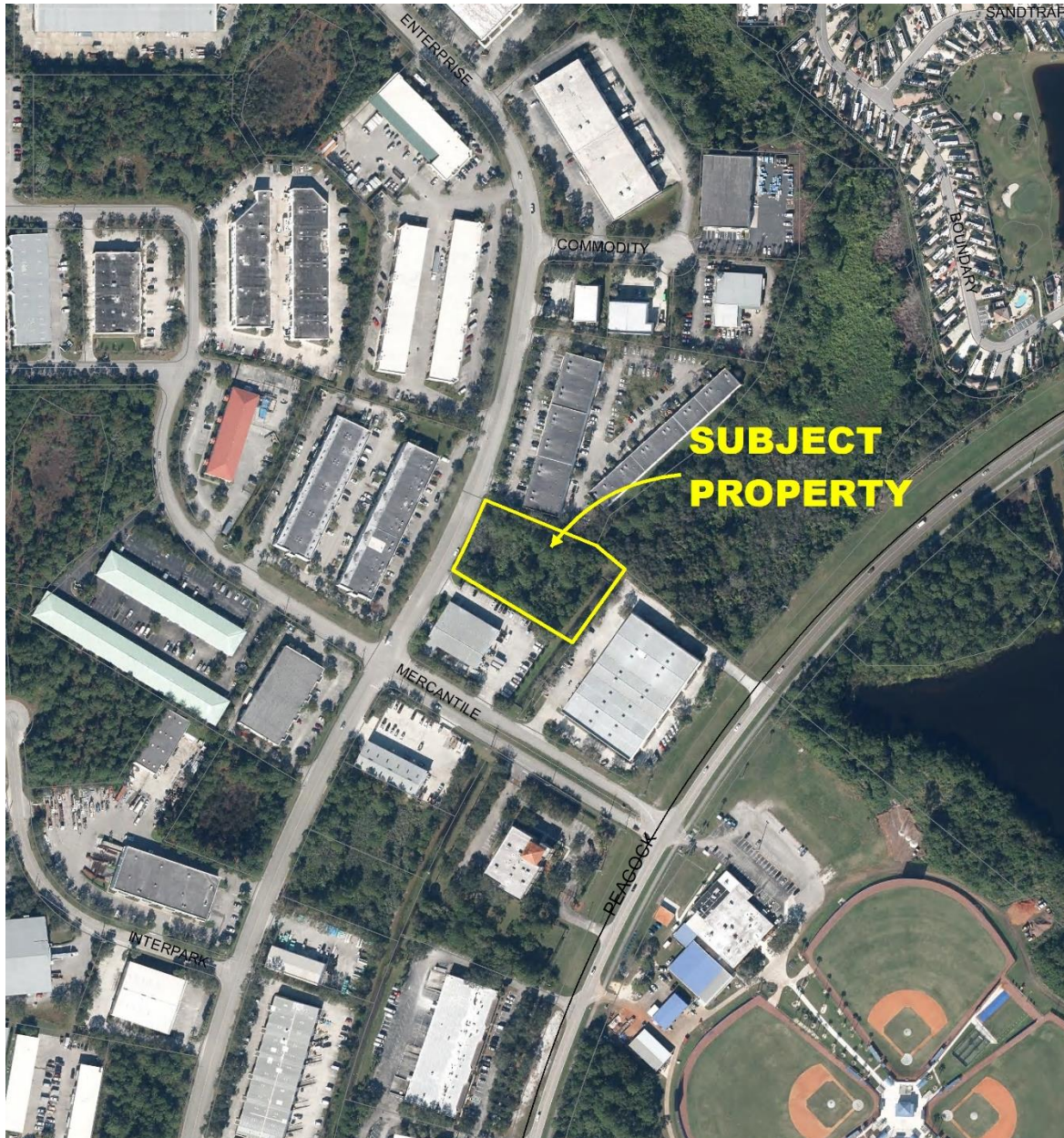




PLANNING AND ZONING BOARD STAFF REPORT
August 6, 2024 Planning and Zoning Board Meeting

SLW-660 PSL, LLC, (TR)
Variance (Section 158.227(G))
P24-085



Aerial Map

SUMMARY

Applicant's Request:	To grant a variance from City of Port St. Lucie Zoning Code, Section 158.227(G), of 400 square feet, to allow for an enclosed, self-service storage facility, with bay sizes up to 900 square feet.
Application Type:	Variance, Quasi-Judicial
Applicant / Property Owner:	660 PSL, LLC
Address:	639 Northwest Enterprise Drive
Location:	The property is generally located north of NW Mercantile Place and on the east side of NW Enterprise Drive.
Project Planner:	Sofia Trail, Planner I

Project Description

The applicant is requesting a variance from the City of Port St. Lucie Zoning Code, Section 158.227(G), of 400 square feet, to allow for an enclosed, self-service storage facility, with bay sizes up to 900 square feet. Section 158.277(G), states that the maximum bay size of a self-storage bay shall be no greater than 500 square feet. The applicant is proposing an enclosed storage facility for Class A recreational vehicles which can be as long as 45 feet and would require larger bay sizes.

Background

The applicant has submitted a site plan application (P24-092) that proposes two buildings with 28 storage bays that range from 600 square feet to 900 square feet. Exhibit "A" shows the proposed site plan.

Review Criteria

An application of a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299.

Public Notice Requirements

Public notice was mailed to owners within 750 feet on July 25, 2024, and the file was included in the ad for the Planning & Zoning Board's agenda.

Location and Site Information

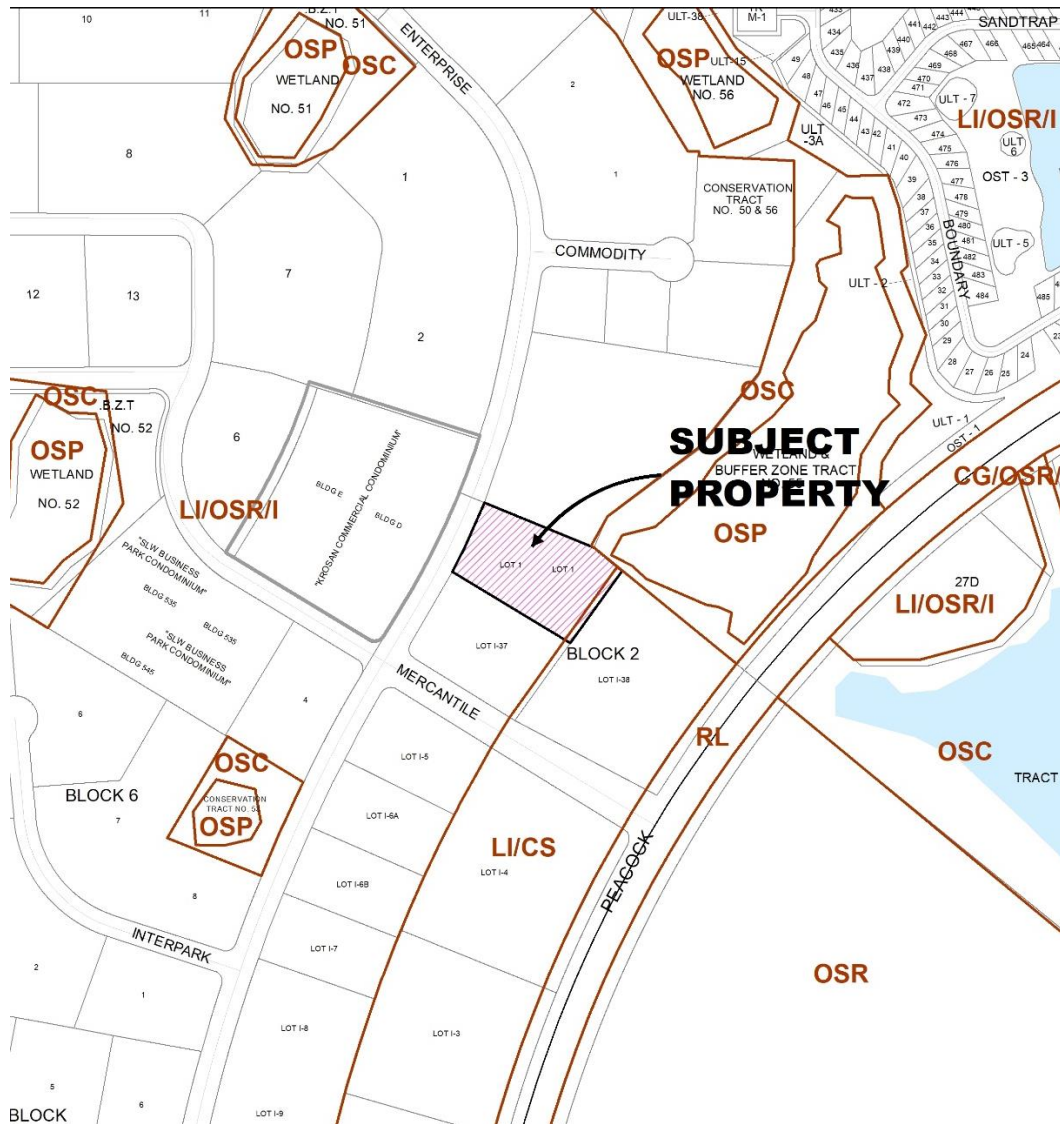
Parcel Number:	3323-583-0001-000-0
Property Size:	1.42-acres
Legal Description:	Lot I-37 North (PB 90-15) Lot 1 (1.423 AC – 61,986 SF)
Future Land Use:	LI/OSR/I
Existing Zoning:	WI
Existing Use:	Vacant

Surrounding Uses

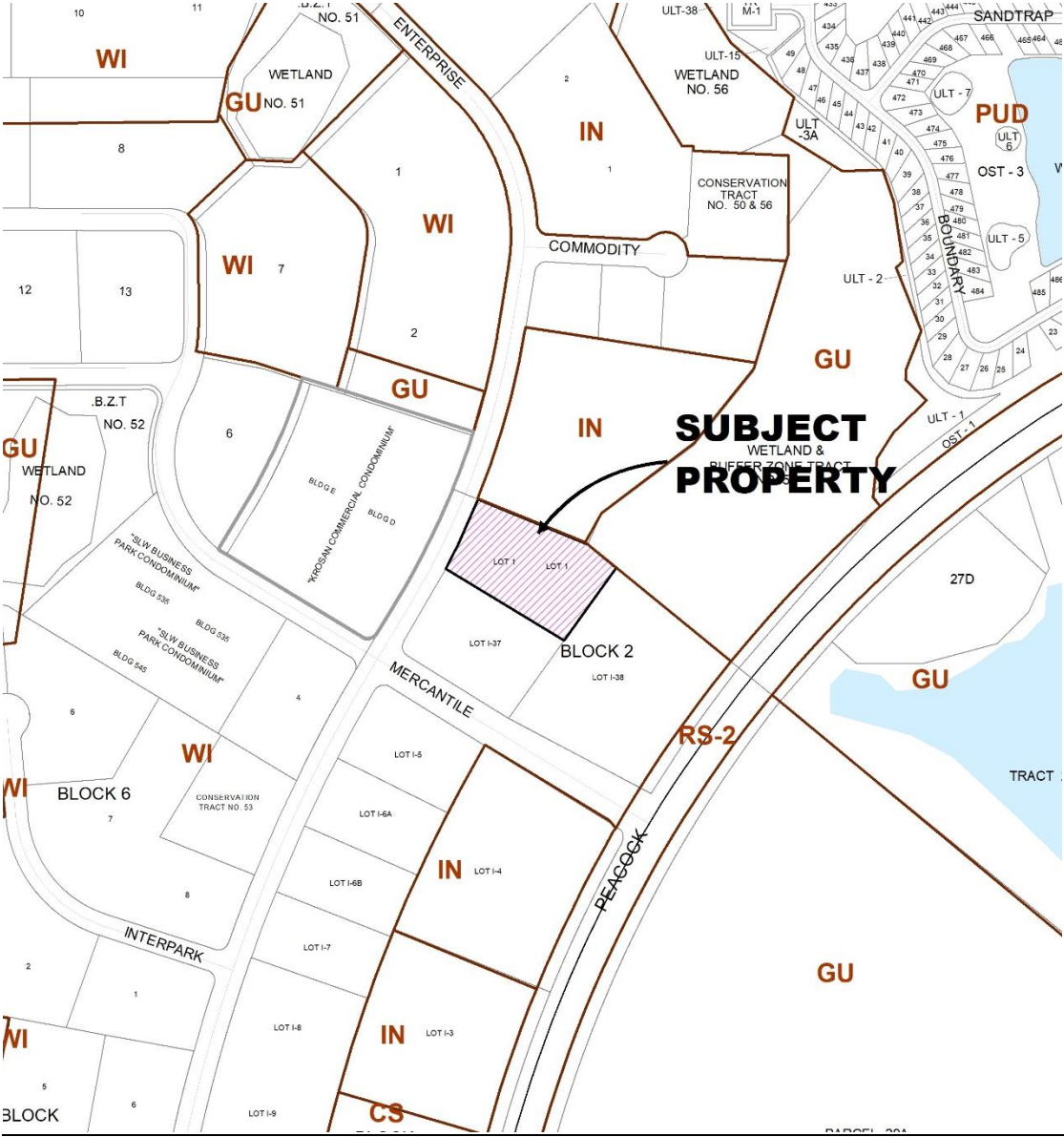
Direction	Future Land Use	Zoning	Existing Use
North	LI/OSR/I	IN	Warehousing
South	LI/OSR/I	WI	Warehousing
East	LI/CS	WI	Warehousing
West	LI/OSR/I	WI	Warehousing

WI – Warehouse Industrial, CS – Service Commercial, LI – Light Industrial, OSR – Open Space Recreational, I – Institutional

Future Land Use



Zoning



IMPACTS AND FINDINGS

Section 158.295 (B) of the Zoning Code establishes the duties of the 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 the 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 the 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.
 - **Applicant's Response:** The special conditions and circumstances that exist are specific to the use as a self-storage for large or multiple RVs & Boats due to the unique size of these vehicles and vessels. The 500 SF maximum storage unit size cannot accommodate a large Class A RVs, which can be as long as 45 feet. The current code does not account for this type of storage.
 - **Staff Findings:** *Special circumstances exist since the proposed building is to accommodate large RVs and boats. The applicant could propose an open storage site which would not require a variance for the maximum bay size, but their request is for an enclosed self-service storage facility. To staff's knowledge there are currently no self-service storage facilities in the City for large RVs.*
2. That the special conditions and circumstances do not result from any action of the applicant.
 - **Applicant's Response:** The unique condition is related to the length of Class A luxury RVs, which does not result from the actions by the Applicant. This variance application actually addresses a market need regarding the storage of large RVs and boat that current zoning code does not recognize or address.
 - **Staff Findings:** *As a self-service storage facility, property other than recreational vehicles (RVs) could be stored within the proposed storage bays. The need for the variance is due to the proposal to store the larger RV's.*
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.
 - **Applicant's Response:** This variance request will not confer on the Applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same district. The use of "enclosed RV & Boat storage" (aka self-storage) will require larger bay sizes in order to accommodate large RVs and boats, as well as multiple vehicles owned by the same customer. Until the code is amended to address this use, a variance is required in order to allow this use.

- Staff Findings: *Granting of this variance will confer on the applicant special privileges that is denied by this chapter to other self-service storage facilities within the Warehouse Industrial (WI) Zoning District. Any other applicant would need to apply for variance to grant bay sizes over 500 square feet.*
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.
- Applicant's Response: The literal interpretation of the code would not allow the enclosed storage of larger RVs or boats if the bays exceed the 500 SF maximum allowed for the self-storage use. If the self-storage use, specifically for RVs and boats, on this property is classified as warehouse use, other requirements like parking at 1 space/200 SF would be an undo hardship on the Applicant as there is no need for the excessive parking
 - Staff Findings: *The literal interpretation of the provisions of the chapter would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district. Without the granting of the variance, the applicant could deem the use as warehousing and provide a parking space for every 500 square feet of gross floor area.*
5. That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure.
- Applicant's Response: The increase in bay size requirement from 500 SF to 900 SF (+400 SF of variance) is the minimum variance to accommodate the larger luxury Class A RVs, which can only fit in a bay large enough to maneuver the RV into the bay and still have room to walk around the RV when it is in the bay.
 - Staff Findings: *See responses to questions 1 and 4.*
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.
- Applicant's Response: The intent of the 500 SF maximum bay size is typically used in similar codes to so customers are not using bays for other commercial uses, including standard warehouse or distribution space. The storage of RVs and boats in an enclosed facility is a similar use to standard self-storage, which is in harmony with the general intent of the use and the code.
 - Staff Findings: *Section 158.227 of the Zoning Code establishes the use standards for Self-Service Storage Facilities. It requires all property on site to be stored entirely within enclosed buildings but permits the open storage of recreational vehicles and dry pleasure boats if all conditions are met. The applicant is proposing fully enclosed bays that are large enough to store these items customarily maintained by private individuals for their personal use. The granting of this variance appears to be in harmony with the general intent and purpose of the chapter and appears not to be injurious to the area involved or 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.

- *Applicant's Response:* The use of self-storage of RVs and boats will be in full compliance with any additional conditions and safeguards which the P&Z Board or staff may prescribe. In fact, code Section 158.227(l)(2) allows for customer parking within the drive aisles as long as they are large enough. In this case the plan the Applicant is proposing allows parking in the drive aisles.
- *Staff Findings:* *Staff acknowledges that the applicant intends to be in full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe.*

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) and the City of Port St. Lucie Land Use Conversion Manual performance standards, then the Board may:

- Motion to recommend approval
- Motion to recommend approval 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 recommend denial

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).