



Barracuda Stations, LLC (Marathon)
Monument Variance
Project No. P25-181



SUMMARY

Applicant's Request:	A variance request of 4 feet to allow a monument sign 6 feet from the side property line where 10 feet is required.
Application Type:	Variance, Quasi-Judicial
Applicant:	Stephen Kemp, Kemp Signs & Service, Inc
Property Owner:	Barracuda Stations LLC
Location:	West side of US Highway 1 approximately 1,200 feet north of Port St. Lucie Blvd
Project Planner:	Marissa Da Breo-Latchman, Environmental Planner II

Project Description

The City of Port St. Lucie has received a request from Stephen Kemp, Kemp Signs & Service, Inc. agent for the property owner, Barracuda Stations, LLC, to grant a variance of 4 feet to allow a monument sign 6 feet from the side property line where a setback of 10 feet is required. The monument sign that is the subject of this variance is situated along the north boundary line of the property located at 10453 S US Highway 1 in the Town Centre Plaza. The property is legally described as portion of Block 1 St. Lucie Gardens Plat lying in Township 37 South, Range 40 East, Section 12 (0.87 AC).

Background

The Site Plan was approved in October 1990 with the monument shown at 5' from the property line as was the requirement in 1990. The side setback requirement was updated to 10' setback from the property line via ordinance 10-08. The property owner wishes to make improvements to the existing legal, nonconforming monument sign and is unable to do so without a variance, hence the reason for this application.

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 November 21, 2025, and the file was included in the ad for the Planning & Zoning Board's agenda.

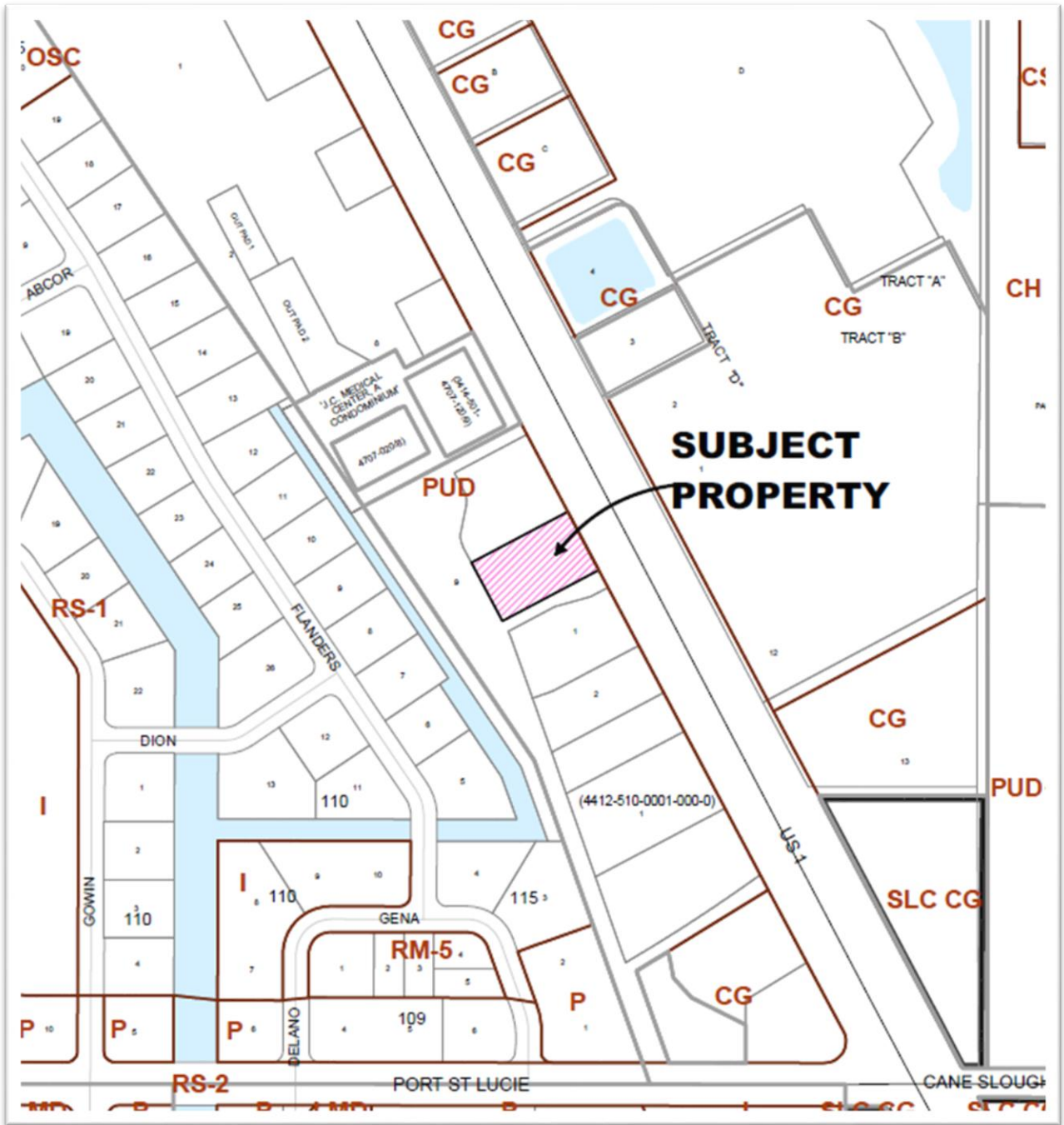
Location and Site Information

Parcel Number:	3414-501-4707-050-7
Property Size:	0.87 acres
Legal Description:	Portion of Block 1 St. Lucie Gardens Plat lying in Township 37 South, Range 40 East, Section 12 (0.87 AC)
Address:	10453 S US HWY 1
Future Land Use:	CG
Existing Zoning:	PUD (Planned Unit Development, Town Centre PUD)
Existing Use:	Gas Station

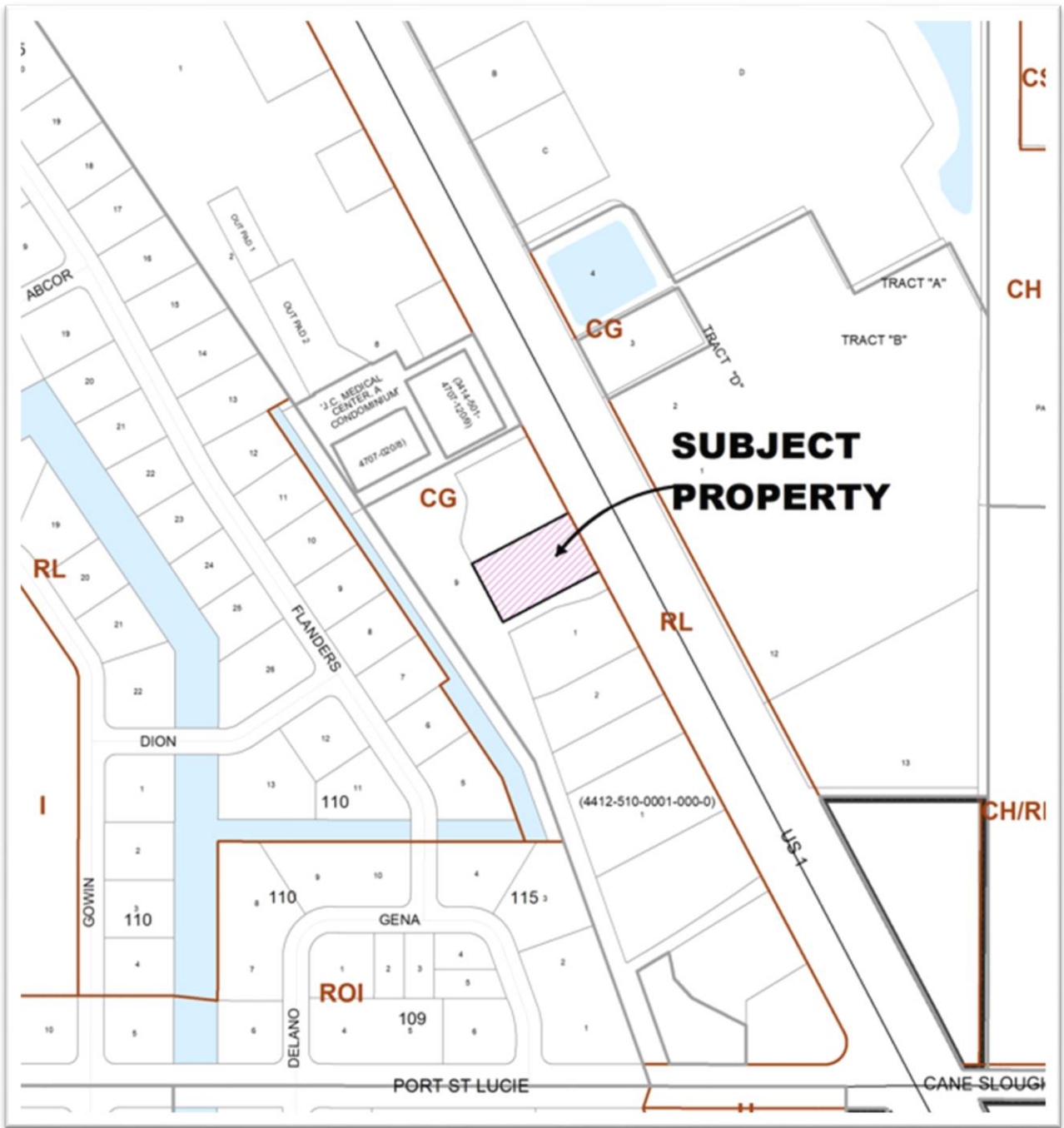
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	CG	PUD	Commercial
South	CG	PUD	Commercial
East	CG	CG	US Hwy 1, commercial
West	CG, RL	PUD, RS-1	Commercial, single-family residential

CG-General Commercial, PUD- Planned Unit Development, RL-Low Density Residential, RS-1 Single-Family Residential



Zoning Map



Future Land Use Map

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: The existing site does not allow for installation of a new sign in a new location without extensive civil changes to accommodate.*
 - *Staff Findings: Special Conditions and circumstances do exist that are peculiar to the subject property. The monument sign was allowed to be 5' from the property line in 1990 when the Site Plan was approved. In 2010, the setbacks were changed to 10' from all property lines making the monument a legal, nonconforming sign. The landscape buffer area along the northern property boundary is approximately 10' wide and will not allow for relocation of the sign. Additionally, other landscaped areas along the roadway internal to the Town Centre PUD currently have vegetation and light fixtures located in them.*
- 2) That the special conditions and circumstances do not result from any action of the applicant.
 - *Applicant's Response: No, the hardship is not self created, the current placement predates the current regulation.*
 - *Staff Findings: Special conditions and circumstances result do not result from the actions of the applicant. The monument sign was required to be 5' from the side property line when the Site Plan was approved. The requirements changed in 2010 with the complete rewrite of Chapter 155.*
- 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: The existing sign was installed prior to the current zoning regulations and has remained in its location without any issue. The modifications do not impact neighboring properties or public safety negatively. The modifications would make the sign conforming in terms of height, and area.*
 - *Staff Findings: The granting of this variance request will not confer special privileges that are denied by this chapter to other lands, buildings, or structures, in the same zoning district. Property owners with nonconforming monument signs can relocate monument signs or request a variance to remove the nonconformity. In this case, space is limited at the front of the property where the signage will be most visible and advantageous.*

- 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: Working with the existing sign placement and have to met all sign criteria per the muni code of this zone with the exception of the setback of the side property line which would create significant cost to the customer causing undue hardship for what was only going to be a face change from manual prices to digital price display.
 - Staff Findings: The monument sign was required to be 5' from the side property line when the Site Plan was approved in 1990. The requirements changed in 2010 to 10 feet setback from all property lines with the complete rewrite of Chapter 155. This site is constrained and relocating the monument sign would be a costly undertaking.
- 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 variance is requesting a 6ft setback from the side property line rather than the 10ft setback currently outlined. All other proposed changes would bring the sign into conformity. The requested variance is the minimum variance that could be requested.
 - Staff Findings: The requested variance of 6 feet is the minimum that will make the proposed improvements to the monument sign possible.
- 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: Replacing the faces and enclosing the base of the existing sign does not pose any detriment to public welfare.
 - Staff Findings: The granting of this variance will not be injurious to the area involved or otherwise detrimental to the public welfare. The monument sign has been in the current location since the site was developed.
- 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: All other zoning conditions will be met; the existing sign is currently 10' high. The faces would be reduced to 32sqft, the digital prices would be connected to existing primary and the base would be enclosed per the definition of a monument sign.
 - 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
- Motion to approve 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 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).