

VARIANCE APPLICATION

CITY OF PORT ST. LUCIE
Planning & Zoning Department
121 SW Port St. Lucie Blvd.
Port St. Lucie, Florida 34984
(772)871-5213

FOR OFFICE USE ONLY

Planning Dept _____
Fee (Nonrefundable) \$ _____
Receipt # _____

Refer to "Fee Schedule" for application fee. Make check payable to the "City of Port St. Lucie. Fee is nonrefundable unless application is withdrawn prior to advertising for the Planning and Zoning Board meeting. **Attach two copies of proof of ownership (e.g.: warranty deed, affidavit), a copy of recent survey and a statement addressing each of the attached criteria.**

PRIMARY CONTACT EMAIL ADDRESS: daryl@corporatepropertyservices.net

PROPERTY OWNER:

Name: PSLDarwin LLC
Address: 4200 Northside Parkway, Bldg 2 Suite 200, Atlanta, GA 30327
Telephone No. (954) 426-5144

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

Name: Corporate Property Services, Inc. - Dayl Johnson
Address: 1239 E. Newport Center Drive, Suite 113, Deerfield Beach, FL 33442
Telephone No. (954) 426-5144 Email daryl@corporatepropertyservices.net

SUBJECT PROPERTY:

Legal Description: Lot A- Darwin Square - Plat Book 34, Page 30, Section 19 - Township 37 South - Range 40 East
Parcel I.D. Number: 3420-713-0001-000-5
Address: 3201 SW Port St. Lucie Boulevard, Port St. Lucie, Florida 34947
Current Zoning Classification CG

Description of requested variance and applicable conditions/circumstances justifying request (continue on separate sheet, if necessary): Provide documentation that the attached variance criteria have been met.

Please see Variance Project Narrative - Parking Variance



Signature of Applicant

Craig McDonald

Hand Print Name

2/3/26

Date

NOTE: Signature on this application acknowledges that a certificate of concurrency for adequate public facilities as needed to service this project has not yet been determined. Adequacy of public facility services is not guaranteed at this stage in the development review process. Adequacy for public facilities is determined through certification of concurrency and the issuance of final local development orders as may be necessary for this project to be determined based on the application material submitted. 03/02/20

VARIANCES

§ 158.295 PLANNING AND ZONING BOARD OR ZONING ADMINISTRATOR (DIRECTOR OF PLANNING AND ZONING) TO HEAR VARIANCES; POWERS AND DUTIES OF BOARD AND ZONING ADMINISTRATOR

(C) Duties of the Zoning Administrator and Planning and Zoning Board in authorizing a variance. The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator should consider:

- (1) That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;
- (2) That the special conditions and circumstances do not result from any action of the applicant;
- (3) That granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, buildings, or structures, in the same zoning district;
- (4) That literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;
- (5) That the variance granted is the minimum variance that will make possible the reasonable use of the land, building, or structure;
- (6) That the granting of the variance will be in harmony with the general intent and purpose of the chapter and that the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;
- (7) That there will be full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe, including but not limited to reasonable time limits within which the action for which variance is required shall be begun or completed, or both.

VARIANCES

The Planning and Zoning Board and Zoning Administrator may authorize the variance from the provisions of this chapter as will not be contrary to the public interest when, owing to special conditions, a literal enforcement of the provisions will result in unnecessary and undue hardship. In order to authorize any variance from the terms of this chapter, the Planning and Zoning Board or Zoning Administrator will consider the variance criteria in **§ 158.295 (C) 1-7 and consider your responses to the following when making a determination.**

(1) Please explain special conditions and circumstances that exist which are peculiar to the land, structure, or building involved and which are not applicable to other lands, structures, or buildings in the same zoning district;

Please see Project Narrative - Variance

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

Please see Project Narrative Variance

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

Please see Project Narrative - Variance

(4) Please explain how a literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant;

Please see Project Narrative Variance

(5) Please illustrate and explain if the variance requested is the minimum variance that will make possible the reasonable use of the land, building, or structure;

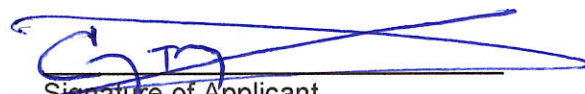
Please see Project Narrative Variance

(6) Please indicate how granting variance will be in harmony with the general intent and purpose of the chapter and that granting the variance will not be injurious to the area involved or otherwise detrimental to the public welfare;

Please see Project Narrative - Variance

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

Please see Project Narrative - Variance


Signature of Applicant

Craig McDonald
Hand Print Name

2/3/21
Date



**POLLO TROPICAL
PARKING VARIANCE
3201 South Port St. Lucie Boulevard
Port St. Lucie, Florida
February 3, 2026**

The 0.68-acre (29,695 square feet) site is located at 3201 Southwest Port St. Lucie Boulevard in Port St. Lucie, Florida. The property is zoned General Commercial (CG) and has a “Commercial” future land use designation. There is currently an existing, closed bank with a drive thru on the parcel, that will be demolished prior to construction of the proposed 2,841 square foot Pollo Tropical fast food restaurant with a drive-thru.

Vehicular access to the proposed Pollo Tropical restaurant will be provided via three of the existing access connection points located at the northwest corner, the northeast corner and the southwest corner of the site. The existing access point at the southeast corner of the site will be closed, to provide the drive-thru for the restaurant. The City of Port St. Lucie Land Development Code requires 38 parking spaces and the proposed layout provides 20 parking spaces. Parking provided is 90-degree angled spaces throughout the subject site. A parking variance is requested to allow 20 spaces in lieu of 38 parking spaces, which is a deviation of 18 parking spaces. A parking study has been prepared, based on the parking demand of three existing Pollo Tropical quick-serve restaurants. This study demonstrates that 5.037 vehicles per 1,000 square feet are required for a typical Pollo Tropical restaurant, and therefore 14 parking spaces will meet demand. Thus, the proposed parking supply of 20 parking spaces is more than sufficient to meet the parking demand.

Pursuant to Code Section 158.295, the Planning and Zoning Board may authorize a variance based upon the following criteria of the City of Port St. Lucie Land Development (“City Code”). The Applicant is requesting variances based on the criteria as follows:

CODE SECTION	REQUIREMENT	ALLOWED	PROPOSED	VARIANCE
Section 158.221 (C) (16) Off Street Parking	1 parking space per 75 SF (2841 SF /7 5 SF = 38 spaces)	Variance Requested	20 parking spaces	18 parking spaces

1. That special conditions and circumstances exist which are peculiar to the land, structure or building and which are not applicable to other lands, structures, or buildings in the same zoning district.



Response: The subject property has a unique circumstance since the use is being redeveloped from a bank to a fast-food restaurant with a drive thru. A restaurant requires significantly more queuing for the drive thru area, as compared to a bank use, which results in less property area being available to accommodate parking. Pollo Tropical was able to increase the total number of parking spaces by one space, from 19 parking spaces to 20 on-site spaces. Other vacant properties in the same zoning district do not have this same special condition.

2. That the special conditions and circumstances do not result from any action of the applicant.

Response: This hardship is directly related to the physical characteristics of the property, not to personal circumstances or financial considerations. The applicant is proposing to redevelop a site within the Publix Supermarket Shopping Center, to enhance the surrounding area, while providing a design that promotes economic development, as well as public safety and welfare.

3. That granting of 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.

Response: The requested relief is necessitated solely by the special physical condition of the uniqueness of the subject property. Other properties within the same zoning district may be able to comply with the parking requirement because they do not have the constraints and confines of an already developed parcel. The parking study prepared by Kimley-Horn justifies a reduced parking rate and documents that the 20 parking spaces provided on-site will exceed the demand of 14 parking spaces for this Pollo Tropical restaurant. Therefore, the requested variance does not allow a use, intensity or parking reduction that would otherwise be prohibited, but rather permits reasonable and comparable use of the property, consistent with similarly situated developments.

4. The literal interpretation of the provisions of the chapter would deprive the applicant of rights commonly enjoyed by other properties in the same zoning district under the terms of the chapter and would work unnecessary and undue hardship on the applicant.

Response: Other properties within the same zoning district, that possess more typical physical characteristics, can comply with the parking requirement. Due to site-specific limitations of the subject property, strict enforcement of the code would preclude reasonable use of this property. Literal interpretation of the parking code would deny the applicant the opportunity to redevelop the site in a manner that promotes infill & economic development.

5. That the variance is the minimum variance that will make possible the reasonable use of the property, and the variance will be in harmony with the general intent of this chapter and will not be injurious to the neighborhood, or otherwise detrimental to the public welfare.

Response: The 18-parking space variance request, when the code requires 38 parking spaces, is the minimum request that will allow Pollo Tropical to make reasonable use of the property when redeveloped. It will foster safe site circulation within the site and shopping center, while also



increasing the landscape areas. The proposed 20 parking spaces will exceed the maximum demand of 14 spaces identified in the parking study prepared by Kimley-Horn.

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.

Response: Granting of the parking variance will be in harmony with the general intent and purpose of the chapter. The variance requested will in no way be injurious or detrimental to the public welfare. Approval of the variance will enable Pollo Tropical to redevelop the subject parcel, while incorporating site improvements that are beneficial to the public welfare.

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

Response: There will be full compliance with any conditions and safeguards directed from the Planning and Zoning Board or Zoning Administrator.