

Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2021-25
Zoning Variance

SANTA BARBARA, JOSE & EVELYN
2178 NW 138 TER PEMBROKE PINES FL 33028





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

Agenda Date:	November 4, 2021	Application ID:	ZV(R) 2021-25
Project:	Gazebo	Project Number:	N/A
Project Planner:	Dean Piper, Zoning Administrator		
Owner:	Jose & Evelyn Santa Barbara	Agent:	N/A
Location:	2178 NW 138 Terrace, Pembroke Pines, 33028		
Existing Zoning:	Pembroke Falls Planned Unit Development (PUD)	Existing Land Use:	Residential
Reference Applications:	Item not heard on 10/7/2021 due to lack of a quorum.		
Variance Summary			
Application	Code Section	Required/Allowed	Request
ZV(R) 2021-25	Table 155.620: Accessory Structure: Open Sided Structure (Free Standing)	200 sq. ft. Maximum Open Sided Structure	300 sq. ft. for a proposed 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:

Jose & Evelyn Santa Barbara, owners, have submitted variance request ZV(R) 2021-25 to allow a proposed 300 square foot gazebo. Proposed location meets all code regulations.

This property is located within the Pembroke Falls Homeowner's Association (HOA) which allows gazebos, but follows City of Pembroke Pines Code of Ordinances Land Development Code regarding allowed size. Copy of HOA Guidelines for Gazebos is attached.

At the October 7, 2021 Meeting there were only three Board Members present to have the minimum number of members for a quorum. After Items ZV(R) 2021-23 & 24 were heard by the Board, a member of the Board became ill and had to leave. With no quorum (only two members left) no actions could be taken by the Board and the remaining items, including this request, had to be re-noticed and re-advertised for this meeting.

VARIANCE REQUEST DETAILS:

ZV(R) 2021-25) to allow a proposed gazebo to be 300 sq. ft. instead of allowed 200 sq. ft. for open sided structures.

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>

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 foot 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)2021-25
Date Submitted: 09/25/21 Posted Signs Required: (n/a) Fees: \$ 250

SECTION 1-PROJECT INFORMATION:Project Name: Jose & Evelyn Santa BarbaraProject Address: 2178 NW 138th Terrace Pembroke Pines, FL 33028Location / Shopping Center: Pembroke fallsAcreage of Property: 18,111 sf Building Square Feet: 3453 sf

Flexibility Zone: _____ Folio Number(s): _____

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

Legal Description:

Pembroke Falls - Phase 4A 143-35 B Lot 22 Blk 4

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 INFORMATION

Owner's Name: Jose & Evelyn Santa Barbara
Owner's Address: 2178 NW 138th Terrace Pembroke Pines FL 33028
Owner's Email Address: evelynsantabarbara73@yahoo.com
Owner's Phone: (786) 285-0653 Owner's Fax: _____
Agent: _____
Contact Person: Evelyn Santa Barbara
Agent's Address: same as above
Agent's Email Address: same as above
Agent's Phone: (786) 285-0653 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: _____

Code Section: Table 155.620; Accessory Structure; Open Sided Structure

Required: 200 sq ft open sided structure (Free Standing)

Request: 300 sq ft open sided structure

Details of Variance, Zoning Appeal, Interpretation Request:

Variance to build a gazebo 15x20
I have a big family and sometimes we
gather community / church meetings at home
I need a bigger place to gather people off sun/rain
some of the members are handicap with wheelchair
or walkers. My community Pembroke Falls has no
restrictions about size. as long set backs are met.

SECTION 5 - LAND USE PLAN AMENDMENT APPLICATION ONLY

☐ City Amendment Only

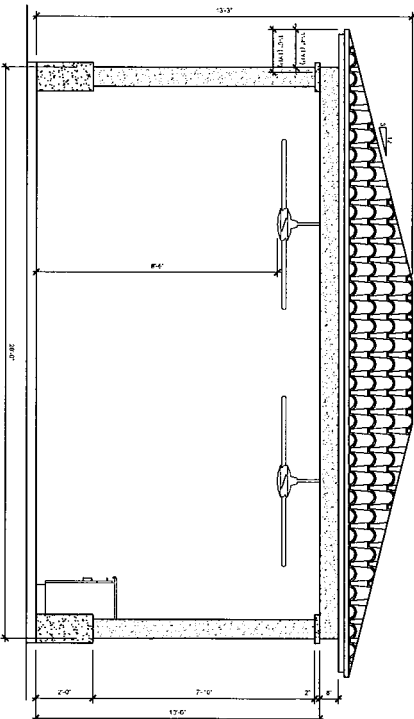
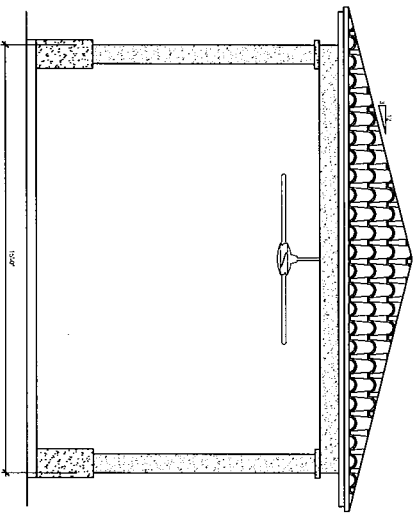
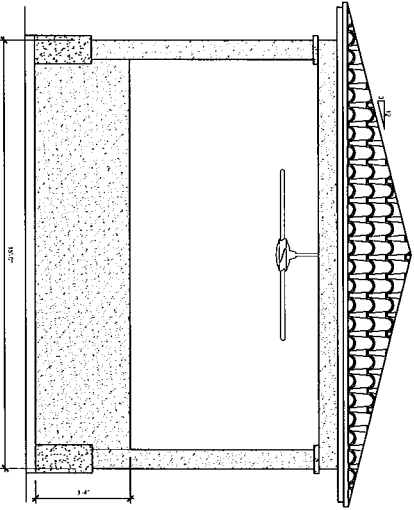
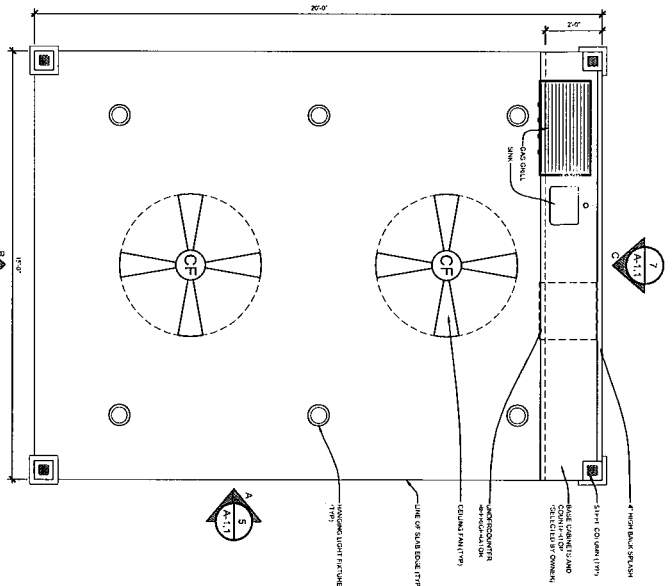
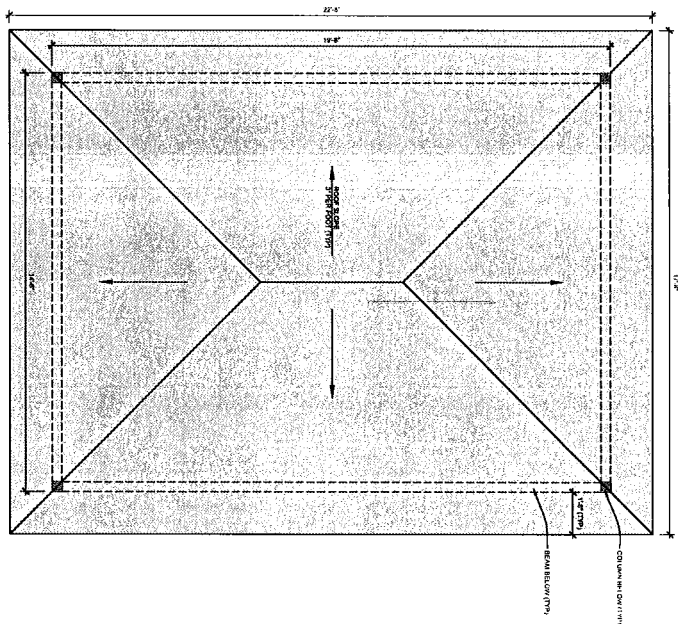
☐ City and County Amendment

Existing City Land Use: _____

Requested City Land Use: _____

Existing County Land Use: _____

Requested County Land Use: _____



NEW EXTERIOR GAZEBO EXISTING SINGLE-FAMILY RESIDENCE

C. 801

PROJECT LOCATION

DATE: 08/04/2021
DRAWN: DASH

A-1.1

DDSM CONSULTING LLC
14359 Miramar Pkwy #327
Miramar, FL 33027
CA# 28875, 954-217-1427
sales@ddsmconsulting.com

NO.	DATE	BY
1	08/04/2021	DASH

Pembroke Falls Architectural Stipulations

Revised 4-27-2021

All ARB applications require a survey of the lot with indication of where work will be performed. ARB applications will require contractor's information when applicable.

ARB approval contingent for any project requiring permits from the City of Pembroke Pines. **A COPY OF THE PEMBROKE PINES PERMITS MUST BE TURNED IN TO THE ARB BEFORE STARTING WORK.**

If modifications to the ARB approved design are required to obtain permits from the City of Pembroke Pines, the updated application must be resubmitted to the ARB for approval. The ARB approval will expire (6) six months from the approval letter date. Must re-submit the ARB form requesting an extension.

Homeowners are responsible for repairing any damage to common areas as a result of this work and will restore these areas to their original condition within two (2) weeks of completion. Contact management if additional time is required.

Please contact management once project is completed for inspection.

1. ARBORS/PERGOLAS/TRELLIS

Applicant is required to provide the Miami-Dade NOA or State of Florida Product of Approval. Must provide photo and brochure of arbor/pergola/trellis to be installed. Must provide architect/engineer drawings.

PLEASE NOTE:

Arbors/pergolas/trellis free standing or attached to the residence cannot have a roof, except for the aluminum arbor/pergola/trellis with the adjustable aluminum louvered roof system noted below. They must comply with setbacks 5 feet from the property line and cannot be in the 20-foot lake easement.

- 1.1 Aluminum arbors/pergolas/trellis with the adjustable aluminum louvered roof system that is attached to the residence must have a minimum of a 15-degree roof slope. Flat roof with an adjustable louvered roof system must be free standing. The aluminum frame structure must be able to sustain hurricane winds up to 175 MPH. The aluminum louvered roof and frame can be white, off-white, beige or brown on all sides. Two colors may be chosen, one for the frame and one for the louvers. All louvers must be the same color. Aluminum arbor/pergola/trellis cannot be in the 20-foot lake easement and must be a minimum of 5-feet from the property line.

Approved at Master Board Meeting on 1/24/2017

- 1.2 Trellis cannot be used around air conditioner units. Approved at Master Board Meeting on 1/24/2017

2. AWNING INSTALLATION

Homes, E. (04/03/01). *Design Guidelines and Review Procedures. Page 26 Section 5 B(3)*
Ordinances, C. o.-C. (2011). *TITLE XV: 155.047*

Applicant is required to provide a sample of the covering material of sufficient size (12" x 12" minimum) for the Board to understand the pattern and or texture of the material. Must provide the Miami-Dade NOA or State of Florida Product of Approval. Must provide official drawings and dimensions of awning installation.

2.1 Location:

Location of all awnings is restricted to the rear of the residence. Installation is restricted to the underside of the overhang at a maximum of (12) feet from the finished floor on all residence. Two-story residence with functional sundeck or balconies is allowed awning at (10) feet above the second-floor level. In all cases, awning must be attached to the exterior wall of the residence.

2.2 Configuration:

Self-supported with retractable arms. Supporting columns or fixed cantilever are not allowed.

2.3 Maximum Size:

The maximum linear footage for multiple awnings is restricted to 50% of the width of the residence on the first floor. Two-story residence with functional sundecks or balconies is allowed to cover the sundeck or balcony. Units can be installed above doors and windows. A minimum (2) feet setback is required from the end corners of the house.

Pembroke Falls Architectural Stipulations

11. GAZEBO

Applicant is required to provide a photo of gazebo to be installed. Must provide roof tile sample. Must provide architect/engineer drawings.

PLEASE NOTE:

Gazebos are structures with roof; the roof can only be tile that match the residence tile roof. Must be 5 feet from the property line and can only be installed in the rear yard. Gazebo on lake lots cannot be on the 20-foot lake easement.

12. GENERATOR – PERMANENT STANDBY

HOA REQUIREMENTS:

Must call Sunshine State One Call (811) before you dig. Generators must be installed a minimum of 10 feet back from any front corner of the residence and not within 5 feet of the property line. All exterior mechanical equipment must be screened by means of opaque landscaping so as not to be visible from the street or adjacent lot. Applicant is required to provide a photo of generator to be installed. Must provide specifications and dimensions.

REQUIREMENTS FOR INSTALLING PERMANENT RESIDENTIAL STAND-BY GENERATORS:

The residents must comply with all Federal, State, County, City Laws and HOA rules referencing the installation of the Generator. (Approved by ARB on 12.11.18)

12. GUTTERS

Homes, E. (04/03/01). *Design Guidelines and Review Procedures. Page 29 Section M*

Applicant is required to provide sample swatch of colors.

PLEASE NOTE:

Gutters should match the trim color of the house; Downspouts should match the body color of the house. Allowable factory applied colors are beige, off-white and white are approved for gutters and downspouts.

Gutters must be maintained in a clean manner, free of mildew, stains, and mold. Placement of downspouts must not adversely affect drainage on adjacent properties.

13. HANDICAP ACCESSIBLE RAMPS

Applicant is required to provide a paver sample. Must provide official drawings and dimensions.

A level landing area in front of the door is required to allow wheelchair to maneuver to open the door without rolling down the ramp. The ramp and landing zone must match the existing walkway material (paver/tile/concrete). Pouring concrete on pavers or tile to create a concrete finished ramp is not allowed.

PLEASE NOTE:

Paver sample provided must match existing walkway pavers.

14. HEDGE

Homes, E. (04/03/01). *Design Guidelines and Review Procedures. Page 33-34 Section W*

Applicant is required to provide photo and common name of hedges that will be installed. Must provide photos of the hedges that will be removed. Must show and label where the hedges will be planted, on the survey.

PLEASE NOTE:

The homeowner is responsible for keeping the hedge well-trimmed on all sides and not allowing it to grow more than 6' in height.

August 5, 2021

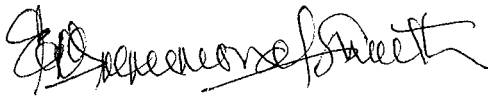
City of Pembroke Pines

Re: Variance for 2178 NW 138th Terrace

This letter serves as consent for neighbors Jose and Evelyn Santa Barbara to build a gazebo 15ft x 20ft on their property. The new addition will not interfere with my property.

If you have any questions you can reach me at any time.

DRUMMOND-SMITH, ENID R
SMITH, NIGEL M
13871 NW 23 ST PEMBROKE PINES FL 33028-2623
PEMBROKE FALLS-PHASE 4A 163-35 B LOT 21 BLK 4



Enid Drummond-Smith



Nigel Smith

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]
Signature of Owner

8/9/21
Date

Sworn and Subscribed before me this 23RD day
of AUGUST, 20 21



Jeffrey Stephens
Comm. #HH047401
Expires: Sept. 28, 2024
Bonded Thru Aaron Notary

Fee Paid

[Signature]
Signature of Notary Public

9/28/24
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