



**MARTIN COUNTY
BOARD OF ZONING ADJUSTMENT
MINUTES**
**Martin County Administrative Center
2401 SE Monterey Road, Stuart, FL 34996**
September 24, 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 7:00 pm. A quorum was present.

Present: Chairman Travis Waddell
Rodney Sturm, Vice Chair
Scott Rodriguez
Michael Dooley
John Honan
Mac Ross

Not present: Cabell McVeigh

Staff Present:
Senior Assistant County AttorneyKrista Storey
Principal Planner Peter Walden
Agency Recorder/Notary Denise Johnston

MINU-1 BOARD APPROVAL OF MINUTES – June 25, 2020

The Board of Zoning Adjustment was asked to approve the minutes of the June 25, 2020 Meeting.

Agenda Item: 20-1130

A MOTION was made by Mr. Dooley to approve the minutes of the Board of Zoning Adjustment Meeting of June 25, 2020. SECONDED by Mr. Rodriguez. 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: 20-1129

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

NEW BUSINESS

NPH - 1 TREASURE COAST PARTNERS, LLC VARIANCE REQUEST

Request for a variance by Treasure Coast Partners, LLC to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code, for the E-1, Estates and Suburban Homes District to permit the construction of a single family residence. The subject property is located at 5048 SW Anhinga Avenue, Palm City, Florida.

Presented by: Peter Walden, AICP, Principal Planner, Growth Management Department
Agent for Applicant: Marcia Benson, Treasure Coast Partners, LLC

Agenda Item: 20-11131

*** For the Record:**

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

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

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 variance of 15 ft. to reduce the front yard setback requirement from 40 ft. to 25 ft. from the property line to permit the proposed single family home.

APPLICANT: Ms. Benson representing the applicant submitted required notices and complete list of surrounding homeowners that were notified as NPH-1 Exhibit -2.

Board of Zoning Adjustment Comments:

BOZA: Mr. Waddell asked if there were any comments or letters from the surrounding neighbors.

STAFF: Mr. Walden stated there were none.

APPLICANT: Ms. Benson referred to the location map to show the unique shape of the lots in Four Rivers subdivision and the challenge it presents in designing a home that fits within the parameters of the current setbacks. The proposed 2600 SF one story home with a side loading garage would be consistent with other homes in the neighborhood that have been previously granted variances and is confident it would fit in well with the other homes in the neighborhood.

BOZA: Mr. Waddell asked Ms. Benson if she would be opposed to the home being a one story and the site plan being tied to the resolution.

APPLICANT: Ms. Benson stated she had no objection.

STAFF: Mr. Walden stated the resolution was prepared that way.

BOZA: Mr. Strum had questions regarding the garage line.

Ben Posdal: The contract purchaser addressed the questions regarding the placement of the garage with regards to elevation and fill issues.

BOZA: Mr. Dooley asked staff with the approval of the variance would a pool be allowed in the future.

STAFF: Mr. Walden stated the granting of the variance would allow for a pool in the future.

PUBLIC: No comments at this time.

MOTION: Mr. Dooley MOVED to approve staff's recommendation to grant the applicants request for a variance, for a centerline setback variance of 15 ft. to reduce the front yard setback requirement from 40 ft. to 25 ft. from the property line to permit the proposed single family home. With the condition that the site plan, be tied to the resolution. Special conditions exist which are peculiar to the subject property. The applicant would be deprived of rights commonly enjoyed by others in the same zoning district. The special conditions and circumstances are not a 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.

SECONDED by Mr. Rodriguez **OPPOSED** – Mr. Strum **CARRIED 5-1.**

COMMENTS

1. **PUBLIC** - None
2. **BOARD** - None
3. **STAFF:** Mr. Walden noted there were no items for October.

ADJOURN

The Board of Zoning Adjustment meeting of September 24, 2020 adjourned at 7:31pm.

Respectfully Submitted:

Approved by:

Denise Johnston, Agency Recorder/Notary

Travis Waddell, Chairman

Date Signed:

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