



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

THROUGH: Jennifer Hofmeister, AICP, LCAM, Planning Director

FROM: Vennis Gilmore, Planner

RE: **Conditional Use Approval – Wright-Ofeimu Vacation Rental
 715 S. Ocean Drive, Unit E**

BOARD DATE: July 20, 2020

STAFF REPORT

Owner: Tiffany Wright Ofeimu & Nelson Ofeimu
 3122 Winchester Road
 West Bloomfield, MI 48322

Applicant: Sarah Saffron
 7402 Santa Rosa Parkway
 Fort Pierce, FL 34951

Applicant’s Request: Approval of a Conditional Use to operate a Vacation Rental, offering lodging for less than 30 days. The minimum rental period is identified as two days.

Location(s): 715 S. Ocean Drive, Unit E

Parcel ID: 2401-504-0005-000-9

Future Land Use: Hutchinson Island Residential (HIR)

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

Surrounding FLU:

North	East	South	West
HIR	HIR	HIR	HIR

Surrounding Zoning:

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

Utilities: Fort Pierce Utility Authority (FPUA)

Staff Analysis:

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 Vacation Rental at Unit E of the Boardwalk Condominiums, located at 715 S. Ocean Drive. The subject condominium is a one (1)-bedroom and one (1)-bathroom unit with approximately 680 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 the South Beach neighborhood, generally situated at the southwest corner South Ocean Drive and Gulfstream Avenue. The subject site is surrounded by multi-family residences to the north, west, east, and south. The subject property has a Future Land Use designation of Hutchinson Island Residential (HIR) with a compatible zoning classification of Hutchinson Island Medium Density Residential (R-4A).



Dwelling Rentals

Pursuant to City Code Section 22-3. – Definitions - Generally, the rental of any dwelling unit for less than six 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 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 times in a calendar year for periods of less than 30 days or one 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 30 days. The rental of a dwelling for periods at a minimum of 31 days, but less than six months, is a “Dwelling Rental,” but not a “Vacation Rental.”

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

Table 1 – Dwelling & Vacation Rental Definitions

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

Future Land Use and Zoning

The purpose and intent of the R-4A zoning district is to establish height and density regulations for lands located within the city which are situated east of the Indian River. The R-4A zone is compatible with the Medium Density Residential Hutchinson Island designation in the comprehensive plan. Permitted gross residential densities in this district may not generally exceed eight (8) units per acre. Bonus density of up to one additional unit per acre is available as provided for in this section. This district is established because Hutchinson Island is a sensitive barrier island which presents development considerations which are either unique to the area or are of added concern, such as environmental fragility, beach erosion, and hurricane evacuation.

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.

Property Owner Response Summary

A total of 158 notifications of the proposal were mailed to the owners of property located within 500 feet of the subject property. An update will be provided to the City Commission at the public hearing.

Planning Board Recommendation

The Planning Board, at their June 9th, 2020 meeting, voted unanimously to recommend **Approval** of the request.

Staff Recommendation

The proposed use presents the provision of transient 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 Comprehensive Plan and Land Development Code with appropriate restrictions. Therefore, Staff recommends **APPROVAL** with the following five 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 (2) vehicles at the site.
- 5) The City of Fort Pierce Business Tax License number shall be included on all advertising.



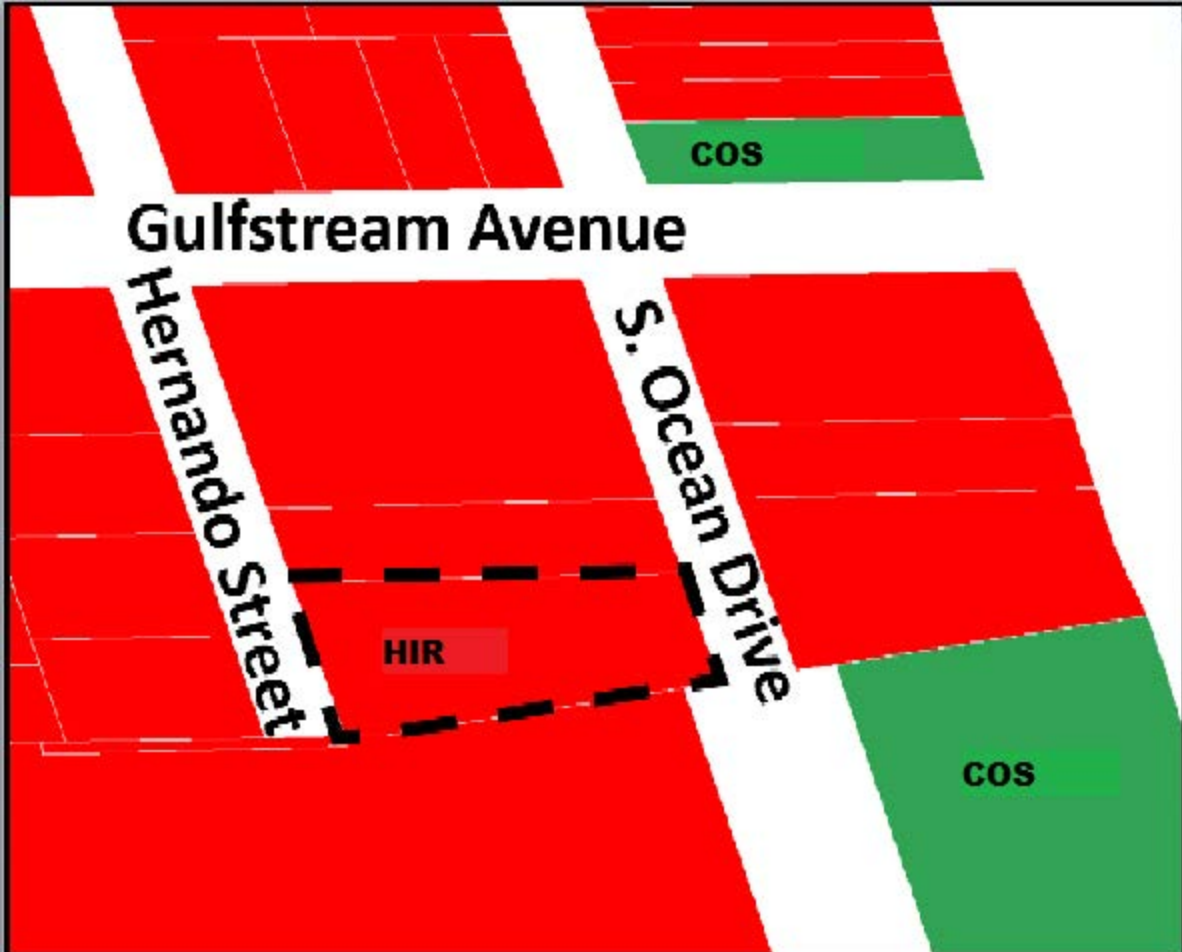
Wright-Ofeimu Vacation Rental

715 S. Ocean Dr., Unit E

Aerial Map



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FORT PIERCE
Florida



Conditional Use

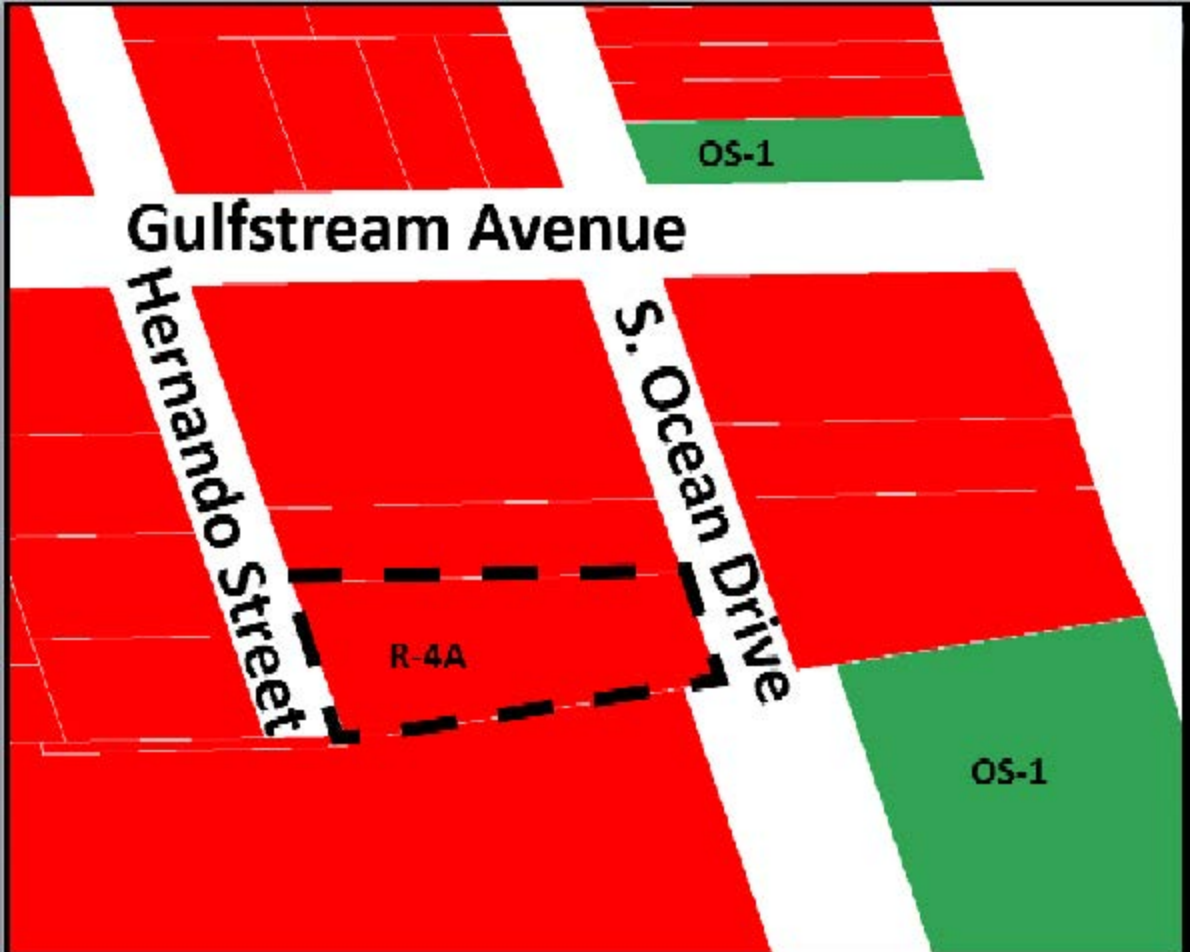
Wright-Ofeimu Vacation Rental
715 S. Ocean Drive, Unit E

HIR =  **COS** = 



THE SUNRISE CITY
FORT PIERCE
Florida

FLU Map



Gulfstream Avenue

Hernando Street

S. Ocean Drive

OS-1

R-4A

OS-1



Conditional Use

Wright-Ofeimu Vacation Rental
715 S. Ocean Drive, Unit E

R-4A =  OS-1 = 



THE SUNRISE CITY
FORT PIERCE
Florida

Zoning Map



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

Technical Review Committee Meeting

May 21, 2020

TECHNICAL REVIEW PROJECT # 20-04000005

Conditional Use – Wright Ofeimu Vacation Rental – 715 S. Ocean Drive, Unit E

Comments

FPUA W/WW Engineering: Approved

FPUA Electric & Gas Engineering: No comment



Our mission is to provide our customers with economical, reliable, and friendly service in a continuous effort to enhance the quality of life in our community.

www.fpua.com





THE SUNRISE CITY

FORT PIERCE

ENGINEERING
DEPARTMENT

Florida

TO : Vennis Gilmore, Planner

FROM : John R. Andrews, P.E., City Engineer

**RE : Wright Ofeimu Vacation Rental – 715 S. Ocean Drive, Unit E
Conditional Use Application - TRC No. 20-04000005**

DATE : May 20, 2020

This is to advise you that we have completed the review of the following documents as received by this office on May 11, 2020:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Conditional Use Application | <input type="checkbox"/> P/D Drawings |
| <input type="checkbox"/> Test Reports & Related Documents | <input type="checkbox"/> Certificate of Completion |
| <input type="checkbox"/> Record Drawings | <input type="checkbox"/> Permits from applicable Local, State & Federal Agencies |
| <input type="checkbox"/> Clearances from all applicable Local, State and Federal Agencies | |

Based on our reviews and appropriate site final inspection, we

- | | | |
|---|---|------------------------------|
| <input checked="" type="checkbox"/> Recommend | <input type="checkbox"/> Do Not Recommend | |
| <input type="checkbox"/> Conditional Use | <input type="checkbox"/> Building Permit | <input type="checkbox"/> C/O |

Developer, Owner, Engineer, Contractor and other members of the Development Team must be aware, the above recommendation is based only on the construction requirements of the engineering plans and other engineering documentation approved by this department. The Development Team shall be responsible for the compliance with other City department requirements and all approved documents, as well as Local, State and Federal regulations. The development requirements for this project may necessitate additional construction requirements that are not subject to this department's review for approval.

- See attached for engineering comments

JRA/VB/vb

Q:\ENGINEERING\Site Development Projects\Addresses\715 S. Ocean\CU\Unit E\CU Approval - 052020.docx



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

Florida

Technical Review Committee meeting

May 21st, 2020

Case # 20-0400005

Planner: Vennis Gilmore

Conditional Use.

Wright – Ofeimu vacation rental, 715 South Ocean Dr., Unit E, Ft. Pierce

Comments:

No comments at this time.

Officer Damian Spotts

Crime Prevention Practitioner

Fort Pierce Police Department.



May 20, 2020

Michelle Longarzo
Slice of Paradise
sliceofparadiseflorida@gmail.com

Subject: 715 S. Ocean Avenue Unit E 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.