



CITY OF FORT PIERCE

PLANNING DEPARTMENT

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

Conditional Use – No New Construction

Property address or Location 1138 Hernando St, Fort Pierce, FL 34949
Parcel ID #(s) 2401-810-0017-000/6
Project description Conditional use for monthly rental

Shawn Dufault
Property Owner(s)
1138 Hernando St
Street Address
Ft. Pierce FL 34949
City State Zip
772-971-0203
Phone Number
a1a.oceandr@aol.com
Email Address

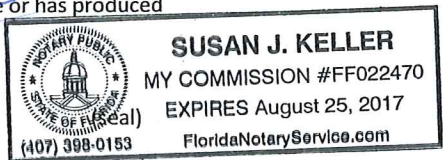
Mr. James McCarty
Applicant/Representative, Title, Company
2630-A NW 41st St.
Street Address
Gainesville, FL 32606
City State Zip
352-240-1226
Phone Number
mac.@lawgators.com
Email Address

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

Shawn Dufault
Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY
The foregoing instrument was acknowledged before me this 18 day of March, 2016, by
Shawn Dufault who is personally known to me or has produced
Susan J. Keller as identification.

Susan J. Keller
Signature of Notary

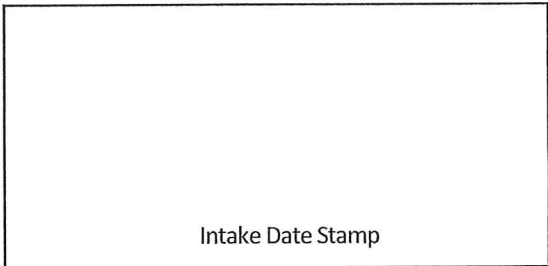


INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

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 _____
Planner Assigned _____
Approved By _____ Date _____
Comments _____



CONDITIONAL USE: NO NEW CONSTRUCTION

Submit one original, seven (7) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- If no site improvements are required:
 - As-built survey
 - Floor plan of existing building(s)
- If parking and drainage improvements are required:
 - As-built survey;
 - Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
 - Lighting plan
- Complete, notarized application

Application Type:

- Conditional Use: No new construction with no site improvements
- Conditional Use: No new construction with parking and drainage improvements

Site Information:

Building Size: 2032 Parking Spaces: 7

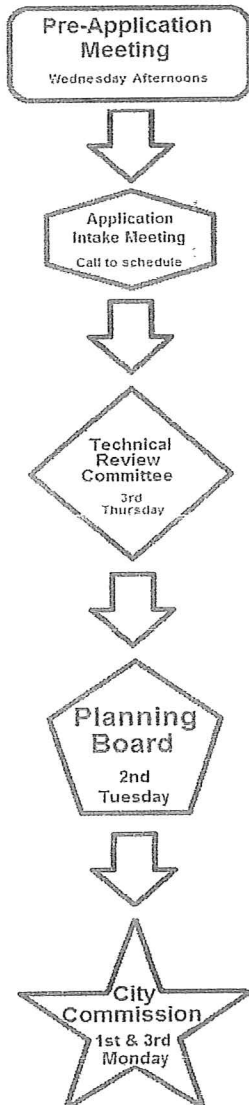
Surrounding Uses: (i.e. single family home, retail, industrial, etc.)

North	South	East	West
R4A	R4A	R4A	R4A

The application for conditional use with the application for site plan review, when not exempt in accordance with the requirements of section 22-75, shall be reviewed as a unit in accordance with the requirements of section 22-58 except that:

- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.
- (3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

Application Outlook



RE: 1138 Hernando Street

Fort Pierce, FL 34949

Conditional Use Request To operate dwelling rental by the month.

To Whom It May Concern:

I have lived full time in one half of my duplex, zoned R-4A, for over 16 years. It is located in an area of duplex, triplex and apartment buildings on Hernando Street, one street west of A1A and one block to both Fort Pierce Boardwalk Beach and Kimberly Bergalis Beach. The proximity to the ocean is attractive to snowbirds and vacationers. I have been renting one half of my property for the last 16 years, among which I have 8-year and 3-year returning renters during various high season months.

Please note that many duplexes on my street are owner occupied and rented out on the second side. Many snowbirds are only able to rent for one or two months at a time, however, given that the trip is condensed, they tend to dine out, play golf and spend a considerable amount enjoying the amenities our downtown and island have to offer. Additionally, I have rented to many retirees who are building or buying houses in town and need monthly rental to accommodate delayed closings, etc.

Most condo associations on the island do not allow trucks, motorcycles, boats, kayaks, etc., which many people bring to enhance their experience here. We hear all the time that tourism is our "industry" as the beach and inlet are our biggest attractions and the city has spent a lot of money to insure our wonderful downtown and island are upgraded continually. The new restaurants, businesses and parking are tributes to planning ahead, however, without the income to all businesses from winter tourism most of this would not exist. Most retirees today, and certainly my renters, are on the go who don't want a hotel but a place they can be comfortable, bring their toys and have fun. By turning them away, it seems as though we are gifting the towns north and south of us with the tourists and the much needed income for many establishments.

High season months are my main rental period and, as such, I am able to retain high caliber clientele because they are paying a premium price. For many years, this was the only time period during which I attempted to rent. Now that I am retired, the income generated from this property is critical. Renting out half of my property on a monthly basis allows me to charge a premium, and, as such, I am able to increase my spending on property maintenance and not worry about my safety or property damage.

My taxes have increased nearly 75% because only half of the property is homesteaded.

The income I expected to continue during retirement was and is a crucial part of my being able to stay in my own home and so, obviously, this is a tremendous and unexpected issue. I have checked long term rental rates with local realtors and found they haven't kept pace with vacation rentals rates. Unfortunately, the typical long term island renters' income has not increased much, if at all, in the last few years and they cannot afford more rent, thereby, capping the rates. My loss would be potentially 50% of my income and perhaps more in the future.

I am not interested in renting out my property for daily or weekly vacation rental as I live there and personally maintain the property both inside and out. Only once I permitted a weekly rental to relatives of a city resident, but found my property was treated not as a home, but rather, as a hotel. I cannot risk my property being abused in such a manner.

Similarly, I am not interested in a six-month or one-year rental, primarily due to the risk of non-payment as well as potential property damage and disturbance to neighbors that is possible when implementing the required eviction period with a long-term rental contract. During the course of my 16 years of rental, I have not faced that issue.

Additionally, the interior cannot be properly maintained in my preferred condition when it cannot be accessed due to a long-term rental contract. As it is, there are a myriad of long-term renter problems around me including fireworks very late at night. I do not wish my property to be a nuisance to any neighbor.

Given my concerns, I respectfully request a conditional approval for monthly rental of one half of my duplex property and will implement the following requirements for all rentals going forward:

1. Owner/property manager will continue to live on-site.
2. All applicants will be screened by application.
3. Maximum occupancy will be 3 people. Surcharge will be imposed for more than 2 in order to minimize occupancy to my preferred 2 people.
4. Limitation of 2 vehicles plus one boat or other recreational vehicle will be applied.
5. Noise and other nuisances will not be tolerated.

SKETCH

Borrower **DFAULT, SHAWN A. (CONT)**

Property Address **1138 HERNANDO ST.**

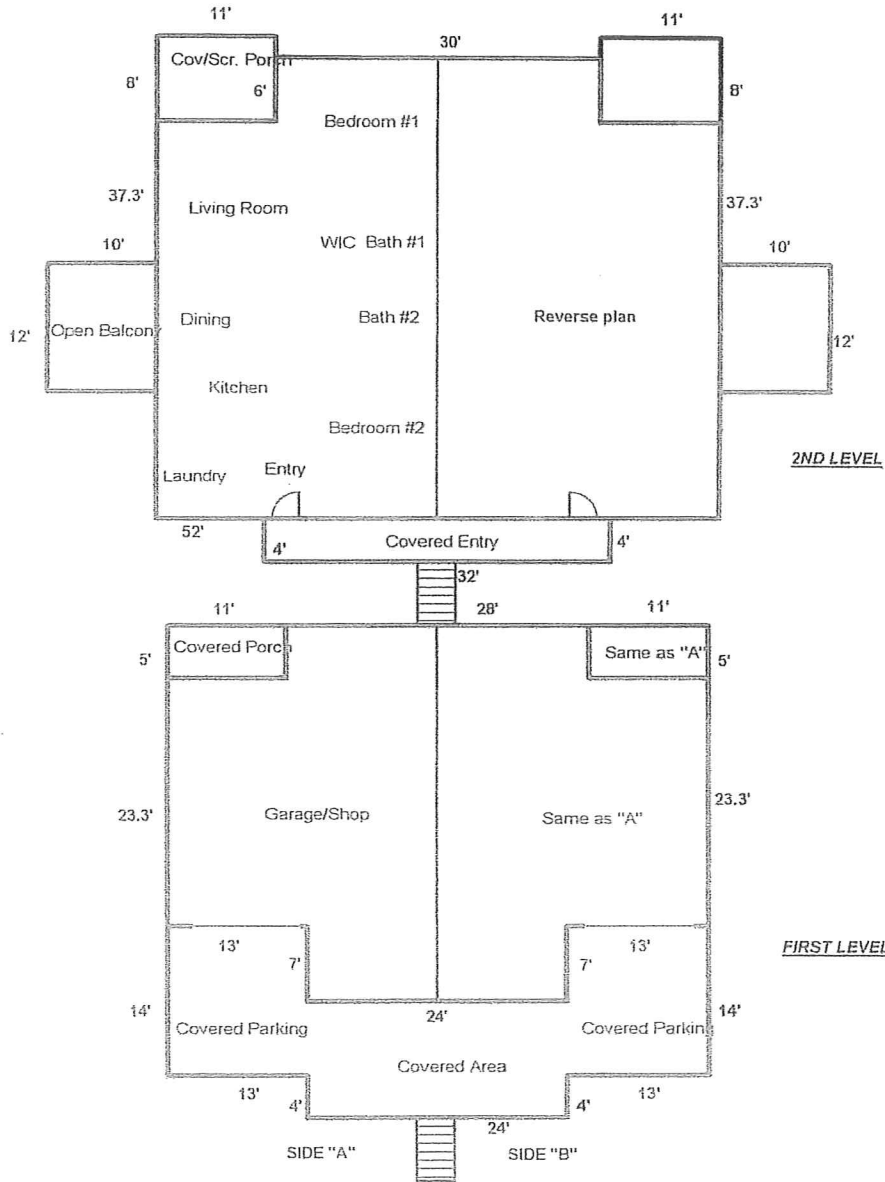
City **FT. PIERCE**

County **ST. LUCIE**

State **FL**

Zip Code **34949**

Lender/Client **HARBOR FEDERAL SAVINGS BANK**



BOUNDARY SURVEY

LEGAL DESCRIPTION:

LOT 8 AND THE NORTHERLY 30 FEET OF LOT 9, BLOCK 2, TROPICAL BEACH, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 9, PAGE 26, OF THE PUBLIC RECORDS OF ST LUCIE COUNTY, FLORIDA.

SURVEYORS NOTES:

1. LANDS SHOWN HEREON WERE NOT ABSTRACTED FOR EASEMENTS AND/OR RIGHTS OF WAY OF RECORD EXCEPT AS SHOWN ON THE RECORD PLAT IF ANY.
2. NO ATTEMPT WAS MADE BY THIS FIRM TO LOCATE UNDERGROUND FOOTINGS OF BUILDINGS OR FENCES ON OR ADJACENT TO THIS SITE.
3. BEARINGS SHOWN HEREON REFER TO AN ASSUMED MERIDIAN OF $S17^{\circ}56'15"E$ ALONG THE CENTERLINE OF HERNANDO STREET.
4. THIS SITE LIES IN FLOOD ZONE 'X' AS SCALED AND INTERPOLATED ON FEMA MAP NO. 12111001B3-J, DATED: 2/16/2012
5. SITE AREA: 11,725 SQUARE FEET.
6. LEGAL DESCRIPTION FURNISHED BY CLIENT.
7. ADDITIONS OR DELETIONS TO SURVEY MAPS OR REPORTS BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT WRITTEN CONSENT OF THE SIGNING PARTY OF PARTIES.
8. BEARINGS, ANGLES AND DISTANCES SHOWN HEREON ARE BASED ON PLAT, UNLESS OTHERWISE SHOWN.
9. OWNERSHIP OF FENCES SHOWN HEREON, IF ANY, IS NOT ADDRESSED BY THIS SURVEY.

CERTIFICATION:

1. SHAWN A. DUFALT
2. WELLS FARGO BANK, N.A., its successors and/or assigns, as their interests may appear.
3. OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY
4. EDWARD W. BECHT, P.A.

SURVEYORS' CERTIFICATION:

SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

Robert Bloomster
 ROBERT BLOOMSTER
 PROFESSIONAL LAND SURVEYOR
 NO. 4134 STATE OF FLORIDA

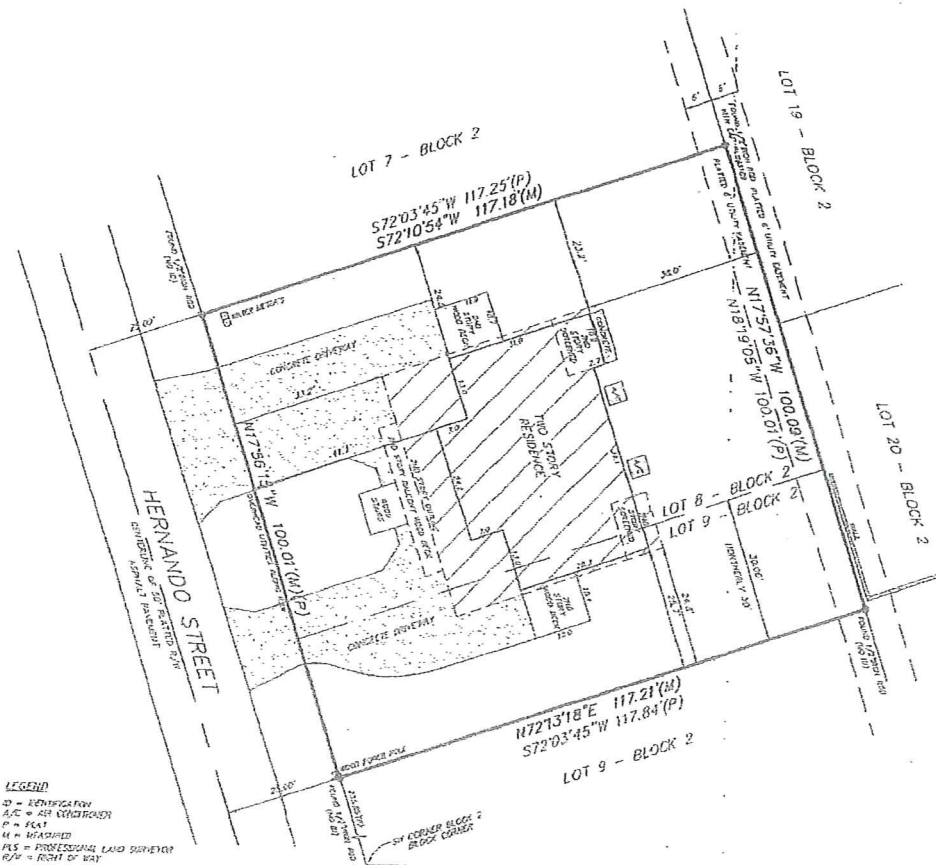
BLOOMSTER
 PROFESSIONAL LAND
 SURVEYORS, INC.

LD #6018

641 NORTHEAST SPENCER STREET
 JENSEN BEACH, FLORIDA 34957
 PHONE 772-336-0888

SHEET 1 OF 1
DRAWN BY: DMH
SCALE: 1" = 20'
DATE: 12/14/11
P.R. SKETCH
DRAWN BY: 13268
FELMSONS

PREPARED FOR: SHAWN A. DUFALT
 1138 HERNANDO STREET
 FT PIERCE, ST LUCIE COUNTY, FLORIDA. 34949



LEGEND
 CD = IDENTIFICATION
 A/C = AIR CONDITIONER
 P = PILE
 M = MEASURED
 PLS = PROFESSIONAL LAND SURVEYOR
 R/W = RIGHT OF WAY