

# VARIANCE APPLICATION

**CITY OF PORT ST. LUCIE**  
Planning & Zoning Department  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984  
(772)871-5213

## FOR OFFICE USE ONLY

Planning Dept \_\_\_\_\_  
Fee (Nonrefundable) \$ \_\_\_\_\_  
Receipt # \_\_\_\_\_

Refer to "Fee Schedule" for application fee. Make check payable to the "City of Port St. Lucie. Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g.: warranty deed, affidavit), a copy of recent survey and a statement addressing each of the attached criteria.**

**PRIMARY CONTACT EMAIL ADDRESS:** jeffrey.rivera@kimley-horn.com

**PROPERTY OWNER:**

Name: AW-PSL Land Holdings LLC  
Address: 2211 Medina Road Suite 100, Medina, OH 44256  
Telephone No. (330) 697-0379

**APPLICANT (IF OTHER THAN OWNER, ATTACH AUTHORIZATION TO ACT AS AGENT):**

Name: Brooks Stickler  
Address: 189 S Orange Ave, Suite 1000, Orlando, FL 32801  
Telephone No. (407) 898-1511 Email brooks.stickler@kimley-horn.com

**SUBJECT PROPERTY:**

Legal Description: SOUTHERN GROVE REPLAT NO. 30 (PB 87-17) TRACT D  
Parcel I.D. Number: 4334-700-0003-000-8  
Address: Becker Road / South side of Becker Rd at the intersection with Village Pkwy  
Current Zoning Classification MPUD

Description of requested variance and applicable conditions/circumstances justifying request (continue on separate sheet, if necessary): Provide documentation that the attached variance criteria have been met.

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\_\_\_\_\_  
\_\_\_\_\_

  
\_\_\_\_\_  
Signature of Applicant

Brooks STICKLER  
\_\_\_\_\_  
Hand Print Name

8/16/2027  
\_\_\_\_\_  
Date

**NOTE:** Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted. 03/02/20

## **VARIANCES**

### **§ 158.295 PLANNING AND ZONING BOARD OR ZONING ADMINISTRATOR (DIRECTOR OF PLANNING AND ZONING) TO HEAR VARIANCES; POWERS AND DUTIES OF BOARD AND ZONING ADMINISTRATOR**

(C) Duties of the Zoning Administrator and Planning and Zoning Board in authorizing a variance. 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 should consider:

- (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;
- (2) That the special conditions and circumstances do not result from any action of the applicant;
- (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;
- (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;
- (5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- (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;
- (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.

## 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;

There is a Tradition Drainage Ditch that is parallel to the western boundary line. On the west side of the Tradition Drainage Ditch there is an CDD access/maintenance road that runs the length of the Tradition Drainage Ditch. The approved plans show the required buffer along the western property line, and it had always been assumed that there was adequate area to install the landscaping as shown. During the staking of the Landscape Buffer, it was revealed that there was minimal room to install the required plantings.

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

Applicant has not revised anything from the approved plan. The approved plans show the required buffer along the western property line, and it had always been assumed that there was adequate area to install the landscaping as shown. Applicant has been in contact with the CDD to attempt the relocation of the access road or possibly install landscaping on the west bank of the ditch. After further review with CDD the road cannot be moved due to the existing power poles and the west bank of the ditch cannot be landscaped as direct access is needed to the ditch for periodic maintenance.

(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;

The Applicant, with the assistance on the Planning Department, will relocate the Trees that were approved on the original Landscape Plan within the development. The Applicant will complete the perimeter landscaping as shown on the Approved Landscaping Plan for the entire project.

(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;

This Variance is to assist the CDD and their ability to access and maintain the drainage ditch.

(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 Applicant has directed their Landscape Architect to prepare a plan that will show landscaping of the east bank of the ditch as discussed with the CDD. The Landscape Architect will also work to show more landscaping on the rear of the units that are parallel with the ditch.

(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;

For the project's success, the Applicant is committed to maintain an attractive vegetated rear yard behind the Units.

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(7) Please 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.

As stated, the Applicant has no intention of reducing the landscape requirements set forth by the

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Planning Department Approved Plans.

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Signature of Applicant

Beans Sticker  
Hand Print Name

08/14/2023  
Date