



**TO:** Nicholas Mimms, P.E., City Manager

**THROUGH:** Rebecca Grohall, AICP, Planning Director

**FROM:** Brandon Creagan, LEED Green Associate, Planner

**RE:** **Application for Conditional Use with New Construction and Design Review  
 Mandel/Perkins Residence  
 324 South Ocean Drive**

**DATE:** December 20, 2016

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**STAFF REPORT**

**Property Owner/Applicant:** William P. Stoddard, Ph.D., P.E.  
 1717 Indian River Blvd., Suite 201  
 Vero Beach, FL 32960

**Representative:** Paul D Mandel and Diane M Perkins  
 6801 E Cypresshead DR  
 Parkland, FL 33067

**Requested Action:** Approval of a Conditional Use with New Construction and Design Review for a single family home seaward of the Coastal Construction Control Line (CCCL)

**Site Location:** 324 South Ocean Drive

**Parcel ID:** 2401-501-0026-000-3

**Parcel Size:** .13 acres

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

**Future Land Use:** HIR, Hutchinson Island Residential

**Surrounding Zoning:**

North	East	South	West
R-4A	Ocean/A2	R-4A	R-4A

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## Staff Analysis:

In accordance with Sections 22-66 and 22-76 of the City Code, the applicant is requesting approval for a Conditional Use with New Construction for a single family home seaward of the Coastal Construction Control Line (CCCL)

The proposed single family home is located at 324 South Ocean Drive. The proposed property that the single family home is planned to be built on is owned by Paul Mandel and Diane Perkins. The representative overseeing the project is William Stoddard, Ph. D, from Schulke, Bittle & Stoddard, LLC. The subject property is zoned R-4A, Hutchinson Island Medium Density Residential with a Land Use Designation of HIR, Hutchinson Island Residential. The properties to the north, south, and west are zoned R-4A, Hutchinson Island Medium Density Residential. The Atlantic Ocean and Aquatic Zone A-2 is to the east

The site is seaward of the Coastal Construction Control Line (CCCL), therefore the proposed construction requires authorization of a Conditional Use to advance for permitting. The Florida Department of Environmental Protection (FDEP) regulates the seaward most limits for construction, and will review the final proposal according to established coastal construction guidelines. 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.

The lot is .13 acres in size or 5,555 square feet. Additionally the lot is only 55 feet wide, which would make this lot a non-conforming lot because it does not conform to the minimum lot width of 60 feet as specified in City Code section 22-27.1 (1) (g.). With that said, the lot becomes buildable and a conforming lot because of City Code section 22-100. This section specifies that in an R-4A zoning district, a single family home can be built if a lot of record exists which could be lawfully used, if the lot is no longer permissible for any use under the terms of this chapter relating to lot size, if the entire contiguous land holdings in single ownership have not decreased, other than due to eminent domain proceedings, since the lot became nonconforming, and if the use satisfies other requirements of this chapter.

### *Design & Height*

The architectural style of the home reflects a contemporary design typified by sharp lines, fixed glass, and warm colors. The proposed height of the structure is 45 ft., to comply with City Code section 22-16(a)(3)b. guiding height within the South Beach Overlay District, for a single-family home in the R-4A zoning district. In the South Beach Overlay District, the height of a structure is not determined by measurement from existing grade, but rather from the FEMA Base Flood Elevation. Additionally the structure contains architectural features and equipment that are non-habitable, such as a parapet wall which extends past the 45 ft. mark. This feature is measured at an additional 4.33 ft., and pursuant to City Code section 22-16 (d)(2) , is within the allowable extension of 9 ft., or up to 20 beyond the maximum allowable height for appropriate features.

The proposed single family home will have a front yard setback of 24.35ft. Pursuant to City Code section 22-27.1, the minimum depth of the front yard shall be twenty-five (25) feet for a single family home. Pursuant to City Code section 22-91, the proposed structure is eligible for a front setback reduction. There is a building on one abutting lot which is within one hundred (100) feet of the lot, and this building has a front yard of less than the required depth for the zone. The front yard for the lot may not exceed a depth halfway between the depth of the front yard of the abutting lot and the required front yard depth. The structure(s) abutting the site, to the south, rest with a setback distance of 23.69 ft., allowing for a split reduction for the proposed structure.

The proposed design seeks to integrate a defined entry porch, which doubles as a balcony, that projects no greater than six (6) feet into the front yard as authorized by City Code section 22-59 (g) (2.) (d.) Side and rear setbacks are consistent with the R-4A district dimensional standards.

### *Lighting & Landscaping*

The outside lighting for the proposed structure will consist of fifteen (15) 3W LED Amber lights that will be located on the beachside of the property. The proposed beachside lighting shall be in full compliance with City Code 5-375 (Lighting on the Beach). City Code section 5-375 provides for the protection of sea turtles and sea turtle hatchlings in regards to lights effect on the ability of sea turtles to reach the sea. Any light that can be seen from the beach has the potential of disorienting sea turtles and preventing them from reaching the sea. The Code specifies that lighting shall be mounted as low as possible and lights shall be shielded. These two specifications help to prevent visible light from the beach. Aside from the fifteen (15) beachside lights, there will also be six (6) landward and two (2) shore perpendicular lights.

The landscape plan indicates that a minimum of four (4) Sabal Palmetto trees will be planted in the front yard of the proposed structure. This complies with City Code 22-186 that specifies; a minimum of four (4) trees must exist or be planted on each developed lot where either a single-family residence or two-family residence is the principal structure. Currently there is one (1) Royal Palm tree located within the state road A1A right-of-way that is in conflict with the proposed driveway construction. Pursuant to City Code 22-194 (d) (5) (Tree Protection and Mitigation), if property being developed is not suitable for on-site mitigation, the trees must be planted on City of Fort Pierce public land at the applicants expense. The applicant has agreed to pay for the mitigation of the trees to city public land and will contact the City of Fort Pierce Public Works department to make arrangements.

### **Technical Review Committee**

All affected Departments have reviewed the submittals and provided comments regarding the proposed single family home based on compliance with the requirements of the City Code. The Fort Pierce Code Enforcement, Engineering, and Planning departments submitted comments and the applicant has since corrected and modified the plans, resubmitting them to the Planning department. The comments from the Building department will be addressed prior to obtaining a Certificate of Occupancy. There were also comments from the St. Lucie County Surveyor, FPUA Electric and FPUA Water/Wastewater. The comments generated are attached for review by the Board.

### **Planning Board:**

At their December 13, 2016 meeting, the Planning Board voted to **approve** the Conditional Use with New Construction and Design Review for a single family home seaward of the Coastal Construction Control Line (CCCL) by a vote of 7-3.

### **Property Owner Response Summary:**

A total of 85 notifications for the proposed Conditional Use with New Construction and Design Review were mailed to the owners of properties located within 500 feet of the subject property. As of December 20, 2016, no responses have been received. An update will be provided to the City Commission at the public hearing.

**Staff Comments:**

The proposed single family home meets the requirements of the City Code, and is in compliance with the guidance of the City's Comprehensive plan. Staff recommends that the City Commission **approve** the Conditional Use with New Construction and Design Review, seaward of the CCCL, for the Mandel/Perkins Residence at 324 S. Ocean Drive.