

# VARIANCE APPLICATION

**CITY OF PORT ST. LUCIE**  
Planning & Zoning Department  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984  
(772)871-5213

## FOR OFFICE USE ONLY

Planning Dept \_\_\_\_\_  
Fee (Nonrefundable) \$ \_\_\_\_\_  
Receipt # \_\_\_\_\_

Refer to "Fee Schedule" for application fee. Make check payable to the "City of Port St. Lucie. Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g.: warranty deed, affidavit), a copy of recent survey and a statement addressing each of the attached criteria.**

**PRIMARY CONTACT EMAIL ADDRESS:** \_\_\_\_\_ permits@monnahomes.com \_\_\_\_\_

**PROPERTY OWNER:**

Name: \_\_\_\_\_ Monna Homes LLC \_\_\_\_\_  
Address: \_\_\_\_\_ 569 Sanderling Cir, Deerfield Beach, FL 33442 \_\_\_\_\_  
Telephone No. \_\_\_\_\_ (954) 815-2700 \_\_\_\_\_

**APPLICANT (IF OTHER THAN OWNER, ATTACH AUTHORIZATION TO ACT AS AGENT):**

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone No. \_\_\_\_\_ Email \_\_\_\_\_

**SUBJECT PROPERTY:**

Legal Description: \_\_\_\_\_ Lot 18, Block 2655, of Port St. Lucie Section 39 \_\_\_\_\_  
Parcel I.D. Number: \_\_\_\_\_ 3420-690-0576-000-8 \_\_\_\_\_  
Address: \_\_\_\_\_ 520 SE Cliff Rd, Port St Lucie, FL 34984 \_\_\_\_\_  
Current Zoning Classification \_\_\_\_\_ RS-2 \_\_\_\_\_

Description of requested variance and applicable conditions/circumstances justifying request (continue on separate sheet, if necessary): Provide documentation that the attached variance criteria have been met.

We are requesting a variance to allow us to finish building a house on this odd-shaped lot. We had already pulled engineering and building permits (permit # 23-18675), passed the underground plumbing inspection, and placed form boards, when we were surprised to learn that there may be an issue with the rear setback.

  
\_\_\_\_\_  
Signature of Applicant

Zamel Abou, Managing Member  
\_\_\_\_\_  
Hand Print Name

06/02/2023  
\_\_\_\_\_  
Date

**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. 03/02/20

## **VARIANCES**

### **§ 158.295 PLANNING AND ZONING BOARD OR ZONING ADMINISTRATOR (DIRECTOR OF PLANNING AND ZONING) TO HEAR VARIANCES; POWERS AND DUTIES OF BOARD AND ZONING ADMINISTRATOR**

(C) Duties of the Zoning Administrator and Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator should consider:

- (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
- (2) That the special conditions and circumstances do not result from any action of the applicant;
- (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;
- (4) That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;
- (5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- (6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;
- (7) That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

# VARIANCES

The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator will consider the variance criteria in **§ 158.295 (C) 1-7** and consider your responses to the following when making a determination.

(1) Please explain special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

This is an odd, triangular-shaped lot.

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(2) Please explain if these conditions and circumstances result from actions by the applicant;

The lot was platted this odd shape from the beginning.

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(3) Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;

We would still pass all inspections and pull all permits as would be required to build a single family house on any lot in this district. We would not be receiving any special privilege.

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(4) Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;

We would lose all money invested in this property, and would not be able to build a single family home.

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(5) Please illustrate and explain if the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure;

This variance is the minimal possible variance that would allow us to build a small home on this lot.

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(6) Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;

Granting the variance would allow us to build a single family home on this lot, within the property lines,  
as intended.

(7) Please indicate that there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

We will be in full compliance with any additional conditions and safeguards.



\_\_\_\_\_  
Signature of Applicant

Zamel Abou, Authorized Member

\_\_\_\_\_  
Hand Print Name

06/02/2023

\_\_\_\_\_  
Date