



VILLAGE OF TEQUESTA

Department of Community Development

345 Tequesta Drive

Tequesta, Florida 33469

Phone: 561-768-0451 / Fax: 561-768-0698

www.tequesta.org

WAIVER FOR REQUIREMENTS APPLICABLE TO THE PARKING OF COMMERCIAL VEHICLES, TRUCKS AND RECREATIONAL VEHICLES IN R-1, R-2, R-3 and R-1A ZONING DISTRICTS

Village Code at Chapter 46, Division 2, regulates off-street parking for certain vehicles including commercial vehicles, boats and RVs. Section 46-46 provides for the waiver of any such requirements upon application to the Village Council:

Sec. 46-76. - Waivers. Any part or the whole of this division may be waived by the Village Council on the filing of a written application for such action setting forth the reasons for the request. Such application must set forth a hardship on the part of the applicant, and granting of the request by the village council must be based on the hardship. No waiver granted pursuant to this section may violate or in any way be contrary to any requirement of Chapter 78 Article XII, flood damage prevention.

In order to apply for such a waiver, please complete this application and provide all requested information to the **Department of Community Development, 345 Tequesta Drive, Tequesta, FL 33469**. Questions should be directed to (561) 768-0456. Your cooperation in this matter is greatly appreciated.

Property Owner's Name: Theodore C. Schuemann and Laura Leslie-Schuemann

Property Owner's Address: 228 River Drive, Tequesta FL 33469

Property Owner's Phone No.: (561) 386-5747

E-mail Address: Ted@FLTaxAdvisers.com

ZONING DISTRICT: R-1A

CODE SECTION(S) AND REQUIREMENT(S) FOR WHICH A WAIVER IS BEING REQUESTED: (Please describe specific condition(s) to be waived) Section 46-74(9) – See Attached

EXPLANATION OF HARDSHIP: (Any waiver granted by the Village Council MUST be based on a hardship) See Attached

SIGNATURE OF APPLICANT:  

DATE: 9/19/18

NOTE: APPLICANT SHALL INCLUDE THE FOLLOWING ITEMS WITH THIS APPLICATION:

- 1) Current sketch or site plan of property showing the location of all structures, as well as the proposed parking area conditions.
- 2) Other documentation pertinent to this application (e.g. State of Florida Vessel Registration; photos; elevations to indicate screening, description of landscaping, etc.)
- 3) Three (3) copies of all submittal documents for original review. Nine (9) copies will be required for Village Council.
- 4) *Prior to parking/storing any boat requiring a State of Florida Vessel Registration, a no-fee permit shall be on-file with the Village.*

Code Section(s) and requirements for which a waiver is being requested: Section 46-74(9)
Parking of certain commercial vehicles and recreational vehicles in the R-1A district – See
Attached

Explanation of hardship: The residents located at 228 River Drive live on a corner lot in the Tequesta Country Club and are presented with a parking dilemma as it relates to a boat in which they intend to purchase in the near future. Due to the fact that the housing structure sits too close to the south and east property lines, the only feasible area in which they might be able to park a boat would be on the north side of the housing structure facing View Place. This side of the property already contains a side driveway leading into their garage from View Place and an additional driveway surface has been constructed that runs parallel to the housing structure. There is sufficient space and access within this area and thus render it the most feasible and acceptable area to park a recreational vehicle. It is also within this area that the residents plan on parking their boat once purchased. This plan however presents a conflict with Code Section 46-74(9). Within this area, the residents currently have a 10 foot Clusia Hedge that runs parallel to View Place as well as along the rear, east side property line. Once viewed from View Place, the housing structure is not visible due to the privacy created from the Clusia Hedge. Further, a white PVC fence was also constructed on the front side of the property facing River Drive. Residents have also planted a Clusia Hedge along this River Drive fence line.

Sec. 46-74. - Parking of certain commercial vehicles and recreational vehicles in the R-1A district.

Commercial vehicles, trucks and trailers of not over three-quarters ton rated capacity, and recreational vehicles, parked on a lot containing a single-family residence in R-1A zoning district within the village, shall be parked subject to the following conditions:

- (1) The vehicles and equipment parked pursuant to this section must be owned by and used primarily by a resident of the premises; provided, however, that a guest of the resident of the premises may park a motor home in the front driveway for not more than three consecutive days in any 30-day period. For the purpose of this subsection, any part of a 24-hour period, measured from midnight to midnight, shall be considered as one day.
- (2)
 - (a) The location for such parked vehicles and equipment shall be in the rear yard or in the side yard to the rear of a line established by the front building line adjacent to the side yard where the equipment is located; provided, however, that such equipment is fully screened on all four sides so as not to be visible from abutting properties, any roadway, waterway, or golf course, as follows:
 - (b) Boats, and boats on trailers must be less than 33 feet in length as identified on the vessel registration, and excluding items such as "T-tops," windshields, antennas and outriggers, no higher than ten feet off the ground as measured from the adjacent grade. Such boats, or boats on trailers shall be screened to six feet in height.
 - (c) Prior to parking/storing any boat that requires a State of Florida Vessel Registration, a no-fee permit shall be obtained from the village. Any boat parked pursuant to this section prior to the effective date of this permit requirement shall have 180 days from the effective date of the ordinance from which this permit requirement is derived (March 10, 2016) to comply and obtain the required permit.
 - (d) All other vehicles shall be screened to the top of the vehicle. Required screening shall be in place immediately upon the commencement of parking of any such vehicle. If vegetation is utilized for any portion of required screening, all such vegetation shall be supported with landscape irrigation.
 - (e) For the screening of boats on trailers; however, screening by use of vegetation shall be deemed in compliance with this requirement if, within two weeks of the commencement of parking of the boat on trailer, five gallon sized cocoplum (or equivalent), is planted in sufficient quantity to form the required screening upon growth to maturity.
 - (3) Any of the vehicles or equipment described in this section may be parked in an enclosed private garage; provided, however, that no portion of the vehicle or equipment shall extend beyond the roofline.
 - (4) The screening requirements set forth above shall apply only to vehicles that had not been lawfully parked and screened prior to the adoption of the ordinance from which this code was derived. Any vehicle which would otherwise be subject to the screening requirements of this division, but which had been lawfully parked on the subject lot prior to the adoption of the ordinance from which this code was derived (prior to July 10, 2014) in compliance with prior screening regulations shall be subject to such prior regulations which generally required such vehicles to be "effectively screened on three sides." A "grandfathered" vehicle under this paragraph shall lose its "grandfathered" status in the event that it is not parked pursuant to this section for 90 or more consecutive days.
 - (5) All vehicles and equipment parked pursuant to this section, and the area utilized for parking shall be maintained in a clean, neat and presentable manner, and the vehicles and equipment shall be in usable condition at all times.
 - (6) All vehicles and equipment parked pursuant to this section shall at all times have attached a current vehicle registration and/or license plate as required by law, and if required, a current inspection sticker.

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- (7) No major repairs or other work on any vehicles or equipment shall be made or performed while such vehicles or equipment are parked pursuant to this section.
 - (8) Vehicles and equipment parked pursuant to this section shall not be used for living or sleeping quarters or for housekeeping or storage purposes and shall not have attached thereto any service connection lines, except as may periodically be required to maintain such vehicles and equipment.
 - (9) No vehicle or piece of equipment parked pursuant to this section may be parked in the area between the street lot line and the structure or in the right-of-way adjacent to the subject lot; however, one such vehicle or piece of equipment may be parked in the front driveway for a cumulative period not exceeding four hours in any one 24-hour period.
 - (10) No more than two vehicles or pieces of equipment regulated by this section may be parked on any one residential lot at any one time.
 - (11) The exceptions set forth in section 46-72 shall be applicable to the vehicles and equipment parked pursuant to this section and shall not count toward the two vehicle limit.
 - (12) The provisions and conditions set forth in this section are not intended to regulate the parking of vehicles only used for personal transportation and not used or intended to be used for commercial purposes.
 - (13) In the case of doubt as to the proper classification of a specific vehicle under the terms of this section, the determination by the state motor vehicle commission shall be controlling. The body description and classification on the motor vehicle certificate of title shall be prima facie evidence of such determination.

(Ord. No. 41-13, § 1, 6-12-2014; Ord. No. 6-16, § 1, 4-14-2016)

Prepared By:

EXACTA
LAND SURVEYORS
— serving all of florida —



PROPERTY ADDRESS: 228 RIVER DRIVE, TEQUESTA, Florida 33469

SURVEY NUMBER: FL1102.0125

FIELD WORK DATE: 2/3/2011

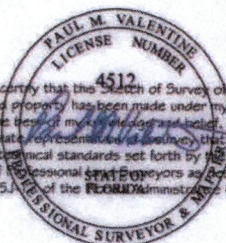
REVISION DATE(S): (rev:0 2/11/2011)

FL1102.0125
BOUNDARY SURVEY
PALM BEACH COUNTY

C1
R=1640.00'(P#M)
L=102.08'(P), 102.00'(M)
Δ=3°33'59"(P), 3°33'48"(M)
Ch=N21°47'00"W 102.07'(P),
N21°48'05"W 101.98'(M)

C2
R=25.00'(P#M)
L=36.46'(P), 36.39'(M)
Δ=88°08'25"(P), 87°58'45"(M)
Ch=N20°30'13"E 34.78'(P),
N20°18'02"E 34.73'(M)

I hereby certify that this Sketch of Survey of the hereon described property has been made under my direction, and to the best of my knowledge and belief, it is a true and accurate representation of the actual survey, which meets the minimum technical standards set forth by the Florida Board of Professional Surveyors as described in Chapter 5, Part 1 of the Florida Administrative Code.



PAUL M. VALENTINE
State of Florida Professional Surveyor and Mapper
License No. 4512

Use of This Survey for Purposes other than Intended, Without Written Verification, will be at the User's Sole Risk and Without Liability to the Surveyor.
Nothing herein shall be Construed to Give ANY Rights or Benefits to Anyone Other than those Certified.

POINTS OF INTEREST: 1-CONCRETE SLAB IN 5' U.E.
2-6' WOOD FENCE IN 5' U.E.

FLOOD INFORMATION:

By performing a search at www.fema.gov, the property appears to be located in zone C (with a Base Flood Elevation of N/A). This Property was found in VILLAGE OF TEQUESTA, community number 120228, dated 09/30/82.

CLIENT NUMBER: 11-005

DATE: 2/4/2011

BUYER: LAURA LESLIE-SCHUEMANN

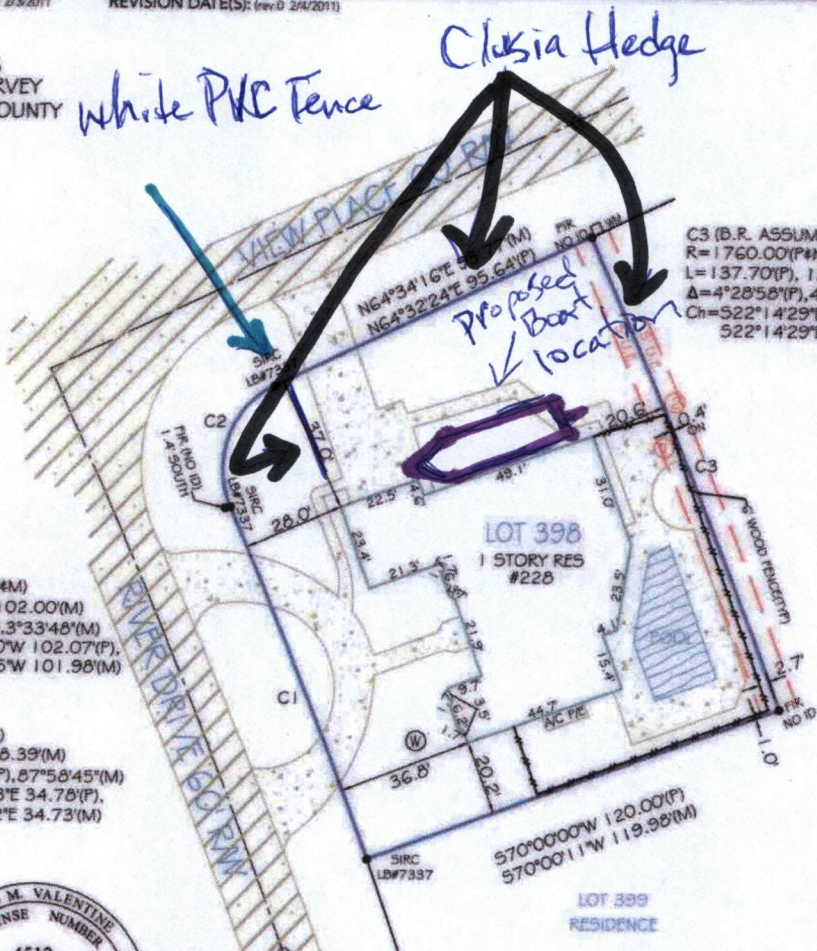
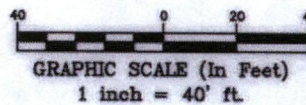
SELLER: JOHN J. MCCREESH, III & RUTH ANNE MCCREESH

CERTIFIED TO: LAURA LESLIE-SCHUEMANN, PREMIER TITLE COMPANY, LTD., OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY, METLIFE HOME LOANS, A DIVISION OF METLIFE BANK, NA; ITS SUCCESSORS AND/OR ASSIGNS, AS THEIR INTERESTS MAY APPEAR

This is page 1 of 2 and is not valid without all pages.

NOTES

- FENCE OWNERSHIP NOT DETERMINED.
- LOT APPEARS TO BE SERVICED BY CITY WATER AND SEWER.



C3 (B.R. ASSUMED)
R=1760.00'(P#M)
L=137.70'(P), 137.62'(M)
Δ=4°28'58"(P), 4°28'49"(M)
Ch=S22°14'29"E 137.66'(P),
S22°14'29"E 137.59'(M)

LOT 392
RESIDENCE

LOT 398
1 STORY RES
#228

LOT 399
RESIDENCE



Florida Land
Title Association

**AFFILIATE
MEMBERS**

EXACTA
LAND SURVEYORS

Exacta Land Surveyors, Inc. : LB # 7337
12220 Towne Lake Drive, Suite 55
Fort Myers, FL 33913

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www.exactalandsurveyors.com

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