



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–
Plover Vacation Rental – 1801 Plover Avenue**

MEETING DATE: April 19, 2021

STAFF REPORT

Owner: J&J PSL Investments, LLC
 869 McComb Avenue
 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 Vacation Rental, offering lodging for less than six (6) months. The minimum rental period is less than 30 days.

Location(s): 1801 Plover Avenue

Parcel ID: 2401-501-0042-000-5

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 Vacation Rental located at 1801 Plover Avenue. 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 1,673 square feet and the gross sketched area is 2,777 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

	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 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**, subject to the following five (5) Conditions of Approval:


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.



Conditional Use With No New Construction
 Joseph Dwelling Rental – 1801 Plover Avenue
 Aerial Map





Subject Site 



Conditional Use With No New Construction
Joseph Dwelling Rental – 1801 Plover Avenue
Future Land Use Map





Conditional Use With No New Construction
 Joseph Dwelling Rental – 1801 Plover Avenue
 Zoning Map





January 28, 2021

J & J Investments, LLC
c/o Jonathan Joseph
869 McComb Avenue
Port St. Lucie, FL 34953
jonathan.joseph1@gmail.com

Subject: Dwelling Rental -1801 Plover Avenue Conditional Use application for a Pre-App Comments

Dear Mr. Joseph,

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 two vehicles per dwelling rental unit.
5. The City of Fort Pierce Business Tax License number shall be included on all advertising.
6. Note that all fees for advertising, mailing, and signs shall be paid upfront with the application fees. These fees can be found on the City website under the Planning Departments page under "*Public Notice Fee.*"

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 since 1995. The provided narrative appears to cover all the typical issues.

Fort Pierce Building Department

1. Vacation rental properties, including SFR used as 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. Fire Sprinkler requirements are deferred to Fire Marshall pursuant to Florida Administrative Code 69A-43.

Fort Pierce Police Department

1. No comment.

Fort Pierce Utility Authority

W/WW Engineering:

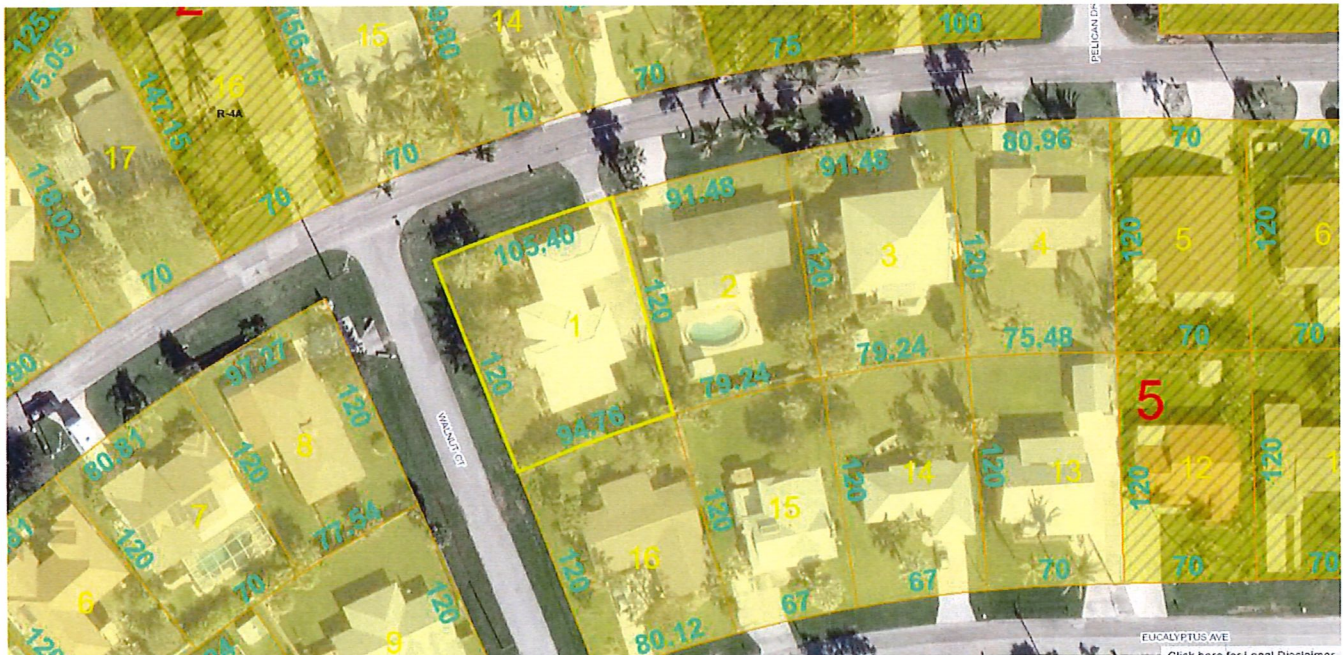
1. Location is presently a water and wastewater customer of FPUA. If fire protection is required, this service MUST be supplied via a dedicated "stand-alone" fire suppression device. Please contact Lugey Dawson @ (772) 466-1600 extension 3428 if this modification is required.

Electric & Gas Engineering:

1. If the owner/applicant has any questions, please contact Sal Scimeca at (772)466-1600 extension 6957.

St. Lucie County Public Works

1. No comment.



Rebeca Guerra

To: Jennifer Hofmeister
Subject: RE: Pre-application - 1801 Plover Avenue

From: Martha Kerr <mkerr@fpu.com>
Sent: Thursday, January 21, 2021 1:24 PM
To: Jennifer Hofmeister <jhofmeister@cityoffortpierce.com>
Subject: Pre-application - 1801 Plover Avenue

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. .

Good afternoon,

Below are FPUA comments regarding the pre-application for 1801 Plover Avenue.

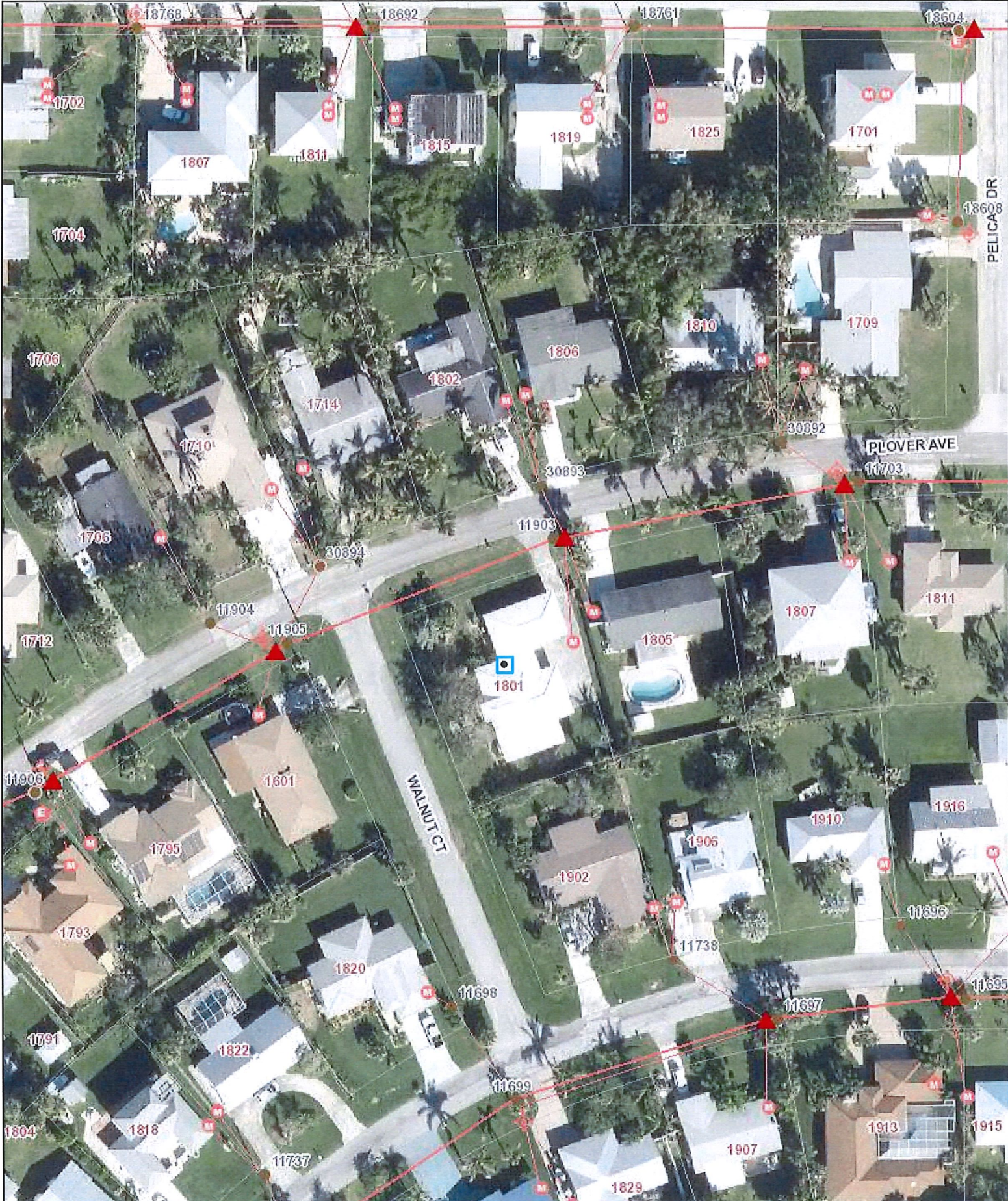
W/WW Engineering: Location is presently a water and wastewater customer of FPUA. If fire protection is required, this service MUST be supplied via a dedicated "stand-alone" fire suppression device. Please contact Lugey Dawson @ (772) 466-1600 extension 3428 if this modification is required.

Electric & Gas Engineering: Approved - If the owner/applicant has any questions, please contact Sal Scimeca.
Sal Scimeca
Engineering Technician II
Electric and Gas Engineering
1701 S. 37th Street, Fort Pierce, FL 34947
sscimeca@fpu.com
Office: (772)466-1600 Ext. 6957

Regards,
Martha Kerr
Staff Assistant
W/WW Engineering Department



Fort Pierce Utilities Authority
1701 S. 37th Street,
Fort Pierce, FL 34947
772.466.1600 Ext. 3473
772.468.2414 Fax



Legend

Electric Primary Wire	Pole	Valves
Transmission Wire	Fuse	Gas
Gas Main	Pad Mount	Water
Fiber Optic Cable	Overhead	Raw Water
Potable Water Main	Transformers	Well
Raw Water Main	Waste Water	Lift Station
Wastewater Force Main	Waste Water	
WW Gravity Main		

Disclaimer:
The data contained herein is offered "as is" with no claim or warranty as to its accuracy or completeness. The data is for reference only and should not be considered to be of survey precision. Due to formatting restrictions, the information provided in the map may not be represented in the legend.

811
 Know what's below.
 Call before you dig.

Date: 1/19/2021

2061 S US Highway 1

1 inch = 82 feet

Create d By: FPUA

(772) 466-1600
 FAX (772) 461-1938

Rebeca Guerra

To: Jennifer Hofmeister
Subject: RE: Pre-Application Comments Due - 1801 Plover Avenue

From: Peggy Arraiz <parraiz@cityoffortpierce.com>
Sent: Thursday, January 21, 2021 8:08 AM
To: Alicia Rosenthal <arosenthal@cityoffortpierce.com>; Jennifer Hofmeister <jhofmeister@cityoffortpierce.com>
Subject: RE: Pre-Application Comments Due - 1801 Plover Avenue

No comments from Code Enforcement. No cases at this location since 1995.

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>
Sent: Tuesday, January 19, 2021 11:04 AM
To: Alicia Rosenthal; Ana Johnson; Audria Moore-Wells; Ben Balcer ; ChambersG@stlucieco.org; David Hays; Edward Roseberry; Jacolby Washington; Jennifer Hofmeister; Jill Marasa (jmarasa@youredc.com); Kori Benton; larry.hymowitz@dot.state.fl.us; Linda Cox; Martha Kerr; Paul Bertram; Paul Langel; Paul Thomas; Peggy Arraiz; RevordJ@stlucieco.org; Tracy Telle; Venetia Barnes; Wayne Boyer
Cc: John Andrews; Julie Bye; Karen Murphy; Shaun Coss; Jill Marasa
Subject: Pre-Application Comments Due - 1801 Plover Avenue
When: Monday, January 25, 2021 8:30 AM-9:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where:

Please accept this invitation as a reminder that Pre-Application comments are due for 1801 Plover Avenue. Please send comments to Jennifer Hofmeister at <mailto:jhofmeister@cityoffortpierce.com>

Site Address: 1801 PLOVER AVE
Sec/Town/Range: 12/35S/40E
Parcel ID: 2412-501-0042-000-5
Jurisdiction: Fort Pierce

Use Typ
Accoun
Map ID:
Zoning:

Rebeca Guerra

To: Jennifer Hofmeister
Subject: RE: Pre-Application Comments Due - 1801 Plover Avenue

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

From: Edward Roseberry <eroseberry@cityoffortpierce.com>
Sent: Wednesday, January 20, 2021 2:05 PM
To: Alicia Rosenthal
Cc: Jennifer Hofmeister
Subject: Accepted: Pre-Application Comments Due - 1801 Plover Avenue
When: Monday, January 25, 2021 8:30 AM-9:00 AM (UTC-05:00) Eastern Time (US & Canada).
Where:

Building Department Comments:

Vacation rental properties, including SFR used as 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.

Fire Sprinkler requirements are deferred to Fire Marshall pursuant to Florida Administrative Code 69A-43.

Rebeca Guerra

To: Jennifer Hofmeister
Subject: RE: 1801 Plover Avenue

From: WBoyer@slcfd.org <WBoyer@slcfd.org>
Sent: Tuesday, January 19, 2021 12:54 PM
To: Jennifer Hofmeister <jhofmeister@cityoffortpierce.com>
Subject: 1801 Plover Avenue

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,

No comments for this project.

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

Rebeca Guerra

To: Jennifer Hofmeister
Subject: RE: 1801 Plover Pre-App

From: Tracy Telle <ttelle@cityoffortpierce.com>
Sent: Tuesday, January 19, 2021 12:13 PM
To: Jennifer Hofmeister <jhofmeister@cityoffortpierce.com>
Cc: Alicia Rosenthal <arosenthal@cityoffortpierce.com>; Venetia Barnes <vbarnes@cityoffortpierce.com>
Subject: 1801 Plover Pre-App

Jennifer,

Engineering has no comments on the proposed 2-day rental.

Tracy S. Telle | Assistant City Engineer | City of Fort Pierce

Engineering Department

Phone: 772.467.3776 Fax: 772.460.6847 100 North U.S. 1, Fort Pierce, FL 34950

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

