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 Height** **1710 N. 25th Street**
BOARD DATE:	May 28, 2026

STAFF REPORT

Owner:	Undisputed Investments 2300 Avenue P Fort Pierce, FL 34950
Applicant:	Jeffery Mickle Bondi Custom Builders 810 Saturn St., Suite 16 Jupiter, FL 33477
Applicant's Request:	Approval of Variance: Billboard Height
Location(s):	1710 N. 25th Street
Parcel ID:	2404-611-0009-000-5
Future Land Use:	General Commercial (GC)
Current Zoning:	C-3, General Commercial

Surrounding FLU:

North	East	South	West
GC	RL	GC	GC

Surrounding Zoning:

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

Site Area:
1710 N. 25th Street
+/- 0.25 acres

Utilities: FPUA

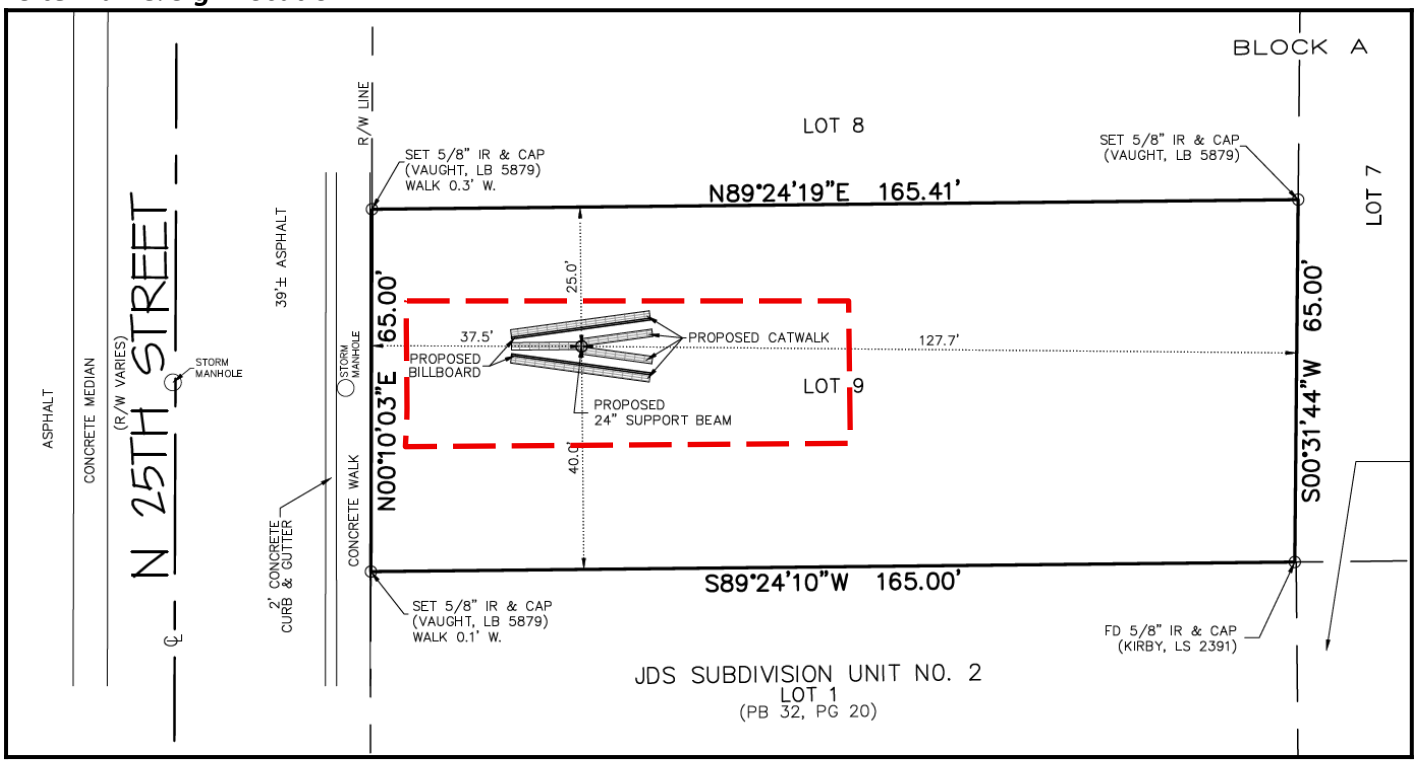
Staff Analysis:

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 25' height digital billboard. The current V-shaped billboard on the parcel is 10' in height.

Site History
- Applicant presented variance for approval on April 3, 2025
- Request was denied by Board
- Applicant submitted permit to install a 10ft. non-digital V-shaped billboard after previous 25ft height billboard was denied on 7/29/25
- 10ft. height sign approved by presenting Planner on 12/2/25
- Applicant applied for <u>second</u> variance request on 1/29/26

Site Plan & Sign Location



Sign Street View

(Northbound view)

(Southbound view)

Hardship Justification
Granting the requested variance would not impair the intent of the zoning ordinance or be detrimental to the general public welfare because off-premise signs are expressly allowed by the City's zoning ordinance. Section 117-6(c) "Off-premise signs" of the Fort Pierce Sign Ordinance allows an off-premise sign to be built at the proposed location. The only area of disagreement is the proposed height. Since the ordinance allows such signs to be 25 feet tall – see Section 117-6(c)(3) – allowing the requested height does not impair the intent of the ordinance, which is to allow such signs.

Landscaping
No landscape details were provided.

Existing Conditions
The parcel currently has a 10ft height V-shaped 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.

The specific property, which is only 0.25 acres in size and undeveloped, is uniquely situated along N 25th Street in a location where it does not have access to another thoroughfare with less traffic. Given the parcel's proximity to the traffic light at the intersection of N 25th Street and Avenue Q, access to traffic in both directions would be challenging. Allowing the requested sign at the requested height will allow the landowner to generate some revenue from this otherwise unattractive lot with limited development options.

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

Respectfully, the City staff's interpretation of its Sign Ordinance has created a situation where a proposed off-premise sign that complies with all of the size, height, and location criteria set forth in Section 117-6(c) "Off-premise signs" is being denied because the City staff believes the off-premise sign is also subject to the height requirements imposed on ground signs in Section 117-6(b)(3). This interpretation is contrary to how the City has permitted off-premise signs previously, including a sign recently permitted by the City for another sign company.

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.

Because the City has previously allowed another sign company to have an off-premise sign that is 25 feet tall and not required this other applicant to comply with the height requirement for ground signs, applying the Sign Ordinance in a different fashion for Scotty Outdoor creates an undue hardship and deprives Scotty Outdoor of its rights under the City's Sign Ordinance..

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

The minimum variance that would give the reasonable use of the proposed off-premise sign is a 15 foot height variance to allow the sign to be 25 feet tall rather than 10 feet tall.

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

Granting the requested variance would not impair the intent of the zoning ordinance or be detrimental to the general public welfare because off-premise signs are expressly allowed by the City's zoning ordinance. Section 117-6(c) "Off-premise signs" of the Fort Pierce Sign Ordinance allows an off-premise sign to be built at the proposed location. The only area of disagreement is the proposed height. Since the ordinance allows such signs to be 25 feet tall – see Section 117-6(c)(3) – allowing the requested height does not impair the intent of the ordinance, which is to allow such signs.

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 1 notifications of the proposal were mailed to the owners of property located adjacent of the subject property. As of May 15, there have been zero (0) responses by adjacent property owners regarding the request. An update will be provided at the Board of Adjustment at the 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. In addition, the parcel is in the City's Community Redevelopment Agency (CRA) district, and the proposed use does not align with the city's vision to take advantage of opportunities for economic, social, or aesthetic improvements. The variance criteria's have not been met by the application.

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