



CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

SUBJECT: Application for Variance
Exceed Allowable Lot Coverage
1613 Thumb Point Drive

DATE: June 20th, 2014

STAFF REPORT

Owner/Applicant: Dennis & Jacklyn Koehl
PO Box 93
Matagorda TX 77457

Representative: Larry Kosoy
Kosoy Enterprises
1606 Thumb Point Dr
Fort Pierce FL 34949

Requested Action: Approval of a variance to construct a single-family home which exceeds the Permitted lot coverage by 6.2%, an increase from the allowable 25% to 31.2%.

Location: 1613 Thumb Point Drive.

Current Zoning: R-1, Single-Family, Low Density Residential Zone

Staff Analysis:

In accordance with Article VIII of Section 22 of the City Code, the applicant is requesting the Board of Adjustment approve a variance to deviate from Section 22-24(b)(3) of the City Code to construct a single-family home which exceeds the permitted lot coverage by six and two-tenths (6.2) percent (%), an increase from the allowable twenty-five (25) percent (%) to thirty-one and two-tenths (31.2) percent (%) of the lot area.

The Thumb Point Subdivision was platted in 1957. The subject site, Block 1, Lot 24 of the Thumb Point Subdivision was previously occupied by a single-family home that was constructed in 1970, and later demolished in 2005 after incurring significant hurricane damage.

The platted lot dimensions of the site are as follows:

Front Lot Dimension	85'
Left Side Lot Dimension	181.37'
Right Side Lot Dimension	188.65'
Rear Lot Dimension	166.41'

The total platted lot size of the site is 23,700 sq. ft. The unique characteristic of the subject lot is that 5,602 sq. ft. of this platted lot size is an aquatic area, a portion of Faber Cove.

Section 22-24(b)(3) of the City Code regulates lot coverage of the R-1, Low Density Residential Zone, mandating that buildings will not cover more than twenty-five (25) per cent of the lot. Pursuant to City of Fort Pierce Code Section 22-3, lot area is defined as the total horizontal area within the lot lines of a lot exclusive of aquatic areas and streets. The rendered lot area of the subject site pursuant to the applicable definition is 18,098 sq. ft. Therefore, per the referenced definition and permitted lot coverage of the R-1 Zone, the portion of the lot area which may be covered by a building or buildings(s) for the site is 4,524.5 sq. ft.

The applicant is proposing to construct a 5,169 sq. ft. (finished floor area), two-story single-family home. The principal structure of the home accounts for 3,835 sq. ft. of building coverage. Additional spaces contributing to building coverage include an 80 sq. ft. front entry, 1,130 sq. ft. covered patio, and 450 sq. ft. Florida kitchen.

The overall building coverage proposed for the site is 5,595 sq. ft., representing coverage of 23.19% of the platted lot size, or 30.36% of the lot area (lot size, excluding aquatic areas). The proposed structure as presented adheres to the setback (yard) requirements established by the City Code for the R-1 zone, and maintains the required level of green and open spaces of the City's Comprehensive Plan. The proposed home features a peak height for the structure of 31 ft., above FEMA Base Flood Elevation. This requested height is subject to Conditional Use consideration by the City Commission.

Variance Criteria

The following criteria are specified in Section 22-108 of the City Code, which 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.

The applicant, in the attached application and supporting documents, cites various factors and explanation with regard to the above-referenced criteria.

Property Owner Response Summary:

A total of 5 notifications were mailed to abutting property owners. As of June 20, 2014, 0 responses have been received. An updated recording of responses will be provided to the Board at the hearing.

Staff Recommendation:

The characteristics associated with the presented lot, proposed single-family home, and the applicant's application present a developed case to satisfy the criteria specified in Section 22-108 of the City Code, therefore staff recommends that the Board of Adjustment approve the variance with the condition that the rear patio and Florida kitchen are not enclosed with walls, in order to ensure maintenance of presented open air character of a portion of the presented building coverage.