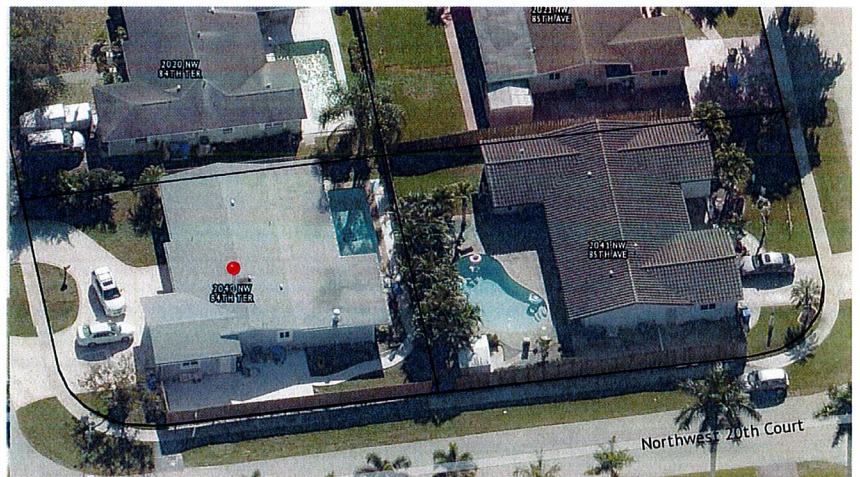
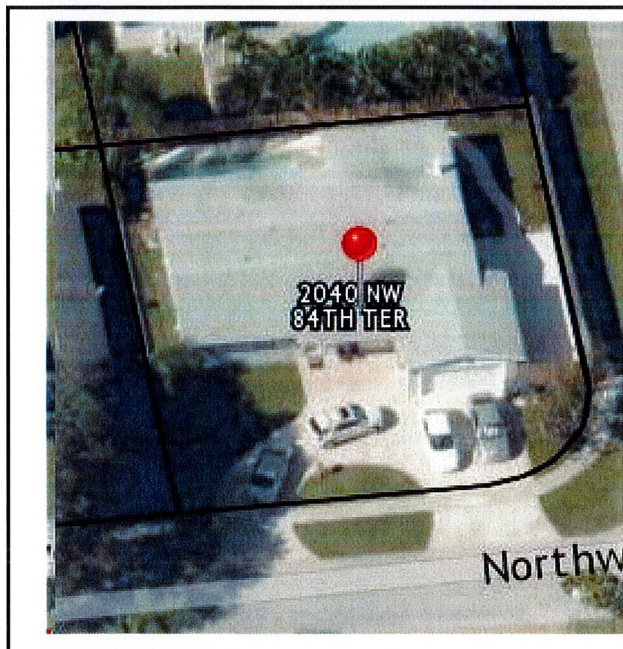
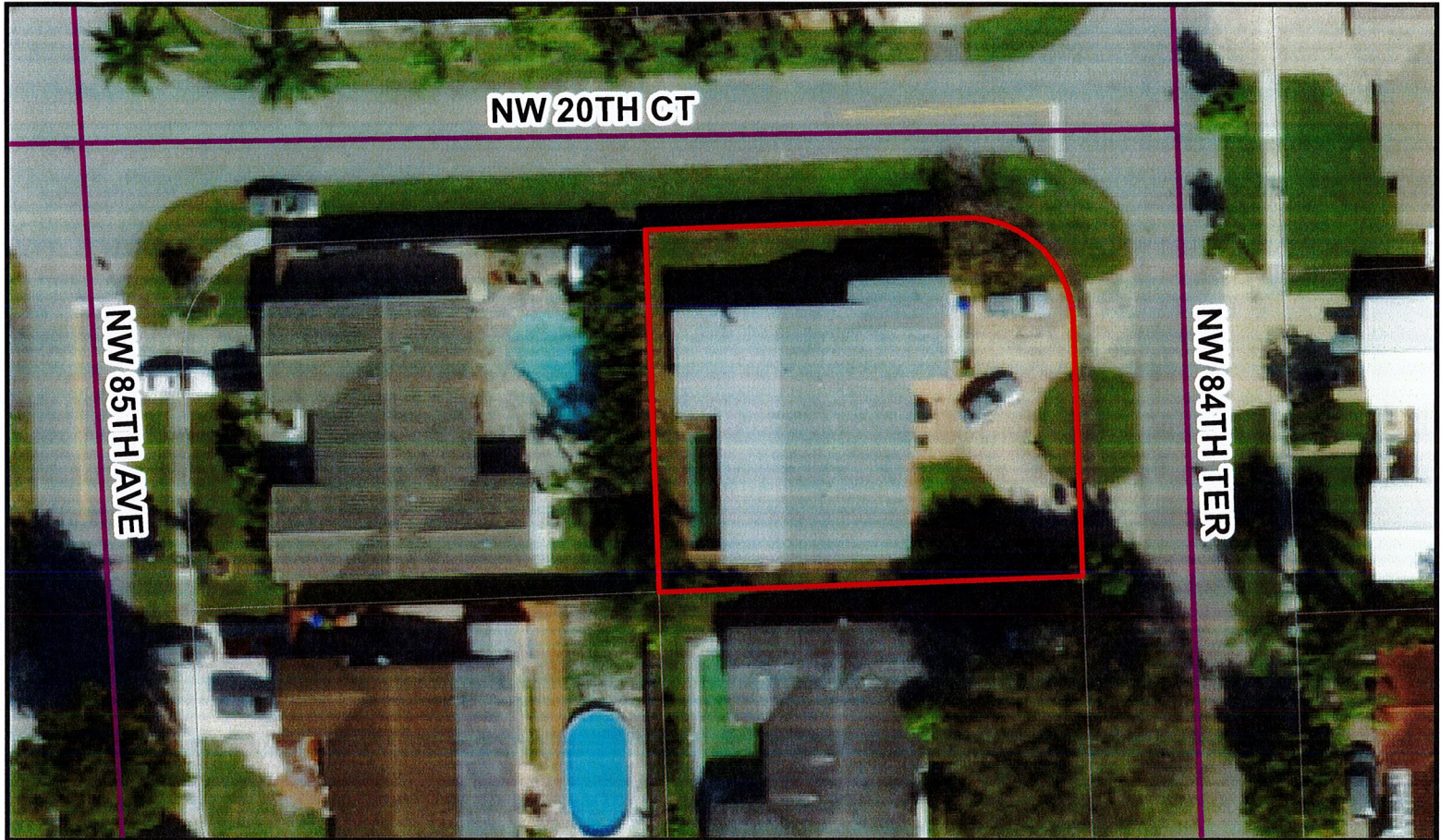


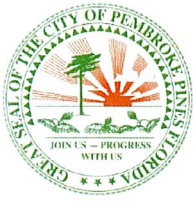
Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2022 - 0033 - 0034
Zoning Variances



FIDLER, ZACHARY
2040 NW 84 TER 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:	January 5, 2023	Application ID:	ZV(R) 2022-0033 – 0034
Project:	Existing deck and patio	Project Number:	N/A
Project Planner:	Christian Zamora, Senior Planner		
Owner:	Zachary Fidler	Agent:	N/A
Location:	2040 NW 84 Terrace, Pembroke Pines FL 33024		
Existing Zoning:	Single Family Residence (R-1C)	Existing Land Use:	Residential
Reference Applications:	Code Compliance Case # 67540 (October 12 th , 2021)		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV(R) 2022-0033	Table 155.620: Deck or Patio*	Five Feet street side setback	One Foot street side setback
ZV(R) 2022-0034	Table 155.620: Deck or Patio*	Five Feet rear side setback	One and a half Foot rear setback
Final:	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment
Reviewed for the Agenda:	Director: 		Zoning Administrator: 

PROJECT DESCRIPTION / BACKGROUND:

Zackary Fidler, owner, has submitted two Zoning Variance requests for an existing patio, deck and walkway:

- ZV(R) 2022-0033 is to allow one foot (1') street side setback along the north property line instead of the required five feet (5') for a constructed patio deck.
- ZV(R) 2022-0034 is to allow one foot, 6 inches (1.6') rear setback along the western property line instead of the required five feet for a built deck expansion.

On October 12, 2021, the applicant was cited by the Code Compliance Division (#67540) for construction completed without the proper approvals or permits. The applicant is aware that Board consideration of a residential variance request does not preclude the property owner from obtaining all necessary development related approvals or permits.

The subject property is not located within a homeowner's association.

VARIANCE REQUEST DETAILS:

- **ZV(R) 2022-0033** is to allow a one foot (1') street side setback along the northern property line instead of the required five feet (5') for an existing patio deck.
- **ZV(R) 2022-0034** is to allow one foot, 6 inches (1.6') rear setback along the western property line instead of the required five feet (5') for an existing deck.

Code Reference: Table 155.620 Accessory Building and Structures.

Table 155.620 Accessory Building Structures							
Type	Setback				Maximum Height	Maximum Dimensions	Additional Regulations
	Front	Side	Street Side	Rear			
Deck or Patio*	Primary Building	5 feet	5 feet	5 feet	N/A	N/A	Lots with side yards 7 1/2 feet or less, only one walkway is permitted.

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
Property Survey
Images of existing work



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.ppines.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: 10/6/22

Plans for DRC _____ Planner: Dean

Indicate the type of application you are applying for:

- | | |
|---|--|
| <input type="checkbox"/> Appeal* | <input type="checkbox"/> Sign Plan |
| <input type="checkbox"/> Comprehensive Plan Amendment | <input type="checkbox"/> Site Plan* |
| <input type="checkbox"/> Delegation Request | <input type="checkbox"/> Site Plan Amendment* |
| <input type="checkbox"/> DRI* | <input type="checkbox"/> Special Exception* |
| <input type="checkbox"/> DRI Amendment (NOPC)* | <input checked="" type="checkbox"/> Variance (Homeowner Residential) |
| <input type="checkbox"/> Flexibility Allocation | <input type="checkbox"/> Variance (Multifamily, Non-residential)* |
| <input type="checkbox"/> Interpretation* | <input type="checkbox"/> Zoning Change (Map or PUD)* |
| <input type="checkbox"/> Land Use Plan Map Amendment* | <input type="checkbox"/> Zoning Change (Text) |
| <input type="checkbox"/> Miscellaneous | <input type="checkbox"/> Zoning Exception* |
| <input type="checkbox"/> Plat* | <input type="checkbox"/> 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____ - ____ Application #: 20(2)2022-0033
Date Submitted: 11/09/22 Posted Signs Required: (1) Fees: \$ 600.00

SECTION 1-PROJECT INFORMATION:*Project Name: Zachary Fidler*Project Address: 2040 N.W. 84th Terrace Pembroke Pines 33024

Location / Shopping Center: _____

Acreage of Property: _____ Building Square Feet: _____

Flexibility Zone: _____ Folio Number(s): _____

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

Legal Description:

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: Zachary Fidler

* Owner's Address: 2040 N.W. 84th Terrace Pembroke Pines FL 33024

Yoder's comment * Owner's Email Address: Zach204008@G.MAIL.COM

* Owner's Phone: 954 404 3314 Owner's ^{Cell} Fax: 954-404-3314

Agent: _____

Contact Person: _____

Agent's Address: _____

Agent's Email Address: _____

Agent's Phone: _____ 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: _____

ADJACENT ZONING

North: _____

South: _____

East: _____

West: _____

PROPOSED

Zoning: _____

Land Use / Density: _____

Use: _____

Plat Name: _____

Plat Restrictive Note: _____

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: _____

Required: _____

Request: _____

Details of Variance, Zoning Appeal, Interpretation Request:

* Im the original owner of the house. The house was built in 1969. After the years the foundation has washed away dramatically. Causing the pool deck to crack and columns that cracked and can see the rebarb. I also could see the ^{side} of the pool. (Thats not good). So i put a concrete Slab to keep the house from not cracking any more (I hope) Or whatever it might do. I also put a concrete

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: _____

SECTION 6 - DESCRIPTION OF PROJECT (attach additional pages if necessary)

* Slab on the north Side of the house.

Also the foundation washed away causing the garage and driveway to crack. Especially the driveway it looks like a sink hole. I'm only trying to keep my house together and not to get any worse. The house is old.

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.

X Zachary Ojeda 11/3/2022
Signature of Owner Date

Sworn and Subscribed before me this 3 day
of November, 2022



Fee Paid

Sandra Garzon
Signature of Notary Public

10/14/2023
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 _____ day

of _____, 20_____

Fee Paid

Signature of Notary Public

My Commission Expires

Waiver of Florida Statutes Section 166.033, Development Permits and Orders

Applicant: _____

Authorized Representative: _____

Application Number: _____

Application Request: _____

I, _____ (print Applicant/Authorized Representative name), on behalf
of _____ (Applicant), hereby waive the deadlines and/or
procedural requirements of Florida Statute Section 166.033 as the provisions of said statute apply to the
above referenced application, including, but not limited to the following:

- a. 30-day requirement for Applicant Response to Staff determination of incompleteness as described in DRC Comments and/or Letter to Applicant;
- b. 30-day Staff review of Applicant Response to DRC Comments and/ or Letter to Applicant;
- c. Limitation of three (3) Staff Requests for Additional Information;
- d. Requirement of Final Determination on Applicant's application approving, denying, or approving with conditions within 120 or 180 days of the determination of incompleteness, as applicable.

Signature of Applicant or Applicant's
Authorized Representative

Date

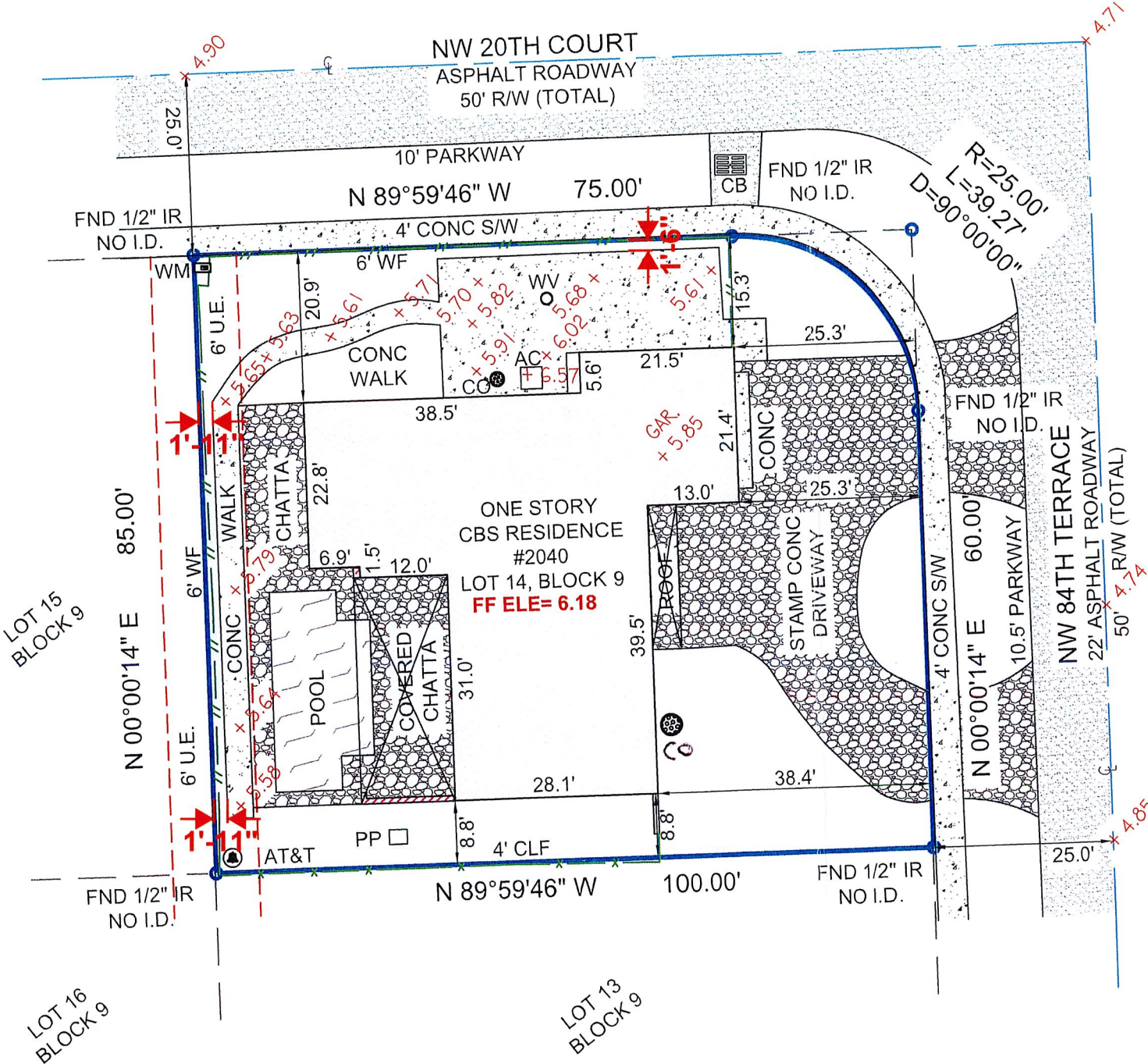
Print Name of Applicant/Authorized Representative

GENERAL LEGEND:

A/C = AIR CONDITIONER
AF = ALUMINUM FENCE
BCR = BROWARD COUNTY RECORDS
BM = BENCHMARK
CB = CATCH BASIN
CME = CANAL MAINTENANCE EASEMENT
C/L = CENTERLINE
CLF = CHAIN LINK FENCE
CBS = CONCRETE BLOCK STRUCTURE
CHATT = CHATTAHOOCHEE
CONC = CONCRETE
CO = CLEAN OUT
D = DELTA (CENTRAL ANGLE)
DE = DRAINAGE EASEMENT
E = EAST
EB = ELECTRIC BOX
ELE = ELEVATION
X 0.00' = ELEVATION
EOP = EDGE OF PAVEMENT
EOW = EDGE OF WATER
FF = FINISHED FLOOR
FDH = FOUND DRILLHOLE
FH = FIRE HYDRANT
FN = FOUND NAIL
FND = FOUND
IP = IRON PIPE
IR = IRON ROD
INV = INVERT
L = ARC LENGTH
LP = LIGHT POLE
LME = LAKE MAINTENANCE EASEMENT
N = NORTH
N/A = NO BASE FLOOD (FOR FLOOD ZONE X)
N&D = NAIL & DISC
NO ID = NO IDENTIFICATION
MF = METAL FENCE
MH = MAN HOLE
OH = OVERHEAD CABLES
OR = OFFICIAL RECORD BOOK
O/S = OFFSET
PB = PLAT BOOK
PBCR = PALM BEACH COUNTY RECORDS
PC = POINT OF CURVATURE
PCC = POINT OF COMPOUND CURVE
PRC = POINT OF REVERSE CURVE
PG = PAGE
PL = PLANTER
POB = POINT OF BEGINNING
POC = POINT OF COMMENCEMENT
PP = POOL PUMP
PVCF = POLYVINYL CHLORIDE FENCE
R = RADIUS
R/W = RIGHT OF WAY
S = SOUTH
S/W = SIDEWALK
SND = SET NAIL & DISC
TYP = TYPICAL
UE = UTILITY EASEMENT
W = WEST
WF = WOOD FENCE
WM = WATER METER
WV = WATER VALVE

OH OH
OVERHEAD CABLES (OH)
POLYVINYL CHLORIDE FENCE (PVCF)
X X
CHAIN LINK FENCE (CLF)
WOOD FENCE (WF)
METAL FENCE (MF)

° DEGREE SYMBOL
WATER METER LIGHT POLE
AT&T BOX UTILITY POLE



LEGAL DESCRIPTION:

LOT 14, BLOCK 9, OF "PASADENA LAKES",
ACCORDING TO THE PLAT THEREOF, AS RECORDED
IN PLAT BOOK 65, PAGE 1, OF THE PUBLIC RECORDS
OF BROWARD COUNTY, FLORIDA.

CERTIFICATIONS:

ZACHARY FIDLER

SURVEYORS NOTES:

- (1.) BEARINGS SHOWN HEREON ARE REFERENCED TO THE WEST RIGHT-OF-WAY LINE OF NW 84TH TERRACE(N 00°00'14" E) PER THE RECORD PLAT AND ARE ASSUMED.
- (2.) LEGAL DESCRIPTION PROVIDED BY CLIENT UNLESS OTHERWISE NOTED.
- (3.) NO UNDERGROUND IMPROVEMENTS LOCATED EXCEPT AS SHOWN.
- (4.) THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE COMMITMENT THEREFOR THE ONLY SURVEY MATTERS SHOWN ARE PER THE RECORD PLAT. THERE MAY BE ADDITIONAL MATTERS OF RECORD, NOT SHOWN WHICH CAN BE FOUND IN THE PUBLIC RECORDS OF THE CORRESPONDING COUNTY OF RECORD.
- (5.) THERE MAY BE EXISTING RECORDED EASEMENTS CONTAINED IN THE PUBLIC RECORDS NOT DEPICTED HEREON THAT ONLY A THOROUGH TITLE SEARCH WOULD UNCOVER.
- (6.) SURVEY PURPOSE FOR CONCRETE PAD.
- (7.) ELEVATIONS (IF SHOWN) ARE REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) UNLESS OTHERWISE NOTED. BENCHMARK REFERENCE: BROWARD COUNTY BENCHMARK #: 1513, ELEVATION = 7.498' (NGVD 1929)

BOUNDARY SURVEY

PROPERTY ADDRESS:

2040 NW 84th TERRACE,
PEMBROKE PINES, FL 33024

FLOOD ZONE: X

BASE FLOOD: N/A

COMMUNITY #: 120053

PANEL & SUFFIX: 0545 H

DATE OF FIRM: 8/18/2014

DATE OF SURVEY:

FIELD LOCATION OF IMPROVEMENTS 06/15/2021

SCALE: 1" = 20'

CADD: LJ

CHECKED BY: EWD

INVOICE #: 22- 57140

SHEET # 1 OF 1

THIS SURVEY MEETS THE STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 5J-17, FLORIDA ADMINISTRATIVE CODE.

Ernest W. Duncan

ERNEST W DUNCAN PSM., STATE OF FLORIDA
PROFESSIONAL SURVEYOR AND MAPPER LS 5182
NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.

ALL COUNTY SURVEYORS

PROFESSIONAL SURVEYORS AND MAPPERS
LICENSE NO. 6677
OFFICE: (954) 777-4747
FAX: (954) 777-2707
5400 SOUTH UNIVERSITY DRIVE
DAVIE, FLORIDA 33328 SUITE 216



08/19/2021 10:40

