



**TO:** Members of the City of Fort Pierce Board of Adjustment

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

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

**RE:** **Application for Variance**  
**Exceed Allowable Lot Coverage**  
**1709 Bayshore Drive**

**DATE:** January 17, 2019

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**STAFF REPORT**

**Owner/Applicant:** Dennis Devivo  
 718 Union Blvd  
 West Islip, NY 11795

**Requested Action:** Recommendation of Approval to construct a single family home which would have an approximate lot coverage not to exceed 31.35%.

**Location:** 1709 Bayshore Drive

**Parcel ID:** 2412-501-0024-000-3

**Zoning:** R-1, Single Family Low Density

**Future Land Use:** RL, Low Density Residential

**Parcel Size:** .29 acres/12,446 Square Feet

**Proposed Lot Coverage:** 31.35%

**Surrounding Zoning:**

North	East	South	West
R-1	R-2/R4-A	R-1	Indian River

### **Staff Analysis:**

In accordance with Article VIII of Section 22 of the City Code, the applicant is requesting the Board of Adjustment approve a Variance to deviate from Section 22-24(b)(3) of the City Code to construct a single-family home which will exceed the permitted lot coverage by 6.35%.

The subject site has a lot size of 12,446 or .29 acres. The proposed single family home will be 3,903 square feet in size. The gross total building area equates to a total lot coverage of approximately 31.35%. City Code Section 22-24(b)(3), states that single family home structures, within the R-1 zone, shall not cover more than twenty five (25) percent of the lot area. The proposed single family home would exceed the allowable lot coverage by 6.35%.

The proposed Single Family Home, as presented, will exceed the established lot area restrictions noted unless the Variance is granted. The proposed addition will meet the yard (setback) and height standards of the district. The site plan provided meets all other applicable codes contained in Chapter 22 of the Land Development Code. The proposed site plan and conceptual design are provided for review. If the Variance is approved the additional lot coverage will not adversely affect traffic flow, safety and control, pedestrian safety, and convenience or visibility at any street intersections, drives, rights-of-way, curb cuts or crosswalks.

### **Variance Criteria:**

The following criteria are specified in City Code 22-108, which must be satisfied in order for a variance to be granted:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same zoning district;
2. The special conditions and circumstances do not result from the actions of the applicant;
3. The literal interpretation of the provision of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would result in unnecessary and undue hardship on the applicant;
4. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
5. The granting of the variance will be in harmony with the general intent and purpose of the ordinance and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The owner's response to the above criteria is attached to the submittal pack with the application.

### **Property Owner Response Survey:**

A total of 5 notifications were mailed to abutting property owners. As of January 17, 2019, no letters have been received. An update will be provided at the Board of Adjustment meeting.

### **Staff Recommendation:**

Staff recommends that the Board of Adjustment approve the Variance to construct a Single Family Home that has an approximate lot coverage of 31.35% in consideration of the criteria specified in Section 22-108 of the City Code.