



CITY OF FORT PIERCE

Board of Adjustment

December 4th, 2025

Digital Billboard – Variance

550 S. US Hwy 1

Parcel ID: 2410-711-0060-000-6

APPLICANT

David Henry Construction
LLC

PROPERTY OWNER(S)

John Ackley

PARCEL ID #(S):

2410-711-0060-000-6

(550 S US Hwy 1)

SUMMARY

In accordance with Article II of Section 125 of the City Code, the applicant is requesting to deviate from City Code 117-6 to increase the height of their existing V-shape digital ground sign to 35 feet and to deviate from City Code Section 117-7(5)(3) regarding Permitted Signs for C-3, General Commercial Zone.



CITY CODE: DIVISION 3 - VARIANCES

Sec. 125-98

The purpose of a variance is to allow a modification of certain zoning ordinance regulations when such modification will not be contrary to the public interest and when, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of the ordinance provisions would result in unnecessary and undue hardship. Unnecessary and undue hardships may result from the size, shape or dimensions of a site; the location of existing structures on the site; geographic, topographic or physiographic features or other conditions on the site or in the immediate vicinity; or street locations or traffic conditions in the immediate vicinity.

A variance may be granted only in the event that all of the following criteria are satisfied:

- (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; and
- (5)
The granting of the variance will be in harmony with the general intent and purpose of the ordinance codified in this section and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.



BACKGROUND/HISTORY

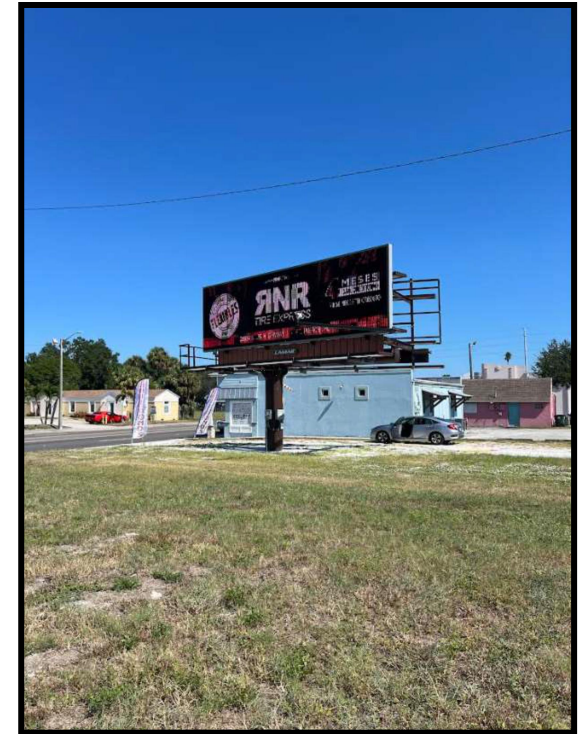
- Building permit # **CBLDG-2024-0038** was submitted for review (11/6/24) to reface the sign, making it V-shape
 - Height of billboard remained at 25ft.
 - Resubmittal request due to lack of renderings of proposed refaced sign (11/14/24)
- Non-digital refaced sign approved (11/26/24) for V-shape
 - billboard height remained at 25ft.
- Permit resubmitted to modify sign to V-shape digital sign (2/4/25)
 - billboard height remained at 25ft
 - V-shape digital sign approved (2/6/25)
- Variance application # **PZVAR2025-00006** submitted to increase height to 35ft due to low visibility driving south on US HWY 1 (9/2025)



SITE LOCATION/CONDITION



- SITE AREA= 0.23+/- Acres
- The parcel is vacant



Height before reface permit

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CITY CODE: Chapter 117 – SIGNS

Sec. 117-1 Definitions

- Billboard (See Off-premises sign)
- Off-premises sign means any sign which advertises a use, establishment, product or service that is sold, produced, manufactured or furnished at a place other than on the property on which said sign is located. (Also called an outdoor advertising sign or billboard)
- Ground signs means a sign affixed to the ground, either flush or on poles, and not attached to any building for support, which may include a reader board

Sec. 117-6(c)(7) Regulation: Off-premises signs shall comply with subsection (b)(3) of this section where the off-premises sign is also a ground sign

1. Sec. 117-6(3)(a)(1) Ground signs sites that are less than or equal to 3 acres shall have a min. height of 10 ft. Sites that are greater than 3 acres and less than or equal to 5 acres shall have a maximum height of 12 ft.



CITY CODE: Chapter 117 – SIGNS cont'd

2. Sites that are greater than five acres and less than or equal to ten acres shall have a maximum height of 15 feet.
3. Sites that are greater than ten acres and less than or equal to 20 acres shall have a maximum height of 18 feet.
4. Sites that are greater than 20 acres shall have a maximum height of 20 feet.

Sec. 117-6 (c) *Off-premises signs.*

- (1) Shall not exceed an aggregate sign area of 400 square feet including all trim, molding or skirting.
- (2) Shall not exceed a sign dimension of 40 feet horizontally or 12 feet vertically including all trim, molding or skirting.
- (3) **Shall not exceed a total height above natural ground level of 25 feet.**
- (4) Shall be located a minimum of 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 square feet or portion thereof that the sign exceeds 200 square feet.
- (5) Shall have the following minimum distances between any two off-premises signs:
 - a. Five hundred feet where at least one off-premises sign is more than 100 square feet in sign area.
 - b. Five thousand feet where both signs are more than 100 square feet in off-premise sign area.
- (6) May have two signs situated back-to-back or oriented in a single V having an included angle of not more than 30 degrees.
- (7) Shall comply with subsection (b)(3) of this section where the off-premises sign is also a ground sign.

Sec. 117-7(5) Permitted Signs: General Commercial and Industrial Zoning Districts (C-3, C-4, CP, I-1, I-2, and I-3)

a. *Semi-restricted uses.*

5. Off-premises signs.

Conditional uses. Same as semi-restricted uses.

b.



FUTURE LAND USE

FLU: GC, General Commercial



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ZONING

Zoning: C-3, General Commercial



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STREET VIEW (northbound)



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STREET VIEW (southbound)



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PROPOSED SIGN/JUSTIFICATION

- Seeking to increase height an additional 10ft

Applicant's Hardship (Reasoning)

- Height increase will improve visibility



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VARIANCE CRITERIA

Sec. 125-100 A variance may be granted only in the event that all of the following criteria are satisfied:

- x 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;
 - x The special conditions and circumstances do not result from the actions of the applicant;
 - x 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;
 - x The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure;
- The granting of the variance will be in harmony with the general intent and purpose of the ordinance codified in this section and such variance will not be injurious to the area involved or otherwise detrimental to the public welfare.



RECOMMENDATION

According to Sec. 117-6, ground signs in C-3 zoning district shall not exceed a total height of 25ft. above grade. The variance criteria's have not been met by the application.

Planning Department **does not** recommend an approval.

ALTERNATE RECOMMENDATIONS:

1. Recommend approval with or without conditions





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