TOWN OF SEWALL'S POINT

Board of Zoning Adjustment Meeting
November 12, 2026
10:00 AM

CALL TO ORDER

- Pledge of Allegiance to the Flag
- Roll Call

PUBLIC COMMENT ON NON-AGENDA ITEMS

Please submit a comment card to the Town Clerk prior to the start of the meeting and limit yourcomments to three minutes. Individual time may not be transferred toanother individual on your behalf.

TOSP Public Comment Guidelines
Public Comment Guidlines_CEB.pdf

APPROVAL OF AGENDA

ACTION ITEMS:

1. ## APPROVAL OF MINUTES

   a. Board of Zoning Adjustment Meeting Minutes - July 16, 2026
   07 16 2026 BZA Minutes - draft.pdf

2. ## PUBLIC HEARINGS

   a. Alexander Dubitsky and Pamila Tillinghast - 18 Palm Rd - Variance Request - Section 82-274 - Setbacks
   1. ***Disclosure of any Ex Parte Communications***
   Variance Application - 18 Palm Rd.pdf

CLOSING COMMENTS

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.

CONSENT CALENDAR: A consent calendar is a way for meetings to operate more efficiently by grouping routine and non-controversial items, such as previous meeting minutes or financial reports, into a single agenda item. The entire group of items is then approved with a single vote, without the need for separate discussion or motions for each one. This allows meeting time to be reserved for more significant or complex issues that require debate. If discussion on an item is desired by any City Commissioner, that item may be removed by a City Commissioner prior to approval of the Consent Calendar and considered separately.

Guidelines for Public Comments

- Please submit a comment card to the Town Clerk prior to the start of the meeting.

- All comments are limited to 3 minutes.
  Individual time may not be transferred to another individual on your behalf.

- All remarks should be addressed to the Board Chair.

- Please state your name and address for the record prior to addressing the Board Chair.

- 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 who disrupts the orderly and efficient conduct of the meeting, uses profane or obscene language may be removed from the meeting.

Board of Zoning Adjustment

Meeting Minutes - Draft

July 16, 2026, 10:00 AM

1 South Sewalls Point Road, Sewall's Point, FL 34996, US

CALL TO ORDER

Chair Bashoor called the Board of Zoning Adjustment meeting to order on Thursday, July 16, 2026 at 10:00 AM at 1 South Sewalls Point Road, Sewall's Point, FL 34996.

- **Pledge of Allegiance to the Flag**

The Pledge of Allegiance was recited.

- **Roll Call**

Present: Chair Bashoor, Vice Chair Barrett, Board Member Leonard

Absent: Board Member Choplinsky

A quorum was established.

PUBLIC COMMENT ON NON-AGENDA ITEMS

No public comments on non-agenda items were submitted.

APPROVAL OF AGENDA

Board Member Leonard asked for clarification about the revised Agenda. It was confirmed that the revision moved the Disclosure of Ex Parte Communications from the top of each public hearing item to within the body of the hearing itself.

> **Motion** to approve the revised agenda was made by Board Member Leonard and **seconded** by Vice Chair Barrett. The motion **passed** with all in favor.

ACTION ITEMS

1. APPROVAL OF MINUTES

a. Board of Zoning Adjustment Meeting Minutes – February 18, 2026

Motion to approve the February 18, 2026 Board of Zoning Adjustment Meeting Minutes was made by Vice Chair Barrett and Board Member Leonard **seconded**. The motion **passed** with all in favor.

2. PUBLIC HEARINGS

a. Joseph Chudd – 31 N Sewall's Point Rd – Variance Request – Section 82-274 – Setbacks

Chair Bashoor inquired regarding ex parte communications for 31 North Sewall's Point Road. Vice Chair Barrett noted receipt of an email sent to the Board and a phone call from a town property owner; he declined to discuss the case prior to the hearing. Board Member Leonard acknowledged a phone call from the same property owner and listened to their concerns, affirming it would not impact her decision. No other ex parte communications were reported.

Jack Reisinger, Building Official, was sworn in.

Attorney Terry McCarthy (and, Attorney Audra Creech), representing applicant Joseph Chud, provided background on the property's history. The subject parcel is the southerly (blue) lot at 31 North Sewall's Point Road, created as a result of a lot split of a formerly undivided parcel running from North Sewall's Point Road to the Saint Lucie River. Mr. McCarthy explained that both Mr. Chud and the adjacent northern property owner, Dustin Ertle, purchased their respective lots with aligned intentions: to construct single-family residences while preserving the significant existing tree canopy on the properties. The variance sought was a reduction of 5 feet from the required 20-foot side yard setback along the shared interior (northern) property line — from 20 feet to 15 feet — allowing each owner to position their home slightly closer to the center boundary and farther from the exterior neighboring properties to the north and south.

Dustin Ertle, owner of the adjacent 33 North Sewall's Point Road parcel, was sworn in and testified in support of the shared rationale. He described his family's plans to relocate from Wellington, Florida, and noted the appeal of the property's natural character. He stated that the variance was critical to achieving a functional home design, particularly given the requirement for side-entry garages, and that without the additional 5 feet, the usable width of the building envelope would be severely constrained. Mr. Ertle acknowledged that a resurvey of the property revealed the actual width to be approximately 112 feet at the waterline — less than the 120 feet reflected on the property appraiser's records — further complicating the as-of-right design.

Upon the request of Vice Chair Barrett, Attorney McCarthy provided his evaluation of the six statutory criteria for both properties required under Section 82-115 of the Town Code for approval of a variance.

Building Official Jack Reisinger explained the applicable setback regulations. He noted that prior to the lot split, the combined parcel carried 15-foot side setbacks. However, because the lot split created new lots with a legal birth date after February 8, 1984, both newly created parcels became subject to the more restrictive 20-foot side setback requirement under the Town's code. This applied to all four side yards — not merely the newly created interior boundary. Building Official Reisinger further stated that the Town had no objection to the variance request, as the change would only affect the relationship between the two cooperating property owners, and the exterior setbacks abutting adjacent neighbors would remain at the full 20 feet.

Attorney Tyson Waters read the code setback requirements.

Vice Chair Barrett noted that a formal lot survey was omitted, and the applicant relied solely on Property Appraiser data.

Board Member Leonard noted that there was no benefit to the abutting adjacent neighbors as was suggested.

Board Member Leonard raised a concern regarding the absence of a formal survey in the application materials. Attorney Audra Creech clarified that she had relied on the property appraiser's website measurements, as the surveys conducted by the individual owners had not been provided to her. Dustin Ertle explained that a secondary survey had been commissioned to obtain a cross-sectional measurement, which revealed the 112-foot dimension. The discrepancy between the property appraiser's figures and the actual survey was acknowledged, though BZA Attorney noted that the recorded metes-and-bounds legal descriptions in the deeds would govern any future boundary determinations, making a dispute unlikely.

Chair Bashoor raised a question regarding the legal scope of the variance, asking whether, if granted, the 5-foot reduction would run the full length of the property from North Sewall's Point Road to the river. Town Attorney Elizabeth Lane confirmed that this was the case but advised the board that it had the option to limit the variance to a specific portion of the property — for example, only to the area of the primary structure — as a condition of approval.

Dr. Charles Farrell, 46 North River Road, Knoll Subdivision, was recognized for public comment. Dr. Farrell provided historical context regarding the original structures on the property and confirmed the neighborhood's longstanding opposition to any access from North River Road. He noted that both ends of North River Road are currently closed with physical barriers and town-posted dead-end signs and urged that the proper access for the subject properties be limited to North Sewall's Point Road. When asked by Chair Bashoor whether he was in opposition to the variance itself, Dr. Farrell indicated that his primary concern was access, and that he generally preferred that all property owners comply with code requirements. Building Official Reisinger subsequently confirmed that access to the properties is limited to North Sewall's Point Road.

Attorney McCarthy stated that Mr. Ertle did not want to make access to his property from River Road.

Board members evaluated the request against the six statutory criteria required under Section 82-115 of the Town Code for approval of a variance. Board Member Leonard expressed concern that the variance would confer a special privilege not available to other similarly situated property owners and further stated that the absence of a survey in the application undermined the applicant's credibility.

Vice Chair Barrett addressed each of the six criteria in detail and concluded that none were satisfactorily met. Specifically:

- Special conditions peculiar to the land — The parcels are rectangularly shaped with no unusual physical characteristics distinguishing them from other properties.
- Conditions not created by the applicant — The lot split creating the new setback requirements was a transaction entered into by the current owners and predecessors; no independent hardship was imposed.
- No special privilege — no special circumstances.
- Deprivation of rights — A code-compliant structure can be constructed within the existing 20-foot setbacks.
- Minimum variance — Because a reasonable use of the property is achievable under the existing code, the request was not the minimum variance necessary to enable use. Vice Chair Barrett noted that a 67-foot building envelope remains available, which is comparable to the width of a functional residential structure.

- Harmony with intent and purpose — The variance was characterized as a matter of convenience for the property owners rather than a necessary remedy.

Chair Bashoor concurred that several criteria were not met and stated the board must adhere to the applicable code.

> **Motion** to deny the variance request for 31 North Sewall's Point Road was made by Vice Chair Barrett and **seconded** by Board Member Leonard. Upon roll call: Board Member Leonard — yes; Vice Chair Barrett — yes; Chair Bashoor — yes. **Motion to deny carried 3-0**.

b. 4 Coastal Properties Inc – 33 N Sewall's Point Rd – Variance Request – Section 82-274 – Setbacks

Ex parte disclosures for Item 2b were confirmed to be the same as those disclosed for Item 2a.

Attorney Terry McCarthy advised the board that the facts, arguments, and testimony presented during the hearing for 31 North Sewall's Point Road were equally applicable to this variance request, as the two applications were substantively identical — both seeking a 5-foot reduction from the required 20-foot side setback along the shared interior property line, for the same reasons and by the same cooperating parties.

The board accepted the record from the prior hearing as applicable to this matter without requiring a full re-presentation.

Board members applied the same analysis and rationale as articulated in the hearing for 31 North Sewall's Point Road, finding that the six statutory criteria for variance approval were not met.

> **Motion** to deny the variance request for 33 North Sewall's Point Road (4 Coastal Properties Inc.) was made by Vice Chair Barrett and seconded by Board Member Leonard. Upon roll call: Board Member Leonard — yes; Chair Bashoor — yes; Vice Chair Barrett — yes. **Motion to deny carried 3-0.**

CLOSING COMMENTS

Chair Bashoor invited BZA Attorney to provide clarification on the proper handling of ex parte communications, noting that the topic had generated some discussion in the community. BZA Attorney explained that the purpose of ex parte disclosure is to ensure full public transparency — any information learned or communications had outside of the hearing room must be disclosed at the meeting so that the public, the applicant, and town staff are aware of all information being considered by board members. He advised that while such outside communications are not strictly prohibited, board members should minimize them to the extent possible, and that communications between board members outside of a noticed public meeting are prohibited under Florida's Sunshine Law.

Vice Chair Barrett noted that he had previously been counseled against speaking with applicants or other parties prior to meetings and had since adopted the practice of not discussing pending matters with anyone outside of the public hearing setting. Chair Bashoor echoed this approach, describing the BZA as a quasi-judicial body whose members, like judges, should rely on information presented at the public hearing rather than conducting independent investigations.

ADJOURN

There being no further business, Chair Bashoor adjourned the meeting.

APPROVED:

_____

Yara Bashoor, Chair
Board of Zoning Adjustment

ATTEST:

_____

Maria Pierce, Acting Town Clerk

Minutes approved at the meeting of:

_____

DRAFT

McCARTHY SUMMERS WOOD
NORMAN MELBY SCHULTZ
WOOD & VanVALKENBURGH P.A.
ATTORNEYS AT LAW

October 1, 2026

RECEIVED
OCT 01 2026
By

Jack Reisinger
Building Official,
Town of Sewall's Point
1 S. Sewall's Point Road
Sewall's Point, FL 34996

RE: Statement of Benefits - Variance Application
Current Owners: Alexander Dubitsky and Pamila Tillinghast (Collectively, the "Applicant" or "Owners").
Property Address: 18 Palm Road, Sewall's Point, FL
Parcel ID Number: 13-38-41-005-000-00080-5

Dear Mr. Reisinger,

Our office has the pleasure of representing the Applicant, collectively, current owners, Alexander Dubitsky and Pamila Tillinghast, in their application for variance from current setback requirements at the property located at 18 Palm Road, Sewall's Point, Florida having parcel identification number 13-18-41-005-000-00080-5 (the Property"). The fully executed application for variance is attached hereto as Exhibit "A". Please find also enclosed the Martin County property card and property lookup sheet as to the Property.

PROPERTY FACT & CIRCUMSTANCES

The Property is uniquely located with roadways on two of the four boundaries with existing improvements in close proximity to both roadways. The roadways involved are South River Road and Palm Road. For context, please find a 2026 aerial excerpted below:

[THE REST OF THIS PAGE IS INETIONALLY LEFT BLANK]

Terence P. McCarthy[1]
Robert P. Summers[1]
Steven J. Wood[2]
Kenneth A. Norman
Nicola J. Melby[3,4]
Owen Schultz
Margaret E. Wood[5,6]
Jessica M. VanValkenburgh

Audra R. Creech
Of Counsel

Kimberly A. Ryan[6]
Loren N. Esposito
Ross C. Alagna
Liane S. LaBouef

[1]Board-Certified Specialist in *Real Estate Law by the Florida Bar*

[2]Board-Certified Specialist in *Wills, Trusts & Estates Law by the Florida Bar*

[3]Board-Certified Specialist in *Elder Law by the Florida Bar*

[4]Certified Elder Law Attorney *by National Elder Law Foundation*

[5]Board-Certified *Estate Planning Law Specialist by Estate Law Specialist Board, Inc.*

[6]Accredited Estate Planner *by National Association of Estate Planners & Councils*



The Property, known as Lot 8, was created pursuant to a 1968 plat known as the Revised and Amended Plat of Palm Row recorded in the Martin County public records at Plat Book 4, Page 68 and which is also enclosed.

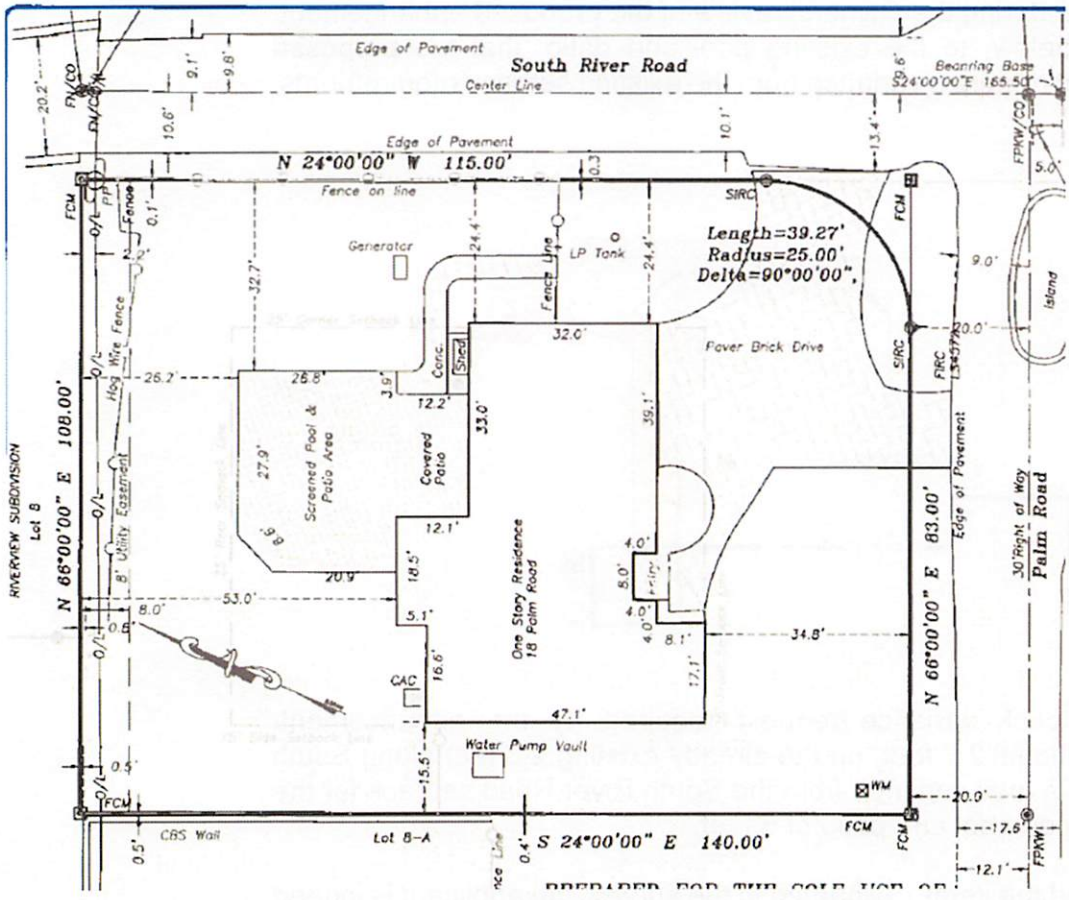
The existing improvements on the Property include a Single-Family Residence (originally approved pursuant to SFR Permit # 153), an attached screen enclosed Pool and Patio (approved pursuant to Pool & Patio Permit # 1317), enclosed and attached Garage (approved pursuant to Garage Door Permit 1576 and others), and a Fence along the property boundary adjacent to South River Road (approved pursuant to Fence Permit # 2400 and others).

The existing single-family residence on the Property was built in 1969. The existing pool and patio area was built in 1981, and the garage was enclosed in 1983. As already identified, all structures currently existing were approved in their current state and current dimensions by the Town of Sewall's Point. The Owners acquired the Property in 2024.The Owners now, after 57 years from the original construction of the single-family residence, would like to add an enhancement to the already existing patio and pool.

PRE-EXISTING ENCROACHMENTS

When the Owners of the property completed a survey as a step in potentially building said enhancement to the existing pool and patio area, existing encroachments into the setbacks were identified and it became apparent that those encroachments predated the Owners' ownership of the Property.

As identified graphically below, the setback from Palm Road is 35 feet, the setback from South River Road is 35 feet, the setback from the rear (adjacent to Lot 8 of the Riverview Subdivision) is 25 feet, and the side setback (adjacent to Lot 8-A of the Palm Row subdivision) is 15 feet. The Survey is attached herein as Exhibit C.

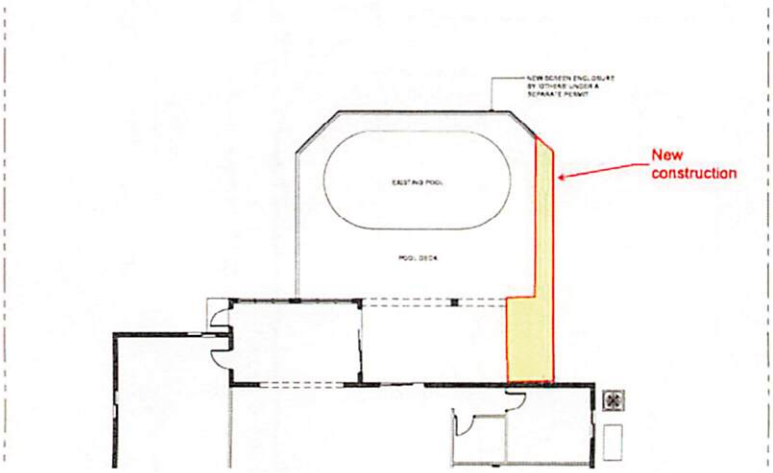


Pursuant to the survey, there is an existing encroachment of 10.6 feet due to the enclosed garage along South River Road, an encroachment of 2.3 feet because of the existing pool and patio along South River Road, and a final existing encroachment of .4 feet along Palm Road (the "Pre-Existing Encroachments").

These Pre-Existing Encroachments do not legally require a variance since they are vested and were approved via building permit at the time of construction. However, a variance from the current setbacks is sought for the Pre-Existing Encroachments, so that in the event of the existing structure being severely impacted by a weather event, or other catastrophe, the replacement structure can be approved in the existing structure's footprint.

PROPOSED ENHANCEMENTS

It also became clear during the Owners' review of the proposed enhancement, excerpted in part below, to the existing pool and patio, that the proposed enhancement would require a variance from the existing setback requirements.



The additional setback variance request required by the enhancement, equating to an additional 2.7 feet, on the already existing 2.3 feet along South River Road, equals a total variance from the South River Road setback for the existing and enhanced pool and patio of 5 feet.

Given the above and the items delineated in the survey, the applicant is indeed requesting the minimum necessary for compliance and reasonable use of the land, building and structures as to the enhancement to the pool area.

All the requested variances to correct the Pre-Existing Encroachments and to allow for the reasonable enhancement of the existing Pool and Patio are attached as Exhibit "C" as well.

EXPECTED AFFECT ON NEIGHBORS IF VARIANCES GRANTED

Currently, there is a fence along the boundary of the Property and South River Road which obscures all sight lines of passenger vehicles and pedestrians from South River Road. There is also significant vegetation that obscures sight lines over the fence along South River Road. The neighbor to the Property, lot 8 of the Riverview Subdivision, to the rear of the Property, is the only lot that would be visually affected by any change, however, the neighboring lot has significant vegetative screening on the neighbor property as well as the Property itself, obscuring completely the view and there are and would be no encroachments to the rear. Finally, the neighbor that occupies Lot 8-A of the Palm Road Subdivision would have no impacts as the existing pool and patio enclosure would obscure completely any changes made to the South River Road side of the Property. There would be no impacts created by granting a variance for the Pre-Existing Encroachments or for enhancement of the existing pool and patio on the Property.

At this time, the Applicant would respectfully request that the Town of Sewall's Point Board of Zoning Adjustment grant all the variances requested as delineated herein and pursuant to the attached Application for Variance.

A certified list of owners shall be delivered by separate cover no later than Monday, October 5, 2026 to the Town of Sewall's Point. The Applicant shall send notifications by certified mail, return receipt requested, to all listed surrounding owners at least fifteen (15 days) prior to the date of hearing on the enclosed variance application. The Applicant shall post the hearing as to the enclosed variance application on the property at least fifteen days prior to the hearing.

Please let us know if we can provide any further information or answer and questions or concerns.

Sincerely,

Audra R. Creech, Esq.
arc@mccarthysummers.com

ARC/clf

Cc: Terence P. McCarthy, Esq. (tpm@mccarthysummers.com)

Enclosures: Variance Application, Application Fee and Exhibits

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

PRIMARY CONTACT EMAIL ADDRESS: tpm@mccarthysummers.com

PROPERTY OWNER:

Name: Alexander Dubitsky and Pamela Tillinghast

Address: 18 Palm Road, Sewall's Point 34996

Telephone No. N/A

APPLICANT (Property owner must sign application)

Name: ( ) owner (X) owner agent

Terence P. McCarthy, Esq. & Audra R. Creech, Esq., McCarthy Summers, PA

Address: 2400 SE Federal Hwy. 4th Floor, Stuart, FL 34994

Telephone No. (772) 286-1700 Email tpm@mccarthysummers.com

arc@mccarthysummers.com

SUBJECT PROPERTY:

Legal Description: PALM ROW REVISED & AMENDED LOT 8

Parcel I.D. Number: 13-38-41-005-000-00080-5

Address: 18 Palm Road, Sewall's Point 34996

Current Zoning Classification Sewall's Point Single Family 0100

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.
Please see attached Exhibit "A".

Variance requested from Section 82-274 **of Code of Ordinance** Sewall's Point

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

Signature of Applicant	Hand Print Name	Date
	Alexander Dubitsky	9/30/26
	Pamela Tillinghast	9/30/26

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;

See attached Exhibit "A".

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

See attached Exhibit "A".

(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;

See attached Exhibit "A".

(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;

See attached Exhibit "A".

(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;

See attached Exhibit "A".

(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;

See attached Exhibit "A".

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 Town Clerk shall post Notice of Public Hearing on the property for which the Exception is sought. The Applicant, at the Applicant's expense, shall 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.

Signature of Applicant or Applicant's Attorney	Hand Print Name	Date
	Andra R. Creech, Esq.	09/30/2026

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. "Please See Statement of Benefits"
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, or other certifications available through mailing services, shall be furnished to the Town Clerk or the Board of Zoning Adjustment prior to the beginning of the hearing. "Please See Statement of Benefits"
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. "Please See Statement of Benefits"

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 _____ a.m. 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)

Exhibit "A"

Description of requested variance and applicable conditions/circumstances justifying request:

The subject property is located at 18 Palm Road, Sewall's Point, Florida. The current owners of the property are Alexander Dubitsky and Pamela Tillinghast. The owners acquired the property in 2024. The existing house on the property was built in 1969. The pool and patio were built in 1981. The garage was enclosed in 1983.

Recently, when the current owners of the property completed a survey as a step in potentially building a new screen enclosure and new patio at the existing house, it came to the attention owners that encroachments in the setbacks already existed as to the existing structures.

Clearly and due to the construction dates of the existing structures, any existing encroachments into the current setbacks were created decades ago and were not acts of the current owners. These pre-existing encroachments do not legally require a variance since they are vested and were approved via building permit at the time of construction, however, a variance from the current setbacks is sought, so that in the event of the existing structure being severely impacted by a weather event, or other catastrophe, the replacement structure can be approved in the existing structure's footprint.

It also became clear during the current property owners' review of the potential improvements that the proposed future screen enclosure and new patio would also need a variance of the existing setback requirements.

Variances

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 property is uniquely located with roadways on two of the four boundaries with improvements in close proximity to both roadways, specifically South River Road and Palm Road, pursuant to a 1968 plat known as the Revised and Amended Plat of Palm Row at PB 4 Page 68. For context, the Town of Sewall's Point was created in 1957.

   The existing residence on the property was built in 1969, and due to the timing between plat and construction and based on Aerials, the existing residence on the Property was one of the first within this subdivision.

Additionally, all structures currently existing were approved in their current state and current dimensions by the Town of Sewall's Point.

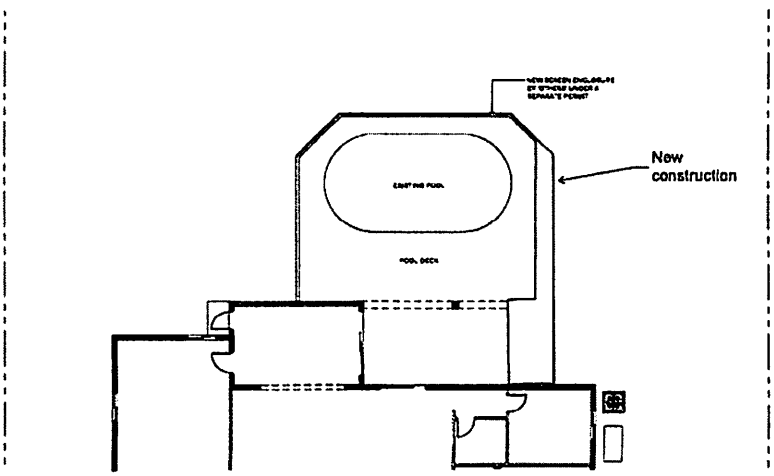
Until the current owners acquired the property in 2024, the existing house was unimproved and unmaintained beyond the 1981 and 1983 improvements discussed above. The current owners now, after 57 years, would like to add an enhancement to the already existing patio and pool.

2. **Please explain if these conditions and circumstances result from actions by the applicant;**

The owners acquired the property in 2024. The existing house on the property was built in 1969. The pool and patio were built in 1981. The garage was enclosed in 1983. Clearly, any existing encroachments into the current setbacks were created decades ago and were not acts of the current owners.

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 current owners desire to build an enhancement to the existing screen enclosure and patio. To do so, the owners need to seek a variance for the enhancement and concurrent variances to bring the existing setback encroachments into compliance with the town's requirements.



Pursuant to the above Site Plan Excerpt, the enhancement is minor in comparison to the existing pool and patio and will only require a five-foot variance from the setback from South River Road. Because of the minor nature of the enhancement and encroachment into the otherwise 35-foot setback, the Applicant respectfully posits that this is not conferring on the applicant a special privilege that would otherwise be

denied to other lands, buildings or structures in the same zoning district, especially since the existing residence predates the full connection of South River Road.

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;**

   If the applicant is required to meet the current setbacks, even for existing structures, this would put an unnecessary hardship on the owner. The applicant simply asks to allow the existing structures to remain untouched and the pool enclosure and patio to be enhanced. Essentially, the status quo will be retained and enhanced.

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;**

   Attached hereto as Exhibit "C" is the survey of the property depicting existing encroachments of 2.3 feet, 10.6 feet and .4 feet, respectively. The Applicant is simply attempting, with these identified variance distances, to keep the existing structures in the current location.

   The additional setback variance request, equating to an additional 2.7 feet, on the already existing 2.3 feet, for the enhancement of the pool area, equals a total variance from the setback for the existing and enhanced of 5 feet.

   Given the above and the items delineated in the survey, the applicant is indeed requesting the minimum necessary for compliance and reasonable use of the land, building and structures.

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;**

   Simply conforming the current structures with the current setbacks will not be injurious to the adjoining neighborhood and will be in harmony with the surrounding homes. In addition, the enhancement of the enclosure in the rear will have no impact to adjoining neighbors due to significant vegetation blocking sight lines and an existing fence along the boundary between South River Road and the structures.

Recorded in Martin County, FL 12/12/2024 1:30 PM
Carolyn Timmann, Clerk of the Circuit Court & Comptroller
Rec Fees: $18.50Deed Tax: $8,050.00
CFN#3104466 BK 3473 PG 489 PAGE 1 of 2

Prepared by and return to:
Terence P. McCarthy, Esq.
McCarthy, Summers, Wood, Norman, Melby & Schultz, P.A.
2400 SE Federal Highway, 4th Floor
Stuart, Florida 34994
772-286-1700
File Number: 16937.03
Parcel Identification No.: 13-38-41-005-000-00080-5

(space above this line for recording data)

Warranty Deed

(STATUTORY FORM - SECTION 689.02, F.S.)

THIS WARRANTY DEED, made this 12th day of December, 2024, by **Hannah Cox, individually and as Successor Trustee of the Cox Family Revocable Trust of 2019, dated July 30, 2019**, whose address is 550 Catalonia Avenue, Pacific Palisades, California 90272 ("Grantor"*), to **Alexander Dubitsky and Pamela Tillinghast, a married couple**, whose address is 148 S. Sewalls Point Road, Sewalls Point, FL 34996 ("Grantee"*):

Witnesseth that said Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS ($10.00) 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 Martin County, Florida, to-wit:

LOT 8, REVISED AND AMENDED PLAT OF PALM ROW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 68, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

Subject to taxes for 2025, and subsequent years; covenants, conditions, restrictions, easements, reservations and limitations of record, if any.

SAID PROPERTY IS NOT THE HOMESTEAD OF THE GRANTOR(S) UNDER THE LAWS AND CONSTITUTION OF THE STATE OF FLORIDA IN THAT NEITHER GRANTOR(S) NOR ANY MEMBER OF THE HOUSEHOLD OF GRANTOR(S) RESIDE THEREON.

and said Grantor does hereby fully warrant the title to said land, and will defend the same against lawful claims of all persons whomsoever.

* "Grantor" and "Grantee" are used for singular or plural, as context requires.

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

EXHIBIT B

Signed, sealed and delivered in our presence:

Witness printed name: Jody Claire Landers

Witness Address: P.O. Box 3248
Q.M. CA 90408

Witness printed name: Michael Smith

Witness Address: 50 Rose Ave #1
Venice CA 90291

Hannah Cox, individually and as Successor Trustee of the Cox Family Revocable Trust of 2019, dated July 30, 2019

State of California

County of Los Angeles

The foregoing instrument was acknowledged before me by means of (X) physical presence or ( ) online notarization, this 10 day of December, 2024, by Hannah Cox, individually and as Successor Trustee of the Cox Family Revocable Trust of 2019, dated July 30, 2019, who ( ) is personally known or (X) has produced a driver's license as identification.

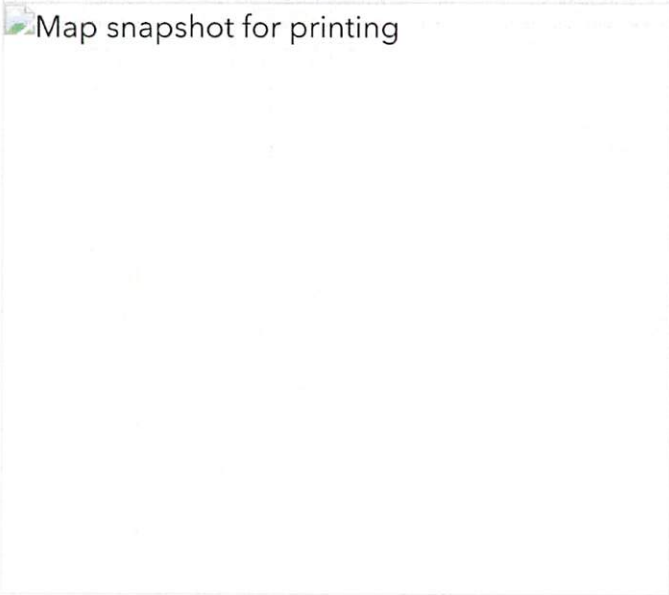
{Notary Seal}

Notary Public

JODY CLAIRE LANDERS
Notary Public - California
Los Angeles County
Commission # 2389690
My Comm. Expires Jan 31, 2026

Martin County Property Information Lookup

Map



General Information

Parcel #	133841005000000805
Owner Name	DUBITSKY ALEXANDER TILLINGHAST PAMELA
Owner Address	18 PALM RD SEWALLS POINT FL, 34996
Site Address	18 PALM RD SEWALLS POINT FL, 34996
Storm Surge Evacuation Zone	AB
Flood Zone - BFE	X - N/A Feet NAVD
FIRM Panel	12085C0162H
Urban Service District	Primary
Municipality	Sewall's Point
Municipal Service Taxation Unit	District 1
Tax District	SEWALL'S POINT
ISO-PPC Rating	Contact City of Stuart Fire Rescue
Subdivision Infill Applicability	Yes
Development Imposed Conditions	Residential Fire Sprinklers Not Required

Building Design Wind Speed

Occupancy Category I, II, III/IV	150 , 160 , 170

Community Redevelopment

CRA	N/A
CRA Regulating Plan	N/A

Land Use

Land Use information can change frequently, please verify with the Martin County Growth Management Department at 772-288-5495

Zoning	SEWALLS POINT
Zoning Details	N/A
Future Landuse	NO DATA
Landuse Details	N/A

Schools

School information obtained from the Martin County School District system, 772-219-1200

Elementary School	Felix A. Williams Elementary
Middle School	Stuart Middle School
High School	Jensen Beach High School

Utilities & Solid Waste

Service	Utility	Availability	Phone
Water	Martin County Utilities	Yes	772-221-1434
Sewer	Martin County Utilities	Yes	772-221-1434

Recycle Collection	Recycle Monday
Trash Collection	Garbage Monday and Thursday
Yard Waste Collection	Yard Waste Wednesday

Election Information

Voter Precinct	10
Commission District	1

Office	Official Name	Phone
Commissioner	Eileen Vargas	772-288-5400
Clerk of Circuit Court	Carolyn Timmann	772-288-5576
County Sheriff	John Budensiek	772-220-7000
Property Appraiser	Jenny Fields	772-288-5608
School Superintendent	Michael Maine	772-219-1200
Supervisor of Elections	Vicki Davis	772-288-5637
Tax Collector	Ruth Pietruszewski	772-288-5600

Disclaimer

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 does not warrant, guarantee, or make any representations regarding the use, or the results of the use, of the information provided to you by the COUNTY in terms of correctness, accuracy, reliability, timeliness or otherwise. The entire risk as to the results and performance of any information obtained from the COUNTY is entirely assumed by the recipient. Please contact the responsible Martin County Department for specific determinations.

Property Lookup Created: 9/29/2026 at 1:09 PM

< BACK TO SEARCH

Basic Info

PIN	AIN	Situs Address	Website Updated
13-38-41-005-000-00080-5	27813	18 PALM RD SEWALLS POINT FL	9/29/26

General Information

CHANGE MAILING ADDRESS SIGN UP FOR PROPERTY FRAUD ALERT

Property Owners
DUBITSKY ALEXANDER
TILLINGHAST PAMELA
DUBITSKY ANATOLY EFIMOVICH
DUBITSKY NINA ALEXANDROVNA
+ Show additional owners

Mailing Address
18 PALM RD
SEWALLS POINT FL 34996

Tax District
SEWALL'S POINT

Parcel ID
13-38-41-005-000-00080-5

Account Number
27813

Property Address
18 PALM RD SEWALLS POINT FL

Legal Description
PALM ROW REVISED & AMENDED LOT 8

Use Code/Property Class
0100 - 0100 Single Family

Neighborhood
120200 South Sewall's Point

Legal Acres
0.344

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
2026	$ 645,000	$ 303,200	$ 948,200	$ 0	$ 948,200	$ 0	$ 948,200

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
12/30/24
Sale Price
$ 100

Grantor (Seller)
TILLINGHAST PAMELA
Deed Type
Warranty Deed

Doc Num
3107100
Book & Page
3476 815

Legal Description

PALM ROW REVISED & AMENDED LOT 8

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

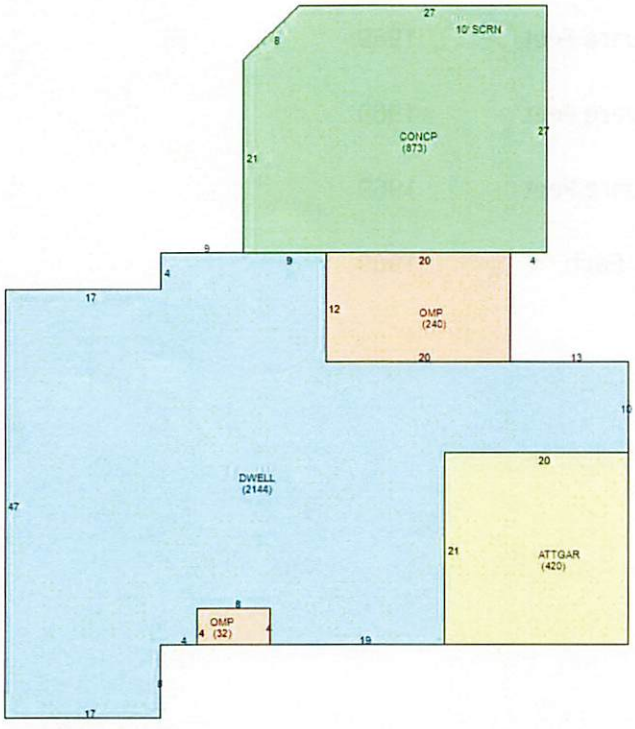
Improvements

PIN	AIN	Situs Address	Website Updated
13-38-41-005-000-00080-5	27813	18 PALM RD SEWALLS POINT FL	9/29/26

Use Code/Property Class	Total Finished Area	Max Stories
0100 - 0100 Single Family	2,144 SF	1

Building Information (1 of 1)

Building Type	Finished Area	Exterior Cover	Roof Cover
Single family	2,144 SF	Stucco	Metal flat seam
Year Built	**Wall**	**Number of Units**	**Wall Height**
1969	Concrete block	1	N/A
Bedrooms	**Full Baths**	**Half Baths**	
3	3	0	



Report a Discrepancy

Sketched Area Legend

Sub Area	Description	Area	Finished Area
OMP	Open Masonry Porch	32	0
OMP	Open Masonry Porch	240	0
ATTGAR	Attached Garage	420	0
CONCP	Concrete Patio	873	0
DWELL	Dwelling	2,144	2,144

Features/Yard Items

Type	Qty	Size	Unit of Measure	Year Blt
Residential Pool In Ground	1	375	Square Feet	1969
Residential Screen Enclosure	1	1839	Square Feet	1969
Shutters - Panel	1	1	Square Feet	1969
Sprinkler System	1	1	Per Each	1969

Sales History

PIN	AIN	Situs Address	Website Updated
13-38-41-005-000-00080-5	27813	18 PALM RD SEWALLS POINT FL	9/29/26

Sale Date	Sale Price	Grantor (Seller)	Deed Type	Doc Num	Book & Page
12/30/24	$ 100	DUBITSKY ALEXANDER	Warranty Deed	3107100	3476 815
12/12/24	$ 1,150,000	COX FAMILY REVOCABLE TRUST OF 2019	Warranty Deed	3104466	3473 489
7/30/19	$ 100	COX WILLIAM	Quit Claim Deed	2768350	3074 2876
7/13/18	$ 685,000	DESTEPHAN JOSEPH A	Wd Full Covenant and Warranty Deed	2705550	3004 1613
6/30/08	$ 439,500	ARCH, JOSEPH R & STACY A	Wd Full Covenant and Warranty Deed	2098829	2343 1385
2/19/99	$ 205,000	JERREMS, WARREN K	Special Warranty Deed		1372 2667
8/23/91	$ 210,000	SELLER - see file for name	Special Warranty Deed		0921 0084
10/1/80	$ 125,000	SELLER - see file for name	03		

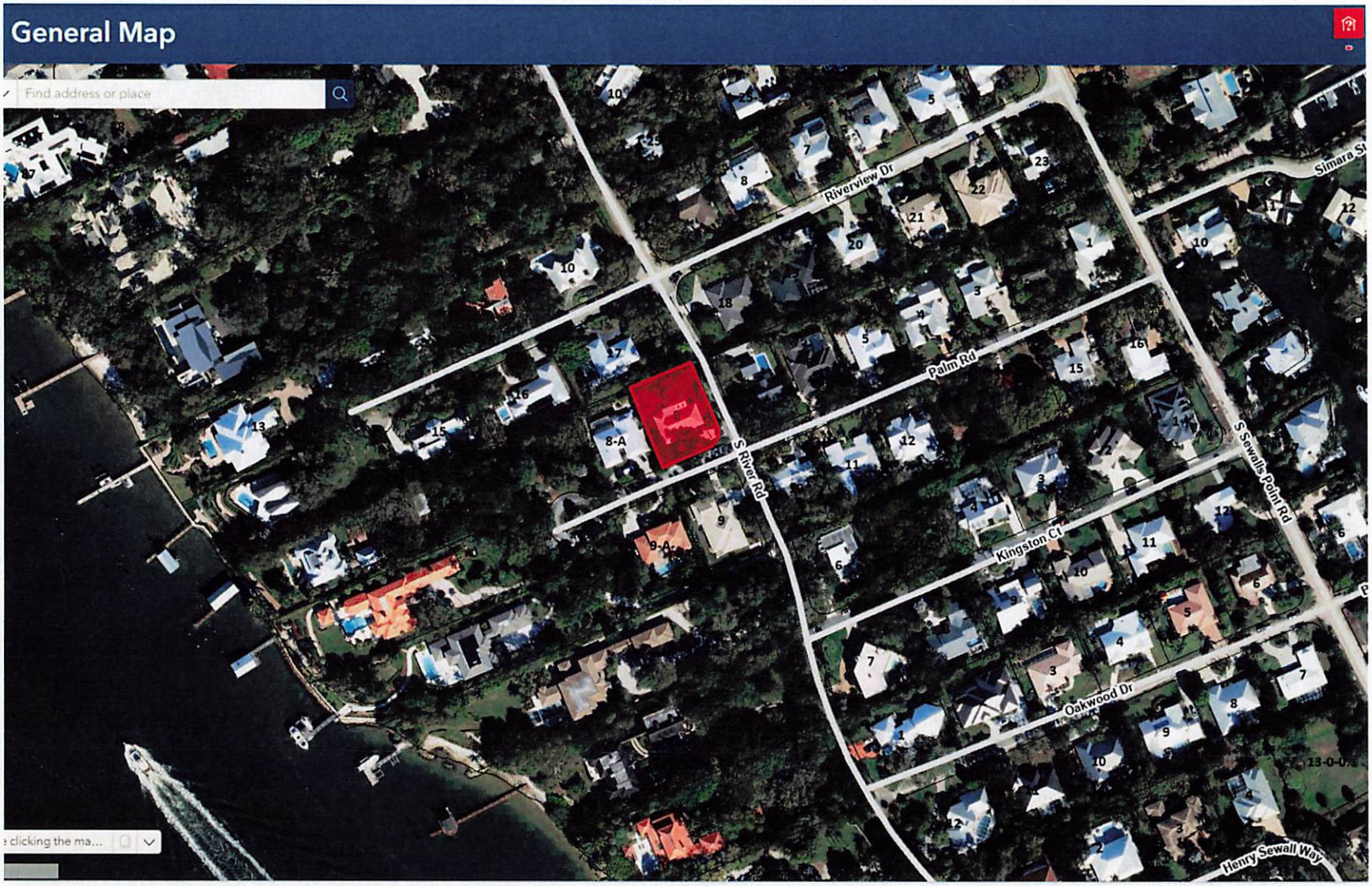
This section is not intended to be a chain of title. Sales do not generally appear until approximately 1 to 3 weeks after the closing date. If a recent sale does not show up in this list, please allow more time for the sale record to be processed.

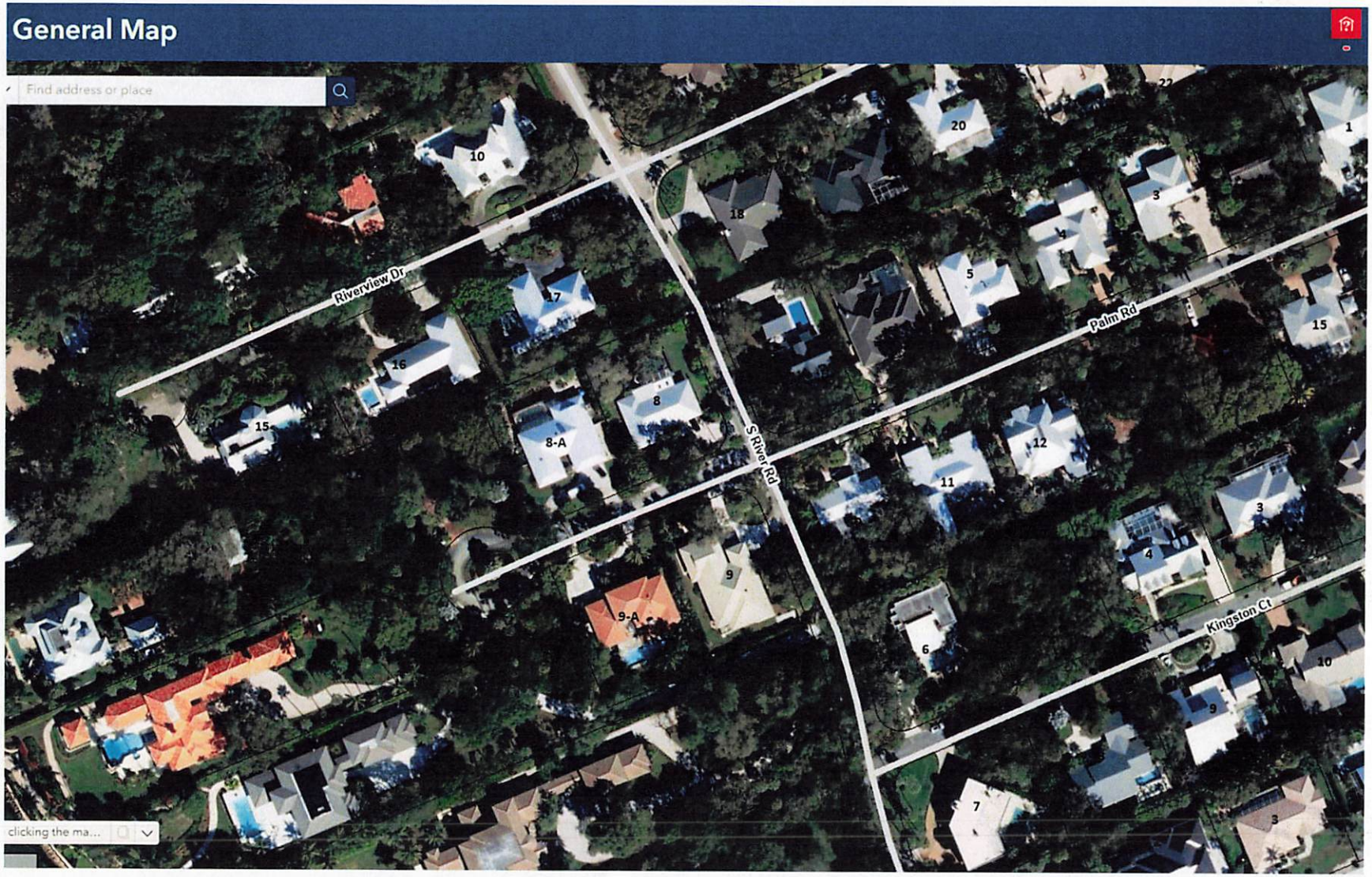
Value History

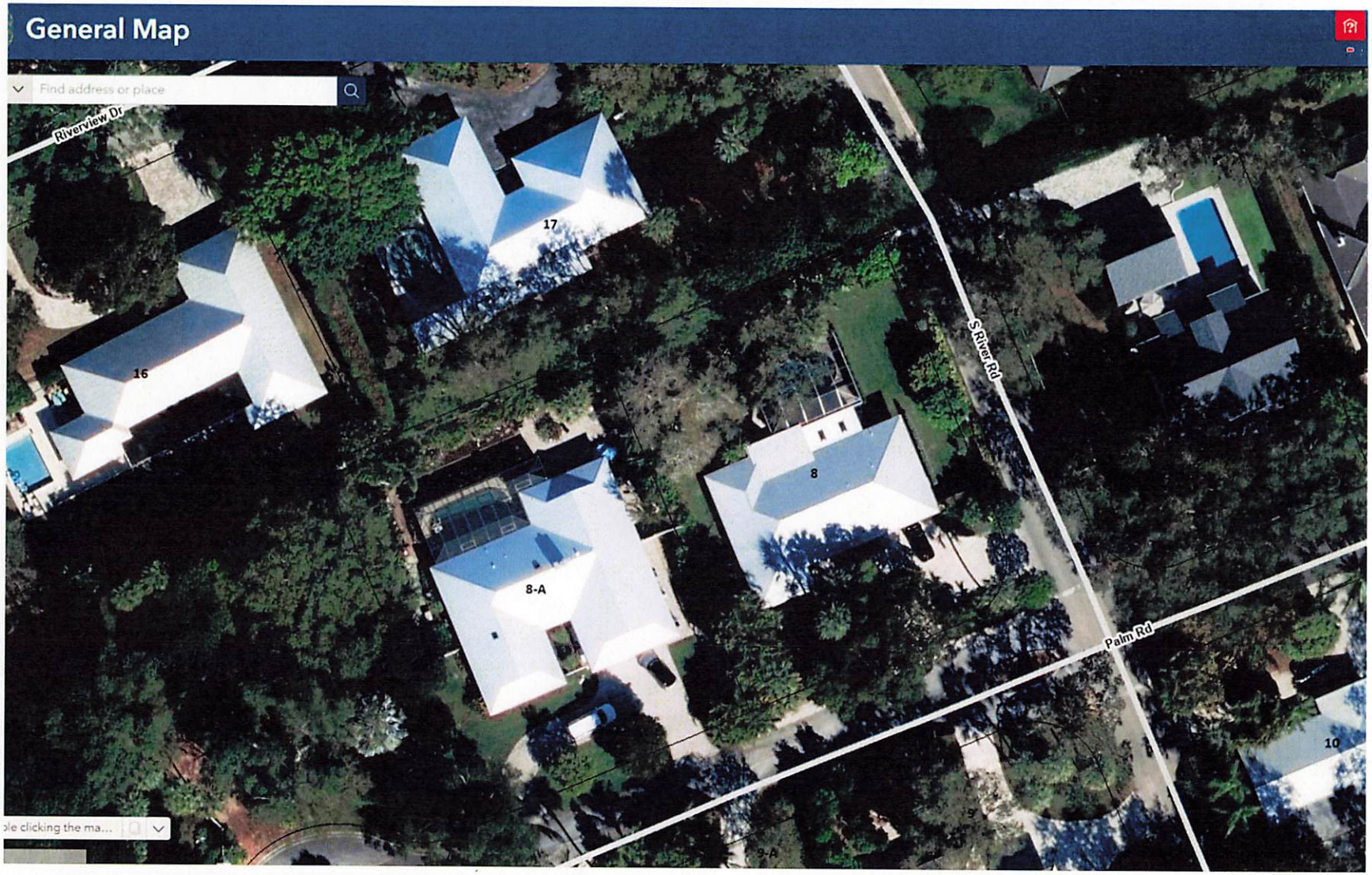
PIN	AIN	Situs Address	Website Updated
13-38-41-005-000-00080-5	27813	18 PALM RD SEWALLS POINT FL	9/29/26

Year	Land Value	Improvement Value	Market Value	Value Not Taxed	Assessed Value	County Exemptions	County Taxable Value
2026	$ 645,000	$ 303,200	$ 948,200	$ 0	$ 948,200	$ 0	$ 948,200
2025	$ 580,000	$ 374,570	$ 954,570	$ 0	$ 954,570	$ 0	$ 954,570
2024	$ 480,000	$ 379,310	$ 859,310	$ 552,025	$ 307,285	$ 50,000	$ 257,285
2023	$ 445,000	$ 384,050	$ 829,050	$ 530,715	$ 298,335	$ 50,000	$ 248,335
2022	$ 405,000	$ 306,210	$ 711,210	$ 421,564	$ 289,646	$ 50,000	$ 239,646
2021	$ 395,000	$ 218,200	$ 613,200	$ 331,990	$ 281,210	$ 50,000	$ 231,210
2020	$ 330,000	$ 216,390	$ 546,390	$ 269,062	$ 277,328	$ 50,000	$ 227,328
2019	$ 330,000	$ 218,880	$ 548,880	$ 277,787	$ 271,093	$ 50,000	$ 221,093
2018	$ 260,000	$ 176,500	$ 436,500	$ 0	$ 436,500	$ 0	$ 436,500
2017	$ 250,000	$ 155,980	$ 405,980	$ 0	$ 405,980	$ 0	$ 405,980
2016	$ 272,000	$ 157,290	$ 429,290	$ 14,315	$ 414,975	$ 0	$ 414,975

WARNING: *Significant tax increases often occur when sold. The Taxable Value and Taxes, noted above, may reflect exemptions, classifications and value limitations that will be removed at the time of sale. Homestead exemptions, agricultural classifications, and assessed value limitations are NOT transferable to the new owner. Following a sale, a property's assessed value is reset to the market value & the new owner must reapply for homestead exemption & agricultural classification.*


General Map
Find address or place
Riverview Dr
Palm Rd
S River Rd
Kingston Ct
Oakwood Dr
S Sewalls Point Rd
Henry Sewall Way
Simara St
clicking the ma...


General Map
Find address or place
Riverview Dr
Palm Rd
S River Rd
Kingston Ct
clicking the ma...


General Map
Find address or place
Riverview Dr
17
16
8
8-A
S River Rd
Palm Rd
10
9-A


General Map
Find address or place
Map Layers
2004_Imagery
2000 Imagery
1997 Imagery
1995 Imagery
1992 Imagery
1986 Imagery
1983 Imagery
1980 Imagery
1974 Imagery
1970 Imagery
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EXHIBIT F

EXHIBIT "G"

Setback Variance Measurements

EXISTING RESIDENCE:

Required Setback Palm Road	Actual	Variance
35 feet	34.8 feet	.4 feet

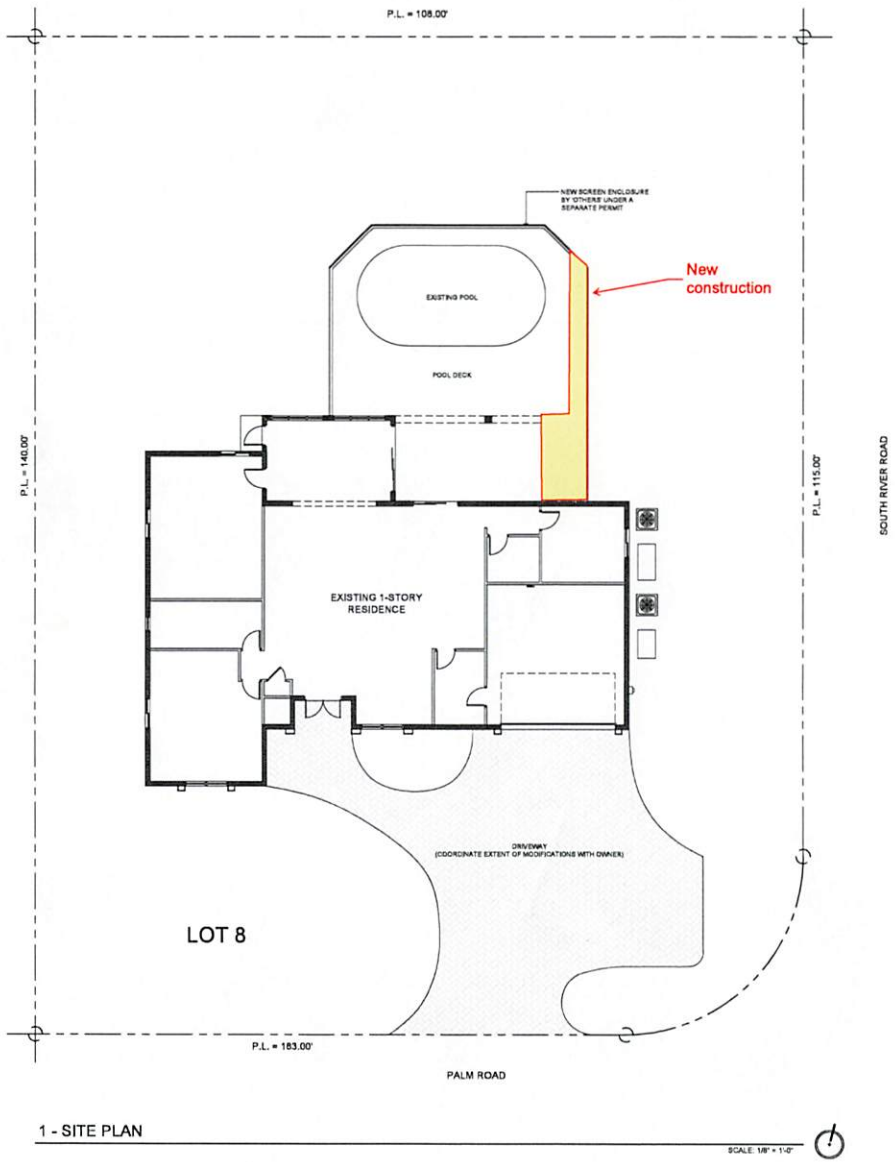
EXISTING GARAGE:

Required Side Setback River Road	Actual	Variance
35 feet	24.4 feet	12 feet

PROPOSED POOL AND PATIO ENCLOSURE:

Required Side Setback River Road	Actual	Variance
35 feet	30 feet	5 feet

EXHIBIT C



1 - SITE PLAN

SCALE: 1/8" = 1'-0"

LEGAL DESCRIPTION

LOT 8, REVISED AND AMENDED PLAT OF PALM ROW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 68, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

GENERAL NOTES

1. SOILS SHALL BE TERMITE TREATED.
2. LANDSCAPE DESIGN AND DRAWINGS BY OTHERS.
3. CONTRACTOR TO VERIFY ALL UTILITY CONNECTIONS AS REQUIRED.
4. REFER TO SURVEY FOR ALL UTILITY LOCATIONS.
5. REFER TO SURVEY FOR ADDITIONAL SITE FEATURES.
6. RELOCATE EXISTING EXTERIOR EQUIPMENT AS REQUIRED. FIELD VERIFY.
7. COORDINATE ANY ADDITIONAL SITE WORK WITH OWNER PRIOR TO CONSTRUCTION - SITE DESIGN SHALL BE BY 'OTHERS'.
8. COORDINATE NEW DRIVEWAY CONFIGURATION WITH OWNER PRIOR TO INSTALLATION.
9. NEW POOL SCREEN ENCLOSURE SHALL BE BY 'OTHERS' UNDER A SEPARATE PERMIT.

TERMITE PROTECTION

TERMITE PROTECTION FOR NEW CONSTRUCTION AS PER FBC 1816.1. CONTRACTOR TO REFERENCE FBC BUILDING 1816.1 FOR FURTHER REQUIREMENTS.

SOIL TREATMENT USED FOR SUBTERRANEAN TERMITE PREVENTION INSIDE THE FOUNDATION PERIMETER SHALL BE DONE AFTER ALL EXCAVATION, BACKFILLING AND COMPACTION IS COMPLETE.

IF SOIL AREA IS DISTURBED AFTER INITIAL CHEMICAL SOIL TREATMENT, AREA SHALL BE RE-TREATED WITH A CHEMICAL SOIL TREATMENT, INCLUDING SPACES SIDES OR FRAMES.

TREATMENT MUST BE IN ACCORDANCE WITH THE RULES AND LAWS ESTABLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

PROTECTIVE SLEEVES AROUND PIPING PENETRATING CONCRETE SLAB ON GRADE FLOORS SHALL NOT BE OF CELLULOSE CONTAINING MATERIALS AND SHALL HAVE A MIN. WALL THICKNESS OF 0.010"AND SHALL BE SEALED WITHIN THE SLAB USING A NON-CORROSIVE CLAMPING DEVICE TO ELIMINATE THE ANNULAR SPACE BETWEEN PIPE AND SLEEVE. NO TERMICIDES SHALL BE APPLIED INSIDE THE SLEEVE PER FBC PLUMBING 305.1.2.

NOTE:

SEE CERTIFIED SURVEY FOR EXACT RESIDENCE LOCATION ON SITE

EXHIBIT D

Copyright ©

Commercial and Residential Architecture
7904 SW Jena Terrace Drive
Stuart, Florida 34997
(772) 210-0966
www.2TKAD.com

2TK ARCHITECTURE & DESIGN

PROJECT: DUBITSKY RESIDENCE
18 PALM ROAD
STUART, FLORIDA 34996

DRAWING NAME: SITE PLAN

PERMIT SUBMITTAL

A100

McCARTHY SUMMERS WOOD
NORMAN MELBY SCHULTZ
WOOD & VanVALKENBURGH P.A.
ATTORNEYS AT LAW

October 2, 2026

Mr. _____ (NAME AND ADDRESS OF OWNER OF ADJACENT PROPERTY)
_____ Palm Road
Sewall's Point, FL 34996

Re: Legal Description – PALM ROW REVISED & AMENDED LOT 8

Dear Mr. ____:

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 _____ a.m. on the _____ day of _____, 2026, at the Sewall's Point Town Hall, by the Sewall's Point Board of Zoning Adjustment to consider the matter of an Application for Variance from the existing zoning requirements according to the Sewall's Point Ordinance Section 82-274.

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 a variance from current setback requirements at the property located at 18 Palm Road, Sewall's Point for remediation of historical existing encroachments as well as to for enhancement of the existing pool and patio on the property.

Please see enclosed Site Plan of Proposed Enhancements and Survey of Existing Encroachments.

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,

Audra R. Creech, Esq.

Enclosures: Statement of Benefits
Site Plan of Proposed Enhancements
Survey of Existing Encroachments

Terence P. McCarthy[1]
Robert P. Summers[1]
Steven J. Wood[2]
Kenneth A. Norman
Nicola J. Melby[3,4]
Owen Schultz
Margaret E. Wood[5,6]
Jessica M. VanValkenburgh

Audra R. Creech
Of Counsel

Kimberly A. Ryan[6]
Loren N. Esposito
Ross C. Alagna
Liane S. LaBouef

[1]Board-Certified Specialist in *Real Estate Law by the Florida Bar*

[2]Board-Certified Specialist in *Wills, Trusts & Estates Law by the Florida Bar*

[3]Board-Certified Specialist in *Elder Law by the Florida Bar*

[4]Certified Elder Law Attorney *by National Elder Law Foundation*

[5]Board-Certified *Estate Planning Law Specialist by Estate Law Specialist Board, Inc.*

[6]Accredited Estate Planner *by National Association of Estate Planners & Councils*

McCARTHY SUMMERS WOOD
NORMAN MELBY SCHULTZ
WOOD & VanVALKENBURGH P.A.
ATTORNEYS AT LAW

September 30, 2026

Jack Reisinger
Building Official
Town of Sewall's Point
1 S. Sewall's Point Road
Sewall's Point, FL 34996

RE: Statement of Benefits - Variance Application
Current Owners: Alexander Dubitsky and Pamela Tillinghast (Collectively, the "Applicant" or "Owners").
Property Address: 18 Palm Road, Sewall's Point, FL
Parcel ID Number: 13-38-41-005-000-00080-5

Dear Mr. Reisinger,

Our office has the pleasure of representing the Applicant, collectively, current owners, Alexander Dubitsky and Pamela Tillinghast, in their application for variance from current setback requirements at the property located at 18 Palm Road, Sewall's Point, Florida having parcel identification number 13-18-41-005-000-00080-5 (the Property"). The fully executed application for variance is attached hereto as Exhibit "A". Please find also enclosed the Martin County property card and property lookup sheet as to the Property.

PROPERTY FACT & CIRCUMSTANCES

The Property is uniquely located with roadways on two of the four boundaries with existing improvements in close proximity to both roadways. The roadways involved are South River Road and Palm Road. For context, please find a 2026 aerial excerpted below:

[THE REST OF THIS PAGE IS INETIONALLY LEFT BLANK]

Terence P. McCarthy[1]
Robert P. Summers[1]
Steven J. Wood[2]
Kenneth A. Norman
Nicola J. Melby[3,4]
Owen Schultz
Margaret E. Wood[5,6]
Jessica M. VanValkenburgh

Audra R. Creech
Of Counsel

Kimberly A. Ryan[6]
Loren N. Esposito
Ross C. Alagna
Liane S. LaBouef

[1]Board-Certified Specialist in *Real Estate Law by the Florida Bar*

[2]Board-Certified Specialist in *Wills, Trusts & Estates Law by the Florida Bar*

[3]Board-Certified Specialist in *Elder Law by the Florida Bar*

[4]Certified Elder Law Attorney *by National Elder Law Foundation*

[5]Board-Certified *Estate Planning Law Specialist by Estate Law Specialist Board, Inc.*

[6]Accredited Estate Planner *by National Association of Estate Planners & Councils*



The Property, known as Lot 8, was created pursuant to a 1968 plat known as the Revised and Amended Plat of Palm Row recorded in the Martin County public records at Plat Book 4, Page 68 and which is also enclosed.

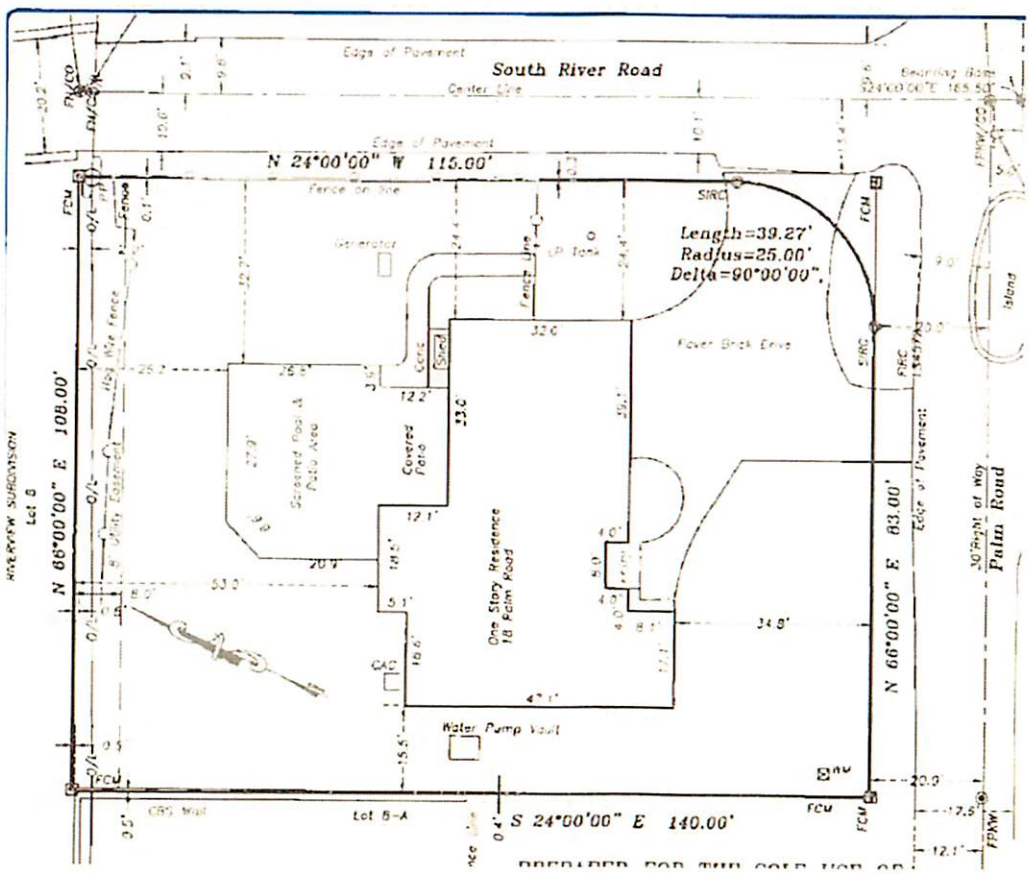
The existing improvements on the Property include a Single-Family Residence (originally approved pursuant to SFR Permit # 153), an attached screen enclosed Pool and Patio (approved pursuant to Pool & Patio Permit # 1317), enclosed and attached Garage (approved pursuant to Garage Door Permit 1576 and others), and a Fence along the property boundary adjacent to South River Road (approved pursuant to Fence Permit # 2400 and others).

The existing single-family residence on the Property was built in 1969. The existing pool and patio area was built in 1981, and the garage was enclosed in 1983. As already identified, all structures currently existing were approved in their current state and current dimensions by the Town of Sewall's Point. The Owners acquired the Property in 2024.The Owners now, after 57 years from the original construction of the single-family residence, would like to add an enhancement to the already existing patio and pool.

PRE-EXISTING ENCROACHMENTS

When the Owners of the property completed a survey as a step in potentially building said enhancement to the existing pool and patio area, existing encroachments into the setbacks were identified and it became apparent that those encroachments predated the Owners' ownership of the Property.

As identified graphically below, the setback from Palm Road is 35 feet, the setback from South River Road is 35 feet, the setback from the rear (adjacent to Lot 8 of the Riverview Subdivision) is 25 feet, and the side setback (adjacent to Lot 8-A of the Palm Row subdivision) is 15 feet. The Survey is attached herein as Exhibit C.

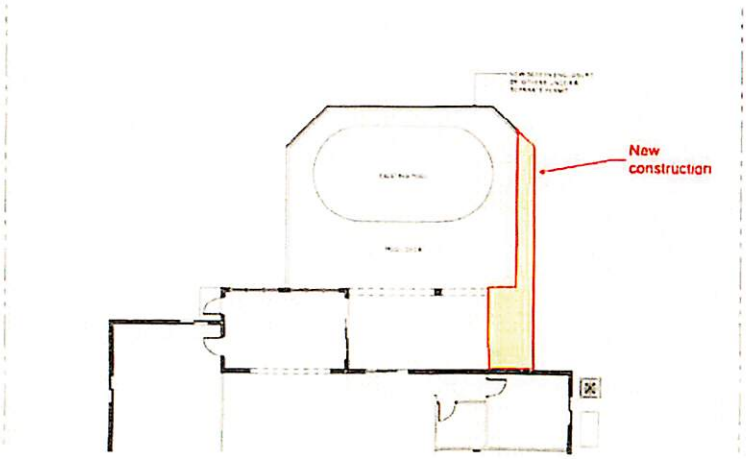


Pursuant to the survey, there is an existing encroachment of 10.6 feet due to the enclosed garage along South River Road, an encroachment of 2.3 feet because of the existing pool and patio along South River Road, and a final existing encroachment of .2 feet along Palm Road (the "Pre-Existing Encroachments").

These Pre-Existing Encroachments do not legally require a variance since they are vested and were approved via building permit at the time of construction. However, a variance from the current setbacks is sought for the Pre-Existing Encroachments, so that in the event of the existing structure being severely impacted by a weather event, or other catastrophe, the replacement structure can be approved in the existing structure's footprint.

PROPOSED ENHANCEMENTS

It also became clear during the Owners' review of the proposed enhancement to the existing pool and patio, excerpted in part below, that the proposed enhancement would require a variance from the existing setback requirements.



The additional setback variance request required by the enhancement, equating to an additional 2.7 feet, on the already existing 2.3 feet along South River Road, equals a total variance from the South River Road setback for the existing and enhanced pool and patio of 5 feet.

Given the above and the items delineated in the survey, the applicant is indeed requesting the minimum necessary for compliance and reasonable use of the land, building and structures as to the enhancement to the pool area. All the requested variances to correct the Pre-Existing Encroachments and to allow

for the reasonable enhancement of the existing Pool and Patio are attached as Exhibit "C" as well.

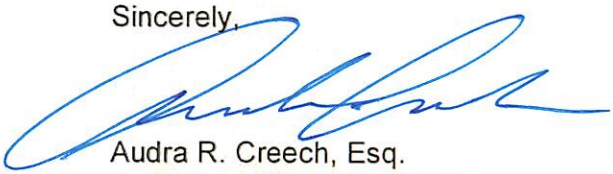
EXPECTED AFFECT ON NEIGHBORS IF VARIANCES GRANTED

Currently, there is a fence along the boundary of the Property and South River Road which obscures all sight lines of passenger vehicles and pedestrians from South River Road. There is also significant vegetation that obscures sight lines over the fence along South River Road. The neighbor to the Property, lot 8 of the Riverview Subdivision, to the rear of the Property, is the only lot that would be visually affected by any change, however, the neighboring lot has significant vegetative screening on the neighbor property as well as the Property itself, obscuring completely the view and there are and would be no encroachments to the rear. Finally, the neighbor that occupies Lot 8-A of the Palm Road Subdivision would have no impacts as the existing pool and patio enclosure would obscure completely any changes made to the South River Road side of the Property. There would be no impacts created by granting a variance to for the Pre-Existing Encroachments or for enhancement of the existing pool and patio on the Property.

At this time, the Applicant would respectfully request that the Town of Sewall's Point Board of Zoning Adjustment grant all the variances requested as delineated herein and pursuant to the attached Application for Variance.

Please let us know if we can provide any further information or answer and questions or concerns.

Sincerely,

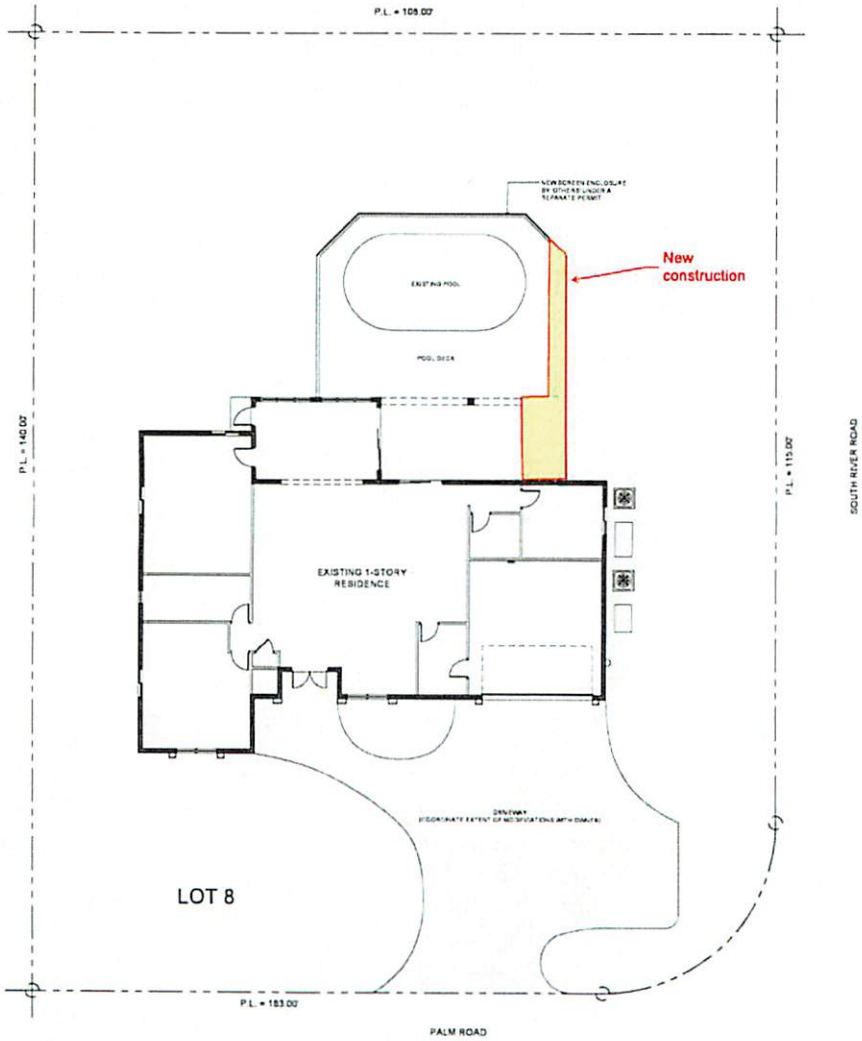


Audra R. Creech, Esq.
arc@mccarthysummers.com

ARC/clf

Cc: Terence P. McCarthy, Esq. (tpm@mccarthysummers.com)

Enclosures: Variance Application, Application Fee and Exhibits



1 - SITE PLAN

SCALE: 1/8" = 1'-0"

LEGAL DESCRIPTION

LOT 8, REVISED AND AMENDED PLAT OF PALM ROW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 68, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

GENERAL NOTES

1. ROOF SHALL BE TERMITE TREATED.
2. LANDSCAPE DESIGN AND DRAWINGS BY OTHERS
3. CONTRACTOR TO VERIFY ALL UTILITY CONNECTIONS AS REQUIRED.
4. REFER TO SURVEY FOR ALL UTILITY LOCATIONS.
5. REFER TO SURVEY FOR ADDITIONAL SITE FEATURES.
6. RELOCATE EXISTING EXTERIOR EQUIPMENT AS REQUIRED. FIELD VERIFY.
7. COORDINATE ANY ADDITIONAL SITE WORK WITH OWNER PRIOR TO CONSTRUCTION - SITE DESIGN SHALL BE BY OTHERS.
8. COORDINATE NEW DRIVEWAY CONFIGURATION WITH OWNER PRIOR TO INSTALLATION.
9. NEW POOL SCREEN ENCLOSURE SHALL BE BY OTHERS UNDER A SEPARATE PERMIT.

TERMITE PROTECTION

TERMITE PROTECTION FOR NEW CONSTRUCTION AS PER FBC 1816.1. CONTRACTOR TO REFERENCE FBC BUILDING 1816.1 FOR FURTHER REQUIREMENTS.

SOIL TREATMENT USED FOR SUBTERRANEAN TERMITE PREVENTION (AREA THE FOUNDATION PERIMETER SHALL BE DONE AFTER ALL EXCAVATION, BACKFILLING AND COMPACTION IS COMPLETE.

IF SOIL AREA IS DISTURBED AFTER INITIAL CHEMICAL SOIL TREATMENT, AREA SHALL BE RE-TREATED WITH A CHEMICAL SOIL TREATMENT INCLUDING SPACE BOARD OR FRAMES.

TREATMENT MUST BE IN ACCORDANCE WITH THE RULES AND LAWS ESTABLISHED BY THE FLORIDA DEPARTMENT OF AGRICULTURE AND CONSUMER SERVICES.

PROTECTIVE SLEEVES AROUND PIPES PENETRATING CONCRETE SLAB ON GRADE FLOORS SHALL NOT BE OF CELLULOSE CONTAINING MATERIAL AND SHALL HAVE A MIN. WALL THICKNESS OF 0.02" AND SHALL BE SEALED WITHIN THE SLAB USING A NON-CORROSIVE CLAMPING DEVICE TO ELIMINATE THE ANNULAR SPACE BETWEEN PIPE AND SLEEVE. NO TERMICIDE SHALL BE APPLIED INSIDE THE SLEEVE PER FBC PLUMBING 312.2.

NOTE:

SEE CERTIFIED SURVEY FOR EXACT RESIDENCE LOCATION ON SITE.

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Commercial and Residential Architecture
7904 SW Jack James Drive
Stuart, Florida 34997
(772) 210-0066
www.2TKAD.com

2TK ARCHITECTURE & DESIGN

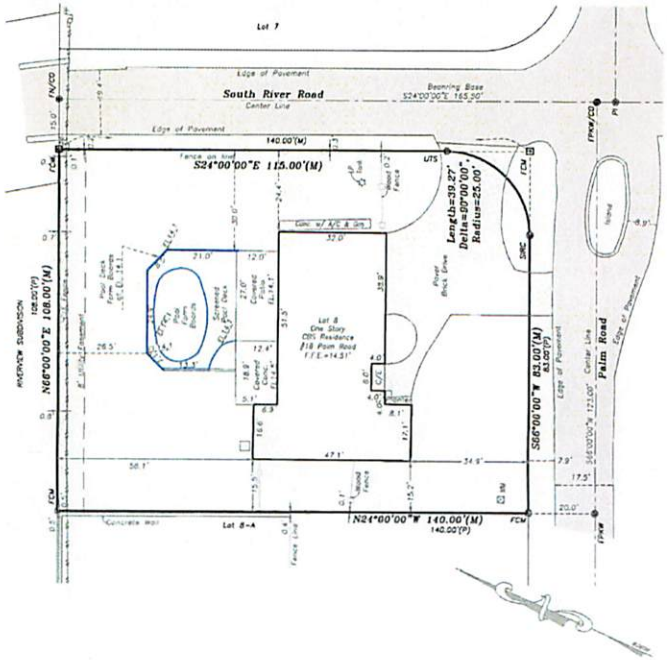
PROJECT: DUBITSKY RESIDENCE
18 PALM ROAD
STUART, FLORIDA 34996

SHEET: SITE PLAN
PERMIT SUBMITTAL

SHEET NO. A100

LEGAL DESCRIPTION

LOT 8, PALM ROW, ACCORDING TO THE REVISED AND AMENDED PLAT OF PALM ROW, AS RECORDED IN THE OFFICE OF THE CLERK OF CIRCUIT COURT IN AND FOR MARTIN COUNTY, FLORIDA, IN PLAT BOOK 4, PAGE 68, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.



SURVEYOR'S REPORT

ACCURACY:

1.ALL MEASUREMENTS, DISTANCES, ELEVATIONS AND LOCATION OF FEATURES WERE PERFORMED IN STRICT ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE FOR SURVEYING AND MAPPING AS SET FORTH IN RULE CHAPTER 5J-17 F.A.C., PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

2. IF APPLICABLE, COORDINATES AND/OR BEARINGS WERE ESTABLISHED BY GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) REAL TIME KINEMATICS (RTK) USING FLORIDA DEPARTMENT OF TRANSPORTATION-FLORIDA PERMANENT REFERENCE NETWORK (FDOT-FPRN) WITH REDUNDANCY OF MEASUREMENTS PERFORMED. ALL HORIZONTAL ACCURACY IS 0.10 FOOT PLUS OR MINUS.

3.ALL ELEVATIONS SHOWN HEREON ARE IN FEET AND BASED ON THE NORTH AMERICAN VERTICAL DATUM (NAVD) 1988. ELEVATIONS FOR THIS PROJECT WERE BY GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) USING REAL TIME KINEMATICS (RTK) WITH REDUNDANCY OF MEASUREMENTS WERE PERFORMED. ALL VERTICAL ELEVATION ACCURACY IS 0.15 FEET PLUS OR MINUS.

4.THE BEARING BASIS OF S66°00'00"W IS ALONG THE CENTER LINE AND/OR RIGHT OF WAY LINE OF PALM ROAD.

LIMITATIONS:

1.PURPOSE OF SURVEY: TO ESTABLISH THE LIMITS OF THE HEREIN DESCRIBED PARCEL OF LAND BASED ON THE LEGAL DESCRIPTION PROVIDED BY THE CLIENT.

2.LAST FIELD DATE OF SURVEY: 09-18-2026.

3.UNDERGROUND UTILITIES WERE NOT LOCATED

4.PARCEL LIMITS ESTABLISHED BY USE OF FOUND SURVEY CONTROL ALONG THE CENTER LINE AND/OR RIGHT OF WAY LINE OF PALM ROAD.

5.DIMENSIONS SHOWN THUSLY (M) ON THE SURVEY SUPERSEDE DIMENSIONS REFLECTED ON EITHER RECORD DEED, PLAT OR RIGHT OF WAY MAP.

6.USE OF THIS SURVEY BY ANYONE OTHER THAN THOSE PREPARED FOR OR CERTIFIED TO, WILL BE THE RE-USERS SOLE RISK WITHOUT LIABILITY TO THE SURVEYOR.

7.THE OWNERSHIP OF FENCE LINES HAS NOT BEEN DETERMINED AS PART OF THIS SURVEY.

8.OFF SET CALLS TO FOUND SURVEY CONTROL ARE RELATIVE TO THE NEAREST PROPERTY CORNER, INTERSECTION OF LINES, POINT OF CURVATURES (PC), POINT OF REVERSE CURVATURES (PRC) OR OTHER IDENTIFIABLE POINT.

9.THIS SURVEY SHALL NOT BE VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF THE FLORIDA SURVEYOR AND MAPPER PREPARING THIS DOCUMENT

10.COMPLIANCES WITH LOCAL ZONING REQUIREMENTS AND OR WITH REQUIREMENTS SET FORTH BY OTHER STATE, PUBLIC, AND/OR PRIVATE ENTITIES HAS NOT BEEN VERIFIED AS PART OF THIS SURVEY.

11.IF THIS SURVEY IS BEING ELECTRONICALLY SIGNED AND SEALED BY REGINA C. KARNER, LS#4363 USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

PREPARED FOR THE SOLE USE OF:
Pamela Tillinghast Dubitsky & Alexander Dubitsky

Prepared By: Regina C. Karner, PSM#4363
Karner Surveying, Inc. LB#7357

rEMA Flood Zone data shown here on is based on the visual inspection of the digital Flood Hazardous Maps provided by the Federal Emergency Management Agency (FEMA) and is limited to the accuracy of such maps. Flood Zone: X, Community #: 120161 Panel #: 0162 Suffix: H Date: 2.19.2020

LEGEND
BFP - Back flow Preventer
C - Concrete
C/E - Covered Entry
CAC - Concrete Pad with Air Conditioning
CB - Catch Basin
CBS - Concrete Block Structure
CLF - Chain Link Fence
Conc - Concrete
FFE - Finished Floor Elevation
O/L - Overhead Utility Line
ORB- Official Record Book
PP - Power Pole
PB - Plat Book
WF - Wood Fence
WM - Water Meter

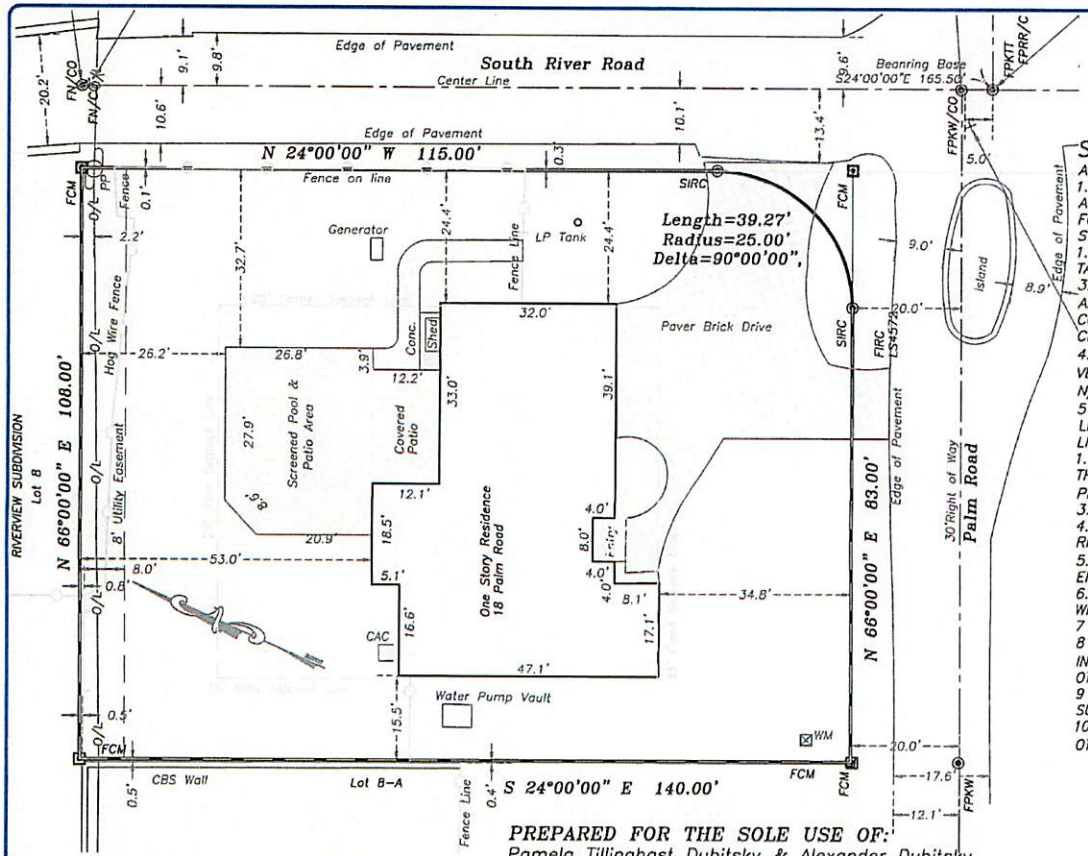
LEGEND
FCM - Found 4"x4"Concrete Monument
FIP - Found ½" Iron Pipe
FIPC - Found ½" Iron Pipe with Cap
FIR - Found #5 Iron Rod
FIRC - Found #5 Iron Rod with Cap
FM - Found Mag Nail
FMD - Found Mag Nail with Disk
FN - Found Nail
FNTT - Found Nail with Tin Tab
FPK - Found PK Nail
FPKD - Found PK Nail with Disk
FRRS - Found Rail Road Spike
SIRC - Set #5 Iron Rod with Cap "LB#7357"
SMND - Set Mag Nail with Disk
/CO - In Pavement Cut Out

Prepared For:
ALEXANDER DUBITSKI &
PAMELA TILLINGHAST
Martin County Florida

KARNER SURVEYING, INC.
Residential & Commercial Surveying Services
2740 SW Martin Downs Blvd.#333, Palm City, FL.34990
Phone: (772)288 7206 karner@karnersurveyinginc.com
WWW.KARNERSURVEYINGINC.COM

Regina C. Karner

Boundary Survey



FEMA Flood Zone data shown here on is based on the visual inspection of the digital Flood Hazardous Maps provided by the Federal Emergency Management Agency (FEMA) and is limited to the accuracy of such maps.
Flood Zone: X, Community #: 120164, Panel #: 0162 Suffix: H, Date:2.19.2020

PREPARED FOR THE SOLE USE OF:
Pamela Tillinghast Dubitsky & Alexander Dubitsky
McCarthy, Summers, Wood, Norman, Malby & Schultz, P.A.
WFG National Title Insurance Company

Prepared By: Regina C. Karner, PSM#4363
Karner Surveying, Inc. LB#7357

LEGAL DESCRIPTION

Lot 8, PALM ROW, according to the REVISED AND AMENDED PLAT OF PALM ROW, as recorded in the Office of the Clerk of Circuit Court in and for Martin County, Florida, in Plat Book 4, Page 68, of the Public Records of Martin County, Florida.

SURVEYOR'S REPORT

ACCURACY:

1. ALL MEASUREMENTS, DISTANCES, ELEVATIONS AND FEATURES WERE PERFORMED IN STRICT ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING AS SET FORTH IN RULE CHAPTER 5J-17 F.A.C., PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.
1. METHODS FOR ALL CONTROL MEASUREMENTS WERE MADE WITH A TRANSIT AND STEEL TAPE, OR DEVICES WITH EQUIVALENT OR HIGHER DEGREES OF ACCURACY.
3. THE ACCURACY STANDARD USED FOR THIS SURVEY, IS BASED ON REPETITIVE RTK GPS AND/OR TOTAL STATION OBSERVATIONS ON MULTIPLE PROJECT'S HORIZONTAL AND VERTICAL CONTROL POINTS TO OBTAIN A REDUNDANCY OF MEASUREMENT. HORIZONTAL AND VERTICAL CLOSURE ACHIEVED, EXCEED THE MINIMUM ACCURACY REQUIREMENTS.
4. ALL ELEVATIONS (IF) SHOWN ARE IN FEET AND REFERENCED FROM NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) AND ARE BASED ON THE FOLLOWING BENCH MARK: N/A
5 THE BEARING BASIS OF N24°00'00"W IS ALONG THE CENTER LINE AND/OR RIGHT OF WAY LINE OF South River Road.

LIMITATIONS:

1. PURPOSE OF THIS SURVEY: UPDATE PRIOR SURVEY PERFORMED BY THIS OFFICE WITH THE CURRENT FIELD CONDITIONS OF ABOVE GROUND IMPROVEMENTS AND SHOW A PROPOSED DRIVEWAY EXPANSION. 2. LAST FIELD DATE OF SURVEY: 12/4/2024
3. UNDERGROUND UTILITIES WERE NOT LOCATED
4. PARCEL LIMITS ESTABLISHED BY USE OF PREVIOUS;Y ESTABLISHED CENTER LINE AND RIGHT OF WAY CONTROL
5. DIMENSIONS SHOWN THUSLY (M) ON THE SURVEY SUPERSEDE DIMENSIONS REFLECTED ON EITHER RECORD DEED, PLAT OR RIGHT OF WAY MAP.
6. USE OF THIS SURVEY BY ANYONE OTHER THAN THOSE PREPARED FOR OR CERTIFIED TO, WILL BE THE RE-USERS SOLE RISK WITHOUT LIABILITY TO THE SURVEYOR.
7 THE OWNERSHIP OF FENCE LINES HAS NOT BEEN DETERMINED AS PART OF THIS SURVEY.
8 OFF SET CALLS TO FOUND SURVEY CONTROL ARE RELATIVE TO THE NEAREST PROPERTY CORNER, INTERSECTION OF LINES, POINT OF CURVATURES (PC), POINT OF REVERSE CURVATURES (PRC) OR OTHER IDENTIFIABLE POINT.
9 THIS SURVEY SHALL NOT BE VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF THE FLORIDA SURVEYOR AND MAPPER PREPARING THIS DOCUMENT
10 COMPLIANCE WITH LOCAL ZONING REQUIREMENTS AND OR WITH REQUIREMENTS SET FORTH BY OTHER STATE, PUBLIC, AND/OR PRIVATE ENTITIES HAS NOT BEEN VERIFIED AS PART OF THIS SURVEY.

LEGEND

C/E – Covered Entry
CAC – Concrete Pad with Air Conditioning
CBS – Concrete Block Structure
CMP – Corrugated Metal Pipe
Conc. – Concrete
CPE – Concrete Pad with Pool Equipment
CTV – Cable TV Box
El – Elevation
FFE – Finished Floor Elevation
GV – Water Gate Valve
HYD – Fire Hydrant
HCBPU – Not covered by professional liability insurance
O/L – Overhead Utility Line
PP – Power Pole
WPP – Wood Power Pole
TCB – Telephone Communications Box
SSMH – Sanitary Sewer Manhole
UB – Utility Box
WM – Water Meter
FBW – Found Bolt with Washer
FCM – Found 4"x4" Concrete Monument
FIP – Found 1" Iron Pipe
FIPC – Found 1" Iron Pipe with Cap
FIR – Found 1/2" Iron Rod
FIRC – Found 1/2" Iron Rod with Cap
FNC – Found Nail with Cap
SIRC – Set 1/2 Iron Rod with Cap "LB#7357"
FPC – Found 1/2" Iron Pipe with Cap
FM – Found Mag Nail
FND – Found Mag Nail with Disk
FN – Found Nail
FNT – Found Nail with Tin Tab
FPK – Found Pk Nail
FPKD – Found PK Nail with Disk
FRRS – Found Rail Road Spike
FX – Found Bolt
PCP–Permanent Control Point
FDH – Found Drill Hole

Prepared For:
Mr. & Mrs. Dubitsky
Martin County Florida

KARNER SURVEYING, INC.
Residential & Commercial Surveying Services
2740 SW Martin Downs Blvd.#333, Palm City, Fl.34990
Phone: (772)288 7206 Fax:(772)223 8181
WWW.KARNERSURVEYINGINC.COM karner@comcast.net

Not Valid Unless Sealed With An Embossed Surveyor's Seal

Date	Revision Description
9.26.18	Update
12.08.24	Update

Sheet Title: Boundary Survey

1"=20'	9-26-18
CADD-1	LL

0308-1701 MC_PalmRow\PalmRow08UD

McCARTHY SUMMERS WOOD
NORMAN MELBY SCHULTZ
WOOD & VanVALKENBURGH P.A.
ATTORNEYS AT LAW

Terence P. McCarthy[1]
Robert P. Summers[1]
Steven J. Wood[2]
Kenneth A. Norman
Nicola J. Melby[3,4]
Owen Schultz
Margaret E. Wood[5,6]
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[5]Board-Certified *Estate Planning Law Specialist by Estate Law Specialist Board, Inc.*

[6]Accredited Estate Planner *by National Association of Estate Planners & Councils*

October 5, 2026

RECEIVED
OCT 05 2026
By

Via Hand Delivery

Town of Sewall's Point Building Department
One S. Sewall's Point Road
Sewall's Point, FL 34996

Re: Variance Application for 18 Palm Road Submitted October 1, 2026

To whom it may concern,

Please see attached addendum to the 18 Palm Road Variance Application submitted on October 1, 2026, including:

- Certified Radius Search
- Draft Notification Letter to radius search
- Statement of Benefits letter, Site Plan of Proposed Enhancements and Survey of Existing Encroachments as attachments to Notification Letter

Should you have any questions, please let us know.

Sincerely,

Cheri Fowler
Paralegal to Audra R. Creech, Esq.

Enc.

Prestige title agency, Inc.

736 Colorado avenue, Suite a, Stuart, Florida 34994 ·phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

September 28, 2026

Ownership Search

Prepared For: GUNSTER.

We hereby certify that a search has been made of the Martin County Property Appraiser's records regarding a 300-foot area surrounding the following described parcel of land:

See Exhibit "A" attached hereto & made a part hereof.

TAX ID: See Exhibit "B" attached hereto
OWNER: & made a part hereof.
ADDRESS:

The apparent property owners of land surrounding the above referenced property are as follows: The list does not include any owners who qualify for confidentiality (See attached).

Iris M. Crews

icrews

Prestige title agency, Inc.

736 Colorado avenue, Suite a, Stuart, Florida 34994 ·phone: (772) 283-5590 fax: (772) 283-5699 email: ptatitle@bellsouth.net

OWNERSHIP REPORT
SEARCH NO. P26-000020IC

THE ATTACHED REPORT IS ISSUED TO McCARTHY, SUMMERS, WOOD, NORMAN, MELBYM SCHULTZ, WOOD & VanVALKENBURGH,P.A. THE ATTACHED REPORT MAY NOT BE RELIED ON BY ANY OTHER PARTY. NO LIABILITY IS ASSUMED BY STEWART NATIONAL TITLE INSURANCE COMPANY FOR ANY UNAUTHORIZED USE OR RELIANCE. THIS OWNERSHIP REPORT IS ISSUED PURSUANT TO FLORIDA STATUTE SECTION 627.7843 AND LIABILITY HEREUNDER FOR INCORRECT INFORMATION IS LIMITED TO THE AMOUNT PAID FOR THE REPORT.

The attached Report prepared in accordance with the instructions given by the user named above includes a listing of the owner(s) of a 300-foot area surrounding subject property. It is the responsibility of the party named above to verify receipt of each document listed. If a copy of any document listed is not received, the office issuing this Report must be contacted immediately. This Report does not include easements, restrictions, notices or other documents not listed above.
This Report does not insure or guarantee the validity or sufficiency of any document attached nor is it to be considered a title insurance policy, an opinion of title, a guarantee of title or as any other form of guarantee or warranty of title. This Report shall not be used for the issuance of any title insurance policy or form.

Use of the term "Report" herein refers to this Ownership Report and the documents attached hereto.
The land referred to herein is described as follows:
See Exhibit "A" attached hereto & made a part hereof.

PRESTIGE TITLE AGENCY, INC.
850 NW Federal Hwy. Ste. 222, Stuart FL 34994

By: *icrews*

Iris M. Crews

Recorded in Martin County, FL 12/31/2024 3:02 PM
Carolyn Timmann, Clerk of the Circuit Court & Comptroller
Rec Fees: $44.00Deed Tax: $0.70
CFN#3107100 BK 3476 PG 815 PAGE 1 of 5

Prepared By and Return To:

Nicholas R. Jackson, Esq.
WIGGIN AND DANA LLP
4755 Technology Way, Suite 205
Boca Raton, Fl 33431
561-910-7500

PIN: 13-38-41-005-000-00080-5

Copy Copy Copy

WARRANTY DEED

THIS WARRANTY DEED, made this 30 day of December 2024, between:

ALEXANDER DUBITSKY and **PAMELA TILLINGHAST,** husband and wife, whose post office address is: 148 South Sewalls Point Road, Sewalls Point, Florida 34996 ("Grantor"),

and

(i) **ALEXANDER DUBITSKY** and **PAMELA TILLINGHAST,** as husband and wife, tenants by the entirety, as to an undivided Fifty Percent (50%) Interest; and

(ii) **ANATOLY EFIMOVICH DUBITSKY** and **NINA ALEXANDROVNA DUBITSKY,** as husband and wife, tenants by the entirety, whose post office address is: 18 Palm Road, Sewalls Point, Florida 34996, as to an undivided Fifty Percent (50%) Interest (collectively as GRANTEE(S)). This conveyance is to the Grantees as Joint Tenants with Rights of Survivorship.

THE GRANTOR, in consideration of the sum of Ten Dollars ($10.00) and other good and valuable considerations, to said Grantor in hand paid by said Grantee, the receipt of which is hereby acknowledged, has granted, bargained and sold to said Grantee and Grantee's successors and assigns forever, the following described land situate in Martin County, Florida, to wit:

LOT 8, REVISED AND AMENDED PLAT OF PALM ROW, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 4, PAGE 68, PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.

SUBJECT TO: Conditions, restrictions and reservations of record and taxes for 2025 and subsequent years.

GRANTOR HEREIN STATES THAT THIS PROPERTY IS NOT HIS HOMESTEAD NOR HAS IT BEEN HIS HOMESTEAD.

and said Grantor does hereby fully warrant the title to said land, and will defend the same against the lawful claims of all persons whomsoever. Where used herein, the terms GRANTOR, GRANTEE and TRUSTEE shall be construed as singular or plural as the context requires.

IN WITNESS WHEREOF, Grantor has signed and sealed these presents the day and year first above written.

Signed, Sealed, and delivered
in the presence of:

Nicholas Jackson
Signature of Witness 4755 Technology Way, Suite 205 Boca Raton, FL 33431
Printed Name: NICHOLAS JACKSON

Yasmin Bahhur
Signature of Witness 4755 Technology Way, Suite 205 Boca Raton, FL 33431
Printed Name: YASMIN BAHHUR

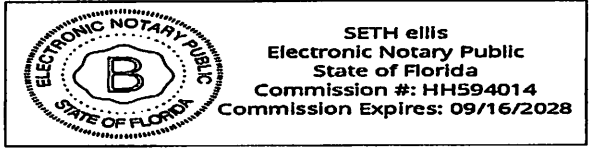
ALEXANDER DUBITSKY
Grantor

Copy Copy Copy

STATE OF FLORIDA)
) ss.
COUNTY OF PALM BEACH)

Subscribed and sworn to before me on December 30, 2024 by **ALEXANDER DUBITSKY** the Grantor, by means of ___ physical presence or ✓ online notarization and who is ___ personally known to me, ✓ who has produced a driver's license or ____ has produced other satisfactory evidence as identification, to-wit: _____, and by the following witnesses, **NICHOLAS JACKSON**, who appeared by means of ✓ physical presence or ✓ online notarization and who is ___ personally known to me, ✓ who has produced a driver's license or ___ who has produced other satisfactory evidence as identification, to-wit: _____, and **YASMIN BAHHUR**, who appeared by means of ✓ physical presence or ✓ online notarization and who is ___ personally known to me, ✓ who has produced a driver's license or ___ who has produced other satisfactory evidence as identification, to-wit: _____.

Notarized online using audio-video communication



Notary Public; State of
Print Name: _____

N.B. This Deed has been prepared at the Grantor's request without examination or legal opinion of title.

Nicholas Jackson
Signature of Witness 4755 Technology Way, Suite 205 Boca Raton, FL 33431
Printed Name: NICHOLAS JACKSON

Yasmin Bahhur
Signature of Witness 4755 Technology Way, Suite 205 Boca Raton, FL 33431
Printed Name: YASMIN BAHHUR

Pamela J Tillinghast
PAMELA TILLINGHAST
Grantor

STATE OF FLORIDA)
) ss.
COUNTY OF PALM BEACH)

Copy Copy

Subscribed and sworn to before me on December 30, 2024 by **PAMELA TILLINGHAST** the Grantor, by means of ___ physical presence or ✓ online notarization and who is ___ personally known to me, ✓ who has produced a driver's license or ____ has produced other satisfactory evidence as identification, to-wit: _____, and by the following witnesses, **NICHOLAS JACKSON**, who appeared by means of ___ physical presence or ✓ online notarization and who is ___ personally known to me, ✓ who has produced a driver's license or ___ who has produced other satisfactory evidence as identification, to-wit: _____, and **YASMIN BAHHUR**, who appeared by means of ___ physical presence or ✓ online notarization and who is ___ personally known to me, ✓ who has produced a driver's license or ___ who has produced other satisfactory evidence as identification, to-wit: _____.

Notarized online using audio-video communication

ELECTRONIC NOTARY PUBLIC B STATE OF FLORIDA

SETH ellis
Electronic Notary Public
State of Florida
Commission #: HH594014
Commission Expires: 09/16/2028

Print Name: _____

N.B. This Deed has been prepared at the Grantor's request without examination or legal opinion of title.
27734\1\4921-6097-5371.v1

Certificate of Completion

Powered by BlueNotary

Session ID:	3D0F9
Full Session ID:	6772e79eeac91f3ca0c3d0f9
Status:	Completed
Reference Number:	ab6ef758-8d98-47d1-bfb9-c00310b8623c
Session Start Time	December, 30th 2024 at 01:34PM Eastern Time
Completed On	December, 30th 2024 at 02:48PM Eastern Time

List of document(s)

Sr.	Name	Page(s)	Sign(s)	Size	Hash
1	Waranty Deed - JTROS - Parents Home 4921-6097-5371 v.1.pdf	3	8	0.03 MB	a53fb487b1952d8f43e35c74bfaf316c

Copy Copy Copy

Participant Details

Name & Details	Event Details	Signature Details
#1 SETH ellis Role: Notary Email: seth+singlenotaryaccount@ellis-law.com Commission No: HH594014 Commission Expiry: 16 Sep 2028	Sent: December, 30th 2024 at 01:34PM Eastern Time Viewed: December, 30th 2024 at 01:34PM Eastern Time Signed: 30 Dec 2024 19:47:37 IP Address: 150.195.202.165 Location: , Arizona, United States, North America	 Signature ID: 1735588057111-3D0F9
#2 Alexander Dubitsky Role: Signer Email: alexsky@msn.com	Sent: December, 30th 2024 at 01:34PM Eastern Time Viewed: December, 30th 2024 at 02:28PM Eastern Time Signed: 30 Dec 2024 19:47:03 KBA passed: December, 30th 2024 at 02:35PM Eastern Time Photo ID passed: December, 30th 2024 at 02:37PM Eastern Time IP Address: 2a09:bac2:6c68:e3c::16b:d5 Location: Port Saint Lucie, Florida, United States, North America	 Signature ID: 1735588023575-3D0F9

#3 Pamela Tillinghast
Role: Signer
Email: dubitskyfamily@msn.com

Sent: December, 30th 2024 at 01:34PM Eastern Time
Viewed: December, 30th 2024 at 02:29PM Eastern Time
Signed: 30 Dec 2024 19:44:58
KBA passed: December, 30th 2024 at 02:35PM Eastern Time
Photo ID passed: December, 30th 2024 at 02:43PM Eastern Time
IP Address: 66.229.64.204
Location: Miami, Florida, United States, North America

Pamela J Tillinghast

Signature ID: 1735587898703-3D0F9

#4 Nicholas Jackson
Role: Witness
Witness Type: Invited Witness
Email: njackson@wiggin.com

Sent: December, 30th 2024 at 01:34PM Eastern Time
Viewed: December, 30th 2024 at 02:30PM Eastern Time
Signed: 30 Dec 2024 19:46:10
IP Address: 150.195.202.165

Nicholas Jackson

Signature ID: 1735587970367-3D0F9

#5 Yasmin Bahhur
Role: Witness
Witness Type: Invited Witness
Email: ybahhur@wiggin.com

Sent: December, 30th 2024 at 01:34PM Eastern Time
Viewed: December, 30th 2024 at 02:29PM Eastern Time
Signed: 30 Dec 2024 19:46:09
IP Address: 150.195.202.165

Yasmin Bahhur

Signature ID: 1735587969071-3D0F9

#6 Business Admin
Role: Observer
Email: khernandez@wiggin.com

Sent: December, 30th 2024 at 01:34PM Eastern Time
Viewed: December, 30th 2024 at 02:30PM Eastern Time
IP Address: 45.62.185.85

< BACK TO SEARCH

Basic Info

PIN	AIN	Situs Address	Website Updated
13-38-41-005-000-00080-5	27813	18 PALM RD SEWALLS POINT FL	9/30/26

General Information

CHANGE MAILING ADDRESS SIGN UP FOR PROPERTY FRAUD ALERT

Property Owners
DUBITSKY ALEXANDER
TILLINGHAST PAMELA
DUBITSKY ANATOLY EFIMOVICH
DUBITSKY NINA ALEXANDROVNA
+ Show additional owners

Mailing Address
18 PALM RD
SEWALLS POINT FL 34996

Tax District
SEWALL'S POINT

Parcel ID
13-38-41-005-000-00080-5

Account Number
27813

Property Address
18 PALM RD SEWALLS POINT FL

Legal Description
PALM ROW REVISED & AMENDED LOT 8

Use Code/Property Class
0100 - 0100 Single Family

Neighborhood
120200 South Sewall's Point

Legal Acres
0.344

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
2026	$ 645,000	$ 303,200	$ 948,200	$ 0	$ 948,200	$ 0	$ 948,200

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
12/30/24

Sale Price
$ 100

Grantor (Seller)
DUBITSKY ALEXANDER

Deed Type
Warranty Deed

Doc Num
3107100

Book & Page
3476 815

Legal Description

PALM ROW REVISED & AMENDED LOT 8

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

AMENDED AND RESTATED WILDENBERG MEMORIAL REVOCABLE TRUST
132 S RIVER RD
STUART FL 34996

ANGELL ROBERT J ANGELL SANDRA E
17 RIVERVIEW DR
STUART FL 34996

BARRETT MICHAEL BARRETT LAUREL A
10 PALM RD
STUART FL 34996

BRUNER JAMES K BRUNER JANICE L
875 SE MONTEREY COMMONS BLVD
STUART FL 34996

BUHR THOMAS
13 PALM RD
STUART FL 34996

CARLY AYRES TRUST FROHLICH KATHERINE
9 PALM RD
STUART FL 34996

CATHERINE A DIAZ TRUST
15 PALM RD
STUART FL 34996

CHAPMAN ROBERT T
11 PALM RD
STUART FL 34996

COFFIN MARTHA E
15 RIVERVIEW DR
STUART FL 34996

DA SILVA ANTONIO CHRISTIAN DA SILVA ANGELICA CASTILLO
14 RIVERVIEW DR
STUART FL 34996

DRISCOLL 2019 RESIDENCE TRUST
DRISCOLL KEITH
12 PALM RD
STUART FL 34996

DUBITSKY ALEXANDER
TILLINGHAST PAMELA
18 PALM RD
SEWALLS POINT FL 34996

GEARY CHARLES E L/E
GEARY REBECCA D L/E
10 RIVERVIEW DR
STUART FL 34996

HEYWORTH LAWRENCE E LIE
HEYWORTH JAN L LIE
14 PALM RD
STUART FL 34996

HOFFMANN CHARLES HOFFMANN ANNE
20 PALM RD
STUART FL 34996

JANEY HANTMAN TRUST
HANTMAN JANEY TTEE
12 RIVERVIEW DR
STUART FL 34996

KEEN RICHARD L KEEN MARY C
9 RIVERVIEW DR
SEWALLS POINT FL 34996

LAPLACA BRIAN LAPLACA STACIE
129 S RIVER RD
SEWALLS POINT FL 34996

LISA A COLES DECLARATION OF TRUST
COLES LISA A TTEE
22 PALM RD
SEWALLS POINT FL 34996

POHUTSKY FAMILY TRUST POHUTSKY ANDREW JOHN TTEE
11 RIVERVIEW DR
STUART FL 34996

TEDDER ERIC TEDDER JOCELYN
131 S RIVER RD
STUART FL 34996

WATSON ROBERT J WATSON SANDRA S
16 RIVERVIEW DR
STUART FL 34996

WEDER MARIANNE
21 PALM RD
STUART FL 34996

WILLERT CRAIG GUSTAFSON CYNTHIA
17 PALM RD
STUART FL 34996

REVISED & AMENDED PLAT OF

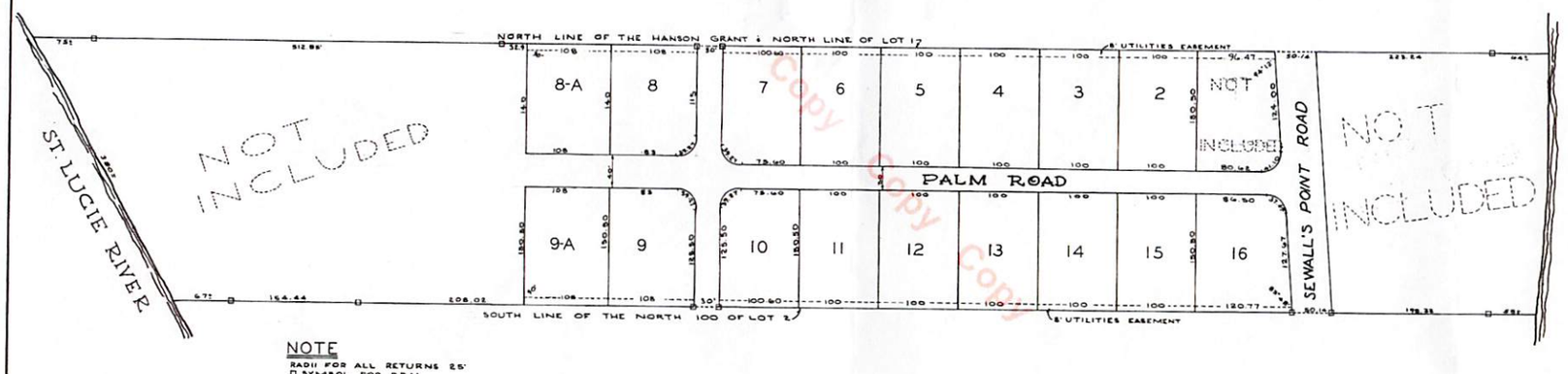
PALM ROW

A SUBDIVISION OF LOT 1 AND THE NORTH 100 FEET OF LOT 2, SUBDIVISION OF LOT 1, MILES OR HANSON GRANT, PLAT BOOK 1, PAGE 129, PUBLIC RECORDS PALM BEACH COUNTY.

TOWN OF SEWALL'S POINT.

MARTIN COUNTY, FLORIDA.

SCALE 1" = 80'



NOTE
RADII FOR ALL RETURNS 25'
□ SYMBOL FOR P.R.M.

I HEREBY CERTIFY THAT I HAVE EXAMINED THE ATTACHED PLAT AND FIND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AND WAS FILED FOR RECORD AT 3:28 PM THIS 16th DAY OF May 19 68 IN PLAT BK 4 PG 61 IN THE OFFICE OF THE CLERK OF THE CIRCUIT COURT AT STUART, MARTIN COUNTY, FLORIDA

CLERK OF THE CIRCUIT COURT Dorothy Pierce
By: Pettigill, D.C.
FILE NO. [illegible]

APPROVED
IN REGULAR SESSION OF THE TOWN COMMISSIONERS THIS 8th. DAY OF May 1968
Robert B Smith
MAYOR

DEDICATION

STATE OF FLORIDA
COUNTY OF MARTIN SS

KNOW ALL MEN BY THESE PRESENTS that E.C. Wareheim and Helen A. Wareheim, owners of the tract of land described under the title caption above, have caused said land to be surveyed and platted as shown hereon and do hereby dedicate, in perpetuity, to the Town of Sewall's Point, the roads shown hereon.

In witness whereof we have hereunto set our hand and seal, this 6th day of May, 1968

Robert R Ritter WITNESS
Hilda J Dailey WITNESS

E C Wareheim SEAL
Helen A Wareheim SEAL

ACKNOWLEDGEMENT

STATE OF FLORIDA
COUNTY OF MARTIN SS

Before me this day personally appeared E.C. Wareheim and Helen A. Wareheim, his wife, well known to me to be the persons who executed the foregoing dedication of plat, and who acknowledged to and before me, that they executed the same for the uses and purposes therein stated.

Witness my hand and official seal at Jensen Beach this 6th day of May 1968.

Hilda J Dailey NOTARY PUBLIC
MY COMMISSION EXPIRES March 22, 1972

CERTIFICATE

STATE OF FLORIDA
COUNTY OF MARTIN SS

I HEREBY CERTIFY that the plat shown hereon is a true and correct representation of a survey made under my direction, and that said survey is accurate to the best of my knowledge and belief, and that permanent reference monuments were placed as prescribed by law.

Lee Brock
REGISTERED LAND SURVEYOR
FLORIDA CERTIFICATE No. 2157

Subscribed and sworn to before me at Stuart, Florida this 14th day of May 1968

John J Burgess NOTARY PUBLIC
MY COMMISSION EXPIRES 11-15-1970

STAFFORD & BROCK
ENGINEERS & SURVEYORS
STUART, FLORIDA

EXHIBIT "E"

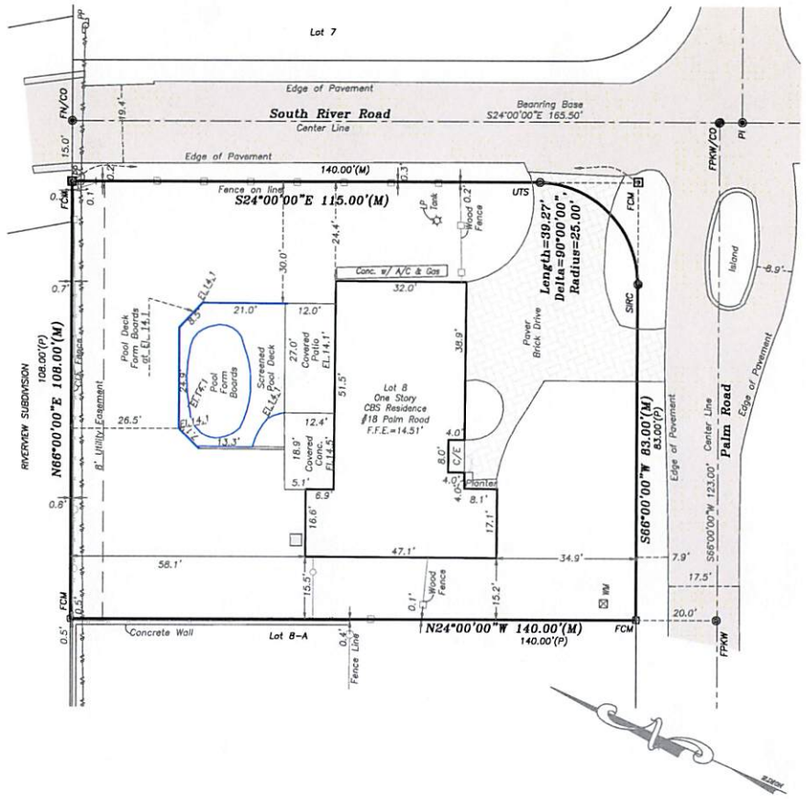
Exhibit "E"

Copy Copy Copy

EXHIBIT C

LEGAL DESCRIPTION

LOT 8, PALM ROW, ACCORDING TO THE REVISED AND AMENDED PLAT OF PALM ROW, AS RECORDED IN THE OFFICE OF THE CLERK OF CIRCUIT COURT IN AND FOR MARTIN COUNTY, FLORIDA, IN PLAT BOOK 4, PAGE 68, OF THE PUBLIC RECORDS OF MARTIN COUNTY, FLORIDA.



PREPARED FOR THE SOLE USE OF:
Pamela Tillinghast Dubitsky & Alexander Dubitsky

Prepared By: Regina C. Karner, PSM#4363
Karner Surveying, Inc. LB#7357

SURVEYOR'S REPORT

ACCURACY:

1.ALL MEASUREMENTS, DISTANCES, ELEVATIONS AND LOCATION OF FEATURES WERE PERFORMED IN STRICT ACCORDANCE WITH THE MINIMUM TECHNICAL STANDARDS FOR THE PRACTICE FOR SURVEYING AND MAPPING AS SET FORTH IN RULE CHAPTER 5J-17 F.A.C., PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.

2. IF APPLICABLE, COORDINATES AND/OR BEARINGS WERE ESTABLISHED BY GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) REAL TIME KINEMATICS (RTK) USING FLORIDA DEPARTMENT OF TRANSPORTATION-FLORIDA PERMANENT REFERENCE NETWORK (FDOT-FPRN) WITH REDUNDANCY OF MEASUREMENTS PERFORMED. ALL HORIZONTAL ACCURACY IS 0.10 FOOT PLUS OR MINUS.

3.ALL ELEVATIONS SHOWN HEREON ARE IN FEET AND BASED ON THE NORTH AMERICAN VERTICAL DATUM (NAVD) 1988. ELEVATIONS FOR THIS PROJECT WERE BY GLOBAL NAVIGATION SATELLITE SYSTEM (GNSS) USING REAL TIME KINEMATICS (RTK) WITH REDUNDANCY OF MEASUREMENTS WERE PERFORMED. ALL VERTICAL ELEVATION ACCURACY IS 0.15 FEET PLUS OR MINUS.

4.THE BEARING BASIS OF S66°00'00"W IS ALONG THE CENTER LINE AND/OR RIGHT OF WAY LINE OF PALM ROAD.

LIMITATIONS:

1.PURPOSE OF SURVEY: TO ESTABLISH THE LIMITS OF THE HEREIN DESCRIBED PARCEL OF LAND BASED ON THE LEGAL DESCRIPTION PROVIDED BY THE CLIENT.

2.LAST FIELD DATE OF SURVEY: 09-18-2026.

3.UNDERGROUND UTILITIES WERE NOT LOCATED

4.PARCEL LIMITS ESTABLISHED BY USE OF FOUND SURVEY CONTROL ALONG THE CENTER LINE AND/OR RIGHT OF WAY LINE OF PALM ROAD.

5.DIMENSIONS SHOWN THUSLY (M) ON THE SURVEY SUPERSEDE DIMENSIONS REFLECTED ON EITHER RECORD DEED, PLAT OR RIGHT OF WAY MAP.

6.USE OF THIS SURVEY BY ANYONE OTHER THAN THOSE PREPARED FOR OR CERTIFIED TO, WILL BE THE RE-USERS SOLE RISK WITHOUT LIABILITY TO THE SURVEYOR.

7.THE OWNERSHIP OF FENCE LINES HAS NOT BEEN DETERMINED AS PART OF THIS SURVEY.

8.OFF SET CALLS TO FOUND SURVEY CONTROL ARE RELATIVE TO THE NEAREST PROPERTY CORNER, INTERSECTION OF LINES, POINT OF CURVATURES (PC), POINT OF REVERSE CURVATURES (PRC) OR OTHER IDENTIFIABLE POINT.

9.THIS SURVEY SHALL NOT BE VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF THE FLORIDA SURVEYOR AND MAPPER PREPARING THIS DOCUMENT

10.COMPLIANCES WITH LOCAL ZONING REQUIREMENTS AND OR WITH REQUIREMENTS SET FORTH BY OTHER STATE, PUBLIC, AND/OR PRIVATE ENTITIES HAS NOT BEEN VERIFIED AS PART OF THIS SURVEY.

11.IF THIS SURVEY IS BEING ELECTRONICALLY SIGNED AND SEALED BY REGINA C. KARNER, LS#4363 USING A DIGITAL SIGNATURE. PRINTED COPIES OF THIS DOCUMENT ARE NOT CONSIDERED SIGNED AND SEALED AND THE SIGNATURE MUST BE VERIFIED ON ANY ELECTRONIC COPIES.

FEMA Flood Zone data shown here on is based on the visual inspection of the digital Flood Hazardous Maps provided by the Federal Emergency Management Agency (FEMA) and is limited to the accuracy of such maps. Flood Zone: X, Community #: 120161 Panel #: 0162 Suffix: H Date: 2.19.2020

LEGEND
BFP – Back flow Preventer
C – Concrete
C/E – Covered Entry
CAC – Concrete Pad with Air Conditioning
CB – Catch Basin
CBS – Concrete Block Structure
CLF – Chain Link Fence
Conc – Concrete
FFE – Finished Floor Elevation
O/L – Overhead Utility Line
ORB– Official Record Book
PP – Power Pole
PB– Plat Book
WF – Wood Fence
WM – Water Meter

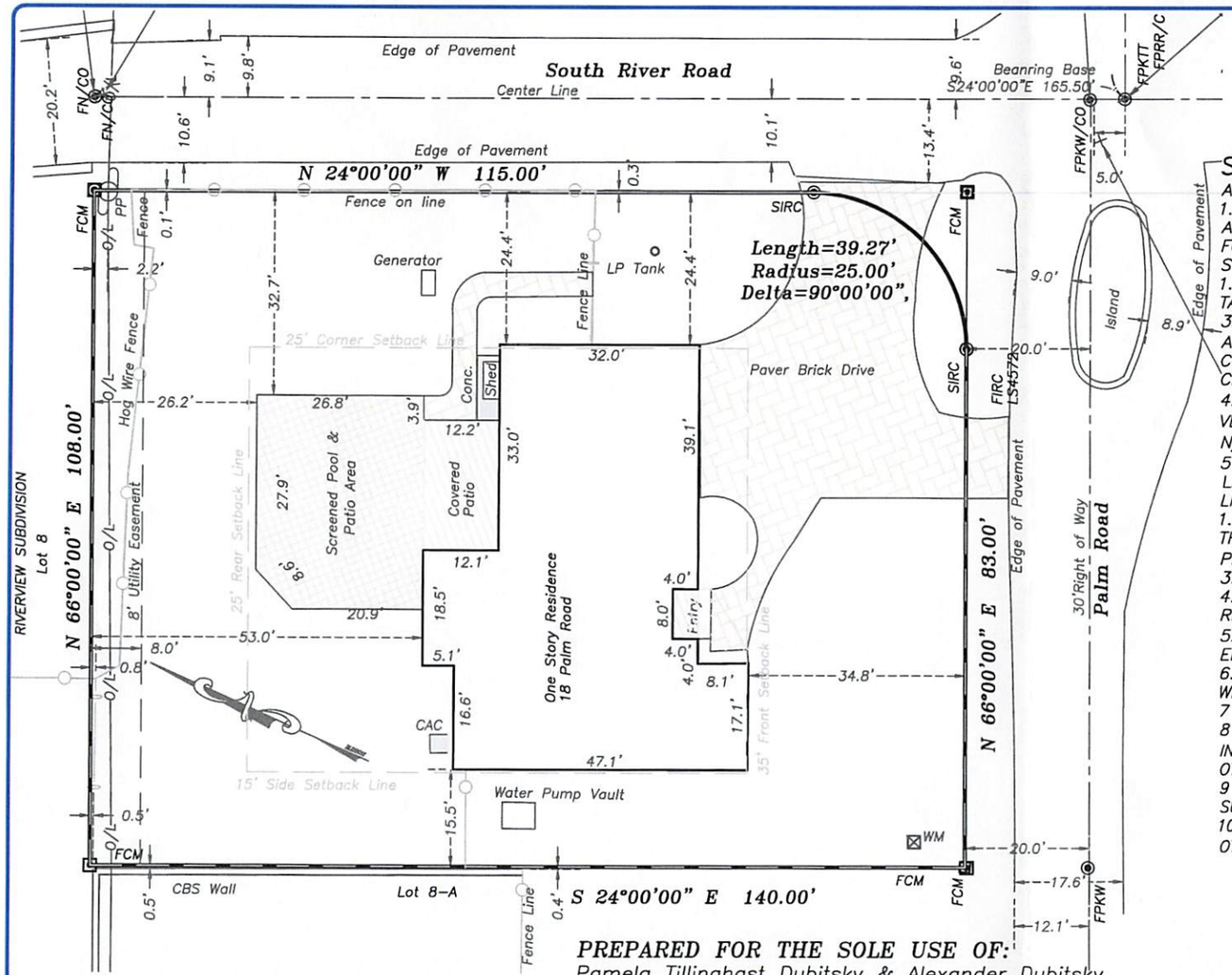
LEGEND
FCM – Found 4"x4"Concrete Monument
FIP – Found ½" Iron Pipe
FIPC – Found ½" Iron Pipe with Cap
FIR – Found #5 Iron Rod
FIRC – Found #5 Iron Rod with Cap
FM – Found Mag Nail
FMD – Found Mag Nail with Disk
FN – Found Nail
FNTT – Found Nail with Tin Tab
FPK – Found PK Nail
FPKD – Found PK Nail with Disk
FRRS – Found Rail Road Spike
SIRC – Set #5 Iron Rod with Cap "LB#7357"
SMND – Set Mag Nail with Disk
/CO – In Pavement Cut Out

Prepared For:
ALEXANDER DUBITSKI &
PAMELA TILLINGHAST
Martin County Florida

KARNER SURVEYING, INC.
Residential & Commercial Surveying Services
2740 SW Martin Downs Blvd.#333, Palm City, Fl.34990
Phone: (772)288 7206 karner@karnersurveyinginc.com
WWW.KARNERSURVEYINGINC.COM

Regina C. Karner — Digitally signed by Regina C. Karner, Date: 2026.09.25 13:25:29 -05'00'

Sheet Title: Boundary Survey
Drawn: 1"=30' | Date: 09-25-26
Drawing No.: 2603-04
Job No.: CMB-1701
Sheet No.: 1 of 1
File No.:



FEMA Flood Zone data shown here on is based on the visual inspection of the digital Flood Hazardous Maps provided by the Federal Emergency Management Agency (FEMA) and is limited to the accuracy of such maps.
Flood Zone: X, Community #: 120164, Panel #: 0162 Suffix: H, Date:2.19.2020

LEGAL DESCRIPTION

Lot 8, PALM ROW, according to the REVISED AND AMENDED PLAT OF PALM ROW, as recorded in the Office of the Clerk of Circuit Court in and for Martin County, Florida, in Plat Book 4, Page 68, of the Public Records of Martin County, Florida.

SURVEYOR'S REPORT

ACCURACY:

1. ALL MEASUREMENTS, DISTANCES, ELEVATIONS AND FEATURES WERE PERFORMED IN STRICT ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR SURVEYING AND MAPPING AS SET FORTH IN RULE CHAPTER 5J–17 F.A.C., PURSUANT TO SECTION 472.027 OF THE FLORIDA STATUTES.
1. METHODS FOR ALL CONTROL MEASUREMENTS WERE MADE WITH A TRANSIT AND STEEL TAPE, OR DEVICES WITH EQUIVALENT OR HIGHER DEGREES OF ACCURACY.
3. THE ACCURACY STANDARD USED FOR THIS SURVEY, IS BASED ON REPETITIVE RTK GPS AND/OR TOTAL STATION OBSERVATIONS ON MULTIPLE PROJECT'S HORIZONTAL AND VERTICAL CONTROL POINTS TO OBTAIN A REDUNDANCY OF MEASUREMENT. HORIZONTAL AND VERTICAL CLOSURE ACHIEVED, EXCEED THE MINIMUM ACCURACY REQUIREMENTS.
4. ALL ELEVATIONS (IF) SHOWN ARE IN FEET AND REFERENCED FROM NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 88) AND ARE BASED ON THE FOLLOWING BENCH MARK: N/A
5 THE BEARING BASIS OF N24°00'00"W IS ALONG THE CENTER LINE AND/OR RIGHT OF WAY LINE OF South River Road.

LIMITATIONS:

1. PURPOSE OF THIS SURVEY: UPDATE PRIOR SURVEY PERFORMED BY THIS OFFICE WITH THE CURRENT FIELD CONDITIONS OF ABOVE GROUND IMPROVEMENTS AND SHOW A PROPOSED DRIVEWAY EXPANSION. 2. LAST FIELD DATE OF SURVEY: 12/4/2024
3. UNDERGROUND UTILITIES WERE NOT LOCATED
4. PARCEL LIMITS ESTABLISHED BY USE OF PREVIOUS;Y ESTABLISHED CENTER LINE AND RIGHT OF WAY CONTROL
5. DIMENSIONS SHOWN THUSLY (M) ON THE SURVEY SUPERSEDE DIMENSIONS REFLECTED ON EITHER RECORD DEED, PLAT OR RIGHT OF WAY MAP.
6. USE OF THIS SURVEY BY ANYONE OTHER THAN THOSE PREPARED FOR OR CERTIFIED TO, WILL BE THE RE–USERS SOLE RISK WITHOUT LIABILITY TO THE SURVEYOR.
7 THE OWNERSHIP OF FENCE LINES HAS NOT BEEN DETERMINED AS PART OF THIS SURVEY.
8 OFF SET CALLS TO FOUND SURVEY CONTROL ARE RELATIVE TO THE NEAREST PROPERTY CORNER, INTERSECTION OF LINES, POINT OF CURVATURES (PC), POINT OF REVERSE CURVATURES (PRC) OR OTHER IDENTIFIABLE POINT.
9 THIS SURVEY SHALL NOT BE VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF THE FLORIDA SURVEYOR AND MAPPER PREPARING THIS DOCUMENT
10 COMPLIANCE WITH LOCAL ZONING REQUIREMENTS AND OR WITH REQUIREMENTS SET FORTH BY OTHER STATE, PUBLIC, AND/OR PRIVATE ENTITIES HAS NOT BEEN VERIFIED AS PART OF THIS SURVEY.

LEGEND

C/E – Covered Entry
CAC – Concrete Pad with Air Conditioning
CBS – Concrete Block Structure
CMP – Corrugated Metal Pipe
Conc. – Concrete
CPE – Concrete Pad with Pool Equipment
CTV – Cable TV Box
EL – Elevation
FFE – Finished Floor Elevation
GV – Water Gate Valve
HYD – Fire Hydrant
NCBPLI – Not covered by professional liability insurance
O/L – Overhead Utility Lins
PP – Power Pole
WPP – Wood Power Pole
TCB – Telephone Communications Box
SSMH – Sanitary Sewer Manhole
UB – Utility Box
WM – Water Meter
FBW – Found Bolt with Washer
FCM – Found 4"x4"Concrete Monument
FIP – Found 3" Iron Pipe
FIPC – Found 3" Iron Pipe with Cap
FIR – Found #5 Iron Rod
FDH – Found Drill Hole
FIRC – Found #5 Iron Rod with Cap
SIRC – Set #5 Iron Rod with Cap "LB#7357"
FIPC – Found 1/2" Iron Pipe with Cap
FM – Found Mag Nail
FMD – Found Mag Nail with Disk
FN – Found Nail
FNTT – Found Nail with Tin Tab
FPK – Found PK Nail
FPKD – Found PK Nail with Disk
FRRS – Found Rail Road Spike
FB – Found Bolt
PCP–Permanent Control Point
FDH – Found Drill Hole

PREPARED FOR THE SOLE USE OF:
Pamela Tillinghast Dubitsky & Alexander Dubitsky
McCarthy, Summers, Wood, Norman, Malby & Schultz, P.A.
WFG National Title Insurance Company

Prepared By: Regina C. Karner, PSM#4363
Karner Surveying, Inc. LB#7357

Exhibit "C"

Prepared For:
Mr. & Mrs. Dubitsky
Martin County Florida

KARNER SURVEYING, INC.
Residential & Commercial Surveying Services
2740 SW Martin Downs Blvd.#333, Palm City, Fl.34990
Phone: (772)288 7206 Fax:(772)223 8181
WWW.KARNERSURVEYINGINC.COM karner@comcast.net

Not Valid Unless Sealed With An Embossed Surveyor's Seal

Date	Revision Description
9.26.18	Update
12.08.24	Update

Sheet Title: Boundary Survey

Scale: 1"=20'	Date: 9-26-18
Drawn By: CADD-1	Field Book: LL
Job No.: 0806-1701	CADD File: MC_PalmRow/PalmRow08UD

Sheet No.: 1 of 1
File No.: