

**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 Fee is nonrefundable unless application is withdrawn prior to being scheduled for the Site Plan Review Committee meeting or advertising for the Planning and Zoning Board meeting.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:** Aaron Livingston@gmail.com

**PROPERTY OWNER:**

Name: CDNK LLC DS. Hashem khosassani  
Address: 316 N Flagler Dr West Palm Beach FL, 33407  
Telephone No.: \_\_\_\_\_ Email Hakhosassani@gmail.com

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

Name: Aaron Livingston (Bogey Bay)  
Address: 1475 SW Gatin Blvd Port St Lucie FL 34953  
Telephone No.: 417 859 5210 Email Aaron Livingston@gmail.com

**SUBJECT PROPERTY:**

Legal Description: \_\_\_\_\_  
Parcel I.D Number: 342061006650001  
Address: 1475 SW Gatin Blvd Bays: \_\_\_\_\_  
Development Name: Gatin Square (Attach Sketch and/or Survey)  
Gross Leasable Area (sq. ft.): 2821 Assembly Area (sq. ft.): 2821  
Current Zoning Classification: \_\_\_\_\_ SEU Requested: \_\_\_\_\_

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

I am requesting a SEU for the purpose of obtaining a "2 COP" Beer + Wine sales and consumption license. Bogey Bay LLC is A Gift simulator, Bar and Grill that has been told it is only a Bar which is why I need this SEU.

 Aaron Livingston 9-30-24  
Signature of Applicant Hand Print Name 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. 02/26/20

## 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.

Automotive and pedestrian safety and convenience.  
Will not be changed in any way as the property already exists  
with great flow of traffic. Public safety is very high on our priority list.

(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 parking lot of Gatin Square is plenty big enough  
to handle all parking needs, including deliveries of food and  
alcohol using the back parking lot accessible from SW Boulevard  
Ave.

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

The utilities are already in place at  
Gatin Square.

(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.

There will not be a need for additional buffering  
or screening.

(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.

We will only have the sign above the entry door  
stating "Bogey Bay Golf Simulator Bar + Grill"

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

Gatin Square is already in place  
and Bogey Bay does not have any yard or open space  
outside.

(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.

Bogey Bay Will Apply for  
states 2 cop liquor license once the build out is within  
30 Days of completion for inspection purposes.

(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.

Bogey Bay Will not impair the residents of PSL in any way.  
It will give a new and exciting venue for intertainment for  
all residents. Both golfers and non golfers looking for a fun escape

(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 number of people will be limited to a max of 6  
players per golf simulator. Having only 4 sims the  
traffic will be significantly lower than most golf sim business  
with 10-15 sims.

(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 adjacent property is in the Gatin Square shopping center  
and will not incourter any negative impacts from Bogey Bays  
customers only positive impacts due to increased traffic and  
happy customers

  
Signature of Applicant

Aaron Livingston  
Hand Print Name

9-30-24  
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.



**CONCEPT PLAN SUFFICIENCY CHECKLIST**  
*Revised September, 2013*

Project Name: \_\_\_\_\_

Project Number: P \_\_\_\_\_ New Submittal \_\_\_\_\_ or Resubmittal \_\_\_\_\_ (Check One)

Applicant should submit the concept plan package to Planning & Zoning Department with all items listed below to initiate the review process. Other drawings or information may be required, if deemed necessary, upon review of the submittal for the Site Plan Review Committee Meeting.

The Applicant should complete the Project Information, Applicant Checklist and Applicant Certification. Use the following to complete the checklist: ✓ = *Provided* X = *Incomplete or Missing* NA = *Not Applicable*

Applicant Checklist	Description of Item Provided	Sufficient		
		P&Z	Eng.	Utility
	<b>Sufficiency Checklist:</b> One original completed and signed by applicant.			
	<b>2 CD's with all application materials</b>			
	<b>Cover Letter:</b> Sixteen copies of a typed letter explaining the purpose and history of the application.			
	<b>Written Response to Comments:</b> Sixteen copies. For resubmittals only.			
	<b>Completed Application:</b> Sixteen copies. Use black ink or type to fill out completely and legibly.			
	<b>Owner's Authorization:</b> Sixteen copies of authorization on Owner's letterhead.			
	<b>Application Fees:</b> Refer to each department's fee schedule.			
	<b>Proof of Ownership:</b>			
	Three copies of the recorded deed(s) for each parcel with the exact same name for each parcel or...			
	...Unity of Title			
	<b>PUD/MPUD Document and Concept Plan</b> (Sections 158.170 – 158.175 of the Zoning Code):			
	Sixteen sets of 11" x 17" concept plans			
	Show traffic access points			
	Show drainage discharge locations			
	Show proposed water and sewer connection points			
	Evidence of unified control and binding PUD agreement			
	Density statement			
	Proposed zoning district regulations			
	<b>LMD Rezoning and Concept Plan</b> (Section 158.155(M) of the Zoning Code):			
	Sixteen sets of 11" x 17" concept plans			
	Show traffic access points			
	Show drainage discharge locations			
	Show proposed water and sewer connection points			
	Evidence of unified control and development agreement			
	Preliminary building elevations			
	Landscape Plan			
	<b>SEU Concept Plan:</b>			
	Sixteen sets of 11" x 17" plans – either approved site plan or proposed concept plan			



CONCEPT PLAN SUFFICIENCY CHECKLIST
Revised September, 2013

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Project Number: P \_\_\_\_\_ New Submittal \_\_\_\_\_ or Resubmittal \_\_\_\_\_ (Check One)

Applicant Certification

I, \_\_\_\_\_ (Print or type name), do hereby certify that the information checked above has been provided to the City of Port St Lucie for the subject project. I understand that the checklist is used to determine if the submittal is complete so that the project can be added to the Site Plan Review Agenda. I further understand that review of the submittal contents will not be made at this time and that a sufficient submittal does not exempt a project from being tabled or denied at the Site Plan Review Committee.

(Signature of Applicant)

(Date)

Planning and Zoning Department Representative

I, \_\_\_\_\_ (Print name), as a representative of the Planning and Zoning Department, find that this submittal is Sufficient / Non-Sufficient based upon my review on \_\_\_\_\_ (date).
Additional Comments:

(Signature of Planning and Zoning Department Representative)

(Date)

Engineering Department Representative

I, \_\_\_\_\_ (Clearly print or type name), as a representative of the Engineering Department, find that this submittal is Sufficient / Non-Sufficient based upon my review on \_\_\_\_\_ (date).
Additional Comments:

(Signature of Engineering Department Representative)

(Date)

Utilities System Department

I, \_\_\_\_\_ (Clearly print or type name), as a representative of the Utilities System Department, find that this submittal is Sufficient / Non-Sufficient based upon my review on \_\_\_\_\_ (date).
Additional Comments:

(Signature of Utility System Department Representative)

(Date)