



THE SUNRISE CITY

FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Planning Board Members

THROUGH: Rebecca Grohall, AICP, Planning Director *Adj. For R. Grohall*

FROM: Rebeca A. Guerra, AICP, LEED-AP, CPD, Assistant Planning Director *[Signature]*

RE: Amendment to Chapter 22 - Zoning
Board of Adjustment

DATE: April 1, 2019

STAFF REPORT

The proposed Text Amendment seeks to modify multiple sections of the Code of Ordinances in reference to the Board of Adjustment and its overall role and make up within the City's overall board structure. As a follow-up to the February 11, 2019, Conference Agenda meeting, the City Commission, through the City Manager, has directed staff to draft resolutions for the termination of the Board of Adjustment and the Historic Preservation Board. In addition, staff has also been tasked with drafting text amendments creating an Advisory Board of Adjustment and a Historic Preservation Advisory Board. Both advisory boards shall be comprised of five members appointed by the Mayor and each City Commissioner and two at large members appointed by the City Commission as a group.

To this end, the following text amendment seeks to modify existing language in the Code of Ordinances which would enable the creation of the Advisory Board of Adjustment, its membership make up, and the standards it would use as part of its review process. Two sections of the design review standards are also being amended in order reflect the revised role of the Historic Preservation Advisory Board.

The following sections of the Code of Ordinances would be affected by the proposed text amendment:

- Sec. 5-303. - Setback variances.
- Sec. 11.5-33. - Variances prohibited.
- Sec. 22-59. - Design review.
- Sec. 22-102.1. - Nonconforming structure as special exception.
- Sec. 22-105.1. - Duplex as special exception.
- Sec. 22-107. - Authorization to grant or deny variances.
- Sec. 22-109. - Variances for FH zone provisions.
- Sec. 22-110. - Application for a variance.
- Sec. 22-111. - Stay of proceedings.
- Sec. 22-112. - Variance procedure.
- Sec. 22-114. - Time limit for variances.
- Sec. 22-115. - Limitations of refileing of application.
- Sec. 22-117. - Notice requirement for certain structures in FH zones.
- Sec. 22-140. - Appeals from rulings of administrative officer.
- Sec. 22-141. - Supplemental application information.
- Sec. 22-147. - Board of adjustment.
- Sec. 22-182. - Variances and administrative appeals.
- Sec. 22-218. - Concurrency assessment.
- Sec. 22-310. - Appeals and variances.

In addition to the above, through the text amendment, staff also seeks to correct the Planning Director's title and the Planning Department's name within the Code of Ordinances.

A separate text amendment to Section 22-28.1 - Edgartown Settlement (ES) Zoning District and Chapter 23 - Preservation of Historic and Archaeological Sites, Structures, and Districts will be brought forward concurrently to City Commission to address the creation of, and modified roles of, the Historic Preservation Advisory Board.

The Technical Review Committee (TRC) reviewed this item on March 21, 2019. Comments from each department and agency are attached.

Attachments:

Proposed Text Amendment

Memo from City Manager

TRC comments