

Matthew L. Stahley

(772)-320-3047 • mstahley@martin.fl.us

• Professional Work Experience

Martin County Growth Management Department • Stuart, FL

Principal Planner • June 2021 to present

Senior Planner • August 2018 to June 2021

- Reviews proposed developments for conformance with plans and regulations. Consults with developers, individual landowners, and departments of County government to attain conformance.
- Works in a team environment to improve work methods to accelerate formulation and completion of development reviews, and site compliance monitoring.
- Participates in public meetings and public hearings that can be televised to provide environmental review of development activities. These meetings can be argumentative, and opinions/conclusions rendered can be challenged by the applicant or their attorney.

South Florida Water Management District (SFWMD) • West Palm Beach, FL

Water Use Compliance Supervisor • January 2017 to August 2018

- Responsible for supervising and conducting performance reviews for a team of 7 water use compliance analysts responsible for 16 counties within the SFWMD.
- Provide support for compliance staff located at the Ft. Myers and Orlando service centers.
- Perform quality assurance of all notices of non-compliance and enforcement referrals sent to permittees and consultants.
- Served as the team leader for the Indian Prairie Basin (Glades and Highlands Counties) during water shortage events communicating between the regulated community and the District's operations control room. Closely monitored resource concerns and conducted weekly coordination with Martin County Utilities and South Martin Regional Utilities for spring 2017 water shortage.

South Florida Water Management District • Okeechobee, FL and West Palm Beach, FL

Scientist 1,2,3-Water Use Compliance and Permitting • December 2008 to January 2017

- Analyze pumpage data, water level data, chloride data, and groundwater/surface water interactions to determine compliance with conditions of irrigation, dewatering, industrial, and other water use permits. (Martin, Okeechobee, Highlands counties)
- Perform inspections of permitted projects to ensure compliance with district conditions of permit issuance.
- Utilize knowledge of the District's water use regulatory program and Florida Statutes to review water use applications. Apply analytical and numerical groundwater flow techniques to determine potential impacts on water resources prior to permit issuance.
- Routinely communicate via oral and written correspondence with other scientific professionals and general public on water use issues, and water use permit applications.
- Served as the team leader for the Indian Prairie Basin during water shortage events communicating between the regulated community and the District's operations control room.
- Provided compliance and enforcement training sessions and presentations to new hires, as well as current environmental resource and water use compliance staff.

Allterra Engineering and Testing • West Palm Beach, FL

Field Geologist and Driller • August 2005 to December 2008

- Performed all geotechnical field tests required for construction of large housing developments and single-family homes, and all roadway construction.
- Operated a small truck mounted drill rig to perform soil borings and Penetration tests. Performed soil compaction readings with a nuclear density gauge for house pads, roadway construction, and stormwater and sanitary sewer installation. Conducted test pit inspections for removal of unsuitable material. Performed oversight of auger cast and helical pile installations.

DLZ Corporation • Columbus, OH

Field Geologist • June 2004 to July 2005

- Logged soil and rock core samples on a variety of geotechnical drilling projects under the instruction of a project engineer. Projects ranged from Ohio Department of Transportation projects to single monitor well installations.

Bowser-Morner, Inc • Dayton, OH

Subsurface Technician • October 2003 to June 2004

- Worked as an assistant to the head driller on environmental and exploratory sonic drilling projects.
- Duties included monitor well installation and abandonment on EPA superfund sites, as well as exploratory borings for potential mining operations.

•Education

- **DePauw University, Greencastle, IN**
Bachelor of Arts Degree in Geology (August 1999 to May 2003)



Board of Zoning Adjustment

2401 SE Monterey Road
Stuart, Florida 34996

Agenda Item Summary

File ID: 22-0154

NPH-2

Meeting Date: 10/28/2021

PLACEMENT: New Business

TITLE:

HUSTED, DANIEL AND MARLENA VARIANCE REQUEST

EXECUTIVE SUMMARY:

Request for a variance by Daniel and Marlena Husted to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code, for the HB-1AA, Hotel Motel District to permit the construction of a single family residential dwelling and appropriate accessory structures on Lot 3, Galleon Bay, Hutchinson Island, between SR A1A and the Atlantic Ocean, Stuart, Florida.

Presented by: Matthew Stahley, Principal Planner, Growth Management Department

Agent for Applicant: Christen L. Spake, Esq., McCarthy Summers Wood Norman Bass & Melby, P.A.

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 Daniel and Marlena Husted to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code for the HB-1AA, Hotel Motel District to permit the construction of a single family residential dwelling and appropriate accessory structures on Lot 3, Galleon Bay, recorded in Plat Book 10, Page 5, Public Records Martin County, Florida.

A. APPLICATION PROCESSING INFORMATION

Applicant and property owner: Daniel and Marlena Husted
Date application submitted: October 4, 2021
Staff report date: October 13, 2021
Date of Board of Zoning Adjustment hearings: October 28, 2021
Project coordinator for County: Matt Stahley, Principal Planner
Growth Management Director: Paul Schilling
Report number: 2021_1018_Husted_Variance_Staff_Final

B. APPLICATION TYPE AND DESCRIPTION OF REQUEST

The subject property is zoned HB-1AA, Hotel Motel District District, Article 3, Zoning District, Land Development Regulations, Martin County Code governs any development of the parcel. The setback requirements in this zoning district for structures are as follows:

Front: For structures of two stories or less there shall be a front yard of not less than 50 feet measured from the street line or right-of-way to the front of the structure. For structures in excess of two stories in height, ten feet shall be added to the required front yard for each additional story.

Rear oceanfront: A dune preservation zone extends from the mean high water line of the Atlantic Ocean to a point being 50 feet westerly of the coastal construction control line (CCCL) as in force and effect on June 1, 1985.

Side: For structures of two stories or less, 20 feet shall be required on each side of the structure. For structures in excess of two stories in height, the side yard shall be increased ten feet for each additional story.

The applicant is requesting a side yard setback variance of 10' for the third story of a proposed single family residence to reduce the setback requirement from 30 ft. to 20 ft. along both the north and south property lines.

C. VICINITY AND SITE INFORMATION

Located on Lot 3, Galleon Bay, Hutchinson Island, between SR A1A and the Atlantic Ocean, Stuart, Florida.

LOCATION MAP



PROPOSED VARIANCE SITE



D. APPLICANT INFORMATION

Applicant and property owner: Daniel & Marlena Husted
Address: 1345 SE St. Lucie Blvd.
Stuart, FL 34996

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 located on lot 3 of the Galleon Bay Plat recorded in Plat Book 10, Page 5, Public Records Martin County, Florida recorded in 1985.
2. The property is a vacant and unimproved oceanfront lot with a proposed single family residential use.
3. The subject lot has an area of approximately 0.97 acres (approximately 42,253.). The property width is approximately 104.5 ft. The depth of the property varies between 549.3 ft. adjacent to the northerly property line to 515.76 ft. adjacent to the southerly property line.

4. A dune preservation zone extends from the mean high water line of the Atlantic Ocean to a point being 50 feet westerly of the coastal construction control line (CCCL) as in force and effect on June 1, 1985.
5. The setback requirements for the subject lot are as follows:

Front: For structures of two stories or less there shall be a front yard of not less than 50 feet measured from the street line or right-of-way to the front of the structure. For structures in excess of two stories in height, ten feet shall be added to the required front yard for each additional story.

Rear oceanfront: A dune preservation zone extends from the mean high water line of the Atlantic Ocean to a point being 50 feet westerly of the coastal construction control line (CCCL) as in force and effect on June 1, 1985.

Side: For structures of two stories or less, 20 feet shall be required on each side of the structure. For structures in excess of two stories in height, the side yard shall be increased ten feet for each additional story.

The HB-1AA setbacks are one of the most stringent setbacks required in the County for single family uses. This is a Category "C" zoning district created as part of the County's first countywide zoning code which was adopted in 1967.

6. The applicant is requesting a side yard setback variance of 10' for the third story of a proposed single family residence to reduce the setback requirement from 30 ft. to 20 ft. along both the north and south property lines.
7. Based on the criteria provided in Article 9, Land Development Regulations for the granting of a setback variance, the following conclusions are offered for the Board's consideration:
 - a. Special conditions and circumstances exist which are peculiar to the subject property. The subject lot has an area of approximately 0.97 acres (approximately 42,253 sq. ft.). The property width is approximately 104.5 ft. The depth of the property varies between 549.3 ft. adjacent to the northerly property line to 515.76 ft. adjacent to the southerly property line. The width of the lot, the current setbacks, drainage easements, and dune preservation zone requirements for the lot reduces the design flexibility for the intended three story single family residential dwelling and appropriate accessory structures.
 - b. Literal interpretation of the provisions of Article 3 would deprive the applicant the rights commonly enjoyed by other properties in the same zoning district. The current side setback requirements of 30 ft for a three story single family residence appear to limit the width of a residence to approximately 33 ft.
 - c. The special conditions and circumstances for this request is not the result of the applicant's action. The current regulations were in place at the time the Galleon Bay subdivision was created in 1985.
 - 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.

8. 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 for the proposed three story single family residential dwelling and appropriate accessory structures.

The site plan illustrates a proposed 3-story residence and an adjacent pool on Lot 4. The residence is a long, rectangular structure with a central entrance and multiple windows. The pool is located to the right of the residence. The plan includes various setbacks and easements, such as the 20-foot sideyard setback, 10-foot front setback, and 10-foot rear setback. It also shows the location of the driveway, parking area, and landscaping. The plan is oriented with North at the top. Key features include:

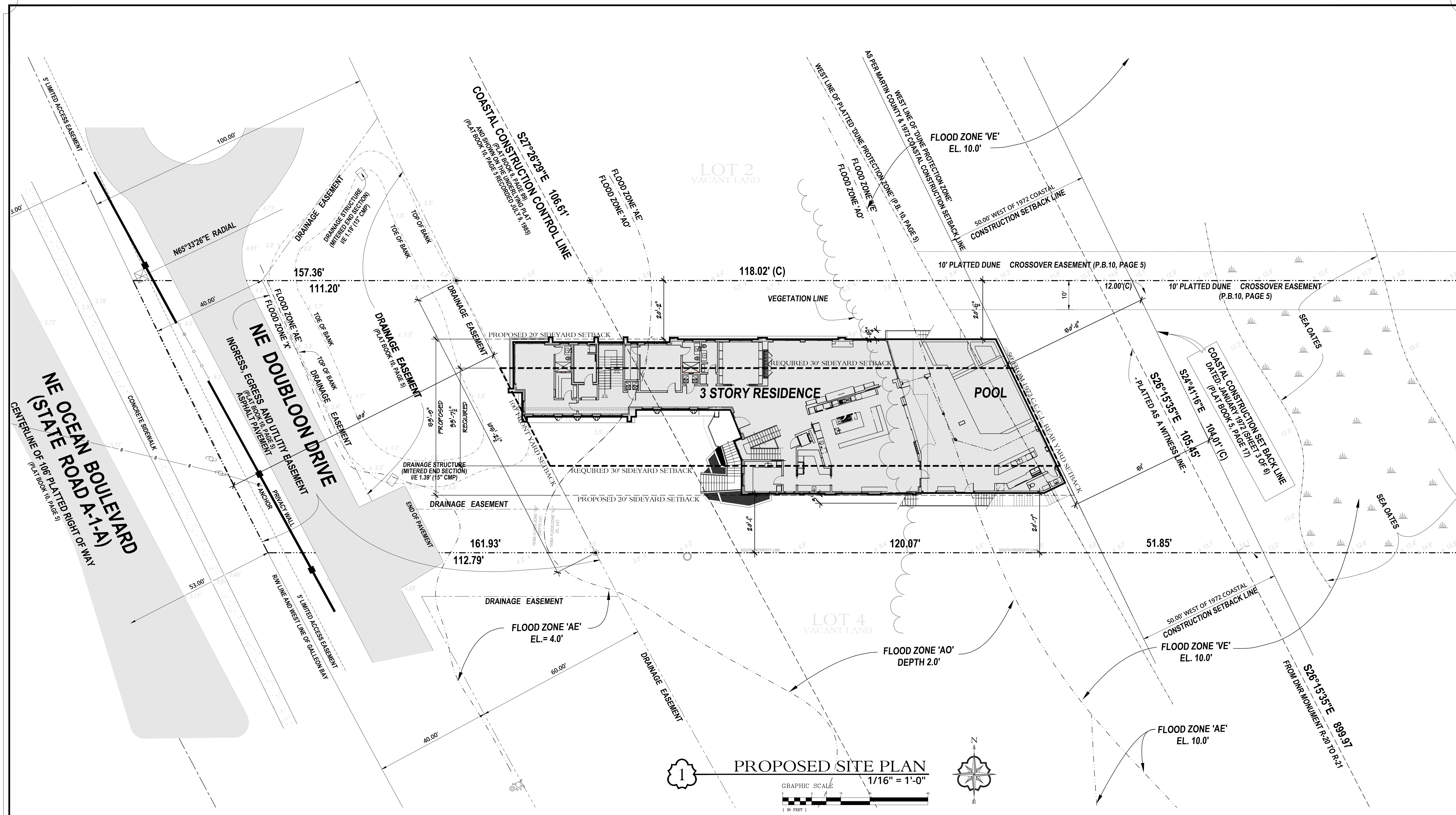
- 3 STORY RESIDENCE**: The main structure of the property.
- POOL**: Located to the right of the residence.
- DRIVEWAY**: Located to the left of the residence.
- PARKING AREA**: Located to the left of the driveway.
- LANDSCAPING**: Indicated by wavy lines around the residence and pool.
- SETBACKS**: 20' SIDEYARD SETBACK, 10' FRONT SETBACK, 10' REAR SETBACK.
- EASEMENTS**: DRAINAGE EASEMENT, CROSSOVER EASEMENT.
- FLOOD ZONES**: FLOOD ZONE 'AE' EL. 4.0', FLOOD ZONE 'AO' DEPTH 2.0', FLOOD ZONE 'VE' EL. 10.0'.
- VEGETATION LINE**: Located to the right of the residence.
- ADJACENT PROPERTIES**: LOT 3, LOT 5, LOT 6, LOT 7, LOT 8, LOT 9, LOT 10, LOT 11, LOT 12, LOT 13, LOT 14, LOT 15, LOT 16, LOT 17, LOT 18, LOT 19, LOT 20, LOT 21, LOT 22, LOT 23, LOT 24, LOT 25, LOT 26, LOT 27, LOT 28, LOT 29, LOT 30, LOT 31, LOT 32, LOT 33, LOT 34, LOT 35, LOT 36, LOT 37, LOT 38, LOT 39, LOT 40, LOT 41, LOT 42, LOT 43, LOT 44, LOT 45, LOT 46, LOT 47, LOT 48, LOT 49, LOT 50, LOT 51, LOT 52, LOT 53, LOT 54, LOT 55, LOT 56, LOT 57, LOT 58, LOT 59, LOT 60, LOT 61, LOT 62, LOT 63, LOT 64, LOT 65, LOT 66, LOT 67, LOT 68, LOT 69, LOT 70, LOT 71, LOT 72, LOT 73, LOT 74, LOT 75, LOT 76, LOT 77, LOT 78, LOT 79, LOT 80, LOT 81, LOT 82, LOT 83, LOT 84, LOT 85, LOT 86, LOT 87, LOT 88, LOT 89, LOT 90, LOT 91, LOT 92, LOT 93, LOT 94, LOT 95, LOT 96, LOT 97, LOT 98, LOT 99, LOT 100.

The Board is advised that this application for a setback variance is in order and qualifies for an action of approval for a side yard setback variance of 10' for the third story of a proposed single family residence to reduce the setback requirement from 30 ft. to 20 ft. along both the north and south property lines. The variance shall be subject to the receipt of Florida Department of Environmental Protection authorization for the proposed construction. 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 exhibit that provides an illustration of the proposed construction and reduced setbacks.

<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	TBD	TBD

6

2. Newspaper ad for October 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)



ZONING TABULATION		
ZONING ITEM	REQUIRED/ALLOWED	PROPOSED
ZONING DISTRICT	HB-1AA (HR-1 SINGLE FAMILY RESIDENTIAL USE)	HR-1 SINGLE FAMILY
FUTURE LAND USE	ESTATE DENSITY 2UPA	ESTATE DENSITY 2UPA
LOT AREA	10,000 SF MIN.	81,360 SF
LOT WIDTH	100' MIN.	108.2'
LOT DEPTH	7' MIN.	848.8'
OPEN SPACE (1)	30% (18,408 SF. MAX)	74.8% (38,268 SF.)
FRONT YARD SETBACK (2)	100'-0"	100.3'
SIDE YARD SETBACK	20'-0"	21.0' FROM NORTH & 20.1' FROM SOUTH &
REAR YARD SETBACK	80.0' FROM 1972 CGCL	80.0' FROM 1972 CGCL
MAXIMUM BUILDING HEIGHT (3)	38.0' FROM AVERAGE GRADE OF MAIN DUNE (1178' NAVD.) FOUR STORIES	38.0' FROM AVERAGE GRADE OF MAIN DUNE (1178' NAVD.) FOUR STORIES
(1) Calculation includes portion of N.E. Doubloon Drive (2) Martin County - Land Development Regulations Article 4 Division 4 Sect. 4.106.D #2 (3) Martin County - Land Development Regulations Article 4 Division 4 Sect. 4.106.C		

BUILDING DATA	
STYLE:	CONTEMPORARY
GROUND FLOOR	
GARAGE (AIR CONDITIONED)	1187 SF
COVERED (NON-AIR CONDITIONED)	108 SF
LIVING SPACE (AIR CONDITIONED)	3,960 SF
TOTAL	5,117 SF
SECOND FLOOR	
LIVING SPACE (AIR CONDITIONED)	4,087 SF
COVERED (NON-AIR CONDITIONED)	1,277 SF
OUTDOOR OPEN TERRACE	1164 SF
TOTAL	7,398 SF
THIRD FLOOR	
LIVING SPACE (AIR CONDITIONED)	5,086 SF
OUTDOOR OPEN TERRACE	1176 SF
TOTAL	6,232 SF
ROOF	
AIR CONDITIONED SPACE	
GROUND FLOOR	3,960 SF
GROUND FLOOR (GARAGE)	1187 SF
SECOND FLOOR	4,087 SF
THIRD FLOOR	5,086 SF
TOTAL	18,398 SF
COVERED AREA (NON-AIR CONDITIONED)	
GROUND FLOOR	108 SF
SECOND FLOOR	1,277 SF
TOTAL	1,382 SF
OUTDOOR OPEN TERRACE (NON-AIR CONDITIONED, UNCOVERED AREA)	
SECOND FLOOR	1164 SF
THIRD FLOOR	6,232 SF
TOTAL	7,396 SF

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

**[REGARDING THE APPLICATION OF
DANIEL AND MARLENA HUSTED
FOR A ZONING SETBACK VARIANCE ON PROPERTY LOCATED AT 1225 NE
DOUBLOON DRIVE WITHIN THE HB-1AA, HOTEL MOTEL DISTRICT]**

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

1. Daniel and Marlena Husted have submitted a variance application to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code for the HB-1AA, Hotel Motel District to permit the construction of a three story single family residential dwelling and appropriate accessory structures on Lot 3, Galleon Bay, according to the plat thereof, as recorded in Plat Book 10, Page 5, of the Public Records of Martin County, Florida. The subject property is located at 1225 NE Doubloon Drive, Stuart, Florida.
2. This Board considered this application to reduce the setback requirements at a public hearing on October 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 side yard setback variance of 10 feet for the third story of a proposed single family residence to reduce the setback requirement from 30 feet to 20 feet along both the north and south property lines to permit the construction of a three story single-family residence as set forth on the site plan attached hereto as Exhibit A.

H. This resolution shall be recorded in the official records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

DULY PASSED AND ADOPTED THIS 28TH DAY OF OCTOBER, 2021.

ATTEST:

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

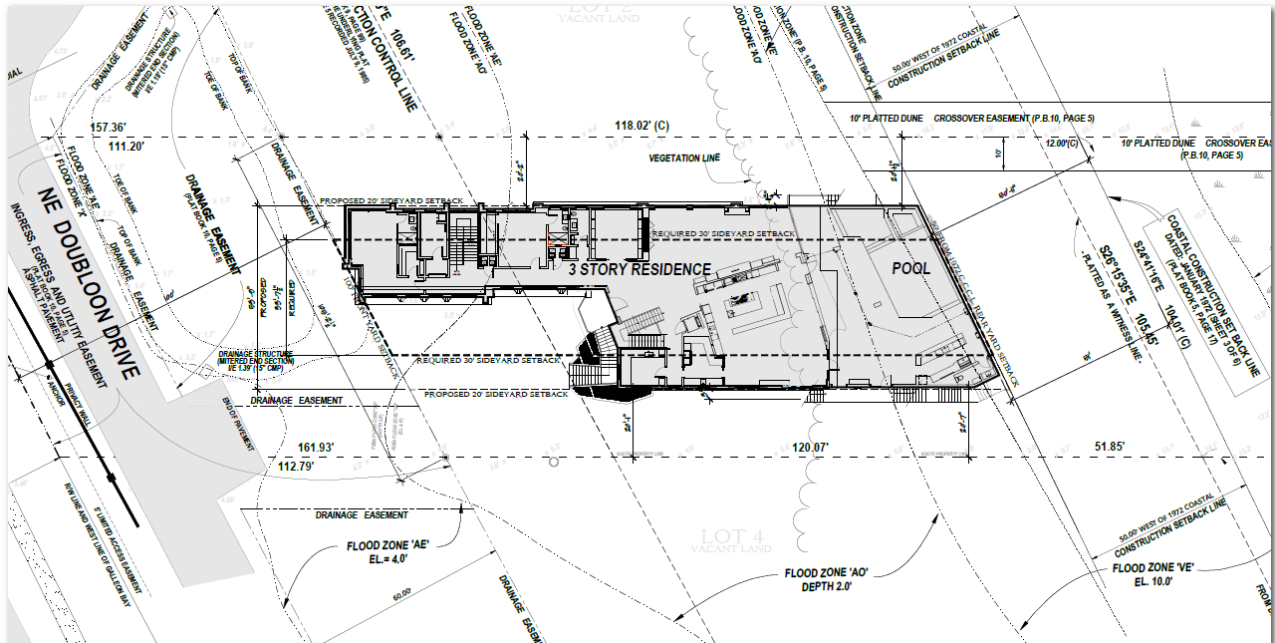
**DENISE JOHNSTON,
AGENCY RECORDER/NOTARY**

BY:_____
TRAVIS WADDELL, CHAIRMAN

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

BY:_____
**KRISTA A. STOREY, SENIOR ASSISTANT
COUNTY ATTORNEY**

Exhibit A





Martin County, Florida
 Growth Management Department
 DEVELOPMENT REVIEW DIVISION
 2401 SE Monterey Road, Stuart, FL 34996 772-288-5495 www.martin.fl.us

DEVELOPMENT REVIEW APPLICATION

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A. GENERAL INFORMATION

Type of Application: Variance



Name or Title of Proposed Project: 1225 NE Dubloon Drive, Stuart, FL Variance Application

Brief Project Description:

Side Setback Variance Application

Was a Pre-Application Held? ☒ YES/NO ☒ Pre-Application Meeting Date: _____

Is there Previous Project Information? ☒ YES/NO ☒

Previous Project Number if applicable: _____

Previous Project Name if applicable: _____

Parcel Control Number(s)

30-37-42-015-000-00030-8

_____	_____
_____	_____
_____	_____
_____	_____

B. PROPERTY OWNER INFORMATION

Owner (Name or Company): Daniel Husted and Marlena Husted

Company Representative: _____

Address: 1969 SW Panther Trace, Stuart, FL 34997

City: Stuart, State: FL Zip: 34996

Phone: _____ Email: _____

C. PROJECT PROFESSIONALS**Applicant (Name or Company):** _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Agent (Name or Company): McCarthy Summers Wood Norman Bass & Melby, P.A.Company Representative: Christen L. Spake, EsquireAddress: 2400 SE Federal Highway - 4th FloorCity: Stuart, State: FL Zip: 34994Phone: (772) 286-1700 Email: cls@mccarthysummers.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): Craig WatsonCompany Representative: Craig Watson and Associates LLCAddress: 3372 NE Candace AvenueCity: Jensen Beach, State: FL 34957 Zip: _____Phone: (772) 334-0868 Email: madison.surveying@gmail.com**Civil Engineer (Name or Company):** _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

PROJECT PROFESSIONALS CONTINUED**Traffic Engineer (Name or Company):** _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Architect (Name or Company): Patrick Ryan O'Connell Architect, LLCCompany Representative: Patrick O'Connell / Hung HuynhAddress: 400 Royal Palm Way - Suite 206City: Palm Beach, State: FL Zip: 33480Phone: (561) 331-2048 Email: hung@proarchitect.com**Attorney (Name or Company):** See Agent Above

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Environmental Planner (Name or Company): _____

Company Representative: _____

Address: _____

City: _____, State: _____ Zip: _____

Phone: _____ Email: _____

Other Professional (Name or Company): First Florida Inc., BuilderCompany Representative: Paul L. Klenfeld, PresidentAddress: 200 NE Dixie HighwayCity: Stuart, State: FL Zip: 34994Phone: (772) 260-8833 Email: plk@firstfloridainc.com**D. Certification by Professionals**

Section 10.5.F.6.h., Article 10, Development Review Procedures, Land Development Regulations (LDR), Martin County Code (MCC) provides the following:

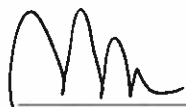
When reviewing a development application that has been certified by a professional listed in F.S. § 403.0877, F.S., the County shall not request additional information from the applicant more than three times, unless the applicant waives the limitation in writing. If the applicant states in writing that the request for additional information is not authorized by ordinance, rule, statute, or other legal authority, the County, at the applicant's request, shall proceed to process the application for approval or denial. (125.022(1), Fla. Stat.)



This box must be checked if the applicant waives the limitations.

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.



Marlena Husted

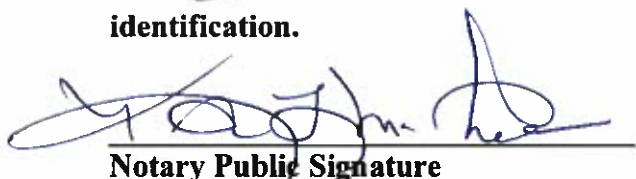
9/30/2021
Date

NOTARY ACKNOWLEDGMENT

STATE OF: Florida COUNTY OF: Martin

I hereby certify that the foregoing instrument was acknowledged before me this 30th day of September, 2021, by Marlena Husted.

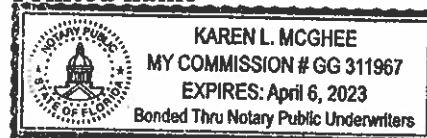
He or She is personally known to me or ✓ has produced Drivers License as identification.



Notary Public Signature

STATE OF: Florida at-large

Printed name





**Martin County County Florida Growth Management Department
DEVELOPMENT REVIEW DIVISION
2401 SE Monterey Road, Stuart, FL 34996
772-288-5495 www.martin.fl.us**

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Digital Submittal Affidavit

I, RONI R. WELTON, attest that the electronic version included for the project Variance 1225 NE Dubloon Drive, Stuart FL 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.

Roni R. Welton

Applicant Signature

10/4/2021

Date

NOTARY ACKNOWLEDGMENT

STATE OF: Florida COUNTY OF: Martin

I hereby certify that the foregoing instrument was acknowledged before me this 4th day of October, 2021, by Roni R. Welton.

He or She ☒ is personally known to me or has produced as identification.



[Signature]

Notary Public Signature

Printed name

STATE OF: _____ at-large

**McCARTHY
SUMMERS
WOOD
NORMAN
MELBY &
SCHULTZ P.A.**
Attorneys at Law

October 4, 2021

Paul Schilling, Growth Management Director
Martin County Growth Management Department
2401 SE Monterey Rd.
Stuart, FL 34996

RE: Narrative: Variance Application – Reduction of Side Setbacks
Site: 1225 NE Dubloon Dr., Stuart, FL 34996 ("Property")
PCN: 30-37-42-015-000-00030-8
Owner/Applicant: Daniel and Marlena Husted

Dear Paul:

This firm represents Dr. and Mrs. Husted in connection with their application for a variance of the side setbacks applicable to their Property. The Property is located in Galleon Bay on the ocean-side of Hutchinson Island, and is lot number 3 in the development.

According to the Property Appraiser's data, the Property is .9700 legal acres. However, because of the various local, state, and federal regulations applicable to development at this site, the building space available on this oceanfront Property is very limited. Dr. and Mrs. Husted have created a proposed plan for their residence that would leave almost 75% of the lot open, with their home and attendant improvements covering just a fraction over one quarter of the lot. They have taken care to respect the dune preservation zone and to ensure the structure complies with applicable federal, state, and local limitations and compliments the beauty and environmental sensitivity of the area.

In order to construct a residence consistent with the character of the community and make the highest and best use of their desirable lot, Dr. and Mrs. Husted request a variance reducing the side-setbacks applicable to this site from 30 feet to 20 feet. Like the majority (possibly all) of the structures in Galleon Bay, Dr. and Mrs. Husted's proposed residence exceeds two stories: theirs is three stories. The HB-1AA zoning district applicable to all but two of the lots in Galleon Bay requires twenty-foot side setbacks and increases that setback by ten feet for every story over the second. While all of the residences in Galleon Bay appear to exceed two stories, most of them do not appear to observe a thirty-foot side setback. Evidently, evolving interpretation of the applicable Land Development Regulations has resulted in the imposition of more stringent building limitations in this area at present, and so without the requested variance, Dr. and Mrs. Husted's proposed residence would be substantially more limited than their neighbors' before them. Requiring Dr. and Mrs. Husted to observe 30-foot side setbacks effectively limits

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

**Board Certified
Real Estate Lawyer*

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

****Board Certified
Elder Law Lawyer*

McCARTHY, SUMMERS, WOOD,
NORMAN, MELBY & SCHULTZ, P.A.

NARRATIVE

October 4, 2021

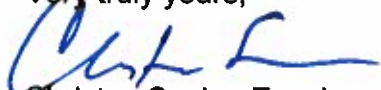
Page 2

the buildable area on their 105-foot-wide lot to approximately forty-five feet, while the existing residences in the neighborhood all appear to measure closer to sixty feet in width. Dr. and Mrs. Husted's lot is wider than eight of the fifteen platted lots in the development, but would have the narrowest building area of any improved lot to date without the requested variance.

The requested variance will allow Dr. and Mrs. Husted reasonable use of this lot, consistent with the existing improvements in Galleon Bay. Dr. and Mrs. Husted respectfully request that the Board of Zoning Adjustment grant their request and reduce the side-setbacks applicable to their lot to twenty feet, as set forth on the enclosed Setback Chart.

Should you need any additional information or documentation, please do not hesitate to call or write.

Very truly yours,



Christen Spake, Esquire

cls@mccarthysummers.com

cc: Client

McCARTHY, SUMMERS, WOOD,
NORMAN, MELBY & SCHULTZ, P.A.

NARRATIVE
October 4, 2021
Page 3

SETBACK CHART

1225 NE Dubloon Dr., Stuart, FL 34996

LOCATION	SETBACKS		
	Required	Proposed	Variance
North and South Sides	30'	20'	10'

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS:

WHEREAS, Daniel Husted and Marlena Husted (“Owner”) is the owner of certain real property lying and being in Stuart, Martin County, Florida, more particularly described on **Exhibit “A”** attached hereto.

WHEREAS, the Owner wishes to appoint the individual hereinafter named as their Attorney-In-Fact, for the purposes hereinafter set forth:

Development Review Application for variance before Martin County and all matters related thereto (the “Governmental Approvals Process”).

NOW, THEREFORE, the Owner hereby appoints **Terence P. McCarthy, Esquire**, as its Attorney-In-Fact (the “Attorney”), to act, manage, conduct, do and perform any and all acts and deeds of whatsoever nature which shall or may be, in the reasonable judgment of the Attorney, proper and expedient in connection with the Governmental Approvals Process. This Power of Attorney shall extend to and include, but not be limited to, the execution by the Attorney of all other acts necessary for Governmental Approvals Process

The Attorney shall have full power to accomplish the purposes of this Power of attorney as fully and effectually in all respects as the Owner could do if personally present. The Attorney shall not be required to post bond of any nature in connection with this Power of Attorney.

No action by the Owner subsequent to the making of this instrument shall be considered or treated as a revocation of the actions taken by the Attorney pursuant hereto. The exercise by the Attorney at any time, for from time to time, of any of the rights or powers hereunder shall not exhaust the capacity and power of the Attorney thereafter from time to time to exercise such rights and powers, or any of them, but such capacity and power shall continue at all times so long as this instrument shall be in effect.

The Owner hereby ratifies and confirms, and agrees at all times to ratify and confirm, all that the Attorney shall lawfully do or cause to be done in and about the Property by virtue of this instrument.

The address of the Attorney is: in care of Christen L. Spake, Esquire, McCarthy, Summers, Wood, Norman, Melby & Schultz, P.A., 2400 SE Federal Highway, 4th Floor, Stuart, FL 34994.

This Limited Power of Attorney shall terminate upon the earlier of (a) sixty (60) days after the approval or disapproval of the Governmental Approvals process or (b) written notice from the Owner to the Attorney.

IN WITNESS WHEREOF, the parties hereto have signed and sealed these presents the 30th day of September, 2021.

Witnesses:

[Signature]

[Signature]

Marlena Husted

Christen Spake

Printed Name of Witness

Donna Dempsey

DONNA DEMPSEY

Printed Name of Witness

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☒ online notarization, this 30 day of September, 2021, by Marlena Husted, who is ☐ personally known or ☒ produced Drivers License as identification.

(Notary Seal)

[Signature]
Notary Public



EXHIBIT “A”

Legal Description

**1225 NE Doubloon Drive
Hutchinson Island, FL**

Lot 3, GALLEON BAY, according to the Plat thereof, recorded in Plat Book 10, Page 5, of the Public Records of Martin County, Florida.

Parcel Identification Number: 30-37-42-015-000-00030-80000

.9700 Legal Acres



Recorded in Martin County, FL 2/17/2020 1:59 PM
 Carolyn Timmann, Clerk of the Circuit Court & Comptroller
 Rec Fees: \$27.00 Deed Tax: \$10,500.00
 CFN#2800374 BK 3111 PG 2725 PAGE 1 of 3

Prepared by and return to:

Richard D. Percic, Esquire
 Jeck, Harris, Raynor & Jones, P.A.
 790 Juno Ocean Walk, Suite 600
 Juno Beach, FL 33408-1121

Telephone: (561) 713-2094

[Space Above This Line For Recording Data]

Warranty Deed

This Warranty Deed is made this 11th day of February, 2020, between Bastiaan A. Smallegange and Marie Johanna Partouns-Smallegange, husband and wife, whose post office address is 117 San Marco Drive, Palm Beach Gardens, FL 33418, collectively, "Grantors", and Daniel Husted and Marlena Husted, husband and wife, whose post office address is 1345 SE St. Lucie Blvd. Stuart, FL 34994, collectively, "Grantees":

(Whenever used herein the terms "Grantors" and "Grantees" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, limited liability companies, trusts and trustees)

Witnesseth, that Grantors, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantors in hand paid by Grantees, the receipt whereof is hereby acknowledged, have granted, bargained, and sold to Grantees, and Grantees' heirs and assigns forever, the following described land, situate, lying and being in Martin County, Florida, to-wit (the "Property"):

Lot 3, GALLEON BAY, according to the Plat thereof, recorded in Plat Book 10, Page 5, of the Public Records of Martin County, Florida.

Tax Parcel ID Number: 30-37-42-015-000-00030-80000.

Subject to: (a) property taxes for the year of closing; (b) covenants, restrictions and public utility easements of record; and (c) existing zoning and governmental regulations.

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 Grantors hereby covenant with Grantees that: (a) Grantors are lawfully seized of the Property in fee simple; (b) Grantors have good right and lawful authority to sell and convey the Property; and (c) Grantors hereby fully warrant the title to the Property and will defend the Property against the lawful claims of all persons whomsoever; and (d) the Property is free of all encumbrances, except taxes accruing subsequent to December 31, 2019.

In Witness Whereof, Grantors have hereunto set Grantors' hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of:

Kathy Cullum
Signature of Witness #1

Kathy Cullum
Printed Name of Witness #1

Bastiaan A. Smallegange

Address: 117 San Marco Drive
Palm Beach Gardens, FL 33418

Lorraine M. Quarles
Signature of Witness #2

LORRAINE M. QUARLES
Printed Name of Witness #2

Marie Johanna Partouns-Smallegange

Address: 117 San Marco Drive
Palm Beach Gardens, FL 33418

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Warranty Deed was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 11th day of February, 2020, by Bastiaan A. Smallegange and Marie Johanna Partouns-Smallegange, husband and wife, who ☐ are personally known to me or ☐ produced driver's licenses as identification.

[Notary Seal]



Lorraine M. Quarles
Notary Public - State of Florida

Printed Name: LORRAINE M. QUARLES

Serial Number, if any: _____

GALLEON BAY OWNERS ASSOCIATION, INC.
 C/O COASTAL PROPERTY MANAGEMENT
 10 SE CENTRAL PARKWAY, #400
 STUART, FLORIDA 34994

CERTIFICATE OF APPROVAL FOR SALE

GALLEON BAY OWNERS ASSOCIATION, INC., according to the Declaration of Covenants, Conditions, and Restrictions, and as recorded in the Public Records of Martin County, Florida, hereby approves the sale of the following residence:

ADDRESS: 1225 NE DOUBLOON DR, STUART, FL 34996
 OWNER: EDWARD A. SMALLEGANGE & MARIE JOH PARTOUNS-SMALLEGANGE
 BUYER: DANIEL & MARLENA HUSTED
 CLOSING DATE: ON OR BEFORE FEBRUARY 28, 2020

GALLEON BAY OWNERS ASSOCIATION, INC.

Diane P. Mundt

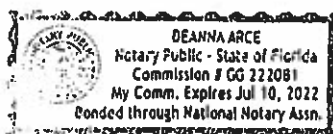
For and on behalf of the Board of Directors

STATE OF FLORIDA
 COUNTY OF MARTIN COUNTY

The foregoing Certification of Approval was acknowledged before me by DIANE MUNDT of COASTAL PROPERTY MANAGEMENT on the 6 day of JANUARY, 2020.

Notary Public

My Commission Expires:



CERTIFICATION OF PROPERTY TRANSFER

The undersigned, Christen L. Spake, Esquire, hereby certifies that, since the date of the deed attached hereto as **Exhibit "A,"** (the "Deed"), the Official Records of Martin County, Florida reflect no transfer of the property described in said Deed, and the Owners confirm no transfer has occurred.

Dated this 30th day of September, 2021.



Christen L. Spake
Florida Bar # 072857

Address: McCarthy, Summers, Wood,
Norman, Melby & Schultz, P.A.
2400 SE Federal Highway - 4th Floor
Stuart, FL 34994

EXHIBIT “A”

Deed



Recorded in Martin County, FL 2/17/2020 1:59 PM
 Carolyn Timmann, Clerk of the Circuit Court & Comptroller
 Rec Fees: \$27.00 Deed Tax: \$10,500.00
 CFN#2800374 BK 3111 PG 2725 PAGE 1 of 3

Prepared by and return to:

Richard D. Percic, Esquire
 Jeck, Harris, Raynor & Jones, P.A.
 790 Juno Ocean Walk, Suite 600
 Juno Beach, FL 33408-1121

Telephone: (561) 713-2094

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(Whenever used herein the terms "Grantors" and "Grantees" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, limited liability companies, trusts and trustees)

Witnesseth, that Grantors, for and in consideration of the sum TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable consideration to Grantors in hand paid by Grantees, the receipt whereof is hereby acknowledged, have granted, bargained, and sold to Grantees, and Grantees' heirs and assigns forever, the following described land, situate, lying and being in Martin County, Florida, to-wit (the "Property"):

Lot 3, GALLEON BAY, according to the Plat thereof, recorded in Plat Book 10, Page 5, of the Public Records of Martin County, Florida.

Tax Parcel ID Number: 30-37-42-015-000-00030-80000.

Subject to: (a) property taxes for the year of closing; (b) covenants, restrictions and public utility easements of record; and (c) existing zoning and governmental regulations.

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.

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In Witness Whereof, Grantors have hereunto set Grantors' hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of:

Kathy Cullum
Signature of Witness #1

Kathy Cullum
Printed Name of Witness #1

Bastiaan A. Smallegange
Bastiaan A. Smallegange

Address: 117 San Marco Drive
Palm Beach Gardens, FL 33418

Lorraine M. Quarles
Signature of Witness #2

LORRAINE M. QUARLES
Printed Name of Witness #2

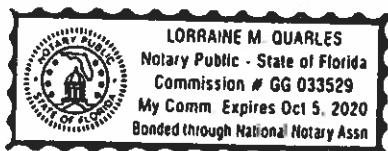
Marie Johanna Partouns-Smallegange
Marie Johanna Partouns-Smallegange

Address: 117 San Marco Drive
Palm Beach Gardens, FL 33418

STATE OF FLORIDA
COUNTY OF PALM BEACH

The foregoing Warranty Deed was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 11th day of February, 2020, by Bastiaan A. Smallegange and Marie Johanna Partouns-Smallegange, husband and wife, who ☐ are personally known to me or ☐ produced driver's licenses as identification.

[Notary Seal]



Lorraine M. Quarles
Notary Public - State of Florida

Printed Name: LORRAINE M. QUARLES

Serial Number, if any: _____

**GALLEON BAY OWNERS ASSOCIATION, INC.
C/O COASTAL PROPERTY MANAGEMENT
10 SE CENTRAL PARKWAY, #400
STUART, FLORIDA 34994**

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ADDRESS: 1225 NE DOUBLOON DR, STUART, FL 34996
OWNER: BASTIAAN A. SMALLEGANGE & MARIE JOH PARTOUNS-SMALLEGANGE
BUYER: DANIEL & MARLENA HUSTED
CLOSING DATE: ON OR BEFORE FEBRUARY 28, 2020

GALLEON BAY OWNERS ASSOCIATION, INC.

Diane P. Mundt

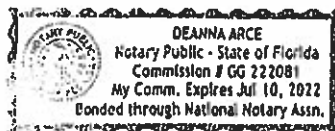
For and on behalf of the Board of Directors

STATE OF FLORIDA
COUNTY OF MARTIN COUNTY

The foregoing Certification of Approval was acknowledged before me by DIANE MUNDT of COASTAL PROPERTY MANAGEMENT on the 6 day of JANUARY, 2020.

Notary Public

My Commission Expires:



JUSTIFICATION STATEMENT

1. **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.**

The subject property is an undeveloped oceanfront lot located in Galleon Bay on Hutchinson Island. According to the Property Appraiser's data, the Property is .9700 legal acres. The applicants, Dr. and Mrs. Husted, have created a proposed plan for their residence that would leave almost 75% of the lot open, with their single-family residence and attendant improvements covering just a fraction more than one quarter of the lot. They have taken care to respect the dune preservation zone and to ensure the structure complies with applicable limitations and compliments the beauty and environmental sensitivity of the area. However, evolving interpretation of the applicable Land Development Regulations has resulted in more stringent building limitations in this area now than were imposed in the past. Due to the configuration of the property and those regulations, without a variance, the buildable space on this property would be so limited as to be unable to accommodate a residence appropriate to this oceanfront lot and aligned with the character of the community. Thus, special conditions and circumstances exist with respect to this land which are not applicable to other lands in the same district.

2. **Literal interpretation of the provisions of Article 3 would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.**

Like the majority (possibly all) of the structures in Galleon Bay, Dr. and Mrs. Husted's proposed residence exceeds two stories: theirs is three stories. The HB-1AA zoning district applicable to all but two of the lots in Galleon Bay requires twenty-foot side setbacks and increases that setback by ten feet for every story over the second. While all of the residences in Galleon Bay appear to exceed two stories, most of them do not appear to observe a thirty-foot side setback. Evidently, evolving interpretation of the requirements of this rare zoning district has resulted in the imposition of more stringent building limitations in this area at present, and so without the requested variance, Dr. and Mrs. Husted's proposed residence would be substantially more limited than their neighbors' before them. Requiring Dr. and Mrs. Husted to observe 30-foot side setbacks effectively limits the buildable area on their 105-foot-wide lot to approximately forty-five feet, while the existing residences in the neighborhood all appear to measure closer to sixty feet in width. Dr. and Mrs. Husted's lot is wider than eight of the fifteen platted lots in the development, but would have the narrowest building area of any improved lot to date without the requested variance. A literal interpretation of the provisions of Article 3 would prevent the construction of a single-family residence on this property commensurate with the character of this oceanfront community, and would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

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

The limits on the width of development on the lot are caused by the current interpretation of this uncommon zoning district's regulations and are not a result of the actions of the applicant.

4. 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.

The applicant is not seeking a special privilege and is merely requesting authorization to build a house that conforms to the same building site area restrictions as are observed by the other homes in the same district. Granting the variance will allow a reasonable use of this property, consistent with the character of all the other homes in the development, and will not confer on the applicant a special privilege denied to owners of other lands in the same district.

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

Allowing the construction of an oceanfront single family residence that observes side setbacks of 20 feet is the minimum variance that will make possible the reasonable use of this land, considering its desirable location and the size and quality of the other residences around it.

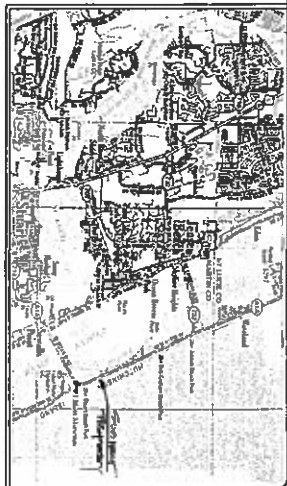
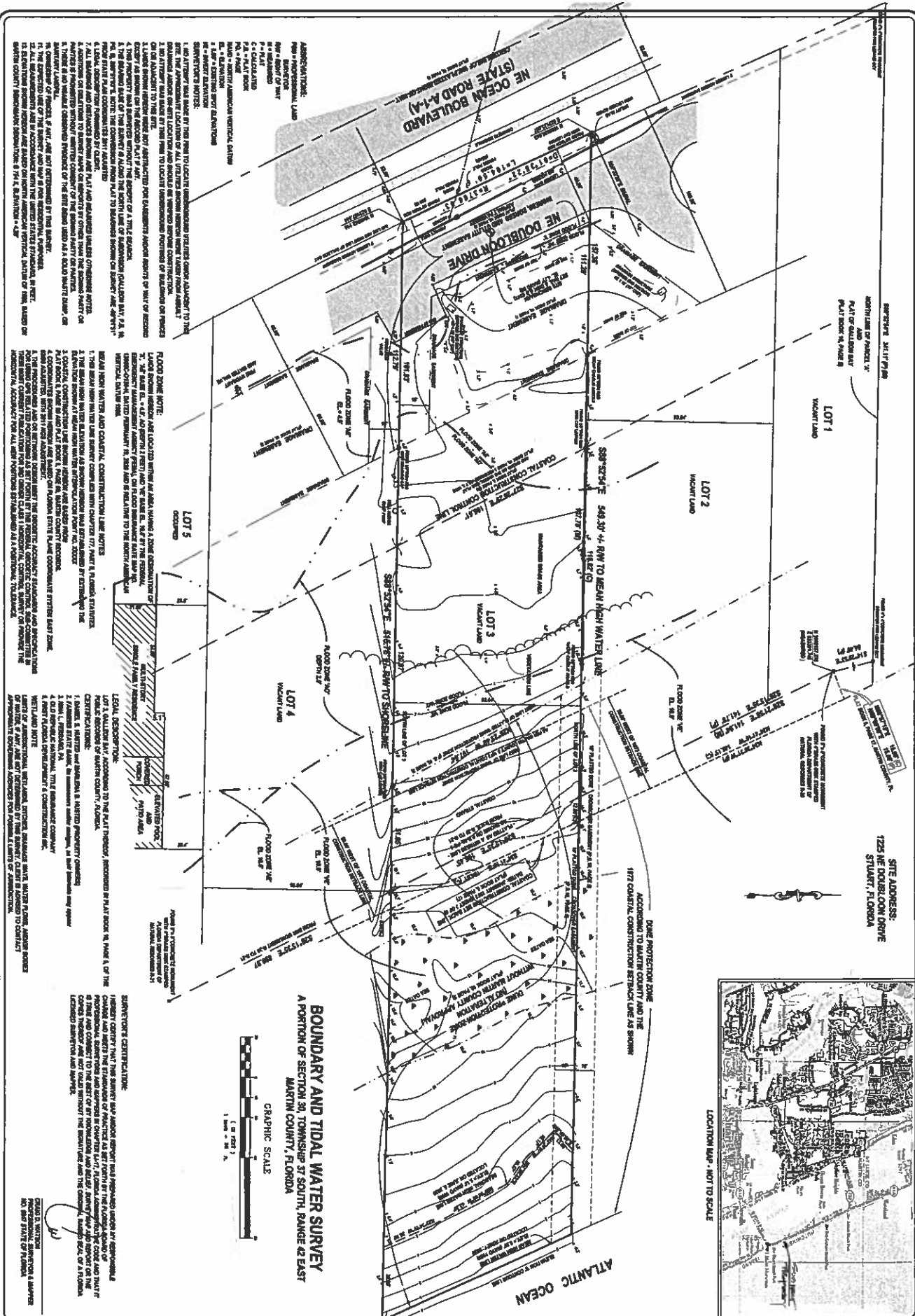
Mc Parcel Sales

Martin County Board of County Commissioners



100ft

27°13'15"N 80°10'30"W



WATSON | KILLANE
SURVEYING AND MAPPING, INC.
2240 NE DIXIE HIGHWAY - JENSEN BEACH, FLORIDA 34957
PHONE 772-334-0868 - EMAIL: WATSONKILLANE@GMAIL.COM
LICENSED BUSINESS NO. 8241

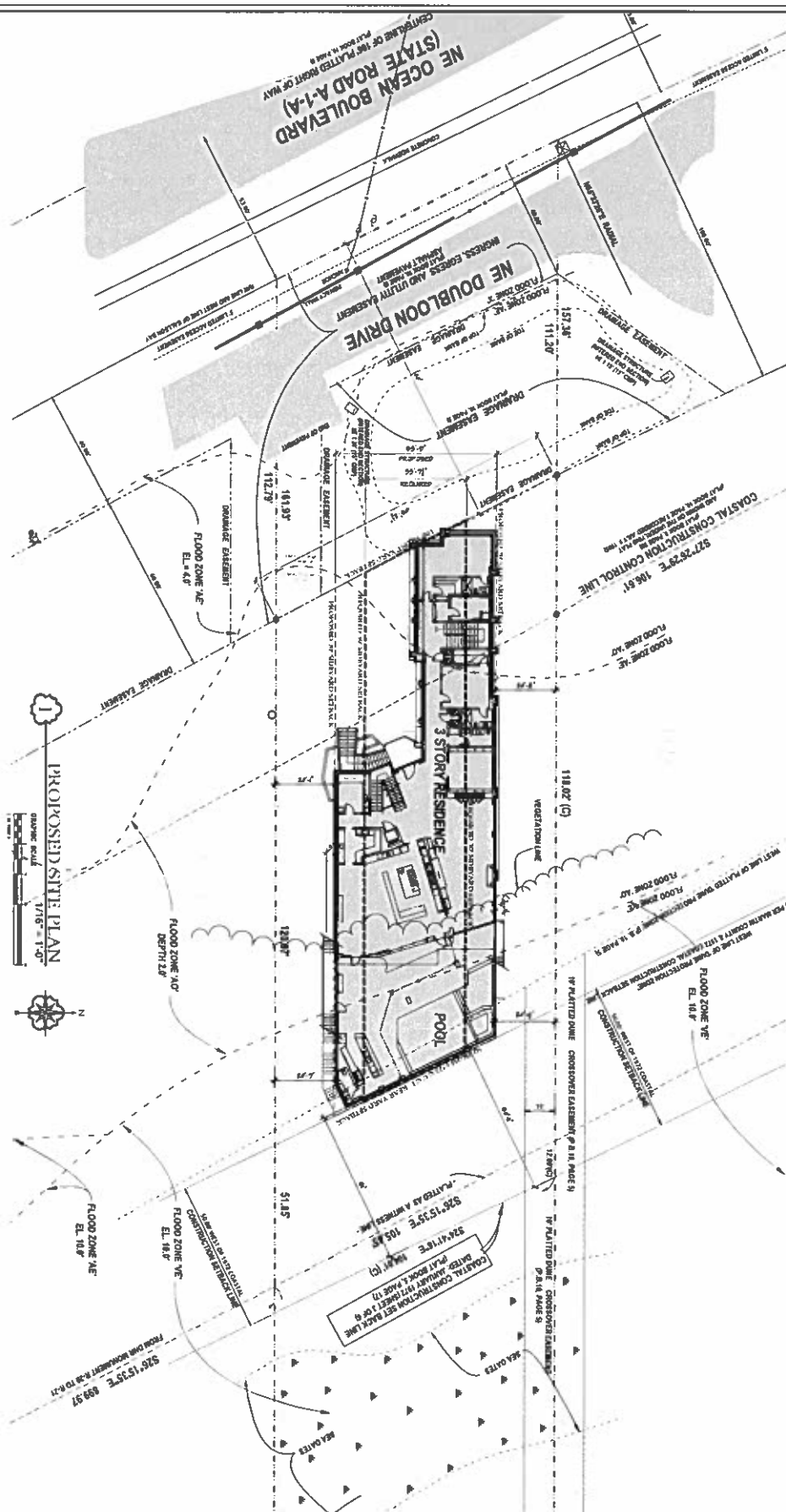
PREPARED FOR:
FIRST FLORIDA DEVELOPMENT & CONSTRUCTION, INC.
200 NE DIXIE HIGHWAY
STUART, FLORIDA 34994

DATE	REVISION	BY	CHKD
4-15-21	TOPIC / REV / DATE	WPK	WPK
4-15-21	ADD BOUNDARY FLOOD ZONES	WPK	WPK
4-15-21	ADD SETBACKS AND FLOOD ZONES	WPK	WPK
4-15-21	ADD SETBACKS AND FLOOD ZONES	WPK	WPK
4-15-21	ADD SETBACKS AND FLOOD ZONES	WPK	WPK

SHEET
1 OF 1

WATSON | KILLANE
SURVEYING AND MAPPING, INC.
2240 NE DIXIE HIGHWAY - JENSEN BEACH, FLORIDA 34957
PHONE 772-334-0868 - EMAIL: WATSONKILLANE@GMAIL.COM
LICENSED BUSINESS NO. 8241

PREPARED FOR:
FIRST FLORIDA DEVELOPMENT & CONSTRUCTION, INC.
200 NE DIXIE HIGHWAY
STUART, FLORIDA 34994

[illegible][illegible]

**PROPOSED RESIDENCE FOR
HUSTED RESIDENCE**
1225 NE DOUBLOON DRIVE
STUART, FL 34996

PATRICK RYAN O'CONNELL
ARCHITECT, L.L.C.
240 ROYAL PALM WAY SUITE 210
PALM BEACH FL 33480
FL LIC #: AA26003685
tel (561)-331-2048 WWW.PROARCHITECT.COM



**PATRICK RYAN
O'CONNELL**
ARE - T - T - T



736 colorado avenue, suite a, stuart, florida 34994 - phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

September 30, 2021

Ownership Search

Prepared For: MCCARTHY SUMMERS, WOOD, NORMAN, MELBY & SCHULTZ P.A.

We hereby 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 of land:

See Exhibit "A" attached hereto & made a part hereof.

TAX ID: See Exhibit "B" attached hereto

OWNER: & made a part hereof.

ADDRESS:

The apparent property owners of land surrounding the above referenced property are as follows: The list does not include any owners who qualify for confidentiality (See attached).


Iris M. Crews



736 colorado avenue, suite a, stuart, florida 34994 · phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

OWNERSHIP REPORT
SEARCH NO. P21-11691/IC

THE ATTACHED REPORT IS ISSUED TO MCCARTHY SUMMERS, WOOD, NORMAN, MELBY & SHULTZ P.A. THE ATTACHED REPORT MAY NOT BE RELIED ON BY ANY OTHER PARTY. NO LIABILITY IS ASSUMED BY OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY FOR ANY UNAUTHORIZED USE OR RELIANCE. THIS OWNERSHIP REPORT IS ISSUED PURSUANT TO FLORIDA STATUTE SECTION 627.7843 AND LIABILITY HEREUNDER FOR INCORRECT INFORMATION IS LIMITED TO THE AMOUNT PAID FOR THE REPORT.

The attached Report prepared in accordance with the instructions given by the user named above includes a listing of the owner(s) of a 300 – foot area surrounding subject property. It is the responsibility of the party named above to verify receipt of each document listed. If a copy of any document listed is not received, the office issuing this Report must be contacted immediately. This Report does not include easements, restrictions, notices or other documents not listed above.

This Report does not insure or guarantee the validity or sufficiency of any document attached nor is it to be considered a title insurance policy, an opinion of title, a guarantee of title or as any other form of guarantee or warranty of title. This Report shall not be used for the issuance of any title insurance policy or form.

Use of the term "Report" herein refers to this Ownership Report and the documents attached hereto.

The land referred to herein is described as follows:

See Exhibit "A" attached hereto & made a part hereof.

PRESTIGE TITLE AGENCY, INC.

736 Colorado Ave. Ste. A

Stuart FL 34994

By: _____

Iris M. Crews

A handwritten signature in blue ink, appearing to read 'Iris M. Crews', is written over a horizontal line. The signature is stylized and fluid.



Carolyn Timmann, Clerk of the Circuit Court & Comptroller

Rec Fees: \$27.00 Deed Tax: \$10,500.00

CFN#2800374 BK 3111 PG 2725 PAGE 1 of 3

Prepared by and return to:

Richard D. Percic, Esquire
Jeck, Harris, Raynor & Jones, P.A.
790 Juno Ocean Walk, Suite 600
Juno Beach, FL 33408-1121

Telephone: (561) 713-2094

[Space Above This Line For Recording Data]

Warranty Deed

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Tax Parcel ID Number: 30-37-42-015-000-00030-80000.

Subject to: (a) property taxes for the year of closing; (b) covenants, restrictions and public utility easements of record; and (c) existing zoning and governmental regulations.

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Exhibit A
page 1 of 2

In Witness Whereof, Grantors have hereunto set Grantors' hands and seals the day and year first above written.

Signed, sealed and delivered in the presence of:

Kathy Cullen
Signature of Witness #1

Kathy Cullen
Printed Name of Witness #1

Bastiaan A. Smallegange
Address: 117 San Marco Drive
Palm Beach Gardens, FL 33418

Address: 117 San Marco Drive
Palm Beach Gardens, FL 33418

Lorraine M. Quarles
Signature of Witness #2

LORRAINE M. QUARLES
Printed Name of Witness #2

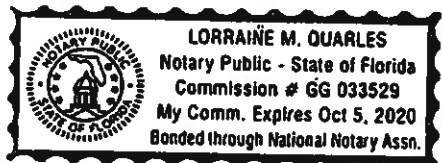
Marie Johanna Partouns-Smallegange
Address: 117 San Marco Drive
Palm Beach Gardens, FL 33418

Address: 117 San Marco Drive
Palm Beach Gardens, FL 33418

STATE OF FLORIDA
COUNTY OF PALM BEACH

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[Notary Seal]



Lorraine M. Quarles
Notary Public - State of Florida

Printed Name: LORRAINE M. QUARLES

Serial Number, if any: _____

Exhibit 'A'



**MARTIN COUNTY
PROPERTY APPRAISER**
Jenny Fields, CFA

Basic Info

PIN 30-37-42-015-000-00030-8	AIN 10263	Situs Address 1225 NE DOUBLOON DR HUTCHINSON ISLAND FL	Website Updated 8/24/21
--	---------------------	--	-----------------------------------

General Information

Property Owners HUSTED DANIEL HUSTED MARLENA	Parcel ID 30-37-42-015-000-00030-8	Use Code/Property Class 0000 - 0000 Vacant Residential
Mailing Address 1345 SE ST LUCIE BLVD STUART FL 34996	Account Number 10263	Neighborhood 190105 HI Oceanfront, Galleon Bay
Tax District DISTRICT ONE (H I) SPEC	Property Address 1225 NE DOUBLOON DR HUTCHINSON ISLAND FL	Legal Acres .9700
	Legal Description LOT 3 GALLEON BAY ACCORDING TO THE PLAT ...	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
2021	\$ 1,200,000	\$ 0	\$ 1,200,000	\$ 0	\$ 1,200,000	\$ 0	\$ 1,200,000

Current Sale

Sale Date 2/11/20	Grantor (Seller) SMALLEGANGE BASTIAAN A	Doc Num 2800374
Sale Price \$ 1,500,000	Deed Type Wd Full Covenant and Warranty Deed	Book & Page <u>3111 2725</u>

*Exhibit TB⁷
page 1 of 2*

Legal Description

LOT 3 GALLEON BAY ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 10 PAGE 5 PUBLIC RECORDS MARTIN COUNTY FLORIDA

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.

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Exhibit 'B'
page 2 of 2



Parcel Sales

Martin County Board of County Commissioners



600ft

27°13'31"N 80°09'27"W

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback

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
Daniel Husted	1969 SW Panther Trace, Stuart, FL 34997
Marlena Husted	1969 SW Panther Trace, Stuart, FL 34997

(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
None.		

(If more space is needed attach separate sheet)

DISCLOSURE OF INTEREST AFFIDAVIT

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
None.		

(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 ^{1*}
Not Applicable	Applicants are not pursuing previously submitted application for zoning change.			

(If more space is needed attach separate sheet)

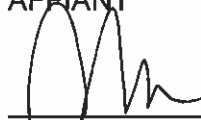
¹ Status defined as: A = Approved P = Pending D = Denied W = Withdrawn

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.

AFFIANT

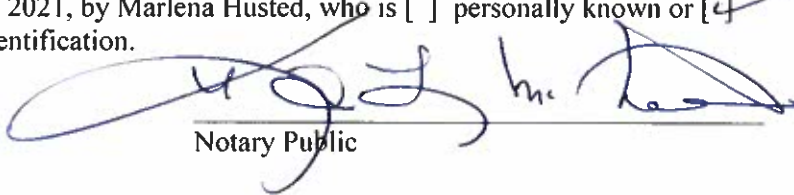


Marlena Husted

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by means of ☐ physical presence or ☐ online notarization, this 30th day of September, 2021, by Marlena Husted, who is ☐ personally known or ☒ produced Driver's license as identification.

(Notary Seal)



Notary Public



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

EXHIBIT "A"

Legal Description

**1225 NE Doubloon Drive
Hutchinson Island, FL**

Lot 3, GALLEON BAY, according to the Plat thereof, recorded in Plat Book 10, Page 5, of the Public Records of Martin County, Florida.

Parcel Identification Number: 30-37-42-015-000-00030-80000

.9700 Legal Acres

DISCLOSURE OF INTEREST AFFIDAVIT

Appendix

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

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.



Martin County, Florida Growth Management Department
DEVELOPMENT REVIEW DIVISION
2401 SE Monterey Road, Stuart, FL 34996
772-288-5495 www.martin.fl.us

This document may be reproduced upon request in an alternative format by contacting the County ADA Coordinator (772) 320-3131, the County Administration Office (772) 288-5400, Florida Relay 711, or by completing our accessibility feedback form at www.martin.fl.us/accessibility-feedback

Variance Non-Administrative

Applicant shall submit the following items in the order shown below as one complete set in hard copy (paper) format (see exceptions below) and one complete set electronically either on a disc or flash drive. In addition, if any item is not included, please identify the item and the reason for its exclusion in the narrative.

- ☒ 1. APPLICATION: Please use the new application form. [Application](#)
- ☒ 2. AFFIDAVIT: Complete the affidavit for digital submission. [Affidavit for digital submission](#)
- ☒ 3. NARRATIVE: A complete project narrative including what is being requested, the location and size of the subject property.
- ☒ 4. A check made payable to the Martin County Board of County Commissioners per the Development Review Fees. [Development review fee schedule](#)
- ☒ 5. POWER OF ATTORNEY: A notarized power of attorney authorizing an agent to act on the owner's behalf.
- ☒ 6. RECORDED DEED: A copy of the recorded deed(s) for the subject property and any contract for purchase of the property.
- ☒ 7. PROPERTY TRANSFER: A certification of any property transfer since the property was deeded to the current property owner. If there has not been a property title transfer since the recorded deed, provide a certified statement that no title transfer has occurred.
- ☒ 8. VARIANCE JUSTIFICATION: Justification statement for variance.
- ☒ 9. LOCATION MAP: A location map (8 1/2 x 11) showing the property and all major and minor roadways in and adjacent to the property with the property clearly outlined.
- ☒ 10. BOUNDARY SURVEY: A boundary survey (24 x 36) of the entire site including the legal description, parcel control number(s) and acreage, certified within 180 days of the date of this application, signed and sealed by a licensed Florida professional surveyor and mapper. **Hard copy exception: 9 additional sets**
- ☒ 11. SITE PLAN: A site plan (11 x 17 or larger) illustrating what is being requested. **Hard copy exception: 9 additional sets**

- ☒ 12. CERTIFIED LIST OF PROPERTY OWNERS: A certified list of surrounding property owners; within 300 feet if site is inside the urban service district, or 600 feet if site is outside the urban service district, to be notified by letter of the public hearings.
- ☒ 13. AERIAL PHOTO: Recent aerial photograph of the site with the property clearly outlined.
- ☒ 14. DISCLOSURE of INTEREST AFFIDAVIT: Please submit a completed financial disclosure affidavit form. [Section 10.5.D.1., LDR] [Disclosure of Interest Affidavit](#)

RESOURCES: [Martin County Development Review Webpage](#)

October 12, 2021

**McCARTHY
SUMMERS
WOOD
NORMAN
MELBY &
SCHULTZ P.A.**
Attorneys at Law

NOTICE TO SURROUNDING PROPERTY OWNERS

Subject: Request for a variance by Daniel and Marlena Husted to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code for the HB-1AA, Hotel Motel District to permit the construction of a single family residential dwelling and appropriate accessory structures on Lot 3, Galleon Bay, Hutchinson Island, between SR A1A and the Atlantic Ocean, Stuart, Florida.

Legal Description: Lot 3 Galleon Bay according to the Plat thereof recorded in Plat Book 10, Page 5, 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, October 28, 2021
Time: 7:00 P.M. or as soon 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 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.

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*

McCARTHY, SUMMERS, WOOD,
NORMAN, MELBY & SCHULTZ, P.A.

October 12, 2021
Page 2

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 the he/she is authorized to speak for the group. Forms are available on the Martin County website 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 Matt Stahley, Principal Planner, (e-mail: mstahley@martin.fl.us) or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department.

Sincerely,

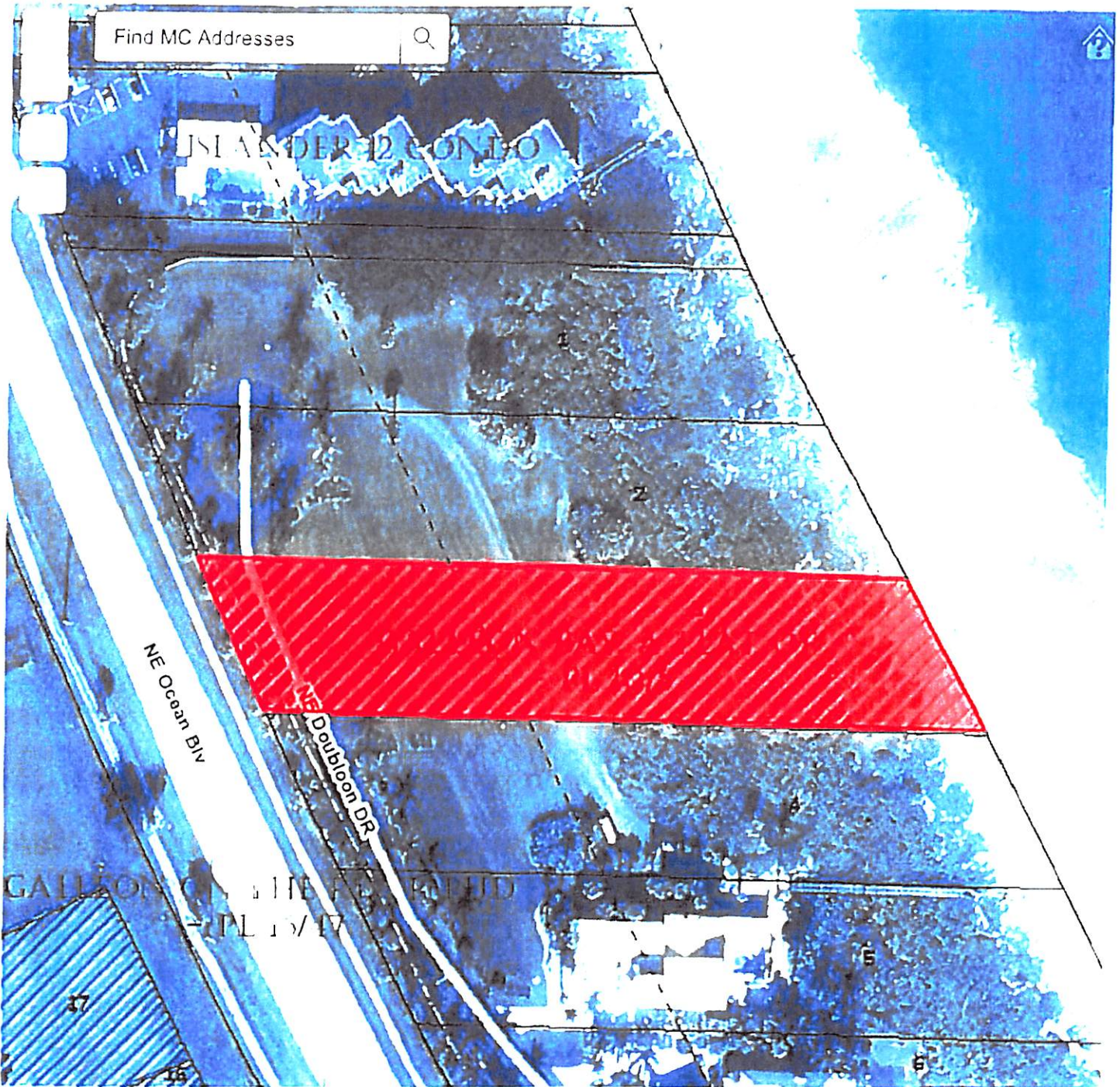


Christen Spake, Esquire
cls@mccarthysummers.com
CLS/dd

Attachments: Location Map
Site Plan

MC

Parcel Sales



Public Notices

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. 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.

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For further information, please call the Growth Management Department at 772-288-5495. All written comments should be sent to Matt Stahley, Principal Planner, (e-mail: mstahley@martin.fl.us) or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department. Pub Oct 13th 2021 TCN4949438

BEFORE THE BOARD OF ZONING ADJUSTMENT
MARTIN COUNTY, FLORIDA

NOTICE OF PUBLIC HEARING

Subject: Request for a variance by Daniel and Marlena Husted to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code for the HB-1AA, Hotel Motel District to permit the construction of a single family residential dwelling and appropriate accessory structures on Lot 3, Galleon Bay, Hutchinson Island, between SR A1A and the Atlantic Ocean, Stuart, Florida.

Legal Description: Lot 3 Galleon Bay according to the Plat thereof recorded in Plat Book 10, Page 5, 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, October 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) 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.

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. 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

Public Notices

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 Matt Stahley, Principal Planner, (e-mail: mstahley@martin.fl.us) or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department. Pub Oct 13th 2021 TCN4949439

ST. LUCIE COUNTY BOARD OF ADJUSTMENT
PUBLIC HEARING AGENDA
Wednesday, October 27, 2021

NOTICE OF PROPOSED VARIANCE REQUEST

Notice is hereby given in accordance with Section 11.00.03 of the St. Lucie County Land Development Code and provisions of the St. Lucie County Comprehensive Plan that the following applicant has requested that the St. Lucie County Board of Adjustment consider the following request:

PURPOSE: The request of Kenneth J. Sparler for a Variance from the minimum building setback requirements in the Harbour Ridge, Cinnamon Village Planned Unit Development (PUD). If approved, the Variance will allow a lanai to be constructed over an existing open stone patio to encroach into the required 20-foot rear yard setback by no more than 8-feet, providing a 12-foot rear yard setback

FILE NUMBER: BA-9202126180

LOCATION:12821 NW Cinnamon Way, Palm City, FL 34990

PARCEL I.D.: 4425-602-0022-000/5

The Public Hearing on this item will be held in the Commission Chambers, Roger Poiras Annex, 3rd Floor, St. Lucie County Administration Building, 2300 Virginia Avenue, Fort Pierce, Florida on October 27, 2021, beginning at 9:30 a.m. or as soon thereafter as possible.

All interested persons will be given an opportunity to be heard. Written comments received in advance of the public hearing will also be considered. Written comments to the Board of Adjustment should be received by the Planning and Development Services Department Planning Division by noon prior to the scheduled hearing. The petition file is available for review at the Planning and Development Services Department – Planning offices located at 2300 Virginia Avenue, Fort Pierce, Florida during regular business hours. Please call (772) 462-2822 or TDD (772) 462-1428 if you have any questions or require additional information about this petition.

The St. Lucie County Board of Adjustment has the power to authorize Variances from the dimensional requirements of the St. Lucie County Land Development Code, in accordance with the Provisions of Section 10.01.00, of the St. Lucie County Land Development Code.

The proceedings of the Board of Adjustment are electronically recorded. PURSUANT TO SECTION 286.0105, FLORIDA STATUTES, if a person decides to appeal any decision made by the Board of Adjustment with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings. 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. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued from time to time to a date-certain.

Anyone with a disability requiring accommodations to attend this meeting should contact the St. Lucie County Risk Manager at least forty-eight (48) hours prior to the meeting at (772) 462-1546 or T.D.D. (772) 462-1428.

BOARD OF ADJUSTMENT
ST. LUCIE COUNTY, FLORIDA
S/ ROBERT LOWE, CHAIRMAN

Pub October 13, 2021 TCN4938722

ST. LUCIE COUNTY BOARD OF ADJUSTMENT
PUBLIC HEARING AGENDA
Wednesday, October 27, 2021
NOTICE OF PROPOSED VARIANCE REQUEST

Notice is hereby given in accordance with Section 11.00.03 of the St. Lucie County Land Development Code and provisions of the St. Lucie County Comprehensive Plan that the following applicant has requested that the St. Lucie County Board of Adjustment consider the following request:
PURPOSE: The request of Multi Media Concepts, Inc. and Dybra PSL Development, LLC for a Variance from the provisions of Section 7.04.01(A) Table 7-10 maximum building height requirement to construct five 48 unit multi-family residential buildings (4 stories) for a total of 240 dwelling units within the RM-5 (Residential, Multi-family – 5 du/ac) Zoning District.

Public Notices

FILE NUMBER: BA-9202126154
LOCATION: Northeast corner of Prima Vista Boulevard & Lennard Road, Port St. Lucie
PARCEL I.D.'s: 3414-501-0608-000/0, 3414-501-0606-000/6, 3414-501-0605-000/9, 3414-501-0608-150/6

The Public Hearing on this item will be held in the Commission Chambers, Roger Poiras Annex, 3rd Floor, St. Lucie County Administration Building, 2300 Virginia Avenue, Fort Pierce, Florida on **October 27, 2021**, beginning at **9:30 a.m.** or as soon thereafter as possible.

All interested persons will be given an opportunity to be heard. Written comments received in advance of the public hearing will also be considered. Written comments to the Board of Adjustment should be received by the Planning and Development Services Department Planning Division by noon prior to the scheduled hearing. The petition file is available for review at the Planning and Development Services Department – Planning offices located at 2300 Virginia Avenue, Fort Pierce, Florida during regular business hours. Please call (772) 462-2822 or TDD (772) 462-1428 if you have any questions or require additional information about this petition.

The St. Lucie County Board of Adjustment has the power to authorize Variances from the dimensional requirements of the St. Lucie County Land Development Code, in accordance with the Provisions of Section 10.01.00, of the St. Lucie County Land Development Code.

The proceedings of the Board of Adjustment are electronically recorded. **PURSUANT TO SECTION 286.0105, FLORIDA STATUTES**, if a person decides to appeal any decision made by the Board of Adjustment with respect to any matter considered at a meeting or hearing, he or she will need a record of the proceedings. 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. Upon the request of any party to the proceeding, individuals testifying during a hearing will be sworn in. Any party to the proceeding will be granted an opportunity to cross-examine any individual testifying during a hearing upon request. If it becomes necessary, a public hearing may be continued from time to time to a date-certain.

Anyone with a disability requiring accommodations to attend this meeting should contact the St. Lucie County Risk Manager at least forty-eight (48) hours prior to the meeting at (772) 462-1546 or T.D.D. (772) 462-1428.
**BOARD OF ADJUSTMENT
ST. LUCIE COUNTY, FLORIDA
S/ ROBERT LOWE, CHAIRMAN
Publish: Oct. 13th, 2021
TCN4947153**

HOBE-ST. LUCIE
CONSERVANCY DISTRICT
FISCAL YEAR 2021/2022
REGULAR MEETING SCHEDULE

NOTICE IS HEREBY GIVEN that the Board of Supervisors of the Hobe-St. Lucie Conservancy District will hold Regular Meetings at the **Hobe Sound Polo Club located at 2935 SE Bridge Road, Hobe Sound, Florida 33455** at 9:30 a.m. on the following dates:

**October 27, 2021
November 17, 2021
December 15, 2021
January 26, 2022
February 23, 2022
March 23, 2022
April 27, 2022
May 25, 2022
June 22, 2022
July 27, 2022
August 24, 2022
September 28, 2022**

The purpose of the meetings is to conduct any business coming before the Board. Meetings are open to the public and will be conducted in accordance with the provisions of Florida law. A copy of the Agenda for any of the meetings may be obtained from the District's website or by contacting the District Manager at (561) 630-4922 and/or toll free at 1-877-737-4922 prior to the date of the particular meeting.

From time to time one or more Supervisors may participate by telephone; therefore a speaker telephone will be present at the meeting location so that Supervisors may be fully informed of the discussions taking place. Said meetings may be continued as found necessary to a time and place specified on the record.

If any person decides to appeal any decision made with respect to any matter considered at these meetings, such person will need a record of the proceedings and such person may need to insure that a verbatim record of the proceedings is made at his or her own expense and which record includes the testimony and evidence upon which the appeal is based.

In accordance with the provisions of the Americans with Disabilities Act, any person requiring special accommodations or an interpreter to participate at any of these meetings should contact the District Manager at (561) 630-4922 and/or toll-free at 1-877-737-4922 at least seven (7) days prior to the date of the particular meeting.

Meetings may be cancelled from time to time without advertised notice.

**HOBE-ST. LUCIE
CONSERVANCY DISTRICT
www.hobestluciecdd.org
Pub: Oct 13, 2021
TCN4947176**

Public Notices

ITB# 1010-0-2021/LD
SDO BOARD ROOM, EXTERIOR
FINISHES & ROOF
PROJECTS

The Martin County School District (hereinafter referred to as "MCSDD") is soliciting a Licensed General Contractor to reconstruct improvements at the School District Office Building located at 1939 SE Federal Highway, Stuart, Florida 34994. This project includes the renovation of the existing SDO Warehouse into a Multi-Purpose Use Board Room and the installation of a new roof system in accordance with the Architect's Construction Documents, Project Manual specifications, and drawings.

Solicitation Documents may be obtained at www.vendorregistry.com or with www.DemandStar.com. The District is not responsible for the content of any submittal package received through any other party or source.

A Mandatory Pre-bid Meeting followed by a site visit will be held on October 20, 2021, at 10:00am, at the School District Office Building (SDO) located at 1939 SE Federal Highway, Stuart, Florida 34994. All Interested Bidders are required to attend this Mandatory Prebid Meeting and site visit in order for their submittal to be considered. Bidders must sign-in on the attendance log prior to 10:00am, sign in log shall act as proof of attendance. Meeting will start promptly at 10:00am. Bidders that arrive after 10:00am will be considered late and shall not be permitted to sign the attendance log.

A Bid Bond in an amount of five percent (5%) of the total amount bid is required and must be submitted with their bid. The Bid Surety may be in the form of a Surety Bond with a carrier duly licensed and authorized to do business in the State of Florida, Cashier's Check or Certified Check (checks made payable to School Board of Martin County, Florida).

Questions: Email bids@martinschools.org by no later than 2:00 pm eastern time on 10/27/21.

Firms desiring to provide the services described shall submit one (1) complete electronic submittal, contained in one (1) file, PDF format preferred, submitted electronically through www.DemandStar.com or bids@martinschools.org containing all of the required information no later than 2:00pm, November3, 2021. Pub: Oct 7, 13, 20, 2021 TCN4946056

NEWFIELD COMMUNITY
DEVELOPMENT DISTRICT
FISCAL YEAR 2021/2022
MEETING SCHEDULE

The Board of Supervisors of the Newfield Community Development District will hold their regular meetings for Fiscal Year 2021/2022 at 2400 SE Federal Highway #203, 2nd Floor Conference Room, Stuart, Florida 34994, at 2:00 p.m., unless otherwise indicated as follows:

**October 28, 2021
November 18, 2021
December 16, 2021
January 27, 2022
February 24, 2022
March 24, 2022
April 28, 2022
May 26, 2022
June 23, 2022
July 28, 2022
August 25, 2022
September 22, 2022**

The meetings are open to the public and will be conducted in accordance with the provision of Florida Law for Community Development Districts. The meetings may be continued to a date, time, and place to be specified on the record at the meeting. A copy of the agenda for these meetings may be obtained from The Oaks Center, 2501A Burns Road, Palm Beach Gardens, Florida 33410 or by calling (561) 630-4922.

There may be occasions when one or more Supervisors or staff will participate by telephone. Pursuant to provisions of the Americans with Disabilities Act, any person requiring special accommodations at this meeting because of a disability or physical impairment should contact the District Office at (561) 630-4922 at least 48 hours prior to the meeting. If you are hearing or speech impaired, please contact the Florida Relay Service by dialing 7-1-1, or 1-800-955-8771 (TTY) / 1-800-955-8770 (Voice), for aid in contacting the District Office.

A person who decides to appeal any decision made at the meeting with respect to any matter considered at the meeting is advised that person will need a record of the proceedings and that accordingly, the person may need to ensure that a verbatim record of the proceedings is made, including the testimony and evidence upon which such appeal is to be based. Meetings may be cancelled from time to time without advertised notice.

District Manager
**NEWFIELD COMMUNITY DEVELOPMENT DISTRICT
www.newfieldcdd.org
Publish: Oct. 13th, 2021
TCN4948243**

IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT, IN AND FOR BREVARD COUNTY, FLORIDA
Case No.: 562021DR001603AXXXHC
The Division:
Jerone Young, Petitioner, and
Jacqueline Lee Moses Young, Respondent,
NOTICE OF ACTION FOR DISSOLUTION OF MARRIAGE (NO CHILD OR FINANCIAL SUPPORT)

TO: Jacqueline Lee Moses Young

Public Notices

626 Bridgeport Dr. Port St. Lucie, FL 34953
YOU ARE NOTIFIED that an action for dissolution of marriage has been filed against you and that you are required to serve a copy of your written defenses, if any, to it on Jerone Young, whose address is 1704 SE Haverford St. Port. Lucie, FL 34983 on or before 9-20-2021, and file the original with the clerk of this Court at PO BOX 700 FORT PIERCE, FL 34954 before service on Petitioner or immediately thereafter. If you fail to do so, a default may be entered against you for the relief demanded in the petition.

The action is asking the court to decide how the following real or personal property should be divided: None
Copies of all court documents in this case, including orders, are available at the Clerk of the Circuit Court's office. You may review these documents upon request.

You must keep the Clerk of the Circuit Court's office notified of your current address. (You may file Designation of Current Mailing and E-Mail Address, Florida Supreme Court Approved Family Law Form 12.915.) Future papers in this lawsuit will be mailed or e-mailed to the address(es) on record at the clerk's office.

WARNING: Rule 12.285, Florida Family Law Rules of Procedure, requires certain automatic disclosure of documents and information. Failure to comply can result in sanctions, including dismissal or striking of pleadings.
Dated: 8-4-2021 CLERK OF THE CIRCUIT COURT
By: /s/ Delany Messa
Deputy Clerk
Publish: October 6, 13, 20 & 27, 2021
TCN4940037

NOTICE

Public Hearings will be conducted before the City Council of the City of Port St. Lucie at a meeting scheduled for 6:30 p.m. or as closely thereafter as business permits, on October 25, 2021, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida for the following:

**ORDINANCE 21-97
AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, AUTHORIZING THE PARTIAL ABANDONMENT AND TERMINATION OF A BLANKET FLOWAGE EASEMENT RECORDED IN OFFICIAL RECORDS BOOK 2902, PAGE 1220, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE.**

**ORDINANCE 21-98
AN ORDINANCE OF THE CITY OF PORT ST. LUCIE, FLORIDA, ABANDONING A PORTION OF A TWENTY (20) FOOT WIDE UTILITY AND DRAINAGE EASEMENT AFFECTING LOT 1, BLOCK 75, SOUTH PORT ST. LUCIE UNIT FIVE, RECORDED IN PLAT BOOK 14, PAGE(S) 12, 12A TO 12G, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; PROVIDING FOR CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Pub October 13, 2021 TCN4948782

REQUEST FOR QUALIFICATIONS (RFQ) 2022-3358
Martin County Board of County Commissioners
Attn: Purchasing Division
2401 SE Monterey Road
Stuart, FL 34996
pur_div@martin.fl.us
www.martin.fl.us

In accordance with Florida Statutes, Section 287.055 Consultant's Competitive Negotiations Act (CCNA), the Board of County Commissioners, Martin County, Florida, is soliciting Requests for Qualifications for:
COASTAL ENVIRONMENTAL CONSULTING
Sealed responses will be received at the 1st Floor Reception Desk at the above address or via DemandStar until 2:30 PM local time, on Wednesday, October 27, 2021. Funds for this contract may be derived from state and/or federal grants, therefore, the successful Consultant must comply with all state and federal guidelines. The complete bid document may be downloaded from www.demandstar.com (online bidding site). Martin County is an equal opportunity/affirmative action employer. By order of the Board of County Commissioners of Martin County, Florida.

Pub: Oct 6 & 13, 2021 TCN4938849

REQUEST FOR BID (RFB) 2022-3357
Martin County Board of County Commissioners
Attn: Purchasing Division
2401 S.E. Monterey Road
Stuart, Florida 34996
pur_div@martin.fl.us
www.martin.fl.us

The Board of County Commissioners, Martin County, Florida, will receive sealed bids for:
HOBE SOUND BASCULE BRIDGE ELECTRICAL & CONTROL SYSTEM REHABILITATION
Sealed bids will be received by the Information Desk on the 1st Floor at the address above or via DemandStar until 2:30 PM local time, on Wednesday, November 10, 2021. A non-mandatory pre-bid meeting will be held on October 14, 2021 at 1:00 p.m. at the Martin County Administrative Center, 2401 SE Monterey Road, Stuart, FL 34996. The complete bid document may be downloaded from www.demandstar.com (online bidding site). Martin County is an equal opportunity/affirmative action employer. By order of the Board of County Commissioners of Martin County, Florida.

Pub: Oct 6 & 13, 2021 TCN4938849

Public Notices

NOTICE OF FORFEITURE COMPLAINT

On September 17, 2021, in Indian River County Florida, the Sheriff seized and holds 2016 Chevrolet Colorado, VIN# 1GCGSDE33G1363996. A complaint has been filed in the Circuit Court in Indian River County, Florida, Court Case No.: 312021CA000669XXXXX.

Adam M. Fetterman
General Counsel
Indian River County Sheriff's Office
772-978-6407

Pub: Oct 13 & 20, 2021 TCN4950998

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, November 5, 2021, for the following proposal in Martin, St. Lucie, and Indian River Counties: Indian River E4V61 Landscape Complete letting advertisement information is available on our website at: <https://www.fdot.gov/contracts/d4/default.shtm> click on Friday, November 5, 2021 letting or by calling (954) 777-4612.
Pub: Oct 6 & 13, 2021 TCN4935227

Notice of Intent
Pursuant to Section 121.055 of the Florida Statutes, Indian River State College gives notice of its intent to designate the positions of Executive Vice President of Strategic Initiatives and Vice President of Institutional Technology, CIO for inclusion in the Senior Management Services Class of the Florida Retirement System effective November 1, 2021. Pub Oct 4th, 5th, 6th, 7th, 8th, 9th, 10th, 11th, 12th, 13th, 14th, 15th, 16th, 17th 2021 TCN4936865

NOTIFICATION OF PRACTICE CLOSURE - DAVID M. RODIN, MD, COASTAL UROLOGY OF STUART
The practice of Dr. David Rodin located at 905 SE Monterey Commons Blvd, Stuart, FL is announcing its closure as of September 30, 2021. Patients needing assistance in locating another physician should contact their primary care physician, health insurer, the Martin County Medical Society, or the local hospital. With written patient authorization, a copy of the medical records will be available prior to September 30, 2021 by calling 772-288-3301 and after September 30, 2021 at Morgan Records Management at MorganRecordsManagement.com or 833-888-0061 for 7 years from the last date of visit to our practice. Pub: SEP 22nd, 29th, OCT 6th, 13th, 2021 TCN4919607

THE INDIAN RIVER COUNTY 2021 TAX ROLL WAS CERTIFIED FOR ALL LEGAL PURPOSES ON OCTOBER 1, 2021.

**WESLEY DAVIS
INDIAN RIVER COUNTY PROPERTY APPRAISER
Pub Oct 6, 13, 2021
TCN4942574**

Public Sale

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, October 22nd, 2021, 2:15 PM. Krystle Harding Household item Furniture, Lesedi Trotz Household Goods, Joseph Simicsak Household, Bruce Starkey Household goods. The Auction will be listed and advertised on www.storageetreasures.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: Oct 6th & 13th, 2021 TCN4925631

NOTICE OF PUBLIC SALE:
COLLISON'S AUTOMOTIVE INC. gives Notice of Foreclosure of Lien and intent to sell these vehicles on 10/27/2021, 10:00 am at 1756 COMMERCE AVE VERO BEACH, FL 32960-5592, pursuant to subjection 713.78 of the Florida Statutes. **COLLISON'S AUTOMOTIVE INC.** reserves the right to accept or reject any and/or all bids.
ZAM56RRA1G1181968 2016 MASERATI
Pub: OCT. 13, 2021 TCN4943899

IN THE CIRCUIT COURT FOR MARTIN COUNTY, FLORIDA PROBATE DIVISION

File No.: 432021CP000967CPAXXM

IN RE: ESTATE OF DORA TAMMY COUTU, Deceased.

NOTICE TO CREDITORS (Summary Administration)

TO ALL PERSONS HAVING CLAIMS OR DEMANDS AGAINST THE ABOVE ESTATE: You are hereby notified that an Order of Summary Administration has been entered in the Estate of Dora Tammy Coutu, deceased, File Number 432021CP000967CPAXXM by the Circuit Court for Martin County, Florida, Probate Division, the address of which is 100 SE Ocean Blvd., Stuart, Florida 34994 or Post Office Box 9016, Stuart, FL 34995-9016, that the decedent's date of death July 9, 2021, and that the total value of the estate was less than \$75,000.00. The names and addresses of the petitioner and the petitioner's attorney are set forth below. All creditors of the decedent and other persons having claims or demands against decedent's estate on whom a copy of this notice is required to be served must file their claims with this court ON OR BEFORE THE LATER OF 3 MONTHS AFTER THE TIME OF THE FIRST PUBLICATION OF THIS NOTICE OR 30 DAYS AFTER THE DATE OF SERVICE OF