

**COVER LETTER**  
**Cottin – Fondura Rd**  
**Variance**  
*January 9, 2023*

**REQUEST**

*On behalf of the Petitioner, Engineering Design & Construction, Inc, would like to request a Variance approval with the City of Port St. Lucie to allow for the rezoning of residentially zoned lands that would result in the isolation of an adjacent lot which is of insufficient size to meet the performance standards established for Conversion Area 24. The subject site is located at 2732 SW Fondura Rd and 2722 SW Fondura Rd in Port St. Lucie, Florida. The subject parcel information is identified below.*

Parcel ID	Address	Acreage	FLU	Zoning
3420-650-1096-000-2	2732 SW Fondura Rd	0.23	CS	RS-2
3420-650-1097-000-9	2722 SW Fondura Rd	0.23	CS	RS-2
<b>Total Acres</b>		0.46		

**SITE CHARACTERISTICS & PROJECT HISTORY**

The subject properties have a Future Land Use designation of Service Commercial (CS) and are located in the Single-Family Residential (RS-2) Zoning district.

The subject properties are currently vacant and there has been no previous development on these parcels. The applicant wishes to obtain variance approval to rezone from Single-Family Residential (RS-2) to Service Commercial with the goal of developing vehicle storage yard.

To the north of the subject parcels lays a 0.23 Acre vacant parcel. This parcel has a Future Land Use designation of Service Commercial (CS) and lies in the Single Family Residential (RS-2) Zoning district.

East of the subject property is the 60-foot right-of-way of SW Fondura Rd followed by a 1.38 ac multi-tenant warehouse facility containing several automotive shops. This parcel has a Future Land Use designation of Service Commercial (CS) and is located in the Warehouse Industrial (WI) Zoning District.

South of the subject property lies a 2.75-acre storage facility. This parcel has a Future Land Use designation of Service Commercial (CS) and is located in the Service Commercial (CS) Zoning district.

West of the subject parcel lays two (2) vacant and undeveloped parcels. These are 0.23 Acres and 0.49 Acres respectively. These parcels have a Future Land Use designation of Service Commercial (CS) and are located in the Single-Family Residential (RS-2) Zoning district.

**RESPONSES TO VARIANCE PERFORMANCE STANDARDS**

Please find the responses below in ***Bold Italics*** for the following performance standards as outlined in the City of Port St. Lucie Conversion Manual Chapter VI, Variance Procedures 1) - 5).

1. Any Application which would result in adjacent lots becoming non-conforming to the conversion standards may be required to submit a conceptual site plan as part

of the variance.

***Response: Please see attached conceptual site plan.***

2. The plan shall designate adequate buffers surrounding the site and remaining properties.

***Response: Please see attached conceptual site plan designating adequate buffers surrounding the site and remaining properties.***

3. Where appropriate, the plan shall be designed as one project and must provide for shared access and parking of any remaining, or adjacent lots or parcels which would not conform to the conversion standards as a result of the variance. It shall not result in isolation or landlocked lots without providing access.

***Response: The attached conceptual site plan is designed to provide access and parking for lots 18 and 19 as proposed. At the time of this application, There is no proposed cross access to lot 20.***

***Lot 20 has the ability to submit a variance to the minimum size requirements of a commercial zoning districts and rezone to the service commercial zoning district. Lot 20 has the capability to serve a commercial use as it is the most appropriate use type for this area***

4. The plan shall not allow for access onto residential streets or non-conversion area streets.

***Not Applicable. Fondura Road falls within the conversion area and is not a residential street.***

5. The plan shall require the recording of Unity of Title for the project to prohibit further division and sale of separate lots which were a part of the overall approved site plan. Also, recording of access easements for future use of the remaining adjacent lots is required. Verification of this is required prior to the issuance of building permits.

***Unity of Title will be provided at the time of the submittal of the Rezoning application.***

***Based on the above and attached information, the applicant respectfully requests approval of the proposed variance***

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**COVER LETTER**  
**Cottin – Fondura Rd**  
**Variance**

December 28, 2023

**REQUEST**

*On behalf of the Petitioner, Engineering Design & Construction, Inc, would like to request a Variance approval with the City of Port St. Lucie to allow for the rezoning of residentially zoned lands that would result in the isolation of an adjacent lot which is of insufficient size to meet the performance standards established for Conversion Area 24. The subject site is located at 2732 SW Fondura Rd and 2722 SW Fondura Rd in Port St. Lucie, Florida. The subject parcel information is identified below.*

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**SITE CHARACTERISTICS & PROJECT HISTORY**

The subject properties have a Future Land Use designation of Service Commercial (CS) and are located in the Single-Family Residential (RS-2) Zoning district.

The subject properties are currently vacant and there has been no previous development on these parcels. The applicant wishes to obtain variance approval to rezone from Single-Family Residential (RS-2) to Service Commercial with the goal of developing vehicle storage yard.

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East of the subject property is the 60-foot right-of-way of SW Fondura Rd followed by a 1.38 ac multi-tenant warehouse facility containing several automotive shops. This parcel has a Future Land Use designation of Service Commercial (CS) and is located in the Warehouse Industrial (WI) Zoning District.

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West of the subject parcel lays two (2) vacant and undeveloped parcels. These are 0.23 Acres and 0.49 Acres respectively. These parcels have a Future Land Use designation of Service Commercial (CS) and are located in the Single-Family Residential (RS-2) Zoning district.

**RESPONSES TO VARIANCE CRITERIA**

Please find the responses below in ***Bold Italics*** for this variance as outlined in section 158.295 (C) 1-7:

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.

**RESPONSE:** *Applicant's properties, herein lots 18 and 19 fall within Conversion Area 24. Despite surrounding parcels largely consisting of Service Commercial (CS), General Commercial (GC), and Warehouse Industrial (WI) Zoning Designations, conversion from Residential to Commercial zoning is restricted for Lots 18 and 19 as it would result in the isolation of the northern adjoining residential lot herein Lot 20 which is of insufficient size to meet the performance standards established for Conversion Area 24.*

2. Please explain if these conditions and circumstances result from actions by the applicant  
**RESPONSE:** *At present, the surrounding zoning district, Land Use Conversion Area 24, facilitates the change from residential to commercial which has resulted in Fondura Rd largely consisting of commercially or industrial zoned properties. The owner did not cause these lots to be zoned for nonresidential uses but is being restricted in their ability to rezone Lots 18 and 19 as commercial in an effort to better align with the existing character of Conversion Area 24.*

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

**RESPONSE:** *There is no special privilege for Lots 18 and 19 when surrounding lots are zoned commercial. While the rezoning of these lots would isolate lot 20 from surrounding residential properties, it is unreasonable to expect this lot to ever be developed for a single-family dwelling unit. Owners of Lot 20 will also likely need to seek variance approval as they do not meet the minimum size requirements for commercial designation. This should not inhibit Variance approval for Lots 18 and 19 as Lot 24 also does not meet the minimum size requirements for commercial zoning but was granted Variance Approval on July 10<sup>th</sup>, 2023, under resolution 23-r74.*

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

**RESPONSE:** *The literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties within Conversion Area 24 and would work unnecessary and undue hardship on the applicant due to the isolation of Lot 20. However, the owner of Lot 20 must also seek a variance in order to rezone their land to a practical use. It is unreasonable to subject the applicant to unnecessary and undue hardships until the inevitable variance request by owners of adjoining Lot 20.*

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.

**RESPONSE:** *The variance requested would allow the applicant to rezone to a zoning district designation that would permit the development of a commercial use for son's neighboring business. It is reasonable to allow these properties to be rezoned as commercial as it would conform with the overall character of Conversion area 24.*

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.

***RESPONSE: Granting this variance will be in harmony with the general intent and purpose of the chapter in that the rezoning of these parcels would conform with the overall character of the conversion area in question and would allow the applicant's son to continue operation of his business in the area. Additionally, the public welfare of the surrounding community would be unaffected as this area largely consists of Service Commercial and General Commercial at the time of this application.***

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.

***RESPONSE: The applicant is currently seeking to be in full compliance with the conditions and safeguards that the Planning and Zoning Board or Zoning Administrator may prescribe. The applicant will be in full compliance with any additional conditions the Planning and Zoning Board may request.***

***Based on the above and attached information, the applicant respectfully requests approval of the proposed variance***

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