

**FOR SPECIAL EXCEPTION USE 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 Fee is nonrefundable unless application is withdrawn prior to being scheduled for the Site Plan Review Committee meeting or advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g., warranty deed, affidavit), lease agreement (where applicable), approved Concept Plan or Approved Site Plan, and a statement addressing each of the attached criteria.**

**PRIMARY CONTACT EMAIL ADDRESS:** INFO@BC5CONSTRUCTION.COM \_\_\_\_\_

**PROPERTY OWNER:**

Name: DAVID, JOANN, MARGARET ANDREWS. C/O CVS \_\_\_\_\_

Address: PO BOX 1610, COCKEYSVILLE, MD 21030 \_\_\_\_\_

Telephone No.: 4 4 3 - 5 5 3 - 6 7 1 1 \_\_\_\_\_ Email: JOANNA6@GMAIL.COM \_\_\_\_\_

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

Name: MARIE ROGER \_\_\_\_\_

Address: 16508 75<sup>TH</sup> AVE N, PALM BEACH GARDENS, FL 33418 \_\_\_\_\_

Telephone No.: 5 6 1 - 7 0 7 - 8 5 4 2 \_\_\_\_\_ Email: INFO@WEROCKTHESPECTRUMPORTSTLUCIE.COM \_\_\_\_\_

**SUBJECT PROPERTY:**

Legal Description: WALTON ROAD JOINT VENTURE (PB42-13). LOT 1 \_\_\_\_\_

Parcel I.D Number: 3435-801-0001-000-1 \_\_\_\_\_

Address: 9197 SOUTH US HWY 1, PSL, FL, 34952 \_\_\_\_\_ Bays: 1 \_\_\_\_\_

Development Name: \_\_\_\_\_ (Attach Sketch and/or Survey)

Gross Leasable Area (sq. ft.): 1 3 , 0 8 6 \_\_\_\_\_ Assembly Area (sq. ft.): 6994.78 \_\_\_\_\_

Current Zoning Classification: G E N E R A L C O \_\_\_\_\_ SEU Requested: Enclosed assembly area > 3000sqf

Please state, as detailed as possible, reasons for requesting proposed SEU (continue on separate sheet, if necessary):

SEE ATTACHED

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

MARIE ROGER  
\_\_\_\_\_  
Hand Print Name

January 09th, 2025  
\_\_\_\_\_  
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.

## **SPECIAL EXCEPTION USES**

The Planning and Zoning Board, and Zoning Administrator, may authorize the special exception use from the provisions of § 158.260. In order to authorize any special exception use from the terms of this chapter, the Planning and Zoning Board, or Zoning Administrator, will consider the special exception criteria in § 158.260 and consider your responses to the following when making a determination.

(A) Please explain how adequate ingress and egress will be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control, and access in case of fire or other emergency.

THIS PROPERTY IS AN ALREADY DEVELOPED STAND ALONE BUILDING WITH EXISTING INGRESS & EGRESS ON S. US-1 AND VETERAN MEMORIAL PKY

The enclosed assembly area of over 3000 sqf WILL USE THE EXISTING INGRESS AND EGRESS WILL BE PEDIESTRIAN WILL CONTINUE TO ENTER THE

BUILDING SAFELY FROM US-1 OR SE VETERAN HWY. THERE WILL BE NO AUTOMOTIVE OR PEDESTRIAN TRAFFIC IMPACT

(B) Please explain how adequate off-street parking and loading areas will be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.

THE EXISTING DEVELOPED BUILDING ALREADY HAS ADEQUATE OFF-STREET PARKING PER CODE. SERVICES WILL BE INSIDE BUILDING. NO UNDUE

NOISE, GLARE OR DETRIMENTAL EFFECTSS WILL BE UPON ADJACENT PROPERTIES.

(C) Please explain how adequate and properly located utilities will be available or will be reasonably provided to serve the proposed development.

THE BUILDING HAS ALREADY INSTALLED UTILITIES THAT WILL BE SUFFICIENT FOR the use of the enclosed assembly area of over 3000 sqf. NO

PROPOSED NEW INSALLATION OF UTILITIES FOR THIS APPLICATION.

(D) Please explain how additional buffering and screening, beyond that which is required by the code, will be required in order to protect and provide compatibility with adjoining properties.

NO ADDITIONAL BUFFERING AND SCREENING WILL BE REQUIRED, AS THE SURROUNDING BUILDINGS ARE COMMERCIAL AND COMPATIBLE WITH

the enclosed assembly area of over 3000 sqf use.

(E) Please explain how signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

THE STAND ALONE EXISTING LIGHT WILL BE USED, NO ADDITIONAL LIGHTS ARE PROPOSED. NO UNDUE GLARE, INCOMPATIBLITY WITH ADJOINING

BUILDINGS OR IMPACT ON TRAFFIC SAFETY. BUILDING SIGNAGE WILL BE ON THE SAME SIDE OF PREVIOUS CVS SIGN, IT WILL HAVE STEADY AND

CONSTANT COLOR & THE EXISITING MARQUEE WILL REMAIN IN THE SAME LOCATION, BOTH SIGNAGE & EXISTING MARQUEE WILL BE UP TO CODE.

(F) Please explain how yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

NO ADDITIONAL YARDS OR OPEN SPACES WILL BE NEEDED, AS the proposed enclosed assembly area of over 3000 sqf WILL BE INSIDE the EXSITING

BUILDING. NO ADVERSE IMPACT IS EXPECTED TO THE SURROUNDING PROPERTIES. THEY ARE ALREADY COMMERCIAL BUILDINGS AND

COMPATIBLE WITH its use.

(G) Please explain how the use, as proposed, will be in conformance with all stated provisions and requirements of the City's Land Development Regulation.

---

The enclosed assembly area of over 3000 square feet WILL COMPLY WITH THE STATED PROVISIONS AND REQUIREMENTS OF THE CITY'S LAND DEVELOPMENT REGULATION

---

(H) Please explain how establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the city.

The enclosed assembly area of over 3000 square feet WILL NOT CAUSE ANY IMPACT IN HEALTH, SAFTEV, WELFARE OR CONVENIENCE OF RESIDENTS AND WORKERS IN THE CITY OF PORT ST LUCIE. ON THE CONTRARY THE USE WILL HAVE A POSITIVE IMPACT ON THE RESIDENTS OF PORT ST. LUCIE AND THE SURROUNDING AREAS. IT WILL PROVIDE a MUCH NEEDED SAFE INDOOR PLACE FOR THE ENTIRE FAMILY TO ENJOY, SHARE AND CELEBRATE BIRTHDAYS AND SPECIAL EVENTS. THERE WILL BE PLENTY OF PARKING SPACES, SIDEWALKS AND PEDESTRIAN PATHWAYS TO BE UTILIZED.

(I) Please explain how the proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

THE HOURS OF OPERATION for the enclosed assembly area of over 3000 sqf will be from 9AM-6PM, SIMILAR TO HOURS OF OPERATION OF SURROUNDING BUILDING, NO OVER NIGHT OPERATION.

ALL SERVICES ARE INDOOR AND THERE WILL NOT BE ANY NUISANCE OR HAZARD BECAUSE OF THE NOISE OR NUMBER OF PERSONS ATTENDING. IN ADDITION, THE PROPOSED USE VEHICULAR TRAFFIC WILL NOT BE MUCH HIGHER THAN THE SURROUNDING BUSINESSES

(J) Please explain how the use, as proposed for development, will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access, location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

The enclosed assembly area of over 3000 square feet WILL BE COMPATIBLE WITH THE ADJACENT PROPERTIES. IT WILL COMPLY WITH COMMERCIAL AND ZONING REQUIREMENTS. IT WILL HAVE SIMILAR HOURS OF OPERATION, SIMILAR BUILDING HEIGHT, NOISE, LIGHTING STANDARDS, TRAFFIC AND PEDESTRIAN ACCESS TO ADJACENT BUILDINGS AS STATED IN THE PORT ST LUCIE LAND OF DEVELOPMENT REGULATION.

---



Signature of Applicant

---

Marie Rogel  
Hand Print Name

---

January 09th, 2025  
Date

PLEASE NOTE:

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

## SPECIAL EXCEPTION USE

### § 158.260 REQUIREMENTS AND APPROVAL

Special Exceptions are uses that would only be allowed under certain conditions and are required to be compatible with the existing neighborhood. It is expected that any such approval be implemented in a timely manner to ensure the use is established under the physical conditions of the area in place when approved. Therefore, Special Exception Uses shall expire after one year on the date of approval unless the applicant has received final site plan approval, or if a site plan is not required, the appropriate permits to allow development of the use to continue as approved.

Approval of a special exception application shall be granted by the City Council only upon a finding that:

- (A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control, and access in case of fire or other emergency.
- (B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.
- (C) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.
- (D) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.
- (E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.
- (F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.
- (G) The use as proposed will be in conformance with all stated provisions and requirements of this chapter.
- (H) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the city.
- (I) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.
- (J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access, location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.
- (K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.
- (L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.