

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 Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting.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: zmiddlebrooks@metrogroupdevelopment.com

PROPERTY OWNER:

Name: Yani Enterprises, LLC
Address: 1907 SW Gatlin Blvd., Port Saint Lucie, FL 34953
Telephone No. _____

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

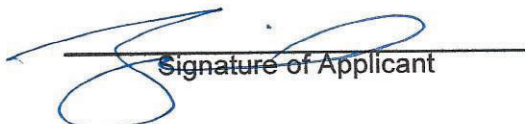
Name: Zach Middlebrooks - MetroGroup Development
Address: 821 Atlanta St, Roswell GA, 30075
Telephone No. (404) 456-2448 Email zmiddlebrooks@metrogroupdevelopment.com

SUBJECT PROPERTY:

Legal Description: Lots 25, 26, 27, block 1704, Port St. Lucie Section 31, according to the plat thereof, as recorded in plat book 14, containint 0.72 acres, more or less.
Parcel I.D. Number: 3420-650-0985-000-4
Address: 1907 SW Gatlin Blvd., Port St. Lucie, FL 34953
Current Zoning Classification CG - General Commercial

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.

Per Section 158.124(H) the minimum building size is 900-sf. This Variance request approval for a reduction of the proposed building to a 778-sf building. 7 Brew Drive-Thru Coffee program utilizes a 565-sf pre-fabricated building & 140-sf remote cooler as their prototype nationwide. To avoid a freestanding cooler, and to get closer to the minimum code building area, 7 Brew has moved to a internal cooler which results in a 778-sf building area. The 778sf maximizes the interior space for the functionality of a "drive-thru coffee" shop including cooler, employee restroom, (3) drink stations, and large ice bin.


Signature of Applicant

ZACH MIDDLEBROOKS
Hand Print Name

4/2/24
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

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(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;

Special conditions are particular to the 7 Brew program due to their pre-fabricated building. The building needs to of a certain size in order to be shipped the proposed location. The needs for operations and safety for the use are all housed within the 778-sf building proposed.

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

These conditions and circumstances are the result of the 7 Brew Drive-Thru Coffee operations. The drive-thru only use warrants a smaller building footprint. The smaller footprint maximizes the efficiency of operations of their staff and improves the efficiency and circulation of the drive-thru within the site.

(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;

Granting the variance for the reduction in the minimum square footage will not confer special privileged due to 7 Brew. The proposed use does not warrant a larger building footprint.

(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;

Section 158.124(H) - restricts the minimum building size to 900sf. The proposed pre-fabricated building must be of a specific size, in this case 778sf, for it to be delivered to the proposed project site.

(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;


The variance for the reduction of the minimum building size to 778sf would allow for 7 Brew to resonably use the land and building for its proposed operations.

(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 of the variance for the reduction of the minimum building size will be in harmony with general intent and
purpose of Section 158.124 (H). The smaller building footprint provides all the required systems for operations of the
proposed use and is not detrimental to the public welfare.

(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.

Full compliance with additional conditions and safeguards which the Planning and Zoning or Zoning Administrator as
prescribed is intended with this development.



Signature of Applicant



Hand Print Name



Date

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PRIMARY CONTACT EMAIL ADDRESS: chris.ossa@kimley-horn.com

PROPERTY OWNER:

Name: Yani Enterprises, LLC
Address: 1907 SW Gatlin Blvd., Port Saint Lucie, FL 34953
Telephone No. _____

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

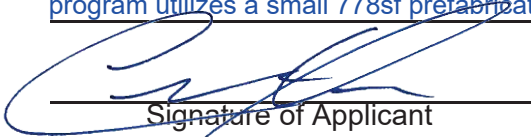
Name: Chris Ossa, P.E., Kimley - Horn and Associates
Address: 7341 Office Park Place, Suite 102, Melbourne, FL 32940
Telephone No. (321) 222-6925 Email chris.ossa@kimley-horn.com

SUBJECT PROPERTY:

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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.

Per Sec 5.3.1. of the City of Port St. Lucie P&Z Citywide Design Standards Review, the facade of a building that faces an arterial or collector road or Interstate highway shall have a minimum building wall height of 22 feet, exclusive of sloped roof height, for at least 60% of the length of the building. This Variance requests approval for a reduction of this height requirement from 22' to 14'-8" for the building façade facing Gatlin Blvd. The proposed 7 Brew Drive-Thru Coffee program utilizes a small 778sf prefabricated building that will not be able to accommodate a façade height of 22'.


Signature of Applicant

Chris Ossa, P.E.

Hand Print Name

7/11/2024

Date

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03/02/20

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- (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.

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(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;

The special condition of this project is specific to the 7 Brew use due to the limited building size. The building's design intent is to maximize the interior area for its employees operations within the proposed 778sf building footprint. The building and operations are for employees only with no interior accommodations and/or sales for customers as all transactions are completed via the drive-through. Further, the maximum height of the building is 20'-8" with approximately 50% of the building elevation having a height of 14'-8" both below the required 22'.

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

These conditions and circumstances are the result of the 7 Brew Drive-Thru Coffee and its limited footprint building prototype and maximum building height of 20'-8" at the highest point. The design of the building elevation does not allow to accommodate a 22' tall facade wall along the Gatlin Blvd. corridor.

(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;

Granting the variance for the reduction in the minimum wall height will not confer special privileges to 7 Brew as the proposed use does not warrant a taller building height and this is a specific building prototype specifically catered for the proposed use.

(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;

Section 5.3.1. of the Citywide Design Standards - restricts the minimum wall height to 22 ft for at least 60% of the wall facing Gatlin Blvd. The maximum height of the building is lower than the required height of 22ft, to adhere to the code provision would result in unnecessary and significant redesign of the building structural and architectural elements.

(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;

The variance is for the reduction of the minimum wall height from 22 feet to 14 feet would allow for the applicant to use the standard pre-fabricated building without unreasonable modification to the existing design.

(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 of the variance for the reduction of the minimum building height will be in harmony with the general intent and purpose of Section 5.3.1. as the building is still proportionately tall relative to its size. The building having walls shorter than 22 feet tall will not be injurious to the surrounding area or detrimental to the public welfare.

(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.

Full compliance with additional conditions and safeguards which the Planning and Zoning or Zoning Administrator as prescribed is intended with this development.


Signature of Applicant

Chris Ossa, P.E.
Hand Print Name

7/11/2024
Date