

Planning and Zoning Department
City of Port St. Lucie
121 SW Port St. Lucie Blvd
Port St. Lucie, FL 34984

Re: Amore Variance

(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



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;

Special conditions and circumstances exist which are peculiar to the land and building involved which are not generally applicable to other lands, structures or buildings in the same zoning district. The special conditions/circumstances existing are due to the unique location and adjacency of the Heart in the Park public space and the orientation of the building to this public space. The building was designed to engage and compliment the public space of the Heart and in this had to create a building which aesthetically addresses all facades of the building whereas most buildings within this same district have a front and back only with all aesthetic emphasis including signage needs being focused on the front façade only.

Specific to signage (and this variance request) – the specific design of the lettering (a larger more exaggerated ‘A’ in Amore coupled with the need to adequately address signage on three of the four facades and maintain the legibility of the balance of the signage – all given the unique location and circumstances of this building is the basis for the variance request.

These contextual and signage conditions are specific to this site and are not commonly shared by other structures in the area.

2. Please explain if these conditions and circumstances result from actions by the applicant;
These conditions and circumstances are not a result from actions by the applicant but in the existing design constraints and limitations of the current master sign program. The current master sign program specifies an extremely simple way to measure the allowable signage – a basic single geometric ‘box’ surrounding the entirety of the proposed signage. In this specific case – the uniqueness and creativeness of the brand and the exaggerated ‘A’ in Amore creates a significant amount of blank/white space void of any actual signage and counts against the allowable signage amount. Refer to Exhibit ‘A’ which graphically depicts the current method of calculating allowable sign area and the method proposed for this variance request.

In addition to how signage is calculated, a single user building such as Amore has the same maximum allowable square-footage as a single tenant/user bay in the adjacent retail building meaning that with multiple tenants – a building in a similar situation is allowed a significant amount more façade signage.

Please refer to Exhibit ‘B’ (photo) which shows the currently installed Amore signage and the sign size relationship to the overall building mass, façade size and context and unique location upon which the building is set.

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



Granting of the variance 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 and in fact, actually allows the signage to be proportionate and consistent with the adjacent retail building. Refer to Exhibit 'C'. There are essentially two buildings located adjacent to the Heart in the Park; Amore Restaurant (a single user in the entire building) and a Retail Building composed of many individual businesses. Each of those individual businesses within the retail building is allowed a maximum of 200sf per user and thus a lot more allowable signage for that single building. The Amore building is severely restricted in allowable signage when compared to the adjacent building simply because it's a single user and not multiple businesses.

Referring to Exhibit 'A' - the actual calculated sign square-footage for Amore for all three signs combined is 515.52 sf with over 317.52 sf of that being blank/white wall space. As you can see in the photos – the actual appearance and scale of this square-footage is very much in line with any of the single businesses such as Sara's Kitchen on the adjacent building.

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;

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 and would work unnecessary and undue hardship on the applicant by severely reducing either the quantity of the façade signs (three down to one) and impacting business visibility and wayfinding or by greatly reducing the size of each sign and impacting legibility and brand image.

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

The variance requested is the minimum variance that will make possible the reasonable use of the land, building or structure. Refer to Exhibit 'A' which demonstrates that the actual amount of sign square-footage (omitting the blank/white wall space in the existing calculation method) is actually 65.27 sf. per sign. When this square-footage is applied to all three signs, the total sign square-footage is 195.81 sf (total all signs combined) and falls under the maximum allowable 200 sf. For clarity, this variance request is to allow a maximum total allowable façade sign square-footage for the Amore building of 515.52 sf with 317.52 sf of that being blank/white wall space in (3) signs.

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

Granting of the 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. Refer to Exhibits 'B', 'C' and 'D' which show the relationship of the Amore signage in the unique context of this location and the relationship of the Amore signs size when compared to adjacent retail tenant signage.



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.

Applicant acknowledges and agrees to full compliance with any additional conditions and safeguards which the Planning and Zoning Board or Zoning Administrator may prescribe.

Should you have any questions or need additional information, please feel free to contact me directly.

Sincerely,

A handwritten signature in black ink, reading "Derrick E Phillips Jr". The signature is written in a cursive, flowing style.

Derrick E Phillips Jr
Project Manager