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

**[REGARDING THE APPLICATION OF  
DANIEL AND MARLENA HUSTED  
FOR A ZONING SETBACK VARIANCE ON PROPERTY LOCATED AT 1225 NE  
DOUBLOON DRIVE WITHIN THE HB-1AA, HOTEL MOTEL DISTRICT]**

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

1. Daniel and Marlena Husted have submitted a variance application to reduce the setback requirements of Article 3, Zoning Districts, Land Development Regulations, Martin County Code for the HB-1AA, Hotel Motel District to permit the construction of a three story single family residential dwelling and appropriate accessory structures on Lot 3, Galleon Bay, according to the plat thereof, as recorded in Plat Book 10, Page 5, of the Public Records of Martin County, Florida. The subject property is located at 1225 NE Doubloon Drive, Stuart, Florida.
2. This Board considered this application to reduce the setback requirements at a public hearing on October 28, 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 side yard setback variance of 10 feet for the third story of a proposed single family residence to reduce the setback requirement from 30 feet to 20 feet along both the north and south property lines to permit the construction of a three story single-family residence as set forth on the site plan 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 28TH DAY OF OCTOBER, 2021.**

**ATTEST:**

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

\_\_\_\_\_  
**DENISE JOHNSTON,  
AGENCY RECORDER/NOTARY**

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

**APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY**

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

# Exhibit A

