



**Crb of Florida – Caribbean American Club  
 Variance  
 P23-040**



**Project Location Map**

**SUMMARY**

Applicant's Request:	This is a request to grant a variance to allow a reduction of 21 parking spaces in the required number of parking spaces to allow for an enclosed assembly use.
Agent:	Tod Mowry, Redtail Design Group, Inc.
Applicant / Property Owner:	Crb of Florida, Inc.
Location:	The property is located at 3771 SE Jennings Road, on the south side of SE Jennings Road and west of SE Lennard Road.
Application Type:	Variance, Quasi-Judicial
Project Planner:	Bethany L. Grubbs, Planner III

### **Project Description**

The City of Port St. Lucie has received a request from Crb of Florida, Inc., the property owner, for a variance to allow a reduction of 21 parking spaces in the required number of parking spaces to allow for an enclosed assembly use. As required by Section 158.221(C)(9), the overall building is 5,040 square feet, with up to 2,999 square feet of building space being assembly space, which requires 75 parking spaces. The applicant is asking for a reduction from 75 to 54 parking spaces. The property subject to this variance request is located at 3771 SE Jennings Road and is zoned Service Commercial (CS), with a Service Commercial (CS) land use.

### **Background**

The existing commercial building was constructed in 1988 and was previously used as a radio station office. Office uses require less parking, at a rate of one (1) space per two hundred (200) square feet of gross floor area. The building is 5,040 square feet; however, only up to 2,999 SF of building space will be utilized for a proposed enclosed assembly area and the remaining square footage will be utilized for storage space, mechanical rooms, staff office space, a conference room, a lobby area, and restrooms.

Per Section 158.22(C), enclosed assembly uses require one (1) space for each forty (40) square feet of assembly area or one (1) space for each two hundred (200) square feet of gross floor area, whichever requirement is greater. If the parking is calculated at a rate of one (1) space per two hundred (200) square feet of gross floor area, the site requires twenty-five (25) spaces. If the parking is calculated at a rate of one (1) space for each forty (40) square feet of assembly area, the site requires seventy-five (75) parking spaces. Accordingly, the site requires seventy-five (75) parking spaces.

Facilities used intermittently, of a noncommercial nature, such as cultural facilities, shall not be required to pave all parking spaces. These uses may reduce the amount of paved parking spaces by as much as seventy-five (75%) percent. Spaces not paved shall be provided with a stabilized base and sodded with grass. Currently, the site contains thirty (30) paved parking spaces, which complies with the code requirement that 25% of the onsite required parking must be paved. Nineteen (19) spaces would be 25% of 75 spaces. Parking spaces are required to be 9.5' by 18' in size.

The property has one access point, through a 20' wide ingress and egress easement on the property to the north, which connects the property to Jennings Road. The property owner has an existing land lease with a leaseholder for the 275' wireless communications tower, which will remain on the property. The tower and tower equipment is located on the southern portion of the parcel. Due to the site layout, considering the location of the tower, tower equipment, and existing building, the southern portion of the property cannot accommodate additional parking.

The application estimates that the club meetings and activities will have approximately 50-80 people in attendance, presumably a number of the members will be sharing transportation to and from.

### **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 (Section 158.298 (B))**

Notice was mailed to property owners within a maximum of 750 feet of the subject property on March 23, 2022.

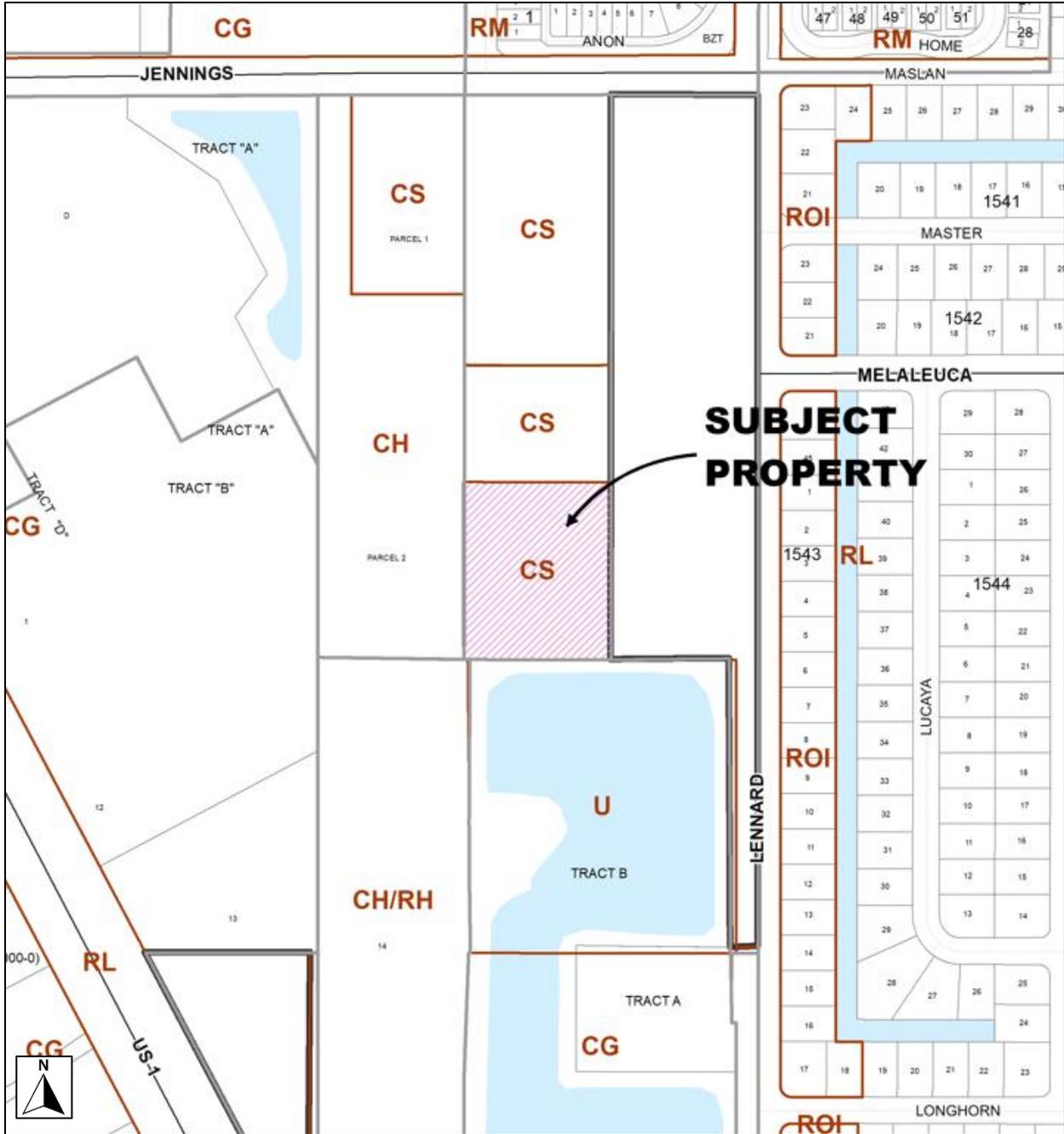
**Location and Site Information**

Parcel Number:	3414-501-4701-400-4
Property Size:	3.05 acres
Legal Description:	A portion of Lot 2, Block 1, of St. Lucie Gardens Plat 1
Existing Future Land Use:	U (Utility)
Proposed Future Land Use:	CS (Service Commercial)
Existing Zoning:	GU (General Use)
Existing Use:	Developed with an existing 5,022-square-foot office building and a telecommunications tower
Requested Zoning:	CS (Service Commercial)
Proposed Use:	Enclosed assembly area. The existing 275' guyed wireless communication tower will remain.

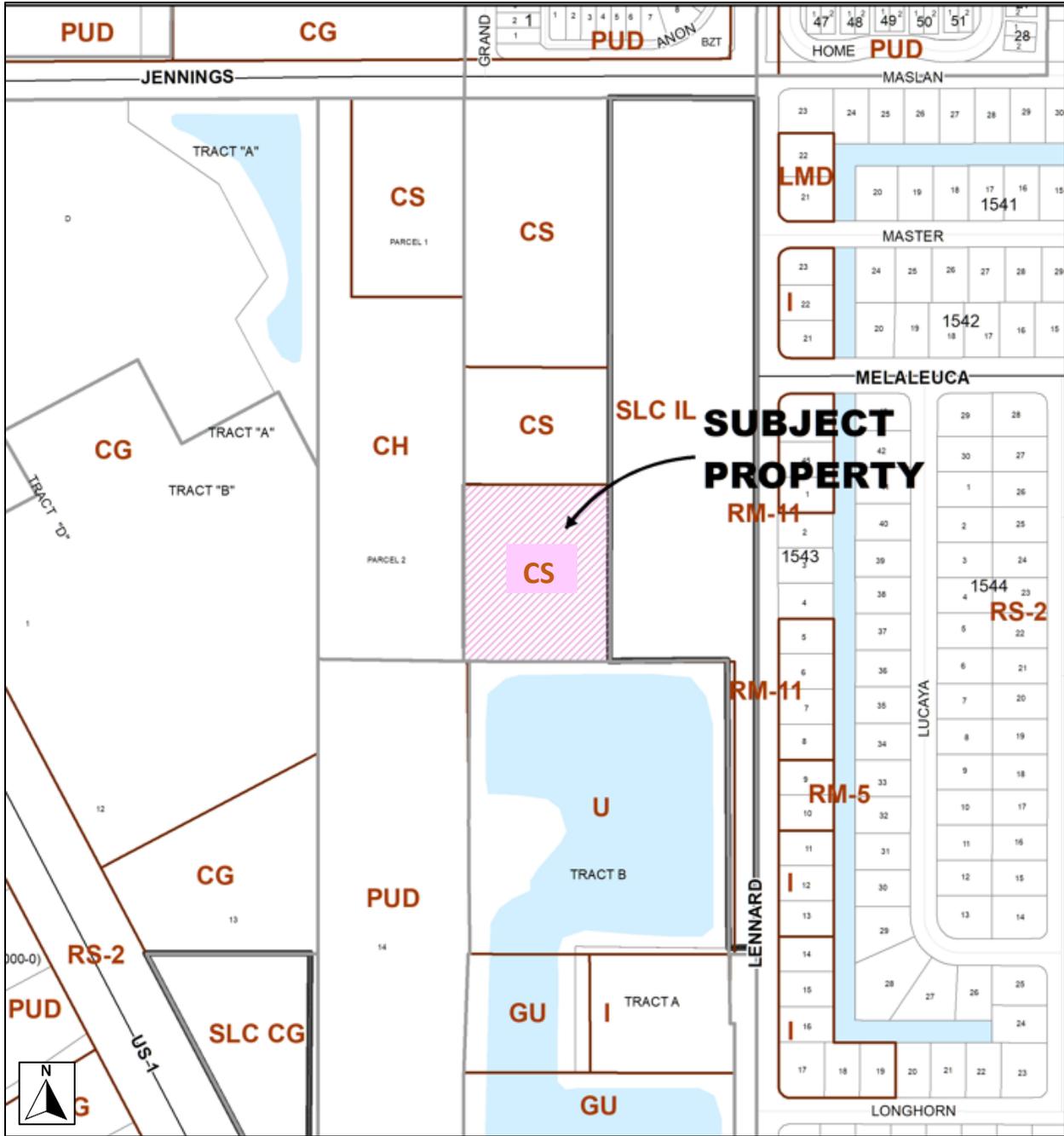
**Surrounding Uses**

Direction	Future Land Use	Zoning	Existing Use
North	CS	CS	Telecommunications Tower
South	U	U	Vacant – City-owned
East	IND, St. Lucie County	IL, St. Lucie County	Industrial Park
West	CH	CH	Self-Storage and RV Resort

CS – Service Commercial, U – Utility, IND – Industrial (SLC), IL – Industrial Light (SLC), CH – Highway Commercial)



Land Use Map



Zoning Map

## IMPACTS AND FINDINGS

Section 158.295 (B) of the Zoning Code establishes the duties of 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 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 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: No special conditions exist, based on the provided survey.*
- 2) That the special conditions and circumstances do not result from any action of the applicant.
  - *Staff Findings: See #1.*
- 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.
  - *Staff Findings: All special exception uses, such as enclosed assembly, within the Service Commercial (CS) Zoning District may be granted approval by the City Council as a special exception use if it meets all applicable requirements including the parking requirements.*
- 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.
  - *Staff Findings: The literal interpretation would not deprive the applicant of rights enjoyed by others.*
- 5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
  - *Staff Findings: Granting this variance is not the minimum variance that will make possible the reasonable use of the land.*
- 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.
  - *Staff Findings: The proposed variance area of impact does not directly abut the adjacent property or public right-of-way. The variance will not be injurious to the area involved or detrimental to the public welfare. The applicant would still be required to receive a permit from the City's Building Department for the interior renovations and from the Public Works Department for site development, which includes paving and*

*drainage. Variance approval to the parking requirement must first be granted before the City can issue permits.*

- 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.

- *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).***