



ITEM

PORT SALERNO NAC

OCTOBER 24, 2019

- I. TITLE:** Request for alternative compliance at 4822 SE Flounder Street in Port Salerno, by Eloy Valencia, the property owner, represented by the building contractor, Daniel Marin.
- II. THE APPLICANT REQUESTS ALTERNATIVE COMPLIANCE TO:** Construct a single family residence that is 27 feet wide whereas the minimum house width for a Rear Yard House in Port Salerno is 30 feet, Section 3.262.F.2.b., LDR.
- III. BACKGROUND:** Art. 3, Div. 6 of the LDRs, at §3.260.D, provides:

An applicant for development approval may submit a site, landscape, or architectural plan which varies from the requirements of the CRA code in order to accommodate unique circumstances of the proposed development site. Such alternative plan may include offers by the applicant to mitigate or offset the impacts of the alternative design. Such alternative plan may be approved only after having been reviewed by the appropriate Neighborhood Advisory Committee and upon a finding by the Growth Management Director that the alternative plan fulfills the purpose and intent of the CRA code as well as or more effectively than adherence to the strict requirements and would help carry out specific goals or objectives outlined in the particular CRA plan. Appropriate justifications for approving alternative plans include but are not limited to:

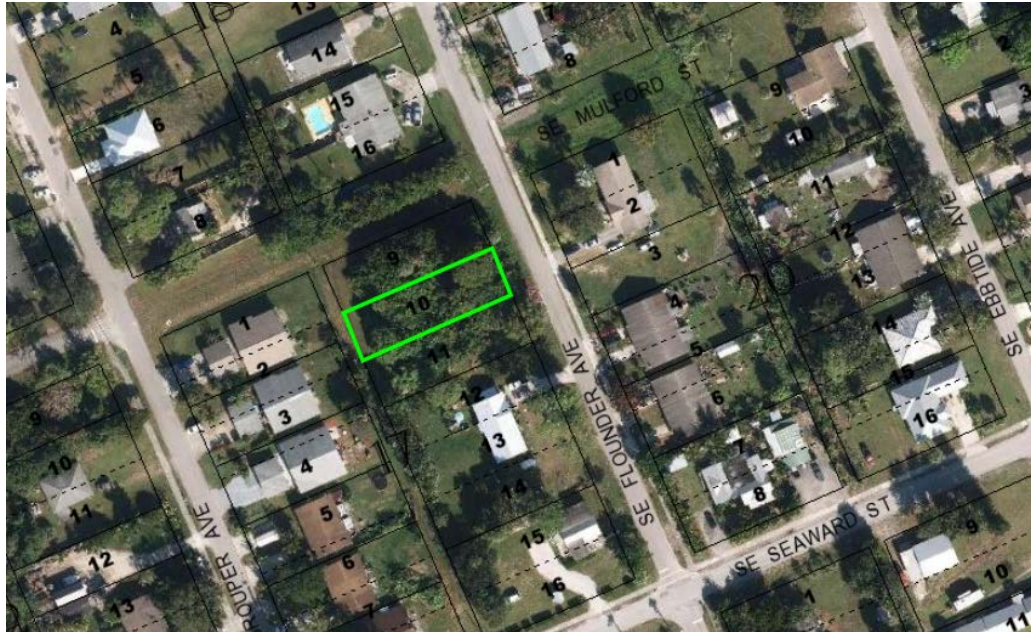
1. The resolution of site constraints associated with the incorporation of new buildings and structures on sites developed prior to the adoption of Redevelopment Overlay Districts.
2. The utilization of existing site characteristics, such as historical or archaeological features, topography, scenic views or native vegetation.
3. Improve or provide integration of proposed development with the surrounding off-site development.
4. The preservation of the historical or archaeological features of the area.

IV. ANALYSIS

The subject lot is 47.5 feet wide (Lot 10, Block 17, Port Salerno). In order to comply with the maximum grade of 4 feet horizontal to 1 foot vertical, the side setbacks must

be increased from the minimum 5-foot side setback required by the zoning ordinance to 10.25 feet. On a 47.5-foot wide lots, it is not possible to construct a house that is 30 feet wide and provide 10.25-ft. side setbacks.

Figure 1. Location Map



It is possible to construct a house with 5-foot side setbacks, achieve the minimum floor elevation, and adhere to the required maximum graded slope by using a stem wall, extended footers or thickened monolithic foundation with fill, rather than conventional fill. See Figures 2 and 3. However, until this method of construction is required for all house plans, staff does not recommend that it be required of any individual applicant.

Figure 2. Illustration from Article 12, Redevelopment Code, Division 1, General (not yet effective)

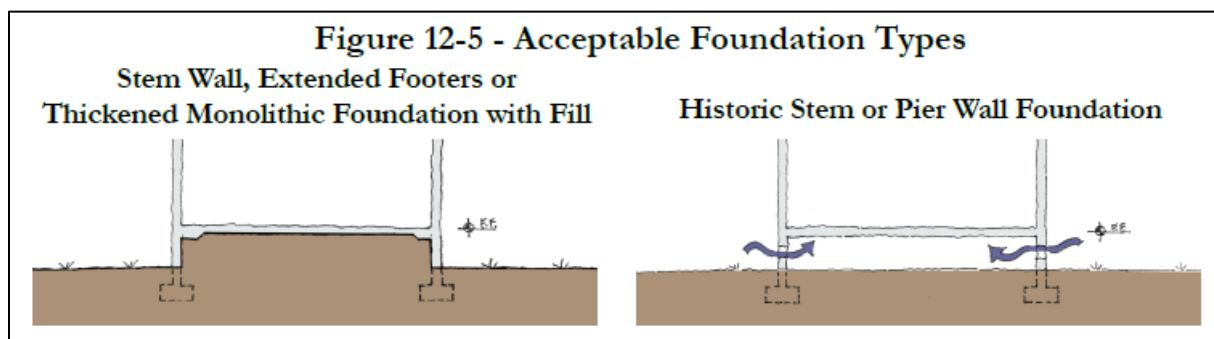
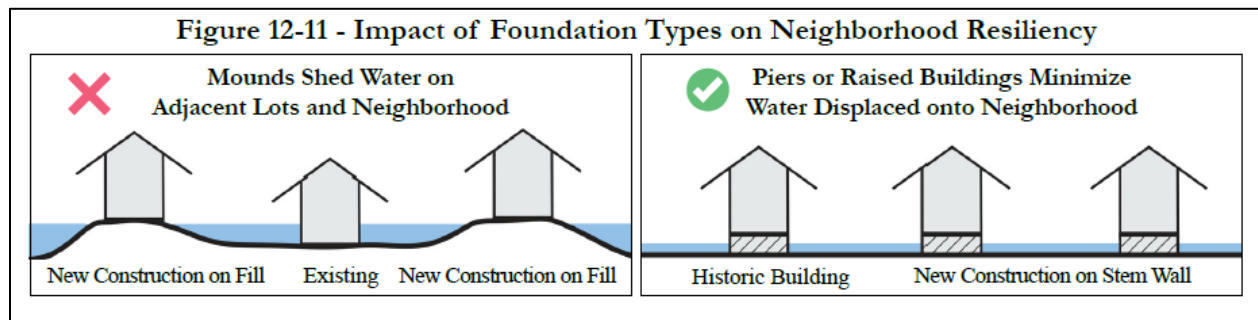


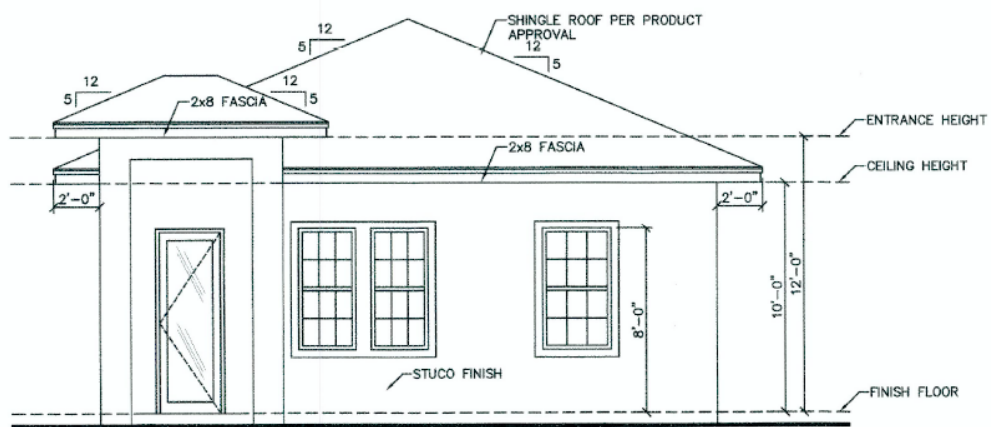
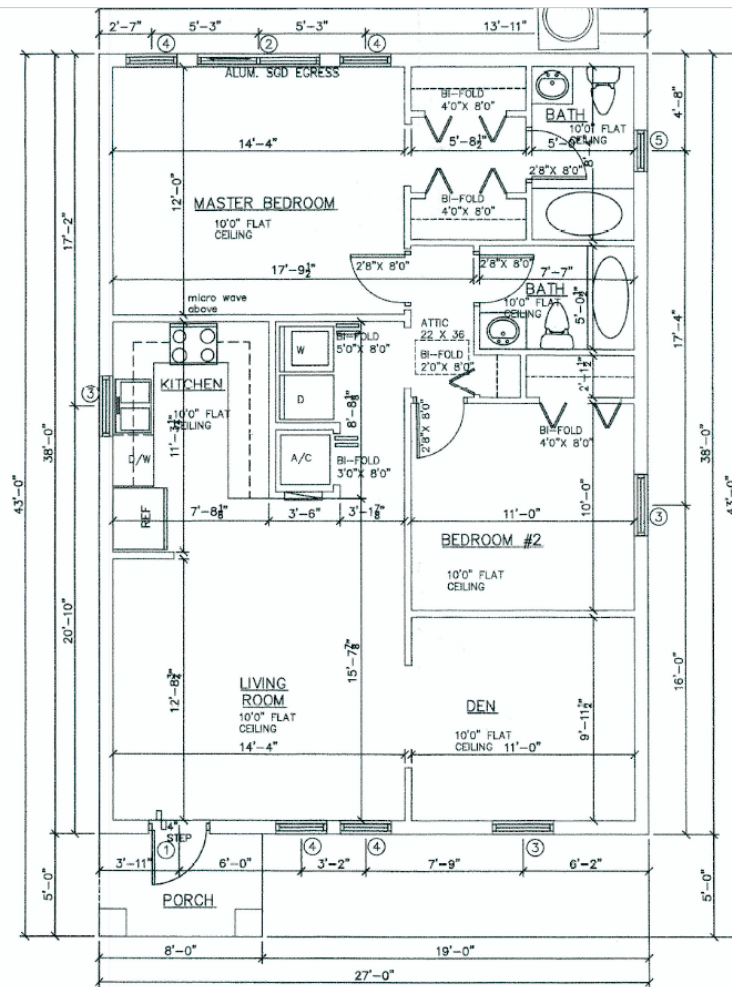
Figure 3. Illustration from Article 12, Redevelopment Code, Division 1, General
(not yet effective)



V. RECOMMENDED ACTION:

Staff recommends approval of the request to construct a 27-foot wide house at 4822 SE Flounder Street.

VI. PREPARED BY: Irene Szedlmayer, AICP, Senior Planner,
Martin County Growth Management Department



SCALE: 1/4 INCH

**Martin County, Florida
Growth Management Department
DEVELOPMENT REVIEW DIVISION**

**ALTERNATIVE COMPLIANCE REQUEST
COMMUNITY REDEVELOPMENT AREA (CRA)**

A. Project information:

Property owner-applicant:
Address:
.....
Telephone and fax:
E-mail address:

Agent for owner-applicant: Daniel Marin
Address: 3673 SW Savana Blvd.
Port St Lucie, FL 34953
Telephone and fax: 772-446-0329
E-mail address: nicomquin@hotmail.com

Project name: Port Salerno House

Project professional's name and telephone number:

Land planner

Landscape architect

Property address: 4822 SE Flounder Ave. Stuart FL 34997

Legal description: Lot 10 Block 17 Port Salerno

Parcel control number(s): 51-38-41-001-0017-001000

B. General instructions:

This application form identifies the minimum documents and information required to initiate the review of a request for alternative compliance that varies from the strict application of the requirements of Article 3, Division 6, Land Development Regulations, Martin County Code (LDR). The applicant is cautioned to follow the instructions carefully.

F. Inquiries and comments:

If you have any question or comment regarding this application, please contact us at (772) 288-5495. We appreciate suggestions of how to improve our services.

G. 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.

[Signature]
Applicant's or Agent's signature

09/20/2019
Date

Daniel Harris
Printed name

NOTARY ACKNOWLEDGMENT

STATE OF Florida

COUNTY OF Martin

I hereby certify that the foregoing instrument was acknowledged before me this 20th day of September, 2019, by DANIEL Harris. He or she ☐ is personally known to me or ☒ has produced Drivers license as identification.

[Signature]
Notary public signature

Margherita Manganiello
Printed name



MARGHERITA MANGANIELLO
Commission # GG 302354
Expires February 14, 2023
Bonded Thru Budget Notary Services

State of _____ at-large

DURABLE POWER OF ATTORNEY OF PROPERTY

BY THIS DURABLE POWER OF ATTORNEY, I ELOY VALENCIA, make, constitute, and appoint, DANIEL MARIN, who is my CONTRACTOR, and who I will refer to as my "Attorney", as my true and lawful attorney to act for me and my name, place and stead. I intend this instrument to be exercisable until revoked. My Attorney's powers are limited to the following,

REAL PROPERTY: The power of Attorney include but not limited to, get the permits, all documents and other formalities necessities to build a residential house on my following described property:

- Street Address of property: 4822 SE FLOUNDER AVE,
STUART FL 34997.

- Legal Description of property, if know: LOT 10 BLOCK 17
PORT SALERNO ACCORDING TO THE PLAT THEREOF RECORDED IN
PLAT BOOK 1 PAGE 75 PUBLIC RECORDS MARTIN COUNTY FLORIDA
ALSO RECORDED IN PLAT BOOK 1 PAGE 132 PUBLIC RECORDS PALM
BEACH NOW MARTIN COUNTY FLORIDA

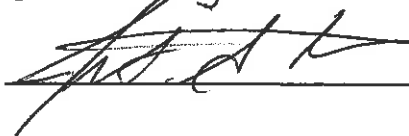
INDEMNITY THIRD PARTIES: I hereby indemnity and hold harmless any and all third parties who rely on this Durable Power Attorney and who have knowledge of its revocation or its having been amended.

This is intended as a "Durable Power of Attorney" within the meaning of Section 709.08, Florida Statutes. This Durable Power Attorney shall not affected by my disability, incapacity, or incompetence, except as provide by statute.


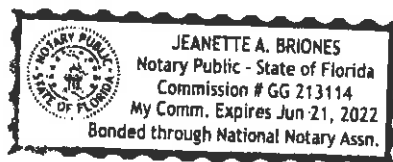
IN WITNESS WHEREOF, I have executed this power attorney on 09-16-2019.

Signed, sealed and delivered

In presence of: JEANETTE A. BRIONES

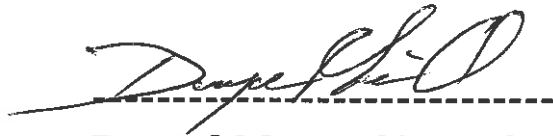


STATE OF FLORIDA
MARTIN COUNTY

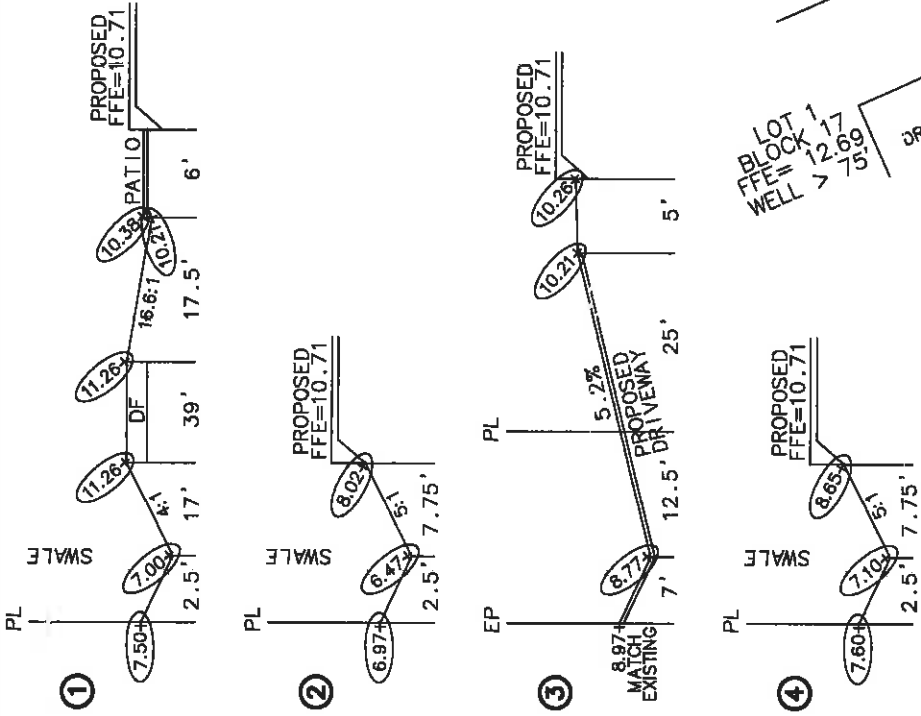

Signed
Address 4239 Empire way
Greenacres FL 33463

I am submitting the following application because according to Section 3.262 F.L and Table 3.262.5: The minimum dwelling width shall be 30 ft. MARTIN CO., FL, LDR. The proposed single family home does not meet the requirements because the engineering standards require a maximum slope of 4 ft. High = 1 V requires larger side setbacks.

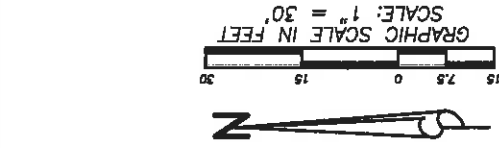
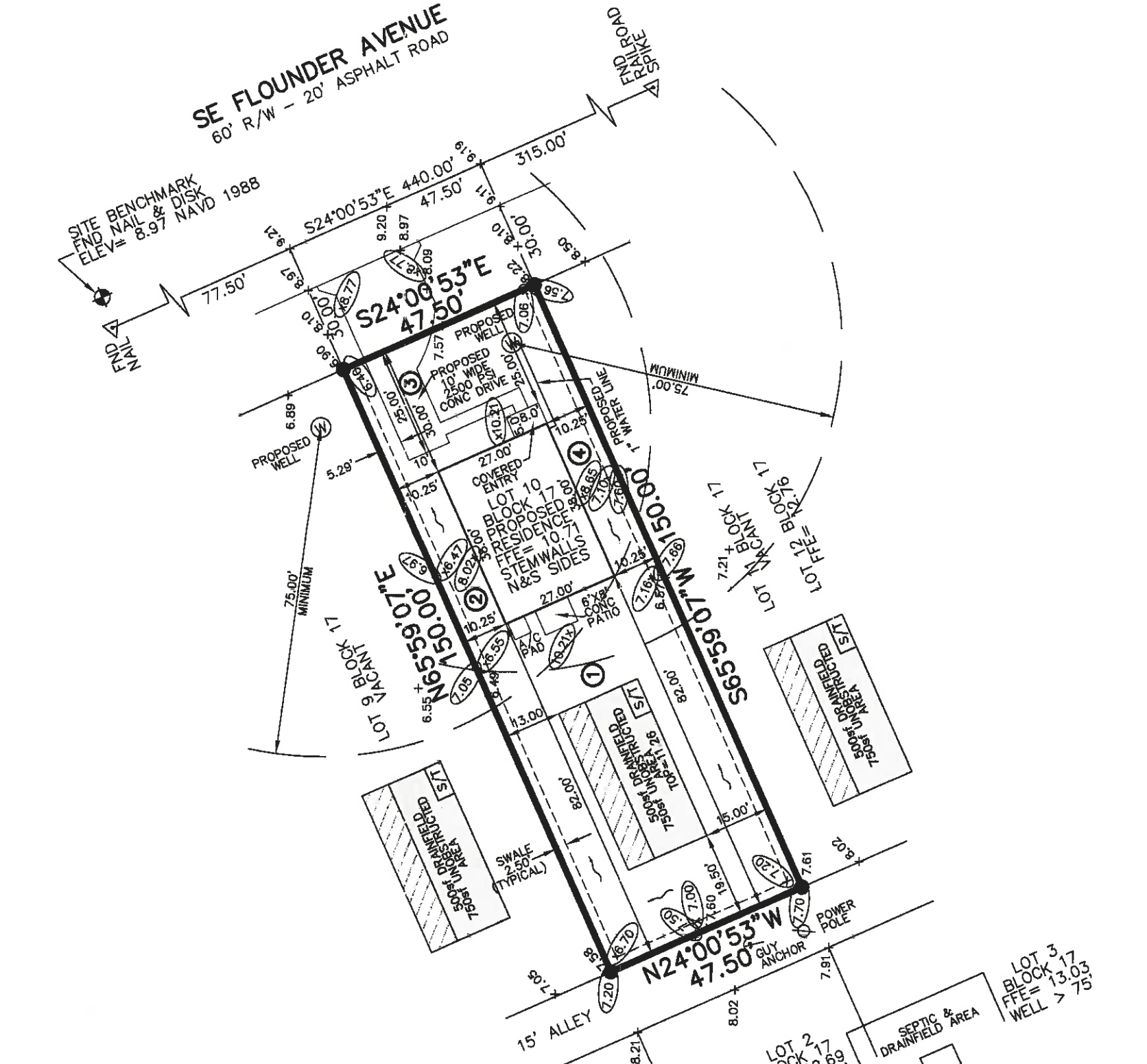
Kind regards,

A handwritten signature in black ink, appearing to read 'Daniel Marin', is written over a horizontal dashed line.

Daniel Marin (Agent)



- LEGEND:**
- (C) = CALCULATED
 - (D) = DEED
 - (M) = MEASURED
 - (P) = PLATTED
 - CAP = CORRUGATED METAL PIPE
 - CNS = COULD NOT SET
 - CONC = CONCRETE
 - FFE = FINISHED FLOOR ELEVATION
 - FND = FOUND
 - IR = IRON ROD
 - IRC = 5/8" IRON REBAR WITH PLASTIC CAP
 - PCOR = PROPERTY CORNER
 - POP = PERMANENT CONTROL POINT
 - PL = PROPERTY LINE
 - PUDE = PUBLIC UTILITIES AND DRAINAGE EASEMENT
 - R/W = RIGHT-OF-WAY
 - R = RADIUS OF CURVE
 - L = LENGTH OF CURVE
 - SF = SQUARE FOOT
 - Δ = DELTA OF CURVE
 - = SET 5/8" IRON REBAR WITH PLASTIC
 - = CAP "AJP PSM 6330"
 - ~ = PROPOSED DRAINAGE FLOW
 - = PROPOSED ELEVATION



LEGAL DESCRIPTION:
LOT 10 IN BLOCK 17 OF PORT SALERNO, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 1, PAGE 132, OF THE PUBLIC RECORDS OF MARTIN (FORMERLY PALM BEACH) COUNTY, FLORIDA.

- SURVEY NOTES:**
1. UNLESS OTHERWISE NOTED ONLY PLATTED EASEMENTS ARE SHOWN HEREON.
 2. NO UNDERGROUND UTILITIES OR IMPROVEMENTS WERE LOCATED UNLESS OTHERWISE SHOWN.
 3. THIS SITE LIES WITHIN FLOOD ZONE "X", ACCORDING TO THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 12085C0164 G, EFFECTIVE DATE 3-16-15.
 4. FLOOD ZONE SHOWN HEREON IS AN INTERPRETATION BY THE SURVEYOR AND IS PROVIDED AS A COURTESY. THE FLOOD ZONE SHOULD BE VERIFIED BY A DETERMINATION AGENCY.
 5. BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF LOT 10 ASSUMED TO BEAR S24°00'53"E.
 6. ALL LOT DIMENSIONS SHOWN ARE PER PLAT UNLESS OTHERWISE NOTED. ALL SURVEY MEASUREMENTS ARE IN FEET.
 7. ALL MAPPED FEATURES SHOWN HEREON ARE UNDER THE DIRECT SUPERVISION AND RESPONSIBILITY OF ALEXANDER J. PIAZZA PSM, INC.
 8. SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
 9. ADDITIONS OR DELETIONS TO THE SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT THE CONSENT OF THE SIGNING PARTY OR PARTIES.

CERTIFIED TO:
ALPHA DESIGN CONTRACTORS, LLC.

4822 SE FLOUNDER AVENUE

LAST FIELD DATE: 11-06-18

CAD	K:\BUILDERS\DWG2018\18-4274.DWG				
REF	K:\				
FLD	CJM / RP	FB.	PG.	JOB	18-4274
OFF	CJM			DATE	11-14-18
CKD	AJP	SHEET 1	OF 1	DWG	C-820

ALEXANDER J. PIAZZA PSM, INC.
Surveying • Mapping • Consulting
619 SW Biltmore Street
Port St. Lucie, Florida 34983
Phone: (772) 340-7770
Fax: (772) 340-2250
LB#7280

TYPE OF SURVEY:	BOUNDARY	PLOT PLAN	U/C TIE IN	FINAL	TOPOGRAPHIC
COMPLETED ON:	11-06-18	11-14-18			
DATE:					
REVISIONS:					
BY:					

8-29-18 FLIP ENTRY AND ADD WALK
AJP

DATE: 8/29/2019 1:03:27 PM