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

**THROUGH:** Jennifer Hofmeister, AICP, LCAM, Planning Director

**FROM:** Vennis Gilmore, Planner

**RE:** **Application for Variances**  
**Frontier Development – 5000 Okeechobee Road**

**DATE:** February 25, 2021

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#### STAFF REPORT

**Owners:** Prickett Partners LLLP  
2590 Villa Way  
Eustis, FL. 32727

**Applicant:** Frontier Development LLC  
2590 SW 27<sup>th</sup> Ave, Suite 300  
Miami, FL. 33133

**Requested Action:** The applicant is requesting to:  
(1) Deviate from City Code 117-6(b)(1)c. to allow for up to 100 percent of the main street wall face permitted sign area to be located on the rear wall façade and  
(2) Deviate from City Code 117-7(5)(a)5. to allow for a 588 square foot rear entrance wall sign per tenant in lieu of the Code maximum of six (6) square feet in the C-3, General Commercial Zone.

**Location:** 5000 Okeechobee Road

**Parcel ID(s):** 2419-602-0001-000-7

**Future Land Use:** General Commercial (GC)

**Current Zoning:** General Commercial Zone (C-3)

**Total Acreage:** Approximately 1.58 acres

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## Staff Analysis:

### Variance Request

In accordance with Article II of Section 125 of the City Code, the applicant is requesting the following:

1. Deviate from City Code 117-6(b)(1)c. to allow for up to 100 percent of the main street wall face permitted sign area to be located on the rear wall façade and
2. Deviate from City Code 117-7(5)(a)5. to allow for up to a 588 square foot rear entrance wall sign per tenant in lieu of the Code maximum of 6 square feet in the General Commercial Zone (C-3).

### Existing Conditions

The subject 1.58-acre site is located at the northwest intersection of Okeechobee Road and McNeil Road. The subject site is currently home to Cowboys Barbeque & Steak Company Restaurant. The existing restaurant consists of a 6,332 square foot concrete block building, built in 2002. The existing 6,332 square foot restaurant will be demolished and replaced with a newly approved small retail plaza by Frontier Development. Frontier Development has site plan approval to construct a 10,750 square foot two (2)-bay commercial plaza with associated parking, drive aisles, landscaping, and stormwater collection.

### Proposal

The applicant is requesting the Board of Adjustments approve two variances (1) to deviate from City Code 117-6(b)(1)c. to allow for up to 100 percent of the main street wall face permitted sign area to be located on the rear wall façade and (2) to deviate from City Code 117-7(5)(a)5. to allow for up to a 588 square foot rear entrance wall sign per tenant in lieu of the Code maximum of 6 square feet in the General Commercial Zone (C-3).

The applicant is requesting both variances to increase signage visibility as much as possible and to mirror the Okeechobee Road façade. The applicant believes that the main frontage facade should not be considered the Okeechobee Road frontage but rather the side facing the parking lot where patrons will access the building.

### Variance Criteria

The applicant has provided an application and supporting documents that maintains that the requested variances are not detrimental to the surrounding neighbors, compliments the neighborhood and meets the intent of the variance criteria as specified in Section 125-100 of the City Code. Below, please find the applicant responses, 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.

### **Applicant Response:**

**The building will be located right off Okeechobee Road which of course will need as much signage visibility as possible due to the ongoing traffic. This façade however will truly be the rear of the building as the parking lot will be located on the opposite side, which will front the NW**

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façade and where patrons will access the individual businesses. The current code only allows for 6 SF on this façade which will make it extremely difficult for incoming patrons to locate their destination from where they would access the same.

2. The special conditions and circumstances do not result from the actions of the applicant.

**Applicant Response:**

**Yes, currently there are two (2) large light poles, one (1) large FPL pole inclusive of all the associated wiring that fronts our property off Okeechobee Road. Once our new building is erected in place, the tenant fascia signs will be extremely difficult to see.**

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.

**Applicant Response:**

**Quick and easy access to patrons desired destination point. The lack of signage area/SF along what would be considered the "rear" of the property will make it challenging for drivers and potential customers to locate businesses. Ultimately leading towards less customers/foot traffic which will negatively impact the site and the Tenant's businesses.**

4. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.

**Applicant Response:**

**A sign area of up to 20% of the total wall face area as currently allowed for the façade facing the main street.**

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.

**Applicant Response:**

**The variance request will allow for a more aesthetically pleasing building and site. Given that the building will be situated right off Okeechobee Road and the patrons will be entering through the "rear" of the property, this will allow for properly scaled signage on both sides. This will allow for incoming patrons to visually see the businesses from a greater distance which will in turn allow for more calculated turns and stops minimizing the risk of vehicular accidents and/or crashes.**

**Property Owner Response**

A total of eight (8) 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 Planning Department recommends approval of the requested variances to deviate from City Code 117-6(b)(1)c. to allow for up to 100 percent of the main street wall face permitted sign area to be located on the rear wall façade and to deviate from City Code 117-7(5)(a)5. to allow for up to a 588 square foot rear entrance wall sign per tenant in lieu of the Code maximum of 6 square feet in the General Commercial Zone (C-3); based upon the justification presented by the applicant with respect to the criteria for granting a Variance specified in City Code Section 125-100.



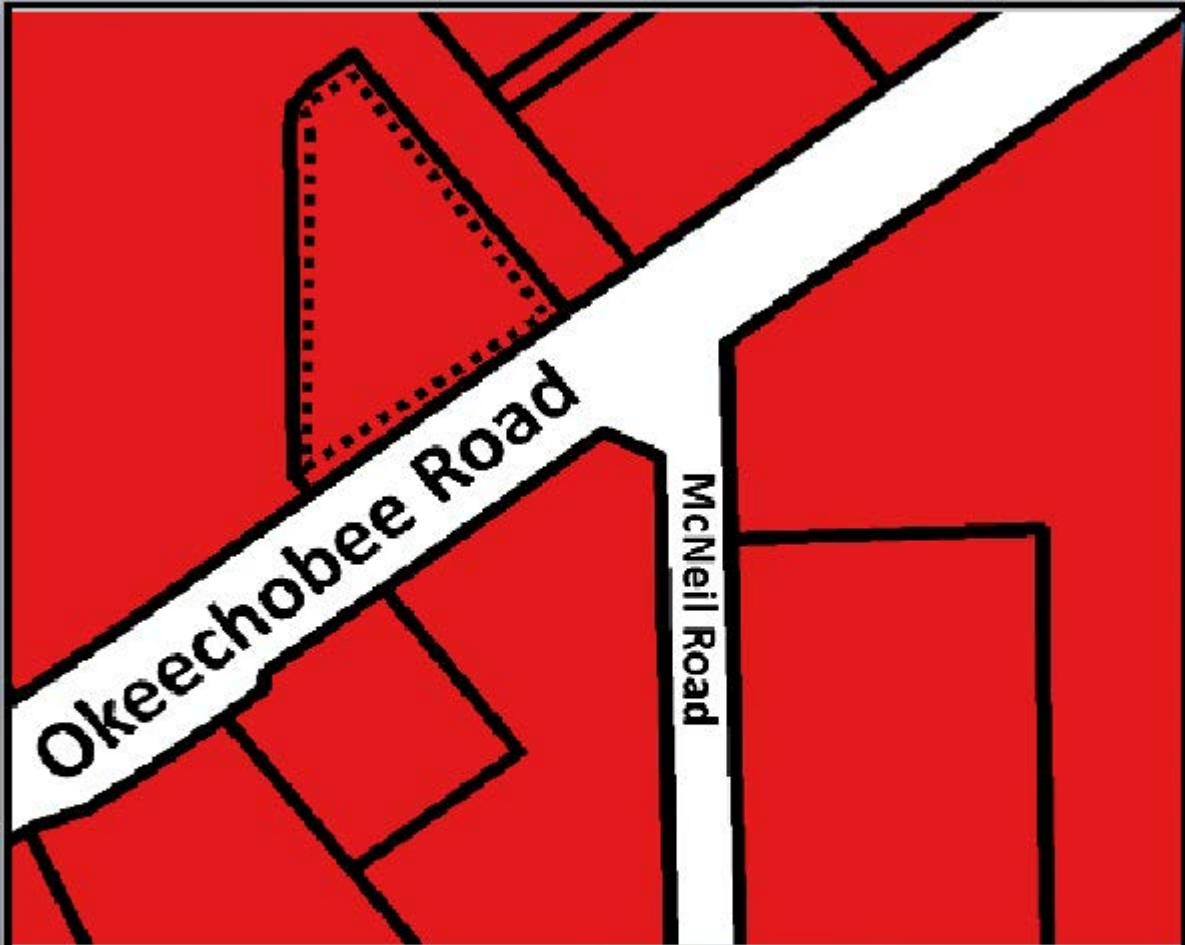
## Cowboys Redevelopment

5000 Okeechobee Road




THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*

**Aerial Map**



**Redevelopment of Cowboys Site**

**5000 Okeechobee Road**

**C-3 =** 



THE SUNRISE CITY  
**FORT PIERCE**  
*Florida*

**Zoning Map**



**BUILDING DEPARTMENT  
TECHNICAL REVIEW COMMITTEE (TRC)  
COMMENT FORM**

**Meeting Date:** 2.18.21  
**Property Address:** Variance – Frontier Development Signs (Former Cowboys) – 5000 Okeechobee Road

*Please be advised that the project may trigger the requirements indicated below:*

- 1. Building Official or his representative has no comment at the time of this meeting, but reserves submission of comments upon completion of the official plan review.
- 2. Pre-construction meeting with the City's Building Department is requested.
- 3. Any construction will need to meet the requirements of the Florida Building Code 7<sup>th</sup> Edition.
- 4. Means of egress is required.
- 5. Means of ingress is required.
- 6. Must meet the following Accessibility requirements:
  - Accessible route
  - Handicapped parking spaces
  - Means of egress
- 7. Change of Use required
  - to include a signed and sealed Life Safety Plan
  - to include a signed and sealed detailed comprehensive building plan.
- 8. Property exists in Special Flood Hazard Area. All Federal and State requirements shall be addressed.
- 9. Flood Development Permit required.
- 10. Building Permit required.
- 11. Signed and sealed construction drawings required.
- 12. Will need to meet the Fire Code.
- 13. Sprinkler system is required.
- 14. Smoke alarm system is required.
- 15. Other

**Additional Comments/Requirements:**


Building Official's or Representative's Signature

*Paul Jones*

Date:

*2/8/21*



THE SUNRISE CITY  
**FORT PIERCE**  
POLICE DEPARTMENT  
"In Honor We Serve"

*Florida*

## Technical Review Committee meeting

February 18th, 2021

Case # 21-12000003

Planner: Vennis Gilmore

Annexation

5000 Okeechobee Rd., Ft. Pierce (Former Cowboy's Restaurant)

**Comments:**

No comments at this time.

Officer Damian Spotts

Crime Prevention Practitioner

Fort Pierce Police Department.



Fort Pierce Utilities Authority  
Water/Wastewater Engineering  
1701 South 37<sup>th</sup> Street  
Fort Pierce, FL 34947  
772.466.1600 x3473

## Technical Review Committee Meeting

**February 18, 2021**

TECHNICAL REVIEW PROJECT # 21-12000003

Variance – Frontier Development Signs (Former Cowboys) – 5000 Okeechobee Road

### Comments

FPUA W/WW Engineering: Approved

FPUA Electric & Gas Engineering: Approved.

For more information and project coordination (electric), please contact Sal Scimeca.

Sal Scimeca

Engineering Technician II

Electric and Gas Engineering

1701 S. 37th Street, Fort Pierce, FL 34947

[sscimeca@fpu.com](mailto:sscimeca@fpu.com)

Office: (772)466-1600 Ext. 6957

For more information and incentive available (natural gas), please contact Ana Johnson.

Ana Maria Johnson

Business Development Officer

Fort Pierce Utilities Authority

206 S. 6th Street

Fort Pierce, FL 34950

Office: 772.466.1600 Ext. 3012

Fax: 772.467.3115 Fax

[anjohanson@fpu.com](mailto:anjohanson@fpu.com)



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[www.fpu.com](http://www.fpu.com)



## Vennis Gilmore

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**From:** SANDERS, MARVIN E. <marvin.sanders@stlucieschools.org>  
**Sent:** Tuesday, February 16, 2021 10:03 AM  
**To:** Vennis Gilmore; Alicia Rosenthal  
**Subject:** 21-1200003 Frontier Development Signs (Former Cowboys) – 5000 Okeechobee Road

**SECURITY WARNING:** This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

The St. Lucie County School District has reviewed the above reference project and have we do not have any comments or concerns.

Please feel free to contact me if you have any questions.

Marty E. Sanders, P.E.  
Growth Management, Land Acquisition & Inter-Governmental Relations  
School Board of St. Lucie County  
9461 Brandywine Lane, Room 2-303  
Port St. Lucie, FL 34986



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