



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

**FROM:** Rebeca Guerra, AICP, LEED-AP, CPD, Interim Planning Director

**RE:** **Application for Variance**  
**Exceed Allowable Lot Coverage**  
**Unaddressed parcel generally located on the south side of Thumb Point Drive between Malabar Avenue and Tradewinds Avenue**

**MEETING DATE:** June 27, 2019

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**STAFF REPORT**

**Owner/Applicant:** Albert & Kara Dimoush  
 644 Timbercrest Circle  
 Highland Village, TX 75077

**Representative:** Terry Brisson  
 FL Trend Homes  
 2106 Bella Vista Way  
 Port Saint Lucie, FL 34952

**Requested Action:** Variance from Section 22-24(b)(3) to allow for a lot coverage of twenty-six (32) percent in lieu of the Code-required twenty-five (25) percent.

**Location:** South side of Thumb Point Drive between Malabar Avenue and Tradewinds Avenue

**Parcel ID:** 2401-605-0036-000-5

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

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

**Parcel Size:** .304 acres/13,243 Square Feet

**Proposed Lot Coverage:** 32%

**Surrounding Zoning:**

North	East	South	West
R-2	R-1	Indian River	R-1

### **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 and covered pavilion which will exceed the permitted lot coverage by 7%.

The subject site has a lot size of 13,243 or .304 acres. The proposed single family home and other structure on the lot will encompass 4,147 square feet. The gross total building area equates to a total lot coverage of approximately 32%. 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 and structure would exceed the allowable lot coverage by 7%.

The proposed Single Family Home and structure, as presented, will exceed the established lot area restrictions noted unless the Variance is granted. The proposed structures 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 six (6) notifications were mailed to abutting property owners. As of April 19, 2019, one (1) letter of support has been received. An update will be provided at the Board of Adjustment meeting.

### **Staff Recommendation:**

Staff recommends that the Board of Adjustment APPROVE a Variance from Section 22-24(b)(3) to allow for a lot coverage of twenty-six (32) percent in lieu of the Code-required twenty-five (25) percent.