



## Legislation Text

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**File #:** 19-0658, **Version:** 1

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ZV(R) 2019-13 Ricardo Oliva, 1031 NW 185 Avenue

### **SUMMARY EXPLANATION AND BACKGROUND:**

#### **PETITIONER:**

Ricardo Oliva

#### **ADDRESS:**

#### **SUBJECT PROPERTY:**

1031 NW 185 Avenue  
Pembroke Pines, FL 33029

#### **LEGAL DESCRIPTION:**

Lot 9, Block G, of the CHAPEL LAKE ESTATES PLAT, according to the Plat thereof as recorded in Plat Book 154, Page 44, of the Public Record of Broward County, Florida.

### **PROJECT DESCRIPTION / BACKGROUND**

Ricardo Oliva has requested two (2) variances ZV(R) 2019-13 to allow a 50% (30') wide driveway instead of the allowed 40% (24') wide driveway and ZV(R) 2019-14 to allow a 48% Front Lot Coverage instead of the maximum allowed 35% Front Lot Coverage with a driveway and walkway.

Mr. Oliva has provide his justification for these variances, his Homeowners Association approval of proposed driveway & walkway and letters from several neighbors in support of his requests.

#### **VARIANCE REQUESTED:**

Petitioner is requesting a variance to:

ZV(R) 2019 13) Allow 48% Front Lot Coverage for a driveway and walkway instead of the allowed maximum 35% Front Lot Coverage.

#### **REFERENCE:**

§ 52.26 DRIVEWAYS ACROSS SWALE AREAS

(H) No driveway may:

(1) Exceed a 35% of the total front lot coverage in a single family residential home; or

### **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 determine that the single-family residential variance granted is the minimum variance that will accomplish the intended purpose in accordance with 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.