

# TOWN OF SEWALL'S POINT



**Board of Zoning Adjustments Meeting  
May 22, 2024  
10:00 AM**

- I. CALL TO ORDER**
  - a. **Pledge of Allegiance**
  - b. **Roll Call**
  
- II. PUBLIC COMMENT ON NON-AGENDA ITEMS- PLEASE SUBMIT A COMMENT CARD TO THE TOWN CLERK PRIOR TO THE START OF THE MEETING AND LIMIT YOUR COMMENTS TO THREE MINUTES**
  - a. **TOSP Public Comment Guidelines**
    - 1) [BZA TSP-Public Comment Guidelines.pdf](#)
  
- III. APPROVAL OF AGENDA**
  
- IV. PUBLIC HEARINGS**
  - a. **Tiffany Mittal - 36 Rio Vista Drive - Variance Request - Section**
    - 1) [Application to the Town of Sewall's Point Board of Zoning Adjustment\\_ 36 Rio Vista Dr.\\_Mittal.pdf](#)
  
- V. COMMENTS FROM BOARD MEMBERS**
  
- VI. COMMENTS FROM STAFF**
  - a. **Town Clerk - Full Board Member Vacancy**
    - 1) [Town Clerk Memo - BZA May 22 2024 Board Member Vacancy.pdf](#)
  
- VII. ADJOURN**

**CIVILITY CLAUSE:** It is the policy of the Sewall's Point Town Commission that all persons addressing a town board or attending a Town board meeting shall conduct themselves in a manner that does not disrupt the orderly and efficient conduct of the meeting. Boisterous or unruly behavior; threatening or inciting an immediate breach of the peace; or use of profane, slanderous or obscene speech will not be tolerated and could result in ejection from the meeting after warning from the presiding officer. In accordance with the provisions of the Americans with Disabilities Act (ADA) this document may be requested in an alternate format. Persons in need of a special accommodation to participate in this proceeding shall, within 3 working days prior to any proceeding, contact the Town Clerk's office, One South Sewall's Point Road, Sewall's Point, Florida 34996 (772) 287-2455. If any person decides to appeal any decision made by the Town Commission with regard to any matter considered at such meeting or hearing, s/he will 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.



## Guidelines for Public Comments

- Everyone will have 3 minutes
- When recognized step forward to the podium and state your name for the record
- Remarks should be addressed to the Board of Zoning Adjustments as a body
- The public comment period is for receipt of public comments, not debate. It is not intended as a time for problem solving but rather for hearing the citizens for their input
- Any person addressing the Board of Zoning Adjustments who disrupts the orderly and efficient conduct of the meeting, uses profane or obscene language may be removed from the meeting



**APPLICATION TO THE TOWN OF SEWALL'S POINT**  
**BOARD OF ZONING ADJUSTMENT**

**PRIMARY CONTACT EMAIL ADDRESS:** \_\_\_\_\_

**PROPERTY OWNER:**

Name: Mark and Tiffany Mittal  
Address: 36 Rio Vista Dr. Sewall's Point, FL 34996  
Telephone No. 760-803-7514

**APPLICANT (Property owner must sign application)**

Name: Tiffany Mittal (x) owner ( ) owner agent  
Address: 36 Rio Vista Dr. Sewall's Point, FL 34996  
Telephone No. 760-803-7514 Email tmittal@utilityranger.com

**SUBJECT PROPERTY:**

Legal Description: 36 RIO VISTA DRIVE, STUART, FL 34996  
Parcel I.D. Number: 123841002000008606  
Address: 36 RIO VISTA DRIVE, STUART, FL 34996  
Current Zoning Classification Residential Sewalls Point

Description of requested variance and applicable conditions/circumstances justifying request (continue on separate sheet, if necessary): Provide documentation that the attached variance criteria have been met.

\_\_\_\_\_  
\_\_\_\_\_

Variance requested from Section 82 of Code of Ordinance 274

**Please provide all measurements.**

Example: Looking for approval of a new setback of 13' vs the required 15' side setback. Asking for a 2' variance

Tiffany Mittal  
Signature of Applicant

Tiffany Mittal  
Hand Print Name

4.26.2024  
Date

# VARIANCES

## § 2-101, 2-102, 2-107 THE BOARD OF ZONING ADJUSTMENT TO HEAR VARIANCES; POWERS AND DUTIES OF BOARD AND ZONING ADMINISTRATOR

### Application for Special Exceptions, Variances and Expansions, Exceptions, Permits, Replacement or Restoration of Non-Conforming Uses (referred to herein as "Exception")

To authorize upon appeal such Exception from the terms of the zoning ordinance as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions of the zoning ordinance would result in unnecessary and undue hardship.

In order to authorize an Exception, an application must be submitted and a public hearing must be held which demonstrates to the satisfaction of the Board of Zoning Adjustment that the following six criteria, as contained in the Code of the Town of Sewall's Point, have been met:

- (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
- (2) That the special conditions and circumstances do not result from any action of the applicant;
- (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;
- (4) That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;
- (5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- (6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;

# VARIANCES

The Board of Zoning Adjustment may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Board of Zoning Adjustment will consider the variance criteria in **§ 2-101, 2-102, 2-107 and consider your responses to the following when making a determination.**

- (1) Please explain special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

The subject property uniquely accommodates a multifunctional garden structure that is not merely ornamental but serves as a vital food source and educational platform. This structure is intricately designed to align with and enhance the ecological balance by supporting the local monarch butterfly population—a key species in pollination processes. Unlike typical structures within the same zoning district, this structure supports biodiversity and environmental education by promoting monarch butterfly propagation. Its design and location are specifically chosen to optimize these ecological benefits, which are peculiar to the land due to its existing flora and fauna.

- (2) Please explain if these conditions and circumstances result from actions by the applicant;

The applicant proceeded with the installation of the garden structure based on explicit guidance received from the Town Building Department, which advised that no permits were necessary for garden and its structures. This reliance was based on professional advice from the authorized municipal body, thus the conditions prompting this variance request were not self-induced but were the result of municipal miscommunication.

- (3) Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;

The variance solely aims to align misunderstood regulatory advice with the executed good-faith actions of the applicant. Granting this variance would not bestow any special privileges upon the applicant that are inconsistent with what is allowed under similar circumstances within the zoning district. The variance merely seeks to rectify an oversight and to bring the property into compliance while recognizing its unique environmental and educational contributions to the community.

- (4) Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;

A literal interpretation of the zoning provisions would unjustly penalize the educational and environmental benefits provided by the garden structure. The structure, which aids in the survival of local monarch populations, represents a use commonly supported in community and educational settings, aligning with broader environmental initiatives enjoyed by similar properties in the district. Removing or altering the structure would pose a significant hardship, negating the substantial time, effort, and resources invested in this project.

- (5) Please illustrate and explain if the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure;

The variance requested is the minimum necessary to legalize a structure that is both beneficial and non-intrusive, being largely obscured from public view by existing vegetation. It is designed to occupy a minimal footprint while maximizing its ecological function. This minimal adjustment allows for the reasonable and beneficial use of the property without necessitating significant changes or impacting the zoning district's overall character.

(6) Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;

Granting the variance supports the zoning code's general intent by promoting sustainable living practices and environmental education within a residential area. The garden structure enhances community knowledge about food production and environmental conservation, including the role of pollinators like monarch butterflies. This educational and functional site undeniably aligns with the public welfare by fostering an informed, environmentally conscious community, thereby complementing the zoning ordinance's goals without being detrimental to the local area.

**All 6 question must be answered before application can be reviewed**

In granting any Exception, the Board of Adjustment may prescribe appropriate conditions and safeguards in conformity with this ordinance. Violation of such conditions and safeguards, when made a part of the terms under which the Exception is granted, shall be begun or completed or both.

The Board of Adjustment may prescribe a reasonable time limit within which the action for which the Exception is required shall be begun or completed or both.

No non-conforming use of the neighboring lands, structures or buildings in the same district and no permitted use of lands, structures or buildings in other districts shall be considered for the issuance of a Exception. The Town shall post Notice of Public Hearing upon the Town Hall bulletin board and shall also see to the publication of the Notice of Hearing in a newspaper of general circulation printed in Martin County, Florida, at least fifteen (15) days prior to the date of the public hearing. All costs thereby incurred by the Town shall be reimbursed to the Town by the applicant prior to the Public Hearing. The Applicant shall post Notice of Public Hearing on the property for which the Exception is sought, and shall at the Applicant's expense, send written notice to property owners of record within 300 feet of the subject property, to be mailed by certified mail, return receipt requested, no later than fifteen (15) days PRIOR TO THE DATE OF THE HEARING.

CERTIFICATION

The Applicant hereby certifies that the information which he/she has provided on and together with this application is correct and accurate to the best of his/her knowledge and belief. The Applicant also certifies that existing deed restrictions or covenants on this property will be adhered to and that if this request is granted, all necessary permits will be obtained and that all orders, resolutions, codes, conditions, rules, regulations and ordinances pertaining to the use of the above-described property will be complied with. The Applicant further certifies that he/she has read all of the above and the Guide to Preparation of Application for Board of Zoning Adjustment and will comply therewith, understanding that failure to do so may result in a denial of the request or administrative dismissal of the application.

|  |                       |                   |
|--|-----------------------|-------------------|
| <u><i>Tiffany Mittal</i></u>                   | <u>Tiffany Mittal</u> | <u>04.26.2024</u> |
| Signature of Applicant or Applicant's Attorney | Hand Print Name       | Date              |

**Signature of Property Owner allowing an agent to be present in their place for the hearing**

# TOWN OF SEWALL'S POINT

## Guide for Preparation of Application to Board of Zoning Adjustment

The following information, plus a non-refundable filing fee of \$100 and a deposit of \$1,000 must accompany this application. Make check payable to the "Town of Sewall's Point" in the amount of \$1,100. If the costs of processing the application are less than the cost deposit, the applicant will receive a refund of the difference. If the costs are more than the cost deposit, the applicant will be billed for and expected to pay the additional amount.

1. This application must be completely filled in with all necessary papers attached, flash drive of presentation and ONE (1) COPY with the above fee and cost deposit to the Town Clerk at Sewall's Point Town Hall. An incomplete package will not be accepted. Please type or print clearly.
2. Applicant must submit proof of ownership (copy of recorded deed).
3. Applicant may appear at the hearing in person or by duly authorized attorney at law. No other agent may appear on behalf of the applicant.
4. Applicant must submit a plot plan or site survey certified by a registered land surveyor showing the actual dimensions of the lot; the exact sizes and locations on the lot of buildings already existing, and their distances from the nearest property lines; the intended location and dimensions of any proposed structure(s) and their distances from the nearest property lines; the width of the lot on the street or streets upon which the lot fronts or abuts, if relevant to the application; and such other information as may be necessary to exactly describe and detail the variance requested. A photo reduced copy of the recorded Plat, in 8 ½" x 11" or 8 ½" x 14" size, must be attached to the application. This document may be obtained at local Title Insurance Companies or at Town Hall.
5. A Statement of Benefits for the granting of the request shall be supplied by the applicant that includes the reasons and circumstances for the request. The Statement of Benefits shall address and demonstrate satisfaction of the six enumerated criteria listed on the Application form.
6. Applicant must furnish, together with the application, a certified list of all property owners of record of real property within 300 feet of any part of the subject property, with the list of owners certified by one of the following: a local Title Insurance Company; applicant's Attorney, who must be a member of the Florida bar; the office of Clerk of Circuit Court of Martin County, Florida; or the office of Property Appraiser of Martin County, Florida.
7. Applicant at his expense must send notification to all property owners of record of real property within 300 feet of any part of the subject property of the date, time and place of the hearing, what action the Board of Zoning Adjustment is being asked to take, and the reasons for the request, by certified mail, return receipt requested, to be mailed no later than FIFTEEN (15) DAYS PRIOR to the date of the hearing. The white post office dated slips verifying the mailing date of each piece, together with all green receipt cards returned with signatures, shall be furnished to the Town Clerk or the Board of Zoning Adjustment prior to the beginning of the hearing.
8. Notice of public hearing shall be posted by the Town on the property for which Special Exceptions, Variances and Expansion, Replacement or Restoration of Non-Conforming uses are sought, at least 15 days prior to the date of the hearing. The sign will be supplied by the Town Clerk, and its posting will be in a place on the property where it may be seen readily from the front street.

**All boxes must be checked as completed before this application can be submitted**

9. The letter will follow this form:

(Date)

Mr. John Doe (name and address of owner of adjacent property)  
19 Main Street  
Sewall's Point, Florida 34996

RE: Legal description of the property as on application (accompanied by a location map) Dear

Mr. Doe:

Please be advised as owners of property within 300 feet of the above-described property, you are hereby in accordance with the provision of the Town Code of Sewall's Point, put on notice that a public hearing will be held at 7:30 PM or as soon thereafter as the matter may be heard, on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, at the Sewall's Point Town Hall, by the Sewall's Point Board of Zoning Adjustment to consider the matter of a \_\_\_\_\_ to the existing zoning requirements according to the Sewall's Point Ordinance Section \_\_\_\_\_.

A copy of the Statement of Benefits which has been submitted to the Board of Zoning Adjustment is enclosed.

This application is being made to the Board of Zoning Adjustment in order to allow (insert specifics of the request exactly as you are making the request to the Board of Zoning Adjustment in such language as to make clear what is presently required by ordinances and what specific relief you request; where dimensions are involved, attach a drawing showing dimensions).

You are invited to attend and be heard or to write in care of the Sewall's Point Board of Zoning Adjustment, 1 South Sewall's Point Road, Sewall's Point 34996.

Sincerely,

(Signature)





Prepared by and return to:  
J. Michael Haygood, Esq.  
J. Michael Haygood, P.A.  
701 Northpoint Pkwy., #209  
West Palm Beach, FL 33407

File Number: 22-0040

(Space Above This Line For Recording Data)

## Warranty Deed

This Warranty Deed made this 5<sup>th</sup> day of May, 2022, between Willie E. Gary and Gloria R. Gary, husband and wife whose post office address is 221 SE Osceola Street, Stuart, FL 34994, grantor, and Mark Ram Mittal and Tiffany Jean Mittal, husband and wife whose post office address is 36 Rio Vista Drive, Stuart, FL 34996, grantee:

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of FIVE MILLION TWO HUNDRED TWENTY FIVE THOUSAND AND 00/100 DOLLARS (U.S. \$5,225,000.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the Martin County, Florida, to-wit:

Lot 86, less the North 50 feet thereof, all of Lots 87 and 88, RIO VISTA, according to the map or plat thereof as recorded in Plat Book 6, Page 95, Public Records of Martin County, Florida.

Parcel Identification Number: 12-38-41-002-000-00860-6

Subject to taxes for 2022 and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

**And** the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2021.

**In Witness Whereof**, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Sandra Royal  
First Witness Signature  
Printed Name: SANDRA ROYAL

Willie E. Gary  
Willie E. Gary  
Gloria R. Gary  
Gloria R. Gary

Chan Bryant Abney  
Second Witness Signature  
Printed Name: Chan Bryant Abney

State of Florida  
County of Martin

The foregoing instrument was acknowledged before me by means of  physical presence or  online notarization, this 5<sup>th</sup> day of May, 2022, by Willie E. Gary and Gloria R. Gary, who () are personally known to me or () have produced \_\_\_\_\_ as identification.

(SEAL)

Victoria L. Shapiro  
Notary Public  
Printed Name: \_\_\_\_\_  
My Commission Expires: \_\_\_\_\_



VICTORIA L. SHAPIRO  
Notary Public  
State of Florida  
Comm# HH215136  
Expires 3/26/2026



# Town of Sewall's Point

BUILDING DEPARTMENT

## Notice of Violation and Notice of Hearing\*

CASE #B24-0017

Property Owner: Mark & Tiffany Mittal  
Owner Address: 36 Rio Vista Dr  
Sewall's Point, FL 34996

DATE: April 19, 2024

VIOLATION ADDRESS: 36 Rio Vista Dr  
PARCEL ID #: 12-38-41-002-000-00860-6

The Town of Sewall's Point works to ensure that the Town is a great place to live and visit and to keep its neighborhoods safe and well maintained. Sometimes this requires Town staff to issue a code enforcement violation that may result in fines, administrative costs and liens. In an attempt to prevent that from occurring, we would like to make you aware that your property is in violation of the following Town of Sewall's Point Code of Ordinances and/or the Florida Building Code:

**Violation: Work without a permit for wood structure**

**Town Ord. 50-101**

**Work commencing before permit issuance.** Any person who commences any work on a building, structure, electrical, gas, mechanical or plumbing system before obtaining the building official's approval or the necessary permits shall be subject to a penalty of 100 percent of the usual permit fee in addition to the required permit fees or as provided by local resolution, however where there has been a repeat violation of this section, the penalty shall be four times the usual permit fee in addition to the required permit fees. This provision shall not apply to emergency work when delay would clearly have placed life or property in imminent danger. But in all such cases the required permit(s) must be obtained within three business days and any unreasonable delay in obtaining those permit(s) shall result in the charge of a double fee. The payment of a double or quadruple fee, shall not preclude or be deemed a substitute for prosecution for commencing work without first obtaining a permit. The building official may grant extensions of time or waive fees when justifiable cause has been demonstrated in writing.

Also in violation of the Florida Building Code 105.1 Florida Building Code 105.1 Any owner or authorized agent who tends to construction, enlarge, alter, repair, move, demolish, or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert or replace any electrical, gas, mechanical, or plumbing systems, the installation of which is regulated by this code, or to cause any such work to be done, shall first make application to the Building Official and obtain the required permits.

To avoid the need to go to a hearing and the possibility of any fines, please comply the violation(s) on or before **April 26, 2024** and contact the undersigned Code Enforcement Officer to verify compliance on or before that date. If you do not understand what is required to come into compliance or if you have any other questions regarding the violation, please contact the Code Enforcement Officer at the number below. We strive to work with our residents to resolve all code enforcement issues without the need for a hearing. However, if the violation remains after the time set for compliance above, the Code provides that the Town will hold a **public hearing before**



**the Code Enforcement Board/Special Magistrate. This hearing will be held on May 8, 2024 at 10 a.m.** in the Town Commission Chambers, 1 S. Sewall's Point Road, Sewall's Point, Florida. The Code provides that the hearing may be held if the violation is not complied prior to the date given for compliance, even if the violation has been corrected prior to the hearing. These provisions also provide that if the violation is corrected and then re-occurs, the hearing may go forward. If you do not attend the hearing, the Code Enforcement Board/Special Magistrate may base the findings solely upon the testimony of the code enforcement officer and that of any other witness present and upon any evidence presented. Therefore, it is important that you are present at the hearing to share your perspective, testimony and evidence regarding the alleged violation.

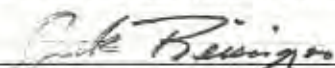
If the Code Enforcement Board/Special Magistrate finds that the alleged violation exists on your property, Florida law makes the property owner responsible for the administrative costs incurred by the Town in pursuing the enforcement of the violation. These costs may be included with any fines imposed by the Code Enforcement Board/Special Magistrate or may be collected as otherwise authorized by ordinance and/or law. The Code Enforcement Board/Special Magistrate has the authority to levy fines of up to \$250.00 per day, per violation and up to \$500.00 per day, per repeat violation, for each and every day that each violation continues.

**Florida law provides that once ordered and recorded, the administrative costs (and all other costs incurred) and any fines imposed by the Code Enforcement Board/Special Magistrate will constitute a lien on the property described above and upon any other real or personal property owned by the property owner(s). The Town encourages all property owners who receive a notice of violation to contact the Town so that we may work together towards compliance so that these legal remedies are unnecessary.**

The Town is required by law to advise you that if you disagree with a decision of the Code Enforcement Board/Special Magistrate, you may appeal to the Circuit Court of Martin County within 30 days after the order is entered. If a person decides to appeal any such order, with respect to any matter considered at subject hearing, they will need a record of the proceedings, and for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which includes the testimony and evidence upon which the appeal is to be based (sec. 286.0105, Fla. Stat.).

If you require further information or otherwise wish to discuss the violation, please contact Jack Reisinger, Town Building Official, at **772-287-2455**. Please be sure to have your case number available so we may promptly assist you.

Thank you and we look forward to working with you to resolve this matter.

  
\_\_\_\_\_  
Jack Reisinger, C.B.O., Town Building Official

\*This Notice was  X  sent certified mail, return receipt requested and first class mail.

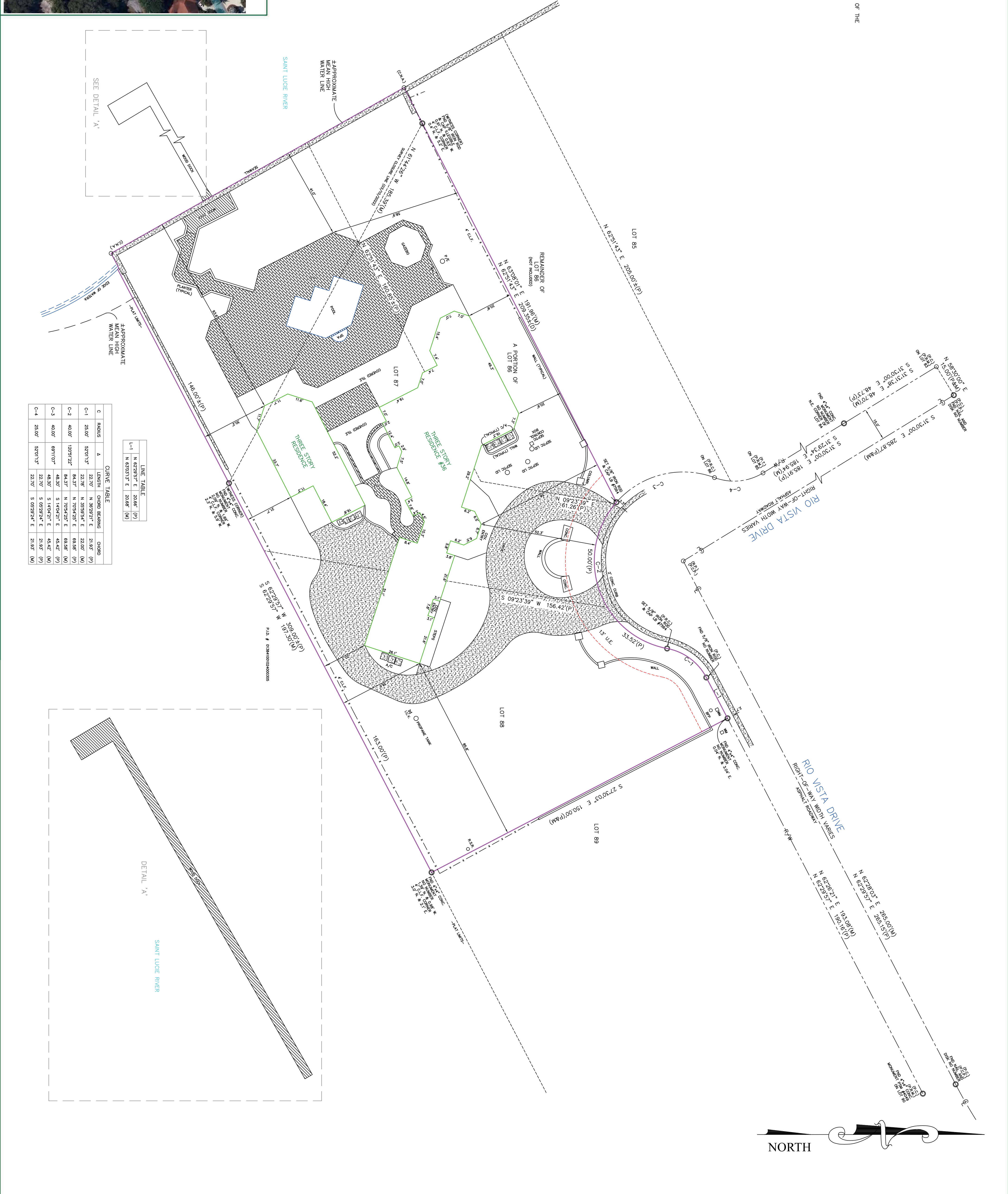
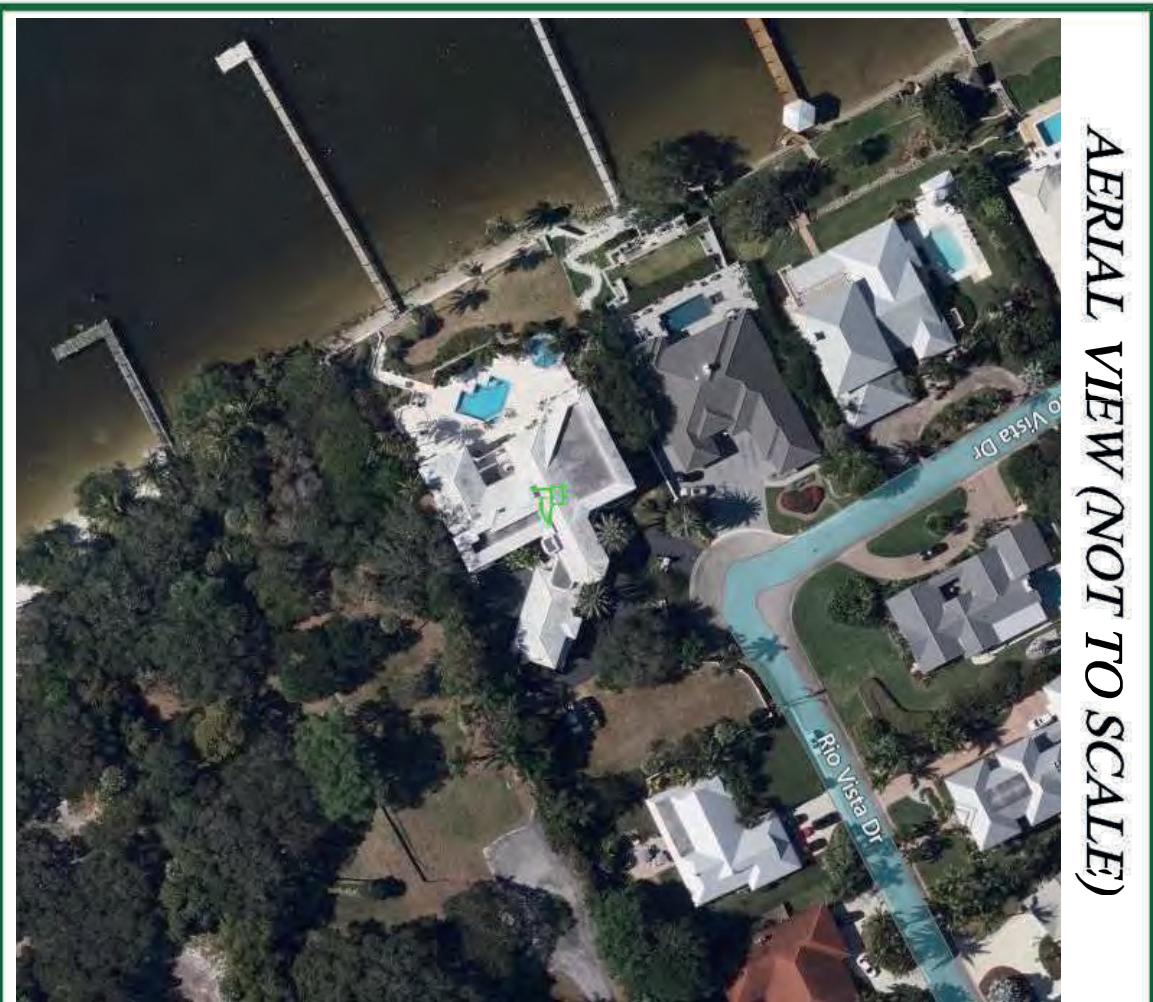


BOUNDARY SURVEY

SURVEYOR'S NOTE:  
THE REAR BOUNDARY LINE IS THE WATERWARD FACE OF THE SEAWALL.

LEGAL DESCRIPTION: LOT 88, LESS THE NORTH 50 FEET THEREOF, ALL OF LOT 87, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 6, PAGE 86 OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

AERIAL VIEW (NOT TO SCALE)

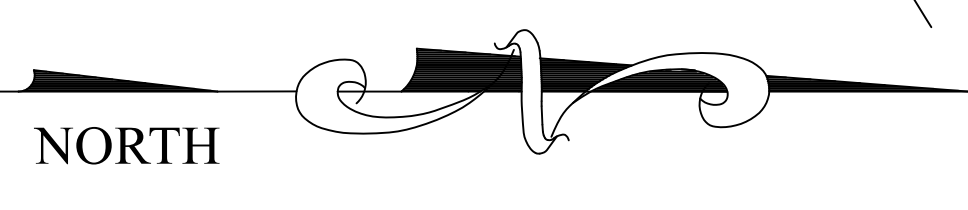


LINE TABLE

| LINE | BEARING      | DISTANCE   |
|------|--------------|------------|
| L-1  | N 62°29'57\" | 200.6' (P) |
| L-2  | N 63°03'35\" | 200.6' (M) |

CURVE TABLE

| CURVE | BEARING | CHORD BEARING | CHORD       |
|-------|---------|---------------|-------------|
| C-1   | 26.60°  | S 27°30'00\"  | 150.00' (P) |
| C-2   | 46.00°  | S 14°03'21\"  | 45.42' (M)  |
| C-3   | 46.00°  | S 14°03'21\"  | 45.42' (M)  |
| C-4   | 26.60°  | S 27°30'00\"  | 150.00' (P) |



LEGEND

|                      |                             |                              |
|----------------------|-----------------------------|------------------------------|
| AE - ACCESS EASEMENT | FE - FENCE                  | PL - PROPERTY LINE           |
| AL - ALLEY           | GT - GRADE TRAP             | PLS - POINT OF BEGINNING     |
| AS - ASBESTOS        | GL - GLEDE LINE             | PLC - POINT OF COMMENCEMENT  |
| AT - ATTACHED        | HW - HOOD WASH              | PLD - POINT OF DISCONTINUITY |
| AV - AVIATION        | IS - INTERSECTION           | PLM - POINT OF MISCUEANEOUS  |
| AW - AERIAL VIEW     | JE - JOINT EASEMENT         | PLN - POINT OF INTERSECTION  |
| AX - AXONOMETRIC     | LE - LANDSCAPE EASEMENT     | PLP - POINT OF INTERSECTION  |
| AY - AERIAL VIEW     | LI - LANDSCAPE IMPROVEMENT  | PLQ - POINT OF INTERSECTION  |
| BA - BACKLASH        | LS - LANDSCAPE SURVEILLANCE | PLR - POINT OF INTERSECTION  |
| BB - BACKLASH        | LT - LANDSCAPE TRAIL        | PLS - POINT OF INTERSECTION  |
| BC - BACKLASH        | LU - LANDSCAPE UTILITY      | PLT - POINT OF INTERSECTION  |
| BD - BACKLASH        | LV - LANDSCAPE VALVE        | PLU - POINT OF INTERSECTION  |
| BE - BACKLASH        | LV - LANDSCAPE VALVE        | PLV - POINT OF INTERSECTION  |
| BF - BACKLASH        | LV - LANDSCAPE VALVE        | PLW - POINT OF INTERSECTION  |
| BG - BACKLASH        | LV - LANDSCAPE VALVE        | PLX - POINT OF INTERSECTION  |
| BH - BACKLASH        | LV - LANDSCAPE VALVE        | PLY - POINT OF INTERSECTION  |
| BI - BACKLASH        | LV - LANDSCAPE VALVE        | PLZ - POINT OF INTERSECTION  |
| BJ - BACKLASH        | LV - LANDSCAPE VALVE        | PLA - POINT OF INTERSECTION  |
| BK - BACKLASH        | LV - LANDSCAPE VALVE        | PLB - POINT OF INTERSECTION  |
| BL - BACKLASH        | LV - LANDSCAPE VALVE        | PLC - POINT OF INTERSECTION  |
| BM - BACKLASH        | LV - LANDSCAPE VALVE        | PLD - POINT OF INTERSECTION  |
| BN - BACKLASH        | LV - LANDSCAPE VALVE        | PLE - POINT OF INTERSECTION  |
| BO - BACKLASH        | LV - LANDSCAPE VALVE        | PLF - POINT OF INTERSECTION  |
| BP - BACKLASH        | LV - LANDSCAPE VALVE        | PLG - POINT OF INTERSECTION  |

PROPERTY ADDRESS: 36 RIO VISTA DRIVE, SEWALL'S POINT, FLORIDA 34996



POINTS OF INTEREST:  
NONE VISIBLE

FLOOD ZONE  
(FOR INFORMATIONAL PURPOSES ONLY)  
SUBJECT PROPERTY SHOWN HEREON APPEARS TO BE LOCATED IN ZONE X AND AERIAL S, PER F.L.R.M. MAP NUMBER L08040301L DATED 02/10/20.

THIS SURVEYOR MAKES NO GUARANTEES AS TO THE ACCURACY OF THE ABOVE INFORMATION. THE LOCAL REAL ESTATE AGENT SHOULD BE CONTACTED FOR VERIFICATION.

GRAPHIC SCALE: 1" = 20'

SURVEYOR'S NOTES:  
1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING BOARD'S RULES AND REGULATIONS.  
2. ALL DISTANCES SHOWN ARE IN FEET AND DECIMALS THEREOF.  
3. ALL BEARINGS ARE TRUE BEARINGS.  
4. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE FLORIDA SURVEYING BOARD'S RULES AND REGULATIONS.  
5. THE LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS OR OTHER RECORDS.  
6. THE SURVEYOR HAS NOT BEEN ADVISED OF ANY RECORDS AFFECTING THIS SURVEY.

CERTIFIED TO:  
MRS. & MRS. JAMES AND TERRY MITCHELL TRUSTEES OF THE MABLE TRUST DATED MAY 15, 2011  
MICHAEL HAYWOOD PA, OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY

CLIENT NO: 65662  
JOB NO: 22212022  
FIELD DATE: 1/5/22  
APPROVED BY: C.R.  
CHECKED BY: C.R.  
DRAWN BY: G.L.  
DRAWN DATE: 03/11/22

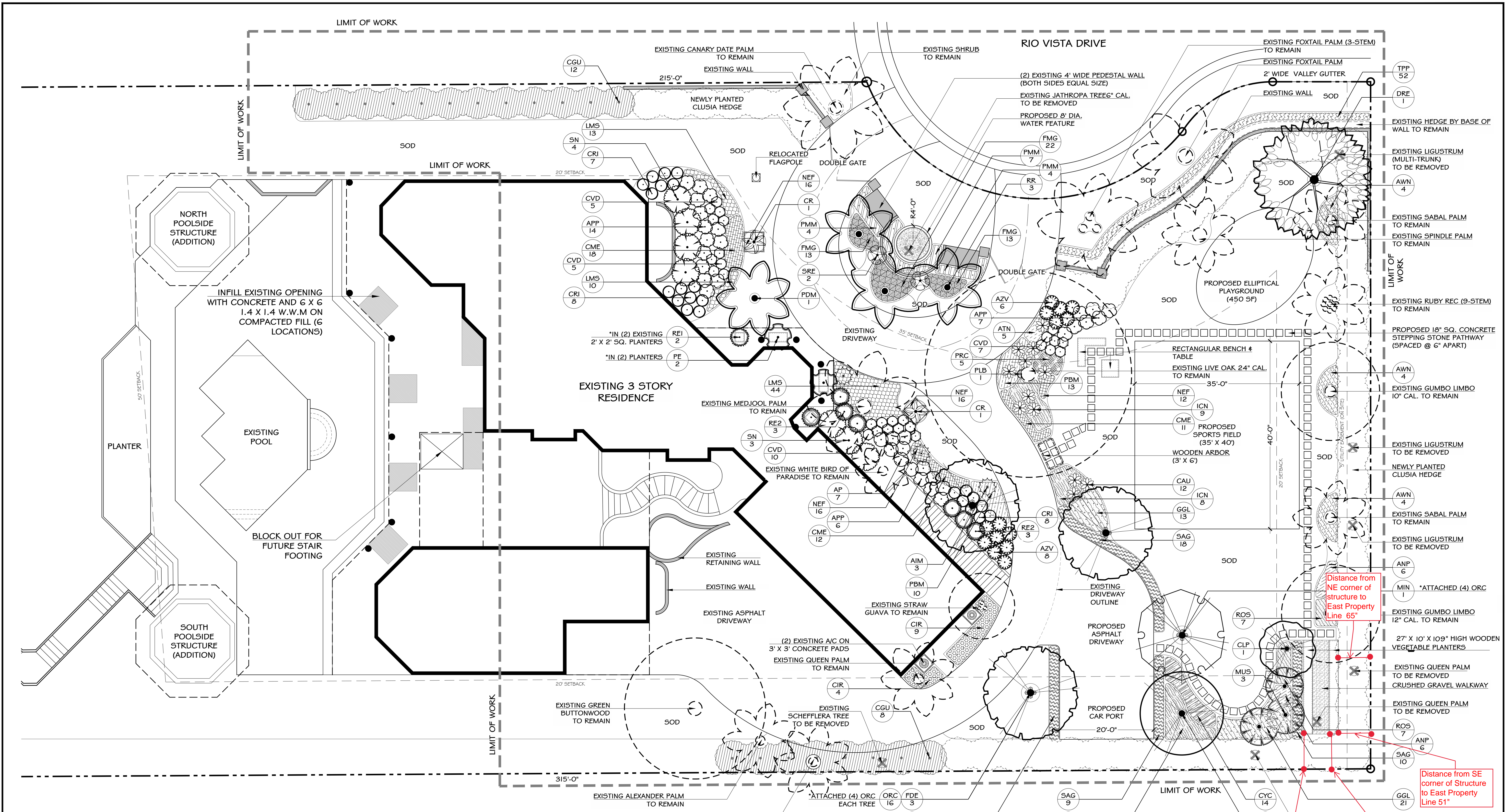


REVISION HISTORY  
REV 0 3/11/2022

I HEREBY CERTIFY THAT THE SURVEY OF THE HEREON DESCRIBED PROPERTY WAS PREPARED UNDER MY DIRECT SUPERVISION AND MEETS THE STANDARD OF PRACTICE SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS, AND APPLIES TO CHAPTER 31, 17.000 THROUGH 31.17.053, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

CERTIFIED BY: JON SHUMAKER PSM NO. 544  
FIRST CHOICE SURVEYING, INC.  
P.O. BOX 6824, SEWALL'S POINT, FL 34986  
407.851.3425 (OFFICE) 407.851.3453 (FAX) LB 7564  
NOT VALID WITHOUT SIGNATURE AND RAISED SEAL OR ELECTRONIC SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER





**PLANT SYMBOL KEY**

- PROPOSED TREE/PALM
- EXISTING TREE/PALM TO REMAIN
- EXISTING TREE/PALM TO BE REMOVED
- EXISTING VEGETATION TO REMAIN
- PROPOSED VEGETATION

**BROMELIAD BED SOIL SPECIFICATION:**

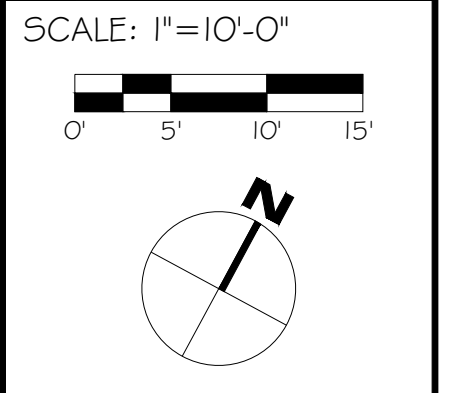
BUILD A 9" BERM WITH 1/2 PART POTTING SOIL AND 1/2 PART SAND.  
 NOTE: DO NOT ADD FERTILIZER TO NEW BROMELIAD PLANTINGS & NO MORE THAN 1" OF TOP MULCH AROUND BROMELIADS.

**NOTES:**

ADD (3) 2' X 4' RECTANGULAR PLANTERS TO ROOF AREA COVER WITH ARTIFICIAL TURF PLANT WITH SUCCULENTS ECHEVEIRA SP.

**MITTAL RESIDENCE**  
 36 RIO VISTA DRIVE  
 STUART, FL 34996  
 LANDSCAPE PLAN

|              |          |
|--------------|----------|
| DATE:        | 2/7/23   |
| DESIGNER:    | MK       |
| CAD:         | AJ/MK/LC |
| PROJECT NO.: | 22-091   |
| REVISION:    | R6       |





**PLANT # MATERIALS LIST**

NOTE: DRAWING SUPERSEDES MATERIALS LIST AND TAKE OFFS. IT'S THE CONTRACTOR'S RESPONSIBILITY TO CONFIRM ALL QUANTITIES AND TAKE OFFS PER DRAWING. SHOULD YOU FIND A DISCREPANCY NOTIFY DESIGNER.

| SYMBOL                                      | QTY   | BOTANICAL NAME                           | COMMON NAME                   | SECIFICATIONS  | SPACING   | REMARKS    |
|---|-------|--|-------------------------------|--|-----------|------------|
| <b>PALM TREES</b>                           |       |  |                               |  |           |            |
| PDM   | 1     | Phoenix dactylifera 'Medjool'            | Medjool Date Palm             | 6-8" CT.,  | A.S.      | Florida #1 |
| PE  | 2     | Ptychoperma elegans                      | Alexander Palm                | 25 GAL., 8-10' O.A., SINGLE, MATCHED                           | A.S.      | Florida #1 |
| REI   | 2     | Rhapis excelsa                           | Lady Palm                     | 7 GAL., 5' O.A. HT.,   | A.S.      | Florida #1 |
| RE2   | 6     | Rhapis excelsa                           | Lady Palm                     | 25 GAL.  | A.S.      | Florida #1 |
| RR  | 3     | Roystonea regia                          | Royal Palm                    | 12" GW FG  | A.S.      | Florida #1 |
| <b>TREES</b>                                |       |  |                               |  |           |            |
| DRE   | 1     | Delonix regia                            | Royal Poinciana Tree          | FG 20" OA. MIN. 5" CAL.  | A.S.      | Florida #1 |
| FDE   | 3     | Filicium decipiens                       | Japanese Fern Tree            | 12' OA MIN. 1.5" CAL. DBH                                      | A.S.      | Florida #1 |
| <b>ACCENTS</b>                              |       |  |                               |  |           |            |
| AIM   | 3     | Alcantarea 'Impenalis Malbec'            | Alcantarea 'Impenalis Malbec' | 7 GAL.   | A.S.      | Florida #1 |
| AP  | 7     | Alocasia x 'Portora'                     | Portora Alocasia              | 7 GAL., FULL   | 2.0' O.C. | Florida #1 |
| APP   | 27    | Alpinia purpurata 'Pink'                 | Pink Ginger                   | 7 GAL., FULL   | 2.5' O.C. | Florida #1 |
| AWN   | 12    | Acalypha wilkesiana 'Inferno'            | Copperleaf 'Inferno'          | GAL. 36" MIN. OA   | 3.0' O.C. | Florida #1 |
| AZV   | 14    | Alpinia zerumbet 'Vanegata'              | Vanegated Shell Ginger        | 7 GAL., FULL   | 2.5' O.C. | Florida #1 |
| CVD   | 27    | Codiaeum variegatum 'Golden Dust'        | Gold Dust Croton              | 7 GAL., FULL   | 2.5' O.C. | Florida #1 |
| CRI   | 23    | Cordyline fruticosa 'Red Sister'         | Red Sister Ti Plant           | 7 GAL., FULL   | 2.5' O.C. | Florida #1 |
| CAU   | 12    | Crinum augustum 'Queen Emma'             | Queen Emma Crinum Lily        | 7 GAL. 36" MIN. OA.  | 3.0' O.C. | Florida #1 |
| CR  | 2     | Cycas revoluta                           | Sago Palm                     | 25 GAL.  | A.S.      | Florida #1 |
| GGL   | 34    | Galphimia glauca                         | Gold Shower                   | 3 GAL.   | 2.0' O.C. | Florida #1 |
| PRC   | 5     | Philodendron x 'Rojo Congo'              | Rojo Congo Philodendron       | 7 GAL. FULL  | 2.5' O.C. | Florida #1 |
| SN  | 7     | Strelitzia nicolai                       | White Bird of Paradise        | 45 GAL.  | 5.0' O.C. | Florida #1 |
| SRE   | 2     | Strelitzia reginae                       | Bird of Paradise - Orange     | 7 GAL.   | 3.0' O.C. | Florida #1 |
| <b>FRUIT TREES # EDIBLE PLANTS</b>          |       |  |                               |  |           |            |
| ANP   | 12    | Ananas comosus                           | Pineapple                     | 3 GAL.   | 2.0' O.C. | Florida #1 |
| CLP   | 1     | Citrus x limon 'Pink Lemonade'           | Vanegated Pink Lemon          | AS AVAILABLE   | A.S.      |            |
| CYC   | 14    | Cymbopogon citratus                      | Lemongrass                    | 3 GAL.   | 2.0' O.C. | Florida #1 |
| MIN   | 1     | Mangifera indica                         | Mango                         | 25 GAL., HAIRLESS VARIETY                                      | A.S.      | Florida #1 |
| MUS   | 3     | Musa spp.                                | Banana Tree                   | 25 GAL., EDIBLE VARIETY  | A.S.      | Florida #1 |
| PEA   | 1     | Persea americana                         | Avocado                       | 25 GAL.  | A.S.      | Florida #1 |
| ROS   | 14    | Rosmarinus officinalis                   | Rosemary                      | 3 GAL.   | 2.0' O.C. | Florida #1 |
| <b>HEDGES</b>                               |       |  |                               |  |           |            |
| CIR   | 12    | Chrysobalanus icaco 'Red Tip'            | Red Tip Coco Plum             | 3 GAL.   | 2.0' O.C. | Florida #1 |
| CGU   | 20    | Clusia guttifera                         | Small Leaf Clusia             | 30 GAL.  | 6.0' O.C. | Florida #1 |
| ICN   | 28    | Ixora coccinea 'Nora Grant'              | Nora Grant Pink Ixora         | 3 GAL.   | 2.5' O.C. | Florida #1 |
| FMM   | 15    | Podocarpus macrophyllus 'Maki'           | Japanese Yew                  | 25 GAL.  | 3.0' O.C. | Florida #1 |
| SAG   | 47    | Schefflera arboricola 'Green'            | Green Arboricola              | 3 GAL. 24" MIN. OA. 24" SPRD.                                  | 2.0' O.C. | Florida #1 |
| <b>SHRUBS</b>                               |       |  |                               |  |           |            |
| ATN   | 5     | Aechmea x 'Blue Tango'                   | Blue Tango Bromeliad          | 3 GAL. FULL  | 2.0' O.C. | Florida #1 |
| CME   | 41    | Carissa macrocarpa 'Emerald Blanket'     | Emerald Blanket Natal Plum    | 3 GAL. FULL  | 1.5' O.C. | Florida #1 |
| FMG   | 48    | Ficus microcarpa 'Green Island'          | Ficus 'Green Island'          | 3 GAL. FULL  | 1.5' O.C. | Florida #1 |
| LMS   | 67    | Liriope muscari 'Super Blue'             | Liriope 'Super Blue'          | 3 GAL. FULL  | 1.5' O.C. | Florida #1 |
| NEF   | 60    | Neoregelia x 'Fireball'                  | Bromeliad 'Fireball'          | 1 GAL. FULL  | 1.0' O.C. | Florida #1 |
| PBM   | 23    | Philodendron x 'Burlie Marx'             | Burlie Marx Philodendron      | 3 GAL.   | 2.0' O.C. | Florida #1 |
| TPP   | 52    | Tradescantia pallida 'Purpurea'          | Purple Queen                  | 1 GAL.   | 1.5' O.C. | Florida #1 |
| <b>ORCHIDS, CLIMBERS, FERNS, SUCCULENTS</b> |       |  |                               |  |           |            |
| ECH   | 30    | Echeveria sp.                            | Echeveria sp.                 | 1 GAL. POTS (PLANT ON ROOF OVERHANG)                           | A.S.      | Florida #1 |
| ORC   | 16    | Amphilophium laxiflorum 'Vanilla Orchid' | Vanilla Orchid Trumpet Vine   | 3 GAL ATTACH TO TREES/PALMS IN SUITABLE LOCATIONS. SEE DETAIL. | A.S.      | Florida #1 |
| PLB   | 1     | Platycenium bifurcatum                   | Staghorn Fern                 | 3 GAL. ATTACH TO LARGE OAK TREE                                | A.S.      | Florida #1 |
| <b>MULCH</b>                                |       |  |                               |  |           |            |
| (SF)  | UNITS |  |                               |  |           |            |
| 3,700                                       | 463   | Brown Mulch                              | 2 cu ft bag                   | 8 sf @ 3"  |           |            |



|              |               |
|--------------|---------------|
| DATE:        | 2/7/23        |
| DESIGNER:    | MK            |
| CAD:         | AJ/MK/LC      |
| PROJECT NO.: | <b>22-091</b> |
| REVISION:    | R6            |

|               |           |
|---------------|-----------|
| SCALE:        | N.T.S.    |
| DRAWING CODE: | <b>L2</b> |
| SHEET NO.:    | 02 OF 02  |



## Statement of Benefits for Variance Request

To the Board of Zoning Adjustment of the Town of Sewall's Point:

This Statement of Benefits is provided in support of the variance request for the property located at the specified address in Sewall's Point. The property, which includes a multifunctional garden structure, was developed based on an understanding that it complied with local zoning requirements as per guidance provided by the Town Building Department. The variance requested seeks to address discrepancies concerning setback requirements and to ensure continued use and benefits of the existing garden structure.

### 1. Unique Conditions and Circumstances:

The garden structure uniquely combines ecological, educational, and subsistence functions. It is designed specifically to enhance local biodiversity, particularly supporting the monarch butterfly population—a critical pollinator species. Unlike typical structures within the same zoning district, this structure also serves as a vital food source for the homeowner and an educational resource for the community, fostering knowledge about sustainable practices and food production. The garden's specific design and placement are dictated by the need to optimize these benefits.

### 2. Conditions Not Resulting from Applicant Actions:

The applicant relied on official advice from the Town Building Department, which initially indicated that no permits were necessary for the garden and associated structures. This reliance was based on professional guidance, and the conditions necessitating this variance request arose from municipal miscommunication, not from any proactive violation by the applicant.

### 3. Absence of Special Privilege:

Granting the requested variance does not confer any special privilege upon the applicant. Instead, it rectifies an oversight based on incorrect administrative guidance, aligning the property's use with those commonly allowed and intended within the zoning district. This ensures equitable treatment and compliance while recognizing the property's unique contributions to community and environmental sustainability.

### 4. Prevention of Unnecessary Hardship:

A literal enforcement of the zoning provisions would create unnecessary hardship by potentially requiring the removal or substantial alteration of the garden structure. This would not only negate the significant investment of time, resources, and effort but also diminish the



educational and environmental benefits it provides, which are aligned with the broader objectives of community and sustainability initiatives within the district.

#### 5. Minimum Necessary Variance:

The variance requested is the minimum necessary to allow the continued use of the garden structure without substantial alterations. Specifically, it pertains to the existing setbacks which are currently less than the required 15 feet due to the property's establishment before the 1984 zoning changes. The specific measurements from the structure to the property lines are as follows:

- NE corner to the Eastern Property line: 65 inches. Variance request: 115"
- SE corner to the Eastern Property line: 51 inches. Variance request: 129"
- SE corner to the Southern Property line: 89 inches. Variance request: 91"
- SW corner to the Southern Property line: 80 inches. Variance request: 100"
- The requested variance seeks to legitimize these existing measurements, which are crucial for maintaining the structure's functionality and benefits.

#### 6. Harmony with Zoning Intent and Public Welfare:

The granting of this variance is in harmony with the general intent and purpose of the zoning ordinance, promoting sustainable living practices and environmental education. The structure's presence enhances the local ecosystem, provides educational opportunities, and supports community knowledge about sustainable food production and biodiversity. It is designed to be minimally intrusive, largely obscured from public view, and positioned to complement the surrounding area without detriment to the public welfare.

This variance application, supported by the detailed explanations above, demonstrates the genuine necessity and substantial benefits of approving the request. It is made in good faith, with a commitment to maintaining the property's valuable role in the community and its alignment with the town's zoning objectives.

We respectfully request the Board's consideration and approval of this variance to support sustainable, educational, and environmentally responsible use of the property.

Thank you,

Tiffany Mittal

|                   |                                    |                   |                                    |
|-------------------|------------------------------------|-------------------|------------------------------------|
| <b>Parcel:</b>    |                                    | <b>Parcel:</b>    |                                    |
| PCN               | <a href="#">123841002000008517</a> | PCN               | <a href="#">123841002000009909</a> |
| OWNER             | GILL GEORGE H GILL VIVIAN C        | OWNER             | PRASHER ANUJ                       |
| MAIL ADDRESS      | 34 RIO VISTA DR                    | MAIL ADDRESS      | 37 RIO VISTA DR                    |
| MAIL CITY         | STUART                             | MAIL CITY         | STUART                             |
| MAIL STATE        | FL                                 | MAIL STATE        | FL                                 |
| MAIL ZIP          | 34996                              | MAIL ZIP          | 34996                              |
| SITUS HOUSE       | 34                                 | SITUS HOUSE       | 37                                 |
| SITUS PREFIX      |                                    | SITUS PREFIX      |                                    |
| SITUS STREET      | RIO VISTA                          | SITUS STREET      | RIO VISTA                          |
| SITUS STREET TYPE | DR                                 | SITUS STREET TYPE | DR                                 |
| SITUS POST DIR    |                                    | SITUS POST DIR    |                                    |
| SITUS SUITE       |                                    | SITUS SUITE       |                                    |
| SITUS CITY        | SEWALLS POINT                      | SITUS CITY        | SEWALLS POINT                      |
| SITUS STATE       | FL                                 | SITUS STATE       | FL                                 |
| SITUS ZIP         | 34996                              | SITUS ZIP         | 34996                              |
| ACCOUNT/AIN       | 27598                              | ACCOUNT/AIN       | 27610                              |
| DOR CODE          | 101                                | DOR CODE          | 101                                |
| TAX DISTRICT CODE | 2200                               | TAX DISTRICT CODE | 2200                               |
| TAX DISTRICT DESC | SEWALL'S POINT                     | TAX DISTRICT DESC | SEWALL'S POINT                     |
| LAST REVISION     |                                    | LAST REVISION     |                                    |
| ACRES             | 0.45                               | ACRES             | 0.43                               |
| BOOK/PAGE         | <a href="#">2199/2541</a>          | BOOK/PAGE         | <a href="#">2633/2750</a>          |
|                   |                                    |                   |                                    |
| <b>Parcel:</b>    |                                    | <b>Parcel:</b>    |                                    |
| PCN               | <a href="#">123841002000008900</a> | PCN               | <a href="#">013841001024000305</a> |
| OWNER             | HOFFMAN KENT A HOFFMAN SHARI L     | OWNER             | FIGIELLA JANE P                    |
| MAIL ADDRESS      | 42 RIO VISTA DR                    | MAIL ADDRESS      | 4509 PINE TREE CIR                 |
| MAIL CITY         | STUART                             | MAIL CITY         | VESTAVIA                           |
| MAIL STATE        | FL                                 | MAIL STATE        | AL                                 |
| MAIL ZIP          | 34996                              | MAIL ZIP          | 35243                              |
| SITUS HOUSE       | 42                                 | SITUS HOUSE       | 109                                |
| SITUS PREFIX      |                                    | SITUS PREFIX      | S                                  |
| SITUS STREET      | RIO VISTA                          | SITUS STREET      | RIVER                              |
| SITUS STREET TYPE | DR                                 | SITUS STREET TYPE | RD                                 |
| SITUS POST DIR    |                                    | SITUS POST DIR    |                                    |
| SITUS SUITE       |                                    | SITUS SUITE       |                                    |
| SITUS CITY        | SEWALLS POINT                      | SITUS CITY        | SEWALLS POINT                      |
| SITUS STATE       | FL                                 | SITUS STATE       | FL                                 |
| SITUS ZIP         | 34996                              | SITUS ZIP         | 34996                              |
| ACCOUNT/AIN       | 27600                              | ACCOUNT/AIN       | 17590                              |
| DOR CODE          | 101                                | DOR CODE          | 1                                  |
| TAX DISTRICT CODE | 2200                               | TAX DISTRICT CODE | 2200                               |
| TAX DISTRICT DESC | SEWALL'S POINT                     | TAX DISTRICT DESC | SEWALL'S POINT                     |
| LAST REVISION     |                                    | LAST REVISION     |                                    |
| ACRES             | 0.34                               | ACRES             | 4.29                               |
| BOOK/PAGE         | <a href="#">2647/1675</a>          | BOOK/PAGE         | <a href="#">3134/1453</a>          |
|                   |                                    |                   |                                    |

|                   |  |                   |  |
|-------------------|--|-------------------|--|
| <b>Parcel:</b>    |  | <b>Parcel:</b>    |  |
| PCN               | <a href="#">123841002000008401</a>     | PCN               | <a href="#">123841002000008303</a>     |
| OWNER             | MANTIL JOSE CHACKO MANTIL JUANITA JOAN | OWNER             | RIO VISTA LLC                          |
| MAIL ADDRESS      | 32 RIO VISTA DR                        | MAIL ADDRESS      | 1350 CHESTER INDUSTRIAL PKY            |
| MAIL CITY         | STUART                                 | MAIL CITY         | AVON                                   |
| MAIL STATE        | FL                                     | MAIL STATE        | OH                                     |
| MAIL ZIP          | 34996                                  | MAIL ZIP          | 44011                                  |
| SITUS HOUSE       | 32                                     | SITUS HOUSE       | 30                                     |
| SITUS PREFIX      |  | SITUS PREFIX      |  |
| SITUS STREET      | RIO VISTA                              | SITUS STREET      | RIO VISTA                              |
| SITUS STREET TYPE | DR                                     | SITUS STREET TYPE | DR                                     |
| SITUS POST DIR    |  | SITUS POST DIR    |  |
| SITUS SUITE       |  | SITUS SUITE       |  |
| SITUS CITY        | SEWALLS POINT                          | SITUS CITY        | SEWALLS POINT                          |
| SITUS STATE       | FL                                     | SITUS STATE       | FL                                     |
| SITUS ZIP         | 34996                                  | SITUS ZIP         | 34996                                  |
| ACCOUNT/AIN       | 27597                                  | ACCOUNT/AIN       | 27596                                  |
| DOR CODE          | 101                                    | DOR CODE          | 101                                    |
| TAX DISTRICT CODE | 2200                                   | TAX DISTRICT CODE | 2200                                   |
| TAX DISTRICT DESC | SEWALL'S POINT                         | TAX DISTRICT DESC | SEWALL'S POINT                         |
| LAST REVISION     |  | LAST REVISION     |  |
| ACRES             | 0.73                                   | ACRES             | 0.49                                   |
| BOOK/PAGE         | <a href="#">2669/1642</a>              | BOOK/PAGE         | <a href="#">2858/0337</a>              |
|                   |  |                   |  |
| <b>Parcel:</b>    |  | <b>Parcel:</b>    |  |
| PCN               | <a href="#">123841002000009008</a>     | PCN               | <a href="#">123841002000009801</a>     |
| OWNER             | DIPZINSKI BENEDICT DIPZINSKI DAWN      | OWNER             | LEWIS JOHN D III L/E LEWIS ALYNE H L/E |
| MAIL ADDRESS      | 44 RIO VISTA DR                        | MAIL ADDRESS      | 43 RIO VISTA RD                        |
| MAIL CITY         | STUART                                 | MAIL CITY         | STUART                                 |
| MAIL STATE        | FL                                     | MAIL STATE        | FL                                     |
| MAIL ZIP          | 34996                                  | MAIL ZIP          | 34996                                  |
| SITUS HOUSE       | 44                                     | SITUS HOUSE       |  |
| SITUS PREFIX      |  | SITUS PREFIX      |  |
| SITUS STREET      | RIO VISTA                              | SITUS STREET      |  |
| SITUS STREET TYPE | DR                                     | SITUS STREET TYPE |  |
| SITUS POST DIR    |  | SITUS POST DIR    |  |
| SITUS SUITE       |  | SITUS SUITE       |  |
| SITUS CITY        | SEWALLS POINT                          | SITUS CITY        |  |
| SITUS STATE       | FL                                     | SITUS STATE       |  |
| SITUS ZIP         | 34996                                  | SITUS ZIP         |  |
| ACCOUNT/AIN       | 27601                                  | ACCOUNT/AIN       | 27609                                  |
| DOR CODE          | 101                                    | DOR CODE          | 101                                    |
| TAX DISTRICT CODE | 2200                                   | TAX DISTRICT CODE | 2200                                   |
| TAX DISTRICT DESC | SEWALL'S POINT                         | TAX DISTRICT DESC | SEWALL'S POINT                         |
| LAST REVISION     |  | LAST REVISION     |  |
| ACRES             | 0.34                                   | ACRES             | 0.39                                   |
| BOOK/PAGE         | <a href="#">3253/1056</a>              | BOOK/PAGE         | <a href="#">3207/1641</a>              |

# TOWN OF SEWALL'S POINT



**TO:** Board of Zoning Adjustments  
**FROM:** April C. Stoncius, MMC, Town Clerk  
**SUBJECT:** Board Member Vacancy  
**DATE:** May 22, 2024

---

Due to the resignation of Vice Chair Diane Kimes, there is currently a full board member vacancy. There are two alternate members, Stephen Sedor and Yara Bashoor, who are available to serve as a full board member.

Section 2-104 below describes the Vice Chair's responsibilities.

- **Sec. 2-104. - Officers.**

The chair and vice-chair of the board of zoning adjustment shall be members of the board of zoning adjustment. The chair shall preside at the meetings. The vice-chair shall act in the absence of the chair and may exercise any and all powers of the chair during such absence. The board shall also appoint a secretary, who may be an officer or employee of the town.

(Ord. No. 95, § XV.A.10, 11-17-1976)

**Staff Recommendation:**

Appoint a full board member and select a Vice Chair from the current board members.