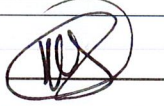





**City of Pembroke Pines**  
**Planning & Economic Development Department**  
**601 City Center Way 3<sup>rd</sup> Floor**  
**Pembroke Pines FL, 33025**

## Summary

<b>Agenda Date:</b>	January 23, 2020	<b>Application ID:</b>	ZV 2019-16
<b>Project:</b>	Pembroke Finance, LLC	<b>Project Number:</b>	PRJ 2019-21
<b>Project Planner:</b>	Dean Piper, Zoning Administrator		
<b>Owner:</b>	Pembroke Finance, LLC	<b>Agent:</b>	Hugo Arza
<b>Location:</b>	1598 NW 89 Terrace, 33024		
<b>Existing Zoning:</b>	Planned Business (B-2A) Districts	<b>Existing Land Use:</b>	Commercial
<b>Reference Applications:</b>	N/A		
<b>Variance Summary</b>			
<b>Application</b>	<b>Code Section</b>	<b>Required/Allowed</b>	<b>Request</b>
ZV 2019-16	155.251(A); Day Care Center	22 Parking Spaces	14 Existing Parking Spaces
<b>Final:</b>	<input checked="" type="checkbox"/> Planning & Zoning Board		<input type="checkbox"/> Board of Adjustments
<b>Reviewed for the Agenda:</b>	Director: 		Zoning Administrator: 

## Project Description / Background

---

Hugo Arza, as agent for owner, is requesting a variance for the Pembroke Finance, LLC property at 1595 NW 89<sup>th</sup> Terrace to allow 14 existing parking spaces for a day care instead of the required 22 parking spaces for a day care.

This property has always been a day care since it was built in 1977. However, due to parking code changes, and the existing parking on site, it became a legal non-conforming use in 2012. The property operated as day care centers under Pembroke Lakes Academy from 1977 to 2017 and as New Castle Primary School from 2017 to 2018.

A new operator submitted paperwork to open in 2018, however, they never received a Local Business Tax Receipt (Business License) and the property has not been in operation for over one year. Due to this the legal non-conforming use became null and void.

The new owners of the property have a proposed tenant who is interested in re-opening this property as a day care center.

### **VARIANCE REQUEST DETAILS:**

**ZV 2019-16)** Allow 14 existing parking spaces instead of the required 22 parking spaces for a day care.

*Code Reference:* § 155.251 Amount of Off-Street Parking Required.

(A) Day Care Center – 3 Spaces/1,000 square feet

### **VARIANCE DETERMINATION**

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

1. 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.
2. 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
- C) 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: 12/17/19

# Plans for DRC \_\_\_\_\_ Planner: Deen

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 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: Deen Project #: PRJ 20 19 - 21 Application #: ZV 2019-16  
Date Submitted: 12/18/19 Posted Signs Required: (1) Fees: \$ 2,251.00

**SECTION 1-PROJECT INFORMATION:**Project Name: Pembroke Finance, LLC DaycareProject Address: 1595 NW 89 Terrace, Pembroke Pines, FL 33024

Location / Shopping Center: \_\_\_\_\_

Acreage of Property: \_\_\_\_\_ Building Square Feet: 7,109Flexibility Zone: \_\_\_\_\_ Folio Number(s): 5141 08 01 0071

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
	N/A				



**SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION**

Owner's Name: Pembroke Finance, LLC  
Owner's Address: 1700 E. Las Olas Blvd, Ste 300, Ft Lauderdale,  
Owner's Email Address: patrick@landsouth.net FL  
Owner's Phone: 305 635 2235 Owner's Fax: — 33301  
Agent: Hugo Arza  
Contact Person: SAME  
Agent's Address: 701 Brickell Avenue, Ste 3300, MIA, FL 33131  
Agent's Email Address: hugo.arza@hklaw.com  
Agent's Phone: 305 789-7783 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-2A  
Land Use / Density: \_\_\_\_\_  
Use: Daycare / Preschool  
Plat Name: \_\_\_\_\_  
Plat Restrictive Note: \_\_\_\_\_

**PROPOSED**

Zoning: SAME  
Land Use / Density: —  
Use: SAME  
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: 155.251(A) Day Care Center

Required: 22 Parking Spaces (3/1000 @ 7,109 sq ft)

Request: 14 Parking Spaces Existing

Details of Variance, Zoning Appeal, Interpretation Request:

The building has been in use as a daycare and preschool for over 30 years with the existing parking. An interruption in continued use by a tenant requires an upgrade to current Code requirements for parking

**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)

Property will continue to operate as  
a daycare preschool and existing parking  
has been sufficient for over 30 years  
without creating any negative impacts.



## SECTION 7- PROJECT AUTHORIZATION

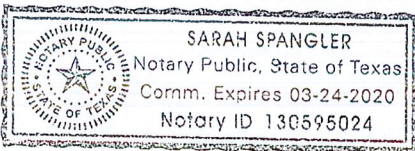
### OWNER CERTIFICATION

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.

 12/10/2019  
Signature of Owner Date


Sworn and Subscribed before me this 10<sup>th</sup> day  
of December, 2019

0  3/24/2020  
Fee Paid Signature of Notary Public My Commission Expires



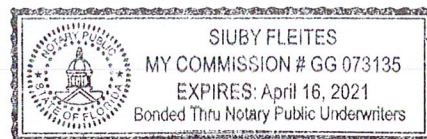
### AGENT CERTIFICATION

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.

 12/17/19  
Signature of Agent Date

Sworn and Subscribed before me this 17<sup>th</sup> day  
of Dec., 2019

  
Fee Paid Signature of Notary Public My Commission Expires









**PROPERTY ADDRESS:**  
1595 NW 89TH TERRACE, PEMBROKE PINES, FLORIDA 33024  
FOLIO # 5141-08-01-0071

## LEGAL DESCRIPTION

A PORTION OF TRACK 34, IN THE SOUTH 1/2 OF SECTION 8, TOWNSHIP 51 SOUTH, RANGE 41 EAST, BROWARD COUNTY, FLORIDA, AS SHOWN ON THE PLAT OF "EVERGLADES SUGAR & LAND CO. SUBDIVISION," ACCORDING TO THE PLAT THEREOF, AS RECORDED IN PLAT BOOK 2, PAGE 75, OF THE PUBLIC RECORDS OF DADE COUNTY, FLORIDA, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT THE EAST 1/4 CORNER OF SAID SECTION 8; THENCE S00°03'18"W ALONG THE EAST LINE OF THE SOUTH 1/2 OF SAID SECTION 8, FOR 80.00 FEET; THENCE S89°57'05"W ALONG A LINE PARALLEL WITH AND 80.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 8 FOR 653.00 FEET; THENCE S00°03'18"W ALONG A LINE 653 FEET WEST OF AND PARALLEL WITH THE EAST LINE OF THE SOUTH 1/2 OF SAID SECTION 8, FOR 225.00 FEET TO THE POINT OF BEGINNING OF THE PARCEL OF LAND HEREINAFTER DESCRIBED; THENCE CONTINUE S00°03'18"W, ALONG THE LAST DESCRIBED COURSE FOR 44.82 FEET TO A POINT OF CURVATURE; THENCE SOUTHERLY, SOUTHEASTERLY AND EASTERLY ALONG A CIRCULAR CURVE TO THE LEFT LEAVING A RADIUS OF 100.00 FEET AND THE CENTRAL ANGLE 90°06'13" FOR AN ARC DISTANCE OF 157.26 FEET TO A POINT OF TANGENCY; THENCE N89°57'05"E ALONG A LINE PARALLEL WITH AND 450.00 FEET SOUTH OF, AS MEASURED AT RIGHT ANGLES TO THE NORTH LINE OF THE SOUTH 1/2 OF SECTION 8, FOR 199.82 FEET; THENCE N00°03'18"E ALONG A LINE PARALLEL WITH AND 353.00 FEET WEST OF AS MEASURED AT RIGHT ANGLES TO THE EAST LINE OF THE SOUTH 1/2 OF SAID SECTION 8, FOR 145.00 FEET; THENCE S89°57'05"W, ALONG A LINE 305.00 FEET SOUTH OF AND PARALLEL WITH THE NORTH LINE OF THE SOUTH 1/2 OF SAID SECTION 8, FOR 300.00 FEET TO THE POINT OF BEGINNING.

**EXISTING PROPERTY USE IS A DAY CARE & WILL  
REMAIN A DAY CARE WITHOUT ANY MODIFICATIONS  
TO THE EXISTING BUILDING ENVELOPE**

**LEGEND:**

PROPERTY ZONING: B-2A  
 LOT AREA: 41,421 SF. = 0.95 ACRE  
 PROPERTY USE: DAY CARE  
 GROSS SQUARE FOOTAGE: 6,586.00 SF.  
 PARKING REQUIRED: 6,586.00SF / 333.33 SF/CAR = 20 PARKING SPACE  
 PARKING PROVIDED: 14 PARKING SPACE - GENERATING A VARIANCE