



TO: Members of the City of Fort Pierce Planning Board

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

RE: **Application for Conditional Use with New Construction
 Dune Crossover - 618 South Ocean Drive (20-04000008)**

BOARD DATE: July 14, 2020

STAFF REPORT

Property Owner/Applicant: Nicolas Oswald and Stacey Aileen Iannotti
 618 South Ocean Drive
 Fort Pierce, Florida 34949

Requested Action: Approval for Construction of a Dune Crossover Located Seaward of the Coastal Construction Control Line (CCCL)

Site Location: 618 South Ocean Drive

Parcel ID: 2401-503-0002-300-8

Existing Use: Residential

Parcel Size: 0.138 Acres

Current Future Land Use: Hutchinson Island Residential (HIR)

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

	North	East	South	West
Surrounding FLUE:	HIR	Atlantic Ocean	HIR	HIR
Surrounding Zoning:	R-4A	Atlantic Ocean	General and Recreational Open Space Zone (OS-1)	R-4A

Utilities: Fort Pierce Utility Authority

Staff Analysis:

Request

In accordance with Sections 22-66 and 22-76 of the City Code, the applicant is requesting the review and approval of an elevated dune crossover seaward of the Coastal Construction Control Line (CCCL) for private beach access. The subject structure is one of a five (5) unit townhouse development. The area south of the subject property that has an OS-1 zoning designation is City right-of-way being used for public beach access.

The CCCL is that certain line designated by the Florida Department of Environmental Protection (FDEP) in accordance with Section 161.053, Florida Statutes. The FDEP defines the CCCL as portions of beaches and dune systems subject to severe fluctuations based on a 100-year storm event. The determination of the location of the line by the FDEP is based on coastal engineering models, survey and bathymetric data and scientific principles that determine the upland or landward extent of the damaging effects of a 100-year storm event. The FDEP further guides that the CCCL is not a seaward limit for construction of upland structures (as in a setback line) but rather the CCCL delineates the inland limit of areas where special siting and design considerations are necessary to protect the beach-dune system and to protect proposed and existing structures, adjacent properties, and the preservation of public beach access.

Pursuant to City Code Section 22-66, only navigational structures, private and semi-public water-dependent recreational uses, and water-dependent public uses are permitted by right seaward of the CCCL. All other construction must be approved in the form and manner provided by Chapter 22, Article V, Conditional Uses. Proposed construction eastward of the CCCL requires Conditional Use approval by the City Commission prior to review and approval for permitting by the FDEP and the City.

The subject townhomes were constructed in 1988. In 2019, Unit 620 South Ocean Drive received approval by the City Commission and ultimately the Florida Department of Environmental Protection (FDEP) for construction of a dune crossover. The proposed construction was reviewed in accordance with City Code Section 22-74. The St. Lucie County Erosion District and the City Engineer have no concerns with the construction of the subject dune crossover. Following City approval, the proposed structure will be required to obtain approval by the FDEP prior to City building permit approval. In summary, the structure does not adversely affect the public health, safety, comfort, good order, appearance, convenience, and the general welfare.

Technical Review Committee

All affected City Departments have reviewed the proposed Application for Conditional Use with New Construction and have provided conditional approval based on compliance with requirements of the City Code. The comments generated from the technical review, and any responses by the applicant, have been provided.

Staff Recommendation

The requested Application for Conditional Use with New Construction meets the criteria specified in City Code 22-66 and City Code 22-74, the Comprehensive Plan, and does not adversely affect the public health, safety, convenience and general welfare. Therefore, Staff recommends that the Planning Board forward a recommendation of **APPROVAL** to the City Commission with the following Condition:

1. Obtain the approval of the Florida Department of Environmental Protection for construction activities seaward of the Coastal Construction Control Line before construction activities can commence.