

City of Port St. Lucie

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



"A City for All Ages"

Meeting Agenda

Tuesday, September 6, 2022

6:00 PM

Council Chambers, City Hall

Planning and Zoning Board

Deborah Beutel, Chair, Term 2 Expires 6/21/25

Alfreda Wooten, Vice Chair, Term 1 Expires 5/28/23

Carol Taylor-Moore, Secretary, Term 1 Expires 9/27/25

Peter Previte, At-Large, Term 1 Expires 7/12/25

Joseph Piechocki, At-Large, Term 1 Expires 7/12/25

Roberta Briney, At-Large, Term 1 Expires 7/12/25

Please visit www.cityofpsl.com/tv for new public comment options.

1. Meeting Called to Order**2. Roll Call****3. Determination of a Quorum****4. Pledge of Allegiance****5. Approval of Minutes**

5.a Approval of Minutes - August 2, 2022 [2022-758](#)

6. Consent Agenda

6.a P21-270 Mansion Estates Preliminary & Final Subdivision Plat [2022-350](#)

7. Public Hearings - Non Quasi-Judicial**8. Public Hearing - Quasi-Judicial**

8.a P22-131 John M. & Arlene Wangle - Variance [2022-467](#)

Location: 140 SE Rio Angelica

Legal Description: Tesoro Plat No. 4, Lot 107

This is a request to grant a variance of 2.69 feet to allow a 0.31-foot setback from the rear property line for an existing screen enclosure.

8.b P22-178 Up On Top Volleyball - Variance [2022-545](#)

Location: The property is located at the southeast corner of NW East Torino Parkway and NW Rabbit Run.

Legal Description: Winterlakes Tract F Replat, Tract F1.

This request is to grant a variance to the Citywide Design Standards Section 5.4.1.1 to eliminate the requirement that buildings with flat roofs have peaked or pitched roof elements along 25% of the front and sides.

8.c P22-185 FPL Eden - Storage [2022-763](#)

Location: Northeast of the intersection of SE Jennings Rd. and SE Grand Dr.

Legal Description: St Lucie Gardens-Blk 4 - Lots 13 & 14

This is a request for a Special Exception Use for a semi-public facility or use to allow the storage of vehicles and equipment.

9. New Business

10. Old Business**11. Public to be Heard****12. Adjourn**

Notice: No stenographic record by a certified court reporter will be made of the foregoing meeting. Accordingly, any person who may seek to appeal a decision involving the matters noticed herein will be responsible for making a verbatim record of the testimony and evidence at said meeting upon which any appeal is to be based.

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 for assistance.

As a courtesy to the people recording the meeting, please put your cell phone on silent.



Agenda Summary

2022-758

Agenda Date: 9/6/2022

Agenda Item No.: 5.a

Placement: Minutes

Action Requested: Motion / Vote

Approval of Minutes - August 2, 2022

Submitted By: Pat Shutt, Administrative Assistant, Planning & Zoning Department

Executive Summary: August 2, 2022 minutes attached.

Presentation Information: N/A

Staff Recommendation: Move that the Board approve the minutes.

Alternate Recommendations:

1. Move that the Board amend the recommendation and approve the minutes with changes.
2. Move that the Board not approve the minutes and provide staff direction.

Background: N/A

Issues/Analysis: N/A

Special Consideration: N/A

Location of Project: N/A

Attachments: August 2, 2022 minutes.

City of Port St. Lucie
Planning and Zoning Board
Meeting Minutes - Draft

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

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Tuesday, August 2, 2022

6:00 PM

Council Chambers, City Hall

Request to Table Item 8i

1. Meeting Called to Order

A Regular & Virtual Meeting of the PLANNING AND ZONING BOARD of the City of Port St. Lucie was called to order by Chair Beutel at 6:00 p.m., on August 2, 2022, at Port St. Lucie City Hall, 121 SW Port St. Lucie Boulevard, Council Chambers, Port St. Lucie, Florida and via Zoom.

2. Roll Call

Members Present: Deborah Beutel, Chair
 Alfreda Wooten, Vice Chair
 Carol Taylor-Moore, Secretary
 Peter Previte
 Joseph Piechocki

Members Not Present: Roberta Briney

Non-Voting Members

Present: Marty Sanders, St. Lucie County School Board

3. Determination of a Quorum

Chair Beutel confirmed that there was a quorum.

4. Pledge of Allegiance

Chair Beutel led the assembly in the Pledge of Allegiance.

5. Approval of Minutes

5.a Approval of Minutes - July 5, 2022

[2022-651](#)

Vice Chair Wooten moved to approve the Consent Agenda. Secretary Taylor-Moore seconded the motion which passed unanimously by roll call vote.

6. Consent Agenda

There was nothing scheduled under this item.

7. Public Hearings - Non Quasi-Judicial

There was nothing scheduled under this item.

8. Public Hearing - Quasi-Judicial

The Senior Deputy City Attorney read the Quasi-Judicial Rules into the record for Items 8 a.) through p.) and the Deputy City Clerk swore in staff and the applicants. The Senior Deputy City Attorney explained that the applicants and planners were limited to 20 minute presentations and Public To Be Heard was limited to three minutes but time limits were at the discretion of the Board.

**8.a P14-095-A1 Midway Business Park Master Sign Program
Amendment**

[2022-645](#)

Location: South of Midway Road and just east of Interstate 95

Legal Description: Parcels of land lying within Sections 1, 2, and 11,
Township 36 South, Range 39 East, St. Lucie County, Florida.

This is a request from Trea Midway Road LLC to amend the Master Sign Program for Midway Business Center. The proposed amendment to the program is to provide updated criteria that will allow opportunity for new and amended signage for existing and future parcel owners within the Midway Business Park area.

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

(Clerk's Note: A PowerPoint was shown at this time.) Daniel Robinson, Planner I, explained that the proposed amendment to the program was to provide updated criteria that would allow opportunity for new & amended signage for existing and future parcel owners within the Midway Business Park area. He gave a summary of the Midway Business Park Master Sign Program which was approved by the City Council in 2014. He showed pictures of the current & proposed signs with locations. He stated that staff found the proposed amendment to be consistent with the City's Land Development Regulation and the City's Comprehensive Plan, as well as the requirements of Section 155.03(H) but placed a condition on the item so that the proposed Business Interstate Identification monument sign be removed from the document.

(Clerk's Note: A PowerPoint was shown at this time.) William Sargent, Kimley Horn & Associates, stated that he had been sworn in & gave the history of the property, showed the existing signage and the proposed updates. He informed the Board that they had added a Business Interstate Identification since the property would rely, significantly, on visibility. He stated that the location had a unique easement location and a long exit ramp which offered a limited window for a driver to stop at the site. He added that a View Study indicated that 30-feet would not be visible from the highway.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Piechocki moved to recommend approval of P14-095-A1, Midway Business Park Master Sign Program Amendment, to the City Council, with the staff condition of removing the Proposed Business Interstate Identification Monument sign. Mr. Sargent requested that if height was a determining factor, they be allowed to move forward with the condition that the sign be limited to 30-foot, to which Chair Beutel indicated that a motion was on the floor and the Board had to move forward. Secretary Wooten seconded the motion, which passed unanimously by roll call vote

8.b P20-017 Fairouz & Samira Guerrouj - Variance

[2022-650](#)

Location: The property is located on the east side of Bayshore Boulevard, NE of the intersection of Bayshore and Carter Avenue.

Legal Description: Port St. Lucie Section 28, Block 219, Lot 14

This is a request to grant a variance to permit the installation of fence gates within the required breaks of the twenty (20) foot fence segments within a property frontage and permit a portion of the fence to exceed the maximum height by 1' 2" at an overall height of 5' 2". City Code Section 158.216(H) states, fencing may be utilized as landscaped treatment in that area extending from the front building line to the front property line provided that no property is enclosed, and a two-foot break is required for each twenty feet in length and no portion of the fence exceed four (4) feet in height.

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

(Clerk's Note: A PowerPoint was shown at this time.) Stephen Mayer, Planner III, stated that he had been sworn in & stated 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 explained that request was to permit the installation of fence gates within the required breaks

of the 20-foot fence segments and permit a portion of the fence to exceed four feet in height for a property located on the east side of Bayshore Boulevard at the intersection of Bayshore Boulevard and Carter Avenue. He showed an aerial & pictures and explained the Future Land Use & the Zoning. He stated that a portion of the fence was raised to 5'2" and showed a gate between the "breaks" of the fence. Chair Beutel inquired if there were any permits on the property, to which Mr. Mayer replied that the fence did not have a permit for the gates and the 5'2" section.

(Clerk's Note: Packets were distributed to the Board.) Christian Schoepp, Schoepp Law, informed the Board that the applicants were not requesting a variance on the fence, as the fence was built with a permit, they were requesting a variance related to the deterrence rail fences. He added that the applicants were from France and only resided at the property for a part time of the year (the time only allowed by tourist visas.) He said that the applicants have dealt with the issue and the City for seven years. He stated that the property, a corner lot, was located on a main artery road which was easily accessible to car & foot traffic and has been vandalized in the past; documents and crime reports were included in the packet. He added that the applicants had taken every other remedy prior to filing the variance and the only effective remedy has been the crime deterrent rails. He said that the picket rails are barely noticeable and access to the property for public safety remained. He informed the Board that several neighbors were in attendance at the meeting and he had also supplied a petition in the document which proved that the neighbors did not have an issue with the variance. Samira Guerrouj requested that the variance be granted to afford them safety and comfort. Fairouz Guerrouj stated that the neighbors did not have issues with the variance and gave examples of how the home had been vandalized and trespassed on.

Mr. Piechocki inquired if the original building permit listed the dimensions, to which Attorney Schoepp responded in the affirmative and added that the height of the fence was not part of the variance. Mr. Previte inquired if the pickets deterred crime, to which Attorney Schoepp responded in the affirmative. Mr. Previte asked why two foot gaps were needed, to which Mr. Mayer replied that landscaping should be placed there so that a full fence is not along the property line. Mr. Previte stated that he was inclined to allow the variance since there were documented incidents of crime which stopped after the pickets were installed. Chair Beutel voiced that some of the crime reports were

from contractors and/or the applicants not turning off water when they left the country. She stated that the Chief of Police or the Building Department should be present for variances and was open to tabling the item.

Chair Beutel opened the Public Hearing. Rachel Knaggs, Port St. Lucie Code Compliance Officer, stated that she had been sworn in and added that the fencing was a nuisance because it was difficult for Police and Fire to enter the property and felt that trespassers could hide behind the fence. She stated that the first fence was a decorative fence and no permit would be given for that. Mr. Piechocki inquired as to how long there were issues with the property, to which Ms. Knaggs replied that Code had cases on the property for numerous years. Secretary Wooten inquired if there were any issues with Utilities access to the property, to which Ms. Knaggs replied that she was unsure since she was not in that department. Chair Beutel inquired if there were liens on the property to which Ms. Knaggs responded in the affirmative. Attorney Schoeep replied that the Appeals Court remanded that the cases be heard in front of the Special Magistrate again and they were awaiting a new hearing date; the liens were revoked.

There being no more public to speak, Chair Beutel closed the Public Hearing. Mr. Piechocki stated that he had agreed with Mr. Previte's previous comment and moved to approve P20-017, Fairouz & Samira Guerrouj – Variance. Mr. Previte seconded the motion, which passed unanimously by roll call vote.

8.c P21-285 Town Place PUD - Rezoning

[2022-655](#)

Location: The property is located at the southeast corner of the intersection of US Highway 1 and Savannah Club Boulevard.

Legal Description: Parcel 1: That part of Lot 16, Block 3, St. Lucie Gardens, Section 26 and parcel 2: That portion of Lot 15, Block 3 and Lots 9 and 10, Block 4 of the Plat of St. Lucie Gardens.

This is a request from Michael Houston of HJA Design Studio, LLC as agent on behalf of Owner, PSL Townplace Partners, LLC, to rezone and modify the existing PUD (Planned Unit Development) of approximately 18.51 acres of property, known as Town Place PUD.

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

(Clerk's Note: A PowerPoint was shown at this time.) Mr. Mayer stated that he had been sworn in & stated 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 explained that the request was proposing to rezone the property to Planned Unit Development, he added that it already contained an established PUD but was refreshing it. He informed the Board that the applicants were rewriting the content of the existing PUD document and that all prior site plans associated with the PUD had expired. He stated that the density proposed was 14.26 dwelling units per acre and the allowed density was 15 dwelling units per acre. He showed a location map, an aerial and the proposed Master Concept Plan. He explained the Future Land Use, the Zoning & the Traffic Study and added that the Site Plan Review Committee had recommended approval.

(Clerk's Note: A PowerPoint was shown at this time.) Tod Troxell, HJA Design Studio, stated that the property was located off of Savannah Club Boulevard and U.S. Highway 1. He stated that they had a neighborhood meeting and received positive feedback. He showed a Context Map, an aerial and the Proposed Master Plan. He explained the amenities that will be located within the community and the commercial plaza with public art. Mr. Previte inquired if the commercial area was visible from the parking lot, to which Mr. Troxell replied that they were double sided. Chair Beutel inquired as to how pedestrians will enter the building from the parking lot, to which Mr. Troxler replied that there was a cut through in the buildings and there were also back doors. Mr. Previte explained that someone could enter from the parking lot, walk through the restaurant and then exit the other door. Chair Beutel inquired if the community was all ages and if there was a bus stop, to which Marty Sanders, St. Lucie County School Board, replied that it was reviewed by the School District and they would service it off of Savannah Club Boulevard. Richard Lundy, Rich Properties, stated that there was ample room for the school buses and added that they could add a little enclosure for the children. Secretary Taylor- Moore inquired if a traffic study was completed, to which Mr. Lundy responded in the affirmative and added that there were no issues. Mr. Mayer agreed and added that only the right hand turn was recommended in the traffic study.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Piechocki moved to recommend approval of P21-285, Town Place PUD – Rezoning, to the City Council. Mr. Previte seconded the motion which passed unanimously by roll call vote.

Location: South of the Discovery Way (E/W 1) right-of-way, south of Riverland Parcel C, and west of Riverland Boulevard

Legal Description: Portions of Sections 19 and 20, Township 37 South, Range 39 East, St. Lucie County, Florida

This is a request to rezone 457 acres from the St. Lucie County AG-5 zoning designation to a Master Planned Unit Development (MPUD).

The proposed MPUD will allow for 1,362 age-restricted residential dwelling units.

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

(Clerk's Note: A PowerPoint was shown at this time.) Mr. Robinson explained that the item was proposing to rezone the Master Planned Unit Development for Riverland/Kennedy DRI Parcel D which was located south of Discovery Way & west of Riverland Boulevard. He explained the Land Use & the Zoning and showed an aerial. He stated that the rezoning would allow for 1,362 age-restricted residential dwelling units. He informed the Board that the Traffic Study was reviewed and approved by staff. Mr. Previte inquired if the traffic impact would be triggered to which Mr. Robinson replied that it would eventually, but not with A, B, C & D.

(Clerk's Note: A PowerPoint was shown at this time.) Azlina Goldstein, stated that the request was to permit an age-restricted residential development. She showed multiple location maps and explained the neighboring properties. She explained that the dwelling units would consist of single-family, paired villas and townhomes with two access points. She explained the trip report which was prepared by Simmons & White and stated that it did not trigger any additional roadway improvements until either 2,000 dwelling units are permitted or there are 2,023 PM Peak Hour trips. She explained the advancement of roads within Parcel D.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Sanders stated that age-restricted communities did not place any impact on the school district. He added that they did have a school site in the south end of Verano.

Mr. Piechocki moved to recommend approval of P21-234, Riverland/Kennedy DRI Parcel D MPUD – Rezoning, to the City Council. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

8.e P22-131 John M. & Arlene Wangle - Variance [2022-467](#)

Location: 140 SE Rio Angelica

Legal Description: Tesoro Plat No. 4, Lot 107

This is a request to grant a variance of 2.69 feet to allow a 0.31-foot setback from the rear property line for an existing screen enclosure.

Mr. Previte moved to table P22-131, John M. & Arlene Wangle – Variance, to the September 6, 2022, Planning & Zoning meeting. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

8.f P22-217 Equity One (Florida Portfolio), LLC - Rezoning [2022-654](#)

Location: The property is located at the NW corner of the intersection of SW Becker Road and SW Port St. Lucie Boulevard.

Legal Description: Parcels A and B of Nau Ranch; Lot 8, Block 2285, Port St. Lucie Section 33; Lot 29, Block 2284, Port St. Lucie Section 33; and a portion of Tract M of Port St. Lucie Section 33.

Request: This is a request to rezone 15.446 acres from a Planned Unit Development (PUD) zoning designation to the General Commercial (CG) zoning designation.

Chair Beutel inquired if there was any ex-parte communications, to which Mr. Piechocki replied that he spoke with the planner and the applicant, but the rest of the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Holly Price, Planner III, stated that she had been sworn in & stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting. She explained that the applicant was requesting approval to rezone 15.446 acres from Planned Unit Development (PUD) to General Commercial (CG) and added that the previously approved PUD zoning for this property expired and was no longer valid; the property needs to be rezoned so it may be developed. She showed the location map & an aerial and explained the Future Land Use as well as the Zoning. She stated that the proposal was consistent and compatible with the Comprehensive Plan and the Future Land Use classification.

(Clerk's Note: A PowerPoint was shown at this time.) Dan Sorrow, Cotleur & Hearing, requested that the PowerPoint be added into the record for Items 8 f.) and 8 g.). He explained that the proposal was a housekeeping item to return the property to General Commercial. He stated that a Special Exception Use was also needed for the fuel pumps, explained the ingress/egress for the property and explained how the property was meeting the Special Exception Use criteria for the Becker Road Overlay District. He showed the elevations of the building

and stated that the required sidewalk under the Becker Road Overlay District was seven feet but Public Works added a condition to create a 10-foot sidewalk. He voiced that an eight foot sidewalk with added landscape was a better option and requested a recommendation from the Planning & Zoning Board on the sidewalk. He added that the Site Plan Review Committee had recommended approval for both this item and 8 g.). Mr. Previte inquired if the current sidewalk was being removed, to which Mr. Sorrow responded in the affirmative and added that they were adding a turn lane and were adding landscaping for the proposed meandering sidewalk.

Chair Beutel opened the Public Hearing. Shannon Taliaferro stated she had been sworn in and inquired if there would be an excess lot on Wabash Street since she was concerned for safety. Chair Beutel closed the Public Hearing. Mr. Sorrow stated that the excess lot was from the previous ownership but they would be using it for pedestrian access and was open to placing a condition of no commercial use on the lot. Mr. Previte inquired if the lot next to the access lot was owned, to which Mr. Sorrow responded in the affirmative and added that it was preapproved for residential use. Chair Beutel inquired about a fence, to which Mr. Sorrow replied that they would have to meet buffer requirements. He confirmed that there would not be any buildings or commercial uses on that parcel but reminded the Board that the lot was not the project before the Board. Mr. Previte and Mr. Piechocki voiced that they would be inclined to approve the item with an eight foot sidewalk, to which Senior Deputy City Attorney Hertz reminded the Board that Item 8 f.),, did not contain the sidewalk portion.

Mr. Previte moved to recommend approval of P22-217, Equity One (Florida Portfolio), LLC – Rezoning, to the City Council. Mr. Piechocki seconded the motion, which passed unanimously by roll call vote.

8.g P22-142 Equity One Florida Portfolio - 7-Eleven Becker Road
 - Special Exception Use

[2022-653](#)

Location: The property is located at NW corner of SW Becker Road and SW Port St. Lucie Boulevard.

Legal Description: A portion of Tract M, Port St. Lucie Section 33.

This is a request for a special exception use to allow a proposed 7-11 Convenience Store and Fueling Station at the NW corner of SW Becker Road and SW Port St. Lucie Boulevard.

Chair Beutel inquired if there was any ex-parte communications, to which Mr. Piechocki replied that he spoke with the planner and the applicant, but the rest of the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Ms. Price explained that the item was proposing to allow a fueling station, 8 fueling pumps & a convenience store. She showed a location map along with the Becker Road Overlay District map, an aerial, the elevations, the Conceptual Site Plan & explained the Zoning, and the Land Use. She stated that the Traffic Analysis was submitted and the applicant was proposing a right turn lane along Becker Road, therefore there were no stacking concerns. She informed the Board that the Site Plan Review Committee had recommended approval with the condition that a 10-foot multiuse sidewalk or the existing 10-foot-wide multiuse sidewalks shall remain located within the Becker Road and Port St. Lucie Boulevard rights-of-way & a seven foot wide multiuse sidewalk shall be located within the frontage buffer. She explained that the reason was because staff did not want to go down in size and capacity since there was an existing 10-foot sidewalk.

Chair Beutel inquired as to what difference there was in an eight foot or ten foot sidewalk, to which Diana Spriggs, Regulatory Public Works Division Director, replied that the existing sidewalks were 10 feet wide, which would be removed, and staff wanted to keep the same capacity as bicycles would use the sidewalk. Chair Beutel inquired if there was a standard that requested eight feet, to which Ms. Spriggs replied that the City's standard was eight feet and required bike lanes in certain but were trying to move toward multiuse 10-foot sidewalks.

Mr. Sanders voiced that people are less likely to use the first feet of a sidewalk next to the curb but now that the sidewalk was not against the back of the curb could they go with less footage, to which Ms. Spriggs replied that there wasn't a study but added that it could potentially work. Mr. Sanders stated that eight feet was a good compromise to which Chair Beutel agreed.

Chair Beutel opened the Public Hearing. The Deputy City Clerk administered the Oath of Testimony to Melissa Veal who stated that she was concerned over the 24-hour usage of the 7/11 and was also concerned over environmental issues. Chair Beutel closed the Public Hearing.

Mr. Piechocki moved to recommend approval of P22-142, Equity One Florida Portfolio - 7-Eleven Becker Road - Special Exception Use with an eight foot sidewalk, to the City Council. Mr. Previte seconded the

motion, which passed unanimously by roll call vote.

8.h P22-176 Legacy Park North @ Southern Grove MPUD -

[2022-657](#)

Rezoning

Location: The property is generally located west of Interstate 95, east of south SW Village Parkway, and between Paar Drive and the Marshall Parkway right-of-way.

Legal description: A portion of Southern Grove Plat No. 38, Tract B
 The request is for approval of a MPUD zoning regulation book and concept plan for Legacy Park North @ Southern Grove MPUD.

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

(Clerk’s Note: A PowerPoint was shown at this time.) Bridget Kean, Senior Planner, stated that she had been sworn in & stated 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 explained that the City’s Governmental Finance Corporation was proposing to rezone approximately 345.5 acres of land from the zoning designation of SLC AG-5 to the City of Port St. Lucie MPUD (Master Planned Unit Development) for a project known as Legacy Park North at Southern Grove MPUD, which was located in Southern Grove DRI. She showed the location map, map H & an aerial and she explained the Future Land Use, the Zoning & the surrounding uses. She listed the entitlements for the Legacy Park North MPUD and showed a Conceptual Plan. She informed the Board that staff had recommended approval.

Zack Mouw, Culpepper & Terpening, stated that he had been sworn in and did not have a PowerPoint at this time.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Vice Chair Wooten moved to recommend approval of P22-176, Legacy Park North @ Southern Grove MPUD – Rezoning, to the City Council. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

8.i P22-178 Up On Top Volleyball - Variance

[2022-545](#)

Location: The property is located at the southeast corner of NW East Torino Parkway and NW Rabbit Run.

Legal Description: Winterlakes Tract F Replat, Tract F1.

This request is to grant a variance to the Citywide Design Standards Section 5.4.1.1 to eliminate the requirement that buildings with flat roofs have peaked or pitched roof elements along 25% of the front and sides.

Mr. Previte moved to table P22-178, Up On Top Volleyball – Variance, to the September 6, 2022, Planning & Zoning meeting. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

A break was called at 8:24 p.m., and the meeting resumed at 8:32 p.m.

8.j P22-215 Verano Development of Regional Impact (DRI) -
Map H Amendment

[2022-662](#)

Location: The property is located west of Interstate 95, north of Crosstown Parkway, and southeast of Glades Cut-off Road.

Legal Description: A parcel of land lying in Sections 26, 28, 29, 33, 34 and 35, Township 36 South, Range 39 East, St. Lucie County, Florida.

This is a request to amend the Verano DRI Map H, Preliminary Master Plan to relocate the St. Lucie County school site, reconfigure the shape of the City park site, and remove references to access to Glades Cut-off Road and Peacock property.

Chair Beutel inquired if there was any ex-parte communications, to which Mr. Piechocki replied that he spoke with the planner and the applicant, but the rest of the Board responded in the negative.

(Clerk's Note: A PowerPoint was shown at this time.) Ms. Price explained that the item was proposing to amend Verano DRI Map H Preliminary Master Plan to shift location of County school site to the west adjacent to City park site, reconfigure the shape of City park site and to remove references to access to Glades Cut-off Road and to the Peacock property. She showed the current Map H Master Plan, the location map, an aerial & explained the Future Land Use and Zoning. She gave the history of the Verano DRI; at the January Planning & Zoning meeting the Board recommended approval of Verano Pod H PUD with the condition that Verano, Liberty Tire, and Allied Universal work together to make a good faith effort to meet and work together to identify common ground in terms of the buffers, berm, any safety issues that can be documented by the appropriate Environmental Protection Agency, whether that be state or federal, provide data before they go to City Council. She added that there had been concerns over environmental and safety issues. She explained that with the modification the City park site does provide a buffer to the industrial sites and that the applicant has indicated that they will be providing a 50-foot-wide buffer with a 6-foot-high landscape berm along the entire length of the property adjacent to Range Line Road which staff recommended to be added as a requirement of the Verano DRI. The school site has been relocated from the corner of Crosstown Parkway

and North-South A Road to be adjacent to the City park site since the park site is more accessible to the students & because with a driveway connecting to the site from North-South A Road, greater stacking is provided for school buses by the longer driveway. She stated that the driveway access was added as a requirement to the Verano DRI. She said that Public Works reviewed the traffic analysis and had found that no significant traffic impact was proposed based on Map H Amendment. She added that staff had recommended approval with the following conditions, prior to sending application to City Council for approval, revise the Map H Preliminary Master Plan to designate an 80-foot-wide access area for a driveway and sidewalks from North-South A Road to the County school site and prior to sending application to the City Council for approval, revise Map H Preliminary Master Plan to indicate that a 50-foot-wide landscape buffer with a 6-foot-high berm will be located along the entire side of the property fronting along east side Range Line Road and the County felt that a landscaped berm shall also extend along the side adjacent to the 500-foot-wide FPL easement and the lake area north of the City park site.

(Clerk's Note: A PowerPoint was shown at this time.) Mr. Sorrow stated that City staff wanted the reconfiguration of the park and school site and the rezoning was the reason that this item was on the agenda. He showed the original Map H which also had an issue with 19-R26 and explained that the park site was always against Rangeline Road and the school site was located next to North-South A. He stated that Map H amendment corrected the old Map H and moves the school site to the School District's recommended location & moves the park since it would be a benefit to both the park and the school to be next to each other. He felt that Map H was not the appropriate place to put conditions on the project since it was used as a visionary tool and felt that it should be under the PUD. He stated that the PUD Zoning document showed a buffer with the FPL easement and an open space. He requested that the Board recommended approval with the conditions: Prior to sending application to City Council for approval, revise the POD H PUD to designate an 80-foot-wide access area for a driveway and sidewalks from North-South A Road to the County school site & prior to sending application to City Council for approval, revise POD H PUD to indicate that a 50-foot-wide landscape buffer with a berm will be located along the entire side of the property fronting along east side Range Line Road. A landscaped berm shall also extend along the side adjacent to the 500-foot-wide FPL easement and the

proposed lake area north of the City park site. See Figure 6.

Chair Beutel opened the Public Hearing. Christian Tiblier, Liberty Tire Recycling, stated that he had been sworn in and added that a 50-foot buffer east of the FPL easement, an 8-foot berm with landscaping and no access from Rangeline Road were discussed with Verano and satisfied most of Liberty Tires's residential concerns, but the primary concern was still the commercial use that was directly adjacent from the access to Liberty Tire's property directly west. Liberty Tire felt that the commercial property indicated on Map H was an inappropriate location for a conflicting use due to heavy truck traffic. He stated that Map H as proposed did not have any indication that there were buffering screening as discussed in the staff report.

Ron Noble, Allied Universal, stated that he had been sworn in and added that discussions regarding buffering and screening issues were making progress and clarified that the buffer should be an eight foot berm even though Allied felt that a 10-foot berm was necessary. He requested a greater setback from the chemical plant to the cul-de-sac. He stated that the original Map H included a park site that went the entire length of Rangeline Road which provided a minimum, eight hundred foot wide buffer in addition to the easement; he recapped page 5 of the staff report. He said that Allied has been in the location for years and did not feel it was safe to have a chemical plant in such close location to residential units. He said that Kolter removing half or one cul-de-sac of homes would provide a safer, larger buffer. He informed the Board that he did not have the Board's requested information on the basis as to why Allied wanted a 1,500 setback but entered into record a document prepared by the Chlorine Institute. Mr. Piechocki stated that the Board requested the information in January and was only handed a 200-page document which was problematic. He inquired as to what the top safety concerns were, to which Mr. Nobel replied that due to the volume of stored chlorine at Allied "it contemplates in those calculations, an uncontrolled release of some form of industrial weather force majeure accident, that results in an uncontrolled release of that material based on different distance criteria, wind criteria, prevailing atmosphere chlorine gas sinks it then comes up with these various release scenarios and how that impacts offsite properties, to reduce threats to offsite property specifically residential properties, it then comes up with a dilution factor that renders a more safe, less lethal, chlorine release based on a setback and distance separation requirement from the source of the release to residential dwellers".

The Deputy City Clerk administered the Oath of Testimony to Bill Perry, Gunster & Scott Morton, Kolter, who stated that they had agreed to construct an eight foot buffer with landscaping and agreed not to seek access to Rangeline Road from the commercial site as requested by Liberty Tire. He said that he did not agree with Mr. Noble's setback comments since the berm was extended and there was also retention ponds & he showed the measurements. He requested that the Planning & Zoning Board recommended approval so that the PUD and Map H could be on the same City Council agenda. Chair Beutel inquired if Mr. Perry reviewed the chlorine information supplied by Mr. Noble, to which Mr. Perry replied that he had been provided a copy and added that variables were needed to conduct the calculations and none of it was provided. He stated that the Board had also requested State and Federal Law regulations on distance which had not been provided. Mr. Piechocki inquired about the commercial site, to which Mr. Perry replied that the commercial site was located across from Liberty Tire, which was not dangerous. He added that commercial sites were usually next to industrial sites to be used as a buffer against residential areas.

Mr. Sanders stated that any disruptions to where people live should be taken into consideration. There being no one else to speak, Chair Beutel closed the Public Hearing. Mr. Sanders stated that they had been working with the developer on this site for years and had moved the school site a few times. He said that having the school and the park close to each other would allow for the sharing of resources. He said that schools in the area were at or above capacity and were planning ahead for growth. He said that the school actually did not need to be rezoned but they had decided to work with the City on rezoning it for a better process. Chair Beutel stated that the Board members were not safety or environmental experts and felt that the reconfiguration of the school and park made sense. Mr. Piechocki moved to recommended approval of P22-215, Verano Development of Regional Impact (DRI) - Map H Amendment, to the City Council. Mr. Previte seconded the motion, which passed unanimously by roll call vote.

(Clerk's Note: The Planning & Zoning Board reconsidered the first motion which was passed unanimously by roll call vote to recommend approval with no conditions.)

Secretary Taylor-Moore moved to recommend approval of P22-215, Verano Development of Regional Impact (DRI) - Map H Amendment, to

the City Council, with staff's conditions except under #2, use an eight foot berm and not six foot. Secretary Wooten seconded the motion, which passed unanimously by roll call vote.

Mr. Sanders stated that Kolter had to provide the 80-foot roadway to North-South A.

(Clerk's Note: The Planning & Zoning Board reconsidered the first motion which was passed unanimously by roll call vote to recommend approval with no conditions.)

Secretary Taylor-Moore moved to recommend approval of P22-215, Verano Development of Regional Impact (DRI) - Map H Amendment, to the City Council, with staff's conditions except under #2, use an eight foot berm and not six foot. Secretary Wooten seconded the motion, which passed unanimously by roll call vote.

8.k P22-182 St. Lucie County School at Verano - Rezoning

[2022-552](#)

Location: The property is located west of the NS A road right-of-way and north of the Crosstown Parkway right-of-way.

Legal description: A parcel of land lying in a portion of Section 6, Township 37 South, Range 39 East, St. Lucie County, Florida.

This is a request to rezone 49.11 acres of property from St Lucie County Agricultural 1 unit per 5 acres (SLC AG-5) to Institutional (I) for the purposes of building a school.

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

(Clerk's Note: A PowerPoint was shown at this time.) Mr. Mayer stated that he had been sworn in & stated 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 explained that the applicant was proposing to rezone the school that was just discussed. He showed the location map & an aerial and explained the Future Land Use as well as the Zoning. He added that staff did recommend approval.

Mr. Sorrow agreed with staff's recommendation and stated that he was available for any questions.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Previte moved to recommend approval of P22-182, St. Lucie County School at Verano – Rezoning, to the City Council. Vice Chair Wooten seconded the motion, which

passed unanimously by roll call vote

(Clerk’s Note: At this time the Board reconsidered the motion under 8 j.)

8.i P22-191 Club Pure @ The Marketplace - Special Exception [2022-649](#)

Use

Location: The property is located at 10330 South US Highway 1, south of Jennings Road and east of South US Highway 1.

Legal Description: The Marketplace Lot D - Less First Replat in The Marketplace

This is a request to allow a school in the General Commercial (CG) zoning district per Section 158.124(C)(7) of the Zoning Code.

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

(Clerk’s Note: A PowerPoint was shown at this time.) Bethany Grubbs, Planner II, stated that she had been sworn in & stated 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 explained that the request was proposing to allow an elementary school (K-5) in a Commercial General Zoning District. She stated that the property consisted of 10280, 10292 and 10330 South US Highway 1 and tonight’s proposal only dealt with 10330. She showed an aerial, the floor/expansion plan and explained the Land Use and Zoning. She stated that the applicant would be removing 16 parking spaces to expand the playground and would also be removing the chain link fence to provide a vinyl fence. She said that the traffic impact statement was submitted and approved by staff. She added that there was sufficient parking and sufficient stacking for drop off/pick up; she explained the Traffic Management plan.

Nicholas Khoury, stated that the school had been in the center for seven & a half years. He added that it has been great working with the parents and the City.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Previte moved to recommend approval of P22-191, Club Pure @ The Marketplace - Special Exception Use, to the City Council. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

8.m P22-198 Wawa Convenience Store & Gas Station - Variance [2022-658](#)

Location: The property is located at the southwest corner of the intersection of SW Becker Road and SW Port St. Lucie Boulevard.

Legal Description: A portion of Tract L, Port St Lucie Section 33.

Request: To grant a variance to Section 158.222(B)(4) - Driveway

Spacing from Intersections. The applicant is requesting a variance to allow a shared access driveway from Becker Road within the functional area of the intersection of Becker Road and Port St. Lucie Boulevard.

Chair Beutel inquired if there was any ex-parte communications, to which Mr. Piechocki stated that he spoke with Ms. Price, the rest of the Board responded in the negative. Chair Beutel stated that e-mails were received which would be added into the file.

(Clerk's Note: A PowerPoint was shown at this time.) Ms. Price stated that she had been sworn in and explained that the request was to grant a variance to allow a driveway to connect from Becker Road to the subject site which was 257-feet west of the intersection of Port St. Lucie Boulevard and Becker Road, located in the functional area of the intersection. She showed a location map, an aerial, a proposed Site Plan, a Future Land Use map and a Zoning map. She explained that Public Works did not support having a driveway to the property from Becker Road and the proposed access was located in the functional area of influence of the intersection at Becker Road and Port St. Lucie Boulevard & added that Public Works limits the distances of driveways from intersections on many streets throughout the city. She said that the proposed driveway was also located in a turn lane for traffic heading southbound on Port St. Lucie Boulevard. She explained that if there was no access from Becker Road to the subject site, motorists would need to access the site from the side streets and added that residents on Yacoult Drive had voiced opposition to the side streets being used.

(Clerk's Note: A PowerPoint was shown at this time.) Brad Currie, Engineering, Design, and Construction (EDC), stated that he had been sworn in and explained that there were two different variances that he was requesting; one was a spacing requirement and the second was to allow the driveway in the turning lane. He showed location maps and the Site Plan. He broke down the driveway separations; the request was to approve a 6.95-foot variance to the proposed driveway separation to Yacoult Drive. He showed pictures of other developments within the City that did not meet the driveway separation or had driveways located in turn lanes. He explained that if Becker Road access was denied, drivers would have to access the property through Yacoult Drive which the applicant and the neighbors did not want.

Chair Beutel opened the Public Hearing. Matt Minnich stated that he had been sworn in and agreed with Mr. Currie's presentation. He stated that the Mayor and City Council did not want access on residential streets.

Cody Streveler stated that he had been sworn in and added that no traffic should be routed onto Yacolt Drive as residential safety was a priority.

Amanda Minnich stated that she had been sworn in added that she agreed with Mr. Currie's presentation since she did not want access on residential streets. There being no one else to speak, Chair Beutel closed the Public Hearing. Mr. Previte and Mr. Currie clarified how motorists can make a left to enter the property as opposed to making a U-Turn. The Board and Mr. Currie discussed the options that motorists could take to enter the property.

Mr. Piechocki moved to approve P22-198, Wawa Convenience Store & Gas Station – Variance. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

8.n P22-201 Soma Medical Center - Variance

[2022-647](#)

Location: The property is located on the west side of Bayshore Boulevard, north of Dwyer Avenue, and south of Duxbury Avenue.

Legal Description: Port St Lucie Section 28, Block 234, Lots 16, 17, 18 and 19.

This is a request to grant a variance to the Citywide Design Standards, Appendix A, Approved Colors Table to allow proposed building colors to exceed the maximum percentage allowed by the Citywide Design Standards. The applicant is requesting a variance of 35.59% for "Honorable Blue" (SW6811) on the front façade and a variance of 13.61% for "Direct Green" (SW6924) on the two side facades.

Chair Beutel inquired if there was any ex-parte communications, to which the Board responded in the negative. Chair Beutel stated that e-mails were received which would be added into the file.

(Clerk's Note: A PowerPoint was shown at this time.) Ms. Price explained that the request was to allow proposed building colors to exceed the maximum percentage allowed by the Citywide Design Standards. She said that the Design Standards allowed "Honorable Blue" to be used for up to 5% of a building façade and allowed "Direct Green" to be used for up to 2% of a building façade but the applicant was requesting to use "Honorable Blue" on 40.59% of the front façade & to use "Direct Green" on 15.61% of each of the side façades. She

informed the Board that the Citywide Design Standards did allow for design relief or an administrative variance by staff but the percentage of the proposed color exceeds the percentage allowed by design relief. She showed a location map, an aerial, a Future Land Use Map, a Zoning Map, a proposed Site Plan, and the proposed elevations. She informed the Board that the proposed colors were permitted but they are limited in terms of the percentage that may be used & added that brand colors were permitted for signs but the Design Standards did not address brand colors for buildings. (Clerk's Note: Ms. Price handed out Appendix A of the City's Design Standards.) Chair Beutel inquired as to why approved colors had a percentage limit, to which Ms. Price replied that staff wanted to limit strong colors for full portions of buildings. Mr. Previte inquired if there was an approved color, with a high percentage, that would match the proposed color, to which Ms. Price replied that it would be a lighter color. Mr. Previte stated that the applicant could choose a different color since there were many to choose from & was opposed to approving the variance. Mr. Piechocki inquired if it was a chain, to which Ms. Price replied that it was not a National chain but they did have a few locations.

Fernando Prieto, Team Architecture, stated that he had been sworn in and informed the Board that Soma Medical had over 20 clinics located within south & central Florida, meaning that they had established identity with their patients such as the color scheme of the building. He said that other buildings along Bayshore Boulevard had exceed percentages. He showed pictures of the West Palm Beach Soma Medical locations. Chair Beutel inquired as to how many other locations had the same color & percentages, to which Mr. Prieto replied that all free standing locations had the proposed colors and the locations within strip mall centers abided by the strip center regulations. Anna Cologne, Team Architecture, explained that the other 20 locations in south Florida did not have any issues with the colors. Mr. Previte inquired if they could use a similar blue color that is not restricted by percentage, to which Mr. Prieto and Ms. Cologne responded in the negative. Mr. Prieto stated that the lighter colors had higher percentages and the darker colors were lower percentages to be use mostly on trims, etc. Mr. Previte stated that this would be the first location in the area and questioned why the colors had to match the other locations down south or in Orlando. Mr. Piechocki inquired how branding would effect this case, to which Ms. Price replied that branding was not a justification for colors on a building. Chair Beutel inquired if they would work with staff to decide on new colors, to which

Mr. Prieto responded in the affirmative but added that he would like cooperation since there were other buildings on Bayshore Boulevard with dark colors used in a high percentage.

Chair Beutel opened the Public Hearing. The Deputy City Clerk administered the Oath of Testimony to David Reid who stated that he lived directly across the street from the building and felt that the colors were too much.

Mr. Previte moved to deny P22-201, Soma Medical Center – Variance. Vice Chair Wooten seconded the motion, which passed unanimously by roll call vote.

8.0 P22-214 City of Port St. Lucie - Southern Grove - Rezoning

[2022-646](#)

Location: The property is generally located on the west side SW Village Parkway, immediately south of the E/W 2 road right-of-way and north of Marshall Parkway.

Legal Description: A portion of Parcel 25B, Southern Grove Plat No. 13

This is a request to rezone approximately 27.49 acres of land from St.

Lucie County AG-5 - Agricultural and 2.40 acres of land from City of

Port St. Lucie MPUD to City of Port St. Lucie General Use Zoning (GU).

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

(Clerk's Note: A PowerPoint was shown at this time.) Ms. Kean explained that the item was a City initiated application which was proposing to rezone approximately 29.89 acres of land, located within the Southern Grove DRI, from the zoning designations of SLC AG-5 and City of Port St. Lucie MPUD to City of Port St. Lucie General Use. She added that it was designated for a future school & park site. She showed a location map and explained the Future Land Use, the surrounding uses, the current Zoning and the proposed Zoning.

(Clerk's Note: A PowerPoint was shown at this time.) Steve Garrett, Lucido & Associates, stated that he had been sworn in and explained that the park site would be called Stars & Stripes in the Park, which was dedicated to honoring Veterans. He explained that there would be large sculptures and large seating/lawn areas.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Mr. Piechocki moved to recommend approval of P22-214, City of Port St. Lucie - Southern Grove – Rezoning, to the City Council. Secretary Taylor-Moore seconded the

motion, which passed unanimously by roll call vote.

8.p P22-179 Tabernacle of Praise for All Nations - Landscape Modification

[2022-664](#)

Location: South of Rowley Way and north of Community Blvd.

Legal Description: Parcel 35, Tradition Plat No. 25

This is a request to substitute landscaping for an architectural wall that is a required feature of a landscape buffer strip per Section 154.12 (F) of the Landscape and Land Clearing Code.

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

(Clerk's Note: A PowerPoint was shown at this time.) Bianca Lee, Planning Technician, confirmed that she had been sworn in & stated that the file was submitted to the City Clerk's Office 5 days prior to the meeting. (Clerk's Note: At this time, there were technical difficulties.) Anne Cox, Assistant Director of Planning & Zoning, confirmed that she had been sworn in & stated 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 explained that the item was a landscape modification for a property which was proposing to construct a church and a daycare. She added that the site did abut residential property along the north side, on Rowley Way, which under code, required a landscape wall. She stated that the applicant was proposing to use the landscaping in lieu of a six foot architectural wall. Ms. Cox informed the Board that there was a change made to the code which would allow the Board to approve or deny the item, just like a variance. She showed a Location Map, aerial views, and the proposed Site Plan & Landscaping Plan. She showed the wall that was in existence along the residential area. She stated that the proposed landscaping was four feet but could grow up to six feet in height to provide additional buffering. Chair Beutel inquired if it met landscaping requirements, to which Ms. Cox responded in the affirmative.

(Clerk's Note: A PowerPoint was shown at this time.) George Botner informed the Board that there was an existing wall along Rowley Way which provided substantial buffering as well as two rows of street trees in addition to an eight foot hedge and additional landscaping.

Chair Beutel opened the Public Hearing, there being no one to speak, she closed the Public Hearing. Secretary Taylor-Moore moved to approve P22-179, Tabernacle of Praise for All Nations - Landscape Modification. Vice Chair Wooten seconded the motion, which passed

unanimously by roll call vote.

9. New Business

- 9.a** Review of O.L. Peacock Sr. Park Improvements Proposed Florida Recreation Development Assistance Program (FRDAP) Grant

[2022-656](#)

(Clerk’s Note: This item was heard after Item 5.)

(Clerk’s Note: A PowerPoint was shown at this time.) Kelly Boatwright, Parks & Recreation Senior Project Manager, explained where the park site was and the Master Planning procedures that took place. She clarified that the site had three phases and explained each and added that if awarded the grant staff could bring in some Phase 2 amenities under Phase 1.

Vice Chair Wooten moved to recommended approval of the O.L. Peacock Sr. Park Improvements Proposed Florida Recreation Development Assistance Program (FRDAP) Grant to the City Council. Secretary Taylor-Moore seconded the motion, which passed unanimously by roll call vote.

The Board requested that large documents be given to them in advance of the meeting. Mary Savage-Dunham introduced herself to the Board as the new Director of the Planning & Zoning Department & stated that she was excited to work with the Board.

10. Old Business

There was nothing heard under this item.

11. Public to be Heard

There was nothing heard under this item.

12. Adjourn

There being no further business, the meeting adjourned at 11:05 p.m.

Carol Taylor-Moore, Secretary

Shanna Donleavy, Deputy City Clerk



Agenda Summary

2022-350

Agenda Date: 9/6/2022

Agenda Item No.: 6.a

Placement: Consent Agenda

Action Requested: Motion / Vote

P21-270 Mansion Estates Preliminary & Final Subdivision Plat

Submitted By: Bethany Grubbs, Planner II

Executive Summary: This subdivision application is a replat of Lots 1 and 2 of Mansion Estates to create six single-family lots, with a wetland preservation easement and upland buffer. The 4.28-acre site is zoned RE (Estate Residential), with a compatible RL (Low Density Residential) land use and consists of two parcels.

Presentation Information: Staff will provide a presentation.

Staff Recommendation: Move that the Board recommend approval of the preliminary and final subdivision plat as recommended by the Site Plan Review Committee.

Alternate Recommendations:

1. Move that the Board amend the recommendation and recommend approval of the plat.
2. Move that the Board not recommend approval.

Background: The Site Plan Review recommended approval of the preliminary and final plat at their March 9, 2022 meeting.

Issues/Analysis: See attached staff report.

Special Consideration: See attached staff report.

Location of Project: South side of SW Brevity Terrace between SW California Boulevard and SW Cecelia Lane.

Attachments:

1. Staff Report
2. Plat
3. Boundary Survey
4. Proof of Ownership
5. Staff Presentation



**Mansion Estates
 Preliminary & Final Subdivision Plat
 P21-270**



Project Location Map

SUMMARY

Applicant's Request:	To replat lots 1 & 2 of the Mansion Estates Subdivision into 6 residential lots.
Applicant:	Armando Hernandez, Hernandez Builders Management, LLC
Property Owner:	Armando Hernandez, Hernandez Builders Management, LLC
Location:	The project is generally located on the south side of SW Brevity Terrace between SW California Boulevard and SW Cecelia Lane.
Project Planner:	Bethany Grubbs, Planner II

Project Description

This subdivision application is a replat of Lots 1 and 2 of Mansion Estates to create six single-family lots, with a wetland preservation easement and upland buffer. The 4.28-acre site is zoned RE (Estate Residential), with a compatible RL (Low Density Residential) land use and consists of two parcels. The site is bordered to the northeast by SW California Ave, to the northwest by SW Brevity Terrace, to the southwest by SW Cecelia Lane, and to the southeast by single-family residences.

The six lots meet the lot size requirements for the RE Zoning District, providing for a minimum of 20,000 square feet and a 100-foot lot width. The six lots range in size from 0.671-acres (29,228 sf²) to 0.910-acres (39,639.6 sf²). There are no public or private improvements proposed in conjunction with this subdivision plat.

Previous Actions and Prior Reviews

The Site Plan Review Committee recommended approval of the proposed preliminary and final subdivision plat at the March 9, 2022 Site Plan Review Committee meeting.

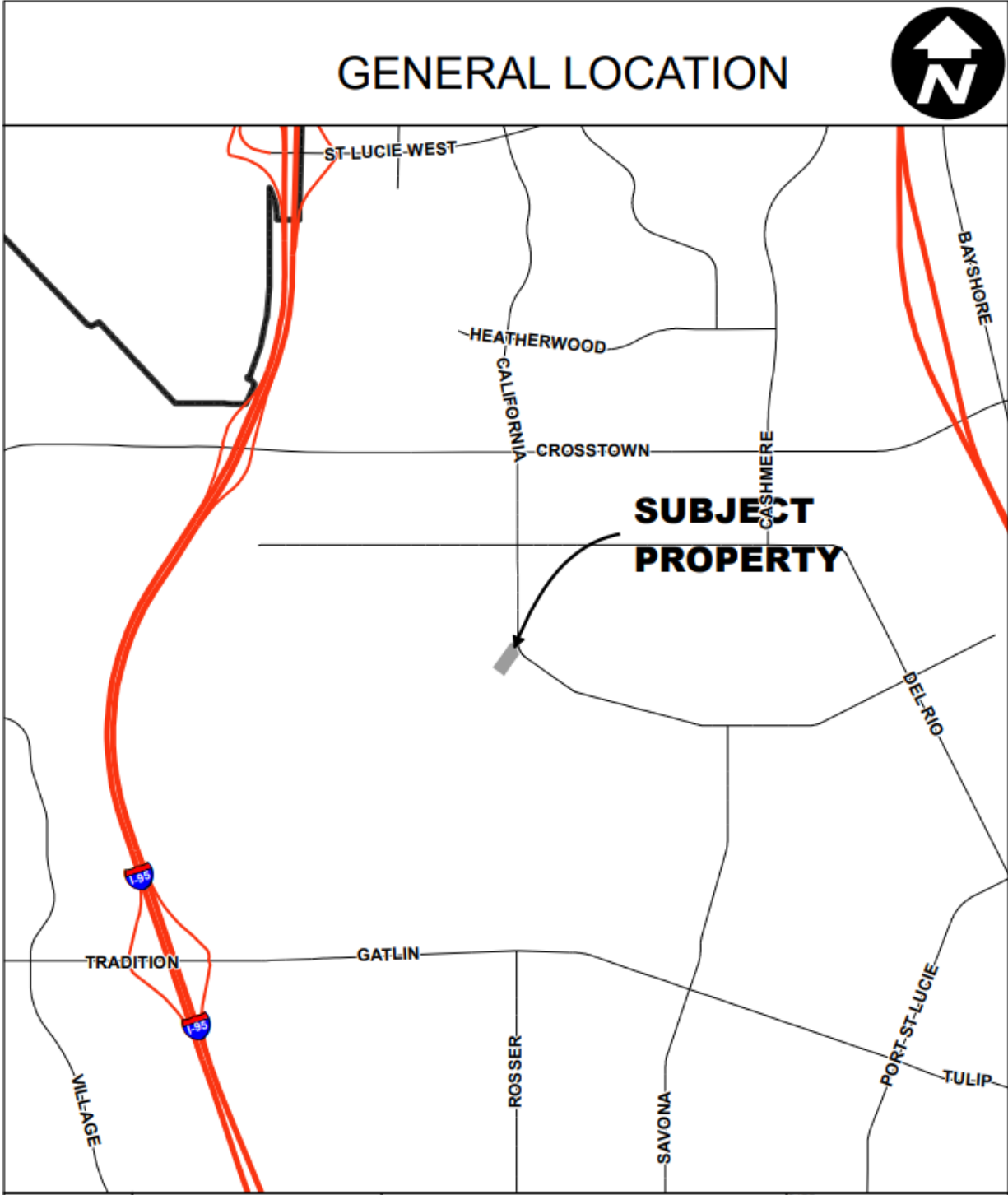
Location and Site Information

Parcel ID No.	43017-000-0001-000-2; 4301-700-0002-000-9
Property Size:	4.25-acres
Legal Description:	Lots 1 and 2 of Mansion Estates (PB 38, PG 14)
Future Land Use:	RL (Low Density Residential)
Existing Zoning:	RE (Estate Residential)
Existing Use:	Vacant

Surrounding Uses

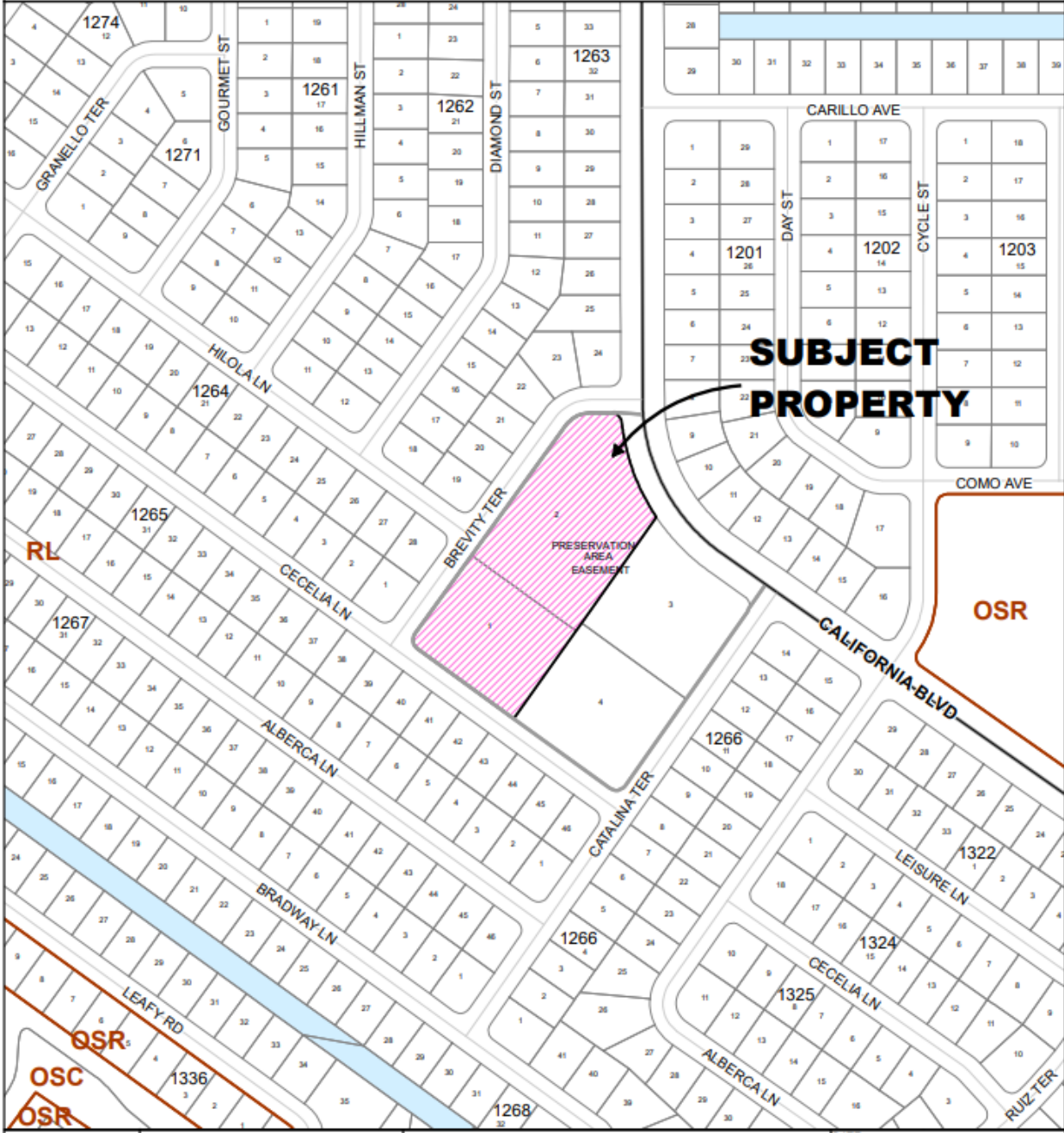
Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-family residences
South	RL	RS-2	Single-family residences
East	RL	RE	Single-family residences; Vacant
West	RL	RS-2	Single-family residences; Vacant

RL-Low Density Residential, RS-2-Single-Family Residential, RE-Estate Residential



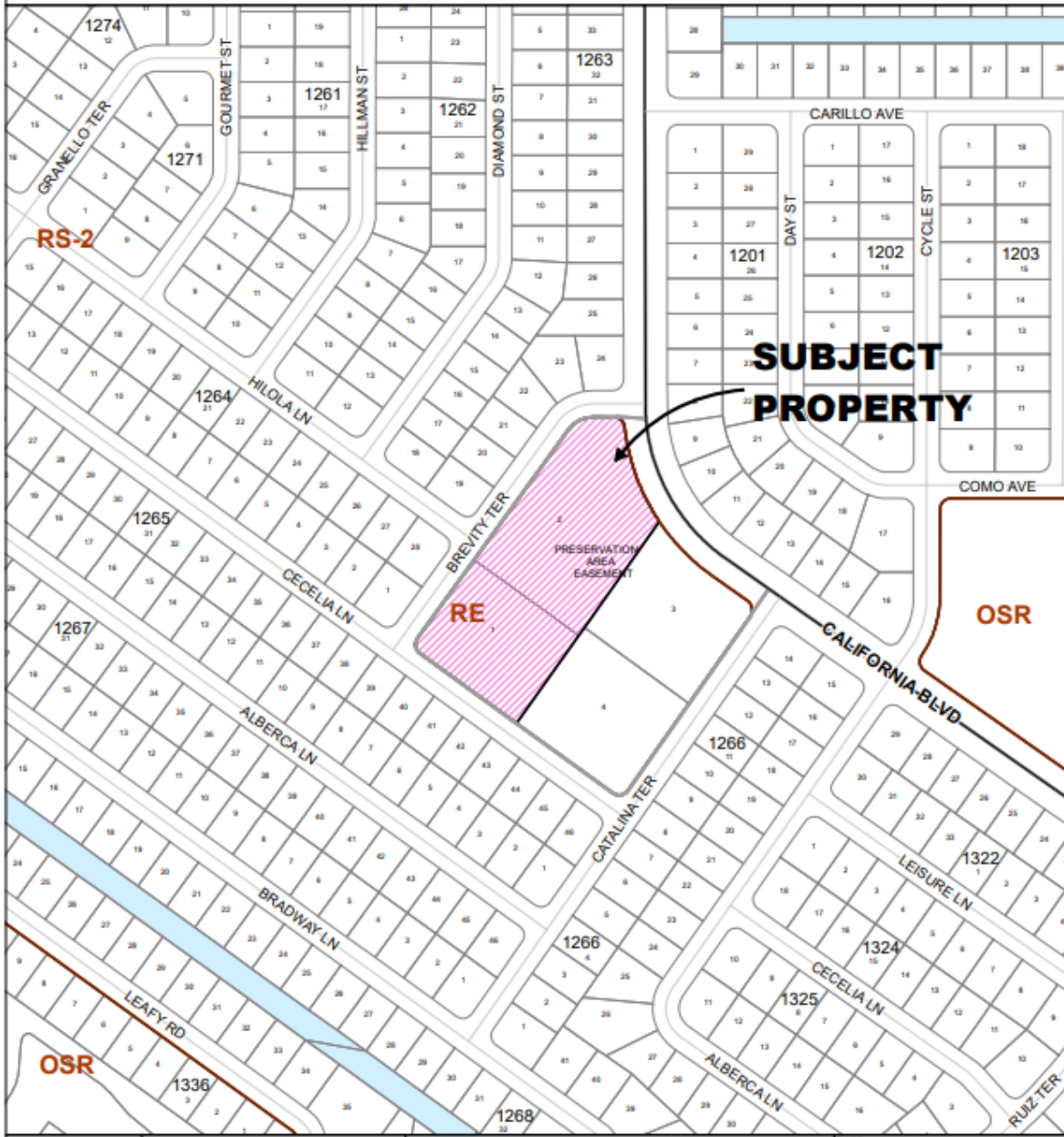
Location Map

FUTURE LAND USE



Future Land Use Map

EXISTING ZONING



Zoning Map

IMPACTS AND FINDINGS

CONCURRENCY REVIEW (CHAPTER 160)

The project has been reviewed for compliance with Chapter 160, City Code regarding the provision of adequate public facilities and documented as follows:

<i>Sanitary Sewer and Potable Water Facilities</i>	Sewer/water will be provided by Port St. Lucie Utility Systems Department. A developer's agreement with the City Utilities Department, which is consistent with the adopted level of service, is required prior to the issuance of building permits.
<i>Traffic Circulation</i>	The staff review indicates that this project will generate approximately 76 daily vehicle trips, 11 a.m. peak hour trips, and 8 p.m. peak hour trips (ITE, Land Use Code 210, Single-Family Detached Housing) on the roads adjacent to the project. Trip projections were calculated using the Institute of Transportation Engineers (ITE) "Trip Generation Manual, 11th Edition". This project should not have an adverse effect on the transportation level of service for the adjacent roadways.
<i>Parks and Recreation Facilities</i>	The level of service for parks is measured and planned in conjunction with population growth on an annual basis. At this time, there are adequate parklands available to meet the required level of service.
<i>Stormwater Management Facilities</i>	The development of the lots will meet all applicable stormwater management regulations at the issuance of permits for development.
<i>Solid Waste</i>	Solid waste impacts are measured and planned based on population projections on an annual basis. There is adequate capacity available.
<i>Public School Concurrency Analysis</i>	Per Policy PSFE 2.4.1 of the City's Comprehensive Plan, Public School Facilities Element, approval of the final plat is subject to the availability of adequate school capacity based on the adopted level of service standards. As a member of the Site Plan Review Committee, the School Board has reviewed the application and concurred adequate capacity is available.

NATURAL RESOURCE PROTECTION (CHAPTER 157)

The project has been reviewed for compliance with the requirements of Chapter 157, Natural Resource Protection Code and documented as follows:

Native Habitat/Tree Protection:

One isolated state jurisdictional wetland is located within the southeast portion of the property. A wetland easement and upland buffer exist on lots 1-4 of the Mansion Estates Plat recorded in Plat Book 38, Page 14. The wetland preservation is approximately 2 acres in total area. Lots 1 and 2 contain a 1.11-acre wetland, which is a portion of the overall 2-acre wetland. As shown on the plat, the proposed subdivision will continue to maintain a native upland buffer, surrounding the entirety of the wetland, with an average width of 50 feet and a minimum width at one point of 15 feet from the landward edge of all wetland

perimeters as per Sec. 157.05(D)(1). The preservation easement and upland buffer restrict dedications and usage to permanently protect the wetland. No wetland impacts are proposed in association with the proposed subdivision plat.

When native upland habitat exists on the property, a minimum of twenty-five (25) percent of the total native upland habitat on site shall be preserved. A native upland buffer around wetlands may be counted toward meeting the native upland habitat preserve requirement. The site contains 2.74-acres of upland habitat; therefore, the required upland preservation is 0.69-acres. The wetland buffer covers approximately 0.75-acres of upland habitat, satisfying this requirement.

Wildlife Protection: The site shall be evaluated for any resident wildlife prior to building. If any listed species are present on the site, the applicant will be required to obtain a permit from the Florida Department of Environmental Protection prior to development.

OTHER

Fire District: The access location (external and internal) has been reviewed by the Fire District for safety purposes.

Public Art (Chapter 162): N/A

Related Projects

P99-078 Mansion Estates – Subdivision Replat of Tract H – Application for subdivision replat for four residential lots was approved by the City Council through Resolution 99-R30 on July 26, 1999.

P20-183 Hernandez Builders Management (Mansion Estates) – Application to rezone lots 1 & 2 of the Manion Estates Subdivision to the RS-2 (Single-Family Residential) zoning district. The applicant withdrew the request on May 16, 2021.

STAFF RECOMMENDATION

The Planning and Zoning Department staff finds the request to be consistent with the direction and intent of the City's Land Development Regulations and policies of the Comprehensive Plan.

The Site Plan Review Committee recommended approval of the Mansion Estates preliminary and final subdivision plat at their meeting on March 9, 2022.

MANSION ESTATES REPLAT 1

BEING A REPLAT OF LOTS 1 AND 2, MANSION ESTATES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 38, PAGE 14, OF PUBLIC RECORDS, LYING IN SECTIONS 1 AND 2, TOWNSHIP 37 SOUTH, RANGE 39 EAST, CITY OF PORT ST. LUCIE, ST. LUCIE COUNTY, FLORIDA.

SHEET 1 OF 2

PLAT BOOK: _____
 PAGE: _____
 FILE NO.: _____
 DATE: _____
 TIME: _____

LEGAL DESCRIPTION:

BEING ALL OF LOTS 1 AND 2, MANSION ESTATES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 38, PAGE 14, OF THE PUBLIC RECORDS, OF ST. LUCIE COUNTY, FLORIDA.
 CONTAINING 186,449.73 SQUARE FEET OR 4.280 ACRES, MORE OR LESS.

DEDICATION:

STATE OF FLORIDA
 COUNTY OF ST. LUCIE

HERNANDEZ BUILDERS MANAGEMENT, LLC., A FLORIDA LIMITED LIABILITY CORPORATION, DOES HEREBY CERTIFY THAT IT IS THE OWNER OF THE PROPERTY DESCRIBED HEREON AND HAS CAUSED THE SAME TO BE SURVEYED AND PLATTED, AS SHOWN HEREON, AND DOES HEREBY DEDICATE AS FOLLOWS:

- THE UTILITY AND DRAINAGE EASEMENT (UDE), AS SHOWN HEREON, SHALL PROVIDE THAT SUCH EASEMENTS SHALL ALSO BE EASEMENTS FOR THE CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES; PROVIDED, HOWEVER, NO SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION OF CABLE TELEVISION SERVICES SHALL INTERFERE WITH THE FACILITIES AND SERVICES OF AN ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. IN THE EVENT A CABLE TELEVISION COMPANY DAMAGES THE FACILITIES OF A PUBLIC UTILITY, IT SHALL BE SOLELY RESPONSIBLE FOR THE DAMAGES. THIS SECTION SHALL NOT APPLY TO THOSE PRIVATE EASEMENTS GRANTED TO OR OBTAINED BY A PARTICULAR ELECTRIC, TELEPHONE, GAS, OR OTHER PUBLIC UTILITY. SUCH CONSTRUCTION, INSTALLATION, MAINTENANCE, AND OPERATION SHALL COMPLY WITH THE NATIONAL ELECTRICAL SAFETY CODE AS ADOPTED BY THE FLORIDA PUBLIC SERVICE COMMISSION. UTILITY AND DRAINAGE EASEMENTS ARE ALSO DEDICATED IN FAVOR OF THE CITY OF PORT ST. LUCIE, FLORIDA, ITS SUCCESSORS AND/OR ASSIGNS, FOR ACCESS TO, INSTALLATION AND MAINTENANCE OF PUBLIC UTILITIES AND DRAINAGE FACILITIES INCLUDING, BUT NOT LIMITED TO, WATER AND WASTEWATER LINES AND APPURTENANT FACILITIES. THE CITY OF PORT ST. LUCIE, FLORIDA SHALL NOT BE RESPONSIBLE FOR ANY MAINTENANCE OBLIGATIONS FOR SAID EASEMENTS EXCEPT AS SHALL RELATE TO THE SERVICING OF SUCH PUBLIC UTILITIES BY THE CITY OF PORT ST. LUCIE, FLORIDA.
- REMOVAL OR ALTERATION OF NATIVE VEGETATION; CONSTRUCTION OF IMPERVIOUS SURFACES, EXCEPT AS SPECIFICALLY PROVIDED FOR BELOW; AND THE USE OF FERTILIZERS AND PESTICIDES IS PROHIBITED WITHIN THE UPLAND BUFFER AND PRESERVATION AREAS. THE FOLLOWING USES ARE PERMITTED WITHIN THE UPLAND BUFFER AND PRESERVATION AREAS: REMOVAL OF EXOTIC VEGETATION BY HAND; PIERS AND WALKWAYS PURSUANT TO THE PORT ST. LUCIE CODES OF ORDINANCES; AND THE REQUIREMENTS OF STATE PERMITTING AGENCIES; RECREATION; FISH AND WILDLIFE MANAGEMENT AND OPEN SPACE. THE CITY OF PORT ST. LUCIE SHALL BEAR NO RESPONSIBILITY, DUTY OF LIABILITY REGARDING THE PRESERVATION AREA.

SIGNED AND SEALED THIS _____ DAY OF _____, 2022

HERNANDEZ BUILDERS MANAGEMENT, LLC., A FLORIDA LIMITED LIABILITY CORPORATION

BY: _____
 ARMONDO HERNANDEZ, MANAGER

WITNESS: _____ PRINT NAME: _____

WITNESS: _____ PRINT NAME: _____

ACKNOWLEDGEMENT:

STATE OF _____
 COUNTY OF _____

BEFORE ME PERSONALLY APPEARED ARMONDO HERNANDEZ, WHO IS PERSONALLY KNOWN TO ME, OR HAS PRODUCED A _____ AS IDENTIFICATION, AND WHO EXECUTED THE FOREGOING INSTRUMENT AS MANAGER OF HERNANDEZ BUILDERS MANAGEMENT, LLC., A FLORIDA LIMITED LIABILITY COMPANY, AND SEVERALLY ACKNOWLEDGED TO AND BEFORE ME THAT HE EXECUTED SUCH INSTRUMENT AS SUCH OFFICER OF SAID COMPANY.

WITNESS MY HAND AND OFFICIAL SEAL THIS _____ DAY OF _____, 2022.

NOTARY PUBLIC: _____

PRINT NAME: _____

COMMISSION NUMBER: _____ EXPIRES: _____

TITLE CERTIFICATION:

STATE OF FLORIDA
 COUNTY OF _____

IN OUR OPINION, WE, _____ MEMBER OF THE FLORIDA BAR, IN RELIANCE UPON THAT CERTAIN TITLE POLICY DATED SEPTEMBER 16, 2020, ISSUED BY FIRST AMERICAN TITLE INSURANCE COMPANY, HEREBY CERTIFY THAT AS OF THIS _____ DAY OF _____, 2022 AT _____:____M.:

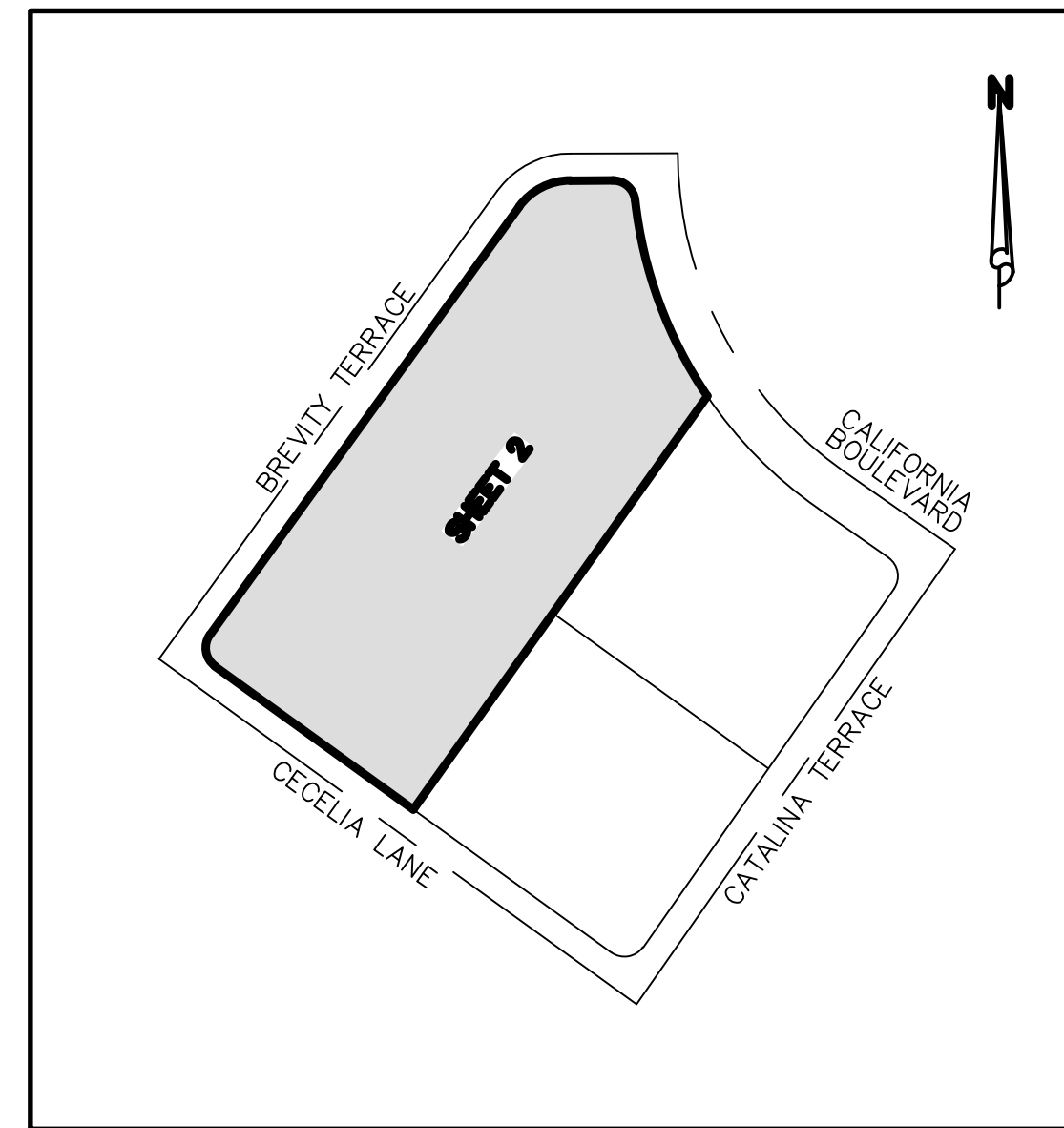
- RECORD TITLE TO THE LAND DESCRIBED AND SHOWN ON THIS PLAT IS IN THE NAME OF HERNANDEZ BUILDERS MANAGEMENT, LLC, A FLORIDA LIMITED LIABILITY COMPANY.
- ALL RECORDED MORTGAGES NOT SATISFIED OR RELEASED OF RECORD ENCUMBERING THE LAND DESCRIBED HEREON ARE LISTED AS FOLLOWS:
 A. NONE.

DATED THIS _____ DAY OF _____, 2022.

NAME: _____

ADDRESS: _____

ADDRESS: _____ BY: _____
 NAME: _____



LOCATION MAP
 INDEX/KEY MAP
 NOT TO SCALE

CLERK OF THE CIRCUIT COURT:

STATE OF FLORIDA
 COUNTY OF ST. LUCIE

I, MICHELLE R. MILLER, CLERK OF THE CIRCUIT COURT IN AND FOR ST. LUCIE COUNTY, FLORIDA, DO HEREBY CERTIFY THAT THIS PLAT HAS BEEN EXAMINED AND THAT IT COMPLIES IN FORM WITH ALL THE REQUIREMENTS OF THE LAWS OF THE STATE OF FLORIDA PERTAINING TO MAPS AND PLATS AND THAT THIS PLAT HAS BEEN FILED FOR RECORD IN PLAT BOOK _____ PAGES _____ THROUGH _____ OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA, THIS _____ DAY OF _____, 2022.

 MICHELLE R. MILLER
 CLERK OF THE CIRCUIT COURT
 ST. LUCIE COUNTY, FLORIDA

APPROVAL OF CITY SURVEYOR:

IN ACCORDANCE WITH SECTION 177.081(1), FLORIDA STATUTES, THIS PLAT HAS BEEN REVIEWED FOR CONFORMITY TO CHAPTER 177, FLORIDA STATUTES, BY A PROFESSIONAL SURVEYOR AND MAPPER EMPLOYED BY OR UNDER CONTRACT WITH THE CITY OF PORT ST. LUCIE. THIS REVIEW DOES NOT INCLUDE THE VERIFICATION OF GEOMETRIC DATA OR FIELD VERIFICATION OF PERMANENT REFERENCE MONUMENTS OR MONUMENTS AT LOT CORNERS.

APPROVAL OF CITY COUNCIL:

STATE OF FLORIDA
 COUNTY OF ST. LUCIE

IT IS HEREBY CERTIFIED THAT THIS PLAT OF "REPLAT OF MANSION ESTATES REPLAT 1" HAS BEEN OFFICIALLY APPROVED FOR RECORD BY THE CITY COUNCIL OF THE CITY OF PORT ST. LUCIE, FLORIDA, AND ALL DEDICATIONS AND/OR RESERVATIONS HEREON ARE ACCEPTED THIS _____ DAY OF _____, 2022.

CITY OF PORT ST. LUCIE, CITY COUNCIL

 SHANNON MARTIN
 MAYOR

 SALLY WALSH
 CITY CLERK

ABBREVIATIONS:

- (C) = CALCULATED
- (M) = MEASURED
- (NR) = NON-RADIAL
- (P) = PLAT
- (S) = SURVEY
- Δ = DELTA ANGLE
- AC = ACREAGE
- CB = CHORD BEARING
- CD = CHORD DISTANCE
- DB = DEED BOOK
- FE = FLOWAGE EASEMENT
- FND = FOUND
- IRC = #5 IRON ROD WITH PLASTIC CAP
- L = ARC LENGTH
- LB = LICENSE BUSINESS
- LS = LICENSE SURVEY
- MON = MONUMENT
- ORB = OFFICIAL RECORD BOOK
- PB = PLAT BOOK
- PG = PAGE(S)
- PL = PROPERTY LINE
- POB = POINT OF BEGINNING
- POC = POINT OF COMMENCEMENT
- PRM = PERMANENT REFERENCE MONUMENT
- PCP = PERMANENT CONTROL POINT
- PUDE = PUBLIC UTILITY & DRAINAGE EASEMENT
- PUE = PUBLIC UTILITY EASEMENT
- R = RADIUS
- R/W = RIGHT-OF-WAY
- SF = SQUARE FOOT
- TR = TRACT
- UE = UTILITY EASEMENT

SYMBOLS:

- = SET PK NAIL & DISK "PRM PSM 6330"
- = FND 4"x4" CONCRETE MONUMENT & DISK "PRM LB#3541"

SURVEYOR'S NOTES:

- BEARING BASIS: A "GRID NORTH" BEARING OF N35°52'00"E ALONG THE CENTERLINE OF BREVIY TERRACE ACCORDING TO PLAT BOOK 12, PAGE 51 51A THRU 51E. ALL BEARINGS ARE RELATIVE THERETO.
- ALL LINES ARE RADIAL UNLESS OTHERWISE NOTED.
- NO BUILDINGS OR ANY KIND OF CONSTRUCTION OR CERTAIN TYPE OF TREES AND SHRUBS SHALL BE PLACED ON ANY EASEMENT WITHOUT PRIOR WRITTEN APPROVAL OF ALL EASEMENT BENEFICIARIES AND ALL CITY APPROVALS OR PERMITS AS REQUIRED FOR SUCH ENCROACHMENTS.
- THIS PLAT IS BASED ON THE PLAT OF MANSION ESTATES AS RECORDED IN PLAT BOOK 38, PAGE 14, PUBLIC RECORDS OF ST. LUCIE, COUNTY, FLORIDA AND A TITLE POLICY PREPARED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE#: 172443-40, POLICY NUMBER: 5011412-0748310E, DATED: SEPTEMBER 16, 2020 AT 8:27am.

SUBJECT TO THE FOLLOWING:

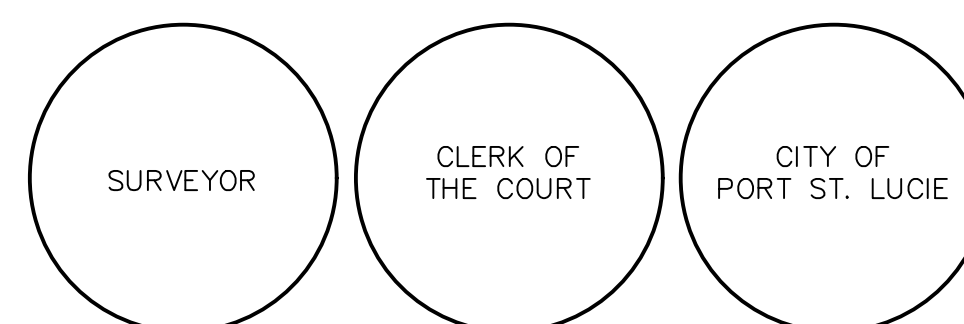
- RESTRICTIONS, DEDICATIONS, CONDITIONS, RESERVATIONS, EASEMENTS AND OTHER MATTERS SHOWN ON THE PLAT OF MANSION ESTATES, AS RECORDED IN PLAT BOOK 38, PAGE 14, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(c). (BI(#8)) (NOT PLOTTABLE)(AFFECTS THE ENTIRE PARCEL)
- RESTRICTIONS, DEDICATIONS, CONDITIONS, RESERVATIONS, EASEMENTS AND OTHER MATTERS SHOWN ON THE PLAT OF PORT ST. LUCIE SECTION ELEVEN, AS RECORDED IN PLAT BOOK 12, PAGE(S) 51, 51A THROUGH 51E, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(c). (BI(#9)) (NOT PLOTTABLE)(AFFECTS THE ENTIRE PARCEL)
- ASSIGNMENT AGREEMENT IN FAVOR OF FLORIDA POWER & LIGHT COMPANY RECORDED IN BOOK 473, PAGE 1177, AS AFFECTED BY BOOK 804, PAGE 1177, AND BOOK 3297, PAGE 2829. (BI(#10)) (NOT PLOTTABLE)(AFFECTS THE ENTIRE PARCEL)
- ASSIGNMENT AND ASSUMPTION AGREEMENT IN FAVOR OF THE CITY OF PORT ST. LUCIE, FLORIDA, RECORDED IN BOOK 1141, PAGE 2395. (BI(#11)) (NOT PLOTTABLE)(AFFECTS THE ENTIRE PARCEL)
- NOTICE: THIS PLAT, AS RECORDED IN ITS GRAPHIC FORM, IS THE OFFICIAL DEPICTION OF THE SUBDIVIDED LANDS DESCRIBED HEREIN AND WILL IN NO CIRCUMSTANCES BE SUPPLANTED IN AUTHORITY BY ANY OTHER GRAPHIC OR DIGITAL FORM OF THE PLAT. THERE MAY BE ADDITIONAL RESTRICTIONS THAT ARE NOT RECORDED ON THIS PLAT THAT MAY BE FOUND IN THE PUBLIC RECORDS OF THIS COUNTY.
- HERNANDEZ BUILDERS MANAGEMENT, LLC., A FLORIDA LIMITED LIABILITY CORPORATION, ITS SUCCESSORS AND/OR ASSIGNS, IS RESPONSIBLE FOR MAINTAINING ALL ONSITE STORMWATER DRAINAGE.
- THIS SITE IS ZONED "RE" (ESTATE RESIDENTIAL) AND HAS A LANDUSE DESIGNATION AS "RL" (LOW DENSITY RESIDENTIAL)

SURVEYOR'S CERTIFICATE:

THIS IS TO CERTIFY THAT THE PLAT SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF A SURVEY MADE UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION; THAT SAID SURVEY IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND BELIEF; THAT PERMANENT REFERENCE MONUMENTS (P.R.M.'S) AND MONUMENTS ACCORDING TO SECTION 177.091, FLORIDA STATUTES HAVE BEEN PLACED AS REQUIRED BY LAW; AND THAT THE SURVEY DATA COMPLIES WITH ALL THE REQUIREMENTS OF CHAPTER 177, FLORIDA STATUTES, AS AMENDED, AND THE ORDINANCES OF THE CITY OF PORT ST. LUCIE, FLORIDA.

BY: _____ DATE: _____
 ALEXANDER J. PIAZZA
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA LICENSE NUMBER 6330

CITY OF PORT ST. LUCIE
 PROJECT NO.: P21-270



PREPARED IN THE OFFICE OF:

ALEXANDER J. PIAZZA PSM, INC.
 619 SW BILTMORE STREET
 PORT ST. LUCIE, FLORIDA 34983
 CERTIFICATION NO. LB 7280
 ALEXANDER J. PIAZZA PSM
 PROFESSIONAL SURVEYOR AND MAPPER
 FLORIDA CERTIFICATE NO. 6330

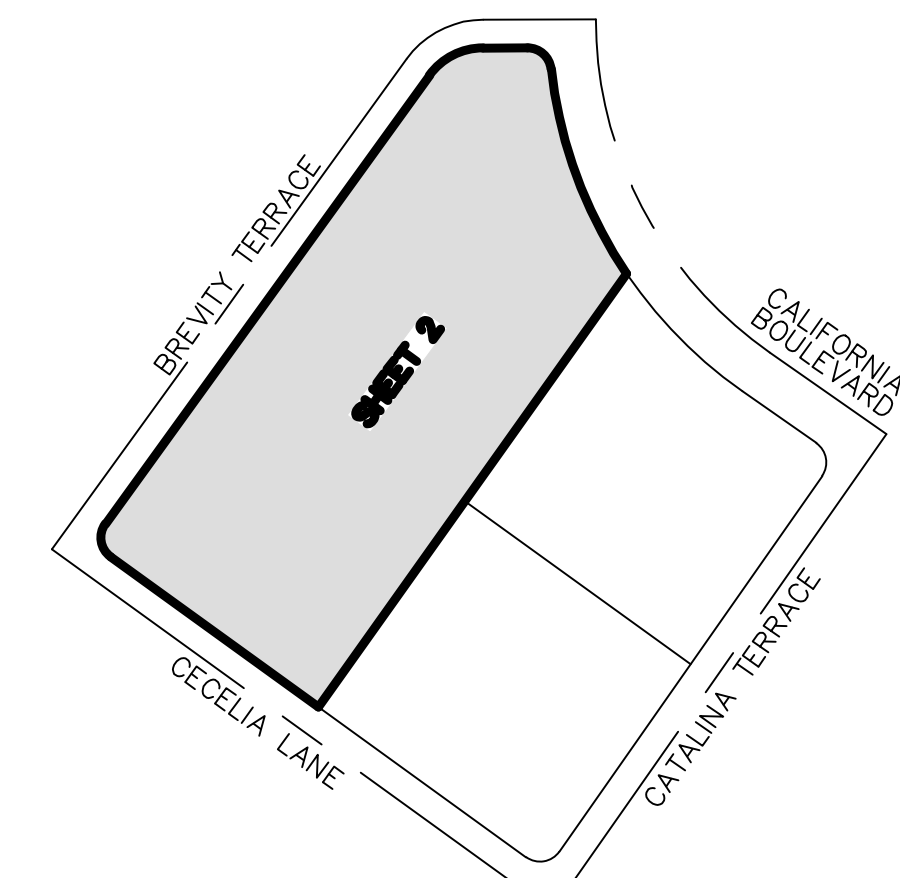
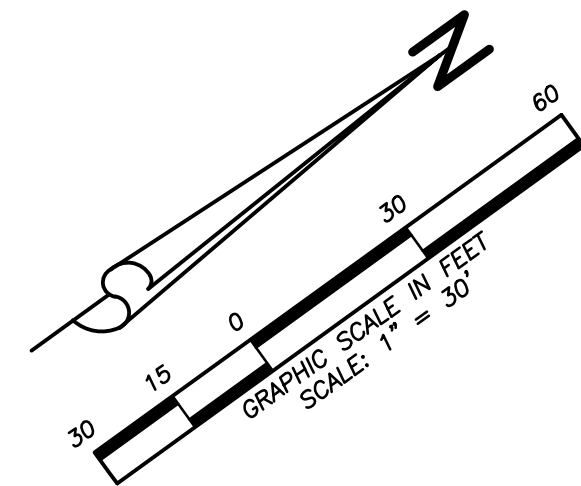
ALEXANDER J. PIAZZA PSM, INC.
 Surveying • Mapping • Consulting
 619 SW Biltmore Street
 Port St. Lucie, Florida 34983
 Phone: (772) 340-7770
 Fax: (772) 340-2250
LB#7280

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REF	K:\HERNANDEZ\21-8406.DWG			
FLD	BF/DG	FB.	PG.	JOB 21-8406
OFF	AJP			DATE 1-2-22
CKD	AJP	SHEET	1 OF 2	DWG D-0998

MANSION ESTATES REPLAT 1

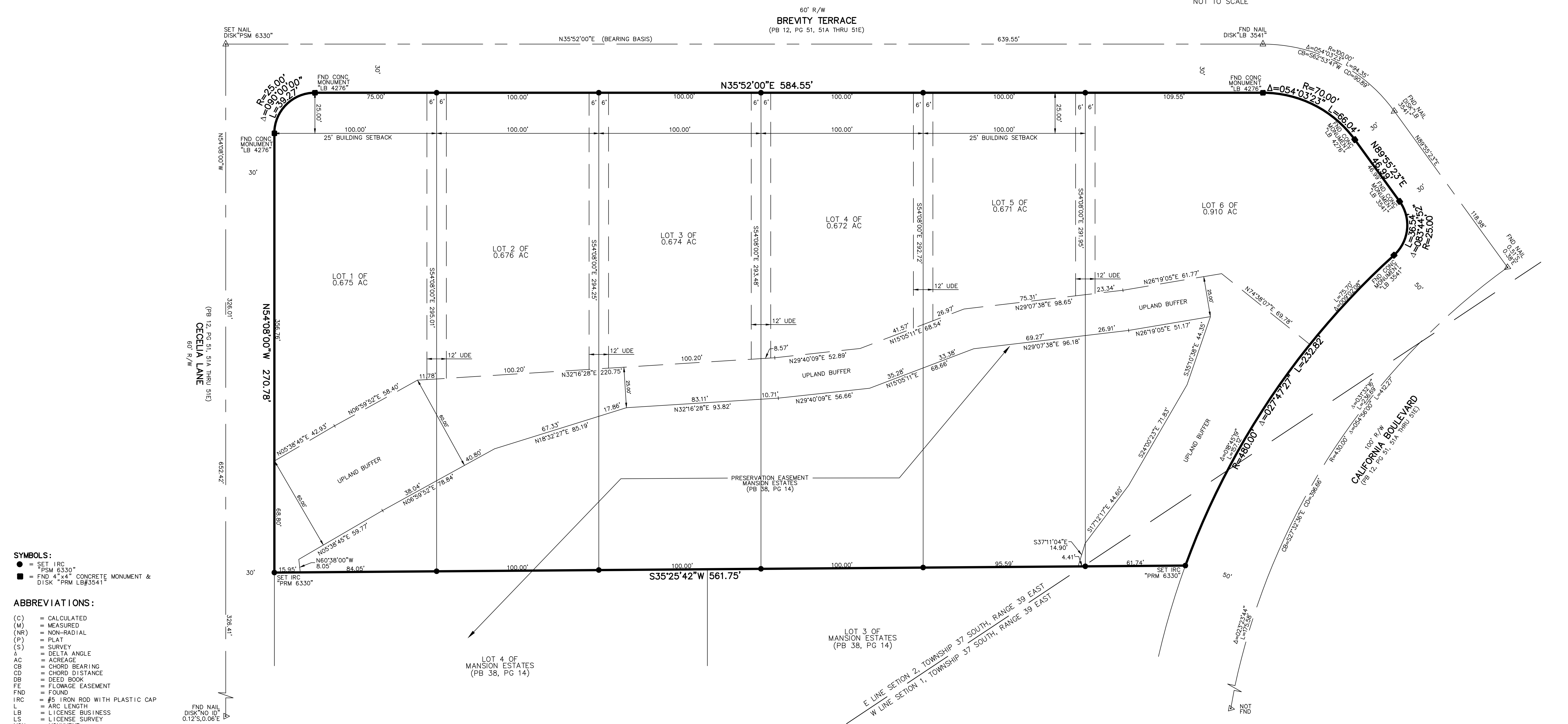
BEING A REPLAT OF LOTS 1 AND 2, MANSION ESTATES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 38, PAGE 14, OF PUBLIC RECORDS, LYING IN SECTIONS 1 AND 2, TOWNSHIP 37 SOUTH, RANGE 39 EAST, CITY OF PORT ST. LUCIE, ST. LUCIE COUNTY, FLORIDA.

SHEET 2 OF 2



LOCATION MAP INDEX/KEY MAP NOT TO SCALE

PLAT BOOK: _____
 PAGE: _____
 FILE NO.: _____
 DATE: _____
 TIME: _____



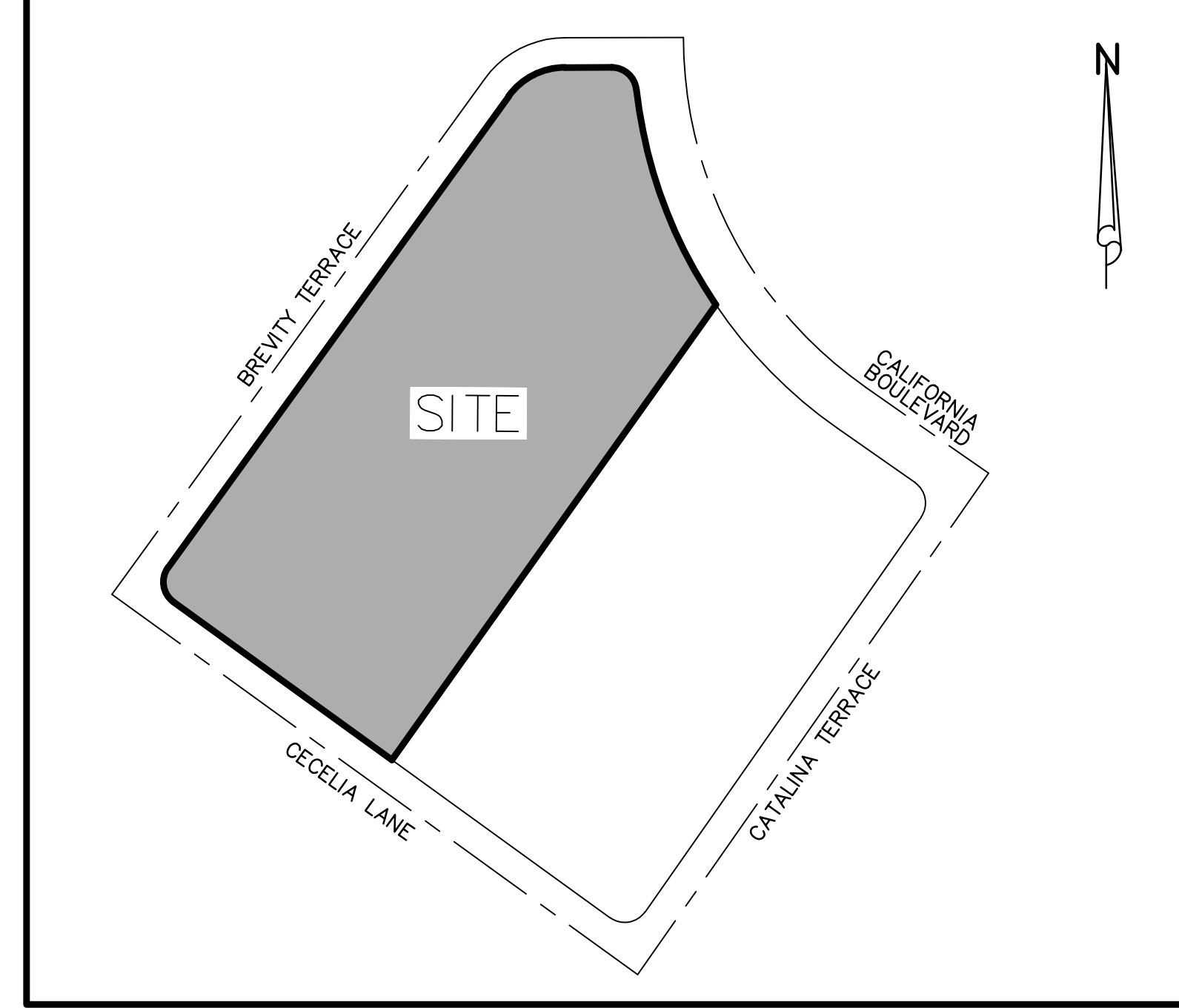
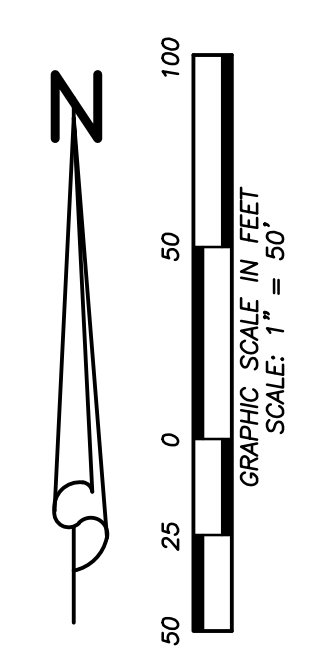
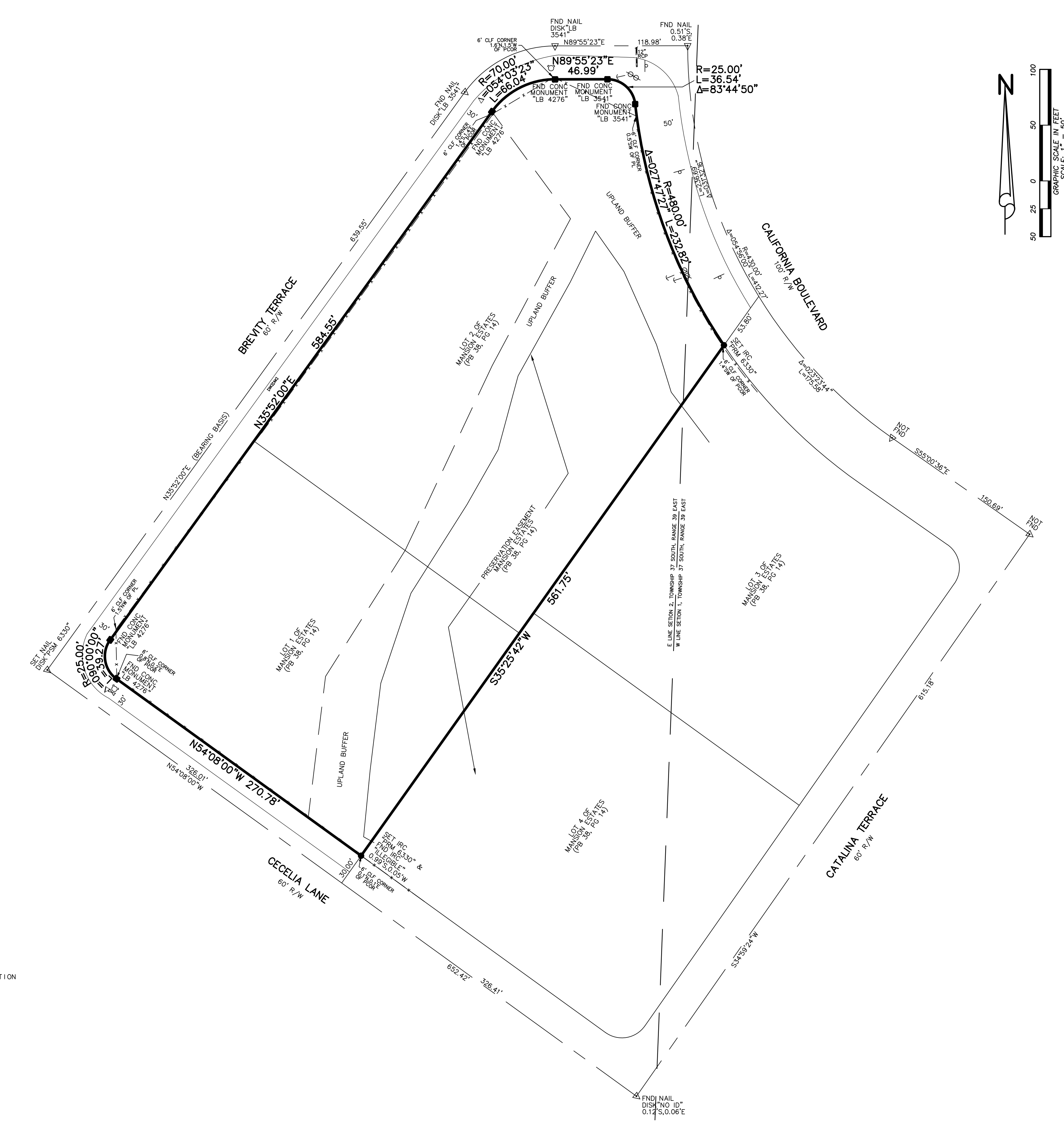
- SYMBOLS:**
- = SET IRC PSM 6330"
 - = FND 4"x4" CONCRETE MONUMENT & DISK *PRM LB#3541"
- ABBREVIATIONS:**
- (C) = CALCULATED
 - (M) = MEASURED
 - (NR) = NON-RADIAL
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PREPARED IN THE OFFICE OF:

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LB#7280

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REF	K:\HERNANDEZ\21-8406.DWG			
FLD	BF/DG	FB.	PG.	JOB 21-8406
OFF	AJP			DATE 1-28-22
CKD	AJP	SHEET 2 OF 2	DWG	D-0998

CITY OF PORT ST. LUCIE
 PROJECT NO.: P21-270



LOCATION MAP
NOT TO SCALE

LEGAL DESCRIPTION:

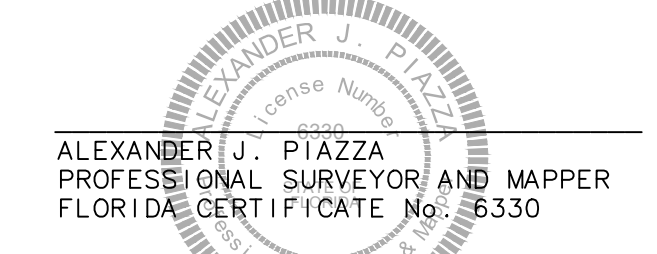
LOTS 1 AND 2 OF MANSION ESTATES, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 38, PAGE 14, OF THE PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
CONTAINING 186,449.73 SQUARE FEET AND 4.2802 ACRES

SURVEY REPORT:

- THIS IS A BOUNDARY SURVEY AS DEFINED IN CHAPTER 5J-17.050(11), FLORIDA ADMINISTRATIVE CODE.
- SURVEY BASED ON THE PLAT OF MANSION ESTATES, AS RECORDED IN PLAT BOOK 38, PAGE 14, PUBLIC RECORDS OF ST. LUCIE COUNTY, FLORIDA.
- LEGAL DESCRIPTION WAS FURNISHED BY FIRST AMERICAN TITLE INSURANCE COMPANY, FILE#: 172443-40, POLICY NUMBER: 5011412-0748310E, DATED: SEPTEMBER 16, 2020 AT 8:27am.
SUBJECT TO THE FOLLOWING:
 - RESTRICTIONS, DEDICATIONS, CONDITIONS, RESERVATIONS, EASEMENTS AND OTHER MATTERS SHOWN ON THE PLAT OF MANSION ESTATES, AS RECORDED IN PLAT BOOK 38, PAGE 14, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(c). (B11(#8)) (NOT PLOTTABLE)(AFFECTS THE ENTIRE PARCEL)
 - RESTRICTIONS, DEDICATIONS, CONDITIONS, RESERVATIONS, EASEMENTS AND OTHER MATTERS SHOWN ON THE PLAT OF PORT ST. LUCIE SECTION ELEVEN, AS RECORDED IN PLAT BOOK(S) 51, 51A THROUGH 51E, BUT DELETING ANY COVENANT, CONDITION OR RESTRICTION INDICATING A PREFERENCE, LIMITATION OR DISCRIMINATION BASED ON RACE, COLOR, RELIGION, SEX, HANDICAP, FAMILIAL STATUS OR NATIONAL ORIGIN TO THE EXTENT SUCH COVENANTS, CONDITIONS OR RESTRICTIONS VIOLATE 42 USC 3604(c). (B11(#9)) (NOT PLOTTABLE)(AFFECTS THE ENTIRE PARCEL)
 - ASSIGNMENT AGREEMENT IN FAVOR OF FLORIDA POWER & LIGHT COMPANY RECORDED IN BOOK 473, PAGE 1177, AS AFFECTED BY BOOK 804, PAGE 1177, AND BOOK 3297, PAGE 2829. (B11(#10)) (NOT PLOTTABLE)(AFFECTS THE ENTIRE PARCEL)
 - ASSIGNMENT AND ASSUMPTION AGREEMENT IN FAVOR OF THE CITY OF PORT ST. LUCIE, FLORIDA, RECORDED IN BOOK 1141, PAGE 2395. (B11(#11)) (NOT PLOTTABLE)(AFFECTS THE ENTIRE PARCEL)
- BEARING BASIS: A PLAT BEARING OF SAID MANSION ESTATES OF N35°52'00"E ALONG THE CENTERLINE OF BREVIITY TERRACE.
- 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. 12111C0275 J, EFFECTIVE DATE 2-16-12.
- 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.
- THERE MAY BE ADDITIONAL EASEMENTS AND/OR RESTRICTIONS NOT SHOWN ON THIS SURVEY THAT MAY BE FOUND IN THE PUBLIC RECORDS OF ST. LUCIE COUNTY. NO SEARCH OF THE PUBLIC RECORDS HAS BEEN PERFORMED BY ALEXANDER J. PIAZZA PSM, INC.
- THE EXPECTED USE OF THE SUBJECT PROPERTY IS FOR THE PLATTING OF SAID LANDS AND FALLS WITHIN THE SUBURBAN CATEGORY AS CLASSIFIED IN CHAPTER 5J-17.051(2), FLORIDA ADMINISTRATIVE CODE. ALL FIELD-MEASURED CONTROL MEASUREMENTS EXCEEDED 1:7,500 FEET ACCURACY REQUIREMENTS FOR THIS CLASSIFICATION. ALL SURVEY MEASUREMENTS ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD 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 THE WRITTEN CONSENT OF THE SIGNING PARTY OR PARTIES.
- THIS SURVEY IS PREPARED ONLY FOR THE PARTIES LISTED BELOW AND IS NOT ASSIGNABLE. CERTIFIED TO: HERNANDEZ BUILDERS MANAGEMENT, LLC.
- © COPYRIGHT 2022 BY ALEXANDER J. PIAZZA PSM, INC. THE SKETCH OF SURVEY AND SURVEY REPORT COMPRISE THE COMPLETE SURVEY. THIS SURVEY IS NOT VALID UNLESS THE SKETCH AND REPORT ACCOMPANY EACH OTHER. REPRODUCTIONS OF THIS SURVEY ARE NOT VALID WITHOUT THE ORIGINAL SIGNATURE AND RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER EMPLOYED BY ALEXANDER J. PIAZZA PSM, INC.

ALEXANDER J. PIAZZA PSM, INC.

DATE OF FIELD SURVEY: 12-21-22
DATE OF SURVEY: 1-27-22



- SYMBOLS:**
- GUY WIRE ANCHOR
 - CABLE TELEVISION BOX
 - CATCH BASIN
 - CATCH BASIN INLET
 - CLEANOUT
 - ELECTRIC BOX
 - TELEPHONE BOX
 - SIGN
 - SANITARY MANHOLE
 - STORM MANHOLE
 - NUMBER OF PARKING SPACES
 - FIRE HYDRANT
 - LIGHT POLE
 - CONCRETE POWER POLE
 - BACKFLOW PREVENTOR
 - MAIL BOX
 - IRRIGATION VALVE
 - GAS VALVE
 - SEWER VALVE
 - WATER VALVE
 - WELL
 - WATER METER
 - WOOD POWER POLE
 - SET 5/8" IRON ROD WITH PLASTIC CAP PSM#6330

- ABBREVIATIONS:**
- (C) = CALCULATED
 - CBS = CONCRETE BLOCK STRUCTURE
 - CMB = COMMISSIONERS' MINUTES BOOK
 - CONC = CONCRETE
 - CLF = CHAIN LINK FENCE
 - (D) = DEED
 - DE = DRAINAGE EASEMENT
 - DEP = DEPARTMENT OF ENVIRONMENTAL PROTECTION
 - DB = DEED BOOK
 - FDE = FINISHED FLOOR ELEVATION
 - FND = FOUND
 - FPL = FLORIDA POWER & LIGHT
 - INV = INVERT
 - IP = 3/4" IRON PIPE
 - IR = 5/8" IRON REBAR
 - IRC = IRON ROD WITH PLASTIC CAP
 - LB = LICENSE BUSINESS
 - LS = LICENSE SURVEY
 - (M) = MEASURED
 - MON = MONUMENT
 - ORB = OFFICIAL RECORD BOOK
 - (P) = PLAT
 - PB = PLAT BOOK
 - PG = PAGE
 - PCOR = PROPERTY CORNER
 - PL = PROPERTY LINE
 - POB = POINT OF BEGINNING
 - POC = POINT OF COMMENCEMENT
 - PRM = PERMANENT REFERENCE MONUMENT
 - R/W = RIGHT-OF-WAY
 - RCP = REINFORCED CONCRETE PIPE
 - RGE = RANGE
 - SEC = SECTION
 - TWP = TOWNSHIP
 - UE = UTILITY EASEMENT
 - PUDE = PUBLIC UTILITY & DRAINAGE EASEMENT
 - R = RADIUS OF CURVE
 - L = LENGTH OF CURVE
 - Δ = DELTA OF CURVE

DATE:	REVISIONS:	BY:

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

BOUNDARY SURVEY
LOTS 1 AND 2, MANSION ESTATES
SEC 1 AND 2, TWP 37S, RGE 39E
AS PREPARED FOR
HERNANDEZ BUILDERS MANAGEMENT, LLC

CAD K:\HERNANDEZ\21-8406.DWG				
REF K:\				
FLD BF/DG	FB.	PG.	JOB	21-8406
OFF LW			DATE	1-27-22
CKD AJP	SHEET	1 OF 1	DWG	D-0997

JOSEPH E. SMITH, CLERK OF THE CIRCUIT COURT
SAINT LUCIE COUNTY
FILE # 4766427 10/13/2020 10:22:08 AM
OR BOOK 4490 PAGE 2112 - 2113 Doc Type: DEED
RECORDING: \$18.50

Prepared by and Return to:
Sue Meitner, an employee of
First International Title, Inc.
201 SW Port St. Lucie Blvd.
Suite 205
Port St. Lucie, FL 34984
File No.: 172443-40

THIS DEED IS BEING RE-RECORDED TO ADD THE TAX ID NUMBER FOR PARCEL TWO
WARRANTY DEED

This indenture made on September 14, 2020, by **Spectro Technical Services, Inc., a Florida corporation** whose address is: 10541 Versailles Blvd., Wellington, FL 33449 hereinafter called the "grantor",

to **Hernandez Builders Management, LLC, a Florida limited liability company** whose address is: 2603 SW Acco Rd., Port St. Lucie, FL 34953, hereinafter called the "grantee":

(Which terms "Grantor" and "Grantee shall include singular or plural, corporation or individual, and either sex, and shall include heirs, legal representatives, successors and assigns of the same)

Witnesseth, that the grantor, for and in consideration of the sum of Ten Dollars, (\$10.00) and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the grantee, all that certain land situate in **St. Lucie County, Florida**, to-wit:

Parcel 1

Lot 1, MANSION ESTATES, according to the Plat thereof as recorded in Plat Book 38, Page(s) 14, of the Public Records of ST. LUCIE County, Florida.

Parcel 2

Lot 2, MANSION ESTATES, according to the Plat thereof as recorded in Plat Book 38, Page(s) 14, of the Public Records of ST. LUCIE County, Florida.

Parcel Identification Number: 4301-700-0001-000/2 and 4301-700-0002-000/9

Subject to all reservations, covenants, conditions, restrictions and easements of record and to all applicable zoning ordinances and/or restrictions imposed by governmental authorities, if any.

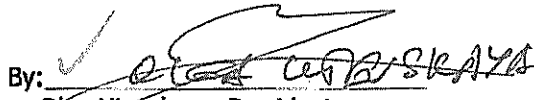
Together with all the tenements, hereditaments and appurtenances thereto belonging or in any way appertaining.

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 accruing subsequent to December 31st of 2019.


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

Spectro Technical Services, Inc., a Florida corporation

By: 
Olga Utevsckaya, President

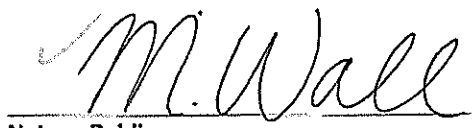
Signed, sealed and delivered in our presence:

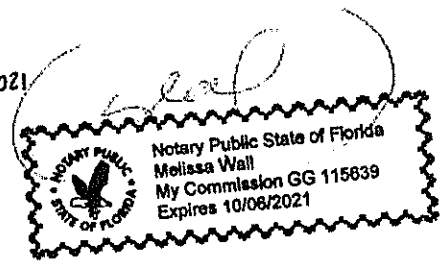

1st Witness Signature
Print Name: Elena A. Kuznetsova


2nd Witness Signature
Print Name: Frankie Gauthier

State of FLORIDA
County of St. Lucie

The Foregoing Instrument Was Acknowledged before me by means of (X) physical presence or () online notarization on September 11, 2020 by **Olga Utevsckaya, President of Spectro Technical Services, Inc., a Florida corporation** who () is/are personally known to me or who () has/have produced the following as identification: drivers license


Notary Public
Printed Name: Melissa Wall
My Commission expires: 10/06/2021



Mansion Estates Replat 1

Preliminary and Final Subdivision Plat

Project No. P21-270

Planning and Zoning Board
September 6, 2022
Bethany L. Grubbs, Planner II

CityofPSL.com



Request Summary

Applicant/Owner: Armando Hernandez, Hernandez Builders Management, LLC

Request: This replat of Lots 1 and 2 of Mansion Estates will provide for six single-family lots, with a wetland preservation easement and upland buffer. The 4.28-acre site is zoned RE (Estate Residential). There are no public or private improvements proposed in conjunction with this subdivision plat.



Aerial

Surrounding uses

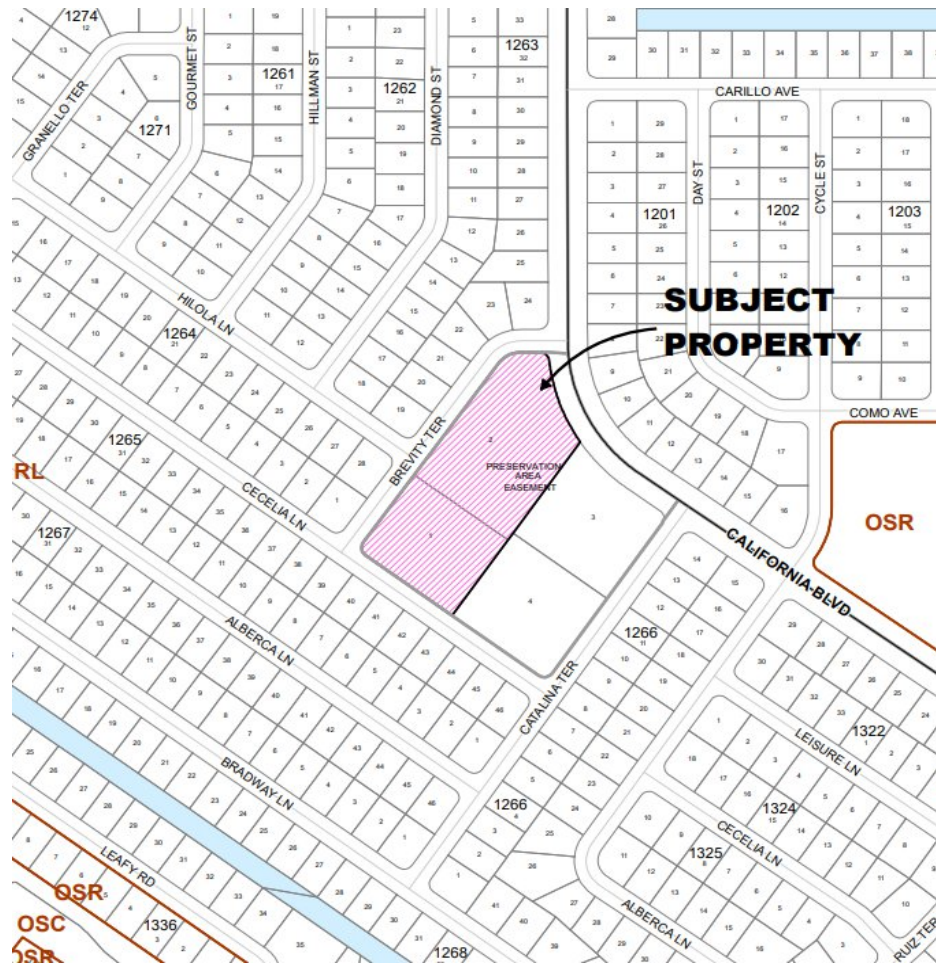
Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-family residences
South	RL	RS-2	Single-family residences
East	RL	RE	Single-family residences; Vacant
West	RL	RS-2	Single-family residences; Vacant



Land Use

RL (Low Density Residential)

Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-family residences
South	RL	RS-2	Single-family residences
East	RL	RE	Single-family residences; Vacant
West	RL	RS-2	Single-family residences; Vacant



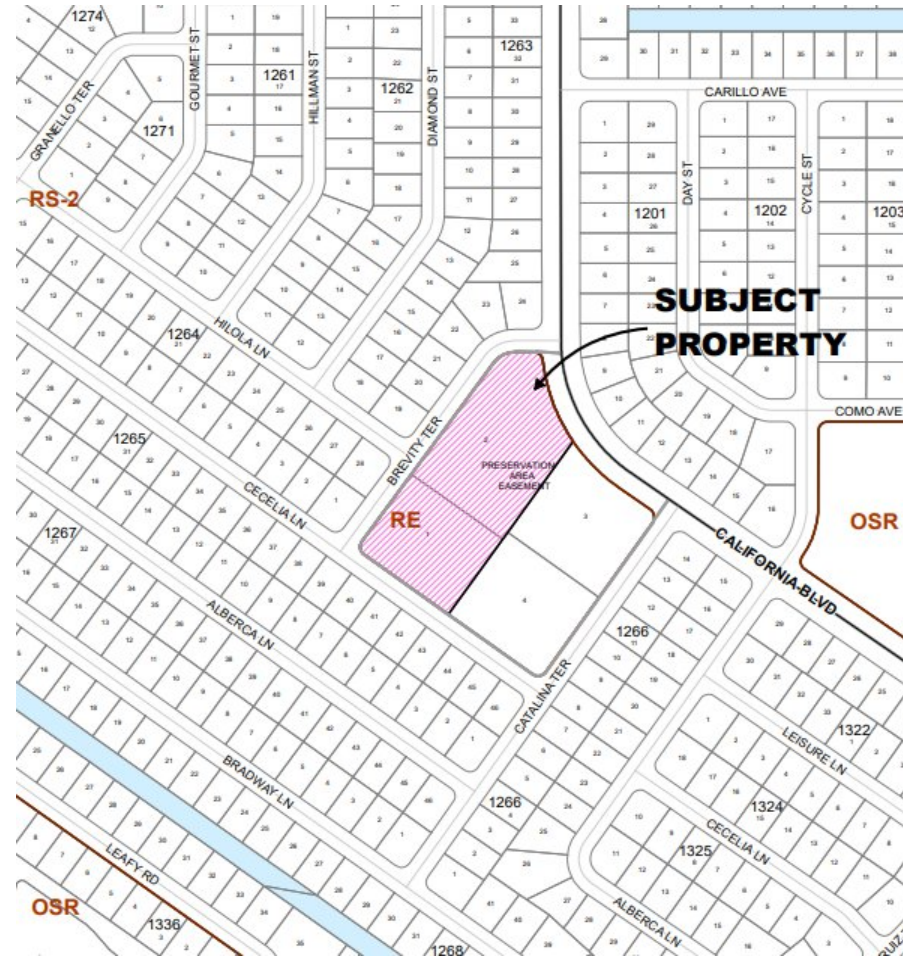
CityofPSL.com



Zoning

RE (Residential Estate)

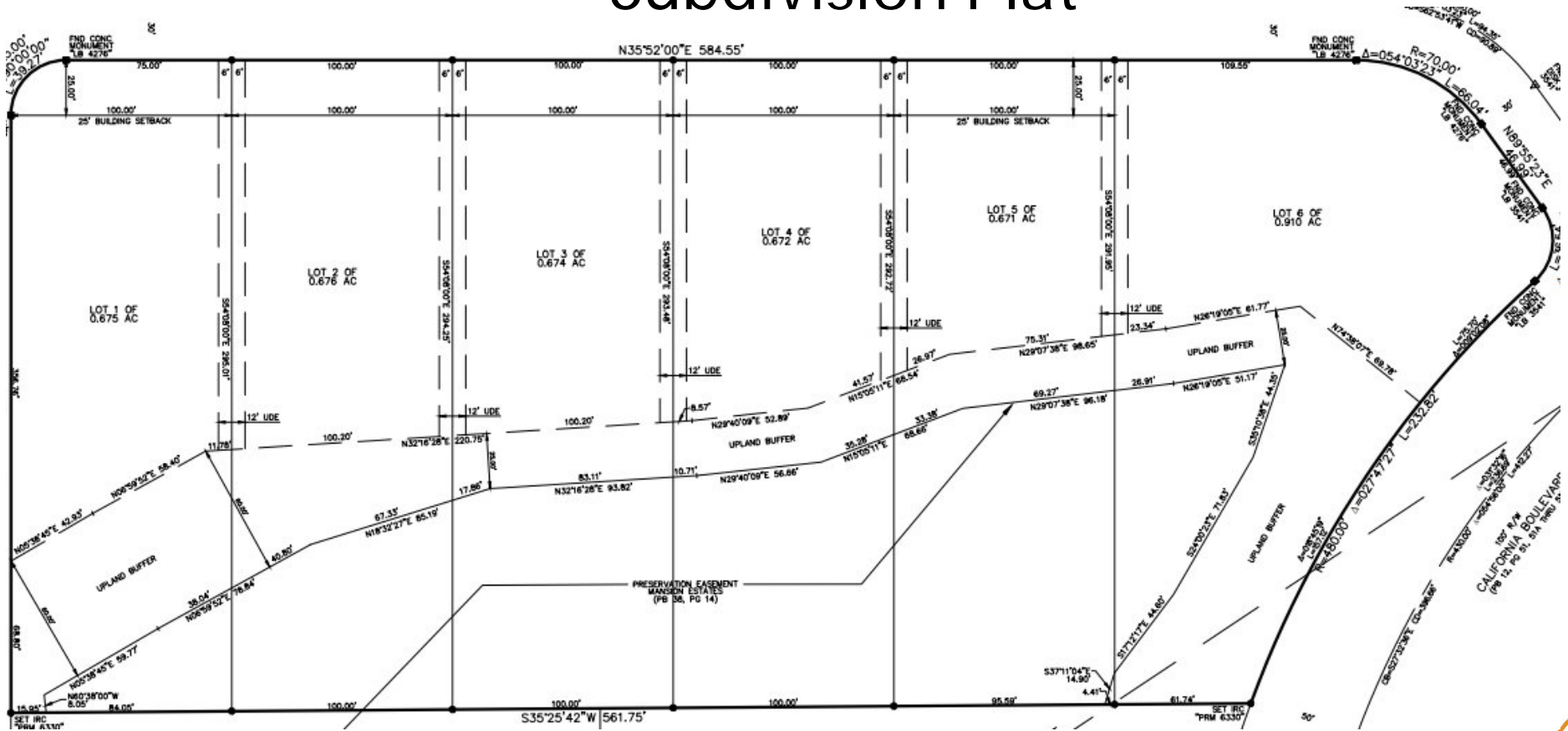
Direction	Future Land Use	Zoning	Existing Use
North	RL	RS-2	Single-family residences
South	RL	RS-2	Single-family residences
East	RL	RE	Single-family residences; Vacant
West	RL	RS-2	Single-family residences; Vacant



CityofPSL.com



Subdivision Plat



CityofPSL.com

Concurrency Review

Sanitary Sewer and Potable Water Facilities	The City of Port St. Lucie Utility Systems Department will provide water and sewer service. A developer's agreement with the City Utilities Department, that is consistent with the adopted level of service, is required prior to issuance of building permits.
Traffic Circulation	Public Works staff has reviewed and recommended approval of the project internal and external conditions for transportation concurrency and level of service.
Parks and Recreation Facilities	The obligation to provide for park and recreational facilities is addressed in the Veranda Development Agreement. The Veranda Development shall provide for 20 net usable upland acres to satisfy this provision.
Stormwater Management Facilities	The development of the lots will meet all applicable stormwater management regulations at the issuance of permits for development.
Solid Waste	Solid waste impacts are measured and planned based on population projections on an annual basis. There is adequate capacity available.
Public School Concurrency Analysis	Per Policy PSFE 2.4.1 of the City's Comprehensive Plan, Public School Facilities Element, approval of the final plat is subject to the availability of adequate school capacity based on the adopted level of service standards. The School Board has reviewed the application and recommended approval and concurred adequate capacity is available.

Recommendation

Site Plan Review Committee recommended approval at their meeting on March 9, 2022.





Agenda Summary
2022-467

Agenda Date: 9/6/2022

Agenda Item No.: 8.a

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P22-131 John M. & Arlene Wangle - Variance

Location: 140 SE Rio Angelica

Legal Description: Tesoro Plat No. 4, Lot 107

This is a request to grant a variance of 2.69 feet to allow a 0.31-foot setback from the rear property line for an existing screen enclosure.

Submitted By: Bianca Lee, Planner I, Department of Planning & Zoning

Executive Summary: The Tesoro PUD requires a minimum setback of three (3) feet from the rear property line for accessory uses or structures for single-family homes, whereas the applicant has constructed a screen enclosure that encroaches into the 3' rear setback.

Presentation Information: Bianca Lee, Planner I

Staff Recommendation: See attached memo to table until the October 4, 2022, meeting.

Background: N/A

Issues/Analysis: N/A

Special Consideration: N/A

Location of Project: 140 SE Rio Angelica

Attachments: 1. Memo to table, 2. Staff report, 3. POA Letter 4. Public Comment



MEMORANDUM

TO: Planning and Zoning Board Members

FROM: Bianca Lee, Planner I

DATE: August 23, 2022

RE: Variance – Wangle, John M. & Arlene
Request to Table Application (P22-131)

- The applicant is requesting to **table this application to the October 4, 2022, Planning and Zoning Board meeting.**
- The Planning and Zoning Department advertised this application for the June 7, 2022, board hearing where the item was heard. The board requested that the item be tabled until the August 2, 2022, Planning & Zoning Board meeting.
- This application will be continued at the October 4, 2022, board hearing at the applicant's request. Please see the affidavit attached as an addendum to the memorandum.

**City of Port St. Lucie
Planning and Zoning Department
121 SW Port St. Lucie Blvd., Bldg. B
Port St. Lucie, FL 34984-5099**

AFFIDAVIT OF JOHN M. WANGLE

STATE OF FLORIDA)
COUNTY OF ST. LUCIE)

BEFORE ME, the undersigned authority, did personally appear JOHN M. WANGLE, who, after being first duly sworn according to law, deposes and says:

1. I am over the age of eighteen (18) years, and this Affidavit is based upon personal knowledge.
2. I am the owner of the property located at 140 SE Rio Angelica in Port St. Lucie. In connection with that property, I have submitted to the Planning and Zoning Department an application (P22-131) for a variance pertaining to a screen enclosure.
3. A hearing on the application was held on June 7, 2022. At this meeting the matter was tabled until the August Planning and Zoning meeting.
4. Prior to the August meeting, I obtained a continuance of the hearing, so that I could attempt to settle the dispute with my homeowner's association (Tesoro Property Owners' Association, Inc.). Those negotiations were unsuccessful.
5. The matter is currently scheduled for Planning and Zoning Board hearing on September 6, 2022. Unfortunately, I will be out-of-town for a required work trip on that date, precluding my attendance at the hearing.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]

5. As such, I respectfully request that my variance application hearing be tabled and continued to the next-scheduled Planning and Zoning board meeting.

FURTHER AFFIANT SAYETH NAUGHT.

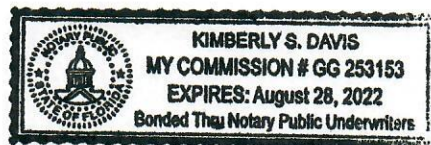


JOHN M. WANGLE

ACKNOWLEDGEMENT

The foregoing instrument was acknowledged before me on this 18th day of August, 2022, by JOHN M. WANGLE by means of physical presence or online notarization, and who produced _____ as identification, and who did take an oath.

IN WITNESS WHEREOF, I hereunto set my hand and official seal:



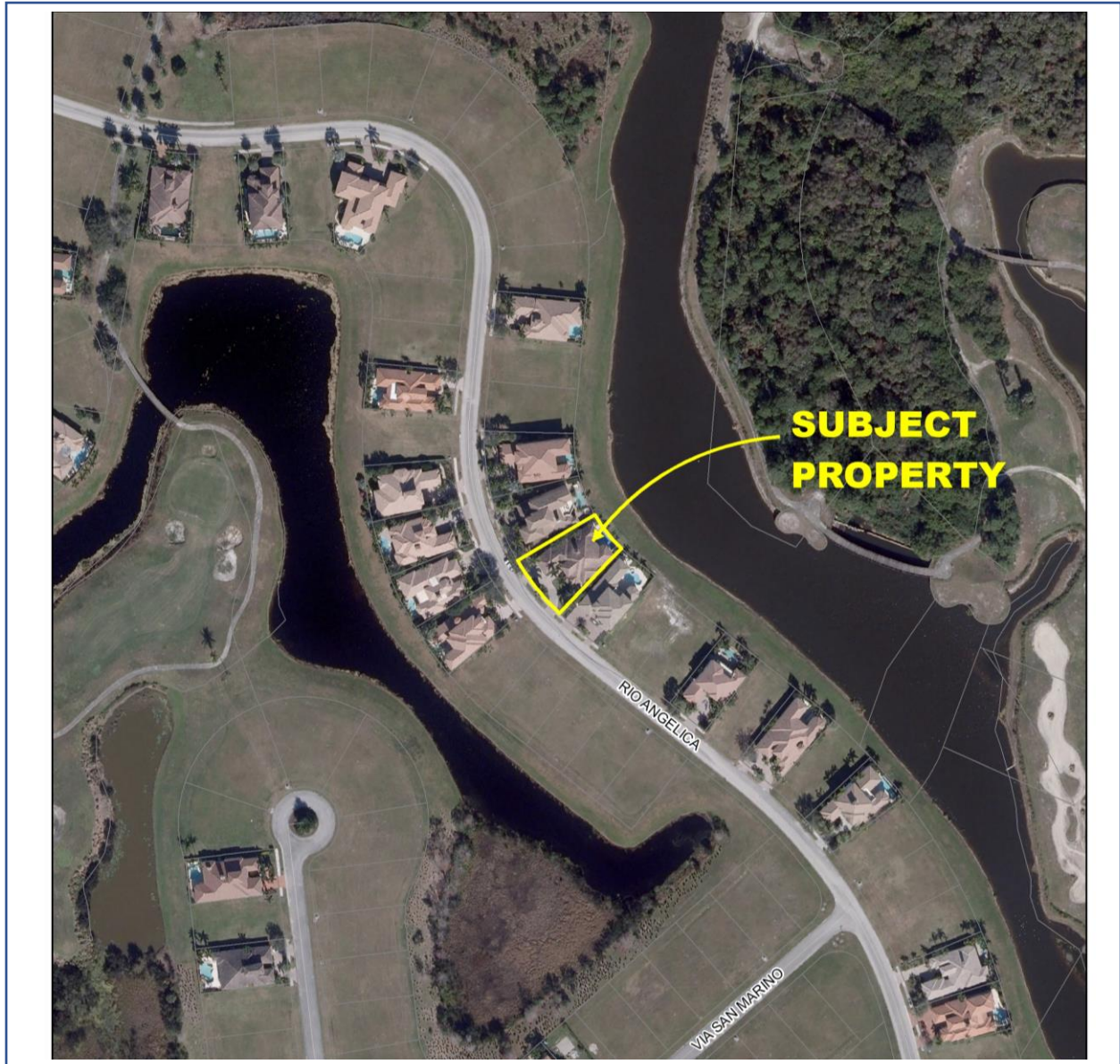
Notary Public, State of Florida



My Commission Expires: 8/28/2022



Wangle, John M. & Arlene
Variance: Screen Enclosure
Project Number: P22-131



Project Aerial Map

SUMMARY

Applicant's Request:	To grant a variance of 2.69 feet to allow a 0.31-foot setback from the rear property line for an existing screen enclosure & pool deck.
Applicant:	John M. Wangle
Property Owner:	John M. & Arlene Wangle
Location:	140 SE Rio Angelica
Application Type: (Identify if quasi-judicial)	Variance, Quasi-Judicial
Project Planner:	Bianca Lee

Project Description

The applicant is requesting a variance of 2.69 feet to allow a 0.31-foot setback from the rear property line for an existing screen enclosure and pool deck. The Tesoro PUD requires a minimum setback of three (3) feet from the rear property line for accessory uses or structures for single-family homes.

Background

The owner applied for a screen enclosure permit with the Building Department in June of 2021; the plan subsequently failed plan review because the accessory structure encroaches into the 3' rear setback. The screen enclosure was built before the plans were reviewed by the Building Department, currently the screen enclosure plans are in a failed review status pending plan revision or an approved variance.

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 (Section 158.298 (B))

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

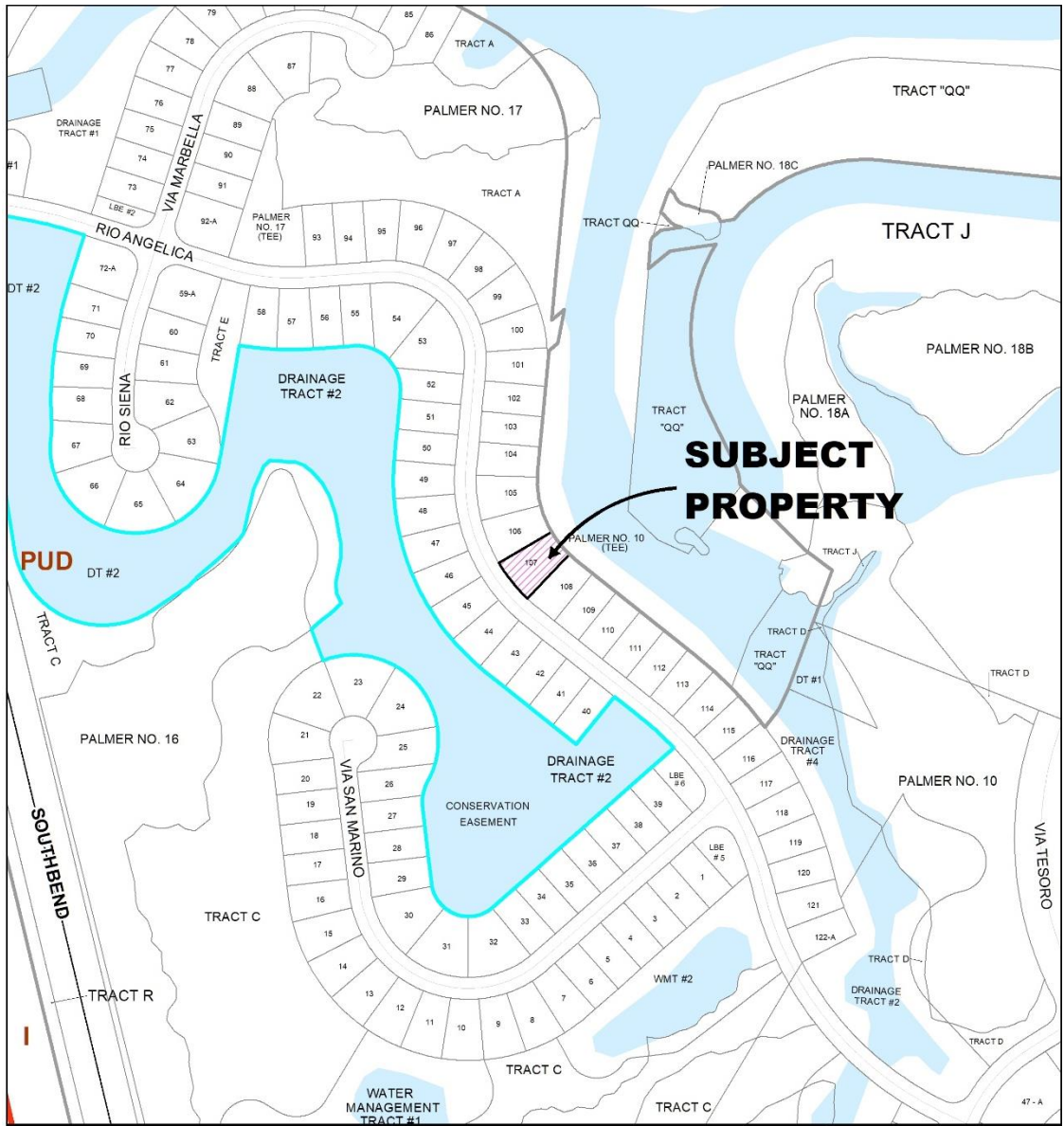
Location and Site Information

Parcel Number:	4421-800-0125-000-3
Property Size:	0.28 AC/ 11,979 SF
Legal Description:	Tesoro Plat NO. 4, Lot 107
Address:	140 SE Rio Angelica
Future Land Use:	Open Space-Recreation (OSR)
Existing Zoning:	Planned Unit Development (PUD)
Existing Use:	Single-Family Residential

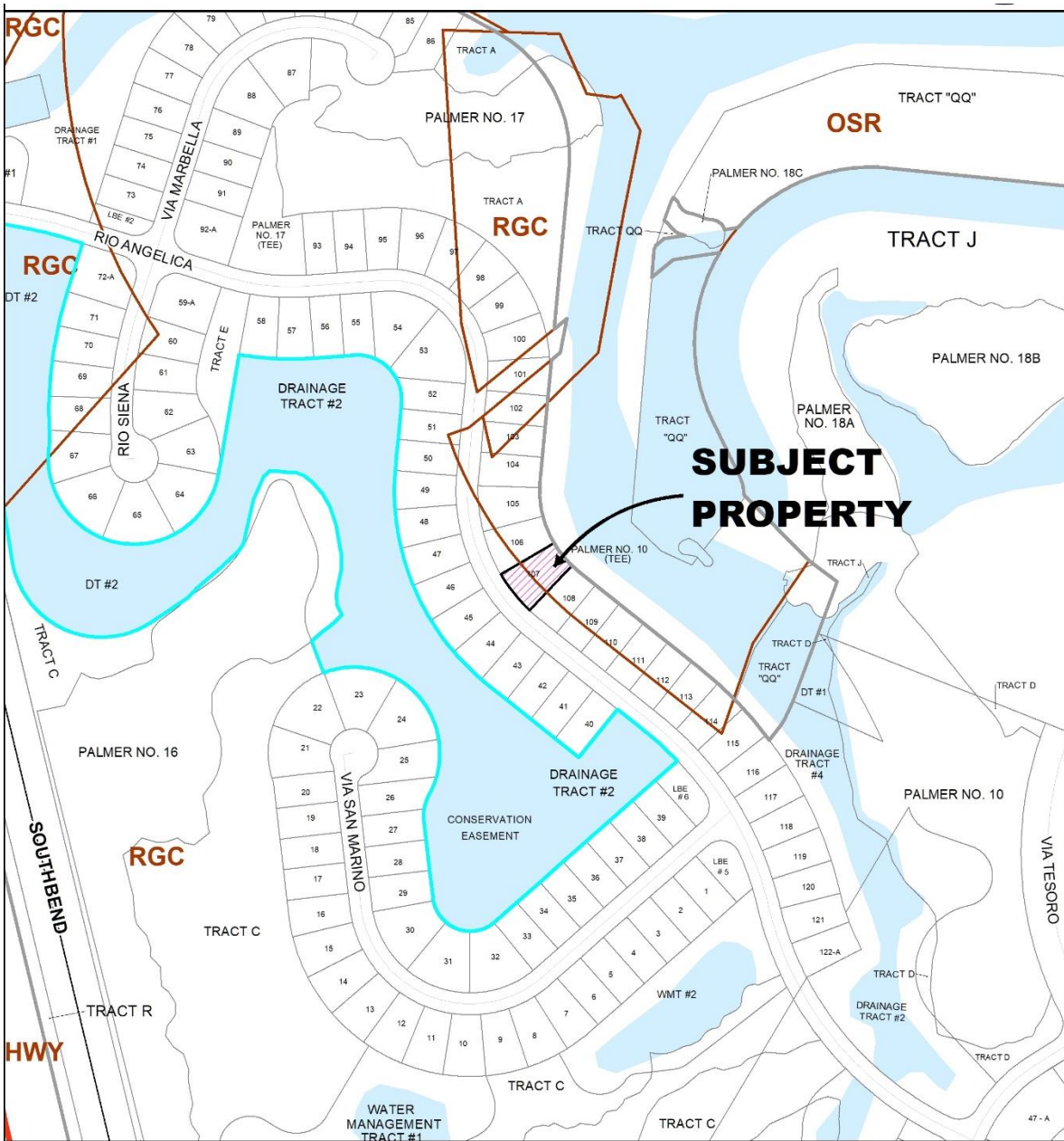
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	OSR	PUD	SFH
South	OSR	PUD	SFH
East	OSR	PUD	SFH
West	OSR	PUD	SFH

OSR-Open Space-Recreation, and PUD- Planned Unit Development

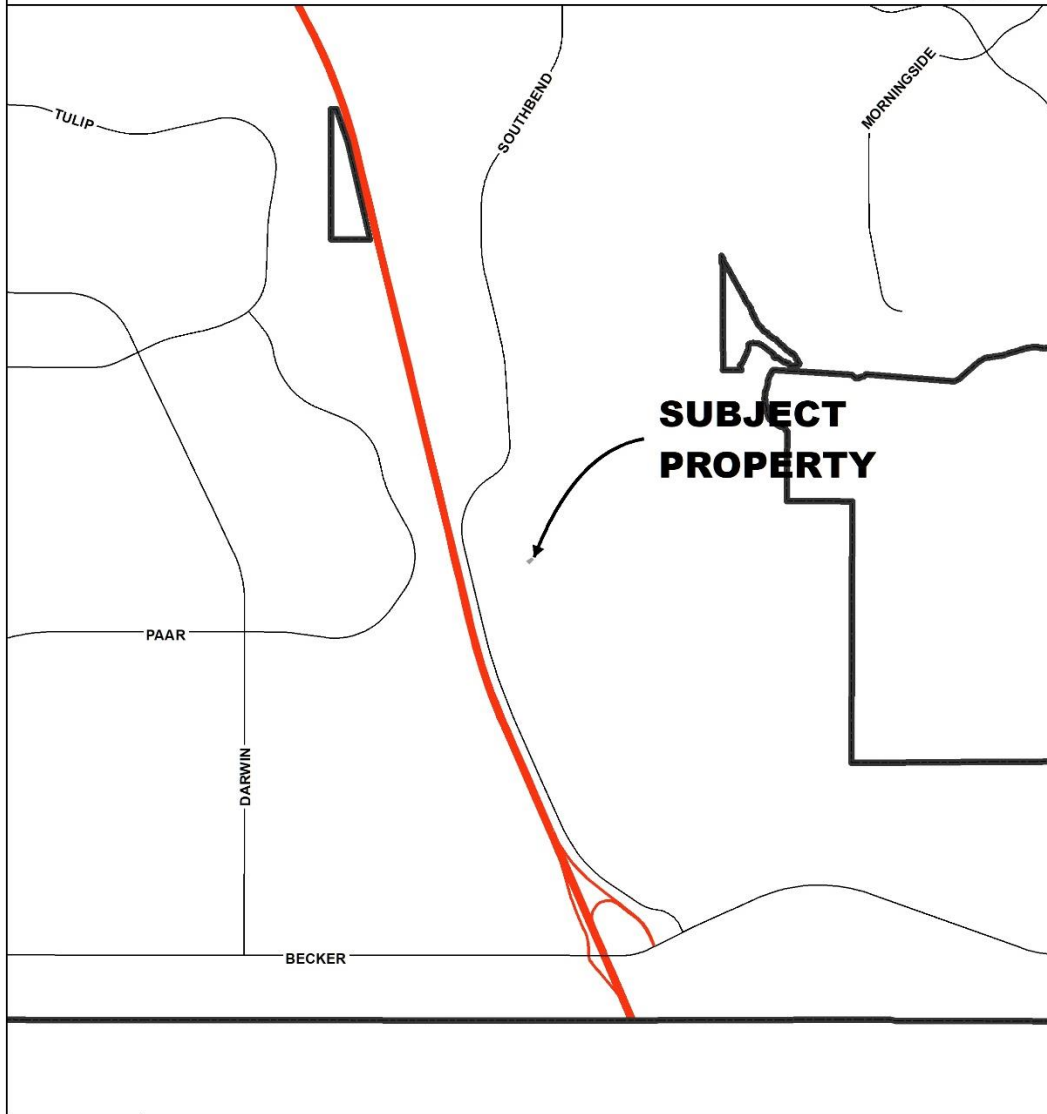


Zoning Map



Project Land Use Map

GENERAL LOCATION



Location Map

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.
 - *Staff Findings: Special conditions and circumstances do not exist, which are peculiar to the land, structure, or building involved. The pool also defined as an accessory structure was constructed within the required setback. The pool deck was later extended to include posts and a screen enclosure which encroach into the 3' rear setback. The screen enclosure was built prior to plans being submitted to the Building Department for review. A building permit has not been approved.*
- 2) That the special conditions and circumstances do not result from any action of the applicant.
 - *Staff Findings: See No. 1 above.*
- 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.
 - *Staff Findings: Special privileges would be conferred upon the applicant, a 3 ft. rear setback is a regulatory standard applied to other lands, buildings, and structures; specifically accessory uses within the Tesoro PUD.*
- 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.
 - *Staff Findings: 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 or introduce unnecessary and undue hardships 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.
 - *Staff Findings: The existing structure encroaches into the rear setback set forth by Amendment No.8 of the Tesoro PUD. The Tesoro PUD development standards can be reviewed and/or revised to better align with the expectations and future development plans for the community.*

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.

- *Staff Findings: See No. 5 above.*

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.

- *Staff Findings: The applicant has acknowledged this.*

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).

ALBERT B. MOORE, P.A.
130 S. INDIAN RIVER DRIVE, SUITE 202
FORT PIERCE, FL 34950
almoore@almoorelaw.com
(772) 919-2542

June 6, 2022

Bianca Lee
City of PSL Planning and Zoning Dept.
blee@cityofpsl.com

Re: Objection to Variance Application of John & Arlene Wangle P22-131.

Dear Ms. Lee:

Please be advised that I represent Tesoro Property Owners Association, Inc. ("Tesoro"). On behalf of Tesoro, I am objecting to the Wangles' request for a variance for their screen enclosure. The reasons for the objection are straightforward: (1) The enclosure violates the setback requirements of Tesoro's governing documents; and (2) The Wangles violated the governing documents by not presenting any application to the Architectural Control Board of Tesoro ("ACB").

I have attached the relevant portions of the last two approved sets of the ACB indicating the setback requirements and the requirements that any screen enclosure be approved by the ACB of Tesoro.

Also, I have filed a statutory demand for mediation to the Wangles' and will be filing suit for injunctive relief to obtain a Court Order for the removal of the screen enclosure.

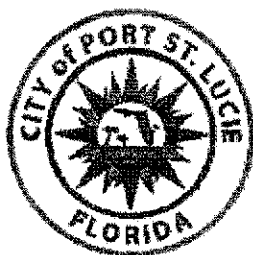
Sincerely,

/s/ Albert Moore
Albert B. Moore, Esq.

Cc: Tesoro POA

ABM
Enclosure

Bianca Lee, Planner I
(772) 871-5149
blee@cityofpsl.com



City of Port St. Lucie
Planning & Zoning Department
 121 S.W. Port St. Lucie Blvd., Bldg B
 Port St. Lucie, Florida 34984-5099
 TDD (772) 873-6339
 (772) 871-5213
www.cityofpsl.com

NOTICE TO PROPERTY OWNERS
VARIANCE APPLICATION

Wangle, John M. & Arlene P22-131

The City of Port St. Lucie has received a request from John M. Wangle, owner, to grant a variance of 2.69 feet to allow a 0.31-foot setback from the rear property line for an existing screen enclosure. The Tesoro PUD requires a minimum setback of three (3) feet from the rear property line for accessory uses or structures for single-family homes. The property of this variance is located at 140 SE Rio Angelica, and legally described as TESORO PLAT NO. 4 (PB 41-20) LOT 107.

There will be a public hearing held by the Planning and Zoning Board at 6:00 p.m. on Tuesday June 7, 2022, in the Port St. Lucie City Hall Council Chambers, 121 SW Port St. Lucie Boulevard, Building A at the corner of Airoso and Port St. Lucie Boulevards, Port St. Lucie, Florida.

As you are an owner of real property located within 750 feet of the subject property, you may attend the meeting and express your views pro and con. If you do not wish to attend, you may file any comment you desire in writing. The Planning and Zoning Board shall consider such comment.

- **If you would like to speak on the item at the meeting and do not desire to attend in person, please contact the Clerk's Office at 772-871-5157 and TDD Number 772-873-6340 by 11:00 a.m. on June 7, 2022 and a staff member will provide you with the required call-in information.**

The Board will vote to approve or deny the variance request. If denied, an appeal may be filed within fifteen (15) days to be heard by the City Council, which acts as the Board of Appeals.

If you have any questions regarding this petition, please contact Bianca Lee in the Planning and Zoning Department at (772) 871-5149 or by email at blee@cityofpsl.com.

May 26, 2022

Return to: (enclose self-addressed stamped envelope)

(6)
Name: *Cameron Davis & Gonzalez*
250 S. Australian Ave #1601
Address: *WPB, FL 33401*
P.O. Box 1900
Fort Lauderdale, Florida 33302

This Instrument Prepared by:

M. Maxine Hicks, Esq.
Epstein Becker and Green, P.C.
Resurgens Plaza
945 E. Paces Ferry Road, Suite 2700
Atlanta, Georgia 30326

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR PROCESSING DATA

**SECOND AMENDED AND RESTATED
DECLARATION OF COVENANTS, RESTRICTIONS
AND EASEMENTS FOR TESORO**

JOANNE HELMAN, CLERK OF THE CIRCUIT COURT - SAINT LUCIE CO
File Number: 2274864 DR BOOK 1803 PAGE 898
Recorded: 09/19/03 15:19

which failure continues for a period in excess of thirty (30) days after the POA's giving notice thereof, then the POA may, but shall not be required to, assume such duties. In such event, the Neighborhood Association shall not perform such duties unless and until such time as the POA directs it to once again do so.

E. Collection of Assessments by POA. Notwithstanding the foregoing, with respect to Lots that are not subject to the jurisdiction of a Neighborhood Association, the POA shall collect all Assessments and other sums due the POA from the Owner(s) of such Lots.

Section 16. WAIVER OF USE. No Owner, other than Declarant, may exempt himself from personal liability for Assessments duly levied by the POA or Neighborhood Association. No Owner may release the Lot owned by him from the liens and charges hereof either by waiver of the use and enjoyment of the POA Property and the facilities thereon or by abandonment of his or her Lot or Home.

ARTICLE VII ARCHITECTURAL CONTROL COMMITTEE

Section 1. MEMBERS OF THE COMMITTEE. The Architectural Control Committee, sometimes referred to in this Master Declaration as the "Committee," shall be comprised of three (3) members. The initial members of the Committee shall consist of persons designated by Declarant. Declarant shall have the right to appoint the members of the Committee and to change the number of members on the Committee. Persons appointed by the Declarant may be removed and replaced by the Declarant in its sole discretion. Unless removed by Declarant, such persons shall hold office until all Lots have completed Homes thereon and have been conveyed to Owners other than Builders or at such earlier time as the Declarant may, at its sole option, elect. Thereafter, each new member of the Committee shall be appointed by the Board and shall hold office until such time as he has resigned or has been removed or his successor has been appointed, as provided herein. The Board shall have the sole right to appoint and remove all members of the Committee after the expiration of such rights of the Declarant.

Section 2. REVIEW OF PROPOSED CONSTRUCTION.

A. No Improvements, including, by way of example and not of limitation, accessory structures, exterior lighting fixtures, brick pavers, stamped concrete, concrete flatwork, basketball goals, buildings, fences, walls, pools, roofs, gutters or rain spouts, antennae, aerials, microwaves, reception devices, mailboxes, external enclosures (including entry screen and patio screen enclosures), or landscaping (including hedges and massed plantings) shall be commenced, erected, installed, altered, modified, painted, planted, or maintained on the Committed Property, including the Lots, nor shall any canopy, shutters, or window coverings be attached to or placed upon outside walls or roofs of any Home or building by any Owner other than Declarant, unless such Improvements have been reviewed by and received the written approval of the Committee (not the POA) in accordance with Paragraph B hereinbelow. Any Owner desiring to make Improvements shall submit plans and specifications prepared by an architect, landscape architect, engineer or other person determined by the Committee to be qualified, showing the nature, dimensions, materials and location of the same.

DR BOOK 1803 PAGE 944

B. The Committee shall approve proposed plans and specifications submitted for its approval only if it deems that the construction, alterations or additions contemplated will not be detrimental to the appearance of the surrounding area of the Total Property as a whole, and that the appearance of any structure affected thereby will be in harmony with the surrounding structures and is otherwise desirable. In reviewing each submission, the Committee may consider the quality of workmanship and design, harmony of external design with existing structures, and location in relation to surrounding structures, topography, and finish grade elevation, among other considerations. Decisions may be based solely on aesthetic considerations. Each Owner acknowledges that opinions on aesthetic matters are subjective and may vary over time. In reviewing and acting upon request for approval, the Committee shall be acting solely in Declarant's interest and shall owe no duty to any other person. Each Owner acknowledges that opinions on aesthetic matters are subjective and may vary over time. The Committee shall have the sole discretion to make final, conclusive, and binding determinations on matters of aesthetic judgment and whether proposed improvements are consistent with Design Guidelines. If the proposed construction, alterations or additions are to a portion of the Improvements which the POA is obligated to maintain, said approval shall also be subject to approval by the Board. The Committee may condition its approval of proposed plans and specifications in such a manner as it deems appropriate and may require the submission of additional information prior to approving or disapproving such plans.

The Committee may adopt Design Guidelines to assist it and the Owners in establishing a uniform standard for review and approval. The Design Guidelines may contain rules and provisions for submitting plans and specifications and general provisions applicable to all of the Committed Property, as well as specific provisions which vary according to land use and from one (1) portion of the Committed Property to another depending upon the location, unique characteristics, and intended use. For example, by way of illustration but not limitation, the Design Guidelines may impose stricter requirements on those portions of the Committed Property adjacent to or visible from the Country Club Property or any Lake, pond, stream or other body of water. The Design Guidelines are intended to provide guidance to Owners and Builders regarding matters of particular concern to the Committee in considering applications hereunder. The Design Guidelines are not the exclusive basis for decisions of the Committee and compliance with the Design Guidelines does not guarantee approval of any application.

The Committee shall have sole and full authority to amend Design Guidelines, and any amendments shall be prospective only. There shall be no limitation on the scope of amendments to the Design Guidelines except that no amendment shall require the modification or removal of any structure previously approved once the approved construction or modification has commenced. The Committee is expressly authorized to amend the Design Guidelines to remove requirements previously imposed or otherwise to make the Design Guidelines less restrictive.

The Committee shall make the Design Guidelines available to Owners and Builders who seek to engage in development or construction within the Committed Property.

C. Each application to the Committee shall contain a representation and warranty by the Owner that use of the plans submitted does not violate any copyright associated with the plans. Neither the submission of the plans to the Committee, nor the distribution and review of the plans by the Committee shall be construed as publication in violation of the designer's copyright, if any. Each Owner submitting plans to the Committee shall hold the members of the Committee,

DR BOOK 1803 PAGE 945

TESORO

DESIGN GUIDELINES, RULES AND REGULATIONS

November 17, 2005
Revised June 5, 2006
Effective Date: July 11, 2006

Changes Made to Pages: 6, 8, 9, 10, 11, 18, Exhibit "A" and "K"
Added Exhibits "M", "N", "O", "P"

Revised November 13, 2007
Changes made to pages: 9, 30, 31, 32, A-31, H-1, and Exhibit "N"

Exhibit "D"

Residential Lot Information



Lot Size	Front	Side	Rear	Accessories	Street Side (1)(6)	Total Area	Coverage	Bldg. Area AC
						(2), (5)	(3)	
45	20'	6'	10'	3'	15'	80%	70%	2000 sf
55	20'	6'	10'	3'	15'	80%	70%	2500 sf
70	25'	6'	10'	3'	15'	80%	70%	3000 sf
80	25'	6'	10'	3'	15'	80%	70%	3500 sf
110	25'	10' (4)	10'	3"	15'	80%	70%	4000 sf

Footnotes:

- (1) Verify Side yard Setbacks for corner lots.
- (2) The impervious listed in this column is based on the impervious area within the individual lot.
- (3) Maximum building coverage includes all area under roof, including garages and a lanai.
- (4) Accessory use setback for the 110 foot product is 10 feet (for the side setbacks).
- (5) Impervious areas are defined as pools, pool decks, regardless of the materials, walks, driveways, etc. (by the City).

NOTE: The City of Port St. Lucie considers brick pavers to be impervious, except for grass-crete blocks which are open blocks filled with sod.
- (6) Where a driveway and/or garage entrance occurs on the street side the minimum street side setback shall be 20 feet.

* Lot depth size may vary depending on location.



TESORO
DESIGN GUIDELINES, RULES AND REGULATIONS
Updated: March 2022

common sidewalk located within the right-of-way must be terminated at the driveway entrance to maintain consistent use of materials throughout the driveway. When curbs and/or sidewalks are required to be broken for driveway entrances, the curb shall be repaired in a manner acceptable to the ACB. Driveway reflectors are not permitted.

Driveways shall have a three (3) foot by six (6) foot flare to accommodate full size vehicle turning radius and must be constructed of paved concrete over the easement from the sidewalk to the street. Acceptable paver materials shall be as determined by the ACB.

F. Swimming Pools, Spas, and Decks

Any swimming pool, spa, or deck, to be constructed upon any Home Lot must be approved by the ACB, with the Final Plans depicting any such improvement(s) in sufficient detail as to include all design components including materials, finishes and colors, pool deck, fencing, additional landscape, pool equipment or any other requested element. Pool equipment must be sound-reduced, and landscaped so as to not be visible from the front or rear of the lot.

 Screen enclosures are not allowed on any Home Lot in the Development.

F. Swimming Pools, Decks and Pool Enclosures

Any swimming pool, deck or enclosure to be constructed upon any Home Lot must be approved by the ACB, with the Final Plans depicting any such improvement(s) in sufficient detail as to include all design components including materials, finishes and colors, pool deck, fence, additional landscape, pool equipment or any other requested element.

Screen enclosures are strongly discouraged on any Home Lot in the Development. Where permitted, screened enclosures shall be (i) consistent with the architectural design, materials and roofline of the Home, (ii) a mansard style, and (iii) include frames that are either white or match the color of the exterior window trim or perimeter fence. Screened enclosures shall in no event extend beyond the side plane of the structures.

No rear loaded pools will be allowed in homes abutting the golf course unless the owner executes a recordable indemnification and hold harmless agreement prepared by the Developer. No above ground pools or spas will be allowed.

V. STREET FRONT IMPROVEMENTS

A. Streetscape

Owner shall landscape the area between the roadway curbing and the right-of-way. The POA will own and maintain these improvements. During construction, special care shall be taken to minimize the disturbance to this area. At the time of the landscape construction of the Home Lot, this area shall be restored to its original condition. Existing irrigations system must continue to operate during construction.

B. Lighting

All exterior lighting shall be consistent with the character established in the Development and be limited to the minimum necessary for safety, identification, and decoration. If required by the ACB, Home address numbers shall be lighted. Exterior lighting of Homes shall be limited to concealed fixtures with bulbs not visible from adjacent properties; provided, however, the ACB may require, in its sole discretion, a front yard post light continuously powered by photocell. Lighting will be designed in such a manner to prevent the spill of light onto adjacent properties. Soffit mounted or floodlights are not allowed on the Home Lot. Lighting of outdoor recreational facilities is not permitted, except swimming pool lighting specifically approved by the ACB. Special site conditions may be considered by the ACB.

C. Signage

All signs are prohibited on a Home Lot, including without limitation "For Sale" or "For Rent" signs, unless otherwise approved by the ACB in writing. Notwithstanding such prohibition, Builder shall place one (1) sign on its Home Lot related to identification of the Home Lot, Featured Builder and other permitted information that has been

EXHIBIT "B" (continued)
RESIDENTIAL LOT INFORMATION

Lot Width	Front S.B.	Side S.B.	Rear S.B.	Accessories S.B.	Street Side S.B. (1)(6)	Imp.
		(1)				(2), (5)
45	20'	6'	10'	3'	15'	80%
55	20'	6'	10'	3'	15'	80%
70	25'	6'	10'	3'	15'	80%
80	25'	6'	10'	3'	15'	80%
110	25'	10'	10'	3' (4)	15'	80%

Lot Width	Lot Depth	Lot S.F.	Maximum Bldg S.F.	Minimum Bldg S.F. (1 Story)	Minimum Bldg S.F. (2 Story)	Maximum Impervious S.F.
			(3) 70%			(2), (5) (80%)
45'	120'	5,400	3,780	2,000		4,320
45'	140'	6,300	4,410	2,000		5,040
55'	130'	7,150	5,005	2,500	2,750	5,720
55'	140'	7,700	5,390	2,500	2,750	6,160
70'	130'	9,100	6,370	3,200	3,500	7,280
70'	140'	9,800	6,860	3,200	3,500	7,840
70'	150'	10,500	7,350	3,200	3,500	8,400
80'	130'	10,400	7,280	3,500		8,320
80'	160'	12,800	8,900	3,500		10,240
110'	130'	14,300	10,010	4,000		11,440
110'	140'	15,400	10,780	4,000		12,320

Footnotes:

- (1) Verify side yard setbacks for corner lots.
- (2) The impervious listed in this column is based on the impervious area within the individual lot.
- (3) Maximum building square footage includes all first and second floor square footage under roof, including garages and covered porches.
- (4) Accessory use setback for the 110 foot product is 10 feet (for the side setbacks).
- (5) Impervious areas are defined as pools, pool decks regardless of the materials, walks, driveways, etc. (by the City).
NOTE: The City of Port St. Lucie considers brick pavers to be impervious, except for grass-crete blocks which are open blocks filled with sod. (%) + -
- (6) Where a driveway and/or garage entrance occurs on the street side the minimum street side setback shall be 20 feet.

To: City of Port St. Lucie Planning & Zoning Department
 121 SW Port St. Lucie Blvd., Building B
 Port St. Lucie, FL 34984

RECEIVED

JUL 14 2022

PLANNING DEPARTMENT
 CITY OF PORT ST. LUCIE, FL

Dear Committee Chair Ms. Beutel and members,

I watched the recording for the Planning & Zoning Committee meeting dated 06/7/2022, and the exposition of the variance application for P22-131 John M. & Arlene Wangle. Normally, I would stay neutral on matters concerning my neighbors and let the appropriate authorities handle it, but Mr. Wangle made me, his next-door neighbor, additionally uncomfortable through harassing emails, after I chose not to sign an affidavit in favor of his variance. Signing this document presented a conflict, as I am a voting member of the Tesoro POA Appeals Hearing Committee that denied his appeal for a fine last year, for the structure subject of this hearing. In addition, as his immediate neighbor, I am NOT in favor of the variance, unlike what he might have implied.

Respectfully, I ask this committee to vote against granting the variance Mr. Wangle applied for, given the following reasons:

1. Mr. Wangle stated he is within his property line and the unpermitted and unapproved enclosure doesn't block anyone's view. As you can see below, the structure DOES block my view. (Picture below of current view from my dining table), where I used to look at the lake and bridge behind our property. I am within my right as a property owner to protect and defend the value of my home, as it is also this committee's responsibility to protect our property rights.



Here is a closer view from my family room. It used to be open view:



2. Mr. Wangle did not make a mistake and it wasn't an oversight. He had been warned by me and other neighbors, prior to and during the DIY construction project that the enclosure wasn't allowed under POA architectural committee guidelines and covenants, but he proceeded to build the structure anyway and purposely did not seek prior city or county permits, nor POA approval. He didn't follow proper procedure, because he knew the proposal would get rejected, like it has been for the people who have sought approval for the similar enclosures in the past. Had he followed the same procedure for approval as he did for his pool (which was approved), the POA would've advised him to not build at all or how to build a compliant structure, and therefore, would not need this variance in the first place.
3. I challenge the integrity of the structure. It wasn't built by a licensed professional contractor, and I fear that during a storm, my property may suffer damages from the unpermitted, uninspected and possibly unsafe structure.
4. I've been a resident of Tesoro longer than Mr. & Mrs. Wangle, and most share my views that one of the great features of Tesoro real estate is that screen cages are not allowed, and unobstructed views from common areas

and from our properties only improve the quality of living and property values. I assume most, if any, of the affidavits Mr. Wangle gather in favor of this variance are residents that don't have to look at the structure every day, and possibly don't live in or near our section.

5. Approving this variance sets a precedence that residents can use the City to overrule in-force POA PUD and Covenants, and diminishes the validity of future claims of individuals who truly have made an honest mistake or oversight. Also, approving this variance is not fair to the other residents who's request to build a similar structure has been previously declined. Not to mention, this committee's decision could potentially negatively affect the value of my property.

Sincerely,

Emmelis Keaney

138 SE Rio Angelica



Agenda Summary
2022-545

Agenda Date: 9/6/2022

Agenda Item No.: 8.b

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P22-178 Up On Top Volleyball - Variance

Location: The property is located at the southeast corner of NW East Torino Parkway and NW Rabbit Run.

Legal Description: Winterlakes Tract F Replat, Tract F1.

This request is to grant a variance to the Citywide Design Standards Section 5.4.1.1 to eliminate the requirement that buildings with flat roofs have peaked or pitched roof elements along 25% of the front and sides.

Submitted By: Holly F. Price, Senior Planner

Executive Summary: REQUEST TO TABLE - This application is requesting approval of a variance to the Citywide Design Standards, Section 5.4.1.1, which requires for buildings with flat roofs, peaked or pitched roof elements shall extend at least 25% of the length of the front and two sides of a building located on a property having a General Commercial (CG) future land use designation. The applicant is requesting a variance to eliminate the requirement to have peaked or pitched roof elements on the building. The property is proposed to be developed as a private sports facility to play volleyball. The Up On Top Volleyball Site Plan (P22-107) is currently under review.

Presentation Information: N/A

Staff Recommendation: REQUEST TO TABLE - Move that the Board table this application to the October 4, 2022 Planning and Zoning Meeting.

Background: N/A .

Issues/Analysis: N/A .

Special Consideration: N/A

Location of Project: SE corner of NW East Torino Parkway and NW Rabbit Run.

Attachments:

1. Staff Memo to Table

Legal: #8557

CITY OF PORT ST. LUCIE
Planning and Zoning Department
121 S.W. Port St. Lucie Blvd., Building B
Port St. Lucie, FL 34984-5099
www.cityofpsl.com



MEMORANDUM

TO: Planning and Zoning Board Members
FROM: Holly Price, Senior Planner *HFP*
DATE: August 23, 2022
RE: Request to Table - Up On Top Volleyball Variance (P22-178)

- **The Planning and Zoning Department is requesting to table Up On Top Volleyball Variance (P22-178) from the September 6, 2022 P&Z Board meeting and to reschedule it for the October 4, 2022 meeting.**

cc: Elizabeth L. Hertz, Deputy City Attorney



Agenda Summary
2022-763

Agenda Date: 9/6/2022

Agenda Item No.: 8.c

Placement: Public Hearing - Quasi Judicial

Action Requested: Motion / Vote

P22-185 FPL Eden - Storage

Location: Northeast of the intersection of SE Jennings Rd. and SE Grand Dr.

Legal Description: St Lucie Gardens-Blk 4 - Lots 13 & 14

This is a request for a Special Exception Use for a semi-public facility or use to allow the storage of vehicles and equipment.

Submitted By: Bianca Lee, Planner I

Executive Summary: The proposed special exception use will allow development of the remaining areas of the site adjacent to the existing FPL Eden Substation. Section 158.124(C)(3) of the Zoning Code lists a semi-public facility or use as a special exception use.

Presentation Information: Bianca Lee, Planner I

Staff Recommendation: Move that the Board review the special exception use application and vote to approve, approve with conditions, or deny the request.

Background: See attached staff report

Issues/Analysis: See attached staff report

Special Consideration: N/A

Location of Project: 3733 SE Jennings Rd.

Attachments: Staff report, Conceptual site plan, Site renderings, Project narrative, Application and response to questions, Warranty deed, and Staff presentation



**FPL-Eden - Storage
 Special Exception Use
 P22-185**



Project Aerial Map

SUMMARY

Applicant's Request:	The request is for approval of a Special Exception Use (SEU) to allow a semi-public facility or use for the storage of vehicles and equipment in the General Commercial (CG) Zoning District as per Section 158.124(C)(3) of the Zoning Code.
Applicant:	Florida Power and Light Company
Agent:	Leo Giangrande
Property Owner:	Florida Power and Light Company
Location:	Located northeast of the intersection of SE Jennings Rd. and SE Grand Dr.
Address:	3733 SE Jennings Rd.
Project Planner:	Bianca Lee, Planner I

Project Description

The applicant is requesting a special exception use to allow a semi-public facility or use for the storage of vehicles and equipment, as per Section 158.124(C)(3) of the General Commercial (CG) zoning district (see the attachment, project narrative, a description for the proposed use of the site prepared by the applicant). The proposed special exception use will develop the remaining areas of the site adjacent to the existing FPL Eden Substation. The purpose of this request is to allow on site storage for a semi-public use. Section 158.124(C)(3) of the Zoning Code lists a semi-public facility or use as a special exception use that may be permitted only following the review and specific approval thereof by the City Council.

Background

The FPL Eden site plan (P22-145) was submitted for review on 4/20/2022. The applicant was advised that an SEU for the proposed use must be approved by the City Council prior to site plan approval.

Public Notice Requirements

Notice of this request for a Special Exception Use was mailed on August 25, 2022, to owners of property within a 750-foot radius of the subject property.

Location and Site Information

Parcel Number:	3414-501-3813-250-8
Property Size:	9.50 acres
Legal Description:	St Lucie Gardens-Blk 4 – Lots 13 & 14
Future Land Use:	CG (General Commercial)
Existing Zoning:	CG (General Commercial)
Existing Use:	Partially Vacant/FPL Eden Substation

Surrounding Uses

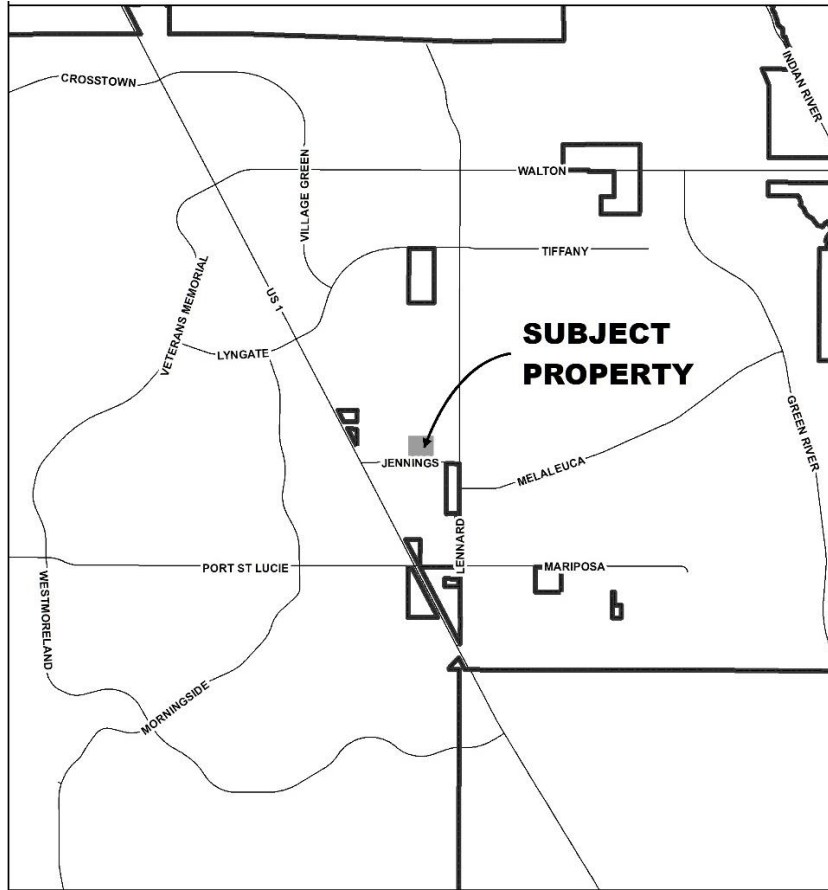
Direction	Future Land Use	Zoning	Existing Use
North	RM	PUD	Single-Family Home
South	CG	CG	Self-Storage Facility/Shopping Center
East	RM	PUD	Single-Family Home
West	CG	PUD	Nursing Home/ALF

Future Land Use

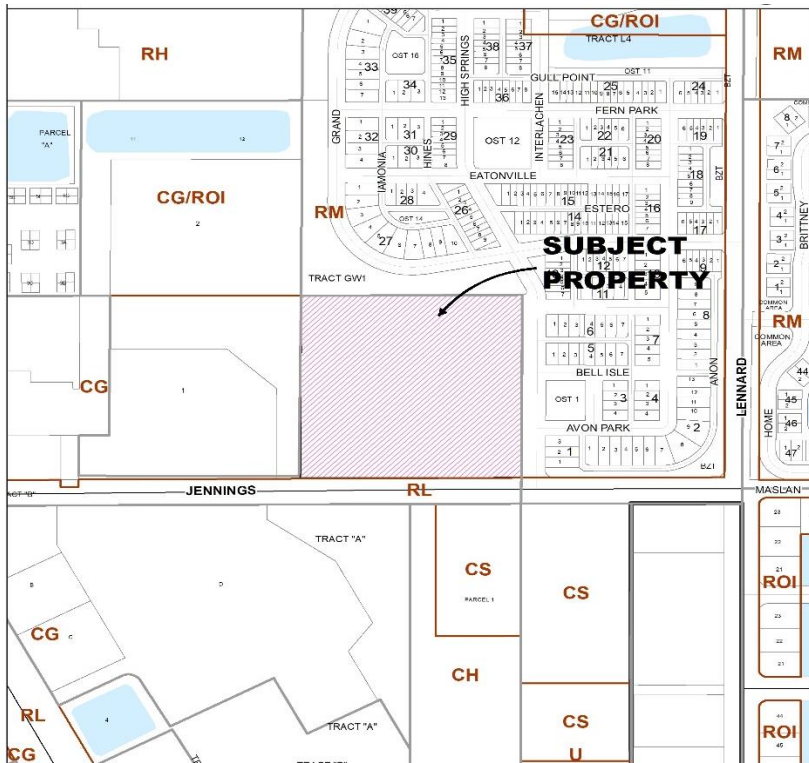
RM – Residential Medium and CG – General Commercial

Zoning District

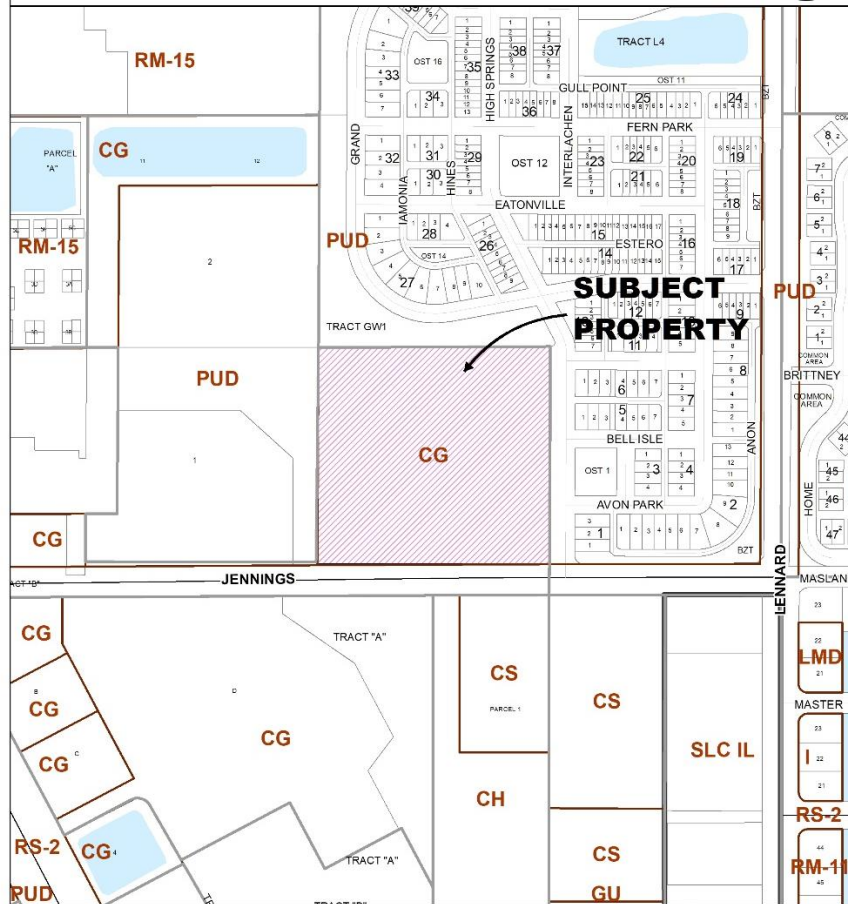
PUD– Planned Unit Development and CG – General Commercial



Location Map



Land Use Map



Zoning Map

PROJECT ANALYSIS

Special exceptions are uses that would only be allowed under certain conditions and are reviewed to be compatible with the existing neighborhood. Approval of a special exception application shall only be granted by the City Council if it meets the criteria established under Section 158.260 (A) through (L) as noted below. The applicant's response to the criteria is attached. Staff's review is provided below.

Evaluation of Special Exception Criteria (Section 158.260)

(A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or other emergency.

- **Staff findings:** The conceptual site plan demonstrates that the site has adequate ingress and egress for vehicles, the existing sidewalk along Jennings Rd. will allow for pedestrian circulation. The property is located on SE Jennings Rd and has two access points, both on SE Jennings Rd.

(B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

- **Staff findings:** Off-street parking and loading areas are not proposed for this use.

(C) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

- Staff findings: Adequate utilities are available to service the proposed development.

(D) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.

- Staff findings: The proposed site development is an addition to the existing substation for the purpose of storage and semi-public use. The site abuts the residential East Lake Village community to the north and east, an assisted living facility to the west, a shopping center with mixed use and a self-storage facility, to the south. There is an existing 6-foot architectural wall with landscaping located along the east and north sides of the existing FPL Eden Substation. The applicant proposes to continue the 6-foot architectural wall with landscaping along the north side and install an 8-foot architectural wall and landscaping along the west and south sides of the property adjacent to the proposed storage yard. An 8-foot opaque chain-link fence with landscaping is proposed to separate the electrical substation and proposed storage yard within the FPL Eden parcel. The driveway access, off of Jennings Road will be gated with an opaque gate. The proposed buffering is shown on the attached conceptual plan and renderings. The installation of the 6-foot wall on the north, and 8-foot wall along the west and south sides of the property will allow for the conformity of design features and adequate buffering of the site. The buffer will allow the storage yard to be appropriately screened from the roadway and surrounding sites.

(E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

- Staff findings: Outdoor lighting will be required to comply with the requirements of City Zoning Code Section 158.221.

(F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

- Staff findings: Yard setbacks and open space will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

(G) The use as proposed will be in conformance with all stated provisions and requirements of this chapter.

- Staff findings: The proposed Special Exception Use is permitted as defined by Section 158.124(C)(3) - CG (General Commercial) Zoning District and shall conform to all provisions of the City's Zoning Code.

(H) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City.

- Staff findings: By adhering to City Codes and Regulations, the establishment and operation of the proposed use is not anticipated to impair the health, safety, welfare, or convenience of residents and workers in the City.

(I) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

- Staff findings: The paved storage lot is not expected to generate noise that would constitute a nuisance or create safety hazards for persons or surrounding developments. The normal hours of operation will be from 8am-5pm. The applicant has expressed that the site will not be accessed daily, instead it will be used only during certain times, while being utilized for the storage needs of FPL or their affiliates. The applicant has also noted that the site is expected to generate less than 100 ADT trips per day.

(J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

- Staff findings: The proposed use is not expected to adversely impact surrounding properties with the installation of adequate buffering (see section D above). The site fronts on a heavily traveled roadway that would benefit from the buffering which the applicant proposes.

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

- Staff findings: Acknowledged.

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

- Staff findings: Acknowledged.

PLANNING AND ZONING BOARD ACTION OPTIONS

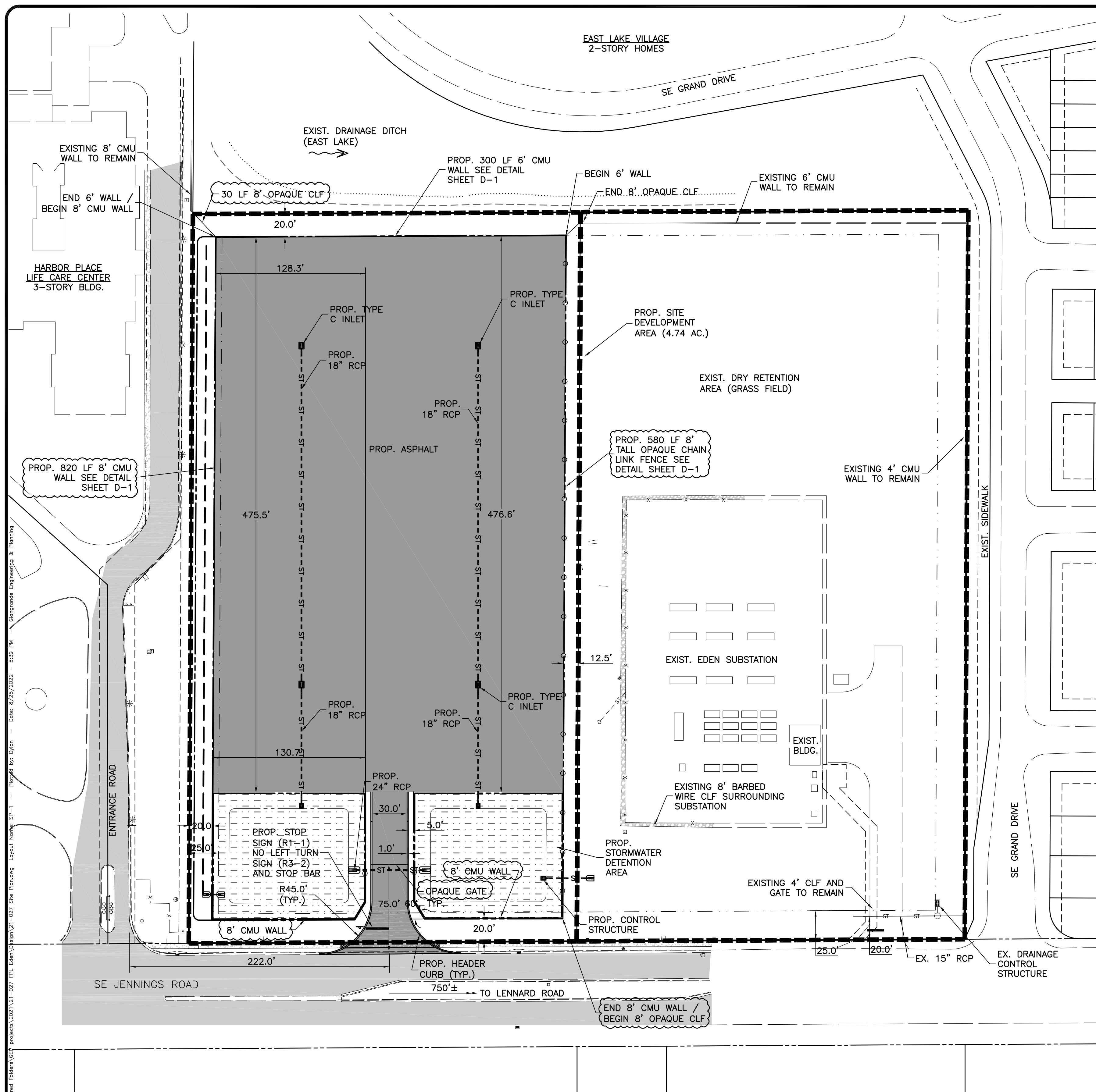
Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend approval to the City Council
- Motion to recommend approval to the City Council with conditions as recommended by staff

If the board finds that the special exception use application is inconsistent with the criteria as listed in Section 158.260 (A) through (L) of the City code, then the Board may:

- Motion to recommend denial to the City Council

Should the Board need further clarification or information from either the applicant and/or staff, it may exercise the right to table or continue the hearing or review to a future meeting.



SITE PLAN DATA TABLE

SITE ADDRESS	3733 SE JENNINGS RD, PORT ST LUCIE, FL 34952	
PARCEL #	3414-501-3813-250-8	
TOTAL PARCEL AREA	9.50 AC.	
TOTAL SITE DEVELOPMENT AREA	4.74 AC.	
ZONING	CG	
FUTURE LAND USE	GENERAL COMMERCIAL	
STRUCTURE SETBACKS	25' FRONT AND SIDE, 20' (REAR)	
NUMBER OF STORIES	3 MAX	
BUILDING HEIGHT	35' MAX	

OPEN SPACE AREA	31,867 SF	0.73 AC	15.4%
DETENTION AREA	27,704 SF	0.64 AC	13.4%
TOTAL OPEN SPACE	59,571 SF	1.37 AC	28.8%

PAVEMENT AREA	146,712 SF	3.37 AC	71.1%
TOTAL IMPERVIOUS AREA	206,283 SF	3.37 AC	71.1%
TOTAL SITE AREA	206,283 SF	4.74 AC	100.0%

EXISTING EDEN SUBSTATION SITE DATA:

PERVIOUS AREA	149,609 SF	3.43 AC	72.6%
TOTAL OPEN SPACE	149,609 SF	3.43 AC	72.6%
PAVEMENT AREA	9,216 SF	0.22 AC	4.5%
FENCED AREA	46,750 SF	1.07 AC	22.7%
BUILDING AREA	540 SF	0.01 AC	0.0%
TOTAL IMPERVIOUS AREA	56,506 SF	1.30 AC	27.4%
TOTAL SITE AREA	206,115 SF	4.73 AC	100.0%

LEGAL DESCRIPTION

ST LUCIE GARDENS 01 37 40 BLK 4 S 1/2 OF LOTS 13 AND 14-LESS S 40 FT- (9.50 AC) (MAP 44/01S) (OR 822-2932)

DRAINAGE STATEMENT

THE RUNOFF FROM THE SITE WILL SHEET FLOW INTO DRAINAGE INLETS AND SWALES TO THE EXISTING SITE DRAINAGE CONTROL STRUCTURE THAT CONNECTS TO THE JENNINGS RD DRAINAGE SYSTEM.

TRAFFIC STATEMENT

ITE TRIP GENERATION 10th EDITION FOR LAND USE 170 UTILITY HAS BEEN FOUND TO BE THE MOST RELEVANT CODE FOR THE PROPOSED USE. THERE ARE NO PROPOSED BUILDINGS PROPOSED AND THE SITE WILL CONSIST OF 3.37 ACRES OF OPEN STORAGE AREA. THE SITE IS PLANNED TO BE USED FOR STORAGE BY LEASE AGREEMENT AND IS NOT EXPECTED TO GENERATE A LARGE VOLUME OF TRAFFIC. THE AVERAGE DAILY TRAFFIC IS EXPECTED TO BE LESS THAN 100 DAILY TRIPS AND A DE-MINIMUS PEAK HOUR PEAK DIRECTION IMPACT UPON THE EXISTING LEVEL OF SERVICE ON LENNARD ROAD.

PARKING STATEMENT

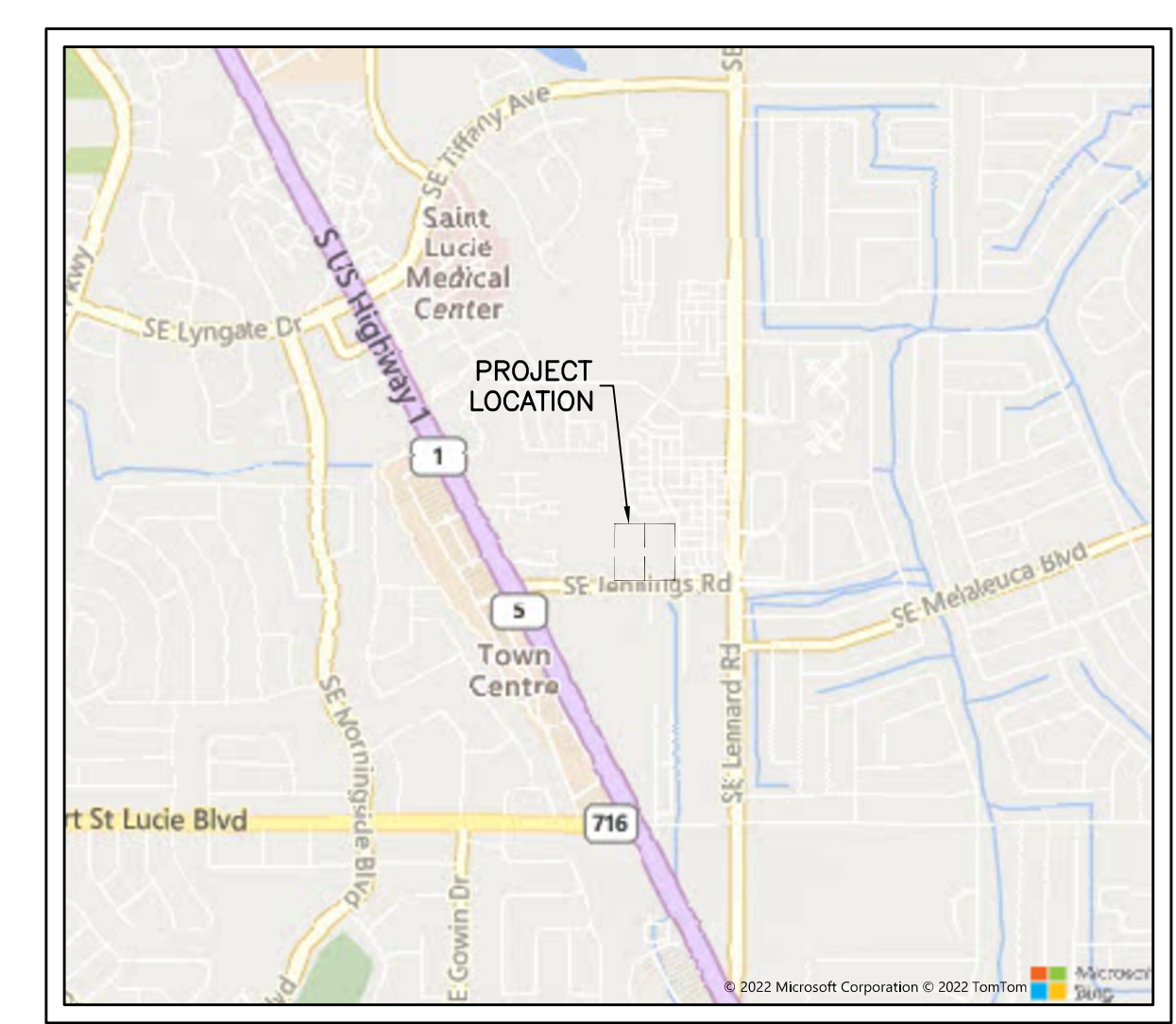
THIS IS AN UNMANNED RESTRICTED ACCESS FACILITY. NO FPL EMPLOYEES REPORT TO THIS LOCATION AND MAINTENANCE CREWS PARK INSIDE THE FENCED AREA. AS SUCH NO PARKING SPACES WILL BE PROVIDED.

SANITARY SEWER STATEMENT

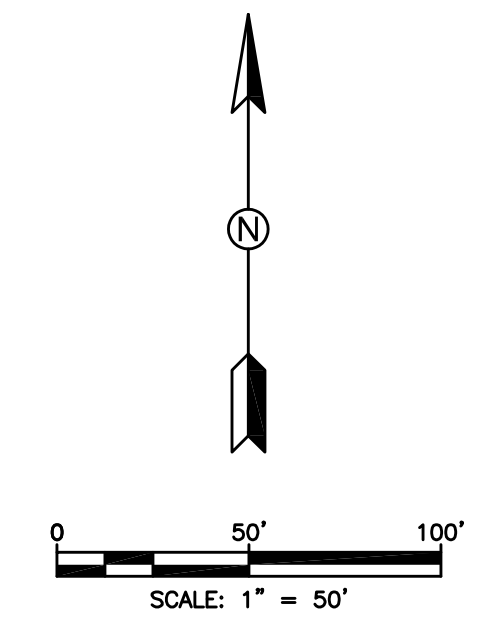
NO ADDITIONAL SANITARY SEWER USE IS PROP. FOR THIS PROJECT.

NOTES:

- LEGAL DESCRIPTION COPIED FROM SURVEY 08/20/2021 PERFORMED BY AVIROM & ASSOCIATES, INC. SURVEYING AND MAPPING
- THE PROPERTY DESCRIBED HEREON LIES WITHIN FLOOD ZONE X, AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP NUMBER 12111C0293K, COMMUNITY PANEL NO, 120287, DATED 2/19/2020.
- ALL CHAIN FENCE SHALL HAVE OPAQUE SCREEN.
- THE PROPERTY OWNER, CONTRACTOR, AND AUTHORIZED REPRESENTATIVES SHALL PROVIDE PICKUP, REMOVAL, AND DISPOSAL OF LITTER WITHIN THE PROJECT LIMITS AND SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE AREA FROM THE EDGE OF PAVEMENT TO THE PROPERTY LINE WITHIN THE CITY'S RIGHT-OF-WAY IN ACCORDANCE WITH CITY CODE, SECTION 41.08 (G).



VICINITY MAP
SCALE: 1:2,000



LEGEND

- EXIST. PROPERTY LINE
- - - EXIST. EASEMENT LINE
- EXIST. EDGE OF PAVEMENT
- EXIST. CONCRETE
- - - E - - - EXIST. UNDERGROUND ELECTRIC
- OHU EXIST. OVERHEAD UTILITY
- - - WM EXIST. WATERMAIN
- - - IRR EXIST. IRRIGATION
- - - ST EXIST. STORMWATER PIPE
- x12.2 EXIST. SPOT GRADE
- x11.9 PROP. SPOT GRADE
- PROP. BACK OF CURB
- - - ST PROP. STORMWATER PIPE
- PROP. INLET
- PROP. M.E.S.
- PROP. FLOW ARROW
- EXIST. ASPHALT
- PROP. ASPHALT

DATE	BY	REVISIONS
8/25/2022	DO	REVISED PER SEU REVIEW PW AND P&Z COMMENTS

Date: 01/15/2022
Scale: 1:50
Design By: DO
Drawn By: RF
Check By: JS



FLORIDA POWER & LIGHT
FPL EDEN SITE DEVELOPMENT
PORT ST. LUCIE, FLORIDA

SITE PLAN

GIANGRANDE ENGINEERING AND PLANNING
2081 SE OCEAN BLVD., SUITE 1A
STUART, FLORIDA 34996
PH. (772) 888-9076
Cert. No. 30901

CITY OF PSL PROJECT # P22-185
PSLUSD PROJECT # 11-657-00

LED D. GIANGRANDE, P.E.
PROJECT #: 21-027
SP-1
License No: 66387





May 13, 2022

Bianca C. Lee, Planner I
City of Port St. Lucie
 Department of Planning & Zoning
 121 S.W. Port St. Lucie Blvd.
 Port St. Lucie, FL 34984-5099

(772) 871-5149 (Office)

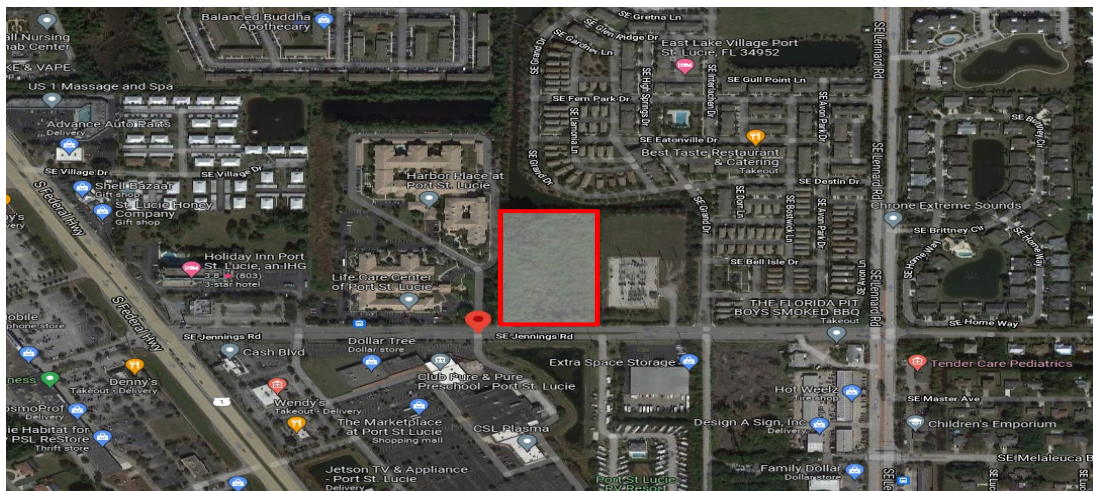
RE: FPL Eden Storage-Site Plan submittal
GEP No.: 21-027
PSL: P22-145

Project Narrative:

The site is the undeveloped parcel adjacent to the existing FPL-Eden Substation. The property is owned by FPL and they are proposing improvements for the purposes of providing surface storage. The property will be used by FPL, FPL affiliates, and companies engaged under an agreement with FPL to use the property for parking, staging and or storage of vehicles and equipment. More specifically the property would be used to park and or stage a variety of vehicles including motorcycles, cars (personal, commercial, fleet or dealership vehicles, logistics company vehicles, etc.), box to semi-tractor trail trucks (commercial and non-commercial, flatbed trailers), boats, small construction equipment vehicles, utility vehicles (i.e., FPL and or Asplundh service trucks with buckets or augers), etc. Also, as it relates to storage, the property would be used to store various materials including power poles, cable spools, light fixture parts, fiber optic cable spools, transformers, solar panels, mobile Conex boxes, mobile trailer office, landscape materials, mulch, plants and or other landscape elements associated with landscaping or irrigation, etc. The storage is typically utilized by a third party through a lease agreement. The project does not propose any buildings or utilities. The project design proposes to provide hardscape surface with lighting and landscaping in compliance with the City Code for Development. The site will be available for year round Storage, as well as additional material storage prior to and during emergency storm preparations.

Site Address: 3733 SE JENNINGS RD, Port Saint Lucie, FL 34952

Gross Acres: 4.55-(198,000 SF) 330'x600' Refer to shaded area on below image
 Estimated Useable Acres: 2.95 (128,700 SF), 65% of White shaded area on adjacent image Land Use: CG – General Commercial Zoning: CG – General Commercial



SPECIAL EXCEPTION USES

The Planning and Zoning Board, and Zoning Administrator, may authorize the special exception use from the provisions of § 158.260. In order to authorize any special exception use from the terms of this chapter, the Planning and Zoning Board, or Zoning Administrator, will consider the special exception criteria in § 158.260 and consider your responses to the following when making a determination.

(A) Please explain how adequate ingress and egress will be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control, and access in case of fire or other emergency.

The site driveway is designed per City standards.

(B) Please explain how adequate off-street parking and loading areas will be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.

The site driveway length to gate is designed to allow sufficient queue length.

(C) Please explain how adequate and properly located utilities will be available or will be reasonably provided to serve the proposed development.

The site does not have any utilities proposed.

(D) Please explain how additional buffering and screening, beyond that which is required by the code, will be required in order to protect and provide compatibility with adjoining properties.

The site will be buffered with the appropriate wall and opaque fence and gate with landscaping.

(E) Please explain how signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

The site has lighting that is designed in conformance with the City's standards.

(F) Please explain how yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

The site has drainage improvements that are designed per FDEP/SFWMD criteria.

(G) Please explain how the use, as proposed, will be in conformance with all stated provisions and requirements of the City's Land Development Regulation.

The site is designed in conformance with the City's standards and regulations.

(H) Please explain how establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the city.

The site will be not impede the residence in the city in any way.

(I) Please explain how the proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.

The site will be buffered, gated and only accessible by gate by FPL and their affiliates.

(J) Please explain how the use, as proposed for development, will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access, location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.

The site is adjacent to the FPL Eden Substation and will be used for storage which is similar to the self-storage facility that is just across Jennings.



Leo Giangrande, PE

8/25/22

Signature of Applicant

Hand Print Name

Date

PLEASE NOTE:

(K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

(L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

SPECIAL EXCEPTION USE

SEE RESPONSES ON THE
FOLLOWING PAGES.

§ 158.260 REQUIREMENTS AND APPROVAL

Special Exceptions are uses that would only be allowed under certain conditions and are required to be compatible with the existing neighborhood. It is expected that any such approval be implemented in a timely manner to ensure the use is established under the physical conditions of the area in place when approved. Therefore, Special Exception Uses shall expire after one year on the date of approval unless the applicant has received final site plan approval, or if a site plan is not required, the appropriate permits to allow development of the use to continue as approved.

Approval of a special exception application shall be granted by the City Council only upon a finding that:

- (A) Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow, and control, and access in case of fire or other emergency.
- (B) Adequate off-street parking and loading areas may be provided, without creating undue noise, glare, odor or other detrimental effects upon adjoining properties.
- (C) Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.
- (D) Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.
- (E) Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.
- (F) Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.
- (G) The use as proposed will be in conformance with all stated provisions and requirements of this chapter.
- (H) Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the city.
- (I) The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity.
- (J) The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access, location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes or changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood.
- (K) As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.
- (L) Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

August 29, 2022

Bianca C. Lee, Planner I
City of Port St. Lucie
Department of Planning & Zoning
121 S.W. Port St. Lucie Blvd.
Port St. Lucie, FL 34984-5099

(772) 871-5149 (Office)

RE: FPL Eden Storage-Site Plan Special Exemption Use Responses
GEP No.: 21-027
PSL: P22-145

Per City Code Section 158.260, Approval of a special exception application shall be granted by the City Council. The following responses to the requirements are as follows:

- A. Adequate ingress and egress may be obtained to and from the property, with particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or another emergency.

The site has a paved driveway with an opaque gated access. The driveway connects to Jennings Road for ingress and egress of vehicles accessing the storage yard.

- B. Adequate off-street parking, loading areas, and adequate stacking may be provided, without creating undue noise, glare, odor, or other detrimental effects upon adjoining properties.

The site has a paved driveway with a stacking length off 75-feet which is sufficient for two FPL style semi-trucks in queue for storage delivery.

- C. Adequate and properly located utilities are available or may be reasonably provided to serve the proposed development.

There are no proposed water or sewer utilities being proposed for the storage yard facility.

- D. Adequate screening or buffering. Additional buffering beyond that which is required by the code may be required in order to protect and provide compatibility with adjoining properties.

Buffering of the storage yard consists of landscaping on all four sides per City requirements. An 8-foot wall is proposed to extend along the west and south side of the property which is adjacent to the assisted living facility and Jennings Road. A 6-foot wall is being proposed on the north side of the property which is adjacent to East Lake Village. The east side of the site will have a 6-foot chain length fence per FPL fencing detail. Buffer width dimensions are also planned per City Requirements.

- E. Signs, if any, and proposed exterior lighting will be so designed and arranged so as to promote traffic safety and to eliminate or minimize any undue glare, incompatibility, or disharmony with adjoining properties. Light shields or other screening devices may be required.

Lighting is being proposed for the storage yard and shielding on the LED lighting. A photometric plan has been included with the site plan application in compliance with the City requirements.

- F. Yards and open spaces will be adequate to properly serve the proposed development and to ensure compatibility with adjoining properties.

Acknowledged.

- G. The use as proposed will be in conformance with all stated provisions and requirements of this chapter.

Acknowledged.

- H. Establishment and operation of the proposed use upon the particular property involved will not impair the health, safety, welfare, or convenience of residents and workers in the City.

Acknowledged.

- I. The proposed use will not constitute a nuisance or hazard because of the number of persons who will attend or use the facility, or because of the hours of operation, or because of vehicular movement, noise, fume generation, or type of physical activity. The City may require certain uses such as car washes, gas stations, and other potential noise generating uses submit a noise impact analysis prepared by a qualified professional.

Acknowledged.

- J. The use as proposed for development will be compatible with the existing or permitted uses of adjacent property. The proximity or separation and potential impact of the proposed use (including size and height of buildings, access location, light and noise) on nearby property will be considered in the submittal and analysis of the request. The City may request project design changes, changes to the proposed use to mitigate the impacts upon adjacent properties and the neighborhood. To minimize exposure to excessive noise, the City may require noise control features, limit hours of operation, and other mitigation methods.

Acknowledged.

- K. As an alternative to reducing the scale and/or magnitude of the project as stipulated in criteria (J) above, the City may deny the request for the proposed use if the use is considered incompatible, too intensive or intrusive upon the nearby area and would result in excessive disturbance or nuisance from the use altering the character of neighborhood.

Acknowledged.

- L. Development and operation of the proposed use will be in full compliance with any additional conditions and safeguards which the City Council may prescribe, including but not limited to reasonable time limit within which the action for which special approval is requested shall be begun or completed or both.

Acknowledged.

If there are any questions or concerns, please reach out to us via email or phone to discuss.

Thank you,



Dylan O'Berry, P.E.
Project Manager

Universal Land Title, Inc.

This Instrument Prepared by:
TAMMY SUB EVERLY
2000 SE PORT ST. LUCIE BLVD.
PORT ST. LUCIE, FL 34952

RETURN: COURTHOUSE BOX 43
for the purposes of title insurance.
Property Appraiser's Parcel I.D. (Folio) Number(s):
3414-501-3813-250-8
Grantor(s) S.S.#(s): 59-024775

WARRANTY DEED
INDIVIDUAL TO INDIVIDUAL

* Doc Assump: \$ 0.00
* Doc Tax : \$ 4904.90
* Int Tax : \$ 0.00

SPACE ABOVE THIS LINE FOR PROCESSING DATA

SPACE ABOVE THIS LINE FOR RECORDING DATA

This Warranty Deed Made the 30TH day of DECEMBER A.D. 19 92 by
LINWOOD REED LAWRENCE, LINDA B. FAIRBANKS, AND DAVID W.
LAWRENCE, ALL INDIVIDUALLY AND AS SUCCESSOR TRUSTEES OF THE EMILIE WILSON
hereinafter called the grantor, to LAWRENCE REVOCABLE TRUST

FLORIDA POWER & LIGHT COMPANY, A FLORIDA CORPORATION
whose postoffice address is P.O. BOX 14000, JUNO BEACH, FL 33408-0420
hereinafter called the grantee: ATTENTION: PROPERTY TAX DEPT.
(Wherever 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 corporation)

WITNESSETH: That the grantor, for an in consideration of the sum of \$ 10.00 and other
valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, re-
mises, releases, conveys and confirms unto the grantee, all that certain land situate in St. Lucie
County, Florida, viz:

The South one-half of Lots 13 and 14 (less the South 40 feet
thereof), Block 4, PLAT NO. 1, ST. LUCIE GARDENS in Section 1,
Township 37 South, Range 40 East, as recorded in Plat Book 1,
Page 35, public records of St. Lucie County, Florida; TOGETHER
WITH an easement for ingress and egress over and across the
South 40 feet thereof.

GRANTORS HEREIN EXPRESSLY WARRANT THAT THIS IS NOT HOMESTEAD
PROPERTY AND IS IN FACT VACANT UNIMPROVED LAND
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 accruing subsequent
to December 31, 1992, restrictions, reservations, covenants and easements of record, if any.

In Witness Whereof, the said grantor has signed and sealed these presents the day and year
first above written.

Signed, sealed and delivered in our presence:

Witness Signature
Printed Signature **Toni Potter**

Witness Signature
Printed Signature **TONI POTTER**

Witness Signature
Printed Signature **Toni Potter**

Witness Signature
Printed Signature **TONI POTTER**

Signature
LINWOOD REED LAWRENCE
2320 MARINS ST
Post Office Address
Port St. Lucie, FL 34952

Signature
LINDA B. FAIRBANKS
731 NE BAYBERRY CT.
Post Office Address
JENSEN BEACH, FL 34957

STATE OF FLORIDA
COUNTY OF ST. LUCIE

I HEREBY CERTIFY that on this day, before me, an officer duly authorized in the State aforesaid and in
the County aforesaid, to take acknowledgments, personally appeared **LINWOOD REED LAWRENCE AND
LINDA B. FAIRBANKS,** BOTH INDIVIDUALLY AND
AS SUCCESSOR TRUSTEES OF THE EMILIE WILSON LAWRENCE REVOCABLE TRUST
who is personally known to me or who has produced
as identification and who did take an oath.

WITNESS my hand and official seal in the County and State last aforesaid this
DECEMBER 30TH day of
A. D. 19 92.

OFFICIAL NOTARY SEAL
TAMMY EVERLY
NOTARY PUBLIC STATE OF FLORIDA
SEAL COMMISSION NO. CC176997
MY COMMISSION EXPIRES FEB. 18, 1996

Notary Signature
Printed Notary Signature Title or Rank
My Commission Expires: Serial Number, if any:

JoAnne Holman, Clerk of the Circuit Court - St. Lucie County
File Number: 1224258 OR BOOK 0822 PAGE 2932
Recorded: 01-06-93 09:32 A.M.

Florida Power and Light Company
3733 SE Jennings Rd.
Special Exception Use
Project: P22-185

Planning and Zoning Board Meeting
Bianca Lee, Planner I
September 6, 2022, Meeting



PROJECT SUMMARY

- A special exception use is sought to develop the remaining areas of the site adjacent to the existing FPL Eden Substation to be used for a paved storage yard.
- Section 158.124(C)(3) of the General Commercial Zoning Code: Lists a semi-public facility or use as a special exception that may only be permitted following the review and specific approval by the City Council.



APPLICANT AND OWNER

- Leo Giangrande agent, for FPL, property owners

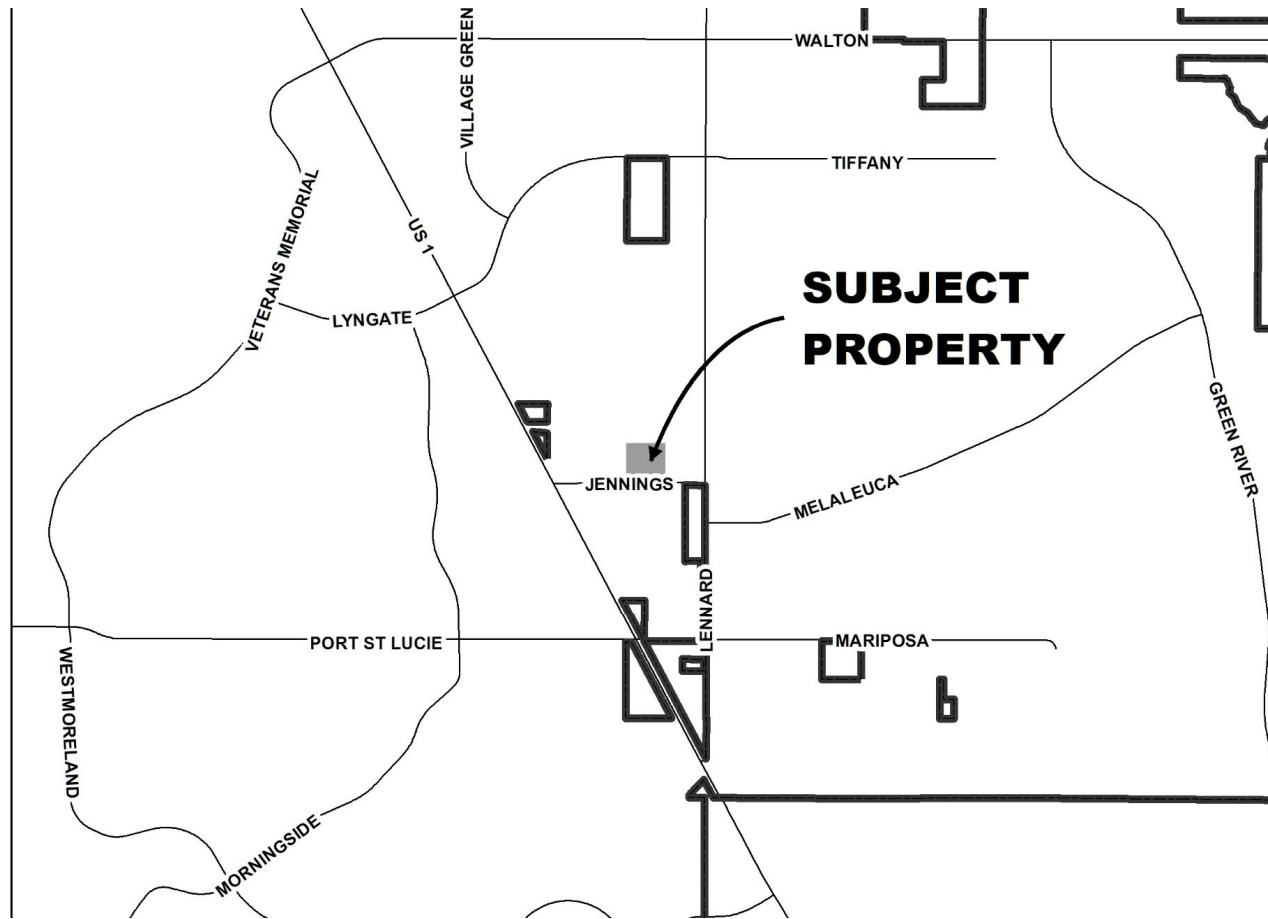


REQUEST

- Review a Special Exception Use for a semi-public facility or use to allow the storage of vehicles and equipment by FPL, their affiliates, and companies.



LOCATION



AERIAL MAP

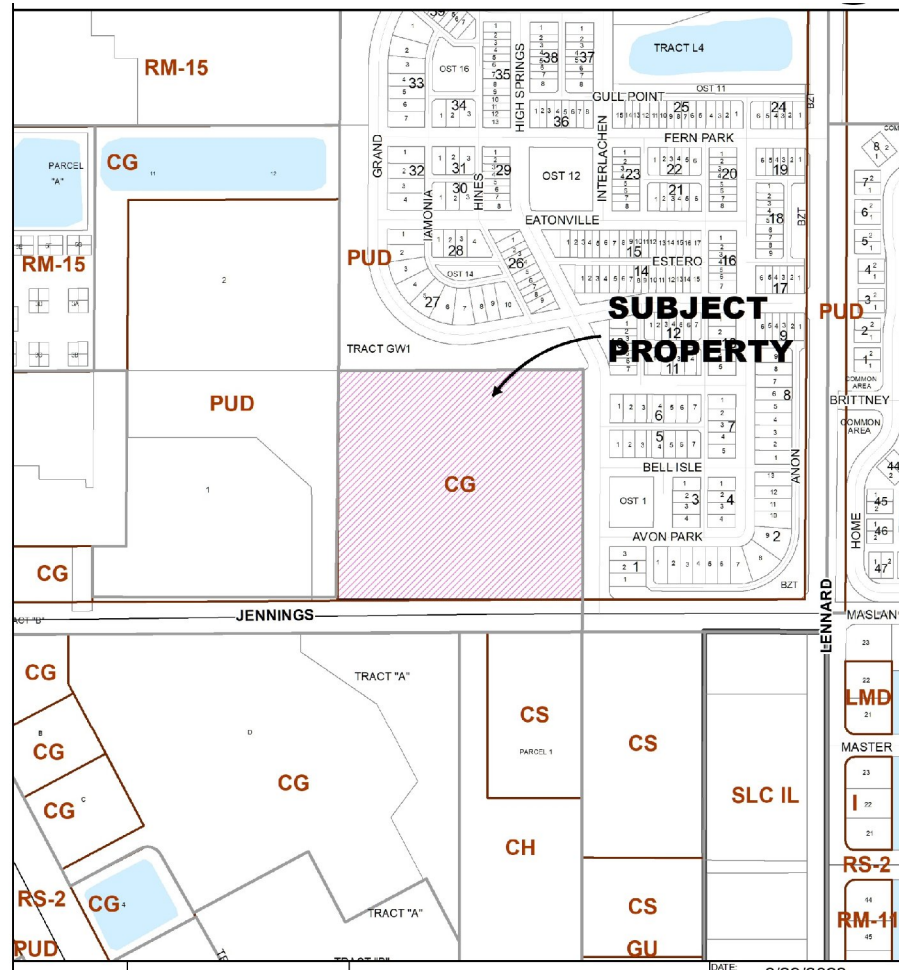


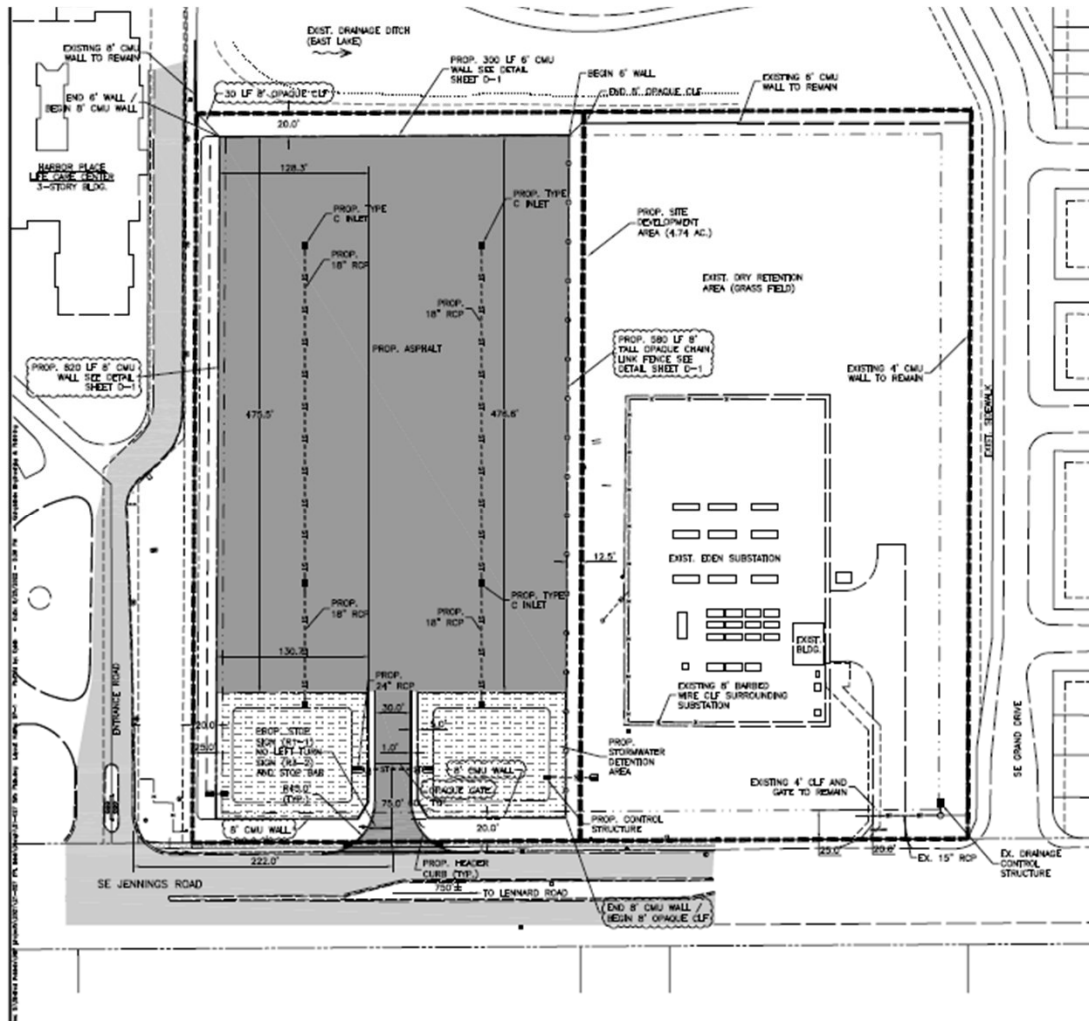
Surrounding Uses

Direction	Future Land Use	Zoning	Existing Use
North	Medium Density Residential (RM)	Planned Unit Development (PUD)	SFH
South	General Commercial (CG)	General Commercial (CG)	Self-Storage Facility
East	Medium Density Residential (RM)	Planned Unit Development (PUD)	SFH
West	General Commercial (CG)	Planned Unit Development (PUD)	Nursing Home/ALF



Zoning Map





GENERAL COMMERCIAL	25' FRONT AND SIDE, 20' (REAR)	3' MAX	35' MAX
OPEN SPACE AREA	31,867 SF	0.73 AC	15.4%
RETENTION AREA	27,754 SF	0.64 AC	13.4%
TOTAL OPEN SPACE	59,621 SF	1.37 AC	28.8%
PAVEMENT AREA	145,712 SF	3.37 AC	71.1%
TOTAL IMPERVIOUS AREA	205,283 SF	3.37 AC	71.1%
TOTAL SITE AREA	206,283 SF	4.74 AC	100.0%

EXISTING EDEN SUBSTATION SITE DATA			
DESIGN AREA	149,609 SF	3.43 AC	72.4%
TOTAL OPEN SPACE	149,609 SF	3.43 AC	72.4%
PAVEMENT AREA	9,218 SF	0.22 AC	4.5%
FENCED AREA	48,790 SF	1.07 AC	22.7%
BUILDING AREA	540 SF	0.01 AC	0.1%
TOTAL IMPERVIOUS AREA	56,508 SF	1.30 AC	27.4%
TOTAL SITE AREA	208,115 SF	4.73 AC	100.0%

LEGAL DESCRIPTION
 ST LUCIE CAREDS 01 37 40 BLK 4 S 1/2 OF LOTS 13 AND 14-LESS S 40 FT- (8.50 AC) (MAP 44/015) (OR 822-2392)

DRAINAGE STATEMENT
 THE RUNOFF FROM THE SITE WILL SHEET FLOW INTO DRAINAGE INLETS AND SWALES TO THE EXISTING SITE DRAINAGE CONTROL STRUCTURE THAT CONNECTS TO THE JENNINGS RD DRAINAGE SYSTEM.

TRAFFIC STATEMENT
 THE TRIP GENERATION 10th EDITION FOR LAND USE 170 UTILITY HAS BEEN FOUND 1 MOST RELEVANT CODE FOR THE PROPOSED USE. THERE ARE NO PROPOSED BUILDINGS AND THE SITE WILL CONSIST OF 3.37 ACRES OF OPEN STORAGE AREA. PLANNED TO BE USED FOR STORAGE BY LEASE AGREEMENT AND IS NOT EXPECTED TO GENERATE A LARGE VOLUME OF TRAFFIC. THE AVERAGE DAILY TRAFFIC IS EXPECTED TO BE LESS THAN 100 DAILY TRIPS AND A PEAK-HOUR PEAK HOUR DIRECTION WITH THE EXISTING LEVEL OF SERVICE ON JENNINGS ROAD.

PARKING STATEMENT
 THIS IS AN UNMANNED RESTRICTED ACCESS FACILITY. NO FFL EMPLOYEES REPORT THIS LOCATION AND MAINTENANCE CREWS PARK INSIDE THE FENCED AREA, AS SUCH NO PARKING SERVICES WILL BE PROVIDED.

SANITARY SEWER STATEMENT
 NO ADDITIONAL SANITARY SEWER USE IS PROP. FOR THIS PROJECT.

- NOTES:**
- LEGAL DESCRIPTION CORDED FROM SURVEY 08/20/2021 PERFORMED BY ABRON & ASSOCIATES, INC. SURVEYING AND MAPPING
 - THE PROPERTY DESCRIBED HEREON LIES WITHIN FLOOD ZONE X, AS SHOWN ON THE FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) FLOOD INSURANCE RATE MAP NUMBER 12111C0293K, COMMUNITY PANEL NO. 120287, DATED 2/19/2020.
 - ALL CHAIN LINK FENCE SHALL HAVE OPAQUE SCREEN.
 - THE PROPERTY OWNER, CONTRACTOR, AND AUTHORIZED REPRESENTATIVES SHALL PROVIDE PICKUP, REMOVAL, AND DISPOSAL OF LITTER WITHIN THE PROJECT LIMITS AND SHALL BE RESPONSIBLE FOR MAINTENANCE OF THE AREA FROM THE EDGE OF PAVEMENT TO THE PROPERTY LINE WITHIN THE CITY'S RIGHT-OF-WAY IN ACCORDANCE WITH CITY CODE, SECTION 41.08 (5).

Conceptual Site Plan





Site Renderings



<u>Evaluation of SEU CRITERIA</u> (Section 158.260)	<u>FINDINGS</u>
ADEQUATE INGRESS AND EGRESS (§ 158.260 (A))	The site plan demonstrates that the site has adequate ingress and egress for vehicles, the existing sidewalk along Jennings Rd. will allow for pedestrian circulation. The property is located on SE Jennings Rd and has two access points, both on SE Jennings Rd.
ADEQUATE OFF-STREET PARKING AND LOADING AREAS (§ 158.260 (B))	Off-street parking and loading areas are not proposed for this use.
ADEQUATE AND PROPERLY LOCATED UTILITIES (§ 158.260 (C))	Adequate utilities are available to service the proposed development.
ADEQUATE SCREENING OR BUFFERING (§§ 158.260 (D) (F))	Adequate screening and buffering will be provided, consisting of an architectural wall, opaque fencing, and site landscaping.
SIGNAGE AND EXTERIOR LIGHTING (§158.260 (E))	Outdoor lighting will be required to comply with the requirements of City Zoning Code Section 158.221.
COMPATIBILITY WITH SURROUNDING USES (§§ 158.260 (H) (I) (J))	The proposed use is not expected to adversely impact surrounding properties. The proposed site development will be an addition to the existing substation for the purpose of storage and semi-public use. The site fronts on a heavily traveled roadway that would benefit from additional buffering. The commercially zoned site abuts residential development, an 8FT architectural wall along SE Jennings Rd. can be used to buffer the site from the roadway and surrounding sites.

QUESTIONS OR COMMENTS?

PLANNING AND ZONING BOARD ACTION OPTIONS:

- Make a motion to recommend approval to the City Council
- Make a motion to recommend approval to the City Council with conditions
- Make a motion to recommend denial to the City Council
- Make a motion to table or continue the hearing or review to a future meeting

