

# **JAMES FREESE**

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Mr. Cody Sisk, Planner II  
City of Port St. Lucie  
PLANNING & ZONING DEPT.  
121 S.W. Port St. Lucie Blvd Building B – 2nd Floor  
Port St. Lucie, Florida 34984-5099

Re: Project P23-176 Variance for 1915 SW Hayworth Ave  
Owned by Economy Self Storage represented by Lisa Reves, Esquire

Letter from Neighbor and Former Attorney in Support of Variance

Dear Mr. Sisk,

I am a retired attorney. I was admitted to the Florida Bar in 1983 and practiced law for over 30 years in Stuart before electing to be a "retired" Florida attorney. I am no longer eligible to practice law in Florida.

I also own real property at 2732 SW Casella Street, Port St. Lucie, in the same neighborhood as the above project. I was granted a variance for my property and feel that the same treatment should be granted to Economy Self Storage for the following reasons:

The neighborhood consists entirely of commercial structures. There are no residential homes in this area. Bethany Grubbs, Planner II, stated that the neighborhood is incompatible with residential uses. The future land use has been commercial services for many years. I believe the future has arrived and to insist that any lot in this neighborhood is zoned "residential" ignores reality.

The neighborhood is within a "conversion area" which seems to acknowledge that residential lots within certain neighborhoods should be automatically converted to commercial zoning. The requirements of minimum size or road frontage before a lot is converted does not have a reasonable relationship to any permissible governmental objective. Zoning cannot be based on the size of lots or their road frontage or value. All lots

within a designated zone are entitled to equal treatment. Otherwise the zoning amounts to favorable treatment to the owners of lots that meet certain arbitrary criteria.

The police powers do not authorize the city to deny commercial status based on lot size or frontage without a showing that the public interest is being served. I do not see any public benefit to insist that a single lot must remain residential when surrounded by commercial structures but a double lot automatically qualifies for commercial zoning.

For these reasons, I strongly support the granting of the variance requested by Economy Self Storage. Thank you for your consideration.

Very truly yours,

/s/ James Freese

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