Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2021-17 to 21 Zoning Variances

RIOS, CARLOS A 201 SW 65 AVE PEMBROKE PINES FL 33023











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

Summary

Agenda Date:	November 4, 2021	Application ID:	ZV(R) 2021-17 thru 21		
Project:	Wood Deck, Gazebo and Shed	Project Number:	N/A		
Project Planner:	Project Planner: Dean Piper, Zoning Administrator				
Owner:	Carlos Rios	Carlos Rios Agent:			
Location:	201 SW 65 Avenue, Pe	201 SW 65 Avenue, Pembroke Pines, 33023			
Existing Zoning:	One-Family Dwelling (R-1C) Districts Existing Land Use: Residential		Residential		
Reference Applications: Code Compliance Correction No #120238 Variance #'s ZV(R) 2021-17 thru 21 deferred to this meeting at the 10/7/21 Meeting					
Variance Summary					

Application	Code Section	Required/Allowed		Request	
ZV(R) 2021-17	Table 155.620: Accessory Building: Shed	5' Rear Yard Setback		2.10' rear yard setback for an existing shed.	
ZV(R) 2021-18	Table 155.620: Accessory Structure: Open Sided Structure (Free Standing)	15' Street Side Yard Setback		6.4' Street Side Yard Setback for an existing gazebo.	
ZV(R) 2021-19	Table 155.620: Accessory Structure: Deck or Patio	5' Street Side Yard Setback		0' Street Side Yard Setback for an existing wooden deck.	
ZV(R) 2021-20	Table 155.620: Accessory Structure: Open Sided Structure (Free Standing)/Deck or Patio	5' Rear Yard Setback		0' Rear Yard Setback for an existing wooden deck and gazebo.	
ZV(R) 2021-21	Table 155.620: Accessory Structure: Open Sided Structure (Free Standing)	sory Structure: 200 sq. ft. Maxim Gided Structure Open Sided Structure		360 sq. ft. for an existing gazebo.	
Final:	☐ Planning & Zoning Board		⊠ Board of Adjustment		
Reviewed for the Agenda:	Director: Zoning Administrator:				

PROJECT DESCRIPTION / BACKGROUND:

Carlos Rios, owner, has submitted five (5) variance requests for an existing shed, an existing gazebo and an existing composite deck that were installed without permits.

The following are requested variances:

ZV(R) 2021-17 – Existing shed to have a 2.10' rear yard setback instead of required 5' rear yard setback;

ZV(R) 2021-18 – Existing gazebo to have a 6.4' street side yard setback instead of required 15' street side yard setback;

ZV(R) 2021-19 – Existing composite deck to have a 0' street side yard setback instead of required 5' street side yard setback;

ZV(R) 2021-20 – Existing gazebo and composite deck to have a 0' rear yard setback instead of required 5' rear yard setback;

ZV(R) 2021-20 – Existing gazebo to be 360 sq. ft. instead of allowed 200 sq. ft. open sided structure.

There is no Homeowner's Association in this neighborhood.

The existing gazebo, built without a permit, is currently under Code Compliance Correction No. - #120238.

As there were only three members present at the October 7, 2021 Meeting, Mr. Rios requested that his items be deferred to this meeting.

VARIANCE REQUEST DETAILS:

ZV(R) 2021-17) to allow an existing shed a 2.10' rear yard setback instead of required 5' rear yard setback.

Code Reference: Table 155.620: Accessory Building: Shed

ZV(R) 2021-18) to allow an existing gazebo to have a 6.4' street side yard setback instead of required 15' street side yard setback

Code Reference: Table 155.620: Accessory Structure: Open Sided Structure (Free Standing)

ZV(R) 202021-19) to allow an existing composite deck to have a 0' street side yard setback instead of required 5' street side yard setback

Code Reference: Table 155.620: Accessory Structure: Deck or Patio

ZV(R) 2020-20) to allow an existing gazebo and composite deck to have a 0' rear yard setback instead of required 5' rear yard setback

Code Reference: Table 155.620: Accessory Structure: Open Sided Structure (Free Standing)/Deck or Patio

ZV(R) 2021-21) to allow an existing gazebo to be 360 sq. ft. instead of allowed 200 sq. ft. open sided structure.

Code Reference: Table 155.620: Accessory Structure: Open Sided Structure (Free Standing)

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 follow Section 155.301(O) Variance:

- 1. Purpose: To allow for the provision of relief from certain development standards of this LDC for one or more of the following reasons:
 - a) 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) 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) 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

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 a	re applying for:		
Appeal*	Sign Plan		

	out Olym i lan
☐ Comprehensive Plan Amendment	☐ Site Plan*
☐ Delegation Request	☐ Site Plan Amendment*
☐ DRI*	Special Exception*
☐ DRI Amendment (NOPC)*	Variance (Homeowner Residential)
☐ Flexibility Allocation	☐ Variance (Multifamily, Non-residential)*
☐ Interpretation*	☐ Zoning Change (Map or PUD)*
☐ Land Use Plan Map Amendment*	☐ Zoning Change (Text)
☐ Miscellaneous	☐ Zoning Exception*
☐ Plat*	☐ 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: Joan	Staff Use Only Project #: PRJ 20 / - Appl	ication #: 2/(R) 2021-17-21
Date Submitted: 67129121	_ Posted Signs Required: (<u>n/a</u>)	Fees: \$ 1, 250

SECTION 1-PROJE	,					
Project Name:	eck/gatel	50	A A A A A A A A A A A A A A A A A A A			
Project Address:	201 SW	65Th A	ve P.Pin	es Fl 330	23	
Location / Shopping	Genter:	ome				
Acreage of Property	y: 8011	Buildi	ng Square Feet:	1920	Description of the second	
Flexibility Zone:		Folio	Number(s):	41 14 10 45	70	
Plat Name:		Traffic	: Analysis Zone ((TAZ):		
Legal Description:	Boulevard	Heights	Sec Ten	51-15B	Lot 1	BLK 2
Has this project bee	en previously sul	bmitted?	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

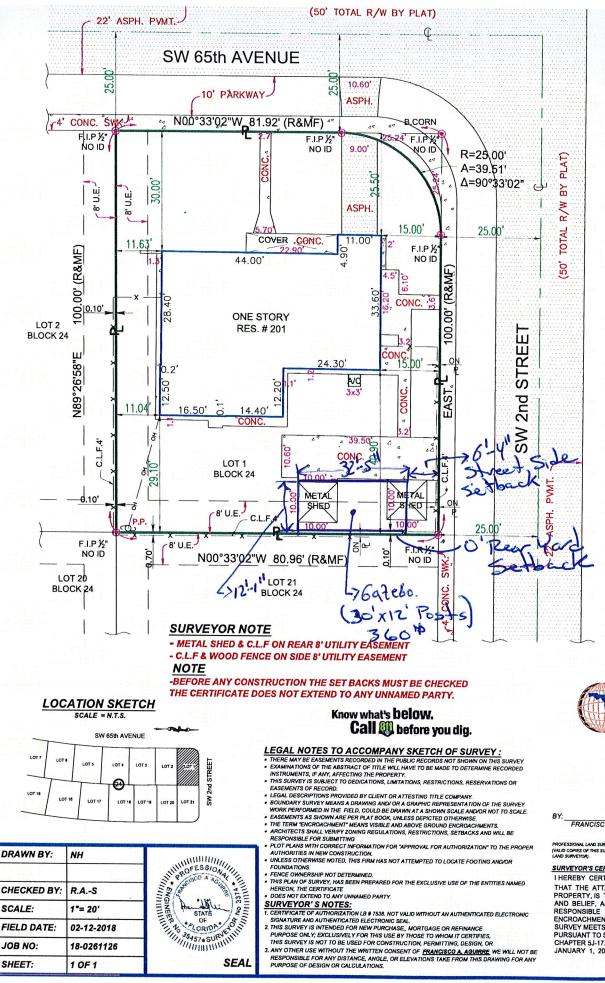
SECTION 2 - APPLICANT / OWNER / AGENT INFORMATION Owner's Name: Carlos A. Rios Owner's Address: 201 SW 65Th Ave P. Pines fl 33023 Owner's Email Address: <u>Carloscashdeals a gmail.com</u> Owner's Phone: 954-662-1430 Owner's Fax: N/A Agent: N/A Contact Person: Owner Agent's Address: V/A Agent's Email Address: N/A Agent's Phone: _____ N Agent's Fax: ____ N 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** PROPOSED Zoning: Zoning: ____ Land Use / Density: Land Use / Density: Use: _____ Use: _____ Plat Name: ____ Plat Name: Plat Restrictive Note: Plat Restrictive Note: _____ ADJACENT ZONING ADJACENT LAND USE PLAN North: _____ North: _____ South: ____ South: _____ East: East:

West:____

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: Table 155. 620 - Various Required: See Below & Variance. Summary Request: See Below + Variance Som Details of Variance, Zoning Appeal, Interpretation Request: rear Yard & setback instead or required 5 street side yard settack wil a composite deck Si de jard settank wa Rear yard satback for shed instead SECTION 5 - LAND USE PLAN AMENDMENT APPLICATION ONLY ☐ City and County Amendment ☐ City Amendment Only Existing City Land Use: Requested City Land Use: _____ Existing County Land Use: Requested County Land Use: _____ S:\Planning\DOCUMENTS\application\Unified Development Application 2017.docx Page 4 of 6

when I bought the house the back Jard had 2 Sted's Storages
Units on the North east side of the backgard, each
Storage Unit was 10'X 10 (see original survey). Those
two units sheds were really old and they had
rodens, rats and snakes inside and under, so i removed
the 2 starages. In the same location and set backs
tamo the old storages I build a Dect/647ebo and
I pot a grill with a sink so I can enjoy my
backgard.
I used the same location and set backs that the
old Starages.
I bought a shed in lowes and I putit in the
South east corner of the back yard to be able.
to Storage my tools and Supplies.
I already Submitted and obtained approval From
Electrical Department, Plumbing and Structural.
I want To correct all this Variances.
Thank you for your help!



STATE OF CORION STATE OF CORIO

SEAL

DRAWN BY:

CHECKED BY:

FIELD DATE:

SCALE:

JOB NO:

SHEET:

NH

R.A.-S

1"= 20"

1 OF 1

02-12-2018

18-0261126



(R)-R.R. RES R/M RAL RGE R.O.E



SURVEYOR'S CERTIFICATIO I HEREBY CERTIFY TO:

THAT THE ATTACHED BI PROPERTY, IS TRUE AND AND BELIEF, AS RECEN' RESPONSIBLE DIRECTIO ENCROACHMENTS UNLES SURVEY MEETS THE STA' PURSUANT TO SECTION 4 CHAPTER 5J-17.050, FLOR JANUARY 1, 2010; AS A

BOUNDARY SURVEY

CLIENT: CARLOS A. RIOS
PROPERTY ADDRESS: 201 SW 65 AVE, PEMBROKE PINES FL 33023
LEGAL DESCRIPTION:
LOT 1, BLOCK 24, BOULEVARD HEIGHTS SECTION TEN, ACCORDING TO THE PLAT THEREOF AS RECORDED IN PLAT BOOK 51, PAGE 15, OF THE PUBLIC RECORDS OF MIAMI DADE COUNTY, FLORIDA.

THE PUBLIC RECORDS OF MINIMIDADE COUNTY, FLORIDA.

<u>ELEVATION INFORMATION:</u>

B.M. USED —— ELEVATIONS —— LOCATED —————

BASED ON THE FLOOD INSURANCE RATE MAP OF THE FEDERAL EMERGENCY MANAGEMENT AGENCY DATED OR REVISED ON <u>08-18-2014</u>

THE HEREIN DESCRIBED PROPERTY IS SITUATED WITHIN ZONE <u>AH</u> BASE FLOOD ELEVATION <u>8.00</u> COMMUNITY <u>120053</u> PANEL NUMBER

<u>0564</u> SUFFIX <u>H</u> EFFECTIVE PANEL DATE <u>08-18-2014</u>

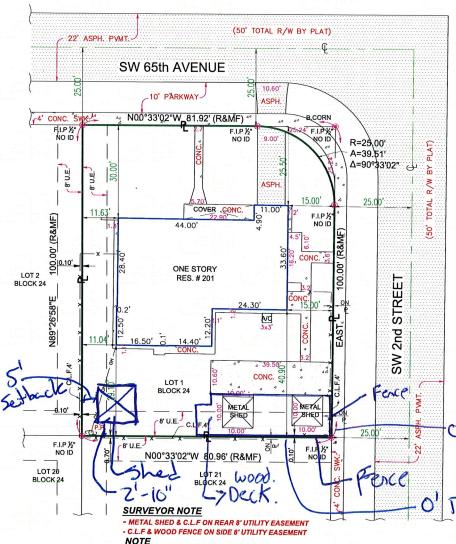
CERTIFIED TO: CARLOS A. RIOS

OLD REPUBLIC NATIONAL TITLE INSURANCE COMPANY ATTORNEY'S TITLE FUND SERVICES, LLC

DAVID R. ROY, P.A.

CITADEL SERVISING CORPORATION, ISAOA / ATIMA





LEGEND & ABBREVIATIONS

A - ARC DISTANCE
AC - AND CONDITIONER PLO
AC - ALLOWING MISSION OF A PAPEL
ASPHALT SEC. - BLOCK CORNER
BLOC. - BUDGE CORNER
BLOC. - BUDGE CONDITIONER
BLOC. - BUDGE CONDITIONER
BLOC. - BUDGE OF BLOCK
BLOCK AND CONDITIONER
BLOC. - BUDGE OF BLOCK
STRUCTURE
COL - CLIPTO AND
COL - CONDETTE SAB
COL - CONDETTE SAB ARC. DISTANCE - AIR CONDITION

ENCR-ENCONCINENT

F.H.- FIRE HORN MY

F.H.- FOUND IRON IRON

F.H.- FOUND IRON IRON

F.H.- FOUND IRON

F.H.-

CONTACT YOUR PROCESSOR



NOTE -BEFORE ANY CONSTRUCTION THE SET BACKS MUST BE CHECKED THE CERTIFICATE DOES NOT EXTEND TO ANY UNNAMED PARTY.

LOCATION SKETCH

SW 65th AVENUE

LOT LOT 0 LOT 16

DRAWN BY: NH OFESSION CHECKED BY: RA-S STATE OF CORIDA: SCALE: 1"= 20" FIELD DATE: 02-12-2018 18-0261126 JOB NO. SEAL SHEET: 1 OF 1

Know what's below. Call W before you dig.

LEGAL NOTES TO ACCOMPANY SKETCH OF SURVEY:

- THERE MAY BE EASEMENT SECONDED IN THE PUBLIC RECORDS NOT SHOWN ON THIS SURVEY. EXAMINATIONS OF THE ASSTRACT OF THE WILL HAVE TO BE AMDE TO DETERMINE RECORDED INSTRUMENTS, IF ANY, AFFECTIVE THE PROPERTY.

 PRESIDENT'S SEQUENT TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR THE SURVEY SURGET TO DEDICATIONS, LIMITATIONS, RESTRICTIONS, RESERVATIONS OR THE SURVEY SURVEY MEANS ADMINISTRY MEANS ADMINISTRY OF THE SURVEY WORK PERFORMED IN THE FIELD, COULD BE DRAWN AT A SHOWN SCALE ANDOR NOT TO SCALE ASSEMBLY AS SHOWN ARE PERFORMED AT BOOK LIMITS DEPOCHED OTHERWISE.

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 RESPONSIBLE FOR SHIMITHMS.

- PLOT PLANS WITH CONTINUED IN AUTOMICS.

 AUTHORITIES IN NEW CONSTRUCTION.

 UNLESS OTHERWISE MOTED, THIS FIRM HAS NOT ATTEMPTED TO LOCATE FOOTING AND/OR.
- UNESS OTERMISE MOTEL, INIS TIME MAS OUT AT THE TEXT OF STATE OF THE ENTITIES IN PENCE OMMERSHIP NOT DETERMINED.

 FERSE OF THE STREET, HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES IN INFO FAM OF STREET, HAS BEEN PREPARED FOR THE EXCLUSIVE USE OF THE ENTITIES IN EACH STREET, TO THE TOWN THE TEXT OF THE ENTITY.

- * DOES NOT EXTEND TO ANY UNMANED PARTY.

 SURVEYON'S NOTES:

 I. CERPIFICATE OF AUTHORIZATION IS 8' 7538. NOT VALID WITHOUT AN AUTHENTICATED ELECTRONIC SIGNATURE AND AUTHENTICATED ELECTRONIC SIAL.

 2 THIS SURVEY IS INTENDED FOR NEW PURCUSSE, WORTGAGE OR REFINANCE PURPOSE ONLY, EXCULSIVELY FOR THIS USE BY THOSE TO WHOM IT GERTIFIES, THIS SURVEY IS NOT TO BE USED FOR CONSTRUCTION, PERMITTING, DESIGN, OR, ANY OTHER USE WITHOUT THE WISTER CONSIDER OF FRANCISCO A AUGURGE, WE WILL NOT BE RESPONSIBLE FOR ANY DISTANCE, ANGLE, OR ELEVATIONS TAKE FROM THIS GRAWING FOR ANY PURPOSE OF DEGISION OR CALCUSTORIS.



FRANCISCO A AGUIRRE P.E., P.L.S. (02-12-2018)

PROFESSIONAL LAND SURVEYOR NO.: 3354 STATE OF FLORIDA (VALID COPIES OF THIS SURVEY WILL BEAR THE EMBOSSED SEAL OF THE ATTI LAND SURVEYOR).

SURVEYOR'S CERTIFICATION:

SURVEYOR'S CERTIFICATION:

I HEREBY CERTIFY TO:

THAT THE ATTACHED BOUNDARY-SURVEY OF THE ABOVE DESCRIBED
PROPERTY, IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE
AND BELIEF, AS RECENTLY SURVEYED AND THAT THERE ARE THE ADDRESS OF THE SEPONSBIEL OF IRECTION, AND THAT THERE ADDRESS OF THE SURVEY MEETS THE STANDARDS OF-PRACTICE FOR BOUNDARY-SURVEYE,
PURSUANT TO SECTION 472/027, FLORIDA STATUTES, AND ADOPTED IN
CHAPTER S.1-1059, FLORIDA ADMINISTRATIVE CODE EFFECTIVE DATE
JANUARY 1, 2010; AS AMENDED FEBRUARY 23, 2005.

SECTION 7- PROJECT AUTHORIZATION

OWNER CERTIFICATION

This is to certify that I am the owner of the property all information supplied herein is true and correct to	described in this application and that the best of my knowledge.
many man	07/29/2021
Signature of Owner	Date
Sworn and Subscribed before me this 29th da	у
of July, 20 2021	SHERYL MCCOY MY COMMISSION # GG 925050 EXPIRES: December 5, 2023 Bonded Thru Notary Public Underwriters
Fee Paid Signature of Notary Public	My Commission Expires
AGENT CERTIFICATION	
This is to certify that I am the agent of the property of and that all information supplied herein is true and of	owner described in this application correct to the best of my knowledge.
Signature of Agent	Date
Sworn and Subscribed before me this da	у
of, 20	
Fee Paid Signature of Notary Public	My Commission Expires

