

Variance Application per Section 9.2.0 of the Villages Zoning Ordinance.

November 15, 2021

- 1) Name & address of applicant: Blaine & LaDonna Oney
495 Peninsula Drive, Fort Pierce, FL. 34946
- 2) Legal Description, Street Address, Lot number and subdivision name (See Provided copy of survey Dated 6/1/2020 by Arnold Surveying, Inc.).
- 3) Property size is 16,682 SF (approx.) – See provided copy of Survey dated 6/1/2020 by Arnold surveying, Inc. for dimensions.
- 4) The variances sought are for boundary relief on 3 sides of subject property. Additionally, utilization of Section 3.2.1 (B)(4) in lieu of Section 3.5.6 Table 2; 50% Maximum Impermeable Surface vs 40%
 - a. South Boundary: Requesting an allowable setback from the waterward side of the Bulkhead line of 17' to building structure. The existing structure is already within the South setback, being approximately 17' from the Bulkhead line. Along with this request, I have submitted copies of engineering for Seawall Modifications for a portion of the canal seawall. The plans explain how and where the seawall is to move up to 3' landward in order that a boat lift (elevator type) will replace the existing elevator. This seawall relocation will allow most of the elevator arms and rails to set away from the canal thus minimizing the footprint of a boat and elevator on the canal body. The South face of the relocated portion of the seawall cap (Bulkhead line) will be 14' from the building. Reference Ordinance Section 3.5.6.(c). Additionally, we are requesting that this relocated section of the seawall, moving the Bulkhead line to within 14' of the

new structure, be acceptable by this request and not require an additional variance.

- b. East Boundary: Requesting an allowable setback of 10' from the waterward side of Bulkhead line to a swimming pool. Reference Ordinance Section 3.5.6 (c), Site and Roof Sketch Plan and Ordinance-2018-6,18. (C).
- c. North Boundary: Requesting a 15' setback for the structure (N.E. corner of 1 story pumphouse) and a 3.5' setback for a covered balcony from the North boundary of our property and the 50' ROW. The North side of the existing structure is currently in the setback, with the stairs and landing being approximately 14.6' from the North boundary line of the property. This boundary is common to a 50' wide grassy undeveloped R.O.W. This R.O.W. is a continuation from the West at the end of paved Peninsula Drive and terminates to the East at the Indian River. Reference Ordinance Section 3.5.6. Table 2, photo East view of ROW and Site and Roof Sketch Plan. This short section of the roadway (approx. 45' beginning at the N.W. property corner ends approx. 45' from that point running easterly. This short section of pavement would by description make only a very small portion of a front yard. Reference Section 3.5.6. (B). By default, the remaining portion of the property between the North boundary line and the structure should be considered as a side yard. Using that logic, in table 2, the space required between 2 structures, "Side (feet) 15/10**". There shall be 25' between all structures. Side yard on one lot shall be at least 15' and the adjacent adjoining lot shall have at least 10'." The ROW provides 50' between boundary lines.

This matter came before the Board of Adjustment of the Town of St. Lucie Village, Florida on September 23, 2020, at 6:30 p.m. The hearing was held via a Go to Meeting. The uniqueness of two single structures next to a 50' R.O.W was brought up with the Building Official and others in the meeting. It was discussed that the arrangement of the two structures next to the R.O.W. (one to the South and one to the North) was more like a side yard configuration than a front yard. A front yard requiring a 25' setback and a side yard

between structures a combined 25' of separation. One structure set back at 15' and the other a minimum of 10'.

- d. Requesting variance to allow the Maximum Impervious Area for this request to be 50% per Section 3.2.1 (B) in lieu of the 40% stated in Section 3.5.6 Table 2.
- 5) The variances requested for boundary relief (4a,4b, & 4c above) will allow for better utilization of the narrow, 100' North to South river frontage by 159+' East to West, property. The designed layout of the structure for this property has been broken into wedge shaped segments brought together to allow, on the narrower side, a view to the front of the structure from the short street to the East and South. The rear of the plan is a broader expanse, taking in the view of the Indian River to the East.

The requested variance (4d above) of 50% for Maximum Impervious Area will be useful for the longer driveways (greater sf of surface area) necessary to get from the short roadway to the garages. Due to the short section of Peninsula Drive in front of the property, longer driveway paving is required. This is unusually unique to a property of this size and adds to the amount of impervious area not normally required.

- 6) The ordinances that regulate the use of this property presents a hardship because of the very short section of pavement that is in the "front" of the property and the 50' wide R.O.W. that exists between two residences (reference photo east view of R.O.W from the street). If both houses (ours and the house directly North of the ROW) were built on their respective property lines (zero lot lines) there would still be a 50' separation between the structures and the 50' R.O.W. would remain intact. We are only requesting to construct a structure within 15' of the ROW (North boundary) and to construct a balcony to within 3.5' of the ROW (North boundary). I heard Mr. Lounibos say at the Board of Adjustment Meeting on November 2, 2021, that there are structures in St. Lucie Village that are built on the other side of his property line (on the shared common property line). I

would point out that there is not a 50' ROW that separates these properties. Not allowing the setback relief requested would force us to underutilize redevelopment of this property and lose its potential use and value. Literal enforcement of the ordinances, with regards to setback requirements and the 40% maximum (Section 3.5.6 Table 2) of lot coverage by impermeable surfaces in lieu of 50% (Section 3.2.1 (B)(4)), would deprive us of rights commonly enjoyed by other property owners in the same zoning district. Having to provide 3- 25' setbacks is a hardship.

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