



# Board of County Commissioners

2401 SE Monterey Road  
Stuart, Florida 34996

## Agenda Item Summary

COUNTY  
EXHIBIT # 1

File ID: 19-0200

PHQJ-1

Meeting Date: 2/26/2019

**PLACEMENT:** Public Hearings - Quasi-Judicial

**TITLE:**

**NORTH RIVER SHORES TENNIS CLUB INC. REQUEST AMENDMENT TO SPECIAL EXCEPTION (N046-002)**

**EXECUTIVE SUMMARY:**

Request for approval of Amendment to Special Exception for the North River Shores Tennis Club. The 6.27 acre subject property is located on the north side of NW Britt Road approximately 200 feet east of NW Everglades Boulevard.

**DEPARTMENT:** Growth Management

**PREPARED BY: Name:** Paul Schilling

**Title:** Deputy Growth Management Director

**REQUESTED BY:** North River Shores Tennis Club Inc., James "Mac" Stuckey, Esquire

**PRESET:**

**PROCEDURES:** Quasi-Judicial

FILED FOR RECORD  
COMMISSION RECORDS  
MARTIN COUNTY, FL  
Date 2/26/19  
CAROLYN TIMMANN  
CLERK OF CIRCUIT COURT  
By MKV D.C.

**BACKGROUND/RELATED STRATEGIC GOAL:**

Request for approval of Amendment to Special Exception for the North River Shores Tennis Club. The 6.27 acre subject property is located on the north side of NW Britt Road approximately 200 feet east of NW Everglades Boulevard.

On April 5, 1977, the Board of County Commissioners (BCC) approved a special exception to allow for the construction of a private tennis club. The tennis club facilities were constructed soon thereafter. The zoning on the property is R-2, Single-family Residential District with a future land use designation of Estate Density 2UPA.

The current application was submitted in an effort to resolve code enforcement case 16-0103902 \ENF2018020055 regarding an unpermitted tennis court which was constructed on the property in 2016. The property is otherwise in compliance with the previously approved special exception.

A revised final site plan has been prepared to identify the existing improvements and future gate house. The wetland and upland habitat along with the required buffers have been identified on the revised final site plan and incorporated into a preserve area management plan (PAMP).

The procedures and requirements for amending an approved special exception are set forth in Section 10.19, Land Development Regulations, Martin County, Fla., (2017), a copy of which is 258

attached.

The following supporting materials are provided attached to this agenda item:

- Draft Resolution for approval of Amendment to Special Exception
- Revised Final Site Plan
- Location Map and 2018 aerial image
- Application Materials
- Financial Disclosure Affidavit
- Preserve Area Management Plan (PAMP)
- Meeting minutes from the April 5, 1977, BCC hearing
- Previously approved Special Exception and Site Plan
- Copy of Section 10.19, Land Development Regulations, Martin County, Fla., (2017).
- Legal Ad
- Letter Notice
- Sign Posting Certification
- Draft Resolution for Denial of Amendment to Special Exception

Staff presentation-

Estimated time: Approximately 10 minutes.

Paul Schilling, Deputy Growth Management Director

Other staff members, as deemed necessary

Applicant presentation-

Estimated time: Approximately 10 minutes.

James "Mac" Stuckey, Esquire, Agent

### **ISSUES:**

There are no unresolved issues associated with this application.

### **LEGAL SUFFICIENCY REVIEW:**

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

### **RECOMMENDED ACTION:**

#### **RECOMMENDATION**

1. Move that the Board receive and file the Agenda item Summary and all its attachments including the Staff Report for the record as Exhibit 1.
2. Move that the Board approve the request for Amendment to Special Exception for the North River Shores Tennis Club.

#### **ALTERNATIVE RECOMMENDATIONS**

- 2.A. Move that the Board continue the request for approval of Amendment to Special Exception for the North River Shores Tennis Club to a date certain.
- 2.B. Move that the Board deny the request for Amendment to Special Exception and adopt the resolution of denial, setting forth the reasons for the denial.

**FISCAL IMPACT:**

**RECOMMENDATION**

The applicant has paid the application fee of \$690.

Funding Source	County Funds	Non-County Funds
Subtotal		
Project Total		

**ALTERNATIVE RECOMMENDATIONS**

None

**DOCUMENT(S) REQUIRING ACTION:**

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

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

**RESOLUTION NUMBER \_\_\_\_\_**

**DRAFT**

**[REGARDING AMENDMENT TO SPECIAL EXCEPTION  
FOR NORTH RIVER SHORES TENNIS CLUB]**

**WHEREAS**, this Board has made the following determinations of fact:

1. North River Shores Tennis Club submitted an application for an Amendment to Special Exception, located on lands legally described in Exhibit A.
2. This Board approved a special exception to allow for the construction of a private tennis club on April 5, 1977 as set forth in Resolution 77-4.1, and recorded in Official Record Book 419, beginning at Page 2147, Official Records of Martin County, Florida.
3. Upon proper notice of hearing this Board held a public hearing on the application on February 26, 2019.
4. At the public hearing, all interested parties were given an opportunity to be heard.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:**

1. The special exception is not for a use regulated by Article 4, Division 8, or Article 4, Division 18, Land Development Regulations;
2. The special exception is in continuing use and in compliance with its original conditions, unless good cause is shown why those conditions are no longer applicable;
3. The amendment to the special exception will not be detrimental to the public safety, health or welfare or be injurious to other property or improvements in the area in which the property is located;
4. The amendment requested is compatible and harmonious with the uses allowed in the district; and
5. The amendment is not otherwise prohibited by the Comprehensive Growth Management Plan, the Land Development Regulations or General Ordinances of Martin County.
6. The application for amendment to special exception is approved and all development shall be in accordance with the revised final site plan attached hereto as Exhibit B.
7. All conditions of Resolution 77-4.1 not amended by this amendment shall remain in full force and effect.
8. This Resolution shall be recorded in the Public Records of Martin County. A copy of this Resolution shall be forwarded to the applicant by the Growth Management Department subsequent to recording.

**DULY PASSED AND ADOPTED THIS 26<sup>th</sup> DAY OF FEBRUARY, 2019.**

ATTEST:

\_\_\_\_\_  
CAROLYN TIMMANN, CLERK OF THE  
CIRCUIT COURT AND COMPTROLLER

BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

BY: \_\_\_\_\_  
EDWARD V. CIAMPI  
CHAIRMAN

APPROVED AS TO FORM AND  
CORRECTNESS:

\_\_\_\_\_  
KRISTA A. STOREY  
ACTING COUNTY ATTORNEY

## Exhibit A

### Legal Description

PARCEL 1:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 37 SOUTH, RANGE 41 EAST, THENCE RUN NORTH ON THE WEST LINE OF SECTION 19, TOWNSHIP 37 SOUTH, RANGE 41 EAST, A DISTANCE OF 758 FEET TO THE POINT OF BEGINNING; THENCE RUN EAST PARALLEL WITH THE SOUTH SECTION LINE A DISTANCE OF 300 FEET; THENCE RUN SOUTH PARALLEL WITH THE WEST SECTION LINE A DISTANCE OF 436 FEET; THENCE RUN WEST PARALLEL TO THE SOUTH SECTION LINE A DISTANCE OF 300 FEET; THENCE RUN NORTH ALONG THE WEST SECTION LINE A DISTANCE OF 436 FEET TO THE POINT OF BEGINNING, MARTIN COUNTY, FLORIDA.

PARCEL CONTAINS 130,779.78 SQUARE FEET, 3.00 ACRES, +/-.

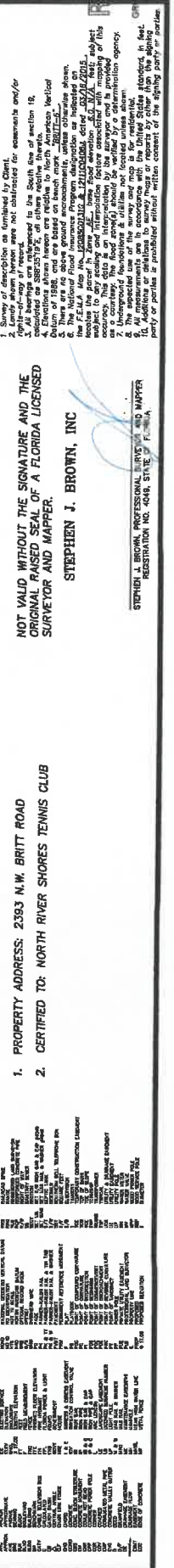
TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND ACCESS IN COMMON WITH OTHERS, OVER, UPON AND ACROSS THE WEST 50 FEET OF THE SOUTH 322 FEET OF SAID SECTION 19, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA.

PARCEL 2:

LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1530, PAGE 2319, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

PARCEL CONTAINS 142322.01 SQUARE FEET, 3.27 ACRES, +/-.

DATE  
R.F.C.  
ORDERED  
S.A.R.  
DATE  
08/15/2017  
SCALE  
1" = 30'  
JOB NO.  
ON  
MANAGEMENT  
INVESTMENT  
OF ONE SHEETS





# ABBREVIATED PRESERVE AREA MANAGEMENT PLAN (PAMP)

## MARTIN COUNTY GROWTH MANAGEMENT DEPARTMENT ENVIRONMENTAL DIVISION



*Trust Agreement of Sorrell I Strauss*

*Strauss PAMP aka North River Shores Tennis Club*

*Stuart, FL 34994*

*PCN# 19-37-41-000-000-00370-8*

Approved by/Date : \_\_\_\_\_



65

N046-002  
RECORD NUMBER

*Shawn McCarthy*  
APPROVED BY

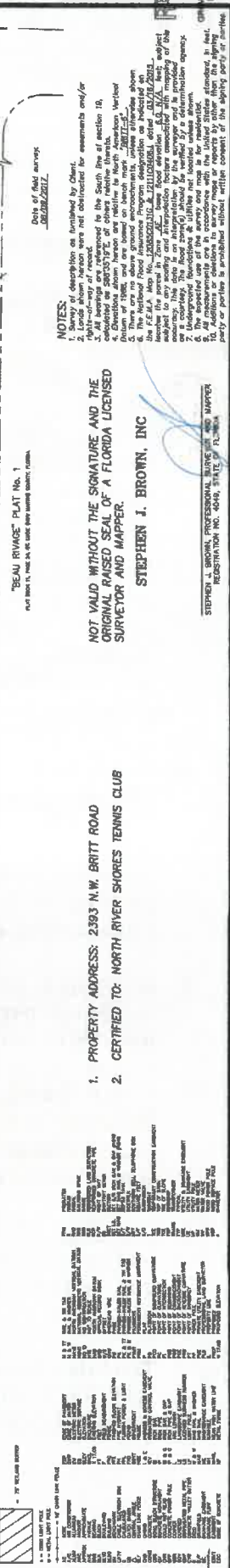


# PAMP CONDITIONS

The owner(s) of the lands to be preserved and maintained by this Preserve Area Management Plan (PAMP) and the developer(s) of the property described in this PAMP, their successors and assigns, and their environmental consultants and contractors, will implement and comply with all portions of this PAMP.

1. Preserve Area Maintenance. Preserve Areas will be left in an undisturbed natural condition except for required habitat maintenance or restoration activities as shown in the attached exotic eradication plan, including: exotic plant removal; revegetation with native plants; or, removal of plant material that is dead, diseased, or considered to be a safety hazard. All maintenance of Preserve Areas will be in accordance with this PAMP or as approved by the Martin County Environmental Planning Administrator. Maintenance and management activities will be performed by or under the supervision of a qualified environmental professional.
2. Exotic Plant Removal. Exotic vegetation shall be removed from Preserve Areas by the least ecologically-damaging method available. Such methods include hand pulling, hand spading, cutting with hand or chain saws and in-situ treatment with appropriate herbicides. No debris, including dead plants, plant clippings or wood scraps, shall be allowed in Preserve Areas. In addition, all dead plant material and exotic plant debris removed from Preserve Areas shall be disposed of in a County-approved recycling facility.
3. Protected Species. In the event that it is determined that any representative of a plant or animal species of regional concern is resident on or otherwise is significantly dependent upon the property, the OWNER shall cease all activities which might negatively affect that individual or population and immediately notify Martin County, the Florida Fish and Wildlife Conservation Commission and the U.S. Fish and Wildlife Service. Construction may resume when proper protection, to the satisfaction of all agencies, is provided by the OWNER.
4. Activities Prohibited In Preserve Areas. Activities prohibited in Preserve Areas include, but are not limited to: construction; dumping or placing building materials, soil, garbage, trash, or dead vegetation on or above the ground; removal or destruction of native trees, shrubs or other native vegetation; excavation or dredging of soil; diking or fencing; vehicular traffic including use by non-motorized vehicles, recreational vehicles and off-road vehicles; permanent irrigation; trimming, pruning, or fertilization; and any other activities detrimental to drainage, flood control, water conservation, erosion control or fish and wildlife conservation and preservation.
5. Inspections And Enforcement. Martin County is authorized to inspect any County regulated site or appurtenance. Duly authorized representatives of Martin County may, at any time, upon presenting proper identification, enter upon and shall be given access to any premises for the purpose of such inspection. Martin County shall have the right to enforce the provisions of this PAMP through any available administrative or civil proceeding, which may result in penalties. Restoration of habitat and other remedies, such as fines and fees covering staff time, may be required of any person, corporation or other entity found in violation of any of the provisions of this PAMP or of Article 10 of the Martin County Land Development Regulations
6. Site Plan. The Site Plan included with this PAMP illustrates all preserve areas, right-of-ways and easements, proposed structures, with distances to on- and off-site upland preserves, wetlands and wetland buffers, proposed final grade of developed area, and location of permanent preserve area signs.

The Site Plan will contain the notation: "PRESERVE AREAS ARE NOT TO BE ALTERED WITHOUT WRITTEN PERMISSION OF THE MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS."



STEPHEN J. BROWN, PROFESSIONAL SURVEYOR AND MAPPER  
REGISTRATION NO. 4049, STATE OF FLORIDA

NAME	ADDRESS	CITY	STATE	ZIP	DATE	TIME	REMARKS
JOHN J. BROWN	1234 Main St.	Springfield	MA	01103	10/15/78	10:00	Arrived on time
MARY K. SMITH	5678 Oak Ave.	Chicago	IL	60604	10/15/78	10:15	Left early
ROBERT L. GARCIA	9012 Elm St.	Los Angeles	CA	90001	10/15/78	10:30	Arrived on time
JANE D. WILSON	3456 Pine Rd.	New York	NY	10001	10/15/78	10:45	Left early
WILLIAM H. JONES	7890 Cedar Ln.	San Francisco	CA	94102	10/15/78	11:00	Arrived on time
CHARLES E. MILLER	2345 Birch St.	Seattle	WA	98101	10/15/78	11:15	Left early
HELEN S. ANDERSON	6789 Maple Dr.	Portland	ME	04101	10/15/78	11:30	Arrived on time
FRANK J. ROY	10110 Spruce Ave.	Denver	CO	80201	10/15/78	11:45	Left early
BARBARA A. HARRIS	4567 Ash St.	Phoenix	AZ	85001	10/15/78	12:00	Arrived on time
EDWARD G. CLARK	8901 Hickory Ln.	San Diego	CA	92101	10/15/78	12:15	Left early
LUCAS M. PETERSON	12345 Walnut St.	San Jose	CA	95101	10/15/78	12:30	Arrived on time
ANGELA R. COOPER	56789 Cherry Ave.	San Antonio	TX	78201	10/15/78	12:45	Left early
JOHN P. BAKER	90123 Peach St.	Fort Worth	TX	76101	10/15/78	13:00	Arrived on time
MICHAEL D. GREEN	34567 Plum Rd.	San Jose	CA	95101	10/15/78	13:15	Left early
DEBRA L. WHITE	78901 Apple Ln.	San Jose	CA	95101	10/15/78	13:30	Arrived on time
CHRISTOPHER J. KING	123456 Orange St.	San Jose	CA	95101	10/15/78	13:45	Left early
AMANDA K. SCOTT	567890 Grape Ave.	San Jose	CA	95101	10/15/78	14:00	Arrived on time
DAVID R. NELSON	901234 Pear St.	San Jose	CA	95101	10/15/78	14:15	Left early
STEPHANIE L. HAYES	345678 Peach Ln.	San Jose	CA	95101	10/15/78	14:30	Arrived on time
ANTHONY M. JAMES	789012 Cherry St.	San Jose	CA	95101	10/15/78	14:45	Left early
REBECCA J. WATSON	1234567 Elm Ave.	San Jose	CA	95101	10/15/78	15:00	Arrived on time
JOSEPH T. FORD	5678901 Oak St.	San Jose	CA	95101	10/15/78	15:15	Left early
CHRISTINA M. BROWN	9012345 Pine Ln.	San Jose	CA	95101	10/15/78	15:30	Arrived on time
ANDREW S. MILLER	3456789 Cedar St.	San Jose	CA	95101	10/15/78	15:45	Left early
EMILY R. JONES	7890123 Maple Ave.	San Jose	CA	95101	10/15/78	16:00	Arrived on time
DAVID L. SMITH	12345678 Birch St.	San Jose	CA	95101	10/15/78	16:15	Left early
SARAH K. WILSON	56789012 Spruce Ln.	San Jose	CA	95101	10/15/78	16:30	Arrived on time
JOHN P. GARCIA	90123456 Ash St.	San Jose	CA	95101	10/15/78	16:45	Left early
MICHAEL D. ROY	345678901 Hickory Ave.	San Jose	CA	95101	10/15/78	17:00	Arrived on time
ANGELA R. HARRIS	789012345 Walnut St.	San Jose	CA	95101	10/15/78	17:15	Left early
EDWARD G. CLARK	123456789 Cherry Ln.	San Jose	CA	95101	10/15/78	17:30	Arrived on time
LUCAS M. PETERSON	567890123 Peach St.	San Jose	CA	95101	10/15/78	17:45	Left early
AMANDA K. COOPER	901234567 Plum Ave.	San Jose	CA	95101	10/15/78	18:00	Arrived on time
JOHN P. BAKER	3456789012 Apple St.	San Jose	CA	95101	10/15/78	18:15	Left early
MICHAEL D. GREEN	7890123456 Orange Ln.	San Jose	CA	95101	10/15/78	18:30	Arrived on time
DEBRA L. WHITE	1234567890 Grape St.	San Jose	CA	95101	10/15/78	18:45	Left early
CHRISTOPHER J. KING	5678901234 Pear Ave.	San Jose	CA	95101	10/15/78	19:00	Arrived on time
AMANDA K. SCOTT	9012345678 Peach St.	San Jose	CA	95101	10/15/78	19:15	Left early
DAVID R. NELSON	3456789012 Cherry Ln.	San Jose	CA	95101	10/15/78	19:30	Arrived on time
STEPHANIE L. HAYES	7890123456 Elm St.	San Jose	CA	95101	10/15/78	19:45	Left early
ANTHONY M. JAMES	1234567890 Oak Ave.	San Jose	CA	95101	10/15/78	20:00	Arrived on time
REBECCA J. WATSON	5678901234 Pine St.	San Jose	CA	95101	10/15/78	20:15	Left early
JOSEPH T. FORD	9012345678 Cedar Ln.	San Jose	CA				

EXOTIC VEGETATION ERADICATION PLAN  
for  
Preserve Area at Strauss Trust/North River Shores Tennis Club  
(Addendum to PAMP)

Submitted to:  
Martin County Growth Management Dept.  
Environmental Division  
2401 SE Monterey Road  
Stuart, FL 34994

Submitted by:  
Brent Montgomery  
Environmental Consultant  
141 21<sup>st</sup> Avenue  
Vero Beach, FL 32962  
(772) 696-1904

## I. Introduction

This plan addresses the treatment and removal of exotic vegetation from a preserve area to be dedicated on roughly 3 acres at Martin County Parcel 193741000000003708. The preserve encompasses several habitats x landforms, including rarely-inundated freshwater wetlands, usually-inundated mangrove fringing wetlands, oak- and pine-dominated uplands, and a complex of parallel ditches and berms collectively characterized as “other surface water” (OSW).

The preserve is highly infested with several exotic species, principally Brazilian Pepper, Golden Bamboo, Shoebuttan Ardisia, Shefflera, and Strawberry Guava. These exist on the site in three regions distinguished in field survey by species abundance, size, and accessibility, and for that reason this Plan will prescribe eradication regimens for each zone thus established.

## II. Eradication Plan

The Exotics Zones Map, Exhibit 1, presents *general* boundaries of three zones exhibiting differing combinations of species, plant sizes, and ground conditions, each calling for adjustments in treatment approach.

**Zone 1;** This zone contains two parallel ditches separated by spoil berms. One of the berms actually appears on old photos as a roadway, and should prove useful in removing severed vegetation from this region of the site. Exotic vegetation here is rampant Brazilian Pepper, Bamboo, and Shoebuttan Ardisia. Specimens are large to very large. **Treatment:** All should be severed near ground level and removed, with stumps treated with appropriate herbicides to prevent re-sprouting. (Smaller specimens of Ardisia are best addressed by hand-pulling.)

***This treatment should be performed in Year 1 after approval of this Plan and PAMP. After completion of removals, vegetation drag trail may remain as recreational trail. (See Map)***

**Zone 2;** This zone encompasses mucky-soiled but usually-dry wetland, plus upland enclaves of oak and pine. The dominant exotic presence is dense thickets of Strawberry Guava, plus lesser occurrences of Shoebuttan Ardisia and minor sprays of Old World Climbing Fern. **Treatment:** Guava and Ardisia should be severed and removed, smaller Ardisia hand-pulled. (Note: Mucky/peaty ground conditions dictate that wheeled dragging should be restricted to *uplands* to reasonable proximity of material to be dragged, in order to avoid ground damage in wetland. The spindly aspect of Guava and Ardisia also lends itself to hand-dragging in bundles. )

***This treatment should be performed in Year 2 after approval of this Plan and PAMP. After completion of removals, vegetation drag trail may remain as recreational trail, provided it is located in uplands. (See Map)***

**Zone 2;** This zone represents a transition to tidally-inundated swamp, and is generally saturated-to-inundated, mucky, and thus difficult of access. Large Brazilian Pepper are the principal exotics, with lesser amounts of Shoebuttan Ardisia. **Treatment:** *Deaden in-place* with appropriate stem-applied herbicide. A recommended treatment will probably incorporate *girdling*, followed by appropriate herbicide applied to the frill. Note that oil-diluted Triclopyr is **not** label-approved for most of this wet region.

***This treatment should be performed in Year 3 after approval of this Plan and PAMP.***

### III. Maintenance

Follow-up maintenance sweeps to Zone 1 is recommended at 4, 8, and 12 months after initial treatment, due to high potential for re-sprouting and seed-catch on fertile and now-sunny ground. Thereafter this zone should be re-swept annually. Zone 2 should receive treatments at 6 and 12 months post-removal, and annually thereafter. Zone 3 should be revisited at 6 months, and annually thereafter. For efficiency, re-treatments to previously-treated zones may be performed concurrently with 1st treatments to other zones in Years 2 and 3.



— = Vegetation drag trails, to remain for recreational use

<p><b>Strauss/No River Shores Tennis Club</b> <b>Preserve Area Exotic Treat Zones</b></p> <p>See Narrative for Details</p>	<p><b>Brent Montgomery</b> Environmental Consultant 141 21<sup>st</sup> Avenue Vero Beach, FL 32962 (772) 696-1904 montgomerybrent2@gmail.com</p>
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## FLORIDA DEPARTMENT OF Environmental Protection

Southeast District  
3301 Gun Club Road, MSC7210-1  
West Palm Beach, FL 33406  
561-681-6600

Rick Scott  
Governor

Carlos Lopez-Cantera  
Lt. Governor

Noah Valenstein  
Secretary

November 29, 2018

Sorrell Strauss 2301  
NW Britt Road  
Stuart, FL 34994

RE: Informal Wetland and Other Surface Waters Determination  
Martin County Parcel ID: 1937410000000  
NW Britt Road  
Stuart, FL 34994  
File No. 43-0362252-001-FD

**This letter supersedes our letter dated April 9, 2018, calling out an other surface water on the provided map.**

Dear Mr. Strauss:

DEP staff inspected the parcel site listed above on March 15, 2018 to review the flagged wetland and other surface waters boundaries for the property above by Brent Montgomery and found:

The wetland and other surface water boundaries reviewed in the field and depicted on the exhibit dated March 15, 2018 appear to be an accurate representation of the landward extent of the wetlands and other surface waters on the property described above pursuant to Section 62-340, Florida Administrative Code. **Development (i.e. dredging or filling) of these wetlands or other surface waters, will require a permit from the Department.** The aerial attached to this Informal Determination Verification letter represents the limits of wetlands and other surface waters within the area inspected. These limits are presented here to assist in the design of a project that minimizes impacts to wetlands. Areas that are not clearly labeled as wetlands, other surface waters, or upland on the aerial have not been inspected by Department staff and are not subject to this non-binding informal determination.

Important notes:

- 1) Other federal, state, or local land development restrictions may apply to your property.
- 2) This wetland and other surface waters determination review is informal and is for pre-application planning purposes only.

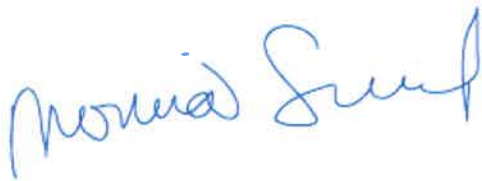


- 3) If you desire a binding jurisdictional determination, then you should petition the Department for a jurisdictional declaratory statement under 62-343.040, Florida Administrative Code, or you should apply to DEP for an Environmental Resource Permit.
- 4) DEP will consider this informal determination review to be valid for pre-application planning purposes for no longer than 5 years from the date of the site inspection March 15, 2018.
- 5) Construction activities of one or more acres of upland, will require a National Pollution Discharge Elimination System (NPDES) Permit. Construction can include soil disturbance, clearing, grading and excavation. Please contact the NPDES Stormwater Section at 850-245-7522 for assistance.

An Environmental Resource Permit application can be obtained on the Department's web site at <http://www.dep.state.fl.us/water/wetlands/erp/forms.htm>. Electronic applications for some permit and exemptions can be made using this electronic portal: <http://www.fldepportal.com/go/>

If you have any questions regarding this letter or permitting requirements, please contact Stacy Cecil by telephone at 561-861-6629 or by e-mail at [Stacy.Cecil@dep.state.fl.us](mailto:Stacy.Cecil@dep.state.fl.us).

Sincerely,



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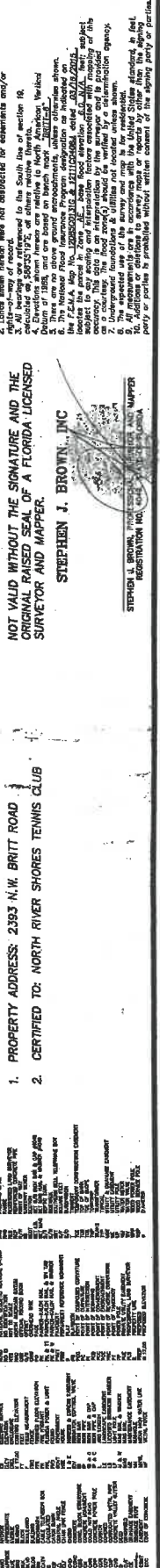
Monica Sovacool  
Environmental Manager

Enclosures:  
Maps with approximate wetland area, 7 pages

Cc:  
FDEP – Monica Sovacool, Stacy Cecil  
Brent Montgomery, [montgomerybrent2@gmail.com](mailto:montgomerybrent2@gmail.com)

STEPHEN T. BROWN, INC  
LICENSED BUSINESS NUMBER 0494  
SURVEYORS • DESIGNERS • LANDPLANNERS • CONSULTANTS  
610 EAST 87th STREET, SUITE 2, FLORIDA 33094 EMAIL: stbrown@earthlink.net PHONE: (772) 386-7170

YDASH	ONE
R.F.C.	ONE
GEORGE	ONE
S.J.B.	ONE
DATE	ONE
08/15/2017	ONE
SCALE	ONE
1" = 30'	ONE
ASB NO.	ONE
5785-01-04	ONE
SHEET	ONE
ONE	ONE













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

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## DEVELOPMENT REVIEW APPLICATION

### A. General Information:

1. **Type of Application:** Revised Minor Final Site Plan
2. **Proposed Development's Name:**  
North River Shores Tennis Club, Inc.
3. **Former Development's Name:**  
Special Exception for Heiko Voges and Ingeborg Voges
4. **Previous Project Number:** Resolution 77-4.1
5. **Pre-Application Meeting Date:**
6. **Property Owner:**  
Name or Company Name North River Shores Tennis Club, Inc. and Sorrell Strauss, Trustee  
Company Representative Sorrell I. Strauss, President of Corporation and Trustee of property to be added  
Address C/O James M. Stuckey, Attorney PO Box 1800  
City Stuart State FL Zip 34995  
Phone 772 - 223 - 8100 Fax 772 - 223 - 1430  
Email MACLAW3@aol.com
7. **Agent:** Same as Attorney  
Name or Company Name  
Company Representative  
Address  
City State Zip  
Phone - - Fax - -  
Email
8. **Contract Purchaser:** Same as the Property Owner  
Name or Company Name  
Company Representative  
Address  
City State Zip  
Phone - - Fax - -  
Email
9. **Land Planner:** Same as the Surveyor  
Name or Company Name  
Company Representative  
Address  
City State Zip  
Phone - - Fax - -  
Email

Not Applicable

**10. Landscape Architect:**  
 Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

Select from the list

**11. Surveyor:**  
 Name or Company Name Stephen J. Brown, Inc.  
 Company Representative Stephen J. Brown  
 Address 619 SE 5th Street  
 City Stuart State FL Zip 34994  
 Phone 772 - 288 - 7176 Fax 772 - 288 - 9995  
 Email SJBINC@BELLSOUTH.NET

Not Applicable

**12. Civil Engineer:**  
 Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

Not Applicable

**13. Traffic Engineer:**  
 Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

Not Applicable

**14. Architect:**  
 Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

Select from the list

**15. Attorney:**  
 Name or Company Name James M. Stuckey, Attorney at Law  
 Company Representative James "Mac" Stuckey  
 Address PO Box 1800  
 City Stuart State FL Zip 34995  
 Phone 772 - 223 - 8100 Fax 772 - 223 - 1430  
 Email maclaw3@aol.com

**16. Environmental Planner:** Select from the list  
 Name or Company Name Brent Montgomery, Ecological Consultant  
 Company Representative Brent Montgomery  
 Address 141 21st Avenue  
 City Vero Beach State FL Zip 32962  
 Phone 772 - 696 - 1904 Fax \_\_\_\_\_  
 Email Montgomerybrent2@gmail.com

**17. Other Professional:**  
 Name or Company Name \_\_\_\_\_  
 Company Representative \_\_\_\_\_  
 Address \_\_\_\_\_  
 City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_  
 Phone \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_ Fax \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_  
 Email \_\_\_\_\_

**18. Parcel Control Number(s):**  
19-37-41-000-000-00370-8  
19-37-41-000-000-0361-9

**19. Certifications by Professionals:**

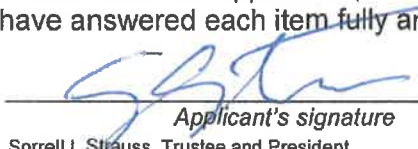
Section 10.2.D.7., Article 10, Development Review Procedures, Land Development Regulations (LDR), Martin County Code (MCC) provides the following:

*When reviewing an application for a development permit that is certified by a professional listed in s. 403.0877, F.S., the County shall not request additional information from the application more than three times, unless the applicant waives the limitation in writing. If the applicant believes the request for additional information is not authorized by ordinance, rules, statute, or other legal authority, the County, at the applicant's request, shall proceed to process the application for approval or denial.*

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

**B. 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.

  
 \_\_\_\_\_  
 Sorrell I. Strauss, Trustee and President  
 \_\_\_\_\_  
 Printed name

9/10/2018  
 \_\_\_\_\_  
 Date



# NOTARY ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF MARTIN

I hereby certify that the foregoing instrument was acknowledged before me this  
10th day of September, 2018, by Sorrell I. Strauss.

He or she

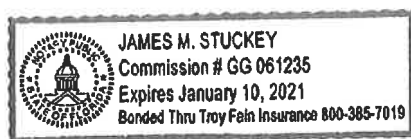
☒ is personally known to me or ☐ has produced \_\_\_\_\_ as  
identification.

  
Notary public signature

James M. Stuckey

Printed name

State of Florida at-large



WARRANTY DEED  
FROM CORPORATION

RAMCO FORM 33

**This Warranty Deed** Made and executed the 30<sup>th</sup> day of January A.D. 1986 by  
587672 NORTH RIVERSHORES RECREATION LIMITED

a corporation existing under the laws of Ontario, Canada, and having its principal place of business at 2605 Woodchester Dr., Mississauga, Ontario Canada hereinafter called the grantor, to

NORTH RIVER SHORES TENNIS CLUB, INC., a Florida Corporation whose postoffice address is 2393 N.W. Britt Road, Stuart, Florida 33494

hereinafter called the grantee:

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

**Witnesseth:** That the grantor, for and in consideration of the sum of \$ 10.00--- and other valuable considerations, receipt whereof is hereby acknowledged, by these presents does grant, bargain, sell, alien, remise, release, convey and confirm unto the grantee, all that certain land situate in Martin County, Florida, viz:

SEE ATTACHED FOR LEGAL DESCRIPTION

SUBJECT TO Mortgage held by FIRST NATIONAL BANK AND TRUST COMPANY OF STUART, which the above Grantee assumes and agrees to pay.

THIS DEED WAS PREPARED WITHOUT BENEFIT OF TITLE SEARCH OR LIABILITY.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in any-wise appertaining.

**To Have and to Hold,** the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that it is lawfully seized of said land in fee simple; that it has good right and lawful authority to sell and convey said land; that it hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances

### In Witness Whereof

the grantor has caused these presents to be executed in its name, and its corporate seal to be hereunto affixed, by its proper officers thereunto duly authorized, the day and year first above written.

ATTEST: Ingeborg Voges  
INGEBORG VOGES Secretary

Signed, sealed and delivered in the presence of:

Anna M. Eballar  
Kathryn A. Cowdrey

NORTH RIVERSHORES RECREATION  
LIMITED

By: Heiko Voges  
HEIKO VOGES President

BOOK 663 PAGE 949

STATE OF FLORIDA  
COUNTY OF MARTIN

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State and County aforesaid to take acknowledgments, personally appeared HEIKO VOGES and INGEBORG VOGES

well known to me to be the President and Secretary respectively of the corporation named as grantor in the foregoing deed, and that they severally acknowledged executing the same in the presence of two subscribing witnesses freely and voluntarily under authority duly vested in them by said corporation and that the seal affixed thereto is the true corporate seal of said corporation.

WITNESS my hand and official seal in the County and State last aforesaid this 30<sup>th</sup> day of January 1986

My Commission Exp: NOTARY PUBLIC STATE OF FLORIDA  
MY COMMISSION EXPIRES JULY 24 1987  
BONDED THRU GENERAL INSURANCE UNIT

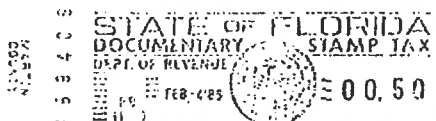
This Instrument prepared by: C. Norris Tilton, Esq.  
TILTON & WOODS, P.A.  
Address 1935 N.E. Ricou Terrace  
Jensen Beach, Florida 33457

LEGAL DESCRIPTION

Beginning at the Southwest corner of Section 19, Township 37 South, Range 41 East, thence run North on the West line of Section 19, Township 37 South, Range 41 East, a distance of 758 feet to the point of beginning; thence run East parallel with the South section line a distance of 300 feet; thence run South parallel with the West section line a distance of 436 feet; thence run West parallel to the South section line a distance of 300 feet; thence run North along the West section line a distance of 436 feet to the Point of Beginning, Martin County, Florida.

TOGETHER with an easement for ingress, egress and access in common with others, over, upon and across the West 50 feet of the South 322 feet of said Section 19, Township 37 South, Range 41 East, Martin County, Florida.

SUBJECT to restrictions, easements and zoning of record.



LOUISIANA  
BY CH

86 FEB 4 P 1:15

FILED  
RECORDED  
INDEXED

O.R. BOOK 663 PAGE 950

This Document Prepared By:

M. LANNING FOX

WARNER, FOX, SHELEY, DUNGEY & SWEET  
1100 S. FEDERAL HIGHWAY P. O. DRAWER 6  
STUART, FL 34995-0006

I HEREBY CERTIFY THAT THE ABOVE IS A TRUE AND CORRECT COPY OF THE ORIGINAL INSTRUMENT.

INSTR # 1479567

OR BK 01530 PG 2319

RECORDED 02/06/2001 02:05 PM

MARSHA EWING

MARTIN COUNTY Florida

DOC TAX 0.70

DEPUTY CLERK L. Wood

"THIS IS A CORRECTIVE DEED TO ADD A  
REVISED EXHIBIT "A" LEGAL DESCRIPTION  
TO THAT DEED RECORDED IN O.R. BOOK 1460,  
PAGE 1002, MARTIN COUNTY, FLORIDA, PUBLIC RECORDS.

Parcel ID Number: 19-37-41-000-000-003.60000  
19-37-41-000-000-003.70800  
19-37-41-000-000-003.80600

## Warranty Deed

This Indenture, Made this 30th day of January, 2001  
TO THAT DEED RECORDED IN O.R. BOOK 1460,  
PAGE 1002, MARTIN COUNTY, FLORIDA, PUBLIC RECORDS.

FIRST BANK OF INDIANTOWN, a Florida corporation  
whose address is P.O. Box 365, Indiantown, Florida 34957

of the County of Martin

State of Florida

A.D., Between

SORRELL I. STRAUSS, as Trustee of the TRUST AGREEMENT OF SORRELL I. STRAUSS,  
dated February 23, 1998

whose address is: 821 East Ocean Blvd., Stuart, Florida 34996

of the County of

Martin

State of

Florida

, grantee.

Witnesseth that the GRANTOR, for and in consideration of the sum of  
----- TEN & NO/100 (\$10.00) ----- DOLLARS,  
and other good and valuable consideration to GRANTOR in hand paid by GRANTEE, the receipt whereof is hereby acknowledged, has  
granted, bargained and sold to the said GRANTEE and GRANTEE'S heirs and assigns forever, the following described land, situate,  
lying and being in the County of Martin State of Florida to wit:

SEE EXHIBIT "A"

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, with full power and authority  
to protect, conserve and to sell, or lease or to encumber, or to otherwise manage  
and dispose the Property.

This conveyance is granted pursuant to and shall be governed by the provisions of  
Section 689.071, Florida Statutes.

AND the grantor hereby covenants with said grantee that the grantor is lawfully  
seized of said land in fee simple; the the grantor has good right and lawful  
authority to sell and convey said land; that the grantor hereby fully warrants  
the title to said land and will defend the same against the lawful claims of all  
persons whomsoever, and that said land is free of all encumbrances, except taxes  
accruing subsequent to December 31, 1999.

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

In Witness Whereof, the grantor has hereunto set her hand and seal the day and year first above written.  
Signed, sealed and delivered in our presence:

Mildred C. Chilson

Printed Name: Mildred C. Chilson

Witness

Judith A. Brewer

Printed Name: Judith A. Brewer

Witness

FIRST BANK OF INDIANTOWN, a Florida corporation

By: Edward Appleton (Seal)  
EDWARD APPLETON, as President

(CORPORATE SEAL)

STATE OF Florida  
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me this  
30th day of January, 2001  
EDWARD APPLETON, as President of FIRST BANK OF INDIANTOWN, a Florida corporation,  
on behalf of said corporation,  
who is personally known to me or who has produced  
as identification.



Cynthia S. Hawkins  
Printed Name: Cynthia S. Hawkins  
NOTARY PUBLIC  
My Commission Expires: 12/07/01

(SEAL)

EXHIBIT A  
LEGAL DESCRIPTION

Parcel 1

Beginning at the southwest corner of Section 19, Township 37 South, Range 41 East, thence run north on the west line of Section 19, Township 37 South, Range 41 East, a distance of 758 feet; thence run east parallel with south section line a distance of 432 feet; thence run south parallel with the west section line a distance of 30 feet; thence run south 63°10' east a distance of 362 feet; thence run south 14° west to the center of Britt Creek; thence meander along the center of Britt Creek westerly and southerly to the south line of Section 19, Township 37 South, Range 41 East; thence run west 210 feet more or less along the south line of Section 19, to the Point of Beginning; being the same premises conveyed to Fenrock Builders, Inc., a corporation established under the laws of the State of Florida, by Fenrock Builders, Inc., a corporation established under the laws of the State of Connecticut, by Warranty Deed on 3 March 1960, as recorded in Official Record Book 43, page 360 of the public records of Martin County, Florida; less and excepting therefrom the following described parcel:

Beginning at the southwest corner of Section 19, Township 37 South, Range 41 East, thence run north on the west line of Section 19, Township 37 South, Range 41 East, a distance of 758 feet to the Point of Beginning; thence run east parallel with the south section line a distance of 300 feet; thence run south parallel with the west section line a distance of 436 feet; thence run west parallel to the south section line a distance of 300 feet; thence run north along the west section line a distance of 436 feet to the Point of Beginning.

Parcel 1 is subject to an easement for ingress, egress and access in common with others, over, upon and across the west 50 feet of the south 322 feet of said Section 19, Township 37 South, Range 41 East, Martin County, Florida.

Parcel 2

Commence at the southwest corner of Section 19, Township 37 South, Range 41 East; thence run north on the west line of said Section 19, a distance of 758 feet; thence run east, parallel with the south section line a distance of 432 feet; thence run south, at an angle of 90° from the last line and parallel with the said west section line a distance of 30 feet to a point which is the Point of Beginning; from such point of beginning run north, parallel to the west line of said Section 19, a distance of 248.47 feet to a point; thence by angle to the right of 116°50' run 1,004 feet to the thread of Britt Creek, thence meander the thread of Britt Creek in a southwesterly direction to the point of intersection with the following line: from the Point of Beginning run south 63°10' east a distance of 908.37 feet more or less to the said point of intersection; thence (continuing the main description) run north 63°10' west a distance of 908.37 feet more or less to the Place or Point of Beginning.

Parcel 3

Beginning at a point located 758 feet north of the southwest corner of Section 19, Township 37 South, Range 41 East; thence extend east 432 feet; thence run north 222 feet; thence west to the west line of Section 19 to a point 437 feet north of the Point of beginning; thence run south 437 feet to the Point or Place of Beginning.

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
19-37-41-000-000-00370-8	1715	UNASSIGNED, JENSEN BEACH	\$100	2/24/2018

Owner(Current)	TRUST AGREEMENT OF SORRELL I STRAUSS
Owner/Mail Address	2301 NW BRITT RD STUART FL 34994
Sale Date	1/30/2001
Document Book/Page	<u>1530 2319</u>
Document No.	JMB
Sale Price	0

Account #	1715	Map Page No.	N-19B
Tax District	6006	Legal Description	BEG 758' N OF SW COR OF SEC, RUN E 432', N 222', W TO W/LN OF SEC TO PT 437' N OF BEG, RUN S TO BEG DB 21 PG 185
Parcel Address	UNASSIGNED, JENSEN BEACH		
Acres	3.0000		

Use Code	0000 Vacant Residential
Neighborhood	200000 Palm Lake Park, St Lucie Vista

Market Land Value	\$100
Market Improvement Value	
Market Total Value	\$100

### 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
SORRELL I STRAUSS, TRUSTEE UTD 2/23/1998	2301 NW BRITT ROAD STUART, FL 34994
NORTH RIVER SHORES Tennis CLUB, Inc	2393 NW BRITT Road STUART, FL 34994

(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
SORRELL I. STRAUSS	2301 NW BRITT Road STUART, FL 34994	Grantor/ Trustee/ Shareholder
		Trust Beneficiary

(If more space is needed attach separate sheet)



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

Name	Address	Interest
N/A		

(If more space is needed attach separate sheet)

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

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

(If more space is needed attach separate sheet)

- Status defined as:  
A = Approved

P = Pending  
D = Denied  
W = Withdrawn

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

FURTHER AFFIANT SAYETH NOT.

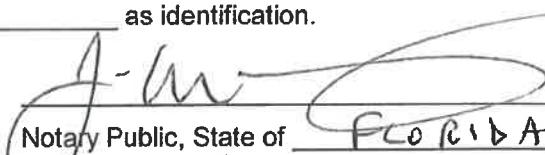
AFFIANT



STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 10<sup>th</sup> day of September 2018, by Sarrell F. Strauss, who is personally known to me or have produced \_\_\_\_\_ as identification.

(Notary Seal)

  
Notary Public, State of FLORIDA  
Print Name: JAMES M. STUCKEY  
My Commission Expires: 1-10-2021

9. PUBLIC HEARINGS (CONT'D):Larry BuchananA. Duane K. Luce & Co.; zoning  
change from A-1A to M-1.

Mr. Luce will continue to operate the farming business at the site until three years from the closing date of the contract with Stuart News. The newspaper may utilize a portion of the property, but does not contemplate any significant use for about three years. This zoning change has been before the P&Z Commission and was approved.

Commissioner Hurchalla inquired of Mr. Schenk as to the amount of right-of-way along Palm Beach Rd. Mr. Schenk advised it appeared to be 66'.

Mr. Schenk stated that a portion of this property is already M-1 and the request is for the balance which is A-1A to be changed to M-1. This is in line with the Comprehensive Plan for this area. Mr. Luce has been advised that if the change is granted, the farming use would be non-conforming and that in the event that during this three year period the agricultural use ceased, he would have to appear before the Board of Zoning Adjustment before starting again. Staff recommends the approval of the zoning change.

Mr. Buchanan further answered Commissioner Hurchalla's inquiry about the right-of-way, advising that the abstract indicates additional footage granted to the DOT on June 21, 1976. This is a metes and bounds description along Palm Beach Rd. and is recorded in OR Book 406, Page 1525.

Chairman Higgins advised there would be a second public hearing to consider this matter.

Ransom TiltonB. Requests special exception  
to the zoning regulations to  
allow a private tennis club in  
R-2 Zoning district, Britt Rd.  
at Martin/St. Lucie county line.

Mr. Tilton stated he was representing Heiko Voges. The reason for the presentation is that there is no zoning classification for a private tennis club. The proposed development is at the end of Britt Rd. adjacent to Beau Rivage and the St. Lucie County line.

Mr. Schenk advised that staff had reviewed the project and could find no objection to the use for tennis courts. The applicant will construct paved roads, if this is this County's wish; otherwise staff would have legal problems as there is a contract for the sale of the three acres on which the courts will be built. This is in fact part of a 15 acre tract belonging presently to Marshall Evans. There is no way legally to remove the three acres from the 15 without lot-splitting or subdividing unless it is done on a paved road. It is also recommended the lights are shielded to protect the residents in Beau Rivage. Mr. Schenk stated most of the area is below the 5' elevation and the eastern one-third of the 3 acres is part of the land designated in the Comprehensive plan as conservation.

Del Bond stated that he walked the three acres with a representative from the DER three weeks ago, and it was the opinion of the DER that the land was usable with permits. Commissioner Hurchalla felt the Corps of Engineers had more jurisdiction in this area than the DER under the expansion of the 404 jurisdiction in wetlands.

9. PUBLIC HEARINGS (CONT'D):B. Special Exception for Tennis Courts.

Mr. John Carl, Chairman of the Beau Rivage Property Owners' Assoc., asked that the rights of future property owners to the West be protected, steps be taken to reduce the noise factor and annoyance from flood lights.

The matter of the right-of-way containing Australian Pines as a buffer between the courts and adjacent homes was discussed. The right-of-way is in St. Lucie County. Also discussed was the elevation of the land both in and out of the conservation area. Mr. Tilton stated Mr. Voges has contracted to purchase the high land. Mr. Schenk pointed out the easterly 1/4 to 1/3 of the property being discussed is in the conservation zone.

Commissioner Wachua moved approval of the special exception with the agreement to a paved road and shields on the lights. Commissioner Holt seconded the motion. Commissioner Hurchalla asked that the question of the buffer zone be worked out with St. Lucie County.

Commissioner Hurchalla stated her opposition to the approval was based on her feeling that you could not raise up and fill an area marked conservation zone in the Master Plan without violating the plan. She would like to have seen soil studies showing exactly what is there that are available. She objected to no guarantee for the buffer.

Chairman Higgins called the question. Motion Carried 4-1.  
Commissioner Hurchalla...NO.

**EXHIBIT #6**

10. REQUESTS AND PRESENTATIONS (CONT'D):Robert ShapiroB. Miles Grant; requests revision to planned concept.

Mr. Shapiro, representing Coral Ridge Properties, Inc., told the Board they wish to revise the planned concept for Phase 5 from 218 condominium units to 35 single residence lots of approximately 5,000+ sq. ft. These would be for construction of villa type homes, the owners of which would have the same rights to the recreational facilities as the condominium residents. There would be a home owners' association with a covenantal form of membership in order to have a vehicle for the operation of the land.

Commissioner Hurchalla felt this change would necessitate a PUD development in order not to violate the County's zoning laws by selling lots smaller than the required single family lots.

Mr. Shapiro argued that Miles Grant has site plan approval which was granted prior to the PUD ordinance. To convert now would waste time and money which would have to be passed on to the consumer. He felt the Board had the same control with the site plan approval as it would have with a PUD. Commissioner Hurchalla stated the attorney for Coral Ridge had previously informed the Board they did not have these controls. Mr. Shapiro replied; "the procedure may require that we go through some legal gymnastics of the type that you are suggesting. Another way of doing it would be to sever this property and go through an ordinary site plan ultimately leading to a plat. Ultimately what we do is create an expense which gets passed on to the public. Now if there is something to be accomplished by that other than merely meeting the niceties of an existing fabric of law I would be the first one to say let's do it."

272525

BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

RESOLUTION NUMBER 77-4.1

[REGARDING SPECIAL EXCEPTION FOR HEIKO VOGES AND INGEBOG  
VOGES TO CONSTRUCT A PRIVATE TENNIS CLUB]

WHEREAS, this Board has made the following deter-  
minations of fact:

1. Pursuant to Section 33-30, Code of Laws and  
Ordinances of Martin County, Florida, Heiko and Ingeborg  
Voges have applied to this Board for a special exception to  
permit the construction of a private tennis club on the  
following described real property located in Martin County,  
Florida:

Beginning at the Southwest corner of  
Section 19, Township 37 South, Range  
41 East, thence run North on the West  
line of Section 19, Township 37 South,  
Range 41 East, a distance of 758 feet  
to the point of beginning; thence run  
East parallel with South section line  
a distance of 300 feet; thence run  
South parallel with the West section  
line a distance of 436 feet; thence  
run West parallel with the South sec-  
tion line a distance of 300 feet;  
thence run North parallel to the West  
section line a distance of 436 feet  
to the point of beginning, Martin  
County, Florida.

2. Pursuant to the notice of hearing and affidavit  
of publication thereof attached hereto as Exhibit "A", this  
Board held a public hearing on this application on the 5th  
day of April, 1977; and,

3. At such public hearing, all interested parties  
were given an opportunity to be heard for or against the  
granting of this special exception; and,

4. The granting of this special exception will not  
be detrimental to the public safety, health or welfare, or be  
injurious to other property or improvements in the area in  
which this property is located; and,

5. The use requested is compatible and harmonious  
with the uses allowed in the district; and,

6. All conditions precedent to the granting of this

BOOK 419 PAGE 2147

31 PAGE 1703

EXHIBIT # 6-1

special exception have been met;

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

The application of Heiko and Ingeborg Voges for a special exception to allow the construction of a private tennis club on the above described property is hereby granted subject to the following conditions:

1. That the lights be shielded.
2. That the road to the club be paved.

DULY PASSED AND ADOPTED THIS 5TH DAY OF APRIL,

1977.

ATTEST:

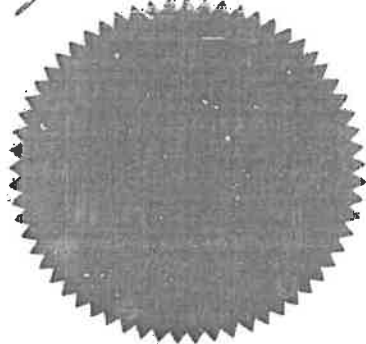
BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

BY:   
THOMAS J. HIGGINS,  
CHAIRMAN

APPROVED AS TO FORM AND  
CORRECTNESS:

  
JOHN T. CARMODY, JR.,  
COUNTY ATTORNEY

  
LOUISE V. ISAACS, CLERK



BEFORE THE BOARD OF COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

\*\*\*\*\*

NOTICE OF PUBLIC HEARING

MATTER: Application of Heiko & Ingeborg Voges  
for a Special Exception to Sec. 33-30 of the Martin  
County Code of Laws and Ordinances on the following  
property: for the purpose of a private tennis club

LEGAL DESCRIPTION:

Beginning at the Southwest corner of Section 19, Township  
37 South, Range 41 East, thence run North on the West line  
of Section 19, Township 37 South, Range 41 East, a distance  
of 758 feet to the point of beginning; thence run East  
parallel with South section line a distance of 300 feet;  
thence run South parallel with the West section line a  
distance of 436 feet; thence run West parallel with the South  
section line a distance of 300 feet; thence run North parallel

STREET ADDRESS OR LOCATION: to the West section line a  
distance of 436 feet to the  
point of beginning, Martin  
County, Florida  
Off Britt Road, Stuart, FL .

TIME AND DATE: 9:00 A.M., on April 5, 19 77.

or as soon after such time as the matter may be heard.

PLACE: Martin County Administrative Center, 50 Kindred Street,  
Stuart, Florida, 33494.

Interested parties are invited to attend and be heard.

Written comments may be sent to County Commission Chairman,  
Post Office Box 626, Stuart, Florida, 33494.

THIS NOTICE DATED THIS 18 DAY OF March, 19 77

BY: Kris Schenk  
Kris Schenk, Director  
of Planning and Zoning

PUBLISH Stuart News

DATE: 3/26/77

22

EXHIBIT "A"

BOOK 419 PAGE 2149

31 PAGE 1705

EXHIBIT # 6-3



# The Stuart News

Established as the Stuart Times, April 18, 1913

STUART, MARTIN COUNTY, FLORIDA

STATE OF FLORIDA  
COUNTY OF MARTIN

Before the undersigned authority appeared ..... Thomas E. Weber, Jr. ....  
who on oath says that he is ..... Editor ..... of the Stuart News, a daily newspaper  
published at Stuart in Martin County, Florida, that the attached copy of advertisement, being a  
**Notice of Public Hearing**  
in the matter of ..... Application of Heiko & Ingeborg Voges .....  
in the ..... March 23, 1977 ..... Court, was published in said newspaper in  
the issues of .....

Affiant further says that the said The Stuart News is a newspaper published at Stuart, in said  
Martin County, Florida and that the said newspaper has heretofore been continuously published in  
said Martin County, Florida, each week and has been entered as second class matter at the post office  
in Stuart in said County, Florida, for a period of one year next preceding the first publication of the  
attached copy of advertisement; and affiant further says that he has neither paid nor promised any  
person, firm or corporation any discount, rebate, commission or refund for the purpose of securing  
this advertisement for publication in the said newspaper.

Sworn to and subscribed before me  
this ..... day of .....  
A.D. 1977  
[SEAL] ..... NOTARY PUBLIC

NOTARY PUBLIC STATE OF FLORIDA AT LARGE  
MY COMMISSION EXPIRES SEPT. 6 1979  
BONDED THRU GENERAL INSURANCE UNDERWRITERS

## LEGAL ADVERTISEMENT

BEFORE THE BOARD OF  
COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA

### NOTICE OF PUBLIC HEARING

MATTER: Application of  
Heiko & Ingeborg Voges for a  
Special Exception to Sec. 22.30 of  
the Martin County Code of Laws  
and Ordinances on the following  
property for the purpose of a  
private tennis club

#### LEGAL DESCRIPTION:

Beginning at the Southwest  
corner of Section 19,  
Township 37 South, Range 1,  
East; thence run North on  
the West line of Section 19,  
Township 37 South, Range 1,  
East, a distance of 750 feet to  
the point of beginning;  
thence run East parallel with  
South section line a distance  
of 500 feet; thence run South  
parallel with the West  
section line a distance of 40  
feet; thence run West  
parallel with the South  
section line a distance of 500  
feet; thence run North  
parallel to the West section  
line a distance of 400 feet to  
the point of beginning,  
Martin County, Florida.

STREET ADDRESS OR  
LOCATION: ON Bird Road,  
Stuart, Fla.

TIME AND DATE: 9:00 A.M.,  
on April 5, 1977 or as soon after  
such time as the matter may be  
heard.

PLACE: Martin County  
Administrative Center, 50  
Kinard Street, Stuart, Florida,  
33424.

Interested parties are invited  
to attend and be heard. Written  
comments may be sent to County  
Commission Chairman, Post  
Office Box 626, Stuart, Florida  
33424.

THIS NOTICE DATED THIS  
15 DAY OF March, 1977.

BY: Kris Schenk  
Director of  
Planning and Zoning

Pub March 23, 1977

SN No. 52

RECEIVED  
MARTIN COUNTY, FLA.

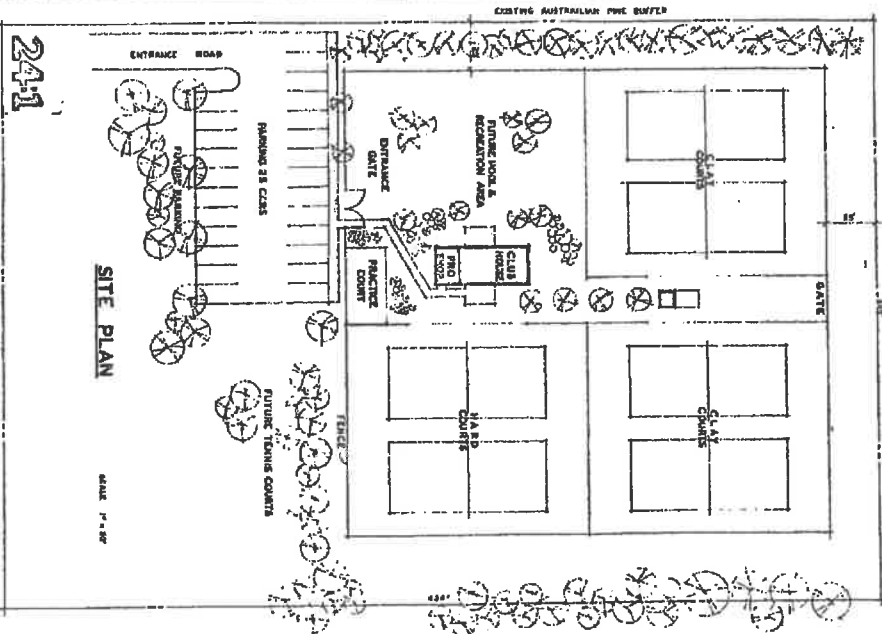
77 MAY 9 AM 11:29

RECEIVED  
CLERK OF COURT  
ST. JAMES

D R BOOK 419 PAGE 2150

31 PAGE 1706

EXHIBIT # 6-4

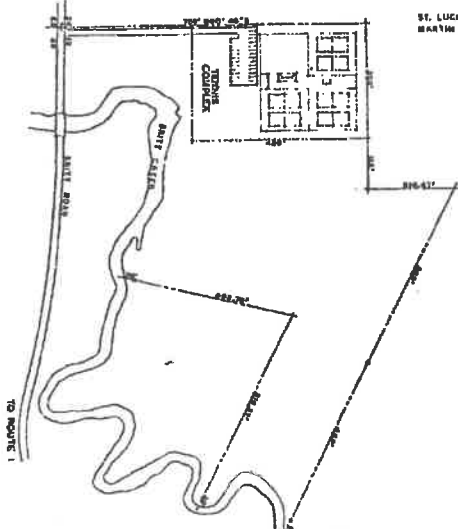


24-1

SITE PLAN

LOCATION MAP

SCALE 1" = 100'



ST. LUCIE COUNTY  
HARTING COUNTY

SHEET

BRITTON ARCHITECTS  
PLANNERS

BRITTON ARCHITECTS  
PLANNERS

PRELIMINARY DEVELOPMENT PLAN  
NORTH RIVER SHORES TENNIS CLUB INC.

DATE 5-30-77

JOB NO 105

1 OF 1

MEMBERS OF THE AMERICAN INSTITUTE OF ARCHITECTS

4/5 op



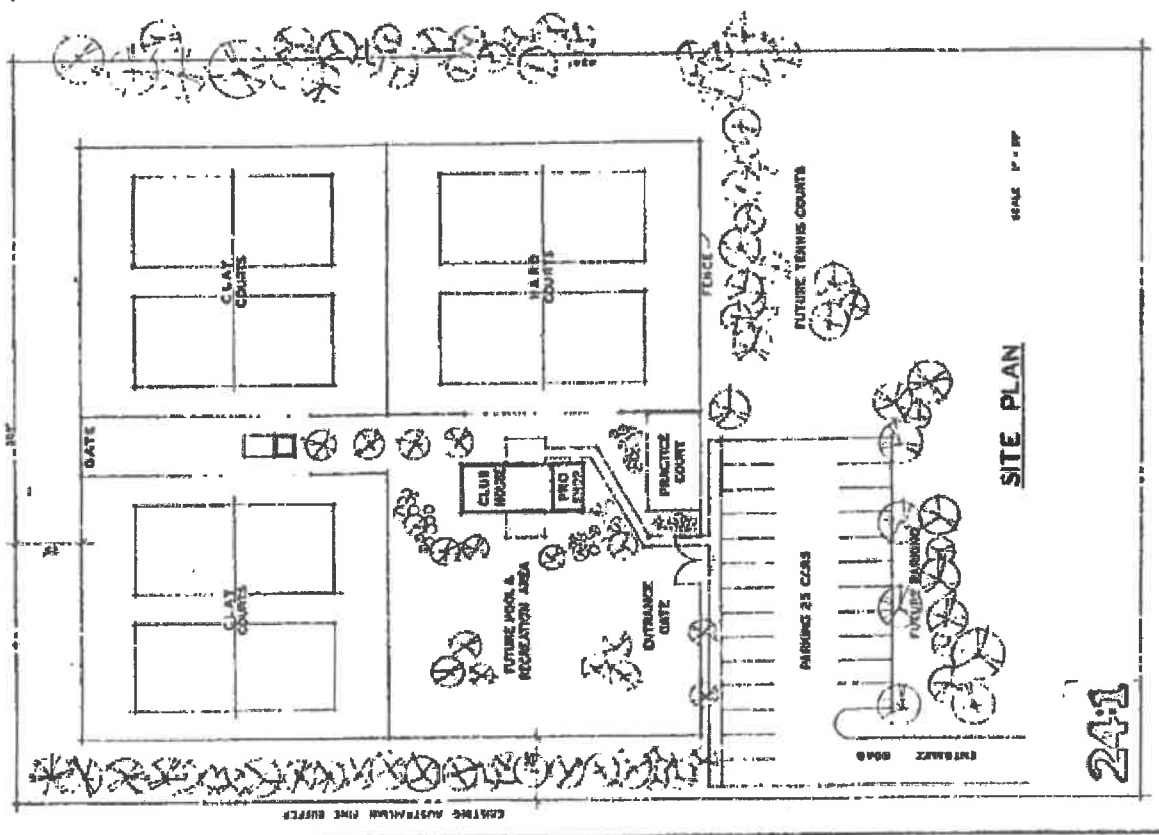
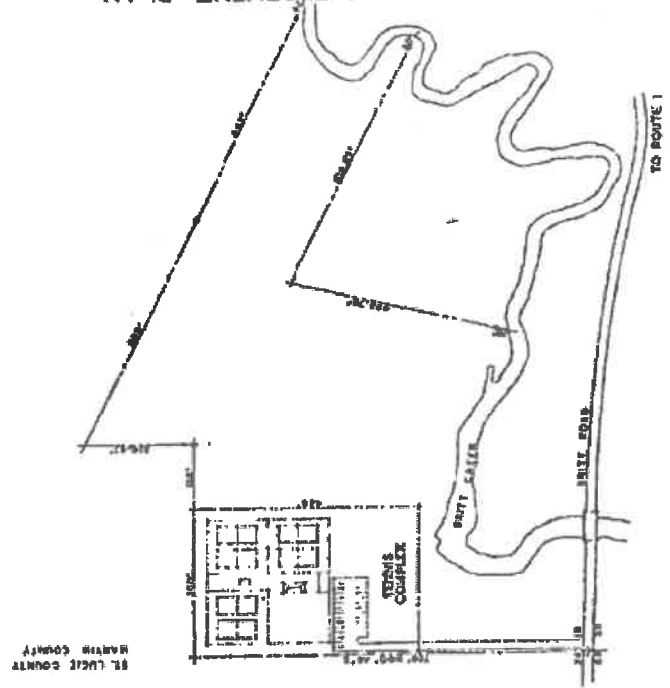
31 PAGE 170.7

6A

68

31 PAGE 1707

BRITT ARCHITECTS  
BRITT PLANNERS INC.  
PRELIMINARY DEVELOPMENT PLAN  
NORTH RIVER SHORES TENNIS CLUB INC.  
DATE: 5-30-17  
SHEET NO. 241



**Sec. 10.19. Amendment of a special exception.**

10.19.A. *Purpose.* This section provides a procedure for amending an approved special exception.

10.19.B. *Application requirements.*

1. See section 10.2.B. and 10.2.C.
2. In addition to the requirements of section 10.2.B. and 10.2.C. the applicant must provide:
  - a. A copy of the resolution or other document approving the special exception.
  - b. Documentation that the use is still in operation and in compliance with any conditions;
  - c. A recorded deed for the subject property, and certification of any subsequent transfers of interest in the property;
  - d. A narrative that documents that the amendment to this special exception will not be detrimental to the public safety, health or welfare or be injurious to other property or improvements in the area in which the property is located; and the amendment requested is compatible and harmonious with the other uses allowed in the district; and
  - e. A site plan revising the original site plan, if a site plan was included in the approval of the special exception.

10.19.C. *Review and recommendation by the County Administrator.* See section 10.2.D. and 10.2.E.

10.19.D. *Action by the BCC.* Final action shall be taken by the BCC at a public hearing. See section 10.5; public hearing notice, see section 10.6; public hearing procedures, see section 10.7.

10.19.E. *Standards to be considered for final action.* The BCC may approve an amendment to a special exception only if it finds that:

1. The special exception is not for a use regulated by Article 4, Division 8, or Article 4, Division 18, Land Development Regulations;
2. The special exception is in continuing use and in compliance with its original conditions, unless good cause is shown why those conditions are no longer applicable;
3. The amendment to the special exception will not be detrimental to the public safety, health or welfare or be injurious to other property or improvements in the area in which the property is located;
4. The amendment requested is compatible and harmonious with the uses allowed in the district; and
5. The amendment is not otherwise prohibited by the Comprehensive Growth Management Plan, the Land Development Regulations or General Ordinances of Martin County.

10.19.F. *Effect of approval of an amendment to the special exception.* The approval of an amendment shall allow the applicant to submit building permits in conformance with the terms and conditions of the approval, the Comprehensive Growth Management Plan, the Land Development Regulations or General Ordinances of Martin County.

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 person or entity with any legal or equitable interest in the property of the proposed development, including partners, members, trustees, and stockholders and every person or entity having more than a five percent interest in the property or proposed development.
  - c. The requirement found in section 10.2.b.3.b. does not apply to:
    - (i) Interests held under a publicly traded company; or
    - (ii) Individual members of a homeowners or property owners association, when association property is the subject of the proposed amendment; or
    - (iii) Minors, defined as any person who has not attained the age of 18; or
    - (iv) Mortgagees.
  - d. The applicant must list all other applications for which they have an interest as defined in subsections 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.
  - e. Any development order, including applications for planned unit developments which was found to be complete based on false or incomplete disclosure will be subject to the cessation of processing of the application.
4. *Evidence of agent's authority to act.* An agent shall provide an executed and recordable power of attorney to act on behalf of the owner in making the application.
5. *Other application contents.* Unless otherwise specified in the LDR, an application shall be submitted in a form approved by the County Administrator and made available to the public. At a minimum, it shall include sufficiently detailed and documented information for staff to make the required findings of compatibility with adjacent land uses and consistency with the Comprehensive Plan, the LDR, and the Code.
6. *Fees.* Each application shall be accompanied by an application fee and a completeness determination fee as established by resolution of the BCC.
7. *Digital submissions.* Electronic submission of applications is strongly encouraged. Each application that is not submitted electronically shall be accompanied by an application scanning fee as established by resolution of the BCC.

10.2.C. *Application completeness determination.*

1. *Completeness timeframe.* Within seven working days of the validated receipt of an application, the County Administrator shall determine if the application is complete.
2. *Incomplete application.* If the County Administrator determines the application is not complete for processing, the applicant shall be provided with a written record of the application deficiencies. Appeal of this determination shall be to the Board of County Commissioners as provided in section 10.10. Incomplete applications, along with the application fee shall be returned to the applicant thereby terminating that particular application. The completeness review fee shall be retained. If the applicant elects to submit another application, the application shall be accompanied by an application fee and completeness determination fee pursuant to section 10.2.B.6.
3. *Complete application.* A determination of completeness shall not be interpreted as a determination of compliance with the requirements of the Comprehensive Plan, the LDR or the Code. When the application is determined to be complete, the County Administrator shall notify the applicant in writing that the application is complete and is being reviewed pursuant to the procedures and standards of this article.
4. *Withdrawal of the application.* An applicant, or the duly authorized agent, may withdraw an application at any time by providing a written request to the County Administrator. Such a withdrawal shall terminate that particular application.

Sales Rep: Lionel Hampton (N9190)

Phone: (239) 403-6152

Email: lionel.hampton@naplesnews.com

## &gt; Account Information

Date: 01/23/19

Account Number: 433969 (T11512814)

Name: MARTIN COUNTY BOCC (LEGALS)

Contact:

Email: ncarey@martin.fl.us

Address: 2401 SE Monterey Rd, STUART, FL, 34996

Phone: (772) 288-5495

Fax: (772) 288-5764

## &gt; Insertion Information

This is a proof of your ad scheduled to run on the dates indicated below.

Please confirm placement prior to deadline by contacting your account rep at (239) 403-6152.

Ad Id: 2216285

P.O. No.:

Total Cost: \$217.80

Tag Line: NORTH RIVER SHORES

Start Date: 02/01/19

Stop Date: 02/01/19

Number of Times: 1

Class: 16250 - Public Notices

Publications: TC-TC News-Press-Tribune, TC-Internet tcpalm.com

## &gt; Ad Proof

I agree this ad is accurate and as ordered.

**BEFORE THE BOARD OF  
COUNTY COMMISSIONERS  
MARTIN COUNTY, FLORIDA****NOTICE OF PUBLIC HEARING**

Subject: North River Shores Tennis Club Amendment to Special Exception (N046-002), request by North River Shores Tennis Club Inc. for approval of Amendment to Special Exception to allow for the previously constructed tennis court. The developed site area is approximately 3.00 acres with an overall site area of approximately 6.27 acres.

Location: The subject property is located on the north side of NW Britt Road approximately 200 feet east of NW Everglades Boulevard in Stuart.

Public hearing: **BOARD OF COUNTY COMMISSIONERS**  
Time and Date:  
9:00 A.M., or as soon after as the matter may be heard, on

Tuesday, February 26, 2019

Place:  
Martin County Administrative Center, 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 these proceedings are entitled,

at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the ADA Coordinator at (772) 221-1396, or the Office of the County Administrator at (772) 221-2360, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the meeting date. This notification can be reproduced in an alternative format upon request by contacting the Office of the ADA Coordinator at (772) 221-1396. Persons using a TDD device, please call 711 Florida Relay Services.

When attending a public hearing, a member of the public may speak during the public comment portion of the public hearing. A person may also participate in the public meeting as an Intervenor. An Intervenor may ask questions of the staff, applicant and give testimony on the subject of the public hearing. In order to be an Intervenor, a person must qualify to receive mailed notice of the subject application in accordance with Section 10.6.E., Land Development Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator not less than 7 days prior to the BCC meeting. No fee will be assessed on Intervenor. If

the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating the he/she is authorized to speak for the group. Forms are available on the Martin County website [www.martin.fl.us](http://www.martin.fl.us).

If any person who 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, including copies of the agenda item materials, please call the Growth Management Department at (772) 288-5495. All written comments should be sent to Nicki van Vonno, Growth Management Director, (e-mail: [nikkiv@martin.fl.us](mailto:nikkiv@martin.fl.us)) or 2401 SE Monterey Road, Stuart, FL 34996.

THIS NOTICE DATED THIS  
23RD DAY OF JANUARY, 2019.  
Publish: Stuart News Publish  
Date: February 1, 2019  
TCN 2216285

Thank you for your business. Our commitment to a quality product includes the advertising in our publications. As such, Gannett reserves the right to categorize, edit and refuse certain classified ads. Your satisfaction is important. If you notice errors in your ad, please notify the classified department immediately so that we can make corrections before the second print date. The number to call is 877-247-2407. Allowance may not be made for errors reported past the second print date. The Treasure Coast Newspapers may not issue refunds for classified advertising purchased in a package rate; ads purchased on the open rate may be pro-rated for the remaining full days for which the ad did not run.



*February 6, 2019*

Sorrell I. Strauss, Trustee  
2301 NW Britt Road  
Stuart, Florida 34994

Subject and Location: North River Shores Tennis Club, Inc. Amendment to Special Exception (N046-002), request by North River Shores Tennis Club Inc. for approval of Amendment to Special Exception to allow for the previously constructed tennis court. The developed site area is approximately 3.00 acres with an overall site area of approximately 6.27 acres. The subject property is located on the north side of NW Britt Road approximately 200 feet east of NW Everglades Boulevard in Stuart with the main entrance being just west of the new Britt Road Bridge

Dear Property Owner:

As a landowner within 500 feet of the property identified in the above description and shown on the map attached to this letter, please be advised that consideration of an Amendment to Special Exception as noted above will occur at a public hearing. A copy of the proposed amended site plan is attached to this letter.

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

Time and Date: **BOARD OF COUNTY COMMISSIONERS**  
9:00 A.M., or as soon after as the matter may be heard, on  
Tuesday, February 26, 2019

Place: Martin County Administrative Center  
2401 S.E. Monterey Road  
Stuart, Florida 34996

All interested persons are invited to attend and be heard. Persons with disabilities who need an accommodation in order to participate in this proceeding are entitled, at no cost, to the provision of certain assistance. This does not include transportation to and from the meeting. Please contact the Office of the County Administrator at (772) 221-2360, or in writing to 2401 S.E. Monterey Road, Stuart, FL 34996, no later than three days before the hearing date. Persons using a TDD device, please call 711 Florida Relay Services.

When attending a public hearing, a member of the public may speak during the public comment portion of the public hearing. A person may also participate in the public meeting as an Intervenor. An Intervenor may ask questions of the staff, applicant and give testimony on the subject of the public hearing. In order to be an Intervenor, a person must qualify to receive mailed notice of the subject application in accordance with Section 10.6.E., Land Development

Regulations, Martin County Code. In addition, an Intervenor must file a form of intent with the County Administrator not less than 7 days prior to the meeting. No fee will be assessed on Intervenor. If the Intervenor is representing a group/association, he/she must file a letter on official letterhead signed by an authorized representative of the group/association, stating that he/she is authorized to speak for the group. Forms are available on the Martin County website [www.martin.fl.us](http://www.martin.fl.us).

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 insure 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 Nicki van Vonno, Growth Management Department Director, (e-mail: [nikkiv@martin.fl.us](mailto:nikkiv@martin.fl.us)) or 2401 SE Monterey Road, Stuart, FL 34996. Copies of the item will be available from the Growth Management Department. 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](http://www.martin.fl.us/accessibility-feedback).

Sincerely,

James M. Stuckey  
Attorney for Applicant

Attachment: Location Map  
Site Plan









D-Signs, LLC  
911 S.E. Hillcrest Ave.  
Stuart, FL 34994

RECEIVED

JAN 09 2019

GROWTH MANAGEMENT  
DEPARTMENT

Jan 7, 2019

James M. Stuckey Attorney at Law  
428 SW 7th St.  
Stuart, FL 34994

REF: North River Shores Tennis Club

Attn::

This Letter is to Certify that the above referenced sign(s) were installed per Martin County requirements. This sign was posted according to and complies with the standards of the notice provisions of Article 10, Section 10:6 Development Review Procedures.

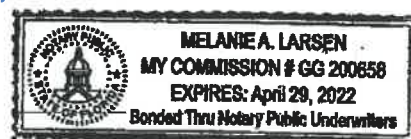
  
Kurt C. Larsen

Date 1/7/19

State of Florida  
County of Martin

<sup>produced FL Driver's license</sup>  
Kurt C. Larsen, who is personally known to me, who did not take an oath,  
acknowledged the foregoing instrument before me on 1/7/19.

*Melanie A. Larsen*





**NOTICE**  
AMENDMENT TO SPECIAL EXCEPTION  
NORTH RIVER SHORES  
TENNIS CLUB, INC.  
date, time and place of hearing(s)  
& other information available from  
MARTIN COUNTY GROWTH  
MANAGEMENT DEPARTMENT  
Call 772-288-5495  
**PROJECT # NO46-002**







**ATTORNEYS' TITLE FUND SERVICES, LLC**

Treasure Coast  
590 NW Peacock Blvd., Suite 12  
Port Saint Lucie, FL 34986  
(800)344-6645  
(866)303-4708

**Issuer: Attorneys' Title Fund Services, LLC**  
**Recipient: Patch Reef Title Company, Inc.**

Patch Reef Title Company, Inc.  
819 Southwest Federal Highway  
Stuart, FL 34994

**Date:** January 8, 2019  
**Fund File Number:** 677109A1  
**County:** Martin  
**Reference:** Steward Estate

***Dear Customer:***

***Pursuant to your request, we have searched the public records of Martin County, Florida, through January 8, 2019, to ascertain the following:***

All owners within 500 feet of the following described parcels as identified from the 2019 tax assessor roll:

Parcel 1:

Beginning at the Southwest corner of Section 19, Township 37 South, Range 41 East, thence run North on the West line of Section 19, Township 37 South, Range 41 East, a distance of 758 feet to the point of beginning; thence run East parallel with the South section line a distance of 300 feet; thence run South parallel with the West section line a distance of 436 feet; thence run West parallel to the South section line a distance of 300 feet; thence run North along the West section line a distance of 436 feet to the Point of Beginning, Martin County, Florida.

TOGETHER with an easement for ingress, egress and access in common with others, over, upon and across the West 50 feet of the South 322 feet of said Section 19, Township 37 South, Range 41 East, Martin County, Florida.

Parcel 2:

Lands as described in Official Records Book [1530, Page 2319](#), of the Public Records of Martin County, Florida

***From said search we report those entries as set forth on the following page(s). Copies of instruments, if any, have been attached for your review.***

***This search does not cover matters other than those recorded in the Official Records Book of the county and does not assure the legality or validity of the referenced instruments.***

***This search is prepared and furnished to provide only the above information. It is not an opinion of title and may not be used as a title base for the issuance of a title insurance commitment and/or policy, nor should it be used for the preparation of foreclosure proceedings or other litigation.***



# **FUND MISCELLANEOUS PROPERTY INFORMATION REPORT**

## **Exhibit A**

*Fund File Number:*677109

*This report is not title insurance. Pursuant to s. 627.7843, Florida Statutes, the maximum liability of the issuer of this property information report for errors or omissions in this property information report is limited to the amount paid for this property information report, and is further limited to the person(s) expressly identified by name in the property information report as the recipient(s) of the property information report.*

*Attorneys' Title Fund Services, LLC*

*Prepared by:* Kathy Haberkorn, Examiner

*Phone Number:* (800) 344-6645 x6517

*Email Address:* KHaberkorn@TheFund.com

# FUND MISCELLANEOUS PROPERTY INFORMATION REPORT

## Exhibit A

**Fund File Number:**677109

1. Salamon Robert (Tr) and Salamon Aaron (Tr) 17530 SW 68<sup>th</sup> Court Southwest Ranches, FL. 33331
2. O'Malia Investment co. 3911 Kitty Hawk Ct Carmel, IN 46033
3. Falls of Jensen Beach Homeowners Association 909 SE Central Pky Stuart, FL. 34994
4. Trust Agreement of Sorrell I Strauss 2301 NW Britt Rd Stuart., FL. 34994
5. Stuckey, James M. and Brown , Kendra T. P.O. Box 1800 Stuart, FL. 34995
6. River Shores Plantation Property Owners 333 17<sup>th</sup> St. Suite A Vero Beach, FL. 32960
7. Hettinger, Fredric L. 2395 NW Bay Colony Dr. Stuart, FL. 34994
8. Oleson, Norman S. and Tamara D. 2385 NW Bay Colony Dr. Stuart, FL. 34994-9124
9. MIGLIANO GRANVILLE RANDY E SINACORE-MIGLIANO CAROLYN M 2683 NW FLORIDA AVE STUART FL 34994
10. KELLER DIANA L 2679 NW FLORIDA AVE STUART FL 34994
11. NOVINS BETH MARCINHES RENE 2675 NW FLORIDA AVE STUART FL 34994
12. MCLAUGHLIN CAROL H 2445 NW EVERGLADES BLVD STUART FL 34994
13. KEITER GARY L & SANDRA S 2441 NW EVERGLADES BLVD STUART FL 34994
14. ROBINSON CHARLES T & RAENELLE S 2437 NW EVERGLADES BLVD STUART FL 34994
15. FEIST ROBERT & EILEEN 2433 NW EVERGLADES BLVD STUART FL 34994
16. RUDOLPH KAREN 2429 NW EVERGLADES BLVD STUART FL 34994
17. JUERGENS BERNICE M TR 2425 NW EVERGLADES BLVD STUART FL 34994
18. WILLIS RAYMOND B JR & PATRICIA C 2421 NW EVERGLADES BLVD STUART FL 34994
19. KURTZ STANLEY 2417 NW EVERGLADES BLVD STUART FL 34994
20. GREEN JOHN LEROY JR 2413 NW EVERGLADES BLVD STUART FL 34994
21. SNYDER JEANNINE P TR 2409 NW EVERGLADES BLVD STUART FL 34994
22. SINGLETON MARK A 2405 NW EVERGLADES BLVD STUART FL 34994
23. INGLES VIRGINIA B L/E 2401 NW EVERGLADES BLVD STUART FL 34994
24. MARDER HOWARD & TERRI 2682 NW FLORIDA AVE STUART FL 34994
25. ROGERS JOSEPH G JR & DAWN C 2674 NW FLORIDA AVE STUART FL 34994
26. GRADY RIANE 1981 SW YORK LN PALM CITY FL 34990
27. MARCINKO STEPHEN & SUSAN 2453 NW EVERGLADES BLVD STUART FL 34994
28. WRABEL MICHAEL & NANCY 109 AQUA RA DR JENSEN BEACH FL 34957
29. SEWELL RICHARD D & DOREEN R 2452 NW EVERGLADES BLVD STUART FL 34994
30. DUKE ROBERT J JR & MARSHA A 2444 NW EVERGLADES BLVD STUART FL 34994
31. SHAW BRUCE K BACKNICK MARIA R 2403 NW COVE VW STUART FL 34994
32. WALKONNEN DAVID E & PATRICIA L 2399 NW COVE VW STUART FL 34994
33. CEA CHRISTIAN P & COLLEEN P 2395 NW COVE VW STUART FL 34994
34. BLEDSOE CALVIN H IV & KELLY A 2391 NW COVE VW STUART FL 34994
35. POLING YVONNE 2387 NW COVE VW STUART FL 34994
36. ENGLUND FAITH M 2383 NW COVE VW STUART FL 34994
37. DORMAN ROBERT T 2379 NW COVE VIEW STUART FL 34994
38. WEBB JOHN O & LYNNE E 2375 NW COVE VW STUART FL 34994

# FUND MISCELLANEOUS PROPERTY INFORMATION REPORT

## Exhibit A

*Fund File Number:*677109

39. VACCARO MICHAEL J JR VACCARO BRENDA K 2436 NW EVERGLADES BLVD  
STUART FL 34994
40. SALZBERG JOSEPH M & KRISTINA 2432 NW EVERGLADES BLVD STUART FL 34994
41. ROBERT D SAUL REVOCABLE LIVING TRUST 2428 NW EVERGLADES BLVD STUART  
FL 34994
42. SHEPPARD TRACY 2424 NW EVERGLADES BLVD STUART FL 34994
43. FIERMONTE CELESTE 2420 NW EVERGLADES BLVD STUART FL 34994
44. WHITEHOUSE DONALD E & ESTELLE M 2416 NW EVERGLADES BLVD STUART FL  
34994
45. MEEKS JOHN J L/E JOHN J & JEANNE MEEKS JOINT LIVING T 2412 NW EVERGLADES  
BLVD STUART FL 34994
46. GITTINS DAVID B GITTINS JUDITH K 2408 NW EVERGLADES BLVD STUART FL 34994
47. RYDER JAMES L & KAREN S 2404 NW EVERGLADES BLVD STUART FL 34994
48. MILLER SIDNEY H LAGUEUX LINA 2400 EVERGLADES BLVD STUART FL 34994
49. BORDEN FAMILY REVOCABLE LIVING TRUST 2390 NW BAY COLONY DR STUART FL  
34994
50. CRADDOCK LARRY W & COLLEEN 2365 NW COVE VW STUART FL 34994
51. MARCUS ALAN F & DIEDRA L 2361 NW COVE VW STUART FL 34994
52. DREYER NOREEN S 2380 NW BAY COLONY DR STUART FL 34994

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

**RESOLUTION NUMBER \_\_\_\_\_**

**DRAFT**

**[REGARDING DENIAL OF AMENDMENT TO SPECIAL EXCEPTION  
FOR NORTH RIVER SHORES TENNIS CLUB]**

**WHEREAS**, this Board has made the following determinations of fact:

1. North River Shores Tennis Club submitted an application for an Amendment to Special Exception, located on lands legally described in Exhibit A.
2. This Board approved a special exception to allow for the construction of a private tennis club on April 5, 1977 as set forth in Resolution 77-4.1, and recorded in Official Record Book 419, beginning at Page 2147, Official Records of Martin County, Florida.
3. Upon proper notice of hearing this Board held a public hearing on the application on February 26, 2019.
4. At the public hearing, all interested parties were given an opportunity to be heard.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MARTIN COUNTY, FLORIDA, THAT:**

1. The application for amendment to special exception is denied, for the following XXXX.
2. This Resolution shall be recorded in the Public Records of Martin County. A copy of this Resolution shall be forwarded to the applicant by the Growth Management Department subsequent to recording.

**DULY PASSED AND ADOPTED THIS 26<sup>th</sup> DAY OF FEBRUARY, 2019.**

**ATTEST:**

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

\_\_\_\_\_  
CAROLYN TIMMANN, CLERK OF THE  
CIRCUIT COURT AND COMPTROLLER

BY: \_\_\_\_\_  
EDWARD V. CIAMPI  
CHAIRMAN

**APPROVED AS TO FORM AND  
CORRECTNESS:**

\_\_\_\_\_  
KRISTA A. STOREY  
ACTING COUNTY ATTORNEY

## Exhibit A

### Legal Description

PARCEL 1:

BEGINNING AT THE SOUTHWEST CORNER OF SECTION 19, TOWNSHIP 37 SOUTH, RANGE 41 EAST, THENCE RUN NORTH ON THE WEST LINE OF SECTION 19, TOWNSHIP 37 SOUTH, RANGE 41 EAST, A DISTANCE OF 758 FEET TO THE POINT OF BEGINNING; THENCE RUN EAST PARALLEL WITH THE SOUTH SECTION LINE A DISTANCE OF 300 FEET; THENCE RUN SOUTH PARALLEL WITH THE WEST SECTION LINE A DISTANCE OF 436 FEET; THERNCE RUN WEST PARALLEL TO THE SOUTH SECTION LINE A DISTANCE OF 300 FEET; THENCE RUN NORTH ALONG THE WEST SECTION LINE A DISTANCE OF 436 FEET TO THE POINT OF BEGINNING, MARTIN COUNTY, FLORIDA.

PARCEL CONTAINS 130,779.78 SQUARE FEET, 3.00 ACRES, +/-.

TOGETHER WITH AN EASEMENT FOR INGRESS, EGRESS AND ACCESS IN COMMON WITH OTHERS, OVER, UPON AND ACROSS THE WEST 50 FEET OF THE SOUTH 322 FEET OF SAID SECTION 19, TOWNSHIP 37 SOUTH, RANGE 41 EAST, MARTIN COUNTY, FLORIDA.

PARCEL 2:

LANDS AS DESCRIBED IN OFFICIAL RECORDS BOOK 1530, PAGE 2319, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

PARCEL CONTAINS 142322.01 SQUARE FEET, 3.27 ACRES, +/-.

PHQJ-1

PAUL SCHILLING  
2401 SE Monterey Road, Stuart, FL 34996  
(772)-288-5473 [pschilli@martin.fl.us](mailto:pschilli@martin.fl.us)

COUNTY  
EXHIBIT # 2

## WORK EXPERIENCE

Deputy Growth Management Director

November 2018- Present

Development Review Administrator

May 2017-November 2018

Coordinate the review of development applications. Supervises staff activities including; review of proposals for development, variances, and various permit approvals; assessment of impact of development proposals and recommending mitigating conditions; development and implementation of land development regulations.

Review of site development standards for permit applications; and participation in site compliance review with other county divisions to ensure compliance with approved development orders and land development standards.

Assist in developing policies applicable to land use and development.

Assist the general public and other agencies with planning related information.

Reviews studies conducted by other agencies.

Confers with civic leaders, government officials, resident groups and homeowner associations to identify issues, goals and objectives, and to discuss alternate plans for meeting physical, social and economic needs.

Provide technical and advisory assistance to local governments and agencies in matters of development activities.

Represents the County at local, regional, and state levels on planning policy matters.

Coordinate work with the County, municipal, and regional officials concerning mutual planning issues to effectively coordinate development projects and programs.

Principal Planner - Development Review Division

2006-2017

Development review project management. County Project Coordinator, responsible for leading the Development Review Team (made up of several divisions, departments, agencies) in the review of development applications. The project coordinator is responsible for creating a staff report to reflect the DRT findings. The intended end result is project compliance reflected through a detailed staff report which is presented to the decision maker. Responsible for all aspects of the project from inception to post approval.

FILED FOR RECORD  
COMMISSION RECORDS  
MARTIN COUNTY, FL  
Date 2/26/19  
CAROLYN TIMMANN  
CLERK OF CIRCUIT COURT  
By MKV D.C.

Provides assistance to local government in matters of plan implementation and development of regulatory codes and ordinances. Analyzes inter-departmental procedures for development review, and proposes organizational changes. Evaluates county government policies and large scale, long range development proposals to judge their effect on the community's fiscal, environmental, social and physical characteristics.

Prepares agenda reports for monthly meetings/public hearings and other meetings as required. Documents review process and records procedural compliance.

Variance application processing for the Board of Zoning Adjustment. Prepares staff report and agenda report for monthly hearings. Documents review process and records procedural compliance. Presents applications at monthly meetings.

Assist with Code Enforcement/Site Plan violations, investigations, testify before the Code Enforcement Magistrate in some instances.

Building permit review/Community Redevelopment Agency (CRA) Alternative Compliance determinations. Provide technical assistance to the CRA.

Serve as back up for department several function including customer service, building permit review, environmental regulations/permitting and addressing of parcels. Special projects, zoning determination letter requests, project information compilation.

#### Senior Planner – Environmental Division

Responsible for reviewing the majority of environmental permitting within the County including properties adjacent to preserve areas and waterfront. Responsible for the review of shoreline hardening permit applications, wetland waivers, and shoreline protection zone waivers.

#### Senior Planner – Development Review Division

Responsible for managing rezoning and minor final site plan applications. Created zoning determination letters and technical research studies as directed. Addressing coordinator.

#### Zoning/Code Compliance Technician - Development Review Division

Assisted public in determining permitted and conditional uses of land under the approved zoning and land use maps. Interpreted various elements of the Land Development Regulations and Comprehensive Growth Management Plan.

#### Assistant Project Manager

1998-2006

*Nick Miller, Inc. Palm Beach Gardens, FL*

In this position I received 8 years of experience in all phases of land development work in South Florida. The areas of land development that I have worked in include residential and commercial construction, underground utilities, paving and as-builts. My areas of work included employing AutoCAD and ArcGIS software to design and create detail survey maps, assisting managers in department functions and processes, fill-in as survey manager when needed, interact with clients and attend public hearings on behalf of clients. Participated in large scale surveys for various State and Federal agencies including the SFWMD and USACE. My field work included the precise location of and measurement of points, elevations, lines, areas and contours for construction. Formulated technical reports and sketches to

describe work performed, trained and motivated crew members. Interacted with field crew members to facilitate the collection of precise data, analyzed the collected data for quality control, presented data to Company President, VP, and clients.

#### EDUCATION

Bachelor of Science: Professional Administration: Barry University, Miami Shores, FL.

#### TECHNICAL SKILLS

Operating Systems: Windows

Applications: AutoCAD Land Development Desktop, ArcGIS, Trimble Geomatics Office, Softdesk, Microsoft Office Suite, Web based data systems, KIVA, Oracle, Adobe Suite

#### PROFESSIONAL CERTIFICATIONS

Certified Survey Technician NSPS-ACSM

2001-Present