

## Vizcaya Falls Lot 15

### VARIANCE REQUEST

August 29, 2022

Port St. Lucie Planning Department  
City of Port St. Lucie  
Planning and Zoning Department  
121 S.W. Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984-5099

**Re: Project Name: Vizcaya Falls Plat 2, Lot 15**  
**Application Description: Variance Request**  
**CH Project No.: 15-0405.01**

Dear Staff,

On behalf of Roberta Katz, the Applicant, please find our attached application for a variance request to the Villa Vizcaya PUD. The Applicant is requesting a 2' variance to the rear setback from the pool edge of water without an enclosure, decreasing the minimum setback from 7' to 5'. Other than the rear setbacks from the pool edge of water, the construction of this property would adhere to all city codes.

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### **VARIANCES**

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 will consider the variance criteria in **§ 158.295 (C) 1-7 and consider your responses to the following when making a determination.**

- (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 rear of Lot 15 borders property owned by the Vizcaya Falls Master HOA, which separates it from NW Vizcaya Falls Blvd. The HOA property is designated as open space and will not be developed. It has a variety of trees and shrubs that provide a boundary between the roadway and Lot 15.

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

These conditions were not a result of actions by the applicant. The property was recorded in PB 47, Pg. 15-48 in Saint Lucie County on 06/23/2005.

- (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 request for this lot will not confer any special privilege. The lot is unique in its nature of bordering HOA property, which separates it from a private roadway.

- (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;**

The proposed 2' variance to the pool edge of water setback without an enclosure does not impact the property owner or POA. The property owner and POA have provided a signed letter of approval.

- (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 proposed 2' variance to the pool edge of water setback without an enclosure is the absolute minimum variances necessary to allow for the reasonable development of a pool within the Villa Vizcaya PUD.

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- (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;**

The granting of the proposed variances will be in harmony with the general intent of the chapter and will not be injurious to the area involved or detrimental to the public welfare. All code requirements for this lot are being met, except the rear pool edge of water setbacks. From the front and sides of the property, there will be no difference from the rest of the community.

- (7) 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.**

Upon the approval of this variance request, any conditions that may accompany it while not creating further restrictions shall be adhered to and the construction of the home will begin immediately.

Please contact me with any questions.

Sincerely,



Daniel T. Sorrow, PLA, AICP, LEED AP BD+C  
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