

Navarro, Yuraima Garcia
Variance
P25-204

Aerial Map



SUMMARY

Applicant's Request:	A request to grant a variance of seven (7) feet, to allow a side yard setback of eight (8) feet for a 331-square-foot existing roofed patio with an outdoor kitchen, and a variance of four (4) feet, to allow a side yard setback of 11 feet for a 118-square-foot existing roofed patio.
Application Type:	Variance, Quasi-Judicial
Applicant / Property Owner:	Yuraima Garcia Navarro
Address:	455 SW Kestor Drive
Location:	The property is generally located south of SW Becker Road on the northwest corner of SW Kestor Drive and SW Stacy Court.
Project Planner:	Sofia Trail, Planner I

Project Description

The applicant/property owner, Yuraima Garcia Navarro, has submitted a variance application to the side yard setback requirements for two existing accessory structures. A variance of seven (7) feet to allow a side yard setback of eight (8) feet for a 331-square-foot roofed patio with an outdoor kitchen, and a variance of four (4) feet to allow a side yard setback of 11 feet for a 118-square-foot roofed patio. Section 158.203(A) of the City of Port St. Lucie Code of Ordinances requires any corner residential lot having a width of less than 90 feet at its front property line shall have a side setback requirement of 15 feet adjacent to the side street. The subject property is located at 455 SW Kestor Drive and is legally described as Port St. Lucie, Section 34, Block 2378, Lot 25.

Background

A code compliance case with the Building Department was created in October 2025 for the two structures being built without permits by the owner. A recent survey of the property was conducted on January 13, 2026, to show the locations of the existing roofed patios.

Review Criteria

An application of a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299.

Public Notice Requirements

Public notice was mailed to owners within 750 feet on February 19, 2026, and the file was included in the ad for the Planning & Zoning Board’s agenda.

Location and Site Information t

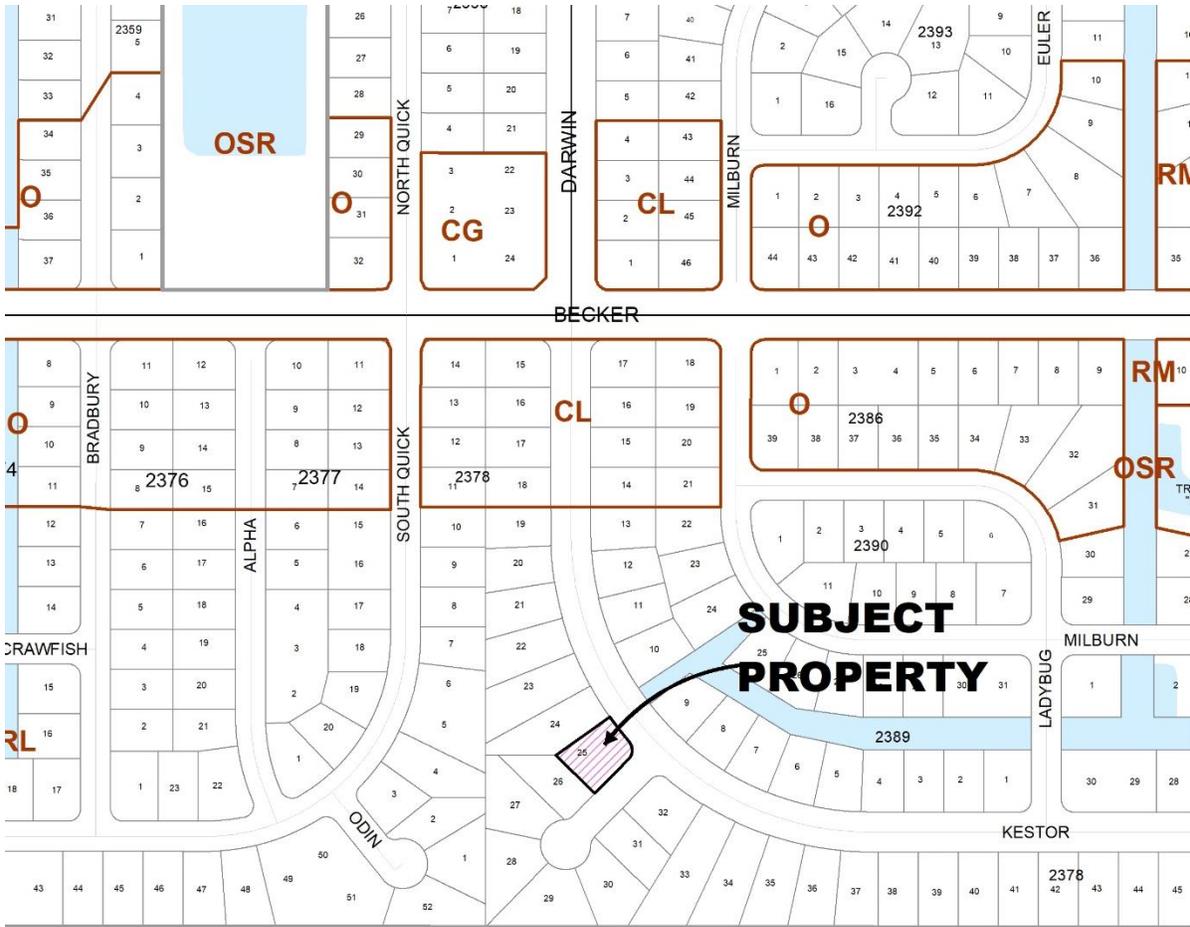
Parcel Number:	3420-665-1340-000-4
Property Size:	0.26-acres
Legal Description:	Port St Lucie, Section 34, Block 2378, Lot 25
Future Land Use:	RL
Existing Zoning:	RS-2
Existing Use:	Single-family Residence

Surrounding Uses

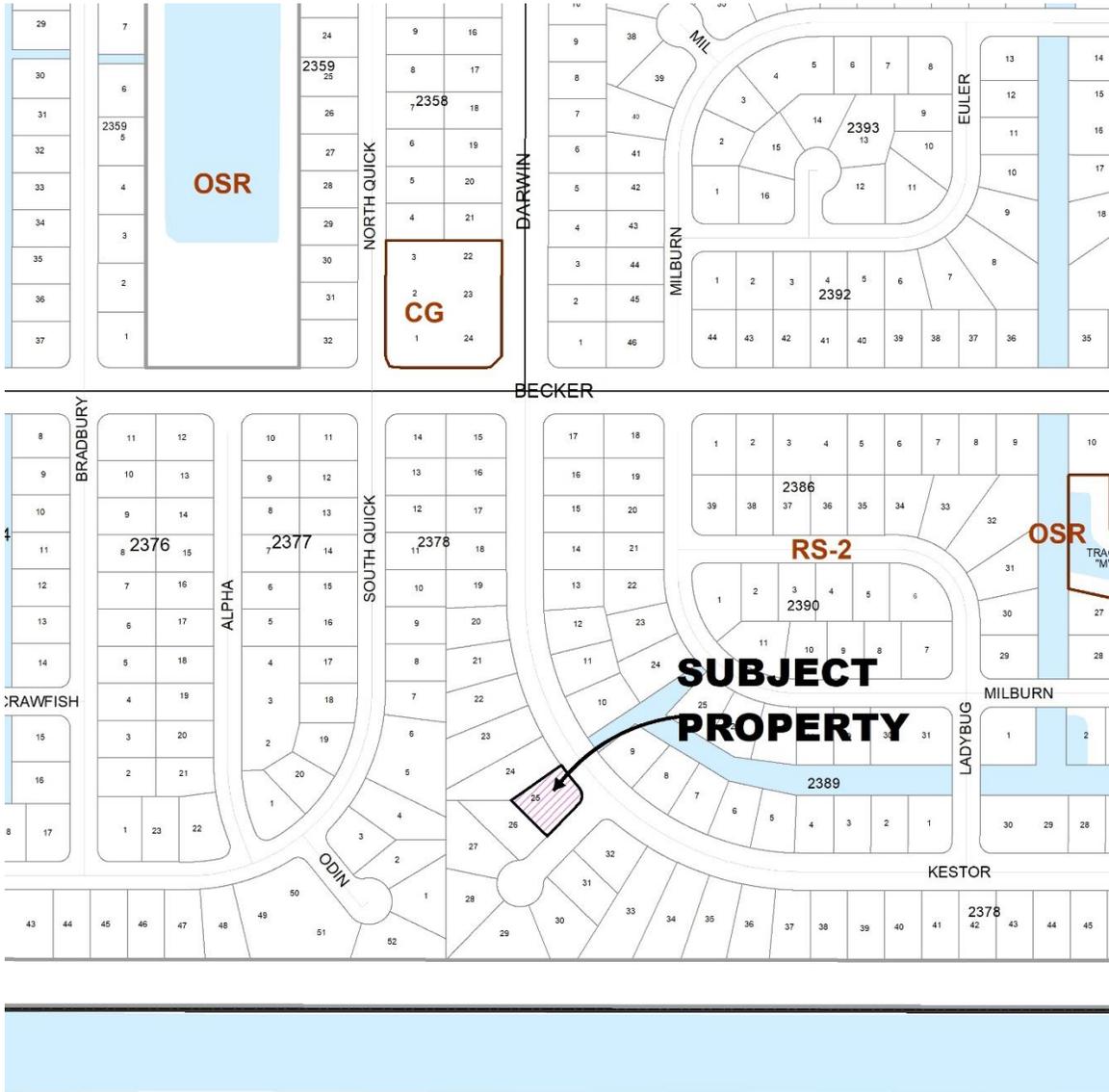
Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-family Residence
South	RL	RS-2	Single-family Residence
East	RL	RS-2	Single-family Residence
West	RL	RS-2	Single-family Residence

RL – Low-Density Residential, RS-2 – Single Family Residential

Future Land Use



Zoning



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 the 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 the 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). The applicant's response to this criterion is attached to the application. Staff's review is provided below.

See the applicant's responses that are included in the Variance application.

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: While the property has adequate overall space, the layout and existing placement of the home makes it difficult to utilize the backyard efficiently.
 - Staff Findings: *There are no special conditions that are peculiar to this house that are not applicable to other RS-2 zoned lots. The subject property is a corner lot within the Single-Family Residential (RS-2) Zoning District. Per Section 158.203(A) of the City of Port St. Lucie Code of Ordinances, any corner residential lot having a width of less than 90 feet at its front property line shall have a side setback requirement of 15 feet adjacent to the side street. The width of this lot at the 25-foot front yard setback is approximately 91 feet. The existing house is located at the minimum 10-foot side yard setback from the Internal side lot line (adjacent to Lot 24). The house is 60 feet in width, which will fit within the required setbacks on a corner lot with a width of 90 feet, while still having an additional 5 feet of space. In addition, this lot widens as it extends to the rear and the rear yard setback of the house well exceeds the 25-foot rear yard setback. There is adequate space for accessory structures in the back yard.*
2. That the special conditions and circumstances do not result from any action of the applicant.
 - Applicant's Response: It was assembled by the owner without knowledge that it required permission.
 - Staff Findings: *See the response to criterion No. 1.*
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: Granting this variance will not be contrary to the public interest. The pergolas are an open air, non-enclosed structure that does not block light, air, or visibility.
 - Staff Findings: *Granting the variance will confer on the applicant special privileges denied to other corner lots within single-family zoning districts in regards to accessory structure placement. All accessory structures are required to meet setback requirements and are reviewed at the time of building permit application.*

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: The need for this variance is not self created as it results from original placement of the home and lot configuration determined by the developer. The limited yard depth leaves little flexibility for placing outdoor improvements.
 - Staff Findings: *There is adequate space in the backyard for the placement of accessory structures.*
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: The requested reduction of feet from the property line on my corner lot is the minimum variance necessary to allow for a functional and aesthetically pleasing pergola while maintain open space.
 - Staff Findings: *The requested variance to the side setback requirements is the minimum distance needed for the existing roofed patios and outdoor kitchen to remain.*
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: Granting this variance will be in harmony with the general intent and purpose of the zoning ordinance. The requested variance provides minimal encroachment that does not impair access or privacy for adjacent properties. The structure will continue to function as a typical residential accessory structure and will not alter the character of the surrounding neighborhood. It will allow reasonable use of the property, not affect traffic safety or utilities, and will not be detrimental to the public health, safety, or welfare and the same will not create safety concerns.
 - Staff Findings: *The granting of the variance will not be injurious to the area or detrimental to the public welfare as the accessory structures are within the property's boundaries and the backyard is enclosed with a six-foot high fence.*
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:

- Motion to approve the variance
- Motion to approve the variance with conditions

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:

- Motion to deny

Should the Board need further clarification or information from either the applicant and/or staff, the Board may:

- 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).