



CITY OF FORT PIERCE

Board of Adjustment

December 4th, 2025

Fence Height- Variance
Celebration Pointe HOA
5325 Fantasy Drive

APPLICANT

Sovereign & Jacobs

PROPERTY OWNER(S)

Celebration Pointe Master
Association, Inc.

PARCEL ID #(S):

2418-600-0049-000-6

(5325 Fantasy Drive)

SUMMARY

In accordance with Chapter 125 Article II Division 3 of the City Code, the applicant is requesting to increase the community property pool fence height to 8 feet; preventing trespassing and vandalism.



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)

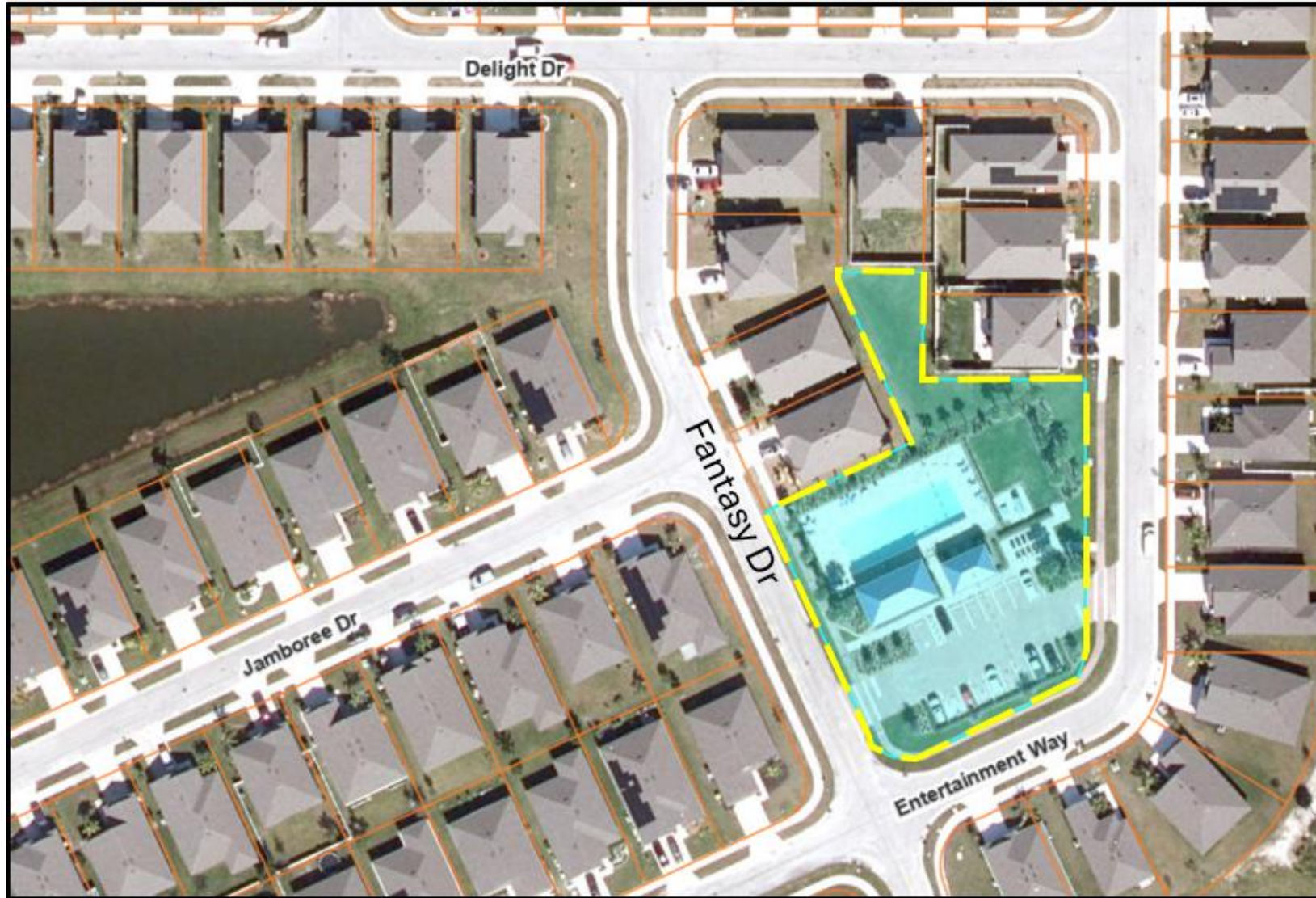
The variance granted is the minimum variance that will make possible the reasonable use of the land, building or structure; and

(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.



SITE LOCATION/EXISTING CONDITIONS



- SITE AREA= 0.81+/- Acres



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CITY CODE: Chapter 125 – ZONING

Sec. 125-322 Fences, walls, and hedges; installation, replacement, maintenance

- (a) Purpose is to protect and preserve the health, safety, welfare, appearance, and general wellbeing of the citizens of the city
- (c)(4) Planned Unit Development fences or wall may be maintained along property lines or within the required yards, to a maximum height of six feet above finished grade of the abutting parcel
- (e)(2) Swimming pools shall comply with all applicable requirements of the state building code
 - CHAPTER 64E-9 PUBLIC SWIMMING POOLS AND BATHING PLACES



FUTURE LAND USE


FLU: RM, Residential Medium

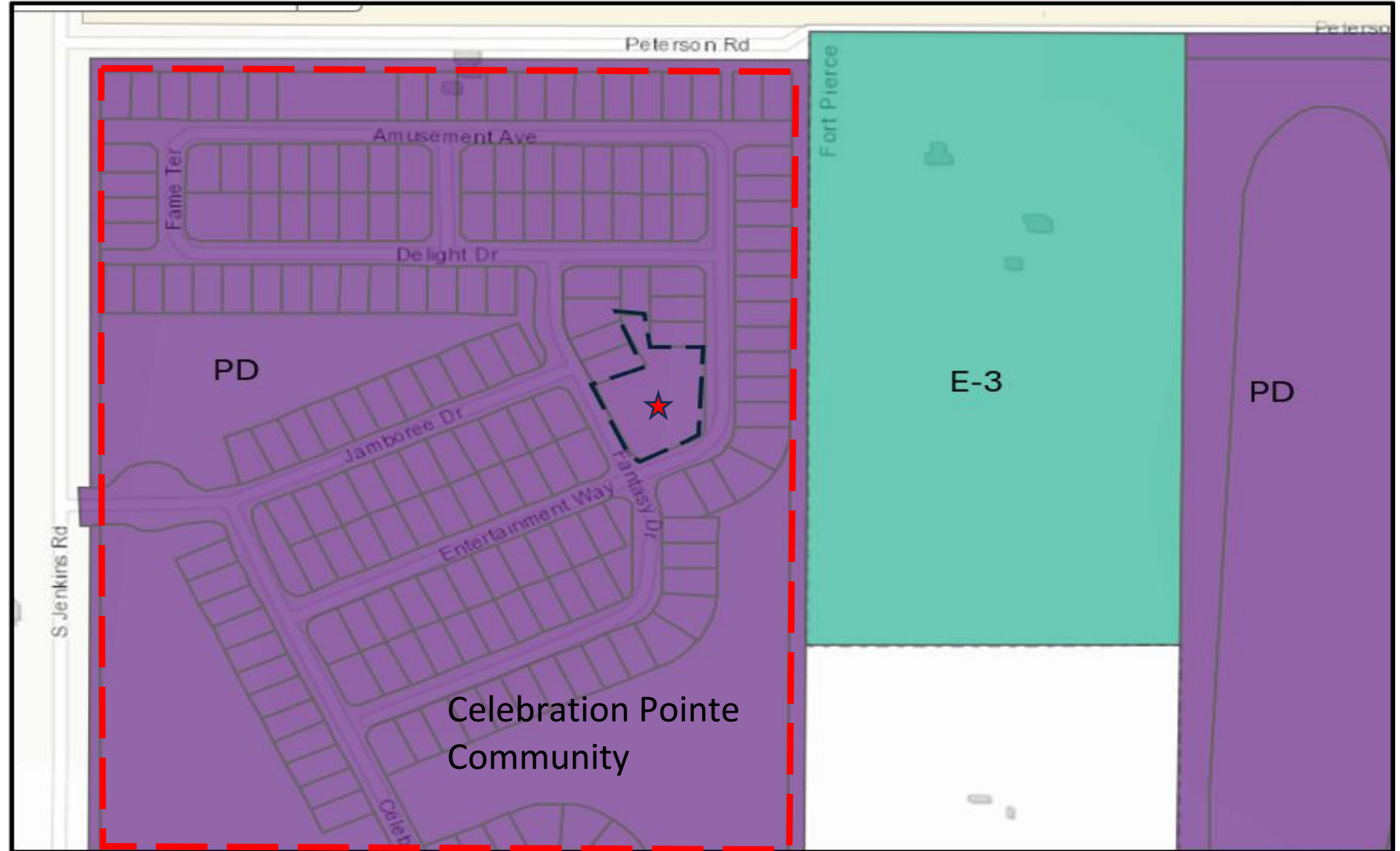


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ZONING

Zoning: PD, Planned
Development 



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CURRENT POOL HOUSE FENCE



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APPLICANT'S HARDSHIP DOCUMENTS

Celebration Point - POOL FOBS - Violations

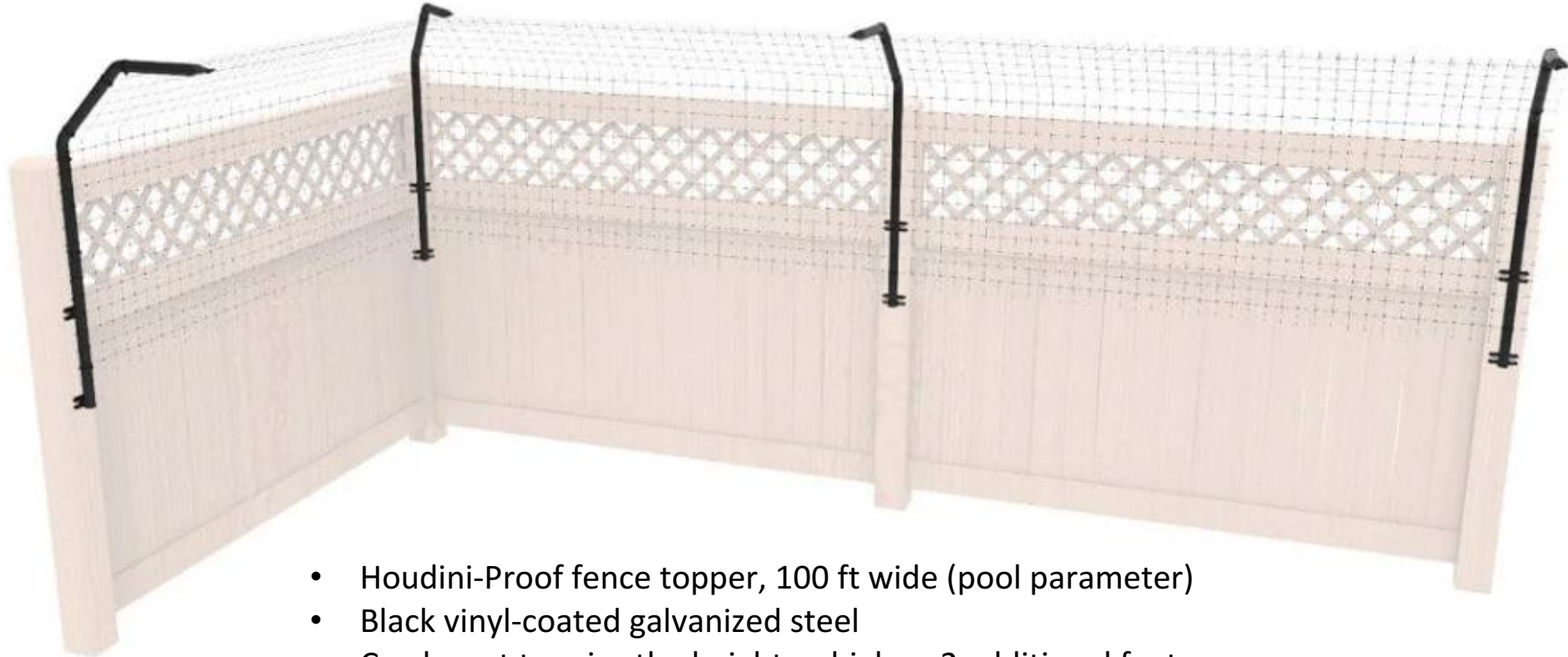


Name	Violation Date	Address	Suspension Date	Suspension End	FOBS #	Deactivated (YES/NO)	
[REDACTED]	7/25/2025	[REDACTED] Delight Dr	7/28/2025	7/28/2026	63721/63723	YES	Aggressive male
[REDACTED]	7/25/2025	[REDACTED] Party Place	7/28/2025	7/28/2026	63256/63254	YES	Jumped the Fence multiple times
[REDACTED]	7/24/2025	1300 Festivity Lane	7/28/2025	7/28/2026	63229/63230	YES	Fob was stolen- Closed Violation- 63229 Never Activate
[REDACTED]	7/28/2025	[REDACTED] Merriment Way	7/31/2025	7/31/2026	64026	YES	Forcibly tried to break the gate open, then jumped it
[REDACTED]	7/28/2025	[REDACTED] Ceremony	8/1/2025	8/1/2026	NO FOBS	NO	Jumped the Fence multiple times
[REDACTED]	7/24/2025	[REDACTED] Entertainment Way	8/1/2025	8/1/2026	NO FOBS	NO	Letting people who are restricted from the pool gate
[REDACTED]	8/13/2025	[REDACTED] Merriment Way	8/14/2025	8/14/2026	64151	YES	64150 is still active; 64051 was stolen.
[REDACTED]	8/20/2025	[REDACTED] Gladness Court	8/20/2025	8/20/2026	NO FOBS	NO	Jumped the Fence multiple times
[REDACTED]	9/9/2025	[REDACTED] Merriment Way	9/15/2025	9/15/2026	63955/63964	YES	Changed clothes on camera
[REDACTED]	10/23/2025	[REDACTED] Entertainment Way	10/23/2025	10/23/2026	63823/63820	YES	Dog in the pool
[REDACTED]	10/23/2025	[REDACTED] Jovial Court	10/23/2025	10/23/2026	63856/63858	YES	Rocks in the Pool

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PROPOSED ADDITION TO FENCE



- Houdini-Proof fence topper, 100 ft wide (pool parameter)
- Black vinyl-coated galvanized steel
- Can be set to raise the height as high as 2 additional feet

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RECOMMENDATION

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

- 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;
- The special conditions and circumstances do not result from the actions of the applicant;
- 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;
- 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.

The variance application has met all criteria. Therefore, Planning staff recommends **approval** for the fence height increase.



CONDITIONS ON APPROVAL

Four conditions of approval recommended by the Planning Department

1. The fence material may only be material approved by the Florida State Building Code
2. The fence extension shall be constructed in such manner that is not a blight to the community's aesthetics
3. The fence extension material must be the same color as the pool fence
4. The use of the pool is restricted until installation past inspection

ALTERNATE RECOMMENDATIONS

5. Recommend approval with additional/modified conditions
6. Recommend disapproval





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