



**PS Lucie SR CGP, LLC**  
**Variance**  
**P22-323**



**Aerial Map**

**SUMMARY**

Applicant's Request:	A variance from Section 3.0.8. of the City of Port St. Lucie City Wide Design Standards Manual for the orientation of a garage door for a car wash.
Application Type:	Variance
Applicant:	Lauren Burluson, Driven Brands, Inc.
Property Owner:	Chad J. Post, PS Lucie SR CGP, LLC
Address:	1837 SW Gatlin Boulevard
Location:	The property is located at the northwest intersections of SW Gatlin Boulevard and SW Import Drive
Project Planner:	Bethany L. Grubbs, Planner III

**Background**

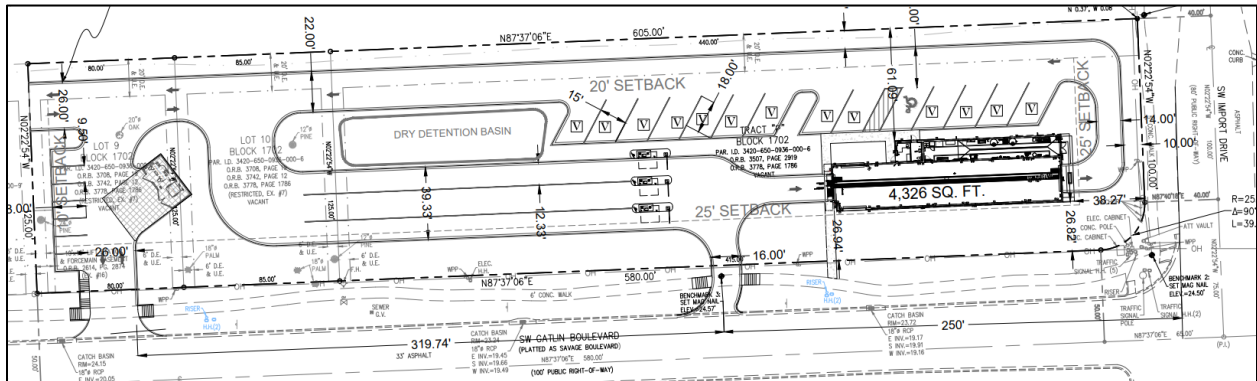
On December 6, 2022, the Planning and Zoning Board tabled this application to a date certain to allow the applicant the opportunity to explore alternative ventilation design options for the proposed garage door facing Gatlin Boulevard. The applicant has submitted revised building elevations that depict a single swing door in lieu of the originally proposed louvers. The single door may be left open during the day to provide for ventilation. This variance request is to allow a garage door to face SW Import Drive.

**Project Description**

The applicant is requesting a variance from Section 3.0.8. of the City of Port St. Lucie City Wide Design Standards Manual to allow for a garage door to face SW Import Drive. The applicant is proposing to develop a car wash. The garage door is for vehicle egress. The vehicles will enter through the garage door on the west end of the building and by use of a conveyor belt system, be guided through the tunnel and exit on the opposite side of the building.

The City of Port St. Lucie Citywide Design Standards manual requires that buildings with commercial land use, located on corner lots that face an arterial or collector road, garage doors or open bays must be oriented to a side of the property not facing an arterial, collector, or local road corner.

**Exhibit 1: Conceptual Site Plan**



**Exhibit 2: Building Elevations (East – Import Drive)**



**Review Criteria**

An application for a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299. Final action on the application (approval or denial) is in the form of an Order of the Planning and Zoning Board following a quasi-judicial public hearing. A vote of approval by five (5) members of the Planning and Zoning Board is required to grant a variance.

**Public Notice Requirements**

Public notice was mailed to owners within 750 feet on November 22, 2022 and the file was included in the ad for the Planning & Zoning Board’s agenda.

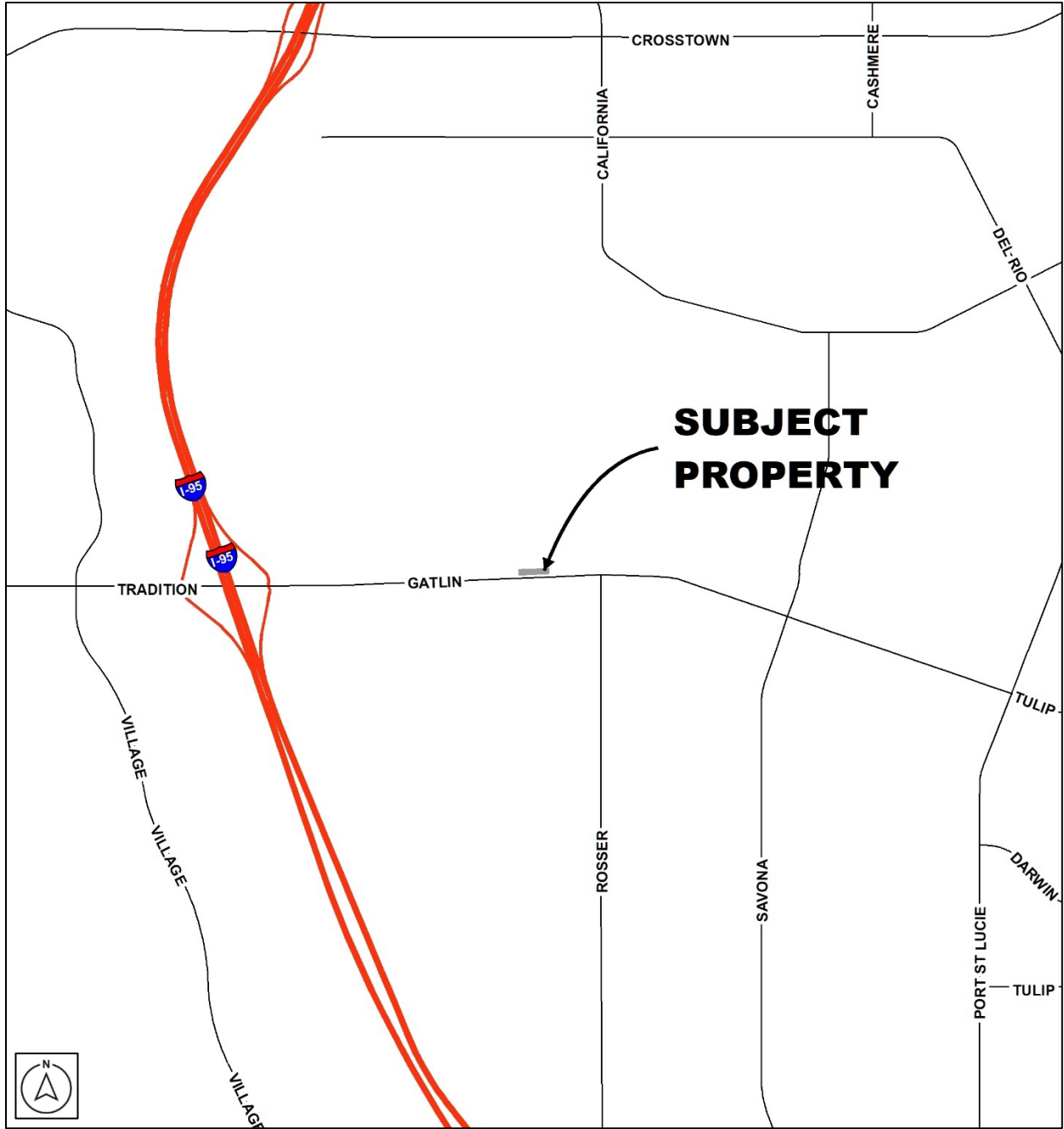
**Location and Site Information**

Parcel Number:	3420-650-0936-000-6
Property Size:	1.73 acres
Legal Description:	Lot 9, Lot 10 and Tract P of Block 1702
Future Land Use:	CG (General Commercial)
Existing Zoning:	CG (General Commercial)
Existing Use:	Vacant

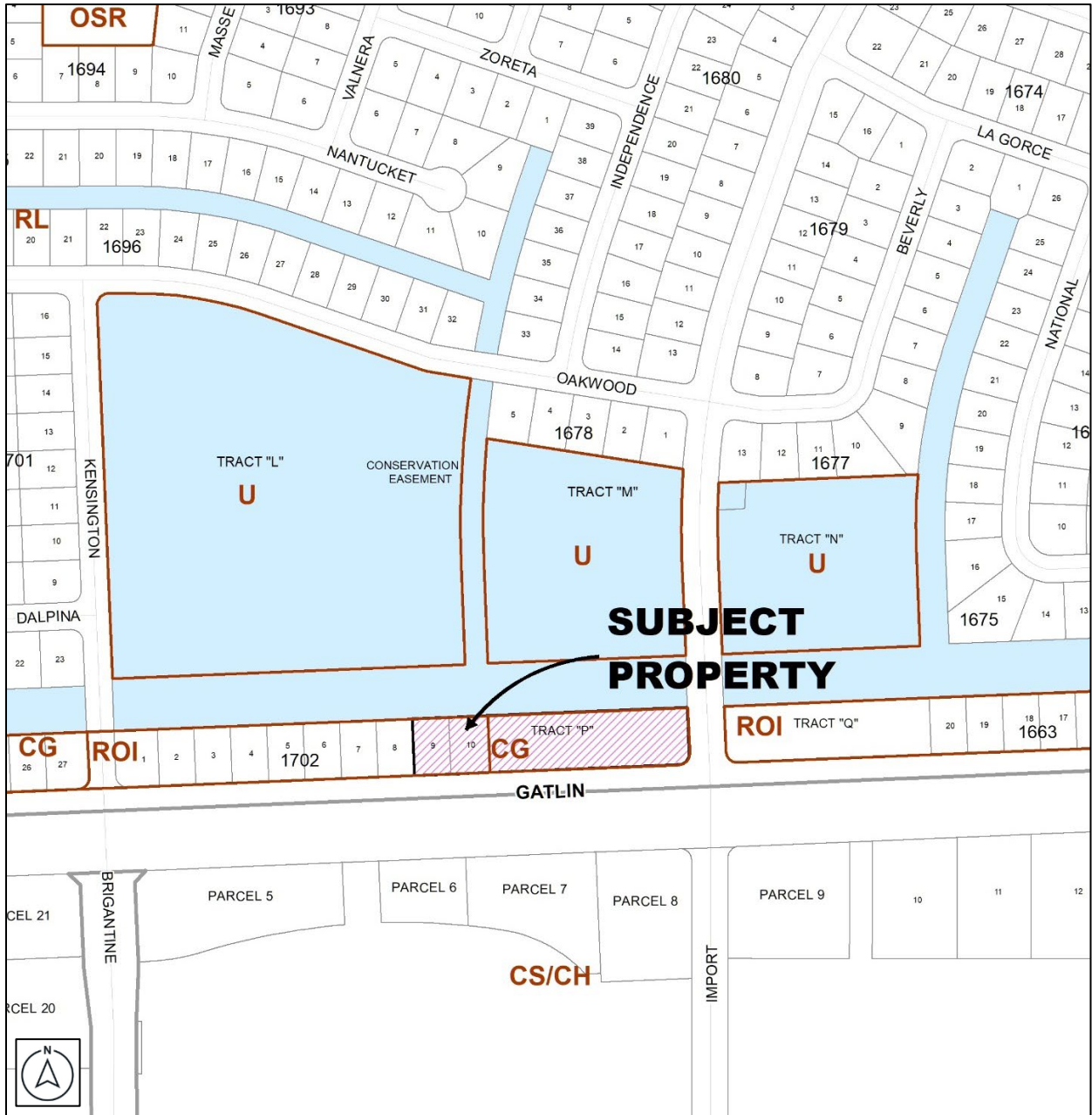
**Surrounding Uses**

<b>Direction</b>	<b>Future Land Use</b>	<b>Zoning</b>	<b>Existing Use</b>
North	U	OSC	Stormwater management tract, Park
South	CS/CH	PUD	Commercial shopping center, fast food restaurant, and bank
East	ROI	P	Commercial office building
West	ROI	RS-2	Vacant

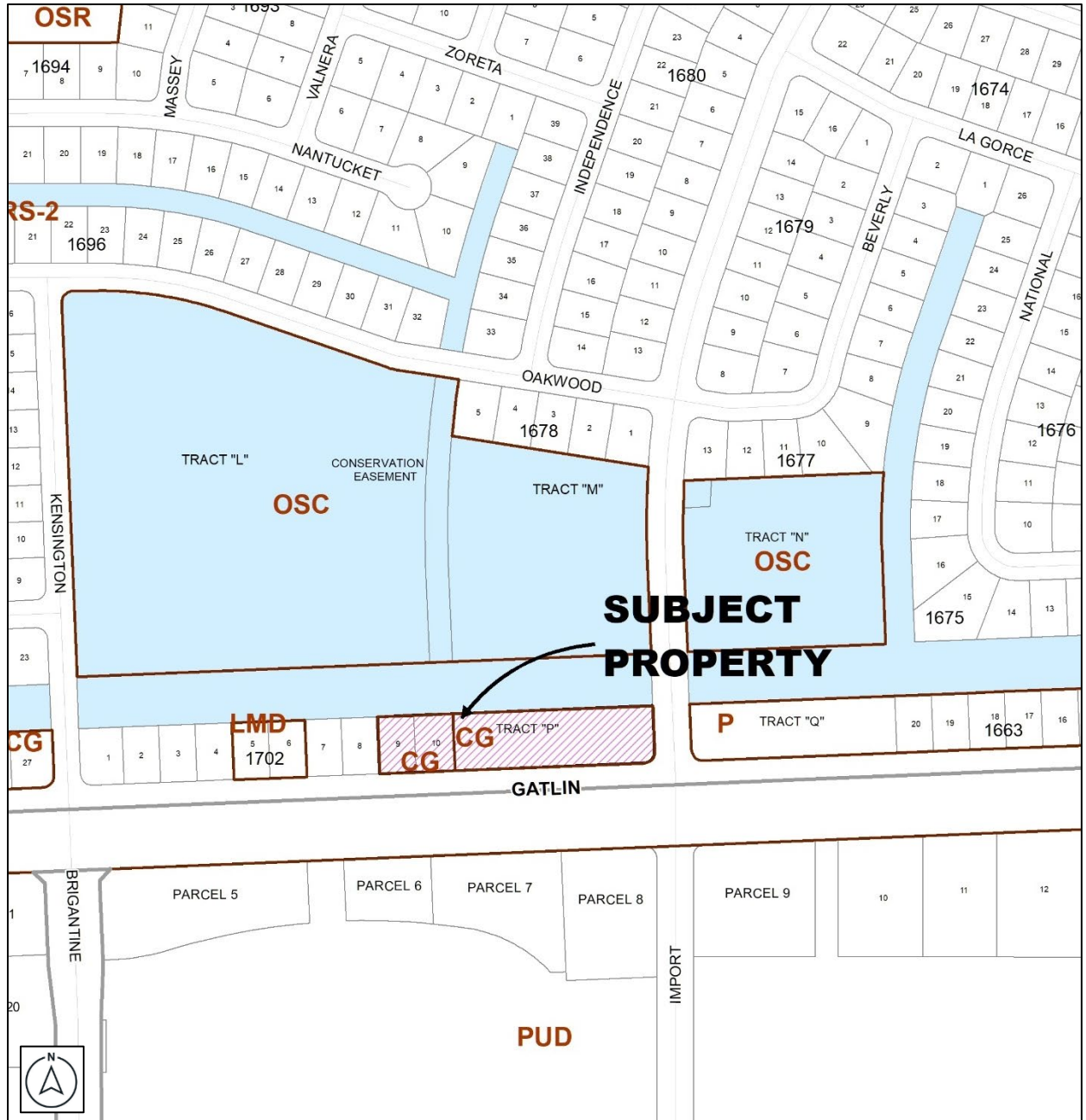
U – Utility, OSC - Conservation Open Space, CS/CH – Commercial Service, PUD - Planned Unit Development, ROI – Residential, Office, Institutional, P – Professional, RS-2 – Single-Family Residential



Location Map



Future land Use



Zoning

## IMPACTS AND FINDINGS

Section 158.295 (B) of the Zoning Code establishes the duties of the Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board may authorize the variance from the provisions of the Zoning Code 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. Pursuant to Section 158.296, a variance is authorized only for height, area, and size of the structure, yard size, building setback, lot size requirements, and other applicable development regulations, excluding use. To authorize a variance, the Planning and Zoning Board should consider the criteria listed under Section 158.295 (B) (1) through (7). The applicant's response to this criterion is attached to the application. Staff's review is provided below.

**See the applicant's responses that are included in the Variance application.**

### **Compatibility with variance criteria Section 158.295 (B).**

- 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.
  - *Staff Findings: The are 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 within the CG zoning district. Car washes are allowed upon approval of a special exception use in the CG zoning district. The fact that this is a corner lot makes the use of an automated car wash unfeasible. When cars drive through an automated car wash, each end has an opening, and the vehicle is guided on the conveyor belt system straight through the building. The garage doors are closed nightly at the end of business hours to secure the tunnel. Regardless of which direction the entrance and exit points are located, there will be one entrance or exit point facing a road. The circumstances do not result from the actions of the applicant. The proposed use is an allowable use in the CG zoning district upon special exception use approval. Because this is a corner lot, due to the standard design of the use, it is not possible for the tunnel system to meet the Citywide Design Standards.*
- 2) 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.
  - *Staff Findings: Properties located within the CG zoning district are subject to the Citywide Design Standards. However, the design code restricts an automated car wash with a tunnel system that has two garage doors from being allowed on a corner lot that has two frontages.*
- 3) 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.
  - *Staff Findings: The literal interpretation would deprive the applicant of rights enjoyed by others and would cause undue hardship for the applicant. If denied, the applicant would have to propose a different use other than an automated car wash with a tunnel system.*
- 4) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
  - *Staff Findings: If granted, the applicant will be allowed to move forward with the*

*pending special exception use application to allow an automated car wash in the CG zoning district.*

- 5) 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.
  - *Staff Findings: The variance will not be injurious to the area involved or detrimental to the public welfare. The site complies with all minimum setback and buffering requirements. Any public comment that is received will be forwarded to the Board.*
- 6) 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.
  - *Staff Findings: Acknowledged.*

## **PLANNING AND ZONING BOARD ACTION OPTIONS**

The Board may choose to approve, deny or table the proposed variance. If the Board finds that the variance application is consistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code (listed above), then the Board may:

- Motion to approve
- Motion to approve with conditions

If the Board finds that the variance application is inconsistent with the criteria as listed in Section 158.295 (B) (1) through (7) of the City code, then the Board may:

- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may:

- Motion to table or continue the hearing or review to a future meeting

***(NOTE TO APPLICANTS: Any request for a variance that is denied by the Planning and Zoning Board may be appealed to the Board of Zoning Appeals. Appeal applications are made through the City Clerk's office and must be submitted within 15 days after the Planning and Zoning Board hearing).***