



Legislation Text

File #: 18-1326, **Version:** 1

ZV 2018-05, Siena Townhomes, generally located on the south side of Pines Boulevard west of SW 184th Avenue (just east of the entrance into Estancia), variance request. (Dean)

Project Description / Background

Dennis Mele, as agent for owner, is requesting a variance to allow two townhouse buildings within the proposed Siena Townhomes development to be 183 feet in length, instead of the maximum allowed 160 feet in length. The two buildings are located along the west side of the proposed project and are adjacent to the existing entranceway feature into the Estancia development.

Land Use Plan Amendment (PH 2016-03) changed the Land Use from Commercial to Irregular Residential 7.9 units per acre; Zoning Change (ZC 2018-02) changed the zoning from Commercial (B-3) Districts to Townhouse (TH-12) District; SUB 2017-02 (Stellar Pembroke Pines Plat) approved 59 maximum townhouse units; Consideration of proposed Site Plan, SP 2018-07 (Siena Townhomes), is scheduled for the December 13, 2018 Planning & Zoning Board meeting.

VARIANCE REQUEST DETAILS:

ZV 2018-05) Allow the two 8 unit buildings along the western edge of the property to be a maximum 183 feet in length instead of the allowed maximum 160 feet in length

Code Reference: § 155.113 TOWNHOUSE (TH-12) DISTRICT

(D) Site and building regulations.

(1) Grouping length. A grouping of townhouses shall not exceed 160 feet in length.

VARIANCE DETERMINATION:

The Planning and Zoning Board shall not grant any 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 variances, the Planning and Zoning Board shall determine that the variance

granted is the minimum variance that will accomplish the intended purpose (stated 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.