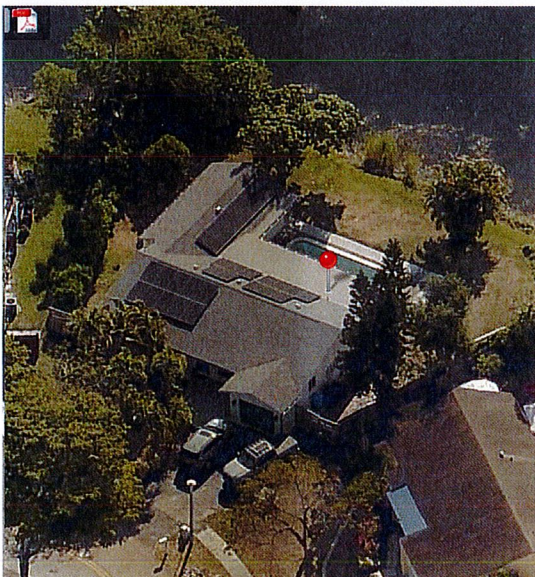
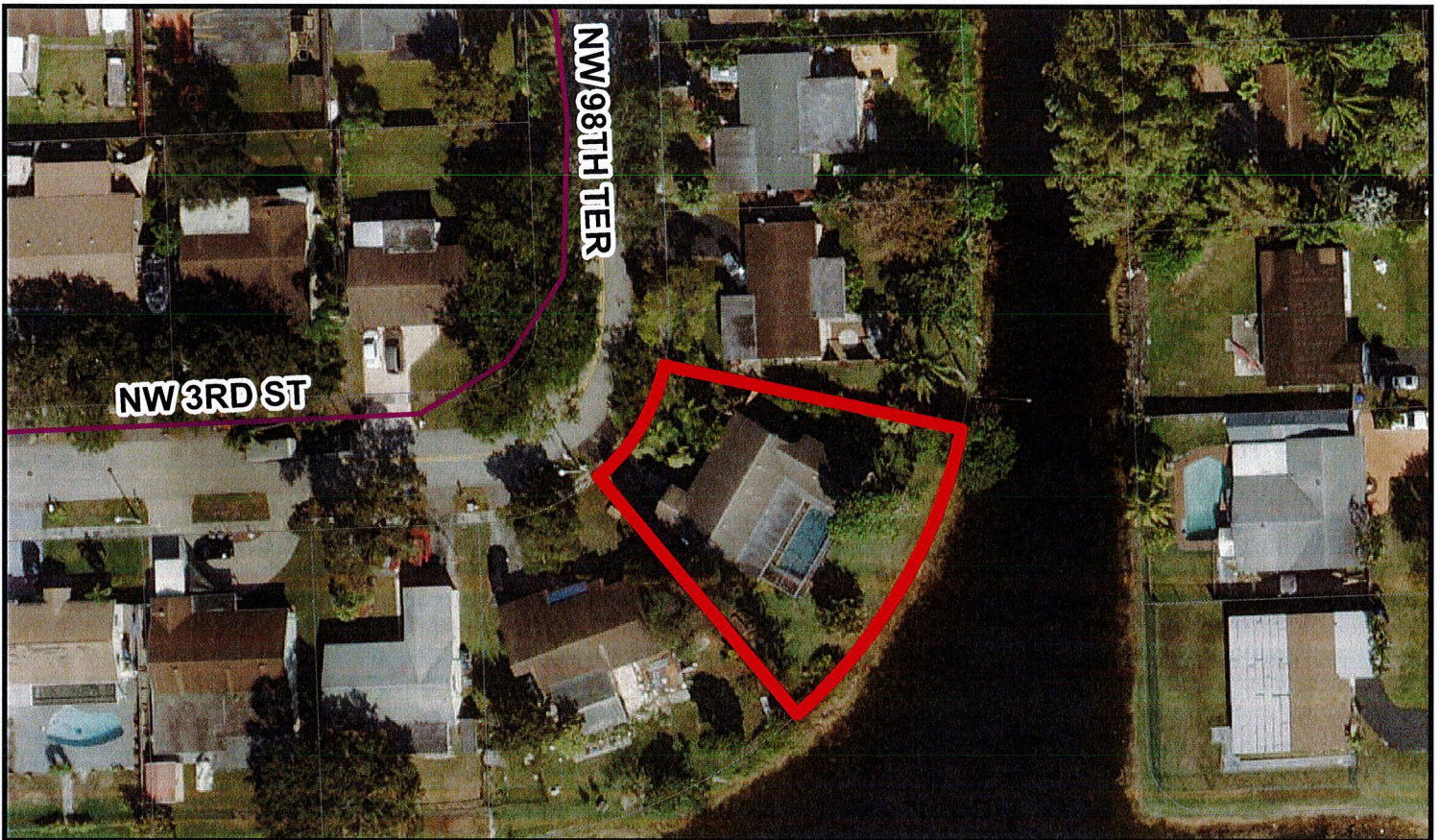


Vicinity Map

City of Pembroke Pines • Planning and Economic Development Department

ZV(R) 2021-37
Zoning Variance



FUSTER, RICHARD ALLEGUE-FUSTER, G ETAL
9820 NW 3 ST PEMBROKE PINES FL 33024





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) 2021-37 |
| Project: | Existing driveway | Project Number: | N/A |
| Project Planner: | Christian Zamora, Planner, via Dean Piper, Zoning Administrator | | |
| Owner: | Richard Fuster | Agent: | N/A |
| Location: | 9820 NW 3 Street Pembroke Pines FL, 33026 | | |
| Existing Zoning: | Single-Family (R1-C) Districts | Existing Land Use: | Residential |
| Lot Type: | Single Family Lot | | |
| Reference Applications: | N/A | | |
| Variance Summary | | | |
| Application | Code Section | Required/Allowed | Request |
| ZV(R) 2021 -37 | Table 155.620: Driveway, Typical Lot. | 5' side yard setback | 0' side yard setback |
| Final: | <input type="checkbox"/> Planning & Zoning Board <input checked="" type="checkbox"/> Board of Adjustment | | |
| Reviewed for the Agenda: | Director:  Zoning Administrator:  | | |

PROJECT DESCRIPTION / BACKGROUND:

Richard Fuster, owner, has submitted a Zoning Variance request application #ZV(R) 2021-37 to allow a 0' side setback to replace like for like an existing driveway at the property. Staff analysis demonstrates the existing driveway meets all other applicable City Code Regulations. (City Code, Table 155.620)

There is no Homeowner's Association in this Neighborhood.

VARIANCE REQUEST DETAILS:

ZV(R) 2021-37 allow a 0' southwestern side yard setback instead of the required 5' side yard setback on a Typical Single Family Residential Lot for an existing driveway at the property. Existing driveway is located to the right side in front of the building's front line and front property line.

Code Reference: **Table 155.620 Accessory Building and Structures.**

Driveway, Typical Lot:

5' side setback

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
Property Survey



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: 9/28/21

Plans for DRC _____ Planner: Christian

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: Christian Project #: PRJ 20____ - ____ Application #: ZV(R) 2021-37

Date Submitted: 9/28/21 Posted Signs Required: (____) Fees: \$ 250.00

SECTION 1-PROJECT INFORMATION:

Project Name: _____

Richard Fuster

Project Address: 9820 N.W. 3rd St. Pembroke Pines, FL 33024

Location / Shopping Center: _____

Acreage of Property: _____ Building Square Feet: _____

Flexibility Zone: _____ Folio Number(s): _____

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

Legal Description:

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: _____

Richard Fuster

Owner's Address: _____

9820 N.W. 3rd St. Pembroke Pines, FL 33024

Owner's Email Address: _____

Jokerskeep@gmail.com

Owner's Phone: _____

(954) 551-4728

Owner's Fax: _____

Agent: _____

Contact Person: _____

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

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 Driveway, Typical Lot

Required: 5' Side Yard Setback

Request: 0' Side Yard Setback

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)

Replacing our current blacktop driveway with pavers. We are applying for this variance due to the current city set-back code of 5ft. Our property is pie or wedge shaped; narrow in the front of the property and expanding to a wider form towards the back of the property. This shape leaves 0 feet from the property line closest to the sidewalk and driveway. The 5ft set back would shift the driveway to the left by 5ft and will place the driveway 5ft to the left of the garage.

Legalizing Existing Condition.

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.

 9/28/21
Signature of Owner Date

Sworn and Subscribed before me this 28 day
of September, 20 21

Cathleen Carrico 5/3/2022
Fee Paid Signature of Notary Public My Commission Expires



CATHLEEN C. CARRICO
Commission # GG 208814
Expires May 3, 2022
Bonded Thru Budget Notary Services

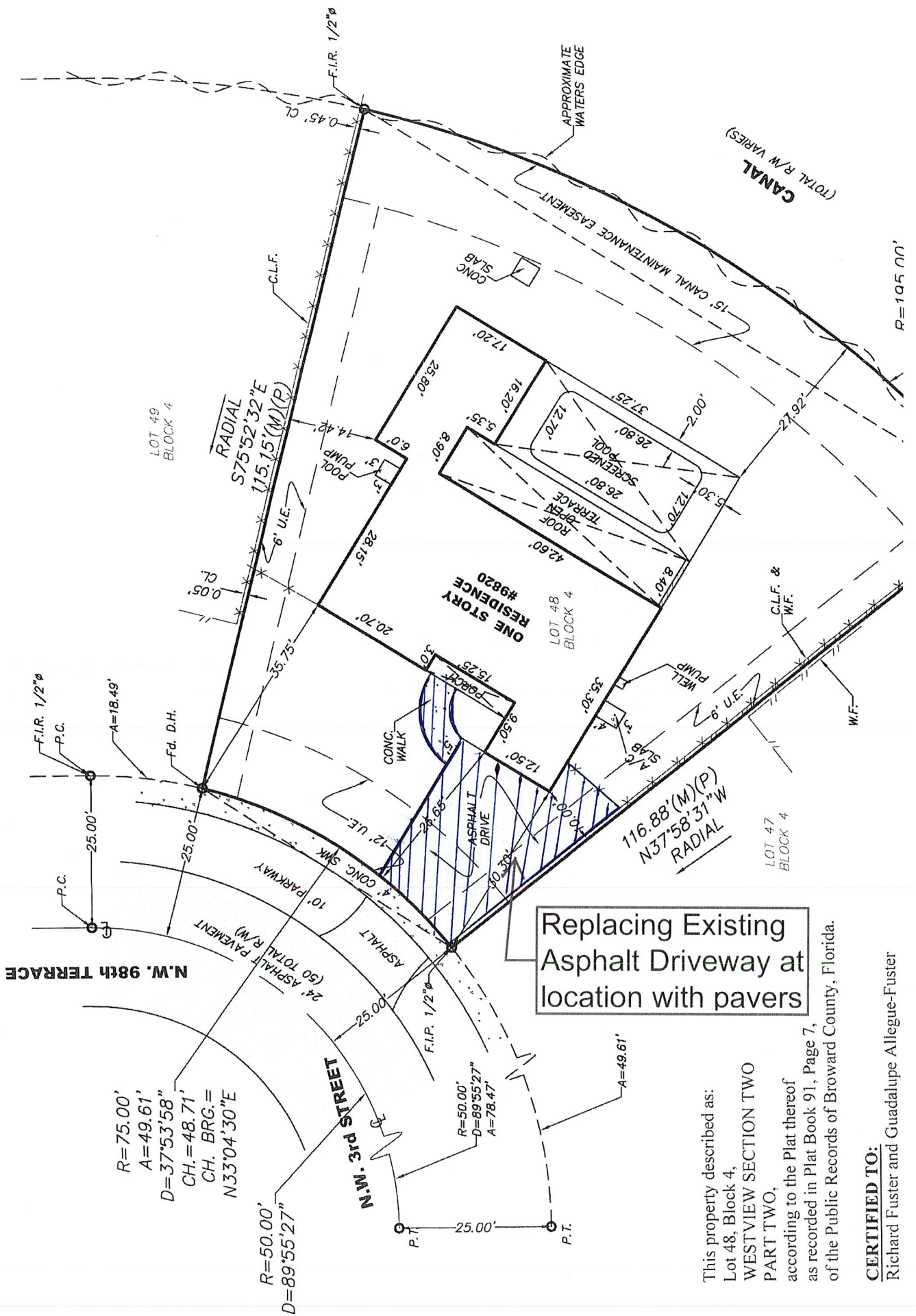
AGENT CERTIFICATION

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



This property described as:
 Lot 48, Block 4,
 WESTVIEW SECTION TWO
 PART TWO,
 according to the Plat thereof
 as recorded in Plat Book 91, Page 7,
 of the Public Records of Broward County, Florida.

CERTIFIED TO:
 Richard Fuster and Guadalupe Allegue-Fuster