

CITY PLANNING BOARD

BOARD AGENDA

Planning Board Regular Meeting - Tuesday, September 8, 2020 - 2:00 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CONSIDERATION OF ABSENCES**
 - a. Minutes from the August 11, 2020 meeting
5. **APPROVAL OF MINUTES**
6. **NEW BUSINESS**
 - a. Conditional Use - Barsotti Dwelling Rental - 1040 Windward Drive, Unit 3402
 - b. Conditional Use - Ballantyne Dwelling Rental - 715 S. Ocean Drive, Unit B
 - c. Conditional Use - Danaluk Dwelling Rental - 715 S. Ocean Drive, Unit L
 - d. Annexation - Jetson - 504 Tumblin Kling Road
7. **ELECTION OF CHAIR AND VICE-CHAIR**

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. **DIRECTOR'S REPORT**

10. **BOARD COMMENTS**

11. **ADJOURNMENT**

Any person seeking to appeal any decision by the Planning Board with respect to any matter considered at this meeting is advised that a record of proceedings is required in any such appeal and that such person may need to insure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based. Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact (772) 467-3729, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

Planning Board - 2 PM

4. a.

Meeting Date: 09/08/2020

Information

REQUESTED ACTION

Minutes from the August 11, 2020 meeting

LOCATION

N/A

RESPONSIBLE STAFF

N/A

RECOMMENDATION

N/A

Attachments

Planning Board Minutes 8/11/20

Form Review

Form Started By: Alicia Rosenthal

Started On: 08/13/2020 02:17 PM

Final Approval Date: 08/27/2020

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON TUESDAY, **AUGUST 11, 2020**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. **CALL TO ORDER**

2. **PLEDGE OF ALLEGIANCE**

3. **ROLL CALL**

Present: **Tim O'Connell; Bob Burdge; Gloria Johnson-Scott; Michael Broderick; Solomon Lee; Frank Creyaufmiller, Chairman; Marty Sanders, Ex-Officio**

Absent: **Patricia Diaz**

Staff Present: **Jennifer Hofmeister, Planning Director
Tanya Earley, Assistant City Attorney
Vennis Gilmore, Planner
Brandon Creagan, Planner
Alicia Rosenthal, Executive Assistant**

4. **CONSIDERATION OF ABSENCES**

Ms. Diaz was excused.

5. **APPROVAL OF MINUTES**

- a. Minutes of the July 14, 2020 Planning Board Short Term Rental Workshop

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the minutes from the July 14, 2020 Planning Board Workshop with the suggestion from Mr. Broderick to add the Florida Department of Business Regulation license number on all advertising.

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

Passed

- b. Minutes from the July 14, 2020 Planning Board meeting

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the minutes from the July 14, 2020 Planning Board meeting.

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

Passed

6. HEARING OF THE LOCAL PLANNING AGENCY

- a. **Future Land Use Map Amendment - Aria Apartments - 3000 Okeechobee Road**

Mr. Gilmore gave a presentation of the Future Land Use Map Amendment and answered questions from the Board on the applicant's intentions and the number of residential apartments.

No one spoke for or against the application.

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the request to change the Future Land Use Designation from General Commercial (GC) to Medium Density Residential (RM).

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

Passed

7. NEW BUSINESS

- a. **Rezoning - Aria Apartments - 3000 Okeechobee Road**

Mr. Gilmore included the Rezoning with the Future Land Use Map Amendment presentation in item 6a.

No one spoke for or against the rezoning.

Motion was made by Michael Broderick, and seconded by Solomon Lee to approve the request to change the Zoning Designation from General Commercial (C-3) to Medium Density Residential (R-4).

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

Passed

- b. **Rezoning- Willow Lakes - NW corner of West Midway Road and I-95**

Mr. Gilmore gave an overview of the application.

Lee Dobbins, Attorney from the Dean Mead Law Firm representing the applicant, gave a presentation on the master plan for Willow Lakes and he highlighted that the mixed use development will be anchored by a surf park. He explained that legislation was passed by the

state to make an exception for a surf park.

Chad LaBonte, Developer of the Project, said he has been working with Wave Garden in Spain and they are the leaders in artificial wave development. Mr. LaBonte showed a video of how the Wave Garden works and noted that the proposed Wave Garden in Fort Pierce is the largest prototype.

Jeff Fitzgerald, Civil Engineer from Bohler Engineering, gave an overview of the overall master plan and how it was conceived. Mr. Fitzgerald explained the different neighborhoods include mixed use, residential, commercial and active entertainment. Mr. Fitzgerald noted that the Wave Garden offers an authentic surfing experience everyday of the year and Willow Lakes will be the new coastal village in Fort Pierce with a healthy outdoor lifestyle.

Susan O'Rourke, Traffic Consultant, explained to the Board that a 20 year comprehensive study was done and each phase of the development will be looked at individually and cumulatively for traffic analysis. Ms. O'Rourke said road improvements will have to go through the county.

The Board expressed their excitement for the novel development and asked about the possibility of adding additional wave pools and the time frame for completion.

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the proposed Rezoning from AG-2.5, Agricultural, 1 du/2.5 ac (Saint Lucie County Zoning) to Planned Development, PD.

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

Passed

c. Conditional Use - Fort Vacation Rental - 715 S. Ocean Drive, Unit F

Mr. Gilmore gave an overview of the application and read a letter of support from Tiffany Wright-Ofeimu.

Gus Fort, Property Owner, provided additional information about the number of rental units in the building. He noted that only three owners live in the building and the rest of the units are either short or long term rentals.

Motion was made by Gloria Johnson-Scott, and seconded by Solomon Lee to approve with the following five (5) 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.**

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

Passed

d. **Site Plan and Conditional Use - Aria Apartments - 3000 Okeechobee Road**

This item was moved to 7b on the agenda.

Mr. Gilmore gave an overview of the Site Plan and Conditional Use. Mr. Gilmore explained the applicant is able to take advantage of the density bonus because of the transit stop location.

Ms. Hofmeister commented that the innovative design development, exceeded landscape requirements and traffic design allows for more workforce housing units.

Board discussion ensued on gated entry for security.

Mike Sanchez, Applicant, stated the site plan would need to be updated to add gates to the entry. Mr. Sanchez noted that the security camera system for the complex would come at a later date.

Motion was made by Michael Broderick, and seconded by Tim O'Connell to approve the site plan with the following four (4) conditions and one advisory comment:

1. **A Landscape Bond will need to be provided at the time of Certificate of Occupancy for each building pursuant to City Code 123-6. The Landscape Bond for the common areas, clubhouse, lakes, and parking areas shall be submitted before the Certificate of Occupancy is issued for the first building in each phase.**
2. **At the time of Building Permit submit a signed and sealed boundary and topographic survey to the City Engineering Department in accordance with City Code 119-2 (a)(7).**
3. **Remove the light grey from the color scheme and use colors from the blue-violet or blue-green color palette.**
4. **Include a landscaped area around base of the monument sign which extends a minimum distance of three (3) feet in all directions. Such landscaped area shall be completely covered by ground cover and shrubs, hedges or similar vegetative materials. Vegetation in the area surrounding said sign shall be maintained at a height of less than twelve (12) inches.**

Advisory Comment: Consider a gated entry for the health, safety, and welfare of the future tenants of the proposed development. Details need to be worked out between the design team and the Planning Department.

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

Passed

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the Conditional Use for Aria Apartments located at 3000 Okeechobee Road.

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

Passed

e. **Site Plan - Blue Sky Landing - 2419-211-0004-000-8**

Mr. Creagan gave an overview of the application and he stated the applicant is going over and beyond on the landscape requirements. Mr. Creagan answered questions from the Board on traffic impacts, drainage, and fencing material.

Ms. Hofmeister noted there is wet storage retention on the site that will help with drainage.

Rob Schwerer, Local Counsel for the Applicant, explained the development is 9.63 acres with 164 units and it will be completed in two phases. Mr Schwerer said the parcel was previously sighted for high intensity development.

Jerrold Purser, WGI Planner, stated there is an existing 6 foot concrete wall that will have a resident only pedestrian gate and they have access easements to the adjoining property.

Brian Arnold, WGI Civil Site Engineer, said the elevations are raised above the flood plain elevations and the multiple lakes on the project is storage for the flood plain and it also helps the adjacent properties. Mr. Arnold stated the project will be reviewed by St. Lucie County Water Management District, St. Lucie River Control Water District and FEMA.

Motion was made by Gloria Johnson-Scott, and seconded by Michael Broderick to approve with the following two (2) conditions:

- 1. A Landscape Bond will need to be provided at the time of Certificate of Occupancy for each building pursuant to City Code 123-6. The Landscape Bond for the common areas, clubhouse, lakes, & parking areas shall be submitted before the Certificate of Occupancy is issued for the first building in each phase.**
- 2. At the time of Building Permit submit a signed and sealed boundary and topographic survey to the City Engineering Department in accordance with City Code 119-2 (a)(7).**

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

Passed

f. **Final Plat - Bent Creek Subdivision (Tract B-2)**

Mr. Gilmore gave an overview of the plat and he noted there are 121 parcels in the plat and that the CDD went to City Commission on August 3, 2020.

The Board asked questions on the influx of students at schools, total units when built out, and proposed landscaping.

Ms. Hofmeister said the CDD is a mechanism used to get connection to Peterson Road.

Marty Sanders, Growth Management, Land Acquisition & Inter-Governmental Relations for the School Board of St. Lucie County, stated that the school board monitors Planned Developments and they work with the local government and development for proper placement of schools. Mr. Sanders said there is plenty of capacity in the schools and they do not have an issue with the increase parcels in Bent Creek.

Brian Nolan, Applicant Representative from Lucido and Associates, explained the different parcels to be developed in Bent Creek. He said there will be a total of 692 homes and the landscape plans have not been submitted as of yet.

Jeff Alexander, Lennar Representative, discussed the progression of development. He said A2 with 65 foot home sites is the next phase to be developed, then B2, which will have 52 foot home sites, and after the construction of Peterson Road, Parcel C will be developed.

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve with the following three (3) Conditions of Approval:

1. **Prior to final plat approval the appropriate bonding mechanism must be in place ensuring construction completion of all outstanding infrastructure (sidewalks, roadways, drainage, utilities, curb, striping, etc.); for specific information please refer to the City of Fort Pierce Code of Ordinances Section 121- 12.**
2. **The applicant will supply two (2) Mylars for appropriate signatures and then the plat is recorded with St. Lucie County Clerk of Courts in accordance with Florida State Statute 177.111.**

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

Passed

g. Updated Board Procedures

Ms. Hofmeister provided updated Board procedures due to the change in time of the Planning Board meetings and no longer having alternates on the Board. She added an additional change to remove the last three sentences of #12 regarding the alternate and ex-officio member having voting privileges.

Board discussion ensued on changing the notification time for not being able to attend the meeting to the day of the meeting, in case of an emergency.

Mr. Sanders said he appreciates the change in time because he will be able to make more meetings.

Motion was made by Michael Broderick, and seconded by Gloria Johnson-Scott to approve the updated board procedures.

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

Passed

h. Short Term Rental Recommendations

Ms. Hofmeister gave a presentation on the standard conditions with the amended changes and additional conditions. She explained that the proposed permit fee would need to be an amendment to the fee schedule and approved by resolution by the City Commission. Ms. Hofmeister noted that the department is trying to create standardize procedures for vacation rentals.

Board discussion ensued on researching the annual recommended permit fee amount, posting placards could create vacation rentals as a target for undesirables and condominium association rules not allowing placard signage.

Motion was made by Michael Broderick, and seconded by Tim O'Connell to approve the additional language for consideration with the changes proposed along with an annual permit fee, amount to be determined by the City Commission.

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 and shall provide proof of residency.**
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 per vacation rental.**
5. **On-street parking for vacation rental(s) shall be prohibited.**
6. **The City of Fort Pierce Business Tax License number and the Florida Department of Business & Professional Regulation License number shall be included on all advertising.**
7. **Vacation rental placard shall be posted on Vacation Rental property that states the name, City of Fort Pierce Business Tax License, Florida Department of Business & Professional Regulations License Number, phone number and email address of the property manager. Single-family and plexes shall post Vacation Rental placards in the front yard and apartment and condominium placards shall be posted on the front door. For condominiums that strictly prohibit the placard being posted on the front door, placards should be placed in the condominiums common area unless strictly prohibited.**

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

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. **DIRECTOR'S REPORT**

Ms. Hofmeister said she would like to continue to have workshops with the Board and for the next workshop she wants to bring in a consultant to discuss the level of service on traffic impacts and roadways.

10. **BOARD COMMENTS**

Chairman Creyaufmiller said he would like Mr. Broderick to make the "Vacation Rental Recommended Conditions" presentation to City Commission since he has done so much homework on the subject.

Chairman Creyaufmiller thanked Tim O'Connell for his nine years of service on the Planning Board.

11. ADJOURNMENT

8/10/2020

To Members of the Planning Board:

I am writing this letter in support of the application for Vacation Rental-Conditional Use Permit submitted by Gus Fort.

As a vacation rental permit holder myself, I can attest to the benefits to the City of Fort Pierce that vacation rentals bring. Since my permit was approved a month ago, I hosted several renters. All stated how much they enjoyed exploring the area. None of my renters had been to the Fort Pierce -Hutchinson Island area previously. Moreover, all stated that they would be returning. This is precisely why vacation rentals are good for the City's economy. Not only do they bring in tax dollars, but also revenue to area businesses. Furthermore, they help to improve the reputation of the City.

Gus Fort is a conscientious, kind, and responsible businessman. He lives locally and supports the St Lucie County community. He takes pride in his properties and continues to work towards improvement. Gus has served as the President of the Boardwalk Condo Association Board for 4 years and has volunteered countless hours to ensure that the property is maintained and enhanced. I believe that his efforts will only increase with this permit approval. Furthermore, Gus has contracted a local Fort Pierce resident to serve as his property manager, Alex Saffron. Alex will be available to respond to any emergencies. Alex is very familiar with the property as he serves as my property manager too.

I can say without any hesitation that Gus Fort will be an accountable and attentive conditional use permit holder.

Sincerely,

Tiffany Wright Ofeimu

248-508-9297

3122 Winchester Rd
West Bloomfield, MI 48322

715 S. Ocean Dr. Unit E
Fort Pierce, FL 34949

Information

REQUESTED ACTION

Conditional Use - Barsotti Dwelling Rental - 1040 Windward Drive, Unit 3402

LOCATION

1040 Windward Drive, Unit 3402

RESPONSIBLE STAFF

Vennis Gilmore, Planner

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 five (5) conditions:

- 1) The property manager for the dwelling 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 per unit.
- 5) The City of Fort Pierce Business Tax License number shall be included on all advertising.

Attachments

Staff Report
Property Record Card
Location Map
FLU Map

Zoning Map
Applicant Packet & Supporting Documents
TRC Comments

Form Review

Form Started By: Vennis Gilmore
Final Approval Date: 09/01/2020

Started On: 09/01/2020 12:50 PM



TO: Members of the City of Fort Pierce Planning Board

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

FROM: Vennis Gilmore, Planner *V Gilmore*

RE: **Conditional Use Approval - Barsotti Dwelling Rental
 1040 Windward Drive, Unit 3402**

BOARD DATE: September 8, 2020

STAFF REPORT

Owner: Nancy Barsotti
 32 Edgecliff Road
 Carnegie, PA 15106

Applicant: Nancy Barsotti
 32 Edgecliff Road
 Carnegie, PA 15106

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 31 days.

Location(s): 1040 Windward Drive, Unit 3402

Parcel ID: 2507-888-0068-000-4

Future Land Use: Hutchinson Island Medium Density Residential (HIR)

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

Surrounding FLU:

| | | | |
|-------|----------------|-------|------|
| North | East | South | West |
| HIR | Atlantic Ocean | COS | HIR |

Surrounding Zoning:

| | | | |
|-------|----------------|-----------|------|
| North | East | South | West |
| R-4A | Atlantic Ocean | OS-1/OS-2 | R-4A |

Utilities: FPUA

Staff Analysis:

Request

In accordance with Sections 125-187 and 125-237 of the City Code, the applicant is requesting review and approval of a Conditional Use to operate a Dwelling Rental located at 1040 Windward Drive, Unit 3402. The subject condo unit is approximately 1,659 gross square feet with two (2) bedrooms and two (2) bathrooms. The condo unit is within Ocean House Condominiums which is located within the Ocean Village Community. Ocean Village is a gated and planned community that is nestled on approximately 120 acres with approximately 3,500 feet of beach frontage. Ocean Village offers 24-hour security; a Par-3 9-Hole Executive Golf Course; Tennis Courts; Heated Swimming Pools; Jacuzzi; Sauna; Fitness Center; Card Room; Library with wi-fi; and clubhouses. The proposed Conditional Use will offer lodging of less than six (6) months with a minimum stay of 31 days to guests.

The property is located near the northeast corner of South Ocean Drive and Blue Heron Boulevard., south of Coconut Drive. The site is surrounded by single family residences to the north, vacant property to the south and west, and the Atlantic Ocean to the east. The property is zoned Hutchinson Island Medium Density Residential Zone (R-4A).

Dwelling Rentals

Pursuant to City Code Section 125-3. – 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.

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

Table 1 – Dwelling & Vacation Rental Definitions

| | Dwelling Rental | Vacation Rental |
|----------------------------------|--|---|
| Length of Stay | Less than six (6) months | 30 days or less |
| Lodging Type(s) | Non-Transient (more than 30 days) | Transient Lodging |
| State License Requirement | If rented 30 days or less (Vacation Rental) | Division of Hotels & Restaurants – Vacation Rental |

| | | |
|---|--|------------------------------|
| Public lodging establishment (ADA & Misc. Regulations) | If rented 30 days or less (Vacation Rental) | Public lodging establishment |
|---|--|------------------------------|

Future Land Use & Zoning

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 eight (8) dwelling units per acre. Limited public uses and commercial uses that are compatible with the surrounding development shall also be allowed. The HIR district was previously referred to as "Medium Density Residential Hutchinson Island (Rmhi)."

The subject site is located within the Hutchinson Island Medium Density Residential Zone district (R-4A), which was established due to Hutchinson Island being a sensitive barrier island that 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 125-315 (d)(2)b, motels, hotels and resort hotels shall provide 1.6 spaces for each unit 500 square feet or larger. Ocean House Condominiums have one (1) designated parking spot per home along with designated guest parking.

Conditional Use

As stated in City Code Section 125-235, 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 five (5) conditions:

- 1) The property manager for the dwelling 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 per unit.
- 5) The City of Fort Pierce Business Tax License number shall be included on all advertising.

Property Identification

Site Address: 1040 Windward DR 3402
Parcel ID: 2507-888-0068-000-4
Account #: 155694
Map ID: 25/18N
Use Type: 0400
Zoning:
City/County: Fort Pierce

Ownership

Nancy H Barsotti
32 Edgecliff RD
Carnegie, PA 15106-1007

Legal Description

OCEANHOUSES AT SOUTHPOINTE PHASE III (OR 1996-1228) UNIT
3402 (OR 3994-1877)

Current Values

Just/Market Value: \$395,500
Assessed Value: \$395,500
Exemptions: \$0
Taxable Value: \$395,500



Property taxes are subject to change upon change of ownership.

- Past taxes are not a reliable projection of future taxes.
- The sale of a property will prompt the removal of all exemptions, assessment caps, and special classifications.

Total Areas

Finished/Under Air (SF): 1,504
Gross Sketched Area (SF): 1,659
Land Size (acres): 0.02
Land Size (SF): 1,000

Taxes for this parcel: SLC Tax Collector's Office
Download TRIM for this parcel: Download PDF

Sale History

Date: Apr 25, 2017
Book/Page: 3994 / 1877
Sale Code: 0001
Deed: WD
Grantor: Boyle Elizabeth
Price: \$490,000

Date: Jul 14, 2004
Book/Page: 2018 / 2931
Sale Code: XX00
Deed: SP
Grantor: R C R Development Co Inc,
Price: \$332,000

Date: May 6, 1998
Book/Page: 1144 / 0493
Sale Code: XX01
Deed: WD

Current Year Special Assessment Breakdown

| Start Year | AssessCode | Units | Description | Amount |
|------------|------------|-------|-------------------------------|---------|
| 2005 | 0041 | 0.6 | Fort Pierce Stormwater Charge | \$41.40 |

This does not necessarily represent the total Special Assessments that could be charged against this property. The total amount charged for special assessments is reflected on the most current tax statement and information is available with the SLC Tax Collector's Office .

Historical Values

Permits

Notice: This does not necessarily represent all the permits for this property.
Click the following link to check for additional permit data in Fort Pierce

All information is believed to be correct at this time, but is subject to change and is provided without any warranty.
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Ocean Village



Imagery © 2016 Google, Map data © 2016 Google

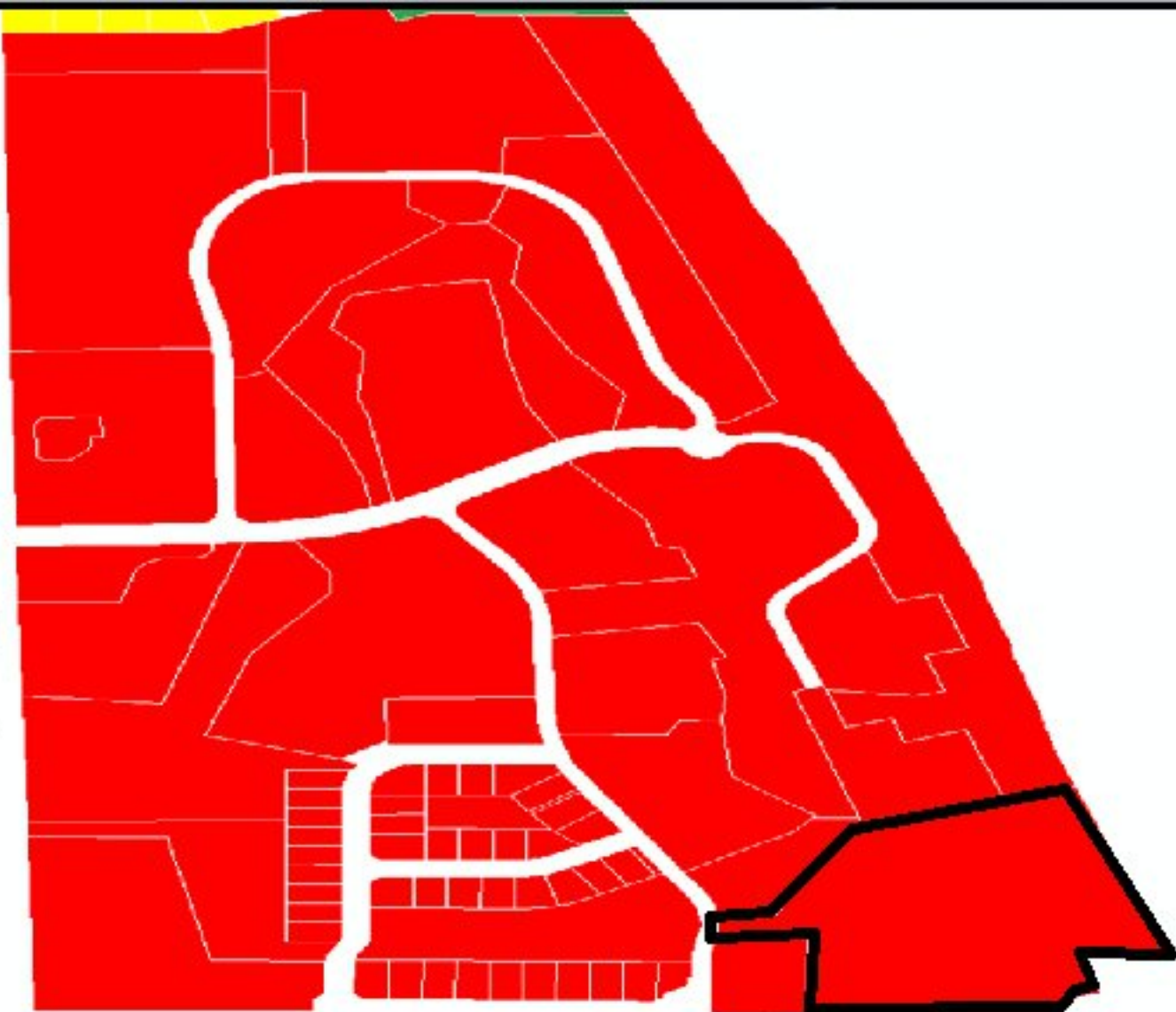
Northern Legend

- | | | |
|------------------|--------------------------|-------------------------|
| A. Capstan | D. Beachtree I | G. Catamaran I |
| B. Golf Villas | E. Beachtree II | H. Cayman Center & Pool |
| C. Coral Cluster | F. Bermuda Center & Pool | I. Seascape I |

Southern Legend

- | | | | |
|--------------------|------------------------|----------------------|----------------|
| J. Office | K. Tennis Courts | L. Tennis Pro Shop | M. Golf Shack |
| N. Restaurant | O. Club House | P. Tiki Bar | Q. Seascape II |
| R. Ocean House | S. Aruba Center & Pool | T. Ocean Villas I | |
| U. Ocean Villas II | V. Ocean Villas III | W. Southpoint Homes | |
| X. Catamaran II | Y. Golf Lodges South | Z. Golf Lodges North | |

S. Ocean Drive



Blue Heron Blvd.



Barsotti Dwelling Rental
Conditional Use w/ No New Construction
1040 Windward Drive, Unit 3402

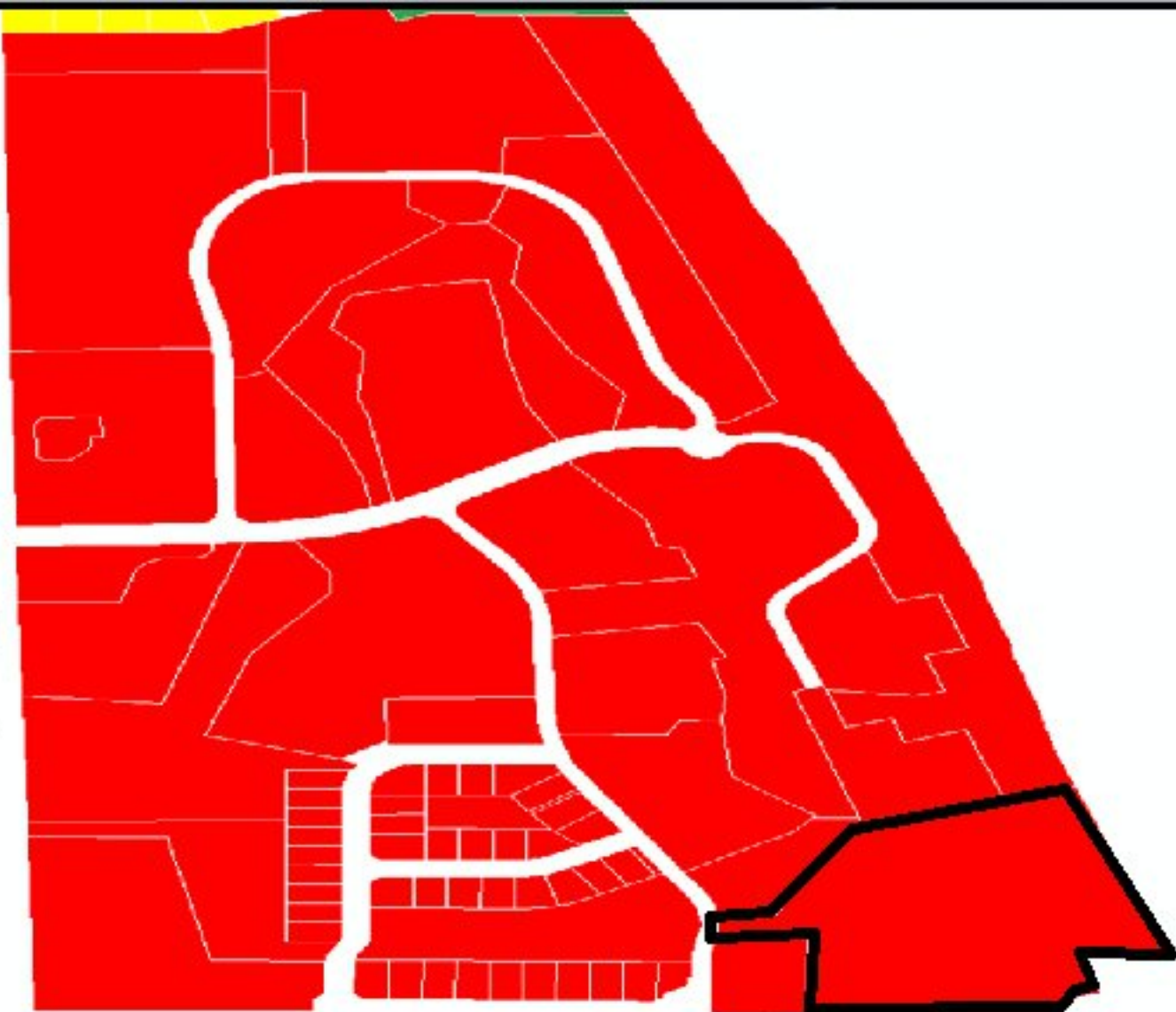


THE SUNRISE CITY
FORT PIERCE
Florida

HIR =  **RL** = 

FLU MAP

S. Ocean Drive



Blue Heron Blvd.



Barsotti Dwelling Rental
Conditional Use w/ No New Construction
1040 Windward Drive, Unit 3402



THE SUNRISE CITY
FORT PIERCE
Florida

R4-A =  R-2 = 

Zoning Map

JUN 15 2020



THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT Florida

CITY OF FORT PIERCE
PLANNING & ZONING

Conditional Use – No New Construction

Property address or Location 1040 Windward Drive Ft. Pierce, FL 34949
Parcel ID #(s) 2507-888-0068-0004 Unit 3402
Project description Rental

Nancy Barsotti
Property Owner(s)
32 Edgcliff Road
Street Address
Carnegie PA 15106
City State Zip
917-992-8252
Phone Number
nhbinteriordesign@gmail.com
Email Address

← same
Applicant/Representative, Title, Company
Street Address
City State Zip
Phone Number
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.

Nancy Barsotti
Property Owner(s) Signature(s)

STATE OF Pennsylvania COUNTY Allegheny
The foregoing instrument was acknowledged before me this 10 day of June, 2020, by
Nancy Barsotti who is personally known to me or has produced
PA Driu License as identification.

Susan Carulli
Signature of Notary

Commonwealth of Pennsylvania - Notary Seal
(seal) SUSAN CARULLI - Notary Public
Allegheny County
My Commission Expires Jan 15, 2024
77294673729 95681

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



CONDITIONAL USE: NO NEW CONSTRUCTION

Submit one original, seven (7) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

If no site improvements are required:

- As-built survey
- Floor plan of existing building(s)

If parking and drainage improvements are required:

- As-built survey;
- Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
- Lighting plan

Complete, notarized application

Application Type:

- Conditional Use: No new construction with no site improvements
- Conditional Use: No new construction with parking and drainage improvements

Site Information:

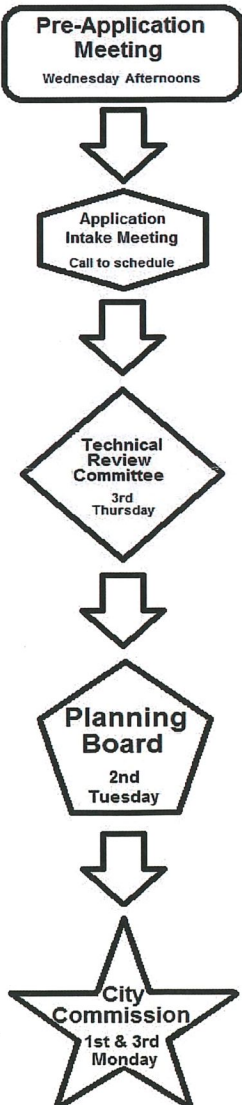
Building Size 4 story / Parking Spaces: 24 indoor + guest outdoor
24 units
 Surrounding Uses: (i.e. single family home, retail, industrial, etc.)

| North | South | East | West |
|-------------|-------------|-------|--------|
| Residential | Residential | Ocean | Vacant |

The application for conditional use with the application for site plan review, when not exempt in accordance with the requirements of section 22-75, shall be reviewed as a unit in accordance with the requirements of section 22-58 except that:

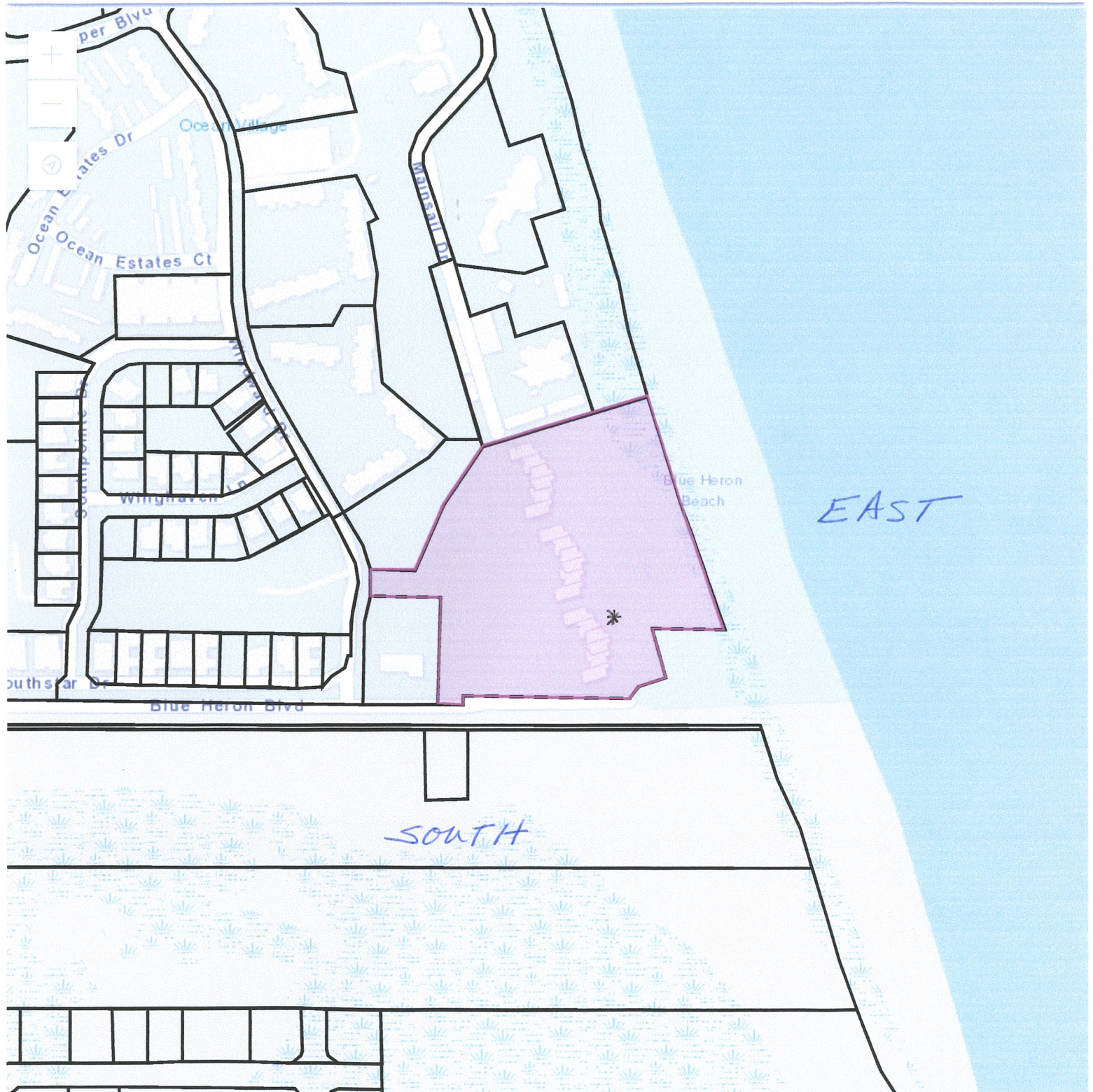
- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.
- (3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

Application Outlook



< Map View

NORTH



Locate Me

32 Edgecliff Road
Carnegie, PA 15106

Fort Pierce Planning Department
100 North US 1
Fort Pierce, Florida 34950

Dear Planning Department Board Members:

I am asking for your approval to rent 1040 Windward Drive, Ocean Village, Fort Pierce, Florida.

Primarily this condo will be rented during the winter months to vacationers.

I understand and agree to all the Rules and Regulations set forth by Ocean House and Ocean Village. Guests must lease the condo for a minimum of one month.

My condo is beautifully furnished and all appliances and HVAC are in very good condition. In my absence the condo is cleaned, managed and inspected on a weekly basis by Lisa Perez and her staff. Her contact information is as follows:

Lisa Perez 6906 Belleair Avenue Fort Pierce, FL 34951 772-834-9305

If you have any questions I can be reached at the information below.

Thank you for your assistance.

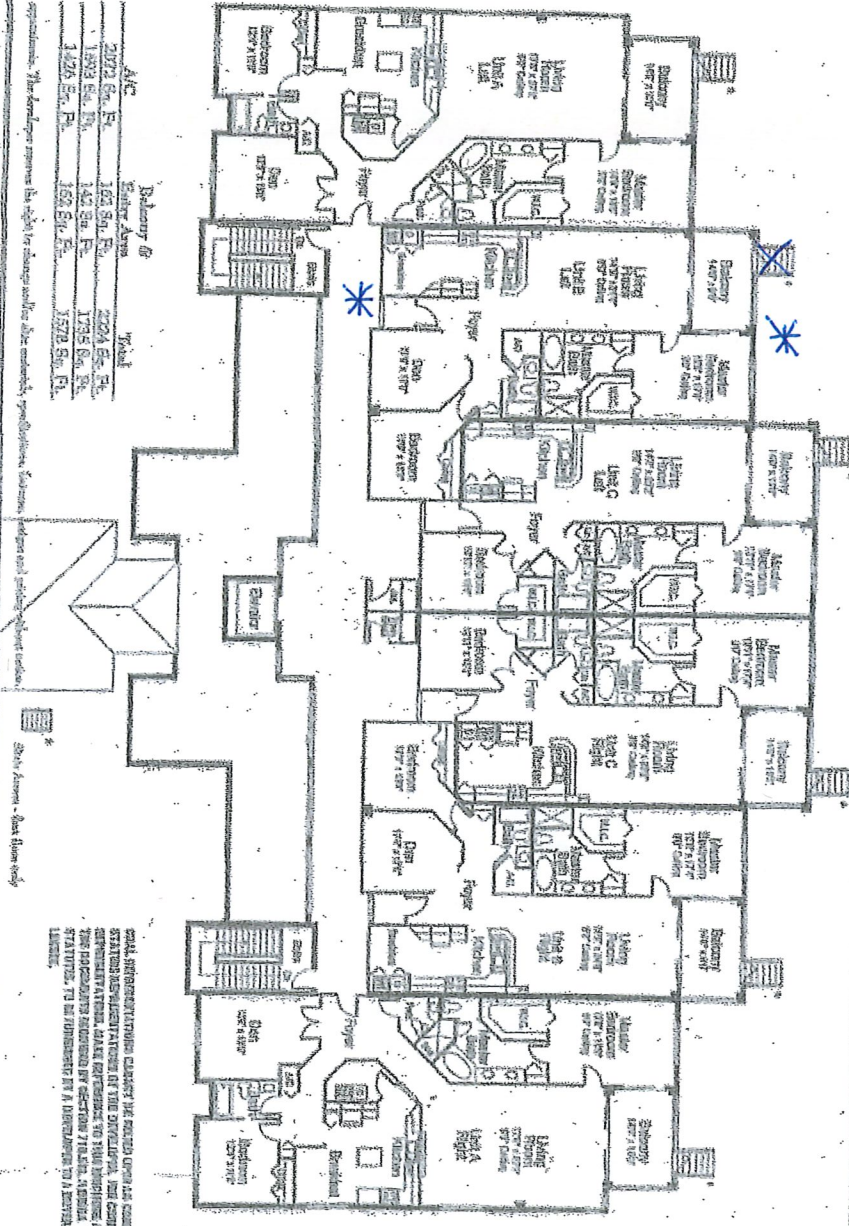
Sincerely,

A handwritten signature in blue ink that reads "Nancy Hoff Barsotti". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Nancy Hoff Barsotti

Cell phone - 917-992-8252
Email - nhbinteriordesign@gmail.com

Sample Layout
 4th Floor Ocean House 1040



CONTRACT FOR RENTAL

Unit _____ Cluster _____ Date _____ Revision _____

OWNER _____ GUEST _____

ADDRESS _____ ADDRESS _____

TELEPHONE _____ HOME _____

_____ CELL _____

EMAIL _____ EMAIL _____

ARRIVAL DATE _____ (Check in time 3:00 p.m.)

DEPARTURE DATE _____ (Check out time 10:00 a.m.)

NUMBER OF PEOPLE IN PARTY Adults _____ Children _____ TOTAL _____

ACCOMMODATIONS # of Weeks _____ @ _____ /week = \$ _____

of Months _____ @ _____ /month = \$ _____

CLEANING FEE \$ _____

SALES TAX 7% _____ RESORT TAX 5% _____ = \$ _____

SECURITY DEPOSIT (To be returned upon cleaning, inspection
and keys returned) \$ _____

TOTAL \$ _____

PAYMENT TERMS

Non-refundable deposit of 33% due when reserving dates - due at once \$ _____

Date Received/Check Number _____

Balance - 67% due 30 days prior to rental date

\$ _____

Date Received/Check Number _____

Key instructions and security gate access information will be sent upon final payment.

Contract mailed on _____

CANCELLATION POLICY:

60 Days before rental - full refund

30 Days before rental - 50%

Guests are required to use cell phones.

No pets.

No smoking

SECURITY DEPOSIT RETURN Amount/Date/Check # _____

NOTES _____

Thank you for being my guest. _____ (Owner)

Signature for agreement _____ (Guest)

State of Florida



Department of State

I certify the attached is a true and correct copy of the Articles of Incorporation of **OCEANHOUSES AT SOUTHPOINTE ASSOCIATION, INC.**, a Florida corporation, filed on August 29, 2002, as shown by the records of this office.

The document number of this corporation is N02000006616.

Given under my hand and the
Great Seal of the State of Florida
at Tallahassee, the Capitol, this the
Thirtieth day of August, 2002

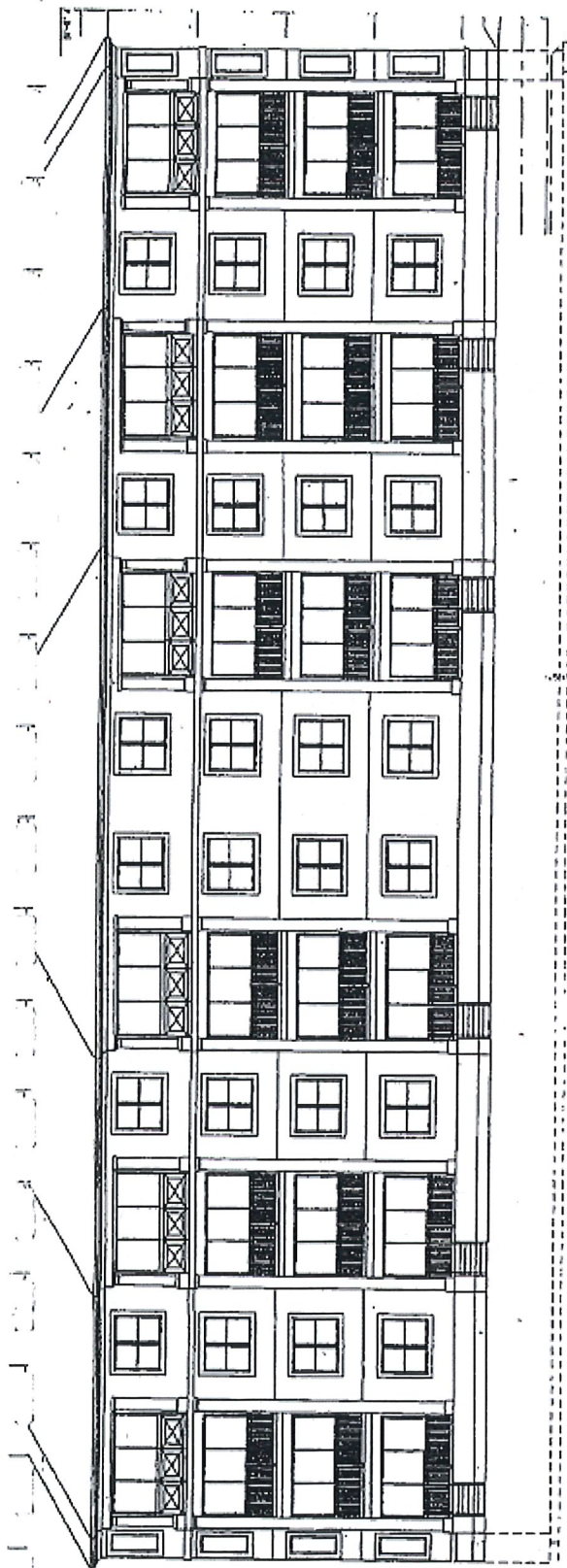


CR2EO22 (7-02)

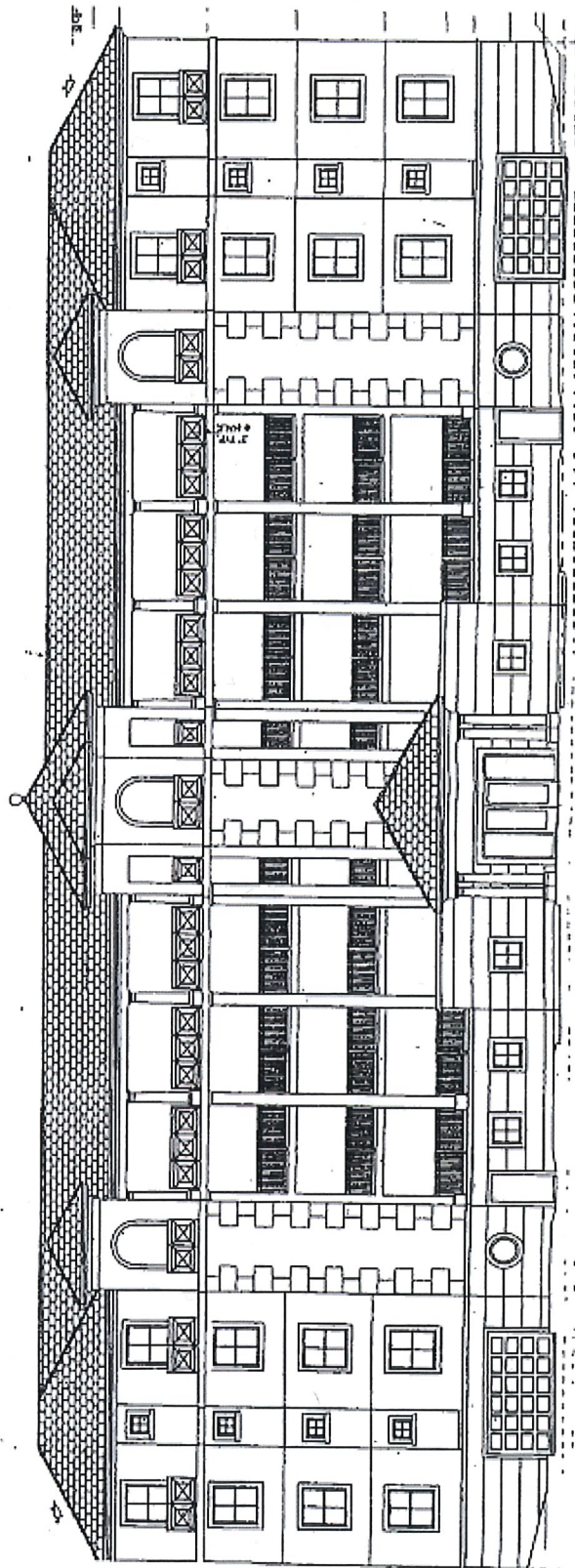
Jim Smith

Jim Smith
Secretary of State

Composite Exhibit "K" (5 pages)



REAR ELEVATION (EAST)
SCALE 1/8" = 1'-0"



FRONT ELEVATION (WEST)
SCALE 1/8" = 1'-0"

RULES AND REGULATIONS
OF
OCEANHOUSES AT SOUTHPOINTE ASSOCIATION, INC.

Protecting the safety of Oceanhouses' residents and property is paramount to the Association. Although the Association's Rules and Regulations have included Rule 7.2 dealing with proper hurricane preparations to be performed by unit owners, a recent incident has indicated the need for increased enforcement. Accordingly, Rule 7.2 was revised on April 21, 2017 to enable the Association to enforce compliance by engaging the property manager and independent contractors to prepare certain units, with the cost being borne by the unit owner.

PLEASE READ THE REVISED RULE 7.2. WHILE IT DOESN'T CHANGE A UNIT OWNER'S RESPONSIBILITY, YOU'LL WANT TO BE AWARE OF THE NEW COST OF NON-COMPLIANCE.

These Rules and Regulations do not replace the Association's other primary governing documents, the "Articles of Incorporation", "Declaration of Condominium" and "By-Laws". These documents remain in full force and effect.

In addition to Oceanhouses' governing documents, owners, occupants, guests, tenants, agents, etc. should also be aware of and abide by Ocean Village's governing documents and Rules and Regulations, as amended from time to time, which R&R can be found in the back of the OV phone directory.

The change to Rule 7.2 becomes effective May 31, 2017 and will be enforced with the start of the 2017 'hurricane season' on the following day, June 1.

Adopted: April 21, 2017

Section 1. Ingress and Egress

- 1.1 The sidewalks, entrances, passages, stairwells and like portions of the common elements shall not be obstructed nor used for any purpose other than ingress and egress to and from the condominium property and condominium parcels; nor shall any carts, bicycles, motor vehicles, carriages, chairs, tables and or any other object obstruct such ingress and egress at any time.
- 1.2 Sidewalks are to be used for foot traffic only. No bicycles, skate boards, roller skates, etc.
- 1.3 No person shall place any item on sidewalks, entrances, passages, stairwells, catwalks or any portion of the common elements. All items that are left on common property for more than two (2) hours will be removed. Bicycles appearing to be abandoned, rusted or in disrepair may be removed at the discretion of the Board of Directors.
- 1.4 No person shall place any type of plant, decoration or furnishing on the west catwalk by the railing or against the walls of the A or B units. Appropriate planters and furniture may be placed inside the area of the alcoves at C units. **All items placed in C unit alcoves must be removed and stored inside the owner's unit or storage area when the owner is not in residence during hurricane season.** Plants and planters within C unit alcove areas may not be attached to or growing on the wall as it will cause damage to the paint and stucco. No decorations may be placed or hung on walls in C unit alcoves or by the front doors of A and B units; i.e. house numbers, welcome signs, etc., without written approval of the Board of Directors. Any décor must be in good taste at the discretion of the Board of Directors. Any non-complying decoration, plant, or furniture may be removed at the discretion of the Board of Directors.

Section 2. Balconies, Walkways, Fences

- 2.1 No equipment, materials or other items shall be kept or stored on any balcony or under the outside stairs of the first floor balcony area of the condominiums. Placing and using patio-type furniture, planters and other items normally used on residential balconies are allowed. Beach chairs and umbrellas may be unobtrusively stored on balconies.
- 2.2 Owners are to repair, maintain and replace when necessary their unit screens and windows. Owners are to maintain and keep in neat, fit and clean condition the floor, interior walls and screens or enclosures of their balconies.
- 2.3 No articles shall be hung on or thrown from any window, door, railing, balcony, walkway, or other portions of limited common elements or common elements. Any owner wishing to hose off their balcony or shutters may do so if it is raining, if the units below are not occupied and the shutters are closed, or with the consent of the unit occupant(s) below. Power washing of balconies is prohibited unless done so by the

Management company at the direction of the Board of Directors. No clotheslines are permitted anywhere on condominium property.

- 2.4 Residents may not adorn or decorate railings of balconies or other common or limited common elements, except as allowed in 1.4.
- 2.5 No owner shall cover the balcony floor with or any type of carpet, rug or fabric. Tile is permitted as long as it is meant for outdoor use. The owner assumes all liability issues related to outdoor tile. Owner will be responsible for any tile damage due to Association repair/maintenance to the balcony that requires tile removal. Small doormats are acceptable at entry doors to unit.
- 2.6 No wind chime or other noise emitting item shall be placed or hung on any balcony, limited common element or common element.

Section 3. Elevators

- 3.1 No person shall use the elevator for moving furniture, appliances, construction materials or debris or other large objects without first installing the protective elevator blankets. Elevator blankets shall be removed and stored in the foyer storage area when move is complete.
- 3.2 No person shall hold, by any means, the elevator doors open for extended periods of time.
- 3.3 Smoking is not allowed in the elevators.

Section 4. Refuse

- 4.1 The Association provides collection services for residential household trash ONLY. contractors performing work within Oceanhouses are required to remove debris caused by their work. Self-employed individuals shall not use Association receptacles to dispose of related trash. All refuse must be deposited **IN** garbage/trash containers (dumpsters). Cartons and cardboard boxes shall be broken down, collapsed and tied if necessary. All other garbage/trash shall be placed in plastic bags and securely tied or closed before placing in dumpsters. No refuse or trash shall be left outside of dumpsters. No hazardous material such as paint, fuels, electronic equipment, etc. shall be placed in or outside of the dumpsters. No other refuse/trash shall be left outside of the dumpsters. For proper disposal of bulk items or electronic equipment, please check with Association Management.
- 4.2 Discarded cigarette butts or other littering is not permitted on the condominium grounds.

Section 5. Management Company Employees

- 5.1 No owner or occupant of a unit shall be permitted to request or hire or otherwise retain the services of any Management employee for any purpose during the hours in which the employee is working for the Management. The Management Company is solely responsible for directing and supervising the Management employees during their working hours.

Section 6. Nuisances

- 6.1 No owner or occupant of a unit shall make or permit any disturbing noises in any unit, on limited common property, or on the common property by themselves, their family, employees, agents, guests, tenants, licensees, or pets that would interfere with the rights, comforts, or conveniences of other unit owners or occupants.

Section 7. Alterations, Installations

- 7.1 In accordance with a vote at the Annual Meeting of March 17, 2005, the Board has pre-approved the installation or replacement of hurricane protection with white accordion style shutters. These shutters must meet all current codes and proper permits must be obtained. Pre-approval from the ARB was obtained on April 25, 2005. The shutter pre-approval was amended November 18, 2005 to include that new shutters are NOT to be installed against the glass sliding doors on the east balcony.

- 7.2 **HURRICANE SEASON RUNS FROM JUNE 1ST TO NOVEMBER 30TH.** Tropical storms have winds in excess of 38 mph and become hurricanes at 74 mph. Both can be named storms. In the event of a named storm 'watch' (the 48 hour notice) or 'warning' (the 36 hour notice) at any time of the year, or in the absence of an owner from his unit for more than five (5) days during hurricane season, owners are required to have hurricane protection installed and closed on both the east and west sides of their units. Corner units are also required to have protection on the north and south sides. If a unit is unoccupied for more than fourteen (14) days outside of hurricane season, owners are required to have hurricane protection installed and closed on all exposed sides of their unit.

Owners must understand that it is their responsibility to comply with the above for the protection of their unit, surrounding units and Oceanhouses' property as a whole.

Neither Elliott Merrill nor its maintenance employees can be hired by a unit owner to perform these storm preparation duties once a storm warning or watch has been issued for Ft. Pierce by the National Oceanic and Atmospheric Administration.

If a unit is not protected in accordance with the above during hurricane season, Elliott Merrill and/or an outside service contractor may be hired by the Association to get the unit into compliance. The Association's service fee to the unit owner will be \$250 plus

any property manager or outside contractor fees/costs. In the event of a hurricane watch or named storm warning, such fee will increase to \$500 for unoccupied units. In the event of a hurricane warning, such fee will increase to \$500 for occupied units.

If a unit needs to be prepared outside of hurricane season during a hurricane watch or named storm warning, the above fees apply except that the Association may waive \$250 of such fees.

If despite the effort of the Association the unit cannot be brought into compliance, any resulting storm damages are the responsibility of the unit owner.

To illustrate, hurricane shutters must be CLOSED as follows:

| | Occupied Unit | Unoccupied Unit |
|-------------------------------------|---|---|
| Outside of Hurricane Season: | | |
| No storm watch or warning | No action required | Close shutters if unoccupied >14 days - \$250 service fee applies for Association involvement |
| During hurricane 'watch' | Prepare to close shutters | Close shutters at 'watch' - \$250 service fee applies for Association involvement* |
| During storm 'warning' | Close shutters at 'warning' and prepare to evacuate | Close shutters at 'warning' - \$500 service fee applies for Association involvement* |
| During Hurricane Season : | | |
| No storm watch or warning | No action required | Close shutters if unoccupied >5 days |
| During storm 'watch' | Prepare to close shutters | Close shutters at 'watch' - \$250 service fee applies for Association involvement |
| During storm 'warning' | Close shutters at 'warning' and prepare to evacuate - \$250 service fee applies for Association involvement | Close shutters at 'warning' - \$500 service fee applies for Association involvement |

* If the Association is involved in storm preparations on behalf of a unit owner during a storm 'watch' or hurricane 'warning' outside of hurricane season, Association may waive \$250 of its service fee - but property manager or outside contractor fees will still be charged

- 7.3 No unit owner shall install, erect or place any temporary furnishings or accessory such as, but not limited to, kiddie pools, tents, BBQ's or other items on common or limited common elements. Pool furniture shall not be removed from the pool deck.
- 7.4 Only curtains, drapes, plantation shutters and/or blinds shall be installed on windows and glass doors and shall be white or off-white in color. Owner, occupant or tenant will be required to remove all other forms of window covering.
- 7.5 Any new interior flooring that is made of tile, laminate, or wood (anything but carpet) shall be laid over a sound-deadening underlayment that meets a minimum of IIC rating of 70. Owners will need to have proof through receipts, pictures, etc. that such a floor underlayment has been installed, and will be available for the Board of Directors review upon their request.
- 7.6 Storm doors on the west entrance of a unit were pre-approved by the Board of Directors in September 2005 as follows:
- a) Must be forest green in color.
 - b) Must be full glass/screen, no solid panels.
 - c) Installer is required to obtain any necessary permits.

Section 8. Signs

- 8.1 No signs other than decorative wall signs (see point 1.4) shall be exhibited, placed, inscribed or affixed in or on any portion of the limited common elements or common elements.

Section 9. Barbequing

- 9.1 No barbequing or cooking by any manner shall be permitted on any limited common element or common element of the Association property.

Section 10. Flammable Substances Storage

- 10.1 No flammable, combustible or explosive fluids, chemicals or substances shall be kept in any unit, limited common element or common element, except one federally approved gasoline container with the maximum capacity of 2 gallons. **PROPANE storage** is strictly prohibited with the exception of a maximum of 2.5 lb. barbeque canister. No fuel storage is allowed during an owner's absence.

- 10.2 Fireworks or the setting off of fireworks are not allowed within the confines of the condominium property.

Section 11. Pass Keys

- 11.1 The Association has the irrevocable right to access each unit during reasonable hours when necessary to repair, maintain, exterminate or replace any common element or for emergency repairs which are necessary to prevent damage to the common elements or other units. Each unit owner must provide the Association with a means of access in case of emergency as set out in the governing documents. In the case of an emergency, if the Association does not have a means to access a unit, a locksmith will be called to gain access or access will be gained by necessary means and the cost will be charged to the unit owner.

Section 12. Vehicles and Parking

- 12.1 The speed limit within the condominium property is eleven (11) mph.
- 12.2 All vehicles shall be maintained in good repair. This includes mufflers, which shall meet State Standards to control noise. Vehicles that leak oil, gasoline, grease or any other substance that damages the pavement or other limited common element or common elements are prohibited. Vehicles which cannot operate under their own power or unlicensed vehicles shall not be permitted on limited common elements or common elements unless permission has been given in writing by the Board of Directors.
- 12.3 A resident must give notice to the Management Office identifying himself and his unit number no later than the first regular business day after arrival, by telephone or through their website, of the vehicle make, model, license plate number, date in and date out of any guest staying in their unit for one week or longer.
- 12.4 Under-building parking spaces are designated for the exclusive use of the unit to which it is assigned in the governing documents. Transfer or assignment is not allowed independent of change of ownership of a unit. Vehicles must comfortably fit within the confines of the designated parking spot to not encumber access to neighboring vehicles. Owners, occupants and guests are required to obtain the appropriate vehicle parking stickers or tags from the Ocean Village Office. Outside parking spaces are not designated.
- 12.5 No commercial vehicles, boats, trailers or RVs shall be parked overnight on the common property.
- 12.6 The Board of Directors or its agents shall have the right to tow any unauthorized vehicle at the owner's sole expense.

Section 13. Pets

13.1 No person shall keep any pet upon the condominium property except as follows:

Owners, tenants or other residents (hereinafter Occupant) may keep as pets domesticated cats, dogs, birds, and other mammals. Occupants may not keep more than two (2) pets per Unit, which pets shall not exceed an aggregate weight of 150 lbs., exclusive of service dogs. No occupant may keep exotic cats, non-human primates, fowl, reptiles, obnoxious animals, farm livestock or zoo-type animals on the condominium property. The determination of what may be an obnoxious animal, fowl or reptile shall be determined by the Board in its sole and absolute discretion.

13.2 All pets must be on a leash at all times when outside their unit and must be curbed or carried when on common elements.

13.3 It shall be the Occupant's obligation to remove and otherwise properly dispose of their pet's waste material from the condominium property. Failure to remove and dispose of the pet's waste material shall be deemed a nuisance. Failure to pick up waste will result in a written warning for the first offense and a fine for each subsequent offense.

13.4 No animal shall be left on a balcony or any of the other common or limited common elements without the owner being present.

13.5 If the pet of any Occupant shall make excessive noise or otherwise act in a way which is obnoxious to, or otherwise interferes with the quiet enjoyment of the Occupant of another unit, then the Board may issue a warning, if further incidents occur with respect to the same pet then the Board may fine the unit owner. If further incidents shall occur with respect to the same pet or Occupant after the initial fine, then the Board may fine the unit owner for each day that the interference of the quiet enjoyment of the other Occupant remains uncured.

13.6 The Board shall have the right to order the removal of any pet which, **in the Board's sole and absolute discretion**, is considered a nuisance and the same shall be done without compensation to the owner of the pet.

13.7 **THINGS TO KNOW:**

- i) Ft. Pierce City Ordinance required that all dogs and cats within City limits for a period of six (6) months or more to have a Ft. Pierce animal license.
- ii) All owners of pets must complete and submit a Pet Permission Form to the Ocean Village office.
- iii) Oceanhouses is your property, please help ensure pet owners are removing their pet's waste from your property.
- iv) See attached Ocean Village key policy.

Section 14. Pool Rules

POOL HOURS ARE DAWN TO DUSK. (Anyone wishing to swim after Oceanhouses pool hours can use the community pools which are open until 10:00 p.m.)

- 14.1 Oceanhouses pool is a private pool that is operated and maintained by 72 unit owners through their monthly maintenance fees, its use is for Oceanhouses occupants and their guests only.
- 14.2 No children under 3 years of age are allowed in the pool. (Children's wading pool is open at the main pool.)
- 14.3 No diapers **OF ANY KIND** are allowed in the pool, including "pool diapers".
- 14.4 It is a violation of Florida Law and the Rules of Oceanhouses to bring or allow pets on the pool deck or in the swimming pool
- 14.5 No food, drink, or smoking in pool. No smoking on pool deck.
- 14.6 No food, ceramic, glass or any other breakable item is allowed on pool deck.
- 14.7 No diving.
- 14.8 **NO LIFEGUARD.....SWIM AT YOUR OWN RISK!!**
- 14.9 Children under 13 must be accompanied by an adult over 21 years of age.
- 14.10 Remove any tar and/or sand before entering the pool area.
- 14.11 All persons entering pool must shower each time they enter the pool.
- 14.12 Persons with any infections or contagious health conditions are not permitted to use the pool.
- 14.13 Chairs and lounges must be covered with a towel before use.
- 14.14 Pool keys are required to open the pool gates. Each unit has received two (2) keys.
Gates are to be locked at all times.
- 14.15 Pool area is restricted:
 - No pets
 - No bicycles, skates, skateboards, surfboards, boogie boards, etc.
 - No toys of any kind (that includes balls, Frisbees or floats)
 - No fishing equipment
 - Children's arm flotation devices are allowed

- 14.16 No disturbances such as, but not limited to, diving, running, boisterous conduct, ball throwing or radios will be permitted which will interfere with the peaceful pursuit of other bathers and the homeowners who overlook the pool.
- 14.17 Proper swimming wear is required...no cut-offs, tank tops, shorts or other inappropriate attire. It is a rule of Ocean Village that persons wearing bathing suits away from pool areas or beach must wear an appropriate cover-up.
- 14.18 Oceanhouses does not have a pool attendant; all pool furniture is to be returned to its proper location, fold the back of lounge chairs down, **close and tie umbrellas when you leave the pool area**. Pool furniture shall NOT be removed from the pool deck.
- 14.19 Guests per unit are limited to four (4), anyone who wishes to have more than four guests may obtain written permission from the Board. Day guests must be accompanied by an owner. Anyone wishing to have a private function around the pool may seek written permission from the Board.

Section 15. Lighting

- 15.1 All exterior lighting shall be installed and maintained in accordance with lighting schematics and cut sheets approved by the Bureau of Protected Species Management in the Office of Environmental Services of the Florida Fish and Wildlife Conservation Commission, or its successor, and no additional exterior lighting is authorized.
- 15.2 All balcony lights shall utilize (turtle friendly) incandescent or LED bulbs of 50 watts or less for any lighting facing east and/or visible at the top of the dune from the beach.

Section 16. Leases

- 16.1 If anyone other than the unit owner uses the unit for any length of time without the presence of the owner, for which remuneration of any kind is received by the owner or the owner's proxy, such arrangement is considered the rental of the unit, requiring a lease. Such lease is thus subject to the provisions of this section.
- 16.2 No lease shall be for a term of less than thirty (30) days or more than two (2) years. No unit shall be leased or subleased more than three (3) times in a calendar year.
(Declaration: Article XVII 6)
- 16.3 All leases must be written and forwarded to Management prior to the start of the lease.
- 16.4 A copy of the lease must be forwarded to the Association or its Agent within three (3) business days of signing. All tenants must acknowledge that they have received and will observe all provisions of the By-Laws and these Rules and Regulations, as may be amended from time to time. All leases must be approved by the Association or its Agent.

- 16.5 Should the owner fail to forward a lease, the Board of Directors will send notice to the owner to correct the omission. If the omission is not corrected within fourteen (14) days, the Board may levy a fine.

Section 17. Unit Owner Responsibility

- 17.1 Each unit owner will make his family members, guests, visitors, tenants, agents, or contractors, etc. aware of the recorded Documents of Oceanhouses at Southpointe, Inc., these Rules and Regulations, as amended from time to time, Ocean Village Rules and Regulations, as amended from time to time, and to apprise them of the importance of compliance herewith.
- 17.2 The owner is expected to leave a copy of these Rules and Regulations and the Rules and Regulations of Ocean Village within easy access for any occupant of the unit.
- 17.3 **Each unit owner is required to furnish a purchaser with a copy of the recorded Condominium Documents, and these Rules and Regulations, as amended from time to time; Ocean Village recorded Documents, and Rules and Regulations as amended from time to time.**
- 17.4 Each unit owner and occupant, jointly and severally, shall be responsible for damages caused by owner, occupant, tenant, guest, contractor, pet, etc. to the common elements, and Association property, including all facilities and equipment used in common by owners and occupants and their guests, family members, agents, etc. This liability for damage includes damage caused by the delivery, installation or moving of personal items. **Owner shall be responsible to verify that any contractor under their employ, shall have adequate and appropriate insurance.**
- 17.5 Each unit owner and occupants shall be responsible for any violation of the Declaration of Condominium, Articles of Incorporation, By-Laws, and the Rules and Regulations, as may be amended from time to time, by any tenant, guest, family member, agent, etc.
- 17.6 All complaints and suggestions to the Board of Directors must be in writing (or email) and signed by the owner or occupant and submitted to the Management Company.
- 17.7 **Owners must shut off water valves when owner(s) will be absent from the unit for more than 24 hours.**
- 17.8 Owners will limit non-emergency construction/renovation to the hours between 8 a.m. and 6 p.m., Monday through Saturday. If possible, major renovations should ideally be done in the off- season, from May 1 to September 30.

Section 18. Miscellaneous

- 18.1 The invalidity in whole or in part of any provision, sentence, clause, phrase or word contained in these Rules and Regulations, shall not affect the validity of the remaining portions herein, all of which shall remain in full force and effect.
- 18.2 The captions in these Rules and Regulations are inserted only as a matter of convenience and for ease of reference and in no way define or limit the scope of these Rules and Regulations.
- 18.3 The failure of the Association to enforce any provision of the Rules and Regulations shall not constitute a waiver of its right to do so thereafter.
- 18.4 The Board of Directors is authorized to impose fines in accordance with the procedures set forth in our Declaration of Condominium and By-Laws.
- 18.5 All monies received from fines shall be allocated as directed by the Board of Directors.

Limited exceptions to Rules and Regulations may be made with written permission from Board of Directors.

Board of Directors

Oceanhouses at Southpointe

2000 Windward Drive

Ft. Pierce, FL 34949

Ocean Village Property Owners Association

Key Policy

The following procedures for keys have been implemented by the Ocean Village Board of Directors effective December 1, 2006.

1. All keys have been moved from the Maintenance Building to the Administration Building. No owner keys will be held by Maintenance or Security.
2. Administrative staff will give out owner keys to the exterminator for regular service. Under no circumstances will keys be given out to contractors, housekeepers, window washers, guests, delivery services, or anyone else other than to the owner himself or herself. Owners requiring a key on a non-emergency basis will incur a charge. Locking yourself out of your Unit is not considered to be an emergency. (It is suggested that owners install a lock box for use by contractors, housekeepers, window washers, tenants, guests, etc.

Liability to the POA and the Security and Maintenance staffs require these changes. There have been a number of law suits along the Treasure Coast arising from the failure of communities to address the key issue. Some clusters are having their own management companies retain duplicates of all owner keys in their cluster, while others are requiring their residents to install lock boxes, which can be obtained and installed at minimal cost. Please make sure that your owners are aware of these changes.

* * *

RESIDENTIAL LEASE AGREEMENT

THIS LEASE (the "Lease") dated this _____ day of _____, _____

BETWEEN:

Vincent and Vanessa Reyda

(the "Landlord")

- AND -

TBD

(the "Tenant")

(individually the "Party" and collectively the "Parties")

IN CONSIDERATION OF the Landlord leasing certain premises to the Tenant and other valuable consideration, the receipt and sufficiency of which consideration is hereby acknowledged, the Parties agree as follows:

Leased Property

1. The Landlord agrees to rent to the Tenant the condo, municipally described as #3034, Windward Drive, Ft. Pierce, Florida 34949 (the "Property"), for use as residential premises only.
2. No guests of the Tenants may occupy the Property for longer than one week without the prior written consent of the Landlord.
3. No animals are allowed to be kept in or about the Property.
4. Subject to the provisions of this Lease, the Tenant is entitled to the use of parking on or about the Property.
5. The Tenant and members of Tenant's household will not smoke anywhere in the Property nor permit any guests or visitors to smoke in the Property.

6. The Tenant and members of Tenant's household will not vape anywhere in the Property nor permit any guests or visitors to vape in the Property.

Term

7. The term of the Lease commences at 12:00 noon on April 1, 2020 and ends at 12:00 noon on May 1, 2020.

Rent

8. Subject to the provisions of this Lease, the rent for the Property is \$ _____ per month (the "Rent").
9. The Tenant will pay the Rent on or before the 1 of each and every month of the term of this Lease to the Landlord at #Unit #4, 247 Wayland Ave, Providence, Rhode Island 02906 or at such other place as the Landlord may later designate by check.

Security Deposit

10. On execution of this Lease, the Tenant will pay the Landlord a security deposit of \$500.00 (the "Security Deposit").
11. The Landlord will hold the Security Deposit at a non-interest bearing account solely devoted to security deposits at _____ located at _____
12. The Tenant is not entitled to interest on the Security Deposit.
13. The Landlord will return the Security Deposit at the end of this tenancy, less such deductions as provided in this Lease but no deduction will be made for damage due to reasonable wear and tear nor for any deduction prohibited by the applicable legislation of the State of Florida (the "Act").
14. During the term of this Lease or after its termination, the Landlord may charge the Tenant or make deductions from the Security Deposit for any or all of the following:
 - a. repair of walls due to plugs, large nails or any unreasonable number of holes in the walls including the repainting of such damaged walls;
 - b. repainting required to repair the results of any other improper use or excessive damage by the Tenant;
 - c. unplugging toilets, sinks and drains;

- d. replacing damaged or missing doors, windows, screens, mirrors or light fixtures;
- e. repairing cuts, burns, or water damage to linoleum, rugs, and other areas;
- f. any other repairs or cleaning due to any damage beyond normal wear and tear caused or permitted by the Tenant or by any person whom the Tenant is responsible for;
- g. the cost of extermination where the Tenant or the Tenant's guests have brought or allowed insects into the Property or building;
- h. repairs and replacement required where windows are left open which have caused plumbing to freeze, or rain or water damage to floors or walls;
- i. replacement of locks and/or lost keys to the Property and any administrative fees associated with the replacement as a result of the Tenant's misplacement of the keys; and
- j. any other purpose allowed under this Lease or the Act.

For the purpose of this clause, the Landlord may charge the Tenant for professional cleaning and repairs if the Tenant has not made alternate arrangements with the Landlord.

15. The Tenant may not use the Security Deposit as payment for the Rent.

Inspections

16. At all reasonable times during the term of this Lease and any renewal of this Lease, the Landlord and its agents may enter the Property to make inspections or repairs, or to show the Property to prospective tenants or purchasers in compliance with the Act.

Tenant Improvements

17. The Tenant may NOT make improvements to the Property.

Insurance

18. The Tenant is hereby advised and understands that the personal property of the Tenant is not insured by the Landlord for either damage or loss, and the Landlord assumes no liability for any such loss.

Attorney Fees

19. In the event that any action is filed in relation to this Lease, the unsuccessful Party in the action will pay to the successful Party, in addition to all the sums that either Party may be called on to pay, a

reasonable sum for the successful Party's attorney fees.

Governing Law

20. This Lease will be construed in accordance with and exclusively governed by the laws of the State of Florida.

Severability

21. If there is a conflict between any provision of this Lease and the Act, the Act will prevail and such provisions of the Lease will be amended or deleted as necessary in order to comply with the Act. Further, any provisions that are required by the Act are incorporated into this Lease.
22. The invalidity or unenforceability of any provisions of this Lease will not affect the validity or enforceability of any other provision of this Lease. Such other provisions remain in full force and effect.

Amendment of Lease

23. This Lease may only be amended or modified by a written document executed by the Parties.

Assignment and Subletting

24. The Tenant will not assign this Lease, or sublet or grant any concession or license to use the Property or any part of the Property. Any assignment, subletting, concession, or license, whether by operation of law or otherwise, will be void and will, at Landlord's option, terminate this Lease.

Damage to Property

25. If the Property should be damaged other than by the Tenant's negligence or willful act or that of the Tenant's employee, family, agent, or visitor and the Landlord decides not to rebuild or repair the Property, the Landlord may end this Lease by giving appropriate notice.

Care and Use of Property

26. The Tenant will promptly notify the Landlord of any damage, or of any situation that may significantly interfere with the normal use of the Property or to any furnishings supplied by the Landlord.

27. The Tenant will not engage in any illegal trade or activity on or about the Property.
28. The Parties will comply with standards of health, sanitation, fire, housing and safety as required by law.
29. If the Tenant is absent from the Property and the Property is unoccupied for a period of 4 consecutive days or longer, the Tenant will arrange for regular inspection by a competent person. The Landlord will be notified in advance as to the name, address and phone number of the person doing the inspections.
30. At the expiration of the term of this Lease, the Tenant will quit and surrender the Property in as good a state and condition as they were at the commencement of this Lease, reasonable use and wear and tear excepted.

Rules and Regulations

31. The Tenant will obey all rules and regulations of the Landlord regarding the Property.

Address for Notice

32. For any matter relating to this tenancy, the Tenant may be contacted at the Property or through the phone number below:
 - a. Name: TBD.
 - b. Phone: _____
33. For any matter relating to this tenancy, whether during or after this tenancy has been terminated, the Landlord's address for notice is:
 - a. Name: Vincent and Vanessa Reyda.
 - b. Address: #Unit #4, 247 Wayland Ave, Providence, Rhode Island 02906.

The contact information for the Landlord is:

- c. Phone: (973) 765-7488.

General Provisions

34. All monetary amounts stated or referred to in this Lease are based in the United States dollar.
35. Any waiver by the Landlord of any failure by the Tenant to perform or observe the provisions of this Lease will not operate as a waiver of the Landlord's rights under this Lease in respect of any

subsequent defaults, breaches or non-performance and will not defeat or affect in any way the Landlord's rights in respect of any subsequent default or breach.

36. This Lease will extend to and be binding upon and inure to the benefit of the respective heirs, executors, administrators, successors and assigns, as the case may be, of each Party. All covenants are to be construed as conditions of this Lease.
37. All sums payable by the Tenant to the Landlord pursuant to any provision of this Lease will be deemed to be additional rent and will be recovered by the Landlord as rental arrears.
38. Where there is more than one Tenant executing this Lease, all Tenants are jointly and severally liable for each other's acts, omissions and liabilities pursuant to this Lease.
39. Locks may not be added or changed without the prior written agreement of both Parties, or unless the changes are made in compliance with the Act.
40. The Tenant will be charged an additional amount of \$0.00 for each N.S.F. check or checks returned by the Tenant's financial institution.
41. Headings are inserted for the convenience of the Parties only and are not to be considered when interpreting this Lease. Words in the singular mean and include the plural and vice versa. Words in the masculine mean and include the feminine and vice versa.
42. This Lease may be executed in counterparts. Facsimile signatures are binding and are considered to be original signatures.
43. This Lease constitutes the entire agreement between the Parties.
44. During the last 30 days of this Lease, the Landlord or the Landlord's agents will have the privilege of displaying the usual 'For Sale' or 'For Rent' or 'Vacancy' signs on the Property.
45. Time is of the essence in this Lease.

IN WITNESS WHEREOF TBD and Vincent and Vanessa Reyda have duly affixed their signatures on this _____ day of _____, _____.

Vincent and Vanessa Reyda

TBD

The Tenant acknowledges receiving a duplicate copy of this Lease signed by the Tenant and the Landlord on the _____ day of _____, 20____.

TBD

August 20, 2020

Nancy Barsotti
32 Edgecliff Road
Carnegie, PA 15106

Subject: Barsotti Dwelling Rental - 1040 Windward Drive, Unit 3402 – TRC Comments for August 20th, 2020 conference call

City of 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 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.

Fort Pierce Engineering Department

Recommends approval.

Fort Pierce Utility Authority

FPUA W/WW Engineering: Approved
FPUA Electric & Gas Engineering: No comment

Fort Pierce Building Department

The 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.

Fort Pierce Police Department

No Comments

Officer Damian Spotts
Crime Prevention Practitioner
Fort Pierce Police Department.

City of Fort Pierce Arborist

No Comments

St. Lucie County Planning Department

No Comments

St. Lucie County PW/Engineering

No Comments

City Clerk Office

No Comments

St Lucie County Fire District

No Comments

Code Enforcement

No Comments

Florida Department of Transportation

No Comments

St. Lucie County School Board

No Comments

Information

REQUESTED ACTION

Conditional Use - Ballantyne Dwelling Rental - 715 S. Ocean Drive, Unit B

LOCATION

715 S. Ocean Drive, Unit B

RESPONSIBLE STAFF

Jennifer Hofmeister, AICP, LCAM, Planning Director
Technical Review Committee

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 per unit.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.

Attachments

Staff Report

Application & Supporting Documents

Aerial Map

Zoning Map

FLU Map

TRC comments

Form Review



TO: Members of the City of Fort Pierce Planning Board

FROM: Jennifer Hofmeister, AICP, LCAM, Planning Director

RE: **Conditional Use Approval – Ballantyne Dwelling Rental
 715 S. Ocean Drive Unit B (20-0400011)**

BOARD DATE: September 8, 2020

STAFF REPORT

Owner: Sandra Jean Ballantyne
 12436 57th Road North
 West Palm Beach, FL 334411

Applicant: Michelle Longarzo
 715 South Ocean Drive Unit D
 Hutchinson Island, FL 34949

Applicant’s Request: Approval of a Conditional Use 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): 715 South Ocean Drive Unit B

Parcel ID: 2415-703-0063-000-8

Future Land Use: Hutchinson Island Residential (HIR)

Current Zoning: Hutchinson Island Medium Density (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: FPUA

Staff Analysis:

Request

In accordance with Sections 125-187 and 125-236 of the City Code, the applicant is requesting review and approval of a Conditional Use to operate a Dwelling Rental located at 715 South Ocean Drive Unit B. The subject unit is a one (1)-bedroom and one (1)-bathroom condominium with approximately 680 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 one (1) of 13 units within the Boardwalk condominium complex generally situated at the southwest corner of South Ocean Drive and Gulfstream Avenue within the South Beach neighborhood. The subject site is surrounded by multi-family residences to the north, south, east, and west. 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 (R4-A).

Dwelling Rentals

Pursuant to City Code Section 125-3. – 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.

Table 1, below, 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 six (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 and Restaurants – Vacation Rental |
| <i>Public lodging establishment (ADA & Misc. Regulations)</i> | If rented 30 days or less (Vacation Rental) | Public lodging establishment |

Future Land Use & 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 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 125- (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 125-235, 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 five (5) 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 per unit.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.



Conditional Use - No New Construction

Property address or Location 715 SOUTH OCEAN DRIVE, UNIT B, FORT PIERCE, FL 34949
 Parcel ID #(s) 2401-504-0002-000-8
 Project description 2 DAY - 6 MONTH SHORT TERM RENTAL

SANDRA JEAN BALLANTYNE
 Property Owner(s)
12436 57th ROAD NORTH
 Street Address
WEST PALM BEACH, FL 33411
 City State Zip
561-601-4344
 Phone Number
SANDY@SANDYCANHELP.COM
 Email Address

MICHELLE LONGARZO
 Applicant/Representative, Title, Company
715 SOUTH OCEAN DRIVE UNIT D
 Street Address
HUTCHINSON ISLAND FL 34949
 City State Zip
772-708-4557
 Phone Number
SLICEOFPARADISEFLORIDA@GMAIL.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.

[Signature]
 Property Owner(s) Signature(s)

Michelle L. Longarzo
 Signature

STATE OF FLORIDA - COUNTY of St Lucie
 The foregoing instrument was acknowledged before me this 2nd day of July, 2020, by
MICHELLE LONGARZO who is personally known to me or has produced
APPLICANT FOR SANDRA BALLANTYNE as identification.

Loretta Dennis
 Signature of Notary



LORETTA DENNIS
 MY COMMISSION # FF 145332
 EXPIRES: September 20, 2018
 Bonded Thru Budget Notary Services

(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

CONDITIONAL USE: NO NEW CONSTRUCTION

Submit one original, seven (7) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- If no site improvements are required:
 - As-built survey
 - Floor plan of existing building(s)
- If parking and drainage improvements are required:
 - As-built survey;
 - Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
 - Lighting plan
- Complete, notarized application

Application Type:

- Conditional Use: No new construction with no site improvements
- Conditional Use: No new construction with parking and drainage improvements

Site Information:

Building Size 680 Parking Spaces: 1

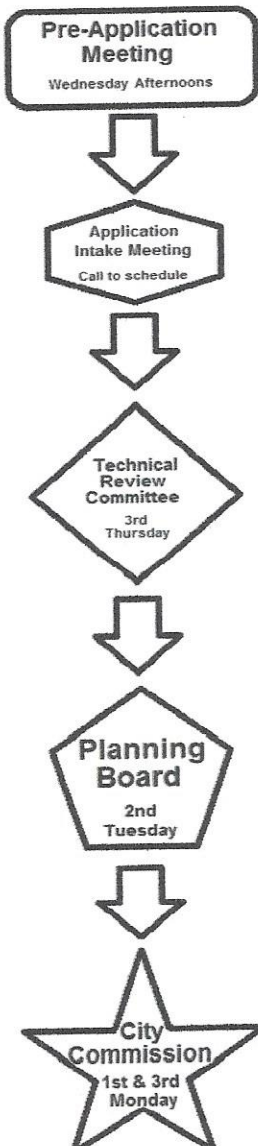
Surrounding Uses: (i.e. single family home, retail, industrial, etc.)

| North | South | East | West |
|-------|-------|------|------|
| R4A | R4A | R4A | R4A |

The application for conditional use with the application for site plan review, when not exempt in accordance with the requirements of section 22-75, shall be reviewed as a unit in accordance with the requirements of section 22-58 except that:

- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.
- (3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

Application Outlook



CITY OF FORT PIERCE, FLORIDA

J. B. ...
Mayor
City Seal

ZONE _____

No 002875

CERTIFICATE OF OCCUPANCY

12-29 1977
(date issued)

The requirements of the Building Code and Zoning Ordinances of the City of Fort Pierce having been complied with in the _____ of the building located at No. 715
(~~construction~~ alteration)

S. OCEAN DR on the land described as follows: LOT 8, 11, 12
(street)

BLK 8 2401-503-0080-000/5

OCEANVIEW S/D

this Certificate of Occupancy is issued to K. M. BROOKS and authority is hereby _____
(name)

granted for the occupancy of said building as a 10 UNIT APARTMENT BLDG and for no other purpose
(type of occupancy)

Building Permit No. 30241 Construction Cost \$ 185,000⁰⁰

Dimensions of completed building 120'-8" X 35'-0"

I hereby agree to apply for the above certificate of occupancy when the work is completed.

Signed _____
(Owner or Owner's Representative)

CITY OF FORT PIERCE
Frank W. Hogg
Building Official

DATE 8/2 1977

**Narrative of Property 715 South Ocean Drive Unit B , Fort Pierce, Florida
34950:**

- 1) Transient rentals from 2 days to 6 months to bring out of area Florida and interstate revenue to promote new tourism in Fort Pierce.
- 2) Register for DBPR, Florida Sales Tax, St. Lucie Business Tax Receipt. Register for Sunbiz, File for EIN # and Fort Pierce Business Tax Receipt.
- 3) Intent to rent with Air BNB, VRBO, Facebook Market Place, any other social media or form of advertising.

**RULES & REGULATIONS of 715 South Ocean Drive Unit B, Fort Pierce,
FL 34949:**

- Remove all trash and dispose of in the provided trash can
- Peaceful enjoyment of common areas at reasonable hours without excessive noise or music
- Pets need to remain in compliance with local leash and pet fecal disposal laws.
- Smoking is prohibited
- Park in the drive way
- Do not litter
- Do not leave air conditioning on with windows open.
- Return A/C to 77 Degrees when check out occurs.
- Do not remove any property belonging to house except beach towels, beach folding chairs, sand toys and umbrellas. The exception items need to be returned to the house with the sand washed of prior to entry.
- Do not give out copies of keys to any one other than registered guest.
- Do not disturb or harass local wildlife such as sea turtles, manatees and any other wildlife.
- It is unlawful to walk on the sand dunes only use designated walkways.
- No illegal drugs allowed on property.
- No toxic chemicals allowed on property.
- Follow all local and state laws.

Management of Property 715 South Ocean Drive Unit B, Fort Pierce, FL 34949:

- 1) Provide direct customer service with 24/7 service available by phone, text and e-mail. Michelle Longarzo 772-708-4558 and sliceofparadiseflorida@gmail.com
- 2) Access to emergency contractors in plumbing, electrical and HVAC.
- 3) Maintain records of clientele, Name, address, contact number and e-mail.
- 4) Ensure all taxes are paid to the state and the county.
- 5) Provide clean linens, towels, dishware, glasses and beach towels.
- 6) Keep all appliances in clean and good working order.
- 7) Keep Heating & ventilation at minimum of 68 degrees Fahrenheit.
- 8) Maintain (1) locking device that cannot be opened by master key on the interior.
- 9) Maintain smoke alarms in every unit.
- 10) Maintain all electrical wires.
- 11) Maintain a fire extinguisher that is fully charged.
- 12) Maintain well lighted common areas.
- 13) Maintain notifications in the residence that all dishware is cleaned and sanitized by dishwasher only.
- 14) Maintain all areas odor free, clean and in good repair.
- 15) Keep all toxic chemicals labeled and properly stored.
- 16) Supply adequate potable water.
- 17) Protect ice machines from self-contamination.
- 18) Maintain the unit vermin free.
- 19) Maintain extermination throughout the unit bi-weekly.
- 20) Maintain Hot / Cold in every sink.
- 21) Removal of trash

Property Identification

| | |
|---------------|---------------------|
| Site Address: | 715 S OCEAN DR B |
| Parcel ID: | 2401-504-0002-000-8 |
| Account #: | 15009 |
| Map ID: | 24/01G |
| Use Type: | 0400 |
| Zoning: | HI Medium |
| City/County: | Fort Pierce |

Ownership

Sandra Jean Ballantyne
12436 57th Rd N
West Palm Beach, FL 33411

Legal Description

BOARDWALK CONDOMINIUM UNIT B

Total Areas

Finished/Under Air (SF):
Gross Sketched Area (SF):
Land Size (acres):
Land Size (SF):

Current Values

| | |
|--------------------|----------|
| Just/Market Value: | \$85,000 |
| Assessed Value: | \$78,540 |
| Exemptions: | \$0 |
| Taxable Value: | \$78,540 |

Property taxes are subject to change upon change of ownership.

- Past taxes are not a reliable projection of future taxes.
- The sale of a property will prompt the removal of all exemptions, assessment caps, and special classifications.

Taxes for this parcel: SLC Tax Collector's Office
Download TRIM for this parcel: Download PDF

Property Identification

| | |
|---------------|---------------------|
| Site Address: | 715 S OCEAN DR B |
| Parcel ID: | 2401-504-0002-000-8 |
| Account #: | 15009 |
| Map ID: | 24/01G |
| Use Type: | 0400 |
| Zoning: | HI Medium |
| City/County: | Fort Pierce |

Ownership

Sandra Jean Ballantyne
12436 57th Rd N
West Palm Beach, FL 33411

Total Areas

Finished/Under Air (SF):
Gross Sketched Area (SF):
Land Size (acres):
Land Size (SF):

Legal Description

BOARDWALK CONDOMINIUM UNIT B

Current Values

| | |
|--------------------|----------|
| Just/Market Value: | \$85,000 |
| Assessed Value: | \$78,540 |
| Exemptions: | \$0 |
| Taxable Value: | \$78,540 |

Property taxes are subject to change upon change of ownership.

- Past taxes are not a reliable projection of future taxes.
- The sale of a property will prompt the removal of all exemptions, assessment caps, and special classifications.

Taxes for this parcel: SLC Tax Collector's Office

Download TRIM for this parcel: [Download PDF](#)

Sale History

| | |
|------------|--------------|
| Date: | Dec 10, 2019 |
| Book/Page: | 4356 / 2931 |
| Sale Code: | 0001 |
| Deed: | WD |
| Grantor: | Ross Judith |
| Price: | \$115,000 |
| Date: | Mar 17, 2017 |
| Book/Page: | 3979 / 0937 |
| Sale Code: | 0111 |
| Deed: | QC |
| Grantor: | Ross Judith |
| Price: | \$100 |
| Date: | Mar 17, 2017 |
| Book/Page: | 3979 / 0937 |
| Sale Code: | 0111 |
| Deed: | QC |

| | |
|------------|----------------------------------|
| Grantor: | Ross Brian |
| Price: | \$100 |
| Date: | Sep 21, 2015 |
| Book/Page: | 3791 / 0169 |
| Sale Code: | 0112 |
| Deed: | SP |
| Grantor: | Federal National Mortgage Assc |
| Price: | \$80,000 |
| Date: | May 8, 2015 |
| Book/Page: | 3744 / 2010 |
| Sale Code: | 0112 |
| Deed: | CT |
| Grantor: | Boardwalk Owners Association Inc |
| Price: | \$0 |
| Date: | Jun 11, 2014 |
| Book/Page: | 3642 / 0640 |
| Sale Code: | 0111 |
| Deed: | CT |
| Grantor: | Boardwalk Owners Association Inc |
| Price: | \$3,100 |
| Date: | Feb 26, 2014 |
| Book/Page: | 3607 / 2005 |
| Sale Code: | 0111 |
| Deed: | CT |
| Grantor: | Hernandez Hernando |
| Price: | \$26,800 |
| Date: | Jul 31, 2002 |
| Book/Page: | 1564 / 1961 |
| Sale Code: | XX01 |
| Deed: | WD |
| Grantor: | Baertl Otmar W |
| Price: | \$74,000 |
| Date: | Apr 10, 1991 |
| Book/Page: | 0733 / 1805 |
| Sale Code: | XX00 |
| Deed: | WD |
| Grantor: | Lglas Roger J |
| Price: | \$54,000 |
| Date: | May 1, 1985 |
| Book/Page: | 0465 / 1625 |
| Sale Code: | XX02 |
| Deed: | CV |
| Grantor: | |
| Price: | \$455,000 |
| Date: | May 1, 1985 |
| Book/Page: | 0465 / 1625 |
| Sale Code: | XX02 |
| Deed: | CV |
| Grantor: | Roger J Hites |
| Price: | \$455,000 |

Building Information (1 of 1)

Finished Area: 680 SF

Gross Sketched Area: 680 SF

Exterior Data

View:
 Building Type: X019
 Grade: X19B
 Story Height: 1 Story

Roof Cover:
 Year Built: 1982
 Effective Year: 1982
 No. Units: 1

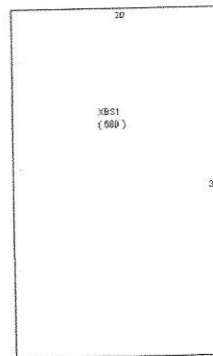
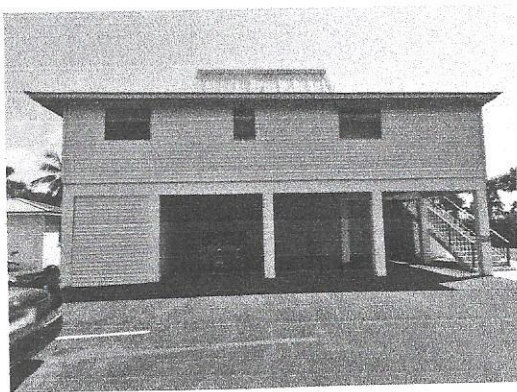
Roof Structure:
 Frame:
 Primary Wall: CB Stucco
 Secondary Wall:

Interior Data

Bedrooms: 1
 Full Baths: 1
 Half Baths: 0
 A/C %: 0%

Electric:
 Heat Type:
 Heat Fuel:
 Heated %: 0%

Primary Int Wall:
 Avg Hgt/Floor: 0
 Primary Floors:
 Sprinkled %: 0%



Special Features and Yard Items

Current Year Values

Current Values Breakdown

| | |
|----------------------------|----------|
| Building: | \$85,000 |
| Land: | \$0 |
| Just/Market: | \$85,000 |
| Ag Credit: | \$0 |
| Save Our Homes or 10% Cap: | \$6,460 |
| Assessed: | \$78,540 |
| Exemption(s): | \$0 |
| Taxable: | \$78,540 |

Current Year Exemption Value Breakdown

Current Year Special Assessment Breakdown

| Start Year | AssessCode | Units | Description | Amount |
|------------|------------|-------|-------------------------------|---------|
| 1999 | 0041 | 0.6 | Fort Pierce Stormwater Charge | \$41.40 |

This does not necessarily represent the total Special Assessments that could be charged against this property. The total amount

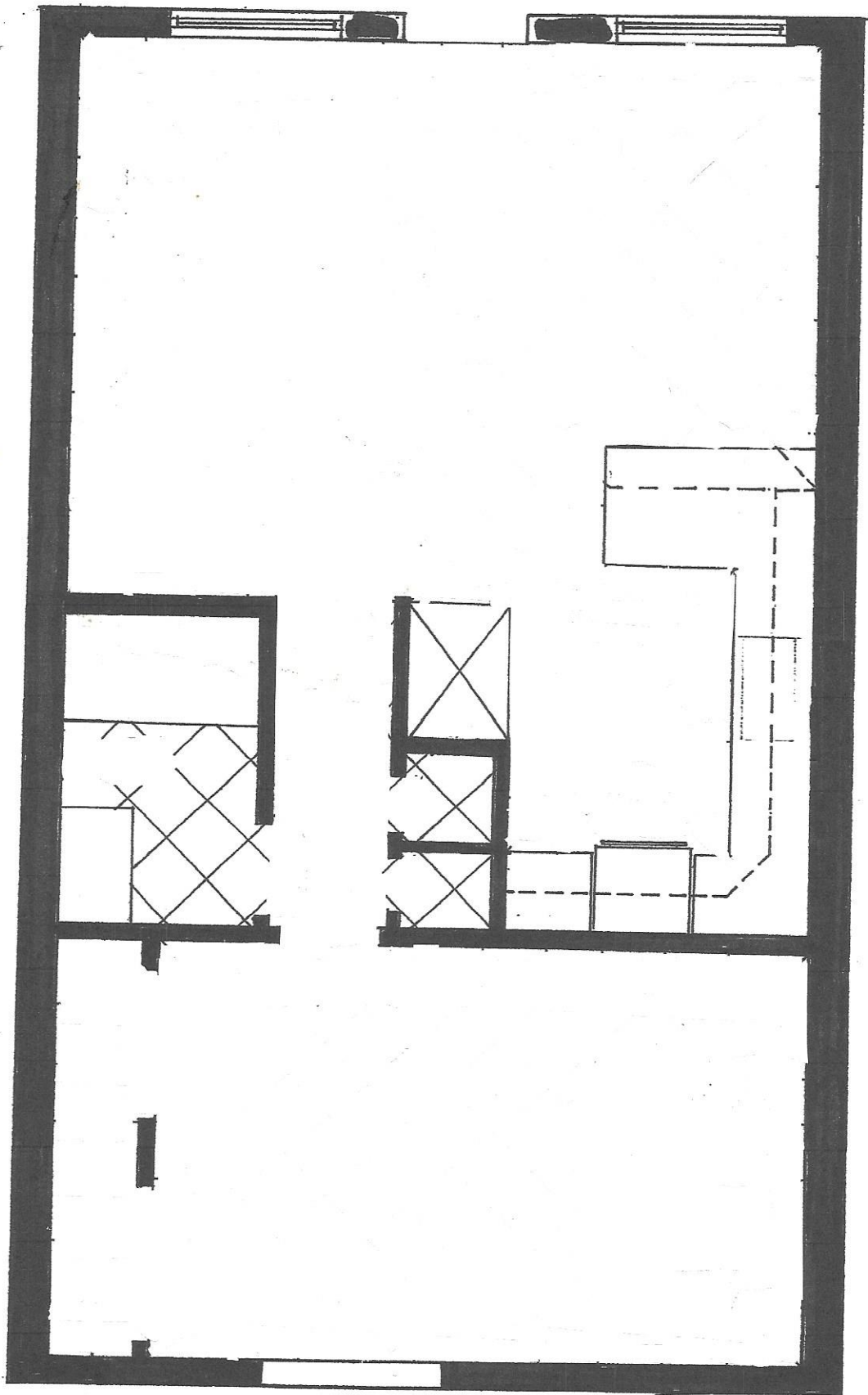
Historical Values

Permits

| | |
|--------------|-----------------------|
| Number: | MC2004392 |
| Issue Date: | Dec 17, 2004 |
| Description: | Air Conditioning Only |
| Amount: | \$1,650 |
| Fee: | \$75 |

Notice: This does not necessarily represent all the permits for this property.
Click the following link to check for additional permit data in Fort Pierce

All information is believed to be correct at this time, but is subject to change and is provided without any warranty.
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AERIAL MAP





Conditional Use Approval
Ballantyne Dwelling Rental
715 S. Ocean Drive Unit B



FUTURE LAND USE MAP



 **Conditional Use Approval**
Ballantyne Dwelling Rental
715 S. Ocean Drive Unit B





August 19, 2020

Michelle Longarzo
Slice of Paradise
sliceofparadiseflorida@gmail.com

Subject: 715 S. Ocean Avenue Unit B TRC Comments for August 20, 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 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 per unit.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.

Fort Pierce Engineering Department

1. No comment. Recommends approval.

Fort Pierce Building Department

1. Please see attached comments.

Fort Pierce Police Department

1. No comments at the time.

Fort Pierce Utility Authority

1. *FPUA W/WW Engineering:*
Location is presently a water and wastewater customer of FPUA. If fire protection is required, this service MUST be supplied via a dedicated "stand-alone" fire suppression device. Please contact James Carnes @ (772) 466-1600 extension 3472 if this modification is required.
2. *FPUA Electric & Gas Engineering:*
No comment

St. Lucie County Fire District

The Following Revisions Are Necessary:

1. Please submit a completed application for Development/Site Plan Review (St. Lucie County Fire District Development & Site Plan Review Application). This form is available on-line at <http://www.slcfd.com/permits.htm>
2. Fire District review fees are due at the time of submittal. An abbreviated fee schedule is included on the application form.
3. Please provide an electronic copy of the Site Plan (pdf format). See BlueBeam markups.
4. A separate review and permit is required for Underground Fire Mains connected to standpipes or sprinkler systems.
5. The Fire District reserves the right for future comments when the project reaches building construction phase.

St. Lucie County Public Works

1. The Public Works Department has no comments based on the application information provided at this time.



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

Meeting Date: 8.20.20
Property Address: Conditional Use - Ballantyne Vacation Rental - 715 S. Ocean Drive, Unit B

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 6th 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

Date:

8/13/2020

Information

REQUESTED ACTION

Conditional Use - Danaluk Dwelling Rental - 715 S. Ocean Drive, Unit L

LOCATION

715 S. Ocean Drive, Unit L

RESPONSIBLE STAFF

Jennifer Hofmeister, AICP, LCAM
Planning Director
Technical Review Committee

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.

Attachments

Staff Report

Applicant Packet & Supporting Documents

Aerial Map

Zoning Map

Future Land Use Map

TRC packet

Form Review



TO: Members of the City of Fort Pierce Planning Board

FROM: Jennifer Hofmeister, AICP, LCAM, Planning Director

RE: **Conditional Use Approval – Danaluk Dwelling Rental Unit L
 715 S. Ocean Drive Unit B (20-0400012)**

BOARD DATE: September 8, 2020

STAFFREPORT

Owner: Nicholas Danaluk, Jr.
 Slice of Paradise, Inc.
 Awareness of Hope, Inc.
 1425 SW Edinburgh Drive
 Port St. Lucie, FL 34953

Applicant: Michelle Longarzo
 715 South Ocean Drive Unit D
 Hutchinson Island, FL 34949

Applicant’s Request: Approval of a Conditional Use to operate a Dwelling Rental, offering lodging for less than six (6) months. The minimum rental period is two (2) days.

Location(s): 715 South Ocean Drive Unit L

Parcel ID: 2401-504-0012-000-1

Future Land Use: Hutchinson Island Residential (HIR)

Current Zoning: Hutchinson Island Medium Density (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: FPUA

Staff Analysis:

Request

In accordance with Sections 125-187 and 125-236 of the City Code, the applicant is requesting review and approval of a Conditional Use to operate a Dwelling Rental located at 715 South Ocean Drive Unit L. The subject unit is a two (2)-bedroom and two (2)-bathroom condominium with approximately 865 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 one (1) of the two (2) units that comprise a separate duplex building that are a part of the Boardwalk condominium complex generally situated at the southwest corner of South Ocean Drive and Gulfstream Avenue within the South Beach neighborhood. The subject site is surrounded by multi-family residences to the north, south, east, and west. 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 (R₄-A).

Dwelling Rentals

Pursuant to City Code Section 125-3. – 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.

Table 1, below, 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 six (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 and Restaurants – Vacation Rental |
| <i>Public lodging establishment (ADA & Misc. Regulations)</i> | If rented 30 days or less (Vacation Rental) | Public lodging establishment |

Future Land Use & 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 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 125- (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 125-235, 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 five (5) 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 per unit.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.



RECEIVED

JUL 02 2020

CITY OF FORT PIERCE
PLANNING & ZONING

Conditional Use – No New Construction

Property address or Location 715 SOUTH OCEAN DRIVE, UNIT L
Parcel ID #(s) 2401-504-0012-000-1
Project description SHORT TERM RENTAL CONDO

NICHOLAS DANALUK, JR.
Property Owner(s)
1425 SW EDINBURGH DR.
Street Address
PORT ST. LUCIE, FL 34953
City State Zip
772-267-9288
Phone Number
NDANALUK@GMAIL.COM
Email Address

MICHELLE LONGARZO / SLICE OF PARADISE, INC.
Applicant/Representative, Title, Company
715 S. OCEAN DR. UNIT D
Street Address
HUTCHINSON ISLAND, FL 34949
City State Zip
772-708-4557
Phone Number
SLICE OF PARADISE FLORIDA @ GMAIL.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.

Michelle L. Longarzo
Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY of St Lucie
The foregoing instrument was acknowledged before me this 2nd day of July, 20 20, by MICHELLE LONGARZO who is personally known to me or has produced _____ as identification.



LORETTA DENNIS
MY COMMISSION # FF 145332
EXPIRES: September 20, 2018
Bonded Thru Budget Notary Services

Loretta Dennis
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



CONDITIONAL USE: NO NEW CONSTRUCTION

Submit one original, seven (7) hard copies and one (1) CD of the following for initial submittal, subsequent submittals will be required:

- If no site improvements are required:
 - As-built survey
 - Floor plan of existing building(s)
- If parking and drainage improvements are required:
 - As-built survey;
 - Site plan, to scale, including existing improvements and proposed parking, driveways, landscaping & storm drainage;
 - Lighting plan
- Complete, notarized application

Application Type:

- Conditional Use: No new construction with no site improvements
- Conditional Use: No new construction with parking and drainage improvements

Site Information:

Building Size 880 Parking Spaces: 1

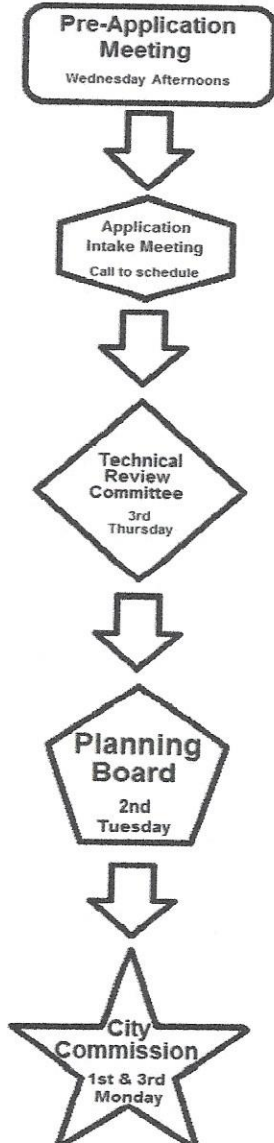
Surrounding Uses: (i.e. single family home, retail, industrial, etc.)

| North | South | East | West |
|-------|-------|------|------|
| R4A | R4A | R4A | R4A |

The application for conditional use with the application for site plan review, when not exempt in accordance with the requirements of section 22-75, shall be reviewed as a unit in accordance with the requirements of section 22-58 except that:

- (1) The city commission shall hold a public hearing in accordance with the provisions of section 22-143 prior to acting on the application for conditional use.
- (2) In the event the city planning board disapproved the application for conditional use or in case of a protest against said application signed by twenty (20) per cent of the owners within five hundred (500) feet of the area included in said application, such application shall not be approved except by a four-fifths vote by the city commission.
- (3) In permitting a conditional use or the modification of an existing conditional use, the city commission may impose, in addition to those standards and requirements expressly specified in this chapter, any condition which it finds to be necessary to protect the best interest of the surrounding property of the city.

Application Outlook



RULES & REGULATIONS of 715 South Ocean Drive Unit L, Fort Pierce, FL 34949:

- Remove all trash and dispose of in the provided trash can
- Peaceful enjoyment of common areas at reasonable hours without excessive noise or music
- Pets need to remain in compliance with local leash and pet fecal disposal laws.
- Smoking is prohibited
- Park in the drive way
- Do not litter
- Do not leave air conditioning on with windows open.
- Return A/C to 77 Degrees when check out occurs.
- Do not remove any property belonging to house except beach towels, beach folding chairs, sand toys and umbrellas. The exception items need to be returned to the house with the sand washed of prior to entry.
- Do not give out copies of keys to any one other than registered guest.
- Do not disturb or harass local wildlife such as sea turtles, manatees and any other wildlife.
- It is unlawful to walk on the sand dunes only use designated walkways.
- No illegal drugs allowed on property.
- No toxic chemicals allowed on property.
- Follow all local and state laws.

Management of Property 715 South Ocean Drive Unit L, Fort Pierce, FL 34949:

- 1) Provide direct customer service with 24/7 service available by phone, text and e-mail. Michelle Longarzo 772-708-4558 and sliceofparadiseflorida@gmail.com
- 2) Access to emergency contractors in plumbing, electrical and HVAC.
- 3) Maintain records of clientele, Name, address, contact number and e-mail.
- 4) Ensure all taxes are paid to the state and the county.
- 5) Provide clean linens, towels, dishware, glasses and beach towels.
- 6) Keep all appliances in clean and good working order.
- 7) Keep Heating & ventilation at minimum of 68 degrees Fahrenheit.
- 8) Maintain (1) locking device that cannot be opened by master key on the interior.
- 9) Maintain smoke alarms in every unit.
- 10) Maintain all electrical wires.
- 11) Maintain a fire extinguisher that is fully charged.
- 12) Maintain well lighted common areas.
- 13) Maintain notifications in the residence that all dishware is cleaned and sanitized by dishwasher only.
- 14) Maintain all areas odor free, clean and in good repair.
- 15) Keep all toxic chemicals labeled and properly stored.
- 16) Supply adequate potable water.
- 17) Protect ice machines from self-contamination.
- 18) Maintain the unit vermin free.
- 19) Maintain extermination throughout the unit bi-weekly.
- 20) Maintain Hot / Cold in every sink.
- 21) Removal of trash

Narrative of Property 715 South Ocean Drive Unit L, Fort Pierce, FL 34949:

- 1) Transient rentals from 2 days to 6 months to bring out of area Florida and interstate revenue to promote new tourism in Fort Pierce.
- 2) Register for DBPR, Florida Sales Tax, St. Lucie Business Tax Receipt. Register for Sunbiz, File for EIN # and Fort Pierce Business Tax Receipt.
- 3) Intent to rent with Air BNB and VRBO

Property Identification

| | |
|---------------|---------------------|
| Site Address: | 715 S OCEAN DR L |
| Parcel ID: | 2401-504-0012-000-1 |
| Account #: | 15019 |
| Map ID: | 24/01G |
| Use Type: | 0400 |
| Zoning: | HI Medium |
| City/County: | Fort Pierce |

Ownership

Iraida L Quintero
Roberto Quintero
1404 19th Ave N
Lake Worth, FL 33460

Total Areas

Finished/Under Air (SF):
Gross Sketched Area (SF):
Land Size (acres):
Land Size (SF):

Legal Description

BOARDWALK CONDOMINIUM UNIT L (OR 1843-1981)

Current Values

| | |
|--------------------|-----------|
| Just/Market Value: | \$104,900 |
| Assessed Value: | \$96,910 |
| Exemptions: | \$0 |
| Taxable Value: | \$96,910 |

Property taxes are subject to change upon change of ownership.

- Past taxes are not a reliable projection of future taxes.
- The sale of a property will prompt the removal of all exemptions, assessment caps, and special classifications.

Taxes for this parcel: SLC Tax Collector's Office

Download TRIM for this parcel: Download PDF

Sale History

| | |
|------------|----------------|
| Date: | Nov 10, 2003 |
| Book/Page: | 1843 / 1981 |
| Sale Code: | XX00 |
| Deed: | WD |
| Grantor: | Baertl Otmar W |
| Price: | \$156,000 |
| Date: | Jun 30, 1995 |
| Book/Page: | 0965 / 0538 |
| Sale Code: | XX01 |
| Deed: | WD |
| Grantor: | Hasko Eileen W |
| Price: | \$35,000 |
| Date: | Mar 1, 1988 |
| Book/Page: | 0580 / 0279 |
| Sale Code: | XX02 |
| Deed: | CV |

Grantor:
 Price: \$105,000
 Date: May 1, 1985
 Book/Page: 0465 / 1625
 Sale Code: XX02
 Deed: CV
 Grantor:
 Price: \$455,000

Building Information (1 of 1)

Finished Area: 865 SF
 Gross Sketched Area: 943 SF

Exterior Data

View:
 Building Type: X019
 Grade: X19A
 Story Height: 1 Story

Roof Cover:
 Year Built: 1971
 Effective Year: 1971
 No. Units: 1

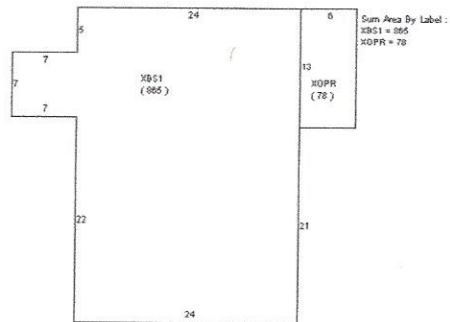
Roof Structure:
 Frame:
 Primary Wall: CB Stucco
 Secondary Wall:

Interior Data

Bedrooms: 2
 Full Baths: 2
 Half Baths: 0
 A/C %: 0%

Electric:
 Heat Type:
 Heat Fuel:
 Heated %: 0%

Primary Int Wall:
 Avg Hgt/Floor: 0
 Primary Floors:
 Sprinkled %: 0%



Special Features and Yard Items

Current Year Values

Current Values Breakdown

Building: \$104,900
 Land: \$0
 Just/Market: \$104,900
 Ag Credit: \$0

Current Year Exemption Value Breakdown

| | |
|-------------------------------|----------|
| Save Our Homes or 10% Cap: | \$7,990 |
| Assessed: | \$96,910 |
| Exemption(s): | \$0 |
| Taxable: | \$96,910 |

| Current Year Special Assessment Breakdown | | | | |
|---|------------|-------|-------------------------------|---------|
| Start Year | AssessCode | Units | Description | Amount |
| 1999 | 0041 | 0.6 | Fort Pierce Stormwater Charge | \$41.40 |

This does not necessarily represent the total Special Assessments that could be charged against this property. The total amount charged for special assessments is reflected on the most current tax statement and information is available with the SLC Tax Collector's Office .

Historical Values

Permits

| | |
|--------------|--------------|
| Number: | BP12-1475 |
| Issue Date: | Aug 13, 2012 |
| Description: | Electric |
| Amount: | \$350 |
| Fee: | \$104 |

Notice: This does not necessarily represent all the permits for this property.
 Click the following link to check for additional permit data in Fort Pierce

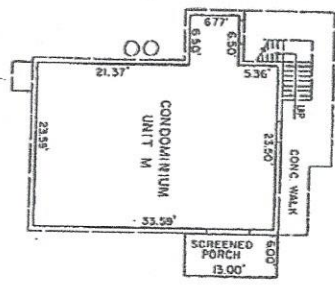
All information is believed to be correct at this time, but is subject to change and is provided without any warranty.
 © Copyright 2020 Saint Lucie County Property Appraiser. All rights reserved.

UNIT PLANE ELEVATION SCHEDULE

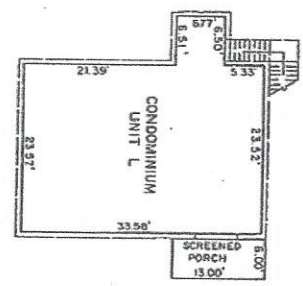
| UNIT | FLOOR | FINISHED CEILING | FINISHED PORCH |
|--------|-------|------------------|----------------|
| UNIT M | 136 | 18.46 | 7.04 |
| UNIT L | 166 | 21.66 | 16.60 |

NOTES:

1. ELEVATION REFER TO NATIONAL GEODETIC VERTICAL DATUM
2. --- INDICATES LIMITS OF CONDOMINIUM UNIT BOUNDARY
3. - - - - INDICATES LIMITS OF COMMON ELEMENTS
4. [Symbol] AC UNITS - INDICATES AIR CONDITIONING UNIT LOCATED ON GROUND LEVEL, ANNEXED TO AND MADE PART OF SPRINGSHORE CONDOMINIUM UNIT.



FIRST FLOOR PLAN



SECOND FLOOR PLAN



BOARDWALK CONDOMINIUM

EXHIBIT B (iv) TO THE DECLARATION OF CONDOMINIUM OF BOARDWALK CONDOMINIUM

ARTHUR V. STROCK & ASSOCIATES, INC.
 CHARL DE SHAW
 REGISTERED LAND SURVEYOR NO. 3477
 STATE OF FLORIDA

| | | | |
|--|----------------------------------|--|---|
| DRAWING NUMBER 5-18-82 18,243,77,1 | PROJECT BOARDWALK CONDOMINIUM | | Arthur V. Strock & Associates, Inc. engineers • planners • surveyors deerfield beach • delray beach, fla. |
|--|----------------------------------|--|---|

AERIAL MAP





Conditional Use Approval
Danaluk Dwelling Rental
715 S. Ocean Drive Unit L



FUTURE LAND USE MAP



 **Conditional Use Approval**
Danaluk Dwelling Rental
715 S. Ocean Drive Unit L



August 19, 2020

Michelle Longarzo
Slice of Paradise
sliceofparadiseflorida@gmail.com

Subject: 715 S. Ocean Avenue Unit L TRC Comments for August 20, 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 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 per unit.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.

Fort Pierce Engineering Department

1. No comment. Recommends approval.

Fort Pierce Building Department

1. Please see attached comments.

Fort Pierce Police Department

1. No comments at the time.

Fort Pierce Utility Authority

1. *FPUA W/WW Engineering:*
Location is presently a water and wastewater customer of FPUA. If fire protection is required, this service MUST be supplied via a dedicated "stand-alone" fire suppression device. Please contact James Carnes @ (772) 466-1600 extension 3472 if this modification is required.
2. *FPUA Electric & Gas Engineering:*
No comment

St. Lucie County Fire District

The Following Revisions Are Necessary:

1. Please submit a completed application for Development/Site Plan Review (St. Lucie County Fire District Development & Site Plan Review Application). This form is available on-line at <http://www.slcfcd.com/permits.htm>
2. Fire District review fees are due at the time of submittal. An abbreviated fee schedule is included on the application form.
3. Please provide an electronic copy of the Site Plan (pdf format). See BlueBeam markups.
4. A separate review and permit is required for Underground Fire Mains connected to standpipes or sprinkler systems.
5. The Fire District reserves the right for future comments when the project reaches building construction phase.

St. Lucie County Public Works

1. The Public Works Department has no comments based on the application information provided at this time.



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

Meeting Date: 8.20.20
Property Address: Conditional Use - Danaluk Vacation Rental - 715 S. Ocean Drive, Unit L

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 6th 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 _____

Date: _____

8/23/2020

Planning Board - 2 PM

6. d.

Meeting Date: 09/08/2020

Information

REQUESTED ACTION

Annexation - Jetson - 504 Tumblin Kling Road

LOCATION

504 Tumblin Kling Road

RESPONSIBLE STAFF

Brandon C. Creagan, MCRP, LEED Green Associate, Planner

RECOMMENDATION

Approval

Attachments

Staff Report

Application & Supporting Documents

Aerial Map

Future Land Use Map

Zoning Map

TRC Comments

Form Review

Form Started By: Brandon Creagan

Started On: 09/01/2020 11:23 AM

Final Approval Date: 09/01/2020



TO: Members of the City of Fort Pierce Planning Board

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

FROM: Brandon Creagan, MCRP, LEED Green Associate, Planner *BCC*

RE: **Application for Annexation**
504 Tumblin Kling Road

BOARD DATE: September 8, 2020

STAFF REPORT

Property Owner/Applicant: Jetson Investments Inc.
 4145 S US Highway 1
 Fort Pierce, FL 34982

Requested Action: Approval of a Voluntary Application for Annexation for a parcel of land

Site Location: 504 Tumblin Kling Road Fort Pierce, Florida

Parcel ID: 2434-314-0005-000-8

Parcel Size: 3.64 acres

Current Future Land Use: Commercial (St. Lucie County) (COM)

Current Zoning: Commercial General (St. Lucie County) (CG)

Proposed Future Land Use: General Commercial (GC)

Proposed Zoning: General Commercial (C-3)

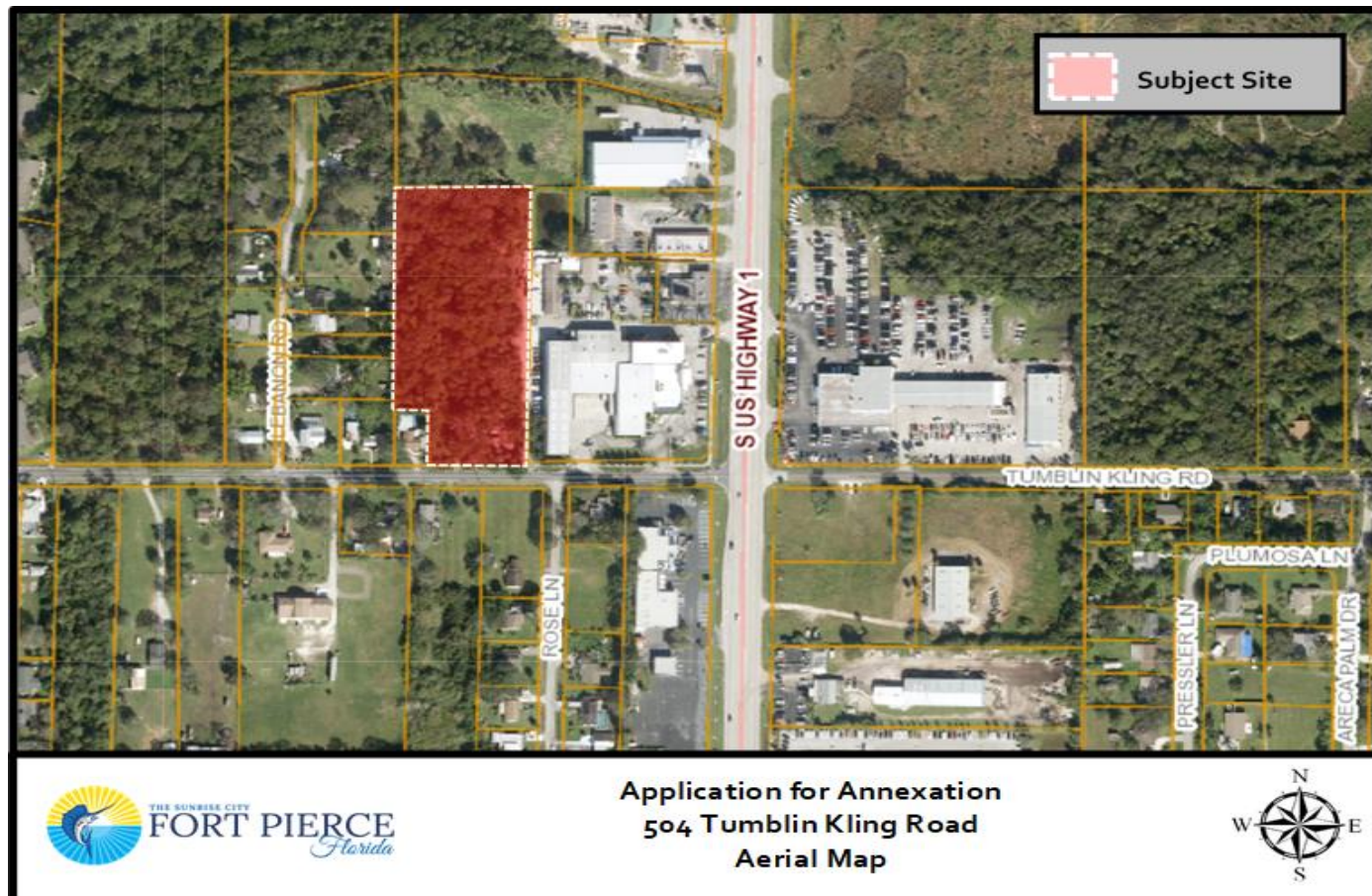
| | | | | |
|----------------------------|-----------|----------|-------------|--------------------------------|
| | North | East | South | West |
| Surrounding FLU: | COM (SLC) | CC (FP) | COM (SLC) | RH (SLC) GC (FP) |
| Surrounding Zoning: | CG (SLC) | C-3 (FP) | RM-11 (SLC) | RM-11 & RS-3 (SLC) C-3 (FP) |

Utilities: FPUA

Staff Analysis:

Request

The applicant is requesting a voluntary annexation of property at 504 Tumblin Kling Road in Fort Pierce, Florida. The parcel ID is 2434-314-0005-000-8.



The subject property has a St. Lucie County Future Land Use designation of Commercial (COM) and a compatible zoning designation of Commercial General (CG). To ensure consistency with Policy 1.11.5 of the City's Comprehensive Plan, the proposed Future Land Use designation would be General Commercial (GC) with a zoning classification of General Commercial (C-3).

Staff has confirmed that the property is located within unincorporated St. Lucie County and is contiguous to the Fort Pierce City municipal boundary and within the FPUA service area. The subject proposed voluntary annexation is also consistent with Chapter 171.044, F.S., whereas the property is contiguous to a municipality and reasonably compact; and the annexation will not result in the creation of an enclave.

The current taxable value of the property is \$88,871. Should the Application for Annexation be approved it could create a new source of ad-valorem tax revenue annually to the City of Fort Pierce if developed, depending on the millage rate per year, which currently is 6.9000. Currently the property has a vacant structure on it and the applicants wish to fully develop the property into an expansion for Jetsons, which is abutting the eastern property line.

Comprehensive Plan

Staff has reviewed the Comprehensive Plan and finds the proposed annexation is consistent with the following Objectives and Policies:

Objective 1.11 of the Comprehensive Plan: "Annex properties within the Fort Pierce Utilities Authority Boundary in an orderly manner that promotes efficiency of public service provision and economic vitality of the City."

The property is within the FPUA service boundary. Policy, 1.11.1 of the City Comprehensive Plan: "The City shall evaluate proposed annexations within the urban service boundary based upon the following criteria:

1. The ability of the City to provide public services at a level equal to or better than that available from the current service providers;
2. The ability of the City to provide public services at the City's adopted levels of service;
3. Whether the annexation would eliminate an unincorporated island or could be expanded to eliminate an unincorporated island; and
4. Whether the annexation would eliminate an irregularity or irregularities in the City's boundaries, thereby improving service delivery".

The subject property is located in an area that consists of properties that are within both the St. Lucie County and the City of Fort Pierce jurisdictions. This property abuts property to the east and west that is within the City Limits. The annexation of this property would assist in the City's effort to eliminate jurisdictional irregularities along the City's boundary and provide more efficient public services. The applicant is requesting that the City of Fort Pierce Future Land Use and Zoning designations remain consistent with the current County designation and the City's Comprehensive Plan. Thereby, the requested Future Land Use and Zoning Designations of GC and C-3, respectively, would be consistent with Policy 1.11.5. Pursuant to the Future Land Use Element of the Comprehensive Plan, annexations are reviewed for fiscal impacts, the effect upon adopted level of service standards for public facilities, and the elimination of the municipal boundary irregularities to improve service delivery.

Public Notification

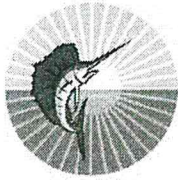
In accordance with Policy Section 4.1.1 of the Joint Planning Agreement between the City of Fort Pierce and St. Lucie County, the City Planning Department will provide notice of these annexations by mail to the St. Lucie County Administrator's Office on or before September 20, 2020, no fewer than thirty (30) days prior to the first reading of this annexation by the City Commission.

Technical Review Committee

All affected Departments have reviewed the submittals and provided comments regarding the proposed voluntary annexation application based on compliance with the requirements of the City Code and Comprehensive Plan and have no objections.

Staff Recommendation

As proposed, the annexations meet the above standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations. Planning Staff recommends that the Planning Board recommend approval of the proposed annexation Future Land Use designation of GC and the Zoning designation of C-3.



APPLICATION FOR ANNEXATION

Annexation applications will require the adoption of an ordinance which will require a public meeting before the Planning Board and two public hearings before the City Commission.

Application submission shall include the following:

- **TRC (*Initial Submission):** One (1) original and (8) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **Planning Board:** One (1) original and (16) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.
- **City Commission:** One (1) original and (11) paper copies of the application and support documents and provide one (1) electronic copy of the application packet as described below.

In addition to a complete application, packets shall include:

- Warranty Deed
- Current Survey (completed within the last 12 months)

1. Address: 504 Tumblin Kling Road

2. Legal description of real property for which annexation is being requested:
See attached survey

Property Tax ID: 2434-314-0005-000-8

3. Size of described property: 3.64 ac.

4. Project description: Annex entire property

5. Current St. Lucie County Future Land Use Designation: Com.

6. Current St. Lucie County Zoning: Comm. Gen.

7. Is this a Historic property? No.

8. Appraised value: \$330,400 (Just/Market Value, per SLC PA)


9. Name of Owner(s): JOHN THORNER III

Signature of Owner(s): [Signature]

Mailing Address: 4145 S US1

City FT PIERCE State FL Zip 34982

Phone 772 464-7050 Fax 772 466-5121

10. Name of Representative: MBV Engineering, Inc. - Mr. Ryan McLean
Signature of representative: 
Mailing Address: 1835 20th Street
City) Vero Beach State FL Zip 32960
Phone 772-569-0035 Fax 772-778-3617
E-mail: ryanm@mbveng.com

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

| | | |
|----------------------|------------------------------|------------------------|
| OFFICE USE: | | |
| DATE RECEIVED: _____ | Signed: _____ | |
| File Number: _____ | Check No: _____ | Receipt No: _____ |
| TRC Review: _____ | Planning Board Review: _____ | City Commission: _____ |
| Ordinance No: _____ | Date Approved: _____ | |

This Instrument Prepared by and Return to:
Gonano & Harrell
1600 SOUTH FEDERAL HIGHWAY, SUITE 200
FORT PIERCE, FLORIDA 34950
Our File No. 1565.035
Florida Documentary Stamps have been paid hereon.

_____ Space above this line for Recording Data _____

SPECIAL WARRANTY DEED

THIS SPECIAL WARRANTY DEED, made the 16th day of **June, 2020** by **Marilyn L. Richards, an un-remarried widow** hereinafter called the Grantor, to **Jetson Investments, Inc., a Florida corporation** whose post office address is **4145 U.S. 1, Fort Pierce, FL 34982**, hereinafter called the Grantee:

(Wherever used herein the terms "Grantor" and "Grantee" include all the parties to this instrument and the heirs, legal representatives and assigns of individuals, and the successors and assigns of a corporation)

W I T N E S S E T H: That the Grantors, for and in consideration of the sum of **FIVE HUNDRED TWENTY FIVE THOUSAND AND 00/100 (\$25,000.00)** and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee all that certain land situate in ST. LUCIE County, State of Florida, viz.:

SEE EXHIBIT "A"

SUBJECT TO: all restrictions, reservations, covenants, conditions, easements, mortgages and liens of record; all governmental zoning regulations, resolutions, and ordinances; and taxes accruing subsequent to December 31, 2019.

TOGETHER with all the tenements, hereditaments, and appurtenances thereto belonging or in any wise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

AND the Grantor hereby covenants that the premises are free from all encumbrances made by Grantor and Grantor does hereby bind Grantor and Grantor's heirs, successors, and assigns to warrant and forever defend the title to the property to the Grantee above named and Grantee's heirs, successors, and assigns, against every person lawfully claiming the property, or any part thereof, by, through, or under the Grantor, but not otherwise.

This property is the homestead of Grantor.

IN WITNESS WHEREOF, the said Grantors have signed and sealed these presents the day and year first above written.

Signed, sealed and delivered in the presence of:

Edward W Becht
Witness #1 Signature

Edward W. Becht
Witness #1 Printed Name

Michael K Russell
Witness #2 Signature

Michael K. Russell
Witness #2 Printed Name

x Marilyn L. Richards by
By: Elizabeth R. Russell, her attorney-in-
fact
Marilyn L. Richards by Elizabeth R. Russell, her attorney-
in-fact

State of Florida
County of Saint Lucie

The foregoing instrument was acknowledged by means of physical presence or online notarization
this 10th day of June, 2020, by Marilyn L. Richards by Elizabeth R. Russell, her attorney-in-fact who
is/are personally known to me or has/have produced _____ as identification.

SEAL



EDWARD W. BECHT
Commission # GG 206856
Expires May 12, 2022
Bonded Thru Budget Notary Services

Edward W Becht
Notary Public

Printed Notary Name

My Commission Expires:

EXHIBIT A

Parcel 1 (Deed Legal)

The South 150 feet of the W 1/2 of the SE 1/4 of the NE 1/4 of the SW 1/4, LESS the East 90 feet thereof, and LESS the West 60 feet thereof, and LESS the South 25 Feet for Road Right of Way, said land lying and being in Section 34, Township 35 South, Range 40 East, St. Lucie County, Florida,

AND

The West 150 feet of the W 1/2 of the SE 1/4 of the NE 1/4 of the SW 1/4, LESS the South 150 feet thereof, said land lying and being in Section 34, Township 35 South, Range 40 East, St. Lucie County, Florida

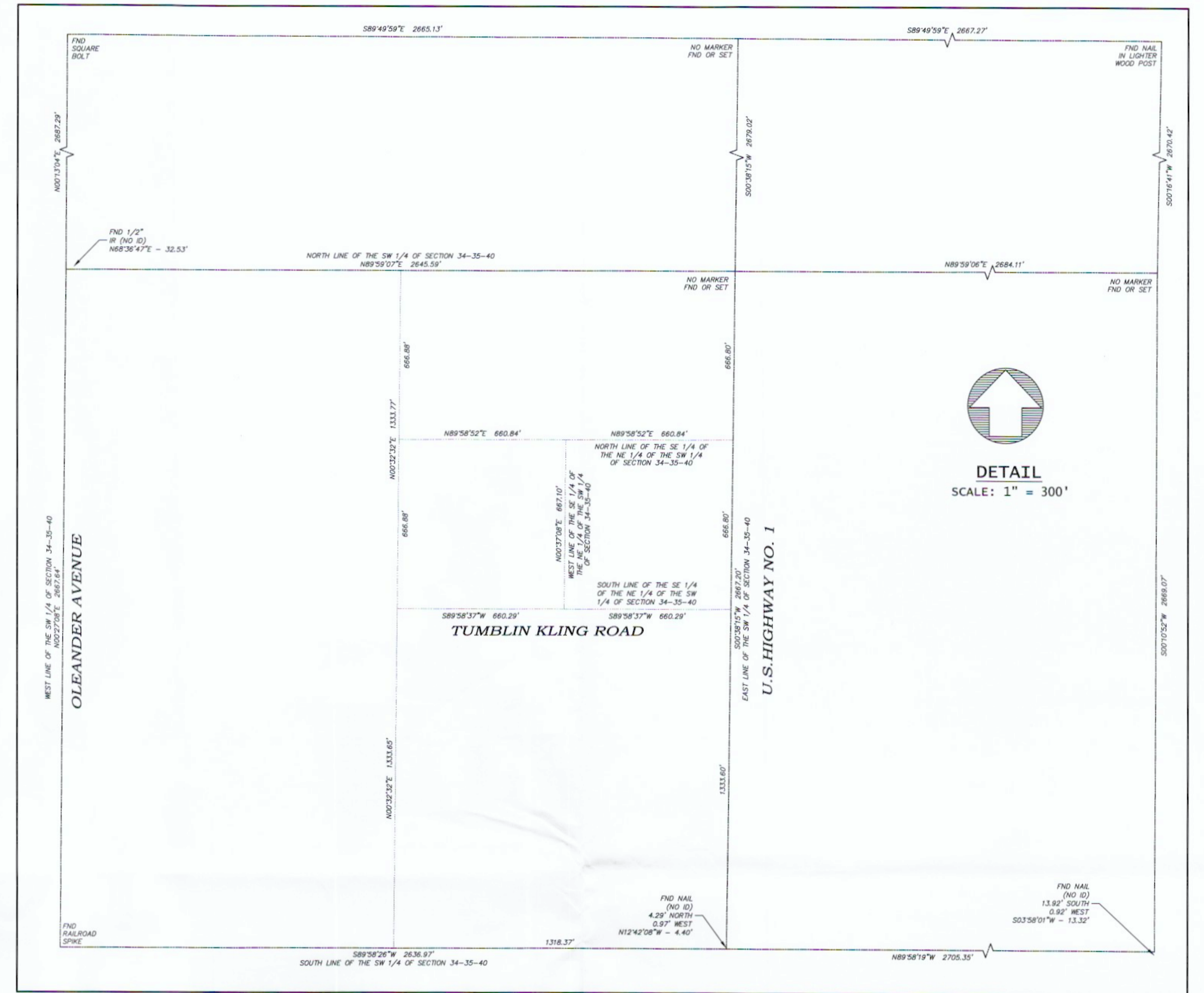
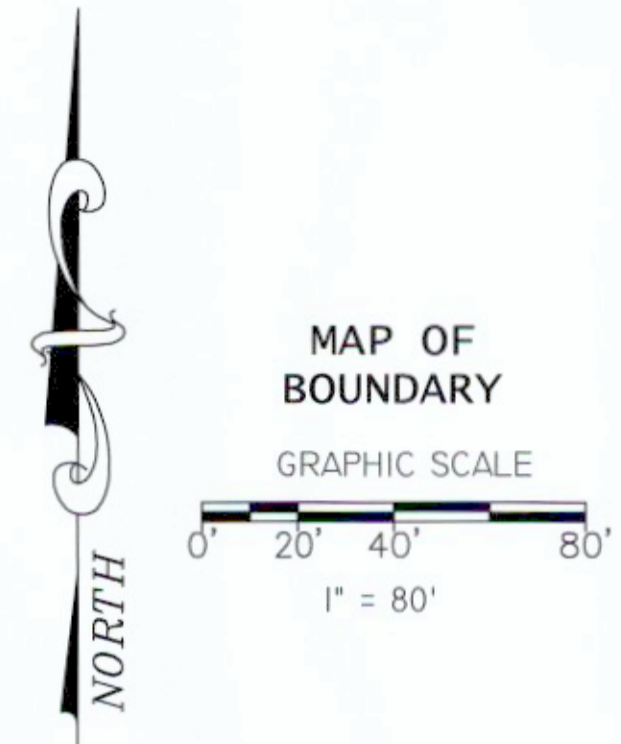
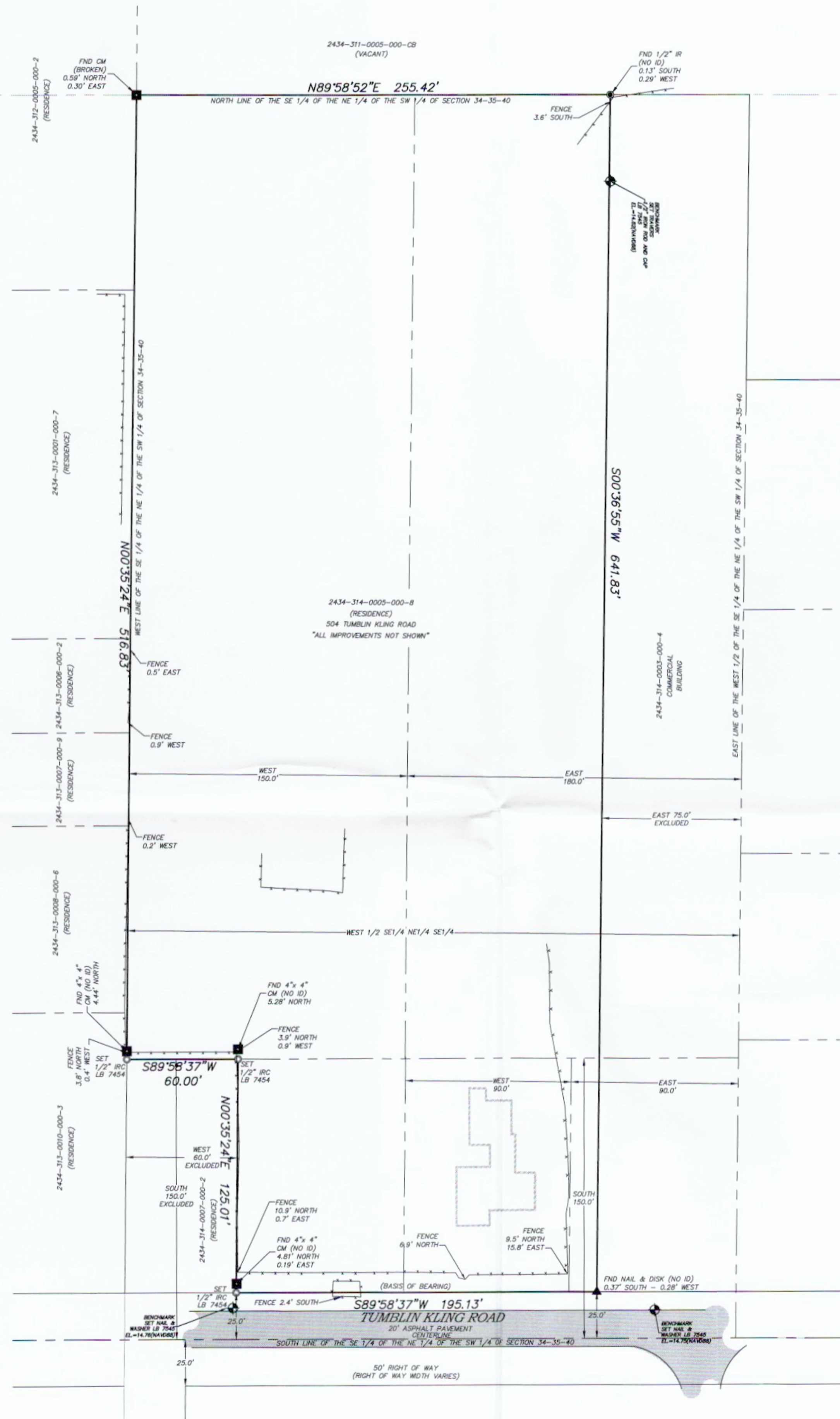
AND

The East 180 feet of the W 1/2 of the SE 1/4 of the NE 1/4 of the SW 1/4, LESS the East 75 feet thereof, and LESS the West 90 feet of the South 150 feet thereof, and LESS the South 25 feet for Road Right of Way said land lying and being in Section 34, Township 35 South, Range 40 East, St. Lucie County, Florida

Parcel 2 (Overall Parcel per property appraiser)

W 1/2 of the SE 1/4 of the NE 1/4 of the SW 1/4, LESS the East 75 feet thereof, and LESS the West 60 feet of the South 150 feet thereof and LESS the South 25 feet for Road Right of Way said land lying and being in Section 34, Township 35 South, Range 40 East, St. Lucie County, Florida,

*24/3
6-10-20*



LEGAL DESCRIPTION (ORB 3453, PG. 974):

THE SOUTH 150 FEET OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, LESS THE EAST 90 FEET THEREOF, AND LESS THE WEST 90 FEET THEREOF, SAID LAND LYING AND BEING IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

AND

THE WEST 150 FEET OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4 LESS THE SOUTH 150 FEET THEREOF, SAID LAND LYING AND BEING IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

AND

THE EAST 180 FEET OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, LESS THE EAST 75 FEET THEREOF, AND LESS THE WEST 90 FEET OF THE SOUTH 150 FEET THEREOF, SAID LAND LYING AND BEING IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

ALSO INCLUDING

THE WEST 90 FEET OF THE SOUTH 150 FEET THE EAST 180 FEET OF THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, SAID LAND LYING AND BEING IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

(OVERALL PARCEL ALSO DESCRIBED AS):

THE WEST 1/2 OF THE SOUTHEAST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHWEST 1/4, LESS THE EAST 75 FEET THEREOF, AND LESS THE WEST 60 FEET OF THE SOUTH 150 FEET THEREOF AND LESS THE SOUTH 25 FEET THEREOF FOR ROAD RIGHT OF WAY. SAID LAND LYING AND BEING IN SECTION 34, TOWNSHIP 35 SOUTH, RANGE 40 EAST, ST. LUCIE COUNTY, FLORIDA.

SURVEYOR'S NOTES

- 1.) THIS SURVEY DOES NOT DETERMINE OR INDICATE LAND OWNERSHIP.
- 2.) THE SURVEYOR DID NOT RESEARCH OR ABSTRACT THE LAND RECORDS FOR RIGHTS-OF-WAY, EASEMENTS, RESERVATIONS, DEED RESTRICTIONS, ZONING REGULATIONS, SETBACKS, LAND USE PLAN DESIGNATIONS, ADJOINING DEEDS, LIENS, MURPHY ACT RIGHTS-OF-WAY, AREAS OF LOCAL CONCERN, OR OTHER SIMILAR JURISDICTIONAL DETERMINATIONS. TO THE EXTENT THAT THIS TYPE OF INFORMATION IS SHOWN, IT IS SHOWN SOLELY ON THE BASIS OF INFORMATION PROVIDED BY THE CLIENT OR INFORMATION OTHERWISE KNOWN TO THE SURVEYOR AND MAY NOT BE COMPLETE.
- 3.) UNDERGROUND UTILITIES, BUILDING FOUNDATIONS, AND OTHER UNDERGROUND FIXED IMPROVEMENTS WERE NOT LOCATED, UNLESS OTHERWISE INDICATED. TO THE EXTENT THAT THIS TYPE OF INFORMATION IS SHOWN, IT IS SHOWN SOLELY ON THE BASIS OF SURFACE INDICATIONS OBSERVED BY THE SURVEYOR AND MAY NOT BE COMPLETE. ALL UNDERGROUND UTILITIES MUST BE FIELD VERIFIED PRIOR TO EXCAVATION OR CONSTRUCTION.
- 4.) JURISDICTIONAL WETLANDS AND ENDANGERED OR THREATENED SPECIES HABITAT, IF ANY, THAT MAY EXIST ON OR AROUND THE SURVEY SITE WERE NOT DETERMINED OR LOCATED.
- 5.) THE SURVEY DATE IS THE FIELD DATE SHOWN IN THE TITLE BLOCK, NOT THE SIGNATURE DATE.
- 6.) THIS SITE LIES WITHIN FLOOD ZONE "X", ACCORDING TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP NUMBER 12111C0189J, DATED FEBRUARY 16, 2012.
- 7.) ELEVATIONS SHOWN ARE BASED ON NORTH AMERICAN VERTICAL DATUM OF 1988 REFERENCING NOS BENCHMARK Y 430 (PID A77511) AT AN ELEVATION OF 13.45 FEET (NAVD88).
- 8.) BEARINGS SHOWN HEREON REFER TO STATE PLANE COORDINATES FLORIDA EAST ZONE, NAD83, 2011 ADJUSTMENT AND WERE ESTABLISHED BY DERIVING A GRID BEARING OF S89°58'06"W ALONG THE NORTH RIGHT OF WAY LINE TUMBLIN KLING ROAD.
- 9.) COMMONWEALTH LAND TITLE COMMITMENT ORDER NUMBER: 8461771, DATED 05/28/2020 WAS PROVIDED AND REVIEWED BY SURVEYOR.

| LEGEND | |
|-----------------------------------|--|
| BB = BOTTLEBRUSH | OHW = OVERHEAD WIRE |
| BFP = BACKFLOW PREVENTER | O.R.B. = OFFICIAL RECORDS BOOK |
| BOC = BACK OF CURB | (P) = PLAT |
| BWF = BARBED WIRE FENCE | P.B. = PLAT BOOK |
| CLF = CHAIN LINK FENCE | PERF = PERFORATED |
| CLP = CONCRETE LIGHT POLE | PG. = PAGE |
| CM = CONCRETE MONUMENT | PM = PALM |
| CMP = CORRUGATED METAL PIPE | PSM = PROFESSIONAL SURVEYOR AND MAPPER |
| CONC. = CONCRETE | PVC = POLY VINYL CHLORIDE |
| COVD. = COVERED | RPZ = REVERSE PRESSURE ZONE |
| C/S = CONCRETE SLAB | RCP = REINFORCED CONCRETE PIPE |
| (D) = DESCRIPTION | (S) = SURVEYED |
| DDCV = DOUBLE DETECTOR CHECK VALE | SOFT. = SOFTENER |
| EL = ELEVATION | SS = SANITARY SEWER |
| ELEC. = ELECTRIC | SSCO = SANITARY SEWER CLEAN-OUT |
| EM = ELECTRIC METER | TC = TOP CONCRETE PARKING |
| EP = EDGE OF PAVEMENT | TOB = TOP OF BANK |
| FFE = FINISHED FLOOR ELEVATION | TOS = TOP OF SLOPE |
| FM = FORCE MAIN | TRNS = TRANSFORMER |
| FND. = FOUND | TW = TOP WALK |
| GEN. = GENERATOR | UG = UNDERGROUND |
| GV = GATE VALVE | WD = WOOD FENCE |
| H/C = HANDICAP | WL = WATER LINE |
| HW = HEADWALL | WM = WATER METER |
| ID = IDENTIFICATION | |
| IP = IRON PIPE | ● = CABLE RISER |
| IR = IRON ROD | ● = FIRE HYDRANT |
| ICV = IRRIGATION CONTROL VALVE | ○ = IRON ROD WITH CAP |
| IRC = IRON ROD WITH CAP | ○ = GUY ANCHOR |
| LB = LICENSED BUSINESS | ○ = UTILITY POLE |
| LP = LIGHT POLE | ○ = WATER GATE VALVE IN 2'x2' CONCRETE |
| LS = LICENSED SURVEYOR | ○ = WATER METER |
| MH = MANHOLE | ○ = WATER METER |
| ○ = PINE TREE | ○ = GATE VALVE |
| ★ = PALM TREE | |
| ○ = OAK TREE | |
| ○ = HARDWOOD | |

INDIAN RIVER SURVEY, INC.
PROFESSIONAL SURVEYING AND MAPPING
 CERTIFICATE OF AUTHORIZATION No. LB 7545
 1835 20TH STREET, VERO BEACH, FLORIDA 32960
 PHONE (772) 569-7880 FAX (772) 778-3617

| REVISIONS | DATE |
|-------------|-----------|
| RECERTIFIED | 6/16/2020 |
| | |
| | |
| | |
| | |

504 TUMBLIN KLING ROAD
 CERTIFIED TO:
 COMMONWEALTH LAND TITLE INSURANCE COMPANY
 LAW OFFICES OF GOWLAND & HARRELL
 MARLYN L. RICHARDS
 JETSON INVESTMENTS, INC., A FLORIDA CORPORATION
 EDWARD W. BECHT, P.A.


| | |
|------------------------|---------------------|
| FIELD BOOK 72 | DRAWN RAF |
| PAGE(S) 31-48 | SCALE (AS NOTED) |
| FIELD DATE 01/20/20 | JOB # IRS-19-408 |

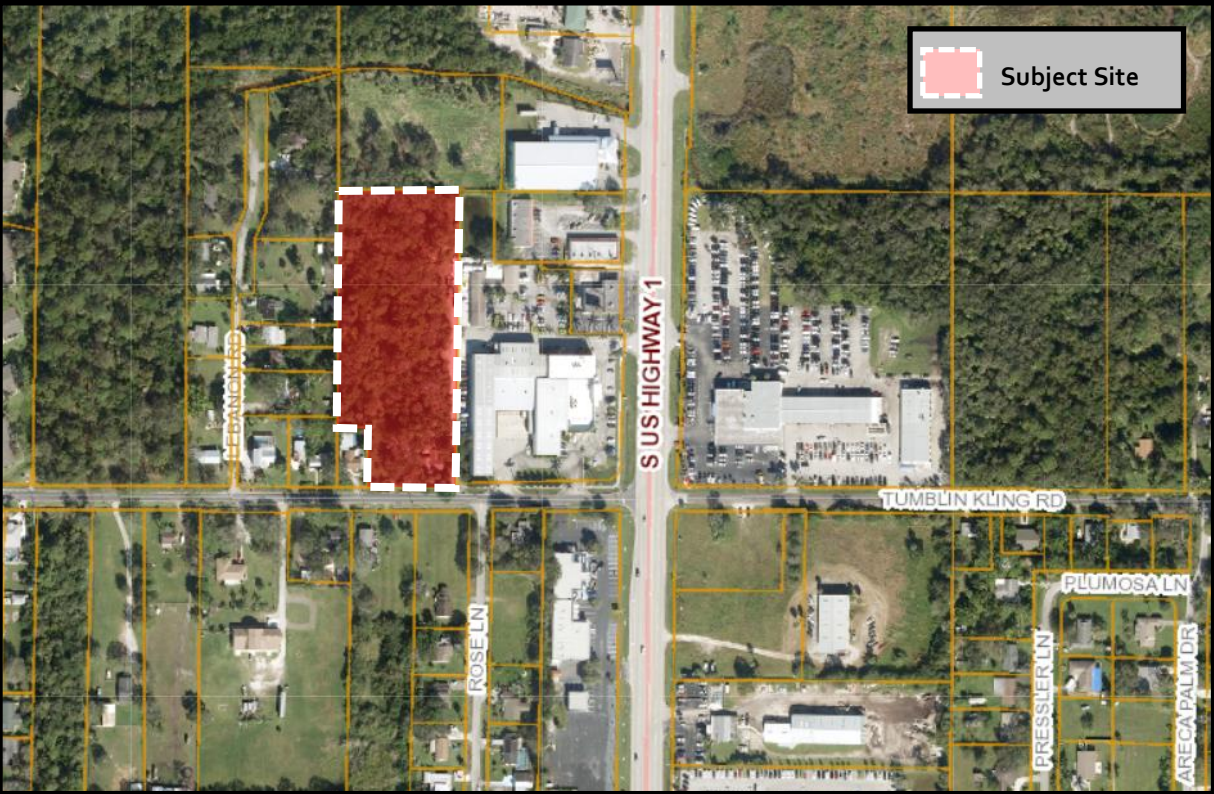
SHEET
1
 OF
2

NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND THE SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

STEVE CARTECHINE, LS4895
 FLORIDA REGISTERED LAND SURVEYOR


07/06/2020
 DATE

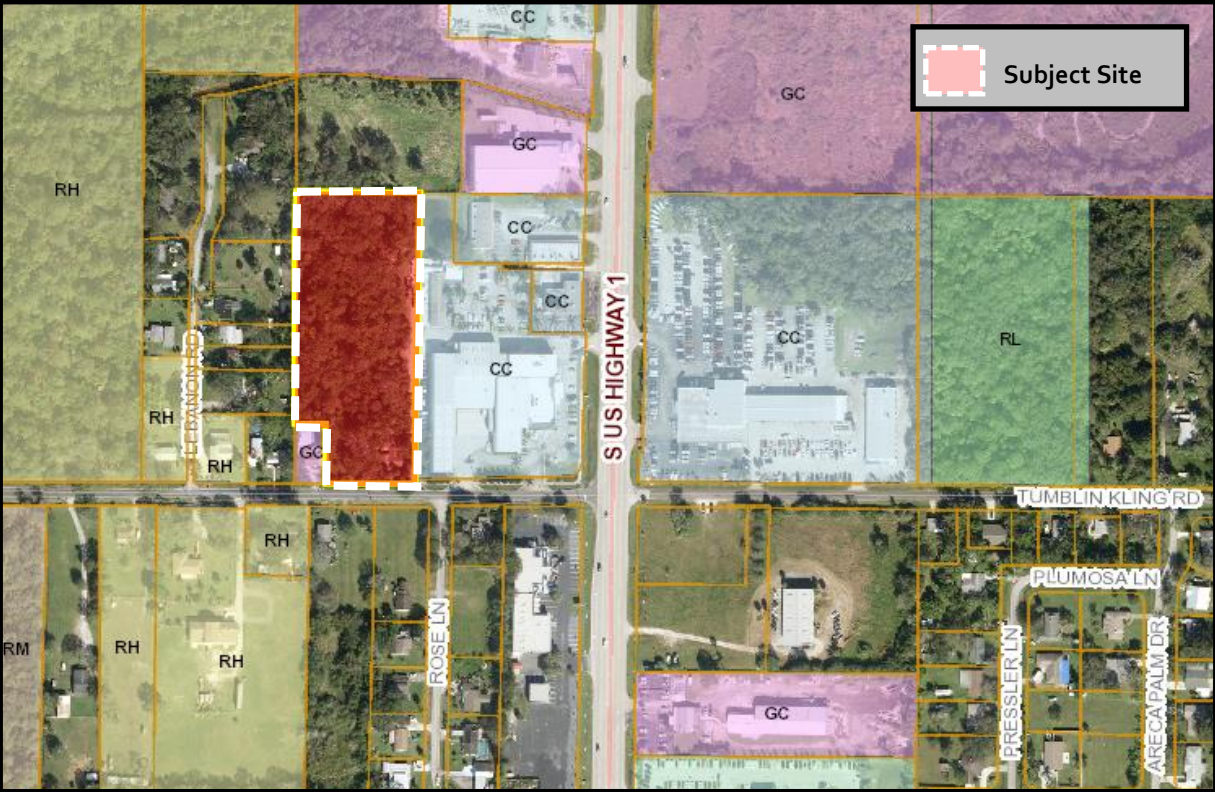
 Subject Site



Application for Annexation
504 Tumblin Kling Road
Aerial Map




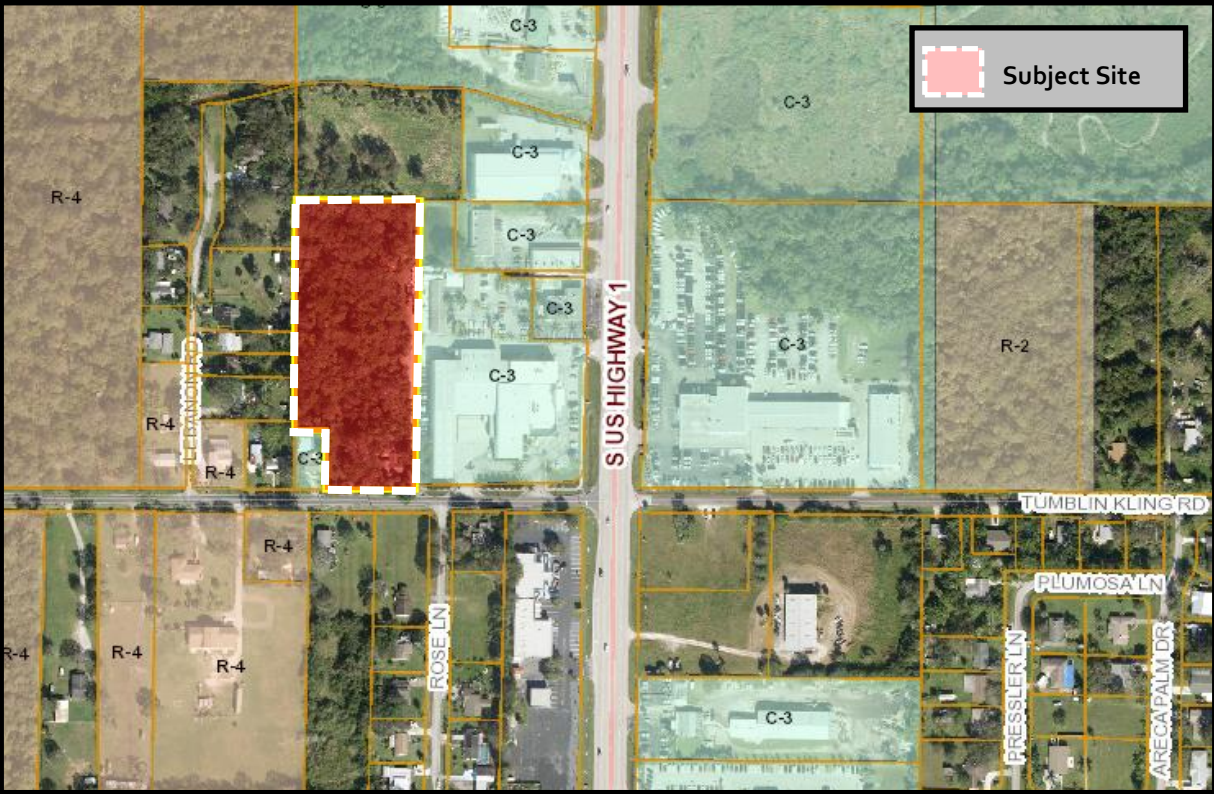
 Subject Site



Application for Annexation
504 Tumblin Kling Road
Future Land Use Map



 Subject Site



Application for Annexation
504 Tumblin Kling Road
Zoning Map





THE SUNRISE CITY
FORT PIERCE
ENGINEERING
DEPARTMENT

Florida

TO : Brandon Creagan, Planner

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

RE : Annexation – 504 Tumbling Kling Road - Jetsons

DATE : August 10, 2020

This is to advise you that we have completed the review of the following documents as received by this office on August 6, 2020:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Application For Annexation | <input checked="" type="checkbox"/> Boundary Survey |
| <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, we

- Recommend Do Not Recommend

- Annexation Building Permit 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 conditions of approval

JRA/jra



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

Technical Review Committee Meeting

August 20, 2020

TECHNICAL REVIEW PROJECT # 20-02000003

Annexation - 504 Tumblin Kling Road - Jetsons

Comments

FPUA W/WW Engineering: No comment

FPUA Electric & Gas Engineering: No comment



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