



CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Clarissa Davis, Planner

SUBJECT: Seaway Drive (Eight Parcels): Zoning Atlas Amendment

DATE: November 18th, 2014

STAFF REPORT

Owner: Belmont Avenue Property, LLC
2277 N Circle Drive, Palatine. IL 60067

Privateer Property
2126 Cavalla Rd, Vero Beach FL 32963

Leon Pults; Gale Pults
252 Orange Tree Dr., Atlantis FL 33462

Joseph Godfrey; Linda M Godfrey
1604 Seaway Drive, Fort Pierce FL 34949

Craig Francisco; Melanie M Francisco
PO Box 3715, Fort Pierce FL 34948

Terry L Wolters; Pamela R Wolters
1610 Seaway Dr., Fort Pierce FL 34949

Applicant/Representative: William P. Stoddard, Ph. D., P.E.
Schulke, Bittle & Stoddard, LLC
1717 Indian River Blvd., Suite 201, Vero Beach, FL 32960

Requested Action: Approval of a Zoning Atlas Amendment (Rezoning) from C-5, Tourist Commercial, to R-4A, Hutchinson Island Medium Residential

Location: Seaway Drive (Vacant);
Seaway Drive (Vacant);
1502 Seaway Drive (Vacant);
1508 Seaway Drive;
1600 Seaway Drive;
1604 Seaway Drive;

1608 Seaway Drive;
1610 Seaway Drive

Parcel IDs: 2401-501-0279-010-4;
2401-501-0279-000-1;
2401-501-0277-000-7;
2401-501-0276-000-0;
2401-501-0275-000-3;
2401-501-0274-000-6;
2401-501-0273-010-2;
2401-501-0278-000-4

Current Zoning: C-5, Tourist Commercial

Proposed Zoning: R-4A, Hutchinson Island Medium Density

Current Future Land Use: CG, General Commercial

Surrounding Zoning:	North	East	South	West
	n/a	C-5	R-3	C-5

Parcel(s) Size: 2.59 acres

Staff Analysis:

The applicant is requesting the approval of a Zoning Atlas Amendment (Rezoning) from C-5, Tourist Commercial to R-4A, Hutchinson Island Medium Density Residential.

The location of the previously listed properties is along a corridor made up of diverse uses under a common zoning district. Seaway Drive incorporates many commercial businesses, restaurants and retail stores, as well as condominiums and single-family homes. The aforementioned properties are looking to amend the current zoning to accommodate for the existing uses. Five of these parcels contain single-family homes that were built between the years of 1945- 1955, while three are vacant. Immediately abutting these parcels are other single-family homes that were established in the 1950's and 1980's, a condominium complex developed in the year 1982 and the Indian River State College Marine Science Center.

Under the current zoning, the properties that have existing single-family homes are considered non-conforming uses, as they are not allowed within the C-5, Tourist Commercial District. Because of this, the property owner could be subject to hardship in certain circumstances. Code Section 22-101(1)a-b Non-Conforming Uses states the following: *“No structure devoted to a nonconforming use which is damaged may be reconstructed unless the damage to the structure does not exceed fifty (50) per cent of the replacement value at the time of damage or the use of the structure is changed to a use permitted in the district in which it is located.”* The C-5, Tourist Commercial zone will not allow the reconstruction of a single-family home on the property if the single-family home is damaged more than 50 percent of its replacement value at the time of damage. Furthermore, per

Code Section 22-101(2)b, the existing single-family homes would not be able to be enlarged or moved unless conditional use approval is obtained. The zoning change to R-4A, Hutchinson Island Medium Density Residential will protect the existing structures and future investments that could be made by the property owners.

The current Future Land Use for these properties is GC, General Commercial. This designation does not deem single-family homes permissible. A separate application has been submitted to change the Future Land Use to an appropriate designation for these properties as well.

There will be no additional impact on facilities such as water, solid waste, transportation, etc. Future single-family homes are being proposed for two vacant properties at an undetermined date. A review of the impacts on level of service will be required once official building permits have been submitted.

TRC Comments:

This Zoning Atlas Amendment was distributed to the respective entities of the Technical Review Committee. All affected departments have reviewed the application and had no comment.

Planning Board Recommendation:

At the November 12th, 2014 meeting, the Planning Board gave a recommendation of approval.

Staff Comments:

Before an amendment may be approved, the following standards must be satisfied per Section 22-131 of the City Code:

- (1) The amendment is consistent with the comprehensive plan;
- (2) The amendment will not have an adverse affect on the ability of the city to:
 - a. Satisfy land and water use needs; and
 - b. Meet transportation demands and provide community facilities and services; and
- (3) The amendment will promote and protect the public health, safety and general welfare.

The Zoning Atlas Amendment is to give the correct zoning classification to the existing uses. The change in its zoning classification does not, at this time, create any additional impact on water, wastewater, solid waste, etc.

As the proposed amendment meets the above standards, Staff recommends that the City Commission **approve** the zoning atlas amendment application.