C I T Y O F F O R T P I E R C E

CITY COMMISSION AGENDA

Regular Meeting - Monday, February 2, 2015 - 6:30 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**

2. **OPENING PRAYER -** Minister Rose Smith, Real Life Church, Port St. Lucie

3. **PLEDGE OF ALLEGIANCE**

4. **ROLL CALL**

5. **APPROVAL OF MINUTES**

   a. Approval of minutes from the January 20, 2015 meeting.

6. **PROCLAMATIONS**

7. **LETTERS TO COMMISSION**

8. **COMMENTS FROM THE PUBLIC**

   Any person who wishes to comment on any subject which is not under Public Hearings on the Agenda may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

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9. **CONSENT AGENDA**

   a. Rescind Code Enforcement Lien in the amount of $161,500.00 against 312 N 12th Street, Ft. Pierce, FL owned by Beracah Estima Mellon, 312 N. 12th Street.

b. Request to reduce Code Enforcement Lien in the amount of $60,840.00 against 5315 Edwards Road owned by Mariner Cove Fort Pierce LTD, 2379 Beville Road, Daytona Beach, FL to $836.32 (administrative costs) payable in 60 days.

10. **PUBLIC HEARINGS**

a. Conditional Use and Site Plan Application submitted by Allied Well for construction of a Brine Storage & Transfer Tank Facility on property located at 650 S 29th Street, Fort Pierce, Florida.

b. Ordinance No. 15-001 Extending the territorial Limits of the City of Fort Pierce Florida to include property located at 9850 Midway Road, known as the Village At Midway. FIRST READING

c. Ordinance No. 15-002 - Creating Section 22-420, Economic Development Impact Fee Mitigation Program within Chapter 22 - Zoning, Article XVI. FIRST READING

d. Ordinance No. 15-003 - Creating a Disability Review Committee at the request of the City of Fort Pierce Retirement Board. SECOND READING

11. **MISCELLANEOUS REPORTS & REQUESTS**

12. **CITY COMMISSION**

a. Resolution 15-R03 granting a Historic Preservation Tax Exemption for property located at 301 S. US Highway 1.

b. Resolution 15-R04 renaming the Avenue D Historic District as the Lincoln Park Historic District based upon historic accuracy and appropriateness.

c. Submittal of applications for the Planning Board.

d. Submittal of applications for the Planning Board of Adjustment.

e. Submittal of applications for appointment to the Code Enforcement Board.

13. **COMMENTS FROM THE CITY MANAGER**

a. City Manager's Departmental Activity Report

b. REMINDER - The next meeting will be held on TUESDAY, February 17, 2015 at 6:30 p.m.

14. **COMMENTS FROM THE COMMISSION**

15. **ADJOURNMENT**

Pursuant to Section 286.0105, Florida Statutes, the City hereby advises you that if you or another person decide to appeal any decision made by the City Commission with respect to any matter considered at its meeting or hearing, that you or said person will need a record of the proceedings, and that for such purpose, affected persons may need to insure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. This notice does not constitute consent by the City for the introduction or admission into evidence of otherwise inadmissible or irrelevant evidence, nor does it authorize challenges or appeals not otherwise allowed by law.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3052 at least 48 hours prior to the meeting.

City Commission Regular Meeting **Agenda Item # 5. a.**

Meeting Date: 02/02/2015

Re: Minutes Approval

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Approval of minutes from the January 20, 2015 meeting.

Attachments

01.20.2015

Form Review

Inbox	Reviewed By	Date
City Manager	Robert Bradshaw	01/26/2015 08:36 AM

Form Started By: Linda Cox Started On: 01/23/2015 08:54 AM

Final Approval Date: 01/26/2015

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 6:30 P.M. ON TUESDAY, JANUARY 20, 2015.

1. CALL TO ORDER - Mayor Hudson called the meeting to order at 6:30 p.m.

2. OPENING PRAYER - Rev. Wayman Dixon of St. Paul African Methodist Episcopal Church offered the opening prayer.

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Mayor Linda Hudson; Commissioner Rufus Alexander; Commissioner Edward Becht; Commissioner Thomas Perona; Commissioner Reginald Sessions

Staff Present: City Clerk Linda Cox
City Manager Robert Bradshaw
City Attorney Robert Schwerer

5. APPROVAL OF MINUTES

a. Approval of minutes from the January 5, 2015 meeting.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve the Minutes of the Regular Meeting on January 5, 2015.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

6. **PROCLAMATIONS**

7. **LETTERS TO COMMISSION -** The following letter will be kept on file in the City Clerk's Office.

a. Letter from Reverend John E. Quarterman thanking the Public Works Department for clearing the lot located on North 29th Street.

8. **COMMENTS FROM THE PUBLIC**

Mr. George Gibson, 1401 Reynolds Court
Ms. Dodi Spence
Mr. Robert Brown

9. CONSENT AGENDA

a. Approval of the proposed scope of services provided by Kessler Consulting Inc. for a Multi-family/Commercial Recycling program and Non-Ad Valorem Assessment in an amount not to exceed $36,150.00.

b. Approval of the purchase of playground equipment for Maravilla Park from Miracle Recreation Equipment Company in the amount of $27,000.00, which was allocated in the 2014-15 CDBG Action Plan.

c. Request for Site Plan and Conditional Use Extension for Mount Bethel Baptist Church, South 25th Street, east of Fort Pierce Central High School until January 21, 2017.

e. Approval of a contribution from the Law Enforcement Trust Fund to the Roundtable of St. Lucie County, Inc. in the amount of $1,500.00.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht that the following items on the Consent Agenda be approved - **9b, 9c, 9e.** Mayor Hudson pulled pulled item **9a.**

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

As to item 9a, Mayor Hudson questioned if this study will lead to Solid Waste being put on the tax bill and if there was a possibility of the Solid Waste fees being revamped.

Mr. Mike Reals, Public Works Director, responded they are not proposing anything at this time. They are proposing a study to be conducting by Kessler Consulting Inc. to provide hard facts of possibilities. Possible change in fees will be part of this proposal with Kessler, as well as collection of fees via tax bill. The whole operation will be looked at in the study; this will come back before the Commission with the representatives from Kessler giving a formal presentation. At that point, it will be up to the Commission to decide which route to go or keep what is currently in place.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve Consent Agenda Item **9a.**

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona

NAY: Commissioner Reginald Sessions

Passed

10. PUBLIC HEARINGS

a. Ordinance No. 15-003 - Creating a Disability Review Committee at the request of the City of Fort Pierce Retirement Board. FIRST READING

City Clerk Linda Cox introduced the ordinance, read by title only, into the record.

Ms. Gloria Johnson, Finance Director, appeared and stated this ordinance is to establish a committee that will assist the retirement board to review retirees that are applying for disability retirement. It is basically setting up a review board allocating different members from the Utilities Authority and the City to evaluate participants. The people assigned have knowledge and the expertise needed when dealing with confidential information pertinent to the applicants.

Commissioner Perona responded that at the end of the day the Retirement Board wants to be as fair as they possibly can and be able to uphold the requirements of the retirement system as it has been set forth. He stated they also want to hear the applicants and be able to move forward in a fair and organized fashion.

Mr. Robert Schwerer, City Attorney, identified himself as the legal advisor for the board and stated that from a legal standpoint this is seen as streamlining the application process.

Mayor Hudson opened the Public Hearing.

Ms. Dodi Spence stated everyone on the current list is all administrative; there are no union reps or front line staff members. Ms. Spence made the recommendation the board put a volunteer or one of the City's front line staff, she believes there are too many upper management personnel on the list for this committee.

Seeing no one further, Mayor Hudson closed the Public Hearing.

Mr. Schwerer asked to clarify an interlineation change to item A5. Ms. Johnson responded that instead of stating a Human Resource Administrator from the Police Department it should state a Designated Representative of the Police Department. Mr. Schwerer stated the change will come back in a redrafted format for the second reading. It was suggested this representative be chosen by the Chief of Police.

Ms. Johnson explained the purpose of this committee is to make sure the applicants have met all of the qualifications they need and that everything is in place in order for the retirement board to make a decision. The committee will provide a recommendation; however, the board will be making the decision.

Commissioner Becht asked for consideration on having a non-professional become part of this committee, specifically someone sympathetic with the disability applicant not just the rules and regulations process to create balance and legitimacy.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Reginald Sessions to approve Ordinance No. 15-003 on first reading with the change to 13-38(a)5 to read Designated Representative.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

b. Conditional Use application submitted by Florida Department of Agriculture and Consumer Services to construct a 2,409 sq. ft. metal, pre-engineered structure at 3503 S US Hwy 1 - State Farmer's Market.

Ms. Clarissa Davis, Planner, appeared with a presentation. Staff recommends the Commission approve with the condition that the applicant comply with TRC comments from the Planning Department. Ms. Davis responded the Commission is strictly, independently looking at conditional use, the allowance to enable the use of a farm stand.

Mayor Hudson opened the Public Hearing.

Ms. Marsha Baker stated there were some miscommunications at the Planning Board meeting as to the process that should be followed. Ms. Baker identified she was informed by Mr. Brown that the farmer's market was granted a conditional use allowing for a farmer's market. Upon researching further she stated there was a planning board meeting on August 14, 2012 where a farmer market definition was allowed on publicly owned land as a permitted use. She questions why this is a conditional use based on what was approved 3 years prior. She feels this is a mistake.

Mr. Mike Brown, Senior Market Manager at the Fort Pierce State Farmer's Market stated he had an email from the City dated November 5, 2012 stating this was passed. He stated he employs many people from Fort Pierce and expressed hopes from the Commission to help get this project built.

Commissioner Becht stated it was his recollection the Commission did adopt an ordinance that would allow for reconstruction of metal buildings at this site after the storms in 2004 and 2005. He requested of staff that the Commission be provided the previously passed ordinances in reference to the Farmer's Market.

Mr. Rick Reed stated he was involved and met with Senior Staff on a group of properties on Seaway Drive that went to the Planning Board and passed on second reading exactly two months to the date from start to finish. He said the process was flawless and seamless, that it was a joy working with that staff. He compliments them and in all fairness they deserve praise.

Seeing no one further, Mayor Hudson closed the Public Hearing.

Ms. Grohall responded there is typically a Conditional Use fee, for the process; the applicant was charged only for the design review. There was no charge for the Conditional Use in this case.

Motion was made by Commissioner Thomas Perona, seconded by Commissioner Edward Becht to approve Conditional Use application for 3503 South US Highway 1 with the staff recommendations (listed below) with comment.

* Pedestrian access way to be implemented from ROW side walk to front entrance of the structure
* Implementation of schrubs/hedges along property line at work area
* Re-stripe existing parking, delineating (1) handicapped parking space

Commissioner Becht asked if the Commission has the ability to drop one of the conditions. Mr. Schwerer responded it would require further research of the code. Commissioner Becht stated it is not his wish to hold this up.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

Ms. Grohall is to research earlier ordinances and draft an updated ordinance to bring back before the Commission. She stated there will be approximately a 60 day turn around due to having to go before the Planning Board for their input.

11. MISCELLANEOUS REPORTS & REQUESTS

a. Update on the St. Lucie County International Airport by John Wiatrak, Airport Manager.

Mr. John Waitrak, Airport Manager, appeared with a presentation of current projects at St. Lucie County International Airport. He stated that for 6 years in a row the airport's customs has been voted #1 nationally in aviation customs. Customs is one of the pillars that hold the airport up and they will be beginning the $1.9 million renovations with the help of a state grant that covers 80% of the costs. The next project is their business and marketing plan with the assistance of an outside consultant. Things are going well and improving, but the revenue base needs to grow. He stated they need to determine what the demand is, what the identity of the airport needs to be and then target those industries. The airport wants to be ready for

commercial airlines. The largest project will be our $3.5 million runway connector beginning this summer and funded by FDOT grant funds. The design is complete and currently in the permitting stage.

b. Quarterly Financial Report for period ending December 31, 2014.

Ms. Gloria Johnson and Ms. Johnna Morris from the Finance Department appeared with a brief presentation.

Commissioner Becht requested an update on the expansion and possible rental impact of the Marina from Mr. Dean Kubitschek at the next Commission meeting on February 2, 2014.

Mr. Bradshaw offered an update on the City's golf course, in that an RFP for management services was issued 4 months ago. The responses have been received; the evaluation committee met and have ranked the responses. The City Manager's office will have the final report within the next 60 days, at that time there will be a policy decision made about management there.

12. CITY COMMISSION

a. Request to Release Unity of Title

Motion was made by Commissioner Edward Becht, seconded by Commissioner Rufus Alexander to approve with discussion.

Ms. Grohall clarified this is seen as a housekeeping matter. In 2006, the church sold this property to the Pelican Center and the unity of title was not cleared at the time of sale. The City Attorney has the request from the property owner and staff is recommending approval to help a local business move forward with plans for a redevelopment project.

AYE: Mayor Linda Hudson, Commissioner Rufus Alexander, Commissioner Edward Becht, Commissioner Thomas Perona, Commissioner Reginald Sessions

Passed

13. COMMENTS FROM THE CITY MANAGER

a. City Manager's Departmental Activity Report

Mr. Bradshaw stated that according to the City's consultants the search for the new Police Chief is right on schedule, the closing date is February 6, 2015. He had a good follow up visit on the proposed workshop with the County to discuss Port development. The County Administrator is putting this on their February informal agenda for them to commit to a date for a March workshop. He had a quick reminder that the Strategic Planning session is scheduled for April 27 thru 29, any comments or issues should be forwarded to the City Manager to get them to the consultants. A last item is that the City has run into a slight hurdle with annexation agreements, they have been running into problems with the documentation on the agreements as well as missing agreements on parcels receiving service.

Commissioner Becht responded his understanding was to direct or authorize the City Manager in conjunction with the City Attorney to send a letter to FPUA stating the City's expectation for the UA to follow the City's ordinance and send out demand letters to the businesses that receive our water and may have not signed the necessary annexation agreement.

Ms. Grohall stated there are parcels being served with water with the absence of an annexation agreement and that with her conversations with staff at FPUA that are unwilling to go back and ask for the agreements. Staff is asking to elevate this for the policy makers.

Mr. Schwerer added there is recourse; it is to disconnect the water if there is no annexation agreement for the service being received.

14. COMMENTS FROM THE COMMISSION

Commissioner Perona stated there was an accident that happened this past weekend that brought a lot of attention to South Beach. St. Lucie County, along with Fort Pierce PD, assisted Martin County in apprehending a hit and run that ended in suicide. This accident closed the bridge down for 3 hours and created such a panic to the island. He said it would be nice to know if the City has an emergency plan for the island and to communicate it to the people who live there, or visit there or who own businesses there. This will help them to know that law enforcement will do everything they can and as fast as they possibly can to restore the normal traffic patterns.

Interim Chief Amandro responded there are policies and practices in place. Most of the times the situation is quickly resolved. For the long term issues, the City does annual exercises with other law enforcement agencies. Mutual aid agreements are in place. When seeking information, the quickest response will be by calling the Police Department directly. If it is after hours, any inquiries will be through the 911 Call Center. He stated the call center will always be abreast of the critical situations and have a protocol in place.

Commissioner Sessions had no comment.

Commissioner Alexander inquired about the status of annexations, legislative and otherwise.

Commissioner Becht commented there is no apparent annexation agreement for BJ's and he just wanted to mention that. He stated that with all of the frustration on not being able to go over the bridge to South Beach there was a silver lining, more people stayed for the Farmer's Market and to visit the downtown establishments.

Mayor Hudson had a call from one of the physicians at Physician's Immediate Care and she inquired on the status of the contract. Mr. Bradshaw responded it is out of legal and in the Finance Department for final review then it will probably be in the City Manager's office this week. She stated she attended the Kids At Hope Training in Port St. Lucie; it illustrated the importance of a caring adult in a child's life. This is National Mentoring Month and that it is not difficult to be a good example for a child and encourages everyone to consider the importance of a child having someone in their corner. This is an important contribution to the children of this city. She also attended the celebration at Francis K. Sweet Elementary School. This was a surprise award for a teacher for her excellence; the award was one of forty given nationally and the only one given in Florida. Mayor Hudson offered congratulations to the teacher, the school and the school district; this is a great thing for Fort Pierce.

15. ADJOURNMENT

There being no further business, Mayor Hudson declared the meeting adjourned at 9:16 p.m.

ATTEST:

_____ _____

CITY CLERK MAYOR COMMISSIONER

City Commission Regular Meeting **Agenda Item # 9. a.**

Meeting Date: 02/02/2015

Re: 312 N 12th Street

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

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SUBJECT:

Rescind Code Enforcement Lien in the amount of $161,500.00 against 312 N 12th Street, Ft. Pierce, FL owned by Beracah Estima Mellon, 312 N. 12th Street.

SUMMARY:

Request by Beracah Mellon to waive the $161,500.00 leaving a $.00 balance. The Code Enforcement Board recommends rescinding the fines and releasing the lien.

RECOMMENDATION:

This recommendation is based on:

1. The home is being foreclosed on and the bank will not negotiate with her until she has satisfied the lien. She wants to remain in the house.
2. She is a widow and in poor health; hospitalized several times in the past couple of months.
3. Financially cannot pay the fines.
4. Some question as to the date the property actually came into compliance.

ALTERNATIVES:

1. Deny the request.
2. Determine an alternative amount.

RESPONSIBLE STAFF:

Colleen Greer, Code Enforcement Executive Secretary.

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager.

Fiscal Impact

Budgeted Y/N: 2015

Fiscal Year:

Account:

Amount: .00

OTHER INFORMATION:

$.00 to the general fund.

Attachments

Reduction Request
Tax Card
Breakdown
Minutes

Form Review

Inbox	Reviewed By	Date
City Manager	Robert Bradshaw	01/27/2015 02:28 PM

Form Started By: Collen Greer Started On: 01/16/2015 09:08 AM
Final Approval Date: 01/27/2015

CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A REDUCTION OR RESCINDMENT OF CODE ENFORCEMENT FINES / LIENS

Date:	9/4/14				
Property address:	312 N 12th St				
Owner(s) of record:	Joan Mellon				
Mailing address:	312 N. 12th St				
Property tax ID #:	6109				
Original purchase date:		Original purchase price:			
Other Information:	☐ Inherited Property	☐ Purchased at Tax Sale	☐ Adjoining Property Owner		
Property is used for:	☑ Single Family	☐ Multi-family	☐ Commercial	☐ Industrial	☐ Vacant Lot
Name of person requesting reduction:	Beracah E. Mellon	Relationship to owner(s):	Wife		
Telephone #:	772 353-8134	Mobile phone #:	Same		
E-mail:	beRACAhestima@yahoo.com	Preferred contact method:	phone		
What are owner(s) intentions for property:	I am trying to Short Sale the Property				
Amount of Fine:		Date Fine Initiated:			

Are there current code violations?	☑ No	☐ Yes	Explain: (please attached notice)	
Is a lien filed against the property?	☐ No	☑ Yes	If yes, what is the lien amount?	161,520.00
Is property listed for sale?	☐ No	☑ Yes	If yes, what is listing price?	61,800.00
Is property under contract for sale?	☐ No	☑ Yes	If yes, what is the sale price?	

AMOUNT OF FINE / LIEN $161,520.00

DOLLAR AMOUNT REQUESTING TO BE WAIVED $161,520.00

DOLLAR AMOUNT I AGREE TO PAY $0000000

If the city waives any fees, interest, penalties, fine or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Board, Magistrate or Commission's decision unless an alternate time frame is specified in the motion.

Beracah E. Mellon
(Signature of Owner or Representative)

BeRACAh E. Mellon
(Printed Name)

100 N. US Hwy 1 ¤ P.O. Box 1480 ¤ Fort Pierce, FL 34954-1480 ¤ 772-467-3000
www.cityoffortpierce.com FAX 772-468-0457
cgreer@city-ftpierce.com

CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 312 N. 12th St

Property Owner: Jean Mellon

Mailing Address: 312 N. 12th ST

Telephone #: 772/353-8139 Cell Phone #: 772/353-8139

E-Mail Address: beRACAhestima2y Ahoo.com

Is the property in compliance? yes If no, please explain _____

CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, Beracah E. Mellon, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

please help me with this matter. When I stopped the violation I thought that everything was cleared with the City. My husband Jean Mellon was diagnosis with diabetes for quiet some time before he passed away. Things went so Ruff on me economically I have been sick for the last Two and half years. Hopitalize Twice for heavy headache, asthma, and pneumonia that left me with definite evidence of acute pulmonary disease. I am trying to Short Sale the property. So the bank can help on & with my moving expenses

Date: _____

Signed: Beracah E. Mellon

Print Name: BERACAH E. MELLON

STATE OF FLORIDA

COUNTY OF ST. LUCIE

PERSONALLY APPEARED before me, the undersigned authority Beracah Estima Mellon who acknowledged before me that the information contained herein is true and correct. He / (She) is not personally known to me and has produced FL DL M450-065-63-764-0 as identification.

SWORN TO AND SUBSCRIBED before me this 18th day of September, 2014.

Colleen Greer

Notary Public, State of Florida

PROPERTY RECORD CARD

Beracah Estima Record: 1 of 2 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address:	312 N 12th St	ParcelID:	2409-516-0035-000-9
Sec/Town/Range:	09 :35S :40E	Account #:	21608
Map ID:	24/09N	Use Type:	SF Res
Zoning:	R4	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: Beracah Estima

Address: 312 N 12th St
Fort Pierce FL 34950-8826

Legal Description

M E GOLDSMITH`S S/D BLK 2 LOTS 17 AND 18 (OR 3146-1850)

Sales Information

Date	Price	Code	Deed	Book/Page
11/16/2009	100	0111	QC	3146 / 1850
12/28/2004	115000	00	WD	2142 / 0542
4/11/2003	55000	00	WD	1709 / 1154
4/27/1994	32300	01	WD	0905 / 2113
8/28/1991	38500	00	WD	0753 / 1997
7/19/1990	3000	01	CT	0701 / 2857
5/1/1985	111	01	CV	0469 / 2629
3/1/1982	70000	00	CV	0373 / 1856

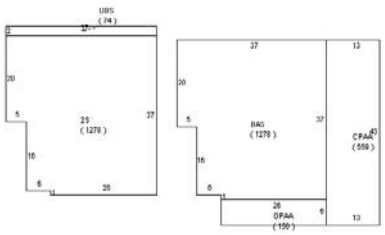
Assessment 2014

2014 TRIM:	39400
Assessed:	39400
Ag.Credit:	0
Exempt:	25000
Taxable:	14400
Taxes:	373.14

Total Land and Building

Land Value: 9400 Acres: 0.46
Building Value: 30000
Finished Area: 2630 SqFt

BUILDING INFORMATION





Exterior Features

View:	-	RoofCover:	FS - Fibrglss Shg	RoofStruct:	GA - Gable
ExtType:	HD - HD	YearBlt:	1956	Frame:	-
Grade:	D - D	EffYrBlt:	1956	PrimeWall:	FS - Frm Stucco
StoryHght:	0020 - 2 Story	No.Units:	1	SecWall:	-

Interior Features

BedRooms:	6	Electric:	MX - MAXIMUM	PrmIntWall:	WB - WB
FullBath:	3	HeatType:	FHA - FrcdHotAir	AvgHt/Fl:	
1/2Bath:	0	HeatFuel:	ELEC - Electric	Prm.Flors:	CU - Carpet
%A/C:	100	%Heated:	100	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.
FEN4 - CHAINLINK 4'	Y	1	220	AV	AV	1995
DWC - Driv-Concret	Y	1	500	AV	AV	1956

Land Information

No.	Use Type	Type	Measure	Depth
1	0100-SF Res	BI -Front Ft	110	183

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Secretary to Code Enforcement

SUBJECT: **CODE ENFORCEMENT LIEN REDUCTION**
312 N 12th Street, Fort Pierce, FL

DATE: February 2, 2015

The following is a breakdown of the above property:

	Costs (General Fund)	Interest & Penalties	Administrative Fees
CASE # 03-3968	$161,500.00	$.00	$20.00
TOTAL	$161,500.00	$.00	$20.00

CAN BE WAIVED (ALL COSTS) $161,520.00

MINUTES OF A REGULAR MEETING OF THE CODE ENFORCEMENT BOARD OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 9:00 A.M. ON WEDNESDAY, **DATE**

1. CALL TO ORDER

The meeting was called to order by Chairwoman Minton at 9:00 AM.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Lara Amyx; Alternate Board Member Leon Porter; Al Bernetti; Geraldine Murphy; John George; Chairwoman Mary Padrick Minton

Absent: Vice Chair Roderick Waller; Terry Wolters

Staff Present: Colleen Greer, Board Secretary
Margaret M. Arraiz, Code Compliance Manager
Shaun Coss, Code Enforcement Officer

Attendees: James Walker
Damian Spotts

4. ADMINISTRATIVE BUSINESS

A. CONSIDERATION OF ABSENCES

Motion was made by John George, seconded by Geraldine Murphy to excuse Mr. Waller's absence from todays meeting.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

B. APPROVAL OF MINUTES

Motion was made by John George, seconded by Alternate Board Member Leon Porter to accept the minutes of November 12, 2014 after the corrections (typographical & spelling) have been corrected.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

Motion was made by John George, seconded by Geraldine Murphy to accept the September 10, 2014 minutes as presented.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

C. CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS

5. ADMINISTRATION OF OATH TO DEPARTMENTAL WITNESSES

Code Manager Margaret Arraiz and Officer Shaun Coss were sworn in.

6. IDENTIFICATION OF CASES IN COMPLIANCE

A.

14-1883	3102 Hibiscus Ave	Villanova, Raymond R	Shaun Coss
Case Initiated:	September 11, 2014	Type of Presentation:	Regular

OWNER: Raymond Villanova 199 Tumblin Kling Rd. Fort Pierce, FL 34982	OCCUPIED BY: Rodney Williams 3102 Hibiscus Ave. Fort Pierce, FL 34947

Section: 5-73 House Numbers
Section: 5-368 (6) Fence Maintenance
Section: 22-17 (13) Landscape Maintenance

B.

14-1704	2003 Okeechobee Rd.	Skyline Realestate Properties LLC	Shaun Coss
Case Initiated:	August 18, 2014	Type of Presentation:	Regular
OWNER: SKYLINE REAL ESTATE PROPERTIES LLC 58 BARLOW DR SOUDERTON, PA 18964		OCCUPIED BY:	

Section 16-46, 16-47, 16-48 Nuisance as a Condition
Complied

C.

14-1705	2005 Okeechobee Rd.	Skyline Realestate Properties LLC	Shaun Coss
Case Initiated:	August 18, 2014	Type of Presentation:	Regular
OWNER: Skyline Real Estate Properties LLC 58 Barlow Dr. Souderton, PA 18964		OCCUPIED BY:	

Section 16-46, 16-47, 16-48 Nuisance as a Condition
Complied

7. PUBLIC HEARINGS - VIOLATION CASES

A.

14-1935	603 S 24th St.	Desir, Benel	Shaun Coss
Case Initiated:	September 18, 2014	Type of Presentation:	Regular
OWNER: Benel Desir PO Box 63 Ft Pierce, FL 34954		OCCUPIED BY: Humberto Lopez Gonzalez 603 S 24th St. Fort Pierce, FL 34950	

Section: 16-46, 16-47, 16-48 (1)(5) Outside Storage
Section: 16-25 (C) Responsibility for Containers

Officer Shaun Coss stated that Mr. Benel had been in attendance; however, he had to go to work. He did tell Officer Coss that he was in agreement with the violations and stated that 15 days was enough time to correct them.

Motion was made by Lara Amyx, seconded by John George that a violation does exist and that Benel Desir is responsible for the violations. It was further moved that the violator be given 15 days to come into compliance or a fine of $250.00 a day would be assessed.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

B.

14-1954	1133 S 7th St.	McKeon, Anna	Shaun Coss
Case Initiated:	September 24, 2014	Type of Presentation:	Regular
OWNER: Anna McKeon 1133 S 7th St. Fort Pierce, FL 34950		OCCUPIED BY:	

Section: 5-368 Property Maintenance

Officer Shaun Coss presented the case. Anna McKeon was sworn in for testimony. She stated that she had been ill but would be able to make the corrections in the given amount of time. Chairwoman Minton reminded her to contact Officer Coss when she had completed the work so he could inspect the property.

Motion was made by Lara Amyx, seconded by John George that a violation does exist and that Anna McKeon is responsible for the violations. It was further moved that the violator be given 60 days to obtain a permit and comply with the conditions of the permit. Failure to comply would result in a fine of $250.00 per day to be assessed until the violation comes into compliance.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

C.

14-0652	1531Delaware Avenue	Sizemore, Shirley A	Shaun Coss
Case Initiated:	March 21, 2014	Type of Presentation:	Regular
OWNER: SHIRLEY SIZEMORE 1531 DELAWARE AVENUE FORT PIERCE, FL 34950		OCCUPIED BY: PRESTIGE AUTO CLUB 1531 DELAWARE AVENUE FORT PIERCE, FL 34950	

Section: 15-9 Sign Permit Procedures

Case was pulled by Staff prior to meeting.

8. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

9. PUBLIC HEARINGS - LIEN REDUCTION REQUESTS

A.

11-0201	5315 Edwards Road	Mariner Cove Fort Pierce LTD	Peggy Arraiz
Case Initiated:	February 15, 2011	Type of Presentation:	Lien Reduction
OWNER: Mariner Cove Fort Pierce LTD 2379 Beville Road Daytona Beach, FL		OCCUPIED BY:	

Section: 22-187 (13) Description: Landscape Maintenance

Margaret Arraiz read the case into the record. The case was initiated on February 15, 2011 and came before the Code Enforcement Board on May 11, 2011. The Board found the owners in violation and gave them 30 days to remedy the violation or $100.00 a day would be assessed. On June 14, 2011 an inspection was made; the property was not in compliance and the fines began. On August 12, 2011 the Order Assessing Fines & Imposing Lien was recorded. On February 11, 2013 another inspection was made, the violations were now in compliance, the fines were stopped. On December 18, 2014 Staff received a lien reduction request from Mr. Scott DeLanoy. Staff met with Mr. DeLanoy prior to the meeting and both parties have agreed to accept the administrative costs of $836.32 as settlement.

Motion was made by John George, seconded by Alternate Board Member Leon Porter based on Rule 17 of the Rules of Procedure the Board recommends to the City Commission that the lien of $60,840.00 be reduced to $836.32 payable in 60 days. If not paid in that 60 days, the lien would revert back to the original amount.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

B.

03-3968	312 N 12th St.	Mellon, Beracah	Peggy Arraiz
Case Initiated:	October 29, 2003	Type of Presentation:	Lien Reduction

Beracah Estima Mellon
312 N. 12th Street
Ft. Pierce, FL 34950
5-368 Property Maintenance

Margaret Arraiz read the case into the record. Case was initiated October 29, 2003 and came before the Code Board on May 12, 2004. The Code Board found the owners in violation and gave them 90 days to comply the violations. Failure to do so would result in a fine of $100.00 per day. The date is unknown but the officer at that time, Bob Dusanek, extended them another 90 days to complete the work. On December 13, 2004 an inspection was made, the property was not in compliance and the fines began. On February 17, 2005 the Order Assessing Fines and Imposing Lien was recorded. On May 16, 2009 an inspection was made, the property was now in compliance, the fines stopped. The total amount of lien is $161,520.00. On September 18, 2014 Staff received a request for lien reduction from Mrs. Mellon. A hearing was scheduled for November 12, 2014 but Mrs. Mellon was not present. Staff learned that she had been in the hospital and rescheduled the meeting for today. Mrs. Mellon is asking that the lien be wai Mrs. Mellon came forward and was sworn in for testimony. She stated that her husband had been ill and has since passed. She stated she is now having kidney problems and has been in the hospital off and on for the last couple of months. Chairwoman Minton asked if she had plans for the property and Mrs. Mellon stated that the property was being foreclosed on. She asked Ms. Arraiz what the City was proposing and she said the Board had the capability of making any decision but Staff would make a recommendation of at least a portion of the administrative costs be paid. Mrs. Mellon proceeded to explain that the property had come into compliance before the date Staff claims; but she didn't know she was supposed to notify Staff, and it was after all of the 2004 hurricane damage. Ms. Arraiz stated that it was possible that the property came into compliance prior to the date of their inspection as the department had a lot of other work after the hurricanes. Chairwoman Minton asked if she was able to pay the difference of $819.06 and she stated income was very tight. Ms. Arraiz said she could be given up to 12 months. Chairwoman Minton asked if the Board had any questions.

Lara Amyx asked Mrs. Mellon if she understood correctly that the property was going into foreclosure and they wouldn't negotiate anything with her unless the lien is cleared up. You can then stay and it will be bank owned property. Mrs. Mellon indicated yes.

Al Bernetti asked Mrs. Mellon if this was her homestead and the other piece of property that she owns is for rental income. She said yes, but it makes very little income.

Geraldine Murphy asked about her not contacting the Code Enforcement about the property being fixed and she said it was again after the hurricanes in 2004 but the work was done early 2005. She asked Ms. Arraiz about the code enforcement officer going out monthly doing inspections and she stated this was during the time the department was handling hurricane damages and we do not have access to the computer system that was being used at that time; however, in January 2005 an inspection was made and the damages had not been repaired yet.

Chairwoman Minton closed the questioning and asked what the Board recommended.

After the first motion was not passed. Assistant City Attorney Walker stated that there two different time elements involved. One, the City states it was over 5 years before the property came into compliance. Second, Mrs. Mellon states it was shortly after 2005, but they failed to notify the City. Mr. George asked Ms. Arraiz how do we send the recommendation to the City Commission and she stated it was the way the Board recommends it.

Motion was made by John George, based on Rule 17 of the Rules of Procedure and considering Mrs. Mellon's failing health the Board recommends to the City Commission that the lien of $161,520.00 be reduced to $500.00 payable in 12 months. Failure to pay this reduced amount in the 12 month period, would result in the lien reverting back to the original amount. There was no second. Motion failed.

Motion was made by Lara Amyx, seconded by Alternate Board Member Leon Porter based on Rule 17 of the Rules of Procedure and considering her husband is deceased and Mrs. Mellon's failing health the Board recommends to the City Commission that the lien of $161,520.00 be reduced to $.00.

AYE: Alternate Board Member Leon Porter, John George, Lara Amyx, Chairwoman Mary Padrick Minton
NAY: Al Bernetti, Geraldine Murphy
Passed

10. NEW BUSINESS

None

11. PUBLIC COMMENT

None

12. BOARD/STAFF COMMENTS

None

13. ADJOURNMENT

Adjourned at 10:00 AM

Respectfully submitted:

_____

City Commission Regular Meeting **Agenda Item # 9. b.**

Meeting Date: 02/02/2015

Re: 5315 Edwards Road

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

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SUBJECT:

Request to reduce Code Enforcement Lien in the amount of $60,840.00 against 5315 Edwards Road owned by Mariner Cove Fort Pierce LTD, 2379 Beville Road, Daytona Beach, FL to $836.32 (administrative costs) payable in 60 days.

SUMMARY:

The property owners, Mariner Cove Fort Pierce LTD, are requesting the City Commission waive $60,003.68 leaving a balance of $836.32 due. The Code Enforcement Board recommends approving the reduction to $836.32.

RECOMMENDATION:

Recommendation is based on:

1. The company previously settled a lien against an adjoining property; 5496 Altman Road.
2. Altman Road lien reduction was approved by the City Commission, settlement was paid, and the release of lien was issued.
3. The property has been sold at a loss. When the title search was completed, the Edwards Road lien was discovered.

ALTERNATIVES:

1. Deny the request.
2. Make alternative recommendation.

RESPONSIBLE STAFF:

Colleen Greer, Executive Secretary.

COORDINATED WITH:

Margaret Arraiz, Code Compliance Manager.

Fiscal Impact

Budgeted Y/N: 2015

Fiscal Year:

Account:

Amount: 836.32

OTHER INFORMATION:

$836.32 to the general fund.

Attachments

Reduction Request
Tax Card
Breakdown
Minutes

Form Review

Inbox	Reviewed By	Date
City Manager	Robert Bradshaw	01/27/2015 02:28 PM

Form Started By: Collen Greer Started On: 01/16/2015 09:30 AM
Final Approval Date: 01/27/2015

CITY OF FORT PIERCE
DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

RECEIVED
DEC 18 2014
CODE ENFORCEMENT
CITY OF FT. PIERCE

REQUEST FOR A REDUCTION OR RESCINDMENT OF CODE ENFORCEMENT FINES / LIENS

Date:	12 – 10 -2014				
Property address:	5315 Edwards Road Ft. Pierce Florida 34981				
Owner(s) of record:	Mariners Cove Fort Pierce LTD				
Mailing address:	2379 Beville Road Daytona Beach Florida 32119				
Property tax ID #:	2430-231-0001-000/4				
Original purchase date:	11/10/2005	Original purchase price:	**$ 9,546,000.00**		
Other Information:	☐ Inherited Property	x☐ Purchased at Tax Sale	☐ Adjoining Property Owner		
Property is used for:	☐ Single Family	☐ Multi-family	☐ Commercial	☐ Industrial	☐x Vacant Lot
Name of person requesting reduction:	Scott DeLanoy	Relationship to owner(s):	Agent		
Telephone #:	386-236-4160	Mobile phone #:	386-882-6401		
E-mail:	sdelanoy@icihomes.com	Preferred contact method:	Cell or email		
What are owner(s) intentions for property:	Sold this property in November				
Amount of Fine:	Lien- $ 60,800.00	Date Fine Initiated:	2/15/2011		
Are there current code violations?	xx☐ No	☐ Yes	Explain: (please attached notice)		
Is a lien filed against the property?	☐ No	xx☐ Yes	If yes, what is the lien amount?	**60,800.00**	
Is property listed for sale?	☐ No	xx☐ Yes	If yes, what is listing price?	**$ 650,000.00**	
Is property under contract for sale?	☐ No	xx☐ Yes	If yes, what is the sale price?	**$ 600,000.00**	

AMOUNT OF FINE / LIEN	$	60,840.00
DOLLAR AMOUNT REQUESTING TO BE WAIVED	$	60,840.00
DOLLAR AMOUNT I AGREE TO PAY	$	-0-

If the city waives any fees, interest, penalties, fine or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Board, Magistrate or Commission's decision unless an alternate time frame is specified in the motion.

Scott C. DeLanoy

(Signature of Owner or Representative)

Scott C. DeLanoy
(Printed Name)

CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR REDUCTION OF PENALTY

By completing this form, you are making statements under oath. Failure to be truthful is a violation of Fort Pierce City Code and Florida Statutes pertaining to perjury, which is a felony punishable by up to fifteen (15) years imprisonment.

INSTRUCTIONS:

1. Please fill in blanks completely.
2. Be specific when writing your statement. Use additional pages if necessary.
3. If you are claiming medical or financial hardship, attach supporting documentation (i.e. doctor's statement or proof of income).
4. Complete either the application for Waiver of Penalties (lot clearing / demolition) or Request for Reduction / Rescindment (code enforcement fines).
5. For lot clearing or demolition liens, contact Kathy D'Arton in the Finance Department (772-467-3076) for cost / fees breakdown.
6. For code enforcement liens (those imposed by a Special Magistrate or Code Enforcement Board), contact Colleen Greer (772-467-3149) for cost / fees breakdown.
7. If you do not have access to a Notary of the Public, one will be provided to you by the Department at no charge. All forms must be signed in the presence of the Notary to be valid.
8. Return this form, the application and any other pertinent documentation to the Code Enforcement Department.
9. Requests for Reduction / Rescindment of code enforcement liens must be heard before either the Code Enforcement Board or Special Magistrate prior to being heard before the City Commission.

Property Address: 5315 Edwards street Fort Pierce Florida 34981

Property Owner: Mariners Cove Fort Pierce LTD

Mailing Address: 2379 Beville Road Daytona Beach Florida 32119

Telephone #: 386 -236-4160 Cell Phone #: 386 882-6401

E-Mail Address: sdelanoy@icihomes.com

Is the property in compliance? ____YES_____ If no, please explain _____

CITY OF FORT PIERCE

DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

I, Scott C. DeLanoy, do hereby submit this Petition in request for a reduction in the total amount of the penalty imposed and in support offer the following statement:

Back on Wednesday March 12th, 2014 the Code Enforcement Board recommended approval for the reduction of lien that had been placed on the adjoining parcel known as 5496 Altman Road, This parcel now in question (5315 Edwards street Ft. Pierce) is actually part of the same site. Apparently the code enforcement officer cited two different citations for the same parcel due to them having two separate parcel numbers, I was only made aware of having one citation/ lien and apparently so was the officer. At no time was the second violation or lien ever mentioned from the officer or anyone else from that department. I have attached copies of the previous application, approval letters and recorded documents pertaining to the same issue of the adjoining parcel. Both of these citations were issued on the same day for the same violation. I understand how this could happen and it is unfortunate that we all mistakenly over looked the second citation. This site has been sold for a huge lose and this second lien was only found when the title search was completed, so I need to have this resolved in order to have a large amount of money being held in escrow released. Thank You

Date: 12/17/2014

Signed: _____

Print Name: Scott C. DeLanoy

STATE OF FLORIDA

COUNTY OF Alachua

PERSONALLY APPEARED before me, the undersigned authority Scott C. DeLanoy who acknowledged before me that the information contained herein is true and correct. He / She is not personally known to me and has produced _____ as identification.

SWORN TO AND SUBSCRIBED before me this 17th day of December, 2014.

Notary Public State of Florida
Kelly Jones Bishop
My Commission EE057502
Expires 02/04/2015

Kelly Jones Bishop

Notary Public, State of Florida

CITY OF FORT PIERCE
DIVISIONS OF CODE ENFORCEMENT & ANIMAL CONTROL

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

REQUEST FOR A REDUCTION OR RESCINDMENT OF CODE ENFORCEMENT FINES / LIENS

Date:	12/12/2014				
Property address:	5315 Edwards road Ft. Pierce Florida 34981				
Owner(s) of record:	Mariners Cove Fort Pierce LTD				
Mailing address:	2379 Beville Road Daytona Beach Florida 32119				
Property tax ID #:	2430-231-0001-000/4				
Original purchase date:	11/10/2005	Purchase Price	9,546,000.00		
Other Information:	☐ Inherited Property	x☐ Purchased at Tax Sale	☐ Adjoining Property Owner		
Property is used for:	☐ Single Family	☐ Multi-family	☐ Commercial	☐ Industrial	☐ Vacant Lot
Name of person requesting reduction:	Scott DeLanoy	Relationship to owner(s) Agent	AGENT		
Telephone #:	OFFICE 386 236-4160	Mobile 386-882-6401	Mobile Phone #.		
E-mail:	sdelanoy@icihomes.com	Preferred contact method:	Email or cell		
What are owner(s) intentions for property:	Sold for a 9,000,000.00 loss				
Amount of Fine:	60,840.00	Date Fine Initiated:	5/11/2011		
Are there current code violations?	x☐ No	☐ Yes	Explain: (please attached notice) If yes, click to type explanation		
Is a lien filed against the property?	☐ No	x☐ Yes	If yes, what is the lien amount?	Enter lien amount	
Is property listed for sale?	☐ No	x☐ Yes	If yes, what is listing price?	650,000.00	
Is property under contract for sale?	☐ No	x☐ Yes	If yes, what is the sale price?	600,000.00	

AMOUNT OF FINE / LIEN	$ 60,840.00
DOLLAR AMOUNT REQUESTING TO BE WAIVED	$ 60,840.00
DOLLAR AMOUNT I AGREE TO PAY	$ -0-

If the city waives any fees, interest, penalties, fine or lien amount, the undersigned does hereby agree to pay the remainder within sixty (60) days from the date of the Board, Magistrate or Commission's decision unless an alternate time frame is specified in the motion.

(Signature of Owner or Representative)

SCOTT C. DELANOY
(Printed Name)

Property Information

Address:	5315 EDWARDS RD FT PIERCE, FL 34981
Location ID:	22319
TAX ID #:	2430-231-0001-000/4
Alternate ID description:	
Zoning:	R4 MEDIUM DENISTY,SINGL
Subdivision:	

Case General Information

Case status:	FL FINES/LIENS RUNNING
Status date:	6/15/2011
Case type:	CE CODE ENFORCEMENT VIOLATION
Reported date:	2/15/2011
Origination:	CC CITIZEN COMPLAINT
Default inspector:	AA Andy Avery
Credit balance.	.00

Owner Information

Owner name:	REGIONS BANK
Address:	% RONALD MARSHALL ROSENGARTEN 1221 BRICKELL AVE
City:	MIAMI, FL 33131
Phone:	(305) 579-0500
Notice:	
Flip:	

Violations

Type	Status	Location	Quantity	Date Established	Date Resolved
LANDSCAPE MAINTENANCE	AC		1	2/15/2011	

Case Data

Description	Data

Active Inspections

Type	Insp ID	Schedule Date

No scheduled inspections exist

Lien number	Alt lien ID	Total lien amount	Type	Status	Date opened	Date closed	Fee description
Lien amount	Amount paid						
000110201	3618339						
10.00	.00	20.00	CE	Open	8/12/2011		RECORD AFF OF COMPLIANCE
60000.00	.00						CODE ENFORCE BD FINES - 1
10.00	.00						RECORD AFF OF NON-COMP
10.00	.00						RECORD OF LIEN
10.00	.00						RECORD ORDER OF VIOLATION

Code Enforcement Board
City of Fort Pierce, Florida

Case # 11-0201

RE: Violation of Section(s): 22-187 (13) LANDSCAPE MAINTENANCE

Violator: MARINER COVE FORT PIERCE LTD
c/o SHELBY HOMES
6363 NW 6TH ST WAY, STE 250
FT. LAUDERDALE, FL 33309

Property Address: 5315 EDWARDS RD

Tax ID #: 2430-231-0001-000/4

Legal Description: 30 35 40 N 1/2 OF SW 1/4 OF NW 1/4-LESS N 33 FT AND LESS W 40 FT FOR RDS AND LESS E 75 FT FOR DITCH- (47) (17.76 AC) (OR 2411-2837)

ORDER ASSESSING FINE AND IMPOSING LIEN

THIS CAUSE having come before the Code Enforcement Board pursuant to Florida Statute 162.09 on May 11, 2011 upon notification by the Code Enforcement Officer that the Code Enforcement Board's Order herein dated May 11, 2011 was not complied with by the date set forth therein, and being otherwise advised in the premises, it is

ORDERED AND ADJUDGED that the violator shall pay a daily fine as provided in such order in the sum of $100.00 from June 14, 2011 and a like sum thereafter for each day the violation continues. A certified copy of this Order may be recorded in the Public Records of St. Lucie County and shall thereafter pursuant to Florida Statute 162.09(3) constitute a lien against the above described property and upon any other real or personal property owned by the violator.

Upon petition to the Circuit Court this Order may be enforced in the same manner as a Court Judgment by the Sheriffs of the State, including levy against personal property. The fine imposed herein shall continue to accrue until the violator comes into compliance or until judgment is rendered upon a suit to foreclose on this lien, whichever occurs first. The lien arising from this fine runs in favor of the City of Fort Pierce, a municipal corporation, and the City of Fort Pierce may execute a satisfaction of release of lien. This Order shall not be deemed to be a Court judgment except for enforcement purposes and may be foreclosed as further provided by law.

DONE AND ORDERED this 11th day of August, 2011.

Tom Knott
Code Enforcement Board Chairman

ATTEST:
CITY CLERK

DATED: Aug 11 2011

Mail to:
City of Fort Pierce
Code Enforcement Division
P.O. Box 1480
Ft. Pierce, FL 34954

File Name: C0040347

STATE OF FLORIDA
ST. LUCIE COUNTY
CITY OF FORT PIERCE

THIS IS TO CERTIFY THAT THIS IS A TRUE AND CORRECT COPY OF THE RECORDS ON FILE IN THIS OFFICE.

CITY CLERK

DATE Aug 11 2011

(CITY SEAL)

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 3618339 08/12/2011 at 09 10 AM
OR BOOK 3315 PAGE 2082 - 2082 Doc Type ORD
RECORDING $10 00

Property Information

Address:	5315 EDWARDS RD FT PIERCE, FL 34981
Location ID:	22319
TAX ID #:	2430-231-0001-000/4
Alternate ID description:	
Zoning:	R4 MEDIUM DENISTY,SINGL
Subdivision:	

Case General Information

Case status:	FL FINES/LIENS RUNNING
Status date:	6/15/2011
Case type:	CE CODE ENFORCEMENT VIOLATION
Reported date:	2/15/2011
Origination:	CC CITIZEN COMPLAINT
Default inspector:	AA Andy Avery
Credit balance:	.00

Owner Information

Owner name:	REGIONS BANK
Address:	% RONALD MARSHALL ROSENGARTEN 1221 BRICKELL AVE
City:	MIAMI, FL 33131
Phone:	(305) 579-0500
Notice:	
Flip:	

Violations

Type	Status	Location	Quantity	Date Established	Date Resolved
LANDSCAPE MAINTENANCE	AC		1	2/15/2011	

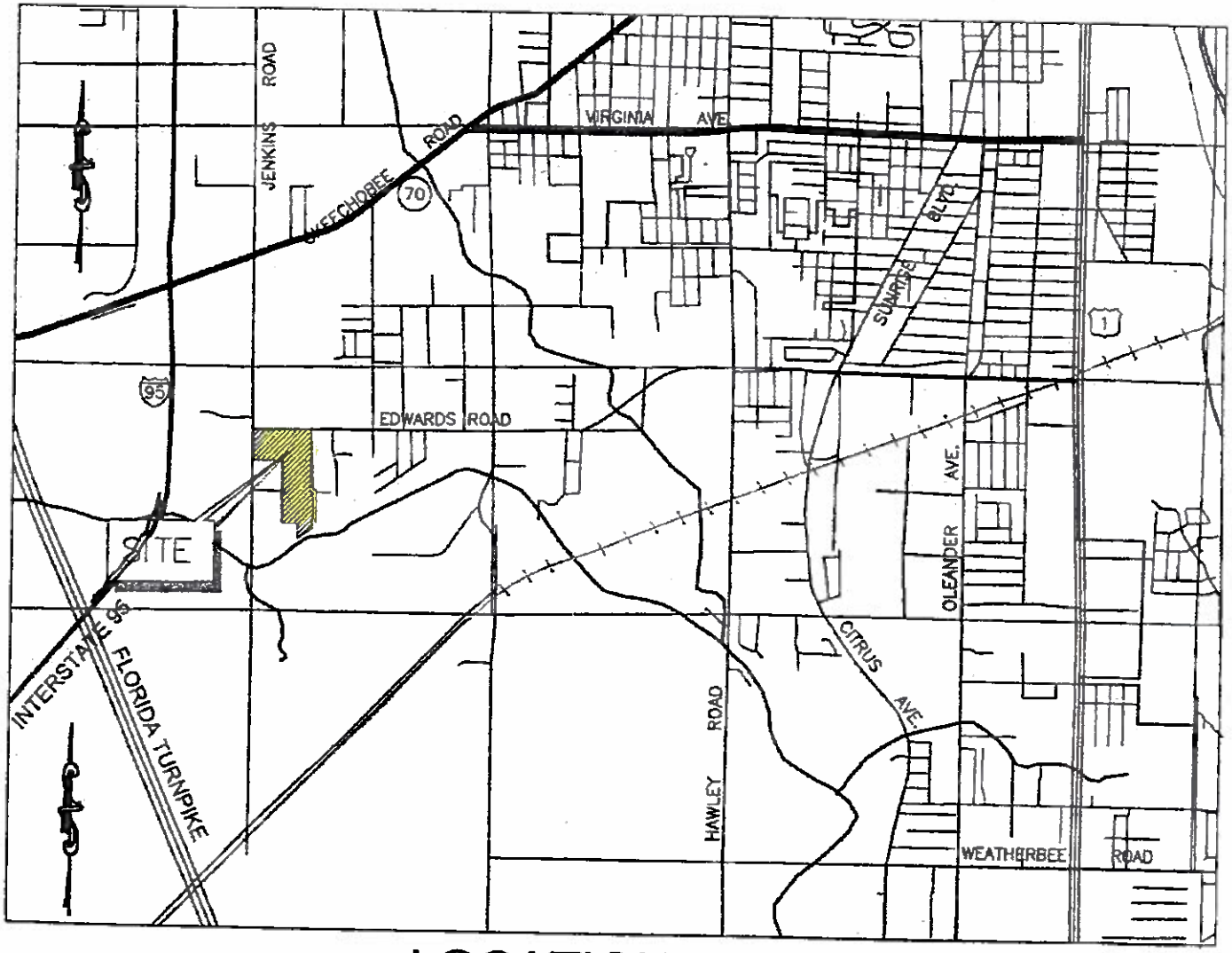
Case Data

Description	Data

Active Inspections

Type	Insp ID	Schedule Date
No scheduled inspections exist		

Lien number	Alt lien ID	Total lien amount	Type	Status	Date opened	Date closed	Fee description
Lien amount	Amount paid						
000110201	3618339	20.00	CE	Open	8/12/2011		RECORD AFF OF COMPLIANCE
10.00	.00						
60000.00	.00						CODE ENFORCE BD FINES - 1
10.00	.00						RECORD AFF OF NON-COMP
10.00	.00						RECORD OF LIEN
10.00	.00						RECORD ORDER OF VIOLATION



LOCATION MAP

N.T.S.

Property Identification

Site Address: 3200 Edwards Rd
Sec/Town/Range: 30/35S/40E
Map ID: 24/30N
Zoning: R4

Parcel ID: 2430-231-0001-000-4
Account #: 32794
Use Type: Vac Res
Jurisdiction: Fort Pierce

Ownership

Mariner Cove Fort Pierce Ltd
24151 Ventura Blvd
Calabasas, CA 91302-1449

Total Areas

Land Size (acres):	17.76
Land Size (SF):	773,626

Legal Description

30 35 40 N 1/2 OF SW 1/4 OF NW 1/4-LESS N 33 FT AND LESS W 40 FT FOR RDS AND LESS E 75 FT FOR DITCH- (47) (17.76 AC) (OR 2411-2837)

Current Values

Just/Market Value:	$373,000
Assessed Value:	$373,000
Exemptions:	$0
Taxable Value:	$373,000

Taxes for this parcel: SLC Tax Collector's Office

This information is believed to be correct at this time but it is subject to change and is not warranted.

© Copyright 2014 Saint Lucie County Property Appraiser.

MEMORANDUM

TO: The Honorable Mayor and Members of the City Commission

THROUGH: Robert J. Bradshaw, City Manager

FROM: Colleen Greer, Executive Secretary to Code Enforcement

SUBJECT: **CODE ENFORCEMENT LIEN REDUCTION**
5315 Edwards Road, Fort Pierce, FL

DATE: February 2, 2015

The following is a breakdown of the above property:

	Costs (General Fund)	Interest & Penalties	Administrative Fees
CASE # 11-0201	$60,800.00	$.00	$40.00
TOTAL	$60,800.00	$.00	$40.00

CAN BE WAIVED (ALL COSTS) $60,840.00

MINUTES OF A REGULAR MEETING OF THE CODE ENFORCEMENT BOARD OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 9:00 A.M. ON WEDNESDAY, **DATE**

1. CALL TO ORDER

The meeting was called to order by Chairwoman Minton at 9:00 AM.

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Lara Amyx; Alternate Board Member Leon Porter; Al Bernetti; Geraldine Murphy; John George; Chairwoman Mary Padrick Minton

Absent: Vice Chair Roderick Waller; Terry Wolters

Staff Present: Colleen Greer, Board Secretary
Margaret M. Arraiz, Code Compliance Manager
Shaun Coss, Code Enforcement Officer

Attendees: James Walker
Damian Spotts

4. ADMINISTRATIVE BUSINESS

A. CONSIDERATION OF ABSENCES

Motion was made by John George, seconded by Geraldine Murphy to excuse Mr. Waller's absence from todays meeting.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

B. APPROVAL OF MINUTES

Motion was made by John George, seconded by Alternate Board Member Leon Porter to accept the minutes of November 12, 2014 after the corrections (typographical & spelling) have been corrected.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

Motion was made by John George, seconded by Geraldine Murphy to accept the September 10, 2014 minutes as presented.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

C. CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS

5. ADMINISTRATION OF OATH TO DEPARTMENTAL WITNESSES

Code Manager Margaret Arraiz and Officer Shaun Coss were sworn in.

6. IDENTIFICATION OF CASES IN COMPLIANCE

A.

14-1883	3102 Hibiscus Ave	Villanova, Raymond R	Shaun Coss
Case Initiated:	September 11, 2014	Type of Presentation:	Regular

OWNER: Raymond Villanova 199 Tumblin Kling Rd. Fort Pierce, FL 34982	OCCUPIED BY: Rodney Williams 3102 Hibiscus Ave. Fort Pierce, FL 34947

Section: 5-73 House Numbers
Section: 5-368 (6) Fence Maintenance
Section: 22-17 (13) Landscape Maintenance

B.

14-1704	2003 Okeechobee Rd.	Skyline Realestate Properties LLC	Shaun Coss
Case Initiated:	August 18, 2014	Type of Presentation:	Regular
OWNER: SKYLINE REAL ESTATE PROPERTIES LLC 58 BARLOW DR SOUDERTON, PA 18964		OCCUPIED BY:	

Section 16-46, 16-47, 16-48 Nuisance as a Condition
Complied

C.

14-1705	2005 Okeechobee Rd.	Skyline Realestate Properties LLC	Shaun Coss
Case Initiated:	August 18, 2014	Type of Presentation:	Regular
OWNER: Skyline Real Estate Properties LLC 58 Barlow Dr. Souderton, PA 18964		OCCUPIED BY:	

Section 16-46, 16-47, 16-48 Nuisance as a Condition
Complied

7. PUBLIC HEARINGS - VIOLATION CASES

A.

14-1935	603 S 24th St.	Desir, Benel	Shaun Coss
Case Initiated:	September 18, 2014	Type of Presentation:	Regular
OWNER: Benel Desir PO Box 63 Ft Pierce, FL 34954		OCCUPIED BY: Humberto Lopez Gonzalez 603 S 24th St. Fort Pierce, FL 34950	

Section: 16-46, 16-47, 16-48 (1)(5) Outside Storage
Section: 16-25 (C) Responsibility for Containers

Officer Shaun Coss stated that Mr. Benel had been in attendance; however, he had to go to work. He did tell Officer Coss that he was in agreement with the violations and stated that 15 days was enough time to correct them.

Motion was made by Lara Amyx, seconded by John George that a violation does exist and that Benel Desir is responsible for the violations. It was further moved that the violator be given 15 days to come into compliance or a fine of $250.00 a day would be assessed.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

B.

14-1954	1133 S 7th St.	McKeon, Anna	Shaun Coss
Case Initiated:	September 24, 2014	Type of Presentation:	Regular
OWNER: Anna McKeon 1133 S 7th St. Fort Pierce, FL 34950		OCCUPIED BY:	

Section: 5-368 Property Maintenance

Officer Shaun Coss presented the case. Anna McKeon was sworn in for testimony. She stated that she had been ill but would be able to make the corrections in the given amount of time. Chairwoman Minton reminded her to contact Officer Coss when she had completed the work so he could inspect the property.

Motion was made by Lara Amyx, seconded by John George that a violation does exist and that Anna McKeon is responsible for the violations. It was further moved that the violator be given 60 days to obtain a permit and comply with the conditions of the permit. Failure to comply would result in a fine of $250.00 per day to be assessed until the violation comes into compliance.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

C.

14-0652	1531Delaware Avenue	Sizemore, Shirley A	Shaun Coss
Case Initiated:	March 21, 2014	Type of Presentation:	Regular
OWNER: SHIRLEY SIZEMORE 1531 DELAWARE AVENUE FORT PIERCE, FL 34950		OCCUPIED BY: PRESTIGE AUTO CLUB 1531 DELAWARE AVENUE FORT PIERCE, FL 34950	

Section: 15-9 Sign Permit Procedures

Case was pulled by Staff prior to meeting.

8. **PUBLIC HEARINGS - MASSEY HEARINGS (FINE REDUCTIONS)**

9. PUBLIC HEARINGS - LIEN REDUCTION REQUESTS

A.

11-0201	5315 Edwards Road	Mariner Cove Fort Pierce LTD	Peggy Arraiz
Case Initiated:	February 15, 2011	Type of Presentation:	Lien Reduction
OWNER: Mariner Cove Fort Pierce LTD 2379 Beville Road Daytona Beach, FL		OCCUPIED BY:	

Section: 22-187 (13) Description: Landscape Maintenance

Margaret Arraiz read the case into the record. The case was initiated on February 15, 2011 and came before the Code Enforcement Board on May 11, 2011. The Board found the owners in violation and gave them 30 days to remedy the violation or $100.00 a day would be assessed. On June 14, 2011 an inspection was made; the property was not in compliance and the fines began. On August 12, 2011 the Order Assessing Fines & Imposing Lien was recorded. On February 11, 2013 another inspection was made, the violations were now in compliance, the fines were stopped. On December 18, 2014 Staff received a lien reduction request from Mr. Scott DeLanoy. Staff met with Mr. DeLanoy prior to the meeting and both parties have agreed to accept the administrative costs of $836.32 as settlement.

Motion was made by John George, seconded by Alternate Board Member Leon Porter based on Rule 17 of the Rules of Procedure the Board recommends to the City Commission that the lien of $60,840.00 be reduced to $836.32 payable in 60 days. If not paid in that 60 days, the lien would revert back to the original amount.

AYE: Alternate Board Member Leon Porter, Al Bernetti, Geraldine Murphy, John George, Lara Amyx, Chairwoman Mary Padrick Minton

Passed

B.

03-3968	312 N 12th St.	Mellon, Beracah	Peggy Arraiz
Case Initiated:	October 29, 2003	Type of Presentation:	Lien Reduction

Beracah Estima Mellon
312 N. 12th Street
Ft. Pierce, FL 34950
5-368 Property Maintenance

Margaret Arraiz read the case into the record. Case was initiated October 29, 2003 and came before the Code Board on May 12, 2004. The Code Board found the owners in violation and gave them 90 days to comply the violations. Failure to do so would result in a fine of $100.00 per day. The date is unknown but the officer at that time, Bob Dusanek, extended them another 90 days to complete the work. On December 13, 2004 an inspection was made, the property was not in compliance and the fines began. On February 17, 2005 the Order Assessing Fines and Imposing Lien was recorded. On May 16, 2009 an inspection was made, the property was now in compliance, the fines stopped. The total amount of lien is $161,520.00. On September 18, 2014 Staff received a request for lien reduction from Mrs. Mellon. A hearing was scheduled for November 12, 2014 but Mrs. Mellon was not present. Staff learned that she had been in the hospital and rescheduled the meeting for today. Mrs. Mellon is asking that the lien be wai Mrs. Mellon came forward and was sworn in for testimony. She stated that her husband had been ill and has since passed. She stated she is now having kidney problems and has been in the hospital off and on for the last couple of months. Chairwoman Minton asked if she had plans for the property and Mrs. Mellon stated that the property was being foreclosed on. She asked Ms. Arraiz what the City was proposing and she said the Board had the capability of making any decision but Staff would make a recommendation of at least a portion of the administrative costs be paid. Mrs. Mellon proceeded to explain that the property had come into compliance before the date Staff claims; but she didn't know she was supposed to notify Staff, and it was after all of the 2004 hurricane damage. Ms. Arraiz stated that it was possible that the property came into compliance prior to the date of their inspection as the department had a lot of other work after the hurricanes. Chairwoman Minton asked if she was able to pay the difference of $819.06 and she stated income was very tight. Ms. Arraiz said she could be given up to 12 months. Chairwoman Minton asked if the Board had any questions.

Lara Amyx asked Mrs. Mellon if she understood correctly that the property was going into foreclosure and they wouldn't negotiate anything with her unless the lien is cleared up. You can then stay and it will be bank owned property. Mrs. Mellon indicated yes.

Al Bernetti asked Mrs. Mellon if this was her homestead and the other piece of property that she owns is for rental income. She said yes, but it makes very little income.

Geraldine Murphy asked about her not contacting the Code Enforcement about the property being fixed and she said it was again after the hurricanes in 2004 but the work was done early 2005. She asked Ms. Arraiz about the code enforcement officer going out monthly doing inspections and she stated this was during the time the department was handling hurricane damages and we do not have access to the computer system that was being used at that time; however, in January 2005 an inspection was made and the damages had not been repaired yet.

Chairwoman Minton closed the questioning and asked what the Board recommended.

After the first motion was not passed. Assistant City Attorney Walker stated that there two different time elements involved. One, the City states it was over 5 years before the property came into compliance. Second, Mrs. Mellon states it was shortly after 2005, but they failed to notify the City. Mr. George asked Ms. Arraiz how do we send the recommendation to the City Commission and she stated it was the way the Board recommends it.

Motion was made by John George, based on Rule 17 of the Rules of Procedure and considering Mrs. Mellon's failing health the Board recommends to the City Commission that the lien of $161,520.00 be reduced to $500.00 payable in 12 months. Failure to pay this reduced amount in the 12 month period, would result in the lien reverting back to the original amount. There was no second. Motion failed.

Motion was made by Lara Amyx, seconded by Alternate Board Member Leon Porter based on Rule 17 of the Rules of Procedure and considering her husband is deceased and Mrs. Mellon's failing health the Board recommends to the City Commission that the lien of $161,520.00 be reduced to $.00.

AYE: Alternate Board Member Leon Porter, John George, Lara Amyx, Chairwoman Mary Padrick Minton
NAY: Al Bernetti, Geraldine Murphy
Passed

10. NEW BUSINESS

None

11. PUBLIC COMMENT

None

12. BOARD/STAFF COMMENTS

None

13. ADJOURNMENT

Adjourned at 10:00 AM

Respectfully submitted:

_____

City Commission Regular Meeting **Agenda Item # 10. a.**

Meeting Date: 02/02/2015

Re: Allied Well - Brine Storage Tank Facility - Application for Conditional Use and Site Plan for 650 S 29th Street

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

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SUBJECT:

Conditional Use and Site Plan Application submitted by Allied Well for construction of a Brine Storage & Transfer Tank Facility on property located at 650 S 29th Street, Fort Pierce, Florida.

SUMMARY:

- The Fort Pierce Utility Authority (FPUA) Board, at their September 16th, 2014 meeting approved an agreement with the applicant to construct a brine storage and transfer tank facility to accept and store a mixture of raw water and brine that will gradually discharge into the existing FPUA deep injection well.
- The 2 acre site is zoned R-4, Medium Density Residential and has a future land use designation of INST, Institutional.
- The proposed 40 ft. by 52 ft. tank facility would contain six (6), 6,000 gallon tanks, with a projected average daily load (ADL) of two (2), 5,200 gallon tankers.
- The presented facility has a peak height of 16 ft., and will be setback 96 ft. from South 29th Street and extensively landscaped to minimize view from the right-of-way.
- The existing trees on-site will be preserved or relocated to accommodate the new construction, and a 5ft. sidewalk connection will be constructed along South 29th Street.
- The Planning Board, at their January 13th, 2015 meeting, voted six to four to recommend approval of the Conditional Use and Site Plan. Concerns from the dissenting members were centered on the selection to deliver the brine solution into the City Limits.
- A total of 9 notifications of the proposed Conditional Use and Site Plan were mailed to the owners of property located within 500 feet of the subject property. As of January 22, 2015, 0 responses have been received. An update will be provided to the City Commission at the meeting.

RECOMMENDATION:

- Approval

ALTERNATIVES:

- Approval with Conditions
- Denial

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Officer

COORDINATED WITH:

Valerie Schulte,PE, FPUA Water/Waste Water Engineer

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

Increased Revenue for Fort Pierce Utility Authority (FPUA) - Approximately $85,000 to $110,000, annually.

Attachments

Staff Report
Site Aerial
Site Zoning Map
Application
Survey
Site Plan
Landscape Plan
Elevations & Floor Plan
TRC Comments & Minutes

Form Review

Inbox	Reviewed By	Date
City Manager	Robert Bradshaw	01/27/2015 02:26 PM

Form Started By: Kori Benton
Started On: 01/13/2015 08:37 AM
Final Approval Date: 01/27/2015

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: Kori Benton, Historic Preservation Officer

RE: **Application for Conditional Use and Site Plan**
Allied Well - Brine Storage & Transfer Tank Facility
650 S 29th Street

DATE: January 21, 2015

STAFF REPORT

Owner: Fort Pierce Utilities Authority
715 S 25th Street
Fort Pierce FL 34947

Applicant/Lessee: Allied New Technologies (Subsidiary)
Chem Tex-Supply Corporation
9350 NW 93rd Street
Miami, FL 33466

Representative: Abraham Chabab, PE
5428 NW Edgewater Avenue
Port St. Lucie, FL 34983

Requested Action: Approvals of a Conditional Use & Site Plan

Location: 650 S 29th Street

Parcel IDs: 2408-441-0003-0004

Zoning: R-4, Medium Density Residential

Surrounding Zoning:

North	East	South	West
OS-1	OS-1	R-4	R-4

Future Land Use: Institutional (INST)

Parcel Size: 2 acres

Utilities: Located within the FPUA Retail Service Area

Staff Analysis:

In accordance with Sections 22-16 and 22-76 of the City Code, the applicant is requesting the review and approval of a Site Plan and Conditional Use to construct a Brine Storage and Transfer Tank Facility at 650 S 29th Street. The two (2) acre site is predominantly vacant, featuring only minor utility boxes and existing trees. The proposed facility is intended to integrate with an existing deep injection well operated at the adjacent Fort Pierce Utility Authority (FPUA) water treatment plant.

The subject site has an R-4, Medium Density Residential destination, allowing minor utility facilities to be pursued as conditional use. The site abuts the Florida Army National Guard Armory to the north, and the Abbie Jean Russell Elderly Care facility to the south. The properties to the west, across 29th Street are home to a St. Lucie County School Bus Depot and the Laurel Pointe Health & Rehabilitation center. The properties to the east of the site include the Elks' Park and FPUA water treatment plant.

The applicant has a lease agreement with FPUA and plans to construct a 40 ft. by 52 ft. tank facility that will contain six (6), 6,000 gallon tanks. The tanks are intended to accept and store a mixture of raw water and brine that will gradually discharge through a 2 in. line into the existing FPUA deep injection well. The presented average daily load (ADL) for the facility is two (2), 5,200 gallon tankers.

The brine solution that would be processed through the facility is generated at a new liquid chlorine production plant on Glades Cut Off Road, which serves local water treatment facilities, for the preparation of potable water. As part of that process, a brine reject is produced, which needs to be disposed of. The brine solution is very similar to the Reverse Osmosis (RO) reject water produced at our FPUA water treatment plant, and dispose of via the established injection well. Rather than pursuing the investment of significant capital to build an internal injection well, for a small quantity of reject, FPUA has formulated an agreement to charge a flat monthly charge for the service. Allied New Technologies is bearing the cost of construction of facilities to accept, store, and pump the solution into FPUA's well. The proposed facility has been preliminarily reviewed by the necessary permitting agencies, such as US Environmental Protection Agency (EPA), Florida Department of Environmental Protection (FDEP), and will be inspected and monitored during construction and operation.

The presented facility will be setback 96 ft. from South 29th Street to minimize view from the right-of-way. The tanks are symmetrically centered upon a four and one-half (4.5) ft. high concrete perimeter base, with a peak height for the tanks of 16 ft. The facility will be further secured by a 6 ft. tall vinyl coated chain-link fence.

Access to the site, for deliveries and maintenance visits, is proposed via a two-way driveway on South 29th Street. Site lighting is presented to meet the requirements of the City Code. A dry retention area along the northern property line, oriented to minimize view of the right-of-way, will manage the storm water retention.

The existing trees on-site will be preserved or relocated to accommodate the new construction. The landscape plan presents the addition of numerous canopy trees and shrubs to screen the facility and meet City Code requirements. A 5ft. sidewalk connection will be constructed along South 29th Street and dedicated via a sidewalk easement prior to issuance of a Certificate of Occupancy.

Technical Review Committee

All affected departments have reviewed the submittals and have approved the proposed Conditional Use and Site Plan based on compliance with the requirements of the City Code. The review comments generated by the Technical Review Committee (TRC) are attached within the agenda packet for review. These comments have been reviewed and are incorporated within the submittal enclosed.

Planning Board Recommendation:

The Planning Board, at their January 13, 2015 meeting, voted six to four to recommend approval of the Conditional Use and Site Plan. The concerns of dissenting members were centered on the selection to deliver the brine solution into the City Limits, versus the processing of the product at the chlorine production plant on Glades Road. As noted in Staff's analysis, FPUA and Allied Well have formulated agreement and permitted this proposed facility over the last several years to utilize the existing FPUA infrastructure, a negotiated rate, to forgo the substantial costs to build an internal injection well, for the small quantity of reject being produced.

Property Owner Response Summary:

A total of 9 notifications of the proposed Conditional Use and Site Plan were mailed to the owners of property located within 500 feet of the subject property. As of January 21, 2015, 0 responses have been received. An update will be provided to the City Commission at the meeting.

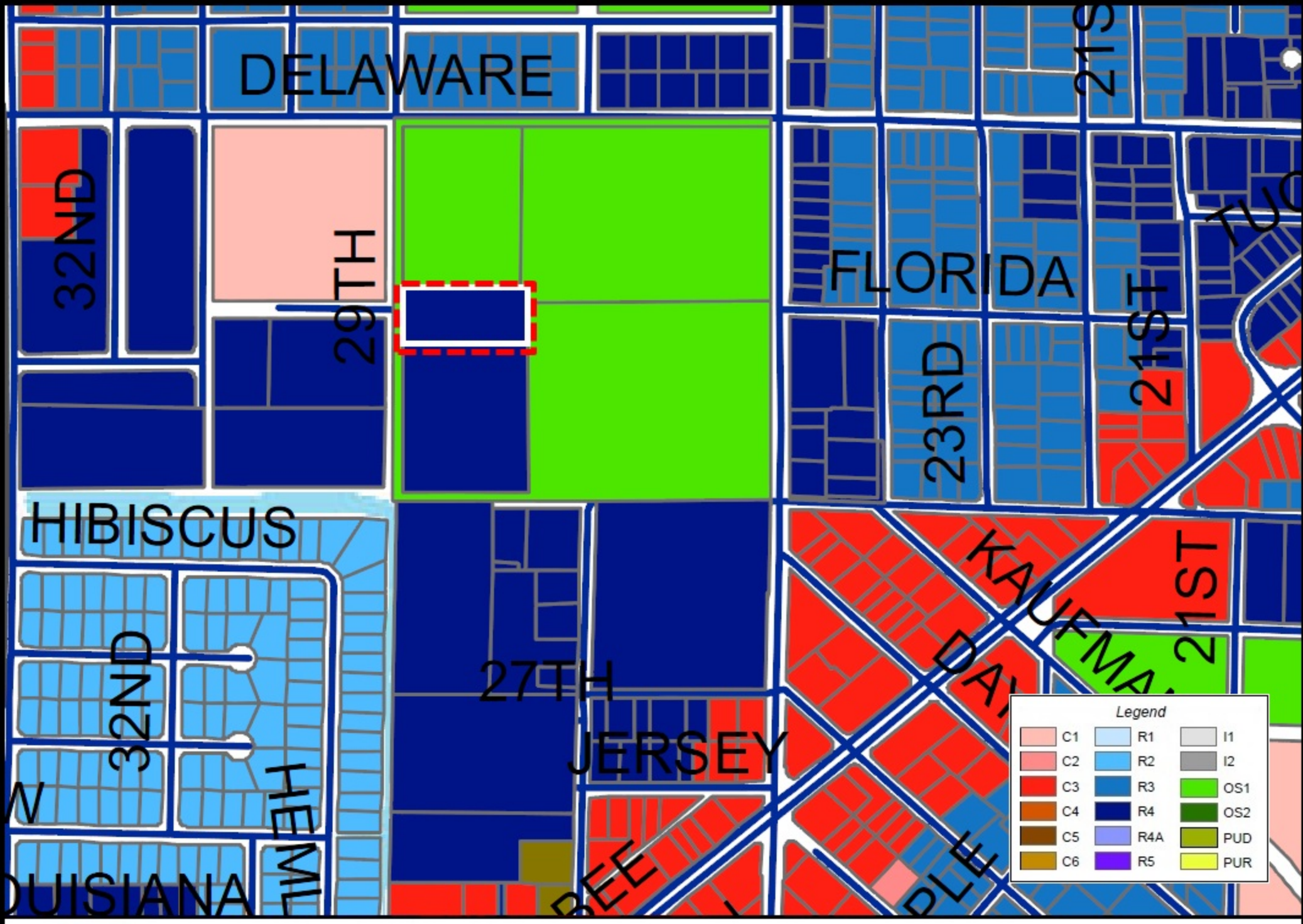
Staff Recommendation:

The proposed Conditional Use and Site Plan meet the requirements of the City Code and are in compliance with the guidance of the City's Comprehensive Plan; therefore Staff recommends that the City Commission **approve** the requests.



650 S 29th St

Site Aerial



650 S 29th St

Zoning Map

CITY OF FORT PIERCE

PLANNING DEPARTMENT

Rebecca Grohall, AICP, Planning Manager
COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

DEVELOPMENT REVIEW

Property address or Location 650 S. 29th Street

Parcel ID #(s) 2408-441-0003-0004

Project description See attached letter

Fort Pierce Utilities Auth.	Abraham Chabab PE Civil Eng
Property Owner(s)	Applicant/Representative, Title, Company
715 S 25th St	5428 NW Edgewater Ave
Street Address	Street Address
Ft Pierce FL 34947	Port St Lucie FL 34983
City State Zip	City State Zip
772 466 1600	772-878-5079
Phone Number	Phone Number
tperkins@fpua.com	29chabab@msn.com.
Email Address	Email Address

Property Owner(s) Acknowledgements *- This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or representative to act in his/her behalf for the purposes of seeking approval for the application described herein.*

Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY

The foregoing instrument was acknowledged before me this 20th day of November, 20 14 by Timothy E Perkins who is personally known to me or has produced Personally known as identification.

Signature of Notary

(Seal)

TINA ATTEY
Notary Public - State of Florida
My Comm. Expires May 12, 2018
Commission # FF 099161

INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS CALL (772) 467-3729

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation
				Contributing Individual Non-Contributing None

Pre-Application Meeting Date_____

Intake Planner_____

Planner Assigned_____

Approved By_____ Date _____

Comments_____

Fees_____ Control #_____ B. Permit #_____

RECEIVED
NOV 20 2014
Intake Date Stamp

PROPERTY RECORD CARD

Fort Pierce City Of Record: 1 of 1 <<Prev Next >> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address:	650 S 29th St	ParcelID:	2408-441-0003-000-4
Sec/Town/Range:	08:35S:40E	Account #:	175674
Map ID:	24/08S	Use Type:	Vac Comm
Zoning:	R4	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: Fort Pierce City Of Fort Pierce Utilities Authorit

Address: PO Box 3191
Fort Pierce FL 34948-3191

Legal Description

8 35 40 THAT PART OF SEC MPDAF: FROM NW COR OF SE 1/4 OF SE 1/4,TH S 00 00 08 W ALG W LI OF SE 1/4 O

More...

Sales Information

Date	Price	Code	Deed	Book/Page
3/10/2011	0	0118	WD	3280 / 2827
4/8/2003	2300000	01	WD	1693 / 0485

Assessment 2014

2014 TRIM:	65800
Assessed:	65800
Ag.Credit:	0
Exempt:	65800
Taxable:	0
Taxes:	0

Total Land and Building

Land Value: 65300 Acres: 2
Building Value: 500
Finished Area: 0 SqFt

BUILDING INFORMATION

No Sketch Available

No Image Available

Exterior Features

View:	-	RoofCover:	-	RoofStruct:	-
ExtType:	-	YearBlt:		Frame:	-
Grade:	-	EffYrBlt:		PrimeWall:	-
StoryHght:	-	No.Units:		SecWall:	-

Interior Features

BedRooms:	0	Electric:	-	PrmIntWall:	-
FullBath:	0	HeatType:	-	AvgHt/Fl:	
1/2Bath:	0	HeatFuel:	-	Prm.Flors:	-
%A/C:	0	%Heated:	0	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.
FEN6 - CHAINLINK 6'	Y	1	64	AV	AV	2013
BARB - BARB WIRE	Y	1	64	AV	AV	2013

Land Information

No.	Use Type	Type	Measure	Depth
1	1000-Vac Comm	305 -Sq Feet	87120	

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

Abraham Chabab, P.E.
5428 NW Edgewater Ave.
Port St. Lucie, FL 34983

Nov. 17, 2014

Kori Benton, Planner
City of Fort Pierce, Planning Dept.
100 N. US#1
Fort Pierce, FL 34954

RE : Allied New Technologies/FPUA Deep Injection Well Modifications.
Applying for Conditional Use To Construct 40FTx52FT Tank Farm.
For a Property Located at 650 29th Street, Fort Pierce FL.
PIN# 240844100030004

Dear Mr. Benton:

Allied New Technologies has a lease agreement with Fort Pierce Utilities Authorities (Owner of the property) to construct 40 feet x 52 feet tank farm that will contain 6-6000 gallon tanks. These tanks will store raw water that will gradually discharge through 2-inch line into an existing deep injection well located at FPUA water treatment plant. The average daily load is two-5200 gallon tankers that will arrive at this facility.

Enclosed you will find the required plans, application and related documents to schedule this project for the review process. Should you have any questions or require any additional information, please contact us at your convenience.

Sincerely

Abraham Chabab, P.E.

cc: Marty Willems, Don Willems Builder Inc.
Ron Zeigler, Allied New Technologies

772-878-5079 772-475-6630 Fax 772-785-8291
Email: agchabab1@msn.com

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
FILE # 3576783 OR BOOK 3280 PAGE 2827, Recorded 03/31/2011 at 10:11 AM

This instrument prepared by and
return to:
Truong M. Nguyen, Esquire
GrayRobinson, P.A.
301 East Pine Street, Suite 1400
Orlando, Florida 32801
(407) 843-8880

A portion of Property Appraisers Parcel ID Number:
2408-441-0002-000/7

COPY

NOTE TO RECORDER: THIS CONVEYANCE OF REALTY MADE TO A GOVERNMENTAL ENTITY UNDER THREAT OF CONDEMNATION AND IS EXEMPT FROM FLORIDA DOCUMENTARY STAMP TAX PURSUANT TO SECTIONS 12B-4.013(4) OR 12B-4.014(13), FLORIDA ADMINISTRATIVE CODE.

WARRANTY DEED

THIS WARRANTY DEED made the // day of March, 2011, by **SHS of Florida, LLC**, a Florida limited liability company, whose address is 6075 Sunset Drive, Suite 201, Miami, Florida 33143 (hereinafter referred to as "Grantor") to **City of Fort Pierce, Florida**, for the use and benefit of The Fort Pierce Utilities Authority, a political subdivision of the State of Florida, whose address is P.O. Box 3191, Fort Pierce, Florida 34948-3191 (hereinafter referred to as "Grantee"):

[Whenever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of corporations.]

WITNESSETH: That the Grantor, for and in consideration of the sum of Ten and No/100 Dollars ($10.00) and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in St. Lucie County, Florida:

COPY

See Exhibit "A" attached hereto and incorporated herein (the "Property").

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances whatsoever, save and except only for the following, to wit:

1. Ad valorem real property taxes for the year 2011 and any taxes or assessments levied or assessed against the Property subsequent to the date hereof.

2. Restrictions, reservations and easements of record, if any, but this reference to such shall not serve to reimpose the same.

COPY

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered
in the presence of:

Witness Signature
Print Name: Keila Bonny

Witness Signature
Print Name: Orlando Figueredo

GRANTOR:

SHS of Florida, LLC, a Florida limited liability company

By: _____
Maria Elva Gonzalez, Managing Member

STATE OF FLORIDA
COUNTY OF Miami Dade

The foregoing instrument was acknowledged before me this 10 day of March, 2011, by Maria Elva Gonzalez, as the Managing Member of SHS of Florida, LLC, a Florida limited liability company, on behalf of said company.

Signature of Notary Public
Jack Polastri
(Print Notary Name)
My Commission Expires: 01.19.14
Commission No.: DD953746
☐ Personally known, or
☒ Produced Identification
Type of Identification Produced:
FDL

AFFIX NOTARY STAMP

Notary Public State of Florida
Jack Polastri
My Commission DD953746
Expires 01/19/2014

COPY

COPY

EXHIBIT "A"

FROM THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 35 SOUTH, RANGE 40 EAST IN THE CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA, RUN SOUTH ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 580 FEET MORE OR LESS, THENCE EASTERLY PARALLEL TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, 30 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF PROPERTY LEASED TO THE ARMORY BOARD OF THE STATE OF FLORIDA AND THE POINT OF BEGINNING OF LANDS HEREIN DESCRIBED:

FROM SAID POINT OF BEGINNING CONTINUE EASTERLY ALONG THE SOUTH LINE OF SAID ARMORY PROPERTY A DISTANCE OF 420 FEET; THENCE SOUTHERLY AND PARALLEL TO THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 207.43 FEET; THENCE WEST ALONG A LINE PARALLEL TO AND 207.43 FEET SOUTH OF SAID SOUTH LINE OF ARMORY, A DISTANCE OF 420.00 FEET THENCE NORTHERLY PARALLEL TO AND 30 FEET EASTERLY OF THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 207.43 FEET TO THE POINT OF BEGINNING.

COPY

COPY

BOUNDARY AND TOPOGRAPHIC SURVEY

TREE SURVEY

LEGAL DESCRIPTION

FROM THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 35 SOUTH, RANGE 40 EAST IN THE CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA, RUN SOUTH ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 580 FEET MORE OR LESS, THENCE EASTERLY PARALLEL TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, 30 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF PROPERTY LEASED TO THE ARMORY BOARD OF THE STATE OF FLORIDA AND THE POINT OF BEGINNING OF LANDS HEREIN DESCRIBED:

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ABBREVIATIONS:

A/C = AIR CONDITIONER
(C) = CALCULATED
(C.F.T.) = CALCULATED FROM TRAVERSE
℄ = CENTERLINE
C.B.S. = CONCRETE BLOCK STRUCTURE
E/P = EDGE OF PAVEMENT
E.O.W. = EDGE OF WATER
E.F.B. = ELECTRONIC FIELD BOOK
EL. = ELEVATION
FIRM = FLOOD INSURANCE RATE MAPS
FND. = FOUND
(M) = MEASURED
N.G.V.D. OF 1929 = NATIONAL GEODETIC VERTICAL DATUM OF 1929.
N.A.V.D. OF 1988 = NORTH AMERICAN VERTICAL DATUM OF 1988.

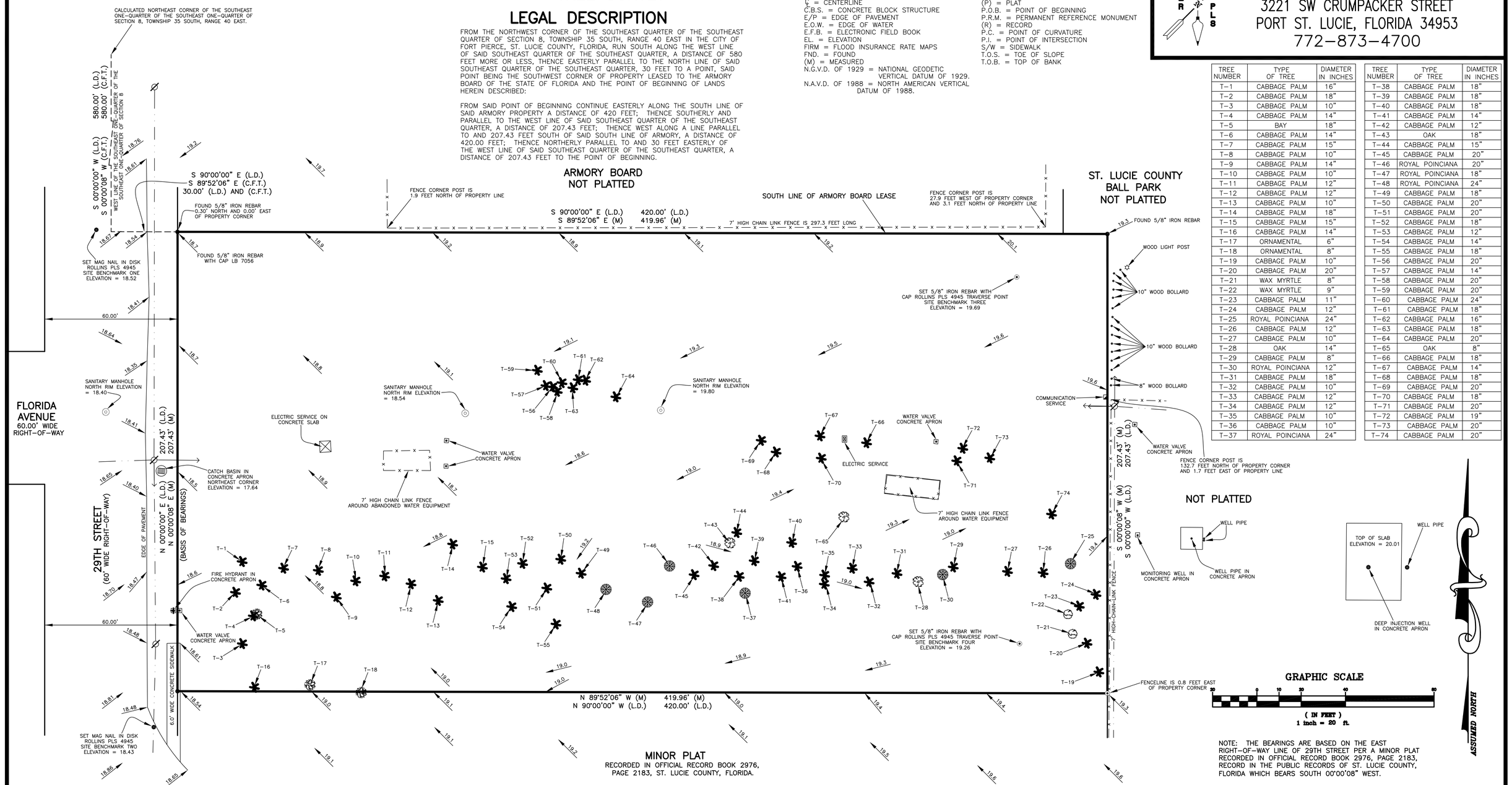
ABBREVIATIONS:

N.T.S. = NOT TO SCALE
O/S = OFFSET
P.C.P. = PERMANENT CONTROL POINT
(P) = PLAT
P.O.B. = POINT OF BEGINNING
P.R.M. = PERMANENT REFERENCE MONUMENT
(R) = RECORD
P.C. = POINT OF CURVATURE
P.I. = POINT OF INTERSECTION
S/W = SIDEWALK
T.O.S. = TOE OF SLOPE
T.O.B. = TOP OF BANK

ROLAND E. ROLLINS
PROFESSIONAL LAND SURVEYOR
3221 SW CRUMPACKER STREET
PORT ST. LUCIE, FLORIDA 34953
772-873-4700

TREE NUMBER	TYPE OF TREE	DIAMETER IN INCHES
T-1	CABBAGE PALM	16"
T-2	CABBAGE PALM	18"
T-3	CABBAGE PALM	10"
T-4	CABBAGE PALM	14"
T-5	BAY	18"
T-6	CABBAGE PALM	14"
T-7	CABBAGE PALM	15"
T-8	CABBAGE PALM	10"
T-9	CABBAGE PALM	14"
T-10	CABBAGE PALM	10"
T-11	CABBAGE PALM	12"
T-12	CABBAGE PALM	12"
T-13	CABBAGE PALM	10"
T-14	CABBAGE PALM	18"
T-15	CABBAGE PALM	15"
T-16	CABBAGE PALM	14"
T-17	ORNAMENTAL	6"
T-18	ORNAMENTAL	8"
T-19	CABBAGE PALM	10"
T-20	CABBAGE PALM	20"
T-21	WAX MYRTLE	8"
T-22	WAX MYRTLE	9"
T-23	CABBAGE PALM	11"
T-24	CABBAGE PALM	12"
T-25	ROYAL POINCIANA	24"
T-26	CABBAGE PALM	12"
T-27	CABBAGE PALM	10"
T-28	OAK	14"
T-29	CABBAGE PALM	8"
T-30	ROYAL POINCIANA	12"
T-31	CABBAGE PALM	18"
T-32	CABBAGE PALM	10"
T-33	CABBAGE PALM	12"
T-34	CABBAGE PALM	12"
T-35	CABBAGE PALM	10"
T-36	CABBAGE PALM	10"
T-37	ROYAL POINCIANA	24"

TREE NUMBER	TYPE OF TREE	DIAMETER IN INCHES
T-38	CABBAGE PALM	18"
T-39	CABBAGE PALM	18"
T-40	CABBAGE PALM	18"
T-41	CABBAGE PALM	14"
T-42	CABBAGE PALM	12"
T-43	OAK	18"
T-44	CABBAGE PALM	15"
T-45	CABBAGE PALM	20"
T-46	ROYAL POINCIANA	20"
T-47	ROYAL POINCIANA	18"
T-48	ROYAL POINCIANA	24"
T-49	CABBAGE PALM	18"
T-50	CABBAGE PALM	20"
T-51	CABBAGE PALM	20"
T-52	CABBAGE PALM	18"
T-53	CABBAGE PALM	12"
T-54	CABBAGE PALM	14"
T-55	CABBAGE PALM	18"
T-56	CABBAGE PALM	20"
T-57	CABBAGE PALM	14"
T-58	CABBAGE PALM	20"
T-59	CABBAGE PALM	20"
T-60	CABBAGE PALM	24"
T-61	CABBAGE PALM	18"
T-62	CABBAGE PALM	16"
T-63	CABBAGE PALM	18"
T-64	CABBAGE PALM	20"
T-65	OAK	8"
T-66	CABBAGE PALM	18"
T-67	CABBAGE PALM	14"
T-68	CABBAGE PALM	18"
T-69	CABBAGE PALM	20"
T-70	CABBAGE PALM	18"
T-71	CABBAGE PALM	20"
T-72	CABBAGE PALM	19"
T-73	CABBAGE PALM	20"
T-74	CABBAGE PALM	20"



BENCHMARK REFERENCE:
FOUND BRASS DISK IN CONCRETE STAMPED CORP OF ENGINEERS US ARMY SURVEY MARK Y 525 137.8 FEET NORTHEAST OF THE INTERSECTION OF OKEECHOBEE ROAD AND 29TH STREET, 20.3 FEET SOUTHEAST OF THE CENTERLINE OF THE WEST BOUND LANE OF OKEECHOBEE ROAD, 19.5 FEET NORTHWEST OF THE CENTERLINE OF OKEECHOBEE ROAD EAST BOUND LANE AND 3.3 FEET SOUTHWEST OF A CARSONITE WITNESS POST IN MEDIAN. ELEVATION = 17.749 NORTH AMERICAN VERTICAL DATUM OF 1988.

ELEVATIONS BASED ON N.A.V.D. OF 1988 AND SHOWN THUS 1.0

FLOOD ELEVATION INFORMATION

MAP NUMBER 12111C0178 J DATE OF FIRM FEB. 16, 2012
COMMUNITY NUMBER 120286 PANEL 0178
FIRM ZONE X SUFFIX J

ADDENDUM	FIELD BOOK	PAGE	DATE	BY	CHECKED
BOUNDARY SURVEY	E.F.B.		10/24/2014	R.E.R.	R.E.R.
TOPOGRAPHIC SURVEY	E.F.B.		10/24/2014	R.E.R.	R.E.R.

LEGEND:
- ⊙ = SET 5/8" IRON REBAR WITH CAP P.L.S. NUMBER 4945
- • = SET NAIL IN DISK P.L.S. NUMBER 4945 UNLESS OTHERWISE NOTED.
- ◎ = MANHOLE (M.H.)
- ▤ = CATCH BASIN (C.B.)
- ✦ = FIRE HYDRANT (F.H.)
- ▭ = WATER METER (W.M.)
- ⌀ = WOOD POWER POLE (WD. P.P.)
- ⌀ = CONCRETE POWER POLE (CONC. P.P.)
- → = ANCHOR AND GUY WIRE
- — · — = OVERHEAD WIRES
- ⌇ = NOT TO SCALE
- —X— = FENCELINE

NOTES:
1) LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS, OWNERSHIP AND/OR RIGHT-OF-WAYS OF RECORD.
2) NO UNDERGROUND OR INTERIOR IMPROVEMENTS WERE LOCATED EXCEPT AS NOTED.
3) LEGAL DESCRIPTION AS SUPPLIED BY CLIENT.
4) BUILDING TIES ARE 90° OR RADIAL TO THE PROPERTY LINE.
5) ALL EASEMENTS SHOWN ARE PER RECORD PLAT UNLESS OTHERWISE NOTED.

TRACT SQUARE FOOTAGE: 2.000± ACRES

SCALE: 1" = 20'

CERTIFICATIONS AS PROVIDED AND WORDED BY CLIENT:
CERTIFY TO:
1) CITY OF FORT PIERCE UTILITIES
2) NEW ALLIED TECHNOLOGIES

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

PLOT DATE AND TIME: 11/11/2014 10:20 AM EST

DATE OF LAST FIELD WORK: 10/24/2014

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON COMPLIES WITH MINIMUM TECHNICAL STANDARDS FOR SURVEYS AS CONTAINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO SECTION 472.027, FLORIDA STATUTES.

ROLAND E. ROLLINS DATE OF SIGNATURE
PROFESSIONAL LAND SURVEYOR
FLORIDA REGISTRATION NUMBER 4945

JOB NUMBER: RR141004

GENERAL NOTES

PROJECT NAME	**ALLIED NEW TECHNOLOGIES/ BRINE STORAGE TANK FACILITY**
OWNER	**FPUA (FORT PIERCE UTILITIES AUTHORITY)**
LEASE HOLDER	Chem Tex-Supply Corporation 8350 NW 93RD Street Miami, FL 33466-2026 Ph: (772) 337-9855
LOCATION	650 S. 29TH STREET, FORT PIERCE FL
CURRENT ZONING	R-4
FUTURE LAND USE	MC
CURRENT USE	VACANT
PIN#	2408-441-0003-0004

LEGAL DESCRIPTION :

FROM THE NORTHWEST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 8, TOWNSHIP 35 SOUTH, RANGE 40 EAST IN THE CITY OF FORT PIERCE, ST. LUCIE COUNTY, FLORIDA, RUN SOUTH ALONG THE WEST LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, A DISTANCE OF 580 FEET MORE OR LESS, THENCE EASTERLY PARALLEL TO THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER, 30 FEET TO A POINT, SAID POINT BEING THE SOUTHWEST CORNER OF PROPERTY LEASED TO THE ARMORY BOARD OF THE STATE OF FLORIDA AND THE POINT OF BEGINNING OF LANDS HEREIN DESCRIBED:

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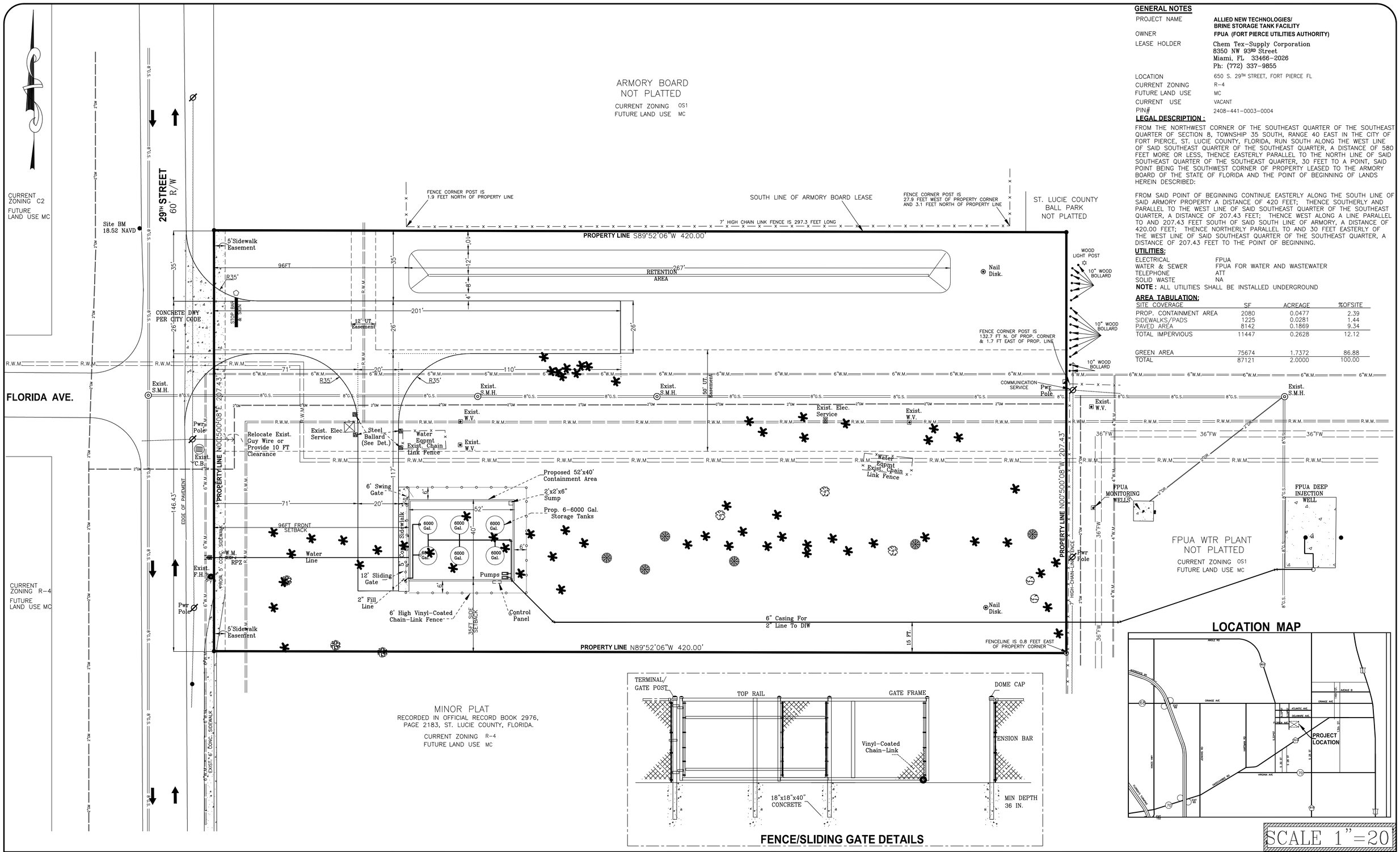
UTILITIES:

ELECTRICAL	FPUA
WATER & SEWER	FPUA FOR WATER AND WASTEWATER
TELEPHONE	ATT
SOLID WASTE	NA

NOTE : ALL UTILITIES SHALL BE INSTALLED UNDERGROUND

AREA TABULATION:

SITE COVERAGE	SF	ACREAGE	%OFSITE
PROP. CONTAINMENT AREA	2080	0.0477	2.39
SIDEWALKS/PADS	1225	0.0281	1.44
PAVED AREA	8142	0.1869	9.34
TOTAL IMPERVIOUS	11447	0.2628	12.12
GREEN AREA	75674	1.7372	86.88
TOTAL	87121	2.0000	100.00



MINOR PLAT
RECORDED IN OFFICIAL RECORD BOOK 2976, PAGE 2183, ST. LUCIE COUNTY, FLORIDA.

CURRENT ZONING R-4
FUTURE LAND USE MC

FENCE/SLIDING GATE DETAILS

LOCATION MAP

SCALE 1"=20

ABRAHAM CHABAB, Inc.
FL. BOARD OF PROF. ENG. AUTH.#26790
5428 NW EDGEWATER AVE
PORT ST. LUCIE FL. 34983

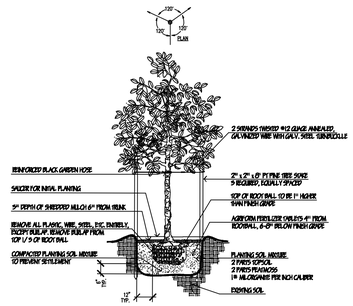
Email agchabab1@msn.com
Ph:772 878-5079/475-6630
Fax 772 785-8291

DRAWN BY	AC	REVISIONS	DATE
		City Staff Cmts	12/21/14
DESIGNED BY	AC		
DATE	10-26-14		

ALLIED NEW TECHNOLOGIES/ BRINE STORAGE TANK FACILITY

SITE PLAN

ABRAHAM CHABAB, PE
FL. LIC# 47165



TREE PLANTING DETAIL NTS

SHRUB / GROUNDCOVER PLANTING DETAIL NTS

GENERAL NOTES

PROJECT NAME	**ALLIED NEW TECHNOLOGIES/ BRINE STORAGE TANK FACILITY**
ONWER	**FPUA (FORT PIERCE UTILITIES AUTHORITY)**
LEASEE	Chem Tex-Supply Corporation 8350 NW 93RD Street Miami, FL 33466-2026 Ph: (772) 337-9855
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CURRENT ZONING	R-4
FUTURE LAND USE	MC
CURRENT USE	VACANT
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WATER & SEWER	FPUA FOR WATER AND WASTEWATER
TELEPHONE	ATT
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TOTAL IMPERVIOUS	11447	0.2628	12.12
GREEN AREA	75674	1.7372	86.88
TOTAL	87121	2.0000	100.00

ALL LANDSCAPE MATERIAL TO BE F.I.A. #1 OR BETTER
BAHIA SOD AS REQUIRED
MALALEUCA OR EUCALYPTUS MULCH (NO CYPRESS) AS REQUIRED TO 3" THICKNESS MINIMUM IN ALL PLANT BEDS
FULLY AUTOMATIC IRRIGATION SYSTEM TO PROVIDE 100% COVERAGE IN 15 MPH WIND
ALL PROHIBITED SPECIES SHALL BE REMOVED FROM SITE PRIOR TO ISSUANCE OF CERTIFICATE OF OCCUPANCY

SOD DISTURBED AREAS

MINIMUM TREE REQUIREMENTS

PERIMETER V.U.A. ADJACENT TO STREET ROW: 112 L.F. DIV. BY 30 = 4 TREES REQUIRED
ALL TREES PROVIDED

PERIMETER V.U.A. ADJACENT TO OTHER PROPERTY: 200 L.F. DIV. BY 20 = 10 TREES REQUIRED
ALL TREES PROVIDED

INTERIOR TREE REQUIREMENTS: 8948 S.F. V.U.A DIV. BY 15 = 597 S.F. REQUIRED
INTERIOR LANDSCAPE AREA PROVIDED EXCEEDS 1200 S.F.
597 DIV. BY 100 = 6 TREES REQUIRED
ALL TREES PROVIDED

MITIGATION

NO MITIGATION REQUIRED
10 SABAL PALMS TO BE RELOCATED ON SITE

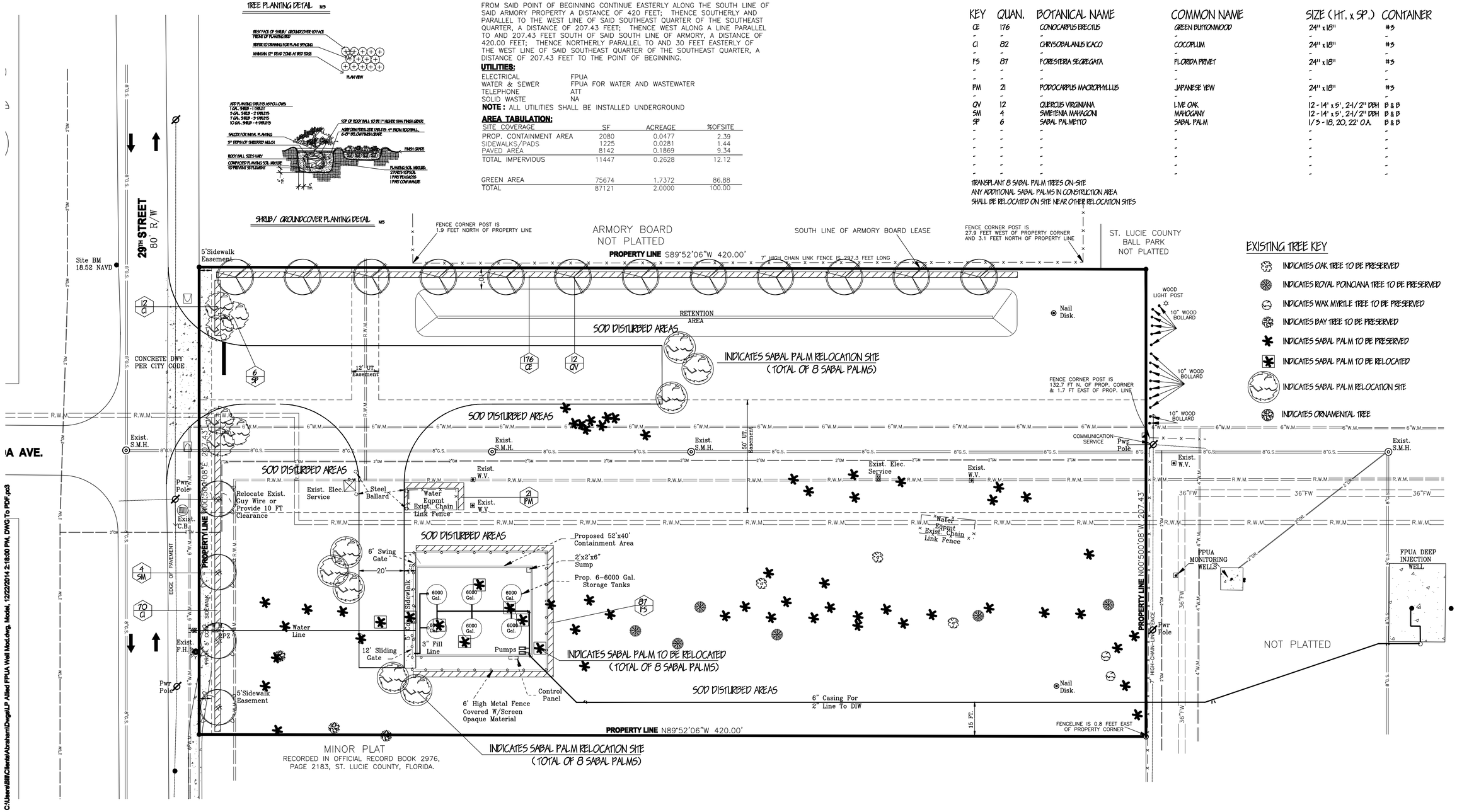
PLANT & MATERIAL SCHEDULE

KEY	QUAN.	BOTANICAL NAME	COMMON NAME	SIZE (HT. x SP.)	CONTAINER
CE	176	CONOCARPUS ERECTUS	GREEN BUTTONWOOD	24" x 18"	#5
-	-	-	-	-	-
CI	82	CHRYSOBALANUS ICACO	COCOPLUM	24" x 18"	#5
-	-	-	-	-	-
FS	87	FORESTERA SEGREGATA	FLORIDA PRIVET	24" x 18"	#5
-	-	-	-	-	-
-	-	-	-	-	-
PM	21	PODOCARPUS MACROPHYLLUS	JAPANESE YEW	24" x 18"	#5
-	-	-	-	-	-
QV	12	QUERCUS VIRGINIANA	LIVE OAK	12 - 14' x 5', 2-1/ 2" DBH	B & B
SM	4	SWIETENIA MAHAGONI	MAHOGANY	12 - 14' x 5', 2-1/ 2" DBH	B & B
SP	6	SABAL PALMETTO	SABAL PALM	1/ 3 - 18, 20, 22' O.A.	B & B
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-
-	-	-	-	-	-

TRANSPLANT 8 SABAL PALM TREES ON-SITE
ANY ADDITIONAL SABAL PALMS IN CONSTRUCTION AREA SHALL BE RELOCATED ON SITE NEAR OTHER RELOCATION SITES

EXISTING TREE KEY

- INDICATES OAK TREE TO BE PRESERVED
- INDICATES ROYAL POINCIANA TREE TO BE PRESERVED
- INDICATES WAX MYRTLE TREE TO BE PRESERVED
- INDICATES BAY TREE TO BE PRESERVED
- INDICATES SABAL PALM TO BE PRESERVED
- INDICATES SABAL PALM TO BE RELOCATED
- INDICATES SABAL PALM RELOCATION SITE
- INDICATES ORNAMENTAL TREE



MINOR PLAT
RECORDED IN OFFICIAL RECORD BOOK 2976, PAGE 2183, ST. LUCIE COUNTY, FLORIDA.

Date	Revision
	11.18.2014
	11.19.2014
	12.18.2014
	12.22.2014

William A. Flint, III
Landscape Architect
Stuart, FL
772.220.0424
FLA. Reg. #941
fax 772.220.8915

ALLIED NEW TECHNOLOGIES/ BRINE STORAGE TANK FACILITY
29TH STREET
FT. PIERCE, FL

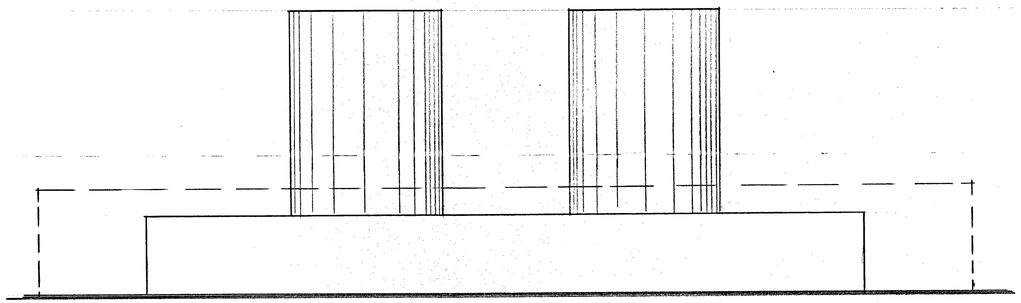
LANDSCAPE PLAN

DATE: 11.13.2014
DRAWN: WAF
CHECKED:
SCALE: 1" = 20'
PROJECT NO. 14-068

SEAL

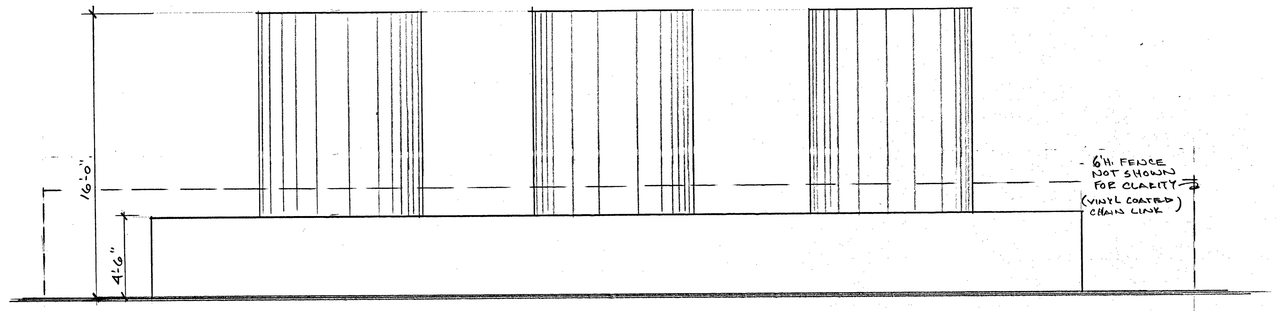
SHEET L1 OF 1

C:\Users\Bill\Clients\Abraham\Dwgs\LP Allied FPUA Well Mod.dwg, Model, 12/22/2014 2:16:00 PM, DWG To PDF.pc3



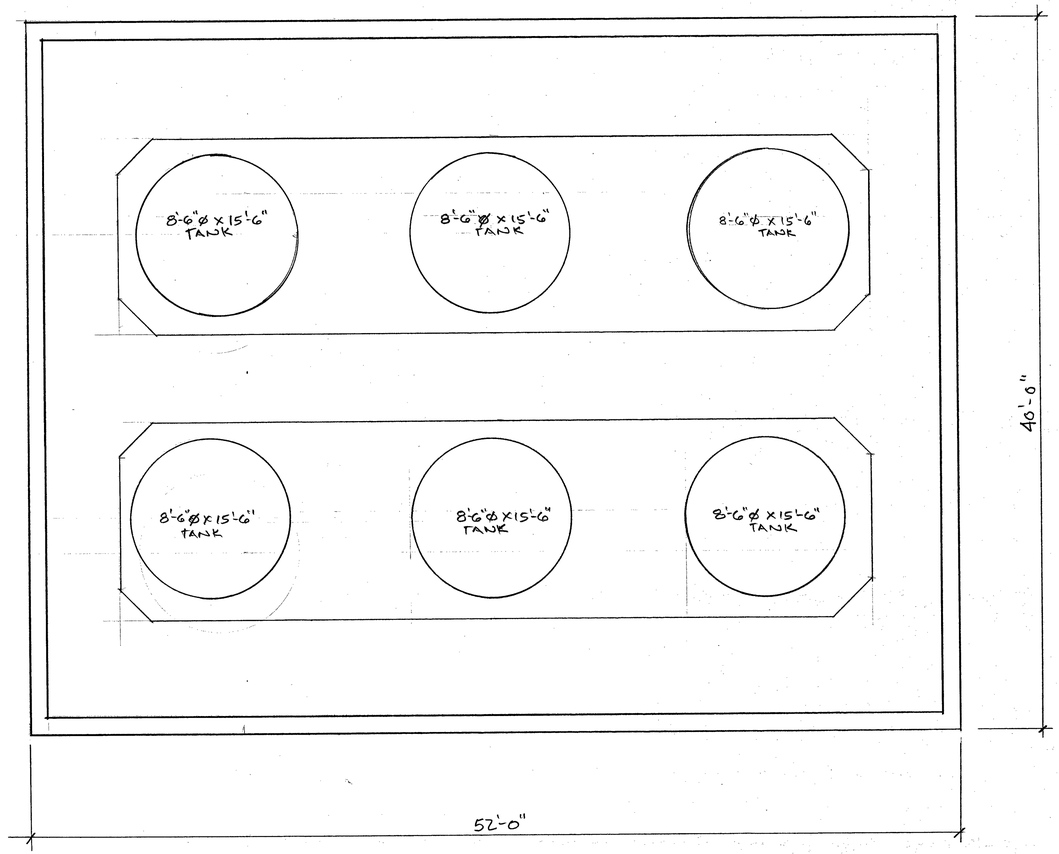
SIDE ELEVATION

1/4"



FRONT ELEVATION

1/4"



FLOOR PLAN

1/4"

11/20/14 COMP. USE
12/19/14 REVISED FENCE

ALLIED NEW TECHNOLOGIES / BRINE STORAGE TANK FACILITY
CITY OF FT. PIERCE, FLORIDA

PETER B. COOK

COOK & MENARD ARCHITECTURE INC.
STATE OF FLORIDA REGISTRATION NO. AA0003494
806 DELAWARE AVE. FT. PIERCE, FLORIDA 34950
PHONE: (772) 460-7751 FAX: (772) 460-4244

SHEET 1 OF ALLIED DEEP WELL

Technical Review Comments

Allied Well – Conditional Use & Site Plan

1. Planning Department
2. St. Lucie County Engineering
3. FPUA Water/Wastewater/Electric/Gas

4. TRC Minutes – Project Discussion

CITY OF FORT PIERCE

PLANNING DEPARTMENT

COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

December 17, 2014

Abraham Chabab, PE
5428 Edgewater Ave
Port St. Lucie, FL 34983

Re: ***Technical Review – Allied Well***
Site Plan & Conditional Use
650 S 29th Street

Dear Mr. Chabab,

The following are advisory comments from the Planning Department's review of the application for Site Plan & Conditional Use.

1) Please revise the General Notes on the Site Plan to reflect the accurate property owner, or alter the titel to leasee, as the City of Fort Pierce (FPUA) maintains ownership of the property. Furthermore, please list the City of Fort Pierce as the service provider for solid waste, unless other arrangements will be established.

2) The Site Plan presents the surrounding fence as a "6' high metal fence", while the elevation plans list the fence height at 8'. The gate detail presents a chain-link fence, which will need to be confirmed by the Planning Board, acting as the Design Review Board, for appropriateness. Staff recommends the presentation of vinyl-coated chain-link. Please provide additional clarification, or update the elevation note with regards to the proposed height.
   -City Code Section 22-67 (c)(2) Fences or walls, within the R-4 Zone, may be maintained along property lines or within the required yards, to a maximum height of six (6) feet above finished grade of the abutting parcel. The Planning Manager may consider the subject fence as a "security" fence due to the nature of the proposed facility, which may permit a fence of 8'.

3) Per City Code Section 22-61 (b) (3), the minimum driveway width for a two-way drive shall be 24'. The proposed plan presents a 20' driveway width to the west of the facility. Please advise whether this will have any two-functionality, or simply serve as a "turnaround" aisle to back vehicles or equipment to the tanks.

4) Per City Code Section 22-187 (6) a. Where a vehicular use area does not abut a street right-of-way but abuts other property, there will be a landscaped strip of land which is at least ten (10) feet wide. Such landscaping strip shall include an average of at least one tree for each two hundred (200) square feet of the required landscape area. The site currently holds numerous, existing, native trees which are noted to be relocated, please relocate a few of these between the vehicular use area and the eastern property line to comply with this requirement. Thank you for the presented efforts to preserve the existing trees on site.

5) Per City Code Section 22-60 (j) *Lighting.* (1) a. 1. Commercial, industrial and governmental uses require a minimum average of two (2) footcandles; Please revise the plan to meet this requirement prior to issuance of building permit. Staff can work with the applicant to determine the intended hours for operation of such lighting, based upon the proposed hours of operation, and code requirements.

Advisory

6) The plans propose various easements (utility & sidewalk). A legal sketch and description of this easement will need to be provided for review and recording, prior to issuance of a C/O.

7) The City of Fort Pierce has recently updated its noise ordinance, please review the new regulations and ensure your client is aware, and can remain in compliance with these restrictions.

If deemed necessary, please provide a written response to each comment in order to expedite the review of any subsequent submittals. Please contact me should you have any questions regarding the project at (772) 467-3739 or by e-mail: kbenton@city-ftpierce.com.

Sincerely,



Kori Benton
Historic Preservation Officer

Allied Deep Injection Well
650 29th Street
November 26, 2014
Site Plan / Conditional Use

St. Lucie County Public Works/Engineering Comments

1. Streets abutting the subject property are under the jurisdiction of the City of Ft. Pierce.
2. It is noted that the language within cover sheet indicated that this was a resubmittal. I have no record of a prior submittal under this name.
3. No objections to the proposed conditional use.

Ron Harris, PLS
County Surveyor
772 462-1721

Water / Wastewater Engineering

Project Tracking Form

Project Number: 20150100-1 **Job Description:** Allied - FPUA Deep Injection W

Address: 650 S. 29th Street **Project Description:**

Type	Recd	Needed	Rev	Eng App	Status	Comments	Ret	City/County	Sent To
SP	11/25/2014	12/09/2014	BH	BH	App w/c	see comments	12/09/2014	12/09/2014	
SP	12/16/2014	12/16/2014	JM	BH	App w/c	See comments	12/16/2014	12/16/2014	

Engineering Review

1st Submittal

Date Received: **To Coordinator:** **Invoice To Reviewer:**

Invoice Reviewer: **Reviewer Approved Invoice:**

Invoice To Client: **Invoice Payment Received:**

To Reviewer: **Reviewer:**

To Engineer: **Engineer Reviewing:**

Returned To Secretary: **Returned To Client:**

2nd Submittal

Date Received:

To Reviewer: **Initials:**

To Engineer: **Initials:**

To Secretary:

To Client:

3rd Submittal

Date Received:

To Reviewer: **Initials:**

To Engineer: **Initials:**

To Secretary:

To Client:

Comments:

W/WW Engineering: Engineer to schedule meeting with FPUA staff
Gas has no comments or conflicts
Electric & Fiber may have a few conflicts with existing utilities that we may need to address during the construction of the project.

Approval

Date Approved: **To Supervising Engineer:**

CITY OF FORT PIERCE
TECHNICAL REVIEW COMMITTEE

Minutes

OF THE REGULAR MEETING OF THE CITY OF FORT PIERCE TECHNICAL REVIEW COMMITTEE HELD ON THURSDAY, DECEMBER 18TH, 2014, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

I. Call to Order

Chairwoman Grohall called the meeting to order.

II. Pledge of Allegiance

The Pledge of Allegiance was recited.

III. Roll Call

The agencies attending: FP Code Enforcement, SLCTPO, SLC Planning Development, SLC Engineering, FPUA Electric , FP Planning , FPUA Water/Wastewater, FP Building, FP Engineering

Those agencies with no attending representation: FP Police, FP Public Works, SLC School District and SLCFD

IV. Approval of minutes

Motion was made by SLC Engineering and seconded by FPUA Water/Wastewater to approve the minutes from the November 20, 2014 meeting.

V. New Business:

A. **Conditional Use with No New Construction** – Transitional Housing for Veterans – 1309 N. 19th Street

Mr. Benton: The subject property used to operate as a boarding house for many decades. The applicant is requesting to renovate the structure utilizing it for a Veterans care facility. The majority of the work would be interior in addition to site work to supply the proper infrastructure and amenities specific to parking, lighting and landscaping for code compliance.

FP Planning:

1. Per Section 22-60(c)(1) of the City Code, requires that each parking space be nineteen (19) feet deep. The site plan does not indicate the depth of the parking spaces. Please specify.

4. The two-way driveway does not meet the minimum 24' width requirement as stipulated in the City of Fort Pierce Code of Ordinances, Section 22-61(b)(3).

5. Please add the appropriate curbing in order to comply with the requirements set forth in the City of Fort Pierce Code of Ordinances, Section 22-187(12)(d).

6. A 5' wide concrete sidewalk is required to be constructed the width of the property along 19th Street.

7. The plan reflects a fifty (50) foot right-of-way width for North 19th Street. The City of Fort Pierce has a minimum right-of-way width of 60 feet for local roads and therefore the applicant shall dedicate a 5 feet wide right-of-way easement along the existing 19th Street western right-of-way line. A sketch and description will need to be provided at the time of building permit submittal.

8. The site plan shall indicate the location of the stop sign and stop bar.

9. A conceptual drainage plan was not included in the submittal.

FP Public Works sent in comments: The dumpster pad is a 10' by 10'. The dumpster pad should be 12' by 12'.

Applicant: Mr. Harold asked questions and Kori responded.

The following departments had no comments: FP Code, SLC TPO, SLC Planning, FPUA Electric and FP Police sent in no comments.

B. **Conditional Use** – Allied Well – 650 S. 29th Street

Mr. Benton: Allied Well is coordinating with FPUA to prepare and install a water treatment deep injection well. They are proposing 6 tanks to be included in the facility.

FP Planning:

1. Please revise the General Notes on the Site Plan to reflect the accurate property owner, or alter the title to leasee, as the City of Fort Pierce (FPUA) maintains ownership of the property. Furthermore, please list the City of Fort Pierce as the service provider for solid waste, unless other arrangements will be established.

2. The Site Plan presents the surrounding fence as a "6' high metal fence", while the elevation plans list the fence height at 8'. The gate detail presents a chain-link fence, which will need to be confirmed by the Planning Board, acting as the Design Review Board, for appropriateness. Staff recommends the presentation of vinyl-coated chain-link. Please provide additional clarification, or update the elevation note with regards to the proposed height.
   City Code Section 22-67 (c)(2) Fences or walls, within the R-4 Zone, may be maintained

along property lines or within the required yards, to a maximum height of six (6) feet above finished grade of the abutting parcel. The Planning Manager may consider the subject fence as a "security" fence due to the nature of the proposed facility, which may permit a fence of 8'.

3. Per City Code Section 22-61 (b) (3), the minimum driveway width for a two-way drive shall be 24'. The proposed plan presents a 20' driveway width to the west of the facility. Please advise whether this will have any two-functionality, or simply serve as a "turnaround" aisle to back vehicles or equipment to the tanks.

4. Per City Code Section 22-187 (6) a. Where a vehicular use area does not abut a street right-of-way but abuts other property, there will be a landscaped strip of land which is at least ten (10) feet wide. Such landscaping strip shall include an average of at least one tree for each two hundred (200) square feet of the required landscape area. The site currently holds numerous, existing, native trees which are noted to be relocated, please relocate a few of these between the vehicular use area and the eastern property line to comply with this requirement. Thank you for the presented efforts to preserve the existing trees on site.

5. Per City Code Section 22-60 U) *Lighting.* (1) a. 1. Commercial, industrial and governmental uses require a minimum average of two (2) footcandles; please revise the plan to meet this requirement prior to issuance of building permit. Staff can work with the applicant to determine the intended hours for operation of such lighting, based upon the proposed hours of operation, and code requirements.

6. The plans propose various easements (utility & sidewalk). A legal sketch and description of this easement will need to be provided for review and recording, prior to issuance of a C/O.

7. The City of Fort Pierce has recently updated its noise ordinance, please review the new regulations and ensure your client is aware, and can remain in compliance with these restrictions.

SLC Engineering:

1. Streets abutting the subject property are under the jurisdiction of the City of Ft. Pierce.
2. It is noted that the language within the cover sheet indicated that this was a resubmittal. I have no record of a prior submittal under this name.
3. No objections to the proposed conditional use.

FP Engineering: Shift the proposed retention area 70 feet to the east as opposed to having it 25 feet off the right of way. The code states that the retention area should be located at the rear of the property not near the public right-of-way.

FP Building:

1. Is a containment wall being built around the tanks?

2. Is the slab an engineered slab?

3. Are the tanks pre-fab?

4. Is there a pump house within the containment wall?

FPUA Electric: There is an underground fiber optic cable that may need to be moved or avoided.

FPUA Water/Wastewater: Working with Allied Well for permitting

The following departments had no comments: FP Code, SLC Planning, SLC TPO, FP Police sent in no comments.

Applicant: Abraham Chabad, Civil Engineer, stated that this is a storage area for well water that will bring in an average of 3 tankers every day to load the tanks and gradually discharge the well water to the deep injection well they currently have on site. Mr. Chabab asked Mr. Benton questions and Mr. Benton responded.

C. **Updated Site Plan Configuration** – Artistry in Mosaics – 903 S. US Hwy 1

Mr. Benton: The complete site plan was not re-submitted so this item will be presented at the next meeting.

D. **Updated Site Plan & Landscape Plan** – Family Dollar Resubmittal – 1210 S. 25th Street

Mr. Benton: In the beginning of 2014, Family Dollar was provided a list of comments specific to the relocation of the building and some reconfiguration of drive aisles and parking areas. They have re-submitted a thorough response to the comments and updated plans accordingly.

FP Planning:

1. Please revise the site data within the Site Plan to reflect the current Zoning & Future Land Use Designation (C-2 / NC). The previous comment is no longer applicable, as the rezoning and FLU amendment were approved.

2. Please revise the Utility and Agency contacts to reflect the proper jurisdictions for the development in the City of Fort Pierce (i.e. City of Fort Pierce for Solid Waste).

3. Please advise as to the selection of Variety Store (LU 814) to render the proposed trip generation for the site, versus Free-standing Discount Store (LU 815), the proposed store is directly in line with LU 815. Furthermore, as the 2012 Traffic Counts and LOS report from the St. Lucie County TPO have been replaced by 2013 figures, please update the traffic analysis accordingly. It is noted that the figures have experienced minimal changes, with the exception of the V/C ratio.

City Commission Regular Meeting **Agenda Item # 10. b.**

Meeting Date: 02/02/2015

Re: Village At Midway - Annexation - 9850 Midway Road

SUBJECT:

Ordinance No. 15-001 Extending the territorial Limits of the City of Fort Pierce Florida to include property located at 9850 Midway Road, known as the Village At Midway. FIRST READING

SUMMARY:

Conduct the first reading, requesting approval of the annexation with comparable zoning and FLU designation and transmit the proposed annexations to DEO.

RECOMMENDATION:

Approval

ALTERNATIVES:

Approval with Conditions; Denial

RESPONSIBLE STAFF:

Clarissa Davis, Planner

COORDINATED WITH:

Rebecca Grohall, AICP, Planning Manager

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

Estimated Tax Revenue: $210, while currently vacant with an Ag Exemption.

Attachments

Staff Report
15-001 Exhibits
15-001
Location Map
Application
Cover Letter
Warranty Deed

Legal Description
Survey
CC&R's
Capacity Analysis

Form Review

Inbox	Reviewed By	Date
City Manager	Robert Bradshaw	01/27/2015 02:25 PM

Form Started By: Clarissa Davis Started On: 12/22/2014 03:34 PM
Final Approval Date: 01/27/2015

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: Annexation – Village at Midway

DATE: December 22, 2014

STAFF REPORT

Owner/ Applicant: Walton Acquisitions FL, LLC
4800 North Scottsdale Rd., Suite 4000
Scottsdale, Arizona 85251

Representative: Mark E. Jacobson
8390 Champions Gate Blvd., Suite 315,
Champions Gate, FL 33896

Requested Action: Approval of the proposed annexation with comparable zoning and FLU designations.

Location: 9850 Midway Road

Parcel Ids: 2334-340-0000-000-7

Current Zoning: AG-1, Agriculture / AG-2.5, Agriculture / PNRD, Planned Non-Residential Development

Current Future Land Use: AG-2.5, Agriculture / MXD, Mixed Use Development

Proposed Zoning: AG-1, Agriculture / AG-2.5, Agriculture / PUD, Planned Development

Proposed Future Land Use: MXD, Mixed Use Development

Surrounding Zoning/FLU:

North	East	South	West
AG-2.5 (County)/ AG-2.5	PNRD-AG 2.5/	n/a	AG 2.5 (County)/ AG 2.5

Parcel(s) Size: 116.61 acres

Staff Analysis:

The applicant is requesting the approval to annex the property located at 9850 Midway Road (parcel number 2334-340-0000-000-7). Staff has confirmed that the property is located within an unincorporated part of St. Lucie County and is contiguous to the Fort Pierce City municipal boundary.

Currently, the property has an overlapping zoning of AG-1, Agriculture, AG-2.5, Agriculture, and PNRD, Planned Non-Residential Development within St. Lucie County. The parcel will receive comparable zoning of AG-1, Agriculture, AG-2.5, Agriculture and PUD, Planned Unit Development. The Future Land Use will be comparable to the St. Lucie County Future Land Use designation of MXD, Mixed Use Development which will be applied to the entire parcel. Historically, the City of Fort Pierce will keep the zoning or Future Land Use of the County in the unique circumstance where the City does not have a comparable designation established. This parcel is included in a future proposal to amend the zoning designation along with a number of other parcels abutting in hopes to establish a uniform '*PD, Planned Development'* zoning once such zoning is codified. This proposal will be heard at a later date.

The property is within the St. Lucie County Utilities service area and encroaches upon the Urban Service Boundary; however, if St. Lucie County cannot service the property, FPUA will consider serving them directly. Staff will coordinate with the applicant and the County to discuss shifting the Urban Service Boundary to include the entire parcel.

TRC Comments:

FPUA Water/Wastewater: Within bulk area which is served by St. Lucie County Utilities. FPUA will look into serving parcel directly if St. Lucie County Utilities is not able to serve.

FPUA Electric: Parcel is within FPL territory.

Other departments supplied no comment.

Comprehensive Plan

Consistent with Objective 1.11and Policies, 1.11.5 and 1.11.6 of the City Comprehensive Plan, the City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery.

Properties annexed shall receive a future land use designation compatible with the SLC future land use designation assigned, unless otherwise approved by the City Commission. In addition, general City policy is that annexed properties shall receive a zoning classification consistent with the SLC

zoning classification; if the City Code does not provide such a classification, the SLC classification will remain until the request is made by the property owner for a zoning change to a City classification.

Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities and the elimination of the municipal boundary irregularities to improve service delivery.

Planning Board Recommendation:

At the December 9th, 2014 meeting, the Planning Board gave a recommendation of **approval.**

Staff Comments:

Staff recognizes that services may be provided by St. Lucie County Utilities, with FPUA Water/Wastewater willing to provide services if needed. As the proposed annexation meets the above standards, staff recommends that the City Commission **approve** the annexation application.

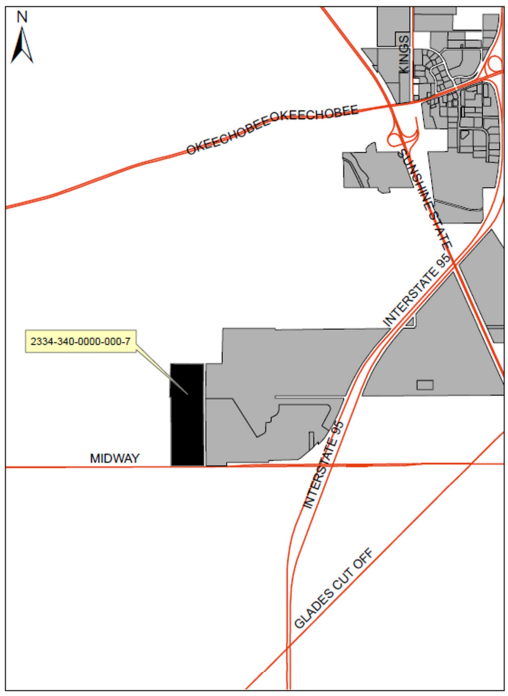
EXHIBIT A to ORDINANCE No. 15-001

Parcel ID and Legal Description of Parcel Included in Annexation

Parcel ID: 2334-340-0000-000-7
Legal Description: 34 35 39 SE 1/4 OF SW 1/4-LESS E 39 FT FOR CANAL R/W-AND E 1/2 OF NW 1/4
OF 3 36 39- LESS RD R/W AS IN OR 44-447 AND LESS E 39 FT FOR CANAL R/W-(116.61 AC -
5,079,532 SF) (OR 3589-1086: 3629- 630 thru 750, 858 thru 1164, 1904 thru 2270: 2345 thru 2997; 3630-1 thru 235, 317 thru 479; 485 thru 587; 593 thru 695; 701 thru 1206; 1212 thru 1452; 1500 thru 1590; 3633-
2001thru 2295; 3634-614 thru 956; OR 3640 954 thru 1470; 2509 thru 2581; 2593 thru 2977 ; 3641- 899 thru
1205; 1605 thru 2859; 3642-2688 thru 2916; 3643-77 thru 251; 3645-1347 thru 1485; 1768 thru 1876 ; 2132 thru 2396 ; 3647-2082, thru 2196 ; 3648 - 360 thru 456 ; 3655-808 thru 910 ; 1000 thru 1072 ; 1168 thru
1174,1180 thru 1288 ; 1302 thru 1344 ; 1490 thru 1616 ; 3661-1515 thru 1605 ; 3664-916 thru 922 thru 988 ;
1032 thru 1122 ; 3670-2079 thru 2163 ; 3672 - 962 thru 1016 ; 3672 - 1037 ; 3681-1069 thru 1081)

EXHIBIT B to ORDINANCE No. 15-001

Location Map

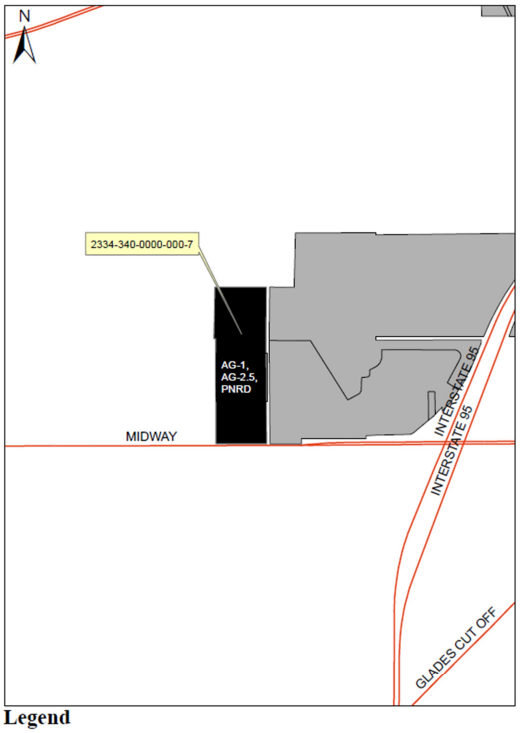


Legend

Annexed Parcel

City Limits

Current Zoning Map



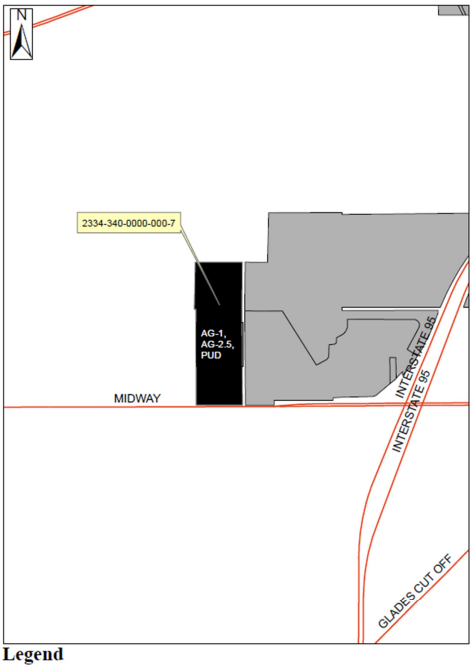
Legend

Annexed Parcel

City Limits

EXHIBIT B to ORDINANCE No. 15-001

Proposed Zoning Map

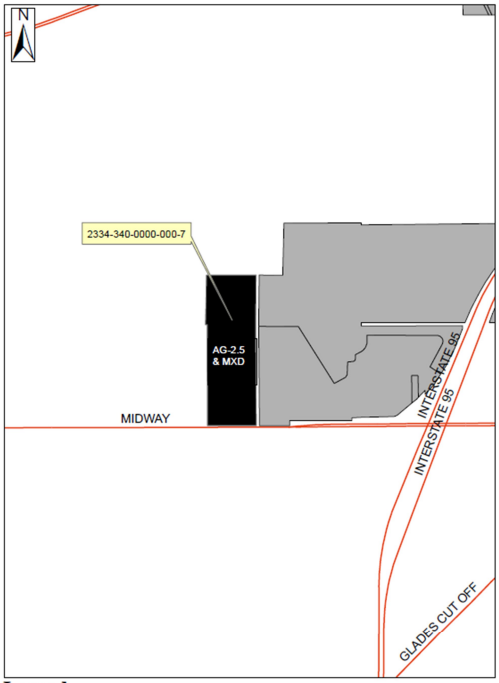


Legend

Annexed Parcel

City Limits

Current FLU Map



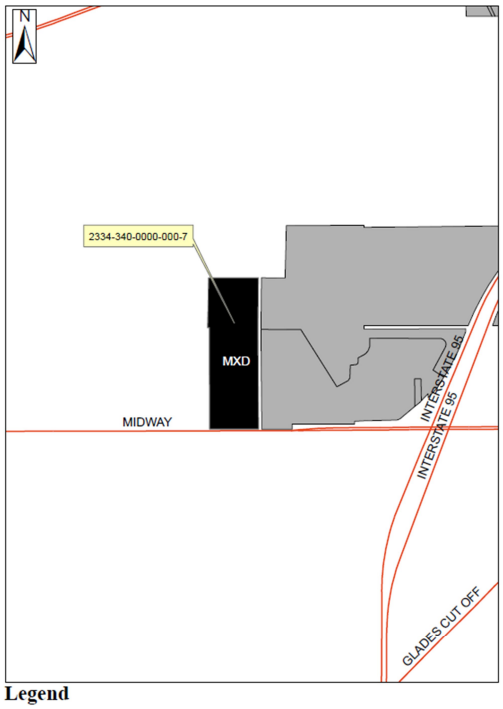
Legend

Annexed Parcel

City Limits

EXHIBIT B to ORDINANCE No. 15-001

Proposed FLU Map

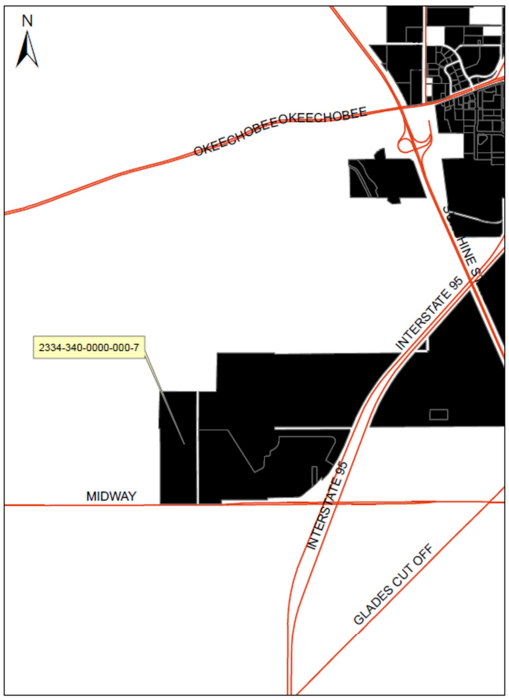


Legend

Annexed Parcel

City Limits

City Limits After Annexation



Legend

City Limits

ORDINANCE NO. 15-001

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTIES LOCATED AT 9850 MIDWAY ROAD, SHOWN ON EXHIBIT A; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2015; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ESTABLISHING THE ZONING DESIGNATION; ESTABLISHING THE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWTIH; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF.

WHEREAS, Part I, Chapter 171, Florida Statutes, set forth a procedure for Municipal Annexation;

WHEREAS, in Chapter 171.044 F.S., the owner or owners of real property in an unincorporated area of a county which is contiguous to a municipality and reasonably compact may petition the governing body of said municipality that said property be annexed to the municipality, and;

NOW, THEREFORE BE IT ORDAINED BY THE CITY COMMISION OF THE CITY OF FORT PIERCE, FLORIDA:

SECTION 1. The territorial limits of the City of Fort Pierce, Florida, be and they are hereby extended to annex to the said City:

a) 9850 Midway Road, Parcel ID 2334-340-0000-000-7

Legal Description:

1. THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY;
2. THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 3, TOWNSHIP 36 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY AND LESS MIDWAY ROAD RIGHT-OF-WAY AS SET FORTH IN OFFICIAL RECORDS BOOK 44, PAGE 447, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA

SECTION 2. That the St. Lucie County Property Appraiser and the St. Lucie County Tax Collector are directed to place upon and add to the assessment roll, and to collect taxes on the land described in Exhibit A hereof as of January 1, 2015 and subsequent years, and to enter the same at such valuation that it will bear an equal and just proportion of taxes as of that date and subsequent years.

SECTION 3. That the City Clerk shall cause notice of this annexation to be published once each week for two consecutive weeks prior to final passage in the St. Lucie Tribune in Fort Pierce, Florida.

SECTION 4. That upon this ordinance becoming effective, the land herein described on Exhibit A and annexed to the territorial limits of the City of Fort Pierce shall be zoned AG-1, Agriculture, AG-2.5, Agriculture and PUD, Planned Unit Development, and assigned the Fort Pierce future land use designation MXD, Mixed Use Development, as shown on Exhibit B; and the property will be assigned a City zoning

classification in accordance with the zoning Ordinance of the City of Fort Pierce, Florida, before the commencement of development activity in the City.

SECTION 5. All ordinances or parts thereof that may be determined to be in conflict herewith are hereby repealed.

SECTION 6. This Ordinance shall be and become effective immediately upon final passage.

Approved as to Form and Correctness:

_____
Robert V. Schwerer, City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY) SS

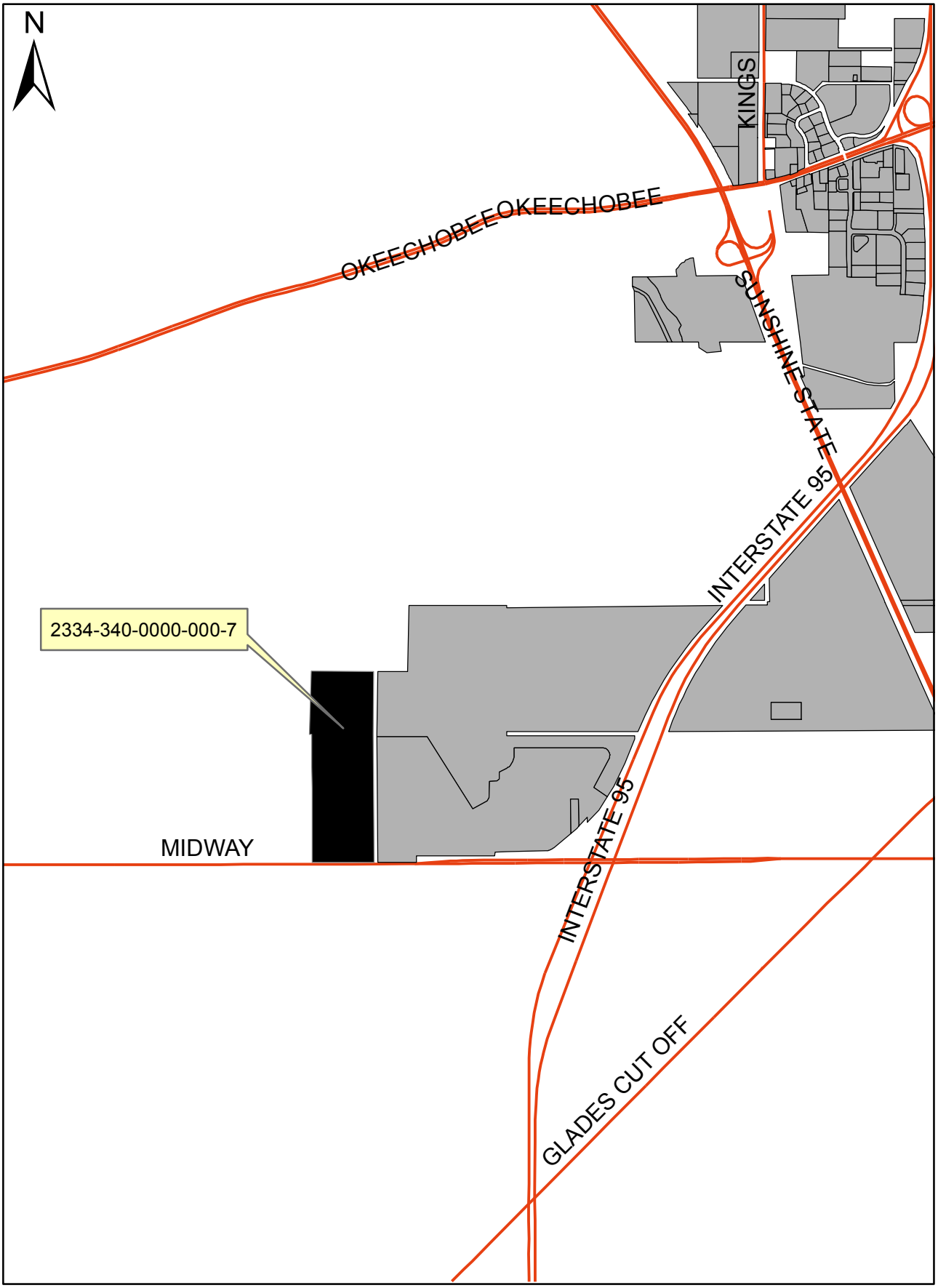
WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 15-001 was duly advertised in accordance with Section 171.044(2) of the Florida Statues in the St. Lucie News Tribune on January 26, 2015, and on _____; copy of said Ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida on February 2, 2015; and was duly introduced, read by title only and passed on second and final reading on _____, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the ____ day of _____, 2015.

_____
Mayor Commissioner

_____
Linda W. Cox, City Clerk

(CITY SEAL)



Legend

- Annexed Parcel
- City Limits

CITY OF FORT PIERCE

PLANNING DEPARTMENT

COMPREHENSIVE PLANNING · DEVELOPMENT REVIEW
HISTORIC PRESERVATION · URBAN DESIGN · URBAN FORESTRY · ZONING

APPLICATION FOR ANNEXATION

Annexation applications will require the adoption of an ordinance which will require a public meeting before the Planning Board and two public hearings before the City Commission.

Application submission shall include the following:

- **TRC** (*Initial Submission): One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board**: One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **City Commission**: One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- Warranty Deed
- Current Survey (completed within the last 12 months)

1. Address: N/A
2. Legal description of real property for which annexation is being requested:
   See Attached

   Property Tax ID: 2334 - 340 - 0000 - 000 - 7
3. Size of described property: 116.6 Ac
4. Project description: _____
5. Current St. Lucie County Future Land Use Designation: MXD / AG-2.5
6. Current St. Lucie County Zoning: AG-2.5 / AG-1 / PNRD
7. Is this a Historic property? NO
8. Appraised value: $492,030 (2013 before Ag Credit)
9. Name of Owner(s): Walton Acquisitions FL, LLC

   Signature of Owner(s): x Wayne Chaya / [signature] EACH AN AUTHORIZED SIGNATORY OF THE OWNER'S MANAGER
   Mailing Address: 8390 CHAMPIONSGATE BLVD., SUITE 315
   City CHAMPIONSGATE State FL Zip 33896
   Phone 727-744-7283 Fax _____

10. Name of Representative: Mark E. Jacobson, Senior Planning & Development Manager

Signature of representative: [signature]

Mailing Address: 8390 Champions Gate Blvd., Suite 315

City) ChampionsGate State FL Zip 33896

Phone 727.744.7283 Fax _____

E-mail: Mjacobson@wallton.com

OFFICE USE:		
DATE RECEIVED: _____	Signed: _____	
File Number: _____	Check No: _____	Receipt No: _____
TRC Review: _____	Planning Board Review: _____	City Commission: _____
Ordinance No: _____	Date Approved: _____	

lucido&associates

September 30, 2014

Rebecca Grohall, AICP
Planning Manager, City of Fort Pierce
City Hall
100 N US 1
Fort Pierce, FL 34950

Re: Village at Midway – Application for Annexation
Our Reference Number: 14-290
Parcel ID Number: 233434000000007

Dear Ms. Grohall,

It is with great pleasure that on behalf of ***Walton Acquisitions FL, LLC*** ("Walton"), ***Lucido & Associates*** presents to you on the attached Application for Annexation for 116.6 ac. (mol) of land lying north of Midway Road and west of I-95 in St. Lucie County, more particularly described in the attached legal description.

Walton controls approximately 404.9 ac. of land immediately east of and adjacent to the proposed lands to be annexed; this 404.9 ac. of land is currently within the limits of the City of Fort Pierce. The purpose of the proposed annexation is to bring into the City of Fort Pierce all lands under the control of Walton for the purposes of potential future development.

The existing future land use designation of the subject land is MXD (Mixed Use Development) and AG-2.5 (Agricultural – 1 unit per 2.5 acres); existing zoning designation is AG-2.5 (Agricultural - 1 unit per 2.5 acres), AG-1 (Agricultural – 1 unit per acre) and PNRD (Planned Non-residential Development).

The existing future land use designation of the adjacent 404.9 ac. of land under the control of Walton is MXD (Mixed Use Development - 15 DU/ac. max); existing zoning designation is AG-2.5 (Agricultural – 1 unit per 2.5 ac. (St. Lucie County designation)).

Walton is the controlling entity of the entire 521.5 ac. (mol) of land with plans to potentially develop all of the lands under a unified planned development master plan; therefore, it is requested that the 116.6 ac. (mol) of land covered under this application be assigned the MXD future land use designation and PD (Planned Development) zoning designation concurrent with annexation. It is understood the City is currently in the process of drafting a PD (Planned Development) zoning district, which would replace the PUD zoning district; when this new PD district is formally adopted by the City it is requested that the PD zoning designation be assigned to the newly annexed lands.

In summary, it is the request of the applicant to voluntarily annex approximately 116.6 ac. (mol) of land into the City of Fort Pierce and for said land to be assigned the MXD future land use designation and PD zoning designation concurrent with annexation.

Again, it is our pleasure to submit to you the proposed annexation and we greatly look forward to being incorporated into the great City of Fort Pierce. Should you have any questions or concerns, please do not hesitate to contact me directly.

Respectfully,

Brian Nolan, ASLA, APA
Senior Project Manager

C/c: file
Mark Jacobson – Walton Acquisitions FL, LLC
Chris Forbes – Walton Acquisitions FL, LLC
Howard Ehrsam – Bowman Consulting

This instrument was prepared by:

Richard G. Cherry, Esquire
Cherry, Edger & Smith, P.A.
8409 N. Military Trail, Suite 123
Palm Beach Gardens, FL 33410

Upon recording, this instrument should be returned to:

c/o Walton International Group (USA), Inc.
4800 North Scottsdale Road, Suite 4000
Scottsdale, Arizona 85251
Attn: Todd Hall, Esq.

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 3908898 12/19/2013 at 03:29 PM
OR BOOK 3589 PAGE 1086 - 1088 Doc Type: DEED
RECORDING: $27.00
D DOC STAMP COLLECTION: $9800.00

Property Control No.: 2334-340-0000-000-7
3303-210-0000-000-4

SPECIAL WARRANTY DEED

THIS INDENTURE is made this 19th day of December, 2013, between SB FLORIDA CRE HOLDINGS, LLC, a Florida limited liability company ("Grantor"), whose address is 5310 E SR 64, Bradenton, FL 34208, and WALTON ACQUISITIONS FL, LLC, a Florida limited liability company ("Grantee"), whose address is c/o Walton International Group (USA), Inc., 4800 North Scottsdale Road, Suite 4000, Scottsdale, Arizona 85251;

W I T N E S S E T H:

That the said Grantor, for and in consideration of the sum of Ten and No/100 Dollars ($10.00), to it in hand paid by the said Grantee, the receipt and sufficiency of which are hereby acknowledged, has granted, bargained and sold to the said Grantee, its heirs, legal representatives, successors and assigns forever, the following described land (the "Land"), situate, lying and being in the County of St. Lucie, State of Florida:

See Exhibit "A" attached hereto and by this reference made apart hereof.

together with all tenements, hereditament, and appurtenances of Grantor belonging or in any wise appertaining to the Land (collectively, the "Property"), subject to the following permitted encumbrances (the "Permitted Encumbrances"):

1. Real estate taxes for the current year and subsequent years;

2. Easements, covenants, conditions, restrictions and reservations of record, reference to which shall not operate to reimpose same;

3. Encroachments, overlaps, boundary line disputes, and any other matters which would be disclosed by an accurate survey and inspection of the premises, and

easements or claims of easements not shown by the public records;

4. Laws, codes, rules and regulations of any governmental authority having jurisdiction over the Property.

To have and to hold the Property in fee simple forever.

Except as set forth in the Permitted Encumbrances, the said Grantor does hereby fully warrant the title to said Property, and will defend the same against the lawful claims of all persons claiming by, through or under the Grantor, but against none other.

IN WITNESS WHEREOF, the said Grantor has caused this instrument to be executed in his/hers/its name, the day and year first above written.

Signed, sealed and delivered in the presence of:

Brenda Gallivan
Print Name Brenda Gallivan

Richard G. Cherry
Print Name Richard G. Cherry

SB FLORIDA CRE HOLDINGS, LLC, a Florida limited liability company

By: IB SPE Management, Inc., a Delaware corporation, its sole Manager

By: _____
Jason Block, Authorized Representative

STATE OF FLORIDA

COUNTY OF PALM BEACH

The foregoing instrument was acknowledged before me this 18 day of December, 2013, by Jason Block, the Authorized Representative of IB SPE Management, Inc., a Delaware corporation, in its capacity as the sole manager of SB FLORIDA CRE HOLDINGS, LLC, a Florida limited liability company, on behalf of the company and corporation. He (*check one*) ☒ is personally known to me, or ☐ has produced a valid driver's license as identification.

BRENDA J. GALLIVAN
MY COMMISSION # EE 060636
EXPIRES: January 31, 2015
Bonded Thru Notary Public Underwriters

Brenda J. Gallivan
Print Name: _____
Notary Public, State and County Aforesaid
My Commission Expires: _____
Commission Number: _____

Exhibit "A"

PARCEL 1:

THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

PARCEL 2:

THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 3, TOWNSHIP 36 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT OF-WAY AND LESS MIDWAY ROAD RIGHT-OF-WAY AS SET FORTH IN OFFICIAL RECORDS BOOK 44, PAGE 447, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ST. LUCIE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

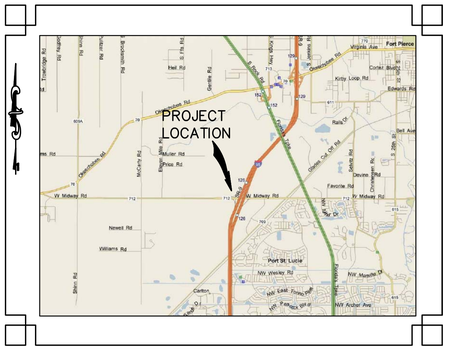
PARCEL 1:
THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

CONTAINING 1,701,018 SQUARE FEET OR 39.05 ACRES, MORE OR LESS.

PARCEL 2:
THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 3, TOWNSHIP 36 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY AND LESS MIDWAY ROAD RIGHT-OF-WAY AS SET FORTH IN OFFICIAL RECORDS BOOK 44, PAGE 447, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

CONTAINING 3,378,514 SQUARE FEET OR 77.56 ACRES, MORE OR LESS.

ALTA/ACSM LAND TITLE SURVEY
WALTON ACQUISITIONS FL., LLC
LYING IN A PORTIONS OF SECTIONS 3 AND 34, TOWNSHIP 35 & 36 SOUTH, RANGE 39 EAST
SAINT LUCIE COUNTY, FLORIDA



LOCATION MAP

NOT TO SCALE

LEGAL DESCRIPTION:

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ST. LUCIE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:
THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

CONTAINING 1,701,018 SQUARE FEET OR 39.05 ACRES, MORE OR LESS.

PARCEL 2:
THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 3, TOWNSHIP 36 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY AND LESS MIDWAY ROAD RIGHT-OF-WAY AS SET FORTH IN OFFICIAL RECORDS BOOK 44, PAGE 447, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

CONTAINING 3,378,514 SQUARE FEET OR 77.56 ACRES, MORE OR LESS.

ALTA COMMITMENT
FIRST AMERICAN TITLE INSURANCE COMPANY
SCHEDULE B - SECTION II
TITLE COMMITMENT: FILE NO. 5011612-NCS-641890-PHX1, EFFECTIVE DATE: DECEMBER 19TH, 2013.

Schedule B of the policy or policies to be issued will contain exceptions to the following matters unless the same are disposed of to the satisfaction of the Company:

1. Defects, liens, encumbrances, adverse claims or other matters, if any, created, first appearing in the Public Records or attaching subsequent to the Effective Date but prior to the date the proposed insured acquires for value of record the estate or interest or mortgage thereon covered by this Commitment.
NOT A SURVEY ITEM.

2. Any rights, interests, or claims of parties in possession of the land not shown by the public records.
NONE APPARENT.

3. Any encroachment, encumbrance, violation, variation or adverse circumstance affecting the Title that would be disclosed by an accurate and complete land survey of the land.
SEE SURVEY NOTE #9.

4. Any lien, for services, labor, or materials in connection with improvements, repairs or renovations provided before, on, or after Date of Policy, not shown by the public records.
NOT A SURVEY ITEM.

5. Any dispute as to the boundaries caused by a change in the location of any water body within or adjacent to the land prior to Date of Policy, and any adverse claim to all or part of the land that is, at Date of Policy, or was previously under water.
THIS PARCEL OF LAND DOES NOT ABUT ANY NAVIGABLE RIVERS OR STREAMS. THERE ARE DRAINAGE CANALS ADJACENT TO THE PROPERTY BOUNDARY.

6. Taxes or special assessments not shown as liens in the public records or in the records of the local tax collecting authority, at Date of Policy.
NOT A SURVEY ITEM.

7. Any minerals or mineral rights leased, granted or retained by current or prior owners.
NOT A SURVEY ITEM.

8. Taxes and assessments for the year 2013, which are not yet due and payable, but not yet delinquent.
NOT A SURVEY ITEM.

9. 200-foot easement in favor of Florida Power & Light Company as described in that certain Order of Taking recorded in Book 377, Page 2069 as affected by Book 564, Page 15 and Stipulated Judgment - Parcel 49 recorded in Book 582, Page 2901 and Book 616, Page 1590.
THIS IS A FLORIDA POWER & LIGHT COMPANY EASEMENT - NO BUILDINGS OR STRUCTURES ALLOWED. AFFECTS THE PROPERTY AS SHOWN.

10. The terms, provisions and conditions contained in that certain Ordinance No. 95-039 establishing a "Library Impact Fee" recorded in Book 981, Page 1615; Book 992, Page 2862, and as amended in Book 1301, Page 2302.
THESE ORDINANCES CREATE AND AMEND ST. LUCIE COUNTY LIBRARY IMPACT FEES. THIS IS NOT A SURVEY MATTER.

11. The terms, provisions and conditions contained in that certain Resolution 01-012 regarding granting a preliminary planned nonresidential development recorded in Book 1389, Page 1236, and amended in Book 1403, Page 2281.
THIS IS A RESOLUTION GRANTING A PRELIMINARY PLANNED NONRESIDENTIAL DEVELOPMENT AND CHANGE OF ZONING. AFFECTS PARCEL 1 AND PARCEL 2 AS SHOWN.

12. The terms, provisions and conditions contained in that certain Preliminary Development Agreement for the Provences Development of Regional Impact recorded in Book 2399, Page 1777.
THIS IS AN AGREEMENT BETWEEN WILLOW LAKE LLC, RED RIVER PROPERTIES LLC AND THE DEPARTMENT OF COMMUNITY AFFAIRS (STATE OF FLORIDA) WHICH DISCUSSES DEVELOPMENT PLANS FOR PARCEL 2. AFFECTS PARCEL 2 AS SHOWN.

13. The terms, provisions and conditions contained in that certain Provences Developer's Agreement recorded in Book 2956, Page 2462.
THIS IS AN AGREEMENT BETWEEN MIDWAY PROPERTIES, RED RIVER, AND WILLOW LAKES WHICH DISCUSSES THE COSTS, DEDICATION OF LANDS, AND ALSO CONVEYANCE OF ANY PROPERTIES. HOWEVER, THE LEGAL DESCRIPTIONS ARE NOT COMPLETE AND THE LANDS IT AFFECTS CANNOT BE PLOTTED.

14. The terms, provisions and conditions contained in that certain Lease as referenced by that certain Lease for Grazing of Cattle recorded in Book _____, Page _____.
AFFECTS PARCEL 1 AND PARCEL 2 AS SHOWN.

15. Terms and conditions of any existing unrecorded lease(s), and all rights of lessee(s) and any parties claiming through the lessee(s) under the lease(s).
SEE TITLE EXCEPTION #14.

16. Any facts, rights, interests or claims that may exist or arise by reason of the following matters disclosed by an ALTA/ACSM survey made by Creech Engineers, Inc. on December 4, 2013, designated Job Number 13184.00:
Overhead utilities along West boundary line without an apparent easement thereto.

SURVEYOR'S NOTES:

1. THIS IS AN ALTA BOUNDARY AND TOPOGRAPHIC SURVEY AS DEFINED IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE. THE BOUNDARY SURVEY SHOWN HEREON WAS PREPARED IN ACCORDANCE WITH THE 2011 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS AND INCLUDE ITEMS 1, 3, 4, 6A, 8, 10(A), 10(B), 11B, 13, 14, 16, 17, 18, 19, 20A, 20B, AND 21 OF THE ALTA STANDARDS OUTLINED WITHIN TABLE "A" AND WAS PERFORMED IN ACCORDANCE WITH THE "ACCURACY STANDARDS FOR LAND TITLE SURVEYS", AS ADOPTED BY THE AMERICAN CONGRESS ON SURVEYING AND MAPPING, THE NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS, AND THE AMERICAN LAND TITLE ASSOCIATION. SAID BOUNDARY SURVEY WAS PREPARED UTILIZING FIRST AMERICAN TITLE INSURANCE COMPANY COMMITMENT NO. 5011612-NCS-641890-PHX1, EFFECTIVE DATE DECEMBER 19, 2013. NO SEARCH OF THE PUBLIC RECORDS WAS PERFORMED BY THIS OFFICE.

IN REFERENCE TO TABLE "A" ITEM 10(A) & 10(B): THIS ITEM IS NOT APPLICABLE TO THIS SURVEY.
IN REFERENCE TO TABLE "A" ITEM 11(B): ABOVE GROUND EVIDENCE OF UTILITIES WAS SURVEYED, NO UTILITY PLANS WERE PROVIDED TO THIS OFFICE.
IN REFERENCE TO TABLE "A" ITEM 14: PARCEL 2 LIES ADJACENT TO COUNTY ROAD NO. 712 (MIDWAY ROAD).
IN REFERENCE TO TABLE "A" ITEM 16: NO EVIDENCE OF EARTHWORK WAS OBSERVED
IN REFERENCE TO TABLE "A" ITEM 17: NO PROPOSED CHANGES IN STREET RIGHTS-OF-WAY WERE PROVIDED TO THIS OFFICE.
IN REFERENCE TO TABLE "A" ITEM 18: NO EVIDENCE OF A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL WAS OBSERVED.
IN REFERENCE TO TABLE "A" ITEM 20(A): MULTIPLE FPL TRANSMISSION LINES AS SHOWN HEREON.
IN REFERENCE TO TABLE "A" ITEM 20(B): NO MONUMENTATION WAS SET FOR OFFSITE EASEMENTS.

2. THE BEARINGS SHOWN HEREON ARE DEED BEARINGS, RELATIVE TO THE NORTH LINE OF THE NORTHEAST 1/4 OF SECTION 3, TOWNSHIP 36 SOUTH, RANGE 39 EAST, BEING NORTH 89°46'35" WEST.

3. THIS SURVEY WAS PERFORMED UTILIZING G.P.S.-R.T.K. AND TRADITIONAL SURVEY PROCEDURES WITH REDUNDANT MEASUREMENTS, AND HAS A HORIZONTAL POSITIONAL TOLERANCE OF 0.10 FEET.

4. THE LANDS BOUND BY THIS SURVEY ARE LOCATED IN FLOOD ZONE "X", PER FLOOD INSURANCE RATE MAPS NUMBER 12111C0169J AND 12111C0170J, BOTH DATED FEBRUARY 16, 2012. NOTE: ALL ELEVATIONS SHOWN PER THESE FLOOD INSURANCE RATE MAPS ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988.

5. THE EXPECTED USE OF THE LANDS BOUND BY THIS SURVEY, AS CLASSIFIED IN THE "MINIMUM STANDARD DETAIL REQUIREMENTS" IS "RURAL" WITH THE MINIMUM LINEAR CLOSURE FOR THIS TYPE OF BOUNDARY SURVEY TO BE 1 FOOT IN 5,000 FEET (1:5,000). THE ACCURACY OBTAINED BY MEASUREMENT, OBSERVATION AND CALCULATION OF THE CLOSED GEOMETRIC FIGURE FOR THIS SURVEY WAS DETERMINED TO MEET SAID REQUIREMENT.

6. SUBSURFACE OR UNDERGROUND UTILITIES HAVE NOT BEEN LOCATED AND ARE NOT A PART OF THIS SURVEY.

7. THE ZONING OF THIS PROPERTY IS "AG", BUILDING SETBACKS PER ST. LUCIE COUNTY ARE:
FRONT : 50' FROM PROPERTY LINE
SIDE: 20' FROM PROPERTY LINE
REAR: 30' FROM PROPERTY LINE

8. ALL DISTANCES SHOWN HEREON ARE IN U.S. SURVEY FEET AND DECIMALS THEREOF.

9. APPARENT PHYSICAL USES:
1) A) 4' BARBED WIRE FENCE MEANDERS 1.4' EAST OF PROPERTY LINE.
B) 4' BARBED WIRE FENCE MEANDERS 2.0' EAST OF PROPERTY LINE.
C) 4' BARBED WIRE FENCE MEANDERS 4.0' EAST OF PROPERTY LINE.
2) A) 8' WIDE TRAIL CENTERLINE 13' EAST OF PROPERTY LINE. APPEARS TO BE INGRESS/ EGRESS FOR SUBJECT PROPERTY.
B) 8' WIDE TRAIL CENTERLINE 13' WEST OF PROPERTY LINE. APPEARS TO BE INGRESS/ EGRESS FOR SUBJECT PROPERTY.

10. ADDITIONS OR DELETIONS TO THIS SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PART OR PARTIES.

11. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS DRAWING, SKETCH, PLAT, OR MAP ARE FOR INFORMATIONAL PURPOSES ONLY.

12. CANALS SHOWN HEREON ARE BASED UPON THE LEGAL DESCRIPTION AND SUPPORTED BY THE "GENERALIZED CANAL ELEVATIONS MAP FOR THE NORTH ST. LUCIE RIVER WATER CONTROL DISTRICT" FOUND ON THE NORTH ST. LUCIE RIVER WATER MANAGEMENT DISTRICT WEBSITE: nslrwcd.org.

LEGEND

A = ARC LENGTH	LTD = LIMITED	34-35-39 = SECTION-TOWNSHIP-RANGE
A.P.U. = APPARENT PHYSICAL USE	(M) = MEASURED	△ = CENTRAL ANGLE
ALTA = AMERICAN LAND TITLE ASSOCIATION	M = METER	-x-x-x- = FENCE
ACSM = AMERICAN CONGRESS ON SURVEYING AND MAPPING	NAD = NORTH AMERICAN DATUM	= CONCRETE POWER POLE
(C) = CALCULATED DATA	NGS = NATIONAL GEODETIC SURVEY	= WOOD POWER POLE
CCR = CERIFIED CORNER RECORD	NSPS = NATIONAL SOCIETY OF PROFESSIONAL SURVEYORS	—OHUL— = OVERHEAD UTILITY LINE
C.R. = COUNTY ROAD	NO. = NUMBER	= GUY ANCHOR
(D) = DEED DATA	# = NUMBER	= FOUND 4X4 CONCRETE MONUMENT
D.B. = DEED BOOK	N.S.L.R.W.C.D. = NORTH ST. LUCIE RIVER WATER MANAGEMENT DISTRICT	= FOUND IRON ROD
E = EASTING	O.R.B. = OFFICIAL RECORDS BOOK	
EL. = ELEVATION	PCN = PARCEL CONTROL NUMBER	
F.D.O.T. = FLORIDA DEPARTMENT OF TRANSPORTATION	PG. = PAGE	
FL. = FLORIDA	PK = PARKER KALON	
FPL = FLORIDA POWER AND LIGHT	PVC = POLYVINYL CHLORIDE PIPE	
FT = FEET	R = RADIUS	
G.P.S. = GLOBAL POSITIONING SYSTEM	R.T.K. = REAL TIME KINEMATICS	
H.D.P.E. = HIGH DENSITY POLYETHYLENE PIPE	R/W = RIGHT-OF-WAY	
I.D. = IDENTIFICATION	S.R. = STATE ROAD	
INC. = INCORPORATED	TYP. = TYPICAL	
KM = KILOMETER	U.S. = UNITED STATES	
LB = LICENSED BUSINESS		

SURVEYOR'S CERTIFICATION:

WALTON ACQUISITIONS FL, LLC, A FLORIDA LIMITED LIABILITY COMPANY
WALTON INTERNATIONAL GROUP (USA), INC., AN ARIZONA CORPORATION

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED AND APPROVED BY ALTA, ACSM AND NSPS ON FEBRUARY 23, 2011, AND INCLUDES ITEMS 1, 3, 4, 6A, 8, 10A, 10B, 11B, 13, 14, 16, 17, 18, 19, 20A, 20B, AND 21OF TABLE "A" THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT PROPER FIELD PROCEDURES, INSTRUMENTATION AND ADEQUATE SURVEY PERSONNEL WERE EMPLOYED IN ORDER TO ACHIEVE RESULTS COMPARABLE TO THOSE OUTLINED IN THE "MINIMUM ANGLE, DISTANCE AND CLOSURE REQUIREMENTS FOR SURVEY MEASUREMENTS WHICH CONTROL LAND BOUNDARIES FOR ALTA/ACSM LAND TITLE SURVEYS."

ALSO

I HEREBY CERTIFY THAT THE ATTACHED "ALTA/ACSM LAND TITLE SURVEY" OF THE HEREIN-DESCRIBED PROPERTY IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF AS SURVEYED IN THE FIELD ON AUGUST 7, 2014. I FURTHER CERTIFY THAT THIS "ALTA/ACSM LAND TITLE SURVEY" MEETS THE MINIMUM TECHNICAL STANDARDS SET FORTH IN RULE 5J-17 OF THE FLORIDA ADMINISTRATIVE CODE.

AUGUST 7, 2014
DATE OF LAST FIELDWORK

PATRICK B. MEEDS
FLORIDA SURVEYOR AND MAPPER
REGISTRATION No. 4728

NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

BOWMAN CONSULTING GROUP, LTD., INC.
FLORIDA CERTIFICATE OF AUTHORIZATION NUMBER 8030
(LB 8030 = LICENSED BUSINESS NUMBER 8030)

THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION AND ADAPTATION BY BOWMAN CONSULTING GROUP, LTD SHALL BE WITHOUT LIABILITY TO BOWMAN CONSULTING GROUP, LTD.

Cad file name: P:\010230 – Village at Midway\010230-01-001 (SUR)\Survey\IBERIA AND WALTON PARCEL ACAD 2008\dwg\IBERIA ALTA.dwg 8/8/2014

Bowman CONSULTING
PROFESSIONAL SURVEYORS AND MAPPERS; CERTIFICATE NO. LB. 8030
BOARD OF PROFESSIONAL ENGINEERS; CERTIFICATE OF AUTHORIZATION NO. 30462

Bowman Consulting Group, Ltd., Inc.
7881 SW Ellipse Way
Stuart, FL 34997
Phone: (772) 283-1413
Fax: (772) 220-7881
www.bowmanconsulting.com
© Bowman Consulting Group, Ltd.

WALTON ACQUISITIONS FL., LLC
ALTA BOUNDARY SURVEY
ST. LUCIE COUNTY FLORIDA

PROJECT NO
010230-01-001

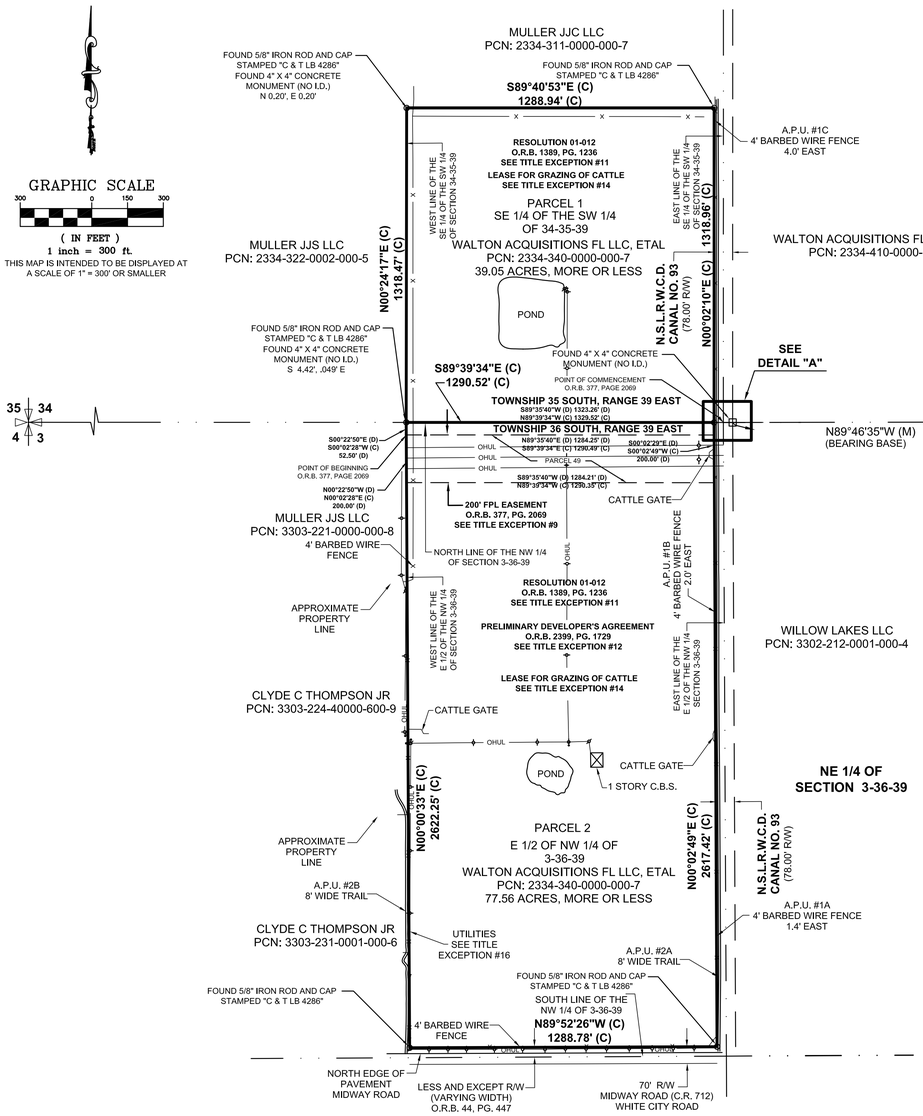
PLAN STATUS

DATE	DESCRIPTION

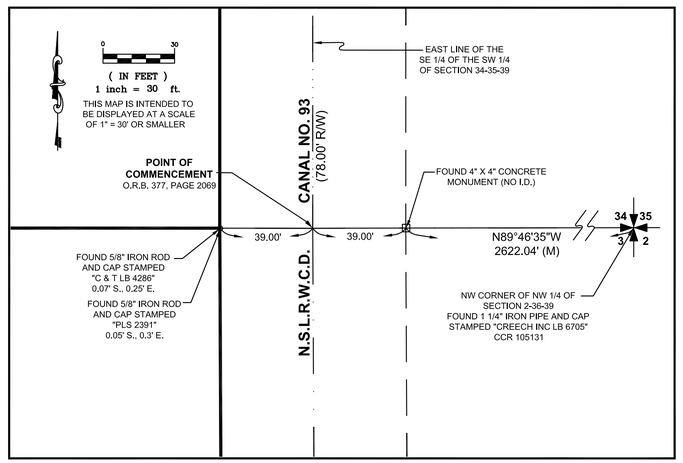
FIELD BOOK 13-115, 13-116 | PAGE 19-28, 30-39, 47-48
D.J.I., D.A.L. DRAWN | P.B.M. CHKD
SCALE H: N.T.S. V: N.T.S.
JOB No. 010230-01-001
DATE AUG. 7, 2014
FILE No. IBERIA ALTA

SHEET 1 OF 2

ALTA/ACSM LAND TITLE SURVEY
WALTON ACQUISITIONS FL., LLC
LYING IN A PORTIONS OF SECTIONS 3 AND 34, TOWNSHIP 35 & 36 SOUTH, RANGE 39 EAST
SAINT LUCIE COUNTY, FLORIDA



DETAIL "A"



THIS DOCUMENT, TOGETHER WITH THE CONCEPTS AND DESIGNS PRESENTED HEREIN, AS AN INSTRUMENT OF SERVICE, IS INTENDED ONLY FOR THE SPECIFIC PURPOSE AND CLIENT FOR WHICH IT WAS PREPARED. REUSE OF AND IMPROPER RELIANCE ON THIS DOCUMENT WITHOUT WRITTEN AUTHORIZATION BY BOWMAN CONSULTING GROUP, LTD. SHALL BE AT USER'S SOLE RISK AND WITHOUT LIABILITY TO BOWMAN CONSULTING GROUP, LTD.

Cad file name: P:\010230 – Village at Midway\010230-01-001 (SUR)\Survey\IBERIA AND WALTON PARCEL ACAD 2008\dwg\IBERIA ALTA.dwg 8/8/2014

Bowman CONSULTING
PROFESSIONAL SURVEYORS AND MAPPERS; CERTIFICATE NO. LB. 8030
BOARD OF PROFESSIONAL ENGINEERS; CERTIFICATE OF AUTHORIZATION NO. 30462

Bowman Consulting Group, Ltd., Inc.
7881 SW Ellipse Way
Stuart, FL 34997
Phone: (772) 283-1413
Fax: (772) 220-7881
www.bowmanconsulting.com
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WALTON ACQUISITIONS FL., LLC
ALTA BOUNDARY SURVEY
ST. LUCIE COUNTY FLORIDA

PROJECT NO
010230-01-001

PLAN STATUS

DATE	DESCRIPTION

FIELD BOOK	PAGE
13-115	19-28, 30-39
13-116	47-48

D.J.I., D.A.L. DRAWN	P.B.M. CHKD

SCALE H: 1" = 300' V: N/A
JOB No. 010230-01-001
DATE AUG. 7, 2014
FILE No. IBERIA ALTA

SHEET 2 OF 2

Upon recording, please return to:

Return to:
First American Title Insurance Co.
2425 E. Camelback Rd., Ste 300
Phoenix, AZ 85016

Parcel Identification Nos.:
2334-340-0000-000-7
3303-210-0000-000-4
2334-410-0000-000-1

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 3913748 01/08/2014 at 03:33 PM
OR BOOK 3594 PAGE 557 - 573 Doc Type: DEC
RECORDING: $146.00

635627 V1

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS

VILLAGE AT MIDWAY

This Declaration of Covenants, Conditions and Restrictions (the "**CC&R**") is effective as of January 2, 2013 and is made and executed by **WALTON ACQUISITIONS FL, LLC**, a Florida limited liability company, whose address is c/o Walton International Group (USA), Inc., 4800 N. Scottsdale Road, Suite 4000, Scottsdale, Arizona 85251 ("**Walton**").

RECITALS

A. Walton is the beneficial and record owner of that certain tract or parcel of real property located in St. Lucie County, Florida consisting of approximately 516.320 gross acres, more particularly described on **Schedule "A"** attached hereto and made a part hereof (the "**Property**");

B. Walton intends to sell undivided interests in the Property as tenancies-in-common with all other owners thereof, while retaining at least a five percent (5%) ownership interest in the Property as a Unit Owner (as defined in Recital D herein); and

C. This CC&R is to run with the title to the Property and with the title to each Unit (as hereinafter defined) and is imposed thereon for the purpose, among others, of providing for the effective operation, leasing, positioning, marketing, sale and conveyance of the Property;

D. This CC&R shall be binding upon each and every cotenant owning an undivided interest in and to the Property and their successors and assigns and is for the benefit of each such cotenant as well as his, her or its successors and assigns (with each such cotenant's undivided interest in the Property being herein referred to as a "**Unit**" and with the owners of Units being herein sometimes referred to as "**Cotenants**" or as "**Unit Owners**"); and

E. Title to each Unit is to be deeded to and held by the trustee of a revocable trust (each a "**Trust**") with the initial settlor being the initial trustee and sole beneficiary during such settlor's lifetime.

DECLARATION

NOW, THEREFORE, for and in consideration of the premises and the reliance of the Cotenants herein, Walton hereby imposes upon and subjects the title to the Property to this CC&R, and hereby declares as follows:

ARTICLE A
OPERATIONS

A.1. Walton shall be the initial operator of each Unit and of the Property as a whole, Walton having been or to be so appointed by the owner of each Unit under the terms of those certain Agreements of Purchase and Sale pursuant to which each of the Unit Owners acquired from Walton his, her or its Unit (hereinafter Walton and/or such other party as shall be appointed a successor operator is sometimes referred to as the "**Operator**").

A.2. None of the Cotenants shall have the right to use, possess or occupy all or any portion of the Property either exclusively or in common with the other Cotenants, each such Cotenant having assigned (and each hereby assigns) to the Operator all such rights. Accordingly, the Operator is and shall be fully authorized to operate the Property and may, but shall not be obligated to, enter into and make, sign, execute and deliver, in recordable or unrecordable form, on behalf of each and all Unit Owners, without the need to submit such matters to the Unit Owners for vote of approval, any and all (i) leases, (ii) licenses, (iii) easements, (iv) rights-of-way, (v) conveyances of any interest in the Property to any city, county, town, state or other public or quasi-public authority or entity (collectively, "**Governmental Authorities**") for any public purpose (including any deed in lieu of condemnation or in lieu of the exercise of the right of eminent domain before or in response to a threat of condemnation) in order to facilitate the Unit Owners' cooperation with such Governmental Authorities, or any sale or exchange with any party of less than 10% of the entire Property in order to facilitate cooperation with neighboring property owners and to obviate contentions and risk-related liability to the Unit Owners, (vi) covenants, (vii) inclusion of the Property or any portion thereof in a facilities, utility or improvement district and the conveyance of less than 10% of the entire Property to any third party in order to facilitate the creation of a facilities, utility or improvement district to benefit the Property, or (viii) any arrangements benefiting or burdening all or any portion of the Property as the Operator shall, in its sole discretion, deem advisable. If the Property is subject to a lease or other encumbrance at the time the title thereto is acquired by the Cotenants, then the Operator shall assume the Cotenants' obligations thereunder.

A.3. Income from and operating expenses of the Property shall be handled in accordance with this Section A.3.

(i) For purposes of this CC&R, the following terms shall be defined as set forth below:

(a) "**Property Expenses**": All costs and expenses of the Property, which are normally associated with the purchase, ownership and sale of real property, including, but not limited to, (a) real property taxes, insurance premiums, utilities, operating expenses and costs of maintenance and repair; (b) all costs, expenses and fees incurred in connection with the conveyance of the Units from Walton to the Unit Owners; (c) all real estate transfer and recording taxes due and owing in connection with the conveyance of the Units from Walton to the Unit Owners; and (d) all costs, fees, premiums and other expenses (including, without limitation, Walton's reasonable legal fees) associated with obtaining: (x) a new policy of title insurance in favor of each Unit Owner as a named insured with respect to its interest in its Unit upon such Unit Owner's purchase of its Unit from Walton, and (y) a policy of general liability or similar insurance, or any interest in a master policy of general liability insurance, which the Operator shall have the right, but not the obligation, to bind and procure with respect to the Property and the respective interest of the Owners therein.

(b) "**Planning Activities**": Any and all activities undertaken by or at the direction of the Operator in connection with planning the potential future development of the Property, including, without limitation, predevelopment concept planning, and/or application for rezoning and various development approvals by the Operator on behalf of the Unit Owners, and obtaining assurances from utility providers to provide utility services to the Property. The Operator is hereby authorized to undertake any Planning Activities that the Operator deems desirable, in its discretion.

(c) "**Planning Costs**": Any and all costs and expenses incurred by Operator in connection with any Planning Activities.

(ii) All rental or other income generated by or through the Property shall be paid to the Operator and shall be used by the Operator to pay the Property Expenses and/or the Planning Costs. To the extent that Property income in any calendar year or other appropriate period exceeds Property Expenses and Planning Costs, such excess may be held by the Operator to defer future Property Expenses and/or Planning Costs until such time as the Property may be sold, at which time any such surplus will be accounted for and distributed as provided in Section C.6 below.

(iii) If the Property Expenses and Planning Costs are in excess of any Property income received by the Operator in any calendar year or other appropriate period, Walton will make available to the Operator an amount equal to a minimum of 17.964% of the purchase price of each Unit of the Property (the "**Initial Amount**"), which may be utilized by the Operator for the payment of Property Expenses and/or Planning Costs. Any portion of the Initial Amount not used by the Operator for the payment of Property Expenses and/or Planning Costs shall be returned to the Unit Owners upon a sale of the

Property (or, if the Operator is entitled to reimbursement pursuant to Section A.3(vi) below, such unused portion may be credited against the Reimbursable Amount).

(iv) If the Property Expenses and Planning Costs are in excess of the sum of (A) any Property income received by the Operator in any calendar year or other appropriate period; and (B) the Initial Amount, then the Operator may, in its discretion, and without seeking any approval of the Unit Owners, make available an additional amount not to exceed the aggregate sum of (1) Property income; and (2) the Initial Amount; and (3) 10% of the Purchase Price of the Units of the Property (item (3) above being defined as the "**Discretionary Amount**"), all for the payment of Property Expenses and/or Planning Costs . The Operator shall provide written notice to the Unit Owners when it first advances any portion of the Discretionary Amount pursuant to this subsection, such notice to be provided within 120 days of such advance occurring. The Discretionary Amount shall be reimbursable to the Operator in accordance with Section A.3(vi) below.

(v) If the Property Expenses and Planning Costs are in excess of the sum of (A) any Property income received by the Operator in any calendar year or other appropriate period; and (B) the Initial Amount; and (C) the Discretionary Amount (such excess amount referred to herein as the "**Excess Costs and Expenses**"), then the Operator may, from time to time, upon a Unit Owners' Vote (defined in Section F.15) make available an amount equal to the Excess Costs and Expenses.

(vi) The Operator shall be entitled to withhold an amount from the proceeds of the sale of the Property to pay and reimburse itself for:

(a) The Discretionary Amount referred to in Section A.3(iv)

(b) The Excess Costs and Expenses, pursuant to Section A.3(v) above; and

(c) legal fees actually incurred by the Operator; and

(d) any other amounts expended by the Operator, not previously reimbursed and which are specifically stated to be reimbursable to it.

(such amounts, plus interest accruing thereon as set out below, collectively referred to as the "**Reimbursable Amount**"). The Reimbursable Amount is to be paid to the Operator by the Operator deducting it from the proceeds which would have been otherwise distributable to the Unit Owners upon sale of the Property. To the extent of each Unit Owner's respective prorata share of the Reimbursable Amount, each Unit Owner hereby irrevocably assigns, sets aside, transfers and sets over to the Operator, and further hereby irrevocably assigns and pledges as collateral to secure payment to the Operator of the Reimbursable Amount such Unit Owner's interest in the proceeds of any such sale for the purpose of fully repaying the Reimbursable Amount to the Operator. The Reimbursable Amount shall earn interest payable to the sole benefit of the Operator at the rate of Wells Fargo Prime, calculated monthly, in respect of each cost forming a part of the Reimbursable Amount paid by the Operator, from the date that each such cost is paid by the Operator on behalf of

the Unit Owners pursuant to this CC&R until sale of the Property. For the purposes of this paragraph, "**Wells Fargo Prime**" means, for any day, the prime rate expressed as a rate per annum which Wells Fargo Bank (or its successor) adopts and adjusts from time to time as the variable reference rate of interest in order to determine interest rates it will charge for commercial loans made in the U.S. in U.S. dollars as the same is in effect from time to time. Each Unit Owner hereby consents to the execution, acknowledgment and recordation by the Special Signatory Co-Trustee (as defined in each Trust), on behalf of each Unit Owner, of such documents and instruments authorized under Section A.2 above, and such documents and/or instruments necessary to perfect the Operator's lien associated with the Reimbursable Amount, notwithstanding such Unit Owner's election to vote against or failure to vote for any such expenditure, in accordance with Section A.3(vi) above.

A.4. The Operator's rights, authority and obligations concerning the sale of the Property and collection and distributions of sale proceeds are and shall be as set forth in this CC&R.

A.5. **Cotenants voting, in the aggregate, undivided cotenancy interests representing 60% or more of the undivided cotenancy interests in the Property in favor of termination of the Operator, shall have the right to terminate the appointment of the Operator and to appoint a new operator from time to time. Upon the delivery of such a notice of termination, the appointment of Walton as the Operator shall terminate on the first business day to occur thirty (30) days thereafter. Such termination of Walton as the Operator shall immediately release Walton from its obligations to make any payments by reason of the applicability of Section A.3(iv) and A.3(v) above, accruing from and after the time of termination.**

A.6. An Operator may resign from its obligations as the Operator by giving written notice of resignation to the Cotenants. The resignation of the Operator shall become effective upon the earlier of: (i) the appointment of a successor Operator, or (ii) the sixtieth (60^{th}) day following the notice of resignation. If the Operator shall provide notice of resignation, be removed or become incapable of acting, or if a vacancy shall occur in the office of the Operator for any reason, the Unit Owners shall promptly appoint a successor Operator and provide notice of such appointment to the prior Operator. A prior Operator shall have no further obligation hereunder except as set forth in Section A.7 below.

A.7. Upon termination or resignation of an Operator, such Operator shall cause to be made an accounting of the costs and expenses of the Operator in performance of its duties hereunder. Such accounting and any amounts owed by the Operator to the Cotenants (along with a copy of all books and records of the Operator relating to its performance hereunder) shall be promptly delivered to any successor Operator or to the Unit Owners. **Notwithstanding a termination or resignation of Walton as the Operator, Walton shall still be entitled to the Reimbursable Amount upon the sale or exchange of the Property or any portion thereof. The Reimbursable Amount constitutes funds advanced by Walton on the Unit Owners' behalf and is an indebtedness due to Walton secured by a lien on the title to the Property.**

A.8. Until such time as Walton concludes selling Units in the Property (in Walton's sole and absolute discretion), the allocation of all Property Expenses and Planning Costs shall be 95%

to the Unit Owners and 5% to Walton (the "**Initial Allocation**"). At such time as Walton concludes selling Units (in Walton's sole and absolute discretion), Walton shall determine the final allocation of ownership of the Property as between Walton and the Unit Owners (the "**Final Allocation**"). From and after such time, the allocation of all Property Expenses and Planning Costs shall be based upon the Final Allocation. If the Initial Allocation differs from the Final Allocation, then the party benefitting therefrom (either Walton on the one hand or the Unit Owners collectively on the other) shall be responsible for paying all Property Expenses and Planning Costs until the ratio of the amount expended by each such party is equal to the Final Allocation. Thereafter, all Property Expenses and Planning Costs shall be allocated based on the Final Allocation described above.

A.9. Notwithstanding anything herein to the contrary, it is the express intention and understanding of the Unit Owners and Walton that given the nature of the direct deeded, undivided ownership interest of each Unit Owner in and to the Property, management, by Walton, of the Property is not required and will not be undertaken.

ARTICLE B
RESTRICTIONS ON TRANSFER

B.1. Except in connection with an Accepted Purchase Offer (as hereinafter defined) or as a result of being a beneficiary of a Trust, no Unit or any portion thereof or interest therein may be owned by a person that is a U.S. Person, (as defined in Section F.5 below), and no Unit Owner, other than in connection with an Accepted Purchase Offer, shall sell or otherwise dispose (other than as a beneficiary of a Trust) of his, her or its Unit any portion thereof or any interest therein to any person that is a U.S. Person, with any such purported sale or disposition to be of no force or effect.

B.2. Other than in connection with an Accepted Purchase Offer, no person shall obtain an interest in the Unit or any portion thereof: (i) unless and until such person has expressly assumed in writing this CC&R and agreed in writing that it, and its successors and assigns are and shall be bound hereby, and (ii) unless such person has expressly in writing assumed and agrees to comply with all terms and agreements of the Agreement of Purchase and Sale pursuant to which the original Unit Owner purchased the Unit from Walton (the "**Purchase Agreement**"). Subject to Section D.2 below a Unit Owner may sell his, her or its Unit to a non-U.S. Person but only if the purchaser of such Unit complies with Section B.1 above and only so long as such sale would not violate Section B.1 above or Section B.3 below; provided, however if such purchaser is an entity and not a natural person, then such purchaser shall not be required to establish a revocable trust or contribute the Unit to a revocable trust and shall not be bound by provisions of Sections 2(h) or 2(i) of the Purchase Agreement.

B.3. It is acknowledged that Walton sold the Units without registration under any state or federal law relating to the registration of securities and the reliance on certain exemptions from registration under applicable state and federal laws. Other than in connection with an Accepted Purchase Offer, no Unit or any portion of or interest in a Unit can be offered for sale, sold or transferred in the United States or to a U.S. Person (unless such transfer is the result of such

transferee being named as a beneficiary of a Trust) unless the transfer of the Unit is registered under the Securities Act (as defined in Section F.5 below) or otherwise in compliance with the Securities Act.

ARTICLE C
SALE

C.1. The Operator is authorized to market the Property on such terms and conditions as it deems advisable, provided that the marketing materials contain a statement that any sale is conditioned upon a Unit Owners' Vote in approval of such sale. The Operator's marketing activities may include, without limitation, accepting nonbinding letters of intent or offers.

C.2. The Operator is authorized to enter into a contract for the sale of the Property on such terms and conditions as the Operator deems desirable; provided that such contract (unless it is a conveyance or sale to a city, county, town, state or other public or quasi-public entity for any public purpose or any sale or exchange with any party of less than 10% of the entire Property, which matters, pursuant to Section A.2 above, are within the power of the Operator to complete without obtaining the Unit Owners' Approval Procedure, as defined below) must contain a provision that the sale of the Property is conditioned upon (and the Operator is not authorized to sell the Property unless it first obtains) an affirmative vote to accept the contract for sale and the terms and conditions contained therein by Cotenants voting 60% or greater of the undivided cotenancy interests in the Property actually casting votes on the matter (pursuant to the "Unit Owners' Approval Procedure" described in Section C.4 below). A contract so approved is herein referred to as an "**Accepted Purchase Offer**". Any third party purchasing the Property pursuant to such contract shall be entitled to rely conclusively upon the Operator's written, signed certificate that it has received the necessary Unit Owners' approvals for such sale ("**Certificate of Approval**"). Upon Operator's receipt of an Accepted Purchase Offer, all Unit Owners whether or not they have approved the terms of such contract shall be bound by such contract and shall be bound to convey their Units pursuant to such contract. The Operator is authorized to sign deeds conveying all Units at a properly approved sale pursuant to the powers of attorney granted to it by the Unit Owners on their acquisition of the Units, or each Special Signatory Co-Trustee (as defined in Section E.3 below) is authorized to execute any and all such deeds and other documents necessary to consummate the sale pursuant to an Accepted Purchase Offer.

C.3. Any purchaser of the Property shall be entitled to pay the purchase price therefor directly to the Operator which is unconditionally and irrevocably authorized to accept the same on behalf of the Unit Owners; and no such purchaser shall have any responsibility or obligation with respect to the distribution of the net sales proceeds by the Operator to the Unit Owners.

C.4. The Operator shall submit the terms of any contract for sale of the Property (other than those within that specified in Section A.2 above) for approval by the Unit Owners by delivering a copy of such contract together with a form providing space for the Unit Owner to indicate its acceptance or rejection of the contract for sale, and for each Unit Owner owning more than one

undivided cotenancy interest in the Property, the ability for such Unit Owner to submit separate votes for each (or any subset of) undivided cotenancy interest that it owns (a "**Ballot**"). Such notice shall be mailed to the address of each Unit Owner in accordance with the terms of any separate agreement executed by the Unit Owner and the Operator or, if no such agreement exists, to the last address provided to the Operator by the Unit Owner. The Unit Owner shall return its Ballot indicating partial or complete acceptance or rejection of the contract to the Operator, and the Operator shall keep a record of such Ballots until the first to occur of: (i) the sale of the Property, or (ii) the contract for sale has been terminated. Any Unit Owner not returning its Ballot within the timeframe for submission of the Ballot specified thereon shall be deemed to have returned a Ballot rejecting the contract for sale of the Property. The Operator shall tabulate the total votes of the Unit Owners. If and only if the Ballots show an affirmative vote to accept the contract for sale by 60% or greater of the undivided cotenancy interests in the Property actually casting votes on the matter shall such Ballots be deemed the action of all of the Unit Owners and permit the Operator to proceed with the sale (an "**Accepted Purchase Offer**") of the Property. The foregoing process shall be referred to herein as the "**Unit Owners' Approval Procedure**".

C.5. Upon the closing of a sale of the Property with respect to which Operator issued to the purchaser its Certificate of Approval, no Unit Owner shall have any cause of action against or right to contest the sale or to bring any action against the purchaser at such sale for any reason which may be based upon or in any way connected with the Unit Owner's disapproval of such sale, the terms and conditions of such sale, the procedure followed by Operator in obtaining approval of such sale or for any other reason whatsoever in any way relating to the sale itself. In the event any Unit Owner believes that it has been wronged in some way related to the sale of such Property, any and all remedies such Unit Owner may have at law or equity may be sought only against the Operator and only then on the grounds that the Operator made a material misrepresentation as to the terms and conditions of such a sale or that the Operator did not have the requisite Unit Owners' Vote for such sale. It is hereby acknowledged and agreed that the purchaser at an approved sale and any title insurance company insuring the purchaser's title or the title of any lender financing purchaser's acquisition of the Property shall have the right to rely unconditionally upon this CC&R.

C.6. At the closing of the sale of the Property pursuant to an Accepted Purchase Offer, the sales price, after adjustments and prorations as provided for in the Accepted Purchase Offer, shall be paid to the Operator as agent for the Unit Owners. Upon receipt of such sales price, the Operator shall distribute to each Unit Owner a sum equal to such Unit Owner's allocable share of such sales price less: (i) any withholding of a portion of the sales proceeds required under applicable state or federal laws and regulations, and (ii) such Unit Owners allocable share of costs of closing and the Reimbursable Amount. The Operator shall provide each Unit Owner with an accounting of any withholding, the costs of closing and the Reimbursable Amount. Such distribution shall occur within a reasonable time after the closing of the sale of the Property and pursuant to such procedure as the Operator shall deem, in its reasonable business judgment, the most efficient after soliciting from the Unit Owners information such as identification of bank accounts, addresses, wire transfer instructions and the like.

C.7. In addition to the rights of Walton specified in Article D (below) and not in limitation or constriction thereof, Walton, or any one or more entities directly or indirectly affiliated with it, including any one or more principals, members, shareholders, partners (general or limited), officers or directors of any one or more of the foregoing, or Walton in combination with any one or more of the foregoing, shall have the right, but not the obligation, to tender and offer a contract to purchase all or any portion of the Property on such price, terms and conditions as such offeror may elect, in its sole discretion, provided, however, such offer to purchase shall, at all times, remain subject to and conditioned upon a Unit Owners' Vote as is provided for in Section F.15 hereof.

ARTICLE D
RIGHT OF FIRST REFUSAL

D.1. (i) Walton, in its personal capacity, shall have a right of first refusal ("**ROFR**") to purchase the Property or any part thereof at such purchase price and on such financial and other material terms as set out in the Accepted Purchase Offer, and Walton shall have ten (10) days from the Acceptance Date (as defined below) to exercise its ROFR to purchase the Property, or any part thereof, on the terms and conditions of the Accepted Purchase Offer, such right to be exercised by giving written notice to the Unit Owners;

(ii) If Walton fails to give the Unit Owners written notice of exercise of the ROFR within ten (10) days of the Acceptance Date, or otherwise waives its ROFR within such time, then the Operator shall on behalf of all of the Unit Owners conclude the sale on the terms set out in such Accepted Purchase Offer, provided, however, that if the Unit Owners: (A) do not sell the Property to the buyer identified in the Accepted Purchase Offer as specified in the Accepted Purchase Offer within 365 days of the Acceptance Date, or (B) agree to vary the sales price of the Property, or other financial terms, or (C) vary any other material term of the Accepted Purchase Offer, or (D) otherwise fail to sell the Property in accordance with the Accepted Purchase Offer, then Walton shall have a renewed ROFR in accordance with this Section D.1; and

(iii) If Walton notifies the Unit Owners of the exercise of such ROFR within the ten (10) day period provided in this Section D.1, then Walton shall purchase the Property or portion thereof subject to the terms and conditions of the Accepted Purchase Offer.

D.2. (i) No Unit Owner may sell its Unit or any interest therein without first providing Walton the right of first refusal as described below. Accordingly, any offer to purchase a Unit which that Unit's Owner wishes to accept (an "**Accepted Unit Purchase Offer**") must be transmitted to the Operator and cannot be accepted by the Unit Owner without first providing Walton its right of first refusal. Walton, in its personal capacity, shall have a ROFR to purchase the Unit or any portion thereof at such purchase price and on such financial and other material terms as set out in the Accepted Unit Purchase Offer, and Walton shall have ten (10) days from the Acceptance Date (as defined below) to exercise its ROFR to purchase the Unit, or any part thereof, on the terms and conditions of the Accepted Unit Purchase Offer, such right to be exercised by giving written notice to the Unit Owner;

(ii) If Walton fails to give the Unit Owner written notice of exercise of the ROFR within ten (10) days of the Acceptance Date, or otherwise waives its ROFR within such time, then the Operator shall on behalf of the Unit Owner conclude the terms of the purchase on the terms set out in such Accepted Unit Purchase Offer, provided, however, that if the Unit Owner: (A) does not sell the Property to the buyer identified in the Accepted Purchase Offer as specified in the Accepted Purchase Offer within 365 days of the Acceptance Date, or (B) agrees to vary the sales price of the Unit, or other financial terms, or (C) varies any other material term of the Accepted Unit Purchase Offer, or (D) otherwise fails to sell the Unit in accordance with the Accepted Unit Purchase Offer, then Walton shall have a renewed ROFR in accordance with this Section D.2; and

(iii) If Walton notifies the Unit Owner of the exercise of such ROFR within the ten (10) day period provided in this Section D.2 then Walton shall purchase the Unit or portion thereof subject to the terms and conditions of the Accepted Unit Purchase Offer;

D.3. "**Acceptance Date**" shall mean: (A) the date upon which Unit Owners pursuant to a Unit Owners' Vote have advised the Operator that they have accepted the Property offer as contemplated in Section C.2, or (B) the date upon which the Unit Owner has advised the Operator that he, she or it wishes to accept a Unit purchase offer as contemplated in Section D.2(i).

ARTICLE E
TRUSTS

E.1. Each Unit constitutes an undivided interest in the Property at least initially to be held by the trustee of a trust ("**Trust**") as a tenant in common with all other Unit Owners.

E.2. While each Trust is a revocable trust, by its terms and pursuant to these restrictions and requirements no purported revocation of the Trust shall be effective or shall be deemed in any way to have occurred unless and until the trustee of such Trust has executed and recorded in the real property records of St. Lucie County, Florida a deed conveying legal title to the Unit to the Trust settlor or beneficiary. Absent the execution and recordation of such a deed, Operator and all third parties may rely upon the continued existence of the Trust and upon authority of such Trust's trustee or its attorney in fact. The foregoing restriction as it is contained in each Trust, along with certain other provisions of such Trust, may not be modified since such provisions are intended to be for the common benefit of all of the Cotenants by providing, among other things, a system for the authorization and consummation of any sale of the Property which may be relied upon by the Operator and third parties.

E.3. Any purchaser of the Property or any interest therein shall be entitled to rely upon the Operator's written certificate as to the existence and status of each of the Trusts and as to the trustee or successor trustee therein and as to the authority of any Special Signatory Co-Trustee (as defined in each Trust Agreement) to execute deeds, documents of conveyance, and other documents necessary to consummate the sale of the Property and/or the conveyance of each

and all of the Units.

E.4. Each Trust instrument provides that certain of its provisions are not subject to amendment, which provisions include without limitation the appointment and method of appointment of the Special Signatory Co-Trustee (as that term is defined in each Trust Agreement).

E.5. Each Trust instrument provides that the Special Signatory Co-Trustee is irrevocably granted the authority to execute, acknowledge, deliver and record such documents and instruments authorized under Section A.2 above, and such documents and/or instruments as may be necessary to perfect the Operator's lien associated with the Reimbursable Amount.

ARTICLE F
GENERAL PROVISIONS

F.1. The provisions of this CC&R and the terms of each Trust including without limitation the provisions dealing with the Special Signatory Co-Trustee (as that term is defined in each Trust Agreement) are for the benefit of the Operator and each of the Cotenants, and are necessary for the orderly operation, marketing and disposition of the Property of which each Unit comprises a part. This CC&R runs with the title to the Property and each Unit.

F.2. Notwithstanding any law granting the Unit Owners, as tenants-in-common, a right to petition any court or governing authority to divide the Property among the Cotenants or to force a sale of the Property and the distribution of the proceeds of such sale among the unit holders, no Cotenant shall have any right to petition the court to grant or to receive such a division or disposition of the property; and each Cotenant hereby waives any and all rights of partition. This provision is for the benefit of the Operator and each of the Cotenants, and is necessary for the orderly operation, marketing and disposition of the Property of which each Unit comprises a part.

F.3. The costs and expenses of the Operator and its attorneys arising: (i) in connection with the performance of its duties as Operator, or (ii) from any lawsuit arising under this CC&R or relating to the Property shall be reimbursable to the Operator and shall be included in the Reimbursable Amount hereunder to the extent that they are not directly caused by the gross negligence or willful misconduct of the Operator.

F.4. In the event the Property or any Cotenant's interest in the Property is offered for sale pursuant to the United States Bankruptcy Code, Sections 363(h) and 363(i), or is offered under the bankruptcy, insolvency or similarly identified laws of a country other than the United States of America, then, each and all of the Cotenants do and hereby unconditionally transfer and assign to Operator any and all rights each may have to purchase the Property or any other Cotenant's interest therein.

F.5. For purposes of this CC&R, the term "**U.S. Person**" means (i) any natural person resident in the United States; (ii) any partnership or corporation organized or incorporated under the laws of the United States; (iii) any estate of which any executor or administrator is a U.S. Person;

(iv) any trust of which any trustee is a U.S. Person; (v) any agency or branch of a foreign entity located in the United States; (vi) any non-discretionary account or similar account (other than an estate or trust) held by a dealer or similar fiduciary for the benefit of or account of a U.S. Person; (vii) any discretionary account or similar account (other than an estate or trust) held by a dealer or other fiduciary organized, incorporated, or (if an individual) resident in the United States; and (viii) any partnership or corporation if (A) organized or incorporated under the laws of any foreign jurisdiction; and (B) formed by a U.S. Person principally for the purpose of investing in securities not registered under the Securities Act, unless it is organized or incorporated, and owned, by accredited investors (as defined in Rule 501(a) under the Securities Act) who are not natural persons, estates or trusts; all as further defined and pursuant to the rules contained in Regulation S of the *United States Securities Act of 1933*, as amended (the "**Securities Act**").

F.6. In no event shall the terms of this CC&R in any way related to (a) the Operator's right to be repaid the Reimbursable Amount; or (b) the lien created by this CC&R securing the Reimbursable Amount be modified, amended, waived or otherwise revised without Walton's prior, express, written and recorded consent, granted or withheld in Walton's sole and absolute discretion.

F.7 For purposes of any matter that requires a vote or approval by the Unit Owners hereunder, any particular Unit Owner whose Unit is composed of more than one undivided cotenancy interest in the Property, may, in its sole discretion, issue a separate vote or approval as to each of his, her or its undivided cotenancy interests in the Property, which vote or approval need not be the same as the vote or approval issued for any other undivided cotenancy interest owned by such Unit Owner. For example, if a Unit Owner's Unit is composed of ten (10) undivided cotenancy interests in the Property, the Unit Owner shall not be required to cast all of its undivided cotenancy interests for or against any matter requiring a vote or approval hereunder, but instead may elect to cast all or any part of its ten (10) undivided cotenancy interests for and the remainder of its (10) undivided cotenancy interests against the matter (e.g. seven (7) votes in favor of the matter and three (3) votes in opposition of the matter).

F.8. In addition to the specific amendment rights set forth elsewhere in this CC&R, Walton may unilaterally amend this CC&R or any portion thereof, on its own motion, to: (a) satisfy the requirements of any local, state or federal government agency; (b) correct typographical errors or to eliminate scrivener's errors; or (c) bring any provisions into compliance with any applicable governmental statute, rule, regulation, or judicial determination. As to other types of proposed amendments, except as otherwise specifically provided elsewhere herein, this CC&R may be amended only by an affirmative Unit Owners' Vote. All proposed amendments which are subject to the vote of Unit Owners shall be submitted to a vote to the Unit Owners in the same manner as the Unit Owner's Approved Procedure referenced above.

F.9. Walton reserves the right to assign, and/or delegate, any of its rights and obligations in this CC&R in whole or in part to affiliated or unaffiliated entities.

F.10. If any provision of this CC&R would violate the rule against perpetuities or any other

limitation on the duration of the provisions contained herein and imposed by law, then such provision shall be deemed to remain in effect only for the maximum period permitted by law or until twenty-one (21) years after the death of the last survivor of the now living descendants of former President George W. Bush and the original Owners of Units in the Property.

F.11. In all cases, the provisions of this CC&R shall be given that reasonable interpretation or construction which will best effect consummation of the general plan of effective administration of the Property, which will carry out the intent as expressed in the recitals of the CC&R.

F.12. Failure to enforce any provision of this CC&R shall not operate as a waiver of any such provision or of any other provisions of this CC&R.

F.13. In the event of the consummation of the sale of all or a portion of the subject Property pursuant to an Accepted Purchase Offer, Walton shall have the ability, in its sole discretion, to terminate this CC&R, in whole or in part, and reflect such termination of record in St. Lucie County.

F.14. Walton is not licensed to sell or otherwise deal in or with any real property located in Hong Kong. This transaction does not deal in or with any real property located in Hong Kong.

F.15. For all purposes of this CC&R and except where otherwise provided herein, whenever any matter is the subject of a vote of Unit Owners, then the affirmative vote of 60% or greater of the undivided cotenancy interests in the Property *actually casting votes* on the matter shall be deemed the action of all of the Unit Owners and shall be binding upon all Unit Owners (known herein as a "***Unit Owners' Vote***").

[SIGNATURE PAGE COMMENCES ON FOLLOWING PAGE]

IN WITNESS WHEREOF, Declarant has caused this document to be executed as of the day and year first above written.

Signed, Sealed and Delivered
in the presence of:

Yvette Ratliff
Print Name: Yvette Ratliff
First Witness

Christine Silver
Print Name: Christine Silver
First Witness

WALTON ACQUISITIONS FL, LLC,
a Florida limited liability company

By: Walton International Group, Inc.,
a Nevada corporation,
its Manager

By: Gordon A. Price
Name: GORDON A. PRICE
Title: AUTHORIZED SIGNATORY

By: Wayne G. Souza
Name: WAYNE G. SOUZA
Title: AUTHORIZED SIGNATORY

STATE OF ARIZONA

COUNTY OF MARICOPA

ACKNOWLEDGED and subscribed before me this 2nd day of January, 2014, by Gordon A. Price and Wayne G. Souza, each an Authorized Signatory of Walton International Group, Inc., a Nevada corporation, the Manager of Walton Acquisitions FL, LLC, a Florida limited liability company, on behalf of the company. Both such persons are personally known to me.

VANESSA CHIZMESHYA
NOTARY PUBLIC - ARIZONA
MARICOPA COUNTY
My commission Expires
June 20, 2017

[SEAL]

Notary Public, State of Arizona
Print Name: Vanessa Chizmeshya
Commission No.: 525394
My Commission Expires: June 20, 2017

SCHEDULE "A"

PROPERTY DESCRIPTION – *VILLAGE AT MIDWAY*

Parcel 1:

Parcel 1:

A PARCEL OF LAND LYING IN SECTIONS 2, 3, 34, AND 35 TOWNSHIP 35 SOUTH AND 36 SOUTH, RANGE 39 EAST IN ST. LUCIE COUNTY, FLORIDA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SECTION 3, THENCE N89°46'35"W ALONG THE NORTH LINE OF SAID SECTION 3 A DISTANCE OF 2622.04 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF N.S.L.R.W.C.D. CANAL NO. 93 (A 78 FEET WIDE RIGHT-OF-WAY) AND BEING THE POINT OF BEGINNING OF THE FOLLOWING DESCRIBED PARCEL; THENCE N00°20'10"E ALONG THE EAST RIGHT-OF-WAY LINE OF SAID N.S.L.R.W.C.D. CANAL NO. 93 A DISTANCE OF 1318.99 FEET TO A POINT ON THE SOUTH LINE OF THE WEST 1/2 OF THE NORTHWEST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 34 A NOT INCLUDED PARCEL; THENCE S89°46'53"E ALONG THE SOUTH LINE OF SAID PARCEL NOT INCLUDED A DISTANCE OF 624.96 FEET TO A POINT ON THE EAST LINE OF SAID PARCEL NOT INCLUDED; THENCE N00°16'46"E ALONG THE EAST LINE OF SAID PARCEL NOT INCLUDED A DISTANCE OF 1319.04 FEET TO A POINT ON THE 1/4 SECTION LINE OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 39 EAST; THENCE S89°47'10"E ALONG THE 1/4 SECTION LINE OF SAID SECTION 34 A DISTANCE OF 1987.99 FEET TO A POINT ON THE EAST LINE OF SECTION 34, THENCE S00°06'37"W ALONG THE EAST LINE OF SAID SECTION 34 A DISTANCE OF 49.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.S.L.R.W.C.D. CANAL NO. 101 (A 98.00 FEET WIDE CANAL RIGHT-OF-WAY); THENCE S89°59'09"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF SAID N.S.L.R.W.C.D. CANAL NO. 101 A DISTANCE OF 2664.42 FEET TO A POINT ON THE 1/4 SECTION LINE OF SECTION 35, TOWNSHIP 35 SOUTH, RANGE 39 EAST; THENCE N00°12'25"E ALONG THE 1/4 SECTION OF SAID SECTION 35 A DISTANCE OF 2.00 FEET TO A POINT ON THE SOUTH RIGHT-OF-WAY LINE OF N.S.L.R.W.C.D. CANAL NO. 101 (A 94.00 FEET WIDE CANAL RIGHT-OFWAY); THENCE S89°52'23"E ALONG THE SOUTH RIGHT-OF-WAY OF SAID N.S.L.R.W.C.D. CANAL NO. 101 A DISTANCE OF 1331.59 FEET; THENCE CONTINUE S89°52'23"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF N.S.L.R.W.C.D. CANAL NO. 101 A DISTANCE OF 418.59 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF STATE ROAD NO. 9 (INTERSTATE HIGHWAY NO. 95) (WIDTH VARIES); THENCE S42°14'14"W ALONG THE WEST RIGHT-OF-WAY OF SAID STATE ROAD NO. 9 A DISTANCE OF 727.09 FEET TO THE BEGINNING OF A CURVE ALONG THE WEST RIGHT-OF-WAY OF SAID STATE ROAD NO. 9 CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5903.58 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 402.05 FEET THROUGH A CENTRAL ANGLE OF 03°54'07"; TO THE BEGINNING OF A COMPOUND CURVE ALONG THE WEST RIGHT-OF-WAY OF SAID STATE ROAD NO. 9 CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5903.58 FEET; THENCE

SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 597.06 FEET THROUGH A CENTRAL ANGLE OF 05°47'41"; TO THE BEGINNING OF A COMPOUND CURVE ALONG THE WEST RIGHT-OF-WAY OF SAID STATE ROAD NO. 9 CONCAVE TO THE SOUTHEAST HAVING A RADIUS OF 5903.58 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 999.10 FEET THROUGH A CENTRAL ANGLE OF 09°41'48"; THENCE CONTINUE ALONG SAID WEST RIGHT-OF-WAY LINE S22°50'38"W A DISTANCE OF 363.01 FEET TO THE NORTH RIGHT-OF-WAY LINE OF N.S.L.R.W.C.D. CANAL NO. 102 (A 85 FOOT WIDE CANAL RIGHT-OF-WAY); THENCE N89°48'50"W ALONG SAID NORTH RIGHT-OF-WAY LINE A DISTANCE OF 60.02 FEET; THENCE CONTINUE N89°53'51"W ALONG SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 900.00 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY LINE N89°53'51"W A DISTANCE OF 430.07 FEET; THENCE CONTINUE ALONG SAID NORTH RIGHT-OF-WAY LINE N89°53'51"W A DISTANCE OF 1330.07 FEET TO THE WEST LINE OF THE SOUTHWEST 1/4 OF SAID SECTION 35; THENCE S00°06'37"W ALONG THE WEST LINE OF SAID SOUTHWEST 1/4 OF SECTION 35 A DISTANCE OF 42.50 FEET TO THE NORTHWEST CORNER OF THE NORTHWEST ¼ OF SAID SECTION 2; THENCE S00°06'35"W ALONG THE WEST LINE OF SAID NORTHWEST 1/4 OF SECTION 2, A DISTANCE OF 42.50 FEET TO THE SOUTH RIGHT-OF-WAY LINE OF SAID N.S.L.R.W.C.D. CANAL NO. 102; THENCE S89°53'51"E ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 1330.04 FEET; THENCE CONTINUE S89°53'51"E ALONG SAID SOUTH RIGHT-OF-WAY LINE A DISTANCE OF 1300.04 FEET TO THE WEST RIGHT-OF-WAY LINE OF A 30 FOOT ROAD RIGHT-OF-WAY AS RECORDED IN DEED BOOK 116, AT PAGE 379 OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; THENCE S00°03'15"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 129.69 FEET RETURNING TO THE WEST RIGHT-OF-WAY LINE OF SAID STATE ROAD 9 (INTERSTATE 1-95); THENCE S22°50'38"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 470.73 FEET; THENCE CONTINUE S26°50'37"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 519.99 FEET; THENCE CONTINUE S32°49'14"W ALONG SAID RIGHT-OF-WAY LINE A DISTANCE OF 229.66 FEET; THENCE DEPARTING SAID STATE ROAD NO. 9 N56°07'55"W A DISTANCE OF 323.65 FEET; THENCE N27°59'51"E A DISTANCE OF 671.72 FEET; TO THE BEGINNING OF A CURVE CONCAVE TO THE SOUTHWEST HAVING A RADIUS OF 150.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 308.52 FEET THROUGH A CENTRAL ANGLE OF 117°50'41"; THENCE N89°50'50"W A DISTANCE OF 1811.20 FEET; THENCE S00°00'00"E A DISTANCE OF 142.46 FEET TO THE BEGINNING OF A CURVE CONCAVE TO THE NORTHWEST HAVING A RADIUS OF 335.00 FEET; THENCE SOUTHWESTERLY ALONG THE ARC OF SAID CURVE A DISTANCE OF 365.79 FEET THROUGH A CENTRAL ANGLE OF 62°33'43"; THENCE S62°33'43"W A DISTANCE OF 139.15 FEET; THENCE S01°56'01"W A DISTANCE OF 142.19 FEET; THENCE S53°57'44"W A DISTANCE OF 58.71 FEET; THENCE S85°17'03"W A DISTANCE OF 146.97 FEET; THENCE S02°37'14"W A DISTANCE OF 332.85 FEET; THENCE S31°56'28"W A DISTANCE OF 78.35 FEET; THENCE S61°15'41"W A DISTANCE OF 335.42 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF A 60 FEET WIDE FP&L EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 119, PAGE 404; THENCE N32°18'17"W ALONG THE EAST RIGHT-OF-WAY LINE OF SAID 60 FEET WIDE FP&L EASEMENT A DISTANCE OF 1745.80 FEET TO A POINT ON THE NORTH RIGHT-OF-WAY

LINE OF A 200 FEET WIDE FP&L EASEMENT AS RECORDED IN OFFICIAL RECORDS BOOK 377, PAGES 2069-2076; THENCE N89°46'35"W ALONG THE NORTH RIGHT-OF-WAY LINE OF SAID 200 FEET WIDE FP&L EASEMENT AND BEING PARALLEL TO THE NORTH LINE OF SAID SECTION 3 A DISTANCE OF 1026.62 FEET TO A POINT ON THE EAST RIGHT-OF-WAY LINE OF N.S.L.R.W.C.D. CANAL NO. 93 (A 78 FEET WIDE RIGHT-OF-WAY); THENCE N00°02'49"E ALONG THE EAST RIGHT-OF-WAY LINE OF SAID N.S.L.R.W.C.D. CANAL NO. 93 A DISTANCE OF 52.50 FEET TO A POINT ON THE NORTH SECTION LINE OF SAID SECTION 3, TOWNSHIP 36 SOUTH, RANGE 39 EAST AND BEING THE POINT OF BEGINNING.

Parcel 2:

Parcel A:

THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

Containing 1,701,018 square feet or 39.05 acres, more or less.

Parcel B:

THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 3, TOWNSHIP 36 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY AND LESS MIDWAY ROAD RIGHT-OF-WAY AS SET FORTH IN OFFICIAL RECORDS BOOK 44, PAGE 447, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

Containing 3,378,514 square feet or 77.56 acres, more or less.

lucido & associates

November 5, 2014

Clarissa Davis, Planner
Planning Department
City of Fort Pierce
PO Box 1480
Fort Pierce, FL 34954

Re: Village At Midway – Annexation Capacity Analysis
Our Reference Number: 14-290

Dear Clarissa,

At your request, please find enclosed herewith one (1) original and eight (8) hardcopies of the completed Capacity Analysis worksheet and supporting Traffic Impact Report, along with water/waste water capacity letters from St. Lucie County Water and Waste Water Utility District and Fort Pierce Utilities Authority. Additionally, you have also been copied on emails with regard to the public school capacity and solid waste capacity; at your request, hard copies of said correspondence can be provided to you should you require it.

Please do not hesitate contact me directly with any questions, comments or concerns that you may have regarding the documents provided herein.

Respectfully,

Brian Nolan, ASLA, APA
Senior Project Manager
Lucido & Associates

C/c:
Rebecca Grohall – Planning Manager
Mark Jacobson – Walton Development (Applicant)
Chris Forbes – Walton Development (Applicant)
Lee Dobbins – Dean Mead
Howard Erhsam – Bowman Consulting
Susan O'Rourke – Susan E. O'Rourke, P.E., Inc.

CAPACITY ANALYSIS

I. Site Data:

	Existing Use	Future Land Use	Zoning
North	Vacant	AG-2.5	AG-2.5
South	Vacant	MXD	PNRD
East	Vacant	MXD	AG-2.5
West	Vacant	AG-2.5	AG-2.5

	Future Land Use	Zoning Classification	Maximum Intensity Residential: Dwelling Units per Acre Other: Square Footage	Total Acreage	Flood Zone
Current	AG-2.5	AG-2.5	16 DU's / 850,509 sf. (aquaculture)	39.05 ac.	X
****Proposed**	MXD	PD	425 DU's (10.8 DU's/ac.) / 750,000 sf.	39.05 ac.	N/A

II. Public Facilities Information:

A. Potable Water:	
Average Use	Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) 425 x 2.6 x 100 = 110,500 gpd / 750,000 x 0.125 = 93,750 gpd Other: 0.125 gallons per day per square foot 110,500 + 93,750 = 204,250 gpd
Demand Analysis	Maximum ADF x 1.5 = 204,250 gpd x 1.5 = 306,375 gpd
Current Zoning/FLU	Total gallons per day 16 x 2.6 x 100 = 4,160 + 850,509 x 0.125 = 110,474 gpd
**Proposed Zoning/FLU	Total gallons per day 204,250 gpd
**Change in Demand	Total gallons per day +93,776 gpd

B. Wastewater:	
Average Use	Residential: 100 gallons per day per person (du x 2.6= persons x 100 gpd = demand) 425 x 2.6 x 100 = 110,500 gpd 750,000 x 0.10 = 75,000 gpd Other: 0.1 gallons per day per square foot 110,500 + 75,000 = 185,500 gpd
Demand Analysis	Maximum ADF x 1.5 = 185,500 x 1.5 = 278,250 gpd
Current Zoning/FLU	Total gallons per day 16 x 2.6 x 100 = 4,160 + 850,509 x 0.10 = 89,211 gpd
**Proposed Zoning/FLU	Total gallons per day 185,500 gpd
**Change in Demand	Total gallons per day +96,289 gpd

C. Parks and Recreation (Residential Classifications Only):
(Du x 2.6 = persons + 44,227 = population /LOS)

Park Type	LOS	Existing Population Park Demand	Proposed Population Park Demand	Change in Demand
Regional	20 acres per 1,000 people	885 ac.	907 ac.	+22 ac.
Urban District	5 acres per 1,000 people	221 ac.	226 ac.	+5 ac.
Community	2.5 acres per 1,000 people	111 ac.	113 ac.	+2 ac.
Neighborhood	1.36 acres per 1,000 people	60 ac.	62 ac.	+2 ac.

D. Public Schools (Residential Classifications Only):
Single Family: (du x 0.405 = students/70% K-8/30% High)
Multi-family: (du x 0.207 = students/70% K-8/30% High)

	K-8	High
School Name	Samuel Gains Academy (TBD)	Fort Pierce Central (TBD)
City	Fort Pierce	Fort Pierce
Distance	5 miles	5 miles
Current Zoning/FLU Enrollment Demand	5 Students	2 Students
****Proposed Zoning/FLU Enrollment Demand**	225 SF = 64 Students 200 MF = 29 Students	225 SF = 27 Students 200 MF = 12 Students
****Change in Demand**	+88 Students	+37 Students

E. Solid Waste: Residential (2 yard serves 15 units, 4 yard serves 30 units, 6 yard serves 45 units, 8 yard serves 60 units)	
Demand Analysis	Maximum
Current Zoning/FLU	16 Units: 4 yds.
****Proposed Zoning/FLU**	425 Units: 56 yds. (8 yds./60 Units = X yds./425 Units = 56 yds.)
***Change in Demand**	+ 52 yds.

F. Stormwater:
Potential increase in volume discharged due to increased impervious coverage, reduced groundwater seepage or loss of surface water storage impacting Adopted LOS of 25-year 3-day storm Pre vs. Post Runoff (Storm sewers to convey 5 year- 1 day storm event; Canals to convey 3 year – 1 day storm event)

Impact	Pre-development Runoff: 25.10 ac. ft. Post-development Runoff: 27.31 ac. ft. Difference in Pre/Post-development: +1.6 ac. ft.

III. Transportation Analysis: *Complete ITE Trip Generation Form (Attached)*

G. Transportation Analysis: Complete ITE Trip Generation Data Form Most recent ITE Code for use; HCM Roadway Capacity		
	AADT	**AM/PM Peak Hour Trips**
Demand Analysis	Maximum	Maximum
Current Zoning/FLU	3,107	268/234
****Proposed Zoning/FLU**	9,375	749/938
***Change in Demand**	6,268 Trips	Trips 481/704
Impact to Capacity	Capacity available within LRTP; see attached Traffic Impact Report.	

IV. Project Description

PHASING N/A for Annexation
Is this project (phase) part of a larger project? [ ] Yes [ ] No
If yes, enumerate each phase, the number of units or square footage in each phase and beginning/completion date.
Total Project: Residential Units: Single Family: Multifamily:
Non-residential (square footage):
Mixed-use (describe use):
(If this is a single phase project, name it Phase I – Total)

RESIDENTIAL DATA

Type	**Phase**	**Number of Units**	**Acres**	**Expected beginning date**	**Expected completion date**
Single-family, detached					
Single-family, attached					
Multi-family					
Other (specify)					

NON-RESIDENTIAL DATA					
Type(s) specify	**Phase**	**Square footage**	**Acres**	**Expecting beginning date**	**Expected completion date**

A. Indicate whether the proposed project will be eliminating any existing recreational facilities. If yes, detail the number and type being eliminated. [ ] Yes [X] No

B. 1. Does this application involve demolition or re-use of any structure(s)? [ ] Yes [X] No
If yes, what is the size of the structure(s) to be demolished or re-used? _____
2. What is the current use of the structure to be demolished or re-used? _____
3. Are you claiming trip credits for the demolition or re-use of a structure(s) at the site? [ ] Yes [ ] No
If yes, provide estimates of credits for each previous use at the site. (Attach sheet with calculations)

C. Exemptions Requested:

** Complete section if requesting a change in zoning, future land use, or expanding

BOARD OF COUNTY COMMISSIONERS

ST. LUCIE COUNTY FLORIDA

UTILITIES

October 30, 2014

Walton Acquisitions FL, LLC
c/o W. Lee Dobbins, Esq.
Dean, Mead, Minton & Zwemer
1903 South 25th Street, Suite 200
Fort Pierce, Florida 34947

Dear Mr. Dobbins:

RE: Utility Service Availability Letter – Village of Midway

You have requested the St. Lucie County Water and Wastewater Utility District (the "District"), provide you a utility service availability status letter regarding the District's water and wastewater utility system. You own, control or represent property as generally described on Attachment A to this letter (the "Property"). This Property lies within the areas of St. Lucie County that will be served by the District. Please note that the provision and availability of utility service by the District is governed by the District's Utility Policies and Procedures, including the Utility Service and Extension Policies and Rate Resolutions, (the "Utility Governing Documents"). The Utility Governing Documents are incorporated in and made a part of this letter and shall control any inconsistencies between this letter and the Utility Governing Documents. Please read the Utility Governing Documents carefully with your legal adviser to understand the process for obtaining a utility service commitment from the District.

This utility service availability letter is intended to provide a non-binding generic statement of the current status of utility service availability in the areas of St. Lucie County that will be served by the District. [If applicable: The District currently has a Bulk Service Agreement with the Fort Pierce Utility Authority (the "FPUA") to provide water supply and treatment and/or wastewater treatment and disposal utility capacity to the District, as available as determined by the FPUA. The terms of the Bulk Service Agreement are incorporated in and made a part of this letter.] The District will determine the best way to serve the Property.

The District currently has utility lines in the vicinity of your Property; at the current time, these utility lines have available capacity. Additional infrastructure needs will be finalized when demand projections for the property are provided to the District and the standard development agreement executed.

This letter is not a reservation of utility capacity and may not be relied upon by you as a representation from the District to you as to the availability of utility service to your Property. In order to reserve capacity to serve your Property, you will need to execute a standard development agreement with the District in accordance with the Utility Governing Documents.

Please let me know if you require additional information regarding this matter.

Sincerely,

Laurie Waldie

Laurie Waldie
Utility Director

cc: Raymond Murankus, SLCU Project Manager
Mark Satterlee, Planning & Development Services Director

CHRIS DZADOVSKY, District No. 1 • TOD MOWERY, District No. 2 • PAULA A. LEWIS, District No. 3 • FRANNIE HUTCHINSON, District No. 4 • KIM JOHNSON, District No. 5
2300 Virginia Avenue • Fort Pierce, FL 34982 • Phone (772) 462-1150 • FAX (772) 462-1153
web site: www.stlucieco.gov

Attachment "A"

THE LAND REFERRED TO HEREIN BELOW IS SITUATED IN THE COUNTY OF ST. LUCIE, STATE OF FLORIDA, AND IS DESCRIBED AS FOLLOWS:

PARCEL 1:
THE SOUTHEAST ¼ OF THE SOUTHWEST ¼ OF SECTION 34, TOWNSHIP 35 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

CONTAINING: 1,701,018 SQUARE FEET OR 39.05 ACRES, MORE OR LESS.

PARCEL 2:
THE EAST ½ OF THE NORTHWEST ¼ OF SECTION 3, TOWNSHIP 36 SOUTH, RANGE 39 EAST, LESS AND EXCEPT THE EAST 39.00 FEET FOR CANAL RIGHT-OF-WAY AND LESS MIDWAY ROAD RIGHT-OF-WAY AS SET FORTH IN OFFICIAL RECORDS BOOK 44, PAGE 447, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA; SAID LANDS SITUATE, LYING AND BEING IN ST. LUCIE COUNTY, FLORIDA.

CONTAINING: 3,378,514 SQUARE FEET OR 77.56 ACRES, MORE OR LESS.

715 South 25th Street (34947)
PO Box 3191 (34948)

Phone: 772.466.1600, Ext. 3475
Fax: 772.468.2411

Director of Water/Wastewater Systems
"Committed to Quality"

November 3, 2014

tperkins@fpua.com

Howard Ehrsam, P.E.
Bowman Consulting
10815 SW Tradition Square
Port St. Lucie, FL 34987

Subject: The northern 39.05 acres of Parcel No. 2334-340-0000-000-7
Villages of Midway

Dear Mr. Ehrsam:

As requested, FPUA has water treatment capacity and wastewater treatment capacity available for the above referenced project. We can make no statement regarding water or wastewater transmission capacity as this project is located in the St. Lucie County Water and Wastewater Bulk Service Area and they are responsible for all transmission capacity improvements required to serve the proposed project.

Should you have additional questions, please contact me at 772-466-1600 Ext. 3475.

Sincerely,

Timothy E. Perkins, P.E.
Director W/WW Systems

ec: Bill Thiess, Director of Utilities
Valerie Schulte, Supervising Engineer
Laurie Waldie, SLC Utilities Director

SUSAN E. O'ROURKE, P.E., Inc.

Traffic Engineering, Transportation Planning

TRAFFIC ANALYSIS

FOR

Villages at Midway LUPA

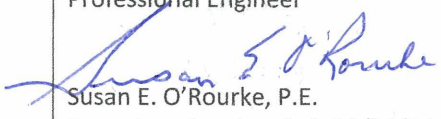
Prepared for:

Walton Development and Management

Prepared by

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SR14091.0

Prepared by: Susan E. O'Rourke, P.E., Inc. Certificate of Authorization: #26869 969 SE Federal Highway, Suite 402 Stuart, Florida 34994 772-781-7918	Professional Engineer  Susan E. O'Rourke, P.E. Date signed and sealed: 10/31/14 License #: 42684

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SUSAN E. O'ROURKE, P.E., Inc.

Traffic Engineering, Transportation Planning

October 31, 2014

Mr. Mark Jacobson

Walton Development and Management
8390 ChampionsGate Bloulevard
Suite 315
Champions Gate, FL 33896

Re: Village at Midway

Dear Mr. Jacobson:

Susan E. O'Rourke, P.E., Inc. has completed the analysis of the proposed land use plan amendment from AG 2.5 to MXD. The land use amendment affects a parcel with a total of 39.05 acres generally north of Midway Road in St. Lucie County, Florida. The parcel is the subject of an Annexation into the City of Ft. Pierce. The steps in the analysis and the ensuing results are presented herein.

It has been a pleasure working with you. If you have any questions or comments, please give me a call.

Respectfully submitted,
Susan E. O'Rourke, P.E., Inc.

Susan E. O'Rourke, P.E.
Registered Civil Engineer - Traffic

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INTRODUCTION

Susan E. O'Rourke, P.E., Inc. was retained to prepare a traffic analysis for the proposed land use amendment of 39.05 acres of land with a land use category of AG-2.5 allowing up to 16 dwelling units or 850,509 square feet of Aquaculture. The proposal is to change the land use to MXD which is a flexible mixed use land use category that is implemented via the adoption of a Planned Development (PD) Agreement. However, the development cannot exceed an FAR of 1.5 and the residential portion must comprise 40% of the total square footage of development. To that end, the proposal is to develop a maximum of: 500,000 square feet of warehouse; 150,000 square feet of general office; 100,000 square feet of retail; 225 single family units and 200 multi- family units. The purpose of this report is to determine the impact on the surrounding roadway system associated with the change in land use. The following analytical steps were taken:

- summary of the project description; existing land use and proposed land use
- summary of existing/ 2035 lane geometrics
- assessment of the change in trip generation
- summary of 2035 traffic volumes

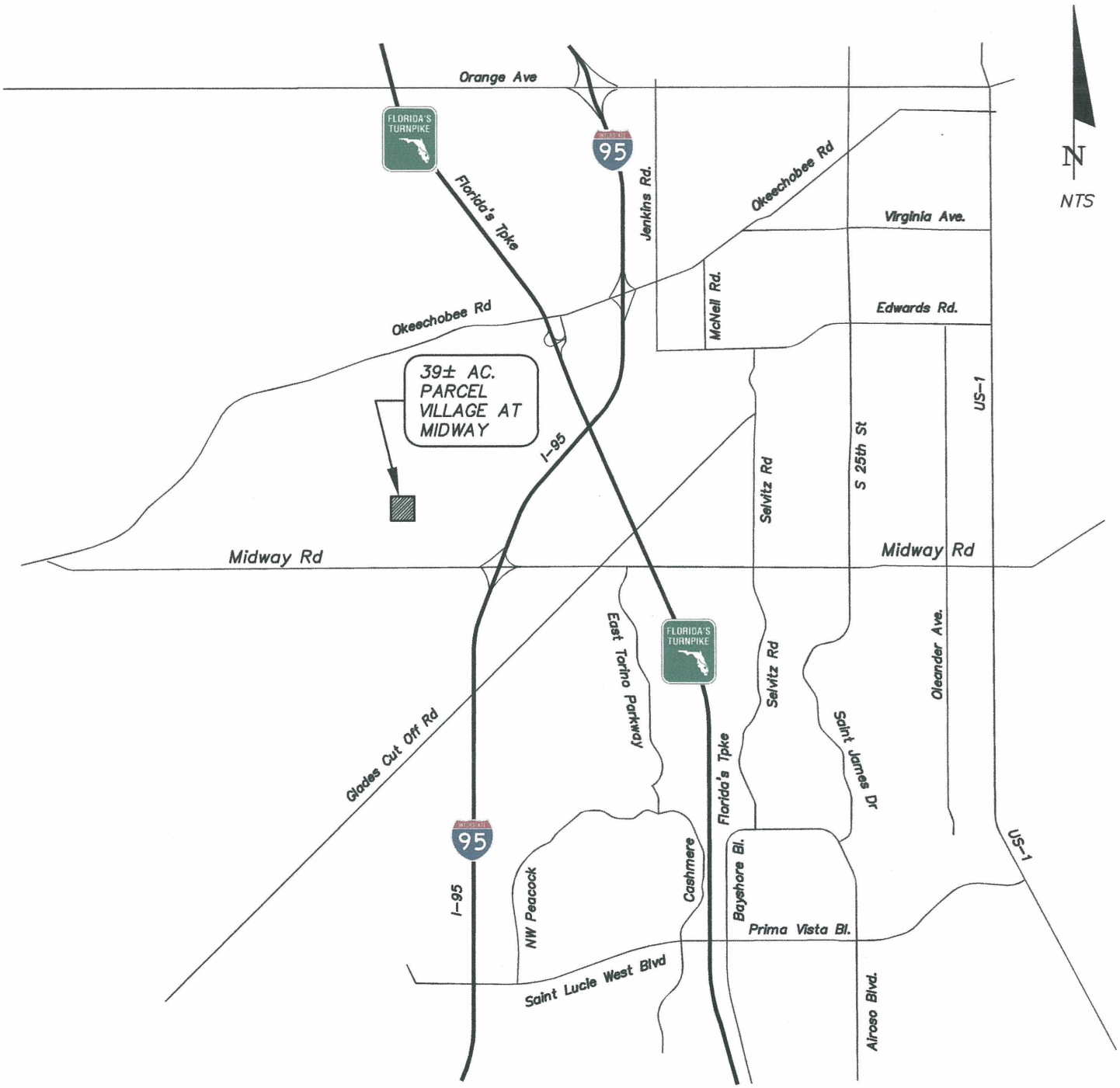
Each of these steps is outlined herein.

PROJECT DESCRIPTION

The proposed land use amendment involves a parcel of land located generally north of Midway Road. **Figure 1** shows the project's location.

The existing land use designation for the site is AG-2.5 allowing up to 16 dwelling units or 850,509 square feet of Aquaculture. The proposal is to change the land use to MXD which is a flexible, mixed use land use category that is implemented via the adoption of a Planned Development (PD) Agreement. However, the development cannot exceed an FAR of 1.5 and the residential portion must comprise 40% of the total square footage of development. To that end, the proposal is to develop a maximum of: 500,000 square feet of warehouse; 150,000 square feet of general office; 100,000 square feet of retail; 225 single family units and 200 multi- family units.

The analysis of the project impacts in the long range scenario, 2035 are discussed herein.



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FIGURE 1

PROJECT LOCATION

THE VILLAGE AT MIDWAY

OCT 2014

TRIP GENERATION

To estimate the trips generated by the existing future land use the land use the existing zoning of Agriculture was considered. Two scenarios could be implemented, residential at 1 unit per 2.5 acres resulting in 16 dwelling units or agriculture uses such as Aquaculture. The aquaculture use could allow up to 850,509 square feet of use. Warehouse trip rates were applied for this use. The aquaculture would result in a higher trip generation so it was used in the analysis. The trip generation for the land use under the existing future land use category is shown in **Table 1**.

For the proposed future land use, given the parameters within the MXD land use, a land development program was created that will be memorialized in the PD agreement at a later date. The program of : warehouse- 500,000 square feet,; general office – 150,000 square feet, retail- 100,000 square feet; single family dwelling units – 225; multi family dwelling units l 200 were analyzed/ **Table 2a** summarizes the trip generation associated with the proposed future land use. **Table 2b** shows the internal capture. **Appendix A** includes trip generation and internal capture for the AM and PM peak hours.

The change in land use is the subject of the land use plan amendment. As shown in **Table 3**, there will be a potential increase of 6268 daily trips, 483 AM peak hour trips and 704 PM peak hour trips.

LANE GEOMETRICS

The study area was reviewed to determine the existing number and type of lanes along the roadway. Each roadway is described below.

Midway Road is a two lane arterial with an east/west alignment in the vicinity of the project. It is a four lane roadway from just west of I-95 to Selvitz Road. The roadway is included in the Cost Feasible Long Range Plan to be widened to 4 lanes from SR 70 to just west of I-95. From Selvitz to US 1, the FDOT is in the processing of constructing the entire roadway as a four lane section.

I-95 is a 6 lane interstate highway with a north/south alignment. The road is included in the cost feasible plan as an 8 lane interstate highway north of Okeechobee Road.

Figure 2 illustrates the existing roadway conditions.

Table 1 Warehouse Existing Future Land Use Trip Generation

	ITE Code	Intensity		Trip Generation Rate	Directional Split		Gross Trips		
					% In	% Out	In	Out	Total
Daily	850	406000	SF	Ln(t)=0.86ln(x)+2.24					1645
AM	850	406000	SF	Ln(t)=0.55Ln(x)+1.88	79%	21%	141	37	178
PM	850	406000	SF	Ln(t)=0.64Ln(x)+1.14	25%	75%	37	109	146

TABLE 2a Trip Generation - Daily

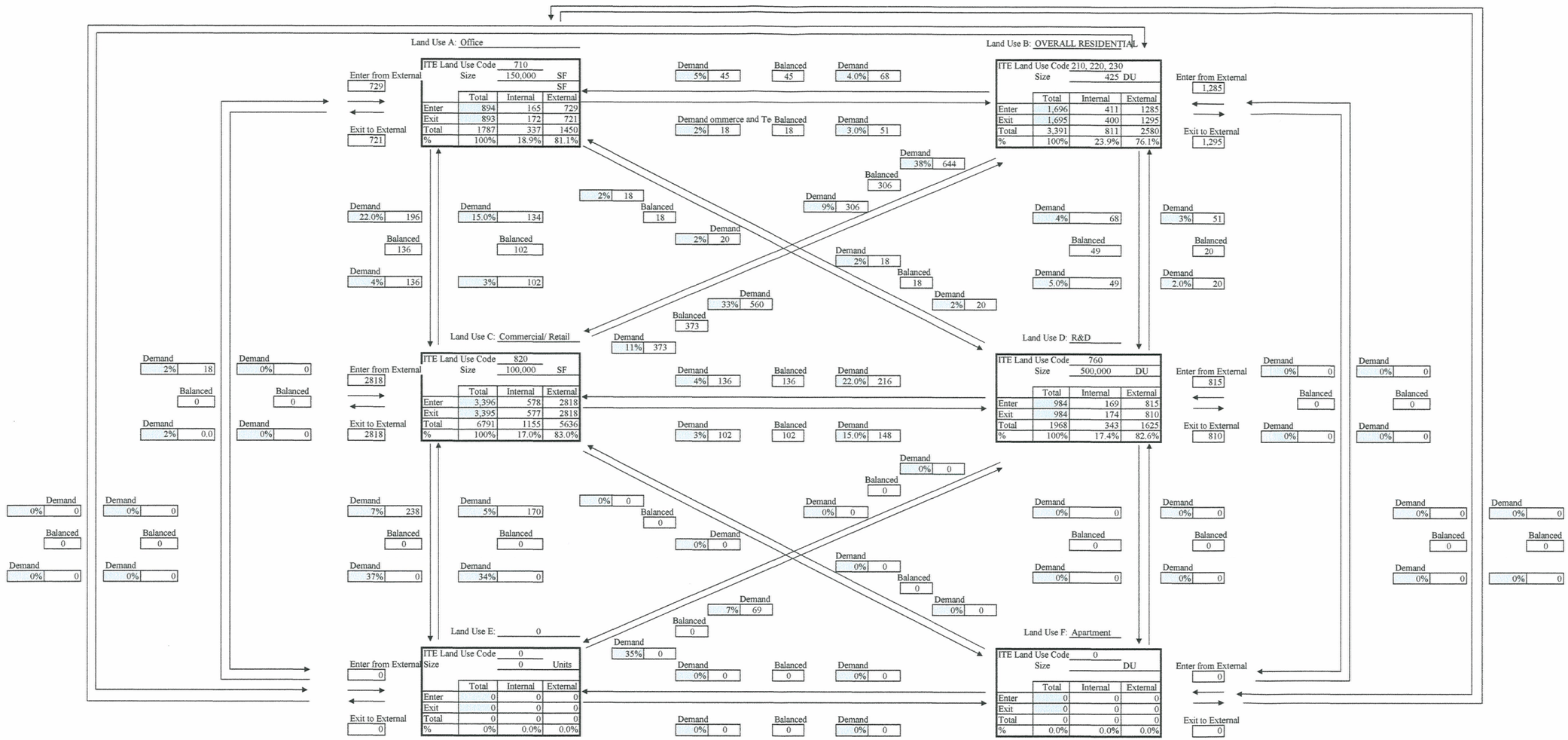
Land Use	ITE Code	Intensity	Trip Generation Rate	Directional Split		Gross Trips			Internalization Trips				Net External Trips			Pass-by Trips		Net New Trips		
				% In	% Out	In	Out	Total	In	Out	Total	%	In	Out	Total			In	Out	Total
Residential Single-Family	210	225 DU	Ln(T)=0.92(x)+2.72	50%	50%	1,108	1,107	2,215	268	261	529	23.9%	840	846	1,686	0	0.0%	840	846	1,686
Residential Multi-Family	230	200 DU	Ln(T)=0.87ln(x)+2.46	50%	50%	588	588	1,176	143	139	282	24.0%	445	449	894	0	0.0%	445	449	894
Commercial/ Retail	820	100,000 SF	Ln(T)=0.65ln(x)+5.83	50%	50%	3,396	3,395	6,791	578	577	1,155	17.0%	2,818	2,818	5,636	1916	34.0%	1,860	1,860	3,720
Warehouse	150	500,000 SF	Ln(T)=0.86Ln(x)+2.24	50%	50%	984	984	1,968	169	174	343	17.4%	815	810	1,625	0	0.0%	815	810	1,625
Office	710	150,000 SF	Ln(T)=0.76Ln(x)+3.68	50%	50%	894	893	1,787	165	172	337	18.9%	729	721	1,450	0	0.0%	729	721	1,450
TOTAL						**6,971**	**6,968**	**13,938**	**1,323**	**1,323**	**2,646**	**19.0%**	**5,647**	**5,644**	**11,291**	**1916**	**17.0%**	**4,689**	**4,686**	**9,375**

Table 2b Trip Generation: Daily

Village at Midway 39.05 acres LUPA
TRIP INTERNALIZATION - Daily

Analyst AAA
Date Nov-14

Name of Devlpt Village at Midway 39.05 acres LUPA
Time Period Daily

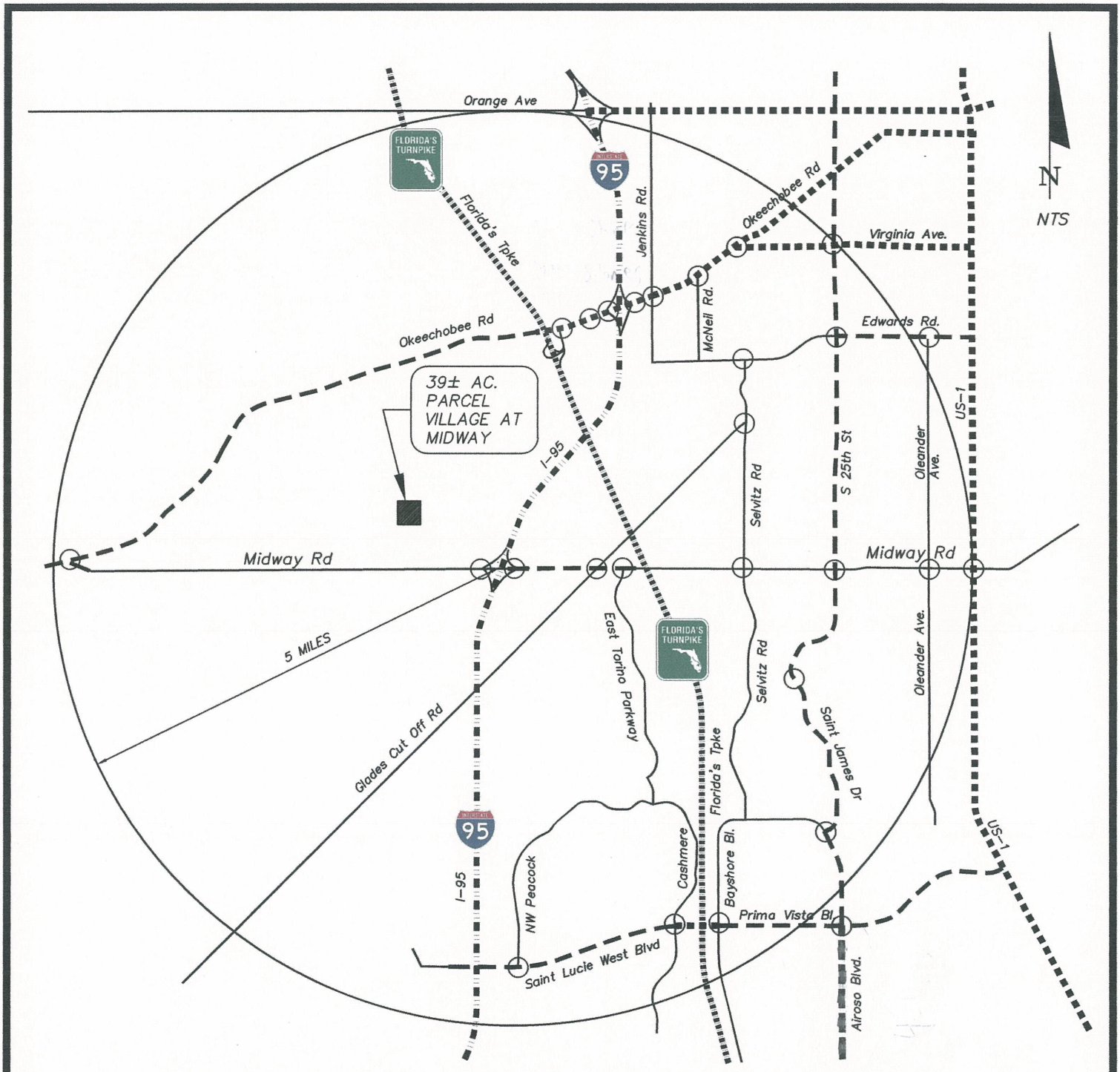


Net External Trips for Multi-Use Development

	Land Use A	Land Use B	Land Use C	Land Use D	Land Use E	Land Use F	Total	
Enter	729	1285	2818	815	0	0	5647	
Exit	721	1295	2818	810	0	0	5644	Internal
Total	1450	2580	5636	1625	0	0	11291	Capture
Single-Use Trip Gen Estimate	1787	3391	6791	1968	0	0	13937	19.0%

Source: based on procedures from the ITE Trip Generation Handbook, Chapter 7, March 2001

Table 3: Net Trip Generation			
	Existing	Proposed	Net Increase
Daily	3107	9375	6268
AM- Total	268	751	483
AM-In	212	295	83
AM-Out	56	458	402
PM- Total	234	938	704
PM- In	59	461	402
PM - Out	175	477	302



LEGEND

= 2 LANE ARTERIAL
= 4 LANE ARTERIAL
= 6 LANE ARTERIAL
= 4 LANE EXPRESSWAY
= 6 LANE EXPRESSWAY
= SIGNALIZED INTERSECTION

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FIGURE 2

EXISTING ROADWAY NETWORK

THE VILLAGE AT MIDWAY

OCT 2014

PROJECT ASSIGNMENT

The project traffic was distributed using the TCRPC Model. The resultant assignment is shown in **Appendix B**. The project percent assignment is shown in **Figure 3**.

STUDY AREA/ PROJECT IMPACT

Based on the project assignment and the impact to the network, the study area was determined. The study area is defined to include the roadways where the project has an impact of 5% or greater of project volume to capacity. The adjacent street is required to be addressed when the impact is 1% or greater.

Table 4 summarizes the project impact on the area network

As shown, the project study area includes just 1 link based on the 5%/1% criteria.

FUTURE TRAFFIC VOLUMES

The links along Midway Road were analyzed in the study, although only LTC Ranch to I-95 is required. The links were analyzed for the long term conditions. The long term analysis coincides with the Long Range Transportation Plan which is 2035. For the 2035 horizon, the network includes the components that are included in the cost feasible roadway network.

2035 Horizon

The proposals to amend the comprehensive plan must demonstrate that the impacts created by the new project can be accommodated on the long range circulation plan that has been adopted for the existing future land use.

To determine the impact created by the change in land use, the traffic volumes from the 2035 Long Range Transportation Plan were used. **Table 5** summarizes the 2035 volumes with the project traffic added. The total traffic volumes were compared to the capacity of the roadway under the 2035 conditions. All roadways will operate at acceptable levels of service with the proposed future land use amendment in place.

Appendix C contains the 2035 volumes and network data.

CONCLUSION

The proposed land use will result in an increase in trips of 6268 daily trips, 483 AM peak hour trips and 704 PM peak hour trips. The proposed land use amendments will not adversely impair the surrounding network.



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FIGURE 3

PROJECT % ASSIGNMENT

THE VILLAGE AT MIDWAY

OCT 2014

Table 4: Project Percent Impact

Segment	From	To	Existing Lanes	2035 Lanes	Functional Classification	Existing LOS D/E (Daily)(1)	2035 LOS D/E (Daily) (1)	Project % Assignment	Project Traffic	Project % of Existing Capacity	Is project % of Existing Capacity > 5%	Project % of 2035 Capacity	Is project % of 2035 Capacity > 5%	Is total traffic less than capacity?
Midway Road	Okeechobee Rd	Shinn Rd	2L	4LD	Rural Principal Arterial- uninterrupted	14300	39800	6.0%	376	2.6%	NO	0.9%	NO	YES
	Shinn Rd	McCarty Rd	2L	4LD	Rural Principal Arterial- uninterrupted	14300	39800	8.0%	501	3.5%	NO	1.3%	NO	YES
	McCarty Rd	Arterial A	2L	4LD	Urban Principal Arterial	17700	39800	8.0%	501	2.8%	NO	1.3%	NO	YES
	Arterial A	I95	2L	4LD	Urban Principal Arterial	17700	39800	78.0%	4889	27.6%	Yes	12.3%	Yes	YES
	I95	Glades Cut off Rd	4LD	4LD	Urban Minor Arterial	32400	32400	16.0%	1003	3.1%	NO	3.1%	NO	YES
	Glades Cut off Rd	NW East Torino Pkwy	4LD	4LD	Urban Minor Arterial	32400	32400	11.0%	689	2.1%	NO	2.1%	NO	YES
	NW East Torino Pkwy	Florida's Turnpike	2L	4LD	Urban Minor Arterial	14800	32400	10.0%	627	4.2%	NO	1.9%	NO	YES
	Florida's Turnpike	S. Jenkins Rd	2L	4LD	Urban Minor Arterial	14800	32400	9.0%	564	3.8%	NO	1.7%	NO	YES
	S Jenkins Rd	Selvitz Rd	2L	4LD	Urban Minor Arterial	14800	32400	6.0%	376	2.5%	NO	1.2%	NO	YES
	Selvitz Rd	S 25th St	2L	4LD	Urban Minor Arterial	14800	32400	5.0%	313	2.1%	NO	1.0%	NO	YES
									0					
Okeechobee Rd	Midway Rd	Shinn Rd	4LD	4LD	Rural Principal Arterial- uninterrupted	51000	51000	0.0%	0	0.0%	NO	0.0%	NO	YES
	Shinn Rd	McCarty Rd	4LD	4LD	Rural Principal Arterial- uninterrupted	51000	51000	0.0%	0	0.0%	NO	0.0%	NO	YES
	McCarty Rd	Florida's Turnpike	4LD	4LD	Urban Principal Arterial	39800	39800	2.0%	125	0.3%	NO	0.3%	NO	YES
	Florida's Turnpike	S King's Hwy	4LD	4LD	Urban Principal Arterial	39800	39800	1.0%	63	0.2%	NO	0.2%	NO	YES
	S King's Hwy	Crossroads Pkwy	4LD	4LD	Urban Principal Arterial	39800	39800	1.0%	63	0.2%	NO	0.2%	NO	YES
	Crossroads Pkwy	I95	4LD	4LD	Urban Principal Arterial	39800	39800	3.0%	188	0.5%	NO	0.5%	NO	YES
	I95	Jenkins Rd	6LD	6LD	Urban Principal Arterial	59900	59900	9.0%	564	0.9%	NO	0.9%	NO	YES
	Jenkins Rd	McNeil Rd	6LD	6LD	Urban Principal Arterial	59900	59900	7.0%	439	0.7%	NO	0.7%	NO	YES
	McNeil Rd	Virginia Ave	6LD	6LD	Urban Principal Arterial	59900	59900		0	0.0%	NO	0.0%	NO	YES
									0					
Florida's Turnpike	North	Okeechobee Rd	4LD	4LD	Urban Principal Arterial	74400	74400	0.0%	0	0.0%	NO	0.0%	NO	YES
	Okeechobee Rd	South	4LD	4LD	Urban Principal Arterial	74400	74400	0.0%	0	0.0%	NO	0.0%	NO	YES
									0					
I95	Orange Ave	Okeechobee Rd	4LD	8LD	Urban Principal Arterial	74400	148700	19.0%	1191	1.6%	NO	0.8%	NO	YES
	Okeechobee Rd	W. Midway Rd	4LD	6LD		74400	111800	33.0%	2068	2.8%	NO			
	W Midway Rd	St Lucie West Blvd	4LD	6LD	Rural Principal Arterial	74400	111800	29.0%	1818	2.4%	NO	1.6%	NO	YES
									0					
									0					
Glades Cut off Rd	Range Line Rd	Reserve Blvd	2L	2L	Urban Minor Arterial	17700	17700	5.0%	313	1.8%	NO	1.8%	NO	YES
	Reserve Blvd	LTC Parkway	2L	2L	Urban Minor Arterial	17700	17700	5.0%	313	1.8%	NO	1.8%	NO	YES
	LTC Parkway	W. Midway Rd	2L	2L	Urban Minor Arterial	17700	17700	7.0%	439	2.5%	NO	2.5%	NO	YES
	W Midway Rd	Florida's Turnpike	2L	2L	Urban Minor Arterial	17700	17700	3.0%	188	1.1%	NO	1.1%	NO	YES

Note: The Tables for LRTP show Glades cut-off as 4LD but unfunded. Midway was shown as funded in 2021.

Daily Trips
6,268

Table 5: Link Analysis - 2035 W/ Proposed Future Land Use

Segment	From	To	Existing Lanes	2035 Lanes	Functional Classification	Existing LOS D/E (Daily)(1)	2035 LOS D/E (Daily) (1)	2035 Volume without Project	Project % Assignment	Project Traffic	2035 with Project	Project % of Existing Capacity	Is project % of Existing Capacity > 5%	Project % of 2035 Capacity	Is project % of 2035 Capacity > 5%	Is total traffic less than capacity?
Midway Road	Okeechobee Rd	Shinn Rd	2L	4LD	Rural Principal Arterial- uninterrupted	14300	39800	5060	6.0%	376	5436	2.6%	NO	0.9%	NO	YES
	Shinn Rd	McCarty Rd	2L	4LD	Rural Principal Arterial- uninterrupted	14300	39800	5531	8.0%	501	6032	3.5%	NO	1.3%	NO	YES
	McCarty Rd	Arterial A	2L	4LD	Urban Principal Arterial	17700	39800	8077	8.0%	501	8578	2.8%	NO	1.3%	NO	YES
	Arterial A	I95	2L	4LD	Urban Principal Arterial	17700	39800	23180	78.0%	4889	28069	27.6%	Yes	12.3%	Yes	YES
	I95	Glades Cut off Rd	4LD	4LD	Urban Minor Arterial	32400	32400	12545	16.0%	1003	13548	3.1%	NO	3.1%	NO	YES
	Glades Cut off Rd	NW East Torino Pkwy	4LD	4LD	Urban Minor Arterial	32400	32400	15775	11.0%	689	16464	2.1%	NO	2.1%	NO	YES
	NW East Torino Pkwy	Florida's Turnpike	2L	4LD	Urban Minor Arterial	14800	32400	28396	10.0%	627	29023	4.2%	NO	1.9%	NO	YES
	Florida's Turnpike	S. Jenkins Rd	2L	4LD	Urban Minor Arterial	14800	32400	28396	9.0%	564	28960	3.8%	NO	1.7%	NO	YES

	Daily Trips
Incremental Inc.	6,268

APPENDIX A
AM and PM Trip Generation
Proposed Future Land Use

TABLE 1a Trip Generation - AM Peak Hour

Land Use	ITE Code	Intensity	Trip Generation Rate	Directional Split		Gross Trips			Internalization Trips				Net External Trips			Pass-by Trips		Net New Trips		
				% In	% Out	In	Out	Total	In	Out	Total	%	In	Out	Total			In	Out	Total
Residential Single-Family	210	225 DU	T=0.70(x)+9.74	25%	75%	42	125	167	6	10	16	9.6%	36	115	151	0	0.0%	36	115	151
Residential Multi-Family	230	200 DU	Ln(T)=0.80Ln(x)+0.26	17%	83%	15	75	90	3	5	8	8.9%	12	70	82	0	0.0%	12	70	82
Commercial/ Retail	820	100,000 SF	Ln(T)=0.61Ln(x)+2.24	62%	38%	97	59	156	9	7	16	10.3%	88	52	140	57	41.02%	60	23	83
Warehouse	150	500,000 SF	Ln(T)=0.55Ln(x)+1.88	79%	21%	158	42	200	13	3	16	8.0%	145	39	184	0	0.0%	145	39	184
Office	710	150,000 SF	Ln(T)=0.80Ln(x)+1.57	17%	83%	45	220	265	5	11	16	6.0%	40	209	249	0	0.0%	40	209	249
TOTAL						**357**	**521**	**878**	**36**	**36**	**72**	**8.2%**	**321**	**485**	**806**	**57**	**7.1%**	**293**	**456**	**749**

Pass-by Calculation (3)

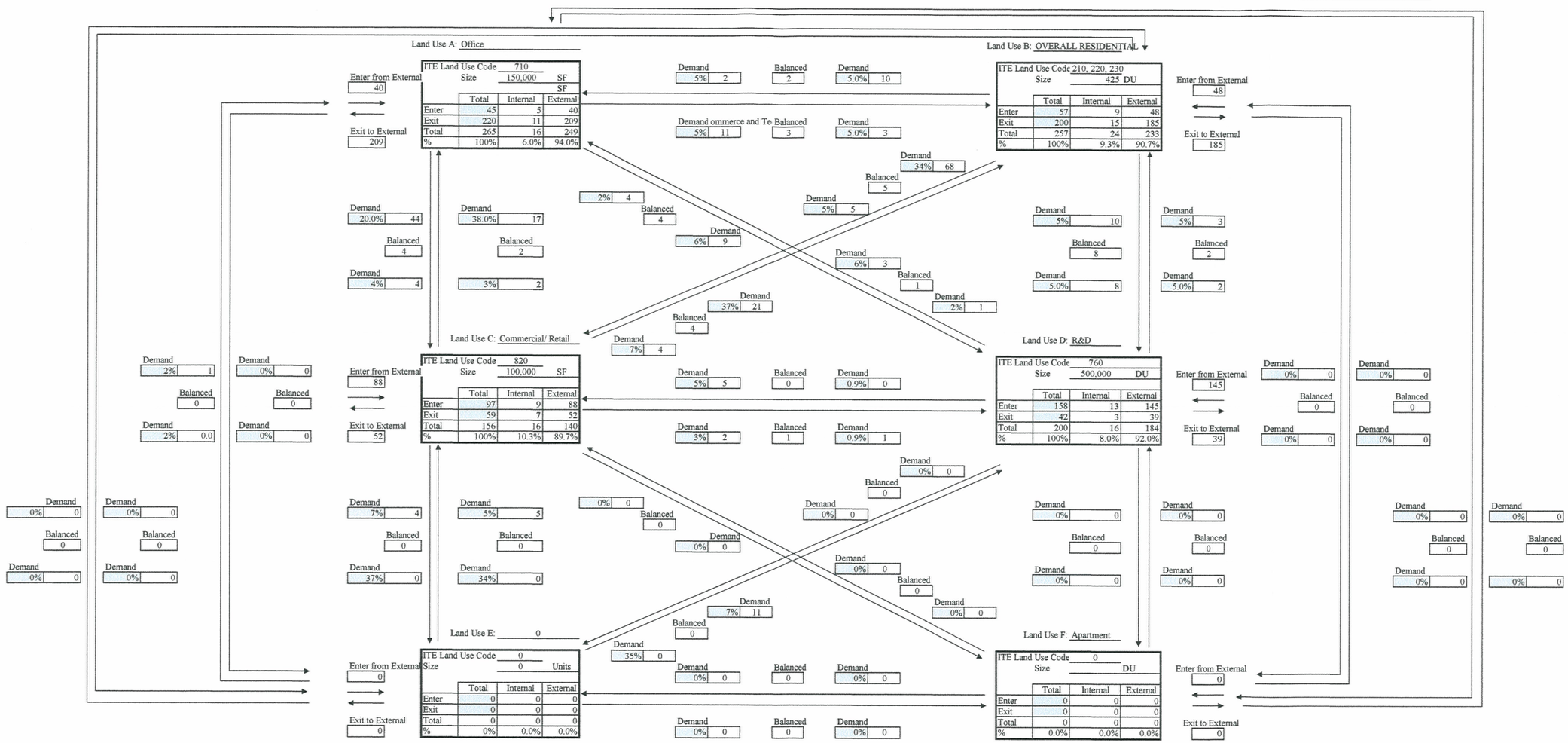
Description	ITE Code	Intensity	Pass-by Equation	Pass-by %
General Commercial Pass-by	820	100,000 SF	T=94.49-11.61 Ln(A)	41.02

Table 1b Trip Generation: AM Internal Traffic

Village at Midway 39.05 acres LUPA
TRIP INTERNALIZATION - AM PEAK HOUR- East

Analyst AAA
Date Nov-14

Name of Devlpt Village at Midway 39.05 acres LUPA
Time Period AM Peak Hour



Net External Trips for Multi-Use Development

	Land Use A	Land Use B	Land Use C	Land Use D	Land Use E	Land Use F	Total	
Enter	40	48	88	145	0	0	321	
Exit	209	185	52	39	0	0	485	Internal
Total	249	233	140	184	0	0	806	Capture
Single-Use Trip Gen Estimate	265	257	156	200	0	0	878	8.2%

Source: based on procedures from the ITE Trip Generation Handbook, Chapter 7, March 2001

Table 3a Trip Generation - PM Peak Hour

Land Use	ITE Code	Intensity	Trip Generation Rate	Directional Split		Gross Trips			Internalization Trips				Net External Trips			Pass-by Trips		Net New Trips		
				In	Out	In	Out	Total	In	Out	Total	%	In	Out	Total			In	Out	Total
Residential Single-Family	210	225 DU	Ln(T)=0.90Ln(x)+0.51	63%	37%	137	81	218	28	17	45	20.6%	109	64	173	0	0.0%	109	64	173
Residential Multi-Family	230	200 DU	Ln(T)=0.82Ln(x)+0.32	67%	33%	71	35	106	14	9	23	21.7%	57	26	83	0	0.0%	57	26	83
Commercial/ Retail	820	100,000 SF	Ln(T)=0.67Ln(x)+3.31	48%	52%	288	311	599	39	48	87	14.5%	249	263	512	210	41.02%	143	159	302
Warehouse	150	500,000 SF	Ln(T)=0.64Ln(x)+1.14	25%	75%	42	125	167	3	11	14	8.4%	39	114	153	0	0.0%	39	114	153
Office	710	150,000 SF	T=1.12(x)+78.45	17%	83%	123	123	246	10	9	19	7.7%	113	114	227	0	0.0%	113	114	227
TOTAL						**661**	**675**	**1,336**	**94**	**94**	**188**	**14.1%**	**567**	**581**	**1,148**	**210**	**18.3%**	**461**	**477**	**938**

Pass-by Calculation

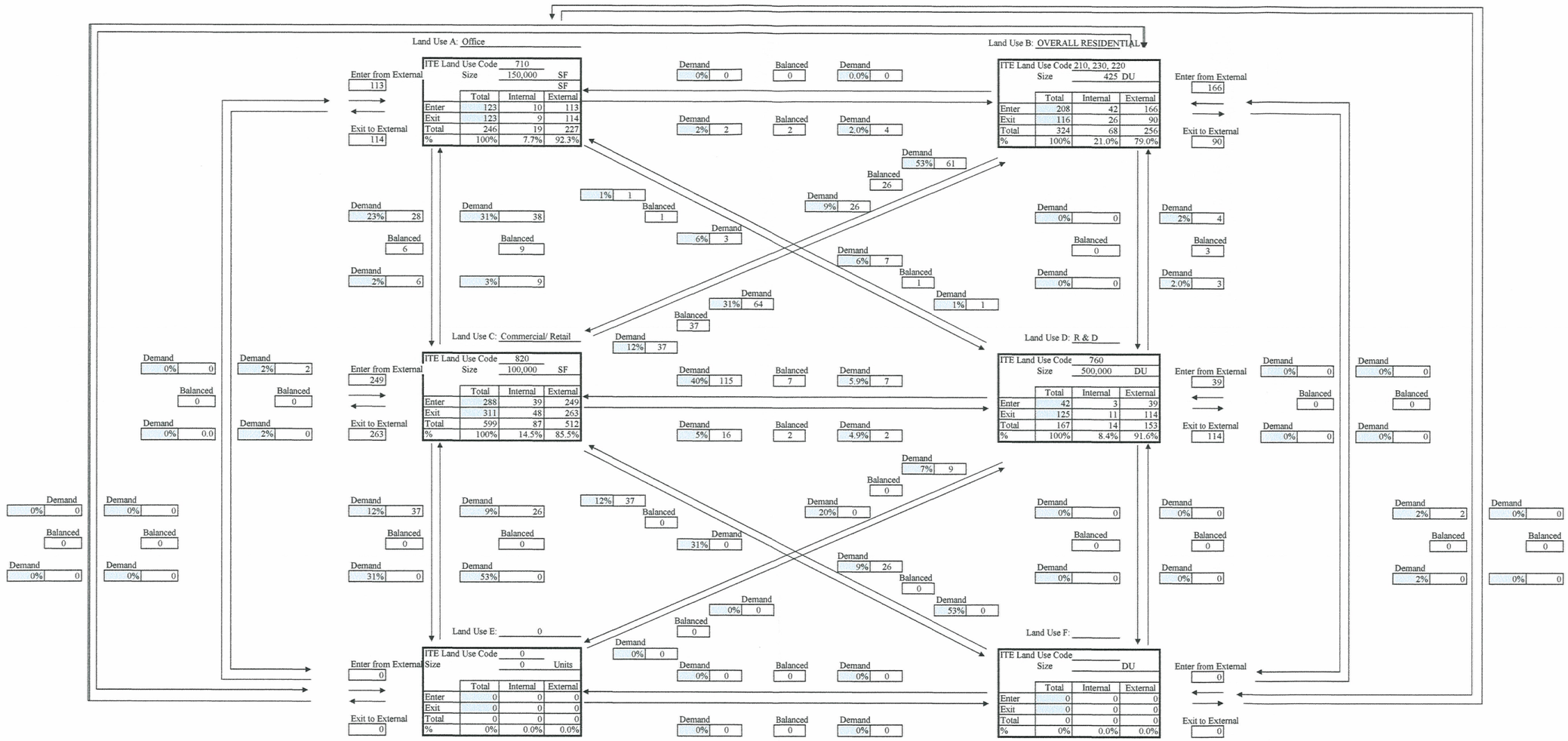
Description	ITE Code	Intensity	Equation	Pass-by %[3]
General Commercial Pass-by	820	100,000 SF	T=94.49-11.61 Ln(A)	41.02

Table 3b Trip Generation: PM Internal Traffic

Village at Midway 39.05 acres LUPA
TRIP INTERNALIZATION - PM

Analyst AAA
Date Nov-14

Name of Devlpt Village at Midway 39.05 acres LUPA
Time Period PM Peak Hour



Net External Trips for Multi-Use Development

	Land Use A	Land Use B	Land Use C	Land Use D	Land Use E	Land Use F	Total	
Enter	113	166	249	39	0	0	567	
Exit	114	90	263	114	0	0	581	Internal
Total	227	256	512	153	0	0	1148	Capture
Single-Use Trip Gen Estimate	246	324	599	167	0	0	1336	14.1%

Source: based on procedures from the ITE Trip Generation Handbook, Chapter 7, March 2001

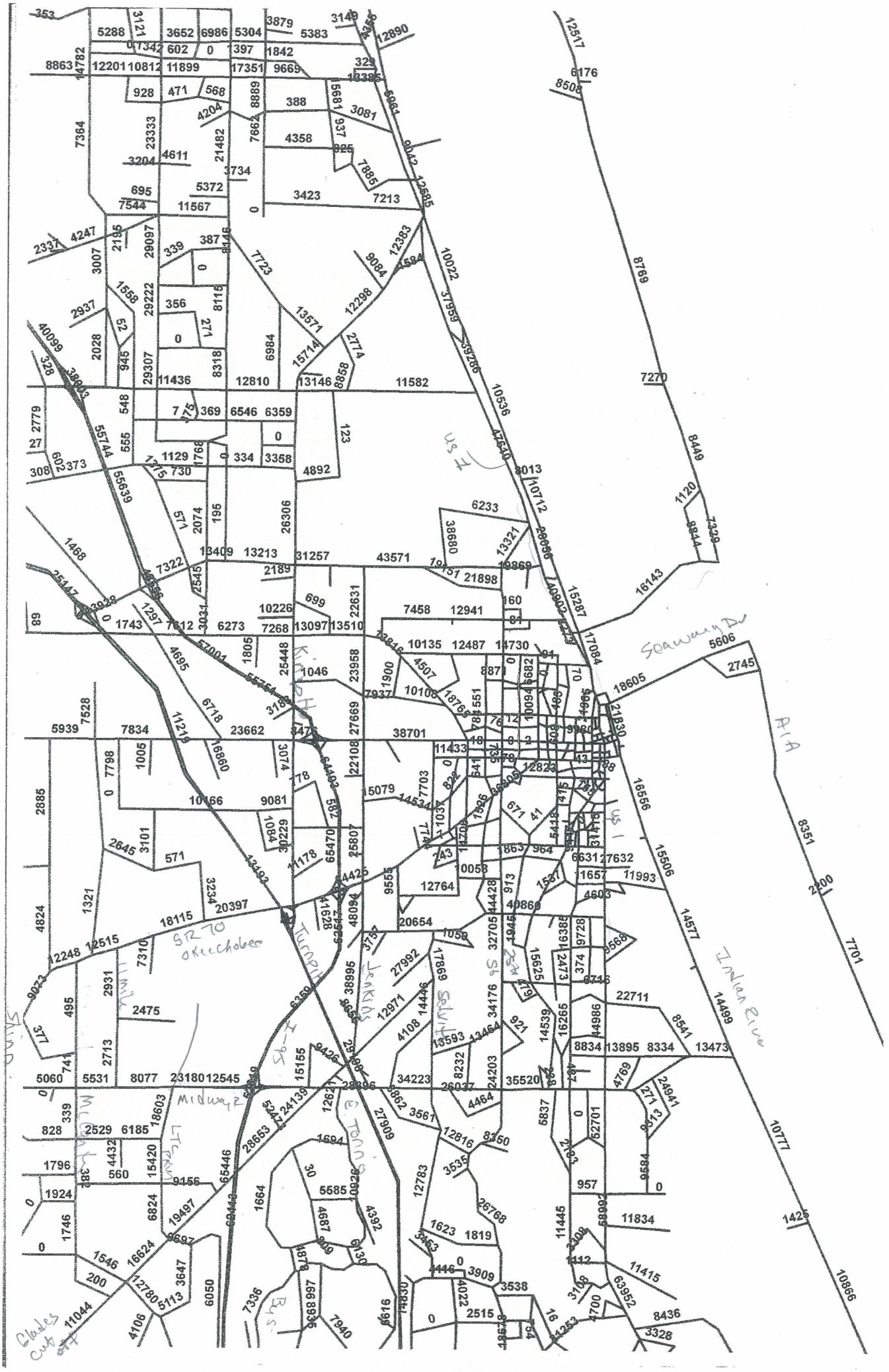
APPENDIX B

Model Assignment

Cube

Licensed to MacKenzie Engineering & Planning, Inc.

APPENDIX C
2035 TRAFFIC VOLUME and NETWORK DATA


Seaway Dr
A1A
Indian River
SR 70
Okeechobee
Midway Rd
Kings Hwy
Turpin
Jenkins
Selvitz
Edwards
Glades Cut Off
US 1
I-95

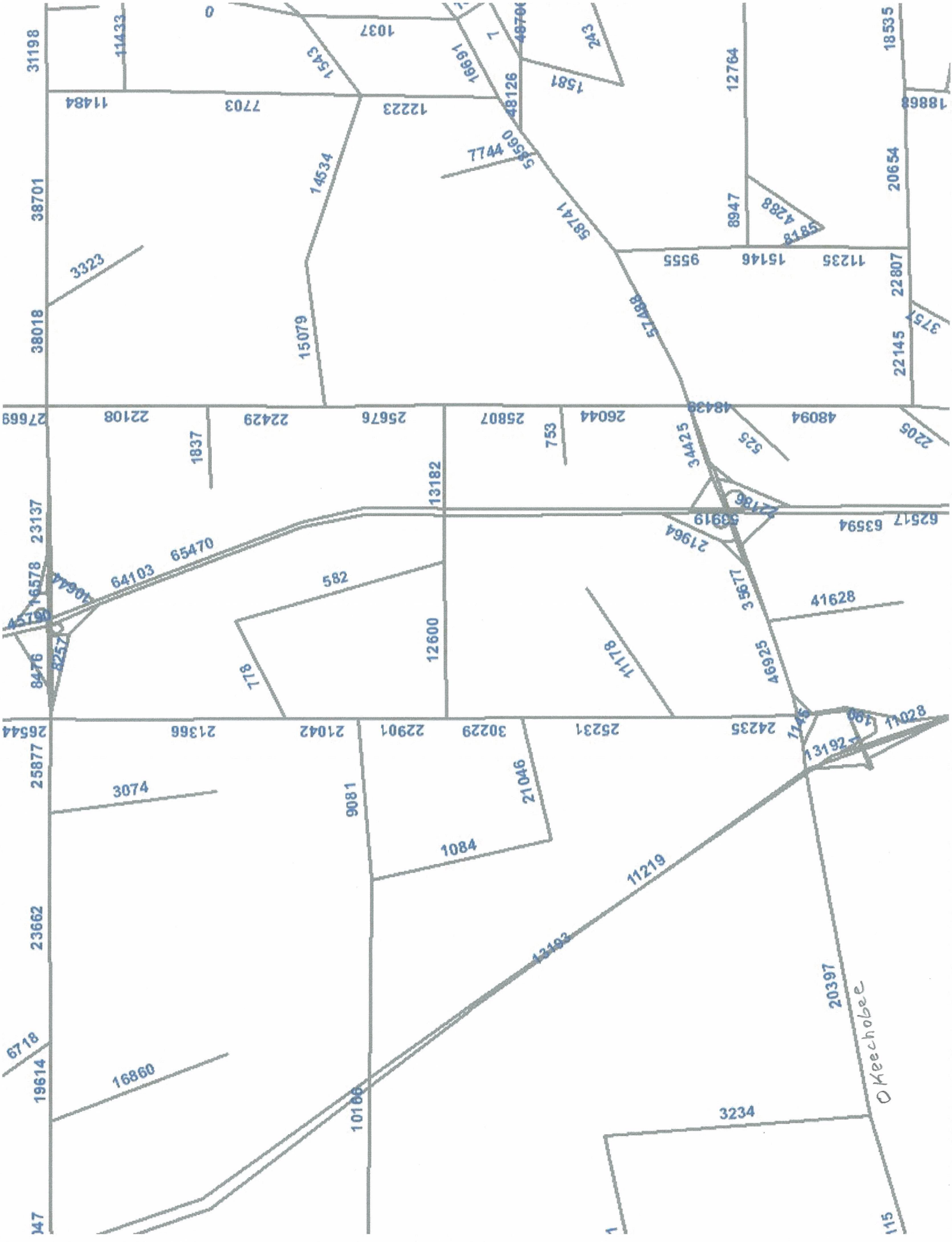

31198
11433
0
1037
1345
16691
1
48706
243
1581
48126
12764
18535
18868
11484
7703
12223
14534
7744
59560
58741
8947
4288
8185
20654
38701
3323
38018
15079
57498
11235
15146
9555
22807
3757
22145
27669
22108
22429
25676
25807
26044
48438
48094
2205
1837
753
34425
525
13182
23137
64103
65470
10644
16578
582
12600
778
8476
8257
2196
53919
62517
63594
35677
41628
46925
11178
25544
21366
21042
22901
30229
25231
24235
1146
11028
13192
25877
3074
9081
21046
1084
11219
23662
13182
20397
6718
19614
16860
10168
3234
Okeechobee
115
1

Table 2-1 Local Roadway System

Local Name	Location	Federal Functional Classification
7th Street South		Urban Collector
13th Street South		Urban Collector
13th Street North		Urban Collector
25th Street North		Urban Principal Arterial
25th Street South		Urban Principal Arterial
25th Street South /		Urban Principal Arterial
Airoso Blvd		Urban Principal Arterial
Angle Rd	W. of Johnston Rd	Urban Collector
	W. of Kings Hwy	Urban Local
	E. of Kings Hwy	Urban Minor Arterial
Avenue D	E. of 25th St	Urban Collector
	W. of 25th St	Urban Collector
Bayshore Blvd		Urban Minor Arterial
Becker Rd	E. of Florida's Turnpike	Urban Minor Arterial
	W. of Florida's Turnpike	Urban Principle Arterial
Bell Ave		Urban Collector
California Blvd	W. of Savona Blvd	Urban Minor Arterial
	E. of Savona Blvd	Urban Collector
Cashmere Blvd		Urban Collector
Citrus Ave		Urban Collector
Darwin Blvd		Urban Collector
Del Rio Blvd		Urban Collector
Delaware Ave		Urban Collector
East Torino Pkwy	N. of N. Torino Pkwy	Urban Minor Arterial
	S. of N. Torino Pkwy	Urban Collector
Edwards Rd		Urban Minor Arterial
Emerson Ave	N. of Indrio Rd	Urban Minor Arterial
	S. of Indrio Rd	Urban Local
Farmer's Market Rd		Urban Collector
Floresta Dr	W. of Airoso Blvd	Urban Collector
	E. of Airoso Blvd	Urban Minor Arterial
Florida's Turnpike		Urban Principal Arterial - Freeway

Local Name	Location	Federal Functional Classification
Fort Pierce Blvd		Urban Collector
Gatlin Blvd		Urban Principal Arterial
Georgia Ave		Urban Collector
Glades Cut-Off Rd	E. of Rangeline Rd	Urban Minor Arterial
	W. of Rangeline Rd	Rural Major Collector
Green River Pkwy		Urban Collector
Header Canal Rd		Rural Major Collector
Indian River Dr	N. of Citrus Ave	Urban Collector
	S. of Citrus Ave	Urban Minor Arterial
Indrio Rd	W. of Kings Hwy	Urban Principal Arterial
	E. of Kings Hwy	Urban Minor Arterial
Interstate 95		Urban Principal Arterial - Interstate
Jenkins Rd South		Urban Minor Arterial
Johnston Rd		Urban Collector
Juanita Ave		Urban Collector
Keen Rd		Urban Collector
Kings Hwy North	N. of Indrio Rd	Urban Collector
	S. of Indrio Rd	Urban Principal Arterial
Kings Hwy South		Urban Principal Arterial
Lennard Rd		Urban Minor Arterial
Mariposa Ave		Urban Collector
Midport Rd		Urban Minor Arterial
Midway Rd East		Urban Minor Arterial
Midway Rd West	W. of McCarty Rd	Rural Principal Arterial
	E. of McCarty Rd	Urban Principal Arterial
Morningside Blvd	E. of Westmoreland Blvd	Urban Collector
	W. of Westmoreland Blvd	Urban Local
Okeechobee Rd	W. of McCarty Rd	Rural Principal Arterial
	E. of McCarty Rd	Urban Principal Arterial
	N. of Virgina Ave	Urban Minor Arterial
Old Dixie Hwy		Urban Minor Arterial
Oleander Ave	N. of Kitterman	Urban Minor Arterial
	S. of Kitterman Rd	Urban Collector
Orange Ave	W. of Keen Rd	Urban Minor Arterial
	E. of Keen Rd	Urban Principal Arterial
	E. of US 1 North	Urban Collector
Paar Drive	E. of Darwin Blvd	Urban Local
	W. of Darwin Blvd	Urban Collector
Port St Lucie Blvd		Urban Principal Arterial
Prima Vista Blvd		Urban Principal Arterial

Local Name	Location	Federal Functional Classification
Range Line Rd		Urban Minor Arterial
Rio Mar Dr		Urban Collector
SR A1A North		Urban Minor Arterial
SR A1A South		Urban Minor Arterial
Savage Blvd		Urban Collector
Savannah Rd		Urban Collector
Savona Blvd		Urban Minor Arterial
Shinn Rd		Rural Major Collector
Sneed Rd		Rural Major Collector
Southbend Blvd	S. of Floresta Dr	Urban Minor Arterial
St Lucie Blvd	W. of US-1	Urban Minor Arterial
	E. of US-1	Urban Collector
St Lucie West Blvd		Urban Principal Arterial
St. James Dr		Urban Principal Arterial
Sunrise Blvd	N. of Oleander Ave	Urban Minor Arterial
	S. of Oleander Ave	Urban Collector
Tiffany Ave		Urban Collector
US 1 North		Urban Principal Arterial
US 1 South		Urban Principal Arterial
Virginia Ave		Urban Principal Arterial
Walton Rd		Urban Minor Arterial
Weatherbee Rd		Urban Collector
West Torino Pkwy		Urban Minor Arterial
Westmoreland Blvd		Urban Collector

Strategic Intermodal System (SIS) Facilities

In 2003, the Strategic Intermodal System was established through Florida legislation. The state sets level of service standards for the SIS facilities. It is strongly recommended by the Florida Department of Transportation (FDOT) that local governments involve the FDOT in development review process at an early stage if the proposed development impacts any SIS facility.

A list of all designated and emerging SIS facilities in St. Lucie County are shown in Table 2-2.

TABLE 1

Generalized **Annual Average Daily** Volumes for Florida's **Urbanized Areas**

12/18/12

INTERRUPTED FLOW FACILITIES

STATE SIGNALIZED ARTERIALS

Class I (40 mph or higher posted speed limit)

Lanes	Median	B	C	D	E
2	Undivided	*	16,800	17,700	**
4	Divided	*	37,900	39,800	**
6	Divided	*	58,400	59,900	**
8	Divided	*	78,800	80,100	**

Class II (35 mph or slower posted speed limit)

Lanes	Median	B	C	D	E
2	Undivided	*	7,300	14,800	15,600
4	Divided	*	14,500	32,400	33,800
6	Divided	*	23,300	50,000	50,900
8	Divided	*	32,000	67,300	68,100

Non-State Signalized Roadway Adjustments

(Alter corresponding state volumes by the indicated percent.)

Non-State Signalized Roadways - 10%

Median & Turn Lane Adjustments

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
2	Divided	Yes	No	+5%
2	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
–	–	–	Yes	+ 5%

One-Way Facility Adjustment

Multiply the corresponding two-directional volumes in this table by 0.6

UNINTERRUPTED FLOW FACILITIES

FREEWAYS

Core Urbanized

Lanes	B	C	D	E
4	47,400	64,000	77,900	84,600
6	69,900	95,200	116,600	130,600
8	92,500	126,400	154,300	176,600
10	115,100	159,700	194,500	222,700
12	162,400	216,700	256,600	268,900

Urbanized

Lanes	B	C	D	E
4	45,800	61,500	74,400	79,900
6	68,100	93,000	111,800	123,300
8	91,500	123,500	148,700	166,800
10	114,800	156,000	187,100	210,300

Freeway Adjustments

Auxiliary Lanes Present in Both Directions	Ramp Metering
+ 20,000	+ 5%

UNINTERRUPTED FLOW HIGHWAYS

Lanes	Median	B	C	D	E
2	Undivided	8,600	17,000	24,200	33,300
4	Divided	36,700	51,800	65,600	72,600
6	Divided	55,000	77,700	98,300	108,800

Uninterrupted Flow Highway Adjustments

Lanes	Median	Exclusive left lanes	Adjustment factors
2	Divided	Yes	+5%
Multi	Undivided	Yes	-5%
Multi	Undivided	No	-25%

BICYCLE MODE[2]

(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Paved Shoulder/Bicycle Lane Coverage	B	C	D	E
0-49%	*	2,900	7,600	19,700
50-84%	2,100	6,700	19,700	>19,700
85-100%	9,300	19,700	>19,700	**

PEDESTRIAN MODE[2]

(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Sidewalk Coverage	B	C	D	E
0-49%	*	*	2,800	9,500
50-84%	*	1,600	8,700	15,800
85-100%	3,800	10,700	17,400	>19,700

BUS MODE (Scheduled Fixed Route)[3]

(Buses in peak hour in peak direction)

Sidewalk Coverage	B	C	D	E
0-84%	> 5	≥ 4	≥ 3	≥ 2
85-100%	> 4	≥ 3	≥ 2	≥ 1

[1] Values shown are presented as two-way annual average daily volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual and the Transit Capacity and Quality of Service Manual.

[2] Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicyclists or pedestrians using the facility.

[3] Buses per hour shown are only for the peak hour in the single direction of the higher traffic flow.

* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.

Source:
Florida Department of Transportation
Systems Planning Office
www.dot.state.fl.us/planning/systems/sm/los/default.shtm

TABLE 3

Generalized **Annual Average Daily** Volumes for Florida's **Rural Undeveloped Areas** and **Developed Areas Less Than 5,000 Population**[1]

12/18/12

INTERRUPTED FLOW FACILITIES

STATE SIGNALIZED ARTERIALS

Lanes	Median	B	C	D	E
2	Undivided	*	12,900	14,200	**
4	Divided	*	29,300	30,400	**
6	Divided	*	45,200	45,800	**

Non-State Signalized Roadway Adjustments

(Alter corresponding state volumes by the indicated percent.)

Non-State Signalized Roadways - 10%

Median & Turn Lane Adjustments

Lanes	Median	Exclusive Left Lanes	Exclusive Right Lanes	Adjustment Factors
2	Divided	Yes	No	+5%
2	Undivided	No	No	-20%
Multi	Undivided	Yes	No	-5%
Multi	Undivided	No	No	-25%
–	–	–	Yes	+ 5%

One-Way Facility Adjustment

Multiply the corresponding two-directional volumes in this table by 0.6

BICYCLE MODE[2]

(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Rural Undeveloped

Paved Shoulder/Bicycle Lane Coverage	B	C	D	E
0-49%	*	1,300	2,000	3,200
50-84%	1,000	2,100	3,200	10,600
85-100%	2,600	3,900	18,500	>18,500

Developed Areas

Paved Shoulder/Bicycle Lane Coverage	B	C	D	E
0-49%	*	2,300	4,900	15,600
50-84%	1,700	4,500	13,300	18,500
85-100%	5,900	18,500	>18,500	**

PEDESTRIAN MODE[2]

(Multiply motorized vehicle volumes shown below by number of directional roadway lanes to determine two-way maximum service volumes.)

Sidewalk Coverage	B	C	D	E
0-49%	*	*	2,700	9,200
50-84%	*	1,500	8,400	14,900
85-100%	3,600	10,200	16,700	>19,200

UNINTERRUPTED FLOW FACILITIES

FREEWAYS

Lanes	B	C	D	E
4	28,800	43,000	52,300	60,000
6	43,000	64,000	78,300	92,500
8	57,500	85,400	104,400	123,500

Freeway Adjustments

Auxiliary Lanes Present in Both Directions + 20,000

UNINTERRUPTED FLOW HIGHWAYS

Rural Undeveloped

Lanes	Median	B	C	D	E
2	Undivided	4,700	8,400	14,300	28,600
4	Divided	25,700	40,300	51,000	57,900
6	Divided	38,800	60,400	76,700	86,800

Developed Areas

Lanes	Median	B	C	D	E
2	Undivided	8,700	16,400	23,100	31,500
4	Divided	25,900	40,700	52,400	59,600
6	Divided	38,800	61,000	78,400	89,500

Passing Lane Adjustments

Alter LOS B-D volumes in proportion to the passing lane length to the highway segment length

Uninterrupted Flow Highway Adjustments

Lanes	Median	Exclusive left lanes	Adjustment factors
2	Divided	Yes	+5%
Multi	Undivided	Yes	-5%
Multi	Undivided	No	-25%

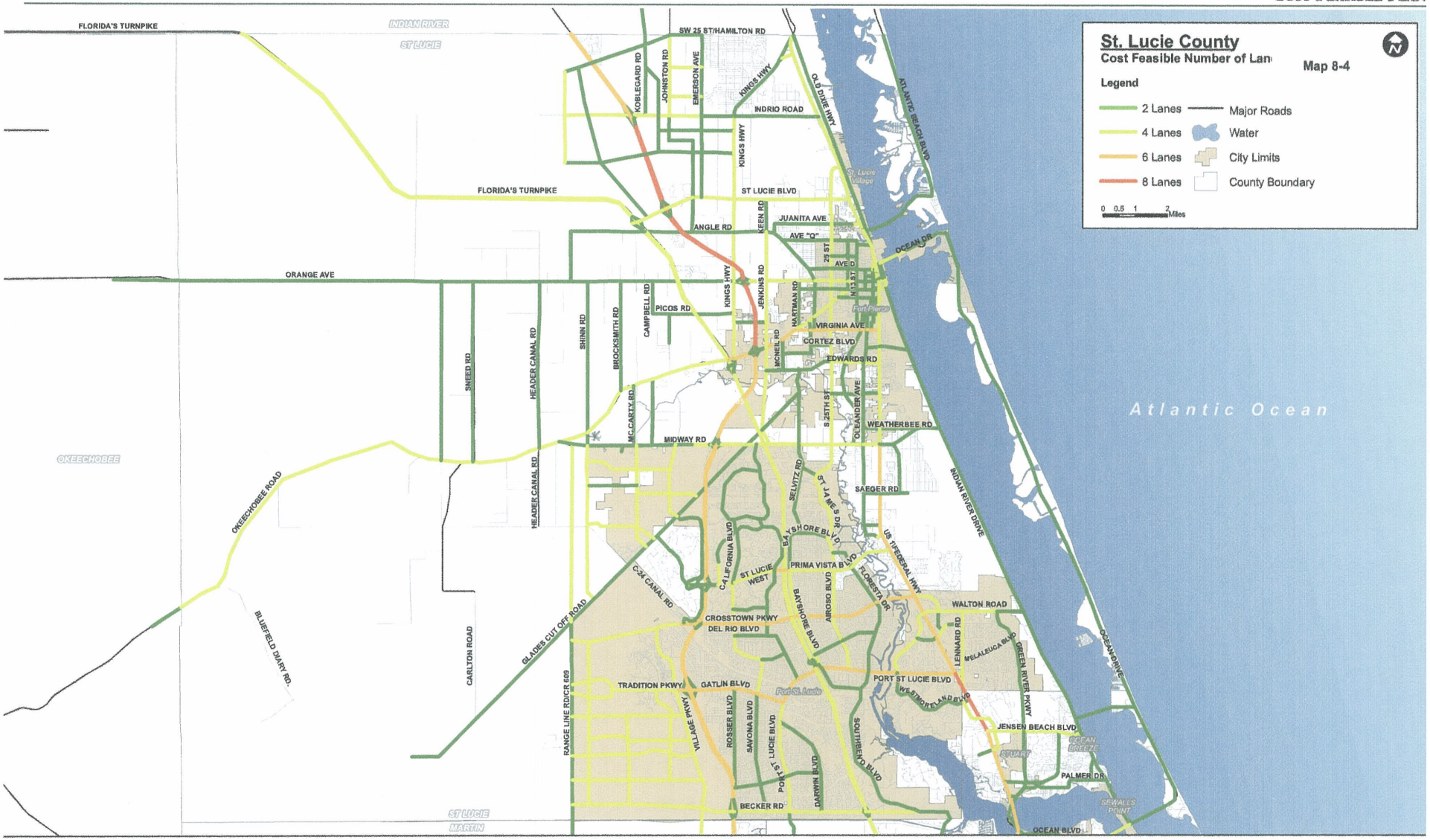
[1] Values shown are presented as two-way annual average daily volumes for levels of service and are for the automobile/truck modes unless specifically stated. This table does not constitute a standard and should be used only for general planning applications. The computer models from which this table is derived should be used for more specific planning applications. The table and deriving computer models should not be used for corridor or intersection design, where more refined techniques exist. Calculations are based on planning applications of the Highway Capacity Manual and the Transit Capacity and Quality of Service Manual.

[2] Level of service for the bicycle and pedestrian modes in this table is based on number of motorized vehicles, not number of bicyclists or pedestrians using the facility.

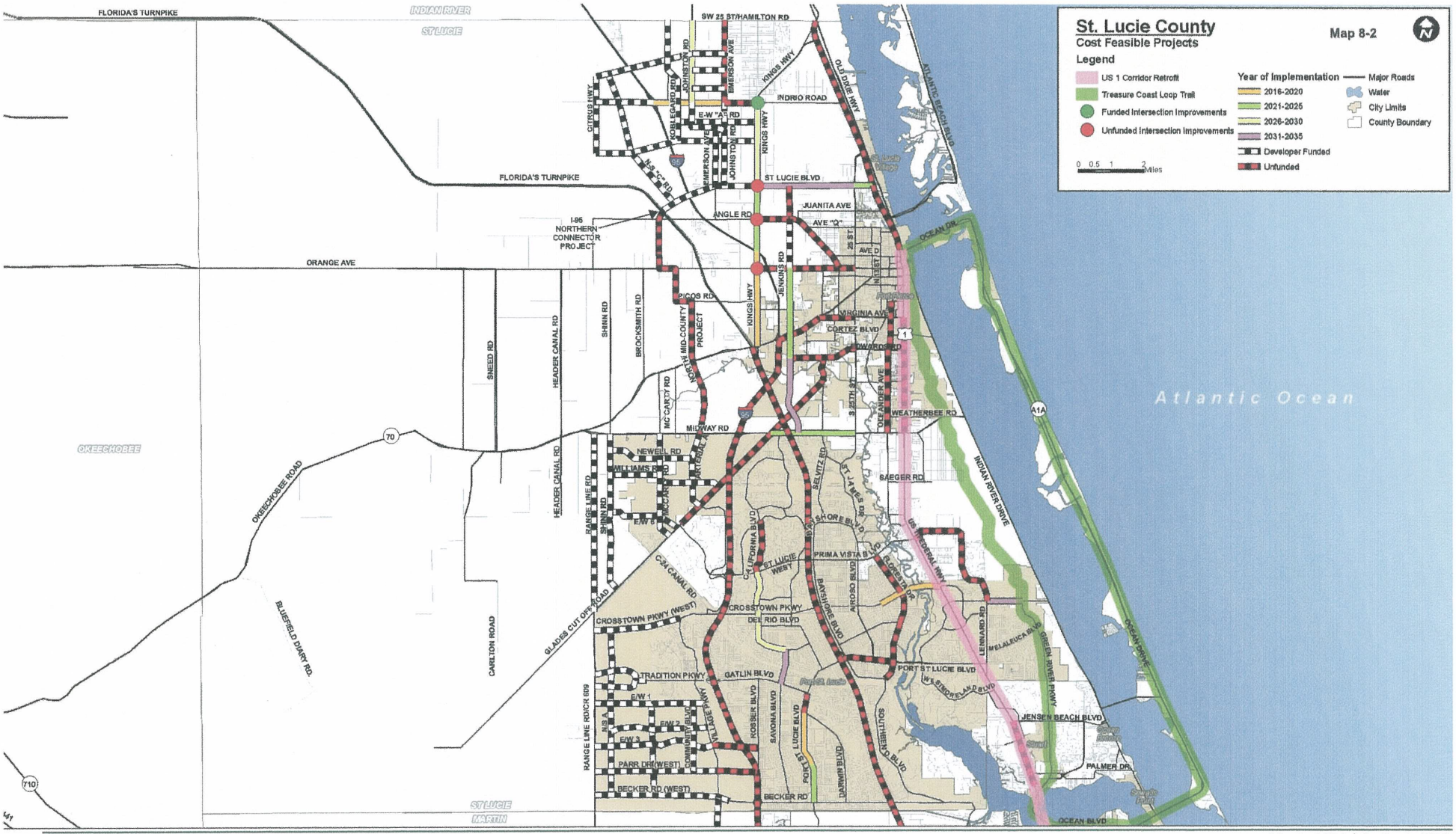
* Cannot be achieved using table input value defaults.

** Not applicable for that level of service letter grade. For the automobile mode, volumes greater than level of service D become F because intersection capacities have been reached. For the bicycle mode, the level of service letter grade (including F) is not achievable because there is no maximum vehicle volume threshold using table input value defaults.

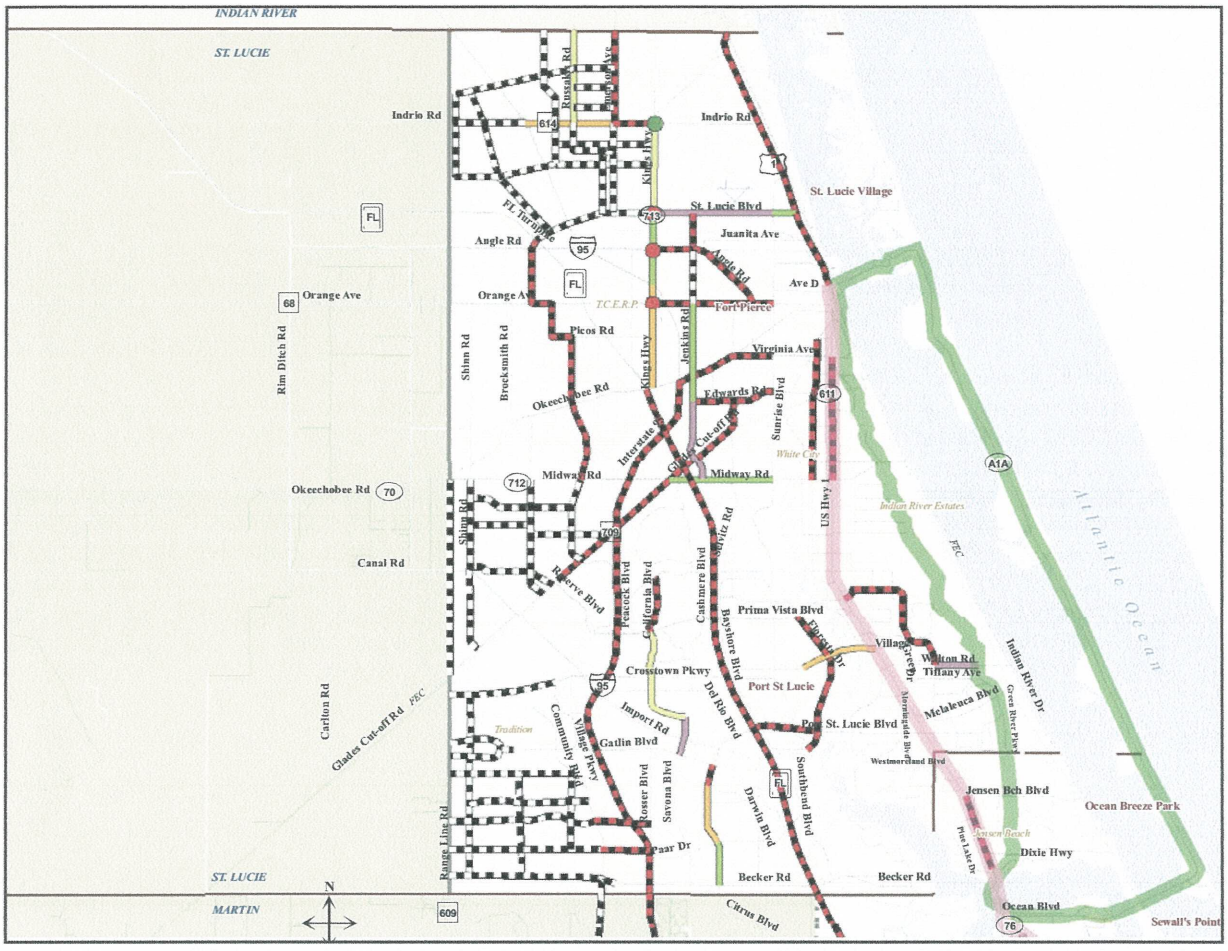
Source:
Florida Department of Transportation
Systems Planning Office
www.dot.state.fl.us/planning/systems/sm/los/default.shtm



* This section should be 4LD. per table 8-4 and Tentative work Program.


St. Lucie County
Map 8-2
Cost Feasible Projects
Legend
US 1 Corridor Retrofit
Treasure Coast Loop Trail
Funded Intersection Improvements
Unfunded Intersection Improvements
Year of Implementation
2016-2020
2021-2025
2026-2030
2031-2035
Developer Funded
Unfunded
Major Roads
Water
City Limits
County Boundary
0 0.5 1 2 Miles
Atlantic Ocean
FLORIDA'S TURNPIKE
INDIAN RIVER
ST LUCIE
SW 25 ST/HAMILTON RD
INDRIO ROAD
ST LUCIE BLVD
JUANITA AVE
AVE "Q"
ANGLE RD
ORANGE AVE
I-95 NORTHERN CONNECTOR PROJECT
PICOS RD
VIRGINIA AVE
CORTEZ BLVD
EDWARDS RD
MIDWAY RD
WEATHERBEE RD
SAEGER RD
NEWELL RD
WILLIAMS RD
PRIMA VISTA BLVD
CROSSTOWN PKWY
CROSSTOWN PKWY (WEST)
DEL RIO BLVD
GATLIN BLVD
TRADITION PKWY
PORT ST LUCIE BLVD
JENSEN BEACH BLVD
PALMER DR
OCEAN BLVD
OKEECHOBEE
OKEECHOBEE ROAD
BLUEFIELD DAIRY RD.
CARLTON ROAD
GLADES CUT OFF ROAD
HEADER CANAL RD
SNEED RD
SHINN RD
BROCKSMITH RD
RANGE LINE RD
RANGE LINE RD/CR 609
BECKER RD
BECKER RD (WEST)
PARR DR (WEST)
ST LUCIE
MARTIN
OCEAN DR
INDIAN RIVER DRIVE
A1A
ATLANTIC BEACH BLVD
OLD DIXIE HWY
KINGS HWY
JOHNSTON RD
EMERSON AVE
KOBLE ROAD RD
CITRUS HWY
E-W "A" RD
N-S "C" RD
JENKINS RD
NORTH MIDCOUNTY PROJECT
MC CARTY RD
SELVITZ RD
ST JAMES RD
SOUTHBEACH SHORE BLVD
CALIFORNIA BLVD
ST LUCIE WEST
BAYSHORE BLVD
FLORESTA DR
LEONARDO BLVD
C-24 CANAL RD
LEMINARD RD
MELALEUCA BLVD
GREEN RIVER PKWY
W ST LUCIE BLVD
SAVONA BLVD
ROBBER BLVD
VILLAGE PKWY
COMMUNITY BLVD
PORT ST LUCIE BLVD
DARWIN BLVD
SOUTHBEND BLVD
N-S A
E/W 1
E/W 2
E/W 3
E/W 4
E/W 5
E/W 6
70
710
1
A1A

2035
Cost Feasible Plan



2035 Regional Long Range Transportation Plan

Martin Metropolitan Planning Organization and

St. Lucie Transportation Planning Organization

Chapter 8





Table 8-4
St. Lucie TPO Cost Feasible Plan

Non-SIS State Highways

Project	Description	2016-2020	2021-2025	2026-2030	2031-2035	Developer Funded	Unfunded
Emerson Rd from Indrio Rd to Indian River Co Line	Widen 2 lanes to 4 lanes						X
Indrio Rd from I-95 Overpass to Emerson Ave	Widen 2 lanes to 4 lanes	X					
Indrio Rd from Emerson Ave to Kings Hwy	Widen 2 lanes to 4 lanes						X
Kings Hwy from Okeechobee Rd to I-95 Overpass	Widen 2 lanes to 4 lanes	X					
Kings Hwy from I-95 Overpass to St. Lucie Blvd.	Widen 2 lanes to 4 lanes		X				
Kings Hwy from St. Lucie Blvd. to Indrio Rd	Widen 2 lanes to 4 lanes			X			
St. Lucie Blvd from Kings Hwy to 25th St	Widen 2 lanes to 4 lanes				X		
St. Lucie Blvd from 25th St to Old Dixie Hwy	Widen 2 lanes to 4 lanes		X				
Orange Ave from Jenkins Rd to 25th Rd	Widen 4 lanes to 6 lanes						X
Orange Ave from Kings Hwy to Jenkins Rd	Widen 4 lanes to 6 lanes						X
US 1 from Midway Rd to Virginia Ave	Widen 4 lanes to 6 lanes						X
US 1	Corridor Retrofit Project	X	X	X	X		
US 1 from Indian River Co Line to Indrio Rd	Widen 4 lanes to 6 lanes						X
US 1 from Indrio Rd to St Lucie Blvd	Widen 4 lanes to 6 lanes						X
US 1 from St Lucie Blvd to Ocean Dr	Widen 4 lanes to 6 lanes						X
Okeechobee Rd from I-95 to Virginia Ave	Widen 6 lanes to 8 lanes						X
Port St. Lucie Blvd from FL Turnpike to Floresta Dr	Widen 6 lanes to 8 lanes						X
Virginia Ave from Okeechobee Rd to 25th St	Widen 6 lanes to 8 lanes						X
Kings Hwy at Indrio Rd	Intersection Improvements	X					

County and Municipal Roadways

Project	Description	2016-2020	2021-2025	2026-2030	2031-2035	Developer Funded	Unfunded
Emerson Ave from Immokolee Rd to Indrio Rd	New 2 lane road					X	
Koblegard Rd from E-W Koblegard Rd to SW 25th St/Hamilton Rd	New 2 lane road					X	
New E-W "A" Rd from Koblegard Rd to Kings Hwy	New 2 lane road					X	
New E-W "D" Rd from Citrus Hwy to New N-S "C" Rd	New 2 lane road					X	
New E-W "E" Rd from Citrus Hwy to New N-S "C" Rd	New 2 lane road					X	
New E-W "Koblegard" Rd from Citrus Rd to New N-S "C" Rd	New 2 lane road					X	
New E-W "Russos" Rd from Johnston Rd to Emerson Ave	New 2 lane road					X	
New North Fly-Over from New N-S "C" Rd to Johnston Rd	New 2 lane road					X	
New N-S "C" Rd from I-95 Northern Connector to North Fly-Over	New 2 lane road					X	
South Fly-Over from New N-S "C" Rd to New E-W Koblegard Rd	New 2 lane road					X	
Johnston Rd from Immokolee Rd to Indrio Rd	New 4 lane road					X	
Becker Rd (West) from Range Line Rd to Becker Rd	New 4 lane road					X	

Table 8-4 [Continued]

County and Municipal Roadways

Project	Description	2016-2020	2021-2025	2026-2030	2031-2035	Developer Funded	Unfunded
Citrus Hwy from New N-W "D" Rd to New E-W "E" Rd	New 4 lane road					X	
Community Blvd (West) from Parr Dr (West) to Community Blvd	New 4 lane road					X	
Crosstown Pkwy (West) from Range Line Rd to Existing Crosstown	New 4 lane road					X	
E/W 1 from Range Line Rd to Village Pkwy	New 4 lane road					X	
E/W 2 from N/S A to Village Pkwy	New 4 lane road					X	
E/W 3 (West) from Range Line Rd to Village Pkwy	New 4 lane road					X	
E/W 3 (West) from Village Pkwy to Rosser Blvd	New 4 lane road						X
I-95 Northern Connector from Florida Turnpike to Emerson Ave	New 4 lane road					X	
Immokolee Rd from Emerson Ave to Seminole Rd	New 4 lane road					X	
Indrio Rd from Citrus Hwy to I-95	New 4 lane road					X	
Jenkins Rd from Midway Rd to Edwards Rd	New 4 lane road				X		
Jenkins Rd from Orange Ave to Angle Rd	New 4 lane road					X	
N/S A from Becker Rd (West) to Crosstown Pkwy (West)	New 4 lane road					X	
N/S B from Becker Rd (West) to E/W 1	New 4 lane road					X	
New E-W "Sebastian" Rd from Johnston Rd to Emerson Ave	New 4 lane road					X	
New E-W "Tobias" Rd from Johnston Rd to Emerson Ave	New 4 lane road					X	
Parr Dr (West) from Range Line Rd to Village Pkwy	New 4 lane road					X	
Parr Dr (West) from Village Pkwy to Rosser Blvd	New 4 lane road						X
Tradition Pkwy Loop A from Range Line Rd to Tradition Pkwy	New 4 lane road					X	
Tradition Pkwy Loop B from Range Line Rd to Tradition Pkwy	New 4 lane road					X	
Angle Rd from Keen Rd to Orange Ave	Widen 2 lanes to 4 lanes						X
Angle Rd from Kings Hwy to Keen Rd	Widen 2 lanes to 4 lanes						X
California Blvd from St. Lucie West Blvd to Peacock Blvd	Widen 2 lanes to 4 lanes						X
California Blvd from Del Rio Blvd to St. Lucie West Blvd	Widen 2 lanes to 4 lanes			X			
California Blvd from Savona Blvd to Del Rio Blvd	Widen 2 lanes to 4 lanes			X			
Edwards Rd from Jenkins Rd to 25th St	Widen 2 lanes to 4 lanes						X
Floresta Dr from Oakridge Dr to Thornhill Dr	Widen 2 lanes to 4 lanes						X
Floresta Dr from Thornhill Dr to Crosstown Pkwy	Widen 2 lanes to 4 lanes						X
Floresta Dr from Crosstown Pkwy to Prima Vista Blvd	Widen 2 lanes to 4 lanes						X
Glades Cut-Off Rd from Reserve Blvd to Selvitz Rd	Widen 2 lanes to 4 lanes						X
Immokolee Rd from Seminole Rd to Kings Hwy	Widen 2 lanes to 4 lanes					X	
Jenkins Rd from Edwards Rd to Orange Ave	Widen 2 lanes to 4 lanes		X				
Johnston Rd from Indrio Rd to Indian River Co Line	Widen 2 lanes to 4 lanes			X			
Keen Rd from Angle Rd to St. Lucie Blvd	Widen 2 lanes to 4 lanes						X
Midway Rd from Glades Cut-Off Rd to Selvitz Rd	Widen 2 lanes to 4 lanes		X				

Table 8-4 [Continued]

County and Municipal Roadways

Project	Description	2016-2020	2021-2025	2026-2030	2031-2035	Developer Funded	Unfunded
Oleander Ave from Midway Rd to Sunrise Blvd	Widen 2 lanes to 4 lanes						X
Port St. Lucie Blvd from Paar Dr to Darwin Blvd	Widen 2 lanes to 4 lanes	X					
Port St. Lucie Blvd from Darwin Blvd to Gatlin Blvd	Widen 4 lanes to 6 lanes						X
Savona Blvd from Gatlin Blvd to California Blvd	Widen 2 lanes to 4 lanes				X		
Selvitz Rd from Glades Cut-Off Rd to Edwards Rd	Widen 2 lanes to 4 lanes						X
Walton Rd from Lennard Rd to Green River Pkwy	Widen 2 lanes to 4 lanes				X		
Crosstown Parkway from Manth Lane to US 1	New 6 lane bridge	X					
North/Mid-County Project from Midway Rd to I-95 Northern Connector	New 4 lane road						X
Arterial A from Glades Cut Off Rd to Midway Rd	New 4 lane road					X	
E/W 5 from McCarty Rd to Glades Cut Off Rd	New 4 lane road					X	
E/W 6 From Shinn Rd to Glades Cut-Off Rd	New 4 lane road					X	
McCarty Rd from Glades Cut Off Rd to Midway Rd	New 4 lane road					X	
Newell Rd from Shinn Rd to Arterial A	New 4 lane road					X	
Range Line Rd from Glades Cut Off Rd to Midway Rd	New 4 lane road					X	
Shinn Rd from Glades Cut Off Rd to Midway Rd	New 4 lane road					X	
Williams Rd from Shinn Rd to McCarty Rd	New 2 lane road					X	
Village Pkwy Extension from Martin Co Line to Becker Rd	New 4 lane road					X	
Port St. Lucie Blvd from Becker Rd to Parr Dr	Widen 2 lanes to 4 lanes		X				
Kings Hwy at Indrio Rd	Intersection Improvements	X					
Kings Hwy at St. Lucie Blvd	Intersection Improvements						X
Kings Hwy at Angle Rd	Intersection Improvements						X
Kings Hwy at Orange Ave	Intersection Improvements						X
Lennard Road from Walton Rd to Savanna Club Blvd	New 4 lane road						X
Lennard Road from Savanna Club Blvd to US 1	New 2 lane road						X

TMA Funded Roadways

Project	Description	2016-2020	2021-2025	2026-2030	2031-2035	Developer Funded	Unfunded
US 1	Corridor Retrofit Project	X	X	X	X		
Johnston Rd from Indrio Rd to Indian River Co Line	Widen 2 lanes to 4 lanes			X			
Indrio Rd from I-95 Overpass to Emerson Ave	Widen 2 lanes to 4 lanes	X					
Congestion Management Strategies	CMP Funds	X	X	X	X		
Livable Communities Initiative	LCI Projects	X	X	X	X		
Midway Rd from Selvitz Rd to 25th St	Widen 2 lanes to 4 lanes		X				
Treasure Coast Loop Trail Project	Bicycle and Pedestrian Trail				X		
Kings Hwy at Indrio Rd	Intersection Improvements	X					
Savona Blvd from Gatlin Blvd to California Blvd	Widen 2 lanes to 4 lanes				X		

City Commission Regular Meeting **Agenda Item # 10. c.**

Meeting Date: 02/02/2015

Re: Impact Fee Mitigation

Submitted For: Linda Cox, City Clerk, City Clerk

SUBJECT:

Ordinance No. 15-002 - Creating Section 22-420, Economic Development Impact Fee Mitigation Program within Chapter 22 - Zoning, Article XVI. FIRST READING

SUMMARY:

At their March 10, 2014 Conference Agenda meeting, the Mayor and City Commission directed the City Manager to evaluate various incentive programs to accelerate development and attract businesses to Fort Pierce, specifically a qualified target industry (QTI) impact fee mitigation program similar to that adopted by St. Lucie County.

At the December 8, 2014 Conference Agenda meeting, the Economic Development Team presented a final draft ordinance of an Economic Development Impact Fee Mitigation Program. Consensus was to move forward with adoption of the Ordinance as presented.

RECOMMENDATION:

Adopt Ordinance No. 15-002

ALTERNATIVES:

Do not adopt Ordinance.

RESPONSIBLE STAFF:

Nicholas Mimms, Deputy City Manager
Kori Benton, Historic Preservation Officer
Linda W. Cox, City Clerk

COORDINATED WITH:

City of Fort Pierce Economic Development Team

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

The current balance of unspent impact fees is $334,299.35. We are unable to calculate the fiscal impact at this time because we don't know how many businesses may take advantage of the program. All program applicants will come before the Commission for approval and the fiscal impact will be calculated at that time.

Attachments

Staff Report
15-002
Program Comparison
SLC Ordinance
Impact Fee Collections
Impact Fee Balance

Form Review

Inbox	Reviewed By	Date
City Manager	Robert Bradshaw	01/27/2015 02:25 PM

Form Started By: Linda Cox Started On: 01/21/2015 11:13 AM
Final Approval Date: 01/27/2015

Interoffice Memorandum
City Clerk's Office

TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, Planning Manager

FROM: Linda W. Cox, City Clerk

RE: Establishment of Impact Fee Mitigation Program

DATE: December 30, 2014

STAFF REPORT

At their March 10, 2014 Conference Agenda meeting, the Mayor and City Commission directed the City Manager to evaluate various incentive programs to accelerate development and attract businesses to Fort Pierce, specifically a qualified target industry (QTI) impact fee mitigation program similar to that adopted by St. Lucie County.

At the December 8, 2014 Conference Agenda meeting, the Economic Development Team presented a final draft ordinance of an Economic Development Impact Fee Mitigation Program. Consensus was to move forward with adoption of the Ordinance as presented.

It is the recommendation of the Economic Development Team to adopt a program similar to our neighboring communities, particularly St. Lucie County. It is likely, that any business locating within our City will seek incentives from the County as well, much like with our ad valorem tax exemption. In order to simplify the application, monitoring and enforcement of the ordinance, the economic development team recommends that we utilize a "total capital investment" threshold rather calculating a percentage of private sector wage.

The following scenario is offered for illustration.

Company XYZ makes application to construct a 500,000 sq. ft. warehouse facility with a capital investment of $95,000,000.00. They will be hiring 300 individuals at an average rate of pay of $16.78 per hour and will have 750,000 sq. ft. of impervious surface.

Total impact fees due are as follows:

Parks & Recreation: $0.00 (applies to residential only)
Transportation: $155,940.00
Government Bldgs: $81,880.00
Solid Waste: $90,100.00
Stormwater: $30,000.00
Total Impact Fees: $327,920.00

Under the proposed ordinance, Company XYZ would owe $131,168.00 for impact fees and enjoy a waiver of $196,752.00.

Attachments:

Draft Ordinance
Summary of other Florida Programs
Qualified Targeted Industries for Incentives (Enterprise Florida)
Copy of St. Lucie County Impact Fee Mitigation Ordinance
Impact Fee Collection Summary through 8/22/2014

ORDINANCE NO. 15-002

AN ORDINANCE AMENDING THE CODE OF ORDINANCE OF THE CITY OF FORT PIERCE, FLORIDA; CREATING SECTION 22-420 **ECONOMIC DEVELOPMENT IMPACT FEE MITIGATION PROGRAM** WITHIN CHAPTER 22 – ZONING, ARTICLE XVI – IMPACT FEES; PROVIDING FOR SEVERABILITY; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commissioners of the City of Fort Pierce, Florida, have determined there is a need to establish an economic development impact fee mitigation program in the City because the imposition of the impact fees herein may place the City in a non-competitive position with other communities that have chosen not to require growth to pay its fair share of needed capital facilities, thus hindering efforts by the City and the community to encourage economic development opportunities within the City and to create permanent employment expansion opportunities for the City's citizens; and

WHEREAS, Section 166.021, Florida Statutes, provides the City with the power to enhance and expand economic activity in the City including the authority to expend and use public funds toward achievement of the City's economic development goals.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AS FOLLOWS:

SECTION 1. Chapter 22 – ZONING, Article XVI – IMPACT FEES, is hereby amended by creating Sec. 22-240 "ECONOMIC DEVELOPMENT IMPACT FEE MITIGATION PROGRAM"

Sec. 22-420. Economic Development Impact Fee Mitigation Program

(a) For the purpose of this section, the term "Qualified Target Industry Business" shall mean a new or expanding business in the City that has a positive economic and fiscal impact on the City and meets the requirements of Section 288.106 Florida Statutes, or its statutory successor in function, as a Qualified Target Industry Business. For the purpose of this section, the term "Applicant" shall include any person, company, research institute or business park developer that will house Qualified Target Industry Businesses.

(b) Because the imposition of the Impact Fees herein may place the City of Fort Pierce in a non-competitive position with other local governments that have chosen not to require growth to pay its fair share of needed capital facilities, thus hindering efforts by the City and the community to encourage economic development opportunities within the City and to create permanent employment expansion opportunities for the City's citizens, there is hereby created an Economic Development Impact Fee Mitigation Program for certain Qualified Target Industry Businesses to mitigate any real or perceived disadvantage occurring from the imposition of the Impact Fees.

(c) This program is not intended as an entitlement program. The program is intended to provide the Fort Pierce City Commission the opportunity in its sole discretion to grant impact fee mitigation to Qualified Target Industry Businesses.

(d) To be eligible for an Economic Development Impact Fee waiver, an Applicant must meet the following requirements:

(1) Qualify as a Qualified Target Industry Business and create a minimum of ten (10) new jobs or a ten (10) percent increase in existing employment (whichever is greater) with an average private sector wage (excluding benefits) of one hundred (100) percent of St. Lucie County's average private sector wage (excluding the top two executive salaries) and make a capital investment in the City of $5 million or greater in construction, renovations, equipment purchases, or other major capital investment items and remain in the City for a minimum of ten (10) years; and

(2) Enter into an agreement with the City wherein the Applicant agrees to locate or expand its business operations to/within the City of Fort Pierce for a period of at least ten (10) years. The Agreement will also require the Applicant to provide the City with the Applicant's Quarterly Report (UCT-6) and all other documentation to demonstrate that the job creation and salary level commitments were achieved.

(e) Any Applicant seeking an Economic Development Impact Fee waiver shall file an application for waiver with the City Manager prior to the issuance of the Building Permit for the subject Capital Facilities Impact Construction. The application shall contain:

(1) A designation of the Capital Facilities Impact Construction for which the application is being submitted, including a current and complete legal description of the property upon which the Qualified Target Industry Business is proposed to be located;

(2) The name and address of the owner of the property upon which the Qualified Target Industry Business is proposed to be located:

(3) Proof that the Capital Facilities Impact Construction will be a Qualified Target Industry Business;

(4) A notarized affidavit and all necessary supporting evidence affirming that the requirements of subsection (d)(l) or subsection (d)(2) above will be met within one (1) year of the date the Certificate of Occupancy is issued which term may be extended by the City Commissioner upon good cause shown; and

(5) Other necessary information as determined by the City Manager.

(f) Any Applicant who submits an application for Economic Development Impact Fee Mitigation pursuant to this Section and desires the immediate issuance of a Building Permit prior to approval of the application shall pay the Impact Fees imposed herein. Should the City Commission approve and accept the mitigation application, the mitigation amount shall be refunded to the Applicant or Owner.

(g) If the Applicant meets the requirements provided above for mitigation, the applicant shall be eligible for the following:

(1) If the Applicant qualifies under subsection (d)(1) above, it shall be eligible to receive an Economic Development Impact Fee Mitigation in the following amounts, provided, however that the City Commission may increase these mitigation amounts in the event the Applicant exceeds these requirements:

Number of Jobs Created	Total Capital Investment	Waiver Amount
Minimum of 10	$5,000,000 to $9,999,999.99	40% of total City Impact Fees
Minimum of 10	$10,000,000 to $14,999,999.99	50% of total City Impact Fees
Minimum of 10	$15,000,000 or more	60% of total City Impact Fees

(h) If the City Manager finds that the Applicant meets the requirements provided herein for mitigation, the City Manager shall agenda an Impact Fee Mitigation Agreement before the City Commission which shall contain, but not be limited to, the City of Fort Pierce Impact Fee Mitigation Application for Qualified Target Industries and any other documents as requested by the City Manager. Because this program is not an entitlement program, the City Commission may reject the request for mitigation without cause.

(i) Any incentive approved pursuant to the Economic Development Impact Fee Mitigation Program shall be paid from other legally available funds (other than impact fees).

(j) Any request for Economic Development Impact Fee Mitigation must be submitted to the City by the Applicant prior to the Applicant deciding whether or not they will expand or locate in the City of Fort Pierce.

SECTION 2. Provisions of this Ordinance are severable; and if any section, subsection, sentence or clause or provision is held invalid by any court of competent jurisdiction, the remaining provisions of this ordinance shall not be affected thereby.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 4. This Ordinance is and the same shall become effective immediately upon final passage hereof.

APPROVED AS TO FORM
AND CORRECTNESS:

_____
ROBERT V. SCHWERER, ESQ.
CITY ATTORNEY

STATE OF FLORIDA
ST. LUCIE COUNTY

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 15-002 was duly advertised by title only in the St. Lucie News Tribune on January 23, 2015; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on February 2, 2015 and was duly introduced, read by title only, and passed on second and final reading on February 17, 2015 by the City Commission of the City of Fort Pierce, Florida.

In witness herewith, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the 17th day of February, 2015.

_____
LINDA HUDSON, MAYOR COMMISSIONER

_____
LINDA W. COX, CITY CLERK

(CITY SEAL)

St. Lucie County

Number of Jobs Created	% of Average Private Sector Wage	Waiver Amount
Minimum of 10	107 % plus benefits	$3500 per job created
Minimum of 10	150 % plus benefits	$5000 per job created
Minimum of 10	200 % plus benefits	$7500 per job created

Number of Jobs Created	Total Capital Investment	Waiver Amount
Minimum of 10	$10,000,000 to $14,499,999.99	40% of total County Impact Fees
Minimum of 10	$15,000,000 to $19,999,999.99	50% of total County Impact Fees
Minimum of 10	$20,000,000 or more	60% of total County Impact Fees

Martin County

Number of Jobs Created	% of Average Private Sector Wage	Waiver Amount
Minimum of 10	115 % plus benefits	$3500 per job created
Minimum of 10	150 % plus benefits	$5000 per job created
Minimum of 10	200 % plus benefits	$7500 per job created

Number of Jobs Created	Total Capital Investment	Waiver Amount
Minimum of 10	$10,000,000 to $14,499,999.99	40% of total County Impact Fees
Minimum of 10	$15,000,000 to $19,999,999.99	50% of total County Impact Fees
Minimum of 10	$20,000,000 or more	60% of total County Impact Fees

Clay County – Applies to Road Impact Fees Only

Number of Jobs Created	% of Average Private Sector Wage	Waiver Amount
Minimum of 10	115 %	100% of Road Impact Fee
Minimum of 10	100 % plus $5M capital investment	80% of Road Impact Fee
Minimum of 25	100 %	80% of Road Impact Fee
Minimum of 10	100 % for Road Impact Const on Brownfield	80% of Road Impact Fee

City of Lakeland

High Wage Job Creation	% of Average Private Sector Wage	Waiver Amount
Minimum of 10-50	115 %	50%
Minimum of 51-100	115 %	70%
Minimum of 101	115 %	90%

Industrial Job Creation	% of Average Private Sector Wage	Waiver Amount
Minimum of 100-199	n/a	50%
Minimum of 200-299	n/a	70%
Minimum of 300+	n/a	90%

Osceola County

Job Creation	% of Average Private Sector Wage	Waiver Amount
Minimum of 10 plus $10 M capital investment	115 %	50% of transportation impact fee

Fort Pierce currently has the following impact fees:

Parks and Recreation (Residential Only)
Government Buildings
Solid Waste
Stormwater
Transportation

EDWIN M. FRY, Jr., CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 3164927 02/04/2008 at 11:40 AM
OR BOOK 2934 PAGE 1763 - 1768 Doc Type: ORDN
RECORDING: $52.50

ORDINANCE NO. 08-007

AN ORDINANCE CREATING CHAPTER 1-7.5 "ECONOMIC DEVELOPMENT" OF THE CODE OF ORDINANCES; FURTHER CREATING SECTION 1-7.5-1 "ECONOMIC DEVELOPMENT IMPACT FEE MITIGATION PROGRAM"; PROVIDING FOR SEVERABILITY, ALTERNATE METHOD, EFFECTIVE DATE AND FILING

WHEREAS, the Board of County Commissioners of St. Lucie County, Florida, has made the following determinations:

1. There is a need to establish an economic development impact fee mitigation program in the County because the imposition of the impact fees herein may place the County in a non-competitive position with other communities that have chosen not to require growth to pay its fair share of needed capital facilities, thus hindering efforts by the County and the community to encourage economic development opportunities within the County and to create permanent employment expansion opportunities for the County's citizens.

2. Section 125.045, Florida Statutes, provides the County with the power to enhance and expand economic activity in the County including the authority to expend and use public funds toward achievement of the County's economic development goals.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. LUCIE COUNTY, FLORIDA:

PART A. CHAPTER 1-7.5 "ECONOMIC DEVELOPMENT" IS HEREBY CREATED IN THE CODE OF ORDINANCES AND COMPILED LAWS OF ST. LUCIE COUNTY" BY CREATING PART A "ECONOMIC DEVELOPMENT IMPACT FEE MITIGATION PROGRAM" AS FOLLOWS:

Sec. 1-7.5-1. Economic Development Impact Fee Mitigation Program

(a) For the purpose of this section, the term "Qualified Target Industry Business" shall mean a new or expanding business in the County that has a positive economic and fiscal impact on the County and meets the requirements of Section 288.106, Florida Statutes, or its statutory successor in function, as a Qualified Target Industry Business. For the purpose of this section, the term "Applicant" shall include any person, company, research institute or business park developer that will house Qualified Target Industry Businesses.

(b) Because the imposition of the Impact Fees herein may place St. Lucie County in a non-competitive position with other local governments that have chosen not to require growth to pay its fair share of needed capital facilities, thus hindering efforts by the County and the community to encourage economic development opportunities within the County and to create permanent employment expansion opportunities for the County's citizens, there is hereby created an Economic Development Impact Fee Mitigation Program for certain Qualified Target Industry Businesses to mitigate any real or perceived disadvantage occurring from the imposition of the Impact Fees.

(c) This program is not intended as an entitlement program. The program is intended to provide the Board of County Commissioners the opportunity in its sole discretion, to grant impact fee mitigation to Qualified Target Industry Businesses.

(d) To be eligible for an Economic Development Impact Fee waiver, an Applicant must meet the following requirements:

(1) Qualify as a Qualified Target Industry Business and create a minimum of ten (10) new jobs or a 10% increase in existing employment (whichever is greater) with an average private sector wage (excluding benefits) of at least 107% of St. Lucie County's average private sector wage (excluding the top two executive salaries) and provide a benefit package that includes health insurance and remain in the County for a minimum of ten (10) years; or

(2) Qualify as a Qualified Target Industry Business and create a minimum of ten (10) new job s or a 10% increase in existing employment (whichever is greater) with an average private sector wage (excluding benefits) of 100% of St. Lucie County's average private sector wage (excluding the top two executive salaries) and make a capital investment in the County of $10 million or greater in construction, renovations, equipment purchases, or other major capital investment items and remain in the County for a minimum of ten (10) years; and

(3) Enter into an agreement with the County wherein the Applicant agrees to locate or expand its business operations to/within St. Lucie County for a period of at least ten (10) years. The Agreement will also require the Applicant to provide the County with the Applicant's Quarterly Report (UCT-6) and all other documentation to demonstrate that the job creation and salary level commitments were achieved.

(e) Any Applicant seeking an Economic Development Impact Fee waiver shall file an application for waiver with the County Administrator prior to the issuance of the Building Permit for the subject Capital Facilities Impact Construction. The application shall contain:

(1) a designation of the Capital Facilities Impact Construction for which the application is being submitted, including a current and complete legal description of the property upon which the Qualified Target Industry Business is proposed to be located;

(2) the name and address of the owner of the property upon which the Qualified Target Industry Business is proposed to be located;

(3) proof that the Capital Facilities Impact Construction will be a Qualified Target Industry Business;

(4) a notarized affidavit and all necessary supporting evidence affirming that the requirements of subsection (d)(1) or subsection (d)(2) above will be met within one (1) year of the date the Certificate of Occupancy is issued which term may be extended by the Board of County Commissioners upon good cause shown; and

(5) other necessary information as determined by the County Administrator.

(f) Any Applicant who submits an application for Economic Development Impact Fee Mitigation pursuant to this Section and desires the immediate issuance of a Building Permit prior to approval of the application shall pay the Impact Fees imposed herein. Should the Board of County Commissioners approve and accept the mitigation application, the mitigation amount shall be refunded to the Applicant or Owner.

(g) If the Applicant meets the requirements provided above for mitigation, the Applicant shall be eligible for the following:

(1) If the Applicant qualifies under subsection (d)(1) above, it shall be eligible to receive an Economic Development Impact Fee Mitigation in the following amounts; provided, however, that the Board may increase these waiver amounts in the event the Applicant exceeds these requirements:

Number of Jobs Created	% of Average Private Sector Wage	Waiver Amount
Minimum of 10	107% plus benefits	$3,500 per job created
Minimum of 10	150% plus benefits	$5,000 per job created
Minimum of 10	200% plus benefits	$7,500 per job created

(2) If the Applicant qualifies under subsection (d)(2) above, it shall be eligible to receive an Economic Development Impact Fee Mitigation in the following amounts; provided, however that the Board may increase these mitigation amounts in the event the Applicant exceeds these requirements:

Number of Jobs Created	Total Capital Investment	Waiver Amount
Minimum of 10	$10,000,000 to $14,999,999.99	40% of total County Impact Fees
Minimum of 10	$15,000,000 to $19,999,999.99	50% of total County Impact Fees
Minimum of 10	$20,000,000 or more	60% of total County Impact Fees

(3) Each Applicant shall only be eligible for mitigation under either subsection (C)(1) or subsection (C)(2), but not both.

(h) If the County Administrator finds that the Applicant meets the requirements provided herein for mitigation, the County Administrator shall agenda an Impact Fee Mitigation Agreement before the Board of County Commissioners, which shall contain, but not be limited to, the St. Lucie County Impact Fee Mitigation Application for Qualified Target Industries and any other documents as requested by the County Administrator. Because this Program is not an entitlement program, the Board may reject the request for mitigation without cause.

(i) Any incentive approved pursuant to the Economic Development Impact Fee Mitigation Program shall be paid from other legally available funds (other than impact fees).

(j) Any request for Economic Development Impact Fee Mitigation must be submitted to the County by the Applicant prior to the Applicant deciding whether or not they will expand or locate in St. Lucie County.

PART B. SEVERABILITY.

Provisions of this Ordinance are severable; and if any section, subsection, sentence or clause or provision is held invalid by any court of competent jurisdiction, the remaining provisions of this ordinance shall not be affected thereby.

PART C. ALTERNATIVE METHOD.

This Ordinance shall be deemed to provide an additional and alternative method for the implementation of the purpose authorized hereby and shall be regarded as supplemental and additional to powers conferred by other laws, and shall not be regarded as derogation or diminishment of any powers now existing or which may hereafter come into existence. This ordinance, being necessary for the Public Health, Safety, and Welfare of the inhabitants of the County, shall be liberally construed to affect the purposes hereof.

PARK D. EFFECTIVE DATE.

A certified copy of this ordinance shall be filed with the Department of State by the Clerk of the Board of County Commissioners of St. Lucie County within ten days after enactment by the Board, and this ordinance shall take effect on upon filing with the Department of State.

PART E. FILING WITH DEPARTMENT OF STATE.

The Clerk be and hereby is directed forthwith to send a certified copy of this Ordinance to the Bureau of Laws, Department of State, the Capitol, Tallahassee, Florida 32304.

PART F. ADOPTION.

After motion and second, the vote on this ordinance was as follows:

Chairman	Joseph E. Smith	AYE
Vice Chairman	Paula A. Lewis	AYE
Commissioner	Doug Coward	AYE
Commissioner	Chris Craft	AYE
Commissioner	Charles Grande	AYE

PART G. CODIFICATION.

Provisions of this ordinance shall be incorporated in the County Code and the word "ordinance" may be changed to "section," "article" or other appropriate word and the sections of this ordinance may be renumbered or relettered to accomplish such intention; provided, however, that parts B to G shall not be codified.

PASSED AND DULY ADOPTED this 15th day of January, 2008.

BOARD OF COUNTY COMMISSIONERS
ST. LUCIE COUNTY, FLORIDA

ATTEST:

Deputy Clerk

By: _____
Chair

APPROVED AS TO FORM AND
CORRECTNESS:

_____
County Attorney

RESTRICTED REVENUE RECONCILIATION
THRU 12/31/2014

	Receipts Budget 2008-2009	Receipts Budget 2009-2010	Receipts Budget 2010-2011	Receipts Budget 2011-2012	Receipts Budget 2012-2013	Receipts Budget 2013-2014	Receipts Budget 2014-2015		Total Receipts
							3-months		
Storm Water Utility Fee		12,339.88	1,457.48	8,721.37	3,658.52	1,920.97	237.52		28,335.74
Road Impact Fees		124,853.37	96,502.32	18,849.72	28,067.65	87,390.57	6,539.15		362,202.78
Park Impact Fees		104,994.45	44,744.65	12,337.36	4,649.71	23,628.91	3,783.26		194,138.34
Building Impact Fees		46,715.85	15,837.34	5,091.32	3,036.49	8,318.30	1,021.51		80,020.81
Solid Waste		13,201.05	3,220.51	1,972.46	839.84	2,056.73	296.26		21,586.85
		302,104.60	161,762.30	46,972.23	40,252.21	123,315.48	11,877.70		686,284.52
									686,284.52

RESTRICTED REVENUE RECONCILIATION 1/22/2015

THRU 1/21/2015

	Receipts Budget 2009-2013	Receipts Budget 2013-2014	Receipts Budget 2014-2015	Total Receipts	Expend Total	Balance FY2015	
Storm Water Utility Fee	26,177.25	1,920.97	565.42	28,663.64	0.00	28,663.64	
Road Impact Fees	268,273.06	87,390.57	13,332.90	368,996.53	160,153.84	208,842.69	
Park Impact Fees	166,726.17	23,628.91	7,583.31	197,938.39	176,176.56	21,761.83	
Building Impact Fees	70,681.00	8,318.30	2,043.79	81,043.09	8,735.09	72,308.00	
Solid Waste	19,233.86	2,056.73	592.52	21,883.11	19,233.86	2,649.25	
	551,091.34	123,315.48	24,117.94	698,524.76	364,299.35	334,225.41	**Actual Balance**

City Commission Regular Meeting **Agenda Item # 10. d.**

Meeting Date: 02/02/2015

Re: Ordinance No. 15-003 - Creating Section 13-38a; Providing for a Disability Review Committee and Establishing Membership & Responsiblities of the Same

Submitted For: Gloria Johnson, Finance Director, Finance Department

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SUBJECT:

Ordinance No. 15-003 - Creating a Disability Review Committee at the request of the City of Fort Pierce Retirement Board. SECOND READING

SUMMARY:

The amendment of Chapter 13 of the Code is to create Section 13-38 (a) providing for a Disability Review Committee and establishing membership and responsiblities of the same.

RECOMMENDATION:

Adopt Ordinance No. 15-003, amending Chapter 13 of the Code.

ALTERNATIVES:

Deny the amendment of the Code

RESPONSIBLE STAFF:

Finance Director

COORDINATED WITH:

Assistant City Attorney, Jim Walker and City Clerk for Advertising

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Fiscal Impact

Budgeted Y/N: N

Fiscal Year: 2015

Account:

Amount: 0

OTHER INFORMATION:

There is no Fiscal Impact.

Attachments

15-003

Impact Statement

Form Review

Inbox	Reviewed By	Date

Finance Department	Gloria Johnson	01/09/2015 04:33 PM
City Manager	Robert Bradshaw	01/13/2015 09:40 AM
Form Started By: Johnna Morris		Started On: 01/08/2015 11:52 AM
Final Approval Date: 01/21/2015		

ORDINANCE NO. 15-003

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; **CREATING SECTION 13-38a; PROVIDING FOR A DISABILITY REVIEW COMMITTEE AND ESTABLISHING MEMBERSHIP AND RESPONSIBILITIES OF THE SAME**; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AS FOLLOWS:

SECTION 1. Section 13-38A of the Code of Ordinances is hereby created so that the same shall read hereinafter as follows:

Sec. 13-38A (Disability Review Committee).

a. There shall be a disability review committee, made up of the following members:

1. *The Treasurer and Secretary and of the Retirement Board (who shall chair the committee);*
2. *The Risk Management Administrator for the City;*
3. *The Human Resources Director for the City;*
4. *The Human Resources Manager for the Utilities Authority;*
5. *A Designated Representative for the Police Department;*
6. *And the Administrative Department Head of the Department by whom the benefits applicant or retirant was employed.*

b. *The Disability Review Committee shall be responsible for the following:*

1. *Preliminary Investigation of each application for disability benefits, whether under Section 13-36 or Section 13-37;*
2. *Review and reexamination of continued entitlement of retirants to disability benefits;*
3. *Devise forms for use in the disability administrative process, which forms shall include but not be limited to applications, authorizations and correspondence, with all such forms to receive approval by the Retirement Board;*
4. *Obtain and consider all pertinent medical evidence which may be available or may be requested of the retirant or applicant;*
5. Establish policies and procedures necessary to carry out the responsibilities imposed by this Section;
6. Preparation and maintenance of a list of suitable outside consultants and medical experts, with such list to be periodically submitted to the Retirement Board for approval. Such list shall be available as a convenience in guiding the choice of a physician by the Board's Treasurer and Secretary when making a medical referral in accordance

with Code Section 13-36(7). But the choice of referral is not limited to listed consultants or physicians, should the Treasurer and Secretary reasonably determine that referral should be made to consultant or physician whose name is not on the list;

7. Submission of a written report setting out a recommendation to the Retirement Board upon completion of the preliminary investigation;

8. Serve as an advisory body to the Retirement Board on matters relating to award, continuation and administration of disability benefit entitlement.

SECTION 2. All Ordinances or parts of Ordinances and conflict herewith are and the same shall be repealed and shall be of no further force or effect whatsoever.

SECTION 3. This Ordinance is and the same shall become effective immediately upon final passage hereof.

APPROVED AS TO FORM AND CORRECTNESS:

_____
Robert V. Schwerer, Esq.
City Attorney

STATE OF FLORIDA)
ST. LUCIE COUNTY)SS

WE, THE UNDERSIGNED, Mayor Commissioner and the City Clerk of the City of Fort Pierce, Florida, do hereby certify that the foregoing and above Ordinance No. 15-003 was duly advertised by title only in the St. Lucie News Tribune on January 10, 2015; copy of said ordinance was made available at the office of the City Clerk to the public upon request; said ordinance was duly introduced, read by title only, and passed on first reading by the City Commission of the City of Fort Pierce, Florida, on January 20, 2015; and was duly introduced, read by title only, and passed on second and final reading on February 2, 2015, by the City Commission of the City of Fort Pierce, Florida.

IN WITNESS HEREWITH, we hereunto set our hands and affix the Official Seal of the City of Fort Pierce, Florida, this the _____ day of _____, 2015.

_____
Linda Hudson,
Mayor Commissioner

_____
Linda W. Cox,
City Clerk

(CITY SEAL)

CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM
ACTUARIAL IMPACT STATEMENT, DECEMBER 8, 2014

Description of Amendments

- Creates Section 13-38A of the Code of Ordinances that establishes a Disability Review Committee.
- Lists the responsibilities of the Disability Review Committee.

Funding Implications of the Amendments

An actuarial cost estimate for the amendments is attached.

Certification of Administrator

The actuary has been furnished with a description of the amendments.

I believe the amendments to be in compliance with Part VII, Chapter 112, Florida Statutes and Section 14, Article X, of the Constitution of the State of Florida.

_____, Administrator
City of Fort Pierce
Retirement and Benefit System

CITY OF FORT PIERCE RETIREMENT AND BENEFIT SYSTEM
ACTUARIAL COST ESTIMATE, DECEMBER 8, 2014

Data and Actuarial Assumptions

The data and actuarial assumptions used for the cost estimate were the same as those used for the September 30, 2013 actuarial valuation with no exceptions.

Description of Amendments

- Creates Section 13-38A of the Code of Ordinances that establishes a Disability Review Committee.
- Lists the responsibilities of the Disability Review Committee.

Contribution Implications of the Amendments

The effect of the proposed changes on contributions and obligations is de minimis.

12/8/2014

Brad Lee Armstrong, ASA, EA, MAAA [14-5614]

City Commission Regular Meeting **Agenda Item # 12. a.**

Meeting Date: 02/02/2015

Re: Resolution 15-R03 - Granting Ad-Valorem Tax Exemption for Improvements to 301 S. US Highway 1

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

---

SUBJECT:

Resolution 15-R03 granting a Historic Preservation Tax Exemption for property located at 301 S. US Highway 1.

SUMMARY:

- Pursuant to City Code Section 23-104, the property owner is requesting approval of a Historic Preservation Tax Exemption to apply to one hundred (100) per cent of the assessed value of all improvements to the eligible historic property. The exemption applies only to taxes levied by the city.
- The exemption may be granted for a period of up to ten (10) years, with the effective date being October 1 of 2015. The city commission has the discretion to set a lesser term.
- The property owners have completed the comprehensive rehabilitation of the structure, totaling an estimated $200,000-250,000. The renovations have facilitate the capacity to adaptively reuse the site for commercial offices, and currently has a tenant.
- The current assessed value of the property and structure is $59,100. The approval of this ad-valorem tax exemption by the City Commission would lock in the City's assessment of taxes at this assessment level for a period of up to ten years.

RECOMMENDATION:

Approval of a ten (10) year term

ALTERNATIVES:

- Approval of a lesser term
- Denial

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Officer

COORDINATED WITH:

None.

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

Potential waiver of increased revenue for the Fort Pierce Redevelopment Agency (FPRA).

Attachments

Staff Report
Resolution 15-R03 - Granting a Historic Preservation Tax Exemption
Covenant Between City of Fort Pierce & Property Owner
Property Record Card
Staff Report to HPB & Photos of Improvements
Application and Photos of Site Prior to Improvements

Form Review

Inbox	Reviewed By	Date
City Manager	Rebecca Grohall	01/14/2015 12:50 PM
City Manager	Robert Bradshaw	01/27/2015 02:27 PM

Form Started By: Kori Benton Started On: 01/13/2015 09:17 AM
Final Approval Date: 01/27/2015

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: Kori Benton, Historic Preservation Officer

RE: Historic Preservation Ad-Valorem Tax Exemption
Rehabilitation of a Historic Structure
301 S US Highway 1

DATE: January 22, 2015

STAFF REPORT

Owner/Applicant: Linda M Kroon
51 Honey`s Beach Rd
Port Perry, ON, L9L 1B2

Requested Action: Approval of a Historic Preservation Ad-Valorem Tax Exemption on Improvements to an Individually Designated Historic Structure for ten (10) years

Location: 301 S US Highway 1

Parcel IDs: 2410-701-0102-000-2

Zoning: C-3, General Commercial

Surrounding Zoning:

North	East	South	West
C-3	C-3	C-3	C-3

Future Land Use: GC, General Commercial

Parcel Size: .16 acres

Utilities: Located within the FPUA Retail Service Area

Staff Analysis:

In accordance with Section 23-104 of the City Code, the property owner is requesting approval of a Historic Preservation Tax Exemption to apply to one hundred (100) per cent of the assessed value of all improvements to the eligible historic property which result from its renovation and rehabilitation made on or after the effective date of the ordinance (August 6, 2001). The exemption would only apply to taxes levied by the city.

The exemption may be granted to remain in effect for up to ten (10) years, with the effective date being October 1 of 2015. The city commission has the discretion to set a lesser term. The exemption shall continue in force if the authority of the city to grant exemptions changes or if ownership of the property changes, including any change from a tax-exempt entity to a tax paying entity except as set forth in Section 23-106. In order to retain an exemption, however, the historic character of the property, and improvements, which qualify the property for an exemption, must be maintained in the historic state over the period for which the exemption was granted.

History & Investment

The current property owner purchased the site in 2009, and worked to rehabilitate and improve the structure and site for nearly five years. The rehabilitation efforts were centered on restoration of original materials in compliance with local regulations and the Secretary of Interior Standards. The improvements to the property and structure include, but are not limited to:

1. Replacement white aluminum 2/2 aluminum windows with reproduction trim and spacing to match the original trim in design and construction; and

2. Replacement windows in casement window area: fixed frame windows engineered to simulate the B-light casements; and

3. Replacement of existing operable wood shutters with reproduction operable wood shutters; and

4. Restoration of original front door in place; and

5. Front porch rail with 6' chamfered square posts, square balusters, and a 6' top rail built with traditional construction techniques ; and

6. New back porch, matching rail and handicap ramp; and

7. Removal of existing rear facade chimney, new French doors. and the opening of the rear facade; and

8. On-site parking lot & landscaping.

Initial estimates place the total project cost between $200,000-250,000, including the interior renovations. The site is currently being established for commercial offices. This project, from start to finish, exemplifies a successful preservation effort in which the applicant purchased, successfully designated, rehabilitated, and reused a valuable historic asset. The current assessed value of the

property and structure is $59,100. The approval of this ad-valorem tax exemption by the City Commission would lock in the City's assessment of taxes at this value for a period of up to ten years.

Historic Preservation Board Recommendation:

The Historic Preservation Board, at their October 27th, 2014 meeting, voted unanimously to recommend approval of the request.

Staff Recommendation:

The presented request has met all requirements for eligibility and compliance with local and federal regulations for rehabilitation of a historic structure, and is consistent with the City's Comprehensive Plan; therefore Staff recommends that the City Commission approve this Historic Preservation tax exemption, for a period of ten (10) years.

RESOLUTION NO. 15-RO3

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, GRANTING **AN AD-VALOREM TAX EXEMPTION** FOR IMPROVEMENTS MADE **TO 301 SOUTH US HIGHWAY 1;** PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, **301 South US Highway 1, Fort Pierce, Florida** tax identification number 2410-701-0102-000-2, legally described as CARLTON`S ADDN BLK 10 LOT 1 (MAP24/10E) (OR 3078-1533), is a historically significant structure, individually designated on May 3rd, 2010;

WHEREAS, **301 South US Highway 1**, was recommended to receive the historic preservation tax exemption by the Historic Preservation Board on October 27th, 2014, based upon the improvements completed by the property owner, Linda Kroon; and

WHEREAS, the petition for the subject tax exemption meets the requirements of Chapter 23, Article VII, of the Fort Pierce City Code; and

WHEREAS, the assessed value of **301 South US Highway 1** previous to improvements was $59,100.

NOW, THEREFORE, BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida:

1. That an Ad Valorem Tax Exemption is hereby granted in connection with the improvements to the property located at **301 South US Highway 1**.
2. That in accordance with the exemption herein granted, the City of Fort Pierce Property Tax shall be and is hereby waived for a period of ten (10) years on the increased value of the improved portions of the subject property, pursuant to the provisions of Ordinance No. K-96.
3. That this resolution shall become effective upon the date of its adoption herein.

IN WITNESS WHEREOF, this Resolution has been duly adopted on this 2nd day of February, 2015.

_____
Linda Hudson,
Mayor Commissioner

_____
Linda W. Cox, City Clerk

(CITY SEAL)

APPROVED AS TO FORM

AND CORRECTNESS:

_____
Robert V. Schwerer, Esq.
City Attorney

DOS Form No. HR3E111292

HISTORIC PRESERVATION PROPERTY TAX EXEMPTION COVENANT

This Covenant is made the _____ day of _____, by Linda M. Kroon (hereinafter referred to as the Owner) and in favor of City of Fort Pierce (hereinafter referred to as the Local Government) for the purpose of the restoration, renovation or rehabilitation, of a certain Property located at 301 S US Highway 1 which is owned in fee simple by the Owner and is listed in the National Register of Historic Places or locally designated under the terms of a local preservation ordinance or is a contributing property to a National Register listed district or a contributing property to a historic district under the terms of a local preservation ordinance. The areas of significance of this property, as identified in the National Register nomination or local designation report for the property or the district in which it is located are ☒ architecture, ☐ history ☐ archaeology. The Property is comprised essentially of grounds, collateral, appurtenances, and improvements, the property is more particularly described as follows (include city reference, consisting of repository, book and page numbers):

TAX ID #: 2410-701-0102-000-2

In consideration of the tax exemption granted by the Local Government, the Owner hereby agreed to the following for the period of the tax exemption which is from October 1, 2015, to September 30, 2025:

1. The Owner agrees to assume the cost of the continued maintenance and repair of said Property so as to preserve the architectural, historical, or archaeological integrity of the same in order to protect and enhance those qualities that make the Property eligible for listing in the National Register of Historic Places or designation under the provisions of the local preservation ordinance.

2. The Owner agrees that no visual or structural alterations will be made to the Property without prior written permission of the (☐) Division of Historical Resources (☒) Local Historic Preservation Office. The address of the certified Local Historic Preservation Offices is, if one exists in the jurisdiction:

Name of Office/Agency: CITY OF FORT PIERCE

Address: 100 NORTH U.S. HIGHWAY #1

City: FORT PIERCE, FLORIDA

Zip: 34950

Telephone: (772) 467-3739

The address of the Division of Historical Resources is:

Bureau of Historic Preservation
Division of Historical Resources
R.A. Gray Building, 500 South Bronough Street
Tallahassee, Florida 32399-0250
Telephone Number: (904) 487-2333

3. [Only for properties of archaeological significance] The Owner agrees to ensure the protection of the site against willful damage or vandalism. Nothing in this Covenant shall prohibit the Owner from developing the site in such a manner that will not threaten or damage the archaeological resource, provided that permission for alteration of the site is obtained pursuant to 2. above.

4. The Owner agrees that the ☐ Division of Historical Resources ☒ Local Historic Preservation Office and appropriate representatives of the Local Government, their agents and designees shall have the right to inspect the Property at all reasonable times in order to ascertain whether or not the conditions of this Covenant are being observed.

5. In the event of the non-performance or violation of the maintenance provisions of the Covenant by the Owner or any successor-in-interest during the term of the Covenant, the ☐ Division of Historical Resources ☒ Local Historic Preservation Office will report such violation to the Property Appraiser and Tax Collector who shall take action pursuant to s. 196.1997 (7), F.S. The Owner shall be required to pay the difference between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s. 212.12 (3), F.S.

6. If the Property is damaged by accidental or natural causes during the Covenant period, the Owner will inform the ☐ Division of Historical Resources ☒ Local Historic Preservation Office in writing of the damage to the Property, including (1) an assessment of the nature and extent of the damage; and (2) an estimate of the cost of restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion. In order to maintain the tax exemption, the Owner shall complete the restoration or reconstruction work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner and the ☐ Division of Historical Resources ☒ Local Historic Preservation Office.

7. If the Property has been destroyed or severely damaged by accidental or natural causes, that is, if the historical integrity of the features, materials, appearance, workmanship, and environment, or archaeological integrity which make the property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance have been lost or so damaged that restoration is not feasible, the Owner will notify the ☐ Division of Historical Resources ☒ Local Historic Preservation Office in writing of the loss. The ☐ Division of Historical Resources ☒ Local Historic Preservation Office will evaluate the information provided and notify the Owner in writing of its determination

regarding removal of the Property from eligibility for tax exemption. If the ☐ Division of Historical Resources ☒ Local Historic Preservation Office determines that the property should be removed from eligibility for tax exemption, it will notify the Property Appraiser of the county in which the Property is located in writing so that the tax exemption can be cancelled for the remainder of the Covenant period. In such cases, no penalty or interest shall be assessed against the Owner.

8. If it appears that the historical integrity of the features, materials, appearance. workmanship, and environment, or archaeological integrity which made the Property eligible for listing in the National Register of Historic Places or designation under the terms of the local preservation ordinance have been lost or damaged deliberately or through gross negligence of the Owner, the ☐ Division of Historical Resources ☒ Local Historic Preservation Office shall notify the Owner in writing. For the purpose of this Covenant, "gross negligence" means the omission of care which even inattentive and thoughtless persons never fail to take of their own property. The Owner shall have 30 days to respond indicating any circumstances which show that the damage was not deliberate or due to gross negligence. If the Owner cannot show such circumstances, he shall develop a plan for restoration of the Property and a schedule for completion of the restoration. In order to maintain the tax exemption, the Owner shall complete the restoration work necessary to return the Property to the condition existing at the time of project completion on a time schedule agreed upon by the Owner and the ☐ Division of Historical Resources ☒ Local Historic Preservation Office. If the Owner does not complete the restoration work on the agreed upon time schedule, the ☐ Division of Historical Resources ☒ Local Historic Preservation Office will report such violation to the Property Appraiser and Tax Collector who shall take action pursuant to s. 196.1997 (7), F.S. The Owner shall be required to pay the differences between the total amount of taxes which would have been due in March in each of the previous years in which the Covenant was in effect had the property not received the exemption and the total amount of taxes actually paid in those years, plus interest on the difference calculated as provided in s.212.12 (3), F.S.

9. The terms of this Covenant shall be binding on the current Property owner, transferees, and their heirs, successors, or assigns. This Covenant shall be enforceable in specific performance by a court of competent jurisdiction.

OWNER

Linda M Kroon

Linda M Kroon. _____

Name Signature Date

LOCAL GOVERNMENT: CITY OF FORT PIERCE

Linda Hudson, Mayor

Linda Hudson, Mayor _____

Name of Authorized Local Official Signature Date

Site Address: 301 S US HWY 1
Sec/Town/Range: 10/35S/40E
Map ID: 24/10S
Zoning: C3

Parcel ID: 2410-701-0102-000-2
Account #: 23508
Use Type: OFCE BLDG
Jurisdiction: Fort Pierce

Ownership

Linda M Kroon

51 Honey`s Beach Rd
Port Perry, ON, L9L 1B2

Legal Description

CARLTON`S ADDN BLK 10 LOT 1 (MAP24/10E) (OR 3078-1533)

Current Values

Just/Market Value:	$59,100
Assessed Value:	$59,100
Exemptions:	$0
Taxable Value:	$59,100

Taxes for this parcel: SLC Tax Collector's Office



Total Areas

Finished/Under Air (SF):	2,477
Land Size (acres):	0.16
Land Size (SF):	7,000

This information is believed to be correct at this time but it is subject to change and is not warranted.
© Copyright 2014 Saint Lucie County Property Appraiser.

CITY OF FORT PIERCE

PLANNING DEPARTMENT

COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

OCTOBER 27TH, 2014

Agenda Item 5C

Owner

Linda Kroon

Applicant

Mike Menard

Location

301 S US Highway 1

Parcel ID

2410-701-0102-000-2

Historic Status

Individually Designated

Site Name

The Antique Emporium

Requested Action

Recommendation of Approval for the Historic Preservation Ad-Valorem Tax Exemption

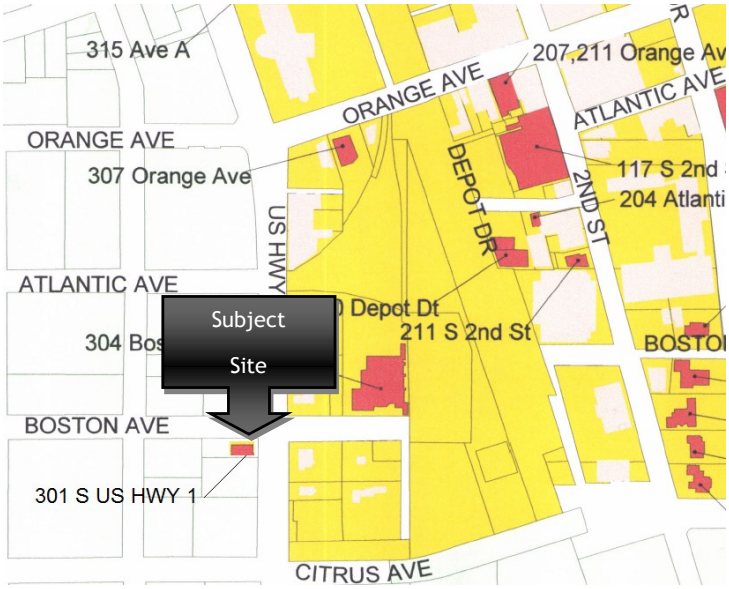
Recommendation

Approval

Staff

Kori Benton
Historic Preservation Officer

HISTORIC PRESERVATION BOARD : PUBLIC HEARING



Location Map Contributing Non-Contributing Subject Site

HISTORY

- 1910c / 1901 Subject structure constructed on site.
- 2010 Site is individually designated by the City Commission.
- 2010 Historic Preservation Board approved COA 10-12 for the rehabilitation of the site, with offices/retail use.
- 2013 Historic Preservation Board approved COA 13-12 for the construction of a parking lot coupled with several variances from landscaping and parking dimension requirements.
- 2014 Historic Preservation Board approved COA 14-21 for the construction of an ADA walkway within the required landscape strip.
- 2010-2014 Property Owners engaged in an effort to rehabilitate and adaptively reuse the historic structure from a single-family home into an office or boutique retail store.

REQUESTED ACTION

Pursuant to City Code Section23-104, the City of Fort Pierce offers consideration of a Historic Preservation Tax Exemption which may apply to one hundred (100) per cent of the assessed value of all improvements to eligible historic properties which result from restoration, renovation or rehabilitation made on or after the effective date of the ordinance from which this article derives (August 6, 2001). The exemption applies only to taxes levied by the city.

If granted, the exemption shall remain in effect for up to ten (10) years with the effective date being October 1 of the year that the applicant and the city have entered into the exemption covenant. The city commission has the discretion to set a lesser term. The exemption shall continue in force if the authority of the city to grant exemptions changes or if ownership of the property changes, including any change from a tax exempt entity to a tax paying entity except as set forth in section 23-106. In order to retain an exemption, however, the historic character of the property, and improvements which qualify the property for an exemption, must be maintained in the historic state over the period for which the exemption was granted.

The current property owner purchased the site in 2009, and worked to rehabilitate and improve the structure and site for nearly five years. The rehabilitation efforts were centered on restoration of original materials in compliance with local regulations and the Secretary of Interior Standards. The improvements to the property and structure include, but are not limited to:

1. Replacement white aluminum 2/2 aluminum windows with reproduction trim and spacing to match the original trim in design and construction; and

2. Replacement windows in casement window area: fixed frame windows engineered to

simulate the B-light casements; and

3. Replacement of existing operable wood shutters with reproduction operable wood shutters;.

4. Restoration of original front door in place; and

5. Front porch rail with 6' chamfered square posts, square balusters, and a 6' top rail built with traditional construction techniques ; and

6. New back porch, matching rail and handicap ramp; and ·

7. Removal of existing rear facade chimney, new French doors. and opening on rear facade; and

8. Site Parking Lot & Landscaping

Initial estimates place the total project cost between $200,000-250,000, including interior renovations. The site is currently being established for commercial offices. This project, from start to finish, exemplifies a successful preservation effort to purchase, designate, rehabilitate, and reuse a valuable historic asset. The current assessed value of the property and structure is $59,100. The approval of this ad-valorem tax exemption by the City Commission would lock in the City's assessment of taxes at this assessment level for a period of up to ten years.

STAFF RECOMMENDATION

The recommendation of staff is to forward a recommendation of approval to the City Commission of this Historic Preservation tax exemption based upon eligibility and compliance with local and federal regulations for rehabilitation of a historic structure.



Before Rehabilitation



After Rehabilitation



Rear Yard prior to Parking Lot Construction



Rear Yard after Parking Lot Construction

DOS Form No. HR3E101292
Revised 09/03/00

Historic Preservation Property Tax Exemption Application
Part 1 – Evaluation of Property Eligibility

Read the attached instructions carefully before completing this application. Your application cannot be evaluated unless it is complete and all required supporting materials are provided. In the event of any discrepancy between the application form and other supplementary material submitted with it (such as architectural plans, drawings and specifications), the application form shall take precedence. Type or print clearly in black ink. If additional space is needed, attach additional sheets.

GENERAL INFORMATION (To be completed by all applicants)

1. Property identification and location:

Property Identification Number (from tax records): 2410-710-0102-000-2 *Attach legal description of property*

Address of property: Street 301 S US Hwy 1

City Ft Pierce County St Lucie Zip Code 34950

( ) Individually National Register listed
( ) In a National Register district
(X) Locally designated historic property or landmark*
( ) In a locally designated district

** For applications submitted to the Division of Historical Resources, attach a copy of the local designation report for the property and the official correspondence notifying the property owner of designation.*

Name of historic district N/A - Individually Designated

For locally designated historic properties or landmarks, or properties located in locally designated historic districts, provide the following additional information:

Name of local historic preservation agency/office City of Fort Pierce - Historic Pres.

Mailing Address P O Box 1480

City Ft Pierce State FL Zip Code 34954

Telephone Number (772) 460-2200 x237

2. Type of request:

(X) Exemption under 196.1997, F.S. (standard exemption)
( ) Exemption under 196.1998, F.S. (exemption for properties occupied by non-profit organizations or government agencies and regularly open to the pubic) *If applying under s. 196.1998, F.S., complete* Question 9 *on page five.*

3. Owner information:

x Name of individual or organization owning the property Linda Kroon

Mailing address 11792 Warden Ave

City Gormley State Ontario Zip code L0H 1G0

Daytime Telephone Number (416) 655-1890

If the property is in multiple ownership, attach a list of all owners with their mailing addres

RECEIVED
APR 19 2010
CITY OF FORT PIERCE
PLANNING & ZONING

Page Three – Historic Preservation Property Tax Exemption Application

Property Identification Number 2410-701-0102-000-2

Property Address 301 S. US 1

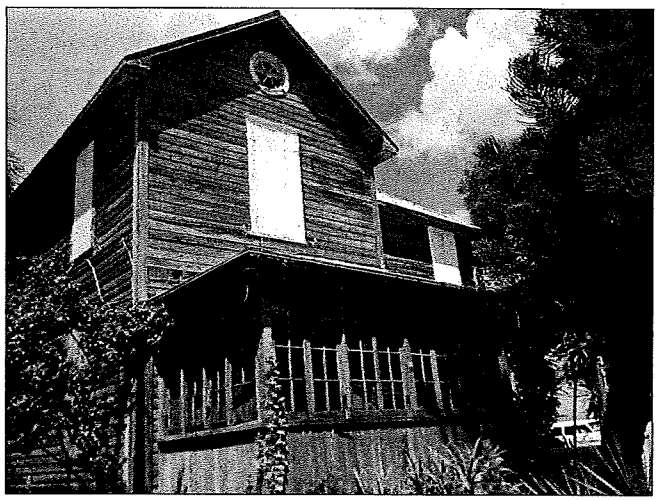
7. Photographs and maps:
Attach photographs and maps to application.

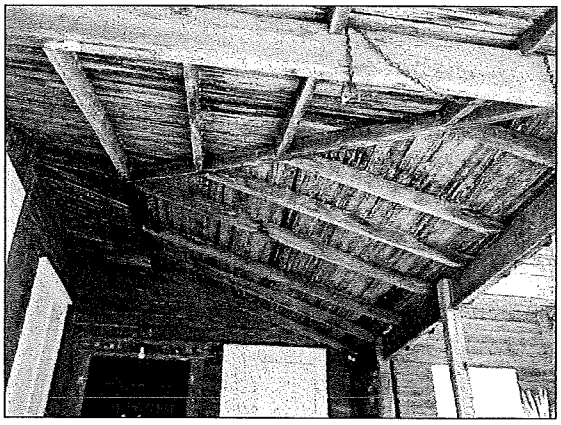
Photographs & Maps attached in Designation Report, Attachment 9



Site Photos: 301 South US Highway 1

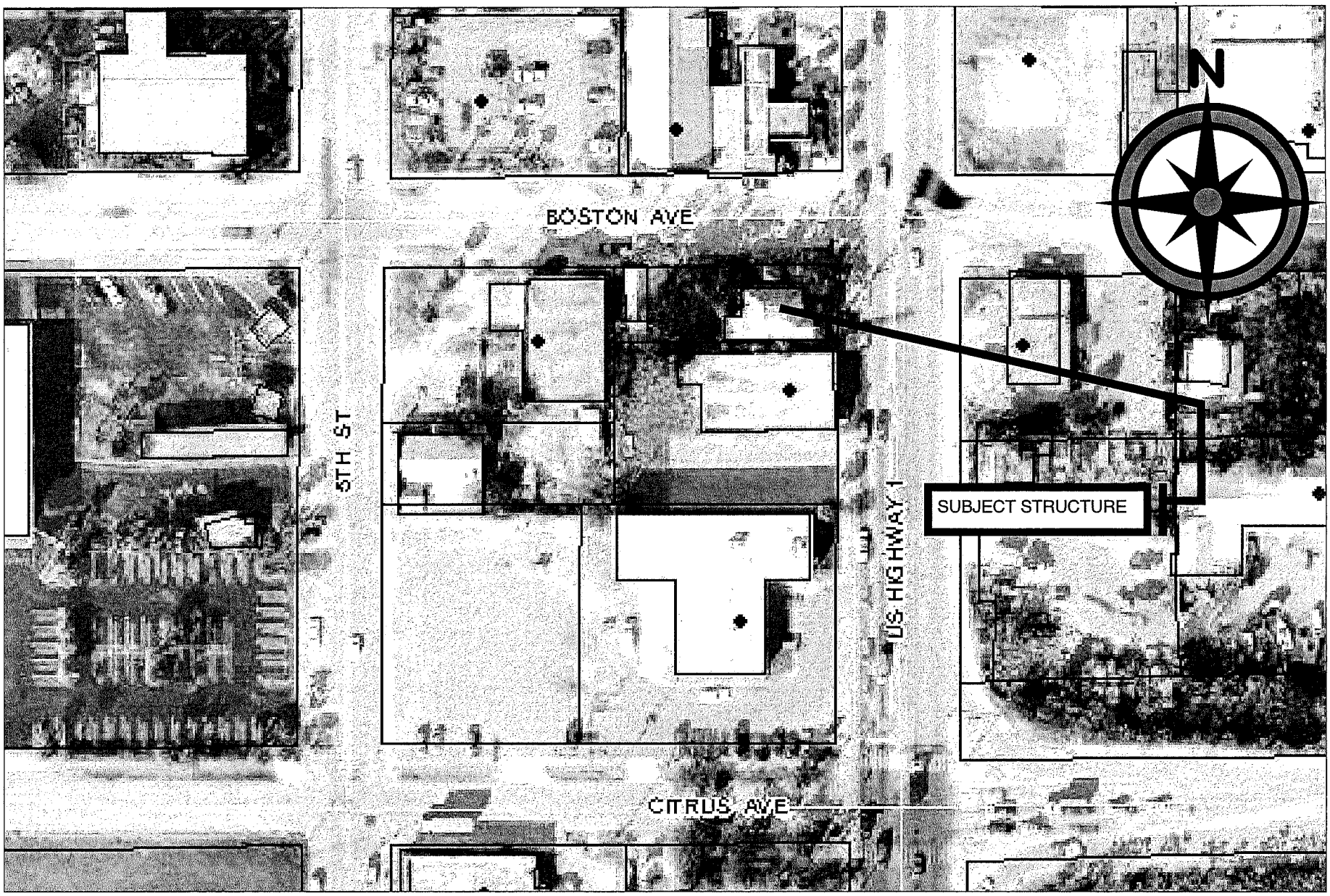












LOCATION MAP:

301 SOUTH US HIGHWAY 1

Historic Preservation Property Tax Exemption Application
Part 2 – Description of Improvements

(To be completed by all applicants):
Complete the blocks below. Include site work, new construction, alterations, etc.

Property Identification Number 2410-701-0102-000-2

Property Address 301 S. US 1

Feature 1

Feature Pressed Metal Shingle Roof
Approx. date of feature Unknown

Describe existing feature and its condition:
Deteriorating. Should be replaced with new metal shingles

Photo no. 1 Drawing no. _____

Describe work and impact on existing feature:
Seal existing roof to maintain. Plans on replacing with reproduction metal shingles

Feature 2

Feature Cypress Drop Siding
Approx. date of feature Original/ Patched

Describe existing feature and its condition:
Deteriorated. Wood had been exposed to elements for a significant period of time.

Photo no. 2 Drawing no. _____

Describe work and impact on existing feature:
Wood removed during stabilization. Too deterorated to salvage. Custom cypress milled to reproduce original.

Feature 3

Feature Operable Shutters
Approx. date of feature 1977

Describe existing feature and its condition:
Operable Shutters replaced circa 1977. Deteriorated, some missing. Shutter dogs mostly missing.

Photo no. 3 Drawing no. _____

Describe work and impact on existing feature:
Owner found (1) original shutter in attic. Is reproducing ~~24 windows~~ shutters for all 21 windows.

Page Six – Historic Preservation Property Tax Exemption Application

Property Identification Number 2410-701-0102-000-2

Property Address 301 S. US 1

Feature 7

Feature Shutter dogs
Approx. date of feature 1940s?

Describe existing feature and its condition:

Some shutter dogs remaining on structure. Improper type for wood siding.

Photo no. 7 Drawing no. _____

Describe work and impact on existing feature:

Reproduction shutter dogs made of cast iron (powder coated, black) purchased for all windows.

Feature 8

Feature ~~Front Porch Ceiling~~
Approx. date of feature Original

Describe existing feature and its condition:

Exposed beadboard and Rafters with clipped rafter tails
Deteriorated

Photo no. 8 Drawing no. _____

Describe work and impact on existing feature:

Replaced all wood in stabilization
Covered rafters with new beadboard.
Exposed rafter tails would have been more appropriate.

Feature 9

Feature _____
Approx. date of feature _____

Describe existing feature and its condition:

Photo no. _____ Drawing no. _____

Describe work and impact on existing feature:

Page Eight – Historic Preservation Property Tax Exemption Application

PART 1 APPLICATION REVIEW
For Local Historic Preservation Office or Division Use Only

Property Identification Number 2410-701-0102-0002

Property Address 301 S 45 1

The (X) Local Preservation Office ( ) Division has reviewed the Historic Preservation Property Tax Exemption Application for the above named property and hereby:

(X) Certifies that the above referenced property qualifies as a historic property consistent with the provisions of s. 196.1997 (11), F.S.

( ) Certifies that the above referenced property does not qualify as a historic property consistent with the provisions of s. 196.1997 (11), F.S.

( ) Certifies that the above referenced property qualifies for the special exemption provided under s. 196.1998, F.S., for properties occupied by non-profit organizations or government agencies and regularly open to the public.

(X) Certifies that the above referenced property does not qualify for the special exemption provided under s. 196.1998, F.S.

Review Comments: This is a designated historic structure of local significance. This structure had been requested by owner for demolition, but who is now pursuing a rehabilitation, working with staff and secured a COA for all work.

Additional Review Comments attached? Yes( ) No(X)

Signature Leslie Olson

Typed or printed name LESLIE OLSON

Title HISTORIC PRESERVATION OFFICER

Date 4/19/2010

RECEIVED
OCT 21 2014
CITY OF FORT PIERCE
PLANNING & ZONING

DOS Form No. HR3E101292
Revised 09/03/00
Page Ten

Historic Preservation Property Tax Exemption Application
Part 3 – Request for Review of Completed work

Upon completion of the restoration, rehabilitation or renovation, return this form with photographs of the completed work (views of site improvements, exterior and interior work for buildings) to the Division of Historical Resources or the Local Historic Preservation Office, as applicable. These photographs must provide a comprehensive description of the completed work. They should be the same views as the *before* photographs included in Part 2 of the application. Type or print clearly in black ink. The final recommendation of the Division of Historical Resources or the Local Historic Preservation Office, as applicable, with respect to the requested historic preservation property tax exemption is made on the basis of the descriptions in this Request for Review of Completed Work.

1. Property identification and location:

Property Identification Number: 2410-701-0102-000-2

Address of property: Street 301 S. US 1

City _____ County _____ Zip Code _____

2. Data on restoration, rehabilitation, or renovation project:

Project starting date APRIL 2009 Project completion date: SEPT 2014

Estimated cost of entire project: $ 475,000.00 INCL THE PURCHASE

Estimated costs attributed solely to work on historic buildings or archaeological site: $ 350,000.00

3. Owner Attestation: I hereby apply for the historic preservation property tax exemption for the restoration, rehabilitation or renovation work described above and in Part 2 of the Historic Preservation Property Tax Exemption Application (Application) submitted for this project. I attest that the information provided is, to the best of my knowledge, correct, and that in my opinion the completed project conforms to The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, and is consistent with the work described in Part 2 of the Application. I also attest that I am the owner of the property described above or, if the property is not owned by an individual, that I am the duly authorized representative of the owner. Further, by submission of this Application and Request for Review of Completed Work (Request), I agree to allow access to the property by representatives of the Division of Historical Resources or the Local Historic Preservation Office, where such office exists, and appropriate representatives of the local government from which the exemption is being requested, for the purpose of verification of information provided in the Application and this Request. I understand that, if the requested exemption is granted, I will be required to enter into a Covenant with the local government granting the exemption in which I must agree to maintain the character of the property and the qualifying improvements for the term of the exemption. I also understand that falsification of factual representations in this Application or Request is subject to criminal sanctions pursuant to the Laws of Florida.

LINDA KREON L. Kreon OCT 21 14
Name Signature Date

Complete the following if signing for an organization or multiple owners (See next page for additional owners):

_____ _____
Title Organization name

Mailing Address _____

City _____ State _____ Zip Code _____

Daytime Telephone Number (___) _____

Page Twelve – Request for Review of Completed Work

_____

_____

_____

Additional Review Comments attached? Yes( ) No( )

Signature _____

Typed or printed name _____

Title _____

Date _____

DOS Form No. HR3E101292
Revised 09/03/00

Page Two – Amendment Sheet –Historic Preservation Property Tax Exemption Application

Review Comments: _____

_____

_____

_____

_____

_____

Additional Review Comments attached? Yes( ) No( )

Signature _____

Typed or printed name _____

Title _____

Date _____


EXHIBIT 1
301

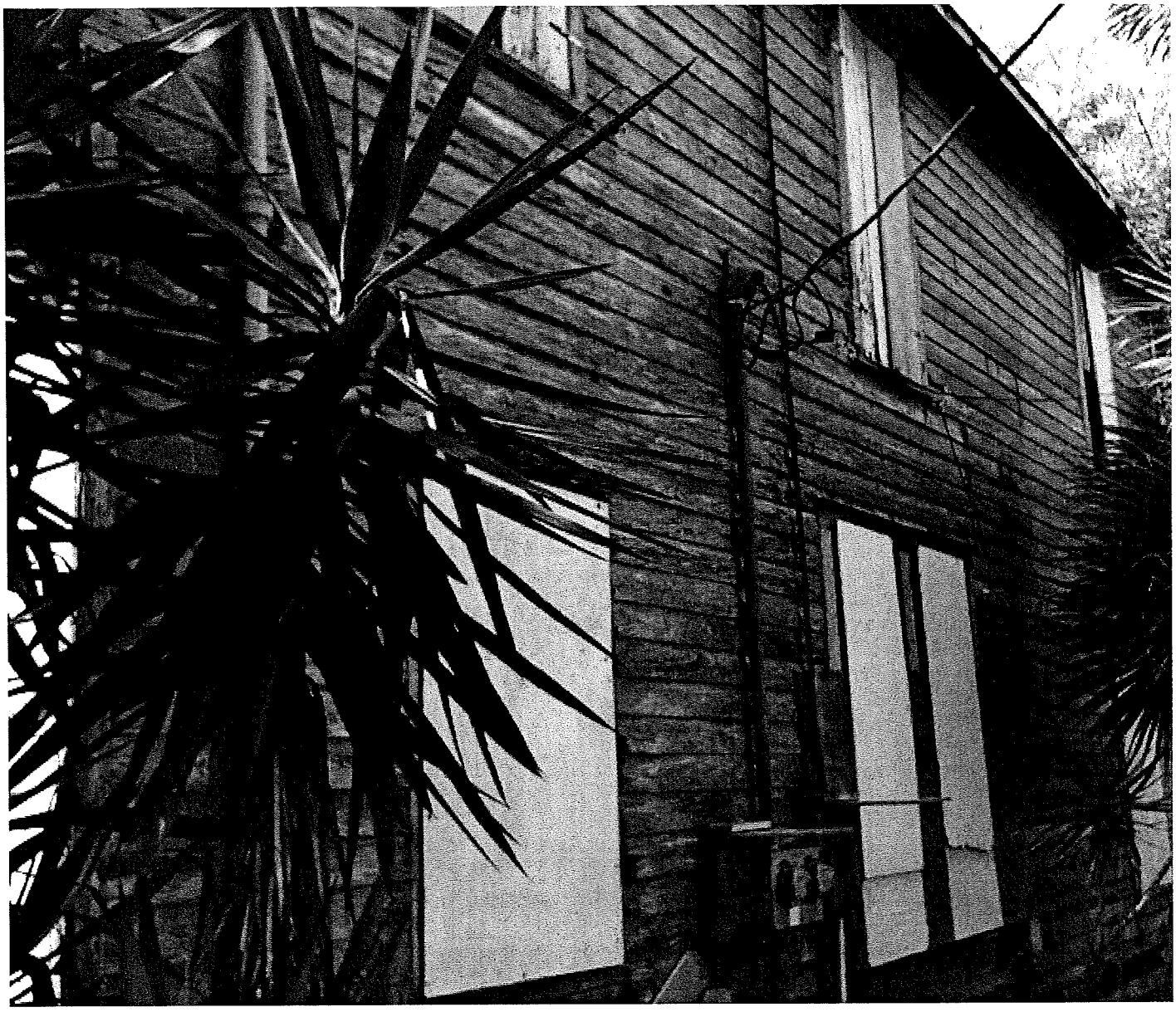


EXHIBIT 2

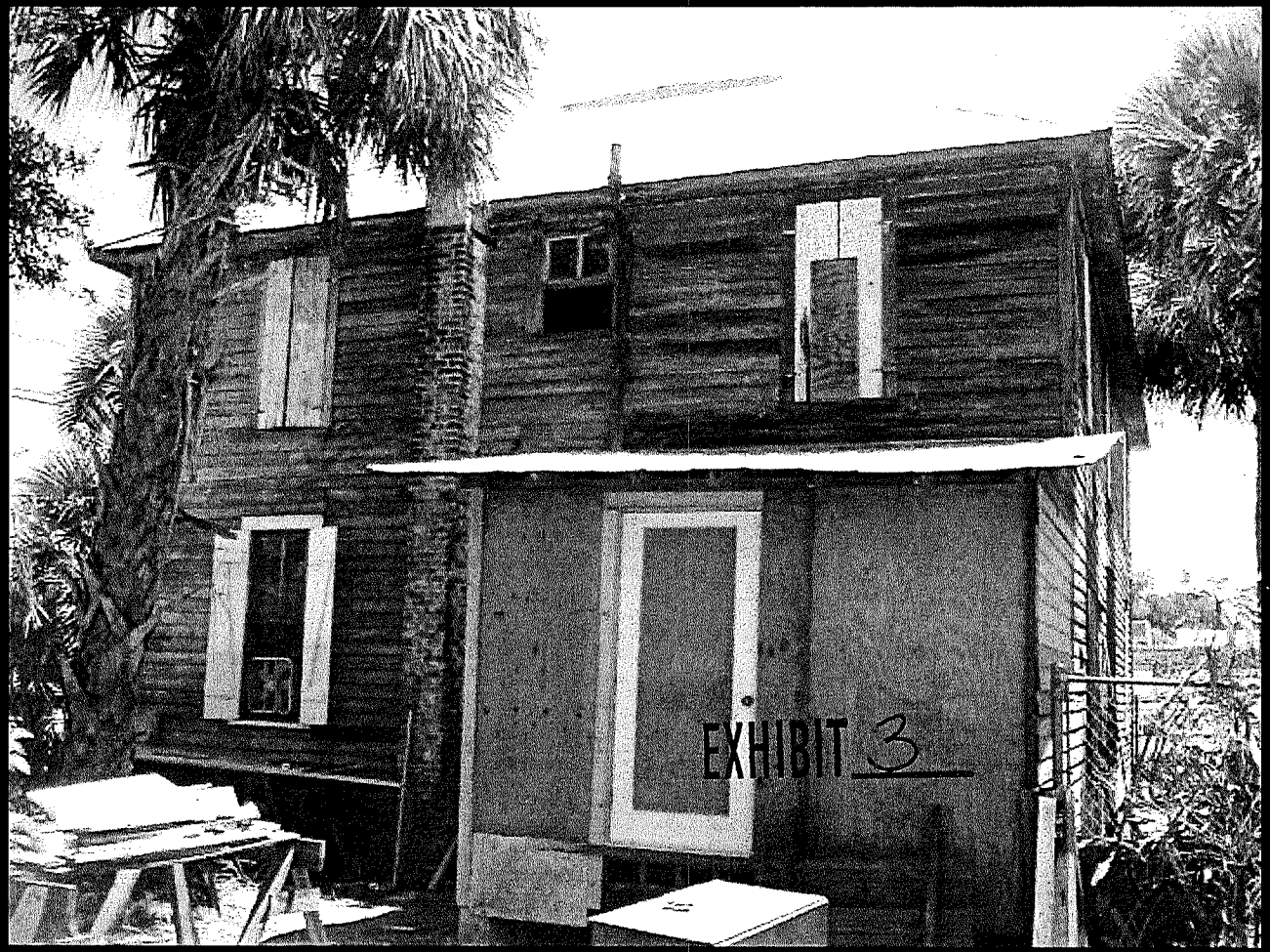

EXHIBIT 3



EXHIBIT 4



EXHIBIT 5


301
EXHIBIT 6

EXHIBIT 7

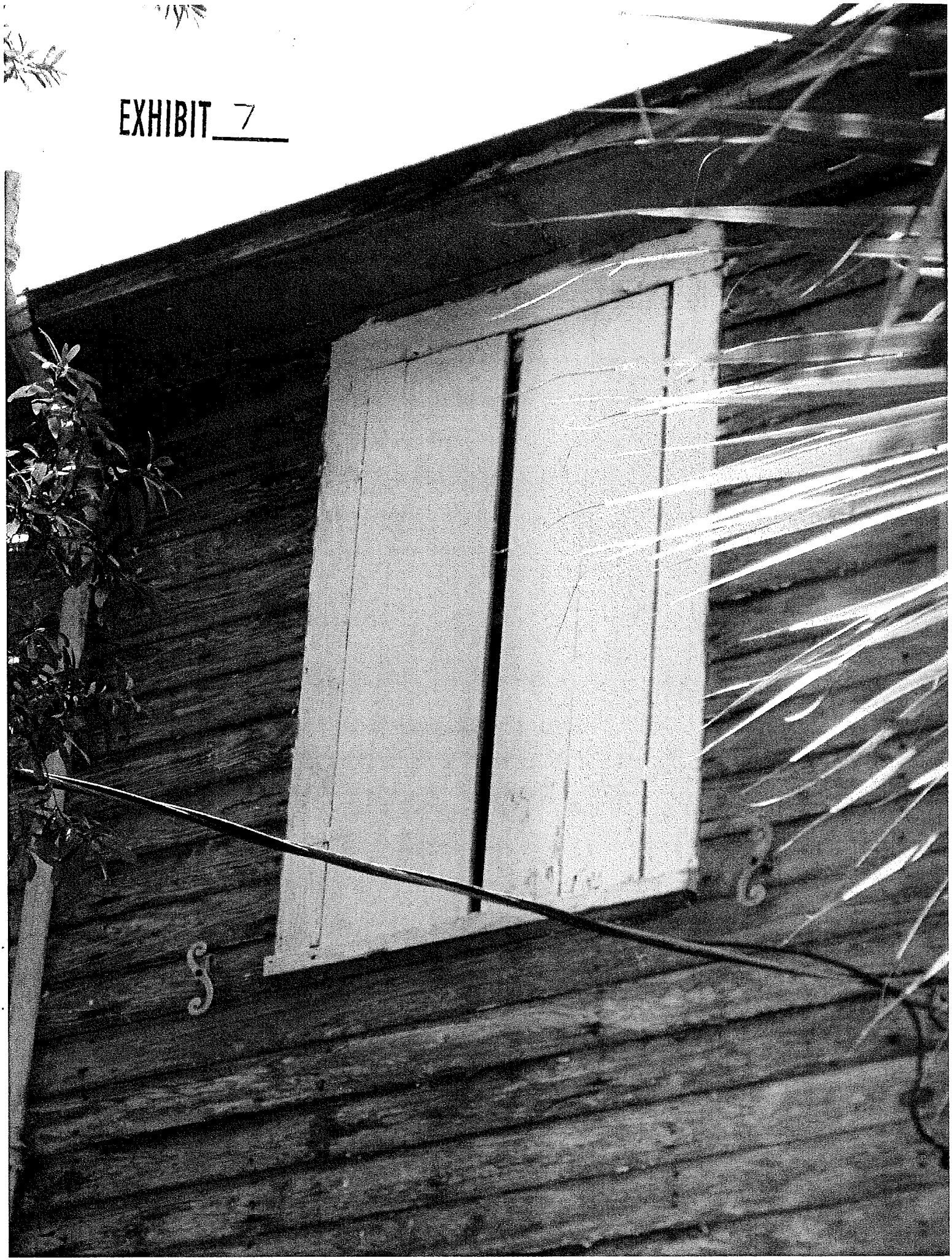



EXHIBIT 2

CITY OF FORT PIERCE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

TO: Members of the City of Fort Pierce Historic Preservation Board

THROUGH: Matthew G. Margotta, AICP, Director of Community Development

David Carlin, MPA, Assistant Director of Planning

FROM: Leslie Olson, Historic Preservation Officer

RE: **DES 10-01**

DATE: January 20, 2010

HISTORIC DESIGNATION REPORT

[Section 23-37(3) of the City of Fort Pierce Code of Ordinances]

Address of Landmark: 301 South US Highway 1

The Emporium Antiques[1]



Legal Description: Carlton's Addition, Block 10, Lot 1

Parcel Identification No.: 2410-701-0102-000-2

EXHIBIT 9

[1] Location Map, Site Photos, Preliminary Designation Application, Required notifications



Exterior Ornament(s):	6-light pinwheel round window on gable end; chamfered square porch posts
Current Condition:	Under rehabilitation

STRUCTURE'S USE

Original Use:	Boarding house for workers constructing Henry Flagler's FEC railroad
Intermediate Use:	The Emporium Antiques: first floor antique shop, second floor, residence
Proposed Use:	Offices
Current Zoning:	C-3, General Commercial

STRUCTURE'S HISTORIC SIGNIFICANCE

Eligibility for Historic Designation [Section 23-36(a) Criteria]:

(3) Architectural Significance

This frame vernacular structure has a massing typical of a Queen Anne Victorian, with a steeply-sloped hipped roof, and a lower, front facing cross gable, sheathed with pressed metal shingles. Its similarity to the Victorian architectural style, however, ends there. As is typical in early Fort Pierce architecture, this structure is well built, but simple; likely built by craftsmen in the boat-building industry present in Fort Pierce at its early settlement and development period.

The structure's main ornamental features are a pinwheel-type round window on the gable end, and a 10-panel, single light front door. The structure has a rectangular L massing with cypress drop wood siding as the exterior wall fabric.

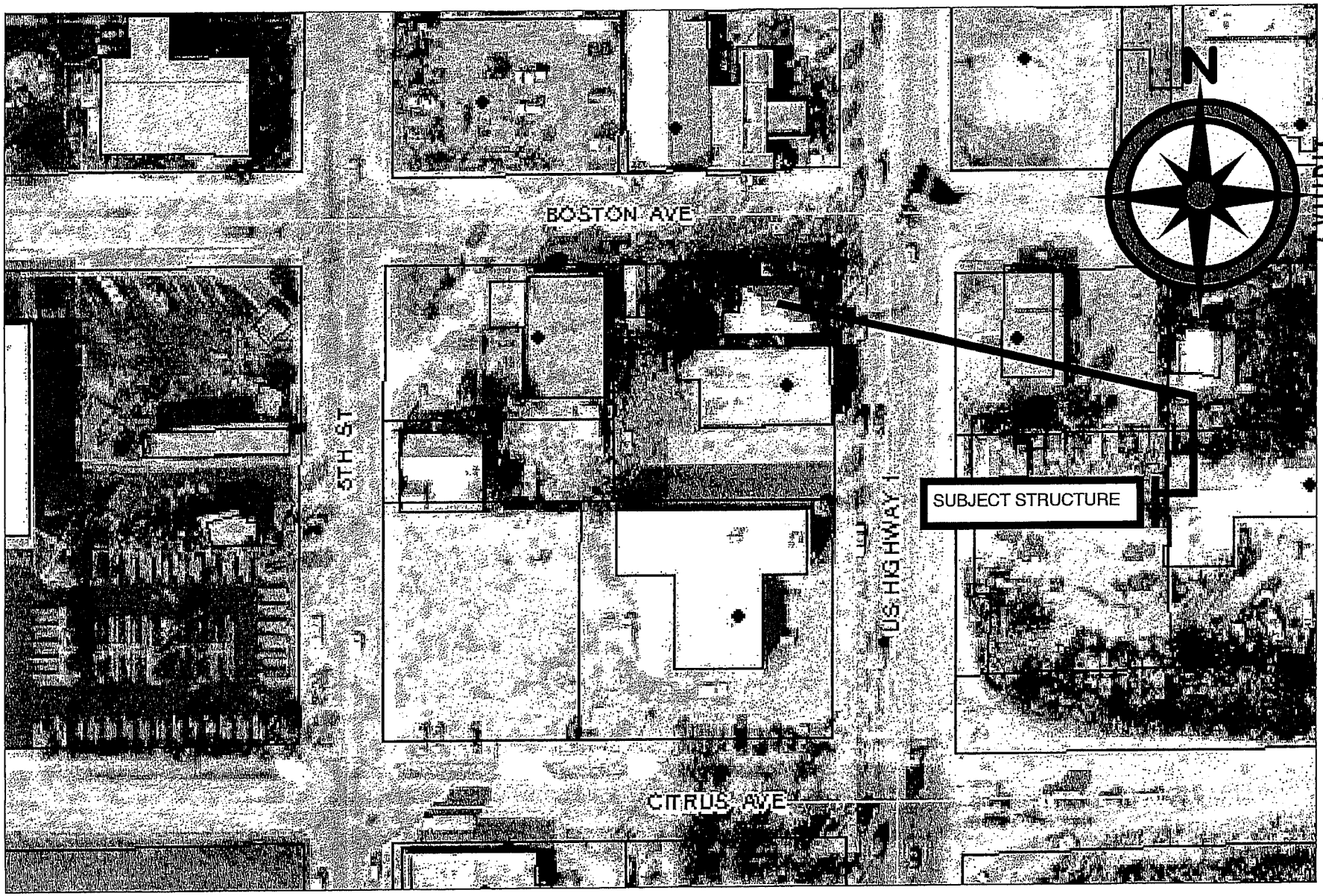


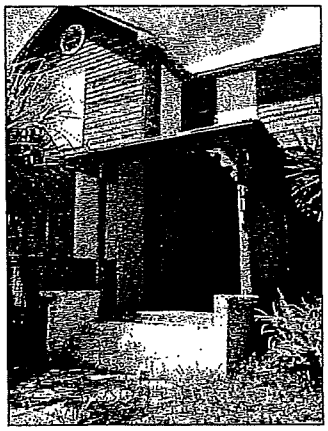
EXHIBIT 1

LOCATION MAP:

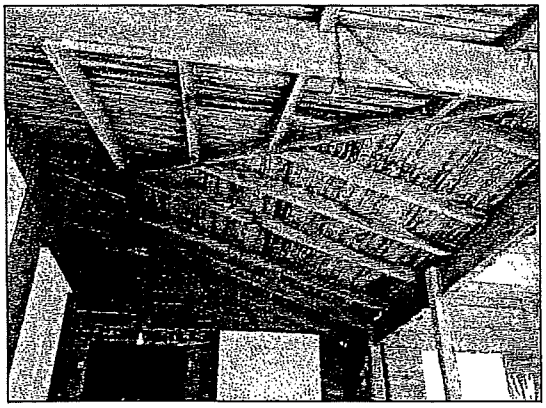
301 SOUTH US HIGHWAY 1

FORT PIERCE
THE SUNRISE CITY

Site Photos: 301 South US Highway 1











10-03' 214

DES 10-01

CITY OF FORT PIERCE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

RECEIVED
JAN 28 2010
CITY OF FT PIERCE
PLANNING & ZONING

CITY OF FORT PIERCE HISTORIC PRESERVATION BOARD
PRELIMINARY HISTORIC DESIGNATION APPLICATION

CHAPTER 23, ARTICLE IV DESIGNATION OF HISTORIC SITES

Section 23-36. Criteria:

(a) Consistent with the criteria established by the National Register of Historic Places, the board shall recommend for designation places, buildings, structures, landscape features, archaeological sites and other improvements as individual sites, districts or archaeological zones that are significant in Fort Pierce's history, architecture, archaeology or culture and possess integrity of location, design, setting, materials, workmanship or association; and meets one or more of the following criteria:

(1) (Significant event) Are associated with events that have made significant contributions to the pattern of history in the community, St. Lucie County, the state or the nation; or
(2) (Significant person) Are associated with the lives of persons significant in our past; or
(3) (Architectural significance) Embodies the distinctive characteristics of an architectural type, period, style or method of construction; or the work of a prominent designer or builder; or contains elements of design, detail, materials, or craftsmanship of outstanding quality; or that represents a significant innovation or adaptation to the South Florida environment; or represents a distinguishable entity whose components may lack individual distinction; or
(4) (Archaeological Significance) Have yielded, or are likely to yield information in history or prehistory; or
(5) Is listed in the National Register of Historic Places; or
(6) (Aesthetic significance) Is a part of or related to a landscape, park, environmental feature or other distinctive area, and should be developed or preserved according to a plan based upon a historic, cultural, or architectural motif; or because of its prominent or spatial location, contrast of siting, age, or scale is an easily identifiable visual feature of a neighborhood or the city and contributes to the distinctive quality of such neighborhood or the city.

NAME OF LANDMARK: THE EMPORIUM ANTIQUE

X ADDRESS OF LANDMARK: 301 SOUTH U.S. 1, FT PIERCE FLA

~~LEGAL DESCRIPTION~~: 2410-701-0102-000-2

X TAX PARCEL IDENTIFICATION NO.: 2410-701-0102-000-2

TYPE OF PROPERTY: ☐ Archaeological Site ☒ Commercial Building ☐ Public Building ☐ Residential Building

☐ Other (describe): _____

X DATE OF PROPERTY (PERIOD OF HISTORICAL SIGNIFICANCE): ~~1901~~ | 1910

IS THE PROPERTY LISTED IN THE NATIONAL REGISTER OF HISTORIC PLACES? ☒ No ☐ Yes, Record #: _____

ANECDOTES AND/OR STORIES ASSOCIATED WITH THE SITE OR STRUCTURE (Use additional paper, if necessary):

PLEASE ATTACH THE FOLLOWING:

- ☐ Photographs of the site and/or exterior of the structure (Interior as well, if applicable)
- ☐ Historic Photographs (if available)
- ☐ Other materials related to historical research of property (if available)

- CURRENT PROPERTY OWNER(S) NAME: LINDA KROON
- CURRENT PROPERTY OWNER(S) PHONE NO.: FLA# 772-971-3759 CDN# 416-655-1890
- CURRENT PROPERTY OWNER(S) MAILING ADDRESS: 11792 WARDEN AVE
  GORMLEY, ONT L0H 1G0
  E-Mail: LEGGGGS@HOTMAIL.COM

An owner's signature below indicates consent to the proposed historic designation as described in this application.

X L. Kroon / L. Kroon — Property Owner's Signature

MAY 3/10 — Date

State of Florida County of St Lucie

I certify that on the date set forth below the property owner named above did appear personally before me and that I did identify this person by: (a) comparing his/her physical appearance with the photograph on the identifying document presented by the person, and (b) comparing this person's signature made in my presence on this form with the signature on his/her identifying document.

The statements on this document are subscribed and sworn to before me by the individual on this 3 day of May, 2010

Notary Public Signature: Alma Rosa Juarez

Notary ID Number: #DD841356 Expiration Date: 11/25/2012

NOTARY PUBLIC STATE OF FLORIDA 1-800-3-NOTARY
ALMA ROSA JUAREZ
MY COMMISSION # DD841356
EXPIRES: November 25, 2012
Fl. Notary Discount Assoc. Co.

Foreign Account Number : 11504099

Ad # : 2112281

Ad Net Cost : $54.39

Name (Primary) :

Company (Primary) : CITY OF FT. PIERCE/LEGALS

Street 1 (Primary) : PO BOX 1480

City (Primary) : FT PIERCE

State (Primary) : FL

ZIP (Primary) : 34954

Phone (Primary) : (772) 460-2200

Class Code : 9424SC - Notice of Meeting

Start Date : 2/8/2010

Stop Date : 2/8/2010

Prepayment Amount : $0.00

Ad Sales Rep. : 190 - Barbara Wentzel

Width : 1

Depth : 72

PUBLIC NOTICE
CITY OF
FORT PIERCE
HISTORIC
PRESERVATION
BOARD

NOTICE IS HEREBY GIVEN that the Historic Preservation Board of the City of Fort Pierce, Florida will hold a Public Meeting on Monday, February 22, 2010 at 6:00 p.m. in the City of Fort Pierce Commission Chambers located at City Hall, 100 North U.S. Highway #1, Fort Pierce, Florida.

Said public meeting will pertain to applications for the following addresses:

111 Boston Avenue
Demolition, De-Designation
301 S US Hwy 1
Designation, Adaptive Reuse
464 N 9th Street
Signage

Please take notice and be advised if any interested person desires to appeal any decision made by the Historic Preservation Board with respect to any matter considered at this meeting, such interested person will need a record of the proceedings made, which includes the testimony and evidence upon which the ap-

CITY OF FORT PIERCE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

February 8, 2010

VIA CERTIFIED MAIL

Linda Kroon
11792 Warden Avenue
Gormley, ONT LOH IGO

RE: Designation Application DES 10-01
301 South US Highway 1, Fort Pierce, Florida

Dear Property Owner(s):

The Historic Preservation Board of the City of Fort Pierce, Florida will review an application for a Historic Designation submitted by Linda Kroon.

As the owner of this property, you have requested an expedited review of this designation application, since prompt stabilization of the wood frame structure is required. Under Section 23-37.4.a of the City Code, the owner of the property is to receive a 30-day written notice of this designation hearing. You have requested to waive your rights to the provision of this Code in order to move forward with the rehabilitation and stabilization. Please sign the bottom of this letter where indicated to waive your right to a 30-day Certified Mail notice of this Designation hearing.

The Historic Preservation Board will review the Designation Report and Application at their meeting on Monday, February 22, 2010 at 6:00 p.m. in the City Commission Chambers at City Hall, 100 North U.S. Highway #1, Fort Pierce, Florida.

Your presence is requested to represent your interests for this property. Should you have any further questions or concerns, please feel free to contact me at (772) 460-2200 Extension 237.

Sincerely,

Leslie Olson
Historic Preservation Officer

I, Linda Kroon, waive my right to a 30-day Certified Mail notice of this designation hearing as provided for in Section 23-37.4.a of the City Code.

x L. Kroon Date Feb 17 / 10
Linda Kroon

CITY OF FORT PIERCE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

TO: JON WARD, DIRECTOR OF FORT PIERCE REDEVELOPMENT AGENCY
MARC MEYERS, BUILDING OFFICIAL
PEGGY ARRAIZ, CODE COMPLIANCE MANAGER

FROM: LESLIE OLSON, HISTORIC PRESERVATION OFFICER

RE: **HISTORIC DESIGNATION OF 301 SOUTH US HIGHWAY 1**

DATE: FEBRUARY 16, 2010

Linda Kroon, owner of 301 South US Highway 1, has applied for designation of the subject property as an historic site in the City of Fort Pierce. The public hearing for this application is scheduled to be heard at the next regularly scheduled Historic Preservation Board meeting at 6:00pm on Monday, February 22, 2010 in the City Commission Chambers.

Chapter 23 of the City Code on Ordinances requires that notification of historic designations be given to the Community Redevelopment Agency and the Building and Code Department. If you have any concerns or comments regarding this designation, please send those to me in writing prior to the public hearing, or attend the public hearing and voice those comments to the Board.

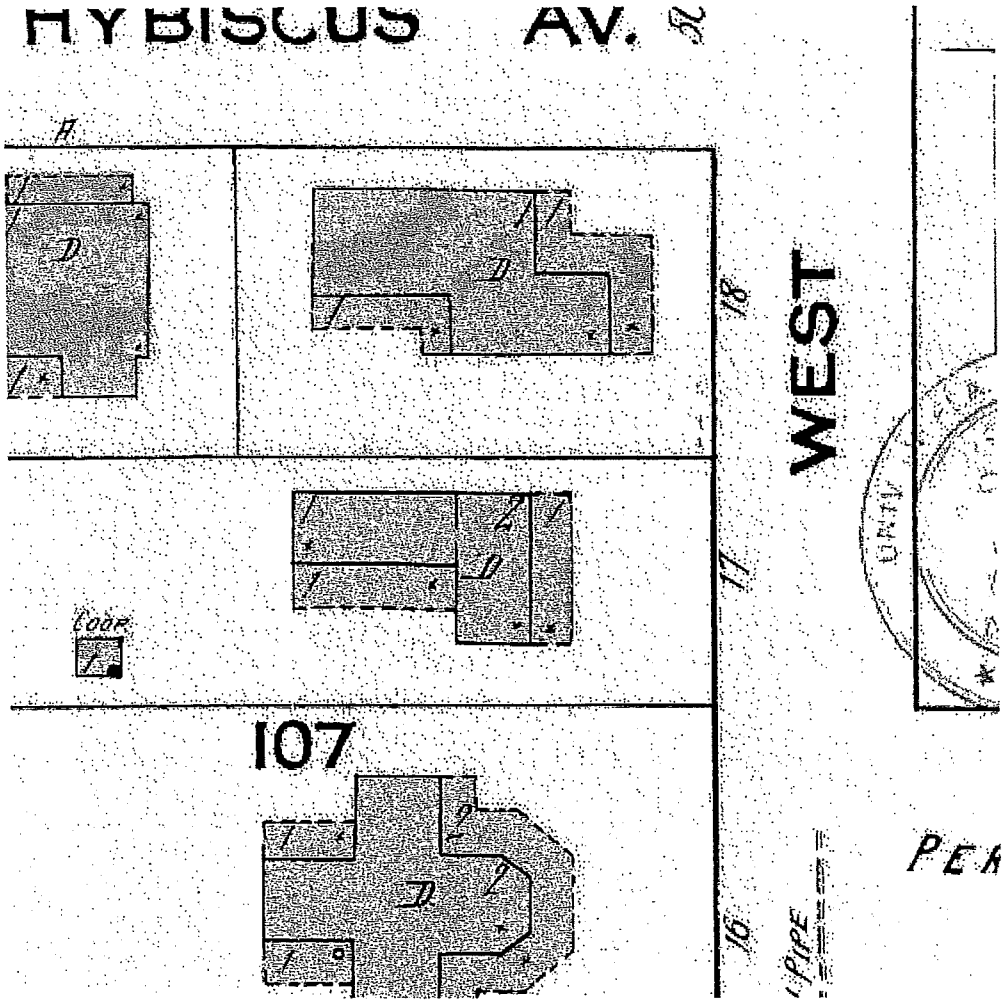


EXHIBIT 2

PROPERTY RECORD CARD

Linda M Kroon Record: 1 of 2 <<Prev Next>> Spec.Assmnt Taxes Exemptions Permits Home Print

Property Identification

Site Address:	301 S US HWY 1	ParcelID:	2410-701-0102-000-2
Sec/Town/Range:	10 :35S :40E	Account #:	23508
Map ID:	24/10S	Land Use:	MX-STR OFCE
Zoning:	C3	City/Cnty:	Fort Pierce

Ownership and Mailing

Owner: Linda M Kroon
Address: 1300 Seaway Dr #D-15
Fort Pierce FL 34949

Legal Description

CARLTON`S ADDN BLK 10 LOT 1 (MAP24/10E) (OR 3078-1533)

Sales Information

Date	Price	Code	Deed	Book/Page
4/9/2009	125000	0001	WD	3078 / 1533
1/15/2007	100	01	QC	2746 / 2635
11/2/2006		01	PB	2700 / 2311
5/1/1988	0	01	CV	0586 / 0990
4/1/1973	32000	00	CV	0213 / 2025

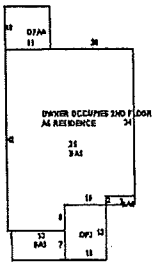
Assessment 2009 Final

2009 Final:	71000
Assessed:	71000
Ag.Credit:	0
Exempt:	
Taxable:	
Taxes:	1677.47

Total Land and Building

Land Value:	40600 Acres: 0.16
Building Value:	30400
Finished Area:	2477 SqFt

BUILDING INFORMATION





Exterior Features

View:	-	RoofCover:	SM - Sheet Metal	RoofStruct:	GA - Gable
ExtType:	CMH - CMH	YearBlt:	1901	Frame:	-
Grade:	Y_C - Commer C	EffYrBlt:	1940	PrimeWall:	WN - Wood no Sh
StoryHght:	0020 - 2 Story	No.Units:		SecWall:	-

Interior Features

BedRooms:	0	Electric:	AV - AVERAGE	PrmIntWall:	CB - CB
FullBath:	2	HeatType:	-	AvgHt/Fl:	STD
1/2Bath:	0	HeatFuel:	-	Prm.Flors:	DP - Double Pine
%A/C:	0	%Heated:	0	%Sprinkled:	0

Special Features and Yard Items

Type	Y/S	Qty.	Units	Qual.	Cond.	YrBlt.
3CNT - 3CNT	S	1	1	AV	AV	1940

Land Information

No.	Land Use	Type	Measure	Depth
1	1200-MX-STR OFCE	309 -Sq Feet	7000	

THIS INFORMATION IS BELIEVED TO BE CORRECT AT THIS TIME BUT IT IS SUBJECT TO CHANGE AND IS NOT WARRANTED.

EXHIBIT 3



EXHIBIT 4

RECORD NUMBER: 544
Page 1 **HISTORICAL STRUCTURE FORM** **Site 8** _____
original **FLORIDA MASTER SITE FILE**
X update

SITE NAME: The Emporiom Antique
HISTORIC CONTEXTS: Spanish-American War
NAT. REGISTER CATEGORY: Building
OTHER NAMES OR MSF NOS:
COUNTY: St. Lucie County **OWNERSHIP TYPE:** Private, individual
PROJECT NAME: Survey of Fort Pierce: S+P **DHR NO.**
LOCATION:
ADDRESS: 301 U.S. 1 South
CITY: Fort Pierce
VICINITY OF/ROUTE TO: See attached maps

SUB: Carlton Addition to Ft. Pierce **BLOCK** 10 **LOT** 1
PLAT OR OTHER MAP: Property Appraisers Map of Fort Pierce
TOWNSHIP: 35 S **RANGE:** 40 E **SECTION:** 10 **1/4;** **1/4-1/4:**
IRREGULAR SEC? **y** X **n** **LAND GRANT:** None
USGS 7.5 MAP: Fort Pierce, FL 1949; PR: 1983
UTM: **ZONE:** **EASTING:** **NORTHING:**
COORDINATES: **LATITUDE:** **D** **M** **S** **LONGITUDE:** **D** **M** **S**

HISTORY
ARCHITECT: Unknown
BUILDER: Unknown
CONSTRUCTION DATE: 1910 **RESTORATION DATE(S):** 1977
MODIFICATION DATE(S):
MOVE: DATE: **ORIG. LOCATION:**
ORIGINAL USE (S): Private residence
PRESENT USE (S): Commercial

DESCRIPTION
STYLE: Frame Vernacular
PLAN: EXTERIOR: L-shaped
PLAN: INTERIOR: Unknown
NO. STORIES: 2 **OUTBLDGS:** 0 **PORCHES:** 1 **DORMERS:** 0
STRUCTURAL SYSTEM(S): Wood, balloon frame
EXTERIOR FABRIC(S): Drop siding
FOUNDATION: TYPE: Piers
MATERIALS: Brick
INFILL:
PORCHES: E/entrance/shed roof/wood posts/3 bays
ROOF: TYPE: Gable
SURFACING: Metal, pressed
SECONDARY STRUCS: Cross gable
CHIMNEY: NO.: 0
MATERIALS:
LOCATIONS:
WINDOWS: Double-hung sash, 1/1 lights; casement, 8 lights

EXTERIOR ORNAMENT:
CONDITION: Good
SURROUNDINGS: Commercial
NARRATIVE:
See Continuation Sheet

STATEMENT OF SIGNIFICANCE

Architectural Narrative: This two-story Frame Vernacular residential building is located at 301 U.S. 1 South. Notable architectural features include a hip roof, a front-facing cross-gable, an offset entrance, and an entrance porch. Fenestration consists of 1/1 double-hung sash windows and casement windows with eight lights. The exterior wall fabric is drop siding. This building has retained some of its architectural integrity.

Architectural Context: Frame Vernacular, the prevalent style of architecture in Florida, refers to the common wood frame construction technique employed by lay or self-taught builders. Before the Civil War, residents relied upon local materials and their own methods and designs to construct buildings. The Industrial Revolution permitted standardization of building materials and parts and exerted a pervasive influence over vernacular building design. Popular magazines helped to make architectural trends universal throughout the country. The railroad provided cheap and efficient transportation for manufactured building materials. Ultimately, individual builders had access to a myriad of finished architectural products from which to create their own designs.

Frame Vernacular buildings are typically one or two stories in height, with wood balloon frame structural systems and brick pier foundations. Plans are usually rectangular, though L-shaped plans were often used to maximize cross-ventilation. Gable or hip roofs usually have steep pitches which accommodate attic space. Horizontal drop siding and weatherboard are the most common exterior wall surface materials. Wood shingles were often used to cover the roofs, but they have nearly always been replaced by composition shingle. Porches, most commonly simple entrance or end porches, are common features of the style. Fenestration is regular, but not always symmetrical. Windows are generally double-hung sash with multi-pane glazing and doors contain recessed wood panels. Exterior decoration is sparse and limited to ornamental woodwork.

Historical Narrative: This building embodies many of the architectural characteristics of residences constructed in Fort Pierce during the early twentieth century. Since 1977 it has housed a commercial enterprize called Richards Emporium. Historically, the building has been associated with a Mr. Carlisle, a railroad worker who built the house in 1910. The Carlisle family lived on the first level, while the second level was rented out to railroad workers n their temporary visits to Fort Pierce (Vertical Files, St. Lucie County Historical Museum, Fort Pierce, Florida).

Historical Context: Fort Pierce, the St. Lucie County seat of government, lies 238 miles south of Jacksonville and 58 miles north of West Palm Beach, along Florida's Atlantic coast. Settlement of the city formally began in the late nineteenth century, following the arrival of rail lines linking the region with the population centers of the eastern seaboard. Settlement before that time consisted mainly of military forts and trading outposts that served a small number of annual tourists and an incipient agricultural industry. In 1901 Fort Pierce was organized into a town, its economy fueled by citrus products, which were shipped by rail to northern markets. In 1905 Fort Pierce incorporated as a city. Like many Florida communities, Fort Pierce experienced an era of frenetic growth in the 1920s, culminating in the crash of the great Florida Land Boom in the late years of the decade. The city's ocean port facilities and rail services helped it to weather the economic distresses of the Great Depression. Population growth, inspired by development of military bases, resumed during World War II and continued for some years thereafter.

Florida Master Site File

HISTORICAL STRUCTURE FORM

Electronic Version 1.1.0

Site #8 SL00057
Recorder #
Field Date 3/12/2007
Form Date 5/10/2007
FormNo 200703
FormNo = Field Date (YYYYMM)

First Site Form Recorded for this Site? NO

GENERAL INFORMATION

Site Name (address if none) THE EMPORIUM ANTIQUE Multiple Listing (DHR only)
Other Names >>
Survey or Project Name Fort Pierce Historic Structures Survey Survey#
National Register Category Building(s)

LOCATION & IDENTIFICATION

Address

Street No.	Direction	Street Name	Street Type	Direction Suffix
301		US 1	Highway	South

Cross Streets (nearest/ between) BOSTON/CITRUS
City / Town (within 3 miles) Fort Pierce In Current City Limits? YES
County St. Lucie Tax Parcel #(s) 2410-701-0102-000-2
Subdivision Name Block Lot
Ownership Private Individual
Name of Public Tract (e.g., park)
Route to (especially if no street address)

MAPPING

USGS 7.5' Map Name Publication Date >> FORT PIERCE 1985
Township: Range: Section: 1/4 section: >> 35S/40E/10/SE
Irregular Section Name:
Landgrant
UTM: Zone Easting Northing
Plat or Other Map (map's name, location)

DESCRIPTION

Style Frame Vernacular Other Style
Exterior Plan L-shaped Other Exterior Plan
Number of Stories 2
Structural System(s) >> Wood frame
Other Structural System(s)
Foundation Type(s) >> Piers
Other Foundation Types
Foundation Material(s) >> Brick
Other Foundation Material(s)
Exterior Fabric(s) >> Drop siding
Other Exterior Fabric(s)
Roof Type(s) >> Cross-gabled
Other Roof Type(s)
Roof Material(s) >> Other
Other Roof Material(s) PRESSED METAL
Roof Secondary Structure(s) (dormers etc) >>
Other Roof Secondary Structure(s)
Number of Chimneys 0
Chimney Material
Other Chimney Material(s)
Chimney Location(s)

HISTORICAL STRUCTURE FORM

8SL00057

DOCUMENTATION (Photos, Plans, etc.)

Photographic Negatives or Other Collections Not Filed with FMSF, Including Field Notes, Plans, other Important Documents.

Document type: _____ Maintaining Organization: _____

File or Accession #: _____ Descriptive Information: _____

>> _____

RECORDER INFORMATION

Recorder Name (Last, First) Henry, Geoffrey; Jenkins, Ellen

Recorder Address / Phone 9056 Chevrolet Drive Ellicott City, MD 21042 (410)-465-7929

Recorder Affiliation _____ Other Affiliation TRC

Is a Text-Only Supplement File Attached (Surveyor Only)? NO

MASTER SITE FILE USE ONLY

SHPO's Evaluation of Resource

Date _____

Cultural Resource Type: SS

Electronic Form Used: SITE

Form Type Code: NORM

Form Quality Ranking: NEW

Form Status Code: SCAT

Supplement Information Status: NO SUPPLEMENT

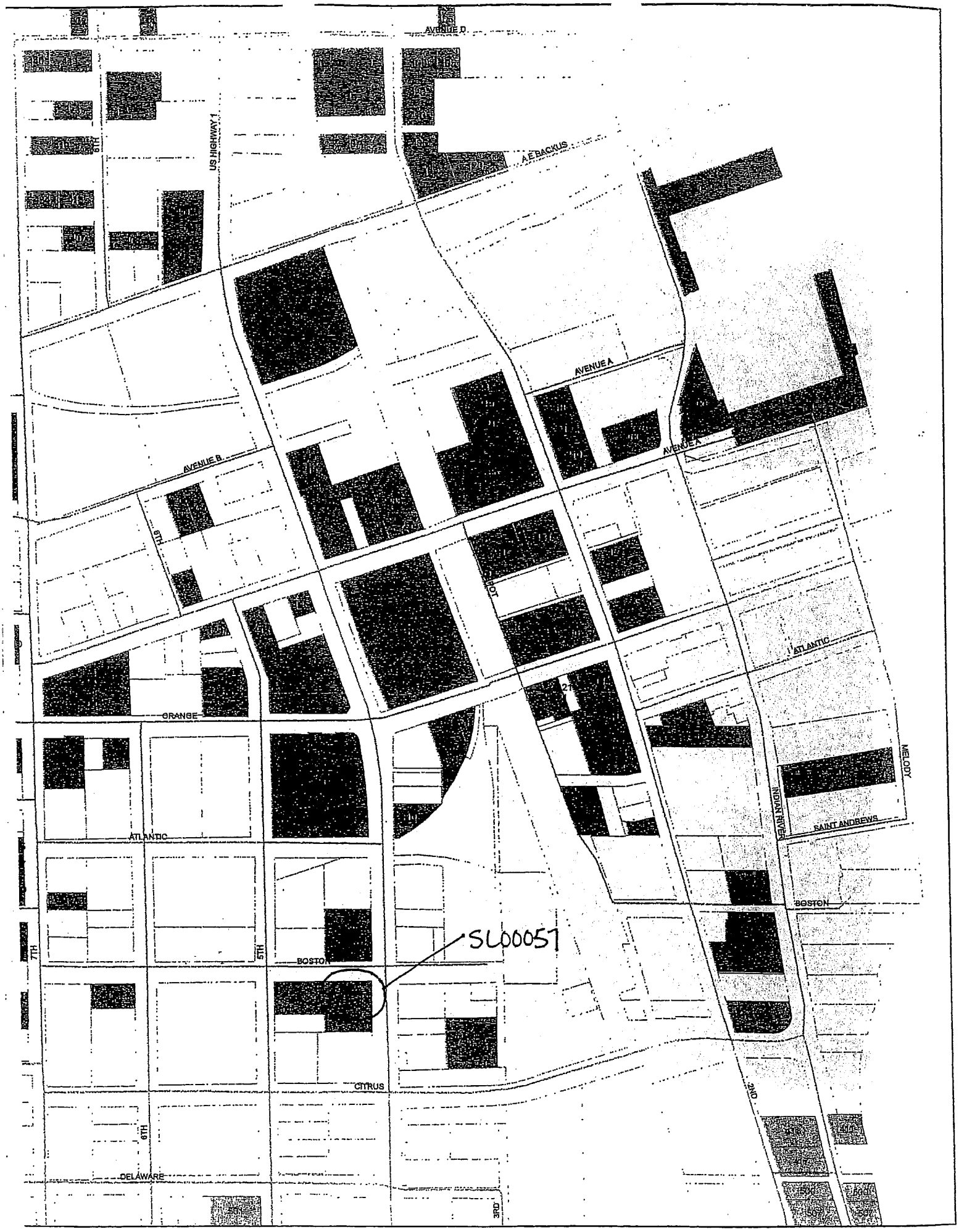
Supplement File Status: NO SUPPLEMENT FILE

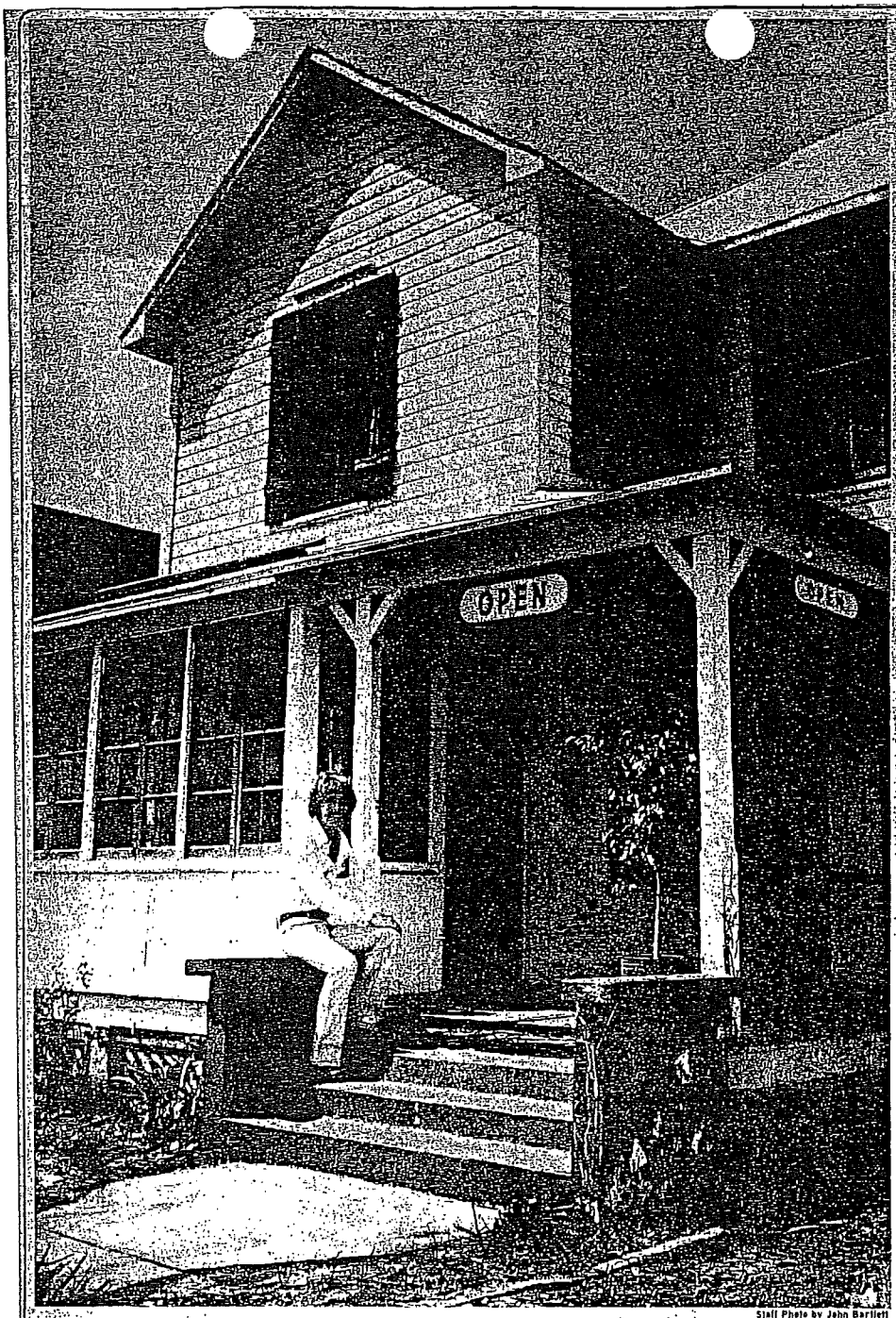
MSF Staffer

Computer Entry Date: 5/30/2007

Form Comments:

REQUIRED PAPER ATTACHMENTS	(1) USGS 7.5" MAP WITH STRUCTURE PINPOINTED IN RED
	(2) LARGE SCALE STREET OR PLAT MAP
	(3) PHOTO OF MAIN FACADE, B&W, AT LEAST 3"X5"


AVENUE D
US HIGHWAY 1
6TH
A E BACKUS
AVENUE A
AVENUE B
8TH
JOHN
ATLANTIC
ORANGE
MELODY
INDIAN RIVER
SAINT ANDREWS
BOSTON
7TH
5TH
CITRUS
2ND
6TH
DELAWARE
3RD
SL00057



Nick Richards Sits Outside His Home and Business

Staff Photo by John Bartlett

"I didn't want a store in a shopping center where they all look alike, so I started looking at older houses and found this. It's been just perfect."

Emporium Preserves History

By JOHN BARTLETT
Staff Writer

FORT PIERCE — What could be more fitting than a 77-year-old house as the home of an antique and gift shop?

That is what Nick Richards thought five years ago when he first saw the house and decided to turn it into his home and business.

The house, one of the city's oldest, stood when U.S. 1 was just a dirt road. For Richards, it has worked out just perfectly since he and his family turned it into the Emporium.

"I was tired of working in Atlanta," said the 29-year-old artist. "I wanted to move back to Fort Pierce, and my family suggested I start up an antique shop like my brother used to have.

"I didn't want a store in a shopping center where they all look alike, so I started looking at older houses and found this. It's been just perfect."

The old frame house at 301 S. Fourth St. was built by a railroad worker for his family in 1900, Richards said.

"The family lived downstairs and used to rent out the rooms upstairs to railroad workers away from home," he said. "When we bought it the owner insisted that we try to preserve it, rather than tear it down and build something new. That suited us because it was exactly what we were looking for anyway."

The Emporium was opened after six months of stripping paint off floors and repainting.

Richards' efforts to restore the house have won his business a Chamber of Commerce appearance award and praise because he preserved a historic building.

He lives upstairs above the store and, even though that old dirt road has turned into a busy highway, he likes living downtown.

While the business started out to be just antiques, it expanded to a gift shop when Richards found out there just wasn't enough antique business here.

Richards family is still actively interested in the shop, and one of his best selling items is made by his mother, Noel Dwelley Richards, who patented her own line of stuffed dolls.

"When my brother and I were young mother took us to see the 'Song of the South,' and we liked it so much mother made us some dolls based on the Uncle Remus characters," Richards said.

"Everybody liked them so much that she patented the patterns and has been making them ever since," he said. "Now she sells them only through the store, but they are so popular I can't get her to make enough," he said.

EXHIBIT 5

Indian Riverland
Business & Industrial Review

'Spring' at Emporium

Spring has come to The Emporium, bringing with it a most delightful collection of Easter merchandise. Made with traditional Old World charm and gathered from Denmark, Sweden, Germany, Italy, and Switzerland, these hand-carved, hand-decorated figures will be treasured long after the Easter baskets are discarded.

The Emporium's display is highlighted by Mr. and Mrs. Easter Bunny with new-born baby, special Easter dolls created exclusively for The Emporium (and sold only during the Easter season) by Noel Richards. And what could be more appropriate than Hungry Bunny or Cuddle Duck from the Possum Trot collection for a truly memorable Easter gift?

Whether you have a youngster in mind or would like to add a charming piece to your collection of whatnots, The Emporium invites you to come in and see their display.

Spring also creates a yearning in all our hearts to add to the beauty of our homes and patios. The Emporium's collection of antiques is exceptional, both in price and quality. Authentic replicas of sailing ship's oil lanterns and lamps, hand-made in Vermont and completely electrified, may be the ideal addition to your den or patio. Or one of The Emporium's hand-made macrame or bamboo planters, inexpensively priced, to add a touch of greenery to your home this spring.

In the antique line, new arrivals will include a Victorian hand-carved oak dresser with candle stands, mirror, and marble insert...a Victorian cherry bed with a headboard over 6' high...a Louis XV arm chair with needlepoint and pettipoint back and seat, an antique doll's bed, and a Chippendale upholstered footstool with ball and claw feet, circa 1800.

You are always more than welcome to stop in to buy or browse at The Emporium, Tuesday through Saturdays, 9 a.m. to 5 p.m., located at the corner of Boston Avenue and U.S. 1.

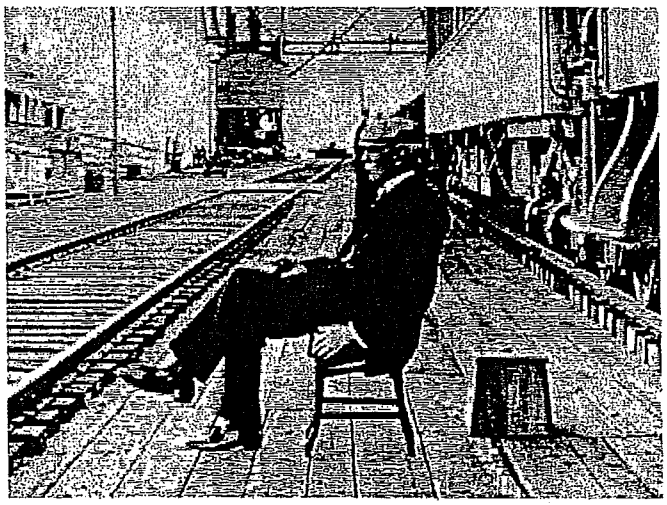


NICK RICHARDS, proprietor of the Emporium, introduces to the Ft. Pierce area "Mr. and Mrs. Easter Bunny and baby", created exclusively for the Emporium for their Easter season sales. The Emporium is located on the corner of Boston Ave. and U.S. 1. (Staff Photo by Claude Boudries)

Florida East Coast Railway

In1912 Henry Flagler rode the first train into Key West, marking the completion of the Florida East Coast (FEC) Railway's Over-Sea Railroad connection to Key West and the linkage by railway of the entire east coast of Florida. The FEC was the product of Flagler's resources and imagination. Flagler's construction of hotels at points along the railroad and his development of the agricultural industry through the Model Land Company established tourism and agriculture as Florida's major industries. Amazingly, Flagler accomplished these feats after retiring from his first career. Flagler had already founded the vast empire of Standard Oil with partners John D. Rockefeller and Samuel Andrews, before becoming interested in Florida.

When Flagler first visited Florida in 1878, he recognized the state's potential for growth but noticed a lack of hotel facilities. Flagler returned to Florida and in 1885 began building a grand St. Augustine hotel, the Hotel Ponce de Leon. Flagler realized that the key to developing Florida was a solid transportation system and consequently purchased the Jacksonville, St. Augustine & Halifax Railroad. He also noticed that a major problem facing the existing Florida railway systems was that each operated on different gauge systems, making interconnection impossible. Shortly after purchasing the Jacksonville, St. Augustine & Halifax Railroad, he converted the line to a standard gauge.



The Jacksonville, St. Augustine & Halifax Railroad served the north eastern portion of the state and was the first railroad in what would eventually become the Florida East Coast Railway Company. Before Flagler bought the organization, the railroad stretched only between South Jacksonville and St. Augustine and lacked a depot sufficient to accommodate travelers to his St. Augustine resorts. Flagler built a modern depot facility as well as schools, hospitals and churches, systematically revitalizing the largely abandoned historic city.

Flagler next purchased three additional existing railroads: the St. John's Railway, the St. Augustine and Palatka Railway, and the St. Johns and Halifax Railroad so that he could provide extended rail service on standard gauge tracks. Through the operation of these three railroads, by spring 1889 Flagler's system offered service from Jacksonville to Daytona. Continuing to develop hotel facilities to entice northern tourists to visit Florida, Flagler bought and expanded the Hotel Ormond, located along the railroad's route north of Daytona.

Beginning in 1892, when landowners south of Daytona petitioned him to extend the railroad 80 miles south, Flagler began laying new railroad tracks; no longer did he follow his traditional practice of purchasing existing railroads and merging them into his growing rail system. Flagler obtained a charter from the state of Florida authorizing him to build a railroad along the Indian River to Miami and as the railroad progressed southward, cities such as New Smyrna and Titusville began to develop along the tracks.

By 1894, Flagler's railroad system reached what is today known as West Palm Beach. Flagler constructed the Royal Poinciana Hotel in Palm Beach overlooking Lake Worth. He also built The Breakers Hotel on the ocean side of Palm Beach, and Whitehall, his private 55-room, 60,000 square foot winter home. The development of these three structures, coupled with railroad access to them, established Palm Beach as a winter resort for the wealthy members of America's Gilded Age.

Palm Beach was to be the terminus of the Flagler railroad, but during 1894 and 1895, severe freezes hit the area, causing Flagler to rethink his original decision not to move the railroad south. To further convince Flagler to continue the railroad to Miami, he was offered land from private landowners, the Florida East Coast Canal and Transportation Company, and the Boston and Florida Atlantic Coast Land Company in exchange for laying rail tracks.

In September 1895, Flagler's system was incorporated as the Florida East Coast Railway Company and by 1896, it reached Biscayne Bay, the largest and most accessible harbor on Florida's east coast. To further develop the area surrounding the Miami railroad station, Flagler dredged

EXHIBIT G

RESOLUTION NO. 10-22

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, DESIGNATING **301 SOUTH US HIGHWAY 1**, AS A HISTORIC PROPERTY AND A LOCALLY SIGNIFICANT SITE.

WHEREAS, 301 South US Highway 1, Fort Pierce, Florida is a historically significant site that contributes to the character of the community, and its continuing economic vitality, and is architecturally significant, and is associated with events that have made significant contributions to the pattern of history in the community ; and

WHEREAS, 301 South US Highway 1, Fort Pierce, Florida is a Frame Vernacular structure, a prevalent architectural style during the settlement and early development of Fort Pierce; and

WHEREAS, 301 South US Highway 1, Fort Pierce, Florida is the site of a boarding house for railroad workers expanding Henry Flagler's FEC railroad through and beyond Fort Pierce at the turn of the 20th Century; and

WHEREAS, 301 South US Highway 1, Fort Pierce, Florida meets the requirements for designation as described in the Historic Preservation Ordinance of the Fort Pierce Code, Section 23-36(a)(1&3); and

WHEREAS, the people of Ft. Pierce desire to protect and preserve in perpetuity those sites of historic, archaeological and architectural character; and

WHEREAS, the Historic Preservation Board, on February 22, 2010, recommended this property for designation.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida, that 301 South US Highway 1, Fort Pierce, Florida be designated as a Historic Property and a Locally Significant Site pursuant to Chapter 23 of the City of Fort Pierce Code of Ordinances and that 301 South US Highway 1 is subject to all rights, privileges and requirements of that ordinance.

IN WITNESS WHEREOF, this Resolution has been duly adopted on this 3rd day of May, 2010.

Approved to Form and Correctness

Robert V. Schwerer
City Attorney

Dated

CITY OF FORT PIERCE
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION

COMPREHENSIVE PLANNING ◊ DEVELOPMENT REVIEW
HISTORIC PRESERVATION ◊ URBAN DESIGN ◊ URBAN FORESTRY ◊ ZONING

TO: Members of the City of Fort Pierce Historic Preservation Board

THROUGH: Matthew G. Margotta, AICP, Director of Community Development

David Carlin, MPA, Assistant Director of Planning

FROM: Leslie Olson,. Historic Preservation Officer

RE: **COA 10-12**

DATE: February 16, 2010

CERTIFICATE OF APPROPRIATENESS
STAFF REPORT

Project Address:	301 South US Highway 1[1]
Owner:	Linda Kroon
Representative:	American Designer Homes
Structure:	Individual Designation: Under Review
District:	N/A

REQUEST

The applicant is requesting the following work:

1. Replacement white aluminum 2/2 aluminum windows with reproduction trim and spacing to match the original trim in design and construction; and
2. Replacement windows in casement window area: fixed frame windows engineered to simulate the 8-light casements; and
3. Replacement of existing operable wood shutters with reproduction operable wood shutters; and
4. Retaining original front door in place; and
5. Front porch rail with 6' chamfered square posts, square balusters, and a 6' top rail built with traditional construction techniques ; and
6. New back porch, matching rail and handicap ramp; and
7. Removal of existing rear façade chimney, new French doors and opening on rear façade; and

EXHIBIT D

[1] Map, Site Photos, application

Standard Nine: *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

Standard Ten: *New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

STAFF ANALYSIS

The applicant intends to rehabilitate this structure for use as an office. Variances will be required for parking, but site plans were not available at this time, so those variances will be proposed at a later date.

The applicant has previously removed the original 2/2 double hung wood windows as they were deteriorated and the applicant desired to use a more energy efficient window. The applicant proposes to replace all 2/2 windows with aluminum 2/2 windows with exterior, dimensional muntins to simulate true divided light. The window trim will be a reproduction of the original in craftsmanship and design. The front porch was originally open but at a later date, the southern portion was enclosed with casement windows. These casements were severely deteriorated and have been removed. The applicant proposes fixed frame windows engineered with dimensional muntins to reproduce the original 8-light casements. The existing, deteriorated, operable wood shutters have been removed and will be replaced with operable wood reproductions.

All salvageable wood siding will be retained and reused, and new cypress drop siding has been milled to reproduce the original in profile. The original 10-panel, single-light front door will be retained in place. In the process of removing and reinstalling the wood trim, a secondary door to the enclosed front porch will be removed and enclosed with the wood trim. This was not an original opening, and is not important to the design of the main façade.

The front porch posts are square chamfered posts. The applicant proposes 6"x6" square chamfered posts to retain the original design, with square balusters and a 6" top rail, to be built in a traditional design (no bypass pickets.)

The applicant proposes to remove the rear chimney and create a new double-french door entrance on the center of the rear façade as well as a back porch extending along the full length of the rear façade. The applicant further intends to meet ADA accessibility to the building by creating a handicap ramp on the rear façade on the southwest corner. This is the most appropriate location to provide handicapped accessibility as it will have the least amount of visual impact on the street from this location. The proposed French doors with 15 small lights are not recommended, since the 2/2 windows have large panes. Staff recommends a single-pane, impact resistant, preferably beveled French door.

City Commission Regular Meeting **Agenda Item # 12. b.**

Meeting Date: 02/02/2015

Re: Resolution 15-R04 - Renaming of the Avenue D Historic District as the Lincoln Park Historic District

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

---

SUBJECT:

Resolution 15-R04 renaming the Avenue D Historic District as the Lincoln Park Historic District based upon historic accuracy and appropriateness.

SUMMARY:

- The City of Fort Pierce, in 2002, adopted the Avenue D Historic District by Resolution 02-40, seeking to embrace the rich heritage and architectural integrity found along the corridor.
- This Historic District has been the center of economic, commercial and social activity for the African American community since the settlement of Fort Pierce.
- The contributing properties within the district represent a broad range of architectural styles, including wood frame vernacular, shingle style, classic Florida cracker, masonry vernacular, and some fine examples of the shotgun house, as well as buildings that are culturally important to the community such as the Lincoln Park theater.
- The Fort Pierce Historic Preservation Board, at their November 25, 2013, approved sending a letter of support for the City Commission to rename the “Avenue D Historic District” as the “Lincoln Park Historic District” based upon its historic accuracy and appropriateness.

RECOMMENDATION:

- Approval

ALTERNATIVES:

- Amendment of the Resolution
- Denial

RESPONSIBLE STAFF:

Kori Benton, Historic Preservation Officer

COORDINATED WITH:

Nicholas Mimms, PE, Deputy City Manager
Karen Emerson, Esq., Assistant City Attorney

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

No fiscal impact.

Attachments

Staff Report

Resolution 15-R04

Historic District Exhibits

Resolution 02-40 - Adopting the Avenue D Historic District

Historic District Map - Proposed Nomenclature

Form Review

Inbox	Reviewed By	Date
City Manager	Robert Bradshaw	01/28/2015 03:51 PM

Form Started By: Kori Benton Started On: 01/23/2015 11:20 AM

Final Approval Date: 01/28/2015

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: Kori Benton, Historic Preservation Officer

RE: Resolution 15-R04
Renaming of the Avenue D Historic District as the Lincoln Park Historic District

DATE: January 22, 2015

Staff Analysis:

Lincoln Park originated as a one and a half acre recreational park located at the center of a residential subdivision. As development around Lincoln Park progressed, an amendment to the development plan (plat) divided the park into private lots for construction and extended Salene Street (Avenue D) through the center of the park, providing for direct access from the High Point Street (US 1) to the western edge of town. This shift, transformed Lincoln Park into a mixed use hub where many of the original stores and homes in the area began to develop a busy corridor.

In 1923, the City of Fort Pierce Commission passed an ordinance to comprehensively overhaul street name assignments in order to more appropriately identify the developing grid-based street system in the City. This initiative rendered the nomenclature utilized today for numeral and alphabetical streets such as 2nd, 3rd, 4th, etc. and Avenue A, B, C, etc. It was with this adoption that Salene Street became Avenue D.

In the same year, Lincoln Park Academy was opened as a middle school, beginning the progress and growth of this nationally renowned school, just to the north of the Lincoln Park Subdivision. The development commencing around the Avenue D corridor began to cultivate, led by local businesses and residents as well as outside investors locating here to participate in the economic growth in Fort Pierce, due in large part to our beautiful waterfront and growing commerce.

The corridor along Avenue D has rendered rich culture, unique mixed use development, and economic activity indispensable to the history of Fort Pierce. The 1950s and 1960s proved reality for the potential that the corridor has to offer, and recent strides during the past decades reveals the ability to achieve that potential once again.

The City of Fort Pierce has maintained its commitment to revitalization of this esteemed neighborhood and has garnered active partners from local home and business owners to the Lincoln Park Main Street Organization. In 2002, the City of Fort Pierce adopted the Avenue D Historic District by resolution, seeking to embrace the rich heritage and architectural integrity found along the corridor. In 2008, the Lincoln Park Main Street was recognized as a National Main Street Program, further demonstrating the momentum set in motion.

The initial resolution adopted by the City Commission established this contributing district as the Avenue D historic district, though the community and the neighborhood's true origin embrace its legacy as the Lincoln Park Main Street, at the heart of the Lincoln Park Community near the center of Fort Pierce. This area proves to offer economic, commercial, and social activity for the future, and has since the settlement of Fort Pierce.

Resolution 15-R04 presented to the Commission would rename this Historic District as the "Lincoln Park Historic District" upon adoption.

Historic Preservation Board Recommendation:

The Fort Pierce Historic Preservation Board, at their November 25, 2013, approved sending a letter of support for the City Commission to rename the "Avenue D Historic District" as the "Lincoln Park Historic District" based upon its historic accuracy and appropriateness.

Staff Recommendation:

The presented proposal is consistent with Chapter 23 – Preservation of Historic and Archaeological Sites, Structures, and Districts of the City of Fort Pierce Code, and seeks to improve the historic accuracy and appropriateness of the nomenclature of this valuable historic district, therefore Staff recommends the City Commission approve the presented Resolution.

RESOLUTION NO. 15-R04

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, RENAMING THE **"AVENUE D HISTORIC DISTRICT"** AS THE **"LINCOLN PARK HISTORIC DISTRICT"** ENCOMPASSING ALL PROPERTIES WITHIN BOUNDARIES BEING MOORE'S CREEK TO THE SOUTH,U.S. HIGHWAY 1 TO THE EAST, AVENUE E TO THE NORTH, INCLUDING PROPERTIES ON BOTH SIDES OF AVENUE E, AND 15TH STREET TO THE WEST, WHICH THE CITY COMMISISON PREVIOUSLY DESIGNATED AS THE AVENUE D HISTORIC DISTRICT BY CITY OF FORT PIERCE RESOLUTION 02-40; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on March 18th, 2002, the City Commission of the City of Fort Pierce created the "Avenue D Historic District" in the adoption of Resolution 02-40; and

WHEREAS, the Fort Pierce Historic Preservation Board approved sending a letter of support on November 25, 2013 for the City Commission to rename the "Avenue D Historic District" as the "Lincoln Park Historic District" based upon its historic accuracy and appropriateness; and

WHEREAS, the area of Fort Pierce generally known as Lincoln Park has been a center of economic, commercial and social activity for the African American community since the settlement of Fort Pierce; and

WHEREAS, the City Commission by creating the original historic district in 2002 identified and designated contributing properties within the district that represent a broad range of architectural styles, including wood frame vernacular, shingle style, classic Florida cracker, masonry vernacular, and some fine examples of the shotgun house, as well as buildings that are culturally important to the community such as the Lincoln Park Theater; and

WHEREAS, the creation of historic districts has been a proven and effective tool to help spur redevelopment and economic revitalization within its neighborhoods, stabilize property values and foster a sense of pride among the residents, and encourage the preservation of historic properties through tax exemptions and other economic incentives; and

WHEREAS, the people of Fort Pierce desire to protect and preserve in perpetuity those sites of outstanding historic, archaeological and architectural character; and

WHEREAS, the renaming of this valuable historic district will ensure accuracy in recognizing and inspiring efforts to protect and preserve in perpetuity those sites of outstanding historic, archaeological and architectural character.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida, that the Avenue D Historic District, as created by City of Fort Pierce Resolution 02-40, be renamed and known as the "Lincoln Park Historic District" pursuant to the Fort Pierce Historic Preservation Ordinance (Chapter 23 of the Code of Ordinances) and that all properties

within the Lincoln Park Historic District remain subject to all rights, privileges and requirements of that ordinance.

This Resolution shall take effect immediately upon adoption.

IN WITNESS WHEREOF, this Resolution has been duly adopted on this _____ day of February, 2015.

_____
Linda Hudson, Mayor

ATTEST:

_____
Linda Cox, City Clerk

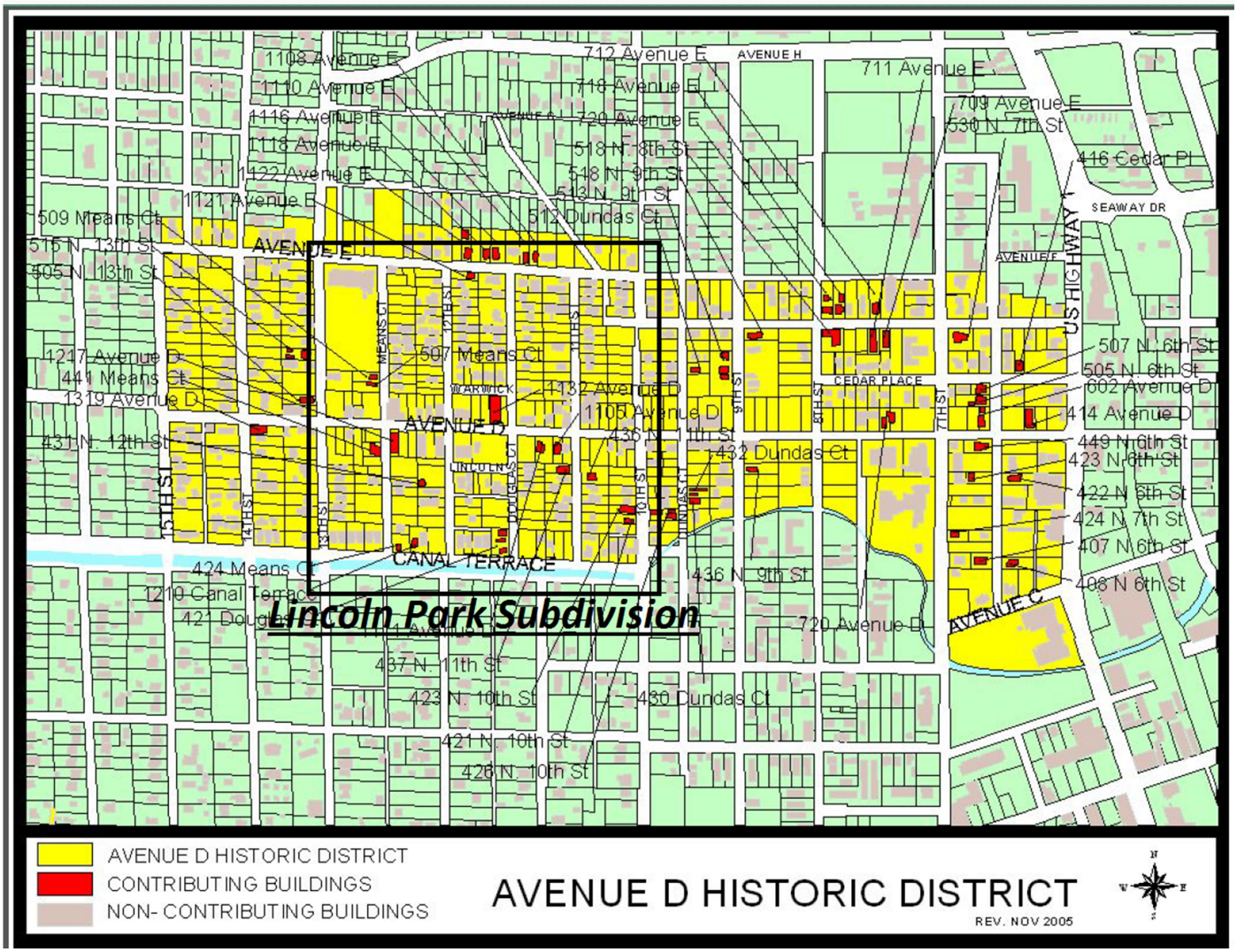
Approved as to Form
And Correctness:

_____
Robert V. Schwerer, Esq.
City Attorney

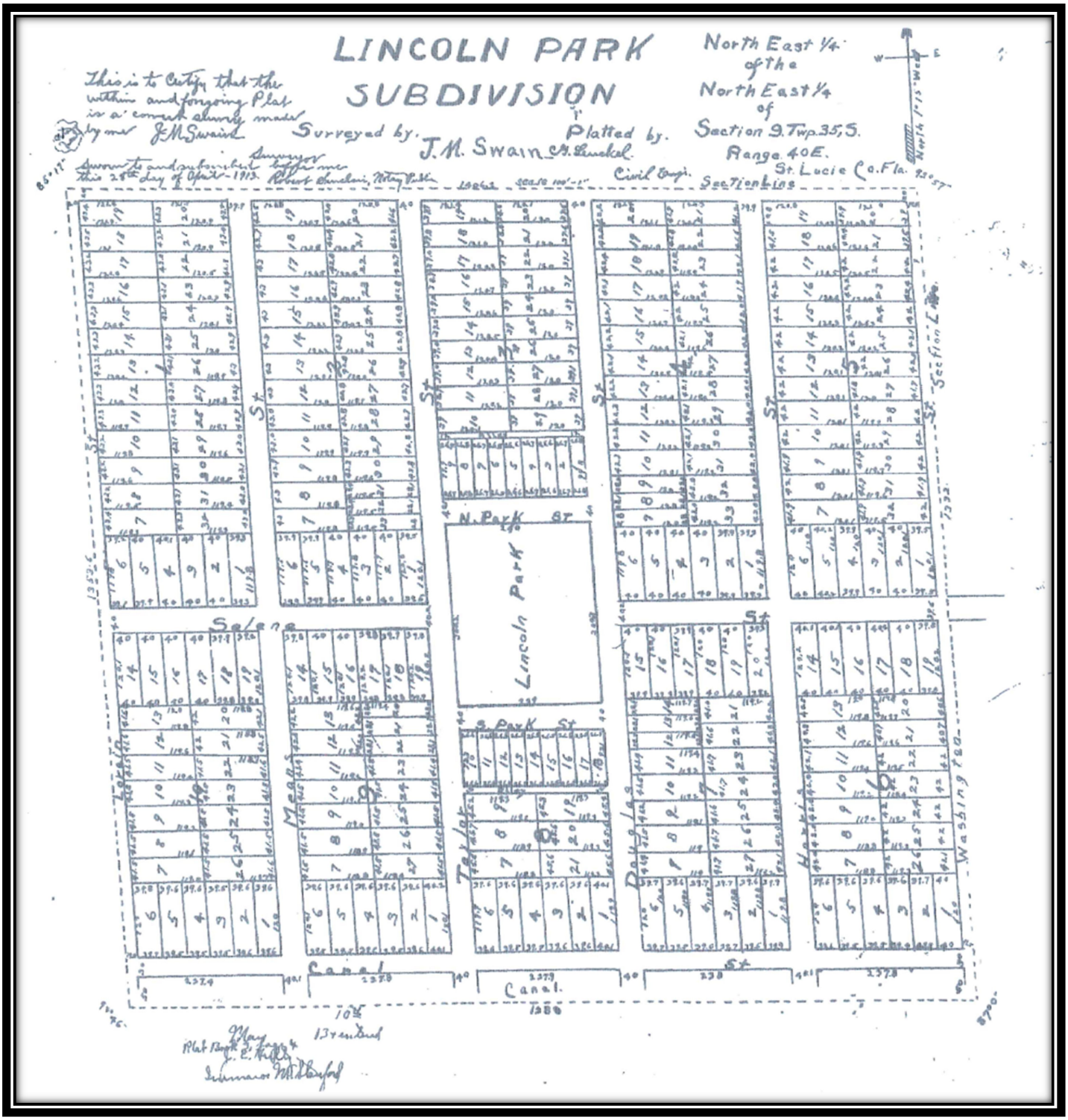
CITY OF FORT PIERCE

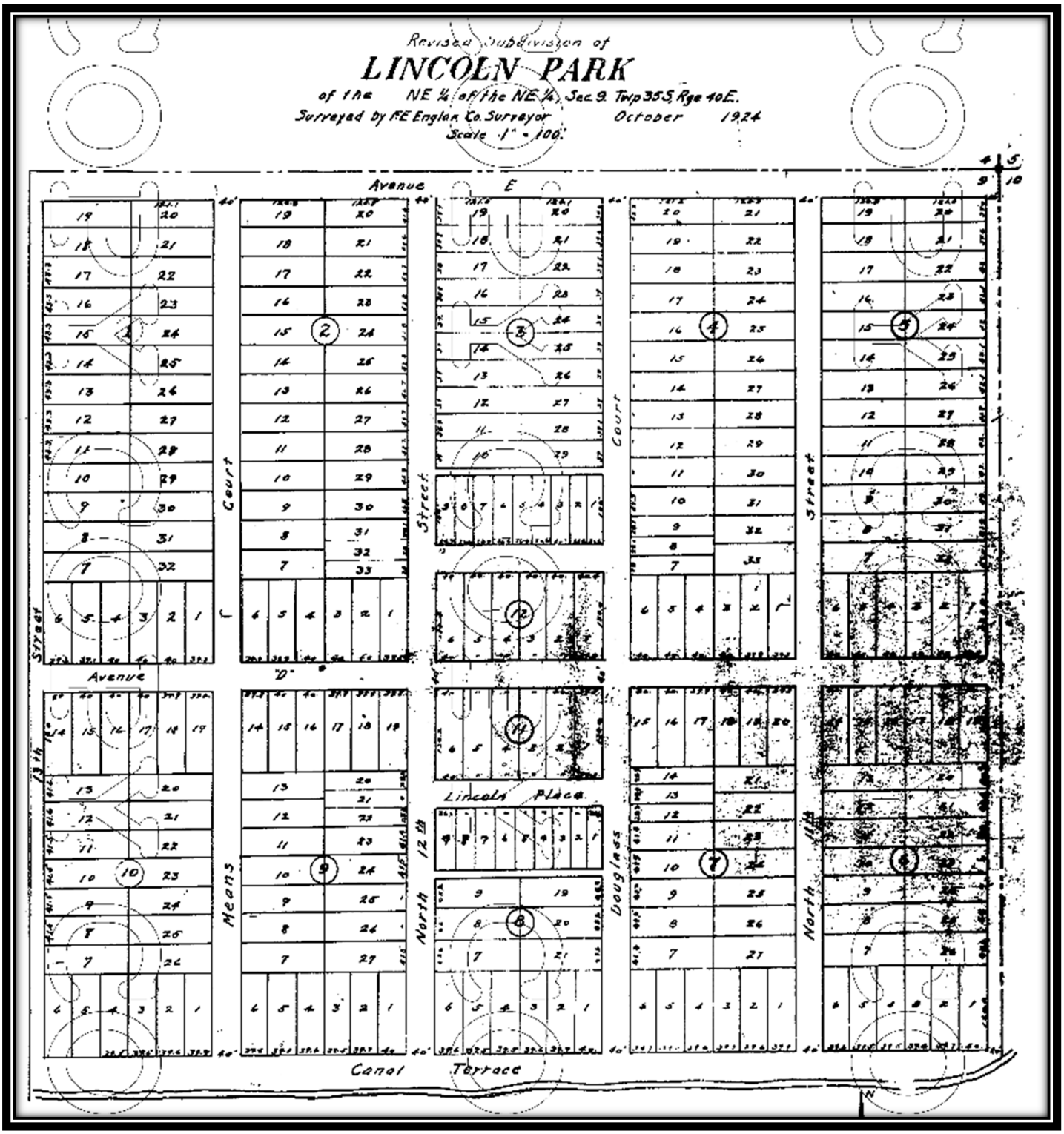
PLANNING DEPARTMENT

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



100 N. U.S. 1 ◊ P.O. BOX 1480 ◊ FORT PIERCE, FL 34954 -1480 ◊ 772-467-3729 ◊ FAX 772-466-5808
WWW.CITYOFFORTPIERCE.COM


LINCOLN PARK
SUBDIVISION
North East 1/4 of the North East 1/4 of Section 9. Twp. 35 S. Range 40 E. St. Lucie Co. Fla.
This is to Certify that the within and foregoing Plat is a correct survey made by me J. M. Swain
Surveyed by. J. M. Swain
Platted by. M. Lindsey
Civil Engr.
Section Lines
Lincoln Park
N. Park St
S. Park St
Canal
Canal
Canal


Revised Subdivision of
LINCOLN PARK
of the NE ¼ of the NE ¼ Sec. 9 Twp 35 S Rge 40 E.
Surveyed by F.E. English Co. Surveyor October 1924
Scale 1" = 100'
Avenue E
Court
Street
Court
Street
Avenue "D"
13th Street
Means
12th Street North
Douglass
11th Street North
Lincoln Place
Canal
Terrace



Staff photo by Juan Dale Brow

OLDTIMERS Emma Burns, 74, and Walter Lyons, 69, are children of the couple who built this Cracker-style bungalow before World War I. The home of Wilson and Alice Lyons, completed in 1908, is on Avenue D. Lyons descendants gathered for the installation of a historic marker on the house.

First historical marker placed in Lincoln Park neighborhood

NT 2-7-82 P. 1

By ANN McCALLUM
News Tribune Staff Writer

Back in 1908, there were eight black families living along the dirt path that is now Avenue D.

Five generations of one of the families gathered Saturday to witness the placement of a historical marker on the old homestead.

The plaque on the home originally occupied by Wilson and Alice Lyons is the first, but may not be the last, to be placed in the Lincoln Park area.

Six other Lincoln Park families are working to document the history of their homesteads so that plaques can be placed on them, said Rufus Alexander, a grandson of the Lyonses.

The St. Lucie County Historical from the residential style of the Victorian era, according to commission chairman Lucille Rights.

The commission has previously awarded the historical markers to homes of that era on Indian River Drive and North Second Street.

Wilson and Alice Lyons came to St. Lucie County in 1903 from Aiken, S.C. To get to the site where the house was built, said their daughter, Emma (Ninnie) Burns, they had to cut a path through the palmetto.

"It was a swamp here," she recalled Saturday, as she stood before the 1½-story bungalow at 806 Ave. D that was her childhood home.

Her 69-year-old brother, Walter Lyons, and her cousin, Alonzo Lyons, 87, still live in the house

thern part of the city.

"The Washingtons, the Williamses, the Highs, the Thaxtons...and that's all I can remember of them right now," she said.

Wilson Lyons worked for East Coast Lumber and in his later years "took care of" Peter P. Cobb, his daughter recalled. Alice Lyons "did laundry."

Almost all of the Lyons descendants have stayed in St. Lucie County, studying at the county schools and marrying into local families.

The eldest son of Wilson and Alice Lyons, Abel Lyons, 78, turned out for the plaque ceremony, as did five Lyons grandchildren, nine great-grandchildren, and 13 great-great-grandchildren.



The First Lincoln Par
Area Beauty Shop
1918

One Of The First Hou
In The Lincoln Park
Area.

Lincoln Park

62-6-8



This picture represented housing accommodations in the Lincoln Park Area in the thirties. You think housing is a problem now, well, what about then? These houses represented the only accommodations available back in those days. These Duplexes were the latest from 1937 on, built by Jimmy Blakely, Sr. In 1938 Mrs. Daisy Alexander and family occupied the house to the left while Mr. and Mrs. James Purvis were residents in the south apartment in the house to the right. Mr. and Mrs. C.E. Bolen were residents in the north apartment of the same house. In the event you were in the market for a house, failing to secure either one, house or apartment meant that was it!

OFFICE OF CITY CLERK
CITY OF FT. PIERCE
100 N. U.S. 1
P.O. BOX 1480
FT PIERCE, FL 34954

JOANNE HOLMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE COUNTY
File Number: 2020746 OR BOOK 1504 PAGE 2553
Recorded:03/21/02 09:11

RESOLUTION NO. 02-40

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, DESIGNATING ALL PROPERTIES WITHIN THE **"AVENUE D HISTORIC DISTRICT"**, BOUNDARIES BEING MOORE'S CREEK TO THE SOUTH, U.S. HIGHWAY 1 TO THE EAST, AVENUE E TO THE NORTH, INCLUDING PROPERTIES ON BOTH SIDES OF AVENUE E, AND 15TH STREET TO THE WEST, AS A HISTORIC DISTRICT.

WHEREAS, the Avenue D Historic District has been the center of economic, commercial and social activity for the African American community since the settlement of Fort Pierce;

WHEREAS, the following historic properties within the said boundaries are considered contributing properties to the historic district: 414, 602, 720, 1105, 1111, 1118, 1132, 1217, and 1319 Avenue D; 603, 709, 712, 718, 720, 1108, 1110, 1116, 1118, 1121, 1122, 1124, and 1202 Avenue E; 407, 408, 422, 423, 449, 505, and 507 North 6th Street; 424 and 530 North 7th Street; 518 North 8th Street; 436, 511, and 513 North 9th Street; 421, 423, and 426 North 10th Street; 436 and 437 North 11th Street; 431, 433, and 435 North 12th Street; 505 and 515 North 13th Street; 428 North 15th Street; 421, 423 and 425 Douglas Court; 427-1/2, 430, 432, 432-A, and 512 Dundas Court; 441, 424, 507, and 509 Means Court; 416 Cedar Place, and 1210 Canal Terrace.

WHEREAS, the contributing properties within the district represent a broad range of architectural styles, including wood frame vernacular, shingle style, classic Florida cracker, masonry vernacular, and some fine examples of the shotgun house, as well as buildings that are culturally important to the community such as the Lincoln Park theater; and

WHEREAS, the creation of historic districts has been a proven and effective tool to help spur redevelopment and economic revitalization within its neighborhoods, stabilizes property values and fosters a sense of pride among the residents, and encourages the preservation of historic properties through tax exemptions and other economic incentives; and

WHEREAS, the people of Fort Pierce desire to protect and preserve in perpetuity those sites of outstanding historic, archaeological and architectural character; and

WHEREAS, the Historic Preservation Board, on January 28, 2002, recommended this district for designation; and

WHEREAS, the Planning Board, on February 12, 2002, found the creation of this district to be in compliance with the city's Comprehensive Plan.

NOW, THEREFORE BE IT RESOLVED by the City Commission of the City of Fort Pierce, Florida, that the Avenue D Historic District be designated as a Historic District pursuant to the Fort Pierce Historic Preservation Ordinance (Chapter 23 of the Code of Ordinances) and that all properties within the Avenue D Historic District be subject to all rights, privileges and requirements of that ordinance.

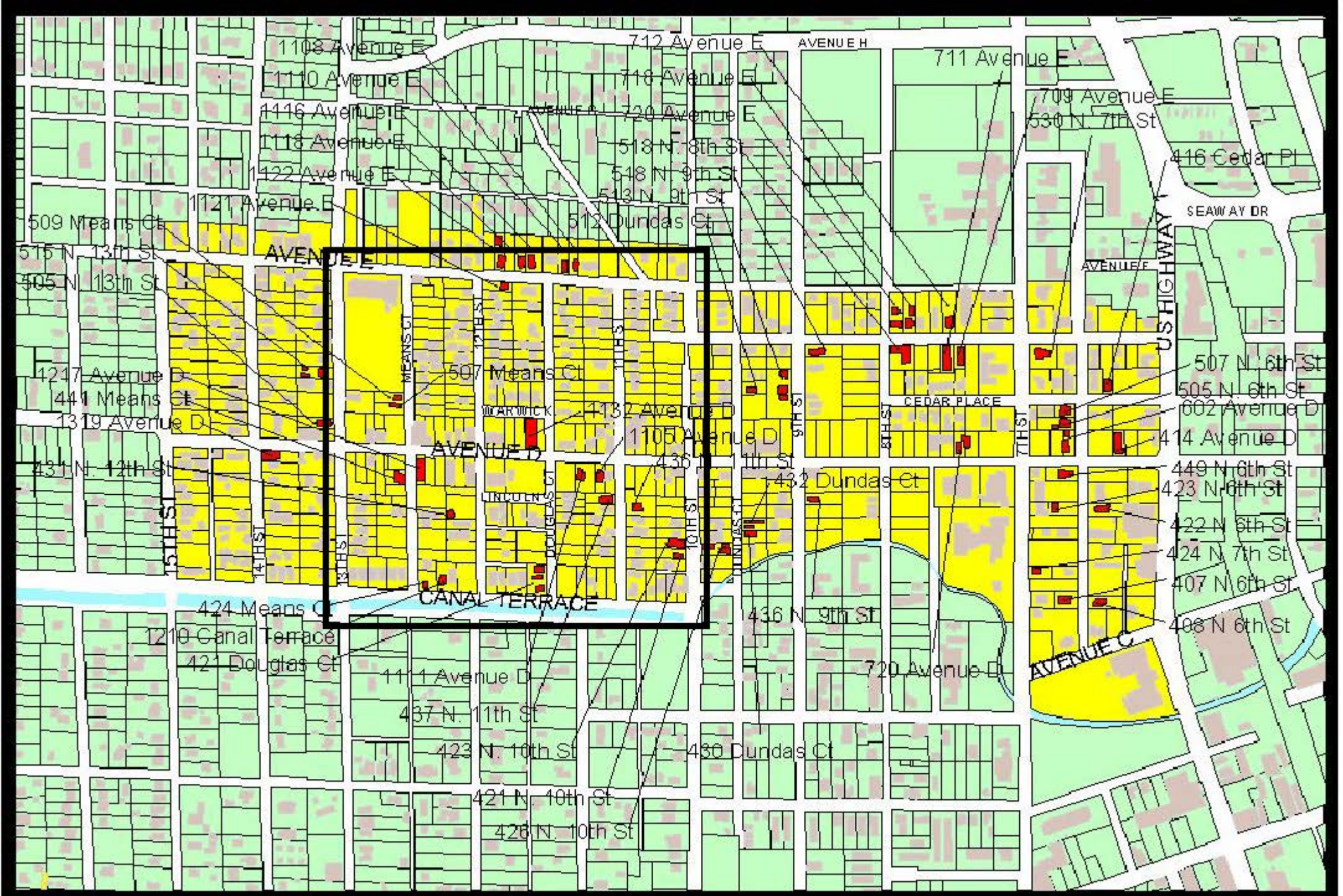
IN WITNESS WHEREOF, this Resolution has been duly adopted on this 18th of March 2002.

Mayor Edward G. Enns

ATTEST:

Cassandra Steele, City Clerk

(CITY SEAL)



Lincoln Park Historic District Boundaries

Contributing Historic Structures

Non-Contributing Structures

Lincoln Park Historic District

Former Avenue D Historic District

City Commission Regular Meeting **Agenda Item # 12. c.**

Meeting Date: 02/02/2015

Re: Planning Board Appointments

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

---

SUBJECT:

Submittal of applications for the Planning Board.

SUMMARY:

There are four (4) regular member and one (1) alternate positions to be selected. All four regular members have submitted applications for consideration for reappointment, two other persons have filed for appointment (see attachments). The attendance record for 2014 is attached.

RECOMMENDATION:

Appoint/Reappoint four regular members and one alternate.

ALTERNATIVES:

Take no action

RESPONSIBLE STAFF:

Rebecca Grohall, AICP

COORDINATED WITH:

Linda Cox, City Clerk

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

Not Applicable

Attachments

Staff memo

Memo from City Clerk

Attendance Record

Mr. George Reappointment application

Mr. Mujica Reappointment application

Mr. O'Connell Reappoint application
Mr.Poitier Reappointment Application
Other Applications Received

Form Review

Inbox	Reviewed By	Date
City Manager	Rebecca Grohall	01/22/2015 03:00 PM
City Manager	Robert Bradshaw	01/27/2015 02:29 PM

Form Started By: Rebecca Grohall Started On: 01/16/2015 03:43 PM
Final Approval Date: 01/27/2015

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 City Commissioners

THRU: Robert J. Bradshaw, City Manager

FROM: Rebecca Grohall, AICP, Planning Manager

SUBJECT: Planning Board

DATE: January 20, 2015

Four (4) regular member terms are expiring on the Planning Board, and there is one Alternate position to be filled.

All four regular members have expressed an interest in being reappointed. Please find enclosed applications from John George, Eduardo Mujica, Timothy O'Connell and Robert Poitier for reappointment to the Planning Board.

Additionally, Kristina Gibbons and Charles Hayek have filled out application forms for consideration.

Please select four (4) regular members and one (1) alternate so that the City Clerk may bring back a Resolution for the February 17, 2015 meeting.

Interoffice Memorandum
City Clerk's Office

RECEIVED
OCT 23 2014
CITY OF FORT PIERCE
PLANNING & ZONING

TO: Rebecca Grohall, Planning Manager

FROM: Linda W. Cox, City Clerk

SUBJECT: City Planning Board Appointments

DATE: October 22, 2014

Below is a current list of members of the above referenced board. Members in RED have terms expiring in February, 2015. I will be issuing a general press release seeking applications for all Boards and Committees; as applications are received, I will forward them to you. If any corrections are necessary, please advise.

I recommend that you plan to place appointment/reappointment applications on a January Agenda so that we can have the appointments complete before the terms expire.

MEMBERS	Represents	Resolution No.	DISTRICT	APPOINTED	EXPIRES
Bob Burdge		14-R11	2	9/21/2009	2/29/2016
Brian Paul		14-R11	2	12/17/2012	2/29/2016
Eduard Mujica		14-R11	2	3/3/2014	2/28/2015
Erica Klevers Ganzi		14-R11	2	3/4/2013	2/29/2016
J. Eloise Cumings		14-R11	2	9/21/2009	2/26/2016
John L. George		13-08	1	6/18/2012	2/28/2015
Marcia Baker		14-R11	2	3/5/2012	2/29/2016
Mike Dahan	Alternate	14-R11	2	3/3/2014	2/29/2016
Phyllis Castro		14-R11	1	3/7/2011	2/29/2016
Robert H. Poitier, Jr.		13-08	1	2/5/1996	2/28/2015
Steven M. Weaver	Alternate	14-R11	2	4/6/2009	2/29/2016
Timothy J. O'Connell		13-08	2	6/18/2012	2/28/2015

Board Notes: Sec. 2-221; Two-Year Terms; Two-Year Residence in City; 10 Members - plus 2 Alternates (Ord No. K-458); Commissioners and City Manager, Ex Officio. Compensation - $10.00 per month. (Financial Disclosure required)

Board of Adjustment 2014 Attendance

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Clem Benton, Jr.	x	x	x	P	P	P	x	x	P	x	x	x
James Crist	x	x	x	E	P	P	x	x	E	x	x	x
Joyce Calvert	x	x	x	P	E	P	x	x	P	x	x	x
Bennie Clark	x	x	x	P	E	E	x	x	E	x	x	x
Bret McCain	x	x	x	P	P	P	x	x	P	x	x	x
BJ Beavin	x	x	x	P	P	P	x	x	P	x	x	x
William Nunn	x	x	x	P	E	P	x	x	P	x	x	x

Planning Board 2014 Attendance

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec. 9	Dec. 16
Bob Burdge	P	P	P	P	P	P	P	x	P	P	P	P	P
Eloise Cummings	P	P	P	P	P	P	P	x	P	P	P	E	P
Robert Poitier	E	P	P	P	P	P	P	x	P	P	P	P	P
Steve Weaver	P	P	P	P	P	P	P	x	P	P	P	P	E
John George	P	P	P	P	E	P	E	x	P	P	P	P	P
Phyllis Castro	P	P	P	P	E	E	P	x	P	P	P	Resigned	Resigned
Marcia Baker	P	P	P	P	P	P	E	x	P	P	P	P	P
Kimberly Slep	E	P	Not Reappointed										
Tim O'Connell	P	P	P	P	P	P	P	x	P	P	P	E	E
Brian Paul	P	P	P	P	P	P	P	x	A	P	P	P	P
Erica Ganzi	P	P	E	P	E	P	E	x	P	P	P	P	P
Eduardo Mujica	Appointed 3/14		P	P	P	P	E	x	P	P	P	E	P
Mike Dahan	Appointed 3/14		P	P	P	P	P	x	E	P	P	P	P

P – Present **E – Excused Absence** **A – Absent** **X – No Meeting Held**

Board of Adjustment

Clem Benton, Jr.	
Present	4
Excused Absence	
Absent	
James Crist	
Present	2
Excused Absence	2
Absent	
Joyce Calvert	
Present	3
Excused Absence	1
Absent	
Bennie Clark	
Present	1
Excused Absence	3
Absent	
Bret McCain	
Present	4
Excused Absence	
Absent	
BJ Beavin	
Present	4
Excused Absence	
Absent	
William Nunn	
Present	3
Excused Absence	1
Absent	

Planning Board

Bob Burdge	
Present	12
Excused Absence	
Absent	
Eloise Cummings	
Present	11
Excused Absence	1
Absent	
Robert Poitier	
Present	11
Excused Absence	1
Absent	
Steve Weaver	
Present	11
Excused Absence	1
Absent	
John George	
Present	10
Excused Absence	2
Absent	
Phyllis Castro	
Present	8
Excused Absence	2
Absent	
Marcia Baker	
Present	11
Excused Absence	1
Absent	
Kim Slep	
Present	1
Excused Absence	1
Absent	
Tim O'Connell	
Present	10
Excused Absence	2
Absent	
Brain Paul	
Present	11
Excused Absence	
Absent	1
Erica Ganzi	
Present	9
Excused Absence	3
Absent	
Eduardo Mujica	
Present	8
Excused Absence	2
Absent	
Mike Dahan	
Present	9
Excused Absence	1
Absent	

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3000 FAX (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Choose an item Planning Board

Name: John L. George	Home Phone: (772)834-7001
Home Address: 707 N. 8th Street; Ft. Pierce, FL 34950	
Are you a citizen of the United States? ☑ Yes ☐ No	
Occupation: Business Owner	
Do you own a business that operates within the City of Fort Pierce? ☐ Yes ☑ No If yes, list the address and nature of said business:	
Do you now or in the future plan to do business with the City of Fort Pierce? ☑ Yes ☐ No If yes, in what capacity? If any Construction come up for bid; I may or may not bid.	
Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ☑ No If yes, state the business and location:	
Do you have special training or knowledge in the area of: Architecture: ☐ Yes ☐ No Engineering: ☑ Yes ☐ No Real Estate Brokering: ☐ Yes ☐ No Contracting: ☑ Yes ☐ No Land Development: ☑ Yes ☐ No Other: Describe your education, background, training and knowledge in the above area(s): B.S. Degree in Engineering MBA	
Are you currently a member of a Commission-appointed board/committee? ☐ Yes ☑ No If yes, please specify:	
Have you ever been convicted of a crime? ☐ Yes ☑ No If yes, what was the nature of the crime(s) you were convicted of:	
Date: 1/13/2015	Referred by: Comm. Rufus Alexander

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
or via email at lcox@city-ftpierce.com

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3000 FAX (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Planning Board

Name:	Eduardo Mujica	Home Phone:	(772)318-7612
Home Address:	323 Hernando St, Fort Pioerce, FL 34949		

Are you a citizen of the United States? ☑ Yes ☐ No

Occupation: Architect

Do you own a business that operates within the City of Fort Pierce? ☐ Yes ☑ No
If yes, list the address and nature of said business:

Do you now or in the future plan to do business with the City of Fort Pierce? ☑ Yes ☐ No
If yes, in what capacity?

As a professional, doing Architecture

Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ☑ No
If yes, state the business and location:

Do you have special training or knowledge in the area of:
Architecture: ☑ Yes ☐ No Engineering: ☐ Yes ☑ No Real Estate Brokering: ☐ Yes ☑ No
Contracting: ☐ Yes ☑ No Land Development: ☐ Yes ☑ No Other:
Describe your education, background, training and knowledge in the above area(s):

Bachelor degree in Architecture. Twenty years of ecperience in the construction field. Registered Architect.

Are you currently a member of a Commission-appointed board/committee? ☑ Yes ☐ No
If yes, please specify:

Planning Board

Have you ever been convicted of a crime? ☐ Yes ☑ No
If yes, what was the nature of the crime(s) you were convicted of:

Date:	1/9/15	Referred by:	Glynda Cavalcanti

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
or via email at lcox@city-ftpierce.com

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3000 FAX (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Choose an item Planning Board

Name: Timothy J OConnell	Home Phone: 772 924 2911
Home Address: 420 N 2nd ST	

Are you a citizen of the United States? ☒ Yes ☐ No

Occupation: Realtor

Do you own a business that operates within the City of Fort Pierce? ☒ Yes ☐ No
If yes, list the address and nature of said business:
OC Realty - Realestate sales

Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ☒ No
If yes, in what capacity?

Are you employed by a business that is located within the City of Fort Pierce? ☒ Yes ☐ No
If yes, state the business and location:
OC Realty 420 N 2nd ST

Do you have special training or knowledge in the area of:
Architecture: ☒ Yes ☐ No Engineering: ☐ Yes ☐ No Real Estate Brokering: ☒ Yes ☐ No
Contracting: ☐ Yes ☐ No Land Development: ☐ Yes ☐ No Other:
Describe your education, background, training and knowledge in the above area(s):
I own a Realestate Business with my wife

Are you currently a member of a Commission-appointed board/committee? ☒ Yes ☐ No
If yes, please specify:
Planning Board

Have you ever been convicted of a crime? ☐ Yes ☒ No
If yes, what was the nature of the crime(s) you were convicted of:

Date: 9 Jan 2015	Referred by:

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
or via email at lcox@city-ftpierce.com

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3000 FAX (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Choose an item Planning Board

Name: Robert H Poitier	Home Phone: 772-332-6263
Home Address: 306 N 22 Nd St Ft Pierce, Fl 34950	
Are you a citizen of the United States? ☑ Yes ☐ No	
Occupation: Retired	
Do you own a business that operates within the City of Fort Pierce? ☐ Yes ☑ No If yes, list the address and nature of said business:	
Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ☑ No If yes, in what capacity?	
Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ☑ No If yes, state the business and location:	
Do you have special training or knowledge in the area of: Architecture: ☐ Yes ☑ No Engineering: ☐ Yes ☑ No Real Estate Brokering: ☐ Yes ☑ No Contracting: ☐ Yes ☑ No Land Development: ☐ Yes ☐ No Other: Describe your education, background, training and knowledge in the above area(s):	
Are you currently a member of a Commission-appointed board/committee? ☐ Yes ☑ No If yes, please specify:	
Have you ever been convicted of a crime? ☐ Yes ☑ No If yes, what was the nature of the crime(s) you were convicted of:	
Date: 1/12/18	Referred by: Duke Nelson

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
or via email at lcox@city-ftpierce.com

Recd 12/9/14

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3000 FAX (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Planning Board

Name: Kristina Gibbons	Phone: 772-370-5140
Home Address: 4315 Thousand Pines Dr.	
Are you a citizen of the United States? ■ Yes ☐ No	
Occupation: Business Owner - Varsity Sport Shop	
Do you own a business that operates within the City of Fort Pierce? ■ Yes ☐ No If yes, list the address and nature of said business: 211 Orange Ave and we offer awards, sporting goods, embroidery and t-shirts	
Do you now or in the future plan to do business with the City of Fort Pierce? ■ Yes ☐ No If yes, in what capacity? We do some engraving for the city on name plates.	
Are you employed by a business that is located within the City of Fort Pierce? ■ Yes ☐ No If yes, state the business and location: Same as above - Varsity Sport Shop: 211 Orange Ave	
Do you have special training or knowledge in the area of: Architecture: ☐ Yes ☐ No Engineering: ☐ Yes ☐ No Real Estate Brokering: ☐ Yes ☐ No Contracting: ■ Yes ☐ No Land Development: ☐ Yes ☐ No Other: Describe your education, background, training and knowledge in the above area(s): Worked in construction on the administrative side for 13 years - Atlantic Building Materials and Allied Building Products	
Are you currently a member of a Commission-appointed board/committee? ☐ Yes ■ No If yes, please specify:	
Have you ever been convicted of a crime? ☐ Yes ■ No If yes, what was the nature of the crime(s) you were convicted of:	
Referred by: Karen Emerson	Email Address: varsitysportshop@gmail.com
Date: 12/9/2014	Applicant's Signature

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
or via email at lcox@city-ftpierce.com

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3000 FAX (772) 467-3841

RECEIVED
CITY CLERK
NOV 20 2014
FT. PIERCE, FL
TIME

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Choose an item Planning Board

Name: CHARLES HAYEK	Home Phone:
Home Address: 1701 GULFSTREAM AVE #711 FORT PIERCE	
Are you a citizen of the United States?	☒ Yes ☐ No
Occupation: GENERAL CONTRACTOR	
Do you own a business that operates within the City of Fort Pierce?	☒ Yes ☐ No
If yes, list the address and nature of said business:	
Do you now or in the future plan to do business with the City of Fort Pierce?	☐ Yes ☒ No
If yes, in what capacity?	
Are you employed by a business that is located within the City of Fort Pierce?	☒ Yes ☐ No
If yes, state the business and location: HAYEK CONSTRUCTION 1701 GULFSTREAM AVE #711 FORT PIERCE, FL 34949	
Do you have special training or knowledge in the area of:	
Architecture: ☒ Yes ☐ No Engineering: ☐ Yes ☐ No Real Estate Brokering: ☒ Yes ☐ No	
Contracting: ☒ Yes ☐ No Land Development: ☐ Yes ☐ No Other:	
Describe your education, background, training and knowledge in the above area(s): LICENSED GENERAL CONTRACTOR LICENSED REAL ESTATE SALESMAN MASTERS DEGREE IN REALESTATE MSM	
Are you currently a member of a Commission-appointed board/committee?	☒ Yes ☐ No
If yes, please specify: HISTORICAL BOARD	
Have you ever been convicted of a crime?	☐ Yes ☒ No
If yes, what was the nature of the crime(s) you were convicted of:	
Date: 11-19-14	Referred by:

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
or via email at lcox@city-ftpierce.com

City Commission Regular Meeting **Agenda Item # 12. d.**

Meeting Date: 02/02/2015

Re: Board of Adjustment Appointment

Submitted For: Rebecca Grohall, Planning & Zoning Manager, Planning & Zoning

---

SUBJECT:

Submittal of applications for the Planning Board of Adjustment.

SUMMARY:

There is one (1) regular positions to be selected. The seat up for reappointment, Mr. Bennie Clark, has indicated he would like to be reappointed and has completed his application. No other applications were received for this Board. The attendance record for 2014 is attached.

RECOMMENDATION:

Appoint/Reappoint one regular member

ALTERNATIVES:

Take no action

RESPONSIBLE STAFF:

Rebecca Grohall, AICP

COORDINATED WITH:

Linda Cox, City Clerk

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

Not Applicable

Attachments

Staff Memo

Memo from City Clerk

Attendance Record

Mr. Clark Reappointment application

Form Review

Inbox	Reviewed By	Date
City Manager	Robert Bradshaw	01/27/2015 02:30 PM

Form Started By: Rebecca Grohall
Started On: 01/16/2015 03:47 PM
Final Approval Date: 01/27/2015

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 City Commissioners

THRU: Robert J. Bradshaw, City Manager

FROM: Rebecca Grohall, AICP, Planning Manager

SUBJECT: Board of Adjustment

DATE: January 20, 2015

One (1) regular member terms is expiring on the Board of Adjustment and the member has expressed an interest in being reappointed. Please find enclosed the applications from Bennie Clark for reappointment to the Board of Adjustment.

No other applications have been received, so there are not any others at this time for consideration.

Please select one (1) regular member so that the City Clerk may bring back a Resolution for the February 17, 2015 meeting.

RECEIVED
OCT 23 2014
CITY OF FORT PIERCE
PLANNING & ZONING

Interoffice Memorandum
City Clerk's Office

TO: Rebecca Grohall, Planning Manager

FROM: Linda W. Cox, City Clerk

SUBJECT: Board of Adjustment Appointments

DATE: October 22, 2014

Below is a current list of members of the above referenced board. Members in RED have terms expiring in February, 2015. I will be issuing a general press release seeking applications for all Boards and Committees; as applications are received, I will forward them to you. If any corrections are necessary, please advise.

I recommend that you plan to place appointment/reappointment applications on a January Agenda so that we can have the appointments complete before the terms expire.

Name	Represents	Res #	District	Appt Date	Expires
Bennie Clark		12.11	1	3/2/1987	2/28/2015
Betty Jo Beavin	(Alternate)	14-R12	2	8/15/2011	2/28/2017
Bret R. McCain		13.06	2	3/16/2009	2/28/2016
Clem C. Benton, Jr.		14-R12	1	12/6/1982	2/28/2017
James A. Crist	Building Contractor	13.06	2	3/7/2011	2/28/2016
Joyce L. Calvert		14-R12	2	3/5/1979	2/28/2017
William Nunn	(Alternate)	14-R12	2	9/6/2011	2/28/2017

Board Notes: Sec. 22-147(a) - 5 Members and 2 Alternates; Three-Year Terms. Compensation - $10.00 per meeting attended. (Financial Disclosure required)

Board of Adjustment 2014 Attendance

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.
Clem Benton, Jr.	x	x	x	P	P	P	x	x	P	x	x	x
James Crist	x	x	x	E	P	P	x	x	E	x	x	x
Joyce Calvert	x	x	x	P	E	P	x	x	P	x	x	x
Bennie Clark	x	x	x	P	E	E	x	x	E	x	x	x
Bret McCain	x	x	x	P	P	P	x	x	P	x	x	x
BJ Beavin	x	x	x	P	P	P	x	x	P	x	x	x
William Nunn	x	x	x	P	E	P	x	x	P	x	x	x

Planning Board 2014 Attendance

	Jan.	Feb.	March	April	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec. 9	Dec. 16
Bob Burdge	P	P	P	P	P	P	P	x	P	P	P	P	P
Eloise Cummings	P	P	P	P	P	P	P	x	P	P	P	E	P
Robert Poitier	E	P	P	P	P	P	P	x	P	P	P	P	P
Steve Weaver	P	P	P	P	P	P	P	x	P	P	P	P	E
John George	P	P	P	P	E	P	E	x	P	P	P	P	P
Phyllis Castro	P	P	P	P	E	E	P	x	P	P	P	Resigned	Resigned
Marcia Baker	P	P	P	P	P	P	E	x	P	P	P	P	P
Kimberly Slep	E	P	Not Reappointed										
Tim O'Connell	P	P	P	P	P	P	P	x	P	P	P	E	E
Brian Paul	P	P	P	P	P	P	P	x	A	P	P	P	P
Erica Ganzi	P	P	E	P	E	P	E	x	P	P	P	P	P
Eduardo Mujica	Appointed 3/14		P	P	P	P	E	x	P	P	P	E	P
Mike Dahan	Appointed 3/14		P	P	P	P	P	x	E	P	P	P	P

P – Present **E – Excused Absence** **A – Absent** **X – No Meeting Held**

Board of Adjustment

Clem Benton, Jr.	
Present	4
Excused Absence	
Absent	
James Crist	
Present	2
Excused Absence	2
Absent	
Joyce Calvert	
Present	3
Excused Absence	1
Absent	
Bennie Clark	
Present	1
Excused Absence	3
Absent	
Bret McCain	
Present	4
Excused Absence	
Absent	
BJ Beavin	
Present	4
Excused Absence	
Absent	
William Nunn	
Present	3
Excused Absence	1
Absent	

Planning Board

Bob Burdge	
Present	12
Excused Absence	
Absent	
Eloise Cummings	
Present	11
Excused Absence	1
Absent	
Robert Poitier	
Present	11
Excused Absence	1
Absent	
Steve Weaver	
Present	11
Excused Absence	1
Absent	
John George	
Present	10
Excused Absence	2
Absent	
Phyllis Castro	
Present	8
Excused Absence	2
Absent	
Marcia Baker	
Present	11
Excused Absence	1
Absent	
Kim Slep	
Present	1
Excused Absence	1
Absent	
Tim O'Connell	
Present	10
Excused Absence	2
Absent	
Brain Paul	
Present	11
Excused Absence	
Absent	1
Erica Ganzi	
Present	9
Excused Absence	3
Absent	
Eduardo Mujica	
Present	8
Excused Absence	2
Absent	
Mike Dahan	
Present	9
Excused Absence	1
Absent	

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3000 FAX (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Choose an item ~~Planning~~ Board of Adjustment

Name: Bennie Clark	Home Phone: 772-4645874
Home Address: 1812 Ave M Fort Pierce, Fl	
Are you a citizen of the United States? ☑ Yes ☐ No	
Occupation: Retired	
Do you own a business that operates within the City of Fort Pierce? ☐ Yes ☑ No If yes, list the address and nature of said business:	
Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ☑ No If yes, in what capacity?	
Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ☑ No If yes, state the business and location:	
Do you have special training or knowledge in the area of: Architecture: ☐ Yes ☑ No Engineering: ☐ Yes ☑ No Real Estate Brokering: ☐ Yes ☑ No Contracting: ☐ Yes ☑ No Land Development: ☐ Yes ☑ No Other: Describe your education, background, training and knowledge in the above area(s):	
Are you currently a member of a Commission-appointed board/committee? ☑ Yes ☐ No If yes, please specify: Board of Adjustment	
Have you ever been convicted of a crime? ☐ Yes ☑ No If yes, what was the nature of the crime(s) you were convicted of:	
Date: 1/13/15	Referred by: Havert Fenn

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
or via email at lcox@city-ftpierce.com

City Commission Regular Meeting **Agenda Item # 12. e.**

Meeting Date: 02/02/2015

Re: Code Enforcement Board Appointments

Submitted For: Peggy Arraiz, Code Compliance Manager, Code Enforcement

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SUBJECT:

Submittal of applications for appointment to the Code Enforcement Board.

SUMMARY:

Submittal of two applications for reappointment and one application for appointment for consideration. There are two regular member position available for appointment.

RECOMMENDATION:

Staff recommends re-appointing Ms. Geraldine Murphy and Mr. Roderick Waller to the Code Enforcement Board.

ALTERNATIVES:

Appoint Mr. Roger Couture to one of the available positions.

RESPONSIBLE STAFF:

Margaret M. (Peggy) Arraiz, Code Compliance Manager

COORDINATED WITH:

Linda Cox, City Clerk

Fiscal Impact

Budgeted Y/N:

Fiscal Year:

Account:

Amount:

OTHER INFORMATION:

None - All Code Board Members have elected to not receive a stipend from the City.

Attachments

Memo from staff

Murphy Reappointment application

Waller Reaapointment application

Couture Appointment application

CEB 2014 Attendance Record

Form Review

Inbox	Reviewed By	Date
City Manager	Robert Bradshaw	01/27/2015 02:31 PM

Form Started By: Peggy Arraiz Started On: 01/23/2015 01:53 PM

Final Approval Date: 01/27/2015

CITY OF FORT PIERCE

COMMUNITY RESPONSE DIVISIONS

MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

Protecting the health, safety and welfare of our community

TO:	The Honorable Mayor and City Commissioners
THRU:	Robert J. Bradshaw, City Manager
FROM:	Peggy Arraiz, Code Compliance Manager
RE:	Code Enforcement Board
DATE:	January 23, 2015

Two (2) regular member terms are expiring on the Code Enforcement Board. Both members have expressed their interest in being re-appointed and their applications are attached for your review.

Additionally, Mr. Roger A. Couture has submitted an application for consideration.

I have attached an updated attendance report from 2014 for your review. All hearings were held with a quorum.

100 N. US Hwy 1 ¤ P.O. Box 1480 ¤ Fort Pierce, FL 34954-1480
P: 772-467-3148 ¤ F: 772-468-0457 ¤ E-Mail: parraiz@city-ftpierce.com
www.cityoffortpierce.com

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3000 FAX (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Code Enforcement Board

Name:	Geraldine Murphy	Home Phone:	978-886-1676
Home Address:	2905 Serenity Circle South, Fort Pierce, FL 34981		

Are you a citizen of the United States? ☑ Yes ☐ No

Occupation: Retired

Do you own a business that operates within the City of Fort Pierce? ☐ Yes ☑ No
If yes, list the address and nature of said business:

Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ☑ No
If yes, in what capacity?

Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ☑ No
If yes, state the business and location:

Do you have special training or knowledge in the area of:
Architecture: ☐ Yes ☐ No Engineering: ☐ Yes ☐ No Real Estate Brokering: ☐ Yes ☐ No
Contracting: ☐ Yes ☐ No Land Development: ☐ Yes ☑ No Other:
Describe your education, background, training and knowledge in the above area(s):

Are you currently a member of a Commission-appointed board/committee? ☑ Yes ☐ No
If yes, please specify:

Have you ever been convicted of a crime? ☐ Yes ☑ No
If yes, what was the nature of the crime(s) you were convicted of:

Date:	11/28/14	Referred by:	Currently serve on the Code Enforcement Board

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
or via email at lcox@city-ftpierce.com

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3000 FAX (772) 467-3841

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Code Enforcement Board

Name: Roderick Waller	Home Phone: 772-201-2850
Home Address: 617 Ixoria Ave, Unit 4 Fort Pierce FL 34982	
Are you a citizen of the United States? ☑ Yes ☐ No	
Occupation: Professor of Computer Science	
Do you own a business that operates within the City of Fort Pierce? ☑ Yes ☐ No If yes, list the address and nature of said business: Sunrise City CHDO 800 Virginia Suite 61 Fort Pierce FL 34982	
Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ☑ No If yes, in what capacity?	
Are you employed by a business that is located within the City of Fort Pierce? ☑ Yes ☐ No If yes, state the business and location: Indian River State College 3209 Virginia Ave Fort Pierce FL 34981	
Do you have special training or knowledge in the area of: Architecture: ☐ Yes ☐ No Engineering: ☐ Yes ☐ No Real Estate Brokering: ☐ Yes ☐ No Contracting: ☑ Yes ☐ No Land Development: ☐ Yes ☐ No Other: Describe your education, background, training and knowledge in the above area(s): BS in Business Master Degree in Computer Information Technology	
Are you currently a member of a Commission-appointed board/committee? ☐ Yes ☑ No If yes, please specify:	
Have you ever been convicted of a crime? ☐ Yes ☑ No If yes, what was the nature of the crime(s) you were convicted of:	
Date: 1/23/15	Referred by:

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
or via email at lcox@city-ftpierce.com

ECEIVED
NOV 24 2014
CODE ENFORCEMENT
CITY OF FT. PIERCE

RECEIVED
NOV 24 2014
CITY CLERK'S OFFICE

CITY OF FORT PIERCE

100 NORTH US HWY 1
FORT PIERCE, FLORIDA 34950
(772) 467-3000 FAX (772) 467-3841

Page 1 of 2 11/24

APPLICATION FOR APPOINTMENT/REAPPOINTMENT

Choose Board from drop-down list: Code Enforcement Board

Name: Roger A. Couture	Phone: 772 359 8140
Home Address: 604 S. 15TH CT., FT. PIERCE, FL. 34950	
Are you a citizen of the United States? ■ Yes ☐ No	
Occupation: retired	

Do you own a business that operates within the City of Fort Pierce? ☐ Yes ■ No
If yes, list the address and nature of said business:

Do you now or in the future plan to do business with the City of Fort Pierce? ☐ Yes ■ No
If yes, in what capacity?

Are you employed by a business that is located within the City of Fort Pierce? ☐ Yes ■ No
If yes, state the business and location:

Do you have special training or knowledge in the area of:
Architecture: ☐ Yes ☐ No Engineering: ■ Yes ☐ No Real Estate Brokering: ☐ Yes ☐ No
Contracting: ■ Yes ☐ No Land Development: ☐ Yes ☐ No Other:
Describe your education, background, training and knowledge in the above area(s):
Graduate of Laconia High School Laconia N.H. Trained in electronics throgh Army Service Schools, Served 6 years in Army National Guard, Worked at IBM 30 years as an Engineer,
Worked as a Security Officer for GuardsmarK LLC frm 2009 until 2014. Ordained Minister with Marantha Miisteriei Ministry International (MMFI.Org . During IBM employ I worked with Contractors and various Engineers

Are you currently a member of a Commission-appointed board/committee? ☐ Yes ■ No
If yes, please specify:

Have you ever been convicted of a crime? ☐ Yes ■ No
If yes, what was the nature of the crime(s) you were convicted of:

Referred by: Newspaper	Email Address: racouture@gmail.com
Date: 11-19-2014	Applicant's Signature Roger A Couture

Roger A. Couture

Please return form to: City Clerk's Office – 100 North US Hwy 1, Fort Pierce, Florida 34950
or via email at lcox@city-ftpierce.com

CODE ENFORCEMENT BOARD

ATTENDANCE RECORD

2009	TERM	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Joanne Albarelli	2/12	X	X	X	X	X	SUMMER BREAK	SUMMER BREAK	CANCELLED			WINTER BREAK
John George	2/11	X	X	X	X	X						
Delores Hines	2/12	X	X	X	X							
Tom Knott	2/10	X	X	X	X	X						
Misty Minton	2/10	X	X	X								
Donald Scott	2/11	X		X	X	X						
Robert Hain	2/11	X	X	X	X	X						
Harold "Buzz" Smyth (ALT.)	2/12				X	X						

Dec	WINTER BREAK

CODE ENFORCEMENT BOARD

ATTENDANCE RECORD

2010	TERM	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov
Joanne Albarelli	2/12	X	X	X	X	X	SUMMER BREAK	X	NO MEETING	-	NO MEETING	
John George	2/11	X	-	X	X	X		X		X		
Delores Hines	2/12	X	X	X	X	X		X		X		
Tom Knott	2/10	X	X	X	X	X		X		X		
Misty Minton	2/10	X	-	X	X	-		-		X		
Donald Scott	2/11	X	X	-	X	X		X		X		
	2/11	X	X	X	X	X		X		-		
Harold "Buzz" Smyth (ALT.)	2/12		X	X		X		X		X		

Forfeiting payment

Dec	WINTER BREAK

CODE ENFORCEMENT BOARD

ATTENDANCE RECORD

2014	TERM	1/8	Feb	3/12	Apr	5/14	Jun	7/9	Aug	9/10	Oct	11/12	Dec
Misty Minton, Chair	2/13	X		X		X		CANCELLED		X		X	
John George Vice Chair	2/14	X		X		AB		CANCELLED		X		X	
Donald Scott	**2/14**	**AB**		**RES.**		**RES**		**RES**		**RES**		**RES**	
~~**Michael Monti**~~	**2/14**	X		X		X		**RES**		**RES**		**RES**	
Geraldine Murphy	2/15	X		X		AB		CANCELLED		X		X	
Terry Wolters	4/16	X		X		X		CANCELLED		X		X	
Roderick Waller	2/15	X		AB		X		CANCELLED		AB		X	
Bernetti, Al	1/14			X		X		CANCELLED		X		X	
Amyx, Lara	4/14							CANCELLED		X		X	
Porter, Leon	7/14							CANCELLED		X		X	

Donald Scott resigned in March 2014
Michael Monti resigned July 2014

AB ABSENT
X PRESENT
RES - Resigned

City Commission Regular Meeting **Agenda Item # 13. a.**

Meeting Date: 02/02/2015

Re: Departmental Activity Report

Submitted For: Robert Bradshaw, City Manager

SUBJECT:

City Manager's Departmental Activity Report

Attachments

Activity Report

Form Review

Form Started By: Linda Cox Started On: 01/26/2015 08:59 AM

Final Approval Date: 01/26/2015

INTEROFFICE MEMORANDUM

FROM THE OFFICE OF THE

CITY MANAGER

TO: The Honorable Mayor and Members of the City Commission
FROM: Robert J. Bradshaw, City Manager
RE: Department Activity Report
DATE: January 23, 2015

The information that follows is intended to keep the Commission abreast of the on-going activities, issues, programs and services within the City.

City Manager's Office

City Manager

- The Deputy City Manager met with a citizen regarding current city concerns.
- The Deputy City Manager attended a pre-meeting and a meeting with the City Attorney, Finance Director, staff and a representative from the Martin Luther King Commemorative Committee to discuss the Lincoln Theater Façade Renovation.
- The Deputy City Manager met with St. Lucie County Legislative Affairs Manager Nicole Fogerty regarding an update on Local Legislative Issues.
- The Deputy City Manager and Planning Director met with staff and community members to discuss a proposed Pedestrian Plaza design for the development of St. Andrews Episcopal Academy.
- The Deputy City Manager attended the Economic Development Team meetings.
- The Deputy City Manager attended a meeting of the Keep Fort Pierce Beautiful Committee.
- The Deputy City Manager attended the Community Redevelopment Agency Advisory Committee meeting.
- The City Manager and Deputy City Manager attended standing meetings with Mayor Hudson.
- The City Manager and Deputy City Manager attended a standing meeting with Commissioner Becht.
- The Deputy City Manager and the Planning Director attended a meeting with representatives from Oculina Bank to discuss site development.
- The Deputy City Manager met with the Lincoln Park Council of Ministers to discuss improvements to the Means Court area.
- The City Manager participated in the Martin Luther King Day parade.

City Manager's Office contd.

- The Deputy City Manager met with the Administrative Services Director to discuss distribution of the Telecommunications Policy.
- The Marketing Specialist and members of the Economic Development Team met prospective developers to discuss local opportunities.
- The Deputy City Manager held the regularly scheduled Quarterly Fort Pierce Redevelopment Agency Board meeting.
- The Deputy City Manager met with staff to discuss Community Gardens and Moore's Creek kayak launch areas.
- The City Manager met with the City Attorney for an update on legal issues.
- The Deputy City Manager attended an Urban Redevelopment staff meeting.
- The Deputy City Manager and the Economic Development Team met a prospective developer regarding relocation and expansion into the local area
- The Deputy City Manager and the Chief Accountant met with a consulting attorney regarding mortgage modifications.
- The City Manager attended a meeting with the City Attorney and Building Official regarding a building issue.
- The Deputy City Manager attended a Communitywide Council meeting.
- The Deputy City Manager and the Planning Manager met with an Oculina Bank representative to discuss a shared access easement.
- The Deputy City Manager met with a representative from the Knights of Columbus to discuss available options for holding meetings.

City Clerk's Office

- **Business Tax Receipts –**
  New: 209 Renewals: 34 Transfers: 1
- **Vendor Permits Issued –**
  New: 1 Renewal: 0
- **Contractor Licensing –**
  New: 7 Renewals: 9
- **Public Records Requests** (not including Building Department) **–**
  New Requests: 0
- **Animal Registrations –**
  New/Renewals/Impound Fees: 8
- **Enterprise Zone Applications –**
  Sales Tax Refund Applications: 0
- **Agenda Preparation and Meeting Minutes –**
  1. City Commission – 01/20/15
  2. Fort Pierce Redevelopment – 01/20/15
- **Special Projects**
  1. Investigating BTR renewals returned by Post Office
  2. Investigating Contractor Competency Card renewals returned by Post Office
  3. On-going records retention/destruction project.
- **Meetings/Special Events Attended**
  1. City Clerk attended International Institute of Municipal Clerks Conference in Jacksonville

Administrative Services Department

- **Procurement –**
  1. Bid Opening for RFP No: 2015-027 Oaks at Moore's Creek Phase II
  2. Processed Bid No's: 2015-020 thru 2015-023 Housing Rehabilitation for: 906 Hickory Street; 2008 Ave P; 2802 Ave I; 714 S. 24th Street
  3. Advertisement dates: 01/13/15 & 01/20/15, Bid Opening Date: 02/12/15
  4. Processed Bid No's 2015-024 thru 2015-030 Housing Rehabilitation for : 1021 S. 7th Street; 2612 Delaware Ave; 515 N 15th Street; 820 N.10th Street
  5. Advertisement dates: 01/26/15 & 02/2/15, Bid Opening Date: 02/25/15
  6. Processed Contract for Bid No. 2015-010, Lincoln Park Neighborhood Improvement
  7. Processed Purchase Orders
  8. Processing and/or completion of awards to vendors/contractors approved by Commission.
  9. Meetings:
     a) Director of Administrative Services attended a meeting of the Board of Directors of Public Risk Managers.
     b) Purchasing Manager chaired a Mandatory Pre-Bid Meeting for Bid No. 2015-031 21st Street and Havana Avenue Sidewalk Improvements (FDOT Local Agency Program).

- **Human Resources –**
  1. Civil Service Appeals Board Meeting
  2. Compiled applications for review
  3. Created and processed retirement package for employees/DROP Employees
  4. Created personnel action forms.
  5. Distributed monthly Reports to each department such as Accrual Register, Time Sheets and payroll register to the Police Department

- **Risk Management –**
  1. Panelist at the Kids at Hope Forum
  2. January Wellness Seminar- Understanding Credit & Your Rights
  3. Accident Investigation and Injury Reviews.
  4. Audited, Closed and Processed WC Claims
  5. Consulted with the City Carrier regarding Liability Claims
  6. Processed day to day Risk Management Duties.

Finance Department

- Prepared 1st Quarter FY 2015 Financial Report.
- Working with auditors for audited financial report.

MIS Department

- Met with Deputy City Manager and the Administrative Director on the updated MIS policies that have been signed by the City Manager to strategize about deployment.
- Completing deployment of TextGuard for Cell phones for Management and with Police Department on board. Will continue to upgrade other cell phones.
- Working with Diebold on upgrading hardware and software for Security System for City Hall.
- Transitioning Sunrise Theatre emails.
- Ordered updated POS equipment for Indian Hills.
- Installation of Marina new additional hardware almost complete.
- Broadcasting software and hardware has been ordered with meeting scheduled for 1st week in February.
- Converting all sites to City Hall with a true WAN with Marina, Indian Hills/Police Department and Public Works completed. Work has started on Sunrise Theatre and River Walk Center.
- Still testing PetData software for Animal Control Officers in the field.
- Searching for options for Commissioners to be able to engage in audio or video conferencing when not physically able to attend meetings.
- Working with Comcast to WiFi entire City Hall and have receive resolution. Ordering needed equipment to facilitate process.
- Received quote from Selectron IVR reps for information on sending this function to the cloud or purchasing a new server and keeping the process in house.
- Upgrading out of lease copiers for several departments.
- Working on new servers, racks and Intune software citywide.
- Exploring cloud based options for different applications.
- Working on a WorkOptiFlow pilot program with Indian Hills Department.
- Processing VOIP spread sheet for remaining remote site (Sunrise Theatre) and gathering all information required including old numbers to be ported.
- Major problems with email due to virus attacks to our system (on-going).
- Servers and computer equipment for Sunrise Theatre are being processed for distribution.
- Software integrations citywide (on-going).
- Working with AT&T and State of Florida on the fiber optic installation preparation for Public Works/Solid Waste (ongoing).
- Lotus Notes IQsuite e-mail spam, and archiving (ongoing).
- Updating MIS documentation and procedural policies (on-going).
- Received thirty one (31) new work orders and completed seventy (70) work orders.

Building Division

- **2534 Madewood Dr. – New residential home:** Permit for new construction has been issued.
- **2506 Madewood Dr. – New residential home:** Permit for new construction has been issued.
- **300 S 33rd St – Greater Friendship Missionary:** Conditional Certificate of Occupancy has been issued.
- **1001 N US Hwy 1 – Bowen Medical Center:** Conditional Certificate of Occupancy has been issued.
- **1210 S 25th St – Family Dollar:** Application for commercial building permit has been submitted.

Planning Department

- **Administrative/Meetings –**
  1. All Staff members conducted 'Planner of the Day' duties on a rotating basis
  2. Walk-ins/Call-ins
  3. Board of Adjustment Meeting
  4. Planning Board Meeting
  5. Technical Review Committee Meeting

- **Development Review –**
  1. 1906 S. Ocean Drive – Technical Review Committee Meeting
  2. 2912 Delaware Ave - Technical Review Committee Meeting
  3. 650 S 29th Street - Allied Well Water Storage - Conditional Use w/ Site Plan – City Commission Staff Report
  4. 1210 S 25th Street - Family Dollar Site Plan – Planning Board Review
  5. S 25th Street - Mount Bethel Baptist Church - Site Plan Extension – City Commission Approval
  6. 1001 N US Highway 1 - Dr. Treat & Prevent - Certificate of Occupancy Inspection
  7. 300 S 33rd Street - Great Friendship Missionary Baptist Church - Certificate of Occupancy Inspection
  8. 4000 S US Highway - Muslim Friends Sanctuary Rehabilitation - Site Visit with Contractor
  9. 4760 S. US Highway 1 – O'Reilly Auto Parts Site Plan Review – Technical Review Committee Meeting
  10. 2600/2704 Okeechobee Road - O'Reilly Auto Parts Site Plan Review – Technical Review Committee Meeting
  11. Orkin Site – Development Project
  12. State Farmer's Market – Design Review Application
  13. Section 22-40 Planned Unit Development (PUD) – Text Amendment – Planning Board

- **Comprehensive Planning, Long Range Planning –**
  1. Annexation of Village at Midway

- **Historic Preservation –**
  1. 301 S US Highway 1 - Historic Preservation Ad-Valorem Tax Exemption – City Commission Staff Report
  2. 616 Orange Ave - Carport Structure - Administrative COA Approval

- **GIS/Mapping –**
  1. Review old annexation agreements
  2. Update annexation map
  3. Address update
  4. Annexation map production
  5. Map production for zoning

- **System Maintenance –**
  1. Database maintenance
  2. Worked with FPUA GIS coordinator

Code Enforcement Division

- **Hearing –**
  1. Code Enforcement Board
     a) 6 violation cases
        - 1 pulled by staff
        - 3 complied prior to hearing
        - 2 found in violation
     b) 2 lien reductions
        - Beracah Mellon – Code Board recommended waiving all costs. Recommendation forwarded to the City Commission for final approval.
        - Mariner Cove FP LTD – Code Board recommended reducing lien to administration costs only ($836.32). Recommendation forwarded to the City Commission for final approval.

- **Code Enforcement –**
  1. Received 33 complaints
  2. Issued 28 written warnings
  3. Issued 7 citations
  4. Initiated 44 new cases: 15 general violations, 8 lot clearing violations, 21 slum & blight remediation notices (CDBG grant)
  5. Conducted 235 follow-up inspections
  6. Closed 46 cases

- **Animal Control –**
  1. All Animal Control Officers are now utilizing the Shelter Pro database to input calls. Database not complete yet; reporting not accurate.

- **Revenue –**
  1. Conducted title / lien searches.
  2. PetData – Only 3 1/2 months into the FY and we have already exceeded our budgeted income.

- **Miscellaneous –**
  1. All Code Enforcement staff worked on addressing the tax signs that appeared throughout the city. Our code officers pulled over 700 signs from city right of ways. Seven citations were issued to four different companies.
  2. Code Manager attended training session held by Assistant City Attorney Walker for new Code Board members.
  3. Code Manager attended the monthly TRC meeting.
  4. Several code officers attended the seminar on protecting your credit.
  5. Code Manager met with Interim Police Chief Amandro to discuss code enforcement in chronic crime areas and to begin preparing a resolution on the CPTED guidelines for presentation to the City Commission.

Engineering Department

- **Development Reviews –** Intake of four (4) Building Permit, Site Plan, or Certificate of Occupancy reviews.
- **Stormwater Division –** Inputting location and elevation information of existing drainage structures into GIS mapping system. Preparation of 2015 report to FDEP – the biennial requirement of the City's NPDES Stormwater Permit.
- **Traffic Control –** City continues maintenance of all signals. Staff is continuing a refurbishment program on City maintained signals which include the rewiring of the existing mast arms. Staff is working with FDOT on the development of the new Phase 2 Signal Maintenance JPA requirements for FY 2015/16 which will look at increased performance requirements and adjusted reimbursement increases. FDOT has provided a copy of the proposed revisions for agency review.
- **City Marina Reconstruction – Phase II – Docks –** Bellingham has completed the installation of the finger piers for the first 320 feet of A-dock and all of B-dock. Bellingham is now working on the electrical wiring and plumbing for the south side docks. We continue working with marina staff and the electrical equipment manufacture on issues with nuisance tripping of the dock electrical sub panels. This tripping is caused by a new requirement in the 2011 electrical code for public safety which allows for only 100 ma of ground fault leakage. This leakage is coming from vessels parked on the dock. This is a new problem to Marina operators and will require education and repairs by boat owners to their own electrical systems.
- **S. 21st Street / Havana Ave. Sidewalk Project –** Bid opening is scheduled for January 29, 2015.
- **Indian Hills Recreation Area - Stormwater Improvements –** Final certification from FDEP expected within two weeks. This will complete the necessary utility relocations to enable the final portion of the lake expansion to occur. Pedestrian bridges have been substantially completed. Work on Alum Treatment plant continues with the installation of the mixing pumps and three injection points. Overall project completion is at 85%.
- **Veterans Memorial Park –** Contractor is addressing Phase I punch list items. Final plans have been received and staff is currently reviewing the plans. FDEP notified staff that they received approval from EPA on 12-23-14 for the 319 grant funding. FDEP will be forwarding an agreement in the next month or two which will go before the commission for approval.
- **Melody Lane Fishing Pier –** Bid package has been sent to Purchasing requesting advertisement of bids.
- **H.D. King Power Plant Clean-up –** Remaining work being split between 2015 and 2016 to take full advantage of the Voluntary Cleanup Tax Credit (VCTC). The $400k RFL loan was approved during the 11-21-14 Treasure Coast Regional Planning Council meeting and will be brought before the FPRA Board during the February 2015 special meeting. Cardno's proposal for the 2015 work was approved during the February 20 FPRA meeting and FPUA has issued a purchase order in the amount of $617,437 for their portion of the 2015 clean-up. Notice to Proceed will be issued early February 2015.
- **Lincoln Park Neighborhood Improvements –** A Pre-construction meeting will be held early February at which time a Notice to Proceed will be issued. The contract has been sent to Timothy Rose Contracting, for execution. The proposed work includes sidewalk and curbing construction, along with drainage installation, and milling and resurfacing of 8th Street (Avenue C to Moore's Creek); 9th Street (Avenue C to Avenue D); 10th Street (Avenue D to Moore's Creek); Avenue C (10th Street to 7th Street); and Dundas (Avenue C to Avenue D).

Police Department

- **Staffing –** The police department has five (5) vacancies as of this report: three sworn officer positions and two civilian positions (our Grant and Program Coordinator and the Projector Coordinator that is funded by OJJDP: Restoring the Village Youth Initiative).
- **Entertainment District –** The police department, code enforcement and the planning department continue to work on developing a long term comprehensive plan for the proposed entertainment district.
- **Nuisance Properties** – The police department, code enforcement and public works are working towards cleaning up some of our nuisance properties (clearing the overgrowth, boarding up vacant houses, and removing piles of trash) throughout the city. We will start with our chronic crime problem areas but address the nuisance properties citywide.
- **Restoring the Village Youth Initiative** – The police department and the Roundtable of St. Lucie County are processing applications for the Projector Coordinator. The Roundtable Committee is conducting interviews on February 3rd.
- **Homeless Initiative** – The police department continues to meet with the Treasure Coast Homeless Services Council to address the Homeless issues in Fort Pierce. In our meeting last month, we discussed and agreed to work on a proposal that will bring a homeless shelter to St. Lucie County. As you know, there are limited services for our homeless men, such as hot meals, clothing and showers at places like Sarah's Kitchen, the Mustard Seed and the Imagine of Christ. Our winter season is upon us; hopefully, there won't be too much of a need for our cold weather shelters but they will be available whenever the temperatures dictate the need.

Public Works Department

- **Energy Efficiency & Conservation –** The interior lighting retrofit is progressing rapidly with only City Hall remaining to do. Installation of the LED street lights has begun (3100 installed so far) and both chillers at City Hall and the PD have been replaced. The plumbing retrofits have been completed at City Hall and the HVAC control installations are nearing completion.
- **Phase II Window Retrofit Project –**Work has started on the City Marina building with an estimated completion within three weeks. The generator installation at the Police Department is completed and the generator for City Hall is installed with start-up scheduled for January 26, 2015.
- **HDRC Recreation –** Open gym nights are still being held during the week. Staff is still working on adding to our programming with quality activities for the youth and young adults of our community. There are some amazing talents playing basketball in the gym. The second score board and shot clocks have arrived and will be installed shortly.

River Walk Center

Park Permits	1512.99
Programming	654.35
River Walk Center	288.97
Garden Center	435.00
Special Events	450.00
Maravilla Center	600.00
Historic City Hall	638.22
Youth Activity	450.00
Total	$5029.53

Urban Redevelopment Department

- **Grants Administrator –**
  1. Completed and submitted HUD CDBG SF-425 quarterly report
  2. Completed draft of 3-Year (2015-2018) State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP)
  3. Created and published advertisements for SHIP LHAP Public Review and Comment period
  4. Completed and submitted Dr. Pepper/Snapple Recycle Container grant report
  5. Researched in preparation to write US Department of Justice Project Safe Neighborhoods grant application
  6. Continued working on the Highwaymen Heritage Trail project
  7. Received, organized and distributed additional commercial facade grant applications to Communitywide Council for scoring
  8. Completed and submitted grant to Fiskar's for improvements to Community Garden
  9. Researched and prepared to write grant application to Florida Inland Navigation District to provide match for previously submitted State of Florida Boating Infrastructure Grant for floating dinghy docks at the City Marina
  10. Provided oversight to Communitywide Council, including creating and distributing all meeting materials, organization, documenting Council's decisions on grant applications, etc., and attending meeting 1-21-15
  11. Attended City Commission meeting 1-20-15 for Maravilla Park playground equipment purchase; coordinated equipment purchase
  12. Attended two economic development team meetings
  13. Attended planning meeting for Black History Month festivities
  14. Attended meeting with Margaret Benton regarding Lincoln Theatre facade improvements
  15. Met with Ms. Hassie Russ regarding establishing a Visitor Center at Granny's Kitchen
  16. Collaborated with City Marina and provided informational booths to promote tourism in Fort Pierce at Stuart Boat Show, Friday-Sunday, January 9-10-11.

- **Program Analyst –**
  1. Marina Project
     a) Monitoring funding requests for reimbursement
     b) Received $3,432,798.36 for reimbursement toward the Docks, Phase II
     c) Received $1,364,681.20 for reimbursement toward the Barrier Islands, Phase I
     d) Reconciling payments
     e) Working on files for project close out
  2. Windows Expansion Project
     a) Preparing pay applications and requests for final payments. All work must be completed by February 1, 2015 under this grant.
     b) Received response from FEMA regarding request to add repair of pillars at St. Anastasia to the expansion project. The request was denied. The decision was based on their determination that the repairs needed were not storm related but were maintenance issues, which are not eligible under Hazard Mitigation Grants.
     c) Marina Building installation of windows nearly completed
     d) Preparing files for project close out.
  3. SHIP
     a) Contacting applicants to update them on their project
     b) Purchasing issued RFPs for 12 SHIP applicants for exterior rehabilitation improvements with site visits scheduled for January 23, January 30, and February 13.
     c) Bid openings scheduled for February 5, 12, and 25. Construction to begin shortly after.
     d) Assisted Libby Woodruff with LHAP by completing budget and goals charts for next three years.

Marina

- Oversee daily operations for City Marina and Fisherman's Wharf Marina.
- Bellingham Marine on site. The north side of the marina dock has been completed (1650 lf) dockage and is now being leased out upon request. South side of the marina (A, B, and C docks) is being constructed at this time. Completion time period estimated April 2015
- Web Cam installation on Jetty estimated completion date of February 2015.
- Marina staff working on programming dock and store inventory into new marina program. A second computer, a phone and a POS system is being added to the dock master office.
- All windows and door in the harbormaster building are in the process of being replaced. Completion is estimated in January (FEMA Grant) with hurricane rated material.

Golf Course

- Interviewed candidates regarding the open Assistant Golf Professional position.
- Met with the remaining Assistant Golf Professional regarding golf shop personnel.
- Day-to-day operations.

Sunrise Theatre

- Over the past weeks, the following performances and activities were presented in the Sunrise & Black Box Theatre: Fort Pierce Jazz and Blues Society and the Sunrise Theatre co-presented Tuesday Night Jazz Jam evenings on December 30 & January 6; Comedy Corner Improv on Saturday, January 10; The Sunrise hosted a free showing of the movie I'm In Love With A Church Girl on January 4. Performances on the Sunrise Theatre main stage included; The Nutcracker on December 26; Howie Mandel on January 3; National Touring Company of Sister Act on January 6; Don Williams on January 8; Two performances by The Beach Boys to a sold-out house on January 9; Johnny Mathis sold-out performance on January 11.
- Marketing and Box Office information for the new shows is being compiled and disseminated by and to appropriate staff to prepare them to go on sale to members and the general public. This includes all marketing assets for the second publishing (due out in January) of the Sunrise Playbill and the website.
- Assistance continues with future rental events and co-presentations with various community groups including, but not limited to: Kyman Entertainment on February 14 & March 14; Richard Nader Entertainment on March 19; Family Meals Inc., McCartney Mania, various shows with BlueBird Educational Foundation.
- Information from all departments is collected on a daily basis for the monthly report on the activities of the Sunrise Theatre, which was requested by the City Manager's office, to be delivered on a monthly basis. This report includes the schedule of in-house shows, rentals, attendance, revenue, and expenditures (tech, marketing, etc.).
- On a daily basis offers and contracts are still being negotiated with artists and their representatives to add to the 2014/15 Season. The Membership campaign for the coming season continues; both new and renewed memberships continue to come in with the addition of new shows.
- Marketing and show sponsorship packages continue to be put together to solicit for this season's shows. Foundation grant opportunities continue to be researched and grant applications continue to be written and submitted.
- Budget projections and adjustments for this and next year's fiscal year continue to be reviewed and implemented.