



MARTIN COUNTY
BOARD OF ZONING ADJUSTMENT
MINUTES

John F. Armstrong Wing of the Blake Library
2351 SE Monterey Road, Stuart, FL 34996

August 27, 2020

- Travis Waddell, Chairman
- Rodney Sturm, Vice Chair
- Cabell McVeigh
- Michael Dooley
- John Honan
- Scott Rodriguez
- Mac Ross

CALL TO ORDER

Chairman Travis Waddell called the meeting to order at 7:01 pm. A quorum was present.

Present: Chairman Travis Waddell (present)
Rodney Sturm, Vice Chair (via Phone)
Cabell McVeigh (present)
Michael Dooley (present)
John Honan (present)
Mac Ross (present)

Not present: Scott Rodriguez

Staff Present:

Senior Assistant County Attorney Krista Storey
Principal Planner Peter Walden
Agency Recorder/Notary Denise Johnston

MINU-1 BOARD APPROVAL OF MINUTES - April 23, 2020

The Board of Zoning Adjustment was asked to approve the minutes of the April 23, 2020 Meeting.

Agenda Item: 20-1020

A MOTION was made by Mr. Dooley to approve the minutes of the Board of Zoning Adjustment Meeting of April 23, 2020. SECONDED by Mr. Honan. The motion carried Unanimously 6-0.

QJP-1 QUASI JUDICIAL PROCEDURES

Quasi-Judicial Procedures apply when a 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 the 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.

Agenda Item: 20-1021

All persons wishing to speak on a Quasi-Judicial agenda item will be sworn in.

NEW BUSINESS

NPH - 1 WHITE, ANDREA F. VARIANCE REQUEST

Request for a variance by Andrea F. White to reduce the centerline setback requirements pursuant to Section 3.16.C.1.a., Land Development Regulations (LDR) to permit the construction of a swimming pool and deck. The subject property is located at 3054 SE Bamboo Street in Stuart, Florida.

Presented by: Peter Walden, AICP, Principal Planner, Growth Management Department

Applicant: Andrea F. White

Agenda Item: 20-1023

*** For the Record:**

BOARD MEMBERS: There were no ex parte communication disclosures. No interveners were present.

COUNTY: Staff and individuals speaking on this matter were sworn in.

COUNTY: Principal Planner Peter Walden submitted a copy of the full agenda item, Staff report and his work history/resume as NPH-1 Exhibit -1.

APPLICANT: Andrea White submitted required notices and complete list of surrounding homeowners that were notified was provided, NPH-1 Exhibit -2.

COUNTY: Mr. Walden provided the staff's presentation of NPH-1.

Mr. Walden advised the Board that the application for a setback variance is in order and qualifies for an action of approval for a centerline setback variance of 19 ft. to reduce the setback requirement from 50 ft. to 31 ft. from the centerline of SE Rosemont Avenue to permit the proposed swimming pool and deck.

Board of Zoning Adjustment Comments:

There was a discussion regarding the centerline and zoning setbacks.
Mr. Waddell asked the applicant if a screen enclosure was planned.

APPLICANT: Ms. White stated she was not planning a screen enclosure.

PUBLIC: No comments at this time.

MOTION: Mr. McVeigh MOVED to approve staff's recommendation to grant the applicants request for a variance, for a centerline setback variance of 19 ft. to reduce the setback requirement from 50 ft. to 31 ft. from the centerline of SE Rosemont Avenue to permit the construction of a swimming pool and deck as per the survey. With the condition that the site plan, be tied to the variance resolution. Special conditions and circumstances do exist due to the size of the lot and the date the property was platted. Literal interpretation of the provisions of Article 3 would seem to deprive the applicant the rights commonly enjoyed by others in the neighborhood. The special conditions and circumstances are not result of the applicant's action. The granting of the variance requested will not confer on the applicant a special privilege that is denied to owners of other lands in the same district. It will not create a negative impact to the health, safety and welfare of the neighborhood.

The MOTION was SECONDED by Mr. Honan
The motion CARRIED Unanimously 6-0.

COMMENTS

1. **PUBLIC** - None
2. **BOARD** - None
3. **STAFF:** Mr. Walden noted there was a variance application submitted for September.

ADJOURN

The Board of Zoning Adjustment meeting of August 27, 2020 adjourned at 7:19 pm.

Respectfully Submitted:

Approved by:

Denise Johnston, Agency Recorder/Notary

Travis Waddell, Chairman

Date Signed:

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