



**TO:** Members of the City of Fort Pierce Planning Board

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

**RE:** **Conditional Use Approval with No New Construction–  
 Guarnizo Dwelling Rental - 1507 Faber Court (20-0400017)**

**BOARD DATE:** November 10, 2020

**STAFF REPORT**

**Owner:** Andres Guarnizo and Santiago Suhail  
 12 Country Lake Trail  
 Boynton Beach, FL 33436

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

**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):** 1507 Faber Court

**Parcel ID:** 2401-605-0057-000-8

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

**Current Zoning:** Single-family Intermediate Residential Zone (R-2)

**Surrounding FLU:**

North	East	South	West
RL	RL	RL	RL

**Surrounding Zoning:**

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

**Utilities:** FPUA

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## 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 1507 Faber Court. The proposed Conditional Use will offer lodging of less than six (6) months with a minimum stay of 2 days to guests.

The subject property is a three (3) bedroom, two (2) bath single family pool home located on a cul-de-sac, in the Thumb Point subdivision on Hutchinson Island. The subject site is surrounded by single-family residences to the north, south, east, and west. The subject property has a Future Land Use designation of Low Density Residential (RL) with a compatible zoning classification of Single-family Intermediate Residential (R-2).



### ***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, on the following page, presents general characteristics to clarify Dwelling Rentals, and the transitioning threshold for Vacation Rentals.

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

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

***Future Land Use and Zoning***

The Low Density Residential (RL) designation is intended for parcels that are best suited for lower density residential uses. The predominant development typology will consist of single family detached housing but can also contain duplexes and multifamily residences. Limited commercial uses intended to serve the neighborhood shall be allowed. Compatible public, quasi-public, and special uses including parks, churches, non-profit clubs, schools, and daycare facilities shall also be allowed. This land use category ranges in density from one to six and one-half dwelling units per acre. The R-2 zoning district is designed mainly for areas of single-family dwellings with an average net density of less than five units per acre for conventional developments. In addition to housing, various public facilities and other nonresidential uses are permitted under the conditions and safeguards referred to in this section.

***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.