

DRAFT



CITY OF FORT PIERCE PLANNING BOARD

Planning Board Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY PLANNING BOARD HELD ON MONDAY, **MARCH 8, 2021**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Harold Albury; Marcia Baker; Gloria Johnson-Scott; Nichelle Clemons; Frank Creyaufmiller, Chairman

Absent: Michael Broderick; Bob Burdge

Staff Present: Jennifer Hofmeister, Planning Director
Tanya Earley, Assistant City Attorney
Rebeca Guerra, Assistant Planning Director
Brandon Creagan, Planner
Alicia Rosenthal, Executive Assistant

4. CONSIDERATION OF ABSENCES

Mr. Broderick and Mr. Burdge were excused.

5. APPROVAL OF MINUTES

- a. Minutes from the February 9, 2021 meeting

Motion was made by Marcia Baker, and seconded by Nichelle Clemons to approve the minutes from the February 9, 2021 meeting.

AYE: Harold Albury, Marcia Baker, Gloria Johnson-Scott, Nichelle Clemons, Chairman
Frank Creyaufmiller

Passed

6. HEARING OF THE LOCAL PLANNING AGENCY

a. Future Land Use Map Amendment - Project Hurricane - 2398 Peters Road

Item 6a and 7a was presented together.

Mr. Creagan gave an overview of the application. The applicant is requesting review and approval of a Future Land Use Map Amendment from Mixed Use (MXD) to General Commercial (GC) with a compatible change to the rezoning from Single Family, two dwelling units per acre (E-2) to General Commercial (C-3) to develop the site for a future RV sales business. The applicant is seeking Future Land Use and Zoning approvals prior to submitting a formal major site development review application for development of the site.

The proposed amendment is consistent with the Goals, Objectives, and Policies of the City's Comprehensive Plan. The Zoning Atlas Map Amendment promotes and protects the public health, safety, and general welfare as the request as proposed is not out of character for the area and is similar to surrounding land uses and zoning designations. The current zoning of Single Family, two dwelling units per acre (RS2) is not compatible with the surrounding area as this zoning category is suitable for areas with single family estates or other residentially zoned areas and not for areas that are commercial or industrial centers.

Staff recommends that the Planning Board forwards a recommendation of approval to the City Commission for the Future Land Use Map Amendment and the Zoning Atlas Map Amendment.

Brad Currie, Applicant Representative from Engineering, Design and Construction (EDC), stated they are moving forward with the development of this site as a national RV Sales and Service Company.

Motion was made by Gloria Johnson-Scott, and seconded by Marcia Baker to forward a recommendation of approval to the City Commission.

AYE: Marcia Baker, Gloria Johnson-Scott, Nichelle Clemons, Harold Albury, Chairman
Frank Creyaufmiller

Passed

7. NEW BUSINESS

a. Rezoning - Project Hurricane - 2398 Peters Road

This item was presented with 6a.

Motion was made by Marcia Baker, and seconded by Gloria Johnson-Scott to forward a recommendation of approval to the City Commission.

AYE: Gloria Johnson-Scott, Nichelle Clemons, Harold Albury, Marcia Baker, Chairman
Frank Creyaufmiller

Passed

b. Annexation - Machritchie RV Storage - 2192 Copenhaver Road

Mr. Creagan gave an overview of the application. The subject property has a St. Lucie County Future Land Use designation of Residential Urban, five dwelling units per acre (RU) and a zoning designation of Single Family, two dwelling units per acre (RS-2). To ensure consistency with the City's Comprehensive Plan, the proposed Future Land Use designation is Low Density Residential (RL) with a zoning classification of Single Family, two units per acre (E-2).

The applicant will be submitting applications for a Future Land Use and Zoning change to General Commercial (GC) and General Commercial (C-3) respectively, as well as a Development Review application at the conclusion of the annexation into the City.

Planning staff recommends that the Planning Board recommend approval of the proposed annexation along with the Future Land Use designation of RL and the Zoning designation of E-2.

Chairman Creyaufmiller asked why the address is Copenhaver Road and not Peters Road.

Lee Dobbins, Applicant Representative, from Dean Meade Law Firm, noted that Rezoning, Land Use and Conditional Use applications will be coming forward and they are looking at a total time frame of 9 - 11 months.

Motion was made by Gloria Johnson-Scott, and seconded by Nichelle Clemons to forward a recommendation of approval to the City Commission.

AYE: Nichelle Clemons, Harold Albury, Marcia Baker, Gloria Johnson-Scott, Chairman
Frank Creyaufmiller

Passed

c. Conditional Use - Dwelling Rental -1801 Plover Avenue

Ms. Guerra gave an overview of the application. The applicant is requesting review and approval of a Conditional Use to operate a dwelling rental. The proposed Conditional Use will offer lodging of less than six (6) months with a minimum stay of less than 30 days. 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). Dwelling Rentals are classified as a Conditional Use in the R-2 zoning district.

Staff recommends approval, with the following five 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.

Ms. Baker asked if the applicant is the same applicant from the 2035 S. Ocean Drive dwelling rental that was withdrawn. Ms. Baker asked what the criteria is for determining if a dwelling rental is appropriate, without any restrictions, in a neighborhood. Ms. Baker asked what is substantive evidence of safety, comfort, good order, appearance and general welfare.

Ms. Guerra explained that the application meets the requirements of Ordinance K-114 and no Pre-Application or Technical Review Committee comments were given with adverse effects or violations that something physically occurred on the property.

Ms. Johnson Scott asked if there are any dwelling rentals in the immediate area and she asked what the commercial benefit to the community is and how it serves the neighborhood. Ms. Guerra stated there are no dwelling rentals on the same block. Ms. Guerra explained that a commercial entity can improve a property and the owner has a vested interest in keeping the property up to date and well kept.

Mr. Albury commented that people come to Fort Pierce looking for an experience and by renting in a great neighborhood that person may potentially buy a home in that neighborhood.

Jonathan Joseph, Owner, stated he closed on the house January 14, 2021 and he has done improvements inside the home to bring it up to a more modern decorative standard.

Mr. Joseph stated he owns three other rental properties and his short term rental will bring tourist dollars to the area. Mr. Joseph highlighted that the majority of the renters stay for 5-7 days and are over 40 years of age with families. Mr. Joseph explained he has strict house rules and he does not want to disrupt the neighborhood.

Mr. Albury suggested security cameras on the outside of the property.

Mr. Joseph said he wanted to reject the condition for the limit of two vehicles per unit, since his driveway is over 70 feet long.

Ms. Guerra explained that the Board has the ability to change the conditions of approval but she noted that the two vehicle limit was requested by City Commission and is a standard condition of approval to control the number of vehicles in the area and mimic how a single family neighborhood operates.

Chairman Creyaufmiller cautioned the Board to not make changes to the conditions of approval because there is a committee reviewing the short term rental properties and how to look at them moving forward. He also said that changing the conditions of approval will remove the continuity and possibly confuse Code Enforcement.

Anita Shannon, resident spoke against the application. Ms. Shannon showed pictures of her home in relation to the dwelling rental. She provided the clerk with a statement of impact on her property and the Surfside neighborhood and she also provided a petition that members of the neighborhood signed.

Timothy Banks, resident, spoke against the application.

Dave Underhill, resident, spoke against the application.

Gary Cicalese, resident, spoke against the application.

Zaida Quesada, resident, spoke against the application.

Eugene Cochran, resident, spoke against the application and showed the Board documents he found that the owner and applicant do not live in Fort Pierce or St. Lucie County.

Ralph Moody, resident, spoke against the application.

Timothy Lynch, resident, spoke against the application.

Terry Shaffer, resident, spoke against the application.

Mr. Joseph, owner, stated he is not going to change the elements of the neighborhood to make anyone feel unsafe. Mr. Joseph noted he has short term rental insurance on the property.

Chairman Creyaufmiller explained that the Board's hands are tied on this issue and he advised the residents to speak at the City Commission meeting on this item..

Ms. Hofmeister explained to the Board that the format of the letters that go out prior to the City Commission meeting have been changed to notify residents that due to the Quasi-Judicial hearing, the public must appear in person to give sworn testimony or provide sworn written comments to the City Clerk's office.

Motion was made by Gloria Johnson-Scott, and seconded by Nichelle Clemons to forward a recommendation of approval to City Commission, with the following five 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.

AYE: Harold Albury, Gloria Johnson-Scott, Nichelle Clemons, Chairman Frank Creyaufmiller

NAY: Marcia Baker

Passed

8. **COMMENTS FROM THE PUBLIC**

There were no comments from the public.

9. **DIRECTOR'S REPORT**

There was no director's report.

10. BOARD COMMENTS

Ms. Johnson-Scott expressed how difficult it is to hear the passion and spirited comments from the residents regarding the vacation rentals, knowing the Boards hands are tied by the law.

11. ADJOURNMENT

Statement of Impact on 1805 Plover Ave from 1801 Plover Ave Short Term Vacation Rental Business

I bought my home in 2018 and have been investing in and renovating the property over the last two years to create my dream retirement home on beautiful Hutchinson Island.

A high-volume short term vacation rental business right next door will seriously impact my quality of life and possibly force me to have to sell my dream home.

The back of the house at 1801 Plover faces the side and back of my house and back yard. While 1801 has a Plover address, the front of the house faces Walnut Court and the back of the house directly faces my property.

As you can see from the photos, the back patio, driveway, and areas that short-term guests will use the most are only ten to twenty feet from my pool, back patio, and master bedroom. There will be **no** privacy at all.

There will be no peace and quiet, no relaxing gardening or swimming, no open windows due to potential noise of vacationing guests.

If the guests are drinking and partying, there is a chance they could decide to come over to use my pool, which will be easily visible to them. I did not keep the pool gate because my property is fenced in.

I do not ever want to experience someone getting hurt or drowning in my pool because they were drunk and did something stupid. I don't want to have to call the police because of loud parties or unwelcome guests in my pool.

I bought this wonderful home because of the quiet neighborhood and friendly neighbors. I have PTSD and value the peace of a residential neighborhood. The constant noise of guests and cleaning crews in and out of the property next door will impact me severely.

If I wanted to live next door to a hotel, I would have bought a property next to a hotel. There is a big difference between a place where guests **stay** a few days and a vacation rental where guests **live** in the area for a month or more. I do not agree that this business is a good fit for, or blends well with, our residential community.

We are a low-density single-family residential neighborhood. This is a high-volume vacation rental business run by a corporation.

Sincerely, Anita Shannon (828-301-0643 CELL)

Impact on Surfside Neighborhood from 1801 Plover Ave 2-day Vacation Rental Business

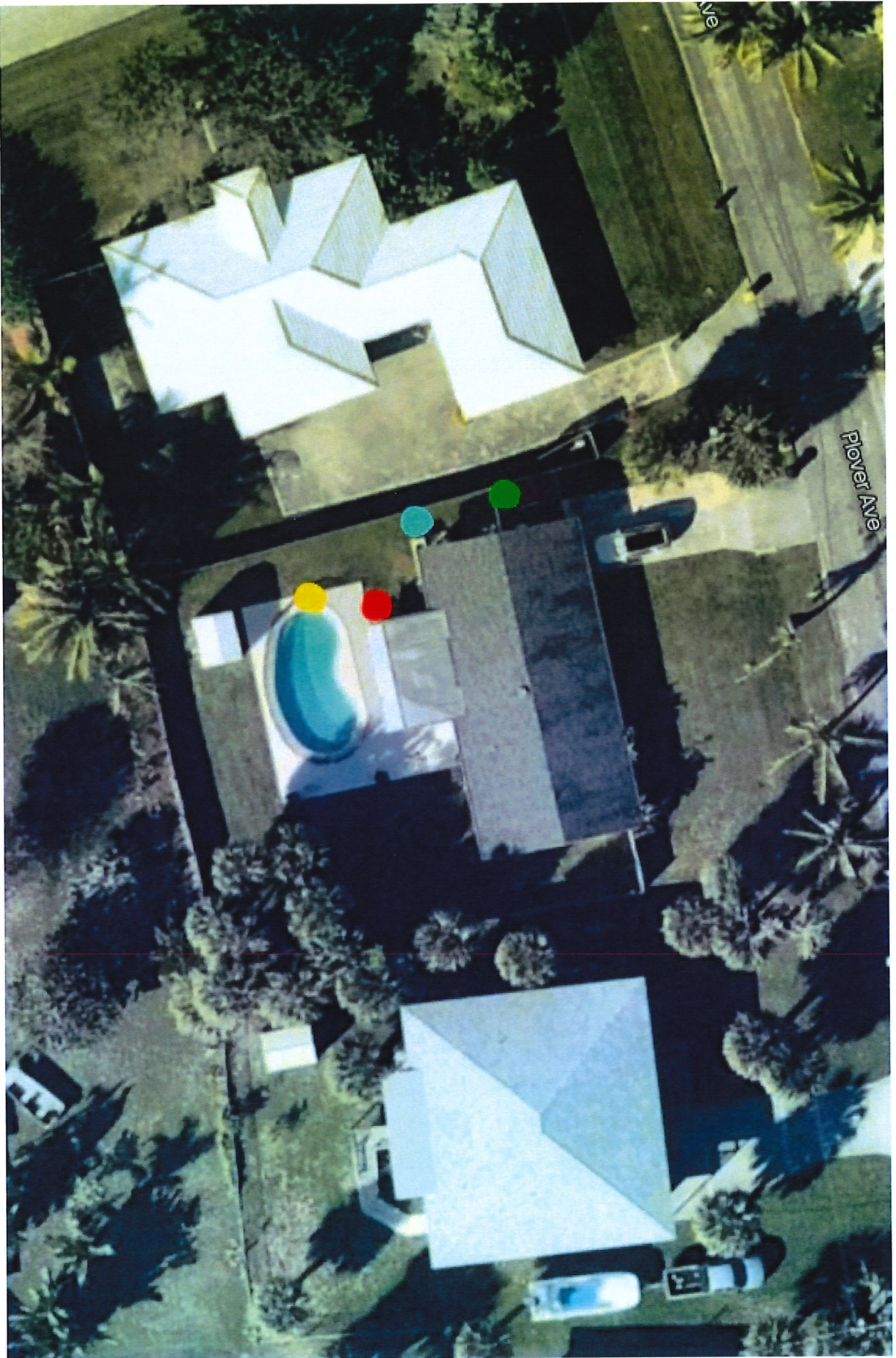
1. High traffic with guests and cleaning crews two or more times each week. Cars coming in and out with a high frequency will pose a danger to local pedestrians, our pets, and our children.
2. Not compatible to have this business located in a residential area. Will change the quiet lifestyle and close nature of the existing community.
3. Existing vacation rental guidelines preserve the community with long-term rentals and tenants who interact with the community.
4. Evidence indicates the owner IS NOT local to the county or city.
5. Dangerous precedent that will only encourage more of these high-volume vacation rental businesses to erode the fabric of the community. Any property that goes up on the market will be snatched up by corporations to open vacation rental businesses and potential residents will not be able to purchase properties.
6. Loss of property value due to having a business with 2-day (potential for 150+) visitors every year adjacent to or across from our properties.
7. Fear of strangers disrupting the neighborhood with weekly parties, not following garbage pick-up rules, parking in the road. Permit allows for two cars for the "tenants" but cannot control their visiting guests.
8. Danger from a firepit that vacationers may not understand how to use and could leave unattended.
9. Stress on local police who will be called for any and all disturbances.
10. 150+ guests each year creating excess traffic and interfering with adults/children on bicycles, playing or walking in the road due to no sidewalks, all being in danger. Plover Avenue can barely fit two cars going each way, there are no sidewalks and the increase in traffic poses danger to all residents who must use the street to jog or run, play, and walk dogs. When the area floods from heavy rain, this situation becomes even more dangerous.

Section 24-19, 24-20, 24-21 Nuisance as a Condition, City of Fort Pierce, FL

Nuisance as a Condition means a certain state of being or situation located on property which:

(1) Injures or endangers the comfort, repose, health, or safety of any person.

(2) Offends decency.

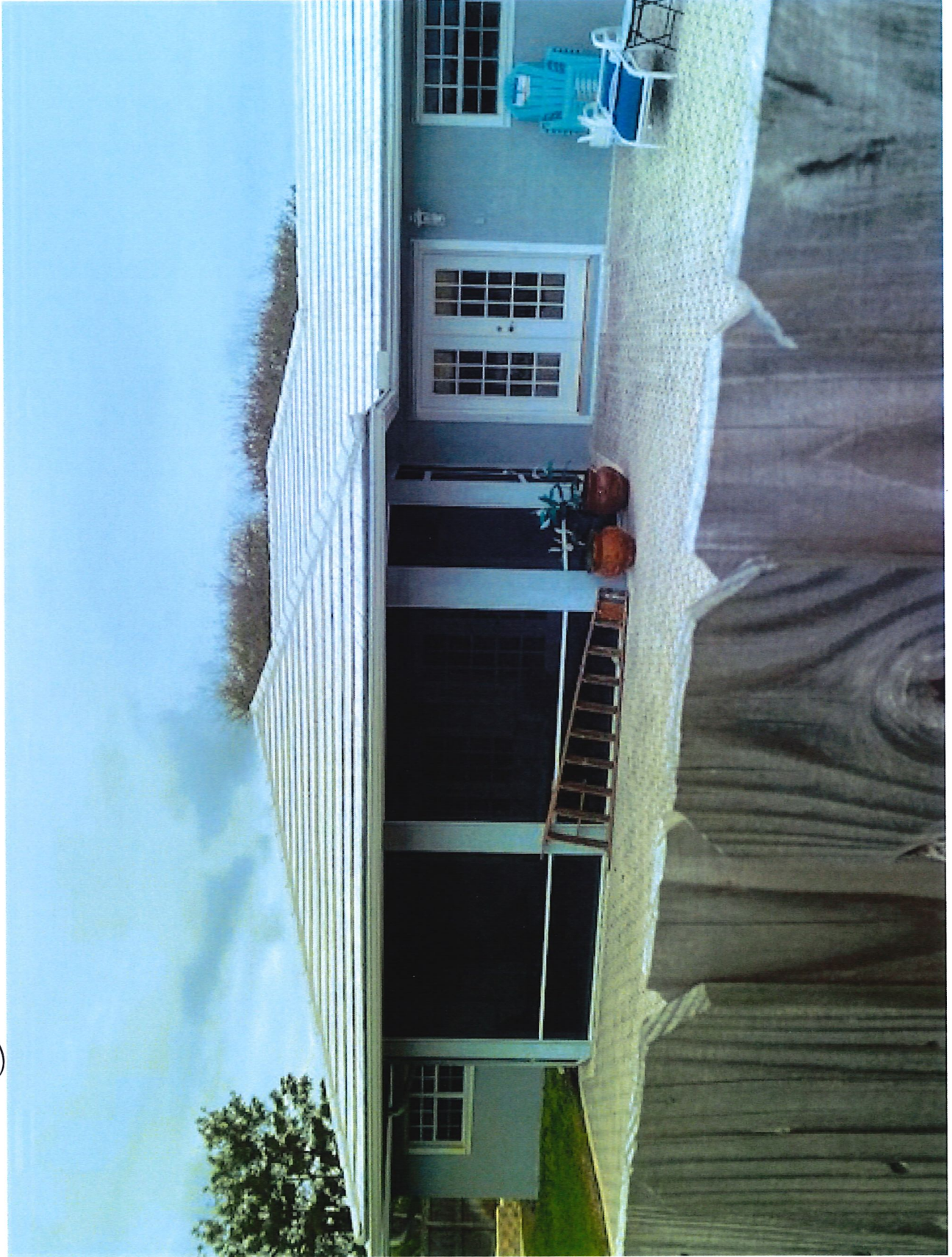




GREEN DOT VIEW



BLUE DOT VIEW



RED DOT VIEW



YELLOW DOT VIEW







MASTER | BEDROOM #1805







Charlson

1801 Plover Ave Proposed Use for 2-Day Rental Business

Please Only Sign if You Agree! We DO NOT want or approve of a short-term vacation rental business in our residential neighborhood.

1. High traffic with guests and cleaning crews two or more times each week. Cars coming in and out with a high frequency will pose a danger to local pedestrians, our pets, and our children.
2. Not compatible to have this business located in a residential area. Will change the quiet lifestyle and close nature of the existing community.
3. Existing vacation rental guidelines preserve the community with long-term rentals and tenants who interact with the community.
4. Evidence indicates the owner IS NOT local to the county or city.
5. Dangerous precedent that will only encourage more of these high-volume vacation rental businesses to erode the fabric of the community.
6. MEETINGS: 03/08 21 Planning & Zoning 2 PM and 04/19/21 City Planning 4:30 PM

Signature

Street Address

Phone Number

| | | |
|----------------------------|----------------------|------------------------------|
| <i>Teri Doherty</i> | 1928 Cypress | 214 563 8686 |
| <i>Lori Christopher</i> | 1724 Cypress Ave | 717-461-6129 |
| <i>Susan Kim</i> | 1918 Cypress Ave | 772 579 0485 |
| <i>MBA</i> | 1901 Cypress Ave | 772 -727-488-4228 |
| <i>Wayne A Gray</i> | 1802 PLOVER AVE | 276-701-2544 |
| <i>Janet M. Stuckwell</i> | 1921 CYPRESS AVE | 8102170234 |
| <i>E. J. Zyl</i> | 2002 Cypress Ave | 772-822-1723 |
| <i>E. B. BENNETT</i> | 1791 PLOVER AVE | 352-978 3599 |
| <i>Quil</i> | 1901 Jacaranda Drive | 770-906-8063 |
| <i>Cheryl</i> | 1901 Jacaranda Dr. | 770 309 9163 |
| <i>OFFICER CARLA YOUNG</i> | 1911 MIMOSA AVE | 772-448-8085 |
| <i>Jim Bankston</i> | 202 Fernandina St | 772-971-5074 |
| <i>Cheryl</i> | 1502 FABER CT. | 772-979-0986 |
| <i>Deana Aliaz</i> | 1901 Plover Ave | 772 489-5535 |
| <i>Rosemary Ruth Leagy</i> | 1901 B Plover Ave | 770 845 8732 |
| <i>Bart Aliaz</i> | 1901 B Plover Ave | 770 845 8732 |

1801 Plover Ave Proposed Use for 2-Day Rental Business

Please Only Sign if You Agree! We DO NOT want or approve of a short-term vacation rental business in our residential neighborhood.

MONDAY MARCH 8 @ 2PM

MONDAY APRIL 19 @ 4:30 PM

1. High traffic with guests and cleaning crews two or more times each week. Cars coming in and out with a high frequency will pose a danger to local pedestrians, pets and children.
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4. The owner IS NOT local to the county or city.
5. Dangerous precedent that will only encourage more of these high-volume vacation rental businesses to erode the fabric of the community.

| Signature | Street Address | PHONE # |
|-------------------|---------------------|---------------|
| Wm Sura | 1706 Bayshore Drive | 754 235 2626 |
| Cory Niff | 1709 Pelican Drive | 570-556-0144 |
| Dan Niff | 1709 Pelican Drive | 772-940-9048 |
| DIANA ALVAREZ | 1901A Plover Ave | 772-489-5535 |
| BARBOLA ALVAREZ | 1901B Plover Ave | 770-499-9723 |
| ROSEMARY ALVAREZ | 1901 B Plover Ave | 770-845-8732 |
| <i>Y. Sura</i> | 1804 Plover Av. | |
| Ralph Moody | 1807 Plover Ave | 772-528-6166 |
| Rebecca Moody | 1807 Plover Ave | 772-216-5817 |
| Susan Lynch | 1810 Plover Av | 772-464-3061 |
| Angela Lynn | 1810 Plover Ave | 772 332 5631 |
| <i>Chris Lynn</i> | 1601 Walnut Ct. | 772 342 (767) |
| <i>Chris Lynn</i> | 1829 Eucalyptus Ave | 772 318 9096 |
| <i>Chris Lynn</i> | 1829 Eucalyptus Ave | 772 318 9095 |
| Karen Gilbreath | 1920 Eucalyptus Ave | 772-429-3165 |
| Ben Gilbreath | " " " | " " |
| Sandra Marshall | 1916 Eucalyptus Ave | 772-464-5673 |

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| Signature | Street Address | Phone # |
|-----------------------|-------------------------------------|------------------------------|
| Carole Badger | 1906 Eucalyptus Ave. Ft. Pierce | 772-468-6907 |
| DeAnna Barnes | 1820 Eucalyptus Ave Ft Pierce | 561-818-5649 |
| SHARON GROSS | 1818 Eucalyptus Ave FortPierce, FL. | |
| Wanda Lynn | 1818 Eucalyptus Ave Ft. Pierce FL | |
| Wanda Lynn | 1814 Eucalyptus Ave Ft. Pierce FL | |
| M. D. ... | 1909 Eucalyptus | |
| Catherine Laughlin | 1708 Sunset Isles Rd | 772 521-1530 |
| Dee ... | 1808 Bayshore Dr. Fort Pierce | |
| Deborah Underhill | 1713 Bayshore 34949 | 772-708-6351 772 878 6957 |
| Dave Underhill | 1713 Bay shore fl | 772-370-3056 |
| E. B. BENNETT | 1791 PLOVER AVE | 352-978-3599 |
| Sheela Chyi | 201 Shelley Lane | 828-421-1754 |
| Seemante Pandya | 1717 Bayshore Dr | 772-595-2645 |
| Phillip Hartman | 1104 HERNANDO ST | 561 7180245 |
| Cheryl Hill | ✓ | 561 7180245 |

1801 Plover Ave Proposed Use for 2-Day Rental Business

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Signature

Mon March 8 - 2pm
mm April 19 - 4:30 pm PHONE #
Street Address

| | |
|----------------|---|
| Deanna L Voehl | 1806 Bayshore Drive, Ft Pierce, FL (772) 579-8691 |
| Jana E... | 1793 Plover Ave, Ft Pierce, FL 772 528 4556 |
| Marta Bianchi | 1703 Sunset Isles Rd Ft. Pierce 847/363-2865 |
| VERA MEYER | 1703 Sunset Isle Rd Ft Pierce 847 363-2866 |

Signature

Street Address

Phone Number

Andrea Lanza

1707 Sunset Lolo Rd.

631 662 2566

Michael

1707 Sunset Lolo Rd.

631 662 2637

Susan Lynch

1810 Plouer Av

772-464 3061

Timothy Lynch

1810 Plouer Av

772 332 5631

Kathy/Mark Arlington

1819 Melaleuca Dr

772 359 2521

GARO VANDENBOS

1406 Francisco

918-718-9047
vandenbg41@yahoo.com

Melanie Vandembas

1706 Francis CT.

918-718-9818
msvandembas@yahoo.com

By Caterine

1932 Cypress

561-756-1993

3/5/21

1801 Plover Ave Proposed Use for 2-Day Rental Business

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Signature

Street Address

Jessie Hill

1806 Plover

Eugene T. Cochran

1714 Plover Ave.

~~Andre J. Starnes~~

~~1805 Plover~~

Melanie Van Derbos

1706 Friends Ct. Fort Pierce

Cullen S. Jacone

1300 Seaway Jr. Unit B-14 Fort Pierce 34949

Address on Application:

J&J PSL Investments, LLC, 869 McComb Avenue, Port St. Lucie, FL 34953

Currently listed on VRBO for rent



Where: 869 sw mccomb ave port st lucie fl 34953 usa

Check In Check Out Guests Search



⚡ \$112 avg/night
★★★★★ 4 Reviews

Save Share

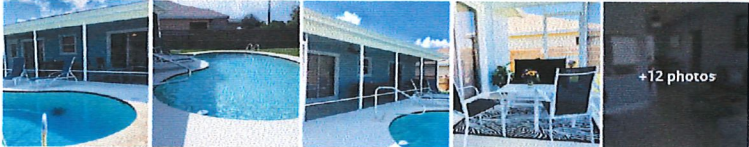
Enter dates for accurate pricing

Check In Check Out

Guests

Book Now

Free cancellation up to 30 days before check-in



JONATHAN JOSEPH
Ask owner a question

Approved: 10/21/2020



Conditional Use - No New Construction

Property address or Location 715 S. Ocean Dr Unit D 34949
 Parcel ID #(s) 2401-504-0004-000-2
 Project description short term condo rental

Nicholas Danaluk Jr.
 Property Owner(s)
1425 SW Edinburgh Dr
 Street Address
Port St. Lucie, FL 34953
 City State Zip
772-267-9288
 Phone Number
ndanaluk@gmail.com
 Email Address

MICHELLE LONGARZO
 Applicant/Representative, Title, Company
1425 SW EDINBURGH DR.
 Street Address
PORT ST. LUCIE, FL 34953
 City State Zip
561-332-6718
 Phone Number
SUCEOFPARADISEFLORIDAC.GMAIL.COM
 Email Address

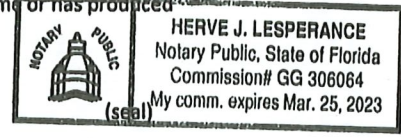
Property Owner(s) Acknowledgements: - This application will not be considered complete without the signature of all property owners of record, which shall serve as an acknowledgment of the submission of this application. The property owner's signature below shall also authorize the Applicant (if other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

[Signature]
 Property Owner(s) Signature(s)

STATE OF FLORIDA -- COUNTY ST. LUCIE
 The foregoing instrument was acknowledged before me this 25 day of June, 2019, by

Nicholas Panaluk JR. who is personally known to me or has produced
FL Drivers license as identification.

[Signature]
 Signature of Notary



INTAKE MEETINGS ARE REQUIRED FOR ALL SUBMITTALS. CALL (772) 467-3729

To Be Completed by Staff

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

Pre-Application Meeting Date _____ Fees _____ Control # _____ B. Permit # _____

Intake Planner _____
 Planner Assigned _____
 Approved By _____ Date _____
 Comments _____

Intake Date Stamp