

# Vicinity Map

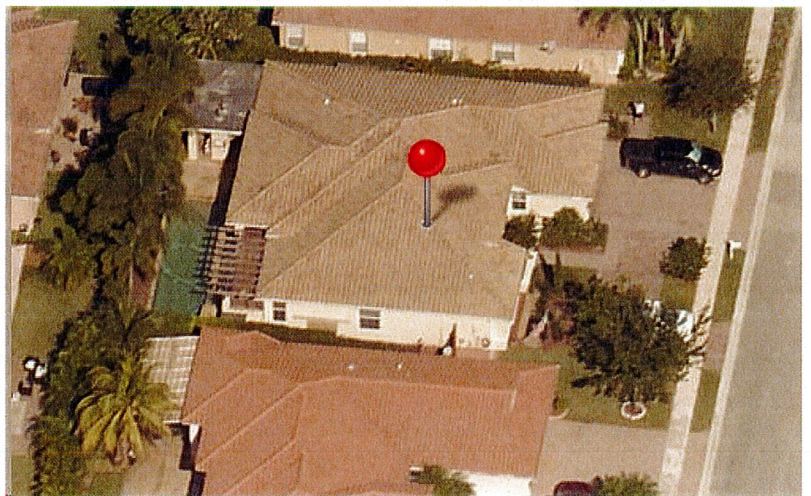
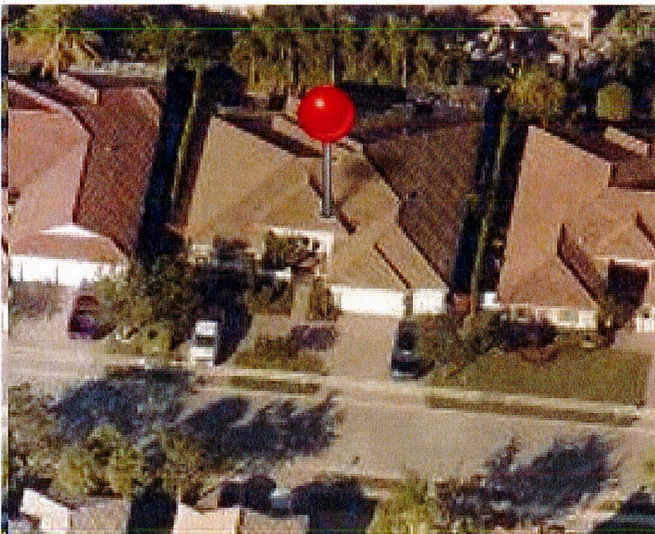
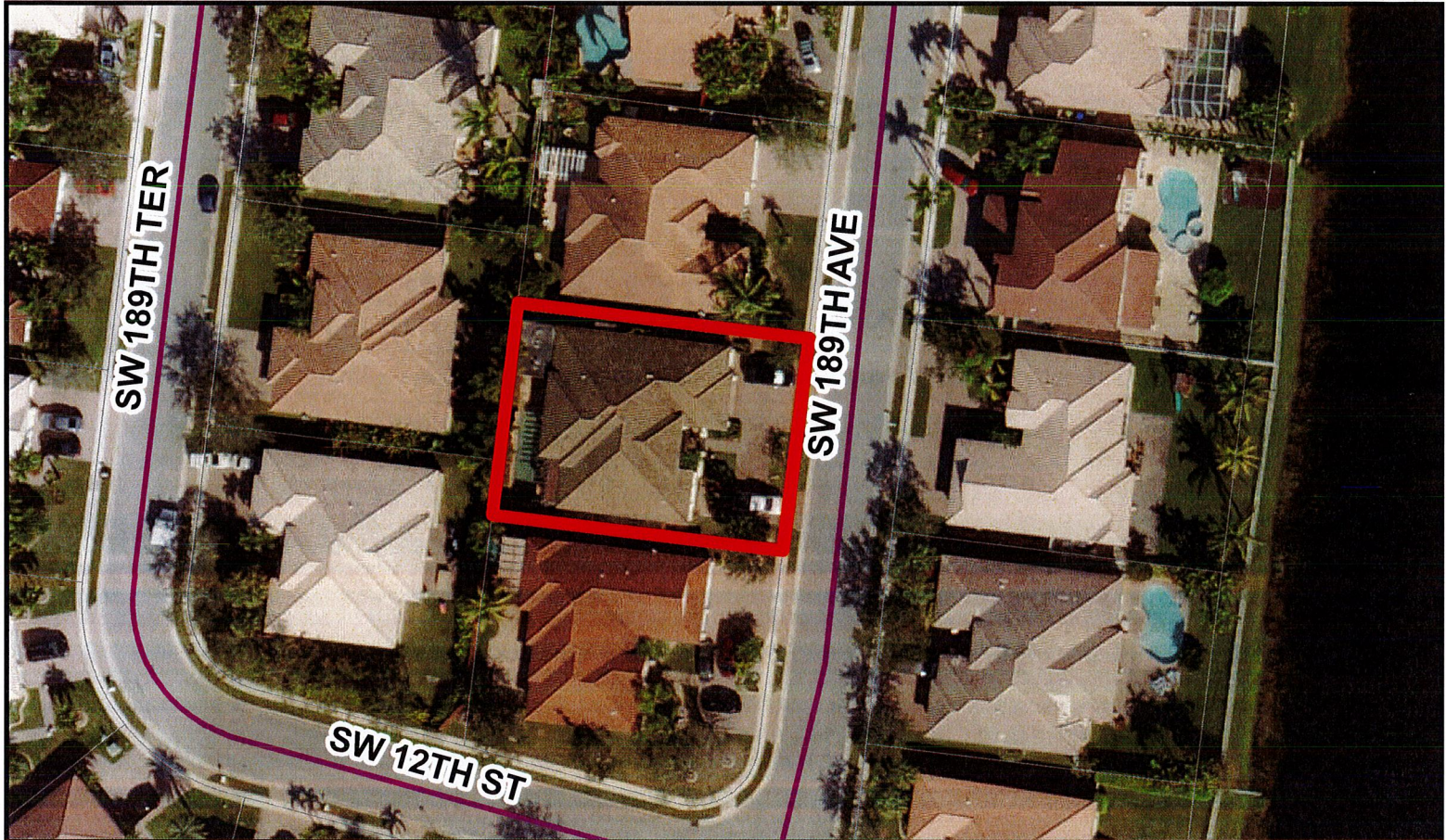
City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2021-32 to 36  
Zoning Variances

ROMANO, ROBERT A & DANA C ROBERT A & DANA C ROMANO REV TR  
1100 SW 189 AVE PEMBROKE PINES FL 33029



NOT TO SCALE









**City of Pembroke Pines**  
**Planning & Economic Development Department**  
**601 City Center Way 3<sup>rd</sup> Floor**  
**Pembroke Pines FL, 33025**

**Summary**

<b>Agenda Date:</b>	November 4, 2021	<b>Application ID:</b>	ZV(R) 2021-32 thru 36
<b>Project:</b>	Existing Hard Roofed Covered Patio and Wood Deck	<b>Project Number:</b>	N/A
<b>Project Planner:</b>	Dean Piper, Zoning Administrator		
<b>Owner:</b>	Robert Romano	<b>Agent:</b>	N/A
<b>Location:</b>	1100 SW 189 Avenue, Pembroke Pines, 33029		
<b>Existing Zoning:</b>	Residential Single-Family (R-1C)	<b>Existing Land Use:</b>	Residential
<b>Reference Applications:</b>	Code Compliance Correction No. - #21080026.		
<b>Variance Summary</b>			
<b>Application</b>	<b>Code Section</b>	<b>Required/Allowed</b>	<b>Request</b>
ZV(R) 2021-32	Table 155.421.3 Residential Single-Family (R-1C)	40% Maximum Lot Coverage	43% Lot Coverage for house and existing hard roofed covered patio
ZV(R) 2021-33	Table 155.421.3 Residential Single-Family (R-1C)	15' Rear Yard Setback	6'-10" Rear Yard Setback for a hard roofed covered patio.
ZV(R) 2021-34	Table 155.620: Accessory Structure: Deck or Patio	5' Side Yard Setback	0' northern Side Yard Setback for an existing wood deck.
ZV(R) 2021-35	Table 155.620: Accessory Structure: Deck or Patio	5' Rear Yard Setback	0' Rear Yard Setback for an existing wood deck.
ZV(R) 2021-36	Table 155.620: Accessory Structure: Deck or Patio	5' Side Yard Setback	0' southern Side Yard Setback for an existing wood deck.
<b>Final:</b>	<input type="checkbox"/> Planning & Zoning Board		<input checked="" type="checkbox"/> Board of Adjustment
<b>Reviewed for the Agenda:</b>	Director: 		Zoning Administrator: 

## PROJECT DESCRIPTION / BACKGROUND:

Robert Romano, owner, has submitted five (5) variance requests for an existing hard roofed covered patio and existing wood deck.

The following are the requested variances to allow:

**ZV(R) 2021-32** – a 43% lot coverage for house and existing hard roofed covered patio instead of the required 40% lot coverage;

**ZV(R) 2021-33** – a 6'-10" rear yard setback for existing hard roofed covered patio instead of required 15' rear yard setback;

**ZV(R) 2021-34** – a 0' north side setback for an existing wood deck instead of the required 5' side setback;

**ZV(R) 2021-35** – a 0' rear setback for an existing wood deck instead of the required 5' rear setback;

**ZV(R) 2021-36** – a 0' south side setback for an existing wood deck instead of the required 5' side setback.

There is a Homeowner's Association in this neighborhood.

The existing hard roofed covered patio, built without a permit, is currently under Code Compliance Correction No. - #21080026. This violation began on March 3, 2021, although it appears that this structure has been existing since at least 2009 per Broward County Property Appraiser (BCPA) aerials.

## VARIANCE REQUEST DETAILS:

**ZV(R) 2021-32)** to allow a 43% lot coverage for house and existing hard roofed covered patio instead of the required 40% lot coverage

*Code Reference:* Table 155.421.3 Residential Single-Family (R-1C)

Standard, Residential, Maximum Lot Coverage, 40%

**ZV(R) 2021-33)** to allow 6'-10" rear yard setback for an existing hard roofed covered patio instead of required 15' rear yard setback

*Code Reference:* Table 155.421.3 Residential Single-Family (R-1C)

Standard, Residential, Rear Setback, 15 feet

**ZV(R) 202021-34)** to allow a 0' north side yard setback for an existing wood deck instead of required 5' north side yard setback

*Code Reference:* Table 155.620: Accessory Structure:

Deck or Patio

**ZV(R) 2020-35)** to allow a 0' rear yard setback for an existing wood deck instead of required 5' yard setback

*Code Reference:* Table 155.620: Accessory Structure:

Deck or Patio

**ZV(R) 2021-36)** to allow a 0' south side yard setback for an existing wood deck instead of required 5' north side yard setback

*Code Reference:* Table 155.620: Accessory Structure:

Deck or Patio

<b>VARIANCE DETERMINATION:</b>
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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: 9/20/21

# 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 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\_\_\_\_ - \_\_\_\_ Application #: \_\_\_\_\_

Date Submitted: \_\_\_\_/\_\_\_\_/\_\_\_\_ Posted Signs Required: (\_\_\_\_) Fees: \$\_\_\_\_\_

**SECTION 1-PROJECT INFORMATION:**Project Name: Romano TerraceProject Address: 1100 S.W. 189th Avenue Pembroke Pines, FL 33029Location / Shopping Center: N/AAcreage of Property: .25 Building Square Feet: 3575

Flexibility Zone: \_\_\_\_\_ Folio Number(s): \_\_\_\_\_

Plat Name: \_\_\_\_\_ Traffic Analysis Zone (TAZ): \_\_\_\_\_

Legal Description:

That portion of parcel A according to Vulcan Materials Company plat no. 2 as recorded in plat book159 at page 36 of the public records of Broward County Florida.

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: Robert Romano

Owner's Address: 1100 S.W. 189th Avenue Pembroke Pines, FL 33029

Owner's Email Address: racelectric@msn.com

Owner's Phone: 954-443-7561 Owner's Fax: N/A

Agent: N/A

Contact Person: Robert Romano

Agent's Address: N/A

Agent's Email Address: N/A

Agent's Phone: N/A Agent's Fax: N/A

*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: \_\_\_\_\_

Required: 15 foot rear setback, 40% lot coverage / 5 foot side and rear setback

Request: 6 foot rear setback, 43% lot coverage / 0 foot side and rear setback

**Details of Variance, Zoning Appeal, Interpretation Request:**

Requesting variance of rear setback from 15 feet to 6 feet and 41% existing lot coverage to 43% lot coverage for covered patio.

Requesting variance of rear setback from 5 feet to 0 feet and side setback from 5 feet to zero foot for on grade wood deck.

**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)

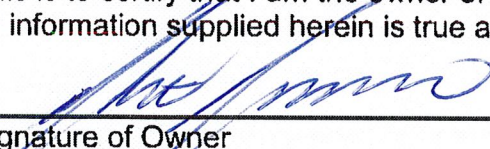
After growing up in Hollywood spending almost everyday on the beach and decades of working in construction I suffer from severe skin damage and rosacea from the sun. My two children also both have eczema which does not do well under the Florida sun. Our existing house patio is over 12 feet high and combined with the western exposure provides no protection from the sun. For these reasons I built a covered terrace so my family and I could enjoy our backyard without harmful sun exposure. After a year of gathering the materials needed I was ready to start the project and we were hit with the recession. The recession took a tremendous toll on my business leaving us with zero work and what seemed like no hope at the time. I proceeded with building the terrace as a way to calm my nerves and provide a little help to my one last employee I kept on the payroll. Although at the time I could not afford all the extra costs of obtaining a permit I still built the entire structure to exceed code. Now with the pandemic and another blow to my business I am not in a position to spend more money on this project. If I were to remove the roof to meet the current setback requirement we would not only lose our sun protection but the structure would still look exactly the same to the surrounding properties. For these reasons I kindly and respectfully request a variance of the rear setback of our property from 15 feet to 6 feet and a variance to increase the existing 41% lot coverage to 43%.

During this process it has been brought to my attention that unlike other cities where a wood deck installed at grade does not require permits this does not hold true in Pembroke Pines. I am now in need for not only a rear setback variance but a side setback variance as well for the less than 10 feet the deck extends on the sides of the property. This deck is needed for proper maintenance of the pool as well as proper access around the pool for safety in the case of an accident. As it stands I really cannot afford these variances but I feel the deck is needed for safety as well I just recently made many repairs to it. For this, again, I respectfully and kindly request a zero rear setback and zero side setback for a on grade wood deck around the pool.

## 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 of Owner

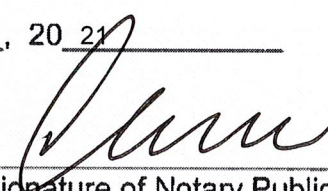
9/8/21

\_\_\_\_\_  
Date

Sworn and Subscribed before me this 8th day

of September, 20 21

\_\_\_\_\_  
Fee Paid

  
\_\_\_\_\_  
Signature of Notary Public



### 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



REVISIONS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

NEW WOOD TERRACE  
1100 SW 189 AVENUE  
PEMBROKE PINES, FL 33029

SEAL:

ERIK NEMATI, P.E.  
Reg. No. 84648

DRAWN BY: E.N.  
CHECKED BY: E.N.  
DATE: 07/14/2021  
SCALE: AS SHOWN

SHEET: SP-1

## SITE INFORMATION

PROPERTY ADDRESS:  
1100 SW 189TH AVENUE, PEMBROKE PINES FL 33029

LEGAL DESCRIPTION:  
THAT PORTION OF PARCEL A ACCORDING TO VULKAN MATERIALS COMPANY PLAT NO. 2 AS RECORDED IN PLAT BOOK 159 AT PAGE 36, OF THE PUBLIC RECORDS OF BROWARD COUNTY, FLORIDA.

SITE CALCULATIONS:  
EXISTING RESIDENCE: 3235 SQFT.  
EXISTING CONCRETE AREA: 800 SQFT.  
EXISTING DRIVEWAY AREA: 649 SQFT.  
PROPOSED CONCRETE AREA: 276 SQFT.

TOTAL AREA: 4960 SQFT.

LOT COVERAGE =  $4960 / 8800 = 56.4\%$

### SCOPE OF WORK:

EXISTING TERRACE TO BE  
LEGALIZED 18'-2" X 15'-2" =  
276 SF

### 2020 FLORIDA BUILDING CODE 7TH EDITION EXISTING BUILDING

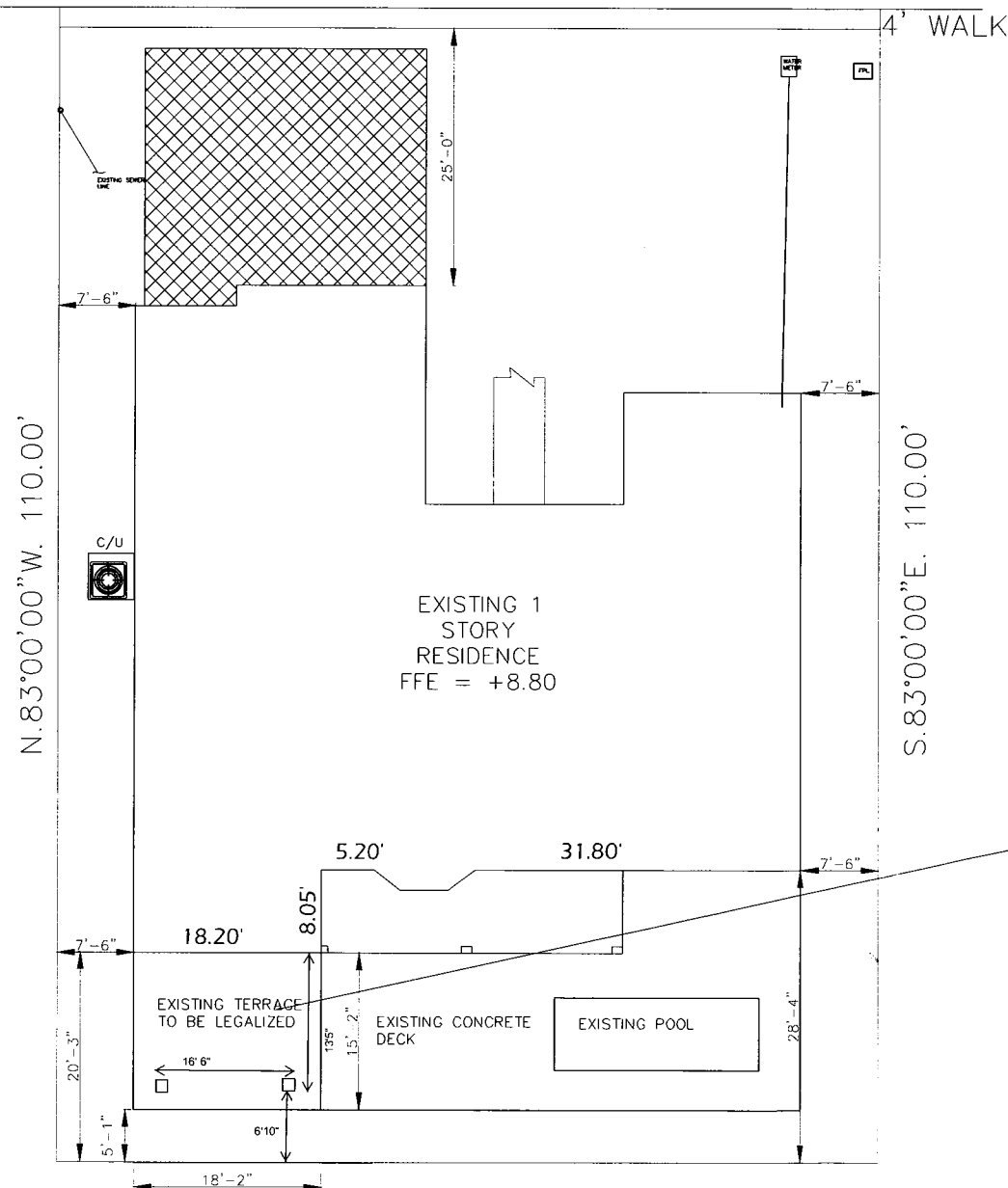
ROOF LIVE LOAD = 30psf  
ROOF DEAD LOAD = 8psf  
ASCE 7-16  
WIND = 165MPH UPLIFT = -44.7 psf  
EXPOSURE C  
IMPORTANCE FACTOR 1.00



S.W. 189TH AVENUE

2' VALLEY GUTTER

4' WALK



## SITE PLAN

SCALE:  $\frac{1}{4}'' = 1'-0''$







284 SW 11TH STREET, POMPANO BEACH, FL 33069  
(954) 547-1683  
CERTIFICATE OF AUTHORIZATION #3264

REVISIONS:

NEW WOOD TERRACE  
1100 SW 189 AVENUE  
PEMBROKE PINES, FL 33029

SEAL: \_\_\_\_\_

ERIK NEMATI, P.  
Ref. No. 8664

DRAWN BY: \_\_\_\_\_

CHECKED BY: \_\_\_\_\_

DATE: \_\_\_\_\_

SCALE: AS FOLLOWS:

SHEET: \_\_\_\_\_

SP-1



S.W. 189TH AVENUE

2' VALLEY GUTTER

4' WALK

N. 83°00'00"W. 110.00'

S. 83°00'00"E. 110.00'

EXISTING 1  
STORY  
RESIDENCE  
FFE = +8.80

SCOPE OF WORK:

EXISTING TERRACE TO BE  
LEGALIZED 18'-2" X 15'-2" =  
276 SF

2020 FLORIDA BUILDING CODE  
7TH EDITION EXISTING BUILDING

7/17 EDITION EXISTING BUILDING  
ROOF LIVE LOAD = 30psf  
ROOF DEAD LOAD = 8psf  
ASCE 7-16  
WIND = 165MPH UPLIFT = -44.7 psf  
EXPOSURE C  
IMPORTANCE FACTOR 1.00

# SITE PLAN

SCALE:  $\frac{1}{4}"=1'-0"$

BCPA  
3,854 # Exist.  
276.

$$\frac{4,130}{8,800} = 47\%$$