



TO: Technical Review Committee

FROM : Lance Lilly, Senior Planner

RE : Technical Review Project: #22-12000001
(Site Plan & Design Review)

BOARD DATE : March 17, 2022

Variance – Lexus – 5121 S US-1, Fort Pierce, FL 34982

Attached is a variance application for a Lexus car dealership sign located at 5121 S US HWY 1. The subject property has an existing sign located on the Lexus car dealership site and would increase the height of the existing billboard from 25 ft. to a 50 ft. high static sign.

Please review and provide comments on these applications. Please send all comments to the following emails llilly@cityoffortpierce.com, arosenthal@cityoffortpierce.com, and/or through interoffice mail to the Planning Department. If you have comments please respond prior to the, January 20, 2022 TRC meeting.

Please do not hesitate to contact me should you require any additional information or clarification at 772-467-3739.

Thank You,

Lance Lilly
Senior Planner



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.

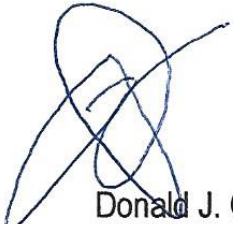
In support of the application please find attached one (1) original & three (3) hard copies and one (1) CD or Flash Drive of the following:

- 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.

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:

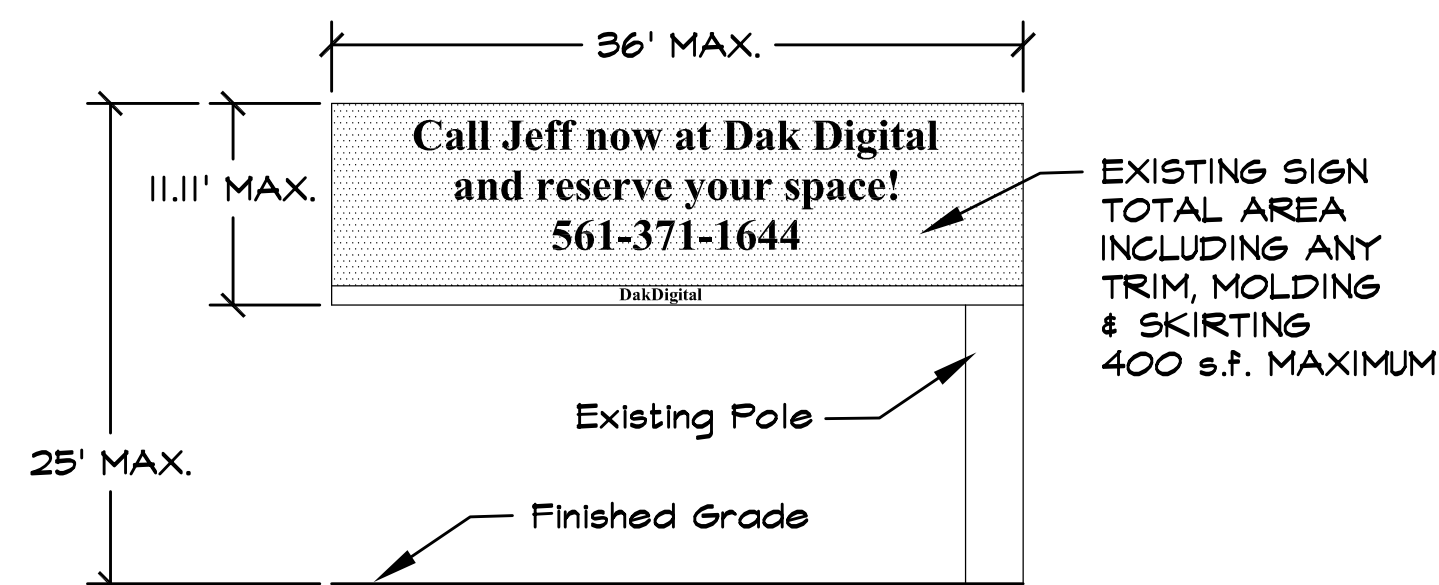
1. Describe those conditions peculiar to the specific property and not applicable to other lands, structures, or buildings in the same zoning district.
2. Do special conditions or circumstances result from actions other than that of yours? Please explain
3. Identify any undue hardships or deprivation 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.



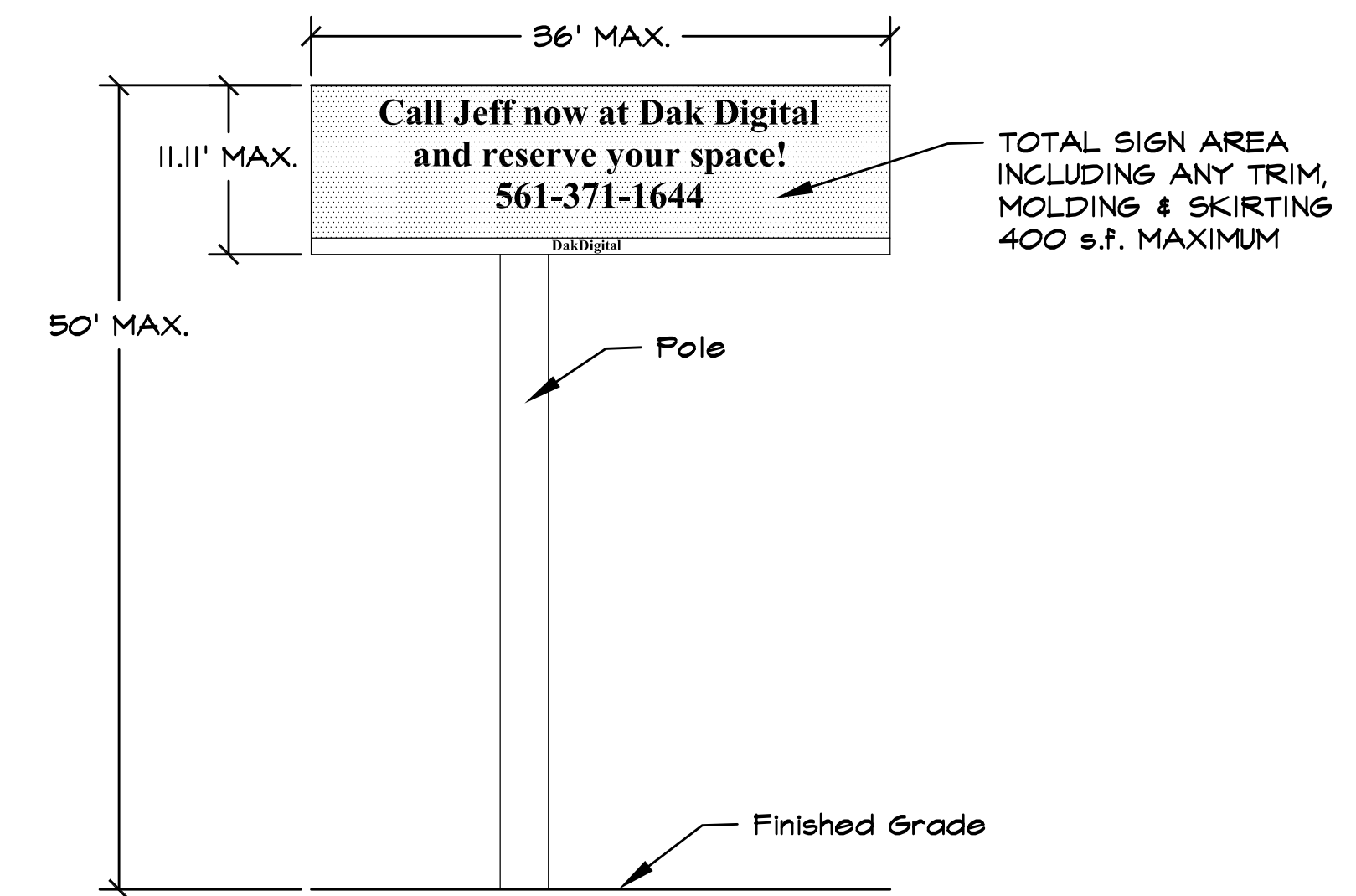
Existing Sign Location

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:

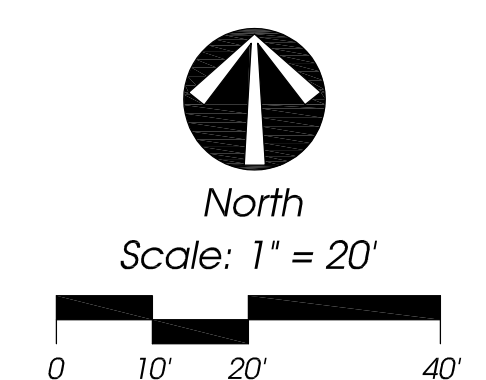
Jeffrey W. Smith, RLA
 Florida Registration Number:
 LA 0001635

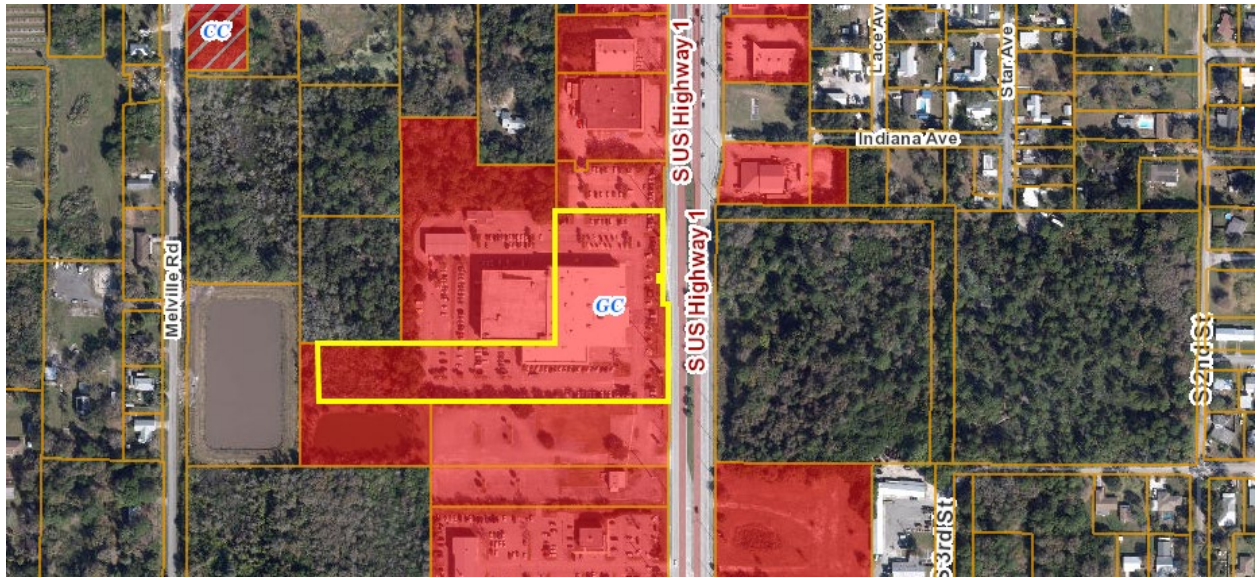
Job No. 19-0305
 Drawn By JWS
 Submittal Dates 9-16-2021

Revision Dates 2-15-2022

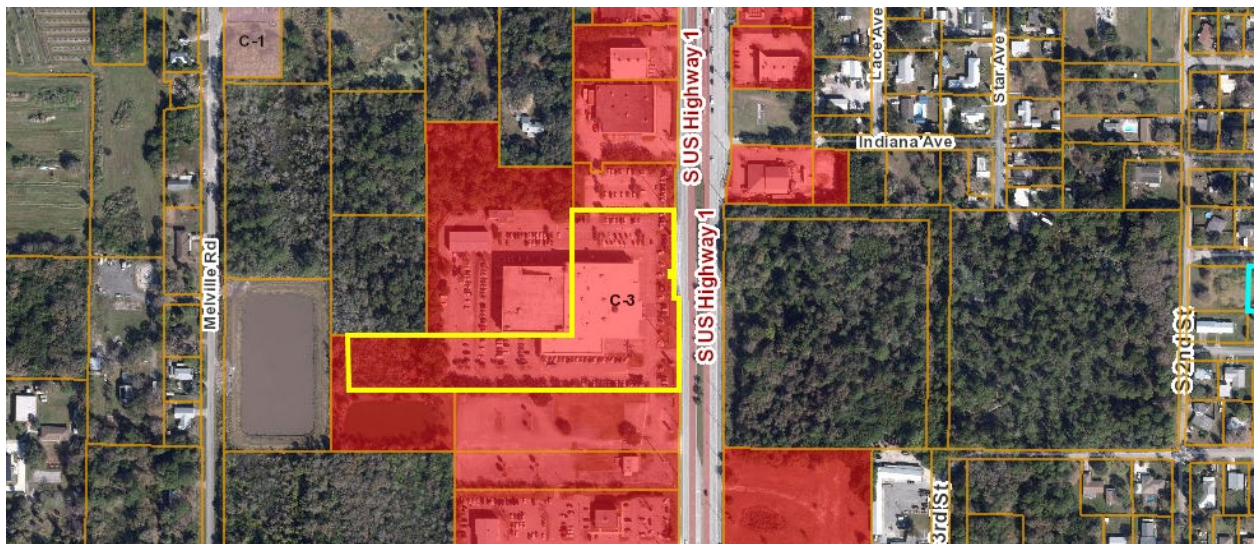
These drawings are the property of the landscape architect and are not to be used for other projects except by written permission from the landscape architect. Report any discrepancies immediately to the landscape architect.

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.

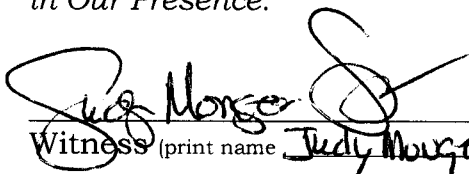
AND the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and

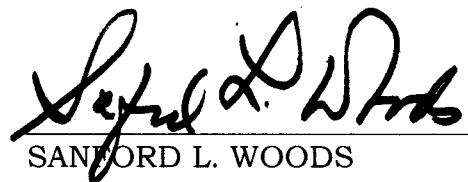
lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to December 31, 2008.


*"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.