

## **BOARD OF ADJUSTMENT AGENDA**

Board of Adjustment Regular Meeting - Tuesday, April 24, 2014 - 6:00 p.m.  
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **PRAYER and PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CONSIDERATION OF ABSENCES**
5. **CERTIFICATION OF ALTERNATE MEMBER(S)**
6. **APPROVAL OF MINUTES**
  - a. November 21, 2013 Meeting
7. **NEW BUSINESS**
  - a. Approval of a Variance to deviate from Section 22-187(6) reducing the landscape strip from 10' to 0' for approximately 90' of the south property line. Also, a request to deviate from Section 22-61(b)(3) reducing the driveway width from 14' to 12' to install drive-thru area for proposed Dunkin Donuts.
  - b. Approval of a Special Exception to construct a Florida Room addition to a Non-Conforming Structure
8. **ELECTION OF BOARD MEMBERS**
9. **DISCUSSION / OTHER BUSINESS**
10. **ADJOURNMENT**

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact the Planning Department at (772) 467-3729, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

**Planning Board of Adjustment**

**Meeting Date:** 04/24/2014

**Re:** Board of Adjustment Minutes 11/21/2013

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**Information**

**SUBJECT:**

November 21, 2013 Meeting

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**Attachments**

[Board of Adjustment Minutes 11/21/13](#)

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**Form Review**

**Inbox**

City Manager

Form Started By: Alicia Rosenthal

Final Approval Date: 04/17/2014

**Reviewed By**

Robert Bradshaw

**Date**

04/17/2014 09:56 AM

Started On: 04/15/2014 03:48 PM



CITY OF FORT PIERCE  
**BOARD OF ADJUSTMENT**  
CLEM C. BENTON, JR. CHAIRMAN

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## Board of Adjustment Minutes

OF THE MEETING OF THE FORT PIERCE CITY BOARD OF ADJUSTMENT HELD ON THURSDAY, November 21<sup>st</sup>, 2013 IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

Chairman Benton called the meeting to order.

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The Pledge of Allegiance was recited.

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Upon Roll Call, those present were: Mr. Crist, Ms. Calvert, Mr. B. McCain, Mr. Nunn and Chairman Benton.

Those absent: Mr. Clark and Ms. Beavin.

Staff Present: Steve McCain, Assistant City Attorney; Rebecca Grohall, Planning Manager; Kori Benton, Historic Preservation Officer; Clarissa Davis, Planning Specialist.

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### Administrative business:

#### A. Consideration of Absences

**Mr. Crist makes a motion and is seconded by Mr. Nunn** - to excuse Me. Beavin's absence.

A voice vote was taken.

The motion passes unanimously.

**Mr. B. McCain makes a motion and is seconded by Mr. Crist** - to excuse Mr. Clark's absence.

A voice vote was taken.

The motion passes unanimously.

**Mr. Nunn makes a motion and is seconded by Mr. Crist** - to excuse the absence of Mr. B. McCain from the October 24<sup>th</sup> meeting.

**A voice vote was taken.**

**The motion passes unanimously**

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**B. Approval of Minutes:**

Chairman Benton: Approval of the August 22<sup>nd</sup>, 2013 and October 24<sup>th</sup> 2013 minutes.

**Mr. McCain makes a motion and is seconded by Mr. Nunn** – to approve the minutes for from the August 22<sup>nd</sup> meeting.

**A voice vote was taken.**

**The motion passes unanimously.**

**Mr. Crist makes a motion and is seconded by Mr. B. McCain** – to change those who were absent from “None” to “Excused” and add Mr. B. McCain as excused in the October 24<sup>th</sup> minutes.

**A voice vote was taken.**

**The motion passes unanimously.**

**Mr. Nunn makes a motion and is seconded by Mr. Crist** - to change the voting on the duplex item. Ms. Calvert was opposed on both motions.

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**C. Certification of Alternate Member(s)**

**Mr. Nunn is made an active member for them meeting.**

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**5. Variance - 1167 S U.S. Highway 1** - request for approval to deviate from several sections of the Fort Pierce Code of Ordinances as noted below:

a) Deviation from Section 22-60(c)(1) of the Fort Pierce Code of Ordinances to reduce the required size of off-street parking spaces from the required width of at least nine and one-half (9½) feet to nine (9) feet and the required depth of nineteen (19) feet to eighteen (18) feet.

b) Deviation from Section 22-60(c)(5) of the Fort Pierce Code of Ordinances to reduce a portion of the required combined aisle and stall width for 90 degree parking stalls with two-way traffic and stalls on both sides from 64 feet to 60 feet.

c) Deviation from Section 22-187(4)a. of the Fort Pierce Code of Ordinances to reduce a portion of the required landscape strips between street rights-of-way and vehicular use areas, from ten(10) feet to two and one-half (2.5) feet affecting approximately 430' of the required landscaping, in accordance with the proposed redevelopment plans.

d) Deviation from Section 22-187(6). of the Fort Pierce Code of Ordinances to reduce the required landscape strips between vehicular use areas and other property, from ten (10) feet to(0) zero feet and to eliminate the requirement of one tree for each two hundred (200) square feet of required landscape area, as mandated by the forgoing section. The requested reduction is affects approximately 360' linear feet of required landscaping, in accordance with the proposed redevelopment plans.

Mr. Benton: This is the resubmittal after incorporating various concerns and suggestions from the Board and we will move forward with bringing everyone back up to speed with the project as well as the updates to the proposed plans and the details. The Fort Pierce Shopping Center was constructed in 1955. It's just less than 45,000 square feet. The historical foot print of the building is relatively the same since the initial construction. There was a small addition, however it has remained fairly constant for over a half century. The property is zoned C-3 General Commercial and is roughly 3.63 acres. Due to its history and the constant nature of the site and lack of redevelopment there are several deficiencies on the site as far as safety concerns, the broad inlets on Ohio Avenue towards the intersection of U.S. 1 and Ohio Avenue, limited landscaping around the entire facility and the lack of landscape strips essentially around the property. We have an exhibit of the existing site. We have overlaid the existing landscape deficiencies expressed in red as well as extraneous and unsafe access points on the site as shown in blue. The site does feature quite a few safety concerns and extremely limited landscaping. There are only three tenants in the facility. The occupancy rate is way under 50%.

The applicant is proposing a significant redevelopment plan in hopes of garnering additional tenants and filling the commercial space. The street scape, landscaping and parking lot improvements are shown on the plan. The proposed plan does incorporate the variances as stated. The redevelopment plan does include numerous improvements specific to landscaping, parking, sidewalks, as well as lighting and quite a few other façade improvements. What we have in total is the addition of 5 interior landscape islands, addition of landscape strips along the western property line, along Ohio Avenue as well as an expansion along U.S. Hwy 1. This totals nearly 50 trees being added to the site, roughly 900 linear feet of shrubs being implemented, 150 linear ft. of pedestrian access ways and sidewalks as well as bicycle parking for multimodal transportation to the site and a 6 ft. tall green vinyl fence to be installed along the western property line to provide additional buffering for the neighboring residents.

The proposed plans as differentiate from the previous presentation in October feature the addition of quite a few trees of specific species for the entire landscaping of the site as well as the extension of landscape strip towards the rear. There was a lengthy discussion regarding providing additional buffering for the residents, so the applicant's representatives have extended that landscape buffer providing additional shrubs, landscaping and trees on the site. Another concern that was presented by the Board at the October meeting included the width of the parking stalls at a 90 degree angle. There is a lot of high turnover at some of the establishments in the facility. The applicants have proposed a plan to include 19 parking spaces with an extended width to 9 ½ feet. These are the high intensity spaces. In addition, the abutting handicapped parking spaces are at the required width of 12 feet, so the front entrance parking will have more than adequate width as directed by the City Code. Their existing request to deviate from the City Code would reduce the parking spaces to a 9 foot width remain for the

other spaces proposed on the site, however this is a compromise to accommodate for a larger vehicles in the high intensity spaces.

Façade improvements proposed with this entire redevelopment plan are presented. The applicant did provide a conceptual to show what the façade improvements and the redevelopment efforts of the building and structure itself look like. The colors may not be accurate. They would have to work with the potential tenants and try and formulate a grand scheme, but this is a great representation of what their goals are for the improvements of the façade. It leaves out the infill of shrubs and trees to provide an easy isometric 3D view, the parking configuration and the redevelopment access points to offer additional safety in close proximity of the Ohio and U.S. 1 intersection and the extraneous access point that was specifically on U.S. Hwy 1 just south of the sign. The variances being requested for this redevelopment plan are stated as represented by the Chair earlier. They remain constant with the exception of the additional landscaping as presented on the western property line.

We've provided a visual showing where the variance requests are actually affecting the proposed plan. Any time you are redeveloping a site such as this that is over 50 years old, it's difficult to bring it up to 2013 zoning standards. The site was developed prior to the majority of our zoning codes being implemented in 1981, therefore the applicants are tasked with trying to bring the site into code compliance as much as possible. There are a few sections shown representing the landscape strips that they propose that are infeasible to implement without the complete overhaul and reduction of parking spaces which are required to facilitate retail at the center as well as free flow vehicle access in the parking lot for 90 degree parking.

As part of the variance initiative and application process, City staff distributed notification letters to abutting property owners. We have received 3 responses, 2 approving and one in opposition. The opposition letter did include comments regarding the dumpsters and the proximity to the neighboring homes. We have coordinated with the applicant. The proposal does include concrete enclosures for all the dumpsters as well as a screen landscaping entirely around the dumpster enclosures. The landscape buffer and 6 foot tall pvc green vinyl fence along the property line should provide adequate buffering and barriers for any of the concerns that were presented by the letter in opposition. In addition to that, the tenants have included the potential to include safety mechanisms on the dumpsters themselves to ensure that they are closed and secure at all times which safeguards not only the neighbors, but themselves to make sure that other people aren't utilizing their dumpsters that they are paying for and need for the capacity of their site.

The variance request is coupled with a plan which significantly improves the subject site, improves many long standing deficiencies and presents a compelling case to satisfy the criteria specified in Section 22-108 is found to be consistent with the City's comprehensive plan, therefore staff recommends that the Board of Adjustment approve the request of the applicant.

Mr. Crist: This is a much better presentation from what we saw earlier. I thank you for that.

Mr. Nunn asks if the applicant is planning on irrigating the landscaping.

Mr. Benton states that irrigation is a requirement of any site redevelopment plan. Any time landscaping is installed pursuant to a plan, the City's certified arborist will review the irrigation system as proposed and make sure that it is adequate based on the species of the plant materials and the trees.

Mr. Nunn asks if the applicant has considered removing the raised concrete sidewalk so the landscaping could be pulled back. The boat trailer parking in the back is going to be an issue. Though they would be taking up two stalls, it would allow some boat trailer parking in the front.

Mr. Benton states that staff did consider that in review of the proposed plan. The City code requirements is any time there is going to be parking stalls abutting each other front-end to front-end, staff requires some type of mechanism to prevent the vehicles from rolling or moving into each other, whether its bumper rails, curbing, sidewalks or anything to that extent. In the event that they do propose to eliminate the entire concrete median, they would be required to come back with bumper rails for each parking space. In review of the dimensions and ability to do that, they would only be garnering roughly 5 to 6 inches in that because of the existing width of that median and the space they would have to come back with bumper rails, they wouldn't pick up much of an additional area.

Mr. Nunn asks that if the vehicles are bumper to bumper, is it still required.

Mr. Benton states that it depends upon how the configuration is oriented there is still a requirement. Sabal Palm plaza is an existing deficiency. There are vehicles who park well over their line, but that is something that, in the long range, that could be fixed by Publix installing their bumper rails.

Mr. Nunn states that he would much rather have the raised concrete; however the applicant would lose a lot. If you have to put the parking bumpers in the applicant wouldn't gain anything. It was not realized that a bumper was a requirement.

**Mr. Crist makes a motion and is seconded by Mr. B. McCain** - to approve.

**A roll call was taken.**

**Those in favor:** Mr. Nunn, Mr. Crist, Mr. B. McCain, Ms. Calvert and Chairman Benton.

**Those in opposition:** None.

**Motion passes unanimously.**

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**6. Special Exception - 1167 S U.S. Highway 1-** Request to construct a 1,800 square foot expansion on a non-contributing structure.

Mr. Benton: The special exception that is here before you is an application in conjunction with the previous variance request for their overall redevelopment plan of the Fort Pierce Shopping Center. The commercial plaza was constructed in 1955, pre-existing our 1981 zoning code requirements which instilled a setback of 15 feet of commercial structures from abutting residential neighborhoods or districts, therefore the existing structure itself which is in very close proximity at the northwest portion of the property, deems the structure non-conforming. The applicants are proposing to place and construct an 1,800 square foot addition towards the rear portion of the structure. It is isolated and setback quite a bit from the property line and not effecting any dimensional standards or setback requirements at the site in order to hopefully lure in additional tenants to take up the rear

portion of the plaza. The applicants and the representatives have conducted quite a few research studies and have collected statistics that indicate that potential tenants would need additional space, so they would like to have that in their repertoire as a potential option in the event that the tenant would need space for warehousing retail stock, areas for offices or anything along those lines. The proposed addition would be incorporated within the existing suites. It would not be an independent operation or retail store. The applicant have indicated that within tenant space "D" which use to be the Walgreens, there used to be a mezzanine level which included just under 2,000 square feet of floor space and area. That is going to be eliminated with the proposal, therefore they are requesting to essentially transfer that floor area and space over to tenant bays "B", "C" and potentially "A" depending upon their pursuit and achievement with the future tenant.

As part of the Special Exception application, City staff did provide notice to abutting property owners. We did receive 2 approving the request and 1 in opposition based primarily on those dumpsters as discussed. The Planning Board did deliberate and consider the Special Exception request and at their November 12<sup>th</sup> meeting they offered a unanimous recommendation of approval to the Board of adjustment.

The proposed for the Fort Pierce Shopping Center meets the criteria specified in City code Section 22-102.2 and is found to be consistent with the City's Comprehensive Plan, therefore staff recommends that the Board of Adjustment approve the request of the applicant for this addition.

Mr. Crist asks if an elevation is available for the addition.

Mr. Benton states that he would like to defer that to the applicant's representative.

Mr. Crist states that it looks like it has a separate roof on it.

Greg Boggs (Representative): The addition has no architectural detail. It's consistent with the rest of the structure. It will blend in with the architecture. It has no special roof line.

Mr. Nunn asks if the additional is going to be a shell until tenants are found to finish it out.

Mr. Boggs states that he would have to defer that to Mr. Allen Carr.

Mr. Carr (Applicant, 1355 SW 9th Avenue, Boca Raton, FL): Our intent for requesting the Special Exception is for a future tenant. It is not for an existing tenant. It is not an existing tenant and we do not plan to construct until we have that tenant. Space "C" is currently occupied. "A" and "B" are vacant, but we have had discussions where the larger tenant wants to be in the neighborhood of West Marine's size (future tenant) which is 15,000 square feet. That (the addition) would get us to 14,800 square feet. If we can relocate the tenant in space "C", we might be able to accommodate another large user. We do not plan on constructing the addition until an agreement is reached for a tenant that would use that space.

Mr. Crist asks how long it is good for. Is it indefinitely?

Mr. Benton states that it would probably 12 months if there is an expiration date on it.

Mr. S. McCain states that there is a provision in the Special Exception provision under which this application is being pursued that does provide in 22-102.1 which states "In any Special Exception the Board of Adjustment may prescribe a reasonable time limit within which the enlargement or alteration for which the Special Exception is requested shall be begun and/or completed." The Board has the discretion to establish a time.

Mr. B. McCain asks if the reason this is a Special Exception is because of where the building sits on the property in relation to the setback.

Mr. Benton answers yes. On the northwest portion of the property distance from the proposed addition, this northwest portion of the property line. As demonstrated on the plan, the blue box represents the conceptual of where the 15' setback is along that property line that's being infringed upon. The applicants are proposing the 6' tall wood fence to help buffer and shield the existing structure commercial activity.

Mr. B McCain asks if the addition will make it more nonconforming.

Mr. Benton answers no.

Chairman Benton asks if the Board puts a time limit on the approval, perhaps a year, and suppose for some reason they don't find a tenant within that time frame would they have to come back to the Board again to extend the time.

Mr. S McCain states that if the Board decided not to interfere with their plans, but if the Board to put some form of a time restriction on either the commencement or the completion of the addition that's being requested by virtue of the special Exceptions, if that was not complied with, they would have to come back and reapply or ask this Board to extend the time period.

Mr. Carr states that he would not like this process to continue for an extended period of time. A reasonable amount of time would be favored to figure out how to get the right tenant in that space. The project is essentially transferring mezzanine space to another tenant. 36 months would be a reasonable amount of time.

Mr. B McCain asks if the Board is interested in having a time constraint on the approval.

Mr. Nunn states that he would not like an open ended approval. For site plan review the time limit is 12 months before they have to come back.

Mr. Benton answers yes, unless the City Commission advises otherwise.

Chairman Benton asks if the applicant is negotiating with anyone at the present time for that particular space that is receiving the addition.

Mr. Carr states that negotiations have been off and on. Currently there are no negotiations for that space at the moment. It's still a challenging leasing market. Time would be needed.

**Mr. Crist makes a motion and seconded by Mr. Nunn** - to approve the Special Exception with an active period of 3 years.

Mr. S McCain asks what happens when the active time period expires.

Mr. S McCain states that unfortunately he does not have that code section available. An argument could be made that it is somewhat like a variance where it expires after a certain time period if the variance is not pursued. The special exception may have that parameter as well where the time frame could expire in three years. The applicant would then come and ask for an extension or would have to reapply.

**A roll call is taken.**

**Those in favor:** Mr. Nunn, Mr. Crist, Ms. Calvert, Mr. B McCain and Chairman Benton.

**Those opposed:** None.

**The motion passes unanimously.**

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## **7. Discussion/ Other Business**

Mr. S McCain states that the Board must recognize the error that was made at a previous meeting concerning the Special Exception of duplex. The item should have been regulated under code Section 22-102.1 as this code section is for a nonconforming structure

Board recognizes the error and states that **52:00**

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## **8. Adjournment.**

**Chairman Benton makes a motion-** to adjourn.

## Planning Board of Adjustment

Meeting Date: 04/24/2014

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### Information

#### REQUESTED ACTION

Approval of a Variance to deviate from Section 22-187(6) reducing the landscape strip from 10' to 0' for approximately 90' of the south property line. Also, a request to deviate from Section 22-61(b)(3) reducing the driveway width from 14' to 12' to install drive-thru area for proposed Dunkin Donuts.

#### LOCATION

1998 N U.S. Hwy 1

#### RESPONSIBLE STAFF

Clarissa Davis, Planner

#### RECOMMENDATION

Staff recommends **approval** of the requested Variance with the following condition: The newly created dumpster enclosure be 6 feet in height.

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### Attachments

[Staff Report](#)

[Zoning/Location Map](#)

[Site Plan](#)

[Landscape Plan](#)

[Project Narrative from Representative](#)

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### Form Review

Form Started By: Clarissa Davis

Final Approval Date: 04/17/2014

Started On: 04/14/2014 03:12 PM



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER  
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW  
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

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**TO:** Members of the City of Fort Pierce Board of Adjustment

**THROUGH:** Rebecca Grohall, AICP, Planning Manager

**FROM:** Clarissa Davis, Planner

**SUBJECT:** **Application for Variance**  
**1998 North U.S. Hwy 1**

**DATE:** April 14, 2014

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### STAFF REPORT

**Owner:** Monica Investment Group  
402 High Point Drive, Suite 101  
Cocoa, FL 32923-6602

**Applicant:** Mark France, Director of Development for PSL Donuts, LLC  
2411 South Indian River Drive  
Fort Pierce, Florida 34950

**Representative:** Greg Ripple, PE; Bowman Consulting  
501 SE Port St. Lucie Blvd, Suite 101  
Port St Lucie, FL 34984

**Requested Action:** Approval of a Variance to deviate from City Code Section 22-187(6) reducing the landscape strip variably from 10' to 0' for approximately 40' of the south property line. Also, a request to deviate from Section 22-61(b)3. reducing the required one-way driveway width from 14' to 12' to install drive-thru area for proposed Dunkin Donuts.

**Location:** 1998 N US Hwy 1

**Current Zoning:** C-3, General Commercial

#### Staff Analysis:

In accordance with Chapter 22, Article VIII of the City Code, the applicant is requesting that the Board of Adjustment approve a Variance to deviate from Section 22-187(6) reducing the landscape strip variably from 10' to 0' for approximately 40' of the southern property line. Also, a request to deviate from Section 22-61(b)(3) reducing the required one-way driveway width from 14' to 12' to install drive-thru area for proposed Dunkin Donuts.

Currently, this site encompasses a Shell gas station which previously housed a Subway eating establishment. The applicant is looking to utilize that space to incorporate a Dunkin Donuts. The applicant would also like to construct a 12' wide drive-thru area to extend their services to patrons on the go. In the absence of a defined "drive-thru" code regulations, staff is required to enforce code Section 22-61(b)3. *Driveway Widths* calling for a minimum of 14' for a one-way drive-way, which is primarily a design standard for the ingress/egress of commercial sites.

To create this drive-thru area, the dumpster will be relocated further west on site surrounded by a masonry enclosure with a stucco finish and screening consisting of shrubs and two (2) Sabal Palms. Also, a section of the required landscape strip must be encroached, reducing it variably from 10' to 0' for approximately 40' along the south property line which is a total of 230.9 feet in length. The parcel immediately south of this project is undeveloped. If, in the future, the property owner of that parcel develops the commercial site, they would, at this time, be obligated to provide a 10' landscaping strip to serve as a buffer.

Landscape redevelopment will also occur onsite. A total of seven (7) poor conditioned Queen Palms will be replaced with Sabal Palms throughout as well as other vegetation placed along the drive-thru area and beyond. A sidewalk will be incorporated from the US Hwy 1 right-of-way to the structure to ensure safe and easy pedestrian accessibility. Two (2) short term bicycle parking spaces will also be an addition to this site.

The following five (5) criteria, as specified in Section 22-108 of the City Code, must be satisfied in order for a variance to be granted:

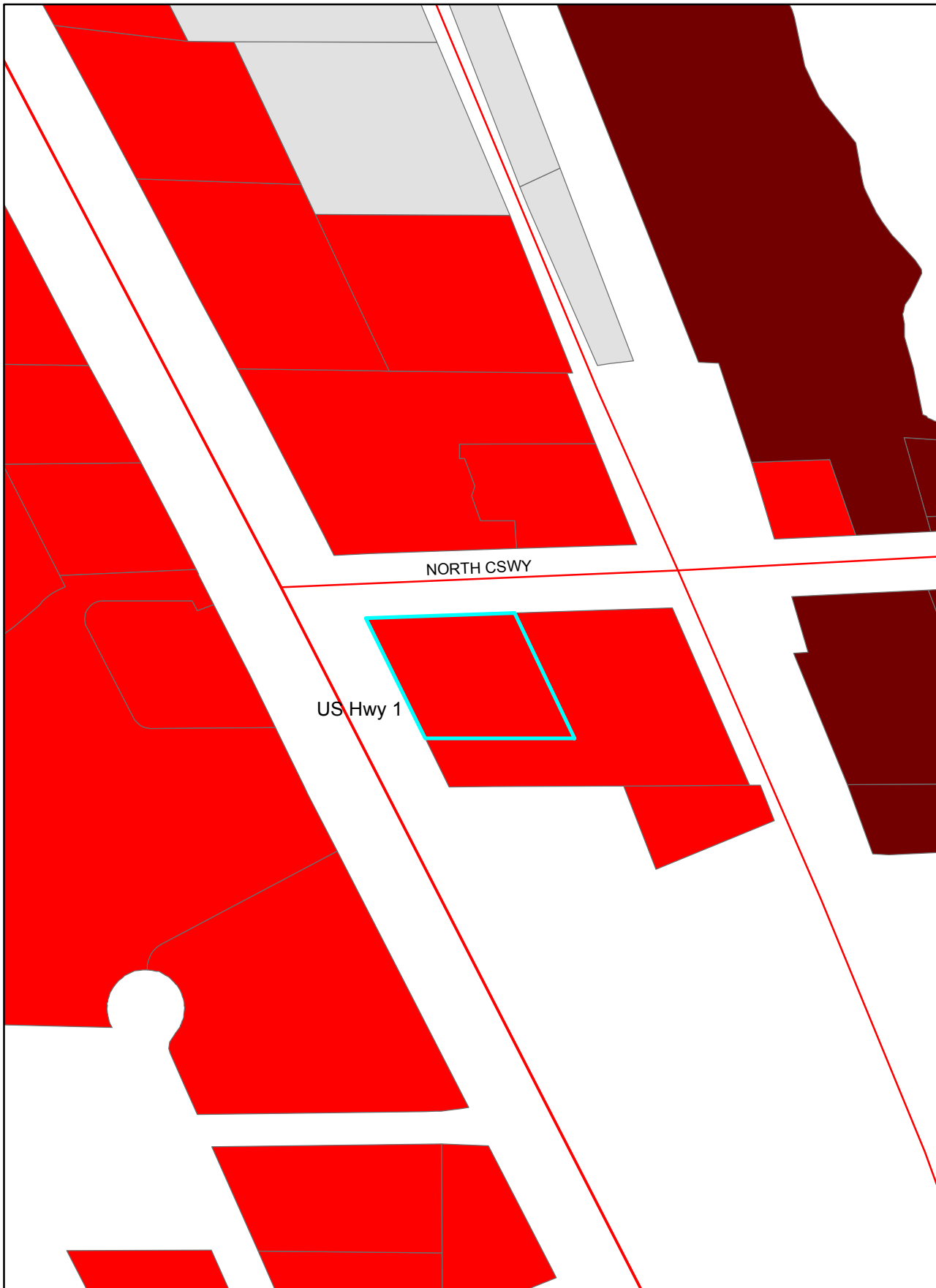
1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district;
2. The special conditions and circumstances do not result from the actions of the applicant;
3. The literal interpretation of the provision of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would result in unnecessary and undue hardship on the applicant;
4. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
5. The granting of the variance will be in harmony with the general intent and purpose of the ordinance and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

**Staff Recommendation:**

As the criteria specified in Section 22-108 of the City Code appears to have been met, Staff recommends **approval** of the requested Variance with the condition that the newly created dumpster enclosure is constructed to 6 feet in height.



# Zoning and Location Map







April 16, 2014

Project # 010060-01-001

Planning Department

City of Fort Pierce

PO Box 1480

Fort Pierce, FL 34954

To whom it may concern,

We proudly submit the enclosed Variance Application for a proposed drive-thru facility at the existing convenience store/ gas station located at 1998 U.S 1, Fort Pierce, FL 34946. Our client, PSL Donuts, LLC, is considering leasing a portion of the existing structure to add a Dunkin Donuts facility.

For this site to be feasible to Dunkin Donuts, a drive-thru access will be required. As you can see on the attached plan, we are proposing a 12' drive-lane that traverses the side and rear of the building. It is the intent of the project to reduce all impacts to the site to the extent possible. Knowing that, we will need to encroach into the existing 10' landscape buffer by approximately 9', for a length of less than 50', to allow the proper width and turning radius for the patrons to access the menu board and drive-up window. Therefore, the variance request is to reduce the landscape buffer for a short length to allow for the drive-thru lane.

Additional variance criteria below:

- 1) 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;
  - a. A special condition and circumstance exists on this property due to the placement of the existing building and its proximity to the property line. The current site layout is not conducive to a drive-thru lane without infringing upon the code enforced landscape buffer adjacent to the southern property. The southern property is zoned General Commercial, as our site is. Also, as you can see on a parcel map, the southern property is an odd shaped parcel which has only 80' of US 1 frontage that stretches back to a more open parcel adjacent to Old Dixie Highway. Knowing this and the setback requirements, it wouldn't seem feasible to place a structure on the portion of this property where the reduced landscape buffer would be located.
- 2) The special conditions and circumstances do not result from the actions of the applicant;

- a. The circumstance due to the existing building location, which is causing the special condition, is not the result of the current applicant, PSL Donuts, LLC.
- 3) The literal interpretation of the provision of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would result in unnecessary and undue hardship on the applicant;
  - a. There are certain economic issues that must be addressed in order to re-develop this existing vacant commercial property. Without a drive-thru lane, the proposed use of this property is not economically viable. Also the intent is to utilize and renovate an existing vacant commercial building. Strict compliance with the Landscape Ordinance would require the necessary drive-thru lane to be relocated, thereby also requiring the relocation of the existing building. The economic impact of demolition of the existing building and construction of a new building makes the proposed project unfeasible.
- 4) The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
  - a. The variance which would be granted is the minimum variance that will make possible the reasonable use of the proposed 12' drive thru.
- 5) The granting of the variance will be in harmony with the general intent and purpose of the ordinance and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.
  - a. The granting of the variance will be in harmony with the general intent and purpose of the ordinance and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare. Additionally, such items as; new sidewalk from US 1, enhanced landscaping throughout site and around reduced buffer and bike racks, have been added per City of Fort Pierce staff requests.

We greatly appreciate your willingness to consider this application for variance. If you have any questions or concerns, please do not hesitate to contact myself or Howard Ehram at our Port St. Lucie office. We look forward to a successful project with you.

Sincerely,



Gregory R. Ripple, P.E.

Attachments: Site Plan, Landscape Plan, Survey

## Planning Board of Adjustment

Meeting Date: 04/24/2014

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### Information

#### REQUESTED ACTION

Approval of a Special Exception to construct a Florida Room addition to a Non-Conforming Structure

#### LOCATION

118 Wisteria Avenue

#### RESPONSIBLE STAFF

Kori Benton, Historic Preservation Officer

#### RECOMMENDATION

Approval

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### Attachments

[Site Aerial](#)

[Staff Report](#)

[Survey & Plans](#)

[Draft Minutes of the 4/8/2014 Planning Board Meeting](#)

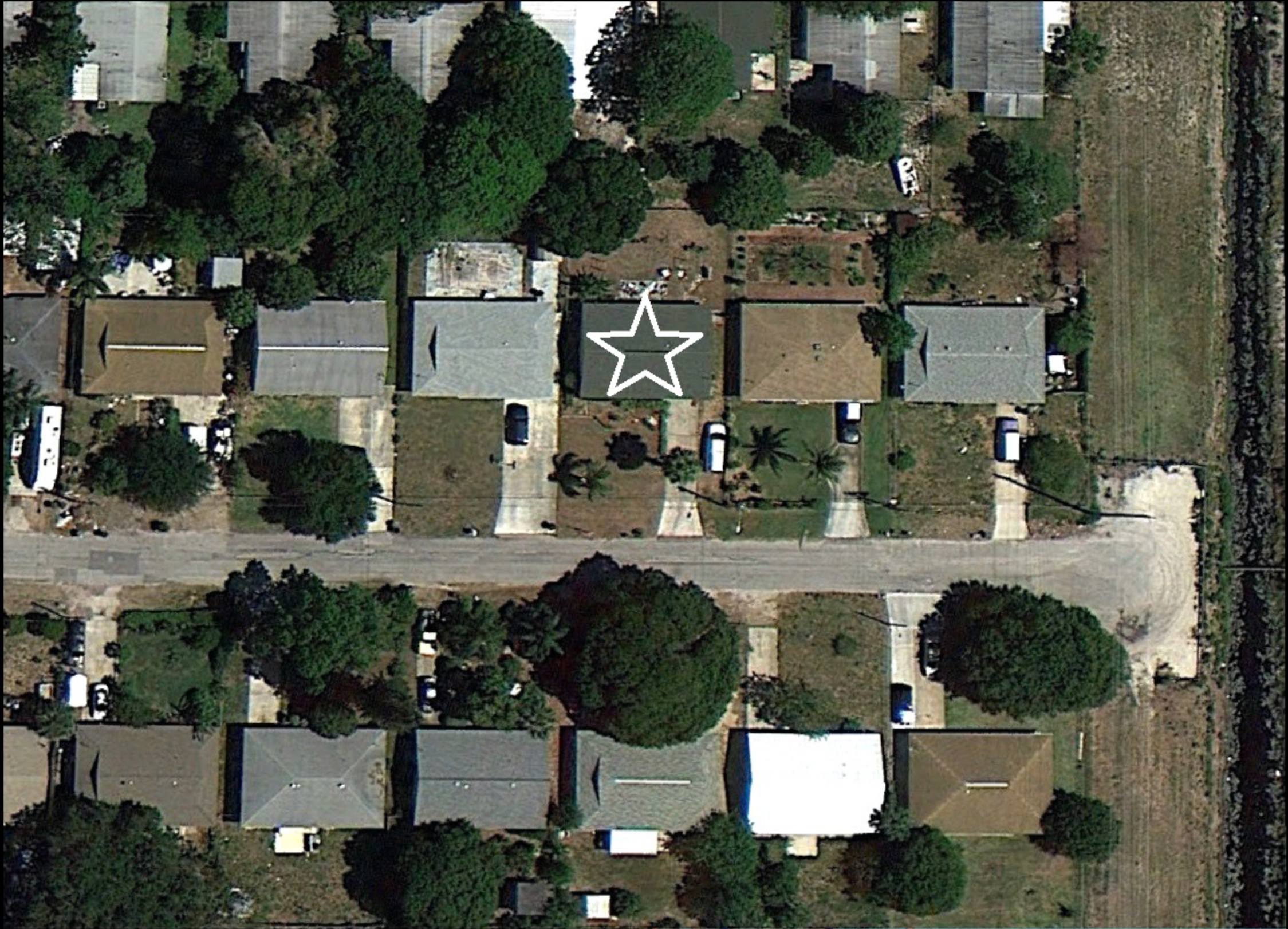
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### Form Review

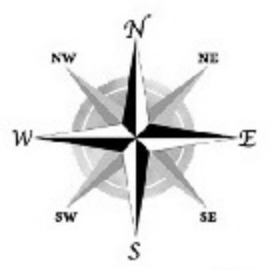
Form Started By: Kori Benton

Started On: 04/17/2014 11:45 AM

Final Approval Date: 04/17/2014



**Aerial - 118 Wisteria Avenue**





# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

REBECCA GROHALL, AICP, PLANNING MANAGER  
COMPREHENSIVE PLANNING ♦ DEVELOPMENT REVIEW  
HISTORIC PRESERVATION ♦ URBAN DESIGN ♦ URBAN FORESTRY ♦ ZONING

TO: Members of the City of Fort Pierce Board of Adjustment

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Historic Preservation Officer

RE: Application for Special Exception  
Addition to a Non-Conforming Structure  
118 Wisteria Avenue

DATE: April 17<sup>th</sup>, 2014

### STAFF REPORT

Owner/Applicant: Jose Cruz-Tovar  
118 Wisteria Ave  
Fort Pierce, FL 34982-3450

Requested Action: Approval of a Special Exception to expand a nonconforming structure by 542.5 sq. ft.

Location: 118 Wisteria Ave

Parcel ID: 2422-504-0063-000-8

Zoning: R-3, Single-family Moderate Density Residential

Surrounding Zoning:

North	East	South	West
R-3	R-3	R-3	R-3

Future Land Use: RM, Medium Density Residential

Parcel Size: .18 acres

Construction Date: 1973

## Staff Analysis:

The subject single-family home was constructed in 1973 within the Sunset Park Subdivision. The property owner is requesting to construct a 542.5 sq. ft. addition to the home. The existing structure fails to meet the setback requirement of the western side yard as set forth by the R-3, Single-family Moderate Density Residential, classifying this structure as non-conforming.

The requested addition to the structure necessitates the review and approval of a Special Exception based on the structure failing to meet City Code Section 22-26 (b)(2)b., which mandates that The minimum depth of the side yards shall be seven (7) feet, except on corner lots the minimum side yard depth on a street side will be fifteen (15) feet. The structure rests at a distance of 5.39' from the western property line, and approximately 16' from the existing structure on the lot abutting the site to the west.

The proposed addition is intended to provide a Florida room to enhance the existing single-family home. This addition will not violate the established use and dimensional standards contained in City Code Section 22-26. Single-Family Moderate Density Zone (R-3). The proposed construction plans and design are provided for review.

The board of adjustment is authorized to permit the enlargement or alteration of a nonconforming structure, except any sign, as a special exception upon finding and determining the following:

- (1) The granting of the special exception will not adversely affect the public interests;
- (2) Such enlargement or alteration is in harmony with the purpose and intent of this chapter and all amendments thereof;
- (3) The enlargement or alteration, if allowed, will not violate any height, yard, setback, area or density limitations imposed by the zoning district in which the property is located, or if the enlargement or alteration would increase such violation, such enlargement or alteration would not adversely affect traffic flow, safety and control, pedestrian safety and convenience or visibility at any street intersections, drives, rights-of-way, curbcuts or crosswalks;
- (4) Such enlargements or alteration shall be compatible with adjacent properties and other properties within that zoning district;
- (5) If in a commercial, business or industrial zone, that adequate buffers are provided between such structures and adjacent residential areas;
- (6) That adequate off-street parking shall be provided for any multifamily, commercial, industrial or business use upon the property;
- (7) The enlargement or alteration will not increase gross floor area of the principal structure by more than fifty (50) per cent;
- (8) The use of the structure prior to, and subsequent to, the granting of the request for the special exception shall be a semi-restricted use or permitted conditional use within the district in which the property is located;
- (9) There will be adequate availability and access to, and for, public utilities as may be required.

**Planning Board Recommendation:**

The Planning Board, at their April 8<sup>th</sup>, 2014 meeting reviewed the proposed Special Exception for the Florida room addition and unanimously voted to recommend approval of the proposal.

**Staff Recommendation:**

The proposed Special Exception meets the criteria specified in Section 22.102.1 of the City Code and is found to be consistent with the City's Comprehensive Plan; therefore, Staff recommends that the Board of Adjustment approve the request.

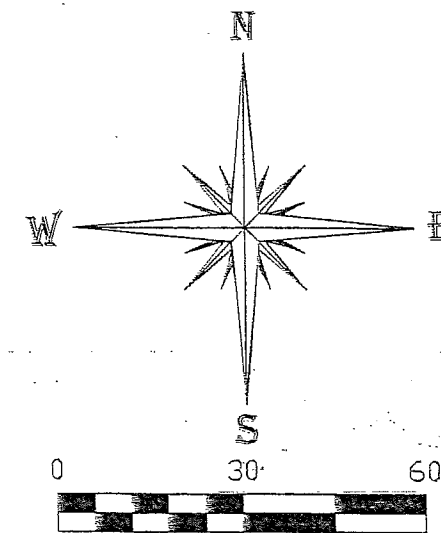
Boundary Survey For:  
**JOSE O. CRUZ-TOVAR**

**STREET ADDRESS:**

118 WISTERIA AVENUE, FORT PIERCE, FL 34982

**LEGAL DESCRIPTION:**

BEING ALL OF LOT 13, LESS THE EAST 20.96 FEET, AND LOT 14, LESS THE WEST 33.24 FEET, BLOCK 4, SUNSET PARK (REPLAT), ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 11, PAGE 28, OF THE PUBLIC RECORDS OF SAINT LUCIE COUNTY, FLORIDA.  
PARCEL ID: 2422-504-0063-000/8  
MORE COMMONLY KNOWN AS 118 WISTERIA AVENUE, FORT PIERCE, FLORIDA 34982-3450



**LEGEND & ABBREVIATIONS:**

A/C	DENOTES AIR CONDITIONER	OCC.	DENOTES OCCUPIED
BLK	DENOTES BLOCK	OHU	DENOTES OVERHEAD UTILITIES
BSL	DENOTES BUILDING SETBACK LINE	ORB	DENOTES OFFICIAL RECORDS BOOK
CBS	DENOTES CONCRETE BLOCK STRUCTURE	PB	DENOTES PLAT BOOK
CONC.	DENOTES CONCRETE	PCP	DENOTES PERMANENT CONTROL POINT
CM	DENOTES CONCRETE MONUMENT	PG	DENOTES PAGE
C/L	DENOTES CENTERLINE	POB	DENOTES POINT OF BEGINNING
D&UE	DENOTES DRAINAGE & UTILITY EASMENT	POC	DENOTES POINT OF COMMENCEMENT
ELEC.	DENOTES ELECTRIC	PSM	DENOTES PROFESSIONAL SURVEYOR & MAPPER
ELEV	DENOTES ELEVATION	IP	DENOTES IRON PIPE
FFE	DENOTES FINISH FLOOR ELEVATION	IR	DENOTES IRON ROD
FND	DENOTES FOUND	IRC	DENOTES IRON ROD & CAP
C	DENOTES CALCULATED FROM FIELD MEASUREMENTS	LB	DENOTES LICENSED BUSINESS
P	DENOTES PLAT DATA	LS	DENOTES LICENSED SURVEYOR
M	DENOTES MEASURED DATA	R/W	DENOTES RIGHT OF WAY
ID	DENOTES IDENTIFICATION NUMBER	TOB	DENOTES TOP OF BANK
FL	DENOTES FLOW LINE	TYP	DENOTES TYPICAL
WA	DENOTES ELEVATION (TYPICAL)	UE	DENOTES UTILITY EASEMENT
WM	DENOTES WATER METER	VAC.	DENOTES VACANT
SM	DENOTES SEWER MANHOLE	⊕	DENOTES ELECTRIC SERVICE BOX
NAVD	DENOTES UTILITY POLE	Ⓣ	DENOTES TELEPHONE SERVICE BOX
	DENOTES NORTH AMERICAN VERTICAL DATUM		

**GENERAL NOTES:**

1. THE BEARINGS SHOWN HEREON ARE BASED UPON THE WEST LINE OF BLOCK 4, ACCORDING TO THE PLAT OF SUNSET PARK, RECORDED IN PLAT BOOK 11, PAGE 28, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, BEARING N00°50'00"W.
2. ALL ABOVE GROUND FIXED IMPROVEMENTS, IF ANY, HAVE BEEN LOCATED AND SHOWN HEREON.
3. UNDERGROUND UTILITIES AND UTILITY SERVICES HAVE NOT BEEN LOCATED ON THIS SURVEY.
4. FLOOD NOTE: BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE "X", ACCORDING TO THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 12111C0187 J, EFFECTIVE DATE FEBRUARY 16, 2012. THE EXACT DESIGNATION CAN ONLY BE DETERMINED BY AN ELEVATION CERTIFICATE.
5. ELEVATIONS SHOWN HEREON ARE IN FEET AND BASED UPON NORTH AMERICAN VERTICAL DATUM OF 1988.
6. LANDS SHOWN HEREON WERE NOT ABSTRACTED BY THIS OFFICE FOR RIGHTS-OF-WAY, EASEMENTS OF RECORD, OWNERSHIP, ABANDONMENT'S DEED RESTRICTIONS, OR MURPHY ACT DEEDS.
7. THE LAST DATE OF FIELD WORK WAS OCTOBER 03, 2013.
8. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
9. REPRODUCTIONS OF THIS MAP ARE NOT VALID WITHOUT THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR & MAPPER.

**CERTIFIED TO:**

JOSE O CRUZ-TOVAR

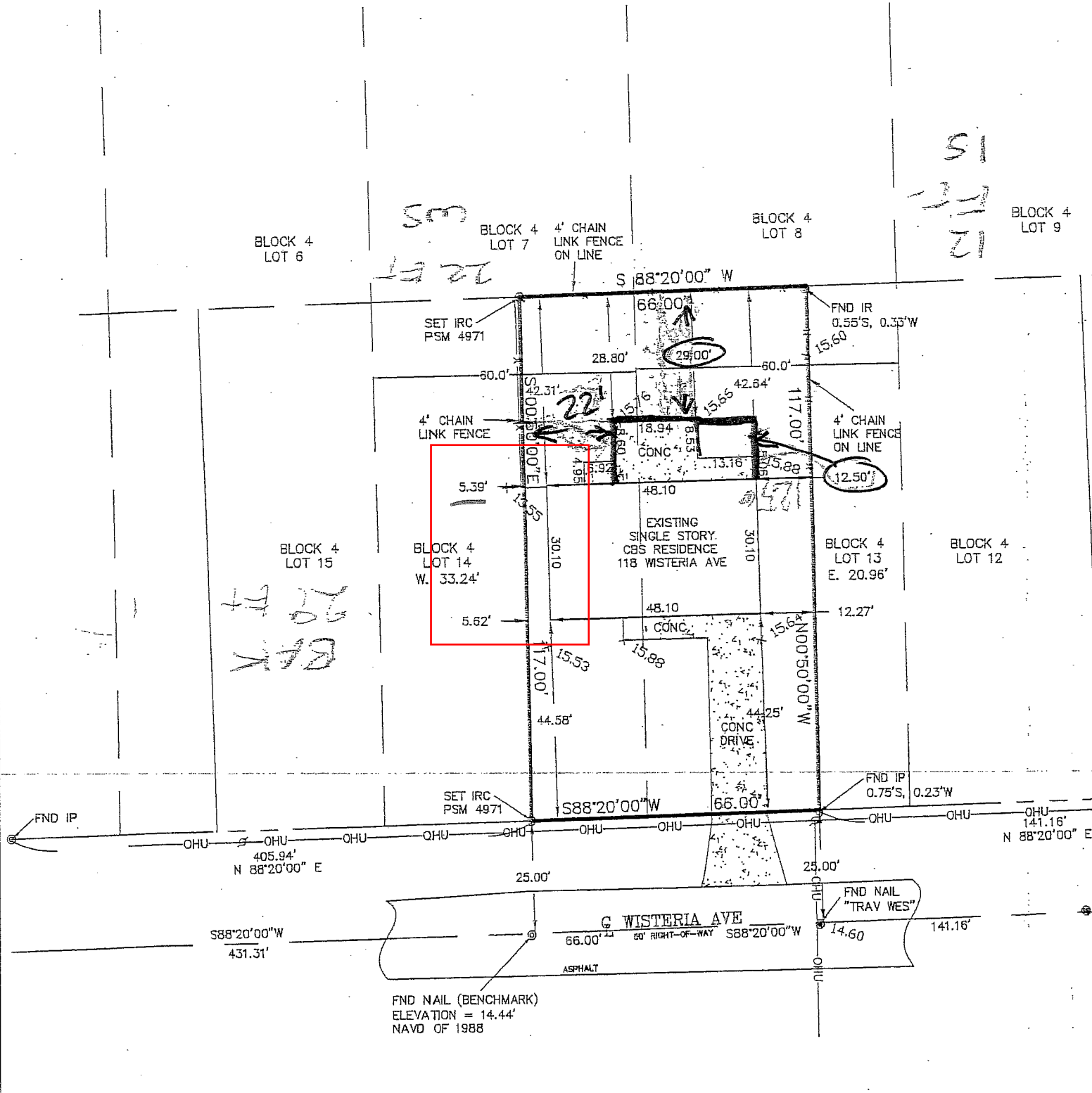
14-483

*Charles Arnold* 10/12/2013  
**CHARLES ARNOLD** DATE SIGNED  
PROFESSIONAL SURVEYOR & MAPPER  
FLORIDA LICENSE NO. 4971

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JOB NO: 13-537  
DESC: SUBDIV  
DATE: 10/09/13  
SCALE: 1"=30'  
DRAWN BY: CA

**ARNOLD SURVEYING, INC.**  
PROFESSIONAL SURVEYORS AND MAPPERS  
FLORIDA LICENSED BUSINESS NUMBER 7903  
4888 N. KINGS HWY #425, FORT PIERCE, FLORIDA 34951  
24 VERDE WSTA, FORT PIERCE, FLORIDA 34951  
PHONE: (772) 460-8211 FAX: (772) 460-8210



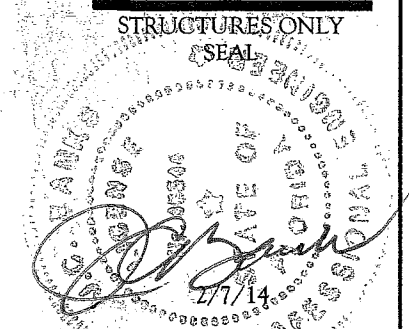


**CRH**  
**DESIGN & DRAFTING**

5678 N. Military Trail  
West Palm Beach, FL 33407  
Voice: (561) 262-9354  
Info @ CRHDesign.com

**JULIO C. BANKS, P.E.**  
P. O. BOX 880187  
FORT SAINT LUCIE,  
FLORIDA, 34988-0187  
PHONE 772-577-6273

STRUCTURES ONLY  
CS-1



**JULIO C. BANKS, P.E.**  
FLORIDA REG. NO. 46544

CONSTRUCTION  
DOCUMENTS FOR:

### CRUZ RESIDENCE

116 WISTERIA AVE  
FORT PIERCE, FL 34982

PROJECT:

### CLOSE-IN PATIO

Revisions:

DATE:	DESCRIP.:	NO.:
		1
		2

DATE: 2/7/14

JOB NO: 1403-1

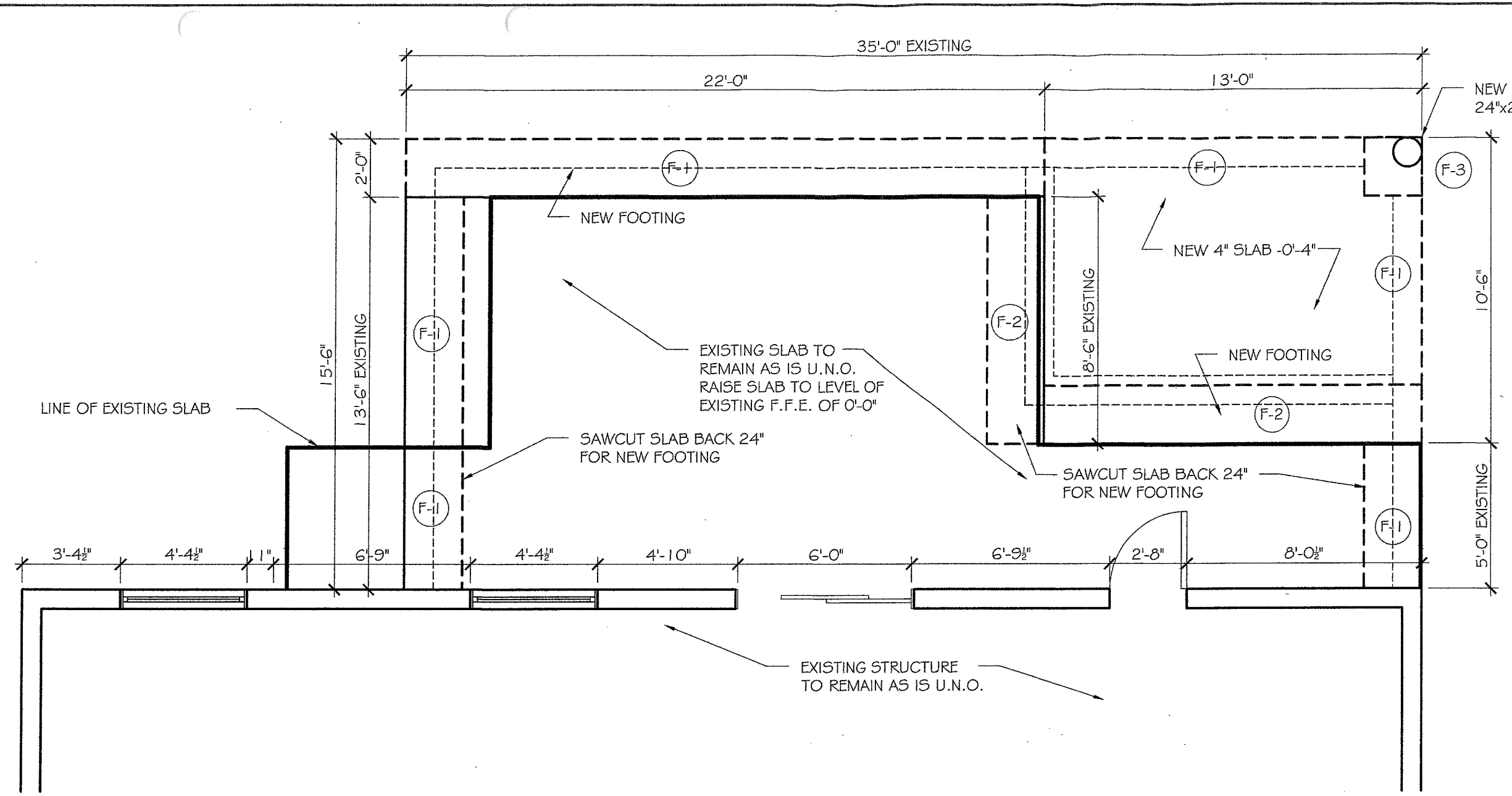
DRAWN: C. HERD

CHECKED: J. BANKS

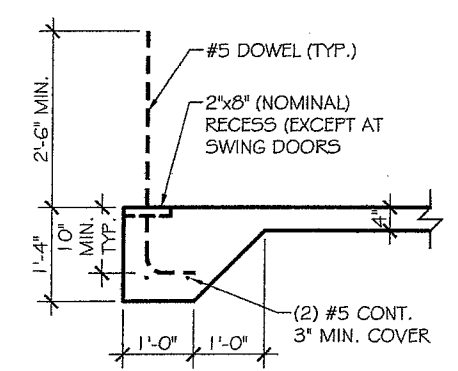
SCALE: 1/4" = 1'-0"

### EXISTING / DEMO PLAN

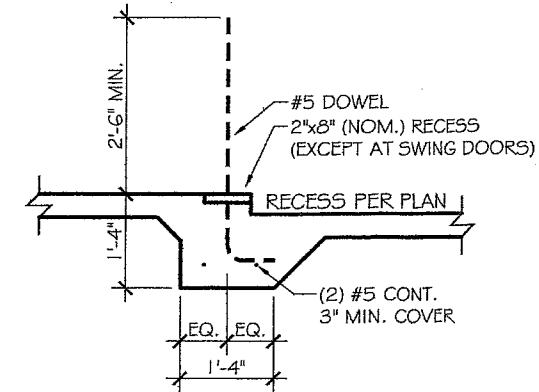
# A-3



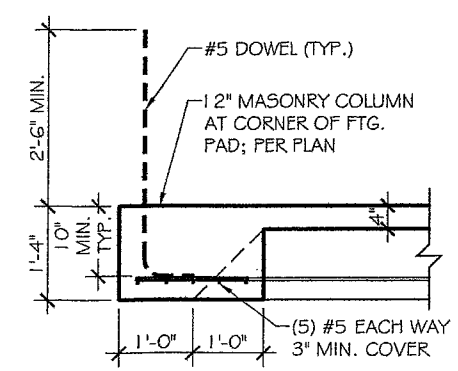
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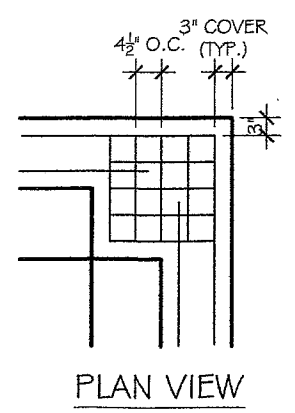
**F-1** TYPICAL FOOTING BEARING  
SCALE: 3/8" = 1'-0"



**F-2** EXT. STEP FOOTING BEARING  
SCALE: 3/8" = 1'-0"



**F-3** PAD FOOTING BEARING  
SCALE: 3/8" = 1'-0"



PLAN VIEW

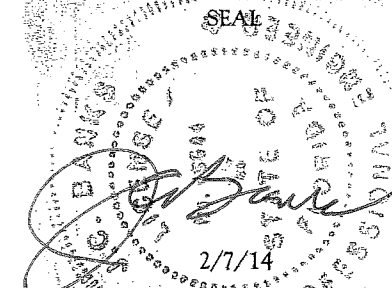


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CONSTRUCTION  
DOCUMENTS FOR:

**CRUZ  
RESIDENCE**

116 WISTERIA AVE  
FORT PIERCE, FL 34982

PROJECT:

**CLOSE-IN PATIO**

Revisions:



DATE: \_\_\_\_\_ DESCRIP.: \_\_\_\_\_ NO: \_\_\_\_\_

DATE: 2/7/14

JOB NO: 1403-1

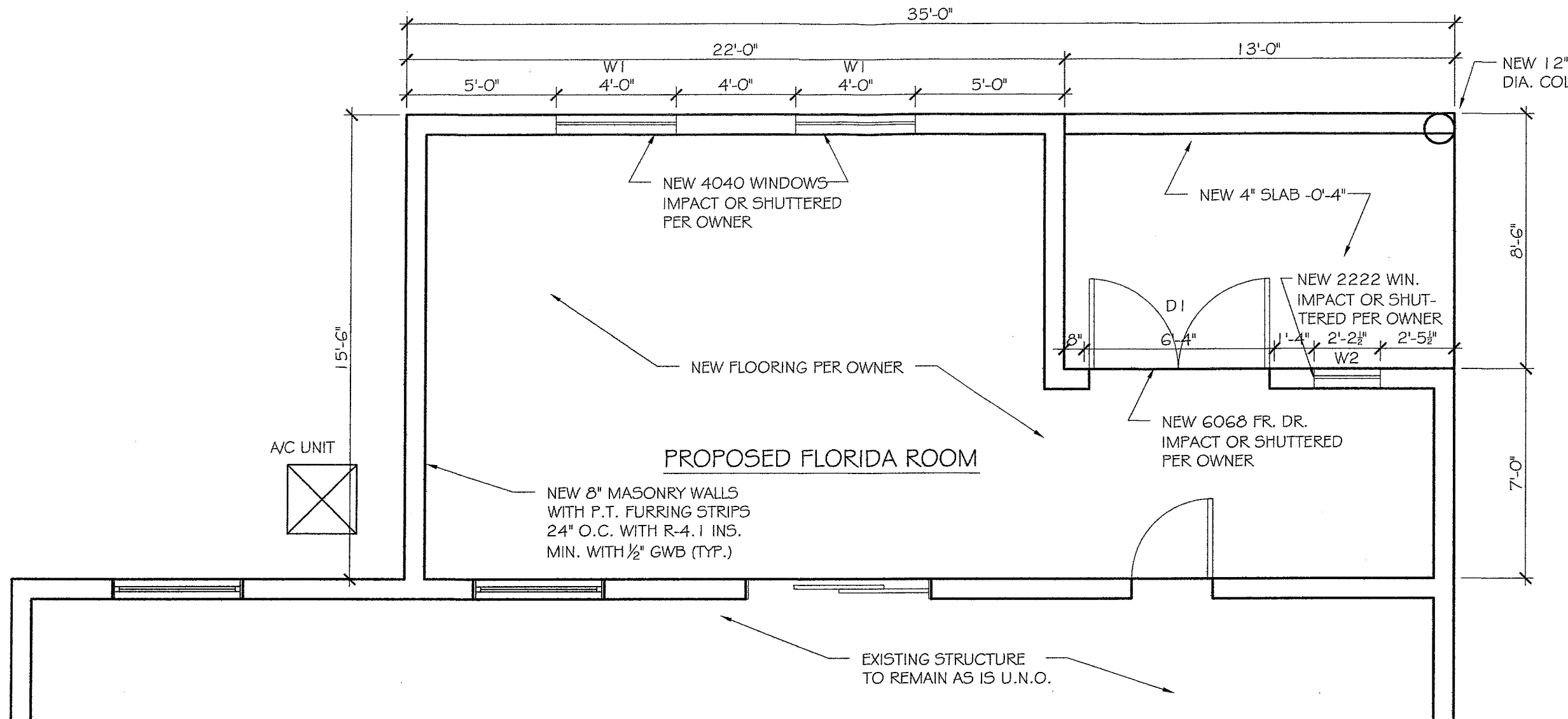
DRAWN: C. HERD

CHECKED: J. BANKS

SCALE: 1/4" = 1'-0"

EXISTING / DEMO  
PLAN

**A-4**

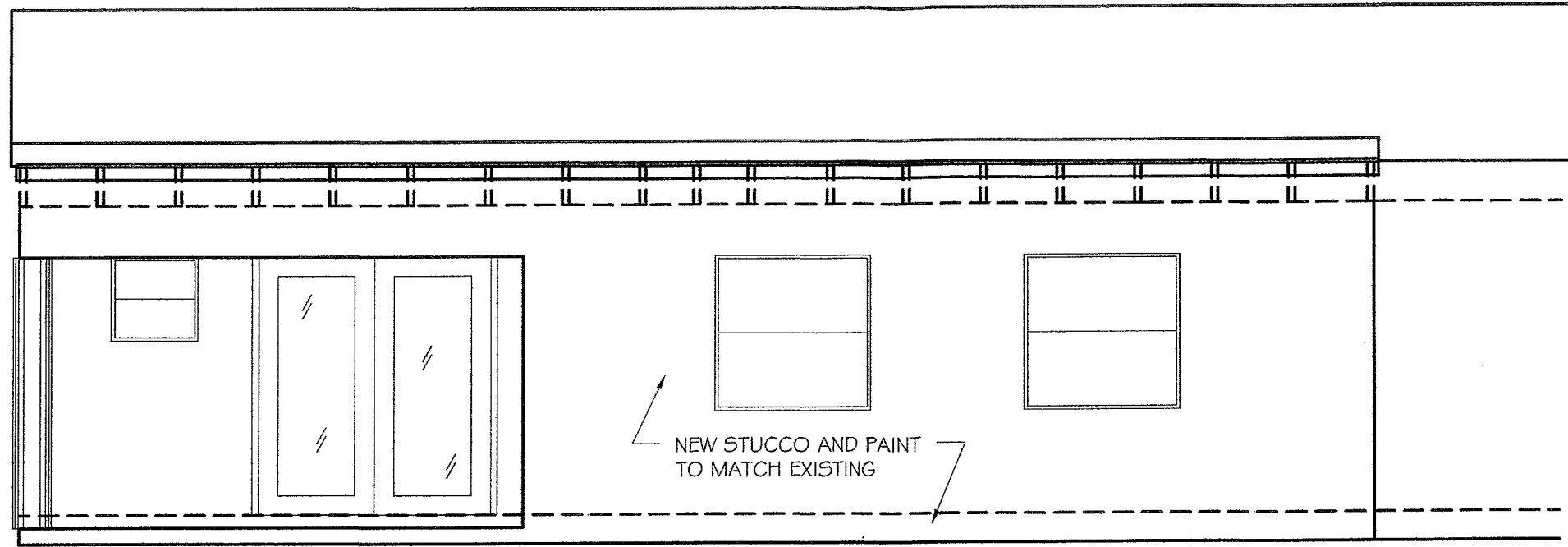


**PROPOSED FLOOR PLAN**

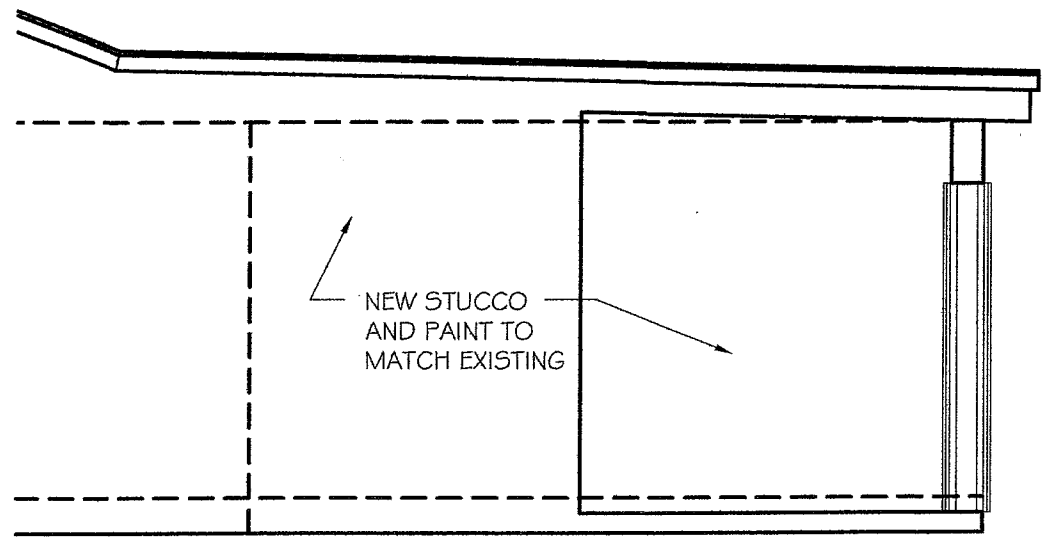
ASCE 7-10 C&C WIND PRESSURES		
COMPONENT	NEG. P.	POS. P.
4040 WINDOW, W1	-42.5	39.1
6068 DOUBLE-DRS, D1	-40.1	36.7
2626 WINDOW, W2	-43.9	40.5

LINTEL SCHEDULE							
MARK	TOP OF BEAM ELEV.	LENGTH	SIZE W x D	SAFE GRAVITY LOAD	APPLIED GRAVITY LOAD	SAFE UPLIFT LOAD	REMARKS
L-1	8'-0"	13'-4"	8"x16"	1075	<1000	606	8F16-OB-1T COMPOSITE BEAM
L-2	8'-0"	7'-6"	8"x16"	2459	<1000	1462	8RF16-OB-1T COMPOSITE BEAM
L-3	8'-0"	5'-4"	8"x16"	2290	<1000	1634	8F16-OB-1T COMPOSITE BEAM
L-4	8'-0"	4'-0"	8"x16"	3820	<1000	3079	8F16-OB-1T COMPOSITE BEAM

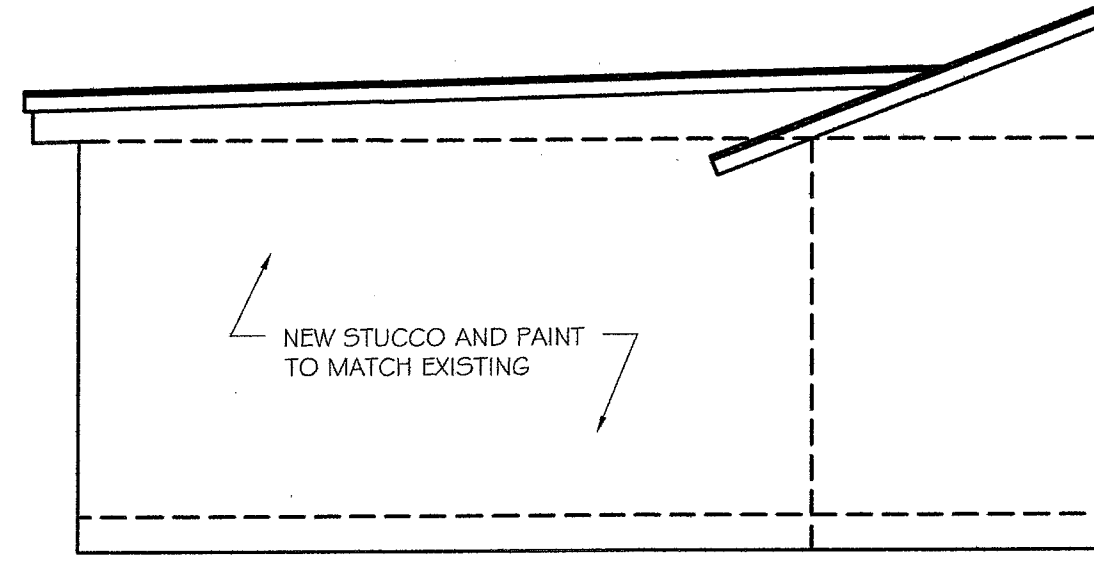
1. MIN. 4" BEARING OF ALL LINTELS ON MASONRY WALL.  
2. ALL REBAR TO BE CONTINUOUS ACROSS LINTELS



REAR ELEVATION



LEFT SIDE ELEVATION



RIGHT SIDE ELEVATION

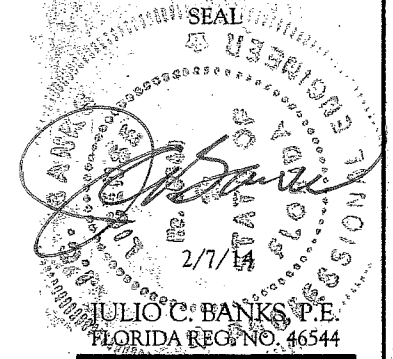


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FORT PIERCE, FL 34982

PROJECT:

**CLOSE-IN PATIO**

Revisions:


DATE:    DESCIP.:    NO:

DATE:    2/7/14

JOB NO:    1403-1

DRAWN:    C. HERD

CHECKED:    J. BANKS

SCALE:    1/4" = 1'-0"

NOTES, PLANS & DETAIL



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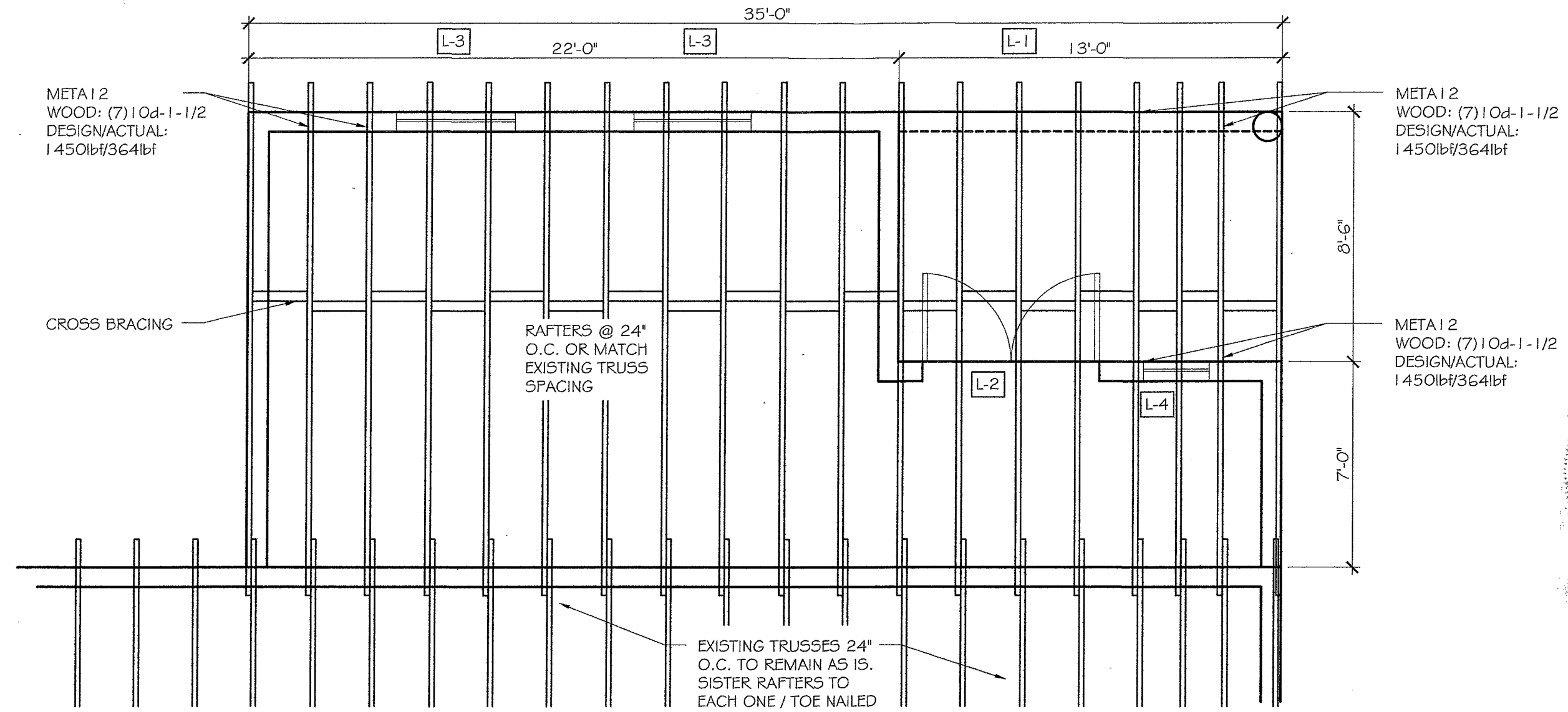
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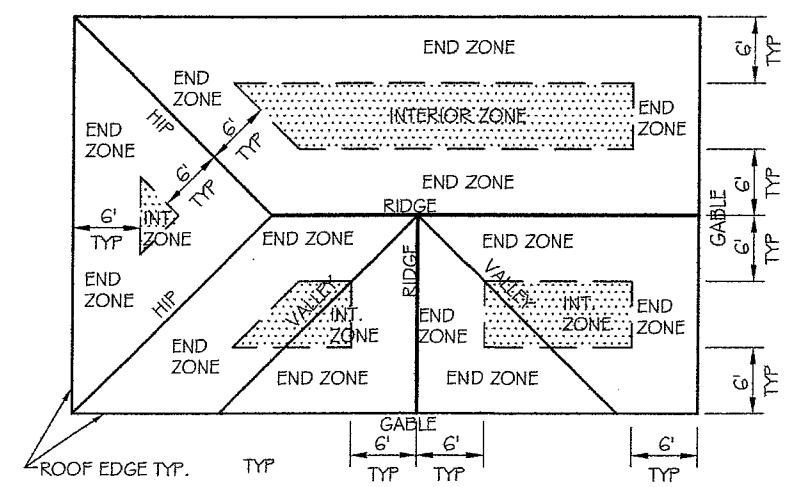
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**NOTES, PLAN &  
DETAILS**

**A-6**

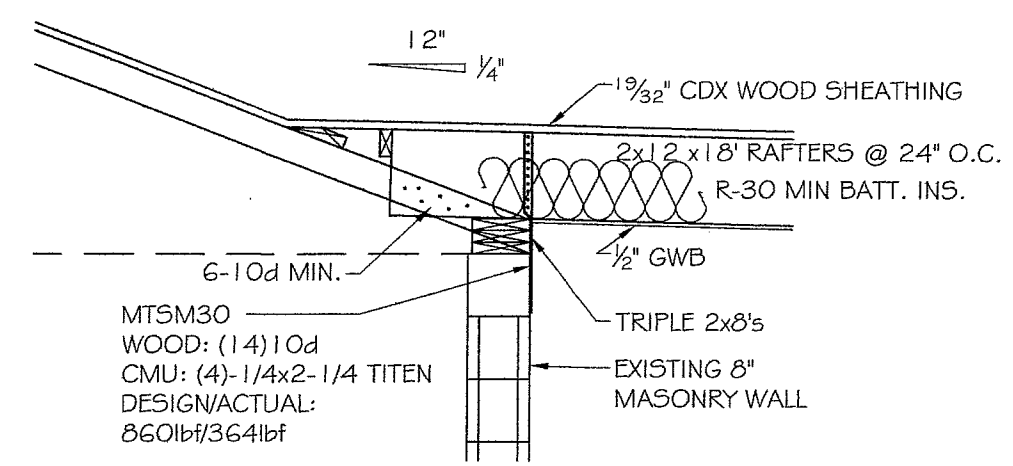


**PROPOSED ROOF FRAMING PLAN**

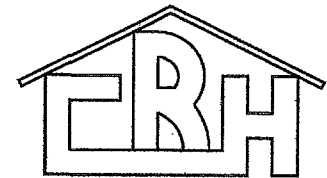


**1 ROOF SHEATHING NAILING PATTERN DIAGRAM**  
ROOF SHEATHING NAILING SCHEDULE  
SCALE: N.T.S.  
○ END ZONE - USE 8d RING SHANK NAILS @ 4' O.C.  
● INTERIOR ZONE - USE 8d RING SHANK NAILS @ 6' O.C.

ANCHOR SCHEDULE	
A1	= SIMPSON STRONG-TIE SPHG (6) 10d X 1 1/2" NAILS
A2	= SIMPSON STRONG-TIE LSTA 18 (6) SDS 1/4" x 1 1/4" (CONCRETE) (10) 10d NAILS (WOOD)
Ax	= ANCHOR DESIGNATION - TYPICAL FOR THAT CONNECTION U.N.O.



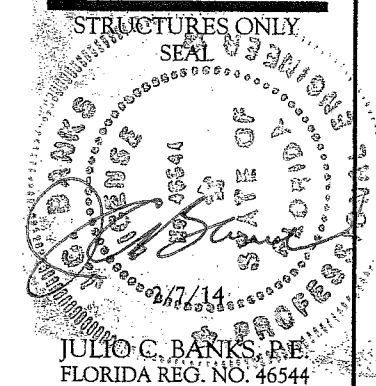
**2 RAFTER TO EXISTING BRG. WALL DETAIL**  
SCALE: 1/2" = 1'-0"



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CONSTRUCTION  
DOCUMENTS FOR:

**CRUZ  
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116 WISTERIA AVE  
FORT PIERCE, FL 34982

PROJECT:

**CLOSE-IN PATIO**

Revisions:

\_\_\_\_\_ 2

\_\_\_\_\_ 1

DATE: \_\_\_\_\_ NO: \_\_\_\_\_

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JOB NO: 1403-1

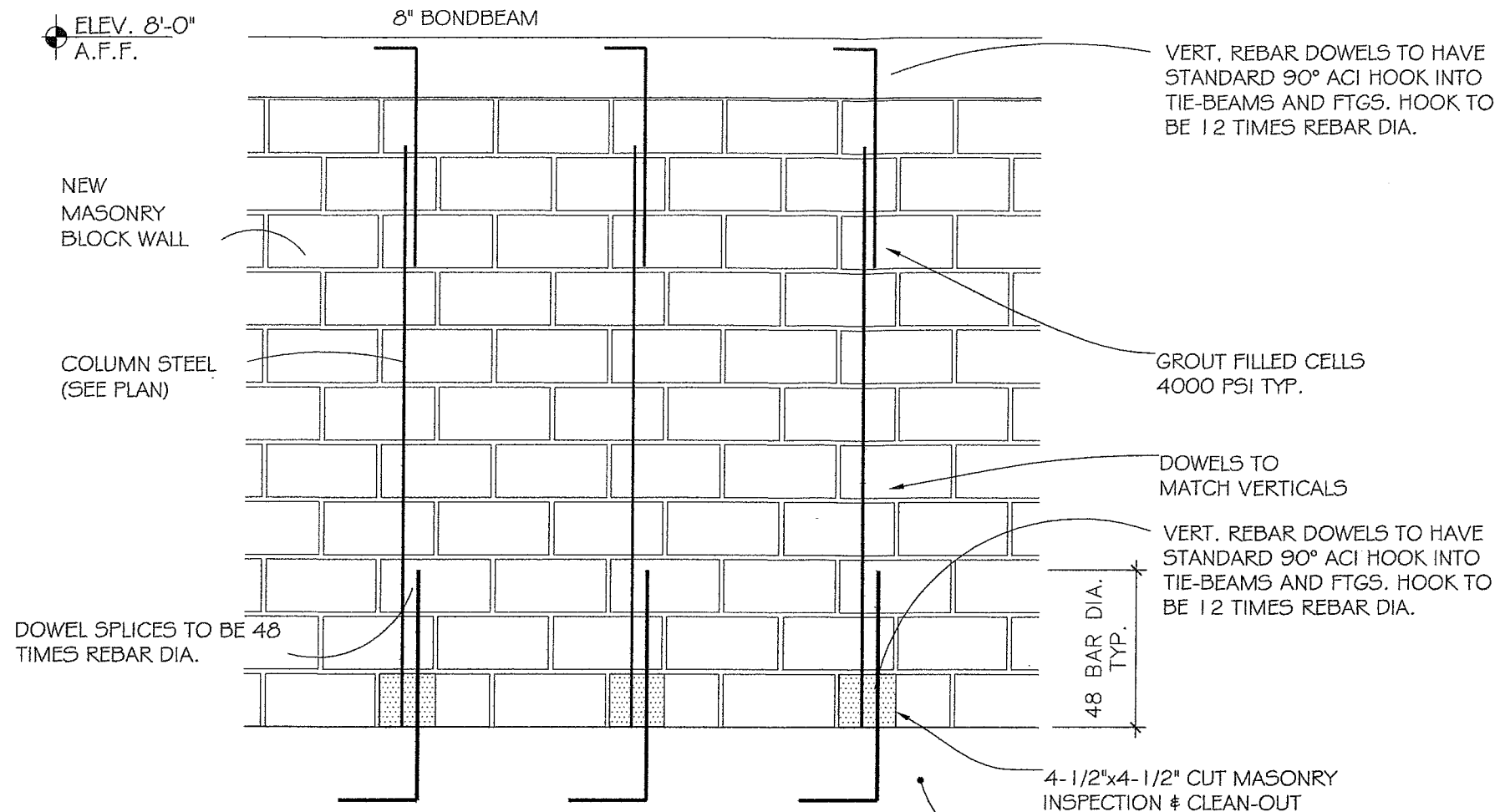
DRAWN: C. HERD

CHECKED: I. BANKS

SCALE: 1/2" = 1'-0"

NOTES, PLANS &  
DETAIL

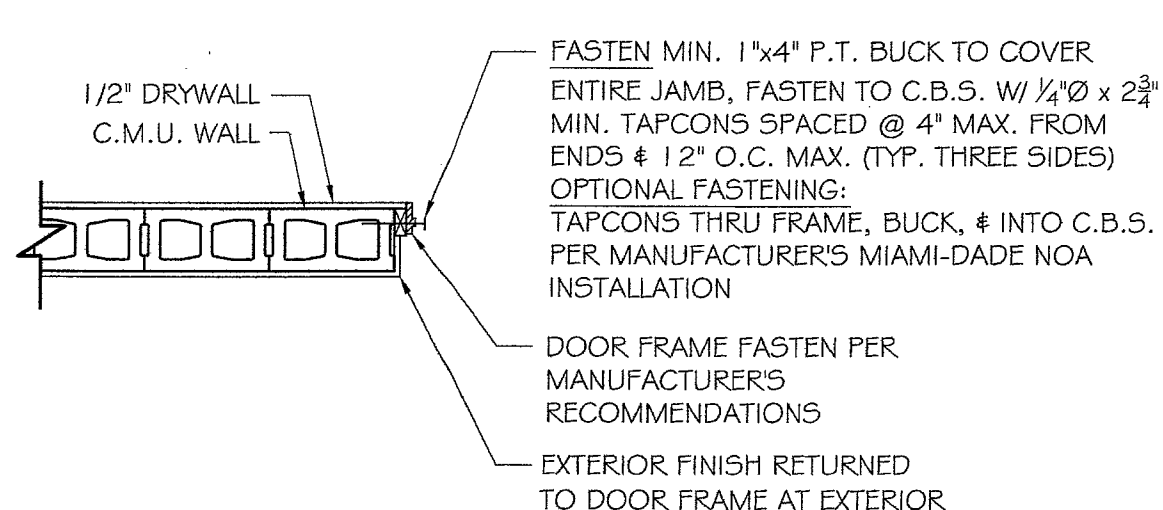
**A-8**



NOTE: DRAWING REPRESENTATIONAL ONLY,  
ACTUAL BLOCK COURSES MAY VARY. (TYP.)  
SEE PLAN FOR LOCATIONS

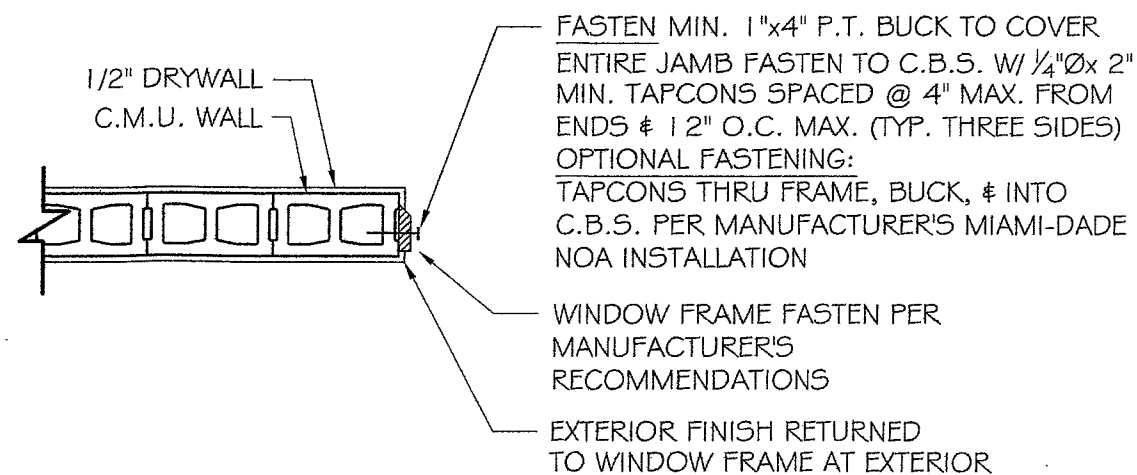
**1** TYPICAL NEW MASONRY FILLED CELL DETAIL

SCALE: 1/2" = 1'-0"



**A1** DOOR BUCK ATTACHMENT

SCALE: 1/2" = 1'-0"



**A2** WINDOW & S.G.D. BUCK ATTACHMENT FOR CMU WALL

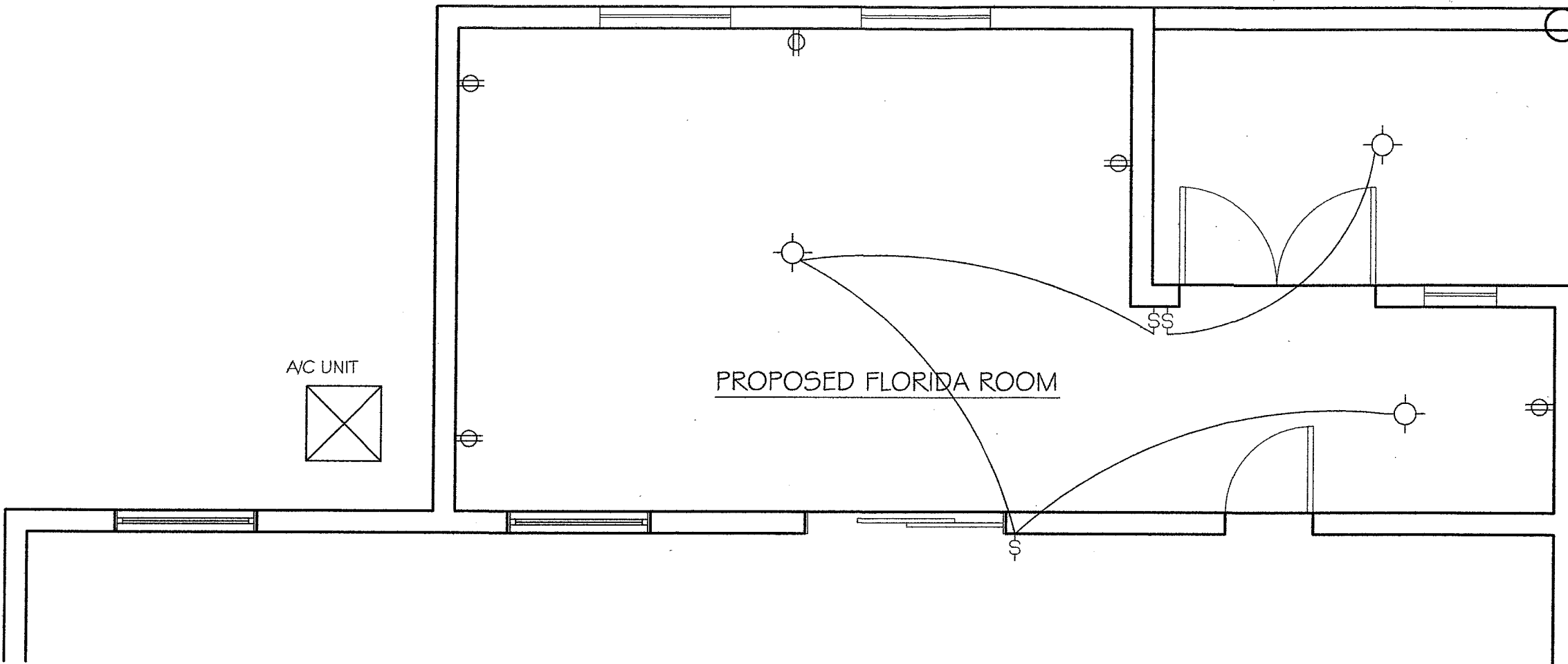
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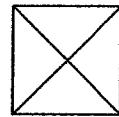
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ELECTRICAL  
CONTRACTOR



A/C UNIT



PROPOSED FLORIDA ROOM

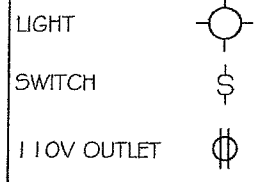
## PROPOSED ELECTRICAL FLOOR PLAN

### ELECTRICAL NOTES

1. PURSUANT TO CHAPTER 471 OF THE FLORIDA STATUTES, A STATE LICENSED ELECTRICAL CONTRACTOR SHALL BE RESPONSIBLE FOR THE ELECTRICAL SYSTEM'S COMPLIANCE WITH THE 2010 FLORIDA BUILDING CODE, PROVIDED THE VALUE OF THE ELECTRICAL SYSTEM IS \$125,000 OR LESS, AND THE AGGREGATE SERVICE CAPACITY IS 600 AMPERES (240 VOLTS) OR LESS.
2. ELECTRICAL CONTRACTOR SHALL SUPPLY AND INSTALL ALL NEW ELECTRICAL WORK INDICATED. CONSTRUCTION SHALL BE IN ACCORDANCE WITH DRAWINGS AND APPLICABLE SPECIFICATIONS. IF A PROBLEM IS ENCOUNTERED IN COMPLYING WITH THIS REQUIREMENT, CONTRACTOR SHALL NOTIFY THE OWNER OR HIS REPRESENTATIVE AS SOON AS POSSIBLE AFTER DISCOVERY OF THE PROBLEM AND SHALL NOT PROCEED WITH THAT PORTION OF THE WORK UNTIL OWNER HAS DIRECTED CORRECTIVE ACTION TO BE TAKEN.
3. ELECTRICAL CONTRACTOR SHALL VISIT JOB SITE AND FAMILIARIZE HIMSELF WITH ALL CONDITIONS AFFECTING ELECTRICAL AND COMMUNICATIONS INSTALLATION AND MAKE PROVISIONS AS TO THE COST THEREOF. EXISTING CONDITIONS OF ELECTRICAL EQUIPMENT, LIGHT FIXTURES, ETC., THAT ARE PART OF THE FINAL SYSTEM SHALL BE VERIFIED BY THE CONTRACTOR PRIOR TO SUBMITTING HIS BID.
4. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THE LATEST EDITION OF THE NATIONAL ELECTRIC CODE AND ALL CODES AND ORDINANCES OF THE AUTHORITY HAVING JURISDICTION.

NOTE:  
ELECTRICAL CONTRACTOR TO  
COORDINATE WITH OWNER, ALL  
SWITCHES, OUTLETS

CONTRACTOR TO FIELD VERIFY  
EXISTING ELECTRICAL.



CONSTRUCTION  
DOCUMENTS FOR:

**CRUZ  
RESIDENCE**

116 WISTERIA AVE  
FORT PIERCE, FL 34982

PROJECT:

CLOSE-IN PATIO

Revisions:

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JOB NO: 1403-1

DRAWN: C. HERD

CHECKED: C. HERD

SCALE: 1/4" = 1'-0"

NOTES & PLAN

**E-1**

# DRAFT



## CITY OF FORT PIERCE PLANNING BOARD

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### Planning Board Minutes

**OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, April 8, 2014, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.**

**1. CALL TO ORDER**

Chairman Burdge called the meeting to order.

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Present: Bob Burdge, Chairman; Marcia Baker; Erica Ganzi; Eduardo Mujica; Phyllis Castro; Tim O'Connell; Robert Poitier; John George; Eloise Cummings; Brian Paul; Steve Weaver; Mike Dahan

Staff Present: Rebecca Grohall, Planning Manager  
James Walker, Assistant City Attorney  
Kori Benton, Historic Preservation Officer  
Alicia Rosenthal, Administrative Assistant

**4. CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS**

All members are present.

**5. APPROVAL OF MINUTES**

- a. Planning Board Minutes 3/11/2014

Motion was made by Robert Poitier, seconded by Marcia Baker to approve minutes for the March 11, 2014 meeting.

AYE: Chairman Bob Burdge, Marcia Baker, Erica Ganzi, Eduardo Mujica, Phyllis Castro, Tim O'Connell, Robert Poitier, John George, Eloise Cummings, Brian Paul

Passed

**6. NEW BUSINESS**

The order of new business was changed by Chairman Burdge.

- a. Request for Authorization of Similar Use - Recreational Vehicle (RV) Sales & Service in the C-6, Marine Commercial Zoning District.

Mr. Benton gave an overview of the application. Keith and Cody Danks, applicants, commented. Mr. Paul inquired about adding rentals to part of the authorization of similar use. Mr. Benton commented.

Motion was made by Marcia Baker, seconded by Brian Paul to approve the request for Authorization of Similar Use of recreational vehicles (RV) sales, service and rentals in the C-6, Marine Commercial Zoning District.

AYE: Brian Paul, Eloise Cummings, John George, Erica Ganzi, Marcia Baker, Tim O'Connell, Robert Poitier, Phyllis Castro, Eduardo Mujica, Chairman Bob Burdge  
Passed

- b. Conditional Use - Sunrise Marine & RV - Approval to add Recreational Vehicle Sales & Service to the former St. Lucie Outboard Marine site located at 657 N. 2nd Street.

Mr. Benton gave an overview of the application. Keith and Cody Danks, applicants, commented. Ms. Baker asked about the impact of the current and proposed construction on N. 2<sup>nd</sup> Street. Mr. Benton commented. Ms. Baker inquired if Bancshares Realty is a subsidiary of PNC Bank. Ms. Baker asked about provisions, so larger boats and RV's being towed do not cause traffic problems. Mr. O'Connell inquired about the grant from the port to re-do 2<sup>nd</sup> Street. Ms. Grohall, Planning Manager, commented. Ms. Ganzi asked about the actual area of the parcel, RV only sales on the parcel and if improvements are being planned for the driveway along Avenue H. Mr. Benton commented.

Motion was made by Marcia Baker, seconded by Robert Poitier to approve the Conditional Use of Sunrise Marine & RV to add recreational vehicle sales and service at 657 N. 2nd Street.

AYE: Phyllis Castro, Tim O'Connell, Robert Poitier, Marcia Baker, Erica Ganzi, John George, Eloise Cummings, Eduardo Mujica, Chairman Bob Burdge

NAY: Brian Paul

Passed

- c. Approval of a Special Exception to expand a nonconforming structure by 542.5 sq. ft.

Mr. Benton gave an overview of the application. Ms. Baker asked about the flood zone for the area. Ms. Cummings inquired about the existing structure. Mr. Benton responded.

Motion was made by Marcia Baker, seconded by John George to approve a Special Exception to expand a nonconforming structure by 542 square feet.

AYE: Eduardo Mujica, Phyllis Castro, Tim O'Connell, Robert Poitier, John George, Eloise Cummings, Brian Paul, Marcia Baker, Erica Ganzi, Chairman Bob Burdge

Passed

## 7. BOARD COMMENTS

The Technical Review Comments are useful. A potential educational workshop focusing on Crime Prevention through Environmental Design is being planned for the board.

## 8. ADJOURNMENT