

CITY OF FORT PIERCE

PLANNING DEPARTMENT

PROJECT: HARRY BLUE ANNEXATION - 24-12000001

REVIEWER: RYAN ALTIZER, SENIOR PLANNER

DATE: 5/10/2024

STAFF REPORT

Owner: Nancy Estrada Avila

Applicant: Nancy Estrada Avila

Requested Action: Review of an application for a variance to deviate from City Code 125-322(c)(1) to place a 6-foot fence within the first 25 feet (front yard) from the front property line.

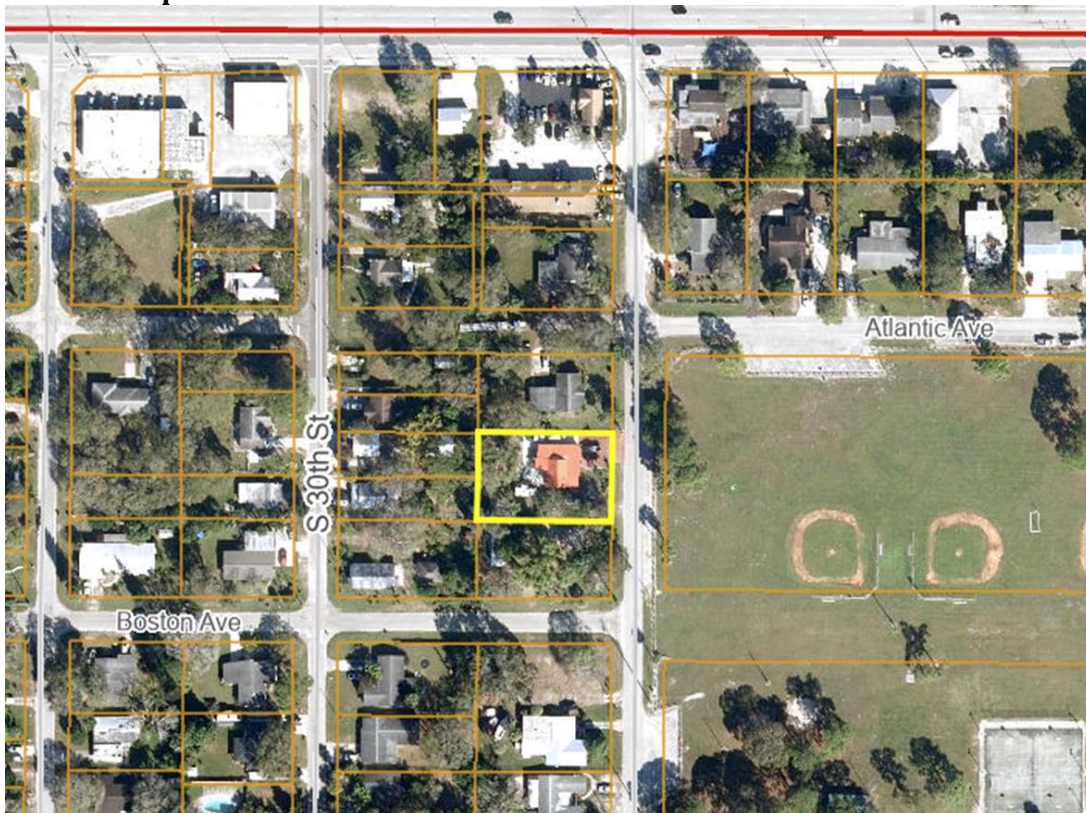
Location: 205 S. 29th Street

Parcel IDs: 2408-802-0019-000-6

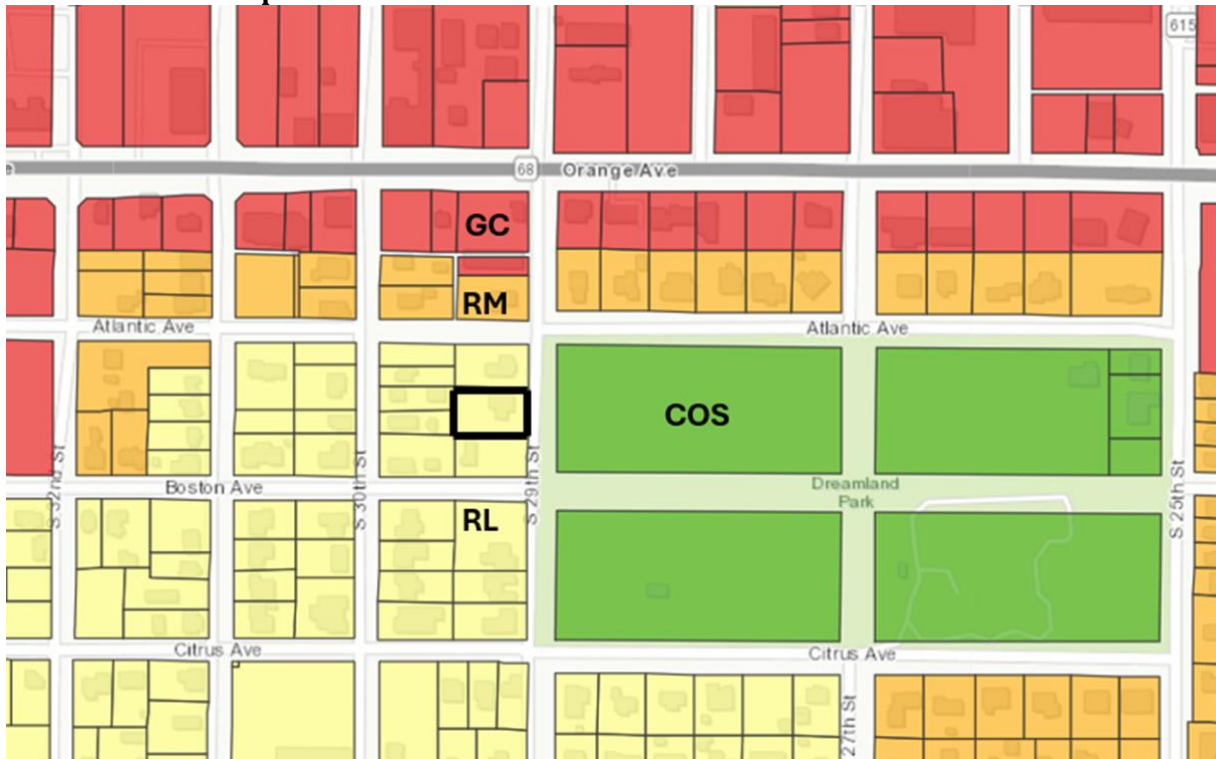
Current Zoning: R-3 (Single-Family Moderate Density)

Current Future Land Use: RL (Low Density Residential)

Location Map:



Future Land Use Map:



Zoning Map:



Surrounding Zoning:

North	East	South	West
R-3	OS-3	R-3	R-3

Site Area: +/- 0.34

Utilities: Located within the FPUA Service Area

Staff Analysis

The applicant is requesting to deviate from City Code 125-322(c)(1) to place a 6-foot fence within the first 25 feet (front yard) from the front property line.

The applicant submitted a Building Permit for a fence with a DPCR #: 24-20000133. Kerry Driver denied said DPCR on February 13, 2024 stating:

The fence installation has been Denied by the Planning Department for the following reasons:
The proposed fence height exceeds the maximum height for the front yard
Based on the desired fence height, the setbacks for your permit are nonconforming per R-3 zoning areas

Advisory Notes:

Please reference the links below and resubmit your permit through the Building Department

Sec. 125-322 Fence
https://library.municode.com/fl/fort_pierce/codes/code_of_ordinances?nodeId=SPBLADEOR_CH125ZO_ARTVII_SURE_DIV1GE_S125-322FEWAHEINREMA

Sec. 125-193 Single-family moderate density zone (R-3)
https://library.municode.com/fl/fort_pierce/codes/code_of_ordinances?nodeId=SPBLADEOR_CH125ZO_ARTIV_BAZODI_S125-193SIMIMODEZO

Section 125-322(c)(1) Single-Family Zoning Districts (E-1, R-1, R-2, R-3).

Fences or walls may be erected or maintained along property lines or within the required yards, to a maximum height of six feet above finished grade of the abutting parcel, except as follows:

- a. Front yards. The maximum height for fences, walls or hedges in the required front yard shall be four feet.
- b. Waterfront lots. The maximum height for fences, walls or hedges in the required building setback distance from the water shall be four feet.
- c. Double frontage lots. The maximum height for walls, fences or hedges in the required rear yard, as defined by the basic use standards, shall be four feet.

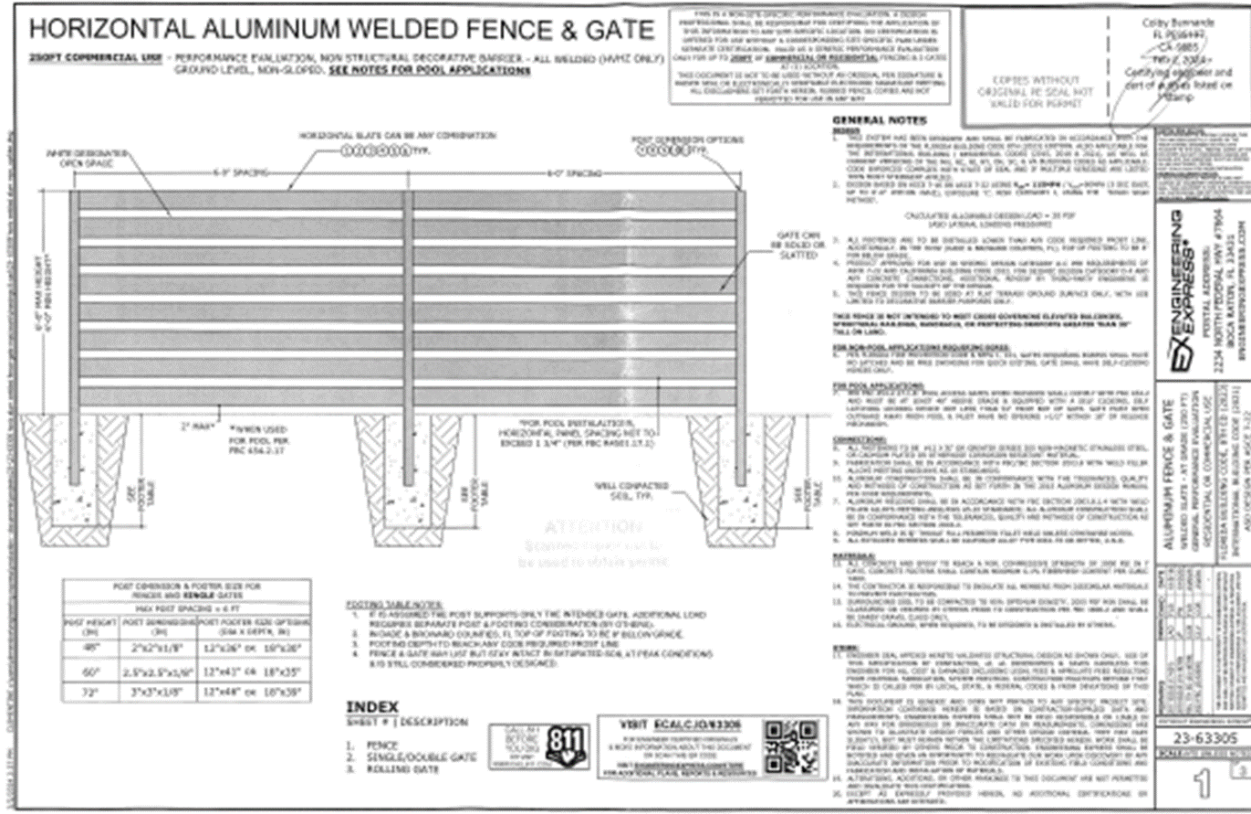
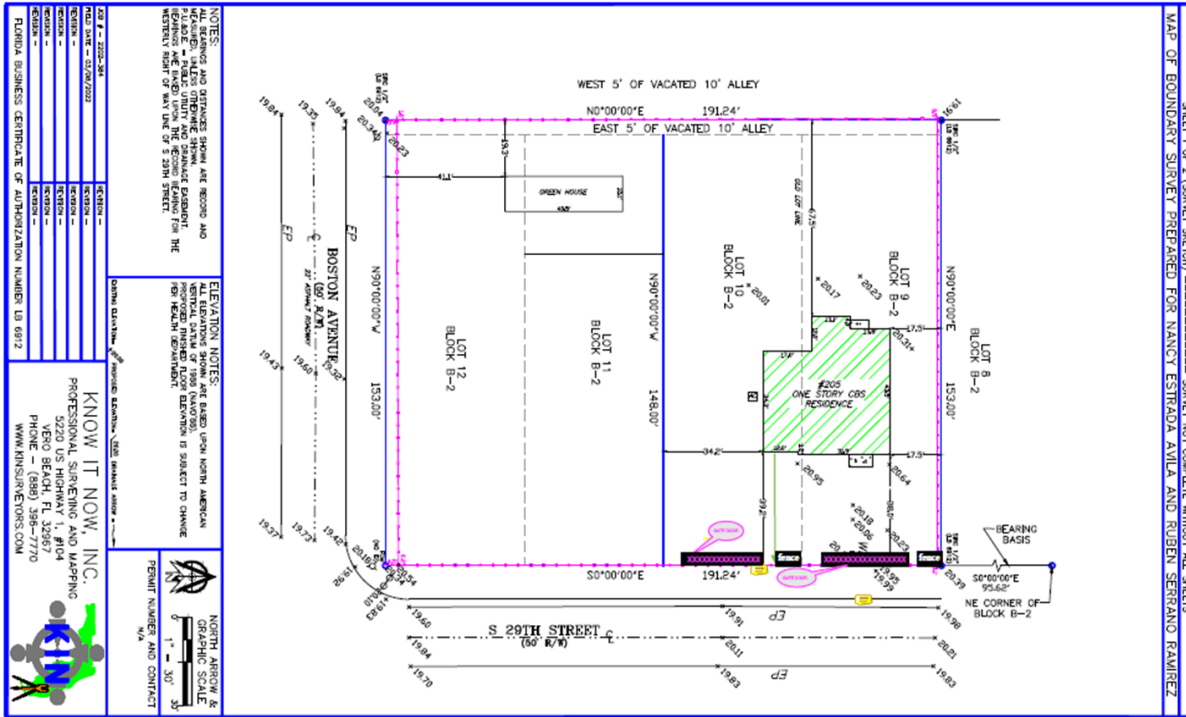
The applicant has requested the 6-ft fence (a variance of 2 ft from the allowed 4-ft fence) due to her children's safety. The applicant has stated that many people park on her lawn due to the activities that occur (such as sports tournaments) at the Park directly across from her lawn. She has also provided multiple incident reports from the Police Department of her vehicle being stolen as well as explains an incident where two men with guns hid under her families RV Truck during a police search.

Without the variance, the owner feels unsecure in her home with her husband and two daughters.

Existing Conditions

Currently the land has a single-family home on it having a Future Land Use of RL, Residential Low Density, and a Zoning of R-3, Single-Family Moderate Density.

Future Conditions



Summary of Technical Review Committee

All affected departments have reviewed the proposed Development Plan with regards to consistency with established ordinances and requirements of the City Code. The Technical Review Committee reviewed this project, and all departments supported the variance.

Staff Recommendation

Staff's recommendation is to grant approval of the requested variance to deviate from City Code 125-322(c)(1) to place a 6-foot fence within the first 25 feet (front yard) from the front property line.



Nancy Estrada Avila
205 S 29th Street
Fort Pierce, FL 34947

Subject: Variance – 205 S 25th Street – Technical Review Committee Comments for March 21, 2024 TRC Meeting

City of Fort Pierce Planning Department

1. Please provide pictures of the surrounding properties.
2. Please provide the proposed material that the fence will be made of with images for examples.
3. Is any landscaping being proposed in front of the 6-foot fence?
4. Section 125-308 -Clear Vision Areas:
 - (a) A clear vision area shall be maintained on the corner of all property adjacent to the intersection of two streets or of a street and a railroad, or a street and a driveway, except in a C-4 zone. A clear vision area shall contain no planting, fence or temporary or permanent obstruction exceeding 24 inches in height measured from the top of the curb or, where no curb exists, from the established centerline grade, except that the following may be permitted:
 - (1) Trees whose branches and foliage are removed to a height of eight feet above grade; and
 - (2) Necessary retaining walls.
 - (b) A clear vision area shall consist of a triangular area, two sides of which are right-of-way lines or, in the case of an intersection of a street with a driveway, the street right-of-way and the edge of the driveway. The third side is a line across the corner of the property which connects the ends of the other two sides. The size of the clear vision area is determined by the distance from the point of intersection of the two right-of-way lines to the third side or, in the case of an intersection of a street with a driveway, the distance from the point of intersection of the right-of-way line with the driveway edge to the third side, measured along the right-of-way line or driveway edge. This distance shall be 20

feet where a street intersects with another street or a railroad. The distance shall be ten feet where a street intersects with a driveway.

- (c) A clear vision area shall not preclude the installation of a chainlink fence up to 48 inches in height, provided that no obstruction, such as slates or vegetation, be installed that would obstruct vision within the defined area.

Fort Pierce Engineering Department

1. The 6' high fence request is approved by this department for the location as shown on the submitted plan with the exception of the southeast corner of the property which must provide the minimum 20' clear vision, refer to City of Fort Pierce Code of Ordinances Section 125-08 for specific requirements.

Fort Pierce Building Department

1. Building Official or his representative has no comment at the time of this meeting, but reserves submission of comments upon completion of the official plan review.
2. Building Permit required.

Fort Pierce Police Department

No comments at this time

St. Lucie County Planning Department

Comments may be forthcoming

St. Lucie County PW/Engineering

No comments at this time

City Clerk Office

Comments may be forthcoming

Code Enforcement

Comments may be forthcoming

Fort Pierce Utilities Authority

FPUA W/WW Engineering: Approved, No comment.

FPUA Electric & Gas Engineering: Electric and Gas Engineering Department have reviewed the application –Approved.

FPUA Gas: Approved

FPUAnet Fiber: FPUAnet Approves

St. Lucie County Fire District

No comments at this time

Florida Department of Transportation

Comments may be forthcoming

St. Lucie County School Board

Comments may be forthcoming

ST. LUCIE NEWS TRIBUNE
ATTN: Legal Advertising

Run Once: Sunday, May 5, 2024

Send Proof of Publication to: Ryan Altizer, Senior Planner and Alicia Rosenthal, Executive Assistant

PUBLIC NOTICE
CITY OF FORT PIERCE
BOARD OF ADJUSTMENT

NOTICE IS HEREBY GIVEN that the Board of Adjustment of the City of Fort Pierce, pursuant to Section 125-37 & 125-103 of the Fort Pierce Code of Ordinances, will hold a public hearing on Thursday, May 23, 2024, at 2:00 p.m., in the City Hall Commission Chambers, 100 N. U.S. 1, Fort Pierce, Florida.

The public hearing will be on the consideration of the following Variance request:

1. One (1) Variance request submitted by the applicant Nancy Estrada Avila for approval of the following: (1) The applicant is seeking to place a 6-foot fence within the first twenty-five (25) feet from the property line.

The property is located at 205 S. 29th Street, and is zoned R-3, Single-Family Moderate Zoning. The Parcel ID of the site is 2408-802-0019-000-6, and legal description of the property is: ORANGE PLACE S/D BLK 2 LOTS 9 AND 10 AND E 5 FT OF VACATED ALLEY ADJ ON W

Any person seeking to appeal the decision of the Board of Adjustment of the City of Fort Pierce, Florida, as to the foregoing, is advised that a record of the proceedings is required in any such appeal, and any such person may need to ensure that a verbatim record of proceedings is made including the testimony and evidence upon which the appeal is to be based.

In accordance with the Americans with Disabilities Act and Section 286.26, Florida Statutes, persons with disabilities needing special accommodation to participate in this meeting should contact the City Clerk's Office at (772) 467-3065 at least 48 hours prior to the meeting.

Dated this 5th day of May 2024



May 6, 2024

Dear Property Owners:

The applicant Nancy Estrada Avila has one (1) Variance request submitted for approval of the following: (1) The applicant is seeking to place a 6-foot fence within the first twenty-five (25) feet from the property line.

The property is located at 205 S. 29th Street, and is zoned R-3, Single-Family Moderate Zoning. The Parcel ID of the site is 2408-802-0019-000-6, and legal description of the property is: ORANGE PLACE S/D BLK 2 LOTS 9 AND 10 AND E 5 FT OF VACATED ALLEY ADJ ON W

A public hearing is scheduled before the Planning Board of Adjustment of the City of Fort Pierce, Florida, at their meeting on **Thursday, May 23rd, 2024**, 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) 467-3742, (772-467-3737), or raltizer@cityoffortpierce.com. If you cannot reach me Maria Lewicka can also be reached at mlewicka@cityoffortpierce.com. If you cannot reach me Maria Lewicka can also be reached at mlewicka@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,

Ryan Altizer

Ryan Altizer
Senior Planner

Variance – Estrada Residence – 205 S. 29th Street

Phone

772-467-3742 or 772-467-3737

Email

raltizer@cityoffortpierce.com

205 S. 29th Street



Yosi Realty LLC
Timmy G LLC
Lorenzo Dawson
Crescencio Guadarrama and Tiofila
Sandra Slay Williams
Nancy Estrada Avila and Ruben Serr
Nancy Estrada Avila and Ruben Serr

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208 S 30th St
212 S 30th ST
9495 Germany Canal RD
205 S 29th ST
205 S 29th ST

Davie; FL 33330-5700

Fort Pierce; FL 34946-1806

Fort Pierce; FL 34947-7203

Fort Pierce; FL 34947-7203

Fort Pierce; FL 34987-3312

Fort Pierce; FL 34947-3619

Fort Pierce; FL 34947-3619