



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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

**TO:** Robert Bradshaw, City Manager  
**THROUGH:** Rebecca Grohall, AICP, Planning Manager  
**FROM:** Sandy Ramseth, AICP, Senior Planner  
**SUBJECT:** Fort Pierce Inlet Beach Resort – Conditional Use  
**DATE:** July 25, 2014

### STAFF REPORT

**Owner/Applicant:** Fort Pierce Inlet Beach Resort, LLC  
110 S. Ocean Drive  
Fort Pierce, FL 34949

**Representative:** Harold H. Smyth  
C/O Inlet Beach Resort LLC  
23285 Orange Ave.  
Fort Pierce, FL 34945-4337

**Requested Action:** Approval for Conditional Use of proposed improvements which are located seaward of the Coastal Construction Control Line (CCCL); and approval from the Design Review Board to allow improvement(s) to encroach into the front site setback.

**Location:** South of Seaway Drive and East of South Ocean Drive

**Parcel IDs:** 2401-501-0005-000-0; 2401-501-0007-000-4; and 2401-501-0006-000-7

**Current Future Land Use:** GC, General Commercial

**Current Zoning:** C-5, Tourist Commercial

**Surrounding Zoning:**

|                         | North               | East | South | West |
|-------------------------|---------------------|------|-------|------|
|                         | C-5<br>(City Owned) | C-5  | C-5   | C-5  |
| <b>Surrounding FLU:</b> | COS                 | GC   | GC    | GC   |

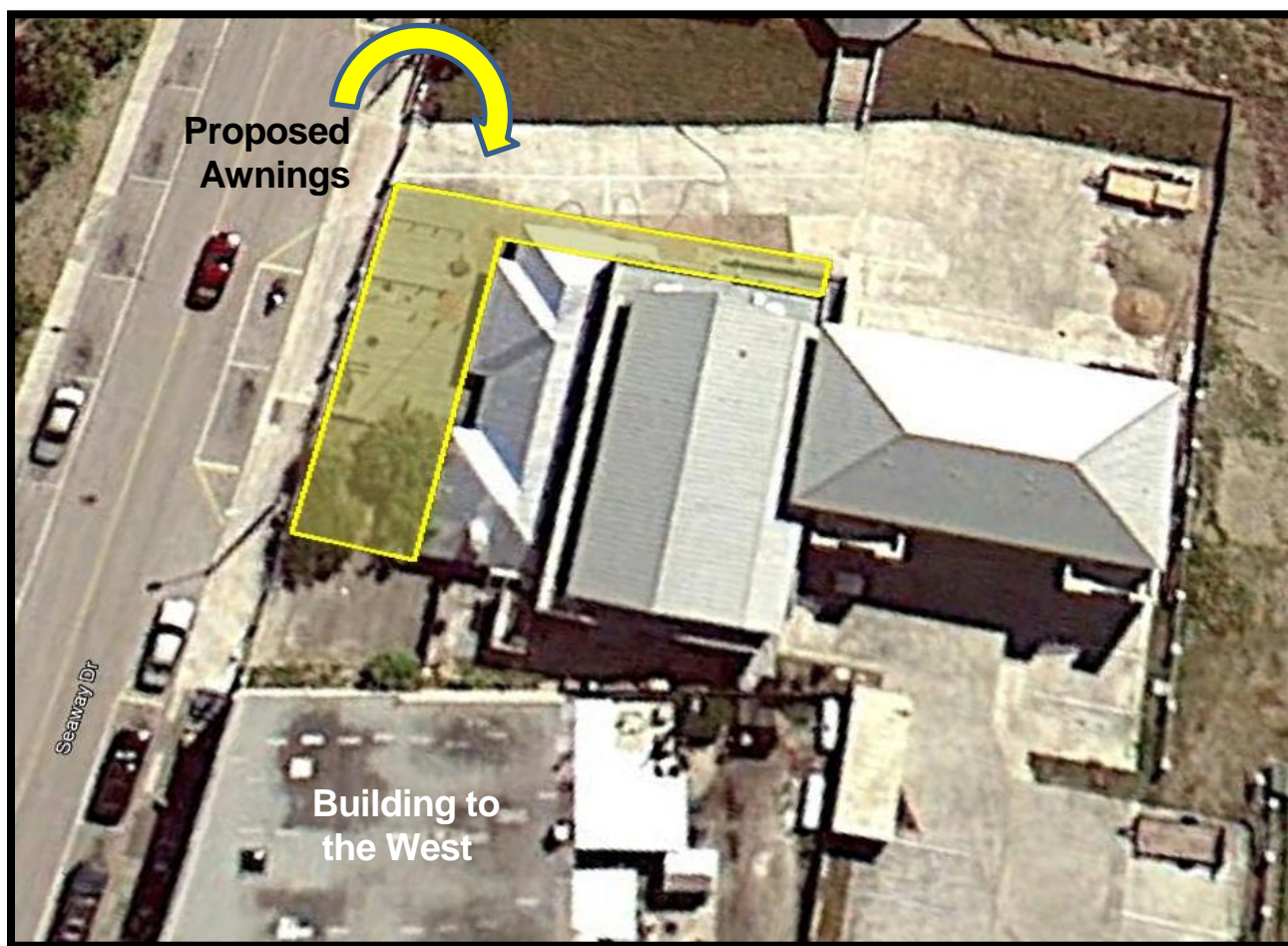
**Parcel(s) Size:** .52 + .18 + .21 = .91 total acres

**Applicant Request:**

The applicant is requesting approval for a Conditional Use of proposed improvements to the Fort Pierce Inlet Beach Resort. The need for a Conditional Use review is due to the location of the improvements which are seaward of the Coastal Construction Control Line (CCCL).

In addition to the Conditional Use request, the applicant will require an approval from the Planning Board acting as the Design Review Board to allow for the front (northern) awning to encroach into the site setback.

The applicant would like to construct a canvas awning approximately 24' X 60' onto a wooden deck located on the north side of the existing building, and another 6' X 60' awning on the east side of the same building, which is the current location for the resort restaurant. The awning that will be located on the east side will be attached to the building, off of the ground, centered, and leveled to the building. Additional improvements include replacing the wood deck of the north side of the same building, which was removed due to decay caused by storms and weathering. (Figure 1)



**Figure 1**

**Staff Analysis:**

This proposed project is submitted as a Conditional Use to meet the requirements per **Sec. 22-66. Coastal construction control line.** *“No construction is permitted on the seaward side of the coastal construction control line in any zoning district except for navigational structures, private and semi-public water-dependent recreational uses and water-dependent public uses. Any other construction shall be approved in the form and manner provided for by Chapter 22, Article V, Conditional Uses, of this Code of Ordinances and otherwise shall conform with all other applicable ordinance requirements. The coastal construction control line is that certain line designated by the department of natural resources or its successor agency in accordance with section 161.053, Florida Statutes.”*

In reviewing the overall site plan of the subject property, it is apparent that the proposed improvements will not encroach further seaward than what currently exists, and will not have any impact beyond that which has been previously permitted. Furthermore, the proposed improvements should have no impact on the existing dune system.

In reviewing the request from a design review perspective the proposed awning, although encroached into the setback, is consistent with the spatial order of its immediate surroundings, in that the building immediately to the west abuts the street at the front property line. (Figure 1) This would be consistent with **Design Review, Sec. 22-59(g)(2)b,** *“To provide for consistent spatial order of streets, and to accommodate a human scale and pedestrian activity, the inside line of the front yard (setback) shall be considered a frontage line.”*

Further, the awning will enhance and emphasize the entrance to the resort building as provided in **Sec. 22-59(g)(2)a,** *“Buildings shall have architectural features such as porches or roof overhangs that delineate or emphasize entrances. Covered entrances shall be proportioned to human scale and follow logic of design relative to the building. This entrance shall face the public right-of-way, be well-defined architecturally and readily visible to pedestrian and vehicular traffic.”* The awning will make the building more visible to pedestrian and vehicular traffic. As the site currently exists, the Inlet Beach Resort main building is well hidden (Figure 2) behind the building to the west due to the proximity of its setback location. It is not until you are almost in front of the site, do you see it. (Figure 3)



**Figures 2 & 3**

## TRC Recommendations/Comments:

### City Engineering:

The City Engineering Department recommends approval with the following comments that must be addressed at time of Building Department submittal:

- 1) Provide a full sized copy of the boundary survey in accordance with Section 17-27(a)(7) of the City of Fort Pierce Code of Ordinances, "A survey prepared and sealed by a Florida Registered Land Surveyor to show property lines and existing physical features with pertinent elevations to include the site's 100-year flood elevation provided by the Federal Flood Insurance Rate Maps."
- 2) Provide a copy of the FDEP permit for all proposed work water-ward of the Coastal Construction Control Line.
- 3) Please provide a site plan that shows the proposed improvements as opposed to the sketch of improvements drawn on a copy of a reduced survey. This plan needs to show the limits of the construction and how it relates to the adjacent land, specifically along Seaway Drive.
- 4) Provide information as to where the stormwater run-off from the proposed awning/decking will be directed to. Please note no runoff shall be directed to the Seaway Drive Right-of-Way.
- 5) It appears that there are three parcels that comprise the Fort Pierce Inlet Beach Resort. The applicant shall provide a Unity of Title tying these individual parcels into one parcel.
6. The landscape plans show some possible plantings within the limits of SR A1A Right-of-Way, please ensure that all landscaping is contained within the limits of the subject property.

### Applicant Response:

The following are responses to the Building Department's comments:

- 1) Provide a full sized copy of the boundary survey - we do have a full size signed and sealed survey's which we will submit to the Building Department.
- 2) Provide a copy of the DEP permit - That permit is being processed at this time and will be available at the time of building submission.
- 3) Please provide a site plan - At the time of the submittal to the building department we will show the proposed improvements only. The existing sketch is for clarifications only to have a general idea of what our vision is.
- 4) Provide information as to where the storm water run-off from the proposed awning/deck - Please note that the architect has already anticipated the storm water run-off and so run-off shall be directed to Seaway Drive. **Update:** Note that storm water run-off from the proposed awning will be collected by gutters and directed onto the existing beach sand base now receiving direct rainfall.
- 5) It appears that there are three parcels that comprise the Fort Pierce Inlet Beach Resort Enclosed find the property appraiser's property record card for all three parcels showing unity of title.
- 6) The landscaping plans show some possible plantings within the limits of the SR A1A right-of-way. Enclosed you will find photographs of the existing landscaping taken recently. Please note that the Royal Palm trees are planted on our property and the not the SR A1A right-of-way and the accent landscaping west of the trees is minimal at best and was done to show continuity with our next door neighbors and to beautify the entrance.

### City Code Compliance:

The following are advisory comments from the Code Compliance Department's review of the application for Conditional Use:

1) Reminder: Please keep in mind that it is turtle season and please keep all lights shielded. This property has received two notices in the past.

### **Applicant Response:**

The following are responses to the Code Compliance Department's comments:

1) We agree that that any lighting will meet the requirements of City and Florida "Turtle Protection" requirements.

### **City Planning:**

The following are advisory comments from the Planning Department's review of the application for Conditional Use:

1) Per Section 22-59(g)(10)c of the City Code, "Awning fabric shall be made of non-glossy material, such as treated cotton for durability, and ribbing (seams) should run vertically."

2) Per Section 22-59(g)(10) d of the City Code, "Awnings shall not be used as a attention-getting device, and should contain only minimal signage on the awning fabric. Awnings should not be backlit; simple down-lighting to illuminate the window, door or sidewalk should be used." Please indicate the color you intend to use for the awnings. It was mentioned during the Pre-App meeting that the color shown on the proposed images may not be the actual color. Although swatch samples of material were provided, a definite color has not.

3) Any change or addition to signage must comply with Chapter 15 of the City Code.

4) For the bike rack you are providing make sure it can accommodate a minimum of 4 bicycles, per Section 22-60(f)(1)a of the City Code, "Short-term bicycle parking is required in accordance with the following minimum ratios. These requirements apply regardless of any motor vehicle parking exemptions or reductions: 1 per 10 motor vehicle spaces." You have 37 spaces, therefore requiring 4 bicycle spaces.

### **Applicant Response:**

The following are responses to the Planning Department's comments:

1) Awning Fabric - The material sample we gave you are industry standard and do not have a glossy finish but are water proof. There are other materials but the cost is triple the standard fabric price. Also the other non-standard material is not water proof. **Update:** Per our discussion on June 26, the submitted "satin sheen" awning material is acceptable under City Code.

2) Awnings shall not be need as attention getting device - It is not our intention to see the awnings as an attention getting devices. Any lighting will be down directed for the convenience of the guest and patrons. **Update:** We agree that any proposed signage will meet the requirements of City Ordinances. Selected awning color samples are to be submitted along with this Memo.

3) Any change or addition to signage must comply with Chapter 15 of the City order - any future signage will be VIA separate permit. **Update:** All revisions to existing signage will be submitted & reviewed per Chapter 15 of the City Code.

4) Bike Racks - For the record we currently have installed 20 bike racks on the property which are approved by the planning department. We want to put an additional four bike racks out front for the convenience of our patrons. **Update:** City Staff has reviewed the in-place installation of four bicycle racks each of which will accommodate four bicycles.

5) Color of awnings - We have chosen a classic solid blue color that will enhance the characters of the building and compliment the surrounding decor. Samples enclosed.

All other TRC reviewing Departments either had no comment, or expressed approval without conditions.

**Planning Board Recommendation:**

Forward a recommendation of **APPROVAL** with the following conditions:

All City Engineering comments are satisfied at time of building permit application.

**Surrounding Property Summary:**

**21** Letters of Conditional Notice were sent to surrounding property owners within 500' of the subject property.

**4** were positive responses

**0** were negative response

**Staff Recommendation:**

In review of this Conditional Use application, staff recommends that the City Commission **APPROVE** with the following condition: All City Engineering comments are satisfied at time of building permit application.