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

**[REGARDING THE APPLICATION OF
JEFFREY AND MARLENE GRAHAM
FOR A ZONING SETBACK VARIANCE ON PROPERTY LOCATED AT 1659 SW A
LBATROSS WAY WITHIN THE R1-B, SINGLE-FAMILY RESIDENTIAL DISTRICT]**

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

1. Jeffrey and Marlene Graham have submitted a variance application to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code for the R1-B, Single-family Residential District to reduce the setback requirements to permit the construction of a single-family home on Lot 159, Sea Gate Harbor, according to the plat thereof, as recorded in Plat Book 4, Page 29, of the Public Records of Martin County, Florida. The subject property is located at 1659 SW Albatross Way, Palm City, Florida.
2. This Board considered this application to reduce the setback requirements at a public hearing on June 23, 2022.
3. At the public hearing, all interested parties were given an opportunity to be heard.

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

- A. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.
- B. Literal interpretation of the provisions of Article 3, Land Development Regulations, Martin County Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.
- C. The special conditions and circumstances do not result from the actions or inactions of the applicant.
- D. Granting the variance requested will not confer on the applicant any special privilege that is denied to owners of other lands, structures or buildings in the same district.

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

F. The granting of the variance will be in harmony with the general purpose and intent of the Land Development Regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

G. A front setback variance of 17 ft. on SW Albatross Way is approved to reduce the setback requirement from 20 ft. to 3 ft. to permit the construction of a single-family home as set forth on the site plan attached hereto as Exhibit A.

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

DULY PASSED AND ADOPTED THIS 23TH DAY OF JUNE, 2022.

ATTEST:

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

**DENISE JOHNSTON,
SECRETARY**

BY:_____
TRAVIS WADDELL, CHAIRMAN

**APPROVED AS TO FORM
AND LEGAL SUFFICIENCY**

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

Exhibit A

