



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

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

**RE:** **Conditional Use Approval with No New Construction-  
 Baker Dwelling Rental – 1577 Thumb Point Drive  
 (20- 04000028)**

**MEETING DATE:** March 15, 2021

**STAFF REPORT**

**Owner:** Susan Baker  
 1577 Thumb Point Drive  
 Fort Pierce, FL 34949

**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 less than 30 days.

**Location(s):** 1577 Thumb Point Drive

**Parcel ID:** 2401-605-0105-000-0

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

**Current Zoning:** Single-Family Intermediate density 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

## 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 1577 Thumb Point Drive. 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 single-family residence. According to the St. Lucie County Property Appraiser, the finished floor area is 1,723 square feet and the gross sketched area is 3,395 square feet. The residence is a three (3) bedroom and two (2) bath home.



The subject site is surrounded by single family residences to the north, south, east, and west. The subject site has a Future Land Use designation of Low Density Residential (RL) with a compatible zoning designation of Single-Family Intermediate density zone (R-2). Per City Code Section 125-187. – Allowed Uses; Dwelling Rentals are classified as a Conditional Use in the R-2 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 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 compatible with the RL Future Land Use designation. This district is designed mainly for areas of single-family dwellings with an average net density of less than five (5) 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. Areas in this classification should have public water and sewer service.

***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***

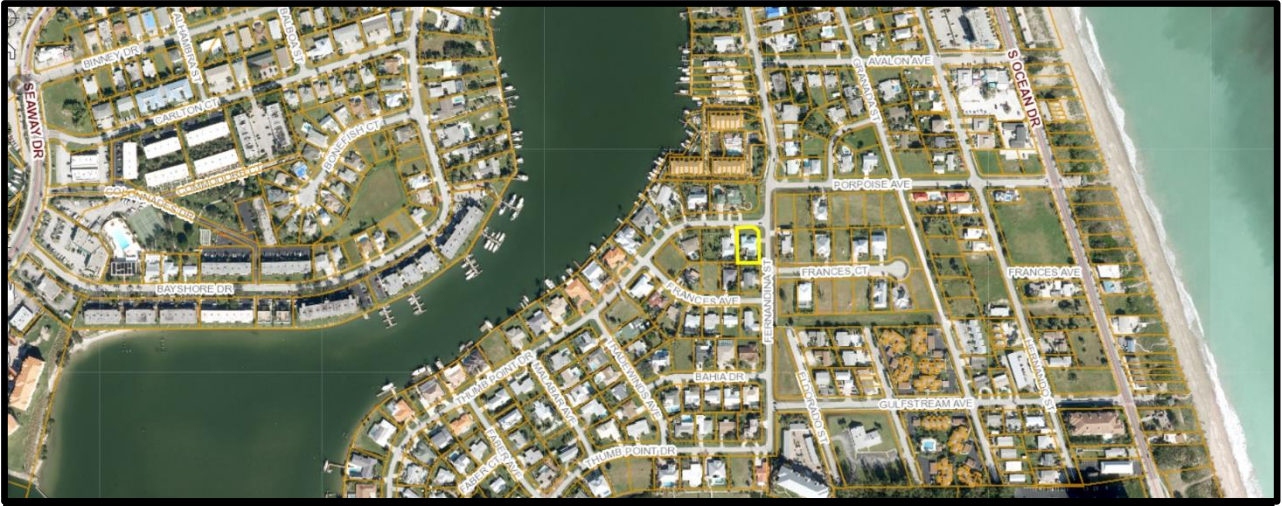
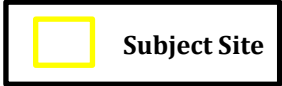
The proposed use presents the provision for short-term lodging accommodations to the public, representing a limited commercial use that is compatible with the surrounding neighborhood, and is generally consistent with the City's Land Development Code and Comprehensive Plan with appropriate restrictions. 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.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.

### ***Planning Board Recommendation***

At the February 9, 2021, the Planning Board unanimously recommended denial of the subject application due to testimony from the then owner/applicant that she did not reside in St. Lucie County therefore the application is not in compliance with recommended Conditions of Approval. Subsequently, the application is being represented by an independent applicant/property manager.

# AERIAL MAP



**Conditional Use Approval**  
**Baker Dwelling Rental**  
**1577 Thumb Point Drive**




# FLUM MAP



**Conditional Use Approval**  
**Baker Dwelling Rental**  
**1577 Thumb Point Drive**



# ZONING MAP

 Subject Site



**Conditional Use Approval**  
**Baker Dwelling Rental**  
**1577 Thumb Point Drive**





January 21, 2021

Susan Baker  
1577 Thumb Point  
Fort Pierce, FL 34949  
[susanbak15@gmail.com](mailto:susanbak15@gmail.com)

**Subject: Jonathan Joseph Dwelling Rental -- 1577 Thumb Point Drive Conditional Use application TRC Comments**

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Dear Ms. Baker,

Below please find a summary of the comments for the City of Fort Pierce TRC 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 two vehicles per dwelling rental unit.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.

Fort Pierce Engineering Department

1. No comment.

Fort Pierce Code Enforcement Division

1. No comments from Code Enforcement – there is no active or prior cases at this location. The provided narrative appears to cover all the typical issues.

Fort Pierce Building Department

1. Vacation rental properties, including transient rentals, shall be regulated through the DBPR, Florida Statute 509.242(c), Florida Administrative Code 61A-43 and will be amended by any future legislation or directives from the State of Florida.
2. Building Department has no further guidance at this time.

Fort Pierce Police Department

1. No comment.

Fort Pierce Utility Authority

*W/WW Engineering:*

1. 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

*Electric & Gas Engineering:*

1. No comment

St. Lucie County Public Works

1. No comment.



THE SUNRISE CITY  
**FORT PIERCE**  
 ENGINEERING  
 DEPARTMENT  
*Florida*

**TO : Jennifer Hofmeister, Planning Director**  
**FROM : John R. Andrews, P.E., City Engineer**  
**RE : Conditional Use – 1182 Binney Drive, Unit B**  
**TRC No. 20-0400027**

*JRA*  
**RECEIVED**  
 JAN 13 2021  
 CITY OF FORT PIERCE  
 PLANNING & ZONING

**DATE : January 14, 2021**

This is to advise you that we have completed the review of the following documents as received by this office on January 8, 2021:

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

Based on our reviews and appropriate site final inspection, we

- Recommend                       Do Not Recommend
- Approval of Conditional Use    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.

No comments

JRA/tst/tst

## Jennifer Hofmeister

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**From:** WBoyer@slcfd.org  
**Sent:** Monday, January 11, 2021 3:43 PM  
**To:** Jennifer Hofmeister  
**Subject:** 1182 Binney Drive, Unit B and 1577 Thumb point Drive

**SECURITY WARNING:** This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

Jennifer,

FD has no comments at this time for these projects.

Take care,



Captain Wayne Boyer, M.S., FO, MIFireE, CFEI  
Water Supply Officer  
Community Risk Reduction Division  
St. Lucie County Fire District  
Office: 772-621-3322|Mobile: 772-631-8877  
5160 NW Milner Drive  
Port St. Lucie, FL 34983



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

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## Technical Review Committee Meeting

January 21, 2021

TECHNICAL REVIEW PROJECT # 20- 040000028

Conditional Use – 1577 Thumb Point Drive

### Comments

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.

FPUA Electric & Gas Engineering: No comment



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

[www.fpua.com](http://www.fpua.com)



**Jennifer Hofmeister**

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**From:** SANDERS, MARVIN E. <marvin.sanders@stlucieschools.org>  
**Sent:** Tuesday, January 12, 2021 2:36 PM  
**To:** Jennifer Hofmeister  
**Subject:** #20- 040000028 -Conditional Use – 1577 Thumb Point Drive

**SECURITY WARNING:** This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

The St. Lucie County School District has reviewed the above reference project and have we do not have any comments or concerns.

Please feel free to contact me if you have any questions.

Marty E. Sanders, P.E.  
Growth Management, Land Acquisition & Inter-Governmental Relations  
School Board of St. Lucie County  
9461 Brandywine Lane, Room 2-303  
Port St. Lucie, FL 34986



9461 Brandywine Ln  
Port St Lucie, FL 34986



office 772.429.7547  
cell 772.216.5755



## Jennifer Hofmeister

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**From:** David Hays <haysd@stlucieco.org>  
**Sent:** Wednesday, January 20, 2021 9:20 AM  
**To:** Jennifer Hofmeister; Brandon Creagan  
**Cc:** Grant M. Chambers; Alicia Rosenthal; Kori Benton  
**Subject:** 1/27 Preapplication

**SECURITY WARNING:** This email originated outside of the City of Fort Pierce systems. Please use caution when clicking links or opening attachments. For questions or concerns please contact IT immediately. .

The County PW Department has no comments on the following projects:

1. 1801 Plover Avenue
2. 511 S Ocean Drive

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**David A. Hays, P.E., CFM | Sr. Project Engineer | Public Works Department**

Ph: 772-462-1491 (direct) | PW Office: 772-462-1707 | 2300 Virginia Ave. Fort Pierce 34982  
[facebook.com/stluciegov](https://facebook.com/stluciegov) | [twitter.com/stluciegov](https://twitter.com/stluciegov) | [instagram.com/stluciegov](https://instagram.com/stluciegov) | [youtube.com/stluciegov](https://youtube.com/stluciegov)



*“Teamwork gives you the best opportunity to turn vision into reality”* John C. Maxwell

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## Jennifer Hofmeister

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**Subject:** FW: Pre-Application Comments Due - 1577 Thumb Point Drive

**From:** Peggy Arraiz

**Sent:** Thursday, December 17, 2020 5:15 PM

**To:** Alicia Rosenthal <[arosenthal@cityoffortpierce.com](mailto:arosenthal@cityoffortpierce.com)>; Jennifer Hofmeister <[jhofmeister@cityoffortpierce.com](mailto:jhofmeister@cityoffortpierce.com)>

**Subject:** RE: Pre-Application Comments Due - 1577 Thumb Point Drive

Code Enforcement has an active code case at this location for doing a short term rental without a conditional use or BTR. Their ad is still active (emailed you the link) therefore we are moving this matter forward to the Special Magistrate. The ad must be removed until approval is received from the City Commission AND all licenses / taxes are paid and received.

### Margaret M. (Peggy) Arraiz | Code Compliance Manager | City of Fort Pierce

Community Response Divisions

Code Enforcement & Animal Control

Phone: 772.467.3148 • Fax: 772.468.0457 • 100 North U.S. 1 Fort Pierce, FL 34950

[Website](#) | [Facebook](#) | [Survey](#)



-----Original Appointment-----

**From:** Alicia Rosenthal <[arosenthal@cityoffortpierce.com](mailto:arosenthal@cityoffortpierce.com)>

**Sent:** Thursday, December 17, 2020 3:47 PM

**To:** Ana Johnson; Audria Moore-Wells; Ben Balcer ; [ChambersG@stlucieco.org](mailto:ChambersG@stlucieco.org); David Hays; Edward Roseberry; Jacolby Washington; Jennifer Hofmeister; Jill Marasa ([imarasa@youredc.com](mailto:imarasa@youredc.com)); Kori Benton; [larry.hymowitz@dot.state.fl.us](mailto:larry.hymowitz@dot.state.fl.us); Linda Cox; Martha Kerr; Paul Bertram; Paul Langel; Paul Thomas; Peggy Arraiz; [RevordJ@stlucieco.org](mailto:RevordJ@stlucieco.org); Tracy Telle; Venetia Barnes; Wayne Boyer

**Cc:** John Andrews; Julie Bye; Karen Murphy; Shaun Coss

**Subject:** Pre-Application Comments Due - 1577 Thumb Point Drive

**When:** Monday, December 28, 2020 8:00 AM-8:30 AM (UTC-05:00) Eastern Time (US & Canada).

**Where:**

Please accept this invitation as a reminder that Pre-Application comments are due for 1577 Thumb Point Drive. Please send comments to Jennifer Hofmeister at <mailto:jhofmeister@cityoffortpierce.com>

Site Address: 1577 THUMB POINT DR

Sec/Town/Range: 01/35S/40E

Parcel ID: 2401-605-0105-000-0

Jurisdiction: Fort Pierce

Use Typ

Account

Map ID:

Zoning:

