



**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–  
 Poirier Dwelling Rental – 1341 Binney Drive Unit A and B  
 (20- 040000023)**

**BOARD DATE:** December 8, 2020

**STAFF REPORT**

**Owner:** Neil Poirier  
 1341 Binney Drive Unit A & B  
 Fort Pierce, FL 34949

**Applicant:** Michelle Longarzo  
 715 South Ocean Drive Unit D  
 Fort Pierce, 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 a minimum of two (2) days.

**Location(s):** 1341 Binney Drive Unit A and B

**Parcel ID:** 2401-601-0032-000-5

**Future Land Use:** Hutchinson Island Residential (HIR)

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

**Surrounding FLU:**

North	East	South	West
HIR	Ocean	HIR	HIR

**Surrounding Zoning:**

North	East	South	West
R4A	Ocean	R4-A	R4-A

**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 1341 Binney Drive Unit A and B. The proposed Conditional Use will offer lodging of less than six (6) months with a minimum stay of less than 30 days.

The subject building is a duplex consisting of a total of 2,323 gross square feet. The surrounding area is comprised of both single family and multi-family development to the north, south, east, and west. The subject site has a Future Land Use designation of Hutchinson Island residential (HIR) with a compatible zoning designation of Hutchinson Island Medium Density Residential Zone (R-4A). Per City Code Section 125-187. – Allowed Uses; Dwelling Rentals are classified as a Conditional Use in the R-4A zoning district.



***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 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 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 dwelling units per acre. Limited public uses and commercial uses that are compatible with the surrounding development shall also be allowed. This land use category allows up to eight (8) dwelling units per acre.

The R-4A zone is compatible with the HIR Future Land Use designation. Permitted gross residential densities in this district may not generally exceed eight (8) units per acre. Bonus density of up to one additional unit per acre is available as provided for in this section. This district is established because Hutchinson Island is a sensitive barrier island which presents development considerations which are either unique to the area or are of added concern, such as environmental fragility, beach erosion, and hurricane evacuation.

***Parking***

Pursuant to City Code Section 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 two (2) vehicles per unit. On-street parking is prohibited.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.

# AERIAL MAP



**Conditional Use Approval**  
**Poirier Dwelling Rental**  
**1341 Binney Drive Unit A & B**



# FUTURE LAND USE MAP



Conditional Use Approval  
Poirier Dwelling Rental  
1341 Binney Drive Unit A & B



# ZONING MAP



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