



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

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Vennis Gilmore, Planning Analyst

RE: **Application for Variance**
Lawnwood Medical Center – Increase in height to ten (10) feet for a privacy/security wall
1860 Lawnwood Circle

DATE: January 17, 2019

STAFF REPORT

Owner/Applicant: HCA Lawnwood Medical
1700 South 23rd Street
Fort Pierce, FL. 34950

Requested Action: The recommendation of Staff is to grant approval of the requested variance for the proposed wall of ten (10) feet in height; based upon the justification presented by the applicant with respect to the criteria for granting a Variance specified in Section 22-108.

Location: 1860 North Lawnwood Circle

Parcel ID: 2416-504-0199-030-0

Current Zoning: C-1, Office Commercial Zone

Future Land Use: INST, Institutional

Lot Size: 8.4 acres

Staff Analysis:

Variance Request

In accordance with Article VIII of Section 22 of the City Code, the property owner is requesting the Board of Adjustment approve a variance to deviate from Section 22-24 (b)(2)c. in order to construct a ten (10) ft. tall wall. The wall is going to surround the activity yard on the new addition to the Lawnwood Psychiatric Unit for juvenile patients. This wall will also connect to an existing section of wall that is already ten (10) feet in height. The wall must be ten (10) feet in height to meet HIPAA Laws as well as to prevent patient escape and to provide patient privacy.

Existing Conditions

The subject 8.4 acre site located on North Lawnwood Circle; just east of South 21st Street and north of North Lawnwood Circle. The subject site is currently home to a one story medical facility. The 59,149 gross square foot facility was constructed in 1985. This site is the location of the Lawnwood Physical Rehabilitation Center. This center provides a complete continuum of rehabilitation services and medical management for patients requiring intense inpatient rehabilitation. There is an existing ten (10) foot wall that was built along with the original facility. The variance seeks to connect the proposed ten (10) foot wall to the existing and create a security and privacy barrier for juvenile patients in the psychiatric unit.

An approximate forty-five (45) foot right of way separates the northern and eastern borders of the subject property from adjacent properties. Therefore no neighboring properties will be affected by the view or proximity of the proposed variance.

Proposal

The applicant is seeking to construct a ten (10) ft. wall. The wall is going to surround the activity yard on the new addition to the Lawnwood Psychiatric Unit for juvenile patients. This wall will also connect to an existing section of wall that is already ten (10) feet in height. The wall must be ten (10) feet in height to meet HIPAA Laws as well as to prevent patient escape and to provide patient privacy.

Per City Code Section 22-67 (c)(2); fences or walls may be maintained along property lines or within the required yards, to a maximum height of six (6) feet above finished grade of the abutting parcel.

Variance Criteria

The following criteria are specified in Section 22-108 of the City Code, 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 provisions 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; and
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 applicant; in the attached application and supporting documents have provided a response to the criteria.

The applicant maintains that the variance is not detrimental to the neighbors.

Property Owner Response

A total of five (5) notifications were mailed to abutting property owners. As of the preparation of this memorandum, no responses have been received. An updated recording of responses will be provided to the Board at the hearing.

Staff Recommendation

The recommendation of Staff is to grant approval of the requested variance for the proposed wall of ten (10) feet in height; based upon the justification presented by the applicant with respect to the criteria for granting a Variance specified in Section 22-108.