

BOARD OF ADJUSTMENT AGENDA

Board of Adjustment Regular Meeting - Thursday, September 25, 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. June 26, 2014 Meeting
7. **NEW BUSINESS**
 - a. Approval of a variance to deviate from Sections 22-187(6)a. and 22-187(6)b. of the City Code in order to reduce the required landscape strip from ten (10) feet to zero (0) feet and to eliminate the requirement to have installed one (1) tree for each two hundred (200) square feet of required landscape area.
8. **DISCUSSION / OTHER BUSINESS**
9. **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: 09/25/2014

Information

REQUESTED ACTION

June 26, 2014 Meeting

LOCATION

RESPONSIBLE STAFF

RECOMMENDATION

Attachments

[Board of Adjustment Minutes 6.26.14](#)

Form Review

Form Started By: Alicia Rosenthal

Started On: 09/18/2014 11:19 AM

Final Approval Date: 09/18/2014

DRAFT

Board of Adjustment Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY BOARD OF ADJUSTMENT HELD ON THURSDAY, **JUNE 26, 2014**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

2. PRAYER and PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Joyce Calvert; James Crist; Clem Benton, Jr; William Nunn; BJ Beavin; Chairman Bret McCain

Absent: Bennie Clark

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

Attendees: Steve McCain, Assistant City Attorney

4. CONSIDERATION OF ABSENCES

Motion was made by Joyce Calvert, seconded by Clem Benton, Jr to approve absence of Mr. Clark.

AYE: Joyce Calvert, James Crist, Clem Benton, Jr, William Nunn, Chairman Bret McCain
Passed

5. CERTIFICATION OF ALTERNATE MEMBER(S)

Mr. Nunn was made an active member for the meeting. Ms. Beavin, an alternate member, will not vote.

6. APPROVAL OF MINUTES

May 22, 2014 meeting

Motion was made by Clem Benton, Jr, seconded by William Nunn to approve minutes from the May 22, 2014 meeting.

AYE: Joyce Calvert, James Crist, Clem Benton, Jr, William Nunn, Chairman Bret McCain
Passed

7. NEW BUSINESS

- a. 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%.

Mr. Benton gave an overview of the project and stated the percentage requested was reduced to exceed the permitted lot coverage by 4.42% instead of 6.2% . The applicant's representative, Larry Kosoy from Kosoy Enterprises commented and answered questions.

Attorney Steve McCain asked Mr. Kosoy if his clients have a problem with the condition that Mr. Benton mentioned. Mr. Kosoy responded not at all.

Mr. Nunn asked if there is going to be a wall around the backyard. Mr. Kosoy responded there is a wall on one side and on the east side a fence may be put up around the swimming pool. Mr. Nunn asked about the setback requirements. Mr. Benton responded the setback is 25 feet from the property line, 7 feet from each side and the rear lot line is a combination of 20 feet and 10 feet; however the setback distance is measured from the legal property line, which is actually in the aquatic area. Mr. Nunn asked if they can use part of the aquatic area as the setback. Mr. Benton responded yes. Mr. Nunn asked if the seawall will be rebuilt. Mr. Kosoy responded that the seawall permit is in application right now.

Mr. Crist asked how the building coverage of 5325 square feet was obtained. Mr. Benton responded the 5325 square feet includes the 3835 principal foot print, 80 square feet for the covered front entrance, 1130 square feet for the rear patio and 280 square feet for the Florida kitchen. Mr. Crist asked if the principal structure is inclusive of the garage. Mr. Benton responded yes.

Mr. Crist asked if the property owner could come back later and enclose the outdoor kitchen area. Mr. Benton responded the property owner could come back with a separate variance for board approval if the board was to adopt and implement staff's recommendation. Mr. Nunn asked how they would meet any requirements of the variance. Mr. Benton responded they would submit a variance request to amend their approval. Attorney Steve McCain stated the procedure would be to come back before the board requesting an amendment to the variance that the board might approve this evening. Mr. Nunn expressed his concern about giving too many variances. He stated the three homes on Thumb Point Drive shown in the presentation had been given variances. Mr. Benton responded that a variance was not granted for the three sites that were presented to the board. Two of the sites were constructed prior to the existing regulation of 25% building coverage. The examples were brought up to show the built environment and the established homes on Thumb Point Drive.

Ms. Calvert inquired about the item going before City Commission for conditional use. Mr. Benton stated the proposed plans represent the structure of the home to be 31 feet in height above FEMA based flood. On South Hutchinson Island within the South Beach overlay district, homeowners have the ability to build to 28 feet in height above FEMA based flood. In excess of that they have the ability to request from City Commission a conditional use to go up to a maximum of 35 feet. Mr. Crist mentioned the applicant is requesting 31 feet but with the chimney and cap the structure is well over 34 feet. Mr. Benton stated the city code allows for projections that are not habitable and architectural features to extend up to 20% above the overall height of the structure.

Attorney Steve McCain asked if the lot coverage of the applicant is less than the lot coverage of the pre-existing structure. Mr. Benton responded yes. Attorney Steve McCain asked if the previous structure was demolished due to hurricane damage. Mr. Benton responded yes, the destruction was in excess of 50% of the value.

Mr. Crist asked if the driveway is poured concrete or pavers. Mr. Kosoy responded the

driveway is brick pavers. Mr. Crist asked how the run off to adjoining lots is being addressed. Mr. Kosoy responded the run off would be handled with the grading and swales out to the street. Mr. Crist asked about the space on the sides of the house. Mr. Kosoy stated there is definitely enough room to work with the swales on the sides of the house. Mr. Nunn asked if the circle in the front of the drive area is going to be part of the swale. Mr. Kosoy stated the planter/island in the front pitches toward the storm drain.

Motion was made by Clem Benton, Jr, seconded by James Crist to approve the variance to construct a single family home which exceeds the permitted lot coverage by 4.42%, an increase from the allowable 25% to 29. 42% 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.

AYE: Joyce Calvert, James Crist, Clem Benton, Jr, William Nunn, Chairman Bret McCain
Passed

8. DISCUSSION / OTHER BUSINESS

Ms. Calvert asked when the item will go to City Commission. Mr. Benton responded the item is scheduled for the City of Ft. Pierce Planning Board on July 8th and it would be subsequently scheduled for the City Commission to review either the 3rd Monday in July or the 1st Monday in August.

9. ADJOURNMENT

The meeting was adjourned.

Planning Board of Adjustment

Meeting Date: 09/25/2014

Information

REQUESTED ACTION

Approval of a variance to deviate from Sections 22-187(6)a. and 22-187(6)b. of the City Code in order to reduce the required landscape strip from ten (10) feet to zero (0) feet and to eliminate the requirement to have installed one (1) tree for each two hundred (200) square feet of required landscape area.

LOCATION

7131 Okeechobee Road

RESPONSIBLE STAFF

Sandy Ramseth, AICP, Senior Planner

RECOMMENDATION

Approve with the condition that the landscape strip be planted on the abutting Wendy's property in accordance with the Land Development Code Section 22-187 and the attached landscape plan.

Attachments

[Staff Report](#)

[Application](#)

[Site Plan](#)

[Survey](#)

[Letter from Wendy's](#)

Form Review

Form Started By: Sandra Ramseth

Started On: 09/18/2014 10:09 AM

Final Approval Date: 09/19/2014



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

FROM: Sandy Ramseth, AICP, Senior Planner

SUBJECT: **Application for Variance**
Reduction of Landscape Strip
7131 Okeechobee Road

DATE: September 18, 2014

STAFF REPORT

Owner/Applicant: Ft. Pierce Petroleum, LLC
9615 Southwest 118th Street
Miami, Florida 33176

Representative: Mr. David Cleveland
100 Avenue A, Suite 2E
Fort Pierce, Florida 34950

Requested Action: Approval of a variance to deviate from Sections 22-187(6)a. and 22-187(6)b. of the City Code in order to reduce the required landscape strip from ten (10) feet to zero (0) feet and to eliminate the requirement to have installed one (1) tree for each two hundred (200) square feet of required landscape area.

Location: 7131 Okeechobee Road

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 Sections 22-187(6)a. and 22-187(6)b. of the City Code in order to reduce the required landscape strip from ten (10) feet to zero (0) feet and to eliminate the requirement to have installed one (1) tree for each two hundred (200) square feet of required landscape area.

The subject site is zoned C-3, General Commercial. The purpose of this Zoning District is intended to provide for a broad variety of business activities including shoppers' goods stores, convenience goods and service establishments, offices and tourist/entertainment facilities. Many public and semi-public uses are also appropriate.

Per Section 22-187(6)a. of the City Code, there shall be a landscaped strip, at least ten (10) feet wide, between vehicular use areas and other property (i.e. the property line). Additionally, per

Section 22-187(6)b. of the City Code, there shall also be at least one tree for each two hundred (200) square feet of required landscaped area within the landscaped strip (or 1 tree for each 20 linear feet of landscaped strip).

The applicant is applying to reduce the requirement from ten (10) feet to zero (0) feet along a portion of the eastern property line. This reduction is being requested in order to allow for a “wrap-around” driveway that traverses around the rear of the existing structure and between the east side of the structure and the eastern property boundary.

The following five 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;

Applicant Response: *This site was developed in the mid-1960s, with a completely different set of zoning standards. The building was sited without a 10' landscape requirement.*

2. The special conditions and circumstances do not result from the actions of the applicant;

Applicant Response: *Fort Pierce Petroleum, LLC, purchased the property fully developed. The property did not require the 10' landscaping strip when it was built in 1965.*

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;

Applicant Response: *Without the landscape variance, we do not have enough room for the loop drive around the South side of the building, without the loop we have a potential of stacking vehicles in the shared easement on the West side of the property, which we have agreed not to allow.*

4. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;

Applicant Response: *The minimum, as per our request, is granting a waiver of a portion of the required ten foot side landscaping strip on the East side of the property. The request varies from 42' at 100% compliance with the remaining balance of 103' at 50% compliance.*

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.

Applicant Response: *The purpose of the zoning ordinance is to further the goals of the comprehensive plan. This request falls within the objectives of the comprehensive plan that regulates uses. The request does not increase density or intensity of the district as it provides services for an existing motoring public. This request supports tourism and the local economy, and is further compatible with Fort Pierce's small-town character.*

Additional Information to Consider:

To offset the reduction of the required landscape strip, Black Capital LLC, owners of the Wendy's site located at 7085 Okeechobee, immediately to the east, has agreed to allow Fort Pierce Petroleum to utilize a 10-foot strip of the Wendy's property abutting the subject property to install its required landscaping. Fort Pierce Petroleum will be responsible for the design, installation and maintenance of the landscaping. (Exhibit A)

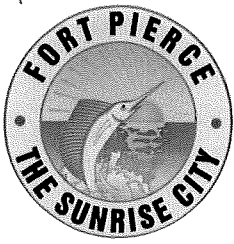
In addition, approval of this Variance will bring closure to a 10-year disagreement between adjacent property owners who have agreed to a mediated settlement.

Adjacent Property Owner Response Summary:

A total of six (6) notifications were mailed to adjacent property owners. As of September 18, 2014, three (3) responses have been received. All three (3) were in favor.

Staff Recommendation:

Approve with the condition that the landscape strip be planted on the abutting Wendy's property in accordance with the Land Development Code Section 22-187 and the attached landscape plan.



CITY OF FORT PIERCE

PLANNING DEPARTMENT

COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

VARIANCE

Property address or Location 7131 OKEECHOBEE ROAD

Parcel ID #(s) 2524.333.0001.0001

Project description EXISTING SERVICE STATION

FL. PIERCE PETROLEUM LLC

Property Owner(s)
9615 SW 118 STREET

Street Address
MIAMI FL 33176

City State Zip
561.240.3110

Phone Number
WESTAROI@HOTMAIL.COM

Email Address

DAVID M CLEVELAND

Applicant/Representative, Title, Company
100 AVE A SUITE 2E

Street Address
FORT PIERCE FL 34950

City State Zip
772.464.2010 772.332.2064

Phone Number
VIDAND12@YAHOO.COM

Email Address

Property Owner(s) Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein.

[Handwritten Signature]

Property Owner(s) Signature(s)

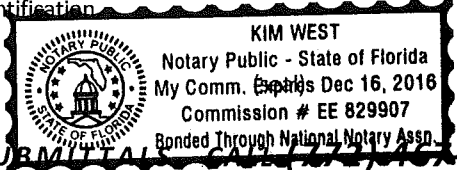
STATE OF Florida COUNTY St. Lucie

The foregoing instrument was acknowledged before me this 6 day of Aug, 2014, by

David Cleveland who is personally known to me or has produced

as identification

[Handwritten Signature]
Signature of Notary



INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS CALL 772-467-3739

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation
				Contributing Individual Non-Contributing None

Pre-Application Meeting Date _____

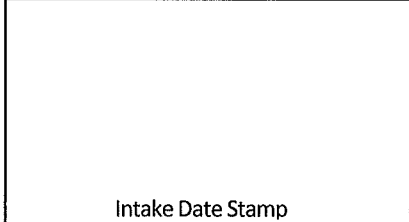
Intake Planner _____

Planner Assigned _____

Approved By _____ Date _____

Comments _____

Fees _____ Control # _____ B. Permit # _____



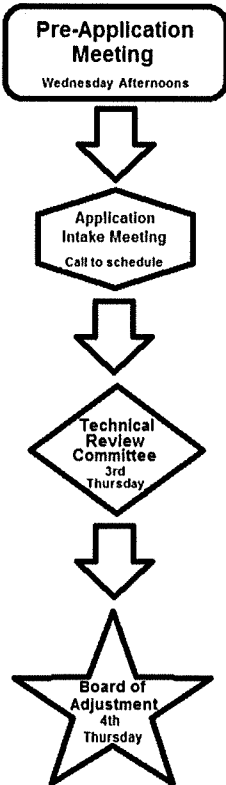
Intake Date Stamp

VARIANCE

Submit eight (8) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- Site plan, to scale, including all relevant improvements:
 - Existing & proposed structures
 - Landscaping & parking,
 - Fencing, signs, etc.
- As-built Survey
- Criteria Narrative
- Complete, notarized application

Application Outlook



Description of request: ELIMINATE A PORTION OF THE REQUIRED LANDSCAPE STRIP ON THE EAST SIDE OF OUR PROPERTY

Reason for request: TO ALLOW FOR A LOOP DRIVE ON THE SOUTH SIDE OF THE EXISTING BUILDING

Existing Use: Ice Skating Date Property was Purchased: 2010

Alterations made to the site since purchase: _____

Has a request for this variance been denied in the past? Yes No

If yes, what has changed since the denial? _____

Criteria:

In order to determine whether your request for Variance meets all the criteria in Section 22-108 of the City Code, please answer the following questions. Please provide answers of questions on separate pages:

1. Describe those conditions peculiar to the specific property and not applicable to other lands, structures, or buildings in the same zoning district.
2. Does special conditions or circumstances result from actions other than that of yours? Please explain
3. Identify any undue hardships or deprivation of commonly enjoyed property rights that would result in the literal interpretation of the code for the zoning district.
4. What is the minimum variance that would give the reasonable use of the land, building, or structure?
5. Explain how the variance request would not impair the intent of the zoning ordinance or be detrimental to the general public welfare:

DAVID M. CLEVELAND

8.06.2014

To: City of Fort Pierce Board of Adjustment

Re: 7131 Okeechobee Road Variance Request

Board of Adjustment,

The above referenced site has been a gas service station since 1965 and, as such, was built prior to the adoption of the City of Fort Pierce's zoning ordinance. When the gas station was Build it was not within the City of Fort Pierce's city limits and was under the County's jurisdiction.

The building, designed and built in 1965, was sited such that a 10'0" landscaping strip on the East side of the property was not required. For Fort Pierce Petroleum, LLC to be able to use the property effectively, it is requesting a variance of the now required 10'0" strip.

Your consideration is appreciated.



David M. Cleveland

Agent for Ft. Pierce Petroleum, LLC

DAVID M. CLEVELAND

8.06.2014

To: City of Fort Pierce
Planning Department
Attn: Rebecca Grohall

From: David Cleveland, Agent for Ft. Pierce Petroleum, LLC
100 Avenue A, Suite 2E
Fort Pierce, FL 34950

Re: 7131 Okeechobee Road, Board of Adjustment Request

Ms. Grohall,

As per your request, please find the answers to the five criteria, as specified in Section 22-108 of the City Code.

1. Describe those conditions peculiar to this specific property and not applicable to other lands, structures, or buildings in the same zoning district.

This site was developed in the mid-1960's, with a completely different set of zoning standards. The building was sited without a 10' landscape requirement.

2. Do special conditions or circumstances result from actions other than that of yours? Please explain.

Fort Pierce Petroleum, LLC, purchased the property fully developed. The property did not require the 10' landscaping strip when it was built in 1965.

3. Identify any undue hardships or deprivation of commonly enjoyed property rights that would result in the literal interpretation of the code for the zoning district.

Without the landscape variance, we do not have enough room for the loop drive around the South side of the building, without the loop we have a potential of stacking vehicles in the shared easement on the West side of the property, which we have agreed not to allow.

4. What is the minimum variance that would give the reasonable use of the land, building, or structure?

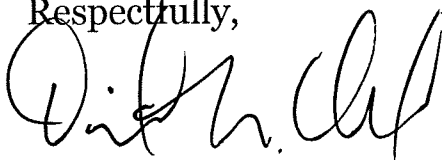
The minimum, as per our request, is granting a waiver of a portion of the required ten foot side landscaping strip on the East side of the property. The request varies from 42' at 100% compliance with the remaining balance of 103' at 50% compliance.

5. Explain how the variance request would not impair the intent of the zoning ordinance or be detrimental to the general public welfare.

The purpose of the zoning ordinance is to further the goals of the comprehensive plan. This request falls within the objectives of the comprehensive plan that regulates uses. The request does not increase density or intensity of the district as it provides services for an existing motoring public. This request supports tourism and the local economy, and is further compatible with Fort Pierce's small-town character.

Thank you for your consideration of this request.

Respectfully,



David M. Cleveland, Agent for Ft. Pierce Petroleum, LLC

PROPERTY RECORD CARD

Ft Pierce Petroleum LLC Record: 1 of 1 <<Prev Next>> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 7131 OKEECHOBEE RD ParcelID: 2324-333-0001-000-1
 Sec/Town/Range: 24 :35S :39E Account #: 14283
 Map ID: 23/24S Use Type: SRVC STAT
 Zoning: C3 City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Ft Pierce Petroleum LLC
 Address: 11621 SW 101st Ave
 Miami FL 33176

Legal Description

24 35 39 FROM SW COR OF SEC RUN E 389.85 FT TH N 7 DEG 14 MIN
 52SEC W ALG E SIDE OF TRNPK 511.65FT T
More...

Sales Information

Date	Price	Code	Deed	Book/Page
10/7/2010	450000	0001	WD	3242 / 0109
9/28/1999	418000	01	WD	1254 / 0836
2/22/1994	432000	01	WD	0886 / 0915
2/15/1994	430000	01	WD	0885 / 2992
6/30/1989	300000	00	WD	0669 / 1993
2/1/1985	153856	02	CV	0455 / 2700
1/1/1985	0	01	CV	0455 / 2700

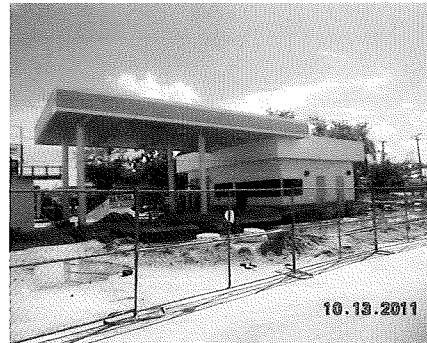
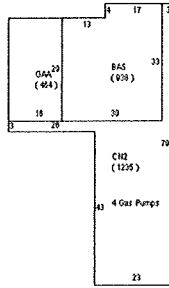
Assessment 2013

2013 Final: 292600
 Assessed: 292600
 Ag.Credit: 0
 Exempt:
 Taxable:
 Taxes: 7478.64

Total Land and Building

Land Value: 128200 Acres: 0.33
 Building Value: 164400
 Finished Area: 938 SqFt

BUILDING INFORMATION



Exterior Features

View: - RoofCover: TG - Tar & Gravel RoofStruct: MD - Mansard
 ExtType: SRST - SERVICE STAT YearBlt: 1965 Frame: -
 Grade: Y_C - Commer C EffYrBlt: 1995 PrimeWall: BS - CB Stucco
 StoryHght: 0010 - 1 Story No.Units: SecWall: -

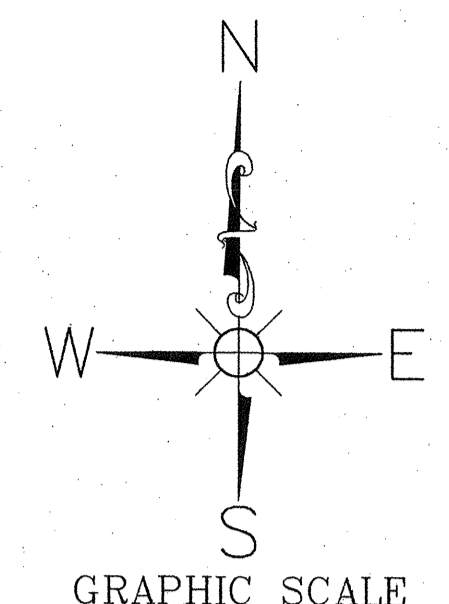
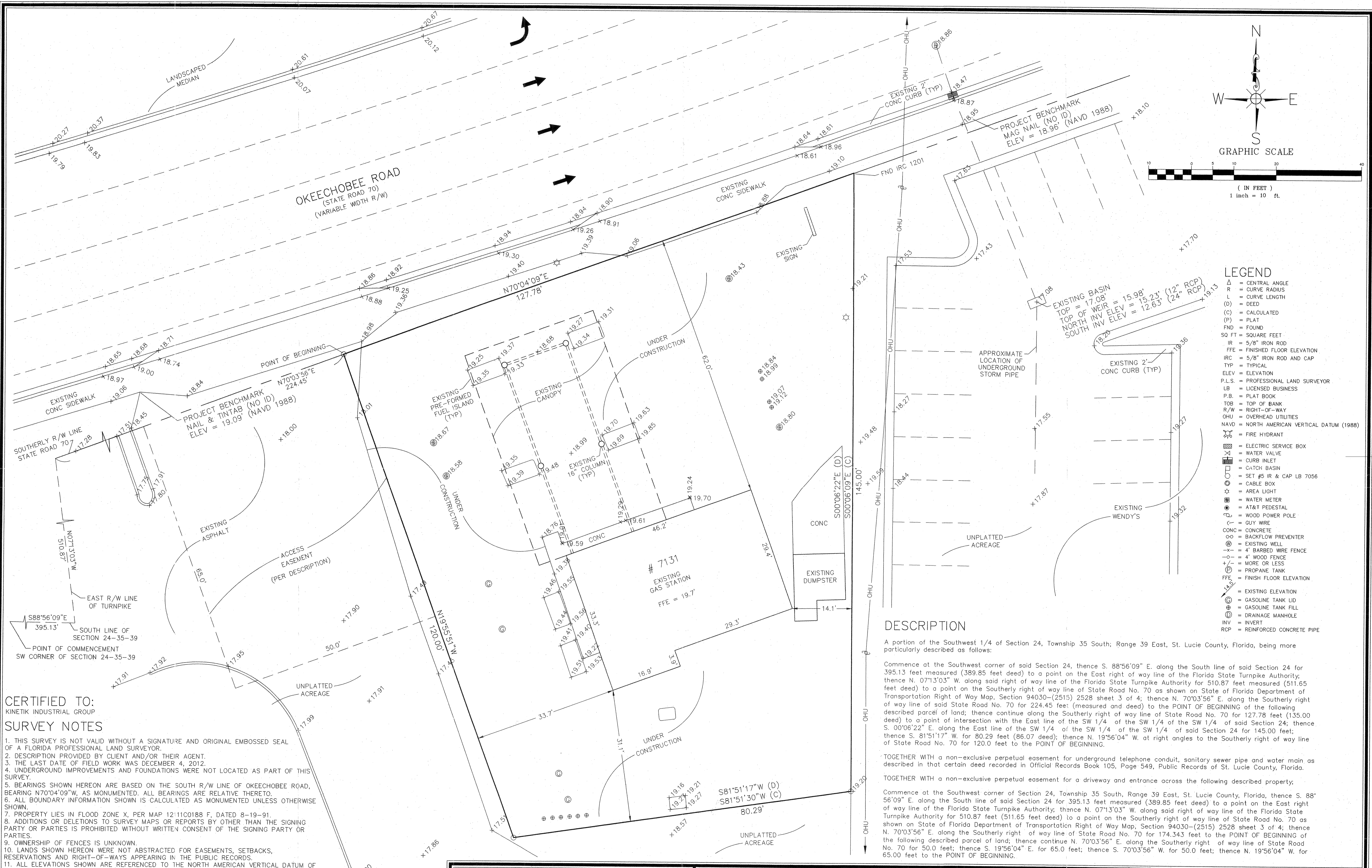
Interior Features

BedRooms: 0 Electric: MX - MAXIMUM PmIntWall: DW - Drywall
 FullBath: 0 HeatType: FHA - FredHotAir AvgHt/Ft: -
 1/2Bath: 0 HeatFuel: ELEC - Electric Pm.Flors: CT - Tile-Ceramic
 %A/C: 100 %Heated: 100 %Sprinkled: 0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	Land Information		Measure	Depth	
ASP2 - ASP2 LOW	Y	1	4600	AV	AV	1983	1	2600-SRVC STAT	320 -SqFeetRate 2	14244	
CNC2 - CONCRETE LOW	Y	1	5000	AV	AV	1983					
CRW1 - COM CAR WASH	Y	1	464	AV	AV	1983					
LGT1 - SINGLE LIGHT	Y	1	2	AV	AV	1965					
LGT2 - DOUBLE LIGHT	Y	1	1	AV	AV	1965					

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.



- LEGEND**
- Δ = CENTRAL ANGLE
 - R = CURVE RADIUS
 - L = CURVE LENGTH
 - (D) = DEED
 - (C) = CALCULATED
 - (P) = PLAT
 - FND = FOUND
 - SO FT = SQUARE FEET
 - IR = 5/8" IRON ROD
 - FFE = FINISHED FLOOR ELEVATION
 - IRC = 5/8" IRON ROD AND CAP
 - TYP = TYPICAL
 - ELEV = ELEVATION
 - P.L.S. = PROFESSIONAL LAND SURVEYOR
 - LB = LICENSED BUSINESS
 - P.B. = PLAT BOOK
 - TOB = TOP OF BANK
 - R/W = RIGHT-OF-WAY
 - OHU = OVERHEAD UTILITIES
 - NAVD = NORTH AMERICAN VERTICAL DATUM (1988)
 - ⊕ = FIRE HYDRANT
 - ⊞ = ELECTRIC SERVICE BOX
 - ⊞ = WATER VALVE
 - ⊞ = CURB INLET
 - ⊞ = CATCH BASIN
 - ⊞ = SET #5 IR & CAP LB 7056
 - ⊞ = CABLE BOX
 - ⊞ = AREA LIGHT
 - ⊞ = WATER METER
 - ⊞ = AT&T PEDESTAL
 - ⊞ = WOOD POWER POLE
 - ⊞ = GUY WIRE
 - CONC = CONCRETE
 - ⊞ = BACKFLOW PREVENTER
 - ⊞ = EXISTING WELL
 - ⊞ = 4' BARBED WIRE FENCE
 - ⊞ = 4' WOOD FENCE
 - ⊞ = MORE OR LESS
 - ⊞ = PROPANE TANK
 - FFE = FINISH FLOOR ELEVATION
 - ⊞ = EXISTING ELEVATION
 - ⊞ = GASOLINE TANK LID
 - ⊞ = GASOLINE TANK FILL
 - ⊞ = DRAINAGE MANHOLE
 - INV = INVERT
 - RCP = REINFORCED CONCRETE PIPE

DESCRIPTION

A portion of the Southwest 1/4 of Section 24, Township 35 South; Range 39 East, St. Lucie County, Florida, being more particularly described as follows:

Commence at the Southwest corner of said Section 24, thence S. 88°56'09" E. along the South line of said Section 24 for 395.13 feet measured (389.85 feet deed) to a point on the East right of way line of the Florida State Turnpike Authority; thence N. 07°13'03" W. along said right of way line of the Florida State Turnpike Authority for 510.87 feet measured (511.65 feet deed) to a point on the Southerly right of way line of State Road No. 70 as shown on State of Florida Department of Transportation Right of Way Map, Section 94030-(2515) 2528 sheet 3 of 4; thence N. 70°03'56" E. along the Southerly right of way line of said State Road No. 70 for 224.45 feet (measured and deed) to the POINT OF BEGINNING of the following described parcel of land; thence continue along the Southerly right of way line of State Road No. 70 for 127.78 feet (135.00 feet deed) to a point of intersection with the East line of the SW 1/4 of the SW 1/4 of said Section 24; thence S. 00°06'22" E. along the East line of the SW 1/4 of the SW 1/4 of the SW 1/4 of said Section 24 for 145.00 feet; thence S. 81°51'17" W. for 80.29 feet (86.07 deed); thence N. 19°56'04" W. at right angles to the Southerly right of way line of State Road No. 70 for 120.00 feet to the POINT OF BEGINNING.

TOGETHER WITH a non-exclusive perpetual easement for underground telephone conduit, sanitary sewer pipe and water main as described in that certain deed recorded in Official Records Book 105, Page 549, Public Records of St. Lucie County, Florida.

TOGETHER WITH a non-exclusive perpetual easement for a driveway and entrance across the following described property;

Commence at the Southwest corner of Section 24, Township 35 South, Range 39 East, St. Lucie County, Florida, thence S. 88°56'09" E. along the South line of said Section 24 for 395.13 feet measured (389.85 feet deed) to a point on the East right of way line of the Florida State Turnpike Authority; thence N. 07°13'03" W. along said right of way line of the Florida State Turnpike Authority for 510.87 feet measured (511.65 feet deed) to a point on the Southerly right of way line of State Road No. 70 as shown on State of Florida Department of Transportation Right of Way Map, Section 94030-(2515) 2528 sheet 3 of 4; thence N. 70°03'56" E. along the Southerly right of way line of State Road No. 70 for 174.343 feet to the POINT OF BEGINNING of the following described parcel of land; thence continue N. 70°03'56" E. along the Southerly right of way line of State Road No. 70 for 50.0 feet; thence S. 19°56'04" E. for 65.0 feet; thence S. 70°03'56" W. for 50.0 feet; thence N. 19°56'04" W. for 65.00 feet to the POINT OF BEGINNING.

CERTIFIED TO:
KINETIK INDUSTRIAL GROUP

SURVEY NOTES

1. THIS SURVEY IS NOT VALID WITHOUT A SIGNATURE AND ORIGINAL EMBOSSED SEAL OF A FLORIDA PROFESSIONAL LAND SURVEYOR.
2. DESCRIPTION PROVIDED BY CLIENT AND/OR THEIR AGENT.
3. THE LAST DATE OF FIELD WORK WAS DECEMBER 4, 2012.
4. UNDERGROUND IMPROVEMENTS AND FOUNDATIONS WERE NOT LOCATED AS PART OF THIS SURVEY.
5. BEARINGS SHOWN HEREON ARE BASED ON THE SOUTH R/W LINE OF OKEECHOBEE ROAD, BEARING N70°04'09"W, AS MONUMENTED. ALL BEARINGS ARE RELATIVE THERETO.
6. ALL BOUNDARY INFORMATION SHOWN IS CALCULATED AS MONUMENTED UNLESS OTHERWISE SHOWN.
7. PROPERTY LIES IN FLOOD ZONE X, PER MAP 1211100188 F, DATED 8-19-91.
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. OWNERSHIP OF FENCES IS UNKNOWN.
10. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, SETBACKS, RESERVATIONS AND RIGHT-OF-WAYS APPEARING IN THE PUBLIC RECORDS.
11. ALL ELEVATIONS SHOWN ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988).

BY: *Richard C. Laventure*
RICHARD C. LAVENTURE
FLORIDA PROFESSIONAL LAND SURVEYOR # 5209

12/12/12
DATE

BOUNDARY & TOPOGRAPHIC SURVEY
PREPARED FOR
KINETIK INDUSTRIAL GROUP, LLC

- REVISIONS -		BY	DATE
ADD TOPO; REVISED STRIPING OKEECHOBEE ROAD		JOE M	12/4/12

FIELD	BY	DATE
CALCS	MWH	11/29/12
DRAWN	RCL	11/30/12
CHECKED	JOE M	11/30/12
FILE REF.	FIELD BK/PG	
12.2177	12-225/1	

LAVENTURE & ASSOCIATES, INC.
PROFESSIONAL SURVEYING AND MAPPING
CIVIL ENGINEERING COORDINATION
774 W. MIDWAY ROAD
FORT PIERCE, FLORIDA 34982
(772) 398-6430 PHONE (772) 398-6426 FAX

DATE: 12-12-12
SCALE: 1"=10'
JOB No. 12.2177
SHEET 1 OF 1

September 3, 2014

To: City of Fort Pierce
Planning Department

From: Black Capital LLC
18205 Biscayne Blvd # 2202
Aventura, Florida 33160

Re: 7131 Okceehobee Road, Fort Pierce

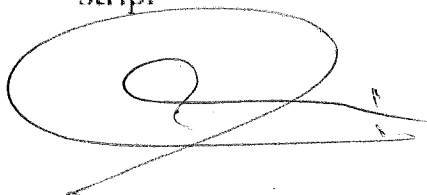
To whom it may concern,

Black Capital LLC is the owner of the property known as the Wendy's site, located at 7085 Okceehobee Road. We are in favor of the landscape strip variance request submitted by Fort Pierce Petroleum on August 6, 2014, with the following contingencies:

Black Capital will approve the landscape plan, material and installation specifications used to replant the landscape strip. The plan shall also include the removal of the remaining trees on the West property line that are in conflict with the overhead power lines. Fort Pierce Petroleum will pay all of the costs associated with the landscape design, and approved work.

It is acknowledged that the landscape plan will be designed to increase the visibility of both the Wendy's property and the Fort Pierce Petroleum properties from the right of ways.

Fort Pierce Petroleum will be responsible for the maintenance of the landscape strip.

A handwritten signature in black ink, consisting of a large, stylized loop followed by a horizontal line that ends in a small arrowhead pointing to the right.

Black Capital LLC