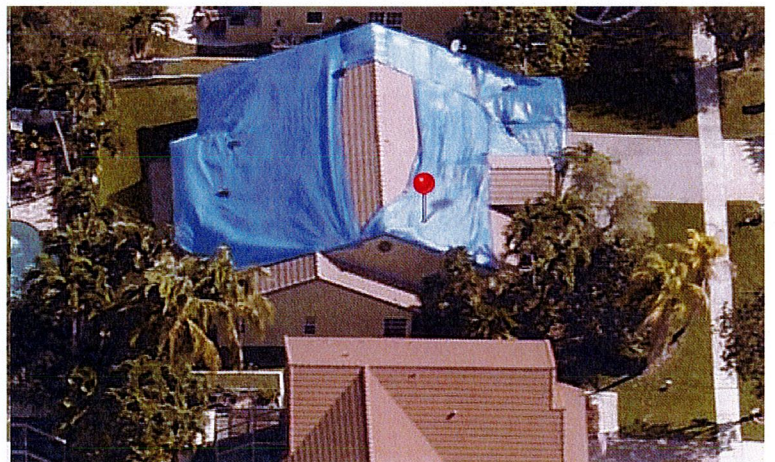


Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2021-11
Zoning Variance



GARCIA, ULISES & CAROL
19347 NW 13 ST PEMBROKE PINES FL 33029





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

Summary

Agenda Date:	April 1, 2021	Application ID:	ZV(R) 2021-11
Project:	Proposed pool with water feature	Project Number:	N/A
Project Planner:	Dean Piper, Zoning Administrator		
Owner:	Ulises and Carol Garcia	Agent:	N/A
Location:	19347 NW 13 Street, Pembroke Pines, 33029		
Existing Zoning:	Planned Unit Development	Existing Land Use:	Residential
Reference Applications:	N/A		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV(R) 2021 -11	155.049(B)	5' rear yard setback	2' rear yard setback
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:

Ulises and Carol Garcia, owners, have submitted a variance request (ZV(R) 2021-11) to allow a proposed pool with water feature to have a 2' rear yard setback, instead of the required 5' rear yard setback.

This property is within the Chapel Trail Homeowner's Master Association. The Association is waiting for the results of this item before processing the Garcia's request.

VARIANCE REQUEST DETAILS:

ZV(R) 2021 - 11 allow a 2' rear yard setback instead of the 5' rear yard setback for a proposed pool with water feature.

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

(B) In residential districts, all accessory buildings and uses in a rear yard shall be located at least five feet from any plot line, at least 15 feet from any street line, and at least ten feet from any main building or other accessory building. For water front lots located within developments approved under the design criteria of (RS-7) single family zoning districts, accessory structures shall be allowed to extend to the zero setback side property line. These accessory structures shall include, but not be limited to, concrete slabs, paver decks, wood decks, pools and pool decks, and screen enclosures.

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: _____

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 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 n/a Application #: ZV(R)2021-11
Date Submitted: 03/04/21 Posted Signs Required: (1) Fees: \$ 250⁰⁰

SECTION 1-PROJECT INFORMATION:Project Name: Pool installationProject Address: 19347 NW 13 St.Location / Shopping Center: ResidentialAcreage of Property: 0.19 Building Square Feet: 3137Flexibility Zone: _____ Folio Number(s): 513912020760

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

Legal Description:
Ameritrail Section Two 151-28-B
Lot 15 BLK 3Has 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: Ulises and Carol Garcia

Owner's Address: 19347 NW 13 St

Owner's Email Address: jewelercu@gmail.com

Owner's Phone: 954-651-5318 Owner's Fax: 954-430-0974

Agent: _____

Contact Person: Ulises Garcia

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: Single family homes

Land Use / Density: _____

Use: _____

Plat Name: _____

Plat Restrictive Note: _____

PROPOSED

Zoning: _____

Land Use / Density: _____

Use: _____

Plat Name: _____

Plat Restrictive Note: _____

ADJACENT ZONING

North: Single family homes

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: 155.049(B)

Required: 5 Feet to edge of accessory structure

Request: 2 Feet to water fall feature and pool

Details of Variance, Zoning Appeal, Interpretation Request:

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 wanting to install an in-ground pool in our back back yard. Due to the narrow space available the pool swim lane would only be 6 feet wide. We are concerned that the narrow width will pose a hazard for children and adults hitting their heads while falling into the pool. It may also tempt children into attempting to jump across. We are requesting a variance that will allow us to build the edge of the pool at 2 feet from the Rear property line allowing for a width of 8 feet for the pool. There is a 6 foot tall privacy fence along that property line already.

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.

Carol Sierra 2/16/21
Signature of Owner Date

Sworn and Subscribed before me this 4th day

of March, 20 21



0
Fee Paid

[Signature]
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

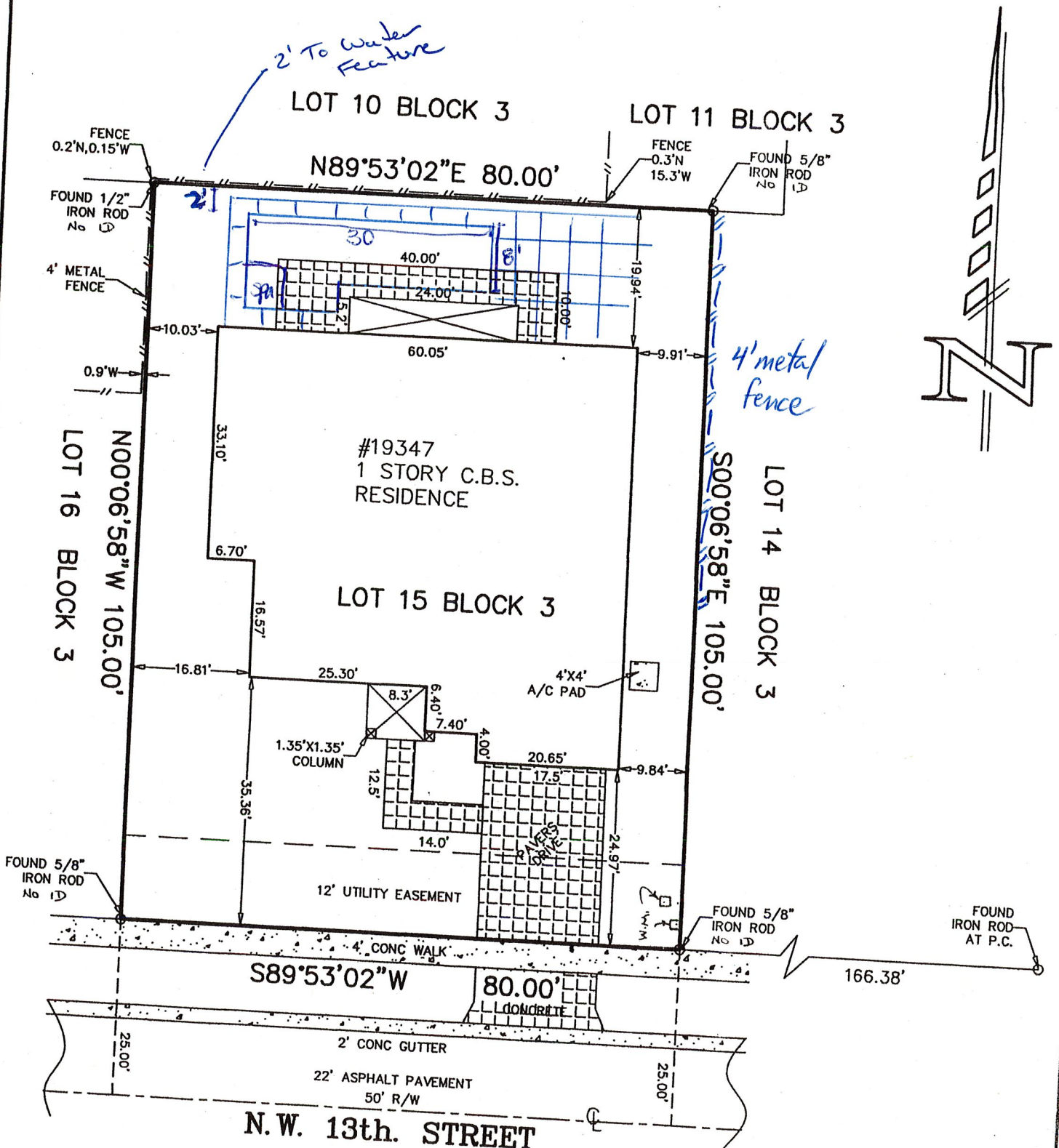
1309 S.E. 1ST. STREET
POMPANO BEACH
FLORIDA 33060

ACCURATE LAND SURVEYORS, INC.

L.B. #3635

SHEET 2 OF 2

TEL. (954) 782-1441
FAX. (954) 782-1442



Request for Pool Variance

Ulises and Carol Garcia
19347 NW 13th St
Pembroke Pines, FL 33029

Please know that we have requested of the City a variance to build our pool three feet closer to the back property line and we are hoping you will support our request. Our back yard is so shallow that without this variance the majority of the pool would be less five feet wide. The additional three feet will make the space much more usable.

This variance, if approved, means we will not be able to add a screen enclosure around the pool and this is an acceptable trade-off for us.

If you are agreeable with our variance request please print and sign your name below.

Thank you for your consideration,
Ulises and Carol Garcia

Letina Coimbra Paes

Elizabeth + Jose Morillo Lopez

Maria Silvestre Maria Silvestre
