

**BEFORE THE BOARD OF ZONING ADJUSTMENT  
MARTIN COUNTY, FLORIDA**

**[REGARDING THE APPLICATION OF  
FRANK SCAVONE  
FOR A ZONING SETBACK VARIANCE ON PROPERTY LOCATED AT 9187 SE STAR  
ISLAND WAY WITHIN THE HR-1 SINGLE-FAMILY RESIDENTIAL DISTRICT]**

**WHEREAS, THIS BOARD HAS MADE THE FOLLOWING DETERMINATIONS OF  
FACTS:**

1. Frank Scavone has submitted a variance application to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code for the HR-1, Single-family Residential District to permit the construction of a swimming pool and decks and address the existing .3 ft. side yard encroachment of the dwelling on Lot 16, Block 6, Replat of Block 6, "The Soundings", according to the Plat thereof on file in the Office of the Clerk of the Circuit Court in Plat Book 5, Page 7, of the Public Records of Martin County, Florida. The subject property is located at 9187 SE Star Island Way, Hobe Sound, Florida.

2. This Board considered this application to reduce the setback requirements at a public hearing on April 22, 2021.

3. At the public hearing, all interested parties were given an opportunity to be heard.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF ZONING ADJUSTMENT  
OF MARTIN COUNTY, FLORIDA, THAT:**

A. Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same district.

B. Literal interpretation of the provisions of Article 3, Land Development Regulations, Martin County Code would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district.

C. The special conditions and circumstances do not result from the actions or inactions of the applicant.

D. Granting the variance requested will not confer on the applicant any special privilege that is denied to owners of other lands, structures or buildings in the same district.

E. The variance is the minimum variance that will make possible the reasonable use of the land, building or structure.

F. The granting of the variance will be in harmony with the general purpose and intent of the Land Development Regulations and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

G. A rear yard and north side yard setback variance of 10 ft. is approved to reduce the setback requirement from 35 ft. to 25 ft. to permit the construction of a swimming pool and decks and a variance of .3 ft. to reduce the south side yard setback to 14.7 ft. to permit the existing encroachment of the dwelling as set forth on the survey attached hereto as Exhibit A.

H. This resolution shall be recorded in the official records of Martin County. A copy of this resolution shall be forwarded to the applicant(s) by the Growth Management Department subsequent to recording.

**DULY PASSED AND ADOPTED THIS 22TH DAY OF APRIL, 2021.**

**ATTEST:**

**BOARD OF ZONING ADJUSTMENT  
MARTIN COUNTY, FLORIDA**

**BY: \_\_\_\_\_  
DENISE JOHNSTON  
SECRETARY**

**BY: \_\_\_\_\_  
TRAVIS WADDELL, CHAIRMAN**

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:**

**BY: \_\_\_\_\_  
KRISTA A. STOREY  
SENIOR ASSISTANT COUNTY ATTORNEY**

The site plan illustrates the proposed development on SE Star Island Way. Key features and dimensions include:

- Proposed New Deck:** Located at the top center, measuring 26'-6" by 15'-0".
- Proposed New Pool by Others:** Situated below the new deck, measuring 15'-0" by 8'-0".
- Proposed New Roof over Existing Residence:** A large central structure with a 2-story addition, measuring 37'-6 1/2" by 13'-4".
- Proposed 2 Story Addition:** Attached to the right side of the main residence, measuring 34'-5" by 12'-2".
- Proposed New Roof over Existing Garage:** Located at the bottom center, measuring 35'-4 1/2" by 38'-11 1/2".
- Proposed New Deck:** Located at the bottom left, measuring 10'-0" by 10'-0".
- Proposed New AC Pad:** Located near the bottom center, measuring 20'-2 1/2" by 10'-0".
- Proposed New Pool Equip. Pad:** Located near the top right, measuring 14'-9 1/2" by 10'-0".
- Setbacks:** Various setbacks are indicated, including 25'-0" hold setbacks to the wet side of the seawall and 25'-2 1/2" hold setbacks to the property line.
- Existing Features:** Existing palms, vegetation, a 18" seawall, and an asphalt drive are shown.
- Orientation:** The plan includes a north arrow and labels for the Indian River, Canal, and SE Star Island Way.