





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

Summary

Agenda Date:	November 15, 2018	Application ID:	ZV 2018-05
Project:	Siena Townhomes (FKA Stellar Townhomes)	Project Number:	PRJ 2017-28
Project Planner:	Dean Piper, Zoning Administrator		
Owner:	Mont Development Corp	Agent:	Dennis Mele
Location:	Approximately 900 feet west of SW 184 th Ave. on south side of Pines Blvd.		
Existing Zoning:	Townhouse (TH-12) District	Existing Land Use:	Irregular Residential 7.9 units per acre
Reference Applications:	PH 2016-03 (Land Use Plan Amendment: Approved); ZC 2018-02 (Zoning Change: Approved); SUB 2017-02 (Stellar Pembroke Pines Plat: Approved); SP 2018-07 (Site Plan: Scheduled 12/13/2018 Planning & Zoning Board Meeting)		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV 2018-02	155.113(D)(1)	Grouping of townhouses shall not exceed 160 feet in length	Two buildings of 183 feet each
Final:	<input checked="" type="checkbox"/> Planning & Zoning Board		<input type="checkbox"/> Board of Adjustments
Reviewed for the Agenda:	Director: <u></u> Zoning Administrator: <u></u>		

Project Description / Background

Dennis Mele, as agent for owner, is requesting a variance to allow two townhouse buildings within the proposed Siena Townhomes development to be 183 feet in length, instead of the maximum allowed 160 feet in length. The two buildings are located along the west side of the proposed project and are adjacent to the existing entranceway feature into the Estancia development.

Land Use Plan Amendment (PH 2016-03) changed the Land Use from Commercial to Irregular Residential 7.9 units per acre; Zoning Change (ZC 2018-02) changed the zoning from Commercial (B-3) Districts to Townhouse (TH-12) District; SUB 2017-02 (Stellar Pembroke Pines Plat) approved 59 maximum townhouse units; Consideration of proposed Site Plan, SP 2018-07 (Siena Townhomes), is scheduled for the December 13, 2018 Planning & Zoning Board meeting.

VARIANCE REQUEST DETAILS:

ZV 2018-05) Allow the two 8 unit buildings along the western edge of the property to be a maximum 183 feet in length instead of the allowed maximum 160 feet in length

Code Reference: § 155.113 TOWNHOUSE (TH-12) DISTRICT

(D) Site and building regulations.

(1) Grouping length. A grouping of townhouses shall not exceed 160 feet in length.

VARIANCE DETERMINATION

The Planning and Zoning Board shall not grant any variances, permits, or make any decision, finding, and The Planning and Zoning Board shall not grant any 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 variances, the Planning and Zoning Board shall determine that the variance granted is the minimum variance that will accomplish the intended purpose (stated above) and:

- A) That 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) That 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

That 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. 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 variances, the Planning and Zoning Board shall determine that the variance granted is the minimum variance that will accomplish the intended purpose (stated above) and:

- C) That 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
- D) That 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

That 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.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: _____

Plans for DRC _____ Planner: _____

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 type="checkbox"/> Variance (Homeowner Residential) |
| <input type="checkbox"/> Flexibility Allocation | <input checked="" 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 17 - 28 Application #: ZV 2018-05

Date Submitted: ____/____/____ Posted Signs Required: (1) Fees: \$ _____

SECTION 1-PROJECT INFORMATION:**Project Name:** Stellar/Pines Townhomes**Project Address:** Approx SW 185th Avenue and Pines Boulevard**Location / Shopping Center:** Approximately 950 feet west of SW 184th Avenue on South side of Pines Blvd**Acreage of Property:** 7.5009**Building Square Feet:** 69,119**Flexibility Zone:** 123B**Folio Number(s):** 5139-13-01-0220**Plat Name:** Fla Fruit Lands**Traffic Analysis Zone (TAZ):** 838**Legal Description:**The West 1/2 of the West 1/2 of Tracts 49, 50 and 51, less the northerly 100 feet of Tract 49, inSection 13, Township 51 South, Range 39 East of Florida Fruit Lands Company's Subdivision No. 1as recorded in Plat Book 2, Page 17, Dade County Records, lying in Broward County**Has this project been previously submitted?**YesNo

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
12/16/2017	Land Use Plan Amendment PH-2016-03	From Commercial to Res Irreg 7.9 du/ac	Approved	Ordinance 2016-31	Not w/in Area Critical State Concern Not under joint planning agmt Small Scale Amendment
	Stellar Pembroke Pines Plat SUB 2017-02-PRJ 2017-23		Pending		

SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION

Owner's Name: Mont Development Corp

Owner's Address: 8004 NW 154th Street, #320, Miami, FL 33016

Owner's Email Address: _____

Owner's Phone: _____ Owner's Fax: _____

Agent: Greenspoon Marder PA

Contact Person: Dennis D. Mele, Esq., copy to Sarah Stewart, AICP

Agent's Address: 200 East Broward Boulevard, Suite 1800, Fort Lauderdale, FL 33301

Agent's Email Address: Dennis.Mele@gmlaw.com copy to Sarah.Stewart@gmlaw.com

Agent's Phone: 954-491-1120 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: B-3

Land Use / Density: Commercial

Use: Vacant

Plat Name: Florida Fruit Lands

Plat Restrictive Note: None

PROPOSED

Zoning: TH-12

Land Use / Density: Irregular (7.9) Residential

Use: Townhouse Development

Plat Name: Stellar Pembroke Pines

Plat Restrictive Note: Restricted

to 58 Townhouse Units

ADJACENT ZONING

North: PUD

South: R-1C

East: B-3

West: B-3

ADJACENT LAND USE PLAN

North: Commercial

South: Low (2) Residential

East: Commercial

West: Agriculture

-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: Rezoning to TH-12, Site plan approval

Code Section: Section 155.113 (D) (1)

Required: Grouping of townhouses shall not exceed 160 feet in length

Request: Two of the buildings are 183 feet where 160 feet is the maximum allowed

Details of Variance, Zoning Appeal, Interpretation Request:

The two buildings on the west side of the site plan, are 183 feet long where 160 feet is the maximum
allowed. These two buildings abut an entranceway to the Estancia Development which lies south of
the proposed Siena at Pembroke Pines. This entranceway feature is owned by the Estancia Property
Owners Association and is unlikely to be developed in the future.

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)

We are requesting a variance to allow 183 foot building length for two buildings on the west side of the project where such building length is limited to 160 feet within the TH-12 District.

The project will consist of 58 Townhouse Units.

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]
Signature of Owner

2-22-18
Date

Sworn and Subscribed before me this 22 day

of Feb, 2018

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Fee Paid

[Signature]
Signature of Notary Public



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]
Signature of Agent

3-7-18
Date

Sworn and Subscribed before me this 7th day

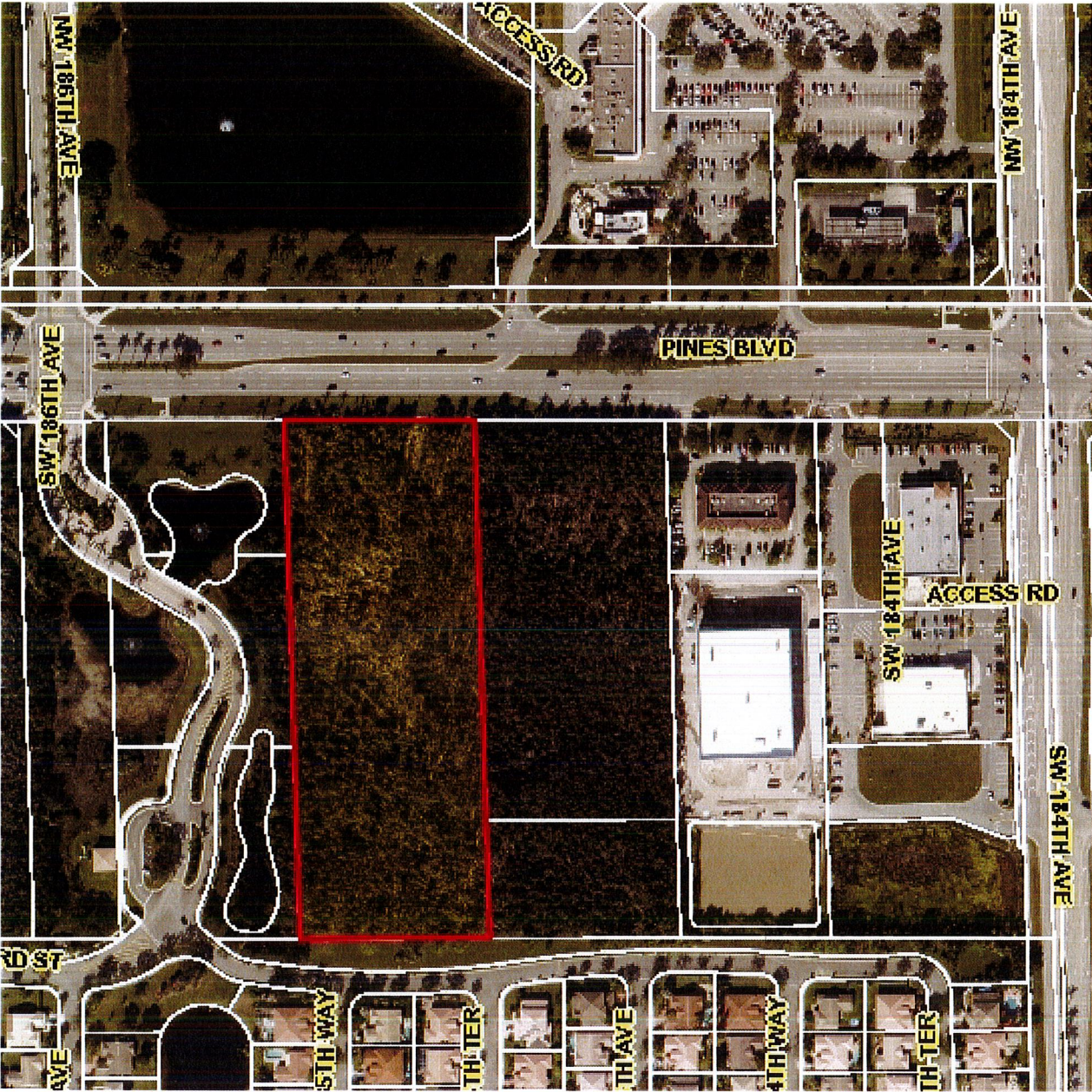
of March, 2018

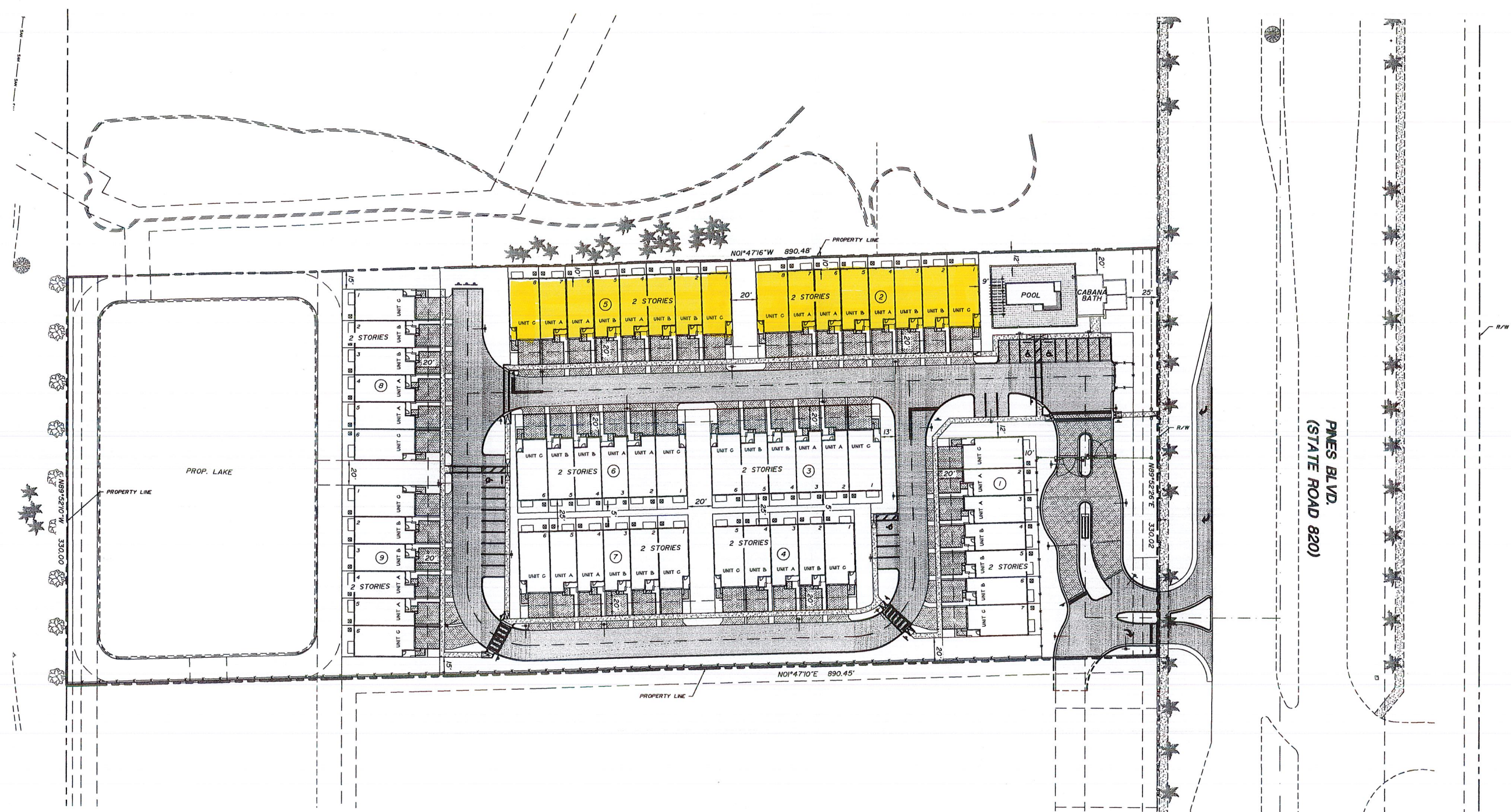
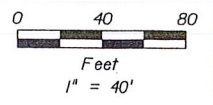
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Fee Paid

[Signature]
Signature of Notary Public

My Commission Expires







PINES BLVD.
(STATE ROAD 820)

NO.	DATE	BY	REVISION	NO.	DATE	BY	REVISION

Designed by: C.J.B. Date: 5/2018
Drawn by: R.A.C. Date: 5/2018
Checked by: C.J.B. Date: 5/2018

BALLBÉ & ASSOCIATES
Civil Engineering • Planning • Surveying

2737 Northeast 30th Place
Fort Lauderdale, Florida 33306
Phone: (954) 491-7811
Authorization No. EB-26343

Engineer of Record: CARLOS J. BALLBÉ
Registered Engineer Number: 41811
State of Florida

**SITE SETBACK
PLAN**
SIENA AT PEMBROKE PINES
STELLAR HOMES GROUP, LLC

Project Number:
201602
Sheet Number:
SP4