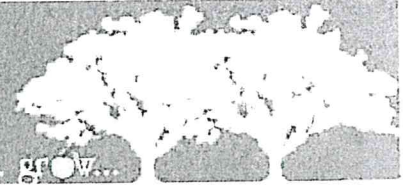


Joel Tyson, Mayor
Jason Nunemaker, City Manager

cultivate. nurture. grow.



Fellsmere

October 19, 2017

Warren W. Dill
P.O. Box 780417
Sebastian, FL 32978

RE: Zoning Certification for 64 N. Myrtle Street

Dear Mr. Dill:

As requested, this letter shall serve as a zoning certification for the referenced property. The property is comprised of two platted lots of record as summarized below.

Town of Fellsmere, Block 152, Lots 11 & 13, PBS 2-3

FUTURE LAND USE

The future land use designation assigned to the lots is Industrial.

ZONING

The zoning district assigned to the lots is I – Industrial. The N. Myrtle Overlay District also applies to each lot. The balance of this letter shall utilize the N. Myrtle Overlay District standards as to development allowances as this overlay governs over all conflicting provisions of the base zoning district.

ALLOWABLE USES

Please refer to the attached Table of Allowable Uses providing the list of allowed uses adopted as part of the N. Myrtle Overlay District. The dark squares represent permitted uses. The hollow squares represent conditional uses. The empty boxes represent unpermitted uses.

SITE DEVELOPMENT STANDARDS

The N. Myrtle Overlay District governs the site development standards. Please refer to the attached Table of Site Development Standards.

Warren Dill
October 19, 2017
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RESIDENTIAL DENSITY

The residential density available to the parcel is determined based on the following formula:

$$\text{Lot Area} \times \text{Maximum Allowable Coverage} \times \text{FAR} \times \text{Maximum \% Residential} \div \text{Min. Average Unit Size}$$

where FAR = Floor Area Ratio and the balance of the inputs are obtained from the Table of Site Development Standards and actual lot area.

NONCONFORMITIES

Each lot is 50' wide and separated from each other by another 50' wide lot of record (Lot 12) under different ownership. The lots, including the intervening lot under separate ownership, are nonconforming as to width. The Land Development Code (N. Myrtle Overlay) requires a 100' lot frontage; whereas, each lot is only 50' wide. The Land Development Code also mandates that nonconforming lots under the same ownership shall be aggregated for the purposes of compliance with the Code; however, this code requirement did not exist until around 2007. The Land Development Code prior to this timeframe allowed lots of record to be considered legal nonconformities. For the referenced lots, they were first owned under separate ownership prior to 1991. As such, the aggregation requirements of the current code do not apply, and the lots are considered to be legal nonconforming lots. A variance will have to be obtained as part of any development approval memorializing the nonconforming lot width and any other variances that may be required to utilize the 50' wide lots. The variance shall be the minimum necessary to make economic use of the property with such determination being made by the City Council at their sole discretion.

OTHER REGULATIONS

The Land Development Code governs a wider range of attributes than covered by this letter, including, but not limited to, accessory structures, supplemental use regulations landscaping, parking, and signage. This letter is not intended to be a full representation of the regulations governing the use and development of the property.

Sincerely,



Mark D. Mathes
Community Development Director

TABLE OF SITE DEVELOPMENT STANDARDS (N. Myrtle Overlay District)

Minimum Lot Width ^{1,2}	100'
Front Building Setback ³	15' to 25'
Side Building Setback ⁴	≥10'
Corner Building Setback	15' to 25'
Rear Building Setback	≥30'
Maximum Building Length	300'
Maximum Building Height ⁵	35'
Maximum Building Coverage	50%
Maximum % Residential Use within a Building	100%
Maximum Building Size	NR
Maximum Lot Coverage	80%
Maximum Floor Area Ratio (FAR)	1.0
Minimum Average Unit Size	750sf

NR = Not Regulated

NOTES:

1. When developed as a front yard as allowed by Exhibit 4 and proposed to be platted into fee simple ownership as townhouse dwellings, lot widths may vary so long as the minimum lot size of each proposed townhouse lot is at least 3,000 square feet in size after dedication of any required land.
2. Lots less than 100 feet in width at time of adoption of the Infill/Redevelopment District shall be allowed to develop under the allowances of the overlay district when meeting all other requirements of the overlay district. Lots under common ownership at time of adoption of the Infill/Redevelopment District that when combined are at least 100 feet wide shall not be developed separately.
3. Front setback shall be measured from N. Myrtle Street.
4. Internal lot setbacks for townhouse developments may be zero (0) feet.
5. Stories may not exceed 14 feet in height from finished floor to finished ceiling, except for a first floor nonresidential or mixed use, which shall be a minimum of 12 feet with a maximum of 25 feet in height. A single floor level exceeding 14 feet, or 25 feet at ground level, shall be counted as two (2) stories. Mezzanines extending beyond 33% of the floor area shall be counted as an additional story. In a parking structure or garage, each above-ground level counts as a single story regardless of its relationship to habitable stories. Height limits do not apply to attics or raised basements, masts, belfries, clock towers, chimney flues, water tanks, or elevator bulkheads. Attics shall not exceed 14 feet in height.