



**TO:** Nick C. Mimms, P.E., ICMA-CM, City Manager

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

**RE:** **Conditional Use Approval – Robbins Vacation Rental  
 1014 South 7<sup>th</sup> Street (20-04000004)**

**BOARD DATE:** July 20, 2020

**STAFF REPORT**

**Owner:** **Michael D. Robbins  
 1014 South 7<sup>th</sup> Street  
 Fort Pierce, FL 34950**

**Applicant:** **Michelle Longarzo  
 1425 SW Edinburgh Drive  
 Port St. Lucie, FL 34953**

**Applicant’s Request:** Approval of a Conditional Use with no new construction to operate a Dwelling Rental, offering lodging for less than six (6) months. The minimum rental period is identified as two (2) days.

**Location(s):** 1014 S 7<sup>th</sup> Street

**Parcel ID:** 2415-601-0254-000-0

**Future Land Use:** Residential Low (RL)

**Current Zoning:** Single-Family Intermediate Density (R-2)

**Surrounding FLU:**

North	East	South	West
RL	RL	RL	RL

**Surrounding Zoning:**

North	East	South	West
R-2	R-2	R-2	R-2

**Utilities:** FPUA

---

**Staff Analysis:**

***Request***

In accordance with Sections 22-22 and 22-76 of the City Code, the applicant is requesting review and approval of a Conditional Use to operate a Vacation Rental located at 1014 South 7<sup>th</sup> Street. The subject single-family unit is a two (2)-bedroom and two (2)-bathroom single family home with approximately 1,883 gross square feet. The proposed Conditional Use will offer lodging of less than six (6) months with a minimum stay of 2 days to guests.

The property is within in the Pinewood neighborhood, generally situated north of Sunrise Boulevard and south of Parkway Drive. The subject site is surrounded by single family housing to the north, south, east, and west. The subject property has a Future Land Use designation of Residential Low (RL) with a compatible zoning classification of Single-Family Intermediate Density (R-2).



***Dwelling Rentals***

Pursuant to City Code Section 22-3. – Definitions - Generally, the rental of any dwelling unit for less than six (6) months, is classified as a “Dwelling Rental (dwelling unit),” and defined as follows: “One or more rooms connected together in a building, constituting a separate, independent housekeeping establishment, other than a motel/hotel, for purposes of rental on a daily, weekly or longer basis.”

The State of Florida provides further classification of a dwelling that is rented for periods of less than one (1) month. Pursuant to Florida State Statute 509.242, declaring the use a “Vacation Rental,” defines such use as any unit that is also a transient public lodging establishment but that is not a timeshare project, which is rented

to guests more than three (3) times in a calendar year for periods of less than 31 days or one (1) calendar month, whichever is less or which is advertised or held out to the public as a place regularly rented to guests. A dwelling rental, as locally defined, is also a “Vacation Rental” if the duration of stays are less than 31 days. The rental of a dwelling for periods at a minimum of 31 days, but less than six (6) months, is a “Dwelling Rental,” but not a “Vacation Rental.”

Table 1, below, presents general characteristics to clarify Dwelling Rentals, and the transitioning threshold for Vacation Rentals.

**Table 1 – Dwelling & Vacation Rental Definitions**

	<b>Dwelling Rental</b>	<b>Vacation Rental</b>
<b><i>Length of Stay</i></b>	Less than six (6) months	30 days or less
<b><i>Lodging Type(s)</i></b>	Non-Transient (more than 30 days)	Transient Lodging
<b><i>State License Requirement</i></b>	If rented 30 days or less (Vacation Rental)	Division of Hotels and Restaurants – Vacation Rental
<b><i>Public lodging establishment (ADA &amp; Misc. Regulations)</i></b>	If rented 30 days or less (Vacation Rental)	Public lodging establishment

***Future Land Use & Zoning***

The purpose and intent of the R-2 zoning district is designed mainly for areas of single-family dwellings with an average net density of less than five (5) units per acre for conventional developments. In addition to housing, various public facilities and other nonresidential uses are permitted under the conditions and safeguards.

***Parking***

Pursuant to City Code Section 22-60 (d)b, motels, hotels and resort hotels shall provide 1.6 spaces for each unit 500 square feet or larger.

***Conditional Use***

As stated in City Code Section 22-74, the purpose of the Conditional Use process is to allow, when desirable, uses that would not be appropriate generally or without restriction throughout a particular zoning district, but which, if controlled as to number, area, location, or relation to the neighborhood, would not adversely affect the public health, safety, comfort, good order, appearance, convenience, and the general welfare.

***Technical Review Committee***

All affected departments have reviewed the proposed Conditional Use with regards to the requirements of the City Code. Findings from the review by corresponding departments and the associated responses by the applicant are provided.

---


***Staff Recommendation***

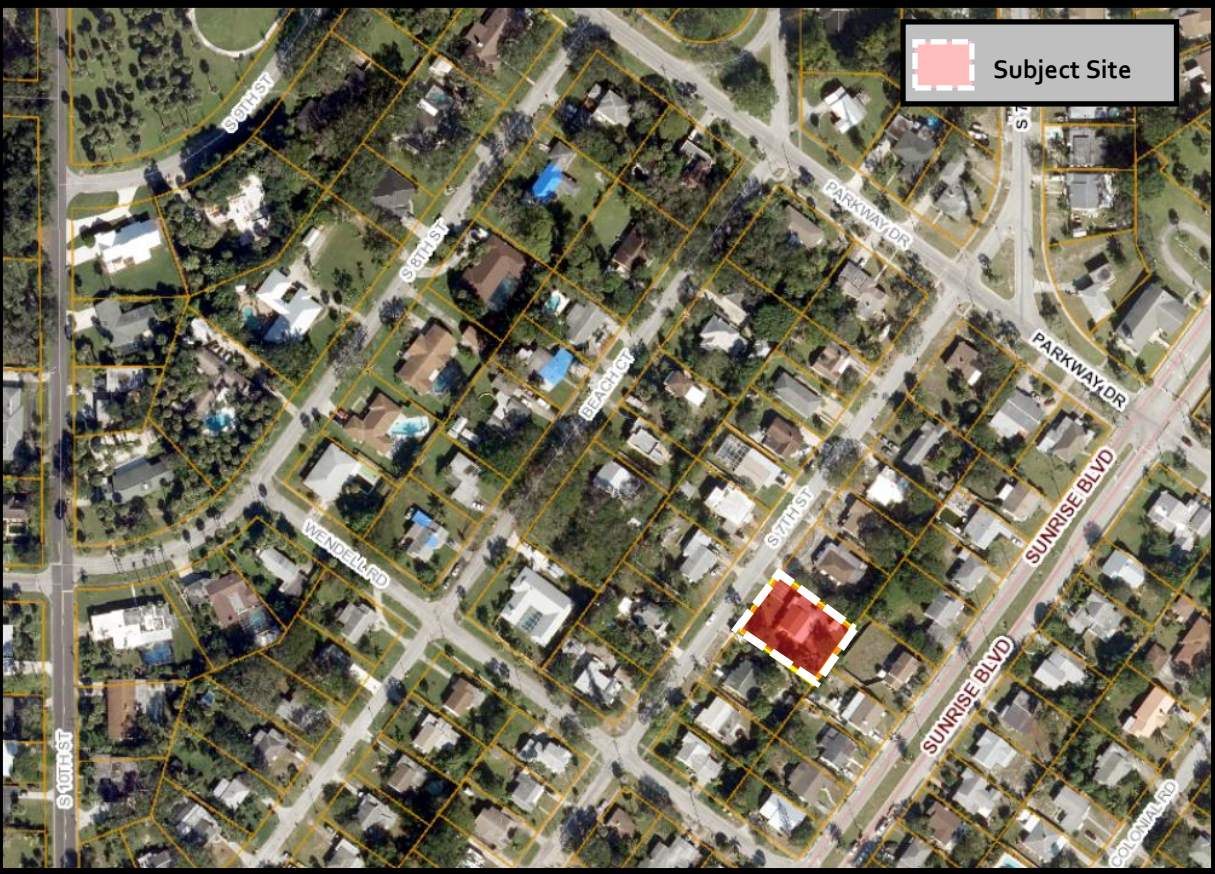
The proposed use presents the provision for short-term lodging accommodations to the general public, representing a limited commercial use that is compatible with the surrounding neighborhood, and is generally consistent with the City's Land Development Code and Comprehensive Plan with appropriate restrictions. Therefore, Staff recommends **APPROVAL** with the following six (6) conditions:

1. The property manager for the vacation rental shall be available at all times to resolve complaints or violations of city code. Said manager shall reside in St. Lucie County and shall be registered with the City of Fort Pierce.
2. Guide booklets (available from Code Enforcement) shall be provided to renters regarding local rules and public service resources, to minimize conflicts.
3. The applicant shall file for and obtain St. Lucie County and City of Fort Pierce Business Tax Licenses within thirty (30) days of issuance of a license from the Florida Department of Business & Professional Regulation.
4. There shall be a limitation of no more than no two vehicles at the site.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.
6. Pave the required parking spaces per City Code Section 22-60(c)(6) Surface Material:
  - a. Required parking spaces, access drives, and loading areas must be paved and maintained with concrete, asphalt or similar material of enough thickness and consistency to support anticipated traffic volumes and weights.
  - b. Alternative paving materials or parking surfaces (including pervious surfaces) may be approved by the city engineer if such materials or surfaces are demonstrated to exhibit equivalent wear resistance and load bearing characteristics as concrete or asphalt.

***Planning Board Recommendation***

The Planning Board, at their June 9, 2020 meeting, voted 3-1 with one recusal to recommend **APPROVAL** of the request.

 Subject Site



Conditional Use – Dwelling Rental  
1014 South 7<sup>th</sup> Street  
Aerial Map





 Subject Site




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

**Conditional Use – Dwelling Rental**  
**1014 South 7<sup>th</sup> Street**  
**Future Land Use Map**





 Subject Site



Conditional Use – Dwelling Rental  
1014 South 7<sup>th</sup> Street  
Zoning Map



May 20, 2020

Michelle Longarzo  
Slice of Paradise  
sliceofparadiseflorida@gmail.com

**Subject: 1014 S. 7<sup>th</sup> Street TRC Comments for May 21, 2020 conference call**

---

Dear Michelle,

Below please find a summary of the comments for the City of Fort Pierce Pre-App meeting.

Fort Pierce Planning Department

1. The property manager for the vacation rental shall be available at all times to resolve complaints or violations of city code. Said manager shall reside in St. Lucie County and shall be registered with the City of Fort Pierce.
2. Guide booklets (available from Code Enforcement) shall be provided to renters regarding local rules and public service resources, to minimize conflicts.
3. The applicant shall file for and obtain St. Lucie County and City of Fort Pierce Business Tax Licenses within thirty (30) days of Conditional Use approval.
4. There shall be a limitation of no more than no two vehicles at the site.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.
6. The maximum occupancy of the home shall ensure compliance with City Code Section 8.5-43. - Required space in dwelling units, based upon the size of each unit.

Fort Pierce Engineering Department

1. No comment.

Fort Pierce Building Department

1. Vacation rental properties, including transient rentals, shall be regulated through the DBPR, Florida Statute 509.242(c), Florida Administrative Code 61A-43 and will be amended by any future legislation or directives from the State of Florida.
2. A change of use may be required if converting to a transient use (rental for 30 days or less), which may trigger the requirements of the Florida Accessibility Code.
3. The requirement for fire sprinklers will be enforced by the Fire Marshall per chapter 633 of the National Fire Prevention Code. All vacation rental properties shall comply with the minimum safety requirements found in DBPR Form HR 5025-753.

Fort Pierce Police Department

1. No comment.

Fort Pierce Utility Authority

1. No comment.

St. Lucie County Public Works

1. No comment.