



## LETTER OF JUSTIFICATION 460 Peacock Business Center

Variance Application  
August 22, 2022

### **REQUEST**

***On behalf of the Petitioner, Engineering, Design, & Construction, Inc. (EDC) is requesting approval of a variance application for a project to be known as Peacock Business Center. The subject property totals 3.12 acres. The property is generally located on the west side of NW Peacock Boulevard and south of NW Stadium Drive in St. Lucie West. The petitioner is requesting relief from the requirement of City of Port St. Lucie Landscape Code, Section 154.03(F) which restricts air conditioning condensing and compressor units from facing a street right-of-way.***

### **SITE CHARACTERISTICS & PROJECT HISTORY**

The subject properties are located on the south side of NW Stadium Drive and west of Peacock in St. Lucie West. The Parcel ID number associated with this application is # 3323500-0025-000-7.

The subject property has a Future Land Use designation of Light Industrial / Commercial Service (LI/CS) and is located in the Commercial General (CG) Zoning district. The petitioner is requesting relief from the requirement of City of Port St. Lucie Landscape Code, Section 154.03(F) which restricts air conditioning condensing and compressor units from facing a street right-of-way.

To the north of the subject property is the Right-of-Way of NW Stadium Drive. North of the Right-of-Way is an undeveloped commercial parcel. This parcel has a Future Land Use designation of Light Industrial / Service Commercial (LI/CS) and is located in the Service Commercial (CS) Zoning district

To the south of the subject property lies a developed commercial parcel known as Flying Panda. This parcel has a Future Land Use designation of Light Industrial / Open Space – Recreation / Intuitional (LI/OSR/I) and an underlying Zoning category of Planned Unit Development (PUD).

To the east of the subject parcel is the Right-of-Way of NW Peacock Blvd. followed by the Mets Stadium. The Mets Stadium has a Future Land Use Designation of Open Space – Recreation (OSR) and an underlying Zoning designation of General Use (GU).

West of the subject property is an undeveloped industrial parcel. This parcel has a Future Land Use designation of Light Industrial / Open Space – Recreation / Intuitional (LI/OSR/I) and a Zoning designation of Warehouse Industrial (WI).

## **VARIANCE REQUIREMENTS**

Section 158.295 of the Port St. Lucie Zoning Code identifies the requirements for a Variance Submittal. The attached variance application package meets all of the requirements of Section 158.295.

As noted in section 158.295 of the City of Port St. Lucie Zoning Code, the below criteria are considered when making a determination:

1. Please explain the 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.

**RESPONSE: The subject property is located adjacent to two (2) street rights-of-way making it difficult to meet the intent of this code. NW Stadium Drive is located north of the subject property and NW Peacock Boulevard is located east of the subject property. The proposed use is flex space which incorporates bay doors at the rear of each unit. Placing the a/c units in the rear of the building hinders the ingress / egress to the bay doors. The applicant is requesting a variance to allow for installation of the mechanical equipment at the front of the buildings with appropriate screening.**

2. Please explain if these conditions are circumstances result from actions by the applicant.

**RESPONSE: The conditions of the site are not a result of actions by the applicant. Restrictions on this site are present due adjacent rights-of-way. See below aerial.**



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

**RESPONSE: The parcel is a corner lot adjacent to two (2) public rights-of-way. There is a proposed landscape buffer along NW Stadium Drive and NW Peacock Boulevard which will screen the proposed a/c units from view by the public rights-of-way. The mechanical equipment will also be screen as required in Section 154.03(F) of the City of Port St. Lucie Landscape and Land Clearing Code. This is necessary due to existing site conditions.**

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.

**RESPONSE:** *Due to the drive-aisle proposed for access to the rear of the building and being that the site is adjacent to two (2) rights-of-way at the northern and eastern property lines, design to include a/c pads that are not located on a side of a building facing a street right-of-way is difficult.*

5. Please illustrate and explain if the variance request is the minimum variance that will make possible for reasonable use of the land, building or structure.

**RESPONSE:** *The proposed a/c pads are not located immediately adjacent to the rights-of-way. The mechanical equipment will also be screened from view by the landscape buffers at the northern and eastern property line along with screening around said mechanical equipment. This is the minimum variance that will make it possible for the construction of the proposed development.*

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.

**RESPONSE:** *The proposed a/c pads are not located immediately adjacent to the rights-of-way and are set back in the proposed development. The mechanical equipment will also be screened from view by the landscape buffers at the northern and eastern property line along with screening around said mechanical equipment. This is the minimum variance that will make it possible for the construction of the proposed development.*

7. Please indicate that there will be full compliance with any additional comments and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits which the action for which variance is required shall be begun or completed, or both.

**RESPONSE:** *Acknowledged.*

**Based on the above and attached information, the applicant respectfully requests approval of the proposed applications.**

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