



TO: Members of the City of Fort Pierce Board of Adjustment

FROM: Rebeca Guerra, AICP, LEED-AP, CPD, Assistant Planning Director

RE: **Application for (2) Variances:
 Exceed Allowable Size
 Exceed Allowable Height
 2900 Jensen Road**

MEETING DATE: February 25, 2021

STAFF REPORT

Owner: St. Peter’s Evangelical Lutheran Church
 2900 Jensen Road
 Fort Pierce, FL 34981

Applicant: Theodore Rice
 2900 Jensen Road
 Fort Pierce, FL 34981

Requested Action: Two (2) Variance requests for approval of the following: (1) to deviate from City Code 117-7(1)b. to allow for a 36-square foot ground sign in lieu of the Code maximum of 18 square feet and (2) to deviate from City Code 117-7(3)a.3. to allow for a 9’2” tall ground sign in lieu of the Code maximum of 6 feet.

Location: 2900 Jensen Road

Parcel ID: 2419-333-0001-000-2

Zoning: Single Family Intermediate Density (R-2)

Future Land Use: Medium Density Residential (RM)

Parcel Size: 11.51 acres / 501,376 Square Feet

	North	East	South	West
Surrounding Zoning:	C-3 / R-4	C-3	PD / R-2	R-4 / RS-3 (County)

Staff Analysis:

In accordance with Part II, Subpart B, Chapter 117 of the City Code, the applicant is requesting the Board of Adjustment approve two (2) Variances to deviate from Sections 117-7(1)b. and 117-7(3)a.3. in order to install a 36-square foot pole sign with a height of 9'2". Please note, aside from the existing sod ground cover, no additional landscaping is shown in the color rendering, nor has any been proposed by the applicant.

The subject site has a lot size of 11.51 acres or 501,376 square feet. The site has been home to St. Peter's Evangelical Lutheran Church since the year 2000. At that time, the church property had a six (6)-foot high, 36-square foot monument sign, with shrubbery encircling the foundation, along its front entry adjacent to Jensen Road. A picture of this sign is attached for the Board's reference. As a result of nearby development, the church was required to remove the sign in order to allow for infrastructure improvements, including a sidewalk. The church is now seeking to install a larger and taller pole sign in the same general area as the previous monument sign. A color rendering of this proposed sign is also attached for the Board's reference. City Code Section 117-7(1)b. states that signage within the R-2 zone shall not exceed 32 square feet in size. Additionally, Section 117-7(3)a.3. restricts the maximum height of signage within the R-2 zone to six (6) feet.

Variance Criteria:

The following criteria are specified in City Code 125-100, which must be satisfied in order for a variance to be granted:

1. Special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.
2. The special conditions and circumstances do not result from the actions of the applicant.
3. The literal interpretation of the provision of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would result in unnecessary and undue hardship on the applicant.
4. The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure.
5. The granting of the variance will be in harmony with the general intent and purpose of the ordinance and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

The owner's response to the above criteria is attached to the submittal pack with the application.

Staff Analysis:

The Planning Department has reviewed the application and requested variance requests and recommends APPROVAL of the variance from Section 117-7(1)b. to allow for a 36-square foot ground sign in lieu of the Code maximum of 18 square feet. However, Staff recommends that the Board DENY the variance request from Section 117-7(3)a.3. for a 9'2" tall ground sign, and instead restrict the height of the proposed sign to the Code maximum of six (6) feet.

VARIANCE #1

As stated previously, the church sits on land zoned R-2. Procedurally, should a commercial use with residential zoning seek a variance due to the existing zoning size restrictions, Staff would prompt the applicant to seek a Zoning change in order to rectify the inconsistent zoning, thus allowing for the type of construction requested without the need for a variance. In this case, the Future Land Use and Zoning of the site (RM/R-2) are incompatible with the existing use

as a church. The applicant was given the opportunity to seek a Comprehensive Plan amendment and Rezoning but declined and instead chose to move forward with the two (2) variance applications.

Per City Code, a variance may be granted if all five (5) criteria delineated in Section 125-100 have been met. In this case, the previous sign, which was approximately 36-square feet in size, was removed because of actions and circumstances outside the church's control. In order to be made "whole" again, that is, in order for the church to be able to erect a similarly sized 36-square foot sign as was once found at their entrance, a variance must be granted. In fact, this sign will be slightly smaller in copy area (35'3") than what once existed. Staff believes that the applicant has met all of the criteria in Section 125-100 for a like-for-like replacement of their previous 36-square foot (approximately) sign, which by all accounts was easily seen and read by passerby's. Staff's only additional recommendation is that the Board add a Condition of Approval to require perimeter landscaping around the entire base of the sign in the form of drought-tolerant shrubbery a minimum of 18 inches tall at the time of planting.

VARIANCE #2

Typically, variances are granted when a property owner can demonstrate that existing zoning regulations present a practical difficulty in making use of the property. In this case, the church's existing sign appeared to function in such a manner so as to be seen and read by passerby's. No permits or alterations were submitted to the City in order to increase the size or height of the sign. Variance requests are to be granted if special conditions exist on the lot that create a hardship making it too difficult to comply with the Code's normal requirements. This is true when special circumstances not of the applicant's control do not permit an applicant to be made whole, as in this case. Staff would support a like-for like sign in order to rectify the church's removal of their previous sign. In seeking a larger sign, the appropriate action would be a Comprehensive Plan Amendment and Rezoning. This would not only allow them to have larger signage but would also permit them to expand in the future without the need for Conditional Use approval from City Commission. More importantly, granting this variance could set a precedent for future variance requests from commercial properties with R-2 zoning to requesting taller signage rather than seeking a more appropriate zoning classification to rectify the situation.

Property Owner Response Survey:

A total of eight (8) notifications were mailed to abutting property owners. As of February 18, 2021, no letters have been received. An update will be provided at the Board of Adjustment meeting.

Staff Recommendation:

Staff recommends that the Board of Adjustment APPROVE the Variance from Section 117-7(1)b. to allow for a 36-square foot ground sign in lieu of the Code maximum of 18 square feet, subject to the following Condition of Approval:

1. Perimeter landscaping around the entire base of the sign shall be provided in the form of drought-tolerant shrubbery a minimum of 18 inches tall at the time of planting.

and

Staff recommends that the Board of Adjustment DENY a Variance from Section 117-7(3)a.3. to allow for a 9'2" tall ground sign in lieu of the Code maximum of six (6) feet.



VARIANCE

Property address or Location 2900 S Jenkins Road, Fort Pierce, FL 34981

Parcel ID #(s) 2410-333-0001-2

Project description Sign 5'2" x 7'1"

St. Peter's Evangelical Lutheran Church

Property Owner(s)
2900 S Jenkins Road

Street Address
Fort Pierce FL 34981

City State Zip
772-461-7431

Phone Number
sypeterministrycenter2@aol.com

Email Address

Theodore Rice Pastor/Vice President, St.Peter's Ev. Lutheran Church

Applicant/Representative, Title, Company
2900 S Jenkins Road

Street Address
Fort Pierce FL 34981

City State Zip
772-708-6823

Phone Number
ricetr10@aol.com

Email Address

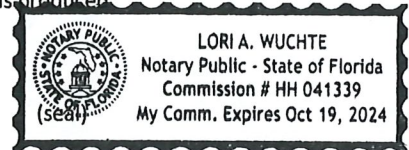
Property Owner(s) Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgement of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other than the property owner) and/or Representative to act in his/her behalf for the purposes of seeking approval for the application described herein.

Theodore Rice
Property Owner(s) Signature(s)

STATE OF FL COUNTY St. Lucie
The foregoing instrument was acknowledged before me this 30 day of Dec., 2020, by

Theodore Rice who is personally known to me or has produced
FL Drivers License as identification.

Lori A. Wuchte
Signature of Notary



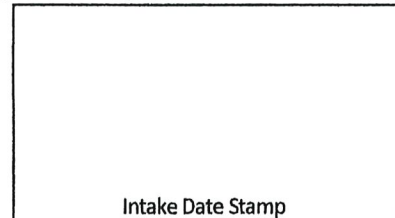
INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3737

TO BE COMPLETED BY STAFF

Zoning	Future Land Use	Total Acres	Historic District	Historic Designation	
				Contributing	Individual
				Non-Contributing	None

Pre-Application Meeting Date _____
Intake Planner _____
Planner Assigned _____
Approved By _____ Date _____
Comments _____

Fees _____ Control # _____ B. Permit # _____



Intake Date Stamp

VARIANCE

Submit eight (8) hard copies and one (1) CD of the following for

Initial submittal, subsequent submittals will be required:

- Site plan, to scale, including all relevant improvements:
 - Existing & proposed structures
 - Landscaping & parking,
 - Fencing, signs, etc.
- As-built Survey
- Criteria Narrative
- Complete, notarized application

Description of request: Church Sign

Reason for request: Original sign torn down to widen the road

Existing Use : Church Date Property was Purchased: 1997

Alterations made to the site since purchase: Church building and Shed added

Has a request for this variance been denied in the past? Yes No

If yes, what has changed since the denial?

Application Outlook

Pre-Application Meeting

Wednesday Afternoons



Application Intake Meeting

Call to schedule



Technical Review Committee

3rd Thursday



Board of Adjustment

4th Thursday



Criteria:

In order to determine whether your request for Variance meets all the criteria in Section 125-100 of the City Code, please answer the following questions. Please provide answers of questions on separate pages:

1. Describe those conditions peculiar to the specific property and not applicable to other lands, structures, or buildings in the same zoning district.
2. Do special conditions or circumstances result from actions other than that of yours? Please explain
3. Identify any undue hardships or deprivation of commonly enjoyed property rights that would result in the literal interpretation of the code for the zoning district.
4. What is the minimum variance that would give the reasonable use of the land, building, or structure?
5. Explain how the variance request would not impair the intent of the zoning ordinance or be detrimental to the general public welfare:



PREVIOUS SIGNAGE

LED MODEL INF MOD #10MM 96x216 RGB
 2x 7'1" ID CABINET,
 3'2"x 7'1" LED CABINET, 4' Leg

Reference #: 67985

Sketch #: 4
 Date: August 13, 2020

SPECIFICATIONS

Cabinet/Leg: PMS155c Beige
 (LED Cabinet Black)

LED: Full Color

Sign Face: PMS281c Navy

ID Letters: White Border: White

Font: BerkeleyOldStyleTBla

Symbol: NA Symbol Colors: NA

SIGN CAPABILITIES

# of Lines	Character Size (in)	# of characters per Line
10	96	216
12	2.8	36
11	2.8	30
10	3.1	30
9	3.5	27
8	4.3	21
7	4.7	21
6	5.9	16
5	7.1	14
4	9.1	11
3	12.2	8
2	18.5	5
1	37.4	2

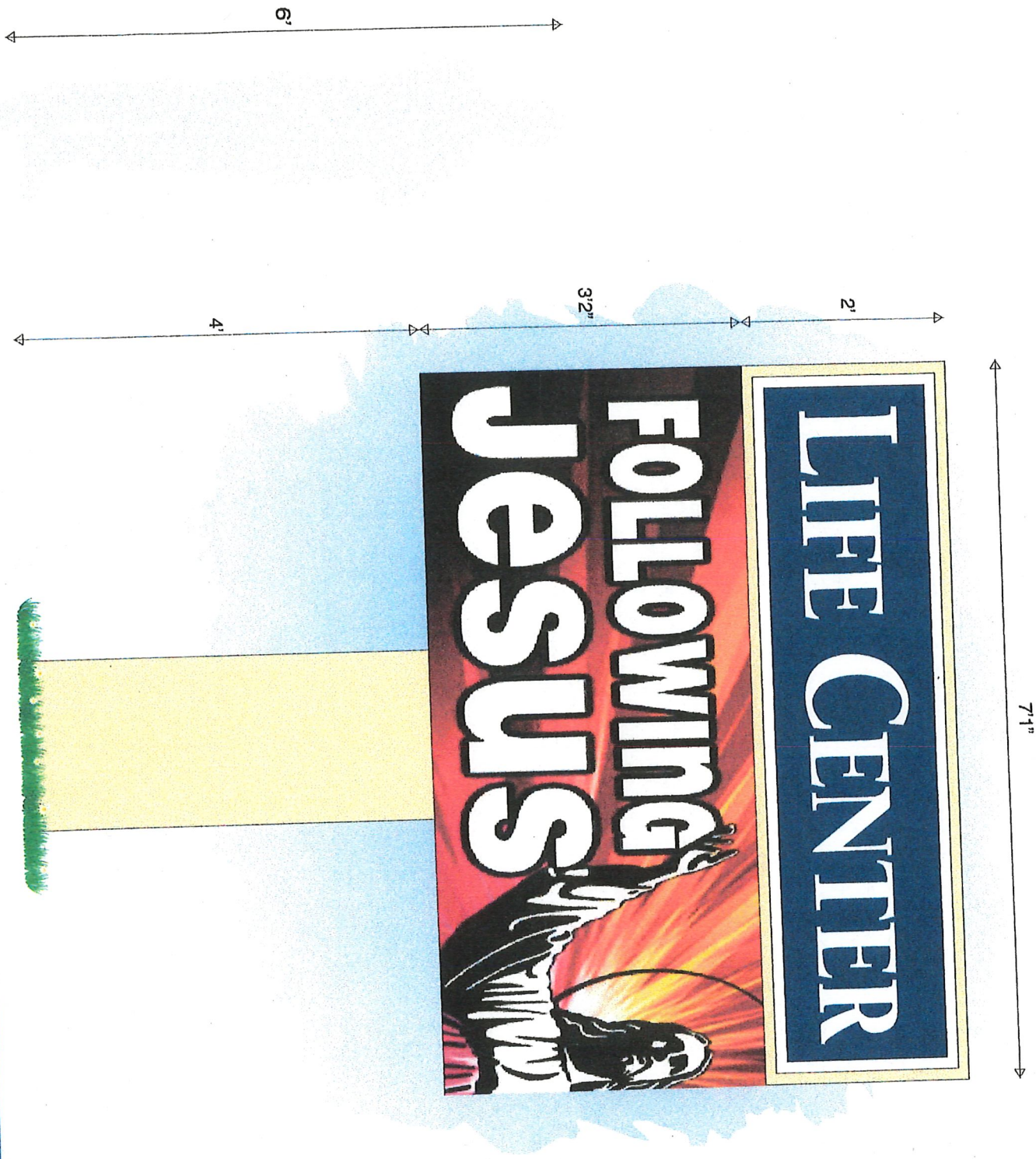


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APPROVAL

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 PRINT NAME _____
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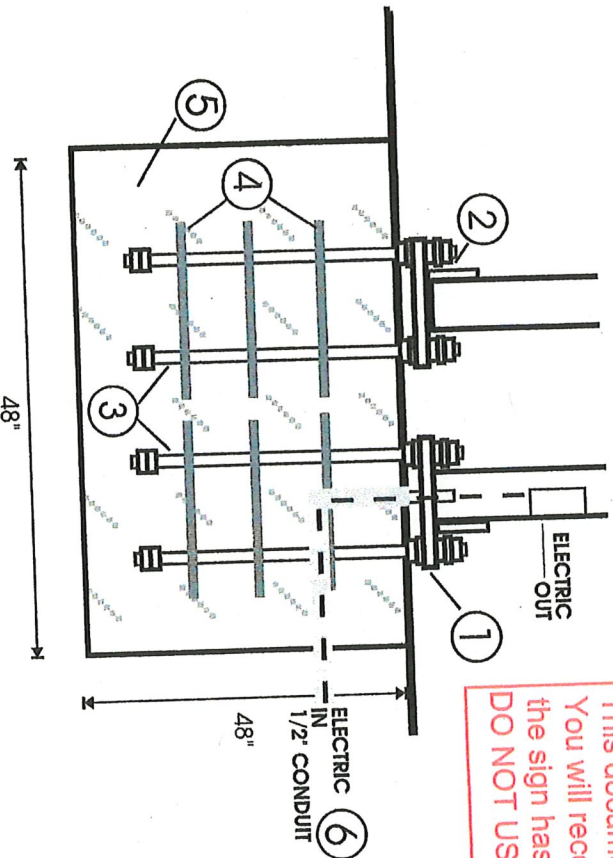
This colored sketch is provided as an example of color. There is no exact match between ink and paint. Signs Plus does not guarantee such. © COPYRIGHT 2020. ALL RIGHTS RESERVED. REPRODUCTION EXPRESSLY PROHIBITED.

Broadcaster HS-M
Broadcaster II HS-M

STRAIGHT-THROUGH
BOLTS

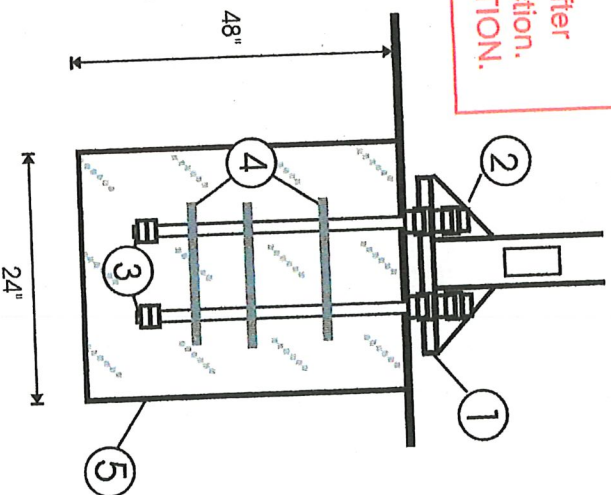
- 1 BASE PLATE (2) WELDED TO SIGN LEG
- 2 GUSSET (2) WELDED TO SIGN LEG
- 3 ANCHOR BOLT (8) 3/4" - EXTENDS 4" ABOVE GRADE
- 4 STEEL REBAR (SUPPLIED BY OTHERS) - #5 OR LARGER
- 5 CONCRETE (SUPPLIED BY OTHERS) APPROXIMATELY 1.3 CU.YDS.
- 6 1/2" CONDUIT / ELECTRIC IN (SUPPLIED BY OTHERS)
7. STANDARD ILLUMINATED MODELS HAVE 120 VOLT BALLAST(S)

FRONT VIEW

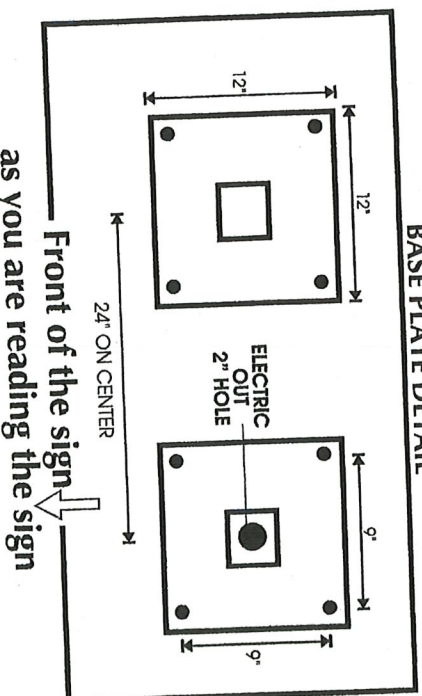


SAMPLE ONLY
This document is for reference only.
You will receive the actual drawing after
the sign has been placed into production.
DO NOT USE THIS FOR INSTALLATION.

END VIEW



BASE PLATE DETAIL



LOCAL ZONING, ENGINEERING SPECIFICATIONS, OR FROST LINE REQUIREMENTS MAY SUPERSEDE THIS DRAWING

Please make sure foundation drawing matches accompanying template before proceeding. For easy installation upon arrival of sign, prepare your foundation in advance.

For assistance call Customer Relations 1-800-848-4262.

FOR SAFETY: Signs Plus highly recommends anchor bolts be cut off just above the nut upon completion of leveling and installation of sign. Use touch up paint. Rustoleum paint or roofing tar to coat anchor bolts after cutting them off.

Dear Mr. Theodore Rice, Pastor: St. Peter's Lutheran Church

Sign Variance

Based on the submittal made on December 2, 2020, it appears that you are requesting a ground sign that is 9 foot – 2 inches tall, with a copy area that is approximately 36 square feet in size. Section 117- 7(1) allows for signage on R-2 Zoned property that is a maximum of 32 square feet in size and 6 feet tall. Below are comments from each of the Technical Review Committee members as well as Planning Staff comments.

PLANNING DEPARTMENT

There are two (2) variances which are needed as part of this request. The first variance request is to allow for a 36 square foot ground size in lieu of the Code allowed maximum of 18 square feet. The second variance requested is to allow for a 9'2" high ground sign in lieu of the Code allowed maximum 6-foot high sign.

The Planning Department will support the first variance request since the copy area of the new sign is similar to the previous sign which was removed as a result of a sidewalk being constructed in its place.

The Planning Department, however, will not support the second request for a 9'2" tall sign as it is not in keeping with the type of signage allowed per Code for R-2 districts or with similar developments in the R-2 Zoning District. Moreover, the previous sign on the property did not exceed the 6-foot maximum allowed per Code. Planning Staff believes that the new sign should be in keeping with previous allowances for signage that was originally constructed on the property. An alternative that may be made, and that the Planning Department will support, is to eliminate the 4-foot tall base that is proposed and utilize the remaining 1 feet (since the sign itself is 5'2") to create a base which will both allow for a sturdy foundation and enhance the proposed sign.

POLICE DEPARTMENT

No comments.

ENGINEERING DEPARTMENT

No comment.

SCHOOL BOARD

No comment.

FORT PIERCE UTILITIES AUTHORITY

No comment.

ST. LUCIE COUNTY PUBLIC WORKS

The Plan indicates the sign will be constructed beyond the S. Jenkins ROW. As such, the County has no comments. If the plans for the sign are submitted and indicate the sign or any City required landscaping are within the ROW, the County would not offer a permit for such.

Please contact me if you have any questions at (772) 467-3739. Thank you.

Rebeca Guerra, AICP, LEED-AP, CPD, Assistant Planning Director



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

Technical Review Committee Meeting

January 21, 2021

TECHNICAL REVIEW PROJECT # no number

Sign Variance - St Peter Lutheran Church – 2900 S. Jenkins Road

Comments

FPUA W/WW Engineering: Approved as noted.

The proposed location of the sign is very near a private force main serving the Church. Please take care to locate and protect this service.

FPUA Electric & Gas Engineering: Approved.

If the owner/applicant should have 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



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Rebeca Guerra

From: David Hays <haysd@stlucieco.org>
Sent: Friday, January 15, 2021 2:23 PM
To: Rebeca Guerra
Cc: Alicia Rosenthal; Grant M. Chambers
Subject: St. Lutheran Church Sign - TRC

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 Plan indicates the sign will be constructed beyond the S. Jenkins ROW. As such, the County has no comments. If the plans for the sign are submitted and indicate the sign or any City required landscaping are within the ROW, the County would not offer a permit for such.

If you have any questions, please give me a call.

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

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

Please Note: Florida has very broad public records laws. Most written communications to or from County officials regarding County business are public records available to the public and media upon request. It is the policy of St. Lucie County that all County records shall be open for personal inspection, examination and / or copying. Your e-mail communications will be subject to public disclosure unless an exemption applies to the communication. If you received this email in error, please notify the sender by reply e-mail and delete all materials from all computers.

Rebeca Guerra

From: SANDERS, MARVIN E. <marvin.sanders@stlucieschools.org>
Sent: Tuesday, January 12, 2021 3:47 PM
To: Rebeca Guerra
Subject: 21-xxxxxx- St Peter Lutheran Church – 2900 S. Jenkins Road sign variance

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



THE SUNRISE CITY
FORT PIERCE
POLICE DEPARTMENT
"In Honor We Serve"

Florida

Technical Review Committee meeting

January 21st, 2021

Case # (none provided on cover memo)

Planner: Rebeca Guerra

Sign variance application

2900 South Jenkins Rd., Ft. Pierce (St. Peter's Lutheran Church, the sign at)

Comments:

No comments at this time.

Officer Damian Spotts

Crime Prevention Practitioner

Fort Pierce Police Department.



THE SUNRISE CITY
FORT PIERCE
 ENGINEERING
 DEPARTMENT
Florida

RECEIVED

TO : Rebeca Guerra, Assistant Planning Director

JAN 13 2021

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

CITY OF FORT PIERCE
 PLANNING & ZONING

**RE : St. Peter's Lutheran Church Variance – 2900 S. Jenkins
 TRC No. ?**

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"/> Variance 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 checked="" type="checkbox"/> Approval of Variance | <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 *TJK*

Q:\ENGINEERING\Site Development Projects\St. Peter Lutheran Church\Variance\Submittal No. 1 - 011221\Variance Approval - 011421.docx