



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

Zoning Change Checklist

Please include the following items in the order shown below. In addition, if any item is not included, please identify the item and the reason for its exclusion in the narrative.

- ☒ 1. APPLICATION: Please use the new application form.
[Application](#)
- ☒ 2. AFFIDAVIT: Complete the affidavit for digital submission.
[Affidavit for digital submission](#)
- ☐ NA 3. If submitting the 8 1/2 by 11 or 14 inch documents digitally, include one disc or copy to the Digital Website with all the documents bookmarked as indicated in the Application Instructions. One paper packet must also be submitted, in addition to the digital submission.
[Digital website](#)
- ☐ N/A 4. If submitting large format plans digitally, include one set of paper plans. Each of the plans listed below should be submitted on either a disc or copied to the Digital Website. Do NOT scan the plans, but save the original .dwg or other file type as a .pdf at a minimum of 24x 36 inches and 300 dpi.
[Digital website](#)
- ☒ 5. NARRATIVE: A complete project narrative including what is being requested, the location and size of the subject property.
- ☒ 6. A check made payable to the Martin County Board of County Commissioners per the Development Review Fees.
[Development review fee schedule](#)
- ☒ 7. POWER OF ATTORNEY: A notarized power of attorney authorizing an agent to act on the owner's behalf.
- ☒ 8. RECORDED DEED: A copy of the recorded deed(s) for the subject property and any contract for purchase of the property.
- ☒ 9. LEGAL DESCRIPTION: Full legal description including parcel control number(s) and total acreage.
- ☒ 10. LOCATION MAP: A location map (8 1/2 x 11) showing the property and all major and minor roadways in and adjacent to the property with the property clearly outlined.
- ☒ 11. AERIAL PHOTO: Recent aerial photograph of the site with the property clearly outlined.
- ☒ 12. ASSESSMENT MAP: Martin County Property Appraiser's assessment map with the subject property outlined.
- ☒ 13. FUTURE LAND USE MAP: Martin County Growth Management Plan, Future Land Use Map with the subject property outlined.
- ☐ 14. PROPERTY OWNERS: Certified list of property owners to be notified by letter of the public hearings.
To be submitted prior to public hearing
- ☒ 15. SCHOOL IMPACT WORKSHEET: A school impact worksheet, if a residential development.
[School impact worksheet](#)
- ☒ 16. DISCLOSURE of INTEREST AFFIDAVIT: Please submit a completed financial disclosure affidavit form. [Section 10.2.B.3., LDR, MCC]
[Disclosure of Interest Affidavit](#)



Martin County Development Review Digital Submittal Affidavit

I, Deanna Freeman, attest that the electronic version included for the project Wolff Rezoning is an exact copy of the documents that were submitted for sufficiency, excluding any requested modifications made by the sufficiency review team. All requested modifications, if any, have been completed and are included with the packet.

A handwritten signature in black ink, appearing to read "Deanna Freeman", is written over a horizontal line.

Applicant Signature

October 9, 2018

Date



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

DEVELOPMENT REVIEW APPLICATION

A. General Information:

1. Type of Application: Select from the List

2. Proposed Development's Name:

Wolff Rezoning

3. Former Development's Name:

N/A

4. Previous Project Number:

N/A

5. Pre-Application Meeting Date:

N/A

6. Property Owner:

Name or Company Name Charles L. and Bonny L. Wolff

Company Representative

Address 2785 SE St Lucie Blvd

City Stuart

State FL

Zip 34997

Phone

Fax

Email

7. Agent:

Select from the List

Name or Company Name Cuzzo Planning Solutions, LLC

Company Representative

Deanna Freeman

Address P.O. Box 564

City Stuart

State FL

Zip 34958

Phone

Fax

Email

deanna@cdgplan.com

8. Contract Purchaser:

Not Applicable

Name or Company Name

Company Representative

Address

City

State

Zip

Phone

Fax

Email

9. Land Planner:

Same as the Agent

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 Arthur Speedy
Company Representative _____
Address P.O. Box 959 S Federal Hwy
City Stuart State _____ Zip 34995
Phone _____ - _____ - _____ Fax _____ - _____ - _____
Email _____

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 _____

Not Applicable

15. Attorney:

Name or Company Name _____
Company Representative _____
Address _____
City _____ State _____ Zip _____
Phone _____ - _____ - _____ Fax _____ - _____ - _____
Email _____

16. **Environmental Planner:** Not Applicable
Name or Company Name _____
Company Representative _____
Address _____
City _____ State _____ Zip _____
Phone _____ - _____ - _____ Fax _____ - _____ - _____
Email _____

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

18. **Parcel Control Number(s):**
37-38-41-003-000-00221-6

19. Certifications by Professionals:

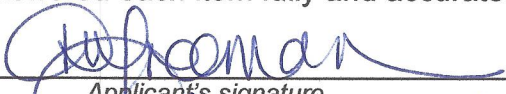
Section 10.2.D.7., Article 10, Development Review Procedures, Land Development Regulations (LDR), Martin County Code (MCC) provides the following:

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.



Applicant's signature
Deanna Freeman

Printed name

10-09-2018

Date

NOTARY ACKNOWLEDGMENT

STATE OF FLORIDA

COUNTY OF MARTIN

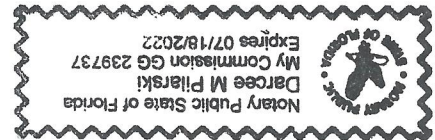
I hereby certify that the foregoing instrument was acknowledged before me this 9th day of October, 2018, by Deanna L. Freeman

He or she

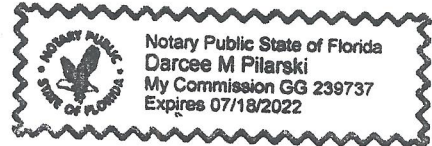
☒ is personally known to me or ☐ has produced N/A as identification.

Darcee M. Pilarski
Notary public signature

Darcee M. Pilarski
Printed name



State of FLORIDA at-large





Donald J. Cuozzo

Cuozzo Planning Solutions, LLC

p.o. box 564 - jensen beach, fl 34958

cell: 772.485.1600 - office: 772.221.2128

October 9, 2018

Nicki van Vonno
Growth Management Director
Growth Management
2401 SE Monterey Rd,
Stuart, FL 34996

RE: Wolff Rezoning - 2785 SE St. Lucie Blvd.

Dear Nicki,

Please accept the digital submittal of a request to amend the County Zoning Atlas Zoning for the above-mentioned property. The application materials submitted are as per the requirements indicated in the Martin County Zoning Change Checklist.

Project Narrative:

The applicant is requesting a zoning change from WE-1, Waterfront Estate District, (category B) zoning district designation to RE-½A Residential Estates District (2 units per acre) (category A). The RE-½A district is intended to implement the policies of the CGMP for lands designated Estate Density - up to two units per acre on the Future Land Use Map of the CGMP. This request is consistent with the Estate Density 2UPA Future Land Use and would be consistent with the adjacent uses.

The subject property is located at 2785 SE St. Luce Blvd. and identified as parcel number 37-38-41-003-000-00221-6. It consists of four legal lots of record created with the platting of the Port Sewall Subdivision and is located on approximately 1.27 acres (55,433 sq. ft.). The property is approximately 125 ft. wide (east to west) and approximately 475 ft. long (north to south) with two road frontages and approximately 138ft frontage on West Lake, a tributary to the St. Lucie River, located along the northern property line. The land use designation for the property on the Future Land Use Map (FLUM) of the County's Comprehensive Growth Management Plan (CGMP) is Estate Density – up to two units per acre. The current zoning on the property is WE-1, Waterfront Estate District.

The RE-½A Residential Estates District is a Category A district, intended to implement the policies of the CGMP for lands dedicated Estate Density – up to two units per acre on the Future Land Use Map of the CGMP. RE-½A is the only district that has been created for this purpose and is therefore the most appropriate district for the properties that are designated Estate Density 2UPA use.

The request to rezone the property to RE-1/2A Residential Estates District is consistent with the requirements of the Comprehensive Growth Management Plan (CGMP) where by the requirement is to rezone individual parcels to the most appropriate zoning district consistent with the Land Development Regulations pursuant to Policy 4.4A.1., CGMP, Martin County, Fla. (2016). The requested RE-1/2A Residential Estates District is the one standard zoning district, other than a Planned Unit Development, available to implement the Estate Density 2UPA future land use. The granting of a zoning change by the County does not exempt the applicant from any of the County's Land Development Regulations, and no development of the property is proposed as part of this application requesting a rezoning.

A check has been delivered to the Growth Management Department, made payable to the Martin County Board of County Commissioners for \$290 to cover the cost of the completeness review. Once the application has been determined to be complete a check for \$3,115 will be submitted to cover the cost of the non-mandatory zoning change application fee. A detailed

If you have any questions or require any additional information, please do not hesitate to contact me at 772-485-1600.

Sincerely,

A handwritten signature in black ink, appearing to read "Deanna Freeman". The signature is fluid and cursive, with the first name "Deanna" being more prominent than the last name "Freeman".

Deanna Freeman

cc. Mr. & Mrs. Wolff



Donald J. Cuozzo

Cuozzo Planning Solutions, LLC

p.o. box 564 - jensen beach, fl 34958
cell: 772.485.1600 - office: 772.221.2128

Wolff – Rezoning Supporting Analysis

October 9, 2018

The Request

The applicant is requesting a zoning change from WE-1, Waterfront Estate District, (category B) zoning district designation to RE-½A Residential Estates District (2 units per acre) (category A). The RE-½A district is intended to implement the policies of the CGMP for lands designated Estate Density - up to two units per acre on the Future Land Use Map of the CGMP. This request is consistent with the Estate Density ZUPA Future Land Use and would be consistent with the adjacent uses.

Property Details

The subject property is located at 2785 SE St. Luce Blvd. and identified as parcel number 37-38-41-003-000-00221-6. It consists of four legal lots of record created with the platting of the Port Sewall Subdivision and is located on approximately 1.27 acres (55,433 sq. ft.). The property is approximately 125 ft. wide (east to west) and approximately 475 ft. long (north to south) with two road frontages and approximately 138ft frontage on West Lake, a tributary to the St. Lucie River, located along the northern property line. The land use designation for the property on the Future Land Use Map (FLUM) of the County's Comprehensive Growth Management Plan (CGMP) is Estate Density – up to two units per acre. The current zoning on the property is WE-1, Waterfront Estate District.

Adjacent Zoning Districts:

The properties surrounding the subject property are primarily residential with a mixture of single family and triplex units to the west of the subject property and SE St. Lucie Blvd, and single family to the north east and south of the property in addition to right of way and West Lake, a tributary to the St. Lucie River.

- **North:** Existing Use: West Lake, a tributary to the St. Lucie River
Inlet Harbor Single Family Residential Units
Future Land Use: West Lake, a tributary to the St. Lucie River & Estate Density ZUPA
Zoning District Designation: West Lake, a tributary to the St. Lucie River & WE-1, Waterfront Estates District, Category B zoning district

- **South:** Existing Use: SE St. Lucie Blvd, right of way
Port Sewall Harbor Single Family Residential Units
Future Land Use: St Lucie Blvd, Low & Medium Density Residential
Zoning District Designation: SE St. Lucie Blvd, right of way & R-1C, Single Family Residential District, Category B.
- **East:** Existing Use: Port Sewall Realty Single Family Residential Units
Future Land Use: Estate Density 2UPA
Zoning District Designation: WE-1, Waterfront Estates District, Category B zoning district
- **West:** Existing Use: Single Family Residential Units
Future Land Use: SE St. Lucie Blvd, right of way & Medium Density Residential
Zoning District Designation: SE St. Lucie Blvd, right of way & Golden Gate Community Redevelopment Area, Neighborhood Residential Zoning Overlay District & R-3B, Liberal Multiple-Family Residential District, Category C zoning district (consistent with Commercial Waterfront & Commercial Office/Residential Future Land Use)

Zoning History

The WE-1 zoning was created in 1967 as a part of the County's original zoning regulations. The district was carried over to the current Article 3, Zoning Districts, Land Development Regulations (LDR), Martin County Code (MCC) as a Category B district.

The Category B districts were originally adopted by Resolution 05-09-67 and codified in Chapter 33 of the Martin County Code of Laws and Ordinances and have been incorporated in Article 3 to the extent possible in considering the supremacy of the CGMP. Regardless of the origin, the zoning districts used in Article 3 and the CGMP, the CGMP shall prevail. The Category B districts were applied to areas where a pattern of development had already been established prior to April 1, 1982 (date of adoption of the first Comprehensive Growth Management Plan).

The RE-1½A Residential Estates District is a Category A district, intended to implement the policies of the CGMP for lands dedicated Estate Density – up to two units per acre on the Future Land Use Map of the CGMP. RE-1½A is the only district that has been created

for this purpose and is therefore the most appropriate district for the properties that are designated Estate Density 2UPA use.

The following tables indicate the uses that are permitted, followed by the size and dimension requirements for the current WE-1 and RE--½A districts.

**TABLE 3.11.3
PERMITTED USES - RE-1/2A AND WE-1 DISTRICTS**

USE CATEGORY	RE-1/2A	WE-1
<i>Residential Uses</i>		
Modular homes	P	P
Single-family detached dwellings	P	P
<i>Public and Institutional Uses</i>		
Community centers	P	P
Educational institutions	P	P
Neighborhood assisted residences with six or fewer residents	P	P
Neighborhood boat launches	P	
Places of worship	P	P
Protective and emergency services	P	P
Public libraries	P	P
Public parks and recreation areas, active	P	P
Public parks and recreation areas, passive	P	P
Recycling drop-off centers	P	
Utilities	P	P
<i>Commercial and Business Uses</i>		
Bed and breakfast inns	P	P
Commercial day care	P	P
Family day care	P	P
Golf courses	P	P

**TABLE 3.12.1
DEVELOPMENT STANDARDS - RE-1/2A AND WE-1 DISTRICTS**

C A T	Zoning District	Min. Lot Area (sq. ft.)	Min. Lot Width (ft)	Max. Res. Density (upa)	Max. Hotel Density (upa)	Max. Building Coverage (%)	Max. Height (ft)/(stories)	Min. Open Space (%)	Other Req. (footnote)
A	RE-½A	21,780	100	2.00	—	—	30	50	—
B	WE-1	30,000	100	(a)	—	25	25/2	50	—

**TABLE 3.12.2.
STRUCTURE SETBACKS - RE-1/2A AND WE-1 DISTRICTS**

		Front/by story (ft.)				Rear/by story (ft.)				Side/by story (ft.)			
C A T	Zoning District	1	2	3	4	1	2	3	4	1	2	3	4
A	RE-½A	25	25	25	25	15	15	15	15	15	15	15	15
B	WE-1	50(g)	50(g)	—	—	25(g)	25(g)	—	—	15	15	—	—

NOTES:

- (a) Maximum residential density shall be one single family residential dwelling unit per lawfully established lot.
- (g) In the WE-1 district, wherever the lot abuts the Atlantic Ocean, the river or a man-made waterway, there shall be a minimum 50-foot setback from the mean high water line and the front setback shall be governed by the street centerline setbacks as set forth in subsection 3.16.C. Where existing principal residences on adjacent lots are set back more than 50 feet from the mean high water line, the minimum setback from the mean high water line shall be the mean setback of the nearest principal residences on adjacent lots, or, where there is no principal residence within 1,000 feet, the minimum setback from the mean high water line shall be 50 feet. Accessory structures which are not roofed or enclosed by walls or screening shall only be subject to the minimum 50-foot setback from the mean high water line.

Comprehensive Growth Management Plan – Consistency

The request to rezone the property to from WE-1, Waterfront Estate District to RE-½A Residential Estates District is consistent with the requirements of the Comprehensive Growth Management Plan (CGMP) where by the requirement is to rezone individual parcels to the most appropriate zoning district consistent with the Land Development Regulations pursuant to Policy 4.4A.1., CGMP, Martin County, Fla. (2016). The requested RE-½A Residential Estates District is the one standard zoning district, other than a Planned Unit Development, available to implement the Estate Density 2UPA future land use. The Estate Density 2UPA is a residential classification that has a maximum density allowance of 2 units per acre.

Zoning Analysis & the Surrounding Area

The subject property is part of the waterfront fringe of lots that are located between Old St. Lucie Blvd. and the St. Lucie River. These lots were originally platted in 1913 when the area was a part of Palm Beach County. The lots have historically been used for single family dwellings. Over the years older dwellings have been demolished and replaced with new construction. The single family residential pattern established for this area of the Port Sewall communities has not changed over time and is well established.

The existing WE-1 zoning was established for waterfront estate lots. The requested RE-½A Residential Estates District is also restricted to estate single family uses. The size and dimension criteria for the two districts are basically the same. Single family dwellings that have been established under the existing zoning and those established under the RE-½A Residential Estates District are indistinguishable.

Since the adoption of the CGMP and the creation of Article 3 zoning regulations at least fourteen other lots within the SE Old St Lucie Blvd have been rezoned to RE-½A Residential Estates District. The waterfront fringe of the established residential communities surrounding and including the subject property, are restricted to estate single family waterfront uses. This pattern dates back several decades and is well established.

The granting of a zoning change by the County does not exempt the applicant from any of the County's Land Development Regulations, and no development of the property is proposed as part of this application requesting a rezoning.

The subject property is a 1.27 acre waterfront lot located on the St. Lucie River. The requirements of Section 4.5, Land Development Regulations (LDR), Martin County Code (MCC), waiver and exceptions to the shoreline protection zone, shall apply to any construction that occurs along the waterfront of the lot. The subject property has a hardened shoreline and retaining wall located upland of the existing seawall. A minimum of 50 ft. shoreline protection zone has been established for the use of the property as a

single family use, including accessory uses located along the waterfront. Any future site plan for the property would be required to be submitted and reviewed by County staff to establish the location of any proposed structures and the shoreline protection zone. The permitting of structures is dependent on the success of the zoning change.

The current WE-1 district requires the maintenance of a view corridor with the establishment of a minimum “build-to” line based on the average setback from water of the primary dwellings located on either side of the proposed dwelling. The RE-½A Residential Estates District permits a rear yard setback of 25ft. When the rear yard has water frontage the County’s shoreline protection requirements also apply. Where there is a conflict the greater requirement shall prevail. For the subject lot the shoreline protection zone of 50 ft. has been established by Section 4.5, LDR, MCC. In addition to the shoreline protection zone setback Section 4.5.B.4 requires the following:

4. [Structure setbacks.] Although a reduction in the Shoreline Protection Zone may be authorized by sections 4.5.A. and 4.5.B., compliance with structure setbacks established in table 3.12.2, LDR, is required. In addition, to protect existing view corridors on adjacent waterfront properties, new principal structures on lots with hardened or unhardened shorelines shall maintain a setback from mean high water equal to or greater than the average setback of the nearest principal residences on adjacent lots. The average setback of the nearest principal residences on adjacent lots shall be determined by measuring from the point of each of the existing principal residences nearest to mean high water.

Any future site plan for the property would be required to comply with the established shoreline protection zone, with the RE-½A Residential Estates District affording the same desired setback from the water as the existing WE-1 Waterfront Estate District. Both districts will protect the desired view corridors.

CGMP Objective 4.4A. – Policy 4.4A.1 Rezoning

The Comprehensive Growth Management Plan (CGMP) requires that Martin County shall rezone individual parcels to the most appropriate zoning district consistent with the Land Development Regulations pursuant to Policy 4.4.A.1., CGMP, Martin County Fla. (2016).

The proposed rezoning from W-E1, Waterfront Estates District to RE-½A Residential Estates District is consistent with the Estate Density 2UPA future land use. With either zoning district designation being consistent with the Estate Density 2UPA Land Use designation on the subject property.

The Future Land Use Map of the CGMP establishes the optimum overall distribution of land uses. The Future Land Use Map shall not be construed to mean that every parcel is guaranteed the maximum density and intensity possible pursuant to the CGMP and the Land Development Regulations.

The County has the discretion to decide that the development allowed on any given parcel of land shall be more limited than the maximum allowable under the assigned future land use category. The application should consider the surrounding area and the provisions of the Land Development Regulations in the selection of the proposed zoning on the property.

The Zoning Change is subject to LDR Section 3.2.E which provides the criteria for consideration of a Zoning Change:

Section 3.2.E. LDR, Martin County, Fla. (2002), provides the following “Standards for amendments to the Zoning Atlas”.

1. The Future Land Use Map of the CGMP (Comprehensive Growth Management Plan) establishes the optimum overall distribution of land uses. The CGMP also establishes a series of land use categories, which provide, among other things, overall density and intensity limits. The Future Land Use Map shall not be construed to mean that every parcel is guaranteed the maximum density and intensity possible pursuant to the CGMP and these Land Development Regulations. All goals, objectives and policies of the CGMP shall be considered when a proposed rezoning is considered. The County shall have the discretion to decide that the development allowed on any given parcel of land shall be more limited than the maximum allowable under the assigned Future Land Use Category; provided, however, that the County shall approve some development that is consistent with the CGMP, and the decision is fairly debatable or is supported by substantial, competent evidence depending on the fundamental nature of the proceeding. If upon reviewing the proposed rezoning request the County determines that the Future Land Use designation of the CGMP is inappropriate, the County may deny such rezoning request and initiate an appropriate amendment to the CGMP.
2. In the review of a proposed amendment to the Zoning Atlas, the Board of County Commissioners shall consider the following:
 - a) **Whether the proposed amendment is consistent with all applicable provisions of the Comprehensive Plan;**

The RE-½A Residential Estates District is a Category A district and is intended to implement the policies of the CGMP for lands designated Estate Density – up to two units per acre on the Future Land Use Map of the CGMP. The RE-½A Residential Estates District, in fact, is the only district that has been created for this purpose and is therefore the most appropriate district for properties that are designated for Estate Density use.

Policy 4.13.A.7.(2) of Chapter 4, Future Land Use Element, of the CGMP addresses the Estate Density 2UPA:

Residential Estate densities (two units per acre). Residential Estate densities are primarily assigned to established, stable residential areas with a density of up to two units per gross acre in the Primary Urban Service District. These areas are generally on the fringe of the PUSD and lack accessibility to a full complement of urban services. The CGMP also assigns estate densities to selected areas near existing estate development that share similar characteristics with existing residential estates and to areas in the urban service districts that require density limitations because of unique problems of urban services. In reviewing specific densities, the aim shall be to preserve the stability and integrity of established residential development and provide equitable treatment of lands sharing similar characteristics. Landscaping, screening, buffering, and similar design techniques shall be used to assure a smooth transition between residential structure types and densities. Existing agricultural uses in this land use designation shall be allowed to continue in a nonconforming status.

The subject property is part of the waterfront fringe of lots that are located between Old St. Lucie Blvd. and West Lake, a tributary to the St. Lucie River. These lots were originally platted in 1913 when the area was a part of Palm Beach County and have been historically for single family dwellings. Over the years older dwellings have been demolished and replaced with new construction. The single family residential pattern established for this area of the Port Sewall communities has remained relatively unchanged over time, with the exception being triplex units existing to the west of the subject property, within a well established Primary Urban Service District.

b) Whether the proposed amendment is consistent with all applicable provisions of the LDR;

The development will be required to demonstrate full compliance with all applicable Land Development Regulations requirements related to roads, drainage,

environmental protection, utilities, emergency services, landscaping, etc. at the time when a development application is submitted to the County for the property. The granting of a zoning change by the County does not exempt the applicant from any of the County's Land Development Regulations. The applicant must demonstrate full compliance with all regulations prior to any approval action taken by the County.

c) Whether the proposed zoning district amendment is compatible with the character of the existing land uses in the adjacent and surrounding area and the peculiar suitability of the property for the proposed zoning use;

The subject property is a part of the waterfront fringe of lots located between Old St. Lucie Blvd. and the West Lake, a tributary to the St. Lucie River. These lots were originally platted when the area was a part of Palm Beach County. The lots have historically been used for primarily single family dwellings. Over the years the older dwellings have been demolished and replaced with new construction. The residential patterns established for this area are well established with a number of lots having been the subject of zoning changes to RE-1/2A Residential Estates District on properties located along the St. Lucie River while the majority of the waterfront properties are designated Estate Density 2UPA land use.

The existing WE-1, Waterfront Estate District zoning was established for waterfront estate lots. The requested RE-1/2A district is also restricted to estate single family uses. The size and dimension criteria for the two districts are very similar. Single family dwellings that have been established within the Port Sewall community under the existing zoning and those established under the RE-1/2A are indistinguishable. Since the adoption of the CGMP and the creation of Article 3 zoning regulations at least 14 lots in the wider area have been rezoned to the RE-1/2A district.

d) Whether and to what extent there are documented changed conditions in the area;

The waterfront fringe of the Port Sewall community is reserved and restricted to estate single family waterfront uses. This pattern dates back several decades and is well established. Most documented changes appear to be the replacement or redevelopment of older dwellings with new construction.

e) Whether and to what extent the proposed amendment would result in demands on the public facilities;

The subject property is located within the Primary Urban Services District of the County. As such, the full range of urban services at service levels established by the

CGMP is available or must be made available to support any future use planned for the property.

- f) Whether and to what extent the proposed amendment would result in a logical, timely, and orderly development pattern which conserves the value of existing development and is an appropriate use of the County's resources; and**

The requested zoning change will have minimal impact on the Port Sewall community. The existing zoning district and requested zoning district permit very similar use for the property with the same size and dimension requirements.

- g) Consideration of the facts presented at the public hearings.**

The subject application will require two public hearings before the Local Planning Agency, that will make a recommendation on the request. The Board of County Commissioners will then take final action on the request. The hearings will provide an opportunity for the public to participate in the review and decision making process.

LIMITED POWER OF ATTORNEY

KNOW ALL MEN BY THESE PRESENTS, that I, Charles L. Wolff & Bonny L. Wolff present as owners, hereby make, constitute and appoint Donald J. Cuozzo and/or Cuozzo Planning Solutions, LLC., Jensen Beach, Florida, the true and lawful attorney-in-fact for said, and in its name, place and stead, to execute and sign any and all zoning and permitting documents or instruments pertaining to the following property located in Martin County, Florida.

See Attached legal description as Exhibit 'A'

I, Charles L. Wolff, Owner, give and grant unto said attorney-in-fact, full power and authority to do and perform any and all acts necessary on incident to the performance and execution of the powers herein expressly granted, with power to do and perform all acts authorized hereby, as fully to all intents and purposes as owners might or could do with full power of substitution and revocation, hereby ratifying and confirming all that said attorney or his substitute shall lawfully do or cause to be done by virtue hereof.

IN WITNESS WHEREOF, I, Charles L. Wolff & Bonny L. Wolff, Owners, have hereunto set my hand on this _____ day of _____, 2018

Sealed and delivered in the presence of:

OWNER


Witness

By: 

Print name: Charles Wolff

Print Name: D. L. FREEMAN

Bonny L. Wolff
Bonny L. Wolff


Witness

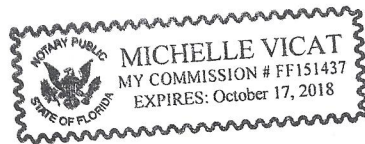
Print Name: Darceem Plorski

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me this 7 day of September, 2018, by Charles Wolff, Owner of said property.


Notary Public

Michelle Vicat
Print Name



615710

THIS INSTRUMENT WAS PREPARED BY:
GEORGE W. SOMMER, P.A.Attorney at Law
738 Colorado Avenue
P. O. Box 2210
STUART, FLORIDA 33495
(305) 287-2233**Warranty Deed** (STATUTORY FORM — SECTION 689.02 F.S.)

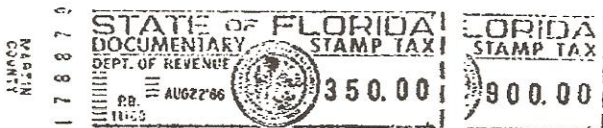
This Indenture. Made this 21st day of August 1986. **Between**
JOEL F. PYLE, a/k/a JOEL F. PYLE, SR. and JOAN M. PYLE, his wife
 of the County of **Martin**, State of **Florida**, grantor*, and
CHARLES L. WOLFF, JR. and BONNY L. WOLFF, his wife
 whose post office address is **2785 S.E. St. Lucie Boulevard, Stuart, FL 33494**
 of the County of **Martin**, State of **Florida**, grantee*.

Witnesseth. That said grantor, for and in consideration of the sum of

Ten and no/100's (\$10.00)-----Dollars,
 and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby
 acknowledged, has granted, bargained and sold to the said grantee, and grantee's heirs and assigns forever, the fol-
 lowing described land, situate, lying and being in **Martin** County, Florida, to-wit:

**Lot 22, Less the North 75 feet thereof, all of Lots 23, 24 and 25,
 PORT SEWALL REALTY CO'S SUBDIVISION, according to the Plat thereof
 recorded in Plat Book 2, Page 60, Martin County, Florida public
 records.**

Subject to restrictions, reservations, easements of record and to
 taxes for the year 1986 and thereafter.



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

*"Grantor" and "grantee" are used for singular or plural, as context requires.

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

George W. Sommer
Patricia L. Dwyer

Joel F. Pyle (Seal)
JOEL F. PYLE, a/k/a JOEL F. PYLE, SR. (Seal)
Joan M. Pyle (Seal)
JOAN M. PYLE (Seal)

STATE OF Florida
 COUNTY OF Martin

I HEREBY CERTIFY that on this day before me, an officer duly qualified to take acknowledgments, personally
 appeared **JOEL F. PYLE, a/k/a JOEL F. PYLE, SR. and JOAN M. PYLE,**
 his wife

to me known to be the persons described in and who executed the foregoing instrument and acknowledged before
 me that they executed the same.

WITNESS my hand and official seal in the County and State aforesaid this 21st day of August
 19 86.

My commission expires

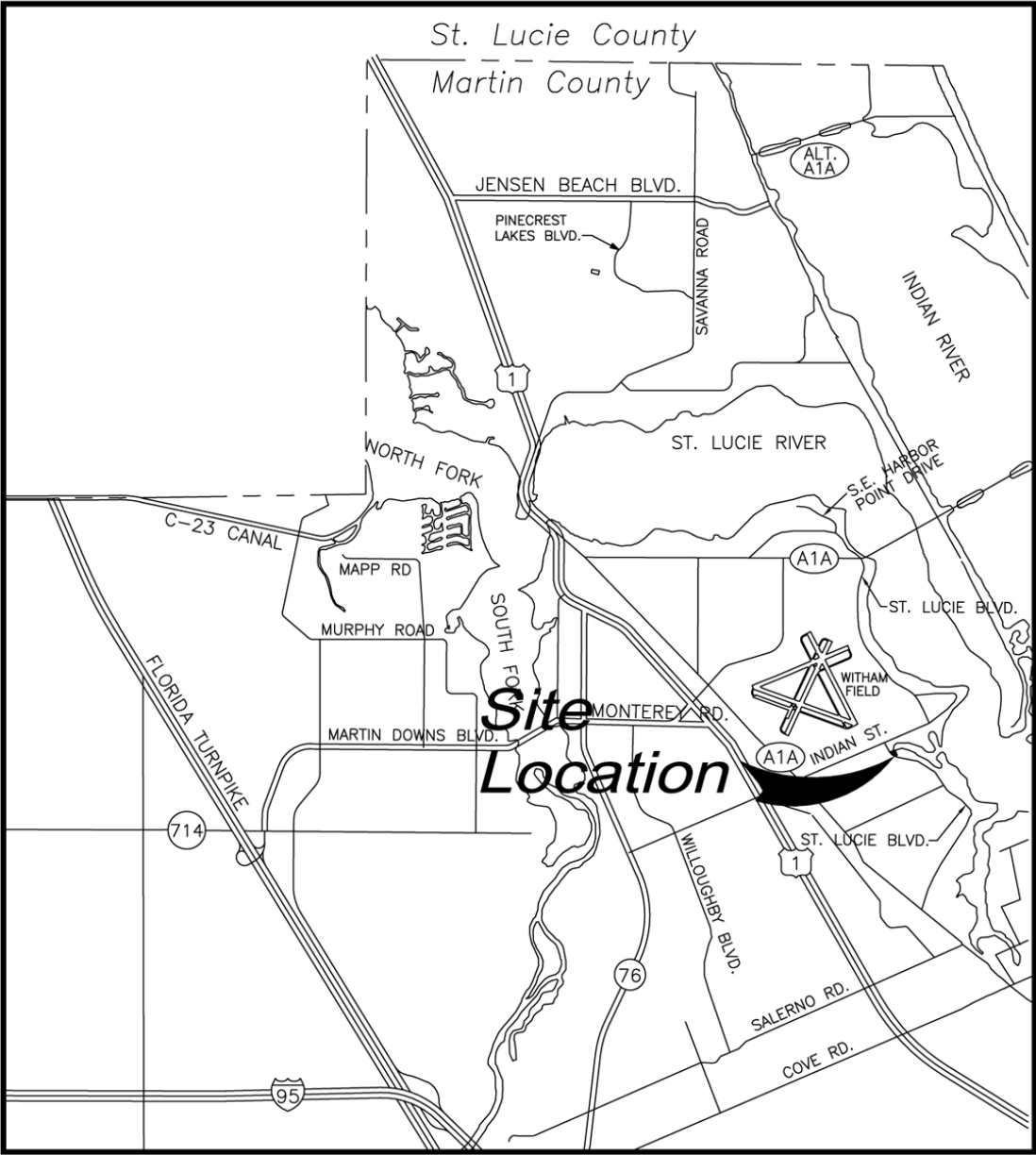
9/2/88

George W. Sommer
 Notary Public

EXHIBIT A

OVERALL PROPERTY DESCRIPTION: LOT 22 (LESS THE NORTHERLY 75 FEET), LOT 23, 24 AND 25, PORT SEWALL REALTY CO'S. SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 60, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

Location Map



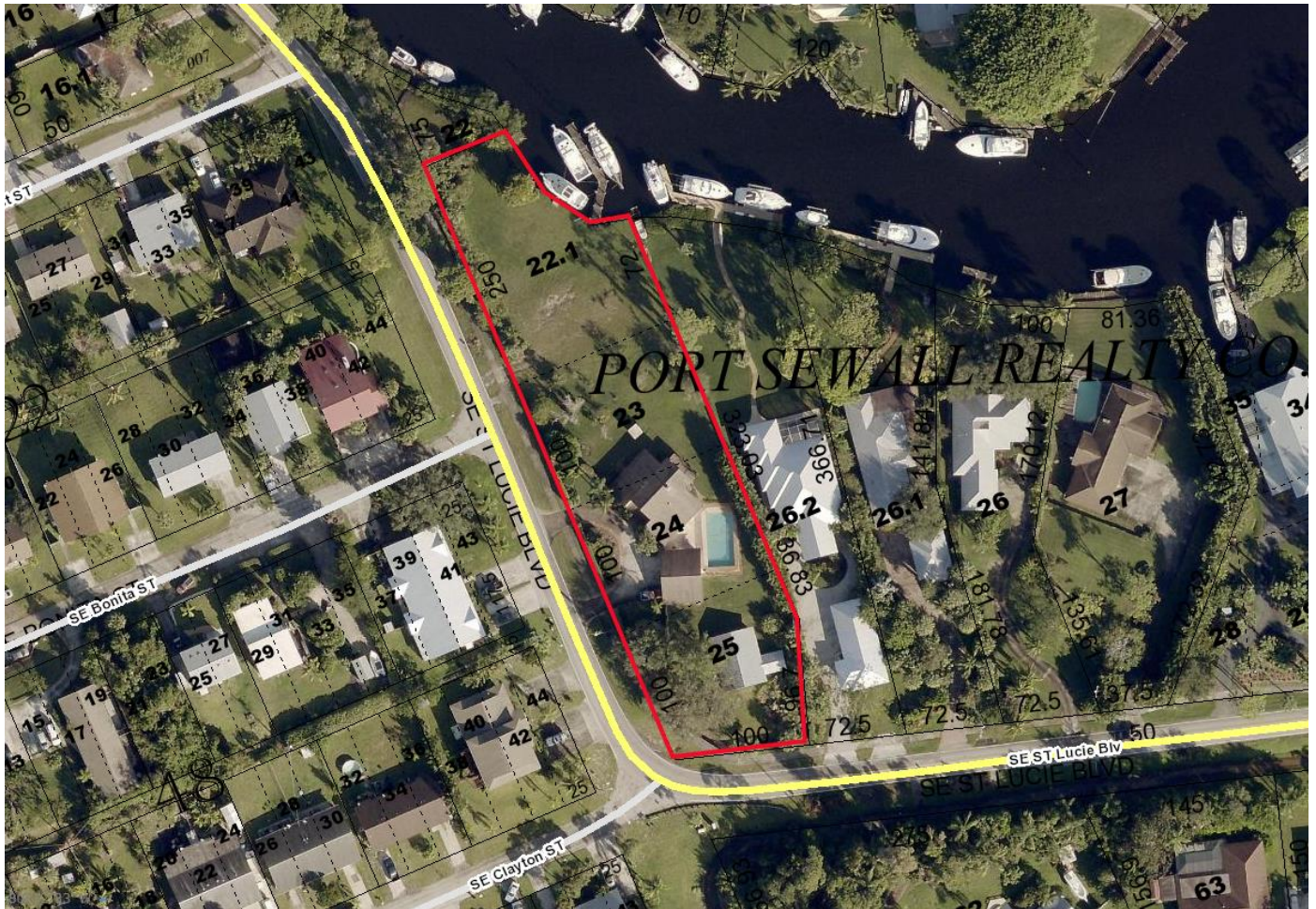


Donald J. Cuzzo

Cuzzo Planning Solutions, LLC

p.o. box 564 - jensen beach, fl 34958

cell: 772.485.1600 - office: 772.221.2128



Aerial Map

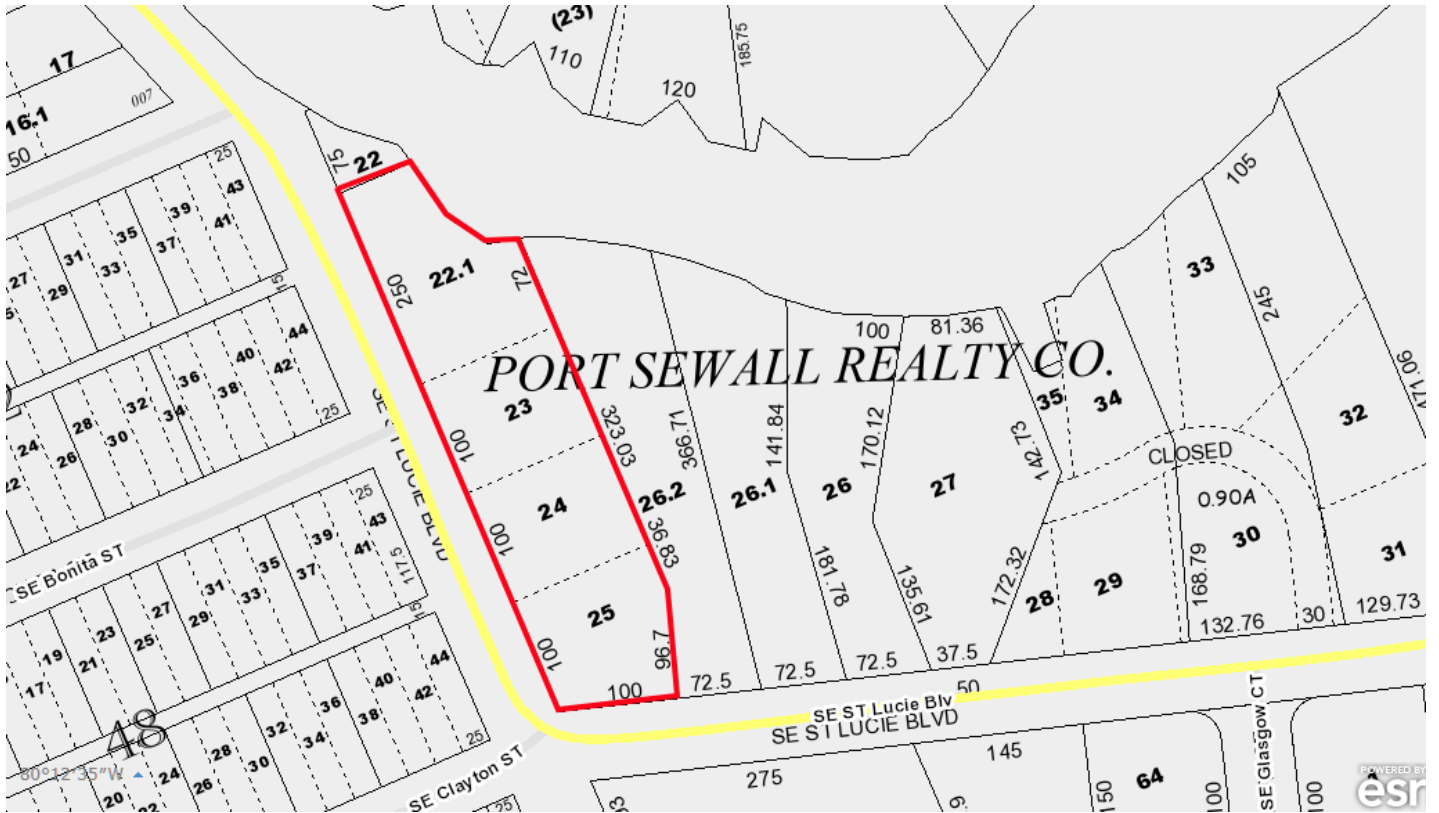


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Assessment Map

**Martin County, Florida - Laurel Kelly,
C.F.A***generated on 10/9/2018 11:17:50 AM EDT***Summary**

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
37-38-41-003-000-00221-6	33189	2785 SE ST LUCIE BLVD, STUART	\$894,070	10/6/2018

Owner Information

Owner(Current)	WOLFF CHARLES F JR & BONNY L
Owner/Mail Address	2785 SE ST LUCIE BLVD STUART FL 34997-5124
Sale Date	8/1/1986
Document Book/Page	0686 0671
Document No.	
Sale Price	250000

Location/Description

Account #	33189	Map Page No.	HG-03
Tax District	7017	Legal Description	PORT SEWAL REALTY CO LOT 22 (LESS NLY 75') & LOTS 23, 24 & 25
Parcel Address	2785 SE ST LUCIE BLVD, STUART		
Acres	1.2910		

Parcel Type

Use Code	0100 Single Family
Neighborhood	393060 WEST LAKE & N. LAKE WATERFRONT

Assessment Information

Market Land Value	\$729,600
Market Improvement Value	\$164,470
Market Total Value	\$894,070

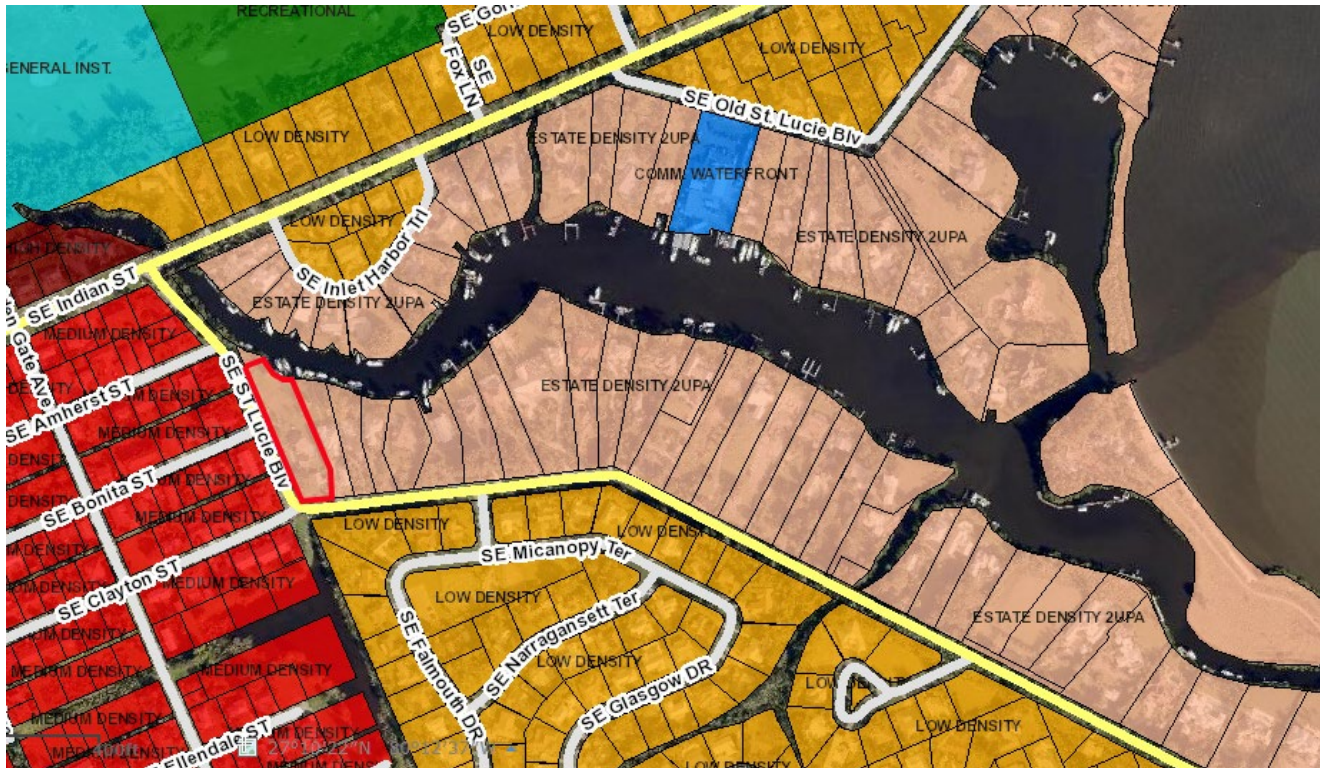


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FLU Map

Donald J. Cuozzo

Cuozzo Planning Solutions, LLC

p.o. box 564 - jensen beach, fl 34958

cell: 772.485.1600 - office: 772.221.2128



Zoning Map

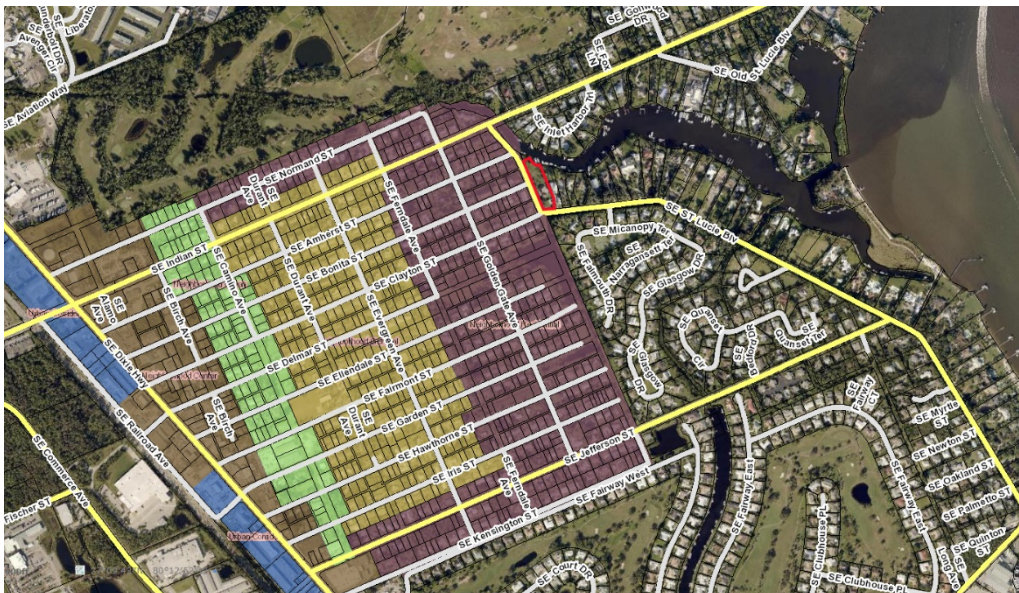


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Golden Gate CRA & Neighborhood
Centre Zoning Overlay District



School Impact Worksheet

The purpose of this school impact worksheet is to assist in planning for future public school facility needs and concurrency requirements. It is to be completed for any proposed residential project, and residential rezoning, amendments to FLUM with residential components, and DRIs.

Date: 8-14-2018
Parcel ID#: 37-38-41-003-000-00221-6
Project Name: Wolff Rezoning
Former Project Name: N/A
Owner/Developer: Mr. Wolff
Contact Name/Number: Donald Cuozzo 772 221 2128
Total Project Acreage: 1.27 acres
Year 1 of the Build-Out: 0000

1. Please indicate the most likely build-out scenario. Show build-out by year and number of units/year.

Unit Type	Number of Units	First 5-year Period					Second 5- year Period				
		Yr 1	Yr 2	Yr 3	Yr 4	Yr 5	Yr 6	Yr 7	Yr 8	Yr 9	Yr 10
Single-family detached	N/A	0									
Multi-family		0									
Apartment		0									
Townhouse		0									
Other		0									

Note: If build-out is expected to go beyond the 10 year period above, please attach an additional table with build-out years until project completion.

2. Project number and type of residential dwelling units at build-out, as follows:

Unit Type	Number of Units	Typical Unit Floor Area (sq. ft.)	Estimated Price (\$) Per Unit	Number Restricted to 55+ Age Group
Single-family detached	N/A			
Multi-family	N/A			
Apartment	N/A			
Townhouse	N/A			
Other	N/A			

3. Please include a location map showing elementary, middle and high schools within a two-mile radius of the proposed project. If no schools are within a two-mile radius of the project, please indicate the nearest schools to the project.

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
Charles L. Wolff	2785 SE St Lucie Blvd, Stuart, FL, 34997
Bonny L. Wolff	2785 SE St Lucie Blvd, Stuart, FL, 34997

(If more space is needed attach separate sheet)

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

Name	Address	Interest
N/A		

(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

Charles Wolff

STATE OF
COUNTY OF

Florida
Martin

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 7th day of September 2018, by

Charles Wolff, who is personally known to me or have produced
Florida Driver License as identification.

Ruth A. Waller

Notary Public, State of

Florida

Print Name:

Ruth A. Waller

My Commission Expires:

02/20/2020



(Notary Seal)

Ruth A. Waller

State of Florida

My Commission Expires 02/20/2020

Commission No. FF 952646

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

EXHIBIT A

OVERALL PROPERTY DESCRIPTION: LOT 22 (LESS THE NORTHERLY 75 FEET), LOT 23, 24 AND 25, PORT SEWALL REALTY CO'S. SUBDIVISION, ACCORDING TO THE PLAT THEREOF RECORDED IN PLAT BOOK 2, PAGE 60, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

May 12, 2003

To: Martin County Zoning Board or Whom It May Concern
From: Roger J. Nicosia, Jr.
Re: Building of a new home on a lot now part of the Wolff estate
At 2785 S.E. St. Lucie Blvd., Stuart, Fl. 34997

Charlie and Bonnie Wolff have a home on three of four lots and have expressed a desire to ultimately build a home on the fourth lot. They were thoughtful enough to ask what I felt about building on that site.

As property owners of a legitimate building site I feel it is their right to build a home on that site regardless of what other neighbors may think.

As the property owner most impacted by any further building on their property, I should have the most to say about that subject. I would welcome another quality home to the neighborhood that I know the Wolff's would build.

I highly support any endeavors they may have in this regard. Feel free to call for any additional comments 772-286-3674.

Sincerely,




Roger J. Nicosia, Jr.
2809 SE St. Lucie Blvd.
Stuart, Fl. 34997

6-28-2017

To whom it may concern:

We, Bob and Ruth Thacker have lived across from the Wolff property for over 30 years. The entire time we have lived here the Wolff's have been good neighbors. We fully support them obtaining an easement on their property to allow for building a residence. Their doing so will not negatively impact our property. We have felt for years a house on this lower lot would be beneficial to the neighborhood.


Robert Thacker


Ruth Thacker

Dated: 