhood; and
- c) Established by recorded easement no more than ¼ mile (1,320 feet) long; and
- 3. The variance does not create an undue burden on the County's provision of public safety or public services.

Staff's analysis of the required determinations follows:

- 1. The subject lot is a legal lot of record originally split in April 2000 in accordance with section 4.911.C.1., Land Development Regulations. The parent Tract 13 was established pursuant to the plat of Palm City Farms recorded in 1916.
- 2. The lot has reasonable and practical access to an open road in conformity with the character of the surrounding neighborhood that does not exceed ¼ mile (1,320 feet) in length. Access to the lot is established by an easement recorded in Official Records Book 2892, Page 1553, Public Records of Martin County, Florida.
- 3. The continued use of the existing driveway by the applicant would not place undue burden on the County's provision of public safety or services.

The Board of County Commissioners has asked to be advised as to whether a parcel associated with a variance request is within the Urban Service District boundary and if the parcel is located within Pal Mar or the Palm Beach Heights subdivisions. The subject parcel is not within the Primary Urban Service District nor is it near Pal Mar or the Palm Beach Heights subdivisions.

ISSUES:

None

LEGAL SUFFICIENCY REVIEW:

Because this request involves the application of a policy specific application and site, it is a quasi-judicial decision. Quasi-judicial proceedings must be conducted with more formality than a legislative proceeding. In quasi-judicial proceedings, parties are entitled - as a matter of due process - to cross examine witnesses, present evidence, demand that witnesses testify under oath, and demand a decision that is based on a correct application of the law and competent substantial evidence in the record.

RECOMMENDED ACTION:

RECOMMENDATION

- 1. Move that the Board receive and file this Agenda Item Summary and all of its attachments for the record as Exhibit 1.
- 2. Move that the Board adopt the Resolution to grant a variance that allows the issuance of building permits on the property described in Exhibit A, subject to a demonstration of compliance with all other applicable criteria.

ALTERNATIVE RECOMMENDATIONS

Direct the staff accordingly.

FISCAL IMPACT:

RECOMMENDATION

None

ALTERNATIVE RECOMMENDATIONS

None

DOCUMENT(S) REQUIRING ACTION:

- ☐ Budget Transfer / Amendment ☐ Chair Letter ☐ Contract / Agreement
☐ Grant / Application ☐ Notice ☐ Ordinance ☒ Resolution
☐ Other:

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March 11, 2021

VIA HAND-DELIVERY

Tom Walker
Martin County Public Works Department
2401 SE Monterey Road
Stuart, FL 34994

Re: **Open Road Frontage Variance Application**
PCN: 343840000013000000
Owner/Applicant: Island Party Rentals of South Florida, Inc.


Dear Mr. Walker:

Our firm represents the owner of the above-referenced Property and submits this Open Road Frontage Variance on its behalf. The Property is located in Palm City Farms, an area of significant residential development, and the neighboring properties to the north, east, and west each have homes on them. However, because this Property and its parent lot do not front an open road, the Board of County Commissioners' approval is required for issuance of a building permit for the Property, pursuant to Section 4.843.K.1.c of the Martin County Land Development Regulations.

The Property is a legal lot of record, having been lawfully split in accordance with Section 4.911.C.1 in April of 2000, and has reasonable and practical access to an open road in conformity with the character of the surrounding neighborhood that does not exceed ¼ mile in length. Continued use of the existing access by the applicant's residence and its western neighbor would not place undue burden on the County's provision of public safety or services. The deed, which describes an easement for access, is enclosed herewith.

The applicant respectfully requests that the Board grant a variance that allows issuance of building permits for the Property. Notice to the fee simple owners of the property encumbered by the private easement will be provided at least fourteen days prior to the Board's hearing this application. Please do not hesitate to contact us should you require anything further in connection with this application.

Very truly yours,


Christen Spake
CLS/dd
cls@mccarthysummers.com

cc: Client

Terence P. McCarthy *
Robert P. Summers *
Steven J. Wood **
Kenneth A. Norman
Nicola J. Boone Melby ***
Owen Schultz
Margaret E. Wood

Donna R. McMillan
Jessica M. VanValkenburgh
Christen Spake
Kimberly A. Ryan
David A. Lewis

*Board Certified
Real Estate Lawyer

**Board Certified Wills,
Trusts & Estates Lawyer

***Board Certified
Elder Law Lawyer



MARTIN COUNTY PUBLIC WORKS DEPARTMENT
OPEN ROAD FRONTAGE VARIANCE REQUEST
 IN ACCORDANCE WITH SECTION 4.843.K
 LAND DEVELOPMENT REGULATION

FOR YOUR REFERENCE THERE IS A PUBLIC MAP SHOWING OPEN ROADS WITHIN MARTIN COUNTY.
 THE MAP CAN BE FOUND HERE: http://geoweb.martin.fl.us/roadway_assets/

INSTRUCTIONS: HAND DELIVER OR MAIL COMPLETED FORM, PAYMENT FOR ROAD OPENING VARIANCE FEE (\$370) AND ALL SUPPORTING DOCUMENTS TO: MARTIN COUNTY SURVEYING DIVISION
 2401 SE MONTEREY ROAD
 STUART, FL 34996

MAKE CHECK PAYABLE TO **MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS**

ROAD OPENING VARIANCE FEE: \$370 (AS SET FORTH IN RESOLUTION NUMBER 16-3.20 BY THE BOARD OF COUNTY COMMISSIONERS)

APPLICANT:

NAME Island Party Rentals of South Florida, Inc. PHONE NO. 772-286-1700
 E-MAIL ADDRESS c/o Terence P. McCarthy, tpm@mccarthysummers.com
 ADDRESS c/o Terence P. McCarthy, Esq. -- 2400 SE Federal Hwy., 4th Floor
 CITY, STATE Stuart FL ZIP CODE 34994

PROPERTY INFORMATION:

PROPERTY ID NUMBER 343840000013000000
 ADDRESS Unassigned.

LEGAL DESCRIPTION East 1/2 of Tract 13, Section 34, Township 38 South, Range 40 East, according to the Plat thereof of Palm City Farms, as recorded in Plat Book 6, Page 42, of the Public Records of Palm Beach (now Martin) County, Florida.

SHOWN ON PLAT (NAME OF SUBDIVISION OR DEVELOPMENT)
Palm City Farms

SUPPORTING DOCUMENTS ATTACHED:

☒ DEED(S)/TITLE REPORT OR COMMITMENT

☐ SURVEY(S)

☒ RECORDED EASEMENT(S)


 APPLICANT'S SIGNATURE

 DATE

INSTR # 2607021
OR BK 2892 PG 1553
(2 Pgs)
RECORDED 11/29/2016 10:15:42 AM
CAROLYN TIMMANN
MARTIN COUNTY CLERK
DEED DOC TAX \$2,348.50

Return To and Prepared By:
Buetens & Buetens Attys.
8965 SE Bridge Rd Suite 10
Hobe Sound, FL 33455
772-546-6633

Property Appraisers Parcel I.D. Number:
34-38-40-000-013000.0-0

WARRANTY DEED

Made this 28th day of November, 2016 by TA ESTATES LLC, a Florida Corporation, whose address is 2575 SE Federal Highway, Suite 102, Stuart, FL 34994, hereinafter called the grantor, to

ISLAND PARTY RENTALS OF SOUTH FLORIDA, INC., a Florida Corporation, whose address is 201 SW Flagler Ave., Stuart, FL 34994, hereinafter called the grantee:

Witnesseth:

that the grantor, for and in consideration of the sum of \$10.00, 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, Florida, viz:

Being the East one-half of Tract 13, Section 34, Township 38 South, Range 40 East, according to the Plat thereof of PALM CITY FARMS, as recorded in Plat Book 6, Page 42, of the Public Records of Pam Beach (now Martin) County, Florida.

TOGETHER WITH an easement hereby granted and created for ingress, egress, drainage and utilities over, upon, under and across the East 30.00 feet of the West 45.00 feet of the East one-half of Tract 4, of said Section, which easement is perpetual and exclusive, and is appurtenant to and shall run with said East one-half of Tract 13, and shall be in favor of Grantees, their successors and assigns forever, and which easement shall burden the East one-half of Tract 4 and binding upon the owners of said East one-half of Tract 4, their successors and assigns forever.

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

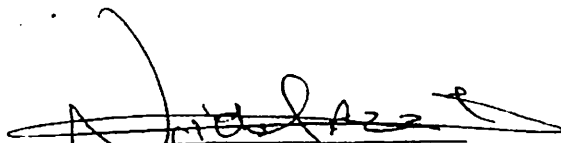
TO HAVE AND TO HOLD,

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; that the grantor hereby fully 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, 2015.

IN WITNESS WHEREOF,

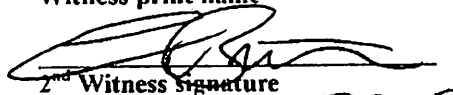
the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:



1st Witness signature

Witness print name



2nd Witness signature

Witness print name




TA ESTATES LLC by
FRANCOIS LAFLAMME, OWNER OF
TA ESTATES LLC

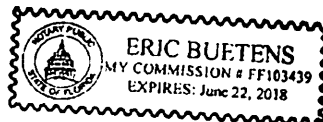
STATE OF FLORIDA
COUNTY OF MARTIN

I HEREBY CERTIFY that on this day, before me, a Notary Public authorized to take acknowledgments in the State and County set forth above, personally appeared ^{FRANCOIS LAFLAMME, OWNER OF} TA ESTATES LLC who 1 is/are personally known to me or X 2 has/have produced FL driver license(s), who executed the foregoing Instrument, and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the State and County aforesaid, this 28th day of November, 2016.



Notary Public, State of Florida
Commission Number and Expiration Date:





**MARTIN COUNTY
PUBLIC WORKS DEPARTMENT
LOCATION MAP**

ISLAND PARTY RENTALS
OF SOUTH FLORIDA, INC.
VARIANCE TO OPEN ROAD
FRONTAGE REQUIREMENT



NOT TO SCALE
2021 AERIAL

EXHIBIT ONLY

01130876

00 APR 28 PM 3:32

Instrument Prepared by and Return to:
Christopher J. Twohey, Esq.
BAUER & TWOHEY, P.A.
312 Denver Avenue
Stuart, FL 34994
(Without Examination of Title)

OCC-DEED # 70 MARSHA STILLER
OCC-MTG # _____ MARTIN COUNTY
OCC-ASM # _____ CLERK OF CIRCUIT COURT
MT TAX # _____ BY mm D.C.

QUIT-CLAIM DEED

THIS QUIT-CLAIM DEED, executed this 11 day of April, 2000, by **ROBERT M. POST, III, a/k/a ROBERT POST, III**, a single man, whose post office address is P.O. Box 518, Indiantown, Florida 34956, first party to **ROBERT M. POST, III**, a single man, whose post office address is P.O. Box 518, Indiantown, Florida 34956, 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:

Being the East one-half of Tract 13, Section 34, Township 38 South, Range 40 East, according to the Plat of **PALM CITY FARMS**, as recorded in Plat Book 6, Page 42, public records of Palm Beach (now Martin) County, Florida.

Subject to an easement for ingress, egress, drainage and utilities over the West 15.00 feet thereof.

TOGETHER WITH an easement for ingress, egress, drainage and utilities over the East 30.00 feet of the West 45.00 feet of the East one-half of Tract 4, of said Section 34.

Containing 5 acres, more or less.

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:

Witness Christopher J. Twohey

Witness Jennifer Martinez

Robert M. Post, III
ROBERT M. POST, III
P.O. Box 518
Indiantown, Florida 34956

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me this 11th day of April, 2000, by **ROBERT M. POST, III, a/k/a ROBERT POST, III**, who is personally known to me or who has/have produced _____ (type of identification) as identification and who did (not) take an oath.



Jennifer Martinez
Notary Public - State of Florida
Notary Print Name: _____

**BEFORE THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA**

RESOLUTION NUMBER _____

**A RESOLUTION GRANTING A VARIANCE TO ALLOW THE
ISSUANCE OF A BUILDING PERMIT ON A LOT NOT
FRONTING AN OPEN ROAD**

WHEREAS, pursuant to Section 4.843.K.1.c, Land Development Regulations, Martin County Code, Island Party Rentals of South Florida, Inc. requested that the Board of County Commissioners grant a variance to allow the issuance of a building permit on the property described in Exhibit A, attached hereto, which does not front on an open road.

WHEREAS, after considering the request on June 8, 2021, the Board of County Commissioners determined that the conditions required by Section 4.843.K.1.c, Land Development Regulations, Martin County Code (LDR, MCC) have been met.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, AS FOLLOWS:

Pursuant to the provisions of Section 4.843.K.1.c, LDR, MCC, a variance is hereby granted to allow the issuance of a building permit on the property described in Exhibit A, which does not front on an open road, subject to a demonstration of compliance with all other applicable criteria.

DULY PASSED AND ADOPTED THIS 8th DAY OF JUNE 2021.

ATTEST:


BOARD OF COUNTY COMMISSIONERS
MARTIN COUNTY, FLORIDA

CAROLYN TIMMANN, CLERK OF THE
CIRCUIT COURT AND COMPTROLLER

STACEY HETHERINGTON, CHAIR

APPROVED AS TO FORM & LEGAL SUFFICIENCY:

SARAH W. WOODS, COUNTY ATTORNEY


 INSTR # 2607021
 OR BK 2892 PG 1553
 (2 Pgs)
 RECORDED 11/29/2016 10:15:42 AM
 CAROLYN TIMMANN
 MARTIN COUNTY CLERK
 DEED DOC TAX \$2,348.50

Return To and Prepared By:
 Buetens & Buetens Attys.
 8965 SE Bridge Rd Suite 10
 Hobe Sound, FL 33455
 772-546-6633

Property Appraisers Parcel I.D. Number:
 34-38-40-000-013000.0-0

WARRANTY DEED

Made this 28th day of November, 2016 by TA ESTATES LLC, a Florida Corporation, whose address is 2575 SE Federal Highway, Suite 102, Stuart, FL 34994, hereinafter called the grantor, to

ISLAND PARTY RENTALS OF SOUTH FLORIDA, INC., a Florida Corporation, whose address is 201 SW Flagler Ave., Stuart, FL 34994, hereinafter called the grantee:

Witnesseth:

that the grantor, for and in consideration of the sum of \$10.00, 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, Florida, viz:

Being the East one-half of Tract 13, Section 34, Township 38 South, Range 40 East, according to the Plat thereof of PALM CITY FARMS, as recorded in Plat Book 6, Page 42, of the Public Records of Pam Beach (now Martin) County, Florida.

TOGETHER WITH an easement hereby granted and created for ingress, egress, drainage and utilities over, upon, under and across the East 30.00 feet of the West 45.00 feet of the East one-half of Tract 4, of said Section, which easement is perpetual and exclusive, and is appurtenant to and shall run with said East one-half of Tract 13, and shall be in favor of Grantees, their successors and assigns forever, and which easement shall burden the East one-half of Tract 4 and binding upon the owners of said East one-half of Tract 4, their successors and assigns forever.

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

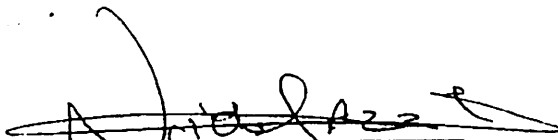
TO HAVE AND TO HOLD,

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; that the grantor hereby fully 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, 2015.

IN WITNESS WHEREOF,

the said grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in our presence:



1st Witness signature

NIDAL AZZ
Witness print name



2nd Witness signature

ERIC BUETENS
Witness print name



TA ESTATES LLC by
FRANCOIS LAFLAMME, OWNER OF
TA ESTATES LLC

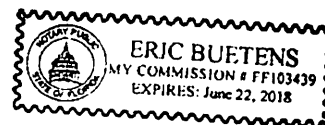
STATE OF FLORIDA
COUNTY OF MARTIN

I HEREBY CERTIFY that on this day, before me, a Notary Public authorized to take acknowledgments in the State and County set forth above, personally appeared ^{FRANCOIS LAFLAMME, OWNER OF} TA ESTATES LLC who 1 is/are personally known to me or X 2 has/have produced FL driver license(s), who executed the foregoing Instrument, and they acknowledged before me that they executed the same.

WITNESS my hand and official seal in the State and County aforesaid, this 28th day of November, 2016.



Notary Public, State of Florida
Commission Number and Expiration Date:



Thomas M. Walker, Jr. PSM

1365 SE Fleming Way

Stuart, Florida 34997

Home: (772) 600-8228

Cell: (772) 528-6843

E-mail: thomasmwalkerjr@gmail.com

PROFESSIONAL:

Professional Surveyor and Mapper (PSM)

December 2011- Present

Registration Number: LS6875

Florida Department of Agriculture and Consumer Services

Skills Summary:

- Experienced in Baseline and Right-of-way, Topographic surveys, Boundary surveys, Sketch and Legal Descriptions, Plat Review, Open Road Determinations/Variances and GIS services.
- Proficient in AutoCAD Civil 3D, Microstation, Geopak, ArcMap, ArcGIS Pro and Microsoft Office

EXPERIENCE:

County Surveyor

October 2017 - Present

Martin County Board of County Commissioners, Stuart, Florida

- Manages the Survey Division
- Manages In-house and Consultant Survey/GIS Projects
- Reviews Plats and other Development Review Surveys

Project Manager - Survey Division

October 2015- October 2017

Martin County Board of County Commissioners, Stuart, Florida

- Supervise Field Crews and Survey Assistant positions
- Manage In-house and Consultant Survey/GIS Projects
- Reviews Plats and other Development Review Surveys
- Open Road Determinations & Variances
- Manage Vertical Network & GNSS CORS Stations

Project Surveyor

May 2014- October 2015

Avirom & Associates, Stuart, Florida

- Manage Survey/GIS Projects including financial aspects
- Overseeing Survey Work Performed for Stuart Office
- Processing and QA/QC of Field Data
- CAD Drafting of Surveys
- GIS Analysis and Mapping

GIS Specialist (Contractor)

October 2013- May 2014

NextEra Energy Resources, Juno Beach, Florida

Responsible for Mapping Legal Descriptions, Authoring quality Cartographic Products, Conducting Spatial Analysis, Performing CAD-GIS Data Conversion, and Delivering Competitive Analysis in an ESRI ArcGIS environment to support Renewable Energy Development at NextEra Energy Resources

Project Surveyor/GIS Team Leader

February 2011- October 2013

Erdman Anthony, Royal Palm Beach, Florida

- Manage Geospatial Projects including financial aspects
- Create proposals and responses to RFPs and RFQs
- Completed field and office work for Geospatial projects
- Member Technology Advisory Group (TAG)

EDUCATION:

Florida Atlantic University Boca Raton, Florida
Bachelor of Science in Geomatics Engineering
Minor: Geographic Information Science (GIS)
Cum Laude **GPA: 3.7** May 2011

Indian River State College Fort Pierce, Florida
Associates of Arts degree May 2007

ORGANIZATIONS:

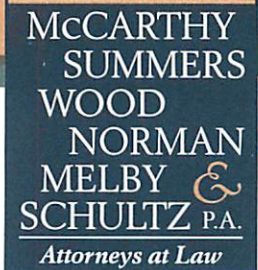
Vice-President for Indian River Chapter of FSMS	2018-Present
Member Florida Atlantic University Geomatics Engineering Advisory Committee	2012-Present
Member FSMS (Florida Surveying and Mapping Society)	2009-Present
Immediate Past President for Indian River Chapter of FSMS	2016-2017
President for Indian River Chapter of FSMS	2015-2016
Secretary for Indian River Chapter of FSMS	2014-2015
Vice-President of FAU Geomatics Engineering Student Society (FSMS)	2010-2011
Member Palm Beach Countywide GIS Forum	2012-Present
Member FLURISA (Florida Urban Planning Information Systems & Programs)	2013-Present

HONORS & AWARDS:

Florida Surveying & Mapping Society President of the Year	2016
Faculty Award for Outstanding Academic Achievement (FAU CECS)	Spring 2011
Outstanding Student Award (FAU Northern Campus Achievement Awards)	Spring 2011
Dean's List	Fall 2010
Palm Beach Chapter FSMS Scholarship	Fall 2010/Spring 2011
Dick Tharin Scholarship (Gold Coast Land Surveyors Council)	Spring 2010
Eric Alexander Engineering Scholarship	Fall 2009/Spring 2010
Space Coast Chapter FSMS Scholarship	Fall 2009
Eric Alexander Engineering Scholarship	Spring 2009

INTERESTS:

- Running
- New Technologies
- Gadgets
- Sports
- Entertainment
- Food & Wine
- Education



May 26, 2021

VIA HAND-DELIVERY

Tom Walker
Martin County Public Works Department
2401 SE Monterey Road
Stuart, FL 34996

Re: ***Island Party Rentals of South Florida, Inc.***
PCN: 343840000013000000

Dear Mr. Walker,

Attached please find our original Affidavit Attesting to Notification with regards to the above-referenced project, which will come before the Board of County Commissioners on June 8, 2021.

Please advise should you need anything further. Thank you!

Very truly yours,

Donna Dempsey, FRP
Paralegal to: Terence P. McCarthy
dad@mccarthysummers.com

/s

Attachment

Terence P. McCarthy *
Robert P. Summers *
Steven J. Wood **
Kenneth A. Norman
Nicola J. Boone Melby ***
Owen Schultz
Margaret E. Wood

Donna R. McMillan
Jessica M. VanValkenburgh
Christen Spake
Kimberly A. Ryan
David A. Lewis

**Board Certified
Real Estate Lawyer*

***Board Certified Wills,
Trusts & Estates Lawyer*

****Board Certified
Elder Law Lawyer*

**AFFIDAVIT ATTESTING
TO NOTIFICATION**

Terence P. McCarthy, being first duly sworn, deposes and says:

1. The property described in **Exhibit "A"** (the "Property") is the subject matter of an application to Martin County ("County") for the following: **Island Party Rentals of South Florida, Inc., a Florida corporation - Request for open road variance (Open Road Frontage Variance Application)**
2. The address of the Property is: **5334 SW Woodham Street, Palm City, FL**
3. The Property is owned by: **Island Party Rentals of South Florida, Inc.**
4. The Application to the County requires that the applicant for the variance notify, by U.S. Mail, return receipt requested, the fee simple owners of the property encumbered by the private easement(s) at least 14 days prior to a hearing before the Board of County Commissioners. Notification was mailed by U.S. Mail, return receipt requested on May 11, 2021. A list of all said owners, along with their addresses, of property encumbered by the private easement is attached hereto as **Exhibit "B."**
5. A notice of a public hearing to be held in front of the Martin County Board of County Commissioners on **June 8, 2021**, regarding the Open Road Frontage Variance Application was sent by Certified/RRR U.S. Mail to all those owners listed in Exhibit "B." A copy of said notice of public hearing is attached hereto as **Exhibit "C."**



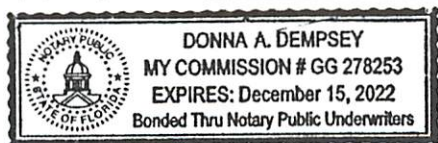
Terence P. McCarthy, Esquire

SWORN TO AND SUBSCRIBED before me this 26th day of May, 2021.

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 26th day of May, 2021, by Terence P. McCarthy, who is ☒ personally known, or who ☐ has produced _____ as identification.

(SEAL)




Notary Public – State of Florida

Printed Name: DONNA A. DEMPSEY

EXHIBIT "A"

The Property

Being the East one-half of Tract 13, Section 34, Township 38 South, Range 40 East, according to the Plat thereof of PALM CITY FARMS, as recorded in Plat Book 6, page 42, of the Public Records of Palm Beach (now Martin) County, Florida.

TOGETHER with an easement hereby granted and created for ingress, egress, drainage and utilities over, upon, under and across the East 30.00 feet of the West 45.00 feet of the East one-half of Tract 4, of said Section, which easement is perpetual and exclusive, and is appurtenant to and shall run with said East one-half of Tract 13, and shall be in favor of Grantees, their successors and assigns forever, and which easement shall burden the East one-half of Tract 4 and binding upon the owners of said East one-half of Tract 4, their successors and assigns forever.

EXHIBIT "B"

Adjacent Property Owner



Basic Info

PIN 48-38-41-020-000-00010-0	AIN 1112011	Situs Address 4605 SE WILLIAMS WAY STUART FL	Website Updated 5/24/21
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General Information

Property Owners WATSON SCOTT L	Parcel ID 48-38-41-020-000-00010-0	Use Code/Property Class 0000 - 0000 Vacant Residential
Mailing Address 5314 SW WOODHAM ST PALM CITY FL 34990	Account Number 1112011	Neighborhood 590010 Rocky Point WF
Tax District 9009 - DISTRICT FOUR MSTU	Property Address 4605 SE WILLIAMS WAY STUART FL	Legal Acres 1.3800
	Legal Description HAMMOCKS AT ROCKY POINT, LOT 1	Ag Use Acres N/A

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2020	\$ 729,000	\$ 0	\$ 729,000	\$ 0	\$ 729,000	\$ 0	\$ 729,000

Current Sale

Sale Date 4/29/20	Grantor (Seller) HASKETT, DIANE M	Doc Num 2812112
Sale Price \$ 1,100,000	Deed Type Wd Full Covenant and Warranty Deed	Book & Page <u>3126 1108</u>

Full Legal Description

HAMMOCKS AT ROCKY POINT, LOT 1

Improvements

PIN	AIN	Situs Address	Website Updated
48-38-41-020-000-00010-0	1112011	4605 SE WILLIAMS WAY STUART FL	5/24/21

Use Code/Property Class	Total Finished/Under Air Area	Max Stories
N/A	0 SF	0

Features/Yard Items

Type	Qty	Size	Unit of Measure	Year Blt
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Sales History

PIN	AIN	Situs Address	Website Updated
48-38-41-020-000-00010-0	1112011	4605 SE WILLIAMS WAY STUART FL	5/24/21

Sale Date	Sale Price	Grantor (Seller)	Deed Type	Doc Num	Book & Page
4/29/20	\$ 1,100,000	HASKETT, DIANE M	Wd Full Covenant and Warranty Deed	2812112	<u>3126 1108</u>

Value History

PIN
48-38-41-020-000-00010-0

AIN
1112011

Situs Address
4605 SE WILLIAMS WAY STUART FL

Website Updated
5/24/21

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	County Exemptions	County Taxable Value
2020	\$ 729,000	\$ 0	\$ 729,000	\$ 0	\$ 729,000	\$ 0	\$ 729,000
2019	\$ 729,000	\$ 0	\$ 729,000	\$ 0	\$ 729,000	\$ 0	\$ 729,000
2018	\$ 729,000	\$ 0	\$ 729,000	\$ 0	\$ 729,000	\$ 0	\$ 729,000
2017	\$ 756,000	\$ 0	\$ 756,000	\$ 75,375	\$ 680,625	\$ 0	\$ 680,625
2016	\$ 675,000	\$ 0	\$ 675,000	\$ 56,250	\$ 618,750	\$ 0	\$ 618,750
2015	\$ 562,500	\$ 0	\$ 562,500	\$ 0	\$ 562,500	\$ 0	\$ 562,500
2014	\$ 549,000	\$ 0	\$ 549,000	\$ 0	\$ 549,000	\$ 0	\$ 549,000
2013	\$ 470,250	\$ 0	\$ 470,250	\$ 51,332	\$ 418,918	\$ 0	\$ 418,918

WARNING: Significant tax increases often occur when sold. The Taxable Value and Taxes, noted above, may reflect exemptions, classifications and value limitations that will be removed at the time of sale. Homestead exemptions, agricultural classifications, and assessed value limitations are NOT transferable to the new owner. Following a sale, a property's assessed value is reset to the market value & the new owner must reapply for homestead exemption & agricultural classification.

EXHIBIT "C"

Notice of Public Hearing

7017 3380 0000 6660 3392

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT **TPM**
Domestic Mail Only *IPR*

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- | | | |
|--|----|--|
| <input type="checkbox"/> Return Receipt (hardcopy) | \$ | |
| <input type="checkbox"/> Return Receipt (electronic) | \$ | |
| <input type="checkbox"/> Certified Mail Restricted Delivery | \$ | |
| <input type="checkbox"/> Adult Signature Required | \$ | |
| <input type="checkbox"/> Adult Signature Restricted Delivery | \$ | |

Postage

\$

60.96

Total Postage and Fees

\$

Sent To **Scott L. Watson**
5314 SW Woodham Street

Street and **Palm City, FL 34990**

City, State, ZIP+4®



PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

NOTICE TO SURROUNDING PROPERTY OWNERS

May 11, 2021

Subject: Request for an open road variance by Island Party Rentals of South Florida, Inc., a Florida corporation to allow the issuance of building permits for the Property described below, pursuant to Section 4.843.K.1.c of the Martin County Land Development Regulations

Legal Description: E1/2 Tract 13 Sec 34-38-40 PALM CITY FARMS

Dear Property Owner:

As a landowner adjoining 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 an open road variance, as noted above, will occur at a public hearing.

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

BOARD OF COUNTY COMMISSIONERS

Date: June 8, 2021
Time: 9:00 A.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 County Administrator at (772) 221-2360, or in writing to 2401 S.E. 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) 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 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 that he/she is authorized to speak for the group. Forms are available on the Martin County website www.martin.fl.us.

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 772-288-5928. All written comments should be sent to Tom Walker, Martin County Surveyor, (e-mail: twalker@martin.fl.us) or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department.

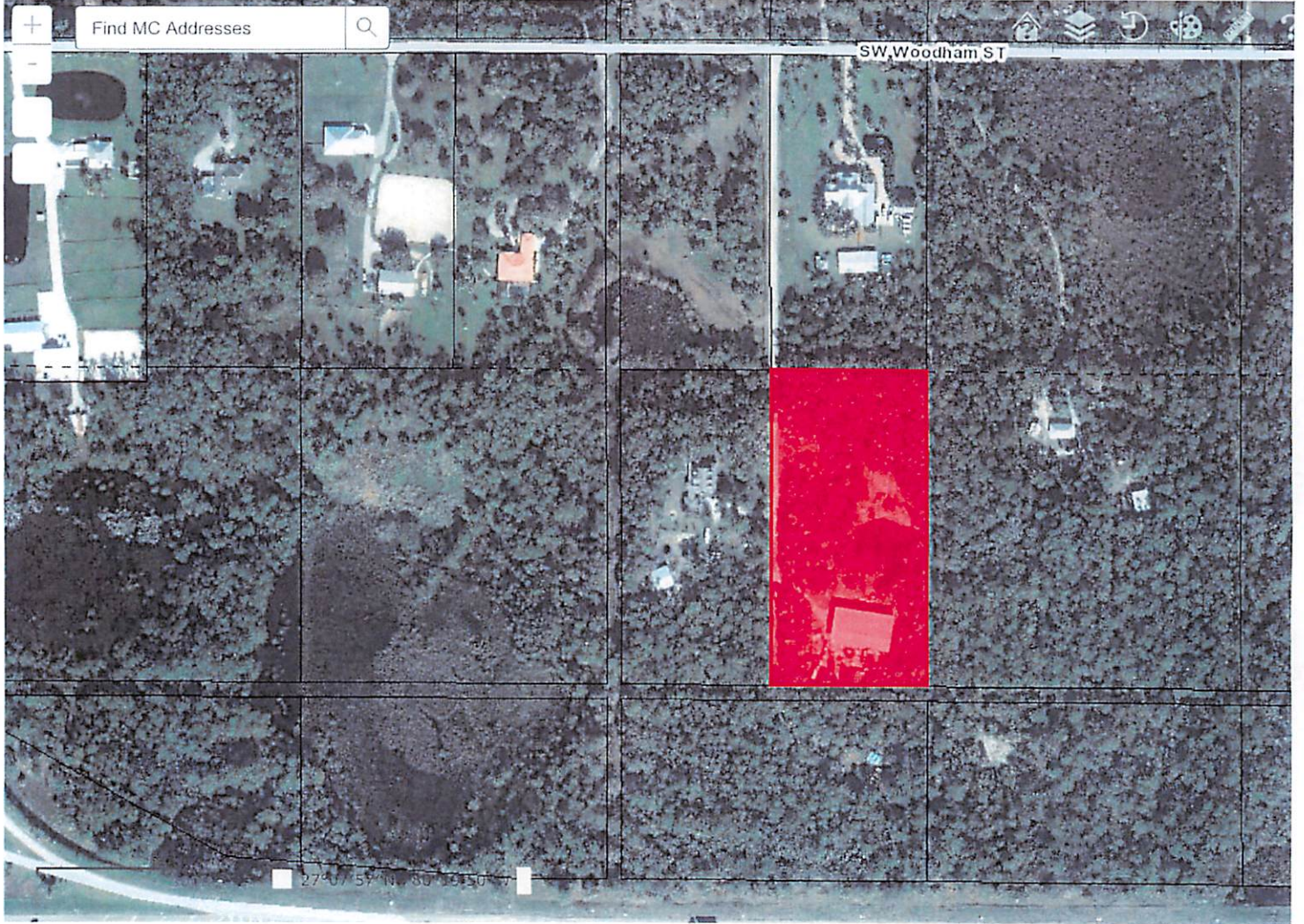
Sincerely,

A handwritten signature in blue ink, appearing to be 'CL' or similar, written in a cursive style.

CLS/dd

Attachment: Location Map

Mc General



Scott Watson

5314 SW Woodham Street

Palm City Florida, 34990

Date: 6/4/2021

RE: Request for open road Variance by Island Party Rentals of South Florida Inc.

Legal Description: E ½ Tract 13 Sec 34-38-40 Palm City Florida

Hearing Date: June 8th 2021

Dear Martin County Commissioners:

My property adjoins the Island Party Rental Property directly to the north, sharing a north /south property line.

The Island Property Rental Property has an easement through my property for ingress and egress to their property.

I would like the commission to know that I have no objection to the variance request by Island Party Rentals.

I believe every residential property owner has an inherent right to build a home on their property and with that said fully support this request.

I look forward to having a next door neighbor and hope the Martin County Commission will support this request for open road Variance.

Sincerely

A handwritten signature in black ink, appearing to be 'Scott Watson', written in a cursive style.

Scott Watson

DPQJ-1

Scott Watson

5314 SW Woodham Street

Palm City Florida, 34990

Date: 6/4/2021

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Sincerely



Scott Watson

FILED FOR RECORD
COMMISSION RECORDS
MARTIN COUNTY, FL
Date 6/8/21 Time
CAROLYN TIMMANN
CLERK OF CIRCUIT COURT
By [Signature] D.C.