

CITY PLANNING BOARD

BOARD AGENDA

Planning Board Regular Meeting - Tuesday, March 10, 2015 - 6:00 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CONSIDERATION OF ABSENCES**
5. **CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS**
6. **APPROVAL OF MINUTES**
 - a. February 10, 2015 Meeting
7. **NEW BUSINESS**
 - a. Proposed Amendment to Sec. 22-22 Allowed Uses - To grant a Farmer's Market or Farm Stand Use as permitted in I-2 zoning districts.
 - b. Abandonment of Alleyway - RAST Properties - 702 Atlantic Avenue
 - c. Special Exception - Carl & Cynthia Onachila - 61 Southpointe Drive
8. **ELECTION OF CHAIR, VICE-CHAIR AND SECRETARY**
9. **BOARD COMMENTS**
10. **ADJOURNMENT**

Any person seeking to appeal any decision by the Planning Board with respect to any matter considered at this meeting is advised that a record of proceedings is required in any such appeal and that such person may need to insure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact (772) 467-3729, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

Planning Board

6. a.

Meeting Date: 03/10/2015

Information

REQUESTED ACTION

February 10, 2015 Meeting

LOCATION

RESPONSIBLE STAFF

RECOMMENDATION

Attachments

Planning Board Minutes 2/10/2015

Form Review

Form Started By: Alicia Rosenthal

Started On: 03/02/2015 10:13 AM

Final Approval Date: 03/02/2015

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **February 10, 2015**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Brian Paul; Robert Poitier; Marcia Baker; Erica Ganzi; Mike Dahan; Eloise Cummings; Eduardo Mujica; Tim O'Connell; Steve Weaver; Chairman Bob Burdge

Absent: John George

Staff Present: Rebecca Grohall, AICP, Planning Manager
James Walker, Assistant City Attorney
Kori Benton, Historic Preservation Officer
Clarissa Davis, Planner
Alison Rutkowski, Planning Analyst
Alicia Rosenthal, Administrative Assistant

Mr. Paul joined the meeting at 7:33 PM.

4. CONSIDERATION OF ABSENCES

At the request of the chairman, this item was moved after New Business.

Motion was made by Marcia Baker, and seconded by Robert Poitier to excuse the absence of Mr. George.

AYE: Brian Paul, Robert Poitier, Marcia Baker, Erica Ganzi, Mike Dahan, Eloise Cummings, Eduardo Mujica, Tim O'Connell, Steve Weaver, Chairman Bob Burdge

Passed

5. CERTIFICATION OF ALTERNATE MEMBER VOTING STATUS

Mr. Weaver participated in discussions and voting.

6. APPROVAL OF MINUTES

a. January 13, 2015 Meeting

Motion was made by Robert Poitier, and seconded by Tim O'Connell to approve the minutes from the January 13, 2015 meeting.

AYE: Brian Paul, Robert Poitier, Marcia Baker, Erica Ganzi, Mike Dahan, Eloise Cummings, Eduardo Mujica, Tim O'Connell, Steve Weaver, Chairman Bob Burdge

Passed

7. NEW BUSINESS

a. Conditional Use - Treasure Coast Bible Assembly Church - 4146 Edwards Road

Mr. Benton gave an overview of the application. Board discussion ensued. Mr. Benton answered questions regarding the application and provided additional information. David Cleveland, Applicant Representative, answered questions from the Board.

Motion was made by Steve Weaver, and seconded by Robert Poitier to forward a recommendation to the City Commission for approval with the following conditions:

- 1) The proposed landscape plan is updated to comply with City Code Section 22-187 (6) a. & b, providing adequate landscaping along the eastern property line; and
- 2) The plan provide for the integration of the facility to existing FPUA sewer service pursuant to City Code Sections 20-40 (3) and (4), prior to any future expansion.

AYE: Robert Poitier, Marcia Baker, Erica Ganzi, Steve Weaver, Mike Dahan, Eloise Cummings, Eduardo Mujica, Tim O'Connell, Chairman Bob Burdge

Passed

b. Conditional Use with New Construction and Site Plan - Diocese of Palm Beach Inc. - 2912 Delaware Avenue

Ms. Rutkowski gave an overview of the application. The Board discussed the application and Ms. Rutkowski answered questions. Liz Colome', Applicant Representative, from Colome' and Associates, spoke on behalf of the church.

Motion was made by Marcia Baker, and seconded by Erica Ganzi to forward a recommendation of approval to the City Commission with the following condition:

All Engineering comments are satisfied at the time of building permit application.

AYE: Tim O'Connell, Eduardo Mujica, Eloise Cummings, Mike Dahan, Steve Weaver, Erica Ganzi, Marcia Baker, Robert Poitier, Chairman Bob Burdge

Passed

c. Site Plan - Family Dollar - 1210 S 25th Street (Approximate Address)

Mr. Benton gave an overview of the application. Board discussion ensued. Erik Juliano, Applicant Representative, from Bowman Consulting, provided additional information and answered questions from the Board.

Motion was made by Steve Weaver, and seconded by Robert Poitier to forward a recommendation to the City Commission for approval of the Site Plan with the following conditions:

1. The applicant shall record and provide a recorded copy of a Unity of Title combining the subject parcels prior to issuance of a building permit.
2. The applicant shall provide an Owner and Encumbrances title search for each of the right-of-way (R.O.W.) dedications presented prior to the issuance of building permit.
3. The applicant shall record and provide a recorded copy of said R.O.W. dedications and/or R.O.W. easements prior to the issuance of a Certificate of Occupancy.
4. The applicant shall work with staff, between now and the City Commission meeting, towards a resolution, regarding the Boards concerns about a loading space.

AYE: Robert Poitier, Marcia Baker, Erica Ganzi, Steve Weaver, Mike Dahan, Eloise Cummings, Eduardo Mujica, Tim O'Connell, Chairman Bob Burdge

Passed

- d. Conditional Use with New Construction and Site Plan - Artistry In Mosaics - 900 S US Highway 1 (Approximate Address)

Mr. Benton gave an overview of the application and answered questions from the Board. John Foster, Applicant's Representative, provided further information. Andy Hochstetter, President and Owner of Artistry in Mosaics, expounded on Artistry in Mosaics history.

Motion was made by Robert Poitier, and seconded by Marcia Baker to forward a recommendation to the City Commission for approval of the Site Plan and Conditional Use with the following conditions:

1. The applicant install an additional bike rack within fifty (50) feet of the main entrance to the new structure, pursuant to City Code Section 22-60(f)(1)c.;
2. The applicant shall record a shared access agreement, between the two facilities, and benefitting the abutting properties to northwest, prior to issuance of a Certificate of Occupancy;
3. The applicant shall record and provide a recorded copy of said easement dedications prior to the issuance of a Certificate of Occupancy;
4. The future warehouse expansion is completed within five (5) years from the issuance of a Certificate of Occupancy for the primary structure, unless an extension is granted by the City Commission;
5. The concurrent request for alleyway abandonment is completed, as the development plan encompasses the subject property; and
6. The applicant successfully acquires the city owned property encompassed within the boundaries of the development plan.

AYE: Eduardo Mujica, Eloise Cummings, Mike Dahan, Steve Weaver, Erica Ganzi, Marcia Baker, Robert Poitier, Brian Paul, Tim O'Connell, Chairman Bob Burdge

Passed

- e. Abandonment - Artistry in Mosaics - Remaining Alleyway located between Georgia Avenue and Hayes Road

Mr. Benton gave an overview of the application. The Board discussed the item and asked questions of Mr. Benton. Mr. Walker asked staff questions to provide some clarification on the abandonment.

Motion was made by Marcia Baker, and seconded by Robert Poitier to forward a recommendation to the City Commission for approval of the requested abandonment with the following conditions:

1. A 30 ft. easement, encompassing the affected alleyway, is recorded concurrent with the abandonment;
2. The applicant record a shared access agreement benefiting the abutting properties, in order to ensure cross access of the sites, and provide an alternative means of ingress/egress for the established and future site(s); and
3. The applicant coordinate and complete the elimination of the existing access point to the alley considered for abandonment and remaining segment of existing asphalt which will no longer be in use.

AYE: Robert Poitier, Marcia Baker, Erica Ganzi, Steve Weaver, Mike Dahan, Eloise Cummings, Eduardo Mujica, Tim O'Connell, Brian Paul, Chairman Bob Burdge

Passed

- f. Sale or Transfer of Surplus Property - Informal Bid No. 2015-015 - Property (.18 acres) Located on South 3rd Street, between Georgia Avenue and Hayes Road

Mr. Benton gave an overview of the Informal Bid Response. Board discussion ensued. Mr. Benton answered questions and provided additional information. John Foster, Applicant Representative, spoke on behalf of the proposal.

Motion was made by Steve Weaver, and seconded by Marcia Baker to forward a recommendation to the City Commission for approval of the requested acquisition.

AYE: Eloise Cummings, Mike Dahan, Steve Weaver, Erica Ganzi, Marcia Baker, Robert Poitier, Brian Paul, Tim O'Connell, Eduardo Mujica, Chairman Bob Burdge

Passed

- g. Abandonment - James P. Flynn - 1906 S. Ocean Drive

Ms. Rutkowski gave an overview of the application and answered questions from the Board. James Flynn, Property Owner, answered questions from the Board.

Motion was made by Erica Ganzi, and seconded by Marcia Baker to forward a recommendation of approval to the City Commission.

AYE: Erica Ganzi, Steve Weaver, Mike Dahan, Eloise Cummings, Eduardo Mujica, Tim O'Connell, Brian Paul, Robert Poitier, Marcia Baker, Chairman Bob Burdge

Passed

- h. Design Review - State Farmer's Market - 3503 S US Hwy 1

At the request of the Chairman, this item was moved to the first item under New Business.

Ms. Davis gave an overview of the application. The Board discussed the Design Review application and asked questions of staff. Ms Davis answered the Board questions and provided additional information. Mr. Walker clarified the language in the code and explained why the Design Review application went from the Board of Adjustment back to the Planning Board. Craig Crist, Project Manager, Florida Department of Agriculture spoke about the project and answered questions from the Board.

Motion was made by Erica Ganzi, and seconded by Robert Poitier to forward a recommendation to the City Commission to uphold code Sections 22-59(g)(4)d *Elevations* based on Section 22-59(d)(2)l *Procedure of Approval* that the metal pre-engineered structure with the handrails and picket fence is appropriate based on the surrounding area structures

AYE: Mike Dahan, Steve Weaver, Erica Ganzi, Marcia Baker, Robert Poitier, Tim O'Connell, Eduardo Mujica, Eloise Cummings, Chairman Bob Burdge

Passed

8. BOARD COMMENTS

9. ADJOURNMENT

Planning Board

7. a.

Meeting Date: 03/10/2015

Information

REQUESTED ACTION

Proposed Amendment to Sec. 22-22 Allowed Uses - To grant a Farmer's Market or Farm Stand Use as permitted in I-2 zoning districts.

LOCATION

n/a

RESPONSIBLE STAFF

Clarissa Davis, Planner

RECOMMENDATION

Staff recommends that the Planning Board forward a recommendation of approval to the City Commission.

Attachments

Staff Report

Code Section 22-22(e) Excerpt

Comprehensive Plan Land Use Description

Form Review

Form Started By: Clarissa Davis

Started On: 02/26/2015 10:37 AM

Final Approval Date: 03/02/2015



CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

TO: Members of the City of Fort Pierce Planning Board
THROUGH: Rebecca Grohall, AICP, Planning Manager
FROM: Clarissa Davis, Planner
SUBJECT: Text Amendment – Farmer’s Market or Farm Stand Use
DATE: February 26, 2015

STAFF REPORT

Staff Analysis:

This text amendment is a staff initiated proposal to amend code Section 22-22(e) *Allowed Uses – Use Table* in regards to the use “Farmer’s Market or Farm Stands”.

In 2012, the applicant, State of Florida Agriculture and Consumer Services, applied for a zoning text amendment to make “Farmer’s Markets and Farm Stands” a permitted use within the I-1, Light Industrial zone. The proposal was granted by the City Commission on October 1, 2012. In November 2013, code Section 22-22 *Allowable Uses* was modified to display permitted and conditional uses in tabular form. The result was the “Farmer’s Market or Farm Stand” use converted to a conditional use in error. This proposal is to rectify that error and allow the “Farmer’s Market or Farm Stand” use to be a permitted use within the I-1, Light Industrial zone once again.

Code Section 22-131 *Basic Amendment Standards* states the following regarding review of amendment applications: Before an amendment is approved, findings will be made that the following standards are satisfied:

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

This application has met these requirements.

TRC Comments:

At the February 19th TRC meeting, the participating departments had no comment on the application.

Comprehensive Plan

In regards to uses, The Comprehensive Plan considers Industrial areas to exhibit the following:
“The uses allowed under this designation include light manufacturing and processing facilities; storage and distribution facilities; warehousing; **general and intensive commercial uses**; research corporate parks, large business parks and mixed use office parks; office, retail, and service uses that provide support to employees; and compatible public, quasi-public, and special uses.”

Staff Comments:

Staff recommends that the Planning Board forwards a recommendation of approval to the City Commission.

Below is an excerpt from code Section 22-22(e) *Use Table* which displays the proposal for the “Farmer’s Market or Farm Stand” use to be considered a permitted use. The use is highlighted in red.

ZONING DISTRICT	E1	E2	E3	R1	R2	R3	R4	R4A	R5	C1	C2	C3	C4	C5	C6	CP	I1	I2	I3	OS1	OS2	A1	A2
COMMERCIAL																							
Eating and Drinking Establishments																							
–Brew Pub	-	-	-	-	-	-	-	-	C	P	C	P	P	P	P	C	C	C	-	-	-	-	-
–Coffee Shop	-	-	-	-	-	-	C	-	C	C	P	P	P	P	P	C	C	C	-	-	-	-	-
–Neighborhood Bistro	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-
–Neighborhood Café	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-
–Restaurants, Fast Food	-	-	-	-	-	-	-	-	C	-	-	P	P	P	P	C	C	C	-	-	-	-	-
–Restaurant and Bar	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	C	-	-	C
–Wine/Cigar Bar	-	-	-	-	-	-	-	-	C	C	C	P	P	P	P	C	C	C	-	-	-	-	-
Entertainment, Indoor (except as noted below)																							
–Adult Establishment	-	-	-	-	-	-	-	-	-	-	-	P	-	-	-	-	-	-	-	-	-	-	-
–Arcade Amusement Center	-	-	-	-	-	-	-	-	-	-	-	C	-	-	-	-	-	-	-	-	-	-	-
–Bar or Nightclub	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-
–Theater	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-
Entertainment, Outdoor (except as noted below)																							
–Batting Cages, Driving Ranges	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	-	-	-	-	-	-	-	-
–Stables or Equestrian Facilities	C	C	C	-	-	-	-	-	-	-	-	P	-	P	-	-	-	-	-	-	-	-	-
–Stadium or Arena	-	-	-	-	-	-	-	-	-	-	-	C	-	C	C	-	C	C	-	-	-	-	-
Marine-Related Commercial (except as noted below)																							
–Boat and Marine Equipment Sales	-	-	-	-	-	-	-	-	-	C	-	P	P	C	P	-	-	C	-	C	-	-	C
–Marina/Boat Livery	-	-	-	-	-	-	-	-	-	C	-	C	C	C	C	-	-	P	-	C	-	-	C
Office																							
–Administrative, Professional, General, Medical Office	-	-	-	-	-	-	C	C	C	P	P	P	P	P	P	P	C	C	-	-	-	-	-
–Day Labor Employment Agency	-	-	-	-	-	-	-	-	-	P	C	P	P	-	-	P	-	-	-	-	-	-	-
–Medical and Dental Clinic	-	-	-	-	-	-	-	-	-	P	C	P	P	C	-	P	-	C	-	-	-	-	-
–Television and Radio Studios	-	-	-	-	-	-	-	-	-	P	P	P	P	P	C	P	-	C	-	-	-	-	-
ZONING DISTRICT																							
Overnight Accommodations																							
–Bed & Breakfast	-	-	-	-	-	-	C	C	C	-	P	P	P	P	-	-	-	-	-	-	-	-	-
–Dwelling Rental	-	-	-	C	C	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
–Hotel/Motel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	C	-	-	-	-	-	-	-
–Recreational Vehicle Park	-	-	-	-	-	-	-	-	-	-	-	C	-	C	-	-	-	-	-	-	-	-	-
–Resort Hotel	-	-	-	-	-	-	-	-	-	-	-	P	P	P	P	-	-	-	-	-	-	-	-
Parking, Commercial																							
–Retail Sales & Service, Sales-Oriented (except as noted below)	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
–Art Gallery	-	-	-	-	-	-	-	-	-	C	C	P	P	P	-	C	-	-	-	-	-	-	-
–Farmers Market or Farm Stand	P	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	P	-	-	-	-	-	-
–Grocery or Liquor Store	-	-	-	-	-	-	C	-	C	-	P	P	P	C	-	C	-	-	-	-	-	-	-
–Neighborhood Commercial Sale	-	-	-	-	C	C	P	P	P	-	P	P	P	C	-	C	-	-	-	-	-	-	-
–Office Supplies & Electronics	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-
–Pet Stores	-	-	-	-	-	-	-	-	-	-	-	P	P	P	-	C	-	-	-	-	-	-	-

GOP Table 1-1: Future Land Use Density/Intensity Summary Table

<i>Land Use Category</i>	<i>Residential Density (dwelling units per gross acre)* (Also refer density bonus outlined in Policy 1.1.5)*</i>	<i>Non-Residential Floor Area Ratio (FAR)*</i>	<i>Land Use Breakdown</i>
RESIDENTIAL			
Low Density Residential (RL)	1-6.5 du/ac	-	
Hutchinson Island Residential (HIR)	8 du/ac	-	
Medium Density Residential (RM)	6.5-12 du/ac	-	
High Density Residential (RH)	12-18 du/ac	-	
COMMERCIAL			
Boundary Commercial (BC)	N/A	1.0	N/A
Neighborhood Commercial (NC)	10du/ac	0.5	Residential uses may comprise up to 20% of the total floor area of the Neighborhood Commercial future land use designation.
General Commercial (GC)	15 du/ac	1.0	Residential uses may comprise up to 20% of the total floor area of the General Commercial future land use designation.

Land Use Category	Residential Density (dwelling units per gross acre)* (Also refer density bonus outlined in Policy 1.1.5)*	Non-Residential Floor Area Ratio (FAR)*	Land Use Breakdown
Central Business District (CBD)	30 du/ac*	3.0	Residential uses shall comprise a minimum of 25% of the total floor area of the Central Business District future land use designation.
Marine Commercial (MC)	15 du/ac	1.0	Residential uses may comprise up to 20% of the total floor area of the Marine Commercial future land use designation.
Urban Neighborhood (UN)	15 du/ac	1.2	Residential uses may comprise up to 35% of the total floor area of the Urban Neighborhood future land use designation.
MIXED USE			
Hutchinson Island Mixed Use (HIMU)	8 du/ac	1.0	Non-residential uses may comprise no more than 20% of the total floor area of the Hutchinson Island Mixed Use future land use designation.
Mixed Use Development (MXD)	15 du/acre	1.5	Residential uses shall comprise a minimum of 40% of the total floor area of the Mixed Use Development future land use designation.

Land Use Category	Residential Density (dwelling units per gross acre)* (Also refer density bonus outlined in Policy 1.1.5)*	Non-Residential Floor Area Ratio (FAR)*	Land Use Breakdown
Offices - Professional and Business Services (OP)	10-18 du/ac	1.0	Residential uses may comprise up to 20% of the total floor area of the OP future land use designation.
PUBLIC/INSTITUTIONAL			
Institutional (INST)	N/A	1.0	N/A
INDUSTRIAL			
Boundary Industrial (BI)	N/A	1.5	N/A
Industrial (I)	N/A	1.5	N/A
Heavy Industrial (HI)	N/A	2.0	N/A
CONSERVATION/OPEN SPACE			
Conservation and Open Space (COS)	N/A	0.25	N/A

* - Density bonus provisions are outlined in Policy 1.1.5 of the City's Future Land Use Element.

- 1.1.3 Policy:
The City shall ensure that future land use designations are compatible with adjacent land uses both within and outside the City boundary.
- 1.1.4 Policy:
The City shall administer Land Development Regulations consistent with the future land uses in this Element. The general description of each land use category is as follows:

A. Residential

Low Density Residential (RL): 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.

Hutchinson Island Residential (HIR): The Hutchinson Island Residential (HIR) designation is intended for parcels that are best suited for residential development on Hutchinson Island. This future land use category allows single-family detached and attached units, duplexes and multifamily residences at densities ranging up to 8 dwelling units per acre. Limited public uses and commercial uses that are compatible with the surrounding development shall also be allowed. The previous "Medium Density Residential Hutchinson Island (Rmhi)" has been renamed.

Medium Density Residential (RM): The Medium Density Residential (RM) designation is intended for parcels that are best suited for multifamily residential uses ranging in density from 6.5 to 12 dwelling units per acre. This category allows small-lot single family units and multifamily dwellings including duplexes, condominiums and townhomes. Limited commercial uses intended to serve the residential uses 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 category combines the previously allowed Medium Density Residential (Rme) and Moderate Density Residential (Rmo) categories.

High Density Residential (RH): The High Density Residential (RH) designation is intended for parcels that are best suited for medium to high density multifamily residential uses ranging in density from 12 to 18 dwelling units per acre. This category allows multifamily dwellings including apartments, condominiums and townhomes. Limited commercial uses intended to serve the residential uses shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools and daycare facilities shall also be allowed.

Hutchinson Island Mixed Use (HIMU): The Hutchinson Island Mixed Use (HIMU) designation is intended for parcels that are best suited for medium to high density and intensity mixed use developments on Hutchinson Island. The maximum residential density allowed within this category is 8 dwelling units per acre and the maximum floor area ratio (FAR) is 1.0. Non-residential uses may comprise no more than 20% of the total floor area of the Hutchinson Island Mixed Use future land use designation. The previous Medium Density Residential Hutchinson

Island/General Commercial (Rmhi/Cg) category has been renamed to Hutchinson Island Mixed Use.

B. Commercial

Boundary Commercial (BC): The Boundary Commercial designation allows medium intensity commercial developments that are primarily intended to serve surrounding neighborhoods and residential areas. Uses allowed within this designation include general commercial, retail, offices, tourist/entertainment facilities, hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. This land use designation allows a maximum FAR of 1.0.

Neighborhood Commercial (NC): The Neighborhood Commercial designation permits lower intensity commercial developments that are primarily intended to serve surrounding neighborhoods and residential areas. Uses allowed within this designation include limited retail and commercial services such as convenience/grocery stores, beauty salons, day care facilities; offices; and multifamily residential. This land use designation allows a maximum density of 10 dwelling units per acre and a maximum FAR of 0.5. Residential uses may comprise up to 20% of the total floor area of the Neighborhood Commercial future land use designation.

General Commercial (GC): The General Commercial designation provides for higher intensity commercial developments or horizontal and vertical mixed-use developments. Uses allowed within this designation include multifamily residential, intensive and general commercial, retail, service, offices, tourist/entertainment facilities, hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. This land use designation allows for a maximum density of 15 dwelling units per acre and a maximum FAR of 1.0. Development shall include either commercial or mixed uses fronting major roadway corridors with higher intensity near major intersections. Residential uses may comprise up to 20% of the total floor area of the General Commercial future land use designation.

Central Business District (CBD): The CBD designation mixed-use high-rise development and single-use or mixed-use development that includes ground floor office/retail beneath residential apartments and condominiums. The CBD is intended to provide higher density mixed-use development within downtown Fort Pierce. Uses within the CBD shall include residential (condominiums and apartments); office including artist work and sales space; retail including boutiques, cafes, and restaurants; fuel sales; hotels/motels; parks and recreation; governmental facilities; complementary parks and parking facilities. This land use designation allows a maximum density of 30 dwelling units per acre and a maximum FAR of 3.0. Key characteristics of CBD shall include:

- Compact and intensive development pattern on a pedestrian scale;
- Buildings oriented to the street and define the streetscape and civic spaces;
- Development design that encourages pedestrian-oriented activities with plazas, cafes, bookstores, and restaurants that draw a variety of people;
- Vertical and horizontal integration of residential and non-residential uses;
- Good connection to transit and pedestrian facilities;
- Public parks and open space areas within walking distance of development;
- Parking that is integrated into street design and buildings or placed in separate structures; and
- Wide sidewalks with appropriate pedestrian amenities.

Residential uses shall comprise a minimum of 25% of the total floor area of the Central Business District future land use designation.

Marine Commercial (MC): The Marine Commercial designation is intended to promote commercial and industrial uses with a focus on marine related establishments along the waterfront. Uses allowed within this designation include marine-related light industrial activities and tourist activities, marinas, boat stores/boat repair, restaurants, retail shops, hotels, and offices. Multifamily residences also allowed in this designation. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.0. Residential uses may comprise up to 20% of the total floor area of the Marine Commercial future land use designation.

Mixed Use Development (MXD): The MXD designation is intended to promote intensification, redevelopment, and revitalization of the areas targeted for live/work environments. This area is characterized by development that promotes the creation of well-planned centers designed to integrate a variety of complementary uses. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.5. All MXD designated areas shall contain a minimum of three (3) of the following general land uses:

- Residential (single-family and/or multifamily)
- Commercial – General and/or Neighborhood
- Commercial – Town Center
- Hotel (minimum 100 units)
- Office Uses – Professional and/or medical
- Industrial
- Institutional

Residential uses shall comprise a minimum of 40% of the total floor area of the Mixed Use Development future land use designation.

Offices – Professional and Business Services (OP): The OP designation provides for office and limited commercial developments or horizontal and vertical mixed-use developments. Commercial uses that do not directly sell, store, or display goods, and generate limited auto trips are allowed within this district. Permitted uses allowed within this designation include limited convenience commercial uses, restaurants, and hotels/motels, parks and recreation, along with compatible public, quasi-public, and special uses. Multifamily residences also allowed. This land use designation allows a maximum density of 18 dwelling units per acre and a maximum FAR of 1.0. Residential uses shall comprise up to 20% of the total floor area of the OP future land use designation.

Urban Neighborhood (UN): The Urban Neighborhood designation is characterized by established pedestrian-oriented neighborhoods that allow for low-intensity boutique-scale commercial uses that support the nearby residential uses within the neighborhood; low-intensity workshops for fabrication may be appropriate as an accessory use. Design and performance standards will be based upon adopted individual neighborhood plans. This land use designation allows a maximum density of 15 dwelling units per acre and a maximum FAR of 1.2. Residential uses shall comprise up to 35% of the total floor area of the Urban Neighborhood future land use designation.

C. Institutional

Institutional (INST): The Institutional designation provides for public, quasi-public and private institutional uses. Permitted uses within this designation include government buildings; private and public schools; community centers; colleges; public airports; public parking structures; major community facilities, including hospitals, non-profit medical facilities, medical facilities; religious institutions, and government offices. A maximum of 1.0 FAR is permitted.

D. Industrial

Boundary Industrial (BI): The Boundary Industrial designation is intended for parcels suitable for industrial development and to promote the City's position as a major employment center. The uses allowed under this designation include intensive manufacturing and industrial uses, storage and distribution facilities and warehousing. This land use designation allows a maximum FAR of 1.5.

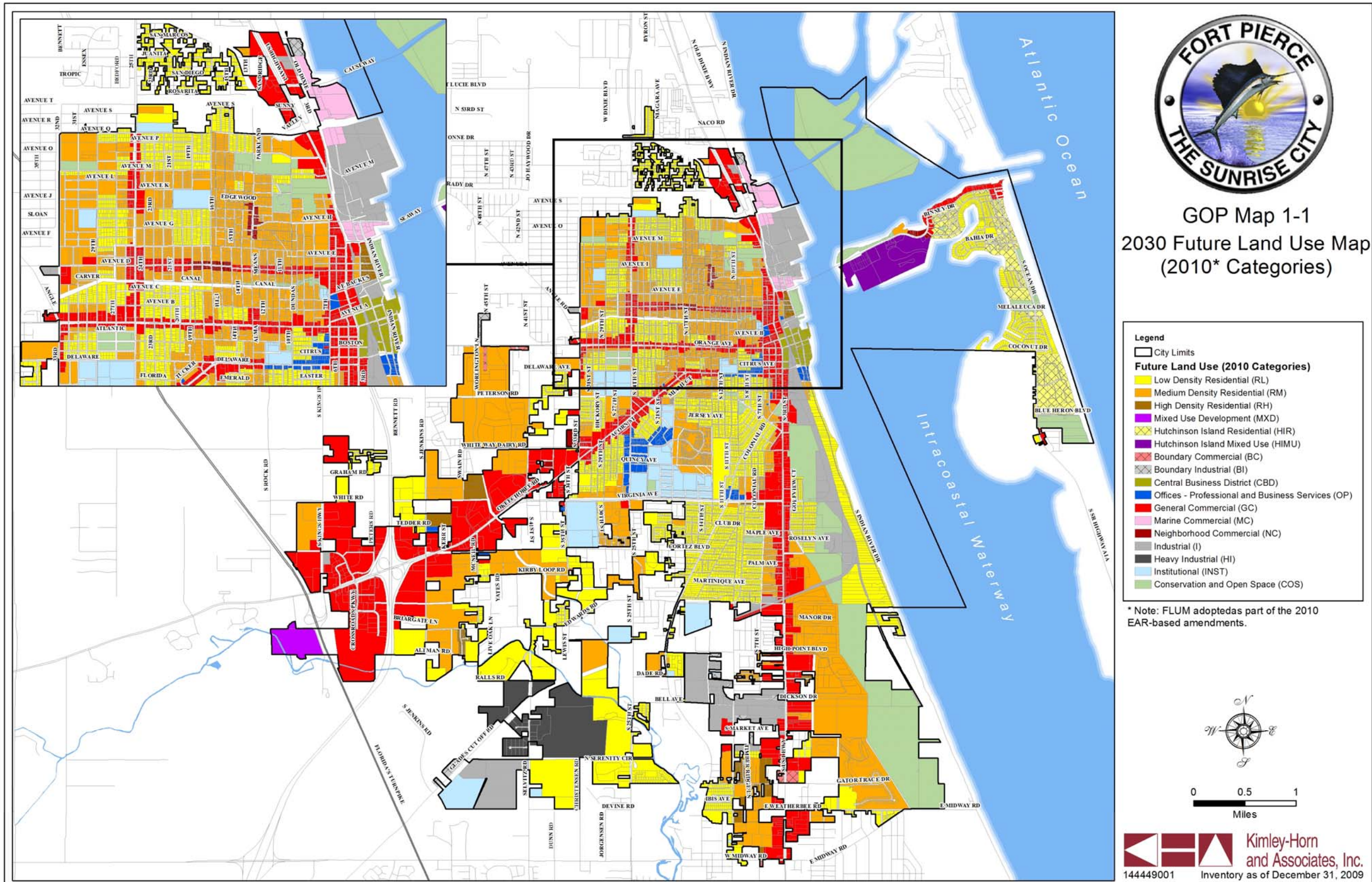
Industrial (I): The Industrial designation is intended for parcels suitable for industrial development and to promote the City's position as a major employment center. The uses allowed under this designation include light manufacturing and processing facilities; storage and distribution facilities; warehousing; general and intensive commercial uses; research corporate parks, large business parks and mixed use office parks; office, retail, and service uses that provide support to employees; and compatible public, quasi-public, and special uses. This land use designation allows a maximum FAR of 1.5.

Heavy Industrial (HI): The Heavy Industrial designation is intended for parcels suitable for industrial development and to promote the City's position as a major employment center. The uses allowed under this designation include intensive manufacturing and processing facilities; storage and distribution facilities; warehousing; general and intensive commercial uses; large business parks; office, retail, and service uses that provide support to employees; and compatible public, quasi-public, and special uses. This land use designation allows a maximum FAR of 2.0.

E. Conservation/Open Space

Conservation and Open Space (COS): The Conservation and Open Space designation is intended to provide for the preservation, continued growth, and enhancement of the City's rich resource of conservation areas, parklands, environmentally sensitive areas, recreational areas and open spaces. The designation provides for natural, managed and cultivated open space, including, natural parks, woodlands, habitat, floodplains, areas with permanent open space easements, greenways, and recreational facilities. This category combines the previously General Open Space (Os), Recreational Open Space (Osr), and Conservation Open Space (Osc) categories. This designation allows a maximum FAR of 0.25.

GOP Map 1-1 - Future Land Use Map (2030)



Planning Board

7. b.

Meeting Date: 03/10/2015

Information

REQUESTED ACTION

Abandonment of Alleyway - RAST Properties - 702 Atlantic Avenue

LOCATION

Remaining Portion between Atlantic Avenue and Orange Avenue, within the Totten Subdivision
702 Atlantic Avenue

RESPONSIBLE STAFF

Kori Benton, Historic Preservation Officer

RECOMMENDATION

Approval with a condition.

Attachments

Staff Report

Site Aerial

Application

Plat Exhibit

Appraisal

Preliminary Improvement Plan

Form Review

Form Started By: Kori Benton

Started On: 03/03/2015 04:21 PM

Final Approval Date: 03/04/2015



CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Historic Preservation Officer

SUBJECT: **Abandonment of Alleyway
Remaining Portion between Atlantic Avenue and Orange Avenue, within the Totten
Subdivision**

DATE: March 3, 2015

STAFF REPORT

Owner(s) of Abutting Parcel(s): Steven Tarr
Rast Properties Inc
4521 PGA Blvd #201
Palm Beach Gardens, FL 33418

Septentrion Market Inc
7407 Palomar St
Fort Pierce, FL 34947-0000

Applicant: Steven Tarr
4521 PGA Blvd #201
Palm Beach Gardens, FL 33418

Requested Action: Abandonment of remaining section of Alleyway between Atlantic Avenue and Orange Avenue, within the Totten Subdivision

Location: Generally located between Atlantic Avenue and Orange Avenue, and west of South 7th Street

Abutting Parcel IDs: 2410-703-0008-000-9, 2410-703-0001-000-0, 2410-703-0001-000-0, 2410-703-0002-000-7

Surrounding Zoning:

North	East	South	West
C-3	C-3	R-3	C-3

Land Area of Subject ROW: Approximately 2,230 sq. ft. or .05 acres

Staff Analysis:

In accordance with City Code Section 17-1, Abandonment, narrowing, etc., of streets, the applicant, Artistry in Mosaics, Inc., is requesting the City Commission of the City of Fort Pierce abandon a remaining portion alleyway lying in Totten Subdivision, as identified in Plat Book 5, Page 53, Public Records of St. Lucie County, Florida.

The subject right-of-way was dedicated the City of Fort Pierce via the plat of the Totten Subdivision in 1925. A portion of the alleyway was previously abandoned by the City of Fort Pierce. The remaining section previously provided rear access to two residential structures which have been recently demolished. The site is located within the C-3, General Commercial Zone, and along an arterial roadway; therefore the reestablishment of standalone residential structures is unlikely.

The request is based upon the applicant's acquisition of land abutting this extension of the subject alleyway, and concurrent preparation of a conceptual plan to expand the parking area of 701 Orange Avenue. The abandonment and acquisition of this section of right-of-way provides increased flexibility and a strategic opportunity to design the prospective parking expansion, and prospective infill development along Orange Avenue.

The applicant has obtained an appraisal of the remaining segment of the alleyway which returned a market value of \$3,000. The majority of the alleyway would be granted to the applicant; however, a small section would be provided to the property owner of Lot 11, of the Totten Subdivision.

Staff has noted that the Atlantic Avenue right-of-way abutting this site is thirty (30) feet in width, representing a deficiency. Future development action may require the acquisition of an easement, or right-of-way to alleviate the deficiency.

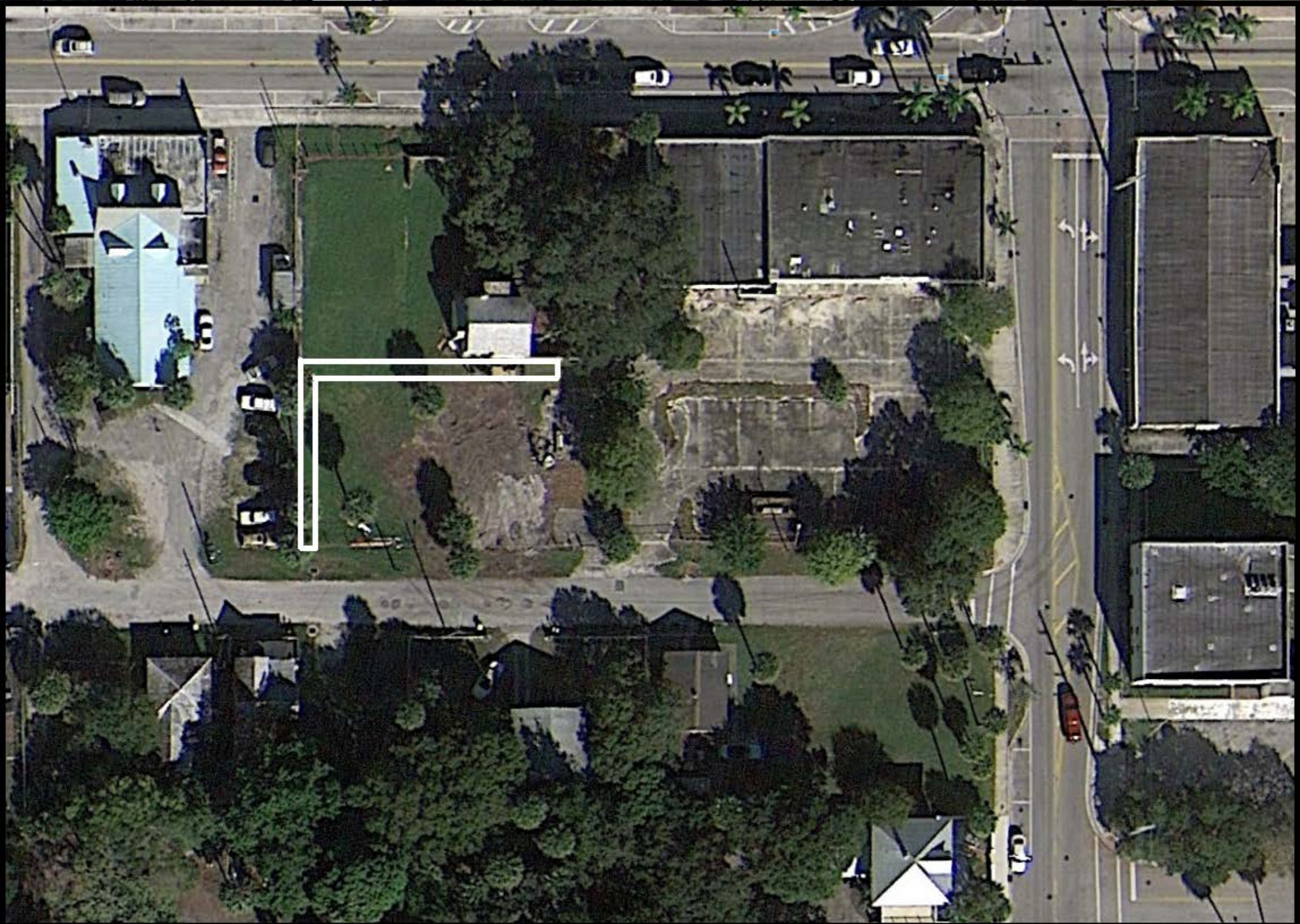
The Fort Piece Utilities Authority (FPUA) has provided approval of the proposed abandonment, provided that a utility easement is reserved over the same area.

Technical Review Committee

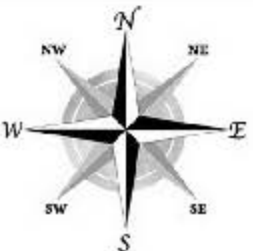
All affected Departments have reviewed and approved the proposed Alleyway Abandonment.

Staff Recommendation:

Staff recommends that the Planning Board forward a recommendation to the City Commission for **approval** of the requested abandonment, based on the approvals provided by the affected departments, with the condition that a utility easement, encompassing the affected alleyway, is recorded concurrent with the abandonment.



702 Atlantic Avenue Site Aerial





CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

Abandonment

Property address or Location 702 ATLANTIC AVE
Parcel ID #(s) 2410-703-008-000/9
Project description Alley located west and north of 702 Atlantic Ave.

RAST Properties, Inc.

Property Owner(s) AS21 PGA Blvd #201

Street Address Palm Beach Gardens FL 33418

City 561-622-3386 State FL Zip 33418

Phone Number hovensre@gmail.com

Email Address

Steven Tara, Pres.

Applicant/Representative, Title, Company SA ME

Street Address

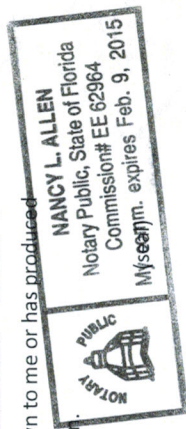
City State Zip

Phone Number

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 acknowledgment 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) [Signature]
STATE OF FLORIDA -- COUNTY Palm Beach
The foregoing instrument was acknowledged before me this 26 day of Jan, 2015, by Steven Tara who is personally known to me or has produced FL Dh as identification. [Signature]
Signature of Notary



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

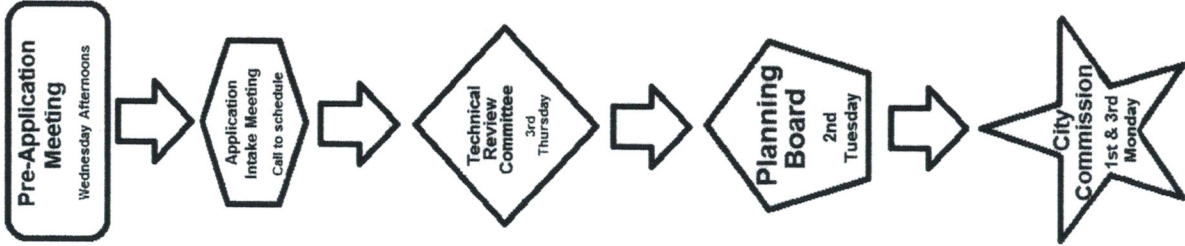
TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation
				Contributing Individual Non-Contributing None
Pre-Application Meeting Date _____				Fees _____ Control # _____ B. Permit # _____
Intake Planner _____				Intake Date Stamp
Planner Assigned _____				
Approved By _____ Date _____				
Comments _____				

ABANDONMENT

- Submit eight (8) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:*
- Current survey, including property size
 - Current Appraisal, Sketch, Size (in sq. ft.) & Legal Description of property for proposed abandonment
 - Encumbrance Title Search
 - Complete, notarized application

Application Outlook



Application Type:

- Easement Abandonment Right-of-Way Abandonment

Reason for Abandonment Request: NOT NEEDED ANY MORE.

List any utilities visible or known to exist in the right of way/easement: NONE

- Is the right of way in use or unopened? In Use Unopened

RAST Properties, Inc.

c/o S. A. Tarr

4521 PGA Blvd., Suite 201, Palm Beach Gardens, FL 33418

Phone: (561) 622-3386 Fax: (561) 622-3945

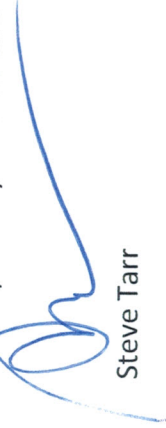
To: City of Fort Pierce
From: Steve Tarr, RAST Properties, Inc., President
Date: January 21, 2015
Re: Abandonment of Alley at 702 Atlantic Ave.

Enclosed please find an application package, with exhibits, respectfully requesting the abandonment of the above referenced alley. I would like to address two key issues:

- 1) Upon examination of the appraisal, it is important to realize that the subject land actually has nominal value (see page 7 of the appraisal). The only reason there is a value of \$3,000.00 is due to the appraiser's assumption to use the 'Across the Fence' method.
- And,
- 2) The enclosed Site Plan illustrates that the abandonment is not required, but more of a convenience to further the redevelopment of the site.

For these reasons, I believe the fair approach allows the abandonment in exchange for the costs (survey, appraiser, application fee, etc.) that I have already had to expend. Any additional amount requested by the City would just detract from further improvement costs necessary to improve the site.

Thank you for your time and consideration.



Steve Tarr

Site Address: 717 Orange Av
Parcel ID: 2410-703-0001-000-0
Sec/Town/Range: 10/35S/40E
Account #: 23535
Map ID: 24/10S
Use Type: Vac Comm
Zoning: C3
City/County: Fort Pierce

Ownership

Rast Properties Inc
 4521 PGA Blvd #201
 Palm Beach Gardens, FL 33418

Total Areas

Land Size (acres): 0.17
Land Size (SF): 7,475

Legal Description

PLAT OF TOTTEN'S S/D LOT 1 AND W 37 FT OF LOT 10 (MAP 24/10E)
 (OR 3679-767)

Current Values

Just/Market Value: \$16,900
Assessed Value: \$16,900
Exemptions: \$0
Taxable Value: \$16,900
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.
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Site Address:
Parcel ID:
Sec/Town/Range:
Account #:
Map ID:
Use Type:
Zoning:
City/County:

715 Orange Av
2410-703-0002-000-7
10/35S/40E
23536
24/10S
M-F < 10U
C3
Fort Pierce

Ownership

Rast Properties Inc
4521 PGA Blvd #201
Palm Beach Gardens, FL 33418

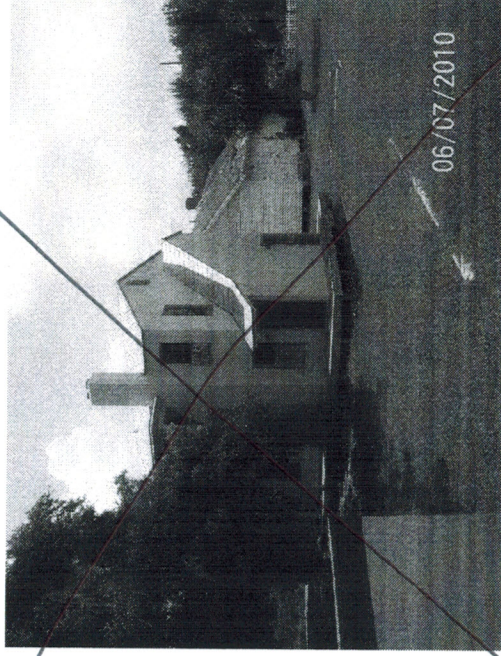
Legal Description

PLAT OF TOTTEN'S S/D LOTS 2 AND 3 (MAP 24/10E) (OR 3679-767)

Current Values

Just/Market Value: \$55,400
Assessed Value: \$55,400
Exemptions: \$0
Taxable Value: \$55,400

Taxes for this parcel: SLC Tax Collector's Office



Total Areas

Finished/Under Air (SF): ~~1,172~~
Land Size (acres): 0.23
Land Size (SF): 10,000

This information is believed to be correct at this time but it is subject to change and is not warranted.
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Site Address: 702 Atlantic Ave
Parcel ID: 2410-703-0008-000-9
Sec/Town/Range: 10/35S/40E
Account #: 23539
Map ID: 24/10S
Use Type: ~~SF-Res~~
Zoning: C3
City/County: Fort Pierce

Ownership

Rast Properties Inc
 4521 PGA Blvd #201
 Palm Beach Gardens, FL 33418

Legal Description

PLAT OF TOTTEN'S S/D W 21 FT OF LOT 8, ALL LOT 9 AND LOT 10-
 LESS W 37 FT- (MAP 24/10E) (OR 3679-767)

Current Values

Just/Market Value: \$28,600
Assessed Value: \$28,600
Exemptions: \$0
Taxable Value: \$28,600

Taxes for this parcel: SLC Tax Collector's Office



241070300080009

Total Areas

Finished/Under Air (SF): ~~3,246~~
Land Size (acres): 0.14
Land Size (SF): 6,300

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Site Address: 701 Orange Av
Parcel ID: 2410-703-0004-000-1
Sec/Town/Range: 10/35S/40E
Account #: 23537
Map ID: 24/10S
Use Type: STOR-1STR
Zoning: C3
City/County: Fort Pierce

Ownership

Bunwin Inc
 4521 PGA Blvd Suite 201
 Palm Beach Gardens, FL 33418

Legal Description

PLAT OF TOTTEN'S S/D LOTS 4 AND 5 AND N 5 FT OF VAC ALLEY
 ADJ ON S AND LOTS 6 AND 7 AND E 22 FT OF LOT 8 AND S 5 FT OF
 VAC ALLEY ADJ ON N OF LOTS 6 AND 7 AND E 6 FT OF LOT 8 (MAP
 24/10E) (0.67 AC) (OR 3418-1728)

Current Values

Just/Market Value: \$129,500
Assessed Value: \$129,500
Exemptions: \$0
Taxable Value: \$129,500

Taxes for this parcel: SLC Tax Collector's Office



Total Areas

Finished/Under Air (SF): 8,345
Land Size (acres): 0.66
Land Size (SF): 28,950

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

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ATTORNEYS' TITLE FUND SERVICES, LLC

Treasure Coast Branch
590 NW Peacock Boulevard, Suite 12
St. Lucie West, FL 34986
(772) 879-1770
Fax: (866) 303-4708

Warren & Grant P.A.
4440 PGA Boulevard
Suite 200
Palm Beach Gardens, FL 33410

Date: September 30, 2014
Fund File Number: 24-2014-105950A1
County: St. Lucie
Reference:

Dear Wanda:

We have examined title to the property described in Schedule A attached and prepared these schedules to be used exclusively for the purpose of issuing a commitment or policy of title insurance underwritten by Old Republic National Title Insurance Company.

Please review the schedules before signing and inserting in a Commitment cover. As an Agent you must:

- A. Add additional requirements and/or exceptions to Schedule B that you find necessary from your analysis of the present transactions.*
- B. Evaluate Schedule A and B and issue endorsements as may be appropriate, deleting or modifying the Schedules.*

Our examination of title reflects only those matters recorded in the Official Records Books. You are responsible for such other off-record examinations and checks as you may find necessary pursuant to underwriting procedures. In addition, you are responsible for checking for any unrecorded special assessment liens or unrecorded liens arising by virtue of ordinances, unrecorded agreements as to impact or other development fees, unpaid waste fees payable to the county or municipality, or unpaid service charges under Ch. 159, F. S., or county ordinance, if applicable. When the interest you are insuring is a personal property interest (such as a mortgage, a leasehold or cooperative interest), a federal tax lien search of the Secretary of State's records may be required. See Fund Title Note 30.02.08.

Where the amount of insurance is under \$3 million, a 20-year judgment and lien search was not performed on the proposed insured purchaser if a mortgage is not associated with the purchase or if the mortgage appears to be 100% purchase money in nature.

The Fund appreciates this opportunity to be of service. Please contact us if you have any questions.

Sincerely,

Attorneys' Title Fund Services, LLC
Nancy Ball, Senior Examiner
1-800-344-6645, Ext 6506

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
COMMITMENT
Schedule A

Fund File Number: 24-2014-105950A1
Effective Date:

Agent's File Reference:
September 18, 2014 @ 11:00
PM

Premium:
\$ 373.75

1. Policy or Policies to be issued: Proposed Amount of Insurance:

OWNER'S: ALTA Owner's Policy (06/17/06), (With Florida Modifications) \$65,000.00

Proposed Insured: Rast Properties, Inc., a Florida corporation

MORTGAGEE:

MORTGAGEE:

2. The estate or interest in the Land described or referred to in this Commitment is FEE SIMPLE.

3. Title to the FEE SIMPLE estate or interest in the Land is at the Effective Date vested in:

M. Porro Investments, LLC, a Florida limited liability company, as to Parcel 1, 2, and 3; Francis X. Wilson, Trustee of the Land Trust Agreement u/d/d 11/11/94, Trust Number 1001, as to Parcel 1 and 2

4. The Land referred to in this Commitment is described as follows:

Parcel 1: Lot 1 and the West 37 feet of Lot 10, Tooten's Subdivision, according to the Plat thereof, recorded in Plat Book 5, Page 53, Public Records of St. Lucie County, Florida.

Parcel 2: Lots 2 and 3, Tooten's Subdivision, according to the Plat thereof, recorded in Plat Book 5, Page 53, Public Records of St. Lucie County, Florida.

Parcel 3: The West 21 feet of Lot 8 and all of Lots 9 and 10, less and except the West 37 feet of Lot 10, Tooten's Subdivision, according to the Plat thereof, recorded in Plat Book 5, Page 53, Public Records of St. Lucie County, Florida.

Issuing Agent:

Warren & Grant P.A.
4440 PGA Boulevard
Suite 200
Palm Beach Gardens, FL 33410

Agent No.: 1374601



Agent's Signature

Warren & Grant P.A.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
COMMITMENT
Schedule B-1

Fund File Number:
24-2014-105950A1

Agent's File Reference:

- I. The following are the requirements to be complied with:
1. Payment of the full consideration to, or for the account of, the grantors or mortgagors.
 2. Instruments creating the estate or interest to be insured which must be executed, delivered and filed for record:
 - A. Warranty Deed from M. Porro Investments, LLC, a Florida limited liability company, as to Parcel 1, 2, and 3 and Francis X. Wilson, individually and as Trustee of the Land Trust Agreement u/a/d 11/11/94, Trust Number 1001, joined by spouse, if married, or non-homestead recital, as to Parcel 1 and 2 to the proposed insured purchaser(s).
 3. A search commencing with the effective date of this commitment must be performed at or shortly prior to the closing of this transaction. If this search reveals a title defect or other objectionable matters, an endorsement will be issued requiring that this defect or objection be cleared on or before closing.
 4. If closing does not occur within six weeks of the effective date of this product, the member must confirm the continued good standing of any buyer, seller, or mortgagor which is not a natural person.
 5. Review certified copy of Articles of Organization and amendments thereto, if any, to verify who may sign for the company as well as procedures to authorize such signatory. Further requirements may be necessary upon review thereof.
 6. A determination should be made that the member executing the Warranty Deed is not a debtor in bankruptcy and has not been a debtor in bankruptcy since becoming a member of the limited liability company. If the LLC is a sole member LLC, then a determination should be made there are no creditors who have acquired or are attempting to acquire control of the LLC by executing on or attaching or seizing the member's interest in the LLC. These determinations may be made by an affidavit of the member executing the instruments to be insured.
 7. Review of a true and correct copy of regulations or operating agreement to verify who may sign for the company as well as procedures to authorize such signatory. Further requirements may be necessary upon review thereof. If the regulations or operating agreement is not produced, then all of the members of the limited liability company, or a majority of the members if the number of members is substantial, must execute an affidavit consenting to the transaction. The affidavit shall establish the names of all the current members of the limited liability company.
 8. A determination should be made that the limited liability company is not one of a family or group of entities. If it is, then it should be determined that none of the other entities in this family or group of entities is a debtor in bankruptcy. The determination may be made by an affidavit of the manager or managing member of the limited liability company. In the event that one or more of the other entities is a debtor in bankruptcy, Fund underwriting counsel must approve the transaction before title is insured.
 9. If applicable, recordation and review of a certified copy of the amendment to the operating agreement, in accordance with Sec. 605.1108(1)(b), F. S.
 10. If applicable, recordation and review of a certified copy of the statement of authority in accordance with Sec. 605.0302, F. S.
 11. A determination must be made that there are no parties in possession of the subject property.
 12. If applicable, determination should be made that the person executing the deed or mortgage has not become dissociated pursuant to Sec. 605.0302(11), F. S. (by filing a statement of dissociation), Secs. 605.0601, or 605.0602, F. S., nor has that person wrongfully caused dissolution of the company. These determinations may be made by an affidavit of the person executing the instruments to be insured.
 13. Review of the complete trust agreement of the trust known as the Land Trust Agreement u/a/d 11/11/94, Trust Number 1001 and all amendments thereto to determine that the proposed transaction is authorized under the terms of the trust. Said trust agreement, and amendments, shall be attached to an affidavit confirming that it is a full and complete copy of the trust and amendments, and recorded or kept in Title Agent's file. Further requirements may be

Form CF6-SCH-B-1 (rev. 12/10)

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
COMMITMENT

Schedule B-I (Continued)

Fund File Number:
24-2014-105950A1

Agent's File Reference:

necessary upon review of the trust. If the full trust agreement and amendments, if any, are recorded as an exhibit to an affidavit from the trustee or attorney for the trust, the affidavit shall confirm that such trust agreement is in full force and effect. If the full trust agreement and amendments, if any, are not recorded, then record affidavit from trustee or attorney for the trust stating at least the following: (1) name of the trustee(s) or successor trustee(s) (2) legal description of the trust property (3) an affirmative statement that the trustee(s) or successor trustee(s) has the full power and authority to do the required act, (4) that nothing in the trust documents prohibits or restricts the trustee(s) or successor trustee(s) from doing the required act, and (5) that the trust has been in full force and effect during the period of ownership of the real property to be insured. As to (1) above, attach excerpts of the pertinent pages from the trust documents showing the appointment and identity of the trustee(s) or successor trustee(s) as exhibits; and if the successor trustee(s) acts, that the successor trustee(s) is appointed due to circumstances described in attached excerpts of the trust and further evidenced by the supporting documents attached as exhibits. As to (3) above, attach the pertinent pages of the trust describing such authority as exhibits.

14. INTENTIONALLY MOVED TO SCHEDULE B-II EXCEPTIONS AS ITEM #8. (taken subject to lien).

15. INTENTIONALLY MOVED TO SCHEDULE B-II EXCEPTIONS AS ITEM #9. (taken subject to fine).

16. Proof of redemption of Tax Sale Certificate No. 2524 for taxes for the year 2013 must be furnished.

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
COMMITMENT
Schedule B-II

Fund File Number:
24-2014-105950A1

Agent's File Reference:

II. 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 hereof but prior to the date the Proposed Insured acquires for value of record the estate or interest or Mortgage thereon covered by this Commitment.
2. a. General or special taxes and assessments required to be paid in the year 2014, and subsequent years.
b. Rights or claims of parties in possession not recorded in the Public Records.
c. Any encroachment, encumbrance, violation, variation, or adverse circumstance that would be disclosed by an inspection or an accurate and complete land survey of the Land and inspection of the Land.
d. Easements, or claims of easements, not recorded in the Public Records.
e. Any lien, or right to a lien, for services, labor, or material furnished, imposed by law and not recorded in the Public Records.
3. Any Owner Policy issued pursuant hereto will contain under Schedule B the following exception: *Any adverse ownership claim by the State of Florida by right of sovereignty to any portion of the Lands insured hereunder, including submerged, filled and artificially exposed lands, and lands accreted to such lands.*
4. Rights of the lessees under unrecorded leases.
5. All matters contained on the Plat of Tooten's Subdivision, according to the Plat thereof, recorded in Plat Book 5, Page 53, Public Records of St. Lucie County, Florida...
6. Right of Way Easement recorded in Deed Book 74, Page 233, Public Records of St. Lucie County, Florida.
7. Easement Deed recorded in O.R. Book 1928, Page 1455, Public Records of St. Lucie County, Florida.
8. Satisfaction of Code Enforcement Board Lien recorded in O.R. Book 3623, Page 1471 and O. R. Book 3552, Page 1859, Public Records of St. Lucie County, Florida.
9. Release of any fine relating to Affidavit by Code Enforcement Board recorded in O.R. Book 1017, Page 1755, Public Records of St. Lucie County, Florida.



Saint Lucie County, Florida
Office of the Property Appraiser

Ken Pruitt
Property Appraiser

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Criteria Results

Search Property Records

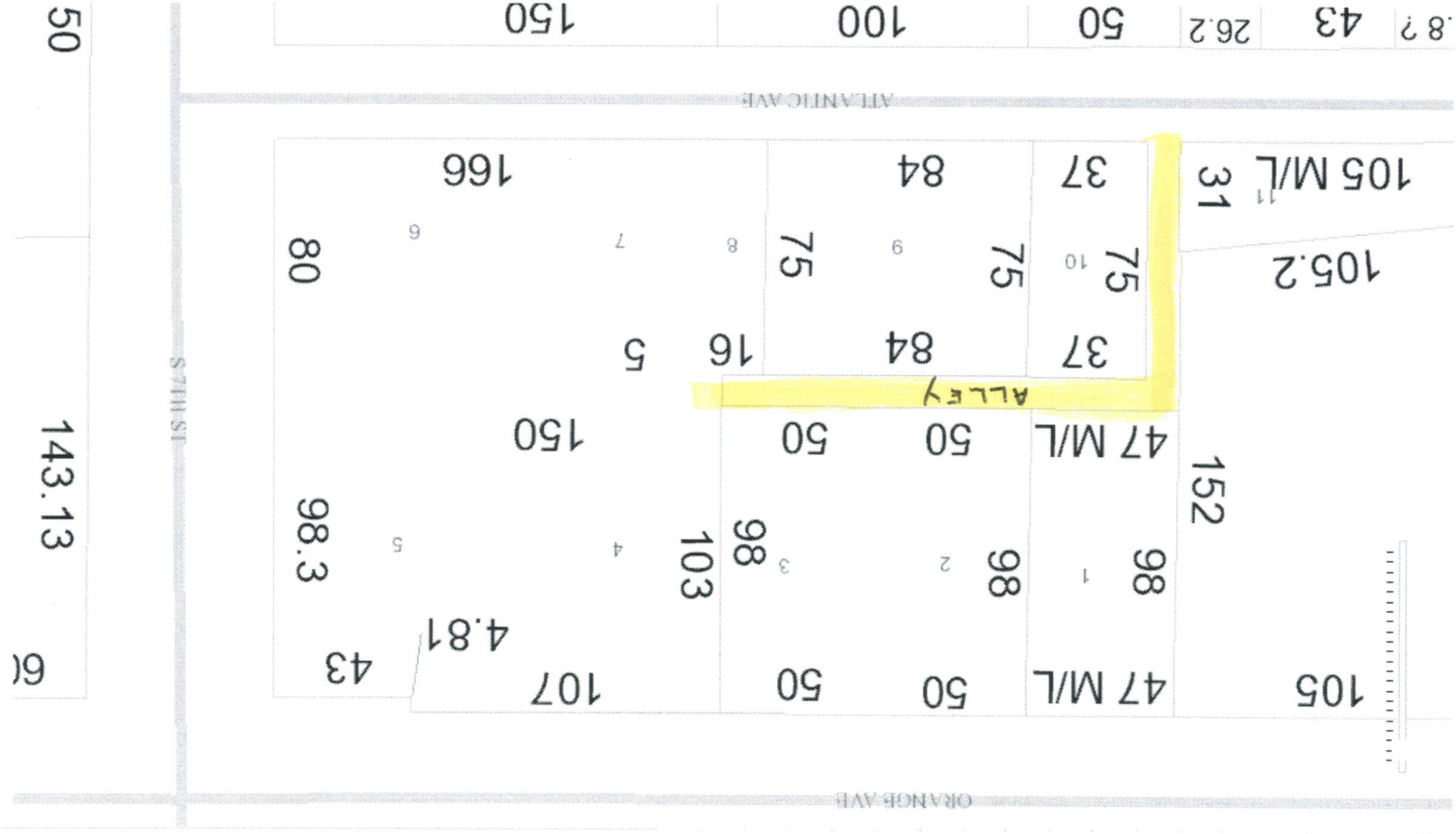
Real Estate

Owner Name

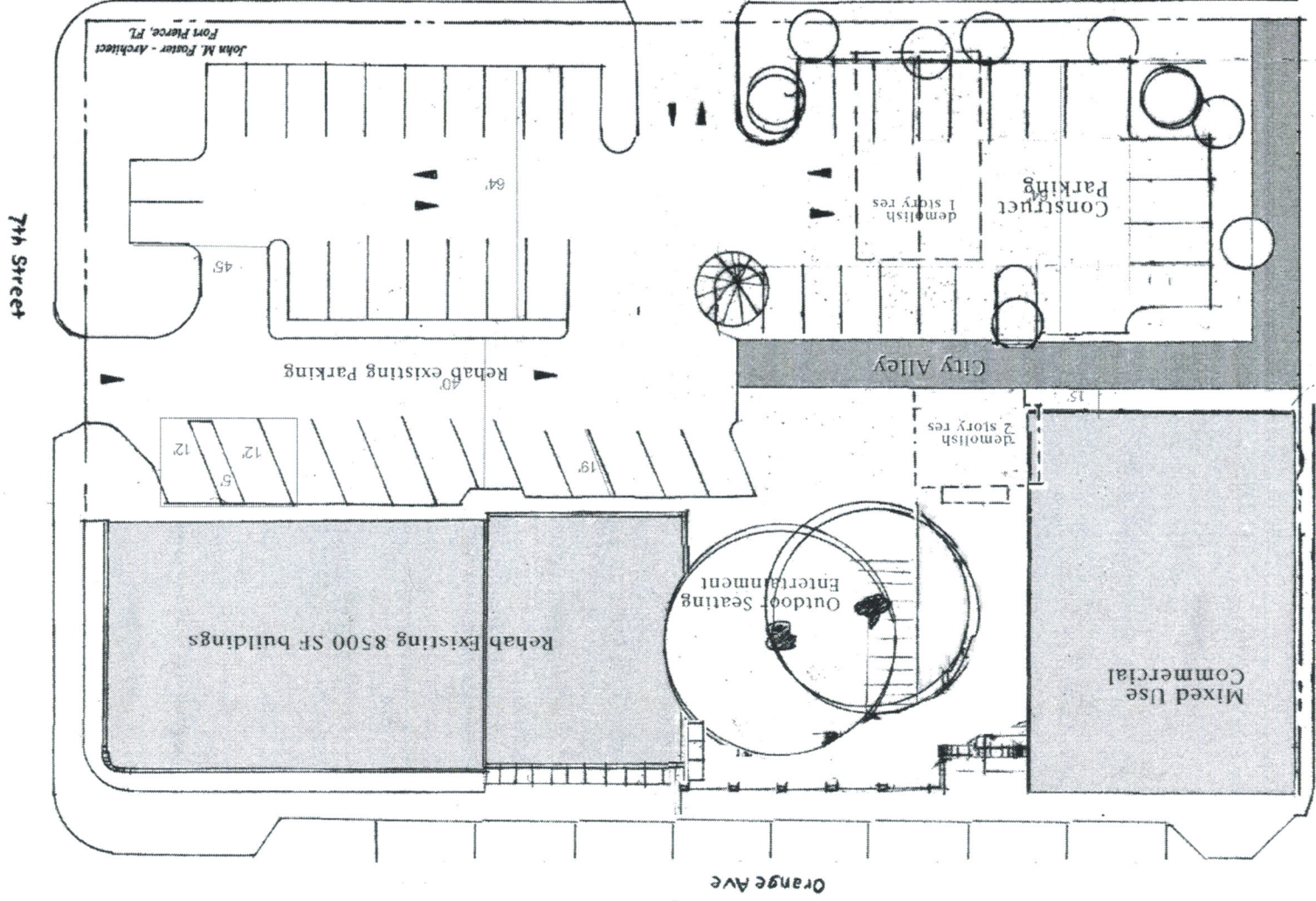
Search Property Records

Real Estate

Owner Name



SITE PLAN



Saint Lucie County, Florida Office of the Property Appraiser

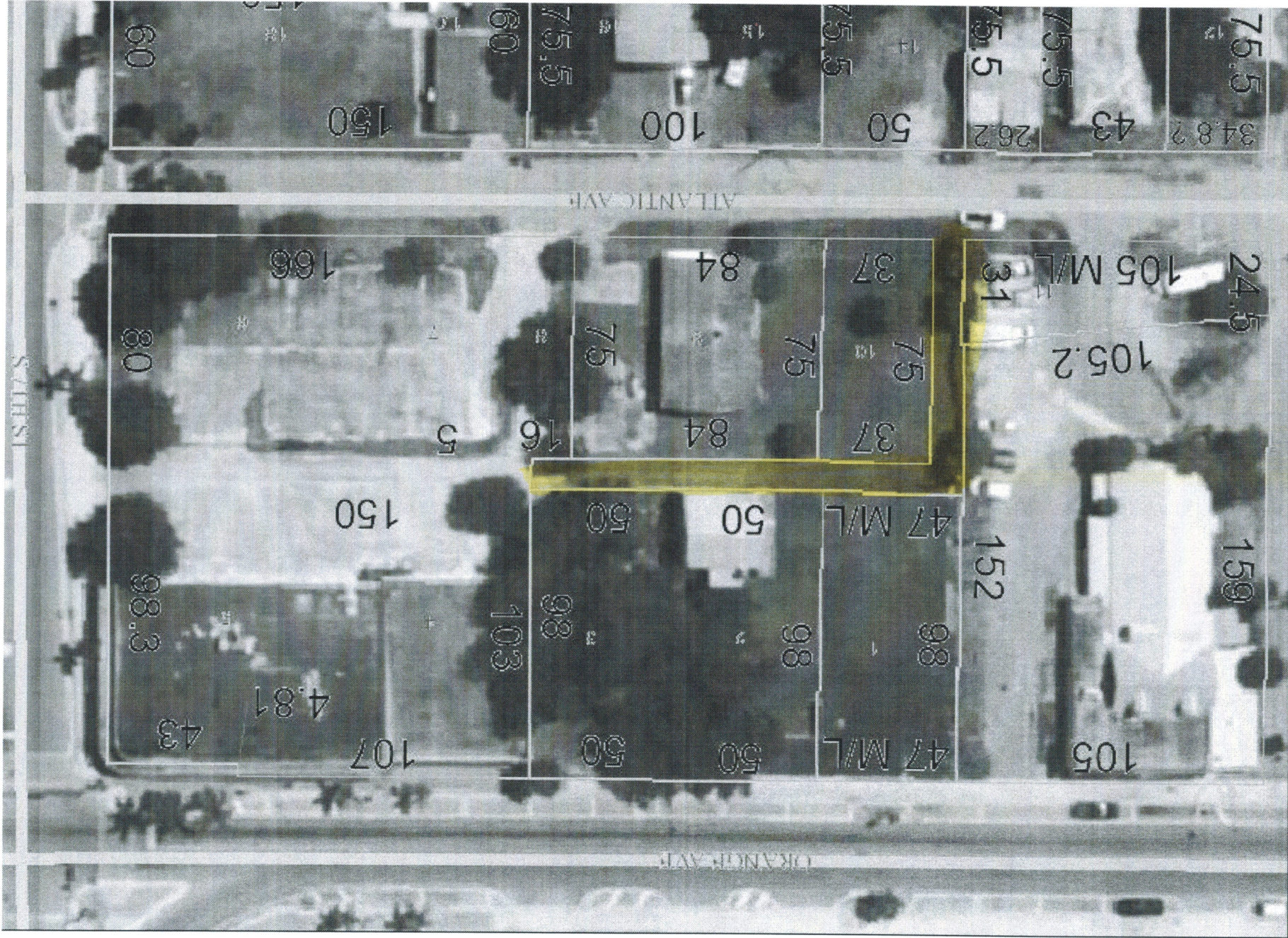


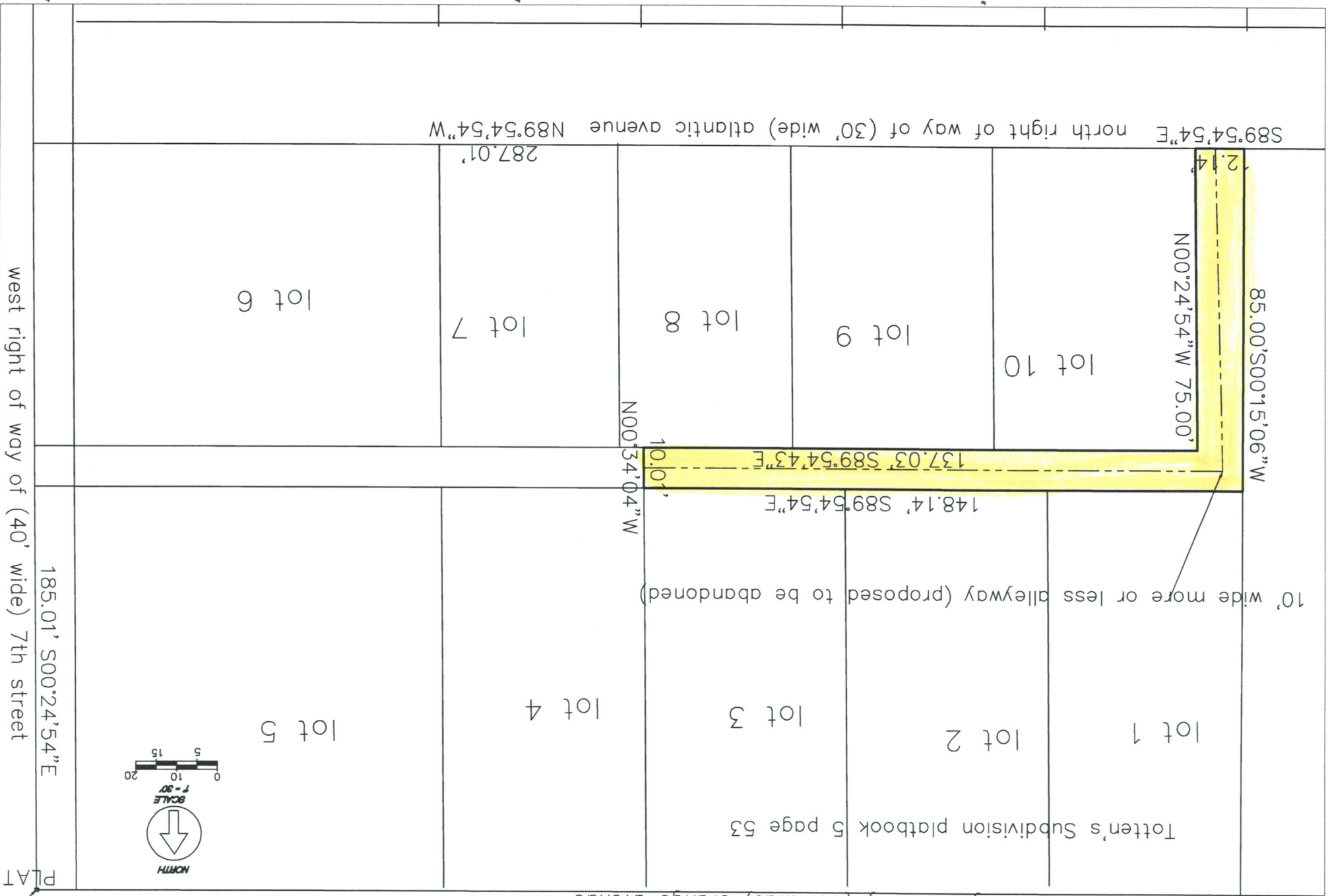
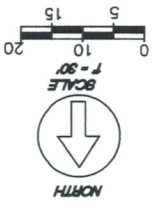
EXHIBIT "B" sketch of description; proposed 10 wide alleyway more or less; abandonment

south right of way (50' wide) orange avenue

west right of way of (40' wide) 7th street

PLAT

Totten's Subdivision platbook 5 page 53



185.01' S00°24'54\"E

85.00'S00°15'06\"W

89.54'54\"E

287.01'

2.14'

100°24'54\"W 75.00'

100°34'04\"W

10.01'

148.14' S89.54'54\"E

137.03' S89.54'43\"E

589.54'54\"E north right of way of (30' wide) atlantic avenue N89.54'54\"W

EXHIBIT A

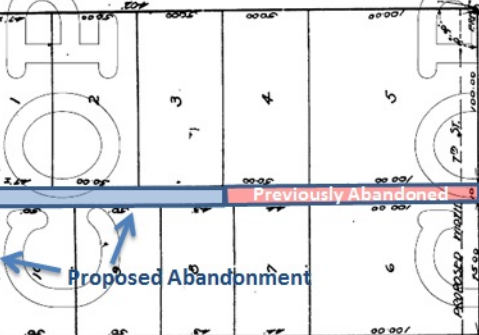
The following described land, situate, lying and being in Section 10 Township 35 South range 40 east Totten's subdivision as recorded in clerk of courts, platbook 5, page 53 in the County of Saint Lucie , State of Florida, to wit:

Alleyway Easement:

Beginning at permanent reference monument & point of commencement (p.o.c.); northeast corner lot 5 and the intersection of the south right of way of orange avenue (50' wide right of way) State Road 68 along with the west right of way of 7th street (old 40' wide right of way) as recorded in platbook 5 page 53 of the clerk of courts in saint lucie county florida; thence S00° 24' 54"E a distance of 185.01 feet; thence N89°54'54"W a distance of 287.01 to the point of beginning (p.o.b); thence N00°24'54"W a distance of 75.00 feet; thence S89°54'34"E a distance of 137.03 feet; thence N00°34'04"W a distance of 10.01 feet; thence S89°54'54"E a distance of 148.14 feet more or less; thence S00°15'06"W a distance of 85.00 feet; thence S89°54'54"E a distance of 12.14 feet more or less; to point of beginning.(p.o.b.)

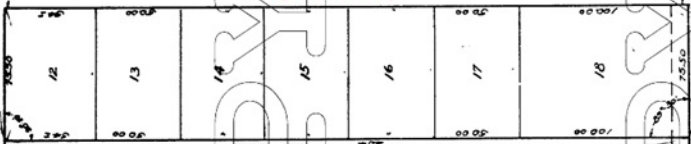
ORANGE AVENUE

NOT A PART OF THIS PLAT



PALM COURT

(Atlantic Avenue)



SEVENTH STREET

SEVENTH STREET

**AN APPRAISAL OF A
CITY OF FORT PIERCE ALLEY
LOCATED WITHIN THE
PLAT OF TOTTEN'S S/D, LYING BETWEEN
LOTS 1, 2, 3 & LOTS 8, 9, 10 & WEST OF LOT 10
(Within 700 Block between Orange & Atlantic Avenues)
FORT PIERCE, FLORIDA**

PREPARED FOR
Rast Properties, Inc.
C/o Steve Tarr
4521 PGA Blvd., #201
Palm Beach Gardens, FL 33419

DATE OF APPRAISAL – January 8, 2015 (last date of inspection)

Prepared by:
Daniel D. Fuller, MAI
State-Certified General Real Estate Appraiser RZ567
FULLER-ARMPFIELD-WAGNER
Appraisal & Research, Inc.
200 S. Indian River Dr., Suite 300
Fort Pierce, Florida 33940

Appraisal No. 19767

FULLER-ARMPFIELD-WAGNER

FULLER-ARMFIELD-WAGNER Appraisal & Research, Inc.

Daniel D. Fuller, MAI, SRA
State-Certified General
Real Estate Appraiser RZ567

200 S. Indian River Dr., Suite 300
Fort Pierce, FL 34950
FAW_app@bellsouth.net

(772) 468-0787
Fax (772) 468-1103

January 16, 2015

Rast Properties, Inc.
C/o Steve Tarr
4521 PGA Blvd., #201
Palm Beach Gardens, FL 33419

RE: City owned alley between Lots 1, 2, 3 & 8, 9, 10 & west of Lot 10, Plat of Totten's S/D, (within 700 block, between Orange Ave. & Atlantic Ave., Fort Pierce, FL.

Dear Mr. Tarr:

As per our contract for appraisal services, I have made an inspection of the referenced property and I have investigated the property's market segment to provide an opinion of the Market Value of the fee simple interest in the property, "as is", as of January 8, 2015, the date of my final inspection.

The scope of this appraisal consists of analyzing data to establish the Market Value of the Fee Simple interest via one traditional approach to value, the Sales Comparison Approach. Within the Sales Comparison Approach, an "Across the Fence" method of analysis was performed. Data analyzed in the Sales Comparison Approach was collected from public records, commercial data services, and MLS services, verified with parties involved in the transaction, and then the data was analyzed and applied to the subject.

Because the subject is a vacant tract of land, analysis via the Cost Approach is not applicable, thus not performed. Also, because properties like the subject are not purchased for income potential, analysis via the Income Capitalization Approach is also not applicable, thus not performed.

Also, because the subject is has an "L" shape and from 10 feet to 12.41 feet in width, the subject **generally lacks development potential as an independent unit**, thus almost no sales of similar properties are known to exist. Therefore, the applicable method of analysis is an "Across the Fence" analysis (See "Across the Fence" defined in the attached Definitions Addendum) which is applied in the following valuation.

The appraisal adheres to the Uniform Standards of Professional Appraisal Practice (USPAP), presented in USPAP defined "Appraisal Report" format.

- The Intended Use of this appraisal is for acquisition negotiations.
- The Intended User of this report is the representatives of Rast Properties, Inc. including Mr. Steve Tarr.
- The appraisal and report are subject to the Ordinary Limiting Conditions, Extraordinary Assumptions, and Certification included within this report.

Mr. Tarr
January 16, 2015
Page Two

Based on the available data, and my analysis as presented in this report, it is my opinion the market value of the fee simple interest in the subject alley, "as is", as of January 8, 2015, is:

THREE THOUSAND DOLLARS -\$3,000-

I believe this appraisal and report are complete, but if there are questions please contact me at your convenience.

Sincerely,



Daniel D. Fuller, MAI
State-Certified General Real Estate Appraiser RZ567

DDF/asf 19767

SUMMARY OF IMPORTANT FACTS AND CONCLUSIONS

- Property Type: Vacant 0.055± acre (2,392 sf) city owned alley within a commercial zoning district.
- Property Use: Vacant
- Property Address: 700 block between Orange Avenue & Atlantic Avenue, Fort Pierce, FL

- Purpose of Appraisal: Estimate Market Value
- Property Rights Appraised: Fee Simple
- Date of Appraisal: January 8, 2015
- Date of Inspection: January 8, 2015
- Inspected by: Daniel D. Fuller, MAI
- Date of Appraisal Report: January 16, 2015
- Report Prepared: January 2015
- Report Format: USPAP defined "Appraisal Report" format.

Subject -

Site – 0.055x± acres (2,392 sf)
 10 ft. x 148.14 ft. & 12.14 ft. x 75 ft.
 Improvements: None.

- Zoning Classification: C-3, General Commercial
- Land Use Classification: GC, General Commercial
- Census Tract: 3805
- Flood Zone: Zone X - FEMA Map 12111C0179J - Feb. 16, 2012
- Highest and Best Use: Assemblage with adjacent ownership(s).

- In accordance with the Competency Rule of Uniform Standards of Professional Practice (USPAP), the appraiser is competent to complete this appraisal due to experience in the subject's market segment and geographic area.

My opinion of the Market Value of the Fee Simple Interest in the subject alley, "as is", as of January 8, 2015, is:

THREE THOUSAND DOLLARS -\$3,000-

Subject's Legal Description

Per data provided by the client:

The following Described land, situate, lying and being in Section 10, Township 35 South, Range 40 East, Totten's subdivision as recorded in clerk of courts, Plat Book 5, Page 53 in the county of St. Lucie, State of Florida, to wit:

Alleyway Easement:

Beginning at permanent reference monument & point of commencement (p.o.c.); northeast corner lot 5 and the intersection of the south right of way of Orange Avenue (50' wide right of way), State Road 68 along with the west right of way of 7th Street (old 40' wide right of way) as recorded in Plat Book 5, Page 53 of the Clerk of Courts in Saint Lucie County, Florida; thence S. 00 deg., 24 min., 54 sec. E a distance of 185.01 feet; thence N. 89 deg., 54 min., 54 sec. W a distance of 287.01 feet to the point of beginning (p.o.b.); thence N. 00 deg., 24 min., 54 sec. W a distance of 75 feet; thence S. 89 deg., 54 min., 34 sec. E a distance of 137.03 feet; thence N. 00 deg., 34 min., 04 sec. W. a distance of 10.01 feet; thence S. 89 deg., 54 min., 54 sec. W. a distance of 148.14 feet more or less; thence S. 00 deg., 15 min., 06 sec., W. a distance of 85 feet, thence S. 89 deg., 54 min., 54 sec. E a distance of 12.14 feet more or less to point of beginning (p.o.b.).

History of Subject's Ownership

Owner: City of Fort Pierce

No sales of the subject have occurred within the last five years.

The subject has been listed for sale.

The subject is not leased.

Area Data

The following is a summary of St. Lucie County area data:

- The subject lies within the westerly environs of the Fort Pierce central Business District (CBD).
- There are three incorporated cities within St. Lucie County, Fort Pierce, Port St. Lucie and St. Lucie Village.
- Fort Pierce is the oldest city with a 2000 census population of 38,683 and the 2012 US Census Bureau estimate of total population at 42,645, an increase of approximately 9.8% for the twelve-year period (0.8%/year).
- Port St. Lucie was incorporated in the early 1960's with population in 2000 of 85,751, and per census data the 2012 population is estimated to total 168,716, an increase of approximately 97% for the twelve-year period (8.0% per year).
- St. Lucie Village is a mostly residential community with a population of some 600 persons, and historically very little change in the community thus the community has nominal impact on the County.
- The 2000 census placed the County's total population at 190,677 with the US census bureau reporting in 2013 an estimated total population of 286,832, an increase of approximately 50% for the thirteen-year period (3.9% per year).
- University of Florida demographers previously estimated the County's 2015 median population up to 352,700, however because of the past economic recession, the population increase did not occur with growth only again beginning within the City of Port St. Lucie.
- Over the past twelve years, population growth within the City of Fort Pierce has been relatively nominal and expected to continue to grow at a relatively slow pace. A majority of the near term growth in St. Lucie County is expected to occur in and surrounding the City of Port St. Lucie. To a great degree this occurs because the City of Ft. Pierce has little vacant land for new growth while the platted areas of the City of Port St. Lucie are only approximately 70% developed plus large acreage tracts in the southwest environs of the City remains available to be development.
- Demand in most market segments collapsed between late 2005 and early 2007 and while in some locations within the County demand is increasing; demand generally remains inadequate to support most new project construction. There remains a level of uncertainty when adequate demand will return to support financially feasible new projects, but as demand returns a majority of the County's near term growth is expected to return in and around the City of Port St. Lucie with near term growth in the City of Ft. Pierce is expected to continue at its slow pace until strong demand is recognized regionally.

Neighborhood

Neighborhoods are defined as – “a group of complementary land uses; a congruous grouping of inhabitants, buildings, or business enterprises” - Source: Appraisal Institute, *The Dictionary of Real Estate Appraisal*, 5th ed. (Chicago: Appraisal Institute, 2010)

Neighborhood access is primarily provided by Orange Avenue (SR 68), lying at the north line of the subject's block. Orange Avenue is the primary east-west arterial street within the City's Central Business District (CBD). The east line of the subject's block is formed by South 7th Street. 7th Street is a primary north-south connector forming the approximate west boundary of the CBD. 7th Street also acts a secondary north-south route. The south line of the subject's block is formed by Atlantic Avenue, an inter neighborhood street. Atlantic Avenue in the area of the subject runs west from 7th Street one block, but beginning several blocks west, Atlantic Avenue continues westerly through the city, and east three blocks within the CBD.

The subject has average neighborhood access but secondary exposure within Totten's Subdivision.

The subject's neighborhood consists of a mix of improved properties, but leans towards commercial types, mostly retail properties fronting Orange Avenue. Beginning approximately one block south of Orange Avenue, and west of 7th Street residential properties comprised the neighborhood's historic development trends. East of 7th street commercial development has been prominent. However, in recent years residential properties fronting 7th Street have been slowly remodeled for commercial use, i.e. offices and other low intensity use.

While commercial development within the neighborhood, especially properties fronting Orange Avenue, comprised one of the City's primary commercial districts, over the years new commercial development moved to other areas within the commercial properties fronting Orange Avenue transitioning to second and third round level occupants, both owner and tenants. As the transition occurred property deterioration has occurred with sporadic refurbishments occurring, but there remain properties in fair condition. Occupancy also remains somewhat sporadic with generally the fair conditions properties vacant, but as in the case of the retail building at the southeast corner of Orange Avenue and 7th Street, the long term tenant vacated the property several months ago and active marketing has not produced a new tenant, indicating demand remains relatively soft in the neighborhood.

With soft demand in the commercial market, rental rates and sales prices remain extremely modest. In the past high demand market of the mid 2000 period demand strengthened rental rates and sales prices, but the neighborhood only partially felt the real impact of the economic boom, however, with the economic and real estate collapse in

2008, the neighborhood shared in the negative economic conditions to the same level as the high demand neighborhoods, including a high volume of mortgage foreclosures in both the commercial and residential markets.

Since approximately 2011, prices seem to have stabilized and during 2012 and 2013 sales transactions increased but with some slowing in sales volume noted during 2014. The 2012 and 2013 periods found investors purchasing lender owned properties and in the case of vacant tracts, demand was primarily from neighboring property owners seeking site expansions for existing properties. West at approximately 30th Street a site was developed with a Dollar General Store and reportedly a dollar store is approved for the northwest corner of Orange Avenue and 17th Street. Also, within the subject's immediately Orange Avenue neighborhood, several property sales occurred and in some instances refurbishments have occurred and in some instances the properties remain unoccupied. Construction was completed on a Federal Courthouse at the southwest corner of US 1 and Orange Avenue, and although many expected the courthouse to bring demand for office and retail space, for various reasons generally demand has been unnoticeable.

The residential development adjacent to the Orange Avenue commercial district consists of older to very old improvements with conditions ranging from refurbished to fair, although the fair condition properties continue to be occupied, typically achieving very nominal rent levels. No new or redevelopment has occurred in the adjacent residential neighborhoods in many years, although sporadically owners refurbish the older improvements.

Again, while demand in the residential markets has generally strengthened, prices remain extremely modest within the neighborhood adjacent to the Orange Avenue commercial corridor. This is partially caused by the modest size and quality of improvements in the neighborhood and generally the economic strength of the market participants.

Looking forward in the neighborhood, unless demand from an as yet identified source occurs, demand in the neighborhood's commercial and residential markets, in my opinion, can be expected to remain relatively flat. Thus while it appears rental rates and prices have stabilized, demand is generally inadequate to witness an increase in rental rates or prices over the near term thus the cost of new construction remains unsupported and most properties continue to suffer relatively high levels of External Obsolescence (loss in value caused by the lack of demand).

CENSUS TRACT

Census tracts are defined as; A small, permanent subdivision of a county with homogeneous population characteristics, status, and living conditions. The U.S. Census Bureau divided cities and adjacent areas into relatively uniform census tract areas of approximately 4,000 residents.¹

Per St. Lucie Co. Census Maps, subject is located in Census Tract 3805

¹ - Source - Appraisal Institute's, The Dictionary of Real Estate Appraisal, fourth edition, 2002.

Identification of Subject

Property Type: Vacant strip of land consisting of an alley created by the Plat of Totten's Subdivision, recorded October 1925 in PB 5, Pg. 53 of the Public Records of St. Lucie County.

Property Use "as is": Undeveloped right of way. Previously the alley served as rear access to adjacent improved properties, but "as is" the alley is unopened and no longer provides the intended use to the adjacent vacant property.

Location: Subject lies with the Totten's S/D block between Orange Avenue and Atlantic Avenue and west of 7th Street.

Site Size

Total land area: 0.055x± acres (2,392 sf)
10 ft. x 148.14 ft. & 12.14 ft. x 75 ft.

Subject is an "L" shape. See the attached Site Maps. The subject's size, shape, and location within a block of vacant properties **no longer functions as the intended alley.**

Topography is level and the subject is largely undeveloped.

Improvements: None.

Zoning / Land Use

Zoning – C-3, General Commercial / GC, General Commercial

Because of the subject's shape and size, the subject is unbuildable as an independent economic unit.

Concurrency

Concurrency is the comparison of any development's impact on public infrastructure including streets, utilities etc. that are, or will be, available to serve proposed development. Because the subject is an unbuildable site, per zoning, the subject likely does not comply with Concurrency.

UTILITIES	
SERVICE	PROVIDER
Electric	Fort Pierce Utilities Authority
Water	Fort Pierce Utilities Authority
Sewer	Fort Pierce Utilities Authority
Trash	City of Fort Pierce

1/1/2014 Assessment and Tax Information

The subject is a City owned alley, thus the subject is not assigned a tax parcel number and is not assessed for taxing purposes.

FLOOD ZONE DATA		
FEMA MAP #'s	MAP DATE	FLOOD ZONE
1211C0179J	February 16, 2012	X
Zone X is an area determined to be outside the 0.2% annual chance floodplain.		

Highest and Best Use

Physical Use: "As is" the subject has an "L" shape and is from 10 feet to 12.14 feet wide, thus the subject is physically undevelopable as an independent property.

Legal Use: Legally the subject lies within a General Commercial zoning classification, but again because of the subject's size and shape, zoning regulations will not allow the subject to be developed as an independent property.

Physically and legally the subject can be assembled with adjacent vacant land and developed in the commercial markets as an assembled site.

Financially Feasible/Maximally Productive Use: Properties like the subject are typically created by plats, dedicated to a governmental entity, in this case the City of Fort Pierce, providing adjacent owners and the City rear property access.

The subject "as is" is unbuildable and "as is", as an independent parcel, the subject has nominal functional utility and thus nominal value. Thus an alternative to developing utilizing the subject as an independent parcel needs to be identified. In this case, in my opinion, the maximally productive use (the use providing the highest value) is assemblage with the vacant sites surrounding the subject. While in the current market developing the assembled property is unlikely to be financially feasible, long term the assembled property improves the functional utility of not only the subject but the adjacent properties. Therefore, it is my opinion the financially feasible and maximally productive use of the subject is assemblage with the surrounding vacant properties.

Conclusion Highest and Best Use: In my opinion, "as is", the financially feasible and maximally productive use of the subject is assemblage with the surrounding vacant properties.

Valuation Process

As discussed, because the subject is has an "L" shape and from 10 feet to 12.41 feet in width, the subject generally lacks development potential as an independent unit, thus almost no sales of similar properties are known to exist. Therefore, the applicable method of analysis is an "Across the Fence" analysis (See "Across the Fence" defined in the attached Definitions Addendum) which is applied in the following valuation. Valuation via the "Across the Fence" method requires valuating adjacent vacant properties with the value conclusion, in this case price per square foot, applied to the subject.

Sales Comparison Approach

A Summary of the sales analyzed is included as an Exhibit with this report.

Research in the subject's market segment found an active market in 2012 and 2013, but sales volume diminished in 2014, somewhat caused by the clearing of the inventory of listed properties, particularly the lender owned listed properties which buyers generally view a selling at favorable prices.

The private party listings are generally at somewhat higher price levels but it does not appear buyers are yet interested in investing at higher price levels. An improving economy may support higher prices, but timing of new demand is uncertain.

The properties analyzed consist of the most recent comparable closed sales between private parties, no lender sales, of which I am aware. Because of the reduction in the inventory of similar listed properties, I am unaware of comparable listed properties thus a limited number of listed properties are analyzed.

Although prices are somewhat erratic, which is not unusual when demand is soft, the properties analyzed provide a reasonable indication of value.

The unit of comparison is sales price per square foot which is the typical unit of comparison within the subject's market segment.

Research found the sale of properties surrounding the subject. At the time of the purchase the property included two older buildings which have been razed. Plus three other sales of properties located within the Orange Avenue commercial corridor are analyzed. The properties analyzed are the most similar to vacant site surrounding the subject, in my opinion, Sales prices are erratic, again caused by soft and uncertain market demand but in my opinion the sales provide a reasonable indication of site values within the subject's immediate area.

Adjustment Process

Because sale properties generally are not identical to a subject property, at times adjustments to sale or listing prices may be required for the differences. Adjustments are market perceived, that is derived from the available market transactions and/or at times when minimal or erratic data is available, adjustments may be applied using the appraiser's judgment based on knowledge and experience in the subject's market segment.

The first adjustments considered are for atypical transactions including favorable financing, conditions of sale (favorable sales conditions), and market condition changes (time of sale), followed by comparison of physical characteristics consisting of location, size, topography, etc. and possibly adjustments for the differences.

Financing

The definition of Market Value assumes market transactions consider cash or cash equivalent transactions as typical. In the case of the properties analyzed, each sale was analyzed for possible favorable financing and research found all of the sales were cash transactions thus adjustments for atypical financing are not required.

Conditions of Sale

All of the sales were arm's length transactions and all of the sales were private party sellers, thus lender ownership and/or other financial duress did not affect sales prices. However, in the case of sale 1, the sale of properties surrounding the subject, the purchaser demolished two improvements on the property. The cost of demolition was reported to total \$8,000. the sales price is adjusted for the additional investment in the demolition.

Market Conditions/Time of Sale

In the case of a changing market, adjustments can be applied to account for changes in the market which may have occurred in the period between the sale date of the comparable and the date of the appraisal.

The sales in analyzed are generally recent, closing within the past 40 months with three of the sales closing within the last 13 months. The sales are the most recent sales of the comparable properties in the neighborhood.

Prices drastically declined to about mid 2011 when demand began to return and between 2012 and the date of appraisal prices appear to have stabilized, thus the price levels indicated by the properties analyzed are applicable to the subject.

Adjustments for Physical Conditions

After considering adjustments for transition characteristics, physical differences between the sale properties and the subject are analyzed. Some typical physical differences are location, exposure, access, site size, and topography.

Physical differences are ideally adjusted based on paired sales analysis, when available, but in the case of the subject's market segment, adjustment indications are unclear due to relatively modest number of sales and soft market conditions. For this reason, quantitative adjustments to the sale prices for different physical features are not applied; rather a qualitative adjustment process is performed.

Data Summary

There remains uncertainty in the subject's land market. Based on the properties analyzed, it appears the primary neighborhood market for typical sites are adjacent property owners. There are exceptions, as an example dollar stores are being or have been constructed in the neighborhood and these market participants tend to pay a

premium for a particular location but the vacant property adjacent to the subject is not a dollar store site, thus it appears vacant sites within the subject's block are most likely to primarily experience from an adjacent owner.

Sale 1 – consists of in total a 0.54 acre site which surrounds the subject alley. The site included two older building structures, demolished by the purchaser at a cost of \$8,000 for a total investment of \$73,000 or \$3.10 per square foot. In this case the purchaser owns the easterly adjacent property. The purchase and assemblage with the adjacent property allows the owner the ability to expand the adjacent property's development potential.

Sale 2 – is located six blocks west of the subject. The property forms the southeast corner of Orange Avenue and South 13th Street. There is a billboard on the property, previously reported to contribute nominal value to the property. The property has been listed for several years with an initial listing price significant higher than the December 2014 sales price. The property sold in July 2014 at \$20,000, then resold in December 2014 at \$30,000 or \$0.99 per square foot.

Sale 3 – is located at the northwest corner of Orange Avenue and North 19th Street, some 12 blocks west of the subject. The property was listed for a period of time with a Realtor but the Realtor could not consummate a sale. The adjacent property owner, a church, approached the seller and they completed the sale. Based on discussions with the purchaser's representative, it appears there was some lack of knowledge in the real estate markets, rather the purchasers may have highly desired the property thus little price negotiations occurred which likely upwardly affected the sales price.

Sale 4 - is the oldest sale analyzed, closing in September 2011 when demand in the markets was beginning to return. The property is located five blocks west of the subject. The property was listed via a local Realtor and sold to an adjacent owner. The combination of the purchaser's motivation and the small size of the site, 0.19 acres likely upwardly affected the sales price.

Value Conclusion

While the purchases by adjacent owners, sales 1, 3 and 4, produced the highest sales prices per square foot, sale 2 selling as an independent parcel to a non-adjacent owner sold at the lowest price per square foot. In most instances when a property can function as an independent economic unit the property will attract a wider range of potential investors, however, in the subject's neighborhood demand is very limited and in my opinion, although the property surrounding the subject recently sold to an adjacent owner at a price of \$3.10 per square foot, a sale of the property for an independent economic unit will not produce a \$3.10 per square foot sales price, as demonstrated in the case of sale 2.

Further, when reviewing the gross sales price range for the properties analyzed, in my opinion the adjacent property's adjacent property's gross sales price falls closer to the \$30,000 to \$40,000 range which calculates to \$1.27 to \$1.70 per square foot indicating the adjacent per square foot price falls towards the lower end of the range of the per square foot sales prices.

Additionally, in my opinion there is a gross price ceiling which the recent sale of the adjacent property seems to have broken but with continual weak demand in the neighborhood no other evidence exists in the neighborhood to suggest a new gross price level for say ½ acre lots will continue in the near term. Therefore, it is my opinion the market value of the adjacent property is no higher than within the range of \$1.50 per square foot and the possibility exists that the surrounding property could as in the case of sale 2 sell at low as \$0.99 per square foot.

Applying say \$0.99 to \$1.50 per square foot to the subject's 2,392 square feet of area the value indication calculates \$2,368 to \$3,588, or say \$3,000 for the subject alley.

Therefore, based on the available data and my analysis as previously presented, it is my opinion the market value of the fee simple interest in the subject, as of January 8, 2015, estimated via an "Across the Fence" analysis utilizing the Sales Comparison Approach, is:

THREE THOUSAND DOLLARS -\$3,000-

Exposure time: - *Appraisal Institute, The Dictionary of Real Estate Appraisal, 5th ed.*

1. The time a property remains on the market.
2. The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based on an analysis of past events assuming a competitive and open market.

The closed sales analyzed required extended exposure periods. Extended exposure periods are typically caused by soft market conditions and in many instances initial above market listing prices. As prices seem to have stabilized and during 2012 and 2013 sales volume increased, exposure periods should have decreases or stabilized, however with softer demand in 2014 exposure periods may again lengthen, but it is my opinion that the past trends of extended exposure periods has past, rather as of the date of appraisal the exposure period for properties in the subject's neighborhood is most likely between 12 and 24 months.

ORDINARY LIMITING CONDITIONS AND UNDERLYING ASSUMPTIONS

1. The opinions value given in this report represents the opinion of the signer as of the DATE SPECIFIED. Real estate is affected by an enormous variety of forces and conditions will vary with future conditions, sometimes sharply within a short time. Responsible ownership and competent management are assumed.
2. This report covers the premises herein described only. Neither the figures herein nor any analysis thereof, nor any unit values derived therefrom are to be construed as applicable to any other property, however, similar the same may be.
3. It is assumed that the title to said premises is good; that the legal description of the premises is correct; that the improvements are entirely and correctly located on the property; but no investigation or survey has been made, unless so stated.
4. The opinion(s) given in this appraisal report is gross, without consideration given to any encumbrance, restriction or question of title, unless so stated.
5. Easements on the subject parcels are unknown. Easements may or may not be recorded or may exist by customary use or other legal means. The appraiser has not nor is he qualified to search legal records as to the existence of other easements.
6. Information as to the description of the premises, restrictions, improvements and income features of the property involved in this report is as has been submitted by the applicant for this appraisal, or has been obtained by the signer hereto. All such information is considered to be correct; however, no responsibility is assumed as to the correctness thereof unless so stated in the report.
7. The physical condition of the improvements described herein was based on visual inspection. No liability is assumed for the soundness of structural members since no engineering tests were made of the same. The property is assumed to be free of termites and other destructive pests.
8. Possession of any copy of this report does not carry with it the right of publication, nor may it be used for any purpose by any but the applicant without the previous written consent of the appraiser or the applicant, and in any event, only in its entirety.
9. Neither all nor part of the contents of this report shall be conveyed to the public through advertising, public relations, news, sales or other media, without the written consent of the author; particularly as to the valuation conclusions, the identity of the appraiser or the firm with which he is connected, or any reference to the Appraisal Institute, or to the SRA or MAI designations.
10. The appraiser herein, by reason of this report is not required to give testimony in court or attend hearings, with reference to the property herein appraised, unless arrangements have been previously made therefore.
11. The Contract for the appraisal/consulting services is fulfilled by the signer hereto upon the delivery of this report duly executed.
12. It is assumed that there is full compliance with all applicable federal, state, and local environmental regulations and zoning laws unless non-compliance is stated, defined and considered in the appraisal report.

ORDINARY LIMITING CONDITIONS (continued)

13. Unless otherwise stated in this report, the existence of hazardous material, which may or may not be present on the property, was not observed by the appraiser. The appraiser has no knowledge of the existence of such materials on or in the property. The appraiser, however, is not qualified to detect such substances. The presence of substances such as asbestos, urea-formaldehyde foam insulation or other potentially hazardous materials may affect the value of the property. The value estimate is predicated on the assumption that there is no such material on or in the property that would cause a loss in value. No responsibility is assumed for any such conditions, or for any expertise or engineering knowledge required to discover them. The client is urged to retain an expert in the field, if desired.

14. The Americans with Disabilities Act (ADA) became effective January 26, 1992, we have not made a specific compliance survey and analysis of this property to determine whether or not it is in conformity with the various detailed requirements of the ADA. It is possible that a compliance survey of the property together with a detailed analysis of the requirements of the ADA could reveal that the property is not in compliance with one or more of the requirements of the act. If so, this fact could have a negative effect upon the value of the property. Since we have no direct evidence relating to this issue, we did not consider possible noncompliance with the requirements of ADA in estimating the value of the property.

EXTRAORDINARY ASSUMPTIONS

EXTRAORDINARY ASSUMPTION – *Uniform Standards of Professional Practice (USPAP), 2014-2015, ed.*

An assumption, directly related to a specific assignment, which, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions.

Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property such as market conditions or trends; or about the integrity of data used in an analysis.

1. The subject's site size and dimensions were taken from a sketch and legal description provided by my client, Mr. Steve Tarr and assumed to be accurate.

CERTIFICATE OF APPRAISAL

I certify that, to the best of my knowledge and belief:

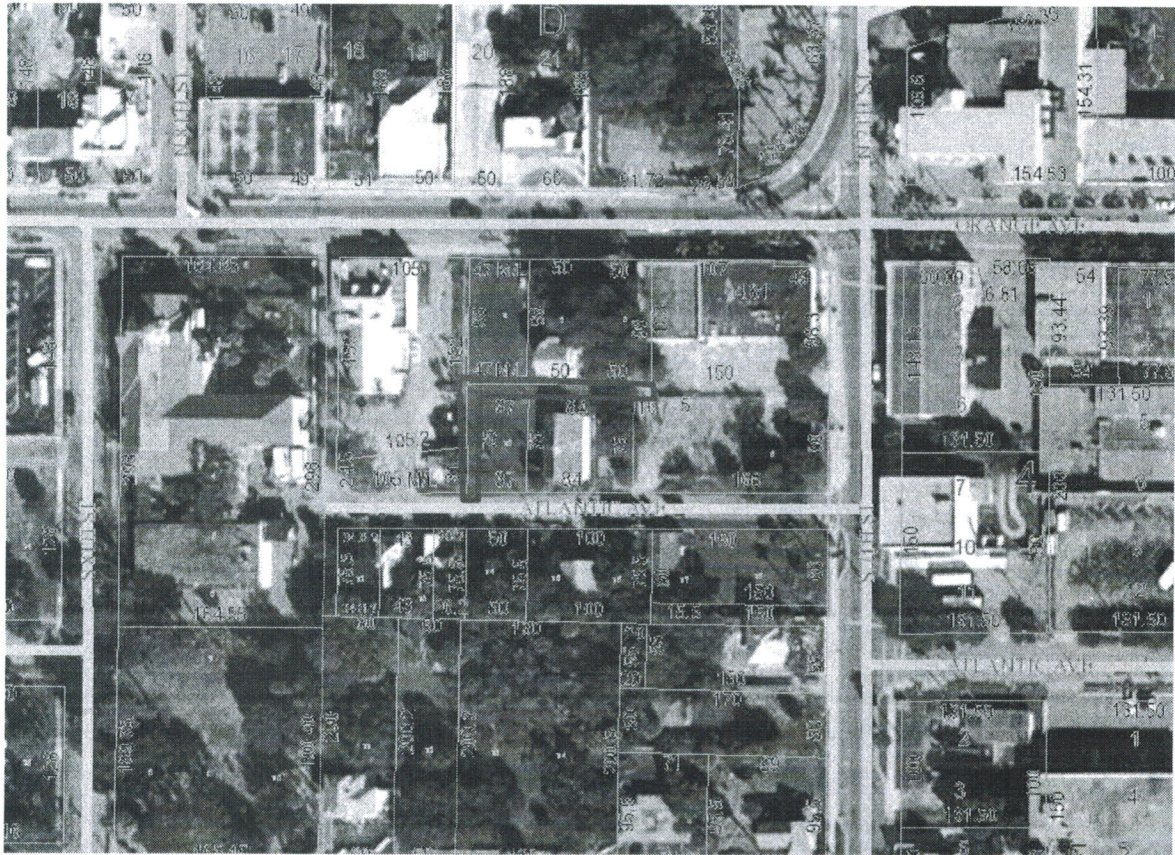
- a) The statements of fact contained in this report are true and correct.
- b) The reported analysis, opinions, and conclusions are limited only by the reported assumptions and limiting conditions and are my personal, impartial and unbiased professional analyses, opinions, and conclusions.
- c) I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved.
- d) I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- e) My engagement in this assignment was not contingent upon developing or reporting predetermined results.
- f) My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- g) My analysis, opinion, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- h) I have made a personal inspection of the property that is the subject of this report.
- i) No one provided significant real property appraisal assistance to the person signing this certification.
- j) The reported analyses, opinion, and conclusions were developed, and this report has been prepared, in conformity with the requirement of the Code of Professional Ethics & Standards of Professional Appraisal Practice of the Appraisal Institute including the Uniform Standards of Professional Appraisal Practice.
- k) The use of this report is subject to the requirements of the Appraisal Institute relating to review by its duly authorized representatives.
- l) "As of the date of this report, I, Daniel D. Fuller, MAI, SRA, have completed the requirements under the continuing education program of the Appraisal Institute."
- m) This appraisal assignment was not based on a requested minimum valuation, a specific valuation, or the approval of a loan.
- n) I have not previously appraised this property in the three years prior to this assignment nor have I performed any other services related to this property within the three years prior to being engaged for this assignment.



Daniel D. Fuller, MAI
State-Certified General Real Estate Appraiser RZ567

DATA SUMMARY & ANALYSIS

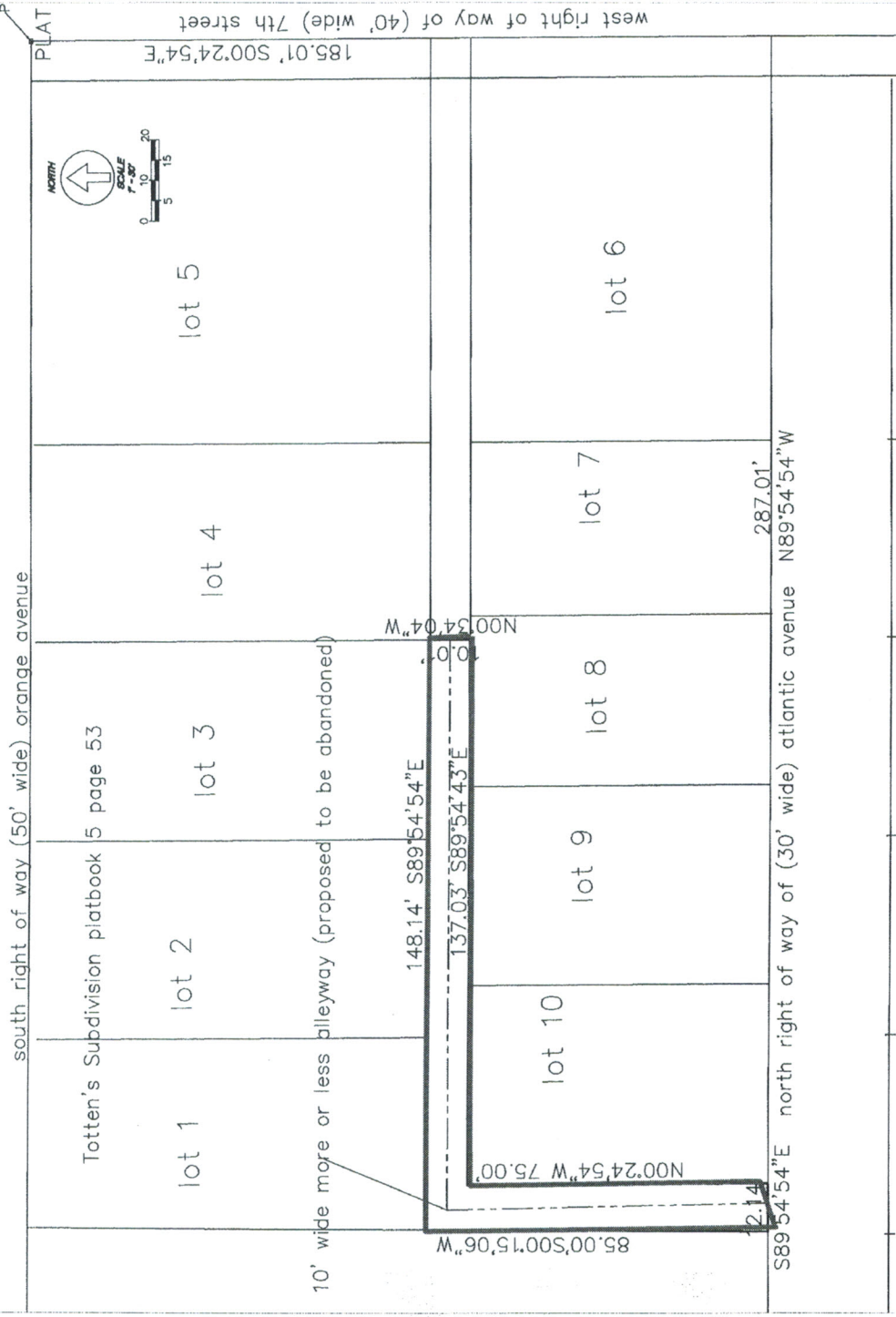
DESCRIPTION	Sales within Subject's Orange Ave. neighborhood			
	SALE 1	SALE 2	SALE 3	SALE 4
SUBJECT	700 block between Orange Ave. and Atlantic Ave. Ft. Pierce	SE corner Orange Ave. & S. 13th Street Ft. Pierce	1906 Orange Ave. - NW corner Orange Ave. & N. 19th St. Ft. Pierce	SW corner Orange Ave. & Alma Court Ft. Pierce
GRANTOR	Owner - City of Fort Pierce	M. Porro Inv., Wilson, Francis X.	Rammanian, Robit	Anona Swan
GRANTEE	N/A	RAST Properties, Inc.	Vega's Home Const., Inc.	Independent Haitian Assembly of God
DATE OF SALE RECORDED OR BK/P.G.	APPRaised 1/8/2015	10/14 3679/767	12/14 3660/467	9/11 3332/2037
SALE DATE TO APPRAISAL - MONTHS	3	1	13	40
FINANCING	Expected Cash Equivalent	Cash	Cash	Cash
PREVIOUS SALES	N/A	4/04 sale @ \$175K - prop. Included 3 residential structures Current sale - \$65K = 63% decline	3/03 sale - \$95K 7/14 sale - \$20K Price decline 78% followed by 50% increase	No recent previous sales
DATA VERIFICATION:	Inspection & property owner	Purchaser Steve Tarr (561) 622-3386 to D. Fuller 1/16/15	Public Records details Pastor E. Lexvins (Purchaser) (770) 940-7591 to D. Fuller 3/14/14	Listing Realtor P. Schall (772) 595-1076 to D. Fuller
ZONING / LAND USE	C-3 / CG	C-3 / CG	C-3 / CG	C-3 / CG
SITE AREA - SF ACRES	2,392 0.055	23,522 0.540	30,320 0.696	8,276 0.19
PUBLIC UTILITIES	Central	147' x 98' & 121' x 75 ft	109.2' X 130'	60' X 134'
Comments:	City alley, interior, unbuildable "as is"	Interior Orange Ave. & Atlantic Ave. exposure - improved with older blds., demolished Purchaser assembling properties	Corner/traffic light, good exposure Very soft demand neighborhood Property includes billboard	Average corner exposure Very soft demand neighborhood Adjacent owner purchaser
SALE ANALYSIS	N/A	\$65,000	\$30,000	\$21,000
RECORDED SALE PRICE:	N/A	\$2.76	\$0.99	\$1.80
SALE PRICE PER SQ. FT.	0	0	0	0
FINANCING ADJUSTMENT	\$0	\$65,000	\$30,000	\$21,000
ADJUSTED SALE PRICE	\$0	\$8,000	0	0
ADJUSTED SALE PRICE	\$0	\$73,000	\$30,000	\$21,000
MARKET CONDITION ADJUSTMENT / MONTH	0.0%	0.0%	0.0%	0.0%
GROSS SALE PRICE - market condition adjusted	\$0	\$73,000	\$30,000	\$40,000
SALE PRICE / SF - market condition adjusted	\$0.00	\$3.10	\$0.99	\$1.80



Aerial Site Map (subject in red)

PROPERTY SKETCH

EXHIBIT B sketch of description; proposed
 10 wide alleyway more or less; abandonment



Subject Photographed 1/8/15



Vacant land surrounding subject alley –
with subject alley located in area identified by arrow



Area of alley along west line of Lot 10, identified by arrow

DEFINITIONS

APPRAISAL REPORT FORMAT

Per *Uniform Standards of Appraisal Practice (USPAP 2014-2015)* – *Standards Rule 2-2*, each written real property appraisal report must be prepared under one of the following options and prominently state which options is used: Appraisal Report or Restricted Appraisal Report.

MARKET VALUE DEFINED

Market Value, as defined in Chapter 12, Code of Federal Regulation, Part 34.42, is:

The most probable price in terms of money which a property should bring in a competitive and open market under all conditions requisite to a fair sale, the buyer and seller, each acting prudently, knowledgeably and assuming the price is not affected by undue stimulus. Implicit in this definition is the consummation of a sale as of a specified date and the passing of title from seller to buyer under conditions whereby:

1. Buyer and seller are typically motivated.
2. Both parties are well informed or well advised, and each acting in what he considers his own best interest.
3. A reasonable time is allowed for exposure in the open market.
4. Payment is made in terms of cash in U.S. dollars or in terms of financial arrangements comparable thereto; and
5. The price represents a normal consideration for the property sold unaffected by special or created financing or sales concessions granted by anyone associated with the sale.

FEE SIMPLE ESTATE – *Appraisal Institute, The Dictionary of Real Estate Appraisal, 5th ed.*

Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power, and escheat.

ARM'S LENGTH TRANSACTION – *Appraisal Institute, The Dictionary of Real Estate Appraisal, 5th ed.*

A transaction between unrelated parties who are each acting in his or her own best interest.

SALES COMPARISON APPROACH – *Appraisal Institute, The Dictionary of Real Estate Appraisal, 5th ed.*

The process of deriving a value indication for the subject property by comparing market information for similar properties with the property being appraised, identifying appropriate units of comparison, and making qualitative comparisons with or quantitative adjustments to the sale prices (or unit prices, as appropriate) of the comparable properties based on relevant, market-derived elements of comparison.

ACROSS THE FENCE METHOD – *Appraisal Institute, The Dictionary of Real Estate Appraisal, 5th ed.*

A land valuation method often used in the appraisal of corridors. The across the fence method is used to develop a value opinion based on comparison to abutting land.

EXTRAORDINARY ASSUMPTION – *Uniform Standards of Professional Practice (USPAP), 2014-2015, ed.*

An assumption, directly related to a specific assignment, which, as of the effective date of the assignment results, which, if found to be false, could alter the appraiser's opinions or conclusions.

Extraordinary assumptions presume as fact otherwise uncertain information about physical, legal, or economic characteristics of the subject property; or about conditions external to the property such as market conditions or trends; or about the integrity of data used in an analysis.

QUALIFICATIONS OF THE APPRAISER

DANIEL D. FULLER, MAI

Education

Indian River Community College, Graduated 1967, A/S Degree

Professional Memberships

Member Appraisal Institute (MAI)#7876 - Appraisal Institute
 Senior Real Property Appraiser (SRPA) - Appraisal Institute
 Senior Residential Appraiser (SRA) - Appraisal Institute
 Florida - State Certified General Real Estate Appraiser RZ567
 Registered Florida Real Estate Broker

Work Experience

1992 - Pres. President, Fuller-Armfield-Wagner Appraisal & Research, Inc., Fort Pierce, FL
 1987 - 1992 Vice President & Partner, Armfield-Wagner Appraisal & Research, Inc., Fort Pierce, FL
 1983 - 1987 Staff Appraiser, Armfield-Wagner Appraisal & Research, Inc., Vero Beach, FL
 1981 - 1983 Salesman/Appraiser, Florida Licensed Realtor-Associate, Procino Realty, Ft Pierce, FL
 1979 - 1983 Staff Appraiser, Harbor Federal Savings and Loan Association, Fort Pierce, FL
 1974 - 1979 Staff Appraiser, St. Lucie County Property Appraiser's Office, Fort Pierce, FL

Real Estate Appraisals made for the following:

Accountants	PNC Bank
Attorneys	Port St. Lucie, City of
Dept. of Natural Resources	RBC Bank
Federal Deposit Ins. Corp.	Resolution Trust Corporation
Federal Home Loan Bank Board	Seacoast Bank
Federal National Mortgage Corp.	St. Lucie County
Florida Community Bank	South Florida Water Management District
Fort Pierce, City of	SunTrust Banks
Gulfstream Business Bank	TD Bank
Harbor Community Bank	TITF
IBERIA Bank	Vero Beach, City of
Indian River County	Wells Fargo
Martin County	

Types of Appraisals Completed

Airplane Hangars	Offices
Automobile Dealerships	Packing Houses
Car Washes	Ranches
Commercial	Recreational Vehicle Parks
Groves	Residential
Industrial	Restaurants
Insurable Value	Retail Shopping Centers
Land Locked Parcels	Service Stations
Mini-Warehouses	Subdivision
Motels	Warehouses
Multi-Family	Wetlands
	Vacant Lands

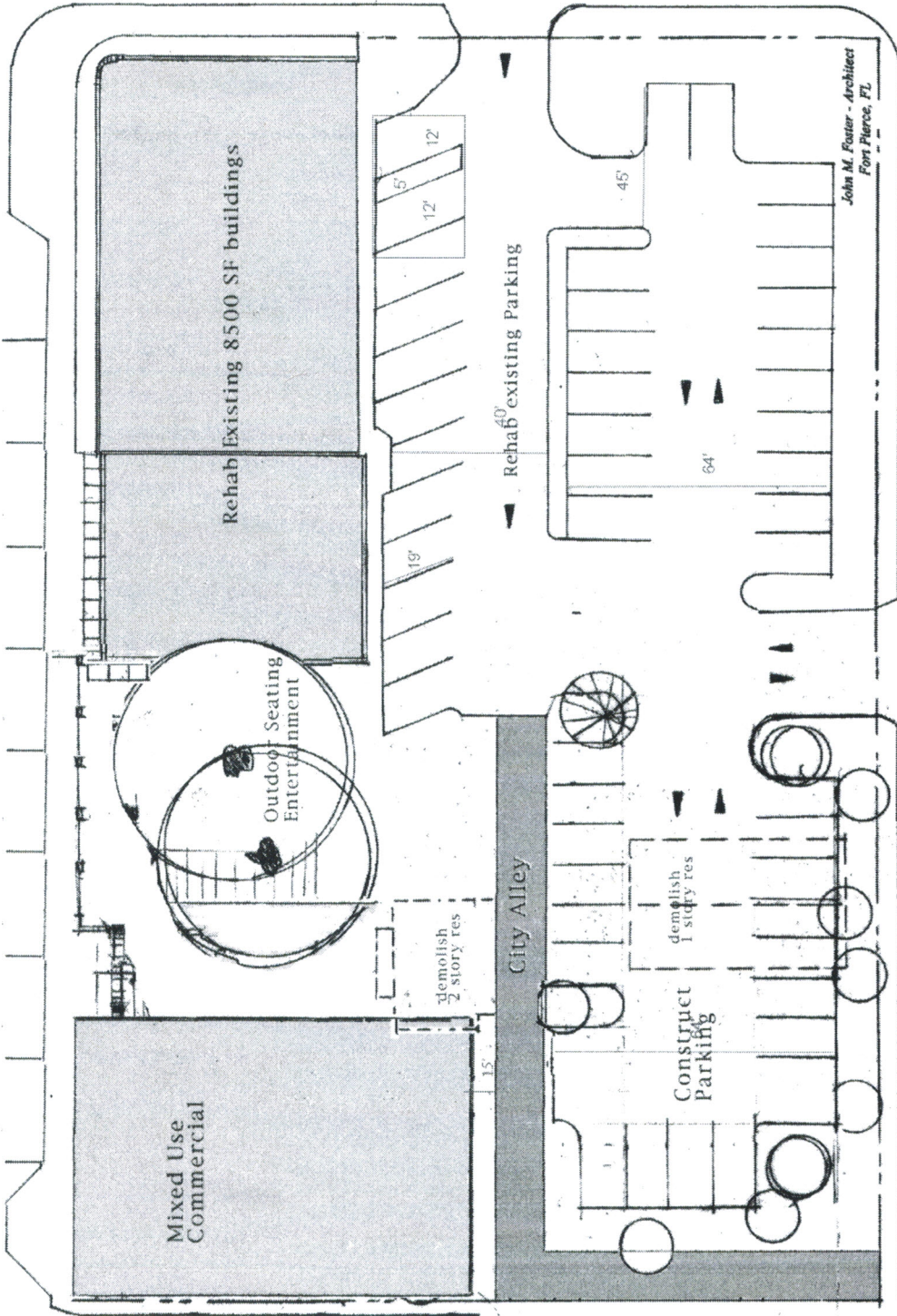
Qualified as Expert Witness

Circuit Court -
 St. Lucie County
 Martin County
 Indian River County
 Okeechobee County
 Palm Beach County
 U.S. Bankruptcy Court -
 West Palm Beach District

Accomplishments

Past President - Society of Real Estate Appraisers - Indian River Chapter 211 (1989 - 1990)
 Past Instructor - Indian River Community College - Appraising Income Producing Real Estate
 Past Board Member - East Florida Chapter of Appraisal Institute

Orange Ave



7th Street

John M. Foster - Architect
Fort Pierce, FL

SITE PLAN

Planning Board

7. c.

Meeting Date: 03/10/2015

Information

REQUESTED ACTION

Special Exception - Carl & Cynthia Onachila - 61 Southpointe Drive

LOCATION

61 Southpointe Drive

RESPONSIBLE STAFF

Kori Benton, Historic Preservation Board

RECOMMENDATION

Approval with a condition

Attachments

Staff Report

Site Aerial

Application Narrative

Proposed Plans

Southpointe Subdivision with Common Area Tracts Noted

Sec. 22-102.1. - Nonconforming structure as special exception.

Form Review

Form Started By: Kori Benton

Started On: 03/03/2015 11:15 PM

Final Approval Date: 03/04/2015



CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

TO: Members of the City of Fort Pierce Planning Board

THROUGH: Rebecca Grohall, AICP, Planning Manager

FROM: Kori Benton, Historic Preservation Officer

RE: **Application for Special Exception
Addition to a Non-Conforming Structure
61 Southpointe Drive**

DATE: March 3, 2015

STAFF REPORT

Owners/Applicants: Carl & Cynthia Onachila
61 Southpointe Dr
Fort Pierce, FL 34949-9134

Requested Action: Approval of a Special Exception to expand a nonconforming structure by 160 sq. ft. to construct a covered screen porch.

Location: 61 Southpointe Drive

Parcel ID: 2507-713-0010-000-4

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

Surrounding Zoning:

North	East	South	West
R-4A	R-4A	R-4A	R-4A

Future Land Use: Hutchinson Island Residential (HIR)

Parcel Size: .14 acres / 6,000 sq. ft.

Construction Date: 2002

Structure Size: Finished/Under Air Area: 1,967 sq. ft.
Gross Total Area: 2,443 sq. ft.

Allowable Lot Coverage: 40%

Existing Lot Coverage: 40.72%

Staff Analysis:

The subject site is a 6,000 sq. ft. lot in the Southpointe Subdivision, within Ocean Village. The existing 2,443 sq. ft. single-family home on-site was constructed in 2002. The home consists of 1,967 sq. ft. of finished area under air, a 440 sq. ft. attached garage, and a 36 sq. ft. open-air front porch. The gross total building area equates to a lot area coverage of 40.72%, presently. City Code Section 22-27.1(b)(3)a., mandates that single-family home structures, within the R-4A zone, shall not cover more than forty (40) per cent of the lot area. The existing structure exceeds the allowable lot area coverage for single family homes in the R-4A zoning district, classifying this structure as non-conforming.

The applicants purchased the property in October 2014, in its existing state, unaware of the non-conformity. The applicants are proposing the rear addition of a covered screen room, with the intent to enhance the rear of the existing single-family home, and provide outdoor seating centered upon views of the abutting golf course. The proposed addition is 160 sq. ft. in size, featuring an impervious roof, white aluminum frame, and screen panels to protect the interior space from weather and bug intrusion.

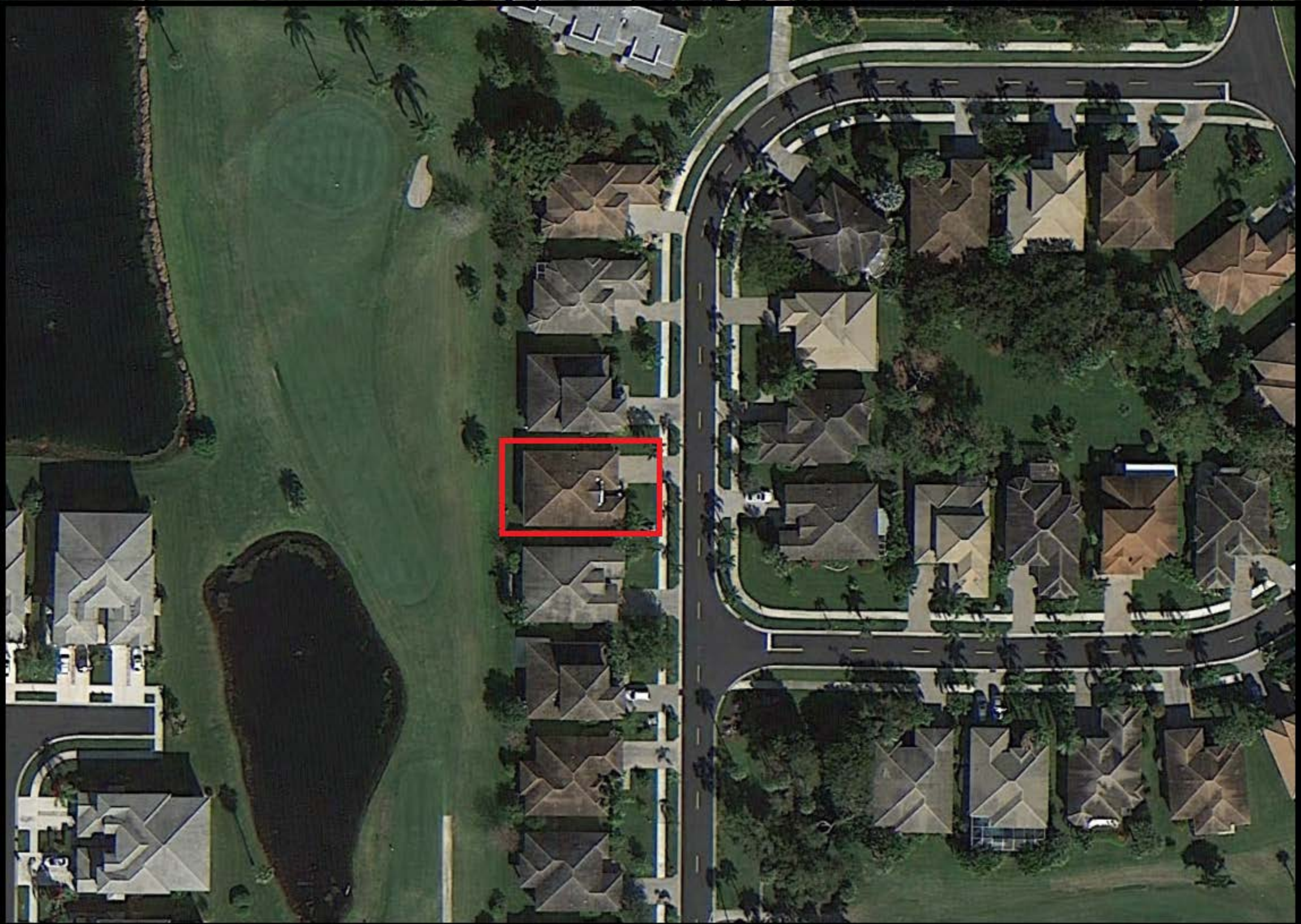
The requested addition to the structure necessitates the review and approval of a Special Exception, and Variance, based on the structure failing to meet the allowable lot area coverage for single family homes in the R-4A zoning district, in addition to the proposed increase in lot coverage to approximately 43.38%.

The addition, as presented, will further violate the established lot area restrictions noted, however the enlargement will not adversely affect traffic flow, safety and control, pedestrian safety and convenience or visibility at any street intersections, drives, rights-of-way, curbcuts or crosswalks. The proposed addition will meet the yard (setback) and height standards of the district, however the Board of Adjustment must consider authorizing a Variance, concurrent to the subject request, based upon the increase in lot coverage requested above the requirement. The proposed site plan and conceptual design are provided for review.

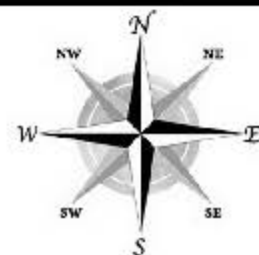
The Planning Board is requested to review the proposed *Special Exception* for the addition, and advise the Board of Adjustment prior to any action by the Board of Adjustment on the application.

Staff Recommendation:

The proposed Special Exception meets the criteria specified in Section 22.102.1 of the City Code; with the acknowledgement that the proposed addition will further violate the established lot area restrictions, therefore, Staff recommends that the Planning Board forward a recommendation of **approval** to the Board of Adjustment with the condition that the proposed porch addition does not feature a roof impervious to weather, such as a complete screen enclosure, as to not further exceed the allowable lot coverage.



61 Southpointe Drive Site Aerial



Carl A & Cynthia M Onachila
61 Southpointe Dr., Ft Pierce, Fl. 34949
Variance Request Criteria Questions 1-5

#1.) Conditions Peculiar to this property:

- Lot has a limited building area for improvement. Current under roof is 40.7% of the lot.
- Lot backs up to the 4th fairway of the Ocean Village Golf course.
- The screen porch would not impede the golf course or other structures.

#2.) Special conditions for this property:

- Lot has limited building area for improvements.
- 10% of this lot is reserved for utility easements and not usable for improvement.

#3.) Hardships ;

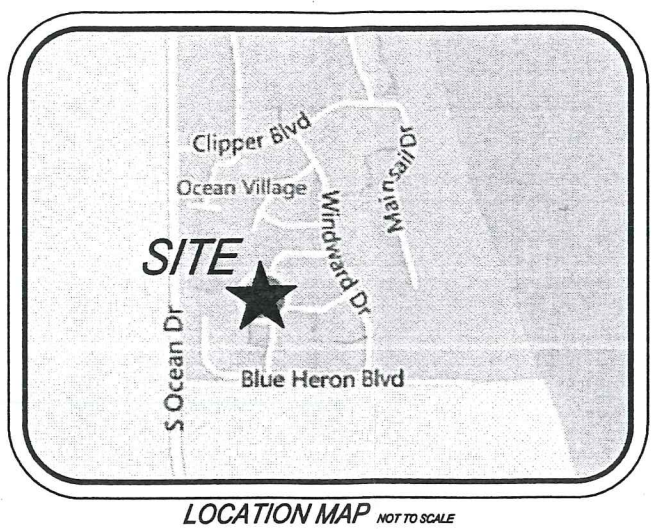
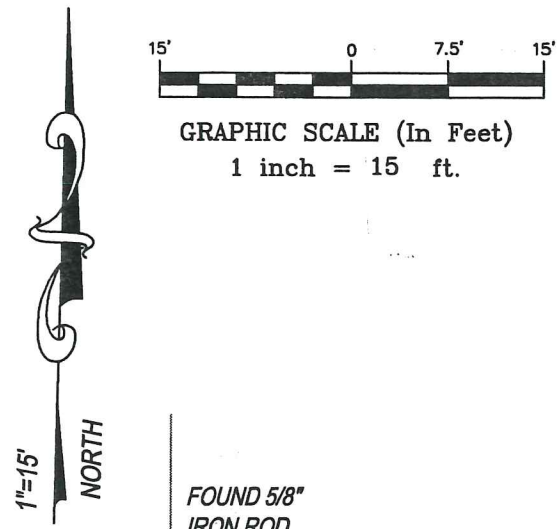
- Our inability for home improvements restricts our ability to enjoy our property. We would like to enjoy the protected/screened outdoors as many do in the Southpointe subdivision.

#4.) Minimum variance:

- The minimum variance to allow for the screened porch is 43.4%. An increase of 2.7% over the existing building coverage.

#5.)

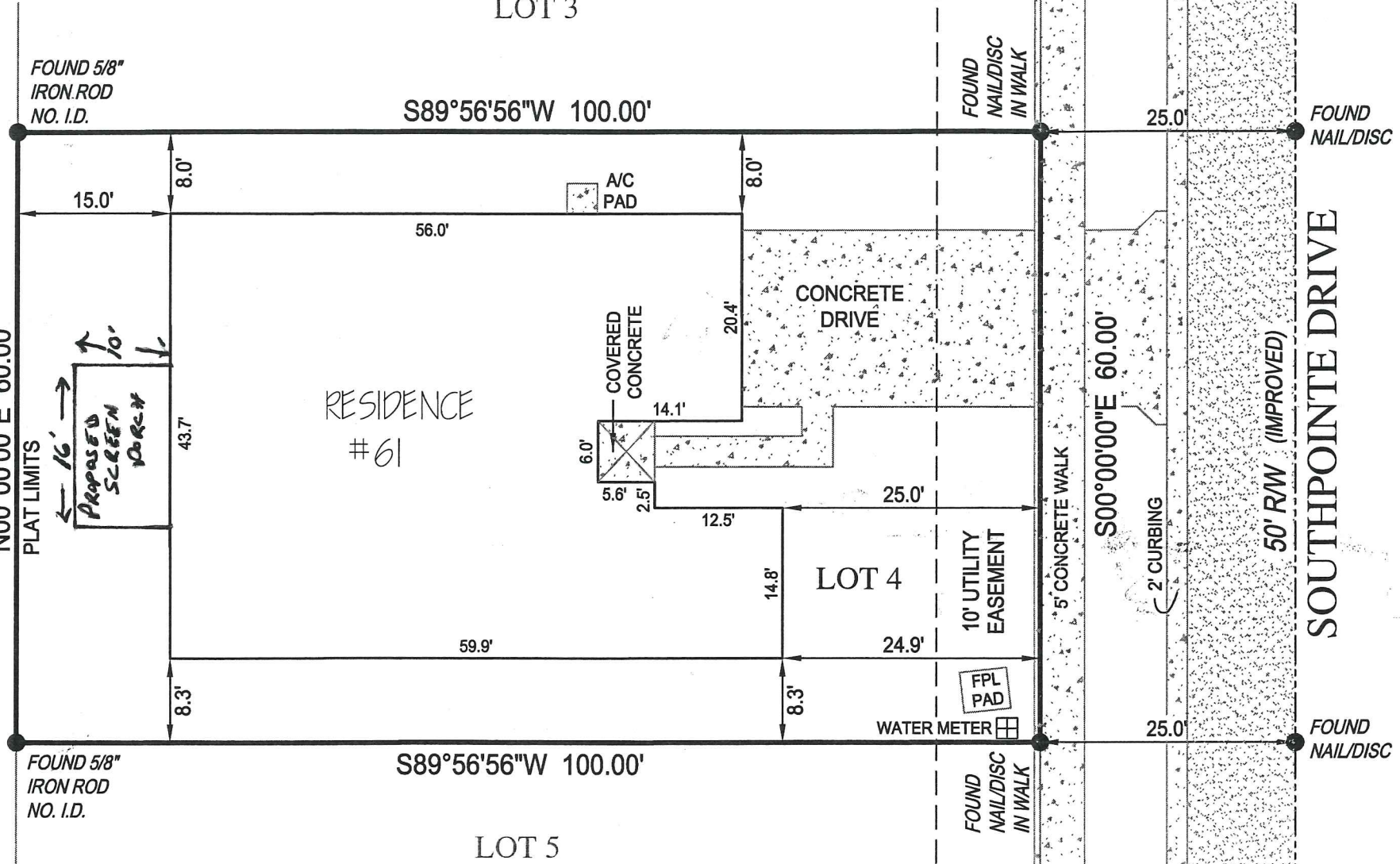
- The proposed screen porch structure will not impair the intent of the zoning ordinance.
- The structure will not impede any public walkways or right of ways and does not obstruct the play of golf nor interfere with neighbors' useful enjoyment of their properties.



LOCATION MAP NOT TO SCALE

GOLF COURSE

(BEARING REFERENCE)
N00°00'00"E 60.00'



LEGAL DESCRIPTION:

LOT 4, SOUTHPOINTE, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN PLAT BOOK 39, PAGE 7, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

FLOOD ZONE: AE
COMMUNITY NUMBER: 120285
PANEL: 12011C0183
SUFFIX: J

ABBREVIATION DESCRIPTION:

A/C	AIR CONDITIONER
C/L	CENTERLINE
FPL	FLORIDA POWER & LIGHT
I.D.	IDENTIFICATION
LB	LICENSED BUSINESS
P.C.	POINT OF CURVATURE
PSM	PROFESSIONAL SURVEYOR MAPPER
R/W	RIGHT OF WAY

NOTES:

1. LEGAL DESCRIPTION PROVIDED BY CLIENT
2. NO SEARCH OF THE PUBLIC RECORD FOR THE PURPOSE OF ABSTRACTING TITLE WAS PERFORMED BY THIS OFFICE
3. NO SUBSURFACE IMPROVEMENTS WERE LOCATED AS PART OF THIS SURVEY
4. ALL ANGLES AND DISTANCES SHOWN HEREON ARE BOTH RECORD AND MEASURED UNLESS OTHERWISE NOTED
5. THE BEARINGS SHOWN HEREON ARE BASED ON THE WEST PROPERTY LINE, ASSUMED TO BEAR N00°00'00\"/>

Clyde O. McNeal
Clyde O. McNeal PSM #2883
THIS SURVEY IS NOT VALID WITHOUT
THE SIGNATURE AND THE ORIGINAL RAISED SEAL
OF A FLORIDA LICENSED SURVEYOR AND MAPPER

BOUNDARY SURVEY OF
61 SOUTHPOINTE DRIVE
FORT PIERCE, FL 34949
PREPARED FOR
CARL AND CYNTHIA OMACHILA

Project C-12872	Sheet 1 of 1
Date 10-22-2014	
Scale 1" = 15'	

6250 N. MILITARY TRAIL, SUITE 102
WEST PALM BEACH, FL 33407
www.compassurveying.net

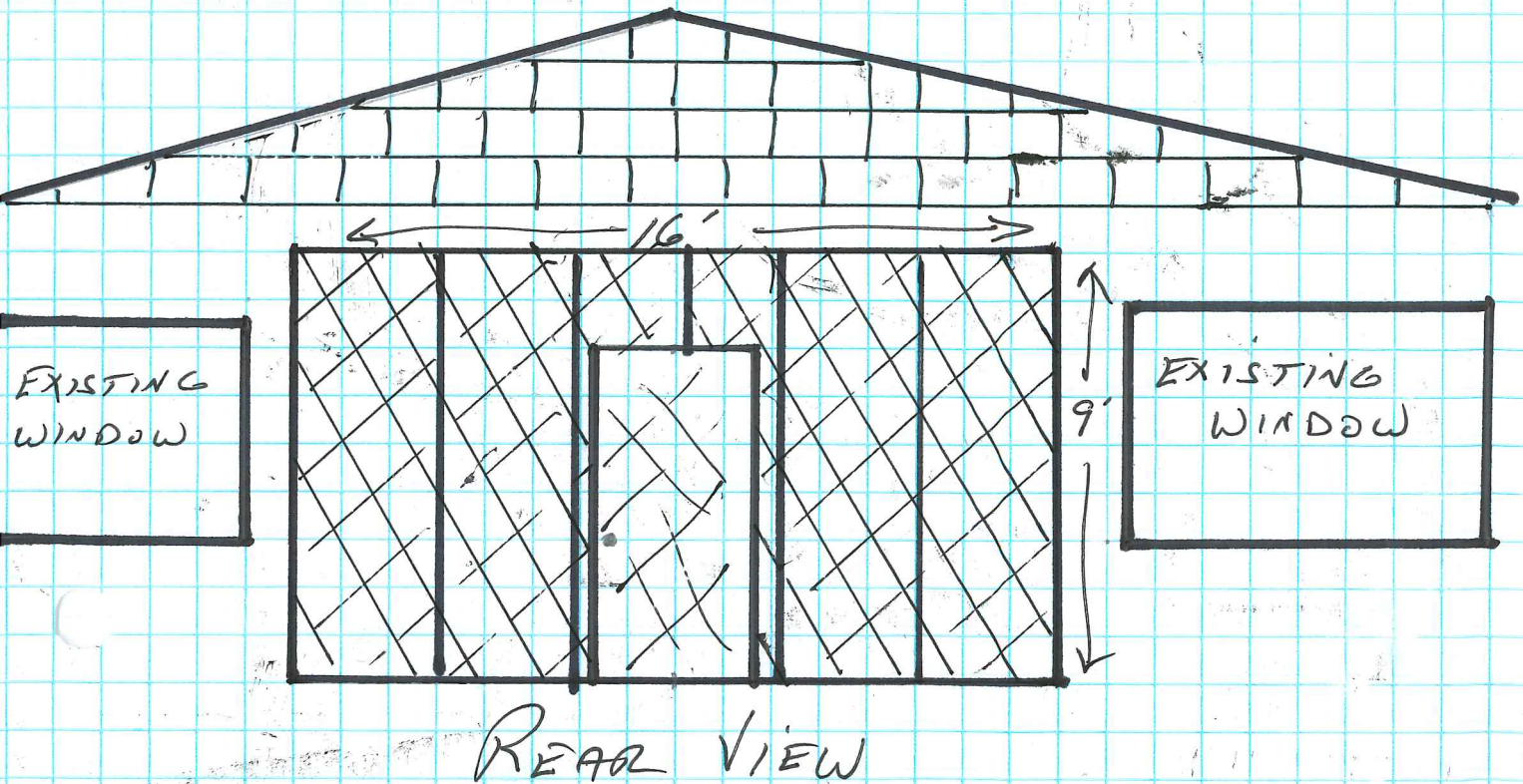
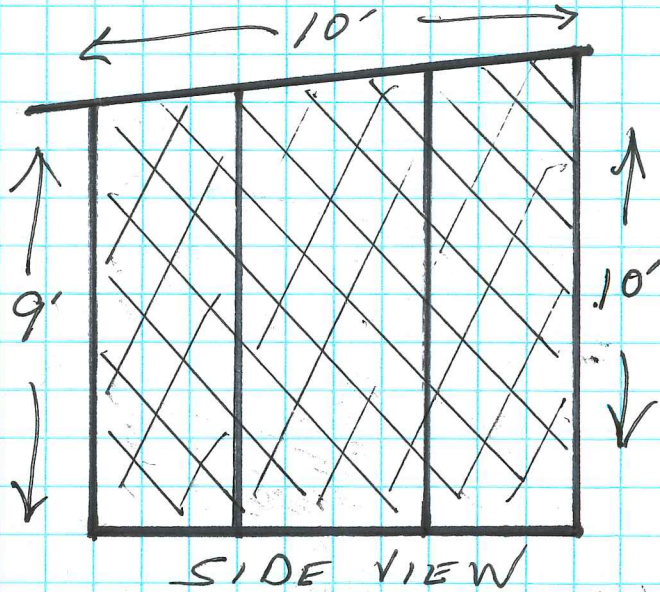
COMPASS SURVEYING

LB. 7463 PHONE: 561.640.4800 FAX: 561.640.0576

CAR. A. & CYNTHIA M. ONACHILA
61 SOUTHPONTE DR.

- PROPOSED SCREEN PORCH
- WHITE ALUMINUM FRAME
- NO SEE-UM SCREEN
- APPROXIMATE SIZE 16' x 10'

SCALE $\frac{1}{4}" = 1'$



Sec. 22-102.1. - Nonconforming structure as special exception.

- (a) The board of adjustment is authorized to permit the enlargement or alteration of a nonconforming structure, except any sign, as a special exception upon application, notice and hearing as provided in sections 22-141(a), 22-142(11), and 22-143, and upon finding and determining the following:
- (1) The granting of the special exception will not adversely affect the public interests;
 - (2) Such enlargement or alteration is in harmony with the purpose and intent of this chapter and all amendments thereof;
 - (3) The enlargement or alteration, if allowed, will not violate any height, yard, setback, area or density limitations imposed by the zoning district in which the property is located, or if the enlargement or alteration would increase such violation, such enlargement or alteration would not adversely affect traffic flow, safety and control, pedestrian safety and convenience or visibility at any street intersections, drives, rights-of-way, curbcuts or crosswalks;
 - (4) Such enlargements or alteration shall be compatible with adjacent properties and other properties within that zoning district;
 - (5) If in a commercial, business or industrial zone, that adequate buffers are provided between such structures and adjacent residential areas;
 - (6) That adequate off-street parking shall be provided for any multifamily, commercial, industrial or business use upon the property;
 - (7) The enlargement or alteration will not increase gross floor area of the principal structure by more than fifty (50) per cent;
 - (8) The use of the structure prior to, and subsequent to, the granting of the request for the special exception shall be a semi-restricted use or permitted conditional use within the district in which the property is located;
 - (9) There will be adequate availability and access to, and for, public utilities as may be required.
- (b) The board of adjustment shall confer with the city planning board on all applications for such special exception.**
- (c) In granting a special exception hereunder, the board of adjustment may require certain conditions and safeguards for the public health, safety and welfare, concerning the following:
- (1) Public off-street parking;
 - (2) Adequate ingress and egress with particular emphasis upon traffic and pedestrian safety;
 - (3) Adequacy of and access for fire and other emergency vehicles;
 - (4) Any signs and/or exterior lighting with reference to effect upon and harmony with surrounding properties;
 - (5) Any required landscaping, greenbelts, buffers or fencing in any residential, commercial or business districts, with reference to compliance with provisions of this Code, harmony and effect upon surrounding properties, lines of vision.
- (d) In granting any special exception, the board of adjustment may prescribe a reasonable time limit within which the enlargement or alteration for which the special exception is requested shall be begun and/or completed.
- (e) The procedure by which an application shall be made to the board of adjustment under this section shall be as provided in section 22-110 and section 22-112
- (f) The approval of any enlargement or alteration of a nonconforming structure as a special exception under this section shall require the conforming vote of four (4) members of the board of adjustments.

(Ord. No. H-244, § 2, 12-20-82; Ord. No. I-98, § 6, 1-7-85)

Editor's note—

Ord. No. H-244, § 2, amended the 1960 Code by addition of § 30-102A, designated herein as § 22-102.1