



AGENDA

**BOARD OF ADJUSTMENT
JULY 27, 2023
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994**

BOARD MEMBERS

**Chair - Christina Vogl
Vice Chair - Claire Y. Nash
Board Member - Werner Bols
Board Member - Sean Reed
Board Member - Kristin Stanley**

ADMINISTRATIVE

**Development Director - Jodi Nentwick-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

1. OATHS OF OFFICE FOR ADVISORY COMMITTEE MEMBERS
2. APPOINTMENT OF CHAIR
3. APPOINTMENT OF VICE CHAIR

APPROVAL OF AGENDA

APPROVAL OF MINUTES

4. APPROVAL OF 08/25/2022 BOA MINUTES

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

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

ACTION ITEMS

5. FINAL ORDER OF VARIANCE APPROVAL - PETITION NUMBER Z23060001:

ANNA TROTTER, PETITIONER REQUESTING A VARIANCE FROM SECTION 3.01.03.A.6.A OF THE CITY OF STUART LAND DEVELOPMENT CODE TO ADD ADDITIONAL DRIVEWAY CURB CUT LOCATED AT 301 SE DETROIT AVENUE FOR ADDITIONAL ONSITE PARKING SPACE. THE PROPERTY IS ZONED URBAN CENTER AND LOCATED WITHIN THE COMMUNITY REDEVELOPMENT AREA (CRA).

STAFF UPDATE

6. ADVISORY BOARD ORIENTATION REVIEW BY CITY CLERK

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
Board of Adjustment**

Meeting Date: 7/27/2023

Prepared by: Susej Meleqi

Title of Item:

OATHS OF OFFICE FOR ADVISORY COMMITTEE MEMBERS

Summary Explanation/Background Information on Agenda Request:

N/A

Funding Source:

N/A

Recommended Action:

Board Members to take the Oath.

ATTACHMENTS:

1. Board Member OATH_BOA



CITY OF STUART

Oath of Office

I, _____, am qualified under the Constitution, Laws of Florida, and the Code of Ordinances for the City of Stuart, Florida to serve as a member of the BOARD OF ADJUSTMENT; and that I will well and faithfully perform the duties of an advisory board member on which I am about to enter, so help me God.

Name

STATE OF FLORIDA
COUNTY OF MARTIN

The foregoing instrument was acknowledged before me by means of physical presence _____ or online notarization ____, this _____ day of July 2023, _____, who is personally known to me or who has produced Florida driver license as identification.

City Clerk

(Notary Seal)

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Board of Adjustment**

Meeting Date: 7/27/2023

Prepared by: Susej Meleqi

Title of Item:

APPOINTMENT OF CHAIR

Summary Explanation/Background Information on Agenda Request:

APPOINTMENT OF CHAIR FOR THE BOARD OF ADJUSTMENT

Funding Source:

N/A

Recommended Action:

Make a motion to appoint a Chair.

ATTACHMENTS:

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Board of Adjustment**

Meeting Date: 7/27/2023

Prepared by: Susej Meleqi

Title of Item:

APPOINTMENT OF VICE CHAIR

Summary Explanation/Background Information on Agenda Request:

APPOINTMENT OF VICE CHAIR FOR THE BOARD OF ADJUSTMENT

Funding Source:

N/A

Recommended Action:

Make a motion to appoint a Vice Chair.

ATTACHMENTS:

**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Board of Adjustment**

Meeting Date: 7/27/2023

Prepared by: Jordan Pinkston

Title of Item:

APPROVAL OF 08/25/2022 BOA MINUTES

Summary Explanation/Background Information on Agenda Request:

APPROVAL OF 08/25/2022 BOA MINUTES

Funding Source:

N/A

Recommended Action:

Approve minutes

ATTACHMENTS:

1. 08252022 BOA Minutes

MINUTES
BOARD OF ADJUSTMENT OF THE CITY OF STUART
AUGUST 25, 2022
AT 5:30 PM
COMMISSION CHAMBERS
121 SW FLAGLER AVE.
STUART, FLORIDA 34994

BOARD MEMBERS

Chair - Christina Vogl
Vice Chair - Claire Y. Nash
Board Member - Werner Bols
Board Member - Amelia Fry
Board Member - Kristin Stanley

ADMINISTRATIVE

Acting Development Director – Erin Wohlitka
Board Secretary - Jordan Pinkston

CALL TO ORDER

5:47 PM

ROLL CALL

Present: Christina Vogl, Claire Nash, Werner Bols
Absent: Amelia Fry, Kristin Stanley

PLEDGE OF ALLEGIANCE

5:58 PM

APPROVAL OF AGENDA

Motion: Approve
Moved By: Werner Bols
Seconded By: Claire Nash
Motion passed unanimously.

APPROVAL OF MINUTES

1. APPROVAL OF FEBRUARY 24, 2022 BOA MINUTES

Motion: Approval of minutes.
Moved By: Claire Nash
Seconded By: Werner Bols
Motion passed unanimously.

COMMENTS FROM THE PUBLIC (3 Minutes Max.)

None.

COMMENTS BY BOARD MEMBERS (Non-Agenda Items)

Christina Vogl asked for clarification of a previous lot split and variance approval unrelated to the item on the agenda but could be utilized as an example.

Staff gave clarification.

ACTION ITEMS

2. Final Order of Variance Approval: Z22050008; Bruner Family, LLC requesting approval to allow the future construction of a single family house on an existing nonconforming lot and permitting a reduction in the minimum lot size and lot width requirements for parcels of land within the R-1A zoning district.

PRESENTATION: Erin Wohlitka, Acting Development Director 5:52PM
Terry McCarthy, Representing the owner 5:59PM

Terry McCarthy addressed the issue of a variance running with the land and gave examples of his history working with them.

Werner Bols asked about the side setbacks.

Terry McCarthy said that he is not asking for any setback deviations, however they can't work with the frontage.

Christina Vogl inquired why they are not interested in a lot split.

Terry McCarthy explained exceptions in Martin County and the reasoning behind not choosing the lot split concept for this property.

Werner Bols asked for confirmation of property notifications going out.

Erin Wohlitka confirmed that all required notices went out and staff received no comments regarding the item from the public.

Christina Vogl asked questions about the trees on the property and implementing a tree code. She asked staff if they could adopt a condition that every specimen tree that was taken out be replaced.

Terry McCarthy spoke about his experience dealing with trees in residential builds.

Erin Wohlitka explained our tree removal permit process for existing tree removal requests. She advised speaking with legal council to see if they could implement additional conditions to mitigate for trees on residential properties.

Christina Vogl passed the gavel to Vice Chair, Claire Nash 6:15PM

Motion: Approve with a condition that the applicant complete a tree survey prior to build.

Moved By: Werner Bols

Seconded By: Christina Vogl

Motion passed unanimously.

Gavel returned to the Chair.

STAFF UPDATE

Erin Wohlitka gave an update on the Development Department staffing situation.

ADJOURNMENT

Jordan Pinkston, Board Secretary

, Chair

**Minutes to be approved at the BOA
Meeting this 27th day of July, 2023.**

CITY OF STUART, FLORIDA AGENDA ITEM REQUEST Board of Adjustment

Meeting Date: 7/27/2023

Prepared by: Jodi Nentwick

Title of Item:

FINAL ORDER OF VARIANCE APPROVAL - PETITION NUMBER Z23060001:

ANNA TROTTER, PETITIONER REQUESTING A VARIANCE FROM SECTION 3.01.03.A.6.A OF THE CITY OF STUART LAND DEVELOPMENT CODE TO ADD ADDITIONAL DRIVEWAY CURB CUT LOCATED AT 301 SE DETROIT AVENUE FOR ADDITIONAL ONSITE PARKING SPACE. THE PROPERTY IS ZONED URBAN CENTER AND LOCATED WITHIN THE COMMUNITY REDEVELOPMENT AREA (CRA).

Summary Explanation/Background Information on Agenda Request:

Anna Trotter, petitioner requesting a variance from Section 3.01.03.A.6.a of the City of Stuart Land Development Code to add additional driveway curb cut along 301 SE Detroit Avenue for additional onsite parking space.

Site Characteristics:

The existing building was constructed in 1925 and is located within the Community Development Area (CRA). The subject property currently has an 812 square foot single-family structure and a detached two (2) car garage with a 480 square foot second floor apartment with two (2) on street parking spaces along SE Osceola Avenue. The subject site is listed in the City's Inventory Book on Historic Properties, thus qualifying for a historic parking credit.

Project History:

On February 6, 2023, the City of Stuart Neighborhood Services issued a Friendly Reminder Notice altering the existing curb cut along SE Detroit Avenue without obtaining a permit. On April 3, 2023, the subject property was officially cited for not complying by a certain date. The property owner entered into a stipulation agreement with the City of Stuart Code Enforcement Magistrate granting a time extension to take the necessary corrective action by June 30, 2023. The property owner has applied for a building permit and was placed on hold waiting for the pending action by the Board of Adjustment.

Funding Source:

N/A

Recommended Action:

The City of Stuart Public Works Department and the Community Redevelopment Agency do not support an additional curb cut located at its current location. If the Board is so inclined to grant a variance, staff recommends the applicant to obtain a signed and sealed plan and traffic movement prepared by a Florida Licensed Traffic Engineer.

ATTACHMENTS:

1. Staff Report
2. Petition Application
3. Public Notice Packet

4. Code Case Packet



TO: Board of Adjustment (BOA)

FROM: Jodi Nentwick-Kugler, Development Director

MEETING DATE: Thursday, July 27, 2023

SUBJECT: **PETITION NUMBER - Z23060001**
Anna Trotter, petitioner requesting a variance from Section 3.01.03.A.6.a of the City of Stuart Land Development Code to add additional driveway curb cut along 301 SE Detroit Avenue for an additional onsite parking space.

GENERAL INFORMATION:

Property Owner/Applicant: Anna Trotter
301 SE Detroit Avenue
Stuart, FL 34994

Location: 301 SE Detroit Avenue, Stuart, FL 34997

Parcel ID#: 04-38-41-006-000-00460-3

Parcel Size: +/-0.11-acres (4,792 square feet)

Future Land Use: Downtown

Zoning District: Urban Center

Existing Use: Single-Family Residence

Surrounding Zoning: Urban Center

I. BACKGROUND

The subject property is located at 301 SE Detroit Avenue, encompassing Lot 46, High School Subdivision. There is currently a single-family home and accessory structure on the property. The owner, Anna Trotter, is requesting to permit an additional curb cut at the corner of SE Detroit Avenue and SE Osceola Avenue to allow for additional onsite parking space along the side yard on SE Osceola Avenue.

The subject parcel is zoned Urban Center (UC) and located within the Community Redevelopment Area (CRA) boundary.

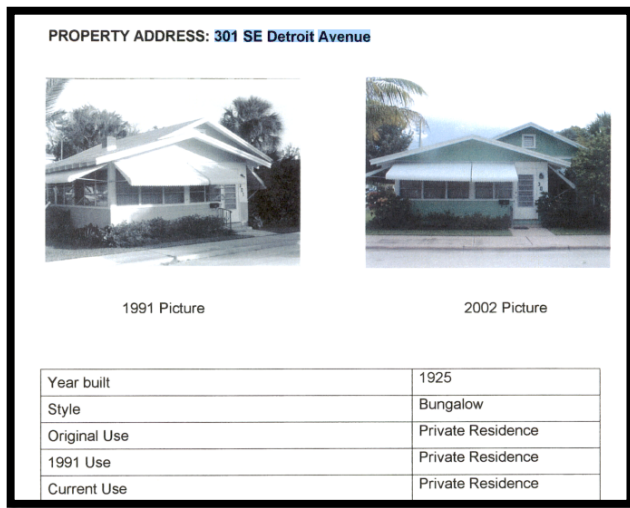
The purpose of the Urban Code is to encourage redevelopment, historic restoration, and infill development, and generally to promote a sense of place within the Urban Code district, by providing standards and development incentives that are not otherwise available. This includes the promotion of traditional building types with arcades, balconies, railings, and porches and the enabling of social interaction on downtown streets. This Urban Code provides for mandated building alignments to define coherent streets spaces, the location of outbuildings at the rear of lots for affordable housing, the visual protection of the streetscape from parking lots, and traditional, historically relevant, durable construction which is harmonious with architectural heritage of downtown Stuart.

The curb cut in question is the subject of an open code case the City of Stuart Neighborhood division (case number CE23020010). The case was opened on February 6, 2023, for not obtaining permit for the additional curb cut.

Site Characteristics:

The existing building was constructed in 1925 and is located within the Community Development Area (CRA). The subject property currently has an 812 square foot single-family structure and a detached two (2) car garage with a 480 square foot second floor apartment with two (2) on street parking spaces along SE Osceola Avenue. The subject site is listed in the City's Inventory Book on Historic Properties, thus qualifies for a historic parking credit.

Historical Photo taken from the from the 2002 Historic Property Survey conducted by the City of Stuart



Project History:

On February 22, 2010, the City Commission approved Resolution Number 20-2010 for a revocable permit to allow the use of the City's public right-of-way to convert an existing parking space along SE Osceola Avenue to an ADA parking space for the use by the general public and the owner of the subject site. The ADA space is needed to convert the residence to an office use. Due to the cost and liability, the ADA space was never converted, and the Resolution has expired.

II. BOARD OF ADJUSTMENT STANDARDS OF REVIEW

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

In review this application for a variance from the City of Stuart Land Development Code (LDC), 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 case of unnecessary hardship upon the following findings by the Board of Adjustment.

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

Goal Statement 1.C – The City shall implement the Stuart Urban Code Overlay Zone in the CRA which provides for adequate parking; encourages the ability of people to live, work, and shop without need of car; defines urban spaces with buildings; creates interesting and pleasant itineraries along sidewalks; conceals parking lots; promotes alternative modes of transportation; and provides for harmony of architectural style.

Urban center (“UC”), inclusive of the “historic downtown,” characterized by relatively dense, walkable, mixed-use, development pattern generally located at or near the established downtown area. The UC is the most urban in terms of density, mix of uses, pedestrian activity, historic restoration, shared parking, and civic/cultural venue.

The urban standards and regulation of “building placement,” “building height,” “parking,” “architectural requirements,” “outbuildings,” “signage,” and “curb cuts” apply to each respective urban subdistrict.

LDC Section 3.01.03.A.3. Parking.

- a. All parking areas shall be located behind the rear façade of the of the principal building or screen from rights-of-way by a street wall, other screening approved by the city development director or landscape buffer.

The property has maintained two (2) parking spaces onsite, which consists of a two (2) car garage located behind the rear façade of the principal building. The applicant’s narrative states the detached garage and upstairs apartment has been occupied by a tenant for over 20 years without any parking issues onsite. Additionally, there are two (2) on street parking spaces along SE Osceola Avenue, that can be utilized by the property owner or the general public. In accordance with the LDC Section 3.01.03.F.2. requires only 1.5 per unit; garages count towards required off-street parking for single-family residences.

LDC Section 3.01.03.6.a. Curb cuts.

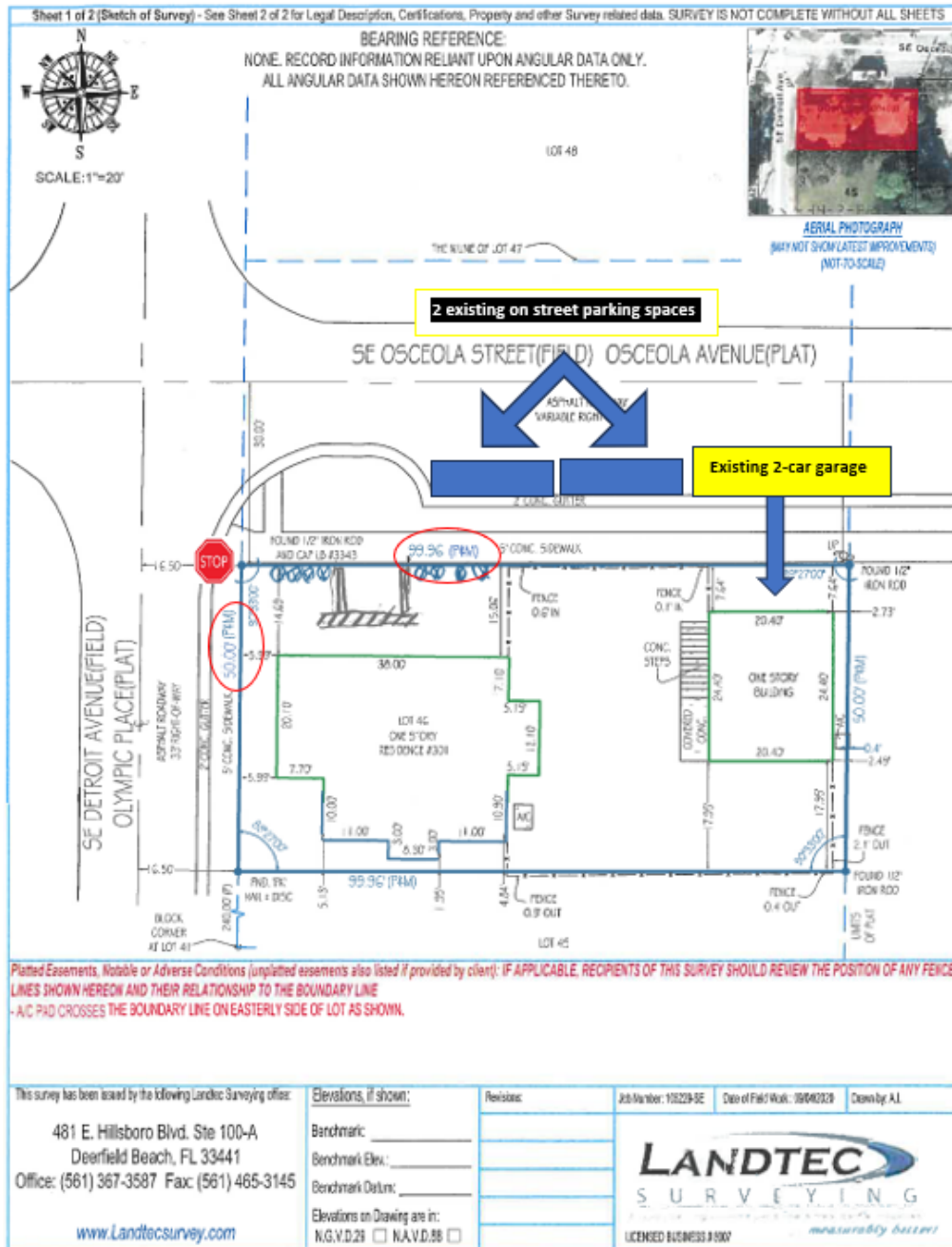
- a. Where buildings do not have alleys in the rear of the property, not more than one curb cut shall be permitted for every 75 feet of frontage.

The petitioner is requesting to install additional curb along SE Detroit Avenue. The minimum distance along SE Detroit Avenue does not meet the minimum 75 feet of frontage and therefore cannot be permitted per the LDC regulations. The existing double wide curb cut is located along SE Osceola Avenue in front of the two (2) car garage and provides adequate space for entering and/or exiting from the two (2) car garage.

Granting the requested variance would be unique and not in compliance with the LDC regulations and visionary within the CRA district.

Exhibit 1, below, presents the location of the existing single-family home and accessory structure:

Exhibit 1: Boundary Survey depicts the location of existing curb cut and parking spaces and proposed curb cut along SE Detroit Avenue



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

The subject parcel is zoned Urban Center (UC) subdistrict, allowing up to maximum of 15 dwelling unit per one (1) acre. The subject parcel is +/- 0.11-acres. Per LDC Section 3.01.03.10., states lot coverage within the Urban Code there shall be no impervious lot coverage requirement; however, all development must meet the requirements of LDC Section 6.03.00 entitled "Stormwater Management".

The subject parcel meets the density and intensity as presented.

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 of 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 in the supply of light and air to adjacent properties is not detrimental and is not applicable to the requested variance.

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

Per LDC Section 3.01.03.10., states lot coverage within the Urban Code there shall be no impervious lot coverage requirement; however, all development must meet the requirements of LDC Section 6.03.00 entitled "Stormwater Management".

Granting the requested variance, the applicant should be required to demonstrate all stormwater management requirements in accordance the LDC Section 6.03.00.

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 creates a potential safety hazard for oncoming vehicles beginning to break for the sign at the intersection of SE Detroit Avenue and pedestrians / bicyclist travesty along the public sidewalk.

The Public Works Department and CRA does not support variance request.

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

City of Stuart Comprehensive Plan Excerpts:

Policy 1.A8.1. The City shall continue to include in the land development regulations specific and detailed provisions required to implement the adopted Comprehensive Plan, and which at a minimum:

- Ensure safe and convenient on-site traffic flow and vehicle parking needs including shared-use parking where appropriate.

Please refer to Number 6.

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

Please refer to Number 6.

PUBLIC NOTIFICATION

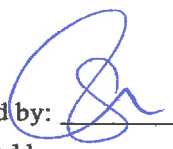
On July 13, 2023, notice to surrounding properties provided notification letters to 43 owners of property located within 300 feet of the proposed petition. One (1) public notification sign detailing the Board of Adjustment Public Hearing was posted on the premises. The Board of Adjustment Public Hearing meeting is not applicable to advertise within the local newspaper.

STAFF RECOMMENDATION

The City of Stuart Public Works Department and the Community Redevelopment Agency does not support an additional curb cut located along SE Detroit Avenue. If the Board is so inclined to grant a variance, staff recommends the applicant to obtain a signed and sealed plan and traffic movement prepared by a Florida Licensed Traffic Engineer.



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

Received by: 
Reviewed by: _____

PO. ac
6/4/23

Variance Application

Project ID# 223060001
(Staff Entry)

Pre-App Conference Date:	Application Date:
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SITE INFORMATION

Project Name: <u>PARKING SPOT - 301 SE DETROIT</u>	Parcel ID#: <u>04-38-41-006-000-00460-3</u>
Site Address: <u>301 SE DETROIT AVE</u>	
Subdivision:	Lot(s): <u>HIGH SCHOOL, LOT 16</u>
Site Acreage: <u>.1148</u>	Flood Zone/Base Flood Elevation:
Existing Zoning District / CRA Subdistrict (if applicable):	<u>URBAN CENTER</u>
Proposed Zoning District / CRA Subdistrict (if applicable):	<u>URBAN CENTER</u>
Current Comprehensive Plan Future Land Use Designation:	<u>NO CHANGE</u>
Proposed Comprehensive Plan Future Land Use Designation (if applicable):	<u>NO CHANGE</u>
Existing Land Use: <u>0110-0110 SINGLE FAMILY TWP</u>	Proposed Land Use: <u>SAME</u>
Proposed Square Footage (if applicable):	Proposed Density (if applicable): <u>N/A</u>
Variance Request (check the box below that applies):	
☒ Board of Adjustment Variance	☐ Administrative Variance

PETITIONER INFORMATION

Property Owner: <u>TROTTER, ANNA</u>	Phone Number / Email Address:
Property Owner's Mailing Address: <u>301 SE DETROIT AVE, STUART, FL 34994</u>	
Applicant (if not Owner):	Phone Number / Email Address:
Applicant's Mailing Address:	
Agent/Contact Person: <u>MARK BRECHBILL</u>	Phone Number / Email Address: <u>(772) 631-4800</u>
Agent's Mailing Address: <u>208 SE OSCEOLA ST, STUART, FL 34994</u>	
Architect: <u>N/A</u>	Engineer: <u>CAPTEL</u>
Planner: <u>N/A</u>	Landscape Architect: <u>N/A</u>

Statement of Ownership and Designation of Authorized Agent

(Please Print or Type)

Before me, the undersigned authority, personally appeared ANNA TROTTER

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 BOA HALOSHIP VARIANCE - PARKING SP-1 in the City of Stuart, FL.
3. That he/she has appointed MARK BRECHBILL to act as an authorized agent on his/her behalf to accomplish the above project.

Name of Owner: <u>ANNA TROTTER</u>	
<u>Anna Trotter</u> Signature of Owner:	<u>ANNA TROTTER, Owner</u> By: Name/Title
<u>301 SE DETROIT AVE</u> Street Address	<u>STUART, FL 34994</u> City, State, Zip Code
<u>N/A</u> P.O. Box	<u>N/A</u> City, State, Zip Code
<u>(772) 919-1298</u> Telephone Number	<u>N/A</u> Fax Number

Email Address: _____

STATE OF FLORIDA, COUNTY OF Martin

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

6th day of June, 2023 By Anna D. Trotter

Personally Known OR Produced Identification
Type of Identification Produced:

Darcee M. Pilarski
Notary Public

My Commission expires:

07/18/2026



DARCEE M. PILARSKI
Commission # HH 288146
Expires July 18, 2026

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:	ANNA TROTTER
Title:	OWNER
Company:	
Company Address:	

City/State/Zip Code:	STUART, FL 34994
Telephone Number:	(772) 919-1298
Facsimile Number:	N/A
Email Address (optional):	

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

1. Signed this 6th day of June, 2023.

Anna D. Trotter

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

Application Requirements

Fee:

- ☐ \$104.00 Administrative Variance Approval; or
☒ \$852.00 Board of Adjustment Approval

(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)

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:

- 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:
 - 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; andWhere 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.

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.

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.

Anna Trotter
301 SE Detroit Ave
Stuart, FL 34994

Ms. Jodi Nentwick-Kugler
121 SW Flagler Ave
Stuart, FL 34994

Dear Ms. Nentwick-Kugler:

I am a resident and the owner of the home at 301 SE Detroit Ave; an historic home built in the mid 1920s, which I have recently renovated (see pictures attached). The home is on a standard 50 by 100 corner lot with the home facing Detroit (50 feet) and the side of the property facing Osceola (100 feet). The property has two structures: a main house that faces Detroit and is approximately 1,000 sq. ft.; and a second structure, a two story carriage house with a small (450 sq. ft.) apartment over the carriage house. This property has a second address, 208 SE Osceola St., and is currently occupied by a tenant, and has been for at least the last 20 years.

Since the carriage house was built long before modern vehicles, it is too small to accommodate today's larger vehicles, and it is the only parking on the property. The driveway to the carriage house is only about 12 feet long, and half of that is City sidewalk, so I cannot park a car in my driveway without blocking the sidewalk. Currently I am forced to find on street parking when I return from the grocery store or doctor's office. Recently, a large apartment project, The Elizabeth, was approved next to my home. That project was given a parking variance of approximately 60 parking spaces, and was allowed to count the on street parking in front and on the side of my home as "their" parking to meet the projects parking requirements.

Without parking on my property, I will be left to try and find a parking spot on the street, which depending on the activities taking place in my part of the City, may mean parking blocks away from my home, with no way to protect my vehicle. Additionally, I am in my 70s, so carrying grocery bags or supplies back and forth to my car could be exhausting. Finally, as my driveway looks like part of the sidewalk, if I try to park my car at the back of my property, cars park, blocking the driveway, thinking it is a parking space, and I cannot get my car off my property in case of an emergency. Therefore, I am requesting that the City grant me a small variance to allow a parking space in the front of my property. It would be large enough to fit a normal size car and would enter and exit off of Detroit, changing the curb from an "F" curb to an "E" curb that would allow me to park on my property and exit in case of an emergency.

I certainly appreciate your consideration of this hardship variance. I have tried to ask for only the smallest variance possible, but if you see another way to accomplish my goal, I would welcome any suggestions or changes. All I want is a place to park my car on my property.

Very Truly Yours,

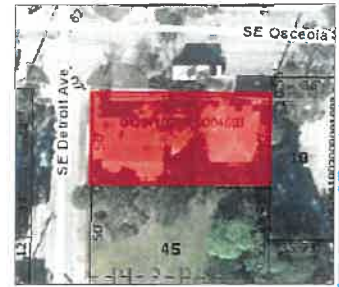


Anna Trotter

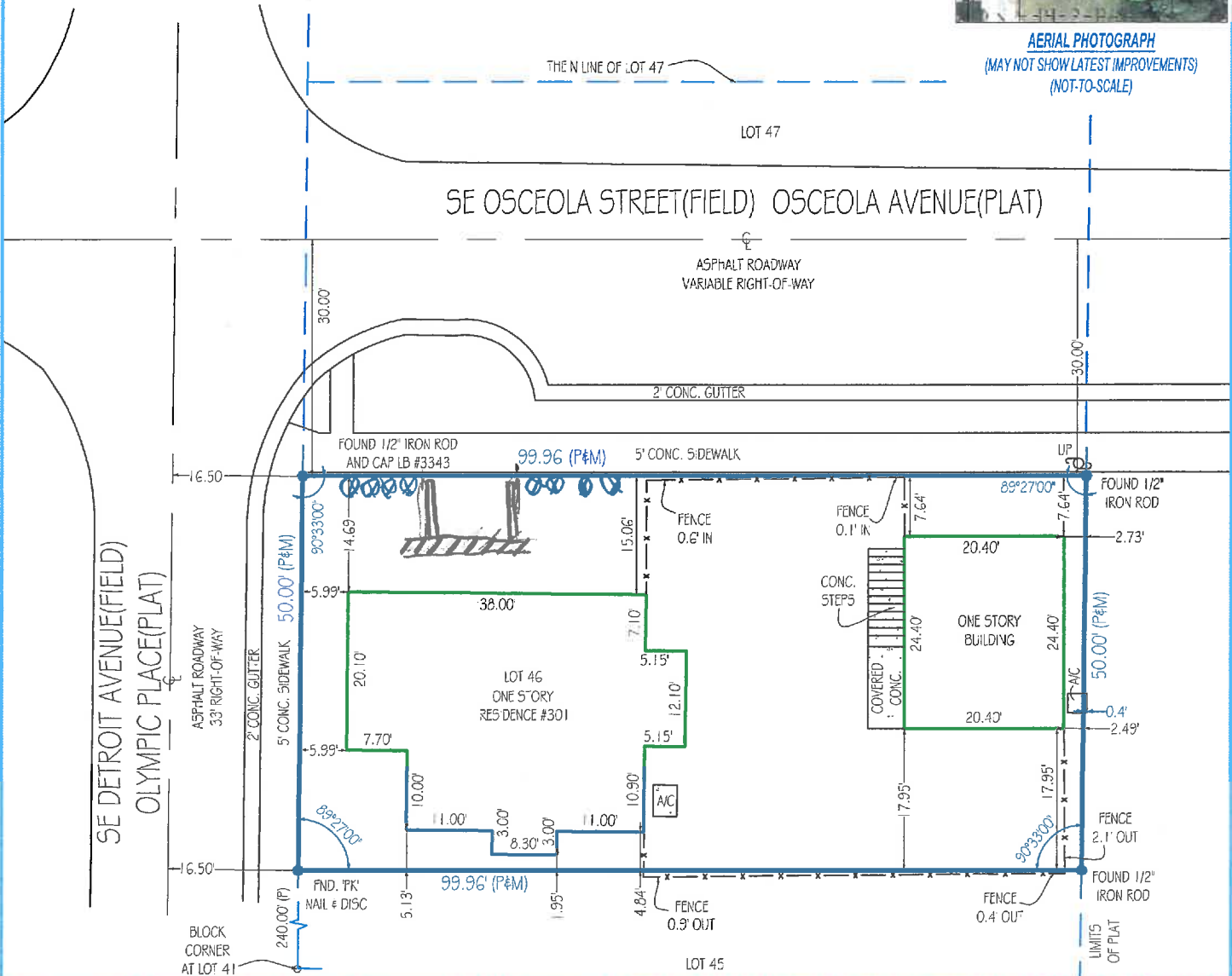


SCALE: 1"=20'

BEARING REFERENCE:
NONE. RECORD INFORMATION RELIANT UPON ANGULAR DATA ONLY.
ALL ANGULAR DATA SHOWN HEREON REFERENCED THERETO.



AERIAL PHOTOGRAPH
(MAY NOT SHOW LATEST IMPROVEMENTS)
(NOT-TO-SCALE)



Platted Easements, Notable or Adverse Conditions (unplatted easements also listed if provided by client): IF APPLICABLE, RECIPIENTS OF THIS SURVEY SHOULD REVIEW THE POSITION OF ANY FENCE LINES SHOWN HEREON AND THEIR RELATIONSHIP TO THE BOUNDARY LINE
- A/C PAD CROSSES THE BOUNDARY LINE ON EASTERLY SIDE OF LOT AS SHOWN.

This survey has been issued by the following Landtec Surveying office:

481 E. Hillsboro Blvd. Ste 100-A
Deerfield Beach, FL 33441
Office: (561) 367-3587 Fax: (561) 465-3145

www.Landtecsurvey.com

Elevations, if shown:

Benchmark: _____

Benchmark Elev.: _____

Benchmark Datum: _____

Elevations on Drawing are in:

N.G.V.D.29 ☐ N.A.V.D.88 ☐

Revisions:

Job Number: 106229-SE

Date of Field Work : 09/04/2020

Drawn by: A.I.

LANDTEC
SURVEYING

LICENSED BUSINESS # 8007

measurably better

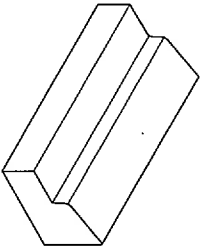


GENERAL NOTES:

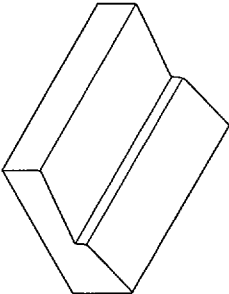
- 1. For curb, gutter and curb & gutter provide $\frac{1}{8}$ " - $\frac{1}{4}$ " contraction joints at 10' centers (max.). Contraction joints adjacent to concrete pavement on tangents and flat curves are to match the pavement joints, with intermediate joints not to exceed 10' centers.
- 2. Locate expansion joints for curb, gutter and curb & gutter in accordance with Specification 520.

TABLE OF CONTENTS:

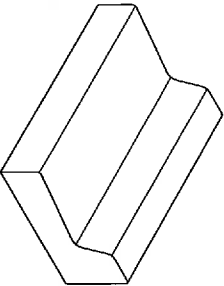
Sheet	Description
1	General Notes and Contents
2	Concrete Curb and Gutter
3	Curb and Gutter Joints and Endings, Concrete Bumper Guard, and Asphaltic Concrete Curb



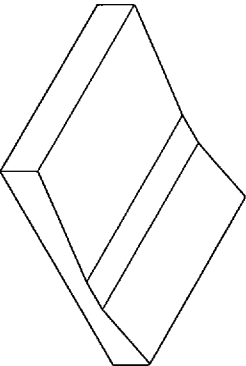
TYPE A



TYPE E

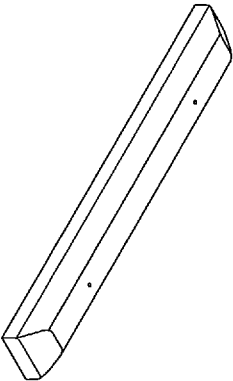


TYPE F



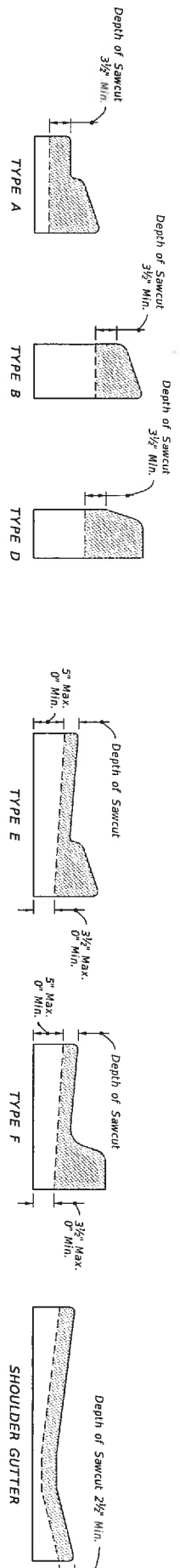
SHOULDER GUTTER

TYPE A, TYPE E, TYPE F, AND SHOULDER GUTTER
(Other Types Similar)



CONCRETE BUMPER GUARD

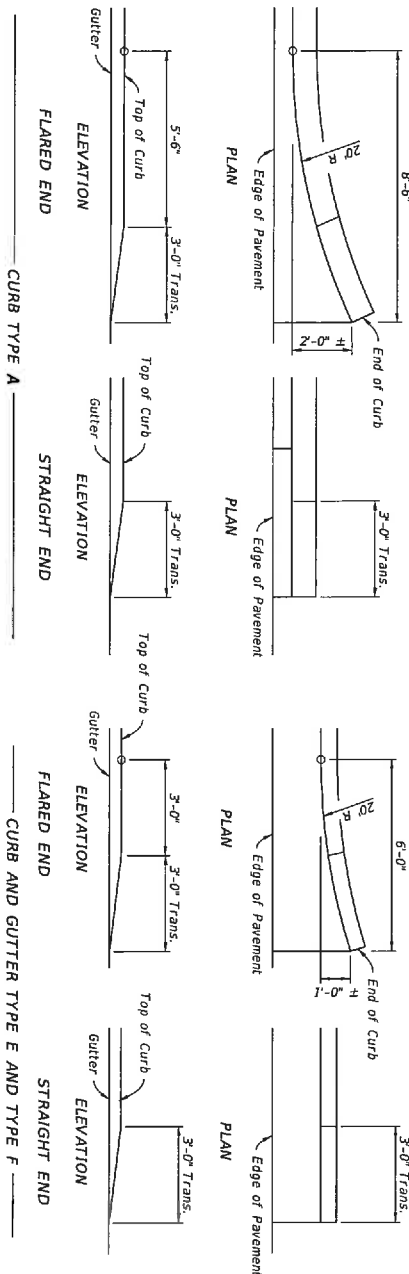
LAST REVISION 11/01/21	DESCRIPTION:	FY 2023-24 STANDARD PLANS	CURB AND GUTTER	INDEX 520-001	SHEET 1 of 3
------------------------------	--------------	------------------------------	-----------------	------------------	-----------------



NOTE: Sawcuts should be avoided within valley gutter and within curb and gutter endings

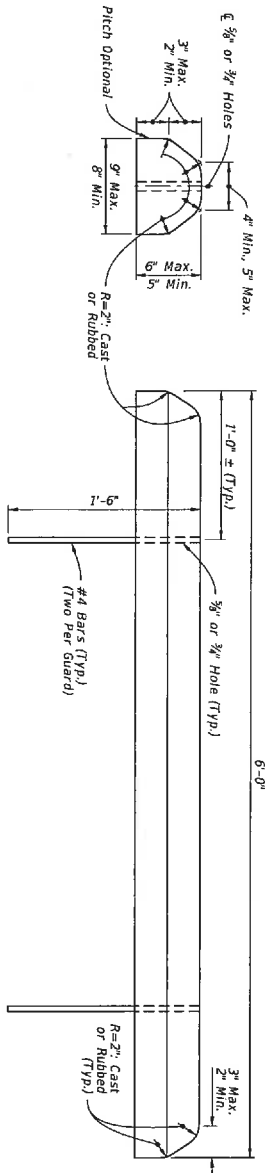
CONTRACTION JOINTS IN CURB

CONTRACTION JOINTS IN CURB & GUTTER



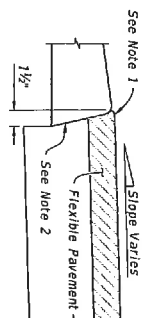
NOTE: Ends of Type B and D Curb transition from full to zero heights in 3 ft.

CURB AND CURB & GUTTER ENDINGS



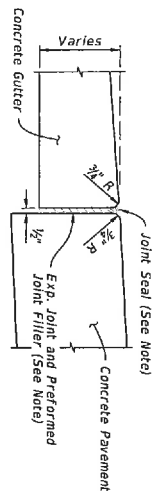
CONCRETE BUMPER GUARD

ASPHALTIC CONCRETE CURB



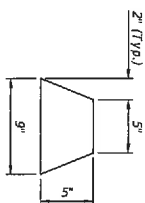
EXPANSION JOINT BETWEEN GUTTER AND CONCRETE PAVEMENT

NOTE: Joint Seal application applies to both high and low sides of pavement, low side shown.



NOTES:

1. Surface on Low Side of Pavement to be $\frac{1}{4}$ " Above Lip of Gutter. Surface on High Side to be Flush With Lip of Curb & Gutter.
2. Applies to both high and low sides of pavement, low side shown. Applies to shoulder gutter only where adjoining traffic lanes.

CURB AND GUTTER AND TYPE A CURB
ADJACENT TO FLEXIBLE PAVEMENT

LAST REVISION 11/01/21 REVISION	DESCRIPTION:	 FY 2023-24 STANDARD PLANS CURB AND GUTTER	INDEX 520-001	SHEET 3 of 3
--	-------------------------	--	--	---



Thank you. The following payment has been successfully submitted.

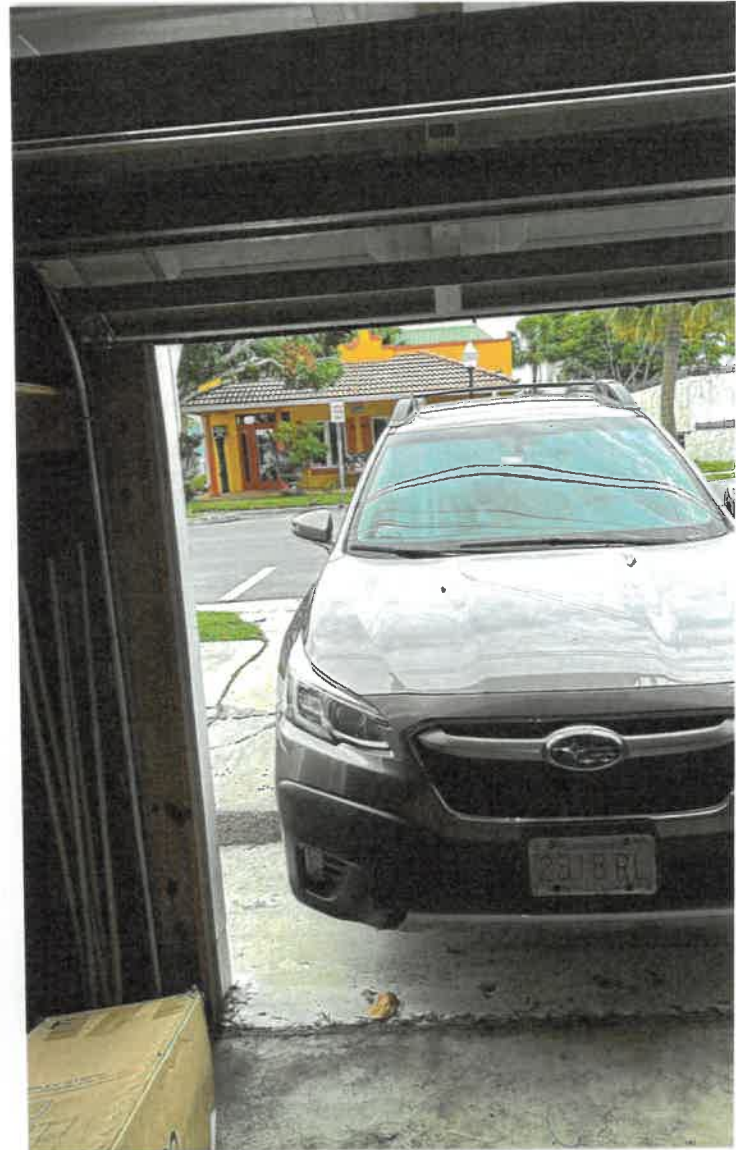
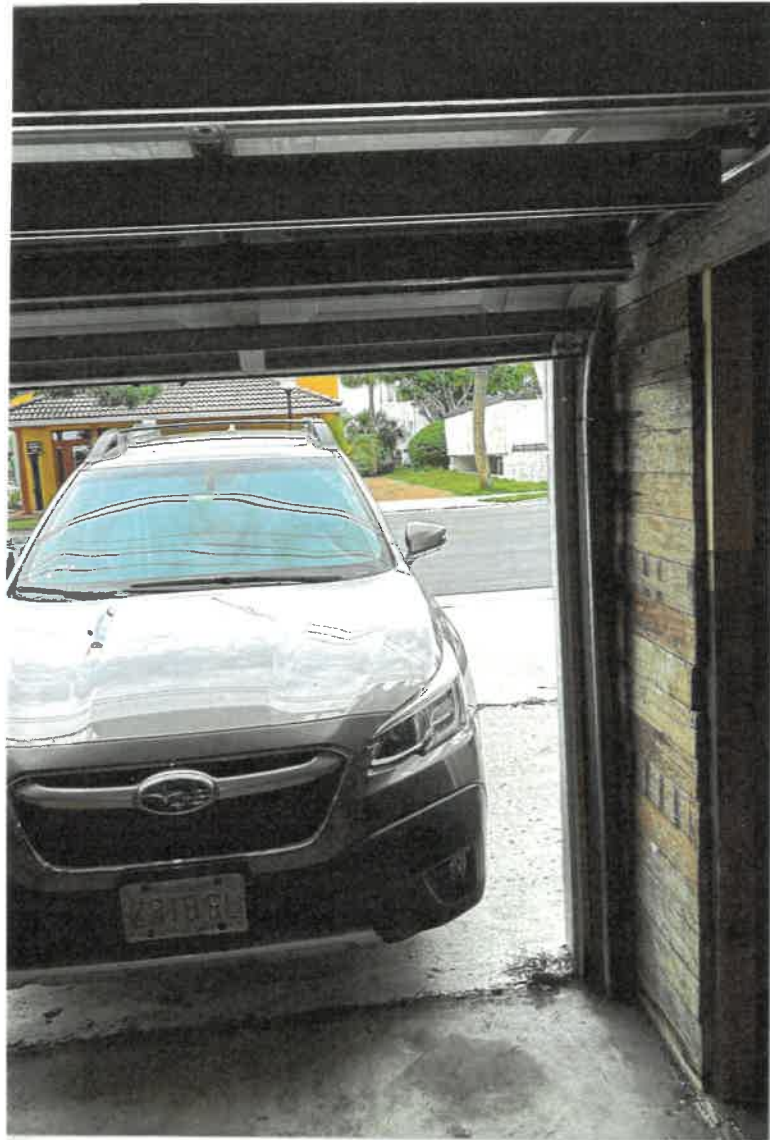
Payment Submitted

Confirmation number: 3056566654
Payment Date: Jun 06, 2023 2:13:37 PM
Payment Type: Miscellaneous Billing
Account Number: ~~VARIANCE~~ 223060001
Payment Method: Visa
Card Number: *****8327
Payment Amount: \$852.00
Total Amount Charged: \$852.00

ACCSB2023/05/06/

223060001









City of Stuart
Development Department
121 SW Flagler Avenue
Stuart, FL 34994
Ph. 772-288-5300
Fax 772-288-5388

AFFIDAVIT ATTESTING TO NOTIFICATION

Anna Trotter, being first duly sworn, depose(s) and say(s):

That (I am / we are) the owner(s) or petitioner(s) of the following described property which constitutes the location for which notification is required:

Petition Number: Z23060001
301 SE Detroit Avenue, Stuart, Florida 34994

That a copy of the notice was sent by regular U.S. Mail on (July 13, 2023) to the property owners within 300 feet of the subject property; and

That a list of the property owners and their addresses is on file with the City of Stuart; and

That a photograph showing the placement of the notification sign be made a part of this Affidavit; and

That notice was sent, and the property was posted 15+ days prior to the scheduled public hearing(s) for this item.

Anna D. Trotter
SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

SIGNED (PROPERTY OWNER / AUTHORIZED AGENT)

STATE OF FLORIDA, COUNTY OF Martin
Sworn and subscribed before me by means of X physical presence or _____
online notarization, this 19th day of July, 2023 By
Anna Trotter
Personally Known OR Produced Identification

N/A
Type of Identification Produced:

Notary Public, State of Florida
(Notary Seal)

My Commission expires:



DARCEE M. PILARSKI
Commission # HH 288146
Expires July 18, 2026

07/18/2026

Notice to Surrounding Property Owners
within 300 Linear Feet of the Subject Property

Subject:

Public Hearing Before:
Board of Adjustment

Petitioner:

Petition Number: Z23060001
Anna Trotter

Parcel ID #:

04-38-41-006-000-00460-3

Address of Property:

301 SE Detroit Avenue

Proposed Request:

The petitioner is requesting a variance from Section 3.01.03.A.6.a. of the City of Stuart Land Development Code to add additional driveway curb along Detroit Avenue for additional onsite parking for an existing single-family residence located at 301 SE Detroit Avenue.

Dear Property Owner:

Please be advised that the City of Stuart will conduct a Public Hearing before the Board of Adjustment on **Thursday, July 27, 2023, at 5:30 P.M.** to consider the above request.

The public hearing(s) will take place in the Stuart City Hall Commission Chambers, located at 121 S. W. Flagler Avenue in Stuart.

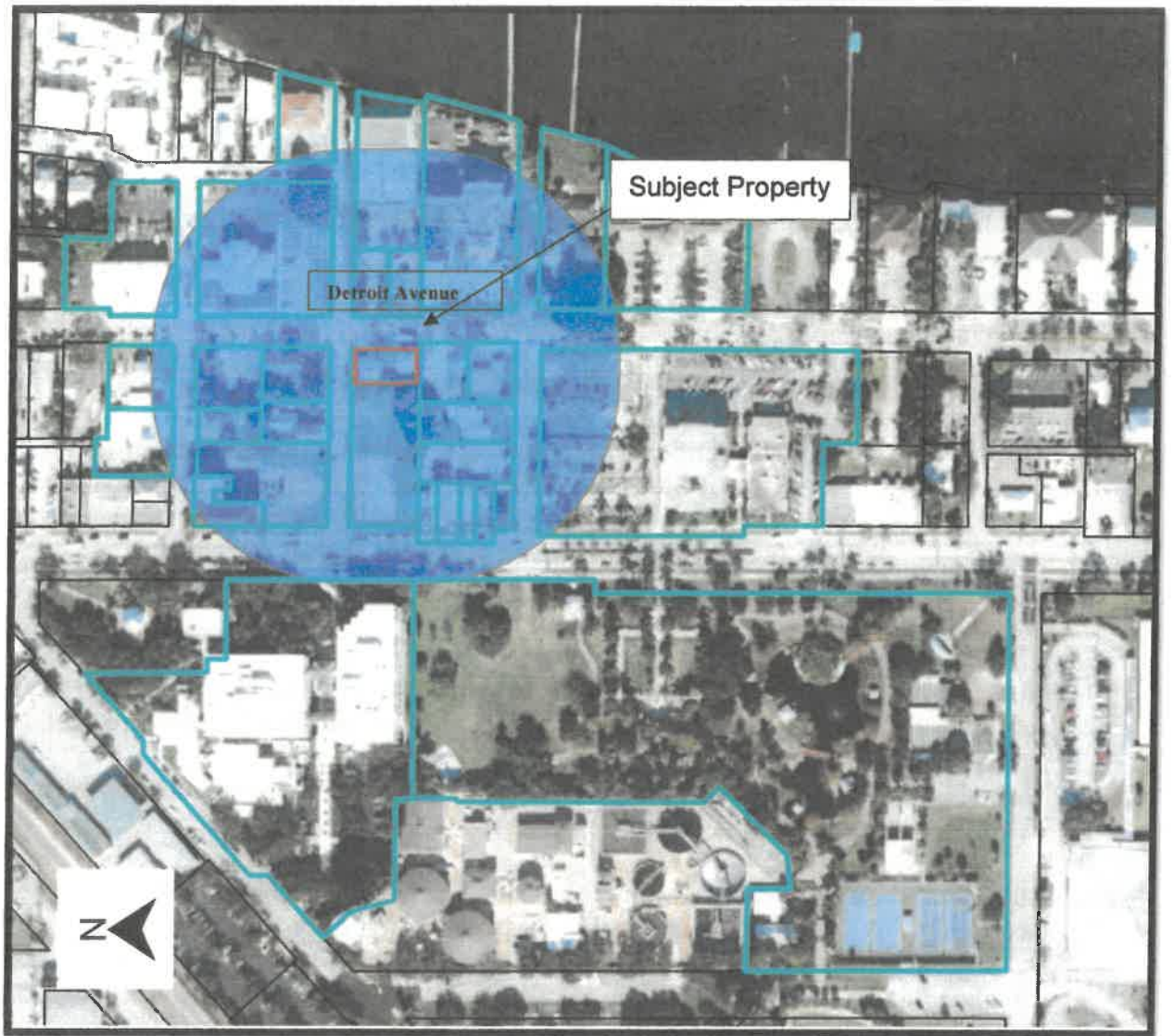
All interested parties and citizens may appear and be heard as to any and all matters pertinent to the request. A copy of the application is available for inspection at the Office of the City Development Department located at 121 S.W. Flagler Avenue in Stuart. If you have any questions regarding this notice, please feel free to call the Development Department at (772) 2888-5328, Monday thru Friday from 8:30 A.M. – 5:00 P.M.

Sincerely,

Jodi Nentwick-Kugler

Jodi Nentwick-Kugler
Development Director
jnentwick@ci.stuart.fl.us

Location Map



**CITY OF STUART BOARD OF ADJUSTMENT
PUBLIC HEARING AGENDA
NOTICE OF PROPOSED VARIANCE REQUEST
THURSDAY, JULY 27, 2023 AT 5:30 P.M.
ADDRESS LOCATION: 301 DETROIT AVENUE**

Purpose: Anna Trotter, petitioner requesting for a variance from Section 3.01.03.A.6.a of the City of Stuart Land Development Code to add additional driveway curb, cut along Detroit Avenue for additional parking onsite.

STUART CITY HALL 121 SW FLAGLER AVE 772-288-5326 8:30 AM- 4:00 PM
VISIT WWW.CITYOFSTUART.US FOR MORE INFORMATION



Basic Info

PIN	AIN	Situs Address	Website Updated
04-38-41-006-000-00460-3	21369	301 SE DETROIT AVE STUART FL	2/22/23

General Information

Property Owners TROTTER ANNA	Parcel ID 04-38-41-006-000-00460-3	Use Code/Property Class 0110 - 0110 Single FamilyTransitional
Mailing Address 301 SE DETROIT AVE STUART FL 34994	Account Number 21369	Neighborhood 30200 Downtown Stuart N of E Ocean
Tax District STUART	Property Address 301 SE DETROIT AVE STUART FL	Legal Acres 0.1148
	Legal Description HIGH SCHOOL, LOT 46	Ag Use Size (Acre\Sq Ft) N/A

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2022	\$ 154,454	\$ 156,130	\$ 310,584	\$ 26,120	\$ 284,464	\$ 50,000	\$ 234,464

Market values shown on the website reflect market conditions as of January 1st, the statutory assessment date. We are prohibited by law from relying on sales that occur after the January 1 assessment date. Therefore, market values shown on the website do not reflect today's market conditions, but rather the market conditions last year. In addition, the statutes require the county Property Appraiser to deduct for typical costs of sale (which include expenses such as commissions, title insurance, appraisals, inspection fees, etc.) when arriving at market value for tax purposes. That is why the market value for tax purposes is different from what a property would sell for today.

Current Sale

Sale Date 9/8/20	Grantor (Seller) COURTHOUSE COMMONS LLC	Doc Num 2837310
Sale Price \$ 350,000	Deed Type Wd Full Covenant and Warranty Deed	Book & Page <u>3157 1625</u>

Legal Description

HIGH SCHOOL, LOT 46
<i>The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.</i>

CITY EXHIBIT 1

043841006000004603

**City of Stuart
Code Enforcement Division**

Date: 2/6/2023

Address: 301 SE Delmont Ave
Stuart FL 34994

A FRIENDLY REMINDER

YOU ARE IN VIOLATION OF THE CITY ORDINANCE(S) LISTED BELOW:

The Code Enforcement Division asks for your immediate cooperation in complying with your violation(s).
FAILURE TO COMPLY WITHIN 10 DAYS COULD RESULT IN FINES AND A SUMMONS TO APPEAR IN FRONT OF THE MAGISTRATE.

☐ **Duty to keep property mowed and maintained**

☐ **NO PARKING OR STORING** of motor vehicles, vessels, travel trailers, motorhomes, light utility trailers, or recreational vehicles in rear yard on any premises. **No parking or storing** in front or side yard *unless*, on an approved paved surface. No vehicle shall be in a state of major disassembly or disrepair.

☐ **Breeding conditions prohibited.** Swimming pools must be maintained and chlorinated.

☐ **Duty to keep land free from the accumulation thereon** of dead and dying trees and limbs and any other flora; rubbish, trash and other refuse including but not limited to; discarded appliances, furniture, tools, machinery, equipment, metal goods or other solid waste.

☒ **Other** Parking space - work without
Permit.
Destroyed curb.

When complied please call:

Code Enforcement Officer

(772) 600-1254

Deborah Canasco

CITY EXHIBIT 2

Stuart CODE AND ORDINANCE VIOLATION NOTICE

NO: CE 23020010 CITATION NO. **S03893**

TO THE OWNER, LESSEE, TENANT, OCCUPANT OR PERSON IN CHARGE OF THE PROPERTY/VEHICLE DESCRIBED BELOW:

NAME: Anna Trotter

PREMISE ADDRESS: 301 SE Detroit Ave.

VEHICLE MAKE _____ MODEL _____ LICENSE _____ STATE _____

PLEASE TAKE NOTICE THAT ON (Date): 2/6/23 (Time): 8:40
YOU WERE FOUND IN VIOLATION OF:

ORDINANCE(S) # <u>105.1</u> # _____ # _____	
SPECIFICALLY THE VIOLATION CONSISTS OF:	
☐ ILLEGALLY PARKED OR INOPERABLE VEHICLE(S) ON	
☐ PROPERTY ☐ STREET	FINE \$ _____
☐ UNPERMITTED EVENT	FINE \$ _____
☐ TRASH	FINE \$ _____
☐ HIGH GRASS OR WEEDS	FINE \$ _____
☐ LITTERING ☐ LITTERING BY HANDBILLS	FINE \$ _____
☐ NOISE	FINE \$ _____
☒ WORK WITHOUT A PERMIT	FINE \$ <u>500.00</u>
☐ OTHER _____	FINE \$ _____
ADDITIONAL DESCRIPTION OF VIOLATION: <u>All fees Apply</u> <u>Restore curb only resolve</u>	

THE ABOVE LISTED CHARGE(S) MUST BE PAID WITHIN 10 DAYS TO AVOID ANY FURTHER ACTION. TO PAY THE INDICATED FINE(S) MAIL OR RETURN IN PERSON YOUR SIGNED COPY OF THE VIOLATION ALONG WITH A CHECK TO:

CITY OF STUART
121 SW Flagler Avenue, Stuart, FL 34994
8:00 AM until 4:00 PM, Monday through Friday,
except holidays, or by phone at 772-600-1254

IN LIEU OF PAYING THE FINE YOU MAY CONTEST THE CITATION AND REQUEST TO APPEAR BEFORE THE MAGISTRATE. IF YOU WISH TO CONTEST THE CITATION, YOU MUST DO SO BY CALLING THE CODE CLERK AT 772-600-1254 WITHIN TEN (10) DAYS OF THE ISSUANCE OF THIS CITATION. IF YOU FAIL TO CONTEST THE CITATION WITHIN 10 DAYS, OR FAIL TO APPEAR AT THE HEARING TO CONTEST THE CITATION, OR IF YOU FAIL TO PAY THE FINE, YOU SHALL BE DEEMED TO HAVE WAIVED YOUR RIGHT TO CONTEST THE CITATION AND A MAGISTRATE'S ORDER MAY BE ENTERED AGAINST YOU FOR AN AMOUNT UP TO THE MAXIMUM CIVIL PENALTY ESTABLISHED BY ORDINANCE, PLUS COSTS.

ISSUING OFFICER: Sebrach Canuso ID# _____

SIGNATURE OF VIOLATOR: _____ DATE 2/6/23

CITY EXHIBIT 3



CITY EXHIBIT 4



CITY EXHIBIT 5



CITY EXHIBIT 10



City of Stuart

February 22, 2023

Anna Trotter
301 SE Detroit Ave.
Stuart, FL 34994

Re: Code Violation(s)
301 SE Detroit Ave.
PCN: 0438410060000046030000

To Whom This May Concern:

Please be advised we have noticed a violation regarding the above-mentioned property. You are in violation of City of Stuart **Florida's Land Development Code Sec. 105 Permits 105.1 Required.** a copy of the ordinance is enclosed.

This letter is a friendly reminder that this violation must be corrected by **March 1, 2023**, and this office notified of the date of compliance. If you choose not to comply by **March 1, 2023**, a Notice of Violation and Summons will be issued on your behalf.

We thank you for your cooperation. If you have any questions or concerns, please feel free to contact me at (772) 600-0118. Ext. 3950

Sincerely,

Deborah Carrasco
Code Enforcement
Encl

CITY EXHIBIT 7



**CITY OF STUART
NEIGHBORHOOD SERVICES**

121 SW FLAGLER AVE
STUART, FL 34994-2139

NOTICE OF VIOLATION

Apr 03, 2023

**TROTTER, ANNA
301 SE DETROIT AVENUE
STUART, FL 34994**

Case #: CE23020010

You are hereby notified that the following violation(s) of the Code of Ordinances and/or the Land Development Regulations of the City of Stuart exists on the property listed:

ADDRESS: 301 SE DETROIT AVE	OBSERVATION DATE: 02/06/23
PARCEL ID #: 0438410060000046030000	CORRECTION DATE: 04/03/2023
VIOLATION(S) 105.1	
AND CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, DEMOLISH OR INSTALL WITHOUT A PERMIT.	
CORRECTIVE Correction: 105.1	
ACTIONS: OBTAIN REQUIRED PERMIT.	

NOTICE OF HEARING SUMMONS

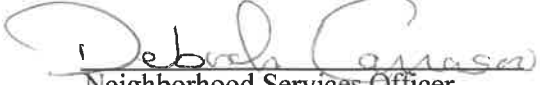
Failure to correct the violation(s) by the above date will result in a presentation of this matter at a hearing before the Neighborhood Services Magistrate on **04/19/2023 at 2PM** in the City of Stuart Commission Chambers located at 121 SW Flagler Avenue, Stuart, Florida. The violation charged is a civil infraction and subjects you to a maximum civil penalty of up to \$250 per offense, per day, for repeat violations.

The Neighborhood Services Magistrate will receive testimony and evidence at said Hearing and make Findings of Fact, as supported by the testimony and evidence pertaining to matters alleged in the Notice of Violation. You are entitled to present evidence and witnesses at the Hearing.

FAILURE to appear will result in the Magistrate proceeding in your absence. All fines constitute liens against the Real and Personal Property of the Respondent. Please govern yourself accordingly

An administrative fee of \$300.00 will be assessed if you should fail to comply by the correction date above.

Should you require additional information regarding this notice, please contact Neighborhood Services at (772) 288-5325 or (772) 600-1254.


Neighborhood Services Officer
Vito Lorenzo / Deborah Carrasco

7621272000163736762
Certified Mail #

CITY EXHIBIT 8

7021 2720 0001 6373 0762

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®

OFFICIAL USE

Certified Mail Fee
\$

Extra Services & Fees (check box, add fee as appropriate)
☐ Return Receipt (hardcopy) \$
☐ Return Receipt (electronic) \$
☐ Certified Mail Restricted Delivery \$
☐ Adult Signature Required \$
☐ Adult Signature Restricted Delivery \$

Postage
\$

Total Postage and Fees
\$

Sent To
A. Trotter
Street and Apt. No., or PO Box No.
301
City, State, ZIP+4®

Postmark
Here
4/3/23

PS Form 3800, April 2015 PSN 7530-02-000-0047 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3.

■ Print your name and address on the reverse so that we can return the card to you.

■ Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Anna Trotter
301 SE Detroit Ave.
Stuart FL. 34994

2. Article Number (Transfer from service label)

7021 2720 0001 6373 0762

PS Form 3811, July 2020 PSN 7530-02-000-9053

Domestic Return Receipt

COMPLETE THIS SECTION ON DELIVERY

A. Signature
X *Anna Trotter*
☐ Agent
☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery
APR 07 2023

D. Is delivery address different from item 1?
If YES, enter delivery address below:

☐ Yes
☐ No

CODE ENFORCEMENT
CITY OF STUART

3. Service Type
☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

CITY EXHIBIT 9

Page 46 of 52



CITY EXHIBIT 10



STATE OF FLORIDA
COUNTY OF MARTIN

I, the undersigned, duly appointed City Clerk of the
City of Stuart, Florida, HEREBY CERTIFY that this is
a true and correct copy of the original.

Signature: Maya R. Kindel
CITY CLERK

DATE 6/8/2023

PCN: 0438410060000046030000

CITY OF STUART, FLORIDA
CODE ENFORCEMENT MAGISTRATE

Case No. 23020010

CITY OF STUART, FLORIDA,
Petitioner,

v.

Anna Trotter

Respondent(s).

STIPULATION AND AGREED ORDER

STIPULATION

The City of Stuart, Florida and the Respondent(s), hereby stipulate and agree to the following:

1. The persons signing this Stipulation have the authority to enter into the Stipulation and bind the respective parties to the terms contained herein.
2. The violations that are more fully described in the Notice of Violation/Notice of Hearing filed in this case do exist at the property which is located at: 301 SE Detroit Ave Stuart FL and described therein, and the legal description of the property is attached as Exhibit "A."
3. The Respondent is granted until ~~May 16, 2023~~ June 30, 2023 WJW to take the necessary corrective action to bring the property into compliance with the cited sections of the City of Stuart Code of Ordinances, or Florida Building Code, as applicable, and as described in the Notice of Hearing/ Notice of Violation attached hereto as Exhibit "B."
4. If the Respondent does not correct the violations(s) and bring the property into compliance as set forth in section 3, a civil penalty of **\$250.00 per violation, per day** shall accrue for each day the violation continues after the compliance date. **Fines and costs may result in a lien being placed on any real or personal property owned by Respondent.**
5. Administrative costs in the amount of **\$0.00 shall be paid by the Respondent to the City with the filing of this Stipulation.** In accordance with Sec.162.09, Florida Statutes, a hearing is not necessary for the issuance of an order imposing the fine, and no additional notification will be sent. Additional costs may be assessed for the later prosecution of this case if the Respondent fails to comply with this Stipulation.

6. The Respondent approves this Stipulation, and requests the Magistrate enter the Agreed Order which requires the Respondent to correct the violations and bring the property into compliance or be liable for the fines and additional costs described above.
7. The Respondent bears the burden of contacting the City's Code Enforcement Division at 772-600-1254 to arrange for a re-inspection of the property in order to verify that any violations have been corrected and that the property has been brought into compliance with the applicable sections of the City or Building Code.

CITY OF STUART, FLORIDA
CODE ENFORCEMENT DIVISION

By: Deborah Carrasco

Date: May 8th 2023

RESPONDENT(S)

By: _____

By: Cinna Foster

Date: May 8, 23

AGREED ORDER

THIS MATTER came before the Magistrate on June 1, 2023, and having been fully advised of the premises;

IT IS HEREBY ORDERED that the above Stipulation is approved and the parties shall abide thereby, and

IT IS FURTHER ORDERED that the Respondent shall fully comply with the terms above or shall be liable for the fine established in the Stipulation and that costs in this case shall be assessed and paid to the City as provided above.

W. W. W.
Magistrate

Copy furnished to the parties by: U.S. Mail / Hand Delivery / Fax



Basic Info

PIN	AIN	Situs Address	Website Updated
04-38-41-006-000-00460-3	21369	301 SE DETROIT AVE STUART FL	5/31/23

General Information

Property Owners TROTTER ANNA	Parcel ID 04-38-41-006-000-00460-3	Use Code/Property Class 0110 - 0110 Single FamilyTransitional
Mailing Address 301 SE DETROIT AVE STUART FL 34994	Account Number 21369	Neighborhood 30200 Downtown Stuart N of E Ocean
Tax District STUART	Property Address 301 SE DETROIT AVE STUART FL	Legal Acres 0.1148
	Legal Description HIGH SCHOOL, LOT 46	Ag Use Size (Acre\Sq Ft) N/A

Current Value

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	Total County Exemptions	County Taxable Value
2022	\$ 154,454	\$ 156,130	\$ 310,584	\$ 26,120	\$ 284,464	\$ 50,000	\$ 234,464

Market values shown on the website reflect market conditions as of January 1st, the statutory assessment date. We are prohibited by law from relying on sales that occur after the January 1 assessment date. Therefore, market values shown on the website do not reflect today's market conditions, but rather the market conditions last year. In addition, the statutes require the county Property Appraiser to deduct for typical costs of sale (which include expenses such as commissions, title insurance, appraisals, inspection fees, etc.) when arriving at market value for tax purposes. That is why the market value for tax purposes is different from what a property would sell for today.

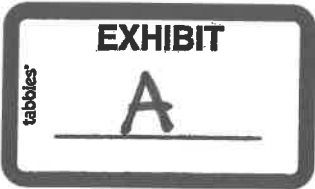
Current Sale

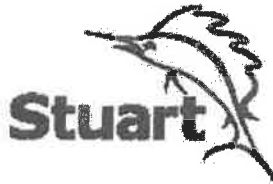
Sale Date 9/8/20	Grantor (Seller) COURTHOUSE COMMONS LLC	Doc Num 2837310
Sale Price \$ 350,000	Deed Type Wd Full Covenant and Warranty Deed	Book & Page <u>3157 1625</u>

Legal Description

HIGH SCHOOL, LOT 46

The legal description is intended for general information only. The Property Appraiser assumes no responsibility for the uses or interpretations of the legal description.





**CITY OF STUART
NEIGHBORHOOD SERVICES**

121 SW FLAGLER AVE
STUART, FL 34994-2139

NOTICE OF VIOLATION

Apr 03, 2023

**TROTTER, ANNA
301 SE DETROIT AVENUE
STUART, FL 34994**

Case #: CE23020010

You are hereby notified that the following violation(s) of the Code of Ordinances and/or the Land Development Regulations of the City of Stuart exists on the property listed:

**ADDRESS: 301 SE DETROIT AVE
PARCEL ID #: 0438410060000046030000**

**OBSERVATION DATE: 02/06/23
CORRECTION DATE: 04/03/2023**

**VIOLATION(S) 105.1
AND CONSTRUCT, ENLARGE, ALTER, REPAIR, MOVE, DEMOLISH OR INSTALL
CORRECTIVE WITHOUT A PERMIT.
ACTIONS: Correction: 105.1
OBTAIN REQUIRED PERMIT.**

NOTICE OF HEARING SUMMONS

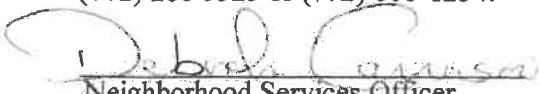
Failure to correct the violation(s) by the above date will result in a presentation of this matter at a hearing before the Neighborhood Services Magistrate on **04/19/2023 at 2PM** in the City of Stuart Commission Chambers located at 121 SW Flagler Avenue, Stuart, Florida. The violation charged is a civil infraction and subjects you to a maximum civil penalty of up to \$250 per offense, per day, for repeat violations.

The Neighborhood Services Magistrate will receive testimony and evidence at said Hearing and make Findings of Fact, as supported by the testimony and evidence pertaining to matters alleged in the Notice of Violation. You are entitled to present evidence and witnesses at the Hearing.

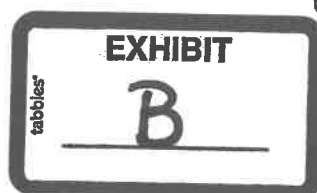
FAILURE to appear will result in the Magistrate proceeding in your absence. All fines constitute liens against the Real and Personal Property of the Respondent. Please govern yourself accordingly

An administrative fee of \$300.00 will be assessed if you should fail to comply by the correction date above.

Should you require additional information regarding this notice, please contact Neighborhood Services at (772) 288-5325 or (772) 600-1254.


Neighborhood Services Officer
Vito Lorenzo / Deborah Carrasco

7621272000163730762
Certified Mail #



**CITY OF STUART, FLORIDA
AGENDA ITEM REQUEST
Board of Adjustment**

Meeting Date: 7/27/2023

Prepared by: Susej Meleqi

Title of Item:

ADVISORY BOARD ORIENTATION REVIEW BY CITY CLERK

Summary Explanation/Background Information on Agenda Request:

The City Clerk will provide a brief presentation to review the orientation packet, Roberts Rules of Order, City assigned email addresses, and some general information.

Funding Source:

N/A

Recommended Action:

N/A

ATTACHMENTS: