

Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2020-13

Zoning Variance

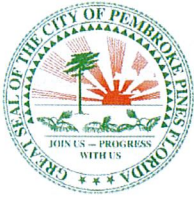
Jorge Riofrio

741 SW 71 Terrace Pembroke Pines, FL 33023





NOT TO SCALE





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

Summary

Agenda Date:	September 2, 2020	Application ID:	ZV(R) 2020-13
Project:	Solid Roofed Canopy / Gazebo	Project Number:	N/A
Project Planner:	Dean Piper, Zoning Administrator		
Owner:	Jorge Riofrio	Agent:	N/A
Location:	741 SW 71 Terrace, Pembroke Pines, 33023		
Existing Zoning:	One-Family Dwelling (R-1C) Districts	Existing Land Use:	Residential
Reference Applications:	N/A		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV(R) 2020-13	§ 155.049(H)(1)	Maximum 200 square foot free standing open sided structures	320 square foot existing solid roofed canopy / gazebo
Final:	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment
Reviewed for the Agenda:	Director:  Zoning Administrator: 		

PROJECT DESCRIPTION / BACKGROUND:

Jorge Riofrio, owner, has submitted a variance request to allow an existing 320 square foot solid roofed canopy / gazebo instead of the allowed 200 square foot open sided structure.

Mr. Riofrio has provided a support letter for requested variance signed by his neighbors.

The solid roofed canopy / gazebo was installed without permits and is currently under Code Compliance violation (Case #19120056). This structure does require permits.

The solid roofed canopy/gazebo, and the paver deck beneath, meet code for location.

VARIANCE REQUEST DETAILS:

ZV(R) 2020-13) Allow a 320 square foot existing solid roofed canopy / gazebo instead of the allowed maximum 200 square foot free standing open sided structures.

Code Reference: § 155.049 ACCESSORY USES AND STRUCTURES; SPECIAL PROVISIONS FOR CERTAIN SCREENED ENCLOSURES WITH COVERED ROOFS.

(H) In all residential districts except A-1, RR, E-1, R-3, R-4, and R-6, only one accessory building is permitted which shall not exceed 100 square feet. In the A-1, RR, E-1, R-3, R-4, and R-6 districts, all accessory uses, storage sheds, and accessory buildings, except structures for housing livestock, up to 150 square feet in area shall be located at least five feet from any plot line and at least 15 feet from any street line. Also in the A-1, RR, E-1, R-3, R-4 and R-6 districts, only one storage container shall be permitted. Storage sheds and accessory buildings over 150 square feet and storage containers shall be subject to the limitations on location of a principal building and shall not be placed in any required yard. For purposes of this section, fall-out shelters and garages shall not be deemed accessory buildings.

(I) In all residential districts, free-standing open sided structures such as, but not limited to, gazebos, chickee huts and trellises shall not exceed 200 square feet.

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 determine that the single-family residential variance granted is the minimum variance that will accomplish the intended purpose in accordance with 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: 6/22/2020

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:

- All questions must be completed on this application. If not applicable, mark N/A.
- Include all submittal requirements / attachments with this application.
- All applicable fees are due when the application is submitted (Fees adjusted annually).
- Include mailing labels of all property owners within a 500 foot radius of affected site with signed affidavit (Applications types marked with *).
- All plans must be submitted no later than noon on Thursday to be considered for Development Review Committee (DRC) review the following week.
- 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 *).
- 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.
- 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 #: 3012/2020-13
Date Submitted: ____/____/____ Posted Signs Required: (1) Fees: \$ 250.00

SECTION 1-PROJECT INFORMATION:Project Name: Large PlotProject Address: 741 SW 71 Terrace Pembroke Pines 33073

Location / Shopping Center: _____

Acreage of Property: _____ Building Square Feet: _____

Flexibility Zone: _____ Folio Number(s): _____

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

Legal Description: Bockward Park 51-33 B LOT 10 BUK 10

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 INFORMATIONOwner's Name: Jorge Eduardo RofrioOwner's Address: 741 SW 71 Terrace Pembroke Pines 33023Owner's Email Address: jrofr1011@gmail.comOwner's Phone: 954-401-4435 Owner's Fax: _____

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: N/A

Code Section: 155.049(H)(1)

Required: Max. 200 Sq. Ft. Open sided structure

Request: 320 Sq. Ft. Open Sided, Solid Roofed

Details of Variance, Zoning Appeal, Interpretation Request: existing canopy / gazebo
See Attachment

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: _____

I, Jorge Riofrio homeowner at 741 SW 71st Terrace, Pembroke Pines, FL am requesting a variance on a currently built canopy used for family gatherings. Initially, I was planning on purchasing a preassembled canopy, unfortunately all the ones available on the market were too small for my family's needs. Therefore, I decided to build one on my own. After getting my solar panels approved, the inspector on sight brought up to my attention that the structure needed a permit. I immediately started the process and got all the paperwork needed to get this approved under city requirements. The last issue after getting the plans approved by structural and electrical was the size. The canopy measures 320 square feet, which exceeds the maximum of 200 square feet allowed without a variance. This canopy has allowed us to escape from reality during this pandemic and it means a lot to my family, especially my kids. Attached are a few letters from my neighbors stating that my canopy doesn't affect them or bother them in any way.

Kind regards,

Jorge Riofrio

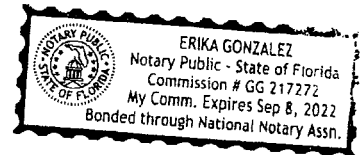
SECTION 7- PROJECT AUTHORIZATION

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] 06/19/2020
Signature of Owner Date

Sworn and Subscribed before me this 19th day
of June, 2020



\$10.00 [Signature] Sept. 8th 2022
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.

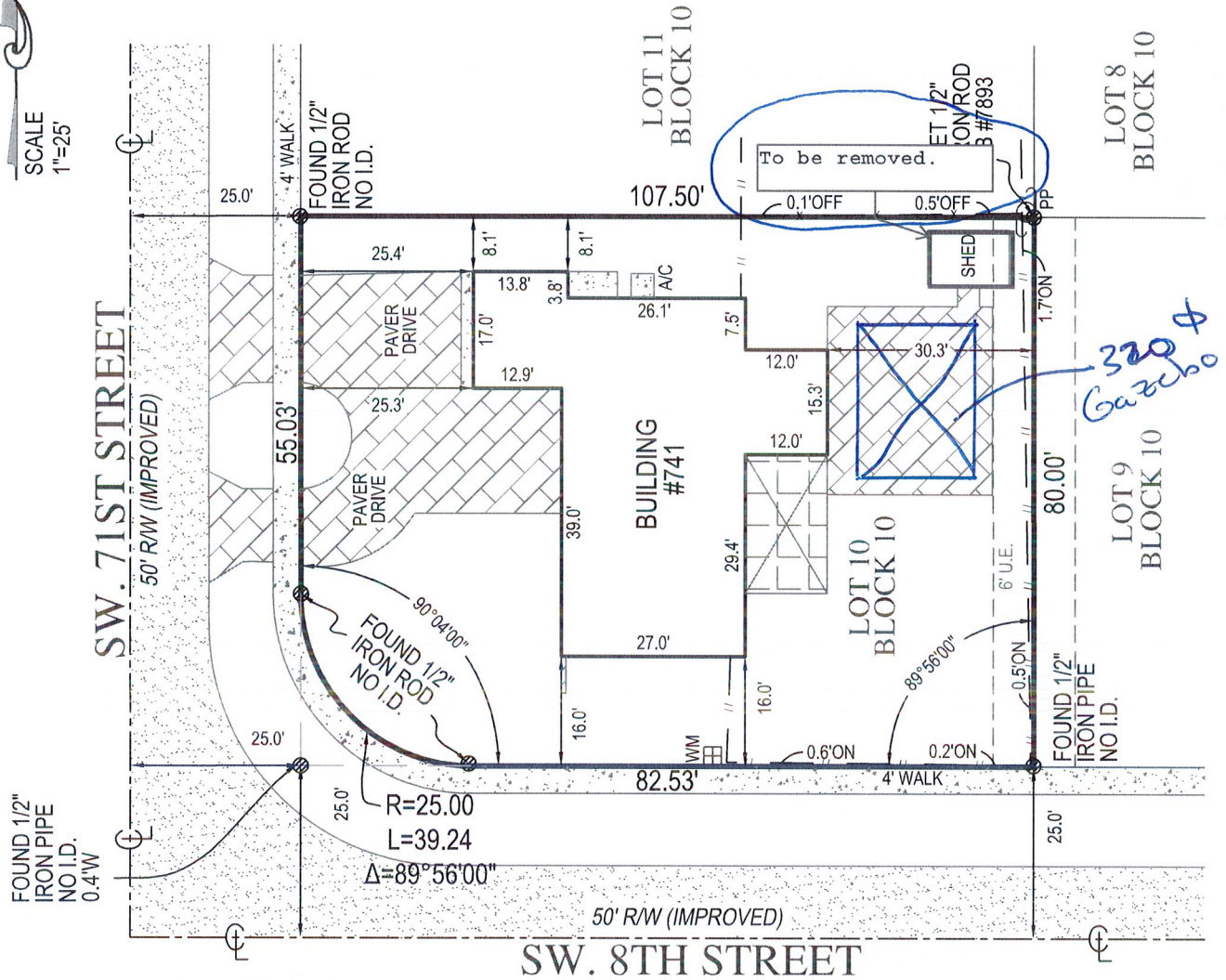
Signature of Agent Date

Sworn and Subscribed before me this _____ day
of _____, 20_____

Fee Paid Signature of Notary Public My Commission Expires

BOUNDARY SURVEY

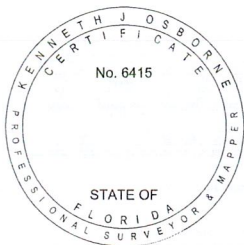
SCALE
1"=25'



SURVEY NOTES
PAVER DRIVE CROSSING INTO R/W
ON WESTERLY SIDE OF LOT.

THERE ARE FENCES NEAR THE BOUNDARY
OF THE PROPERTY AND CROSS INTO THE
6' U.E. AT REAR OF PROPERTY.

SHED CROSS INTO THE 6' U.E.
AT REAR OF PROPERTY.



(SIGNED)

KENNETH J. OSBORNE
PROFESSIONAL SURVEYOR AND MAPPER #6415

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THIS BOUNDARY SURVEY
IS A TRUE AND CORRECT REPRESENTATION OF A
SURVEY PREPARED UNDER MY DIRECTION.
NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC
SIGNATURE AND AUTHENTICATED ELECTRONIC SEAL,
OR A RAISED EMBOSSED SEAL AND SIGNATURE.

Kenneth
Osborne

Digitally signed by
Kenneth Osborne
Date: 2020.05.08
10:29:45 -04'00'

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(NOT COMPLETE WITHOUT PAGE 1)



**TARGET
SURVEYING, LLC**

LB #7893

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