

RESOLUTION NO. 24-R54

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, GRANTING A SPECIAL EXCEPTION USE TO ALLOW AN ENCLOSED ASSEMBLY AREA OVER 3,000 SQUARE FEET, IN THE NEIGHBORHOOD COMMERCIAL (CN) ZONING DISTRICT PER SECTION 158.120(C)(1) OF THE PORT ST. LUCIE CODE OF ORDINANCES FOR A PROJECT KNOWN AS GINGERBREAD LANE DAYCARE (P24-028); PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Port St. Lucie, Florida (“City”), has been requested by Thomas DeGrace, of Culpepper & Terpening, Inc., on behalf of H. Andrew Development, LLC and H. Andrew Development 3, LLC, the property owners, to grant a special exception to allow an enclosed assembly area over 3,000 square feet, more specifically 6,302 square feet, in the Neighborhood Commercial (CN) Zoning District per Section 158.120(C)(1) of the Port St. Lucie Code of Ordinances, on property legally described Port Saint Lucie Section Twenty Five, Block 55, Lots 44 and 45, as recorded in Plat Book 13, Page 32, of the Public Records of St. Lucie County, Florida (the “Property”); 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 August 6, 2024, to review the special exception use application (P24-028) to determine the suitability of the proposed use at the Property and has submitted its recommendation to the City Council; and

WHEREAS, the City Council held a public hearing on August 26, 2024, to consider the special exception use application (P24-028), advertising of the public hearing having been made; and

WHEREAS, the City Council has considered the special exception use application (P24-028) and, based on substantial and competent evidence, 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 property owner’s application for a special exception use is hereby approved to allow an enclosed assembly over

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3000 square feet, more specifically 6,302 square feet, associated with a daycare use in the Neighborhood Commercial (CN) Zoning District as set forth in Exhibit “A”, Conceptual Site Plan, attached hereto.

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 26th day of August, 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