

BOARD OF COUNTY COMMISSIONERS  
2401 S.E. Monterey Road • Stuart, Florida 34996

COUNTY OF MARTIN



STATE OF FLORIDA

COMMUNITY DEVELOPMENT DEPARTMENT  
Phone (407) 288-5495

August 30, 1988

Mr. Patrick F. Kenny  
N.R.S. Property Owner's Association  
Post Office Box 2202  
Stuart, FL 33495

RE: EXEMPTION FROM MANGROVE ORDINANCE - NORTH RIVER SHORES

Dear Mr. Kenny:

This letter is in response to the request for an exemption from the Mangrove Protection Ordinance for the man-made canals in North River Shores. It is the intent of the Mangrove Protection Ordinance "...to protect mangroves and their vital role in the economy and ecology of the county by establishing a procedure for evaluating and minimizing the impact of proposed mangrove alteration while allowing waterfront property owners to selectively trim mangroves in order to increase enjoyment of the benefits of riparian ownership." (Section 12-82 (b) Martin County Code of Laws and Ordinances). In light of the mangroves "vital role in the economy and ecology of the County", this office looks very carefully at each request for mangrove alterations.

As you know, no approval is necessary for the alteration of mangroves provided that the voluntary nature of the planting is documented. Although some documentation has been provided by the North River Shores Property Owner's Association, it would be very difficult, if not impossible, to differentiate between those mangroves that were voluntarily planted and those mangroves that have naturally seeded over the years.

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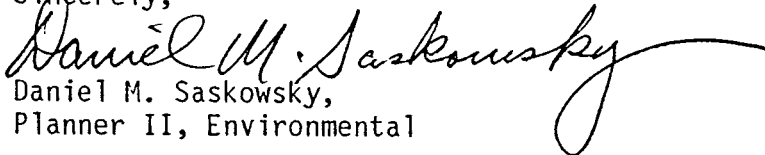
Since it has been the policy of Martin County to allow reasonable alteration of mangroves, it is the decision of staff to approve this exemption request. Therefore, no permit is required to trim mangroves. However, in keeping with the intent of the Mangrove Protection Ordinance, the following conditions are in effect:

1. A letter from the Department of Environmental Regulation indicating whether or not the canals are jurisdictional;
2. Removal of no greater than 25% of the lateral limbs or other lateral branches of any untrimmed mangroves;
3. The reduction in height of any black, white, or red mangrove by no greater than 25% of the height of the untrimmed mangrove;
4. The removal of no greater than 25% of the foliage of any untrimmed mangrove;
5. Trim only branches that are one (1) inch or less in diameter;
6. Prop roots on Red Mangroves may not be cut;
7. Mangroves less than six (6) feet in height may not be trimmed. Mangroves may not be trimmed to a height less than six (6) feet;
8. Trimming debris, including leaves, should be cut into one foot lengths and placed in the waters where trimming is performed;
9. Mangroves may be trimmed between October 1 and March 31 only;
10. Notification of this office is required at least two days prior to the commencement of any trimming.

Staff believes that this is a reasonable compromise in light of the difficulty in differentiating between voluntarily planted mangroves and those that have seeded naturally.

If you have any questions, please contact this office.

Sincerely,

  
Daniel M. Saskowsky,  
Planner II, Environmental

DMS/bw  
[4749]

cc: Michael Sinkey, Acting CDD Director  
William Yurillo, Code Enforcement  
Mike Goralski, D. E. R.