



THE SUNRISE CITY
FORT PIERCE
PLANNING DEPARTMENT
Florida

TO: Richard Chess, MBA City Manager

THROUGH: Kevin Freeman, Planning Director

FROM: Kerry C. Driver, Senior Planner

RE: **Variance: Billboard**
550 S US Hwy 1

BOARD DATE: December 4, 2025

STAFF REPORT

Owner: John Ackley
3760 New Tampa Hwy
Lakeland, FL 33815

Applicant: David Henry
David Henry Construction
LLC
3760 New Tampa Hwy
Lakeland, FL 33815

Applicant's Request: Approval of Variance: Billboard

Location(s): 550 S US Hwy 1

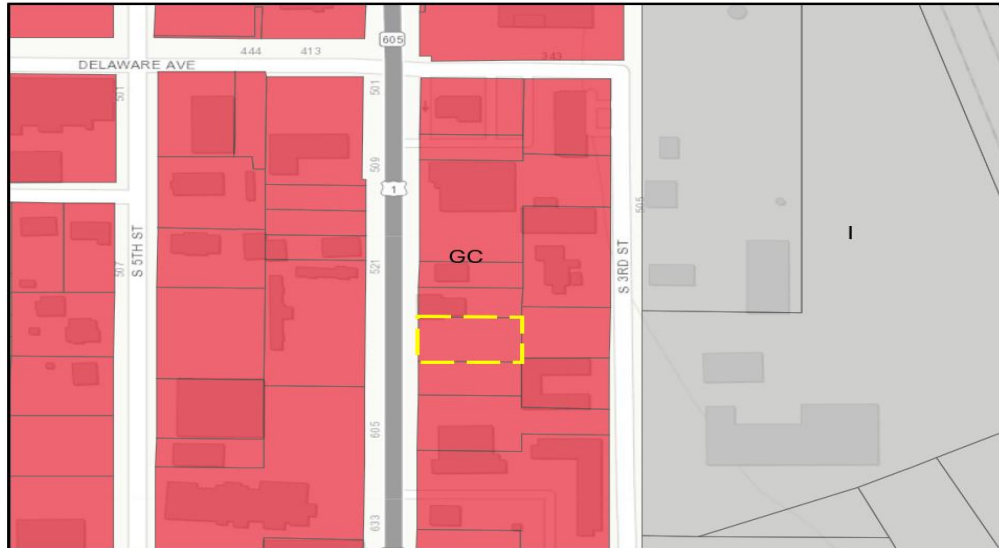
Parcel ID: 2410-711-0060-000-6

Future Land Use: General Commercial (GC)

Current Zoning: C-3, General Commercial

Surrounding FLU:

North	East	South	West
GC	GC	GC	GC



Surrounding Zoning:

North	East	South	West
C-3	C-3	C-3	C-3





Site Area:
550 S US Hwy 1
+/- 0.25 acres

Utilities: FPUA

Staff Analysis:

Variance Request

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 allowed height of their existing billboard sign and to deviate from City Code Section 117-7(5)(3) - Permitted Signs for C-3, General Commercial Zone.

Project Summary

The applicant is seeking approval of a 35' height billboard. The current V-shaped digital billboard on the parcel is 25' in height.

Site History

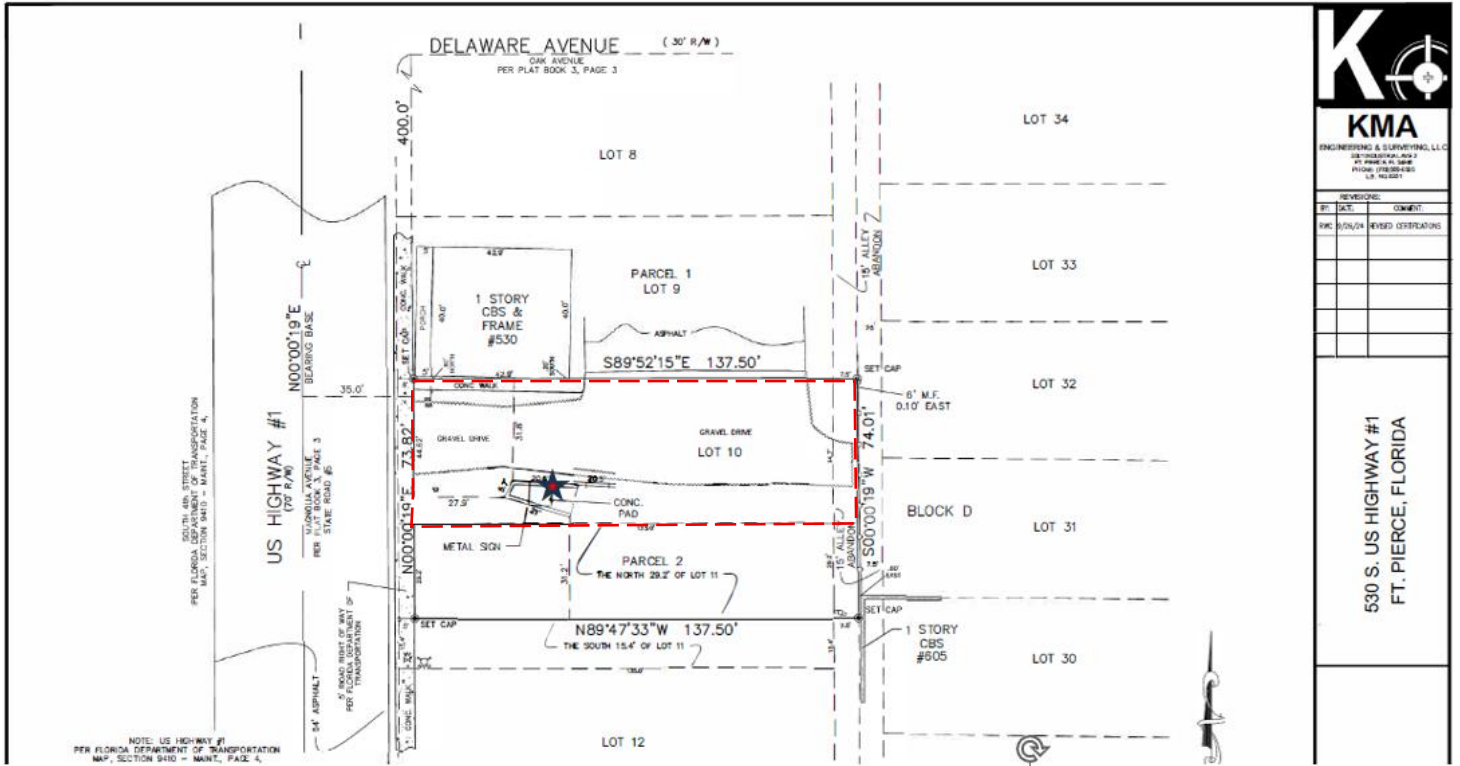
A building permit, CBLDG-2024-0038, was submitted for review (11/6/24) to reface the existing 25ft height sign and make it V-shape. On November 14, 2024, the permit required resubmittal due to lack of proposed renderings of the refaced sign. The V-shape sign was approved on November 26, 2024.

February 4, 2025, the applicant submitted another permit resubmitted to modify the recently approved V-shape and make it digital sign. The still existing 25ft V-shape sign was approved to be refaced into a digital V-shape sign February 6, 2025.

The applicant submitted the variance application to increase the existing 25ft height digital V-shape sign

to 35ft for more visibility.

Site Plan & Sign Location



Sign Street View



(Northbound view)



(Southbound view)

Proposed Height View



Hardship Justification

1. Height increase will improve visibility to drivers heading south on US Highway 1.

Landscaping

No landscape details were provided.

Existing Conditions

The parcel currently has a 25ft height V-shaped digital billboard on it.

Lighting

No lighting details were provided.

Variance Criteria

According to Section 125-100, Criteria for granting variances, 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 this 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.

Applicant's Response

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

Structures in this zone have a 25-foot setback. The property that is adjacent to our property has a structure with a zero-foot setback.

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

No special conditions result from the actions other than ours.

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 adjacent building to the north sits directly on the property line with no setback obstructing the visibility of the billboard's rear face. Additionally, the current low placement of the board limits the usable space at ground level. Increasing the height will improve the visibility of the sign, enhance the visual openness of both our property and the neighboring one, and provide greater functionality and

flexibility for ground-level use.

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

We are seeking the minimum variance we would need, which is a 10-foot increase.

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

The requested variance to raise the height of the existing billboard by 10 feet will not impair the intent of the City of Fort Pierce's zoning ordinance, nor will it be detrimental to the general public welfare. The purpose of the zoning regulations is to promote the orderly and compatible use of land, ensure public safety and welfare, and support the economic and aesthetic integrity of the city. This request is consistent with those objectives for the following reasons:

1. **Maintains Compatibility with Surrounding Development:** Raising the height restores its visibility without increasing its sign face size or changing its use.
2. **Enhances Public Safety and Property Functionality:** By elevating the sign more usable space is created at the ground level, improving site circulation and allowing for safer and more efficient use of the property. This supports better land utilization in line with the city's development goals.
3. **No Negative Impact on Adjacent Properties or Public Welfare:** The variance does not create any adverse impacts such as obstruction of views or increased noise and traffic. In fact, by raising the sign the visual openness of both the subject property and neighboring parcels is improved. The visual aesthetics of the billboard will be improved as both faces will be fully visible and utilized enhancing its appearance and functionality to the public.

Technical Review Committee

All affected departments have reviewed the proposed Variance application regarding the requirements of the City Code. Findings from the review by corresponding departments and the associated responses by the applicant are provided with the staff's supporting documents.

Property Owner Response Summary

A total of 4 notifications of the proposal were mailed to the owners of property located adjacent of the subject property. As of November 25, 2025, there have been zero (0) responses by adjacent property owners regarding the request. An update will be provided at the Board of Adjustment public hearing.

Staff Recommendation:

According to Sec. 117-6, ground signs in C-3 zoning district shall not exceed a total height of 25ft. above grade. Based on the listed variance criteria from Section 125-100, Planning Department has determined that 1 out of 5, specifically number 5 on list, has been met.

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