

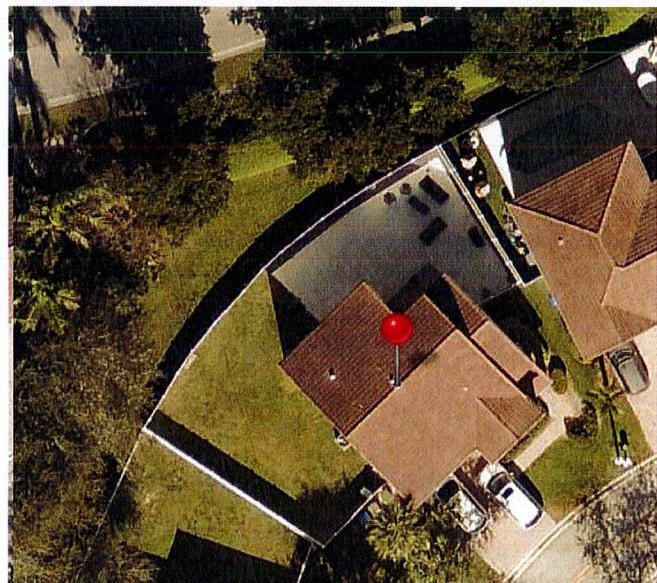
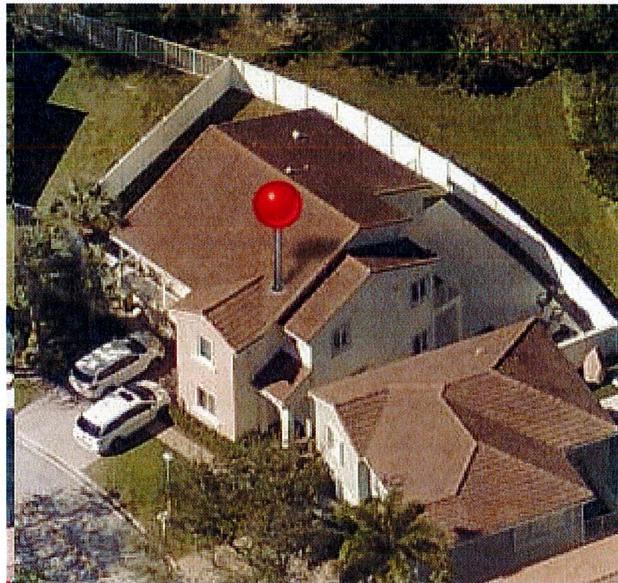
Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2021-38, 39

Zoning Variances

RASKIN, YOSEF ITSHAK KIEVMAN, NAVA
7575 NW 19 DR PEMBROKE PINES FL 33024





City of Pembroke Pines
Planning & Economic Development Department
601 City Center Way 3rd Floor
Pembroke Pines FL, 33025

Summary

| | | | |
|--------------------------------|---|---------------------------|--------------------|
| Agenda Date: | December 2, 2021 | Application ID: | ZV(R) 2021-38 & 39 |
| Project: | Screen Enclosure | Project Number: | N/A |
| Project Planner: | Dean Piper, Zoning Administrator | | |
| Owner: | Yosef Raskin | Agent: | N/A |
| Location: | 7575 NW 19 Drive, Pembroke Pines, 33027 | | |
| Existing Zoning: | Planned Unit Development (PUD) | Existing Land Use: | Residential |
| Reference Applications: | N/A | | |

Variance Summary

| Application | Code Section | Required/Allowed | Request |
|-------------------------------------|---|---|---|
| ZV(R) 2021 - 38 | (Walnut Creek) Planned Unit Development (PUD) Guidelines | 5' Rear Yard Setback to pool deck | 2' Rear Yard Setback for a proposed pool deck. |
| ZV(R) 2021 - 39 | (Walnut Creek) Planned Unit Development (PUD) Guidelines | 7' Rear Setback to pool edge of water | 3' Rear Setback for a proposed pool edge of water |
| Final: | <input type="checkbox"/> Planning & Zoning Board | <input checked="" type="checkbox"/> Board of Adjustment | |
| Reviewed for the Agenda: | Director: _____ | Zoning Administrator: _____ |  |

PROJECT DESCRIPTION / BACKGROUND:

Yosef Raskin, owner, has submitted variance requests ZV(R) 2021-38 to allow a proposed pool deck at a 2' Rear Yard setback; and ZV(R) 2021-39 to allow a 3' rear yard setback to proposed pool edge of water.

The Walnut Creek Architectural Review Committee has approved this project contingent upon all permits are received from the City of Pembroke Pines.

VARIANCE REQUEST DETAILS:

ZV(R) 2021-38 to allow a 2' rear yard setback for a proposed pool deck instead of the required 5' rear yard setback; and

ZV(R) 2021-39 to allow a 3' rear setback to proposed pool edge of water instead of the required 7' rear yard setback to the pool edge of water.

Code Reference: Country Pines (Walnut Creek) Planned Unit Development (PUD) Guidelines

VARIANCE DETERMINATION

The Board of Adjustment shall not grant any single-family residential variances, permits, or make any decision, finding, and determination unless it first determines that:

Its decision and action taken is in harmony with the general purposes of the zoning ordinances of the city and is not contrary to the public interest, health, or welfare, taking into account the character and use of adjoining buildings and those in the vicinity, the number of persons residing or working in the buildings, and traffic conditions in the vicinity.

In the granting of single-family residential variances, the Board shall follow Section 155.301(O) Variance:

1. Purpose: To allow for the provision of relief from certain development standards of this LDC for one or more of the following reasons:
 - a) There are special circumstances or conditions applying to the land or building for which the variance is sought, which circumstances are peculiar to the land or building and do not apply generally to land or buildings in the neighborhood, and that the strict application of the provisions of the zoning ordinances would result in an unnecessary hardship and deprive the applicant of the reasonable use of the land or building; or
 - b) Any alleged hardship is not self-created by any person having an interest in the property nor is the result of a mere disregard for or in ignorance of the provisions of the zoning ordinances of the city; or
 - c) Granting the variance is not incompatible with public policy, will not adversely affect any adjacent property owners, and that the circumstances which cause the special conditions are peculiar to the subject property.

Enclosed: Variance Request Application
Subject Site Aerial Photo



City of Pembroke Pines

Planning and Economic Development Department

Unified Development Application

Planning and Economic Development
City Center - Third Floor
601 City Center Way
Pembroke Pines, FL 33025
Phone: (954) 392-2100
<http://www.ppinies.com>

Prior to the submission of this application, the applicant must have a pre-application meeting with Planning Division staff to review the proposed project submittal and processing requirements.

Pre Application Meeting Date: _____

Plans for DRC _____ Planner: _____

Indicate the type of application you are applying for:

- Appeal*
- Comprehensive Plan Amendment
- Delegation Request
- DRI*
- DRI Amendment (NOPC)*
- Flexibility Allocation
- Interpretation*
- Land Use Plan Map Amendment*
- Miscellaneous
- Plat*
- Sign Plan
- Site Plan*
- Site Plan Amendment*
- Special Exception*
- Variance (Homeowner Residential)
- Variance (Multifamily, Non-residential)*
- Zoning Change (Map or PUD)*
- Zoning Change (Text)
- Zoning Exception*
- Deed Restriction

INSTRUCTIONS:

1. All questions must be completed on this application. If not applicable, mark N/A.
2. Include all submittal requirements / attachments with this application.
3. All applicable fees are due when the application is submitted (Fees adjusted annually).
4. Include mailing labels of all property owners within a 500 feet radius of affected site with signed affidavit (Applications types marked with *).
5. All plans must be submitted no later than noon on Thursday to be considered for Development Review Committee (DRC) review the following week.
6. Adjacent Homeowners Associations need to be noticed after issuance of a project number and a minimum of 30 days before hearing. (Applications types marked with *).
7. The applicant is responsible for addressing staff review comments in a timely manner. Any application which remains inactive for over 6 months will be removed from staff review. A new, updated, application will be required with applicable fees.
8. Applicants presenting demonstration boards or architectural renderings to the City Commission must have an electronic copy (PDF) of each board submitted to Planning Division no later than the Monday preceding the meeting.

Staff Use Only

Project Planner: Dean Project #: PRJ 20 n/a Application #: ZV(R)2021-38439
Date Submitted: 10/20/2021 Posted Signs Required: (1) Fees: \$ 500

SECTION 1-PROJECT INFORMATION:*Project Name: Raskin Property*Project Address: 7515 NW 19 Drive Pembroke Pines, FL 33024Location / Shopping Center: Walnut CreekAcreage of Property: 5.920 Sq ft Building Square Feet: _____Flexibility Zone: _____ Folio Number(s): 514110181950

Plat Name: _____ Traffic Analysis Zone (TAZ): _____

Legal Description:

Walnut Creek replat No 1 168-18B Lot 195

Has this project been previously submitted? Yes No

Describe previous applications on property (Approved Variances, Deed Restrictions, etc...) Include previous application numbers and any conditions of approval.

| Date | Application | Request | Action | Resolution / Ordinance # | Conditions of Approval |
|------|-------------|---------|--------|--------------------------|------------------------|
| | | | | | |
| | | | | | |
| | | | | | |
| | | | | | |

SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION

* Owner's Name: Yosef Raskin
* Owner's Address: 7575 NW 19 DR Pembroke Pines, FL 33024
* Owner's Email Address: pedro@osc pools.com
* Owner's Phone: 718-715-8090 Cell: _____ * Owner's Fax: _____
Agent: One Stop Pools & Construction
Contact Person: Maria Jose Valladares
Agent's Address: 10460 SW 110 ST, Miami, FL 33176
Agent's Email Address: mariajose@osc pools.com
Agent's Phone: 305-898-2261 Agent's Fax: _____

All staff comments will be sent directly to agent unless otherwise instructed in writing from the owner.

SECTION 3- LAND USE AND ZONING INFORMATION:

EXISTING

Zoning: _____

Land Use / Density: _____

Use: _____

Plat Name: _____

Plat Restrictive Note: _____

PROPOSED

Zoning: _____

Land Use / Density: _____

Use: _____

Plat Name: _____

Plat Restrictive Note: _____

ADJACENT ZONING

North: _____

South: _____

East: _____

West: _____

ADJACENT LAND USE PLAN

North: _____

South: _____

East: _____

West: _____

-This page is for Variance, Zoning Appeal, Interpretation and Land Use applications only-

SECTION 4 – VARIANCE • ZONING APPEAL • INTERPRETATION ONLY

Application Type (Circle One): Variance Zoning Appeal Interpretation

Related Applications: _____

Code Section: Walnut Creek (Country Pines) P.U.D. ^{Single Family} _{Conventional} II

Required: ① 5' Rear Yard Setback to Pool Deck; ② 7' Rear Yard Setback

Request: ① 2' Rear Yard Setback; ② 3' Rear Yard Setback to Edge of Water

Details of Variance, Zoning Appeal, Interpretation Request:

* See Attached

SECTION 5 - LAND USE PLAN AMENDMENT APPLICATION ONLY

City Amendment Only

City and County Amendment

Existing City Land Use: _____

Requested City Land Use: _____

Existing County Land Use:

Requested County Land Use:

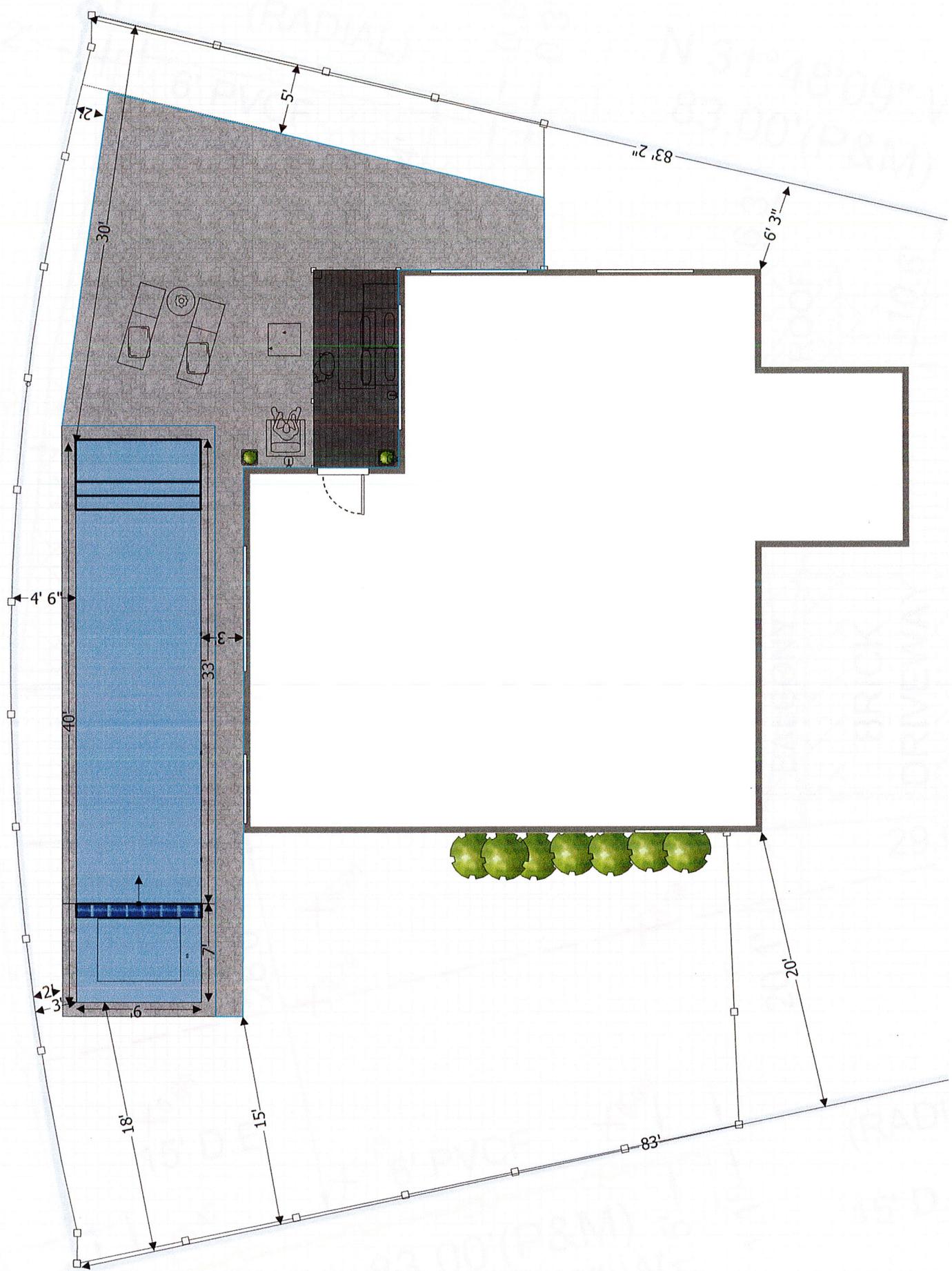
This project is to build a new swimming pool and spa in Mr. Yosef's property.

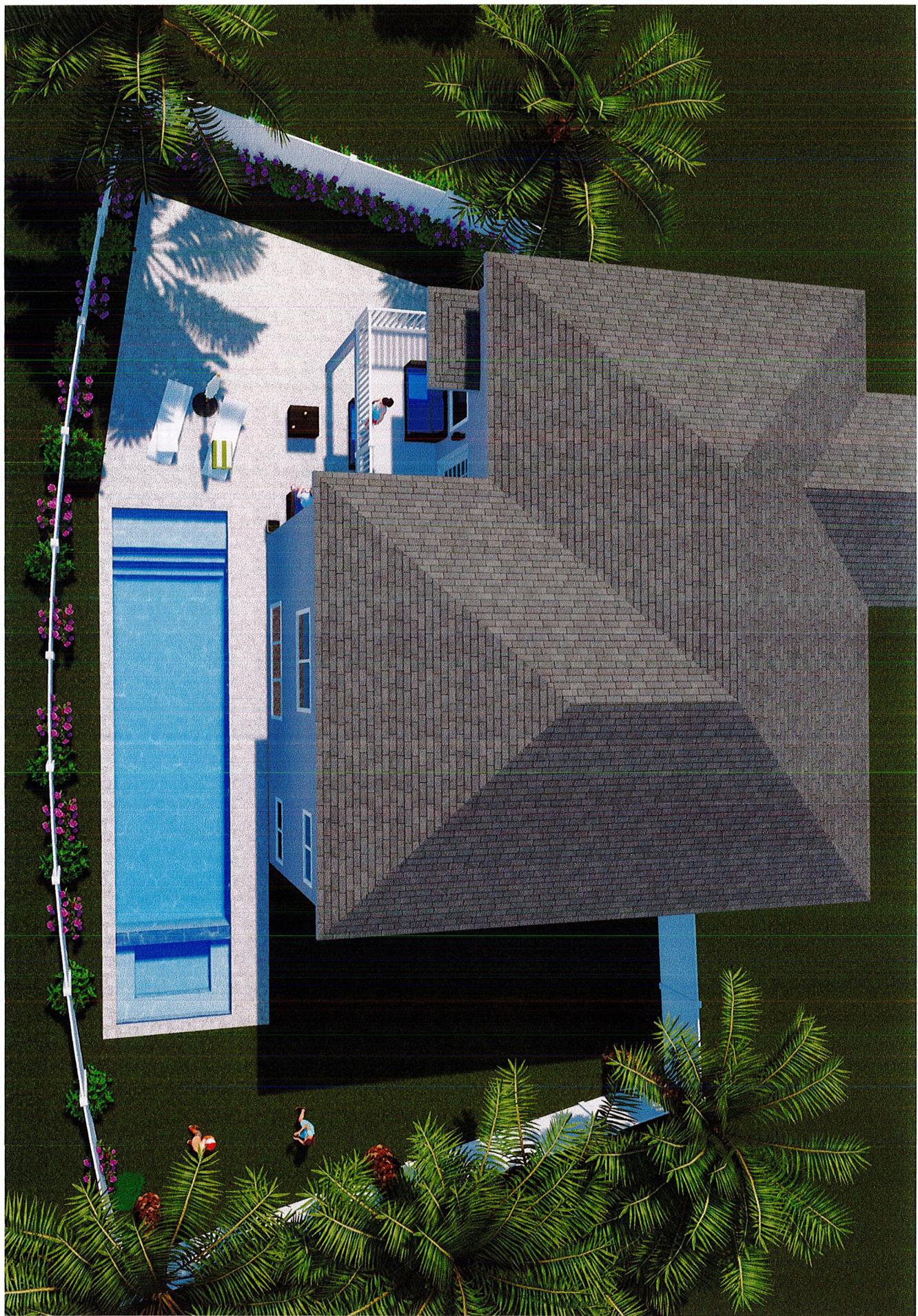
This property has an easement along the entire SW property line, leaving only the rear and right side to use for entertainment.

We would like to ask for a variance in order to be able to use the space available in the best possible way. We are asking for 2 variances for this project.

- Patio deck/coping to be 2' from the rear property line. (Encroaching 3')
- Pool water to be 3' from the rear property line. (Encroaching 4')

Due to the easement on the left side of the property and the access to the yard being on the right, this is the only area the pool can be located properly. Any other way leaves a very small and uncomfortable living space.



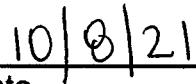


SECTION 7- PROJECT AUTHORIZATION

OWNER CERTIFICATION

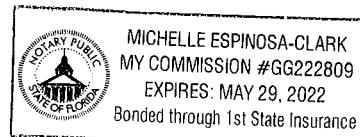
This is to certify that I am the owner of the property described in this application and that all information supplied herein is true and correct to the best of my knowledge.


Signature of Owner

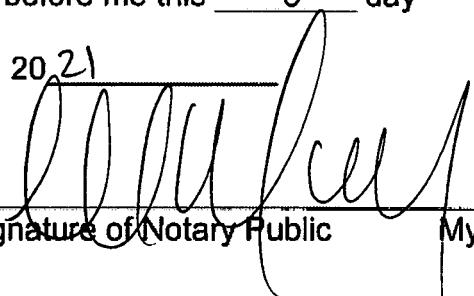

Date

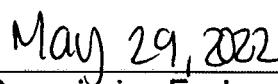
Sworn and Subscribed before me this 8 day

of October, 2021



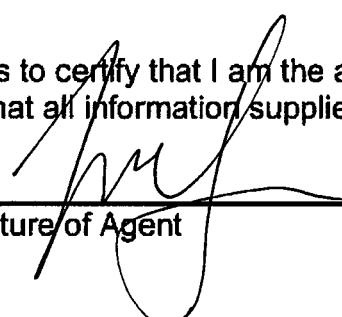
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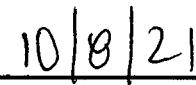

Signature of Notary Public


My Commission Expires

AGENT CERTIFICATION

This is to certify that I am the agent of the property owner described in this application and that all information supplied herein is true and correct to the best of my knowledge.


Signature of Agent

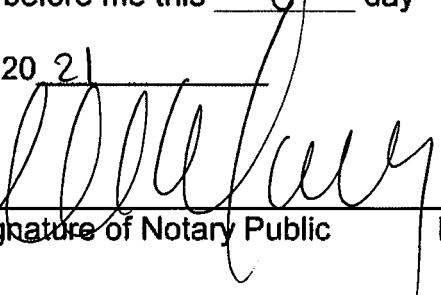

Date

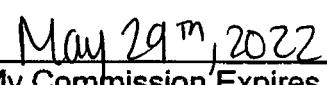
Sworn and Subscribed before me this 8 day

of October, 2021



Fee Paid


Signature of Notary Public


My Commission Expires



WALNUT CREEK

Date: 9/8/2021

Name: Yosef Raskin
Address: 7575 NW 19th Dr.
Pembroke Pines FL, 33024
Maple Grove

Dear Sir or Madam:

The Walnut Creek Architectural Review Committee has reviewed your request, for a Change/Modification/Alteration on your property and has given the following decision:

APPROVAL – POOL. CITY OF PEMBROKE PINES PERMIT REQUIRED.

A permit from the City of Pembroke Pines, Broward County and/or other governmental agencies must be obtained (if applicable) by the applicant and be submitted to the Association Office within 30 days from issuance.

Any debris or damage from construction must be the homeowner's responsibility. All work must be completed within 90 days from the date of approval on the ACC application. Approval is subject to any easements. The Association can remove the improvement(s), at owner's expense with or without notice to the owner, within the easement area. The Association is relieved or free of any liability arising from the modification, alteration, maintenance (including watering), etc. on your property by you, your vendor(s) or third party.

Thank you for your cooperation in complying with the documents governing our prestigious community at Walnut Creek. If you should have any questions, please do not hesitate to contact our office at (954) 985-8529.

Sincerely,

THE BOARD OF DIRECTORS

November 3, 2021

To whom it may concern:

The purpose of this letter is to support our neighbors who live at 7575 NW 19 Drive. Our neighbors have informed us on their desire to build a swimming pool encroaching on designated setbacks. We understand the need for extra space, since building a pool in another location in their backyard would leave an uncomfortable living space. Our house is located directly east of their backyard. We believe the addition will not cause any inconveniences to us or to the neighborhood. Overall, we support our neighbors request for a variance over the existing building set back in order to build their pool.

Sincerely,

Angelina Lulin
Alleyne RJC

7565 NW 19th Dr.
Pembroke Pines, FL 33024