

RESOLUTION NO. 24-R53

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, GRANTING A SPECIAL EXCEPTION USE APPLICATION (P24-098), PURSUANT TO SECTION 158.135(C)(5) OF THE CITY CODE, TO ALLOW AN ENCLOSED ASSEMBLY AREA OVER 3,000 SQUARE FEET IN THE WI (WAREHOUSE INDUSTRIAL) ZONING DISTRICT FOR A PROJECT KNOWN AS SET'EM UP VOLLEYBALL; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida, has been requested by Apollo 22, LLC, to grant a special exception to allow an enclosed assembly over 3,000 square feet, more specifically 8,500 square feet, for a property zoned WI (Warehouse Industrial), pursuant to section 158.135(C)(5) of the Code of Ordinances, City of Port St. Lucie; and

WHEREAS, the property is located at 1673 SE South Niemeyer Circle, Port St. Lucie, and legally described as Port St. Lucie Industrial Park Unit 1, Block 7, Lots 13 and 14 (the "Property"); and

WHEREAS, the subject application has been reviewed in accordance with Section 158.260, and meets the special exception use requirements as stipulated; and

WHEREAS, the Planning and Zoning Board held a public hearing on August 6, 2024, to review the special exception use application (P24-098) to determine the suitability of the proposed use at the Property and has submitted its recommendation to City Council; and

WHEREAS, the City Council held a public hearing on August 26, 2024, to consider the special exception use application (P24-098), advertising of the public hearing having been made; and

WHEREAS, the City Council has considered the special exception use application (P24-098) and has determined, based on substantial and competent evidence, that all of the criteria set forth in Section 158.260 have been met.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF PORT ST. LUCIE, FLORIDA:

Section 1. Ratification of Recitals. The foregoing recitals are hereby ratified and confirmed as true and correct and are hereby made a part of this Resolution.

Section 2. Approval of Application for Special Exception Use. The Owners' application for a special exception use is hereby approved to allow an enclosed assembly over 3,000 square

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feet, more specifically 8,500 square feet, in the Warehouse Industrial (WI) Zoning District at the Property.

Section 3. Conflict. If any resolutions, or parts of resolutions, are in conflict herewith, this Resolution shall control to the extent of the conflicting provisions.

Section 4. Severability. The provisions of this Resolution are intended to be severable. If any part of this Resolution is determined to be void or is declared illegal, invalid, or unconstitutional by a Court of competent jurisdiction, the remainder of this Resolution shall remain in full force and effect.

Section 5. Effective Date. This Resolution shall become effective immediately upon adoption.

PASSED AND ADOPTED by the City Council of the City of Port St. Lucie, Florida, this 26th day of August 2024.

CITY COUNCIL
CITY OF PORT ST. LUCIE

By: _____
Shannon M. Martin, Mayor

ATTEST:

Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: _____
Richard Berrios, City Attorney