



AGENDA

LOCAL PLANNING AGENCY

JUNE 11, 2026

AT 5:30 PM

COMMISSION CHAMBERS

121 SW FLAGLER AVE.

STUART, FLORIDA 34994

LOCAL PLANNING AGENCY

Chair - Deana Peterson

Vice Chair - Christina Ouillette

Board Member - Paul Grosso

Board Member - Caitlynne Palmieri

Board Member - Clay Scherer

Board Member - Lance Vogl

Board Member - VACANT

Ex Officio Board Member - Mark Sechrist

ADMINISTRATIVE

Development Director - Jodi Kugler

Board Secretary - Susej T. Meleqi

Agenda items are available on our website at <http://www.cityofstuart.us>
Phone: (772) 288-5306. Fax: (772) 288-5305. E-mail: mkindel@ci.stuart.fl.us

In compliance with the Americans with Disabilities Act (ADA), anyone who needs a special accommodation to attend this meeting should contact the City's ADA coordinator at 772-288-5306 at least 48 hours in advance of the meeting, excluding Saturday and Sunday.

If a person decides to appeal any decision made by the Board with respect to any matter considered at this meeting, he will need a record of the proceeding, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

(RC) next to an item denotes there is a City Code requirement for a Roll Call vote.

(QJ) next to an item denotes that it is a quasi-judicial matter or public hearing.

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES

- 1. APPROVAL OF 05/14/2026 LPA MINUTES

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

ACTION ITEMS

- 2. FINAL ORDER OF VARIANCE APPROVAL - 1678 SE 10 STREET - PETITION NUMBER 103:

VARIANCE PETITION FROM SECTION 6.09.02.C.1 AND SECTION 6.09.02.E. OF THE CITY OF STUART LAND DEVELOPMENT CODE TO ALLOW AN ACCESSORY DWELLING UNIT ONE-HALF FOOT (0.6) FROM THE SIDE PROPERTY LINE. THE REQUIRED SETBACK IS 5-FEET.

- 3. FINAL ORDER OF VARIANCE APPROVAL - 700 SW SAINT LUCIE CRESCENT - PETITION NUMBER VAR-26-2:

VARIANCE PETITION FROM SECTION 5.06.02.B.2. OF THE CITY OF STUART LAND DEVELOPMENT CODE TO ALLOW THE INSTALLATION OF A FENCE WITHIN THE REQUIRED TWENTY-FIVE FEET SHORELINE PROTECTION ZONE SETBACK FROM THE MEAN HIGH-WATER LINE.

STAFF UPDATE

ADJOURNMENT

WHAT IS CIVILITY? Civility is caring about one's identity, needs and beliefs without degrading someone else's in the process. Civility is more than merely being polite. Civility requires staying "present" even with those persons with whom we have deep-rooted and perhaps strong disagreements. It is about constantly being open to hear, learn, teach and change. It seeks common ground as a beginning point for dialogue. It is patience, grace, and strength of character. Civility is practiced in our City Hall.

PUBLIC COMMENT: If a member of the public wishes to comment upon ANY subject matter, including quasi-judicial matters, please submit a Request to Speak form. These forms are available in the back of the Commission Chambers, and should be given to the City Clerk prior to introduction of the item number you would like to address.

CONSENT CALENDAR: Those matters included under the Consent Calendar are self-explanatory, non-controversial, and are not expected to require review or discussion. All items will be enacted by one motion. If discussion on an item is desired by any City Commissioner that item may be removed by a City Commissioner from the Consent Calendar and considered separately. If an item is quasi-judicial it may be removed by a Commissioner or any member of the public from the Consent Calendar and considered separately.

QUASI-JUDICIAL HEARINGS: Some of the matters on the Agenda may be "quasi-judicial" in nature. City Commissioners will disclose all ex-parte communications, and may be subject to voir dire by any interested party regarding those communications. All witnesses testifying will be "sworn" prior to their testimony. However, the public is permitted to comment without being sworn. Unsworn testimony will be given appropriate weight and credibility by the City Commission.

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Local Planning Agency**

Meeting Date: 6/11/2026

Prepared by:

Title of Item:

APPROVAL OF 05/14/2026 LPA MINUTES

Summary Explanation/Background Information on Agenda Request:

Funding Source:

Recommended Action:

ATTACHMENTS:

1. 05142026 LPA Minutes

**MINUTES
LOCAL PLANNING AGENCY OF THE CITY OF STUART
MAY 14, 2026
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

LOCAL PLANNING AGENCY

**Chair - Deana Peterson
Vice Chair - Christina Ouillette
Board Member - Paul Grosso
Board Member - Caitlynne Palmieri
Board Member - Clay Scherer
Board Member - Lance Vogl
Board Member - VACANT
Ex Officio Board Member - Mark Sechrist**

ADMINISTRATIVE

**Development Director - Jodi Kugler
Board Secretary - Susej T. Meleqi**

CALL TO ORDER

5:30 PM

ROLL CALL

PRESENT: Vice Chair Ouillette, Board Member Grosso, Board Member Palmieri, Board Member Vogl

ABSENT: Chair Peterson and Board Member Scherer

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

5:31 PM MOTION: Approve.

MOVED BY: Lance Vogl

SECONDED BY: Caitlynne Palmieri

Motion approved unanimously.

APPROVAL OF MINUTES

- 1. APPROVAL OF 03/12/2026 LPA MINUTES

5:31 PM MOTION: Approve.
MOVED BY: Paul Grosso
SECONDED BY: Caitlynn Palmieri
Motion approved unanimously.

COMMENTS FROM THE PUBLIC (Non-Agenda Related) (3 Minutes Max.)

None.

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

None.

ACTION ITEMS

- 2. BACKYARD CHICKENS IN CERTAIN RESIDENTIAL ZONING DISTRICTS (RC):

ORDINANCE No. 2552-2026; AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF STUART, FLORIDA AMENDING THE CITY’S LAND DEVELOPMENT CODE CHAPTER II – ZONING DISTRICTS USES ALLOWED, DENSITY, INTENSITY, SECTION 2.06.00. – SUPPLEMENTAL USE STANDARDS TO ADD A NEW SECTION 2.06.24. BACKYARD CHICKENS IN CERTAIN RESIDENTIAL ZONING DISTRICTS AND TO AMEND THE CITY’S CODE OF ORDINANCES CHAPTER 8 – ANIMALS, ARTICLE I. IN GENERAL, SECTION 8.2. – LIVESTOCK PROHIBITED IN THE STUART’S CODE OF ORDINANCES, BY REMOVING CERTAIN PROVISIONS RELATED TO ALLOW BACKYARD CHICKENS IN CERTAIN RESIDENTIAL ZONING DISTRICTS; PROVIDING FOR THE REPEAL OF PRIOR ORDINANCES AND RESOLUTIONS; PROVIDING FOR CODIFICATION; PROVIDING FOR SEVERABILITY; PROVIDING FOR AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Jodi Kugler, Development Director, presented the LDC text amendments, stating that there is only allowed 4 hens and no roosters, shared the CRB recommendations of coops being 7ft tall, 5 ft fence, and allowing bushes to be an option.

Board Members asked questions about needing a permit and why, asking if it'll be coyote proof coops, setbacks, licensing vs permits, anchoring these structures down in the event there is a storm.

Board Members and staff reviewed recommendations previously made by the Community Redevelopment Board, including allowing hedges as an alternative to fencing, increasing the maximum coop height, and modifying fence requirements.

Board Members continued discussions.

6:15 PM MOTION: Approve Ordinance as is.
MOVED BY: Caitlynn Palmieri
SECONDED BY: ----
VOTE: DIED FOR A LACK OF SECOND

6:15 PM MOTION: Approval of Ordinance No. 2552-2026 with the modification that backyard chicken permits be replaced with an annual licensing requirement consisting of an initial \$65 fee and a \$10 annual renewal fee.

MOVED BY: Paul Grosso

SECONDED BY: Caitlynn Palmieri

VOTE: MOTION PASSES 3/1.

YES: Cristina Ouillette, Paul Grosso, Caitlynn Palmieri

NO: Lance Vogl

STAFF UPDATE

ADJOURNMENT

6:17 PM

Susej T. Meleqi, Board Secretary

Deanna Peterson, Chair

Minutes to be approved at the LPA Meeting this 11th day of June, 2026.

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Local Planning Agency**

Meeting Date: 6/11/2026

Prepared by: Mechelle Arbuzow

Title of Item:

FINAL ORDER OF VARIANCE APPROVAL - 1678 SE 10 STREET - PETITION NUMBER 103:

VARIANCE PETITION FROM SECTION 6.09.02.C.1 AND SECTION 6.09.02.E. OF THE CITY OF STUART LAND DEVELOPMENT CODE TO ALLOW AN ACCESSORY DWELLING UNIT ONE-HALF FOOT (0.6) FROM THE SIDE PROPERTY LINE. THE REQUIRED SETBACK IS 5-FEET.

Summary Explanation/Background Information on Agenda Request:

The subject property is located at 1678 SE 10th Street, Stuart, FL 34996. According to the Property Appraiser's records, it is a single family residence constructed in 1974. The property owner is requesting a variance from Section 6.09.02.C.1. and Section 6.09.02.E. of the City's LDC to allow the accessory dwelling unit one-half foot (0.6) from the side property line.

In the Single Family-General (R 1) zoning district, the required side yard setback for an accessory dwelling unit is 5 feet from the property line. The petitioner is requesting a reduced setback of 0.6-feet, representing a 4.4 feet deviation from the standard requirement.

A Building Permit (BP-24-1299) was applied for and issued reflecting the correct setbacks. The Form Board Survey was reviewed and approved reflecting the correct setbacks, the permit came to a halt at the final survey review process with a request for a variance from the applicant.

Funding Source:

N/A

Recommended Action:

Staff does not support the Petitioner's request for a variance to allow the accessory dwelling unit one-half foot (0.6) from the side property line.

ATTACHMENTS:

1. Olsen- Variance Order LPA
2. Staff Report
3. Variance Application Supplement
4. BP-24-1299 - Site Plan
5. Building Permit (Construction of ADU)
6. Kin Surveyor Form Board Survey
7. Letters of No Objection
8. Vaught Survey - Final Survey

Return to:
City Attorney
City of Stuart
121 SW Flagler Avenue
Stuart, FL 34994

**BEFORE THE LOCAL PLANNING AGENCY
CITY OF STUART, FLORIDA**

Case #103

In re: The Variance Application of
Braden Olsen – Accessory Dwelling side setback
1678 SE 10 Street
PCN: 10-38-41-005-061-00930-5

FINAL ORDER OF VARIANCE APPROVAL

THIS CAUSE came for hearing before the Local Planning Agency for the City of Stuart, Florida, at a regular set hearing at 5:30 PM on June 11, 2026 at the City Commission Chambers, 121 S.W. Flagler Avenue, Stuart, Florida, and the Local Planning Agency, having considered the sworn testimony and other evidence presented by the city staff, including, but not limited to the staff report, the Applicant, and any Interveners, finds as follows:

1. Pursuant to Section 8.05.01 (B.) of the City of Stuart Land Development Code (LDC), the Local Planning Agency may grant a variance from the strict application of the setbacks requirements of Section 6.09.00 of the Stuart LDC.
2. The Applicant, Tyson Waters, Agent, acting on behalf of Braden A. Olsen, has requested a variance from Section 6.09.02.C.1., and Section 6.09.02.E of the City of Stuart LDC, to allow an accessory dwelling unit one-half foot (0.6) from the side property line.
3. Notice of the hearing was provided as required by Section 8.05.03 of the Stuart LDC. Notice was not challenged by any party at the hearing, and the Local Planning Agency has jurisdiction over this case as provided in Section 8.05.01.
4. At the hearing, the Land Planning Agency received evidence from Mechelle Arbusow, Development Planner II, for the City including that Branden A. Olsen, is the individual who owns the subject real property at 10-38-41-005-061-00930-5, having a legal description attached as Exhibit "A." Evidence was also received from the Applicant.

5. Mechelle Arbuzow verified that the subject property is zoned **R-1 Single Family General** with a Future Land Use designation of **Low Density Residential**. The Future Land Use and Zoning categories were not challenged by any party at the hearing.
6. Based upon the evidence presented, the Local Planning Agency determined that it would not be contrary to the public interest to allow the requested variance and that a literal enforcement of certain parts of the LDC would cause an unnecessary hardship on the Applicant. The Local Planning Agency further finds that the proposed variance is attributable to unique characteristics of the subject property either as to the land or as to any improvements thereon, or both and that the proposed variance, if granted would not cause any of the factors identified in Section 8.05.02 (B.) of the LDC.
7. All subsequent Lessees and Owners of the subject property shall be bound to the terms of this Final Order of Variance Approval, and this Order shall carry forward and “run with the land” unless later released by the City Development Director, or as otherwise provided by law.
8. This Order shall become effective upon the date indicated below. An appeal from the Local Planning Agency’s action must be processed within thirty (30) days following the date of the adoption identified herein in accordance with Section 8.07.05. of the City of Stuart LDC.

Board Member, _____, offered a motion to approve the variance conditioned upon the Applicant _____, which was seconded by Board Member, _____.

DEANA PETERSON, CHAIR
 CHRISTINA OUILLETTE, VICE-CHAIR
 JOHNNY CEALMOV, BOARD MEMBER
 PAUL GROSSO, BOARD MEMBER
 CAITLYNNE PALMIERI, BOARD MEMBER
 CLAY SCHERER, BOARD MEMBER
 LANCE VOGL, BOARD MEMBER

YES	NO	ABSENT	ABSTAIN

ADOPTED this 11th day of June 2026.

ATTEST:

By: _____
SUSEJ T. MELEQI
DEPUTY CITY CLERK

DEANA PETERSON, CHAIR

APPROVED AS TO FORM AND
CORRECTNESS:

LEE J. BAGGETT, ESQ CITY
ATTORNEY

DRAFT

EXHIBIT A

LEGAL DESCRIPTION

(PER OFFICIAL RECORDS BOOK 3167, PAGE 2801)

FROM THE NORTHWEST CORNER OF LOT 12, BLOCK 61, RUN WEST ALONG THE SOUTH RIGHT OF WAY LINE OF EAST 10TH STREET, BEING THE NORTH LINE OF LOT A, BLOCK 61, 75 FEET TO THE P.O.B.; THENCE CONTINUE ALONG THE SOUTH RIGHT OF WAY LINE OF EAST 10TH STREET, 80 FEET TO A POINT; THENCE TURN AND RUN SOUTH PARALLEL TO THE WEST LINE OF LOT 12, BLOCK 61, 125 FEET TO THE NORTH LINE OF LOT 34, BLOCK 61; THENCE TURN AND RUN EAST ALONG THE NORTH LINE OF LOTS 34, 35, AND 36, BLOCK 61, 80 FEET TO A POINT; THENCE TURN AND RUN NORTH PARALLEL TO THE WEST LINE OF LOT 12, BLOCK 61, 125 FEET TO THE P.O.B., ALL LYING WITHIN LOT A, BLOCK 61, IN SARITA ADDITION TO BROADWAY SECTION OF ST. LUCIE ESTATES SUBDIVISION, ACCORDING TO THE PLAT THEREOF FILED 18 NOVEMBER 1925, AND RECORDED IN PLAT BOOK 1, PAGE 12, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

PARCEL I.D.: 10-38-41-005-061-00930-5

PARCEL ADDRESS: 1678 SE 10 Street, Stuart FL, 34996



TO: Local Planning Agency (LPA)
THROUGH: Jodi Kugler, Development Director
MEETING DATE: Thursday, June 11, 2026
SUBJECT: **PETITION NUMBER – 103**

The petitioner seeks a variance from Section 6.09.02.C.1. and Section 6.09.02.E. of the City of Stuart Land Development Code (LDC) to allow an accessory dwelling unit one-half foot (0.6) from the side property line. The required setback is 5-feet.

GENERAL INFORMATION:

Property Owner: Braden Olsen
1678 SE 10 Street
Stuart, FL 34996

Applicant(s) Agent: Tyson Waters
2300 SE Monterey Road, Suite 201
Stuart, FL 34996

Location: 1678 SE 10 Street

Parcel ID#: 10-38-41-005-061-00930-5

Parcel Size: 0.23 acres

Future Land Use: Low Density Residential

Zoning District: R-1 Single Family-General

Purpose: The petitioner seeks a variance from Section 6.09.02.C.1. and Section 6.09.02.E. of the City of Stuart LDC to allow an accessory dwelling unit one-half foot (0.6) from the side property line. The required setback is 5-feet.

Existing Use: Single Family House

Surrounding Zoning: Single Family – General (R-1)

BACKGROUND:

The subject property is located at 1678 SE 10th Street, Stuart, FL 34996. According to the Property Appraiser’s records, it is a single-family residence constructed in 1974. The property owner is requesting a variance from Section 6.09.02.C.1. and Section 6.09.02.E. of the City’s LDC to allow the accessory dwelling unit one-half foot (0.6) from the side property line.

In the Single Family–General (R-1) zoning district, the required side yard setback for an accessory dwelling unit is 5 feet from the property line. The petitioner is requesting a reduced setback of 0.6-feet, representing a 4.4-foot deviation from the standard requirement.

A Building Permit (BP-24-1299) was applied for and issued reflecting the correct setbacks, the Form Board Survey was reviewed and approved reflecting the correct setbacks, the permit came to a halt at the final survey review process with a request for a variance from the applicant.

BOARD OF ADJUSTMENT STANDARDS OF REVIEW:

**STANDARDS OF REVIEW AS OUTLINED IN SECTION 8.05.02.
CITY OF STUART LAND DEVELOPMENT CODE**

In reviewing this application for a variance from the City of Stuart Land Development Code (LDC), the Local Planning Agency (LPA), acting in the capacity of the Board of Adjustment (BOA), shall have the power to authorize in specific cases such variances which will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of certain parts of this code will, in an individual case, result in unnecessary hardship, so that the spirit of the code shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such cases of unnecessary hardship upon the following findings by the Local Planning Agency.

The need for the proposed variance is attributable to unique characteristics of the property either as to the land or as to any improvements thereon, or both, and the proposed variance, **if granted, will not:**

- 1. Authorize any use of the property that is not allowed as a permitted use, or a use allowed by conditional use in the district in which the property is located; and**

An accessory dwelling unit is allowed in the R-1 zoning district.

- 2. Allow density or intensity of use that exceeds the maximum density or intensity that is permitted in the district in which the property is located; and**

Granting the requested variance will not allow density or intensity of use that is permitted in the district.

- 3. Result in a verifiable reduction of the property values of any adjacent properties; and**

Granting the requested variance will not cause a potential reduction in the property values of any adjacent properties, according with the petitioner there is an existing 6-foot high wood fence that blocks the view of the accessory dwelling unit.

- 4. Cause a detrimental effect in the supply of light and air to adjacent properties; and**

The effect of the supply of light and air on adjacent properties is not detrimental.

- 5. Cause a detrimental effect concerning drainage of the subject property as well as adjacent properties; and**

In accordance with the impervious coverage calculations submitted with Permit # BP-24-1299, the property has a total of 35.85% impervious coverage. According to the LDC, R-1 zoning is allowed 50% maximum.

- 6. Cause an increase of traffic on adjacent or nearby roads to levels that are not usual for the types of uses in the neighborhood; and**

Granting the requested variance will not impact or increase any traffic on adjacent or nearby roads to levels that are not usual for types of uses in the neighborhood.

7. Cause any threat to public safety in any manner whatsoever; and

Granting the requested variance will not cause any threat to public safety in any manner whatsoever.

8. Cause any threat to the health and general welfare of the inhabitants of the city.

Granting the requested variance does not cause any threat to the health and general welfare of the inhabitants of the city.

PUBLIC NOTIFICATION

On May 22, 2026, notice to surrounding properties provided notification letters to owners of property located within 300 feet of the proposed petition. One (1) public notification sign detailing the Board Public Hearing was posted on the premises. The Board of Adjustment Public Hearing meeting is not applicable to advertise within the local newspaper.

STAFF RECOMMENDATION

Staff does not support the Petitioner's request for a variance to allow the accessory dwelling unit one-half foot (0.6) from the side property line.

LOCATION MAP
1678 SE 10 STREET



Statement of Ownership and Designation of Authorized Agent

(Please Print or Type)

Before me, the undersigned authority, personally appeared Braden A. Olsen

Who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting approval of a variance in the City of Stuart, FL.
3. That he/she has appointed Tyson Waters, Esq. / Fox McCluskey, PLLC to act as an authorized agent on his/her behalf to accomplish the above project.

Name of Owner: Braden A. Olsen

Braden A. Olsen

Braden A. Olsen

Signature of Owner:
1678 SE 10th Street

By: Name/Title
Stuart, Florida 34996

Street Address

City, State, Zip Code

P.O. Box
772-631-7705

City, State, Zip Code

Telephone Number
bradenolsen.a@gmail.com

Fax Number

Email Address:

STATE OF FLORIDA, COUNTY OF MARTIN

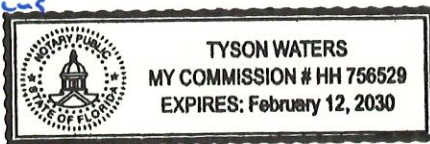
Sworn and subscribed before me by means of physical presence or online notarization, this

23rd day of February, 2026 By BRADEN A. OLSEN

Personally Known OR Produced Identification
Type of Identification Produced: FL. DMV's License

Tyson Waters
Notary Public

My Commission expires:



Financial Responsibility Form

(Please Print or Type)

The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name: Braden A. Olsen
Title:
Company:
Company Address: 1678 SE 10th Street

City/State/Zip Code: Stuart, Florida 34996
Telephone Number: 772-631-7705
Facsimile Number:
Email Address (optional): bradenolsen.a@gmail.com

I hereby certify that all information contained herein is true and correct.

1. Signed this 23rd day of FEBRUARY, 2026.



Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

Variance Application Supplement

Site Address: 1678 SE 10th Street, Stuart, Florida 34996

Parcel ID#: 10-38-41-005-061-00930-5

Refer to City of Stuart Land Development Code (LDC) Section 8.05.00 for details:

1. I (we) do hereby petition the City of Stuart Board of Adjustment for the following Variance from the LDC. (State the variance sought and the section from the LDC from which the variance is requested.)

The Applicant is requesting a variance to the setback requirements set forth in Section 6.09.02.C.1. and E. of the LDC. Specifically, the Applicant is requesting a variance to the side setback requirements for an accessory dwelling unit constructed on the subject property.

2. What is the purpose of the proposed variance and the intended development of the subject property if the variance is granted:

The purpose of the proposed variance is to permit a 1-story accessory dwelling unit constructed on the property to remain.

3. State the specific hardship imposed on the owner by the LDC?

This variance is the result of a surveying error as part of the Applicant's purchase of the subject property and subsequent building permit application for the construction of the 1-story accessory dwelling unit. When the Applicant purchased the subject property, a survey was obtained from Know It Now, Inc., a licensed, professional surveying and mapping company. A copy of this survey is included with this Application. Know It Now (a/k/a KIN Surveyors) was retained to provide the form board survey work as part of the Applicant's building permit application for the accessory dwelling unit. The form board survey was prepared and showed the accessory dwelling unit 5.0 feet off the side property line, as required by the LDCs, and the City approved same. When the construction was complete, the Applicant reached back out to Know It Now to provide the final survey work for the City's final inspection and certification of completion. Unfortunately, Know It Now was no longer in business (it is also the Applicant's understanding and belief that the Know It Now's licensed surveyor, Bill Hyatt, is currently on prohibition with the Florida Board of Surveyors). As a result, the Applicant retained R. L. Vaught & Associates to perform the necessary survey work. When the updated survey work was performed it was discovered that Know It Now's surveys were in error, grossly misstating the location of the property lines. As a result of the survey errors, the accessory dwelling unit is located only 0.6' off the side property line, instead of the required 5 feet.

4. State reasons why this hardship is unique to the owner and why other property similarly situated does not suffer from the same hardship.

The hardship is unique to the Applicant because of prior surveying issues that incorrectly depicted the location of the property lines for the subject property. The hardship is not the fault of the Applicant. The Applicant retained a professional surveyor to perform the necessary work establishing the boundary lines of the property to ensure compliance with

applicable LDCs and proceeded in reliance of that paid professional. During the construction process, the Applicant and construction work passed all City inspections, leading up to the final inspection and approval.

It was only discovered after construction, and after the initial survey company went out of business and a new surveyor was hired, that the original survey work was in error. As a result the survey error, the recently constructed accessory dwelling unit is located within the required setbacks.

Denial of this variance would require the Applicant to demolish the accessory dwelling unit, which was constructed under a properly issued permit and all work was performed in good faith in reliance of documents prepared by a qualified, licensed surveyor.

5. State reasons why this variance will not be injurious to other property and/or improvements in the neighborhood in which the subject property is located.

The accessory dwelling unit is located in the rear of the property, well away from the primary structures of the neighboring property owners. On the side of the property, the accessory dwelling unit is located opposite a six foot (6') wood fence, further obstructing any view or impact to the neighboring property owner.

6. State reasons why this variance will not increase traffic, the danger of fire, or impair property values in the neighborhood in which the subject property is located.

An accessory dwelling unit is permitted within the R-1 zoning district so the construction and use of the accessory dwelling unit will not increase any burden on traffic, the danger of fire or impair property values in the neighborhood.

7. State why this variance is the minimum variance that will make possible a reasonable use of the land, building and structures.

The variance is the minimum variance possible for the reasonable use of the structure. The structure is already constructed and the error was not realized until a new surveyor was retained in advance of the final inspection of the improvement. Denial of the variance would require the structure to be demolished. The error and need for the variance is not the result of the Applicant. The Applicant relied on a licensed professional as part of the permitting process, only to discover an error after construction was completed. Requiring the Applicant to demolish the building, when the hardship and need for the variance are not the result of the Applicant, would create a financial hardship and unjust penalty on the Applicant.

8. Explain how this proposed variance is consistent with the general spirit of the LDC and the City of Stuart Comprehensive Plan.

Accessory dwelling units similar to the structure constructed on the Applicant's property are permitted under the LDCs and Comprehensive Plan. The purpose of the variance process is to grant exceptions to the LDCs when the hardship at issue was not the result of the Applicant's actions and denial of the request would be unjust or unreasonable given the circumstances at issue. The Applicant's variance request is consistent with the general spirit

of the LDCs and Comprehensive Plan.

9. Is this variance request located within a Homeowners or Property Owners Association?

YES NO If yes, then letter is required

For any variance request within an area that has a Homeowners or Property Owners Association, a letter from that Association is required stating their position regarding the variance request. Name of Association:

Is there a letter from that association attached?

YES NO NOT APPLICABLE

Please attach a diagram of the property showing the dimensions of the lot and all other dimensions necessary to understand this application.

See Attached.

I (we) have reviewed LDC Section 8.05.00, including the questions to be answered by the applicant for a variance and will be prepared to answer these questions at the public hearing.

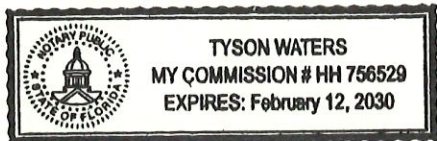
I, Braden A. Olsen (Applicant Name) swear (or affirm) that the information and facts stated therein on the application is true and correct.


Applicant Signature


2-23-26
Date:

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by mean of physical presence or online notarization this 23rd day of February, 2026, by Braden A. Olsen, who is personally known to me or who has produced Fla. Driver's License as identification.

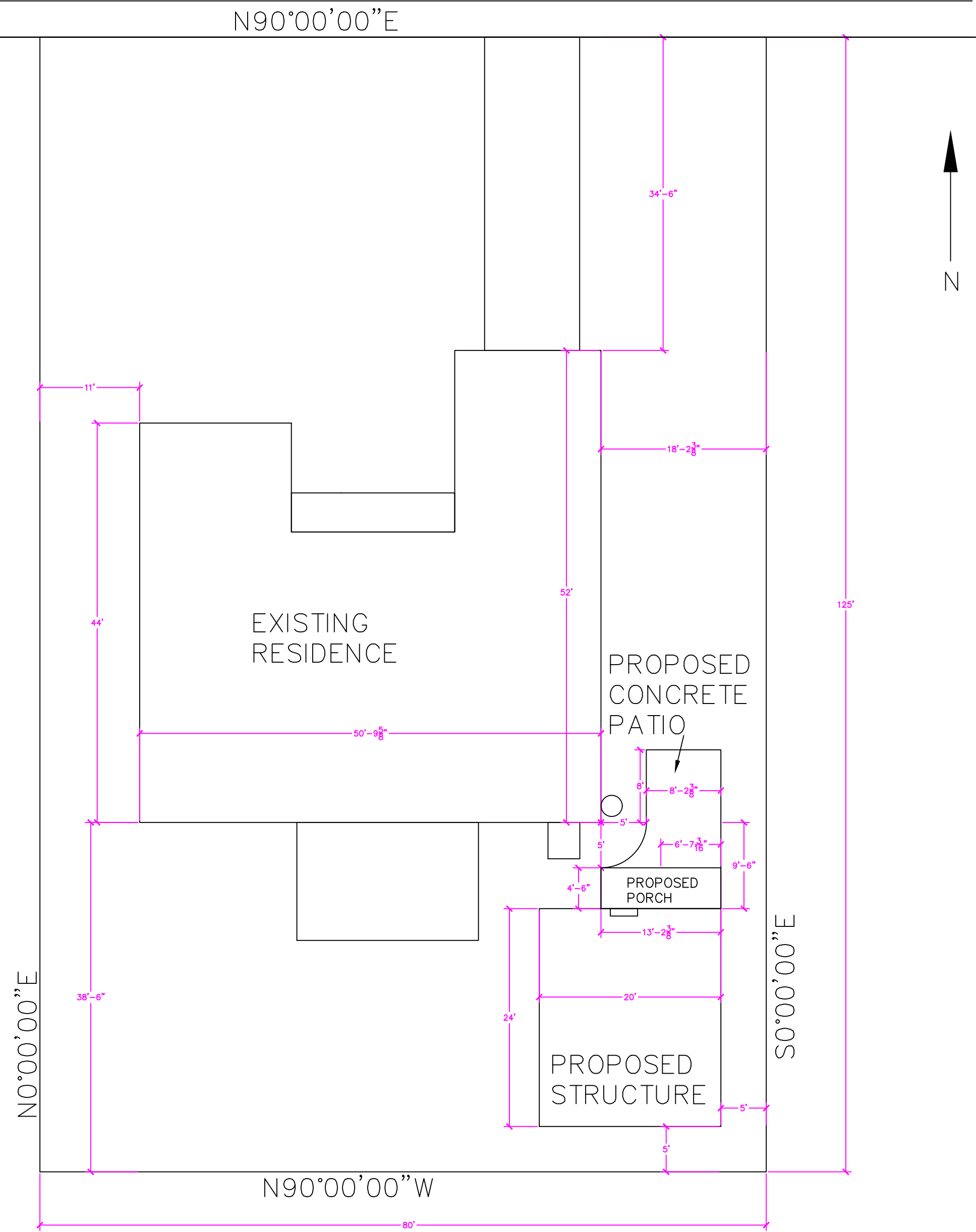


(Seal)


Signature of Notary
Type or Print Name of Notary: TYSON WATERS
Notary Commission Number: HH 756529

SE 10TH STREET

GENERAL NOTES:



SITE PLAN

$\frac{3}{32}'' = 1'$

LEGAL DESCRIPTION:

FROM THE NORTHWEST CORNER OF LOT 12, BLOCK 61, RUN WEST ALONG THE SOUTH RIGHT-OF-WAY LINE OF EAST 10TH STREET, BEING THE NORTH LINE OF LOT A, BLOCK

61, A DISTANCE OF 75 FEET TO THE POINT OF BEGINNING;

THENCE CONTINUE ALONG THE SOUTH RIGHT-OF-WAY LINE OF EAST 10TH STREET, A DISTANCE OF 80 FEET TO A POINT; THENCE RUN SOUTH PARALLEL TO THE WEST LINE OF LOT 12, BLOCK 61, A DISTANCE OF 125 FEET TO THE NORTH LINE OF LOT 34, BLOCK 61; THENCE TURN AND RUN EAST ALONG THE NORTH LINE OF LOTS 34, 35 AND 36, BLOCK 61, A DISTANCE OF 80 FEET TO A POINT;

THENCE TURN

AND RUN NORTH PARALLEL TO THE WEST

LINE OF LOT 12, BLOCK 61, A DISTANCE OF 125 FEET TO THE POINT OF BEGINNING, ALL LYING WITHIN LOT A, BLOCK 61, IN SARITA ADDITION TO BROADWAY SECTION OF ST.

LUCIE ESTATES SUBDIVISION, ACCORDING TO THE PLAT THEREOF, FILED 18 NOVEMBER 1925, AND RECORDED IN PLAT BOOK 1, PAGE 12, PUBLIC RECORDS OF MARTIN

COUNTY, FLORIDA.

GENERAL REQUIREMENTS

- Applicable Standards – All work shall conform to recent editions of local, state and national codes, ordinances and regulations pertaining to the work, F.B.C., A.C.I., A.N.S.I., A.S.T.M., O.S.H.A., etc.
- Wind Pressure – The drawings were design per FBC 2023

CONCRETE

- Concrete – Structural concrete shall develop a minimum strength of 3000 psi. All concrete shall be ready mixed and in accordance with ASTM C-94.

WOOD AND PLASTICS

- Wood in direct contact with concrete, masonry, or soil shall be pressure treated with the requirements of the standards of the American Wood Preservers Association.
- Wall Sheathing – shall be 4' x 8' x $\frac{19}{32}$ (min.) CDX plywood.
 - o Install the panel's long dimension perpendicular to the framing.
 - o Sheathing fasteners shall be 8d galvanized nails unless noted otherwise:
 - Zone 4 – 6"o.c. at edges and 6"o.c. at intermediate framing
 - Zone 5 – 4"o.c. at edges and 6"o.c. at intermediate framing

THERMAL AND MOISTURE PROTECTION

- Insulation – Provide batt / foam Insulation system for total insulation. Provide the following minimum insulation:
 - o All ceilings – R-20
 - o Exterior frame walls – R-19
 - o Vapor Barrier – Installed at all vertical, exterior wood stud and sheathed walls shall be tyvek or equivalent.

DOORS AND WINDOWS

- Doors and Frames – Provide all doors and frames hung true and plumb as indicated on schedule.
- Windows – Provide operative windows true and plumb as indicated on schedule.

FINISHES

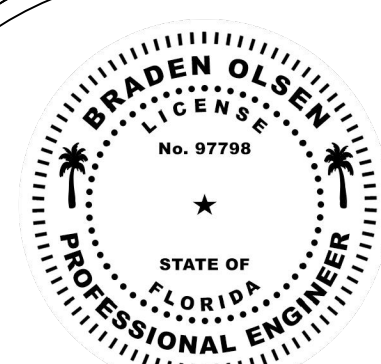
- Siding shall be HARDI-PLANK Siding or equivalent. install siding $\frac{19}{32}$ " min plywood sheathing and continuous wrap of tyvek or equivalent.
- Gypsum Wallboard
 - o Work shall be done in strict accordance with the standards established in the U.S.G. Drywall Construction Handbook, latest edition, or comparable publication by other manufacturer.
 - o All walls to be 1/2", Ceilings to be 5/8" or 1x6 WD

PLUMBING

- Provide plumbing system, complete in place, tested and approved, where shown on the Drawings.
- All plumbing work and materials shall be in accordance with the latest edition of the Standard Plumbing Code, local ordinances and in compliance with the Energy Conservation Code.
- Fixtures shall be protected against water hammer with air chambers when required.
- Provide shut off valves to all mains entering the building.
- Insulation – Provide pipe insulation on refrigerant lines and domestic water lines as per industry standards. Insulation exposed to weather shall be protected as required.
- Gather vents in attic as allowed.

ELECTRICAL

- Scope: Furnish all equipment and materials and perform all labor and services necessary to installation for a complete system for lighting and power.
- Materials and manner of installation of electrical system shall be in strict accordance with the requirements of the local governing authorities having jurisdiction, and the standards set forth by NFPA, NEC, U.L., or other recognized testing laboratories. The installation shall conform to the latest edition of the NEC and FBC.
- Panel Schedule: Panel shall be clearly marked as to all circuits.
- Provide junction boxes as required and feed all lighting circuits through appropriate junction boxes.

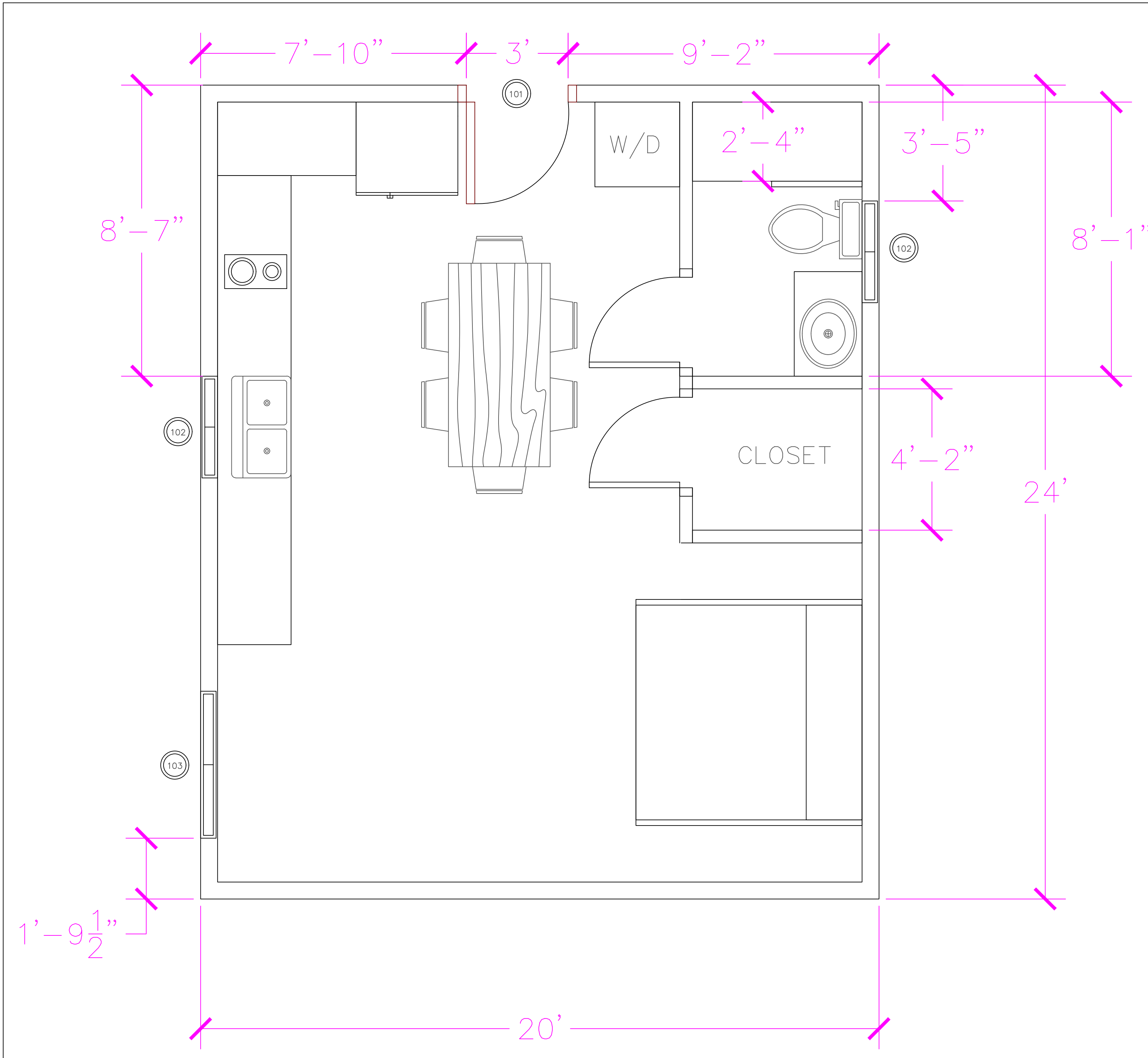


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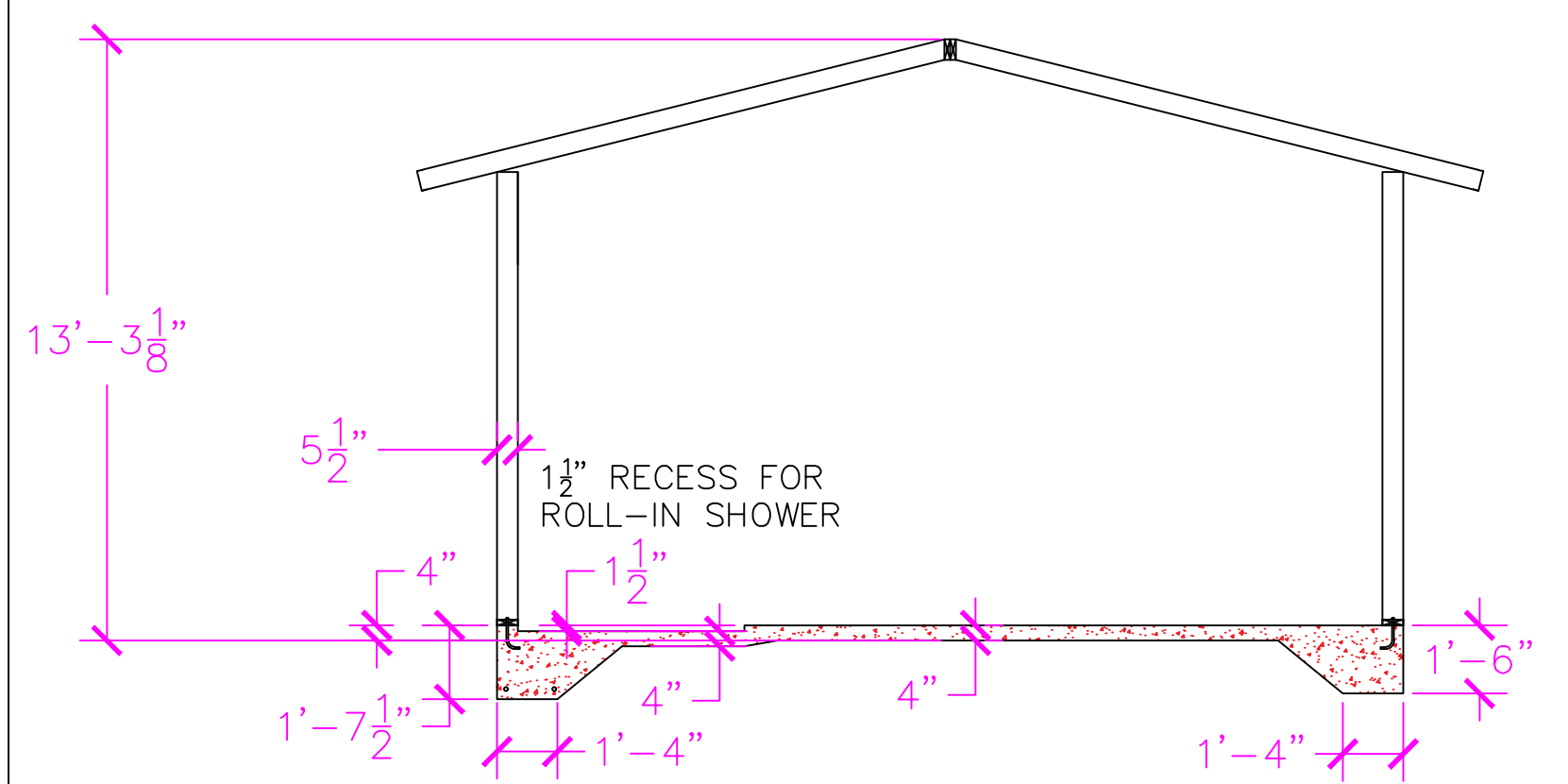
Project:
 Guest Studio

DATE:
 07/17/2024

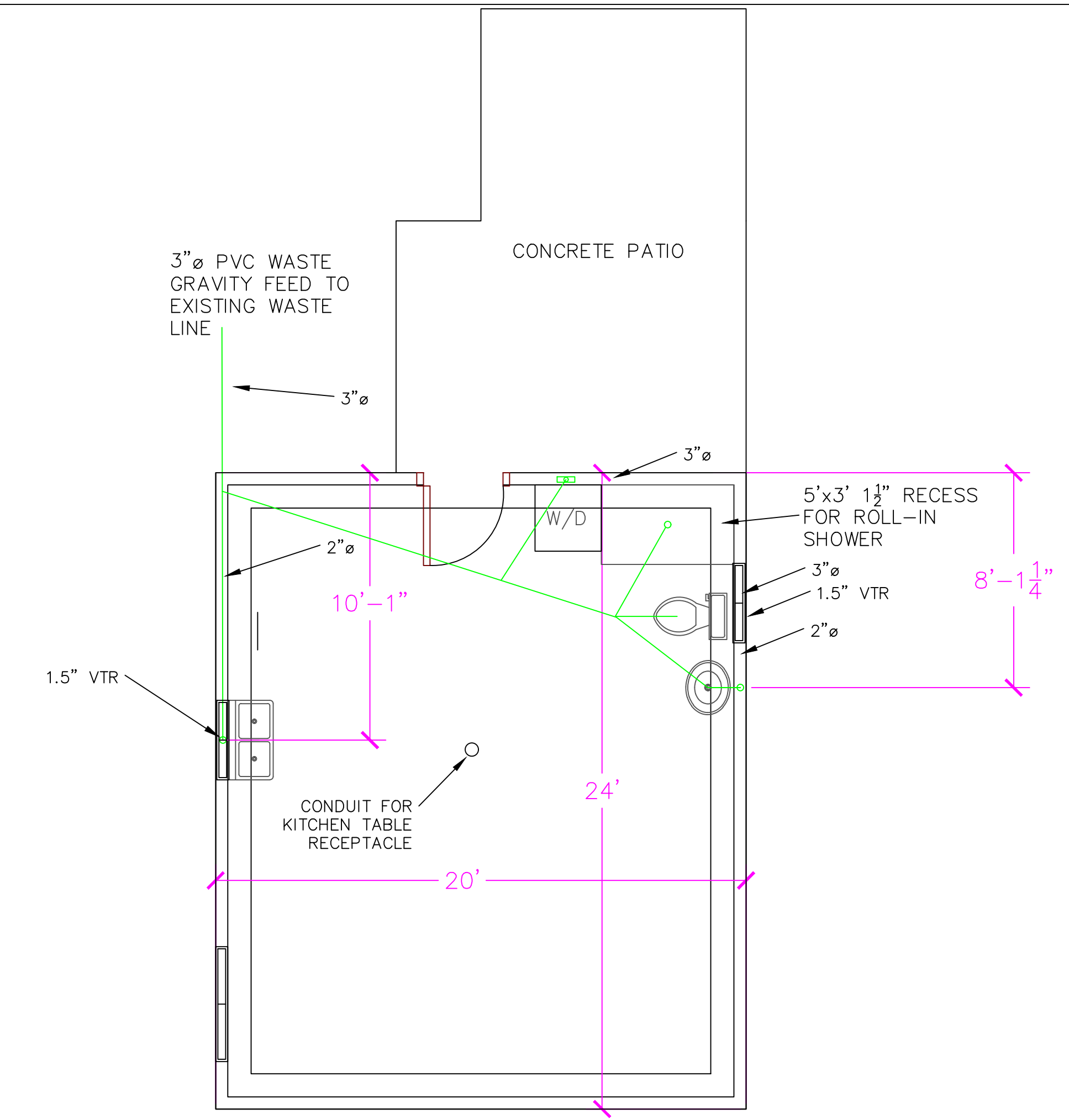
SHEET:
 1 OF 7



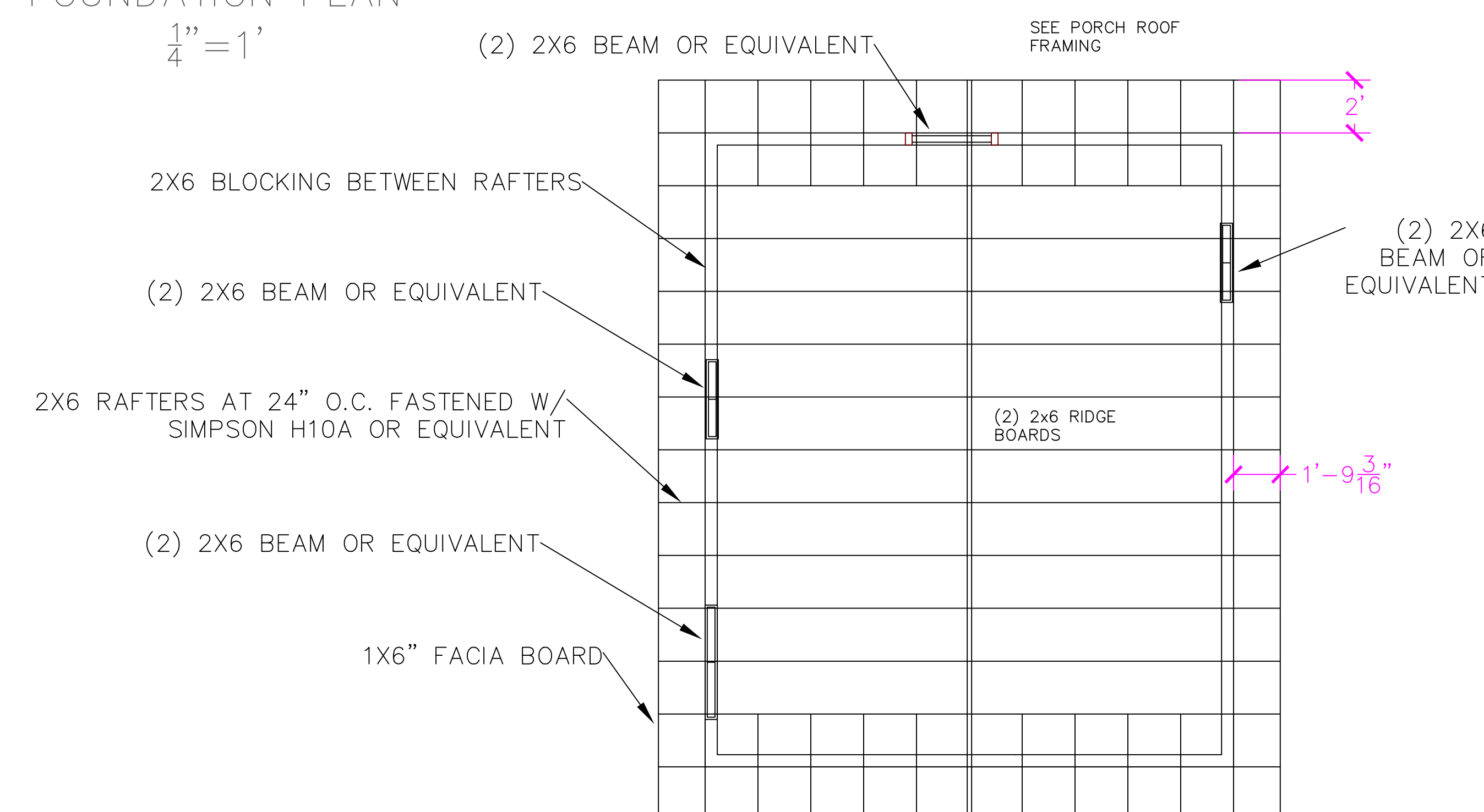
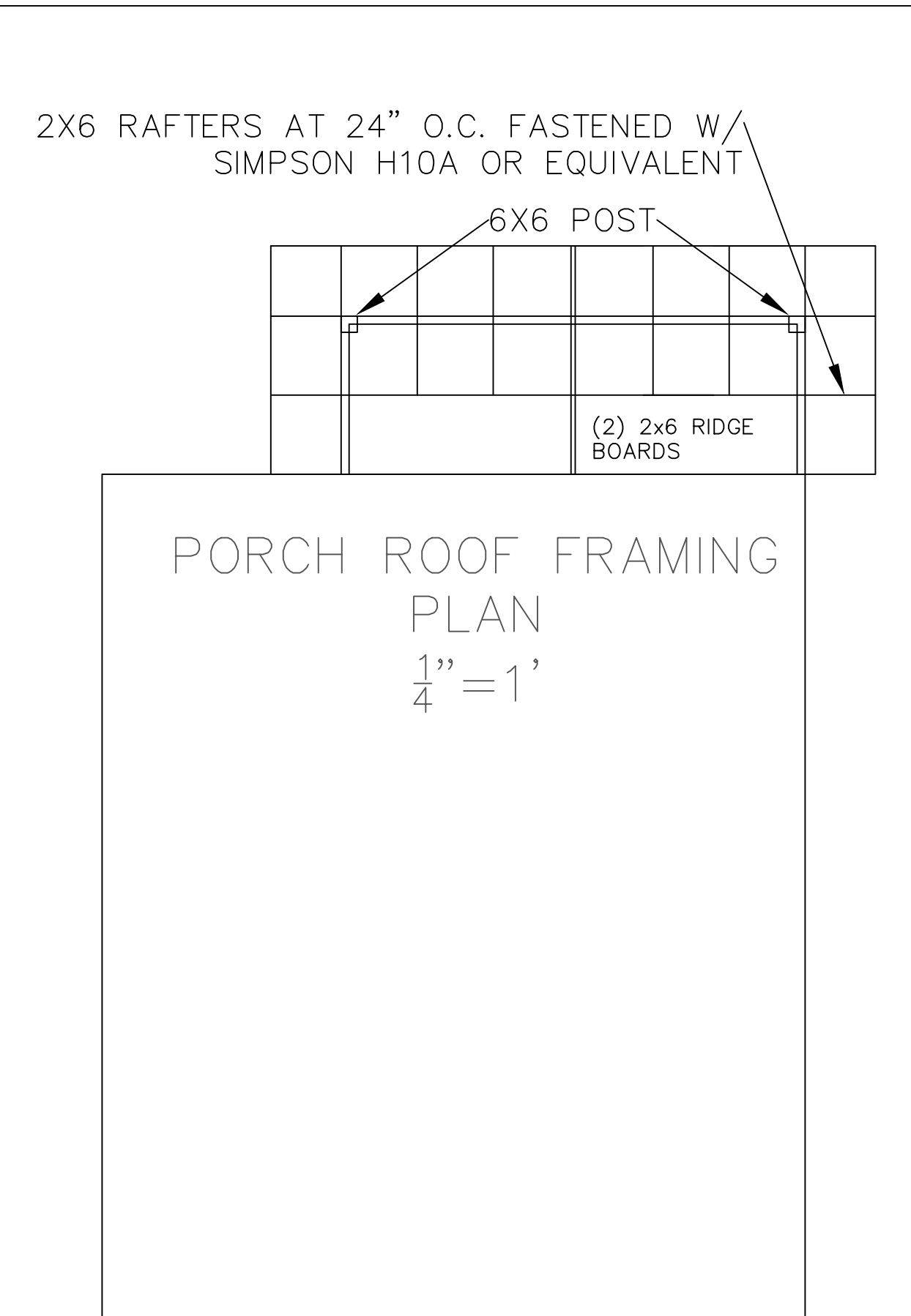
FLOOR PLAN
1/2" = 1'



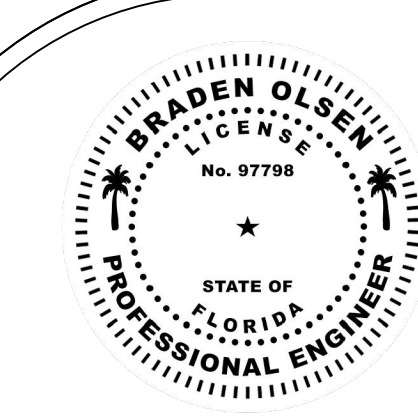
LONGITUDINAL FOUNDATION PLAN
1/4" = 1'



FOUNDATION PLAN
1/4" = 1'



ROOF FRAMING PLAN
1/4" = 1'

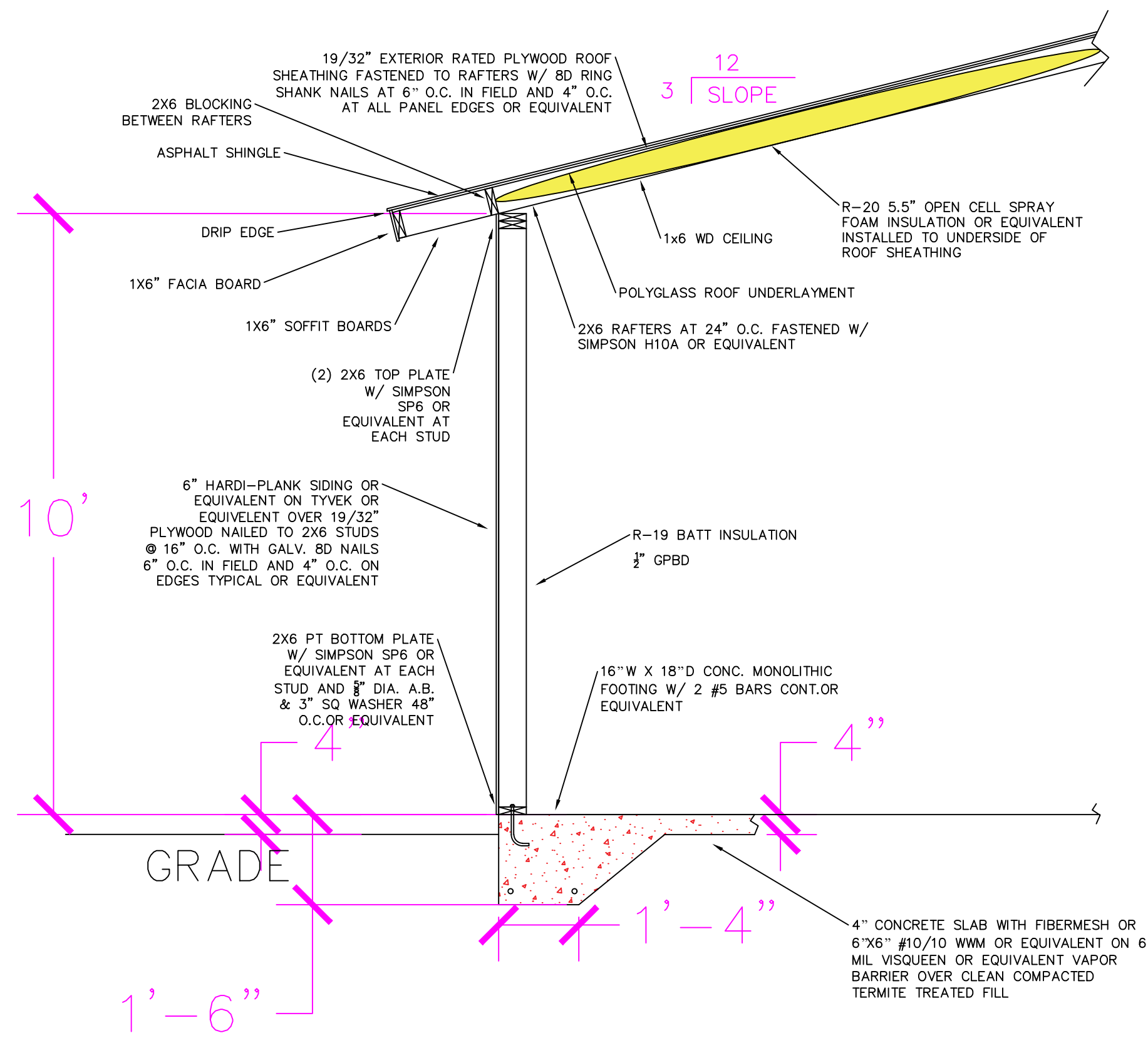


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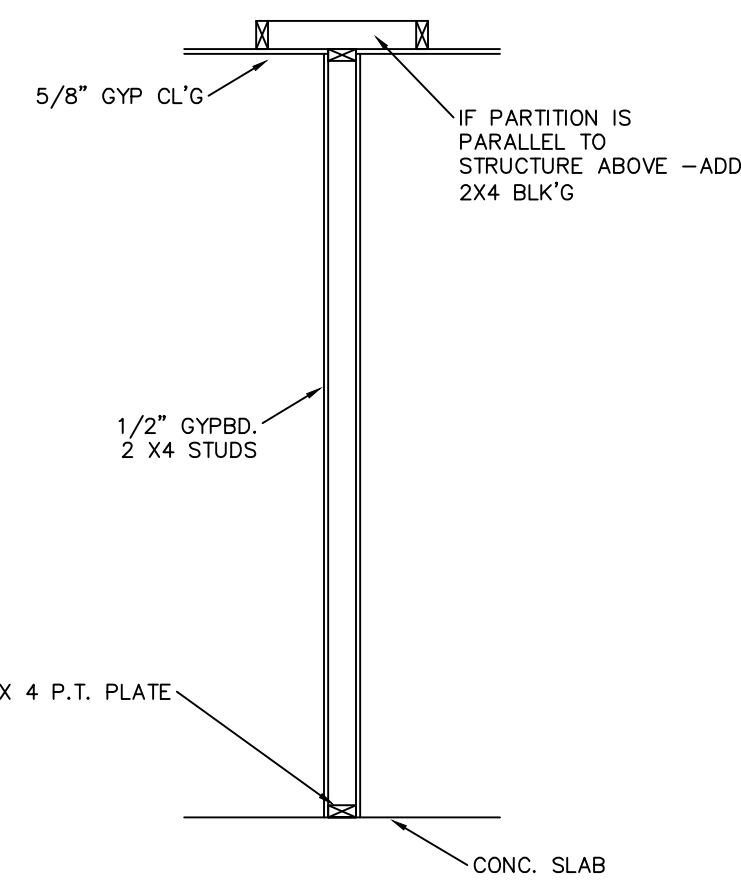
DATE:
07/17/2024

SHEET:
2 OF 7



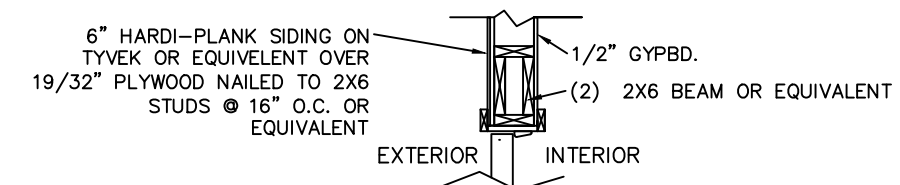
TYPICAL WALL SECTION

$\frac{1}{2}'' = 1'$

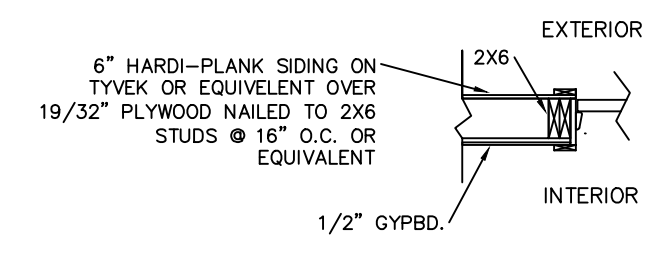


TYPICAL WOOD FRAME NON-BEARING WALL

$\frac{1}{2}'' = 1'$

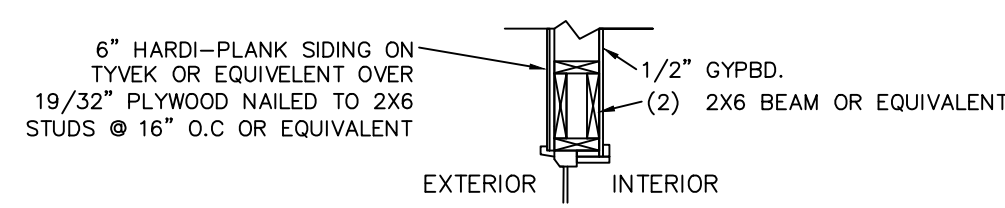


HEAD

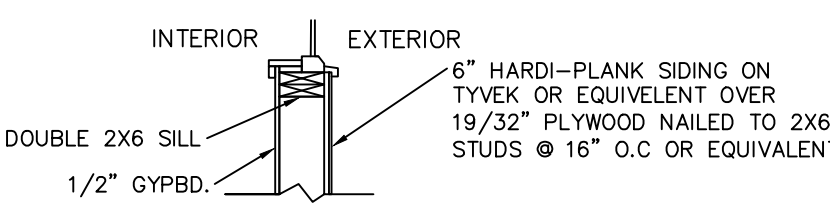


JAMB

TYPICAL EXTERIOR DOOR DETAIL (NTS)

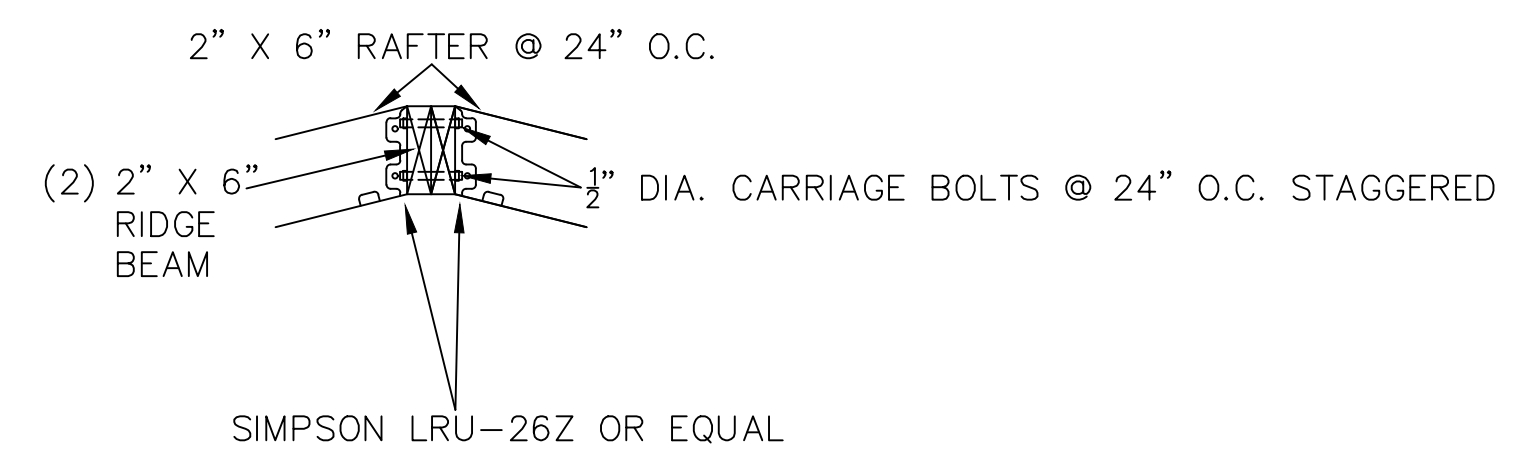


HEAD / JAMB

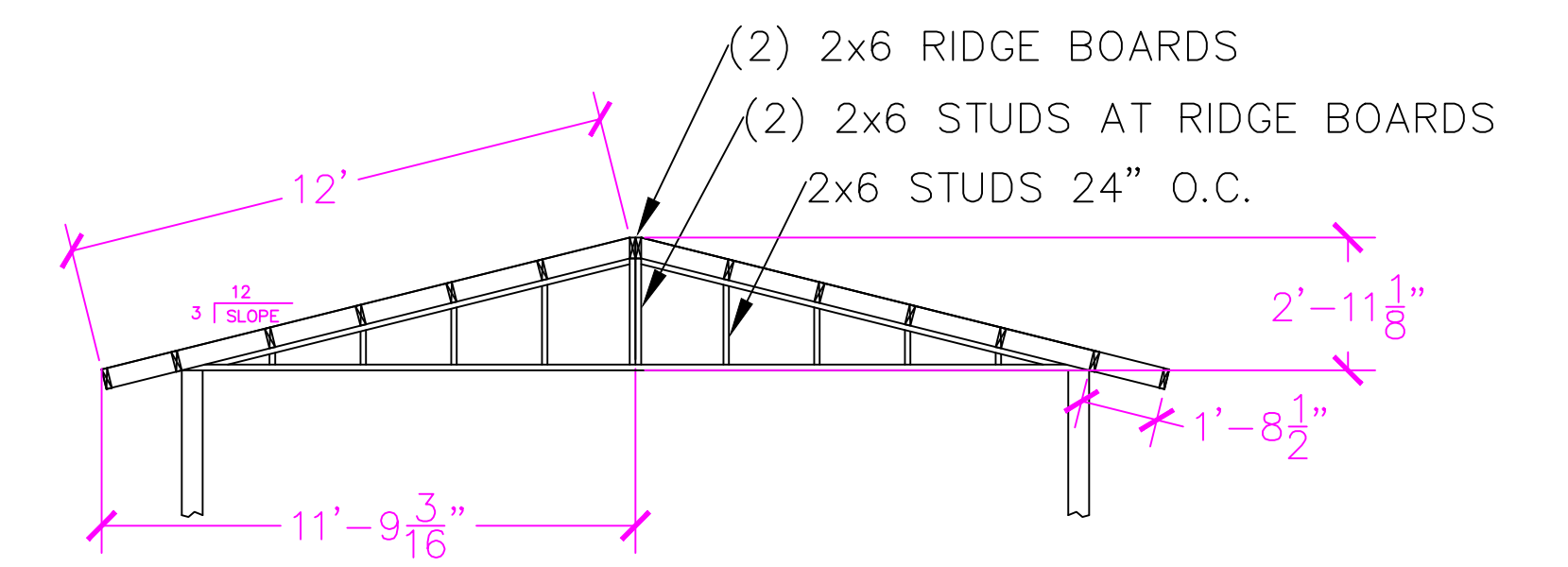


SILL

TYPICAL WINDOW DETAIL (NTS)

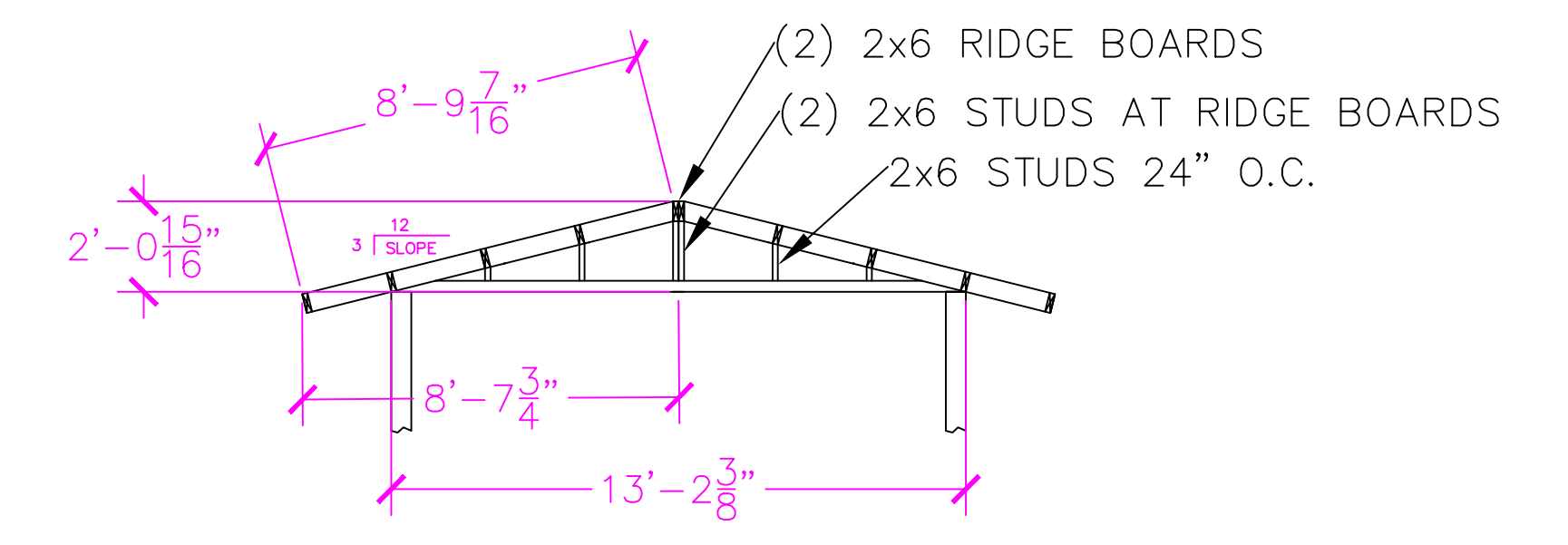


RAFTER TO RIDGE ATTACHMENT



DETAIL GABLE ENDWALL FRAMING

$\frac{1}{4}'' = 1'$



PORCH DETAIL GABLE ENDWALL FRAMING

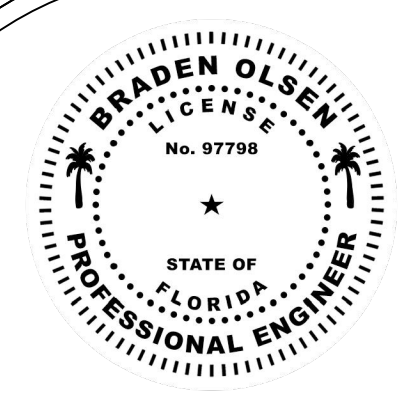
$\frac{1}{4}'' = 1'$

Design Wind Pressures

- Florida Building Code: 2023 Edition and ASCE 7-16
- Building Design is: Enclosed, Mean Roof Height: 12' 9 3/4", Roof Pitch: 3:12
- Internal Pressure Coefficient: +/- 0.18 psf
- Width of Roof End Zone: 3', Width of Wall End Zone: 3' Ultimate Wind Speed: 167 mph
- Wind Exposure Classification: B Adjustment factor for Exposure Height: 1
- Components & Cladding Wind Pressure
 - Roof Zone 1: 23.6/-62.2 psf
 - Roof Zone 2: 23.6/-82.5 psf
 - Roof Zone 3: 23.6/-107 psf
 - Wall Zone 4: 38.4/-41.7 psf
 - Wall Zone 5: 38.4/-51 psf

Product Approval List

Opening No	Product	No.	Size	NOA/FL Number	Model #	Manufacturer	Max Design Pressure
1	Outswing Impact	101	36" x 80"	FL# 17347.5	Model # Z020358L	MMI Door	+/- 47 psf
2	Impact Single Hung	102	35 3/4" x 37 1/8"	FL# 14095.1	Model # JW233400019	JELD-WEN	+65/-70 psf
3	Impact Single Hung	103	51 7/8" x 61 3/4"	FL# 14095.2	Model # JW233400018	JELD-WEN	+50/-60 psf

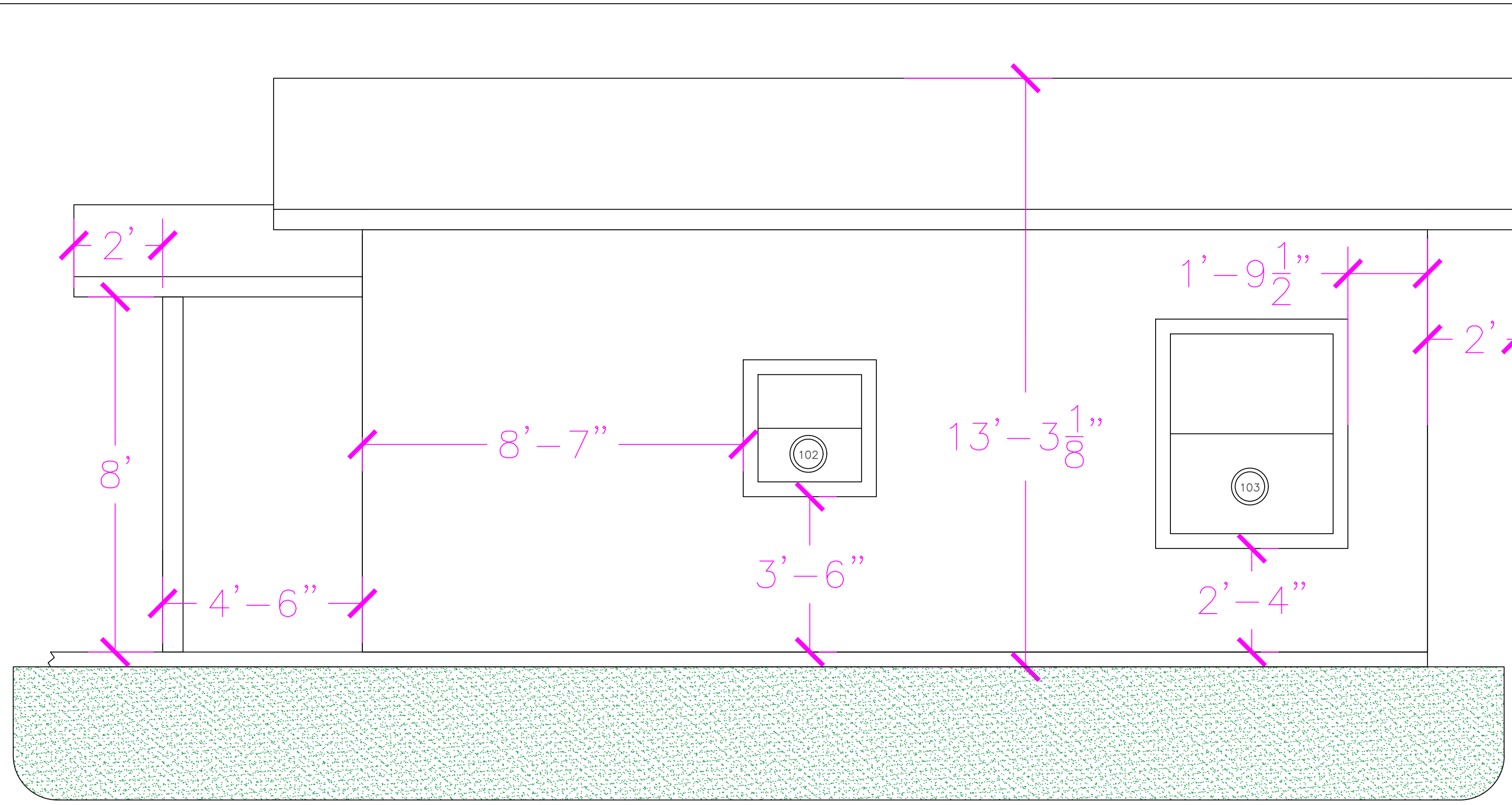


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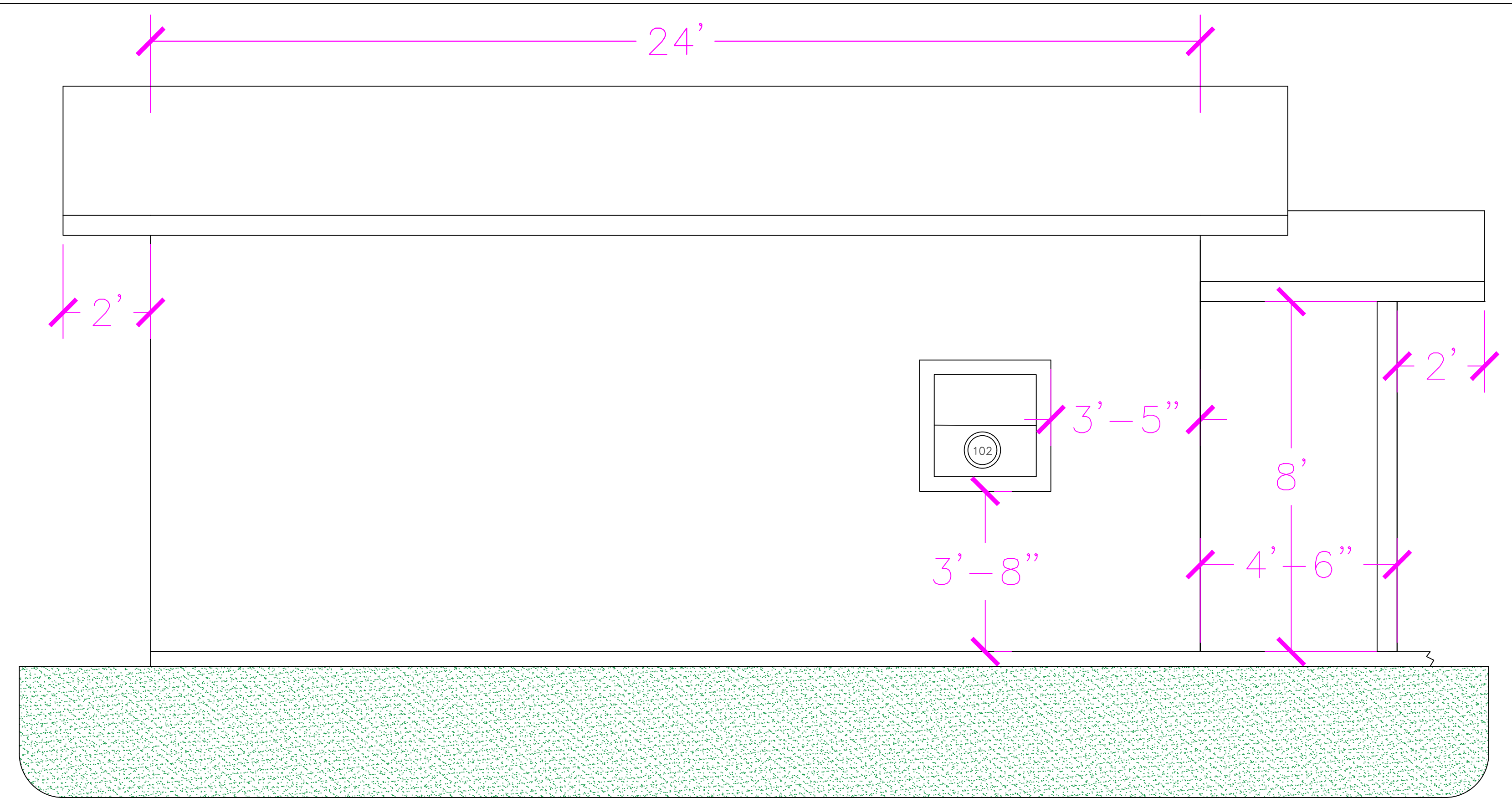
Project:
 Guest Studio

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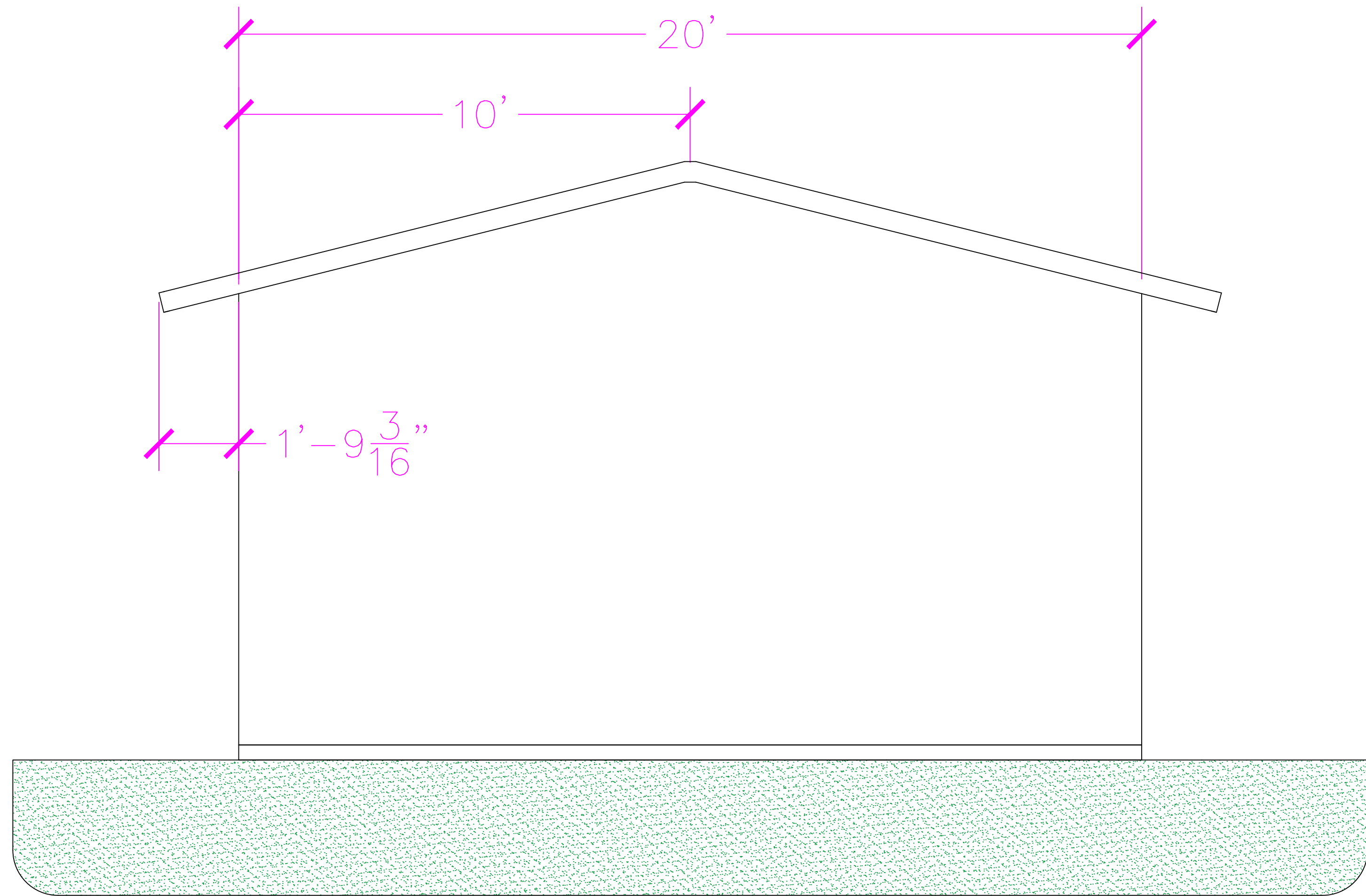
SHEET:
 3 of 7



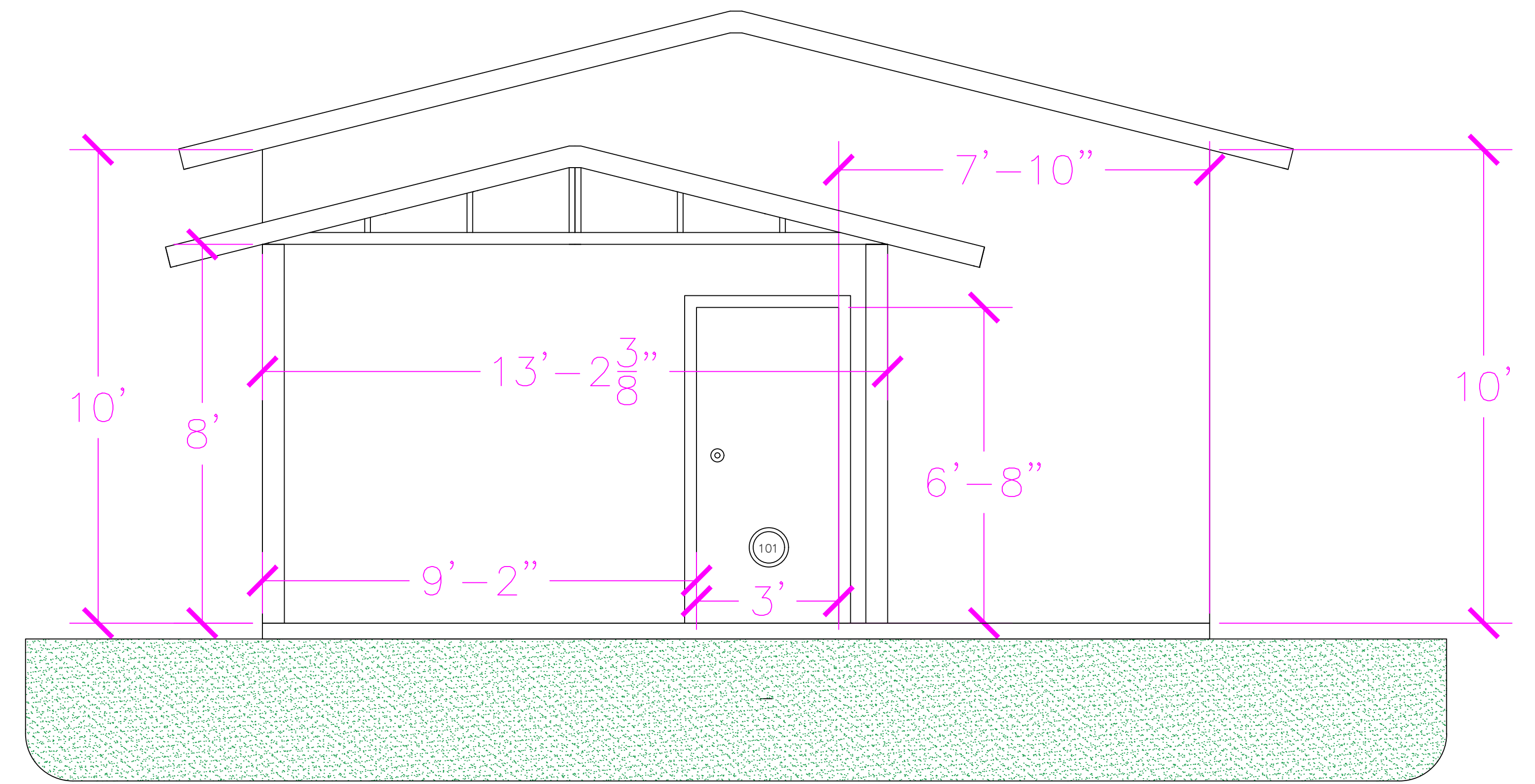
WEST WALL



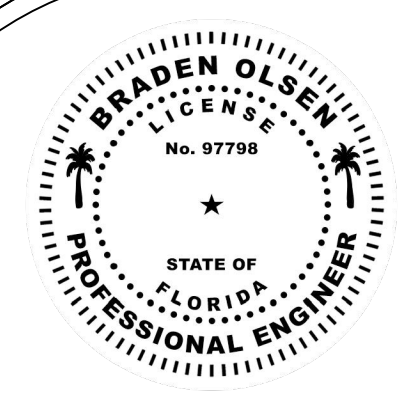
EAST WALL



SOUTH WALL



NORTH WALL

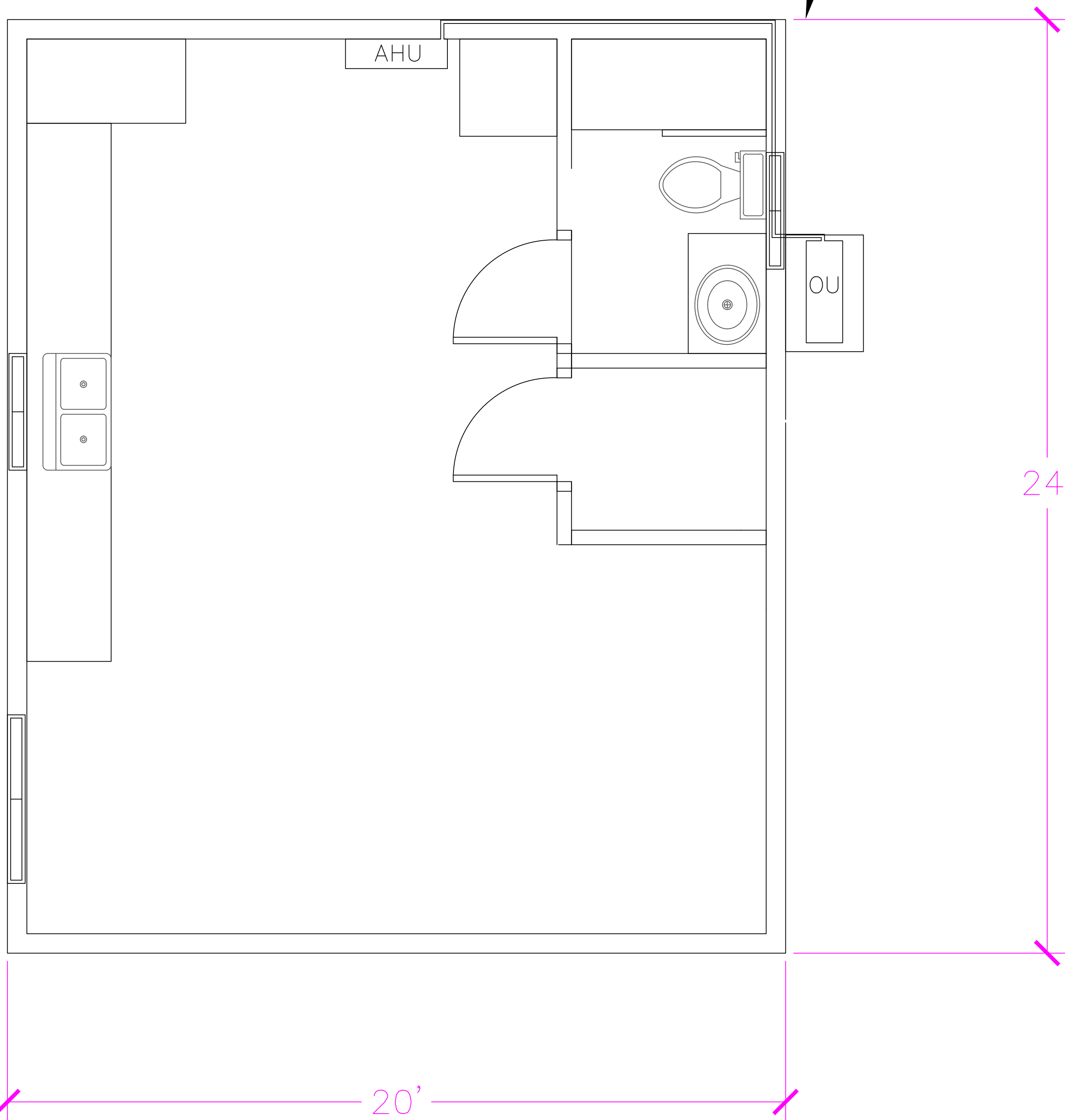


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MECHANICAL PLAN

$$\frac{1}{2}'' = 1'$$

MITSUBISHI AHU: MSZ-JP12WA

Indoor model	MSZ-JP09WA		MSZ-JP12WA	
Power supply	V, phase, Hz	115, 1, 60		
Max. fuse size (time delay)/ Disconnect switch	A	15	20	
Min. circuit ampacity	A	1.4		
Fan motor	F.L.A	1.07		
Airflow	COOL Dry (Wet)	CFM	399 - 321 - 237 - 170 (364 - 286 - 201 - 134)	
	HEAT Dry	CFM	406 - 321 - 237 - 170	
Moisture removal	pt./h	1.5 2.5		
Sound level	Cooling	dB(A)	43 - 37 - 30 - 22	
	Heating	dB(A)	43 - 37 - 30 - 22	
Fan speed	Cooling	rpm	1,020 - 860 - 670 - 530	
	Heating	rpm	1,040 - 860 - 670 - 530	
Cond. drain connection O.D.	in.	5/8		
Dimensions	W	in.	31-7/16	
	D	in.	9-1/8	
	H	in.	11-5/8	
Weight	lb.	22		
External finish		Munsell 1.0Y 9.2/0.2		
Control voltage (by built-in transformer)		12 - 24 V DC		

NOTE: Test conditions are based on AHRI 210/240.

(2) OPERATION

Mode	Condition	Intake air temperature (°F)			
		Indoor		Outdoor	
Cooling	Standard temperature	DB	WB	DB	WB
	Maximum temperature	80	67	95	—
	Minimum temperature	90	73	115	—
	Minimum humidity	67	57	14	—
Heating	Standard temperature	78%		—	—
	Maximum temperature	70	60	47	43
	Minimum temperature	80	67	75	65
	Minimum temperature	70	60	-4	-5

3-2. OUTLET AIR SPEED AND COVERAGE

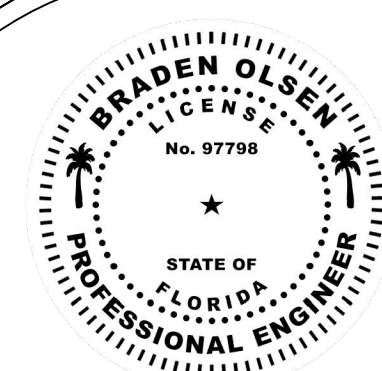
Model	Mode	Function	Airflow (CFM)	Air speed (ft./s.)	Coverage (ft.)
MSZ-JP09WA	HEAT	Dry	406	20.6	29.5
		Wet	399	20.2	29.0
MSZ-JP12WA	HEAT	Dry	406	20.6	29.5
		Wet	399	20.2	29.0
MSZ-JP12WA	COOL	Dry	406	20.6	29.5
		Wet	364	18.4	26.5

• The air coverage is the figure up to the position where the air speed is 1 ft./s., when air is blown out horizontally from the unit properly at the High speed position. The coverage should be used only as a general guideline since it varies according to the size of the room and furniture arranged inside the room.

MITSUBISHI OU: MUZ-JP12WA

Outdoor unit model			MUZ-JP12WA	
Capacity Rated (Minimum-Maximum)	Cooling +1	Btu/h	12,000 (3,800 - 12,200)	
	Heating 47 +1	Btu/h	12,200 (4,500 - 14,500)	
Capacity Rated (Maximum)	Heating 17 +2	Btu/h	7,600 (9,000)	
	Cooling +1	W	1,210 (240 - 1,300)	
Power consumption Rated (Minimum-Maximum)	Heating 47 +1	W	990 (240 - 1,220)	
	Heating 17 +2	W	800 (990)	
EER +1 [SEER] +3	Cooling		9.9 [17.0]	
HSPF IV +4	Heating		9.0	
COP	Heating +1		3.61	
Power factor	Cooling	%	93	
	Heating	%	94	
Power supply	V, phase, Hz		115, 1, 60	
Max. fuse size (time delay)	A		20	
Min. circuit ampacity	A		14	
Fan motor	F.L.A	A	0.70	
	Model		KNB073FRXMC	
Compressor	R.L.A	A	10.4	
	L.R.A	A	13.0	
	Refrigeration oil	fl oz. (L) (Model)	9.1 (0.27) (FV50S)	
Refrigerant control			Linear expansion valve	
Sound level +1	Cooling	dB(A)	49	
	Heating	dB(A)	51	
Airflow	Cooling	CFM	1,105 - 1,105 - 1,063	
	Heating	CFM	1,282 - 1,105 - 1,105	
Fan speed	Cooling	rpm	770 - 770 - 740	
	Heating	rpm	890 - 770 - 770	
Defrost method			Reverse cycle	
Dimensions	W	in.	31-1/2	
	D	in.	11-1/4	
	H	in.	21-5/8	
Weight	lb.	73		
External finish		Munsell 3Y 7.8/1.1		
Refrigerant piping		Not supplied		
Refrigerant pipe size (Min. wall thickness)	Liquid	in.	1/4 (0.0315)	
	Gas	in.	3/8 (0.0315)	
Connection method	Indoor		Flared	
	Outdoor		Flared	
Between the indoor & outdoor units	Height difference	ft.	40	
	Piping length	ft.	65	
Refrigerant charge (R410A)		1 lb. 12 oz.		

NOTE: Test conditions are based on AHRI 210/240.
 +1: Rating conditions (Cooling) — Indoor: 80 FDB, 67 FWB, Outdoor: 95 FDB, (75 FWB) (Heating) — Indoor: 70 FDB, 60 FWB, Outdoor: 47 FDB, 43 FWB (Heating) — Indoor: 70 FDB, 60 FWB, Outdoor: 17 FDB, 15 FWB
 +2: Test condition (Refer to page 7.)
 +3: Test condition (Refer to page 7.)
 +4: Test condition (Refer to page 7.)



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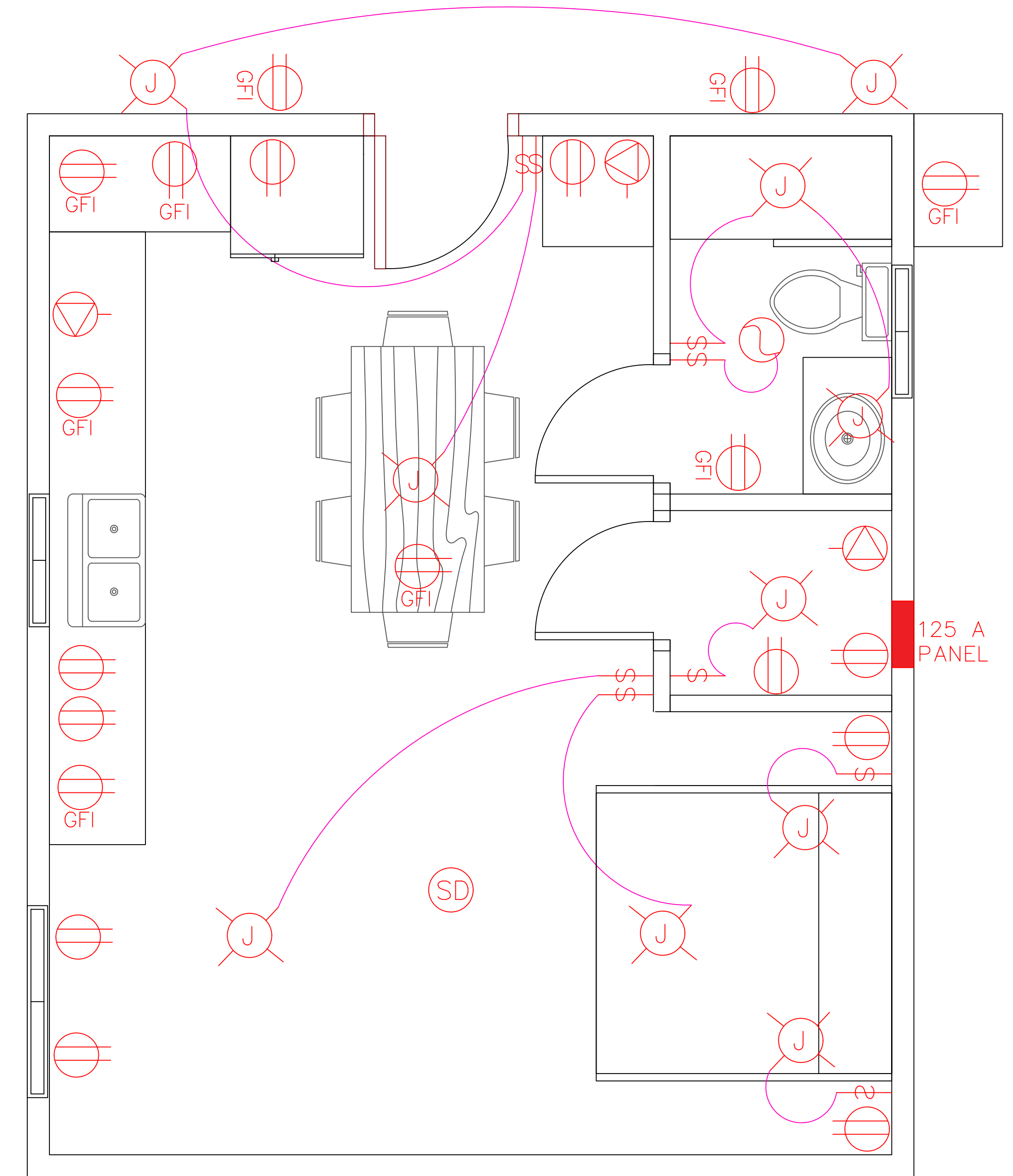
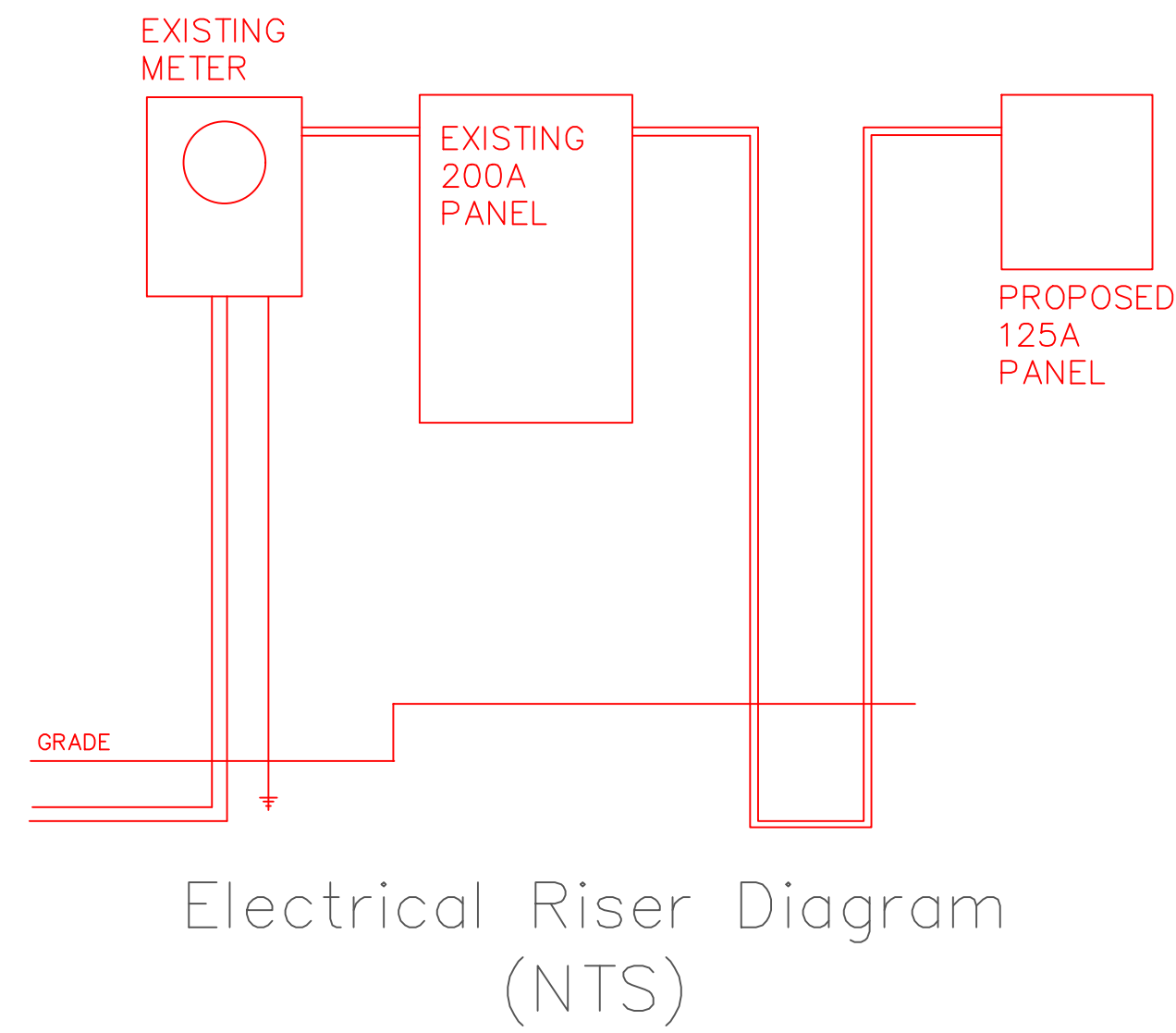
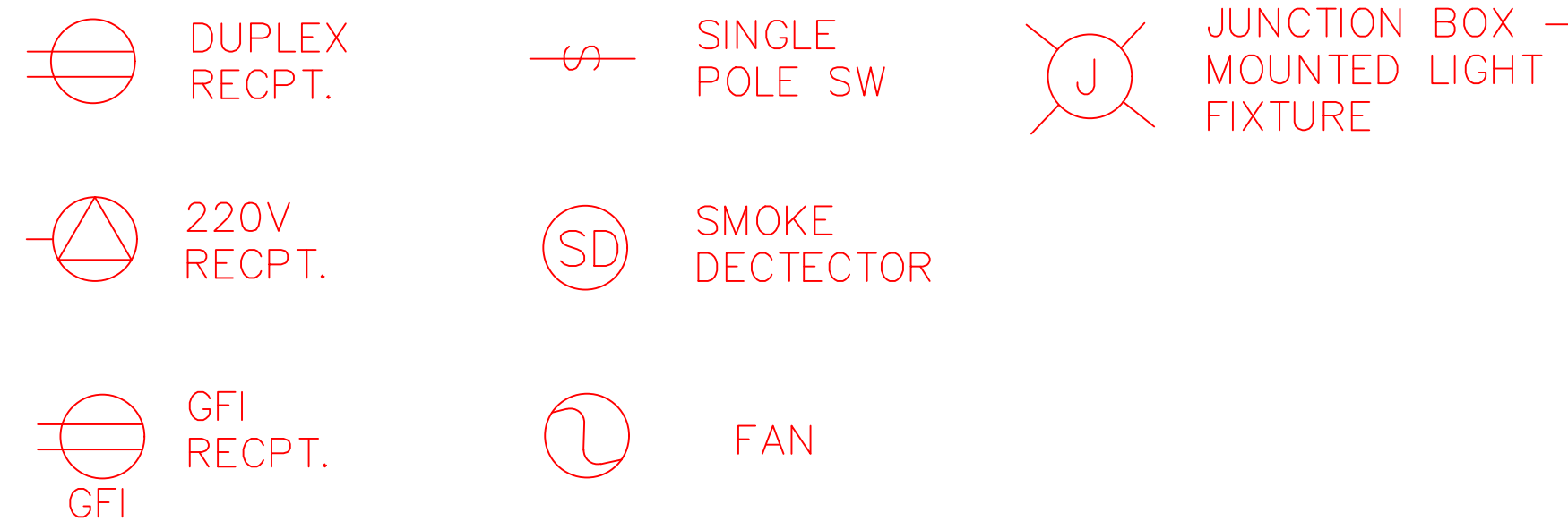
SHEET:
5 of 7

ELECTRICAL CALCULATION		
Existing Main House		
1836 AIR CONDITIONED @ 3W / SQFT		5508
KITCHEN APPLIANCE CIRCUITS		3000
RANGE		8000
REFRIGERATOR		1500
DISHWASHER		1500
DISPOSAL		1000
DRYER		4500
WASHER		1500
WATER HEATER		4500
Proposed Guest Studio		
480 AIR CONDITIONED @ 3W / SQFT		1440
KITCHEN APPLIANCE CIRCUITS		2000
STOVE TOP		4000
REFRIGERATOR		1500
DISHWASHER		1500
DISPOSAL		1000
WASHER/ DRYER		5000
WATER HEATER		11000
TOTAL WATTS		58448.00
FIRST 10,000 W @ 100%		10000
REMAINDER @ 40%		19379.2
A/C - HEAT		13000
TOTAL WATTS		42379.2
20358.4 W @ 240 V		177 AMPS

Proposed Guest Studio	
480 AIR CONDITIONED @ 3W / SQFT	1440
KITCHEN APPLIANCE CIRCUITS	2000
STOVE TOP	4000
REFRIGERATOR	1500
DISHWASHER	1500
DISPOSAL	1000
WASHER/ DRYER	5000
WATER HEATER	11000
TOTAL WATTS	27440.00
FIRST 10,000 W @ 100%	10000
REMAINDER @ 40%	6976
AC HEAT	5000
TOTAL WATTS	21976
20358.4 W @ 240 V	92 AMPS

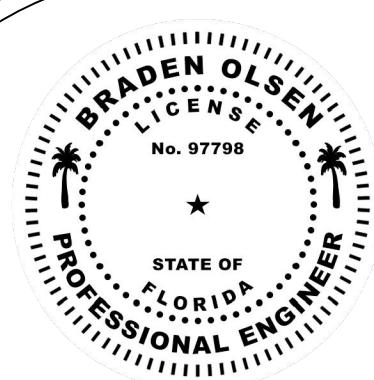
125 AMP STUDIO PANEL SCHEDULE							
CIR	Description	AMP • POLE	Wire	CIR	Description	AMP • POLE	Wire
1	MINI SPLIT A/C	30 • 2	10	2	RECEPT-GFI	20 • 1	12
3				4	RECEPT-GFI	20 • 1	12
5	RANGE	40 • 2	8	6	LIGHTING	20 • 1	10
7				8	LIGHTING	20 • 1	10
9	WASHER/DRYER	30 • 2	10	10	KITCHEN APPLIANCE	20 • 1	12
11				12	KITCHEN APPLIANCE	20 • 1	12
13	WATER HEATER	60 • 2	4	14	REFRIGERATOR	20 • 1	12
15				16	DISHWASHER	20 • 1	12
17				18			
19				20			
21				22			
23				24			

Electrical Legend



Electrical Plan

1/2" = 1'

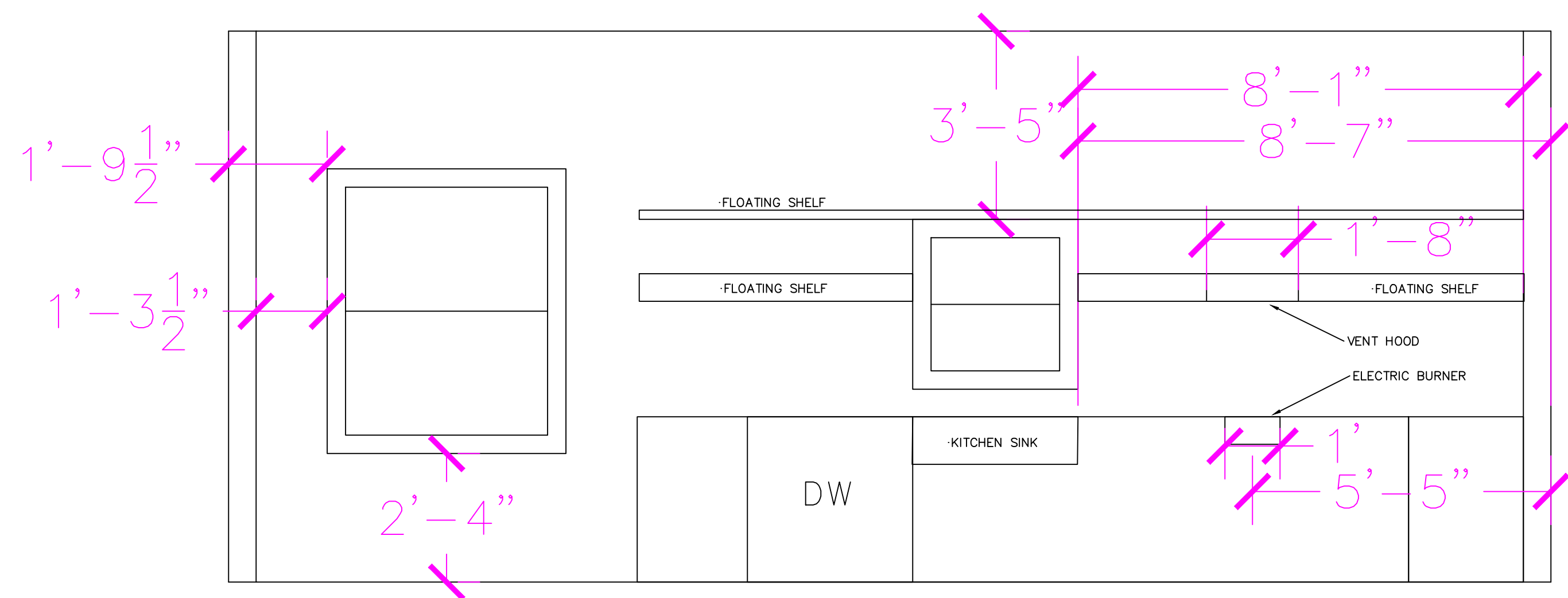


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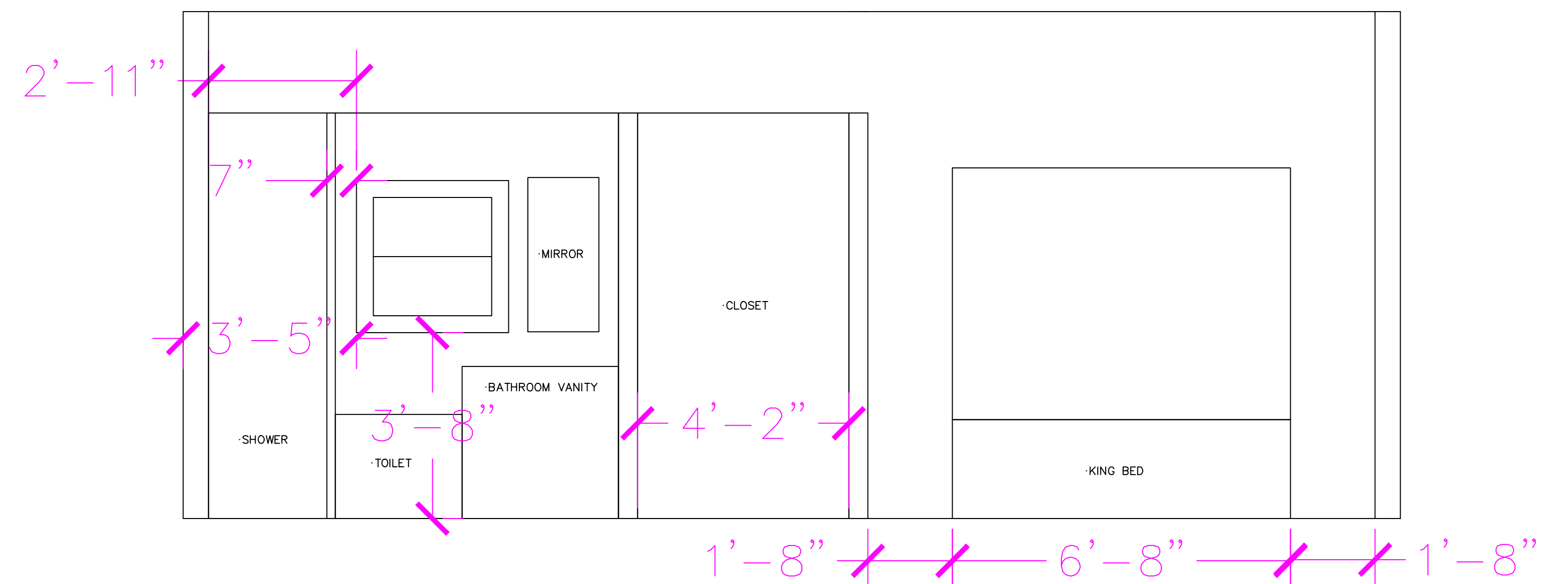
Project:
 Guest Studio

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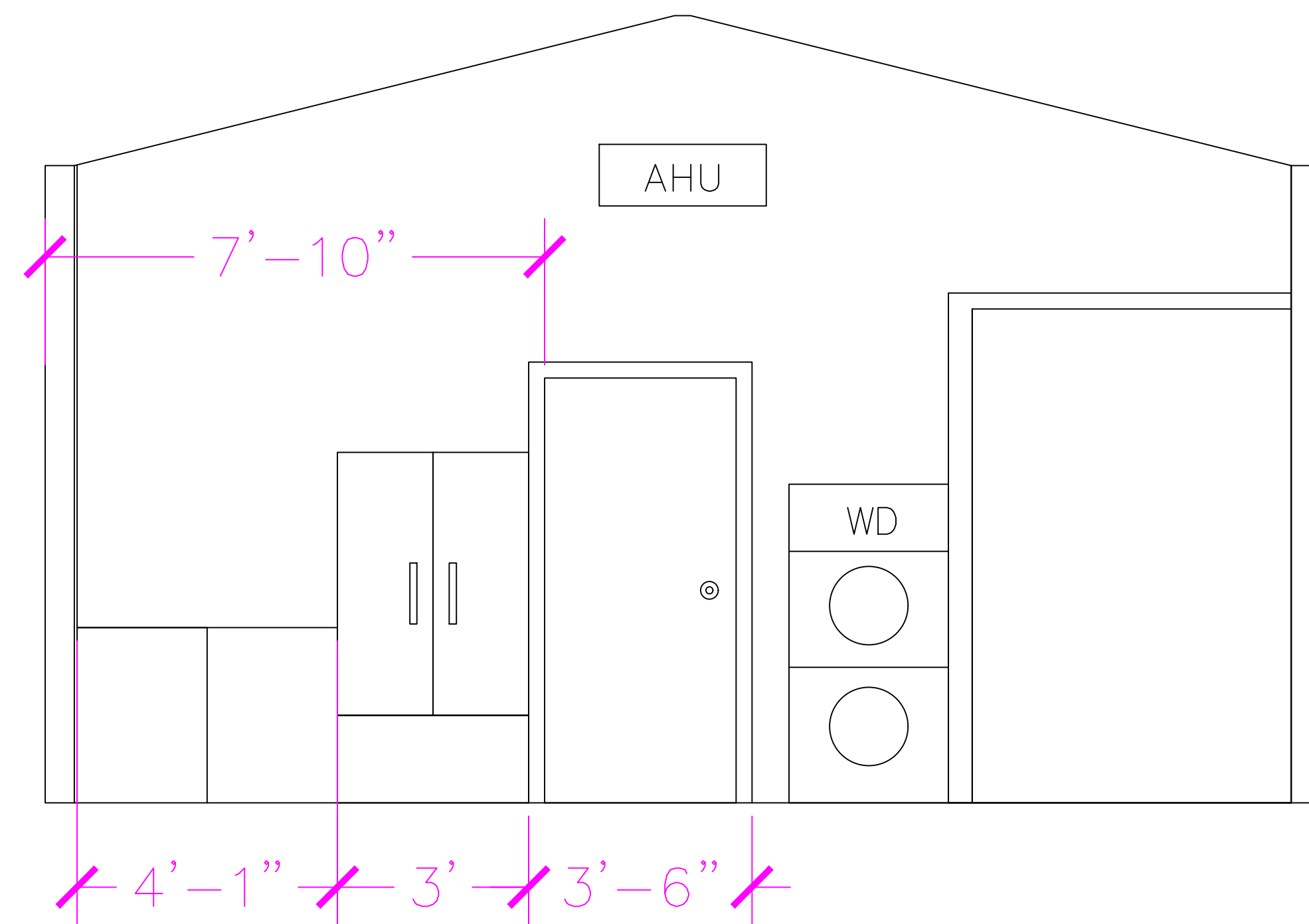
SHEET:
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WEST WALL
INTERIOR

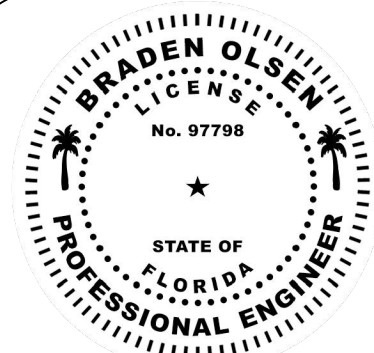


EAST WALL
INTERIOR



NORTH WALL
INTERIOR

$$\frac{1}{2}'' = 1''$$



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Project:
Guest Studio

DATE:
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Building Permit

Phone: 772-288-5326
 121 SW Flagler Avenue
 Stuart, FL 34994

Construction Site Hours:
Mon-Sat 7:00am - 7:00pm
NO WORK ON SUNDAY

Office hours: Mon-Fri 8:00am - 4:30pm

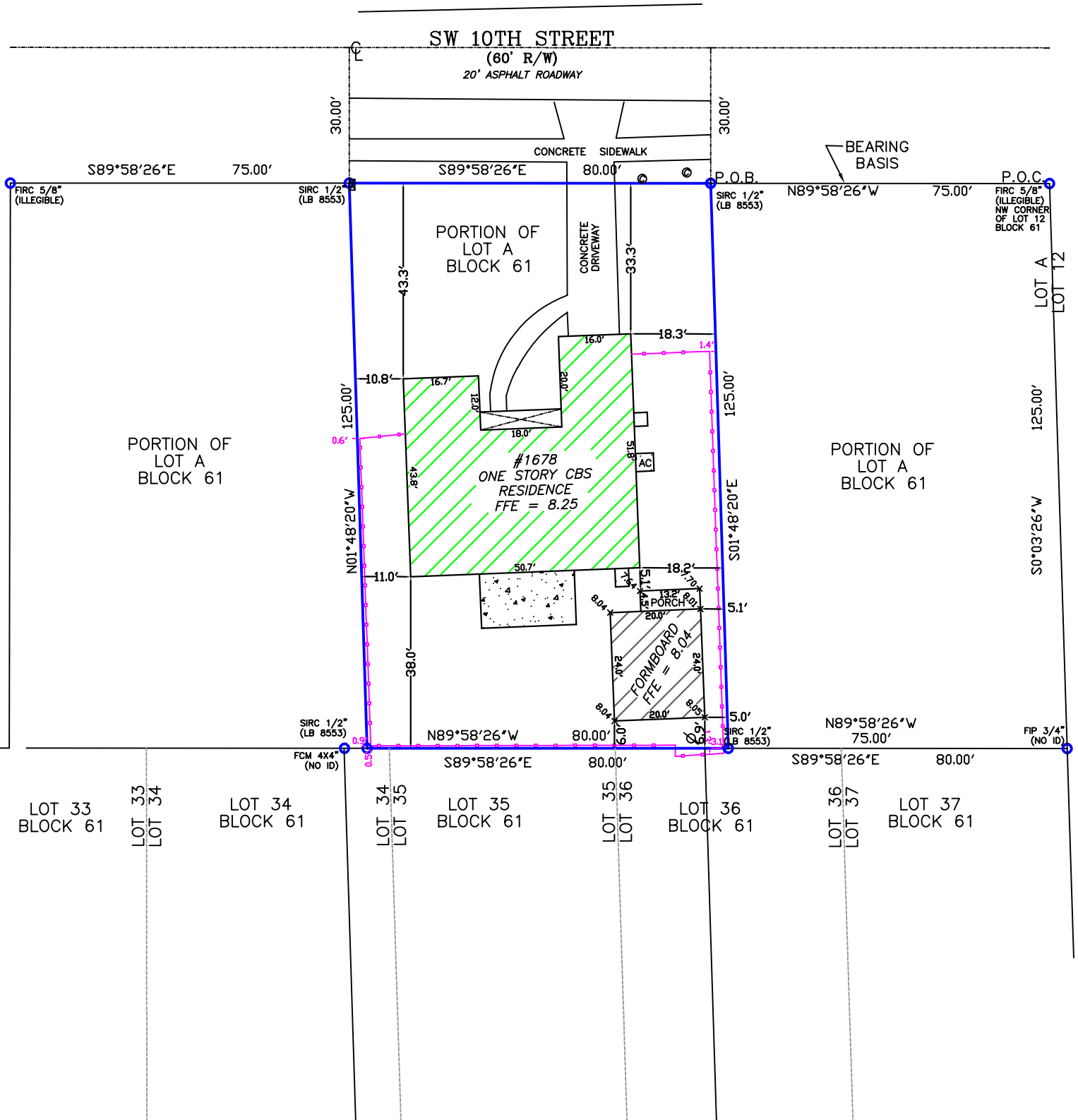
Permit Number: BP-24-1299		Permit Issue Date: August 20, 2024	
		Application Date: July 17, 2024	
Owner/Property Details			
Owner Name: Braden Olsen Address: 1678 SE 10th St SE 10TH ST Stuart FL 34996 Phone #: 7726317705		Parcel Number: 103841005061009305 Location: 1678 SE 10TH ST Use Type: Subdivision: 103841005 SARITA ADDITION TO BROADWAY SECTION Permit Type: New Construction Class of Work: Valuation: \$20,000	
Contractor: Address: Phone #: License #:		Description of Work	
		Construction of ADU.	
Payments		Conditional Remarks	
Building Permit Fee:			

WARNING TO OWNER: YOUR FAILURE TO RECORD A NOTICE OF COMMENCEMENT MAY RESULT IN YOUR PAYING TWICE FOR IMPROVEMENTS TO YOUR PROPERTY. IF YOU INTEND TO OBTAIN FINANCING, CONSULT WITH YOUR LENDER OR AN ATTORNEY BEFORE RECORDING YOUR NOTICE OF COMMENCEMENT.

NOTICE: In addition to the requirements of this permit, there may be additional restrictions applicable to this property that may be found in the public records of this county, and there may be additional permits required from other governmental entities such as water management districts, state agencies, or federal agencies. THIS PERMIT WILL EXPIRE 180 DAYS AFTER LAST ACTION.

Required Inspections


MAP OF BOUNDARY SURVEY PREPARED FOR BRADEN OLSEN



SURVEYOR'S LEGEND	
AC = AIR CONDITIONING	M = MEASURED
BLK = BLOCK	OHW = OVERHEAD WIRES
BM = BENCHMARK	P = PLAT
C = CURVE	PS = PLAT BOOK
CNTY = CABLE T.V. RISER	PC = POINT OF CURVATURE
CB = CATCH BASIN	PCP = PERMANENT CONTROL POINT
CL = CENTERLINE	POB = POINT OF BEGINNING
CONC = CONCRETE	POC = POINT OF COMMENCEMENT
CPP = CONCRETE POWER POLE	PRC = POINT OF REVERSE CURVATURE
DF = DRAINFIELD	PRM = PERMANENT REFERENCE MONUMENT
ELEV = ELEVATION	PT = POINT OF TANGENCY
F = FIELD	R = RADIUS
FCM = FOUND CONCRETE MONUMENT	RNG = RANGE
FDM = FOUND DRILL HOLE	R/W = RIGHT OF WAY
FFE = FINISHED FLOOR ELEVATION	S = SEPTIC
FIR = FOUND IRON PIPE	SEC = SECTION
FIR = FOUND IRON ROD	SIR = SET IRON ROD AND CAP
FIR = FOUND IRON ROD AND CAP	SPKD = SET PK NAIL AND DISC
FND = FOUND	SV = SEWER VALVE
FND = FOUND	TBM = TEMPORARY BENCHMARK
FPK = FOUND PK NAIL	TOB = TOP OF BANK
FPKD = FOUND PK NAIL AND DISC	TWP = TOWNSHIP
FRSRK = FOUND RAILROAD SPOKE	TR = TELEPHONE RISER
HYD = FIRE HYDRANT	TYP = TYPICAL
ID = IDENTIFICATION	WIT = WITNESS
LB # = LICENSED BUSINESS	WLP = WOOD LIGHT POLE
LS # = LICENSED SURVEYOR	WM = WATER METER
	WPP = WOOD POWER POLE
	WW = WATER VALVE

NOTABLE CONDITIONS:	
PROPERTY APPEARS TO BE SERVICED BY PUBLIC UTILITIES. THERE IS A REAR 10' PUBLIC UTILITY AND DRAINAGE EASEMENT. THERE IS A 6' PUBLIC UTILITY AND DRAINAGE EASEMENT ON EACH SIDE.	
NOTES:	
ALL BEARINGS AND DISTANCES SHOWN ARE RECORD AND MEASURED, UNLESS OTHERWISE SHOWN.	
P.U.&P.D.E. = PUBLIC UTILITY AND PRIVATE DRAINAGE EASEMENT.	
P.D.E. = PRIVATE DRAINAGE EASEMENT.	
P.U.E. = PUBLIC UTILITY EASEMENT.	
BEARINGS ARE BASED UPON THE RECORD BEARING FOR THE NORTHERLY PROPERTY LINE OF LOT 12 BLOCK C.	
ALL ELEVATIONS SHOWN ARE BASED UPON NORTH AMERICAN VERTICAL DATUM OF 1988 (NAV88) AND GATHERED USING THE FLORIDA DEPARTMENT OF TRANSPORTATION GPS NETWORK.	

PROPERTY ADDRESS:
1678 SE 10TH ST STUART, FL 34996

FLOOD INFORMATION:
PANEL NUMBER: 12085C0153H
FIRM DATE: FEBRUARY 19, 2020
FLOOD ZONE: X
BASE FLOOD ELEVATION: NA
COMMUNITY NAME: CITY OF STUART
COMMUNITY NUMBER: 120165

LEGAL DESCRIPTION:
FROM THE NORTHWEST CORNER OF LOT 12, BLOCK 61, RUN WEST ALONG THE SOUTH RIGHT OF WAY LINE OF EAST 10TH STREET, BEING THE NORTH LINE OF LOT A, BLOCK 61, 75 FEET TO THE P.O.B. THENCE CONTINUE ALONG THE SOUTH RIGHT OF WAY LINE OF EAST 10TH STREET, 80 FEET TO A POINT, THENCE TURN AND RUN SOUTH PARALLEL TO THE WEST LINE OF LOT 12, BLOCK 61, 125 FEET TO THE NORTH LINE OF LOT 34, BLOCK 61, THENCE TURN AND RUN EAST ALONG THE NORTH LINE OF LOTS 34, 35, AND 36, BLOCK 61, 80 FEET TO A POINT, THENCE TURN AND RUN NORTH PARALLEL TO THE WEST LINE OF LOT 12, BLOCK 61, 125 FEET TO THE P.O.B. ALL LYING WITHIN LOT A, BLOCK 61, IN SARITA ADDITION TO BROADWAY SECTION OF ST. LUCIE ESTATES SUBDIVISION, ACCORDING TO THE PLAT THEREOF FILED 18 NOVEMBER 1925, AND RECORDED IN PLAT BOOK 1, PAGE 12, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA

SURVEYOR'S NOTES

- UNDERGROUND UTILITIES, BUILDING FOUNDATIONS, AND OTHER UNDERGROUND FIXED IMPROVEMENTS WERE NOT LOCATED, UNLESS OTHERWISE INDICATED. TO THE EXTENT THAT THIS TYPE OF INFORMATION IS SHOWN, IT IS SHOWN SOLELY ON THE BASIS OF SURFACE INDICATIONS OBSERVED BY THE SURVEYOR AND MAY NOT BE COMPLETE.
- JURISDICTIONAL WEI LINES AND ENDANGERED OR THREATENED SPECIES HABITAT, IF ANY, THAT MAY EXIST ON OR AROUND THE SURVEY SITE WERE NOT DETERMINED OR LOCATED.
- THE SURVEY DATE IS THE FIELD DATE SHOWN IN THE TITLE BLOCK, NOT THE SIGNATURE DATE.
- THIS SURVEY MAP OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ELECTRONIC OR ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- FENCES SHOWN ON SURVEY ARE FOR ILLUSTRATIVE PURPOSES ONLY. FENCE TIES SHOWN ARE RELATIVE TO THE CENTER OF SAID FENCE. THE SURVEYOR WILL NOT BE RESPONSIBLE FOR DAMAGES RESULTING FROM THE REMOVAL AND/OR CHANGES TO ANY FENCES UNLESS THE SURVEY WAS PROVIDED SPECIFICALLY FOR FENCE LOCATION PURPOSES.
- PROPERTY LINES AND OR IMPROVEMENTS SHOWN WERE PHYSICALLY LOCATED BY FIELD SURVEY.
- MONUMENTS FOUND OR SET ARE SHOWN, CALCULATED LINES AND INFORMATION IS NOTED BY (C).
- COMPUTATIONS OF LINES AND OR DATA NOT FOUND ARE SHOWN AS (C).
- THIS SURVEY MEETS AND/OR EXCEEDS THE ACCURACY REQUIREMENTS PER FLORIDA ADMINISTRATIVE CODE, CHAPTER 5J-17.
- PRIOR TO SURVEY INFORMATION OBTAINED WAS LEGAL DESCRIPTION FROM CLIENT OR FROM PUBLICLY PUBLISHED COUNTY TAX COLLECTOR SITE, RECORDED PLATS AND OR SECTION CORNER RECORDS IF APPLICABLE.
- IF ONLY A DIGITAL SURVEY COPY IS REQUIRED A SURVEY REPORT WILL BE PLACED IN FILE. THE DIGITAL SURVEY IS NOT FULL AND COMPLETE WITHOUT THE SURVEY REPORT FILE.

NORTH ARROW & GRAPHIC SCALE

CERTIFIED TO:
BRADEN OLSEN

JOB NUMBER - 2502-034
LATEST FIELDWORK DATE - 7.28.23

DRAWN BY -
REVISION -
REVISION -
REVISION -
REVISION -
REVISION -
REVISION -

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS MAP OF SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND TO THE BEST OF MY KNOWLEDGE AND BELIEF SAID SURVEY MEETS THE STANDARDS OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS IN CHAPTER 5J-17 FLORIDA ADMINISTRATIVE CODE. FURTHER THIS DOCUMENT IS ELECTRONICALLY SIGNED AND SEALED PURSUANT TO SECTION 472.025 OF THE FLORIDA STATUTES.

BILL H HYATT
2025.02.19
13:05:38
-05'00'

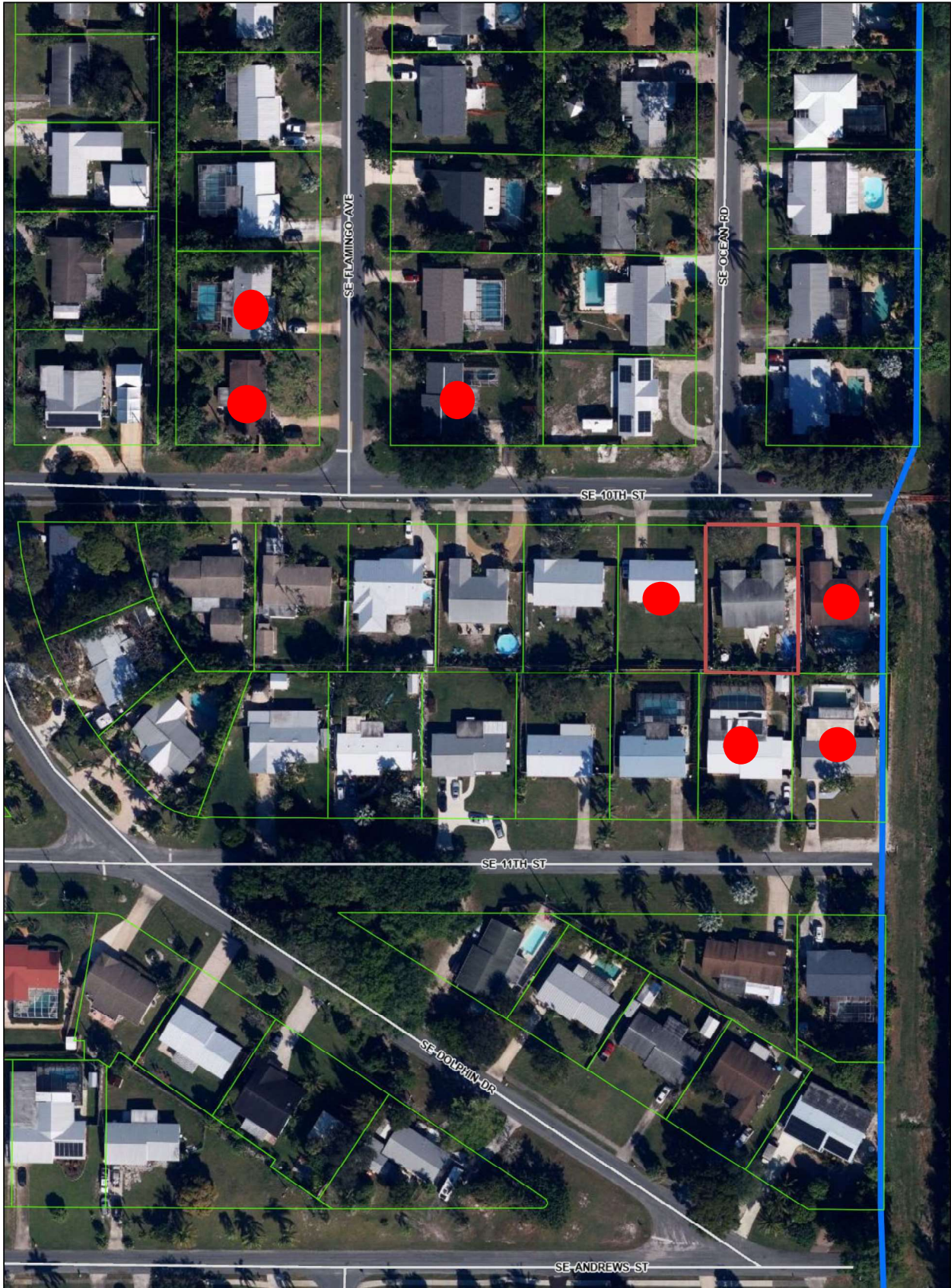
BILL H. HYATT
SURVEYOR AND MAPPER LS#4636

KIN SURVEYORS
AKA KNOW IT NOW - TREASURE COAST
PROFESSIONAL SURVEYING AND MAPPING
LICENSED BUSINESS #8553
5220 US-1, #104, VERO BEACH, FL 32967
PHONE - (888) 396-7770
WWW.KINSURVEYORS.COM

Page 23 of 27

Aerial

Red circle shows location of letter of no objection



2/9/2026, 10:58:48 AM

City of Stuart Parcels

Stuart City Limits

World Imagery

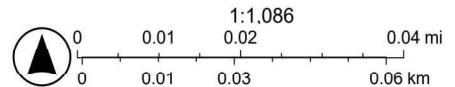
Low Resolution 15m Imagery

High Resolution 60cm Imagery

High Resolution 30cm Imagery

Citations

30cm Resolution Metadata



State of Florida, Microsoft, Vantor
NAVTEQ
Martin County BOCC (ITS-GIS)

City of Stuart Board of Adjustments
121 SW Flagler Avenue
Stuart, Florida 34994

Re: Letter of No Objection to Variance Application
Address of subject property: 1678 SE 10th Street, Stuart, Florida
Applicant: Braden and Kylie Olsen

Dear Honorable Board of Adjustment members:

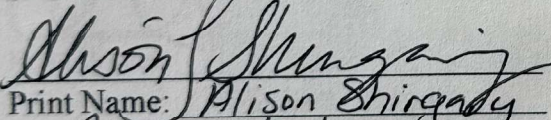
The undersigned owns the property located at 1658 SE 10th Street, Stuart, Florida, which property is adjacent to the property subject of the pending variance application in front of this Board of Adjustments. The undersigned understands that the request is for a variance to reduce the side setback in order to permit a recently constructed accessory dwelling unit in the rear of the property, as more fully shown in the variance application.

Please find this letter as the undersigned's letter of no objection to the proposed variance application to reduce the applicable setback and permit the proposed structure to remain in its current location.

Your consideration of this letter and the variance request is appreciated.

Sincerely,

SPG 1658 10th Street LLC


Print Name: Alison Shirgady
Its: Date: 3/12/26

City of Stuart Board of Adjustments
121 SW Flagler Avenue
Stuart, Florida 34994

Re: Letter of No Objection to Variance Application
Address of subject property: 1678 SE 10th Street, Stuart, Florida
Applicant : Braden and Kylie Olsen

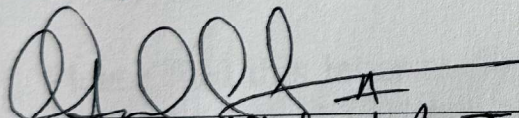
Dear Honorable Board of Adjustment members:

The undersigned owns the property located at 1686 SE 10th Street, Stuart, Florida, which property is adjacent to the property subject of the pending variance application in front of this Board of Adjustments. The undersigned understands that the request is for a variance to reduce the side setback in order to permit a recently constructed accessory dwelling unit in the rear of the property, as more fully shown in the variance application.

Please find this letter as the undersigned's letter of no objection to the proposed variance application to reduce the applicable setback and permit the proposed structure to remain in its current location.

Your consideration of this letter and the variance request is appreciated.

Sincerely,


Print Name: Michael A JANSSEN
3/12/2026

City of Stuart Board of Adjustments
121 SW Flagler Avenue
Stuart, Florida 34994

Re: Letter of No Objection to Variance Application
Address of subject property: 1678 SE 10th Street,
Stuart, Florida
Applicant : Braden and Kylie Olsen


Dear Honorable Board of Adjustment members:

The undersigned owns the property located at 1659 SE 11th Street, Stuart, Florida, which property is adjacent to the property subject of the pending variance application in front of this Board of Adjustments. The undersigned understands that the request is for a variance to reduce the side setback in order to permit a recently constructed accessory dwelling unit in the rear of the property, as more fully shown in the variance application.

Please find this letter as the undersigned's letter of no objection to the proposed variance application to reduce the applicable setback and permit the proposed structure to remain in its current location.

Your consideration of this letter and the variance request is appreciated.

Sincerely,


Print Name: Linda Miele

City of Stuart Board of Adjustments
121 SW Flagler Avenue
Stuart, Florida 34994

Re: Letter of No Objection to Variance Application
Address of subject property: 1678 SE 10th Street,
Stuart, Florida
Applicant : Braden and Kylie Olsen

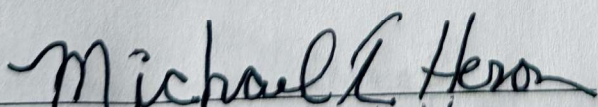
Dear Honorable Board of Adjustment members:

The undersigned owns the property located at 1671 SE 11th Street, Stuart, Florida, which property is adjacent to the property subject of the pending variance application in front of this Board of Adjustments. The undersigned understands that the request is for a variance to reduce the side setback in order to permit a recently constructed accessory dwelling unit in the rear of the property, as more fully shown in the variance application.

Please find this letter as the undersigned's letter of no objection to the proposed variance application to reduce the applicable setback and permit the proposed structure to remain in its current location.

Your consideration of this letter and the variance request is appreciated.

Sincerely,


Print Name: Michael Heron

City of Stuart Board of Adjustments
121 SW Flagler Avenue
Stuart, Florida 34994

Re: Letter of No Objection to Variance Application
Address of subject property: 1678 SE 10th Street,
Stuart, Florida
Applicant : Braden and Kylie Olsen

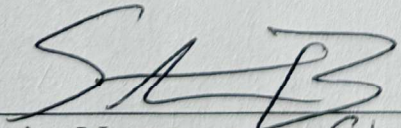
Dear Honorable Board of Adjustment members:

The undersigned owns the property located at 925 SE Flamingo Avenue, Stuart, Florida, which property is close to the property that is the subject of the pending variance application in front of this Board of Adjustments. The undersigned understands that the request is for a variance to reduce the side setback in order to permit a recently constructed accessory dwelling unit in the rear of the property, as more fully shown in the variance application.

Please find this letter as the undersigned's letter of no objection to the proposed variance application to reduce the applicable setback and permit the proposed structure to remain in its current location.

Your consideration of this letter and the variance request is appreciated.

Sincerely,


Print Name: Stephen Bowers

City of Stuart Board of Adjustments
121 SW Flagler Avenue
Stuart, Florida 34994

Re: Letter of No Objection to Variance Application
Address of subject property: 1678 SE 10th Street,
Stuart, Florida
Applicant : Braden and Kylie Olsen

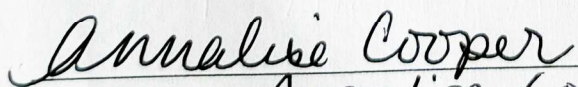
Dear Honorable Board of Adjustment members:

The undersigned owns the property located at 920 SE Flamingo Ave, Stuart, Florida, which property is close to the property that is the subject of the pending variance application in front of this Board of Adjustments. The undersigned understands that the request is for a variance to reduce the side setback in order to permit a recently constructed accessory dwelling unit in the rear of the property, as more fully shown in the variance application.

Please find this letter as the undersigned's letter of no objection to the proposed variance application to reduce the applicable setback and permit the proposed structure to remain in its current location.

Your consideration of this letter and the variance request is appreciated.

Sincerely,


Print Name: Annalise Cooper

City of Stuart Board of Adjustments
121 SW Flagler Avenue
Stuart, Florida 34994

Re: Letter of No Objection to Variance Application
Address of subject property: 1678 SE 10th Street,
Stuart, Florida
Applicant : Braden and Kylie Olsen

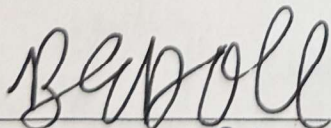
Dear Honorable Board of Adjustment members:

The undersigned owns the property located at 924 SE FLAMINGO AVE, Stuart, Florida, which property is close to the property that is the subject of the pending variance application in front of this Board of Adjustments. The undersigned understands that the request is for a variance to reduce the side setback in order to permit a recently constructed accessory dwelling unit in the rear of the property, as more fully shown in the variance application.

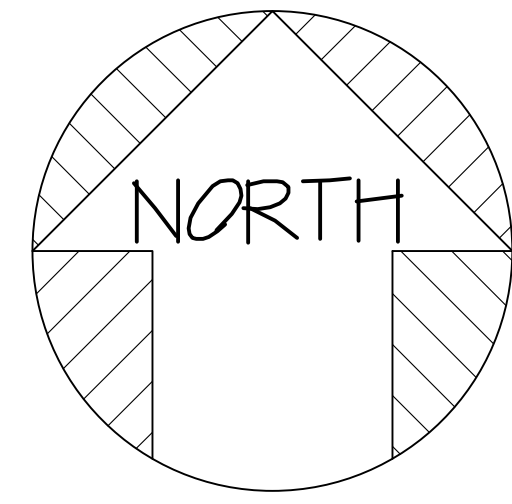
Please find this letter as the undersigned's letter of no objection to the proposed variance application to reduce the applicable setback and permit the proposed structure to remain in its current location.

Your consideration of this letter and the variance request is appreciated.

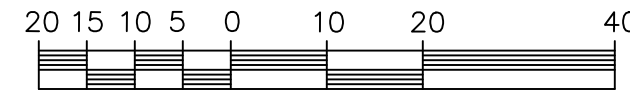
Sincerely,



Print Name: Brooke Doll



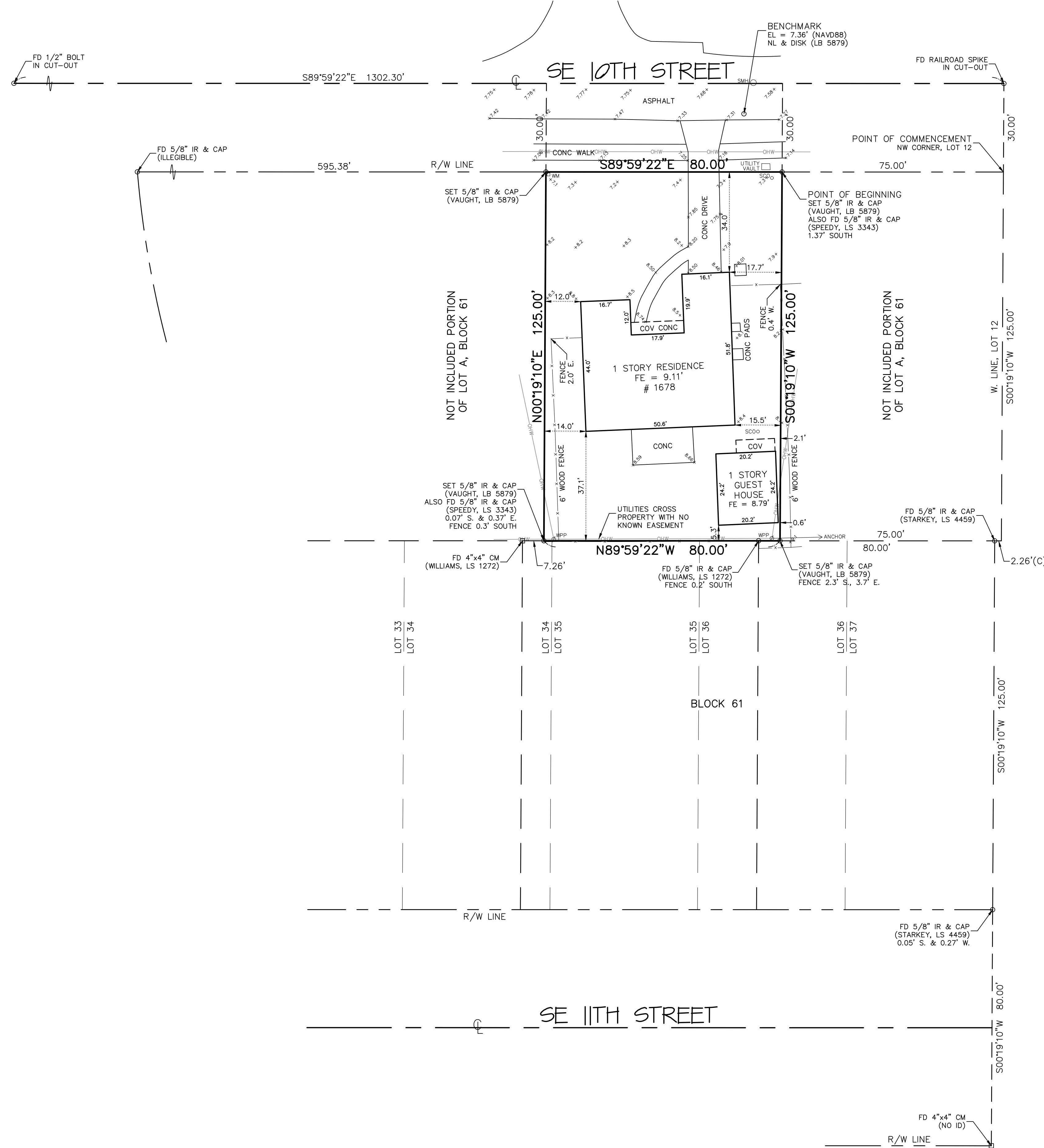
SCALE : 1" = 20'
THIS IS THE INTENDED DISPLAY SCALE



GRAPHIC SCALE

* LEGEND *

- BFP BACKFLOW PREVENTER
- CATV CABLE TELEVISION RISER
- CBS CONCRETE BLOCK STRUCTURE
- CM CONCRETE MONUMENT
- CONC CONCRETE
- COV COVERED
- Δ DELTA/CENTRAL ANGLE
- EB ELECTRIC BOX
- EL ELEVATION
- FD FOUND
- FE FLOOR ELEVATION
- FH FIRE HYDRANT
- ID IDENTIFICATION
- IP IRON PIPE
- IR IRON ROD
- L ARC LENGTH
- LS LICENSED SURVEY BUSINESS
- LS LICENSED LAND SURVEYOR
- NL NAIL
- OHW OVERHEAD WIRE
- ORB OFFICIAL RECORDS BOOK
- PB PLAT BOOK
- PG PAGE
- PCP PERMANENT CONTROL POINT
- PRM PERMANENT REFERENCE MONUMENT
- P.I. POINT OF INTERSECTION
- R RADIUS
- R/W RIGHT-OF-WAY
- SCO SEWER CLEAN-OUT
- SMH SANITARY MANHOLE
- TEL TELEPHONE RISER
- WM WATER METER
- WV WATER VALVE
- WPP WOOD POWER POLE
- Q CENTERLINE
- ± EXISTING ELEVATION



SURVEYOR'S NOTES:

1. NOT VALID WITHOUT ALL SHEETS AND THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
2. BEARINGS SHOWN HEREON ARE GRID BASED ON NORTH AMERICAN DATUM 1983, FLORIDA STATE PLANE, EAST ZONE. BEARING BASE MAY BE ESTABLISHED ALONG THE CENTERLINE OF SE 10TH STREET AS SHOWN HEREON.
3. THIS SURVEY IS BASED ON A CLOSED GEOMETRIC FIGURE EXCEEDING A HORIZONTAL CLOSURE OF 1:10000 U.S. SURVEY FEET. WELL-IDENTIFIED FEATURES SHOWN HEREON HAVE BEEN MEASURED TO AN ESTIMATED HORIZONTAL POSITIONAL ACCURACY OF 0.1 FEET.
4. ELEVATIONS SHOWN HEREON REFER TO NORTH AMERICAN VERTICAL DATUM 1988 (NAVD88) AND ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF. BENCHMARK USED: 'KC-2' (COUNTY), ELEVATION = 11.99' (NAVD88)
5. THE EXPECTED ACCURACY OF SPOT ELEVATIONS SHOWN HEREON IS 0.03 FEET FOR THE HARD SURFACE ELEVATIONS AND 0.1 FEET FOR NATURAL GRADE ELEVATIONS.
6. BEARINGS, ANGLES, AND DIMENSIONS SHOWN HEREON ARE FIELD MEASURED QUANTITIES UNLESS NOTED OTHERWISE AS: (P)=PLAT MEASUREMENT; (M)=FIELD MEASUREMENT; (C)=CALCULATED MEASUREMENT
7. THIS SURVEY PREPARED WITHOUT BENEFIT OF TITLE AND MAY BE SUBJECT TO EASEMENTS, RIGHT-OF-WAYS AND OTHER ENCUMBRANCES WHICH MAY BE REVEALED IN A SEARCH OF TITLE TO THE SUBJECT LAND.
8. THE SURVEY WAS PREPARED FOR THE EXCLUSIVE USE OF THE PERSONS OR ENTITY NAMED IN CERTIFICATION HEREON. SAID CERTIFICATION DOES NOT EXTEND TO ANY UNNAMED PERSON, WITHOUT THE EXPRESS RECERTIFICATION BY THE SURVEYOR NAMING SAID PERSON.
9. THERE HAS BEEN NO ATTEMPT TO LOCATE ANY SUBSURFACE IMPROVEMENTS, FOOTERS, FOOTINGS AND/OR UTILITIES ON THIS PROPERTY.
10. SUBJECT PROPERTY LIES IN FLOOD ZONE "X" (MINIMAL FLOOD HAZARD) PER FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD ZONE MAP #12085C0153H, DATED FEBRUARY 19, 2020. NO FIELD SURVEYING WAS PERFORMED TO DETERMINE THIS ZONE.
11. LOT AREA = 10,000 SQUARE FEET (0.22957 ACRES) MORE OR LESS.

LEGAL DESCRIPTION: (PER OFFICIAL RECORDS BOOK 3167, PAGE 2801)

FROM THE NORTHWEST CORNER OF LOT 12, BLOCK 61, RUN WEST ALONG THE SOUTH RIGHT OF WAY LINE OF EAST 10TH STREET, BEING THE NORTH LINE OF LOT A, BLOCK 61, 75 FEET TO THE P.O.B.; THENCE CONTINUE ALONG THE SOUTH RIGHT OF WAY LINE OF EAST 10TH STREET, 80 FEET TO A POINT; THENCE TURN AND RUN SOUTH PARALLEL TO THE WEST LINE OF LOT 12, BLOCK 61, 125 FEET TO THE NORTH LINE OF LOT 34, BLOCK 61; THENCE TURN AND RUN EAST ALONG THE NORTH LINE OF LOTS 34, 35, AND 36, BLOCK 61, 80 FEET TO A POINT; THENCE TURN AND RUN NORTH PARALLEL TO THE WEST LINE OF LOT 12, BLOCK 61, 125 FEET TO THE P.O.B., ALL LYING WITHIN LOT A, BLOCK 61, IN SARITA ADDITION TO BROADWAY SECTION OF ST. LUCIE ESTATES SUBDIVISION, ACCORDING TO THE PLAT THEREOF FILED 18 NOVEMBER 1925, AND RECORDED IN PLAT BOOK 1, PAGE 12, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

CERTIFICATION VALID TO:
1. BRADEN & KYLIE OLSEN

CERTIFICATION:
I HEREBY CERTIFY THAT THIS SURVEY WAS MADE UNDER MY RESPONSIBLE CHARGE AND MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

R. L. VAUGHT & ASSOCIATES, INC.
LICENSED BUSINESS NO. 5879

By: *P. Mikael Zarrella*
P. Mikael Zarrella
Professional Surveyor and Mapper No. 6736
State of Florida

DATE OF LAST FIELD WORK:
Jan. 7, 2026

REVISIONS	BY

BOUNDARY & TOPOGRAPHIC SURVEY
1678 SE 10TH STREET
STUART, FLORIDA 34996

R.L. VAUGHT & ASSOCIATES, INC.
SURVEYORS, MAPPERS & PLANNERS
LICENSED SURVEY BUSINESS NUMBER 5879
11952 SE DIXIE HIGHWAY, HOBE SOUND 33455
MAIL: P.O. BOX 160 HOBE SOUND, FL 33475
PHONE: 772-546-8086 FAX: 772-546-8087
EMAIL: survey@rlvaught.com

DRAWN	PMZ
CHECKED	PMZ
SCALE	AS SHOWN
DATE	JAN. 8, 2026
FIELD BOOK	247/59
ORDER NO.	821772
SHEET OF SHEETS	1 1
FILE NUMBER	PB21772-26J

PCN: 10.38-41-005-061-00930-5

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Local Planning Agency**

Meeting Date: 6/11/2026

Prepared by: Mechelle Arbuzow

Title of Item:

FINAL ORDER OF VARIANCE APPROVAL - 700 SW SAINT LUCIE CRESCENT - PETITION NUMBER VAR-26-2:

VARIANCE PETITION FROM SECTION 5.06.02.B.2. OF THE CITY OF STUART LAND DEVELOPMENT CODE TO ALLOW THE INSTALLATION OF A FENCE WITHIN THE REQUIRED TWENTY-FIVE FEET SHORELINE PROTECTION ZONE SETBACK FROM THE MEAN HIGH-WATER LINE.

Summary Explanation/Background Information on Agenda Request:

The subject property is located at 700 SW Saint Lucie Crescent, Stuart, FL 34994. According to the Property Appraiser's records, it is a single family residence constructed in 2005. The property owner is requesting a variance from Section 5.06.02.B.2. of the City's LDC to allow the installation of a fence within the required twenty-five feet Shoreline Protection Zone setbacks from the mean high-water line.

In the Single Family-Estate (R 1A) zoning district outside the Community Redevelopment Area (CRA), the shoreline protection zone for any water body shall be 25 feet from the mean high water line. The term "shoreline protection zone" means the land adjacent to the shoreline, including the shoreline, of the St. Lucie River, Poppleton Creek, Frazier Creek, Haney Creek, Krueger Creek, and Willoughby Creek.

The petitioner is requesting a variance to allow the installation of a fence within the required twenty-five feet setback Shoreline Protection Zone. According to Section 5.06.02 of the LDC, the following types of development shall be permitted:

- i. Docks, marinas or interpretative walks permitted by the State of Florida;
- ii. Stormwater retention areas;
- iii. Landscaping;
- iv. Bulkheads and seawalls which function to protect existing development and are located landward of riverine wetlands and their ecotones;
- v. Riprap; and
- vi. Unpaved, stabilized parking.

The section in the LDC goes on to state that any construction activity proposed within the Zone are subject to the permitting and technical requirements in chapter 10, Building and Building Regulations, article VIII, of the City of Stuart Code of Ordinances, and shall have a valid permit from the South Florida Water Management District or the Florida Department of Environmental Protection.

Funding Source:

N/A

Recommended Action:

Staff do not support the Petitioner's request for a variance since it is not allowed in the City's Land Development Code and look to the Board for direction.

ATTACHMENTS:

1. Scott- Variance Order LPA
2. Staff Report
3. Application and Supplement
4. Survey showing Fence Installation
5. Survey
6. Variance Justification Statement
7. Pictures

Return to:
City Attorney
City of Stuart
121 SW Flagler Avenue
Stuart, FL 34994

**BEFORE THE LOCAL PLANNING AGENCY
CITY OF STUART, FLORIDA**

Case# VAR-26-2

In re: The Variance Application of
**Brian J. Scott – Fence within the Shoreline Protection Zone setback
700 SW Saint Lucie Crescent
PCN: 05-38-41-001-000-00210-8**

FINAL ORDER OF VARIANCE APPROVAL

THIS CAUSE came for hearing before the Local Planning Agency for the City of Stuart, Florida, at a regular set hearing at 5:30 PM on June 11, 2026 at the City Commission Chambers, 121 S.W. Flagler Avenue, Stuart, Florida, and the Local Planning Agency, having considered the sworn testimony and other evidence presented by the city staff, including, but not limited to the staff report, the Applicant, and any Interveners, finds as follows:

1. Pursuant to Section 8.05.01 (B.) of the City of Stuart Land Development Code (LDC), the Local Planning Agency may grant a variance from the strict application of the setbacks requirements of Section 5.06.02.B.2 of the Stuart LDC.
2. The Applicant, Brian J. Scott, has requested a variance from Section 5.06.02.B.2. of the Stuart LDC, to allow installation of a fence within the required twenty-five feet Shoreline Protection Zone setback from the Mean High-water Line.
3. Notice of the hearing was provided as required by Section 8.05.03 of the Stuart LDC. Notice was not challenged by any party at the hearing, and the Local Planning Agency has jurisdiction over this case as provided in Section 8.05.01.
4. At the hearing, the Land Planning Agency received evidence from Mechelle Arbuzow, Development Planner II, for the City including that Brian J. Scott, is the individual who owns the subject real property at 05-38-41-001-000-00210-8, having a legal description attached as Exhibit "A." Evidence was also received from the Applicant.

5. Mechelle Arbusow verified that the subject property is zoned **R-1A Single Family Estate** with a Future Land Use designation of **Low Density Residential**. The Future Land Use and Zoning categories were not challenged by any party at the hearing.
6. Based upon the evidence presented, the Local Planning Agency determined that it would not be contrary to the public interest to allow the requested variance and that a literal enforcement of certain parts of the LDC would cause an unnecessary hardship on the Applicant. The Local Planning Agency further finds that the proposed variance is attributable to unique characteristics of the subject property either as to the land or as to any improvements thereon, or both and that the proposed variance, if granted would not cause any of the factors identified in Section 8.05.02 (B.) of the LDC.
7. All subsequent Lessees and Owners of the subject property shall be bound to the terms of this Final Order of Variance Approval, and this Order shall carry forward and “run with the land” unless later released by the City Development Director, or as otherwise provided by law.
8. This Order shall become effective upon the date indicated below. An appeal from the Local Planning Agency’s action must be processed within thirty (30) days following the date of the adoption identified herein in accordance with Section 8.07.05. of the City of Stuart LDC.

Board Member, _____, offered a motion to approve the variance conditioned upon the Applicant _____, which was seconded by Board Member, _____.

DEANA PETERSON, CHAIR
 CHRISTINA OUILLETTE, VICE-CHAIR
 JOHNNY CEALMOV, BOARD MEMBER
 PAUL GROSSO, BOARD MEMBER
 CAITLYNNE PALMIERI, BOARD MEMBER
 CLAY SCHERER, BOARD MEMBER
 LANCE VOGL, BOARD MEMBER

YES	NO	ABSENT	ABSTAIN

ADOPTED this 11th day of June 2026.

ATTEST:

By: _____
SUSEJ T. MELEQI
DEPUTY CITY CLERK

DEANA PETERSON, CHAIR

APPROVED AS TO FORM AND CORRECTNESS:

LEE J. BAGGETT, ESQ
CITY ATTORNEY

DRAFT

EXHIBIT A

LEGAL DESCRIPTION

LOT 21 H.W. BESSEY ADDITION TO THE TOWN OF STUART, FLORIDA, AS RECORDED IN PLAT BOOK 2, PAGE 14, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

PARCEL I.D.: 05-38-41-001-000-00210-8

PARCEL ADDRESS: 700 SW Saint Lucie Crescent, Stuart FL, 34994

DRAFT



TO: Local Planning Agency (LPA)
THROUGH: Jodi Kugler, Development Director
MEETING DATE: Thursday, June 11, 2026
SUBJECT: **PETITION NUMBER – VAR-26-2**

The petitioner seeks a variance from Section 5.06.02.B.2. of the City of Stuart Land Development Code (LDC) to allow the installation of a fence within the required twenty-five feet Shoreline Protection Zone setback from the mean high-water line.

GENERAL INFORMATION:

Property Owners: Brian J. Scott & Catherine R. Ciferri Scott
700 SW Saint Lucie Crescent
Stuart, FL 34994

Location: 700 SW Saint Lucie Crescent

Parcel ID#: 05-38-41-001-000-00210-8

Parcel Size: 0.37 acres

Future Land Use: Low Density Residential

Zoning District: R-1A Single Family-Estate

Purpose: The petitioner seeks a variance from Section 5.06.02.B.2. of the City of Stuart LDC to allow installation of a fence within the twenty-five feet Shoreline Protection Zone.

Existing Use: Single Family House

Surrounding Zoning: Single Family-Estate (R-1A), Single Family-General (R-1), Residential-Multi-Family/Office (R-3), and Public (Passive Park adjacent east of the subject property)

BACKGROUND:

The subject property is located at 700 SW Saint Lucie Crescent, Stuart, FL 34994. According to the Property Appraiser's records, it is a single-family residence constructed in 2005. The property owner is requesting a variance from Section 5.06.02.B.2. of the City's LDC to allow the installation of a fence within the required twenty-five feet Shoreline Protection Zone setback from the mean high-water line.

In the Single Family-Estate (R-1A) zoning district outside the Community Redevelopment Area (CRA), the shoreline protection zone for any water body shall be 25 feet from the mean high water line. The term "shoreline

protection zone" means the land adjacent to the shoreline, including the shoreline, of the St. Lucie River, Poppleton Creek, Frazier Creek, Haney Creek, Krueger Creek, and Willoughby Creek.

The petitioner is requesting a variance to allow the installation of a fence within the required twenty-five feet setback Shoreline Protection Zone. According to Section 5.06.02 of the LDC, the following types of development shall be permitted:

- i. Docks, marinas or interpretative walks permitted by the State of Florida;
- ii. Stormwater retention areas;
- iii. Landscaping;
- iv. Bulkheads and seawalls which function to protect existing development and are located landward of riverine wetlands and their ecotones;
- v. Riprap; and
- vi. Unpaved, stabilized parking.

The section in the LDC goes on to state that any construction activity proposed within the Zone are subject to the permitting and technical requirements in chapter 10, Building and Building Regulations, article VIII, of the City of Stuart Code of Ordinances, and shall have a valid permit from the South Florida Water Management District or the Florida Department of Environmental Protection.

BOARD OF ADJUSTMENT STANDARDS OF REVIEW:

**STANDARDS OF REVIEW AS OUTLINED IN SECTION 8.05.02.
CITY OF STUART LAND DEVELOPMENT CODE**

In reviewing this application for a variance from the City of Stuart Land Development Code (LDC), the Local Planning Agency (LPA), acting in the capacity of the Board of Adjustment (BOA), shall have the power to authorize in specific cases such variances which will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of certain parts of this code will, in an individual case, result in unnecessary hardship, so that the spirit of the code shall be observed, public safety and welfare secured, and substantial justice done. Such variance may be granted in such cases of unnecessary hardship upon the following findings by the Local Planning Agency.

The need for the proposed variance is attributable to unique characteristics of the property either as to the land or as to any improvements thereon, or both, and the proposed variance, **if granted, will not:**

- 1. Authorize any use of the property that is not allowed as a permitted use, or a use allowed by conditional use in the district in which the property is located; and**
A fence is allowed in the R-1A zoning district; however not within the shoreline protection zone, and any construction activity shall have a valid permit from the South Florida Water Management District or the Florida Department of Environmental Protection.
- 2. Allow density or intensity of use that exceeds the maximum density or intensity that is permitted in the district in which the property is located; and**
Granting the requested variance will not allow density or intensity of use that is permitted in the district.
- 3. Result in a verifiable reduction of the property values of any adjacent properties; and**

Granting the requested variance will not cause a potential reduction in the property values of any adjacent properties.

4. Cause a detrimental effect in the supply of light and air to adjacent properties; and

The effect of the supply of light and air on adjacent properties is not detrimental.

5. Cause a detrimental effect concerning drainage of the subject property as well as adjacent properties; and

Granting the variance will not cause drainage concerns of the subject property or adjacent properties.

6. Cause an increase of traffic on adjacent or nearby roads to levels that are not usual for the types of uses in the neighborhood; and

Granting the requested variance will not impact or increase any traffic on adjacent or nearby roads to levels that are not usual for types of uses in the neighborhood.

7. Cause any threat to public safety in any manner whatsoever; and

Granting the requested variance will not cause any threat to public safety in any manner whatsoever.

8. Cause any threat to the health and general welfare of the inhabitants of the city.

Granting the requested variance does not cause any threat to the health and general welfare of the inhabitants of the city.

PUBLIC NOTIFICATION

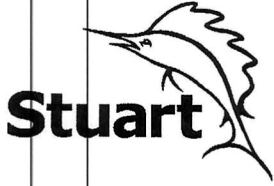
On May 22, 2026, notice to surrounding properties provided notification letters to owners of property located within 300 feet of the proposed petition. One (1) public notification sign detailing the Board Public Hearing was posted on the premises. The Board of Adjustment Public Hearing meeting is not applicable to advertise within the local newspaper.

STAFF RECOMMENDATION

Staff do not support the Petitioner's request for a variance since it is not allowed in the City's Land Development Code and look to the Board for direction.

LOCATION MAP
700 SW Saint Lucie Crescent





City of Stuart
 121 SW Flagler Ave.
 Stuart, FL 34994
 development@ci.stuart.fl.us
 (772) 288-5326

Received by: _____
 Reviewed by: _____

Variance Application

Project ID# _____
 (Staff Entry)

Pre-App Conference Date:	Application Date: <u>4/17/2026</u>
--------------------------	------------------------------------

SITE INFORMATION

Project Name: <u>BP-26-125 Scott Fence</u>	Parcel ID#: <u>358/493</u>
Site Address: <u>700 SW St. Lucie Crescent, Stuart, FL 34994</u>	
Subdivision:	Lot(s): <u>Lot 21 H.W. Bessey</u>
Site Acreage:	Flood Zone/Base Flood Elevation: <u>X, AE</u>
Existing Zoning District / CRA Subdistrict (if applicable):	
Proposed Zoning District / CRA Subdistrict (if applicable):	
Current Comprehensive Plan Future Land Use Designation:	
Proposed Comprehensive Plan Future Land Use Designation (if applicable):	
Existing Land Use: <u>Residential</u>	Proposed Land Use:
Proposed Square Footage (if applicable):	Proposed Density (if applicable):
Variance Request (check the box below that applies):	
<input checked="" type="checkbox"/> Board of Adjustment Variance	<input type="checkbox"/> Administrative Variance

PETITIONER INFORMATION

Property Owner: <u>Brian and Catherine Scott</u>	Phone Number / Email Address: <u>772-485-6469 bubscoffe@yahoo.com</u>
Property Owner's Mailing Address: <u>700 SW St. Lucie Crescent, Stuart, FL 34994</u>	
Applicant (if not Owner):	Phone Number / Email Address:
Applicant's Mailing Address:	
Agent/Contact Person:	Phone Number / Email Address:
Agent's Mailing Address:	
Architect: <u>N/A</u>	Engineer: <u>N/A</u>
Planner: <u>N/A</u>	Landscape Architect: <u>N/A</u>

City of Stuart Development Department, 121 SW Flagler Ave. Stuart, FL 34994 Phone: (772) 288-5326 Fax: (772) 288-5388

Statement of Ownership and Designation of Authorized Agent


(Please Print or Type)

Before me, the undersigned authority, personally appeared Brian Scott

Who, being by me first duly sworn, on oath deposed and says:

1. That he/she is the fee simple title owner of the property described in the attached Legal Description.
2. That he/she is requesting approval of a Land Development Code Section 8.05.00 variance in the City of Stuart, FL.
3. That he/she has appointed N/A to act as an authorized agent on his/her behalf to accomplish the above project.

Name of Owner: Brian Scott


Signature of Owner:
700 SW St. Lucie Crescent

Street Address

P.O. Box
772-485-6469

Telephone Number

bubscott@yahoo.com

Email Address:

Brian Scott / Property Owner

By: Name/Title
Stuart, FL 34994

City, State, Zip Code

City, State, Zip Code

N/A

Fax Number

STATE OF FLORIDA, COUNTY OF Martin

Sworn and subscribed before me by means of physical presence or online notarization, this

17 day of April, 2026 By Brian J Scott

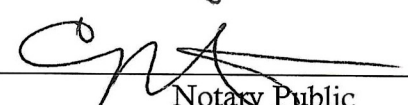
Personally Known OR Produced Identification
Type of Identification Produced:

Drivers License

My Commission expires:

2/14/2027




Notary Public
CORY PFISTER
Commission # HH 362517
Expires February 14, 2027

Application Requirements

Fee:	<input type="radio"/> \$500.00 Administrative Variance Approval; or <input checked="" type="radio"/> \$852.00 Board of Adjustment Approval <i>(This does not include fees that may be charged as a result of application review by the City's consultants or any required recording fees)</i>
	<p>The Board of Adjustment may grant a variance from the strict application of the following dimensional requirements of the city land development regulations and the city Code of Ordinances:</p> <ul style="list-style-type: none"> ➤ Lot area requirements; minimum yard setbacks; setbacks, building separation and heights for accessory structures; finished floor elevation; satellite television antenna systems; fences, walls, hedges and enclosures; and setback requirements for location of swimming pools. The City's Development Director may grant an administrative variance for the following standards of the land development code: ➤ Yard setbacks. Any yard setback variance request which does not exceed 110 percent of the code requirement. (For example: where a rear yard setback is 15 feet, and the variance request doesn't exceed 1.5 feet of relief or a reduction to a 13.5-foot setback.) ➤ Fences, walls and hedges. Any variance request for a fence, wall or hedge height or location, or other buffer screening matter. ➤ Other minor code variances and minor site plan amendments. Any other minor technical or land use code variance (but not including setback variances covered above) or any minor site plan revision or amendment for items including, but not limited to, those affecting drainage, easements, bulkheads, docks, flood elevation, curbing and curb-cuts, medians, solid waste collection, principal or accessory structures or lots, signage, landscape, lighting, parking, driveways, or utilities; and including a change of use from one permitted use to another permitted use. A minor code variance or site plan revision is one in which the requested change: <ul style="list-style-type: none"> ➤ Does not increase or enlarge the density, intensity of use, footprint, or any dimension of the overall plan by more than five percent; and ➤ Does not increase or enlarge the exterior "footprint" of commercial, industrial or multi-family residential buildings by more than 1,000 square feet of building, or more than 1,000 square feet of additional impervious area; or ➤ Does not increase or enlarge the "footprint" of single family or small multi-family (four or fewer dwelling units) buildings by more than 360 square feet of building, or no more than 360 square feet of additional impervious area is requested; and Where the scope and intent of any variance approved by the board of adjustment, or scope and intent of any site plan previously approved by the city commission is not violated.
	<p>Submittal Requirements: A completed application form, the payment of fees, one (1) copy of all documents on a PDF formatted disc electronically signed and sealed, a site plan, and any other information as may be required by the City Development Director in order to do a thorough review of the request. The data requirements for a site plan are available at the Development Department.</p>
	<p>Approving Authority: The Development Director is required to prepare a staff report and recommendation concerning this application for the Board of Adjustment (BOA) public hearing.</p>

Financial Responsibility Form

(Please Print or Type)

The Undersigned, as the Property Owner, Lessee, Contract Purchaser, or Applicant (circle one), acknowledges responsibility for all City expenses associated with the referenced application (s) including time spent by the City's consultants and further acknowledges that payment of consultant fees will be made prior to the receipt of the consultant comments.

Name: Brian Scott
Title: Property Owner
Company:
Company Address: 700 SW St. Lucie Crescent

City/State/Zip Code: Stuart, FL 34994
Telephone Number: 772-485-6469
Facsimile Number:
Email Address (optional): bubscott@yahoo.com

I hereby certify that all information contained herein is true and correct.

1. Signed this 17 day of April, 2026.



Signature of Property Owner, Lessee, Contract Purchaser or Applicant (circle one)

Variance Application Supplement

Site Address: 700 SW St Lucie Crescent, Stuart, FL 34994

Parcel ID#: 358/493, LOT 21 H.W. Bessey

Refer to City of Stuart Land Development Code (LDC) Section 8.05.00 for details

1. I (we) do hereby petition the City of Stuart Board of Adjustment for the following Variance from the LDC. (State the variance sought and the section from the LDC from which the variance is requested.)

Extension of new property line fences to the water.

2. What is the purpose of the proposed variance and the intended development of the subject property if the variance is granted:

Our fence permit was recently approved with a SPZ restriction, and we're requesting an exception to allow the fence to extend to the water. Our property sits between a city park and a neighboring home used as a vacation rental, which raises ongoing safety and liability concerns about children or pets unintentionally accessing our yard, pool, dock, and waterfront

3. State the specific hardship imposed on the owner by the LDC?

Without fences to the water, it is difficult to maintain a safe and clearly defined boundary. Property security, community safety and liability for us as property owners and for the City of Stuart are of concern.

4. State reasons why this hardship is unique to the owner and why other property similarly situated does not suffer from the same hardship.

Other nearby properties that border the neighborhood parks have fences extending to the water for similar reasons. We've included photos for reference and appreciate your consideration of this request to help improve safety and reduce liability.

5. State reasons why this variance will not be injurious to other property and/or improvements in the neighborhood in which the subject property is located.

This variance would provide a barrier for safety and security to the park property, vacation rental and residential property. It would not be injurious to other properties. The fence line would not impact any vegetation.

6. State reasons why this variance will not increase traffic, the danger of fire, or impair property values in the neighborhood in which the subject property is located.

This variance should not apply to these concerns.

7. State why this variance is the minimum variance that will make possible a reasonable use of the land, building and structures.

This variance is requested to provide safety and security to the waterline edge of the property to deter trespassing.

8. Explain how this proposed variance is consistent with the general spirit of the LDC and the City of Stuart Comprehensive Plan.

This variance helps improve the safety and security of the City of Stuart park patrons, children and pets. It also provides security and mitigates liability concerns for us as property owners and City of Stuart residents.

9. Is this variance request located within a Homeowners or Property Owners Association?

YES NO

If yes, then letter is required

For any variance request within an area that has a Homeowners or Property Owners Association, a letter from that Association is required stating their position regarding the variance request. Name of Association:

Is there a letter from that association attached?

YES NO

Please attach a diagram of the property showing the dimensions of the lot and all other dimensions necessary to understand this application.

I (we) have reviewed LDC Section 8.05.00, including the questions to be answered by the applicant for a variance and will be prepared to answer these questions at the public hearing.

I, Brian Scott (Applicant Name) swear (or affirm) that the

information and facts stated therein on the application is true and correct.

Applicant Signature [Signature] Date: 4/17/2026

STATE OF Florida

COUNTY OF Martin

The foregoing instrument was acknowledged before me this 17 day of April, 2026

by Brian Scott whom is personally known to me or who has produced Drivers License as identification.

[Signature]
Signature of Notary

Cory Pfister
Type or Print Name of Notary

Commission Number (Seal)



CORY PFISTER
Commission # HH 362517
Expires February 14, 2027

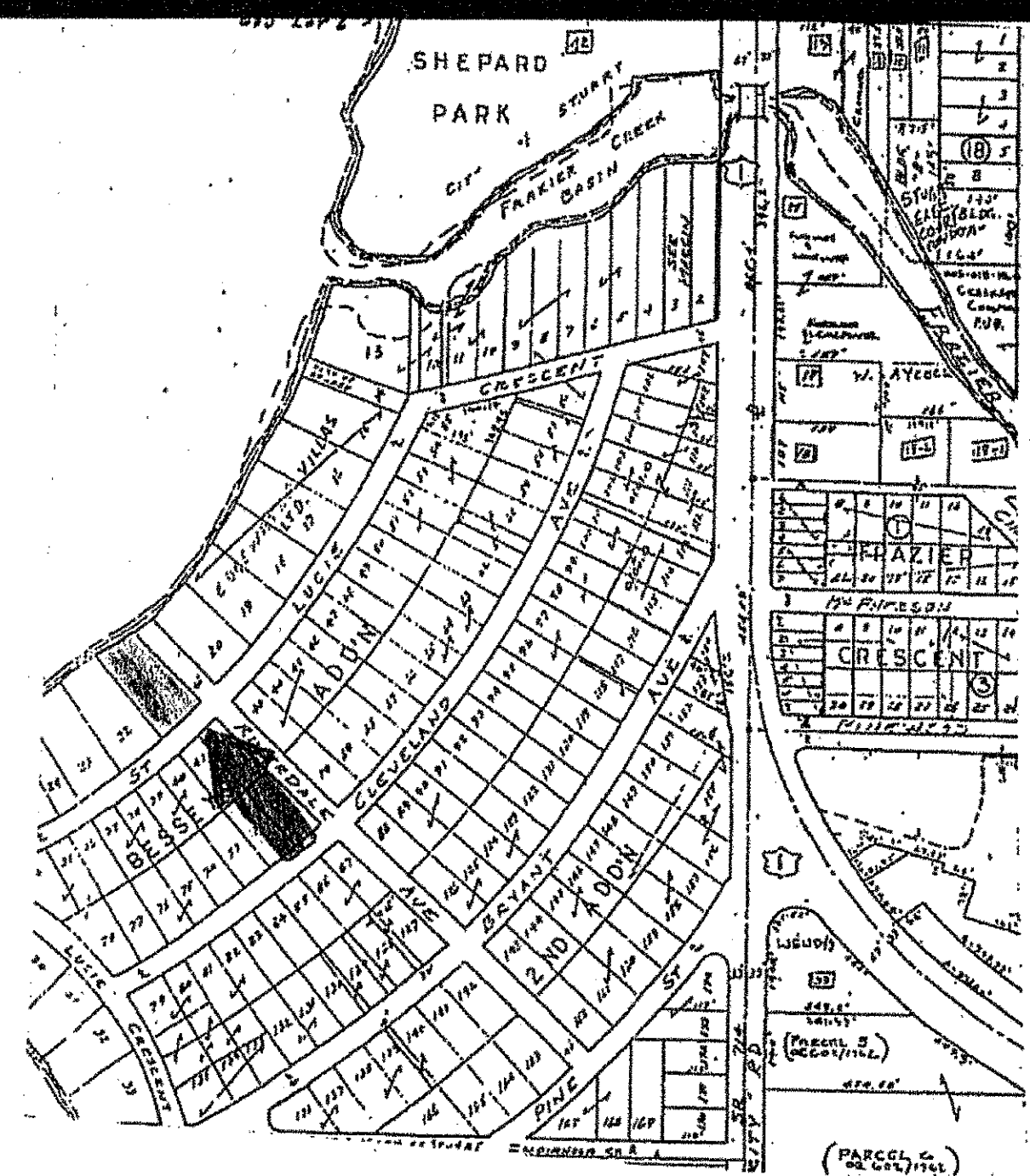
REVISIONS	BY
SITE PLAN 8/12/84	SJB
PROP. RETAINING WALL 8/31/84	ADA
FORM BOARD 9/14/84	SJB
FORM BOARD AS- BUILT SURVEY 11/2/84	ADA
FINAL AS-BUILT 10/11/05	ADA
REISSUE 10/22/25	SJB
S.P.Z. 2/26/26	SJB

BOUNDARY SURVEY
PREPARED FOR: SCOTT

STEPHEN J. BROWN, INC.
SURVEYORS • DESIGNERS • LANDPLANNERS • CONSULTANTS
619 EAST 5TH STREET, STUART, FLORIDA 34994

LICENSED BUSINESS NUMBER: 6484
(772) 288-7176

DRAWN S. J. B.
CHECKED S. J. B.
DATE 8/9/02
SCALE 1" = 20'
JOB NO. 3520-01-01
SHEET ONE
OF ONE SHEETS



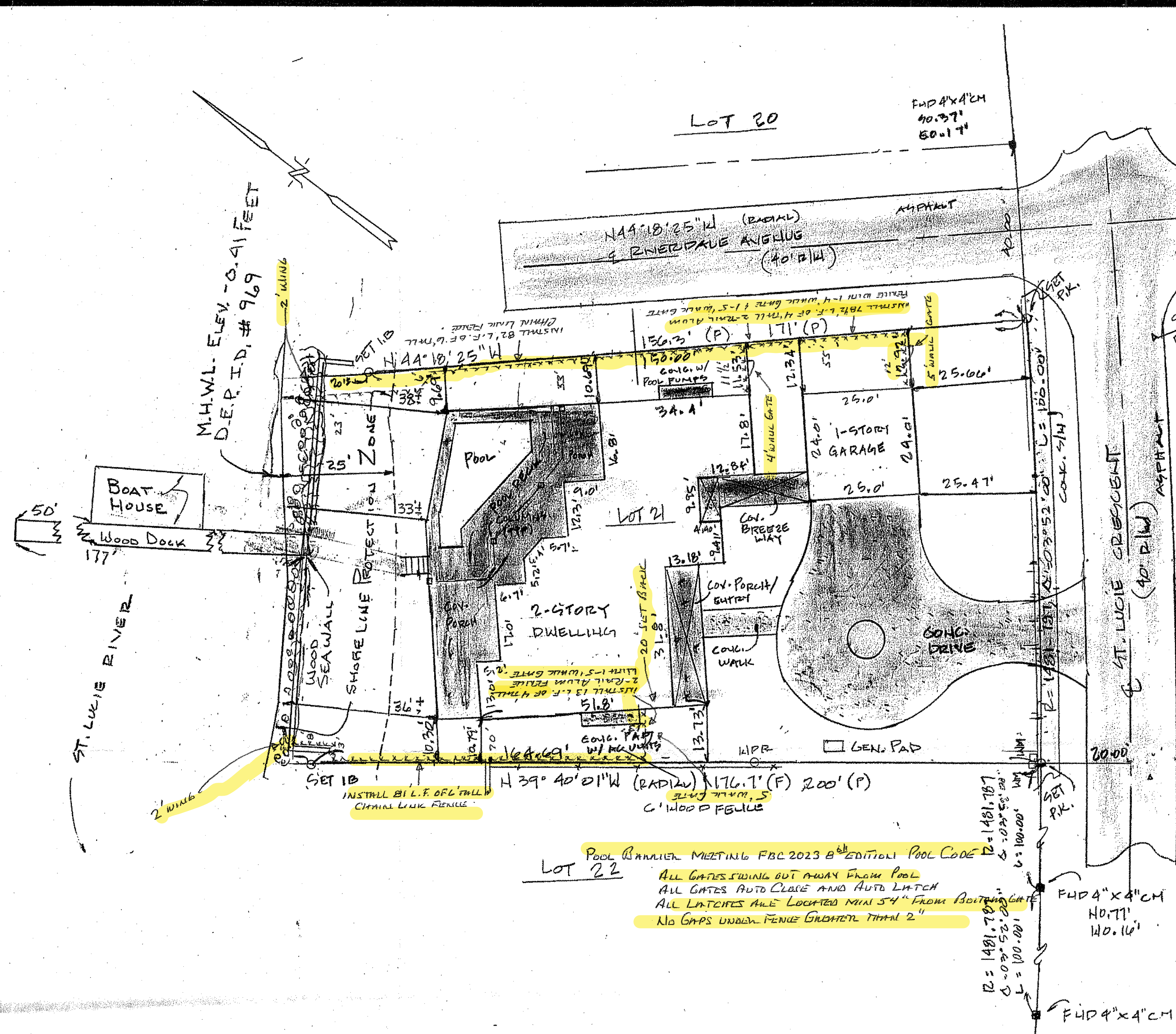
LOCATION MAP

LEGAL DESCRIPTION

LOT 21 H.W. BESSEY ADDITION TO THE TOWN OF STUART, FLORIDA, AS RECORDED IN PLAT BOOK 2, PAGE 14, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

INSTALL 9 1/2' L.F. OF 4" TALL 2-RAIL ALUM FENCE WITH 2 1/2" PICKETS AND 3" PICKET SPACING, AND 2-5' WOOD GATES AND 1-4' WOOD GATE

INSTALL 16 1/2' L.F. OF 6" TALL BLACK VINYL CHAIN LINK FENCE, NO GATES BUT 2-2' WINGS.



Pool Barrier Meeting FBC 2023 8th Edition Pool Code

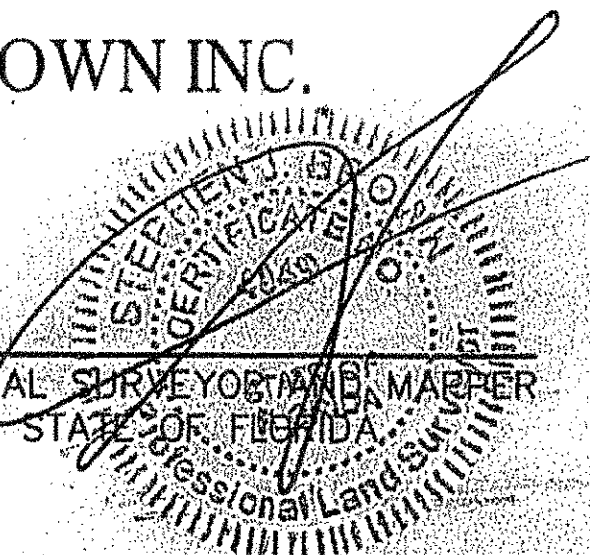
ALL GATES SWING OUT AWAY FROM POOL
ALL GATES AUTO CLOSE AND AUTO LATCH
ALL LATCHES ARE LOCATED MIN 54" FROM BOTTOM OF GATE
NO GAPS UNDER FENCE GREATER THAN 2"

AC A/C	ALUM ALUMINUM	ANCHOR ANCHOR	APPROX APPROXIMATE	AVE AVENUE	BRG BEARING	BLK BLOCK	BLVD BOULEVARD	BLDG BUILDING	BH BENCHMARK	CATV CABLE TELEVISION BOX	CB CALCULATED	CB CATCH BASIN	CLF CHAINLINK FENCE	CHD CHORD	CONC CONCRETE	CBS CONC. BLOCK STRUCTURE	CM CONCRETE MONUMENT	CNR COULD NOT READ	CNR CONCRETE POWER POLE	COR CORNER	COV COVERED	CMP CORRUGATED METAL PIPE	CVG CONCRETE VALLEY GUTTER	D DEED	D/F DRAINFIELD	DE DRAINAGE EASEMENT	DF DRAINAGE FLOW	ESMT EASEMENT	E EAST	EP EDGE OF PAVEMENT	EW EDGE OF WATER	EM ELECTRIC METER	ES ELECTRIC SERVICE	ELEV ELEVATION	ENCL ENCLOSURE	X 17.00 EXISTING ELEVATION	FT FEET	F FIELD MEASUREMENT	FNC FENCE	FFE FINISH FLOOR ELEVATION	FH FIRE HYDRANT	FPL FLORIDA POWER & LIGHT	FND FOUND	GOVT GOVERNMENT	HSE HOUSE	I & E INGRESS & EGRESS EASEMENT	INV INVERT	IB IRON BAR	IP IRON PIPE	IB & C IRON BAR & CAP	IP & C IRON PIPE & CAP	L ARC LENGTH	LE LANDSCAPE EASEMENT	LB LICENSED BUSINESS NUMBER	LP LIGHT POLE	LAE LIMITED ACCESS EASEMENT	MAG MAG NAIL	ME MAINTENANCE EASEMENT	MH MANHOLE	MHW MEAN HIGH WATER LINE	NAIL NAIL	N & TT NAIL & TIN TAB	N & W NAIL & WASHER	NGVD NATIONAL GEODETIC VERTICAL DATUM	NTS NOT TO SCALE	N NORTH	NO NUMBER	ORB OFFICIAL RECORD BOOK	O/S OFFSET	OH OVERHANG	OHV OVERHEAD WIRE	PG PAGE	PK PARKER-KALON NAIL	PK & TT PARKER-KALON NAIL & TIN TAB	PK & W PARKER-KALON NAIL & WASHER	PWMT PAVEMENT	PRM PERMANENT REFERENCE MONUMENT	P PLATBOOK	POB POINT OF BEGINNING	POC POINT OF COMMENCEMENT	POF POINT OF COMPOUND CURVATURE	POC POINT OF CURVATURE	PI POINT OF INTERSECTION	PRC POINT OF REVERSE CURVATURE	PT POINT OF TANGENCY	PP POWER POLE	PUE PRIVATE UTILITY EASEMENT	PLS PROFESSIONAL LAND SURVEYOR	PLS PROPERTY LINE	R PROPOSED	PROPOSED ELEVATION	17.00 SQUARE FEET	R RADIUS	RAD RADIAL	RRS RAILROAD SPIKE	RNG RANGE	RLS REGISTERED LAND SURVEYOR	RCP REINFORCED CONCRETE PIPE	R/W RIGHT OF WAY	SS SANITARY SEWER	SECT SECTION	SET 1/8 SET 1/8 IRON BAR & CAP #4049	SET PK SET PK NAIL & WASHER #4049	S/T SEPTIC TANK	S/W SIDEWALK	S SOUTH	SBT SOUTHERN BELL TELEPHONE BOX	S/A SQUARE FEET	S/D SUBDIVISION	T TANGENT	TCE TEMPORARY CONSTRUCTION EASEMENT	TOB TOP OF BANK	TOE TOP OF SLOPE	TWP TOWNSHIP	TRANS TRANSFORMER	TYP TYPICAL	UDE UTILITY & DRAINAGE EASEMENT	UE UTILITY EASEMENT	U/G UNDERGROUND	UP UTILITY POLE	WM WATER METER	WV WATER VALVE	W WEST	WPP WOOD POWER POLE
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- PROPERTY ADDRESS: 700 SW ST. LUCIE CRESCENT
- CERTIFIED TO:
 - BRIAN J. SCOTT AND CATHERINE R. CIFERRI SCOTT, HUSBAND AND WIFE
 - KRAMER & COPELAND, P.A.
 - FIRST AMERICAN TITLE INSURANCE COMPANY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

STEPHEN J. BROWN INC.



STEPHEN J. BROWN, PROFESSIONAL SURVEYOR AND MAPPER
REGISTRATION NO. 4049, STATE OF FLORIDA

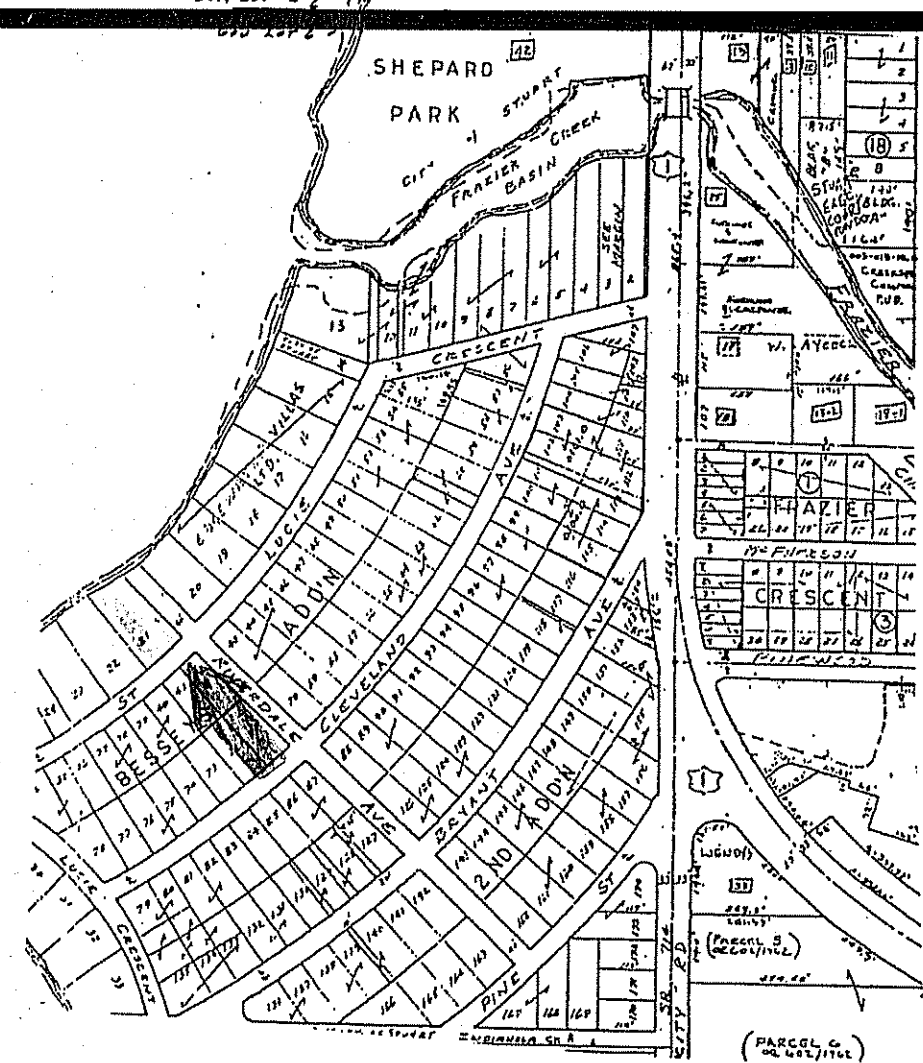
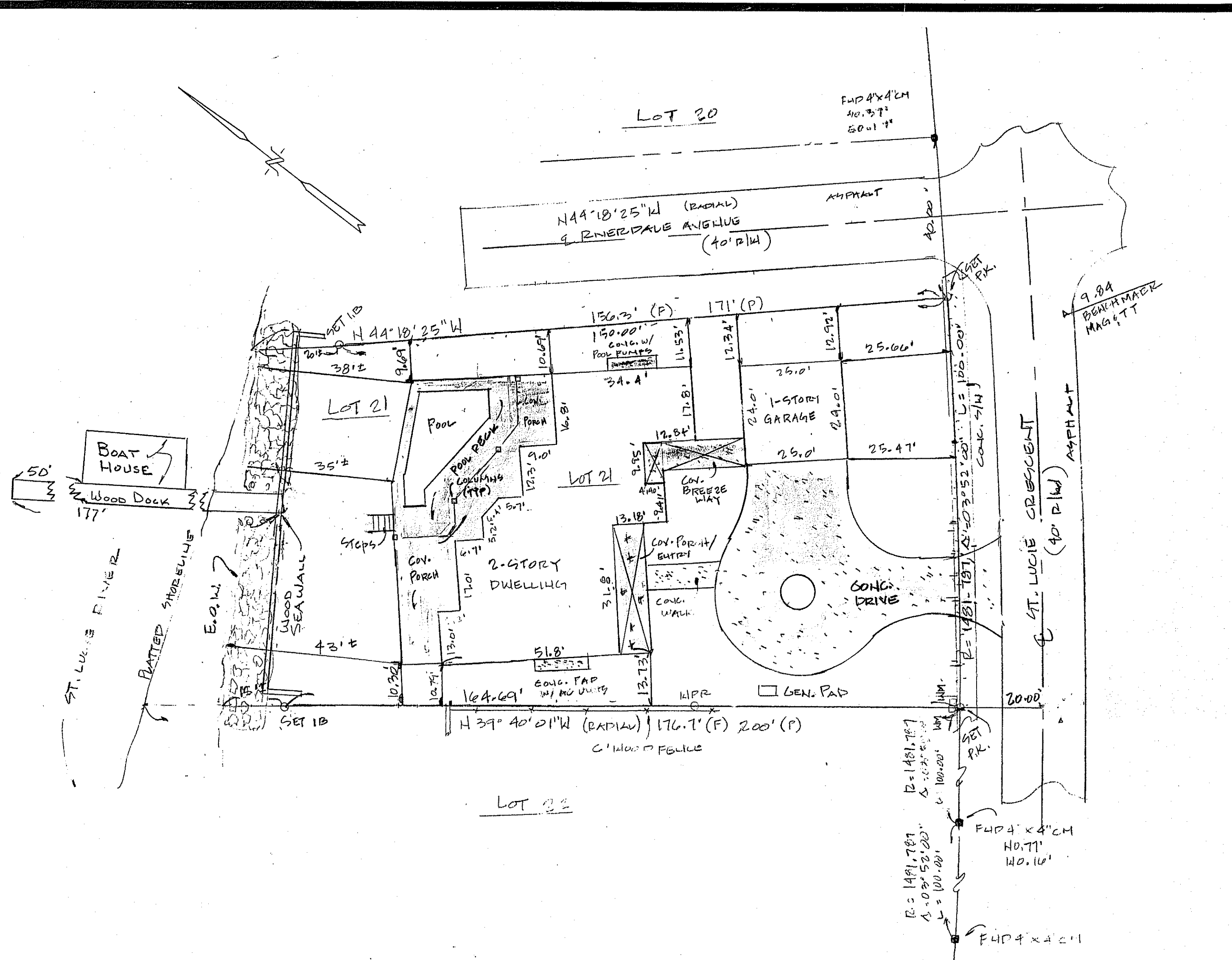
NOTES:

- Survey of description as furnished by Client.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of record.
- All bearings are referenced to the northeast line of the subject property assumed as N 44°18'25" W and all other bearings being relative thereto.
- Elevations shown hereon are relative to North American Vertical Datum of 1988 and are based on bench mark.
- There are no above ground encroachments, unless otherwise shown.
- The National Flood Insurance Program designation as indicated on the F.E.M.A. Map Panel No. 12085C0134H dated 02/19/2020 locates the parcel in Zone X, AE base flood elevation N/A, 5.0 feet; subject to any scaling and interpolation factors associated with mapping of this accuracy.
- Underground foundations & utilities not located unless shown.

Date of field survey: 8/1/01

INSTALL FENCE

A GRANT FENCE CO. 1527571
700 SW ST. LUCIE CRESCENT
STUART, FL 34994
BRIAN SCOTT - OWNER
05 30 41 001 000 00216 B



LOCATION MAP

LEGAL DESCRIPTION

LOT 21 H.W. BESSEY ADDITION TO THE TOWN OF STUART, FLORIDA, AS RECORDED IN PLAT BOOK 2, PAGE 14, PUBLIC RECORDS OF PALM BEACH (NOW MARTIN) COUNTY, FLORIDA.

REVISIONS	BY
SITE PLAN 8/12/04	SJB
PROP. RETAINING WALL 8/31/04	ARA
FORM BOARD 9/14/04	SJB
FORM BOARD AS-BUILT 9/21/04	ARA
FINAL AS-BUILT 10/11/05	ARA
REISSUE 10/22/25	SJB

BOUNDARY SURVEY PREPARED FOR: SCOTT
 STEPHEN J. BROWN, INC.
 LICENSED BUSINESS NUMBER: 6484
 SURVEYORS • DESIGNERS • LANDPLANNERS • CONSULTANTS
 619 EAST 5TH STREET, STUART, FLORIDA 34994
 (772) 288-7176

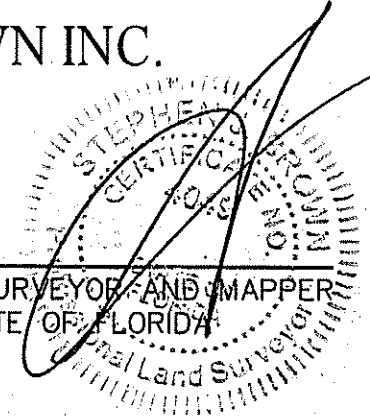
AC A/C	ACRE AIR CONDITIONER	CHD CONC	CHORD CONCRETE	EP EW	EDGE OF PAVEMENT EDGE OF WATER	I & E INV	INGRESS & EGRESS EASEMENT INVERT	N & W NOVD	NAIL & TIN TAB NAIL & WASHER NATIONAL GEODETIC VERTICAL DATUM	P PB	PLAT PLATBOOK	RAD RRS	RADIAL RAILROAD SPIKE	T T	TANGENT TEMPORARY CONSTRUCTION EASEMENT
ALUM ANCH	ALUMINUM ANCHOR	CBS CNR	CONC. BLOCK STRUCTURE CONCRETE MONUMENT COULD NOT READ	EM ES	ELECTRIC METER ELECTRIC SERVICE ELEVATION	IB IP	IRON BAR IRON PIPE	NTS N	NOT TO SCALE NORTH	POB POC	POINT OF BEGINNING POINT OF COMMENCEMENT	RNG RLS	RANGE REGISTERED LAND SURVEYOR	TOE TWP	TOP OF BANK TOE OF SLOPE TOWNSHIP
APPROX AVE	APPROXIMATE AVENUE	CPP BRG	CONCRETE POWER POLE CORNER	ELEV ENCL	ELEVATION ENCLOSURE	IB & C IP & C	IRON BAR & CAP IRON PIPE & CAP	NO L	NUMBER ARC LENGTH	PCC PPI	POINT OF CURVATURE POINT OF INTERSECTION	R/W SS	RIGHT OF WAY SANITARY SEWER	TRANS TYP	TRANSFORMER TYPICAL
BLK BLDG	BLOCK BUILDING	COV CVP	COVERED CORRUGATED METAL PIPE CONCRETE VALLEY GUTTER	X 17.00 FT	EXISTING ELEVATION FIELD MEASUREMENT	L LE	LANDSCAPE EASEMENT LICENSED BUSINESS NUMBER	ORB O/S	OFFICIAL RECORD BOOK OFFSET	PP PUE	POINT OF REVERSE CURVATURE POINT OF TANGENCY POWER POLE PRIVATE UTILITY EASEMENT	SECT SET I.B.	SECTION SET 5/8 IRON BAR & CAP #4049 SET 5/8 IRON BAR & WASHER #4049	UE U/G	UTILITY & DRAINAGE EASEMENT UTILITY EASEMENT UNDERGROUND
BM CATV	BENCHMARK CABLE TELEVISION BOX	D D/F	DEAD DRAINFIELD	F FNC	FIELD MEASUREMENT FENCE	LE LP	LIMITED ACCESS EASEMENT LICENSED BUSINESS NUMBER LIGHT POLE	OHW PG	OVERHEAD WIRE PAGE	PLS PRP	PROFESSIONAL LAND SURVEYOR PROPOSED PROPOSED ELEVATION	SET PK S/W	SET 5/8 IRON BAR & CAP #4049 SEPTIC TANK SIDEWALK	WM WV	WATER METER WATER VALVE
CB CLF	CATCH BASIN CHAINLINK FENCE	DE ESMT	DRAINAGE EASEMENT DRAINAGE FLOW EASEMENT	FFC FFF	FINISH FLOOR ELEVATION FINISH FLOOR ELEVATION	MAG ME	MAG NAIL MAINTENANCE EASEMENT	PK & TT PK & W	PARKER-KALON NAIL PARKER-KALON NAIL & TIN TAB PARKER-KALON NAIL & WASHER	R R	PROPERTY LINE PROPOSED	S SBT	SOUTH SOUTHERN BELL TELEPHONE BOX SIDEWALK	W WPP	WEST WATER VALVE WEST WOOD POWER POLE
CLF	CHAINLINK FENCE	E	EAST	HSE	HOUSE	NH NL	MANHOLE MEAN HIGH WATER LINE NAIL	PRM	PERMANENT REFERENCE MONUMENT	R	RADIUS	S/D	SUBDIVISION		

- PROPERTY ADDRESS: 700 SW ST. LUCIE CRESCENT
- CERTIFIED TO:
 - BRIAN J. SCOTT AND CATHERINE R. CIFERRI SCOTT, HUSBAND AND WIFE
 - KRAMER & COPELAND, P.A.
 - FIRST AMERICAN TITLE INSURANCE COMPANY

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

STEPHEN J. BROWN INC.

STEPHEN J. BROWN, PROFESSIONAL SURVEYOR AND MAPPER
 REGISTRATION NO. 4049, STATE OF FLORIDA



NOTES:

- Survey of description as furnished by Client.
- Lands shown hereon were not abstracted for easements and/or rights-of-way of record.
- All bearings are referenced to the northeast line of the subject property assumed as N 44°18'25" W and all other bearings being relative thereto.
- Elevations shown hereon are relative to North American Vertical Datum of 1988 and are based on bench mark.
- There are no above ground encroachments, unless otherwise shown.
- The National Flood Insurance Program designation as indicated on the F.E.M.A. Map Panel No. 12085C0134H, dated 02/19/2020 locates the parcel in Zone X, AE base flood elevation N/A, 5.0 feet; subject to any scaling and interpolation factors associated with mapping of this accuracy.
- Underground foundations & utilities not located unless shown.

Date of field survey: 8/1/01

DRAWN	S. J. B.
CHECKED	S. J. B.
DATE	8/9/02
SCALE	1" = 20'
JOB NO.	3520-01-01
SHEET	ONE
OF	ONE SHEETS

Brian Scott
700 SW St. Lucie Cres.
Stuart, FL 34994
bubscott@yahoo.com
772-485-6469
4/17/2026

City of Stuart
Board of Adjustment
121 SW Flagler Avenue
Stuart, FL 34994

Re: Request for Exception – LDC Fence Restriction

Dear Members of the Board,

I am writing to respectfully request an exception to the restriction associated with our recently approved fence permit for our property located at 700 SW St. Lucie Cres. Stuart, FL 34994.

As currently approved, the permit does not allow the fence to extend to the waterline. However, due to the unique characteristics of our property, we believe an exception is warranted. Our home is situated between a city park and a neighboring property that is frequently used as a vacation rental. This setting creates ongoing concerns regarding children and pets potentially accessing our yard, pool, dock, and waterfront area without supervision.

Without a fence extending to the waterline, it's difficult to establish a secure and clearly defined boundary, which presents both safety risks and potential liability concerns. We have observed that other nearby properties adjacent to neighborhood mini parks have constructed fences extending to the waterline to address these concerns.

For your reference, we have submitted photographs illustrating our property conditions and comparable fences nearby as well.

Thank you for your time and we appreciate your consideration of this request to help improve safety and reduce liability.

Sincerely,

Brian Scott







A photograph of a wooden fence with a sign that reads "PRIVATE PROPERTY NO TRESPASSING". The sign is partially obscured by a dense network of thin, light-colored branches and vines. Some green leaves are visible on the left side of the frame. The fence is made of vertical wooden planks. The sign is black with white text. The text on the sign is "PRIVATE PROPERTY" in large letters, and "NO TRESPASSING" in smaller letters below it. The sign is mounted on the fence. The background shows more of the fence and some foliage. The overall scene is outdoors, possibly in a garden or yard. The lighting is natural, suggesting daytime. The image is slightly out of focus, with the sign being the central point of interest.

PRIVATE
PRIVATE
PROPERTY
NO TRESPASSING



**PARK
CLOSED
FROM
DUSK
UNTIL
DAWN**

THIS PARK IS WATCHED
BY THE NEIGHBORHOOD



**ANY DISTURBANCE WILL
RESULT IN A CALL TO LAW
ENFORCEMENT.**



















