

DRAFT



CITY OF FORT PIERCE BOARD OF ADJUSTMENT

Board of Adjustment Minutes

OF THE REGULAR MEETING OF THE FORT PIERCE CITY BOARD OF ADJUSTMENT HELD ON THURSDAY, **DECEMBER 4, 2025**, IN FORT PIERCE CITY HALL, COMMISSION CHAMBERS, 100 NORTH US HIGHWAY 1, FORT PIERCE, FLORIDA.

1. CALL TO ORDER

2. PLEDGE OF ALLEGIANCE

3. ROLL CALL

Present: Darrell Drummond; James Crist; Jaimebeth Galinis, Chair

Absent: Allyson Mendez; Renella Mitchell

Staff Present: Felicia Holloman, Assistant City Attorney
Chris Suneson, Assistant Planning Director
Kerry Driver, Senior Planner
Alicia Rosenthal, Planning and Development Organizer

4. CONSIDERATION OF ABSENCES

Motion was made by Darrell Drummond, and seconded by James Crist to excuse the absences of Ms. Mendez and Ms. Mitchell.

AYE: Darrell Drummond, James Crist, Chair Jaimebeth Galinis
Passed

5. APPROVAL OF MINUTES

- a. Minutes from the August 28, 2025 meeting

Motion was made by Darrell Drummond, and seconded by James Crist to approve the minutes from the August 28, 2025 meeting.

AYE: James Crist, Darrell Drummond, Chair Jaimebeth Galinis
Passed

6. PUBLIC HEARINGS

- a. **PZVAR2025-00005**
Variance - Fence Height
Celebration Pointe HOA
5325 Fantasy Drive

The clerk introduced the Variance to the fence height at Celebration Pointe, 5325 Fantasy 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) members are present.

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. Crist - no
Mr. Drummond - 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: Ms. Driver gave an overview of the application and answered questions from the Board. She said the applicant is requesting to increase the community property pool fence height from 6 feet to 8 feet, to prevent trespassing and vandalism. Ms. Driver said the site area is approximately .81 acres with a Future Land Use of RM - Residential Medium and Zoning of PD - Planned Development. She showed pictures from the alarm system of people jumping over the pool fence, and she provided a list of homeowner violations as of July 2025. Ms. Driver described the proposed fence topper and noted the topper can be raised an

additional two feet. She stated the application had met all the Variance criteria, and she reviewed the four conditions of approval.

Board questions for staff: Chair Galinas asked what special conditions or circumstances exist that are unique to the property. She also asked if the violations shown were a crime because crime is not a special circumstance. Mr. Crist asked if they had looked at other avenues to secure the pool, such as a fence with decorative spikes or shrubs with thorns. Mr. Crist also asked when the clubhouse and pool were completed and if the vandalization happened only in the last 3 months. Mr. Drummond asked if a home with a pool along Jenkins Road would be allowed an 8-foot fence if it was being vandalized.

Applicant questions for staff: None

Applicant presentation: Applicant was not in attendance.

Board questions for applicant: None

Public comment: None

Staff final comment: Mr. Suneson said staff is unaware of any other similar communities situated in the Planned Development zoning district that have had the intensity of trespassing and vandalism violations.

Board comment: Chair Galinas said the applicant could get a guard gate or hire security instead of changing the code. Chair Galinas noted the hardship report is not a police report but a list of residences breaking into their own pool. Mr. Crist noted the applicant was not in attendance to answer the Board's questions. Mr. Crist suggested a hedge around the perimeter, changing the locking mechanism, and changing the entrance gates so that a code is needed to get in and out. Mr. Drummond said he agreed with the added vegetation, and he is reluctant to approve without having more answers.

Applicant final comment: None

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

Motion was made by Darrell Drummond, and seconded by James Crist to deny the 8-foot fence.

AYE: James Crist, Darrell Drummond, Chair Jaimebeth Galinis

Passed

- b. **PZVAR2025-00006**
Variance - Billboard Height
550 S. US Highway 1

The clerk introduced the Variance for the billboard height located at 550 S. US Highway 1.

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) 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

Mr. Crist - 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: Ms. Driver gave an overview of the application and answered questions from the Board. She said the applicant is requesting to increase the height by 10 feet of their existing V-shape digital ground sign to 35 feet and to deviate from permitted signs for the C-3, General Commercial zone. Ms. Driver provided the history of the building permit to reface the sign making it V-shape. She said the approximate .23 acre parcel is vacant and has a Future Land Use of GC - General Commercial and Zoning of C-3, - General Commercial. Ms. Driver showed street view pictures of the billboard. Ms. Driver said the applicant's hardship is that the height increase will improve visibility. She concluded by saying that ground signs in the C-3 zoning district shall not exceed a total height of 25 feet above grade and the variance criteria have not been met.

Board questions for staff: The Board agreed that the extended height of the billboard variance is not the appearance that is wanted on US Highway 1 and, Mr. Drummond said since there is no hardship, the applicant should talk to the Commission about changing the sign ordinance.

Applicant questions for staff: None

Applicant presentation: John Ackley, Lamar representative, sworn, stated he has sound arguments that make sense but not with the variance criteria. He said he agrees that the request should go before the Commission.

Board questions for applicant:

Public comment: None

Staff final comment: Mr. Suneson said US Highway 1 is the face of the community and the purpose of the code is to clean up the clutter. He noted the applicant created the sign at 25 feet and there is no hardship.

Board comment: Ms. Galinas said the goal on US Highway 1 is to lower signs so it does not look like I-95. She said it takes all five criteria to meet the variance. Mr. Crist said the city is trying to approve the appearance on US Highway 1 and the sign was built knowing the maximum height was 25 feet. Mr. Crist said raising the sign height is not an improvement.

Applicant final comment: None

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

Motion was made by Darrell Drummond, and seconded by James Crist to disapprove the Variance because the variance criteria requirements have not been met.

AYE: Darrell Drummond, James Crist, Chair Jaimebeth Galinis
Passed

7. DISCUSSION / OTHER BUSINESS

Mr. Drummond thanked staff for all the meeting reminders and Chair Galinas thanked staff for adding the Variance criteria to the presentation.

8. COMMENTS FROM THE PUBLIC

There were no comments from the public.

9. ADJOURNMENT