



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 3rd Street
Fort Pierce, Florida 34950

Requested Action: Approval of an application for Alleyway Abandonment

Location: 810 South US Highway 1 / 901 South 3rd 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.