

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 Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting.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: _____ Brett@mpldconsulting.com

PROPERTY OWNER:

Name: _____ Florida Coast Medical and Surgical Center Inc
Address: _____ c/o Altus Group PO Box 92129 Southlake, TX 76092
Telephone No. _____ (561) 716-1340

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

Name: _____ Rebecca Miller
Address: _____ 528 Northwood Rd, West Palm Beach, FL 33407
Telephone No. _____ 772-418-1384 _____ Email Rebecca@mpldconsulting.com

SUBJECT PROPERTY:

Legal Description: _____ VERANDA PLAT NO. 8 (PB 100-11) TRACT 1
Parcel I.D. Number: _____ 4434-704-0001-000-3
Address: _____ 310 SE Veranda Falls Way, 370 SE Veranda Falls Way
Current Zoning Classification _____ MPUD - MASTER PLANNED UNIT DEVELOPMENT

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.

We are seeking a variance from the St. Lucie Land PUD Conditions, outlined in Section 5 of the regulation book, to waive the requirement that the St. Lucie Lands Master Property Owners Association (POA) will be responsible for the architectural design control of the hospital and the Medical Office Building.



Signature of Applicant

Rebecca Miller

Hand Print Name

5/3/2024

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 of 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;

A Variance is being sought to waive the requirement of adhering to St. Lucie Land PUD Conditions. The purchased property has separate maintenance agreements in place outside of the POA and the POA was not part of the purchase disclosure nor Warranty Deed.

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

These conditions are findings evidenced during the Entitlement process on the PUD documents of the site and are not resulting from the actions of 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;

Granting the variance requested will not confer on the applicant special privilege as the variance would absolve the property from St Lucie Land PUD Conditions as the purchase of the property indicated in it's legal disclosures..

(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;

A literal interpretation of the provisions in this chapter would deprive the applicant from accepting the responsibility of architectural design control despite being outside of the St. Lucie Land PUD Conditions.

(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 requested variance is the minimum variance that will make possible the reasonable use of the proposed hospital project by adhering the Architectural Design needs of the building.

(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;

Granting the requested variance will be in harmony with the general intent and purpose of the chapter via accepting responsibility for the architectural design control.

(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.

The applicant acknowledges 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.



Signature of Applicant

Rebecca Miller

Hand Print Name

5/3/2024

Date