

# **City of Port St. Lucie**

121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984



## **Meeting Agenda**

**Monday, October 14, 2024**

**12:30 PM**

**Council Chambers, City Hall**

### **Board of Zoning Appeals**

*Shannon M. Martin, Mayor*

*Jolien Caraballo, Vice Mayor, District IV*

*Stephanie Morgan, Councilwoman, District I*

*Dave Pickett, Councilman, District II*

*Anthony Bonna, Councilman, District III*

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**1. Call to Order****2. Roll Call****3. Public Hearings**

- 3.a** Order 24-01, Quasi-Judicial, Public Hearing, an Appeal of the Planning and Zoning Board Denial of a Request for a Variance of 2 Feet to Allow a 10-Foot-High Fence on the Eastern Perimeter of the Property(P24-121).

[2024-946](#)

**4. Adjourn**

Notice: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, if a person decides to appeal any decision made by the City Council, board, agency, or commission with respect to any matter considered at such meeting or hearing, he or she will need a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based. (F.S. 286.0105)

Notice: Public and Press are invited to review all the backup for Council Meetings. Copies are available in the City Clerk's Office on Wednesday, Thursday, Friday, and Monday before Council Meetings. On Meeting nights, a copy of backup material is available in the reception area of City Hall for public review. Please leave the agenda and backup material in good order for others to review.

Notice: Anyone wishing to speak during Public to be Heard is asked to fill out a yellow Participation Card and submit it to the City Clerk. Anyone wishing to speak on any Agenda Item is asked to fill out a green Participation Card and submit it to the City Clerk. Participation Cards are available on the side table in Council Chambers, at the reception desk in City Hall lobby, and in the City Clerk's Office.

Notice: In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodation to participate in this proceeding should contact the City Clerk's Office at 772-871-5157.

As a courtesy to the people recording the meeting, please turn all cell phones to silent or off. Thank you.



## Agenda Summary

2024-946

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**Agenda Date:** 10/14/2024

**Agenda Item No.:** 3.a

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Placement: Other Public Hearings

Action Requested: Motion / Vote

Order 24-01, Quasi-Judicial, Public Hearing, an Appeal of the Planning and Zoning Board Denial of a Request for a Variance of 2 Feet to Allow a 10-Foot-High Fence on the Eastern Perimeter of the Property(P24-121).

Submitted By: Daniel Robinson, Planner III

Strategic Plan Link: The City's Vision to put residents first.

Executive Summary (General Business): The owner is requesting a variance of 2 feet to allow a 10-foot-high fence on the eastern perimeter of their property. Section 158.216(B) of the Zoning Code permits a maximum height of 8 feet for residential fences.

Presentation Information: Staff shall provide a presentation.

Staff Recommendation: That the Council review the decision made by the Planning and Zoning Board on September 5, 2024 and make a determination regarding whether the decision should be affirmed or reversed.

Background: There is 6-foot-high vinyl fence on the north, south, and west sides of the property. The property owner has stated that the fencing on these three sides will meet current code requirements. The fencing on the eastern perimeter consists of 6-foot wooden fencing with 4 feet of plywood added to the top of the fencing. The owner has stated that the plywood will be removed, and the remaining height of the fencing will be constructed with permitted fence material.

Issues/Analysis: On September 5, 2024, the Planning and Zoning Board denied the request for a variance to the fence height on the eastern perimeter of the property. A formal appeal was submitted on September 6, 2024, by Lauren Quintero.

Financial Information: N/A

Special Consideration: N/A

Location of Project: 597 NW Fairfax Avenue

Attachments:

- Planning and Zoning Board Minutes

- Staff report
- Application
- Deed
- Survey
- Staff presentation

*NOTE: All of the listed items in the "Attachment" section above are in the custody of the City Clerk. Any item(s) not provided in City Council packets are available upon request from the City Clerk.*

Internal Reference Number: N/A

Legal Sufficiency Review:  
N/A

# City of Port St. Lucie

## Planning and Zoning Board

### Meeting Minutes

121 SW Port St. Lucie  
Blvd.  
Port St. Lucie, Florida  
34984

Eric Reikenis, Chair, Term 1, Expires 1/1/2027  
Peter Previte, Vice Chair, Term 1, Expires 1/1/2027  
Melody Creese, Chair Pro-Tem, Term 1, Expires 1/1/2027  
Jim Norton, At-Large, Term 1, Expires 1/1/2027  
John "Jack" Doughney, At-Large, Term 1, Expires 1/1/2027  
Greg Pettibon, At-Large, Term 1, Expires 1/1/2027  
Peter Louis Spatara, At-Large, Term 1, Expires 1/1/2027  
Rose Futch, Alternate, Term 1, Expires 1/1/2027

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**Thursday, September 5, 2024**

**6:00 PM**

**Council Chambers, City Hall**

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1. Meeting Called to Order

A Regular Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Chair Reikenis at 6:05 p.m., on September 5, 2024, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Council Chambers, Port St. Lucie, Florida.

2. Roll Call

Members Present:

Eric Reikenis, Chair

Peter Previte, Vice Chair

Melody Creese

Jim Norton

Greg Pettibon

Rose Futch, Alternate

Members Not Present:

John "Jack" Doughney

Peter Spatara

3. Determination of a Quorum

4. Pledge of Allegiance

Chair Reikenis led the assembly in the Pledge of Allegiance.

5. Approval of Minutes

**5.a** Approval of Minutes - August 6, 2024[2024-855](#)

There being no corrections, Mr. Norton moved to approve the minutes. Ms. Creese seconded the motion, which passed unanimously by voice vote.

**6.** Consent Agenda

There was nothing to be heard under this item.

(Clerk's Note: Item 9.a was heard next.)

**7.** Public Hearings - Non Quasi-Judicial**7.a** P24-094 Economy Storage - Comprehensive Plan  
Amendment/Small Scale[2024-742](#)

Location: 1915 SW Hayworth Avenue, which is located south of SW Gatlin Boulevard, north of SW Hayworth Avenue, and between SW Casella Street and SW Buckhart Street.

Legal Description: Port St. Lucie Section 31, Block 1705, Lot 14

This is a request to change the future land use designation from Commercial General (CG) to Service Commercial (CS).

There being no discussion, Mr. Norton moved to table P24-094 Economy Storage – Comprehensive Plan Amendment/Small Scale to a date uncertain. Ms. Creese seconded the motion which passed unanimously by voice vote.

**7.b** P24-124 City of Port St. Lucie - Large Scale Comprehensive  
Plan Text Amendment[2024-845](#)

This is a City initiated application to amend the Infrastructure Element of the City's comprehensive plan to recognize the City's update to its Water Supply Facility Work Plan in accordance with Section 163.3177 (6)(c), Florida Statutes.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bridget Kean, Planner, presented to the Board and stated that this request was to amend policy 4.D.2.1.1 of the Infrastructure Element to adopt the 2022 update to the City's Water Supply Facilities Work Plan. She provided a background of the project and discussed the proposed project.

Chair Reikenis opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Mr. Previte moved to recommend approval of P24-124 City of Port St. Lucie – Large Scale Comprehensive Plan Text Amendment to the City Council. Ms. Creese seconded the motion which passed unanimously by voice vote.

**8.** Public Hearing - Quasi-Judicial

The Senior Deputy City Attorney read the Quasi-Judicial Rules into the record for Items 8.a) through 8.k.) and the Deputy City Clerk swore in staff and applicants.

**8.a** P24-017 Starbucks - Eastport Plaza - Drive-Thru - Special

[2024-858](#)

Exception Use

Location: The property is located 9022 S US Highway 1.

Legal description: A portion of Parcel 7, Second Replat of Port St. Lucie Section 67 (PB 62, PG 36)

The request is for approval of a Special Exception Use (SEU) to allow a drive-thru, associated with a restaurant, in the General Commercial (CG) zoning district per Section 158.124(C)(13) of the Zoning Code.

Chair Reikenis inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bridget Kean, Planner, stated that she was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She presented to the Board and stated that the request was for approval of a Special Exception use (SEU) to allow a drive-through, associated with a restaurant, in the General Commercial (CG) Zoning District per Section 158.124(c)(13) of the Code of Ordinances. She exhibited a conceptual plan, elevation, traffic impact statement, and evaluation of SEU criteria.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Phoebe Prentner, Cotleur & Hearing, discussed the site location and highlighted the criteria that was addressed on the site.

Chair Reikenis opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Ms. Creese moved to recommend approval of P24-017 Starbucks – Eastport Plaza – Drive-Thru – Special Exception Use to the City Council. Vice Chair Previte seconded the motion which passed unanimously by voice vote.

**8.b** P24-050 Economy Self Storage - Rezoning

[2024-498](#)

Location: The property is located at 1915 SW Hayworth Avenue.

Legal Description: Port St Lucie Section 31, Block 1705, Lot 14

This is a request to rezone 0.23 acres from the Single Family Residential (RS-2) zoning district to the Service Commercial (CS) zoning district.

There being no discussion, Mr. Norton moved to table P24-050 Economy Self Storage - Rezoning to a date uncertain. Mr. Pettibon seconded the motion which passed unanimously by voice vote.

(Clerk's Note: Item 8.h was heard next.)

**8.c** P24-054 Western Grove 4 - Master Planned Unit[2024-863](#)

## Development (MPUD) Rezoning and Concept Plan

Location: The property is located in the northeast quadrant of the intersection of Tradition Parkway and future N/S A roadway.

Legal Description: Tradition 4 Plat, Parcel 4C

This is a request to rezone approximately 4.89 acres of property from the zoning designation of St. Lucie County Agricultural -5 (SLC AG-5, 1 dwelling unit per five acres) to City of Port St. Lucie Master Planned Unit Development (MPUD) for a project known as Western Grove -4 MPUD, providing for a zoning regulation book and concept plan. The proposed MPUD will allow for a mix of retail, office, and restaurant type uses.

(Clerk's Note: This item was heard after item 8.h.)

Chair Reikenis inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bridget Kean, Planner, stated that she was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She presented to the Board and stated that the request was to rezone approximately 4.89 acres of a property from St. Lucie County Agricultural 5 to the zoning designation of City of Port St. Lucie Master Planned Unit Development (MPUD). She discussed the future land use and zoning, proposed project, land use consistency, and traffic statement. Derrick Phillips, Lucido & Associates, represented the applicant.

Chair Reikenis opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Mr. Norton moved to recommend approval of P24-054 Western Grove 4 – Master Planned Unit Development (MPUD) Rezoning and Concept Plan to the City Council. Ms. Creese seconded the motion which passed unanimously by voice vote.

**8.d** P24-080 Garrick, Gladwyn and Latoya - Rezoning[2024-643](#)

Location: The property is located at 2721 and 2741 SW Campana Street.

Legal Description: Lots 3, 4, and 5, Block 1708, Port St. Lucie Section 31

This request is for the rezoning of 0.74 acres from Single-Family Residential (RS-2) to Warehouse Industrial (WI).

Chair Reikenis inquired if there was any ex-parte communication, to which the Board responded in the negative.



(Clerk's Note: A PowerPoint presentation was shown at this time.) Sofia Trail, Planner, stated that she was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She presented to the Board and stated that the request was to rezone 0.74 acres from Single-Family Residential (RS-2) to Warehouse Industrial (WI) to be consistent with the City's Comprehensive Plan and current Future Land Use. She discussed information on the surrounding areas, the Land Use Conversion Manual, and justification of the proposed project. Applicants Latoya & Gladwyn Garrick were present.

Chair Reikenis opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Ms. Creese moved to recommend approval of P24-080 Garrick, Gladwyn and Latoya – Rezoning to the City Council. Mr. Pettibon seconded the motion which passed unanimously by voice vote.

**8.e P24-082 McNeal - Variance**

**2024-856**

Location: The property is located at 595 SW St. Johns Bay.

Legal Description: St. Lucie West Plat No. 71 First Replat at Lake Charles, Block 5, Lot 8

The request is to grant a variance of 4.42' to allow a rear yard setback of 7" (0.58') for a proposed patio addition and screened enclosure.

Chair Reikenis inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: Planner Sofia Trail presented this item on behalf of Planner Marissa Da Breo-Latchman.)

(Clerk's Note: A PowerPoint presentation was shown at this time.) Sofia Trail, Planner, stated that she was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She presented to the Board and stated that the request was to allow a rear setback of 7" (0.58') from the rear property line for a proposed patio addition and screen enclosure. She exhibited the current survey and discussed the proposed conditions.

Senior City Attorney Elizabeth Hertz clarified that they were discussing the City Ordinance, not the HOA, and she, Planning & Zoning Director Mary Savage-Dunham, and the Board held a brief discussion on HOA procedures versus City procedures and the measurements of the proposal, and Ms. Savage-Dunham advised that the HOA provided a letter in favor of the proposal. City Staff advised that the drainage would be within the St. Lucie West Services District. Ms. Savage-Dunham clarified that the typical process was that relief was requested prior to issuance of the permit or construction, but that the situation before them at this hearing was not

uncommon, so as the Zoning Administrator, the City Code allowed her to sign off on administrative variances for minor situations.

Gerald Quartucio stated that he was the applicant's neighbor and Chairman of the Modification Committee for Lake Charles, and he wished to present to the Board. (Clerk's Note: An exhibit was provided at this time.) He exhibited photos of various homes with their setbacks in the community and noted that they provided an approval letter knowing that the City may or may not approve the setback. Mr. Quartucio then provided a history of the previous variance and installation. Vice Chair Previte advised that this project could be finished without the variance and clarified the request. Ms. Creese inquired as to why they did not take this into consideration when building the pool, to which applicant Mr. McNeal replied that they had wanted the walls to stay, but as the pool progressed, they decided that they did not need them anymore. (Clerk's Note: The applicant was not announced on record.)

Chair Reikenis opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Mr. Norton moved to approve P24-082 McNeal - Variance. Ms. Creese seconded the motion which passed by roll call vote with Chair Reikenis, Mr. Norton, Mr. Pettibon, Ms. Futch, and Ms. Creese in favor and Vice Chair Previte opposed.

(Clerk's Note: Item 8.g was heard next.)

- 8.f** P24-099 Destination at Tradition - Master Planned Unit  
Development (MPUD) Rezoning and Concept Plan  
Location: The subject property is generally located west of Interstate 95, south of SW Destination Way, east of SW Village Parkway and north of Marshall Parkway.  
Legal Description: All of Southern Grove Plat No. 46; Conservation Tracts 4&5 and Utility Sites 4&5, Southern Grove Plat No. 14  
A request to rezone approximately 226 acres of land from the Tradition Commerce Park North MPUD to the Destination at Tradition MPUD

[2024-868](#)

(Clerk's Note: This item was heard after item 8.g.)

Chair Reikenis inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bridget Kean, Planner, stated that she was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and

requested that it be entered into the record. She presented to the Board and stated that the request was to rezone approximately 226 acres of land from the Tradition Commerce Park North MPUD to the Destination at Tradition MPUD. She discussed the background of the project, the proposed project, and land use consistency. Dennis Murphy, Culpepper & Terpening, represented the Applicant.

Chair Reikenis opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Ms. Creese moved to recommend approval of P24-099 Destination at Tradition – Master Planned Unit Development (MPUD) Rezoning and Concept Plan to the City Council. Mr. Norton seconded the motion which passed unanimously by voice vote.

**8.g** P24-100 Tradition Commerce Park North - Master Planned Unit Development (MPUD) Amendment No. 4

[2024-867](#)

Location: The subject property is generally located west of Interstate 95, south of SW Discovery Way, east of SW Village Parkway and north of Marshall Parkway.

Legal Description: A parcel of land lying in Sections 15, 22, 23, 26 and 27 Township 37 South, Range 39 East

This is a request for a major amendment (4th Amendment) to the MPUD zoning regulation book and concept plan for Tradition Commerce Park North MPUD.

(Clerk's Note: This item was heard after item 8.e.)

Chair Reikenis inquired if there was any ex-parte communication, to which Chair Reikenis, Vice Chair Previte, Ms. Futch, Mr. Pettibon, and Ms. Creese responded in the negative, and Mr. Norton responded in the affirmative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bridget Kean, Planner, stated that she was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She presented to the Board and stated that the request was for a major amendment (4th amendment) to the MPUD Zoning Regulation book and Concept Plan for Tradition Commerce Park North MPUD, and that they were dividing the MPUD into two sections and removing 226 acres from the MPUD. Dennis Murphy, Culpepper & Terpening, represented the Applicant.

Chair Reikenis opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Mr. Pettibon moved to recommend approval of P24-100 Tradition Commerce

Park North – Master Planned Unit Development (MPUD) Amendment No. 4 to the City Council. Mr. Norton seconded the motion which passed unanimously by voice vote.

**8.h** P24-102 Verano South - SW Pietra Way to SW Macelli Way -  
Street Name Change

[2024-795](#)

This is a request to change a duplicate street name, SW Pietra Way, within the Verano Development to SW Macelli Way.

(Clerk's Note: This item was heard after item 8.b.)

Chair Reikenis inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Daniel Robinson, Planner, stated that he was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. He presented to the Board and stated that the request was change a duplicate street name within the Verano Development. He provided an analysis, noting that the new name had been approved by St. Lucie County, and that all of the properties were owned by a single entity. Leah Heinzelmann, Cotleur & Hearing, represented the applicant.

Chair Reikenis opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Vice Chair Previte moved to recommend approval of P24-102 Verano South – SW Pietra Way to SW Macelli Way – Street Name Change to the City Council. Ms. Creese seconded the motion which passed unanimously by voice vote.

(Clerk's Note: Item 8.c was heard next.)

**8.i** P24-108 Joho Properties, LLC - Variance

[2024-851](#)

Location: The property is located at 8979 S US Highway 1.

Legal Description: St. Lucie Gardens 35 36 40 Block 1, part of Lot 10

This is a request to grant a variance from Section 158.060(E)(2) of the Zoning Code which requires a minimum lot size of 20,000 SF and a minimum lot width of 100' for all permitted and special exception uses except Single Family Residential uses.

(Clerk's Note: Planner Bridget Kean presented this item on behalf of Planner Marissa Da Breo-Latchman.)

Chair Reikenis inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Bridget Kean, Planner, stated that she was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She presented to the Board and stated that the request was to allow for the development of a property for a Permitted or Special Exception Use (excluding a single-family residential use) with a lot size of 10,018.8 square feet in a General Use Zoning District. She stated that the proposed use was for camping and she discussed the project description and project background, noting that a PUD could not be located in City records. She also provided information on the General Use Zoning District and staff findings. Upon the Board's questioning, Ms. Savage-Dunham clarified that it was not standard practice to add conditions to variances.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Adam Hart, Engineer, represented the Applicants and presented to the Board. He provided an executive summary and noted that they could not find a record of why this piece of land was not sold/bought. He discussed the existing parcel history, the 2012 Canoe Launch Project, zoning requirements for development, camping area layout and use, feasibility study, and private property encroachments.

Attorney Hertz clarified that this was not going to be considered a permanent residence for building purposes, and Ms. Savage-Dunham also clarified that the motion of support could be modified to say that the Board granted relief for the purposes of non-profit camping use as described by the applicant. Mr. Hart stated that there would be staff on-site to manage the property, as long as other people were present, in case of an emergency, and he informed that there would be minimal environmental impact. He then discussed the additions of utilities, and Ms. Kean added that the Utilities Department would review the site as part of the Site Plan review. Ms. Savage-Dunham advised that this was the first time that staff was hearing of the uses for the site but clarified that the Board was only voting on the relief for property use at this time.

Chair Reikenis opened the Public Hearing and Sherry McCorkle, South Florida Water Management District, spoke in opposition of approval of the proposed variance, stating that they did not want anything built on the site. Wade Murphy, partner/owner, further elaborated on the presentation and stated that they were entitled to have their rights to this lot restored. He also noted that this was the first time that they had heard from the South Florida Water Management District.

Attorney Hertz announced that they had received new information at this hearing regarding the use of the property and Ms. Savage-Dunham suggested that this item be tabled so that the additional testimony could be reviewed by staff, including the statement regarding the applicant's rights being taken away. Mr. Hart clarified that they were only seeking the variance for relief to use the property.

There being no further public to be heard, Chair Reikenis closed the Public Hearing. There being no discussion, Ms. Creese moved to table P24-108 Joho Properties, LLC – Variance to the October 2, 2024 Planning & Zoning meeting. Mr. Norton seconded the motion which passed unanimously by voice vote.

**8.j** P24-115 673 & 691 SW Whitmore Drive - Rezoning

[2024-844](#)

Location: The property is located at 673 and 691 SW Whitmore Drive.

Legal Description: Port St Lucie Section 13, Block 621, Lots 5 and 6

This is a request to rezone from the Professional (P) to Service Commercial (CS) zoning district.

Chair Reikenis inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Sofia Trail, Planner, stated that she was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. She presented to the Board and stated that the request was for the rezoning of approximately 0.56 acres from Professional (P) to Service Commercial (CS) to be consistent with the City's Comprehensive Plan, and she discussed the surrounding areas and justification. Todd Mowery, RedTail, represented the applicant.

Chair Reikenis opened the Public Hearing. There being no public to be heard, he closed the Public Hearing. There being no discussion, Ms. Creese moved to recommend approval of P24-115 673 & 691 SW Whitmore Drive - Rezoning to the City Council. Mr. Norton seconded the motion which passed unanimously by voice vote.

**8.k** P24-121 Lauren & Norma Quintero - Variance

[2024-398](#)

Location: The property is located at 597 NW Fairfax Avenue.

Legal Description: Port St. Lucie Section 25, Block 52, Lot 1

This is a request for a variance of 2 feet to allow a 10-foot-high fence on the eastern perimeter of the property.

Chair Reikenis inquired if there was any ex-parte communication, to which the Board responded in the negative.

(Clerk's Note: A PowerPoint presentation was shown at this time.) Daniel

Robinson, Planner, stated that he was sworn in and that the file was submitted to the City Clerk's Office 5 days prior to the meeting and requested that it be entered into the record. He presented to the Board and stated that the request was for an additional 2 feet to allow a 10-foot fence on the eastern perimeter of the property. He provided a background of the item with exhibits of the fenced area.

(Clerk's Note: The applicant was not announced on record.) Applicant Ms. Quintero spoke to the Board on harassment and inappropriate behaviors enacted by her neighbor and stated that the addition of the lattice fence has helped stop his behavior. She also informed that she contacted law enforcement, but was advised that there was nothing they could do because he was on his property. Chair Reikenis then opened the Public Hearing. There being no public to be heard, he closed the Public Hearing.

Mr. Pettibon discussed possible conditions for the variance to include verbiage regarding if the neighbor eventually moves, and Attorney Hertz advised that they could put forth a variance with a timeline or condition of a new variance if that scenario happens. Ms. Savage-Dunham stated that they could add a condition that this variance be extinguished if this applicant sells their house, but that it would be difficult to monitor. The Board and staff then held discussions on granting the variance with conditions on either party moving or the property is transferred. Mr. Previte stated that the variance should be applied to the property, not the owner, and Chair Reikenis stated that he felt the Board was being asked to grant a variance outside the scope of their duty and that it should be law enforcement that handles this issue. He also stated that granting this would set a bad precedent and that the property owner had other options available.

Attorney Hertz recommended that the Board review the criteria for granting the variance when taking the evidence in and look at the different stipulations in the code. The Board discussed adding vegetation as an alternative option and previous variance items that had been approved. Attorney Hertz advised that other variance items should not be used to make a determination for this item. The Board then provided further opinions on approval of the item.

There being no further discussion, Mr. Norton moved to approve P24-121 Lauren & Norma Quintero – Variance. Mr. Pettibon seconded the motion which failed by roll call vote with Vice Chair Previte, Ms. Futch, Mr. Norton, and Mr. Pettibon in favor and Chair Reikenis and Ms. Creese opposed.

## 9. New Business

**9.a** Update on Changes to the City's Boards and Committees[2024-883](#)

Deputy City Attorney Carly Fabien advised the Board of the changes made to the Boards & Committees resolution which included rotating schedules for alternates, clarification on rules for voting members, and staggered Board terms and classes.

**9.b** Review of Oak Hammock Improvements Proposed Florida Recreation Development Assistance Program (FRDAP)[2024-908](#)

(Clerk's Note: This item was heard after item 6.)

(Clerk's Note: A PowerPoint presentation was shown at this time.) Sabrina McLeod, Grants & Strategic Initiatives Project Manager, stated that they would be applying for the Florida Recreation Development Assistance Program (FRDAP) Grant and a requirement was that it be heard before a Board. She discussed the grant, stating that they would be requesting \$200,000 for playground and park updates for Oak Hammock, and she provided highlights for the improvements. She noted that there currently were also additional allocations in the City's CIP.

There being no discussion, Mr. Norton moved to approve for City Staff to apply for the FRDAP Grant. Mr. Pettibon seconded the motion which passed unanimously by voice vote.

**10.** Old Business

There was nothing to be heard under this item.

**11.** Public to be Heard

Resident David Lipp spoke on projects P24-033 and P24-070 and issues with toxins contaminating the area. Mr. Pettibon inquired if they were allowed to hear this as it related to a project that had a current application, to which Ms. Savage-Dunham advised that residents could have discussion on any topic during Public to be Heard, but typically if it was a topic that was coming before the Board they would not hear it. She added that until he finished speaking, she would not know if the topic was in relation to a topic that was coming before the Board. Attorney Hertz reiterated that they did not know how this would relate to the other item, but the Board may want to refrain from engaging in back-and-forth discussions out of caution. Mr. Lipp continued with his statements and added that the Department of Environmental Protection had been notified.

**12.** Adjourn

There being no further business, the meeting adjourned at 9:09 p.m.



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Eric Reikenis, Chair

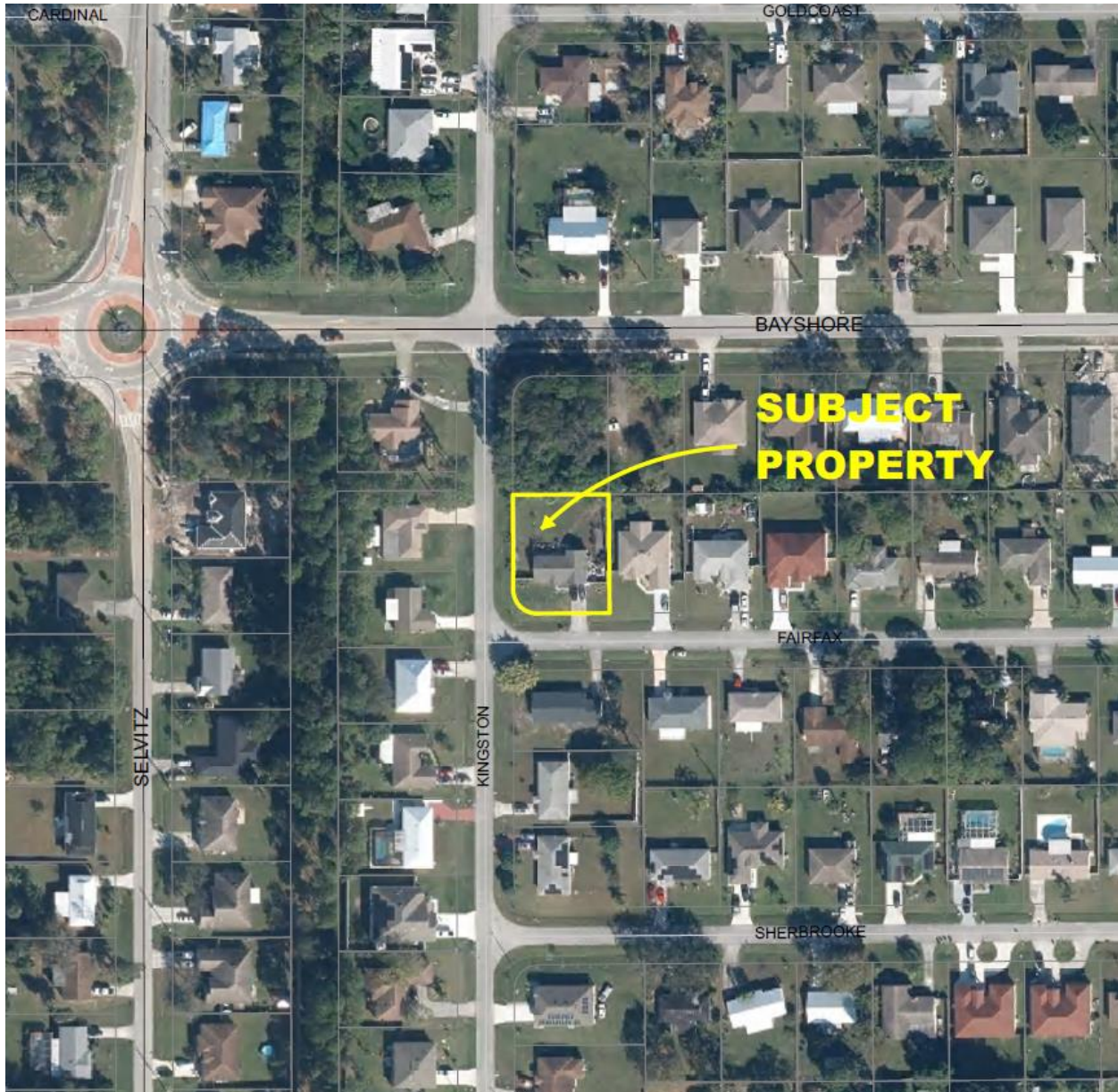
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Jasmin De Freese, Deputy City Clerk



PLANNING AND ZONING BOARD STAFF REPORT  
September 5, 2024, Planning and Zoning Board Meeting

Lauren & Norma Quintero  
Variance (Fence Height)  
P24-121



Project Location Map

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**SUMMARY**

Applicant's Request:	To grant a variance of two (2) feet to allow a 10-foot- high fence on the eastern perimeter of the property.
Application Type:	Variance, Quasi-Judicial
Applicant:	Lauren & Norma Quintero
Property Owner:	Lauren & Norma Quintero
Address:	597 NW Fairfax Avenue
Location:	The property is located on the northeast corner of Kingston Street and Fairfax Avenue.
Project Planner:	Daniel Robinson, Planner III

**Project Description**

The owner is requesting a variance of two (2) feet to allow a 10-foot- high fence on the eastern perimeter of their property. The existing plywood shall be removed and replaced with approved fencing material as the variance for type of material is not part of the request. Section 158.216(B) of the Zoning Code permits a maximum height of eight (8) feet for residential fences.

**Background**

The subject property is located on the northeast corner of Kingston Street and Fairfax Avenue. The property owner has stated that they are requesting the variance to the fence height due to their inability to feel safe with a shorter fence. The property owner has included their concerns with the application.

There are several code violations due to the current fence installed at this location. There is 6-foot-high vinyl fence on the north, south, and west sides of the property. The fencing has 4-foot lattice added to the top of the vinyl fencing. The property owner has stated that the fencing and lattice on these three sides will be changed to meet current code requirements.

The fencing on the east perimeter consists of 6-foot wooden fence with 4-foot plywood added to the top of the fencing. The owner has stated that the plywood will be removed, and the remaining height of the fencing will be made with permitted material.

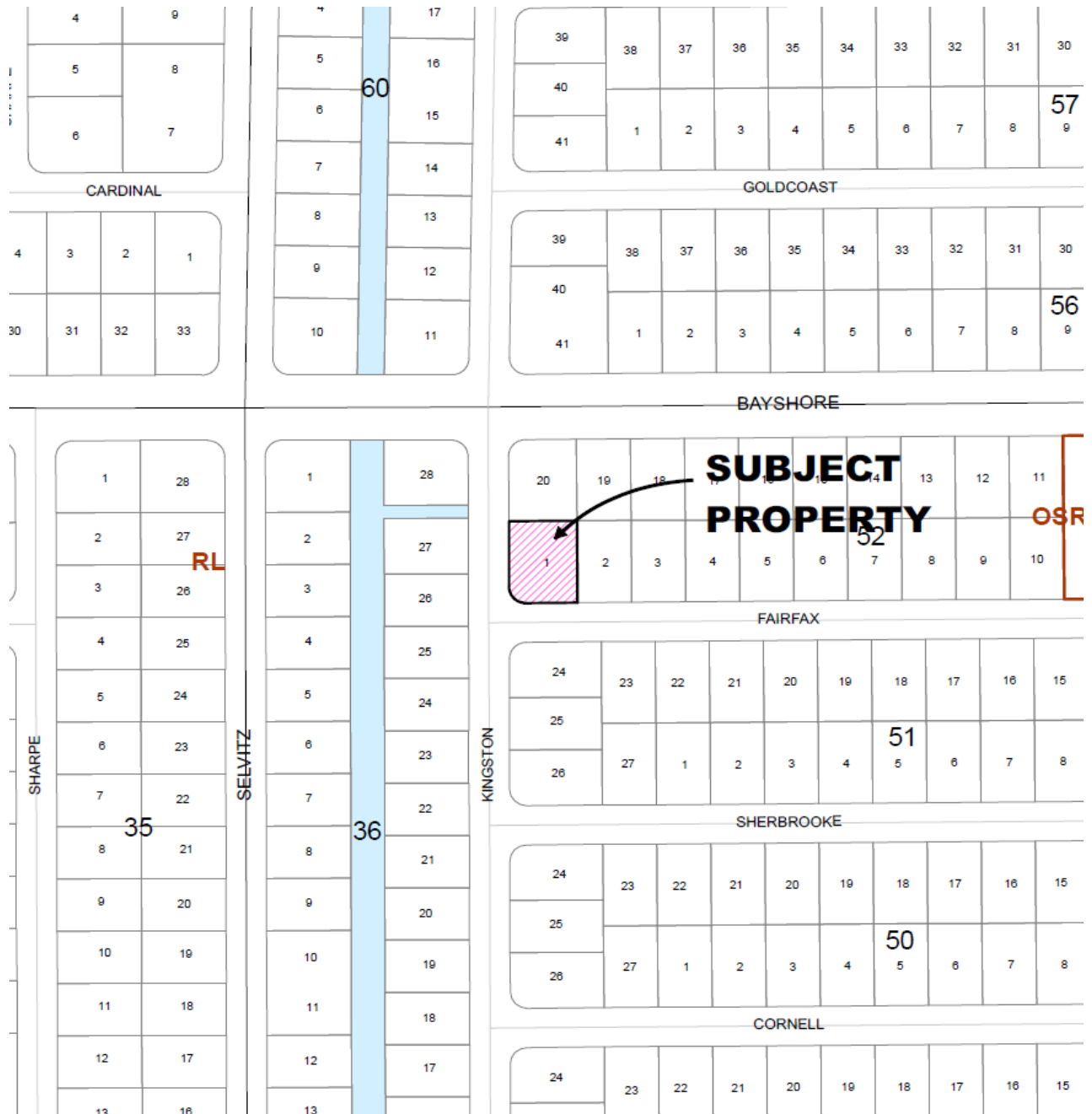
Also on the east perimeter in the front yard is a fence made of several different materials and covered in a black tarp material that must be removed.

**Review Criteria**

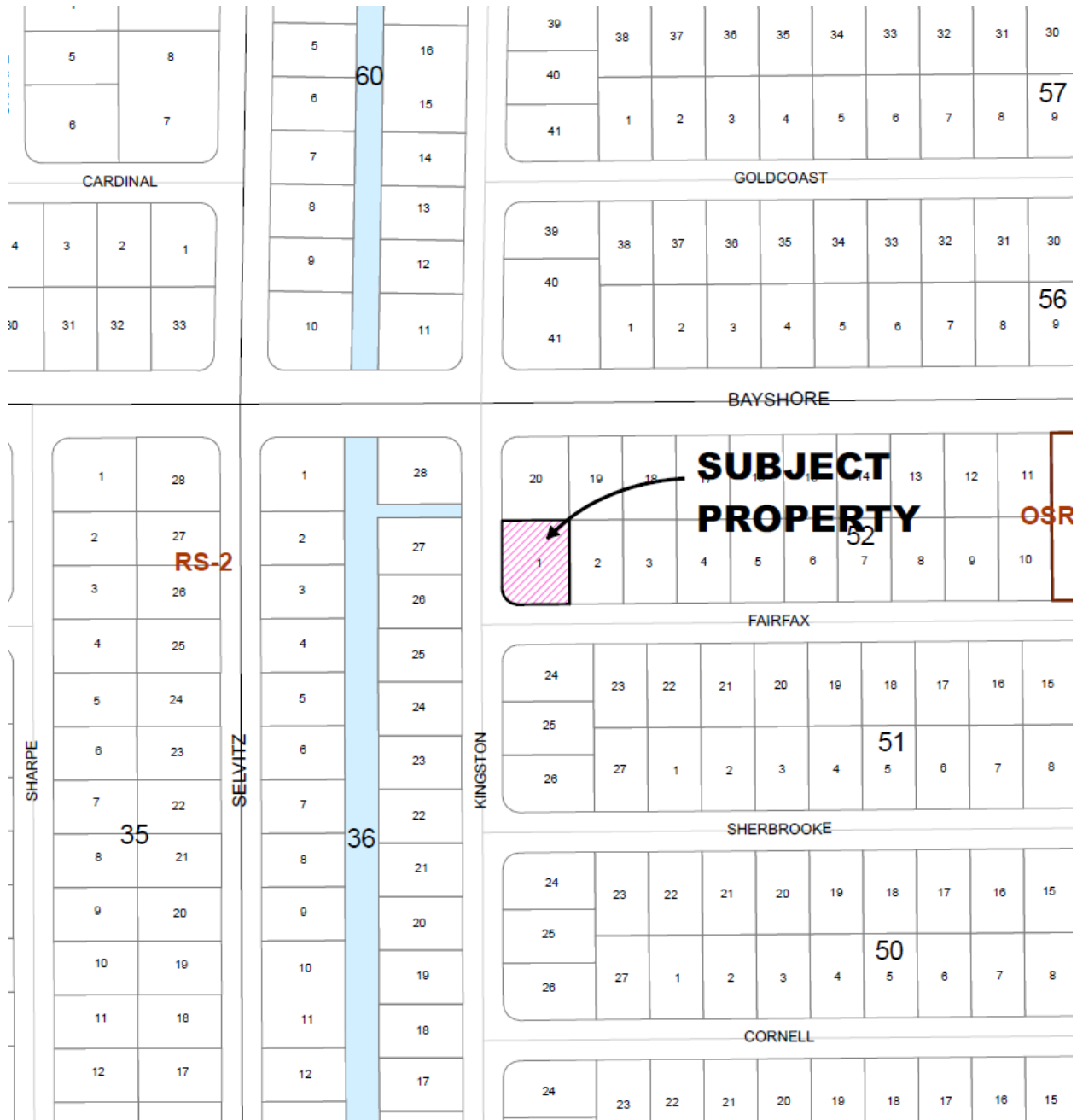
An application for a variance is reviewed for consistency with Article XV of the Zoning Code, Sections 158.295 through 158.299. Final action on the application (approval or denial) is in the form of an Order of the Planning and Zoning Board following a quasi-judicial public hearing. A vote of approval by five (5) members of the Planning and Zoning Board is required to grant a variance.

**Public Notice Requirements**

Public notice was mailed to owners within 750 feet on April 26, 2024, and the file was included in the ad for the Planning & Zoning Board's agenda.



## Future Land Use



## Existing Zoning

### **Location and Site Information**

Parcel Number:	3420-620-1360-0001
Property Size:	+/- 0.29 acres
Legal Description:	Port St. Lucie-Section 25- BLK 52 Lot 1
Address:	597 Fairfax Avenue
Future Land Use:	RL (Low Density Residential)
Existing Zoning:	RS-2 (Single-Family Residential)
Existing Use:	Single-Family Residence

### **Surrounding Uses**

Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Vacant
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

## **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: I need the fence to be 10 feet to fully be protected with privacy from the next-door neighbor stalking behavior.*
  - *Staff Findings: The granting of this variance request will confer special privilege that is denied by this chapter to other lands in the same zoning district.*
- 2) That the special conditions and circumstances do not result from any action of the applicant.
  - *Applicant's Response: Yes, I need the fence to be an extra 2 feet.*
  - *Staff Findings: No 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.*

- 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 gives me special privilege that my family requires to feel safe.*
  - Staff Findings: *The granting of this variance request will confer special privilege that is denied by this chapter to other lands 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.
- Applicant's Response: *8 feet isn't tall enough. He still looks in with his camera and tree.*
  - Staff Findings: *As far as the height of the fence, the literal interpretation of the provisions of the chapter would not deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would not work unnecessary and undue hardship on the applicant. All properties zoned RS-2 zoned lots are limited to 8-foot-high fences per the Zoning Code.*
- 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: *Yes, minimum is 10 feet.*
  - Staff Findings: *The applicants request for the height variance is the maximum height of their fence that is currently installed as per the applicant's application. The existing fence is made of several materials. There is 6-foot fencing of wood and 4 feet of added material that consists of plywood. The use of several materials for fencing is not the most reasonable use of the structure. Plywood is not a permitted material for fencing and lattice design is permitted on top of fencing if its less than two (2) feet in height and the overall height of the fence and lattice work does not exceed the permitted fence height.*
- 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: *We will grow beautiful bougainvillea and sky vines on trellis on the rest of the sides. We already started five bougainvillea and two sky vines.*
  - Staff Findings: *Granting the variance will not be in harmony with the general intent and purpose of the chapter. 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.
- Applicant's Response: *I understand that I will go through anything that is needed to grant the variance.*

- 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
- 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:

- 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).***



## 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:** Lauveraquintero15@gmail.com

### PROPERTY OWNER:

Name: Lauren Quintero  
Address: 597 NW Fairfax Ave, Port Saint Lucie  
Telephone No. (561) 674-8249 34983

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

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone No. \_\_\_\_\_ Email \_\_\_\_\_

### SUBJECT PROPERTY:

Legal Description: Residential  
Parcel I.D. Number: 3420-620-1360-001  
Address: 597 NW Fairfax Ave PSL 34983  
Current Zoning Classification Lot 1 Block 52, Port Saint Lucie Section 25

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.

My Family and I don't feel safe and we are scared.  
My neighbor doesn't stop. He watches us from his  
windows. Everytime we go out to the front or back yard  
A few seconds later, he comes out often gives us  
a mean intimidating stare. It's gotten worst more

Lauren Quintero  
Signature of Applicant

Lauren Quintero  
Hand Print Name

3/11/24  
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

Consistent over two years, so we felt that our only options are is to build a 10 foot fence, or sell and move. He has a camera pointing in our back yard on side and also climbs a tree to look over at us especially when we had our pool. The 10 foot fence completely blocks him from voyeuring into our property, we had the fence up for 3 mths and we finally got some peace and privacy. Until he called or got someone else to make a complaint on our fence. On Feb. 12th I walked my dog after staying inside for 3 mths, he must've seen me. Sure enough he made the complain two days later. We feel that he wants to look back in so he can see what we are doing. He has copied / mimics our routines, and makes living very uncomfortable and scary. I also have a child with Autism that I have to protect more. He also does the same things to my fiancé.



On his side next to us on side house, He put a bright stadium light Stags on all night. So we put a tarp up to block his light, and so he can't follow us when we leave the house. Please for our safety and privacy can we keep the Tarp, the 10ft fence, and the Trellis to keep the bougainvilleas & skyvines nice and neat? The tarp is temporary, until bushes/Clusias grow tall. I want to also request that when the clusias grow tall that we can keep them 10ft as well, so he can't see us when we pull in and out of the driveway. Thank you for your time and consideration.

I have a police Report  
pictures of the flowers planted  
A picture of him pretending to  
cut a tree from March 7, 2022

## 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;

I Need the fence to be 10 ft to fully be protected with privacy from the next store neighbor stalking behavior

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

Yes I need the fence to be an extra 2 feet

(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 this variance gives me special privilege that my family requires to feel safe.

(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;

8 feet isn't tall enough He still looks in with his camera and tree.

(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;

Yes minimum is 10 ft

(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;

We will grow beautiful bougainvilleas and sky vines on trellis on the rest of the sides. We already started 5 bougainvilleas & sky vines.

(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.

I understand that I will go through anything that is needed to grant the variance.

Juan C. Cordero  
Signature of Applicant

Lauren Quintero  
Hand Print Name

3/11/24  
Date



Prepared by:

Adrianna La Kam  
HomePartners Title Services LLC  
1535 Three Village Road  
Weston, FL 33326

Return to:

HomePartners Title Services LLC  
Adrianna La Kam  
1535 Three Village Road  
Weston, FL 33326

Incident to the issuance of a title insurance commitment.

File Number: 180-10148

Consideration: \$159,900.00

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(Space Above This Line For Recording Data)

**Warranty Deed**

**This Warranty Deed made this 9th day of May, 2018, by**

**Kym Louis Fuchs a/k/a Kym L. Fuchs and Donald Otto Fuchs a/k/a Donald O. Fuchs, wife and husband**  
whose post office address is 181 W. Carribean, Port Saint Lucie, FL 34952, Grantor

to

**Lauren Quintero, a single woman, and Norma Quintero, a single woman, as joint tenants with right of survivorship**  
whose post office address is 597 NW Fairfax Avenue, Port Saint Lucie, FL 34983, Grantees

(Whenever used herein the terms "grantor" and "grantee" include all the parties to this instrument and the heirs, legal representatives, and assigns of individuals, and the successors and assigns of corporations, trusts and trustees)

**Witnesseth**, that said grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations to said grantor in hand paid by said grantee, the receipt whereof is hereby acknowledged, has granted, bargained, and sold to the said grantee, and grantee's heirs and assigns forever, the following described land, situate, lying and being in the **St. Lucie County, Florida**, to-wit:

Lot 1, Block 52, PORT ST. LUCIE SECTION TWENTY FIVE, according to the map or plat thereof, as recorded in Plat Book 13, Page(s) 32, 32A through 32I, of the Public Records of St. Lucie County, Florida.

**Parcel Identification Number: 3420-620-1360-000-1**

**Together** with all the tenements, hereditaments and appurtenances thereto belonging or in anywise appertaining.

**To Have and to Hold**, the same in fee simple forever.

And the grantor hereby covenants with said grantee that the grantor is lawfully seized of said land in fee simple; that the grantor has good right and lawful authority to sell and convey said land; that the grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever; and that said land is free of all encumbrances, except taxes for the year of closing and subsequent years, restrictions, reservations, covenants and easements of record, if any.

In Witness Whereof, grantor has hereunto set grantor's hand and seal the day and year first above written.

Signed, sealed and delivered in our presence:

Michael L. Angell  
Witness Signature:

Printed Name: Michael L. Angell

Kym Louise Fuchs  
Witness Signature:

Kym Louise Fuchs

Jodi L. Castoro  
Witness Signature:

Printed Name: Jodi L. Castoro

Donald Otto Fuchs  
Witness Signature:

Donald Otto Fuchs

State of Florida

County of St. Lucie

The foregoing instrument was acknowledged before me this 9 day of May, 2018, by **Kym Louise Fuchs and Donald Otto Fuchs, wife and husband**, who ( ) are personally known to me or ( ) have produced Florida Drivers License as identification.

Jodi L. Castoro  
Notary Public  
Printed Name: Jodi L. Castoro  
My Commission Expires: 7/9/21



TYPE OF SURVEY:	BOUNDARY	PLOT PLAN	U/C TIE IN	FOUNDATION	FINAL
COMPLETED ON:	12-02-22				

LEGAL DESCRIPTION:

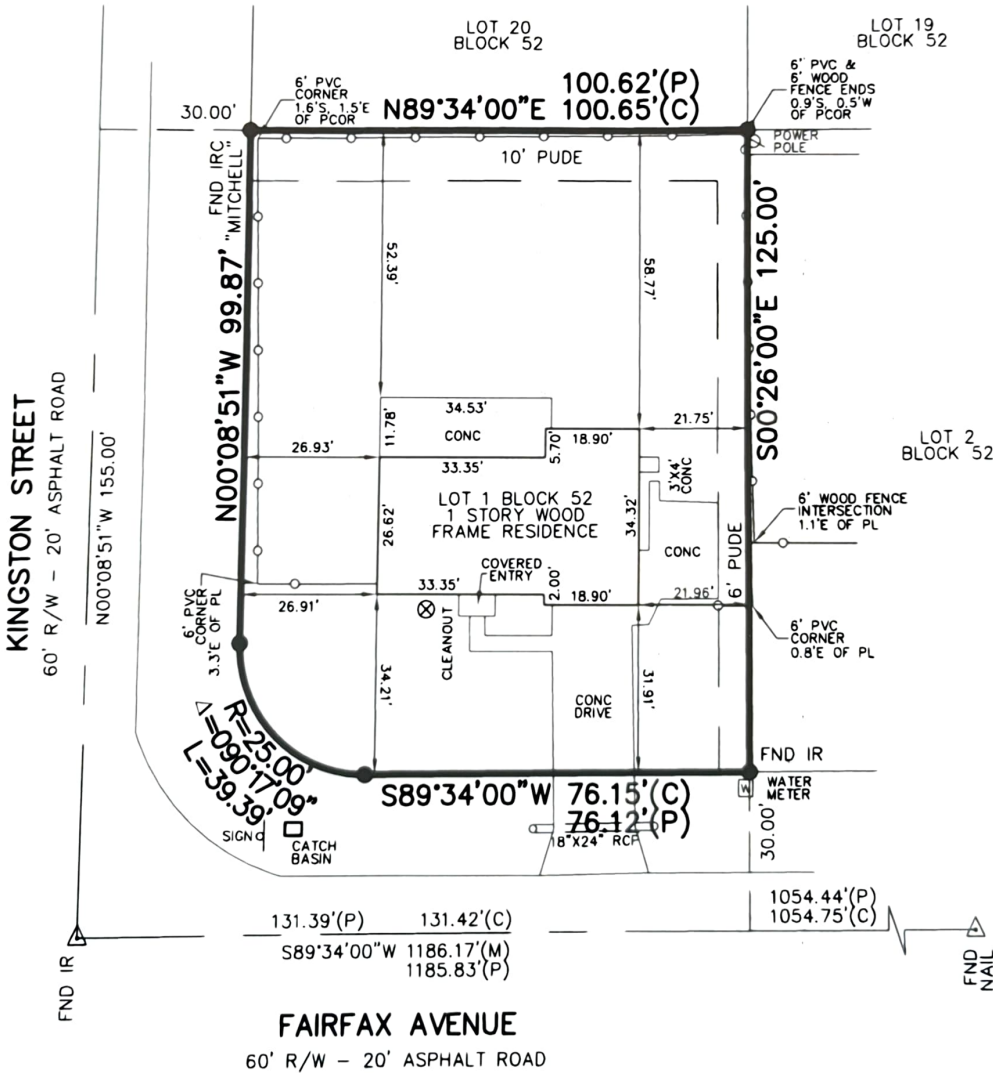
LOT 1 IN BLOCK 52 OF PORT ST. LUCIE SECTION TWENTY FIVE, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 13, PAGE 32, PAGES 32A THROUGH 32I, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.

ABBREVIATIONS:

- (C) = CALCULATED
- (M) = MEASURED
- (P) = PLATTED
- CONC = CONCRETE
- FFE = FINISHED FLOOR ELEVATION
- FND = FOUND 5/8" IRON REBAR
- IRC = 5/8" IRON REBAR WITH PLASTIC CAP
- IR = 5/8" IRON REBAR
- PCOR = PROPERTY CORNER
- PL = PROPERTY LINE
- PUDE = PUBLIC UTILITIES AND DRAINAGE EASEMENT
- R/W = RIGHT-OF-WAY
- R = RADIUS OF CURVE
- L = LENGTH OF CURVE
- Δ = DELTA OF CURVE
- IR = 5/8" IRON REBAR "NO IDENTIFICATION"
- = SET 5/8" IRON REBAR WITH PLASTIC CAP "AJP PSM 6330"

SURVEYOR'S REPORT:

- THIS IS A BOUNDARY SURVEY AS DEFINED IN CHAPTER 5J-17.050(11), STANDARDS OF PRACTICE.
- UNLESS OTHERWISE NOTED ONLY PLATTED EASEMENTS ARE SHOWN HEREON.
- NO UNDERGROUND UTILITIES OR IMPROVEMENTS WERE LOCATED UNLESS OTHERWISE SHOWN.
- THIS SITE LIES WITHIN FLOOD ZONE "X", ACCORDING TO THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 12111C0278 K, EFFECTIVE DATE FEBRUARY 19, 2020.
- FLOOD ZONE SHOWN HEREON IS AN INTERPRETATION BY THE SURVEYOR AND IS PROVIDED AS A COURTESY. THE FLOOD ZONE SHOULD BE VERIFIED BY A DETERMINATION AGENCY.
- BEARINGS SHOWN HEREON ARE BASED ON THE EAST LINE OF LOT 1 ASSUMED TO BEAR S89°34'00"E.
- ALL LOT DIMENSIONS SHOWN ARE PER PLAT UNLESS OTHERWISE NOTED. ALL SURVEY MEASUREMENTS IN FEET.
- ALL MAPPED FEATURES SHOWN HEREON ARE UNDER THE DIRECT SUPERVISION AND RESPONSIBILITY OF ALEXANDER J. PIAZZA PSM, INC.
- SURVEY MAP AND REPORT OR THE COPIES THEREOF ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- ADDITIONS OR DELETIONS TO THE SURVEY MAP OR REPORT BY OTHER THAN THE SIGNING PARTY OR PARTIES IS PROHIBITED WITHOUT CONSENT OF THE SIGNING PARTY OR PARTIES.



597 NW FAIRFAX AVENUE LAST FIELD DATE: 12-02-22

SCALE: 1"=30'

DATE: 12-02-22

DRAWN: CJM

JOB NO.: 22-9649

DATE:

REVISIONS:

FB/PG:

**ALEXANDER J. PIAZZA PSM, INC.**  
Surveying • Mapping • Consulting  
619 SW Biltmore Street  
Port St. Lucie, Florida 34983  
Phone: (772) 340-7770  
Fax: (772) 340-2250

LB#7280

CERTIFIED TO:  
LAUREN QUINTERO

ALEXANDER J. PIAZZA  
Professional Surveyor & Mapper  
Florida Certificate No.: 6330





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# Lauren & Norma Quintero

## Variance

### (P24-121)

Planning & Zoning Board Appeal Meeting – October 14, 2024  
Daniel Robinson, Planner III

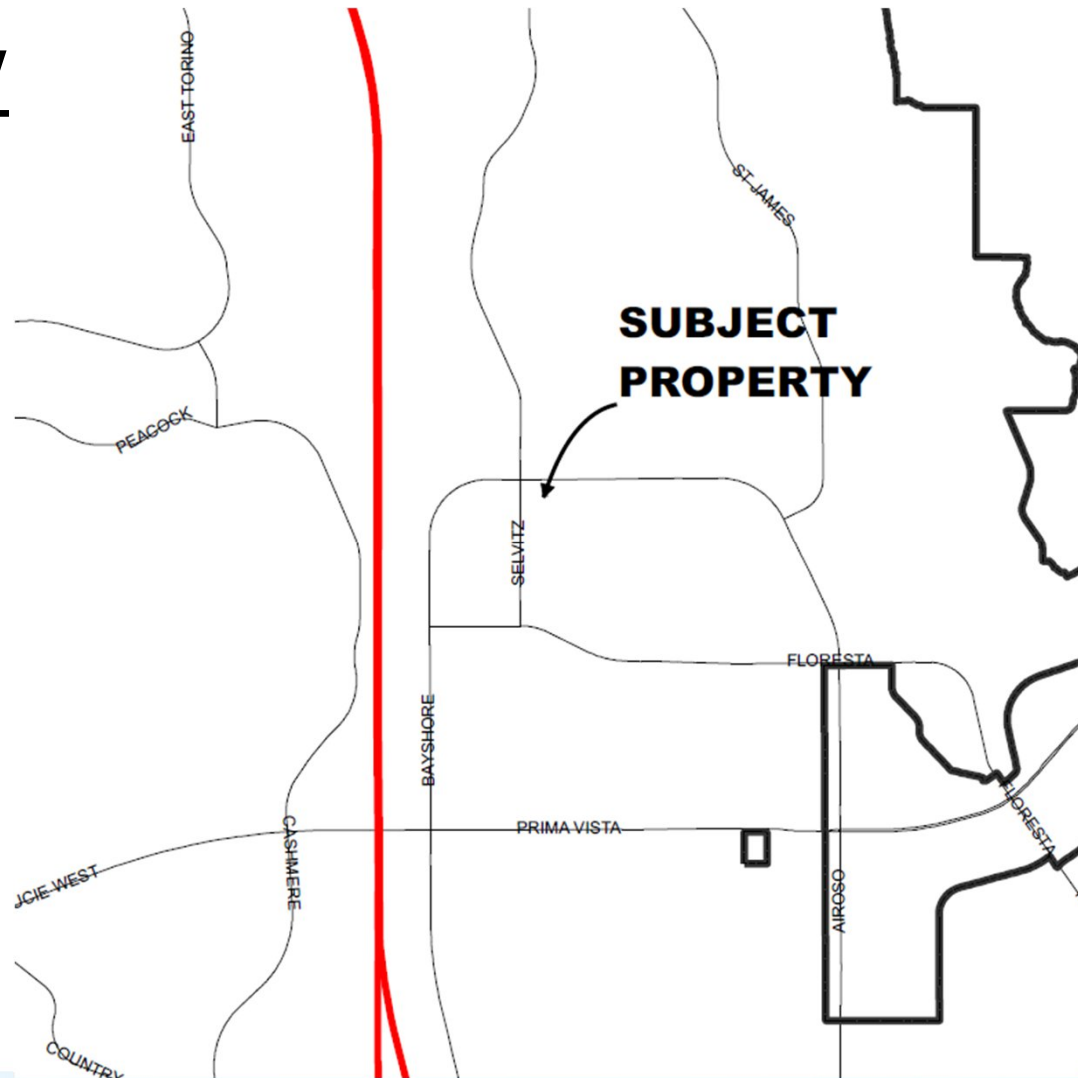
# Applicant and Owner

- Owner & Applicant – Lauren & Norma Quintero
- Location – Northeast corner of Kingston Street and Fairfax Avenue.
- Existing Use – Single-Family Residential
- Existing Zoning – RS-2 Single-Family Residential

# Variance Request

- A variance to Section 158.216(B) of the City Code to allow for a variance of 2 feet to allow a 10-foot-high fence on the eastern perimeter of the property.

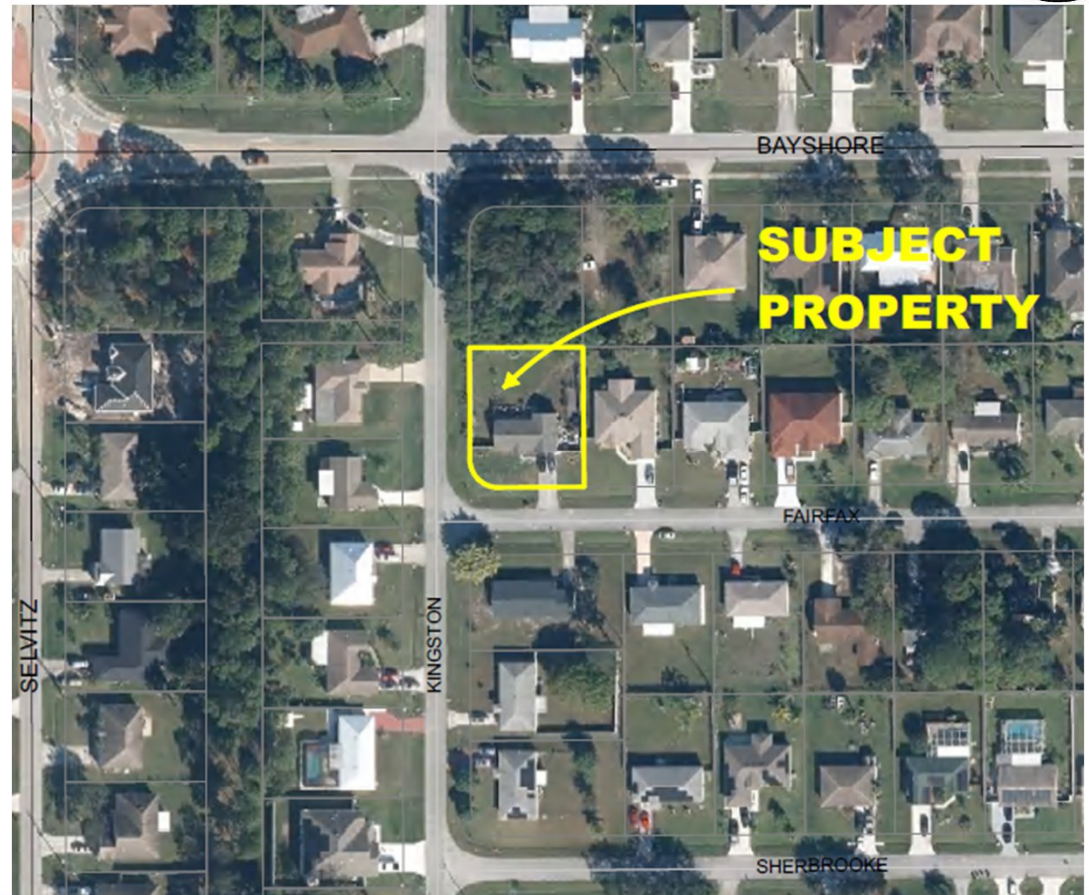
# Subject Property



# Aerial



Direction	Existing Use
North	Vacant
South	Single-Family Residence
East	Single-Family Residence
West	Single-Family Residence



**LOT 1, BLOCK 52**  
1 STORY WOOD FRAME RESIDENCE

**LOT 2, BLOCK 52**

**LOT 19, BLOCK 52**

**LOT 20, BLOCK 52**

**KING STREET**  
60' R/W - 20' ASPHALT ROAD

**FAIRFAX AVENUE**  
60' R/W - 20' ASPHALT ROAD

**LOT 1 DIMENSIONS:**  
 North: 100.62'(P) 100.65'(C)  
 East: 125.00'  
 South: 76.15'(C) 76.12'(P)  
 West: 99.87' (FND IRC "MITCHELL")

**LOT 1 SETBACKS:**  
 Front: 30.00'  
 Side: 10' PUDE  
 Rear: 30.00' (FND IRC "WATER METER")

**LOT 1 FEATURES:**  
 1 STORY WOOD FRAME RESIDENCE  
 COVERED ENTRY  
 CATCH BASIN  
 CONC DRIVE  
 CONC WALK  
 CONC PORCH  
 CONC FENCE  
 6" PVC CORNER  
 6" WOOD FENCE  
 6" PUDE

**LOT 1 ADJACENT LOT DIMENSIONS:**  
 North: 100.62'(P) 100.65'(C)  
 East: 125.00'  
 South: 76.15'(C) 76.12'(P)  
 West: 99.87' (FND IRC "MITCHELL")

**LOT 1 ADJACENT LOT SETBACKS:**  
 Front: 30.00'  
 Side: 10' PUDE  
 Rear: 30.00' (FND IRC "WATER METER")

**LOT 1 ADJACENT LOT FEATURES:**  
 1 STORY WOOD FRAME RESIDENCE  
 COVERED ENTRY  
 CATCH BASIN  
 CONC DRIVE  
 CONC WALK  
 CONC PORCH  
 CONC FENCE  
 6" PVC CORNER  
 6" WOOD FENCE  
 6" PUDE

**LOT 1 ADJACENT LOT SIGNATURE:**  
 SIGNED: [Signature]  
 DATED: [Date]

**LOT 1 ADJACENT LOT SCALE:**  
 1" = 10'

**LOT 1 ADJACENT LOT NORTH ARROW:**  
 N

# Background

The subject property is located on the northeast corner of Kingston Street and Fairfax Avenue. The property owner has stated that they are requesting the variance to the fence height due to their inability to feel safe with a shorter fence. The property owner has included their concerns with the application.

# Background

The fencing on the eastern perimeter consists of a 6-foot-high wooden fence with 4 feet of plywood added to the top of the fencing. The owner has stated that the plywood will be removed, and the replaced with permitted fence material.

All other section of fencing shall meet current code standards.



## East property line



## Planning & Zoning Board Action

The Board at their regular meeting of September 5, 2024, denied the variance request. The applicant has submitted for an appeal to the denial of the variance of 2 feet to allow a 10-foot-high fence on the eastern perimeter of their property.

To whom it might concern  
I am filing an appeal Variance  
P24.121 for the property located  
597 NW Fairfax Ave Port Saint Lucie  
FL 34983.

Thank you!  
Lauren Quintero  
(SGS) 674-8249



THIS DOCUMENT CONTAINS A TRUE WATERMARK - HOLD UP TO LIGHT TO VIEW

**Western Union** **MONEY ORDER**

WESTERN UNION FINANCIAL SERVICES INC. - ISSUER - Denver, Colorado  
Payable at Wells Fargo Bank Grand Junction - Downtown, N.A. Grand Junction, Colorado


**\*\*\*PAY EXACTLY \$75.00** 19-666190999

A 336049 D 091324  
1343 04  
196661909998 L 001378 **\$ 75.00**

PAY EXACTLY SEVENTY-FIVE DOLLARS AND NO CENTS  
PAY TO THE ORDER OF City of Port St. Lucie PAYMENT FOR/ACCT. #  
597 NW Fairfax Ave, PSL 34983 Real Q  
PURCHASER'S SIGNATURE  
MOBILE DEPOSIT PROHIBITED

⑆102100400⑆ 40196661909998⑈

**RECEIPT**

 **City of PSL - City Clerks Office**  
121 SW Port St. Lucie Blvd.  
Port St. Lucie, Florida 34984  
772.871.5157

DATE 2233 9/13/24

RECEIVED FROM Lauren Quintero \$ 75 00  
Seventy five dollars even - DOLLARS  
FOR Zoning Appeal - p24-121

AMOUNT OF ACCOUNT		<input type="checkbox"/> CASH
THIS PAYMENT		<input type="checkbox"/> CHECK
BALANCE DUE		<input type="checkbox"/> CREDIT CARD BY <u>Daisy R</u>
		<input checked="" type="checkbox"/> MONEY ORDER

**THANK YOU**  
LaurenQuintero15@gmail.com



September 24, 2024

**CERTIFIED MAIL**

Lauren Quintero  
597 NW Fairfax Ave  
Port Saint Lucie, FL 34983

Dear Ms. Quintero:

**RE: ZONING APPEAL 24-1,** APPEAL THE DECISION OF THE PLANNING & ZONING BOARD OF SEPTEMBER 5, 2024, DENYING A VARIANCE OF 2 FEET TO ALLOW A 10 FOOT FENCE ON THE EASTERN PERIMETER OF THE PROPERTY UNDER SECTION 158.295 (B) (7) OF THE CITY OF PORT ST. LUCIE ZONING CODE, P24-121.

Please consider this a notice of **Public Hearing** before the City Council serving as Board of Zoning Appeals to be held on **Monday, OCTOBER 14, 2024, at 12:30 p.m.**, or as closely thereafter as business permits, at the Port St. Lucie Council Chambers, 121 SW Port St. Lucie Boulevard, Port St. Lucie, Florida.

Any additional back-up material that you wish to have put into the meeting packet should be emailed to the City Clerk's office by 12:00 noon on Friday, October 4, 2024.

If you should have any questions, please do not hesitate to contact me at 772-871-7354.

Sincerely,

*Sally Walsh*

Sally Walsh  
City Clerk  
swalsh@cityofpsl.com



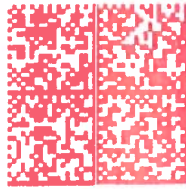


City Clerk's Office  
121 SW Port St. Lucie Boulevard  
Port St. Lucie, Florida 34984

## CERTIFIED MAIL®



9589 0710 5270 1243 5857 95



quadrant  
FIRST-CLASS MAIL  
IMI  
**\$009.64<sup>0</sup>**  
09/25/2024 ZIP 34984  
043M31222068

US POSTAGE

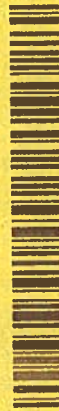
LAUVEN QUINTERO  
597 NW FAIRFAX AVE.  
PORT ST. LUCIE, FL 34983

### SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

LAUVEN QUINTERO  
597 NW FAIRFAX AVE.  
PORT ST. LUCIE, FL 34983



9590 9402 8184 3030 4660 56

2. Article Number (Transfer from service label)

9589 0710 5270 1243 5857 95

PS Form 3811, July 2020 PSN 7530-02-000-9053

### COMPLETE THIS SECTION ON DELIVERY

A. Signature  
**X**

☐ Agent

☐ Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? ☐ Yes  
If YES, enter delivery address below: ☐ No

3. Service Type
- ☐ Adult Signature
  - ☐ Certified Mail®
  - ☐ Collect on Delivery
  - ☐ Collect on Delivery Restricted Delivery
  - ☐ Registered Mail™
  - ☐ Registered Mail Restricted Delivery
  - ☐ Signature Confirmation™
  - ☐ Signature Confirmation Restricted Delivery
  - ☐ Priority Mail Express®

Domestic Return Receipt