

ORDINANCE 12-70

COUNCIL ITEM 10A
DATE 11/13/12

AN ORDINANCE TO REZONE .459 ACRES OF PROPERTY LOCATED ON THE EAST SIDE OF LENNARD ROAD, NORTH OF LONGHORN AVENUE, SOUTH OF MELALEUCA BOULEVARD, AND WEST OF LUCAYA STREET; AND IS LEGALLY DESCRIBED AS LOTS 9 AND 10, BLOCK 1543, PORT ST. LUCIE SECTION 30; FROM RS-2 (SINGLE FAMILY RESIDENTIAL) TO P (PROFESSIONAL), FOR A PROJECT KNOWN AS HAIR BY MARIA REZONING APPLICATION, P12-090; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ismael and Luz M. Soto and Hair by Maria , hereinafter referred to as the Applicant, seeks to rezone .459 acres of property located on the east side of Lennard Road, north of Longhorn Avenue, south of Melaleuca Boulevard, and west of Lucaya Street; legally described as Lots 9 and 10, Block 1543, Port St. Lucie Section 30; from the zoning designation of RS-2 (Single Family Residential) to P (Professional); and

WHEREAS, the City of Port St. Lucie Planning and Zoning Board held a public hearing on September 4, 2012 to consider the rezoning application P12-090, notice of said hearing to adjoining property owners for a radius of three-hundred (300) feet having been given and advertising of public hearing having been made; and

WHEREAS, the City Council held a public hearing on December 3, 2012 to consider the rezoning application P12-090, advertising of the public hearing having been made; and

NOW, THEREFORE, THE CITY OF PORT ST. LUCIE HEREBY ORDAINS:

Section 1: That the property described as Lots 9 and 10, Block 1543; Port St. Lucie Section 30, be rezoned from the Zoning Classification of RS-2 (Single Family Residential) to P (Professional).

Section 2: That this Ordinance shall become effective ten (10) days after its final adoption.

PASSED AND APPROVED by the City Council of the City of Port St. Lucie, Florida, this _____ day of _____ 2012.

CITY OF PORT ST. LUCIE, FLORIDA

BY: _____
JoAnn M. Faiella, Mayor

ATTEST:

Karen A. Phillips, City Clerk

APPROVED AS TO FORM:

BY: _____
Roger G. Orr, City Attorney

CITY OF PORT ST. LUCIE, FL - CITY COUNCIL

AGENDA ITEM REQUEST

MEETING: REGULAR X SPECIAL

DATE: November 13, 2012 and December 3, 2012

ORDINANCE X RESOLUTION MOTION PUBLIC HEARING X

ITEM: REZONING APPLICATION
 PROJECT NO. P12-090
 HAIR BY MARIA

RECOMMENDED ACTION: The Planning and Zoning Board reviewed the request on September 4, 2012 and unanimously recommended approval.

EXHIBITS:

- A. Staff Report
 - C. Support Materials
-

SUMMARY EXPLANATION/BACKGROUND INFORMATION: The rezoning application request is to rezone the subject property from RS-2 (Single Family Residential) to P (Professional).

IF PRESENTATION IS TO BE MADE, HOW MUCH TIME WILL BE REQUIRED?

None.

SUBMITTING DEPARTMENT: PLANNING and ZONING **DATE:** October 15, 2012



City of Port St. Lucie

Planning and Zoning Department Memorandum

TO: CITY COUNCIL - MEETINGS OF NOVEMBER 13, AND DECEMBER 3, 2012

FROM: KATHERINE H. HUNTRESS, PLANNER *KHH*

RE: REZONING APPLICATION
PROJECT NO. P12-090
HAIR BY MARIA

DATE: OCTOBER 15, 2012

APPLICANT: Joseph T. Friscia of Friscia Engineering, Inc. is acting as the agent. The authorization letter is attached to the staff report.

OWNER: Ismael and Luz M. Soto (Lot 9) and Hair by Maria (Lot 10).

LOCATION: The property is located on the east side of Lennard Road, north of Longhorn Avenue; south of Melaleuca Boulevard, and west of Lucaya Street.

LEGAL DESCRIPTION: The property is legally described as Lots 9 and 10, Block 1543, Port St. Lucie Section 30.

SIZE: .459 acres (20,000 square feet). The site meets the minimum lot requirements of 20,000 square feet and 100 foot frontage.

EXISTING ZONING: RS-2 (Single Family Residential).

EXISTING USE: Single family residence.

SURROUNDING USES: North = RM-11 (Multi Family Residential) zoning, existing vacant land. South = RM-11/SEU (Multi Family Residential/Special Exception Use) zoning, existing vacant land. East = RS-2 (Single Family Residential) zoning, existing single family residences. West = U (Utility) zoning, existing EWIP project pond.

REQUESTED ZONING: P (Professional)

FUTURE LAND USE: ROI (Residential, Office, Institutional)

PROPOSED USE: Beauty shop

IMPACTS AND FINDINGS:

Land Use Consistency: The petition is consistent with the direction and policies of the City's Comprehensive Plan. The subject application is supported and justified by Policy 1.1.3: "Development orders and permits for development and redevelopment activities shall be issued only in areas where public facilities necessary to meet level of service standards (which are adopted as part of the Traffic, Infrastructure, Recreation, and Open Space, and Capital Improvements Element of this Comprehensive Plan) are available concurrent with impacts of development."; and Policy 1.1.4: "Future growth, development and redevelopment shall be directed to appropriate areas as depicted on the Future Land Use Map. The land use map shall be consistent with: sound planning principles; minimal natural limitations; the goals, objectives, and policies contained within this Comprehensive Plan; and the desired community character, and to ensure availability of land for future demand and utility facilities."

Sewer/Water Service: The City of Port St. Lucie Utilities provides water and sewer service to the site.

Environmental: Lot 9 has previously been cleared and improved, and Lot 10 is vacant and uncleared. At time of site plan review, an environmental statement will be required to be provided on the site plan.

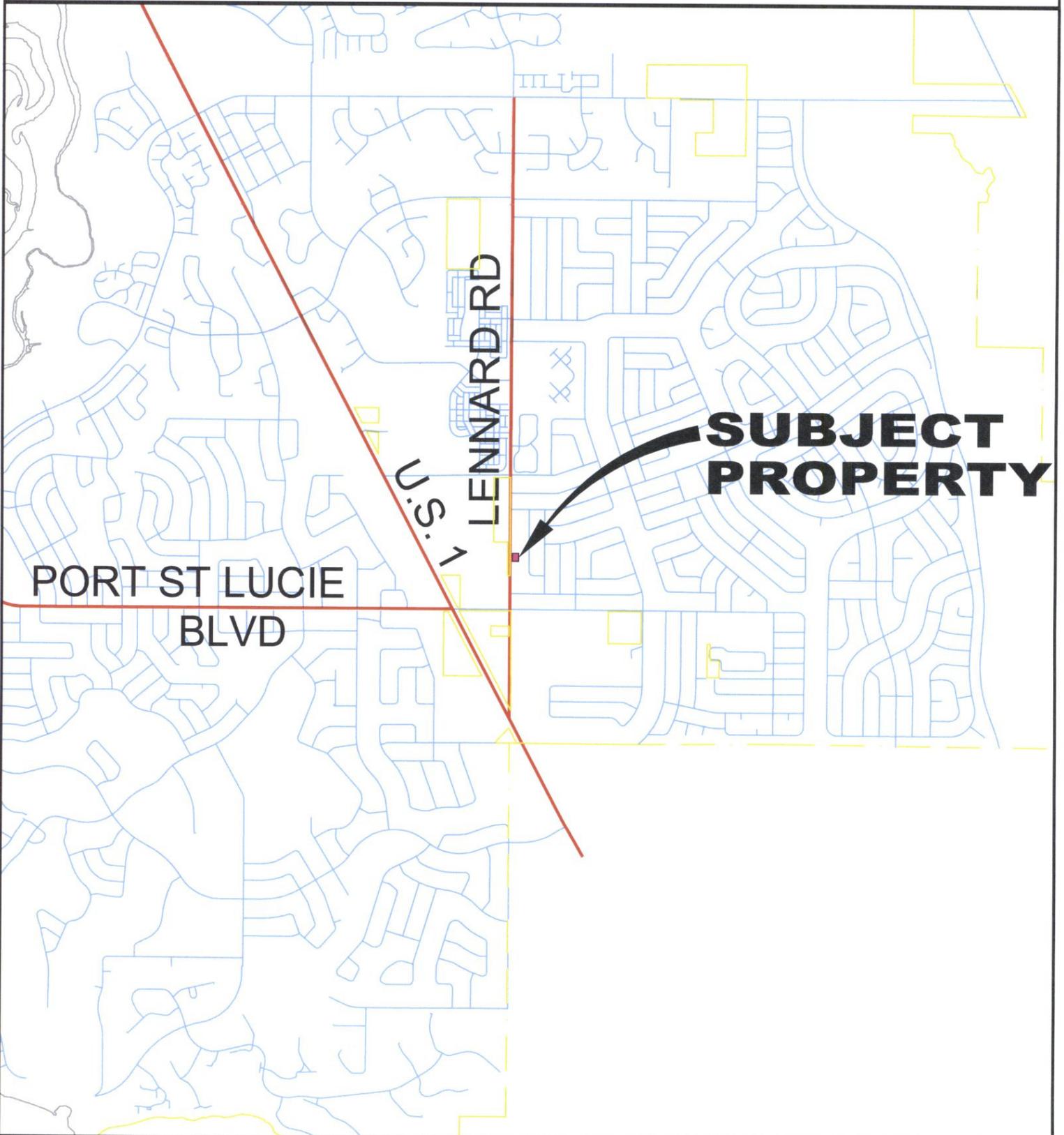
Compliance With Conversion Area Requirements:

1. Planning Area location per conversion manual: 9
2. The property is totally within planning area: Yes
3. Minimum Frontage: Yes
4. Minimum Depth: Yes
5. Does the request isolate lots: No
6. Has a Unity of Title been submitted: The unity of title is attached to the staff report.
7. Buffer required: Landscape buffer strips with six-foot high architectural walls and landscaping will be required wherever the property abuts property to the side or the rear that is designated with a residential use. Abutting properties are considered those that are either contiguous or separated by a road or drainage right-of-way. The walls are required to be installed prior to the issuance of foundation permits for any commercial, office, institutional, or multi-family development. This is intended to minimize impacts to abutting single family residential lots.

STAFF RECOMMENDATION:

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the future land use map and policies of the City's Comprehensive Plan, and recommends approval. The Planning and Zoning Board reviewed the request on September 4, 2012 and unanimously recommended approval.

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

REZONING

LOTS 9 & 10 BLOCK 1543
PORT ST LUCIE SECTION 30

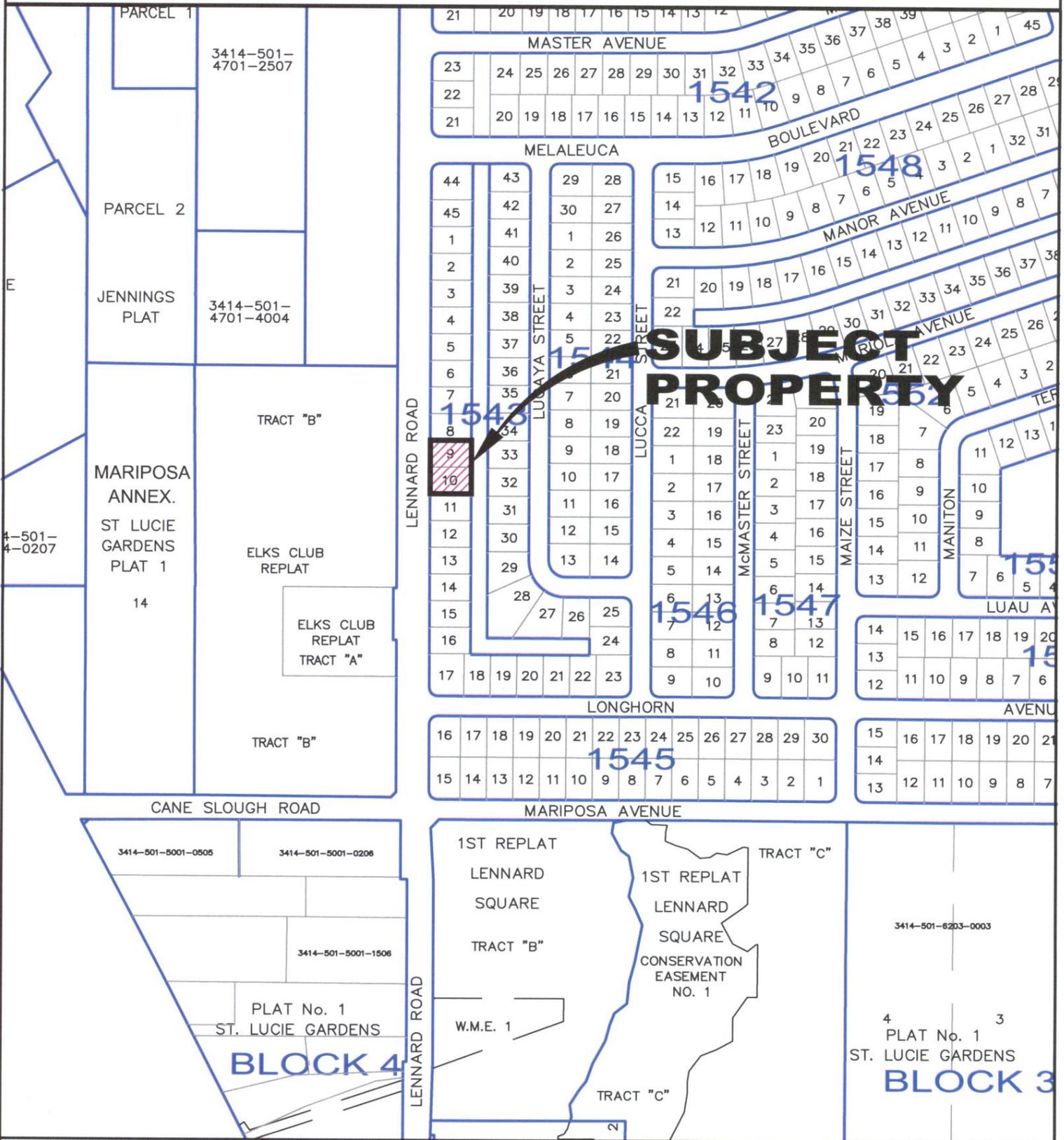
DATE: 7/20/2012

APPLICATION NUMBER:
P12-090

CADD FILE NAME:
P12-090L

SCALE: 1" = .5 MI.

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT PZ 2012.DWG

REZONING
LOTS 9 & 10 BLOCK 1543
PORT ST LUCIE SECTION 30

DATE: 7/20/2012
APPLICATION NUMBER:
P12-090
CADD FILE NAME:
P12-090M
SCALE: 1"=400'

SITE LOCATION



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT

PZ 2012.DWG

REZONING

LOTS 9 & 10 BLOCK 1543
PORT ST LUCIE SECTION 30
AERIAL DEC 2010

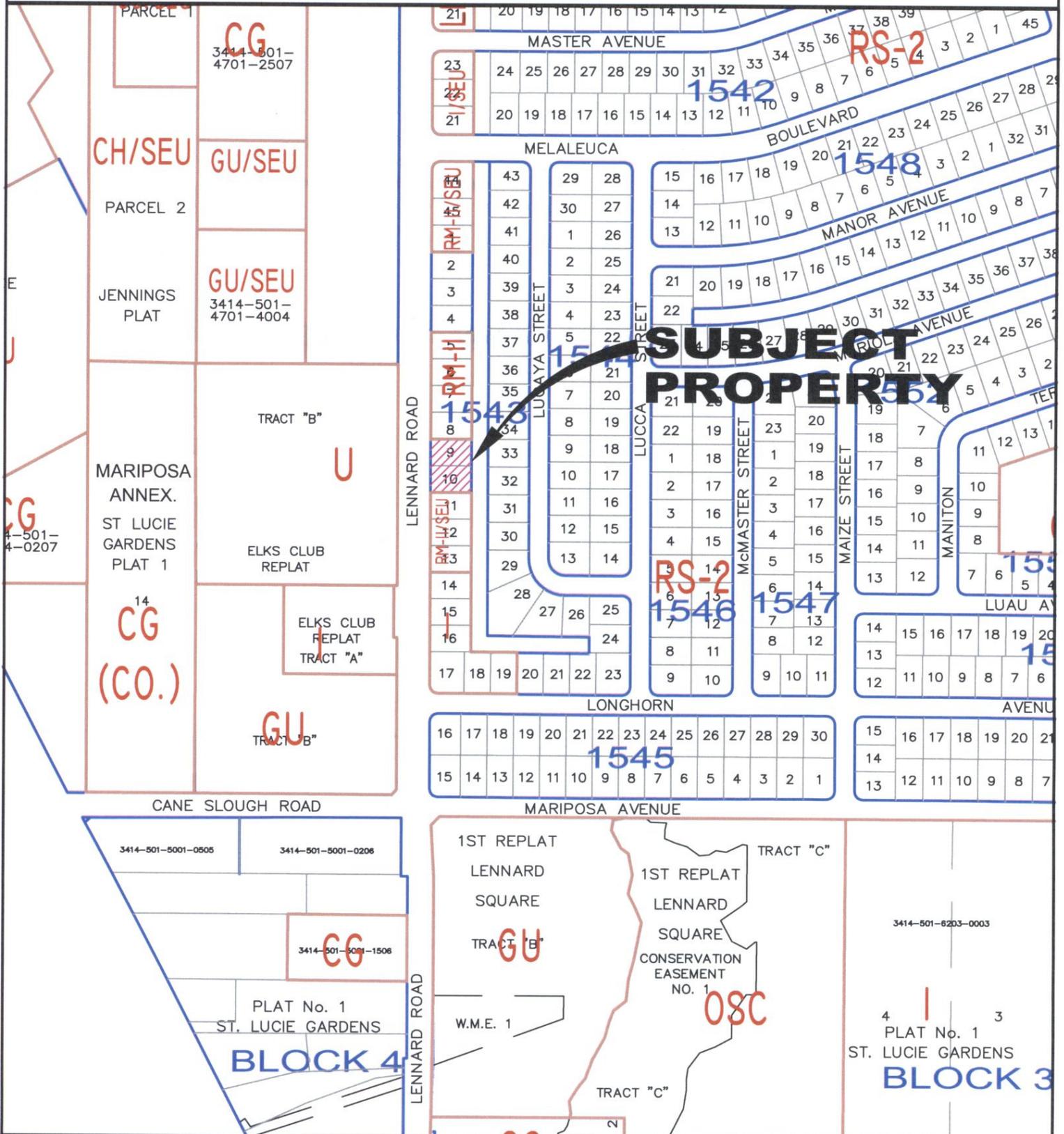
DATE: 7/20/2012

APPLICATION NUMBER:
P12-090

CADD FILE NAME:
P12-090A

SCALE: 1"=200'

EXISTING ZONING



CITY OF PORT ST. LUCIE
PLANNING & ZONING DEPT.

Prepared by:
M.I.S. DEPARTMENT PZ 2012.DWG

REZONING
LOTS 9 & 10 BLOCK 1543
PORT ST LUCIE SECTION 30

DATE: 7/20/2012
APPLICATION NUMBER:
P12-090
CADD FILE NAME:
P12-090M
SCALE: 1"=400'

CITY OF PORT ST. LUCIE

§ 158.122 PROFESSIONAL ZONING DISTRICT (P)

(A) Purpose. The purpose of the Professional Zoning District (P) shall be to locate and establish areas within the city which are deemed to be uniquely suited for the development and maintenance of professional office facilities; to designate those uses and services deemed appropriate and proper for location and development within said zoning district; and to establish such development standards and provisions as are appropriate to ensure proper development and functioning of uses within the district. This district includes those uses formerly designated Professional Commercial.

(B) Permitted Principal Uses and Structures. The following principal uses and structures are permitted:

(1) Office for administrative, business, or professional use, barber or beauty shop, but not including the sale or storage of merchandise except where clearly incidental to and an accessory component of the rendering of professional services;

(2) Studio for professional work of any form of fine arts or performing arts, but not including the sale or storage of merchandise except where clearly incidental to, and an accessory component of, the rendering of professional services;

(3) Apartment-type living quarters for the owner or manager of a business, and his immediate family, when such use is incidental to and designed as an integral part of the principal structure. However, only one such residence may be approved for each business and required land area.

(C) Special Exception Uses. The following uses may be permitted only following the review and specific approval thereof by the City Council:

(1) Any building exceeding (35) thirty-five feet in height;

(2) Model home centers;

(3) Enclosed assembly area;

(4) Any use set forth in Subsection B" "Permitted Uses and Structures" that includes drive-thru service.

(D) Accessory Uses. As set forth within § 158.217.

(E) Minimum Lot Requirements. 20,000 square feet and a minimum width of 100 feet. More than one permitted or special exception use may be located upon the lot as part of a totally-designed development to be maintained under single ownership. Properties located within conversion areas as defined by this chapter shall meet the requirements contained within the "City of Port St. Lucie Land Use Conversion Manual".

(F) Maximum Building Coverage. (40%) forty percent, provided that the combined area coverage of all impervious surfaces shall not exceed (80%) eighty percent.

(G) Maximum Building Height. (35) thirty-five feet, except for the ROI (Residential, Office & Institutional) conversion area as identified in the "City of Port St. Lucie Land Use Conversion Manual", lying between Airoso Boulevard and U.S. #1 where the maximum building height shall be one story. (See § 158.174(E) for height variations allowed through PUD zoning.)

(H) Minimum Building Size and Minimum Living Area. Commercial and office buildings shall have a minimum total gross floor area of 1,200 square feet. Apartment-type unit 600 square feet.

(I) Setback Requirements and Buffering.

(1) Front yard. Each lot shall have a front yard with a building setback line of (25) twenty-five feet;

(2) Side yards. Each lot shall have two side yards, each of which shall have a building setback line of (10) ten feet. A building setback line of (25) twenty-five feet shall be required when the yard adjoins a residential use or a public right-of-way;

(3) Rear yard. Each lot shall have a rear yard with a building setback line of (10) ten feet. A building setback line of (25) twenty-five feet shall be required when the yard adjoins a residential use or a public right-of-way;

(4) Buffering. All mechanical equipment shall be screened from property zoned residential. This screening shall be designed as both a visual barrier and a noise barrier. Buffering shall be provided in accordance with the landscaping requirements of § 153.04(G).

(J) Off-Street Parking and Service Requirements. As set forth in § 158.221.

(K) Site Plan Review. All permitted and special exception uses shall be subject to the provisions of §§ 158.235 through 158.245.

F RISCIA ENGINEERING

459 N.W. Prima Vista Blvd. • Port St. Lucie, FL 34983 • (772) 340-4990 • Fax (772) 340-7996
Email: frisciaeng@comcast.net

July 17, 2012

Daniel Holbrook
City of Port St. Lucie Planning Director
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984

Re: Hair by Maria Rezoning
Lots 9 & 10, Block 1543, Port St. Lucie Section 30
Rezoning Application

RECEIVED

JUL 17 2012

PLANNING DEPARTMENT
CITY OF PORT ST. LUCIE

Dear Mr. Holbrook:

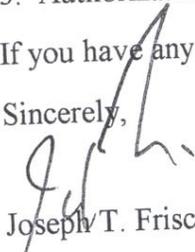
This rezoning application requests a change from RS-2 to P to allow the construction of a hair salon. The Future Land Use is ROI.

The following items are attached:

1. Rezoning Application form & fee (\$2,155.00)
2. Warranty Deeds (2 ea.)
3. Authorization Letters

If you have any questions, please call.

Sincerely,


Joseph T. Friscia, P.E.

Attachments

cc: File 12-1307 psp.doc

REZONING APPLICATION

CITY OF PORT ST. LUCIE

Planning & Zoning Department
121 SW Port St. Lucie Boulevard
Port St. Lucie, Florida 34984
(772) 871-5212 FAX:(772) 871-5124

FOR OFFICE USE ONLY

Planning Dept. P12-090
Fee (Nonrefundable)\$ 2,155.00
Receipt # 11854

Refer to "Fee Schedule" for application fee. Make checks payable to the "City of Port St. Lucie". Fee is nonrefundable unless application is withdrawn prior to the Planning and Zoning Board Meeting. All items on this application should be addressed, otherwise it cannot be processed. Attach proof of ownership: two copies of recorded deed. If the application includes more than one (1) lot, our Legal Department will contact you regarding execution of the required Unity of Title. Please type or print clearly in **BLACK** ink.

PROPERTY OWNER:

Name: Ismael & Luz M. Soto (Lot 9)
Hair by Maria, Inc. (Lot 10)

Address: 1682 SE Shepard Lane, Port St. Lucie, FL 34983

Telephone No.: (772) 240-6769

FAX No.: NA

AGENT OF OWNER (if any)

Name: Joseph T. Friscia, P.E.

Address: 459 NW Prima Vista Blvd., Port St. Lucie, FL 34983

Telephone No.: 772-340-4990

FAX No: 772-340-7996

PROPERTY INFORMATION

Legal Description: Lots 9 & 10, Block 1543, PSL Sect. 30, PB 14, Pgs 10, 10A – 10I, Public Records of St. Lucie County, Florida.

Parcel I.D. Number: Lot 9: 3420-645-0643-000-9 Lot 10: 3420-645-0644-000-6

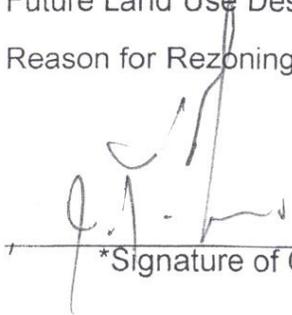
Current Zoning: RS-2

Proposed Zoning: P

Future Land Use Designation: ROI

Acreage of Property: 0.459

Reason for Rezoning Request: To construct a hair salon



*Signature of Owner

Joseph T. Friscia, P.E., Agent
Hand Print Name

7/17/12

Date

***If signature is not that of the owner, a letter of authorization from the owner is needed.**

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted.

H:\PZ\SHARED\APPLCTN\REZAPPL(07/29/04)

Prepared by and return to:
Noah Katz
Kahane & Associates, P.A.
8201 Peters Road, Suite 3000
Plantation, FL 33324

File Number: 10-13722
Consideration: \$50,000.00

COPY
(space above this line for recording data)
Special Warranty Deed

This Special Warranty Deed made this 25th day of August, 2010, between The Bank of New York Mellon (aka The Bank of New York as Trustee for the Certificateholders CWABS, Inc. Asset Backed Certificates, Series 2005-AB2, whose post office address is 7105 Corporate Drive, Plano, TX 75024, grantor, and Ismael Soto and Luz Maria Soto, husband and wife, joint tenants whose post office address is 1682 SE Shepard Lane, Port St. Lucie, FL 34983, grantee:

(Whenever used herein the terms grantor and grantee include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

Witnesseth, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the St Lucie County, Florida, to-wit:

COPY
ALL THAT CERTAIN LAND SITUATE IN COUNTY OF SAINT LUCIE, STATE OF FLORIDA, VIZ: PORT ST. LUCIE SECTION THIRTY, BLOCK 1543 LOT 9 ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 14, PAGE 10, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA. SUBJECT TO EASEMENTS, RESTRICTIONS, AND LIMITATIONS OF RECORD, IF ANY, TOGETHER WITH ALL THE TENEMENTS AND APPURTENANCES THERETO BELONGING OR IN ANYWISE APPERTAINING.

Parcel Identification Number: 3420-645-0643-000-9

Together with all the tenements, hereditaments and appurtenances thereto belonging or in anywise 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; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons claiming by, through or under grantors.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

COPY

COPY

Signed, sealed and delivered in our presence:

[Signature]

Witness Name: Rita Smith

[Signature]

Witness Name: Jessica Yetton

The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders CWABS, Inc. Asset Backed Certificates, Series 2005-AB2, by BAC Home Loans Servicing, LP f/k/a Countrywide Home Loans Servicing LP, servicer and Attorney in Fact for the grantor

[Signature]
By: Roseanne Silvestro, Assistant Secretary

State of: Arizona
County of: Maricopa

COPY

The foregoing instrument was acknowledged before me this 25 day of August, 2010 by Roseanne Silvestro of BAC Home Loans Servicing, LP /k/a Countrywide Home Loans Servicing LP, servicer and Attorney in Fact for The Bank of New York Mellon fka The Bank of New York as Trustee for the Certificateholders CWABS, Inc. Asset Backed Certificates, Series 2005-AB2. who is () personally known to me or () has produced _____ as identification.

[Signature]
Notary Signature

Print Name _____

My Commission Expires: _____

COPY

JANET HELMS
Notary Public - Arizona
Maricopa County
My Comm. Expires Apr 16, 2011

Prepared by
Veronika Swords, C.L.C., an employee of
First American Title Insurance Company
109 North Second St.
Fort Pierce, Florida 34950
(772)464-7837

Return to: Grantee

File No.: 1083-1981479

This indenture made on

8/21/08

A.D., by

Faeza M. Duval a/k/a Faeza Duval

whose address is: **81 Columbia St., Apt. 21F, New York, NY 10002**
hereinafter called the "grantor", to

Hair by Maria, Inc., a Florida corporation

whose address is: **1682 S.E. Shepard Lane, Port St. Lucie, FL 34983**
hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee" shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **St. Lucie County, Florida**, to-wit:

Lot 10, Block 1543 of PORT ST LUCIE SECTION THIRTY, according to the Plat thereof as recorded in Plat Book 14, Page(s) 10, 10A to 10I of the Public Records of St. Lucie County, Florida.

Parcel Identification Number: **3420-645-0644-000/6**

The land is not the homestead of the Grantor under the laws and constitution of the State of Florida and neither the Grantor nor any person(s) for whose support the Grantor is responsible reside on or adjacent to the land.

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

COPY

Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way 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; that the grantor hereby fully 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 31st of 2007.

In Witness Whereof, the grantor has hereunto set their hand(s) and seal(s) the day and year first above written.

Faeza M. Duval
Faeza M. Duval

Signed, sealed and delivered in our presence:

[Signature]
Witness Signature

Print Name: Mirtee Sataram

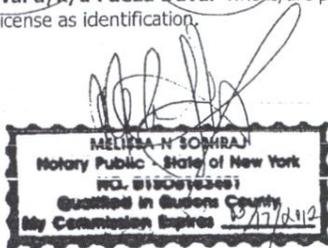
State of New York

County of New York

[Signature]
Witness Signature

Print Name: John Alvarez

The Foregoing Instrument Was Acknowledged before me on August 21st 2008, by Faeza M. Duval a/k/a Faeza Duval who is/are personally known to me or who has/have produced a valid driver's license as identification.



[Signature]
NOTARY PUBLIC
Melissa Somraj
Notary Print Name
My Commission Expires: 03/17/2012

COPY

Luz Maria Soto
Ismael Soto, Jr.
1682 S.E. Shepard Lane
Port St. Lucie, FL 33983

Letter of Authorization

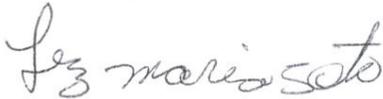
To Whom It May Concern:

This letter authorizes Friscia Engineering, to act as agent for the purposes of obtaining permits and approvals from state and local government agencies for the property described below:

LOTS 9, BLOCK 1543, PORT ST. LUCIE SECTION THIRTY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 10, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

If you have any questions, please call me at (772) 240-6769.

Sincerely,



Luz Maria Soto,

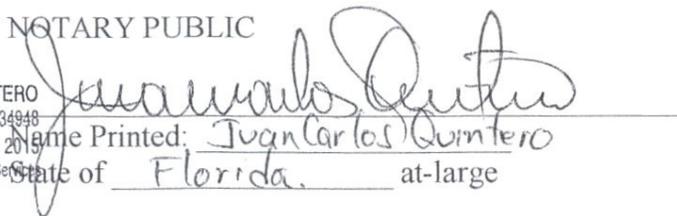
State of: Florida
County of: St Lucie

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 16th day of July, 2012, by Luz Maria Soto who is () personally known to me or () has produced FL.DL. as identification.

NOTARY PUBLIC



JUAN CARLOS QUINTERO
MY COMMISSION # EE 134948
EXPIRES: November 2, 2015
Bonded Thru Budget Notary Service



Name Printed: Juan Carlos Quintero
State of Florida at-large

Ismael Soto Jr

Ismael Soto, Jr.,

State of: Florida
County of: St Lucie

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 16 day of July, 2012, by Ismael Soto, Jr. who is () personally known to me or () has produced FL DL as identification.

NOTARY PUBLIC



JUAN CARLOS QUINTERO
MY COMMISSION # EE 134948
EXPIRES: November 2, 2015
Bonded Thru Budget Notary Services

Juan Carlos Quintero
Name Printed: Juan Carlos Quintero
State of Florida at-large
My Commission expires: Nov 02, 2015.

Hair by Maria, Inc.
10123 Federal Highway US 1
Port St. Lucie, FL 33952

Letter of Authorization

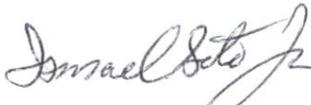
To Whom It May Concern:

This letter authorizes Friscia Engineering, to act as agent for the purposes of obtaining permits and approvals from state and local government agencies for the property described below:

LOTS 10, BLOCK 1543, PORT ST. LUCIE SECTION THIRTY, ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 14, PAGE 10, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

If you have any questions, please call me at (772) 240-6769.

Sincerely,



Ismael Soto, Jr., Vice President

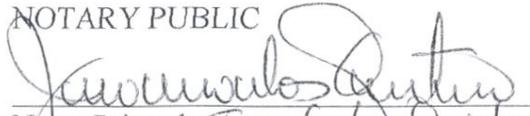
State of: Florida
County of: St Lucie

I HEREBY CERTIFY that the foregoing instrument was acknowledged before me this 16th day of July, 2012, by Ismael Soto, Jr. who is personally known to me or has produced FL DL as identification.

NOTARY PUBLIC



JUAN CARLOS QUINTERO
MY COMMISSION # EE 134948
EXPIRES: November 2, 2015
Bonded Thru Budget Notary Services


Name Printed: Juan Carlos Quintero
State of Florida at-large
My Commission expires: Nov 2, 2015
My Commission expires: _____

This instrument was prepared by:
Pam E. Booker, Senior Assistant City Attorney
City of Port St. Lucie
121 SW Port St. Lucie Boulevard
Port St. Lucie, FL 34984
P12-009

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 3756149 10/10/2012 at 11:07 AM
OR BOOK 3440 PAGE 2938 - 2938 Doc Type: UT
RECORDING: \$10.00

UNITY OF TITLE

In consideration of the issuance of a Permit to HAIR BY MARIA, INC., a Florida corporation in Port St. Lucie, Florida, and for other good and valuable considerations, the undersigned hereby agrees to restrict the use of lands described as follows, to-wit:

Lots 9 and 10, Block 1543, Port St. Lucie Section 30, according to the plat thereof, as recorded in Plat Book 14, Page(s) 10,10A through 10I of the Public Records of St. Lucie County, Florida.

in the following manner:

1. That said property shall be considered as one plot and parcel of land and that no portion of said plot and parcel of land shall be sold, transferred, devised, or assigned separately except in its entirety as one plot or parcel of land.

2. The undersigned further agrees that this condition, restriction and limitation shall be deemed a covenant running with the land, and shall remain in full force and effect, and be binding upon the undersigned, their heirs, successors and/or assigns until such time as the same may be released in writing by the City Council.

3. The undersigned further agrees that this instrument shall be recorded in the Public Records of St. Lucie County.

Signed, sealed, and acknowledged on the 3 day of October, 2012, in St. Lucie County, Florida.

Rosa Torres
Witness

(Print Name): ROSA TORRES

Jt
Witness

(Print Name): Joseph Frisicia

By: Luz Maria Soto
Luz Maria Soto, President
Hair by Maria, Inc

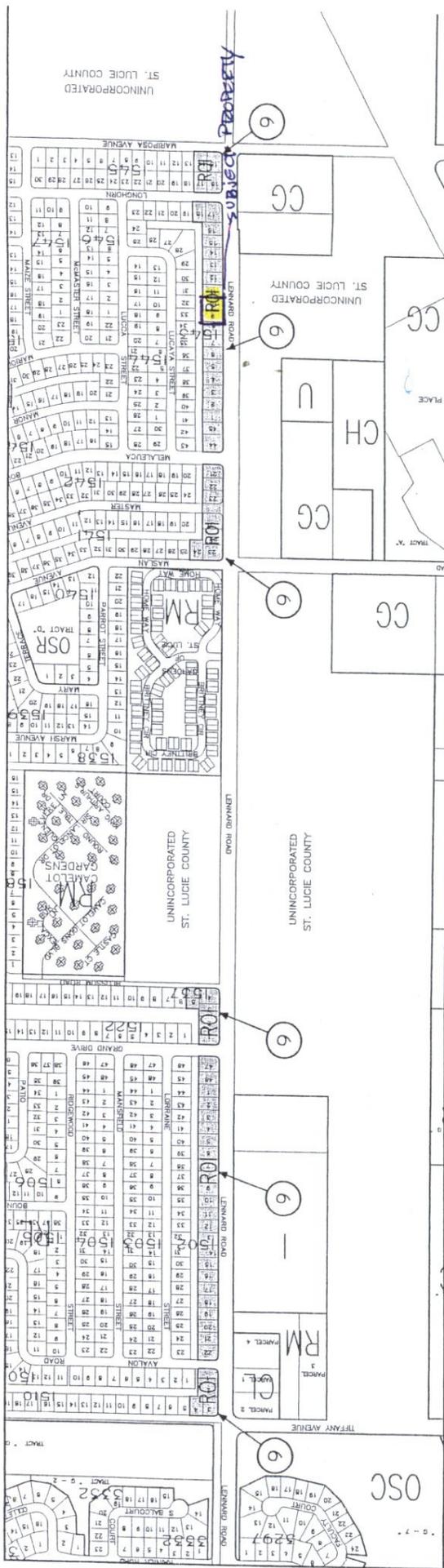


STATE OF Florida
COUNTY OF St. Lucie

The foregoing instrument was acknowledged before me this 3rd day of Oct., 2012, by Luz Maria Soto, who is personally known to me, or produced _____ as identification.

Lisa Lopez
Notary Public

LAND USE CONVERSION OPTIONS AND APPLICABLE REGULATIONS
CONVERSION AREA 9



CONVERSION AREA NUMBER	TYPE OF CONVERSION AREA	MINIMUM FRONTAGE (FT.)	DEPTH (FT.)	FRONTAGE REQUIREMENTS	EXCEPTIONS TO 1'	CURB CUT SEPARATION (FT.) ²		HT. LIMITS	ADD'L REAR YARD. RQMT. FOR TWO STY BLDG. (FT.)
						FROM ADJ. FROM ADJ. STR. CURB CUT	INTERSECTION		
9	ROI ³	160	DEPTH OF ENTIRE CONVERSION AREA PERPENDICULAR TO THE STREET.	PROPERTIES HAVING CONVENIENT ACCESS TO A SIDE STREET FRONTAGE AND HAVING NO CURB CUT ON THE MAJOR STREET.	SINGLE LOT DEPTH MAY BE USED IF THE ENTIRE REAR LOT LINE IS BOUNDED BY A MAJOR DRAINAGE R/W OR CANAL OR NON-RESIDENTIAL USE AND SUFFICIENT FRONTAGE EXISTS FOR DEVELOPMENT.	150	180	TWO STORY INCL. UNDER BLDG. PARKING.	50

NOTES:

- SITES QUALIFYING FOR AN EXCEPTION TO THE FRONTAGE OR DEPTH REQUIREMENTS MUST HAVE A TOTAL OF 20,000 SQ. FT. AND MUST MEET ALL OTHER LOCAL REGULATIONS AND PERFORMANCE REQUIREMENTS.
- DISTANCE OF SEPARATION SHALL BE MEASURED ALONG MAJOR STREET FRONTAGE UNLESS THE CURB CUT ACROSS IS LOCATED ADJACENT TO AN ALLOWABLE SIDE STREET ACCESS POINT. IN SUCH CASE, THE CURB CUT SEPARATION REQUIREMENT SHALL BE APPLIED TO THE SIDE STREET FRONTAGE.
- MAX. RESIDENTIAL DENSITY SHALL BE 11 UNITS PER ACRE WITHIN THE ROI CONVERSION AREA. NO RETAIL SALES AND SERVICE ARE PERMITTED EXCEPT AS A BONA FIDE ACCESSORY USE PURSUANT TO PROVISION OF THE FORT ST. LUCIE ZONING ORDINANCE.

LEGEND:

- RESIDENTIAL/OFFICE/INST'L (ROI)
- CONVERSION AREA NUMBER



