



PLANNING AND ZONING BOARD STAFF REPORT  
October 7, 2025, Planning and Zoning Board Meeting

**Anthony J. & Danielle N. Farinato**  
**Variance (Size Relief)**  
**P25-125**



Project Location Map

**SUMMARY**

|                      |                                                                                                                                                             |
|----------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Applicant's Request: | A request for a variance of 750 square feet to allow for a 1,150 square foot accessory carport within the Single-Family Residential (RS-1) zoning district. |
| Application Type:    | Variance, Quasi-Judicial                                                                                                                                    |
| Applicant:           | DVD Enterprises, LLC                                                                                                                                        |
| Property Owner:      | Anthony Farinato                                                                                                                                            |
| Address:             | 4002 SW Melbourne Street                                                                                                                                    |
| Location:            | The property is generally located on the west side of SW Melbourne Street, east of SW Darwin Boulevard.                                                     |
| Project Planner:     | Francis Forman, Planner III                                                                                                                                 |

### **Project Description**

The City of Port St. Lucie received a request from DVD Enterprises, LLC, acting as agent for Anthony and Danielle Farinato, Owner, for a variance of 750 square feet to Section 158.217(C)(2)(p), Accessory Uses and Structures of the City's Code of Ordinances, to allow for a 1,150 square foot accessory carport. The Code of Ordinances allows a maximum carport size of 400 square feet for any property greater than 18,500 square feet. The lot is 20,900 square feet in size.

### **Background**

The proposed structure is a total of 1,380 square feet and consists of both the proposed 1,150 square foot carport and a 230 square foot storage shed. The proposed attached storage shed meets all City Code requirements and therefore is not subject to any variances.

The variance was previously tabled at the September 2<sup>nd</sup> Planning & Zoning board meeting to allow the applicant time to correct the initial application. The subject property contains an existing single-family home with an attached 690 square foot 3-car garage. The applicant and owner previously stated the proposed structure would be a detached garage and would require a variance to Section 158.217(C)(2)(i) of the City's Code for 910 square feet, however, the proposed structure is a carport and is subject to Section 158.217(C)(2)(p), for allowable carport sizes.

### **Review Criteria**

An application for a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299. Final action on the application (approval or denial) is in the form of an Order of the Planning and Zoning Board following a quasi-judicial public hearing. A vote of approval by five (5) members of the Planning and Zoning Board is required to grant a variance.

### **Public Notice Requirements**

Public notice was mailed to owners within 750 feet on August 21, 2025, and the file was included in the ad for the Planning & Zoning Board's agenda.

### **Location and Site Information**

|                    |                                               |
|--------------------|-----------------------------------------------|
| Parcel Number:     | 3420-680-0479-000-7                           |
| Property Size:     | +/- 0.48 acres                                |
| Legal Description: | Port St. Lucie Section 37, Block 2489, Lot 17 |
| Address:           | 4002 SW Melbourne Street                      |
| Future Land Use:   | RS-1 (Single-Family Residential)              |
| Existing Zoning:   | RS-1 (Single-Family Residential)              |
| Existing Use:      | Single-Family Residential Home                |

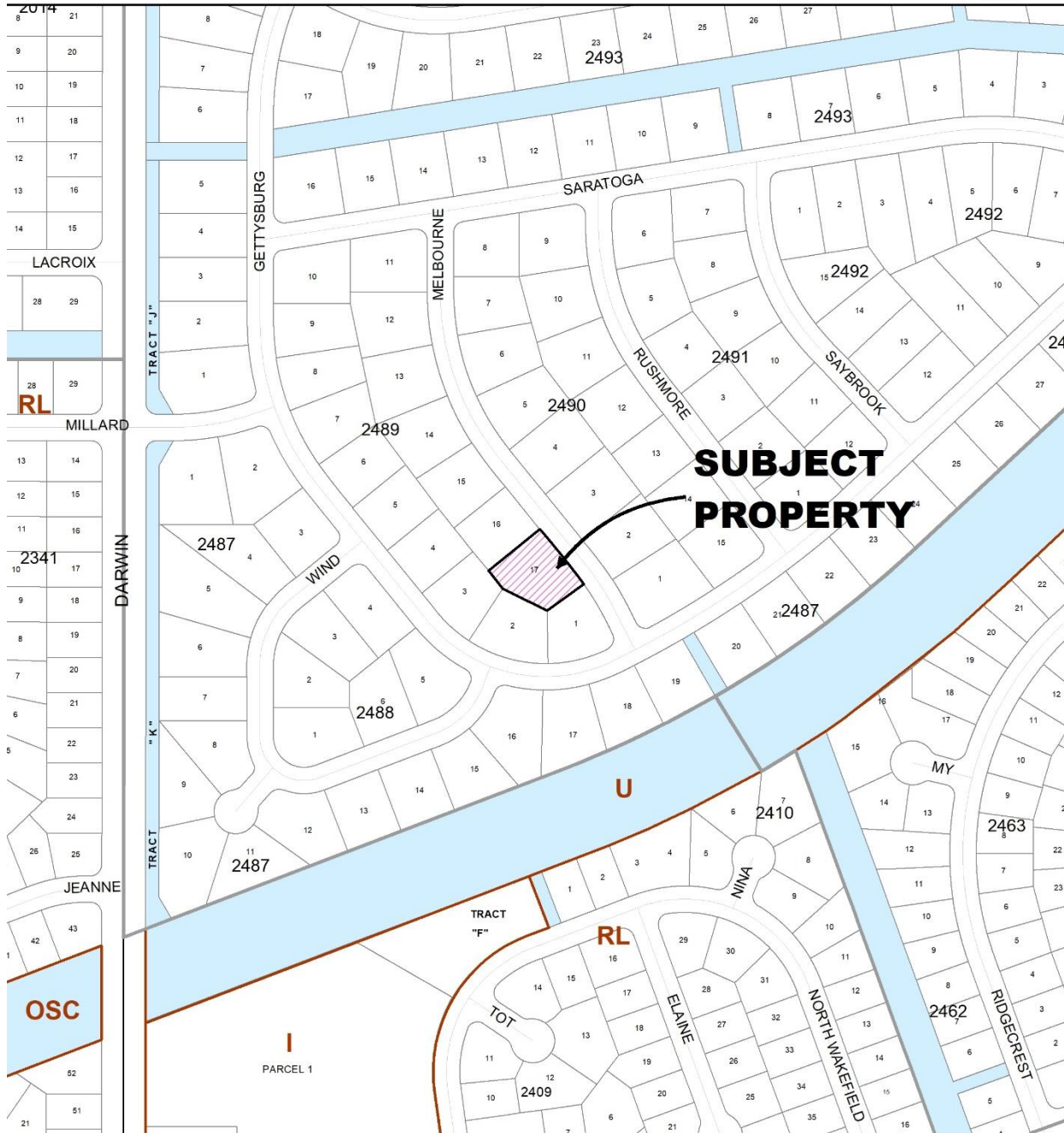
### **Surrounding Uses**

| Direction | Future Land Use | Zoning | Existing Use              |
|-----------|-----------------|--------|---------------------------|
| North     | RL              | RS-1   | Single-Family Residential |
| South     | RL              | RS-1   | Single-Family Residential |
| East      | RL              | RS-1   | Single-Family Residential |
| West      | RL              | RS-1   | Single-Family Residential |

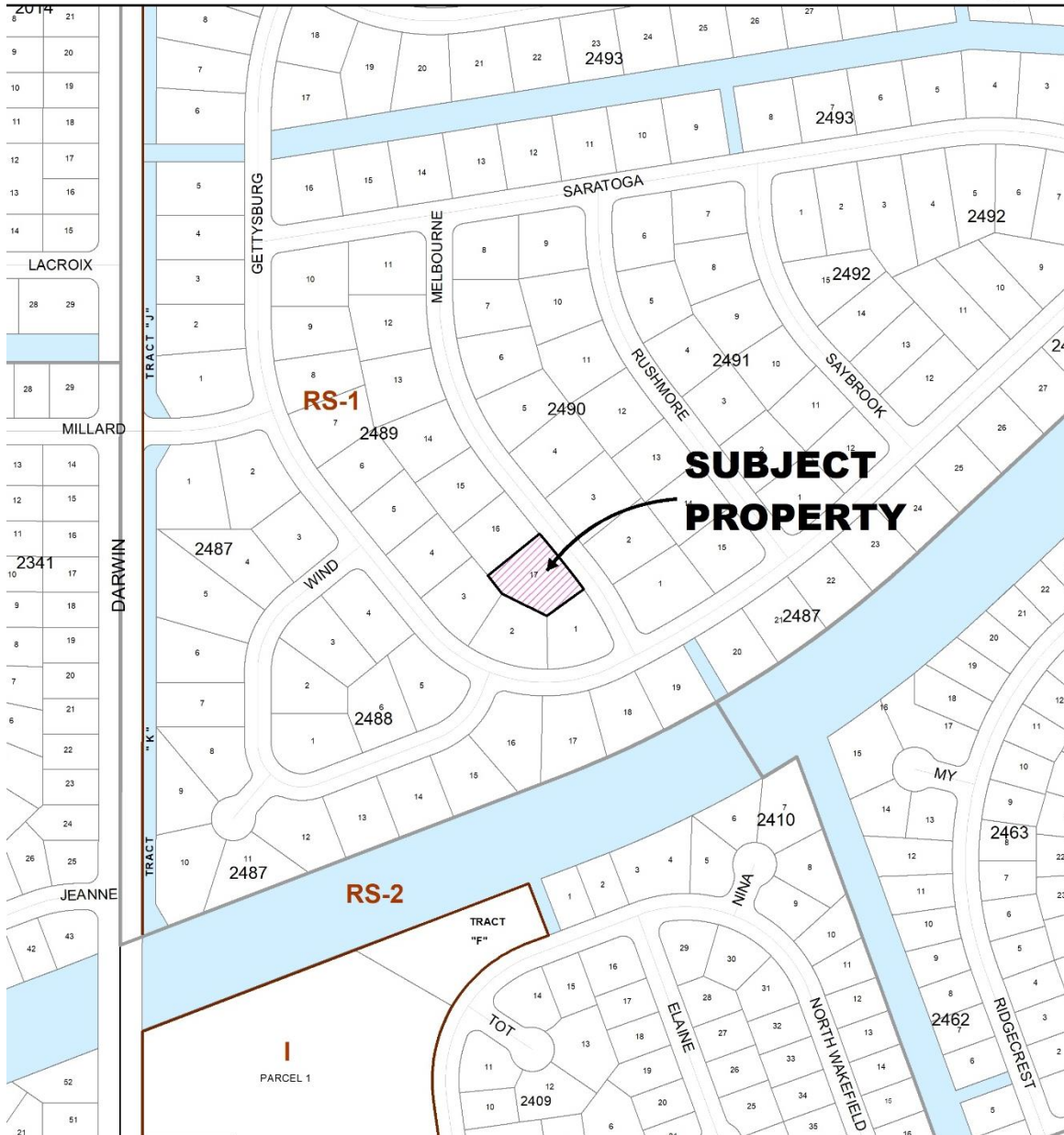
RL – Low Density Residential

RS-1 – Single-Family Residential

# FUTURE LAND USE



# EXISTING 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 a 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 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) of the Zoning Code. The applicant's response to this criterion is attached to the application. Staff's review is provided below:

### **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 subject property is a ½ acre lot, comparable in size to others in the neighborhood, but the owner requires covered storage for a boat and property maintenance items. The size of there exceeds what can reasonably fit within the 400 sq. ft. allowance. The lot configuration allows for this larger carport without affecting neighbors, easements, or setbacks.*
  - Staff Findings: *There are no special conditions or circumstances which are peculiar to this property, structure or building that are not applicable to other properties in the same zoning district. The subject property is a standard RS-1 zoned lot measuring 135 feet in width by 150 feet in depth, typical parcel size found throughout the zoning district, consistent with the typical parcel size found throughout the zoning district. There are no adverse hardships endured by the property owner. The proposed structure is classified as a carport due to it being a covered area open on three sides. According to Section 158.217(C)(2)(p), any property over 18,500 square feet is allowed to construct a detached carport up to 400 square feet in size, with the structure meeting all city design and setback requirements.*
- 2) That the special conditions and circumstances do not result from any action of the applicant.
  - Applicant's Response: *The need for this variance is not due to actions by the applicant. The existing 690 sq. ft. attached garage was part of the original home construction. The carport need arises strictly from practical storage requirements and maintaining an orderly property.*
  - Staff Findings: *No special conditions and circumstances which are peculiar to the land, structure, or building exist from the actions of the applicant. The property is a standard single-family lot within the RS-1 zoning district with no hardships endured by the property owner. The property has the necessary size and space to construct a detached carport within the 400 square foot size requirement.*
- 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: *Granting this variance would not constitute a special privilege.*

*Many properties of similar size have comparable needs, but the 400 sq. ft. cap on carports prevents accommodation of reasonable storage. This request is consistent with the property scale and community character.*

- *Staff Findings: The granting of this variance request will grant a special privilege that is denied by this chapter to other lands in the Single-Family (RS-1) Zoning District. Properties within this zoning district are required to abide by Section 158.217(C)(2)(p), which restrict carports in size, so they do not exceed 400 square feet due to the lot size exceeding 18,500 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: Enforcing the 400 sq. ft. limit would prevent secure storage of a boat and equipment. Forcing reliance on outdoor exposure. This creates undue hardship when the property can easily accommodate the structure without negative impacts.*
  - *Staff Findings: The literal interpretation of the provisions of Chapter 158 of the Zoning Code would not deprive the applicant of rights commonly enjoyed by other properties in the RS-1 zoning district. The applicant may reduce the size of the proposed carport to meet the size requirements.*
- 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: Yes, the request for an additional 750 sq. ft. (for a total of 1,150 sq. ft.) is the minimum needed to make reasonable use of the property. A smaller carport would not fulfill the intended lawful use.*
  - *Staff Findings: The request for this variance is not the minimum variance needed to make possible the reasonable use of the land. The proposed carport can be reduced in size to meet the code requirements for this accessory use as stated in answer #1. If the property owner were to reduce the overall size of the proposed carport to meet the code requirements, the variance would not be needed.*
- 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 proposed carport is in harmony with the zoning ordinance. It is open-sided, less imposing than an enclosed garage and will complement the existing home. It will not encroach on setbacks or obstruct views.*
  - *Staff Findings: Granting the variance will not be in harmony with the general intent and purpose of the Zoning Code as it will infer special privileges to the property owner that other properties cannot commonly experience.*
- 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 applicant will comply with all reasonable conditions and safeguards set by the Planning and Zoning Board or Zoning Administrator, including design standards, drainage, inspections and construction timelines.*
- Staff Findings: *Acknowledged.*

## RECCOMENDATION

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), then the Board may make a:

- Motion to approve the variance
- Motion to approve 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 make a:

- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may make a:

- 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).***