

# CITY OF FORT PIERCE

## CITY COMMISSION AGENDA

Regular Meeting - Monday, January 6, 2014 - 6:30 p.m.

City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **OPENING PRAYER - Pastor Mary Carroll, Foundation Revival Center of Redemption**
3. **PLEDGE OF ALLEGIANCE**
4. **ROLL CALL**
5. **APPROVAL OF MINUTES**
  - a. Regular meeting on December 16, 2013.
6. **PROCLAMATIONS**
  - a. Recognizing January as National Mentoring Month; being received by Judi Miller, CEO and Sabrina Seme, Volunteer Recruiter, Big Brothers Big Sisters.
7. **LETTERS TO COMMISSION**
  - a. Letter from Main Street Fort Pierce thanking the City for their support of the 25th Annual Sights and Sounds on Second Festival and Parade, "Silver Christmas Jubilee" and commending the Fort Pierce Police Department, Public Works and Kiwanis Club for their hard work.
  - b. Letter from Chris Dzadovsky, St. Lucie County Commissioner, thanking Michelle Kubitschek, Fort Pierce River Walk Center, for her assistance with the Open Air Environmental Forum held November 2nd, 2013.
8. **COMMENTS FROM THE PUBLIC**

Any person who wishes to comment on any subject which is not under Public Hearings on the Agenda may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

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ANY PERSON SEEKING TO APPEAL ANY DECISION BY THE CITY COMMISSION WITH RESPECT TO ANY MATTER CONSIDERED AT THIS MEETING IS ADVISED THAT A RECORD OF PROCEEDINGS IS REQUIRED IN ANY SUCH APPEAL AND THAT SUCH PERSON MAY NEED TO INSURE THAT A VERBATIM RECORD OF THE PROCEEDINGS IS MADE INCLUDING THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

9. **CONSENT AGENDA**

- a. Approval of Modification Number One to Subgrant Agreement No. 14HM-2Y-10-66-02-144 between the Division of Emergency Management and the City of Fort Pierce for expansion of the scope of work to retrofit additional buildings with impact resistant glass on all exterior windows and doors; extending the period of performance from February 1, 2014 to August 1, 2014.
- b. Approval of Interlocal Agreement between the City of Fort Pierce, City of Port St. Lucie, Martin County and St. Lucie County for construction of sixteen (16) bus shelters along the US 1 corridor, funded through a FDOT grant.
- c. Approval of a reduction in code enforcement lien in the amount of \$422,270.00 to \$500.00 on property owned by Gayle F. Jones, at 2405 Avenue D, Fort Pierce, FL as recommended by the Special Magistrate.
- d. Approval of a request for application fee waiver for a zoning atlas amendment from I-1 to I-3 for property located at 4100 Glades Road and owned by Diamond R Fertilizer Co.

10. **PUBLIC HEARINGS**

- a. ORDINANCE NO. 14-001, an Ordinance by the City Commission of the City of Fort Pierce, Florida, abandoning a portion of an existing 20 foot alleyway, lying adjacent and easterly of Lot 15 and the north 10 feet of Lot 16, Block 8, Pinewood Subdivision within the City of Fort Pierce, Florida; Providing for the reservation of a Utility Easement for all utility purposes unto the City of Fort Pierce, Florida; Repealing all Ordinances or parts of Ordinances in conflict herewith; and providing for an effective date. (FIRST READING)
- b. Notice of Appeal submitted on behalf of Richard A Coke Investments LLC of a decision made by the Historic Preservation Board on October 28, 2013 to approve a Certificate of Appropriateness (COA 13-43) issued for 131 N 2nd Street with the following condition: Replacement of the roofing system must be done with the appropriate clay barrel tile system to match the original match the old in design, color, and texture. The relief sought is the amendment of the decision of the Board to allow the installation of the concrete roofing materials requested by the owner and representative.

- c. Notice of Appeal submitted by Mr. David Cleveland. The relief sought is the reversal of the Historic Preservation Board's decision to deny the Certificate of Appropriateness for replacement of original and non-original windows at Old City Hall and St. Anastasia School Building. (CONTINUED FROM 12/16/2013)

11. **MISCELLANEOUS REPORTS & REQUESTS**

12. **CITY COMMISSION**

- a. Selection of Mayor Pro Tem

13. **COMMENTS FROM THE CITY MANAGER**

- a. Department Activity Report

14. **COMMENTS FROM THE COMMISSION**

15. **ADJOURNMENT**

**City Commission Regular Meeting**

**Meeting Date:** 01/06/2014

**Re:**

**Agenda Item # 5. a.**

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**SUBJECT:**

Regular meeting on December 16, 2013.

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**Attachments**

[Minutes 12-13-13](#)

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**Form Review**

Form Started By: Linda Cox

Final Approval Date: 02/12/2014

Started On: 02/12/2014 08:36 AM

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:30 P.M. ON MONDAY, DECEMBER 16, 2013.

Mayor Hudson called the meeting to order at 6:44 p.m. following a performance by Future Generations of SLC.

Father Yves Geffrard, Notre Dame Catholic Mission, offered the opening prayer.

The Pledge of Allegiance was recited.

Upon Roll Call, those present were: Mayor Linda Hudson; Commissioners Rufus Alexander, Edward Becht, Thomas Perona, and Reginald Sessions.

Staff present were: City Manager Robert Bradshaw; City Attorney Robert Schwerer; and City Clerk Linda Cox.

Those absent: None.

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5. The next item on the Agenda was Approval of the Minutes of the Regular Meeting of December 2, 2013.

Motion was made by Commissioner Alexander, seconded by Commissioner Perona, to approve the Minutes of the Regular Meeting on December 2, 2013.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Hudson. Those opposed: None.

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6. No proclamations were issued.

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7. The following letters will be kept on file in the City Clerk's Office:

Certificate of Achievement for Excellence in Financial Reporting Award, awarded to the City by the Government Finance Officers Association for fiscal year ended September 30, 2012.

Letter received from St. Lucie County Commissioner Chris Dzadoovsky thanking Dean Kubitschek for his help with the Open Air Environmental Forum held at the Marina on November 2nd.

Letter received from Christine Coke on behalf of the South Beach Association thanking Public Works, Mike Reals and Paul Bertram for the outstanding job with the Christmas lighting.

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8. The next item on the Agenda was Comments from the Public.

Mr. Bob Benton, 1365 Bayshore Drive  
Mr. Roy Darby, 619 South 6th Street  
Mr. Patrick Henry, 1123 Granada Street  
Ms. Bonnie Howard, Lakewood Park

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9. The next item was the Consent Agenda. Commissioner Perona pulled Item 9b (Acquisition of Materials for Split Rail Fence).

Motion was made by Commissioner Becht, seconded by Commissioner Perona, that the following items on the Consent Agenda be approved:

- a. Waive administrative charges of \$100.00 for a Lot Clearing Lien totaling \$207.20 against 1001 N. 13th Street, owned by Mary A. Carroll, contingent upon payment of lot clearing, interest and penalty fees in the amount of \$107.20.

- c. Request for a two (2) year site plan approval extension for Sunrise Heights Senior Housing Center, 707 North 7<sup>th</sup> Street.
- d. Final Phase of upgrading the broadcasting room computer equipment from analog to digital in the amount of \$27,348.00.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Hudson. Those opposed: None.

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The next item considered was Item 9b, which had previously been removed from the Consent Agenda: Acquisition of materials in the amount of \$13,772.80 to construct a split rail fence surrounding Rotary Park, enhancing the appearance of the Park and providing additional safety to the children. Funds are available in the Parks MSTU account.

Commissioner Perona pulled this item with a couple of questions. Commissioner Perona questioned Derrick Johnson, Public Works, about the materials being used for the split fence. Mr. Johnson confirmed that the labor to build the fence will be done in-house with Public Works employees. Landscaping and renovation of the restrooms will be incorporated into the future plan.

Commissioner Sessions asked about how much money was available in the MSTU account for other purposes. Ms. Johnson indicated that there is approximately \$200,000.00 and the funds are to be used for park construction and improvements. Mr. Mike Reals confirmed that the funds can be used for substantial improvement or reconstruction. Any minor repairs or maintenance must come from the Public Works operational budget.

Commissioner Becht asked if any of these MSTU dollars were allocated to Veterans Park. Ms. Johnson confirmed that any monies dedicated to Veterans Park were already deducted and the \$200,000.00 are uncommitted funds.

Commissioner Alexander asked about benches for the park at Avenue M. Mr. Reals confirmed that the purchase of benches for the park will come from the Public Works operational budget and some benches have been ordered and will be in place soon.

Motion was made by Commissioner Perona, seconded by Commissioner Becht to approve acquisition of materials in the amount of \$13,772.80 to construct a split rail fence surrounding Rotary Park.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Hudson. Those opposed: None.

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10. Public Hearing on the Application for Conditional Use submitted by Brazilian Baptist Church Treasure Coast for the operation of Lifepoint Daycare Center at 2721 S US Highway 1, Suite 9; said property is zoned C-3, General Commercial.

Mr. Kori Benton appeared with a presentation outlining the details of the request. Commissioner Becht addressed several concerns including traffic circulation, sidewalk construction, and an existing school bus stop. Commissioner Alexander suggested that the City could pipe the ditch to allow the sidewalk to be built. Commissioner Sessions inquired about not seeing a staff recommended condition addressing traffic flow. Mr. Benton explained that traffic flow would continue to be addressed with the applicant to see how it works once they are up and running, but without any code provisions specific to on-site traffic flow it was difficult to create a specific condition. City Attorney Rob Schwerer explained that the City could reserve jurisdiction so the matter would come back before the City Commission if on-site traffic flow cannot be resolved between planning staff and the applicant.

Mayor Hudson opened the Public Hearing.

Mr. Joe Friscia, Friscia Engineering, appeared on behalf of the applicant. He indicated that they agree with all of the Planning Board and planning staff recommendations. The exit to US 1 will have a gate installed to prevent access and/or exit during drop off hours.

Pastor Claudio Ribeiro, applicant appeared to indicate that they are ready to go and did not feel traffic flow would be a problem. He indicated that the school board bus stop is a problem and hopes for a resolution and would appreciate any assistance.

Seeing no one else, the Mayor closed the public hearing.

Motion was made by Commissioner Becht, seconded by Commissioner Alexander to approve the Application for Conditional Use submitted by Brazilian Baptist Church Treasure Coast for the operation of Lifepoint Daycare Center at 2721 S US Highway 1, Suite 9, with the conditions addressed by staff and reserving jurisdiction if any issues need to come back to the Commission including traffic circulation or anything else.

Commissioner Becht brought up the problem with the bus stop. Chief Baldwin indicated that the property owner needed to formally notify Marty Sanders at the School Board that they cannot use their property as a bus stop any longer. The Chief agreed to call Mr. Sanders to let him know there was a problem and to be expecting notification from the property owner.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Hudson. Those opposed: None.

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11. Next item was Public and City Commission review and comment on the 2012-2013 CDBG Consolidated Annual Performance and Evaluation Report (CAPER) containing a summary of programmatic activities. SECOND READING.

Mr. Mimms appeared to address any questions.

Commissioner Alexander asked which department was in control of the rollover balance. Mr. Mimms confirmed that it was the Department of Urban Redevelopment.

Mayor Hudson opened the Public Hearing.

Seeing no one, she closed the Public Hearing.

Motion was made by Commissioner Alexander, seconded by Commissioner Becht, to approve the 2012-2013 CDBG Consolidated Annual Performance and Evaluation Report (CAPER).

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Hudson. Those opposed: None.

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12. Next item was Ordinance No. L-306 on first reading, AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED AT 3605 RIVER BIRCH DRIVE, SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2014; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWTH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

Ms. Davis appeared with a brief presentation recommending approval of the annexation.

Mayor Hudson opened the Public Hearing.

Seeing no one, Mayor Hudson closed the public hearing.

Motion was made by Commissioner Becht, seconded by Commissioner Alexander, to approve Ordinance No. L-306, extending the territorial limits of the City of Fort Pierce, Florida, to include property located at 3605 River Birch Drive.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Hudson. Those opposed: None.

13. Next item on the agenda was the Notice of Appeal submitted by Mr. David Cleveland. The relief sought is the reversal of the Historic Preservation Board's decision to deny the Certificate of Appropriateness for replacement of original and non-original windows at Old City Hall and St. Anastasia School Building, continued from the December 2, 2013 meeting. Staff continues to work towards a full resolution and is seeking a continuance until the January 6, 2014 meeting.

Motion was made by Commissioner Becht, seconded by Commissioner Alexander to continue the Notice of Appeal to the January 6, 2014 meeting.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Hudson. Those opposed: None.

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14. Next item was the City Marina Reconstruction Update by Mr. Ed Seissiger, Project Coordinator. Final inspections are now happening and hope to be complete with Phase 1 very soon. Mr. Seissiger he has pictures documenting the project from start to finish and can put this in a consolidated presentation.

Phase 2 negotiations for dock construction have begun. Mr. Seissiger offered a power point presentation depicting representative photos of the docks that will be constructed at City Marina.

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15. The next item was the Single Stream Recycling Update by Mr. Mike Reals, Public Works. He reported that they are officially complete with Phase 2 of the recycling program. All eligible residents have received their carts well before their deadline. FPUA has partnered with the City and will begin their internal recycling program in the next week. Remote recycling sites will be established at 4 sites around the city after the 1<sup>st</sup> of the year.

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16. Next item was Resolution 13-29 Appointing Members to the Historic Preservation Board.

Motion was made by Commissioner Becht, seconded by Commissioner Perona, to approve Resolution 13-29 Appointing Members to the Historic Preservation Board.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Hudson. Those opposed: None.

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17. Next item was Resolution 13-30 Appointing Members to Communitywide Council.

Motion was made by Commissioner Becht, seconded by Commissioner Alexander, to approve Resolution 13-30 Appointing Members to Communitywide Council.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Hudson. Those opposed: None.

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18. Next item was Resolution 13-31 Appointing Members to Code Enforcement Board.

Motion was made by Commissioner Becht, seconded by Commissioner Alexander, to approve Resolution 13-31 Appointing Members to Code Enforcement Board.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Perona, Sessions, and Hudson. Those opposed: None.

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19. Next item was comments from the City Manager and his Department Activity Report. Mr. Bradshaw had no comments.  
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Comments from the Commission:

Commissioner Alexander went to the Riverwalk Center and was happy to see seniors playing shuffleboard and learning that they have national tournaments at the Center. He also inquired about a church that was previously denied on Indiana and 13<sup>th</sup> Street and he has heard that another church is now open in that location and asked that someone follow up.

Commissioner Perona mentioned the article in the paper about animal control. He felt that it was time that the Commission get an update from the department on a future conference agenda to see if they need help with policy and regulation problems.

Commissioner Sessions didn't have any comments and is looking forward to brighter days ahead.

Commissioner Becht asked that everyone shops local.

Mayor Hudson thanked everyone in Fort Pierce for welcoming her into their homes and churches.

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There being no further business, Mayor Hudson declared the meeting adjourned at 8:24 p.m.  
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Adjournment.

ATTEST:

\_\_\_\_\_  
CITY CLERK

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MAYOR COMMISSIONER

Video of December 16, 2013 City Commission Meeting:  
<http://fortpiercef1.swagit.com/play/12162013-792>

**City Commission Regular Meeting**

**Agenda Item # 6. a.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

Recognizing January as National Mentoring Month; being received by Judi Miller, CEO and Sabrina Seme, Volunteer Recruiter, Big Brothers Big Sisters.

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**Attachments**

National Mentoring


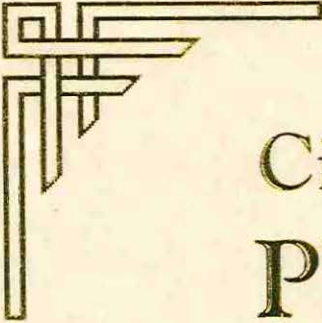
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**Form Review**

Form Started By: Linda Cox

Started On: 02/12/2014 08:40 AM

Final Approval Date: 02/12/2014



# City of Fort Pierce, Florida PROCLAMATION

**WHEREAS,** every day Big Brothers Big Sisters works to provide children facing adversity with strong, enduring, professionally supported, one-to-one relationships that change their lives forever for the better; and

**WHEREAS,** mentoring is a proven, effective strategy that helps children by matching them with a caring, responsible adult who can provide guidance and direction, and build their confidence; and

**WHEREAS,** research shows that mentoring has beneficial and long-term effects on youth by increasing their academic engagement and decreasing the likelihood of substance abuse and other risky behaviors; and

**WHEREAS,** dozens of Fort Pierce children are in need of a caring adult mentor in their lives, and closing this mentoring gap will take more investment, partnerships, and volunteers ready to make a difference in a child's life; and

**WHEREAS,** the City of Fort Pierce recognizes that Big Brothers Big Sisters' success depends on helping every child to reach their full potential in life, and realizes that young people need a solid foundation of support that will help them become well-educated, confident, and productive citizens.

**NOW, THEREFORE,** I, Linda Hudson, Mayor of the City of Fort Pierce, Florida, do hereby proclaim the month of January, 2014, as:

## *National Mentoring Month*

and urge all citizens to recognize the importance of mentoring, to look for opportunities to serve as mentors in their communities, and to observe this month with appropriate activities and programs.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official Seal of the City of Fort Pierce, Florida, to be affixed this 6<sup>th</sup> day of January, 2014.



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MAYOR COMMISSIONER



**City Commission Regular Meeting**

**Agenda Item # 7. a.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

Letter from Main Street Fort Pierce thanking the City for their support of the 25th Annual Sights and Sounds on Second Festival and Parade, "Silver Christmas Jubilee" and commending the Fort Pierce Police Department, Public Works and Kiwanis Club for their hard work.

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**Attachments**

Main Street Letter

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**Form Review**

Form Started By: Linda Cox

Started On: 02/12/2014 08:46 AM

Final Approval Date: 02/12/2014



# Main Street Fort Pierce

Tuesday, December 17, 2013

City of Fort Pierce  
P.O. Box 1480  
Fort Pierce, FL 34954

Mayor Hudson, Robert Bradshaw, and City Commissioners,

Main Street Fort Pierce and the Board of Directors would like to thank you for your support of the 25th Annual Sights and Sounds on Second Festival and Parade, "Silver Christmas Jubilee". With over 70 entries and 1500 participants; this year was one of the best parades in our history.

Main Street Fort Pierce greatly appreciates the City of Fort Pierce support of the Sights and Sounds on Second Festival and Parade. We commend The Fort Pierce Police Department, the Public Works Department, and the Kiwanis Club for their hard work and dedication to the festival and parade. We could not put on this successful event year after year without their support.

Main Street is very proud of our partnership with the City of Fort Pierce. Through out the past 25years, the City of Fort Pierce has been there to assist us with many of our events and to help us bring people back to our beautiful City. We thank you again and we look forward to next year.

Main Street Fort Pierce would like to wish you and your staff a very happy and safe holiday season!

Sincerely,

*Pamela L. Gillette*

Pam Gillette  
Marketing and Events  
Main Street Fort Pierce

Main Street Fort Pierce  
122 A. E. Backus Avenue • Fort Pierce, FL 34950  
Phone: (772) 466-3880 • Fax: (772) 466-3917

**City Commission Regular Meeting**

**Agenda Item # 7. b.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

Letter from Chris Dzadoovsky, St. Lucie County Commissioner, thanking Michelle Kubitschek, Fort Pierce River Walk Center, for her assistance with the Open Air Environmental Forum held November 2nd, 2013.

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**Attachments**

Dzadoovsky Letter

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**Form Review**

Form Started By: Linda Cox

Started On: 02/12/2014 08:47 AM

Final Approval Date: 02/12/2014

BOARD OF  
COUNTY  
COMMISSIONERS



CHRIS DZADOVSKY  
COMMISSIONER

November 14, 2013

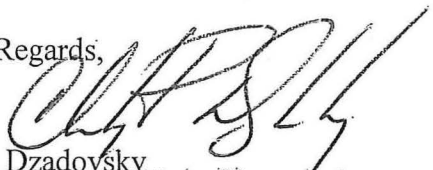
Ms. Michelle Kubitschek  
Ft. Pierce River Walk Center  
600 N Indian River Drive  
Fort Pierce, FL 34950

Dear Mrs. Kubitschek:

I want to take this opportunity to personally thank you, on behalf of St. Lucie County, for all your help as we prepared for our recent Open Air Environmental Forum at Fort Pierce Marina Square this past November 2<sup>nd</sup>.

With your help, we were able to reach hundreds of people, in an attempt to create awareness on the importance of maintaining our waterways in healthy conditions. We owe the success of this event to you, and would like to continue to work together, and take advantage of the momentum, hoping that we can resolve a problem that affects many aspects of our daily lives.

Best Regards,

  
Chris Dzadovsky  
County Commissioner, District 1



**City Commission Regular Meeting**

**Agenda Item # 9. a.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

Approval of Modification Number One to Subgrant Agreement No. 14HM-2Y-10-66-02-144 between the Division of Emergency Management and the City of Fort Pierce for expansion of the scope of work to retrofit additional buildings with impact resistant glass on all exterior windows and doors; extending the period of performance from February 1, 2014 to August 1, 2014.

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**Attachments**

Subgrant Agreement

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**Form Review**

Form Started By: Linda Cox

Started On: 02/12/2014 08:48 AM

Final Approval Date: 02/12/2014



# CITY OF FORT PIERCE, FLORIDA

## City Commission Meeting

Agenda Item # \_\_\_\_\_

Commission Meeting January 6, 2014

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**To** : The Honorable Mayor and Members of the City Commission  
**Through** : Robert J. Bradshaw, City Manager *RJB*  
**From** : Linda Whalen, Project Administrator, Federal Programs *LW*  
**Re** : **Modification Number One to Subgrant Agreement Number 14HM-2Y-10-66-02-144 between the Division of Emergency Management and the City of Fort Pierce**  
**Date** : December 19, 2013

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**ISSUE(S):** Approval of Modification Number One to Subgrant Agreement Number 14HM-2Y-10-66-02-144.

**SUMMARY:** This agreement is for expansion of the scope of work to retrofit additional buildings by procuring and installing impact resistant glass on all exterior windows and doors of the buildings. The modification is to extend the period of performance from February 1, 2014 to August 1, 2014.

**FISCAL IMPACT:** None

**RECOMMENDATION:** Recommend approval

**ALTERNATIVES:** None

**RESPONSIBLE STAFF:** Nick Mimms, Deputy City Manager, Linda Whalen, Project Administrator Federal Programs

**COORDINATED WITH:** City Attorney's Office

**ATTACHMENTS:** Cover Letter from FEMA Hazard Mitigation Assistance Branch Chief Jacky Bell  
Modification Number One

U.S. Department of Homeland Security  
Region IV  
3003 Chamblee Tucker Road  
Atlanta, GA 30341



**FEMA**

November 22, 2013

Mr. Bryan Koon, Director  
Florida Division of Emergency Management  
2555 Shumard Oak Boulevard  
Tallahassee, Florida 32399-2100

Attention: Mr. Miles Anderson

Reference: **Fourth Period of Performance Extension Request for Hazard Mitigation Grant Program (HMGP) DR-1561-164-R, (State Project Number 1561-97), City of Fort Pierce, City Hall Administration Building, Wind Retrofit**

Dear Mr. Koon:

This letter is to inform the Florida Division of Emergency Management (FDEM) that the Federal Emergency Management Agency (FEMA) has reviewed the FDEM request dated November 14, 2013 to extend the current Period of Performance for the Hazard Mitigation Grant Program (HMGP) DR-1561-164-R, City of Fort Pierce, City Hall Administration Building, Wind Retrofit Project. The Period of Performance for this project expires on February 1, 2014.

The justification for the 6-month extension request has been reviewed. It is as a result of a product appeal by a local citizen in the process of resolution and product delivery delays. Both are associated with the Scope of Work Expansion approved in June 2013.

**The request is approved and the new Period of Performance will now end on August 1, 2014.**

Including the referenced fourth POP extension request, this project will be open for a total of 72 months. Therefore, in an effort to ensure the applicant remains on schedule up and through project completion, the applicant must provide detailed work progress updates in all future quarterly reports submitted for this project. Detailed comments must include percentage of work completed, delays and associated reasons, project expectations and other pertinent information that may jeopardize project completion.

Please note further extensions may not be approved, unless extenuating circumstances arise and considerable progress is shown. All requests for extensions must be made no later than 60 days prior to the expiration of the Period of Performance, must include a justification for the extension, and include milestones and timelines for completion of the project.

Any property being mitigated with Federal hazard mitigation assistance funding in a Special Flood Hazard Area (SFHA) must comply with SFHA Guidance memo dated March 20, 2006,

Mr. Koon  
November 22, 2013  
Page 2

signed by David Maurstad. The State must include a statement of assurance with the closeout request verifying that SFHA requirements were met on each structure mitigated within the SFHA.

According to the General Accounting Office GAO 10-80 and GAO 10-82, any and all cost associated with an HMGP project must be incurred after the date of declaration of a disaster under which the project is proposed for funding.

If the FDEM has any questions, please contact David Vandewater at (229) 225-4875.

Sincerely,

A handwritten signature in black ink, appearing to read 'Jacky Bell', with a long horizontal flourish extending to the right.

Jacky Bell, Chief  
Hazard Mitigation Assistance Branch  
Mitigation Division

Contract Number:	14HM-2Y-10-66-02-144
Project Number:	1561-164

**MODIFICATION TO SUBGRANT AGREEMENT BETWEEN  
THE DIVISION OF EMERGENCY MANAGEMENT AND  
CITY OF FORT PIERCE**

This Modification Number One made and entered into by and between the State of Florida, Division of Emergency Management ("the Division"), and the City of Fort Pierce ("the Recipient") to modify Contract Number 14HM-2Y-10-66-02-144, dated August 1, 2013, ("the Agreement").

WHEREAS, the Division and the Recipient have entered into the Agreement, pursuant to which the Division has provided a subgrant to the Recipient under the Hazard Mitigation Grant Program of \$4,365,165.00, in Federal Funds; and

WHEREAS, the Division and the Recipient desire to modify the Agreement; and

WHEREAS, the Agreement will expire on February 1, 2014; and

WHEREAS, the Division and the Recipient desire to extend the terms of the Agreement.

NOW, THEREFORE, in consideration of the mutual promises of the parties contained herein, the parties agree as follows:

1. Paragraph 3 of the Agreement is hereby amended to read as follows:

This Agreement shall begin upon execution by both parties, and shall end August 1, 2014, unless terminated earlier in accordance with the provisions of paragraph (12) of this Agreement.

2. The Budget and Scope of Work, Attachment A to the Agreement, are hereby modified as set forth in 1<sup>ST</sup> Revised Attachment A to this Modification, a copy of which is attached hereto and incorporated herein by reference.
3. All provisions of the Agreement being modified and any attachments in conflict with this Modification shall be and are hereby changed to conform with this Modification, effective on the date of execution of this Modification by both parties.
4. All provisions not in conflict with this Modification remain in full force and effect, and are to be performed at the level specified in the Agreement.
5. Quarterly Reports are due to the Division no later than 15 days after the end of each quarter of the program year and shall be sent each quarter until submission of the administrative close-out report. The ending dates for each quarter of the program year are March 31, June 30, September 30 and December 31.

IN WITNESS WHEREOF, the parties hereto have executed this Modification as of the dates set out below.

**RECIPIENT: CITY OF FORT PIERCE**

By: \_\_\_\_\_

Name and Title: \_\_\_\_\_

Date: \_\_\_\_\_

**STATE OF FLORIDA  
DIVISION OF EMERGENCY MANAGEMENT**

By: \_\_\_\_\_

Name and Title: Bryan W. Koon, Director

Date: \_\_\_\_\_

**APPROVED AS TO FORM AND CORRECTNESS**

BY:  \_\_\_\_\_  
City Attorney

## Attachment A (1<sup>st</sup> Revision)

### Budget and Scope of Work

#### Scope of Work

As a Hazard Mitigation Grant Program Project, the Recipient, City of Fort Pierce will expand the Scope of Work of this proposed wind retrofit project to retrofit the following five (1-5) buildings by procuring and installing impact resistant glass on all exterior windows and doors of the buildings. In addition, 230-kW fixed stand alone generator will be procured and installed at the Police Headquarters building.

A 450-kW fixed stand alone generator will be procured and installed at the City Hall building located at 100 North U.S 1, Fort Pierce, Florida 34954.

The five (5) buildings and their locations are:

1. Police Headquarters; located at 920 South US 1, Ft. Pierce, Florida 34954
2. St. Anastasia School; located at 110 North 10<sup>th</sup> Street, Ft Pierce, Florida 34954
3. Old City Hall (City Hall Annex); located at 215 Avenue A, Ft Pierce, Florida 34954
4. River Walk Center; located at 600 North Indian River Drive, Ft Pierce, Florida 34954
5. Public Works Compound; located at 52 Savanna Road, Ft Pierce, Florida 34954

As part of the scope of work expansion, all activities will be completed in accordance with the current Florida Building Code. All installations and components that will be used for the wind retrofit project will meet and carry Florida Building Code specifications and wind impact standards of the local codes.

The above structures serve as or support the EOC and other essential government functions during an event and/or have significant historic value. If deemed necessary, wind protection will be provided on any other openings such as skylights, vents, louvers and exhaust fans. Completion of the project will protect the buildings and their contents from potential storm damage.

The Recipient will be responsible for all fuel and other maintenance costs associated with the generators. The generator installations will provide back-up power generation for the structures to assure essential governmental functions including security and communication capacity during and after events.

The Recipient will provide two sets of "As-Built" construction documents for each generator and associated equipment certified by the applicable design professional(s) of record upon project completion.

*Glazing in buildings shall be impact resistant or protected with an impact resistant covering meeting the requirements of SSTD 12, ASTM E 1886 and ASTM E 1996, ANSI/DASMA 115 (for garage doors and rolling doors) or Miami-Dade TAS 201, 202 and 203 or AAMA 506 referenced therein as follows:*

- a) *Glazed openings located within 30 feet (9.1 m) of grade shall meet the requirements of the Large Missile Test.*
- b) *Glazed openings located more than 30 feet (9.1 m) above grade shall meet the provisions of the Small Missile Test.*
- c) *Louvers protecting intake and exhaust ventilation ducts not assumed to be open that are located within 30 feet (9144 mm) of grade shall meet requirements of the Large Missile Test.*

*Impact-resistant coverings shall be tested at 1.5 times the design pressure (positive or negative) expressed in pounds per square feet as determined by the Florida Building Code,*

*Building Section 1609 for which the specimen is to be tested.*

The local municipal or county building department will inspect and certify all installations according to the manufactures' specifications.

The Police Station structure being mitigated is located in a Special Flood Hazard Area (SFHA). The Title Holder must adhere to the following restrictions:

- The Title Holder must insure all structures that will not be demolished or relocated out of the SFHA to an amount at least equal to the project cost or to the maximum limit of coverage made available with respect to particular property, whichever is less, through the National Flood Insurance Program (NFIP), as authorized by 42 U.S.C. §4011 et seq., as long as the Title Holder title to the property as required by 42 U.S.C. §4012a.
- The Title Holder must maintain all structures on the property in accordance with Flood Plain Management criteria set forth in Title 44 of the Code of Federal Regulations (CFR) Part 60.3 and City/County Ordinance as long as the Title Holder holds title to the property.
- The Title Holder must notify subsequent purchasers that SFHA conditions are attached to the property. This will be accomplished by the Title Holder ensuring that the City/County will legally record with the county or appropriate jurisdiction's land records a notice that includes the name of the current Title Holder (including book/page reference to record of current title, if readily available), a legal description of the property, and a declaration that Federal Law requires flood insurance coverage during the life of the property.

Any property being mitigated with Federal Hazard Mitigation assistance funding in a Special Flood Hazard Area (SFHA) must comply with SFHA Guidance.

**Project Conditions:**

The following requirements must be met at project closeout. Failure to do so may jeopardize funding.

- 1) The Recipient must provide a statement of assurance during project closeout, verifying that SFHA requirements were met on the properties listed above.
- 2) The Recipient must notify the Division as soon as significant developments become known, such as delays or adverse conditions that might raise costs or earlier completion. Any extensions of the Period of Performance (POP) must be submitted to FEMA 60 days prior to the expiration date.
- 3) The Recipient must avoid duplication of benefits between the HMGP and any other form of assistance, as required by Section 312 of the Stafford Act, and further clarified in 44 CFR 206.91.
- 4) Quarterly progress reports for HMGP projects are required. Recipient must regularly submit quarterly reports every quarter. Note that 44 CFR 206.438(c) indicates that the State must provide a quarterly progress report to FEMA indicating the status and completion date for each project funded.

**Environmental Conditions:**

1. The Recipient must follow all applicable state, local and federal laws regulations and requirements, and obtain (before starting project work) and comply with all required permits and approvals. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding. If project work is delayed for a year or more after the date of the Categorical Exclusion (CATEX), then coordination with and project review by regulatory agencies must be redone.
2. Any change, addition or supplement to the approved Scope of Work that alters the project (including other work not funded by FEMA, but done substantially at the same time), regardless

of the budget implications, will require re-submission of the application to FEMA through the Florida Division of Emergency Management for National Environmental Policy Act (NEPA) re-evaluation before starting project work.

- EO 11988:
    - At project closeout; the Recipient must provide verification of compliance with local floodplain administrator regulations for construction in the floodplain.
  - TSCA:
    - If any "asbestos containing material" lead based paint, or other hazardous materials are found during remediation or repair activities, the applicant must comply with all federal state and local abatement and disposal requirements' under the Toxic Substance Control Act (TSCA).
  - RCRA:
    - Unusable equipment, debris and material shall be disposed of in an approved manner location. In the event significant items (or evidence thereof) are discovered during implementation of the project, subgrantee shall handle, manage, and dispose of petroleum products, hazardous materials and toxic waste in accordance to the requirements and to the satisfaction of the governing local, state and federal agencies. Failure to comply with these Resource Conservation & Recovery Act (RCRA) conditions may jeopardize FEMA funding; verification of compliance will be required at project closeout.
3. Construction vehicles and equipment used for this project shall be maintained in good working order to minimize pollutant emissions.
  4. If ground disturbing activities occur during construction, subgrantee will monitor ground disturbance and if any potential archeological resources are discovered, will immediately cease construction in that area and notify the State and FEMA.
  5. Because the St. Anastasia School is listed on the National Register of Historic Places, any retrofits to this buildings (specifically window and door replacements) should be developed in accordance with the approaches set forth in the Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings in order to avoid a potential adverse affect on the building's historic significance.
  6. If the windows and exterior doors cannot be retained (only if historic) the replacements must match the original windows/ doors in design, style and materials.
  7. If using the same materials is not feasible, then a compatible substitute material may be considered, as long as the original design details are reproduced. As explicitly stated in Standard 6, when a historic feature is missing or is too deteriorated to repair, "the new feature shall match to old in design, color, texture and other visual qualities and, where possible, material."

This is FEMA project number 1561-164-R, funded under 1561-DR-FL.

The Period of Performance for this project ends on August 1, 2014

**Schedule of Work**

State Contracting:	1 Month
Bidding Process:	1 Month
Installations:	9 Months
State Final Inspection:	1 Month
Potential Weather Delays:	1 Month
State Closeout Process:	1 Month
<b>Total Period of Performance:</b>	<b>14 Months</b>

*The materials and work funded pursuant to this Subgrant Agreement are intended to decrease the vulnerability of the building to property losses and are specifically not intended to provide for the safety of inhabitants before, during or after a natural or man-made disaster*

*The funding provided by the Division of Emergency Management under this subgrant shall compensate for the materials and labor for the installation of storm shutters and/or other hardening activities as a retrofit measure for the Recipient's building to reduce and/or mitigate the damage that might otherwise occur from severe weather or other hazards. The funding of this project by the Department does not confer or imply any warranty of use or suitability for the work performed pursuant to this agreement. The State of Florida disclaims all warranties with regard to this mitigation project, express or implied, including but not limited to, any implied warranties and/or conditions of satisfactory quality and fitness for a particular purpose, merchantability, or merchantable quality.*

*This project has not been evaluated by the criteria contained in the standards of the Department of Homeland Security, Federal Emergency Management Agency (FEMA) guidance manual FEMA 361- Design and Construction for Community Shelter, and thus does not provide "near absolute protection." It is understood and agreed by the Department and the Recipient that the building may have vulnerabilities due to age, design and location which may result in damage to the building from wind events even after the installation of the mitigation measures funded under this Subgrant Agreement. It is further understood and agreed by the Department and the Recipient that the level of wind protection provided by the mitigation action, although meeting State standards and codes and enhancing the structural integrity of the building, does not ensure the safety of survival of building occupants.*

**Budget**

**Line Item Budget\***

	<u>Project Cost</u>	<u>Federal Share</u>	<u>Local Share**</u>
Police Department; Generator, Material & Labor:	\$ 719,040.00	\$ 719,040.00	\$0.00
St. Anastasia; Material & Labor:	\$1,149,917.00	\$1,149,917.00	\$0.00
Old City Hall; Material & Labor:	\$ 817,718.00	\$ 817,718.00	\$0.00
River Walk Center; Material & Labor:	\$ 376,309.00	\$ 376,309.00	\$0.00
Public Works Compound; Material & Labor:	\$ 637,372.00	\$ 637,372.00	\$0.00
City Hall; Generator, Material & Labor:	\$ 630,660.00	\$ 630,660.00	\$0.00
<b>Sub-Total:</b>	<b>\$4,331,016.00</b>	<b>\$4,331,016.00</b>	<b>\$0.00</b>
<u>Administrative Allowance:</u>	<u>\$ 0.00</u>	<u>\$ 34,149.00</u>	<u>\$0.00</u>
<b>Total:</b>	<b><u>\$4,331,016.00</u></b>	<b><u>\$4,365,165.00</u></b>	<b><u>\$0.00</u></b>

\* Any line item amount in the Budget may be increased or decreased 10% or less without an amendment to this Agreement being required, so long as the overall amount of the funds obligated under this Agreement is not increased.

\*\* The non-federal share will be met using disaster overmatch credit. The effect is that 100% of the approved project cost is covered by federal HMGP funds. The 'match credit' provides the match for the non-federal share for this project.

**Funding Summary**

Federal Share:	\$4,331,016.00	(100%)
Local Share:	<u>\$ 0.00</u>	( 0%)
<b>Total Project Cost:</b>	<b>\$4,331,016.00</b>	<b>(100%)</b>

Recipient Administrative Allowance up to \$34,149.00

**City Commission Regular Meeting**

**Agenda Item # 9. b.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

Approval of Interlocal Agreement between the City of Fort Pierce, City of Port St. Lucie, Martin County and St. Lucie County for construction of sixteen (16) bus shelters along the US 1 corridor, funded through a FDOT grant.

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**Attachments**

Bus Shelters

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**Form Review**

Form Started By: Linda Cox

Started On: 02/12/2014 08:51 AM

Final Approval Date: 02/12/2014



# CITY OF FORT PIERCE, FLORIDA

## City Commission Meeting


Agenda Item # \_\_\_\_\_


Commission Meeting 01/06/14

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**To** : The Honorable Mayor and Members of the City Commission

**Through** : Robert J. Bradshaw, City Manager 

**From** : John R. Andrews, P.E., City Engineer 

**Re** : **US 1 Transit Corridor Bus Shelter – Interlocal Agreement**

**Date** : December 23, 2013

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**ISSUE(S):** Request approval of Interlocal agreement between the City of Fort Pierce, City of Port St. Lucie, Martin County, and St. Lucie County for construction of sixteen (16) bus shelters along the US 1 corridor.

**SUMMARY:** The project, initiated by the Treasure Coast Regional Transit Organization (RTO), funded through a grant from the Florida Department of Transportation, proposes to construct sixteen (16) bus shelters in St. Lucie and Martin counties for bus stops along the Treasure Coast Connector route. Administration of the grant will be the responsibility of the City of Port St. Lucie.

**FISCAL IMPACT:** No fiscal impact is created for the City of Fort Pierce

**RECOMMENDATION:** Staff has reviewed this interlocal agreement and recommends approval of this agreement

**ALTERNATIVES:** Reject participation in grant agreement

**RESPONSIBLE STAFF:** Engineering Department

**COORDINATED WITH:** City Attorney, Planning Department

**ATTACHMENTS:** Interlocal Agreement for US Highway 1 Transit Corridor Bus Shelter Improvements

cc: City Clerk

# CITY OF FORT PIERCE - OFFICE OF THE CITY ATTORNEY

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## MEMORANDUM

TO: Jack Andrews, City Engineer

FROM: Karen Emerson, Esq., Assistant City Attorney

THROUGH: Robert V. Schwerer, Esq., City Attorney *RJS*


**SUBJECT: BUS SHELTER INTERLOCAL**

DATE: December 10, 2013

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The final draft of the Interlocal Agreement for bus shelters on the U.S. 1 corridor, attached, was received from Port St. Lucie. Staff will need to place the Interlocal on the Commission agenda for consideration and approval.

  
\_\_\_\_\_  
Karen Emerson, Esq.  
Assistant City Attorney

attachment

cc: Rebecca Grohall, Planning Manager  
Marc Meyers, Building Official  
Mike Reals, Public Works Manager

RECEIVED  
DEC 11 2013  
CITY OF FORT PIERCE  
ENGINEERING DEPARTMENT

When recorded return to:  
City of Port St. Lucie  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, FL 34984

Prepared by:  
Stefanie Beskovoyne, Assistant City Attorney

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(Space above this line reserved for recording office use only)

INTERLOCAL AGREEMENT  
FOR  
US HIGHWAY 1 TRANSIT CORRIDOR BUS SHELTER IMPROVEMENTS

THIS INTERLOCAL AGREEMENT (Agreement) is made and entered into on this \_\_\_\_ day of \_\_\_\_\_, 2013, by and between the CITY OF PORT ST. LUCIE, a Florida municipal corporation, the CITY OF FORT PIERCE, a Florida municipality, MARTIN COUNTY, a political subdivision of the State of Florida, and ST. LUCIE COUNTY, a political subdivision of the State of Florida. If at any place in this Agreement the intent is to refer to all parties collectively, it will be hereinafter referred to as Parties.

WITNESSETH:

WHEREAS, the Florida Interlocal Cooperation Act of 1969, Section 163.01, Florida Statutes, permits local governmental units to make the most efficient use of their respective powers by enabling them to cooperate with one another on a basis of mutual advantage and thereby to provide services and facilities in a manner and pursuant to forms of governmental organization that will accord best with geographic, economic, population, and other factors influencing the needs and development of local communities; and

WHEREAS, the US 1 Corridor Bus Stop Capital Improvement Plan Technical Memorandum #1 (Technical Memorandum) was prepared for the Treasure Coast Regional Transit Organization (RTO) in September 2011; and

WHEREAS, the Technical Memorandum recommended capital improvements to enhance the Treasure Coast Connector Route on US Highway 1 in the City of Fort Pierce, City of Stuart, City of Port St Lucie, Martin County, and St. Lucie County; and

WHEREAS, the RTO Transit Technical Advisory Committee (TTAC) reviewed the Technical Memorandum and recommended adding bus shelters to seventeen (17) of the bus stops along the Treasure Coast Connector Route on US Highway, hereinafter referred to as the project; and

WHEREAS, the project scope has been reduced to sixteen (16) bus shelters because the stop located at Regency Square in the City of Stuart will not issue the required easements to accommodate the bus shelter; and

WHEREAS, the project includes the construction of bus shelters and ancillary features, including, but not limited to, benches, bike racks, and trash receptacles, at bus stops 2, 4, 5, 8, 9, 10, 16, 19, 21, 30, 34, 35, 37, 41, 42 and 43 as identified on Map 2-1 of the Technical Memorandum, attached hereto as Exhibit A; and

WHEREAS, City of Fort Pierce, City of Port St Lucie, Martin County, and St. Lucie County recognize and acknowledge that the bus shelters will be of benefit to the residents of each municipality; and

WHEREAS, Martin County shall coordinate with the City of Stuart concerning the project within the municipal boundary of the City of Stuart; and

WHEREAS, the project is consistent with the Florida Department of Transportation (FDOT) Long Range Transportation Plan and is eligible for grant funding through a FDOT Joint Participation Agreement (JPA) Program; and

WHEREAS, the RTO cannot receive grant money; and

WHEREAS, a Local Agency Program (LAP) certified municipality can enter into a FDOT JPA; and

WHEREAS, the City of Port St Lucie is LAP certified and has agreed to be the facilitator and enter into a JPA with FDOT to fund the project; and

WHEREAS, Resolution 12-R60 provides authorization for the City of Port St Lucie to enter into a JPA, dated February 29, 2012, with FDOT that provides \$326,557.00 for the project; and

WHEREAS, Resolution 13-R43 provides authorization for the City of Port St Lucie to enter into a JPA, dated September 20, 2012, with FDOT that provides an additional \$173,443.00 for the project for a total amount of \$500,000 for the project; and

WHEREAS, Parties realize and acknowledge that there may be additional Supplemental Agreements to the JPA which add additional funds to complete the project; and

WHEREAS, the City of Port St Lucie will comply with all the requirements of the JPA for the project; and

NOW THEREFORE, IN CONSIDERATION OF THE MUTUAL BENEFITS RECEIVED BY EACH PARTY, the Parties hereto mutually agree as follows:

1. JPA FUNDS.

- a. The City of Port St Lucie will establish and maintain an accounting and budgeting system to account for and invoice FDOT for the project in accordance with the requirements of the JPA.
- b. The City of Port St Lucie will have the right and obligation to manage and direct the use of the JPA funds for the project.
- c. Parties recognize and acknowledge that the JPA funds will be sufficient to cover the costs of design and permitting.
- d. In the event that sufficient JPA funds to construct the entire project (i.e., sixteen bus shelters) is not available, the Parties will discuss and agree to which

locations will be constructed using the available JPA funds. This discussion and agreement will occur within three weeks of receiving the construction bids.

- e. Construction plans and technical specifications for any project locations which are not constructed due to lack of JPA funding, as agreed upon by the Parties, will be turned over to the appropriate jurisdictional Party.
- f. In the event that additional JPA funds become available for this project prior to completion of the construction contract, the Parties will discuss and agree to which locations will be constructed with the supplemental funding. The City of Port St Lucie will then amend the construction contract to include the agreed upon locations.

## 2. DESIGN CONSULTANT - REQUEST FOR PROPOSALS (RFP), EVALUATION, SELECTION, NEGOTIATION, AWARD, AND MANAGEMENT OF CONTRACT.

- a. The RFP, evaluation of submittals, selection of a Consultant, negotiation with the Consultant, award of the Consultant contract, and management of the Consultant contract will be completed by the City of Port St Lucie in accordance with the JPA requirements and the procurement procedures of the City of Port St Lucie.
- b. Parties will designate a representative to participate in the evaluation and selection committee.
- c. The City of Port St Lucie will advise such representative of the evaluation and selection committee meeting times and locations.

## 3. DESIGN.

- a. The City of Port St Lucie agrees to manage the work of the Consultant, in accordance with the contract, to prepare the following items for the project:
  - i. Technical memorandum regarding the use of solar powered signage,
  - ii. Permit Applications, (FDOT, South Florida Water Management District (SFWMD), or other State or Federal Agencies)
  - iii. 30%, 90% design documents
  - iv. Signed and sealed construction documents.

- b. Parties will have the right and obligation to provide information and coordinate with the Consultant regarding the Party's respective bus stop locations in a timely manner. Information to be provided and coordinated with the Consultant includes, but is not limited to, the following:
  - i. Bus shelter location (consistent with the location designated by the RTO)
  - ii. Challenges of the site
  - iii. Design guidelines (local building codes, wind loading, etc.)
  - iv. Documents or information needed to comply with local development review and permitting requirements
- c. Parties requiring easements for the Project within their respective jurisdictions, will be responsible for obtaining the needed easements prior to design work being completed on said location.
- d. In the event that an easement is not obtained and a replacement site is not identified and agreed to by all Parties, then the design for that particular site will be eliminated from the Consultant's contract.
- e. In order to maintain the schedules, Parties agree to provide timely responses and reviews. The City of Port St Lucie, as the manager of the Consultant's contract, will direct the Consultant to move forward with the work in accordance with the contract and JPA schedules.
- f. Parties will provide a representative to attend a project kick-off meeting, attend site meetings, attend periodic progress meetings, review and comment on the 30% and 90% submittals, review and comment on the survey and legal description for the easement, if needed, review and comment on the permit applications, answer questions, and make decisions regarding the project as it relates to the locations within the respective municipality.
- g. The Parties agree to coordinate and interface with the City of Port St Lucie and the Consultant, in a timely manner, to facilitate the satisfactory and complete design of the project within their respective jurisdictions.
- h. The City of Port St Lucie will receive the 30%, 90% and 100% plans and documents from the Consultant, and submit one hard copy and one electronic file (.pdf format) to all Parties.

- i. The Parties agree to review the 30% and 90% plans and documents and provide comments to the City of Port St Lucie within thirty (30) calendar days of receiving the submittal. The City of Port St Lucie will forward the review comments to the Consultant for incorporation into the plans and documents.
- j. Upon completion of the design, the City of Port St Lucie will receive the following deliverables from the Consultant and submit to all Parties;
  - i. Signed and sealed construction plans and technical specifications,
  - ii. Permit application submittals.

#### 4. PERMITTING.

- a. Parties agree to obtain the necessary and applicable local development reviews and approvals for the shelters located within their respective jurisdiction.
- b. Parties will be responsible for obtaining the easements and gaining the authority for the Contractor to enter and build the bus shelters on the property located within the respective jurisdiction.
- c. Parties will be responsible for coordinating with and assisting the Contractor with obtaining the needed local permits for construction of the project.
- d. Parties agree that Building permits for each jurisdiction will be applied for by the Contractor.
- e. Parties agree that the FDOT, SFWMD, State and/or Federal Agency permits required for this project will be applied for by the Consultant.
- f. Parties agree to coordinate with the City of Port St Lucie and the Consultant concerning the FDOT, SFWMD, State Agency, and/or Federal Agency permitting for the project located within their respective jurisdictions.
- g. Martin County will coordinate with the City of Stuart concerning the project within the municipal boundary of the City of Stuart.

#### 5. CONSTRUCTION BID – BID DOCUMENTS, ADVERTISEMENT, REVIEW, AND AWARD.

- a. The City of Port St Lucie agrees to develop bid documents and advertise for a Contractor to construct the project in accordance with the construction plans and

technical specifications following the procurement requirements and procedures of the City of Port St Lucie.

- b. The City of Port St Lucie will review, award, and enter into a contract with the Contractor who provides the best value, as determined by the City of Port St Lucie, for the project.

6. CONSTRUCTION, ENGINEERING, AND INSPECTION (CEI) ENGINEER – REQUEST FOR PROPOSALS (RFP), EVALUATION, SELECTION, NEGOTIATION, AWARD AND MANAGEMENT OF CONTRACT.

- a. The RFP, evaluation of submittals, selection of a CEI Engineer, negotiation with the CEI Engineer, award of the CEI Engineer contract, and management of the CEI Engineer contract will be completed by the City of Port St Lucie in accordance with the JPA requirements and the procurement procedures of the City of Port St Lucie.
- b. Parties will designate a representative to participate in the evaluation and selection committee. The City of Port St Lucie will advise such representative of the evaluation and selection committee meeting times and locations.

7. CONSTRUCTION OF PROJECT

- a. The City of Port St Lucie will manage the construction contract and will be responsible for ensuring that the construction of the project meets all requirements and is completed on schedule in accordance with the contract, construction documents, and JPA.
- b. Parties agree to coordinate and interface with the City of Port St Lucie, CEI Engineer, and Contractor to facilitate the timely and satisfactory construction of the project within their respective jurisdictions.
- c. The Parties agree to perform periodic inspections of the work of the Contractor within their jurisdiction and verify that the project is being constructed in conformance with the local building codes, construction plans and technical specifications.

- d. Parties have the responsibility to coordinate with the City of Port St Lucie, CEI Engineer, and Contractor, as appropriate, to ensure that the appropriate documentation, inspections and certifications for their jurisdiction are being maintained.

#### 8. PROJECT COMPLETION, ACCEPTANCE, AND TURNOVER.

- a. Parties are responsible for issuing a Letter of Acceptance to the City of Port St. Lucie to acknowledge the acceptance, maintenance responsibility, and ownership for their applicable bus shelters. The Letter of Acceptance will be issued after satisfactory completion of the work by the Contractor.
- b. Parties agree that the construction completion, acceptance, and turnover of the project will be done in an expeditious and timely manner.
- c. The goal of the project is to have the construction, acceptance, and turnover completed at least thirty (30) days prior to the expiration of the JPA (May 29, 2015).
- d. Parties realize and acknowledge that additional supplements to the JPA may extend the expiration date.

#### 9. MAINTENANCE.

- a. Parties agree to use the project, in their respective jurisdiction, for public transportation purposes.
- b. Parties agree to maintain the project, in their respective jurisdiction, in good working order.
- c. Parties agree to maintain property records, conduct physical inventories, develop control systems and comply with property management standards as required by the Code of Federal Regulations, Title 49 – Transportation, Part 18.

10. EFFECTIVENESS. This Agreement shall be effective upon filing with Clerk of the Circuit Court of St. Lucie County, Florida, and the Clerk of the Circuit Court in Martin County, Florida, in accordance with Section 163.01(11), Florida Statutes.

11. TERMINATION. This Agreement will terminate upon completion of the project JPA date (May 29, 2015) unless otherwise extended by FDOT.

12. NOTICES. Any notices pursuant to this Agreement shall be given to the Parties in writing as follows:

City of Fort Pierce:	City Manager 100 N. US 1 Fort Pierce, FL 34950	City Attorney 100 N. US 1 Fort Pierce, FL 34950
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City of Port St. Lucie:	City Manager 121 S.W. Port St. Lucie Blvd. Port St. Lucie, Florida 34984	City Attorney 121 S.W. Port St. Lucie Blvd. Port St. Lucie, Florida 34984
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Martin County:	County Administrator 2401 SE Monterey Road Stuart, FL 34996	County Attorney 2401 SE Monterey Road Stuart, FL 34996
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St. Lucie County	County Administrator 2300 Virginia Avenue Fort Pierce, Florida 34982	County Attorney 2300 Virginia Avenue Fort Pierce, Florida 34982
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13. NONDISCRIMINATION. All Parties to this Agreement agree not to discriminate against any person on the basis of race, religion, national origin, age, sex, or marital status in the use of facilities pursuant to this Agreement.

14. FURTHER DOCUMENTS. Each of the Parties hereto hereby agree that they will execute and deliver such further instruments and do such further acts and things as may be necessary or desirable to carry out the purpose of this Agreement.

15. CAPTIONS. Sections and other captions contained in this Agreement are for reference purposes only and are in no way intended to describe, interpret, define, or limit the scope, extent or intent of this Agreement, or any provision hereof.

16. SEVERABILITY. Each provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

17. GOVERNING LAW. This Agreement and the rights of the partners shall be governed by and construed or enforced in accordance with the laws of the State of Florida.

IN WITNESS WHEREOF, this Interlocal Agreement has been executed by and on behalf of the Parties as of the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST: CITY OF FORT PIERCE

\_\_\_\_\_  
Linda Cox, City Clerk

\_\_\_\_\_  
Linda Hudson, Mayor

APPROVED AS TO FORM AND CORRECTNESS

\_\_\_\_\_  
Robert V. Schwerer, City Attorney

ATTEST: CITY OF PORT ST LUCIE

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Karen A. Phillips, City Clerk

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Joann M. Faiella, Mayor

APPROVED AS TO FORM AND CORRECTNESS



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Stefanie Beskovoyne, Assistant City Attorney

ATTEST: MARTIN COUNTY BOARD OF COUNTY COMMISSIONERS

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Carolyn Timmann,  
Clerk of the Circuit Court

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Sarah Heard, Chair

APPROVED AS TO FORM AND CORRECTNESS

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Michael D. Durham, County Attorney

ATTEST: ST LUCIE COUNTY

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Joe Smith,  
Clerk of the Circuit Court

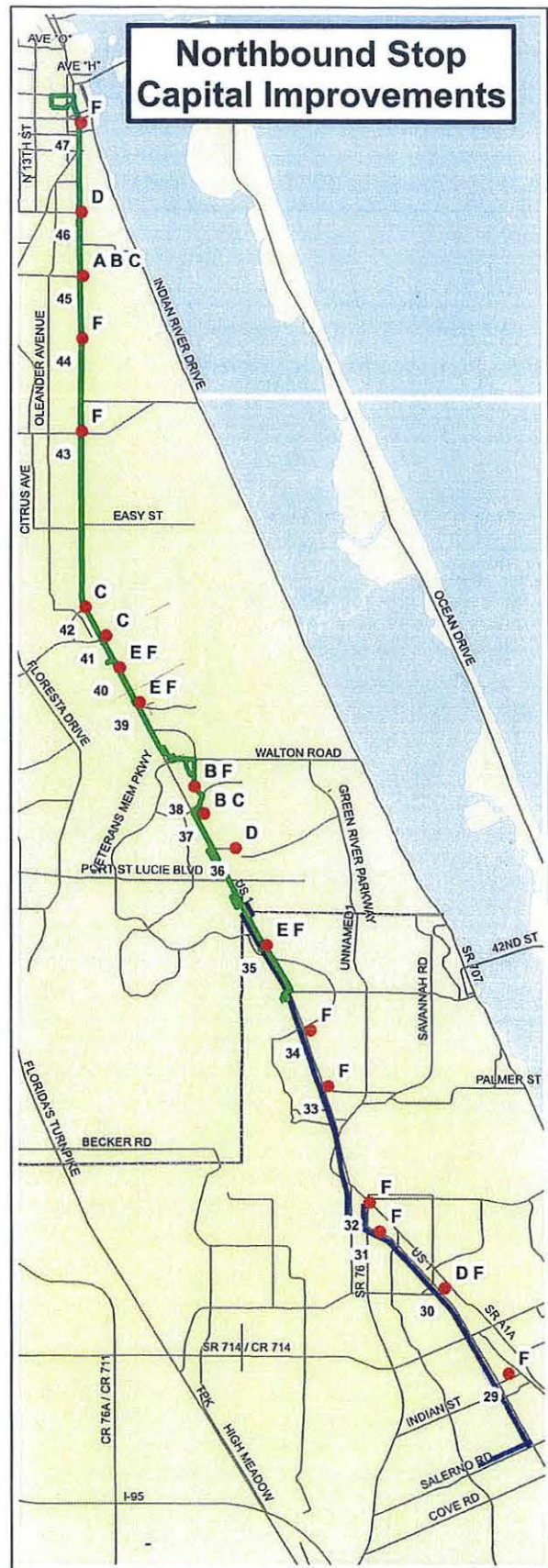
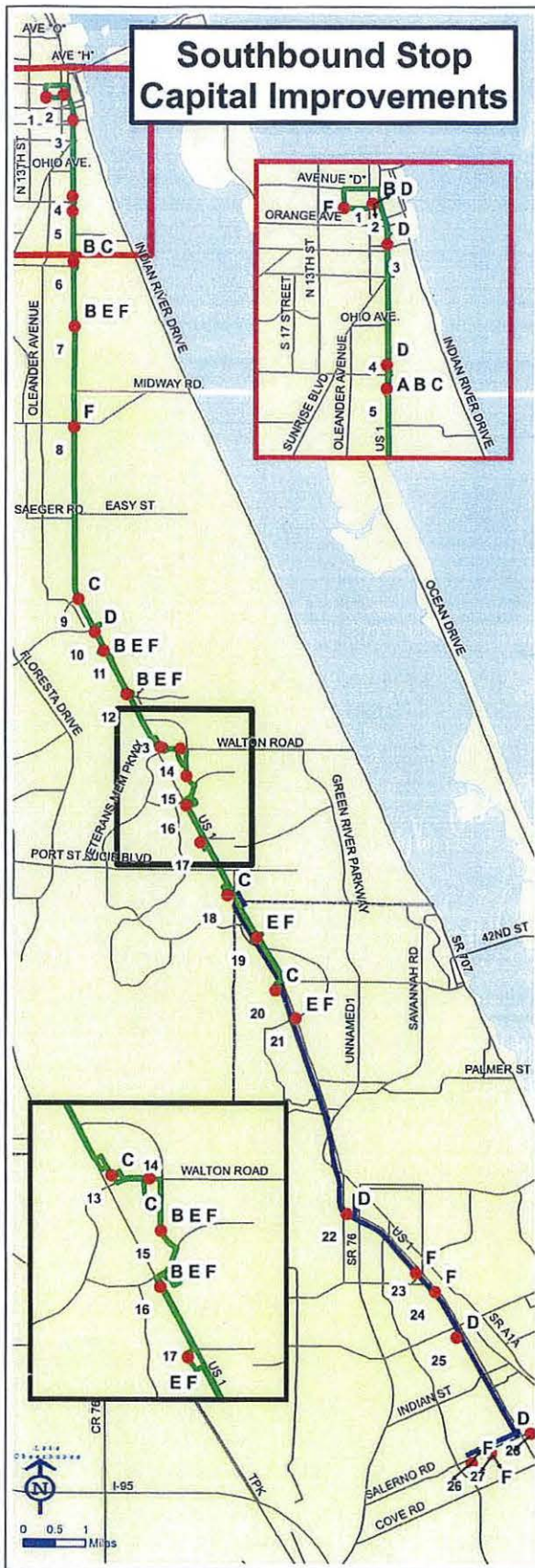
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Todd Mowery, Chairman

APPROVED AS TO FORM AND CORRECTNESS

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Daniel McIntyre, County Attorney



<p><b>Legend</b></p> <ul style="list-style-type: none"> <li><span style="color: red;">●</span> TCC Stop</li> <li><span style="color: green;">—</span> St. Lucie TCC Route</li> <li><span style="color: blue;">—</span> Martin TCC Route</li> </ul>	<p><b>Improvement Category</b></p> <ul style="list-style-type: none"> <li>A - Bus Bay</li> <li>B - Sidewalk</li> <li>C - Standard Shelter Stop</li> <li>D - Standard Bench Stop</li> <li>E - Boarding &amp; Alighting Area</li> <li>F - Map/Information</li> </ul>	<p style="text-align: center;"><b>Map 2-1</b> <b>TCC Bus Stop</b> <b>Capital Improvement Plan</b></p>
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**EXHIBIT**

"A"

16. SEVERABILITY. Each provision of this Agreement is intended to be severable. If any term or provision hereof is illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.

17. GOVERNING LAW. This Agreement and the rights of the partners shall be governed by and construed or enforced in accordance with the laws of the State of Florida.

IN WITNESS WHEREOF, this Interlocal Agreement has been executed by and on behalf of the Parties as of the \_\_\_\_\_ day of \_\_\_\_\_, 2013.

ATTEST: CITY OF FORT PIERCE

\_\_\_\_\_  
Linda Cox, City Clerk

\_\_\_\_\_  
Linda Hudson, Mayor

APPROVED AS TO FORM AND CORRECTNESS

\_\_\_\_\_  
Robert V. Schwerer, City Attorney

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\_\_\_\_\_  
Linda Hudson, Mayor

APPROVED AS TO FORM AND CORRECTNESS

  
\_\_\_\_\_  
Robert V. Schwerer, City Attorney

**City Commission Regular Meeting**

**Agenda Item # 9. c.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

Approval of a reduction in code enforcement lien in the amount of \$422,270.00 to \$500.00 on property owned by Gayle F. Jones, at 2405 Avenue D, Fort Pierce, FL as recommended by the Special Magistrate.

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**Attachments**

Reduce Code Lien

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**Form Review**

Form Started By: Linda Cox

Started On: 02/12/2014 08:52 AM

Final Approval Date: 02/12/2014



# CITY OF FORT PIERCE, FLORIDA


## City Commission Meeting


Agenda Item # \_\_\_\_\_

Commission Meeting 01/06/2014

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**To** : The Honorable Mayor and Members of the City Commission

**Through** : Robert J. Bradshaw, City Manager 

**From** : Margaret M. Arraiz, Code Compliance Manager 

**Re** : **Request to Reduce/Rescind Code Enforcement Lien**  
**2405 Avenue D, Ft. Pierce, FL**  
**Cases #07-4509**

**Date** : December 12, 2013

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**ISSUE (S):** Request by Gayle F. Jones, 3414 Sloan Road, Ft. Pierce, FL 34947 for reduction of code enforcement lien in the amount of \$422,270.00 to \$500.00.

**SUMMARY:** The Special Magistrate determined there was cause to grant a reduction of lien.

**FISCAL IMPACT:** Will produce revenue of \$500.00 to the General Fund.

**RECOMMENDATION:** Staff recommends approving the reduction from \$422,270.00 to \$500.00.

**ALTERNATIVES:** Deny the request.  
Make alternative recommendations.

**RESPONSIBLE STAFF:** Colleen Greer, Executive Assistant.

**COORDINATED WITH:** Margaret M. Arraiz, Code Compliance Manager.

**ATTACHMENTS:** Breakdown of Lien dated 12/06/2013.  
Letter and Reduction Request with attachments from Gayle F. Jones.  
Property record from SLC Property Appraiser.  
Minutes from 12/04/2013 Special Magistrate hearing.

# MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission  
THROUGH: Robert J. Bradshaw, City Manager  
FROM: Colleen Greer, Executive Assistant to Special Magistrate  
SUBJECT: **LIEN REDUCTION REQUEST – 2405 Avenue D, Ft. Pierce, FL**  
DATE: January 6, 2014

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The following is a breakdown of the above property:

	Code Enforcement Fines	Interest & Penalties	Administrative Fees	Filing Fees
	\$422,250.00	.00	.00	\$20.00
<hr/>				
Totals:	\$422,250.00	.00	.00	\$ 20.00
Amount that can be waived including filing fees				\$ 422,270.00
Amount that cannot be waived				<u>.00</u>
			TOTAL	\$ 422,270.00
Amount requested to be waived				\$ 421,770.00
Amount being offered for settlement				<u>\$ 500.00</u>
			TOTAL	\$ 422,270.00

LETTER OF ACKNOWLEDGEMENT  
& PERMISSION TO SPEAK ON MY  
BEHALF.

THIS LETTER GOES AS FOLLOWS:

I GAYLE F. JONES, GIVES MY BROTHER ANTHONY ALLEN FREEMAN, THE AUTHORITY TO SPEAK TO THE AUTHORITIES CONCERNING THIS MATTER. I AM UNABLE TO MAKE IT <sup>TO</sup> SPEAK FOR MYSELF AT THIS TIME. THANKS YOU FOR YOUR TIME AND UNDERSTANDING!

Gayle Jones  
GAYLE F. JONES

Ph. (772) 882-1023

DATE: 12-04-13



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

### REQUEST FOR A REDUCTION OR RESCINDMENT OF CODE ENFORCEMENT FINES / LIENS

Date:	11-18-13		
Property address:	2405 AVE D. Fort pierce, FLA 34950		
Owner(s) of record:	Gayle F. Jones.		
Mailing address:	3414 Sloan Rd. fort pierce, FLA 34947		
Property tax ID #:	2409-603-0004-000/0		
Original purchase date:	11-13-00	Original purchase price:	6000.00.
Other Information:	<input type="checkbox"/> Inherited Property	<input type="checkbox"/> Purchased at Tax Sale	<input type="checkbox"/> Adjoining Property Owner
Property is used for:	<input checked="" type="checkbox"/> Single Family	<input type="checkbox"/> Multi-family	<input type="checkbox"/> Commercial <input type="checkbox"/> Industrial <input type="checkbox"/> Vacant Lot
Name of person requesting reduction:	Gayle F. Jones.	Relationship to owner(s):	SELF.
Telephone #:	(772) 882-1023.	Mobile phone #:	(772) 882-1023
E-mail:	sloanboy@yahoo.com	Preferred contact method:	CELL PHONE.
What are owner(s) intentions for property:	Rental.		
Amount of Fine:	421,500.00	Date Fine Initiated:	
Are there current code violations?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	Explain: (please attached notice) <input checked="" type="checkbox"/>	
Is a lien filed against the property?	<input type="checkbox"/> No <input checked="" type="checkbox"/> Yes	If yes, what is the lien amount?	421,500.00
Is property listed for sale?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	If yes, what is listing price?	0
Is property under contract for sale?	<input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	If yes, what is the sale price?	0

AMOUNT OF FINE / LIEN

\$ 421,500.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED

\$ 421,500.00

DOLLAR AMOUNT I AGREE TO PAY

\$ ~~421,500.00~~ 500.00

If the city waives any fees, interest, penalties, fine or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Board, Magistrate or Commission's decision unless an alternate time frame is specified in the motion.

Gayle Jones  
(Signature of Owner or Representative)

Gayle Jones  
(Printed Name)



**CITY OF FORT PIERCE**  
DIVISIONS OF CODE ENFORCEMENT  
& ANIMAL CONTROL  
MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

**REQUEST FOR REDUCTION OF PENALTY**

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

**INSTRUCTIONS:**

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 2405 AVE D Fort Pierce, FLA 34950

Property Owner: Gayle F. Jones

Mailing Address: 3424 Sloan Rd. Fort Pierce, FLA. 34947

Telephone #: (772) 882-1023 Cell Phone #: (772) 882-1023

E-Mail Address: Sloanboy@yahoo.com

Is the property in compliance? YES If no, please explain N/A

The fencing has been completely removed as of Monday 11-18-13.



# CITY OF FORT PIERCE

## DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, Gayle F. Jones, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

I am seeking and praying to have the outstanding fee and lien of 2405 Ave D. to be brought to a balance of \$500.00. My specific hopes and reasoning are based on the facts into which I bring come to learn and acknowledge. I cannot afford any amount of this \$421,500.00. Lien. I was also told that this problem started back in 2007. And I was contacted by a code enforcement officer - "Delphine" (Fence repair). This was corrected and satisfied by code enforcement to my understanding. And never heard anything further about it. Delphine no longer works for the city. When call from the 11-18-13, I had no idea about this problem.

I have since that time contacted Lynn the fence out company. Also don't have extra money to pay this lien because also seeking grant money to help me renovate property up to code. I am very very sorry, feel daily prohib

Date: 11/18/13 Signed: Gayle Jones CAUSE

STATE OF FLORIDA Anthony Freeman  
COUNTY OF ST. LUCIE Authority A. Freeman Gayle Jones

PERSONALLY APPEARED before me, the undersigned authority Anthony Freeman who acknowledged before me that the information contained herein is true and correct. He/She is not personally known to me and has produced FL DR LIC F655-001-65-246-0 as identification.

SWORN TO AND SUBSCRIBED before me this 21st day of November, 2013.



Colleen Greer  
Notary Public, State of Florida

**PROPERTY RECORD CARD**

Gayle F Jones Record: 1 of 1

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

**Property Identification**

Site Address: 2405 Avenue D  
 Sec/Town/Range: 09 :35S :40E  
 Map ID: 24/09N  
 Zoning: C3

ParcelID: 2409-603-0004-000-0  
 Account #: 21924  
 Use Type: SF Res  
 City/Cnty: Fort Pierce



**Ownership and Mailing**

Owner: Gayle F Jones  
 Address: 3414 Sloan Rd  
 Fort Pierce FL 34947

**Legal Description**

REVISED PLAT OF ALAMANDA VISTA BLK B LOT 4 (OR 1346-1668)

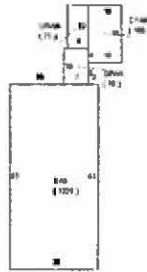
**Sales Information**

Date	Price	Code	Deed
11/13/2000	6000	01	QC
9/29/1998	10000	01	QC
3/4/1998	11000	01	WD
12/1/1984	0	01	CV
10/1/1984	0	01	CV

Book/Page	Assessment 2013
1346 / 1668	2013 Final: 25800
1175 / 1929	Assessed: 25800
1131 / 2024	Ag.Credit: 0
0450 / 1237	Exempt:
0447 / 1639	Taxable: 659.43

Total Land and Building	
Land Value:	1400 Acres: 0.1
Building Value:	24400
Finished Area:	1326 SqFt

**BUILDING INFORMATION**



**Exterior Features**

View:	-	RoofCover:	SD - Dim Shingle	RoofStruct:	HP - Hip
ExtType:	HD- - HD-	YearBlt:	1960	Frame:	-
Grade:	D- - D-	EffYrBlt:	1965	PrimeWall:	BS - CB Stucco
StoryHght:	0010 - 1 Story	No.Units:	1	SecWall:	-

**Interior Features**

BedRooms:	2	Electric:	AV - AVERAGE	PrmIntWall:	PN - PN
FullBath:	1	HeatType:	-	AvgHt/Ft:	-
1/2Bath:	0	HeatFuel:	-	Prm.Flors:	DP - Double Pine
%A/C:	0	%Heated:	0	%Sprinkled:	0

**Special Features and Yard Items**

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No.	Use Type	Type	Measure	Depth
FEN4 - CHAINLINK 4'	Y	1	260	AV	AV	1990	1	0100-SF Res	215 -Front Ft	45	100

**Land Information**

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

LIEN REDUCTION REQUESTItem #2      **2405 AVENUE D**

Case #      07-4509

Officer:     Shaun Coss

Section(s):    5-368 (6), 22-67 (b) (4) Fence Maintenance

Owner:        Gayle F. Jones  
3414 Sloan Road  
Ft. Pierce, FL 34947

Shaun Coss:            This is Case No. 07-4509. The property is located at 2405 Avenue D. The property is owned by Gayle F. Jones, 3414 Sloan Road, Ft. Pierce, FL 34947. The code sections that were in violation were 5-368 (6), 22-67 (b) (4) for fence maintenance. The case was initiated on November 8, 2007 and came before the Special Magistrate on September 25, 2008. The Special Magistrate signed an Order Approving Stipulation and Determining Violation providing 90 days to comply or a fine of \$250.00 per day. An inspection was made on April 7, 2009. The property was not in compliance and the fine began. A lien was recorded on May 8, 2009. Following up on a request from the violator an inspection was made on November 18, 2013. The officer found the property to be in compliance and the fine was stopped. The amount of the lien is \$422,270.00 which includes recording fees of \$20.00. We received a Request for a Reduction or Rescindment on November 21, 2013. I've had a chance this morning to speak with Anthony Freeman who is the brother of the owner. He is authorized to speak on behalf of Gayle Jones. We've spoken, they've made an offer of \$500.00 which Staff is agreeable to and it's to be paid within 6 months.

Frank Blandino:      Mr. Freeman if you wish to offer any testimony you just have to get sworn in.

**Anthony Freeman was sworn in for testimony.**

Anthony Freeman:    We found out about this lien last month. My sister wanted me to speak on her behalf because I believe he said in 09 or 08 she was contacted by a City Code Officer by the name of Delphine. I believe she doesn't work there anymore. When she was contacted, she corrected the violations. She called Delphine who came out and said everything was good. This property is in an area where people run over your property so after what she did they may have screwed it up by jumping the fences and breaking them again. It was a fence violation, but she was never contacted again. The only reason she found out this lien existed is because she's thinking about renovating the property and possibly try to apply for a city grant so she can get the renovations done. She has maintained the taxes and insurance on this property for many years. She has a mortgage that she pays every month. She's kept up the lawn maintenance. From 2005 to date she's paid out close to \$7,000 just in the mortgage, insurance, taxes and everything else that's current on the property. As for that lien she wasn't aware there were any violations going on because she does pay her mortgage and the bills. There's also, I think a meter situation because the property has been vacant all this time. She pays \$120.00 a month for that. So she's been paying and if she had known about this violation she would have tackled the problem sooner. When I came down to find out why she didn't know the lien existed or why no one had sent her any letters or contacted her we found out they had an address that she no longer lived and hadn't been there for at least 15 years. Her current address is 3414 Sloan Road and she is appalled and had no idea of the violation. When she became aware of it she corrected the violation at that time and because the property was vacant the people in the area along Avenue D just over time ...

Frank Blandino:      I think there's a little bit of confusion here and based on what I'm reading in the record just for clarification maybe she thought she corrected it but as far as the inspection in 2009 states, it wasn't in compliance and that is when the fines began. Be that as it may, we need to go forward and that's to try and short circuit things to help you out. What happened was because it was on the books for so long any fine eventually gets recorded and becomes a lien. The previous case didn't get to the lien stage because it hadn't been that long after the violation was issued that it came into compliance. Here we're dealing with a lien and just looking at the amount we know it's a ridiculous number \$422,000. No one would intentionally let it ride for 6 years. That number is for prime property; you know ocean front property. Be that as it may, actually with the negotiations you made with Staff, it makes my job much easier. \$422,000 and something; you have to be practical about. Those numbers are not practical number, absolutely not. You or your sister requested the proper paperwork for a reduction bringing it down to \$500.00 and Staff has agreed to that. But before I can agree to that reduction I need to do a little house cleaning and go through the 7 criteria set forth in Rule 17. I'll go ahead and do that now. It still has to go in front of the City Commission where they'll determine whether or not they're going to agree to this reduction. What controls this is Rule 17. I'm just going to go through those

7 criteria real quick and then give you my determination. Number 1, the gravity or seriousness of the violation; it was minor. I believe it was a fence maintenance issue. Number 2, the length of time necessary to bring the property into compliance was 6 years and 10 days. But, once they realized the fines were running they tore down the fence. That's why the fine is so high but you're saying it was misunderstanding and it was a vacant property. I'm beyond that. I'm just glad it's in compliance right now. Number 3 the number of prior violations committed by the violator; eight. What does that mean? Every home owner is going to have a violation at one point or another. Eight violations is not really a lot. I don't know what they are as they are not in front of me and it's just there to aid me in making my determination. Number 5 the number of violation notices that the violator has received in the past; six. Again, that's kind of related to Number 4. You have a home. When things aren't perfect you're going to get a notice from the City. Did you take care of it? Probably did. Number 6 whether or what were the extenuating facts preventing timely compliance such as unavoidable hardship? It's not applicable here or none was presented, but you gave me good justification as to why it wasn't done. In this situation the property was vacant; the area of where it's located was susceptible to possible vandalism on the property. I'm aware of that and number 7 does not apply here. **Looking at these 7 criteria I am going to agree to the reduction of the lien from \$422,270.00 down to \$500.00 with the stipulation that the party pay it within 6 months. That's the recommendation I will make to the City Commission. Then it's up to them whether they will agree with it or not.**

Shaun Coss: It should be on the January 6 agenda. And Special Magistrate Blandino, if the violator doesn't pay within the 6 months what happens with the lien?

Frank Blandino: Okay this is the standard procedure that the City follows. If it is not paid within the 6 months it will revert back, regardless of what the Commission does, to the original amount. So be mindful of that. It needs to be paid within the 6 months because that's what has been agreed to. I don't want it to revert back. I guess you can attend the January 6 Commission meeting and they may not even ask you to come forward. It will just be on their consent agenda and they just go through and take a roll call on it and they move on.

Anthony Freeman: Yes sir. Is that in the morning or the evening?

Shaun Coss: 6:00 PM.

Frank Blandino: So you're free to go Mr. Freeman.

Anthony Freeman: Thank you gentlemen and thank you Colleen.

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MASSEY HEARING

Item # 3      115 S 20<sup>TH</sup> STREET      Case No.      12-0616  
Officer:      Shaun Coss

Section(s):    5-369 Vacant Building, 5-368 (6) Fence Maintenance, 16-46, 16-47, 16-48 (1) (5) Outside Storage, 5-370 exterior Property & Landscaping.

Owner(s):    Marva Hayling  
3006 Avenue L Apt. B  
Ft. Pierce, FL 34950

Shaun Coss: This is Case No. 12-0616. The property violation location is 115 S 20<sup>th</sup> Street. The property is owned by Marva Hayling, 3006 Avenue L, Apt. B, Ft. Pierce, FL 34950. The code sections that were in violation were 5-369, 5-368 (6), 16-46, 47, 48 (1) (5) and 5-370. The case was initiated on April 10, 2012 and came before the Special Magistrate on December 5, 2012. The Special Magistrate provided the property owners 10 days to comply or a fine of \$150.00 per day. An inspection was made on March 4, 2013 and the property was not in compliance; the fine began. On June 24, 2013 the secretary learned of a new address and mailed a notice to Marva Hayling. On June 26 a letter was mailed to Marva Hayling acknowledging her new address and enclosing a copy of order with a Massey letter referring to the amount of fines accruing on the property. Shortly after we received a phone call from Marva Hayling stating she had no knowledge of the violations or fines. The amount of the fines is \$39,030.00 which includes \$30.00 in recording fees. The Massey hearing was held on August 7, 2013 and Special Magistrate Ross continued the case for 30 days to allow Ms. Hayling to comply the violations. Another hearing was held on September 4, 2013 and Special Magistrate Blandino continued the case an additional 30 days. After receiving a phone call from Ms.

**City Commission Regular Meeting**

**Agenda Item # 9. d.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

Approval of a request for application fee waiver for a zoning atlas amendment from I-1 to I-3 for property located at 4100 Glades Road and owned by Diamond R Fertilizer Co.

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**Attachments**

Diamond R

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**Form Review**

Form Started By: Linda Cox

Started On: 02/12/2014 08:53 AM

Final Approval Date: 02/12/2014





# CITY OF FORT PIERCE, FLORIDA

## City Commission Meeting

Agenda Item # \_\_\_\_\_  
Commission Meeting January 6, 2014

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**To:** The Honorable Mayor and Members of the City Commission  
**Through:** Robert J. Bradshaw, City Manager   
**From:** Rebecca Grohall, Planning Manager   
**Re:** **Request for Application Fee Waiver**  
**Date:** December 26, 2013

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**ISSUE(S):** Request for an application fee waiver for a zoning atlas amendment for property located at 4100 Glades Road, Parcel # 2430-441-0005-000-7.

- SUMMARY:**
- The property was annexed on December 21<sup>st</sup>, 2004 via Ordinance K-308.
  - Prior to Annexation, this property was zoned in the County as IH, Heavy Industrial
  - At the time of Annexation, the City's Code did not have a heavy industrial zoning classification and so applied an I-1, Light Industrial zoning classification.
  - Since Annexation in 2004, the City has adopted an I-3 category (Ordinance L-63, December 1, 2008).
  - The Applicant, Diamond R Fertilizer Co., Inc, is requesting to be properly reclassified as I-3, Heavy Industrial. The application for that is being processed and will be reviewed by the Technical Review Committee, the Planning Board and the City Commission at a future meeting.
  - The fee, established by Resolution 13-12, is \$3,613. The Applicant has agreed to reimburse the City for the expenses related to legal notices.
  - In 2012, a similar action was undertaken for a property on Selvitz Road to waive the fee to be reclassified from Light Industrial to Heavy Industrial.
  - Staff supports the request to waive the fee as its been done for a similar case, and it promotes a business friendly atmosphere.

**FISCAL IMPACT:** N/A

**RECOMMENDATION:** Waive the Zoning Atlas Amendment Fee, estimated to be \$3,613.

**ALTERNATIVE:** Do not waive the Zoning Atlas Amendment Fee.

**ATTACHMENTS:** Letter from Diamond R Fertilizer requesting waiver, December 26, 2013.  
Property Card



*Diamond R Fertilizer Co., Inc.*  
*www.diamond-r.com*

December 26<sup>th</sup>, 2013

Rebecca Grohall, AICP  
Planning Manager, City of Ft. Pierce  
100 N. U.S. 1  
Ft. Pierce, FL 34954

Re: Rezoning of Property – Diamond R Fertilizer Co., Inc.  
Parcel ID #2430-441-0005-0007-7

Dear Ms. Grohall:

In 2004 the property parcel reflected above was annexed via the FPUA utility agreement. At the time our zoning in the County was I-3 - Heavy Industrial and the Land Use was Industrial. Upon annexation, the city designated the property with and I-1 light industrial. Please accept this letter as written request that the City Commission consider waiving the fee for rezoning our property to I-3 provided we pay the cost of the legal ads the City is required to place. I hope you will give this request consideration given the circumstances by which our property was rezoned.

If you should have any questions or concerns, please do not hesitate to contact me.

Sincerely,

  
Tracy Kay  
Vice President

501 Hennis Road  
Winter Garden, FL 34787  
Phone 407-656-3007

710 N.E. Fifth Ave.  
Okeechobee, FL 34972  
Phone 863-763-2158

321 State Road 207  
East Palatka, FL 32131  
Phone 386-325-7992

4100 Glades Road  
Fort Pierce, FL 34981  
Phone 772-464-7237

18375 SW 260th Street  
Homestead, FL 33031  
Phone 305-247-8800

1155 Commerce Drive  
LaBelle, FL 33935  
Phone 863-675-3700

3507 State Road 574  
Plant City, FL 33563  
Phone 813-752-8342

**PROPERTY RECORD CARD**

Diamond R Fertilizer Co Inc Record: 1 of 5 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address: 4100 Glades Rd ParcelID: 2430-441-0005-000-7  
 Sec/Town/Range: 30 :35S :40E Account #: 32835  
 Map ID: 24/30S Use Type: MNRAL  
 Zoning: II City/Cnty: Fort Pierce



Ownership and Mailing

Owner: Diamond R Fertilizer Co Inc  
 Address: 4100 Glades Cut Off Rd  
 Fort Pierce FL 34981-4711

Legal Description

30/31 35 40 THAT PART OF SE 1/4 OF SE 1/4 OF SEC 30 AND THAT PART OF NE 1/4 OF NE 1/4 OF SEC 31 LYG  
More...

Sales Information

Date	Price	Code	Deed
7/19/2004	100	01	WD
9/1/1974	300000	00	CV

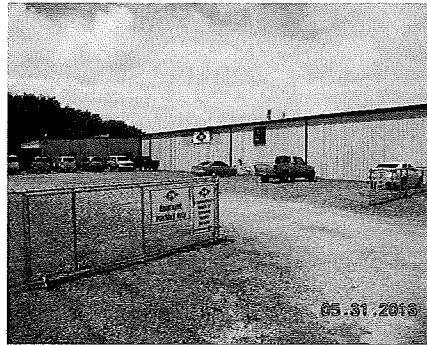
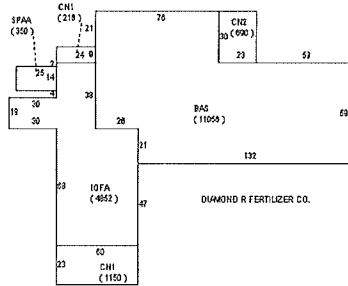
Assessment 2013

2013 Final:	3204200
Assessed:	3204200
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	81897.1

Total Land and Building

Land Value:	2247600	Acres: 37.46
Building Value:	956600	
Finished Area:	48789	SqFt

BUILDING INFORMATION



Exterior Features

View:	-	RoofCover:	SM - Sheet Metal	RoofStruct:	ST - Steel Truss
ExtType:	INDM - INDUS-MANUF	YearBlt:	1975	Frame:	-
Grade:	Y_D+ - Commer D+	EffYrBlt:	1975	PrimeWall:	CM - Corr Metal
StoryHght:	0010 - 1 Story	No.Units:	1	SecWall:	-

Interior Features

BedRooms:	0	Electric:	MX - MAXIMUM	PrmIntWall:	DW - Drywall
FullBath:	0	HeatType:	FHA - FrcdHotAir	AvgHt/FI:	
1/2Bath:	0	HeatFuel:	ELEC - Electric	Prm.Flors:	CU - Carpet
%A/C:	100	%Heated:	100	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No.	Use Type	Type	Measure	Depth
CNC2 - CONCRETE LOW	Y	1	5000	AV	AV	1977	1	4700-MNRAL	580 -Acres	37.46	
FEN7 - CHAINLINK 7'	Y	1	1970	AV	AV	1977					
BARB - BARB WIRE	Y	1	1970	AV	AV	1977					
ASPI - ASPI HIGH	Y	1	17830	AV	AV	1977					
LLDK - LOADING DOCK	Y	1	3083	AV	AV	1975					
FEN4 - CHAINLINK 4'	Y	1	292	AV	AV	2011					

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

**City Commission Regular Meeting**

**Agenda Item # 10. a.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

ORDINANCE NO. 14-001, an Ordinance by the City Commission of the City of Fort Pierce, Florida, abandoning a portion of an existing 20 foot alleyway, lying adjacent and easterly of Lot 15 and the north 10 feet of Lot 16, Block 8, Pinewood Subdivision within the City of Fort Pierce, Florida; Providing for the reservation of a Utility Easement for all utility purposes unto the City of Fort Pierce, Florida; Repealing all Ordinances or parts of Ordinances in conflict herewith; and providing for an effective date. (FIRST READING)

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**Attachments**

Ord. 14-001

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**Form Review**

Form Started By: Linda Cox  
Final Approval Date: 02/12/2014

Started On: 02/12/2014 08:54 AM



# CITY OF FORT PIERCE, FLORIDA

## City Commission Meeting

Agenda Item # \_\_\_\_\_

Commission Meeting January 6, 2014

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**To:** The Honorable Mayor and Members of the City Commission

**Through:** Robert J. Bradshaw, City Manager

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

**Re:** **Application for Alleyway Abandonment**  
**American Legion Post 40**  
**810 South US Highway 1**

**Date:** December 19, 2013

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**ISSUE(S):** Request for the abandonment of seventy feet (70') of an existing twenty foot (20') wide alleyway.

**SUMMARY:**

- On November 21, 1966, the City Commission abandoned the northern one hundred eighty feet (180') of the subject alleyway via Ordinance E-388.
- The applicants are requesting that an additional seventy feet (70') of the subject alleyway be abandoned.
- The applicants are requesting that the alleyway be abandoned at no additional cost (than what has already been incurred by the applicants).

**FISCAL IMPACT:** The applicants are requesting that the alleyway be abandoned at no additional cost.

**RECOMMENDATION:** Approve the abandonment request.

**ALTERNATIVES:** Deny the abandonment request.

**RESPONSIBLE STAFF:** Ryan Sweeney, MSP, Senior Planner

**ATTACHMENTS:** Ordinance 14-001, Staff Report, August 14, 2012 Planning Board Minutes, Location/Aerial Map, Zoning Map, Property Record Cards, Application, Appraisal of Area to be Abandoned, Boundary Survey.

**ORDINANCE NO. 14-001**

**AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, ABANDONING A PORTION OF AN EXISTING 20 FOOT ALLEYWAY, LYING ADJACENT AND EASTERLY OF LOT 15 AND THE NORTH 10 FEET OF LOT 16, BLOCK 8, PINWOOD SUBDIVISION WITHIN THE CITY OF FORT PIERCE, FLORIDA; PROVIDING FOR THE RESERVATION OF A UTILITY EASEMENT FOR ALL UTILITY PURPOSES UNTO THE CITY OF FORT PIERCE, FLORIDA; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Fort Pierce has a certain alleyway or thoroughfare as hereinafter described, which is not needed for alleyway or thoroughfare purposes but which is needed for the location and maintenance of any and all utilities by the City of Fort Pierce, both now existing and which may be installed in the future.

**BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA;**

**SECTION 1.** That portion of an existing 20 foot alleyway, lying adjacent and easterly of Lot 15 and the north 10 feet of Lot 16, Block 8, Pinewood Subdivision within the City of Fort Pierce, Florida (more particularly described as follows), be and is hereby vacated and abandoned and there is hereby saved and reserved unto the City of Fort Pierce, Florida, for the use and benefit of the Fort Pierce Utility Authority an easement for all utility purposes over the entire tract and lands identified herein:

**THE PORTION OF AN EXISTING 20 FOOT ALLEYWAY, LYING ADJACENT AND EASTERLY OF LOT 15 AND THE NORTH 10 FEET OF LOT 16, BLOCK 8, PLAT OF PINWOOD, AS RECORDED IN PLAT BOOK 5, PAGE 24 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.**


As depicted on Exhibit "A", attached hereto and incorporated herein.

**SECTION 2.** The City shall deed an easement over the entire area to be abandoned for the benefit of the Fort Pierce Utilities Authority (FPUA) prior to any abandonment of this alleyway.

**SECTION 3.** All ordinances or parts of ordinances in conflict herewith are hereby repealed.

**SECTION 4.** This ordinance shall be and become effective upon all conditions precedent being met and the granting of utility easements for the benefit of the FPUA.

**APPROVED AS TO FORM & CORRECTNESS:**

  
\_\_\_\_\_  
Robert V. Schwerer, Esq.  
City Attorney

STATE OF FLORIDA  
COUNTY OF ST. LUCIE

**WE, THE UNDERSIGNED**, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 14-001 was duly advertised by title only in the St. Lucie News Tribune on December 26, 2013; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on January 6, 2014; and was duly introduced, read by title only, and passed on second and final reading on January 21, 2014, by the City Commission of the City of Fort Pierce, Florida.

**IN WITNESS HEREWITH**, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 21<sup>st</sup> day of January 2014.

\_\_\_\_\_  
Linda Hudson,  
Mayor Commissioner

**ATTEST:**

\_\_\_\_\_  
Linda W. Cox,  
City Clerk

**(City Seal)**

# LEGAL DESCRIPTION

**EXHIBIT A**

## LEGAL DESCRIPTION:

BEING A PORTION OF AN EXISTING 20 FEET ALLEY WAY, LYING ADJACENT AND EASTERLY OF LOT 15 AND THE NORTH 10 FEET OF LOT 16, BLOCK 8, PLAT OF PINWOOD, AS RECORDED IN PLAT BOOK 5, PAGE 24 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

## NOTES:

1. THIS SKETCH OF LEGAL DESCRIPTION DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARING BASE OF THIS SKETCH OF LEGAL DESCRIPTION IS S.88°54'25"E. THE SOUTH RIGHT OF WAY LINE OF GEORGIA AVENUE.
3. THE INFORMATION WAS PROVIDED BY CLIENT.
4. 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.

## SURVEYORS CERTIFICATION:

SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.



ROBERT BLOOMSTER JR.  
PROFESSIONAL LAND SURVEYOR  
NO. 4134 STATE OF FLORIDA

**BLOOMSTER**  
PROFESSIONAL LAND  
SURVEYORS, INC.

FLORIDA L.B. # 6018

641 NORTHEAST SPENCER STREET  
JENSEN BEACH, FLORIDA 34957  
PHONE 772-334-0868

SHEET 1 OF 2

SCALE: 1" = 50'

DATE: 4/25/11

F.B. SKETCH

JOB NO. 1141B

REVISIONS

## SKETCH TO ACCOMPANY LEGAL DESCRIPTION

PREPARED FOR: AMERICAN LEGION POST 40

SITE LOCATED:

CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA

# SKETCH OF DESCRIPTION

## GEORGIA AVENUE

S88°52'07"E (BEARING BASE)

FOUND 3/4" IRON PIPE  
NE CORNER OF NE1/4  
OF SECTION 15-35-40

CENTERLINE OF RIGHT OF WAY & NORTH LINE OF SECTION 15-35-40

S88°54'25"E 211.03'

SOUTH RIGHT OF WAY LINE & NORTH LINE OF BLOCK 8

R=20.00'  
L=14.33'  
D=41°03'00"

R=20.00'  
L=30.98'  
D=88°44'42"

LOT 12

LOT 11

BLOCK 8

LOT 13

LOT 10

N00°34'58"E 246.20'  
EAST RIGHT OF WAY LINE

WEST RIGHT OF WAY LINE  
& EAST LINE OF BLOCK 8  
N00°09'43"W 160.98'

LOT 14

LOT 9

20' PLATTED ALLEY  
(VACATED PER ORDINANCE NO. E-388  
LYING SOUTH OF GEORGIA AVE.  
TO THE SOUTH LINE OF LOT 9 & 14, BLOCK 8  
RESERVING A UTILITY EASEMENT OVER SAME

N88°57'51"W 136.47'

25.00'

25.00'

LOT 15

20' ALLEY  
ABANDONMENT

LOT 8

70.29'  
N00°16'53"E

N89°00'13"W 110.01'

LOT 16

LOT 7

SOUTH 20' OF NORTH 1/2 OF LOT 16  
TO CITY OF FORT PIERCE  
PER O.R.B. 178, PG 2413  
DATED: 7-17-69

LOT 17

LOT 6

EAST LINE OF THE NE1/4 OF SECTION 15-35-40  
SOUTH 3rd STREET  
CENTERLINE OF RIGHT OF WAY

U.S. HIGHWAY NO. 1  
(SOUTH 4th STREET - - S.R. NO. 5)

CENTERLINE OF RIGHT OF WAY

SHEET 2 OF 2 (SCALE: 1"=50')  
NOT VALID WITHOUT SHEET 1 OF 2

**BLOOMSTER**  
PROFESSIONAL LAND  
SURVEYORS, INC.  
FLORIDA L.B. # 6018

641 NORTHEAST SPENCER STREET  
JENSEN BEACH, FLORIDA 34957  
PHONE 772-334-0868

LEGEND:  
O.R.B. = OFFICIAL RECORDS BOOK  
PG = PAGE  
R = RADIUS  
L = LENGTH  
D = DELTA



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

**TO:** Robert J. Bradshaw, City Manager  
**THROUGH:** Rebecca Grohall, AICP, Planning Manager   
**FROM:** Ryan Sweeney, MSP, Senior Planner   
**SUBJECT:** American Legion Post 40 – Alleyway Abandonment  
**DATE:** December 19, 2013

### STAFF REPORT

**Owners / Applicants:** American Legion Post 40  
Thomas James  
810 South US Highway 1  
Fort Pierce, Florida 34950

Mosaics of America, Inc.  
Andrew Hochstetter  
901 South 3<sup>rd</sup> Street  
Fort Pierce, Florida 34950

**Requested Action:** Approval of an application for Alleyway Abandonment

**Location:** 810 South US Highway 1 / 901 South 3<sup>rd</sup> Street

**Parcel ID:** 2415-601-0080-000/9; 2415-601-0072-000/0

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

**Future Land Use:** GC, General Commerical

**Surrounding Zoning:**

North	East	South	West
C-3	C-3	C-3	OS-1

### **Background:**

The subject alleyway was originally platted on June 8, 1925 as part of the Pinewood Subdivision. The original alleyway was twenty feet (20') wide and ran from Hayes Road (formerly Hibiscus Road) north to Georgia Avenue. On November 21, 1966, the City of Fort Pierce City Commission abandoned the northern one hundred eighty feet (180') of the alleyway, to the benefit of the American Legion Post 40, via Ordinance E-388. Ordinance E-388 also reserved a utility easement, to the benefit of the City of Fort Pierce, over the abandoned area and required the American Legion to dedicate a twenty foot (20') wide easement over the southern 20 feet of their property for all lawful purposes including purposes of ingress and egress. On July 17, 1969, the American Legion deeded the southern twenty feet (20') of their property to the City of Fort Pierce; in place of the requested easement.

### **Staff Analysis:**

The applicants are requesting the abandonment of a portion (70.29 linear feet) of the same platted twenty foot (20') alleyway located between the two (2) subject properties. In keeping with City policy, the resulting property will be split evenly among the two adjoining applicants.

The Fort Piece Utilities Authority (FPUA) has provided a conditional approval of the proposed abandonment provided that a utility and ingress/egress easement is reserved over the same area. There are existing utilities located within the platted alleyway. The City of Fort Pierce will deed an easement, over the area to be abandoned, to the benefit of the Fort Pierce Utilities Authority prior to the abandonment taking affect.

It should be noted that the American Legion's structure currently encroaches approximately nine feet (9') into the platted alleyway. As such, the applicants have stated that the main reason for pursuing the proposed abandonment is in order to acquire the property upon which the existing structure currently lies. Additionally, the applicants have been informed that the structure will still be located within a recorded utility easement.

As part of the supporting materials, the applicants submitted an appraisal of the area to be abandoned. The appraisal provided a valuation, as of April 1, 2013, of \$1,500.00. The applicants have expended approximately \$1,750.00 on various supporting documents and are therefore requesting that the property be abandoned at no additional cost.

All affected Departments have reviewed and approved the proposed alleyway abandonment.

### **Planning Board Recommendation:**

At their August 14, 2012 meeting, the Planning Board voted unanimously to recommend **approval** with the following conditions:

- 1.) The property shall be divided evenly between the two adjoining property owners.
- 2.) The Fort Pierce Utilities Authority (FPUA) shall retain an easement over the area to be abandoned.

**Staff Comments:**

Staff recommends **approval** of the proposed abandonment with the following conditions:

- 1.) The property shall be divided evenly between the two adjoining property owners.
- 2.) The City of Fort Pierce shall deed as easement over the entire area to be abandoned for the benefit of the Fort Pierce Utilities Authority prior to the abandonment taking affect.

Chairman Weaver: Very good. Are there any further questions of the applicant? (none) Thank you very much Mr. Cleveland. Any discussion? (none) Closing the public meeting. Returning to the board for a discussion or a motion.

**Ms. Castro made a motion to approve with staff recommendations.**

**Mr. Burdge seconds.**

Chairman Weaver: Ok for discussion I just wanted to say Mr. Walker you and I had a chance to discuss earlier today, I have a financial interest in an adjacent property and we talked it through and confirmed that I don't have a conflict on this matter.

Mr. Walker: Yes Mr. Chair that is correct.

Chairman Weaver: Thank you very much. Is there any further discussion?

Mr. Chase: Is the motion to move the band shell construction up in the phase or are we motioning with the phasing as indicated in the site plan.

Chairman Weaver: Correct me if I am wrong but the motion is to accept the application as it has presented with staff's conditions as written. Is that correct?

Ms. Castro: That is correct.

Mr. Chase: Ok thank you.

Chairman Weaver: Any further discussion? Staff call the roll please.

**A voice vote was taken.**

**The motion passed unanimously.**

Chairman Weaver: Just for clarity Mr. Poitier was concerned there may have been an amendment to the motion and just for the record there was no amendment there was a request for a discussion that we fleshed out that the original motion stood as presented.

Mr. Poitier: Right the reason why I asked was because it was already seconded and it was not changed.

Chairman Weaver: It was not changed Mr. Chase as a couple of questions about the motion as it was presented, it was confirmed how it was presented and Mr. Chase ended his discussion and we went forward with the motion as originally presented. Ok thank you Mr. Cleveland.

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The next item considered - **Item #10 – Alleyway Abandonment – 810 South US HWY 1.**

Chairman Weaver: Agenda item number 10 the alleyway abandonment at 810 South US HWY 1. Staff report please.

Mr. Sweeney: Thank you Mr. Chair and members of the Board. I would like to start with my sincerest apologies for the way this fell on the agenda. The Planning Board has a predetermined way of establishing the agenda.

This application has been a long endeavor and of course it would prove to be a long one tonight as well. The application is for the abandonment of an existing 20 foot platted alley between the American Legion Post 40 / Mosaics of America Inc located between 810 South US HWY 1 and 901 South Third Street. This is the aerial location map (referring to the display) I tried my best to explain in this diagram here but back on 06 December 1966 Ordinance E-388 abandoned the platted alley for most of the property and reserved a utility and ingress easement over same. For whatever reason they failed to abandon the remainder of the alleyway. I have my suspicion that at this point it is bordered between two properties whereas here the American Legion owned all of the abutting parcels so it was not a big deal as far as splitting ownership. Here you will find that the proposed abandonment is actually going to be required as with any abandonment when there are two different property owners that abut it the land will be split, split the difference. So the American Legion will get the western 10 feet of the alley and the Mosaics of America will receive the eastern 10 feet of the alley and a utility easement will be reserved over the entire portion.

Staff is recommending approval of the abandonment with the following condition:

- 1. The applicant shall provide two separate sketch and legal descriptions for what I am calling 'splitting the difference', the eastern and the western 10 feet.***

Right now the sketch and the legal that is provided in your packet simply abandons the entire 20 feet but it does not clearly define or depict how that property is going to be split among the two parties. So I am requiring that they submit revised sketch and legal descriptions depicting as such.

Chairman Weaver: Thank you very much sir. Any questions of staff?

Mr. Burdge: Does that alley continue further south?

Mr. Sweeney: Mr. Chair and Mr. Burdge that alley continues all the way south to whatever the next east/west street is.

Mr. Burdge: That would be the one that would go towards the Police Station.

Mr. Sweeney: The PD yes correct.

Mr. Burdge: And the alleyway if we look on the picture here, yes in the blue area that you have that was at one time, that was abandoned to the American Legion.

Mr. Sweeney: Correct.

Mr. Burdge: Ok and who is asking for this to be abandoned?

Mr. Sweeney: Mr. Chair and Mr. Burdge, the American Legion is the original applicant. When I first sent this out to TRC and the City's Attorney Office they did require that the neighboring property owner join in on the application so the applicant has been revised to include Mosaics of America.

Mr. Burdge: Ok I know in the past that when the City abandoned alleyways, when they were being asked to abandon alleyways, if it is my remembrance we used to ask them to buy it from us.

Mr. Sweeney: Mr. Chair and Mr. Burdge that is a very good point the section on abandonment in the City Code is Section 17-1 and it is literally two lines. It says that "All abandonments shall be done via Ordinance" and the second section says "The applicant shall be required to pay for all costs associated with the abandonment of the alleyway". I have not been provided with an appraisal of this property so I have a tough time believing that it is truly valueless but I don't know a cost that would be associated with this alley. It is certainly something that I think we can recommend as a requirement that they submit so that we can determine the cost that may or not be associated with this.

Mr. Burdge: The aspect of splitting it I think that was always understood. A number of alleyways off of North 10<sup>th</sup>, 11<sup>th</sup> and 12<sup>th</sup> Street(s) were abandoned at some point and I don't remember if the City at that point requested that they pay them or if we just abandoned them and split the property in half. But somewhere I remember that the City, especially when they were being requested asked that some price be paid for them. I know that the City at times have tried to abandon property that the property owners refused to take that was on South 19<sup>th</sup> Street just south of Virginia Ave.

Mr. Sweeney: Mr. Chair and Mr. Burdge that is a good point. The congress of that is when the City tries to purchase right of way, you know we pay a lot.

Mr. Walker: Mr. Chair excuse me.

Chairman Weaver: Yes Mr. Walker.

Mr. Walker: Mr. Chair normally the discussion about whether the City is to put the property out for bid or to divide it between the adjoin property owners is a discussion that takes place at the Commission level. That is a decision to be made by the elected officials, the Board itself traditionally confines its consideration to the planning factors that govern the decision making process for instance; the City has in years in past had a alleyway abandonment study that was done for the specific purpose of reviewing each of the alleyways to see whether there was any public purpose to be served in retaining the property or not. I don't know whether or to what extent that study remains germane or would have any application at all to this specific property, I merely cite that as an example of the sort of planning factors that the Board takes into account in discharging its recommending role in this matter. But the Board does not itself get involved in the financial

niceties of how the property is to be disposed of once that initial decision is made to abandon the property.

Chairman Weaver: Thank you very much Mr. Walker. We will keep our comments to the technical aspects.

Mr. Burdge: I just regress back to the old days Jim you know that. (laughter)

Chairman Weaver: It is worth noting as we end that part of it that if the City required that alley be put there in a plat years ago I would find it awkward if they asked to be paid for it when it was abandoned later on but that is out of our purview. Mr. Poitier you had a question?

Mr. Poitier: I wanted to ask Mr. Sweeny you want us to approve this?

Mr. Sweeney: Mr. Chair and Mr. Poitier the staff is recommending approval that the alleyway be abandoned with the understanding that... the Ordinance unfortunately has not be drafted but the Ordinance will reserve easement over same and that is a requirement of the FPUA. There are existing utilities, gas, water, overhead electric so staff is recommending approval that the abandonment be approved and again the Ordinance will reserve easement over same.

Mr. Poitier: Ok we had one four years ago that the City was fighting over, the same one the attorney was talking about.

Mr. Sweeney: Mr. Poitier and Mr. Chair the planning issues for this particular abandonment application are zero. If there were an access or... it is important to point out that the existing American Legion structure is actually constructed about 9 ½ feet into the alleyway. So the reason that they are requesting this abandonment is to effectively be able to own the property that their building is actually on. Currently a portion, this southeastern corner is in the City's property at the moment. So that is the reason, again there is no access or other planning related function that this particular portion of this particular platted alleyway serves at this time.

Mr. Poitier: Ok.

Chairman Weaver: Ok great thank you Mr. Sweeney. Any further questions of staff? (none) Is there anyone here from the public who would like to speak on this matter please come forward?

Mr. Tom James (representative American Legion): First of all I wish you would have got me up here a whole lot earlier but...

Chairman Weaver: You have to blame staff for that sir. (laughter)

Mr. Tom James (representative American Legion): Actually Ryan has been a lot of help for us and I don't have a problem with him at all. My name is Tom James and I am the Commander of the American Legion Post 40, 4027 US HWY 1 Fort Pierce.

The reason we are trying to do this is so that our property actually does... so we will own the underneath of our property. This has been a nightmare I will tell you we have been two years to get this far. We had to get a new survey and the legal descriptions. The legal description he wants (Mr. Sweeney) I have two of them. One that divides it and stuff like that. I believe I turned one in but I have copies so that is no problem. What we are trying to do is just... like I say we have been two years just trying to get to this point where we actually own the property that our building is on. I appreciate your consideration, thank you very much.

Chairman Weaver: The buy in of the property owner to the east and the split of the land and the split of the cost...

Mr. Sweeney: Mr. Chair that is a good question. We did meet with both the representatives, one from the American Legion as well as the representative from Mosaics of America Inc. they have joined in on the application. They did indicate that they would not be interested in paying anything for purchasing the actual property. So if it turns out again I don't want to get off track but they are involved and they have joined in on the application.

Chairman Weaver: And for the record you have probably spent some money on the surveys and your time.

Mr. Tom James (representative American Legion): We have spent \$850.00 on the survey plus the permit was \$500.00, I believe to get the abandonment started so we have money invested in it and the American Legion has paid for all of that.

Chairman Weaver: That was probably for your benefit to put that on the record and thank you.

Mr. Tom James (representative American Legion): Thank you.

Chairman Weaver: Anyone else from the public who would like to speak on this? Seeing none I will close the public meeting and return to the board.

**Mr. Burdge made a motion for approval with the staff comments and recommendations in dividing the properties and such into two and that the FPUA continues to have its easement.**

**Mr. Poitier seconds.**

Chairman Weaver: We have a motion and a second is there any further discussion? Staff please call the roll.

**A voice vote was taken.**

**The motion passed unanimously.**

Chairman Weaver: Thank you very much for your time and you are one step closer to being abandoned. (laughter)

Mr. Tom James (representative American Legion): Thank you all very much.

Mr. Poitier: You are welcome.

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**Item #11 – LDR Update.**

Chairman Weaver: Item number 11 the LDR update.

Mr. Margotta: Ok did you get a good chance to review what we sent you on the LDR update? That is too tongue and cheek probably for this. About a week or so ago as we were developing this final agenda it became more than apparent to me that it has gone beyond not working out with our consultant, Duncan and Associates. We quantified it because we feel that we are going into a level of negotiation with them. The basic jest of it, what it comes down to is that they have done 38.5% of the work and they have billed us for 100%. They would like for us to pay for the final amount and they have not done any public meetings yet much less given us a final document so this thing has torn apart.

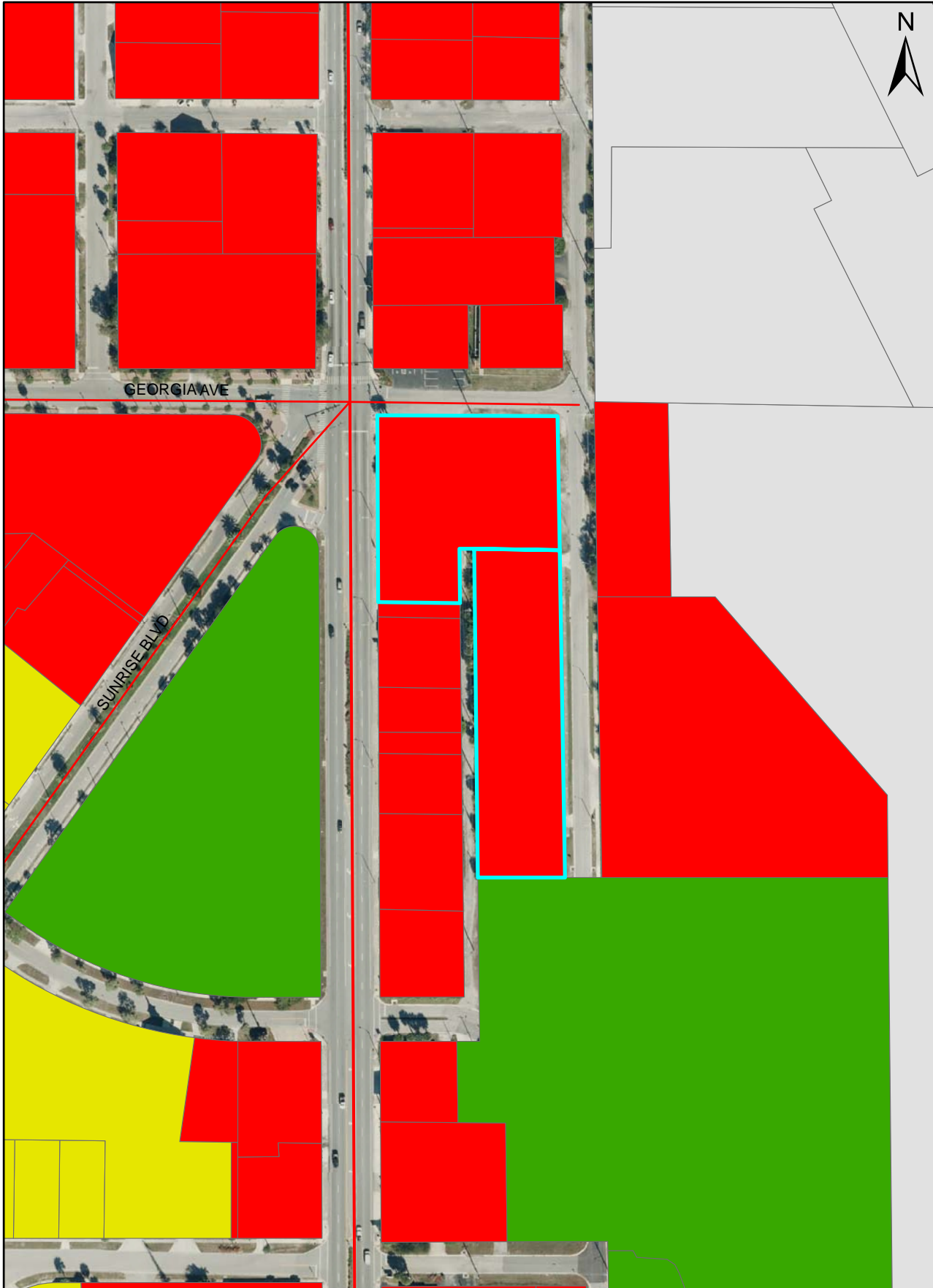
We have done a lot of work. There was a lot of committee work done by the Planning Board, we had a committee set aside from citizens that provided the staff with a lot of information which of course we have passed on to our consultant. It is coded and known by our staff and we now have to embark on an effort of completing this. I wanted to bring this up to you because unless you want to have a special meeting at your next meeting I am going to purpose how staff is going to address sections. I can't do this all at once, I cant take the whole thing but I think I can do in macro sections. For instance zoning categories or design and performance standards like setbacks, heights and so on and then procedures like the procedures we use for reviewing Special Exceptions or Conditional Use and so on, administrative type of things. Those are three big sections that I can look at in the Ordinance to work on, bring to you and hopefully get this done within a few months. I also have a better idea of just how many months we are talking about.

But folks we have run aground and now I get to go through the pleasure of figuring out how to extricate ourselves from the contract that we have had, you would think that would be simple enough but they are claiming that we owe them more than I would ever say that we are going to pay them. So we might end up in a different type of situation with them and that will run its own course that is all on staff to finish. It has been years that we have been working on this and I felt it was important for me to come to you and explain the situation. This is not something I can or could have put into a memo well enough in time to get out in your packet. Take me at my word we are at failure.

If you have some questions for me let me know or if you have some guidance for me. I just wanted to give you how I want to do it and what to present to you next month so we can get the ball rolling again.



# Zoning Map



## Legend

- AG1
- AG2.5
- AR-1
- C1
- C2
- C3
- C4
- C5
- C6
- CP1
- E1
- E2
- E3
- I1
- I2
- I3
- OS1
- OS2
- PUD
- PUR
- R1
- R2
- R3
- R4
- R4A
- R5

**PROPERTY RECORD CARD**

American Legion Record: 1 of 2

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

**Property Identification**

Site Address: 810 S US HWY 1 ParcelID: 2415-601-0080-000-9  
 Sec/Town/Range: 15 :35S :40E Account #: 24589  
 Map ID: 24/15N Land Use: CLUBS  
 Zoning: C3 City/Cnty: Fort Pierce



**Ownership and Mailing**

Owner: American Legion  
 Address: 810 S US Hwy 1  
 Fort Pierce FL 34950-5176

**Legal Description**

PINEWOOD S/D BLK 8 LOTS 9 TO 15 INC AND N 1/2 LOT 16-LESS  
 US 1 AND LESS S 20 FT- AND VAC ALLEY LYG N

[More...](#)

**Sales Information**

Date	Price	Code	Deed	Book/Page
1/1/1900	0			/

Assessment 2011 Final	Total Land and Building
2011 Final: 439300	Land Value: 245300 Acres: 1.25
Assessed: 439300	Building Value: 194000
Ag.Credit: 0	Finished Area: 7740 SqFt
Exempt: 439300	
Taxable: 0	
Taxes: 0	

**BUILDING INFORMATION**

Undisplayed Areas:  
 (sac: 5246)



**Exterior Features**

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	LC - LC	YearBlt:	1969	Frame:	-
Grade:	C - C	EffYrBlt:	1979	PrimeWall:	-
StoryHght:	0010 - 1 Story	No.Units:		SecWall:	-

**Interior Features**

BedRooms:	0	Electric:	-	PrmIntWall:	-
FullBath:	0	HeatType:	-	AvgHt/Ft:	STD
1/2Bath:	0	HeatFuel:	-	Prm.Flors:	-
%A/C:	100	%Heated:	100	%Sprinkled:	0

**Special Features and Yard Items**

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No. Land Use	Type	Measure	Depth
EXTR - EXTR	S	1	29870	AV	AV	1979	1 7700-CLUBS	241 -Sq Feet	54501	

**Land Information**

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

**PROPERTY RECORD CARD**

Mosaics Of America Inc Record: 1 of 1  
 Property Identification

<<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Site Address: 901 S 3rd St  
 Sec/Town/Range: 15 :35S :40E  
 Map ID: 24/15N  
 Zoning: C3

ParcelID: 2415-601-0072-000-0  
 Account #: 24588  
 Land Use: WRHSNG DIST  
 City/Cnty: Fort Pierce



**Ownership and Mailing**

Owner: Mosaics Of America Inc  
 Address: 901 S 3rd  
 Fort Pierce FL 34950-5159

**Legal Description**

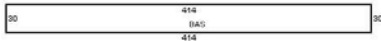
PINEWOOD S/D BLK 8 N 18.8 FT OF LOT 1 AND ALL LOTS 2 THRU 8 INC (OR 1240-2031)

**Sales Information**

Date	Price	Code	Deed	Book/Page
8/2/1999	375000	00	WD	1240 / 2031
6/6/1997	270000	01	WD	1081 / 2077
12/10/1996	0	01	CT	1050 / 0276
8/21/1990	0	01	WD	0704 / 2558
1/1/1986	20000	01	CV	0490 / 2573

Assessment 2011 Final	Total Land and Building
2011 Final: 449400	Land Value: 106200 Acres: 1.22
Assessed: 449400	Building Value: 343200
Ag.Credit: 0	Finished Area: 12420 SqFt
Exempt:	
Taxable:	
Taxes: 11017.08	

**BUILDING INFORMATION**



**Exterior Features**

View: - RoofCover: SM - Sheet Metal RoofStruct: TR - Steel Rigid  
 ExtType: INDF - INDUS-FLEX YearBlt: 1986 Frame: -  
 Grade: Y\_D+ - Commer D+ EffYrBlt: 1986 PrimeWall: CM - Corr Metal  
 StoryHght: 0010 - 1 Story No.Units: SecWall: -

**Interior Features**

BedRooms: 0 Electric: MX - MAXIMUM PrmIntWall: DW - Drywall  
 FullBath: 0 HeatType: FHA - FrcdHotAir AvgHt/Ft: STD  
 1/2Bath: 0 HeatFuel: ELEC - Electric Prm.Flors: CG - CONC GRD  
 %A/C: 50 %Heated: 50 %Sprinkled: 0

**Special Features and Yard Items**

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.	No.	Land Use	Type	Measure	Depth
CNC1 - CONCRET HIGH	Y	1	22000	AV	AV	1980	1	4800-WRHSNG DIST	310 -Sq Feet	53088	
FEN6 - CHAINLINK 6'	Y	1	1120	AV	AV	1986					
BARB - BARB WIRE	Y	1	1120	AV	AV	1986					

**Land Information**

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



**CITY OF FORT PIERCE  
COMMUNITY DEVELOPMENT DEPARTMENT  
PLANNING DIVISION**

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

**APPLICATION FOR ABANDONMENT**

**RIGHT-OF-WAY**       **EASEMENT**

There is no entitlement to abandonment upon request, and the City is not obligated to abandon public right-of-way or easement. The Applicant bears all costs associated with the processing of abandonment requests including costs of surveys, title searches, appraisals, plats, etc. The Applicant must be the legal owner of real property abutting of the right-of-way or easement. Complete all information. Please do not leave blanks

**PROJECT NAME:** AMERICAN LEGION Post 40 - MOSAICS OF AMERICA

1. Legal description of the right-of-way or easement for which the abandonment is being requested: VAC ALLEY N OF S L1 LOTS 9 2ND 14

---

2. Property tax ID: 2415-601-2081-0006
3. Property address: 810 S. U.S. #1      828 S. U.S. #1
4. Zoning district: C3      Future Land Use: UNCHANGED - WILL REMAIN PRIVATE ORGANIZATION
5. Property size in acres: 54501
6. Abandonment size in square footage: 23' x 20'
7. Reason for abandonment request: TO BRING BUILDING TO CODE

---

8. How was the right-of-way/easement created?      Plat       Deed
9. Is the right-of-way/easement open and in use or unopened? UNOPENED
10. List the names, addresses, and tax ID numbers for all property owners abutting the right-of-way or easement (attach additional sheets if necessary): MOSAICS OF AMERICA 2415-601-0072-0000 901 SD. 3RD; FABB LLC 2415-601-2081-0006 828 S. U.S. #1; CITY OF FT PIERCE 2415-601-00800803 TBD.  
ELECTRIC BOX WHICH WAS USED FOR TRAILERS - TRAILERS REMOVED
11. Are there any utilities visible or known to exist in the right-of-way? USED FOR TRAILERS - TRAILERS REMOVED
12. What is the current appraised value of the right-of-way or easement? \_\_\_\_\_
13. Name of property owner(s): AMERICAN LEGION Post #40 MOSAICS OF AMERICA  
Signature of owner(s): [Signatures]  
Mailing Address: 810 S. U.S. #1  
(City) FORT PIERCE (State) FL (Zip) 34950-5176  
Phone # (772) 461-1480 Fax # (772) 461-4876  
E-mail: \_\_\_\_\_

13. Name of Applicant: THOMAS JAMES  
 Signature of Applicant: \_\_\_\_\_  
 Mailing Address: 810 S. U.S. #1  
 (City) FT PIERCE (State) FL (Zip) 34950  
 Phone # (772) 461-1480 Fax # (772) 461-4876  
 E-mail: \_\_\_\_\_

14. Name of Representative: \_\_\_\_\_  
 Signature of representative: \_\_\_\_\_  
 Mailing Address: \_\_\_\_\_  
 (City) \_\_\_\_\_ (State) \_\_\_\_\_ (Zip) \_\_\_\_\_  
 Phone # \_\_\_\_\_ Fax # \_\_\_\_\_  
 E-mail: \_\_\_\_\_

15. **Property Owners 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 abandonment of the property as described herein.

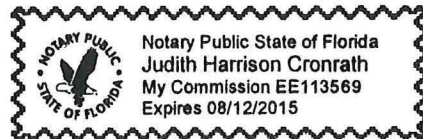
AMERICAN LEGION POST #40 MOSAICS OF AMERICA (772)-461-1480  
 Property Owner's Name (Please Print) Phone  
810 S. U.S. #1 FT. PIERCE FL 34950  
 Address State Zip  
Thomas James Andrew Hochstetter  
 Property Owner's Signature Date

STATE OF FLORIDA)  
 ST LUCIE COUNTY)

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of OCTOBER, 2011, by THOMAS JAMES AND ANDREW HOCHSTETTER who is personally known to me or has produced \_\_\_\_\_ as identification.

Judith Harrison Cronrath  
 Signature of Notary

(seal)



**APPLICATION REQUIREMENTS:**

a. **Application fee**

b. **Application submission shall include the following:**

- TRC (\*Initial Submission): One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- Planning Board: One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- City Commission: One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below

**The following must be included with packets:**

- Current survey showing the entire property and any property abutting the property to be abandoned.
- Sketch and Legal Description
- Current Owner and Encumbrance Title Search
- Current Appraisal of the right of way or easement to be abandoned
- 1 CD of all documents in PDF
- Other \_\_\_\_\_

The Applicant bears all costs associated with the processing of abandonment requests including costs of surveys, title searches, appraisals, plats, etc.

Please refer to Chapter 17 of the Code of Ordinances for the City of Fort Pierce for more information on abandonments.

<b>TO BE COMPLETED BY THE CITY</b>	
Date Received: <u>11/7/2011</u>	By: <u>Ryan Sweeney</u>
Fee Paid: <u>\$400.00</u>	Receipt#: <u>4995</u>



**AN APPRAISAL OF A  
0.03227+ ACRE SITE  
(City Alley)  
LOCATED BEHIND  
810 S. U.S. 1  
(SE Corner of U.S. 1 & Georgia Ave.)  
FT. PIERCE, FLORIDA**

PREPARED FOR  
American Legion Post 40  
Board of Directors  
810 S. U.S. 1  
Fort Pierce, FL 34950

DATE OF APPRAISAL: April 1, 2013

Prepared by:  
Daniel D. Fuller, MAI  
State-Certified General  
Real Estate Appraiser RZ567  
**FULLER-ARMFIELD-WAGNER**  
Appraisal & Research, Inc.  
120 North Second Street  
Fort Pierce, Florida 34950

Appraisal No. 19500

# **FULLER-ARMFIELD-WAGNER Appraisal & Research, Inc.**

Daniel D. Fuller, MAI, SRA  
State-Certified General  
Real Estate Appraiser RZ567

120 North Second Street  
Fort Pierce, FL 34950  
email: FAW\_app@bellsouth.net

(772) 468-0787  
1-800-273-7364  
Fax (772) 468-1103

May 30, 2013

American Legion Post 40  
Board of Directors  
810 S. U.S. 1  
Fort Pierce, FL 34950

**Re: Vacant 0.03227± acre site (City Alley), located behind 810 S. U.S. 1 (NE corner of U.S. 1 and Georgia Ave.), Ft. Pierce, FL**

Dear Directors:

As requested, I have inspected the referenced property, and analyzed the market influences affecting the subject property for the purpose of providing an opinion of the market value of the fee simple interest in the property "as is", as of the date of inspection, April 1, 2013.

Note: The subject is encroached by a portion of the building addressed at 810 S. U.S. 1, estimated to encroach 10 feet x 24 feet or a total of approximately 240 square feet in the northwest corner of the subject. The land under the encroachment is a portion of the subject of this appraisal but the building is not included in my opinion of value.

The appraisal adheres to the Uniform Standards of Professional Appraisal Practice (USPAP), presented in a Summary report format.

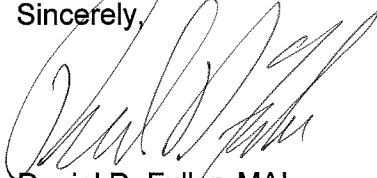
- The appraisal and report are subject to the Ordinary Limiting Conditions, Extraordinary Assumptions, and Certification included within this report.
- Intended User: The Intended User of the appraisal includes the Board of Directors of American Legion Post 40, and the Ft. Pierce City Commissioners. No other user is authorized.
- Intended Use of the Report: The intended use of this appraisal is for abandonment and acquisition of the subject of the appraisal. The appraisal is not intended for another use.

Based upon the available data, and analyses presented in this report, it is my opinion, the market value of the fee simple interest in the subject of this appraisal, "as is", as of April 1, 2013, is:

**ONE THOUSAND FIVE HUNDRED DOLLARS -\$1,500-**

I believe you will find the appraisal and report complete, but if there are questions please contact me at your convenience.

Sincerely,



Daniel D. Fuller, MAI  
State-Certified General Real Estate Appraiser RZ567

DDF/asf 19500

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### SUMMARY OF IMPORTANT FACTS

- Location: Alley behind 801 S. U.S. 1, (SE corner US 1 and Georgia Ave.), Ft. Pierce, FL
- Purpose of the Appraisal: Provide an opinion of Market Value
- Property Rights Appraised: Fee Simple
- Date of Appraisal: April 1, 2013
- Date of Inspection: April 1, 2013
- Inspected By: Daniel D. Fuller, MAI
- Date of Appraisal Report: May 30, 2013
- Report Prepared: April – May 2013
- Report Format: Summary containing a summary of the data and analysis with complete details retained in file.
- Property Type: Vacant site (City Alley)
  - Site Area: 0.03227± acres (1,405.8± SF)
  - Width: 20± feet (east-west)
  - Depth: 70.29± feet (north-south)
- Improvements: None
- Zoning: C-3 - General Commercial
- Land Use: GC - General Commercial
- Census Tract: 3805
- Flood Zone: Zone AH (el 16') - Map 12111 C 0179J , dated 2/16/12
- Highest and Best Use: The subject has very limited utility as an independent parcel, therefore, in my opinion the highest and best use is to assemble the subject with one or more of the adjacent ownership.

**Market value, fee simple interest, "as is", as of April 1, 2013, is: -\$1,500-**

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## SCOPE OF WORK

Representatives of the American Legion Post 40 engaged my services to provide an opinion of the market value of a fee simple interest in the subject "as is" for a purchasing and abandoning decision. To provide an opinion the following Scope of Work is required.

- **The subject is a vacant 0.03227± acres City owned alley within a platted subdivision and the property type requires: valuation via the Sales Comparison Approach. By definition the Coat Approach is not an applicable method of appraising the subject. Additionally, because market participants typically do not invest in properties like the subject for rental income, the Income Capitalization Approach is also not applicable in the appraisal of the subject.**

Valuation within the Sales Comparison Approaches requires research of sales and listing information, for properties with a highest and best use similar to the subject appraised.

The subject is a very small property, 20 feet 70.29 feet, with very limited functional utility as an independent property. Thus sales of similar properties with limited utility are few; however, research conducted using recorded public record information, multiple listing service (MLS), interviews with buyers, sellers, brokers, property managers, investors, etc. found four sales of properties within similar limited utility as independent parcels. The areas researched consist of the subject's immediate neighborhood, and because of the lack of sales within the subject's immediate neighborhood research extended to competing or similar neighborhoods.

Data gathered is ideally verified with a participant with direct knowledge of the transaction, and then the data is analyzed to interpret market trends. The analyzed data is then applied to the subject for an indication of value.

- The appraisal and report are subject to the Ordinary Limiting Conditions, Extraordinary Assumptions, and Certification included within this report.
- Intended User: The Intended User of appraisal is the American Legion Post 40 Board of Directors and/or the Fort Pierce City Commissioners. No other user is authorized.
- Intended Use of the Report: The intended use of this appraisal is for purchase and abandonment of the subject of the appraisal. The appraisal is not intended for another use.

### Competency

In accordance with the Competency Rule of Uniform Standards of Professional Practice, the appraisers are competent to complete this report due to experience in this market segment, property type, and neighborhood.

---

## DEFINITIONS

### MARKET VALUE DEFINED

Market Value, as defined in Chapter 12, Code of Federal Regulation, Part 34.42, is:

The most probable price in terms of money which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated.
2. Both parties are well informed or well advised, and each acting in what he considers his own best interest.
3. A reasonable time is allowed for exposure in the open market.
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents a normal consideration for the property sold unaffected by special or created financing or sales concessions granted by anyone associated with the sale.

### FEE SIMPLE ESTATE<sup>1</sup>

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

### SALES COMPARISON APPROACH<sup>1</sup>

The process of deriving a value indication for the subject property by comparing market information for similar properties with the property being appraised, identifying appropriate units of comparison, and making qualitative comparisons with or quantitative adjustments to the sale prices (or unit prices, as appropriate) of the comparable properties based on relevant, market-derived elements of comparison.

### EXTRAORDINARY ASSUMPTION<sup>1</sup>

An assumption, directly related to a specific assignment, which, if found to be false, could alter the appraiser's opinions or conclusions. Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property such as market conditions or trends; or about the integrity of data used in an analysis. (USPAP, 2010-2011 ed.)

<sup>1</sup> - Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 5th ed. (2010).

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## ORDINARY LIMITING CONDITIONS AND UNDERLYING ASSUMPTIONS

1. The value given in this appraisal report represents the opinion of the signer as to the Value AS OF THE DATE SPECIFIED. Values of real estate are affected by an enormous variety of forces and conditions will vary with future conditions, sometimes sharply within a short time. Responsible ownership and competent management are assumed.
2. This appraisal report covers the premises herein described only. Neither the figures herein nor any analysis thereof, nor any unit values derived therefrom are to be construed as applicable to any other property, however, similar the same may be.
3. It is assumed that the title to said premises is good; that the legal description of the premises is correct; that the improvements are entirely and correctly located on the property; but no investigation or survey has been made, unless so stated.
4. The value given in this appraisal report is gross, without consideration given to any encumbrance, restriction or question of title, unless so stated.
5. Easements may or may not be recorded or may exist by customary use or by other legal means. The appraisers have not nor are they qualified to search legal records as to other easements. Because rights of others can have influence on real estate values, the values reported herein are predicated on a qualified legal opinion that assumptions regarding easements and the rights of others is representative of actual conditions.
6. Information as to the description of the premises, restrictions, improvements and income features of the property involved in this report is as has been submitted by the applicant for this appraisal, or has been obtained by the signer hereto. All such information is considered to be correct; however, no responsibility is assumed as to the correctness thereof unless so stated in the report.
7. The physical condition of the improvements described herein was based on visual inspection. No liability is assumed for the soundness of structural members since no engineering tests were made of the same. The property is assumed to be free of termites and other destructive pests.
8. Possession of any copy of this report does not carry with it the right of publication, nor may it be used for any purpose by any but the applicant without the previous written consent of the appraiser or the applicant, and in any event, only in its entirety.
9. Neither all nor part of the contents of this report shall be conveyed to the public through advertising, public relations, news, sales or other media, without the written consent of the author; particularly as to the valuation conclusions, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute, or to the SRA or MAI designations.
10. The appraiser herein, by reason of this report is not required to give testimony in court or attend hearings, with reference to the property herein appraised, unless arrangements have been previously made therefore.
11. The Contract for the appraisal of said premises is fulfilled by the signer hereto upon the delivery of this report duly executed.
12. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and zoning laws unless non-compliance is stated, defined and considered in the appraisal report.
13. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in the field, if desired.

---

### EXTRAORDINARY ASSUMPTIONS

(Note: extraordinary assumptions may have an affect on the appraiser's opinion of value)

1. The subject's legal description, dimension and size are from data prepared by Robert Bloomster, Jr., Professional Land Surveyor no. 4134, State of Florida, Job No. 11418, 4/25/2011, and assumed to be accurate, but if found to be other than as described herein, my opinion of value may change.
2. The subject is encroached by a portion of the building addressed at 810 S. U.S. 1, estimated to encroach 10 feet x 24 feet or a total of approximately 240 square feet in the northwest corner of the subject. The land under the encroachment is a portion of the subject of this appraisal but the building is not included in my opinion of value.

---

## CERTIFICATE OF APPRAISAL

I certify that, to the best of our knowledge and belief:

- a) The statements of fact contained in this report are true and correct.
- b) The reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are our personal, unbiased professional analyses, opinions, and conclusions.
- c) I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest with respect to the parties involved.
- d) I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- e) My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- f) My compensation is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- g) The reported analyses, opinion, and conclusions were developed, and this report has been prepared, in conformity with the requirement of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute, which include the Uniform Standards of Professional Appraisal Practice.
- h) Daniel D. Fuller has made a personal inspection of the property that is the subject of this appraisal.
- i) No one provided professional assistance to the signor of this report.
- j) The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- k) "As of the date of this report, I, Daniel D. Fuller, MAI, SRA, have completed the requirements under the continuing education program of the Appraisal Institute."
- l) This appraisal assignment was not made, nor was the appraisal rendered on the basis of a requested minimum valuation, specific valuation, or an amount which would result in approval of the loan.
- m) I have not previously appraised this property.

  
\_\_\_\_\_  
Daniel D. Fuller, MAI

State-Certified General Real Estate Appraiser RZ567

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## OWNER OF RECORD AND SALES HISTORY

### Current Owner

City of Fort Pierce  
100 N. US 1  
Fort Pierce, FL 34950

### Sale History

Based on the public records reviewed, no sales of the subject have occurred in recent years.

### Listings/Contracts

The subject is not listed for sale and is not under a sales/purchase contract.

### Lease Data

The subject is not encumbered by a lease.

## LEGAL DESCRIPTION

The subject's legal description (see the following Exhibit) is from a Sketch of a survey compiled by Robert Bloomster, Jr., Professional Land Surveyor No. 4134, Job No. 11418, dated 4/25/2011.

The legal description is for appraisal use only - specifically not intended for conveyance or financing.

### Easements

The adjacent owner of 810 S. US 1, the American Legion Post 40, has encumbered the northwest corner of the subject with a portion of their building. The encumbrance is estimated to be 10 feet x 24 feet or a total of 240 square feet of the subject. (Note: the building is not included in my opinion of value.) There is no formal easement in place for the encroachment.

There are Fort Pierce Utilities Authority (FPUA) power poles along the east line of the subject. I am unsure if there is a formal easement for location of the power poles.

Easements may or may not be recorded or may exist by customary use or by other legal means. See Ordinary Limiting Condition #5.

A map locating the subject and photographs of the subject Exhibits follow the Legal Description Exhibit.

**LEGAL DESCRIPTION EXHIBIT**

**LEGAL DESCRIPTION**

**LEGAL DESCRIPTION:**

BEING A PORTION OF AN EXISTING 20 FEET ALLEY WAY, LYING ADJACENT AND EASTERLY OF LOT 15 AND THE NORTH 10 FEET OF LOT 16, BLOCK 8, PLAT OF PINWOOD, AS RECORDED IN PLAT BOOK 5, PAGE 24 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

**NOTES:**

1. THIS SKETCH OF LEGAL DESCRIPTION DOES NOT REPRESENT A BOUNDARY SURVEY.
2. THE BEARING BASE OF THIS SKETCH OF LEGAL DESCRIPTION IS S.88°54'25"E. THE SOUTH RIGHT OF WAY LINE OF GEORGIA AVENUE.
3. THE INFORMATION WAS PROVIDED BY CLIENT.
4. 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.

**SURVEYORS CERTIFICATION:**

I HEREBY CERTIFY THAT THE "SKETCH TO ACCOMPANY LEGAL DESCRIPTION" WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER J5-17, FLORIDA STATUTES, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

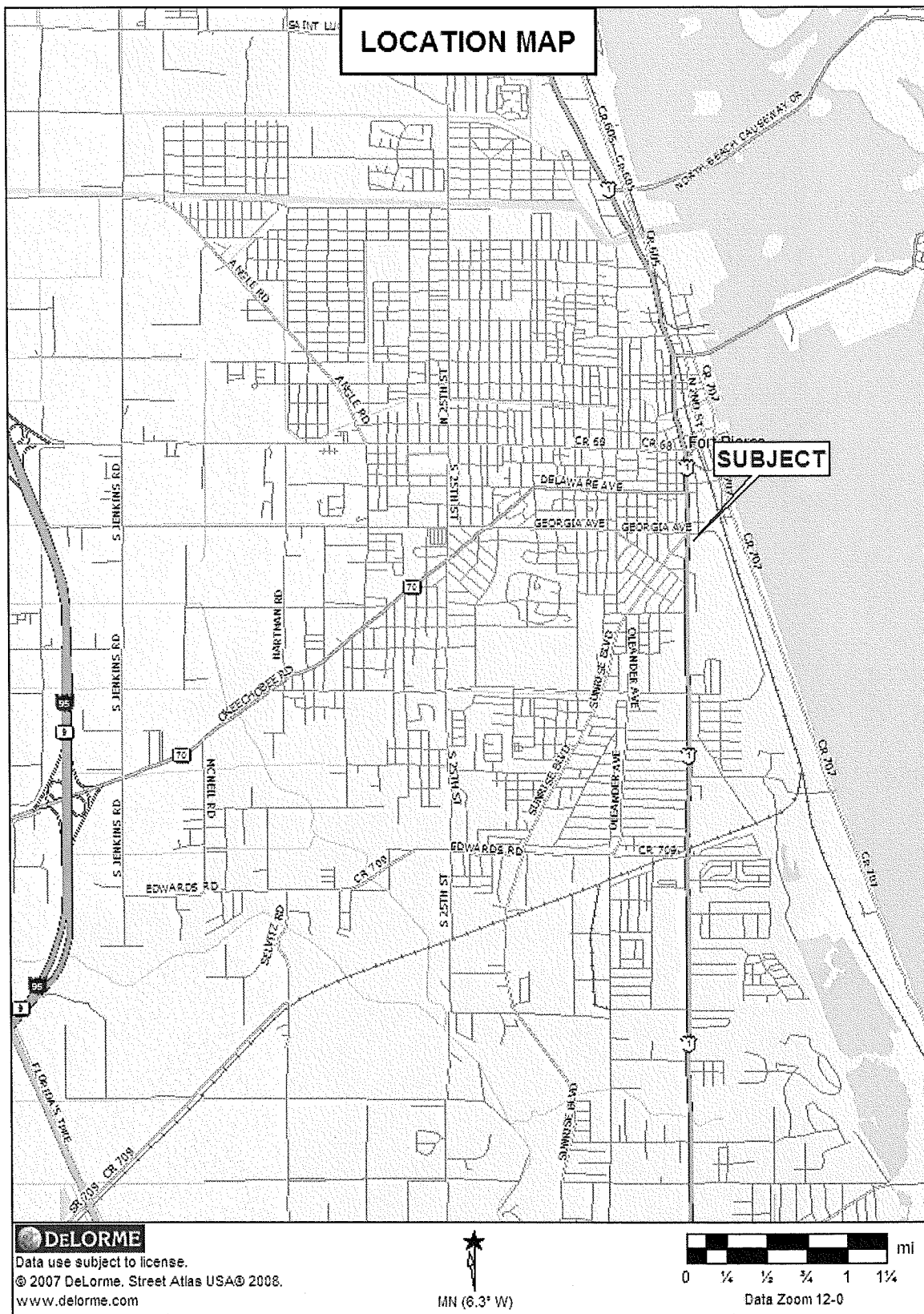
*Robert Bloomster, Jr.*  
**ROBERT BLOOMSTER, JR.**  
 PROFESSIONAL LAND SURVEYOR  
 NO. 4134 STATE OF FLORIDA

**BLOOMSTER**  
 PROFESSIONAL LAND  
 SURVEYORS, INC.  
FLORIDA L.S. & M.  
 641 NORTHEAST SPENCER STREET  
 JENSEN BEACH, FLORIDA 34957  
 PHONE 772-334-0668

SHEET 1 OF 2	
SCALE:	1" = 50'
DATE:	4/26/11
FIG.:	SKETCH
JOB NO.:	11418
REVISIONS	

**SKETCH TO ACCOMPANY LEGAL DESCRIPTION**  
 PREPARED FOR: AMERICAN LEGION POST 40  
 SITE LOCATED:  
 CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA

NOT VALID WITHOUT SHEET 2 OF 2



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Subject photographed 4/1/2013



Northerly view of the subject with building wall (red arrow) in background encroaching into the subject 10± feet



South view of the subject beginning at the fence on the right with building on right encroaching into subject 10± feet



South view in area of previously abandoned portion of alley



West view along alley connecting to the subject,  
lying south of adjacent 810 S. US 1



Front of adjacent 810 S. US 1, American Legion Post 40 property

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## AREA DATA

Complete St. Lucie County Area Data is found an Addendum to this report.

In brief:

- There are three incorporated cities within St. Lucie County, plus the unincorporated area under the County jurisdiction.
- The subject lies within the approximate north-south center of the city of Fort Pierce, immediately south of the Central Business District.
- Fort Pierce is the oldest city with a 2000 census population of 38,683 and the 2010 total population was reported at 41,560, an increase of approximately 7.4% for the ten-year period (0.7%/year).
- Port St. Lucie was incorporated in the early 1960's with population in 2000 of 85,751, and per census data the 2010 population totaled 164,603, an increase of approximately 150% for the ten-year period (15% per year).
- St. Lucie Village is a mostly residential community with a population of some 600 persons, and historically very little change in the community thus the community has nominal impact on the County.
- The 2000 census placed the County's total population of 190,677 with the 2010 census reporting a total population of 277,769, an increase of approximately 45% for the ten-year period (4.5% per year).
- University of Florida demographers estimate the County's 2015 median population up to 352,700, an annual increase from 2010 population estimates in the range of 27%.
- Over the past ten years, population growth within the City of Fort Pierce has been relatively nominal and expected to continue at a relatively slow pace. A majority of the near term growth in St. Lucie County is expected to occur in and surrounding the City of Port St. Lucie. To a great degree this occurs because the City of Ft. Pierce has little vacant land for new growth, while the platted areas of the City of Port St. Lucie are approximately 70% developed plus large acreage tracts in the southwest environs of the City remain for development.
- Demand in most market segments collapsed by early 2007 and demand remains weak in most market segments with most new construction financially unfeasible. There is a high level of uncertainty when adequate demand will return to support financially feasible new properties, but as demand returns, a majority of the County's near term growth is expected to return in and around the City of Port St. Lucie, and in the near term growth in the City of Ft. Pierce is expected to continue at its slow pace until regionally strong demand is recognized.

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## NEIGHBORHOOD DATA

Neighborhoods are defined as – “a group of complementary land uses; a congruous grouping of inhabitants, buildings, or business enterprises”.<sup>1</sup>

<sup>1</sup> - Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 5th ed. (Chicago: Appraisal Institute, 2010)

### Neighborhood Boundaries

- North: Delaware Avenue, three blocks north of the subject.
- South: Ohio Avenue, eight blocks south of the subject.
- East: South 3<sup>rd</sup> Street, ½ block east of the subject.
- West: South 7<sup>th</sup> Street, three blocks west of the subject.

The neighborhood consists of a commercial corridor fronting US 1, immediately south of the Central Business District (CBD) neighborhood. A Neighborhood Map depicting approximate neighborhood boundaries comprises the following exhibit. The subject is located in the approximately north-south center of the neighborhood.

A map with approximate neighborhood boundaries comprises the following Exhibit.

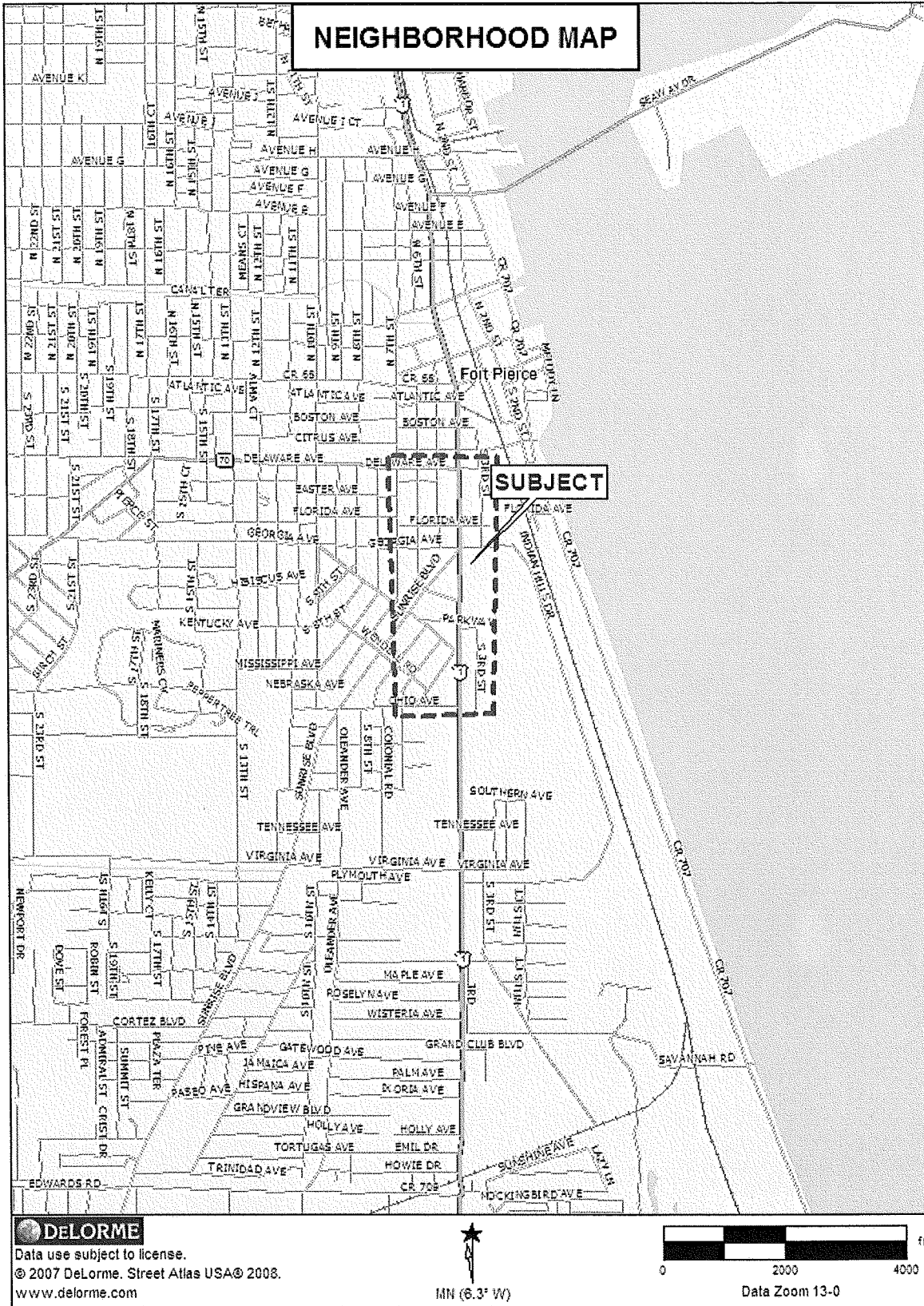
### Neighborhood Access

- North - South: U.S. 1, South 3<sup>rd</sup> Street and 7<sup>th</sup> Street.
- East – West: North end of the neighborhood, Delaware Avenue, Georgia Avenue in the approximately center of the neighborhood and Ohio Avenue at the south end of the neighborhood.

U.S. 1 is a primary high volume highway which in the past was the prominent north-south route along Florida’s east coast. U.S. 1 through Ft. Pierce is four lanes plus median / turn lanes, bike lanes and sidewalks.

South 3<sup>rd</sup> Street supports a secondary portion of the neighborhood lying between US 1 and the Florida East Coast (FEC) rail right of way and switching yard. South 3<sup>rd</sup> Street is located primarily within the confines of the neighborhood, from Delaware Avenue to Ohio Avenue.

7<sup>th</sup> Street is primarily a neighborhood street abutting residential development on the west and commercial development on the east. 7<sup>th</sup> Street also acts as a secondary north-south corridor to US 1.



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## NEIGHBORHOOD DATA (continued)

East-west, Delaware Avenue and Georgia Avenue connect to Okeechobee Road which provides a corridor to SR 70 and westerly interchanges with I-95 and the Florida Turnpike. Ohio Avenue runs westerly into residential neighborhoods. The three east-west streets connect to US 1 via traffic signal intersections and are considered primary inter neighborhood traffic corridors.

Plus, along the length of the USE 1 neighborhood there are various less significant inter neighborhood streets.

Overall, access to the neighborhood is good.

### Percent Built-Up and Property Uses

- Percent built up: 80%
- Property Uses: The neighborhood consists of a mix of commercial improvements, including retail and office types, plus there a few small motels, the City Police Station fronts South 3<sup>rd</sup> Street, and the City's Indian Hills golf course is south of the police station, plus institutional uses such as the adjacent American Legion property, an Elks property, a city park etc.

The neighborhood was historically an extension of the Fort Pierce CBD neighborhood with new auto dealerships and retail centers, and a mix of other commercial properties, however, over the past 30 years the neighborhood has transitioned from a commercial corridor with primary commercial improvements to a corridor with secondary commercial improvements/uses as demand and uses within the CBD moved to other areas within the city and business in the subject's immediate neighborhood followed. As an example, south of Ohio Avenue approximately ¼ mile, retail development located in the early to mid 1960's to the US 1 / Virginia Avenue (SR 70) intersection and retailers continue to dominate this location with new auto dealers locating several miles south along US 1 and other previously occupied properties closing and being demolished or converting to secondary uses.

Several properties with older improvements have experienced demolition but the sites remain vacant, and in several instances retail properties are experiencing long term vacancy with in some instances owners choosing to allow the properties to remain vacant vs. leasing to second round tenants, i.e. thrift stores, churches.

The negative demand in the commercial markets in the neighborhood has been caused by the lack of growth in the city, high unemployment and the low economic base. The deficiencies require significant improvement to experience a positive change in demand within the subject's neighborhood, but timing of improving these conditions is unknown but certainly not expected in the near term.

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## NEIGHBORHOOD DATA (continued)

### Conclusion

In the near term, economic recovery in the neighborhood is not expected to occur until there is positive residential growth in the city, higher employment, and an overall stronger economic base. However, when an improvement in economic conditions occurs, demand is expected to be slow but steady.

<b>CENSUS TRACT</b>
A small, relatively permanent statistical subdivision of a county delineated by a local committee of census data users for the purpose of presenting data. Census tract boundaries normally follow visible features, but may follow governmental unit boundaries and other non-visible features in some instances; they always nest within counties. Designed to be relatively homogeneous units with respect to population characteristics, economic status, and living conditions at the time of establishment, census tracts average about 4,000 inhabitants. They may be split by any sub-county geographic entity. (U.S. Census Bureau)
Source: Appraisal Institute, <i>The Dictionary of Real Estate Appraisal</i> , 5th ed. (2010).
<b>Per St. Lucie Co. Census Maps, the subject is located in Census Tract 3805</b>

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## ZONING AND LAND USE CLASSIFICATIONS

- Zoning: "C-3" General Commercial.
- Land Use Designation: "GC" General Commercial.

### Authority

City of Ft. Pierce.

### Zoning Permitted Uses and Setback Criteria for Lots in Development

In brief;

*Purpose.* The 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. Compared to the C-4 Zone, this district is more suitable for uses requiring a high degree of accessibility to vehicular traffic, low intensity uses on large tracts of land, most repair services and small warehousing and wholesaling operations. Although this zone should be located along or near arterial or collector streets, it is not the intent of this district to encourage the extension of strip commercial areas. Instead it should promote concentrations of commercial activities.

Details of the zoning classification are found in the following exhibit.

### Land Use Designation and Conformity of Existing Use

The subject is vacant, but development is allowed within the regulations of the "GC" land use classification.

### Conformity

Per the C-3 zoning regulations (see the following Exhibit) the subject is an undersize property for development, a minimum site area of 10,000 square feet is required, and the subject is 1,405.8 square feet in area. Plus the subject lacks adequate street frontage, thus per the City's C-3 zoning regulations the subject can not be developed as an independent property without variances, which are speculative and unlikely to be achieved given the adjacent uses and lack of adequate physical access. The subject can be assembled with adjacent commercial properties.

<b>CONCURRENCY</b>
<p>Concurrency is the comparison of any proposed development's impact on public facilities and the capacity of the public facilities that are, or will be, available to serve the proposed development. Compliance with Concurrency is required of all proposed new development in St. Lucie County. Concurrency is determined when a site plan is submitted to the County Commission for approvals.</p>
<p><b>Compliance with Concurrency will be known when a site plan is submitted for approval.</b></p>

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## ZONING REGULATIONS EXHIBIT

### **Sec. 22-31. General commercial zone (C-3).**

(a) *Purpose.* The 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. Compared to the C-4 Zone, this district is more suitable for uses requiring a high degree of accessibility to vehicular traffic, low intensity uses on large tracts of land, most repair services and small warehousing and wholesaling operations. Although this zone should be located along or near arterial or collector streets, it is not the intent of this district to encourage the extension of strip commercial areas. Instead it should promote concentrations of commercial activities.

(b) *Semi-restricted uses permitted.* The following uses and their accessory uses are permitted in a C-3 Zone if the uses will not violate standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:

- (1) Uses allowed as semi-restricted uses in a C-1 Zone.
  - (2) Retail sales establishments (including incidental manufacturing and repairing of goods on the premises, provided, however, that the space devoted to manufacturing and repairing does not exceed twenty (20) per cent of the gross floor area of the establishment) such as restaurants, bars, grocery stores, bakeries, department stores, clothing stores, fabric shops, luggage stores, gift shops, jewelry stores, florist shops, camera shops, record stores, toy stores, book stores, newsstands, stationery stores, drug stores, sporting goods stores, furniture stores, appliance stores, hardware stores, auto parts stores, gasoline service stations, bicycle shops and auto sales facilities.
  - (3) Motels/hotels.
  - (4) Personal service establishments, such as laundering and dry-cleaning establishments (except those which primarily serve other businesses), beauty and barber services, garment alterations and funeral homes.
  - (5) Repair service establishments which facilitate light repair work, including: Auto repair such as tune-ups, transmissions, mufflers, reupholstering, pin striping (excludes auto body and paint shops) and truck repair not to exceed trucks over one-ton capacity; radio and television repair services; watch, clock and jewelry repair services, and shoe repair services.
  - (6) Educational service establishments, such as vocational and trade schools, business and stenographic schools, art and music schools, dancing schools and correspondence schools.
  - (7) Public and semi-public facilities, except hospitals, sanitariums, rest homes, convalescent homes, public utility structures and public works maintenance facilities.
  - (8) Private indoor amusement, entertainment and/or recreation establishments, such as theaters, bowling alleys, pool halls, dance halls and indoor tennis courts and handball and swimming pool facilities.
  - (9) Taxi stations.
  - (10) Commercial off-street parking lots.
  - (11) Temporary uses meeting the requirements in section 22-65.
  - (12) Adult establishments, pursuant to Chapter 11.5.
- (c) *Conditional uses permitted.* The following uses and their accessory uses are permitted in a C-3 Zone if the city commission, after a public hearing, determines that the location and development plans comply with applicable standards referred to in subsections (d) and (e) of this section, additional zoning ordinance provisions and other city laws:
- (1) Repair service establishments not allowed as a semi-restricted use in this zone.
  - (2) Wholesale trade, warehouse and distribution establishments (including trucking terminals).
  - (3) Contract construction service establishments.
  - (4) Kennels.
  - (5) Bus depots.
  - (6) Hospitals, sanitariums, rest homes, convalescent homes, and adult congregate living facilities. The maximum residential density for an adult congregate living facility shall not exceed thirty (30) units per acre.
  - (7) Public utility structures and public works maintenance facilities.
  - (8) Cemeteries.
  - (9) Amusement parks.
  - (10) Marinas, including marinas with charter fishing facilities.
  - (11) Expansion of a structure with a nonconforming commercial or industrial use if the structure is not enlarged by more than twenty (20) per cent and the structure being enlarged does not violate provisions in section 22-102.
  - (12) Multifamily housing developments which satisfy the standards for multifamily housing developments in an R-5 Zone.
  - (13) *Reserved.*
  - (14) Flea markets.

- 
- (15) Nonprofit bingo halls.
  - (16) Industrial, semi-restricted uses permitted in section 22-34(b) [Light industrial zone (I-1)] except the uses specified in sections 22-34(b)(6) and (7).
  - (17) Ship and boat building and repair facilities.
  - (18) Recreational vehicle parks.
- (d) *Basic use standards.* Uses in a C-3 Zone must meet the requirements of this section. More restrictive requirements, set forth in accordance with other provisions of this chapter, must be satisfied by some conditional uses.
- (1) Lot size.
    - a. The minimum lot area shall be ten thousand (10,000) square feet.
    - b. The minimum lot width shall be seventy (70) feet.
    - c. The minimum lot depth shall be ninety (90) feet.
  - (2) Yards.
    - a. The minimum depth of the front yard will be twenty-five (25) feet.
    - b. The minimum yard depth (if not the front yard) for portions of the property abutting a public right-of-way or residential district shall be fifteen (15) feet.
  - (3) Lot coverage. Buildings shall not cover more than sixty (60) per cent of the lot area.
  - (4) Building height. No building shall exceed a height of sixty-five (65) feet above grade, except that multifamily developments in accordance with the requirements of the R-5 Zone may be approved.
- (e) *Other applicable use standards.*
- (1) Site plan review shall be required for uses which have buildings with more than four thousand (4,000) square feet of floor area.
  - (2) Accessory buildings shall comply with all yard, lot coverage and building height requirements of this chapter.
  - (3) Every lot shall abut a street other than an alley for at least fifty (50) feet.
  - (4) Materials or objects which would detract from the open space character of an uncovered or unenclosed area will not be permitted in such an area.
  - (5) All uses will comply with applicable access, parking and loading standards in sections 22-60 and 22-61.
  - (6) Conditional uses will meet the requirements in sections 22-74 through 22-86.
  - (7) Signs will comply with standards referred to in section 22-55.
  - (8) All other applicable ordinance requirements will also be satisfied.
  - (9) An adult establishment is not permitted in C-3 unless the adult establishment is at least:
    - a. One thousand (1,000) feet from any other adult establishment;
    - b. Four hundred (400) feet from any established church, public or private school, public playground or public park;
    - c. Four hundred (400) feet from any areas zoned E-1, R-1, R-2, R-3, R-4, or R-5.
  - (10) For purposes of the distance limitations contained in subsection (e)(9) above, the measurement shall be made by extending a straight line from the main entrance of the building of the adult establishment to the:
    - a. Front door of the main building occupied by any other adult establishment or any established church; or
    - b. To the nearest property line of any residential district, playground, school or park.

(Ord. No. H-186, § 30-31, 6-15-81; Ord. No. H-217, § I, 7-6-82; Ord. No. I-10, §§ 14--16, 6-6-83; Ord. No. I-120, § 3, 7-15-85; Ord. No. I-147, § 4, 2-3-86; Ord. No. I-148, § 2, 2-3-86; Ord. No. J-420, § 2, 5, 4-20-98; Ord. No. J-487, § 1, 1-19-99; Ord. No. K-24, § 10, 8-21-2000; Ord. No. K-149, § 1, 4-15-02; Ord. No. K-187, § 1, 2-18-03; Ord. No. K-221, § 1, 6-16-03)

**Editor's note:** Section 1 of Ord. No. K-221, adopted June 16, 2003, adopted provisions intended for use as subsection 22-31(c)(17). Inasmuch as there were already provisions designated as such, said provisions have been redesignated as subsection 22-31(c)(18), at the discretion of the editor.

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## ASSESSED VALUE AND TAXES

The major taxing authorities for the subject are St. Lucie County and the City of Ft. Pierce. Taxes are based on Just Values that are estimated by the St. Lucie County Property Appraiser and millage set by the Tax Collector using various taxing districts' approved budgets. Taxes are assessed in arrears based on valuations as of January 1st of the tax year. Tax bills are mailed out in November and become payable January 1st of the next year.

Florida's Constitution requires all property to be appraised as "Just Value", a concept which is not adequately defined by the Florida statutes. While it is generally taken to mean "Full Value", in practice, assessments vary widely and do not provide a reliable indication of Market Value as defined herein.

### 2012 Assessment and Tax Information

According to the St. Lucie County Property Appraiser's Assessment Roll, the subject is assessed and taxed for the 2012 year as follows:

Tax Parcel	Market/Assessed Value	Taxes / Non-Ad Valorem Fees
N/A	N/A	N/A

### Reasonableness of Assessment

The subject is a portion of a city owned alley thus the subject is not assessed for taxing purposes and taxes are not imposed.

Adjacent properties fronting US 1 are assessed at approximately \$4.50 per square foot with properties east of the subject fronting S. 3<sup>rd</sup> Street assessed at approximately \$2.00 per square foot.

### Future Tax Increases

In the past tax rates were relatively stable, however, with the decline in taxable values, revenues declined, and over the past three years various taxing authorities have increased rates, thus owners have not enjoyed in their tax bills the full impact of value declines.

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UTILITIES	
SERVICE	PROVIDER
Electric	Fort Pierce Utilities Authority
Water	Fort Pierce Utilities Authority
Sewer	Fort Pierce Utilities Authority
Gas	Fort Pierce Utilities Authority
Trash	City of Fort Pierce
Utilities are typical for the subject's market segment.	

FLOOD ZONE DESIGNATION

FEMA MAP #	MAP DATE	FLOOD ZONE
12111 C 0179J Community Panel 120286 0179 J	February 16, 2012	AH (el 16')

Flood Zone AH is a "special flood hazard area subject to inundation by the 1% annual chance flood"

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## SITE DESCRIPTION

### Size and Shape

- Property Type: Vacant city alley
- Site Area: 0.03227 acres (1,405.8 SF)
- Width: 20+ feet – east-west
- Depth: 70.29+ feet – north-south
- Site Map: In a following exhibit

### Shape / Frontage

- The subject is a rectangle. There is only public alley frontage, 20 feet wide.

### Topography and Drainage

- Topography: Level.
- Drainage: Percolation and sheet flow, expected to be adequate drainage during normal conditions.

### Access and Exposure

- Access: Fair - the subject is accessed via city owned alleys lying south of the subject with a west connection to US 1 at subject's SW corner. Subject's access is classified as secondary.
- Exposure: The subject lies between two improved properties, one fronting US 1 and one fronting S. 3<sup>rd</sup> Street thus exposure is minimal, or classified as fair.

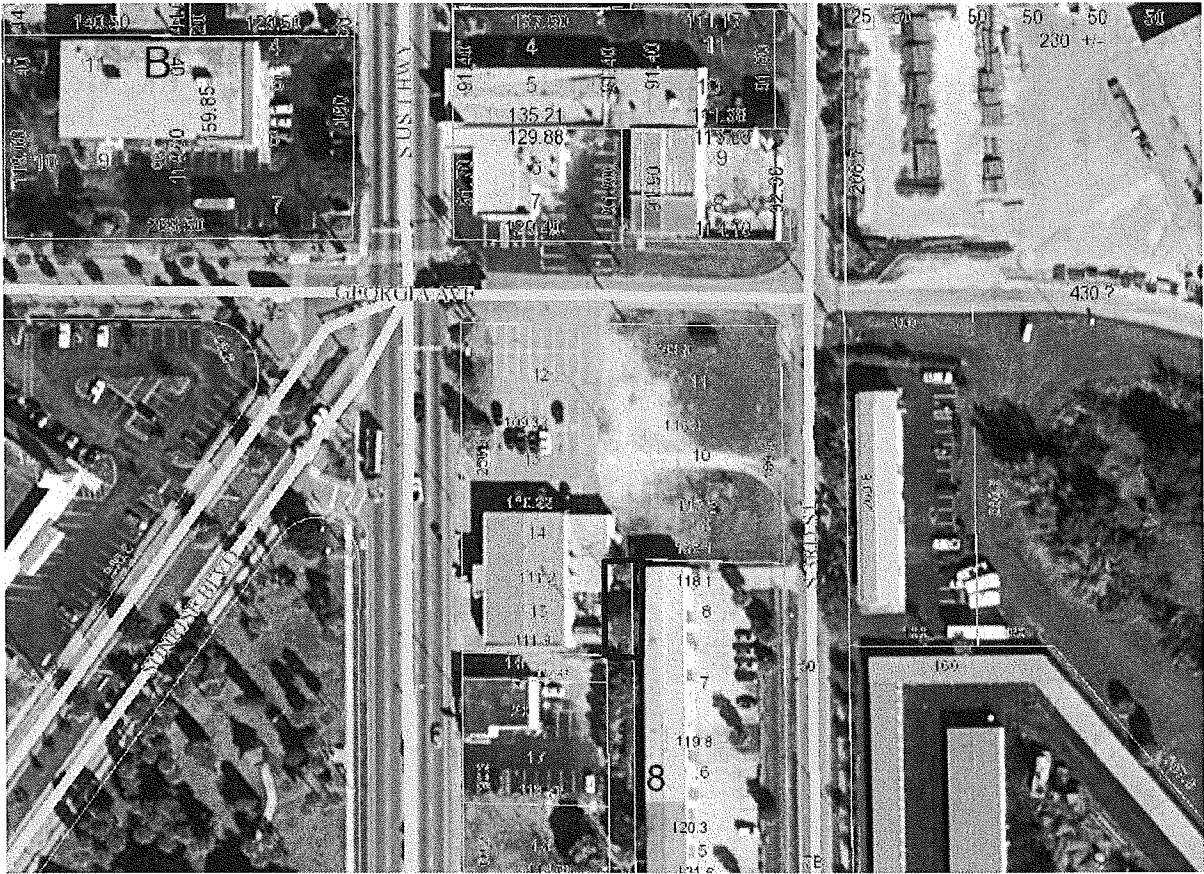
### View Amenity

- None.

### Adjacent Land Uses

- North: Previously abandoned northerly extension of the subject alley which has been incorporated into and surrounded by a paved parking lot under the ownership of the adjacent American Legion Post 40.
- South: Southwest, an optometrist's office fronting US 1, and south there is the southerly extension of the subject alley.
- East: Improved quasi retail/light industrial property.
- West: The American Legion Post 40 property and as mentioned southwest there is an optometrist's office.

Surrounding uses described are typical to the neighborhood.



Site Map (subject in red)

# SKETCH OF DESCRIPTION

## GEORGIA AVENUE

S88°52'07"E (BEARING BASE)

FOUND 3/4" IRON PIPE  
NE CORNER OF NE 1/4  
OF SECTION 15-35-40

CENTERLINE OF RIGHT OF WAY & NORTH LINE OF SECTION 15-35-40

S88°54'25"E 211.03'

SOUTH RIGHT OF WAY LINE & NORTH LINE OF BLOCK 8

R=20.00'  
L=14.33'  
D=41°03'00"

R=20.00'  
L=30.98'  
D=88°44'42"

LOT 12

LOT 11

BLOCK 8

LOT 13

LOT 10

LOT 14

LOT 9

LOT 15

LOT 8

N88°57'51"W 136.47'

20' ALLEY  
ABANDONMENT

LOT 8

N89°00'13"W 110.01'

N88°57'51"W 136.47'

LOT 16

LOT 7

SOUTH 20' OF NORTH 1/2 OF LOT 16  
TO CITY OF FORT PIERCE  
PER O.R.B. 178, PG 2413  
DAETD: 7-17-89

LOT 17

LOT 6

U.S. HIGHWAY NO. 1  
(SOUTH 4th STREET -- S.R. NO. 5)

CENTERLINE OF RIGHT OF WAY

N00°34'58"E 246.20'  
EAST RIGHT OF WAY LINE

70.29'  
N00°16'53"E

WEST RIGHT OF WAY LINE  
& EAST LINE OF BLOCK 8  
N00°09'43"W 160.98'

SOUTH 3rd STREET  
CENTERLINE OF RIGHT OF WAY

EAST LINE OF THE NE 1/4 OF SECTION 15-35-40

SHEET 2 OF 2 (SCALE: 1"=50')  
NOT VALID WITHOUT SHEET 1 OF 2

**BLOOMSTER**  
PROFESSIONAL LAND  
SURVEYORS, INC.  
FLORIDA L.S. # 6018

641 NORTHEAST SPENCER STREET  
JENSEN BEACH, FLORIDA 34957  
PHONE 772-334-0888

---

## HIGHEST AND BEST USE

The value of real property is directly related to the use to which it can be put. It follows that a particular parcel may have several different value levels under alternative uses. Accordingly, the property appraised herein is appraised under its Highest and Best Use, which is defined as:

"The reasonably probable and legal use of vacant land or an improved property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value. The four criteria the highest and best use must meet are legal permissibility, physical possibility, financially feasible, and maximum profitability".

"Alternatively, the probable use of land or improved property - specific with respect to the user and timing of the use - that is adequately supported and results in the highest present value."

In each appraisal of improved property there are two considerations of Highest and Best Use: one for the land considered as though vacant and one for the property as improved.

Highest and Best Use of Land or a Site as though Vacant is:

"Among all reasonable, alternative uses, the use that yields the highest present land value, after payments are made for labor, capital, and coordination. The use of a property based on the assumption that the parcel of land is vacant or can be made vacant by demolishing any improvements".

Highest and Best Use of the property As Improved:

"The use that should be made of a property as it exists. An existing improvement should be renovated or retained as is so long as it continues to contribute to the total market value of the property, or until the return from a new improvement would more than offset the cost of demolishing the existing building and constructing a new one."

Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 5th ed. (Chicago: Appraisal Institute, 2010)

Since the subject is a vacant site, only analysis of Highest and Best Use "as is" or "as vacant" is required.

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## HIGHEST AND BEST USE (continued)

### Site "as is":

#### Physically Possible Use

A given property has potential to be developed with an almost infinite range of uses, broadly categorized as commercial, industrial, residential, agricultural, institutional, and governmental. The first limitation in determining highest and best use of a particular property is physical – that is, with what uses can a property be physically improved? Following are a summation of the primary physical considerations:

- Location/Exposure/Access: The subject is an alley between platted subdivision blocks. The alley was dedicated in the plat to the public/City for public access between the blocks. The subject lacks street exposure and access is from the south and west there is an extension of the alley to US 1. Because access is via 20 feet wide alleys, access is considered fair. North of the subject the alley has been abandoned and has been incorporated into a private parking lot.
- Size: Subject is very small, some 20 feet x 70.29 feet or 1,405.8 square feet, thus the functional utility of the subject as an independent property is nominal.
- Shape: Rectangle, but as discussed, its size severely restricts the property's development potential.
- Topography: Cleared and level.
- Subdivision: Subdividing the subject will further limit the subject's use.
- Assemblage: The subject can physically be assembled with adjacent improved properties, however, again because the subject is a very small parcel the subject contributes nominally to the adjacent properties.

Conclusion: Physically because of its size, and lack of street frontage for exposure and ease of access, the subject has very limited development potential as an independent parcel, but the subject can be assembled with adjacent properties, although again the subject's size provides limited contribution in functional utility to the adjacent properties.

#### Legally Permissible Uses

The primary legal constraints are zoning and land use classifications, deed restrictions, concurrency, etc. In the subject's case:

- Zoning and Land Use: Allowed uses on the subject site include a wide variety of commercial, institutional, governmental uses, plus a few residential and quasi-industrial uses. The district is intended for highway-oriented, general uses. The subject, however, is under the minimum legally buildable commercial lot size for development as an independent parcel. Thus without a variance which is speculative, the subject can not be built on as an independent parcel.

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### HIGHEST AND BEST USE (continued)

- Deed Restrictions: There are no known deed restrictions.
- Subdivision: The potential exists to legally divide the subject between adjacent property owners.
- Assemblage: Legally, assemblage can occur with adjacent properties to the east and west.
- Ingress/Egress: Legally marginal access is in place via City alleys which will also limit the subject's development potential.

Conclusion: Legally, the subject has very limited development potential but the subject can be assembled with adjacent properties, although the subject's small size provides only nominal utility or contribution to the adjacent property.

### Financially Feasible/Maximally Productive

Economically, the Highest and Best Use of a property is one which will return the highest income for the investment in the property type. Of the financially feasible uses, the use that produces the highest price, or value, consistent with the rate of return warranted by the market for that use is the Highest and Best Use.

- Almost no new development has occurred in the neighborhood along U.S. 1 or on sites like the subject with secondary exposure.
- The subject's size, secondary exposure and access limits demand and the potential of a financially feasible use.
- An alternative to developing the subject as an independent economic property is assemblage with adjacent properties, although assemblage provides only a nominal increase in the utility of the adjacent properties.
- While demand remains soft in the neighborhood, demand for the subject in a stable and reasonable demand market is going to be very limited, primarily because of the property has very limited utility either as an independent property or assembled with adjacent ownerships. However, assemblage will likely provide the highest utility and value vs. developing the subject as an independent property thus assemblage provides the maximally productive use.
- Therefore, in my opinion, "as is", the financially feasible and maximally productive use is to assemble the subject with one or more of the adjoining adjacent properties.

### Conclusion

The subject has very limited utility as an independent parcel; therefore in my opinion the highest and best use is to assemble the subject with one or more of the adjacent ownership.

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## SALES COMPARISON APPROACH

In the Sales Comparison Approach (often called the "Market Approach"), the subject is compared to properties that have recently sold that are most similar to the subject in location, functional utility, size, design, and use.

The Sales Comparison Approach is a form of comparison shopping, however, sales or listings of comparable properties may require adjustments for transaction characteristics and/or physical differences between the sale/listing property and the subject. When sufficient data is available to reasonably extract a value for the differences, the approach can be relatively reliable and the approach often proves to be the best indication of value as buyers tendencies can be readily measured and applied to the subject of the appraisal.

### Comparable Selection

The subject is a vacant tract of land comprised of a City alley, with a very nominal size of 1,405.8 square feet, with secondary access and exposure and a highest and best use of assemblage with adjacent properties. Thus comparable properties ideally should have similar physical characteristics and a similar highest and best use.

Research found few sales of properties within similar and unusual physical characteristics, primarily the properties are unbuildable per zoning regulations (below minimum size), and in the case of three of the four sales, adjacent owners purchased the properties, thus similar to the subject's highest and best use.

Because the properties analyzed have somewhat unusual physical characteristics, as mentioned, and because there are few sales of these types of properties, sales prices are very erratic. However, applying analysis based on judgment gained by experience in the Fort Pierce markets, a reasonable opinion of value can be concluded with the available data. Analysis follows.

### Units of Comparison

The properties are analyzed based on sales price per square foot of site area, which best reflects actions by market participants.

### Adjustments

Because properties are not identical, and at times transactions are affected by unusual conditions, adjustments to sales prices may be required. Adjustments are typically market based, and the first set of potential adjustments covers transaction characteristics including potential effects of non-cash or cash equivalent financing, conditions of sale, and changing market conditions (time). Adjustments follow addressing physical differences.

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## SALES COMPARISON APPROACH (continued)

### Financing

The properties analyzed were cash transactions, thus adjustments for financing are not required.

### Conditions of Sale

The sales were arm's length and unaffected by unusual transaction conditions, thus adjustments for Conditions of Sale are not required.

### Market Condition

As previously discussed, market conditions have softened thus in most instances very recent sales provide the best indication of current value levels. However, in the subject's market segment, few sales of similar properties occur annually and prices are not necessarily affected by strong or weak market conditions but rather prices are affected by buyer motivations of assemblage (contribution of the property to a buyer's adjacent ownership).

The sales analyzed closed in January 2013, October 2012, January 2010 and January 2009. The 2012 and 2013 sales are very current thus reflect current market conditions. The sales closing in 2009 and 2010 are likely to reflect somewhat uncertain conditions as prices generally trended down from the 2009-2010 periods, and by 2012 prices have been observed to be bottoming in some market segment. However, in the subject's market, as previously discussed, buyer motivations tend to be the primary price driver vs. the overall strength and weakness of the market, but because of the lack of an adequate amount of data to extract market condition adjustments, adjustments are not applied for potential changes in market conditions, rather the date the sales occurred are considered when weighing the 2009 and 2010 sales as an indication of the subject's current market value.

### Adjustments for Physical Differences

Physical differences are ideally adjusted based on paired sales analysis, when available, but in the case of the subject's market segment, adjustment indications are unclear due to the limited sales data. Therefore, physical differences are considered via a qualitative analysis.

The following exhibit is a Sales Summary including a summary of the physical differences between a sale and the subject, followed by a map locating sales. A conclusion of value via the Sales Comparison Approach follows.

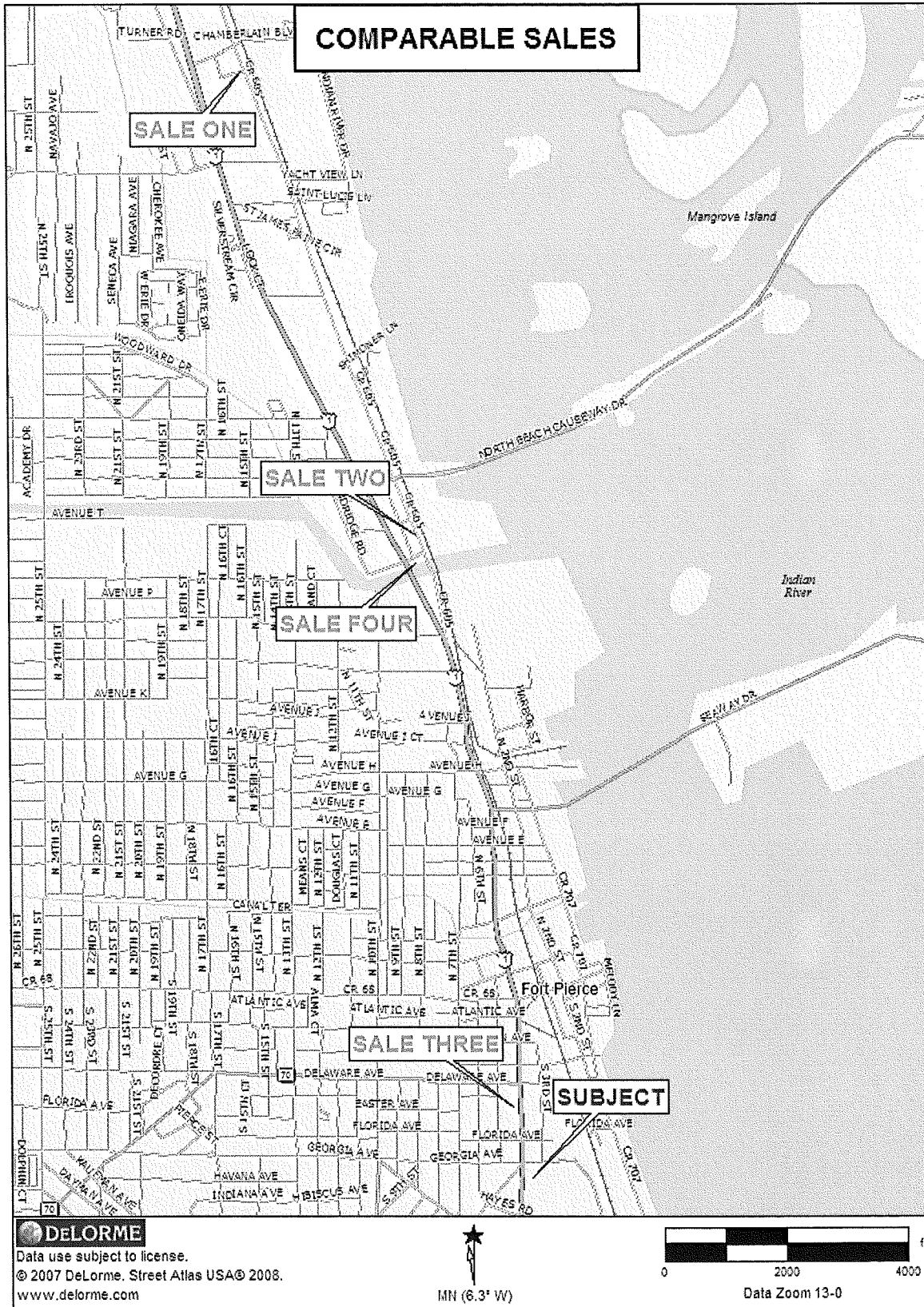
**SALES SUMMARY**

<u>DESCRIPTION</u>	<u>SUBJECT</u>	<u>SALE 1</u>	<u>SALE 2</u>	<u>SALE 3</u>	<u>SALE 4</u>
ADDRESS	ALLEY EAST OF 801 S. U.S. 1	EAST SIDE OF OLD DIXIE HWY. ACROSS ST. FROM 3056 OLD DIXIE HWY. ST. LUCIE VILLAGE	NORTH 3RD STREET 1/2 BLOCK EAST OF US 1, NORTH of TAYLOR CREEK FORT PIERCE	603 S. U.S. 1  FORT PIERCE	NW CORNER N. 3RD ST. 1/2 BLOCK EAST OF US 1, NORTH of TAYLOR CREEK FORT PIERCE
GRANTOR	CITY OF FT. PIERCE	WILL, BRUCE	MACOMBER, JAMES & JUDITH	CUETO, SHELIA	RUTLEDGE
GRANTEE	N/A	MACY, DENNIS	TREASURE COAST INVEST. PROPERTIES, INC.	FT. PIERCE LODGE 1520, BPOE	HURST
DATE OF SALE	APPRAISED April 1, 2013	1/13	10/12	1/10	1/09
RECORDED OR BK./PG.		3476/1706	3446/1313	3167/2223	3056/34
NO. MONTHS SINCE SALE		2	5	38	50
PREVIOUS SALES	N/A	4/07 - \$10,000 = \$1.35/sf 75% value decline (4/07-1/13)	Previous sale included other properties	No recent arm's length previous sales	No recent previous sales
ZONING AT SALE	C-3 / GC	RPF / R/OS	C-3 / GC	C-3 / GC	IL / IND
SITE: SQUARE FEET	1,405.8	7,405	9,148	5,662	1,750
ACRES	0.03	0.17	0.21	0.13	0.04
	20' X 70.29'	98' X 75'	100' X 90'	42.5' X 113.7'	35' X 50'
FINANCING TERMS	Cash Equivalent	Cash	Cash	Cash	Cash
COMMENTS:	Interior property, with nominal functional utility, & fair exposure & access	INTERIOR PROPERTY, BETWEEN OLD DIXIE HWY. & FEC RAIL R/W	INTERIOR PROPERTY, FRONTS UNPAVED ST. W/ SECONDARY EXPOSURE & ACCESS UNDERSIZE LOT BUILD- ABLE LOT	INTERIOR PROPERTY, FRONTS US 1, NORTH OF BPOE  UNDERSIZE LOT BUILD- ABLE LOT	CORNER SITE WITH OBLIQUE US 1 EXPOSURE  UNDERSIZE LOT BUILD- ABLE LOT
OVERALL COMPARABILITY		SUPERIOR EXPOSURE & SUPERIOR ACCESS SMALL SITE, ALSO LIMITED FUNCTIONAL UTILITY	SUPERIOR ACCESS & SLIGHTLY SUPERIOR EXPOSURE SMALL SITE, ALSO LIMITED FUNCTIONAL UTILITY CAN NOT BE BUILT ON	SUPERIOR EXPOSURE & SUPERIOR ACCESS SMALL SITE, ALSO LIMITED FUNCTIONAL UTILITY CAN NOT BE BUILT ON	SUPERIOR EXPOSURE & SUPERIOR ACCESS SMALL SITE, ALSO LIMITED FUNCTIONAL UTILITY CAN NOT BE BUILT ON
			PURCHASER ADJACENT OWNER	PURCHASER ADJACENT OWNER	PURCHASER ADJACENT OWNER
		SUBJECT'S VALUE IS LOWER AS SALE PROPERTY IS SUPERIOR	SUBJECT'S VALUE IS LOWER AS SALE PROPERTY IS SUPERIOR	SUBJECT'S VALUE IS LOWER AS SALE PROPERTY IS SUPERIOR	SUBJECT'S VALUE IS LOWER AS SALE PROPERTY IS SUPERIOR

**SALE ANALYSIS**

LAND SALES PRICE		\$2,500	\$12,000	\$7,200	\$5,000
SALES PRICE / SQUARE FOOT OF LAND		\$0.34	\$1.31	\$1.27	\$2.86
MARKET CONDITION ADJU:	0.0%	0%	0%	0%	0%
MARKET COND. ADJ. PRICE / SQUARE FOOT		\$0.34	\$1.31	\$1.27	\$2.86

DATA SUGGESTS SUBJECT'S VALUE AS OF 4/1/2013 IN RANGE OF \$1.00/SF = (ROUNDED) \$1,500



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SALES COMPARISON APPROACH (continued)

Sales Comparison Approach Conclusion

<u>Sale</u>	<u>Sales Price per SF</u>
1	\$0.34
2	\$1.31
3	\$1.27
4	\$2.86

As discussed, the sales analyzed are all unbuildable properties with three of the properties analyzed, purchased by adjacent owners.

Also, it is noted all of the properties analyzed have superior access and exposure with all fronting a public street vs. subject's city alley frontage.

It is also noted that based on the physical features of each property, the sales prices are erratic with buyer motivations the primary influence on the price as an example sale 4 is the smallest property but sold at a higher gross price than sale 1, with sale 4 an important addition to the buyer's adjacent property.

Therefore, none of the sales are ideally comparable and for this reason no sale is heavily weighted as an indication of the subject's value, except it is recognized sales 3 and 4 are older dates, closing in 2010 and 2009, respectively, thus sales 1 and 2 are more heavily weighted as current indications of value.

Finally, based on the subject's physical features and demand for a property like the subject, and based on analysis of the available sales, it is my opinion the subject's value is somewhat nominal, say within the range of \$1.00 per square foot. At \$1.00 per square foot x subject's 1,405.8 square feet, the subject's total value calculates to (rounded) \$1,500.

In summary, based on the available data and my analysis of the data, in my opinion, the market value of the fee simple interest in subject of this appraisal, "as is", as of April 1, 2013, is:

**ONE THOUSAND DOLLARS FIVE HUNDRED DOLLARS -\$1,500-**

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## EXPOSURE TIME

EXPOSURE TIME: estimated length of time that the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal.

Source - USPAP Definitions, 2012-1013 Edition, the Appraisal Foundation

The exposure time for the properties analysis were generally unavailable which is not unusual as properties like the subject are generally not in high demand in the general market, as discussed, the primary buyers are adjacent land owners. However, assuming the subject was listed via typical marketing, with an asking at or near my opinion of value, in my opinion an exposure period of less than six months would be required as it is expected an adjacent owner would be very interested in the subject and it is unlikely an adjacent owner would risk the sale of the property to another party.

QUALIFICATIONS OF THE APPRAISER  
DANIEL D. FULLER, MAI

Education

Indian River Community College, Graduated 1967, A/S Degree

Professional Memberships

Member Appraisal Institute (MAI)#7876 - Appraisal Institute  
Senior Real Property Appraiser (SRPA) - Appraisal Institute  
Senior Residential Appraiser (SRA) - Appraisal Institute  
Florida - State Certified General Real Estate Appraiser RZ567  
Registered Florida Real Estate Broker

Work Experience

1992 - Pres. President, Fuller-Armfield-Wagner Appraisal & Research, Inc., Fort Pierce, FL  
1987 - 1992 Vice President & Partner, Armfield-Wagner Appraisal & Research, Inc., Fort Pierce, FL  
1983 - 1987 Staff Appraiser, Armfield-Wagner Appraisal & Research, Inc., Vero Beach, FL  
1981 - 1983 Salesman/Appraiser, Florida Licensed Realtor-Associate, Procino Realty, Ft Pierce, FL  
1979 - 1983 Staff Appraiser, Harbor Federal Savings and Loan Association, Fort Pierce, FL  
1974 - 1979 Staff Appraiser, St. Lucie County Property Appraiser's Office, Fort Pierce, FL

Real Estate Appraisals made for the following:

Accountants	PNC Bank
Attorneys	Port St. Lucie, City of
Dept. of Natural Resources	Regions Bank
Federal Deposit Ins. Corp.	Resolution Trust Corporation
Federal Home Loan Bank Board	Seacoast Bank
Federal National Mortgage Corp.	St. Lucie County
Florida Community Bank	South Florida Water Management District
Fort Pierce, City of	SunTrust Banks
Gulfstream Business Bank	TD Bank
Harbor Community Bank	TITF
IBERIA Bank	Vero Beach, City of
Indian River County	Wells Fargo
Martin County	

Types of Appraisals Completed

Airplane Hangars	Offices
Automobile Dealerships	Packing Houses
Car Washes	Ranches
Commercial	Recreational Vehicle Parks
Groves	Residential
Industrial	Restaurants
Insurable Value	Retail Shopping Centers
Land Locked Parcels	Service Stations
Mini-Warehouses	Subdivision
Motels	Warehouses
Multi-Family	Wetlands
	Vacant Lands

Qualified as Expert Witness

Circuit Court -  
St. Lucie County  
Martin County  
Indian River County  
Okeechobee County  
Palm Beach County  
U.S. Bankruptcy Court -  
West Palm Beach District

Accomplishments

Past President - Society of Real Estate Appraisers - Indian River Chapter 211 (1989 - 1990)  
Past Instructor - Indian River Community College - Appraising Income Producing Real Estate  
Past Board Member - East Florida Chapter of Appraisal Institute

## ADDENDUM A

### ST. LUCIE COUNTY AREA DATA

St. Lucie County is located on the east coast of Florida some 120 miles north of the City of Miami and 220 miles south of the City of Jacksonville. St. Lucie County lies in the center of the region known as the Treasure Coast, with Indian River County to the north, Martin County to the south, Okeechobee County to the west, and the Atlantic Ocean to the east. St. Lucie County encompasses a land area of approximately 581 square miles.

St. Lucie County ranks 21th in the state in population. St. Lucie County, combined with Martin County is an U.S. Census Bureau Metropolitan Statistical Area (MSA).

With nearly 88% of the state's population within a 150 mile radius of St. Lucie County, Fort Pierce maintains a position as the transportation hub of the area with its easy accessibility to I-95, Florida's Turnpike, U.S. 1 and the St. Lucie County International Airport. Distance from Fort Pierce to other Florida cities are as follows:

#### Distance to Florida Cities

<i><b>NORTH</b></i>		<i><b>SOUTH</b></i>	
Vero Beach	15 miles	Port St. Lucie	6 miles
Melbourne	50 miles	Stuart	17 miles
Orlando	120 miles	West Palm Beach	55 miles
Daytona Beach	140 miles	Miami	123 miles
Jacksonville	220 miles	Key West	250 miles

St. Lucie County enjoys a central Florida east coast location which can be a long term positive for regional development as Martin County to the south has limited westward expansion as Lake Okeechobee forms the county's west boundary, and to the north, Indian River County's westerly expansion is blocked by the headwaters of the St. John's River. St. Lucie County, however, has the ability of almost unrestricted physical expansion to the west to Okeechobee County in Central Florida.

Fort Pierce, the oldest city in the county, is located on the eastern edge of the county adjacent to the Indian River - Intercoastal Waterway and the Atlantic Ocean. In addition to Fort Pierce there are two other incorporated communities within St. Lucie County; Port St. Lucie and St. Lucie Village. In addition to the cities, the county government oversees a large portion of unincorporated area, also providing support to the cities in the area court systems, criminal detention facilities, fire protection, etc., and along with the Treasure Coast Regional Planning Council, providing input on large scale growth / planning issues.

Population statistic is as follows:

#### County and City Populations

	<b>1970*</b>	<b>1980*</b>	<b>1990*</b>	<b>2000</b>	<b>2010*</b>
<b>St. Lucie County **</b>	50,836	87,182	150,171	190,677	277,789
<b>Fort Pierce</b>	29,721	33,802	36,830	38,683	41,590
<b>Port St. Lucie</b>	330	14,690	55,866	85,751	164,603
<b>St. Lucie Village</b>		593	584	638	527

\* U.S. Census Bureau, 2010 census

\*\*Total including all unincorporated areas.

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**ST. LUCIE COUNTY AREA DATA (continued)**

The greatest population growth from 2000 census to 2010 estimates is in the City of Port St. Lucie with an average annual increase of some 15%. The City of Fort Pierce experienced little increase, an average annual increase of 0.7%, during the same period. The total average annual percentage population growth for the County for the same period was 4.5%. Per the U.S. Census Bureau the state's average annual growth for the same period was approximately 1.8%. Thus the County's overall growth has been well ahead of the state average.

A majority of the growth experienced between 2000 and 2010 occurred between 2003 and 2007. In 2008 growth slowed which is expected with softening demand in the real estate markets and a soft national economy.

However, the University of Florida Statistical Abstract for 2009 reports by 2015 St. Lucie County will have a population range from a low of 277,100 to a high of 352,700.

Long term growth is expected to follow past patterns with a majority of the County's growth occurring in the City of Port St. Lucie with the City of Fort Pierce and St. Lucie County overall achieving a lesser but steady growth. Limited growth can be predicted for the beachfront areas caused primarily by stringent development regulations imposed by county, state, and federal governments, plus environmental and concurrency regulations combining to create a general negative affect on development.

Population Age Groupings\*

0-19	24.8%
20-34	16.0%
35-54	26.6%
55-64	12.7%
65 PLUS	20.0%

\* U.S. Census Bureau, 2010 census

Population age distribution is about equal in all age groupings with a slightly higher level in the mid year group. It is expected that these levels will remain relatively the same with a stronger increase in the over 65 group as people continue to move to the Sunbelt at retirement.

Along with the substantial population growth, St. Lucie County has experienced a rapid expansion in the number of households with a slight decline in the size of the households. The following summary indicates past trends.

Household Growth and Household Size\*

<b>YEAR</b>	<b>NUMBER OF HOUSEHOLDS</b>	<b>HOUSEHOLD SIZE</b>
1980	32,506	2.65
1990	58,174	2.54
2000	76,933	2.47
2010	137,029	2.55

\* U.S. Census Bureau, 2010 census

**City of Fort Pierce**

Fort Pierce, incorporated in 1901, is the oldest city in the County and covers approximately 19 square miles. Because the city is approximately 80%+ developed, new growth is expected to be minimal unless annexation and/or gentrification occurs. The City Commission is on an annexation track to bring developments adjacent to the city limits and serviced by city utilities into the city for an expanded tax base. Also, because of the age of the city, the City's Redevelopment Agency has been in a redevelopment phase including infrastructure and community service facilities such as restoration of

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## ST. LUCIE COUNTY AREA DATA (continued)

the historic Sunrise Theatre. However, recent 2008 budget constraints have curbed projects, but plans are proceeding for further redevelopment from the governmental sector. In the mid 2000 period private investment in refurbishing properties as well as developing new structures was very evident, but in the 2008 economic environment private investment has all but ceased. The effect of the government's rebuilding of infrastructure in the near term uncertain, but over the long term the rebuilt infrastructure should result in attracting new private investment.

Additionally, during the building boom of the mid 2000's several residential projects were proposed, permitted, and/or started development on tracts lying immediately west of the Ft. Pierce city limits. When complete, these projects will be annexed in to the City. However, with the slowdown in demand in the real estate markets in most instances project planning and development has ceased, thus annexation has not occurred. If in the future these projects are annexed the project's should improve average housing prices along with adding a more affluent population which should be a positive to the entire city.

Although the City of Ft. Pierce is the oldest community in the County, the City has many advantages such as one of the best Florida east coast inlets to the Atlantic Ocean providing access to some of the best boating waters along Florida's east coast.

The City of Fort Pierce also reigns as the area's commercial center with its transportation network including central access to Interstate 95, the Florida Turnpike, State Road 70, and the St. Lucie County International Airport and the Port of Fort Pierce.

However, because the city is older, the City of Ft. Pierce also has a large inventory of older residential and commercial properties and a lower income base, thus attracting name brand retailers, chain restaurants, etc. has proven unsuccessful. But as discussed, if the new residential and commercial projects located adjacent to the city are developed and annexed, then in the future the city's economy should improve, potentially attracting the name brand retailers, etc. not now represented.

### **City of Port St. Lucie**

The City of Port St. Lucie, located at the southern end of St. Lucie County six miles south of Fort Pierce, has in the last several years surpassed Fort Pierce in population and is now the largest city in the county.

Port St. Lucie was incorporated in 1960, originally developed by Mackell Brothers and continued by General Development Corporation (now Atlantic Gulf Communities). Port St. Lucie encompasses approximately 114 square miles with development predominately in single family residences of moderate price ranges with areas of high priced homes concentrated around the community's golf courses and the North Fork of the St. Lucie River.

Within the original General Development plats of Port St. Lucie approximately 50% of the lots remain to be improved.

Although housing in the cities of Fort Pierce and Port St. Lucie, as well as St. Lucie County overall is generally considered to be very affordable compared to neighboring counties to the north and south, the south county area has attracted large upscale developments such as St. Lucie West, Tradition (Core Communities developer) and the Reserve (Kolter Homes).

The St. Lucie West development is a mixed-use community opening for sales in 1988 with another developer creating and permitting the overall plan. The St. Lucie West development lies west of the Florida State Turnpike, east of Interstate 95, and north and south of the original city limits of Port St. Lucie. The location, because of the major road boundaries, provides defined boundaries that maintain the integrity of the project.

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**ST. LUCIE COUNTY AREA DATA (continued)**

The project is an approved Development of Regional Impact (DRI). Current development projections indicate at buildout, the community will include a residential population of 25,000 with a permanent job base of 35,000 workers. The community was proposed to include 500 acres of industrial development, 426 acres of commercial/retail/office development, along with 90 acres of college campuses and over 100 acres of public parks and recreational facilities including the Digital Domain Park (fka Tradition Stadium), the spring training facilities for the New York Mets. The development, however, has absorbed a majority of its DRI allotted retail space, but owners/developers have updated the DRI to achieve an increase in retail space.

Within the St. Lucie West development is a Jim Fazio-designed championship 18-hole golf course. The golf course was purchased in 1995 by the Professional Golfers Association (PGA).

West of Interstate 95 is a smaller luxury residential community, The Reserve. The Reserve is an upper price range; golf course oriented community on 2,700 acres of land approved for 4,100 residences. The central amenity of the development was originally a private 18-hole George Fazio designed championship golf course.

The PGA of America owns two Tom Fazio designed 18-hole PGA golf courses and a nine hole course designed by Pete Dye within the Reserve. The PGA courses are supported by a 12,000 square foot clubhouse with pro-shop, etc. Also a PGA complex includes a "Learning Center". The PGA's winter headquarters is presently in Palm Beach County, but in the future the Reserve facility may become the PGA's winter home.

In addition to the existing Reserve PUD, the Reserve developers completed permitting for a DRI covering a 3,000 acre tract of land lying immediately south of the existing Reserve. The DRI is permitted for 6,000 residential units, plus 50K square feet of specialty retail and a total of three golf courses to be developed by PGA, 100K square feet of golf course maintenance, etc. facilities, and 250K square feet of non-residential space associated with the golf courses, i.e. clubhouse. Also, located on the north parcel in the area of its southeast corner, the DRI will be permitted for 200K square feet of commercial use, plus a 350 room hotel.

Core Communities also developed another community lying west of Interstate 95, at the I-95 / Gatlin Boulevard interchange, Tradition. Tradition is a community created under a DRI process with plan approval in September 2003. Tradition covers some 3,000 acres, projected to be developed in four phases with a total 7,245 residential units with a projected build-out date of 2022.

Completed commercial development within Tradition includes the Town Square consisting of some 125,000 square feet of commercial space anchored by a Publix grocery store. Additional commercial space is located in the Landings at Tradition; a 500,000 square foot retail center anchored by a Target store, and including out parcel development, the center could total 600,000 square feet. At the Tradition Center for Innovation Research Park, the headquarters of the Torrey Pines Institute of Molecular Studies was completed in early 2009; this facility is the first of several similar research biomedical facilities anticipated to establish corporate and research offices in the park.

The Tradition developers also achieved DRI approval in 2008 for the Southern Groves project covering another 3,200 acres lying southeast of the Tradition development, Southern Groves, is approved for a total of 4,000 residences and 4 million square feet of non-residential uses.

In April 2004 two developers' proposed residential communities covering some 6,300 acres, lying west of Southern Groves. The developers annexed into the City of Port St. Lucie. Reports say a population of some 60,000 persons could reside in these two developments. These projects remain in the DRI approval process.

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## ST. LUCIE COUNTY AREA DATA (continued)

The Tradition development initially experienced strong demand, but since about 2005 demand significantly retracted following general real estate trends and in mid 2010 Core Communities began to attempt to liquidate assets in lieu of filing for bankruptcy. Development has basically ceased and future plans are unknown.

Long term, the eventual impact of St. Lucie West / Tradition and The Reserve on Port St. Lucie and St. Lucie County is expected to be substantial. The St. Lucie West / Tradition and The Reserve developments also spawned several smaller developments within the City of Port St. Lucie. These new PUD's either feature golf course amenities or nature preserve amenities. New or proposed developments include River Place on the St. Lucie, St. James Golf Club, Waterville Golf and Country Club, and Sawgrass Lakes.

Within southeastern Port St. Lucie the Ginn Company purchased a 1,200± acre tract of land developed under the Tesoro PUD. Tesoro is an upscale golf course community home to a grand Italianate Clubhouse, and Arnold Palmer and Tom Watson signature golf courses for Tesoro owners. Tesoro initially experienced strong demand, even at its price levels, but since about 2005 demand significantly retracted following general real estate trends and in 2009 the project mortgage was foreclosed with assets purchased by a Palm Beach County developer, with future plans unknown.

Also, southeast of Tesoro another large tract of land is in the early planning stages with total project statistics unknown at this time but a development order exists allowing some 3,800 residential units plus support commercial development.

There are also several other properties located within the county with DRI approvals and or Planned Unit Developments (PUD) development orders in place, but in most instances as of 2008 development has been halted until economic conditions improve.

In recent years the Port St. Lucie City Commission recognized the need for industrial/commercial growth to prop up its tax base, thus the Commission is attempting to attract new corporate or industrial development. One of the first countywide successes was the location of home shopping giant QVC, locating in the St. Lucie West development of Port St. Lucie. While all of the governmental agencies within the county, along with private business leaders, shared in the success of locating QVC to St. Lucie County, the City of Port St. Lucie received the most benefit with QVC constructing their facility in St. Lucie West. The very recent success of recruiting Torrey Pines Institute for Molecular Studies to locate its headquarters in Port St. Lucie indicates that as the City continues its growth, it can be expected other similar corporate / industrial companies will locate in the City of Port St. Lucie, as well as throughout St. Lucie County.

### **St. Lucie Village**

Adjacent to the northerly city limits of Fort Pierce is St. Lucie Village, the third incorporated community within St. Lucie County. St. Lucie Village has city officials with a mayor, etc., but maintains a steady population base in the range of 600 people and imposes only a minimal tax, offering minimal services to its residences. St. Lucie Village is primarily a residential community with residents having deep St. Lucie County roots, and the population does not desire further expansion of its community, thus St. Lucie Village is not expected to change, at least for the near term years.

### **St. Lucie County**

St. Lucie County ranks in the mid to upper range of Florida counties in the State of Florida Office of Planning and Budgeting 2008 Florida Price Level Index. The local index is at 98.14 with the state average at 100. This index is computed from the price of an identical market basket of goods and services across the state. Most counties with higher indexes (higher costs of goods) are heavily populated metro areas.

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**ST. LUCIE COUNTY AREA DATA (continued)**

The area's economic base has, in the past, been dominated by agriculture, primarily citrus and cattle production. While the agri-business still is the largest in terms of dollar business, the construction industry has gained as a steady economic mainstay.

Tourism is also considered in the top three as a very important part of the local economy. Trends indicate that winter residents occupying long term rental or retirement homes eventually become full-time residents. This trend helps build a strong economic base, indicating that tourism is no longer only a transient, seasonal business.

A number of small to mid-size manufacturing businesses have been attracted to the area in the last ten years, ranging from boat builders to glass and mirror manufacturers, plastic water pipe production, metal parts production, and a Tropicana juice plant, etc. Additionally, in recent years the county has developed more aggressive recruitment methods in not only attracting the life sciences companies but all industries, in order to provide more stable employment for all county residents.

The County Commission also succeeded in receiving approval of the Central Florida Foreign-Trade Zone (CFFTZ) which exempts duties on some manufacturer's imports/exports, if the industry is located within the CFFTZ.

Fort Pierce/St. Lucie County has one of the few deep-water inlets on the east coast of Florida. The County Commission to some degree controls development of the port. The County Commission has made several attempts to purchase the lands which comprise the port, but at this point they have successfully purchased only 20 acres, approximately 67 acres of the prime deep water property remains in private ownership.

Also, the County Commission, in conjunction with the FAA, has been on track to expand the airport with visions the airport will be a regional facility of some significance. The first expansion was in the form of an extended runway, plus additional leasing of land within the airport to a variety of small fixed base operators. The longest runway is now 6,500 feet; however, there remains limitations on aircraft size as the runway surface does not have the capacity to carry the weight of large commercial carriers. In late 2008 a second runway is expected to be complete to support flight school and training traffic. The airport offers full time customs service, thus has international status. The customs service is heavily used by small planes traveling to the Caribbean region. Several commuter services have attempted operations from the airport but none have been financially successful because of being somewhat ahead of the demand curve. Expansion plans, however, have been controversial and as Commissioners change expansion plans also change, thus airport's ultimate development is uncertain at this time.

Service and professional fields also compose a large part of the area's economic base. Among the professional fields, real estate has played an important part in the area's growth with some 240 brokers in the county and over 900 MLS members.

Although the local economy is extensively supported by agriculture, construction, and tourism, other employment centers include manufacturing, retail trade, finance, insurance, real estate, services and governmental jobs. Total percentages listed below are based on the total non-agricultural labor force\*.

Other Employment - Non-agricultural\*

<b>CONSTRUCTION</b>	8.3%
<b>MANUFACTURING</b>	3.7%
<b>TRADE, TRANSPORTATION AND PUBLIC UTILITIES</b>	23.7%
<b>FINANCE, REAL ESTATE AND INSURANCE</b>	14.2%
<b>SERVICES</b>	23.5%
<b>GOVERNMENT JOBS</b>	19.4%

\*Estimated by the Enterprise Florida/Florida County Profile (2009)

## ST. LUCIE COUNTY AREA DATA (continued)

Largest Employers

LIBERTY MEDICAL	1,852
WAL-MART RETAIL STORES	1,720
INDIAN RIVER STATE COLLEGE	1,547
LAWNWOOD REGIONAL MEDICAL CENTER	1,082
PUBLIX SUPERMARKETS	1,163
QVC	1,137
WAL-MART DISTRIBUTION CENTER	1,070
ST. LUCIE COUNTY MEDICAL CENTER	747

\*Estimated by the Enterprise Florida/Florida County Profile (2009)

Unemployment is generally higher in St. Lucie County than in neighboring counties and although St. Lucie County continues to rank in the top counties within the state for unemployment. Historically the main contributor to high employment was the large number of seasonal workers in agriculture, and seasonally oriented tourist businesses.

Below is a summary of unemployment rates for recent years and as can be seen from the data, improvement in unemployment occurred through 2006, but from 2008 continuing thru 2010, unemployment is at an all time high, caused by a national economic recession.

Labor Force and Unemployment\*

Year	Total Labor Force	Unemployment Rate
2000	78,757	7.7%
2001	82,182	7.5%
2002	81,197	8.1%
2003	97,701	6.4%
2004	101,946	6.2%
2005	110,595	4.9%
2006	114,980	4.2%
2007	122,976	5.7%
2008	123,438	8.8%

\*University of Florida Statistical Abstract, 2009

However, in 2008 unemployment significantly increased because of the slowdown in the real estate industry, along with an overall softening in the general economy which has led to closing many small businesses and reduced demand in various industries such as boating, automobiles, etc. But, with a revival in the real estate industry and the national economy, the employment picture for St. Lucie County should improve over its historic trends.

In addition to the St. Lucie County International Airport and Port facilities, previously discussed, St. Lucie County is served by several other major forms of transportation.

St. Lucie County is served by Federal Highway U.S. 1, which is a four lane median divided highway that serves as a major inter and intra-county route. The area is also served by five primary state highways including the Florida Turnpike, plus Interstate 95. St. Lucie County has the distinction of being the only area where the Florida Turnpike and Interstate 95 have closely located interchanges, thus, the interchange neighborhood has been developing over the past ten year period.

Fort Pierce is also served by Florida East Coast Railway, (freight only) and is the terminal point for the railroad cut-off to the Lake Okeechobee area. Community delivery service is by Airborne Express, Federal Express, United Parcel Service, Greyhound, and several common carriers. There are several trucking terminals in St. Lucie County including AAA Cooper, Gator Freightways, and Yellow

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## ST. LUCIE COUNTY AREA DATA (continued)

Freight Systems. There are also several locally owned taxicab companies and Community Transit, a division of Council on Aging of St. Lucie, Inc., is the public transit provider for St. Lucie County through a contract with the Board of County Commissioners of St. Lucie County.

St. Lucie County government operates as a five member commission with a professional county administrator as mandated by the state. The City of Fort Pierce operates as a five member commission and a city manager. Port St. Lucie operates as a five member commission presided over by a mayor/councilman. St. Lucie Village has a five member board of aldermen and a mayor, however, generally only limited city business is transacted by the group.

Each city provides its own law enforcement department along with a county Sheriffs Department for the unincorporated areas. Fire protection is provided by a county wide district.

The school system is operated under one county wide five member board. The system has twenty elementary schools (grades K-6), five elementary schools grades K-8, four middle schools, six high schools, and one exceptional student education center. Also, there are several private schools including the elementary St. Anastasia and John Carroll High Schools. Higher education facilities consist of Indian River State College, plus Barry University, and Florida State University, offer courses at the Indian River State College campus in Fort Pierce and St. Lucie West, plus Florida Atlantic University has a campus in St. Lucie West. The University of Florida Institute of Food and Agriculture Science offers bachelor's and master's degree programs at its UF Indian River Research and Education Center local campus.

There are two hospitals within the county. Lawnwood Regional Medical Center, located in Fort Pierce, and St. Lucie Medical Center located within the City of Port St. Lucie. Plus, Martin Memorial Heath system is applying for a certificate of need for a hospital to be located adjacent to the Torrey Pines research center in the Tradition / Southern Grove development. Additionally, there are two in-patient psychiatric hospitals, Lawnwood Pavilion located in Fort Pierce, and Savannas Hospital located in Port St. Lucie, plus a regional publicly funded mental health facility, New Horizons of the Treasure Coast. There are also several privately operated walk-in medical clinics, plus assisted living facilities and nursing homes spread throughout the county.

### Summary

In the short term the County's economic base is soft with the downturn in the real estate industry and overall soft national economic conditions negatively affecting the area. But, long term the overall economic outlook for St. Lucie County is good. Projections show the most rapid expansion will be in the City of Port St. Lucie. However, all of the incorporated or unincorporated areas should, by all forecasts, show a steady growth rate.

With governing and private forces vigorously working toward industrial expansions, unemployment should in the future decline. New stable industries should add a great deal to the overall employment picture. Along with new industrial employment, growth will create many new jobs in the service and professional fields again adding to the overall economic outlook for the area. Thus, the area should continue to be attractive to new residents as well as continuing to offer existing residents an attractive place in which to live and work.

Of course, much of the economic growth will depend upon national trends. As in the past, economic highs and lows brought about by national economic policies affect the local economy thus real estate values.

**Fuller-Armfield-Wagner  
Appraisal & Research Inc.**

120 North 2nd Street  
Ft. Pierce, FL 34950

# Invoice

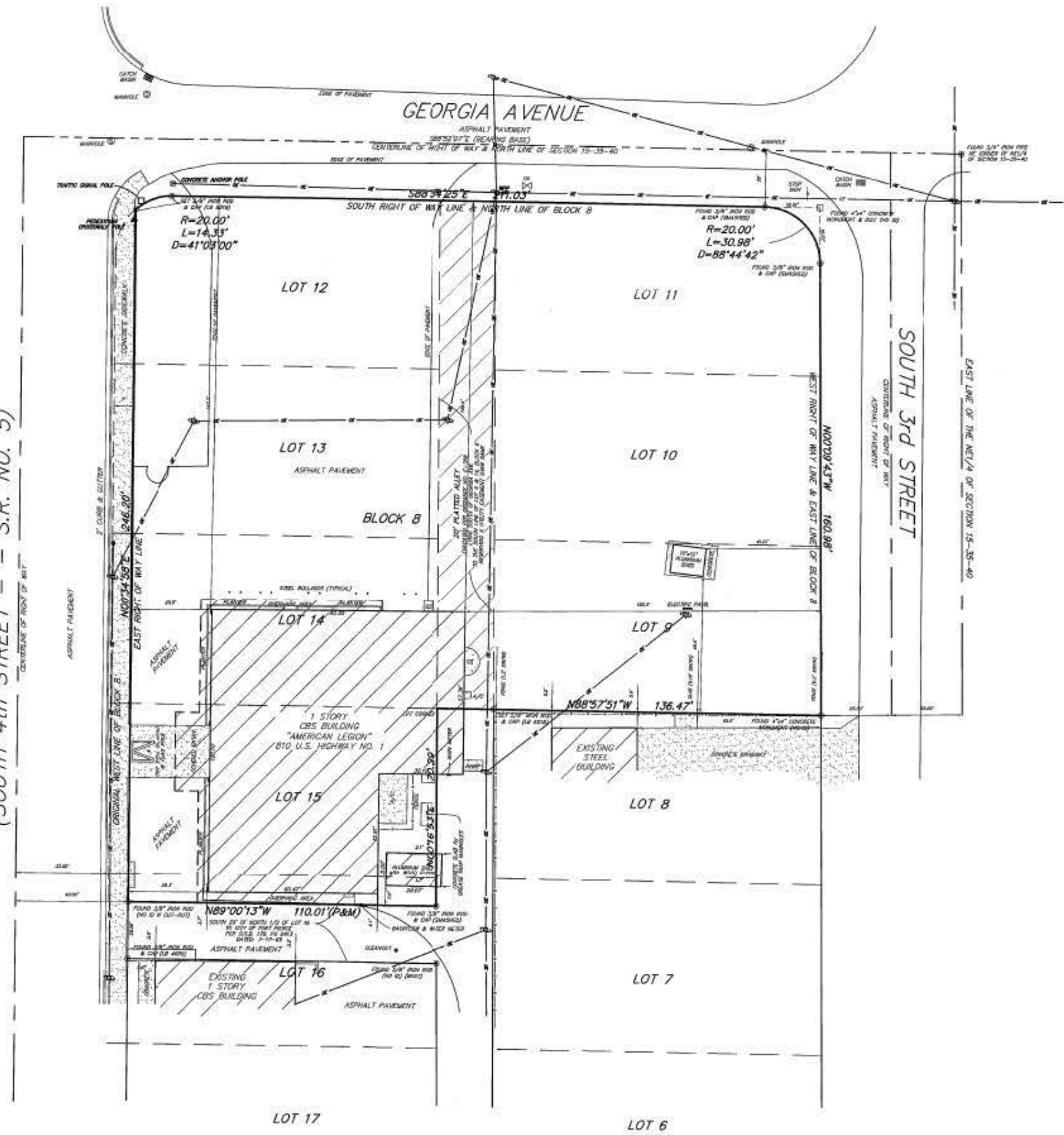
DATE	INVOICE #
5/30/2013	19500

BILL TO
American Legion Post 40 Board of Directors 810 South US #1 Fort Pierce FL 34950

DESCRIPTION	AMOUNT
For services rendered in the appraisal of real property located at:  .03227+- acre site located behind 810 South U.S. #1 (SE corner of US 1 & Georgia Ave) Fort Pierce FL	500.00
<b>Total</b>	<b>\$500.00</b>

**BOUNDARY SURVEY**  
**PORTION OF BLOCK 8, PLAT OF PINWOOD**  
**PLAT BOOK 5, PAGE 24**  
**ST. LUCIE COUNTY, FLORIDA.**

U.S. HIGHWAY NO. 1  
 (SOUTH 4th STREET - S.R. NO. 5)



**LEGAL DESCRIPTION:**

LOTS 9 THRU 11, INCLUSIVE; LOTS 12 THRU 15, INCLUSIVE, LESS THE WEST 7.0 FEET, THE NORTH 1/2 OF LOT 16, LESS THE WEST 7.00 FEET AND LESS THE SOUTH 20.00 FEET THEREOF, BLOCK 8 OF THE "PLAT OF PINWOOD", AS RECORDED IN PLAT BOOK 5, PAGE 24 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; TOGETHER WITH THAT PORTION OF THE PLATTED 20 FOOT ALLEY BETWEEN LOTS 9 THRU 11 INCLUSIVE AND LOTS 12 THRU 14 INCLUSIVE, BLOCK 8 OF SAID "PLAT OF PINWOOD", AS VACATED PER O.R.B. 160, PG. 413, DATED: DECEMBER 6, 1988.

**SURVEYOR'S NOTES:**

1. NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND UTILITIES ON/OR ADJACENT TO THIS SITE. THE APPROXIMATE LOCATION OF ALL UTILITIES SHOWN HEREON WERE TAKEN FROM AS-BUILT DRAWINGS AND/OR ON-SITE LOCATION AND SHOULD BE VERIFIED BEFORE CONSTRUCTION.
2. NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND FOOTINGS OF BUILDINGS OR FENCES ON OR ADJACENT TO THIS SITE.
3. LANDS SHOWN HEREON WERE SURVEYED WITHOUT BENEFIT OF TITLE SEARCH.
4. BEARINGS SHOWN HEREON REFER TO AN ASSUMED MERIDIAN OF S.88°54'25\"/>

**SURVEYOR'S CERTIFICATION:**

I HEREBY CERTIFY THAT THIS PLAT OF SURVEY WAS PREPARED UNDER MY RESPONSIBLE CHARGE AND MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL LAND SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, AND THAT IT IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A LICENSED FLORIDA SURVEYOR AND MAPPER.

ROBERT BLOOMSTER, JR.  
 PROFESSIONAL LAND SURVEYOR  
 NO. 4134 STATE OF FLORIDA

**BLOOMSTER**  
**PROFESSIONAL LAND**  
**SURVEYORS, INC.**  
 L.R. #0018

641 NORTHEAST SPENCER STREET  
 JENSEN BEACH, FLORIDA 34957  
 PHONE 772-334-0868

SHEET 1 OF 1	
DRAWN BY:	DPK
SCALE:	1" = 30'
FIELD WORK COMPLETED:	4/8/11
FIELD BOOK:	SKETCH
JOB NO.:	11418
REVISIONS	
DATE:	DESCRIPTION BY:

PREPARED FOR: AMERICAN LEGION  
 810 SOUTH U.S. HIGHWAY NO. 1  
 FORT PIERCE, ST. LUCIE COUNTY, FLORIDA.

- LEGEND**
- CLEAN CUT
  - STAKE POST
  - POWER POLE
  - SURVEY
  - LIGHT POST
  - CAS CONCRETE BLOCK STRUCTURE
  - RADIUS
  - LENGTH
  - BEAR

**City Commission Regular Meeting**

**Agenda Item # 10. b.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

Notice of Appeal submitted on behalf of Richard A Coke Investments LLC of a decision made by the Historic Preservation Board on October 28, 2013 to approve a Certificate of Appropriateness (COA 13-43) issued for 131 N 2nd Street with the following condition: Replacement of the roofing system must be done with the appropriate clay barrel tile system to match the original match the old in design, color, and texture. The relief sought is the amendment of the decision of the Board to allow the installation of the concrete roofing materials requested by the owner and representative.

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**Attachments**

Coke Appeal

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**Form Review**

Form Started By: Linda Cox  
Final Approval Date: 02/12/2014

Started On: 02/12/2014 08:57 AM




# CITY OF FORT PIERCE, FLORIDA


## City Commission Meeting

Agenda Item # \_\_\_\_\_  
Commission Meeting January 6<sup>th</sup>, 2014

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**To:** The Honorable Mayor and Members of the City Commission

**Through:** Robert J. Bradshaw, City Manager 

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

**Re:** **Appeal of the Decision of the Historic Preservation Board  
Certificate of Appropriateness 13-43, Roof Replacement  
131 N 2<sup>nd</sup> Street**

**Date:** December 26, 2013

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**ISSUE(S):** Appeal of the decision of the Historic Preservation Board for Certificate of Appropriateness 13-43, Roof Replacement at 131 N 2<sup>nd</sup> Street, the Raulerson Building.

**SUMMARY:**

- The City of Fort Pierce Historic Preservation Board, at their October 28<sup>th</sup>, 2013 meeting, reviewed and unanimously approved a Certificate of Appropriateness application for the replacement of the original clay barrel tile roof of the Raulerson Building.
- The approval was conditioned upon the applicant utilizing the appropriate clay barrel tile replacement pursuant to the Secretary of Interior Standards for the Rehabilitation of Historic Structures.
- Per Section 23-66, An aggrieved party may appeal the decision by filing a written notice which shall state:
  - 1) The decision which is being appealed.
  - 2) The grounds for the appeal.
  - 3) A brief summary of the relief which is sought.
- Christine Coke, representative of Richard A. Coke, an aggrieved party, is appealing the decision of the Historic Preservation Board to condition the replacement of the roof upon the utilization of materials other than as proposed by the applicant and representative. The requested relief is to amend the decision of the Board to permit the use of concrete "S-Type" tiles instead of clay barrel tiles.

**FISCAL IMPACT:** N/A

**RECOMMENDATION:** Uphold the Decision of the Historic Preservation Board.

**ALTERNATIVE:** Amend the Decision of the Historic Preservation Board.

**RESPONSIBLE STAFF:** Kori Benton, Historic Preservation Officer

**COORDINATED WITH:** Danny Hawkins, Deputy Building Official

**ATTACHMENTS:** Staff Report, Notice of Appeal, COA 13-43 Staff Report, COA 13-43 Approval Certificate, Minutes of the October 28<sup>th</sup>, 2013 Historic Preservation Board Meeting, Supplemental Appeal Packet.





# 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** : Rebecca Grohall, AICP, Planning Manager 

**FROM** : Kori Benton, Historic Preservation Officer 

**RE** : **Appeal of the Decision of the Historic Preservation Board  
Certificate of Appropriateness 13-43, Roof Replacement  
131 N 2<sup>nd</sup> Street**

**DATE** : December 26, 2013

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### STAFF REPORT

#### Certificate of Appropriateness (COA) 13-43 Raulerson Building - Roof Replacement

**Owner(s):** Richard A. Coke Investments, LLC.  
131 N 2nd St  
Fort Pierce FL 34950-4428

**Representative:** Christine Coke  
Appeal 1110 Granada St  
Fort Pierce FL 34949

**Representative:** Karen Nielsen  
COA Application J.A. Taylor Roofing, Inc.  
302 Melton Drive  
Fort Pierce FL 34982

**Property Location:** 131 N 2<sup>nd</sup> Street, Fort Pierce, Florida  
Parcel ID: 2410-503-0072-000-4

**Historic Designation:** Contributing Historic Structure within the Downtown Historic  
District, Resolution 02-39  
Individually Designated via Resolution 01-117

**COA Request:** Approval to replace original clay barrel tile roof system with a S-  
type concrete tile system.

**HPB Hearing Date:** October 28<sup>th</sup>, 2013

## **Decision of the Historic Preservation Board**

The Historic Preservation Board, at their October 28<sup>th</sup>, 2013 meeting, approved the application to replace the original clay barrel tile roof system with an appropriate clay barrel tile system to match the original match the old in design, color, and texture.

### **Appeal**

**Aggrieved Party:** Richard A. Coke

**Decision Being Appealed:** Application of a condition of approval which requires the replacement roof to be of the appropriate clay barrel tile system to match the original roof in design, color, and texture.

**Relief Sought:** Amend the decision of the board to grant approval to replace the roof with a concrete S-type tile system.

### **Facts Bearing on the Appeal**

On April 16<sup>th</sup>, 2001, the Fort Pierce City Commission adopted Ordinance K-72, Establishing Chapter 23 of the City Code of Ordinances, providing for the identification, protection, and promotion of restoration of buildings and districts within the City which have special historical, architectural, and archaeological value.

On July 2<sup>nd</sup>, 2001, the Fort Pierce City Commission adopted Resolution 01-117, designating 131-139 N 2<sup>nd</sup> Street known as the "Raulerson Building" as a historically significant site.

On March 18<sup>th</sup>, 2002, the Fort Pierce City Commission adopted Resolution 02-39, establishing the Downtown Historic District, recognizing the Raulerson Building as a contributing structure.

On September 18<sup>th</sup>, 2013, Karen Nielsen of J.A. Taylor Roofing submitted Building Permit 13-2923, requesting to re-roof the mansard of the Raulerson Building.

On September 26<sup>th</sup>, 2013, Karen Nielsen of J.A. Taylor Roofing submitted a Certificate of Appropriateness application and supplemental materials to accompany Building Permit 13-2923, describing the requested work as "Re-roof Tile Mansard, Same for Same".

On September 26<sup>th</sup>, 2013, Staff expressed concerns with the proposed tiles based upon the exhibits provided in the advertising booklets, requesting additional information regarding the material, shape, and dimensions of the proposed replacements.

On September 27<sup>th</sup>, 2013, Karen Nielsen of J.A. Taylor Roofing provided a picture of the Bella "High S" tile profile, which was proposed, per their contract with the applicant, further expressing that the proposal is the closest that the contractor can come to the original tile.

On September 27<sup>th</sup>, 2013, Staff expressed to the representative that the proposal incorporated a change in shape and style of roofing materials as it seeks to eliminate the existing clay barrel tile and replace it with the interlocking S profile concrete tiles, confirming that the review and decision upon the request must be rendered by the Historic Preservation Board. Furthermore, the option was provided to amend the application to utilize clay

barrel tiles to match the existing, which would enable administrative approval of the request. Staff also noted that the next regularly scheduled Historic Preservation Board meeting was October 28th, 2013.

On October 2<sup>nd</sup>, 2013, Karen Nielson of J.A. Taylor Roofing requested scheduling of the application for the October 28<sup>th</sup>, 2013.

On October 7<sup>th</sup>, 2013, Staff confirmed the scheduling of the request for the Historic Preservation Board meeting with the applicant and representative, inquiring whether the representative would prefer to submit cost estimates for the proposed replacement materials and the alternative barrel tile replacement for the Board's review.

On October 7<sup>th</sup>, 2013, Karen Nielson of J.A. Taylor Roofing indicated that a cost estimate could not be prepared as the old barrel tiles are mud set and that there is no Florida Building Code (Miami-Dade) Product Approval that will allow installation on a 12:12 pitch.

On October 9<sup>th</sup>, 2013, Staff updated the Historic Preservation Board Attorney, Karen Emerson, Esq. on the matter and began researching roofing products, installation techniques, and Building Code exceptions to facilitate the potential replacement of the original clay barrel roof with an appropriate replacement. Staff coordinated with the St. Augustine and Fort Pierce Building Officials to confirm that there are clay barrel tile roofing systems and installation techniques suitable for the presented roof pitch.

On October 24<sup>th</sup>, 2013, Staff provided notice to the applicant and representative that the City of Fort Pierce initiated the offering of a grant program for commercial properties and business properties, transmitting the application and guidelines.

On October 28<sup>th</sup>, 2013, the Historic Preservation Board held a public hearing on Certificate of Appropriateness Application 13-43 and considered the request of the applicant, the provided staff report and presentation, and the Secretary of Interior Standards for the Rehabilitation of Historic Structures as adopted by Chapter 23 of the City Code of Ordinances. The applicant and representative were not present at the meeting to provide input or respond to inquiries. After discussion, the Historic Preservation Board voted unanimously to approve the request to replace the roof with the condition that the replacement be an appropriate clay barrel tile system that matches the original in design, color, and texture.

On October 30<sup>th</sup>, 2013, Staff provided the applicant and representative with the Approved Certificate of Appropriateness 13-43.

On October 30<sup>th</sup>, 2013, Christine Coke requested the minutes from the October 28<sup>th</sup>, 2013 Historic Preservation Board meeting. Staff indicated that an audio recording of the meeting was available for distribution, however the transcription of the meeting minutes from this was not yet to be assigned to staff and not completed; therefore a copy of typed minutes was not available. Staff further advised that the standard procedure is to prepare the meeting minutes 7-10 days prior to the next regularly scheduled meeting.

On November 13<sup>th</sup>, 2013, Christine Coke requested an update on the transcription of the meeting minutes. Staff provided an update.

On November 15<sup>th</sup>, 2013, Christine Coke filed an appeal of the decision rendered by the Historic Preservation Board.

On November 26<sup>th</sup>, 2013, Staff notified the appellant of the scheduling of the appeal for the January 6<sup>th</sup>, 2014 Fort Pierce City Commission Meeting.

On November 27<sup>th</sup>, 2013, Staff provided the approved minutes of the October 28<sup>th</sup>, 2013 Historic Preservation Board.

### **Applicable Secretary of Interior Standards**

- 2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- 5) Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
- 6) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

### **Staff Position**

The request submitted to the Historic Preservation Board by the appellant conflicts with Secretary of Interior Standards 2, 5, & 6 as it seeks to remove distinct features and materials from the historic structure and utilizes a replacement that is different in design, texture, and material. The existing roofing tiles are damaged and deteriorated to a point which necessitates extensive repair or replacement.

Staff finds the Historic Preservation Board properly applied Secretary of Interior Standard 2, 5 and 6 in their decision to grant approval of the roof replacement with the condition that the improvement be completed with the appropriate clay barrel tile system which matches the original in design, color, and texture. The decision furthers the preservation and retention of the historic character of the Raulerson Building through ensuring that distinctive materials, features, finishes, construction techniques, and examples of craftsmanship that characterize the structure are maintained by requiring the replacement of the roof to match the old in design, color, texture, and, where possible, materials.

The appellant notes concerns regarding the costs associated with the installation of an appropriate clay barrel tile roof system, however the appellant failed to submit a claim of undue economic hardship pursuant to City Code Section 23-65, Undue economic hardship. This administrative option was provided to the appellant on November 1<sup>st</sup>, 2013, though no action was taken.

The decision of the Historic Preservation Board is in compliance with City Code Section 23-45, Guidelines for review and issuance of Certificates of Appropriateness as well as the U.S. Secretary of Interior Standards for the Treatment of Historic Properties, therefore Staff recommends that the City Commission uphold the decision of the Board.



# Interoffice Memorandum

## City Clerk's Office

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TO: Rebecca Grohall, City Manager

FROM: Linda W. Cox, City Clerk *LWC*

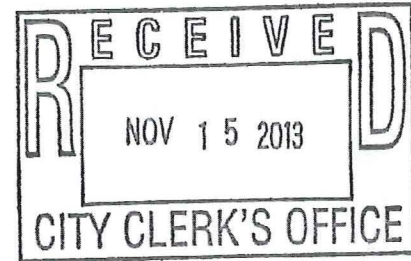
SUBJECT: Appeal of Decision of Historic Preservation Board  
– Richard A. Coke Investments, LLC

DATE: November 15, 2013

Attached you will find the above referenced appeal that was received in my office on November 15, 2013 along with the \$25.00 appeal fee. Please process the appeal as appropriate.

cc: Robert Schwerer, City Attorney

Richard A. Coke Investments, LLC  
129 N. 2<sup>ND</sup> STREET  
FT. PIERCE, FL. 34950



11/15/13

To: The City Of Fort Pierce  
Mayor and Commission

Re: Written Appeal of Decision of Historic Preservation Board  
Certificate of Appropriateness to alter a designated historic site,  
Specifically Roof replacement Raulerson Building

As property manager, with power of attorney, and full knowledge and agreement of my father, Richard A. Coke, I am filing this appeal on his behalf.

Per Section 23-66 Appeals of the municode, let this serve as my notice of intent to appeal the decision of the board regarding the replacement of the roofing system on the Raulerson Building.

I am filing the required \$25.00 fee.

I am filing this within the 20 day requirement, although, since the minutes of the meeting have yet to be transcribed, and are not therefore readily available to be discussed point by point, I would like to reserve the right to amend this at such time as the minutes become available. I have paid the City for a recording of the meeting, but it is not always clear.

Grounds for Appeal:

City staff was made fully aware that this is an issue of public safety since tiles are beginning to fall, and were requested to expedite the permit both by my *local* roofer and myself.

City staff choose not to discuss with either my roofer, or myself, but to refer to historic preservation board, delaying approval process by 6 weeks

City staff, when requested by me to utilize the discretion granted the historic preservation officer and expedite the permit due to public safety issues and the fact that the existing tile was no longer recommend to be used as a replacement due to the pitch on the roof, chose not to.

City staff represented to me, that after they spent hours (paid by my tax dollars) 5 of the 6 roofers they spoke with did not recommend utilizing the existing type of roof, therefore, I foolishly assumed that that would not be the recommendation of staff.

City staff did not extend either myself, or my roofer the common courtesy of informing us that their recommendation would be to deny our permit as submitted.

City staff did find a company (*I do not believe they are local*) that can provide tiles of a similar nature to the existing roof. Staff informed me that the cost for the tiles would be approximately \$11,000.00-which is less than the permitted price I submitted by \$3,000.00.

However, staff neglected to consider that this price does not include:

- Removal of old roof
- Labor and other materials to install new roof

At a minimum staff is taking my \$14,000.00 project and turning it in to one that will be well over \$20,000.00

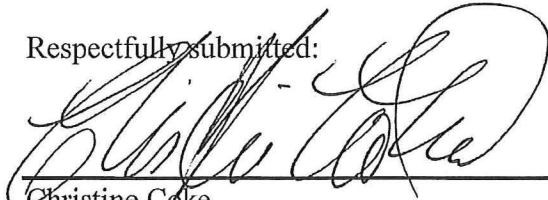
Summary of Relief Sought:

Currently, we find it necessary to pursue the path of petitioning to have the building removed from the historic registry. The conditions at the City now, and staff's attitude, not only with this, but many other projects we have had in the past year, make it impossible for us to keep our building, tenants, and the citizens of the City of Ft. Pierce safe.

If for some reason, we are not successful in being removed from the registry, we would ask that the Commission reverse the decision of the board since the board made it without hearing:  
that this was not really recommended by any local roofers  
the appearance of what we choose is very similar, it is more durable, and safer  
I was having a custom color made to match the green that is there now  
The product staff is recommending makes the project cost prohibitive

Thank you for your time and consideration.

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Christine Coke', written over a horizontal line.

Christine Coke

@kk

CITY OF FORT PIERCE  
\*\*\* CUSTOMER RECEIPT \*\*\*

Batch ID: JOYCE            11/15/13 01            Receipt no:    1885

Type	SvcCd	Description	Amount
C3		C C - SOLICITOR/MISC.	
	Qty	1.00	\$25.00

CHRISTINE COKE  
MISC REVENUES / OTH 00100003699000  
**APPEAL OF DECISION**

Tender detail  
CH Ref#:            1069            \$25.00  
Total tendered:            \$25.00  
Total payment:            \$25.00

Trans date: 11/15/13    Time: 11:15:19

THANK YOU!

166691



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

OCTOBER 28TH, 2013

Agenda Item 5A

### Owner/Applicant

Richard A Coke Investments LLC

### Representative

Karen S. Nielsen  
J. A. Taylor Roofing, Inc.

### Location

131 N 2nd Street

### Parcel

2410-503-0072-000-4

### Historic Status

Contributing Structure in the  
Downtown Historic District

### Requested Action

Remove original clay barrel  
tile roof and replace with a  
cement tile system.

### Recommendation

Approval with Conditions

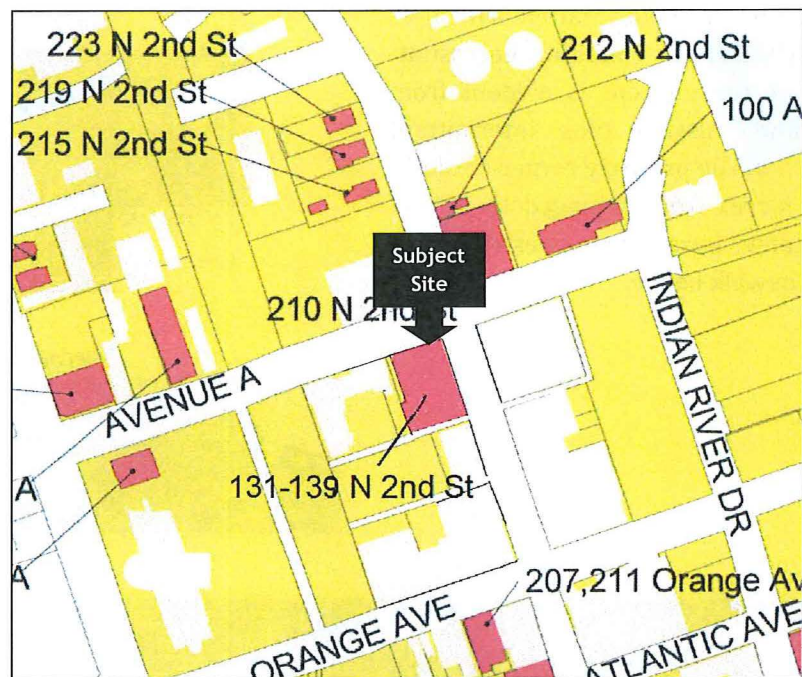
### Staff

Kori Benton  
Historic Preservation Officer

### Attachments

COA Application  
Proposed Product  
Historically Appropriate Product  
Chapter 11—Florida Building Code

## HISTORIC PRESERVATION BOARD : PUBLIC HEARING



Location Map



Contributing



Non-Contributing



Subject Site

## HISTORY

- 1924 Raulerson Building constructed on site
- 7/2/2001 City Commission adopts the Resolution 01-117, designating the Raulerson Building as a historically significant structure.
- 3/18/2002 City Commission adopts Resolution 02-39, establishing the Downtown Historic District. The Raulerson Building is listed as a contributing historic structure.
- 8/7/2013 Administrative COA certificate issued for ordinary maintenance and repairs to stucco and balcony features.
- 9/26/2013 Property Owner & Representative submit COA request for roof replacement.

## STAFF ANALYSIS

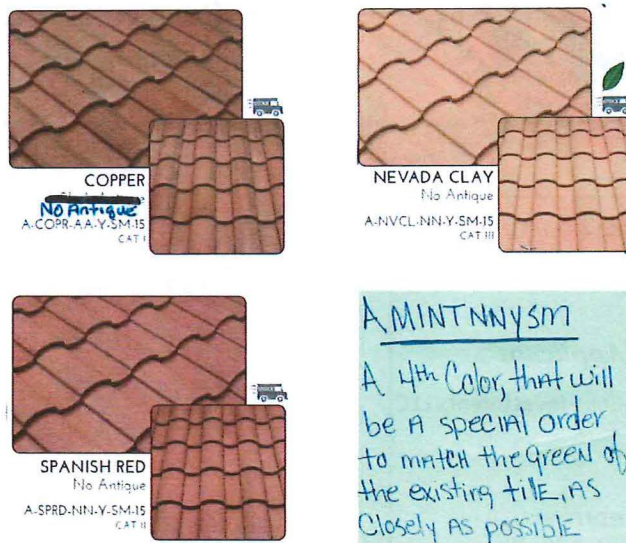
### Architectural Significance:

This two-story, two-part masonry commercial building embodies an distinct Mediterranean Revival styling expressed by a series of first level storefronts, second level office space, an overhanging barrel tile pent roof, and low rising square towers at each corner.

The storefronts are comprised of fixed plate-glass show windows, glass doors, and overhead transoms. A projecting belt course divides the first and second stories, accented with artistic features. Second level fenestration consists of 2/2 (horizontal) double-hung sash windows. The exterior wall fabric is stucco. With few alterations, this building has retained much of its architectural integrity.

The applicant proposes to replace the existing clay barrel tile roofing system on the pent roof (mansard element) with a concrete composite tile system. The original clay barrel tile and cement roofing system that exists on the structure has incurred damage from decades of storms and deterioration with normal wear. The current condition necessitating repair or replacement is evident from damaged and missing tiles intermittent across the roof. The property owner has indicated that pieces from damaged tiles have become a safety hazard for pedestrians utilizing the sidewalk below.

### Proposed Colors



### Manufacturer Example



Photo of the existing conditions revealing damaged tiles



The original clay barrel tile system represents distinct materials common in 1920s construction in the City of Fort Pierce as demonstrated with the Arcade Building, Old City Hall, Peacock Building, etc. The original installation of the existing clay barrel tiles was accomplished by the use of mortar as opposed to being fastened with screws. The distinct character of this roofing system contributes significantly to the iconic presentation of the Raulerson Building.

The unique characteristic which differentiates this roofing feature from other historic structures, with barrel tile roof systems in Downtown Fort Pierce, is the constructed slope of which the barrel tiles are affixed. The pitch angle of this feature is in excess of  $40^{\circ}$  which creates a distinct architectural presentation, however it also renders difficulty with permitting replacement materials and systems that meeting existing Florida Building Code Regulations. The contractor, JA Taylor Roofing, representing the property owner has expressed difficulty in locating a product to replace the tiles which match in design, texture, and materials. The presented materials by Entegra seek to replicate the general design and presentation of clay barrel tiles, however they are limited in accomplishing this goal. The applicant has expressed severe concern for delay of the proposed project as the damaged tiles could pose a safety and liability concern for the property owner.

Staff coordinated within a few clay tile manufactures seeking to exchange the existing materials with the a direct replacement. Cost estimates garnered for these materials to replace the existing, same-for-same, were between \$9,500 and \$13,000 for materials only, however there is still uncertainty as to the capacity to match the existing in design, texture, and materials while meeting the standards contained within Florida Building Code for such a significant slope.

The concerns regarding the ability to permit the installation of historically appropriate materials and construction may be addressed with assistance of Florida Building Code Section 1104.1, Equivalency which allows for exemptions if the system or method is of equivalent or superior quality, strength, fire resistance or effectiveness, provided that the following conditions are met:

1. Technical documentation is submitted to the building official to document equivalency.
2. The system, method or device is acceptable to the building official.

Pursuit of this allowance would require additional time in order to revise the submitted plan and demonstrate the ability to meet the provisions identified within the Florida Building Code, however the result would embrace the distinct character and historic character of the structure.



**Secretary of Interior Standard's for consideration:**

**2)** The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

**5)** Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

**6)** Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

**S T A F F   R E C O M M E N D A T I O N**

The submitted request conflicts with Secretary of Interior Standards 2, 5, & 6 as it seeks to remove distinct features and materials from the historic structure and utilizes a replacement that is different in design, texture, and material. The existing tiles are damaged and deteriorated to a point which necessitates replacement, therefore Staff recommends that the Board approve replacement of the roof with the condition that the replacement match the existing in design, texture, color, and material.

As there are legitimate concerns regarding the ability to permit a direct replacement for the existing materials, the Board should consider incorporating a clause which grants the request of the applicant as presented upon determination that a direct replacement is ineligible for building permit approval. Staff requests that the Board grant two (2) weeks to for Staff to coordinate with the applicant to pursue an solution and render a determination.



Bldg. Permit # 13-2923

COA# \_\_\_\_\_



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

### Certificate of Appropriateness Application

#### Building & Site Information

Address of the Site: 131 N. 2nd Street  
Parcel ID #: 2410-503-0072-000-4  
Type of Designation:  Contributing  Non-contributing Site within the Downtown Historic District  
 Individually Designated Site, City Commission Resolution No. \_\_\_\_\_

#### Property Owner/Applicant Information

Property Owner(s) Name(s): Richard A. COKE Investments LLC  
Mailing Address: 131 N. 2nd St. Fort Pierce FL 34950  
Phone Number(s): 772-461-2525 Email: C.14396@aol.com

Applicant Name(s): J.A. Taylor Roofing, Inc.  
Mailing Address: 302 Melton Drive Ft. Pierce, FL 34982  
Phone Number(s): 772-466-4040 Email: Karenbortaylor@aol.com

Representative Name(s): \_\_\_\_\_  
Mailing Address: \_\_\_\_\_  
Phone Number(s): \_\_\_\_\_ Email: \_\_\_\_\_

*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. The undersigned consents to inspection and photographing of the subject property by the Historic Preservation staff for purposes of consideration of this Application and/or presentation to the Historic Preservation Board.*

I / We, Richard A. COKE as Owner(s) of the subject property do hereby authorize the filing of this application on my/our behalf.

Richard A. COKE  
Signature of Owner

9-24-13  
Date

**Description of Requested Work**

Please indicate the type of work requested:

- Fence
- Shed
- Door(s)
- Roof (MANSARD)
- Window(s)
- Signage
- Shutter(s)
- Porch

- Rehabilitation
- New Construction
- Demolition
- Relocation

Site Improvements (describe) ReRoof TILE mansard "Same for Same".

Other (describe) \_\_\_\_\_

Please provide a detailed description of the proposed work to be performed: Remove existing tile materials down to decking. Re-nail deck. Install new tile Roofing system over self-adhered Underlayment.

Have other alterations been made to the site within the last 12 months?  No  Yes, \_\_\_\_\_

Will the proposed work require a Zoning Variance?  No  Yes, Code Section(s): \_\_\_\_\_

**Application Requirements**

- \$10.00 Application fee
  - Site Plan with dimensions.
  - Survey (New Construction)
  - Architectural Drawings:
    - Drawings should show all current and proposed floor plans and elevations, fences, walls, and any other landscape features.
    - Drawings should indicate materials to be used.
  - Photos - One (1) color photograph of the main façade of the site and photographs of any areas affected by the proposed project.
  - Material(s) specifications and/or sample(s)
  - Color samples.
- 
- Demolition - Plans for what will be taking the demolished structure's place should be submitted.

# BELLA HIGH "S" COLLECTION

The Bella High "S" Collection captures the traditional styling of Mediterranean cap and pan tile redesigned for the 21<sup>st</sup> century.

**KEEP IN MIND:**  
Colors on these pages are also available in other profiles as a Custom color. See page 30 for details.

Florida Blend

## SINGLE COLORS




**Bone**  
No Antique  
A-BONE-NN-Y-SM-15

**CRRC**  
RATED  
PRODUCT

**CUSTOM**




**Canyon Clay**  
Black Antique  
A-CACL-AA-Y-SM-15

**CRRC**  
RATED  
PRODUCT




**Canyon Clay**  
No Antique  
A-CACL-NN-Y-SM-15

**CRRC**  
RATED  
PRODUCT




**Carmel**  
Black Antique  
A-CARM-AA-Y-SM-15

**CRRC**  
RATED  
PRODUCT




**Carmel**  
No Antique  
A-CARM-NN-Y-SM-15

**CRRC**  
RATED  
PRODUCT




**Cedar**  
Black & Brown Antique  
A-CEDR-CD-Y-SM-15

**CRRC**  
RATED  
PRODUCT

# COLLECTION OVERVIEW

## AT ENTEGRA, THERE'S A PRODUCT FOR EVERY STRUCTURE.

- 5 PROFILES
- ENDLESS COLOR OPTIONS
- 20+ ANTIQUES
- 24+ TEXTURES

Use this reference guide to learn about the different profiles offered, as well as unique traits of Entegra's concrete roof tiles.

**TRIM & ACCESSORIES:** Unique trim tiles, oxides, hip and ridge trim metal and eave closures are essential finishing touches to complement each of our tile options. The results produce an authentic look that enhances the curb appeal of any residential, commercial or historical building. Our trim tiles are produced with the same quality and durability standards that are found in our field tile. We also provide matching oxides for our color thru and slurry tile to create professional looking mortars.

**ANTIQUING/FLASH:** Entegra applies antique in a random process, meaning both the area covered and the amount of antique will vary from tile to tile. As a result of this technique, the antiquing will range from a soft contrast to a rich tone, enhancing the overall appearance of the roof.

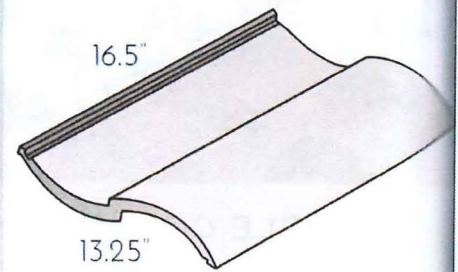
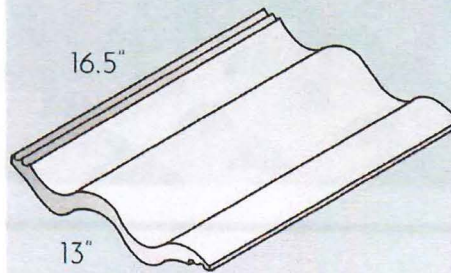
**COLOR:** Tiles are produced as close to samples as possible. The variability of raw materials and other factors may cause the actual colors of the tiles to vary. Concrete roof tiles go through various stages of efflorescence which may also result in some color variation. This is a natural process that takes place in all concrete products, and in time, the tiles will return to their natural color.

**BLENDS:** Entegra blends are comprised of individually colored tiles that are hand-blended on the roof, creating a natural looking blend.



ESTATE

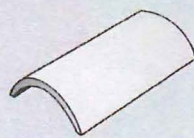
BELLA



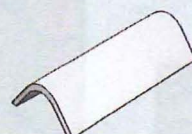
The Estate is our most popular profile. You will often find this tile gracing the roofs of Mediterranean inspired homes. However, this lower profile boasts easy versatility for any style building. It features a double roll and is available in color thru and slurry coated tiles.

A new generation of elegance can be found in the high profiled Bella Collection. Manufactured to simulate traditional cap and pan tiles, Old World architecture meets 21<sup>ST</sup> century technology. The Bella is our largest profile and is available in both color thru and slurry coated tiles.

### STANDARD TRIM:



BARREL



RAKE



BARREL

## Proposed Colors



A MINT NNYSM  
A 4th Color, that will  
be a special order  
to match the green of  
the existing tile, as  
closely as possible

## Manufacturer Example



# Historically Appropriate Product

## 14-1/4" Straight Barrel Mission™ - Barrel Tile



- 75 Year Warranty
- Colorfast
- Maintenance Free
- Noncombustible
- All Climates



Straight Barrel pans and covers come with a smooth surface. Their shorter lengths mean greater pieces per square more faithfully matching old European styles. Greater pieces per square also better distributes colors in a color blended roof creating a more harmonious appearance. They can be laid in straight rows or staggered.



14-1/4" Straight Barrel Mission™ tile in a 7 color blend

### Colors

Available in all standard and custom colors, mists and blends. Visit [Ludowici.com](http://Ludowici.com) to explore the full palette.

### Textures

14-1/4" Straight Barrel Mission™ tile has a smooth surface. To see other available custom textures visit [Ludowici.com](http://Ludowici.com).

### Green Attributes



#### Sustainability

Ludowici roofs are designed to last more than 100 years. Even though most roofing materials need regular and routine maintenance they still need to be replaced every 10-30 years, incurring renewed manufacturing, logistical and installation impacts.

#### Recyclable

Ludowici roof tile can be reused on other buildings or crushed for numerous other applications. Clay tile is totally inert.

#### Energy Efficiency

Clay roof tile has a 25% energy savings over asphalt shingles.

#### Manufacturing Process


Made from clay and water, clay tile neither contains nor uses toxic chemicals or petroleum products during manufacturing.

#### LEED/Energy Star

Over 27 colors have multiple certifications.

For more information visit [Ludowici.com](http://Ludowici.com).



 Made in America for over 120 years

### Physical Characteristics

Weight per Square	1,250 lbs.
Pieces per Square	225
Overall Size	8" x 14-1/4"
Exposure	11-1/2" C.C. x 11-1/4"
Barrel Height	4-3/8" nominal
Minimum Slope	5:12

### Ludowici Approvals

Miami-Dade NOA No: 07-0914.12  
State of Florida Approval No: FL 10418.6  
ASTM C1167 Grade 1 Roof Tile  
with Water Absorption less than 2%  
Class A Fire Rated



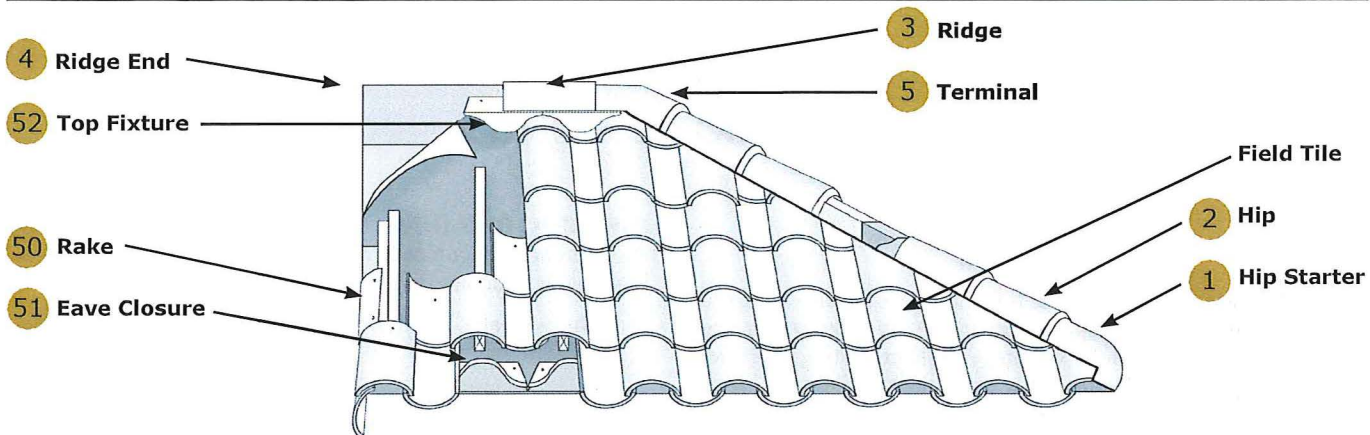
ISO 9000:2008

### Warranty



All Ludowici tile carries a 75 year warranty against color fading and manufacturing defects. Visit [Ludowici.com](http://Ludowici.com) for a full copy of our warranty.

# 14-1/4" Straight Barrel Mission™ - Barrel Tile



## Hip & Ridge

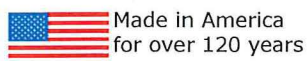
Visit [Ludowici.com](http://Ludowici.com) to download a detailed product sheet on Hip, Ridge and Decorative Hip Starters

	1	2	3	4	5		
	Hip Starter	Hip	Ridge	Ridge End Cap	Terminal		
<b>Circular Cover Hip &amp; Ridge Trim Group</b>							
	CC-Hip Starter	CC-Hip	CC-Ridge	CC-Ridge End	CC-Terminal	CC-High Bump Terminal	
<b>102/206 Hip &amp; Ridge Trim Group</b>							
	152 Hip Starter	102 Hip Roll	206 Ridge	206 Ridge End	102/206 Terminal	405 High Bump Terminal	406 High Bump Gable Terminal

## Fittings

	50	51	52	
	Rolled Rake	Eave Closure	Top Fixture	Short Course*
<b>Actual Size</b>	14-1/4"	-	-	11-1/4"
<b>Exposure</b>	11-1/4"	11-1/2"	11-1/2"	8-1/4"
<b>Weight</b>	1.7 lbs./pc.	1.7 lbs./pc.	1.5 lbs./pc.	5.0 lbs./pc.

\* Use Short course tiles as shorter cap tiles in the first row of a "laid tight method" installation and as pans in the last row at the ridge.



## CHAPTER 11

# HISTORIC BUILDINGS

### SECTION 1101 GENERAL

**1101.1 Intent and purpose.** It is the intent of this chapter to provide means for occupant safety, property conservation and use of designated historic buildings while protecting those elements, spaces and features that make these buildings historically or architecturally significant.

**1101.2 Scope.** The provisions of this code acknowledge the need to preserve the character of historic buildings and shall apply to the repair, alteration, restoration, change of occupancy, addition and relocation of historic buildings.

**1101.3 Flood hazard areas.** In flood hazard areas, if all proposed work, including repairs, work required because of a change of occupancy, and alterations, constitutes substantial improvement, then the building shall comply with Section 1612 of the *Florida Building Code, Building*.

**Exception:** If the program that designated the building as historic determines that it will continue to be an historic building after the proposed work is completed, then the proposed work is not considered to be substantial improvement. For the purposes of this exception, an historic building is:

1. Individually listed in the National Register of Historic Places; or
2. A contributing resource within a National Register of Historic Places listed district; or
3. Designated as historic property under an official municipal, county, special district or state designation, law, ordinance or resolution either individually or as a contributing property in a district, provided the local program making the designation is approved by the Department of the Interior (the Florida state historic preservation officer maintains a list of approved local programs); or
4. Determined eligible by the Florida State Historic Preservation Officer for listing in the National Register of Historic Places, either individually or as a contributing property in a district.

**1101.4 Accessibility requirements.** For accessibility requirements, see the *Florida Building Code, Accessibility*.

### SECTION 1102 DEFINITION

**ADAPTIVE REUSE.** The conversion of functional change of a building from the purpose or use for which it was originally constructed or designed.

**ADAPTIVE USE.** A use for a building other than that for which it was originally designed or intended.

**HISTORIC BUILDING.** For the purposes of this code and the referenced documents, an historic building is defined as a building or structure that is:

1. Individually listed in the National Register of Historic Places; or
2. A contributing property in a National Register of Historic Places listed district; or
3. Designated as historic property under an official municipal, county, special district or state designation, law, ordinance or resolution either individually or as a contributing property in a district; or
4. Determined eligible by the Florida State Historic Preservation Officer for listing in the National Register of Historic Places, either individually or as a contributing property in a district.

**HISTORIC CHARACTER.** The essential quality of an historic building or space that provides its significance. The character might be determined by the historic background, including association with a significant event or person, the architecture of design, or the contents or elements and finishes of the building or space.

**HISTORIC FABRIC.** Original or added building or construction materials, features and finishes that existed during the period that is deemed to be most architecturally or historically significant or both.

**HISTORIC PRESERVATION.** A generic term that encompasses all aspects of the professional and public concern related to the maintenance of an historic structure, site or element in its current condition, as originally constructed, or with the additions and alterations determined to have acquired significance over time.

**HISTORIC SITE.** A place, often with associated structures, having historic significance.

**HISTORIC STRUCTURE.** A building, bridge, lighthouse, monument, pier, vessel or other construction that is designated or that is deemed eligible for such designation by a local, regional or national jurisdiction as having historical, architectural or cultural significance.

**PRESERVATION.** The act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic building or structure.

**REHABILITATION, HISTORIC BUILDING.** The act or process of making possible a compatible use of a property through repair, alterations and additions while preserving those portions or features which convey its historical, cultural or architectural values.

**RESTORATION.** The act or process of accurately depicting the form, features and character of a property as it appeared at a particular period of time by means of the removal of features,

and repair or replacement of damaged or altered features from the restoration period.

**SECTION 1103  
STANDARDS AND GUIDELINES FOR  
REHABILITATING HISTORIC BUILDINGS**

**1103.1 Historic preservation goal.** The historic preservation goal of this code shall be to minimize damage to and loss of historic structures, their unique characteristics and their contents as follows:

1. Maintain and preserve original space configurations of historic buildings.
2. Minimize alteration, destruction or loss of historic fabric or design.

**1103.2 Historic preservation objectives.**

1. Preservation of the original qualities or character of a building, structure, site or environment shall be encouraged.
2. Removal or alteration of any historic material or distinctive architectural features shall be minimized.
3. Distinctive stylistic features or examples of skilled craftsmanship that characterize a building, structure or site shall be treated with sensitivity.
4. A compatible use for a property that requires minimal alteration of the building, structure or site and its environment shall be encouraged.
5. New additions or alterations shall be designed and constructed in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired to the greatest degree possible.
6. Repairs, alterations, restorations, changes of occupancy, additions and relocations shall be guided by the recommended approaches in rehabilitation set forth in the *Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings* (Appendix B).

**SECTION 1104  
EQUIVALENCY**

**1104.1 Equivalency.** Nothing in this code shall be intended to prevent the use of systems, methods or devices of equivalent or superior quality, strength, fire resistance or effectiveness, provided that the following conditions are met:

1. Technical documentation is submitted to the building official to document equivalency.
2. The system, method or device is acceptable to the building official.

**SECTION 1105  
COMPLIANCE**

**1105.1 Strict compliance.** Historic structures or portions of such structures that do not strictly comply with this code shall be considered to be in compliance if it can be shown to the satisfaction of the building code official that equivalent protection has been provided or that no hazard will be created or continued through noncompliance.

**1105.2 Compliance option.** Life safety and property conservation shall be provided in accordance with one of the following options:

1. Prescriptive-based provisions of this code.
2. Compliance alternative-based provisions of this code.
3. Performance-based provisions of NFPA 914, *Code for Fire Protection of Historic Structures*, Chapter 6, along with a structural evaluation as specified in Section 1301.4.1 of this code.

**1105.3 Conditions specific to Compliance Options 2 and 3.**

1. **Architect or engineer required.** The evaluation of historic structures utilizing Compliance Options 2 or 3 shall be completed by a Florida-registered architect or engineer and submitted to the building code official for review.
2. **Documentation.** Historic buildings that are determined to be code compliant through the use of Compliance Option 2 or 3 shall have copies of the architect or engineer's report kept on site and available for review by the building official.
3. **Change of report assumptions.** Any remodeling, modification, renovation, change of use or change in the established assumptions of the report shall require a reevaluation and reapproval by the building code official.
4. **Construction safeguards.** Construction safeguards consistent with Chapter 13 and NFPA 914, *Code for Fire Protection of Historic Structures*, shall be maintained during periods of repair, alteration, change of occupancy, addition and relocation of historic buildings.
5. **Maintenance.** In addition to the requirements of Section 1004, historic buildings shall be maintained in accordance with Chapters 1, 2, 8, 9, 10 and 11 of NFPA 914, *Code for Fire Protection of Historic Structures*.

**SECTION 1106  
INVESTIGATION AND EVALUATION**

**1106.1 Investigation and evaluation report.** An historic building undergoing alteration or change of occupancy shall be investigated and evaluated. If it is intended that the building meet the requirements of this chapter, a written report shall be prepared and filed with the building official by a Florida-registered architect or engineer. Such report shall be in accordance with the provisions of Sections 4.3.1.2 through 4.3.2 of NFPA 914, *Code for Fire Protection of Historic Structures* and shall identify each required safety feature that is in compliance with this chapter and where compliance with this or other chapters

would be damaging to the contributing historic features. In addition, the report shall describe each feature that is not in compliance and demonstrate how the intent of the provisions of this or other chapters are complied with in providing an equivalent level of safety.

**SECTION 1107  
HISTORIC CUBAN TILE**

**1107.1** Historic Cuban tile is a material with distinct architectural features and unity and with examples of skilled craftsmanship. In order to preserve its use and in accordance with Section 1003.2, Historic preservation objectives, its use shall be preserved for both existing and new construction with the following requirements.

**1107.2** Handmade or hand process made barrel (“C”-shaped) natural clay tile, often variegated in color, either manufactured in the Republic of Cuba prior to the imposition of the U.S. Embargo, or, in the case of antique tile, manufactured in 18th century Spain, salvaged from buildings in Cuba and imported to the United States during the 1920s and 1930s.

1. **Identification.** Final responsibility for the identification of historic Cuban tile shall rest with the building official, subject to the appeals process established by the authority having jurisdiction. Historic Cuban tile is generally identified in the following manner:

1.1 Tile bearing an embossed identification mark usually located on the convex side at the wide taper end of the tile, the most common of which are: “C.E. SAÑUDO MADE IN CUBA”; “JAIME MADE IN CUBA”; “FLORIDO”; “st ANA R.S.”; “St. FELIPE”; “MIA”; “CPS”; “C”; “D”; “DD”; “DDD”; “M”; [script] “M”; [script] “JS”; “S”; “SS”; “TZ”; “Z”; “ZZ”; “\*”, a nonalphabetical symbol (such as the “delta” figure created by three finger-tip impressions in a triangular position), or a distinctive physical characteristic (such as a burlap material impression over the convex surface of the tile or finger-made impression band(s) located across the end lap of the convex surface); and

1.2 Tile not bearing an embossed identification mark, a nonalphabetical symbol or a distinctive physical characteristic(s) listed in Item 1 above but determined by official action of the legally constituted historic preservation board or historic preservation officer of the jurisdiction to be antique Cuban tile of Spanish origin or tile manufactured in preembargo Cuba.

2. **Reapplication of historic Cuban tile-method.** When a structure which bore historic Cuban tile when originally constructed is reroofed, reapplication of historic Cuban tile, rather than replacement with new contemporary tile, is preferred and shall be encouraged by the building official. When historic Cuban tile is reapplied under the circumstances described above, except as otherwise provided herein, all of the requirements of this code, especially Chapter 15 of the *Florida Building Code, Building* relating to roof covering and application, shall

apply. In addition, the following reapplication methods shall be observed:

2.1 **Attachment.** Historic Cuban tile shall be mortar set or adhesive set to the deck in the same manner as other product approved handmade clay barrel tile, in accordance with RAS 120.

2.2 **Use with contemporary tile.** Where, during removal, the salvage ratio of the historic Cuban tile is less than 100 percent, it is preferred that the replacement cap tile also be historic Cuban tile. Where this is not practical or possible, during reapplication, the salvaged historic Cuban tile shall be used only as cap tile, and not as pan tile. The historic Cuban tile should always be reapplied to distinctive architectural elements such as walls, parapets and chimneys. Where contemporary barrel tile is used to supplement salvaged historic Cuban tile, the contemporary barrel tile shall be Product Approved and otherwise comply with all the requirements of this code. It is preferred that the contemporary barrel tile, when used as cap tile, be handmade natural clay tile, but, in any event, it shall be the same shape, color and texture as the existing historic Cuban tile. Because the salvage ratio of pan tile is low and because pan tile is much less visible, reapplication of historic Cuban tile as a pan tile is discouraged. Rather, it is preferred that pan tile be contemporary barrel tile of either handmade clay, vitrified clay or cement.

2.3 **Mixing dissimilar tiles.** Mixing dissimilar tile styles or shapes, such as an “S”-shaped tile with the “C”-shaped historic Cuban barrel tile, even on separate roofing surfaces of the same structure, shall be avoided. In no case shall dissimilar tile styles or shapes be permitted on the same roofing surface.

2.4 **Double caps and/or pans on the eave roof line.** For reinforcement during routine maintenance and for aesthetic purposes, double caps, double pans or both shall be encouraged on the eave roof line, especially where extant or historical evidence of the original installation indicates the use of this historic technique.

2.5 **Inspection and testing of the installation.** Installations of salvaged and reapplied historic Cuban tile, as are specifically permitted in this section, shall be subject to each and every inspection and test otherwise required in this code for a barrel tile mortar set or adhesive set installation.

3. **Exemption from product control and testing requirements.** Historic Cuban tile, when salvaged and reapplied, as otherwise provided in this section, to a roof that historically bore such material, is exempt from the Product Approval and preinstallation physical testing requirements of this code. However, the completed installation shall be subject to each and every inspection and test otherwise required of a barrel tile mortar set or adhesive set installation, and, further, if contemporary barrel tile is used to supplement historic Cuban tile, the

## HISTORIC BUILDINGS

contemporary tile shall be product approved and comply with all requirements of this code.

(2)\* Automatic sprinkler and detection, alarm, and communications system requirements and the requirements for hazardous areas applicable to new construction for the occupancy created by the change (*see Chapters 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 36, 38, 40, and 42*)

**43.7.2.2** Where a change of occupancy classification occurs to an occupancy classification of a higher hazard classification category (i.e., a lower hazard category number), as addressed by Table 43.7.3, the building shall comply with the requirements of the occupancy chapters applicable to new construction for the occupancy created by the change (*see Chapters 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 36, 38, 40, and 42*).

**43.7.2.3** In historic buildings where a change of occupancy classification occurs within the same hazard classification category or to an occupancy classification in a lesser hazard classification category (i.e., a higher hazard category number), as addressed by Table 43.7.3, the building shall meet the requirements of one of the following:

- (1) 43.7.2.1(1) and (2)
- (2) 43.7.2.1(1) and (2), as modified by Section 43.10

**43.7.2.4** In historic buildings where a change of occupancy classification occurs to an occupancy classification in a higher hazard classification category (that is, a lower hazard category number), as addressed by Table 43.7.3, the building shall meet the requirements of one of the following:

- (1) 43.7.2.2
- (2) 43.7.2.2, as modified by Section 43.10



**43.7.3\* Hazard Category Classifications.** The relative degree of hazard between different occupancy classifications shall be as set forth in the hazard category classifications of Table 43.7.3.

**43.8 Additions.**

**43.8.1 General Requirements.**

**43.8.1.1** Where an addition, as defined in 43.2.2.1.7, is made to a building, both of the following criteria shall be met:

- (1) The addition shall comply with other sections of this *Code* applicable to new construction for the occupancy.
- (2) The existing portion of the building shall comply with the requirements of this *Code* applicable to existing buildings for the occupancy.

**Table 43.7.3 Hazard Categories and Classifications**

Hazard Category	Occupancy Classification
1 (highest hazard)	Industrial or storage occupancies with high hazard contents
2	Health care, detention and correctional, residential board and care
3	Assembly, educational, day care, ambulatory health care, residential, mercantile, business, general and special-purpose industrial, ordinary hazard storage
4 (lowest hazard)	Industrial or storage occupancies with low hazard contents

**43.8.1.2** An addition shall not create or extend any non-conformity with regard to fire safety or the means of egress in the existing building for which the addition is constructed.

**43.8.1.3** Any repair, renovation, alteration, or reconstruction work within an existing building to which an addition is being made shall comply with the requirements of Sections 43.3, 43.4, 43.5, and 43.6.

**43.8.2 Heights.** No addition shall increase the height of an existing building beyond that permitted under the applicable provisions for new building construction.

**43.8.3 Fire Protection Systems.** In other than one- and two-family dwellings, existing compartment areas without an approved separation from the addition shall be protected by an approved automatic sprinkler system where the combined areas would be required to be sprinklered by the provisions applicable to new construction for the occupancy.

**43.8.4 Smoke Alarms.** Where an addition is made to a one- or two-family dwelling or a small residential board and care occupancy, interconnected smoke alarms, powered by the electrical system, meeting the requirements of the other sections of this *Code* shall be installed and maintained in the addition.



**43.9 Reserved.**

**43.10 Historic Buildings.**

**43.10.1 General Requirements.** Historic buildings undergoing rehabilitation shall comply with the requirements of one of the following:

- (1) Section 43.10
- (2) Sections 43.3, 43.4, 43.5, 43.6, and 43.7, as they relate, respectively, to repair, renovation, modification, reconstruction, and change of use or occupancy classification
- (3) NFPA 914, *Code for Fire Protection of Historic Structures*

**43.10.2 Evaluation.** A historic building undergoing modification, reconstruction, or change of occupancy classification in accordance with the requirements of Chapter 43 shall be investigated and evaluated as follows:

- (1) A written report shall be prepared for such a building and filed with the authority having jurisdiction by a registered design professional.
- (2) If the subject matter of the report does not require an evaluation by a registered design professional, the authority having jurisdiction shall be permitted to allow the report to be prepared by a licensed building contractor, electrician, plumber, or mechanical contractor responsible for the work.
- (3) The licensed person preparing the report shall be knowledgeable in historic preservation, or the report shall be coauthored by a preservation professional.
- (4) The report shall identify each required safety feature in compliance with Chapter 43 and where compliance with other chapters of this *Code* would be damaging to the contributing historic features.
- (5) The report shall describe each feature not in compliance with this *Code* and demonstrate how the intent of this *Code* is met in providing an equivalent level of safety.

- (6) The local preservation official shall be permitted to review and comment on the written report or shall be permitted to request review comments on the report from the historic preservation officer.
- (7) Unless it is determined by the authority having jurisdiction that a report is required to protect the health and safety of the public, the submission of a report shall not be required for a building that is being rehabilitated for the personal use of the owner or a member of the owner's immediate family and is not intended for any use or occupancy by the public.

**43.10.3 Repairs.** Repairs to any portion of a historic building shall be permitted to be made with original or like materials and original methods of construction, except as otherwise provided in Section 43.10.

**43.10.4 Repair, Renovation, Modification, or Reconstruction.**

**43.10.4.1 General.** Historic buildings undergoing repair, renovation, modification, or reconstruction shall comply with the applicable requirements of Sections 43.3, 43.4, 43.5, and 43.6, except as specifically permitted in 43.10.4.

**43.10.4.2 Replacement.** Replacements shall meet the following criteria:

- (1) Replacement of existing or missing features using original or like materials shall be permitted.
- (2) Partial replacement for repairs that match the original in configuration, height, and size shall be permitted.
- (3) Replacements shall not be required to meet the requirements of this *Code* that specify material standards, details of installation and connection, joints, or penetrations; or continuity of any element, component, or system in the building.

**43.10.4.3 Means of Egress.** Existing door openings, window openings intended for emergency egress, and corridor and stairway widths narrower than those required for nonhistoric buildings under this *Code* shall be permitted, provided that one of the following criteria is met:

- (1) In the opinion of the authority having jurisdiction, sufficient width and height exists for a person to pass through the opening or traverse the exit, and the capacity of the egress system is adequate for the occupant load.
- (2) Other operational controls to limit the number of occupants are approved by the authority having jurisdiction.

**43.10.4.4 Door Swing.** Where approved by the authority having jurisdiction, existing front doors shall not be required to swing in the direction of egress travel, provided that other approved exits have sufficient egress capacity to serve the total occupant load.

**43.10.4.5 Transoms.** In fully sprinklered buildings of hotel and dormitory occupancies, apartment occupancies, and residential board and care occupancies, existing transoms in corridors and other fire resistance-rated walls shall be permitted to remain in use, provided that the transoms are fixed in the closed position.

**43.10.4.6 Interior Finishes.**

**43.10.4.6.1** Existing interior wall and ceiling finishes, in other than exits, shall be permitted to remain in place where it is demonstrated that such finishes are the historic finish.

**43.10.4.6.2** Interior wall and ceiling finishes in exits, other than in one- and two-family dwellings, shall meet one of the following criteria:

- (1) The material shall have a flame spread classification of Class C or better.
- (2) Existing materials not meeting the minimum Class C flame spread criteria shall be surfaced with an approved fire-retardant paint or finish.
- (3) Existing materials not meeting the minimum Class C flame spread criteria shall be permitted to be continued in use, provided that the building is protected throughout by an approved automatic sprinkler system.

**43.10.4.7 Stairway Enclosure.**

**43.10.4.7.1** Stairways shall be permitted to be unenclosed in a historic building where such stairways serve only one adjacent floor.

**43.10.4.7.2** In buildings of three or fewer stories in height, exit enclosure construction shall limit the spread of smoke by the use of tight-fitting doors and solid elements; however, such elements shall not be required to have a fire rating.

**43.10.4.8 One-Hour Fire-Rated Assemblies.** Existing walls and ceilings shall be exempt from the minimum 1-hour fire resistance-rated construction requirements of other sections of this *Code* where the existing wall and ceiling are of wood lath and plaster construction in good condition.

**43.10.4.9 Stairway Handrails and Guards.**

**43.10.4.9.1** Existing grand stairways shall be exempt from the handrail and guard requirements of other sections of this *Code*.

**43.10.4.9.2** Existing handrails and guards on grand staircases shall be permitted to remain in use, provided that they are not structurally dangerous.

**43.10.4.10 Exit Signs.** The authority having jurisdiction shall be permitted to accept alternative exit sign or directional exit sign location, provided that signs installed in compliance with other sections of this *Code* would have an adverse effect on the historic character and such alternative signs identify the exits and egress path.

**43.10.4.11 Sprinkler Systems.**

**43.10.4.11.1** Historic buildings that do not conform to the construction requirements specified in other chapters of this *Code* for the applicable occupancy or use and that, in the opinion of the authority having jurisdiction, constitute a fire safety hazard shall be protected throughout by an approved automatic sprinkler system.

**43.10.4.11.2** The automatic sprinkler system required by 43.10.4.11.1 shall not be used as a substitute for, or serve as an alternative to, the required number of exits from the facility.

**43.10.5 Change of Occupancy.**

**43.10.5.1 General.** Historic buildings undergoing a change of occupancy shall comply with the applicable provisions of Section 43.7, except as otherwise permitted by 43.10.5.

**43.10.5.2 Means of Egress.** Existing door openings, window openings intended for emergency egress, and corridor and stairway widths narrower than those required for nonhistoric buildings under this *Code* shall be permitted, provided that one of the following criteria is met:







# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

### CERTIFICATE OF APPROPRIATENESS TO ALTER A DESIGNATED HISTORIC SITE

COA#13-43     HISTORIC PRESERVATION BOARD APPROVAL     ADMINISTRATIVE APPROVAL

Site address 131 N 2<sup>nd</sup> Street

Contributing     Non-Contributing     Individually Designated

**SITE ALTERATIONS:**

Request	Conditions	Applicable Standards
Replace original clay barrel tile roofing system on the pent roof with Entegra Concrete S-type tile roofing system in the same colors	Replacement of the roofing system must be done with the appropriate clay barrel tile system to match the original match the old in design, color, and texture.	Secretary of the Interior's Standards for the Rehabilitation of Historic Properties, Standards 2, 5, & 6.

**APPROVED:**

Board Approval

Administrative Approval

*Sonja Gates*    *10/28/13*

\_\_\_\_\_  
 Sonja Gates, Chairwoman    Date  
 Historic Preservation Board

\_\_\_\_\_  
 Kori Benton    Date  
 Historic Preservation Officer

*This alteration meets the Secretary of the Interior's Standards for the Treatment of Historic Properties and the City of Fort Pierce Code of Ordinances.*

*Should you have any further questions or concerns, contact Kori Benton, Historic Preservation Officer, at (772) 467-3739 or via e-mail at [kbenton@city-ftpierce.com](mailto:kbenton@city-ftpierce.com).*

*Thank you for your efforts to preserve and redevelop historic Fort Pierce through your participation in the Certificate of Appropriateness Application process. Staff looks forward to working with you in the future to preserve and rehabilitate our historic neighborhoods and structures.*

**Attach a copy of this Certificate, as well as all attached, stamped "APPROVED" plans and renderings to any building permit or site plan applications.**

Provided to:	Name/Address	Via
Owner	Richard A Coke Investments LLC 131 N 2nd St Fort Pierce FL 34950-4428	USPS
Applicant	J. A. Taylor Roofing, Inc. 302 Melton Drive Ft. Pierce, FL. 34982	Email
Other	Marc Meyers, CFP Building Official Kim West, CFP Building Department Susan Keller, CFP Building Department	E-Mail E-Mail E-Mail





# CITY OF FORT PIERCE HISTORIC PRESERVATION BOARD

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## Minutes

OF THE REGULAR MEETING OF THE CITY OF FORT PIERCE HISTORIC PRESERVATION BOARD HELD ON **TUESDAY, OCTOBER 28<sup>th</sup>, 2013**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

### Tenant

#### 1. Call to Order

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#### 2. Pledge of Allegiance

The Pledge of Allegiance was recited.

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#### 3. Roll Call

Upon roll call those present were: Mr. Sampson, Ms. Boardman, Ms. Jackson, Jean Ellen Wilson and Chairwoman Gates.

Those absent: Mr. Culverhouse and Ms. Harris.

Staff present: Karen Emerson, Board Attorney; Kori Benton, Historic Preservation Officer; Clarissa Davis, Planning Specialist; Rebecca Grohall, Planning Manager.

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#### 4. Approval of Minutes

**Ms. Jackson makes a motion and is seconded by Ms. Boardman** – to approve.

A voice vote was taken.

Motion passes unanimously.

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#### 5. Public Hearing

- a. **Certificate of Appropriateness 13-31**, an Owner-initiated application to replace the mansard roof of a contributing historic structure located at 131 N 2nd Street. The Parcel ID is 2410-503-0072-000-4.

The legal description is: AARON LEE`S MAP OF FORT PIERCE BLK H LOTS 1 AND 2 (MAP 24/10B) (OR 356-2788: 899-2323; 2132-2: 2926-2444).

Mr. Benton: The request before you is a request for a re-roof at the Raulerson Building located at 131 N 2<sup>nd</sup> Street. The building was constructed in 1924 and features Mediterranean Revival style. It has a distinct characteristic and feature with the roof because of its small Mansard style roof with a steep slope. The applicant is requesting to remove the original clay barrel tile roofing system and replace it with an Integra S-Type concrete style roofing system. The material is being proposed by J. A. Taylor Roofing based on the steep slope and there lack of ability to find a product that would meet Florida Building Code standards for the replacement on the 12/12 slope. There is apparent damage and malfunctioning of the roofing system. Clay tiles have become loose and have fallen. I have tried to coordinate with several tile manufacturers to take a look at a direct replacement of the same clay tile material, size, colors and shape. The applicants have determined a four color combination for the tile replacement in hopes of resembling the existing original roof. These materials are concrete opposed to the clay barrel tile. The tile is S-Type meaning it is a different configuration. It has a different curvature feature than the original tile making it a distinct design difference. The building permit evaluation for the material was listed around \$13,000 which includes the construction costs as well.

The Secretary of Interior Standards up for consideration are 2,5 and 6. Standard 2 states, "The historic character of a property will be retained and preserved. The removal of distinctive materials or alterations of features, spaces and spatial relationships that characterize a property will be avoided". Standard 5 states, "Distinctive materials features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved". Standard 6 states, "Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old design, color, texture and, if possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence".

The barrel tile roofing systems were set with mortar historically. The clay tile upon the Raulerson Building has been there for nearly 90 years now. One of the manufacturers that staff has been in coordination with is Ludowici. The representative from that company suggested up that the tiles that are in place now may be their product. They have been manufacturing clay tiles for over 120 years. After looking over photos, it was suggested that that may be the case. When speaking about an estimate for the material, it was quoted to perhaps costing \$9,500 to \$13,000 depending upon the length of each tile. The ability to have them permitted via Florida Building Code has been difficult because there are many techniques. In coordination with St. Augustine's city attorney as well as their Building Official, it was indicated that they use a hybrid system where the tiles are secured with nails and screws and also secured with a clear epoxy that is not visible. They then utilize mortar for aesthetic purposes to fill in the gaps for the presentation.

The property owner did express concerns about the cost of the roofing materials and the ability to have it permitted. It was discussed with the Building Official opportunities to present the ability to meet the State requirements as far as structural integrity and wind loads. It is believed that aspect can be resolved within the next week. Emails from the manufacturers stated that they are working with their design engineering team and going over details that were submitted to them about the Raulerson Building.

The City of Fort Pierce recently released a grant opportunity for commercial rehabilitation façade improvements which the property owner apply for up to \$10,000 in matching funds. It may be a grant opportunity the property owner will want to consider. The Flagler College recently replaced their roof that is very similar to the Raulerson Building. The building features a slope that is greater than the one on the Raulerson Building which presents a clear example that this has been permitted. St. Augustine is subject to the same Florida Building Code regulations as the City of Fort Pierce.

The submitted request conflicts with Secretary of Interior Standards 2,5 and 6 as it seeks to remove distinct features and materials from the historic structure and utilizes a replacement that is different in design, texture, and material. The existing tiles are damaged and deteriorated to the point which necessitates replacement, therefore staff recommends that the Board approve the replacement of the roof with the condition that the

replacement match the existing in design, texture, color and material. As there are legitimate concerns regarding the ability to permit a direct replacement for the existing materials, the Board should consider incorporating a clause which grants the request of the applicant as presented upon determination that the direct replacement is ineligible for building permit approval. Staff is requesting that the Board grant two weeks' time for staff to coordinate with the applicant to pursue a solution or render a determination as to whether or not it is feasible to replace the existing material to retain the architectural integrity and the character of this contributing structure.

Chairwoman Gates states that the Arcade Building has used Ludowici tile as well as the Gates building. Though the slopes were different from the Raulerson Building, the Florida Building code is allowing that tile.

Mr. Benton answers yes. Ludowici did provide the tiles for the Arcade Building. The style is a little different from what is currently presented. The material that staff is recommending is a straight barrel mission style which is very similar to what is on the downtown Library.

Chairwoman Gates states that the style type that is being proposed by the applicant is not appropriate.

Mr. Benton states that he featured an exhibit from the Ludowici specifications booklet within the staff report. It does show the 14 ¼ inch straight barrel mission tile, the roofing system that is more appropriate in this circumstance. The manufacturer does offer a 75 year warranty. Based on industry standards for this material, the manufacturers were offering in the ball park of 50 to 75 years.

Mr. Sampson asks if there is loose tile there that has a risk of falling.

Mr. Benton answers that the applicant stated that there were several tiles loose and in danger of falling onto the sidewalks. Staff coordinated with the Building Department and the applicant to see if that is something that could be secured. There's nothing from preventing them from securing and repairing the existing materials in the interim. That was something that was expressed by the property owner.

Chairwoman Gates asks for the time frame of the project being done.

Mr. Benton states that it depends if staff can determine within the next two weeks that there is a clean cut approach to have appropriate tiles approved with a different technique. There is the ability for a rail system to be implemented with the screws and nails with the addition of the epoxy, as long as we have the work and attention of our Building Official in coordination with the Building Official of St. Augustine, the hope is that we can have something in the books and dialed up in the next two weeks.

Chairwoman Gates asks if both tile companies gave a similar estimate.

Mr. Benton answers yes.

Chairwoman Gates states that the cost shouldn't be an issue then.

Mr. Benton states that the building permit estimate was valued at around \$13,000 which includes J.A. Taylor cost of installing and removing the existing tiles and reinstalling them. The material cost as presented by Ludowici and another manufacturer were between \$9,500 and \$13,000 for the materials. The freight rate and the cost of having the existing roof removed and to also have these materials reinstalled with a hybrid system, it could put the final estimate at \$15,000 and \$20,000, however, if the property owner does pursue and is granted one of the façade improvement grants they would have the ability to subsidize that up to \$10,000.

Chairwoman Gates asks would that grant be dependent upon if they chose the Ludowici tile?

Mr. Benton states that it would only be dependent upon them choosing the appropriate materials if the Board formulated that in a motion.

Mr. Sampson asks how long the grant takes to go through if they apply for it.

Mr. Benton states that the grant was released October 24<sup>th</sup>, 2013. The applicants have the opportunity to apply for that at any time. The guidelines in the grant application require the community wide council to review and offer recommendations to the project. The grant funding is on a first come, first serve basis. So, the hope is that the grant decision could be made within the next 2 to 3 weeks.

**Mr. Sampson makes a motion and is seconded by Ms. Boardman** – to approve with staff's recommendation and approve the request to replace only with the appropriate type of clay tile. Also, to deny the request to use the cement tile based on Secretary of Interior Standards 2,5 and 6.

Ms. Jackson asks if the motion is what staff is recommending.

Ms. Benton answers yes. Staff's recommendation was a little more complex. It noted the concerns for potential of a permit and the appropriate replacement. When it was authored there were not as many developments as there is this evening in pursuing a direct replacement. There are some caveats that were left out of Mr. Sampson's motion.

**A roll call was taken.**

**Those in favor:** Mr. Sampson, Ms. Boardman, Ms. Jackson, Ms. Wilson, Chairwoman Gates.

**Motion passes unanimously.**

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- b. Certificate of Appropriateness 13-33**, an Owner-initiated application to enlarge the doorway and add a second door on a secondary façade of a contributing historic structure located at 411 N 2nd St. The Parcel ID is 2403-705-0119-000-4. The legal description is: ASSESSOR'S MAP OF N PART OF FORTPIERCE BLK 13-H- N 1/2 OF LOT 6 (OR 3125-1254; 3484-675).

Mr. Benton: The applicant is requesting to install double doors on the secondary/south façade. The Sailfish Brewery came to the City of Fort Pierce in 2011. They have established a microbrewery within the southern structure. They are requesting to move into the structure to the north and as part of the request to make it feasible to locate their equipment inside the structure as well as operating their business as well as expanding the door. The proposed expansion does feature additional brewing facilities to allow them to supply their bar area to the south as well as the future potential to bottle and sell it in local stores. They have pursued selling the beer in P.B. Cobb and other establishments within the City. The door way as proposed would be expanded to accommodate for the second double door in order for them to install the machinery and equipment inside as well as have additional access. The proposed alterations are in the secondary façade. Their COA submittal was requesting aluminum doors with expansive glass features on both of the doors. They did not give a color preference within their application.

The applicable Secretary of Interior Standards are 1, 2 and 9. Standard 1 states, "A property will be used as it was historically or beginning a new use that requires minimal change to its distinctive features, material

features and spatial relationships". The structure when constructed back in 1910-1915 was for residential use. It was accessory for a photography studio named The Hills Studio. During WW II there was an expansion to add a second story and change the gable roof. Historically, it has held a residential use. They are proposing an adaptive re-use to convert this structure into an accessory brewing facility. Standard 2 states, "The historic character of a property will be retained and preserved. The removal of distinctive materials for alterations of features, spaces and spatial relationships that characterize a property will be avoided". Standard 9 states, "New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion and massing to protect the integrity of the property and its environment".

Staff has reviewed the structure itself. There were extensive rehabilitation efforts and renovations in 2009 and 2010. There were a lot of materials replaced. They saved some of the original materials, but due to deterioration of a lot of the structure, a lot of the features like the siding, windows and doors are new. This doorway is not necessarily original. It may have been in a different location on the façade when it was originally established. The materials around it are not original. The proposal conflicts with the Secretary of Interior Standards 2 and 9, however, this application seeks to install a double door system with a modern style which does not assimilate with the character of the structure.

Staff is requesting that the Board approve the request with a condition that the applicants coordinate with staff to determine and incorporate more appropriate door configuration as well as material, in addition to utilizing color combinations which achieve consistency throughout the southern façade.

Mr. Sampson asks when the windows changed from what's boarded up and what was originally there as well as the door that looks like it might have been replaced.

Mr. Benton states that the distinct features such as the window and door were probably altered in the early 80's. The structure around 2005 and 2006 was deteriorated beyond belief and up for demolition. Efforts from this Board as well as Charlie Hayek, the property owner, were used to deter this from the demolition. The original features have been gone for at least a few decades. It is imagined that during the development in the 80's when they were trying to maximize the amount of rooms to rent out or subsection the structure for efficiency apartments, they probably removed the doorway from 2<sup>nd</sup> street and was placed in the interior space.

Chairwoman Gates states that there must be something more appropriate than the door the applicant is proposing.

Mr. Benton states the he did not bring any other potential examples. Staff can coordinate with the applicant to have a few different options. A more appropriate material would be wood construction as that is the material for the remainder of the doors.

Ms. Boardman states that the door should be an 8 pane window, wooden and be the same color.

**Mr. Sampson makes a motion and is seconded by Ms. Jackson** - to approve COA 13-33 with the conditions that the applicant work with staff to find a more appropriate door fitting with the time period and design of the building, preferably something with a 9 or 12 lite French type door. The door must be of wood construction and must maintain the color to coordinate with the existing southern façade.

**A roll call was taken.**

**Those in favor:** Mr. Sampson, Ms. Boardman, Ms. Jackson, Ms. Wilson, Chairwoman Gates.

**A motion passes unanimously.**

**6. New Business**

- a. Distribution of Administrative Certificates of Appropriateness
  
- b. Treasure Galleon Awards – Scheduling of Events

Further coordination with Doris Tillman in hopes of having the awards at Old City Hall. It will take place sometime in the spring.

**7. Consideration of Absences**

**Mr. Sampson makes a motion and is seconded by Ms. Jackson** – to excuse Ms. Harris and Mr. Culverhouse's absence.

**A voice vote was taken.**

**Motion passes unanimously.**

**8. Adjournment**

**Chairwoman adjourns the meeting.**



# 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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The Appellant, Richard A. Coke, submitted supplemental documents on December 26<sup>th</sup>, 2013 for review by the City Commission.



Richard A. Coke Investments, Inc.  
129 N. 2<sup>ND</sup> STREET  
FT. PIERCE, FL. 34950



To: Mr. Benton  
Historic Preservation Officer  
City Of Ft. Pierce

As property manager for the Raulerson building, I would like to submit the following to be included with the January 6<sup>th</sup> hearing on the Certificate of Appropriateness for the roofing system for the Raulerson Building.

I have also submitted 6 copies to the City Clerk's office to be included with the Commission packages, and one for the Clerk's records.

Thank you,

Christine Coke



Richard A. Coke Investments, Inc.  
129 N. 2<sup>ND</sup> STREET  
FT. PIERCE, FL. 34950



To: Mayor and Commissioners:

As property manager for the Raulerson building, I would like to submit the following for your consideration:

1. Petition from property owner to have historic designation removed from the building (this is the procedure per staff)
2. Should this petition not be successful, a letter from myself as property manager requesting you reverse the ruling of the Historic Preservation Board
3. Original signed contract dated 8/28/13 illustrated this project should have been permitted and completed months ago
4. Ruling of the Historic Preservation Board
5. Minutes pertaining to our issue from the Historic Preservation Board
6. My responses to the minutes and staff's presentation to the Board
7. Proposal from J.A. Taylor, a local roofer in business 48 years, showing
  - i. Original bid
  - ii. Bid with staff's recommendation
8. Pictures
  - i. Our proposed material
  - ii. Staff's proposed material
  - iii. Example of staff's material that was installed in Sewell's point 8 years ago

Thank you for your consideration.

Christine Coke



Richard A. Coke Investments, LLC  
129 N. 2<sup>ND</sup> STREET  
FT. PIERCE, FL. 34950

12/23/13

To: Mayor and Commissioners

Prior to reviewing our appeal of the historic preservations board's ruling regarding the replacement of the roof on the Raulerson Building, I respectfully request you consider this *petition of the owner*, per Sec. 23-37, to have the historical designation removed.

Mayor Enns initially requested we allow the designation (which was 100% voluntary), and assured me the purpose was merely to assist the City in highlighting its long and rich history. I was promised there would be no downside, no hurdles or obstacles- there might be advantages!

Upon receiving the designation, I was informed that the City had order a beautiful bronze plaque-*that I would have to pay for*.

Until recently, there has been neither an upside, or a downside me, the owner, for having this designation. The building has never received any funding, tax breaks, rental assistant grants or other advantages. My building has been utilized by the City to showcase a major architectural historically significant time in the City's history.

All has gone well until the last few years when staff caused the relationship to turn foul-all due to the historic designation. The City staff recently has:

Threatened **to close a business** because they did not receive approval for their sign in their window from the historic preservation board. This was the exact sign that had been there when they were a tenant previously, only smaller.

Delayed approval of application to repair façade features that were coming loose from the building, and were a safety issue.

Charged extra for permits to process because the building has historic designation

Delayed permitting a roof replacement, and put the public in harm's way for an additional 110 days

Decided to require material for my project (despite not being recommended by professionals) that would **cost an additional \$23,500**.

As a member of this community for 38 years, I formed the first downtown business association, helped form the City's CRA, and sat on the board until the Commission took it over. My daughters are active in our community, and have the best interest of our City at heart.

At this point, it does not appear that City staff is exercising good common sense, nor showing any desire to communicate and or work with its citizens.

I will maintain my building, but I do not feel it is fair, right or reasonable that I, my daughters and my contractors should have to constantly fight City hall, rather than receive any cooperation.

I therefore respectfully request that the Raulerson Building immediately be removed from your listing of historically significant building.

  
Richard A. Coke



Richard A. Coke Investments, LLC  
129 N. 2<sup>ND</sup> STREET  
FT. PIERCE, FL. 34950

11/15/13

To: The City Of Fort Pierce  
Mayor and Commission

Re: Written Appeal of Decision of Historic Preservation Board  
Certificate of Appropriateness to alter a designated historic site,  
Specifically Roof replacement Raulerson Building

As property manager, with power of attorney, and full knowledge and agreement of my father, Richard A. Coke, I am filing this appeal on his behalf.

Per Section 23-66 Appeals of the municode, let this serve as my notice of intent to appeal the decision of the board regarding the replacement of the roofing system on the Raulerson Building.

I am filing the required \$25.00 fee.

I am filing this within the 20 day requirement, although, since the minutes of the meeting have yet to be transcribed, and are not therefore readily available to be discussed point by point, I would like to reserve the right to amend this at such time as the minutes become available. I have paid the City for a recording of the meeting, but it is not always clear.

Grounds for Appeal:

City staff was made fully aware that this is an issue of public safety since tiles are beginning to fall, and were requested to expedite the permit both by my *local* roofer and myself.

City staff choose not to discuss with either my roofer, or myself, but to refer to historic preservation board, delaying approval process by 6 weeks

City staff, when requested by me to utilize the discretion granted the historic preservation officer and expedite the permit due to public safety issues and the fact that the existing tile was no longer recommend to be used as a replacement due to the pitch on the roof, chose not to.

City staff represented to me, that after they spent hours (paid by my tax dollars) 5 of the 6 roofers they spoke with did not recommend utilizing the existing type of roof, therefore, I foolishly assumed that that would not be the recommendation of staff.

City staff did not extend either myself, or my roofer the common courtesy of informing us that their recommendation would be to deny our permit as submitted.

City staff did find a company (*I do not believe they are local*) that can provide tiles of a similar nature to the existing roof. Staff informed me that the cost for the tiles would be approximately \$11,000.00-which is less than the permitted price I submitted by \$3,000.00.

However, staff neglected to consider that this price does not include:

- Removal of old roof
- Labor and other materials to install new roof



At a minimum staff is taking my \$14,000.00 project and turning it in to one that will be well over \$20,000.00

Summary of Relief Sought:

Currently, we find it necessary to pursue the path of petitioning to have the building removed from the historic registry. The conditions at the City now, and staff's attitude, not only with this, but many other projects we have had in the past year, make it impossible for us to keep our building, tenants, and the citizens of the City of Ft. Pierce safe.

If for some reason, we are not successful in being removed from the registry, we would ask that the Commission reverse the decision of the board since the board made it without hearing:

that this was not really recommended by any local roofers

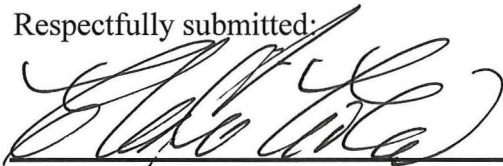
the appearance of what we choose is very similar, it is more durable, and safer

I was having a custom color made to match the green that is there now

The product staff is recommending makes the project cost prohibitive

Thank you for your time and consideration.

Respectfully submitted:

A handwritten signature in black ink, appearing to read "Christine Coke", written over a horizontal line.

Christine Coke



# J.A. TAYLOR ROOFING CONTRACTOR

## "Estimate/Contract/Proposal"

Customer/Owner/Agent:	Christine Coke	Mobile:	
Project Address:	Raulerson Building N 2 <sup>nd</sup> Street Fort Pierce, FL	Phone:	772.461.2525
Date/Type/Code:	August 8, 2013	ax:	772.221.9676
		Email:	sales1@cokestationers.com

J.A. Taylor Roofing will provide necessary permits, schedule all inspections with related Municipality, and maintain Current License and Insurance. This proposal includes labor, materials, and all taxes. Our "Professional" installers will hereby complete the following:

### Install "Standard" Cement Tile Roof System

1. Completely remove existing roofing materials on mansard roofs down to sheathing/deck and prepare as needed to ensure a clean, solid surface in which to apply a new roof.
2. Inspect all sheathing and replace any rotten wood. (Estimate includes up to 3 sheets plywood sheathing replacement at no charge, for additional lumber replacement costs, see attached sheet).
3. Install 8-D "ring-shank" fasteners to existing sheathing/deck to meet current Building Code Requirements.
4. Install (1) ply Polyglass TU Plus self-adhered underlayment directly to deck per code requirements.
5. Install new roofing accessories including: drip edge, flashings, counter-flashings, plumbing stacks, vent flashings, hip/ridge metal eaves closure, and valley metal. (Accessories to be fabricated from 26 gauge Galvanized materials).
6. Install Entegra Bella High S Cement Roof Tile using Polypro 160 spray foam and fasteners per code requirements. Tile-Tite Mortar to be used to "point-up" all hip/ridge and related details. (To be used with/without oxide). (Profile and color choices to be made from "standard" selections. Special order tile may be additional).
7. Four Color Blend: A SPRD NN Y SM. 30  
A COPR NN Y SM. 30  
A NVCL NN Y SM. 15  
A MINT NN Y SM. 15  
Percentage of each tile to be confirmed.
8. Thoroughly clean project of all "roofing related debris" and haul away. (Landfill fees are included).

"Standard" Cement Tile Roof System -----\$ 13,800.00

### J.A. Taylor Roofing will provide a (5) Year "Leak Free" workmanship warranty from date of completion.

Any alteration or deviation from the above specifications involving additional costs will be executed only upon written orders, and will become an extra charge over and above the estimate. Replacement of rotten/damaged lumber is not included in estimate unless specified. Customer must provide access to building unless arrangements are made prior to estimate, therefore J.A. Taylor Roofing is not responsible for damage to driveway/sidewalks and/or any other access areas needed to approach projects. Any client that is in default in the payment of money due under terms of this account will be charged at the rate of 1 1/2 % per month on the unpaid balance, (Maximum allowable by law). If any client is referred to an attorney for collection, client agrees to pay all fees incurred in the collection of the amount due, plus all court costs and attorney fees. Work will be scheduled upon written acceptance of this proposal. This proposal may be withdrawn from us if not accepted within 60 days. \*All major credit cards accepted, however an additional processing fee of up to 5% will be assessed to contract total depending on current monthly rate and card used.

Payment Terms: 1/3 Deposit @ Commencement, 1/3 Payment @ completion of dry-in, and Balance upon Completion of Project.

ACCEPTANCE OF PROPOSAL

Owner: [Signature] Date: 8/28/13

Contractor: \_\_\_\_\_ Date: \_\_\_\_\_

For further assistance please contact J.A. Taylor Roofing 772-466-4040 or fax to 772-468-8397

Thank you for the opportunity to bid your project

\*\*\*\*\*Serving the Treasure Coast for over 46 Years\*\*\*\*\*

Respectfully Submitted by Ryan Murray

302 Melton Drive

Fort Pierce, FL 34982

Tel. 772.466.4040

Fax 772.468.8397

REPAIRS. RE-ROOFS. NEW COMMERCIAL & RESIDENTIAL ROOFING CONTRACTORS  
SERVING FLORIDA SINCE 1965  
LICENSE #CCC1325720





# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

### CERTIFICATE OF APPROPRIATENESS TO ALTER A DESIGNATED HISTORIC SITE

COA#13-43     HISTORIC PRESERVATION BOARD APPROVAL     ADMINISTRATIVE APPROVAL

Site address 131 N 2<sup>nd</sup> Street

Contributing     Non-Contributing     Individually Designated

**SITE ALTERATIONS:**

Request	Conditions	Applicable Standards
Replace original clay barrel tile roofing system on the pent roof with Entegra Concrete S-type tile roofing system in the same colors	Replacement of the roofing system must be done with the appropriate clay barrel tile system to match the original match the old in design, color, and texture.	Secretary of the Interior's Standards for the Rehabilitation of Historic Properties, Standards 2, 5, & 6.

**APPROVED:**

Board Approval

Administrative Approval

*Senja Gates*    10.28.13

\_\_\_\_\_  
 Sonja Gates, Chairwoman    Date  
 Historic Preservation Board

\_\_\_\_\_  
 Kori Benton    Date  
 Historic Preservation Officer

*This alteration meets the Secretary of the Interior's Standards for the Treatment of Historic Properties and the City of Fort Pierce Code of Ordinances.*

*Should you have any further questions or concerns, contact Kori Benton, Historic Preservation Officer, at (772) 467-3739 or via e-mail at [kbenton@city-ftpierce.com](mailto:kbenton@city-ftpierce.com).*

*Thank you for your efforts to preserve and redevelop historic Fort Pierce through your participation in the Certificate of Appropriateness Application process. Staff looks forward to working with you in the future to preserve and rehabilitate our historic neighborhoods and structures.*

**Attach a copy of this Certificate, as well as all attached, stamped "APPROVED" plans and renderings to any building permit or site plan applications.**

Provided to:	Name/Address	Via
Owner	Richard A Coke Investments LLC 131 N 2nd St Fort Pierce FL 34950-4428	USPS
Applicant	J. A. Taylor Roofing, Inc. 302 Melton Drive Ft. Pierce, FL. 34982	Email
Other	Marc Meyers, CFP Building Official Kim West, CFP Building Department Susan Keller, CFP Building Department	E-Mail E-Mail E-Mail



The legal description is: AARON LEE'S MAP OF FORT PIERCE BLK H LOTS 1 AND 2 (MAP 24/10B) (OR 356-2788: 899-2323; 2132-2: 2926-2444).

Mr. Benton: The request before you is a request for a re-roof at the Raulerson Building located at 131 N 2<sup>nd</sup> Street. The building was constructed in 1924 and features Mediterranean Revival style. It has a distinct characteristic and feature with the roof because of its small Mansard style roof with a steep slope. The applicant is requesting to remove the original clay barrel tile roofing system and replace it with an Integra S-Type concrete style roofing system. The material is being proposed by J. A. Taylor Roofing based on the steep slope and there lack of ability to find a product that would meet Florida Building Code standards for the replacement on the 12/12 slope. There is apparent damage and malfunctioning of the roofing system. Clay tiles have become loose and have fallen. I have tried to coordinate with several tile manufacturers to take a look at a direct replacement of the same clay tile material, size, colors and shape. The applicants have determined a four color combination for the tile replacement in hopes of resembling the existing original roof. These materials are concrete opposed to the clay barrel tile. The tile is S-Type meaning it is a different configuration. It has a different curvature feature than the original tile making it a distinct design difference. The building permit evaluation for the material was listed around \$13,000 which includes the construction costs as well.

The Secretary of Interior Standards up for consideration are 2,5 and 6. Standard 2 states, "The historic character of a property will be retained and preserved. The removal of distinctive materials or alterations of features, spaces and spatial relationships that characterize a property will be avoided". Standard 5 states, "Distinctive materials features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved". Standard 6 states, "Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old design, color, texture and, if possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence".

The barrel tile roofing systems were set with mortar historically. The clay tile upon the Raulerson Building has been there for nearly 90 years now. One of the manufacturers that staff has been in coordination with is Ludowici. The representative from that company suggested up that the tiles that are in place now may be their product. They have been manufacturing clay tiles for over 120 years. After looking over photos, it was suggested that that may be the case. When speaking about an estimate for the material, it was quoted to perhaps costing \$9,500 to \$13,000 depending upon the length of each tile. The ability to have them permitted via Florida Building Code has been difficult because there are many techniques. In coordination with St. Augustine's city attorney as well as their Building Official, it was indicated that they use a hybrid system where the tiles are secured with nails and screws and also secured with a clear epoxy that is not visible. They then utilize mortar for aesthetic purposes to fill in the gaps for the presentation.

The property owner did express concerns about the cost of the roofing materials and the ability to have it permitted. It was discussed with the Building Official opportunities to present the ability to meet the State requirements as far as structural integrity and wind loads. It is believed that aspect can be resolved within the next week. Emails from the manufacturers stated that they are working with their design engineering team and going over details that were submitted to them about the Raulerson Building.

The City of Fort Pierce recently released a grant opportunity for commercial rehabilitation façade improvements which the property owner apply for up to \$10,000 in matching funds. It may be a grant opportunity the property owner will want to consider. The Flagler College recently replaced their roof that is very similar to the Raulerson Building. The building features a slope that is greater than the one on the Raulerson Building which presents a clear example that this has been permitted. St. Augustine is subject to the same Florida Building Code regulations as the City of Fort Pierce.

The submitted request conflicts with Secretary of Interior Standards 2,5 and 6 as it seeks to remove distinct features and materials from the historic structure and utilizes a replacement that is different in design, texture, and material. The existing tiles are damaged and deteriorated to the point which necessitates replacement, therefore staff recommends that the Board approve the replacement of the roof with the condition that the



## Responses/Comments to minutes of Historic Preservation Board Meeting

1. Staff was never told roofer had a “lack of ability to find a product that would match. *Staff was told, and agreed that 5 of the 6 roofers they spoke with stated the clay was not recommended to the steep slope that existed*
2. The roof cannot be repaired, since it was installed with nails(that are now rusting) and concrete then poured. As the nails rust, the tiles fall.
3. Estimate of materials quoted to staff was for tile only, not eave closure, rake tile, shipping additional equipment, and labor to install
4. The Coke family believes in doing business **locally** and to utilize a company from St. Augustine, to spend tens of thousands of dollars with is against what we believe to be best for our community
5. Were we to apply for a grant-up to \$10,000.00 we could take the cost of our project as proposed from \$13,800.00 to us down to \$6,900.00.00. Should we be forced to follow staff’s recommendation, and received the full amount of the grant, our cost would be \$27,300.00-**an additional cost of \$20,400.00 to us.**
6. Other than receiving notification that we were approved but had to get clay barrel tile to match the original design, color and texture, **staff never attempted to coordinate with us to pursue a solution.**
7. There have been tiles falling from the roof. Staff was informed months ago this was a public safety issue, no one from the City met with us to discuss any solution, PROFESSIONAL roofers said the only solution is to replace the roof. Our first solution would have been to repair, rather than replace
8. Obviously, the estimate given staff is erroneous
9. At no point PRIOR to this meeting were we informed that staff was recommending against us. After hearing that staff had met with the same concerns from the majority of the roofers that the clay barrel was not recommended, it was our assumption, that staff was going to recommend approval.





ROOFING CONTRACTOR

"Estimate/Contract/Proposal"

Table with customer/owner/agent details, project address, date/type/code, and revised date.

J.A. Taylor Roofing will provide necessary permits, schedule all inspections with related Municipality, and maintain Current License and Insurance. This proposal includes labor, materials, and all taxes. Our "Professional" installers will hereby complete the following;

Install "Standard" Cement Tile Roof System

- List of 8 items detailing roof removal, sheathing replacement, fasteners, tile installation, and cleanup.

"Standard" Cement Tile Roof System ----- \$ 13,800.00

Option: Ludowici pan/cap tile proposed by City of Fort Pierce ----- \$ 37,300.00

Table listing costs for tile, eave closure, rake tile, shipping, and additional labor for pan & cap, totaling \$28,550.00.

J.A. Taylor Roofing will provide a (5) Year "Leak Free" workmanship warranty from date of completion.

Any alteration or deviation from the above specifications involving additional costs will be executed only upon written orders, and will become an extra charge over and above the estimate.

Payment Terms: 1/3 Deposit @ Commencement, 1/3 Payment @ completion of dry-in, and Balance upon Completion of Project.

ACCEPTANCE OF PROPOSAL

Owner: \_\_\_\_\_ Date: \_\_\_\_\_
Contractor: \_\_\_\_\_ Date: \_\_\_\_\_

For further assistance please contact J.A. Taylor Roofing 772-466-4040 or fax to 772-468-8397

Thank you for the opportunity to bid your project

\*\*\*\*\*Serving the Treasure Coast for over 46 Years\*\*\*\*\*

Respectfully Submitted by Ryan Murray

302 Melton Drive Fort Pierce, FL 34982 Tel. 772.466.4040 Fax 772.468.8397

REPAIRS, RE-ROOFS, NEW COMMERCIAL & RESIDENTIAL ROOFING CONTRACTORS
SERVING FLORIDA SINCE 1965
LICENSE #CCC1325720





Coke's proposed tile

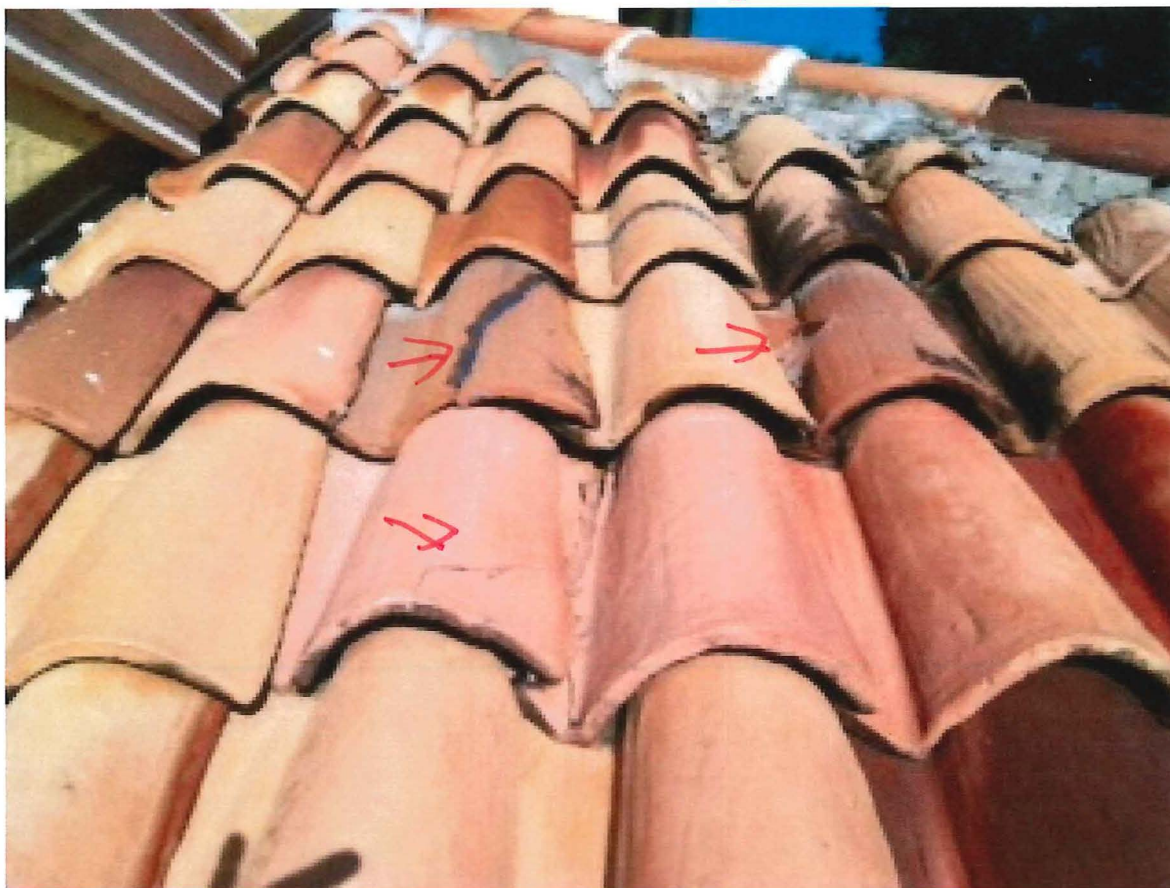




Clay  
(staff)



8 yr old clay roof





**City Commission Regular Meeting**

**Agenda Item # 10. c.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

Notice of Appeal submitted by Mr. David Cleveland. The relief sought is the reversal of the Historic Preservation Board's decision to deny the Certificate of Appropriateness for replacement of original and non-original windows at Old City Hall and St. Anastasia School Building. (CONTINUED FROM 12/16/2013)

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**Attachments**

Cleveland Appeal

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**Form Review**

Form Started By: Linda Cox

Started On: 02/12/2014 09:01 AM

Final Approval Date: 02/12/2014



# CITY OF FORT PIERCE, FLORIDA

## City Commission Meeting

Agenda Item # 10 c

Commission Meeting 1/6/2014

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**To** : The Honorable Mayor and Members of the City Commission  
**From** : Linda W. Cox, City Clerk *LWC*  
**Re** : **Notice of Appeal – David Cleveland**  
**Date** : December 30, 2013

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**ISSUE(S):** Notice of Appeal submitted by Mr. David Cleveland. The relief sought is the reversal of the Historic Preservation Board's decision to deny the Certificate of Appropriateness for replacement of original and non-original windows at Old City Hall and St. Anastasia School Building.

**SUMMARY:** Staff continues to work towards resolution.

**FISCAL IMPACT:** N/A

**RECOMMENDATION:** Continue to February 3, 2014 meeting.

**ALTERNATIVES:** N/A

**RESPONSIBLE STAFF:** Linda W. Cox, City Clerk

**COORDINATED WITH:** Rebecca Grohall, Planning Manager

**ATTACHMENTS:** Backup materials were originally distributed on October 21, 2013 and will be redistributed when appeal moves forward.

**City Commission Regular Meeting**

**Agenda Item # 12. a.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

Selection of Mayor Pro Tem

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**Attachments**

Mayor Pro Tem

---

**Form Review**

Form Started By: Linda Cox

Started On: 02/12/2014 09:02 AM

Final Approval Date: 02/12/2014



# Interoffice Memorandum

## City Clerk's Office

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Agenda Item # \_\_\_\_\_

Commission Meeting: Jan. 6, 2014

TO: Mayor and City Commissioners

FROM: Linda W. Cox, City Clerk *LWC*

SUBJECT: Selection of Mayor Pro Tem

DATE: December 17, 2013

Section 23 of the City Charter reads: "At the first regular meeting following January 1st of each year, the city commissioners shall select one (1) of their number as mayor pro tem. He shall act as mayor-commissioner and have all of the powers and duties of that office during the absence or disability of the said mayor-commissioner."

For your information, the following have served as Mayor Pro Tem during the years shown:

2013 – Commissioner Sessions  
2012 - Commissioner Perona  
2011 - Commissioner Alexander  
2010 - Commissioner Becht  
2009 - Commissioner Sessions  
2008 - Commissioner Coke  
2007 - Commissioner Alexander  
2006 - Commissioner Becht

cc: City Manager  
City Attorney

**City Commission Regular Meeting**

**Agenda Item # 13. a.**

**Meeting Date:** 01/06/2014

**Re:**

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**SUBJECT:**

Department Activity Report

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**Attachments**

[Activity Report](#)

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**Form Review**

Form Started By: Linda Cox

Started On: 02/12/2014 09:03 AM

Final Approval Date: 02/12/2014



# INTEROFFICE MEMORANDUM

FROM THE OFFICE OF THE  
**CITY MANAGER**

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**TO:** The Honorable Mayor and Members of the City Commission  
**FROM:** Robert J. Bradshaw, City Manager *RJB*  
**RE:** Department Activity Report  
**DATE:** December 30, 2013

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*The information that follows is intended to keep the Commission abreast of the on-going activities, issues, programs and services within the City.*

## **City Manager's Office**

### **City Manager**

- The City Manager participated in a mediation conference on December 16, 2013
- The Deputy City Manager attended a meeting regarding amending Ordinance No. L-298, pension plan.
- The Deputy City Manager attended a follow-up meeting with Dr. Massey, Mayor Hudson and Representative Lee regarding a maritime training academy.
- The Economic Development Team met with a potential developer.
- The City Manager and Deputy City Manager met with Chris Williams regarding an update of current City issues.
- The City Manager and Deputy City Manager met with the City Attorney and Planning Manager to discuss an annexation issue.
- The City Manager met with the Building Official and Building Administrator for an update on 7131 Okeechobee Road, West Star issues.
- The City Manager met with the Mayor weekly to discuss current City issues.
- The Deputy City Manager participated in AgendaQuick administrative training.
- The City Manager and Deputy City Manager met with the Administrative Services Director and Planning Manager regarding personnel issues.
- The Deputy City Manager participated in a tour of the Old Post Office by representatives of the Highwaymen.
- The Deputy City Manager met with the Marketing Specialist regarding a review of her current projects/tasks.
- The Deputy City Manager met with representatives of SAFE to discuss the use of the old PAL building.

**City Clerk's Office**

- Gave assistance and answered questions to the walk-in public on various aspects of Business Tax Receipts which included but not limited to:  
New Applications: 13                      Renewals: 45                      Transfer: 0
- Gave assistance and answered questions to the walk-in contractors on various aspects of Contractor's Licensing which included but not limited to:  
New Applications: 13                      Renewals: 12
- Gave assistance and answered questions from the public who have contacted office by telephone.
- Gave assistance and answered questions received by the public via e-mail through the City's web-page.
- Assisted the public by researching and providing copies of various requested public records.
- Assisted the public, various departments, newspaper and other government entities by providing DVD copies of various commission meetings.
- Assisted public by processing and providing receipt for animal registrations payment.
- Assisted Code Compliance Manager by processing payment and providing a receipt for check received from St. Lucie County Humane Society for animal registration.
- Assisted Code Compliance Manager by processing payment and providing a receipt for check received from St. Lucie County Humane Society for Impound Fees for November 2013.
- Assisted Code Compliance Manager by processing payment and providing receipt for check received from Dr. Dan Animal Hospital for animal registrations.
- On-going updating of contractors' records for current Liability Insurance, Workman Compensation Insurance, and State License information.
- Attended the Special Meeting of the Board of Examiners of Contractors held on December 17, 2013.
- Inputted all necessary data to create an account and issue competency card for contractors approved by the Board of Examiners of Contractors at the Special Meeting on December 17, 2013.
- Preparation of legal advertisements, letters, resolutions, & ordinances for various departments for upcoming City Commission agenda items.
- Preparation of several Proclamations.
- Attended, recorded and transcribed minutes of the Fort Pierce City Commission Meeting held on December 16, 2013.
- License/Permit Clerks contacting businesses who did not renew Business Tax by September 30, 2013 to inquire if still in business and notify that Business Tax has expired and must be renewed.
- Revenue Recovery working with Code Enforcement personnel on new businesses within the city limits that have not applied for a Business Tax Receipt.
- Licensing/Permit Clerks and Licensing Specialist/Deputy City Clerk working on revenue recovery project by checking list obtained from Fort Pierce Utilities of commercial utility customers to make sure have Business Tax Receipt for the City.

**City Clerk's Office contd.**

- Licensing/Permit Clerk working with Building Department Permit Specialist to contact business tax applicants to set up appointments for building inspections and other issues associated with a business tax application.
- Daily balancing process of cash receipts and submittal to Finance Department for bank deposit.
- On-going implementation of computerization of deed, alleyway and right-of-way records.
- On-going implementation of computerization of annexation records.
- On-going implementation of scanning City Commission Agenda Packets onto DVD's.
- On-going implementation of scanning City Commission Meeting minutes, ordinances, resolutions, and the Fort Pierce Redevelopment Meeting minutes into the Optiview system.
- Assisting MIS Department in correcting and adding unit numbers to existing address data base.
- Preparation and delivering to St Lucie County Courthouse recording division various paperwork to be recorded.
- Assisting Finance Department by signing and affixing the City Seal to necessary paperwork associated with release of liens.
- Assisting Planning Department personnel answering questions pertaining to business tax applications.
- Assisted Planning Department personnel by researching and providing copies of various ordinances, rezoning, conditional uses and annexations.
- Assisted Planning Department personnel by researching and providing the cost for legal advertising of various projects they are processing.
- Assisted City Attorney Office by doing research on various city issues.
- License/Permit Specialist/Deputy City Clerk working with Assistant City Attorney on reciprocity issue that was discussed at the Board of Examiners of Contractors on December 17, 2013.
- License Permit Specialist/Deputy City Clerk working on an on-going record retention projects.
- On-going implementation of updating various forms and having them accessible through the City of Fort Pierce website.
- City Clerk attended Fort Pierce Area Council meeting.
- City Clerk attended 4 Agenda Quick training sessions.
- City Clerk attended FPUA Rate Workshop.
- City Clerk attended United Way Board meeting.
- City Clerk attended Economic Development Team Meeting.
- City Clerk was Secret Santa for St. Lucie County Community Transit.
- City Clerk processed several public records requests.

**Administrative Services Department**

- **Procurement –**
  1. Processed Addendum No. 3 for Bid No. 2014-002 ~ Heathcote Botanical Park Project
  2. Processed Addendum No. 1 for Bid No. 2014-007 ~Janitorial Services for City Owned Buildings (River Walk Center, Garden Club and Maravilla Center).
  3. Renewal of Annual Contracts
  4. Processed purchase orders and fiscal year blanket purchase orders.
  5. Processing and/or completion of awards to vendors/contractors approved by Commission.
  6. Meetings:
    - a) Director of Administrative Services and Purchasing Manager met with Deputy City Manager, Chief Accountant, Network Specialist, Planning Systems Analyst to discuss the redesign of City website.
    - b) Purchasing Manager chaired Mandatory-Pre Bid Conference for Bid No. 2014-007, Janitorial Services for City Owned Buildings (River Walk Center, Garden Club and Maravilla Center).
    - c) Director of Administrative Services conducted several meetings with various City staff regarding personnel issues.
  
- **Human Resources –**
  1. Coordinated Pre-employment physicals and background checks.
  2. Completed several Public Records requests.
  3. Advertised Promotional/Employment Opportunities.
  4. Created several Personnel Action forms for employees.
  5. Distributed monthly Reports to each department such as Accrual Register, Time Sheets and payroll register to Police Department.
  6. Processed Purchase Orders and requisitions.
  7. Verified payroll.
  8. Processed November and December, 2013 employee annual evaluations.
  9. Completed Verification of Employment/Loss of Income forms.
  
- **Risk Management –**
  1. Met with Personal Trainers for City's 60 Day Fitness Challenge.
  2. 3rd Annual Employee Health Fair - Wednesday, January 8, 2014 at the Riverwalk Center.
  3. Solicited and Confirmed Vendors for On-site Employee Health Fair, January 8, 2014.
  4. Collaborating with Florida Blue regarding on-site Health Fair & Wellness seminars.
  5. Accident and Injury Reviews
  6. Audited, Closed, and Processed WC Claims.
  7. Processed Insurance Subrogation.
  8. Consulted with the City Carrier Regarding Liability Claims.
  9. Processed day to day Risk Management Duties.

**Finance Department**

- Preparing Financials for Audit
- Attended Health Insurance Committee meeting.
- Attended a meeting regarding union issues.
- Day to Day Operations

**MIS Department**

- Swagit Agenda Quick training is ongoing for administrative staff. Department Heads and staff will be scheduled for training in January 2014 with a tentative go live date in February 2014.
- Upgraded IBM Operating System and SunGard HTE applications.
- Several locations were affected by lightning strikes. Working diligently to restore services.
- Commission approved the final phase for upgrading the Broadcasting Room and awaiting arrival of new equipment.
- Working on new servers, racks and Intune software citywide.
- State of Florida and AT&T completed the migration of the demarcation from Police department to Indian Hills Golf Club for voice and data communications.
- Evaluating AirWatch mobile device management (MDM) application.
- Waiting on feedback from Comcast for moving to the new room in the Commission Chambers to house the Broadcasting equipment.
- Exploring cloud based options for different applications.
- Processing new computer equipment for various departments.
- Working on a pilot program with the Police Department.
- Relocation of several departments (on-going).
- Upgrading Marina Program.
- Working with vendor Group Business Software and the migration has begun to move Lotus Notes to the cloud.
- Working on Rights issue with NAS (on-going).
- Installation of the AppAssure Backup and Replication software to be loaded on the City's application server.
- Processing VOIP spread sheets for remaining remote sites (Marina and Sunrise Theatre) and gathering all information required including old numbers to be ported.
- Marina data room is currently being upgraded to handle a new data rack, servers. Transferring data to the new NAS device (on-going).
- Shelter Pro software roll out for Animal Control Officers to be loaded on City's application server.
- Major problems with email due to virus attacks to our system (on-going).
- Servers for Sunrise Theatre and Indian Hills crashed; servers are being processed for distribution.
- Testing iPads for use in current environment (NovusAgenda, Lotus Notes email, and Click2Gov Building permits) and the GPS system.
- Work with IBM staff and completed transfer of six Netfinity servers from the old system and other issues that has been on-going with the Blade Center.
- Software integrations citywide (on-going).
- Working with AT&T and State of Florida on the fiber optic installation preparation for Public Works/Solid Waste (ongoing).
- Lotus Notes IQsuite e-mail spam, and archiving (ongoing).
- Updating MIS documentation and procedural policies (on-going).
- Received sixty two (62) new work orders and completed eighty eight (88) work orders.

**Planning Department**

- **Administrative/Meetings –**
  1. All Staff members conducted ‘Planner of the Day’ duties on a rotating basis.
  2. Walk-ins/Call-ins.
  3. Board of Adjustment meeting minutes for 11-21-2013
  4. Historic Preservation Board meeting minutes for 11-25-2013
  5. Technical Review Committee meeting minutes for 10-17-2013
  6. Annexation for 3605 River Birch Drive
  7. 308 S 30th Street Zoning Verification Letter.
  
- **Comprehensive Planning –**
  1. 1110 North 29th Street – Pine Creek Village, Future Land Use Map Amendment – Local Planning Agency (Planning Board) Presentation
  2. 1110 North 29th Street - Pine Creek Village, Zoning Atlas Amendment (Rezoning) – Planning Board Presentation
  
- **Development Review –**
  1. Lifepoint Daycare Center - Conditional Use - 2730 S US HWY 1 - City Commission Approval
  2. Vital Wellness - Redevelopment - 2624 S US Highway 1 - Final Inspection
  3. Cracker Barrel - Redevelopment - 2550 Peters Road - Plan Review
  4. 810 South US Highway 1 – American Legion Post 40, Alleyway Abandonment – City Commission Item
  
- **GIS/Mapping –**
  1. GIS/Annexation agreement verification, input December 2013
  2. GIS/Annexed properties input 81 parcels, revision/update to city zoning map, city limits map, annexation agreement map;
  3. Research/analysis regarding CRA data, inter-governmental coordination with SLC Property Appraiser, SLC Tax Collector;
  4. Web edits/updates
  
- **Historic Preservation –**
  1. COA Applications Preparation

**Building Division**

- **7131 Okeechobee Rd (West Star)** – Revised drawings were submitted for this project, which may resolve the issues that have halted the progress of the project. We will continue to keep you informed of the progress of this project.
- **3900 Okeechobee Rd. (Dale's Bar-B-Q)** – Permits were issued for the remodeling and repair of fire damage at the above listed address. We will keep you informed of the progress of this project.
- **102 N 2nd Street (711 Convenience Store)** – The C.O. has been issued for this project and the store is open for business.
- **Ft. Pierce Shopping Plaza** – Drawings have been submitted for the remodeling and renovation of the Ft. Pierce Shopping Plaza located at the NW corner of Ohio Ave and US HWY 1. We will keep you informed of their progress.
- **5001 Okeechobee Rd (Center State Bank)** – The building permit for this project is ready for issuance. We will keep you informed of the progress of this project.

**Code Enforcement Division**

- **Hearings** – No hearings to report
- **Code Enforcement** –
  1. Received 15 complaints
  2. Issued 6 written warnings
  3. Issued 0 citations
  4. Initiated 14 new cases: 7 general violations and 7 lot clearing violations
  5. Conducted 313 follow-up inspections
  6. Closed 282 cases
- **Animal Control – (only 1 week reported)**
  1. Responded to 113 dispatched calls
  2. Conducted 138 self-initiated calls
  3. Conducted 37 follow-up investigations
  4. Issued 18 citations and 3 written warnings
  5. Completed 2 bite reports
- **Income & Expenses** –
  1. Processed 41 lien / title search requests.
  2. All lien & fine case folders are being manually reviewed and updated to address past due accounts (on-going).
- **Miscellaneous** –
  1. Met with Mr. Bradshaw and Jennifer Robinson to discuss the complaint from Ms. Ursula Freeman
  2. Met with Mr. Mimms, Jack Andrews, Mike Reals, Marc Meyers and Libby Woodruff to discuss the Lincoln Park Neighborhood Improvement Project.
  3. Met with Mr. Lundy, accompanied by ACO Gasparre, ACO Blue, CEO Coss, and two FPPD officers to declare his two dogs dangerous.
  4. Met at the FPPD at the request of Chief Baldwin to meet with other concerned representatives to discuss the Restoring Our Village Initiative.
  5. Attended the monthly TRC Meeting.
  6. Met with Mr. Bradshaw, Mr. Mimms, Paul Bertram and Shaun Coss to discuss how to addressing a case regarding trees being cut without permits.

**Engineering Department**

- **Development Reviews** – Intake of eight (8) Building Permit, Site Plan, or Certificate of Occupancy reviews.
- **Stormwater Division** – Negotiations being made with FPUA in regards to a joint project for Boston Avenue between 7th Street and 8th Street. FPUA desires to replace water and sewer in this portion of Boston Avenue. SMU division is investigating the feasibility of partnering with the FPUA to construct needed drainage improvement in this block. Currently developing preliminary engineering design and cost estimates.
- **Traffic Control** – FDOT has completed final QA/QC for the new coordination plans on State Corridors. Staff is working with FDOT's contractor to revise the signal timing plans for SR 70 and 25th Street as we have discovered a significant increase in traffic volumes since the incorporation of the current timings. City continues maintenance of all signals.
- **City Marina Reconstruction - Phase I – Islands**- LMAC is at 99% for project completion. LMAC is completing the final construction items need to make substantial completion. Staff continues working with LMAC to resolve potential contractual issues and perceived monetary claims. Staff has initiated dialog with FDEP and Army Corps to help resolve an issue that LMAC has created with installation of non-conforming material on 6 Islands.
- **City Marina Reconstruction – Phase II – Docks** – RFP 2013-021 City Marina Reconstruction- Phase II Staff has completed RFP 2013-021 contract documents in preparation of contract negotiations for the construction phase of the floating docks. City Attorney is reviewing the revised contract documents, staff is currently working towards presenting the finalized contract on the January 20, 2014 Commission agenda for approval.
- **S. 21st Street / Havana Ave. Sidewalk Project** – Project currently under design. Funding has been approved by FDOT for FY 2015. 90% plans have been submitted to the City and FDOT for review.
- **31st Street Sidewalks from Okeechobee Road to Tennessee Avenue** – FDOT is preparing the LAP package for execution. The construction bid documents have been sent to the City Attorney's office for review.
- **5th Street Reconstruction from Orange Avenue to Boston Avenue** – Construction underway. Final completion is scheduled for April 2014.
- **Heathcote Stormwater Improvements** – Bids opened on 12/19. Four bid proposals received. Engineering is currently reviewing bid proposals and plan to have a recommendation for award at the January 21, 2014 City Commission meeting.
- **Veterans Memorial Park** – Project currently under design.
- **Melody Lane Fishing Pier** – Awaiting receipt of design consultant's proposal.
- **H.D. King Power Plant Clean-up** – During soil remediation work at the former power plant site, it was discovered that the tie-backs for the seawall along Moore's Creek in some areas have completely deteriorated. One section of the seawall has shown significant deflection. We have requested a structural engineer to provide the City with a proposal for further evaluation of the seawall and recommended repair alternatives. Expect proposal to be submitted by the second week of January.

**Public Works Department**

- **Energy Efficiency & Conservation** – ConEdison has completed the Investment Grade Energy Audit and is currently working with the Energy Efficiency & Conservation Team (EECT) to determine feasible energy conservation measures for inclusion in the much anticipated energy savings performance contract. A presentation to the commission is expected in the very near future.
- **Single Stream Recycling** – Interest and participation in our program continues to grow! Phase II of our Single Stream Program is complete. The PWD will be implementing a recycling program at the FPUA offices after the first of the year.
- **Phase II Window Retrofit Project** – This project is underway with windows being installed at the River Walk Center. The Public Works Compound and the Police Department will be next. We have received a 6 month extension on the completion of this project.

**Police Department**

- **Avenue D Christmas Festival** – The police department assisted CYOP with hosting the annual Avenue D Christmas festival on Saturday, December 14.
- **Restoring our Village** – Chief Baldwin attended two meetings to advance the Restoring our Villages movement. A meeting was held on December 17, with officials from the Health Department, School Board, IRSC, Parent Academy, and others to begin drafting a needs assessment report that will form the basis for long term strategic planning. A second meeting was held on December 18, 2013, with several public service agencies to initiate the “Block by Block” initiative, which will focus existing resources in the neighborhoods suffering the most violence. Our law enforcement task force is continuing to have significant success in street patrols and investigations.
- **Noise Ordinance** – Chief Baldwin and Lieutenant Curry met with the City Commission at their Conference Agenda Meeting on Monday, December 9, 2013 to review the draft ordinance. Staff is currently revising the ordinance to retain the 11:00PM restriction on noise in residential areas. This revision will be forwarded to the City Attorney’s office for final review by the first week in January.
- **Saggy Pants Ordinance** - On December 2, 2013, a package of material was submitted through the City Manager to the City Attorney for review in crafting an ordinance for Fort Pierce.
- **Entertainment District (Jetty)** - Chief Baldwin and Planning Manager Rebecca Grohall have scheduled a meeting at the police department for Tuesday, January 7, 2014, at 10:00 a.m. with businesses in the area of Jetty Park to work on the establishment of an Entertainment Zone pursuant to direction provided by the City Commission at their Conference Agenda Meeting on Monday, December 9, 2013.
- **Shop with a Cop** – On December 23, at 10:00 AM the police department will hold its annual Shop with Cop event at Walmart. Every year, Walmart and other community members donate funding to allow officers to give children from our community a shopping spree at Walmart.
- **Santa Cop** – On Friday, December 20, 2013, at 5:30 p.m. the police department will host its annual Santa Cop program, which will provide a full Christmas dinner and toys to 100 families that our officers have identified as having a special need. The event will be held at police department.

**Urban Redevelopment Department**

- **Grants Administrator –**
  1. Provided oversight for PSA and Commercial Facade grant applicants
  2. Created PSA grant scoring and tracking forms, packets for CWC members, etc.
  3. Provided oversight to Communitywide Council; presentation materials; helped conduct CWC Meeting 12/11
  4. Provided 'pre-review' of PSA grant applications; contacted applicants to provide missing copies, etc.
  5. Created contractual agreements for PSA and Commercial facade grant awards
  6. Met individually with new and existing CWC members regarding FL Sunshine Laws and PSA grant scoring, etc.
  7. Attended webinar on tourism grant opportunities through Visit Florida
  8. Assisted Public Works with shed and well issues pertaining to Community Garden
  9. Extensively reviewed SHIP program requirements, met via phone with FL SHIP program director to establish potential solution to HHR/REACH program issues
  10. Provided grant award oversight for Fort Pierce Authentic Tours (FPAT) program
  11. Created and sent certified letters to previous FPAT members to update membership info
  12. Completed and submitted 2012-2013 CDBG CAPER to HUD
  13. Completed and submitted quarterly FIND report on Moore's Creek Dredge project
  14. Reviewed EPA Brownfield Assessment grant opportunity
  15. Worked extensively on to develop Highwaymen Heritage Trail signage;
  16. Collaborated with HUD/Tallahassee and Finance Dept. to address ongoing issues with CDBG/IDIS reporting system
  17. Assisted citizens by providing information on CDBG, SHIP, NSP programs
  
- **Program Analyst –**
  1. FEMA
    - a) Marina Project
      - Quarterly report filed
      - Preparing requests for reimbursements
      - Monitoring funding requests
  2. Windows Expansion Project
    - a) Quarterly report filed
    - b) Working on request for modification of scope of work
    - c) Preparing first pay application
  3. NSP
    - a) Filing monthly reports
    - b) Working on insurance amendment for transfer agreement
    - c) Transferred phone lines at Orange Avenue to Housing Authority
  4. Enterprise Zone - Answering emails and phone calls pertaining to tax credits
  5. SHIP - Preparing 2 applicants for program

**Marina**

- Oversee daily operations for City Marina and Fisherman's Wharf Marina.
- Working with seasonal dockage and events (see weekly email "Marina Happenings" newsletter for updates).
- Marina Island Construction estimated completion unknown.
- Consulting on Marina Project.
- Commission approved the rights to negotiate with Bellingham Marine for the new dock system at the City Marina. City Attorney and Engineering Dept. working out contract language.
- Attended first meeting of Waterway Steering committee for Martin and St. Lucie Counties.
- Working with marina staff and MIS department relating to the new marina operating program.
- Dredging time frame of Moore's Creek is undetermined. Awaiting Engineering Dept. for date certain.
- Upgrading camera security system throughout marina facility.
- Working with St. Lucie County Tourism Department on the contract for 3 web cams.
- Working with City staff on installing a Seacoast National Bank ATM machine at City Marina.

**Golf Course**

- Met with Assistants to set rates for season.
- Changed newspaper advertising for January rates.
- Met with Superintendent to discuss on-going projects.

**River Walk Center**

Park Permits	375.00
Programming	558.50
River Walk Center	399.75
Garden Club	420.00
Special Events	375.00
Maravilla	200.00
<hr/>	
Total	\$2,328.25

**Sunrise Theatre**

- Over the past weeks, the following performances and activities were presented in the Sunrise & Black Box Theatre: Fort Pierce Jazz and Blues Society and the Sunrise Theatre co-presented Tuesday Night Jazz Jam evenings on December 3, 10, & 17; Comedy Corner Improv on Saturday, December 14; treasure Coast Veterinary Association held a seminar in the Black Box On December 4, from 6 – 9pm; BK Jackson on December 6. Performances on the Sunrise Theatre main stage included the Hungarian State Folk Ensemble School Time Performance at 10:30am and evening at 7pm on December 4 ; Sounds of The Season, a free community event presented by Children’s Services Council of St. Lucie County & Sunrise Theatre/City of Fort Pierce on December 6; Comedian Sinbad on December 7; The Nutcracker by St. Lucie Ballet on December 13 & 14 at 7:30pm, with a School Time Performance at 10:30am on December 13; A Christmas Carol presented by South Florida Dance Company, load-in and rehearsal on December 20, and performance on December 21.
- Assistance continues with future rental events and co-presentations with various community groups including, but not limited to: BlueBird Educational Productions Selwyn Birchwood on February 7; Rusty Young The Summer of Love Concert on January 16 and Chris MacDonald’s Memories of Elvis on January 18. A March 15 booking for Ron White went on sale December 2 and sold-out within one week. A second show was added and is also approaching sell-out. A third date is anticipated.
- Marketing and show sponsorship negotiations for the 2013/14 Season are ongoing. Booking negotiations and event commitments for the 2013/14 Season continue.
- Budget projections and adjustments for this and next year’s fiscal year continue to be reviewed and implemented.