



# CITY OF FORT PIERCE

## PLANNING DEPARTMENT

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:** Carriage Pointe Estates - Rezoning  
**DATE:** September 26, 2014

### STAFF REPORT

**Owner/Applicant:** Pierce 131, LLC (Peter J. Brennan, Manager)  
12 Salt Creek Lane, Suite 200  
Hinsdale, IL 60521

**Representative:** Dean, Mead, Minton & Zwemer  
1903 South 25th Street, Suite 200  
Fort Pierce, Florida 34947

**Requested Action:** Approval of a Rezoning from R-1 to PUD

**Location:** At the intersection of Selvitz and Ralls Roads in a Portion of Section 30, Township 35S, Range 40E

**Parcel ID:** 2430-134-0014-000-0

**Current Zoning:** **R-1, Single-Family Low Density Zone;** this classification is primarily intended to provide for areas of single-family dwellings with an average net density of less than four (4) units per acre for conventional developments. Regulations for the district are designed to promote sound neighborhoods and accommodate compatible nonresidential uses. Water and sewer service is available. Carriage Point Estates is not consistent with the R-1 zoning district. (See staff analysis).

**Future Land Use:** **RL, the Low Density Residential;** this designation is intended for parcels that are best suited for lower density residential uses. The predominant development typology will consist of single-family detached housing but can also contain duplexes and multifamily residences. This land use category ranges in density from 1 to 6.5 dwelling units per acre. Carriage Point Estates has a density of 1.75 du/ac. and is consistent with the Comprehensive Plan.

**Surrounding Zoning:  
(Jurisdiction)**  
**Surrounding FLU:  
(Jurisdiction)**

North	East	South	West
RS3 & AR-1 (SLC)	AR-1 (SLC)	IX, AR-1 & I-1 (SLC) & (FP)	R-1 (FP)
RU (SLC)	RS (SLC)	RU & HI (SLC) & (FP)	RL (FP)

**Infrastructure:**

Located within the FPUA Retail Water and Sewer Service Area. All infrastructure including water, sewer, drainage and roadways have been constructed, except for the final lift of asphalt.

**Area:**

74.85 Acres

**Project History:**

The residential development currently known as Carriage Pointe Estates (fka Ten Mile Estates) was annexed into the City of Fort Pierce via Ordinance K-308 (Exhibit 1) on December 20, 2004 which took effect on December 31, 2004. The annexation ordinance rezoned the subject property to the City's R-1 zoning district and assigned a future land use designation of RL (Residential, low density: 1 - 6.5 dwelling units per acre)

Subsequently, on December 21, 2004, St. Lucie County via Resolution 04-228 (Exhibit 2) approved a rezoning of the subject site to the Planned Unit Development (PUD) zoning, and granted Preliminary and Final Site Plan approval for development of 132 single-family homes. The County resolution approved the Site Plan prepared by Thomas Lucido & Associates, Inc., dated November 8, 2004 (Exhibit 3). The Preliminary Plat of the subject property was reviewed and approved by the County earlier that year.

In the following years, the project's infrastructure plans were formerly permitted by the City and improvements were substantially completed, including the construction of offsite roadways, onsite roadways through the first lift of asphalt, onsite and offsite sewage collection and transmission systems, water distribution system, and storm water management system. In 2007 a building permit was also issued by the City for a model home, which was constructed.

In March of 2011, The Wantman Group, Inc. (WGI) filed an application for Final Plat approval with the City on behalf of Regions Bank. The City's Technical Review Committee (TRC) conducted a review but the staff comments were never sufficiently addressed in order to advance the application to a hearing before the City Commission. The applicant had been informed of the outstanding issues identified by the Fort Pierce City Engineer during the 2011 Final Plat review, and these were never addressed by the former property owner/applicant, Regions Bank. On October 29, 2012, the subject property was then purchased by its current owner, Pierce 131 LLC.

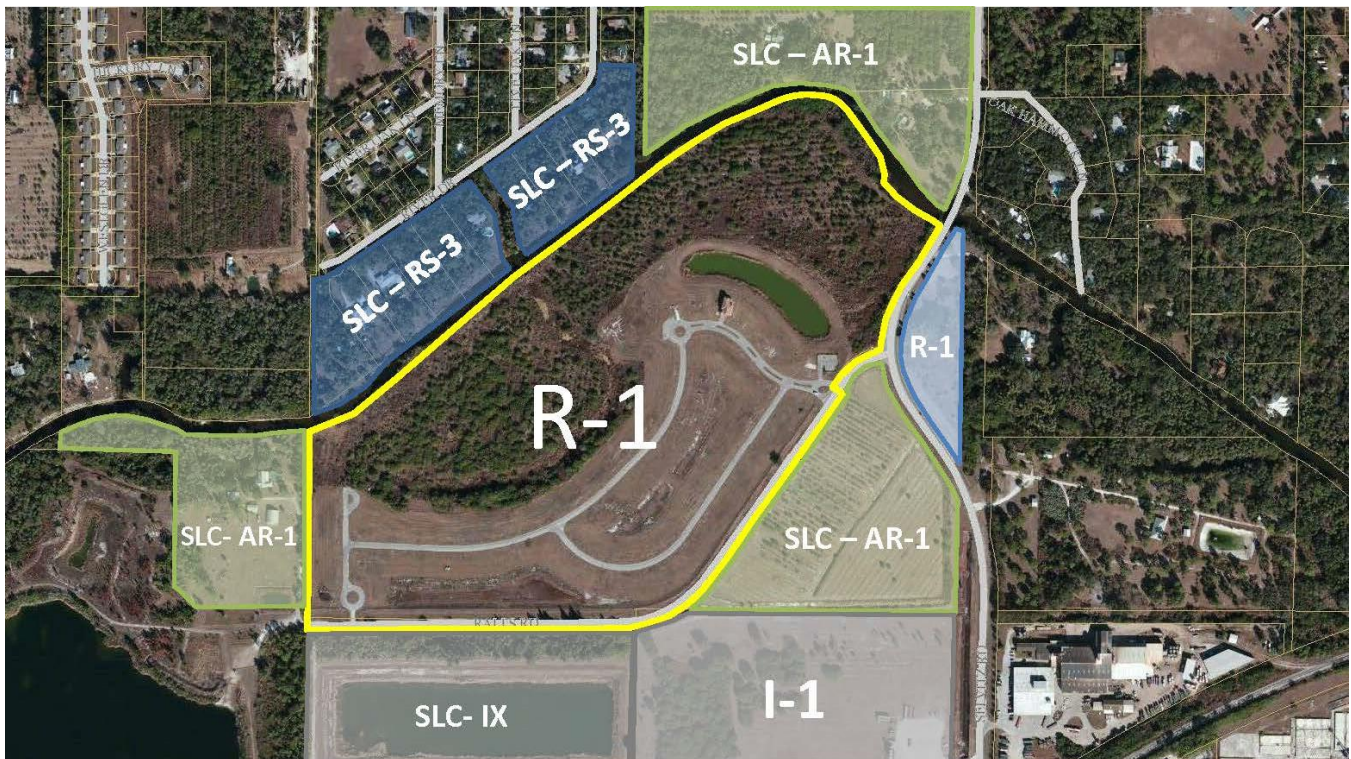
Beginning in February 2013, a revised Final Plat, based on previous TRC comments, was submitted to the City for their review and approval; again, more comments and resubmittals. During that year, the model home was also demolished as the housing product type was revised under the new ownership. The project history now leads us to where we are today; the latest Final Plat submittal plan has been reviewed by all affected departments and met with their approval, and was approved by the City Commission on September 15, 2014. This rezoning has been requested as a scrivener's error to change the zoning from R-1 to PUD, as originally intended.

**Staff Analysis:**

Pursuant to Fla. Stat. § 171.062(2), whereby properties are purportedly given City zoning classifications equivalent to their zoning status within the County prior to annexation, the City is requesting a rezoning of Carriage Point Estates from and R-1 zoning district to a PUD zoning district as a scrivener's error. The R-1

zoning designation was incorrectly assigned to Carriage Point Estates (then Ten Mile Estates), and has subsequently produced conflict with the R-1 lot dimension and setback regulations.

*Surrounding Vicinity.* The subject property is currently zoned R-1, Single-Family Low Density and has a Future Land Use designation of RL, Low Density Residential. The subject property is mostly surrounded by unincorporated properties that lie within St. Lucie County. Immediately abutting the subject property to the north is Ten Mile Creek which runs the entire length of the property. Just beyond Ten Mile Creek on the north, are unincorporated properties zoned for low density residential use and agriculture; to the west is unincorporated agricultural land; to the south is unincorporated and incorporated industrial property; and to the northeast and southeast are more unincorporated agricultural lands; and immediately east is a tract of low density residential property within the City, but owned by the County.



**Zoning Map of Subject Property and Vicinity**

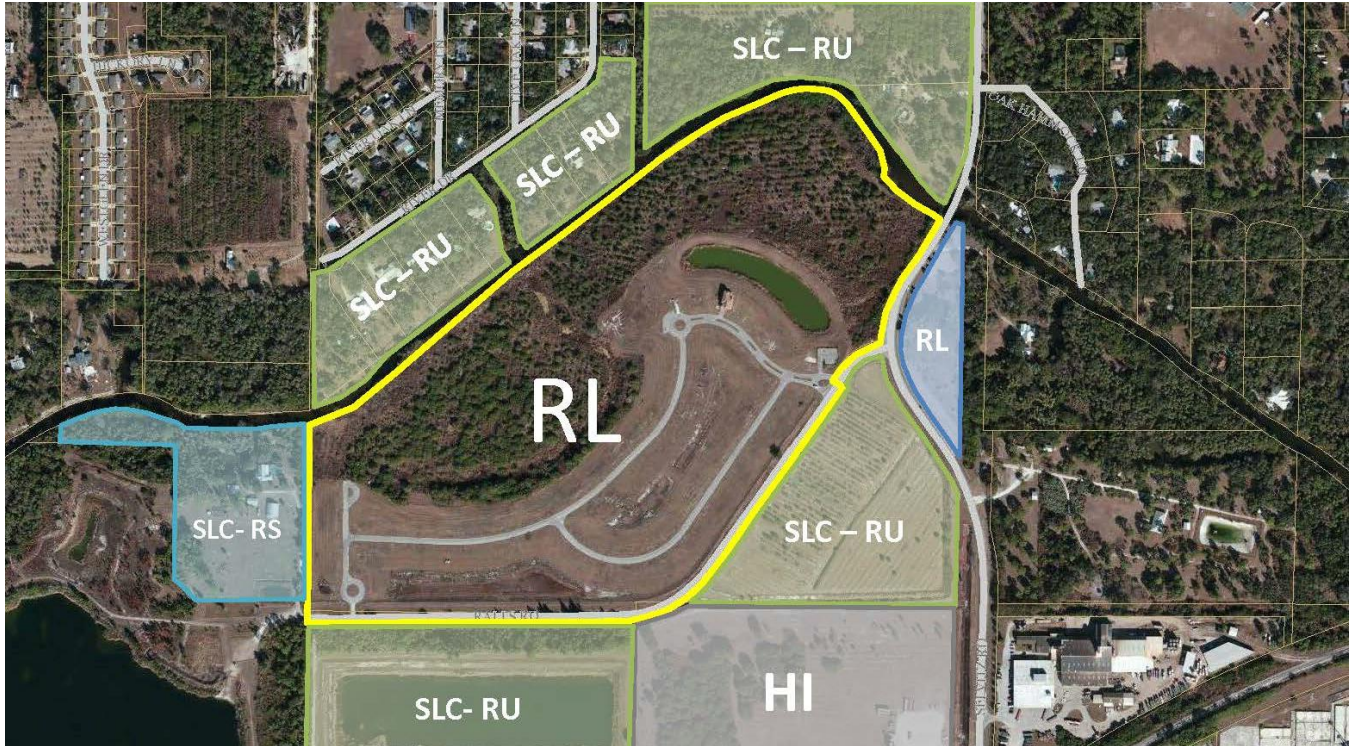
SLC = St. Lucie County Zoning

Fort Pierce Zoning

AR-1 = Agricultural, Residential  
RS-3 = Residential, Single Family- 3  
IX = Industrial, Extraction

R-1 = Single Family Low Density  
I-1 = Light Industrial

Subject Parcel



**Future Land Use Map of Subject Property and Surrounding Vicinity**

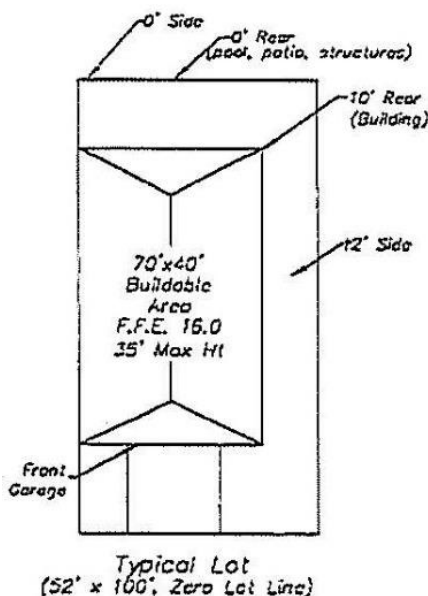
SLC = St. Lucie County Future Land Use

Fort Pierce Future Land Use

RU = Residential Urban  
RS = Residential Suburban

RL = Single Family Low Density  
HI = Light Industrial

Subject Parcel



**Lots:** The property will be subdivided into 131 lots, (a reduction of one lot from the originally approved PUD Plan) that do not meet the minimum lot width (70 ft), depth (110 ft), or area (12,000 sf) requirements of the R-1, Single Family Low Density zoning district.

The Carriage Pointe lot sizes are as follows:

- 107 lots measure 5,200sf – 6,000sf (typically measuring 100'x 52')
- 17 lots measure 6,001sf – 7,000sf
- 7 lots measure 7,001+sf

The typical building setbacks for the Carriage Pointe lots are as follows:

- Front: 20 foot
- Side: 0 and 12 foot
- Rear: 10 foot for the principal structure, 0 foot for accessory.

Like the Carriage Pointe lot dimensions and lot area, these setback distances are not consistent with the requirements of the R-1 zoning district, which requires a 25-foot front setback, a 7-foot side setback (both sides), and a 15 to 7-foot rear setback.

However, in order to bring Carriage Point Estates into compliance with the City's Land Development Code, a rezoning of the subject property from its current R-1 zoning designation to a Planned Unit Development (PUD) zoning designation as a scrivener's error is necessary.

The PUD zoning district is what was originally adopted by the County Commission for this property, and per the City's Land Development Code:

*"PUD zone is intended to provide for comprehensive developments incorporating residential uses, a substantial amount of open space and appropriate commercial, public and semi-public uses. It is designed to achieve a desirable environment through application of flexible and diversified land development standards in an overall site plan. It is further intended to promote economics in land development, maintenance, street systems and utility networks."*

A PUD zoning designation will allow for Carriage Point Estates' lot, area and setback dimensions which do not fit within the City's R-1 zoning district.

**Staff Recommendation:**

City Commission **APPROVE** the rezoning of Carriage Point Estates from an R-1 zoning district to a PUD zoning district as a scrivener's error.