

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, GRANTING A SPECIAL EXCEPTION USE TO ALLOW A BAR TO BE LOCATED IN THE GENERAL COMMERCIAL (CG) ZONING DISTRICT PER SECTION 158.124(C)(6) OF THE CODE OF ORDINANCES FOR A PROJECT KNOWN AS BOGEY BAY LLC (P24-161); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Aaron Livingston of Bogey Bay LLC, on behalf of CDNK LLC, property owner, has requested the City of Port St. Lucie, Florida, grant a special exception to allow a bar to be located in the General Commercial Zoning District as per Section 158.124 (C)(6) of the Zoning Code of the City of Port St. Lucie, on property legally described as Port St. Lucie – Section 23, Block 1615, Lots 1-4 & 42-45, as depicted on Official Records Book 4366, Page 2714, in the official records of St. Lucie County, Florida; 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 November 6, 2024, to review the special exception use application (P24-161) to determine the suitability of the proposed use at the Property and has submitted its recommendation to City Council; and

WHEREAS, City Council held a public hearing on November 25, 2024, to consider the special exception use application (P24-161), advertising of the public hearing having been made; and

WHEREAS, City Council has considered the special exception use application (P24-161) 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 application for a special exception use is hereby approved to allow a bar to be located in the General Commercial Zoning District as per Section 158.124 (C)(6) of the Zoning Code of the City of Port St. Lucie, subject to the condition that the bar be associated with a Recreational Facility Use as the primary

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use and the approval would be voided if the primary use did not meet the definition of a recreational facility use as described in Chapter 153 of the Zoning Code.

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 25th day of November 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