



Legislation Text

File #: 18-1330, **Version:** 1

ZV 2018-10, Pembroke Pines City Center Perimeter Building P-2 (City Mattress), generally located south of Pines Boulevard and west of Palm Avenue, variance request. (Dean)

Project Description / Background

Traci Golownia, as agent for owner, is requesting a variance to allow a 5 inch encroachment into the required 30 foot Pines Boulevard Setback for City Center Building P-2 (City Mattress).

Site Plan #SP 2017-09 was approved showing Building P-2 (City Mattress) located at the required 30' Pines Boulevard Setback. However, when the contractor submitted paperwork for the Certificate of Occupancy, the Final Survey showed Building P-2 encroaching approximately 5 inches into the 30 foot Pines Boulevard Setback.

VARIANCE REQUEST DETAILS:

ZV 2018-10) Encroach 5 inches into required 30 foot Pines Boulevard Setback.

Code Reference: Pembroke Pines City Center Mixed-Use Development (MXD) Guidelines.

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.