

Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2020-15 & 16

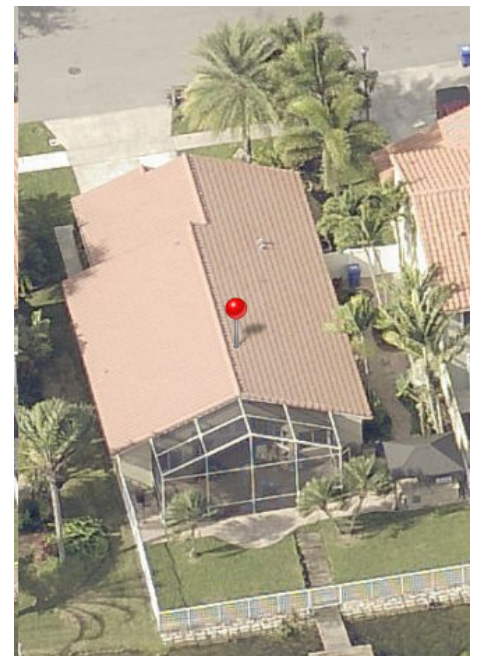
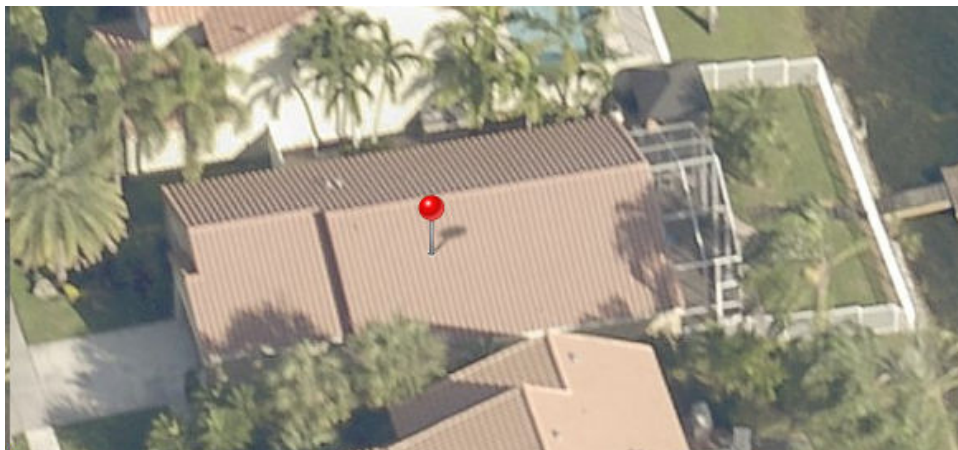
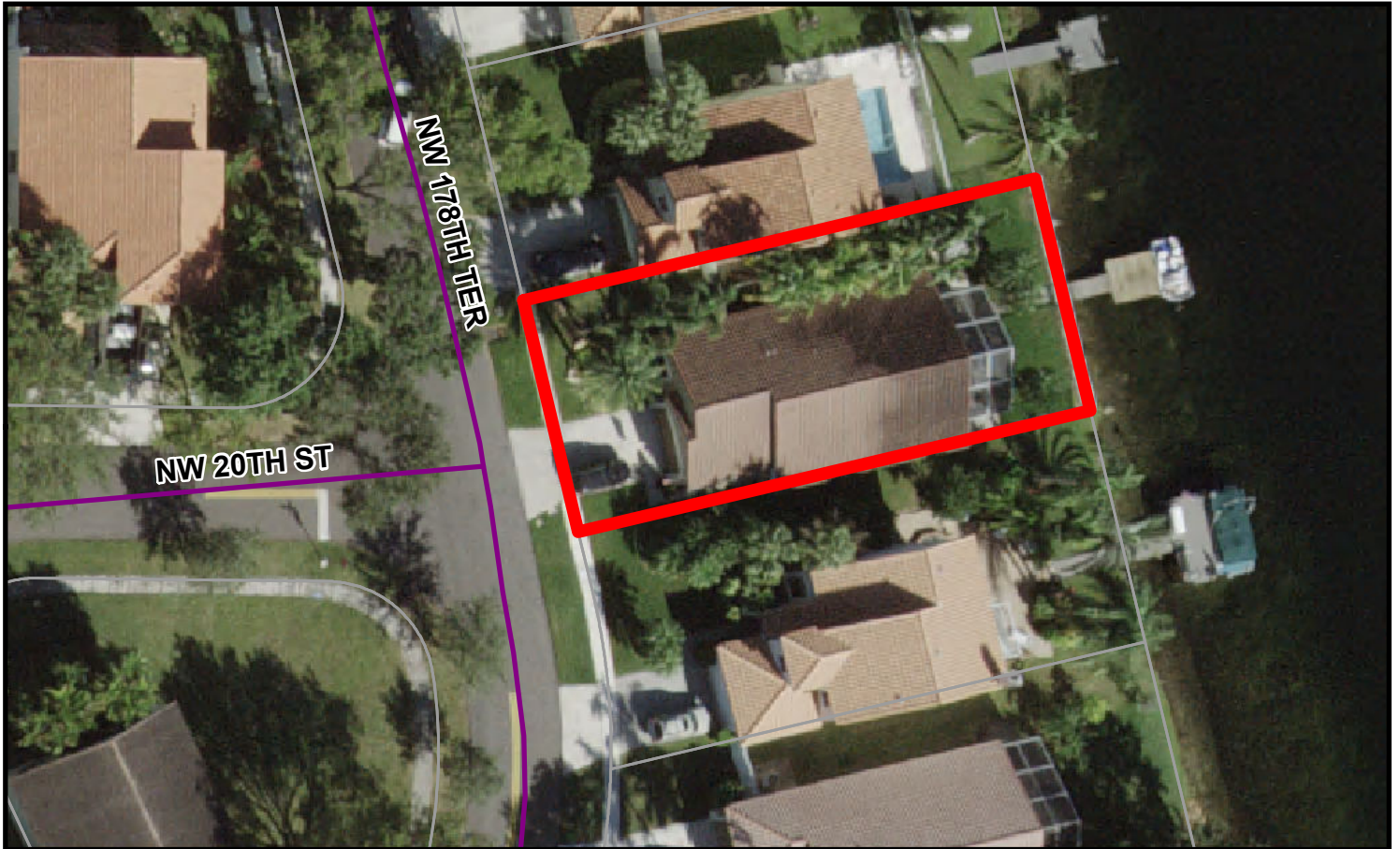
Zoning Variance

Elliot Eichel

1991 NW 178 Terrace Pembroke Pines, FL 33029





NOT TO SCALE





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

Summary

Agenda Date:	October 1, 2020	Application ID:	ZV(R) 2020-15 & 16
Project:	Accessory Structures – BBQ Structure and pavers/slab	Project Number:	N/A
Project Planner:	Dean Piper, Zoning Administrator		
Owner:	Elliot Eichel	Agent:	N/A
Location:	1991 NW 178 Terrace, Pembroke Pines, 33029		
Existing Zoning:	Silver Lakes - Planned Unit Development (PUD)	Existing Land Use:	Residential
Reference Applications:	N/A		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV(R) 2020-15	Silver Lakes PUD Guidelines	7 foot side yard Maintenance Easement	Two (2) foot side yard setback for an existing BBQ structure
ZV(R) 2020-16	Silver Lakes PUD Guidelines	7 foot side yard Maintenance Easement	Zero (0) foot side yard setback for existing pavers/slab
Final:	<input type="checkbox"/> Planning & Zoning Board <input checked="" type="checkbox"/> Board of Adjustment		
Reviewed for the Agenda:	Director: <u></u> Zoning Administrator: <u></u>		

PROJECT DESCRIPTION / BACKGROUND:

Due to an advertising error, this item was moved from the September 2, 2020 Board of Adjustment meeting to the October 1, 2020 Board of Adjustment meeting.

Elliot Eichel, owner, has submitted two variance requests at 1991 NW 178th Terrace. Requested variance ZV(R) 2020-15 is to allow an existing BBQ structure two (2) feet from the side property line instead of the required minimum seven (7) feet from the side property line; and requested variance ZV(R) 2020-16 is to allow existing pavers/slab zero (0) feet from the side property line instead of the required minimum seven (7) feet from the side property line.

Mr. Eichel has provided a copy of the South Broward Drainage District (SBDD) Permit for the BBQ structure (SBDD approval is not necessary for the pavers/slab), a copy of the Silver Lakes Homeowners Association approval and neighbor email of no objection for requested variance.

VARIANCE REQUEST DETAILS:

ZV(R) 2020-15) allow an existing accessory structure BBQ pit two (2) feet from the side property line instead of the required minimum seven (7) feet from the side property line.

ZV(R) 2020-16) allow existing pavers/slab zero (0) feet from the side property line instead of the required minimum seven (7) feet from the side property line.

Code Reference: Silver Lakes Planned Unit Development (PUD) Guildelines.

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: 7/6/2020

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:

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 2020 - Application #: 20(2) 2020-15 +16

Date Submitted: ___/___/___ Posted Signs Required: (1) Fees: \$ 250.00

SECTION 1-PROJECT INFORMATION:Project Name: Eichel ResidenceProject Address: 1991 NW 178th Terrace Pembroke Pines, FL 33029

Location / Shopping Center: _____

Acreage of Property: _____ Building Square Feet: 1914Flexibility Zone: _____ Folio Number(s): 514007070090

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

Legal Description:

SILVER LAKES AT PEMBROKE PINES RESIDENTIAL PARCEL E 151-18 B LOT 9Has 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: Marsha Glazer

Owner's Address: 1991 NW 178th Terrace Pembroke Pines, FL 33029

Owner's Email Address: hockey4418@comcast.net

Owner's Phone: 786-298-8613 Owner's Fax: _____

Agent: _____

Contact Person: Elliot Eichel (Spouse)

Agent's Address: Jane

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: _____~~

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: N/A

Code Section: Silver Lakes PUD Guidelines

Required: ① + ② 7' Side yard Maintenance Easement

Request: ① 2' Side yard setback for existing BBQ Structure

② 0' Side yard setback for existing pavers/slab

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: _____

To whom it may concern:

BBQ Structure

First and foremost, I made a mistake. This mistake starts with not listening to my wife when she recommended we get a permit and suggested to move the BBQ further away from our fence. My arrogance and nonchalant attitude is the reason why I am having to write you this letter.

The decision to build this BBQ at it's current location was the lake view and the future plans to build a pool. The specific offset from my fence was based upon my negligence that if my existing pavers were installed against the fence then I have the ability to be close to the fence. Only to find out during this process that those pavers were installed without a permit by the previous owner sometime between 2005 and 2007.

The concrete slab was poured up to the zero lot line and the BBQ structure is appx 2.0' from the fence. Although the 2.0' does not meet the minimum setback requirement, the mindset was that there was ample room to walk in between with no obstructions. In addition, there are no safety concerns or adjacent structures that would be in jeopardy.

Although that this is not the deciding factor, it's important to note that through multiple conversations and a site visit, South Broward Drainage District issued a permit agreement to allow the BBQ Structure in it's current location.

Pavers

We purchased the house with the side having pavers up to the zero lot line. Recently through word of mouth by neighbors, we were told that the pavers were installed to help with the drainage. I believe prior to the pavers any heavy rain would turn the side of the house into a muck. To date, we have no drainage issues on the side of house with no standing water.

As I mentioned previously, I researched and confirmed that a permit was not executed for the pavers along the side of my house. Although two wrongs do not make a right, we are respectfully requesting to allow the new paver deck to be installed from my house to the zero lot line. Note, South Broward also issued a permit agreement for pavers.

Misc.

During the zoning review for the pool permit, it was also discovered that we have a gazebo installed that can not meet the minimum building requirement for a permit. We are fully prepared to remove this structure from our property in order to comply with zoning and building.

In closing, we are asking that the City fully accept our apology for installing this BBQ without adhering to the rules set forth, for which I have learned my lesson. But lastly request a variance to keep the BBQ at it's current location with the pavers. We love the neighborhood and want to make this the home our kids grow up in.

Thank you,

The Eichel's

Hello.

Request is for a concrete BBQ Structure with a brick veneer.
(Product details included).

Dimensions are shown in drawing attached

South Broward Drainage issued a permit agreement
permitting the BBQ. (Included)

Overlay of BBQ is shown on Site Survey

In addition to South Broward Drainage permit agreement, an
HOA approval is required to submit for a building permit
with the City of Pembroke Pines.

Thank you

Wednesday, July 8, 2020

1991 NW 178th Terrace
Pembroke Pines, FL 33029

RE: Authorization Letter

To whom it may concern:

I Marsha Glazer (maiden name) is listed as the property owner the subject property. Since the property was purchased, I have been since married to my husband Elliot Eichel for whom I give full consent to represent us during this process.

Thank you,

Marsha Eichel

SECTION 7- PROJECT AUTHORIZATION

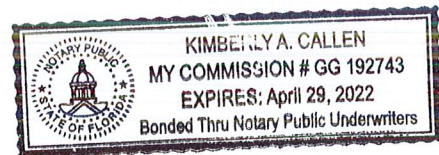
OWNER CERTIFICATION

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.

Marda Gray 7-9-2020
Signature of Owner Date

Sworn and Subscribed before me this 9 day
of July, 20 20

Kimberly A. Callen 4-29-2022
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

[illegible][illegible]

RT GEOSOLUTIONS
A LAND SURVEYING COMPANY

PROPERTY ADDRESS: 1991 NW 178th TERRACE,
 EMBROKE PINE, FL 33029
 PL/O No.: 5140 07 07 0090

LEGAL DESCRIPTION:
 LOT DT 9, SILVER LAKES AT PEMBROKE PINES RESIDENTIAL
 PARCEL E, ACCORDING TO PLAT THEREOF, AS
 RECORDED IN PLAT BOOK 151 AT PAGE 18, OF THE PUBLIC
 RECORDS OF BROWARD COUNTY, FLORIDA.

SURVEYOR'S REPORT:
EXAMINATION OF THE ABSTRACT OF TITLE WILL HAVE
TO BE MADE TO DETERMINE RECORDED INSTRUMENTS
IF ANY AFFECTING THE PROPERTY.
THE PROPERTY IS LOCATED IN THE SECTIONS
WITH THE FOLLOWING LIMITATIONS, RESTRICTIONS, RESERVATIONS OR
EASEMENTS OF RECORD.
LEGAL DESCRIPTIONS PROVIDED BY CLIENT.
SHOWING ENCROACHMENTS, EASEMENTS, RIGHTS OF WAY, AND
UNDERGROUND ENCROACHMENTS, IF ANY, ARE NOT
SHOWN.
AND/OR FOUNDATIONS AND/OR UNDERGROUND
IMPROVEMENTS OF ANY NATURE
THIS SURVEY IS NOT INTENDED FOR NEITHER DESIGN
NOR CONSTRUCTION PURPOSES. FOR THOSE
THAT USES SPECIFIC SURVEY DATA, SUCH AS
BOUNDARIES, PERMITS, EASEMENTS, AND/OR MEDIAN,
BY SAID PLAT IN THE DESCRIPTION OF THE PROPERTY,
IF NOT, BEARINGS ARE, THEN REFERRED TO COUNTY,
TOWNSHIP MAPS.
TOWNSHIP OWNERSHIP NOT DETERMINED.
PANEL 0020, SUFFERN H. FLOOD ZONE "A", EL. N/A. FEET.
PANEL 0020, SUFFERN H. FLOOD ZONE "A", EL. N/A. FEET.
PANEL 0020, SUFFERN H. FLOOD ZONE "A", EL. N/A. FEET.

CERTIFY TO: **GLAZER, MARSHA**

Raul
Tiza

RAUL TIZA Date: 2012-03-09
LAND AND SURVEYOR P 2012-03-09
STATE OF FLORIDA 2012-03-09
15133 S.W. 130th Ave. MIAMI, FLORIDA 33183
786-375-8372

NOT VALID WITHOUT THE SIGNATURE AND THE
ELECTRONIC
SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

DRAWN	CHECKED
ASG	RT
SCALE	SHEET
1"=20'	1/1
FIELD JOB DATE	REVISIONS
04/27/2020	R-01
JOB NUMBER	M-20-04-042

Elliot Eichel

From: Elliot Eichel
Sent: Wednesday, July 8, 2020 10:51 AM
To: JIM LEJEDAL
Subject: RE: Neighbor Approval Letter.docx

Not a problem. We appreciate your support and understand your concern.

From: JIM LEJEDAL <jelfl@aol.com>
Sent: Wednesday, July 8, 2020 10:14 AM
To: Elliot Eichel <elliott@weekleyasp.com>
Subject: Re: Neighbor Approval Letter.docx

Elliot, I discussed this with Rita. While we will not oppose your plans we are not comfortable going on the record in support. I trust that you can appreciate that and wish you success in achieving your goal. Jim L

Sent from my iPhone

On Jul 8, 2020, at 9:47 AM, Elliot Eichel <elliott@weekleyasp.com> wrote:

Jim and Rita,

Good morning. During the process of permitting for the proposed pool, it came to light that my BBQ is installed appx 2'-5" into the setback requirement for our zoned area.

With that said, I am requesting to meet with the Pembroke Pines variance committee to have an exception made. As part of this package, they suggest to get written concurrence from neighbors. As helpful as it would be, I also respect your decision should you not be comfortable with signing. I would like to submit this document tomorrow.

Lastly, if there is a modification such as additional shrubs you want me to install for privacy, you know that both Marcie and I would accommodate.

Thank you,

Elliot

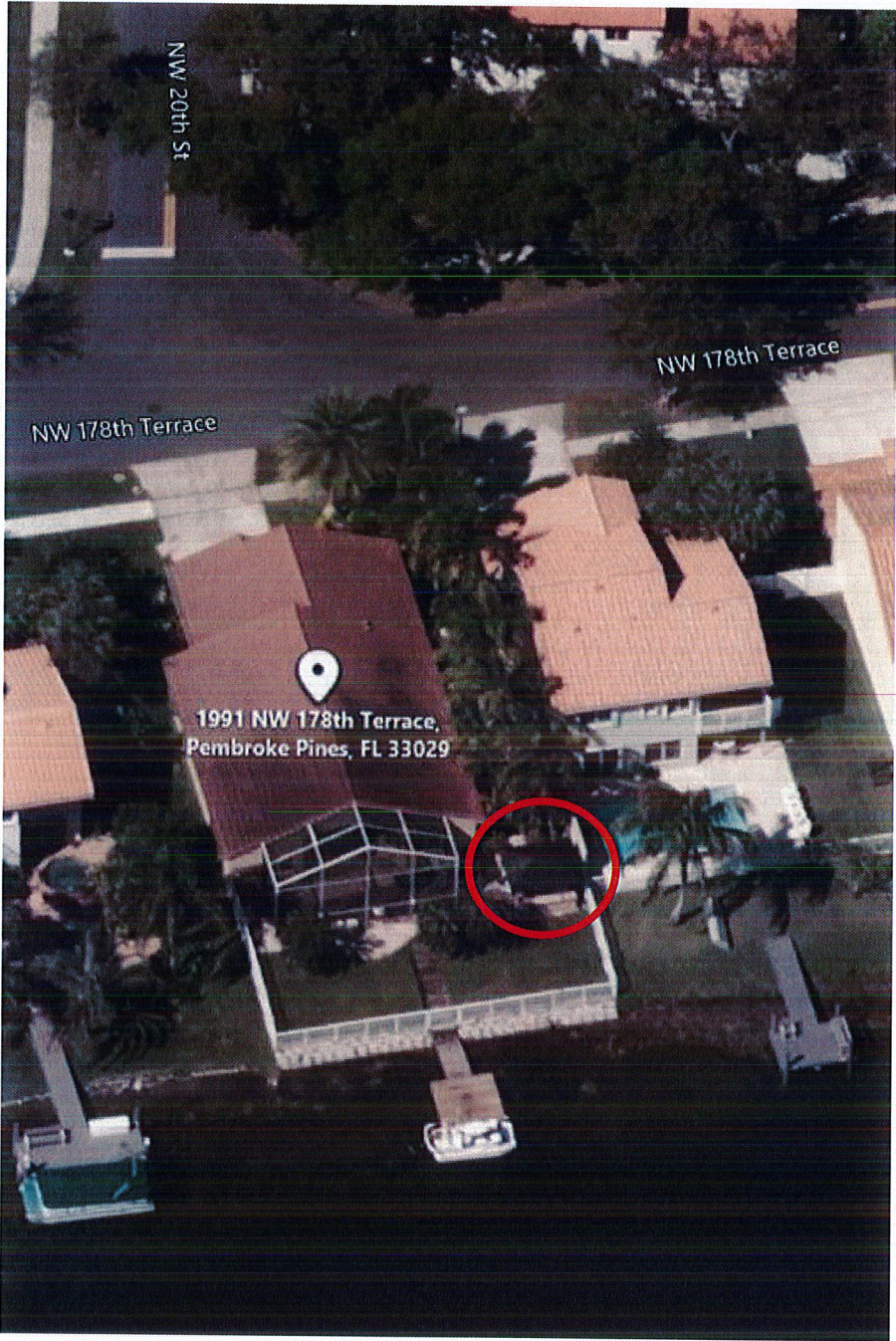
PHOTOS

Prepared For:

1991 NW 178th Terrace Pembroke Pines, FL 33029

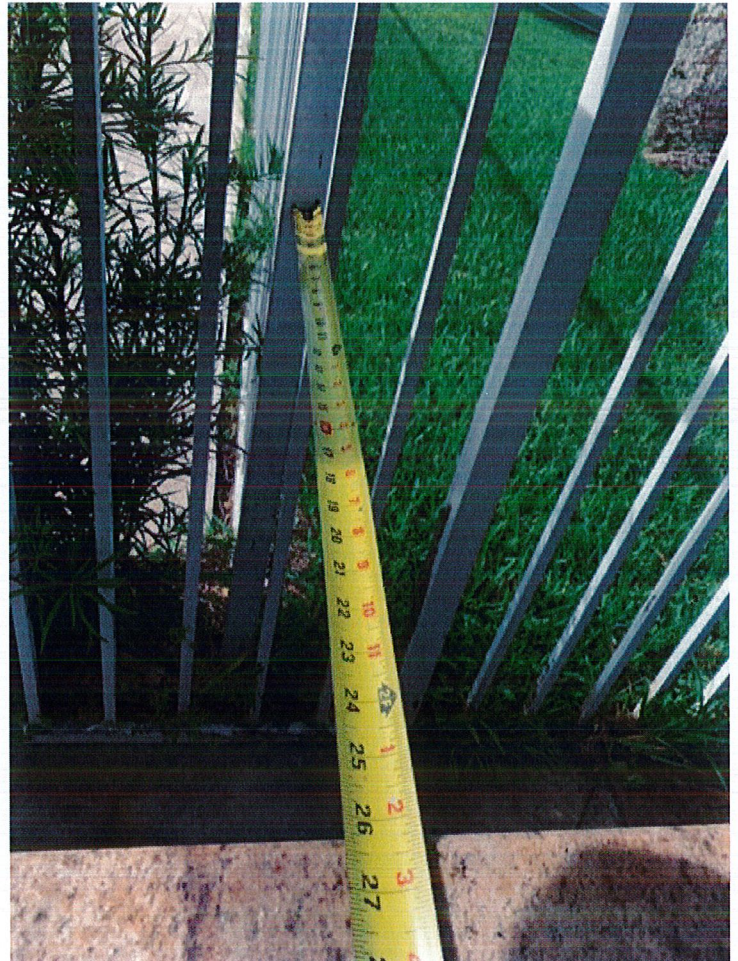
1991 NW 178TH TERRACE PEMBROKE PINES, FL 33029

BIRDS EYE VIEW



1991 NW 178TH TERRACE PEMBROKE PINES, FL 33029

Below photos represent the 26" from the property line to the granite top. Besides the fence, there are no adjacent structures that would be jeopardized by the BBQ in it's current location.



1991 NW 178TH TERRACE PEMBROKE PINES, FL 33029



Photo to the left is taken from
neighbors property

Photo to the right is to illustrate the existing
Pavers installed at property line. Intent is to
Remove the existing pavers and install new
Paver deck at the same location.



1991 NW 178TH TERRACE PEMBROKE PINES, FL 33029

Additional photos of existing pavers installed within the variance.



SILVER LAKES HOA APPROVAL

Prepared For:

1991 NW 178th Terrace Pembroke Pines, FL 33029

SilverLakes Community Association, Inc.
C/O PINES PROPERTY MANAGEMENT, INC.
P.O. BOX 820100
SOUTH FLORIDA, FL 33082
(954)438-6570 FAX(954)438-3951

ARCHITECTURAL APPROVAL NOTICE

July 07, 2020
MARSHA GLAZER
1991 NW 178 TERRACE
PEMBROKE PINES, FL 33029

Account #: 060009

Re: Property: 1991 NW 178 TERRACE

The SilverLakes Community Association, Inc. Architectural Control Committee has met and has approved your request to:
Install an outdoor BBQ structure in backyard as per modification form.

The following requirements must be met.

- Must meet all setback requirements of the community.
- The management office must be notified upon completion of project.
- The installation must be inspected by a member of the architectural committee or an assigned representative to assure that all requirements were met.

**Approval of Faux Finish constitutes an understanding that the finish must be maintained in original condition, in accordance with the "Community Standards and Guidelines".*

Failure to meet any of the above requirements will void this approval.

Additionally, this approval is only an authorization from the community association. This approval does not relieve you of the responsibility for any other building and zoning permits, local or otherwise, you may be required to receive.

Remember, you are responsible to notify the contractor performing this work to provide you with a current certificate of insurance indicating both liability and workers compensation coverage. Also, please be informed that the association will hold the homeowner liable for any damages to the common elements of the community as a result of carelessness on the part of the contractor performing services. Please have your contractor observe the "no signs" ordinance in SilverLakes.

Finally please be advised that this approval is effective for a period of ninety (90) days from the date of this letter, **this approval does not represent an extension of any time frames of homes currently in violation.**

THIS MODIFICATION WILL NOT BE CONSIDERED COMPLETE UNTIL INSPECTED BY A PROPERTY MANAGER.

Very truly yours;

SilverLakes Community Association, Inc. Modification Committee

UPON COMPLETION OF YOUR APPROVED MODIFICATION, PLEASE CONTACT YOUR PROPERTY MANAGER TO ARRANGE A TIME AND DATE TO HAVE YOUR MODIFICATION INSPECTED AND DOCUMENTED.

FAILURE TO CALL FOR INSPECTION WITHIN THE 90 DAY TIME FRAME, THIS MODIFICATION WILL BE CONSIDERED A VIOLATION OF NON-COMPLETION

SILVERLAKES ARCHITECTURAL MODIFICATION REQUEST

Name: Marsha Glazer-Eichel

Date: 6/24/2020

Community: Las Brisas

Lot: _____

Address: 1991 NW 178th Terrace Pembroke Pines, FL 33029

Email: hockey4418@comcast.net

Primary Phone: 786-298-8613 / 786-449-8434

Description of work, attach additional sheet if necessary.

L Shape BBQ structure. **Please find the attached PERMIT AGREEMENT issued by South Broward Drainage**

All information must be submitted before the committee will review the request. Documents required for reviewing your Architectural Modification form:
A copy of your lot survey with the location of the proposed modifications "drawn to scale" indicating all setbacks from the property lines in a clear and legible manner.

- A copy of your proposal, including specifications from the contractor scheduled to do the work.
- If you are doing the work yourself, include a sketch or drawing of the modification.

Prior to submitting the request, please review the architectural standards and guidelines to insure that your request meets all requirements.

RESPONSES TO ALL REQUESTS WILL BE SENT BY MAIL WITHIN 45 DAYS FROM DATE OF SUBMITTAL

Forward this form and all supporting documents to: Pines Property Management, Inc. P.O. Box 820100 South Florida, FL 33082-0100

HOMEOWNER AFFIDAVIT

I have read & understand the Covenants and Restrictions of the SilverLakes Homeowner's Association and agree to abide by them. I have received a copy of the SilverLakes Modification Guidelines and have read and understand the requirements for the modification (s) I am applying for. I understand that approval is based on the Association's modification guidelines, and will comply with the guidelines regardless of the marked modifications on the attached survey. ****Homeowner's initials M.G.

I understand, and, in return for approval, I agree to be responsible for the following:

- An approval is only valid for ninety (90) days unless otherwise specified.
- For all losses caused to others, including common areas, as a result of this undertaking, whether caused by me or others;
- You must obtain any permits required from the City, County, governmental agencies, etc.
- You must remove all debris (concrete, fill, etc.) from around your home and re-sod any areas that are destroyed.
- You are responsible for any damage that may be caused to the sidewalk or roadway from heavy equipment.
- You may not alter the drainage of your property or your neighbor's property.
- The final inspection and approval of the association board after construction is completed.
- For any encroachment(s);
- To comply with conditions of acceptance (if any); and
- To complete the project according to Association's guidelines. If the modification is not completed as approved, said approval can be revoked and the modification shall be removed by the owner at the owner's expense.
- No changes may be made in plans after approval without the prior written consent of the Association.
- **WORK MAY NOT BE STARTED UNTIL APPROVAL LETTER IS RECEIVED.**
- **WORK IS NOT ASSUMED COMPLETED UNTIL INSPECTED BY PROPERTY MANAGEMENT AND SIGNED FINAL CITY PERMITS ARE RECEIVED.**

ROOF COLOR

I also understand that the Architectural review committee does not review and assumes no responsibility for the structural adequacy, capacity or safety features of the proposed construction, alteration or addition; for soil corrosion of un-compactable or unstable soil conditions; for mechanical, electrical or any other technical design requirements for the proposed construction, alteration or addition; or for performance, workmanship or quality of work of any contractor or of the completed alteration or description.

I agree to abide by the decision of the Modifications Committee or Board of Directors. If the modification is not approved or does not comply, I may be subject to court action by the Association. In such event, I shall be responsible for all reasonable attorney's fees.

The undersigned owner affirms that he/she has read and fully understands the Modification Guidelines and governing documents for the SilverLakes Community Association, and agree to conduct all modification in compliance with said guidelines. ***Homeowner Initials M.G.

**Signature of Owner: Marsha Glazer-Eichel

Date: 6/24/2020

ASSOCIATION USE ONLY

Homeowner's Association Recommendations

SilverLakes Modifications Committee

_____ Approval _____ Denial

_____ Approval _____ Denial

Conditions: _____