

Richard V. Neill, Jr.

From: [REDACTED] <[REDACTED]@gmail.com>
Sent: Thursday, March 30, 2023 2:46 PM
To: Richard V. Neill, Jr.
Cc: [REDACTED]
Subject: Re: Variance
Attachments: Villiage Variance App Supplement 467 River Prado 03-30-23.docx

Good Afternoon Richard,

Thank you for your correspondence.

The statement of name and address are correct:

[REDACTED]
467 River Prado
Fort Pierce, FL 34949

I agree the Ordinance Provisions involved are 3.5.3(C)(1) Table 2 and 3.5.6 and should be included.

Please review our attached Amendment/Supplement addressing our hardship and specific notations addressing the thoughts and analysis provided by Attorney Sweeney.

Thank you for your assistance and we are always available if needed.

Kind Regards,

[REDACTED] and [REDACTED]

On Wed, Mar 29, 2023 at 1:53 PM Richard V. Neill, Jr. <RNeillJr@neillgriffin.com> wrote:

[REDACTED]

I've received and reviewed your additional variance request which I am treating as an amendment/addition/supplement to the prior request.

Your initial submittal includes some of the data required but I need you to confirm or add to a couple of points.

Our ordinance requires a statement of name and address of the applicant. I understand that to be:

[REDACTED]
467 River Prado
Fort Pierce, FL 34946

Please confirm for the record that this is correct. If there is a public records request, we will redact the information as appropriate.

Additionally, I do think that, with the additional request, we need to confirm that the ordinance provisions involved would seem to be §3.5.3(C)(1), Table 2, and §3.5.6 (as it pertains to distance from the bulkhead). If there are any other provisions in addition, please advise.

Finally, anything further you can include pertaining to hardship imposed by the Village Code couldn't hurt.

Let me know if we should proceed with my outlined additions or give me any additional input, and we'll proceed.

FYI – we did hear from Mr. Wright and his attorney—see attached email.

Thank you.

Regards,

Richard

Richard V. Neill, Jr., of

Neill Griffin Marquis Osking, PLLC

Post Office Box 1270

Ft. Pierce, FL 34954

Telephone: 772-464-8200

Fax: 772-464-2566

neilljr@neillgriffin.com

CONFIDENTIALITY

467 River Prado St. Lucie Village

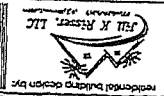
Javier
Cisneros
2023.01.22
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It shall be the responsibility of the architect to provide the owner with a complete set of documents for the construction of the project. The architect shall be responsible for the coordination of all trades and the timely completion of the project.

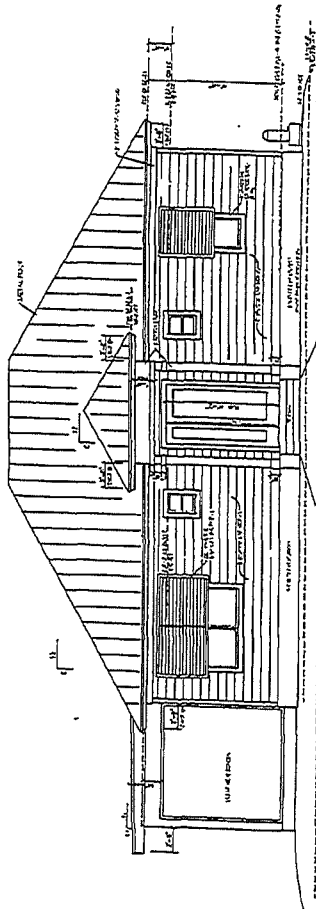


Professional Engineer
Javier Cisneros
License No. 18334
State of Florida

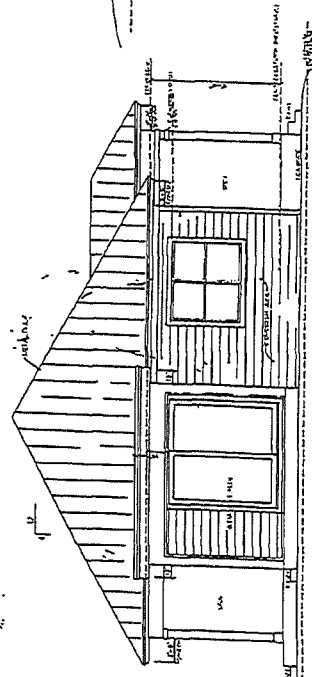
REVISIONS



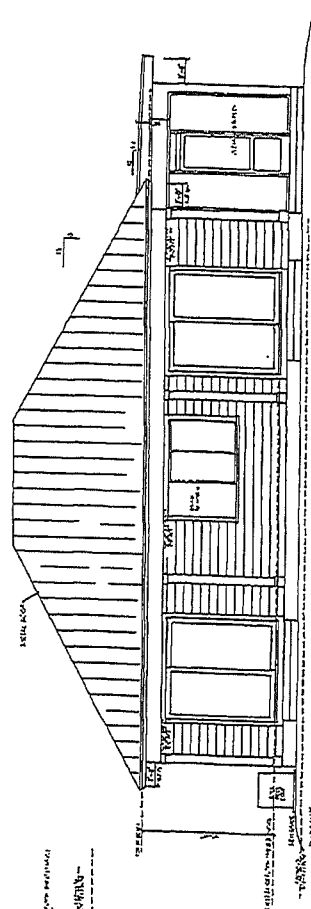
40 ENGINEERING, LLC
1000 S. US HWY 1
SUITE 100
WEST PALM BEACH, FL 33411
TEL: 561-833-1111
WWW.40ENGINEERING.COM



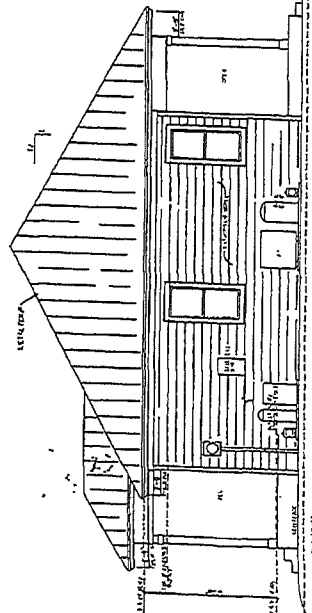
Front Elevation
SCALE: 1/8" = 1'-0"



Left Side Elevation
SCALE: 1/8" = 1'-0"

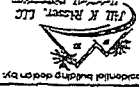


Rear Elevation
SCALE: 1/8" = 1'-0"



Right Side Elevation
SCALE: 1/8" = 1'-0"

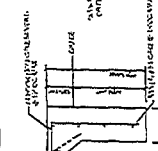
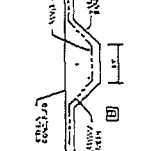
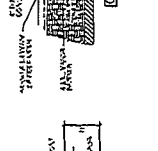
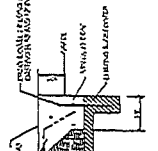
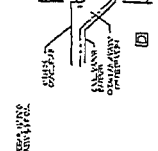
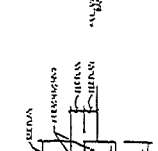
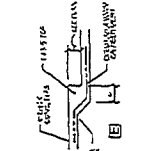
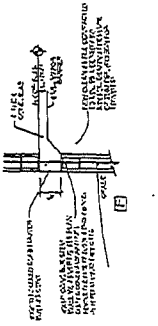
PAGE INDEX	
1	EXTERIOR ELEVATIONS
2	FLOOR PLANS
3	AREA CALCULATIONS
4	DESIGN CRITERIA
5	WINDOW SCHEDULE
6	WINDOW OPENING DETAILS
7	FOUNDATION PLAN
8	FOUNDATION DETAILS
9	WALL SECTIONS
10	ROOF PLAN
11	LOFT SCHEDULE
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13	ELECTRICAL PLAN
14	ELECTRICAL CALCULATIONS
15	ELECTRICAL SCHEDULE
16	EXTERIOR FINISH
17	EXTERIOR DOOR



40 ENGINEERING, LLC
10000 W. 11TH AVENUE, SUITE 100
DENVER, CO 80202
TEL: 303.733.1100
WWW.40ENGINEERING.COM

A REMODELED RESIDENCE FOR:
The [redacted] Family
467 River Prado
St. Luke Village

DATE: 01/22/2023
BY: JCS
CHECKED BY: JCS
SCALE: AS SHOWN

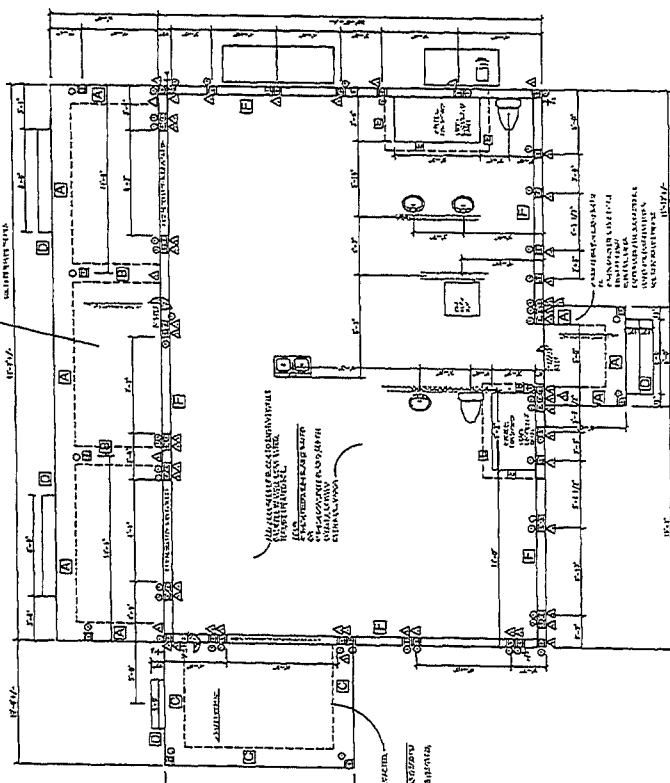


FOOTING DETAILS 1/2" = 1'-0"

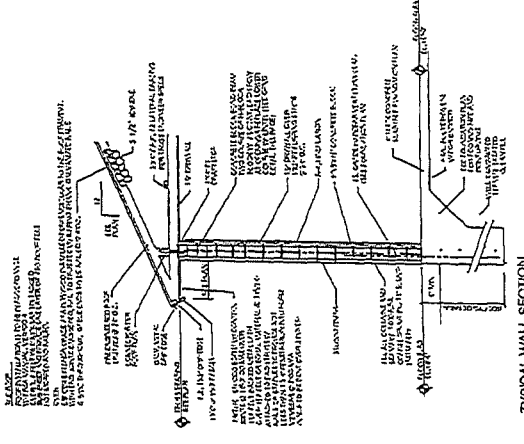
FOUNDATION NOTES:
1. ALL FOUNDATION ELEMENTS SHALL BE CONCRETE WITH REINFORCING BARS.
2. ALL FOUNDATION ELEMENTS SHALL BE FINISHED WITH A 1/2" THICK POLISHED CONCRETE SURFACE.
3. ALL FOUNDATION ELEMENTS SHALL BE FINISHED WITH A 1/2" THICK POLISHED CONCRETE SURFACE.
4. ALL FOUNDATION ELEMENTS SHALL BE FINISHED WITH A 1/2" THICK POLISHED CONCRETE SURFACE.
5. ALL FOUNDATION ELEMENTS SHALL BE FINISHED WITH A 1/2" THICK POLISHED CONCRETE SURFACE.

COLUMN DETAILS 1/2" = 1'-0"
1. ALL COLUMNS SHALL BE CONCRETE WITH REINFORCING BARS.
2. ALL COLUMNS SHALL BE FINISHED WITH A 1/2" THICK POLISHED CONCRETE SURFACE.
3. ALL COLUMNS SHALL BE FINISHED WITH A 1/2" THICK POLISHED CONCRETE SURFACE.
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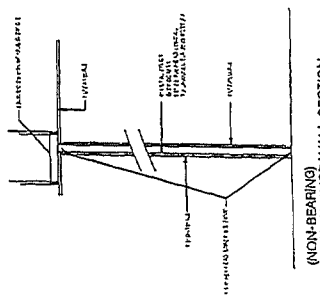
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5. ALL FOUNDATION ELEMENTS SHALL BE FINISHED WITH A 1/2" THICK POLISHED CONCRETE SURFACE.



Javier Cisneros
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TYPICAL WALL SECTION 1/2" = 1'-0"



SHOWER PAN WATERPROOFING 1/2" = 1'-0"



Foundation Plan 1/2" = 1'-0"

CONCRETOR NOTES

1. ALL CONCRETE SHALL BE PLACED IN ONE RISE.

2. FORMWORK SHALL BE MAINTAINED AT ALL TIMES TO PREVENT DEFLECTION.

3. ALL CONCRETE SHALL BE PLACED IN ONE RISE.

4. ALL CONCRETE SHALL BE PLACED IN ONE RISE.

5. ALL CONCRETE SHALL BE PLACED IN ONE RISE.

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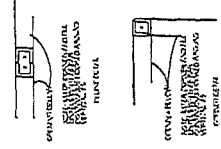
17. ALL CONCRETE SHALL BE PLACED IN ONE RISE.

18. ALL CONCRETE SHALL BE PLACED IN ONE RISE.

19. ALL CONCRETE SHALL BE PLACED IN ONE RISE.

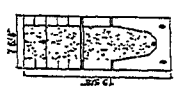
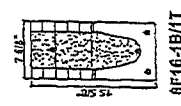
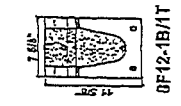
20. ALL CONCRETE SHALL BE PLACED IN ONE RISE.

REFER TO TRUSS ENGINEER FOR APPLIED LOADS. IF APPROXIMATE LOADS ARE USED, CONSULT ENGINEER OF RECORD FOR CONSTRUCTION INFORMATION.

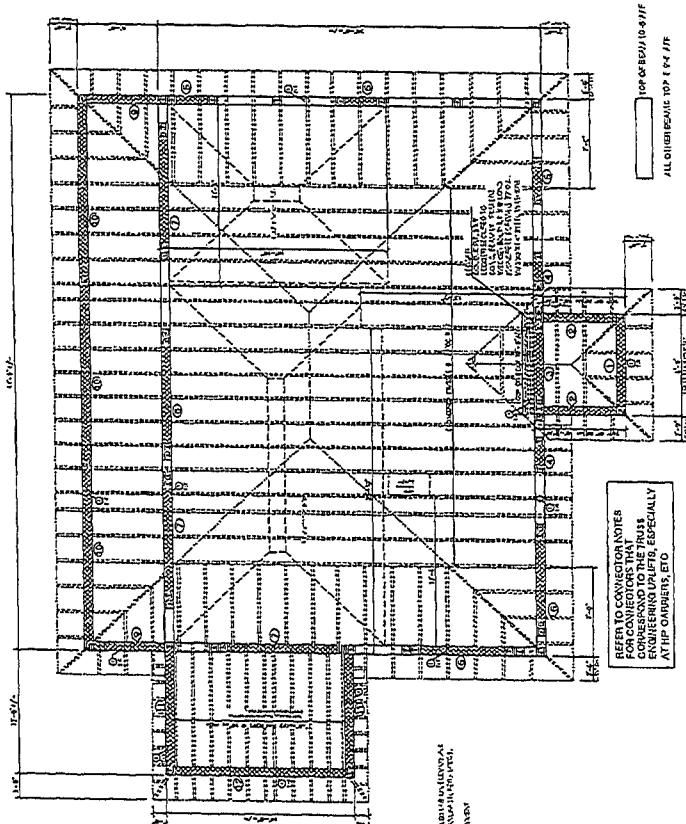
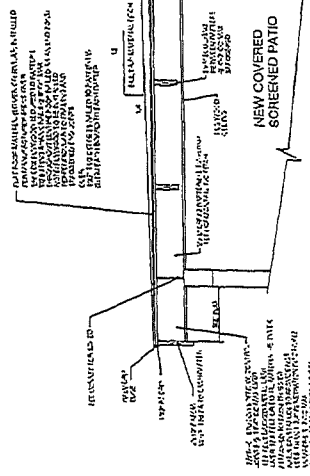
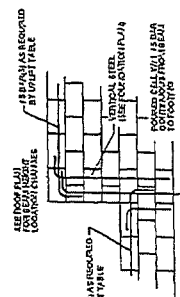


CAST - CONCRETE LINTEL TABLE

#	LENGTH OF LINTEL	GRAVITY LOAD	TYPE	REMARKS
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2	12'-0"	1100	12' x 12"	
3	12'-0"	1100	12' x 12"	
4	12'-0"	1100	12' x 12"	
5	12'-0"	1100	12' x 12"	
6	12'-0"	1100	12' x 12"	
7	12'-0"	1100	12' x 12"	
8	12'-0"	1100	12' x 12"	
9	12'-0"	1100	12' x 12"	
10	12'-0"	1100	12' x 12"	
11	12'-0"	1100	12' x 12"	
12	12'-0"	1100	12' x 12"	



Javier Cisneros
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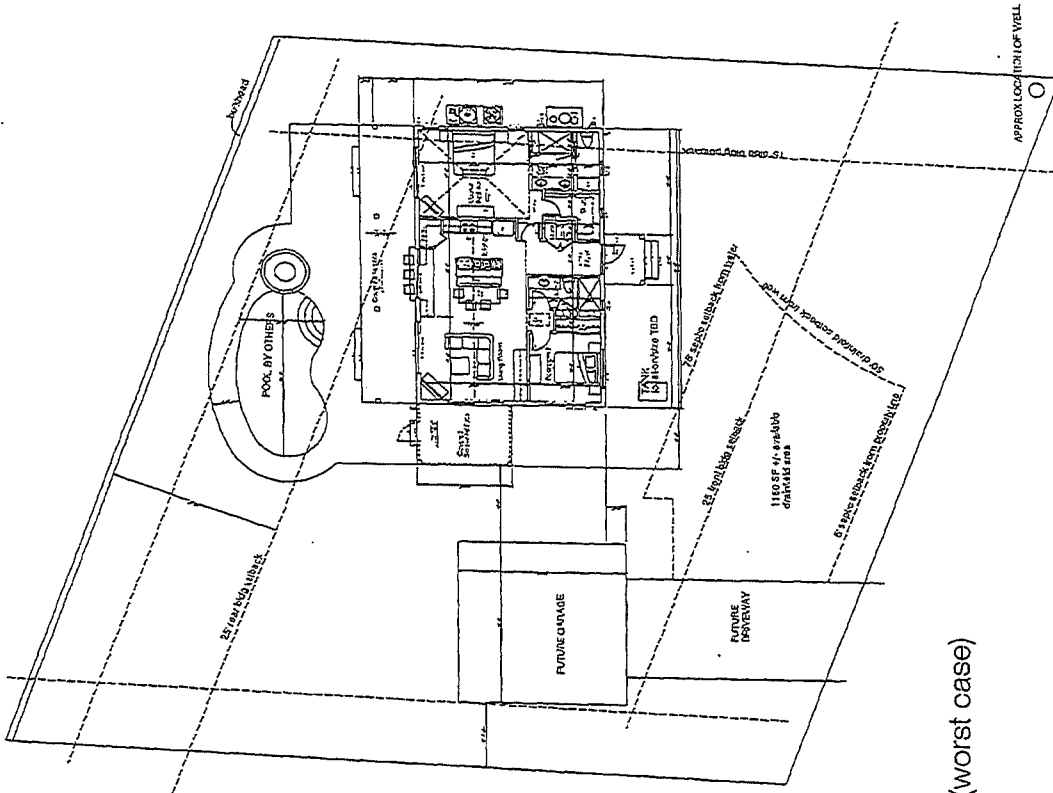
REFER TO CONCRETOR NOTES FOR CONSTRUCTION INFORMATION. ESPECIALLY AT TIP CORNERS, ETD.

SECRET

REVISIONS



DATE	1/11/10
BY	JPL
SCALE	AS SHOWN
PROJECT	
NO.	100



REQUIRED DRAINFIELD AREA= 750sf (worst case)
 (300 gallons / .6 = 500 x 1.5 = 750)

Site Plan

SCALE: 1/8" = 1'-0"

APPROX. LOCATION OF WELL

From: applicant
Sent: Tuesday, January 3, 2023 4:24 PM
To: Richard V. Neill, Jr. <RNeillJr@neillgriffin.com>
Subject: Re: Variance request

Hello Richard,

Happy New Year! Yes please include the language as required. Thank you so much for your due diligence!

Kindest regards,

467 River Prado

Sent from my iPhone

On Jan 3, 2023, at 12:22 PM, Richard V. Neill, Jr. <RNeillJr@neillgriffin.com> wrote:

Applicant,

I have checked the variance request and observe that you have included all the necessary information except on one point—that is specifying the section of the ordinance which from which you are seeking relief.

It appears to me that it must be 3.5.3 (C)(1)(b)(vii), which states, “(vii) Accessory structures, with the two exceptions noted below, shall not be allowed in required or unrequired front yards.” (The exceptions don’t apply.)

If you want to just reply and confirm, we will add this email exchange to your application and it will be complete.

FYI – have one other pending query that we may be trying to coordinate and schedule for the same hearing time.

Best,

Richard

Richard V. Neill, Jr., of
Neill Griffin Marquis Osking, PLLC
Post Office Box 1270
Ft. Pierce, FL 34954
Telephone: 772-464-8200
Fax: 772-464-2566

Homeowners/Confidential
467 River Prado
Fort Pierce, Florida 34946
Town of Saint Lucie Village

December 12, 2022

VIA COURIER

Richard V. Neill, Jr.
Saint Lucie Village General Council
311 South Second Street, Suite 200
Fort Pierce, F 34950
Phone: 772-464-8200

*IN RE: Town of Saint Lucie Village-Variance Application
467 River Prado, Fort Pierce, FL 34946*

Property Description:

LOT 7 AND WEST 40 FEET OF LOT 8, RIVER GATE ESTATE, PLAT BOOK 10,
PAGE(S) 66, ST. LUCIE COUNTY, FLORIDA

Parcel ID# 1421-602-0007-000-3

Dear Sir:

Our home is a single story 1965 concrete block construction residence, total 952 square feet living space and 280sf carport space, and 1232 total square feet. Our property lot is located on one-and one-half lots, 13178sf, with 120' waterfront. Our residence currently has a top floor elevation of 3.81 above flood plain, 1.19 feet below the current FEMA regulation and Saint Lucie Village Building regulations prohibiting significant improvements unless the base elevation is 4 feet plus 1 foot above flood elevation, 5 feet. The current base level of elevation of the residence at 3.81 per Elevation Certificate dated 05/19/2019. This below elevation criteria created a hardship.

My wife and I intend to improve the residence above flood plain levels to protect property and family. Originally, we had plans to convert the current structure into garage space and add a second floor living space. With cost of construction and materials more than doubling due to the pandemic, inflation, and cost of labor and materials. The estimated cost to construct a 1600sf second floor two bedroom and two bath upstairs was a staggering \$980,000., approximately \$600 per square foot for new construction. We had to abandon those plans due to costs, even after costly expenditures for engineering/architect and soil boring tests.

We are currently moving forward with engineering to remodel our current and pre-existing 1232sf home and raise the original 1965 CBS home and foundation to above FEMA elevation levels. Adding 24 inches to the floor elevation to bring the base floor elevation to 5'8", above FEMA requirements and regulations.

Our home currently has no storage or garage space. We propose the construction of a detached 650SF metal garage (26' Wide x 25' Deep) two car garage on the east side of our lot. Our home


is located on one and one half lots with property dimensions of 120' wide by 115' deep. Our home is located on the far-right (west side) of the lot with 57.08' and 58.9' distances from the home to the east side property line. The construction of the garage structure will be within the setback requirements of 10' from the east side property line and 25' from the front property line. The garage will be located 22' east of our residence and 12' from the patio.

We are requesting a variance as required for the structure (garage) to extend 3 feet forward of the front forward edge of our home. Therefore, maximizing unused space, maintaining a back yard, and not interfere with our septic system or drain field located in the front left of the residence.

It should be noted that the garage will not affect the view of our neighbors or be located close to any adjoining property structures pursuant to setbacks. Additionally, our neighbors across the street at 480 River Prado have a 30' x28' metal garage almost identical to the garage we are requesting the variance approval.

A copy of a draft site plan with the proposed location and size will be attached. The garage will be constructed to Florida Hurricane Code certified for 170mph. The garage color and siding will complement our residence after remodeling.

Sincerely,

Homeowners 

467 River Prado

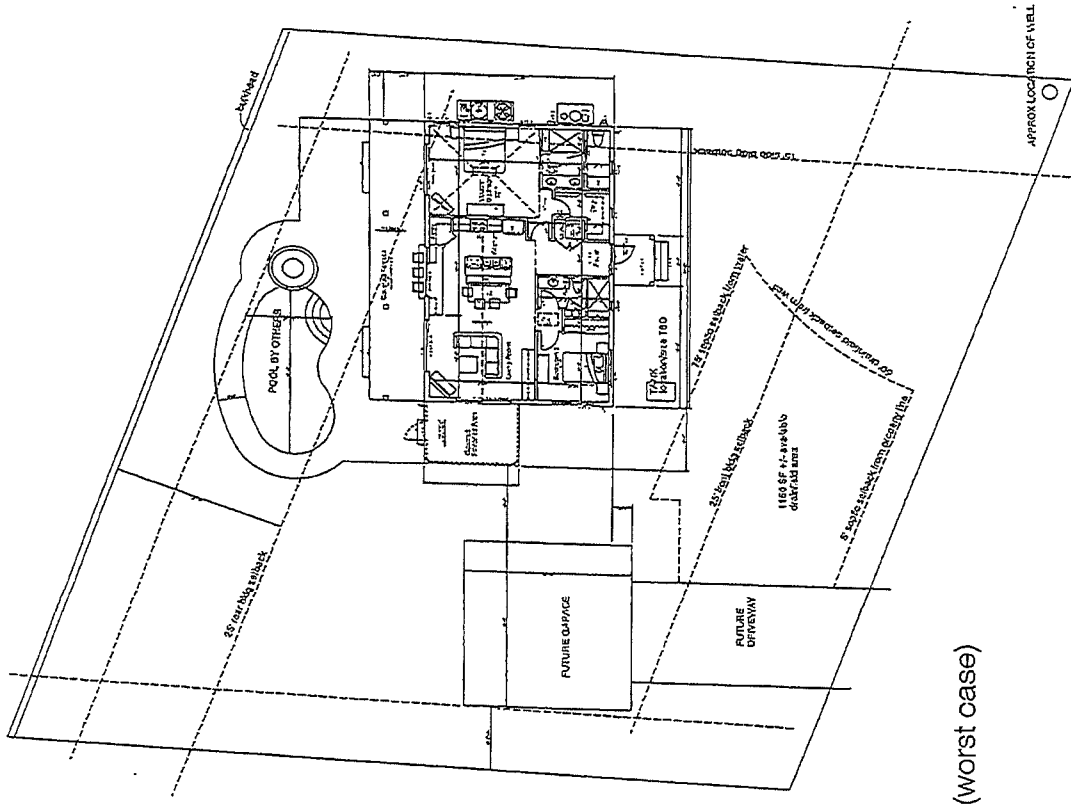
Saint Lucie Village

Enclosure (2)

467 River Prado
Fort Pierce, FL 34949

REQUIRED DRAINFIELD AREA = 750sf (worst case)
(300 gallons / .6 = 500 x 1.5 = 750)

Site Plan



SCALE: 1/8" = 1'-0"

REVISIONS



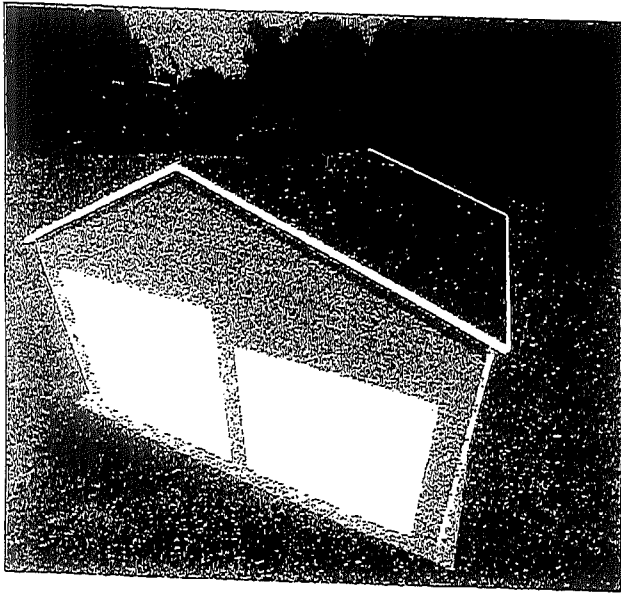
A REMODELED RESIDENCE FOR:
The Barus/ Huder Family
457 River Prado
St Lucie Village

DATE	DESCRIPTION
11/20/11	ISSUED
11/20/11	REVISED
11/20/11	REVISED



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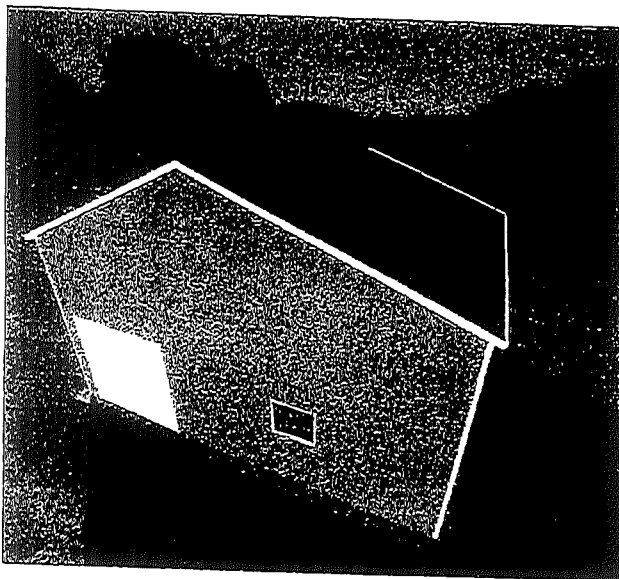
Edit or Buy Your Design: alansfactoryoutlet.com/design/I102KCNr/
Delivery Zip Code: 34950



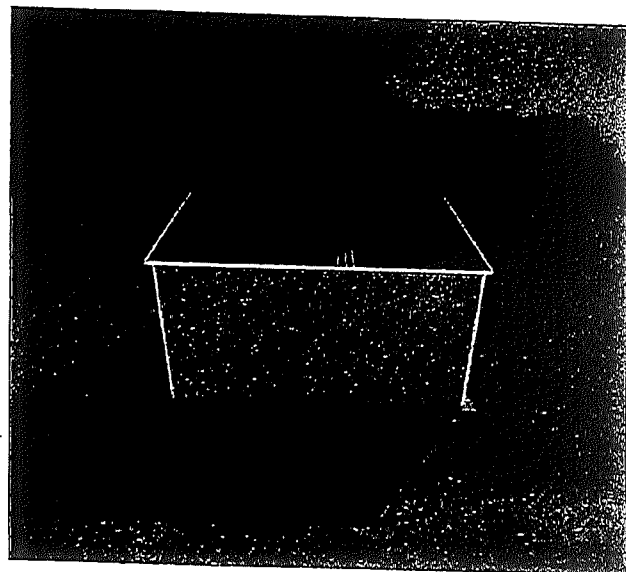
Front



Right



Back



Left



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Floor Plan

[REDACTED] (Homeowners)
467 River Prado
Fort Pierce, Florida 34946
Town of Saint Lucie Village

March 02, 2023

VIA EMAIL

Richard V. Neill, Jr.
Saint Lucie Village General Council
311 South Second Street, Suite 200
Fort Pierce, F 34950
Phone: 772-464-8200

IN RE: Town of Saint Lucie Village ~~Amendment/Supplement/Addition~~ to March 02, 2023 Variance Application

Dear Sir:

Thank you for the correspondence regarding our Variance request. Also, we appreciate your office forwarding a copy of the email from Attorney Peter Sweeny representing Mr. Doug Wright that outlines their concerns about variance matters. We understand their efforts and concerns to ensure all matters are completed in accordance to requirements. Please add this supplement information to the March 02, 2023 request.

Basis for Granting Variances

The town of Saint Lucie Village was incorporated in 1961, and our home was built in 1965. Our home is 1232 total square feet including a single carport. Our home is constructed of a concrete foundation and concrete block walls. Our home is currently located 23.7 feet from the bulkhead at the nearest southwest corner inside the current setback requirement.

The current 25' setback requirement from the bulkhead was adopted decades after the original construction of the home, approximately 1990, which in itself created a hardship. After conferring with our legal counsel, it was opined any home structure built prior to the adopted setback ordinance would be "Grandfathered" and exempt from adopted requirements decades later. However, we feel the facts depicted in this supplement exceed those concerns.

Our relief sought to remodel above FEMA flood plain requirements with an addition of a covered rear porch are "Not Self-Imposed". We desire to keep the original home foundation and concrete walls and elevate the foundation to within FEMA legal requirements. FEMA requires a residence below flood plain must be at 5 feet above base flood plain elevation for property improvements that exceed 50% of the structure value. Currently the Saint Lucie County Property Appraiser has our home structure valued at \$34,600.00. Our current base elevation is 3.8 feet, and limiting us to \$17,300.00 for improvements unless we raise the

elevation to the 5-foot minimum. Our home currently has the original roof and windows and replacement would surely exceed \$17,300.00. Our variance request includes engineered plans to elevate our foundation to 5'8", eight inches above the minimum FEMA requirement. Our desire is only to construct a covered concrete patio off the home with 4 concrete columns to support the engineered roof to withstand 170mph winds.

The proposed detached garage variance request falls under the same guidelines of not self-imposed. Due to our home being situated at an angle to the bulkhead and front street, and originally built closer to the canal than the street, a variance was requested to construct the detached garage forward of the existing home as too optimize space of our lot and to aligned both buildings together for ascetics. It should be noted that the proposed location of the garage is within the setback requirements. If the garage is constructed parallel with the front street it will restrict the distance between the home and garage for a walkway and adversely affect the current location of our septic tank and drain field. Additionally, our home has no current storage or garage and the additional garage is a necessity to protect property.

The 2 Prong Test requirement cited by Attorney Peter Sweening in opposition to our variance request:

- 1- Our hardship is not self-imposed. The residence was constructed in 1965 and has always been located 23.7 feet from the bulkhead, within the current 25' setback requirement adopted decades later.

-When we purchased the home in 2019, we were aware the home was 23.7 feet from the seawall per our survey, but unaware of a 25-foot setback requirement from the bulkhead was required with a variance approval to make improvements.

-We had no knowledge of the FEMA requirement (50%) rule for improvements due to our home being at 3.8-foot elevation until we met with the Village Building Official.

- 2- Our hardship is very unique to our property and not shared by many other homeowners.

-Our home was built in 1965, one of the first homes built in the community of concrete construction. The home was constructed at an angle to the bulkhead and the southwest corner of the building is 23.7 from the bulkhead. Only decades later were a new 25' setback requirement adopted.

Authority to Grant Variances, per FS 166.041 as indicated by Attorney Peter Sweening:

- 1- The variance we are requesting is consistent with the comprehensive plan adopted in 1990.
-We intent to keep the original home structure to honor the previous owner's request and keep our home in accordance to the (Existing Character of the Village) per the comprehensive plan.
- 2- The variance we are requesting is the minimum variance necessary to alleviate our hardship.
- We are not intending to build a large mansion, simply keeping the pre-existing structure and adding a covered porch within new building code standards to protect from rain, wind, and storm damage. It has always been our intention to keep the original home and keep any renovations and remodeling to within the spirit of the community, keeping the "small town fishing village" feel.
- 3- The variance will not be detrimental to the public health, safety or welfare of others

-The variance has no effect on public health and in no way detrimental to anyone including our neighbors

4- The variance will not be contrary to the spirit and intent of the zoning ordinance

- The zoning ordinances are intended by design to protect the well-being of the tax payers and historic structures

-The 1990 Housing Unit Comprehensive Plan explicitly details the development and implementation of appropriate housing standards and zoning regulations as the primary goal. "The village is very concerned with maintaining a high quality environment for all existing and future residents".

Objective 3.1.5.: Preserve and protect significant housing in terms of history and architecture and encourage reuse of such housing to meet residential needs.

In December 2021, the Town of Saint Lucie Village -Board of Adjustment approved our variance request for a proposed construction of a second story living space to convert the existing concrete home into storage and garage space below the new second floor construction. The board approved and granted relief from the setback requirements of the Zoning Ordinance, so the structure could extend to within 17.7 feet from the bulkhead. This variance request is identical to the previous request and approved measurements. The concrete roof supports are in the exact same location as the previous variance.

It is our desire to maintain, restore, and remodel our original 1965 built structure to keep in conformity and spirit of our Village neighbors' homes.

Respectfully,



467 River Prado

Saint Lucie Village

Richard Neill

From: Peter Sweeney <psweeney@blockscarpa.com>
Sent: Monday, March 13, 2023 4:11 PM
To: Richard Neill; Richard Neill
Cc: Doug Wright
Subject: Objection to variance applications for Town of St. Lucie Village

Good afternoon Richard,

As you know, I have the pleasure of representing Mr. Doug Wright, resident and homeowner at 496 Peninsula Drive in the Town of St. Lucie Village. We are aware of several recent variance applications made to the Board of Aldermen for St. Lucie Village and believe for multiple reasons that the variances requests are incomplete, do not meet the legal requirements for a variance and generally are in contravention of both the Comprehensive Plan and the applicable Code of Ordinance provisions for the Town of St. Lucie Village. Specifically, please see the comments, thoughts and analysis outlined below. I know that the hearing for the application for 467 River Prado (Parcel ID: 1421-602-0007-000-3) was cancelled, but Mr. Wright's justifiable concerns continue to apply to all of the currently pending variance applications as submitted and reviewed by myself and Mr. Wright. If you would like to discuss further, please email or call me.

Thank you,

Pete

I write in connection with three variance requests (Requests) that were posted to the Village website last week. I remain opposed to these and similar variances because, among other things, none of the Requests conform with the Village's Variance Application requirements and each are based on the desires or actions of the property owners (self-imposed hardships) and are prohibited under the Village's ordinances.

Proper Notice & Due Process

When these Requests were passed to the Variance Board (Board) absent all the elements required in the Village's ordinances, residents were deprived of their due process rights. In zoning matters, due process violations arises when, among other things, a municipality arbitrary waives notice requirements.

See for example, *Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)*. In *Snyder*, the Court held that due process requires that a zoning variance must be granted in accordance with clear and objective standards that guide the decision-making process. The Court explained that a variance is a legislative act and, therefore, must be based on "definite standards" that are "consistent with the public interest." The Court also held that due process requires that a property owner be given notice and an opportunity to be heard before a variance is granted.

With respect to the variance Requests first mentioned above, "fair notice" has not been provided. Key facts were omitted from the Requests and the Requests did not comply with the Village's variance application process.

Basis for Granting Variances

I have opposed granting variances in the past where the basis for the relief sought was based on a self-imposed hardship. Self-imposed hardships arise, for example, when a property owner desires to improve a property and a set-back ordinance prevents such improvement. Indeed, the Village's own ordinances specifically preclude granting variances based on self-imposed hardships.

The guiding precedent used by the Florida Supreme Court for deciding whether a hardship cited by an applicant for a variance to zoning set-back ordinances is self-imposed or not, is the two-pronged test established in Lupo v. City of Sunny Isles Beach, 778 So. 2d 1025 (Fla. 2000).

Under this test, the applicant must demonstrate that:

1. The hardship was not self-imposed, meaning it was not caused by the applicant's own actions or decisions, such as purchasing the property with knowledge of the zoning regulations; and
2. The hardship is unique to the property and not shared by other properties in the area.

If the applicant fails to satisfy both prongs of the test, a variance request should be denied. However, if the applicant meets both prongs, a court may grant the variance based on the specific facts and circumstances of the case.

On their face, the Requests note that the applicants wish to improve a structure or add a structure. Each application fails to substantiate legitimate hardships, other than an implied hardship of wanting to improve a property and being prevented from doing so by set-back and other ordinances. Consequently, none of the Requests can be granted because, among other things, each rests on hardships caused by the applicants' own actions or decisions. Finally, if the Board were to grant relief from set-backs sought in the Requests, it would, in effect, do so and knowingly disregard the Village's Comprehensive Plan.

Authority to Grant Variances

Under Florida Statutes section 166.041, a municipality may only grant a variance if the following conditions are met:

1. The variance is consistent with the comprehensive plan of the municipality;
2. The variance is the minimum variance necessary to alleviate the hardship or practical difficulty;
3. The variance will not be detrimental to the public health, safety, or welfare; and
4. The variance will not be contrary to the spirit and intent of the zoning ordinance.

Furthermore, the decision to grant a variance must be made based on evidence presented at a public hearing, must be supported by written findings of fact and conclusions of law, and must be included in the minutes of the hearing. A municipality may not grant zoning variances in an arbitrary or capricious manner and must follow specific procedures and standards to ensure that the decision-making process is fair and consistent with the law.

Since the Requests first referenced above lack any findings of fact or conclusions of law that support a variance grant, the Requests should not be granted. Further, at least in my view, variance requests that fail to conform with the Village's application requirements and/or lack findings of fact or conclusion of law in support of a grant, are improperly before the Board to begin with.

Why I Persist in Opposing Improper Variances

It is not my goal to prevent anyone from enjoying full use of their property – I believe that everyone should be subject to the same applicable laws and regulations. I do not believe, however, that as a citizen of the Village, that I should be required to waive due process rights to be considered neighborly, or that I should sit idle when ordinances like set-backs are waived without legal foundation. I am concerned that, with the growing popularity of the Village and its adjacency to a sensitive ecosystem, that waiving ordinances without a legal foundation places the entire Village at risk because doing so could unleash unintended consequences.

Thank you,

Doug Wright

Peter J. Sweeney, Jr.

Block & Scarpa

**IN RE: PETITION FOR VARIANCE FOR
467 RIVER PRADO**

ORDER

This matter came before the Board of Adjustment of the Town of St. Lucie Village, Florida, on May 17, 2023, at 6:30 p.m. at the Village Hall on the request of Property Owners for relief from the setbacks applicable to their property.

The Board of Adjustment, having considered the petition of the Property Owners of 467 River Prado, having heard from petitioners, having provided an opportunity for public comment, and having otherwise given the matter full consideration, finds as follows:

1. The hearing was properly noticed by publication and mailed notices, as required by the St. Lucie Village Land Development Code.
2. The subject property is a currently improved, residential lot located at 467 River Prado, Fort Pierce, Florida 34946, and has tax I.D. number 1421-602-0007-000-3. The property is located in St. Lucie County, Florida, and more particularly described as follows: LOT 7 AND WEST 40 FEET OF LOT 8, RIVER GATE ESTATE, PLAT BOOK 10, PAGE(S) 66, ST. LUCIE COUNTY, FLORIDA.
3. Property Owners requested variances to grant relief from the setback requirements of the Land Development Code, so that (a) a detached garage may extend 3 feet forward on the lot beyond the forward edge/front wall of the residence, (b) a covered roof and porch with concrete patio floor with supporting pilings may extend to as close to the bulkhead as 17.7 feet, and (c) a new pool may be located as close as 10 feet from the bulkhead. Considerations associated with the elevation of the existing structure, FEMA's requirements for improvements to existing structures in a floodplain, and the fact that the structure was sited and built before the setback from the bulkhead was established, present unique circumstances.
4. The variances requested arise from a condition that is unique to the land and structures involved.

5. Literal enforcement of the Code would deprive Property Owners of rights commonly enjoyed by other property owners in the same zoning district.
6. Granting the variances as specified herein will not be materially detrimental or injurious to other property or improvements in the neighborhood.
7. Granting the below variances will not confer any special privilege to Property Owners which is denied to owners of similar properties.
8. The variances set forth below are the minimum variance which will make possible this reasonable use.
9. The spirit and intent of the Land Development Code and Town Comprehensive Plan are not opposed to the specified variances.


It is thereupon,

ORDERED as follows:

1. The requested variances are granted so that Property Owners are granted relief from Section 3.5.3(C)(1), including subsection (b)(viii), Table 2 and Section 3.5.6 of the Land Development Code, so that (a) a detached garage may extend 3 feet forward on the lot beyond the forward edge/front wall of the residence, (b) a covered roof and porch with concrete patio floor with supporting pilings may extend to as close to the bulkhead as 17.7 feet, and (c) a new pool may be located as close as 10 feet from the bulkhead.
2. Property Owners are not otherwise granted relief from the provisions of the Ordinance, the applicable building code(s), or any permit requirement(s).
3. This variance expires automatically in twelve (12) months unless a permit has been issued for the proposed improvement(s).

DONE AND ORDERED by the Board of Adjustment of the Town of St. Lucie Village,
Florida, this 10 day of November, 2023.

BOARD OF ADJUSTMENT TOWN OF
ST. LUCIE VILLAGE, FLORIDA

By: 
George Dugan, Acting Chair

Copies furnished to:

467 River Prado
Board of Adjustment
William G. Thiess, Mayor

Board of Aldermen
Mary Fowler, Clerk
Carl Peterson, Building Official