



MARTIN COUNTY

2401 S.E. MONTEREY ROAD • STUART, FL 34996

DOUG SMITH Commissioner, District 1
STACEY HETHERINGTON Commissioner, District 2
HAROLD E. JENKINS II Commissioner, District 3
SARAH HEARD Commissioner, District 4
EDWARD V. CIAMPI Commissioner, District 5

TARYN KRYZDA, CPM County Administrator
SARAH W. WOODS County Attorney

TELEPHONE 772-288-5400
WEB ADDRESS <http://www.martin.fl.us>

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December 19, 2018

McCarthy, Summers, Bobko,
Wood, Norman, Bass & Melby, P.A.
Mr. Terence McCarthy
2400 SE Federal Hwy, Fourth Floor
Stuart, FL 34994

RE: Zoning Verification
3402 SE Inlet Harbor Trail
PCN: 373841002000000200
Record ID: GMD2018120137

Dear Mr. McCarthy:

Thank you for your recent inquiry concerning property in unincorporated Martin County. You requested zoning and/or development standards associated with the zoning district designation for the identified property. The following information is based upon the questions you asked.

- The property has the following future land use designation as found on the Martin County Future Land Use Map: Residential Estate Density allowing two units per acre.
- The property has the following zoning district designation as found on the Martin County Zoning Atlas: WE-1, Residential Waterfront Estate District. The development standards for WE-1 Zoning are:

SETBACKS:

FRONT: 50 feet;
SIDES: 15 feet for a 1 story or 2 story structure;
REAR: 50 feet from the mean high water line;

MAX HEIGHT: 25 feet /two stories;
MAX BUILDING COVERAGE: 25 percent of the total lot;
OPEN SPACE: 50 percent of the total lot;

- If the structures on the property do not comply with setbacks above they may be non-conforming structures. The primary structure may be rebuilt pursuant to Section 8.3.B.1. Land Development Regulations Martin County, FL (2009).
- An accessory structure, such as the garage, may be rebuilt within the existing horizontal footprint but not enlarged vertically. Martin County, FL Land Development Regulations, Section 8.3.B.1 (2009)

The Martin County Growth Management Department makes every effort to provide the most current and accurate information possible. However, this information must be accepted and used by the recipient with the understanding that there are no warranties expressed or implied for this information, its use, or its interpretation.

If you have any questions about this property contact Gerry Carroll, Zoning Compliance Technician, 772-288-5495.

Sincerely,

Nicki van Vonno, AICP
Growth Management Director

NvV:GC:kk

Enclosures: Martin County Property Information Lookup
Martin County Property Appraiser Summary
Martin County Property Appraisers Improvement
Martin County Land Development Regulations article 8 Non-
Conformities

Martin County Property Information Lookup			
General Information	Property Location Map		
Parcel #	373841002000000200		
Owner Name:	TAMAGNI HENRY J TAMAGNI JUDITH L		
Owner Address:	3342 SE INLET HARBOR TRL STUART, FL 34996		
Site Address:	3402 SE INLET HARBOR TRL STUART, FL 34996-5157		
Storm Surge Evacuation Zone:	CD		
Flood Zone:	X500,AE,X		
Base Flood Elevation:	N/A,6' NAVD		
FIRM Panel:	12085C0162G		
Urban Service District:	Primary		
Municipality:	Unincorporated Martin County		
Taxing District:	District 2		
ISO-PPC Rating:	4		
Subdivision infill applicability:	Yes		
Building Design Wind Speed			
Occupancy Category I:	150		
Occupancy Category II:	160		
Occupancy Category III and IV:	170		
Land Use			
*NOTE: Land Use information can change frequently, please verify with the Martin County Growth Management Department at 772-288-5495			
Zoning:	WE-1		
Zoning Details:	N/A		
Future Landuse	ESTATE DENSITY 2UPA		
Landuse Details:	N/A		
Community Redevelopment			
CRA:	N/A		
Zoning Overlay Zone:	N/A		
Mixed Use Areas:	N/A		
Schools			
School information obtained from the Martin County School District system. If there are any questions, please contact the Martin County School District at 772-219-1200			
Elementary School:	J D Parker Elem		
Middle School:	Dr. David L. Anderson Middle School		
High School:	Martin County High School		
Created:	December , 17th, 2018 8:27 AM		
Election Information			
Election information obtained from the Martin County GIS system. If there are any questions, please contact the Martin County Supervisor of Elections at 772-288-5637			
Voter Precinct	5		
Commission District:	2		
Commissioner:	Stacey Hetherington 772-288-5400		
Clerk of Circuit Court:	Carolyn Timmann 772-288-5576		
County Sheriff:	William Snyder 772-220-7000		
Property Appraiser:	Laurel Kelly 772-288-5608		
School Superintendent:	Laurie J. Gaylord 772-219-1200		
Supervisor of Elections:	Vicki Davis 772-288-5637		
Tax Collector:	Ruth Pietruszewski 772-288-5600		
Utilities & Solid Waste			
Service:	Utility:	Availability:	Phone:
Water:	City of Stuart Utilities	Call	772-288-5317
Sewer:	City of Stuart Utilities	Call	772-288-5317
Recycle Collection:	Monday		
Trash Collection:	Monday and Thursday		
Print			
<p><small>Disclaimer: The Geographic Information System map product, received from Martin County, ("COUNTY") is provided "as is" without warranty of any kind, and the COUNTY expressly disclaims all express and implied warranties, including but not limited to the implied warranties of merchantability and fitness for a particular purpose. The COUNTY</small></p>			



Martin County, Florida - Laurel Kelly, C.F.A

generated on 12/17/2018 8:25:01 AM EST

Summary

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
37-38-41-002-000-00020-0	120185	3402 SE INLET HARBOR TRL, STUART	\$607,200	12/15/2018

Owner Information

Owner(Current)	TAMAGNI HENRY J TAMAGNI JUDITH L
Owner/Mail Address	3342 SE INLET HARBOR TRL STUART FL 34996
Sale Date	8/20/2018
Document Book/Page	3011 2394
Document No.	2711952
Sale Price	790000

Location/Description

Account #	120185	Map Page No.	HG-03
Tax District	7017	Legal Description	INLET HARBOR, LOT 2 (LESS PART DESC AS: BEG NW COR LOT 2, ELY TO NE COR, SLY TO WATER, SWLY ALG WATER 33' M/L, NWLY 193' M/L TO R/W INLET HARBOR TRAIL & NLY ALG R/W 24.6' TO POB) & PART OF LOT 3 DESC AS: BEG 26' S/O NW COR LOT 3, S 71DEG E 186.9' TO WATER, MEANDER N 34', NWLY ALG LOT 3 TO NE COR & S 136' ALG W/LN LOTS 3 & 4 TO BEG
Parcel Address	3402 SE INLET HARBOR TRL, STUART		
Acres	.5330		

Parcel Type

Use Code	0100 Single Family
Neighborhood	393060 WEST LAKE & N. LAKE WATERFRONT

Assessment Information

Market Land Value	\$518,400
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Market Improvement Value	\$88,800
Market Total Value	\$607,200

Martin County, Florida - Laurel Kelly, C.F.A

generated on 12/17/2018 8:25:20 AM EST

Improvements

Parcel ID	Account #	Unit Address	Market Total Value	Website Updated
37-38-41-002-000-00020-0	120185	3402 SE INLET HARBOR TRL, STUART	\$607,200	12/15/2018

Improvements

Imp. Type Code	Imp. Type Desc.	Build No.	Improve No.	Year Built	Grade	Floor Area	Imp. Size
FLATCP		R01	01	1958	Fair		725
UTILROOM		R01	02	1958	Fair		80
UTILROOM		R01	03	1958	Fair		88
DETGAR		R01	04	1958	Fair		672
OMP-S		R01	07	1998	Fair		562
CONCP		R01	08	1998	Fair		200
PAV		R01	09	1958	Fair		400
SPRNKLR		R01	10	1958	Fair		0
BOATD		R01	11	1995	Fair		380
DWELL		R01	D	1958	Fair	2,590	

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Sec. 8.3. - Nonconforming structures.

Unless otherwise provided for elsewhere in the CGMP or in these Land Development Regulations, nonconforming structures which are used in a manner conforming to the provisions of these Land Development Regulations may be enlarged vertically or horizontally, reconstructed or redeveloped provided that:

- 8.3.A. Nonconforming structures which are nonconforming only as to the wetland buffer requirements of article 4, division 1 or 2, may be enlarged vertically or horizontally, reconstructed or redeveloped, provided that such enlargement, reconstruction or redevelopment shall not result in further encroachment into the buffer or buffer protection area required by article 4, division 1 or 2.
- 8.3.B. Portions of nonconforming structures which infringe upon locational criteria other than the wetland buffer requirements of article 4, division 1 or 2, such as but not limited to zoning setbacks, shall be governed as follows:
 1. Nonconforming accessory structures may be reconstructed or redeveloped only within their existing horizontal footprint but shall not be enlarged vertically.
 2. Nonconforming primary structures established prior to March 29, 2002 (the effective date of the ordinance adopting article 3, Zoning Districts) may be reconstructed or redeveloped within their existing horizontal footprint. Nonconforming primary structures established prior to March 29, 2002, may also be vertically enlarged, notwithstanding any building setback criteria to the contrary contained in the current zoning regulations.

(Ord. No. 566, pt. 1, § 8.03, 1-11-2000; Ord. No. 578, pt. 1, 5-26-2000; Ord. No. 633, pt. 2, 9-2-2003; Ord. No. 818, pt. 3, 3-17-2009)

STEFFORD & DECK
CIVIL ENGINEERING
SURVEYING - MAPPING
STUART, FLORIDA

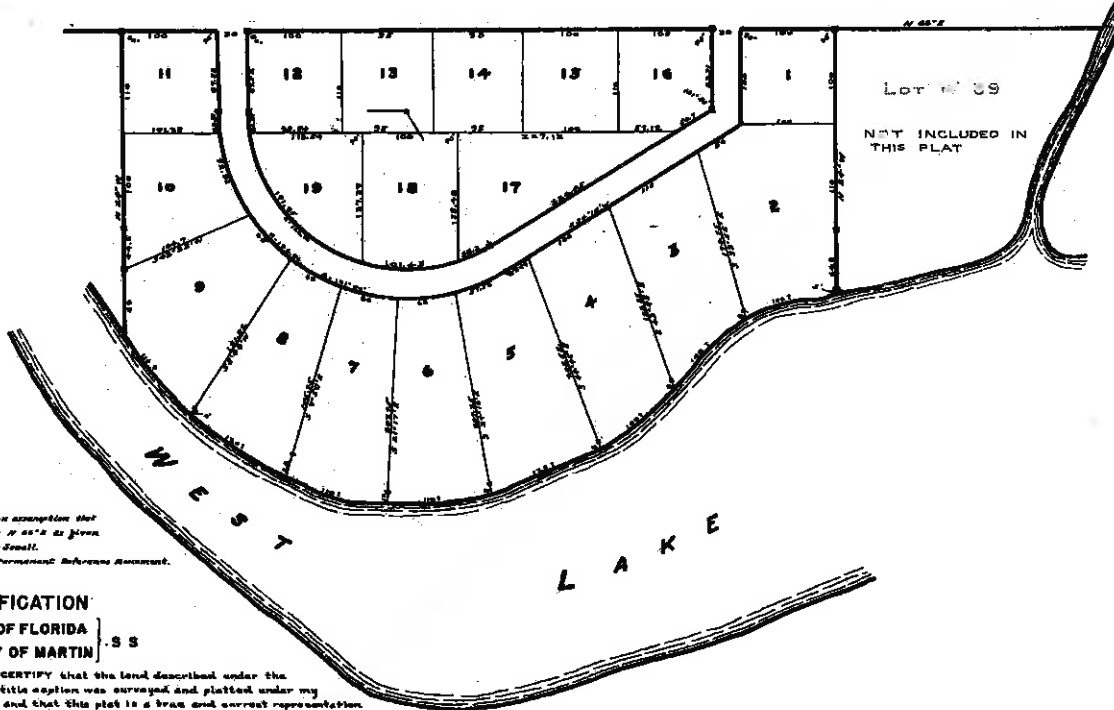
INLET HARBOR

A RESUBDIVISION OF "PORT SEWALL REALTY CO'S SUBDIVISION", LOTS 1 THROUGH 21, INCLUSIVE,
AS RECORDED IN PLAT BK 2, PG 60, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

SCALE 1" = 60'

SEWALL POINT LAND COMPANY
BLOCK 17 BLOCK 19

INDIAN AVENUE



Note:
Bearings based on assumption that
Indian Ave bears 90° as given
on Plat of Port Sewall.
S Symbols for Permanent Reference Monument.

CERTIFICATION
STATE OF FLORIDA S S
COUNTY OF MARTIN

I HEREBY CERTIFY that the land described under the foregoing title caption was surveyed and platted under my direction and that this plat is a true and correct representation thereof, to the best of my knowledge and belief, and that permanent reference monuments were set as prescribed by law.

James E. Hasky
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE NO. 688

Subscribed and sworn to before me
this 12th day of Dec, 1928 A.D.,
at Stuart, Martin County, Florida.

C. L. Christensen
NOTARY PUBLIC

My commission expires July 8, 1928



APPROVED Dec. 10th, 1928
BOARD OF COUNTY COMMISSIONERS

By: James E. Hasky
SURVEYOR

EX. 2
FILED FOR RECORD
COUNTY OF MARTIN, FLORIDA,
AT
STUART, MARTIN COUNTY, FLORIDA.
1928
File No. 4278

DEDICATION
STATE OF FLORIDA S S
COUNTY OF MARTIN

KNOW ALL MEN BY THESE PRESENTS that Arthur M. Dahan and Betty Morgan Dahan, his wife, have caused the attached plat to be made and the land subdivided as shown hereon; and do hereby affirm that they are the owners, in fee simple, of the land subdivided; and do hereby dedicate, to the perpetual use of the public, the roads shown hereon.

In witness whereof we have hereunto set our hand and seal this 12th day of Dec, 1928 A.D.

Arthur M. Dahan

Edward L. Coy
Hub. O. Stafford

Betty Morgan Dahan

ACKNOWLEDGEMENT
STATE OF FLORIDA S S
COUNTY OF MARTIN

Before me this day personally appeared Arthur M. Dahan and Betty Morgan Dahan, his wife, to me well known to be the executors of the foregoing instrument and who acknowledge to, and before me that the same was executed for the uses and purposes therein expressed.

Witness my hand and official seal at Stuart, Martin County, Florida, this 12th day of Dec, 1928 A.D.

C. L. Christensen
NOTARY PUBLIC

My commission expires July 7, 1928

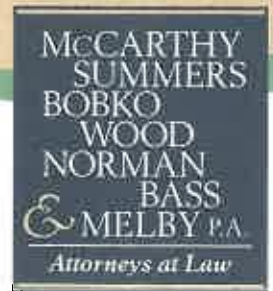


December 13, 2018

RECEIVED

DEC 13 2018

GROWTH MANAGEMENT DEPARTMENT



VIA HAND-DELIVERY

Paul Schilling
Martin County Growth Management Department
2401 SE Monterey Road
Stuart, FL 34996

Terence P. McCarthy*
Robert P. Summers*
Steven J. Wood**
Kenneth A. Norman
Kathryn C. Bass
Nicola J. Boone Melby***
Owen Schultz

Re: Zoning Verification Letter Request
3402 SE Inlet Harbor Trail, Stuart, FL

Dear Paul:

As you know, I represent a party interested in acquiring the property identified above. A legal description for this property is attached hereto as Exhibit "A," and an aerial photograph is attached hereto as Exhibit "B."

Margaret E. Wood
Donna R. McMillan
Jessica M. VanValkenburgh
Christen Spake

As you can see from the aerial attached, this is a waterfront parcel located in the Port Sewall area in the unincorporated area of Martin County. You will note from the aerial that there is currently a house on the property, along with a detached garage. The Property Appraiser's records indicate that the improvements to the property were constructed in the 1950s. As you might expect with the age of the improvements, any purchaser of this site will need to make substantial improvements to the site, both because of the age of the existing improvements, and the current value of the property.

Noel A. Bobko†

*Board Certified Real Estate Lawyer
**Board Certified Wills, Trusts & Estates Lawyer
***Board Certified Elder Law Lawyer

†Retired

Our current inquiry is to determine how the existing Martin County regulations, zoning requirements, shoreline protection requirements, elevation and height requirements, to name a few, will impact my client's intent to rehab the existing improvements and, potentially, add additional improvements.

Specifically, my client would like to determine the following:

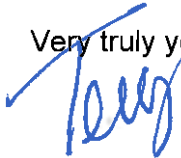
- 1. a) If the existing residence is completely or partially demolished, will my client be allowed to construct a new house following the footprint of the existing house?
b) Would my client be allowed to expand the house horizontally and/or vertically?
2. Same questions, a) and b) with respect to the existing detached garage?
3. My client intends to construct a pool in the southeasterly corner of the property on the water. What will be the allowed footprint of such pool?
4. Would my client be allowed to add a residential second story to the existing detached garage within the footprint of the existing garage?

McCARTHY, SUMMERS, BOBKO, WOOD,
NORMAN, BASS & MELBY, P.A.

December 13, 2018
Page 2

I have enclosed herewith our check made payable to the Martin County Board of County Commissioners in the amount of \$158, representing the application fee for this zoning verification request. Should you need any additional information or documentation, please don't hesitate to call or write.

Very truly yours,



Terence P. McCarthy, Esquire
TPM/dd
tpm@mccarthysummers.com

Enclosure

cc: Client

P:\DOCS\15534\15534.01\LTR\3321001.DOCX 12/13/2018 12:04:38 PM

December 13, 2018
Page 3

EXHIBIT "A"

Legal Description



Recorded in Martin County, FL 8/21/2018 4:42 PM
Carolyn Timmann, Clerk of the Circuit Court & Comptroller
Rec Fees: \$18.50 Deed Tax: \$5,530.00
CFN#2711952 BK 3011 PG 2394 PAGE 1 of 2

This Document Prepared By and Return to:
Christopher J. Twohey, P.A.
844 SE Ocean Blvd. Ste. A
Stuart, FL 34994

Parcel ID Number: 37-38-41-002-000-00020.00000

Warranty Deed

This Indenture, Made this 20 day of August, 2018 A.D., Between
John M. Gunsolus III, as Successor Trustee of The Chee Chee Gunsolus
Declaration of Trust dated 07/13/99, Amended and Restated dated 1/12/10,
and Individually and Chee Chee Gunsolus, a single woman
of the County of Martin State of Florida, grantor, and
Henry J. Tamagni and Judith L. Tamagni, husband and wife
State of Florida, grantees.

whose address is: 3342 SE Inlet Harbor Trl., Stuart, FL 34996

of the County of Martin State of Florida, grantees.

Witnesseth that the GRANTOR, for and in consideration of the sum of
TEN DOLLARS (\$10) DOLLARS,
and other good and valuable consideration to GRANTOR in hand paid by GRANTEEES, the receipt whereof is hereby acknowledged, has
granted, bargained and sold to the said GRANTEEES and GRANTEEES' heirs, successors and assigns forever, the following described land, situate,
lying and being in the County of Martin State of Florida to wit:

Portions of Lots 2, 3, and 4, Inlet Harbor Subdivision, as recorded in Plat Book 2, page 89, public records of Martin
County, Florida, and being more particularly described as follows:

Commencing at the Northwestern corner of Lot 2; thence South 34°10'00" West along said Lot line and right of way
of Inlet Harbor Trail a distance of 24.60 feet to the point and place of beginning. Thence South 51°18'32" East a
distance of 193 feet, more or less, to the waters of West Lake; thence in a Southwesterly direction meander said
waters a distance of 103 feet, more or less, to the intersection with a line bearing South 71°57'30" East; thence North
71°57'30" West a distance of 185 feet, more or less, to a point on the Southeast right of way of Inlet Harbor Trail;
thence North 34°10'00" East along said right of way a distance of 167.40 feet to the point and place of beginning.

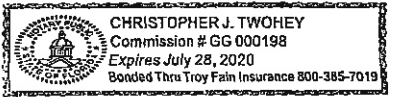
SUBJECT TO: (Continued on Attached)

and the grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.
In Witness Whereof, the grantor has hereunto set its hand and seal the day and year first above written.
Signed, sealed and delivered in our presence:

Printed Name: Christopher J. Twohey
Witness
Printed Name: Angela G. Jordan
Witness

John M. Gunsolus III, as Successor Trustee of The
Chee Chee Gunsolus Declaration of Trust dated 07/13/99,
Amended and Restated dated 1/12/10, and Individually, and
Chee Chee Gunsolus, a single woman
By: John M. Gunsolus, III (Seal)
Successor Trustee
P.O. Address: 2978 SE Normand St., Stuart, FL 34997
Chee Chee Gunsolus, by John M. Gunsolus, III, her
attorney-in-fact (Seal)
P.O. Address: 3402 SE Inlet Harbot Trail, Stuart, FL 34996

STATE OF Florida
COUNTY OF Martin
The foregoing instrument was acknowledged before me this 20 day of August, 2018 by
John M. Gunsolus, III, as Successor Trustee of The Chee Chee Gunsolus
Declaration of Trust dated 07/13/99, Amended and Restated dated 1/12/10
and Individually and Chee Chee Gunsolus, a single woman, by John M.
Gunsolus, III, her attorney-in-fact
who is personally known to me or who has produced his DL as identification.



Printed Name: Christopher J. Twohey
Notary Public
My Commission Expires: 7-28-20

Warranty Deed - Page 2

Parcel ID Number: 37-38-41-002-000-00020.00000

1. Taxes for the year 2018, and all subsequent years
2. Zoning restrictions, prohibitions and other requirements imposed by governmental authority;
3. Restrictions and matters appearing on the Plat or otherwise common to the subdivision; and
4. Public utility easements of record, if any.

* GRANTOR, JOHN M. GUNSOLUS III, FURTHER COVENANT THAT THE ABOVE DESCRIBED PROPERTY DOES NOT NOW, NOR HAS IT EVER CONSTITUTED THE HOMESTEAD OF GRANTOR.

Unofficial Copy

December 13, 2018
Page 4

EXHIBIT "B"

Aerial Photograph



Martin County Board of County Commissioners

General



Martin County

Receipt No.: **3030154**

Receipt Date: **12/13/2018**

RECEIPT

RECORD & PAYER INFORMATION

Record ID: GMD2018120137
Record Type: Zoning Determination Letter
Property Address: 3402 SE INLET HARBOR TRL , STUART, FL 34996-5157
Description of Work:
Payer: McCarthy, Summers
Applicant: Terrance McCarthy
McCarthy, Summers, Bobko, Wood, Norman, Bass
2400 SE Federal Hwy
Stuart, FL 34994

PAYMENT DETAIL

Date	Payment Method	Reference	Check #	Cashier	Comments	Amount
12/13/2018	Check		55159	MDAVIS	3402 SE Inlet Harbor Trail	\$158.00

FEE DETAIL

Fee Description	Invoice #	Quantity	Fee Amount	Current Paid
ZONING VERIFICATION LETTER	2035032	1.00	\$158.00	\$158.00
			<u>\$158.00</u>	<u>\$158.00</u>