



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)

## DEVELOPMENT REVIEW APPLICATION

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### A. GENERAL INFORMATION

Type of Application: Zoning Change

Name or Title of Proposed Project: Martinez Rezoning Application

#### Brief Project Description:

The proposed rezoning is filed in conjunction with a future land use amendment for the subject property. The proposed land use change is from Rural Density to Estate Density 2 UPA and this zoning change request is to change the zoning designation on the property from A-1 to RE- 1/2A.

Was a Pre-Application Held? ☐ YES/NO ☒ Pre-Application Meeting Date: \_\_\_\_\_

Is there Previous Project Information? ☐ YES/NO ☒

Previous Project Number if applicable: \_\_\_\_\_

Previous Project Name if applicable: \_\_\_\_\_

#### Parcel Control Number(s)

34-38-41-001-000-00080-5



### B. PROPERTY OWNER INFORMATION

Owner (Name or Company): Nicholas Martinez Jr. and Steven M. Martinez

Company Representative: \_\_\_\_\_

Address: 1500 SE Cove Road

City: Stuart, State: FL Zip: 34997

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**C. PROJECT PROFESSIONALS**

**Applicant (Name or Company):** Nicholas Martinez Jr. and Steven M. Martinez

Company Representative: \_\_\_\_\_

Address: 1500 SE Cove Road

City: Stuart, State: FL Zip: 34997

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Agent (Name or Company):** Fox McCluskey Bush Robison, PLLC

Company Representative: Tyson Waters, Esq.

Address: 3461 SE Willoughby Boulevard

City: Stuart, State: FL Zip: 34994

Phone: 772-287-4444 Email: twaters@foxmccluskey.com

**Contract Purchaser (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Land Planner (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Landscape Architect (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Surveyor (Name or Company):** Stephen J. Brown, Inc.

Company Representative: Stephen J. Brown

Address: 619 East 5th Street

City: Stuart, State: FL Zip: 34994

Phone: 772-288-7176 Email: \_\_\_\_\_

**Civil Engineer (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

## PROJECT PROFESSIONALS CONTINUED

**Traffic Engineer (Name or Company):** O'Rourke Engineering & Planning

Company Representative: Susan E. O'Rourke, P.E.

Address: 969 SE Federal Highway, Suite 402

City: Stuart, State: FL Zip: 34994

Phone: 772-781-7918 Email: seorourke@comcast.net

**Architect (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Attorney (Name or Company):** Fox McCluskey Bush Robison, PLLC

Company Representative: Tyson Waters, Esq.

Address: 3461 SE Willoughby Boulevard

City: Stuart, State: FL Zip: 34994

Phone: 772-287-4444 Email: twaters@foxmccluskey.com

**Environmental Planner (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

**Other Professional (Name or Company):** \_\_\_\_\_

Company Representative: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_, State: \_\_\_\_\_ Zip: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

### D. Certification 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. **(125.022(1), Fla. Stat.)**

☐

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

E. APPLICANT or AGENT CERTIFICATION

I have read this application, and to the extent that I participated in the application, I have answered each item fully and accurately.

[Signature]      [Signature]      3/31/2020  
Applicant Signature      Signature      Date

NICHOLAS MARTINEZ      STEVEN M. MARTINEZ  
Printed Name      PRINT NAME

NOTARY ACKNOWLEDGMENT

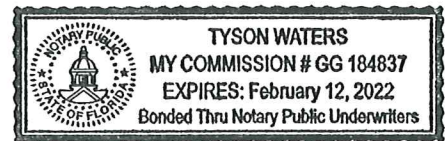
STATE OF: FLORIDA      COUNTY OF: MARTIN

I hereby certify that the foregoing instrument was acknowledged before me this 31<sup>st</sup> day of MARCH, 20 20, by Nicholas Martinez & Steven M. Martinez

He or She    is personally known to me or ☒ has produced FLA. DRIVER'S LICENSE as identification.

[Signature]      Tyson Waters  
Notary Public Signature      Printed name

STATE OF: FLORIDA      at-large





**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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## Digital Submittal Affidavit

I, Tyson Waters, as agent, attest that the electronic version included for the project Martinez 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.

[Signature]  
Applicant Signature  
Agent

4/1/2020  
Date

### NOTARY ACKNOWLEDGMENT

STATE OF: FLORIDA COUNTY OF: MARTIN

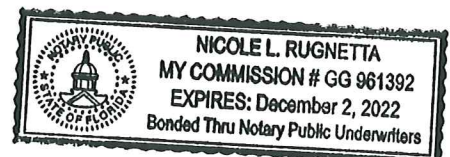
I hereby certify that the foregoing instrument was acknowledged before me this 1 day of April, 2020, by Tyson Waters.

He or She X is personally known to me or \_\_\_ has produced \_\_\_ as identification.

[Signature]  
Notary Public Signature

Nicole Rugnetta  
Printed name

STATE OF: Florida at-large



## **NARRATIVE**

The subject property is located on the south side of Cove Road, located east of Kanner Highway and west of Willoughby Boulevard. The subject property is located immediately west of the newly approved development known as Cove Royale and immediately east of the Treasure Coast Classical Academy.

To the north, east and west of the subject property are parcels having an Estate Density 2UPA land use designation, the same as being requested by the Applicant. The parcel to the immediate south of the subject property has a Rural Density land use designation but is the existing location of the Samaritan House for Boys.

The zoning designation for the parcels to the east and north is Planned Unit Development, comprising of the Legacy Cove development and recently approved Cove Royale development. To the west of the subject property, the parcels have a RE – ½ A zoning designation, consistent with the zoning designation requested with this application. The Samaritan House for Boys parcel has a zoning designation of RE – 2A.

The requested land use and zoning changes will allow the Applicant to subdivide the subject property creating up to four (4) lots. The immediate intention for such subdivision is to allow the Applicant's family to acquire a lot and eventually construct a single-family home on each lot for their use.

The requested land use and zoning change is consistent and compatible with the surrounding properties and conforms to the requirements of the Martin County Comprehensive Plan.

**LIMITED POWER OF ATTORNEY**

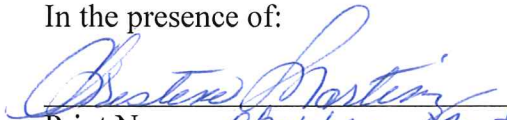
KNOW ALL MEN BY THESE PRESENTS, that we, Steven M. Martinez and Nicholas Martinez, Jr., do by these presents hereby make, constitute and appoint Tyson Waters, Esquire, and Fox McCluskey Bush Robison, PLLC, as its attorneys-in-fact to represent it and to execute, acknowledge, and deliver in our name documents and instruments, as its attorneys-in-fact may deem proper, as well as represent it at any hearings and meetings, that may be required to amend the future land use and zoning designations, and other laws, rules and regulations, as may be applicable, for the following described real property:

**See Exhibit "A"**


IN WITNESS WHEREOF, we have set our hands and seal this 31<sup>ST</sup> day of MARCH, 2020.

Signed, Sealed and delivered

In the presence of:

  
Print Name: Christine Martinez  
Witness #1 (as to both)

  
Print Name: Steven M. Martinez

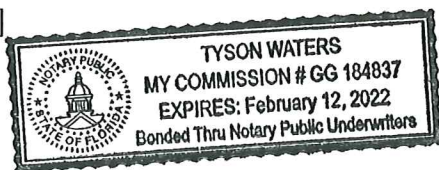
  
Print Name: TYSON WATERS  
Witness #2 (as to both)

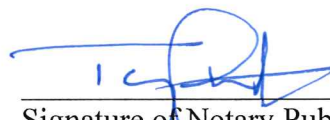
  
Print Name: Nicholas Martinez, Jr.

STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by means of [ ☒ ] physical presence or [ ☐ ] online notarization, this 31<sup>ST</sup> day of MARCH, 2020, by Steven M. Martinez and Nicholas Martinez, Jr., who are personally known to me or have produced FL. DRIVER'S LICENSE as identification.

[SEAL]



  
Signature of Notary Public  
TYSON WATERS  
Print, type or stamp commissioned  
Name of Notary Public  
My Commission expires:

## **EXHIBIT "A"**

### **LEGAL DESCRIPTION**

Lot 8, WA-CO FIELD PLACE, according to the plat thereof as recorded in Plat Book 5, Page 62, Public Records of Palm Beach (now Martin) County, Florida; Less and except the following: Known as the Southerly portion of Lot 8, WA-CO Field Place, as recorded in Plat Book 5, Page 62, Public Records of Palm Beach (now Martin) County, Florida and being more particularly described as follows: Beginning at the Southwest corner of said Lot 8, thence North  $8^{\circ}18'31''$  West along the West line of said Lot 8, a distance of 626.67 feet to a point; thence North  $89^{\circ}40'23''$  East, a distance of 186.61 feet to a point on the East line of said Lot 8; thence South  $0^{\circ}19'53''$  East along said East line, a distance of 545.30 feet to a point on the South line of said Lot 8; thence South  $66^{\circ}08'23''$  West along said South line, a distance of 203.80 feet to the Point and Place of Beginning.

Parcel Identification Number: 34-38-41-001-000-00080-5





This Document Prepared By and Return to:  
 Christopher J. Twohey, P.A.  
 844 East Ocean Blvd. Ste A  
 Stuart FL 34984  
 (772) 221-8013

Parcel ID Number: 34-38-41-001-000-00080.50000

## Warranty Deed

This Indenture, Made this 1st day of May, 2017 A.D., Between  
 Karen Sue Jones, a single woman

of the County of Surry, State of North Carolina, grantor, and  
 Steven M. Martinez, a single man and Nicholas Martinez, Jr., a single man, both as Joint Tenants with Rights of Survivorship

whose address is: 1500 SE Cove Rd., Stuart, FL 34997

of the County of Martin, State of Florida, grantees.

Witnesseth that the GRANTOR, for and in consideration of the sum of

TEN DOLLARS (\$10) DOLLARS,  
 and other good and valuable consideration to GRANTOR in hand paid by GRANTEES, the receipt whereof is hereby acknowledged, has  
 granted, bargained and sold to the said GRANTEES and GRANTEES' heirs, successors and assigns forever, the following described land, situate,  
 lying and being in the County of Martin State of Florida to wit:

Lot 8, WA-CO FIELD PLACE, according to the plat thereof as recorded in Plat Book 5, Page 62, Public Records of  
 Palm Beach (now Martin) County, Florida; Less and except the following: Known as the Southerly portion of Lot 8,  
 WA-CO Field Place, as recorded in Plat Book 5, Page 62, Public Records of Palm Beach (now Martin) County,  
 Florida and being more particularly described as follows: Beginning at the Southwest corner of said Lot 8, thence  
 North 0°18'31" West along the West line of said Lot 8, a distance of 626.67 feet to a point; thence North 89°40'23"  
 East, a distance of 186.61 feet to a point on the East line of said Lot 8; thence South 0°19'53" East along said East  
 line, a distance of 545.30 feet to a point on the South line of said Lot 8; thence South 66°08'23" West along said  
 South line, a distance of 203.80 feet to the Point and Place of Beginning.

### SUBJECT TO:

1. Taxes for the year 2017, and all subsequent years
2. Zoning restrictions, prohibitions and other requirements imposed by governmental authority;
3. Restrictions and matters appearing on the Plat or otherwise common to the subdivision; and
4. Public utility easements of record, if any.

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:

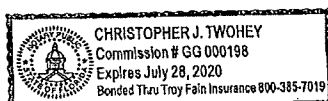
Printed Name: Christopher J. Twohey (Seal)  
 Witness: Karen Sue Jones  
 P.O. Address: 233 Dudley Ave., Mount Airy, NC 27030

Printed Name: Martin J. Twohey  
 Witness: Martin J. Twohey

STATE OF Florida  
 COUNTY OF Martin

The foregoing instrument was acknowledged before me this 1st day of May, 2017 by  
 Karen Sue Jones, a single woman

who is personally known to me or who has produced her Real ID as identification




Printed Name: Christopher J. Twohey  
 Notary Public  
 My Commission Expires: 7-28-20

**CERTIFICATE OF NO TRANSFER**

Based upon a search of the public records available on the Martin County Clerk of Court's website as of the date provided below, the undersigned certifies that the property legally described on Exhibit "A" attached hereto and made a part hereof is owned by Steven M. Martinez and Nicholas Martinez, Jr., and there have been no transfers of the subject property since that certain deed from Karen Sue Jones, dated May 1, 2017, and recorded on May 4, 2017, in Official Records Book 2922, Page 2125, of the Public Records of Martin County, Florida.

DATED this 1<sup>ST</sup> day of APRIL, 2020.

  
\_\_\_\_\_  
Tyson Waters, Esq.  
Attorney for Applicant

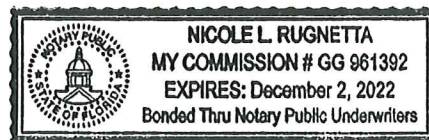
STATE OF FLORIDA  
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 1 day of April, 2020, by Tyson Waters, who is personally known to me or has produced \_\_\_\_\_ as identification.

[SEAL]

  
\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Print, type or stamp commissioned  
Name of Notary Public  
My Commission expires:



**Exhibit "A"**  
**LEGAL DESCRIPTION**

Lot 8, WA-CO FIELD PLACE, according to the plat thereof as recorded in Plat Book 5, Page 62, Public Records of Palm Beach (now Martin) County, Florida; Less and except the following: Known as the Southerly portion of Lot 8, WA-CO Field Place, as recorded in Plat Book 5, Page 62, Public Records of Palm Beach (now Martin) County, Florida and being more particularly described as follows: Beginning at the Southwest corner of said Lot 8, thence North 8°18'31" West along the West line of said Lot 8, a distance of 626.67 feet to a point; thence North 89°40'23" East, a distance of 186.61 feet to a point on the East line of said Lot 8; thence South 0°19'53" East along said East line, a distance of 545.30 feet to a point on the South line of said Lot 8; thence South 66°08'23" West along said South line, a distance of 203.80 feet to the Point and Place of Beginning.

Parcel Identification Number: 34-38-41-001-000-00080-5

Acreage: 2.38 acres

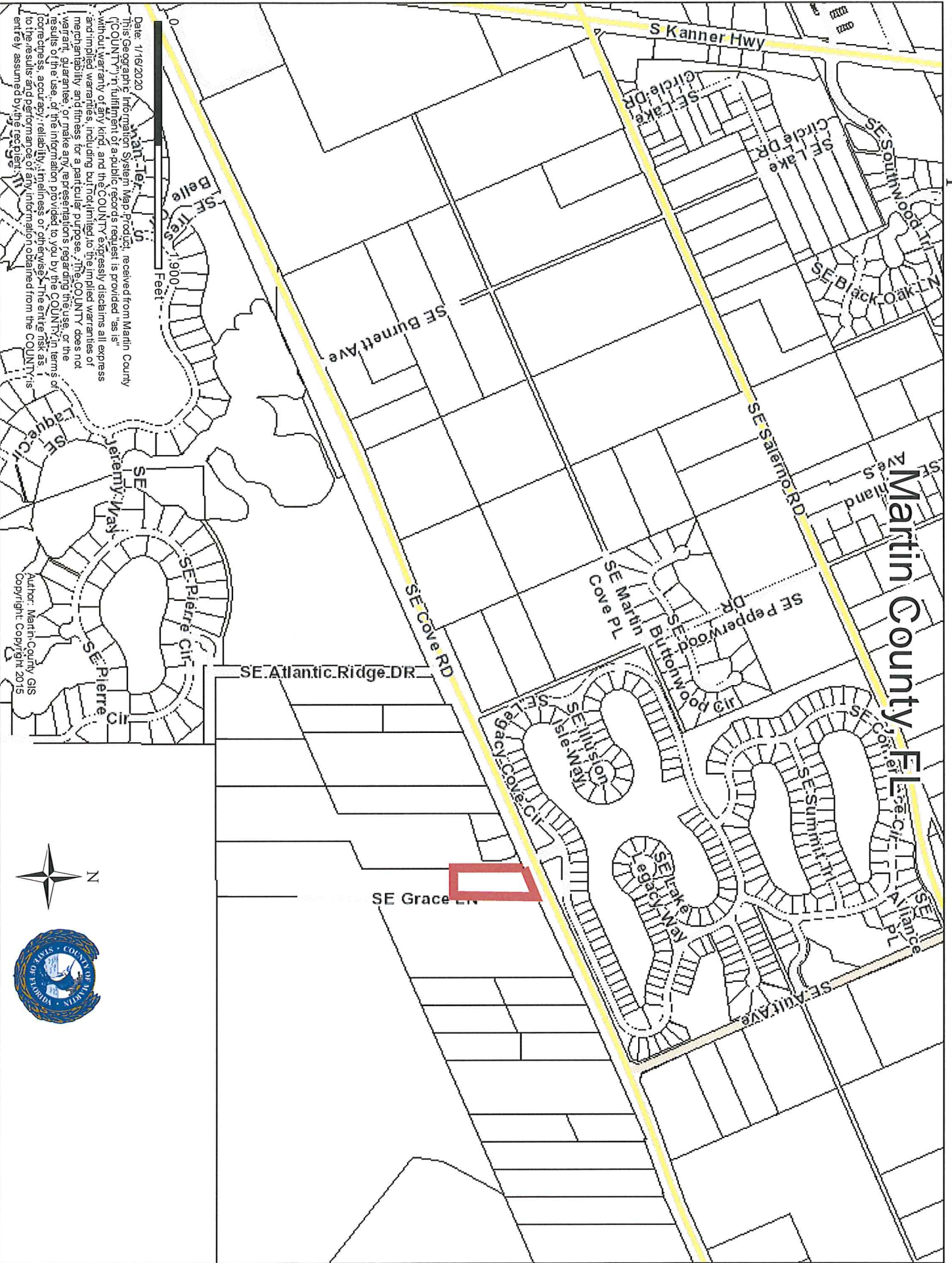
## **LEGAL DESCRIPTION**

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Parcel Identification Number: 34-38-41-001-000-00080-5

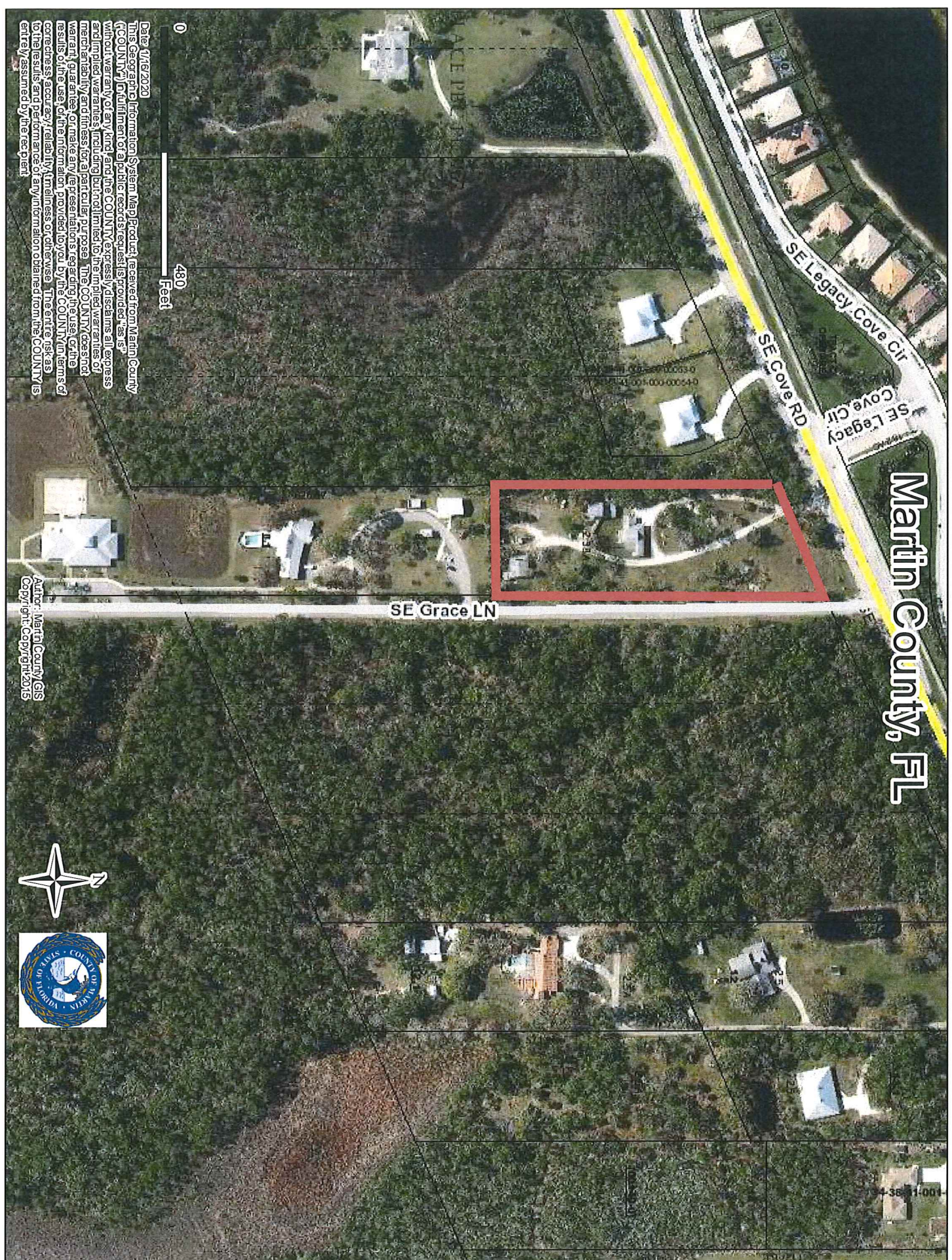
Acreage: 2.38 acres

# Location Map





# Martin County, FL

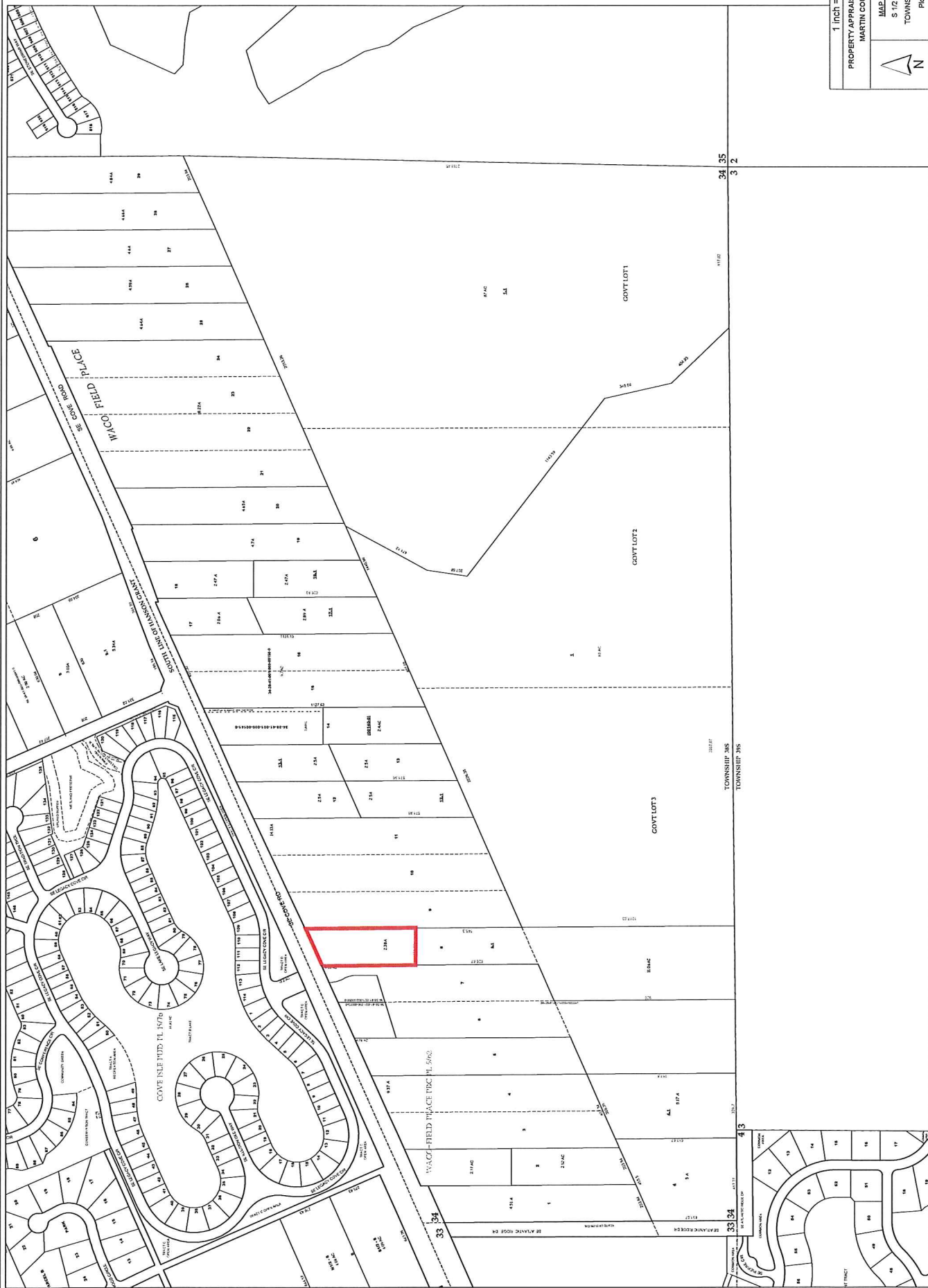


Date: 1/16/2020  
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Public information data is furnished by the Martin County Property Appraiser's Office.

Delisted

- Legend**
- Lines**
- SECTION/GOVT
  - EASEMENT
  - PARCEL
  - LOT COMBINE
  - PARCEL-SHORE
  - RAILROAD-RON
  - ROAD-ROW
  - SUBMERGED
- Text**
- METES AND BOUNDS
  - LOT NUMBERS
  - (UNRECORDED LOTS)

1 inch = 200 feet

PROPERTY APPRAISER ASSESSMENT MAP

MARTIN COUNTY, FLORIDA

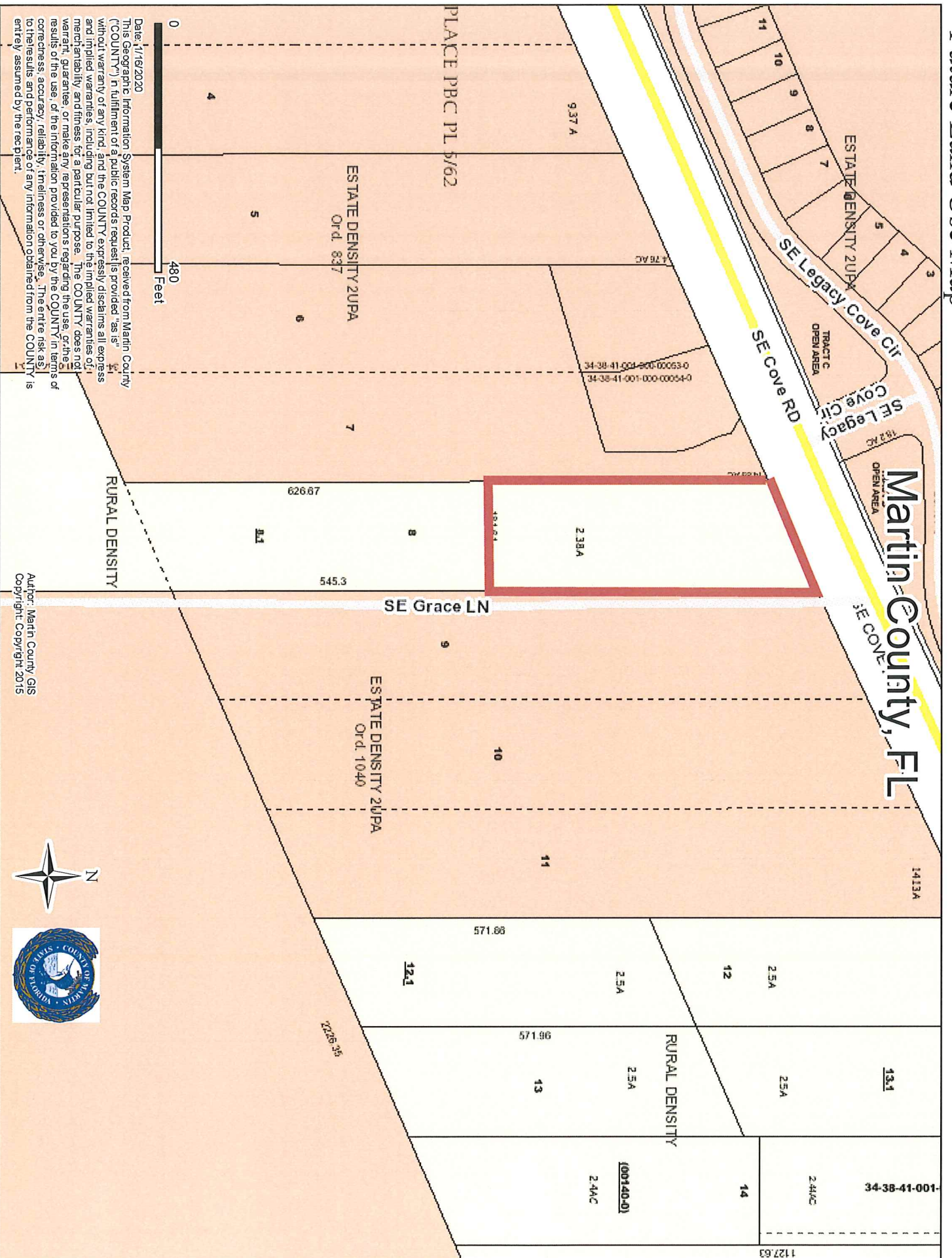
MAP BOOK SERIES - Q

S 1/2 OF SECTION 34-B

TOWNSHIP 38S RANGE 41E

Plot Date: 2/19/2020

# Future Land Use Map





**Martin County Property Appraiser**  
**Laurel Kelly, CFA**

**Main Office**

1111 SE Federal Highway  
Suite 330  
Stuart, Florida 34994  
Phone: (772) 288-5608  
Fax: (772) 221-1346

**Hobe Sound Annex**

11726 SE Federal Hwy  
Island Crossings Center  
Hobe Sound, Florida 33455  
Phone: (772) 546-1309  
Fax: (772) 546-3287

**Notice**

Rev. 10/17

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The address labels are formatted for 1" x 2 5/8" labels. 3 across by 10 down. Compatible with Avery 5160.



400ft

27°07'15"N 80°13'41"W





Martin County School Board  
500 East Ocean Boulevard  
Stuart, FL 34994

## 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:** January 27, 2020  
**Parcel ID#:** 34-38-41-001-000-00080-5  
**Project Name:** Martinez - Cove Road Parcel Land Use and Zoning Change  
**Former Project Name:** \_\_\_\_\_ **Owner/Developer:** Steven and Nicholas Martinez  
**Contact Name/Number:** Tyson Waters, Esq. - 772-287-4444  
**Total Project Acreage:** 2.38 **Year 1 of the Build-Out:** \_\_\_\_\_

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 1	Yr 2	Yr 3	Yr 4	Yr 5
Single-family detached	4	4									
Multi-family											
Apartment											
Townhouse											
Other											

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	4	To be Determined	N/A	
Multi-family				
Apartment				
Townhouse				
Other				

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.

See Attached

**Martin County, FL**

SE Federal Hwy

SE Willoughby Biv

SE Salter Rd

SE Ault Ave

SE Kane Hwy

SW Linden St

SW Gaines Ave

SW Salter Rd

Pinewood Elementary School

Anderson Middle School

Subject Property

3,900 Feet

North Arrow

This geographic information system map product, received from Martin County, is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability, and fitness for a particular purpose. The COUNTY does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness, or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient.

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## 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
Nicholas Martinez, Jr.	1500 SE Cove Road Stuart, Florida 34997
Steven M. Martinez	1500 SE Cove Road Stuart, Florida 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
See above		

(If more space is needed attach separate sheet)

# DISCLOSURE OF INTEREST AFFIDAVIT

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

Name	Address	Interest
None.		

(If more space is needed attach separate sheet)

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

Application Name and/or Project Number	Names & Addresses of Parties involved	Date	Type of Application	Status of Application <sup>1*</sup>
None				

(If more space is needed attach separate sheet)

<sup>1</sup> Status defined as: A = Approved P = Pending D = Denied W = Withdrawn

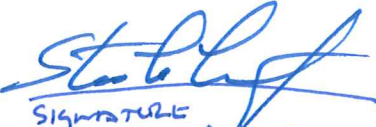


# DISCLOSURE OF INTEREST AFFIDAVIT

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

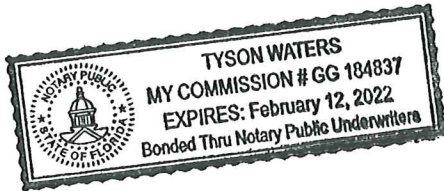
  
SIGNATURE  
STEVEN M. MARTINEZ  
PRINT NAME

  
Signature  
Nicholas Martinez  
Print name

STATE OF: FLORIDA

COUNTY OF: MARTIN

The foregoing Disclosure of Interest Affidavit was sworn to, affirmed and subscribed before me this 31<sup>ST</sup> day of MARCH, 2020, by NICHOLAS MARTINEZ + STEVEN M. MARTINEZ, who is personally known to me or have produced FL. DRIVER'S LICENSE as identification.



(Notary Seal)

  
Signature

Notary Public, State of FLORIDA

Print Name: TYSON WATERS

My Commission Expires: FEB. 12, 2022

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

Lot 8, WA-CO FIELD PLACE, according to the plat thereof as recorded in Plat Book 5, Page 62, Public Records of Palm Beach (now Martin) County, Florida; Less and except the following: Known as the Southerly portion of Lot 8, WA-CO Field Place, as recorded in Plat Book 5, Page 62, Public Records of Palm Beach (now Martin) County, Florida and being more particularly described as follows: Beginning at the Southwest corner of said Lot 8, thence North 8°18'31" West along the West line of said Lot 8, a distance of 626.67 feet to a point; thence North 89°40'23" East, a distance of 186.61 feet to a point on the East line of said Lot 8; thence South 0°19'53" East along said East line, a distance of 545.30 feet to a point on the South line of said Lot 8; thence South 66°08'23" West along said South line, a distance of 203.80 feet to the Point and Place of Beginning.

Parcel Identification Number: 34-38-41-001-000-00080-5