

# DRAFT



## CITY OF FORT PIERCE BOARD OF ADJUSTMENT

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### Board of Adjustment Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY BOARD OF ADJUSTMENT HELD ON THURSDAY, **AUGUST 28, 2025**, IN FORT PIERCE CITY HALL, WILLIAM DANNAHOWER CONFERENCE ROOM, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

**1. CALL TO ORDER**

**2. PLEDGE OF ALLEGIANCE**

**3. ROLL CALL**

Present: Renella Mitchell; Darrell Drummond; Jaimebeth Galinis, Chair

Absent: Allyson Mendez; James Crist

Staff Present: Felicia Holloman, Assistant City Attorney  
Vennis Gilmore, Historic Preservation Planner/Senior Planner  
Alicia Rosenthal, Planning and Development Organizer

**4. CONSIDERATION OF ABSENCES**

Mr. Crist and Ms. Mendez were excused.

**5. APPROVAL OF MINUTES**

- a. Minutes from the April 3, 2025 Board of Adjustment meeting

Motion was made by Darrell Drummond, and seconded by Renella Mitchell to approve the minutes from the April 3, 2025 meeting.

AYE: Darrell Drummond, Renella Mitchell, Chair Jaimebeth Galinis  
Passed

**6. PUBLIC HEARINGS**

a. **Three (3) Variances - Hixson Quadruplex - 1144 South Ocean Drive**

The clerk introduced the Variances to the Hixson Quadruplex located at 1144 South Ocean Drive.

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

When acting as a quasi-judicial body, the Board is held to certain procedural requirements.

Quasi-judicial proceedings are less formal than proceedings before a circuit court, but are more formal than the other aspects of today's 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 quasi-judicial proceedings more like judges than legislators. This afternoon, the Board will follow the same uniform procedure in all quasi-judicial hearings.

The Board attorney explained that since there are only three (3) Board members in attendance, all three members must vote to approve. The applicant can proceed or wait until four (4) or five (5) Board members are present.

The applicant chose to proceed.

The Chair called the proceeding to order.

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

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

Mr. Drummond - no

Ms. Mitchell - no

Chair Galinas - no

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: Mr. Gilmore stated the applicant is requesting to deviate from the City Code by continuing to exceed the maximum density of 8 units per acre, by rebuilding a non-conforming structure and use to an extent amounting to more than 50 percent of the replacement value, without any damage to the R4-A, Hutchinson Island Medium Density Residential Zone. The Variances will allow vertical expansion of an existing non-conforming four-unit residential structure.

The proposed improvement adds a third and fourth story above the current building without increasing the total number of dwelling units. The ground floor will be converted into compliant garage space with flood vents and breakaway walls. This request supports improved structural resilience, code compliance with floodplain regulations, and preserves existing land use without increasing residential density. The subject parcel is approximately 0.29 acres. Mr. Gilmore reviewed each variance and the standards for reviewing along with the applicant's variance criteria responses. He showed the current and proposed elevations, the footprint and

the site plan.

Board questions for staff: Mr. Drummond asked if the three (3) variances were a result of a certain action like a rezoning or the building not meeting the code. Mr. Drummond asked if the building would exceed the allowed density. Chair Galinas asked if the building would be over 45 feet in height and, if not, how could two stories be added to the building and stay under 45 feet in height.

Applicant questions for staff: None

Applicant presentation: Roger Templeman, applicant representative, sworn, answered questions from the Board. He explained the main floor will not have a habitable unit and the 4th floor will be a penthouse with the 2nd and 3rd floors each having one unit. He highlighted the first floor will be converted into a garage space with a flood vent system and breakaway walls, which will keep the building from imploding during a flood. Mr. Templeman assured the Board that the density would not be exceeded because the code only allows four (4) units on .26 acres. He noted the increase in the floodplain elevation was not anyone's fault and the design could be a case study for minimal improvement to get to modern floodplain standards.

Board questions for applicant: Mr. Drummond asked whether there could be an increase in density by adding units at a later date. Chair Galinas asked if the structure has variances as it sits today and if the building would stay apartments.

Public comment:

Ravichandran Sadhasivam, resident, sworn, stated his home is diagonal to the property, and he had initial concerns about his view being blocked, and he also wanted to get more information on how the increased floodplain elevation was going to work.

Marco Castillo, resident, sworn, stated he lives across the street, and he was concerned about the view. He also wanted to know if the increased floodplain elevation would affect everyone that lives across the street.

Joanne Albarelli, resident, sworn, stated she sold her property that was across the street, and she thinks the variances are a good idea for safety and not ruining the view.

Staff final comment: Mr. Gilmore explained the building does not meet the current code. In the 1990s, a zoning change was made to the South Beach Overlay that restricted the height and density. He said with the current zoning the density is met, and they will not be increasing the number of units. Mr. Gilmore noted that the FEMA flood base zone changed across the state.

Board comment: Ms. Galinas said the variance does not affect the other surrounding buildings.

Applicant final comment: Mr. Templeman said the ground floor conversion will improve the safety and structural resilience of the building and make it compliant with the floodplain regulations. The footprint is being maximized, and the building doesn't damage the island or increase the density. He concluded that the building would stay as apartments and the owner would live on the top floor.

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

Motion was made by Darrell Drummond, and seconded by Renella Mitchell to approve the requested three (3) variances with a maximum of four (4) units to deviate from City Code 125-195 and 125-157 by continuing to exceed the maximum density of 8 units per acre, 125-71 and 125-72 by rebuilding a non-conforming structure and use to an extent amounting to more than 50 percent of the replacement value and without any damage in the R4-A, Hutchinson Island Medium Density Residential Zone; based upon the justification presented by

the applicant.

AYE: Renella Mitchell, Darrell Drummond, Chair Jaimebeth Galinis  
Passed

**7. DISCUSSION / OTHER BUSINESS**

There was not discussion or other business.

**8. COMMENTS FROM THE PUBLIC**

There were no comments from the public.

**9. ADJOURNMENT**



# CITY OF FORT PIERCE

## BOARD OF ADJUSTMENT

AUGUST 28th, 2025

PZVAR2025-00004 – Variances

1144 S. Ocean Drive

(2401-810-0006-000-6)

## **APPLICANT**

Roger Templeman

## **OWNER**

Douglas Hixson

## **PARCEL ID #(S):**

2401-810-0006-000-6

PZVAR2025-00004 – HIXSON QUADRUPLEX



## Request

The applicant is requesting to deviate from City Code 125-195 and 125-157 by continuing to exceed the maximum density of 8 units per acre, 125-71 and 125-72 by rebuilding a non-conforming structure and use to an extent amounting to more than 50 percent of the replacement value and without any damage in the R4-A, Hutchinson Island Medium Density Residential Zone.

The variances would allow vertical expansion of an existing legally non-conforming four-unit residential structure located at 1144 South Ocean Drive. The proposed improvement adds a third and fourth story above the current building without increasing the total number of dwelling units. The ground floor will be converted into compliant garage space with flood vents and breakaway walls. This request supports improved structural resilience, code compliance with floodplain regulations, and preserves existing land use without increasing residential density.



# SITE LOCATION



SITE AREA= 0.29 +/- Acres



# FUTURE LAND USE



# ZONING



## VARIANCES

- Deviation from City Codes 125-195 and 125-157 by continuing to exceed the maximum density of 8 units per acre
- Deviation from City Codes 125-71 and 125-72 by rebuilding a non-conforming structure to an extent amounting to more than 50 percent of the replacement value and without damage.
- Deviation from City Codes 125-71 and 125-72 by rebuilding a use to an extent amounting to more than 50 percent of the replacement value and without damage.



## STANDARDS FOR REVIEW (CITY CODE SECTION 125-100)

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



## APPLICANT CRITERIA RESPONSES (CITY CODE SECTION 125-100)

Criteria 1: Special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district.

***Response 1: The subject property contains a legally non-conforming four-unit structure located within a high-risk coastal VE flood zone. Its location, combined with its substandard lot size and age of construction, presents unique challenges not typically encountered by newer or conforming structures in the area. These factors make modern compliance with current floodplain elevation standards uniquely burdensome.***



## APPLICANT CRITERIA RESPONSES (CITY CODE SECTION 125-100)

Criteria 2: The special conditions and circumstances do not result from the actions of the applicant.

***Response 2: The existing non-conforming structure and its location in a designated coastal flood zone predate the applicant's involvement. No action by the applicant has contributed to the conditions requiring the variance; instead, the variance is a response to updated code and flood resilience standards.***



## APPLICANT CRITERIA RESPONSES (CITY CODE SECTION 125-100)

Criteria 3: The literal interpretation of the provisions of the zoning ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the ordinance and would result in unnecessary and undue hardship on the applicant

***Response 3: Strict adherence to current zoning limitations would prevent vertical expansion necessary to meet FEMA and state-required base flood elevation, effectively barring redevelopment and adaptation. This would deprive the applicant of the reasonable ability to improve safety, longevity, and code compliance, which are rights commonly exercised by other property owners with more conforming sites.***



## APPLICANT CRITERIA RESPONSES (CITY CODE SECTION 125-100)

Criteria 4: The variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.

***Response 4: The requested variance is limited strictly to the addition of two floors—no change in use, dwelling unit count, or building footprint is proposed. This approach allows for elevation above flood levels while preserving the existing residential use and is the minimum relief necessary to reasonably adapt the structure.***



## APPLICANT CRITERIA RESPONSES (CITY CODE SECTION 125-100)

Criteria 5: The granting of the variance will be in harmony with the general intent and purpose of the ordinance, and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.

***Response 5: The project enhances public safety and environmental resilience without increasing density or impervious surface area. It is consistent with the city's vision for flood-conscious redevelopment and supports long-term neighborhood stability by replacing vulnerable ground-floor living areas with code-compliant parking and elevating all habitable space.***



## EXISTING CONDITIONS

The site is currently occupied by a two (2) story, 4-unit building with an existing parking lot.

The applicant proposes the vertical expansion of an existing legally non-conforming four-unit residential structure located at 1144 S Ocean Drive. The project includes the addition of a third and fourth floor, while maintaining the total number of dwelling units at four. The first (ground) floor, which is currently habitable, will be converted entirely into parking and non-habitable storage, in accordance with floodplain regulations. A structural superstructure with driven piles will be constructed around the existing building to support the new floors and enhance the building's resilience to flooding and storm-related hazards. The design intent is to strengthen the structure while improving safety, sustainability, and long-term compliance with current codes. This project includes flood mitigation, resiliency measures, improved parking, and improved access. There is no proposed increase in dwelling units or impervious area.



# EXISTING WEST ELEVATION



PZVAR2025-00004 – HIXSON QUADRUPLEX





# PROPOSED WEST ELEVATION



PZVAR2025-00004 – HIXSON QUADRUPLEX



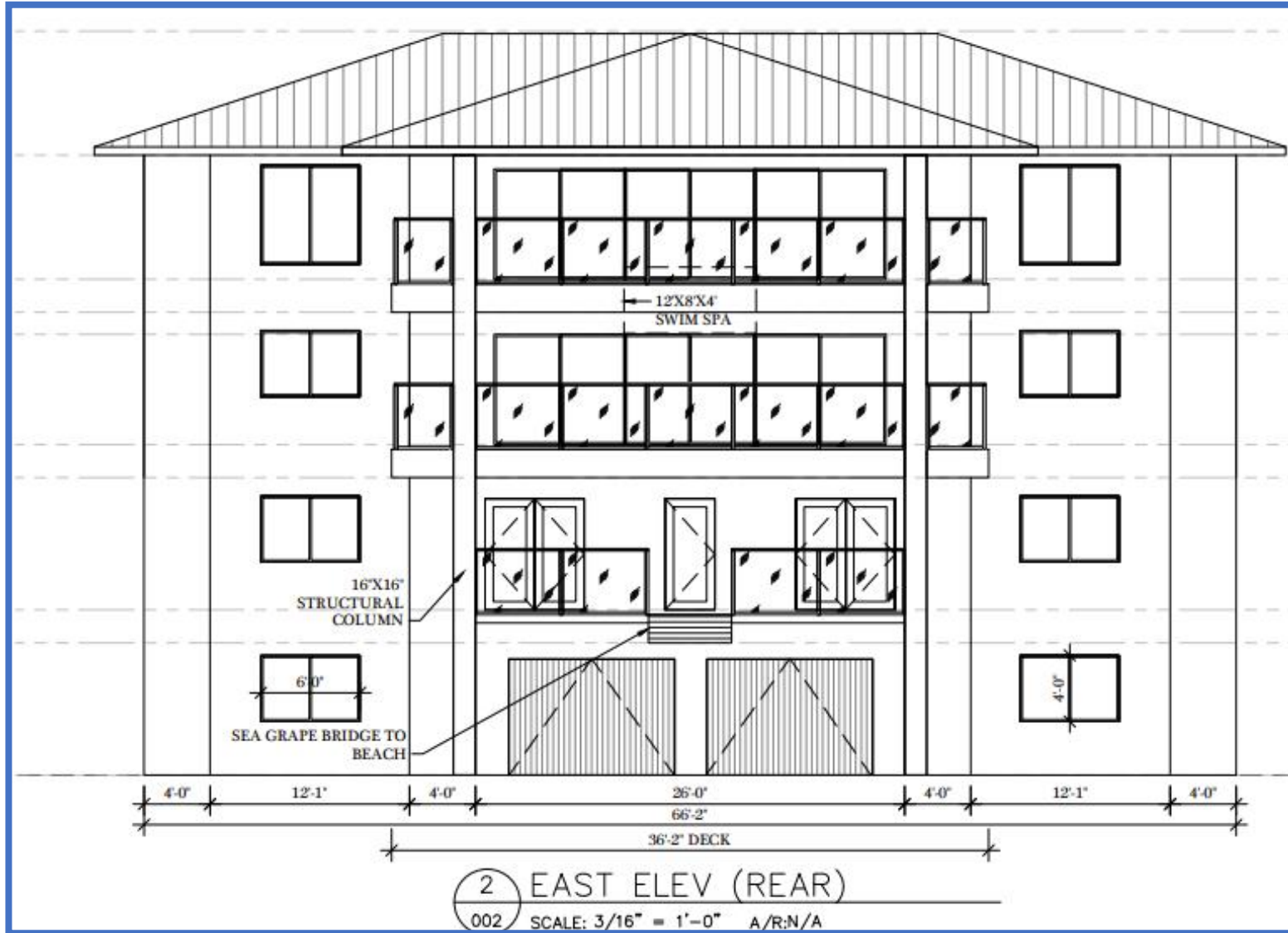
# PROPOSED SOUTH ELEVATION



PZVAR2025-00004 – HIXSON QUADRUPLEX



# PROPOSED EAST ELEVATION



PZVAR2025-00004 – HIXSON QUADRUPLEX





## **TECHNICAL REVIEW COMMITTEE**

All affected departments have reviewed the proposed VARIANCES with regards to consistency with established ordinances and requirements of the City Code.



## STAFF RECOMMENDATION

The recommendation of Staff is to grant **APPROVAL** of the requested three (3) variances to deviate from City Code 125-195 and 125-157 by continuing to exceed the maximum density of 8 units per acre, 125-71 and 125-72 by rebuilding a non-conforming structure and use to an extent amounting to more than 50 percent of the replacement value and without any damage in the R4-A, Hutchinson Island Medium Density Residential Zone; based upon the justification presented by the applicant.



## BOA ACTIONS

### • Alternative actions of the Board of Adjustment:

- Approval with changes.

or

- Disapproval





# CITY OF FORT PIERCE

## BOARD OF ADJUSTMENT

AUGUST 28th, 2025

PZVAR2025-00004 – Variances

1144 S. Ocean Drive

(2401-810-0006-000-6)

## VIEW OPPOSITION

On February 6, 2017, a Three (3) Story Single-Family Home Site Plan and Conditional Use (at 45 feet) were approved by City Commission with opposition by several residents in the Avalon Beach Club (an 8-Story, 117-unit Condominium approx. 80 feet tall. The item was public agenda item 11a.

The determination by the City Attorney and Commission was that views are not guaranteed and that the owner of the property at 324 S. Ocean Drive has the option by right to go up to 45 feet in height from the FEMA Flood Based Elevation Per City Code Section 125-195. – Hutchinson Island Medium Density Residential Zone (R-4A) and City Code Section 125-157. – Design of overlay districts (1) South Beach Overlay District.

