



CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

Technical Review Comments & Applicant Response ***Hollander Vacation Rental*** ***2025 South Ocean Drive***

1. FP Planning
2. FP Code Compliance
3. FP Engineering
4. FPUA

5. Applicant Responses



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Ted Hollander, Esq.
The Ticket Clinic
2219 Belvedere Road
West Palm Beach, FL 33406

**Re: Planning Department Review Comments
Conditional Use – Vacation Rental
2025 South Ocean Drive**

Dear Mr. Hollander, Esq.,

The following are advisory comments from the Planning Department's review of the application for Conditional Use to operate a Vacation Rental within the Single-Family Intermediate Density zone (R-2):

The City of Fort Pierce acknowledges the unregulated rental of single-family, two-family, multi-family or townhouse dwelling units by seasonal residents uniquely impacts established residential areas, and that it is therefore necessary and in the interest of the public health, safety and welfare to monitor and regulate the rental of such dwelling units.

Vacation Rentals have the capacity result in incompatible adverse impacts on neighborhoods including, but not limited to, increased noise, garbage, litter and traffic, changes to the private residential character of the neighborhood, the uncertainty and instability of the identity of occupants of neighboring properties, and a decline in the shared sense of community. Furthermore, short-term vacation rental use and longer term residential use are generally incompatible, due to the rapid turnover associated with short-term vacation rental use and the possible disruptive effect to the peaceful use and enjoyment of single-family residential areas. Short term rental periods to transient occupants are commercial in nature that is arguably best accommodated by hotels, motels and timeshares.

1) The property owner is encouraged to consider designating a Vacation Rental agent who is customarily present at a business location within the City of Fort Peirce in order to:

-Be available at the listed phone number 24 hours a day, seven days a week to handle any problems arising from the Vacation Rental use; and

-Be able and willing to come to the Vacation Rental dwelling unit within three hours following notification from the Code Enforcement Department of issues related to the Vacation Rental; and

- Monitor the Vacation Rental dwelling unit at least weekly to assure continued compliance with the requirements of this section.

2) The applicant is encouraged to review and ensure capacity to comply with Chapters 212 (Florida Tax and Revenue Act) and 509 (Public Lodging Establishments), Florida Statutes, and Rules 69A-43 (Uniform Fire Safety Standards for Transient Public Lodging Establishments) and 69A-60 (the Florida Fire Prevention Code), Florida Administrative Code, where applicable;

3) The applicant shall provide a traffic statement, comparing the anticipated traffic impacts of the proposed use, in comparison to a traditional single-family home. According to the ITE Trip Generation Manual, 7th Edition, resort hotels generate 13.43 trips per day, per occupied room. Furthermore, According to the ITE Trip Generation Manual, 7th Edition, Single-family detached houses generate between 8-10.5 trips per day.

4) Comprehensive Plan Consistency:

Pursuant to the City of Fort Pierce Comprehensive Plan, Future Land Use element, the Low Density Residential (RL) designation is intended for parcels that are best suited for lower density residential uses. The predominant development typology will consist of single family detached housing but can also contain duplexes and multifamily residences. Limited commercial uses **intended to serve the neighborhood** shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools and daycare facilities shall also be allowed. This land use category ranges in density from 1 to 6.5 dwelling units per acre. This category combines the previously allowed Residential Suburban (RS), Residential Urban (RU) and Low Density Residential (RI) categories.

1.1.10 Policy:

The City shall maintain the South Beach Overlay District in the Land Development Regulations for northern South Hutchinson Island to **protect the existing neighborhoods and maintain a low-density**, "Tropical Village by the Sea" character. The City will promote opportunities for tourism-related development and require the developments to be consistent with the provisions of the overlay district and the neighborhood character.

The presented use provides transient lodging, at a commercial capacity, however the use does not offer services or products to the neighborhood, therefore it is not deemed to be consistent with the land use designation. Consideration of a non-transient proposal, which offers lodging of 30 days or greater, may be a more appropriate alternative to ensure consistency this land use designation.

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,



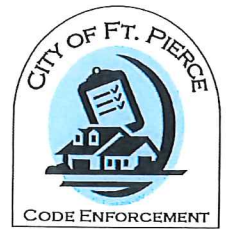
Kori Benton
Senior Planner



CITY OF FORT PIERCE

COMMUNITY RESPONSE DIVISIONS
MARGARET M. ARRAIZ, CODE COMPLIANCE MANAGER

Protecting the health, safety and welfare of our community



TO: Kori Benton, Senior Planner
FROM: Peggy Arraiz, Code Compliance Manager
RE: Technical Review Project: # 15-04000005
2025 S. Ocean Drive – Hollander Vacation Rental
DATE: August 10, 2015

Code Enforcement has reviewed the above project and has the following comments:

- In the General Project Description, the applicant has indicated that they will provide contact information in case of any violation. I think this should be a condition of approval and that if the contact information is not kept current, it become cause for revoking the Conditional Use.
- Vacation Rentals are regulated by the State of Florida, Division of Business & Professional Regulation – Division of Hotels & Restaurants. An approved state license is required.
- A City of Fort Pierce Business Tax Receipt is also required.
- The most common complaint our office receives regarding short term rentals is the improper use of garbage cans. I recommend that steps be taken to ensure compliance with this code as well as the codes that relate to parking, noise, outside storage, animal restraint and animal nuisance (picking up animal waste).



CITY OF FORT PIERCE DEPARTMENT OF ENGINEERING

Roadway Design, Engineering Reviews, Stormwater Utility Management,
Project Management, Traffic Control and Maintenance

INTEROFFICE MEMORANDUM

TO: Kori Benton, Senior Planner

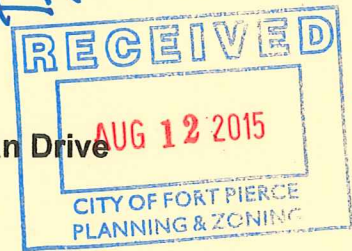
FROM: John R. Andrews, P.E., City Engineer *JRA*

DATE: August 11, 2015

PROJECT: Hollander Vacation Rental – 2025 S. Ocean Drive
Conditional Use Request

cc:

Attachment(s): None



This is to advise you that we have completed the review of the following documents:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Conditional Use | <input type="checkbox"/> P/D Drawings & Approved Site Plan |
| <input type="checkbox"/> Test Reports & Related Documents | <input type="checkbox"/> Certificate of Completion |
| <input type="checkbox"/> Record Drawings | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies | |

Based on our reviews and appropriate site final inspection, we Recommend; Do Not Recommend

- Approval of CU Building Permit C/O

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

See attached for recommended changes
JRA/tst



Conditional Use – Hollander Vacation Rental – 2025 S. Ocean Drive – (Kori Benton)

- **W/WW Engineering:** Approved
- **Gas and Electric Engineering:** Approved

TED L. HOLLANDER
6502 NW 63rd Way
Parkland, FL 33067
954-328-7475

August 21, 2015

Kori Benton
Senior Planner
City of Fort Pierce
PO Box 1480
Fort Pierce, FL 34954

Re: Conditional Use - Vacation Rental
Planning Department Review Comments
2025 S. Ocean Drive

Dear Mr. Benton,

Please accept this written response to the advisory comments of the planning department that I received on August 20, 2015. I appreciate the Department's review and comments relating to my application for conditional use.

While I too acknowledge the *potential* negative impact that a vacation rental may have on a residential neighborhood, I strongly believe that my conditional use will have a positive effect on the neighborhood for a number of reasons.

In recent months, the City of Fort Pierce has received unfavorable designations from various sources as "the worst place to live in Florida" and "the 9th most dangerous city in Florida." My wife, 3 kids and I have been coming to Fort Pierce for 5 years. We immediately fell in love with the area, and became frequent visitors to the local beaches, restaurants and attractions. Since then, we have constantly bragged about the city, and consequently friends and family have come to visit and some have even bought property here as well. Fort Pierce needs to continue to attract visitors who can help the city through tourism and through the acquisition of properties. Notwithstanding these designations, our family loves Fort Pierce. In fact, we have also purchased two commercial properties in the area, spent considerable resources to improve the properties and have provided nearly 30 local jobs. We strongly believe in the city of Ft. Pierce.

When we purchased the property in question (2025 S. Ocean Dr.), we impacted the neighborhood in a positive way. We took a vacant home and made significant improvements. We paid more than the appraised value, which helps all neighboring properties. We replaced 30 year old, non-working, unsightly garage doors, with hurricane rated garage doors. We completely protected the home's openings from hurricane damage, while the previous owner took no steps toward protection. We installed a 24 hour security system with burglar and fire protection. We are in the process of replacing the unsightly, rusted chain link fence with an attractive fence for the back yard. Each of these improvements will increase the property value, which helps each neighbor and the city as a whole.

Our proposed use is not intended to attract "spring breakers." Our target renter is either a couple or a family, who may have a pet. Our proposed rental rates will be significantly more expensive than a hotel. We will gladly self-impose age restrictions on renters, number of occupants in the home and allow only a certain number of vehicles to be on the property.

The remaining comments will address the Department's comments by section number:

- 1) If this conditional use is approved, we will gladly designate a vacation rental agent who will constantly be nearby. This agent will be available 24 hours a day, 7 days a week to handle any issues/problems. We live less than 2 hours away, and will be able to come to the home as needed as well. Our agent will monitor the property at least weekly to ensure continued compliance.
- 2) We will gladly comply with Ch. 212 and 509, Florida Statutes, and rule 69A-43 and 69A-60, FL. Admin Code where applicable.
- 3) We anticipate traffic to be significantly less than if the home was rented to a single family for a traditional rental period. The ITE manual's numbers provided in the Department's comments, establish this point. This home is a 4 BR, 3 Bath home. If rented to a family, the home could easily accommodate a family of 5-6 (2 parents and 3-4 kids). Using ITE's numbers, we must presume that a home of this size will generate at least 10.5 trips per day on average. Over the course of 1 year, that equals approximately 3832 trips per year. The vast majority of vacation rental inquiries come from retired couples, not large families. According to zillow.com, the average occupancy rates for vacation rentals is at 56%. That means that on average 44% of the time, the home will not be occupied. Using the numbers provided by the ITE manual, there would only be 2745 vehicle trips per year if rented as a vacation home (56% of 365 days = 204 days, 204 x 13.43 trips per day = 2745). This number is 28% less than the expected number of trips if the home was rented on an annual basis. This same analysis must be applied when considering the amount of garbage generated over the course of the year. The home would be professionally cleaned after each renter. There will be no litter on the property, and the property will be immaculately cared for. The yard will be professionally cut regularly. (There are nearby neighbors that have had the same "garage items" in their driveway for months! They have literally used their driveway for storage items since June!) I assure you, I will try to improve the area, not negatively effect it. When marketing a vacation home, it must be in immaculate condition. This home will not be an exception.
- 4) If approved, the home would be rented to families. It will not be treated as a hotel, rented by room. The anticipated use, will keep the intended "low-density" character in tact.

In recent years, the city of Fort Pierce has made great strides to improve the South Beach area. From improved roads, new street light poles, a renovated jetty area, major renovations to the marina and the announcement of new eating establishments that will be coming soon, tourism will continue to increase. I have even seen billboards at the Fort Lauderdale airport inviting people to visit Hutchinson Island. The City obviously wants more visitors. However, lodging is significantly lacking. Families (with or without pets) have very few options. Should they stay at the hotel by the jetty, that has constant live music (and recent violence) or should they stay on the other side of the bridge? What should they do if they travel with a dog? There are virtually no options. Without adequate lodging, tourists will choose other destinations. The economic impact from tourism to the local community could be tremendous. The City should take a fresh look at this issue and lower the strict regulations in the city's ordinance. Respectful tourists, who are eager to spend money and learn what the city has to offer should be welcomed and not shunned. Prohibiting rentals of this sort will drive them to neighboring cities. If allowed, they will continue to come back year after year, which in turn will help Ft. Pierce be a destination of choice for travelers for many years to come.

I look forward to your further comments.

Sincerely,

Ted Hollander