

VARIANCE 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 Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g.: warranty deed, affidavit), a copy of recent survey and a statement addressing each of the attached criteria.**

PRIMARY CONTACT EMAIL ADDRESS: matt.cyrano@kimley-horn.com, sarah.anderson@kimley-horn.com, scopeland@themorgancos.com

PROPERTY OWNER:

Name: VRE PSL Landco LLC
Address: 351 E. Hudgins Street, Grapevine, TX 76051
Telephone No. _____

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

Name: Chris Hollen, P.E.
Address: 445 24th Street, Suite 200, Vero Beach, FL 32960
Telephone No. 772-794-4087 Email chris.hollen@kimley-horn.com

SUBJECT PROPERTY:

Legal Description: PORT ST LUCIE-SECTION 33- TRACT M-LESS THAT PART MPDAF: COMM AT INT OF BECKER RD AND SW COR PARCEL A,TH S 89-52 22 E 422 FT AND POB,TH CONT E 408.91 FT TO CURVE CONC NW, R OF 25 FT,TH NELY ALG ARC 39.36 FT,TH N 00 05 23 W 14 FT,TH S 00 05 23 E 175.2
Parcel I.D. Number: 3420-660-0013-000-1
Address: SW Yamada Drive
Current Zoning Classification General Commercial

Description of requested variance and applicable conditions/circumstances justifying request (continue on separate sheet, if necessary): Provide documentation that the attached variance criteria have been met.

McDonald's Corporation is seeking a variance from the BROD section 3.11.3.C in regards to the building setback. The BROD sets a build-to line of 30'-40' from the Becker Road ROW. The intent for this variance request is to ensure pedestrian safety. If the McDonald's is to be built within the 30-40' build-to line, the drive-thru would have to be situated north of the restaurant. The traffic volume and congestion associated with the drive-thru can cause unsafe conditions for pedestrians.



Signature of Applicant

Chris Hollen, P.E.

Hand Print Name

8/19/2025

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.

03/02/20

VARIANCES

§ 158.295 PLANNING AND ZONING BOARD OR ZONING ADMINISTRATOR (DIRECTOR OF PLANNING AND ZONING) TO HEAR VARIANCES; POWERS AND DUTIES OF BOARD AND ZONING ADMINISTRATOR

(C) Duties of the Zoning Administrator and Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter 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. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator should consider:

- (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;
- (2) That the special conditions and circumstances do not result from any action of the applicant;
- (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;
- (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;
- (5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- (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;
- (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.

VARIANCES

The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter 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. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator will consider the variance criteria in **§ 158.295 (C) 1-7 and consider your responses to the following when making a determination.**

(1) Please explain special conditions and circumstances that 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;

The site falls within the Becker Road Overlay District(BROD) which specifies additional criteria from general planning and zoning requirements.

(2) Please explain if these conditions and circumstances result from actions by the applicant;

These conditions are not a result of actions from the applicant.

(3) Please explain how granting the variance requested will not confer on the applicant special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;

The proposed variance will not grant any special privilege that would be a disadvantage to others within the district. There are no other drive-thru restaurants within this district.

(4) Please explain how a 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;

The proposed McDonald's Restaurant would likely face challenges with customer satisfaction as it may cause hazards which deter returning customers. It is the intent to maintain customer safety and prevent hardships for the company from potential accidents due to site layout.

(5) Please illustrate and explain if the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure;

The proposed variance is the closest the building can be situated from the ROW which allows for the drive-thru lane and landscape buffering. See attached Variance Letter for illustration of site.

(6) Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;

The general intent of the BROD in regards to building setback assumed to provide an aesthetically pleasing layout for the development. The requested variance still maintains a reasonable design for aesthetics and keeps pedestrian safety the top priority.

(7) Please indicate 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.

Acknowledged.



Signature of Applicant

Chris Hollen, P.E.

Hand Print Name

8/19/2025

Date