



Conditional Use – No New Construction

Property address or Location 1123 Hernando Street

Parcel ID #(s) 2401-811-0018-00-6

Project description Request to amend existing monthly CUP license to less than 30 day rentals

Tiffany & David Wood

Property Owner(s)
1123 Hernando Street

Street Address

Fort Pierce FI 34949

City State Zip

352-586-9260

Phone Number

sirdone@msn.com

Email Address

Tiffany Wood

Applicant/Representative, Title, Company
1123 Hernando Street

Street Address

Fort Pierce FI 34949

City State Zip

352-586-9260

Phone Number

sirdone@msn.com

Email Address

Property Owner(s) Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein.

Tiffany Wood

[Signature]

Property Owner(s) Signature(s)

STATE OF FLORIDA – COUNTY

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____ who is personally known to me or has produced _____ as identification.

See Attached Acknowledgements

Signature of Notary

(seal)

INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation	
				Contributing	Individual
				Non-Contributing	None

Pre-Application Meeting Date _____ Fees _____ Control # _____ B. Permit # _____

Intake Planner _____

Planner Assigned _____

Approved By _____ Date _____

Comments _____

Intake Date Stamp

California All-Purpose Certificate of Acknowledgment

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Orange

S.S.

On May 08 2020 before me, Daniela Chavez - Notary Public
Name of Notary Public, Title

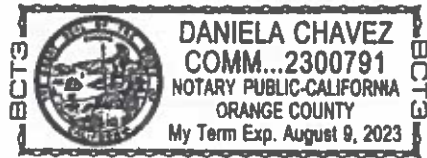
personally appeared Tiffany WOOD
Name of Signer (1)

DAVID WOOD
Name of Signer (2)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Daniela Chavez
Signature of Notary Public

Seal

OPTIONAL INFORMATION

Although the information in this section is not required by law, it could prevent fraudulent removal and reattachment of this acknowledgment to an unauthorized document and may prove useful to persons relying on the attached document.

Description of Attached Document

The preceding Certificate of Acknowledgment is attached to a document titled/for the purpose of _____

containing _____ pages, and dated _____

The signer(s) capacity or authority is/are as:

- Individual(s)
- Attorney-in-fact
- Corporate Officer(s) _____
Title(s)

- Guardian/Conservator
- Partner - Limited/General
- Trustee(s)
- Other: _____

representing: _____
Name(s) of Person(s) Entity(ies) Signer is Representing

Additional Information

Method of Signer Identification

Proved to me on the basis of satisfactory evidence:

- form(s) of identification
- credible witness(es)

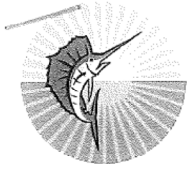
Notarial event is detailed in notary journal on:

Page # _____ Entry # _____

Notary contact: _____

Other

- Additional Signer
- Signer(s) Thumbprints(s)



Vacation Rental Policy Adjustment April 1, 2020

Vacation rentals 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. A change of use is required if converting to a transient use (rental for 30 days or less), which may trigger the requirements of the Florida Accessibility Code. The requirement for fire sprinklers will be deferred to chapter 633 of the National Fire Prevention Code. All vacation rental properties shall comply with the minimum safety requirements found in the DBPR Form HR 5025-753.

1. New Construction Designated to be a Transient Vacation Rental.

Per the Florida Building Code, this Occupancy is either R-1 or R-2 and is required to be fully sprinkled per Chapter 9 of the Florida Building Code.

2. Conversion of an Existing Apartment Building (R-2 Primarily Non-Transient) to Transient Apartment Building: Florida Statute 509.242(e) **Transient Apartment:** *A transient apartment is a building or complex of buildings in which more than 25 percent of the units are advertised or held out to the public as available for transient occupancy.*

Thus, an apartment building/complex would maintain an R-2 Primarily Non-Transient classification until more than 25% of the units are utilized for transient rentals. Exceeding the 25% threshold will trigger the occupancy classification to be changed from R-2 to R-1. The applicant that exceeds the 25% threshold assumes the responsibility of obtaining a change of occupancy for the building and to satisfy the requirements of Chapter 10 of the Existing Building Code; Chapter 9 of the Florida Building Code; FBC Accessibility and the National Fire Prevention Code. The above-mentioned code requirements will apply to the entire building, not just an individual unit within the building.

3. Transient Rental of a Single Family Dwelling: Florida Statute 509.242(c) Vacation rental.—*A vacation rental is any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project.*

The transient rental of a single family dwelling triggers a change of use to R-2, per the requirements of chapter 10 of the FBC Existing Building Code and may trigger the requirements of the Florida Building Code Accessibility. The requirement for sprinklers is deferred to the SLC Fire Marshal per the Florida Administrative Code 69A-43.

August 13, 2019

Tiffany Wood
1123 Hernando
Ft. Pierce, Florida

Re: Hernando Vacation Rental

This letter shall be considered our proposal and if accepted, our agreement for Architectural services related to the project. The project consists of Architectural Services as required for Change of Use for residence to vacation rental. Which consists of the Conditional Use Process, As-built floor plan renovation floor plan with ADA and Life Safety improvements.

Agreement between Architectonic Inc (Architect) and Tiffany Wood (Owner).

I. Scope of Work

1. Field measure as required to prepare as-built floor plan and elevations.
2. Prepare presentation drawings of renovations (ADA and Life Safety).
3. Submit applications, plans and attend Conditional Use (TRC, Planning Board, & Commission meetings).
4. Completion of drawings for bidding and permit submittal.

II. Payments and Compensation to the Architect

The contract sum shall be as follow:

Retainer/ As-built floor plan	\$2,000.00
Renovation / Presentation drawings / Conditional Use Submittal	\$2,000.00
<u>Completion of Permit Sets</u>	<u>\$ 500.00</u>
Total Fee	\$4,500.00

1. When revisions to Construction Drawings are requested, and are inconsistent with approvals or instructions previously given, and are due to causes beyond the control of the Architect, such revisions will be considered additional services and will be computed at the rate of \$150.00 per hour for principal/ architect and \$75.00 per hour for support staff.
2. Proposed fee is valid for 30 days from the date of this document. Proposals held beyond this time limit, may be subject to adjustment. Three (3) preliminaries are included with the fee proposed. More than three may be subject to additional fees. Projects put on hold by the client for more than three (3) months, may be subject to a fee adjustment.

806 Delaware Avenue
Fort Pierce, Florida 34950

Tel: 772 460 7751
Fax: 772 460 4244

www.architectonicinc.com
FL Reg #AA26003348

1 of 3

Architectonic Inc

Architectonic Inc. can begin work under this agreement within two – three weeks, if this document meets your approval. Your signature below and receipt of your retainer will constitute such acceptance and approval.

Thank you for the opportunity and we look forward to working with you to make your project a success.

Sincerely,

Mike Menard

Michael Menard
Principal
Architectonic Inc

Owner's Printed Name

Owner's Signature

Date Signed

806 Delaware Avenue
Fort Pierce, Florida 34950

Tel: 772 460 7751
Fax: 772 460 4244

www.architectonicinc.com
FL Reg #AA26003348

3 of 3

Fire Equipment Services of East Coast



861 S Kings HWY.
Ft. Pierce, Florida 34945

Office: (772) 466-6330

Fax: (772) 461-4265

Proposal

PROPOSAL SUBMITTED TO Wood Family House		PHONE 772-467-3197	DATE 08/12/2019
STREET 1123 Hernando Street		JOB-NAME	
CITY, STATE AND ZIP CODE Fort Pierce, Florida 34949		JOB LOCATION	
POINT OF CONTACT Tiffany Wood	DATE OF PLANS	JOB PHONE	
		sirdone@msn.com	

We hereby submit specifications and estimates for:

Fire Sprinkler Installation

This fire sprinkler quote is for the installation of a fire sprinkler system as per NFPA 13D and local authority requirements. Sprinkler heads shall be installed throughout the facility except in the attic space, bathrooms and closets that do not exceed size requirements requiring protection. Sprinkler heads shall be semi recessed quick response.

The fire system shall be connected to the existing home water supply providing the water flow is sufficient to provide the water flow rates required. If the home's water supply is insufficient and the connection needs to be made to the city water main at the street there will be an additional charge.

We have excluded the installation of and the wiring to the fire alarm system located in the facility.

Includes the following:

All materials, taxes and labor required.

System design, permitting and final inspection by the local Fire Marshall.

****Note:** If the quote is acceptable please fax it back to our office and we will contact you to schedule the install, work shall meet NFPA 13 and local fire code requirements.

We Propose hereby to furnish material and labor -- complete in accordance with above specifications, for the sum of:

Twelve Thousand Eight Hundred Fifty and 00/100 _____ (\$12,850.00)

Payment to be made as follows

\$2,000.00 Upon Contract acceptance, \$7,000 upon material delivery to site and \$3850.00 upon final inspection with the Fire Marshall.

All material is guaranteed to be as specified. All work to be completed in a workmanlike Manner according to standard practices. Any alteration or deviation from above specifications Involving extra cost will be executed only upon written orders, and will become an extra charge

Authorized Signature

Over and above the estimate. All agreements contingent upon strikes, accidents, or delays beyond Our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workers Compensation Insurance. within 30 days

NOTE: This proposal not accepted

Acceptance of Proposal

I am the owner of the property being serviced or have the right to represent the owner. I authorize the work set forth herein to be done, or products to be supplied. I agree that Fire Equipment Services of East Coast, Inc. is not responsible for loss or damage in case of fire, theft or any cause beyond its control or for any delays caused by unavailability of parts or delays in part shipments by the supplier or transporter. Pursuant to Section 713.58 of the Florida Statutes, until payment is made Fire Equipment Services of East Coast, Inc. has a lien upon and right to possession of any personal property upon which authorized work is performed. Any payment not made when due shall bear an interest at the annual rate of 18%. Reasonable attorneys' fees and costs, including for any appeal, incurred by Fire Equipment Services of East Coast, Inc; in collection of any sums due hereunder or for any claims or disputes concerning this proposal or invoice shall be paid by the customer.

Signature _____

Signature

Date of Acceptance _____
Acceptance-

Date of



City of Fort Pierce

BUSINESS TAX RECEIPT

Please post in a conspicuous place or keep on person.

Business Name / Mailing Address:	Owner:
WOOD, TIFFANY 9 CURL DR CORONA DEL MAR CA 92625	WOOD, TIFFANY

Business Location*: 1123 HERNANDO ST

*This business tax receipt is valid at this location only.

Date Issued	Expiration Date	Control Number
August 09, 2019	September 30, 2020	0046451

The business stated above may be engaged in the following business, profession or occupation at the location above-described.		
BTR #	Classification	Restrictions
20-00029039	MOTELS	SHORT TERM RENTAL-GREATER THAN 30 DAYS

Tax Amount	\$5.00
New/Renewal Fee	\$0.00
Penalty	\$0.00
Total	\$5.00

Linda W. Cox

Linda W. Cox, City Clerk (SEAL)



THIS IS A RECEIPT FOR TAX PAID AND IS NOT REGULATORY IN NATURE. This receipt does not warrant that the receipt holder is competent to perform in the business, but that the hold has paid the required tax and provided the necessary documentation (if required) for this business. Valid only when all state and local regulated trade licenses/competency cards are valid for the current fiscal year as required by law. This receipt becomes null and void if business name, classification, ownership or address is changed.





**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION**

24799

**DIVISION OF HOTELS AND RESTAURANTS
2601 BLAIR STONE ROAD
TALLAHASSEE FL 32399-1011**

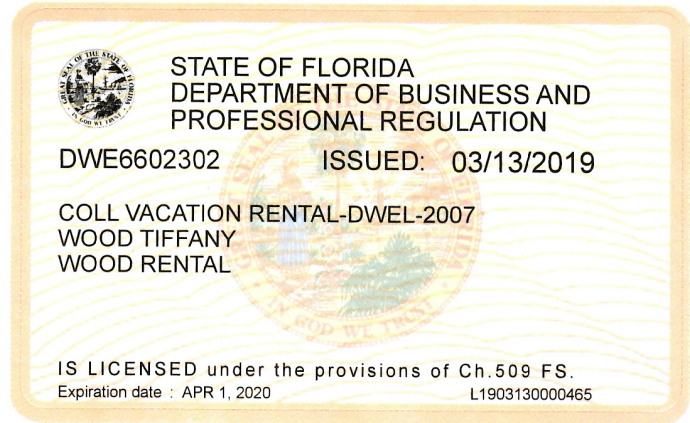
850-487-1395

AVALARA MYLODE TAX
WOOD RENTAL
PO BOX 3089
GREENWOOD VILLAGE CO 80155

Congratulations! With this license you become one of the nearly one million Floridians licensed by the Department of Business and Professional Regulation. Our professionals and businesses range from architects to yacht brokers, from boxers to barbeque restaurants, and they keep Florida's economy strong.

- Every day we work to improve the way we do business in order to serve you better. For information about our services, please log onto www.myfloridalicense.com. There you can find more information about our divisions and the regulations that impact you, subscribe to department newsletters and learn more about the Department's initiatives.

Our mission at the Department is: License Efficiently, Regulate Fairly. We constantly strive to serve you better so that you can serve your customers. Thank you for doing business in Florida, and congratulations on your new license!



DETACH HERE

RON DESANTIS, GOVERNOR

HALSEY BESHEARS, SECRETARY

**STATE OF FLORIDA
DEPARTMENT OF BUSINESS AND PROFESSIONAL REGULATION
DIVISION OF HOTELS AND RESTAURANTS**

LICENSE NUMBER	
DWE6602302	NBR. OF UNITS: 1

The COLL VACATION RENTAL-DWEL-2007
Named below IS LICENSED
Under the provisions of Chapter 509 FS.
Expiration date: APR 1, 2020

WOOD TIFFANY
WOOD RENTAL
1123 HERNANDO ST
FORT PIERCE FL 34949



NON-TRANSFERABLE

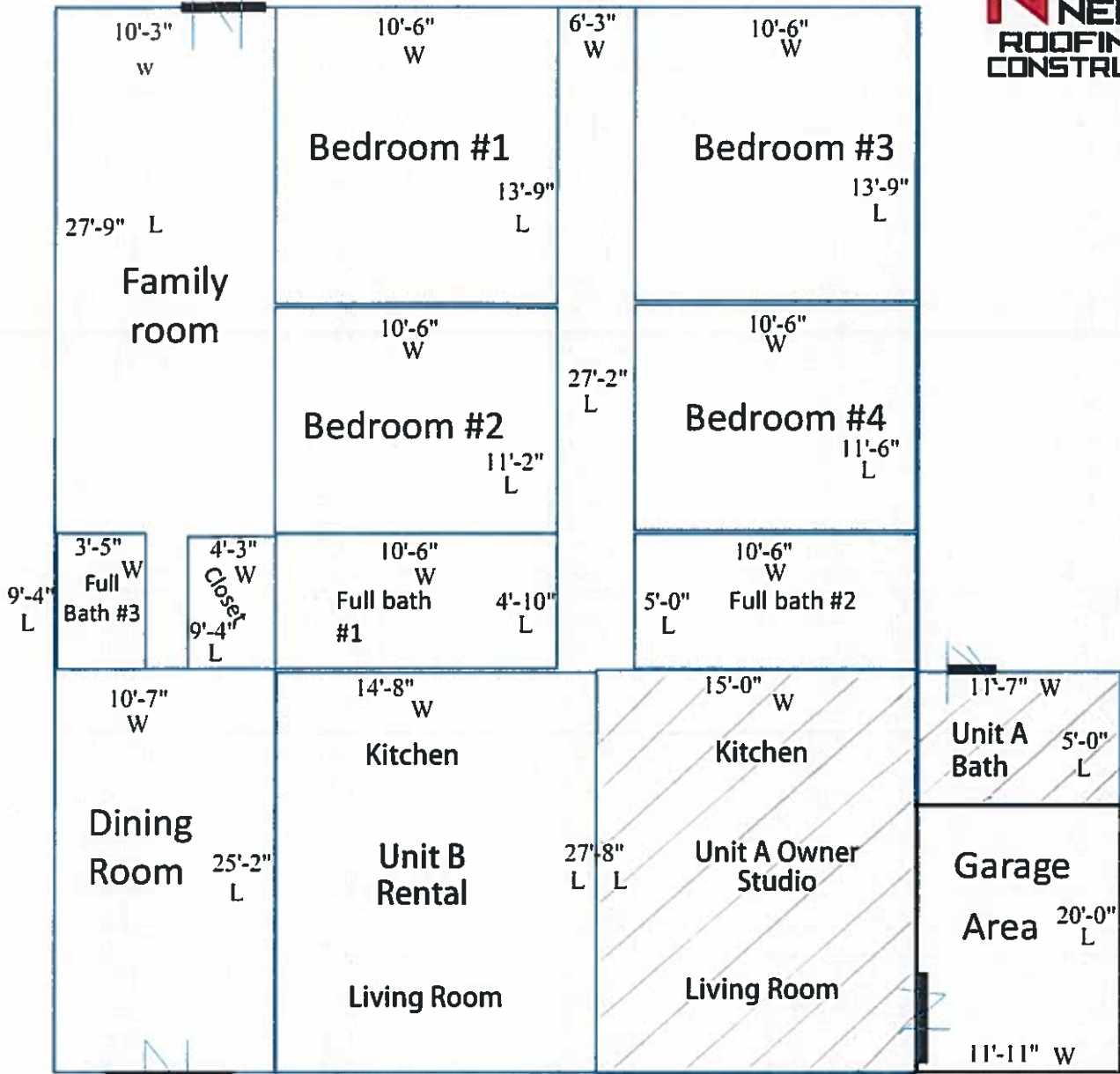


ISSUED: 03/13/2019

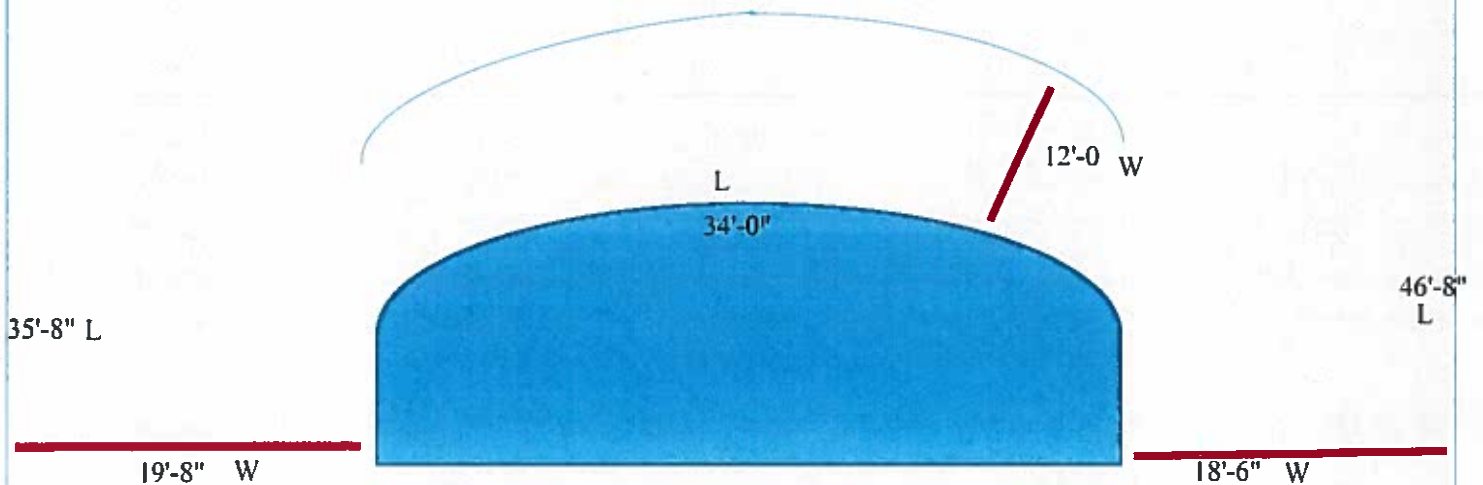
DISPLAY AS REQUIRED BY LAW

SEQ # L1903130000465

1123 HERNANDO STREET



2325 Total Finished/Under Air Square Footage
 1852 sq. ft. Unit B Rental / 473 sq. ft. Unit A Owner Studio
 2564 Gross Square Footage



SQUARE FOOTAGE BREAKDOWN

1123 Hernando Street

Unit B Rental

406 kitchen/LR

266 dining room

284 familyroom

144 bedroom #1

117 bedroom #2

144 bedroom #3

121 bedroom #4

170 hallway

51 full bath #1

53 full bath #2

96 bath & closet off dr

1852 Total B Unit Sq Ft

Unit A Owner Studio

415 kitchen/LR

58 Unit A bath

473 Total A Unit Sq Ft

1852 Unit B

473 Unit A

2325 Combined Finished Sq Ft

238 Garage

2563 Gross Square Footage

SHORT TERM RENTAL AGREEMENT

This Short Term Rental Agreement (the “*Agreement*”) is made by and between Tiffany Wood (“*Homeowner*”) and ____(Name)_____ (“*Guest*”) as of the date last set forth on the signature page of this Agreement. For good and valuable consideration, the sufficiency of which is acknowledged, the parties hereby agree as follows:

1. Property. The property is located at:

1123 Hernando Street, Fort Pierce, Florida 34949

The property is furnished and includes fully stocked home (see attached itemized list).

2. Rental Party: The rental party shall consist of Guest and the following persons:

3. Maximum Occupancy: The maximum number of ‘primary’ guests is limited to 8

The beach home is limited to a maximum number of 8 people due to the size of the home, pool, and property. This allows us to keep the rental costs down, and to not pass on the fees of our pool and cleaning contractors to you. For this reason, we will charge \$300 per day for **any additional** occupants found.

4. Term of the Lease. The lease begins at 3:00 p.m. on (DATE) 2020 (the “*Check-in Date*”) and ends at 11:00 a.m. on (DATE), 2020 (the “*Checkout Date*”).

5. Rental Rules: Guest agrees to abide by the **Rental Rules** attached as **Exhibit A** at all times while at the property and shall require all members of the rental party and any Guest permitted on the property to abide by the following rules at all times while at the property.

6. Access: Guest shall allow Homeowner access to the property for purposes of repair and inspection. Homeowner shall exercise this right of access in a reasonable manner.

7. Rental Rate and Fees

- a. Deposit: A reservation/security deposit of \$500 is due upon making the reservation.

The deposit is for reserving the date as well as security and shall be refunded within 7 days of the Checkout Date provided no deductions are made due to:

- i. damage to the property or furnishings.
- ii. excessive cleaning; or
- iii. any other cost incurred by Homeowner due to Guest's stay.

If the premise appears dirty or damaged upon Check-in, Guest shall inform Managing Agent or Homeowner immediately.

8. Cancellation Policy: If Guest wishes to cancel his/her reservation, the \$500 reservation/security deposit will be refunded as follows:

0% penalty if cancelling greater than 60 days prior to the Check-in Date

50% penalty if cancelling within 60 days prior to the Check-in Date

100% penalty if cancelling within 30 days prior to the Check-in Date

9. Insurance: We encourage all renters to purchase traveler insurance.

10. Payment: Acceptable methods of payment are via credit cards (Mastercard, Visa, Discover and American Express. You will receive an invoice from Squareup.com reservation deposit payment. Please fill out your credit card information to process payment.

By my signature below, I hereby give permission to charge my credit card for the amounts above. I agree that all rental monies are non-refundable per cancellation policy above. I have read my rights to purchase travel insurance.

The parties agree to the terms of this Short-Term Rental Agreement, as evidenced by the signatures set forth below.

Homeowner

Guest:

Tiffany Wood

Name (print) _____

Name (print): _____

Date: 05/06/20

Date: _____

Phone # (during stay):

Phone # (during stay):

352-586-9260

Exhibit A

RENTAL RULES

1. **NO SMOKING** in the home at any time. You are welcome to smoke outside only.
2. People other than those in the Guest party set forth above may not stay overnight in the property. Any other person on the property is the sole responsibility of Guest.
3. This home is privately owned; the owners are not responsible for any accidents, injuries or illness that occurs while on the premises or its facilities. The Homeowners are not responsible for the loss of personal belongings or valuables of the guest. By accepting this reservation, it is agreed that all guests are expressly assuming the risk of any harm arising from their use of the premises or others whom they invite to use the premise.
4. Keep the property and all furnishings in good order.
5. Only use appliances for their intended use.
6. Pets: Dogs **only** permitted on premises with prior homeowner approval and with the *Pet Addendum* completed.
7. Parking: Vehicles are to be parked in designated parking areas only. Parking on the road is not permitted. Any illegally parked cars are subject to towing; applicable fines/towing fees are the sole responsibility of the vehicle owner.
8. Housekeeping: There is no daily housekeeping service. While linens and bath towels are included in the unit, daily maid service is not included in the rental rate. We do not permit towels or linens to be taken from the units.
9. Hot Tub: No children under the age of 18 permitted in hot tub without adult supervision. When using the hot tub, remember there is a certain health risk associated with this facility. Use at your own risk. **DO NOT STAND, JUMP FROM or use the hot tub in any position other than seated.**
10. Pool Equipment – we have had the pool serviced every Thursday by the same company for several years. Due to the sensitivity of the pool equipment, should there be any tampering with ANY of the equipment, heaters, filters, buttons, timers, etc other than what is authorized, there will be a **\$75 service charge reduced from security** to have the pool company come out and reset the equipment – so please no tampering.
11. Keys Returned – there is a \$50 fee for any keys that are not returned at the end of your stay.
12. The property is limited to a maximum number of 8 people due to the size of the home, pool, and property. This allows us to keep the rental costs down, and not have to pass on the fees of our pool and cleaning contractors to you. For this reason, we will charge \$300 per day for **any additional** occupants found.



TO: Nicholas Mimms, PE, City Manager

THROUGH: Rebecca Grohall, AICP, Planning Director

FROM: Kori Benton, Senior Planner

RE: Wood Rental - Application for Conditional Use
 Dwelling Rental
 1123 Hernando Street

DATE: February 10, 2017

STAFF REPORT

Owner/Applicant: David & Tiffany Wood
 1123 Hernando St
 Fort Pierce, FL 34949

Requested Action: Approval of a Conditional Use to operate a Dwelling Rental, offering lodging for less than six months.

Location: 1123 Hernando Street

Parcel ID: 2401-811-0018-000-6

Current Zoning: Hutchinson Island Medium Density Residential Zone (R-4A)

Future Land Use: Hutchinson Island Residential (HIR).

Surrounding Zoning:

North	East	South	West
R-4A	R-4A	R-4A	R-2

Site Size: .27 acres

Utilities: Located within the FPUA Retail Service Area

Staff Analysis:

Request

In accordance with Sections 22-22, and 22-76 of the City Code, the applicant is requesting the review and approval of a Conditional Use to operate a Dwelling Rental at 1123 Hernando Street, offering non-transient lodging with minimum stays of one (1) month. The subject single-story duplex features a finished floor area of 2,509 square feet, and contains one owner occupiable unit. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A).

The property is located one street west of South Ocean Drive, a few hundred feet north of Mariner Bay. A duplex is situated to the north, a single-family home and duplex to the east, single-family homes to the west, and a single-family home to the south. This site features a circular concrete driveway with parking designated for each unit.

Hernando Street does not feature any sidewalk connections along this segment of the roadway. A bicycle rack is required to facilitate multimodal options for guests.

The application presents operational guidelines such as screening of potential renters, a near-site manager (owner's relative), and minimum stays of one (1) month. The application details specific limits on vehicle parking locations on-site. There are notification requirements for pets on premises. The provided documents note a maximum occupancy of six (6) guests, with a notable surcharge for any additional guests. The applicant has been advised that the current floor plan acknowledged by the City would limit the occupancy of the unit for rental to 5 guests, based upon the finished floor area and minimum occupancy requirements per City Code Section 8.5-43. Such limitation should be accounted for by the applicant in operational guidelines, or until said time that an expanded floor plan is verified with the Building Department.

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, though less than what is otherwise provided for a dwelling, physically separated from any other rooms or dwelling units which may be in the building, and containing sleeping and sanitary facilities and one kitchen.

The State of Florida provides further classification if a dwelling is rented for periods of less than thirty (30) days, declaring the use a "Vacation rental", and defined such use as any unit or group of units in a condominium or cooperative or any individually or collectively owned single-family, two-family, three-family, or four-family house or dwelling unit that is also a transient public lodging establishment but that is not a timeshare project, which is rented to guests more than three times in a calendar year for periods of less than 30 days or 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 is less than thirty (30) days. The rental of a dwelling for periods greater than thirty (30) 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 Rentals

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

The rental of residential properties for short-term occupancy by tourists is a rapidly expanding sector of the hospitality industry. Short-term vacation rentals offer an alternative to traditional hotel or bed and breakfast accommodations, generally offering unique amenities, and a higher capacity to accommodate families or more guests than a single hotel room. The benefits of increased tourism and economic activity related to short term rentals are discernable; however the necessity to regulate and guide the location for this use is well documented.

Vacation rentals have the capacity result in incompatible adverse impacts on neighborhoods including, but not limited to, increased noise, litter, traffic, and the uncertainty or instability of the identity of occupants of neighboring properties. The short-term vacation rental use and longer term residential use may be incompatible, due to the rapid turnover associated with short-term vacation rental use, therefore provisions such as maximum guests, parking restrictions, property manager registration, and guide booklets for renters regarding local rules and resources should be considered to minimize conflicts. The applicant is seeking to offer non-transient lodging, with safeguarding parameters to further assimilation with the surrounding medium density residential neighborhood.

The applicant has verified that the operation would strictly limit stays to a minimum period of one (1) month. This operational approach ensures that the lodging provided is “non-transient”, seeking to provide a more compatible use for the surrounding neighborhood. Input garnered from neighboring property owners has described adverse impacts from short term, weekly rentals at the subject site.

In addition to the provision of greater stability, and less frequent turn over in occupants, the enactment of minimum stays of one (1) month, or more, helps to diversify the use to provide a complementary lodging

option which does not overlap with offerings of local hotels or commercial venues of public accommodation. Longer term stays, with a base line of one month, seek to not only reduce the potential conflict of a high turnover, commercial use, but also reduce competition to established hotels and motels.

Zoning & Land Use

The subject site is located within the Hutchinson Island Medium Density Residential Zone (R-4A) which is designed to facilitate residential and compatible development on Hutchinson which account for the unique characteristics of Hutchinson Island and concerns of environmental fragility, beach erosion, and hurricane evacuation. Furthermore, the site has a land use designation of Hutchinson Island Residential (HIR).

The Hutchinson Island Residential (HIR) designation is intended for parcels that are best suited for residential development on Hutchinson Island. This future land use category allows single-family detached and attached units, duplexes and multifamily residences at densities ranging up to 8 dwelling units per acre. Limited public uses and commercial uses that are compatible with the surrounding development shall also be allowed.

The presented use of the property represents a limited commercial use, with defined parameters of intensity or impact. The presentation of guest capacity for the single (1) unit limits the quantity of vehicles, additional traffic and noise from the proposal. The use is limited in comparison to a typical commercial use, or hotel/motel, especially with parameters in place to advance compatibility with the neighborhood. Limitation of guests is necessary to comply with City Code section 8.5-43.

Technical Review Committee

All affected departments have reviewed the proposed Conditional Use with regards requirements of the City Code, and conditionally approved the request.

Planning Board

The Planning Board, at their January 10th meeting, voted 8-2 to recommend approval of the request with the conditions guided by staff.

Staff Recommendation:

The proposed use presents the provision of non-transient lodging accommodation to the general public, on a limited scale, that is compatible with the surrounding neighborhood of this location, and is generally consistent with the City's Land Development Code and Comprehensive Plan with appropriate restriction therefore; Staff recommends the approval with the following conditions:

1. Strict adherence to minimum rental periods of one (1) month.
2. Limitation of occupancy to 5 guests based upon City Code Section 8.5-43, unless verification of interior renovation permits for expansion of the southern unit is provided by the Building Department;

3. Registration of a local property manager, and secondary property manager, accessible at all times to resolve complaints or violations of City Code;
4. Issuance of guide booklets for renters regarding local rules and public service resources to minimize conflicts;
5. Installation of a sidewalk connection, or payment in-lieu of construction, along the Hernando Property line;
6. Installation of a bicycle rack for guests; and
7. The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within fourteen (14) days of Conditional Use approval.



THE SUNRISE CITY

FORT PIERCE
CITY CLERK'S OFFICE
Florida

February 27, 2017

David and Tiffany Wood
1123 Hernando St
Fort Pierce, FL 34949

Dear Mr. and Mrs. Wood:

At their meeting on Tuesday, February 21, 2017, the City Commission considered an application for Conditional Use, submitted by Property Owner, David and Tiffany Wood to establish a Dwelling Rental, offering lodging for less than six months located at 1123 Hernando Street, Fort Pierce, FL. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A) (Parcel ID 2401-811-0018-000-6).

The Commission approved the application with the following conditions:

1. Strict adherence to minimum rental periods of one (1) month.
2. Limitation of occupancy to 5 guests based upon City Code Section 8.5-43, unless verification of interior renovation permits for expansion of the southern unit is provided by the Building Department;
3. Registration of a lead property manager, and secondary property manager, accessible at all times to resolve complaints or violations of City Code;
4. Issuance of guide booklets for renters regarding local rules and public service resources to minimize conflicts;
5. Installation of a sidewalk connection, or payment in-lieu of construction, along the Hernando Property line;
6. Installation of a bicycle rack for guests; and
7. The applicant files for and obtains St. Lucie County & City of Fort Pierce Business Tax Licenses within fourteen (14) days of Conditional Use approval.
8. Retention of a state licensed property manager whose business is located within the city limits of Fort Pierce.

Very truly yours,

Linda W. Cox
City Clerk

cc: Rebecca Grohall, Planning Director

Mr. Creagan gave an overview of the application and answered questions from the Board on the anticipated timeframe of the planned development and designation of public transportation.

Lee Dobbins, applicant representative from the Dean Mead Law Firm, clarified that the applicant is not proposing additional transit stops and the feedback from the St. Lucie County traffic analysis is still being reviewed.

Motion was made by Tim O'Connell, and seconded by Gloria Johnson-Scott to approve the Future Land Use Map Amendment for Misty Creek Preserve.

AYE: Michael Broderick, Gloria Johnson-Scott, Tim O'Connell, Chairman Frank Creyaufmiller

Passed

7. NEW BUSINESS

a. Conditional Use - The Manor Assisted Living Facility - 4201 S. 25th Street

Ms. Lewicka explained that the project was previously approved in 2018 for 32 units and the applicant is requesting an additional ten units. Ms. Lewicka said the footprint is shrinking slightly and the development is proposed in two phases. Ms. Lewicka answered questions from the Board on the traffic study and parking requirements.

No one spoke for or against the project.

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to forward a recommendation of approval to the City Commission.

AYE: Gloria Johnson-Scott, Tim O'Connell, Michael Broderick, Chairman Frank Creyaufmiller

Passed

b. Conditional Use - Wood Vacation Rental - 1123 Hernando Street

Mr. Creagan gave an overview of the application and answered questions from the Board on rental and handicap parking. Mr. Creagan explained that condition number six is being deleted because the wording is duplicated in condition number ten. Mr. Creagan stated the applicant is diligently working with the building official on the state ADA requirements. Mr. Creagan added that the conditions of approval are similar to the existing Conditional Use on the property, except for the required handicap parking space and the business tax license being required on all advertising.

Mr. Broderick provided the Board a VRBO advertisement for the Wood vacation rental on the Trip Advisor website that showed the home sleeps 8 with a 1 night minimum rental. Mr. Broderick stated the rental rules provided in the packet allow a maximum of 10 people, which is a violation of the current approved dwelling rental Conditional Use for over 31 days. Mr. Broderick expressed concerns with relying on neighbors to police the neighborhood.

Tiffany Wood, owner, explained that reconfiguring of the parking spaces will be handled by her design engineer, and she only contracts with the Home Away website, and not the sister websites. Ms. Wood stated she has had no complaints from her neighbors and there were advertising mistakes made on the vacation rental websites. Ms. Wood noted that the information in the packet is from her 2017 Conditional Use approval and the dimensions of the house have increased.

Board discussion ensued on increased occupants and parking.

Bill Piant, resident, spoke in opposition of the project and asked the Board if any vacation rentals have been approved for less than 31 days and if a motel is allowed in R4A zoning. Mr. Piant expressed concerns with the possibility of cars being parked in the front yard and the unmanageable enforcement.

Ms. Hofmeister stated that most of the vacation rentals that were not approved were in the R2 zoning classification.

William Fearn, resident, spoke in opposition of the project. Mr. Fearn said he has felt the negative impacts of the short term rentals in the area. Mr. Fearn stated he likes the community the way it is and there is no need to make exceptions to the zoning rules.

Charlene Adair, resident, explained she is a volunteer researcher for the City of Fort Pierce Code Enforcement department, and she has been keeping data on short term rentals since 2015. Ms. Adair highlighted that Vacation Rentals, VRBO and Home Away websites are one company and the ads are carbon copies of one another for those three websites. Ms. Adair stated that this address did not have a business tax receipt on record for 27 months and had been advertising for less than 31 days, which is a violation of the present Conditional Use on the property. Ms. Adair expressed concerns with permitting and safety. She said there is a difference from someone who rents one day compared to 30 days. Ms. Adair highlighted the Conditional Use is supposed to enhance and protect the neighborhood, not have a negative impact.

Mr. Sweeney explained that processes are being put into place all over the state of Florida, due to the internet making it easy to advertise a vacation or short term rental.

Ms. Hofmeister stated that a corrected layout, parking plan and occupant load will need to be provided prior to the project going to City Commission.

Ms. Wood noted that Mr. Roseberry from the building department recommended she not move forward with the life safety plan until her application has been approved by City Commission.

Board discussion ensued on moving forward to the City Commission with the lack of definitive information and accurate plans.

Mr. Sanders suggested the applicant to use conceptual planning because it is inexpensive and it can show how parking and the ADA requirements fit it.

Ms. Hofmesiter stated once an accurate layout is received the conditions can be revised prior to going to City Commission.

Mr. O'Connell said he is not in favor of the vacation rental because of the compatibility issue with the neighborhood, and both Code Enforcement and the Police department cannot control the parking issues.

Motion was made by Tim O'Connell, and seconded by Gloria Johnson-Scott to disapprove of the application.

AYE: Tim O'Connell, Michael Broderick, Gloria Johnson-Scott

NAY: Chairman Frank Creaufmiller

Passed

8. COMMENTS FROM THE PUBLIC

Any person who wishes to comment on any subject may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Chair, as this section of the Agenda is limited to thirty minutes. The Planning Board will not be able to take any official actions under Comments from the Public. Speakers will address the Board and the Public with respect. Inappropriate language will not be tolerated.

9. BOARD COMMENTS

Mr. Broderick stated a modification of the conditional use process for vacation rental needs to be addressed because the Board clearly needs more information. Chairman Creyaufmiller asked staff to add this as an agenda item so it can be discussed among the Board. Mr. Sanders suggested that the Board and staff look at appropriate places that are compatible for vacation rentals.

Chairman Creyaufmiller asked for an update on the review of the alcohol beverage ordinance and Bed and Breakfast regulations.

10. ADJOURNMENT

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