



# 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:** Americast – Conditional Use (with no new Construction)  
**DATE:** November 19, 2014

### STAFF REPORT

**Applicant/Representative:** Charles Pitt  
5303 Palmetto Ave  
Fort Pierce, FL 34982

**Property Owner:** Systec LLC  
1175 NW 17<sup>th</sup> Ave.  
Delray Beach, FL 33445

**Requested Action:** Conditional Use (with no new construction) approval for Light Industrial use in C-3 Zoning

**Location:** 3204 Ohio Ave. Fort Pierce, FL

**Parcel ID:** 2417-505-0021-000-9

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

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

	North	East	South	West
<b>Surrounding Zoning:</b>	C-3	C-3	C-3	C-3
<b>Surrounding FLU:</b>	GC	GC	GC	GC

**Parcel Size:** .34 acres

**Applicant Request:**

The applicant is requesting Conditional Use approval (with no new construction) for a Light Industrial Use. The proposal is to continue light industrial, concrete casting services as has been done since 1999 originally under the name D.R. Stoneworks.

This application is before you due to a lapse in maintaining a Business Tax License for the business. Recent application for a new Business Tax License brought attention to the fact that the subject property needs a Conditional Use approval in order to have a light industrial use in a C-3 Zoning District, a change that took place in 2008.

**Staff Analysis:**

The purpose of the conditional use process is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout the particular zoning district, but which, if controlled as to number, area, location or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience and the general welfare.

The proposal is to continue light industrial, concrete casting services as has been done on site since 1999 originally under the name D.R. Stoneworks, and later in 2003 to 2010 as Mizner StoneWorks. The applicant wishes to continue production of pre-cast concrete products; fabricating items such as garden statuary, balustrades, fountains, pool coping, stepping stones, pier caps, wall caps, pavers, etc., to high-end concrete pads for generators, A/C units, etc. for the end user. This fabrication consists of pouring a slurry of concrete into molds for casting. They do not process or manufacture cement or concrete, which is a heavy industrial use, they only manufacture with it.



The subject property is surrounded by all commercially (C-3) zoned properties. The Future Land Use of all surrounding properties is also commercial (GC), and is consistent with the zoning. The existing use to the north is a Church and vacant church property. To the east a commercial property which appears to be a warehouse type of use, to the immediate west a single family home, and further west vacant commercial property. To the south, a drainage ditch, and further south is a church and carwash. The subject property fronts Ohio Ave., an unpaved road that can only be accessed from 33<sup>rd</sup> Street Nebraska Avenue to the north, is paved but does not provide primary access to the property. A wooden six-foot tall privacy fence completely surrounds the property.

Because this property has had a history of this type of use dating back to 1999, it would seem reasonable, even prudent, to continue this type of use at the subject property rather than start anew at another location. Although industrial uses, even light ones, often have perceived or real environmental issues associated with them, it appears that this one may be void of that. In 2003, a Phase I Environmental Site Assessment was conducted on the property and based on the information gathered during the site assessment, "there were no environmental conditions identified in connection with the property", was the conclusion of the report.

It is therefore, staff's recommendation to approve Americast as a Conditional Use, with the following condition per Section 22-67(e)(5): [Note: the bolded section]

(e) *Required fences, walls, or hedges.*

(5) *Commercial and industrial buffers.* Outside storage of materials for commercial and industrial uses shall be screened with a sight-obscuring fence or wall which is not less than six (6) feet to a height equal to the height of the material being stored... For all fences and walls constructed generally parallel to the public right-of-way or parallel to a lot that is not zoned I-1 or I-2, **there shall be a hedge planted along the outside of such barrier to form a thirty-six-inch or higher continuous, unbroken solid screen and one tree planted for an average of every twenty (20) feet along the outside of such barrier.**

This would apply to the existing fence that parallels Nebraska Ave.

#### **TRC Recommendations/Comments:**

#### **City Engineering:**

The Engineering Department recommends approval with the following comment:

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

The applicant should be made aware that based on the information submitted that parking may be required along with driveway improvements and related drainage treatment facilities.

#### **Applicant Response:**

So noted.

**City Code Compliance:**

The Code Compliance Department provided the following comments:

There is an active violation at this location for the following issues:

- Operating a business without a business license
- Fence Maintenance
- Lot Clearing – Landscape Maintenance
- Outside Storage

The matter has been heard by the Special Magistrate on October 1, 2014 and the owner was given 30 days to comply or be fined \$250 per day. Update: An extension has been given to complete the work

**Applicant Response:**

Applicant indicated he is working on resolving all issues.

**City Planning:**

The Planning Department recommends approval of Americast as a Conditional Use, with the following condition per Section 22-67(e)(5):

(e) *Required fences, walls, or hedges.*

(5) *Commercial and industrial buffers.* Outside storage of materials for commercial and industrial uses shall be screened with a sight-obscuring fence or wall which is not less than six (6) feet to a height equal to the height of the material being stored... For all fences and walls constructed generally parallel to the public right-of-way or parallel to a lot that is not zoned I-1 or I-2, there shall be a hedge planted along the outside of such barrier to form a thirty-six-inch or higher continuous, unbroken solid screen and one tree planted for an average of every twenty (20) feet along the outside of such barrier.

This would apply to the existing fence that parallels Nebraska Ave.

**Applicant Response:**

Applicant indicated he will comply.

**Other TRC Departments:**

All other TRC reviewing Departments had "no comments".

**Planning Board Recommendation:**

The Planning Board unanimously approved with Staff Recommendation.

**Staff Recommendation:**

The City Commission **APPROVE** with the following conditions to be completed following and within 7 days of City Commission approval:

1) That all Code Compliance issues be resolved including:

- Operating a business without a business license
- Fence Maintenance
- Lot Clearing – Landscape Maintenance
- Outside Storage

2) That landscaping per Section 22-67(e)(5) shall be provided along the fence on Nebraska Ave.