



Liana Marquis - Variance
Project No. P25-148



SUMMARY

Applicant's Request:	A request for a variance of 10,000 square feet to the required lot area of 20,000 square feet and a variance of 20 feet to the required lot width of 100 feet to allow the property to be rezoned to Service Commercial (CS).
Application Type:	Variance, Quasi-Judicial
Applicant/Agent:	Pamela Misiano, Remax Gold
Property Owner:	Liana Marquis
Location:	2712 SW Fondura Road
Project Planner:	Ivan Betancourt, Planner I

Project Description

The applicant, Pamela Misiano, on behalf of Liana Marquis, the property owner, has submitted a request for a variance of 10,000 square feet to the required lot area and a variance of 20 feet to the required lot width to allow the property to be rezoned to Service Commercial (CS). The lot is 10,000 square feet in size and 80 feet in width. Per Section 158.126 (F) of the City's Zoning Code, all properties located within the Service Commercial (CS) Zoning District must maintain a minimum lot size of 20,000 square feet and a minimum width of 100 feet. The property subject to the variance request is located at 2712 SW Fondura Road and is legally described as Port St. Lucie Section 31, Block 1708, Lot 20.

Background

The property lies within Conversion Area 24 and has a CS future land use designation. The CS zoning district is compatible with the CS future land use designation. The entirety of block 1708 lies within this conversion area, and lot 20 is the only parcel within the block that is still zoned Single-Family Residential (RS-2).

An application (P25-147) to rezone the subject property from Single-Family Residential (RS-2) to Service Commercial (CS) was submitted concurrently with this variance application.

On March 25, 2024, a variance (P23-239) was granted by the City Council to the City of Port St. Lucie Conversion Manual requirements for Area 24, to allow the rezoning of Lots 18 and 19 from the RS-2 zoning district to the Warehouse Industrial (WI) zoning district. The resulted in the isolation of Lot 20, so that it could not be combined with another lot to be rezoned.

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 (Section 158.298 (B))

Public notice was mailed to owners within 750 feet on June 19, 2025, and the file was included in the ad for the Planning & Zoning Board's agenda.

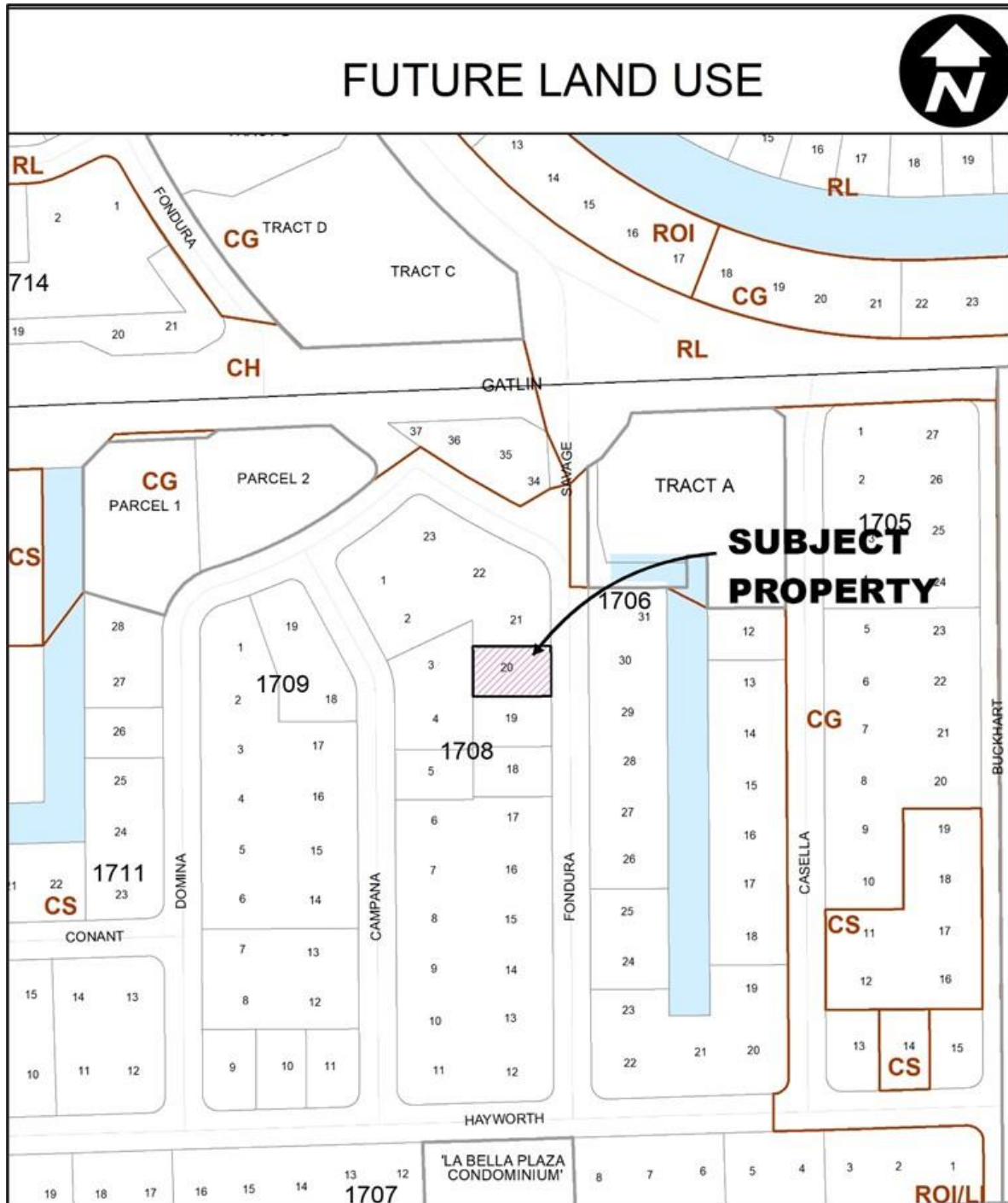
Location and Site Information

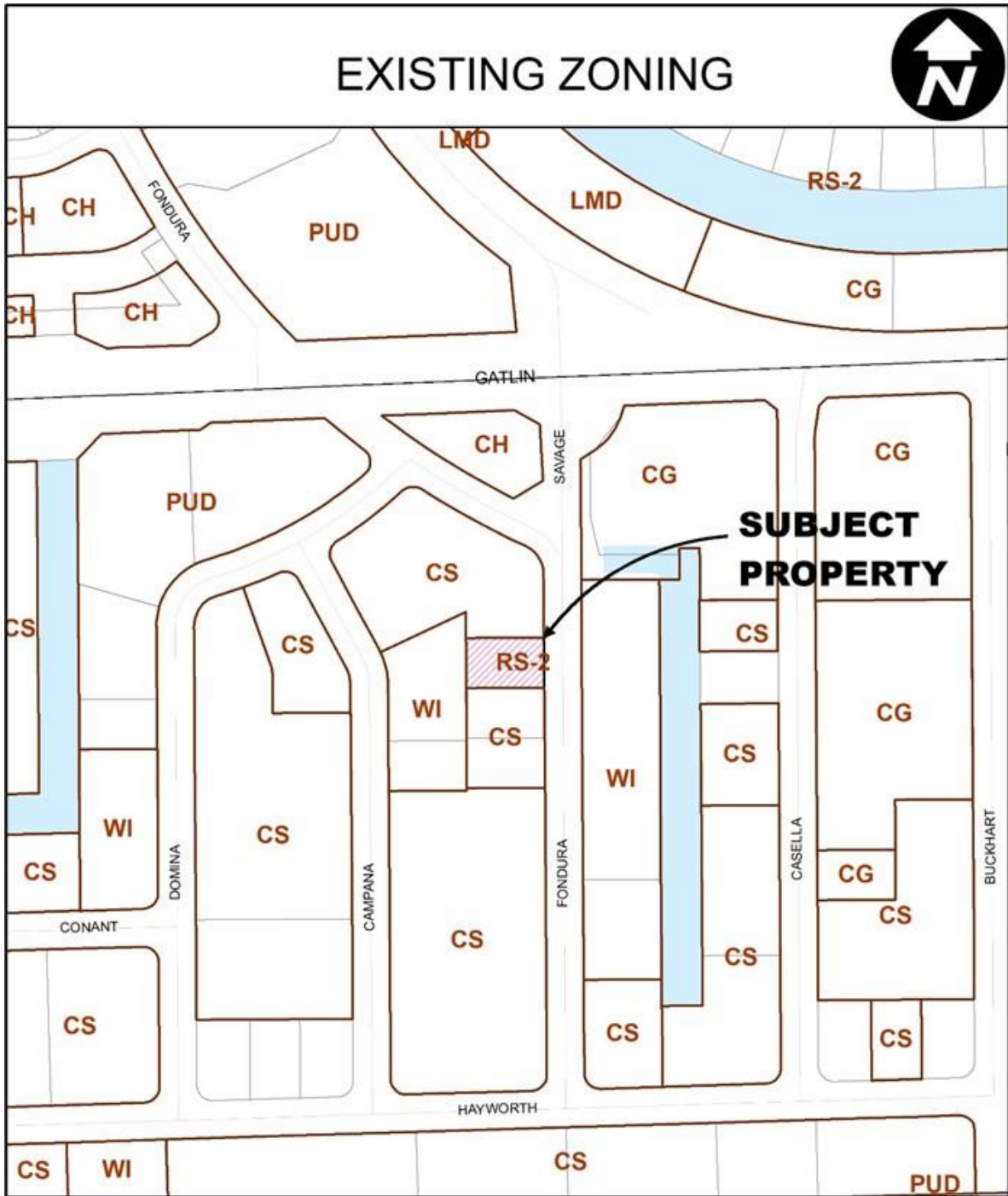
Parcel Number:	3420-650-1098-000-6
Property Size:	+/- 0.23 acres (10,000 SF)
Legal Description:	Port St. Lucie Section 31, Block 1708, Lot 20
Address:	2712 SW Fondura Rd
Future Land Use:	Service Commercial (CS)
Existing Zoning:	Single Family Residential (RS-2)
Existing Use:	Vacant

Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	CS	CS	Vacant
South	CS	CS	Self-Storage Business
East	CS	WI	Warehouse
West	CS	WI	Vacant

CS - Service Commercial, WI – Warehouse Industrial





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: *Last Residential lot on the block.*
 - Staff Findings: *On March 25, 2024, a variance (P12-239) was granted by the City Council to the City of Port St. Lucie Conversional Manual requirements for Area 24, to allow the rezoning of Lots 18 and 19 from the RS-2 zoning district to the Warehouse Industrial (WI) zoning district. This resulted in the isolation of Lot 20, so that it could not be combined with another lot to be rezoned to Service Commercial (CS).*
- 2) That the special conditions and circumstances do not result from any action of the applicant.
 - Applicant's Response: *No, never resolve to commercial.*
 - Staff Findings: *The special conditions and circumstances do not result from any action of the applicant. The lot was isolated due to a variance being approved on March 25, 2024, which allowed the adjacent two lots to be rezoned from the RS-2 zoning district to the Warehouse Industrial (WI) zoning district.*
- 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: *Variance will allow for use compatible with surrounding areas.*
 - Staff Findings: *The granting of this variance will confer special privileges on the current owner by allowing the property to be rezoned despite the lot not meeting the minimum lot requirements required by Sec. 158.126 (F) of the City's Zoning Code.*
- 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: *Residential use not compatible with this area.*

- *Staff Findings: The property lies within Conversion Area 24 and has a CS future land use designation. The CS zoning district is compatible with the CS future land use designation. The entirety of block 1708 lies within this conversion area, and Lot 20 is the only parcel within the block that is still zoned Single-Family Residential (RS-2).*
- 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, this is the minimum, there is no suitable use for the parcel.*
 - *Staff Findings: The granting of this request is the minimum that will allow the current owner to rezone the property to the Service Commercial (CS) zoning district.*
- 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: It will make the parcel compatible with surrounding areas.*
 - *Staff Findings: Granting the variance will not be injurious to the area involved or be otherwise detrimental to the public welfare. The variance requested will facilitate the rezoning of the property to Service Commercial (CS) zoning, which would allow for a use that is compatible with the surrounding areas.*
- 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: Acknowledged.*
 - *Staff Findings: Acknowledged.*

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), then the Board may make a:

- Motion to approve the variance of 10,000 square feet of lot area and a variance of 20 feet of lot width to allow the property to be rezoned to Service Commercial (CS).

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).