

November 16, 2016

Rebecca Grohall
City of Fort Pierce
Planning Department
100 N. US 1
Fort Pierce, FL 34954

Re: Variance Application
324 S Ocean Drive, Ft. Pierce, FL
Parcel ID 2401-501-0026-000-3

Dear Ms. Grohall:

Attached please find a Variance Application for the above referenced project. The \$1,000.00 application fee was included with our Site Plan and Conditional Use with New Construction submittal earlier this month. This application is being submitted to request a variance from the front setback of this oceanfront property. The front setback was determined to be 24.345 ft in accordance with Section 22-91(2) City of Fort Pierce Land Development Code. The seaward most limits of development are restricted by the Florida Department of Environmental Protection regulations which consider the existing line of construction, projected 30-year erosion limit, and the landward toe of the frontal dune. In addition, the existing platted lot width is less than the minimum required lot width in R4A zoning district.

Given the aforementioned constraints in conjunction with the front setback, the allowable building area is severely limited. The encroachment into the front setback is the minimal amount necessary to develop the site as a single family residence that is comparable with other similar properties in the neighborhood. The encroachments occurs in three (3) different locations up to a maximum of 1.51 ft into the front setback for a total of 11 sq ft of building area.

Criteria Narrative

In order to verify that this request for variance meets all the criteria in Section 22-108 of the City Code, the following questions have been answered:

1. *Describe those conditions peculiar to the specific property and not applicable to other lands, structures, or buildings in the same zoning district.*

This property is located seaward of the Coastal Construction Control Line. As a result the FDEP regulates the seaward most limits for construction. The seaward most limits depend on the existing line of construction in the immediate area, the landward toe of the frontal dune and the landward limits of the projected 30-year erosion. In addition, this is a platted lot having a width measured perpendicular to the side lot lines of 54.2 ft. The land development regulations require a minimum lot width of 60 ft. This non conformity in lot width is not the result of any action of the property owner and has been legally created through the platting process.

2. *Does special conditions or circumstances result from actions other than that of yours? Please explain.*

The FDEP established the CCCL in 1988, 41 years after Fort Pierce Beach was platted. In addition, the property was platted with a lot width of 54.2 ft prior to the establishment of the City of Fort Pierce Land development regulations requiring a 60-ft lot width in the R4A zoning district.

3. *Identify any undue hardships or deprivation of commonly enjoyed property rights that would result in the literal interpretation of the code for the zoning district.*

In most properties within the R4A zoning district, the property owner commonly has the rights to develop the building area of the property up to the rear setback limits. In this case, the limits of the rear setback are determined by the FDEP and not the Fort Pierce Land Development Regulations. As a result the majority of the property cannot be developed. In addition, minimum lot width in R4A zoning district is 60 ft. This property has only 54.2 ft of lot width thereby the developable area is less between side yard setbacks.

4. *What is the minimum variance that would give the reasonable use of the land, building, or structure?*

The proposed site plan and architectural plans are for the minimum variance necessary in order to develop a single family residence with adequate depth to provide room spaces that are functional and comparable to other homes in the vicinity. The total net variance is only 11 sq ft over the front setback which occurs in three (3) triangular areas. The maximum distance of the encroachment 1.51 ft.

5. *Explain how the variance request would not impair the intent of the zoning ordinance or be detrimental to the general public welfare.*

The developed property north of the site is 110 ft from the subject property. As a result of this, the front setback, in accordance with Section 22-91, can be adjusted by using the front setback of the property to the south only. If the property to the north was 10 ft closer, the average of the developed properties north and south would result in a required front setback that would be compatible with the proposed limits of construction. Based on an aerial, the estimated front setback for all developed properties north of the subject site are less than the 24.345 ft minimum required in the R4A zoning district. Please see attached exhibit for estimated setbacks of surrounding properties.

If upon your review, should you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,



William P. Stoddard, Ph.D., P.E.