

BOARD OF ADJUSTMENT AGENDA

Board of Adjustment Regular Meeting - Thursday, April 28, 2022 - 2:00 p.m.
City Hall - City Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida

1. **CALL TO ORDER**
2. **PLEDGE OF ALLEGIANCE**
3. **ROLL CALL**
4. **CONSIDERATION OF ABSENCES**
5. **APPROVAL OF MINUTES**
 - a. Minutes from the March 24, 2022 meeting
6. **PUBLIC HEARINGS**
 - a. Variance - Lexus Billboard - 5121 S. US Highway 1
7. **DISCUSSION / OTHER BUSINESS**
8. **COMMENTS FROM THE PUBLIC**
9. **ADJOURNMENT**

Any person seeking to appeal any decision by the Board of Adjustment with respect to any matter considered at this meeting is advised that a record of proceedings is required in any such appeal and that such person may need to insure that a verbatim record of the proceedings is made including the testimony and evidence upon which the appeal is to be based.

Persons who require special accommodations under the Americans with Disabilities Act (ADA) should contact the Planning Department at (772) 467-3729, at least five (5) days prior to the meeting. Persons who are hearing or speech impaired may use the Florida Relay System by dialing 711.

Planning Board of Adjustment

Meeting Date: 04/28/2022

Information

REQUESTED ACTION

Minutes from the March 24, 2022 meeting

LOCATION

N/A

RESPONSIBLE STAFF

Planning Staff

RECOMMENDATION

N/A

Attachments

Board of Adjustment Minutes 3/24/22

Form Review

Form Started By: Alicia Rosenthal

Started On: 04/04/2022 12:04 PM

Final Approval Date: 04/04/2022

DRAFT



CITY OF FORT PIERCE
BOARD OF ADJUSTMENT

Board of Adjustment Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY BOARD OF ADJUSTMENT HELD ON THURSDAY, MARCH 24, 2022, 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: KeAndrea Davis; Charles Hayek; Jaimebeth Galinis, Vice-Chair

Absent: Darrell Drummond; James Crist

Staff Present: Vennis Gilmore, Senior Planner

Attendees: Fran Ross, Board Attorney
Brittany Meredith, Clerk

4. CONSIDERATION OF ABSENCES

Motion was made by Charles Hayek, and seconded by KeAndrea Davis to excuse Mr. Drummond and Mr. Crist.

AYE: KeAndrea Davis, Charles Hayek, Vice-Chair Jaimebeth Galinis

Passed

5. APPROVAL OF MINUTES

- a. Minutes from the July 22, 2021 meeting

Motion was made by Charles Hayek, and seconded by KeAndrea Davis to approve the minutes from the July 22, 2021 meeting.

AYE: Charles Hayek, KeAndrea Davis, Vice-Chair Jaimebeth Galinis
Passed

6. PUBLIC HEARINGS

a. Variance - Sante Residences - 601 Hernando Street

The clerk introduced the Variance for the Surfside Quadruplex - Parcel ID: 2412-501-0132-000-3

The chair asked the Board attorney to explain the Quasi-Judicial Hearing procedures.

Before commencing this Quasi-Judicial Hearing, the clerk, explained to the Board of Adjustment that they serve in both a legislative and quasi-judicial role. When acting as a legislative body, the Board engages in law-making activity by passing laws and establishing policies. When acting as a quasi-judicial body, the Board applies those laws and policies and is held to stricter procedural requirements. Quasi-judicial proceedings are less formal than proceedings before a circuit court but are more formal than the normal Board meeting. Quasi-judicial proceedings must follow basic standards of notice and due process; and, decisions must be made based on competent substantial evidence. Therefore, Board members have a duty to conduct the quasi-judicial proceedings more like judges than legislators. That is why the Commission has established the uniform procedures for quasi-judicial hearings that will be followed today.

The Chair called the proceeding to order.

The clerk confirmed the City complied with advertisement and notice requirements.

The Chair inquired with the Board regarding ex-parte communications and asked the Clerk to call the roll:

Mr. Hayek - yes

Ms. Davis - no

Vice-Chair Galinis - yes

The Chair opened the public hearing.

The clerk was asked to swear in those wanting to speak during this Quasi-Judicial hearing. Individuals in the audience intending to speak on this item were asked to stand, raise their right hand, and administered an oath to tell the truth, the whole truth, and nothing but the truth. Those that were sworn in were asked to clearly state their name for the record and confirm they were sworn in at such time as they were asked to come forward to testify.

Staff Presentation:

Vennis Gilmore, Senior Planner, gave an overview of the application. The applicant is requesting to deviate from City Code 125-195(b)(1)(g) to allow for a reduction of 14.66 feet in lot width from the standard single-family lot width of 60 feet in the R-4A, Hutchinson Island Medium Density Residential Zone. The minimum lot size proposed is 45.34 feet. The subject application is a proposal to remove the existing 1,678 square foot triplex in order to develop six (6) new single-family homes. The justification for the variance lies within the current zoning district regulations which allow for townhomes (attached dwelling units) to not be based upon the lot width of each dwelling unit but rather the length of the entire structure, which is 200 feet. The subject application provides for a length of 272.2 feet and

allows for each unit to have six (6) foot side yards and windows on both sides in contrast to a townhouse development. The applicant has demonstrated that the individual units in a 200-foot townhouse structure that consists of six (6) units would average 33.33 feet in length. The subject application proposes a width of approximately 45.34 feet.

Board questions for Staff: Mr. Hayek asked how come the neighboring houses are not shown. Mr. Gilmore stated the neighboring houses were not shown because Board of Adjustment does not vote on design review, only the variance measurements. Vice-Chair Galinis asked if there are plans to pave Granada Street. Mr. Gilmore said he would have to check with the Engineering department regarding the paving of Granada Street. Ms. Davis asked the location of the driveways and if the driveway will be brick pavers.

Applicant questions for Staff: None

Applicant presentation: Tod Mowery, Applicant Representative, sworn, explained that there used to be 11 buildings before the hurricanes in 2004 and 2005. He stated a new plat will be created with six 1,500 square feet single family homes on six lots that will add character to the neighborhood. Chris Sante, owner, introduced himself to the Board.

Board questions for Applicant: Mr. Hayek commented on the traffic on the island, and he stated he prefers five homes to help with the density.

Public comment: None

Applicant final comment: Mr. Mowery noted the neighbors are happy with the project, and the owner has taken the effort to put his best foot forward.

The Chair, seeing no one else, closed the public hearing.

Motion was made by KeAndrea Davis, and seconded by Vice-Chair Jaimebeth Galinis to approve the Variance for the Sante Residences at 601 Hernando Street.

AYE: KeAndrea Davis, Vice-Chair Jaimebeth Galinis

NAY: Charles Hayek

Passed

7. **ELECTION OF CHAIR**

Motion was made by Charles Hayek, and seconded by KeAndrea Davis to elect Ms. Galinis as Chair.

AYE: KeAndrea Davis, Charles Hayek, Vice-Chair Jaimebeth Galinis

Passed

Motion was made by Vice-Chair Jaimebeth Galinis, and seconded by Charles Hayek to elect Mr. Crist as Vice-Chair.

AYE: Charles Hayek, Vice-Chair Jaimebeth Galinis

Other: KeAndrea Davis (ABSTAIN)

Passed

8. DISCUSSION / OTHER BUSINESS

9. COMMENTS FROM THE PUBLIC

There were no comments from the public.

10. ADJOURNMENT

Planning Board of Adjustment

Meeting Date: 04/28/2022

Information

REQUESTED ACTION

Variance - Lexus Billboard - 5121 S. US Highway 1

LOCATION

5121 S US Highway 1

RESPONSIBLE STAFF

Lance Lilly, Planner

RECOMMENDATION

The recommendation of Staff is to grant approval of the requested variance for the proposed 25-foot variance to increase in the allowable off-premises sign height of 25 feet to 50 feet; based upon the justification presented by the applicant with respect to the criteria for granting a Variance specified in Section 125-100.

Attachments

Staff Report

Application & Supporting Documents

Mailing Letter

Form Review

Form Started By: Lance Lilly
Final Approval Date: 04/21/2022

Started On: 04/21/2022 01:47 PM



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

THROUGH: Vennis Gilmore, Acting Planning Supervisor

FROM: Lance Lilly, Senior Planner

RE: **Application for Variance**
Lexus Billboard – A 25-foot variance to increase the sign height
5121 S US Highway 1

DATE: April 28, 2022

STAFF REPORT

Owners: Woods Family Limited Ptnr II
PO Box 15340
Fort Pierce, FL 34979

Applicant: Cuzzo Planning Solutions
701 N Federal Hwy
Stuart, FL. 34994

Requested Action: The applicant is requesting a 25-foot variance to increase in the allowable off-premises sign height of 25 feet to 50 feet. Per the applicant, the 25-foot variance is being requested in order to achieve the required visibility.

Location: 5121 S US Highway 1

Parcel ID(s): 3403-502-0067-000-4

Current Zoning: C-3, General Commercial Zone

Future Land Use: GC, General Commercial

Total Acreage: approx. 10.14 acres

Staff Analysis:

Variance Request

In accordance with Section 117 of the City Code, the applicant is requesting a 25-foot variance to increase in the allowable off-premises sign height of 25 feet to 50 feet. Per the applicant, the 25-foot variance is being requested in order to achieve the required visibility.

Existing Conditions

The subject 10.14-acre site located on US Highway 1; just south of the Midway Road. The property was purchased in 2009 and is currently, the subject site is a Lexus Automobile Dealership. The site currently has a 25-foot-high billboard sign, which is setback 54 feet from the road (see the below graphic).



Existing Sign Location

Data		
	Square Feet	%
Easement Area	625 s.f.	100
Setbacks		
Front (East)	Required Minimum: 40'	Provided: 3620'
Side (South)	40'	278' +/-
Side (North)	40'	603' +/-
Rear	40'	808' +/-
Existing Building	483	118' +/-
Maximum Sign Face Area	11,174 s.f.	400 s.f.
Provided Sign Face Area	174 s.f.	386 s.f.
Maximum Height		25'
Provided Height		25'

Proposal

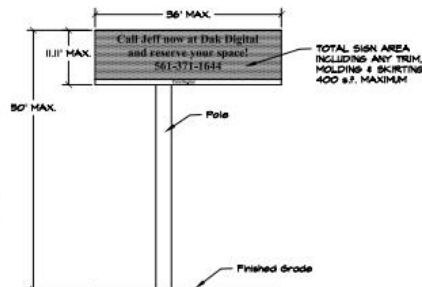
The property owner is requesting the Board of Adjustment approve a variance to deviate from Section 22-187 in order to construct a 50-foot billboard.

The applicant is requesting a to deviate from Section 117-6(c)(2) to allow for an increase in the allowable off-premises sign height of 25 feet to 50 feet in the C-3, General Commercial Zoning District. Per the applicant, the 25-foot variance is being requested in order to achieve the required visibility (see the below graphic).



Proposed Sign Location

Data		
	Square Feet	%
Easement Area	625 s.f.	100
Setbacks	Required Minimum	Provided
Front (East)	40'	54'
Side (South)	40'	238' +/-
Side (North)	40'	602' +/-
Rear	40'	848.5' +/-
Existing Building	40'	118' +/-
Maximum Sign Face Area	11,111 s.f.	400 s.f.
Provided Sign Face Area	1,111 s.f.	396 s.f.
Maximum Height		25'
Provided Height		50'



Variance Criteria

The following criteria are specified in Section 125-100 of the City Code, which must be satisfied in order for a variance to be granted. The applicant has provided the following justification:

1. Describe those conditions peculiar to the specific property and not applicable to other lands, structures, or buildings in the same zoning district.

The location of the existing billboard (off-premise) sign is in the same footprint as the static billboard it replaced. The setback and location in relation to US-1 is a significant distance and at an angle that limits visibility of the existing sign. The scale of the existing Lexus car dealership buildings and extensive landscaping along US-1 limits visibility of the existing 25 ft. electronic billboard sign. An increase in the height to a maximum of 50ft. is consistent with the static sign that was replaced and will allow greater visibility of the sign along US-1.

2. Do special conditions or circumstances result from actions other than that of yours? Please explain.

Replacement of the static sign had been restricted to the existing footprint, setbacks, and location. The height had been reduced in accordance with the current sign code. All of the other existing static billboard signs that exist along US-1 are 50 ft. in height. The existing extensive landscaping along US1 and proximity to the Lexus car dealership buildings hinders visibility and marketability of the electronic billboard sign. A variance from the maximum height restriction of 25 ft. will achieve the required visibility while meeting all other sign code requirements.

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.

The current location, setbacks from the road, and orientation in relation to the existing car dealership limit visibility of the existing billboard sign from US-1. All existing static billboard signs are 50 ft. in height. The maximum building height for a property zoned C-3 is 65 ft. The request to accommodate a 50ft. billboard would therefore be 15 ft. less than the maximum permissible height of the buildings.

4. What is the minimum variance that would give the reasonable use of the land, building, or structure?

A variance to allow a maximum height of 50 feet will achieve the required visibility and is consistent with the existing static billboards located along US-1. The proposed height at 50 ft. for the billboard would be 15 ft. less than the maximum allowable building height for a C-3 zoned property. Without the variance the digital billboard sign will continue to operate at a lower occupancy rate based on lack of visibility from US-1.

5. Explain how the variance request would not impair the intent of the zoning ordinance or be detrimental to the general public welfare.

The surrounding area is predominantly commercial with large properties and commercial buildings dominating the frontage along US-1. A commercial building is allowed the opportunity to be built to a maximum height of 65 ft. and existing static billboards are allowed to be 50 ft. high along US-1. The zoning ordinance restricts an electronic bill-board height to 25 ft. Such restrictions present a challenge when considering the setback from US-1, and proximity of the existing electronic billboard to the Lexus car dealership and the extensive landscape buffers along US-1. A billboard needs to be visible to attract utilization of the signage. A variance is required to provide adequate visibility and viable commercial use of the electronic billboard at a scale consistent with the majority of static billboards existing along US-1.

Property Owner Response

A total of six (6) notifications were mailed to abutting property owners. As of the preparation of this memorandum, no responses have been received. An updated recording of responses will be provided to the Board at the hearing.

Staff Recommendation

The recommendation of Staff is to grant approval of the requested variance for the proposed 25-foot variance to increase in the allowable off-premises sign height of 25 feet to 50 feet; based upon the justification presented by the applicant with respect to the criteria for granting a Variance specified in Section 125-100.



Donald J. Cuzzo Inc.

Cuzzo Planning Solutions

p.o. box 1939 - stuart, fl 34995
cell: 772.485.1600 - office: 772.221.2128

February 23, 2022

Jennifer Hofmeister, AICP, LCAM
Planning Director
P.O. Box 1480
Fort Pierce, FL 34954
Physical Address

RE: Variance request for billboard height

Dear Jennifer Hofmeister,

Please find attached a request for consideration of a variance application to accommodate an increase in height of an existing off-premise sign (billboard). The existing sign is located on the site of the Lexus car dealership, 5121 US-1, Fort Pierce, FL 34982. The sign had been a replacement for a previously grandfathered in static billboard sign measuring 50ft. high and setback from the road 54 ft. A proposal to increase the height of the existing billboard from 25 ft. to what had originally been approved as a 50 ft. high static sign would provide the visibility needed to compensate for an extensive setback from US-1. All other elements of Section 117-6. Regulation, have been met in the proposed replacement sign design, scale, orientation, materials, etc.

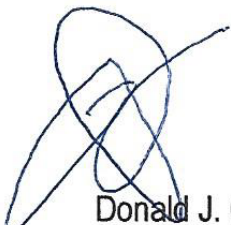
In support of the application please find attached one (1) original & three (3) hard copies and one (1) CD or Flash Drive of the following:

- As-built Survey – attached.
- Floor Plan of Existing Buildings – not applicable for a sign.
- Site plan, to scale, including all relative improvements, existing and proposed structures, landscaping, parking, fencing, signs, etc. – attached as per sign detail requirements.
- Criteria Narrative – as follows based on variance criteria.
- Complete Application – attached.

Additional information attached includes aerial, land use and zoning maps and photographs of the existing billboard the subject of the variance request to achieve a height of 50 ft. where the code allows up to 25 ft. A check for \$1,000.00 is also included in support of the Variance application submittal.

We look forward to hearing from you with regards to scheduling the applicable meetings. Should you require any additional information please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink, consisting of several overlapping loops and a long horizontal stroke extending to the right.

Donald J. Cuzzo

772 485 1600

Variance Criteria & Justification Responses.

To demonstrate whether the request for Variance meets all the criteria in Section 125-100 of the City Code, the following questions are answered 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.

The location of the existing billboard (off-premise) sign is in the same footprint as the static billboard it replaced. The setback and location in relation to US-1 is a significant distance and at an angle that limits visibility of the existing sign. The scale of the existing Lexus car dealership buildings and extensive landscaping along US-1 limits visibility of the existing 25 ft. electronic billboard sign. An increase in the height to a maximum of 50ft. is consistent with the static sign that was replaced and will allow greater visibility of the sign along US-1.

2. Do special conditions or circumstances result from actions other than that of yours? Please explain.

Replacement of the static sign had been restricted to the existing footprint, setbacks, and location. The height had been reduced in accordance with the current sign code. All of the other existing static billboard signs that exist along US-1 are 50 ft. in height. The existing extensive landscaping along US-1 and proximity to the Lexus car dealership buildings hinders visibility and marketability of the electronic billboard sign. A variance from the maximum height restriction of 25 ft. will achieve the required visibility while meeting all other sign code requirements.

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.

The current location, setbacks from the road, and orientation in relation to the existing car dealership limit visibility of the existing billboard sign from US-1. All existing static billboard signs are 50 ft. in height. The maximum building height for a property zoned C-3 is 65 ft. The request to accommodate a 50ft. billboard would therefore be 15 ft. less than the maximum permissible height of the buildings.

4. What is the minimum variance that would give the reasonable use of the land, building, or structure?

A variance to allow a maximum height of 50 feet will achieve the required visibility and is consistent with the existing static billboards located along US-1. The proposed height at 50 ft. for the billboard would be 15 ft. less than the maximum allowable building height for a C-3 zoned property. Without the variance the digital billboard sign will continue to operate at a lower occupancy rate based on lack of visibility from US-1.

5. Explain how the variance request would not impair the intent of the zoning ordinance or be detrimental to the general public welfare.

The surrounding area is predominantly commercial with large properties and commercial buildings dominating the frontage along US-1. A commercial building is allowed the opportunity to be built to a maximum height of 65 ft. and existing static billboards are allowed to be 50 ft. high along US-1. The zoning ordinance restricts an electronic bill-board height to 25 ft. Such restrictions present a challenge when considering the setback from US-1, and proximity of the existing electronic billboard to the Lexus car dealership and the extensive landscape buffers along US-1. A billboard needs to be visible to attract utilization of the signage. A variance is required to provide adequate visibility and viable commercial use of the electronic billboard at a scale consistent with the majority of static billboards existing along US-1.



VARIANCE

Property Information

Property address or Location

5121 US-1, Fort Pierce, FL 34982

Parcel ID #(s)

3403-502-0067-000-4

Project description

Variance to accommodate a replacement billboard at a 50 ft. height

Reason for request

An increase in height of 50 ft. is consistent with the original static billboard height and will achieve the required visibility

Existing Use: Billboard site & Car dealership Date Property was Purchased: 2009

Alterations made to the site since purchase: Construction and then replacement of billboard, car dealership operations

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

If yes, what changed since the denial? N/A

Woods Family Limited Ptrn II

Property Owner(s)

5121 US-1,

Street Address

Fort Pierce FL 34982

City State Zip

772 485 1600

Phone Number

swoods@treasurecoastlexus.com

Email Address

Fort Pierce 1, LLC

Applicant/Representative, Title, Company

Donald J. Cuozzo

Street Address

701 NW Federal Hwy Stuart FL 34994

City State Zip

772 485 1600

Phone Number

dcuozzo@cdgplan.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. The undersigned consents to inspection and photographing of the subject property by the Planning staff for purposes of consideration of this Application and/or presentation to the Planning Board and City Commission.

Donald J. Cuozzo

Property Owner(s) Signature(s)

APPOINTMENTS ARE REQUIRED FOR APPLICATION SUBMITTALS

CALL 772.467.3737 OR E-MAIL PLANNING_DL@CITYOFFORTPIERCE.COM

For more information, please refer to the website:

<https://www.cityoffortpierce.com/971/Application-Submittal-for-Technical-Rev1>

General Information

- **Incomplete application packets will not be accepted.**
- In-take meetings are required for application submittals.
- Fee Schedule - <https://www.cityoffortpierce.com/DocumentCenter/View/2620/Fee-Schedule->
- Public Notice Fees - <https://www.cityoffortpierce.com/DocumentCenter/View/8818/Public-Notice-Fees->



Submittal Requirements:

Submit one (1) original & three (3) hard copies and one (1) CD or Flash Drive of the following. Additional copies will be required of subsequent submittals.

- As-built Survey
- Floor Plan of Existing Buildings
- Site plan, to scale, including all relative improvements, existing and proposed structures, landscaping, parking, fencing, signs, etc.
- Criteria Narrative
- Complete Application

Criteria:

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 to the 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.

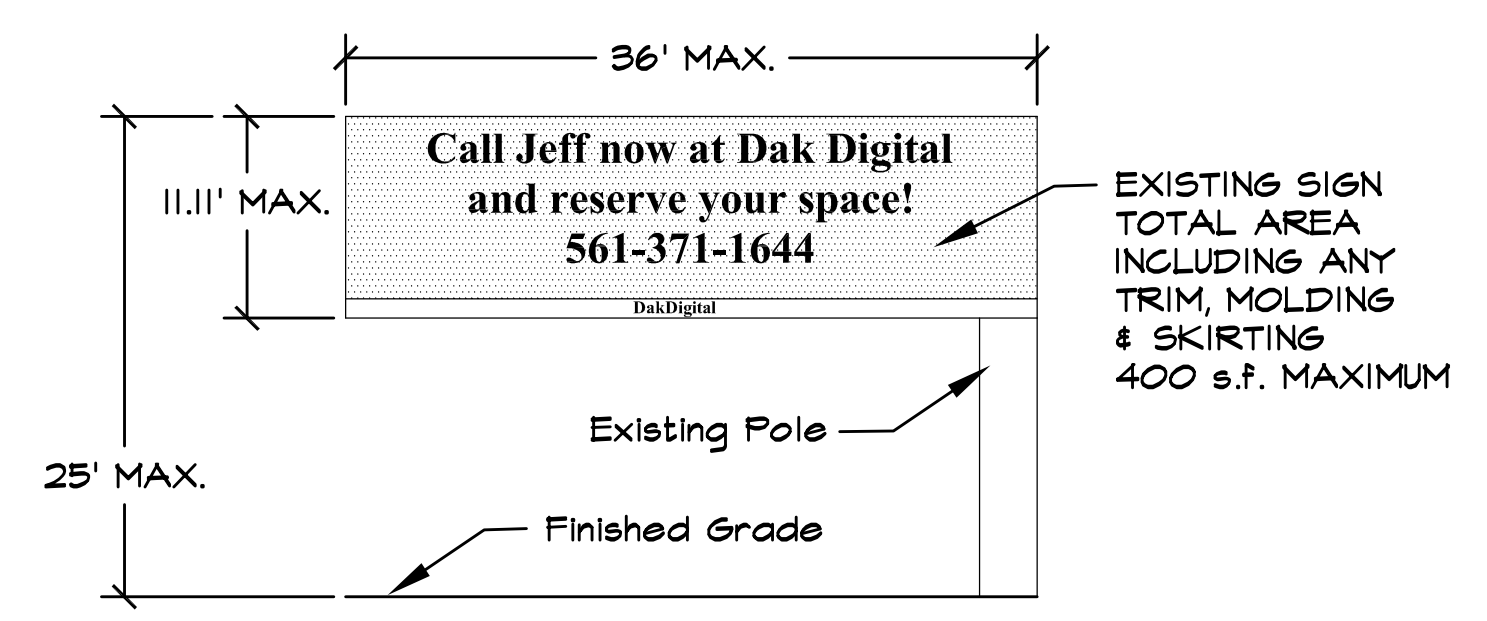


Existing Sign Location

Proposed Sign Location

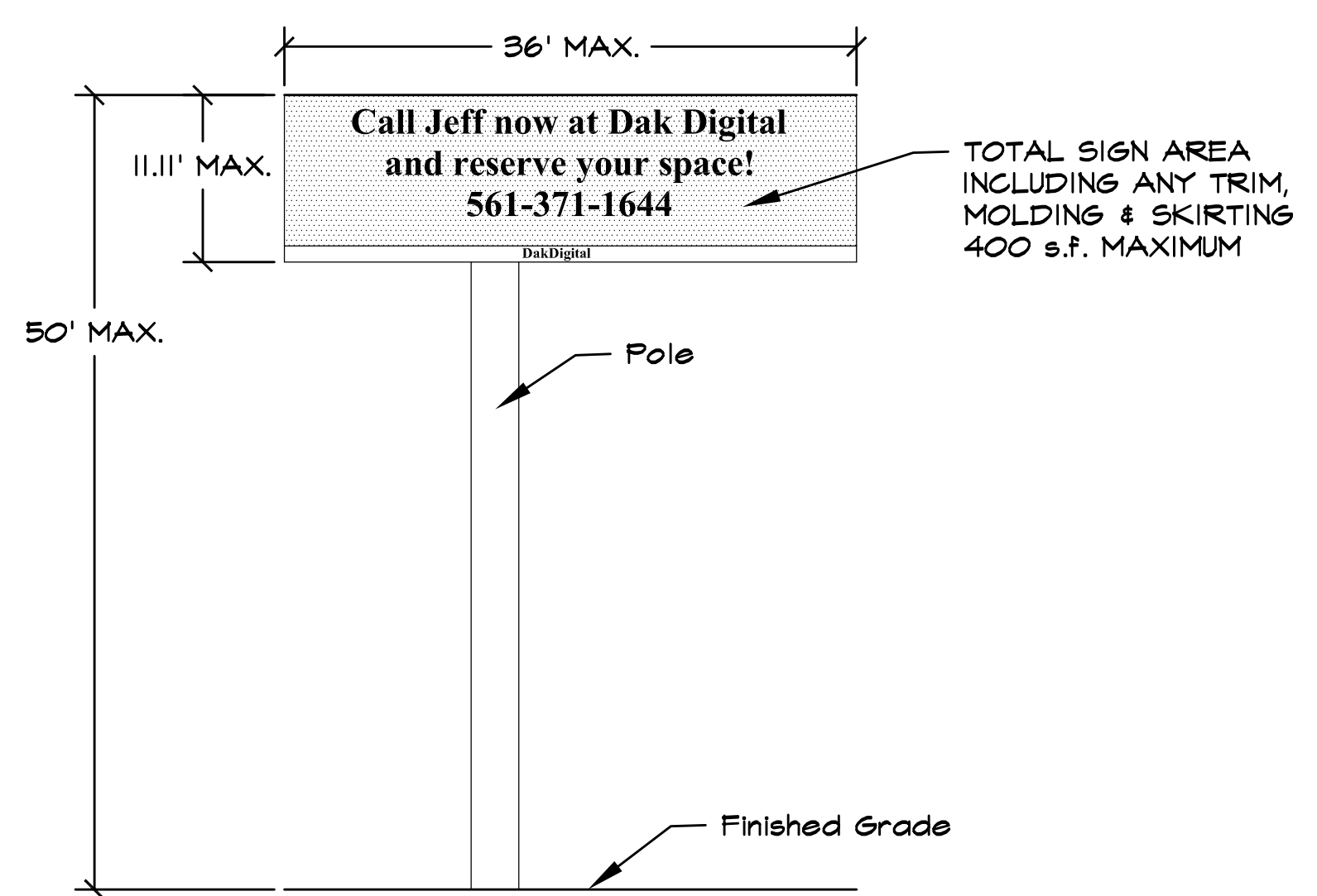
Data

	Square Feet	%
Easement Area	625 s.f.	100
Setbacks	Required Minimum	Provided
Front (East)	45'	59.02'
Side (South)	45'	278' +/-
Side (North)	45'	600' +/-
Rear	45'	826' +/-
Existing Building	45'	116' +/-
Maximum Sign Face Area	11.11' x 36'	400 s.f.
Provided Sign Face Area	11' x 36'	396 s.f.
Maximum Height		25'
Provided Height		25'



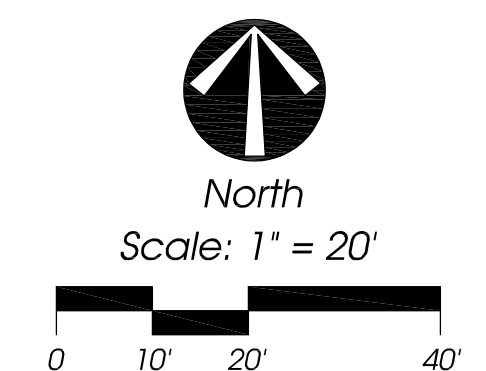
Data

	Square Feet	%
Easement Area	625 s.f.	100
Setbacks	Required Minimum	Provided
Front (East)	45'	54'
Side (South)	45'	278' +/-
Side (North)	45'	600' +/-
Rear	45'	848.5' +/-
Existing Building	45'	116' +/-
Maximum Sign Face Area	11.11' x 36'	400 s.f.
Provided Sign Face Area	11' x 36'	396 s.f.
Maximum Height		25'
Provided Height		50'



City of Fort Pierce Off-premises Sign Code Section 15-6.C.

- Off-premises signs:
- Shall not exceed an aggregate sign area of four hundred (400) square feet including all trim, molding or skirting.
 - Shall not exceed a sign dimension of forty (40) feet horizontally or twelve (12) feet vertically including all trim, molding or skirting.
 - Shall not exceed a total height above natural ground level of twenty-five (25) feet.
 - Shall be located a minimum of twenty-five (25) feet from any right-of-way, property line or structure on the same property, except the minimum setback shall be increased one foot for each ten (10) square feet or portion thereof that the sign exceeds two hundred (200) square feet.
 - Shall have the following minimum distances between any two (2) off-premises signs:
 - Five hundred (500) feet where at least one off-premises sign is more than one hundred (100) square feet in sign area.
 - Five thousand (5,000) feet where both signs are more than one hundred (100) square feet in off-premise sign area.
 - May have two (2) signs situated back-to-back or oriented in a single "V" having an included angle of not more than thirty (30) degrees.
 - Shall comply with section 15-8(5)a.3, where the off-premises sign is also a ground sign.



DakDigital
 5121 South US Highway 1
 City of Fort Pierce, Florida 34982

City Project Number: _____

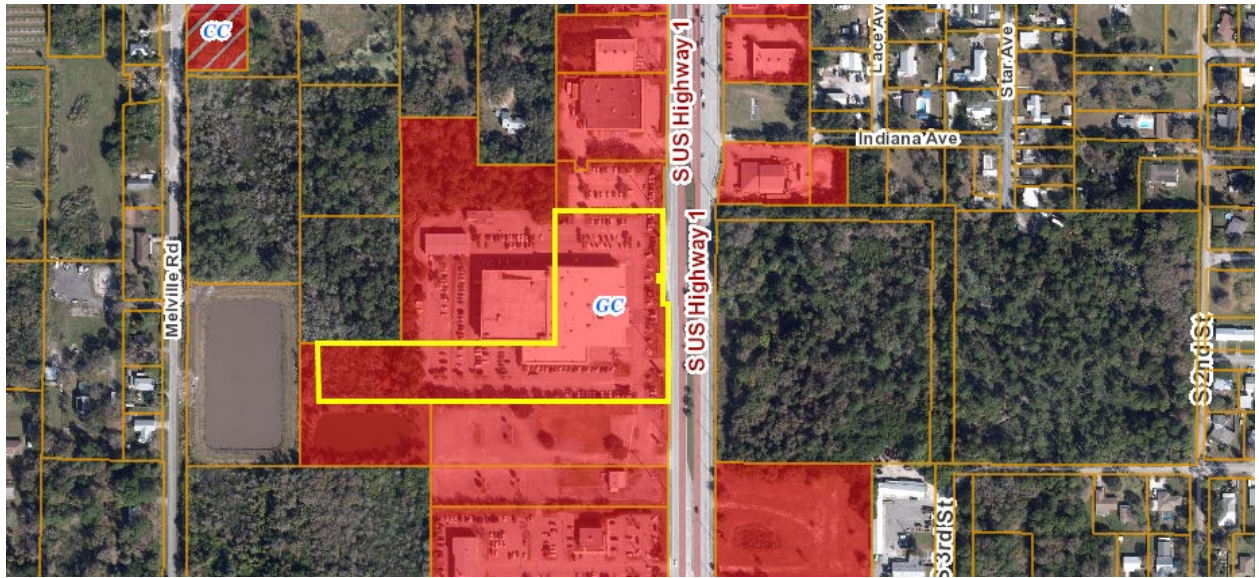
Jeffrey W. Smith, RLA
 Florida Registration Number: LA 0001635

Job No. 19-0305
 Drawn By JWS
 Submittal Dates 9-16-2021

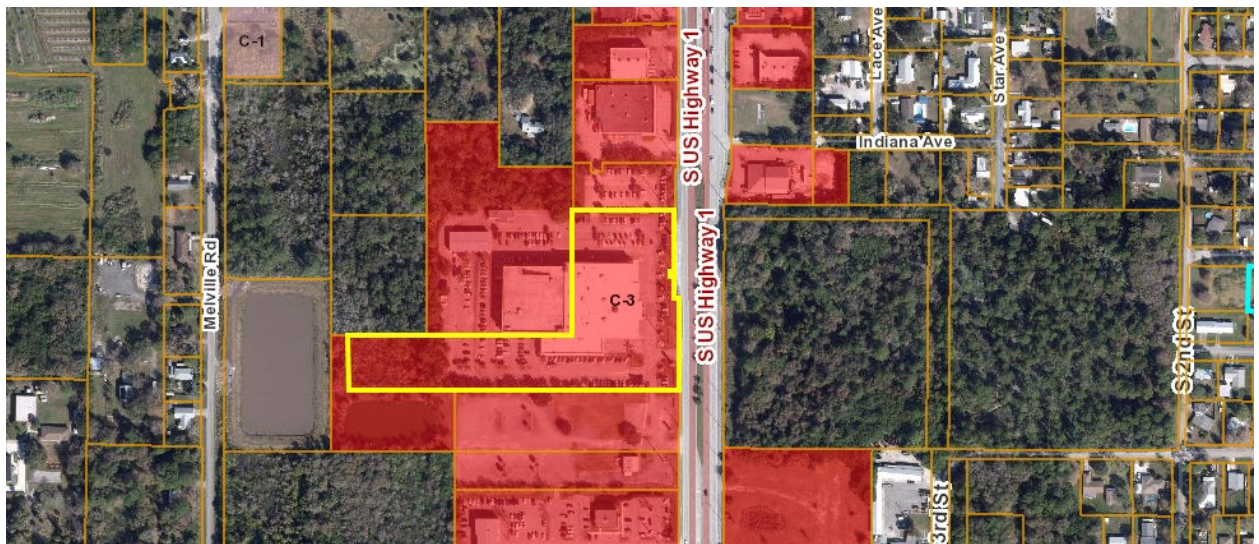
Revision Dates 2-15-2022

These drawings are the property of the landscape architect and are not to be used for other projects except by written permission from the landscape architect. Report any discrepancies immediately to the landscape architect.

Sheet 1 of 1



GC Land Use



C-3 Zoning District





This instrument was prepared by
And to Be Returned to:
Michael J. McDermott, Esquire
791 West Lumsden Road, Brandon, Florida 33511
Parcel Identification No.: 3403-311-0005-000-6

Warranty Deed

(Statutory Form - Section 689.02, F.S.)

THIS INDENTURE, made this 21st day of JANUARY, 2009, between **SANFORD L. WOODS**, whose post office address is PO Box 15340, Fort Pierce, FL 34981, of the County of St. Lucie, State of Florida, grantor*, and **WOODS FAMILY LIMITED PARTNERSHIP II**, a Florida limited partnership, whose post office address is 15303 Burlsey Court, Tampa, FL 33647, of the County of Hillsborough, State of Florida, grantee*,

WITNESSETH that said grantor, for and in consideration of the sum of Ten Dollars and 00/100, and other good and valuable consideration to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained and sold to the said grantee, the grantee's heirs and assigns forever, the following described land, situate, lying and being in St. Lucie County, Florida, to-wit:

See Exhibit "A" attached hereto.

Subject to:

Taxes for year of conveyance and subsequent years.

Zoning, restrictions, prohibitions and other requirements imposed by governmental authorities.

Restrictions, conditions, easements and reservations and matters appearing on the plat or otherwise common to the subdivision.

Any matters (encroachments / excroachments, etc.) capable of being disclosed by an accurate survey of the premises.

This is not the homestead property of the grantor.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.

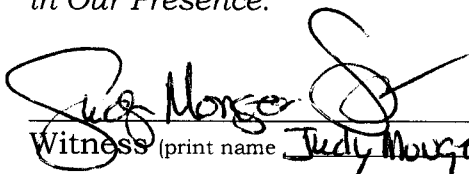
AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and

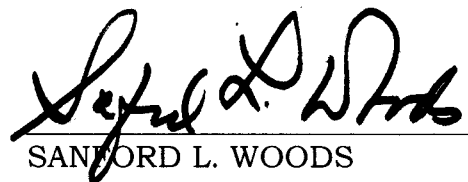
lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2008.


*"Grantor" and "grantee" are used for singular and plural, as context requires.

IN WITNESS WHEREOF, grantor has hereunto set grantor's hand and seal the day and year first above written

Signed, Sealed and Delivered
in Our Presence:


Witness (print name) Judy Murgoo Jay


 (Seal)
SANFORD L. WOODS


Witness (print name) LINDA G TYNER

State Of Florida
County Of HILLSBOROUGH }

THE FOREGOING INSTRUMENT was acknowledged before me this
21ST day of JANUARY, 2009, by SANFORD L. WOODS, who is
personally known to me or who has produced a Florida driver's license as
identification and who did take an oath.

My Commission Expires:


NOTARY PUBLIC - STATE OF FLORIDA

SHARON R. ZOSS
Notary Public, State of Florida
My comm. exp. Jan. 22, 2010
Comm. No. DD 477394

EXHIBIT A

COMMENCING AT THE CENTER OF SECTION 3, TOWNSHIP 36 SOUTH, RANGE 40 EAST; THENCE S.89°53'07"W., ALONG THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 3, A DISTANCE OF 331.00 FEET; THENCE S.00°20'19"E., PARALLEL TO SAID NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3, A DISTANCE OF 544.50 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHERLY ALONG SAID LINE, A DISTANCE OF 125.50 FEET; THENCE N.89°53'07"E., A DISTANCE OF 289.00 FEET TO THE WESTERLY RIGHT-OF-WAY LINE OF U.S. HIGHWAY No. 1 (120.00' WIDE); SAID POINT BEING 42.00 FEET WEST OF, AS MEASURED PERPENDICULAR TO, THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3; THENCE S.00°20'19"E., ALONG SAID WESTERLY RIGHT-OF-WAY LINE, A DISTANCE OF 487.02 FEET TO A POINT LYING 165.00 FEET NORTH OF, AS MEASURED PERPENDICULAR TO, THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE S.89°53'56"W., PARALLEL WITH SAID SOUTH LINE, A DISTANCE OF 619.56 FEET TO A POINT LYING 661.55 FEET WEST OF, AS MEASURED PERPENDICULAR TO, THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3, THENCE S.00°20'19"E., PARALLEL WITH SAID NORTH-SOUTH QUARTER SECTION LINE, A DISTANCE OF 165.00 FEET TO THE SOUTH LINE OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE S.89°53'56"W., ALONG SAID SOUTH LINE, A DISTANCE OF 331.16 FEET TO THE EAST LINE OF THE WEST HALF OF THE WEST HALF OF THE NORTHEAST QUARTER OF THE SOUTHWEST QUARTER OF SAID SECTION 3; THENCE N.00°16'42"W., ALONG SAID EAST LINE, A DISTANCE OF 316.80 FEET; THENCE N.89°53'07"E., A DISTANCE OF 261.38 FEET TO A POINT THAT IS 731.00 FEET WEST OF, AS MEASURED PERPENDICULAR TO, THE NORTH-SOUTH QUARTER SECTION LINE OF SAID SECTION 3; THENCE N.00°20'19"W., PARALLEL TO SAID NORTH-SOUTH QUARTER SECTION LINE, A DISTANCE OF 580.00 FEET TO A POINT THAT IS 425.00 FEET SOUTH OF, AS MEASURED PERPENDICULAR TO, THE EAST-WEST QUARTER SECTION LINE OF SAID SECTION 3; THENCE N.89°53'07"E., PARALLEL WITH SAID EAST- WEST QUARTER SECTION LINE, A DISTANCE OF 200.00 FEET; THENCE S.00°20'19"E., A DISTANCE OF 119.50 FEET; THENCE N.89°53'07"E., A DISTANCE OF 200.00 FEET TO THE POINT OF BEGINNING. ALL LYING IN ST. LUCIE COUNTY, FLORIDA.



April 14, 2022

Dear Property Owners:

The property owners Woods Family Limited Ptnr II, and representative, Cuzzo Planning Solutions (Donald J Cuzzo), have requested for approval the following: one (1) variance to to deviate from Section 117-6(c)(2) to allow for an increase in the allowable off-premises sign height of 25 feet to 50 feet in the C-3, General Commercial Zoning District.

The subject property is located at 5121 S. US Highway 1, and is zoned C-3, General Commercial Zone. The Parcel ID of the site is 3403-502-0067-000-4, and legal description of the property is: 3 36 40 FROM INT 1/4 COR RUN W ALG E-W 1/4 SEC LI 331 FT, TH S 544.5 FT TO POB, TH CONT S 460.50FT, TH W 400 FT, TH N 580 FT, TH E 200 FT, TH S 119.5 FT, TH E 200 FT TO POB AND WHITE CITY S/D (PB 1-23) 03 36 40 N 330 FT AND N 156.8 FT OF S 321.8 FT OF LOT 39-LESS W 50 FT AND LESS RD R/W- (10.14 AC - 441,699 SF) (MAP 34/03S) (OR 3053-2280). The subject property is approximately 10.14 acres.

A public hearing is scheduled before the Planning Board of Adjustment of the City of Fort Pierce, Florida, at their meeting on **Thursday, April 28, 2022**, which begins at **2:00 p.m.** in the City Hall Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida. You are provided the opportunity to attend the public hearing and to speak in favor of, or in opposition to, the requested **Variance**. If you have any inquiries, or would like to review the complete application, please contact me at (772) 467-3737, 772-467-3739), or llilly@cityoffortpierce.com. Furthermore, published agenda packets for each Board of Adjustment meeting are provided a few days in advance at the following web address: <http://cityoffortpierce.com/223/Agendas-Minutes>.

Sincerely,

Lance Lilly

Lance Lilly
 Senior Planner

Variance - Lexus - 5121 S US Highway 1

No. __

Phone

772-467-3737 or 772-467-3739

Email

llilly@cityoffortpierce.com

