

RESOLUTION NO. 23-R28

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA GRANTING A SPECIAL EXCEPTION USE APPLICATION (P22-328) PURSUANT TO SECTION 158.124(C)(10) TO ALLOW A VEHICLE REPAIR AND MAINTENANCE USE, IN THE CG (GENERAL COMMERCIAL) ZONING DISTRICT FOR A PROJECT KNOWN AS BAYSHORE BOULEVARD PLAZA – VEHICLE REPAIR & MAINTENANCE; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

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**WHEREAS**, the City of Port St. Lucie, Florida, has been requested by Jensen MHP, LLC, to grant a special exception to allow a vehicle repair and maintenance use at 1962 SW Bayshore Boulevard, Port St. Lucie, on property zoned CG (General Commercial) pursuant to section 158.124(C)(10) of the Code of Ordinances, City of Port St. Lucie; and on property legally described as Port St. Lucie Section 13, Block 628, Lots 25, 26, 27, 28, and 29; 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 March 7, 2023, to review the special exception use application (P22-328) 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 March 27, 2023, to consider the special exception use application (P22-328), advertising of the public hearing having been made; and

**WHEREAS**, City Council has considered the special exception use application (P22-328) based on substantial and competent evidence and has determined 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 a vehicle repair and maintenance use in the General Commercial (CG) Zoning District as set forth in Exhibit "A" Conceptual Site Plan, 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.

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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 27<sup>th</sup> day of March 2023.

CITY COUNCIL  
CITY OF PORT ST. LUCIE

By: \_\_\_\_\_  
Shannon M. Martin, Mayor

ATTEST:

\_\_\_\_\_  
Sally Walsh, City Clerk

APPROVED AS TO FORM:

By: \_\_\_\_\_  
James D. Stokes, City Attorney