

NOTICE OF HEARING ON ST. LUCIE VILLAGE VARIANCE APPLICATION

Notice is hereby given that the Board of Adjustment of St. Lucie Village, Florida will consider an application for variance at a meeting at the Village Hall on Wednesday, July 19, at 6:30 p.m.

The variance petition is submitted by Blaine E. and LaDonna Oney in relation to real property located in St. Lucie Village at 495 Peninsula Drive (Lot 10 and the East 60 feet of Lot 9, Block 3, Riverside Harbor Subdivision, PB 10, Page 5).

The requested variance would grant relief from the setback limitations in the Land Development Code, so that they may (a) encroach into 25 feet from bulkhead setback on the south side of the property to 17.5 feet from the bulkhead on the east side of their structure and to 16.75 feet on the west side, (b) encroach into the north side setback to within approximately 8.25 feet from the boundary, and (c) encroach into the east setback so that a pool may be located as close as approximately 10 feet from the bulkhead with decking to extend around the pool, closer to the bulkhead.

The Board of Adjustment may grant or deny the petition, in whole or in part, or may continue the hearing from time to time as may be necessary. Any interested party may appear at the meeting and be heard with respect to the proposed variance.

The petition for variance is posted on the Village website at www.stlucievillagefl.gov, and can be made available for review at the office of the Town Attorney, Richard V. Neill, Jr., 311 South Second Street, Ft. Pierce, FL 34950, during regular business hours.

Be advised that, if a party decides to appeal any decision made by the Board, they will need a record of the proceedings, and that, for such purpose, they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and

evidence upon which the appeal is to be based.

Publish: June 30, 2023

St. Lucie Village Variance Application

(1) Name and address of applicant:

Blaine E. Oney and LaDonna Oney, individually and as Trustees of the Blaine E. Oney and LaDonna Oney Family Trust dated March 26, 2015, as amended and restated from time to time.

495 Peninsula Drive, Ft. Pierce, Florida.

Represented by W. Nathan Meloon, 1990 W. New Haven Ave, Second Floor, Melbourne, Florida 32904

(2) Legal description, street address, and lot number and subdivision name, if any, of the property which is the subject of the application.

Legal Description, lot number and subdivision name are on the Deeds attached to this application as Exhibit A. The street address is 495 Peninsula Drive, Ft. Pierce, Florida.¹

(3) The size of the property.

The property is approximately .38 acres.

(4) The variance sought and the section of this Ordinance from which a variance is requested.

The Oney's request a variance from Section 3.5.6 of the St. Lucie Village Code.

Along the southside of the Oney Property, additions and alterations would be extending construction from the existing building seawall setbacks to require 17.5-foot setback to the east and 16.75-foot set back to the west (extending existing building lines). The Property at 496 Peninsula Drive has less than a 25-foot building setback and other canal front properties in St. Lucie Village also has less than a 25-foot setback.

On the North Side Property, the Oney's aim to increase the setback and put the structure to within approximately 8.25 feet from the North Boundary. This extension of the stairs will ensure the property complies with the current electrical building code. Beyond the North Boundary is a grassy 50-foot Right of Way that has a precast concrete drop inlet and an 8-inch outfall to the river and no other utilities.

On the East side of the Property, the pool may be relocated East and North from its current location as well as pavers or some similar pool decking. The new pool will be located approximately 10 feet from east side of the seawall cap. Pool decking will extend closer to the seawall cap to provide access around that side of the pool.

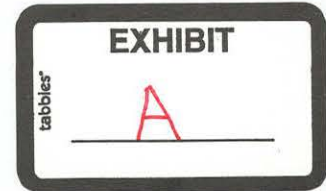
(5) The purpose for the requested variance and a statement of the intended development of the property if the variance is granted.

¹ Although the Property has a Ft. Pierce address, the Property is in fact located in the Township of St. Lucie Village.

The purpose of the variance would be to allow the Oney's to renovate their home that was built in the 1970s to current building code standards where appropriate. The Oney's intend to remodel their home. This requested variance will not affect any other property or improvements in the neighborhood and will allow the Oney's to use their property similar to many others in the neighborhood.

(6) A statement of the hardship imposed on the applicant by this Ordinance.

The hardship imposed on the applicant by this Ordinance is the house is currently uninsurable in the private market with its current state. Granting these variances will allow the remodeling done by the Oneys to meet the current building code, make the house insurable in the private market, make the home more resilient to future storms and more energy efficient. A further hardship is having to obtain three setbacks rather than two setbacks. Moreover, the request is based on unusual circumstances including that there is an undeveloped right of way immediately north of the Oney Property, which is 50 feet wide, that the existing structure is already within the south setback being approximately 17 feet from the seawall and that the north side of the existing structure is also in the setback.



Prepared by: Bruce R. Abernethy, Jr.
Bruce R. Abernethy, Jr. PA
130 South Indian River Drive, Suite 201
Fort Pierce, FL 34950

Return to: Courthouse Box of Bruce R. Abernethy, Jr.

Parcel I.D. No: 1421-601-0020-000-7

THIS WARRANTY DEED is given the 26th day of March, 2015, by **Blaine E. Oney and Ladonna Oney, husband and wife**, hereinafter referred to as the "Grantor"), to **Blaine E. Oney and LaDonna Oney, Trustees, or their successors in trust, under the Blaine E. Oney and LaDonna Oney Family Trust dated March 26, 2015, as amended and restated from time to time**, whose post office address is 4552 Woodlands Village Drive, Orlando, Florida 32835 (hereinafter referred to as the "Grantee"). The Grantee shall have full power and authority to protect, conserve, and to sell, or to lease, or to encumber, or otherwise to manage and dispose of the real property herein conveyed as trustee under the provisions of section 689.073 Florida Statutes.

WITNESSETH, that the Grantor, for and in consideration of the sum of \$10.00, and other valuable consideration, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, releases, conveys, and confirms unto the Grantee all that certain land situate in the **County of St. Lucie, State of Florida**, described as follows:

Lot 10 and the East 60 feet of Lot 9, Block 3, Riverside Harbor Subdivision, according to the Plat thereof, recorded in Plat Book 10, Page 5 of the Public Records of St. Lucie County, Florida. Said East 60 feet of Lot 9 being measured by running from the Northwest corner of Lot 10, run Westerly 60 feet along the boundary of Lot 9; thence run Southerly to the South boundary of Lot 9 paralleling the lot line; thence run Easterly to the line dividing Lots 9 and 10; thence run Northerly to the Point of Beginning, together with all interest in lands and accretion from the East boundary of Lot 10, Block 3, aforesaid, said extension being approximately 100 feet in length (north and south) and extending easterly to the mean high water mark of the Western shore of the Indian River and/or Easterly boundary of existing bulk head, whichever is further, together with riparian rights.

Subject to Easements, Restrictions, Covenants, Conditions and Limitations of record, if any.

TITLE HAS NOT BEEN EXAMINED BY SCRIVENER.

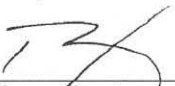
TOGETHER, with all the tenements, hereditaments, and appurtenances thereto belonging or in any manner appertaining.

TO HAVE AND TO HOLD, the same in fee simple forever.


AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land, and hereby warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes accruing subsequent to **DECEMBER 31, 2014**.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

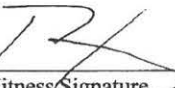
Signed, sealed, and delivered
in the presence of:




Witness Signature
Printed Name: Bruce R. Abernethy, Jr.



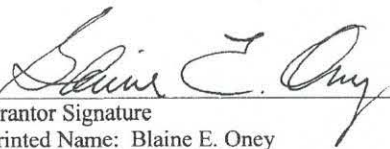
Witness Signature
Printed Name: Pamela L. Saul



Witness Signature
Printed Name: Bruce R. Abernethy, Jr.

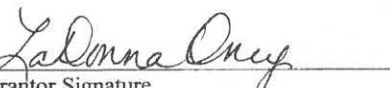


Witness Signature
Printed Name: Pamela L. Saul



Grantor Signature
Printed Name: Blaine E. Oney

4552 Woodlands Village Drive
Orlando, Florida 32835
Address



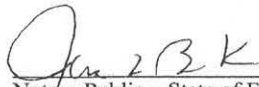
Grantor Signature
Printed Name: Ladonna Oney

4552 Woodlands Village Drive
Orlando, Florida 32835
Address

**STATE OF FLORIDA
COUNTY OF ST. LUCIE**

I hereby certify that on this day, before me, an officer duly authorized to administer oaths and take acknowledgments, personally appeared **Blaine E. Oney and Ladonna Oney**, known to me to be the persons described in and who executed the foregoing instrument and who acknowledged before me that they executed the same. Said persons are personally known or each provided a Florida driver's license as identification.

Witness my hand and official seal in the County and State last aforesaid this 26th day of March, 2015.



Notary Public – State of Florida at Large

Printed Name: Jane L. Brock

Notary Stamp/Seal:



ISULA DRIVE

LT "AE-4" 50' R/W

ASPHALT END

30
31'39" W 1.43

NG

POWER
NSFORMER

WEST LINE OF
LOT 9 BY PLAT

25.00

10.0

100.00

10.0

1.05

1.06

1.30

148.13'M

N 89°31'39" W

3.03 Cone. WALK

4.48

4.00

BRICK DRIVE

3.92

LOT 9
BLOCK 3

66.44'

46.54'

1.6' OVERHANG
2ND FLOOR

FLOOD ZONE "X"

SEPTIC

GARAGE

22.44'

2 STC
CBS 1ST

FFE =

2ND FLOOR

FFE = 14.0'

22.1'

22.00'

12.79'

CONC

FND 5/8 IR
NO ID

40' CANAL R/W

00'

1.81

1.33

3.02

3.22

17.20

11.34

3.8

159.81'

35

25.0 ±

N 00°28'01" E

10.00'

30.00'

30.00'

10.00'

43.54'

FLOOD ZONE "VE-6"

