



**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–  
 Readler Dwelling Rental – 1182 Binney Drive Unit B  
 (20- 040000027)**

**MEETING DATE:** March 15, 2021

**STAFF REPORT**

**Owner:** John and Jackie Ellis Readler  
 78 Bennett Road  
 Bloomsburg, PA 17815

**Applicant:** Jane Land, McCurdy & Co.  
 1182 Binney Drive, Unit A  
 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 31 days.

**Location(s):** 1182 Binney Drive, Unit B

**Parcel ID:** 2401-501-0300-010-1

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

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

**Surrounding FLU:**

North	East	South	West
HIR	HIR	HIR	HIR

**Surrounding Zoning:**

North	East	South	West
R4-A	R4-A	R4-A	R4-A

**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 1182 Binney Drive, Unit B. The proposed Conditional Use will offer lodging of less than six (6) months with a minimum stay of 31 days.

The subject building is a duplex for which Unit B is requesting the use as a Dwelling Rental. According to the St. Lucie County Property Appraiser, the finished floor area of Unit B is 1,370 square feet and consists of three (3) bedrooms and two (2) baths.



The subject site is surrounded by multi-family and duplexes 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 zoning district 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.

***Planning Board Recommendation***

At the February 9, 2021, the Planning Board unanimously recommended approval of the subject Dwelling Rental.

***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 four (4) conditions, which have been revised subsequent to the Planning Board as the request is for greater than 30 days:

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 open a St. Lucie County Tourism Development Tax Account and obtain a State Sales Tax Identification number.
4. There shall be a limitation of no more than two (2) vehicles per unit.

# AERIAL MAP



**Conditional Use Approval  
Reader Dwelling Rental  
1182 Binney Drive, Unit B**



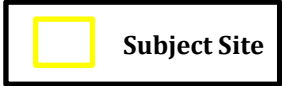
# FLUM MAP



**Conditional Use Approval  
Reader Dwelling Rental  
1182 Binney Drive, Unit B**



# ZONING MAP



**Conditional Use Approval  
Reader Dwelling Rental  
1182 Binney Drive, Unit B**



January 21, 2021

John and Jackie Readler  
78 Bennett Road  
Bloomsburg, PA 17815  
[jackiers51@icloud.com](mailto:jackiers51@icloud.com)

**Subject: Jonathan Joseph Dwelling Rental – 1182 Binney Drive Unit B Conditional Use application TRC Comments**

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Dear Mr. and Mrs. Readler,

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*

RECEIVED

JAN 13 2021

CITY OF FORT PIERCE  
 PLANNING & ZONING

**To : Jennifer Hofmeister, Planning Director**

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

**RE : Conditional Use – 1577 Thumb Point Drive  
 TRC No. 20-0400028**

**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

- |  |   |                              |
|--|---|------------------------------|
| <input checked="" type="checkbox"/> Recommend        | <input type="checkbox"/> Do Not Recommend |                              |
| <input type="checkbox"/> Approval of Conditional Use | <input type="checkbox"/> Building Permit  | <input type="checkbox"/> 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- 040000027

Conditional Use – Readler Dwelling Rental – 1182 Drive, Unit B

### 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)





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



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